

GENERAL PROVISIONS

Unless more stringent standards are established by this Conditional Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the RE-1 zoning district classification shall be followed in connection with the use and development of the Site.

The configurations, placements and sizes of the buildings outlined on the Conditional Rezoning Plan are schematic in nature and may be altered or modified during design development and construction document phases within the Building Envelope lines established on the Conditional Rezoning Plan. Parking layouts may also be modified to accommodate final building locations.

PERMITTED USES

The Site may be devoted only to the following uses:

1. An applied and basic research laboratory relating to the cultivation, study and testing of trees, plants and turf. The laboratory shall be located in a building containing a maximum of 20,000 square feet of floor area, and the building will be located on the Site as generally depicted on this Conditional Rezoning Plan.
2. A farm devoted to the cultivation, study and testing of trees, plants and turf.
3. Arboretums and greenhouses.
4. Related maintenance facilities.
5. Research.
6. Educational and training uses relating to the cultivation, study and testing of trees, plants and turf. The educational and training uses shall be located in a building containing a maximum of 15,000 square feet of floor area, and the building will be located on the Site within the building envelope depicted on this Conditional Rezoning Plan.
7. Office uses. The office uses may be located in the laboratory building described above in Note 1 and depicted on the Conditional Rezoning Plan, and in the educational and training building described above in Note 6 and depicted on the Conditional Rezoning Plan. Additionally, related and ancillary office uses may be located in the maintenance buildings.
8. Accessory uses and structures clearly incidental and related to the permitted principal uses or structures on the lot.

BUFFERS AND SCREENING

1. Buffers and screening shall be provided on the Site in accordance with the requirements of Sections 9.605(a) and (b) of the Ordinance.
2. All roof mounted mechanical equipment placed on any building located on the Site will be screened from view at grade from adjoining public rights of way and abutting properties.
3. Any dumpster visible from a public street or from an adjoining parcel of land will be screened from view by a solid-enclosure with gates. If one or more sides of the dumpster area adjoin a rear wall of a building, the rear wall may be substituted for the fence along each such side.
4. The requirements of the City of Charlotte Tree Ordinance shall be met on the Site.

SETBACKS, SIDE YARDS AND REAR YARDS

Any building located or constructed on the Site will satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the RE-1 zoning district.

Pursuant to Section 9.605(a) of the Ordinance, at least one-half of the depth of the 100 foot setbacks, except where driveway access or utility easements are required, shall be maintained with existing vegetation. The entire depth of the 35 foot yards/screening buffers shall be maintained with existing vegetation.

PARKING

Off-street parking and loading will meet the minimum requirements set out in the Ordinance.

SIGNS

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

ACCESS POINTS (DRIVEWAYS)

1. The number of vehicular access points to the Site shall be limited to those depicted on the Conditional Rezoning Plan.
2. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Department of Transportation or the North Carolina Department of Transportation.

FIRE PROTECTION

Adequate fire protection will be provided to the Mecklenburg County Fire Marshall's specifications. A fire hydrant will be installed within 750' of the most remote part of the facility (as the truck travels).

ARCHITECTURAL CONTROLS

The maximum height of any building constructed on the Site shall be 40 feet.

STORM WATER MANAGEMENT

Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.

AMENDMENTS TO REZONING PLAN

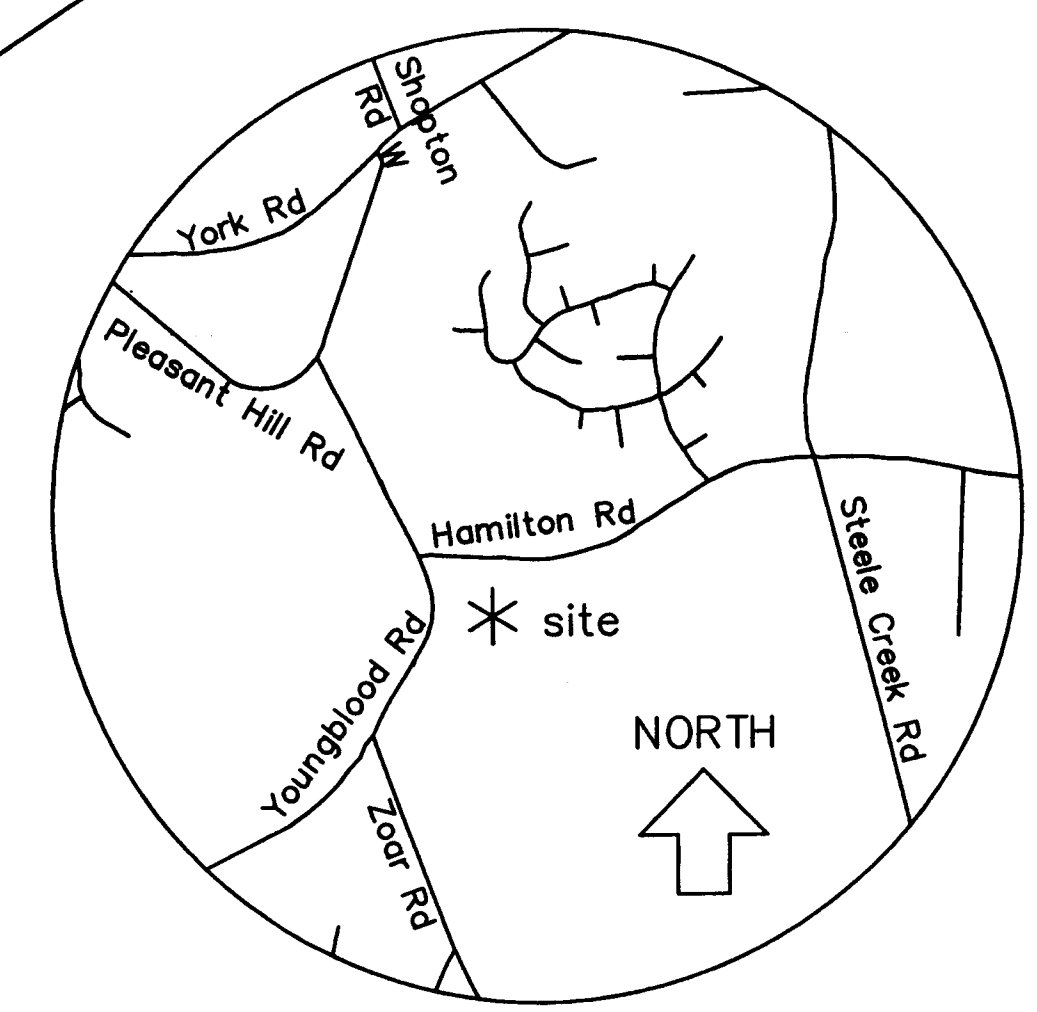
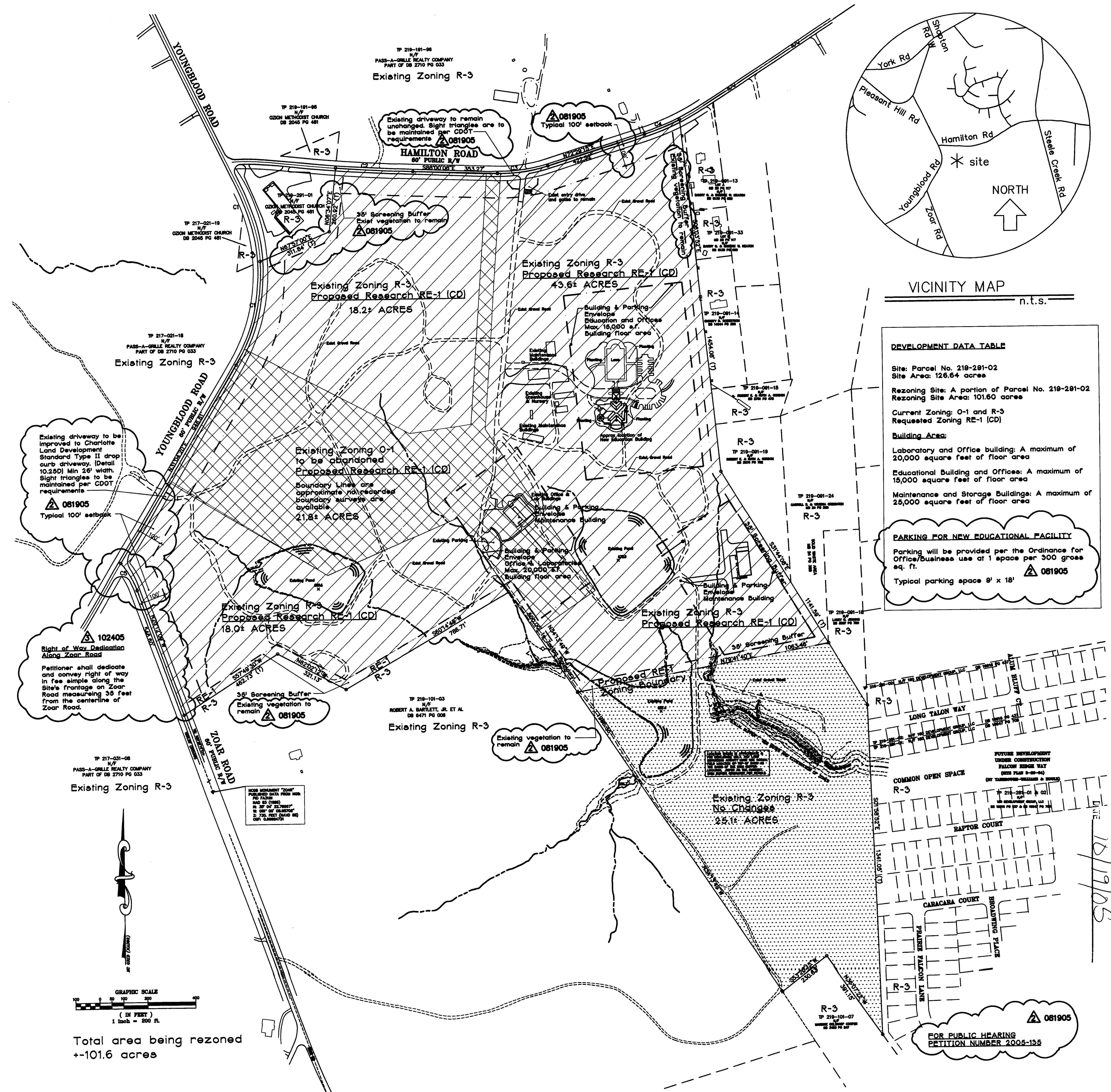
Future amendments to the Conditional Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

BINDING EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under these Development Standards and the Conditional Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

NUTRIENT MANAGEMENT PLAN

A nutrient management plan shall be developed to limit nutrient applications to levels equal to or less than vegetation nutrient uptake in order to minimize nutrient transportation via surface runoff, subsurface interflow, or deep percolation. Slow release fertilizers are to be used to reduce nutrient loss below the root zone. Fertilizer applications are to be commensurate with tree growth requirements based on species, cultivar, climate, soil conditions, and chemical formulation. Nutrient applications are not to exceed turf and plant uptake requirements during any growing season. The potential for off-site transport of nutrients must be assessed prior to application and measures must be taken to prevent negative water quality impacts.



DEVELOPMENT DATA TABLE

Site: Parcel No. 219-291-02
Site Area: 126.64 acres

Rezoning Site: A portion of Parcel No. 219-291-02
Rezoning Site Area: 101.60 acres

Current Zoning: O-1 and R-3
Requested Zoning: RE-1 (CD)

Building Areas:

Laboratory and Office building: A maximum of 20,000 square feet of floor area
Educational Building and Offices: A maximum of 15,000 square feet of floor area
Maintenance and Storage Buildings: A maximum of 25,000 square feet of floor area

PARKING FOR NEW EDUCATIONAL FACILITY

Parking will be provided per the Ordinance for Office/Business use at 1 space per 300 gross sq. ft.
Typical parking space 9' x 18'

GRAPHIC SCALE
1 inch = 200 ft.

Total area being rezoned
+101.6 acres