Ordinance 766 ZC 478
Effective 4/18/00

Z-26-00 Louisburg Road, south side, east of Dansey Drive, north of Kyle Drive, being various Wake County Tax PIN Maps and parcels. Approximately 22.3 acres rezoned to Residential-15 Conditional Use. (The Special Highway Overlay District-3 will remain unchanged).

Conditions: (04/05/00)
For the purpose of the following conditions, tax map parcels 1726.16-93-1431, 1726.16-93-5368, 1726.16-93-6695, 1726.16-93-5701, 1726.16-93-6828, 1726.16-94-7087, and 1736.13-03-3627 are referred to as the "Property."

1. Incident to the development of the Property, a stormwater management system will be implemented which will provide detention of stormwater to maintain existing (pre-development) discharge rates from the Property for the two (2) and ten (10) year storms.

2. The following uses shall be prohibited upon the Property: library, art gallery, or museum-governmental; utility services and substation; bed and breakfast inn; recreational outdoor use-commercial; rooming house, lodging house or tourist home; outdoor stadium, outdoor theater, outdoor racetrack with more than 250 seats; outdoor movie theater; parking lot (lot, deck or garage) as a principal use; or telecommunication tower.

3. There shall be constructed no more than 264 residential units upon the Property.

4. All of that portion of the Property identified as "Buffer-Use Limited to Utility Extensions and Storm Drainage System" and "Undisturbed Buffer" on the map **attached** hereto as Exhibit C-1 shall remain undisturbed (the "Protected Areas"). It is provided, however, that dead, dying or diseased vegetation may be removed from the Protected Areas and utilities, including stormwater pipes, devices, and detention facilities, may be installed therein. The portion of the Protected Areas so disturbed shall not exceed thirty percent (30%) of the total area thereof.

5. A streetyard landscaped in accordance with the requirements of the Raleigh City Code twenty-five (25) feet in width shall be maintained along those portions of Kyle Drive so indicated on Exhibit C-1. Such streetyard shall contain a berm three (3) feet in height and a closed fence six (6) feet in height shall be constructed along the crest of the berm. Utilities, including stormwater pipes and devices, may be installed within the streetyard, provided that the area otherwise designated for the streetyard and berm may be crossed by the extension of Fox Road at a location approved by the City of Raleigh. The streetyard may also contain signage authorized by the Raleigh City Code.

6. Subject to approval by the North Carolina and Raleigh Department of Transportation, all construction traffic shall enter the Property from U.S. 401 (Louisburg Road).

7. The reimbursement value for right-of-way conveyed to the City will be at existing RR or R-6 rates.

8. Site lighting upon the Property shall be designed in such a way that the lighting is directed downward and the light source is not visible from adjoining parcels.