Z-38-05 – Tara Drive, east and west sides, being Wake County PIN 1705-67-4860. Approximately 19.24 acres rezoned from Residential-15 and Conservation Management With Special Highway Overlay District-1 to Residential-10 Conditional Use and Conservation Management With Special Highway Overlay District-1.

Conditions dated: August 15, 2005

1. Redevelopment of the subject property will be limited to residential use – including townhomes and condominiums, and their allowable accessory uses.

2. All structures shall be residential in character with the principal roof structure either flat with parapets or having a minimum 3:12 pitch. All structures shall be faced with brick or concrete masonry; synthetic stucco or wood; or cementitious, wood or vinyl siding and trim. Windows and doors combined to represent no less than 15% and no greater than 60% of the front facade.

3. All structures shall be no greater than four (4) stories (three stories of residential dwellings above one story of parking), with a maximum of sixty-five (65) feet in height. Setbacks shall be adjusted at a 1:1 ratio based on the tallest structure over 40 feet and in accordance with Section 10-2076 of the Zoning Ordinance.

4. Transitional protective yards adjacent to existing single-family developed lots will be a minimum of 40 feet in width. Land disturbance within the 40-foot transitional protective yard shall not exceed 50% of yard area and will consist of preserved existing vegetation or new plantings equivalent to 10 trees (minimum of 50% evergreen) and 20 shrubs per 100 linear feet of yard.

5. A transitional protective yard interior in the subject property adjacent to the CM district along the southern boundary will be a minimum of 20 feet in width and will consist of preserved existing vegetation or new plantings equivalent to 6 trees and 28 shrubs per 100 linear feet of yard. The southern boundary is further described as the common boundary with parcels identified by Wake County PIN Numbers 1705672172, 1705674162, 1705676154, 1705678028, 1705679130 and 1705770133.