Z-65-05 - (MP-3-05) – Trailwood Drive, on the west side of Trailwood Drive, south of its intersection with Avent Ferry Road, being Wake County PIN's 0793144260 and 0793134771. Approximately 11.45 acre rezoned with Planned Development Conditional Use Overlay District.

Conditions: 03/09/06

A. Sidewalks shall be provided along both sides of all public street(s).

B. A footpath or similar facility shall be provided from the public residential street(s) ROW to the Walnut Creek Greenway Trail. The footpath shall be accessible to the public.

C. All buildings shall be limited to no more than two floors and forty feet in height; roof area/decks, basements and crawl spaces shall not be counted toward this measurement.

D. No vinyl siding shall be allowed.

E. HVAC equipment, utility meters, transformers, generators and similar equipment shall be screened from view with plant material or architectural screen; materials shall be compatible to principal building. This type of equipment shall not be located between the front wall of any building and a public or private street.

F. No pressure-treated southern yellow pine railings or hand rails shall be permitted on any building.

G. No "wall pack" type light fixture shall be permitted on any building or structure.

H. The storage place for trash receptacles, roll-out carts or cans shall be screened from the public right-of-way or any off-site view.

I. Residential density shall be limited to no more than twelve (12) single family detached dwelling units with a definition that constitutes a family, to be no more than three unrelated individuals.

J. Lots shall be a minimum of 5,000 square feet in area.

K. Prior to construction Homeowner Association documents shall be recorded that require owner occupancy with a "sabbatical" provision that shall allow rental for no more than 12 consecutive months. A dwelling in this development may remain vacant indefinitely so long as it is not rented.

L. Prior to any construction and/or lot recordation, whichever occurs first, all remaining land outside of single family lots and public right of way dedication

shall be designated by deed as common open space for the use of the homeowners association and/or other entity (i.e. — conservation easement) as may be determined by the owner.

M. Nine of the 12 dwelling units shall be a minimum of 1,800 square feet in area (gross).

N. Prior to any development, required easements and dedications requested by the City of Raleigh shall be recorded at the Wake County Register of Deeds.

O. No more than one (1) vehicular access point shall be allowed from Trailwood Drive; the road shall be designed to minimize grading impact for the road and utilities.

P. No public street (except to allow for future improvements to Trailwood Drive) shall be- built within the floodplain of Walnut Creek.

Q. A 10' X 20' transit easement shall be provided to the City of Raleigh along Trailwood Drive prior to any lot recordation or permit issuance, whichever shall occur first.

R. A 50' average Natural Protective Yard, with a range of 25' minimum, to 100' maximum shall be provided along Trailwood Drive.

S. Building Setbacks: each home will be sited with regards to environmental criteria (trees and slopes) and how it would relate to its neighbors. In no event shall the setbacks be less than the following:

1. No single family home shall be located closer than 30' from the southern boundary of the property adjoining Wake County PIN: 0793134465
2. Front setbacks shall be 10' minimum.
3. Rear setbacks shall be 20' minimum; except as noted in item "1" above.
4. Side setbacks shall be 0' minimum, with a 10' aggregate yard.

T. Site lighting, except public right-of-way street lighting, shall not exceed 12' in height. All exterior lighting shall be cut -off type fixture, and shall be aimed and/ or oriented to minimize glare observed from off-site properties and public right-of-way.

U. Upon acceptance by and approval by the City of Raleigh and/or NCDOT, street yard requirements may be provided within the public right-of-way.