Z-54-06 – Buffaloe Road, on the southeast side of its intersection with Forestville Road, being various Wake County PINs. Approximately 127.24 acres rezoned to Residential-6 Conditional Use.

Conditions: 12/12/06

a. Reimbursement for additional right-of-way dedications along Buffaloe Road, Old Milburnie Road and Forestville Road shall be at Residential-4 District values.

b. There shall be no more than: (i) two (2) public street accesses onto Buffaloe Road from the Property; (ii) one (1) public street access onto Forestville Road from the Property; and (iii) one (1) public street access onto Old Milburnie Road from the Property.

c. Development of the Property shall consist of only single family detached dwelling units and/or townhomes. Residential density for the Property shall not exceed 600 dwelling units or an average of 4.7 dwelling units per acre, whichever is less. There shall be a maximum of 120 townhouse dwelling units located on the Property. All townhouses located on the Property shall be served by at least a one-car garage.

d. Development of those portions of the Property adjacent to and abutting the properties identified by Wake County PINs 1745-79-4962 (Bk 2439, Pg 184), 1745-79-1688 (Bk 11703, Pg 1035), 1745-69-9704 (Bk 4805, Pg 345), 1745-69-6723 (Bk 4427, Pg 936), 1745-69-4713 (Bk 3461, Pg 131), 1745-69-1792 (Bk 3461, Pg 129), 1745-59-8732 (Bk 3125, Pg 80), 1745-59-4689 (Bk 3125, Pg 78), 1745-49-5347 (Bk7222, Pg 867), 1746-41-6877 (Bk 9050, Pg 759), 1746-41-7778 (Bk 12248, Pg 1509), 1746-41-9800 (Bk 6318, Pg 944), 1746-51-0859 (Bk 6383, Pg 277), and 1746-51-2873 (Bk 6962, Pg 219 (**collectively, the "Adjacent Properties"**) shall consist only of: (i) single-family dwelling unit lots with a minimum depth of 110 feet and a minimum width of 75 feet; or (ii) open space lots with a minimum depth of 50 feet; or (iii) public rights-of-way.

e. Except for open space adjacent to and abutting Wake County PIN 1745-49-5347 (Bk 7222, Pg 867) and prior to the issuance of a certificate of occupancy for the Property, the owner of the Property shall construct and install a six (6') foot high solid wood or vinyl fence within five (5') feet of the common property lines along those portions of the Property adjacent to and abutting the Adjacent Properties (as defined in Condition d. above.)

f. Any townhouse structures located upon the Property shall be located no closer than 400 feet from the common property lines of the Property and the Adjacent Properties.

g. The front exterior wall of dwelling units, exclusive of foundations, constructed upon the Property shall have areas of brick and/or stone, and hardiplank siding or vinyl siding.

h. Buildings constructed upon the Property shall not exceed forty (40) feet in height or three (3) stories, whichever is lesser.

i. Prior to the issuance of a certificate occupancy for the three hundredth single family dwelling unit constructed upon the Property, development upon the Property shall include the following, completed amenities: a clubhouse not less than 1200 square feet in size; a swimming pool; and three (3) tot lots not less than 900 square feet each in size.

j. Single family detached dwelling units constructed on the Property shall include crawl space foundations.

k. Where there are no mature trees meeting the basal standards of Section 10-2082.5(f) of the City landscape ordinance and within twenty feet (20’) of Buffaloe Road, an earthen berm at least four feet (4’) in height measured from the edge of right of way of Buffaloe Road shall be constructed and installed along the northern boundary of the Property that abuts Buffaloe Road.