Z-20-08 Poole Road - located on the north side, west of its intersection with the Beltline (I-440), at Birch Ridge Drive, being Wake County PIN(s) Tracts 1&2: 1723552355 and Tract 3: 1723565439. Approximately 73.832 acres rezoned to Office & Institution-1 Conditional Use District **(Special Highway Overlay District-1 to remain)**.

Conditions: 08/13/08

CONDITION 1: BUILDINGS IN TRACT 2 (OUTSIDE SHOD-1 OVERLAY) SHALL BE A MAXIMUM OF 70 FEET IN HEIGHT.

CONDITION 2: BUILDINGS WITHIN 100 FEET OF THE WEST LOT LINE OF THE SUBJECT PROPERTY, THAT ARE EITHER RESIDENTIALLY ZONED, OR CONTAIN A DWELLING, EQUIVALENT DWELLING, OR A CONGREGATE CARE UNIT, SHALL BE A MAXIMUM OF 40 FEET IN HEIGHT.
PROPERTIES WITHIN 100' OF THE WEST LOT LINE ARE AS FOLLOWS: WAKE COUNTY PIN #'S 1723456036, 1723455108, 1723456736, 1723466455, 1723467518, 1723466695, 1723467933, 1723474286.
CONSTRUCTION OF A DWELLING, EQUIVALENT DWELLING, OR CONGREGATE CARE UNIT ON A LOT WITHIN 100 FEET OF THE WEST LOT LINE, AFTER THE LAWFUL CONSTRUCTION OF A BUILDING ON THE REZONED LAND, SHALL NOT MAKE THE BUILDING ON THE REZONED LAND A NON-CONFORMING USE.

CONDITION 3: REIMBURSEMENT FOR FUTURE RIGHT-OF-WAY SHALL REMAIN AT THE ORIGINAL R-6 ZONING VALUE FOR THE PROPERTY.

CONDITION 4: THE MAXIMUM FLOOR AREA GROSS, AS DEFINED IN PART 10 CHAPTER 2 OF THE CITY CODE, OF ALL BUILDINGS ON THE REZONED PROPERTIES, SHALL NOT EXCEED ONE MILLION SQUARE FEET.

CONDITION 5: DEVELOPMENT OF THE PROPERTY SHALL BE SUBJECT TO PRELIMINARY SITE PLAN REVIEW BY THE PLANNING COMMISSION.

WITHIN 60 DAYS FOLLOWING THE EFFECTIVE DATE OF THE REZONING ORDINANCE, A RESTRICTIVE COVENANT, APPROVED BY THE CITY ATTORNEY AND THE COUNCIL OF STATE, ALLOCATING THE ALLOWABLE FLOOR AREA GROSS TO THE LOTS OF RECORD, SHALL BE PREPARED AND RECORDED WITH THE WAKE COUNTY REGISTRY, AND A RECORDED COPY OF THE ALLOCATION COVENANT SHALL BE GIVEN TO THE PLANNING DIRECTOR OF THE CITY OF RALEIGH.