Z-9-2000 Falls of Neuse Road, south side, east of Raintree Lane, being Wake County PIN Maps 1718 30 1992, 4915, 4871, 5936 and 7915. Approximately 5 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: (04/25/00))

A. The property will be developed in accordance with Planning Commission Certified Requirement 7107, except that a Residential-4 standard shall be applied to the entire site. Concurrently with site plan approval, a stormwater management plan will be submitted for City Administration review.

B. All exterior refuse containers shall be screened so as not to be visible from public rights-of-way or adjacent residentially zoned properties. Said refuse containers shall have plastic lids and shall only be emptied between the hours of 7:00 am and 7:00 pm.

C. Building height shall be substantially similar to that of the existing office building on PIN 1718.18 30 7992. Buildings with roof pitch of 5:12 or greater may be thirty feet (30') tall; otherwise, no building height on the property shall exceed twenty-five (25'). No building within one hundred feet (100') of the property lines of PIN's 1718.30 1668 (Smith), 1718.30 2648 (Brantley), 1718.30 3772 (Rosenberg), 1718.30 4774 (Brinkley), 1718.30 6712 (Gourley), and 1718.30 8732(Rice) may have roof dormer windows facing such properties.

D. Exterior lighting shall be aimed and/or shielded so as to prevent direct view of the light sources from adjacent residentially zoned lots. Any freestanding light poles shall not exceed twenty-five (25') in height.

E. No "wall packs" shall be installed on building walls facing PIN's 1718.18301668 (Smith), 1718.183202648 (Brantley), 1718.18303772 (Rosenberg), 1718.18304774 (Brinkley), 1718.18306712 (Gourley), and 1718.18308732 (Rice).

F. Upon development of the subject property, a Type C transition yard as same is defined in Section 2082.9 of the Raleigh City Code shall be established as follows:

> 1. The transition yard shall be not less than fifty feet (50') in width adjacent to the residential properties with Wake County PIN's 1718.18 30 1668 (Smith), 1718.18 30 2648 (Brantley), 1718.18 30 3772 (Rosenberg), 1718.18 30 4774 (Brinkley), 1718.18 30 6712 (Gourley), 1718.18 30 8732 (Rice). The planting requirements of the Type C transition yard will be exceeded by twenty percent (20%). Best Management Practices shall be followed to preserve the Cupressocyparis leylandii, a/k/a Leyland Cypress, existing adjacent to Wake County PIN's 1718.18 30 1668 (Smith), 1718.18 30 2648 (Brantley) and part of 1718.18 30 3772 (Rosenberg). The identical or similar variety shall be installed and spaced adjacent to 1718.18 30 3772 (Rosenberg), 1718.18 30 4774 (Brinkley), 1718.18 30 6712 (Gourley), and 1718.18 30 8732 (Rice.)

2. Storm drainage facilities, erosion control devices, electric, telephone, cable television and similar installations (fiber optic cable, etc.) gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate local government authority may exist within the transition yard, but any such construction shall be underground and designed and undertaken so as to create as little disturbance of the transition yard as possible while still honoring public service, health and safety requirements. Notwithstanding the foregoing, utility manholes, junction boxes, and storm drainage inlets shall be allowed above ground.

G. Floor area ratio shall not exceed thirty-six percent (36%), and a maximum building lot coverage of twenty-five percent (25%).

H. The following uses, otherwise permitted in the O&I-1 zoning district, shall not be permitted:

1. Hospital
2. Emergency shelter
3. Airfield, landing strip and heliport
4. Correctional/penal facility
5. Outdoor stadium, outdoor theater, outdoor racetrack, outdoor movie theater.
6. Telecommunications tower
7. Dwellings

I. Cross access shall be tendered to adjacent property fronting on Falls of Neuse Road, being PIN 1718.18 30 9966, unless prohibited by the Raleigh City Code. Reimbursement for any right-of-way dedication for the parcels currently zoned R-4 shall be based on R-4 values.

J. Mechanical equipment located on the property for heating, ventilation and air conditioning shall be either located within the buildings or, if outside, at ground level, and screened and/or enclosed so as not to be visible from PIN's 1718.18 30 1668 (Smith), 1718.18 30 2648 (Brantley), 1718.18 30 3772 (Rosenberg), 1718.18 30 4774 (Brinkley), 1718.18 30 6712 (Gourley), and 1718.18 30 8732 (Rice), nor produce consistent sound or noise measurable above the ambient sound level at the aforementioned property lines for durations exceeding fifteen minutes.

K. A fifteen-foot (15') wide street protective yard shall be provided along Falls of Neuse Road, with landscaping installed to the extent necessary to satisfy the SHOD-II zoning overlay district. Existing trees nine inches (9") in diameter measured four feet (4') above the ground shall be preserved.

L. At the time of site plan approval, a Unity of Development Plan will be formulated for all buildings on the site assuring complementary architectural style, construction materials and cross-access ways. The design and materials shall be substantially similar to the existing "Williamsburg style" office building existing on PIN 1718.18 30 7992.

M. Notice of all site plan, subdivision plan, and unity-of-development plan applications shall be mailed first-class to adjacent owners (PINs 1718.18 30 1668 (Smith), 1718.18 30 2648 (Brantley), 1718.18 30 3772 (Rosenberg), 1718.18 30 4774 (Brinkley), 1718.18 30 6712 (Gourley), and 1718.18 30 8732 (Rice) concurrent with filing with the City of Raleigh. The names an addresses used shall be those listed with the Wake County tax office as current owners.