Z-09-07 – Six Forks Road - on the west side of Six Forks Road, south of its intersection with Shelley Road, being Wake County PIN 1706545601. Approximately 0.53 acre rezoned to Office and Institution – 1 Conditional Use.

Conditions: 04/10/07

A. Above ground storm water facilities shall be located outside of required Transitional Protective Yards.

B. Any non-residential building shall have a maximum height of thirty-six (36) feet as measured by the city code criteria for height. In addition, non-residential building shall not include more than two occupied stories. Development shall also be limited to a single primary structure. Any building shall have a minimum roof pitch of 4:12.

C. Building fenestration (windows and doors) shall represent no less than l5% and no greater than 60% for all sides of any nonresidential building.

D. Except for windows, doors and roof, building materials shall be residential in nature: limited to brick, wood, stone, and / or hardi-plank.

E. Any non-residential building shall have a minimum thirty (30) foot set back line from Six Forks Road. Off street parking shall be prohibited between any building and Six Forks Road. The building setback area shall be landscaped with six (6) shade trees, four (4) under story trees and twenty (20) shrubs per 100 linear feet of setback are along the building wall. Shade trees shall meet the caliper inch requirements for street protective yard planting. Understory trees and shrubs may be massed for effect. Shrubs shall be at least 24 inches at time of planting.

F. Parking shall be set back a minimum of fifteen (15) feet from the right-of-way of Six Forks Road. This fifteen (15) foot wide parking setback and street protective area shall meet Transitional Protective Yard standard requirements (Type D).

G. Site area lighting shall be located to minimize spill over light toward the adjacent residential properties. Site area lighting shall consist of fixtures and poles or wall packs with a maximum height of eighteen (18) feet. Lighting fixtures shall create down lighting only and shield the light source from being visible from the side. Metal Halide light bulbs shall be prohibited.

H. Access will be limited to one access point on Six Forks Road.

I. Cross access shall be given to adjacent parcels to the North (pin #1706544792) and south (pin #1706544735).

J. Prior to subdivision approval of the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty (20) feet long adjacent to Six Forks Road by fifteen

(15) feet wide to support a bus stop for transit services in the area. The location of the transit easement shall be approved by the Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation.

K. Reimbursement for any required right-of-way dedication shall be at the current R-4 rate.

L. The following land uses as set forth in Code Section 10-2071 Schedule of Permitted Land Use in Zoning Districts shall be prohibited within the zoned area:

1. Recreational use restricted to membership-Commercial of all types;

2. Recreational use non-governmental (outdoor, stadium; theater; amphitheater and race tracks);

3. Recreation governmental (indoor, outdoor, and rifle ranges) of all types;

4. Fraternity house;

5. Sorority house;

6. Rooming house, boarding house, lodging house, tourist home;

7. Emergency shelter A, Emergency shelter B, and religious shelter unit;

8. Civic Club;

9. Cemetery;

10. Correctional/penal facility;

11. Fire station, police precinct, training facility and other emergency service facility;

12. Funeral home;

13. Radio and television studio;

14. Telecommunications towers less than 250 feet in height

15. Telecommunications towers all other

16. Dance, recording, music studio;

17. Parking facility — principle use;

18. Manufacturing —specialized;

19. Landfill—debris from

20. Transportation — including airfields, landing strips, heliports, and taxicab stands.

21. Power Plant utilities

22. Utility substations — governmental

23. Water or sanitary sewer treatment plant (i.e. facilities other than septic tanks, pumping stations, wells and package treatments designed to handle water and waste water.

24. Rest Home
25. Eating establishments (as permitted as accessory use in office buildings);
26. Crematory;
27. Hospital;
28. Veterinary hospital;
29. Guest house Facility;
30. Research farm;
31. Agricultural uses (general)
32. Camp (recreation); and
33. Reservoir.