Z-69-05 – Glenwood Avenue, north side, west of its intersection with Morehead Drive, being portions of Wake County PINs 0796-13-8997 and 0796-14-8498. Approximately 4.64 acres rezoned from Office and Institution-3 to Office and Institution-1 Conditional Use.

Conditions dated: November 17, 2005

1. The only uses allowed are those set forth in Raleigh City Code Section 10-2037 for the O&I-3 District, developed pursuant to the standards of Raleigh City Code Section 10-2037, or those set forth in Raleigh City Code Section 10-2019 for the R-6 District, developed pursuant to the standards of Raleigh City Code Section 10-2019.

2. Any residential density shall be limited to the standards for R-6 District as set forth in Raleigh City Code Section 10-2019.

3. Any residential lots adjacent to the Conservation Management District shall not extend into the Conservation Management District area and shall be used only for single-family detached residences.

4. No roads or driveways shall be constructed so as to provide public or primate vehicular access into the adjacent Conservation Management District area. Prior to the issuance of any residential building permit, ownership of the adjacent Conservation Management District area shall be transferred to, and owned as common area by, a Homeowners Association that will be comprised, at least in part, of those owning lots and/or units on the subject property, and shall not be used except for passive recreation area for such Homeowners Association, and no buildings can be constructed or land disturbing activities can be conducted in this Conservation Management District area (except as necessary for any future greenway as set forth in Condition 6 below or for necessary utility or stormwater management infrastructure as allowed Raleigh City Code Section 10-2030 in Conservation Management Districts). These limitations shall also be contained in restrictive covenants on the Conservation Management District lot and all residential lots adjacent to the Conservation Management District area prior to the issuance of any residential building permits.

5. No street lights or exterior building flood-lights shall be illuminated within fifty feet of the rear property lines of lots adjacent to the Conservation Management District area or two hundred feet from the center of Hare Snipe Creek, whichever is greater.

6. Prior to subdivision approval or the issuance of any building permit, whichever comes first, the Homeowners Association owning the adjacent Conservation Management area shall offer to the City of Raleigh a greenway easement

dedication of that area of the property that is within 75' of the top of its side of the bank of Hare Snipe Creek.

7. For residential development, a minimum 50-foot wide natural protective yard shall be provided along the entire road frontage along Glenwood Avenue of Parcels 076138997, 0796148498 and 0796143345, except as may be required for ingress, egress, sightlines therefrom, utilities, or the transit easement pursuant to Condition 8 below.

8. Prior to subdivision approval or the issuance of any building permit, whichever comes first, the owner of the property shall deed to the City a transit easement measuring twenty (20) feet long adjacent to Glenwood Avenue by fifteen (15) feet wide to support 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.