ORDINANCE (2001) 107 ZC 507
Effective: 11/07/01

Z-57-01 Ray Road, east side, south of Evans Mill Place, being Wake County PINS 0788-80-6862, 0788-80-9882, 0788-90-1947 and 0788-81-7079. Approximately 11.12 acres rezoned to Residential-6 Conditional Use.

Conditions: (09/21/01)

A. Reimbursement for any public right-of-way dedicated will be based on R-4 zoning.

B. Upon development, the rate of stormwater runoff will comply with CR7107.

C. Allowable uses on the property will be limited to R-4 uses plus single-family detached housing as permitted by Residential-6 and Special Residential-6 District parameters. In no event shall the total number of homes (dwelling units) on the property exceed thirty-five (35) detached single-family homes.

D. Beginning three hundred feet (300') east from the centerline of Ray Road, and continuing eastward for the balance of the property, dwelling units shall have a minimum of twenty-five hundred (2500) square feet of heated floor space. Such homes shall have as their primary (over fifty percent (50%) of surface area excluding glazing and doors) exterior wall siding, brick, hardy plank, wood, stone, stucco, or similar material. Vinyl siding is not acceptable as material for the primary exterior wall siding. All block foundation exteriors shall be covered with either brick, stucco, or similar finish. These units shall have pitched roofs (3:12 minimum). Each new dwelling shall include a two-car garage.

E. Any subdivision plan that is submitted will provide for a least one public street access to Ray Road.

F. All refuse containers and mechanical equipment will be fully screened from public view and the adjacent properties and the screening will be of a design and materials compatible with those of the principal buildings.

G. All site lighting, including wall pack fixtures, will be directed downward and shielded in such a manner that no light source will be readily visible from neighboring properties.

H. No fence greater than four (4) feet in height will be installed within twenty feet (20') of the Ray Road right-of-way, and between twenty feet (20') and fifty feet (50') of the right of way, any fence greater than four feet (4') tall will be seventy-five percent (75%) screened by plants.

I. A seventy-five foot (75') wide greenway easement, measured from the bank of the creek that forms the tract's eastern property line, along with the entire 1.55 +/- acre site designated "open space" on the attached Exhibit A, prepared by Dewberry and Davis, Inc., dated September 13, 2001, entitled "Rezoning Conditions - Webster Property - Ray

Road," will be offered without compensation to the City of Raleigh as a condition of subdivision plan approval. In the event the Director of Parks and Recreation of the City of Raleigh should determine at the time of subdivision approval that the subject property is not appropriate for a public greenway and/or for passive public open space, the portion of this condition requiring such dedication shall be null and void.

J. A fifteen foot (15') by twenty foot (20') transit easement at a location along Ray Road will be offered without compensation as a condition of site plan approval to support future transit and pedestrian enhancements in the area. In the event the Transportation Director of the City of Raleigh should determine at the time of subdivision approval that the subject property is not an appropriate location for a public transit easement, this condition shall be null and void.

K. The owners of the subject property shall notify by certified mail, return receipt requested, contiguous owners of any and all subdivision plans filed for the subject property. The names and addresses of such owners shall be those listed by the Wake County Tax Office.

L. The yard set back distances illustrated on the attached on the attached Exhibit A, prepared by Dewberry and Davis, Inc., dated September 13, 2001, entitled "Rezoning Conditions - Webster Property - Ray Road/Sandy Chase/Evans Mill Area, Raleigh, Wake County" will be maintained in addition to the minimum yard set back distances required by Raleigh City Code Section 10-2075, as the same may be from time to time amended.

RAY ROAD

300' MEASURED FROM CENTER LINE OF RAY ROAD

WHEATSTONE LANE

EVANDER WAY

ANS MILL PLACE

25' BUILDING SETBACK LINE

15' BUILDING SETBACK LINE

40' BUILDING SETBACK LINE

OPEN SPACE 4.69 ACRES

OL CREEK IS PROPERTY LINE

VARIABLE WIDTH BUILDING SETBACK LINE MINIMUM 35' FROM CENTER LINE OF STREAM

75' GREENWAY EASEMENT

50' NEUSE RIVER BUFFER

25' BUILDING SETBACK FOR 150' MEASURED FROM THE NORTHWEST CORNER

25' BUILDING SETBACK FOR 150' MEASURED FROM THE NORTHEAST CORNER

EXISTING 25' CITY OF RALEIGH SANITARY SEWER EASEMENT AND VARIABLE WIDTH GREENWAY EASEMENT DB 1393 PG 193