Ordinance: 416 ZC 622
Effective: June 17 2008

1. **Z-21-08 Conditional Use Louisburg Road** located on the north side of Louisburg Road (US Highway 401), between Ligon Mill and Forestville Roads, being Wake County PIN(s) 1748402756 and 1748406996. Approximately 5 acres rezoned to Office and Institution - 2 Conditional Use District.

Conditions: 06/09/08

a. Only the following uses shall be permitted on the Property:

(i) Agriculture

a. Minor tree removal activity as permitted under City Code;
b. Tree disturbing activity in designated tree conservation area, as permitted under City Code; and
c. Tree disturbing activity except minor tree removal activity, as permitted under City Code.

(ii) Institution/Civic Services

a. Governmental Art Gallery;
b. Day care facility (child or adult);
c. Library or museum;
d. Hospital (medical/veterinary [without a kennel/cattery]);

(iii) Offices

a. Office, agency, or studio of a professional or business agent, or political, labor or service association including but not limited to the following: finance, medical, professional/service or other professional or service office, studio or agency not otherwise listed as permitted in the zoning district, provided that no residential real estate brokerage office shall be permitted;
b. Office center;
c. Unit ownership (office condominium);

Commercial

a. Bank with or without a drive-through window and with or without an automatic teller machine
b. Dish antenna, which must be attached to a building and which may not exceed nine (9) square feet in size;

(v) Industrial

a. Storm water control structures;

b. Utility services;

(vi) Other

a. Accessory Uses to any of the above permitted uses

(vii) Recreational

a. Recreational use - greenway

(b) No direct vehicular access to Louisburg Road (US Highway 401) shall be permitted.

(c) A buffer yard fifty (50) feet in width shall be maintained along the boundary of the Property with the right-of-way of Louisburg Road (US Highway 401). Provided that a berm does not conflict with the critical root zones of trees located in a Tree Conservation Area or other requirements of the tree conservation ordinance or any aspects of that Plot Plan for Fence and Landscaping, submitted January 11, 2008 with regard to the Property and adjoining properties, (Transaction Number 207978) as it maybe modified, such yard shall include an earthen berm located on Pod A having a height of at least thirty-six (36) inches, a width of at least twelve (12) feet and a side slope of not greater than 2:1. Subject to any designated Tree Conservation Area, plantings in this yard shall meet the minimum sizes and quantity set forth in the SHOD-3 overlay district under City Code Section 10-2060(e)(2)al, 2 and 3. Subject to any designated Tree Conservation Area, the following may be installed and maintained therein: utility facilities, stormwater control pipes, facilities, and devices, signage, landscaping and lighting.

(d) No building constructed on the property after the adoption of this zoning ordinance shall exceed a height of thirty-five (35) feet, measured in accordance with City Code Section 10-2076

(e) Service areas, including outdoor HVAC units, garbage receptacles and loading areas shall be screened from view from public streets and sidewalks by either a solid fence or wall (which may have a gate to provide access for service purposes) and/or by evergreen trees and shrubs having a minimum height of at least thirty- six (36) inches at the time of planting, spaced no more than five (5) feet on center. Such walls, fences, gates or evergreens providing screening shall have a height which is greater than the height of the item being screened.

(f) Prior to recordation of a subdivision plat or the issuance of any building permit; whichever shall first occur, the owner of the Property shall convey to the City of Raleigh a transit easement measuring twenty (20) feet along Darton Way by 15 feet located within the northern pod (Pod B). The

location of the easement shall be approved by the Public Works Department, Transit Division of the City and the City Attorneys shall approve the transit easement deed prior to recordation. In addition, if the City determines that a bus stop is warranted during its site plan review, the owner of the Property shall construct a shelter and/or bench prior to the receipt of a Certificate of Occupancy for improvements constructed on the site.

(g) Except as otherwise allowed in Section 10-2083.2(7), no lot shall contain more than one ground sign. Ground mounted signage shall be limited to low profile externally lit signage. Only the following ground mounted signs shall be permitted; (i) one ground mounted low profile sign may be located on the westernmost corner of Pod A of the property within forty (40) feet of the right-of- way of Louisburg Road and within forty (40) feet of the right-of-way of Darton Way; and (ii) one ground mounted low profile sign may be located on the easternmost corner of Pod B of the property which must be within forty (40) feet of the right-of- way of Louisburg Road and forty (40) feet of the right-of-way of Darton Way. Each of such ground mounted signs may identify the development/office center and more than one business/office or institutional use.

(h) Reimbursement for any required right-of-way dedication shall be at the R-6 rate.

(i) All buildings constructed on the property after the adoption of this zoning ordinance shall contain sloped roofs or roofs which are designed and constructed to have the appearance of being sloped; in either case such slopes shall have a minimum pitch of 6:12.

(j) A minimum of thirty-five percent (35%) of each side of each building, exclusive of windows, doors and trim, shall be brick or stone.

(k) All buildings constructed on the property after the adoption of this zoning ordinance shall include at least two (2) of the following additional elements: (1) cedar shake or cedar shake-type siding which may be comprised of wood, hardiplank or hardiplank-type materials, (2) lap siding which may be comprised of wood, hardiplank or hardiplank-type materials, (3) standing seam metal roofs, (4) shingle roofs (5) timber beam accents having a minimum width of six (6) inches used to frame, trim or support roofs, windows or porches, (6) stone or brick accents covering at least five percent (5%) of the total area of each building facade.

(l) No large plate glass window sections consuming more than twenty percent (20%) of any side of a building, other than windows providing drive-through service shall be permitted unless such windows are visually divided by framing or muntins.

(m) The aggregate floor area of all buildings located on the property after the adoption of this zoning ordinance shall not exceed a maximum of fifty thousand (50,000) square feet

(n) Development occurring on the Property after the adoption of this rezoning ordinance shall adhere to the following guidelines.

(1) No blockface on Darton Way will extend uninterrupted for a distance of more than 600 feet

(2) All buildings shall be located within twenty-five feet (25') of the curb of Darton Way.

(3) A building shall be located generally in the southwestern quadrant of the intersection of Darton Way and Leland Drive. Parking, loading or service shall be placed to the rear or sides of this building.

(4) Open space areas including outdoor seating areas, internal sidewalks and/or landscaped areas will be visible and accessible from Darton Way. Open Space areas containing an aggregate of at least 1000 square feet shall be located on the corners of Darton Way and Leland Drive. Said open space areas may include areas required for street yards, setbacks or transitional protective yards and may be subject to utility easements.

5) Streetscapes along Darton Way shall include trees having a caliper of at least 2.5 inches at the time of planting, spaced no more than forty feet (40') on center, pedestrian scaled lighting spaced no more than fifty feet (50') on center, and at least five (5) trash receptacles along Darton Way.

6) Active uses such as outdoor gathering and/or seating shall be provided in the open spaces areas and will permit active uses such as pedestrian traffic and outdoor gathering. Visual but not physical access shall be provided to landscaped areas.

7) Public seating including seating for at least 12 people, shall be provided in outdoor seating area(s) adjacent to the right-of-way of Darton Way.

8) A network of internal and public sidewalks, walkways to building entrances and crosswalks will connect buildings, parking, bike racks, sidewalks and a transit stop.

9) Parking lots shall be located behind or beside buildings or in the interior of a block whenever possible. No parking shall be permitted between building front facades and Darton Way.

10) Connections between the transit stop and building entrances shall be provided via public sidewalks and/or internal sidewalks.

11) Sidewalks internal to the site shall be at least five (5) feet wide.

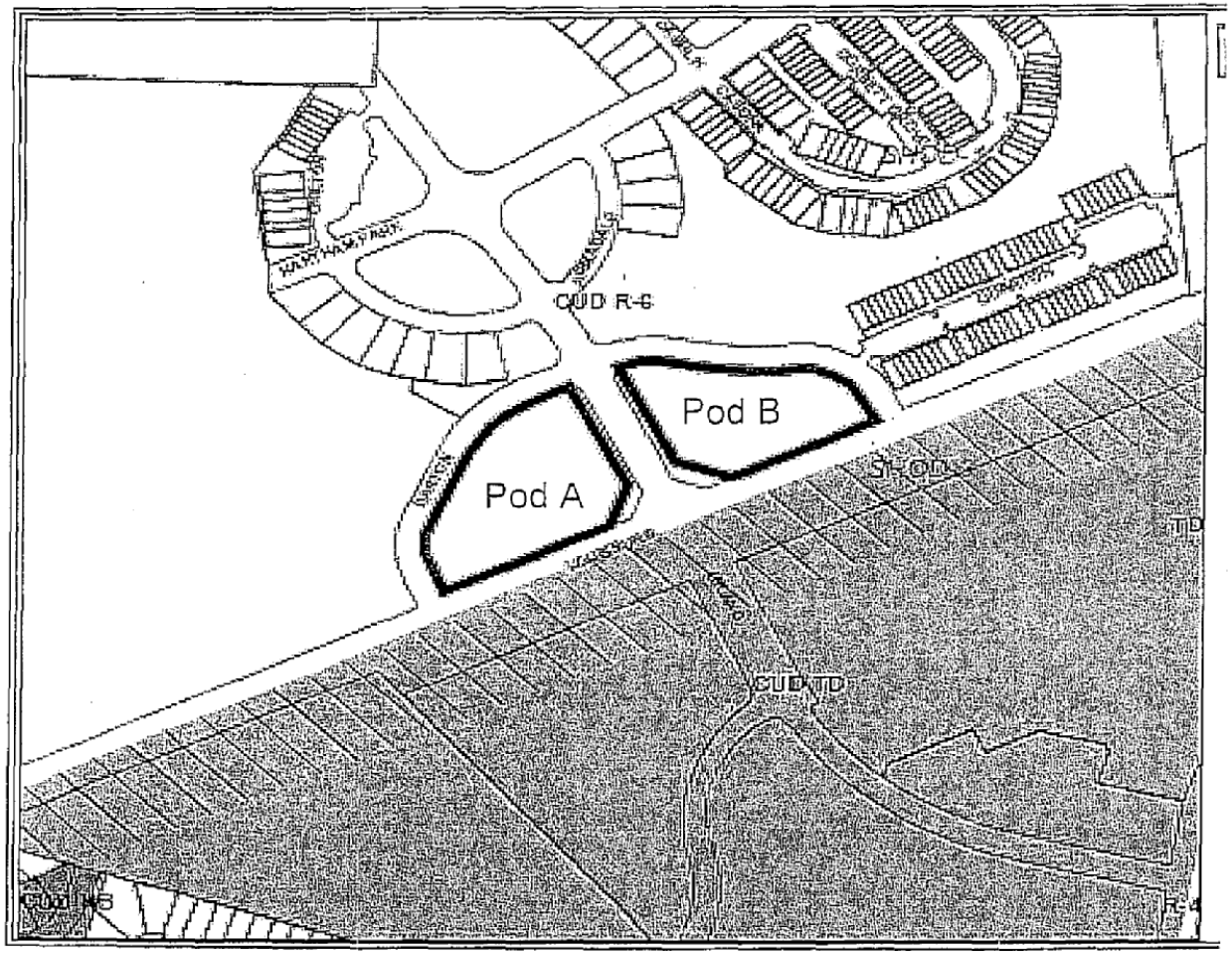
12) All buildings will include front facades with pedestrian entrances along Darton Way.

13) Building sides in excess of sixty-four feet (64’) shall be architecturally enhanced by projections inward or outward of two (2) feet at least every fifty (50) linear feet of building frontage along Darton Way.

14) Front facades shall include items of pedestrian interest including windows, entrances, signage, awnings and/or ornamentation.

o) Preliminary site plan approval by Raleigh City Council in accordance with Code Section 10-2132.2(d) shall be required.

(p) No vinyl siding shall be allowed permitted. Vinyl trim, including roof eaves and soffits shall be permitted.


CUD R-6
Pod B
Pod A
CUD TD
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