ORDINANCE (2001) 98 ZC 505
Effective: 10/17/01

Z-60-01 Lake Wheeler Road, east side, north of Tryon Road, being Wake County PIN 0792-55-3777. Approximately 2 acres rezoned to Office & Institution-1 Conditional Use.

Conditions dated: (08/21/01)

1. Maximum building height shall be two stories or thirty (30) feet.

2. Residential density shall not exceed ten (10) units per acre and shall not permit apartment developments.

3. If additional thoroughfare right of way dedication is required, any reimbursement for this right of way shall be at the Residential-10 rate.

4. All refuse containers and HVAC units will be maintained within wooden or masonry enclosures to screen them from adjacent residential properties and public street right of way.

5. Exterior lighting source shall be directed downward and shielded so as to prevent direct view of the light source from adjacent residential properties.

6. The rate of stormwater runoff at the time of development of this property will not exceed that permissible by CR 7107, which shall be applied as if property was zoned R-4 prior to this rezoning case.

7. This Office & Institution-1 CUD shall not be utilized for the following use otherwise authorize in the O&I-1 District: Bed and Breakfast Inn and Sorority and Fraternity house.

8. At development of property, a minimum twenty (20') Transitional Protective Yard will be provided on the north side adjacent to residential lots.

9. Any building within the case area will be constructed with a minimum 4 to 12 pitch roof as to provide a more compatible transition from residential use to office use.

10. There are two existing Pecan trees (16" & 24" diameters) to be preserved with a minimum tree protection area of 18'x40' rectangular area around each tree. The 18' measurement is a northwest to southeast direction. The 40' measurement is a northeast to southwest direction. These trees are located within the 30 foot front setback as measured from proposed Lake Wheeler Road right of way. The 16" tree is located approximately 160 feet measured at an angle from the southwest property corner of the rezoning tract. The 24" tree is located approximately 200 feet measured at an angle from the southwest property corner of rezoning tract.

11. At the time of redevelopment of site, property owner shall coordinate with City of Raleigh Transit Staff to identify and locate a transit easement on Lake Wheeler Road.

12. At the time of redevelopment of site, property owner shall offer a cross vehicular and pedestrian access easement from Lake Wheeler Road to the adjacent parcel to the south.