. **Z-48-05 – Courtland Drive**, northeast side, northeast of its intersection with Mordecai Drive, being Wake County PINs 1714-06-5481 and 1714-06-6344. Approximately 1.09 acres from Residential-10 and Industrial-2 to Residential-10 Conditional Use.

Conditions dated: December 13, 2005

a) Right-of-way reimbursements shall be at R-6 values.

b) Buildings on the property shall be limited to a maximum building height of thirty-five (35) feet.

c) No light poles in excess of twelve (12) feet shall be placed within any transitional protective yard and all exterior lighting fixtures on the subject property shall be of full cut-off (shielded) design, and be a maximum of twenty-five (25) feet in height.

d) Uses on the subject property shall be limited to single family detached homes, townhouse developments, residential unit ownership (condominium) developments and duplexes and any accessory uses allowed in R-10 districts, under Section 10-2071 of the City Code; provided, however, that if the property is not included in the Mordecai Neighborhood Overlay District, residential unit ownership (condominium) developments shall not be permitted.

e) Any building constructed on the property shall have a pitched roof with a minimum slope of 4:12.

f) No more than one (1) tree which is twelve inches (12") dbh or greater, located within the right-of-way of Courtland Drive, shall be removed except as necessary to accommodate the construction, installation or maintenance of driveways, lighting, utility connections, stormwater devices, sidewalks, ground signage, fences, walls, and such other purposes permitted by the City of Raleigh provided, however, that damaged, diseased or dead trees of any size may be removed.

g) No more than four (4) parking spaces shall be located within thirty-five (35) feet of Courtland Drive. Parking areas located in the front yard area of any building fronting on and located directly adjacent to Courtland Drive (between the building and Courtland Drive) shall be screened by evergreen plantings maturing to a height of at least six (6) feet within five (5) years after planting or, if already existing, within five (5) years after the adoption of this rezoning ordinance, spaced no more than eight (8) feet apart.

h) If the property is developed as a townhouse development or a unit ownership (condominium) development, the following shall apply:

(i) at least six of the dwelling units constructed shall be end units, *i.e.*, units of which at least two of the four (front, rear and two sides) exterior walls are not attached to another unit;

(ii) two (2) structures shall be located immediately adjacent to the right-of-way of Courtland Drive and the fronts of such structures shall be located within 50 feet of the right-of-way of Courtland Drive and neither of such structures shall contain more than two (2) dwelling units;

(iii) any newly constructed structure(s) on the Property shall have brick, stone or other masonry, stucco, Drivit or Drivit-type, wood, Hardiplank or Hardiplank-type veneer on at least eighty percent (80%) (exclusive of doors, windows and roofs) of all sides of the building(s);

(iv) if a structure on the Property contains more than three (3) dwelling units, the front facades of such units in such structures shall be staggered such that the front facade of each unit is at least five (5) feet forward of or to the rear of the front facade of an adjoining unit;

(v) for each healthy tree greater than eighteen inches (18") dbh which is removed from the Property during or in anticipation of construction, one hardwood tree, which must be either an oak, sycamore, poplar, maple or beech tree and must be at least eight feet (8') in height and three and one-half inches (3.5") in diameter (measured one-half foot above grade), at the time of planting, shall be planted on the Property; replacement trees planted in accordance with this Condition h(v) shall be in addition to any trees otherwise required to be planted under the City Code; and

(vi) the locations of structures on the Property will be substantially in accordance with the drawing attached hereto Exhibit C-1, provided that the locations of the structures may be shifted within the shaded building envelopes shown on Exhibit C-1 and other adjustments to the plan may be made to accommodate public safety issues and handicapped access and parking issues and as required by the City of Raleigh.

(vii) The bio-retention basin on the property shall have irregular boundaries and shall be landscaped and its perimeter shall be screened with evergreen shrubs at least eighteen inches (18") in height at the time of planting, spaced no more than five feet (5") apart.

(viii) No more than the minimum number of parking spaces required by law shall be located on the Property.

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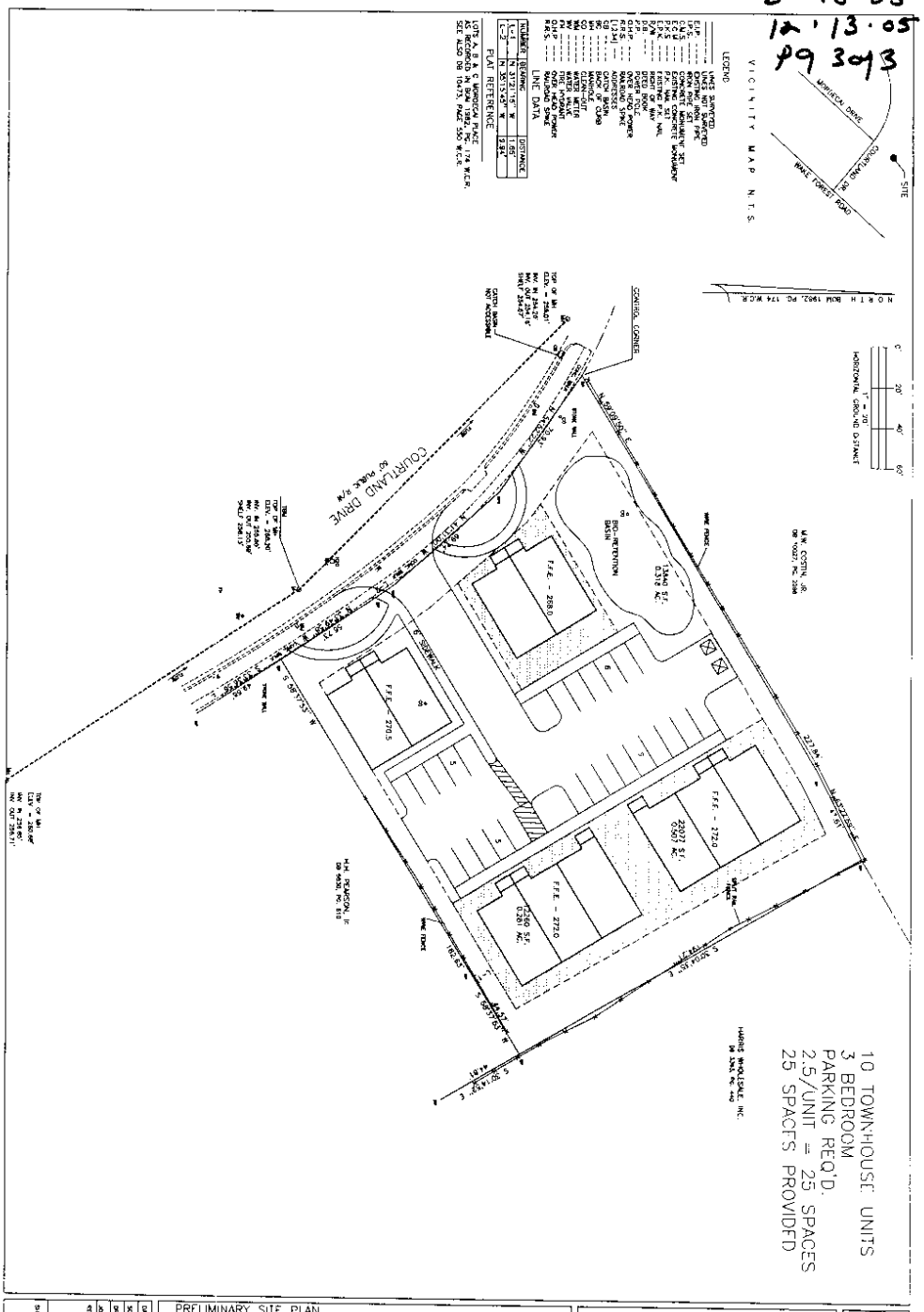

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