Ordinance (2001) 932 ZC 493
Effective: 2-6-01

Z-100-00 Leesville Road, east side, south of Strickland Road, being various Wake County Tax Map Parcels. Approximately 16.72 acres rezoned to Residential-10 Conditional Use.

Conditions Dated: (01/09/01)

For purposes of the following conditions, tax parcels 0788.13 14 4490, 0788.13 14 0247, 0788.13 14 0462, 0788.13 14 2191, 0788.13 13 6930 and 0788.13 13 2931 are referred to as the "Property."

1. Development of the Property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission.

2. Reimbursement for future right-of-way dedication shall be based upon Residential-4 values.

3. The residential density of the Property shall be limited to seven and nine-tenths (7.9) dwelling units per acre.

4. Dwelling units upon the Property shall consist only of detached dwellings, townhouse development, or unit ownership (condominium) development (or a combination thereof) and related amenities and accessory uses.

5. Prior to development, the Property will either be combined into a single parcel or combined to accommodate townhouse development.

6. Required transitional protective yards upon the Property shall remain undisturbed, except for installation of required utilities and infrastructure, but no more than fifty percent (50%) of the existing trees shall be removed from the transition yards. Trees having a caliper of six inches or greater may not be removed, unless dead, diseased, or posing some hazard to public health, safety, and welfare.

7. Buildings upon the Property shall not exceed three (3) floors of habitable space or 40 feet. It is provided, however, that below grade parking may be provided in addition to habitable space.

8. All exterior pole-mounted light fixtures shall be of cut-off design and there shall be no direct beaming of light into any adjoining residential parcel.

9. No building located upon the Property shall contain more than eight (8) residential units.

10. No building upon the Property shall be located closer than fifty (50) feet from the boundary of the Property with tax parcels 0788.13 14 8651, 0788.13 14 8570, 0788.13 14 8378, 0788.13 14 9237, 0788.13 14 9126, 0788.13 13 8997, 0788.13 13 8656,

0788.13 13 6673, and 0788.13 13 5602. With the exception of installation of the fence and landscaping referenced in condition (11), the area within fifteen (15) feet of such boundary shall remain undisturbed.

11. Upon development, at the written request of the respective adjoining property owner, a closed wooden fence six (6) feet in height shall be constructed along the boundary of the Property with tax parcels 0788.13 14 8651, 0788.13 14 8570, 0788.13 14 8378, 0788.13 14 9237, 0788.13 14 9126, 0788.13 13 8997, 0788.13 13 8656. Such fence shall be screened by the planting of three gallon Leland Cypress trees at intervals of fifteen (15) feet.

12. Subject to site plan approval and approval of the North Carolina Department of Transportation, access to the Property from Leesville Road shall be provided at a single point at the intersection of Leesville and Westgate Roads.