1. **Z-51-05 – Gorman Street**, west side, south of its intersection with Western Boulevard, being portions of Wake County PIN 0794-20-7409. Approximately .16 acre from Residential-30 and Conservation Management to Shopping Center Conditional Use.

Conditions dated: January 12, 2006

1. Reimbursement for ROW dedication, if applicable, shall be at a rate consistent with the current CM and R-30 zoning.

2. A pedestrian walkway, minimum 4' wide, no treated wood shall be used for walkway, and shall connect the building entrance directly to Gorman Street.

3. Parking shall be located under and/or to the side and rear of the building. When combined with other parcels for development 70% minimum of the Gorman Street frontage, exclusive of required setbacks, shall be addressed by the building.

4. No less than fifty percent (50%) of building material siding, exclusive of doors and windows, shall be masonry or pre-cast concrete.

5. No more than seventy percent of any single building elevation shall be composed of doors and/or windows.

6. The Gorman Street elevation of the building shall be two (2) floors, minimum, of conditioned space. Maximum overall height shall be no more than 34' on the Gorman Street elevation. If structured parking is provided under the building, this level shall not count as a floor. The finish floor elevation at the Gorman Street building entrance (1st or main floor level) shall be no higher than four feet (4') above the mean elevation of the centerline of Gorman Street in front of the property.

7. Exterior lighting fixture/poles shall be no more than twenty-five (25') in height, except within protective yards height shall not exceed twelve feet (12').

8. Uses shall be limited to:

    a. All uses allowed in the O&I-1 zoning district, except the following uses shall be prohibited: Tattoo Parlor; Communications Uses or Tower; Plasma Collection and/or Abortion Clinic; Above-Ground Storage Tanks; Dish Antenna; Congregate Care Structure; Life Care Community; Rest Home; Sorority/Fraternity House; Emergency Shelters; Rooming House; Guest House; Parking Facilities (except as an accessory use to a principal use); Utility Sub-Station; Cab/Taxi Stand.

9. Prior to subdivision or site plan approval or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a

transit easement measuring ten (10) feet long adjacent to Gorman Street by six (6) feet wide to support a bus stop for current transit services in the area. The location of the transit easement shall be approved by the Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation.

10. Dumpsters shall be located behind front wall of building, and screened from off-site view. Enclosure shall be masonry construction matching the building.

11. Prior to subdivision or site plan approval, which ever shall first occur, an offer of cross-access shall be provided to the parcel DB07352/PG0822 (PIN # 0794-20-7612) north of the subject property.

12. If residential dwelling units are provided, dwelling units shall be located on second or third floor.

13. No ground signs shall be allowed. Any signage applied to the building shall be backlit. Letters that are internally illuminated are prohibited.

14. No direct access to the property will be permitted from Gorman Street.

15. A landscape buffer along the north property line adjacent to parcels DB 07352/PG 0822 equivalent to 5 trees per 100 lf and 50 shrubs per 100 lf and to increase minimum size specified by City of Raleigh by 50%. This will require trees planted to be 3-3/4" caliper or 12' height and shrubs to be 24" in height at time of planting.

16. The existing dumpster on the adjacent parcel to the north DB 07352/PG 0822 shall be screened with plant material from view from southeastern vantage point within 45 days from approval of the zoning ordinance.

17. Densities for residential uses shall be in accordance with requirements for the O&I-1 district or up to 25 units/acre.

18. FAR and building lot coverage shall not be held to O&I-1 maximum limitations. FAR shall be determined based on SC requirements.

19. Where the processes for approval in the O&I-1 district and the SC district conflict with one another, the more stringent process shall be applied.