Z-03-05 – Bernard Street, located on the east side of Bernard Street, north of its intersection with East Whitaker Mill Road being Wake County PIN's 1704995236, 1704995322, 1704995339, 1704995426, 1704995533 and 1704995630. Approximately 2.41 acres rezoned to Residential-15 Conditional Use.

Conditions: 04/13/05

(1) At least sixty percent (60%) of the facades, exclusive of window and door openings, on all sides of the buildings constructed upon the Property shall consist of brick, stone or other masonry material.

(2) All buildings upon the property shall have roofs with a minimum pitch of 6:12.

(3) The height of any building constructed upon the Property shall be limited to two (2) stories and thirty-seven (37) feet from finished grade.

(4) Reimbursement for any required right-of-way dedication shall be at the current R-10 value.

(5) All exterior parking lot lighting fixtures will be of full cut-off (shielded) design that shields the source of illumination from all off-site views.

(6) Refuse and recycling areas will be enclosed by a fence or wall made of material compatible with the principal building.

(7) Subject to the approval of the City of Raleigh, upon redevelopment of the Property, storm water exiting the northeast corner of Northside Shopping Center will be piped through the Property to the existing public storm drainage system in the right-of-way of Bernard Street.

(8) Site storm water will be controlled so as not to exceed pre-development runoff rates for a 2 and 10 and 25 year storm event.

(9) Townhouses adjacent to Bernard Street will have their primary entranceway facing Bernard Street with a minimum five foot wide sidewalk connecting the entranceway to a minimum five foot wide concrete sidewalk to be constructed within the Bernard Street right of way in front of the Property.

(10) No more than six townhouses will be attached in a row.

(11) A minimum of 15 percent of the units built on the Property will have shutters.

(12) The building setback will be a minimum of 30 feet from the adjacent property at 1946 Bernard Street (pin # 1704.08-99-5628 D.B . 10087, PG.1442), 1903 Ridley Street (pin # 1704.08-99-7541, D.B. 5657, PG. 158) and 1901 Ridley Street (pin #1704.08-99-7349, D.B, 3408, PG. 871).

(13) No parking, vehicular access way, or other vehicular use area (other than access drives) will be permitted between the building facade and the Bernard Street right-of-way for buildings fronting or located within forty (40) feet of Bernard Street.

(14) Residential structures will be restricted to townhouses.

(15) Privacy walls for the patios of townhouses along Bernard Street will be constructed of brick.

(16) There will be no more than 6 townhouses along the northern property line. The townhouse structure closest to Bernard Street will contain 2 units separated by at least 25 feet from the townhouses further to the east.

(17) The existing grade will remain unchanged for 10 feet along the common property line with 1903 Ridley Street (pin # 1704.08-99-7541, D.B. 5657, PG. 158) & 1901 Ridley Street (pin # 1704.08-99-7349, D.B. 3408, PG. 871). The existing grade will remain unchanged for 10 feet along the common property line with 1946 Bernard Street (pin# 1704.08-99-5628, D.B. 10087, PG. 1442) starting 20 feet from the right of way of Bernard Street and extend to the east for a minimum of 135 feet. (See exhibit of existing grade from information furnished by John Edwards.)

(18) The townhouse structure along the common property Line with 1901 Ridley (pin # 1704.08-99-7349, D.B.3408, PG. 871) will contain no more than 3 units and will be separated by at least 20 feet from the adjacent townhouses to the north and south.

(19) Any privacy fence associated with the patio of the townhouses will be at least 15 feet from the common property line with 1903 Ridley (pin # 1704.08-99-7541, D. B. 5657, PG. 158) and 1946 Bernard Street (pin # 1704.08-99-5628, D. B. 10087, PG. 1442).

(20) Any privacy fence associated with the patio of the townhouses will be at least 18 feet from the common property line with 1901 Ridley (pin # 1704.08-99-7349, D.B.3408, PG.871). Such privacy fence shall

contain no gates opening into the area closer than 18 feet to this property line.

(21) Within the area of 10 feet from the common property line with 1901 Ridley (pin # 1704.08-99-7349, D. B. 3408) there will be new plantings of the following:

4 Nellie Stevens Hollies (6-8 ft)

4 Western Red Cedars (6-8 ft.)

4 Eastern Red Cedars (6-8 ft)

2 Cherry Laurels (6-8 ft)