ORDINANCE (2001) 101 ZC 506
Effective: 10/17/01

Z-58-01 Glenwood Avenue, north side, east of Ebenezer Church road, being Wake County Tax PIN 0777.02-76-9763. Approximately 8.73 acres rezoned to Thoroughfare District Conditional Use.

Conditions dated: (10/01/01)

A. Only those uses permitted in O&I-1 shall be allowed within the subject area. Dwelling units within the subject area shall be limited to a maximum of 120. Office uses shall be limited to no more than 285,209 square feet of floor area gross and a Floor Area Ratio (FAR) of no more than .75.

B. The zoned area shall include a +/- 2.6 acre "Conservation Area." This area shall be located along the frontage of US 70 and provided as generally indicated on Zoning Exhibit Maps A and B. The said "Conservation Area" will contain no amenities (other than paths and trails), and shall be used for the purposes of open space and stormwater management. The stormwater facility (described in Condition C below) shall be located within this "Conservation Area and shall be located north of the existing creek (see Exhibit A).

The area south of the existing stream located within the "Conservation Area" shall remain undisturbed except for the following circumstances:

1) Required City road improvements, side slopes, rights-of-way and slope easements installed along US Highway 70 and Country Trail;

2) Installation of stormwater and water quality control structure and devices;

3) Removal of diseased, dead, dying or infested plant material;

4) Removal of noxious plant materials deemed detrimental to existing vegetation;

5) City of Raleigh utility easements; and or

6) All side slopes for new road construction that meet minimum city standards.

A minimum of 0.75 acres (32,670 square feet) of total +/- 2.6 acre "Conservation Area" shall remain undisturbed and at least 55% of that acreage shall occur on the south side of the creek.

C. A +/- 1.0 acre stormwater management facility shall be provided in conjunction with any land disturbing activities conducted on-site. This stormwater facility shall be located on-site within the Conservation Area mentioned in Condition #B above. The facility shall be designed to meet City of Raleigh Standards. Stormwater shall not be released from the stormwater facility at a rate that exceeds the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission.

D. Along the entire frontage of US Highway 70 (as measured from the new right-of-way) a fifty (50') foot wide landscape buffer shall be provided (See also Zoning Map B). In those portions where vegetation does not exist, and where the City Code allows its removal, the same area shall be re-vegetated according to these standards.

For every fifty (50') linear feet of re-vegetated area there shall be:

Type of Material	Quantity	Size Minimums
Canopy Tree	8	3-1/2" caliper, 14' height
Understory Tree	8	7.5' height
Shrubs	36	24" height

It shall be the purpose of this re-vegetation scheme to achieve a natural Piedmont woodland appearance by using native plant species.

E. Public street access from this site shall be obtained from Country Trail. The exact nature of these points of ingress/egress shall be determined at the time of plan approval for development of the site (see also Zoning Exhibit Map A).

F. If the subject property is developed with non-residential use(s), there will be a thirty (30') foot wide Type B Transitional Protective Yard along the southeast property line with the Water Garden Office Park LLC (0777.02-86-1245), except said yard shall not encroach upon the portion of said property line within the defined "Conservation Area" described above in Condition #B above.

Notwithstanding any provision in this condition to the contrary, if all or a portion of the adjacent property Water Garden Property is combined with all or a portion of this property, the requirements for this Transitional Protective Yard shall not apply, nor shall the Transitional Protective Yard requirements herein apply to the extent that low-impact uses as defined in City Code Section 10-2082.9 (e) (3) are developed on the Water Garden Property or portions thereof adjacent to the site.

G. All refuse containers, mechanical maintenance facilities, and HVAC equipment shall be fully screened from public view and adjacent properties. This screening may consist of evergreen plantings, walls and, or fence materials. The materials shall be designed and constructed so they are compatible with the principal building.

H. All site lighting and wall packs fixtures (other than street light fixtures and city street lights within public rights-of-way) shall be directed downward and shielded in such a way that no light source will be visible from neighboring properties. All freestanding site lighting (located outside all Transitional Protective Yards and street lighting described above) shall be limited to a maximum height of twenty (20') feet.

I. A private vehicular and pedestrian cross-access easement will be offered to Water Gardens Office Park LLC (see "Zoning Exhibit Map: Road Systems and Access"). This

cross-access easement shall connect to Country Trail and shall not conflict with Condition #E above (i.e. no direct access to US Highway 70). The exact location of this cross-access easement shall be determined at the time of plan submittal.

J. Impoundment will be installed prior to any development on the site or construction of Country Trail.

K. Where the approval process for Thoroughfare District conflicts with the approval process for O&I-1, the O&I-1 process shall prevail.

"Zoning Exhibit Map: Road Systems and Access" can be found in the case file located in the Planning Department

EXISTING LAKE

FUTURE COUNTRY TRAIL

52 UNITS ALLOWED
(W/Z-44-94)

FUTUFE MARVINO LANE (ROAD DESIGNN & CONSTRUCTION B3Y OTHERS)

PROJECT BY OTHERS

PROJECT BY OTHERS

LONG LAKE RESIDENTIAL

30' WDE
TRANSITIONAL PROTECTIVE YARD
(CONDITION F)

PARCEL C
Z-44-94
2.33 AC.

WATER GARDEN
077.02-66-1245
11.27 AC.
ZONING: TD

EXISTING LAKE

WATER GARDEN CIRCLE

ARENDT RYAN REAL EST.
0777-83-1349
3.50 AC.
ZONING: NB

SUBJECT AREA
TO BE REZONED
Z-58-01

PUBLIC STREET ACCESS FROM
SITE TO COUNTRY TRAIL
ONLY (CONDITION E)

PARCEL B
Z-44-94
3.80 AC.

COUNTRY TRAIL

MARVINO LANE

PARCEL A
Z-44-94
18.64 AC.
USE: RETAIL COMMERCIAL

CONSERVATION AREA (CONDITION B)
+/- 2.6 Ac.

LOCATION FOR ON-SITE
+/- 1.0 AC. STORMWATER
MANAGEMENT POND (CONDITION C)

SIR WALTER CHEVROLET
FRANK R. ANDERSON REALTY & INVSMT. CO.
0777-75-5398
10.63 AC.
ZONING: TD
USE: COMMERCIAL

50' LANDSCAPE BUFFER
(CONDITION D)

NO ACCESS TO US 70
(CONDITION E)

TK BREAKER LLC
0777-73-2898
4.27 AC.
ZONING: TD
USE: COMMERCIAL

EXISTING
STORMWATER
MANAGEMENT POND

U.S. HIGHWAY 70
EX 180' R/W

CARMAX
DEVELOPMENT COMMERCIAL
BY OTHERS

COMMERCIAL NET LEASE REALTY INC.
0777-68-2240
2.73 AC.
ZONING: TD

VICINITY MAP N.T.S.

LEGEND:

CONSERVATION AREA

INDICATES OFFER OF VEHICULAR/PEDESTRIAN CROSS-ACCESS TO ADJACENT PARCEL ACTUAL LOCATION TO BE SET WITH SITE PLAN (CONDITION I)

SUBJECT AREA

STORMWATER MANAGEMENT AREA

* OFF-SITE ROAD SYSTEMS ARE PART OF AN ADJACENT PROJECT. THESE ROADS SHALL BE DESIGNED & CONSTRUCTED BY OTHERS.

SCALE:1"=100'

ETd
ELAM, TODD, FAMRRO
URBAN PLANNING/LANDSCAPE ARCHITECTS
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CORNERSTONE PARK

ZONING EXHIBIT A

Z-58-01

Drawn By: TK
Checked By: PM
Date: 8-31-01
Proj#: 2103016

Revisions
INSIDE (TK 9-5-01)
CITY (TK 10-3-01)

SHEET

30' TRANSITIONAL PROTECTIVE YARD

WATER GARDEN OFFICE PK., LLC.
077.02-86-1245
11.27 AC.
ZONING: TD

PARCEL B
Z-44-94
3.80 AC.

+/- 1.0 AC. STORMWATER MANAGEMENT POND

CONSERVATION AREA +/-2.6AC

50' LANDSCAPE BUFFER

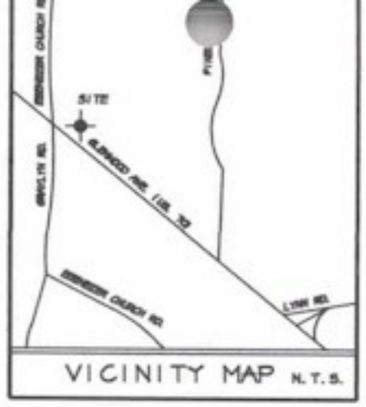
UNVEGETATIVE AREA BUFFER TO BE PLANTED ZONING CONDITION D

POSSIBLE DECELERATION LANE ENCROACHMENT AS MAY BE REQUIRED (SEE CONDITION B)

STREETYARD

COUNTRY TRAIL

U.S. HIGHWAY 70
EX 180' R/W



VICINITY MAP N.T.S.

LEGEND:

POTENTIAL TREE LINE TREE SAVE AREA

POTENTIAL EVERGREEN TREE

POTENTIAL UNDERSTORY TREE

POTENTIAL LARGE SHADE TREE

EXISTING STREAM

STORMWATER POND

N

1 inch = 80 ft.

ETd

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CORNERSTONE PARK

CONSERVATION AREA

ZONING EXHIBIT:
Z-58-01

ILLUSTRATING THE TREATMENT OF THE CONSERVATION AREA REQUIRED IN CONDITION B

Drawn By: KM
Checked By: PM
Date: 8-23-01
Proj#: 2103016

Revisions

INSIDE (9-5-01)

SHEET