Ordinance (2002) 233 ZC 520
Effective: June 18, 2002

Z-4-02 Blue Ridge Road, east side, being various Wake County PIN's. Approximately 6.08 acres rezoned to Office & Institution-1 Conditional Use.

Conditions dated: (6/11/02)

A. Reimbursement for any future right-of-way dedication shall be based upon the pre-existing zoning, R-4.

B. The height of any building constructed upon the property shall not exceed thirty-five (35) ft.

C. All refuse containers, mechanical/maintenance facilities and HVAC units shall be screened with materials compatible with the principal building in terms of appearance, texture, quality, material and color such that they are not visible from any public rights-of-way or neighboring properties.

D. The quantity of street yard landscape plantings along both Blue Ridge Road and Ed Drive shall be increased by 50% of the tree caliper requirements described in Code §10-2082.5.

E. Building mass shall be minimized through variations in fenestration, roof treatments and building materials to lend a residential character to the development, such as the appearance of sloped roofs and no exterior walls without windows. Full hip roofs, if any, shall have a minimum pitch of 3/12 with varying angles, and mansard roofs, if any, shall have a minimum pitch of 12/12 with varying angels.

F. Office development on the subject property shall be limited to 33% floor area ratio.

G. A 15'x20' easement for a transit stop, for future transit services, shall be made available during site plan approval process within 30 feet of the northeastern corner of the subject property (0785.16-84-6452).

H. The Type C Transitional Protective Yard (TPY) to be maintained along the property lines of the following adjacent tax parcels: 0785.16-84-7199, 0785.16-84-8624, 0785.16-84-8575, 0785.16-84-9427, and 0785.16-84 9378 shall be planted with minimum 3-inch caliper tress and 24-inch high shrubs.

I. Cross-access. In the event the following adjacent properties are not re-combined as a part of the re-development of such property, declarations of cross-access, in a form to be approved by the Raleigh City Attorney's Office, shall be recorded with the Wake County Registry prior to issuance of certificates of occupancy: tax parcels, 0785.16-84-3287 (Laughter), 0785.16-84-4346 (Emory Estate), 0785.16-84-6452 (Emory Estate), and 0785.16-84-5291 (Tyson).

J. Development of the subject property shall include tree protection for the four (4) trees identified on the attached diagram A. All trees are at least 15" in caliper (measured 4 ½ feet above ground) and are located within 100 feet of existing Blue Ridge Road right-of-way. Except where land disturbance is required for the widening of Ed Drive and Blue Ridge, the protection area measuring one foot radius around the subject tree per tree caliper inch (measured 4 ½ feet above ground) shall be preserved around the said four (4) trees. Attempts to save additional trees may be accomplished without the protection area defined herein.