

Z-46-04 – Falls of Neuse Road, east side, being Wake County PIN 1718-62-8949, 1718-63-9194 and 1718-78-1269. Approximately 5.6 acres rezoned to Office and Institution-1 Conditional Use.

Conditions dated: (7/28/04)

- A. Reimbursement for future right-of-way dedication shall be at the existing R-4 values.
- B. The following uses, otherwise permitted in the O&I-1 zoning district shall not be permitted:
 - 1. Cemetery
 - 2. Hospital
 - 3. Emergency shelter
 - 4. Airfield, landing strip and heliport
 - 5. Correctional/penal facility
 - 6. Outdoor stadium, outdoor theater, outdoor racetrack, outdoor movie theatre.
- C. All buildings shall be limited to two stories and a maximum of forty (40) feet. For office uses, no dormer windows shall be facing residentially zoned property. Buildings shall be constructed of brick, stucco, synthetic stucco or equivalent.
- D. Upon development of the subject property, a revegetated buffer planted to exceed the requirements of a Type C transition yard for the proposed yard width by twenty percent (20%) and not less than thirty feet (30') in width shall be maintained adjacent to the residential properties, so long as they remain zoned R-4 or continue to be used as residential dwellings.
- E. Floor area ratio shall not exceed twenty-nine percent (29%) for office uses.
- F. All exterior refuse containers shall have plastic lids and shall only be emptied between the hours of 9:00 a.m. to 5:00 p.m.
- G. Cross access shall be provided among the three properties that are the subject of this request if they are not combined into a single lot.
- H. If the three lots that are the subject of this rezoning are developed together, driveway access shall be limited to one driveway on Falls of Neuse Road. If the three lots that are the subject of this rezoning are developed separately, driveway access shall be limited to a maximum of two driveways on Falls of Neuse Road and the cross access agreement described in Condition G above shall allow each lot owner access to one of the two driveways on Falls of Neuse Road.
- I. Prior to the issuance of building permits, an offer of cross access shall be made to the property located immediately to the south of the subject property as described in Book 9570, Page 518, Wake County Registry and to the property located immediately to the

north of the subject property as described in Book 8594, Page 124, Wake County Registry.

- J. All outdoor and parking lot lighting fixtures shall be of full cut-off (shielded) design.
- K. Prior to any development of the property or change of use, one transit easement measuring twenty feet (20') wide and fifteen feet (15') deep located on Falls of Neuse shall be made available to the City of Raleigh.
- L. Fifty percent (50%) of all trees twelve inches (12") in caliper or greater when measured four feet (4') from the ground and located within fifteen feet (15') of the Falls of the Neuse right-of-way shall be subject to active tree preservation and protected. In no event shall the active preservation area exceed twenty-five (25') in width from the Falls of Neuse right-of-way. Prior to any land disturbing activity including grading or tree removal, all protected trees shall be identified in writing to the Chief Zoning Inspector.