

ORDINANCE (2004) 790 ZC 567

Effective: March 15, 2005

1. Z-60-04 Buffaloe Road, north side, immediately west of the Neuse River, being various Wake County PIN's. Approximately 15.2 acres rezoned to Office and Institution-1 Conditional Use with amended conditions.

Conditions dated: March 1, 2005.

- a. Any reimbursement for street right-of-way shall be at R-4 value.
- b. The following uses otherwise permitted in the Office and Institution-1 zoning district shall be prohibited:
 1. Agriculture research farms, wildlife sanctuary;
 2. Airfield, landing strip and heliport;
 3. Correctional/penal facility;
 4. Crematory;
 5. Emergency Shelter Type B;
 6. Landfills, above ground storage tanks except tanks used for medical purposes, storage of manufactured homes or travel trailers;
 7. Monastery and convent;
 8. Orphanage;
 9. Outdoor stadium, outdoor theater, outdoor racetrack;
 10. Rifle ranges of any type, camps;
 11. Sorority house, fraternity house.
- c. All development of the subject property shall be in conformity with unity of development standards, including signage, for the entire tract.
- d. Any proposed building shall not exceed three (3) stories and 45' in height.
- e. Residential development shall be limited to not more than ten (10) units per acre.
- f. A goal of preserving and protecting a minimum of ten (10) percent of all trees measuring twelve (12) inches or greater d.b.h. is established. A tree survey shall be provided to the Chief Zoning Inspector within 90 days following adoption of this zoning ordinance. If the goal can not be met, any deficiency shall be satisfied by planting replacement trees of the same total caliper but with a minimum caliper of four (4) inches per tree measured six (6) inches above the ground.
- g. A natural protective yard of one hundred (100) feet in width will be provided westward from the top of the bank of the Neuse River.
- h. Office buildings shall be residential in character to compliment the adjacent residential-zoned properties. For purposes of this condition, "residential in character" shall mean having a minimum pitch of 3:12 and having a minimum 10% and maximum 70% fenestration (window/door) coverage.

- i. Upon the development of the subject property, improvements to Buffaloe Road (90' right-of-way and 65' back-to-back street section) shall be made according to of the following alignment:
 1. If requested by the City of Raleigh, the property owner shall dedicate 30' of additional right-of-way along existing Buffaloe Road for constructing improvements on the south side of the subject property. The intent of this provision is to eliminate the need for owners on the south side of Buffaloe Road to dedicate a right-of-way for future improvements.
 2. If requested by the City of Raleigh, the property owner shall provide the right-of-way, slope and construction easements for the eventual realignment of Buffaloe Road at a location approved by the Department of Public Works to connect with the eventual extension of Spring Forest Road.

This condition shall not restrict the right of the City to require right-of-way and street improvements in accordance with the planning and development regulations of the City.
- j. Outside refuse containers (dumpsters) shall only be emptied between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and 10:00 a.m. and 7:00 p.m. on Saturday. Access to such refuse containers shall be locked during the hours which they may not be emptied.
- k. As a condition for issuing building permits or recording any lot, whichever shall occur first, the property owner shall convey 20-foot by 15-foot transit easements to support a bus stop along Buffaloe Road. The specific location of such easements shall be approved by the Transit Division of the City and may encroach upon buffers otherwise required. The City Attorney shall first approve the transit easement.
- l. Vehicular access to the property from the public rights-of-way will be limited to no more than two points on Buffaloe Road, including any realignment of the same, and no more than a single point on Stone Station Drive also known as Holly Ridge Farm Road. Vehicular access to Spring Forest Road shall be limited to that approved by the City of Raleigh's Department of Public Works.
- m. All dumpsters, compactors, and any other waste equipment; water meters, backflow preventers, RPZ valves; exposed plumbing items; heating, ventilation, and air conditioning equipment; electrical transformers and other equipment; satellite dishes and antennae shall be screened from view from ground level of Buffaloe Road, unless prohibited by the City of Raleigh.

- n. All tenant identification signage and incidental signage shall conform to a uniform sign plan and criteria to be submitted to and approved by the City for the project.
- o. All pole-mounted light fixtures shall be of full cut-off configuration or decorative pedestrian scale character.
- p. The streetyard planting requirements in Code Section 10-2082.5(c) along the existing Buffaloe Road shall be increased by fifty percent (50%). Tree preservation credits may be used to satisfy this higher standard.
- q. Any building within fifty feet of any portion of the Buffaloe Road right-of-way designated as a residential street shall front Buffaloe Road.
- r. The development of this property for any residential use at densities greater than four units per acre shall require Planning Commission site plan approval.