Z-33-05 – Buffaloe Road, north side, approximately 1150 feet east of its intersection with Valley Stream Drive, being Wake County PIN 1736-20-0682. Approximately 99.8 acres from Rural Residential to Residential-4 Conditional Use (36.1 acres) and Residential-6 Conditional Use (63.71 acres).

Conditions dated: August 18, 2005

1. The maximum allowable density for the property shall be 400 units. No more than 40% of the dwellings may be other than single family detached.

2. Uses shall be restricted to the following:

   – Single family detached dwelling units
   – Townhouse development
   – Residential accessory uses and structures
   – Recreational uses related to residential development
   – Home occupation and limited home business (Board of Adjustment Approval Required)
   – Cluster unit development
   – Utility services substation
   – Other uses typically associated with residential development

3. The following conditions shall apply to the frontage along Buffaloe Road.

   a. A continuous 150' wide open space/yard shall be established along the right-of-way of Buffaloe Road where only landscaping, lighting, fence/walls, entry features, signs, and street crossings may occur. This area shall be irrigated and may contain items listed in 3.a above.

   b. A street and single family detached lots shall be developed adjacent to the 150' open space from Southall Road eastward.

   c. Any neighborhood recreation structures such as clubhouse, swimming pool, playgrounds, etc. shall not be located closer than 350' to the future right-of-way of Buffaloe Road.
   Any lot within this area and within 250' of the future right-of-way of Buffaloe Road shall be a minimum of 110' wide at the building line and 16,000 square feet in area. Any lot within this area and within 400' of the future right-of-way of Buffaloe Road shall be a minimum of 12,000 square feet in area. The first row of lots in this area shall contain dwellings that are oriented such that a front or side elevation faces Buffaloe Road.

d. Within the area described above and within 400' of Buffaloe Road, one story dwellings shall contain a minimum of 2200 heated square feet in area and dwellings greater than one story shall contain a minimum of 2800 heated square feet. Said dwellings shall contain a minimum of a two-car garage. Garage doors shall not face Buffaloe Road except that if a third garage door is provided then one garage door may face Buffaloe Road.

4. The following conditions shall apply to the property along the western property line, adjacent to Winchester Subdivision.

a. If Southall Road is developed as a Thoroughfare (or any street equal to or greater than thoroughfare status) per the City of Raleigh Thoroughfare Plan then the following be provided:

1) A forty foot protective yard (active tree preservation) shall be provided along the western boundary of the property. If no lots are proposed between Southall Road and the western property line then a 90' minimum and 120' average setback will be provided to the right-of-way of Southall Road. A 30' Type C transitional protective yard located within the 40' protective yard shall be installed consisting of 7 trees per 100 linear feet and 55 shrubs per 100 linear feet and supplemented with a staggered row of evergreen trees with an average spacing of 10' on center (10 trees per 100 linear feet). Said evergreen trees shall be installed at 8' in height and consist of Leyland Cypress, Eastern Red Cedar, Arborvitae, Holly, Cryptomeria or similar locally adapted species that will attain an ultimate height of 30'. In the area between Windmere Chase Drive and a point 600' from Buffaloe Road where no trees currently exist, an earthen berm of at least 6' – 8' in height (with no maximum) measured from the existing grade of the western property line, shall be installed. The above planting standards shall be incorporated on the sides and top of the berm.

2) Any lot developed along Southall Road and abutting the western property line from Buffaloe Road to Windmere Chase Drive shall be at least 14,000 square feet in area and a minimum of 90' wide. One store dwellings shall contain a minimum of 1850 heated square feet and dwellings greater than one story shall contain a minimum of 2000 heated square feet. Said dwellings shall contain a two-car garage with front or side access. No individual driveway

access will be permitted on Southall Road. All dwellings and structures shall be setback a minimum of 65' from the western boundary of the tract (the eastern property line of Winchester Subdivision).

3) Pending approval by the Transportation Department Windmere Chase shall be extended to Southall Road and terminate in a "T" intersection with Southall Road.

4) No attached dwellings shall be located closer than 300' of the western property line along Winchester Subdivision.

b. If Southall Road is <u>not</u> developed as a Thoroughfare (or any street equal to or greater than thoroughfare status) then the following shall apply.

1) A 30' protective yard (with active tree preservation) shall be provided along the western property line where trees exist. Landscape plantings equal to a 30' Type C transitional protective yard shall be installed (7 trees & 55 shrubs per 100 linear feet). A continual row of shrubs shall be installed adjacent to the rear property line of the proposed lots and within the 30' yard.

2) Any lot within 100' of the western property line between Buffaloe Road and Windmere Chase Drive shall be at least 14,000 square feet in area and a minimum of 90' wide at the building line. Any lot within 100' of the western property line north of Windmere Chase Drive shall be at least 12,000 square feet in area and have a minimum lot width of 80' at the building line. All dwellings and structures shall be set back a minimum of 65' from the western boundary of the tract (the eastern property line of Winchester Subdivision). One story dwellings shall contain a minimum of 1850 heated square feet and dwellings greater than one story shall contain a minimum of 2000 heated square feet. Said dwellings shall contain a two-car garage with front or side access.

3) No attached dwellings shall be located closer than 300' of the western property line along Winchester Subdivision.

5. The following conditions shall apply to various dwelling units:

a. Single family detached dwellings shall have raised foundation walls with crawl spaces. Exterior foundation walls shall consist of brick or stone (cultured & real).

b. Exterior skin materials for single family detached dwellings shall consist of brick, stone (cultured & real), wood and hardiplank siding, and wood and hardiplank shakes.

c. At least 50% of the detached dwelling on lots within the first 250' of the future right-of-way of Buffaloe Road shall have a masonry (brick, stone, cultural stone, etc.) front elevation. At least 25% of the detached home on lots within the first 400' of the future Buffaloe Road shall have a masonry (brick, stone, cultural stone, etc.) front elevation. Within any R-4 zoned area not covered above at least 10% of all detached dwellings shall have a masonry (brick, stone, cultural stone, etc.) front elevation.

d. The minimum roof pitch for single family dwellings (main portion of roof) shall be 8/12.

e. The minimum heated floor area for single family detached homes, not covered above, shall be 1800 square feet.

f. The minimum heated floor area for townhouses shall be 1200 square feet.

g. The maximum number of attached townhouses in one building shall be seven (7).

h. The maximum height of townhouse buildings shall be three stories or 38'.

i. As a minimum each single family detached lot shall be landscaped with the following:

1) two shade trees @ 2-1/2 – 3" caliper (min.)

2) one small or flowering tree @ 1-1/2 – 2" caliper (min.)

3) ten foundation shrubs @ 18' in height (min.)

4) Front yard of lots less than 9,000 square feet shall be sodded.

j. Streets serving single family detached dwellings shall have 6" high City of Raleigh standard curbs.

k. Only single family detached dwellings shall be constructed in the acreage zoned R-4.

6. Prior to subdivision approval or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty (20) feet long adjacent to Buffaloe Road by fifteen (15) feet wide to support a bus stop for future transit services in the area. The location of the transit easement shall be approved by the Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation. Such easement shall be located as far east on Buffaloe Road as practile and per City approval.

7. Reimbursement for future right-of-way dedication shall be made at Rural Residential values.

8. Except for street lighting associated with public thoroughfares and public residential streets all site lighting fixtures shall be a maximum of 25 feet in height.

9. Pending approval of the Transportation Department and the NC DOT no access to the development shall be located aligning with Castlebrook.

10. Subdivision plans and/or site plans shall be submitted to the Northeast CAC for information purpose and input during the normal administrative review process.

11. A 20' protective yard shall be established on the eastern property line adjacent to Stowecroft subdivision. Where no trees exist an earth berm 3-5' in height (no maximum) shall be installed and planted with 4 trees and 25 shrubs per 100 linear feet.

12. The open space along Buffaloe Road and the public street and lots bordering it will be developed in the first phase of development with the possible exception of the Southall Road frontage. Building permits for 50% of the homes adjoining the open space will also be obtained in the first phase.