Z-36-06 – Litchford Road, on the West side of Litchford Road, East of its intersection with Falls of Neuse, being Wake County PIN's 1718736388, 1718736049, and 1718738197. Approximately 5.15 acres rezoned to Office and Institution-1 Conditional Use.

Conditions: 06/02/06

1. THE FOLLOWING USES SHALL BE PROHIBITED:

a.	Camp	i.	Manufacturing
b.	Coliseum/Theatre	j.	Taxi Stand
c.	Stadium Track	k.	Guest House
d.	Rifle Range	l.	Transitional Housing
e.	Fraternity House/Sorority House		• Emergency Shelter Type A
g.	Airfield		• Emergency Shelter Type B
h.	Sub-station		Religious Shelter Unit

2. Residential development other than single family detached dwellings, townhouse developments or unit-ownership (condominium) developments, shall be prohibited.

3. Reimbursement for ROW dedication for all parcels, if applicable, shall be at a rate consistent with the current R-4 zoning of the parcels.

4. Future buildings shall be limited to no more than two (2) floors of conditioned space. Maximum building height shall not exceed thirty-five (35'). Parking located under the building shall not be counted toward the limit specified for number of floors.

5. Site lighting for parking areas shall not exceed sixteen feet (16') feet in height, unless located in a Natural Protective Yard, where height of lighting fixtures shall not exceed twelve feet (12') in height.

6. Guidelines for the building design shall include the following:

a. the dominant (60%of building siding material exclusive of doors windows) building materials shall be masonry (brick, pre-cast concrete, stone, and stucco).

b. Building elevation fenestration (doors, windows) shall be no less than 15% and no more than 50% in area for all building elevations.

b. A minimum of 75% of a given building footprint shall be covered by a pitched roof; and the minimum roof pitch shall be no less than 5:12;

c. Window glass/glazing on building elevations that directly face the adjoining residential parcels Jones: Book 11556 Page 1459; Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328 and that has no intervening building located between the building and the adjoining residences shall be treated/tinted to reduce light transmission after dark.

7. Prior to any development or lot recordation, the site shall make available a twenty foot (20) (adjoining the right of way) x fifteen foot (15') (deep) easement along Litchford Road to support a transit stop for transit services in the area. Prior to any approvals or development, the City Attorney shall review and approve the easement document and the Transit Administrator shall review and approve the location.

8. No more than one (1) driveway shall be permitted onto Litchford Road from the subject parcels. If the property is developed with more than one lot, cross access easement(s) shall be provided to other lot(s).

9. If more than one (1) ground sign is provided along the frontage of Litchford Road (to be defined as within 75' of the Litchford Road ROW) as part of a multiple parcel development, the maximum area of the ground signs shall be reduced to two-thirds (2/3) of the maximum copy area allowed by the City of Raleigh Sign Ordinance.
(Note: The O&l -1 zoning district mandates that any/all ground sign(s) shall be limited to "Low Profile", as defined by City of Raleigh Zoning Code.)

10. Ground sign(s) shall not be internally lit. The illumination of ground signs shall be from the base or ground plane, and fixtures shall be shielded to reduce glare from off-site view. The ground sign shall incorporate a brick base, brick column or brick wall, or combination of these elements. The brick used on the ground sign element shall be the same used on the building (if applicable) and the brick shall be incorporated into the Unity of Development Statement.

11. All sidewalks connecting a building(s) to the public right-of-way shall be five foot (5') width minimum.

12. Trash receptacles/dumpsters shall be enclosed in a masonry structure, with the siding material to be the same or compatible with the building material used on the principal building(s); opaque doors shall screen the opening. The dumpster enclosure shall be located behind the front wall of the building(s); and the enclosure screened from view of off-site neighbors with evergreen shrubs; that shall be 48" height at time of installation. Hours of operation shall only be from 7:00 am. to 7:00 p.m., Monday-Friday. Operation hours of dumpster shall be described in a restrictive covenant and recorded on the plat of the property.

13. All outdoor lighting fixtures shall be cut-off design and directed away from residential properties. Light Level at the perimeter property line adjacent to residential property shall be no more than four-tenths (4/10's) of a footcandle.

14. A minimum building, dumpster, and vehicle surface area setback of thirty feet (30') shall be provided against the following properties, identified by the following Wake County Parcels: Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 0967 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328. The setback shall also prohibit any dumpster

or trash can enclosure within thirty feet (30') of the above-referenced parcels. (See Exhibit "A").

15. No land disturbance shall occur within forty feet (40') of the common property corner of the following parcels: (Subject Property: Poteat: Book 08096 Page 1279; Curtis: Book 09097 Page 0103; Howell: Book 05038 Page 0621. (See Exhibit "A").

16. Prior to any development or lot recordation an offer of cross-access shall be made to the following parcel: Jones: Book 11556 Page 1459. Cross access point shall not be within two hundred feet (200') of the common property corner (acute angle at back of parcel (Subject Property of the following parcels: Poteat: Book 08096 Page 1279 and; of the following parcels: Curtis: Book 09097 Page 0103; Howell: Book 05038 Page 0621. (See Exhibit 'A").

17. A Transitional Protective Yard, at least twenty foot (20') minimum width, shall be provided along the following properties, identified by the following Wake County Parcels: Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328. Within this Transitional Protective Yard, two-thirds (2/3) of the land area of the Transitional Protective Yard shall not be disturbed by grading; however the installation of a fence or additional plantings required to meet requirements of the City of Raleigh Landscape Ordinance shall be allowed (See Exhibit "A")

18. If located upon the subject property, any bank; any Daycare and/or Private School building and accompanying playground shall be a minimum of two hundred feet from any of the following parcels within the Woodstone Subdivision, and are identified as Wake County Parcels: Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328; Paliga: Book 07207 Page 0034; Curtis: Book 09097 Page 0103. (See Exhibit" A").

19. If vehicle surface area is located within fifty feet (50') of the western or eastern boundary lines, adjoining the following parcels identified by the following Wake County Parcels: Jones: Book 11556 Page 1459; Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328 an evergreen hedge shall be provided between the vehicle surface area and the perimeter property line so as to provide buffering and screening to the adjacent property, and the plantings shall be installed per the following standard: Install one (1) Evergreen Shrub at 4' on center (O.C.); plant shall be three feet (3') in height at time of installation; plantings shall meet all requirements of the City of Raleigh Landscape Ordinance. If the shrubs are located within a Transitional Protective Yard (TPY), they may be credited toward the requirement of the TPY, if in accord with City of Raleigh Code requirements.

20. If additional trees are required in Transitional Protective Yards to supplement existing vegetation, the trees shall be an evergreen species to the extent allowed by the provisions of the City of Raleigh Landscape Ordinance.

21. The overall Floor Area Ratio (FAR) shall not exceed a maximum 25% of the overall property assemblage land area (5.15 Acres), or 56,083 Square Feet (gross). If the property is developed with more than a single lot, the FAR on any lot may exceed 25% so long as the FAR for the entire project area does not exceed 25% or 56,083 SF gross.

22. Prior to submittal of any subdivision/site plan application, or driveway permit application, a Traffic Impact Analysis or Study shall be prepared and submitted to the City of Raleigh for review and comment.

23. Parking spaces located in a building structure shall be located below finished grade (basement), or screened from the public right of way by a semi-opaque (75% minimum opacity) architectural screen. The screen shall incorporate the dominant building material of the principal building located on the lot, and shall be a minimum of 48” height from finish floor elevation of the parking structure.

24. Parking spaces shall not be located between the right-of-way of Litchford Road and the wall of any building located within fifty feet (50’) of Litchford Road right-of-way.

25. For any/all building(s) located along the frontage [within one hundred feet (100’)] of the Litchford Road Right of way, a minimum of one (1) pedestrian entrance shall be visible from and connected by a sidewalk to Litchford Road right-of-way.