Z-60-06 – Lynn Road – on the north side of Lynn Road, northeast of its intersection with Creedmoor Road, being various Wake County PINs. Approximately 1.056 acres rezoned to Office and Institution – 1 Conditional Use.

Conditions – 11/27/2006

1. Reimbursement for future right of way dedication along Lynn Road and Creedmoor will remain at their current zoning category. Specifically lot 0797 52 1829 (DB 03497/PG 0001) will be based on O&I 2; lots 0797 52 1991 (DB09794/PG1034) and the portion of 0797 52 4799 (DB02960/PG 0915) to be rezoned, will be based on R-4 values.
2. Limit the intensity of development:
    a. FAR not greater than .33
    b. Maximum building height of two stories (29'-O")
3. All outdoor area and parking lot lighting fixtures shall be of full cutoff (shielded) design. Outside of transitional protective yards, freestanding site lighting fixtures including those within 50' of any adjacent property zoned residential or containing any dwelling unit shall not be more than 20' in height. Within transitional protective yards fixture shall not exceed 12' in height.
4. A 25' transition buffer yard shall be provided between the lots under this rezone petition (lots 0797 52 1991 (DB09794/PG1 034) and 0797 52 4799 (DB02960/PG 0915)) and the remainder of 0797 52 4799 (DB02960/PG 0915) not included in this rezone petition and the residential property, lot 0797 52 2995 (DB0251 8/PG 0317). Within this 25' transition buffer yard a 6' closed wooden fence will be provided between properties 079752 1991 (DB09794/PG 1034) and the adjoining residential lot 0797522995 (DB02518/PG 0317). The fence will be constructed prior to the issuance of a certificate of occupancy.
5. Landscape materials within the 25' buffer will, at minimum, conform to the planting specifications approved in Z-60-97 or shall be provided with landscaping required by current City Code, whichever is greater, for the single family lots adjoining the proposed rezone lots. Specifically for lot 0797 52 2995 (DB02518/PG 0317).
6. The property (lots 0797 52 1829, (DB 03497/PG 0001) 0797 52 1991, (DB09794/PG1034) and 0797 52 4799, (DB02950/PG 0915)) shall be limited to no more than one ingress/egress driveway point to and from Lynn Road and no more than one ingress/egress driveway point to and from Creedmoor Road, subject to approval by the City of Raleigh Public Works Department and North Carolina Department of Transportation. The Lynn Road driveway shall be developed with only right in and right out access.
7. A cross-access agreement shall be provided between the adjoining parcel (lot 0797 53 0098 (DB01203/PG 1816)) to the north along Creedmoor Road.

8. With respect to the lots subject to this petition, prior to the receipt of issuance of any building permit, legal agreements for shared signage, dumpster/trash facility, parking, stormwater facility, and cross access shall be reviewed and approved by the City Attorney.

9. 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 ten (10) feet long adjacent to Creedmoor Road by six (6) feet wide and a transit easement measuring ten (10) feet long adjacent to Lynn Road by six (6) feet wide to support bus stops for current transit services in the area. The locations of the transit easements shall be approved by the Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation.

10. The following uses shall not be permitted:

    Residential — Emergency shelter Type B; Residential — religious shelter unit;
    Institutional/civic/services —fire station, police station, training facility
    Commercial - dish antenna, telecommunication towers;

11. The regular business hours of operation for any Commercial — Retail sales use on the property shall be from 6:00 a.m. until 11 p.m.