1. **Z-44-07 – Bernard Street,** located west of Bernard Street, south of Mills Street with various Wake County PINs. Approximately 1.37 acres rezoned to Residential-15 Conditional Use District.

Conditions: 02/25/08

1) For purposes of the following conditions, Tax Parcels PINS 1704992522, 1704992519, 1704992605 and 1704992762 are referred to as the "Property". New residential structures constructed on the Property will be restricted to single family detached, single family attached townhomes, single family detached townhomes, duplex townhomes and accessory structures.

2) For new buildings constructed upon the Property, at least sixty percent (60%) of the facades, exclusive of window and door openings, on all sides shall consist of brick, stone or other masonry material.

3) All new buildings constructed upon the Property shall have roofs with a minimum pitch of 6:12. This would not apply to roof pitch over unheated areas such as porches and patios.

4) The height of any new building constructed upon the Property shall be limited to two (2) stories and thirty-seven feet from finished grade, but in no case shall the height of any new building be greater than provided for in 10-2076.

5) No more than four (4) townhomes will be attached in a single building.

6) Townhomes adjacent to Bernard Street will have their primary entranceway facing Bernard Street with a minimum five-foot wide sidewalk connecting the entranceway to a minimum five-foot wide concrete sidewalk to be constructed within the Bernard Street right of way in front of the Property if permitted by the City of Raleigh.

7) Privacy walls for the patios of the townhomes along Bernard Street will be constructed of brick.

8) All exterior parking lot fixtures will be of full cut-off (shielded) design that shields the source of illumination.

9) Reimbursement for any required right of way dedication shall be at the current R-10 zoning value.

10) A minimum of one (1) duplex townhomes will be constructed on the subject property.

11) All new residential structures constructed on the Property adjacent to Bernard Street will contain a covered porch with a minimum size of 84 square feet.

12) Site storm water will be constructed so as not to exceed predevelopment runoff rates for a 2-year, 10-year and 25-year storm event.

13) New structures constructed adjacent to Bernard Street will contain no more than 1,600 square feet per floor of contiguous heated space. Heated square footage as it applies to this condition shall not include attic spaces, garages or other unconditioned square footage not intended for full occupancy.

14) The elevation of each new structure adjacent to Bernard Street will contain no less than eight window openings. A set of side by side windows would be counted as two window openings. This standard would not apply to the single detached dwelling unit.

15) Parking spaces within the parking lot shall be a minimum of 25 feet from the right of way of Bernard Street.

16) A brick wall at least 4.5 feet tall shall be constructed between parking spaces and Bernard Street. The wall would not be located in the driveway isle area necessary for vehicular access and safety.

17) The area between the brick wall with parking spaces behind and Bernard Street shall contain a minimum of 4 evergreen trees at least 10 feet tall when planted.

18) No more than 19 units will be constructed on the Property.

19) That portion of the Property located at 1951 Bernard Street (Book 12886 Page 1181) shall contain no more than one detached dwelling unit.

20) At least one duplex townhomes outlined in condition #10 shall be constructed adjacent to Bernard Street.

21) The site plan for the Property will go before the Planning Commission for review and approval.