Z-23-07 – Creedmoor Road, located on the east side, south of its intersection with Millbrook Road, being Wake County PIN 0796468665. Approximately 3.0 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: 10/17/07

a. The property shall be limited to office uses as specified in the Professional/ Services subgroup of Code Section 10-2071, save and except for copy center, hair replacement, masseur, office machine, publicity, secretarial and travel agents, realtor and mail order store, which uses are prohibited. Said uses shall be located within not more than one principal building which shall be limited to 20,000 square feet floor area gross.
b. The principal building shall be limited to two stories in height and shall not exceed thirty-seven feet (37') in height measured as provided in the Raleigh City Code.
c. A buffer area, 65 feet in width shall be maintained along the entire East and South property lines (adjacent to Hunt, PIN 0796562637 [Deed Book 2454, Page 368], Schoonover, PIN 0796561425 [Deed Book 5279, Page 306], and Highsmith, PIN 0796468403 [Deed Book 2367, Page 468] all Wake County Registry), or the same as may hereafter be identified). No parking, driveway (unless required by the City of Raleigh for cross access), storage, loading areas, or buildings will be permitted within this buffer area; however, utility, water, sewer, storm drainage or other improvements as may be authorized or required by any governmental authority or conditional use zoning conditions, excluding the wall required by Condition H, may be located in the buffer area. Diseased or dead trees shall be removed from this buffer area, with the prior authorization of the City of Raleigh Arborist or his designee; provided, however, no tree six and one-quarter (6.25") inches in circumference or greater in size measured at four and one-half (4.50') feet above ground shall be removed (unless diseased, dead or as necessary to provide a cross access driveway required by the City of Raleigh or to provide access to the utility manhole located adjacent to the south line of the property). Notwithstanding any provision herein to the contrary, tree removal or grading for permitted purposes within the buffer area for any of said purposes which cumulatively exceeds twenty (20%) percent of the buffer area shall not be permitted.
d. Upon development direct access from Creedmoor Road would be limited one right in/right-out driveway subject to approval by the City of Raleigh Public Works Department and North Carolina Department of Transportation, as applicable.

e. Upon development reimbursement for any required right-of-way dedication for Creedmoor Road shall be calculated at the applicable R-4 rate.
f. Upon any development of the rezoned land an offer of cross access will be provided to the adjacent property to the north, Cary Development Ptnr LLC, PIN 0796478165 [Deed Book 12324, Page 545] and to the adjacent property to the south, Highsmith, PIN 0796468403 [Deed Book 2367, Page 468]. The owner of the property subject to this Condition shall be responsible for constructing the portions(s) of the cross access drive(s) upon this property if these offers (or either of them) are accepted.
g. 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 Creedmoor Road by fifteen (15) feet wide to support a bus stop for transit services in the area. The location of the transit easement shall be approved by the Transit Division of the City (said approval not to be unreasonably delayed) and the City Attorney shall approve the transit easement deed prior to recordation. Notwithstanding the foregoing this Condition shall be a nullity if the City determines not to locate a transit easement upon the property.
h. Upon any development of the rezoned land a wall not less than six (6) feet in height above grade, constructed of brick or block with brick veneer shall be constructed in proximity to a parking area in the eastern portion of the subject property opposite the property of Hunt, PIN 0796562637 [Deed Book 2454, Page 368] on the East and Schoonover, PIN 0796561425 [Deed Book 5279, Page 306] on the South. Said wall shall commence fifteen (15) feet from the north line of the subject property and shall extend in a southerly direction and in a westerly direction, as necessary, to encompass the parking area as aforesaid. No portion of this wall may be located within the sixty-five (65) foot width buffer required by Condition C.
i. In the event that a dumpster is utilized for the collection of refuse generated by the occupant(s) of the office building, same shall be located within thirty-five (35) feet of the north line of the property and will be screened by the wall provided in the immediately preceding Condition H, extended to the west to the extent necessary to screen this facility in accordance with the City Code. This facility may not be serviced before 6:00.a.m. nor after 6:00 pm during weekdays and may not be serviced on Saturdays, Sundays or holidays observed by the City of Raleigh.
j. The development of the subject property shall require Site Plan approval by the Raleigh Planning Commission and by the Raleigh City Council.