Z-33-08 - Six Forks Road, east side, north of Dublin Road intersection and south of Sandy Forks Road intersection, being Wake County PINs 1706782283 and 1706782106. Approximately 1.117 acres, rezoned from Residential-4 to Office and Institution-1 Conditional Use District.

Conditions dated: October 29, 2008

1. No vehicular access from the subject property shall be permitted on Dublin Road except for single family development, so long as the property is used for single family development.

2. Any non-residential buildings shall have a maximum height of thirty-two (32') feet as measured by the City Code criteria for height. In addition, any non-residential buildings shall not include more than two occupied stories.

3. Building fenestration (windows and doors) shall represent no less than 15% and no greater than 60% on each side of any non-residential building.

4. Building siding materials shall be brick, stone, stucco (EIFS), hardi-plank.

5. Prior to issuance of a certificate of occupancy, a landscaped berm having a minimum height of (5') five feet shall be installed along the rear and North side property line of Deed Book and Page #01751 0255 and shall be installed along the rear property line of Deed and Book page #04814 0354. The berm shall be planted with evergreens and other plantings as will provide an eight-foot (8) minimum height screening from day of planting. Said berm shall he interrupted only for installation of city approved utilities and including but not limited to storm drainage facilities. Berm screening shall achieve 75% opacity within 3 years.

6. Site area lighting shall be located to minimize spill over lighting toward the adjacent residential properties. Site area lighting shall consist of building fixtures and ground mounted 42" bollard lights. All lights in the parking lot areas will have fixtures of full cutoff (shielded) design, on poles a maximum height of 18 feet outside protective yards and maximum height of 12 feet within protective yard areas.

7. Property setbacks for any non-residential building project from properties 5900 and 5904 Six Forks (Wake County Deed Book and

Page #01751 0265 and #04814 0354) will conform to a twenty-five (25') foot setback along the lot lines listed below:

Deed Book & Page #:	Owner:	Address:
08685 0412	Christopher & Pamela Hughes	119 Dublin Road
00150 000E**	Dorothy Stowe	5908 Sandy Forks RD

**Contact the estates division of the Wake County Superior Court for further information.

8. Developer will also construct a wooden 6' high closed fence along the rear and North side property line of Deed Book and Page #01751 0255 and along the rear property line of Deed Book and Page # 04814 0354 which adjoin the property lines listed below that will be maintained.

Deed Book & Page #:	Owner:	Address:
08685 0412	Christopher & Pamela Hughes	119 Dublin Road
00150 000E**	Dorothy Stowe	5908 Sandy Forks RD

**Contact the estates division of the Wake County Superior Court for further information.

9. Developer will provide adjacent property owners listed below a copy of the site plan submittal prior to submittal to the City of Raleigh. Notice of evidence will be provided to the Planning Dept. of Raleigh that this has been met through certified mail.

Deed Rook & Page #:	Owner:	Address:
08685 0412	Christopher & Pamela Hughes	119 Dublin Road
00150 000E**	Dorothy Stowe	5908 Sandy Forks RD

** Contact the estates division of the Wake County Superior Court for further information.

10. Reimbursement for any required right of way dedication shall be at the current R-4 zoning.

11. Cross access will be provided between Deed Book and Page #01751 0255 and #04814 0354 in the event that the properties are not recombined.

12. Where there are parking areas adjacent to Dublin Road, there shall be three (3) times the number of shrubs planted than otherwise required by the City Code's street yard planting requirements.

13. Dumpster service will be only allowed between the hours of 8AM to 5PM.

14. Prior to lot recordation 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 feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

15. The following land uses as set forth in Code Section 10-2071 schedule of permitted use in the zoning district shall be prohibited within the zoned area:

    a. Recreational use restricted to membership commercial of all types
    b. Recreational governmental (indoor, outdoor, and rifle range) of all types
    c. Fraternity or Sorority houses
    d. Rooming house, boarding house, lodging house, tourist house
    e. Emergency shelter Type-A
    f. Civic Club
    g. All Cemeteries
    h. All Correctional/penal facilities
    i. Fire Station, police precinct, training facility and other emergency service facilities
    j. Funeral Home
    k. Radio and television station
    l. Telecommunications towers less than 250 feet in height
    m. Parking facility – principle use
    n. Manufacturing – specialized
    o. Transportation – including airfields, landing strips, heliports, and taxicab stands.
    p. On-site Power Plant utilities
    q. Utility substations
    r. Rest home
    s. Eating establishment (as permitted as accessory use in office buildings)

t. Crematory
u. Hospital medical/psychiatric
v. Guest house facility
w. Research Farm
x. Camp
y. Multi-family and Group housing Development