

**Z-11-94 Six Forks Road**, north side, between Hilmer Drive and Plantation Road, being Map 1715.13, Block 04, Parcel 5123, rezoned to Office and Institution-1 Conditional Use District.

**CONDITIONS:**

The Property, once rezoned, will be subject to the following conditions and restrictions:

1. Upon development, stormwater discharge shall comply with the provisions of CR-7107.
2. Buffers and screens will be provided along the rezoned property's common boundary with the following Wake County tax parcels: PINs 1715.13 04 4521, 1715.13 04 5425, 1715.13 04 6432, 1715.13 04 7317, 1715.13 04 8303, 1715.13 04 9209, 1715.13 04 9287, 1715.13 04 9160 and 1715.13 04 9021, as follows:
  - a. A permanently maintained vegetative transitional protective yard of a minimum width of forty (40) feet measured from the rear property line, which shall remain undisturbed except for the installation of fencing as described hereunder, new plantings, and any required easements. An additional twenty (20) feet shall be maintained as a vegetative transitional protective yard which may be disturbed during construction but thereafter must be re-landscaped not only according to the "Schedule of Transitional Protective Yards" found in the Raleigh City Code, 10-2082.9, but also in accordance with the following schedule: Pine trees shall be planted at ten (10) foot intervals along the centerline of the twenty foot transitional protective yard. Along a line five (5) feet west and south of said line of pine tree plantings, shall be planted a line of wax myrtles at ten (10) foot intervals. Along lines five feet (5) and ten feet (10) east and north of said pine tree plantings red tip photinias shall be planted at ten (10) foot intervals in a staggered fashion.
  - b. A wall or fence at least six feet above grade shall be installed and permanently maintained within ten (10) feet of the common boundary line of the subject parcel and those three certain Wake County tax parcels with the following PIN numbers: 1715.13 04 9287, 1715.13 04 9160 and 1715.13 04 9021. The wall or fence shall be of wood or masonry construction and shall be at least 50% closed.
3. No building or parking shall be constructed within the total sixty (60) foot transitional protective yard described herein above. No building exceeding 27 feet in height [assumed to be equivalent to two (2) stories] shall be constructed within one hundred eighty (180) feet of the rear or north property line or within one hundred twenty (120) feet of the east line. No building exceeding 40 feet in height [assumed to be equivalent to three (3) stories] shall be constructed on the rezoned property. However, by filing these conditions, in no way does applicant limit his right to construct on the site, within the setbacks herein above set forth, what is commonly understood to be two-story or three-story buildings, measured pursuant to the standards set forth in the Raleigh City Code.

4. Any parking lot or other exterior lighting shall be aimed and/or shielded so as to minimize direct view of the light source from adjacent properties used for single-family residential purposes. Light poles located within one hundred (100) feet of the common boundary line described herein above shall not exceed twenty-five (25) feet in height and illumination shall not exceed residential public street brightness standards.
5. All uses permitted in the Office and Institution-1 district shall be allowed except:
  - a. Telecommunication Towers
  - b. Radio & TV Studios
  - c. Attached or multi-family housing
6. HVAC units and dumpsters shall be screened so as to minimize visibility from residential units constructed on the Wake County tax parcels with the following PINs: 1715.13 04 4521, 1715.13 04 5425, 1715.13 04 6432, 1715.13 04 7317, 1715.13 04 8303, 1715.13 04 9209, 1715.13 04 9287, 1715.13 04 9160 and 1715.13 04 9021.
7. A copy of the site plan will be provided to the adjacent property owners at the time it is submitted to the city for review.
8. Additional right-of-way, if needed, along Six Forks Road (1/2 of 110 feet) will remain at Residential-4 value for reimbursement purposes.
9. Vehicular cross-access will be provided to the property to the east (Wake County tax parcel 465-198, PIN# 1715.13-03-8867), upon its development for a non-residential use, provided it is rezoned for non-residential use prior to January 1, 1995.