

Z-10-97 Lake Boone Trail, south side, near its intersection with Glenwood Avenue, being Map 1705.17 02 0433. Approximately .4 acre rezoned to Office & Institution-1 Conditional Use.

Conditions: 4/18/97

1. Residential density shall not exceed six dwelling units and accessory uses.
2. Provided that Z-8-97 and Z-9-97 are approved, no other O&I uses other than the dwelling and accessory uses mentioned above shall be allowed with the exception of the existing Special Use Permit for parking supporting the adjacent office use.
3. If redeveloped, the property subject to this petition (the "Property") shall be redeveloped only as a part of "Phase 2A" of Glenwood Gardens Condominiums as depicted conceptually in the attached **Exhibit A**, Glenwood Gardens Phase 2A, dated April 14, 1997, and shall be subject to the conditions for the approval of GH-14-96, as applicable.
4. If the Property is redeveloped, no clearing, demolition, or other activity except for installation of fence, water, sewer, storm drainage or other utility lines or construction of Essex Circle (not including the cul de sac) with respect thereto shall occur until issuance of a construction permit for development of Phase 2 of Glenwood Gardens Condominiums (GH-14-96) as approved by the Raleigh City Council
5. Any structure constructed upon the Property shall not exceed in height two occupied stories above parking (thirty-six (36) feet, four (4) inches as measured from the finished floor elevation of first (ground) floor to the mid point of the sloped roofs as per the Code of the City of Raleigh.
6. All light sources shall be shielded and there shall be no direct beaming of light from the Property into any residential parcel adjoining the Property. If any of the purchasers of units in Building 1100 chooses not to enclose their sun rooms, any porch lighting shall have the same lighting restrictions as approved for Building 800 provided that Site Plan GH-14-96 is approved or a successor site plan is approved containing lighting restrictions for Building 800.
7. A street protective yard twenty (20) feet in width measured from the existing right of way of Lake Boone Trail shall be imposed upon the western portion of the Property, which protective yard may be crossed and/or reduced for utility installation, street widening and such other purposes as permitted by the City of Raleigh. Trees existing within the street protective yard as of the date of the approval of this rezoning by the Raleigh City Council which are eight inches (8") or greater in diameter measured one-half (1/2) foot above the ground level shall be retained other than those removed as a result of utility installation, street widening and such other purposes permitted by the City of Raleigh; provided, however, that damaged, diseased or dead trees and vegetation may be removed from the protective yard as needed.

(Exhibits can be found in the case file located in the Planning Department)