

Z-24-98 Benson Drive, west side, between Navaho and St. Albans Drives, being portions of Tax Map Parcels 1715.09 17 6007 and 7282. Approximately 20 acres rezoned to Office and Institution-2 Conditional Use and Conservation Management Conditional Use.

Conditions: (2/4/98)

A. Not only shall development of this property comply with Planning Commission Certified Recommendation No. 7107, stormwater generated by such development shall be subject to a pre-development run-off detention standard. Either a facility or facilities installed by the owner of the subject property on site, or participation in a shared off-site facility approved by the City of Raleigh, shall satisfy these requirements.

B. The following uses, otherwise permitted under Office and Institution-2 Conditional Use District, shall be prohibited:

1. emergency shelter;
2. airfield, landing strip;
3. manufacturing;
4. correctional/penal facility;
5. outdoor stadium, outdoor theater, outdoor racetrack, indoor or outdoor motion picture theater;
6. cemetery, funeral home.

C. Increased residential density per Raleigh City Code Sections 10-2036 and 10-2145 shall be permitted only in conjunction with a congregate care or hotel facility.

D. All refuse containers, mechanical/maintenance facilities, and HVAC units shall be screened such that they are not visible from any public street right-of-way or residential zoning district.

E. The office development of this property shall be limited to a maximum floor area ratio (FAR) of .50.

F. Freestanding exterior lighting located on the subject property outside of transition yards shall not exceed twenty (20) feet in height. No exposed bulbs shall be utilized and there shall be no direct beaming of light into any residential zoning district.

G. No building shall exceed six (6) stories or ninety (90) feet in height. Mechanical equipment (HVAC and elevator), mechanical screens/rooms, and parapet wall on the roof and stair enclosures to the roof, if any, will not be included when calculating building height.

ORDINANCE (1998) 290 ZC 429

Effective: March 3, 1998

H. Future development of the subject property, including its subdivision, site plan approval, and/or building construction, shall be implemented so as to accommodate private vehicular ingress and egress between Quail Hollow Drive (in the vicinity of the Ruffin Estate southwest corner) and Benson Drive. An offer of reciprocal cross access will be made to the abutting properties to the north (PIN'S 1705.08 98 9505 (Andrews) and 1715.18 2788 (Comer)).

I. The owner of the property shall notify by certified mail, return receipt requested, owners of adjacent property as listed by the Wake County tax office, being PIN Numbers 1705.08 98 1738 (Gaddy), 1705.08 98 9505 (Andrews), 1715.05 18 2788 (Comer/Burgess), 1715.09 16 S743 (Simon), 1715.09 16 7635 (GT Company), 1715.09 16 8365 (GT Company), 1715.09 16 9045 (HH Properties), 1715.09 17 0038 (UDRT), 1715.09 26 1210 (GT Company), 1715.09 26 3155 (Denny's), 1715.10 26 5097 (Crossland), 1715.10 26 8110 (HCA Realty), 1715;10 26 8238 (HCA Realty), 1715.10 26 8457 (HCA Realty), 1715.10 27 5100 (BRH Associates), and 1715.10 36 2716 (Hospital Building Company), of subdivision and/or site plan approval requests filed with the City of Raleigh. A similar notice shall also be provided by the property owner to the then Chairman of the Falls of the Neuse Citizens Advisory Council at his or her residence address listed with the City of Raleigh.