

Z-63-99 Six Forks Road, opposite Featherstone Drive, being Wake County Tax Map Parcels 1707.06 39 8847 and 9505. Approximately 6.07 acres to be rezoned to Office and Institution-1 Conditional Use.

Conditions: (11/10/99)

For purposes of the following conditions, the term "Property" refers to Wake County Tax Map Parcels 1701.06 39 8847 and 1707.06 39 9505.

1. Control of Stormwater. Any development of the Property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission, which deals with the control of stormwater.
2. Right-of-Way Reimbursement. Reimbursement for future right-of-way dedication affecting the Property shall be based on Residential-4 District values.
3. Cross Access. Upon development of the Property, cross access will be provided between tax parcels 1707.06 39 8847 and 1707.06 39 9505.
4. Cemetery Protective Yard. Upon development of the Property there shall be maintained a landscaped protective yard along the boundaries of the Property with Tax Map Parcel 1707.06 49 0638 (the "Cemetery"). Such protective yard shall be a minimum of 25 feet in width, except that on the South boundary the width may be reduced to approximately 10 feet to align an entrance drive with Featherstone Drive. Where less than 25 feet in width, such yard shall extend to the entrance drive on the south side. Plantings in the 25' protective yard shall be no less than 15 shrubs planted in staggered rows and 6 understory trees per 100 linear feet. A proportional number of plants will be provided in the protective yard on the South side of the cemetery, based upon the actual width of such yard; provided, however, such proportional number shall be increased by 50` in areas where the yard is 10 feet or less in width. Natural trees shall be maintained in at least 50% of the protective yard and such trees shall be protected in accordance with Section 10-2082.5(f) of the City Code. Preserved trees shall be subject to active tree protection during construction activity. Shrub height may be adjusted at roadway to provide safe sightlines. Neither a street, sidewalk or parking area shall be allowed within the protective yard.
5. Landscaped Streetyard. A streetyard an average of thirty (30) feet in width (with a minimum width of 20 feet) shall be maintained and landscaped in accordance with the SHOD-2 standards of the Raleigh City Code (5 shade trees, 3 understory trees, and 16 shrubs for each 100 linear feet). Credit will be provided for preservation of existing trees pursuant to Section 10-2082.5(f) of the Raleigh City Code. Preserved trees shall be subject to active tree protection during construction activity.
6. Building Height Limit. With respect to any building upon the Property, the side of such building facing Six Forks Road shall be no more than two (2) stories in height above

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finished grade. An additional level shall be permitted, provided that it be entirely below grade as it relates to the side of the building facing Six Forks Road. Such building shall not exceed thirty-five (35) feet in height (if the respective building has a flat roof) or forty-five (45) feet in height (if the respective building has a sloped roof) when measured in accordance with Section 10-2076 of the City Code for sloped lots.

7. Building Lot Coverage. With respect to structures of one or two stories entirely above grade, building lot coverage shall not exceed 25%. With respect to buildings of three stories, counting a story below grade, building lot coverage shall not exceed 20%.

8. Floor Area Ratio. Floor area ratio shall not exceed .50.

9. Building Setback. Any building or buildings upon the Property shall be situated at least seventy-five (75) feet from the cemetery.

10. Protective Yards. With respect to any adjoining parcel zoned Residential-4 or Residential-6 Zoning District other than the Cemetery, there shall be maintained a protective yard an average of twenty-five (25) feet in width, with plantings per Raleigh City Code. Natural trees shall be maintained in at least 25% of the yard area, and shall be protected in accordance with Section 10-2082.5(f) of the City Code. Preserved trees shall be subject to active tree protection during construction.

11. Unity of Development. In accordance with applicable provisions of the Raleigh City Code, unity of development criteria shall be established and implemented with respect to parcels 1707.06 39 8847 and 1707.06 39 9505.

12. Limitation of Uses. Any dwelling units upon the Property shall be detached dwelling units, townhouses or unit ownership (condominium) dwellings. Schools, churches and hospitals shall be prohibited upon the Property.

13. Prohibition of Drive Through. No drive through facility shall be located upon the Property.

14. Lighting. There shall be no direct beaming of light from the Property onto any adjoining parcel zoned for residential use. No light source mounted on the western face of any building upon the Property shall be higher than eighteen (18) feet above finished grade.