

Z-107-98 Six Forks Road and Dublin Road, southeast intersection, being a portion of Wake County Tax Map Parcels 1706.07 78 1014, 1706.07 77 0986, 2668, 1707.07 77 0835, and 2812. Approximately 2.7 acres rezoned to Office and Institution-1 Conditional Use and Conservation Management Conditional Use.

Conditions: 03/09/99

a. Any development of the subject property shall be in compliance with Raleigh Planning Commission Certified Recommendation No. 7107, and in addition thereto, the rate of stormwater runoff shall be held at pre-developed conditions for 2-year and 10-year storm events.

b. Prior to issuance of a certificate of occupancy, a solid fence shall be constructed and maintained within six feet of the zoning line dividing the O&I-1 CUD from the CM CUD. The height of said fence shall six (6) feet, unless a variance is granted by the Raleigh board of Adjustment to install a fence at a height of eight (8) feet.

c. The following uses, otherwise permissible within the O&I-1 zoning classification, will not be allowed on the property:

1. agricultural uses;
2. bed and breakfast inn, guest houses, rooming houses, boarding houses;
3. cemetery, funeral home, crematory;
4. correctional facility, school, church, public library, fire station;
5. veterinary office, kennel or cattery;
6. radio and television studio;
7. dance studio, beauty shop, barber shop;
8. landfall of on-site debris, airfield, taxi cab stand;
9. retail of any kind;
10. power plant, electric utility substation;
11. for-profit or nonprofit recreation or athletic club restricted to membership;
12. outdoor pay phones.

d. A buffer shall be established and maintained throughout the CM CUD. The buffer areas will remain undisturbed except for:

1. Storm drainage facilities, erosion control devices, electric, telephone, cable television and similar installations (fiber optic cable, etc.) gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate local government authority. Any such construction shall be underground and designed and undertaken so as to create as little disturbance of the buffer as possible while still honoring public service, health and safety requirements.
2. The planting of new vegetation which tends to enhance the area's visual appeal, or sight and noise screening characteristics.

3. Treatment or removal of nuisance or diseased vegetation as certified by city arborist or other public official designated by the Raleigh City Manager. To illustrate but not limit for foregoing, trees which encroach upon property boundaries or whose limbs hang over adjacent properties, overhead electric lines, streets or drives may be removed; pine trees infested with or threatened by pine bark beetles or similar pests may be removed.

e. All refuse containers and heating and air conditions units will be maintained within enclosures of material comparable to that of the principal building (in terms of color, texture, appearance and quality), or otherwise screened from direct view from adjacent residentially zoned lots.

f. Exterior lighting shall not include any exposed light bulbs, and shall be aimed downward and shielded so as to prevent direct view of the light source from adjacent residential properties. Light poles within 50 feet of properties identified by Wake County PIN numbers 1706.07 77 3842, 1706.07 77 2578, and 1706.07 77 1577 shall not exceed 18 feet in height or 12 feet in required transition yards.

g. A storm-water management plan shall be submitted to the city and the owners of property identified by Wake County PIN numbers 1706.07 77 4853, 1706.07 77 4622, 1706.07 77 3842, 1706.77 2578, 1706.07 77 1577 concurrent with owner's submission of a site plan for approval by the city.

h. Any office building constructed on this property shall be completely located within 200 feet of the Six Forks Road right-of-way.

i. Prior to issuance of a certificate of occupancy, a berm having a minimum height of five (5) feet shall be installed along the Dublin Road property line within the O&I CU district. Said berm shall be interrupted only for pedestrian access, installation of city-approved utilities, including but not limited to storm-drainage facilities, and to save desirable trees. The berm shall be planted with evergreens at such intervals as will provide an eight-foot (8') minimum height screening achieving 75% opacity within 3 years. The visual screen shall be measured from the top of the berm surface. A solid fence may supplement vegetative screening to achieve desired opacity.

j. The owner of the property shall notify, by certified mail, return receipt requested, owners of property listed by the Wake County tax office as PIN numbers 1706.07 77 4853, 1706.07 77 3842, 1706.07 77 4622, 1706.07 77 3640, 1706.77 2578, and 1706.07 77 1577 of site plan approval requests filled with the City of Raleigh.

k. Landscaping and exterior building maintenance and sanitation pick-up shall be limited to the hours between and including 7:30 a.m. to 7:00 p.m.

l. Non-residential vehicular access from the subject property shall be limited to Six Forks Road. No vehicular access from the subject property shall be permitted onto Dublin

Road, except for the existing single-family development for so long as it is used as a single-family development.

m. Prior to issuance of building permits, the property shall offer cross-access to the owner of the property immediately to the south on Six Forks Road identified by the Wake County tax office as PIN 1706.07 67 8574 for a single joint driveway access aligned opposite of Loft Lane to be shared with said southern property. The form of the offer is to be approved by the City Attorney. All issues pertaining to right-of-way access in this conditional use district are subject to acceptance of such offer of cross-access.

n. Reimbursement for future right-of-way dedication shall be based upon pre-existing zoning of Residential-4.

o. Any office development on this property shall be limited to a maximum floor area ratio (FAR) of .50.

q. No Stormwater detention or retention ponds shall be located within the Conservation Management CU District.

r. The quantity of street yard landscape plantings along Six Forks Road shall be increased by 50% of the requirements described in Code 10-2082.5.