

**Z-106-97 Durant Road**, and Falls of Neuse Road, northeast quadrant, being a portion of Tax Map Number 1718.02 85 5100 and all of 6725. Approximately 51 acres rezoned to Office and Institution-1 Conditional Use.

Conditions: (2/12/98)

A. Development shall comply with the provisions of CR-7107 of the Raleigh Planning Commission.

B. Reimbursement values, for additional right-of-way required by the City's Development Regulations of Falls of the Neuse and Durant Roads, shall be at the then prevailing rate based upon the Rural Residential and R-4 zoning.

C. There shall be no more than one primary full service access to Falls of the Neuse Road.

D. Unless said building is a church or place of worship, in which case construction for the sanctuary or primary place of worship or religious ornamentation such as a steeple or minaret shall not be limited in height by these conditions and shall be subject to the height limits of Raleigh City Code Section 10-2076, no building located across the right-of-way from property zoned R-4 and within 100 feet of the future right-of-way of Durant Road shall exceed two (2) stories (35 feet), no building located across the right-of-way from property zoned R-4 and within 200 feet of the future right-of-way of Durant Road shall exceed three (3) stories (45 feet), no building located across the right-of-way from property zoned R-4 and within 300 feet of the future right-of-way of Durant Road shall exceed four (4) stories (55 feet) as shown on the attached exhibit entitled "Rezoning Exhibit", prepared by ETd, PA and dated February 6, 1998.

E. No building located within 100 feet of the property listed by the Wake County Tax Office as PIN Number 1718.02 86 7092 shall exceed two (2) stories (35 feet) so long as said property shall maintain its current zoning of Rural Residential.

F. All refuse containers and heating and air-conditioning units area will be maintained within enclosures made of similar material as the principal building to screen them from direct view from adjacent R-4 and RR zoned lots or from the public street right-of-way.

G. Exterior lighting shall be aimed downward and shielded so as to prevent direct view of the light source from adjacent RR and R-4 zoned properties abutting Durant Road. Outside transitional protective yards, free standing light poles shall not exceed eighteen (18) feet in height.

H. Thirty days prior to its filing with local government review agencies, a copy of any site plan or subdivision plan for the subject property shall be forwarded by first class mail to the parties listed by the Wake County tax office as owners of PIN Numbers 1718.16 94 1335,

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**Effective: March 3, 1998**

1718.16 94 1520, 1718.16 94 2327, 1718.16 94 1538, 1718.16 94 2784, 1718.16 94 2892, 1718.16 94 1822, 1718.16 94 3913, 1718.16 94 1901, 1718.02 95 10S0, 1718.02 95 2050, 1718.15 4326, 1718.15 7S 6401, and 1718.15 64 8247.

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

1. Cemetery
2. Rooming house, boarding house, lodging house or tourist home.
3. Orphanage.
4. Correctional/Penal facility.

J. To supplement the minimum street protective yards otherwise required by the Raleigh City Code, the property owner shall:

1. Provide a street protective yard not less than thirty (30) feet in width.
2. Provide landscaped focal areas at all project corners that are created by intersections of public streets or the intersection of a private driveway with Falls of the Neuse or Durant Roads. Within these landscaped areas, in addition to perennial and annual landscape materials, identification walls or fences at least 3 1/2 feet in height, gate houses at least twelve (12) feet in height, arbors, artwork, pedestrian walkways and identifications signage may be installed. These areas will be designed and constructed to provide an identification of the property, conform to site triangle requirements and a level of uniformity between resulting projects.

3. Street protective yards shall contain the following vegetation:

	Caliper	Circumference	Height	Rate
Canopy trees	3.0"	10.99"	9.0'**	3 per 50 linear feet
Understory trees	2.0"	6.38"	7.0'**	1 per 60 linear feet
Hedge Shrubs Evergreen			42" at 3 yrs.	3'0" on center
Non-Hedge Evergreen Shrubs			42" at 3 yrs.	1 per 50 lin.ft.

\*\* at installation

4. An evergreen hedge which shall reach forty-two inches (42") in height at three (3) years to screen the view of cars shall be placed within the street protective yard when the yard is within fifty feet (50') of parking spaces. The hedge shall run the entire length of all parking spaces, except when the hedge reaches the intersections of public streets or the intersection of a private driveway with a public street. Such intersections shall be constructed and landscaped in accordance with condition I.2 above and Raleigh City Code 10-2082.6(b).

5. Street protective yards may contain berms, walls, fences, sidewalks, driveway crossings, utility services and utility lines, pipes, transformers and meters in accordance with Code Section 10-2075(e).

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K. At the time of initial site plan or subdivision approval, a unity of development plan will be formulated for all building on the site assuring complementary architectural style, construction materials and cross-access ways.

L. A twenty (20) foot buffer and a six foot high closed fence or wall shall be maintained at petitioner's expense adjacent to the property listed by the Wake County tax office as PIN Number 1718.02 86 7092 so long as said property maintains its current zoning of Rural Residential.