

Z-35-95 Six Forks Road, east side, between Featherstone Drive and Strickland Road, being numerous parcels as shown on map on file in the Planning Department. Approximately 25.2 acres rezoned to O&I-1 CUD

Conditions: (Dated 7/13/95)

1. Stormwater control shall be in accordance with Raleigh Planning Commission CR 7107.
2. Right-of-way dedication on Six Forks Road, if requested in site plan/subdivision approval, shall be reimbursed at R-4 Residential value.
3. To supplement yard space otherwise required by the Code.

a. At the time each parcel identified as Wake County Tax PIN 1708.18 40 6930, 1708.18 41 5265, 1708.18 40 5605 and 1708.18 41 5271 is developed other than single family residential, a 50' wide transitional protective yard shall be provided and thereafter maintained along the common property line of each developed parcel with adjacent land identified as Wake County Tax PIN 1708.18 40 8529. In addition, a six (6) foot wooden closed fence will be installed and maintained near the common boundary lines of each developed property and Parcel numbered 1708.18 40 8529. After installation of said fence, Leyland cypress trees (six and one-fourth inches in circumference (two (2) inches in diameter) measured at one-half foot above grade) shall be planted at 6-foot intervals along said fence. Except where necessary to install the above described fence, plant additional vegetation, remove diseased or nuisance vegetation, and install roads and/or utilities approved by the City of Raleigh, the protective yard shall remain undisturbed.

b. At the time each parcel identified as Wake County Tax PIN 1708.18 40 1759, 1708.18 40 1166, and 1708.18 41 5271 is developed other than single family residential, a 75' wide transitional protective yard shall be provided and thereafter maintained along the common property line of each developed parcel with adjacent land identified as Wake County Tax PIN 1708.18 40 3032, 1707.06 49 2946, and 1707.06 49 4905. In addition, a six (6) foot wooden closed fence will be installed and maintained near the common boundary lines of each developed property and Parcels numbered 1708.18 40 3032, 1707.06 49 2946, and 1707.06 49 4905.

After installation of said fence, Leyland cypress trees (six and one-fourth inches in circumference (two (2) inches in diameter) measured at one-half foot above grade) shall be planted at 6-foot intervals along said fence. Except where necessary to install the above described fence, plant additional vegetation, remove diseased or nuisance vegetation, and install utilities required by the City of Raleigh, the protective yard shall remain undisturbed.

ORDINANCE (1995) 712 ZC 370

Effective: 9/5/95

- c. In the event that parcels identified as Wake County Tax PIN 1708.18 41 5265 and/or 1708.18 40 5271 are developed as single family subdivision(s) as part of an overall development with the parcel identified as Wake County Tax PIN 1708.18 40 8529, the protective yard described in subparagraph 3.a. above and the building setbacks described in paragraph 4 below shall be sited to provide a protective yard between the single family residential development described herein and any subsequent nonresidential, townhomes, or residential unit ownership development of this zoned land.
4. Buildings, other than single family detached residential dwellings, shall be located in accordance with the following setbacks from the properties described as Wake County Tax PIN 1708.18 340 8529, 1708.18 40 3032, 1707.06 49 2946 and 1707.06 49 4905 (referred to collectively as "PIN Properties"):
- a. No such buildings shall be located closer than 75 feet from the PIN Properties.
 - b. No building exceeding two stories in height (30') shall be located within 150 feet of the PIN Properties.
 - c. No building exceeding three stories in height (45') shall be located within 250 feet of the PIN Properties; and
 - d. In no event shall any construction take place in excess of four stories in height (60').
5. Freestanding exterior lighting located upon the property will not exceed twenty (20) feet in height and will be shielded or screened from parcels used for single family residential purposes. On-site lighting will not cause an illumination of more than 4/10s foot-candles at the property line.
6. The owners of all contiguous properties zoned Residential-4 shall be notified by the applicant by certified mail (return receipt requested) of any site plan for the rezoned property filed with the City of Raleigh.
7. Users shall be restricted to:
- a. Office or studio of professional, business, agent, political, labor, or service associations and uses accessory or incidental thereto;
 - b. parking lot, parking deck, parking garage;
 - c. bank, if principal building and accessory parking is more than 200 feet from Residential-4 property;
 - d. church, synagogue or religious education building;
 - e. library, art gallery or museum;
 - f. recreational use restricted to membership (profit & non-profit);
 - g. single family detached, residential unit ownership of any type (condominiums), and townhouses not to exceed ten units per acre.