

Z-66-99 Pine Knoll Drive, western terminus (formerly Sherrill Drive), being Wake County Tax Map Parcel 1725.09 15 6909 and 1725.09 15 8927 and 1725.09 15 9843. Approximately 6.4 acres rezoned to Office and Institution-1 Conditional Use, save and except a strip of land six (6") in width adjacent to the west property lines of the properties which were the subject of Z-6-93 now identified by PIN Nos. 1725.09 15 7559 and 1725.09 15 7781 which strip of land remains zoned R-6.

Conditions (12/1/99):

1. Development of the subject property shall comply with the provisions of CR-7101 to an R-4 standard or to the standard applicable to the property in its condition as of the date of this amended Exhibit C as confirmed by the City of Raleigh, whichever runoff coefficient standard is the more restrictive.
2. For reimbursement purposes, additional street right-of-way for the portion of Pine Knoll Drive to be located along the east side of Tax Parcels PIN Nos. 1725.09 15 9843 and 1725.09 15 8927 shall remain at R-6 values.
3. No parking lots and/or parking structures providing parking for off-site uses shall be permitted upon the subject property as only surface parking serving uses upon the subject property shall be permitted.
4. A protective buffer yard shall be imposed upon the west property line adjacent to properties zoned R-6 or used for single family residential dwelling purposes, which properties have Tax Parcel PIN Nos. 1725.09 15 2672, 2790, 3718, 3835, 3954, 3073, 3171 and 3230. This protective buffer area shall be forty (40') feet in width if the use upon the adjacent portion of the subject property is residential or non-residential. A protective buffer yard shall be imposed upon the south property line adjacent to properties zoned R-6 or used for single family residential dwelling purposes with Tax Parcel PIN Nos. 1725.09 15 3590, 4497 and 6404, which shall be twenty-five (25') feet in width if the use upon the adjacent portion of the subject property is residential and forty (40') feet if the uses upon the adjacent portion of the subject property is non-residential.

These protective buffer yards shall be comprised of new and existing natural vegetation (trees 8' high spaced at 10' on center, evergreen trees such as Nellie R. Stevens Holly, American Holly, Wax Myrtle, Red Cedar, Chinese Holly, Loblolly Pine, Southern Magnolia, and/or Cryptomeria, and deciduous trees such as Allee Elm, Trident Maple, Pistache, Sourwood, also shrubs 18" high spaced 5' on center, with 75% of the vegetation being of evergreen varieties in order to enhance year-round visual separation), and/or changes in grade constructed and maintained of sufficient height and width once vegetation is mature to restrict the direct view of vehicle headlights from a pedestrian standing fifty (50') feet from said boundaries. Trees existing within the protective yards as of the date of approval of this case by the Raleigh City Council which are eight (8") inches in caliper and greater measured four (4') feet from ground

level (i.e. 25" (inches) in circumference similarly measured shall be protected, (except as provided in the next paragraph), and a tree inventory, dated as of the date of the Council approval, of the trees which meet these criteria shall be certified to the Arborist of the City of Raleigh by a landscape architect licensed to practice in North Carolina.

Notwithstanding the preceding paragraph, this Condition permits the removal from the protective area of unsafe, dying or dead trees and vegetation and permits in installation of underground utilities and stormwater management facilities within the protective areas and the filling or improvement of the pond located in the northwest corner of the property if the owner of the subject property deems either action advisable; provided however, that not more than 35% of the protective areas may be disturbed for the purposes of installing grade changes, underground utilities and stormwater management facilities and the filling or improvement of the subject pond. The requirements for the protective buffer yard adjacent to the south property line will be applicable only as long as the use(s) of any of the properties adjacent to this portion of the south line are dwellings and thereafter this requirement shall automatically terminate.

5. All buildings shall be limited to no more than two occupied stories not to exceed thirty (30') feet in height (exclusive of parapet and HVAC systems) measured as provided in the City Code.

6. The residential density upon the entire subject property containing approximately 6.39 acres shall have an absolute cap of ten (10) dwelling units per acre, provided however that the western portion of the property containing approximately 3.96 acres and identified as Tax Parcel PIN No. 1725.09 15 6906 shall be limited to a residential density of six (6) dwelling units per acre if developed for residential purposes.

7. All exterior lighting and exterior light standards upon the subject property shall be designed, located, aimed and/or shielded so that light is not projected directly into adjacent residential properties in accordance with the provisions of the City Code. Light poles situated outside the protective buffer yards, shall not exceed twenty-five (25') feet in height and no metal halide fixtures shall be allowed. No light pole/fixtures are to be placed in the protective buffer yards.