

**Z-97-99 Leesville Road**, east side, opposite Sprague Road, being Wake County PIN 0787.11 66 4169. Approximately 2 acres rezoned to Residential-6 Conditional Use.

Conditions: (10/12/99)

A. Stormwater runoff control measures shall meet or exceed the standards of Planning Commission Certified Resolution 7107, where applicable.

B. A building set back of not less than thirty feet (30') shall be maintained along the Leesville Road right of way. Within this thirty feet (30'), a tree protection area with an average width of thirty feet (30') shall be maintained. Existing vegetation within the tree protection area shall 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, driveways, pedestrian paths and similar improvements approved by the appropriate local government authority. Any such construction shall be underground and/or designed and undertaken so as to create a little disturbance of the area as possible while still honoring public service, health and safety requirements. Any such construction shall also be designed and implemented in such a way that the associated land disturbance does not result in an obstructed view across the tree protection area.

2. The construction of entrance features, fences, berms, walls, associated passive recreation features and 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. To illustrate, but not limit, the 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.

Not more than thirty (30%) of the tree protection area may be disturbed by those exceptions noted in paragraphs 1-2 of this condition.

C. Buildings shall not exceed three (3) stories (forty-five (45')) in height.

D. Exterior lighting shall be aimed downward and shielded so as to prevent direct view of the light source from adjacent residentially zoned properties.

E. For other than single family detached dwellings, refuse containers and heating and air conditioning units shall be maintained within wooden or masonry enclosures or otherwise screened from direct view from adjacent residentially zoned lots.

F. An offer of a reciprocal cross-access easement with the lots with Wake County PIN's 0787 66 7447 (Westlake Townhome Partners) and 0787 66 5041 (Lasky) will be recorded at the time of subdivision of the rezoned property or at the time of site plan approval.