

Z-61-96 Strickland Road, south side, approximately 1,100 feet east of Ray Road, being Map 0788.16 84 9499 and a portion of 3516, approximately 7 acres rezoned to Office & Institution-1 Conditional Use District, according to map on file in the Planning Department.

Conditions (10/10/96):

- a. Development of the Office & Institution-1 CUD zoned area will comply with the provisions of CR 7107 of the Raleigh Planning Commission however, the volume of stormwater to be detained shall be determined on the basis of the difference in run-off between woodlands and the zoned area and a 25 year frequency storm.
- b. Within two hundred (200) feet of the common boundaries between the subject area and Wake County Parcels PIN #s 0788 94 0097 (Boggs) and 0788 84 8076 (Watson), building heights will be restricted to a maximum of thirty-two (32) feet.
- c. A Traffic Analysis/Site Circulation study shall be included as a part of the submittal for site plan approval for the initial development in the zoned area.
- d. Reimbursement values for additional rights-of-way required by the City's development regulations for Strickland Road shall be at the prevailing rate based upon the present Residential-4 Zoning.
- e. Allowable Non-Residential Uses shall be limited to occurring within the portion of the site that is 380, south of and parallel to the proposed right-of-way line of Strickland Road. This area is illustrated on Exhibit A attached. Within this area buildings containing nonresidential uses shall be limited to a maximum height of forty (40) feet. The balance of the land area shall be utilized for vehicular surface areas (shared parking and cross access facilities); all allowable residential uses in O&I-1 as set forth in the schedule of permitted uses in Code Section 10-2071; and Stormwater facilities to serve the zoned area.
- f. These conditions, of and by themselves, shall not result in any dedication of right-of-way or the creation of any covenants, restrictions or easements for access and parking by the approval of this Conditional Use District Request. Any such dedication or creation of any covenants, restrictions or easements shall occur at or after site plan, or subdivision, approval for the property subject to this Request.
- g. Development of the zoned area for residential uses (not including congregate care, congregate living, life care community or rest home facilities) shall not exceed a maximum density of ten (10) dwelling units per acre. The developed residential pattern for the site shall result in not more than the equivalent of 6 dwelling units per acre with said dwellings having a maximum height of thirty-two (32) feet, being placed within 150 feet of the common boundary with parcels 0788.16 84 8076 (Watson) and 0788.16 94 0097 (Boggs).

ORDINANCE NO. (1996) 7 ZC 399

Effective: 11/19/96

h. Development of the zoned area shall not result in more than 0.3 foot-candles of light occurring from site area lights (not including street lights on the public right-of-way) for any non-residentially developed property onto the following Wake County Parcels so long as these parcels continue to be used for residentially occupied dwelling units, PIN#'s:

0788.16-84-6986 (Bell)	0788.02-85-8173(Philbeck)
0788.02-95-0106 (Bokeny)	0788.02-95-1158 (Atkinson)
0788.02-95-3221 (Strehle)	0788.16-94-0097 (Boggs)
0788.16-84-8076 (Watson)	0788.16-84-6085 (Jewett)
0788.02-85-3541(Stokes)	

A site lighting plan demonstrating compliance with this condition shall be included as part of any administrative or City Council site plan approval for a non-residential development of the zoned area.

i. An undisturbed yard area and a transitional protective yard area shall be provided as described below. The term "Undisturbed Yard Area" shall mean: No grading or removal of vegetation and no use of the yards for parking or structures except as follows:

1. Construction easements for road widening and related easements;
2. Utility service as defined in Code Section 10-2002 and related easements;
3. Storm drainage facilities (pipes, ditches, etc.) including detention devices required to meet Condition a above and related easements.
4. Tree and shrub plantings along with walls or fences to complete any transitional protective yard requirements that may apply;
5. Removal of dead, diseased or damaged plant materials that pose safety hazards;
6. Thinning of underbrush and seedlings under 8 inches in diameter (25.12 inches in circumference, measured at breast height [4 1/2 feet above ground] approved or as otherwise directed by the City's Site Review Specialist or other City Inspections Staff to create a well kept woodland, or natural area, appearance; and,
7. Greenways and pedestrian walkways or bikeways.

Nothing in this condition is intended to prohibit the area in the undisturbed yard from also serving as applicable transitional protective yards including closed fences.

Description for the Undisturbed Yard Area The yard shall be fifty (50) feet wide measured perpendicular to the common boundary of the subject parcel and parcels 0788.16 84 8076 (Watson), 0788.16 84 0097 (Boggs)

At the time of site plan approval, a survey shall be submitted that indicates all trees eight (8) inches in diameter (dbh) or larger that exist within the portion of this buffer for which plan approval is being sought. Any of the surveyed trees that are removed except for diseased or storm damaged materials; those removed in conjunction with the installation of the fence (three (3) feet either side of the fence); or those removed for the stormwater detention facilities, shall be replaced on a one for one basis with a similar species of a

ORDINANCE NO. (1996) 7 ZC 399

Effective: 11/19/96

minimum size of 6.25 inches in circumference (2 inches in diameter) measured 6 inches above ground level.

j. The cumulative area of street protective yards for all lots fronting Strickland Road eastward Parcel 0788.16-84-2834 (Thompson) shall aggregate to an amount of street protective yard area equal to the existing length of right-of-way multiplied by forty (40) feet. In no instance may any resulting lot have street protective yard area that is less than its length of right-of-way multiplied by 20 feet. Parking spaces shall not occur within 20 feet of the right-of-way.

k. Building heights for uses other than (not including) buildings for congregate care, congregate living, life care community or rest home purposes shall not exceed forty (40) feet.

l. A six foot tall closed wooden fence shall be installed along the entire length of the south and east property lines of parcel 0788.16-84-9499 and the contiguous portions of the adjacent parcels of Charterhouse Drive and to the east, being parcels:

0788.16-94-4419 (North Raleigh Presbyterian Church)

0788.16-94-0097 (Boggs)

0788.16-84-8076(Watson)

This fence shall be installed a minimum of five (5) feet inside the property line on the subject parcel 0788.16 84 9499. Ornamental or screening landscape materials, or combination thereof, shall be installed along the residential side of the fence. The fence and landscaping noted above are intended to be installed to qualify for Transitional Protective yard requirements in accordance with Code Section 10-2082.9(g). This fence shall be placed in the undisturbed yard set out in condition i. above.

m. All free standing area lights will be limited to a maximum height of eighteen (18) feet within any non-residentially used portion of the O&I-1 CUD zoned area. The fixture head shall create down lighting only and possess panels to shield the light source from being viewed from the sides. All free standing area lights shall be turned off by midnight. Freestanding pedestrian courtesy lights not exceeding five (5) feet in height and wall or ceiling mounted security lights may remain on all night.

n. There shall be no outdoor paging system associated with any used allowed in the O&I-1 CUD zoned area. Intercom systems shall not result in more than 55 dB (A) from 7:00 A.M. to 11:00 P.M. and 45 dB (A) 11:00 P.M. to 7:00 A.M. as measured in Part 12, Chapter 5 of the Raleigh City Code at the property line of adjacent residences on Boars Head Court, Charterhouse Drive or Strickland Road.

o. Within the NB CUD and O&I-1 CUD zoned areas outdoor public pay telephones shall be prohibited.

ORDINANCE NO. (1996) 7 ZC 399

Effective: 11/19/96

p. Within the NB CUD zoned area and the portion of the O&I-1 CUD zoned area restricted for non-residential uses, non-residential buildings shall utilize matching brick (either singularly or in combinations) for the building veneer. These brick choices shall be consistent with the ones employed by resulting development from Z-62-96 if Z-62-96 is approved and generates development prior to development occurring from this request. Brick types shall be identified on the initial submittal for site plan approval. The developer, or his assigns, shall provide an information review of all non-residential building plans to the adjacent property owners through a review committee. The committee shall consist of a Cambridge resident, to be designated by the Cambridge Neighborhood Association, and an adjacent property owner residing on either Strickland or Ray Roads. The developer shall submit a notarized statement as a part of any site plan approval submitted for any non-residential use indicating the date of the review and the names, addresses and telephone numbers of the neighbors with whom the plans were reviewed.

q. Existing wells on the subject property shall be capped upon redevelopment of the property and the connection of the new development to the City of Raleigh water system.

r. The resulting development of the NB and O&I-1 CUD zoned areas shall be interconnected to the remainder of parcel 0788.16-84-3516 and parcel 0788.16-84-9499. However, such interconnection shall not result in a pattern of connected public streets that creates a direct, unbroken line of travel between Strickland Road and Ray Road (unbroken shall mean less than two (2) ninety degree turns resulting from the connection of public streets or private driveways) or the use of at least one stop sign generally midway on the route.

s. The following uses shall be prohibited in the O&I-1 CUD zoned area:

- *governmental and non-governmental commercial outdoor stadium theater, amphitheater, racetrack
- *governmental indoor arena/coliseum
- *governmental indoor rifle range
- *transitional housing, except supportive housing residence
- *correctional/penal facility
- *landfill (debris from on-site)
- *transportation uses listed in Code Section 10-2071

