

Ordinance: 902 ZC 659

Effective: 6-7-11

Z-6-11 – Thornton Road located on the North side of Thornton Road, East of its intersection with Thornton Commons being Wake County PIN(s) 1738-45-0406, 1738-42-4901, 1738-43-6486 and 1738-53-3664. Approximately 64.63 acres to amend conditions for property zoned Residential-6 Conditional Use and Conservation Management.

Conditions Dated: 5/25/11

Narrative or conditions being requested:

As used herein, the “Property” means and refers to all of those certain tracts or parcels of land containing aggregate of approximately 64.63 acres, located along Thornton Road in the City of Raleigh, NC, and having Wake County Parcel Identification Numbers: 1738-45-0406 (Deed Book 13542, Page 2150), 1738-43-6486 (DB 13542 2150), 1738-42-4901 (DB12876, PG 398) and 1738-53-3664 (DB 12876, PG 398).

(a) Uses. The following uses shall be prohibited on the Property:

- church, synagogue, or religious education building
- civic club
- library, art gallery, or museum – governmental

(b) Stormwater Retention. Stormwater control devices shall be constructed to provide retention of stormwater to maintain existing (pre-development) peak discharge rates for the two (2) year, ten (10) year and fifteen (15) year storms.

(c) Clean – Up. To the extent any dump material is located on the Property, the property owner shall remove all such material from the Property prior to issuance of a building permit, but in any event such clean-up shall occur no less than 120 days following the adoption of this rezoning ordinance.

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(d) Buffer. In the event the owner of the adjacent parcel, an approximately 9.85 acre parcel more particularly described in a deed recorded at Book 13204 Page 806 in the Wake County Registry and designated as “New Lot 3” on a recombination plat recorded at Book of Maps 2007, Page 2838 in the Wake County Registry, does not provide a Type A transitional protective yard on its property, the owner of the Property, prior to issuance of a certificate of occupancy, shall provide a Type A transitional protective yard located between any residential lot located on the Property that is adjacent to that approximately 9.85 acre parcel referenced above.

(e) Berm: The Type A transitional protective yard required in condition (d) of this rezoning ordinance shall include a berm of at least five (5) feet in height.

(f) Trip Generation. The total volume of trips generated by development on the Property shall not exceed 1786 total daily trips, 135 total AM Peak trips or 178 total PM Peak trips, based on the most current Institute of Transportation Engineers trip generation manual.

(g) Density. Subject to the trip generation limitation stated in condition (f) of this rezoning ordinance, the maximum, residential density permitted on the Property is 295 dwelling units or equivalent dwelling units.