

Z-18-16 – Homewood Banks Drive, west side, at its intersection with Blue Ridge Road, being Wake County PINs 0795484971 & 0795491345. Approx. 16.02 acres is requested by Dorothy R. Kerr Revocable Trust and Kerr Properties LLC to be rezoned from Residential-4 & Residential-6 (R-4 & R-6) to Residential Mixed Use-3 stories-Parking Limited-Conditional Use (RX-3-PL-CU).

Conditions dated: January 18, 2017

1. The maximum residential density on the Property shall be fifteen (15) dwelling units per acre of the gross site area.
2. Prior to issuance of a building permit for new development or recording a subdivision plat, whichever occurs first, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement shall be established during site plan or subdivision review, and the easement deed approved as to form by the City Attorney's Office. If requested by the City of Raleigh in writing, the above referenced transit easement shall be improved with the following prior to issuance of the first certificate of occupancy on the Property:
 - (a) a 15'x20' cement pad; a cement landing zone between the back of curb and sidewalk;
 - (b) an ADA-accessible transit waiting shelter with bench; and
 - (c) a litter container.
3. The following principal uses otherwise permitted in the RX zoning district shall be prohibited: Dormitory, fraternity, sorority; Telecommunication tower (any type); Medical; Office; Outdoor sports or entertainment facility of any size; Remote parking lot; Personal services permitted in the RX zoning district; Eating establishment and Retail sales.
4. Parking structures, if any, shall setback no less than one hundred fifty feet (150') feet from the Blue Ridge Road and Homewood Banks Drive rights-of-way as established at site plan and or subdivision of the property to limit its/their visibility from same.
5. Prior to issuance of a building permit for new development or recording a subdivision plat, whichever occurs first, a greenway easement, in a location to be determined during site plan or subdivision review, shall be deeded to the City and recorded in the Wake County Registry. The development of the Property shall link its internal pedestrian network to the proposed greenway easement.
6. Except for required installation and/or maintenance of stormwater devices (including the on site pond), sanitary sewer or greenway (including private connecting links) facilities, no improvement made after the effective date of this rezoning ordinance (and exempting improvement, if any, made before that date) shall occur within the current 100-year FEMA floodplain (as mapped upon the effective date of this ordinance).
7. Buildings along Blue Ridge Road and Homewood Banks Drive rights-of way shall be stepped down with the grade of such rights-of- way to minimize the need for free-standing retaining walls.

8. No building[s] and/or retaining wall[s] shall be constructed within an average sixty-foot (60') wide setback, fifty-foot (50') minimum, from the permanent pool elevation of the existing pond as established by the NC Division of Water Resources riparian buffer (interior dimension).