

Z-19-16 – Falls of Neuse Road, east side, south of Dunn Road, being Wake County PINs 1729212644, 1729214636 (in part), approximately 9.79 acres rezoned to Office Mixed Use – 4 stories – Conditional Use with Urban Watershed Protection Overlay District (OX-4-CU w/UWPOD).

Conditions dated: September 22, 2016

1. The use of the property shall be limited to a Congregate Care facility for independent living restricted to people 62 years of age and older, their spouses, surviving spouses, and resident staff personnel.
2. Building height shall be limited to 4 stories and 55 feet, measured in accordance with UDO Section 1.5.7.
3. Subject to City Council approval, the maximum block perimeter standards in UDO Section 8.3.2, the open access, connectivity and stub street standards in UDO Section 8.3.4, and the cross access requirements in UDO Section 8.3.5 shall be modified such that a maximum block perimeter of 4,900 feet shall be permitted; a maximum stub street of 900 feet shall be permitted; and additional cross access to adjoining parcels under UDO Section 8.3.5 shall not be required. A public easement providing for pedestrian access of at least six (6) feet in width from Falls of Neuse Road to Dunn Road and directly connecting to the principal building's primary entrance shall be recorded with the Wake County Register of Deeds prior to the earlier of (i) the issuance of a building permit for any building on the property or (ii) the sale of any lot within the property which does not result in the immediate recombination of all parcels of the property into a single recombined lot.
4. Residential density shall not exceed an aggregate of 190 dwelling units and/or rooming units.
5. Principal building(s) on the property shall be located at least 100 feet away from the adjacent R-4 zoned residential properties (which may overlap the Neighborhood Transition requirements set forth in UDO Article 3.5) as follows: Morrison (PIN 1729310515; DB 10018 P 1596); Majors (PIN 1729310409; DB 10116 P 2481); Naville (PIN 1729219494; DB 10649 P 1825); Craig (PIN 1729219308; DB 11363 P 1873); Dudley 1729217490; DB 15560 P 701); Strickland (PIN 1729216490 DB 15358 P 530); Reid (PIN 1729215374 DB 11475 P 1882), provided that as to the 11.5-foot wide strip of property running along Whittington Drive as part of the Reid property, (PIN 1729215374; DB 11475 P 1882), only the Neighborhood Transition requirements shall apply, understanding the latter may partially overlap with the conditioned 100-foot setback on the remaining portion of the Reid property.

6. Poles for parking lot light fixtures located more than 50 feet away from residential zoning districts shall not exceed 20 feet in height. All lighting fixtures on site shall be full cutoff fixtures.
7. An undisturbed Tree Conservation Area (TCA) having an average width of at least 55 feet shall be preserved where the property adjoins the Falls of Neuse Road. Such TCA is subject to any build-to requirements under the UDO, existing cross-access easements or rights, utility easements and rights, and pedestrian access connections required by the UDO and these zoning conditions.
8. A 15' x 20' transit easement on Falls of Neuse Road shall be provided to the City prior to the issuance of a building permit for the property. The property owner shall install an ADA-accessible transit shelter within the transit easement per the specifications below provided the property owner receives written notice to build the shelter from the City of Raleigh Department of Transportation within ninety (90) days after the issuance of a building permit. Provided the property owner receives such written notice within the required timeframe, the ADA-accessible transit shelter shall be completed prior to the issuance of any certificate of occupancy for the property with the following improvements:
 - one 15' x 20' cement pad,
 - one 30' long cement landing zone parallel to the street between the sidewalk and the back of the curb,
 - one sleeve for the installation of a 2-inch x 2-inch post,
 - one bench, and
 - one litter container.
9. Any exposed site retaining wall facing toward Whittington Drive, between the building(s) and the southern property boundary, shall be constructed of concrete, masonry or segmental block units. This wall face will be clad or manufactured with a textured masonry veneer surface. Unit sizes and color(s) will be compatible with and complementary to the material palette selected for the principal building(s).
10. At least eighty percent of all exterior building elevations (exclusive of windows, doors, trim, roof and railings) shall be comprised of a combination of stone (manufactured or natural), brick, wood and/or cementitious fiberboard such as HardiePlank.