

1. **Z-30-16 – Varsity Drive**, at the southwest corner of its intersection with Avent Ferry Road, being Wake County PIN 0793472384, approximately 3.0 acres rezoned to Residential Mixed Use-Five Stories-Green Frontage-Conditional Use with Special Residential Parking Overlay District (RX-5-GR-CU w/SRPOD).

Conditions dated: March 9, 2017

1. USE CONDITIONS

- a. The following uses shall be prohibited: Cottage Court; GROUP LIVING: Boardinghouse, Congregate Care, Dormitory, fraternity, sorority; Life Care Community, Rest Home; Emergency Shelter Type B; Special Care Facility; School, public or private; Telecommunication Tower (of any height); Outdoor Sports or Entertainment Facility; Bed and Breakfast; Hospitality House; and Remote Parking Lot.

2. DESIGN CONDITIONS

- a. The rezoned land shall contain a parking structure surrounded by residential units on three sides.
- b. The project shall not exceed 62 feet in height, as measured under the rules of measurement in UDO Article 1.2, Measurement, Exceptions, and General Rules of Applicability).
- c. The building shall be setback not less than 35 feet from the south property line (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc. -- Book 03674, Page 0106), and the west property line (Courtyard Apartments, Property Owner Schrader Properties LLC, 1527 Crest Rd, Book 08732, Page 0358).
- d. The west side of the building shall step up between four (4) feet and seven (7) feet, at one location along the Varsity Drive façade, to correspond with a change in the natural grade of Varsity Drive.
- e. The structure shall not contain rooftop tenant amenities, notwithstanding parking on the top level of the parking structure.
- f. The building shall contain no more than 12 balconies, and only along the Avent Ferry Road and Varsity Drive building facades.

3. FRONTAGE CONDITION

- a. One-hundred percent of the building width shall be in the primary and side street Green Frontage (-GR) build-to of 20 feet to 50-feet.

4. OCCUPANCY CONDITIONS

- a. No more than 210 dwelling units shall be included in the building.
- b. No individual units shall contain more than three bedrooms (3BR).
- c. The building shall contain between 5 to 10 percent 1BR studio units; 15 to 25 percent 1BR units; 30 to 40 percent 2BR units, and not more than 36 percent 3BR units.

5. PARKING STRUCTURE CONDITIONS

- a. Only the south portion of the parking structure shall be visible (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc. -- Book 03674, Page 0106).
- b. Openings in the structured parking deck facing the adjacent property to the south (Ivy Commons Condominiums, 1515 Crest Rd, Property owner Barrow-Safrit, Inc. -- Book 03674, Page 0106) shall be screened.

6. LIGHTING CONDITION

- a. To the extent possible, as determined by the Planning and Development Officer (UDO 7.4.5), neither internal light sources within structured parking, nor light sources from rooftop lighting for parking structures -- notwithstanding required emergency lighting -- shall be visible from the south property line (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc. -- Book 03674, Page 0106), or the west property line (Courtyard Apartments, Property Owner Schrader Properties LLC, 1527 Crest Rd, Book 08732, Page 0358).

7. ATTICS AND BASEMENTS CONDITION

- a. The building shall not contain a habitable attic.
- b. The building shall not contain a habitable basement.

8. URBAN PLAZA AMENITY AREA CONDITION

- a. As part of outdoor Amenity Area requirements, the property shall include an Urban Plaza adjacent to the Avent Ferry and Varsity Drive intersection.
- b. The Urban Plaza shall be not less than 2,500 square feet in area.
- c. The Urban Plaza shall fulfill the seating and landscape requirements of UDO 1.5.3.D.
- d. The sidewalk within the Urban Plaza shall be constructed of scored concrete, with charcoal gray-toned paver banding.

9. IRRIGATION AND CISTERN CONDITION

- a. Landscaped areas on the subject property within the -GR (Green) frontage, including public right-of-way area along Varsity Drive that may occur

between the sidewalk and the Green (-GR) frontage, as well as within the Urban Plaza, shall be irrigated.

- b. The project shall incorporate an above- or below-ground cistern, of not less than 1000 gallon storage capacity, which shall be used for landscape irrigation.

10. LANDSCAPE CONDITION

- a. The Green Frontage outside of the Urban Plaza, not including transit easements, shall be landscaped with shrubs, shade or understory trees, and groundcover or lawn area.
- b. The Green Frontage outside of the Urban Plaza, not including transit easements, shall include not less than a total of four (4) shade and/or understory trees per 100 feet.
- c. The Green Frontage outside of the Urban Plaza, not including transit easements, shall include a total of not less than 15 shrubs per 100 feet.
- d. Not less than 50 percent of shrubs and trees shall be locally-adapted evergreen species.

11. NEIGHBORHOOD TRANSITION CONDITIONS

- a. A fence of not less than 6.5 feet in height shall be installed on the subject property along and adjacent to the south property line from the point where the existing shared driveway off of Avent Ferry Road crosses the property line, beginning between 50 feet and 100 feet west of the east property line that runs along Avent Ferry Road (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc.-- Book 03674, Page 0106), and extending between 175 feet and 225 from the east property line.
- b. A 32 foot wide Zone A, Type 2 Protective Yard (UDO 3.5.3 B) shall be included for areas along the property lines not adjacent to public right of way that do not qualify for secondary tree conservation (including alternative means of compliance), beginning between 150 feet and 225 feet from the east property line, along the south property line (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc. -- Book 03674, Page 0106), extending to the west property line (Courtyard Apartments, Property Owner Schrader Properties LLC, 1527 Crest Rd, Book 08732, Page 0358), and along the entirety of the west property line.

12. TRANSIT EASEMENT AND SHELTER CONDITIONS

- a. This development shall incorporate transit easements and shelters along both Avent Ferry Road and Varsity Drives -- at the time of initial building permit issuance or recordation of a subdivision plat -- whichever event occurs first.
- b. The location shall be determined in reviews by the City of Raleigh and the North Carolina Department of Transportation (NCDOT), and in coordination with NCSU Wolfline Transportation if required.
- c. The Varsity Drive transit easement size shall be 15 feet by 20 feet.
- d. The Avent Ferry Road easement shall be 50 percent larger.

- e. The applicant shall design and construct the transit shelters, including materials and colors identified in the above conditions as part of project implementation.
- f. Alternatively, at the City's discretion, at the time of initial building permit issuance or recordation of a subdivision plat -- whichever event occurs first -- the applicant shall submit a contribution for the total cost of purchasing and installing one standard City of Raleigh transit shelter upon the 15 foot by 20 foot easement, and one shelter that is approximately 50 percent larger than the City standard upon construction-ready easements prepared by the applicant (in lieu of constructing the shelters).
- g. Applicant shall incorporate conduit in the project to supply electricity to transit shelters.

13. TRANSPORTATION CONDITION

- a. The existing Avent Ferry Road driveway shall be signed and marked as a "right-in; right-out" ingress/egress, subject to City of Raleigh and NCDOT engineering review and approval.

14. MATERIALS CONDITIONS

- a. Not less than two-thirds (2/3) of the surface area of the building facades facing Avent Ferry Road and Varsity Drive shall be brick.
- b. The remaining portion of the facade facing Avent Ferry Road and Varsity Drive shall be fiber cement, including fiber cement (cementitious) panels with recessed metal reveals.
- c. Not less than one-third (1/3) of the building façade not facing public rights-of-way (Ivy Commons Condominiums, 1515 Crest Rd, Property owner Barrow-Safrit, Inc. -- Book 03674, Page 0106, to the south; and Courtyard Apartments, Property Owner Schrader Properties LLC, 1527 Crest Rd, Book 08732, Page 0358, to the west) shall be brick.
- d. The remaining portion of the facade not facing public rights-of-way shall be fiber cement, including fiber cement (cementitious) panels with recessed metal reveals.
- e. Neither vinyl siding (notwithstanding potential vinyl window components), nor EIFS, shall be used in any building façade.

15. PRIMARY MATERIALS COLOR CONDITIONS

- a. The building base (first floor) façade facing Avent Ferry Road and Varsity Drive shall be constructed of darker earth-tone or grey-tone brick to establish a contrasting building base.
- b. The projecting frames on the building façades shall be clad in lighter grey- or cinder-tone brick.
- c. The majority of the fifth floor building facades shall be clad with darker fiber cement (cementitious) panels to accentuate the change in plane between the fourth and fifth levels.
- d. Aluminum shade panels and louvers shall be red-toned. Some or all will include lighter gray- or white-toned accents.

- e. The south face of the parking structure (Ivy Commons Condominiums, 1515 Crest Rd, Property Owner Barrow-Safrit, Inc. -- Book 03674, Page 0106) shall be constructed of darker grey- or earth-tone colored cement.

16. BUILDING ELEMENTS AND ALUMINUM SHADE STRUCTURES

BRICK FRAMES AND DIMENSIONS, AND ALUMINUM SHADE PANELS

- a. Projecting brick frames will surround the majority of the second through fourth floor building facades facing Varsity Drive and Avent Ferry Road.
- b. The brick frame facing Varsity Drive on the eastern third of the building facade shall project between 18 inches to 40 inches (approximately 36 inches), and taper to no projection at the west end of the frame.
- c. A second brick frame facing Varsity Drive at the western half of the building façade shall project between 18 inches to 28 inches (approximately 24 inches).
- d. A third brick frame at the westernmost end of the Varsity Drive building façade shall project between 18 inches to 28 inches (approximately 24 inches). This section shall also include vertical aluminum shade panels projecting perpendicularly to the building façade.
- e. The brick frame facing Avent Ferry Road at the southern third of the building façade shall project between 14 inches to 22 inches (approximately 18 inches), and taper to no projection at northern end of that frame. This section shall also include aluminum shade panels projecting perpendicularly to the building façade.
- f. A second brick frame facing the Avent Ferry Road at the northern half of the building façade shall project between 18 inches to 28 inches (approximately 24 inches). This section shall also include vertical aluminum shade panels projecting perpendicularly to the building façade.
- g. A third brick frame at the northernmost end of the Avent Ferry building façade shall project between 18 inches to 46 inches (approximately 42 inches), and taper to between 18 inches to 40 inches (approximately 36 inches) at the northeast corner of the Avent Ferry building facade. This section shall also include aluminum shade panels projecting perpendicularly to the building façade.
- h. Brick frames will surround four sections of the second through fourth floor south-facing building façade (Ivy Commons Condominiums, 1515 Crest Rd, Property owner Barrow-Safrit, Inc. -- Book 03674, Page 0106) and will project between 14 inches and 22 inches (approximately 18 inches).
- i. Brick frames will surround two sections of the second through fourth floor west-facing building façade (Courtyard Apartments, Property Owner Schrader Properties LLC, 1527 Crest Rd1 Book 08732, Page 0358, to the west) and will project between 14 inches and 22 inches (approximately 18 inches).

HORIZONTAL ALUMINUM SHADE STRUCTURES

- a. The building facades facing Avent Ferry Road and Varsity Drive shall include red-toned horizontal aluminum shade structures and louvers over the windows within the brick frames on the exterior of the third and fourth floors.

- b. Horizontal louvers shall be located on the Varsity Drive frontage of the building between the proposed structured parking entrance and the east end of the Varsity Drive façade.
- c. Horizontal louvers shall be located along one-third to one half of the Aventura Ferry Road building façade at the southern end.

CANOPIES

- a. Horizontal metal canopies shall be located over the two building entrances, and another on the Aventura Ferry Road building façade.