

Z-36-14 – Oberlin Road: east side, south of its intersection with Glover Lane, approximately 2.14 acres rezoned to Residential Mixed Use-3 stories-Conditional Use (RX-3-CU), being Wake County PINs 1704046518, 1704046655, 1704046787, 1704047531, 1704048636, and 1704047407.

Conditions dated: November 5, 2015

1. The maximum residential density on the property shall be fourteen (14) units per acre.
2. The following principal uses listed in Allowed Principal Use Table (UDO Section 6.1.4) shall be prohibited: medical – all types; office – all types; personal service – all types; eating establishment; retail sales – all types.
3. There shall be a minimum of three buildings on the property, and the front façade of at least two of these buildings shall be located within the area between the Oberlin Road public right-of-way and the maximum build-to line along Oberlin Road.
4. There shall be no parking area located between the Oberlin Road public right-of-way and the front facade of those buildings located within that area between the Oberlin Road public right-of-way and the maximum build-to line along Oberlin Road.
5. The maximum building footprint for any single building shall be 8,000 square feet, as defined as the gross floor area of the first above-grade story of the building.
6. Each building with a front façade located within that area between the Oberlin Road public right-of-way and the maximum build-to along Oberlin Road shall have a primary entrance on the front façade of the building facing Oberlin Road.
7. Prior to the issuance of a building permit for new development or the recordation of any subdivided lot, which event first occurs, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement along Oberlin Road shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office.
8. This condition shall apply only to those new buildings with a front facade located within that area between the Oberlin Road public right-of-way and the maximum build-to along Oberlin Road. The maximum roof eave height as measured along the front facade of the building shall be twenty-five (25) feet, and the building shall have a pitched roof with a minimum pitch of 8:12 and a maximum pitch of 12:12. This maximum roof eave height of twenty-five (25) feet shall also apply to each side façade of the building, extending for a depth of at least fifteen (15) from the front façade, but in no event to a point less than thirty-five (35) feet from the Oberlin Road public right-of-way line existing as of the date of this rezoning ordinance. So long as the minimum depth of at least fifteen (15) feet along the side façades is met, this condition shall not apply to those portions of a building located beyond that

area measuring thirty-five (35) feet in depth adjacent to the Oberlin Road public right-of-way line existing as of the date of this rezoning ordinance. However, in no event shall the buildings subject to this condition exceed two stories in height and thirty-four (34) feet in height.

9. No principal building shall be constructed any closer to the Oberlin Road public right-of-way line existing as of the date of this rezoning ordinance than eleven feet and six inches (11' 6").
10. The minimum distance between the Plummer T. Hall house structure (located on the property described in that deed recorded in Book 15420, Page 2241, Wake County Registry) and any new building with a front façade located within that area between the Oberlin Road public right-of-way and the maximum build-to area along Oberlin Road shall be sixty (60) feet. The distance between such new building and the Plummer T. Hall house shall be determined at the time of building permit issuance for the new building, and any subsequent movement of the Plummer T. Hall house shall not render the building on the property subject to this zoning condition nonconforming.
11. Each building with a front façade located within that area between the Oberlin Road public right-of-way and the maximum build-to along Oberlin Road shall incorporate a porch or stoop on the front facade of the building.
12. In the event text change TC-8-15 is adopted, this condition shall apply: (i) The property shall not be subject to the block perimeter requirements of UDO section 8.3.2 or any other provision of UDO Article 8 that would require a public street within the property that would provide a future public street connection between Oberlin Road and Daniels Street; and (ii) A sidewalk a minimum eight (8) feet in width shall be provided on or along the property that connects the sidewalk along Oberlin Road with the property's eastern boundary line adjacent to the Cameron Village Condominiums II property (described in Exhibit A to that Declaration recorded in Book 3426, Page 286, Wake County Registry, with Wake County PIN 1704-04-9530).
13. Stucco shall be prohibited as a building siding material.