

1. **Z-39-16 – Green Acres Lane**, east side, approximately 630 feet north of North New Hope Road, being Wake County PIN 1726552333, approximately 2.5 acres rezoned to Industrial Mixed-Use-Three Stories-Conditional Use (IX-3-CU).

Conditions dated: May 26, 2017

For purposes of this Application, the "Property" refers to PIN 1726552333.

1. The Property shall be used only for (a) Permitted, Limited, and Special uses allowed in the R-10 District that are also allowed in the IX District; (b) the surface parking of vehicles driven by the employees of the business conducted on PINs 1726455688 (current owner: Capital Ford, Inc.; deed recorded at Book 6953, Page 545, Wake County Registry), 1726456309 (current owner: Capital Ford, Inc.; deed recorded at Book 3569, Page 852, Wake County Registry), and/or 1726455253 (current owner: Capital Ford, Inc.; deed recorded at Book 4237, Page 803, Wake County Registry) [the "Business"], which is now known as "Capital Ford," and vehicles held in the inventory of the Business or in the custody of the Business for service or repair; such parking will occur on an area that is a replacement and an expansion of the existing parking surface now on the Property; and (c) the use of the existing garage/storage building on the Property (and any replacement structure of the same size (both with respect to length and width) and height, or less, and in the same location as the garage/storage building when it is replaced) for the storage of files, paper products, and other supplies used in the Business. Any such use shall comply with all provisions of the UDO. The garage/storage building or replacement structure may be moved to, or constructed at, a new location on the Property, if that is needed to comply with Article 3.5 of the UDO, which will require Neighborhood Transition Zones along the southern boundary of the Property, or any other provisions of the UDO. The new location of the garage/storage building will be as close to the current location of the garage/storage building as is possible, but shall be in compliance with provisions of the UDO. The detached single family dwelling now existing on the Property will be demolished upon redevelopment.
2. A fence eight (8) feet in height will be maintained along the boundary of the Property with PINs 1726542749 (current owner: Alton B. Smith, Jr., Trustee; deed recorded at Book 16416, Page 2731, Wake County Registry) [the "Smith Parcel"], 1726555343 (current owner: Passage Home, Inc.; deed recorded at Book 11462, Page 1750, Wake County Registry) [the "Passage Home Parcel"], and 1726551457 (current owner: Lincoln Villas Homeowners Assoc. Inc.; deed recorded at Book 3262, Page 762, Wake County Registry) [the "Lincoln Villas Parcel"]. The fence may be located anywhere within a protective yard required along any such boundary. Any portion of the fence that is chain-link will be clad in black or green vinyl material. The portion of the fence along the boundary of the Property with the Smith Parcel will be rendered opaque by either constructing it of wood or equipping it with screening material.

3. No public address system or other source of amplified sound will be located upon the Property.
4. Along the boundary of the Property with the Lincoln Villas Parcel and the Smith Parcel, in addition to other plantings required by the City, there shall be planted upon development rapidly growing evergreen trees no more than fifteen (15) feet apart. The evergreen trees shall be a species commonly recommended for screening by registered landscape architects and shall be no less than five (5) feet in height when planted.
5. No light source on the Property shall be located more than fifteen (15) feet above the finished grade unless a more restrictive standard applies in the UDO.
6. Upon development, all stormwater from impervious surfaces on the portion of the Property east of the north to south ridgeline which is the highest elevation on the Property will be collected in a Stormwater Control Measure. Upon release, all such stormwater will flow in an underground pipe or pipes within a private drainage easement into the existing public stormwater system in the right-of-way of Hollenden Drive. All stormwater from new impervious surfaces on the balance of the Property, which is west of the ridgeline, will be (a) conveyed into an infiltration system and allowed to soak into the earth, and/or (b) collected in a Stormwater Control Measure and (1) conveyed underground in a private drainage easement to the existing public stormwater system in the right-of-way of Capital Boulevard, or (2) to the extent authorized by the owner of the parcel adjacent on the west in a recorded private drainage easement, released into the stormwater system of such owner's parcel and conveyed to the existing public stormwater system in the right-of-way of Capital Boulevard. The stormwater system for the portion of the Property west of the ridgeline may include a combination of these methods. An easement will not be required in the foregoing item (2) in the event that the Property and the parcel adjacent on the west are recombined. The stormwater system for the Property must be approved by the City's Stormwater Division.