

Z-43-15 – Tryon Road, south side, south of its intersection with Louisburg Road, being Wake County PINs 0782474590, 0782477601, 0782572676, 0782574211. Approx. 18.26 acres are requested by Macnair Stanres Property LLC to be rezoned from Residential-1 w/Swift Creek Watershed Protective Overlay District (R-1 w/SWPOD) to Residential-10-Conditional Use w/SWPOD (R-10-CU w/SWPOD).

Conditions dated: March 11, 2016

- 1) Residential dwelling units are limited to a six (6) per acre or less.
- 2) Apartment building type shall be prohibited.
- 3) A transit easement shall be deeded to the City and recorded in the Wake County Registry prior to the issuance of a building permit for new development or recording of a subdivision plat, whichever occurs first, unless this requirement is waived by the City of Raleigh. Prior to recordation of the transit easement, if such is required by the City of Raleigh, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement along Tryon Road shall be approved by the Public Works Department and the easement deed approved by the City Attorney's Office.
- 4) If the property subject to this rezoning ordinance is developed independently without being included in a subdivision with additional property, then such subdivision must provide a minimum open space set aside of twenty percent (20%) of the net site area of the subdivision. But, if the property subject to this rezoning ordinance is included in a subdivision with adjoining property, then this minimum open space set aside of twenty percent (20%) of the net site area of the subdivision may be satisfied in whole or in part on the adjoining property within the overall subdivision and based on the gross acreage of the overall subdivision. Unless a more restrictive standard is required by the UDO, the open space required to be set aside by this zoning condition shall include one or more of the following: floodway areas; natural resource buffers required along primary and secondary watercourses; jurisdictional wetlands under federal law that meet the definition applied by the Army Corps of Engineers; flood fringe areas; historic, archaeological and cultural sites, cemeteries and burial grounds; areas that connect neighboring open space. Trails or greenways; and tree conservation areas; however, the existence of such areas on the property shall not require the inclusion of such areas as open space required by this condition so long as the minimum amount of twenty percent (20%) is satisfied. The open space required to be set aside by the zoning condition shall be subject to Sections 2.5.3., 2.5.4., 2.5.5., 2.5.6. and 2.5.7. of the UDO.