

Z-75-05 – Mitchell Mill Road, north side, west of its intersection with Forestville Road, being Wake County PIN 1747-01-37-9686. Approximately 11.06 acres rezoned from Residential-4 to Residential-6 Conditional Use.

Conditions dated: December 14, 2005

- A. Reimbursement for future right-of-way dedication shall be based upon the pre-existing zoning, R-4.
- B. Upon development, an offer of cross-access shall be provided to the adjacent properties to the east (a portion of that property conveyed in Deed Book 6965, Page 313) and west (a portion of that property conveyed in Deed Book 3954, Page 198).
- C. Prior to the issuance of building permits or recording of a subdivision map, whichever shall first occur, a homeowners association shall be created to maintain open space and other common facilities.
- D. Any developed community recreational amenities, such as pools or playgrounds, shall be located at least 250 feet from the northern property line of the site.
- E. A natural protective yard with an average depth of 30 feet and a minimum depth of 25 feet shall be retained along the northern property line of the site.
- F. Building setbacks shall be a minimum of 30 feet from the rear property lines of the adjacent properties at 7348 Brighton Village Drive (Deed Book 9208, Page 2301), 7352 Brighton Village Drive (Deed Book 9217, Page 2276) and 7356 Brighton Village Drive (Deed Book 9192, Page 745).
- G. Multi-Family Dwelling units shall be prohibited.
- H. If the site is developed at a density exceeding four dwelling units per acre, the site shall employ Cluster-Unit Development standards.
- I. In the event the property is subdivided, no dwelling unit shall have direct vehicular access to Mitchell Mill Road.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If this ordinance or any application thereof is held invalid as to any person or application thereof, such invalidity shall not affect other provisions or applications of the ordinances which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the Raleigh Planning Commission following a recommendation of the Planning Commission.

Section 5. That this ordinance shall become effective as indicated below.

Adopted: January 3, 2006

Effective: January 3, 2006

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