Conditional Use District Zoning Conditions		
Zoning case #: Z-52-2024	Date submitted: 9/5/25	**OFFICE USE ONLY** Rezoning case #
Existing zoning: R-4 and R-10 w/ SRPOD	Proposed zoning: RX-4-CU and R-10-CU w/ SRPOD	_____

Narrative of Zoning Conditions Offered

Conditions for portion of Property being rezoned RX-

1. For that portion of the Property being rezoned RX-, the following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the RX- District shall be prohibited: Boardinghouse; Dormitory, fraternity, sorority; Emergency Shelter type B.

2. There shall be no more than 400 primary dwelling units on the portion of the Property being rezoned RX-.

3. Any portion of a building that is within 100' of any of the following properties on Bruce Circle shall not exceed three stories and 50' in height: 1605 Bruce Circle (PIN 0792941592, Book 18077, Page 1390 Wake County registry); 1607 and 1609 Bruce Circle (PINs 0792942578 and 0792943651, Lots 14A and 14B, Book of Maps 1971, Page 409, Wake County registry); 1613 and 1621 Bruce Circle (PINs 0792944664 and 0792944801; Lots 12 and 13, Book of Maps 1945, Page 20, Wake County registry).

4. If more than 100 primary dwelling units are developed on the portion of the Property being rezoned RX-, the developer of that portion of the Property shall install a traffic signal at the intersection of Tryon Road and Fairway Drive if the traffic signal is permitted by the North Carolina Department of Transportation.

5. A stub for future cross-access shall be provided as close as possible to the common property line with the property located at 1526 Tryon Road (PIN 0792937871, Book 2248, Page 227, Wake County registry) ("1526 Tryon").

6. The Rental fees for two percent (2%) of the dwelling units on the portions of the Property zoned RX- shall be affordable for households earning sixty percent (60%) of the area median income or less for a period of no less than thirty (30) years from the date of issuance of a certificate of occupancy on the property. Affordable housing units will be subject to rent and income limits determined annually by the US Department of Housing and Urban Development. A declaration of restrictive covenants for affordable housing in a form approved by the North Carolina Housing Finance Agency shall be filed and recorded in the property's chain of title by the property owner in the Wake County Register of Deeds prior to the project receiving a certificate of occupancy.

7. A protective yard with a minimum width of 10 feet shall be located adjacent to that portion of the eastern property line shared with the 1526 Tryon property that is within 650 feet of the 1526 Tryon Road

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature: _____

Printed Name: _____

RECEIVED Received 9/5/25
By Erin Klinger at 8:22 pm, Sep 07, 2025

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Narrative of Zoning Conditions Offered

property's right-of-way line with Tryon Road. The protective yard must include (i) four shade trees per 100 lineal feet, (ii) three understory trees per 100 lineal feet, and (iii) 40 shrubs per 100 lineal feet. Existing ˆ vegetation may be used to satisfy the protected yard requirements.

Conditions for portion of the Property being rezoned R-10

8. For that portion of the Property being rezoned R-10, the following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the R-10 District shall be prohibited: Boardinghouse.

9. There shall be no more than 125 primary dwelling units on the portion of the Property being rezoned R-10.

10. The apartment building type shall be prohibited on the portion of the Property being rezoned R-10.

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature: _____

Printed Name: _____