

REZ-23-05: SCARBORO APARTMENTS
REZONING CONDITIONS
May 1, 2024

1. The Development shall be in general compliance with the Concept Plan dated May 1, 2024. Approval of this rezoning and Concept Plan shall not preclude the Developer from pursuing any administrative amendments to the Concept Plan as prescribed in LDO Section 3.4.
2. The following Principal Uses shall be Permitted, Special or Prohibited uses as further described in Exhibit A to these Conditions.
3. No more than 240 dwelling units – either “Dwelling, Multiple Family” or “Dwelling, Upper Story Unit” - shall be permitted on the property.
4. The hours of operation for nonresidential uses shall be between 7:00 AM and 9:00 PM.
5. Nonresidential Uses shall be located within 175’ of the new Collector Street and north of the Neuse River stream buffer, as shown on the Concept Plan.
6. Nonresidential Uses shall not be less than 10,000 square feet of gross floor area, and shall not exceed 20,000 square feet of gross floor area. A maximum of fifty percent (50%) of the residential units may be permitted until at least twenty-five (25%) of the maximum allowable nonresidential square footage is permitted (issue of a building permit).
7. At least 3,000 square feet gross floor area of nonresidential uses shall be located in each of the following: (i) the Retail building along S. Main Street, and (ii) the two Mixed Use buildings along the new Collector Street. This Condition shall not permit less Nonresidential Use square footage than what is required in Condition 6.
8. Prior to the submittal of a demolition permit for the removal of the single-family home at 201 S. Main Street (PIN 1758-99-8909), the Development shall document the existing structure through photographs and detailed exterior elevation drawings. The Development shall send the documentation to the Town of Rolesville Planning Department and Board of Commissioners. Prior to the demolition, the Development shall have first priority to relocate or remove any items of historic significance and building materials for reuse.
9. If the Development chooses not to relocate the home, the following Condition shall apply: Prior to the demolition, the Development will allow any non-profit entity, individual or for-profit entity to relocate any of the existing single-family home at no cost to the Development and without payment to the Development so long as the party relocating the single-family home is solely responsible for the relocation, including without limitation, securing all permits and approvals required by law. The Development will provide general public notice in the News & Observer of the offer for relocation or salvage. Public notice shall occur at least one hundred eighty (180) days prior to the

scheduled demolition of the home. Prior to demolition of the single-family home that has not been relocated within thirty (30) days prior to demolition, the Development will allow the Town of Rolesville or any local organization (such as Habitat for Humanity) at least fifteen (15) days to remove items of historic significance and building materials for reuse. This condition shall not require the Development to demolish or remove the single-family home.

10. Vehicular ingress and egress via School Street are prohibited. This condition shall not act as a prohibition on pedestrian access to School Street, nor shall it require pedestrian access to School Street.
11. The Development shall construct a 10' wide sidepath (the "Path") within the new Collector Street right-of-way, beginning at the S. Main Street intersection and terminating at the boundary line with adjacent property with PIN 1768-09-8727, subject to all governmental reviews and approvals, in accordance with the Town of Rolesville Greenway Plan. The Path will be located on the eastern side of the new collector street, as shown on the Concept Plan. The Path shall be paved with either asphalt or concrete, at the discretion of Town staff at the time of development approval. A planting strip at least five feet (5') wide shall separate the Path from the back of curb. The Path shall take the place of and serve as the sidewalk along the eastern side of the new Collector Street.
12. At least twenty-five percent (25%) of the linear street frontage for both S. Main Street and the new Collector Street shall incorporate the required Streetscape Buffers as set forth in LDO Section 6.2.2.2. (i.e., 30' wide Street Buffer along S. Main Street and 15' wide Street Buffer along the new Collector Street). The balance of the linear street frontage for S. Main Street and the new Collector Street – those areas not encumbered by Streetscape Buffers - shall incorporate buildings and active use areas to meet the frontage percentage requirement in LDO Table 3.4.1. Where buildings and active use areas prevent the incorporation of Streetscape Buffers, the Development shall plant one (1) street tree for every forty (40) linear feet of street frontage.
13. The Development shall provide an opaque fence at least eight feet (8') in height along the shared boundary lines with those parcels have Wake County Property Identification Numbers (PINs) 1759-90-4168, 1759-90-5245, 1759-90-6321, and 1759-90-7307. The location of the fence is shown on the attached Concept Plan.
14. Along the shared boundary lines of those parcels described in Condition 13, the Development shall provide two (2) trees per 100 linear feet, on average.
15. In order to buffer those single-family homes along Glenn Circle from the new Collector Street right-of-way, the Development shall provide an opaque fence at least eight feet (8') in height on the eastern side of the new Collector Street, beginning south of the intersection with Perry Street and the new Collector Street and terminating at the parcel with Wake County Property Identification Number 1768-09-8727. The approximate location of the fence is shown on the attached Concept Plan.

16. Between the Path described in Condition 11 and the fence described in Condition 15, the Development shall provide two (2) shade trees per 100 linear feet, on average. This planting schedule shall begin immediately south of the intersection with Perry Street and the new Collector Street and terminating at the parcel with Wake County Property Identification Number 1768-09-8727. The approximately location of the tree planting area is shown on the attached Concept Plan.
17. Dwelling, Upper Story Units shall be prohibited from having balconies on those facades of the Mixed Use buildings facing the new Collector Street, as shown on the attached Concept Plan.