



SPECIAL USE PERMIT

SPECIAL USE PERMIT NUMBER: SUP 05-01

DATE: September 11, 2001
June 20, 2004 (amended)
September 20, 2005 (amended)

PROPERTY/DESCRIPTION: Granite Ridge

PIN NUMBER: 1759.20 70 6657

REAL ESTATE ID NUMBER: 031411

ZONING/ACREAGE: R&PUD

SPECIAL USE PERMIT PROVISIONS:

1. MULTI-FAMILY SECTION

- a. The density of a total of three-hundred (300) units will apply to the construction of apartments, town homes, and/or condominiums. No more than two-hundred (200) of these units will be rental apartments.
- b. The developer is to phase in the construction of apartments with Phase 1 to be approximately 100 units. Phase 2 apartments will not be constructed until at least 50% of Phase 1 apartments have been leased.
- c. Residents of town homes and condominiums will have access to on-site swimming and other passive recreational amenities.
- d. The smallest apartments units will be no smaller than nine-hundred (900) square feet (+/- five (5) percent) in size.
- e. When the fiftieth (50) unit is issued a certificate of occupancy then the complex is to have full-time professional management and maintenance personnel.
- f. Restrictive covenants regulating the number of residents allowed per unit, their behavior, pets, and vehicles shall be part of this project in addition to rules governing the same items for apartment complexes to be approved by the Town Board concurrent and at the same time as the site plan.
- g. Before construction is to take place, the site plan/layout of the development shall be approved by the Town of Rolesville Board of Commissioners.
- h. A dedicated public right-of-way of sixty (60) feet with forty-one (41) feet of street width from back of curb to back of curb (to be the extension of Granite Falls Boulevard) will be built on the property line between said property and property owned by Mr. Frank Pearce, Jr. (PIN 1759.19 60 1631 and 1759.19 61 9137) which shall replace the wooden fence and vegetated buffer previously referred in the special use permit dated September 11, 2001.

2. STREETS

- a. **New Rogers Road Section:** The ultimate cross section for Rogers Road shown on the attached site plan calls for a one-hundred (100) feet public right-of-way. Incident to its development of Stratford Village (Granite Falls) and subject to the approval of NCDOT, the developer shall
 1. construct a street within the one-hundred (100) feet public right-of-way with pavement sixty-one (61) feet from back to back of curb, curb and gutter improvements and a five (5)

feet wide sidewalk on both sides of the right-of-way from the intersection of Rogers Road and US Highway 401 to the point of the southwest corner of Tract 12 as shown on the attached plan

2. shall extend and install a street with pavement sixty-one (61) feet back to back of curb from said point in the southwest corner of Tract 12 as shown on the attached site plan to the point where the new section of Rogers Road intersects with the existing section of Rogers Road, which existing section is shown as a sixty (60) feet public right-of-way on the attached site plan.
 3. and from such point of intersection, upon the development of the apartment project, or if the Town elects, upon the development of the property located east of the existing section of Rogers Road and in conjunction with said developer's dedication of right-of-way adjacent to its property and road widening and roadway construction within the said right-of-way of Rogers Road, Stratford Developers, LLC shall upgrade the street within the public right-of-way along the frontage of Stratford Village with pavement, curb, and gutter improvements for the length of right-of-way along the frontage of Stratford Village and shall install curb and gutter improvements from the southwest corner of Tract 12 as shown on the attached site plan to the point where the new section of Rogers Road intersects with the existing section of Rogers Road along the frontage of Stratford Village. In return for constructing the section of Rogers Road shown on the attached site plan and described herein, as well as the section of the Rogers Young Bypass (Granite Falls Boulevard) shown on the attached site plan and described in subparagraph (2) below, Stratford Developers LLC, the developer of the project, shall not be required to pay thoroughfare fees for its development in Stratford Village and all thoroughfare fees collected by the Town from other developers/owners in Stratford Village shall be reimbursed by the Town to Stratford Developers LLC to offset the costs for installation of the aforementioned roads.
 4. Stratford Developers LLC shall provide a curb cut for ingress/egress access for the veterinary and medical facilities on the north side of the new section of Rogers Road. The curb cut is to be made in such a fashion as to minimize water flow impact to lower lying properties.
- b. Access points to the apartment complex initially will be from the new Rogers Road. The Rogers Young Bypass (Granite Falls Boulevard) as shown on the attached site plan shall be constructed in connection with the development of the apartment complex or the development of any of the commercial outparcels adjacent to the Rogers Young Bypass (Granite Falls Boulevard), whichever occurs first. Construction of the Rogers Young Bypass (Granite Falls Boulevard) is to be included on the site plan as part of the infrastructure requirements of development of the multi-family or commercial portion of Stratford Village.
- c. In cooperation with NCDOT and subject to NCDOT approval, a section of the existing Rogers Road will be abandoned and removed, as shown on the attached site plan, upon completion of the new Rogers Road right-of-way, and upon construction of a two-lane connector between the new section of Rogers Road right-of-way and the end of the remaining section of the existing Rogers Road. The two lane connector between the old and new Rogers Road sections is to serve the current residents of Brown Circle and of Rogers Road, as well as the residents of the townhome project in that vicinity. Stratford Developers LLC will complete the paving of the cul-de-sac shown on the attached site plan on or before August 31, 2004. The preferred location of this new two lane connector is directly over the existing pond. In the event there are environmental or wetland issues that prohibit use of the pond area, a second option for additional access to the townhomes will be a longer road connection that avoids the pond.

3. PUBLIC PARK/RECREATION SPACE

Stratford Developers LLC is to pay fees in lieu of dedicating five (5) percent of the gross acreage for general public recreational area. Total fees to be paid are \$36,000, due upon submittal of the first final site plan of the Stratford Village project.

4. **BUFFERS**

Specific buffer requirements proposed to date include a thirty (30) feet vegetated buffer and solid fence between the proposed apartment complex and the Pearce property. The fence is to be of treated wood and to be a minimum of six (6) feet high. Additionally, there is to be buffering by way of a greenbelt along the entire perimeter of the project of between ten (10) to thirty (30) feet wide, except for portions of road frontages and portions of the property adjacent to the Stratford Village Shopping Center which will be landscaped in accordance to the Town's Ordinances. Existing trees and other non-nuisance vegetation are to be preserved wherever possible within the greenbelt and as approved by the Town Manager.

5. **UTILITIES**

Should the Town require the developer to outsize any of the utility installations, such a gravity sewer mains that are in excess of the site's needs, the Town will make appropriate arrangements for the reimbursement of the additional expenses.

6. **TRAFFIC SIGNAL**

On or after December 15, 2004, upon ten (10) days written request from the Town, Stratford Developers LLC. shall pay to the Town the sum of thirty-three thousand dollars (\$33,000) for the installation of a traffic signal at the intersection of Rogers Road and US Highway 401. In the event, the Town fails to cause the installation of such traffic signal at the intersection of Rogers Road and US Highway 401 on or before December 15, 2005, the payment of thirty-three thousand dollars (\$33,000) shall be returned to Stratford Developers LLC.

Nancy Kelly
Mayor, Nancy Kelly

9/20/05
Date

Lynn House
Town Clerk, Lynn House

9/20/05
Date

