Ordinance 862 ZC 485
Effective: 9/5/00

Z-55-00 Ray and Strickland Roads, southeast intersection, being approximately (a portion of) Wake County Tax map 0788.16-74-6339. Approximately .61 acre rezoned to Neighborhood Business Conditional Use.

Conditions: (07/08/00)

1. Development of the Neighborhood Business CUD zoned area will comply with the provisions of CR 7107 of the Raleigh Commission. However, the volume of stormwater to be detained and released over a 24-hour time period shall be determined on the basis of the difference in run-off between woodlands and the zoned area and a 25 year frequency storm.

2. Buildings developed within the proposed area shall be limited to a maximum of forty (40') feet in height (as measured by City Code).

3. A traffic analysis/site circulation study shall be included as a part of the submittal for site plan approval for the initial development of the zoned area.

4. Reimbursement values for additional right-of-way shall be at the prevailing values for R-4.

5. Freestanding area lights within the proposed zoning area shall be limited to a maximum of eighteen (18') feet in height. These fixtures shall contain heads that produce down lighting only and posses panels (or similar devices) to shield the light source from being viewed from the sides. All free standing area lights shall be turned off at midnight. Free standing pedestrian courtesy lights not exceeding five (5') feet in height and wall or ceiling mounted security lights may remain on all night.

6. The following uses otherwise allowed in NB shall be prohibited within the development area:

a. Commercial indoor recreational uses
b. Governmental and non-governmental commercial outdoor stadium, theater, amphitheater, racetrack.
c. Governmental indoor arena/coliseum
d. Governmental riding stable
e. Governmental indoor rifle range
f. Transitional housing, except for supportive housing residence correctional/penal facility.
g. Adult establishment, bar, nightclub, tavern, lounge.
h. Eating establishments with drive-thru windows
i. Hotel/motel
j. Kennel/cattery
k. Commercial parking deck/garage, parking lot, motor pool.
l. Dry cleaners with on premises dry cleaning equipment.

m. Highway retail sales
n. Landfill (debris from on-site)
o. Transportation uses listed in Code 10-2071
p. Any sales or storage of gasoline; or,
q. Underground storage tanks

7. There shall be no outdoor paging system associated with any use within the development. Intercom systems shall not result in more than 55 dB (A) from 7:00AM to 11:00PM and 45 dB (A) 11:00PM to 7:00AM as measured by Chapter 5 of the Raleigh City Code at the property line of adjacent residences on Boars Head Court, Charter House Drive and Strickland Road.

8. Outdoor pay telephones shall be prohibited.

9. Buildings housing establishments engaged in the sale of alcohol for on-premise consumption shall be set back a minimum of two hundred (200') feet from the existing door of the adjacent Korean Baptist Church (0788.16-74-6339).

10. Within the development area, non-residential buildings shall utilize matching brick (either singularly or in combination) for the building veneer. These brick choices shall be consistent with the ones employed by development resulting from Z-61-96 if it is approved and generates development prior to development occurring from this request. Brick types shall be identified on the initial submittal for site plan approval. The developer or his assigns, shall provide an information review of all non-residential building plans to the adjacent property owners through a review committee. The committee shall consist of a Cambridge resident, to be designated by the neighborhood association, and an adjacent property owner residing on either Strickland or Ray Road. The developer shall submit a notarized statement as part of any site plan submittal package for any non-residential use indicating the date of review and the names, addresses and telephone numbers of the neighbors with whom the plans were reviewed.

11. Commercial use listed in the Schedule of Permitted Land Uses in Zoning Districts (10-2071) shall not exceed a ratio of 10,000 square feet in size. Further, freestanding commercial uses of less than 2,000 square feet of floor area gross shall be prohibited.

12. Development of the zoned area shall not result in more than .3 foot-candles of light occurring from site area lights (not including street lights located with the public right-of-way) from any non-residential developed use onto any adjacent residential or church use. A site lighting plan illustrating compliance with this condition shall be included as part of any administrative or City Council site plan approval for a non-residential development of the zoned area.

13. Existing wells on the subject property shall be capped upon development of the site and connections for new development shall be made to the existing City of Raleigh water system.

14. All sales to the public within the zoned area shall cease at 12:01AM until 6:00AM.

15. The cumulative area of the street protective yard along Strickland Road and Ray Road for the NB CUD area west of 0788.16-84-2834 (Thompson) shall aggregate to an amount of street protective yard area equal to the existing length of right-of-way multiplied by 20 feet. In no instance may any resulting lot have a street protective yard area less than the length of its individual right-of-way multiplied by 15 feet. Parking spaces shall not be closer than 20 feet to the right-of-way.