ORDINANCE (2003) 421 ZC 535
Effective: 04/15/03

Z-16-03 Edwards Mill Road, east side, near Blue Ridge Road, being Wake County PIN 0785.12-75-5652. Approximately 0.67 acre rezoned to Neighborhood Business Conditional Use District.

Conditions dated: (4/9/03)

A. Reimbursement for any required right-of-way dedication shall be based on R-4 values.

B. All the uses permitted in the Neighborhood Business zoning district shall be permitted except:

a. Utility service and substation
b. Landfill
c. Manufacturing (custom and specialized)
d. Mini-warehouse
e. Telecommunications tower.
f. None of the "special uses" provided for in Section 10-2042(b)(3)
g. No automotive service or repair facilities, gas dispensing facility or carwash
h. Only low-profile ground signs will be permitted.

C. Sidewalks, having a minimum width of eight feet (8'), shall be provided on both sides of Ed Drive.

D. Maximum thirty foot (30') building setbacks from the Ed Drive right-of-way shall be enforced within the Neighborhood Business Conditional Use District. Each parcel shall provide pedestrian cross access with each adjacent parcel. Said Pedestrian Cross Access System shall connect, ultimately, with sidewalks on either side of Ed Drive. The pedestrian Cross Access System shall be approved by the City of Raleigh at the earlier of subdivision of the property or issuance of building permits. The terms and conditions of this provision shall not prohibit the applicant from seeking to "recombine" the existing parcel with adjacent lots, provided pedestrian access is provided to all reconfigured lots.

E. No parking shall be permitted in the area between buildings and Ed Drive.

F. Unity of development guidelines and unified sign criteria required for all structures shall be identical to those adopted for the adjoining Neighborhood Business Conditional Use District property (Z-74(A)-01). Unity of development on all parcels shall provide for:

1) Minimum roof pitch of 5:12 for all buildings.

2) Uniformity of building materials including siding, brick and stone fascia shall be consistent with those previously used at Bentley Ridge. (BM 1998, P

761; BM 1999, P 292: BM 1999; P 1029: BM 2000 P 573, Wake County Registry).

3) Building facades shall have an appearance consistent with the existing residential character of Bentley Ridge and shall provide that not less than fifteen percent (15%) nor more than sixty percent (60%) of the building for any one side be devoted to window openings.

G. Subject to approval of the City's Engineering and Transportation Departments and in accordance with any required encroachment and/or maintenance agreements, pedestrian crossings in Ed Drive will be visually differentiated by brick pavers, or similar material.

H. Any development of property shall require the phased dedication and construction of Ed Drive (including sidewalks) at a location approved by the City of Raleigh Transportation Department.

I. Retail uses shall be limited to finished floor area gross at a floor area ratio not to exceed .25. Retail square footage shall be allocated and combined and with retail square footage on the adjacent Neighborhood Business Conditional Use District property (Z-74(A)-01). Pursuant to Section F above, a single unified development shall be required subject to a common site plan.

J. A (15'x20') transit easement will be offered at the time of site plan approval at a location acceptable to the City Department of Transportation.

K. That a minimum twenty-five (25') foot yard planted to SHOD-4 standards be provided along the new right-of-way of the rezoned property's frontage along Edwards Mill Road.