ORDINANCE (2000) 842 ZC 484
Effective: 7-18-00

Z-56-00 Triangle Drive, north side, both sides of Fortune Way, being Wake County Tax Maps 0778.03 31 9079, 0778.03 30 5986, 0788.03 30 8736 and a portion of 0778.03 40 3659. Approximately 9 acres rezoned to Industrial-1 Conditional Use and removal of the Airport Overlay District.

Conditions (7/7/00):

1. All outdoor lighting shall be shielded so that no direct glare from the light can be seen from above; provided that, publicly approved warning lights to mark obstructions to aircraft are exempted from this condition.

2. Rooftops shall be uniform in color and made of non-reflective material.

3. The uses prohibited upon the subject property are as follows:

a. Above ground bulk storage as a principal use of: flammable and combustible liquids, explosives, hazardous materials and wastes, gasoline or fuel oil distribution facilities or operations which could pose threats to the public health, safety and welfare in the event of aircraft crashes or mishaps.

b. Any dwelling or rooming unit and any equivalent dwelling unit, congregate care or congregate living structure, guest house, residential structure, or transitional housing.

c. Any residential related use including day care facilities, schools of all kinds, correctional/penal facilities, hospitals and churches.

d. Library, art gallery, museum or civic club.

e. Mining, quarrying and landfills that are initiated after the date of the approval of this rezoning case by the Raleigh City Council.

f. Off-premise signs.

g. Storage of wrecked, crushed, dismantled or partially dismantled automotive vehicles.

h. Uses which are susceptible to fire and explosions such as oil recycling facilities.

i. Telecommunication towers.

j. Rifle ranges - indoor and outdoor.

4. The maximum residential density is zero (0).

5. Buildings and structures may be constructed to the height limits of the current airspace regulations adopted by the Raleigh-Durham Airport Authority wherever such regulations contain more stringent height requirements than the Industrial-I Zoning District; provided however, that no building and structures shall exceed seventy-five (75') feet in height measured as provided in the City Code.

6. A street protective yard twenty-five (25') feet in width is to be imposed upon the frontage of the property adjacent to the revised right-of-way of Fortune Way as said right-of-way is approved by the City. Within the street protective yard there shall be planted not less than three (3) trees per every fifty (50') linear feet of frontage, spaced as per the City code, which trees shall be not less than three and one half (3 1/2") inches in caliper (measured 6" above grade) at time of planting.