Z-37-07 - Rock Quarry Road, south, southeast of Interlock Drive intersection, Conditional Use **(Big Branch). Rezone approximately 3.04 acres, zoned Residential-4 & Neighborhood Business, to Neighborhood Business Conditional Use District.

Conditions dated: December 11, 2007

1. Maximum Building Area devoted to Retail Use is 20,000 square feet.
2. Maximum square footage of a single establishment is not to exceed 5,000 square feet, with the exception of one (1) retail establishment which may exceed 5,000 square feet, but not exceed 10,000 square feet.
3. Maximum Building Area devoted to Office Use is 7,500 square feet.
4. Reimbursement for any required ROW dedication at R-4 value.
5. An offer of Cross-Access shall be provided to the adjacent property to the East, shown in Deed BK 5221, PG 0529.
6. Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.
7. A minimum 30 foot transitional protective yard shall be provided adjacent to all adjoining residential properties.
8. A minimum 30 foot transitional protective yard shall be required along the western property line adjacent to PIN 173201 4723, except to accommodate a cross-access driveway shown in BM 2006, PG 2088.
9. Any ground mounted signs should be of a low profile design.
10. All roofs shall be designed and constructed to present a pitched appearance.
11. All structures on the property shall be limited to a maximum height of 25 feet (minimum 3:12 slope), as measured by City guidelines.
12. The following uses shall be prohibited:
    a) Free-Standing Pharmacy/Drug Store Uses;
    b) Free-Standing, Drive-Through Fast Food Restaurants;
    c) Bars; Pool Halls, Nightclubs, Taverns and Lounges. Notwithstanding the foregoing, Restaurants, as defined in G.S. 18B-1000(6), shall be allowed.
    d) Automotive service and repair facilities. Any establishment where fuel, lubricants, parts, or service is rendered directly to a motor vehicle. Such a facility includes: an automobile service station; an establishment for tuning, and lubricating automobile engines; an automotive washing and cleaning facility; a garage for repair of tires, mufflers, engines, transmissions, batteries; a shop for body work and painting; and any establishment with any gasoline pump opened to the public. Note: This shall not exclude a retail auto parts store.
    e) Automotive Sales: Any establishment that sells new or pre-owned automobiles.
    f) Pawn Shops.