Ordinance (2001) 942 ZC 494
Effective: 2-20-01

Z-2-01 **Oak Forest Drive**, north side west of Capital Boulevard, being Wake County PIN 1726 38 0850. Approximately 11.76 acres rezoned Industrial-1 Conditional Use.

Conditions dated: (02/08/01)

A. The Property will be developed in accordance with Planning Commission Certified Requirement 7107.

B. Any right-of-way required to be dedicated for future improvements to adjacent roadways shall qualify for reimbursement at R-6 values.

C. The Property shall not be used for any residential purpose, and shall not contain any multi-family dwelling, manufactured home, single-family detached dwelling and/or townhouse development.

D. The Property shall not be used for any "Retail Sales" purposes other than uses consistent with "Personal Service Retail Sales" as all such terms are defined in Section 10-2071 of the Raleigh City Code in effect on the date hereof.

E. No building constructed on the Property shall exceed three (3) stories in height (maximum of 55 feet), excluding any and all basements, crawl-spaces or below-grade construction.

F. The Property shall contain a minimum twenty-five (25) foot streetyard (running from the current right of way of Oak Forest Road onto the Property), and following the development of the Property or the development of any lot comprising a part of the Property, such streetyard located on the Property or on such subdivided lot shall contain a minimum of fifty percent (50%) of all tress twelve (12) inches or larger in diameter located within such streetyard immediately prior to such development. Additionally, six (6) understory trees shall be planted every one-hundred (100) feet in the streetyard.

G. No noxious or offensive trades, services or activities (specially including any excessive night time noise) shall be conducted and remain upon the Property nor shall anything be done thereon that may substantially interfere with the lawful uses (for example - conduct that is offensive, dust, omission of fumes, odors, noise, vibrations, gasses or smoke) to the owners of the Property or to the owners of any of Lots 1 through 51, inclusive, of the Oak Forest Estates, as such Lots are shown on a plat recorded in Book of Maps 1954, Page 30, Wake County Registry.

H. All site lighting, including wall pack fixtures, shall be directed downward and designed in such a way that a light source will not be visible from neighboring properties.

I. All mechanical equipment shall be fully screened from public view and the adjacent properties, and that screening shall be of a design and material compatible with those of the associated building.

J. There shall be no outdoor storage of equipment or materials on the property.