Z-2-05 – Oberlin Road, on the east side of Oberlin Road, south of its intersection with Fairview Road being Wake County PIN 1704 29 2366 and 1704 29 2472. Approximately .414 acre rezoned to Shopping Center Conditional Use.

Conditions: 02/22/05

A. The following uses shall be prohibited within this development:
Automotive service and repair facility;
Bar, nightclub or tavern, or lounge (other than a restaurant in N.C.G.S. 18B-1000 and any successor law)
Civic convention center;
Hotel/motel
Movie theater (indoor or outdoor)
Landfill;
Adult establishment;
Kennel/cattery;
Riding stable;
Correctional/penal facility;
Outdoor stadium, outdoor theater or racetrack;
Drive-thru windows

B. Building will be one story, maximum height 20 feet. Refer to accompanying concept elevation.

C. Building will be a maximum of 5,500 square feet.

D. Any site plan will request an alternate method for complying with the street yard requirements of section 10-2082.5, if needed and that the building be built to within 5 feet of the property line along Oberlin Road, consistent with Urban Design Guidelines. Building will front the street, with primary entrances oriented to the street and sidewalk. Retaining wall at South end of property along Oberlin Road will match brick building materials and character.

E. Off-street parking will be located to the side and rear of building, consistent with Urban Design Guidelines. Refer to accompanying concept plan.

F. Parking in excess of standard code requirements for building will be provided on site. A minimum of 25% additional parking above code requirements will be provided.

G. All parking lot and building lighting will be directed away from adjacent properties. Light poles will employ cut off shielded heads, maximum height of 12 ft.

H. A solid fence and a transitional yard minimum ten feet (10') in width shall be provided along the Southern Property Line adjacent to property known as

Wake County PIN 1704 29 2380, and along the eastern property line adjacent to properties known as PIN 1704 29 4315, and 1704 29 4422.

I. No restaurant employing a grease exhaust will be permitted.

J. A six (6) foot by ten (10) foot bus stop will be created along the current sidewalk. Should Oberlin Road be widened in future, one transit easement 6 feet in length and 10 feet in depth along Oberlin Road shall be deeded to the City. The City's Transit Division shall approve the easement deed prior to its recordation.

L An offer of cross access will be provided to the adjacent property to the South (db# 04546, page # 0170).

M. Reimbursement for any right of way dedication shall be based on R-6 values.

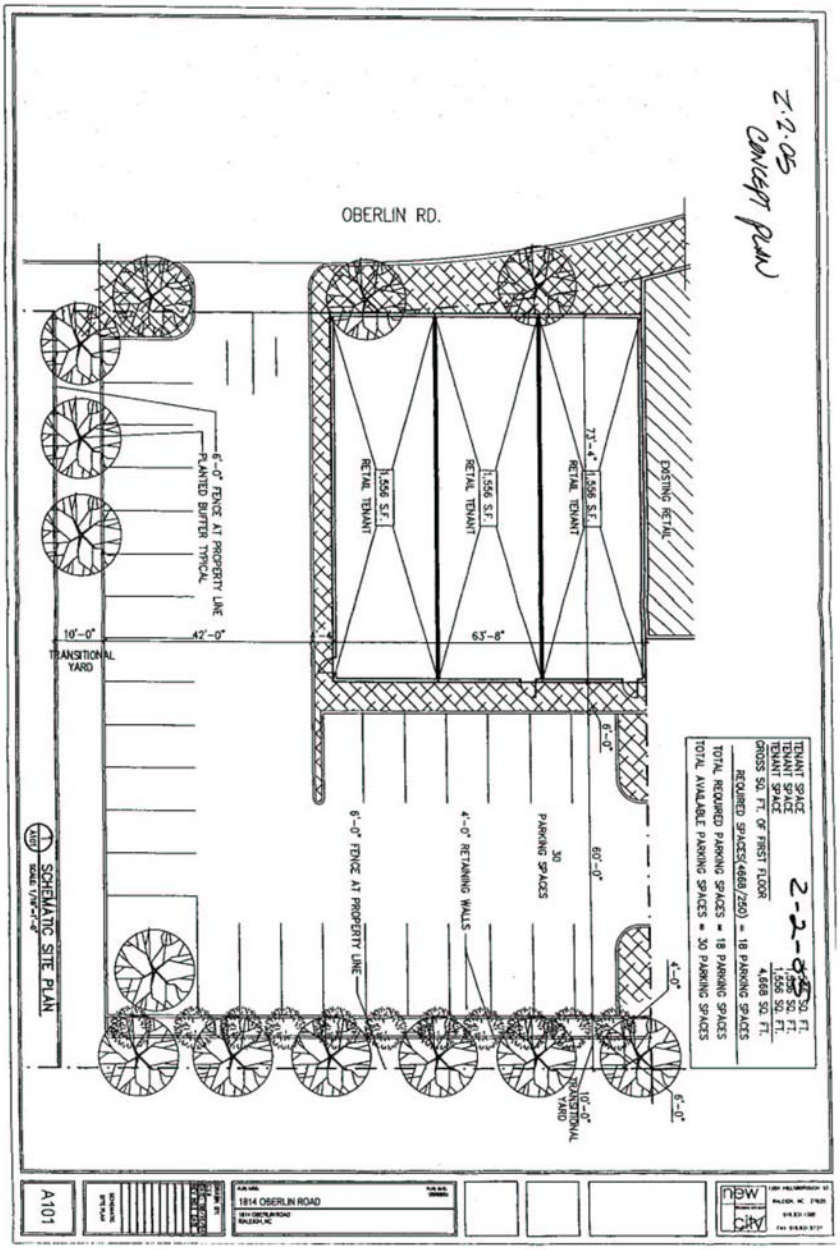
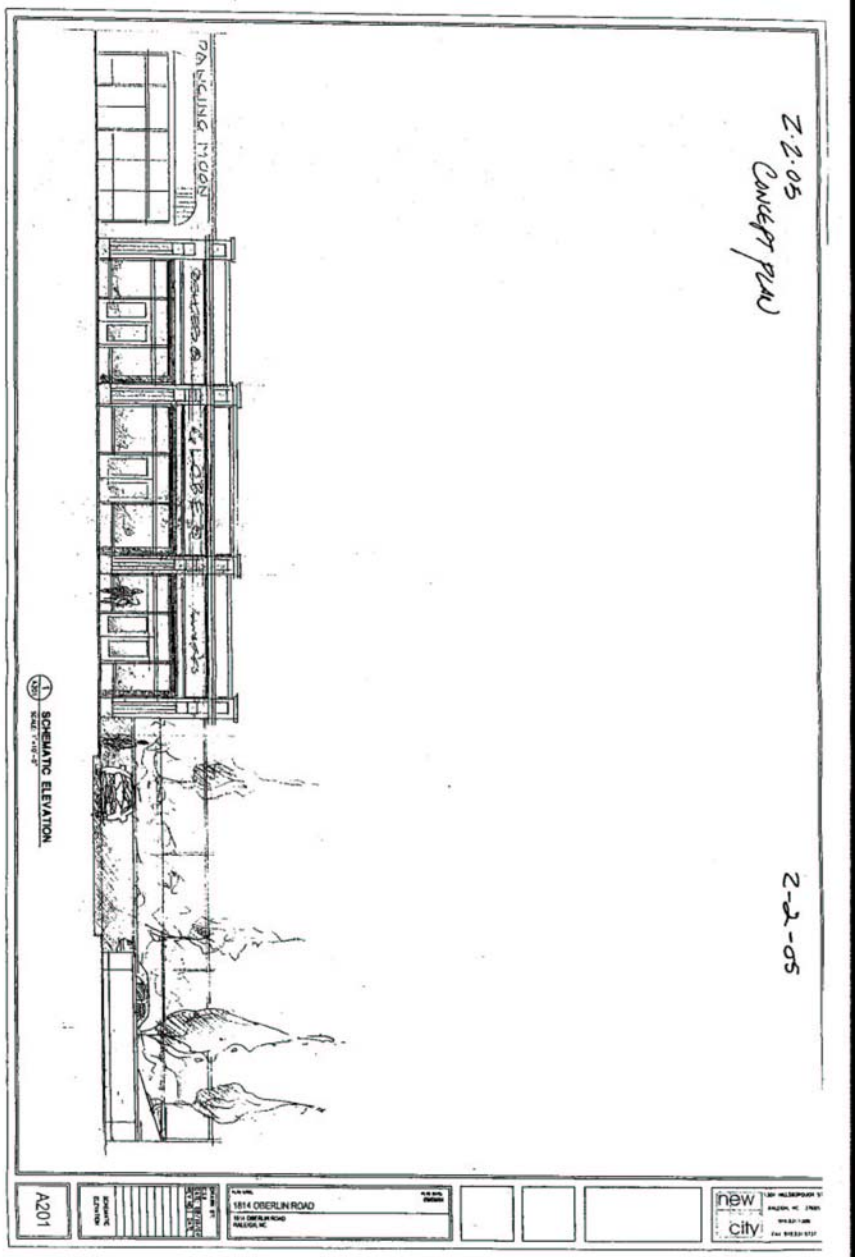
N. Site stormwater will be controlled so as not to exceed pre-development runoff rates for a 2 and 10 year storm event.

O. Parking lot shall be open access; there shall be no control device such as a gate on site.

P. Building and parking are to be constructed simultaneously (as part of a single project). Construction of project will commence within 120 days of removal of existing structures.

Q. An active effort to preserve the oak on the south property line will be undertaken as part of the scope of construction work on site.

Ordinance 788 ZC 566
Effective March 1, 2005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