ORDINANCE (2001) 982 ZC 497
Effective: 4-17-01

Z-85-00 Jones Franklin Road, west side, extending to the Buck Jones Road, south of Western Boulevard, being various Wake County Tax Map PINS. Approximately 0.9 acre rezoned Neighborhood Business Conditional Use.

Conditions: (04/05/01)

1) The property shall be zoned Neighborhood Business Conditional Use. Permitted uses will include: office and retail sales, library, art gallery, art museum, amphitheater, fruit or vegetable stand.

These uses are not permitted: landfill, mini-warehouse storage facility, adult establishment, kennel/cattery, riding stables, correctional penal facility, pawnbroker, stand-alone pharmacy or drugstore, plant nursery, monastery or convent, agriculture (page 1 of land uses), camp, rifle range, crematory, cemetery, funeral home, telecommunication tower, single-use parking lot or parking deck, vehicle sales or repair, equipment sales or repair, utility services such as gas, water, sewer, or power, hotel or motel, orphanage, fraternity or sorority house, senior citizen home, rest home.

2) No building will more than 2 stories.

3) No building will be more than 25 feet tall.

4) No single business will occupy more than 3,500 sq. ft.

5) Right-of-way reimbursement shall be reimbursed at the current R-6 values.

6) A tree inventory will be completed two months following the adoption of this rezoning the property showing all trees over 12 inches dbh, and 50% of those trees will be actively preserved during redevelopment of the property using the landscape ordinances standards for protecting the root systems.

7) All ground signs on the property shall be limited to low profile signs.

8) The site lighting shall be directed downward and designed so that there will be no view of a light source from neighboring residential properties or the adjacent right of way. Exceptions for lighting the church with lights directed upwards are allowed so long as there will be no view of a light source from neighboring residential properties or the adjacent right of way.

9) All building mechanical equipment, heating and air conditioning shall be screened from the neighboring properties and rights-of-way and be of a design and materials compatible with the associated buildings.

10) No drive-through business or activity allowed.

11) Façade will be either brick or real wood or hardiplank that duplicates the clapboard of the church, or a combination of the two. No vinyl or masonite siding is allowed.

12) That PIN # 0784-20-3527, containing approximately .46 acres, be removed from this rezoning request and remain zoned office and Institution (1) and Neighborhood Business.

13) Stormwater shall comply with CR 7107

14) All roofs shall be no less than 6/12 pitch.

15) Buildings will front Buck Jones and Jones Franklin Road.

16) All access points will be limited to Old Buck Jones Rd.

17) Retail uses shall be limited to the first floor of a multi-story building requiring a second floor located immediately above any retail use. A free standing building utilized solely for retail purposes shall be prohibited on the property.