**Ordinance (2004) 570 ZC 546**
Effective Date 02/17/04

**Z-42-03 -** on the north side of Rock Quarry Road, between I-40 and Sunnybrook Road. Approximately 2.4 acres to be rezoned from Residential -6 (1.37 acres) and Neighborhood Business (1.03 acres) with SHOD-1 to Neighborhood Business Conditional Use with SHOD-1 to remain.

**Conditions: 02/09/04**

1. No business or office use on the property will operate between the hours of 11:00 p.m. and 6:00 a.m.

2. The following allowed specific uses within the Neighborhood Business Zoning District shall be prohibited: adult establishments, bars, nightclubs, taverns, lounges and Convenience stores or gas sales.

3. One (1) transit easement twenty feet (20) in width adjoining the right-of-way and fifteen-feet (15) in depth shall be deeded to the City of Raleigh for bus stop and shelter along Rock Quarry Road. Prior to Site Plan approval or preliminary subdivision approval, whichever first occurs, the City of Raleigh Transit Division shall approve the location of the transit easement, and the City Attorney or his designee shall approve the transit easement deed, which shall be recorded in the Wake County Register of Deeds.

4. Prior to the issuance of any building permit or recording of any subdivision, whichever first occurs, cross access shall be provided between these rezoned parcels in the event that they are not recombined.

5. Any new building shall be of residential character and shall not exceed a maximum height of thirty feet (30'); provides a minimum roof pitch of 3:12; principal building materials being brick or siding; and no less than 15% nor more than 80% of any building side shall be devoted to window openings.

6. In that the existing building is to remain the rooftop HVAC units shall be screened in accordance with the City Code, and that the site shall be landscaped in accordance with the City of Raleigh Landscape Ordinance.

7. Any required open-air stormwater facilities shall be designed as site amenities and Landscaped with the site-appropriate vegetation to SHOD-4 standards.