ORDINANCE (2001) 88 ZC 504
Effective: 10/02/01

Z-51-01 Saint Albans Drive and Wake Forest Road, northwest intersection, being Wake County PIN 1715.06-27-6760. Approximately 3.81 acres rezoned to Neighborhood Business Conditional Use.

Conditions dated: (09/14/01)

For purposes of the following condition, Tax Parcel PIN 1715.06-27-6760 shall be referred to as the "Property."

(1) Only the following uses shall be allowed upon the Property:
- (a) Uses authorized in the Office and Institution-2 District, and
- (b) An eating establishment or establishments without a drive-through.

(2) Vehicular access to and from Wake Forest Road shall be limited to one right-in/right-out curb cut subject to review by the Raleigh Department of Transportation at the time of site plan approval.

(3) Street tree plantings upon the Property along the right-of-way of St. Alban's Drive shall be twice the number required by the City Code and shall match in species and design intent the existing street tree plantings immediately across St. Alban's Drive. Street tree plantings upon the Property along the right-of-way of Benson Drive shall be twice the number required by the City Code and shall match in species and design intent the existing street tree plantings immediately across Benson Drive.

(4) There shall be no direct beaming of light, and no light source shall be visible, to and from any adjoining property.

(5) All refuse containers and mechanical equipment shall be fully screened from public rights-of-way and adjoining properties. Screening shall be of a design and materials compatible in terms of texture, color, and quality with those of the principal building.

(6) All ground signs situated upon the Property shall be low-profile ground signs.

(7) Development of the Property will be in compliance with Certified Recommendation 7107 of the Planning Commission. Development of the Property shall include installation of a storm drainage system designed such that the post-development discharge is released at a rate (CFS) equal to or less than the pre-development rate. The discharge rate shall be met for the two- and ten-year frequency storms.

(8) Upon development of the Property, a sidewalk shall be constructed along the Property frontages of St. Alban's Drive and Benson Drive.

(9) Any future reimbursements for right-of-way shall be limited to O&I-2 values.

(10) A transit easement ten feet (10') by twelve feet (12') in size shall be provided to the City of Raleigh along the Property's frontage with St. Alban's Drive prior to the issuance of building permits. In the event it is determined by the City of Raleigh Transportation Director that the transit easement would serve no useful public purpose at that time, this requirement would no longer be applicable.

(11) In the event that the Property is developed as an eating establishment, the standards and processes set forth in the City Code for the Neighborhood Business District shall be applicable. In the event that the Property is developed for any other purpose, the standards and processes set forth in the City Code for the Office and Institution-2 District shall be applicable.