

**ORDINANCE (2004) 790 ZC 567**

**Effective:** March 15, 2005

**Z-71-04 – Tryon Road and South Wilmington Street**, northwest quadrant, being various Wake County PIN's. Approximately 8.85 acres rezoned to Shopping Center Conditional Use District.

Conditions dated: 3/9/05

- A. Architecture for development within this subject area shall adhere to the same Unity of Development Criteria submitted for the adjacent Amelia Park PDD (MP-4-04). In the event that the Amelia Park PDD (MP-4-04) is not approved, a separate Unity of Development application that applies to the Z71-04 subject property shall be submitted for approval to the City.
- B. Street yards along all public streets shall be a minimum of fifteen (15') feet in width and shall be provided in accordance with City Code Section 10-2082.5(d)(2).
- C. Upon development, vehicular and pedestrian connections shall be made to Tract B of the adjacent Amelia Park PDD (MP-4-04) (Wake County PIN 1702-21-6612 DB 02204 Page 0113). In the event the Amelia Park PDD (MP-4-04) is not approved, the developer shall still provide a vehicular and pedestrian access easement upon development of the subject property to Wake County PIN 1702-21-6612 DB 02204 Page 0113.
- D. Full movement entry drives to the surrounding public streets shall be designed so they provide logical and safe vehicular movements between the adjacent shopping center parcels to the north (Wake County PINs 1702-31-0938 DB 08621 Page 1387; 1702-32-3154 DB 07511 Page 0178; 1702-21-7999 DB 08621 Page 1387) and Tract B of the adjacent Amelia Park PDD (MP-4-04) (Wake County PIN 1702-21-6612 DB 02204 Page 0113).
- E. The development shall provide a minimum of two (2) five (5') foot wide sidewalk connections (in addition to those provided along Tryon Road) to the Tract B of the adjacent Amelia Park PDD (MP-4-04). In the event that the Amelia Park PDD (MP-4-04) is not approved, the developer shall provide the corresponding two (2) five (5') foot wide sidewalk connections to both Tract B (Wake County PIN 1702-21-6612 DB 02204 Page 0113) and to the adjacent shopping center parcel to the north (Wake County PINs 1702-31-0938 DB 08621 Page 1387; 1702-32-3154 DB 07511 Page 0178; 1702-21-7999 DB 08621 Page 1387).
- F. One (1) fixed bike rack, one (1) bench and one (1) outdoor trash receptacle shall be provided for every 20,000 square feet of gross floor area. Locations may vary so long as at least one of each is located within 100' of each store entrance.
- G. Linear landscaped medians (to meet the City's Vehicular Surface Area standards in 10-2082.6(c)(9) a through c) shall be provided to break up surface parking areas. These landscaped medians shall be provided between parking spaces at minimum rate of one (1) island per 65,000 square feet of Vehicular Surface Area.

- H. Vehicular and pedestrian cross-access easements shall be provided among all non-residential uses in the subject property.
- I. Upon development of the property, a minimum of one (1) transit easement with a minimum dimension of 15' by 20' shall be offered within the development area. A central location for this transit easement with access to a public street that is also suited for pedestrians and development activity shall be determined by the City of Raleigh Transit Division at the time of plan submittal. The location for this transit easement will take into consideration the location of the transit easement and shelter to be provided within Tract B of Amelia Park PDD (MP-4-04) (if approved).
- J. All uses permitted in Shopping Center (SC) Districts shall be allowed except for: Residential (all); Cattery; Kennel; Riding Stables; Telecommunications Towers; Automotive service/repair facilities; Vehicle sales/rental; Individual storage buildings; Mini-warehouse storage facilities; and Adult establishments.
- K. Points of vehicular/egress along the re-alignment of Tryon shall be limited to a maximum of one (1) driveway. Additional access points shall be obtained via access to other public streets that surround and/or bi-sect the subject area. The location of this drive shall be reviewed and approved by the City and NC DOT for adequate spacing and safety.
- L. All non-residential uses within the subject area shall be limited to a maximum of 88,500 square feet (floor area gross).
- M. Individual non-residential buildings shall provide minimum height of twenty (20') feet and a maximum height of fifty (50') feet.
- N. An easement with a minimum area of 400 square feet shall be offered to the City for the purposes of locating an entry feature and /or sign that indicates entry to the City of Raleigh. The location for this easement shall be determined and provided by the developer upon development of the subject property.
- O. Reimbursements for any additional right-of-way shall be at the City's established rate for Industrial-1.