

**Z-38-04 – Edwards Mill Road**, east side, being a portion of Wake County PIN 0785.12-86-2301. Approximately 1.5 acres rezoned to Neighborhood Business Conditional Use.

Conditions dated: (7/27/04)

- A. Reimbursement for any required right-of-way dedication shall be based on R-4 values.
- B. All the uses permitted in the Neighborhood Business zoning district shall be permitted except:
  - 1. Utility service and substation
  - 2. Landfill
  - 3. Manufacturing (customer and specialized)
  - 4. Mini-warehouse storage facility
  - 5. Telecommunications tower
  - 6. None of the "special uses" provided for in Section 10-2042(b)(3)
  - 7. No automotive service or repair facilities, gas dispensing facility or carwash
  - 8. No restaurants or pharmacies with drive-through windows.
- C. Only low-profile ground signs will be permitted.
- D. Retail uses shall be limited to finished floor area gross at a floor area ratio not to exceed .25.
- E. At the time of development of the first lot, unity of development guidelines and unified sign criteria identical to those criteria governing the property to the south shall be required.
- F. At least fifty percent (50%) of the hardwood trees measuring twelve inches (12") in caliper, when measured at four feet (4') above the ground, and located within forty feet (40') of Edwards Mill Road shall be subject to active tree preservation and protected. In no event shall the active tree preservation area exceed fifty feet (50') in width from the right-of-way of Edwards Mill Road. Prior to any land disturbing activity including grading or tree removal, the protected trees shall be identified in writing to the Chief Zoning Inspector.
- G. Building heights shall be limited to three (3) stories and a maximum of fifty feet (50').
- H. Prior to the issuance of building permits, an offer of cross-access shall be made to the property located immediately to the south of the subject property as described in Book 10140, Page 1620, Wake County Registry.