

Z-85-98 Northern Wake Expressway, south side, north of Westgate Road, being a portion of Wake County Tax Map Parcel 0778.02 65 9252 and a portion of 0778.04 73 3758. Approximately 38 acres to be rezoned to Thoroughfare District Conditional Use and Special Highway Overlay District-2.

Conditions: 01/06/99

a. Development of the property will comply with the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission.

b. Reimbursement for right-of-way needed for the extension of Strickland Road into or through the property subject shall be at the prevailing rate for R-4.

c. The following land uses as set forth in Code Section 10-2071 Schedule of Permitted Land Uses In Zoning Districts shall be prohibited:

1. Recreation use restricted to membership - Commercial of all types;
2. Recreation use – Non-governmental (outdoor/stadium/theater/amphitheater/racetracks) all all types;
3. Recreation - Governmental (indoor, outdoor, and rifle ranges) of all types;
4. Commercial riding stable;
5. Recreation governmental indoor of all types (including arenas and coliseums);
6. Recreation governmental outdoor of all types (including stadiums, amphitheatres, and racetracks);
7. Government riding stable;
8. Rifle range;
9. Fraternity house;
10. Sorority house;
11. Transitional housing (including Emergency Shelter Type A, Emergency Shelter Type B, and Religious shelter unit);
12. Cemetery;
13. Civic/convention center;
14. Correctional/penal facility;
15. Funeral home;
16. Orphanages;
17. Schools (public and private);
18. Adult establishment;
19. Dance, recording, music studio;
20. Kennel/cattery;
21. Commercial Highway - (e.g. equipment sales/repair, vehicle sales/rental, automotive washing and cleaning facility, garage for repairs of engines or servicing of automotive vehicles, a shop for body work or painting);
22. Check cashing store (excluding financial institution i.e. bank, savings and loan, etc.);

Ordinance 505 ZC 448
Effective 1/19/99

23. Bail bond office;
24. Landfill debris from on-site;
25. Transportation - including air fields, landing strips, heliports, and taxicab stands;
26. Power plant utilities;
27. Utility substations - governmental;
28. Governmental Water or sanitary sewer treatment plant (i.e. facilities other than septic tanks, pumping stations, wells and package treatments designed to handle water and waste water generated by on site activities);
29. Outdoor movie theater;
30. Bars, nightclubs, taverns, lounges;
31. Pawnshop as defined in 91A of NCGS;
32. Parking facility - as a principal use;
33. Rest home;
34. Indoor reclamation;
35. Bottling plant;
36. Bulk storage of flammable and combustible liquids;
37. Incinerator;
38. Flea markets; and,
39. Hotel/Motel.

d. Within 150 feet of the common boundary of PIN# 0778.02 85 1532 (Macaroni) the following shall apply:

1. Building heights for office uses shall be limited to a maximum of 40 feet and heights for retail or buildings housing any combination of retail, office, and warehouse distribution space other than office shall be limited to a maximum of 30 feet.
2. Building(s) containing office uses with more than 2 occupied stories as determined by the City of Raleigh standards shall provide a 30 foot wide transitional protective yard along the cited Macaroni boundary; and,
3. Vehicular surface areas for retail or combination for office, retail, distribution, or research uses shall be setback a minimum of forty feet from the cited Macaroni property line.

e. Greenway along tributary A of Sycamore Creek, as required by the City of Raleigh Greenway Plan shall be dedicated prior to the issuance of a certificate of occupancy for the first developed building within the zoned area. Reimbursements, if applicable, for the greenway shall be at the prevailing rate based on the current R-4 zoning.

f. A traffic impact evaluation study shall be provided at the time of either subdivision or site plan approval for the zoned area. This study shall evaluate the proposed points of ingress/egress to the zoned area and the impacts to the abutting public streets for their frontage along the zoned area.

g. Site area lighting shall consist of pole mounted fixtures with a maximum height of 18 feet. Light fixtures shall create downlighting only and the light source shall not be visible when viewed from the side. Metal Halide light bulbs shall be prohibited.

h. Outdoor pay phones shall be prohibited within the zoned area.

i. The following uses shall not occur within the prescribed setback areas:

1. Within 150 feet of the right-of-way of Strickland Road:
 - (a) Fire station, police precinct, training facility and other emergency service facility;
2. South and east of Sycamore Creek:
 - (a) Mini warehouse storage facility;
 - (b) Machine shop;
 - (c) Manufacturing - general;
 - (d) Wholesale laundry, dyeing and dry cleaning;
 - (e) Telecommunication towers less than 150 ft. in height; and,
 - (f) Telecommunication tower - (all others).

j. Within 150 feet of the future right-of-way of Strickland Road neon lighting may not be used on any sign, building exterior or interior of a building where it can be viewed from outside the building through a window or door.

k. Non-residential buildings shall be setback a minimum of 100' from the future right-of-way of Strickland Road.

l. Within 150 feet of the future right-of-way of Strickland Road, buildings shall be limited to a maximum height of 36 feet and not more than two (2) occupied stories.