

Z-35-97 Glenwood Avenue, north of Lake Anne Subdivision, being a portion of Tax Parcel 0777.04 93 4702. Approximately 4.9 acres rezoned to Neighborhood Business Conditional Use.

Conditions: 5/9/97

1. Development will comply with Certified Recommendation 7107 for Stormwater Management.
2. Reimbursement for additional right-of-way for Glenwood Avenue shall be calculated at the O&I-1 zoning rate.
3. Within three (3) months following the adoption of this rezoning, a site plan or subdivision plan will be submitted to the City showing the alignment of the Collector Streets and connection with Glenwood Avenue as generally depicted by **Exhibit "A"**, and thereafter may only be modified by NCDOT and/or the City DOT as their authority may allow.
4. Those uses that shall NOT be permitted in the Neighborhood Business base zoning by these conditions are as follows:
 - Recreational outdoor use - commercial.
 - All residential uses, except for an accessory-use
 - Caretaker's apartment, listed on the schedule of permitted land uses in zoning districts.
 - Adult Establishment, night clubs, bars, lounges and taverns.
 - Eating establishment with drive-up, drive-in or drive-through service.
 - Kennel or Cattery
 - Automotive sales, rental, automotive service and repair facility.
 - No outdoor display area, storage or sales.
5. The landowner shall dedicate approximately 1.24 acres east of the centerline of Turkey Creek, north of the proposed collector street, up to the 340 contour, for City of Raleigh Greenway as shown on Map **Exhibit "A"**. At the City of Raleigh's parcel PIN #0777.04 94 2170, that dedication shall extend to the boundary of City's parcel. South of the proposed collector street, seventy-five feet (75') east of the centerline of the creek shall be dedicated.
6. The architectural style and material used for all buildings shall be the same or compatible in terms of texture, quality and color. All roofs visible from public right-of-way shall be shingled of similar material and color range. Brick, Glassweld or similar veneer shall account for at least 40% of the exterior facades, not including fenestration or roof areas. Maximum building height shall be forty feet (40'), as measured per City Code method.
7. Retail facilities shall not exceed a floor area of 50,000 square feet, or uses requiring, by City Zoning Code, more than 200 parking spaces.

Ordinance (1997) 116 ZC 412
Effective: May 20, 1997

8. The landowner shall be allowed to clear and grade the entire frontage of the NB CUD lot east of the proposed connection to Glenwood Avenue as set by the grading limits for street construction and widening required by the NCDOT and the City of Raleigh. Along this disturbed area, the owner will install replacement landscaping to SHOD-4 standards.

9. On the NB CUD lot to the west of the proposed connection to Glenwood Avenue, clearing and grading along the frontage shall also be allowed for any widening as required by NCDOT or the City of Raleigh. Similar to the east, the disturbed area shall be replanted to SHOD-4 standards. Outside required grading east and west for Glenwood Avenue and entry improvements, there shall be a Street Protection Yard, in accordance with 10-2082.12 as set by the Resource Management Zoning District, a minimum of 50 feet (50') wide.

(Exhibits can be found in the appropriate case file located in the Planning Department)