

ORDINANCE (1996) 973 ZC 396
Adopted: October 1, 1996

Z-71-96 State Street, east side, between E. Edenton Street and New Bern Avenue, being Map 1713.05 19 5078, 5188 and a portion of 7191. Approximately 1 acre rezoned to Shopping Center Conditional Use.

Conditions: 8/14/96

1. The following uses will not be permitted:

- Pawn Shops as defined by Chapter 91 'A' of NC General Statutes
- Adult Establishments
- Taverns, night clubs, bars
- Auto service and repair facilities

2. The property owner and/or tenants will protect the following trees, through the construction process and will install tree protection fencing:

- Adjacent to New Bern @+ middle of lot - (1) 14" Water Oak
- Adjacent to Edenton @ 3 locations - (3) 20" Willow Oak
- Adjacent to N. State Street - (1) 18" Winged Elm and (1) 3 1/2 Dogwood
- Adjacent to Bojangles Parking Lot - (1) 28" Willow Oak and (1) 36" Water Oak

For a total of (7) Large Shade Trees and (1) Flowering Tree (Save 8 Trees Total)

Tree protection fencing will be located a minimum of 8 feet from the shade trees and 5 feet from the dogwood tree.

(See attached tree location diagram)

3. Right-of-way reimbursement values will be based on O&I values.

Any single retail business of less than 4,000 square feet floor area shall be limited to only those uses specifically noted in:

- Retail sales - convenience and
- Retail sales - personal services
- The Raleigh City Code Section 10-2002

*Note beer and wine sales are not listed as allowed uses in either of those categories.