

Z-77-97 **Spring Forest Road** and Atlantic Avenue, southeast quadrant being Tax Map Parcel 1716.08 88 5402. Approximately 1.1 acre rezoned to Neighborhood Business Conditional Use.

Conditions: (9-22-97)

1. Stormwater. Any development of the Property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission, which deals with the control of stormwater.
2. Right-of-way. Reimbursement for future right-of-way dedication shall be based on Residential-4 District values.
3. Protective Yards. A protective yard a minimum of thirty (30) feet in width (or wider if required upon site plan approval) shall be maintained along the southern boundary of the Property with tax parcel 1716.08 99 6007 (Cedar Springs Associates Limited Partnership). A protective yard a minimum of twenty feet in width (or wider if required upon site plan approval) shall be maintained along the eastern boundary of the Property with tax parcel 1716.08 88 6007 (Cedar Springs Associates Limited Partnership). Such protective yards shall be landscaped substantially in accordance with the landscape plan attached hereto as Exhibit C-1. Such plan may be modified with staff approval to provide additional plants and/or alternate means of compliance. Subject to site plan approval by the City of Raleigh, such protective yards may be utilized for the installation of a perpendicular curb cut to access the private driveway along the eastern boundary of the Property and for the installation of utilities (including storm drainage lines and connections, irrigation systems, and stormwater control measures) and sidewalks.
4. Streetyards. A streetyard a minimum of fifteen (15) feet in width shall be maintained along the boundary of the property with the right-of-way of Atlantic Avenue. A streetyard a minimum of ten (10) feet in width shall be maintained along the boundary of the Property with the right-of-way of Spring Forest Road. Such streetyards shall be landscaped substantially in accordance with Exhibit C-1 attached hereto. Subject to site plan approval, such streetyards may be utilized for a curb cut to Atlantic Avenue and the installation of utilities (including storm drainage lines and connection, irrigation systems, and stormwater control measures).
5. Limitation of Vehicular Access. Direct vehicular access to the Property from a public street shall be limited to (i) a single right-in, right-out curb cut on Atlantic Avenue and (ii) the private driveway along the eastern boundary of the Property which provides access to Spring Forest Road.
6. Use of the Property. The Property shall not be utilized for an eating establishment with a drive-through window or for any facility with a car wash.

ORDINANCE (1997) 208 ZC 421
Effective: October 8, 1997

7. Building Height; Size Limit. The height of any building constructed upon the Property shall be limited to twenty (20) feet. The size of any building shall not exceed 3,700 square feet gross.

8. Direct Beaming of Light. There shall be no direct beaming of light from the Property into any adjoining residential lot, or a lot containing either a dwelling unit, congregate care or congregate living structure.