

Z-72-96 Lake Wheeler Road, west side, at its southwestern intersection with Tryon Road, being Map 0792.03 44 portion of 1686. Approximately 3.5 acres rezoned to Neighborhood Business Conditional Use.

Conditions: (10/10/96)

a. Development of the zoned area shall comply with the provisions of the Swift Creek Management Plan and CR 7107 of the Raleigh Planning Commission.

The stormwater detention device to be utilized shall meet the design criteria and maintenance guidelines for such devices as set forth in the manual titled: Stormwater Best Management Practices published by the North Carolina Department of Environment, Health and Natural Resources, Water Quality Section, November 1995

b. Reimbursement for the additional rights-of-way on Tryon and Lake Wheeler Roads from the zoned area shall be at the prevailing rate based upon the R-4 zoning.

c. Within the NB CUD zoned area building heights shall be limited to thirty-five (35) feet.

d. A traffic impact analysis shall be submitted in conjunction with the submittal for site plan or subdivision approval of the NB zoned area.

e. In addition to meeting all applicable State and Federal Technical Standards for leak detection, corrosion prevention, spill control and overflow prevention any use dispensing gasoline shall employ the following practices.

All tanks and lines shall be double walled and equipped with interstitial monitors.

Fuel dispensers shall possess fail safe break away systems and emergency shear valves that in case of damage to the dispenser will automatically cease fuel flow.

Drip boxes will be installed under each dispenser for detection of internal leaks and to contain any accidental leakage that may occur due to repairs and maintenance to the dispenser.

f. Results of all:

- nightly tank tests for leak detection;
- state audit procedures for random compliance; and
- annual underground piping tests at 150% of normal operating pressure,

Will be available for inspection by the Zoning Inspection Supervisor of the City of Raleigh.

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g. Development of the requested NB CUD area will occur according to all applicable development requirements and allowances in the district except that the following uses shall be prohibited:

1. Commercial recreational use - indoor
2. Riding stable
3. Non-governmental commercial outdoor stadium, theater, amphitheater, racetrack
4. Governmental outdoor stadium, theater, amphitheater, racetrack
5. Rifle range
6. Transitional housing, except supportive housing residence
7. Adult establishment
8. Bar, nightclub, tavern, lounge
9. Mini warehouse storage facility
10. Landfill (debris from on-site)