

Z-43-90 Falls of Neuse Road, west side, between Ridgefield Drive and Spring Forest Road, being Parcel 30, Tax Map 352, and a portion of Parcel 3, Tax Map 380, rezoned to Shopping Center Conditional Use District, according to map on file in the Planning Department.

Conditions

- 1) Upon development, the rate of stormwater runoff will comply with Certified Recommendation 7107 of the Raleigh Planning Commission.
- 2) No certificate of occupancy shall be issued until there shall be constructed a street or drive which shall extend from Falls of the Neuse Road to Ridgefield Drive.
- 3) The maximum floor area ratio for the property shall not exceed two-tenths (.20).
- 4) No building permit (other than for repair and replacement of existing improvements) shall be issued until the property shall be subdivided into no fewer than six (6), nor more than nine (9) lots (the "Lots"). At least two (2) of the Lots shall abut Falls of the Neuse Road. All of the Lots shall have vehicular access to the street or drive constructed pursuant to the foregoing paragraph (2).
- 5) No more than two (2) eating establishments, each providing table service, shall be located upon the property. No eating establishment which serves food at a drive-through window shall be located upon the property.
- 6) At least three (3) of the Lots will be used for uses permitted in the Office and Institution-1 District. Except as hereafter provided, all lots that are adjacent to or contiguous to Ridgefield Drive, including the lot on the corner of Falls of the Neuse Road and Ridgefield Drive, will be used for uses permitted in the Office and Institution-1 District. The portion of the property adjacent to or contiguous to Ridgefield Drive, which lies between the intersection of Spring Forest Road and Ridgefield Drive and the intersection of the street or drive constructed pursuant to the foregoing condition number (2) and Ridgefield Drive, may be used for uses authorized in the Shopping center District (other than those uses prohibited in condition number (8) hereafter). The distance between the property iron marking the boundary of the property at the intersection of Spring Forest Road and Ridgefield Drive and the centerline of the street or drive constructed pursuant to the foregoing condition number (2) at the point at which it intersects Ridgefield Drive shall not exceed 375 feet.
- 7) Excluding the lots used for Office and Institution-1 permitted uses, the remaining lots may each contain no more than three (3) establishments.

ORDINANCE NO. (1990) 694 ZC 283
Effective: 2-5-91

- 8) The following uses will be prohibited on any of the Lots: automotive service and repair facilities; convenience stores; auto parts stores commercial parking deck operated as an independent business; individual mini-warehouses; multifamily dwelling units of any kind; video sales/rental facilities; supermarkets; or stores with a pharmacist.
- 9) Portions of the property adjacent to or contiguous to the street or drive constructed pursuant to the foregoing condition number (2) shall be landscaped in accordance with the requirements of the Raleigh City Code applicable to public streets.
- 10) Sidewalks shall be constructed along all roads and along both sides of the street or drive constructed pursuant to the foregoing condition number (2).
- 11) Any building constructed upon the property shall not exceed two (2) occupied stories or thirty-five (35) feet in height, excluding mechanical equipment and elevator penthouses.
- 12) Any building constructed upon the property primarily shall have a brick exterior and shall have (or when viewed from the ground level of adjoining properties shall appear to have) a pitched roof.
- 13) Upon the request of the City of Raleigh, the owner will construct a bus turn-out lane on Falls of the Reuse Road at a location on the eastern boundary of the property mutually agreeable to the city and the property owner. The owner shall also construct a standard shelter and/or benches for bus passengers upon the request of the city of Raleigh. Upon the development of the property, the owner will provide racks or other facilities for the parking of bicycles.