

Z-57-93 Anderson Drive, west side, north side of Crabtree Creek, south of Drewry Lane, being Map 1705.16, Block 84, Parcel 4208, rezoned to Neighborhood Business Conditional Use.

Conditions:

1. Present structure and signs will be removed. Removal shall occur at a time to be determined and established as a part of any site plan review of this property.
2. Restriction on building height with a maximum roof elevation of 242 MSL. If property is developed for residential dwelling units, no ridge line of any building shall be taller than 260 MSL.
3. North side lot line.
 - a) 60 foot minimum between building, Tax Map 1705.16, Block 84, PIN 6339 and part of PIN 5455. If property is developed for residential dwelling units, the 60' minimum setback will be reduced to 25' measured to the foundation of the building and 23' to any overhangs above the foundation of the building.
 - b) 60 foot minimum between parking area, Tax Map 1705.16, Block 84, parts of PIN 3595, PIN 5455 and all of PIN 4580. If property is developed for residential dwelling units, the 60' minimum setback will be reduced to 25' minimum.
 - c) Natural buffered area 30+ feet wide for distance of 300 feet from centerline of Anderson Drive adjacent to Tax Map 1705.16, Block 84, PIN 6339, PIN 5455, PIN 4580 and part of PIN 3595. If property is developed for residential dwelling units, this condition will not be applicable. Instead, a 6' tall wooden privacy fence shall be installed on the property line as close to the Anderson Drive right of way as is allowed by governmental regulations and extending in an unbroken line away from Anderson Drive to a point 300' from the Anderson Drive center line. In addition, red maple trees which shall be 10' - 12' minimum in height at the time of planting shall be planted parallel to the fence and not further than 6' away from the fence along its entire length. The trees shall be planted no further apart than 20' on center. Also, because of uniquely difficult site conditions, two wax myrtle evergreen shrubs no shorter than 36" at the time of planting shall be planted in an evenly spaced manner along the same line as the red maples and between each red maple adjacent to Lot 4580 (PIN), Block 84, Map 1705.16. This condition regarding the supplemental planting of wax myrtle shrubs shall only apply to the area of the property that is immediately adjacent to Lot 4580 (PIN), Block 84, Map 1705.16 and no other lots.
4. Undisturbed natural wooded area extending from the western end of the property 178.53' along the northern line to a point 336.86' from the center line of Anderson Drive, and extending from the western end of the property 231.71' along the southern line of the property to a point, 397.38' from the center line of Anderson Drive and varying from 105.96'

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on the west to 198' on the east in width. If property is developed for residential dwelling units, this condition will not be applicable. Instead, the required undisturbed natural wooded area shall be that area which lies within 150' measured radially from any point lying along the rear property line.

5. Building restricted to 4,000 square feet, exclusive of canopy-type or enclosed entry hall. If the property is developed for residential dwelling units, this condition will not be applicable.

6. Screening of eastern and southeastern building frontage with loblolly pine bark mulch at base. If the property is developed for residential dwelling units, this condition will not be applicable. Instead, any building foundation area located within 60' of the centerline of Anderson Drive that is not used for a doorway, entrance or window/ventilation opening will be screened from view of Anderson Drive with broad leaf evergreen shrubs no less than 1'-6" in height at the time of planting which shall grow to no less than 2'-6" within three years and located no further apart than 6' on center.

7. Screening of western end of parking lot with loblolly pines and pine bark mulch. If the property is developed for residential dwelling units, this condition will not be applicable. Instead, the western side of the any parking area shall be planted with broad leaf evergreen shrubs no less than 36" in height at the time of planting and located no further apart than 10' on center.

8. Business conducted wholly within the building; no curbside service, drive-in trade, outdoor facilities or outdoor service except in connection with a drive-in bank or a laundry or dry-cleaning pick-up station, motor and registration service.

9. No automotive service and repair facility.

10. No emergency type A shelter.

11. No used car lots.

12. No adult establishments.

13. Signs limited to those permitted in office and institutional zoning districts (Section 10-2039).

14. Ground signs pursuant to Section 10-2065.2 (c).

15. Projection signs pursuant to Section 10-2065.2

16. Flood and display lighting shall be shaded, shielded or directed so that the light intensity or brightness shall not disturb surrounding premises and shall not exceed .4 maintained foot candle illumination.

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17. If the property is developed for residential dwelling units, a greenway dedication shall be made to the City of Raleigh of those areas of the property that lie within the area defined as "floodway." Such dedication shall be deemed to be full and complete satisfaction of the property owner's requirement to dedicate greenway along the Crabtree Creek Greenway Corridor, contingent upon City Council approval. If the property is developed for non-residential uses, the greenway area as approved by City Council shall be reserved per the Facility Fee Ordinance requirements.

18. If the property is developed for residential dwelling units, no greater than twenty-four units shall be built on the property.