

Z-56-94 Gorman Street, east side, north of Thistledown Drive, being Parcel 1641, Tax Map 0783.20, Block 90, rezoned to Neighborhood Business Conditional Use District.

Conditions:

1. Upon development, stormwater discharge shall comply with the provisions of CR 7107.
2. Upon successful rezoning, Petitioner will apply for voluntary annexation into the City of Raleigh corporate limits.
3. Uses will be limited to all those allowed in the Residential Business Zoning District, but will also include automotive service facilities and restaurants with drive-thru windows.
4. No more than one vehicular access point (public or private) will be allowed to Gorman Street and no more than one to Thistledown Drive.
5. Building height shall not exceed a single story (fifteen feet).
6. A six foot high wooden fence shall be constructed and maintained on or within ten feet of property boundaries shared with Wake County PIN #s 783.20 90 4902, 783.20 90 4801, 783.20 90 3697, 783.20 90 4483. Adjacent to the fence evergreen species, such as Leyland Cypress shall be planted on Six to eight foot centers.
7. To supplement the minimum street protective yards otherwise required by the Raleigh City Code,

Where there is a vehicular use area between the right-of-way and a permanent building, the streetscape shall provide a semi-opaque screen or barrier between the right-of-way and the vehicular use area. The screen or barrier may consist of plants, earthen berms, fences, walls, or any combination thereof which meets the following requirements:

- a. The screen shall occupy 75 percent of the length of the vehicular use area except for sidewalks and driveways which cut through the screen to connect the vehicular use area to streets and other properties. Plant material shall be at least two feet tall above the ground at the time of installation.
- b. Berms may be used or installed in lieu of or in addition to plantings. If the berms does not meet the performance standards of this Section then plant materials shall be installed which meet these performance standards. The installation of additional plant materials will be encouraged so as to enhance the visual and aesthetic qualities of the streetscape.

ORDINANCE NO. (1994) 489 ZC 353

Effective: 9-6-94

8. Exterior lighting shall be aimed and/or shielded so as to prevent direct view of the light source from adjacent lots listed in Subsection f above. Light poles within fifty feet of the common boundary with those lots shall not exceed twenty-five feet (25') in height.

9. All refuse container(s) shall be screened so as not to be visible from the public street right-of-way.

10. Heating ventilation and air conditioning units shall be screened so as to prevent direct view from adjacent lots listed in Subsection f above or from the public street right-of-way. No mechanical or electrical equipment shall be visible above the building roofline.

11. Concurrently with its filing with local government review agencies, a copy of any grading plan and/or initial building permit application for the subject property shall be forwarded by certified mail, return receipt requested, to the parties listed by the Wake County Tax Office as owners of the lots listed in Section f above and to the chairman of the West Raleigh CAC at the address listed with the City of Raleigh Clerk's office.

12. Right-of-way, if any, needed for the future widening of Gorman Street and Thistledown Drive will remain at R-10 value for reimbursement purposes.