

**Z-8-99 Saint Albans Drive** and Wake Forest Road, northeast intersection, being Wake County Tax Map Parcel 1715.06 37 2644. Approximately 1.3 acres rezoned to Neighborhood Business Conditional Use.

Conditions: (03/17/99)

For purposes of these conditions, Wake County Tax Parcel 1715.06 37 2644 shall be referred to as the "Property."

1. Development of the Property will comply with the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission dealing with the control of stormwater.
2. There will be no direct beaming of light from the Property into any adjoining residential dwelling.
3. There will be no trash or garbage pickup or landscape maintenance utilizing mechanical equipment on the Property prior to 8:00 a.m. on any weekday or 10:00 a.m. on any Saturday or Sunday.
4. The following uses will be prohibited upon the Property: automotive service and repair facility; outdoor sales of gasoline or gasoline pumps; grocery store; auto parts store; commercial parking deck, garage, or parking lot operated as an independent business; individual mini-warehouses; multi-family dwelling units of any kind; video sales/rental facility; billiard parlor; bar, nightclub, tavern or lounge; adult establishment; supermarket; or eating establishment. No business of any nature shall operate upon the Property between the hours of midnight and 6:00 a.m.
5. Reimbursement for future right-of-way dedication shall be based on O&I-2 values.
6. 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.
7. At least fifty percent (50%) of the exterior walls of any building constructed upon the Property shall be constructed of brick and any such building shall have (or when viewed from the ground level of adjoining properties shall appear to have) a pitched roof.
8. To supplement the minimum street protective yards otherwise required by the Raleigh City Code, where there is a vehicular use area between the Wake Forest Road 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% 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 (2') tall above ground at the time of installation, achieve four feet (4') within three years and be permanently maintained thereafter.
- b. Berms may be used or installed in lieu of or in addition to plantings. If the berm does not meet the performance standards of this section, then plant materials shall be installed which bring the screen up to these performance standards.