

Z-50-98 Trinity Road, south side, east of Edwards mill Road Extension, being Wake County Tax Parcel 0784.09 15 5601. Approximately 8 acres rezoned to Industrial-1 Conditional Use.

Conditions: (07/13/98)

A. Greenway area will be provided along Richland Creek and Tributary B of Richland Creek as set forth in the Southwest District Plan of the Comprehensive Plan for the subject property.

B. Upon development, stormwater from the rezoned area will be controlled and released according to provisions of CR-7107.

C. Permitted Uses

1. Permitted General Uses:

- a. Bank, but excluding drive-thru or outdoor walk-up ATM's.
- b. Bar, nightclub, tavern, lounge, but only as accessory use within the principal building(s).
- c. Beauty, nail and manicure, cosmetic art and barber shop, however, shops affixing tattoos or providing body piercing (other than in ear lobes) are prohibited.
- d. Church, synagogue or religious education building.
- e. Day care facility
- f. Eating establishment - all kinds, together with bar, tavern, lounge, and/or night club uses only as accessory use or uses to eating establishment(s).
- g. Food store - retail
- h. Hotel/motel - all kinds (together with bar, tavern, lounge, and/or night club uses only as accessory use or uses to hotel/motel), provided that all rooming, lodging or dwelling units be accessed through interior corridors.
- i. Office, agency and studio of a professional or business agent or political, labor or service association including but not limited to those offices specified in Code Section 10-2071 together with other professional or service office, studio or agencies not otherwise listed in said Code Section which are permitted in the F-1 Zoning District.
- j. Recreational use - restricted to membership - profit and not for profit, but only as accessory use.
- k. Recreational indoor use, but only as accessory use.
- l. Recreational outdoor use, but only as accessory use.
- m. Retail sales
- n. Riding stable
- o. Schools, except private or parochial school (elementary, middle and high).
- p. Utility services as provided in Code Section 10-2002, however, electrical power and gas substations are prohibited.

2. Permitted Condition Uses:

- a. Office center
- b. Private or parochial school (elementary, middle and high)
- c. Unit ownership (condominium) development as defined in Code Section 10-2002.
- d. Governmental office building and grounds
- e. Shopping area
- f. Shopping Center

3. Permitted Special Uses:

None

All other general, conditional and special uses usually permitted in the I-1 (Industrial-1) Zoning District as set forth in the Raleigh City Code which are not specified hereinabove are prohibited. Additionally, no use of this property shall require off-site parking nor shall this property be utilized as accessory parking for any off-site use.

D. Buffer

There is hereby established a Buffer Area 50 feet in width contiguous to the existing Greenway Easement 50 feet in width located in the southern portion of the subject property as said 50 foot width Greenway Easement is shown upon that map recorded in Book of Maps 1996, Page 1835, Wake County Registry. The Buffer Area will be preserved undisturbed in its existing condition except as follows:

- 1. The removal of diseased, dead or dangerous vegetation and trees from this area as needed will be permitted.
- 2. The installation of drainage facilities and/or underground utility lines such as water, sewer, electric, cable or telephone lines in or across the Buffer Area as may be required for the development of the subject property is permitted, however, any area(s) therein necessary for retention/detention of stormwater shall be utilized as dry storage area(s) for the temporary storage of stormwater. The dry storage area(s) shall be planted with trees and shrubs in accordance with the recommendations of the Arborist of the City of Raleigh.
- 3. There shall be planted within the Buffer Area such supplemental evergreen trees and evergreen shrubs as necessary to comply with the applicable landscape ordinance of the City of Raleigh.
- 4. Prior to the commencement of tree removal or grading upon the subject property, a standard soil erosion fence consisting of orange or yellow colored material shall be erected along the north line of the Buffer Area as a line of demarcation between the Buffer Area and the portion of the site which is to be developed.

E. Refuse Collectors

No dumpster(s) primarily serving an eating establishment or food store upon the property shall be located within 300 feet of the south line of the property (i.e. its common line with the property of The Raleigh School, Inc. {Pin# 0784.13 14 3758}) and all dumpster(s) located upon the property shall be screened on three sides by a wall or closed wood fence of sufficient height to screen the dumpster from view from each of the three sides, one of which must be the south side.