

**Ordinance 909 ZC 773**  
**Effective 1/8/19**

**Z-13-18 – New Bern Avenue and Corporation Parkway**, north of New Bern Avenue and bounded by New Bern Avenue, Corporation Parkway, and New Hope Road, at 0, 411, 4201 New Bern Avenue and 1412 Corporation Parkway, being Wake County PINs 1724960124, 1724868905, 1724868153 & 1724862746. Approximately 32.82 acres are rezoned to Commercial Mixed Use-3 stories-Parking Limited-Conditional Use (CX-3-PL-CU).

Conditions dated: January 4, 2019

1. The following principal uses shall be prohibited on the property: adult establishment. Additionally, the following land uses shall be prohibited within 500 feet of the Village at Beacon Hill subdivision: telecommunication tower – all types; outdoor recreation – all types; bar, nightclub, tavern, lounge; detention center, jail, prison.
2. Those trees located on the property within 25 feet of the New Bern Avenue right-of-way shall be maintained. Removal of trees within this area shall be permitted when a tree is unhealthy, diseased, dead or hazardous or where removal results from the provision of a pedestrian connection to New Bern Avenue, a transit easement or improvement, or a public or private easement required by a governmental entity.
3. Those trees located on the property within 35 feet of the N New Hope Road right-of-way shall be maintained. Removal of trees within this area shall be permitted when a tree is unhealthy, diseased, dead or hazardous or where removal results from the provision of a pedestrian connection to N New Hope Road, a transit easement or improvement, or a public or private easement required by a governmental entity.
4. If requested by the Transit Division at the time of subdivision or site plan approval, the owner shall provide the City of Raleigh a transit easement measuring no greater than 15 feet by 20 feet (or such lesser dimension as approved by the City) prior to building permit issuance. If requested by the Transit Division, the owner shall install prior to the issuance of a certificate of occupancy those transit easement improvements (such as bus shelter pad, bus shelter, bench, lean bar and trash receptacle) requested by the Transit Division. The location of the easement shall be approved by the Transit Division and the written deed of easement shall be approved by the City Attorney.