

Ordinance (2012)119ZC679

Effective: November 6 2012

Z-36-12 (SSP-8-12) – Hillsborough Street & Enterprise Court Conditional Use is located on the north side of Hillsborough Street, east of its intersection with Enterprise Street being PINs 0794-91-7521, 0794-91-8424, and 0794-91-8535. Approximately 0.95 acres to be rezoned from Residential-20, and Neighborhood Business with Pedestrian Business overlay to Neighborhood Business Conditional Use District with Pedestrian Business Overlay.

Conditions Dated 10/24/12

Narrative of conditions being requested:

1. The following principal uses shall be prohibited on the property:

- riding stable - all
- outdoor stadium/theater/amphitheater/racetrack - all
- rifle range - all
- cemetery
- correctional/penal facility - all
- crematory
- funeral home
- hospital
- orphanage
- adult establishment
- car wash facility
- exterminating service
- kennel/cattery
- heliport - all
- airfield/landing strip
- mini warehouse storage facility
- parking facility - principal use
- automotive service and repair facility
- landfill – all

2. Development of the property shall conform to the provisions of the Streetscape Plan for University Village on Hillsborough Street, adopted May 23, 1986 and as amended thereafter, in effect as of the date of this rezoning ordinance and including any amendments to the Streetscape Plan adopted by this rezoning ordinance (the “University Village Streetscape Plan”).

3. All outdoor pole-mounted light fixtures shall be full cut-off design and shall be directed away from those properties with Wake County Parcel Identification Numbers 0794-91-7624 (DB7492, PG1) and 0794-91-8631 (DB14354, P02693).

4. The above-ground portion of any principal or accessory building shall not be located within 5 feet of the common property line with those properties with Wake County Parcel

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Identification Numbers 0794-91-7624 (DB7492, PG1) and 0794-91-8631 (DB14354, PG2693).

5. For that side of a parking deck facing the properties with Wake County Parcel Identification Numbers 0794-91-7624 (DB7492,PG1) and 0794-91-8631 (DB14354, PG2693), the parking deck shall include a solid wall at least 42 inches in height as measured from the top of each parking surface.

6. In the event a parking deck is located on the Property, and there is no intervening use or building between the parking deck and the common property line with that property with Wake County Parcel Identification Number 0794-91-8631 (DB14354, PG2693), and such adjacent property contains a detached residential unit, then those trees required as part of a transitional protective yard located between the parking deck and the common property line shall be at least 3 inches in diameter at the time of installation and shall be evergreen.