

Z-45-87 Creedmoor Road, west side, between Morgan's Way and Strickland Road, being Parcels 19, 24, 25 and 97, Tax Map 301, rezoned to Shopping Center Conditional Use District.

CONDITIONS: EXHIBIT B-1 (Amended May 15, 1987)

B. Uses and/or maximum number of dwelling or rooming units to be allowed:

SC CUD. All uses permitted in the corresponding general use district (10-2043) SAVE AND EXCEPT residential uses (10-2043[1][a]) and tourist courts, motels and hotels (10-2043[1][f]), adult establishments (10-2043[1][g]), individual storage facilities (10-2043[1][h]), garages and filling stations (see 10-2043[1][c]) and emergency shelters.

The subject properties will contain no dwellings or rooming units.

C. Narrative of conditions being requested:

1. Height Limitation: SC CUD. Maximum building height shall be twenty-five (25) feet measured as per the site standards for O&I-III (10-2037).

2. Transitional Protective Yards (outlined in Yellow on Exhibit C:

(i) On-site: SC CUD (Tax Parcels 301-19 and 97 only). There is imposed upon the southern and western lines of Parcel 301-19 and the western line of parcel 301-97 a protective yard (as defined in Code Section 10-2002) thirty feet in width. *(see below)

(ii) Off-site: SC (Tax Parcels 301-212 and 86). There is imposed upon the southern and western lines of Parcel 301-212 and the western line of Parcel 301-86, a protective yard (as defined in Code Section 10-2002) thirty feet in width.

3. Reservation of Slope Easement. Petitioner reserves an area twenty (20) feet in width abutting both the on-site and off-site fifteen (15) foot width street dedication (measured 45 feet from the centerline of N.C. Highway 50) accomplished by its recordation of that map recorded in Book of Maps 1987, page 608, Wake County Registry, which reservation shall be at no cost to the public and shall be for the purpose of a temporary slope easement during the construction process.

*2(i) cont. Additionally, there is imposed upon Tax Parcels 301-19 and 97 the protective yard outlined in red upon Exhibit D. With this imposition .689 acre of the total area of 1.057 acres of these two tax parcels is committed to protective yard, leaving a net area of .368 acre, and as indicated upon Exhibit D.

4. Limitation of Access: SC CUD (Tax Parcels 301-24 and 25 only). Outparcels combined or subdivided from Tax Parcels 301-24 and 25 shall not be permitted to access directly onto N.C. Highway 50, vehicular ingress and egress thereto being

ORDINANCE NO. (1987) 23 ZC 217
Effective: 7-21-87

available only from interior street circulation and/or collector streets serving adjacent properties, approved by the City through the subdivision and/or site plan process.

Additionally, frontage upon N.C. Highway 50 south of Brennan Drive between and including Tax Parcel 301-86 (off-site) and Tax Parcel 301-25 (on-site) shall be limited to not more than two access points for vehicular ingress and egress (excluding Brennan Drive).

5. Restrictions Upon Issuance of Certificates of Occupancy (hereinafter "CO").

SC CUD (Tax Parcels 301-24 and 25 only). No COs will be issued by the City of Raleigh for structures constructed upon out parcels combined or subdivided from Tax Parcels 301-24 and 25 until such time as street improvements are completed by Petitioner in accordance with the regulations and policies of the City and North Carolina Department of Transportation, as appropriate, upon N.C. Highway 50 adjacent to these parcels and the off-site parcels (Tax Parcels 301-86, 22, 57, 23 and 212) or alternatively, Petitioner pays the fee for said street improvements (as determined by the City) if instructed by the City to do so in lieu of making said improvements.

6. Limitation of Lot Coverage: SC CUD (Tax Parcels 301-24 and 25 only). Maximum building lot coverage for buildings constructed upon Tax Parcels 301-24 and 25 shall be twenty (20%) percent for one-story buildings and fifteen (15%) percent for all other buildings (however, maximum building height shall be twenty-five [25] feet).