

Conditional-Use (CU) Conditions applicable to the 2 Main Parcels on Grant Ave

ORDINANCE (1997) 69ZC407

Effective: March 4, 1997

Z-7-97 Grant Avenue, north & south sides, being Lyon Street and Baez Street, north of Wade Avenue, being Map 1704.09 07 2396, 3013, and 5346. Approximately 10 acres rezoned to Residential-15 Conditional Use. Subsequently rezoned to RX-3 (Rezoning Case Z-027-14)
(However, prior Conditional-Use conditions still apply)

Conditions: 2/25/97

1. Should buildings A & B, as indicated on the attached Exhibit A, be removed by the owner as part of a redevelopment plan, said owner shall offer to enter into a private cross-access agreement with properties to the south identified by PIN #1704.09 06 0655 and 1704.09 06 1624. Destruction of those buildings marked A & B due to fire or some act of God shall not obligate owner to offer private cross access.

2. Concurrent with an application for site plan approval, the property owner shall provide to the city a tree preservation plan. This plan shall detail all trees greater than 5" in diameter as measured 4 1/2 feet from the ground within 30 feet of the right of way of Grant Avenue. a maximum of 50% of the surveyed trees may be removed due to the following:
 - a. Storm drainage facilities, erosion control devices, electric, driveways, city-approved parking, telephone, cable television and similar installations (fiber optic cable, etc.), gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate local government authority. Any such construction shall be designed and undertaken so as to create as little disturbance of the buffer as possible while still honoring public service, health and safety requirements.

 - b. Treatment or removal of nuisance or diseased vegetation. To illustrate, but not limit, the foregoing: trees which encroach upon property boundaries or whose limbs hand over adjacent properties, overhead electric lines, streets or drives may be removed. Trees infested with or threatened by pine bark beetles, similar pests or other blight may be removed.

3. No renovations to existing buildings on the subject property shall exceed forty-five (45) feet in height and no new building shall exceed forty (40) feet in height.

4. All refuse containers will be screened from public view from public street rights-of-way or adjoining property.

Conditional-Use (CU) Conditions applicable to the R-10 Townhome Parcel on Chester Road

ORDINANCE (1997) 186 ZC 419

Effective: September 2, 1997

Z-56-97 Chester Road, west side, north of Wade Avenue, being Wake County Tax Parcel 1704.09 06 7948. Approximately .7 acre rezoned to Residential-10 Conditional Use with Neighborhood Conservation Overlay District.

Conditions: 8/14/97

1. Development of the property will be in compliance with City of Raleigh Planning Commission Certified Recommendation No. 7107.
2. Redevelopment of the property will be for townhouse use.
3. During redevelopment of the property, there will be active tree protection along a line twenty (2) feet from the rear or western lot line.