

Ordinance: 534 ZC 631
Effective: February 3, 2009

Z-9-09 Conditional Use – Leesville Road and Westgate Road located on the west side of Leesville Road, southeast of its intersection with Westgate Road, being Wake County PIN 0788038663. Approximately 2.06 acres rezoned to Office & Institution-1 Conditional Use District.

Conditions Dated: 01/28/09

1. No uses containing drive-thru services shall be permitted on the subject property.
2. Building height shall not exceed two stories or 35 ft. maximum height. The primary building material shall be brick, stone, masonry or similar high quality material. As used in this Condition 2., “primary material” shall mean the material that is used more than any other single material on the building.
3. Only office or institutional uses shall be permitted on the subject property.
4. Prior to subdivision approval or issuances of a building permit, whichever shall first occur, the owner of the subject property shall have a qualified engineer certify to the City planning department whether the stream located along the subject property’s boundary with the parcel located to the immediate south (having Wake County Parcel Identification Number 0788-03- 9354, Book 10255, Page 1398, Wake County Registry) (the “Kinder Care Parcel”) is a “blue line” stream that is subject to the Neuse River buffer rules in affect as of the effective date of this ordinance. In the event that such stream is certified not to be a blue line stream, then the owner of the Property shall cause to be recorded in the Wake County Register of Deeds an offer of cross access establishing vehicular and pedestrian access over and upon the Property in favor of the Kinder Care Parcel. In the event that such stream is certified as a blue line stream, then the owner of the subject property shall have no further obligation pursuant to this condition and may request a letter from the City confirming that this condition is null and void and of no further force and effect.