Z-01-06 – Old Wake Forest Road and Triangle Town Boulevard on the north side of Old Wake Forest Road, NE of its intersection with Triangle Town Boulevard being Wake County PIN 1727816589. Approximately 72.27 acres rezoned to Shopping Center Conditional Use with Special Highway Overlay District-1.

Conditions: 05/24/06

A. The development of the subject property shall conform to the Concept Plan attached hereto and incorporated herein by reference as provided for in Code Section 10-2165(d)(8).

B. The following uses otherwise permitted in the Shopping Center zoning district as provided in the Schedule of Permitted Land Uses found in Code Section 10-2071, shall be prohibited:

1.) Adult establishments
2.) Airfields, landing strips or heliports
3.) Electrical generating plants
4.) Uses defined as Retail Sales — Highway within 400 feet of the rights-of-way of Old Wake Forest Road and Triangle Town Boulevard.

C. If desired by the City, at subdivision or site plan, which ever first occurs, the property owner shall make available at least two (2) 20-foot by 15-foot transit deeds of easement to support a bus stop along Old Wake Forest Road, Triangle Town Boulevard, or some other internal street (whether public or private). The specific location of such easements shall be approved by the Transit Division of the City at the time of subdivision or site plan approval.

D If desired by the City, at subdivision or site plan, which ever first occurs, the property owner shall offer a cross-access easement to the property immediately north which fronts on Triangle Town Boulevard (PIN 1727720976 - Ethel Limited Partnership Deed Book 4061, Page 212 Wake County Registry) and the properties to the east which front on Old Wake Forest Road (PIN 1737023461 - Thomas C. Hendrickson, Trustee Deed Book 3900, Page 622, Wake County Registry; and PIN 1727917331 — Christ Covenant Church of Raleigh Deed Book 8182, Page 469, Wake County Registry).

E. The development of the subject property shall include at least the following uses as shown on the Concept Plan: residential, office, civic and retail.

F. The development of this property shall comply with those key elements of the Urban Design Guidelines as shown on the attached Concept Plan and as set forth in the Narrative attached hereto and incorporated herein by reference.

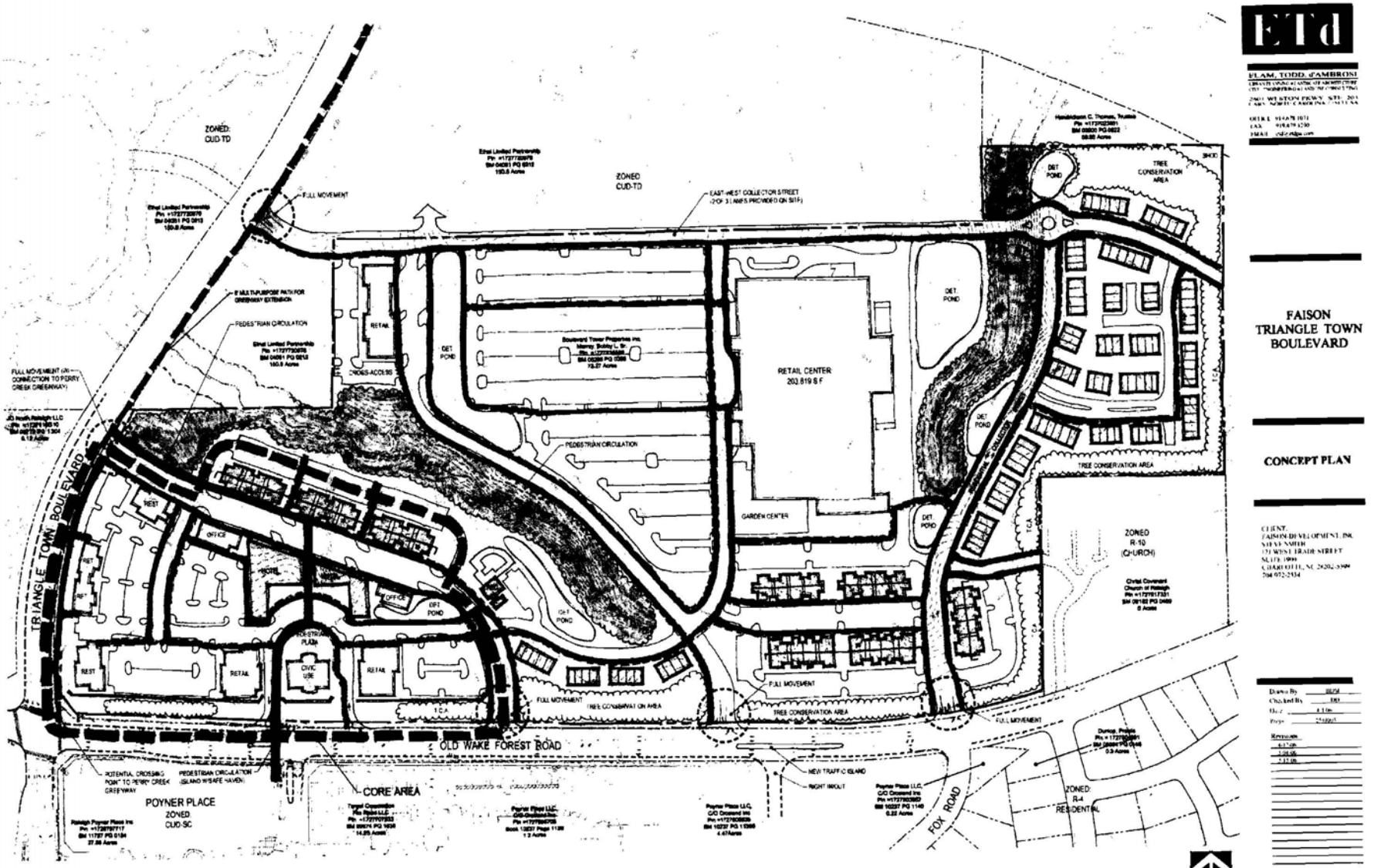
G. Reimbursement for any required right-of-way dedication shall remain at R-10 value.

H. Any retaining walls along and visible from Old Wake Forest Road shall have a maximum height of fifteen (15) feet above any adjacent sidewalk, with plantings in front of them. If grades require taller walls, they shall be stepped, with a maximum height of fifteen (15) feet per step. Each step shall be of sufficient depth to allow for planting in front of each wall, but not less that three feet in width. Where exposed retaining wall faces exceed 6 feet in height, trees shall be planted at the base of the wall at the rate of 1 canopy tree per 50 linear feet of wall or 2 medium-sized ornamental trees per 50 linear feet of wall. Where exposed wall faces are sub - 6 feet in height, shrubs will be planted at the base of the wall at a rate of 1 shrub per 5 linear feet of wall. Plant size at installation will conform to City of Raleigh standards for VSA planting.

I. Retaining walls, if any, along and visible from Old Wake Forest Road shall be of same or similar masonry materials as the nearest principal building, specifically permitted as "similar" would be segmental masonry for walls where color selections are coordinated with building materials.

J. Outdoor area and parking lot light fixtures in mixed use and residential areas shall be of full cutoff design.

K. Prior to preliminary site plan or subdivision submittal on any portion of this property, a traffic impact analysis (TIA) on the entire property based upon the Concept Plan shall be filed with City of Raleigh's Department of Public Works. A TIA submitted prior to adoption of this ordinance based upon the Concept Plan shall satisfy this condition.



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