Z-94-00 on the south side of **Louisburg Road**, between Forestville Road and the Neuse River. Approximately 35 acres to be rezoned to Residential-6 Conditional Use (4.7 ac) and Neighborhood Business Conditional Use (30.3).

Conditions: 12/13/00

The following conditions shall apply to both the NB CUD and R-6 CUD.

1. All development shall comply with C.R. 7107 based upon R-4 zoning.

2. Reimbursement for future right-of-way dedications shall be based upon R-2 zoning.

3. Natural Areas

   A. A natural protective yard with an average width of fifty (50) feet and a minimum width of 25 feet shall be established along Highway 401. This natural protective yard shall begin at the boundary of the slope easement or proposed right-of-way line of Highway 401 required by the City at the time of development.

   B. A thirty (30) foot natural protective yard shall be established adjacent to High Meadows subdivision immediately to the south of the property.

4. Vehicular and Pedestrian Circulation

   A. Vehicular circulation will be installed substantially as shown on map entitled "U.S. 401/ Forestville Road Regional Analysis," and prepared by Aiken & Yelle Associates, PA, dated September 1, 2000.

   B. Sidewalks will be installed on both sides of the East-West Collector as shown on a map entitled "U.S. 401/ Road Regional Analysis," prepared by Aiken & Yelle Associates, PA, and dated September 1, 2000.

   C. At the time of site plan approval, a bus stop shall be made available to the City along U.S. 401 generally as shown on a map entitled "U.S. 401 /Forestville Road Regional Analysis," and prepared by Aiken & Yelle Associates, PA, dated September 1, 2000.

   D. Subject to approval of the Raleigh Department of Transportation, a landscaped island shall be installed within the East-West Collector at the point of transition between R-6 CUD and NB CUD zoning. The island shall be maintained by a property owners association to be established at the time of recording of the first residential lot. The purpose of the island shall be to calm traffic and provide a visual transition between uses.

5. Residential Uses

   A. A minimum of 30 dwelling units shall be developed prior to building permits being issued for more than 60,000 square feet of permitted retail uses as defined

by the City of Raleigh Code Section 10-2071. At the time non-residential lots are first recorded, a restrictive covenant approved as to form by the City Attorney will be recorded with the Wake County Registry. The covenant shall state this limitation and allocated to the non-residential lots the first 60,000 square feet of permitted retail uses

The following conditions shall apply to NBCUD only

6. Non-residential Uses

A. The maximum building setback for retail uses fronting on the East-West Collector, generally as shown on a map entitled "U.S. 401/ Forestville Road Regional Analysis," and prepared by Aiken & Yelle Associates, PA, dated September 1, 2000, shall be 60 feet. No more than one row of parking shall be permitted between the building and the sidewalk.

B. No more than 30,000 square feet of the permitted retail uses may be designed such that the primary entrance faces Highway 401.

C. Free standing signs shall be prohibited for retail uses located with the primary entrance facing the East-West Collector.

D. Retail uses shall not exceed 80,000 square feet.

E. No single retail user shall exceed 50,000 square feet.

F. Office uses shall not exceed 180,000 square feet.

G. No more than one hotel or motel shall be permitted on site. The maximum number of lodging units in said hotel or motel shall not exceed 150.

H. All HVAC units, mechanical equipment and refuse containers shall be screened by fencing, walls or landscape materials from view of any adjacent residential zoning district or any public right-of-way.

I. At the time of the initial site plan or subdivision approval, unity of development criteria shall be established for all non-residential uses assuring complementary architectural style addressing construction materials, color scheme, roof materials and landscaping.

J. Freestanding exterior lighting shall not exceed 20 feet in height. No exposed bulbs shall be utilized and there shall be no direct beaming of light onto neighboring properties or public right-of-ways.

(The map entitled "U.S. 401/ Forestville Road Regional Analysis" can be found in the case file located in the Planning Department.)