Z-57-05 – Spring Forest Road, north side, north of its intersection with Atlantic Avenue, being Wake County PINs 1716-88-3767; 1716-88-4957; 1716-88-1975; 1716-79-6254 (portion of); 1716-89-0178;1716-89-1198; 1716-89-2281; 1716-89-3280; 1716-89-4290; 1716-89-6200 and 1716-89-7263. Approximately 9.21 acres from Office & Institution-1 and Residential-4 to Shopping Center Conditional Use (3.37 acres) and Office & Institution-1 Conditional Use (6.16 acres).

Conditions dated: January 6, 2006

2. Narrative of conditions being requested for the SC-CUD property:

A. The following uses shall be prohibited (unless otherwise specifically noted):

(1) General uses:
- (a) Automotive service and repair facility;
- (b) Bar, nightclub, tavern, lounge;
- (c) Hotel, motel;
- (d) Movie theater (indoor and outdoor);
- (e) Utility substation.

(2) Conditional uses:
- (a) Carwash facility;
- (b) Emergency shelter;
- (c) Landfill;
- (d) Manufacturing – custom and specialized;
- (e) Mini-warehouse storage facility;
- (f) Telecommunication tower.

(3) Special uses:
- (a) All special uses approved by the Board of Adjustment as specified in Code Section 10-2144 are prohibited, save and except for yard encroachments and yard reductions which are permitted with Board of Adjustment approval.
- (b) All special uses approved by the Raleigh City Council are prohibited.

B. Upon development, provision for two (2) transit easements twenty (20) feet in width and fifteen (15) feet in depth shall be provided adjoining the Spring Forest Road and Atlantic Avenue rights-of-way. The City's Transit Division shall timely review and approve the location(s) for either or both transit easement(s) as part of the Site Plan or Subdivision approval process and prior to building permit issuance or lot recordation, whichever shall

first occur, the transit instrument approved by the City Attorney or his designee shall be recorded in the Wake Registry.

C. At the time of Site Plan submission, the three parcels (or the portions of said parcels) which are the subject of the SC-CUD portion of this case, will be recombined or in the alternative cross access will be provided between the three parcels.

D. From the date of submission to the City of Raleigh of the Site Plan or Subdivision Plan (whichever occurs first) for the development of these properties, or any of them, there shall be in effect offers of not less than two vehicular cross accesses, not less than two bicycle cross accesses, and not less than two pedestrian cross accesses to be located on the lines of the Kupferman tract (PIN No. 1716-88-4957; DB 5189, p. 861) and the Almond tract (PIN No. 1716-88-1975; DB 1903, p. 495) along their common lines with Action (PIN No. 1716-89-7263; DB 3378, p. 474), McKenzie (PIN No. 1716-89-6200; DB 10782, p. 2751), Rogers (PIN No. 1716-89-4290; DB 8551, p. 628), Williamson (PIN No. 1716-89-3280; DB 11247, p. 1330), Williamson (PIN No. 1716-89-2281; DB 10094, p. 978), Williamson (PIN No. 1716-89-1198; DB 11363, p. 2078), and Hall (PIN No. 1716-89-0178; DB 2796, p. 371), *i.e.*, a total of not less than two vehicular, bicycle and pedestrian cross accesses.

E. That for any building along Atlantic Avenue:

(1) At a minimum, twenty five percent (25%) of the total length of the building facade facing the street include transparent glazing (not black spandrel glass) at least three (3) feet in height.
(2) The building wall facing the street be articulated to a minimum six (6) inch depth or relief, a minimum of every forty (40) feet; and
(3) At least one (1) primary building entrance be provided facing Atlantic Avenue.

F. Upon the SC-CUD shall be located only one building with a lot coverage area not to exceed 14,900 square feet.

G. A sidewalk a minimum of seven (7) feet in width shall connect a building entrance facing Atlantic Avenue with the sidewalk adjacent to Atlantic Avenue and benches will be installed on each side of said connection sidewalk. Additionally, bicycle rack(s) shall be located within not more than forty (40) feet of a primary building entrance facing Atlantic Avenue, which rack(s) shall be of the inverted U or similar style and shall provide one bike space for every forty-five (45) car spaces.

3. Narrative of conditions being requested for the O&I-1 CUD property:

The following uses shall be prohibited (unless otherwise specifically noted):

A. General uses:
   (1) Funeral home;
   (2) Cemetery;
   (3) Hospital (medical/psychiatric/veterinary);
   (4) School (elementary, middle and high); and
   (5) Utility substation.

B. Conditional uses:
   (1) Emergency shelter;
   (2) Special care facility;
   (3) Private or parochial school (elementary, middle and high);
   (4) Telecommunication tower;
   (5) Temporary event.

C. Special uses:
   (1) All special uses approved by the Board of Adjustment as specified in Code Section 10-2144 are prohibited, save and except for yard encroachments and yard reductions which are permitted with Board of Adjustment approval and save and except for other professional offices not otherwise listed as allowed in the Office and Institution District by Code Section 10-2071 if approved by the Board of Adjustment.
   (2) All special uses approved by the Raleigh City Council are prohibited.

D. Buildings will be oriented to Dixie Forest Road (and Atlantic Avenue where applicable) with parking concentrated to the interior of the block, except as provided in Condition 4(B).

E. Bicycle storage racks will be located within not more than forty (40) feet of the entrance(s) of buildings located upon these properties, which racks shall be of the inverted U or similar style and shall provide one bike space for every forty-five (45) car spaces.

F. At the time(s) of Site Plan submission for the properties contiguous to the south right-of-way line of Dixie Forest Road [Acton (PIN No. 1716-89-7263; DB 3378, p. 474), McKenzie (PIN No. 1716-89-6200; DB 10782, p. 2751), Rogers (PIN No. 1716-89-4290; DB 8551, p. 628), Williamson (PIN No. 1716-89-3280; DB 11247, p. 1330), Williamson (PIN No. 1716-89-2281; DB 10094, p. 978), Williamson (PIN No. 1716-89-1198; DB 11363, p. 2078), Hall (PIN No. 1716-89-0178; DB 2796, p. 371) and Austin (PIN No. 1716-79-6254; DB 11355, p. 2435)], vehicular cross

access be provided to adjacent properties which are not the subject of the Site Plan submission.

G. Site plans for the development of properties contiguous to the south right-of-way line of Dixie Forest Road [Acton (PIN No. 1716-89-7263; DB 3378, p. 474), McKenzie (PIN No. 1716-89-6200; DB 10782, p. 2751), Rogers (PIN No. 1716-89-4290; DB 8551, p. 628), Williamson (PIN No. 1716-89-3280; DB 11247, p. 1330), Williamson (PIN No. 1716-89-2281; DB 10094, p. 978), Williamson (PIN No. 1716-89-1198; DB 11363, p. 2078), Hall (PIN No. 1716-89-0178; DB 2796, p. 371) and Austin (PIN No. 1716-79-6254; DB 11355, p. 2435)] shall feature a public sidewalk six (6) feet in width and a coordinated streetscape established by the first of these properties to obtain Site Plan approval.

4. Narrative of conditions being requested for both the SC-CUD property and the O&I-1 CUD property:

A. All exterior lighting and exterior light standards located upon the property shall be designed, located, aimed and/or shielded so that light is not projected directly into adjacent residential properties, in accordance with the provisions of Raleigh City Code Section 10-2089. Additionally, the height of light fixtures within transitional protective yards shall be limited to a maximum of twelve (12) feet.

B. No more than one double bay of parking shall be installed between any building and the Atlantic Avenue right-of-way.

C. Reimbursement for any required right-of-way dedications shall remain at the current O&I-1 value and R-4 value, as applicable.

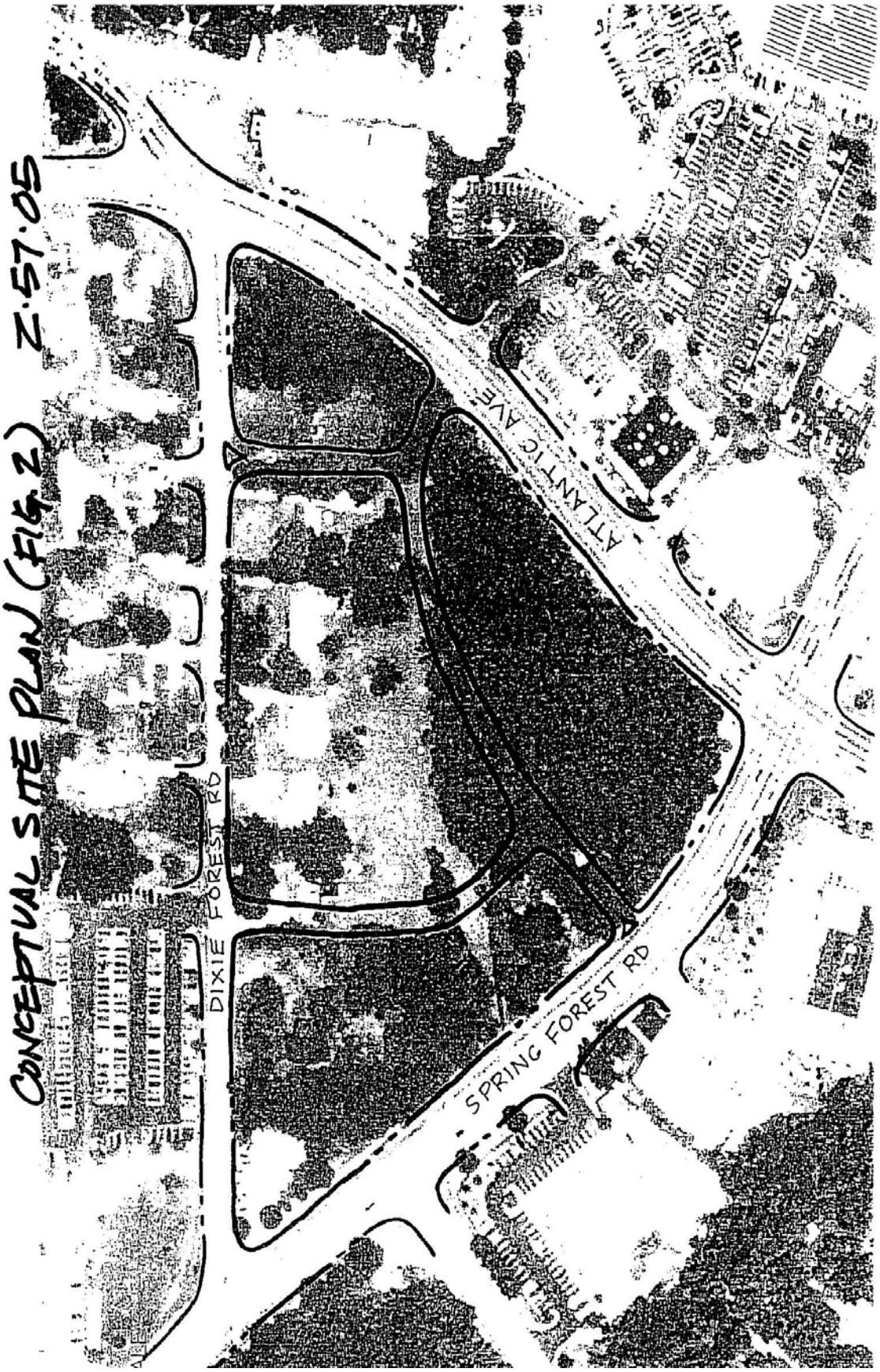
D. The Traffic Impact Analysis provided to the City's Public Works Department, Transportation Division, on October 14, 2005, and revised per the City's recommendations on October 31, 2005, establishes the general location and type of vehicular ingress/egress driveways for these properties with one (1) ingress/egress drive on Atlantic Avenue, one (1) ingress/egress drive on Spring Forest Road, and one (1) ingress/egress drive on Dixie Forest Road opposite the ingress/egress drive into the Wake County Board of Education property (Millbrook School Campus). Additionally, a second ingress/egress drive upon Dixie Forest Road shall be established as permitted by the North Carolina Department of Transportation and the Public Works Department, Transportation Division of the City in conjunction with future Site Plan request(s) for the development of the properties of Acton (Pin No. 1716-89-7263; DB 3378, p. 474), McKenzie (PIN No. 1716-89-6200, DB 10782, p. 2751) and/or

Rogers (PIN No. 1716-89-4290, DB 8551, p. 628) upon Dixie Forest Road.

E. There will be a driveway running generally in an east/west direction connecting the one ingress/egress drive on Atlantic Avenue with the one ingress/egress drive on Spring Forest Road [both referenced in Condition 4(D)]. This driveway will connect with the two vehicular/bicycle cross accesses required by Condition 2(D) as provided in the "Conceptual Site Plan" attached as Figure 2 in the revised Traffic Impact Analysis of October 31, 2005 referenced in Condition 4(D).

F. No drive-through window will be located adjacent to public streets and public sidewalks.

G. The development of all properties which are included within this rezoning case shall require Site Plan approval by the Raleigh Planning Commission (and additionally by the Raleigh City Council, if applicable).


CONCEPTUAL SITE PLAN (FIG. 2) Z-57-05
DIXIE FOREST RD
ATLANTIC AVE
SPRING FOREST RD