Z-67-2001 on the north side of **Mitchell Mill Road,** approximately 600 feet east of its intersection with Louisbury Road. Approximately 3.61 acres to be rezoned from Residential-4 to Shopping Center Conditional Use.

Conditions: 2/6/02

A. Reimbursement for future right of way dedications shall be based upon R-4 values.

B. Uses shall be limited to those allowed within the Neighborhood Business zoning district, except the following uses, otherwise allowed in the Neighborhood Business zoning district, which shall be prohibited:

1. Auto service and /or repair facility;
2. Adult establishment;
3. Landfill (debris from onsite);
4. Parking lot, deck, garage including motor pool;
5. Emergency shelter Type B;
6. Telecommunications Tower;
7. Airfield, landing strip and heliport;
8. Riding stable;
9. Correctional/Penal facility; and
10. Outdoor stadium, outdoor theater or outdoor track
11. Carwash.

C. All refuse containers and mechanical equipment shall be screened such that they are not visible from any public streets, rights-of-way, or residential zoning districts.

D. Any free-standing signs on the property will be low profile designs.

E. At the time of initial site plan approval, the property owners shall make available to the City an easement for a transit stop measuring fifteen feet (15') by twenty feet (20') along Mitchell Mill Road.

F. Any building shall be located within 25 feet of Mitchell Mill Road and the relocated Louisbury Road. No parking or vehicular surface shall be permitted in the area between the building and the right-of-way.

G. Buildings will be residential in scale and character. At the time of initial site plan approval, unity of development criteria shall be established assuring complimentary architectural style addressing construction materials, color scheme, roof materials and landscaping. Roof slopes of commercial buildings shall be a minimum of 6:12 slope, with dormers and windows.

H. The façade of any buildings located 25 feet or less from Mitchell Mill Road and relocated Louisbury Road shall face the street and have at least one entrance on the street side with a sidewalk connection to the public sidewalk in the right-of-way.

I. Residential density shall not exceed ten (10) units per acre.

J. Any development of this property shall be designed to facilitate the realignment of Louisbury Road along the eastern boundary of PIN No. 1747-76-3401 and PIN No. 1747-76-3124.

K. Upon completion of the relocated Louisbury Road, a street closing petition for Akron Drive/Pleasantville Road will be submitted for the right-of-way adjacent to the three lots on the site which is the subject of this rezoning.

L. No drive up windows shall be permitted to operate on the site between the hours of 7p.m. to 7a.m.

M. At the time of development, vehicular and pedestrian ways shall be constructed to the property adjacent to the west of this site (PIN # 1747-76-8297) and an offer of reciprocal pedestrian and vehicular cross-access easement will be made to the property adjacent to the west at the time of site plan approval or subdivision approval, whichever shall first occur.

N. A minimum 25 foot protective street yard will be provided and maintained along Mitchell Mill Road and the relocated Louisbury Road for any new development, planted to SHOD-4 standards.

O. The initial site plan for all non-residential uses submitted to the City for this site shall be subject to Planning Commission review and approval in the same manner as set forth in 10-2132.

P. Where there is a conflict between the approval processes described in the Shopping Center zoning district and the Neighborhood Business zoning district, the more restrictive approval process will apply.

Q. The pedestrian-friendly streetscape in Wake Crossroads area shall include the following elements: (1) upon development plantings meeting the requirements of a SHOD-4 shall be installed along thoroughfares for the width of the building setback; (2) sidewalks shall be a minimum of 5 feet in width; (3) the area where public sidewalks cross private driveway accesses shall be constructed of the same material as the sidewalk, subject to approval of the material by Raleigh Department of Transportation; and (4) sidewalks shall connect main entrances to the public sidewalk located in the right-of-way.

R. In order to encourage vertical and horizontal mixed use, no more than 20,000 square feet of retail land uses shall exist on the site except in conjunction with an office, institutional or residential use.

S. Drive-throughs, gas pumps, canopies and other accessory structures shall be located behind any building located at the corner of Mitchell Mill Road and relocated Louisbury Road or more than 75 feet from the right-of-way of Mitchell Mill Road and relocated Louisbury Road

T. If the building located at the corner of Mitchell Mill Road and relocated Louisbury Road exceeds 5,000 square feet, then the narrow façade shall front Mitchell Mill Road and long façade shall front relocated Louisbury Road, provided, that a square, L or triangular-shaped building may have facades of equal length fronting Mitchell Mill and relocated Louisbury Roads.