

**Z-42-91 Falls of Neuse Road**, east side, extending through to Old Wake Forest Road, just north of the intersection being Parcels 706 and 707, Tax Map 409, rezoned to Shopping Center Conditional Use District.

CONDITIONS:

1. Petitioner shall construct along the entire frontage a right turn lane for northbound traffic on Falls of the Neuse Road to exit onto Pacific Avenue; said lane to be constructed within the existing right-of-way and in accordance with the standards of the City of Raleigh and North Carolina Department of Transportation;
2. A fifty-foot landscaped buffer strip shall be installed along the right-of-way of Falls of the Neuse Road, equivalent in intent to Code Section 10-2022 Conservation Buffer District, permitting all uses set forth in said section, except that such buffer strip SHALL NOT deprive the subject property of vehicular access to and from Falls of the Neuse Road; said buffer shall incorporate a berm, or berms, large trees and vegetation to restrict the view of parked cars from vehicular passengers on Falls of the Neuse Road at a minimum, meeting the standard set forth in section 10-2068.5(b)(2)d].
3. Petitioner shall dedicate a thirty-five foot multi-purpose easement (sidewalk, utility traffic control sign, etc.) parallel and adjacent to Falls of the Neuse Road.
4. Transportation improvements shall meet the requirements contained in the SC-5-90 approval documents, approved by Council on June 18, 1991.
5. Prohibited Uses:  
There may be all uses permitted in a Shopping Center District except for residential dwellings, automotive service and repair facilities, mini-warehouse storage facilities, grocery stores larger than 20,000 square feet, restaurants with drive-in, drive-through service, adult establishments, riding stables, movie theatres seating more than two hundred (200) persons, pool halls, game rooms or arcades, laundromats, or convenience food products stores with accompanying gas pumps.
6. Property fronting Falls of the Neuse Road shall be limited to one (1 ) right-in, right-out only access. Said access shall be designed to prohibit left turns onto and off of Falls of the Neuse Road.
7. Petitioner shall construct, at their cost, an additional lane off-site at the intersection with and south of the intersection of Old Wake Forest Road with Falls of the Neuse Road, as depicted by approved transportation improvements plans contained in SC-5-90. This lane shall be within right-of-way provided by the City of Raleigh and in accordance with the standards of the City of Raleigh and the North Carolina Department of Transportation.

**ORDINANCE NO. (1992) 919 ZC 304**  
**Effective: 2-4-92**

**8. Mixed Office and Retail Use:**

There may be mixed use of office and retail space not to exceed 240,000 square feet of total gross building space;

- a. There may be no more than 140,000 square feet of retail building space in one and/or two story structures;
- b. There may be no more than 100,000 square feet of gross building space for office use, in no more than five stories;
- c. If a parking structure is built, it will be partly subterranean and no more than three stories may be above ground level;

**9. Storm Water Management Plan:**

Petitioner will prepare a storm water management plan, including an evaluation of the offsite, downstream drainageways and receiving facilities and have such plan reviewed by the Conservation Officer and incorporate specific conditions in development plans as necessary to alleviate potentially negative impact downstream.