

4. **TCZ-9-23 – 0 Poole Road, 914 Dowling Road**, located at the southeast corner of the intersection of Poole Road and the I-440 Beltline, being Wake County PINs 1723649328, 1723742383. Approximately 6.96 acres rezoned to Commercial Mixed Use 3 stories, Conditional Use, with Special Highway Overlay District (CX-3-CU w/ SHOD-1) (text change).

Original Conditions dated: June 5, 2002 (Z-23-02 - Ordinance No. (2002) 233 ZC 520 adopted/effective June 18, 2002)

1. Reimbursement for any additional Right of Way dedication shall be based on R-6 value.
2. Principle access to the property shall be from Old Poole Road and Dowling Road. Access from Poole Road shall be limited to a maximum of one “right-in; right-out” driveway for the entire frontage.
3. There shall be no more than one single double bay of parking between Poole Road and buildings adjacent to it.
4. Any future Site Plan submitted on the property shall include a Traffic Impact Analysis.
5. That a thirty-foot (30’) minimum transitional protective yard be provided on the south side of the combined properties (adjacent to residential property having PIN #1723.15-63-7837).
6. That SHOD-I yard be extended along Poole Road to its intersection with Old Poole Road (Currently, the SHOD-1 regulations only apply to the first 200 feet from the intersection of Poole Road and the Beltline).
7. That no gas pumps be located between any associated building and the adjacent streets (with the exception of the I-440 Beltline). However, such gas pumps shall not be visible from the I-440 Beltline, but shall be located between the associated building and the I-440 Beltline.
8. Buildings shall be of 100% brick construction with pitched roofs, having a minimum pitch of 4:12. Building materials shall be consistent with the Credit Union building directly opposite the site.
9. That the same building materials used on the front façade of building be extended around all other sides of the building.
10. That any permitted ground sign shall be limited to a “low profile sign”.
11. That all refuse containers and mechanical equipment be fully screened from public view and the adjacent properties, and that screening be of a design and materials consistent with those of the principal building.
12. If requested by City of Raleigh’s Transit Division, a transit stop easement beside Poole Road of 15’x20’ shall be included in any site plan submitted on subject property.
13. This Petition covers two separate properties; however, prior to the submission of any building permit, the properties shall be re-combined into a single tract.
14. Any exterior sound systems i.e. restaurant speakers, shall be directed away from adjoining property and Poole Road, Old Poole Road and Dowling Road.

15. The following uses shall be prohibited upon the property:  
Adult establishment; bar; nightclub; tavern or lounge, except in association with a hotel/motel; utility service substation; telecommunications tower; outdoor movie theater; outdoor racetrack or stadium.
16. Car washes as a principal use shall be prohibited; however, a single bay car wash associated with a principal use and attached to the principal use building shall be permitted.

Amended Conditions dated: May 19, 2023

1. Vehicular access from Poole Road shall be limited to a maximum of one “right-in; right-out” driveway for the entire frontage.
2. That a Neighborhood Transition Zone A Type 2 Protective Yard (3.5.3.B) of an average minimum width of twenty-five feet (25’) be provided along the southern property line (adjacent to residential property having PIN #1723637837, being lot 8 in Wake County Book of Maps 1941 page 45).
3. That any permitted ground sign shall be limited to a “low profile sign”.
4. If requested by City of Raleigh’s Transit Division, a transit stop easement beside Poole Road of 15’x20’ shall be included in any site plan submitted on subject property.
5. If permitted, any exterior sound systems i.e. restaurant speakers, shall be directed away from adjoining property and Poole Road, Old Poole Road and Dowling Road.
6. The following uses shall be prohibited upon the property:  
Adult establishment; bar; nightclub; tavern or lounge; utility service substation; telecommunications tower; outdoor movie theater; outdoor racetrack or stadium.
7. Car washes as a principal use shall be prohibited; however, a single bay car wash associated with a principal use, attached to the principal use building which meets all standards for a car wash, shall be permitted.
8. Cross-access pursuant to UDO Sec. 8.3.5.D between properties subject to this conditional zoning district will be required regardless of exemptions, variances, or design alternates otherwise available as provided within the UDO.