

**Z-7-14 – Litchford Road and Dixie Forest Road** – approximately 5.11 acres, rezoned from Office & Institution – 1 Conditional Use (O&I-1 CUD) to Neighborhood Mixed Use-3 stories – Conditional Use (NX-3-CU) (PINs 1716897581, 1716896409, 1716897614, 1716894783, and 1716894429)

Conditions dated: May 11, 2015

1. The following uses, as listed in UDO Section 6.1.4 “Allowed Principal Use Table” shall be prohibited on the property: boardinghouse; dormitory, fraternity, sorority; emergency shelter – all types; cemetery; telecommunication tower – all types; outdoor recreation – all types; commercial parking lot; detention center, jail, prison; fuel sales.
2. Prior to the issuance of a building permit for new development or the recordation of a subdivision plat or the sale of any lot, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement along Dixie Forest Road shall be approved by the Public Works Department and the easement document approved by the City Attorney’s Office. Prior to the issuance of a certificate of occupancy for new development, the property owner shall construct an ADA-accessible bus shelter.
3. The land use or land uses developed on the property shall be limited to a use or uses which when analyzed using the Trip Generation Manual published by the Institute of Transportation Engineers will generate no more than 203 total primary trips in the PM peak hour, taking into account pass-by trips and internal capture.
4. Prior to recordation of a subdivision plat or recombination plat or the issuance of a building permit, whichever shall first occur, the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates among the lots of record comprising the property the total primary trips in the PM peak hour permitted by Condition 3 of this rezoning ordinance. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee.
5.
  - a. The build-to area along Litchford Road and Dixie Forest Road shall be between zero (0) feet and one hundred (100) feet (the “Build-To Area”).
  - b. Each building located within the Build-To Area shall have at least one building entrance facing the primary street public right-of-way.
  - c. A direct pedestrian connection shall be provided between the public sidewalk and the street-facing building entrance.
  - d. No more than two bays of parking with a single drive aisle shall be provided between the public right-of-way and buildings within the Build-To Area.
  - e. For properties that front along Litchford Road as the primary street, the minimum building width within the Litchford Road Build-To Area shall be fifty percent (50%) and the minimum building width within the Dixie Forest Road Build-To Area shall be twenty-five percent (25%).

- f. For properties that front along Dixie Forest Road as the primary street, the minimum building width within the Dixie Forest Road Build-To Area shall be fifty percent (50%) and the minimum building width within the Litchford Road Build-To Area shall be twenty-five percent (25%).