

Z-11-12 - Strickland Road located on the Southside, southwest of its intersection with Old Leesville Road being Wake County PIN 0788056251. Approximately 3.91 acres are to be rezoned from Residential-4 to Shopping Center Conditional Use District.

Conditions Dated: 5/1/13

- 1) The following uses shall be prohibited:
 - (a) automotive service and repair facilities;
 - (b) landfills of all types;
 - (c) manufacturing of all types;
 - (d) mini-warehouse storage facilities; and
 - (e) riding stables;
 - (f) outdoor stadium;
 - (g) theater;
 - (h) amphitheater;
 - (i) racetrack;
 - (j) correction/penal facility;
 - (k) kennel/cattery;
 - (l) outdoor movie theater;
 - (m) airfield/landing strip;
 - (n) non-hospital related heliports;
 - (o) adult establishments.

- 2) Building height shall not exceed a maximum of five stories or 75 feet.

- 3) At least thirty-three percent (33%) of the surface of the ground floor level of building facades facing Strickland Road shall be non-opaque glass window(s) and/or non-opaque glass door(s), (with ground floor level being measured between three (3) feet and twelve feet (12) feet above the adjacent sidewalk).

- 4) If requested by the City, prior to the subdivision of the property or the issuance of a building permit for the property, whichever shall occur first, a transit easement measuring twenty (20) by fifteen (15) feet along Leesville Road (or such lesser size as requested by the City Transit Division) shall be granted to the City pursuant to a transit easement deed approved by the City Attorney and recorded in the Wake County Registry.

- 5) Any drive-through window serving the subject property shall be located at the rear or side of any building as viewed from Strickland Road and Leesville Road.

- 6) Prior to obtaining a building permit for any development within the subject property, the property owner requesting the permit shall provide for access to the adjoining property identified as PIN 0788045738 (Deed Book 12987/Page 1214) by either making a recorded offer of cross access to such property to the south, to be

approved by the office of the Raleigh City Attorney, or dedicating right-of-way to the public which connects said property to the right-of-way of Strickland Road.

7) Retail development shall be limited to no more than 29,000 square feet floor area. Within forty-five (45) days of recording of a plat subdividing the subject property, a covenant allocating the retail square footage to the various lots shall be recorded with the Wake County Registry. For purposes of this condition, “retail” shall mean any retail sales, eating establishments and personal services listed in the permitted land use schedule irrespective of any exclusions.

8) Unless a more stringent standard is required Development of the property shall require covered or uncovered bicycle parking facilities (bike racks) at a ratio of one bike space per 5,000 square feet of building area gross; such bike racks shall be located within 100 feet of a building entrance.

9) That upon the effective date of this rezoning ordinance but before September 1, 2013, the applicant may elect to apply to have all of the following chapters and sections of the UDO apply to the rezoned land:

- i. Article 1.1
- ii. Article 1.2
- iii. Article 7.1
- iv. Chapter 8
- v. Chapter 9
- vi. Chapter 10, except UDO sections 10.2.7 Plot Plan Review and 10.2.8 Site Plan Review. Reviews of plot plans and site plans in legacy zoning districts shall be conducted in accordance with City Code sections 10-2132.1 and 10-2132.2(a) through (i).

10) In the event property owner does not elect to develop the property under the provisions of condition 9 above, then in such event, the amount of vehicular surface parking provided to serve the uses on the property shall not exceed 150% of the minimum amount of parking required by the Code at the time of site plan submittal.

11) City Council shall have final approval of any alternative means of compliance with the tree conservation ordinance.