

**Z-23-16 – Poole Road**, north side, at its intersection with Norwood Street, being Wake County PIN 1713770253, approximately 1.2 acres rezoned to Commercial Mixed Use-3 Stories-Conditional Use (CX-3-CU).

Conditions dated: February 3, 2017

1. The following land uses will be prohibited:
  - Boardinghouse
  - Congregate care
  - Dormitory, fraternity, sorority
  - Life care community
  - Rest home
  - Emergency shelter type A
  - Emergency shelter type B
  - Special care facility
  - Cemetery
  - Telecommunication lower (<250ft)
  - Telecommunication tower (>250ft)
  - Adult establishment
  - Golf course
  - Outdoor sports or entertainment facility (<250 seats)
  - Outdoor sports or entertainment facility (>250 seats)
  - Commercial parking lot
  - Remote parking lot
  - Heliport, all others
  - Bar, nightclub, tavern, lounge
  - Food truck
  - Pawnshop
  - Detention center, jail, prison
  - Light manufacturing
  - Research & Development
  - Self-Service Storage
  - Car wash
  - Vehicle repair (minor)
  - Vehicle repair (major)
  - Urban farm
  - Vehicle Fuel Sales
  - Vehicle Sales/Rental
  - Indoor Recreation - All Types
2. Residential density shall not exceed 6 dwellings per acre.
3. Building height shall not exceed 2 stories, 35' and upon redevelopment shall contain a minimum of 2 stories above grade.
4. Building maximum gross square footage shall be 10,800.
5. Only residential uses shall be permitted on the 2nd floor.

6. Roof construction shall be restricted to either hip or gable form, with a minimum pitch of 3:12, and a maximum pitch of 5:12.
7. Where a neighborhood transition is required by the UDO Article 3.5, a Type 2 Protective Yard with an average width of 20 feet and a fence meeting the requirements of UDO section 7.2.4.D between 6.5 feet and 9 feet tall and shall be installed prior to the issuance of a certificate of occupancy.
8. Commercial drive-thru activity is prohibited. 'Commercial drive-thru' is a drive-thru for any commercial use listed in the UDO Section 6.1.4 = Allowed Principal Use Table.
9. At a minimum of one primary street facing entrance per building shall be provided toward Poole Road, with direct pedestrian access provided between the building entrance and the public sidewalk along Poole Road.
10. Prior to issuance of a building permit for new development, 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' in depth and 20' in width) and location of the easement along Poole Road shall be approved by the Transportation Department and the easement document approved by the City attorney's Office. If, prior to issuance of the building permit, the Transportation Department requests in writing Installation of a shelter, and ADA accessible shelter shall be constructed on a 15' x 20' cement pad on the easement, and a 30' long cement landing zone installed between the sidewalk and curb, paralleling the street, with all construction plans to be approved by the Transportation Department.
11. Loading areas shall not be permitted on any side of the building facing a street.
12. High Profile Ground Signs or Medium Profile Ground Signs shall not be permitted.
13. Changeable Copy Signs shall not be permitted.
14. All outdoor lighting fixtures shall be full cut-off design and be LED. The maximum height of pole-mounted fixtures shall be twenty (20) feet, unless a more restrictive height is required by the UDO for specific areas of the site.
15. Prior to issuance of a building permit for new development, a landscape easement shall be deeded to the City and recorded In the Wake County Registry, meeting the specifications of Sheet MP-8 of the Southeast Raleigh Streetscape Master Plan.