

## Exhibit D

### Mixed-Use Neighborhood Center Conditional Zoning District (NC-CZ) and Residential Medium Density Conditional Zoning District (RM-CZ) Zoning Conditions

#### Conditions Applicable to the entire property:

1. The subject property shall be developed generally in accordance with the sketch plan attached hereto as Exhibit 1 and incorporated herein as if fully set out. The approximately 55± acre portion of the subject property located west of Jonesville Road and further described as Parcel 1 on the attached Exhibit 2 attached hereto shall be zoned NC-CZ and the approximately 86± acre portion of the property located east of Jonesville Road and further described as Parcel 2 on Exhibit 2 attached hereto shall be zoned RM-CZ. The improvements described herein may be developed in phases in accordance with a phasing plan approved by the Town of Rolesville.
2. The total number of dwellings on the subject property shall not exceed 395 dwelling units and no more than 134 of these dwelling units shall be permitted to be Dwellings, Single Family, Attached (Townhouse.)
3. Mixture of Uses: At least 50,000 square feet of non-residential building area shall be permitted (issuance of a building permit) prior to permitting (issuance of a building permit) more than 197 dwelling units.
4. Affordable Housing:
  - a. Prior to the issuance of the first building permit for a dwelling unit, the property owner shall donate Thirty Thousand Dollars and No Cents (\$30,000.00) to Homes for Heroes.
  - b. Prior to the issuance of the 200<sup>th</sup> building permit, the property owner shall donate one (1) Dwelling, Single Family, Attached (townhome) to Passage Homes, CASA, Habitat for

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Humanity of Wake County or other similar organization providing homes to low-income people.

5. Pollinator Plantings: At least twenty percent (20%) of the landscaping planted in common areas on the subject property shall utilize plant materials that are listed as Native Pollinator Plants on North Carolina Wildlife Federation ("NCWF") or other resources for native plants recommended by the NCWF on their website, currently found at <https://ncwf.org/habitat/native-pollinator-plants/>. Where evergreen plantings or street trees are required by the Rolesville Land Development Ordinance as the same may be amended from time to time, pollinator plantings shall not be required. Nothing herein shall be construed to limit the plant materials permitted on individual residential lots.
6. Recreational Amenities: The following recreational amenities shall be provided generally as shown on the attached Exhibit 1 as a part of the development of the subject property and dedicated to the Homeowner's Association except for those areas offered to and accepted by the Town of Rolesville:
  - a. A swimming pool and cabana, including changing rooms and restrooms shall be constructed prior to the issuance of the 150<sup>th</sup> building permit for a dwelling unit;
  - b. At least one fenced playground shall be constructed prior to the issuance of the 150<sup>th</sup> building permit for a dwelling unit;
  - c. At least one fenced dog park shall be constructed prior to the issuance of the 150<sup>th</sup> building permit for a dwelling unit;
  - d. Public greenway on a greenway easement dedicated to the Town of Rolesville with paved trails at least ten feet wide (10') shall be constructed generally as shown on the attached Exhibit 1;

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- e. A greenway trail head with at least four (4) parking spaces shall be constructed generally as shown on Exhibit 1 and offered to the Town of Rolesville for use as a greenway trail head prior to the issuance of the 200<sup>th</sup> building permit for a dwelling unit. The Town of Rolesville may accept or reject the offer of dedication in its sole discretion prior to the issuance of the 250<sup>th</sup> building permit. If the Town of Rolesville accepts dedication of this trailhead, the area dedicated to the Town of Rolesville shall be credited to this project as active open space. If the Town of Rolesville does not accept or reject the dedication of this area in writing prior to issuance of the 250<sup>th</sup> building permit, it shall be dedicated to the homeowner's association.
  - f. At least one (1) community garden shall be provided prior to issuance of the 336<sup>th</sup> building permit for a dwelling unit; and
  - g. At least one (1) acre of undeveloped land in the area located at the northeast quadrant of the intersection of Jonesville Road and Mitchell Mill Road shall be offered to the Town of Rolesville generally as shown on the attached Exhibit 1 for recreational uses prior to the issuance of the 150<sup>th</sup> building permit for a dwelling unit. The Town of Rolesville may accept or reject the offer of dedication in its sole discretion prior to the issuance of the 200<sup>th</sup> building permit. If the Town of Rolesville accepts dedication of this property, the area dedicated to the Town of Rolesville shall be credited to this project as active open space. If the Town of Rolesville does not accept or reject the dedication of this area in writing prior to the issuance of the 200<sup>th</sup> building permit, it shall be dedicated to the homeowner's association.
7. Additional Driveway Access and Crosswalk to Commercial Area: The property owner shall apply to NCDOT to allow the installation of an additional driveway access and cross-walk across Jonesville Road from the property zoned RM-CZ to the commercial area located in the northwest quadrant

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of the intersection of Mitchell Mill and Jonesville Road, both as generally shown as "Potential Additional Driveway and Cross Walk Connection Per Condition #7 of Zoning Conditions" on Exhibit 1. The application to NCDOT shall include a plan for the driveway connection and crosswalk drawn by an engineer and an update to the existing traffic impact analysis prepared by a traffic engineer. If NCDOT approves such a crosswalk and/or driveway access, the property owner shall install them in accordance with the requirements of NCDOT.

8. Transportation Improvements: To address transportation impacts reasonably expected to be generated by the development, the following road improvements shall be installed in accordance with future phasing plans approved by the Town:
- a. Jonesville Road:
    - i. Widen Jonesville Road along the site frontage between Site Access 1 and Mitchell Mill to the roadways ultimate cross section per Rolesville Community Transportation Plan, 2 lanes with two-way left turn lanes.
  - b. Mitchell Mill Road:
    - i. Widen one-half section along the site frontage to this roadway's ultimate cross-section per the Rolesville Community Transportation Plan, 4-lane median divided.
  - c. Mitchell Mill Road and Jonesville Road/Peebles Road:
    - i. Provide a southbound (Jonesville Road) left turn lane with at least 100 feet of storage and appropriate decel and taper; and
    - ii. Construct an eastbound (Mitchell Mill Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper.
  - d. Jonesville Road and Site Access 1:
    - i. Construct the westbound approach (Site Access 1) with one ingress lane and one egress lane;

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- ii. Provide stop-control for westbound approach (Site Access 1); and
- iii. Construct a southbound (Jonesville Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper.
- e. Jonesville Road and Site Access 2:
  - i. Construct the westbound approach (Site Access 2) with one ingress lane and one egress lane;
  - ii. Provide stop-control for westbound approach (Site Access 2); and
  - iii. Construct a southbound (Jonesville Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper.
- f. Jonesville Road and Site Access 3:
  - i. Construct the eastbound and westbound approaches (Site Access 3) with one ingress lane and one egress lane;
  - ii. Provide stop-control for eastbound and westbound approach (Site Access 3);
  - iii. Construct northbound (Jonesville Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper;
  - iv. Construct northbound (Jonesville Road) right-turn lane with at least 100 feet of storage and appropriate decel and taper;
  - v. Construct a southbound (Jonesville Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper; and
  - vi. Construct a southbound (Jonesville Road) right-turn lane with at least 100 feet of storage and appropriate decel and taper.
- g. Jonesville Road and Site Access 4:
  - i. Construct the eastbound approach (Site Access 4) with one ingress lane and one egress lane;

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- ii. Provide stop-control for eastbound approach (Site Access 4);
- iii. Provide a northbound (Jonesville Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper; and
- iv. Provide a southbound (Jonesville Road) right-turn lane with at least 100 feet of storage and appropriate decel and taper.
- h. Mitchell Mill and Site Access 5:
  - i. Construct the southbound approach (Site Access 5) with one ingress lane and one egress lane;
  - ii. Provide stop-control for southbound approach (Site Access 5) restricted to right-in, right-out operations unless left-turn access is approved by NCDOT; and
  - iii. Construct an exclusive westbound (Mitchell Mill Road) right-turn lane with at least 100 feet of storage and appropriate decel and taper.
- i. Mitchell Mill and Site Access 6:
  - i. Construct the southbound approach (Site Access 6) with one ingress lane and one egress lane striped as an exclusive right-turn lane; and
  - ii. Provide stop-control for southbound approach (Site Access 6) restricted to right-in, right-out operations.
- j. Mitchell Mill and Site Access 7:
  - i. Construct the southbound approach (Site Access 7) with one ingress lane and one egress lane;
  - ii. Provide stop-control for southbound approach (Site Access 7); and
  - iii. Construct an exclusive eastbound (Mitchell Mill Road) left-turn lane with at least 100 feet of storage and appropriate decel and taper.
- k. Mitchell Mill Road and Site Access 8:

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- i. Construct the southbound approach (Site Access 8) with one ingress lane and one egress lane striped as an exclusive right-turn lane;
  - ii. Provide stop-control for southbound approach (Site Access 8). This proposed intersection will be restricted to right-in/right-out operations; and
  - iii. Construct an exclusive westbound (Mitchell Mill Road) right-turn lane with at least 100 feet of storage and appropriate decel and taper.
- I. Signal Analysis and Funding:
- i. US 401 Bypass and Jonesville Road: Conduct a full signal warrant analysis prior to full build-out of the proposed development and install a traffic signal if warranted and approved by the Town and NCDOT. Nothing herein shall prohibit the property owner or developer from entering into cost-sharing agreements with others who may also benefit from a signal at this location.
  - ii. US 401 Bypass and Eastern U-turn Location: Conduct a full signal warrant analysis prior to full build-out of the proposed development and install a traffic signal if warranted and approved by the Town and NCDOT. Nothing herein shall prohibit the property owner or developer from entering into cost-sharing agreements with others who may also benefit from a signal at this location.
  - iii. Jonesville and Mitchell Mill Road: Conduct a full signal warrant analysis prior to full build-out of the proposed development and install a traffic signal if warranted and approved by the Town and NCDOT. Nothing herein shall prohibit the property owner or developer from entering into cost-sharing agreements with others who may also benefit from a signal at this location.
  - iv. If no traffic signal has been warranted and approved by the Town and NCDOT at any of the locations identified in Condition 8(l)(i)-(iii) at full build-out of the

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proposed development (issuance of certificate of occupancy for the 380<sup>th</sup> dwelling unit and 50,000 square feet of non-residential uses), the property owner shall contribute Fifty Thousand Dollars (\$50,000.00) to the Town of Rolesville to be used by the Town of Rolesville to install a traffic light at any one of the locations identified in Condition 8(l)(i)-(iii) above when warranted and approved by NCDOT.

**Conditions Applicable to Dwelling, Single Family, Detached only:**

9. All homes shall include either crawl space foundations or stem wall foundations. Any stem wall foundations shall be at least eighteen inches (18") in height across the front façade of the home and shall have brick or stone veneer on all sides facing a public street.
10. The minimum building square footage shall be 2,000 square feet.

**Conditions Applicable to Dwellings, Single Family, Attached (Townhouse) only:**

11. No Dwelling, Single Family, Attached (Townhouse) building shall exceed six (6) dwellings.
12. The minimum building square footage for townhomes shall be 1,200 square feet.

**Conditions Applicable to the NC-CZ District only:**

13. All uses permitted in the Neighborhood Center Mixed-Use district shall be permitted within the NC-CZ except Dwellings, Multiple Family (apartments) shall only be permitted in buildings with commercial uses located on the ground floor.

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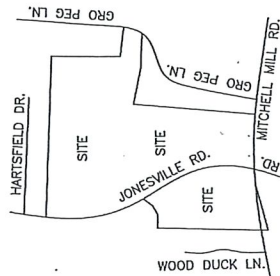
Exhibit 1





Exhibit 2

PROPERTY ADDRESS:  
5109 MITCHELL MILL RD.  
WAKE FOREST, NC 27587



VICINITY MAP

PIN: 1757-57-1055  
REFERENCE- BOM 1992 PG 655 & 656  
BOM 2007 PG 1224  
BOM 1971 PG 127  
BOM 1996 PG 524  
BOM 1990 PG 1000  
BOM 1990 PG 1216  
BOM 1989 PG 1774  
BOM 1984 PG 949  
BOM 1989 PG 387  
BOM 1980 PG 386  
BOM 1990 PG 956  
BOM 2013 PG 868

NOTE: AREA COMPUTED BY COORDINATE METHOD.

NOTE: NO NCSS MONUMENT WITHIN 200'.

NOTE: THIS PROPERTY IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

NOTE: ALL BEARING ARE ACCORDING TO MAGNETIC BEARINGS.

DANNY O. WILLIAMS, Professional Land Surveyor No. L-2647, certifies that this plat is a true and correct representation of the land described herein, and that the same has been surveyed and measured in accordance with the laws of the State of North Carolina. This plat was prepared in accordance with G.S. 47-20 as amended, and the original signature, registration number and seal of the surveyor are on file in the office of the Register of Deeds for Wake County, North Carolina, on the 11th day of February, 2022.

Seal or Stamp  
Surveyor  
Registration Number L-2647

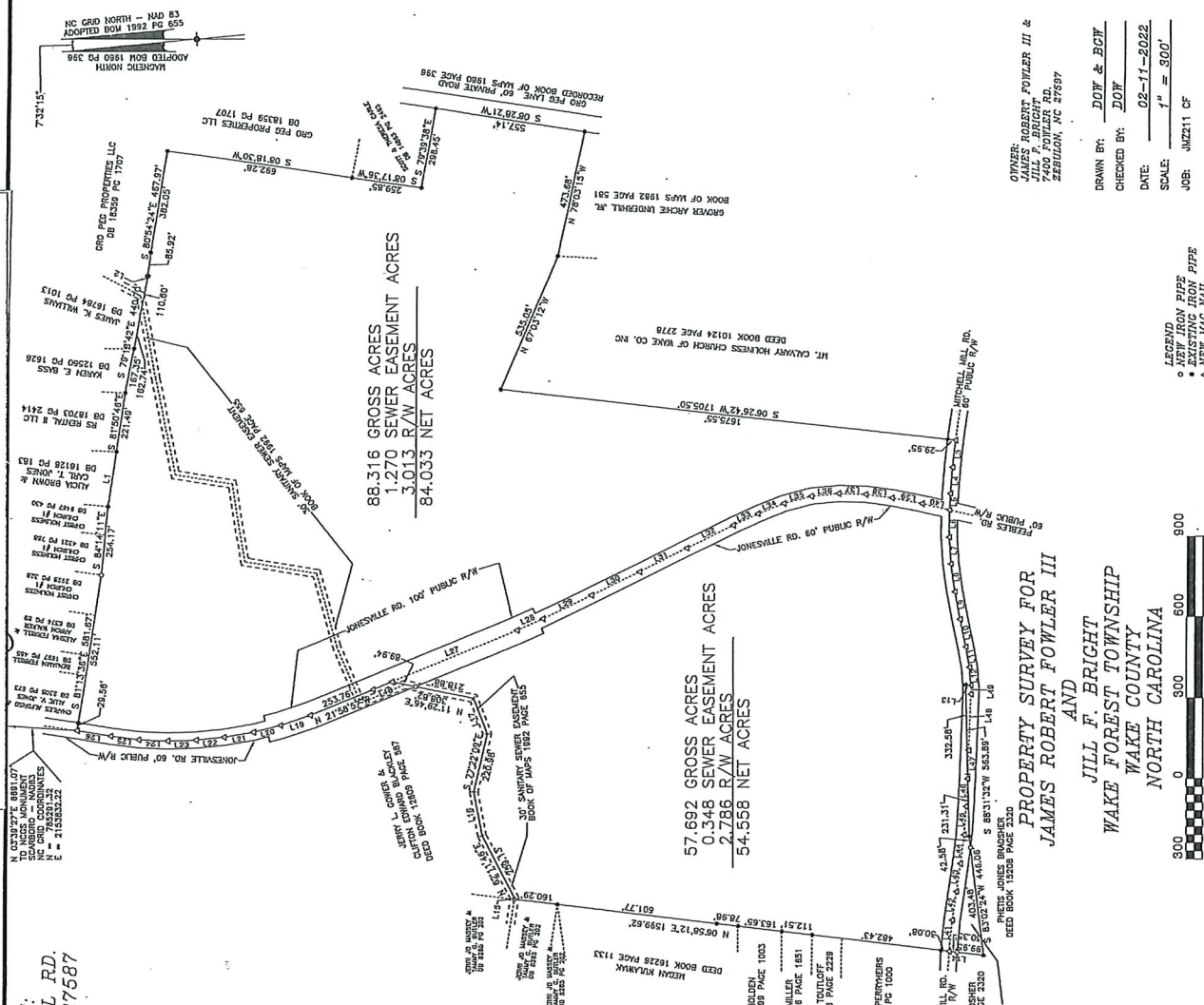
I, Danny O. Williams, Professional Land Surveyor No. L-2647, certify that this plat is a true and correct representation of the land described herein, and that the same has been surveyed and measured in accordance with the laws of the State of North Carolina. This plat was prepared in accordance with G.S. 47-20 as amended, and the original signature, registration number and seal of the surveyor are on file in the office of the Register of Deeds for Wake County, North Carolina, on the 11th day of February, 2022.

Danny O. Williams, L-2647

W Lic. # C-0243

Williams-Pearce and Assoc., Professional Land Surveyors, P.A. P.O. Box 892, Zebulon, N.C. 27597 Tel.(919) 269-9605

Course	Bearing	Distance
L1	S 81°44'51"E	200.47'
L2	S 81°44'51"E	0.00'
L3	N 85°53'44"W	58.77'
L4	N 85°53'44"W	58.77'
L5	N 81°01'57"W	50.41'
L6	N 81°01'57"W	50.41'
L7	S 85°01'11"W	100.39'
L8	S 85°01'11"W	100.39'
L9	S 81°01'57"W	50.41'
L10	S 81°01'57"W	50.41'
L11	S 85°53'44"W	58.77'
L12	S 85°53'44"W	58.77'
L13	N 07°04'32"E	16.75'
L14	N 07°04'32"E	16.75'
L15	N 79°50'18"E	156.25'
L16	N 79°50'18"E	156.25'
L17	N 25°15'48"W	78.10'
L18	N 25°15'48"W	78.10'
L19	N 18°49'05"W	116.80'
L20	N 18°49'05"W	116.80'
L21	N 09°44'50"W	111.48'
L22	N 09°44'50"W	111.48'
L23	N 02°41'02"E	158.53'
L24	N 02°41'02"E	158.53'
L25	S 24°25'15"E	151.17'
L26	S 24°25'15"E	151.17'
L27	S 05°50'12"E	160.25'
L28	S 05°50'12"E	160.25'
L29	S 07°04'32"E	16.75'
L30	S 07°04'32"E	16.75'
L31	S 81°01'57"W	50.41'
L32	S 81°01'57"W	50.41'
L33	S 85°53'44"W	58.77'
L34	S 85°53'44"W	58.77'
L35	S 81°01'57"W	50.41'
L36	S 81°01'57"W	50.41'
L37	S 85°01'11"W	100.39'
L38	S 85°01'11"W	100.39'
L39	S 81°01'57"W	50.41'
L40	S 81°01'57"W	50.41'
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L74	N 07°04'32"E	16.75'
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L78	N 25°15'48"W	78.10'
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L97	S 85°01'11"W	100.39'
L98	S 85°01'11"W	100.39'
L99	S 81°01'57"W	50.41'
L100	S 81°01'57"W	50.41'



PROPERTY SURVEY FOR  
JAMES ROBERT FOWLER III  
AND  
JILL F. BRIGHT  
WAKE FOREST TOWNSHIP  
WAKE COUNTY  
NORTH CAROLINA

LEGEND  
• EXISTING ROAD PIPE  
• NEW 12" MAG. PIPE  
• NEW 12" MAG. PIPE

GRAPHIC SCALE - FEET  
0 300 600 900

SCALE: 1" = 300'

CHECKED BY: DOW  
DATE: 02-11-2022  
JOB: JN2211 CF

DRAWN BY: DOW & BCW

OTHER: ROBERT FOWLER III &  
JILL F. BRIGHT  
7400 FOWLER RD.  
ZEBULON, NC 27597