19-REZ-11 Exhibit

The following contains the existing zoning approvals and zoning conditions associated with the Cary Towne Center Mall site.
CONDITIONAL USE PERMIT

PETITION: Z-578-90-1
APPLICANT(S): William G. Daniel & Associates
APPLICANT ADDRESS: 8000 Regency Parkway, Suite 140
Cary, NC 27511

OWNER(S): Cary Joint Venture
OWNER ADDRESS: 35425 Center Ridge Road
Cleveland, OH 44145

LOCATION OF PROPERTY: NE quadrant of Walnut Street & Maynard Road intersection

TAX MAP & PARCEL: Tax Map 546, Parcels 2, 3, 139, 140, 141, 142, 143, 144, and portions of 364 and 365
Tax Map 547, a portion of Parcel 486
Tax Map 32, Parcel 86

AREA: 85.37 acres
APPROVED ZONING: B-3-CU
DATE OF APPROVAL: March 8, 1990

CONDITIONS: See Attachment
CARY VILLAGE MALL
ZONING CONDITIONS

1. The existing fifty foot (50') resource and conservation buffer will remain in effect.

2. Adjacent to the 50' resource and conservation buffer, an additional 60' landscape buffer will be provided for every 100 lineal feet, the landscaping within the 60' wide buffer will be: 6 canopy trees, 9 understory trees, 36 shrubs, and 18 evergreen/conifers. A minimum 10' high berm will be provided within the additional 60' buffer. An eight foot (8') high wood fence will be provided between the top of the berm and the proposed development. The elevation of the berm shall be measured from the residential side of the property.

A. On that portion of the berm defined as "beginning at the projection of the eastern right-of-way line of Lyerly Lane and continuing in a westward direction for a distance of 350 lineal feet," the developer agrees to install planting as specified below in lieu of the planting as specified in the above paragraph:

<table>
<thead>
<tr>
<th>Plant Type</th>
<th>Quantity</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leyland Cypress</td>
<td>57**</td>
<td>6'-8' Ht.</td>
</tr>
<tr>
<td>Canopy Trees</td>
<td>11</td>
<td>2-1/2&quot; Cal. Min.</td>
</tr>
<tr>
<td>Understory Trees</td>
<td>18</td>
<td>1&quot; Cal. Min.</td>
</tr>
<tr>
<td>Shrubs</td>
<td>126</td>
<td>18&quot; - 24&quot; Min. Ht.</td>
</tr>
<tr>
<td>Evergreens</td>
<td>63</td>
<td>18&quot; - 24&quot; Min. Ht.</td>
</tr>
</tbody>
</table>

* Leyland Cypress trees are to be planted in a staggered two-tiered configuration near the top of the proposed berm approximately 12' O.C.

** Quantity indicated for each plant category is the total number of plants proposed within the 350' length of berm.

B. Within the 50' wide r-c buffer adjacent to the rear lot lines of 1030 and 1032 Ivy Lane (approximately 300' in length), the screening capability of the existing woodland will be enhanced by the planting of a total of 45 - 1" cal. min. evergreen understory trees. Placement of the trees will be dispersed among the existing mature hardwoods in accordance with the field direction of a Registered Landscape Architect.

C. In order to enhance the survivability of the planting proposed on the berm and to ensure rapid early growth, the Developer agrees to assume responsibility for providing irrigation to the berm planting for a period of three years from the date of planting.

3. The Developer shall implement landscape treatment within the southern portion of the right-of-way of Hubbard Lane at locations opposite future drives accessing Hubbard Lane to ensure that the direct glare of headlights from vehicles entering Hubbard Lane from future drives will not be viewed from the residences at 1206 and 1208 Ivy Lane.
4. All building improvements located on the parcel to be rezoned must be architecturally compatible with the existing Cary Village Mall.

5. There shall be a two hundred and fifty foot (250') building setback restriction from the Ivy Meadows property line.

6. Parking lot site lighting system to be designed with cut-off luminaries to prohibit spillage of light onto adjacent properties to the east.

7. The following traffic improvements will be made to the roadway system prior to occupancy of the mall expansion:
   A. Development of a multi-lane high capacity entrance from Walnut St. south of the existing supermarket.
   B. Development of a multi-lane high capacity entrance from the Western Boulevard Extension at the Convention Drive/Western Boulevard Extension intersection.
   C. Development of a dual left-hand turn lane on the east approach of the Western Boulevard Extension/Convention Drive intersection.
   D. Developer to provide funding, if necessary, for the installation of a traffic signal at the mall entrance referred to in paragraph 7A above. if said signal installation is permitted by the North Carolina Department of Transportation.

8. Developer will not request extension of Lyerly Lane into the expanded Cary Village Mall.

9. Provisions for the adequate disposition of storm water shall be in accordance with the duly adopted design criteria and standards of the Town of Cary. Developer agrees to extend the mall sewer system to provide an inlet on the south side of the proposed berm designed to intercept flow from the existing 18" pipe which discharges at the rear of 1120 Ivy Lane.

10. Protection of water quality within the Swift Creek watershed shall be addressed by one of the following methods:
    A. Limiting the maximum total contributory impervious area (as measured at the discharge point from this site) to that which currently existed as of May 25, 1988 (the date of the original rezoning application), or
    B. Constructing on site a retention basin fully complying with the provision of the Town of Cary's Reservoir Watershed Protection Ordinance.

11. Development of the property included within this rezoning petition as a part of Cary Village Mall shall not result in additional curb cuts on Walnut Street.
12. The existing large oak tree shall remain. In order to enhance the survivability and ultimate vigor of the existing large Southern Red Oak, the owner shall implement the following measures:

A. To prevent existing tree roots from being disturbed, preserve an undisturbed parcel equivalent to 1.5 times the horizontal area of the existing canopy. All of the existing canopy area of the existing tree shall be included within the above protected area. Additional area adjacent to the undisturbed parcel shall be set aside for the tree such that the total area (undisturbed and adjacent area) shall equal 2.25 times the horizontal area of the existing canopy of the tree.

B. Install an irrigation system.

C. Install lightning rod protection.

D. Improve the existing soil under the tree and within the proposed area described in (a) above by application of mulch and slow-release fertilizer.

E. Utilize details and methods in the design and construction of the retaining wall which will tend to minimize the area of disturbance between the wall and the tree.

F. Prune out dead wood.

G. Fill cavities to prevent water entrance.

H. Cross-brace two main leaders to strengthen crack area.

I. Undertake an on-going maintenance program addressing fertilization, irrigation, mulch application, inspection for insects and pathogens, and intervention with applications of insecticides or fungicides as may be necessary.

The above measures shall be developed and implemented with the guidance of a consulting tree biologist.

13. The gross leasable area of new structures within the subject parcel shall not exceed the building area that can be supported by surface parking in accordance with current or future Town of Cary requirements as may be revised or adjusted by variance.

14. An eight foot (8') high wood fence will be provided as a continuation of the fence from the east end of the berm extending for a distance of approximately 350' in an easterly direction. Said fence to be constructed on the north line of the resource and conservation buffer.

15. The average height of the retaining wall surrounding the large red oak tree shall not exceed 10'-0".
16. Buildings shall be limited to two (2) occupiable floors with no portion of the buildings on site extending above the elevation of highest point of the existing Hudson-Belk Department Store.

17. The Developer shall be responsible for the perpetual maintenance of the 8-foot fence which is proposed as part of the bufferyard treatment adjacent to Ivy Meadows Subdivision.

18. The total number of outparcels shall in no case be increased by more than two (2) over the number which is currently on record as of March 8, 1990.

19. In order to enhance the effective visual screening capacity of that portion of the proposed landscaped berm outside the area referred to in Condition 2(A), a staggered two-tiered configuration of 6-foot to 8-foot high leyland cypress (approximately 12 foot on center) shall be implemented along the entire length of the berm within the overall plant requirements specified by Condition 2.
November 27, 2017
Cary Venture LP
2030 Hamilton Place Blvd
Ste. 500
Chattanooga, TN
37421-6000

Approval of Rezoning Case: 17-REZ-06 Cary Towne Center

On Thursday, October 26, 2017 the Town of Cary Town Council voted to rezone a portion of the Cary Towne Center Mall property (described below) from General Commercial Conditional Use (GC-CU) to Mixed Use District (MXD) with an associated Preliminary Development Plan (PDP) to allow development of a new 380,000 square foot retail building.

<table>
<thead>
<tr>
<th>Property Owner(s)</th>
<th>County Parcel Number(s) (10-digit)</th>
<th>Real Estate IDs</th>
<th>Deeded Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cary Venture LP</td>
<td>Portion of 0773167149</td>
<td>Portion of 0186351</td>
<td>1.74</td>
</tr>
<tr>
<td>2030 Hamilton Place Blvd</td>
<td>Portion of 0773163696</td>
<td>Portion of 0016643</td>
<td>18.41</td>
</tr>
<tr>
<td>Ste. 500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chattanooga, TN</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37421-6000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Area</td>
<td></td>
<td></td>
<td>20.15</td>
</tr>
</tbody>
</table>

Conditions proposed by the applicant to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and promote the public health, safety and general welfare, and accepted and approved by the Town are as shown on the attached Preliminary Development Plan (PDP) and as listed on the attached Ordinance.

If you have any questions, please feel free to contact me at (919) 460-4980 or by email at debra.grannan@townofcary.org.

Sincerely,

Debra Grannan
Senior Planner

cc: Bill Moore, GIS Applications Supervisor
gturman@co.wake.nc.us
bill.shroyer@co.wake.nc.us
kmcartor@co.wake.nc.us
ORDINANCE FOR CONSIDERATION

17-REZ-06 CARY TOWNE CENTER PDP

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF CARY TO CHANGE THE ZONING OF APPROXIMATELY 20.15 ACRES OWNED BY CARY VENTURE, LP FROM GENERAL COMMERCIAL CONDITIONAL USE (GC-CU) TO MIXED USE DISTRICT (MXD) SUBJECT TO STANDARDS PROPOSED IN AN ASSOCIATED PRELIMINARY DEVELOPMENT PLAN (PDP). BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARY:

Section 1: The Official Zoning Map is hereby amended by rezoning the area described as follows:

PARCEL & OWNER INFORMATION

<table>
<thead>
<tr>
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<tr>
<td>Total Area</td>
<td></td>
<td></td>
<td>20.15</td>
</tr>
</tbody>
</table>

Section 2:

That this Property is rezoned from General Commercial Conditional Use (GC-CU) to Mixed Use District (MXD) subject to all the individualized development conditions set forth herein, if any, and to all the requirements of the Cary Land Development Ordinance (LDO) and other applicable laws, standards, policies and guidelines, all of which shall constitute the zoning regulations for the approved district and are binding on the Property.

Section 3:

The conditions proposed by the applicant to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and to promote the public health, safety and general welfare, and accepted and approved by the Town are as included within the Cary Towne Center Preliminary Development Plan., and include but are not limited to:
- Limiting maximum building height to 60 feet
- Limiting building to 380,000 square feet of retail use
- Providing a 150 foot building setback from the eastern property line adjacent to the Ivy Meadows subdivision
- Preservation of the landscape buffer area between the proposed building and the eastern property line

To mitigate traffic impacts the proposed development may have on the adjacent roadway system, the applicant has proposed the following improvements which were identified in the Traffic Impact Analysis (17-TAR-419):

### Intersection of Walnut Street and Cary Towne Center/Cary Commons (signalized)
- Modify the southbound approach to provide a shared through/right-turn lane and two exclusive left-turn lanes (one inbound lane may be eliminated).
- Widen the westbound approach to provide an exclusive right-turn lane that extends back to the AT&T Entrance (~350 feet of storage length).
- Extend the exclusive left-turn lane on the eastbound approach to provide at least 250 feet of storage length and appropriate taper.
- Modify traffic signal at this intersection based on the Town of Cary and NCDOT's design standards to accommodate the lane geometrics changes.

### Intersection of Walnut Street and AT&T/Cary Towne Center Entrance (unsignalized)
- Widen the westbound approach to provide an exclusive right-turn lane with at least 100 feet of storage and appropriate taper. The Developer/Owner shall exercise all reasonable efforts to acquire necessary right of way together with construction and other required easements (collectively, "Necessary Right of Way") for this improvement, including obtaining appraisals and providing written offers to landowners. If the Developer/Owner is not able to acquire Necessary Right of Way after undertaking all reasonable efforts to do so, the Developer/Owner may request in writing the assistance of the North Carolina Department of Transportation or the Town of Cary for acquisition of Necessary Right of Way. If Developer/Owner makes such a written request on NCDOT and the Town and can show written documentation that (1) Developer/Owner agrees to be bound by NCDOT’s and the Town’s standard policies and procedures for right of way acquisition on behalf of third parties, including being solely responsible for all costs of acquisition; and (2) neither NCDOT nor the Town agreed to assist with the acquisition of Necessary Right of Way, then Developer/Owner's obligation to construct the improvements shall expire and this condition shall be deemed satisfied.

### Intersection of Cary Towne Boulevard and I-40 EB Ramps (unsignalized)
- Install a traffic signal with a CCTV camera and connections to the Town's Advanced Traffic Management System (ATMS) that meets the Town of Cary and NCDOT's engineering design standards.
- Extend the outside receiving lane on Cary Towne Boulevard to provide a full width lane with a minimum length of 1,000 feet and a merging taper based on the Town of Cary and NCDOT's engineering design standards or construct an additional right-turn lane on I-40 eastbound off-ramp to provide dual rights
onto Cary Town Boulevard as approved by NCDOT and the Town of Cary at the time of Development Plan review.

- **Intersection of Cary Towne Boulevard and I-40 WB Ramps (unsignalized)**
  - Install a traffic signal with a CCTV camera and connections to the Town’s ATMS that meets the Town of Cary and NCDOT’s engineering design standards.

- **Intersection of Cary Towne Boulevard and Convention Drive/Principal Lane (signalized)**
  - Restripe the northbound approach to provide a shared through/left-turn lane and dual right-turn lanes.
  - Extend the two exclusive left-turn lanes on the westbound approach to provide at least 500 feet of storage length and appropriate taper.

**Section 4**: This ordinance shall be effective on the date of adoption.

Adopted and effective: October 26, 2017

[Signature]
Harold Weinbrecht, Jr.
Mayor

[Date]
Oct 26, 2017

[Date]
GENERAL NOTES:
1. REFER TO SHEET COMM 200 & COMM 201 FOR SIGN SIZE AND CONSTRUCTION.
2. REFER TO SHEET COMM 200 & COMM 201 FOR SIGN FACE GRAPHICS AND TEXT.
3. REFER TO SHEET COMM 200 & COMM 201 FOR SITE SCHEDULE.
4. REFER TO ID ASSOCIATES DRAWINGS FOR SIGN FOOTING DETAILS AND SIZES.

COMM GRAPHIC KEY
- INCOME BOX
- COMM 100
- CUSTOMER EXPERIENCE/INFORMATION CENTER
- CART CORRAL
- DRAGON MEATBOARDS
- EXISTING JOCPENKEY STORE
- EXISTING MALL
- EXISTING MALL

SITE PLAN
SCALE: 1" = 80' 0"
WELCOME SIGNBOARD - OUTDOOR (ILLUMINATED) 1.0

DOUBLE CART CORRAL AND SIGN BOARD (NON-ILLUMINATED) 4.0

SINGLE CART CORRAL AND SIGN BOARD (NON-ILLUMINATED) 4.1

PARKING MEMORIZER - LIGHT POLE MOUNTED 5.0

PARKING MEMORIZER - POST MOUNTED 5.1

PARKING MEMORIZER - PAINTED ON COLUMN 5.2

COMMERCIAL SIGNBOARDS - OUTDOOR (ILLUMINATED) 2.0

COMMERCIAL SIGNBOARDS - OUTDOOR (ILLUMINATED) 2.1

PARKING MEMORIZER - LIGHT POLE MOUNTED 5.0

SOLUTI ONS

IKEA

SIGNAGE PANELS

CONSTRUCTION

COMM 200

CALIFORNIA

CARY, NORTH CAROLINA

CARY TOWNE BLVD & CONVENTION DRIVE

PROJECT NUMBER

301807360

SHEET TITLE

IKEA SIGNAGE PANELS CONSTRUCTION

SHEET NUMBER

COMM 200

NOT Issued for CONSTRUCTION

APPROVED by the Town of Cary
Development Review Committee

17-REZ-06
Approved by Town Council
By: dgrannan
11/15/2017

NOTE: Architectural elevations are not to scale, for site planning and Preliminary Site Plan Review only. Final Construction Drawings are to be submitted to the City of Cary by the Contractor or Developer.
example - final graphics to be selected by IKEA

IKEA WELCOME SIGN PANEL
COMMUNICATION LAYOUT
1.0
01,07

IKEA CART CORRAL SIGN PANEL
COMMUNICATION LAYOUT
4.0
19,20,21,22,23,24

COMMERCIAL SIGNBOARDS
COMMUNICATION LAYOUT
2.0
25,26,27,27.1

IKEA CART CORRAL SIGN PANEL
FRONT AND BACK

FRONT (BACK BLANK)

FRONT

HOME DELIVERY
Starting at 9:00
PICKING WITH DELIVERY
Starting at 9:00
ASSEMBLY
Starting at 9:00
INSTALLATION
Starting at 9:00

FRONT

Please return cart here
On your way out you will fill plenty of carts inside the store.

EXECUTIVE DRAWN BY

SIGN MANUFACTURER:
ID ASSOCIATES, INC.
1771 Industrial Road,
Dothan, AL 36303
T: (334) 836-1736

211 Broad Street, Suite 204
Red Bank, NJ 07701

CARY, NORTH CAROLINA
CARY TOWNE BLVD & CONVENTION DRIVE

PROJECT TEAM
SIGN MANUFACTURER:
ID ASSOCIATES, INC.
1771 Industrial Road,
Dothan, AL 36303
T: (334) 836-1736

© Inter IKEA Systems B.V. 2013
Notice to the public: Except as permitted or otherwise approved and required by law, solicitation, distribution of literature or trespassing by non-employees is prohibited on this property.

Electric Vehicle Charging Station

IKEA Parking lower level

Loading Zone
15 minute time limit

ASSISTED LOADING

IKEA Parking

IKEA VEHICULAR WAYFINDING SIGNS GRAPHICS

APPROVED by the Town of Cary Development Review Committee
11/15/2017
ARCHITECTURAL FEATURE ELEVATION

PLAN

6'-6" X 18'-0" INDIVIDUAL FLAGS (QTY=8)
40' OVERALL HEIGHT

117 SQ. FT. EA.

FLAG CIRCLE
SITE FEATURE SIGN

6'- 6" X 18'- 0"  INDIVIDUAL  FLAGS (QTY=8)
40' OVERALL HEIGHT

APPROVED by the Town of Cary
Development Review Committee

By: dgrannan
11/15/2017

CARY, NORTH CAROLINA

CARY TOWNE BLVD & CONVENTION DRIVE

IKEA FLAG CIRCLE
COUNTRY FLAGS

5'-0" X 8'-0" INDIVIDUAL FLAGS (QTY=3)
35' OVERALL HEIGHT
40 SQ. FT. EA.

APPROVED by the Town of Cary
Development Review Committee

17-REZ-06
Approved by Town Council
By: dgrannan
11/15/2017

COMM 600
NOT ISSUED FOR CONSTRUCTION

IKEA COUNTRY FLAGS

CARY, NORTH CAROLINA

CARY TOWNE BLVD & CONVENTION DRIVE

PROJECT NUMBER 201607500

SHEET TITLE

SHEET NUMBER 8.2 52

PROJECT TEAM
SIGN MANUFACTURER:
ID ASSOCIATES, INC.
1771 Industrial Road,
Dothan, AL 36303
T: (334) 836-1736

SITE FEATURE SIGN
NOT ISSUED FOR CONSTRUCTION

CARY, NORTH CAROLINA
CARY TOWNE BLVD & CONVENTION DRIVE

SIGN MANUFACTURER:
ID ASSOCIATES, INC.
1771 Industrial Road,
Dothan, AL 36303
T: (334) 836-1736

COUNTRY FLAGS

8.2 52

COMM 600
NOT ISSUED FOR CONSTRUCTION
FRONT SIDE/NORTH ELEVATION
SIGN AREA = 1,761.76 SQ. FT.
SIGNS 88.7% OF BUILDING ELEVATION

REAR SIDE/SOUTH ELEVATION
SIGN AREA = 573.3 SQ. FT.
SIGNS 22.2% OF BUILDING ELEVATION

RIGHT SIDE/WEST ELEVATION
SIGN AREA = 1,381.2 SQ. FT.
SIGNS 37.8% OF BUILDING ELEVATION

LEFT SIDE/EAST ELEVATION
SIGN AREA = 690 SQ. FT.

TOTAL SIGN AREA FOR BUILDING = 3636.20 SQ. FT.

RIGHT SIDE/WEST ELEVATION
PARKING DECK

LEFT SIDE/EAST ELEVATION
PARKING DECK

FRONT SIDE/NORTH ELEVATION
PARKING DECK