Z-3-02 on the south side of Maywood Avenue, approximately 180 feet west of its intersection with Montrose Street. Approximately 14.28 acres to be rezoned from Residential 6 (0.35 acre) and Industrial-2 with Special Highway Overlay District-2 (13.93) to Residential-10 Conditional Use with Special Highway Overlay District-2 to remain.

Conditions: 03/11/02

1. Property is restricted to Residential Unit Ownership (condominium) development in excess of five units per acre consistent with the development guidelines of the City of Raleigh Planning and Development Regulations. In addition, individual units shall not be occupied by more than three unrelated occupants.

2. The existing Caraleigh Mill is a late nineteenth-century textile mill. The primary building materials consist of brown/red brick and large 16 over 16 windows. The majority of work necessary to convert the mill into residential units is renovation of existing structures to restore them to their original state. Therefore, where new materials are necessary as part of this renovation/restoration, materials consistent in type and color with the original structure will be used. The existing chimney tower, which is included as part of the building restoration, will remain unless destroyed by casualty.

3. The Residential-10 CUD shall not be utilized for the following uses otherwise authorized in the R-10 District: Guest house, Rooming house, Lodging house, Tourist house, Boarding house, Utility substation, Commercial telecommunication tower and antenna.

4. All refuse containers and HVAC units will be maintained within wooden or masonary enclosures to screen them from adjacent residential properties and public street right of way. The ground level screening materials will be brick to match existing structure.

5. There are seven trees located between the mill structure and Maywood Avenue as shown on survey by Elingburg Land Survey Company, PA entitled, “Lot 5 Fred Whitaker Company,” dated January 9, 2002. Tree protection fencing in conformance with Section 10-2082.5(f) (2) will be provided for six trees. These trees include the following: # 1. 39” Water Oak, # 2. 28” American Sycamore, # 3. 21” American Sycamore, # 4. 21” Pecan, # 5. 6” Pecan and # 6. 32”Pecan. Tree #7, a 37” Pecan adjacent to the existing driveway and office building will be protected with a radius of twenty five (25’) around the tree with the exception of the following areas penetrating the 25 foot radius area:

> A. Existing asphalt paved entrance drive and low curb/wall adjacent the drive- Install fence directly on back face of curb. The large shrubs back of existing curb will be cut down prior to installation of tree protection fencing.

B. Impervious surface existing office building - As it is necessary to remove the office building, the tree protection fence in "A" above, 90 degrees from the back of the curb at a point creating a tree protection fence line parallel and 5' from the building wall, due to the necessity of space required for moving or demolition of the office building.

C. Desired permanent structural fence within protected areas - Limit foundations to column structures or short brick sections only with suspended misdirections instead of extensive continuous type footing foundations, (as in continuous full length brick walls).

6. At development of property, a twenty (20') foot Transitional Protective Yard will be provided on the eastern side of property adjacent to parcels identified as Wake County PIN Numbers: 1703311980; 1703312769; 1703312771; 1703312573; 1703312458 1703312451 1703312354, 1703312259; 1703312253; 17033157; 1703312152.

7. At 15'X20' easement for a future bus stop and shelter will be provided along Maywood Avenue. The location shall be approved by the Transit Division prior to approval of site plan.

8. There will be no land disturbing activities or tree removal within the southern portion of this site except the following.

A. Owners, City of Raleigh or Utility Company may remove dead, diseased or storm damaged trees and debris.

B. Owners, City of Raleigh or Utility Company may provide maintenance and/or replacement of existing utilities and storm drainage systems.

The area is more particularly described as follows: Beginning at the southwest corner of the property and running along the western property line N 25 50'37" W, 315.59 feet to a point, thence N 89 23' 47" E, 418.97 feet to a point; thence S 23 50'05" E, 43.53 feet to a point; thence N 89 23'47" E, 215.11 feet to a point on the eastern property line; thence along the eastern property line; thence along the eastern property line S 00 30'37" E, 250.00 feet to a point; thence S 89 23'47" W, 526.36 feet to the point of beginning. The area consist of 3.709 acres.

(The tree survey can be found in the case file located in the Planning Department)