

Z-111-97 Mayflower Drive and Capital Boulevard, southwestern intersection, being Tax Map 1725.09 15 8116. Approximately 4 acres rezoned to Shopping Center (.5 acre) and Office and Institution-2 Conditional Use (3.4 acres).

Conditions: (12/10/97)

A. Any development of the subject property shall be in compliance with Raleigh Planning Commission CR 7107. A detention pond shall be installed and maintained within the buffer described in paragraph B below.

B. Upon issuance of a certificate of occupancy for new construction on the rezoned property, a buffer with a minimum width of 75 feet will be installed and maintained along the boundary of the properties identified as Wake County PIN's 1725.09 15 1283, 2311 and 2329. The buffer shall supplement the transition yard requirements of the City of Raleigh and shall meet the following requirements:

1. Storm drainage facilities, erosion control devices, electric, telephone, cable television and similar installations (fiber optic cable, etc.) gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate local government authority. Any such construction shall be underground and designed and undertaken so as to create as little disturbance of the buffer as possible while still honoring public service, health and safety requirements.

2. The planting of new vegetation, construction of fences, walls, berms or similar construction which enhances the area's visual appeal, or sight and noise screening characteristics.

3. Treatment or removal of nuisance or diseased vegetation as certified by City Arborist or other public official designated by the Raleigh City Manager. To illustrate, but not limit, the foregoing: Trees which encroach upon property boundaries or whose limbs hang over adjacent properties, overhead electric lines, streets or drives may be removed; pine trees infested with or threatened by pine bark beetles or similar pests may be removed.

C. Access onto Mayflower Drive shall be limited to one (1) access point. Said access point to serve both the O&I-2 CUD and Shopping Center CUD tracts. Internal traffic circulation between said tracts shall provide for cross access one with the other.

D. In the O&I-2 CUD, a fifteen foot (15) wide landscaped and bermed buffer shall be provided along the developed road frontage of Mayflower Drive.

E. A closed fence six (6) feet in height shall be constructed and maintained along the eastern line of the 75-foot natural buffer described in paragraph B above.

F. A declaration of cross access granting cross access between the property identified with Wake County PIN #1725.13 14 3771 and Mayflower Drive shall be recorded with the Wake County Register of Deeds prior to issuance of any future certificate of occupancy for either the O&I-2 CUD or SC CUD tracts. Said declaration shall be approved by the City Attorney prior to recordation.