

Z-34-95 Duraleigh Road, north side, at its western intersection with Charles B. Root Wynd, being Parcel 3474, Tax Map 0785.11 rezoned to Shopping Center Conditional Use District.

CONDITIONS:

A. All uses now or hereafter allowed in the Office & Institution-I zoning district as set forth in the Raleigh Zoning Code, and a freestanding eating establishment.

B. In addition to yard space and landscaping required by the Raleigh City Code, the following supplemental buffers shall be provided.

1. A minimum 25-foot protective yard along the Duraleigh Road frontage.

2. A 6 foot high closed fence or wall of construction material and design complementary to existing construction throughout Olde Raleigh Subdivision, and appropriate landscaping or, in the alternative, an appropriate earthen berm and landscaping, with landscaping easements as necessary to meet the minimum Raleigh City Code requirements for a transitional protective yard between the subject property and Tax Parcel 433-1010.

C. Any eating establishment constructed on the site shall not exceed one story in height (25') and shall comply with unity of development criteria for Olde Raleigh Shopping Center.

D. Exterior trash receptacles (dumpsters) shall be screened so as not to be visible from adjacent private property or the public street.

E. No driveway cuts or access ways onto Duraleigh Road.

F. The site plan for development of the rezoned parcel will include installation of additional pavement on the west side of Duraleigh Road sufficient to designate a separate left turn lane for southbound traffic entering Olde Raleigh Shopping Center.

G. No retail use of the subject property shall operate after 11:00 p.m.

H. Right of way needed, if any, for Duraleigh Road Improvements shall be reimbursed at an Office & Institution-1 land value.

I. Development on the rezoned site shall comply with Planning Commission Certified Recommendation 7107.