

Z-17-93 Millbrook Road, south side, west side of Creedmoor Crossings Shopping Center, being Parcel 46, Tax Map 378, rezoned to Office and Institution-1 Conditional Use.

CONDITIONS:

A. Development of the property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission.

B. Any dumpsters for the property will be provided within enclosures for screening purposes and will not be located within 100 feet of the common property line with Wake County tax parcels 377-822 and 378-971.

C. A minimum 40 foot wide transitional protective yard with 80 shrubs and 7 trees per 100 linear feet will be provided along the entire length of the common property line with Wake County tax parcels 377-822 and 378-971. This transitional protective yard will be installed according to the rules for the installation of transitional protective yards in the City's Landscaping Ordinance. The earthen dam structure along the common property line with parcels 377-822 and 378-921 will be retained as a part of the transitional protective yard even if the pond is drained. Any breach of the dam to drain the pond will be restored. If the dam is retained, the required plantings of trees and shrubs for this portion of the transitional protective yard will be located along the top of the dam.

D. Any residential use of the property shall not exceed 15 dwelling units per gross acre for the entire property. Multi-family residential development of the portion of the property within 150 feet of the common property line with Wake County parcel 377-822 shall not exceed 6 dwelling units per acre.

E. If the St. Pierre property is developed for multi-family purposes, the rear of any multi-family residential units constructed along the common property line with tax parcels 377-822 and 378-921 will be screened with a 100% opaque privacy screen to a height of 8 feet above the finished floor elevation of the ground floor of buildings on the St. Pierre side of the property line. The privacy screen will consist of either a solid wooden fence, the dam from the drained pond, or combination thereof.

F. Maximum building height will not exceed forty (40) feet.

G. When internal vehicular circulation has been planned for this property, upon approval by the City Council of that circulation as a part of plan approval, a cross access easement and agreement will be recorded offering cross access from this parcel (378-46) to either parcel 378-778, 378-127 or parcel 378-923 or all three, at a point, or points, where such connections are compatible with the plans for parcel 378-46.