

**Z-43-91 Falls of Neuse Road**, east side, opposite Bland Road, being Parcel 670, Tax Map 409, rezoned to Shopping Center Conditional Use District.

CONDITIONS:

1. A fifty foot landscaped buffer strip shall be installed along the right-of-way of Falls of the Neuse Rd, equivalent in intent to Code Section 10-2022 Conservation Buffer District, permitting all uses set forth in said section, except that such buffer strip SHALL NOT deprive the subject property of vehicular access to and from Falls of the Neuse Rd; said buffer strip shall incorporate a berm, or berms, large trees and vegetation to restrict the view of parked cars from vehicular passengers on Falls of the Neuse Rd [at a minimum, meeting the standard set forth in section 10-2068. 5tb) (2)d]. A fifteen-foot wide Type "D" transitional yard shall be constructed along the northern boundary of this property where adjacent to Tax Parcels 409-652 and 653.
2. Transportation improvements shall meet or exceed the requirements contained in the SC-5-90 approval documents, approved by Council on June 18, 1991.
3. Prohibited Uses: No more than two primary structures shall be constructed on subject property; the structure whose primary orientation shall be to Falls of the Neuse Rd shall be restricted to restaurant uses, except that no drive-in, drive-through service shall be permitted. All uses, other than those stated above, which are normally permitted in the Shopping Center district shall be prohibited.
4. Area and Height Limits: The total gross area of the building for financial institutional uses shall not exceed 3,500 sq. ft. The total gross area of the building for restaurant uses shall not exceed 7, 500 sq. ft. The building height shall not exceed one story.
5. Unity of Design Criteria: Unity of Design standards shall be compatible with those submitted and approved within SC-5-90 submittal documents.
6. Storm Water Management Plan: Petitioner will prepare storm water management within criteria of approved SC-5-90 documents.
7. Access: Direct access to Falls of the Neuse Rd shall be prohibited unless it also provides access to Tax Parcels 409-652 and/or 653 as evidenced by a cross-access agreement filed and accepted by the City.
8. Screening: Petitioner shall screen any dumpster area utilizing a six foot minimum height fence and plantings; service areas shall be fully screened from view from rights-of-way and Tax Parcels 409-652 and 653.