

Z-85-94 Falls of Neuse Road, east side, north side of Pacific Drive, opposite Bland Road, being Parcel 6517, Block 42, Tax Map 1716.14, rezoned to Shopping Center Conditional Use.

Conditions: dated 10/17/94

1. A fifty foot street protective yard shall be installed along the right-of-way of Falls of Neuse Road, except that such yard SHALL NOT deprive the subject property of vehicular access to and from Falls of Neuse Road; said yard shall incorporate a berm, or berms, large trees and vegetation to restrict the view of parked cars from vehicular passengers on Falls of Neuse Road.

A fifteen foot wide Type "D" transitional yard shall be constructed along the northern boundary of this property where adjacent to PIN numbers 1716.14 42 4707 and 1716.14 42 6986.

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; uses shall be limited to financial institution, restaurant, retail sales and/or general office uses, except that no restaurant may employ drive-in, drive-through service. All uses, other than those stated above which are normally permitted in the Shopping Center district shall be prohibited.

4. Unity of Development Criteria: Shall be compatible with those submitted and approved within SC-5-90 submittal documents.

5. Stormwater Management Plan: Petitioner shall prepare stormwater management within the criteria previously approved for SC-5-90.

6. Access: Direct access to Falls of Neuse Road shall be prohibited unless it also provides access to PIN number 1716.14 42 4707 and/or 1716.14 42 6986 as evidenced by a cross-access agreement filed and accepted by the City.

7. 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 PIN numbers 1416.14 42 4707 and 1416.14 42 6986.

8. Property Owner shall dedicate a 35-foot multi-purpose easement (sidewalk, utility, traffic control, sign, etc.) parallel and adjacent to Falls of Neuse Road.