

4. **Z-81-22 – 3304 Clearfield Drive**, located at the northeast quadrant of I-540 and the CSX rail corridor, being Wake County PIN 1727249962. Approximately 8.5 acres rezoned to Commercial Mixed Use-12 Stories-Conditional Use w/Special Highway Overlay District 2 (CX-12-CU w/SHOD-2).

Conditions dated: February 3, 2023

1. The following uses are prohibited: adult establishment, cemetery, detention center, jail, prison, vehicle service, vehicle fuel sales.
2. A landscape buffer with a minimum width of fifty ft (50') measured from the property line abutting I-540 shall be provided. The landscape buffer shall be planted according to the planting requirements for the SHOD-1 protective yard (UDO Section 5.3.1.F) unless established as Tree Conservation Area in accordance with UDO Article 9.1. Existing vegetation and the plantings already required by the SHOD-2 protective yard, where applicable, may be credited towards the planting requirements. The landscape buffer may include greenways, other pedestrian trails, vehicle access, walls, berms, easements including slope or drainage easements, utilities, and other encroachments as permitted by the UDO, unless established as Tree Conservation Area in accordance with UDO Article 9.1. New plantings shall only be required within North Carolina Department of Transportation slope or drainage easements if permitted by the North Carolina Department of Transportation.
3. Non-residential uses shall be limited to a maximum of 30,000 square feet.
4. Development of the site shall include a minimum of two of the following green stormwater infrastructure (GSI) measures: bio-retention areas, permeable pavement systems, rainwater harvesting (cisterns), green roofs, and planter boxes. Incorporating GSI measures within the project limits does not preclude the ability to use above or below ground stormwater management devices.
5. The greenway easement dedication requirements of UDO 8.6.1 shall also apply to nonresidential development.
6. All primary buildings, excluding standalone structured parking, shall be designed to achieve a green building certification. Acceptable green building certification programs include, but are not limited to, National Green Building Standard, Energy Star, LEED, Earthcraft, and Enterprise Green.
7. A minimum of twenty-five percent (25%) of the net site area shall be set aside as Open Area. "Open Area" as used in this condition shall mean land area: (1) located outside of the public right-of-way; (2) located outside of a building footprint (except for rooftop terraces and amenities); and (3) located outside of a parking area. This Open Area shall be used for passive and active open space and may include required Amenity Areas under UDO Section 1.5.3, private parks, public multiuse paths, private trails, rooftop terraces and amenities, environmentally sensitive areas, required Tree Conservation Areas under UDO Section 9.1, landscaped buffers (including the buffer defined by Condition #1), and stormwater devices.

8. Along the limit of disturbance adjacent to the northern and eastern property lines, developer shall install double silt fencing prior to any grading or construction, with settling pits installed at every double silt fence outlet.
9. The development shall include a pedestrian connection, either from the site's internal pedestrian network or from the Sumner Boulevard extension to the property's northern or eastern boundary in order to provide a connection to the future greenway. The pedestrian connection shall be built to City of Raleigh greenway standards and located within a bicycle and pedestrian access easement. The Developer's obligation to construct the pedestrian connection shall be subject to a mutual agreement between the Developer and the City of Raleigh on the final alignment of the pedestrian connection, to be determined during Administrative Site Review.