

**Z-28-14 – South Person Street:** located at the southeast corner of South Person Street and East Cabarrus Street, with the address of 501 South Person Street and being Wake County PIN #1703862788. Approximately 0.12 acres, rezoned to DX-3-CU with HOD-G.

**Conditions dated:** July 10, 2015

- 1) Unless a more stringent standard is required by the City of Raleigh's Unified Development Ordinance ("UDO"), fences shall be installed along the east and south side of the property next to those properties identified in those deed records in Deed Book 011769, Page 02408 and Deed Book 012181, Page 00936. The fences shall comply with UDO §§ 3.5.3.8.2.a and 7.2.8.
- 2) Hours of operation for service of trash/recycle facilities shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, unless City service necessitates otherwise.
- 3) Any exterior freestanding lighting shall be no more than 12' in height and shall feature full cut-off illumination.
- 4) The following uses are prohibited: (1) bar, nightclub, tavern, lounge; (2) pawnshop; (3) adult entertainment. In addition, to the extent that the City makes a determination that commercial breweries or alcohol distilleries are permitted uses within the Downtown Mixed-Use district, those uses are also hereby prohibited.
- 5) No on-site parking or vehicular surface area shall be permitted between the building and the street.
- 6) A minimum of one primary street-facing entrance shall be provided, and direct pedestrian access from a public sidewalk to the primary street-facing entrance of the building shall be provided.
- 7) In addition to complying with the standards set out in the UDO, the following shall apply to eating establishment uses:
  - a) outdoor seating, if any, shall be limited to 65% of the amount of seating inside the building;
  - b) restaurant hours shall be limited to 10:00 p.m. on Monday through Thursday, 11:00 p.m. on Friday and Saturday, and 9:30 p.m. on Sunday;
  - c) vendor deliveries shall be made between the hours of 7:00 a.m. and 6:00 p.m.; and
  - d) unless City Code requires a wider setback, all trash or recycling storage facilities shall be located a minimum of five (5) feet from the boundary line shared with the property to the immediate south, specifically that property identified as PIN 1703863762 and recorded at Deed Book 0012181, Page 00936 at all times during which the single family dwelling principally located on property identified as PIN 1703862792 and recorded in Deed Book 013734, Page 00010 is occupied as a residential use.