

- 2. Z-51-23 – 430 Buck Jones Road**, located at the intersection of Buck Jones Road and Bashford Road, being Wake County PIN 0773983036. Approximately 0.36 acre rezoned to Commercial Mixed Use-3 stories-Conditional Use (CX-3-CU).

Conditions dated: February 15, 2024

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the CX- zoning district shall be prohibited: (i) Dormitory, fraternity, sorority; (ii) Emergency Shelter Type A; (iii) Emergency Shelter Type B; (iv) College, community college, university; (v) Adult establishment; (vi) Outdoor Recreation; (vii) Golf course; (viii) Overnight Lodging; (ix) Hospitality house; (x) Passenger Terminal; (xi) Heliport, serving hospitals; (xii) Heliport, all others; (xiii) Brewery, winery, distillery, cidery; (xiv) Light Manufacturing; (xv) Research & Development; (xvi) Car wash; (xvii) Self-Service Storage; (xviii) Vehicle repair, major; (xix) Cemetery; (xx) Outdoor sports or entertainment facility (>250 seats); and (xxi) Vehicle sales.
2. The Bar, nightclub, tavern, lounge use shall comply with the use regulations as described in UDO Section 6.4.10.B.2.
3. Hours of operation for vehicle fuel sales (including gasoline and diesel fuel) can begin no earlier than 6:00 AM and end no later than 12:00 AM. Operations includes and deliveries and collections. Preparation, store cleaning and inventory may be allowed during these restricted hours. Uses other than Vehicle Fuels Sales (including gasoline and diesel fuel) and vacuuming may continue operation during these restricted hours.
4. The total number of vehicles capable of being simultaneously serviced by Vehicle Fuel Sales shall not exceed four (4).
5. All vacuuming and compression machines located outside of an enclosed building must be located at least fifty feet (50') from a Residential district.
6. Accessory car washing is only allowed if the car wash is equipped with fully automatic wash equipment so the driver remains in their car during the entire wash process.
7. Back-lighting of fuel canopies is prohibited. All canopy lighting shall be flushed mounted underneath the canopy except for the signs.
8. Canopies shall be limited to sixteen feet (16') maximum height to the bottom of the underside of the canopy and a twenty-three feet (23') maximum height to the top of the roof of the canopy (absent any required vent stacks).
9. New principal buildings, which are not intended for the Vehicle Fuel Sales use, built on the Property after the date of approval of these zoning conditions shall be subject to the following frontage requirements:
  - a) Build-To requirements along Buck Jones Road:
    - i. Buck Jones Road build to (min/max) 0'/50'
    - ii. Building width in Buck Jones Road build-to if Buck Jones Road is designated a primary street: 50%
    - iii. Building width in Buck Jones Road build-to if Buck Jones Road is designated a secondary street: 25%
  - b) When any of the items listed in UDO Section 1.5.6.C.3. are perpendicular to the right-of-way and located within the applicable build-to range, the lot width shall be reduced by the width of the impediment for the purposes of calculating

the build-to percentage. When any of the items listed in UDO Section 1.5.6.C.3. are generally parallel to the right-of-way, located within the build-to range, and reduce the build-to range to less than five feet (5'), then the build-to range shall be reduced by 50% and measured from the edge of the impediment.

- c) Each new building shall have at least one primary street-facing entrance
- d) Parking between the new principal building and Buck Jones road shall be prohibited
- e) The streetscape shall be built to the Main Street or Mixed Use standards of UDO Sections 8.5.9.A. or 8.5.9.B., respectively.
- f) This condition shall not apply to any new principal building for the Vehicle Fuels Sales use.