

3. **Z-66-21: 3900 Mitchell Mill Road**, located approximately 0.75 miles east of the intersection of Mitchell Mill Road and Louisburg Road (US 401), consisting of Wake County PIN 1747464777. Approximately 2.0 acres rezoned to Commercial Mixed Use- Three Stories- Conditional Use (CX-3-CU).

Conditions dated: June 3, 2022

1. The Apartment building type shall be prohibited.
2. The following non-residential uses shall be prohibited: Day Care Center; Adult Establishment; Outdoor Sports or Entertainment Facility (250 seats), Short-Term Rental, Bed and Breakfast, Hospitality House; Bar, Nightclub, Tavern, Lounge; Vehicle Fuel Sales (including gasoline and diesel fuel); Detention Center, Jail, Prison; Check cashing, payday loan; Pawnshop; Amusement Center, Game Arcade, Billiard Hall, Pool Hall, Bingo Parlor, Shooting Range; Telecommunication Towers: Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium.
3. The hours of operations of an eating establishment use as described in UDO Sec. 6.4.1 0.C.1, and the hours of operations of retail sales use as described in UDO Sec. 6.4.11 A, except for any retail use that sells prescription medications, can begin no earlier than 6:00 AM and end no later than 11 :00 PM, including all deliveries.
4. Drive-throughs are prohibited.

5. At the time of a subdivision or site plan, the applicant will dedicate a City of Raleigh Greenway Easement along the NR Rocky Branch greenway corridor identified in the City of Raleigh Comprehensive Plan. The area to be dedicated as City of Raleigh Greenway Easement shall consist of a 50-foot-wide buffer along the NR Rocky Branch greenway corridor (measured from waterbody top of bank, along the entire length of the water body within the property boundary) plus that area of the property located within the 100-year floodplain.
6. Vehicle Parking shall be located behind any commercial building developed on the site.
7. In addition to the requirements of UDO Section 7.2.7 and prior to site plan approval of any future development on the site, five (5) evergreen shrubs will be planted behind the road right-of-way and along the parcel frontage of Mitchell Mill Road.