**Ordinance: 391 ZC 620**
**Effective: May 6, 2008**

1. **Z-19-08, E. Hargett Street –** located on Hargett Street, south side, between S. Bloodworth and S. East streets, extending southerly to Martin Street, being multiple Wake County PINs. Approximately 1.9 acres to be rezoned Office & Institution-1 Conditional Use District with Downtown Overlay District.

**Conditions: April 23, 2008**

(a) Maximum Height. Building(s) constructed upon the subject property shall be no more than the lesser of (i) four (4) stories in height entirely above grade (not including basement areas, rooftop architectural features, subterranean parking or internal parking garage, if applicable), or (ii) seventy (70) feet from the back of the curb. As used herein, a story is "entirely above grade" only if the entire horizontal base of the floor is above the finished floor elevation.

(b) Parking. There shall be no surface parking areas located between the front face of any multi-story building and its adjacent public street. At a minimum, the lower three (3) levels of any parking deck located on the property (exclusive of subterranean parking) shall be wrapped on all four (4) sides by an active use, except for access points for pedestrian and vehicular ingress and egress to such parking structure. Where not otherwise wrapped by an active use, any subterranean parking shall be screened from the right of way by a solid material that is architecturally compatible with the rest of the building.

(c) Development as a Single, Mixed Use Structure. In the event the property is developed to include a single building with an associated parking deck, which requires special City Council approval for higher density, then the following conditions apply:

(i) flat roofs will be screened by decorative parapet Walls;
(ii) there shall be a change in material and/or an articulation of material at the base of the building within 36" (vertically) of the pedestrian plane at areas where the base of the building is not defined by a stem or retaining wall;
(iii) the building constructed on the property shall have a base which is different in color and/or material than the rest of the building, in order to reduce the scale of the building, help define the pedestrian level and relate to the adjacent neighbors;
(iv) the combined area of windows and doors shall represent no less than fifteen percent (15%) and no greater than sixty percent (60%) of the façade of the building constructed upon the property;

(v) lighting for the subject property shall be pedestrian in scale, except for lighting associated with any parking deck located upon the property;

(vi) any parking structure located on the subject property shall contain a minimum of ninety (90) percent of all parking for uses located on the property.