

Z-16-94 Logan Court, west side, between Chamberlain and Hillsborough Street, opposite Hope Street, being Map 0794.20, Block 91, Parcel 0834 to be rezoned to Shopping Center Conditional Use.

Conditions: (4/9/95)

1. This property will not be used as a location for an automotive service and repair facility.
2. Application will not be made to the Board of Adjustment for any adult establishment.
3. No drive-in or drive-thru facilities will be permitted at this site.
4. Petitioner will provide for a cross access Agreement between this property and an adjacent parcel shown on tax map 0794.20, Block 91 as parcel 0704, and Agreement would be offered if and at such time as the improvements on subject property are removed and a site plan is submitted to the City of Raleigh.
5. Uses of the property shall be limited to those which are permitted in O&I-1 Districts of the City of Raleigh, except the following:
 - a. Setback and yard requirements shall meet the requirements of Shopping Center Districts.
 - b. If the property is developed as a parking lot, it shall not be utilized to provide the required parking for improvements located on any other property except an adjacent lot now owned by the Applicant which is designed on the 1994 Wake County Tax Map by PIN# 0794.20-81-9756 and which is contiguous to the property for which this rezoning is sought. However, this exception shall not apply if said adjacent lot is used for one or more bars, nightclubs, tavern or lounges. These terms specifically do not include restaurants as they are defined in Section 18B-1000 of the General Statutes of North Carolina. Also, art/entertainment facilities, as they are defined in the Code of Municipal Ordinances of the City of Raleigh, provided they do not sell alcoholic beverages for on- or off-premises consumption, shall not be included in the terms, "bars, nightclubs, taverns, or lounges," and therefore shall be allowed. Any restaurant located on said adjacent lot will end its business day at midnight. If any building on any other lot uses the subject property as a parking lot, such use of the subject property shall terminate at midnight.