

ORDINANCE NO. (2020) 53 ZC 789

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Part 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

- 1. TCZ-4-19 – Olde Towne**, 2001, 2055, 2201, and 2281 S. New Hope Road; 4901, 5125, 5135, and 5325 Rock Quarry Road; 3316 and 3320 Barwell Road; and 2400, 2450, 2560, 2590, 2620, 2640, and 2680 Holiday Drive, northeast corner of its intersection with Rock Quarry Road, being Wake County PINs 1732073161, 1732062346, 1732150043, 1732040116, 1722846111, 1722937105, 1722939573, 1732111958, 1732346972, 1732344507, 1732373509, 1732372031, 1732268167, 1732358949, 1732451381, 1732355204 and 1732254316, respectively. This text change will amend the conditions associated with zoning case Z-7-18 as approved in Ordinance (2018) 871 ZC 768 (Effective September 4, 2018.)

Conditions dated: September 9, 2019

1. Total number of dwelling units shall not exceed 1,700 units on the subject property. The Apartment Building type shall not be permitted on the subject property except that up to three hundred sixty (360) dwelling units located within the apartment building type shall be permitted where the Apartment Building Type is located within two thousand five hundred feet (2500') of the right-of-way for Rock Quarry Road. A minimum of One Hundred (100) residential units, of any unit type permissible under the Unified Development Ordinance, shall be restricted to those age Fifty-Five (55) and older, in accordance with Federal law.
2. At the time of issuance of the first certificate of occupancy for a dwelling unit, the property owner shall create an area containing at least twenty-five (25) acres of land identified by the property owner and located on the subject property near the intersection of New Hope Road and Walnut Creek (the “Park Land”) for use as a public or private park. The property owner shall ensure the Park Land has access from a street internal to the project.
3. The Property owner shall install greenway trails on the subject property generally as shown on the attached Exhibit B, meeting City of Raleigh green way trail specifications, to be completed as follows:
 - a) The “Red Route” from “Node 1” at South New Hope Road heading eastward across the subject property for at least 1500 linear feet prior to the Certificate of Occupancy for the Clubhouse Facility;

- b) The “Green Route” from the terminus of the “Red Route” to “Node 2” at Barwell Road when a roadway connection is made to Barwell Road; and
 - c) The “Orange Route” from “Node 2” to “Node 3” near Walnut Creek prior to the 1500th Certificate of Occupancy.
4. A minimum of twenty-five percent (25%) of the net site area (site area excluding street right-of-way) shall be used for passive and active open space, including public parks, private parks, public greenways, environmentally sensitive areas, tree conservation area, stormwater devices and other open space.
 5. For property delineated by Wake County PIN 1722937105 and identified as Lot 5007 on Book of Maps 2008, Page 280, Wake County Registry (the “Property”), unless a more restrictive provision of the City of Raleigh Unified Development Ordinance applies, one or more buildings shall be located within one hundred feet (100’) of Rock Quarry Road or at least fifty percent (50%) of the length of the Property along Rock Quarry Road, excluding public street right-of-way from length of the Property.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If this ordinance or any application thereof is held invalid as to any person or application thereof, such invalidity shall not affect other provisions or applications of the ordinances which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council following a recommendation of the Planning Commission.

Section 5. That this ordinance shall become effective as indicated below.

Adopted: February 4, 2020

Effective: February 4, 2020

Distribution: Planning
Inspections
City Attorney
Transcription Services – Taylor

Exhibit B

