

ORDINANCE NO. (2025) 741 ZC 902

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 it hereby amended as follows:

1. **TCZ-41-24/Z-41-24 – 3616 Louisbury Road**, located on the south side of Louisbury Road, being Wake County PIN 1747668484. Approximately 1.06 acres rezoned to Commercial Mixed Use-3 stories-Parking Limited Frontage-Conditional Use (CX-3-PL-CU) with amended conditions.

Original Conditions dated: September 29, 2004 (Z-58-04: Ordinance No. (2004) 717 ZC-557 adopted/effective October 5, 2024)

The applicant plans to utilize the property consistent with the Wake Crossroads Small Area Plan. The project would have the following conditions:

1. A limit on individual retail space to 5,000 square feet.
2. Any new parking area will be located at the sides or rear of the building.
3. Building height would be limited to 45 feet.
4. There would be a maximum building setback of 20 feet from the public right-of-way.
5. The development shall be residential in character, including that all sides of any building shall devote no less than 15% or no greater than 60% to window openings.
6. Reimbursements for ROW dedication on Louisbury Road (if applicable), shall be based on the preexisting R-4 zoning.
7. Access to the property will be limited to a single point on Louisbury Road opposite Shady Bottom Lane.
8. Prior to development of the site, offers of cross access will be provided to the adjacent properties to the North, South and West.
9. Dumpsters will be located behind the building and screened from any adjacent residences or properties zoned residential.
10. All outdoor area and parking lot lighting fixtures will be full cutoff (shielded) design.
11. The following uses which would otherwise be allowed in the proposed zoning shall be prohibited:
 - a. Auto service and/or repair facility;
 - b. Adult establishment;
 - c. Landfill (debris from on site);
 - d. Parking lot, deck, garage, including motor pool;
 - e. Emergency shelter Type B;
 - f. Telecommunications tower;

- g. Airfield, landing strip and heliport;
- h. Riding stables;
- i. Correctional/penal facility;
- j. Outdoor stadium, outdoor theater or outdoor track; and
- k. Car wash
- l. Bar, nightclub, tavern, lounge
- m. Kennels

Amended Conditions dated: September 22, 2023 (TZC-48-23: Ordinance No. (2024) 590 ZC 872 adopted January 2, 2024 and effective January 7, 2024)

- 1. A limit on individual retail space to 5,000 square feet.
- 2. Any new parking area will be located at the sides or rear of the building.
- 3. Building height would be limited to 45 feet.
- 4. There would be a maximum building setback of 20 feet from the public right-of-way.
- 5. The development shall be residential in character, including that all sides of any building shall devote no less than 15% or no greater than 60% to window openings.
- 6. Access to the property will be limited to a single point on Louisbury Road opposite Shady Bottom Lane.
- 7. Prior to development of the site, offers of cross access will be provided to the adjacent properties to the North, South and West.
- 8. Dumpsters will be located behind the building and screened from any adjacent residences or properties zoned residential.
- 9. All outdoor area and parking lot lighting fixtures will be full cutoff (shielded) design.
- 10. The following uses which would otherwise be allowed in the proposed zoning shall be prohibited:
 - 1. Adult establishment;
 - 2. Landfill (debris from on site);
 - 3. Parking lot, deck, garage, including motor pool;
 - 4. Emergency shelter Type B;
 - 5. Telecommunications tower;
 - 6. Airfield, landing strip and heliport;
 - 7. Riding stables;
 - 8. Correctional/penal facility;
 - 9. Outdoor stadium, outdoor theater or outdoor track;
 - 10. Bar, nightclub, tavern, lounge;
 - 11. Kennels.

Amended Conditions dated: April 17, 2025

- 1. A limit on individual retail space to 5,000 square feet.
- 2. Building height would be limited to 45 feet.
- 3. Access to the property will be limited to a single point on Louisbury Road opposite Shady Bottom Lane

4. All outdoor area and parking lot lighting fixtures will be full cutoff (shielded) design.
5. The following principal uses which would otherwise be allowed in the proposed zoning shall be prohibited:
 - a. Adult establishment;
 - b. Parking facility;
 - c. Emergency shelter Type B
 - d. Telecommunications tower;
 - e. Heliport;
 - f. Detention center, jail, prison;
 - g. Outdoor sports or entertainment facility;
 - h. Bar, nightclub, tavern, lounge
 - i. Kennels
6. The hours of operation for any commercial use on the property shall be no earlier than 7 a.m. and no later than 8 p.m.