

3. **TCZ-78-22 – 1520 and 0 Blue Ridge Road**, located at the southeast corner the intersection of Blue Ridge Road and Westchase Boulevard, being Wake County PINs 0784762781 and 0784669712. Approximately 4.66 acres rezoned to OX-12-UL-CU (Amended conditions).

Original Conditions dated: July 3, 2017 (Z-5-17, Ordinance No. (2017) 731 ZC 750 effective July 5, 2017)

1. Future development on the subject property is restricted as follows for the following three (3) land uses: Hotel room count is limited to no more than two-hundred and eighty-eight (288) rooms; or, Office use is limited to no more than seventy-five thousand square feet (75,000 SF) gross floor area; or, Retail/Shopping Center use is limited to no more twenty-eight thousand square feet (28,000 SF) gross floor area. Gift shop and dining services that are integral to the hotel use are excluded from the retail restriction.
2. Prior to issuance of either a building permit for new development or recording of a subdivision plan for the subject property, the owner shall dedicate to the City of Raleigh a Transit Easement adjacent to Blue Ridge Road, with a dimension no greater than fifteen feet (15') by twenty feet (20'). The final dimensions and location of the Transit Easement shall be determined by the City of Raleigh.
3. Prior to the issuance of a certificate of occupancy for a new building on the site or the recording of a subdivision associated with the subject property, the property owner shall provide either a transit shelter or pay a comparable fee-in-lieu to the City of Raleigh for the cost of a standard specification transit shelter. In addition to the shelter, the property owner shall provide related signage, along with pavement for the shelter and other pavement associated with access to the transit vehicle in accord with standard City of Raleigh standard specification and detail.

Amended Conditions dated: October 3, 2022

1. Permitted uses are limited to the following uses:
 - a. Overnight lodging with a maximum of two hundred and eighty-eight (288) rooms; or
 - b. Office with a maximum of seventy-five thousand square feet (75,000 SF) gross floor area; or
 - c. Retail sales with a maximum of twenty-eight thousand square feet (28,000 SF) gross floor area; or
 - d. Residential with a maximum of 400 units.

Gift shop and dining services that are integral to the overnight lodging use are excluded from the retail restriction. Up to six thousand square feet (6,000 SF) of retail sales or restaurant/bar uses may be included with residential and office uses.

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 is being adopted following a recommendation from the Raleigh City Planning Commission and a duly advertised public hearing of the Raleigh City Council.

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

Adopted: February 21, 2023

Effective: February 26, 2023

Distribution: Planning and Development
Inspections
City Attorney
Transcription Services - Taylor