



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Requested Interpretation		Case Number
Please see the attached memo "Request for Official Interpretation for UDO 1.5.3.C.6" and exhibits.		UI-4-17
Site Address/PIN: 200 West Davie Street; Raleigh, NC Pin# 1703-67-0565		
Date Submitted: 20 March 2017	Date Issued: 31 March 2017	Code Sections Affected: UDO 1.5.3.C.6

STAFF ANALYSIS

The applicant requests an interpretation of section 1.5.3.C.6. This section of the UDO contains the requirements for outdoor amenity areas. Specifically, the applicant asks if a covered outdoor amenity area in the DX zoning district would be permitted under the current UDO requirements.

The applicant has provided conceptual drawings that show an enclosed area with a high ceiling of the entry plaza, a solar study showing that sunlight enters the area for substantial periods of the day and the depth of the entry plaza allowing for a large sun angle. The aim of these points is that the intent of having an open amenity area is met. However, the ordinance does not specifically recognize the arguments that are being proposed, but rather expressly states that an amenity area may be covered in any zoning district other than DX. The subject property is located in the DX district and therefore is specifically prohibited from having a covered amenity area.

STAFF INTERPRETATION

The language in section 1.5.3.C.6 is clear. Amenity areas located within the DX zoning district cannot be covered. The applicant has asked whether a completely enclosed area within a building, which will be located in the DX zoning district, would qualify as an outdoor amenity area. The plain reading of the relevant section informs that this would not be allowed.

SIGNATORY