

**Z-3-12 – Glenwood Avenue** - located on the west side of Glenwood Avenue, north of Wills Forest Street, being Wake County PINs 1704-43-5490 and 1704-43-6321. Approximately 0.6 acres are to be rezoned from Special Residential-30 (SP R-30) to Residential Business Conditional Use District (RB CUD).

**Conditions Dated: 03/26/12**

Conditional Use District requested: Residential Business Conditional Use

Narrative of conditions being requested:

As used herein, the “Properties” means and refers to all of those certain tracts or parcels of land containing an aggregate of approximately 0.60 acres, located along Glenwood Avenue, north of its intersection with Wills Forest Street, in the City of Raleigh, NC, and having Wake County Parcel Identification Numbers: 1704-43-5490 (Deed Book 14071, Page 2771; 909 Glenwood Avenue) and 1704-43-6321 (Deed Book 14526, Page 2172; 907 Glenwood Avenue) (collectively, “Properties”).

(a) The following principal uses, as listed in Raleigh City Code section 10-2071 “Schedule of Permitted Land Uses in Zoning Districts” shall be the only principal uses permitted on the Properties:

- Agriculture – all
- Recreation:
  - non-governmental, not for profit – all
- Residential – all, except for rooming house, boarding house, lodging house or tourist home
- Institution/Civic/Services:
  - church
  - civic club
  - family child care home
  - library or museum - non-governmental
- Office – all
- Commercial:
  - residential related service

(b) The existing structures located on the Properties shall not be demolished or moved. However, if a structure is damaged or destroyed as a result of the exercise of eminent domain; man-made acts, such as riot, fire, accident, explosion; or flood, lightning, wind or other calamity or natural act, the owner of the property shall not be obligated to restore, rebuild or reconstruct the structure to its previous condition.

(c) The development of any new principal building on the Properties shall conform to the following standards:

1. The maximum building height for the principal building shall be 12 feet higher than any other residential structure located on property residentially

zoned and located within 30 feet of the lot on which the structure is to be located. Notwithstanding this maximum height limitation, any building greater than 40 feet in height shall add one foot of additional width to each required district yard setback for each foot in height over 40 feet, except that any building greater than 40 feet in height located closer than 50 feet to either the lot line of any dwelling, congregate care or congregate care living structure or the boundary line of any residential zoning district shall add two feet of additional width to the required district yard setback adjacent thereto for each foot in height greater than 40 feet.

2. The minimum front yard setback shall be 15 feet and the maximum front yard setback shall be 45 feet.

3. The minimum side yard setback shall be 5 feet.

4. No structure shall contain more than 5,000 square feet floor area gross.

5. Any new vehicular parking areas shall be located behind the front façade of the principal building.

6. At least one building entrance shall be oriented toward Glenwood Avenue.

7. Subject to condition (h) below for office uses, the maximum building lot coverage shall not exceed 50%.

8. The materials, including their direction, dimension, and application, used on the exterior portion of the building shall be the same as those materials used on any two or more existing buildings on those blocks within or fronting along the streets within the areas (i) to the west of Glenwood Avenue, bound by Wills Forest Street, North Boylan Avenue and Devereux Street; and (ii) to the east of Glenwood Avenue, bound by Washington Street, the railroad right-of-way and Devereux Street.

9. The main roof of any building shall have a minimum rise-to-run pitch of 4 to 12.

(d) A total of only one sign may be located on the Properties, collectively. No sign on the Properties may be internally illuminated. The maximum dimension of any sign located on the Properties shall be 2.5 feet in height by 6.5 feet in length.

(e) Any new vehicular parking areas associated with the existing principal buildings shall be located to the rear of the principal building. This condition (e) shall not prohibit the maintenance and improvement of the vehicular parking areas in their current locations existing as of the day of adoption of this zoning ordinance.

(f) Direct access to the Properties from Glenwood Avenue shall be limited to one access point. This condition (f) shall not limit access to the Properties from Glenwood Avenue via access over 913 Glenwood Avenue (PIN 1704-43-5467; DB 11579, PG 2381) or 905 Glenwood Avenue (PIN 1704-43-6226; DB 5002 PG 383) or Spring Street.

(g) Prior to issuance of a building permit for a new principal building on one of the Properties, the owner of the redeveloping Property shall record in the Wake County Registry a specific offer of vehicular cross-access over and upon the redeveloping Property in favor of the other Property.

(h) Any office use on the Properties is subject to a maximum building lot coverage of 30%. Building lot coverage is the amount of net lot area or land surface area, expressed in terms of a percentage, that is covered by all principal buildings, including: (i) overhangs or cantilevered portions of the building (other than roof overhangs), such as bay windows; (ii) roofs or canopies covering areas where a principal use is conducted, such as a gasoline pump island canopy or display area; (iii) enclosed breezeways or walkways; and (iv) decks, balconies more than 3.5 feet high. Building lot coverage shall exclude roof overhangs; unenclosed walkways or stairs; unenclosed stoops, decks, patios, balconies less than 3.5 feet high; vehicular surface areas and parking structures; uncovered paved areas; and accessory uses and structures, such as signs, decorative items and lighting.

(i) Any office use on the Properties is subject to a maximum floor area ratio of 1.0. Floor area ratio is the numerical value obtained by dividing the floor area gross of the building by the net lot area. Floor area gross is the sum in square feet of the gross horizontal areas of all floors of the building measured from the exterior walls. The floor area gross of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade where the curb level has not been established. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses shall be included in the calculation of floor area gross. However, the following shall not be included in the floor area gross: any space devoted exclusively to off-street parking; outdoor loading, display, utility service areas; mechanical equipment and uninhabited enclosed space on top of roofs; attic space having head room of less than seven feet, ten inches (7' 10").