

Z-10-24 - 3102 Kelley Austin Drive, located at the intersection of New Bern Avenue and Kelley Austin Drive, immediately south of the I-440/New Bern Avenue interchange, being Wake County PIN 1724331347. Approximately 1.97 acres rezoned to Commercial Mixed Use 12-stories, Conditional Use (CX-12-CU, remove SHOD-1)

Conditions dated: June 11, 2024

1. The following uses shall be prohibited: Light Manufacturing, Bar, Nightclub, Tavern, Lounge (unless located within a restaurant), Plant Nursery, Indoor Recreation other than Health Club, Outdoor recreation, Passenger terminal, Vehicle sales/rental, Vehicle repair (minor), Vehicle repair (major), Detention center, jail, prison.
2. There shall be no more than 2 bays of on-site parking with a single drive aisle between the building and Kelley Austin Drive.
3. Building shall have at least 1 entrance facing Kelley Austin Drive.
4. Direct pedestrian access shall be required from the public sidewalk to the main entrance of the building facing Kelley Austin Drive and such access shall not cross recorded tree conservation areas.
5. Residential density shall not exceed 236 dwelling units.
6. Office uses shall not exceed 65,000 square feet gross floor area.
7. Retail uses shall not exceed 25,000 square feet gross floor area.

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 That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.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: August 20, 2024

Effective: August 25, 2024

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