

ORDINANCE NO. (2019) 977 ZC 779
Adopted 7/2/19

Z-36-18 – West Martin Street, at the southeast corner of its intersection with Commerce Place, being Wake County PIN 1703575747. Approximately 0.99 acres rezoned to Downtown Mixed Use-12 Stories-Shopfront-Conditional Use (DX-12-SH-CU).

Conditions dated: June 18, 2019

1. Existing buildings, named as contributing structures to the Depot National Register Historic District, shall remain and be maintained as occupiable on the property. All exterior walls and wall features including those not directly fronting the right-of-way shall remain in place. Loading docks, on the rear of the property, not fronting a right-of-way may be removed.
2. Existing historic structures may be removed from the property in the event of disaster or unintentional damage, should repairs exceed 50% of the total assessed tax value of the building impacted by the event. Structures replacing a historic building as defined in Condition #1, shall be constructed with similar materials as those replaced. Refer to Condition #4 for additional description of materials. The proposed replacement shall comply with the United States Secretary of the Interior's Standards for Rehabilitation, which shall be determined by the Department of City Planning, Historic Preservation, and shall be a condition for site plan approval or plot plan approval, in the event site plan approval is not required.
3. The maximum height within the footprint of the existing structures, or, within 123 feet of the right-of-way of West Martin Street, shall be 5 stories. All exterior improvements to the existing structures as defined in Condition #1 shall comply with the United States Secretary of the Interior's Standards for Rehabilitation, which shall be determined by the Department of City Planning, Historic Preservation, and shall be a condition for site plan approval or plot plan approval, in the event site plan approval is not required.
4. Exterior materials of all new construction, visible from any right-of-way, shall be comprised of similar materials to those found as part of other contributing structures of the Depot National Register Historic District.
5. Social Service uses are not permitted.
6. Adult Establishment and Pawnshop uses are not permitted.
7. Self-Service Storage and Vehicle Repair uses are not permitted.
8. One (1) Dog Waste Station shall be provided in the Outdoor Amenity Area.
9. 50% of the required Outdoor Amenity Area square footage, located between the existing and new buildings, shall be open to the public.
10. Internal light sources within structured parking shall not be visible from the adjacent public right-of-way.