

## ORDINANCE NO. (2021) 191 ZC 812

**Z-40-20 – 1912 Hillsborough Street**, located approximately 2 miles east of the intersection of Hillsborough Street and I-440, being Wake County PIN 1704012296. Approximately 0.4 acres rezoned to Commercial Mixed Use-7 stories-Conditional Use w/Special Residential Parking Overlay District (CX-7-CU w/SRPOD)

Conditions dated: January 8, 2021

1. The following shall be prohibited principal uses on the site: dormitory, fraternity, sorority; emergency shelter - all types; adult establishment; outdoor recreation – all types; hospitality house; passenger terminal - all types; bar, nightclub, tavern, lounge; food truck; pawn shop; vehicle sales/rental - all types; detention center, jail, prison; light manufacturing - all types; self-service storage - all types; vehicle service - all types; vehicle repair (minor), vehicular fuel sales, vehicle arts/ accessories; and drive-in/drive through facilities.
2. The total amount of floor area gross for personal service, restaurant, and retail sales uses shall not exceed 6,000 square feet.
3. The building façade will be constructed from one or more of the following materials: glass, concrete and/or clay brick masonry, cementitious stucco, cementitious siding, including lap and panel products, native and masonry stone, natural wood, precast concrete, metal panels, and/or trim. The following building siding materials shall be prohibited in such areas: vinyl siding, fiberboard siding, pressure treated wood, synthetic stucco (EIFS); however, EIFS shall be permitted for applications such as roof cornices, header details or banding elements. Window frames, door frames, soffits, and miscellaneous trim may be constructed of wood, fiberglass, metal or vinyl.
4. No individual dwelling unit shall contain more than three (3) bedrooms.
5. Any site plan for new development shall contain the following at the ground level for those portions of any building without a ground level active use: (a) cast concrete accents and brick matching the existing brick wall along the sidewalk, and (b) decorative metal screening compatible with the existing black fence, which runs along the curb line, or a green screen covering any opening other than those openings for egress and ingress.
6. The maximum building height shall be 90’.
7. Any site plan for new development shall remove the existing brick wall at the ground level.
8. All parking levels of any building constructed on the site will be screened to reduce glare visible outside of the structure.
9. Any site plan for new development on the subject property shall meet the following blank wall standard for that portion of the building façade facing east that is above any buildings on the adjacent parcels, including 105 Oberlin Road and 1900 Hillsborough Street:
  - A. Blank wall area means any portion of the exterior façade on the east face of the building that does not include a substantial material change; windows or doors; or columns, pilasters or other articulation greater than 4 inches in depth.
  - B. Substantial material change means a change between materials such as wood, metal, glass, brick, architectural block, stone or stucco. Substantial material change

should occur at an inside corner, where feasible. Paint color is not a substantial material change.

- C. Blank wall area shall not exceed 25' in both vertical and horizontal directions without any such change in materials or articulation as defined above.