

**ORDINANCE NO. (2023) 577 ZC 870**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:**

**Section 1.** That Part 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

- 1. Z-50-21 – 1316 Fairview Road; 219, 221, 225, 229, 233, 239 Bickett Boulevard**, located east of the intersection of Fairview Road and Bickett Boulevard, being Wake County PINs 1704667454, 1704668369, 1704668427, 1704668487, 1704669418, 1704669438, 1704669487. Approximately 1.01 acres rezoned to Neighborhood Mixed Use-4 stories-Conditional Use (NX-4-CU).

Conditions dated: November 9, 2023

1. A building containing Parking on part of the ground floors (Fairview and Bickett) and the development on the site shall be limited to a mixture of residential and commercial uses. The building height shall be no more than three stories as measured along Bickett Blvd,(excluding parapet walls) no more than two stories as measured along Fairview Road, (excluding parapet walls) before the step back for residential uses, and no more than four stories along the southern edge of the property. No more than two stories along Bickett Blvd shall contain residential uses. The Architecture of the building will include a min 30” step back between the first and second floors.
2. Uses shall be allowed as per 6.1.4 of the UDO except; supportive housing, boarding house, congregate care, rest home, continuing care, special care, minor/major utilities, outdoor sports or entertainment facility, short-term rental, bed & breakfast, commercial or remote parking, detention center, vehicular repair and vehicle fuel sales, bar, nightclub, lounge.
3. If requested by the City, Applicant will Install a Bike Share Station. 10 dock maximum installed before the final residential Certificate of Occupancy.
4. Dominant (over 50% not including windows, doors, and trim), building materials fronting Public Streets will be brick. Windows will be a maximum of 25% of the facades.
5. Commercial uses shall not exceed 20,000 SF in total.
6. Multi-family residential dwelling units will not exceed 48 units.
7. Outdoor seating, a minimum of 12 seats total, will be included in the design of the total frontage along Fairview and limited to the length of frontage along Bickett with non-residential uses.
8. Hours of all Commercial/ Retail/ Office uses shall start no earlier than 7 AM and end no later than 10 PM Sunday through Thursday and no earlier than 7 AM to no later than 11 PM Friday and Saturday only. Non-residential use of the deck will

- follow the same restriction. Outdoor illuminated signs will also be turned off following this schedule.
9. Trucks and deliveries serving non-residential uses shall be limited to the Fairview Rd drive. No future site plan will be approved that includes a service entrance on Bickett.
  10. No outdoor amplified music associated with non-residential uses will be allowed after 8 PM on Sunday through Thursday and 9 PM Friday and Saturday.
  11. A sound wall, glass, opaque or approved other will be installed along the Bickett and Fairview frontages at the communal pedestrian deck for residents' level above the Commercial Use.
  12. The Applicant shall provide on-site residential parking with a card reading gate. All vehicular access will be behind the Commercial portion of the building from a driveway off Fairview.
  13. If approved by the City, there will be at least 125 parking spaces, inclusive of the new parallel spaces on Bickett, specified as part of any proposed site plan.
  14. If approved by the City, the Applicant will improve the north side intersection of Greenwood St and Bickett Blvd by removing the dedicated right turn-out lane onto Bickett and revising Greenwood to meet Bickett at an approximate 90-degree angle. Extend the sidewalk from the existing Bickett/Greenwood to the new intersection location adding a painted crosswalk across Greenwood and extending the sidewalk east from the new intersection to the existing sidewalk along Bickett. There will be no parking spaces on either frontage between the right-of-way and the building except for the parallel parking spaces on the south side of Bickett Blvd provided in condition 17.
  15. Commercial uses will have pedestrian access along the entire Fairview frontage and around the corner for a distance of no more than 65 ft along Bickett. The rest of the parking level frontage on Bickett will be closed and finished with masonry and glass as described in condition #4.
  16. If approved by the City, the Applicant will provide painted crosswalks that will be installed across Bickett Blvd connecting a new sidewalk on the north side of Bickett to the proposed Project.
  17. If approved by the City, the Applicant will provide on the south side of Bickett, parallel parking spaces outside the travel lanes will be installed along the frontage of the proposed Project.
  18. If approved by the City, The Applicant will provide a Bike lane that shall be painted onto the existing pavement of Fairview along the Project frontage.
  19. There will be at least one direct street-facing pedestrian entrance from Bickett to the common entry for residential unit floors.
  20. The Build-to line will be no more than 12ft from the public rights-of-way of Bickett and Fairview.