

Conditional Use District Zoning Conditions

Table with 3 columns: Zoning case # (Z-59-22), Date submitted (6/30/22), and Office Use Only Rezoning case #.

Narrative of Zoning Conditions Offered

- 1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the DX-district shall be prohibited: (i) Adult establishment; (ii) Pawnshop; (iii) Vehicle Fuel Sales; and (iv) Detention center, jail, prison.
2. Maximum building heights and setbacks on the subject properties shall be in accordance with the attached Condition Exhibit A.
3. The existing building located at 125 E. South Street (PIN 1703766221, Deed Book 7255, Page 548 in the Wake County Registry), known as the Rogers-Bagley-Daniels-Pegues House, either shall remain in place upon development of the subject property or be relocated intact to another property.
4. The existing building located at 121 E. South Street (PIN 1703765249, Deed Book 7178, Page 817 in the Wake County Registry), known as the Charles Frazier House, either shall remain in place upon development of the subject property or be relocated intact to another property.
5. The existing buildings located at 118 E. South Street (PIN 1703753672, Deed Book 0045 Page 0208 in the Wake County Registry) known as Estey Hall and Tupper Memorial Hall and the existing buildings located at 800 S. Wilmington Street (PIN 1703750445, Deed Book 2901, Page 262 in the Wake County Registry) known as Leonard Hall and Tyler Hall shall be preserved subject to condition 6.
6. In the event that Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall is partially damaged or destroyed by exercise of eminent domain, fire, accident, explosion, flood, lightning, wind, or other calamity or natural cause, or any other unintentional cause to the extent of more than 50% of the replacement cost of the structure immediately prior to such damage, the following standards shall apply:
a. The entirety of Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall may be removed from the property.
b. Structures replacing Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall shall be constructed with materials similar to those found as part of other contributing structures of the East Raleigh-South Park National Register District.
7. Of those parking spaces contained in structured parking, a minimum of 20% shall meet the definition of shared parking per UDO Section 7.1.5.A.1. The 20% minimum can be met within an individual parking structure or on a cumulative basis across all parking structures on the subject properties.
8. If requested by the City of Raleigh Transportation, any tier three administrative site review on a parcel located within 100 feet of the Martin Luther King, Jr. Boulevard right-of-way shall include a traffic impact analysis.
9. If requested by City of Raleigh Transportation, any tier three administrative site review on a parcel within 100 feet of the Martin Luther King, Jr. Boulevard right-of-way and between S. Blount Street and S. Person Street shall include the construction of a median on Martin Luther King, Jr. Boulevard between S. Blount Street and S. Person Street.

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature: Paulette R. Dillard
Paulette R. Dillard

Printed Name(s):

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Narrative of Zoning Conditions Offered

- 10. If requested by City of Raleigh Transportation, prior to recordation of a subdivision plat or issuance of a building permit for new development, whichever first occurs, a permanent transit easement accommodating a bus zone, bus landing pad, bus shelter, bench and trash can shall be deeded to the City and recorded in the Wake County Registry for the following new and existing bus stops: E. Lenoir Street eastbound at S. Person Street, E. Lenoir Street westbound at S. Person Street, S. Blount Street at Bledsoe Avenue and S. Blount Street at E. South Street.
11. If requested by City of Raleigh Transportation, prior to recordation of a subdivision plat or issuance of a building permit for new development, whichever first occurs, a permanent transit easement accommodating a bus zone, and bus landing pad, shall be conveyed to the City and recorded in the Wake County Registry for the following new or existing bus stops: S. Person at E. Lenoir Street and Martin Luther King, Jr. Boulevard west bound between S. Wilmington Street and S. Blount Street.
12. Upon development of the subject properties bounded by E. South Street, S. Wilmington Street, S. Blount Street and Martin Luther King, Jr. Boulevard involving a tier three administrative site review, a pedestrian access way meeting the dimensional standards of UDO Section 8.5.8.B. connecting S. Wilmington Street and S. Blount Street shall be installed. The pedestrian access way shall be open to the public during day light hours unless otherwise closed for special events no more than 20 times per year.
13. Upon development of the subject properties bounded by E. South Street, S. Blount Street, S. Person Street and Martin Luther King, Jr. Boulevard involving a tier three administrative site review, a pedestrian access way meeting the standards of UDO Section 8.5.8.B. or a public street connecting S. Person Street and S. Blount Street shall be installed. The pedestrian access way shall be open to the public during day light hours unless otherwise closed for special events no more than 20 times per year.
14. If requested by the City of Raleigh Transportation, prior to issuance of a certificate of occupancy for 100,000 gross square feet, (GSF), or more of new construction north of Martin Luther King Jr. Blvd, the property shall provide for a City bikeshare station along East South Street, between Wilmington Street and Blount Street. The station will accommodate no fewer than 10 docks, electric-assist bikes to accommodate 1 bike per every 1.6 docks, and installation of all necessary equipment for a functional bikeshare station. The station shall be installed in a mutually acceptable location on the property, or the adjacent right-of-way.
15. If requested by the City of Raleigh Transportation, prior to issuance of a certificate of occupancy for 100,000 gross square feet, (GSF), or more of new construction south of Martin Luther King Jr. Blvd and west of South Blount Street, the property shall provide for a City bikeshare station. The station will accommodate no fewer than 10 docks, electric-assist bikes to accommodate 1 bike per every 1.6 docks, and installation of all necessary equipment for functional bikeshare station. The station shall be installed in a mutually acceptable location on the property or the adjacent right-of-way.

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Property Owner(s) Signature: Paulette R. Dillard

Printed Name(s): Paulette R. Dillard