

3. **Z-8-23 – 2499 Ratchford Drive**, located north of the intersection of Ratchford Drive and Capital Boulevard, being Wake County PIN 1715504986. Approximately 3.49 acres rezoned to Commercial Mixed Use-20 stories-Conditional Use (CX-20-CU).

Conditions dated: June 18, 2023

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the CX district shall be prohibited: (i) Adult establishment; (ii) Detention center, jail, prison.
2. There shall be at least one outdoor amenity area on the property that is located within 100 feet of the Crabtree Creek Greenway Trail located within the Ratchford Drive right-of-way. This outdoor amenity area shall be at least 1,000 square feet in area. This area shall contain at least one of the following: benches, eating areas, active recreation areas, or public art.
3. For purposes of obtaining building permits, the property at 2499 Ratchford Drive shall be restricted to and shall not exceed 124 AM Peak Hour and 140 PM Peak Hour trips, as determined by the ITE Trip Generation Manual, 11th Edition, unless and until the owner of 2501 Ratchford Drive (DB 18771/PG 2079) (“2501 Owner”), in its sole and absolute discretion, chooses to grant to 2499 Ratchford Drive all or a portion of the 423 AM Peak Hour and 423 PM Peak Hour trips, as determined by the ITE Trip Generation Manual, 11th Edition, that were allocated to 2501 Ratchford Drive through Zoning Case No. 2-10-22. Any allocation of trips voluntarily granted by the 2501 Owner to 2499 Ratchford Drive shall be memorialized in a written “Declaration of Trip Allocation”, which shall be approved by the City, and which shall be recorded in the Wake County Registry. In the event a Declaration of Trip Allocation is entered into and recorded, then, in such event, the combined development of 2499 Ratchford Drive and 2501 Ratchford Drive shall not exceed 423 AM Peak Hour and 423 PM Peak Hour trips.
4. The following conditions shall apply only to development qualifying as a Tier 3 site plan:
 - 4.A. There shall be a build-to range along Ratchford Drive, measuring zero feet (0’) to fifty feet (50’) from the right-of-way of Ratchford Drive. At least fifty percent (50%) of the lot width shall be occupied by building façade within this build-to range. The method of calculating the build-to and the permitted reductions of the build-to percentage set forth in UDO section 1.5.6.C. apply to the build-to standards in this condition.
 - 4.B. Except as provided in this condition, there shall be no surface parking within 50 feet of the Ratchford Drive right-of-way. Surface parking permitted within 50 feet of the Ratchford Drive right-of-way shall only be used for the following purposes: handicap, drop-off/pick-up, new resident parking, and ride share parking. The number of surface parking spaces permitted within 50 feet of the Ratchford Drive right-of-way shall be limited to a maximum of 20 spaces per occupied building.
 - 4.C. For each occupied building (not including parking structures) located within 100 feet of the Ratchford Drive right-of-way, at least one building entrance

facing Ratchford Drive shall be provided. A building entrance that is located within 150 feet from the Ratchford Drive right-of-way and on a building façade that is oriented less than 90 degrees relative to the Ratchford Drive right-of-way shall be considered “street-facing” for the purpose of this condition.

- 4.D. Each occupied building (not including parking structures) located within 100 feet of the Ratchford Drive right-of-way shall have at least one pedestrian connection between the building and the sidewalk within the right-of-way of Ratchford Drive that does not traverse a surface parking area or drive aisle.
5. If there is no bikeshare station located on 2501 Ratchford Drive (DB 18771/PG 2079) at the time 2499 Ratchford Drive applies for a building permit, then 2499 Ratchford Drive shall provide for a mutually acceptable location on the 2499 Ratchford Drive property and/or adjacent right-of-way to accommodate a City bikeshare station. The property owner shall provide a station of 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, prior to issuance of a certificate of occupancy for the building closest to the proposed bikeshare station. The “mutually acceptable location” for the bikeshare station shall be determined by the property owner and the City.
6. The following condition shall apply only to development qualifying as a Tier 3 site plan:

The 2499 Ratchford Drive developer shall install bi-directional bike lanes within the northwest portion of the Ratchford Drive right-of-way along both the 2499 Ratchford Drive and 2501 Ratchford Drive frontage, and said bike lanes shall be physically separated from the vehicular travel lanes by a raised median or curb. Nothing herein shall prevent the developer from phasing these improvements during the Administrative Site Review and/or Site Permit Review processes, or from seeking design alternates to accommodate these improvements within the Ratchford Drive right-of-way.