

ORDINANCE NO. (2019) 9 ZC 782
Effective 10/1/19

Z-19-19 – South West Street - the block adjacent to Raleigh Union Station bounded by Hargett, West, and Martin Streets, two blocks directly west of Nash Square, being Wake County PINs 1703488450, 1703488314, and 1703488250, approximately 1.76 acres rezoned to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU).

Conditions dated: September 20, 2019

1. In addition to those otherwise prohibited by the UDO, the following uses are prohibited: dormitory, fraternity, sorority; cemetery; adult establishment; pawnshop; vehicle fuel sales; detention center, jail, prison; self-storage.
2. The property owner will dedicate no less than .20 units or 10% of units, whichever is greater, as affordable for households earning 80% area median income or less for a period of no less than 15 years from the date of issuance of a certificate of occupancy. The rent and income limits will follow the Affordable Housing Standards determined annually by the City of Raleigh Housing & Neighborhoods Department. An Affordable Housing Deed Restriction in a form approved by the City shall be filed and recorded in the property's chain of title by the property owner in the Wake County Register of Deeds prior to the project receiving a certificate of occupancy. Affordable units offered within this condition shall be constructed concurrently with the project's market rate units. The property owner shall certify to the City compliance with this zoning condition on an annual basis.
3. Any principal building/structure shall be a mixed use building type.
4. No on-site parking shall be permitted between the building and West Hargett Street. No on-site parking shall be permitted between the building and South West Street. No on-site parking shall be permitted between the building and West Martin Street. Drive aisles and bus idling areas shall not be considered as parking for purposes of this condition.
5. The building shall have pedestrian access on the portion facing South West Street with maximum street entrance spacing of 50 feet.
6. Permitted building siding materials shall include any combination of brick, stone, concrete masonry, cementitious siding, wood, metal, terracotta and/or glass.
7. Where the upper stories of structured parking are located at the perimeter of a building, they must be screened so that cars are not visible from adjacent streets. Sloped ramps shall not be discernible along the perimeter of any parking structure. Architectural and vegetative screens must be used to articulate the façade, hide parked vehicles, and shield lighting.
8. The ground story must have active uses (such as, but not limited to, residential, commercial, office or civic space) along West Street and along the southern property line adjacent to Wake County PIN 1703488053.
9. If sufficient building materials are determined to be eligible to be preserved or reused, then a minimum of 1000 square feet of existing building materials, or as otherwise required by Section 106 of the National Historic Preservation Act, 16 U.S.C. 470 et seq., shall be preserved or repurposed.