

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:

- 2. Z-20-23 – 501 Hillsborough Street**, the block bounded by Hillsborough Street, West Street, Morgan Street, and the railroad to the west, being Wake County PIN 1703498069. Approximately 1.12 acres rezoned to Downtown Mixed Use-40-Shopfront, Conditional Use (DX-40-SH-CU).

Conditions dated: November 17, 2023

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) Detention center, jail, prison; (iii) Vehicle repair (minor); (iv) Vehicle repair (major); (v) Vehicle fuel sales; and (vi) Pawnshop.
2. For any approved site plan containing fewer than 301 residential units on the subject property, the property owner shall pay to the City a total of \$180,000. For any approved site plan containing 301 or more residential units on the subject property, the Property owner shall pay the City a total of \$180,000 for the first 300 site plan approved dwelling units and a total of \$40,000 per unit for one percent (1%) of all site plan approved dwelling units after the 300th unit. Total site plan approved dwelling units after the 300th unit multiplied by 1% shall be measured to the hundredth decimal point. The payment shall be placed in the fund designated for the City's Affordable Housing Program. Upon determination of the payment amount, the amount shall be paid prior to the issuance of the first certificate of occupancy for a residential unit on the property. Prior to the issuance of any building permit, this payment obligation shall be evidenced by a promissory note to the City. If a sale of the project or the property (or a portion thereof), including a sale of controlling interests of an ownership entity within the project, occurs subsequent to the issuance of the first building permit and prior to the payment in full of the sum described within this condition, any outstanding amount shall be paid prior to the change of ownership.