

- 3. Z-24-22 – 1101, 1120, 1121 East Whitaker Mill Road; 2201, 2221 Iron Works Drive,** located at the northeast corner of East Whitaker Mill Road and Atlantic Avenue, being Wake County PINs 1714296272, 1714287776, 1714392244, 1714299101, & 1714298617. Approximately 16.86 acres rezoned to Commercial Mixed Use-7 Stories-Conditional Use (CX-7-CU) and Commercial Mixed Use-20 Stories-Conditional Use (CX-20-CU).

Conditions dated: December 19, 2022

The following condition shall apply to all properties subject to this rezoning ordinance:

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) cemetery; (ii) adult establishment; and (iii) detention center, jail, prison.

The following condition shall apply only to those properties zoned CX-20-CU (Lot 3, Book of Maps 2021, Page 877 & Lot 5, Book of Maps 2021, Page 878):

2. The site plan for development of the properties shall provide for a mutually acceptable location on the property, adjacent right-of-way or along the existing Crabtree Creek Greenway Trail, 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. The “mutually acceptable location” for the bikeshare station shall be determined by the property owner and the City.
3. In lieu of constructing off-site sidewalk improvements connecting the subject property to existing or planned transit stops, the owner shall contribute to the City an amount of \$175,000 to be used to construct a sidewalk or sidewalks that will provide or enhance connectivity to a transit facility or transit stop located on Capital Blvd to residents of the development or others. Such contribution shall be due no later than the issuance of the first building permit for a building that exceeds seven stories in height. If, prior to payment of such contribution, the City officially designates, in the Comprehensive Plan, Atlantic Avenue as the preferred route for Bus Rapid Transit service and such route extends to the intersection of Atlantic Avenue and East Whitaker Mill Road, then the contribution required by this condition is no longer required.