

2. **Z-27-23 – 215 North Dawson Street, 300 and 308 West Jones Street**, located on a portion of the block bounded by Dawson, Lane, and Jones Streets, being Wake County PINs 1704506370, 1704507047, and 1704506029. Approximately 2.02 acres rezoned to Downtown Mixed Use-40 stories-Urban General frontage-Conditional Use (DX-40-UG-CU).

Conditions dated: December 18, 2023

1. The following Principle Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the DX- District shall be prohibited: adult establishment, passenger terminal, vehicle fuel sales (excluding vehicle charging stations), detention center, jail, prison, and self-service storage.
2. Upon the development of the subject properties involving a tier three administrative site review, one public art installation shall be located on the property and visible from the public right of way. The scope of the public art project shall be submitted for review by the Raleigh Arts Commission through its Public Art and Design Board. If the required installation consists of a mural, it shall be no smaller than 120 square feet in area. If the required installation is three-dimensional, it shall be no less than ten feet (10') in height or no less than ten feet (10') in width, not including any base or pedestal supporting such installation. If more than one public art installation is provided on the subject site, the applicant shall designate which art installation is the one required by this condition. The public art installation shall have received permitting or City approval (if required) prior to the issuance of a Certificate of Occupancy for any new Principal structure.
3. The following exterior materials shall be prohibited on new Principal structures: EIFS, vinyl siding, and rough sawn wood.
4. The Property Owner will dedicate six (6) residential dwelling units as affordable rental units for low-income households earning no more than 60% of the Area Median Income ("AMI") adjusted by household size, for the Raleigh, N.C. Metropolitan Statistical Area, as determined and published annually by the U.S. Department of Housing and Urban Development (the "Affordable Units") for a period of no less than ten (10) years (the "Affordability Period"). The maximum rent and income limits will follow the affordable housing standards determined annually by the City of Raleigh Housing and Neighborhoods Department (the "Department").

Affordability restrictions for the Affordable Units shall be filed and recorded before the issuance of the first certificate of occupancy ("CO") which includes any residential units. The Affordability Period applies on a per unit basis and shall commence from the date of initial occupancy for a unit that is dedicated as affordable. This date shall be provided to the City as of the date of initial occupancy for each Affordable Unit. At or before the time any Affordable Unit is dedicated, the Property Owner shall execute and record with the Wake County Register of Deeds a restrictive covenant in a form approved by the City and enforceable by the City which memorializes the affordable housing terms set forth in this Condition.

The Property Owner shall certify compliance with this Condition to the City on an annual basis.

The Property Owner may choose to pay the City a contribution in the amount of \$40,000 per Affordable Unit in lieu of dedicating the Affordable Units described above. Full payment must be made at the time dedication of the Affordable Units would otherwise be required under this Condition and will be placed in a fund designated for the City's Affordable Housing Programs.