

**Z-54-20 – 321 and 327 West Hargett Street, and 213 South Harrington Street**, located on the southwest corner of the intersection of Hargett Street and Harrington Street, one block west of Nash Square, being Wake County PINs 1703584233, 1703583355 & 1703583232. Approximately 0.99 acres rezoned to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU).

Conditions dated: July 1, 2021

1. The following uses shall be prohibited on the Property: dormitory; fraternity; sorority; pawnshop, detention center; jail; prison; self-service storage; vehicle repair; vehicle fuel sales; and adult establishment.
2. A build-to with a setback range of 0-15 feet shall apply to the portion of the Property bounded by West Hargett Street. A building façade facing West Hargett shall occupy at least eighty (80%) of this build-to, measured based on (a) the width of the building façade divided by (b) the width of the Property's boundary with the right-of-way of West Hargett Street.
3. A build-to with a setback range of 0-15 feet shall apply to the portion of the Property bounded by South Harrington Street. A building façade facing South Harrington Street shall occupy at least forty (40%) of this build-to, measured based on (a) the width of the building façade divided by (b) the width of the Property's boundary with the right-of-way of South Harrington Street.
4. No on-site surface parking shall be permitted between the building and West Hargett Street or South Harrington Street. Drive aisles, temporary parking in a drop-off drives or idling areas shall not be considered parking for purposes of this condition.
5. Except for any access to the parking structure or service access areas, the ground story of structured parking must have active uses (such as, but not limited to, residential, commercial or civic space) located between the parking structure and any public sidewalk.
6. The building shall have pedestrian access on the portion facing West Hargett Street with maximum street entrance spacing of 75 feet between entrances.
7. Structured parking located at the perimeter of any building must be screened so that cars are not visible from adjacent streets or at ground level along the eastern property line of the Property. Sloped ramps cannot be discernible along the perimeter of any parking structure. Architectural or vegetative screens must be used to articulate the façade, hide parked vehicles and shield lighting. Screening elements shall be designed in a structurally sound manner and have a gap of no more than 18 inches from the frame of the screening element to the wall opening. Alternative decorative elements which provide an equivalent level of screening may be allowed where such elements are employed to match the architectural character of the main building. Mesh or decorative panels, louvers, green walls, tinted or sandblasted opaque spandrel glass, or similar screening elements shall be used. Where mesh or other materials containing openings is used in conjunction with the screening frame, no individual opening shall exceed four (4) square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.

8. On the eastern side of any parking structure where parking is provided adjacent to the exterior façade, opaque material will begin at 0-12 inches above finished floor up to a minimum of 42 inches above finished floor for the purpose of blocking standard car and truck headlights. The opaque material shall be located on the interior of any screening element required by Condition #7 unless the opaque material is incorporated into the architectural façade of the eastern side of the parking structure.
9. Internal illumination of parking structures shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way or adjacent parcels. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to minimize such visibility. Internal illumination of parking structures shall conform to the standards of UDO Section 7.4.7 Vehicular Canopies. Lighting levels measured at the property line of parcels adjacent to the structured parking deck shall not be greater than 0.5 foot candles.