

ORDINANCE NO. (2024) 664 ZC 890

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 it hereby amended as follows:

- 1. Z-55-23 – 3806 Six Forks Road, 3801 Computer Drive, 3803 Computer Drive, 3803B Computer Drive, 3805 Computer Drive, 3809 Computer Drive, and 3901 Computer Drive**, located southeast corner of the intersection of Six Forks Road and I-440 Beltline, being Wake County PINs 1705880219, 1705885227, 1705887123, 1705887383, 1705889196, 1705982028, and 1705973943. Approximately 17.98 acres rezoned to Office Mixed Use, 20 stories, with Conditions with Special Highway Overlay District-2 (OX-20-CU w/ SHOD-2).

Conditions dated: August 29, 2024

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the OX- district shall be prohibited: Outdoor sports or entertainment facility; and detention center, jail, prison.
2. The total area of "Office" uses shall not exceed 500,000 square feet.
3. The total area of "Retail Sales" uses shall not exceed 150,000 square feet.
4. The total number of residential units shall not exceed 2,100.
5. The maximum building height within one hundred feet (100') of the Six Forks Road right of way shall be limited to eighty feet (80').
6. The development standards for the "Green" Frontage (UDO Section 3.4.6) shall apply along the property's frontage on Six Forks Road.
7. The development standards for the "Urban Limited" Frontage (UDO Section 3.4.7) shall apply along the property's frontage on Computer Drive.
8. The property owner shall dedicate no less than 10% of the total units constructed after the 954th unit as affordable for a period of no less than ten (10) years for low-income households earning no more than eighty percent (80%) 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 Rate"). For every 10 units

constructed after the 954th unit, 1 of those units shall be dedicated according to the Affordable Rate.

Affordability restrictions for the affordable housing unit[s] shall be established at or before the issuance of the certificate of occupancy ("CO") for the 954th unit, and prior to the CO for every tenth unit thereafter. The 10-year 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 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 to the City a fee in the amount of \$40,000 per unit in lieu of dedicating the affordable units described above. The payment shall be placed in the fund designated for the City's Affordable Housing Program. Payment must be made at the time dedication of the unit[s] would otherwise be required under this Condition.

9. Subject to the study referenced below, the post-development stormwater discharge peak flow rate for the property shall not exceed pre-development peak flow rates for the 2-year, 10-year, 25-year, 50-year and 100-year storm events. A downstream impact analysis will be performed at the point where runoff from the project site enters Big Branch stream (point of analysis) to determine water surface elevations for the 25-year, 50-year, and 100-year storm events. If results of such analysis show an increase in water surface elevations equal to or less than 0.04 feet from pre-development to post-development flood levels at the point of analysis for the 25-year, 50-year, or 100-year storm events, then peak flow rate detention for those respective storm events will not be required.
10. Development of the site shall include a minimum of two of the following green stormwater infrastructure (GSI) measures: bio-retention areas, permeable pavement systems, rainwater harvesting (cisterns), and green roofs. The GSI devices shall be sized to treat a minimum of 15% of the water quality volume for the overall site, which may be developed in phases. Educational signage shall be included where GSI techniques are located and such locations shall be publicly accessible. Incorporation of GSI measures on site does not preclude the ability to use above-or below-ground stormwater management devices.