

Z-61-21 – 316 West Edenton Street, located on the north side, being Wake County PIN 1703594635. Approximately 1.05 acres rezoned to Downtown Mixed Use-40 stories-Urban General-Conditional Use (DX-40-UG-CU).

Conditions dated: May 6, 2022

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) Dormitory, fraternity, sorority; (ii) Adult establishment; (iii) Pawnshop; (iv) Vehicle Fuel Sales; and (v) Detention center, jail, prison.
2. Public façades of structured parking: Parking structure façades adjacent to or facing any public park or plaza, public right-of-way, public sidewalk, or private street shall comply with the following: 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, including, but not limited to, mesh or decorative panels, louvers, green walls, tinted or sandblasted opaque spandrel glass, which provide an equivalent level of screening may be allowed in an accessory parking structure where such elements are employed to match the architectural character of the main building. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.
3. Lighting within structured parking: Lighting shall be designed to reduce light spillage outside the parking structure according to the following:
 - a. 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.
 - b. Internal illumination of parking structures shall conform to the standards of UDO Section 7.4.7. Vehicular Canopies.
 - c. Lighting levels measured at the property line of privately-owned parcels adjacent to the structured parking deck shall not be greater than 0.5 footcandles.
4. No Certificate of Occupancy shall be issued for any structure that would result in 300,000 square feet of cumulative new construction (excluding any square feet of construction dedicated for parking) on the subject site after the effective date of these conditions, except where any approved site plan has provided for: (i) a location on the property or adjacent right-of-way to accommodate a City bikeshare station with no fewer than six (6) docks and electric-assist bikes to accommodate one (1) bike per every 1.5 docks, and all necessary equipment for a functional bikeshare station, which shall be installed by the property owner, subject to approval of an encroachment agreement for such work by the City of Raleigh; and (ii) an indoor bike storage room for residents and tenants.
5. The “Nightclub” use shall be prohibited. For purposes of this condition, “Nightclub” is defined as an entertainment venue serving alcoholic beverages, but not food prepared at the venue for consumption on the premises, during nighttime

and comprising a: (i) dance floor; (ii) light show; and (iii) stage for a disc jockey (“DJ”) to play recorded music. This condition shall not prohibit any other uses within the “Restaurant/Bar” use category as listed in Article 6.4 of the Unified Development Ordinance.

6. One public art installation shall be located on the property and visible from either the N. Harrington Street right-of-way or W. Edenton Street right-of-way. The Raleigh Arts Commission through its Public Art and Design Board shall be consulted on the scope of the public art project. 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 of appropriate scale for the site and 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.”
7. Building height shall not exceed thirty-five (35) stories.