

**Z-78-21 – 307 West Martin Street and 310 South Dawson Street**, located in the block bounded by Dawson Street, Martin Street, Davie Street, and Commerce Place, being Wake County PINs 1703576659 and 1703575747. Approximately 1.22 acres rezoned to Downtown Mixed Use-20 Stories-Conditional Use (DX-20-CU).

Conditions dated: February 25, 2022

1. The existing buildings named as contributing structures to the Depot National Register Historic District located on PIN 1703575747 (Deed Book 010524, Page 00475 of the Wake County Registry) (the “Contributing Structures”) shall be subject to the following standards:
  - a. The portion of the Contributing Structures within 85 feet of the right-of-way of West Martin Street shall be preserved, subject to condition 2. The remainder of the structures may be removed.
  - b. Preservation of the first 85 feet of the existing buildings shall maintain the overall building form and massing, including preservation of exterior brick walls and associated masonry openings and repair and/or replacement of existing fenestration to maintain the existing appearance and window pattern. The construction of additional floors above the Contributing Structures shall be prohibited.
  - c. All exterior improvements to the Contributing Structures within 85 feet of the right-of-way of West Martin Street and visible from any right of way shall be comprised of similar materials to those found as part of other contributing structures of the Depot National Register Historic District.
2. In the event that a Contributing Structure is partially damaged or destroyed, by exercise of eminent domain, fire, accident explosion, flood, lightning, wind, other calamity or natural cause, or any other unintentional cause to the extent of more than 50% of the replacement cost of the structure immediately prior to such damage, the following standards shall apply:
  - a. The entirety of the Contributing Structure may be removed from the property.
  - b. Structures replacing any Contributing Structure shall be constructed with similar materials as those found as part of other contributing structures of the Depot National Register Historic District.
  - c. The maximum height for replacement structures within 85 feet of the right-of-way of West Martin Street shall be five (5) stories.
3. In addition to those otherwise prohibited by the UDO, the following uses are prohibited: adult establishment, pawnshop, self-service storage, vehicle repair, vehicle fuel sales, cemetery, detention center, dormitory, fraternity, and sorority.
4. One (1) Dog Waste Station shall be provided on the site.
5. A plaza shall be provided on the site. A minimum of 50% of this plaza shall be open to the public.
6. Public façades of Structured Parking. When a parking structure façade is adjacent to, or facing South Dawson Street, façades shall comply with the following:
  - a. Any such façades of the parking structure shall have openings screened to prevent views into the structure except for perpendicular vehicular ingress

- and egress openings at a maximum width of 30 feet and pedestrian access openings at a maximum width of eight feet.
- b. 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 in an accessory parking structure 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 square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.
7. Lighting of Structured Parking. Lighting shall be designed to reduce light spillage outside the parking structure according to the following:
- a. Internal illumination 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 prevent such visibility.
  - b. Internal illumination shall conform to the standards of UDO Section 7.4.7. Vehicular Canopies.
  - c. Rooftop lighting shall be located at an elevation height less than the top of the nearest exterior perimeter rooftop wall; or shall be setback a minimum of 15 feet from the exterior perimeter of the rooftop wall at a maximum mounted height of 12 feet above finished floor with cutoff light fixtures that have a maximum 90 degree illumination.
  - d. Lighting levels measured at the property line of parcels adjacent to the structured parking deck shall not be greater than 0.5 footcandles.
8. The Main Street streetscape standards in UDO Section 8.5.9.A shall apply to the site frontage on South Dawson Street.