

1. **Z-59-22 – 118, 121, 125, 212, 218, 226, 301 East South Street; 600, 757, 760 South Blount Street; 130, 302, Martin Luther King Jr Boulevard; 222, 317 East Lenoir Street; 521, 525 South Person Street; 800 South Wilmington Street.** Shaw University's campus, generally located near the intersection of South Blount Street and East South Street, being Wake County PINs 1703759732, 1703759989, 1703860063, 1703766323, 1703758356, 1703768037, 1703753091, 1703852011, 1703860289, 1703864477, 1703862594, 1703862489, 1703765249, 1703766221, 1703753672, 1703864149, and 1703750445. Approximately 26.5 acres rezoned to OX-3-CU, DX-12-SH-CU, DX-20-SH-CU, DX-30-CU, DX-30-SH-CU (remove Prince Hall HOD and South Park NCOD).

Conditions dated: June 15, 2023

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) Adult establishment; (ii) Pawnshop; (iii) Vehicle Fuel Sales; (iv) Detention center, jail, prison; (v) Bar; tavern, nightclub, lounge; (vi) Brewery; (vii) Light Manufacturing; (viii) Self-service storage; (ix) Vehicle sales; and (x) Vehicle repair, major and minor.
2. The existing building located at 125 E. South Street (PIN 1703766221, Deed Book 7255, Page 548 in the Wake County Registry), known as the Rogers-Bagley-Daniels-Pegues House, either shall remain in place upon development of the subject property or be relocated intact to another property. In the event the building is relocated to another property, a subsequent archaeological survey shall be conducted at the subject property in direct consultation with the Raleigh Historic Development Commission prior to any excavation of the property.
3. The existing building located at 121 E. South Street (PIN 1703765249, Deed Book 7178, Page 817 in the Wake County Registry), known as the Charles Frazier House, either shall remain in place upon development of the subject property or be relocated intact to another property. In the event the building is relocated to another property, a subsequent archaeological survey shall be conducted at the subject property in direct consultation with the Raleigh Historic Development Commission prior to any excavation of the property.
4. The existing buildings located at 118 E. South Street (PIN 1703753672, Deed Book 0045 Page 0208 in the Wake County Registry) known as Estey Hall and Tupper Memorial Hall and the existing buildings located at 800 S. Wilmington Street (PIN 1703750445, Deed Book 2901, Page 262 in the Wake County Registry) known as Leonard Hall and Tyler Hall shall be preserved subject to condition 5.
5. In the event that Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall is partially damaged or destroyed by exercise of eminent domain, fire, accident, explosion, flood, lightning, wind, or 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 Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall may be removed from the property.

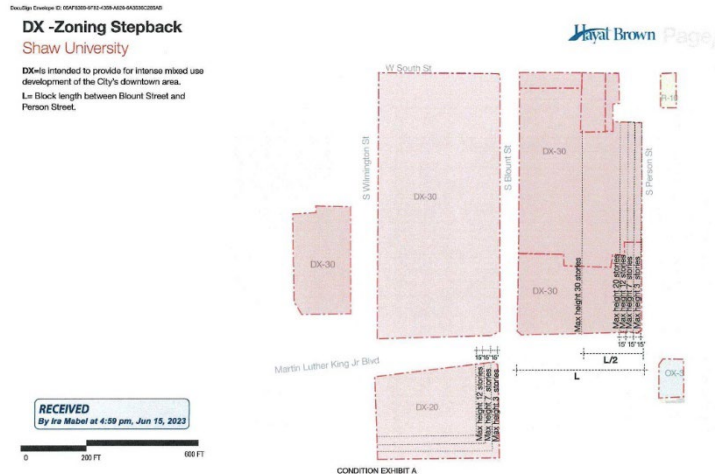
- b. Structures replacing Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall shall be constructed with materials similar to those found as part of other contributing structures of the East Raleigh-South Park National Register District.
6. Maximum building heights and setbacks on the subject properties shall be in accordance with the attached Condition Exhibit A with the exception of the footprints of Estey Hall, Tupper Memorial Hall, Leonard Hall, and Tyler Hall, which shall remain limited to no more than five stories. The legal descriptions and maps of each building's footprint are attached as Condition Exhibit 8.
7. Of those parking spaces contained in structured parking, a minimum of 20% shall meet the definition of shared parking per UDO Section 7.1.5.A.1. The 20% minimum can be met within an individual parking structure or on a cumulative basis across all parking structures on the subject properties.
8. If requested by the City of Raleigh Transportation, any tier three administrative site review on a parcel located within 100 feet of the Martin Luther King, Jr. Boulevard right-of-way shall include a traffic impact analysis.
9. If requested by City of Raleigh Transportation, any tier three administrative site review on a parcel within 100 feet of the Martin Luther King, Jr. Boulevard right-of-way and between S. Blount Street and S. Person Street shall include the construction of a median on Martin Luther King, Jr. Boulevard between S. Blount Street and S. Person Street.
10. If requested by City of Raleigh Transportation, prior to recordation of a subdivision plat or issuance of a building permit for new development, whichever first occurs, a permanent transit easement accommodating a bus zone, bus landing pad, bus shelter, bench and trash can shall be deeded to the City and recorded in the Wake County Registry for the following new and existing bus stops: E. Lenoir Street eastbound at S. Person Street, E. Lenoir Street westbound at S. Person Street, S. Blount Street at Bledsoe Avenue and S. Blount Street at E. South Street.
11. If requested by City of Raleigh Transportation, prior to recordation of a subdivision plat or issuance of a building permit for new development, whichever first occurs, a permanent transit easement accommodating a bus zone, and bus landing pad, conveyed to the City and recorded in the Wake County Registry for the following new or existing bus stops: S. Person at E. Lenoir Street and Martin Luther King, Jr. Boulevard west bound between S. Wilmington Street and S. Blount Street.
12. Upon development of the subject properties bounded by E. South Street, S. Wilmington Street, S. Blount Street and Martin Luther King, Jr. Boulevard involving a tier three administrative site review, a pedestrian access way meeting the dimensional standards of UDO Section 8.5.8.B. connecting S. Wilmington Street and S. Blount Street shall be installed. The pedestrian access way shall be open to the public during day light hours unless otherwise closed for special events no more than 20 times per year.
13. Upon development of the subject properties bounded by E. South Street, S. Blount Street, S. Person Street and Martin Luther King, Jr. Boulevard involving a tier three administrative site review, a pedestrian access way meeting the standards of UDO Section 8.5.8.B. or a public street connecting S. Person Street and S. Blount Street shall be installed. The pedestrian access way shall be open to the public during day

light hours unless otherwise closed for special events no more than 20 times per year.

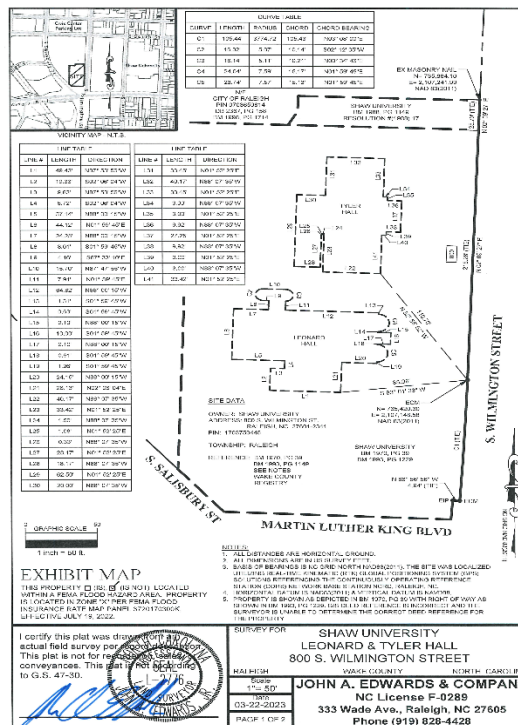
14. If requested by the City of Raleigh Transportation, prior to issuance of a certificate of occupancy for 100,000 gross square feet. (GSF), or more of new construction north of Martin Luther King Jr. Blvd, the property shall provide for a City bikeshare station along East South Street, between Wilmington Street and Blount Street. The station will accommodate no fewer than 10 docks, electric-assist bikes to accommodate 1 bike per every 1.6 docks, and installation of all necessary equipment for a functional bikeshare station. The station shall be installed in a mutually acceptable location on the property, or the adjacent right-of-way.
15. If requested by the City of Raleigh Transportation, prior to issuance of a certificate of occupancy for 100,000 gross square feet, (GSF), or more of new construction south of Martin Luther King Jr. Blvd and west of South Blount Street, the property shall provide for a City bikeshare station. The station will accommodate no fewer than 10 docks, electric-assist bikes to accommodate 1 bike per every 1.6 docks, and installation of all necessary equipment for functional bikeshare station. The station shall be installed in a mutually acceptable location on the property or the adjacent right-of-way.
16. Prior to the commencement date of any construction of new development occurring within 100' of Estey Hall, Tupper Memorial Hall, Leonard Hall or Tyler Hall, vibration-sensitive equipment shall be installed by a third party monitoring team inside the above-mentioned historic structure situated within 100' of the new development. The vibration-sensitive equipment shall monitor vibrations during construction, and the measurements from such monitoring shall be reported to Raleigh staff and the State Historic Preservation Office every 6 months or as requested by the city. The vibration-sensitive equipment shall remain in place until the ground floor slab has been poured and installed for the new development as determined by City of Raleigh Inspections.
17. One of the first effective three date new principal buildings permitted for construction on the subject properties following the effective date of this rezoning must contain residential uses dedicated to Shaw University students. Student housing must include a minimum of 100 beds at a rate not to exceed the average housing cost charged to students as reported annually by all members of the Raleigh Cooperating Colleges. The university shall certify on an annual basis compliance with this condition for a period of 5 years.
18. In the event that a portion of the subject properties is sold fee-simple absolute to a third party not the university or a subsidiary of the university, a rezoning request must be submitted for such property. The third party property owner shall submit a petition to rezone the property not owned by the university or a subsidiary of the university, within at least 6 months prior to the sale of the property.
19. Continued Community Outreach – Beginning on or before the date 30 days after submittal to the City of the first three site plan for any portion of the site, and not less than once per calendar quarter thereafter for a period of three years, the owner(s) of the subject properties shall, separately, collectively, or in groups, hold public informational meetings, in person or virtually, to provide updates and receive comments regarding all development plan(s) that have been submitted for city

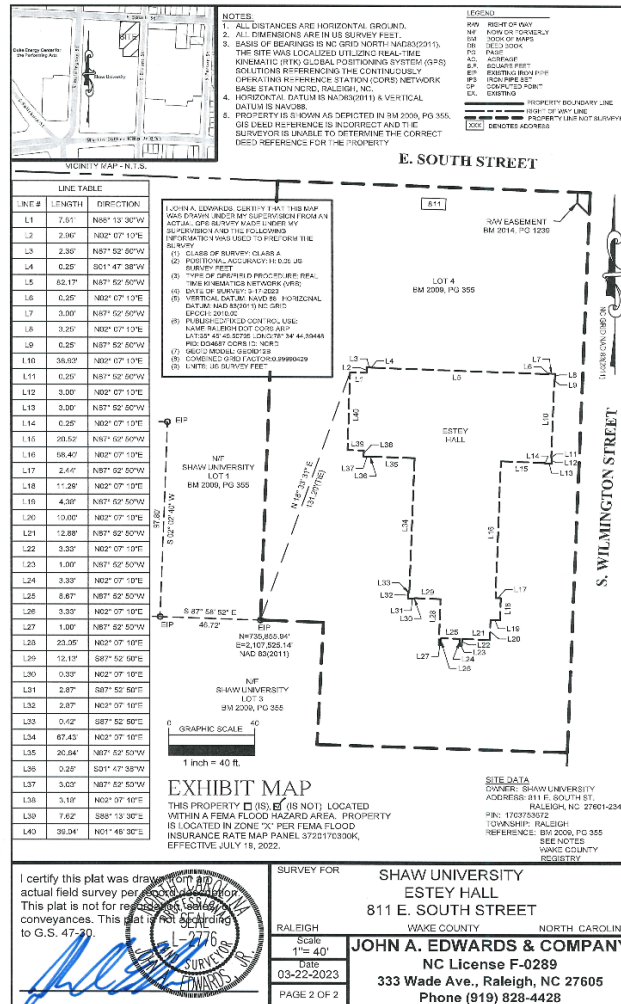
administrative review for any portion of the subject properties convening such meeting. A written report of each required meeting will be submitted to the City's Department of Planning and Development within 15 business days after each such meeting and will include a list of persons and organizations contacted about the meeting, a listing of those in attendance who have provided their names, and a summary of issues discussed at the meeting. At least 10 days prior to the first required meeting, written notice of such meeting shall be mailed to each property owner and tenant owning property or residing within 1,000 feet of the site, and emailed such notice of such meeting shall be delivered to anyone requesting such notification by providing their complete and correct email address at least 11 days before the date of such meeting by emailing [info@theshawudistrict.com](mailto:info@theshawudistrict.com). Notice of subsequent required meetings shall be provided via email to all email addresses collected from prior meeting attendees and to all who have provided their email address by emailing [info@theshawudistrict.com](mailto:info@theshawudistrict.com) not less than 11 days before the date of such meeting.

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## CONDITION EXHIBIT B





## Shaw University

### Tyler Hall

Situated in the City of Raleigh, Wake County, North Carolina and more particularly described as follows:

COMMENCING at an existing concrete monument on the western right of way of S. Wilmington Street, said concrete monument having North Carolina state plane coordinates of Northing: 735,420.30' and Easting 2,107,148.58' (NAD83(2011)); thence North 32° 58' 52" West for a distance of 110.70 feet to the southeast building corner of Tyler Hall, said building corner being the point of beginning; thence from the point of beginning along the building foundation for 20 calls

North 88° 07' 35" West for a distance of 40.17 feet to a building corner; thence North 01° 52' 25" East for a distance of 33.42 feet to a building corner; thence North 88° 07' 35" West for a distance of 1.50 feet to a building corner; thence South 01° 52' 25" West for a distance of 1.08 feet to a building corner; thence North 88° 07' 35" West for a distance of 0.33 feet to a building corner; thence South 01° 52' 25" West for a distance of 28.17 feet to a building corner; thence North 88° 07' 35" West for a distance of 18.17 feet to a building corner; thence North 01° 52' 25" East for a distance of 62.50 feet to a building corner; thence South 88° 07' 35" East for a distance of 20.00 feet to a building corner; thence North 01° 52' 25" East for a distance of 33.45 feet to a building corner; thence South 88° 07' 35" East for a distance of 40.17 feet to a building corner; thence South 01° 52' 25" West for a distance of 33.45 feet to a building corner; thence South 88° 07' 35" East for a distance of 3.00 feet to a building corner; thence South 01° 52' 25" West for a distance of 3.00 feet to a building corner; thence South 88° 07' 35" East for a distance of 9.92 feet to a building corner; thence South 01° 52' 25" West for a distance of 27.25 feet to a building corner; thence North 88° 07' 35" West for a distance of 9.92 feet to a building corner; thence South 01° 52' 25" West for a distance of 3.00 feet to a building corner; thence North 88° 07' 35" West for a distance of 3.00 feet to a building corner; thence South 01° 52' 25" West a distance of 33.42 feet to building corner, said building corner being the point and place of beginning. The building foundation footprint is 5,588 square feet or 0.12828 acres.

Leonard Hall

Situated in the City of Raleigh, Wake County, North Carolina and more particularly described as follows:

COMMENCING at an existing concrete monument on the western right of way of S. Wilmington Street, said concrete monument having North Carolina state plane coordinates of Northing: 735,420.30' and Easting 2,107,148.58' (NAD83(2011)); thence South 83° 01' 33" West for a distance of 88.96 feet to the southeast building corner of Leonard Hall, said building corner being the point and place of beginning; thence from the point of beginning along the building foundation wall for 25 calls North 87° 53' 56" West for a distance of 49.43 feet to a building corner; thence North 02° 06' 04" East for a distance of 19.33 feet to a building corner; thence South 87° 53' 56" East for a distance of 9.83 feet to a building corner; thence North 02° 06' 04" East for a distance of 6.72 feet to a building corner; thence North 88° 00' 15" West for a distance of 37.14 feet to a building corner; thence North 01° 59' 45" East for a distance of 44.16 feet to a building corner; thence South 88° 00' 15" East for a distance of 24.25 feet to a building corner; thence, North 01° 59' 45" East for a distance of 8.01 feet to a building corner; thence North 87° 33' 10" West for a distance of 4.16 feet to the beginning of a nontangential curve, said curve turning to the right having a radius of 5.07 feet, arc length of 16.32 feet, chord bearing of North 02° 12' 05" East and a chord distance of 10.14 feet to a point of intersection with a non-tangential line; thence South 87° 47' 55" East for a distance of 15.70 feet to the beginning of a non-

tangential curve, said curve turning to the right and having a radius of 5.11 feet, an arc length of 16.14 feet, chord bearing South 00° 34' 46" West and chord distance of 10.21 feet to a point of intersection with a non-tangential line; thence South 01° 59' 45" West for a distance of 7.91 feet to a building corner; thence South 88° 00' 15" East for a distance of 64.82 feet to a building corner; thence South 01° 59' 45" West for a distance of 1.31 feet to the beginning of a non-tangential curve, said curve turning to the right having a radius of 7.59 feet, an arc length of 24.04 feet, chord bearing of South 01° 59' 45" West and a chord distance of 15.17 feet to a point of intersection with a non-tangential line; thence South 01° 59' 45" West for a distance of 0.63 feet to a building corner; thence South 88° 00' 15" East for a distance of 9.10 feet to a building corner; thence South 01° 59' 45" West for a distance of 10.00 feet a building corner; thence North 88° 00' 15" West for a distance of 9.10 feet to a building corner; thence South 01° 59' 45" West for a distance of 0.61 feet to the beginning of a non-tangential curve, said curve having a radius of 7.57 feet, an arc length of 23.74 feet, a chord bearing of South 01° 59' 45" West and a chord distance of 15.13 feet to a point of intersection with a non-tangential line; thence South 01° 59' 45" West for a distance of 1.26 feet to a building corner; thence North 88° 00' 15" West for a distance of 24.15 feet to a building corner; thence South 02° 06' 04" West a distance of 26.13 feet to a building corner, said building corner being the point and place of beginning. The building foundation footprint is 6,287 square feet or 0.14433 acres.

#### Estey Hall

Situated in the City of Raleigh, Wake County, North Carolina and more particularly described as follows:

COMMENCING at an existing iron pipe, said iron pipe having North Carolina state plane coordinates of Northing: 735,855.94' and Easting 2,107,525.14' (NAD83(2011)); thence North 18° 33' 31" East for a distance of 131.20 feet to the northwest building corner of Estey Hall, said building corner being the point of beginning; thence from the point of beginning along the building foundation for 40 calls South 88° 13' 30" East for a distance of 7.61 feet to a point on a line; thence North 02° 07' 10" East for a distance of 2.96 feet to a building corner; thence South 87° 52' 50" East for a distance of 2.35 feet to a building corner; thence South 01° 47' 38" West for a distance of 0.25 feet to a building corner; thence South 87° 52' 50" East for a distance of 82.17 feet to a building corner; thence North 02° 07' 10" East for a distance of 0.25 feet to a building corner; thence South 87° 52' 50" East for a distance of 3.00 feet to a building corner; thence South 02° 07' 10" West for a distance of 3.25 feet to a building corner; thence North 87° 52' 50" West for a distance of 0.25 feet to a building corner; thence South 02° 07' 10" West for a distance of 38.93 feet to a building corner; thence South 87° 52' 50" East for a distance of 0.25 feet to a building corner; thence South 02° 07' 10" West for a distance of 3.00 feet to a building corner; thence North 87° 52' 50" West for a distance of 3.00 feet to a building corner; thence North 02° 07' 10" East for a distance of 0.25 feet to a building corner;



thence North 87° 52' 50" West for a distance of 20.52 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 68.40 feet to a building corner;  
thence South 87° 52' 50" East for a distance of 2.44 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 11.29 feet to a a building corner;  
thence North 87° 52' 50" West for a distance of 4.38 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 10.00 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 12.88 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 3.33 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 1.00 feet to a building corner;  
thence North 02° 07' 10" East for a distance of 3.33 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 8.67 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 3.33 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 1.00 feet to a building corner;  
thence North 02° 07' 10" East for a distance of 23.05 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 12.13 feet to a building corner;  
thence South 02° 07' 10" West for a distance of 0.33 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 2.87 feet to a building corner;  
thence North 02° 07' 10" East for a distance of 2.87 feet to a building corner;  
thence South 87° 52' 50" East for a distance of 0.42 feet to a building corner;  
thence North 02° 07' 10" East for a distance of 67.43 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 20.64 feet to a building corner;  
thence South 01° 47' 38" West for a distance of 0.25 feet to a building corner;  
thence North 87° 52' 50" West for a distance of 3.03 feet to a building corner;  
thence North 02° 07' 10" East for a distance of 3.18 feet to a building corner;  
thence North 88° 13' 30" West for a distance of 7.62 feet to a building corner;  
thence North 01° 46' 30" East a distance of 39.04 feet to a building corner, said building corner being the point and place of beginning. The building foundation footprint is 7,518 square feet or 0.17259 acres.

#### TUPPER MEMORIAL HALL BUILDING FOOTPRINT

SITUATED IN THE CITY OF RALEIGH, WAKE COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS COMMENCING AT AN EXISTING IRON ROD ON THE EASTERN RIGHT OF WAY OF S. WILMINGTON STREET, SAID IRON PIPE BEING THE NORTHWEST CORNER OF LOT 7 AS SHOWN ON BOOK OF MAPS 2009 AT PAGE 355 AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTH=735,51.51' AND EASTING=2,107,241.99' NAD 83(2011)THENCE LEAVING SAID RIGHT OF WAY, SOUTH 25° 09' 02" EAST FOR A DISTANCE OF 108.33 FT. TO THE NORTHEAST BUILDING CORNER OF THE TUPPER MEMORIAL HALL BUILDING, SAID POINT BEING THE POINT OF BEGINNING AND HAVING NORTH CAROLINA GRID COORDINATES OF N=735,419.44' AND E=2,107,288.03' ; THENCE FROM THE POINT OF BEGINNING, ALONG SAID BUILDING FOR 12 CALLS, SOUTH 02° 15' 06" WEST FOR A DISTANCE OF 96.08' TO A BUILDING CORNER; THENCE NORTH 87° 44' 54" WEST FOR A

DISTANCE OF 18.92' TO A BUILDING CORNER PIPE; THENCE SOUTH 02° 15' 06" WEST FOR A DISTANCE OF 5.00' TO A BUILDING CORNER; THENCE NORTH 87° 44' 54" WEST FOR A DISTANCE OF 10.24' TO A BUILDING CORNER; THENCE NORTH 02° 15' 06" EAST FOR A DISTANCE OF 5.00' TO A BUILDING CORNER; THENCE NORTH 87° 44' 54" WEST FOR A DISTANCE OF 18.92' TO A BUILDING CORNER; THENCE NORTH 02° 15' 06" EAST FOR A DISTANCE OF 96.08' TO A BUILDING CORNER; THENCE SOUTH 87° 44' 54" EAST FOR A DISTANCE OF 12.00' TO A BUILDING CORNER; THENCE NORTH 02° 15' 06" EAST FOR A DISTANCE OF 3.25' TO A BUILDING CORNER; THENCE SOUTH 87° 44' 54" EAST FOR A DISTANCE OF 24.08' TO A BUILDING CORNER; THENCE SOUTH 02° 15' 06" WEST FOR A DISTANCE OF 3.25' TO A BUILDING CORNER; THENCE SOUTH 87° 44' 54" EAST FOR A DISTANCE OF 12.00' TO A BUILDING CORNER, SAID BUILDING CORNER BEING THE POINT AND PLACE OF BEGINNING.

