

CORRECTED

July 7, 2023

2. **Z-93-22 – 2700, 2708, 2712, 2716, 2720, 2732, 2734, 2736, 2826 South Wilmington Street; 2713, 2715, 2717, 2721, 2725, 2731 Renfrow Road; 110 Ileagnes Road; 109 Parkland Drive**, located north of Ileagnes Road, being Wake County PINs 1702573024, 1702562941, 1702561747, 1702560697, 1702560557, 1702468386, 1702467270, 1702467093, 1702561917, 1702560867, 1702469857, 1702469833, 1702468783, 1702467599, 1702467204, 1702572008, 1702469448. Approximately 8.24 acres rezoned to Commercial Mixed Use, 20 Stories, Urban Limited Frontage, Conditional Use, Transit Overlay District (CX-20-UL-CU, TOD).

Conditions dated: June 14, 2023

1. In addition to those otherwise prohibited by the UDO, the following uses are prohibited: detention center, jail, and prison.
2. The total number of residential units shall not exceed 1,000.
3. The total area of "Office" uses shall not exceed 160,000 square feet.
4. The total area of "Retail Sales" uses shall not exceed 30,000 square feet.
5. The post-development stormwater discharge peak flow rate for the property shall not exceed pre-development peak flow rates for the 2, 10, 25, 50 and 100 year storms.
6. 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), green roofs, and planter boxes. 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.
7. The Property Owner will dedicate at least ten (10) residential dwelling units as affordable for a period of no less than ten (10) years for low-income households earning no more than 60% 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 10 affordable units represent one percent (1 %) of the 1,000 dwelling units referenced in Condition 2 above. The maximum rent and income limits will follow the affordable housing standards determined annually by the City of Raleigh Housing and Neighborhoods Department.

Affordability restrictions for the first affordable housing unit[s] shall be established at or before the issuance of the first certificate of occupancy ("CO") which includes any residential units and shall never be less than one percent of the total number of approved residential units until certificates of occupancy have been issued for all 10 affordable units. The number of dedicated affordable units shall be rounded up to the next whole number so that no less than one or more entire units will be dedicated at the time any residential CO is approved, until all 10 affordable units are built. 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 the City a fee in the amount of \$40,000 per unit in lieu of dedicating the affordable units described above. Payment must be made at the time dedication of the unit[s] would otherwise be required under this Condition and will be placed in a fund designated for the City's Affordable Housing Programs.