

STAFF REPORT

Town Council, May 12, 2016

Lily Orchard Open Space 16-REZ-06 (PL16-079b)

Consider action on proposed rezoning request

From: Jeff Ulma, Planning Director
Prepared by: Debra Grannan, Senior Planner
Approved by: Mike Bajorek, Interim Town Manager
Approved by: Russ Overton, Assistant Town Manager

Speaker: Debra Grannan

Executive Summary: To amend the Town of Cary Official Zoning Map by applying an initial Town of Cary zoning designation of Resource/Recreation (RR) to 0.12 acres currently zoned Wake County Residential 30 (R-30). An owner-initiated annexation petition, 15-A-27, was submitted by the property owners in conjunction with this rezoning request. Annexation into Cary’s corporate limits shall be required prior to applying a Town of Cary zoning designation.

This rezoning has an associated Consistency and Reasonableness Statement.

Planning and Zoning Board Recommendation: The Planning and Zoning Board voted 9-0 to forward the case to Town Council with a recommendation for approval.

Proposed Council Action: Council may take action.

NOTE: The purpose of the rezoning is to determine whether or not the land uses and densities allowed in the proposed zoning district are appropriate for the site. Technical design standards of the Land Development Ordinance are addressed during review of the site or subdivision plan.

SUBJECT PARCELS

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
K Hovnanian at Lily Orchard LLC 110 West Front Street Red Bank, NJ 07701-1139	0751900557	0433216	0.12 ±
Total Area			0.12 ±

PROJECT SUMMARY

The subject property is a 0.12-acre parcel located immediately adjacent to the Lily Orchard Subdivision, an approved development currently under construction that consists of 52 lots for detached residential use. In 2013, the land included within the subdivision was rezoned from Wake County Residential 30 to a Cary zoning designation of Residential 8 Conditional Use (Case 13-REZ-20). The subject 0.12 acres was planned to be part of the open space for the Lily Orchard subdivision, however it was not included in the 2013 rezoning request. Since the existing parcel is considered part of the open space for the already approved subdivision, it is necessary to annex and apply an initial Town of Cary zoning designation to this property. Because the property is designated for open space, and no dwellings will be constructed on the subject land, Resource Recreation (R/R) is a more appropriate zoning designation than the adjacent Residential 8 Conditional Use.

BACKGROUND INFORMATION

Applicant	Tommy Morgan K. Hovanian Homes 3333 Regency Parkway Cary, NC 27518 (919) 238-5102 tmorgan@KHOV.com		
Applicant's Contact	Tom Spaulding Spaulding & Norris, PA 972 Trinity Road Raleigh, NC 27607		
Acreage	0.12 ±		
General Location	Unaddressed parcel located approximately 600 feet southeast of the intersection of Stephenson Road and Lily Orchard Way		
Schedule	Town Council Public Hearing March 23, 2016	Planning & Zoning Board Meeting April 18, 2016	Town Council May 12, 2016
Land Use Plan Designation	Low Density Residential (LDR)		
Existing Zoning District(s)	Wake County R-30 (R-30)		
Existing Zoning Conditions	None		
Proposed Zoning District(s)	Resource Recreation (R/R)		
Proposed Zoning Conditions	None		
Town Limits	The subject property is located outside the corporate limits and the Town of Cary ETJ. An owner-initiated annexation petition, 16-A-01, was submitted by the property owners in conjunction with this rezoning request.		
Staff Contact	Debra Grannan, Senior Planner Town of Cary (919) 460-4980 Debra.grannan@townofcary.org		

Vicinity Map

Lily Orchard Open Space
16-REZ-06

