

**STAFF REPORT**

Town Council, February 25, 2016

**Walnut Street Property Comprehensive Plan Amendment and Rezoning 15-CPA-09 and 15-REZ-19 (PL16-049b)**

Consider action on proposed Comprehensive Plan Amendment and Rezoning request

From: Jeff Ulma, Planning Director  
Prepared by: Meredith Gruber, Urban Designer/Senior Planner  
Approved by: Mike Bajorek, Interim Town Manager  
Approved by: Russ Overton, Assistant Town Manager

**Speaker:** Meredith Gruber

**Executive Summary:** To amend the Town Center Area Plan and the Town of Cary Official Zoning Map by changing the land use designation and rezoning 2.12 acres from Town Center - Office/Institutional and Town Center - Medium Density Residential (TC - OFC/INS and TC - MDR) to Town Center - High Intensity Mixed Use (TC - HMXD). This rezoning request has an associated Consistency and Reasonableness Statement.

**Proposed Council Action:** Council may take action

*NOTE: The purpose of a comprehensive plan amendment is to evaluate the appropriateness of a proposed land use and/or other issue, need, or opportunity for the subject parcel(s) of land. 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
Town of Cary	0764501026 Portion	0016887 Portion	0.42
Town of Cary	0763592869 Portion	0021337 Portion	0.56
Town of Cary	0764503144 Portion	0021339 Portion	0.57
Town of Cary	0764504143 Portion	0044986 Portion	0.57
<b>Total Area</b>			2.12

**PROJECT SUMMARY**

This is a request to change the land use designation and zoning sub-district for 2.12 acres in Downtown Cary from Town Center – Office/Institutional and Town Center – Medium Density Residential (TC – OFC/INS and TC – MDR) to Town Center – High Intensity Mixed Use (TC – HMXD). Properties within the Town Center Area Plan have a zoning of Town Center (TC) that refers to the associated land use designation shown on the Future Land Use Map. Changing land use and zoning within the Town Center area functions as a combined process.

The rezoning portion of this request also includes the removal of conditions associated with the 0.42 acre portion of property with the land use designation of Town Center – Office/Institutional (TC – OFC/INS) and a zoning designation of Office and Institutional Conditional Use (OI-CU). Existing zoning conditions are listed in the table below in the Background Information section of this report.

The Town has been planning for development of the parcels bounded by Park, Walker, Walnut and Academy Streets since 2001, when the Town Center Area Plan was first approved. A majority of the parcels in that block are currently zoned HMXD, including property adjacent to the Subject Property.

Wake County is planning to construct a new regional library in Downtown Cary to serve both a larger population and a wider geographical area. The property included in this Comprehensive Plan Amendment and rezoning request was identified in 2013 for the location of the new library.

## BACKGROUND INFORMATION

Applicant & Agent	Town of Cary Ted Boyd, Downtown Development Manager 919-462-3870 ted.boyd@townofcary.org		
Acreage	2.12 ±		
General Location	Along Walnut Street within the block created by West Park Street, Walker Street, Walnut Street, and South Academy Street		
Schedule	<b>Town Council Public Hearing</b> December 10, 2015	<b>Planning &amp; Zoning Board</b> January 25, 2016	<b>Town Council</b> February 25, 2016
Current Land Use Designation	Office/Institutional (OFC/INS) and Medium Density Residential (MDR), Town Center Area Plan		
Proposed Land Use Designation	High Intensity Mixed Use (HMXD), Town Center Area Plan		
Existing Zoning District(s)	Office and Institutional Conditional Use (OI-CU) and Town Center - Medium Density Residential (TC-MDR)		
Existing Zoning Conditions to be removed <i>(for property currently zoned OI-CU)</i>	<ol style="list-style-type: none"> <li>1. The Office and Institutional Conditional Use District is to include Town Center District Overlay B.</li> <li>2. Ingress and egress to the subject land at Walnut Street shall be right in and right out only. A traffic control island will be built by the petitioner to assure compliance.</li> <li>3. The first 204.03 feet in depth of subject land from Walnut Street will be used for driveway and/or parking only.</li> <li>4. No building shall exceed two and one half stories or 28 feet, whichever is lower as measured vertically from the average elevation of the finished grade at the front of the building to the highest point of the coping of a flat roof, to the deck of a mansard roof, or the mean height level between the eaves and the ridge of a gable, hip, or gambrel roof. Spires, cupolas, and/or antennae attached to a building and/or projections from the building shall not be included in the calculation of building height.</li> <li>5. The subject land shall not be developed independently of the adjacent lot with Wake County Parcel Identification No. 0764.18-40-9067. Access to Academy Street must be provided through said parcel.</li> </ol>		
Proposed Zoning District(s)	Town Center - High Intensity Mixed Use (TC-HMXD)		
Town Limits	Yes		

Planning and Zoning Board Recommendation	CPA: Approval, 8 – 0 Rezoning: Approval, 8 – 0
Staff Contact	Meredith Gruber, PLA, AICP 919-460-4983 meredith.gruber@townofcary.org

# Vicinity Map

Walnut St Property  
Comprehensive Plan Amendment 15-CPA-09  
Rezoning 15-REZ-19

