

**Town of Cary, North Carolina  
Rezoning Staff Report  
14-REZ-13 Crosspointe Church YMCA  
Town Council Meeting  
November 20, 2014**

**REQUEST**

To amend the Town of Cary Official Zoning Map by rezoning a 7.39-acre portion of a 38.02-acre parcel from Residential 40 (R-40) to General Commercial Conditional Use (GC-CU). Conditions proposed by the applicant would limit the use to commercial indoor/outdoor recreation, office and institutional uses allowed in the General Commercial zoning district.

There is request for an amendment to the Comprehensive Land Use Plan (14-CPA- 03) associated with this case.

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 and can be found at <http://www.amlegal.com/library/nc/cary.shtml>.

**SUBJECT PARCELS**

Property Owner	County Parcel Number (10-digit)	Real Estate ID	Deeded Acreage
Crosspointe Church 6911 Carpenter Fire Station Road Cary, NC 27519	0735549587 Portion	0280523 Portion	7.39 ±
<b>Total Area</b>			7.39 ±

**BACKGROUND INFORMATION**

Applicant	TJ Terry Crosspointe Church 6911 Carpenter Fire Station Road Cary, NC 27519		
Applicant's Representative	Glenda Toppe Glenda S. Toppe And Associates 4139 Gardenlake Drive Raleigh, NC 27612		
Acreage	7.39 ±		
General Location	6911 Carpenter Fire Station Road		
Schedule	<b>Town Council Public Hearing</b>  July 17, 2014	<b>Planning &amp; Zoning Board Meeting</b>  October 20, 2014	<b>Town Council Meeting</b>  November 20, 2014
Land Use Plan Designation	Commercial (COM) (Note: The Comprehensive Plan was recently amended to change the designation for this area from Institutional and Parks/Open Space)		
Existing Zoning District(s)	Residential 40 (R-40)		
Existing Zoning Conditions	None		
Proposed Zoning District(s)	General Commercial Conditional Use (GC-CU)		
Proposed Zoning Conditions	Uses shall be limited to commercial indoor recreation facilities with outdoor accessory uses including, but not limited to, a swimming pool and office and institutional uses allowed in the General Commercial zoning district.		

	<p>Prior to the first Certificate of Occupancy for any development of the property , the following improvements identified in 14-TAR-385 shall be constructed in accordance with and subject to NCDOT and the Town of Cary approval and Standards and Specifications</p> <p><b><u>Carpenter Fire Station Road and Access #1</u></b> Construct access #1 to provide one ingress and two egress lanes consisting of a shared through/left-lane and a right-turn lane that provides at least 150 feet of full storage with an appropriate taper</p> <p><b><u>Carpenter Fire Station Road and Access #2</u></b></p> <ul style="list-style-type: none"> <li>• Construct access #2 to provide one ingress and one egress lane right-in, right-out only access</li> <li>• Use CTP widening below to form an eastbound right-turn lane with 100 feet of storage and appropriate taper</li> </ul> <ul style="list-style-type: none"> <li>• Indian Wells Road and Access #3</li> <li>• Construct access #3 to provide one ingress and one egress lane</li> </ul> <p><b><u>Frontage Widening</u></b></p> <ul style="list-style-type: none"> <li>• Widen Carpenter Fire Station Road along entire frontage to half of the ultimate cross section per the comprehensive Transportation Plan</li> <li>• Widen Indian Wells Road along entire frontage to half the ultimate cross section per the Comprehensive Transportation Plan</li> </ul> <p><b><u>NC 55 HWY and Indian Wells Road</u></b></p> <ul style="list-style-type: none"> <li>• Restripe and lengthen the southbound exclusive right-turn lane on NC 55 to a shared through/right-turn lane and provide at least 200 feet of full storage and appropriate taper. Extend this lane approximately 1,200 feet south of the intersection and provide an appropriate taper to drop the lane</li> <li>• Develop and implement a traffic signal modification plan to accommodate the improvements described above including a revised signal phasing and timing plan</li> </ul>
Town Limits	Yes
Valid Protest Petition	No
Staff Contact	Debra Grannan Senior Planner (919) 460-4980 Debra.grannan@townofcary.org

**SITE CHARACTERISTICS**

**Existing Uses/Structures:**

The subject property is developed with a 2-story 35,659-square-foot church and parking lot. The 7.39-acre portion of the property that is the subject of this rezoning case is currently vacant.

**Streams:** The subject property is impacted by a stream buffer. Field determination of such features is required at the time of development plan review.

**Floodplain and Wetlands:** Cary’s current GIS maps do not indicate any floodplains or wetlands on the subject property. Field determination of such features is required at the time of development plan review.

**Adjacent Uses and (Zoning):**

North – Vacant and Institutional (OI-CU and R-40)

South – Vacant (R-40)  
 East – Vacant and Detached Residential (GC and R-40)  
 West – Religious Assembly (R-40)

**CONSISTENCY WITH LAND DEVELOPMENT ORDINANCE**

**Density and Dimensional Standards**

	<b>Existing Zoning District Residential 40 (R40)</b>	<b>Proposed Zoning District General Commercial Conditional Use (GC-CU)</b>
Max. Gross Density	1.08 du/acre	Not Applicable
Min. Lot Size (square feet)	40,000	Not Required
Minimum Lot Width	125 feet	Not Required
Roadway Setback	50 feet <i>(From Thoroughfare)</i>	30 feet
Side Setback	15 feet	Not Required (Principal building setbacks from perimeter buffers and stream buffers are 10 feet)
Rear Setback	30 feet	Not Required (Principal building setbacks from perimeter buffers and stream buffers are 10 feet)
Maximum Building Height	35 feet plus one foot for every foot provided in addition to the minimum building setback	<u>Within 100 feet of a residential district:</u> 35 feet plus one foot for every foot provided in addition to minimum setback <u>More than 100 feet from a residential district:</u> 50 feet plus one foot for every foot provided in addition to minimum setback

**Landscape Buffer**

In accordance with Chapter 7 of the Land Development Ordinance a 20-foot-wide Type C buffer shall be required between the subject property and the commercially-zoned property to the east. A 65-foot-wide Type A (opaque) buffer shall be required between the subject property and the Residential 40 property to the east.

**Streetscape**

In accordance with Chapter 7 of the Land Development Ordinance, a 30-foot streetscape shall be required along Carpenter Fire Station Road.

**Stormwater**

At the time of development plan review, the future plan must meet all stormwater management and detention requirements. Peak flow from the one-, two-, five- and 10-year storm events must be determined and must be attenuated back to pre-development conditions from the discharge point leaving the development.

**Traffic**

Traffic Analysis Report 14-TAR-385 was prepared by the Town's on-call traffic engineering consultant VHB Engineering NC, P.C., and was finalized on June 19, 2014. In accordance with the LDO, the study has a 5-year build-out period, which is year 2019. Findings of the study are as follows:

Project Description (assumed for purposes of the traffic study)

- YMCA – 50,300 square feet
- General Office – 11,900 square feet

Trip Generation Expected

Note: local traffic data was collected in January 2014 at two YMCA locations in Cary and Holly Springs to derive trip generation rates for this case.

- 4,336 daily site trips
- 332 a.m. peak hour trips (214 entering, 118 exiting)
- 536 p.m. peak hour trips (281 entering, 255 exiting)

#### Intersections Studied

- NC 55 and McCrimmon Parkway (signalized)
- NC 55 and Carpenter Fire Station Road (signalized)
- NC 55 and Indian Wells Road / Morrisville-Carpenter Road (signalized)
- NC 55 and Morrisville Parkway (signalized)
- Morrisville-Carpenter Road and Louis Stephens Road (signalized)
- Carpenter Fire Station Road and Cary Glen Boulevard (unsignalized)
- Carpenter Fire Station Road and Proposed Access #1 (unsignalized)
- Carpenter Fire Station Road and Proposed Access #2 (unsignalized)
- Indian Wells Road and Proposed Access #3 (unsignalized)

The study evaluated A.M. and P.M. peak hour operations at each of the intersections studied for four analysis year scenarios: Existing (2014) Conditions; Background Traffic (2019) Conditions; Build Traffic (2019) Conditions; and Build (2019) Conditions with Traffic Improvements.

For Background Traffic (2019) Conditions, there were (16) potential developments in the vicinity that may be approved and completed prior to, or at the same time as the build-out of the proposed development. Site traffic generated from those planned and/or developed projects were included in the Background Traffic (2019) Condition. Those background developments include:

1. Daycare at McCrimmon Parkway at Green Level Church Road (14-TAR-380)
2. Stitt Property (14-TAR-378)
3. Carpenter ACCP (13-TAR-372) \*\*
4. Williams Tract Development (13-TAR-369)
5. Holland Tract Development (12-TAR-352)
6. Mills Tract Development (12-TAR-353)
7. Highcroft Village Phase 4 & 5 (11-TAR-331)
8. Fryar Tract Development (11-TAR-331)
9. Parkside Town Commons Amendment (13-TAR-350A)
10. Panther Creek High School Expansion (13-TAR-366)
11. Green Hope High School Expansion (13-TAR-365)
12. RKM Retail Center (13-TAR-364)
13. Cary Park Tract MR-8 Apartments (13-TAR-363)
14. Cary Park TC-3A (12-TAR-348)
15. Cary Glen Townhomes (12-TAR-346)
16. Crosspointe Church Expansion (no TAR was required)

\*\* The rezoning case associated with this traffic study (13-REZ-02) was recently withdrawn.

The executive summary of the Traffic Analysis Report includes information on level of service reported at each intersection studied and recommendations for improvements at these intersections. The traffic study also provides the inclusion of traffic generated by developments that have been approved, but not yet constructed in the area. The methodology of the report was developed on the assumption that the CSX Railroad crossing at Carpenter Fire Station Road will be closed, as a requirement of the Parkside Town Commons project by the railroad, and traffic will be diverted to Morrisville-Carpenter Road.

#### **Intersection Improvement Recommendations**

To mitigate the traffic impacts the proposed development may have on the adjacent roadway system, the Traffic Analysis Report providing recommendations for improvements consistent with LDO Section 3.4.1(D)(3) Traffic Impact Analysis (TIA).

#### **Roadway improvements voluntarily offered by the applicant as zoning conditions**

- **Frontage Improvements on Carpenter Fire Station Road**

- Widen Carpenter Fire Station Road along the entire frontage of the proposed development to half (1/2) of the ultimate cross-section per the Comprehensive Transportation Plan (CTP).
- **Frontage Improvements on Indian Wells Road**
  - Widen Indian Wells Road along the entire frontage of the proposed development to half (1/2) of the ultimate cross-section per the Comprehensive Transportation Plan (CTP).
- **NC 55 & Indian Wells Road / Morrisville-Carpenter Road**
  - Restripe the southbound exclusive right-turn lane on NC 55 to a shared through/right-turn lane and extend it to provide at least 200 feet of full storage and appropriate taper. Extend this lane approximately 1,200 feet south of the intersection and provide an appropriate taper to drop the lane.
  - Develop and implement a traffic signal modification plan to accommodate the improvements described above including a revised signal phasing and timing plan.
- **Carpenter Fire Station Road and Existing Access #1 opposite Howard Road**
  - Construct Access #1 to provide for one ingress lane and two egress lanes consisting of a shared thru/left-turn lane and a right-turn lane that provides at least 150 feet of full storage with an appropriate taper.
- **Carpenter Fire Station Road and Proposed Access #2**
  - Construct Access #2 to provide one ingress lane and one egress lane (right-in, right-out only entrance).
  - Use CTP road widening along Carpenter Fire Station Road to form an eastbound right-turn lane with 100 feet of full storage and appropriate taper.
- **Indian Wells Road and Access #3**
  - Construct Access #3 to provide one ingress lane and one egress lane.

**Roadway improvements that have not been voluntarily offered by the applicant as zoning conditions**

- **Intersection of NC 55 and Carpenter Fire Station Road**
  - Construct an eastbound separate right-turn lane along Carpenter Fire Station Road that provides at least 150 feet of full storage with an appropriate taper  
*(Note that the Town of Cary received a payment-in-lieu in the amount of \$265,300 for the construction of this right-turn lane improvement associated with the Highcroft Village, Phases 4 & 5 development (10-SB-003 & 10-SB-004) and approved by the Town Council on October 27, 2010 (staff report EN12-026).*
- **NC 55 & Indian Wells Road / Morrisville-Carpenter Road**
  - Construct an additional westbound right-turn lane along Morrisville Carpenter Road that provides at least 250 feet of full storage with an appropriate taper.
  - Develop and implement a traffic signal modification plan to accommodate the improvements described above including a revised signal phasing and timing plan.
- **NC 55 & Morrisville Parkway**
  - Construct an additional southbound left-turn on NC 55, forming dual left-turn lanes and provide an average storage length of 300 feet with appropriate tapers.
  - Develop and implement a traffic signal modification plan to accommodate the improvements described above including a revised signal phasing and timing plan.  
**(Note that these improvements were also identified and recommended in the Carpenter ACCP traffic study (13-TAR-372); however, the rezoning case associated with this traffic study (13-REZ-02) has recently been withdrawn.**

The applicant has provided a justification letter dated June 18, 2014 that describes their explanation for not offering zoning conditions for the three improvements outlined above.

**Roadway improvements that have not been voluntarily offered by the applicant as zoning conditions, but have been offered as conditions of other rezoning cases, site plans, or subdivision plans. (Note that these improvements identified below may either be under construction or there is no time frame known at this time for completing the improvements).**

- **Intersection of NC 55 and Carpenter Fire Station Road**

- On the westbound approach on Carpenter Fire Station Road, extend the left-turn storage length to 250 feet. Also, an additional westbound receiving lane is to be constructed.
- On the northbound approach, provide an additional exclusive northbound left-turn lane in order to provide dual left-turn lanes.
- Additional storage length modifications will also be implemented on northbound right-turn lane on NC 55 HYW.
- In conjunction with these improvements, make signal modifications.

**These improvements were a site plan improvement offered by the Parkside Town Commons Phase 2C development project (13-SP-033). These improvements have recently been completed.**

- **NC 55 & Indian Wells Road / Morrisville-Carpenter Road**

- Provide westbound right-turn lane on Morrisville-Carpenter Road.
- Lengthen the southbound left-turn lane on NC 55.
- In conjunction with these improvements, make signal modifications.

**These improvements were a site plan improvement offered by the Parkside Town Commons Phase 2C development project (13-SP-033). These improvements have recently been completed.**

- Construct an exclusive eastbound right-turn lane on Indian Wells Road that provides at least 125 feet of full storage and an appropriate taper. Develop and implement a traffic signal modification plan to accommodate the improvements described above including a revised signal phasing and timing plan.

**This improvement has been offered as a zoning condition of the Phillips Property at Indian Wells Rezoning Case (14-REZ-12). This rezoning case is currently pending consideration by the Town.**

- Construct an exclusive eastbound left-turn lane on Indian Wells Road that provides at least 150 feet of full storage and an appropriate taper. Develop and implement a traffic signal modification plan to accommodate the improvements described above, including a revised signal phasing and timing plan.

**This improvement has been offered as a zoning condition of the Wackena Road Rezoning Case (14-REZ-08). This rezoning case is currently pending consideration by the Town.**

- **NC 55 at Morrisville Parkway Extension**

- Provide an eastbound cross-section on the proposed fourth leg of Morrisville Parkway with one left-turn lane, one through lane, and one shared right-turn/through lane.
- Restripe the westbound approach on Morrisville Parkway with one left-turn lane, one through lane, and one right-turn lane.
- Provide a southbound right-turn lane on NC 55.

**These improvements were a site plan requirement of the Oaks at Highcroft Subdivision (13-SB-002 &13-SB-003), per the Town's repealed Adequate Public Facilities for Roads ordinance. These improvements are currently under construction.**

- **Morrisville Parkway Extension at Cozy Oaks Avenue Extension**

- Provide an eastbound u-turn on Morrisville Parkway
- Provide a westbound left-turn lane on Morrisville Parkway
- Provide one through lane in each direction on Morrisville Parkway
- Provide a 2-lane cross section for Cozy Avenue Extension.

**These improvements were a site plan requirement of the Oaks at Highcroft Subdivision (13-SB-002 &13-SB-003), per the Town's repealed Adequate Public Facilities for Roads ordinance. These improvements are currently under construction.**

### **Improvements being considered by the Town of Cary**

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- Carpenter Fire Station Road Bridge and Intersection Improvements: NC 55 to Morrisville-Carpenter Road

This project consists of the realignment of Carpenter Fire Station Road from NC 55 Highway to Morrisville-Carpenter Road, west of Louis Stephens Drive. The project incorporates a new 4-lane median-divided roadway with paved shoulders for bicycles, as indicated on the Town's Comprehensive Transportation Plan (CTP) and the Carpenter Community Plan. The project also includes a new underpass below the CSX railroad. Realignment and connection of several existing side streets in the project path, such as existing Morrisville-Carpenter Road, Good Hope Church Road, and Saunders Grove Lane, will be included in the project. The widening project will provide additional roadway capacity for Cary commuters, resulting in less traffic congestion and fuel emissions, and savings in time and fuel for motorists.

The project will provide immediate benefits to Cary residents in the area, which include: improved traffic flow by completing a strategically important east-west commuter thoroughfare link, reduced traffic congestion and delays at its intersection with NC 55 Highway, improved traffic circulation and connectivity in the Carpenter Community area, and traffic safety will be enhanced by eliminating the at-grade railroad crossing with the CSX railroad tracks. The roadway will have wide paved shoulders to accommodate experienced bike users, which allows residents to use alternative modes of travel other than the automobile.

The Town has hired an engineering consultant team to complete the design phase of the project, which is currently ongoing. The design includes traffic studies, environmental assessments, and development of alternates for the Carpenter Fire Station Road realignment, final plans, specifications, and cost estimates.

#### **Project Facts**

Morrisville-Carpenter Road west of Louis Stephens Road currently carries about 11,000 vehicles per day. Traffic forecasts for the realignment project predict that the roadway will carry over 20,000 vehicles per day in the year 2030.

#### **Project Schedule**

Planning & Design Spring 2012 – Winter 2016  
Construction Spring 2016 – Spring 2018

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## **SUMMARY OF PROCESS AND ACTIONS TO DATE**

### **Notification**

Consistent with NC General Statutes, notice of the public hearing on the proposed rezoning was mailed to property owners within 800 feet of the subject property, published on the Town's website and posted on the subject property.

### **Neighborhood Meeting**

According to the applicant, a neighborhood meeting for the proposed rezoning was held on March 11, 2014. According to the information submitted by the applicant, seven nearby residents attended the meeting. According to the meeting minutes provided by the applicant, resident questions and concerns focused on traffic impacts and access to the property. There were also general questions as to who the property owner was and when work on the proposed site plan would commence.

### **Town Council Public Hearing (July 17, 2014)**

The associated Land Use Plan Amendment, case 14-CPA-03, was presented prior to the rezoning request. Following that presentation, staff presented an overview of the rezoning case and noted that there were no protest petitions. The applicant described the collaborative efforts that had been made to work with other developers in the general vicinity to address traffic mitigations. There were no other speakers at the public hearing. Several council members expressed support for the request.

### **Changes Since the Town Council Public Hearing**

The associated Land Use Plan Amendment (Case 14-CPA-03) was recommended for approval by the Planning and Zoning Board and is scheduled for the Town Council to take action on the request on October 16, 2014.

### **Planning and Zoning Board Meeting (October 20, 2014)**

Staff presented the case and noted there were no protest petitions. The applicant's representative stated that the proposed use addressed a shortage of recreation opportunities in the vicinity and pointed out the traffic mitigations that had been offered by the applicant. Three board members raised questions about traffic mitigations and expressed concerns about pedestrian and vehicular accessibility of the site. Staff provided an overview of ongoing traffic improvements that were occurring in the general vicinity of the subject property. All of the board members stated that they supported the proposed use.

The Planning and Zoning Board voted 8-0 to forward the request to Town Council with a recommendation for approval.

### **Changes Since the Planning and Zoning Board Meeting**

None

## **CRITERIA FOR CONSIDERATION IN REVIEWING REZONINGS**

Section 3.4.1(E) of the Land Development Ordinance sets forth the following criteria that should be considered in reviewing rezonings:

1. The proposed rezoning corrects an error or meets the challenge of some changing condition, trend or fact;
2. The proposed rezoning is consistent with the Comprehensive Plan set forth in Section 1.3 (LDO);
3. The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation and utility facilities and services to the subject property while maintaining sufficient levels of service to existing development;
4. The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife and vegetation;
5. The proposed rezoning will not have significant adverse impacts on property in the vicinity of the subject tract;
6. The proposed zoning classification is suitable for the subject property.



## APPLICABLE COMPREHENSIVE OR AREA PLAN REQUIREMENTS

### Land Use Plan

#### A. Northwest Area Plan

The Northwest Cary Area Plan is the governing land use document for the subject properties. The future land use designation for these properties is Office and Institutional (OFC/INS), which provides for all types of office and institutional uses. The southern portion of the parcel is designated Parks and Open Space (PKS/OS). This area reflects the area reserved in the Northwest Area Plan for a 400-foot buffer (200 feet each side) surrounding Panther Creek, one of four such buffers along streams in the Northwest Plan Area that were to serve as enhanced multi-use trails. The plan allowed for the width of these buffers to vary as long as an average of 400 feet was maintained. In practice since the adoption of the plan, significant portions of the 400-foot buffers have been reduced as there has not been an effective zoning mechanism to enforce the buffer beyond the 100-foot Urban Transition Buffer requirements contained in the LDO. The applicant has proposed to change the land use designation for the parcel to Commercial (COM) (14-CPA-03) which includes a wide variety of commercial and retail uses, hotels/motels, entertainment facilities, health and fitness clubs and auto dealers. Note: The zoning conditions offered by the applicant for the subject property set specific limitations on the allowed uses.) If the accompanying CPA case is approved, the rezoning request would be in conformance with the land use plan.

#### Growth Management Plan

The Growth Management Plan includes the following Guiding Principles that are relevant to this case:

1. L1 Guiding Principle: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.
2. L2 Guiding Principle: Ensure that future growth protects sensitive natural resources and protects open space.

**Analysis or Comments:** The property is located near the Alston Regional Mixed Use Center and is less than two miles from Research Triangle Park. Infrastructure and services as well as protection of natural resources are required by the Town of Cary Land Development Ordinance (LDO).

#### Affordable Housing Plan

The Affordable Housing Plan is not relevant to this case.

#### Comprehensive Transportation Plan

**Indian Wells Road is designated as a collector street.**

**Existing Section:** Two lanes in 40- to 60-foot varying ROW

**Future Section:** Two Lanes with 35 feet of roadway within a 60-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 4-foot-striped bike lanes

**Transit:** No existing or proposed routes at this time

**Carpenter Fire Station Road is designated as a thoroughfare.**

**Existing Section:** Two through lanes plus a turn lane with median with approximately 35- to 50-foot back of curb to back of curb of roadway with 60-75 feet of varying ROW

**Future Section:** Four lanes with a 23-foot-wide median with 78-foot back of curb to back of curb of roadway within a 100-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 14-foot-wide outside lane to accommodate bikes

**Transit:** No existing or proposed routes at this time

**NC 55 Highway is designated as a thoroughfare.**

**Existing Section:** Four through lanes plus turn lane with median, with 100-foot, back of curb to back of curb of roadway within 160- to 180-foot varying ROW

**Future Section:** Six lanes with a 23-foot-wide median with 102-foot, back of curb to back of curb of roadway within a 124-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 14-foot-wide outside lane to accommodate bikes

**Transit:** No existing or proposed routes at this time

**Availability of Transit Service:** At present the nearest existing fixed-route transit service is provided by Triangle Transit Route No. 311 along NC 55 Highway, about a third of a mile east of the site at the closest point. The long-range expansion plan for C-Tran does anticipate future fixed-route service along Green Level Church Road, approximately 1.0 mile west of the site at the closest point. Access would be via the planned Panther Creek Greenway extension, linking the site via a greenway tunnel under the Western Wake Freeway to the Mills Park schools and Green Level Church Road. However, neither the date of such service, nor its funding, has yet been established.

**Parks, Recreation & Cultural Resources**

According to the Parks, Recreation and Cultural Resources Facilities Master Plan, the Panther Creek Greenway is proposed to run along the southern boundary of this site.

**Open Space Plan**

According to the Open Space Master Plan the site has mixed hardwood and conifer forests on the southern third of the site, near and along the riparian buffer areas.

**Historic Preservation Master Plan**

No historic resources have been identified on this site.

**APPLICANT’S JUSTIFICATION STATEMENT**

Attached are the applicant’s responses to the justification questions contained in the application form. Please note that these statements are that of the applicant and do not necessarily represent the views or opinions of the Town of Cary.

**ORDINANCE FOR CONSIDERATION**

**14-REZ-13 CROSSPOINTE CHURCH YMCA**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF CARY TO CHANGE THE ZONING OF APPROXIMATELY 7.39 ACRES OWNED BY CROSSPOINTE CHURCH , BY REZONING FROM RESIDENTIAL 40 (R-40) TO GENERAL COMMERCIAL CONDITIONAL USE (GC-CU). USES SHALL BE LIMITED TO INDOOR/OUTDOOR RECREATION, OFFICE AND INSTITUTIONAL USES ALLOWED IN THE GENERAL COMMERCIAL ZONING DISTRICT. THE REZONING ALSO INCLUDES SPECIFIC TRAFFIC MITIGATIONS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARY:

**Section 1:** The Official Zoning Map is hereby amended by rezoning the area described as follows:

**PARCEL & OWNER INFORMATION**

<b>Property Owner</b>	<b>County Parcel Number (10-digit)</b>	<b>Real Estate ID</b>	<b>Deeded Acreage</b>
Crosspointe Church 6911 Carpenter Fire Station Road Cary, NC 27519	0735549587 Portion	0280523 Portion	7.39 ±
<b>Total Area</b>			<b>7.39 ±</b>

**Section 2:**

That a portion of the subject property, as shown on the attached map is rezoned from Residential 40

(R-40) to General Commercial Conditional Use (GC-CU) subject to the individualized development conditions set forth herein, and to all the requirements of the Cary Land Development Ordinance (LDO) and other applicable laws, standards, policies and guidelines, all of which shall constitute the zoning regulations for the approved district and are binding on the Property.

**Section 3:**

The conditions proposed by the applicant to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and to promote the public health, safety and general welfare, and accepted and approved by the Town are:

1. Uses shall be limited to commercial indoor recreation, with outdoor accessory uses including, but not limited to, a swimming pool, and office and institutional uses allowed in the General Commercial zoning district.
2. Prior to the first Certificate of Occupancy for any development of the property, the following improvements identified in 14-TAR-385 shall be constructed in accordance with and subject to NCDOT and the Town of Cary approval and Standards and Specifications

**Carpenter Fire Station Road and Access #1**

Construct access #1 to provide one ingress and two egress lanes consisting of a shared through/left lane and a right-turn lane that provides at least 150 feet of full storage with an appropriate taper

**Carpenter Fire Station Road and Access #2**

- Construct access #2 to provide one ingress and one egress lane right-in, right-out only access
- Use CTP widening below to form an eastbound right turn lane with 100 feet of storage and appropriate taper
- Indian Wells Road and Access #3
- Construct access #3 to provide one ingress and one egress lane

**Frontage Widening**

- Widen Carpenter Fire Station Road along entire frontage to half of the ultimate cross-section per the Comprehensive Transportation Plan
- Widen Indian Wells Road along entire frontage to half the ultimate cross-section per the Comprehensive Transportation Plan

**NC 55 HWY and Indian Wells Road**

- Restripe and lengthen the southbound exclusive right-turn lane on NC 55 to a shared through/right-turn lane and provide at least 200 feet of full storage and appropriate taper. Extend this lane approximately 1,200 feet south of the intersection and provide an appropriate taper to drop the lane
- Develop and implement a traffic signal modification plan to accommodate the improvements described above, including a revised signal phasing and timing plan

**Section 4:** This ordinance shall be effective on the date of adoption.

Adopted and effective: *November 20, 2014*

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Harold Weinbrecht, Jr.  
Mayor

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Date