

**Town of Cary, North Carolina
Rezoning Staff Report
13-REZ-09 Northwoods PDD Amendment - Tract C-1
Town Council Meeting
May 22, 2014**

REQUEST

To amend the Town of Cary Official Zoning Map by revising the previously-approved Northwoods Planned Development District to expand the land uses allowed on Tract C-1 to include up to 90 townhomes.

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(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
George H. Jordan III	0764480856	0037855	17.3 ±

PROJECT SUMMARY

The subject property is identified as Tract C-1 in the Northwoods PDD, initially adopted in 1982. Currently, permitted uses in Tract C-1 include office and commercial, with a maximum of 25% of the floor area in commercial use. The applicant proposes to modify the PDD to add an option to develop up to 90 townhomes on the site in accordance with the associated preliminary development plan.

BACKGROUND INFORMATION

Applicant	Jeremy Medlin, MI Homes		
Agent	J.W. Shearin, Innovative Development Solutions		
Acreage	17.3 ±		
General Location	West side of North Harrison Avenue and east of Sudbury Drive		
Schedule	Town Council Public Hearing November 21, 2013	Planning & Zoning Board February 17, 2014 April 28, 2014 (public hearing)	Town Council May 22, 2014
Land Use Plan Designation	Office/Institutional (OFC/INS)		
Existing Zoning District(s)	Planned Development District, Major (PDD, Major) (Northwoods PDD); Mixed Use Overlay District (Northwoods Community Center Sub-area)		
Existing Zoning Conditions	Allowable land uses: 75% office and 25% commercial		
Proposed Zoning District(s)	Planned Development District, Major (PDD, Major) (Northwoods PDD); Mixed Use Overlay District (Northwoods Community Center Sub-area)		
Proposed Zoning Conditions	Allowable land uses: 75% office and 25% commercial, or townhomes as alternate use per Preliminary Development Plan Cover Sheet Preliminary Development Plan Building Elevations Overall Preliminary Development Plan Illustrative Plan		
Town Limits	Yes		
Valid Protest Petition	Yes		
Staff Contact	Mary Beerman, AICP (919) 469-4342 mary.beerman@townofcary.org		

SITE CHARACTERISTICS

Stream Buffers: According to Cary GIS maps, a portion of the site is impacted by stream buffers. Field determination of such features will be required at the time of site plan review.

Adjacent Land Use and Zoning:

North – Residential Multi-family (RMF); Oak Hollow Apartments

South – General Commercial Conditional Use (GC-CU) and Residential Multi-Family (Conditional) (RMF-C); Arby's Restaurant and Harrison Grande Apartments

East – Planned Development District, Major (PDD, Major); Harrison Pointe Shopping Center (*opposite side of North Harrison Avenue*)

West – Transitional Residential (TR); Verde Park Subdivision

CONSISTENCY WITH LAND DEVELOPMENT ORDINANCE

Land Use

The subject property is identified as Tract C-1 in the Northwoods PDD, initially adopted in 1982. Permitted uses in Tract C-1 currently include those uses allowed in the Office & Institutional and General Commercial zoning districts, with a maximum of 25% of the floor area in commercial use. The applicant proposes to modify the PDD to add an option to develop up to 90 townhomes on the site in accordance with the associated preliminary development plan.

Proposed Density and Dimensional Standards (per Preliminary Development Plan)

Max. Gross Density	5.78 units per acre (based on 100 units)
Min. Lot Size	1,936 square feet
Minimum Lot Width	None specified
Roadway Setback	18 feet with parking in front, 10 feet if no parking between street and dwelling unit
Side Yard Setback	16 feet between buildings
Rear Yard Setback	20-foot front and rear aggregate
Maximum Building Height	None specified

Landscape Buffer

One-half of a 40-foot type B (semi-opaque) buffer is required along the northern property line adjacent to the existing apartment community. The PDP shows a 20-foot buffer, in compliance with this requirement.

Streetscape

A 50-foot Type A (opaque) streetscape is required along North Harrison Avenue and a 30-foot Type A streetscape is required along Sudbury Drive. The Preliminary Development Plan reflects the required streetscape along North Harrison Avenue, and increases the width of the required streetscape along Sudbury Drive from 30 feet to 40 feet.

Traffic

The applicant was not required to conduct a traffic study as part of the rezoning since the proposed use does not generate 100 or more peak hour trips. The applicant elected to voluntarily conduct a traffic study using the Town of Cary consultant. The applicant is proposing to rezone the property to allow for residential uses. The traffic study analyzed 111 Townhomes and is expected to be built out by 2015. Traffic Analysis Report 13-TAR-376 was prepared by the Town's on-call traffic engineering consultant VHB in June 2013. Findings of the study are as follows:

Project Description: 111 Townhomes

Trip Generation

- 704 daily site trips
- 56 a.m. peak hour trips (10 entering, 46 exiting)
- 65 p.m. peak hour trips (44 entering, 21 exiting)

Intersections Studied

- North Harrison Avenue and Dynasty Drive

- North Harrison Avenue and Harrison Pointe Drive
- North Harrison Avenue and Northwest Maynard Road
- Northwest Maynard Road and Sudbury Drive/Northwoods Drive
- Northwest Maynard Road and Gregory Drive
- West Dynasty Drive and Sudbury Drive
- Sudbury and Gorecki Place/Access#1
- Harrison Pointe Drive Extension and Access #2
- Harrison Pointe Drive Extension and Sudbury Drive

Summary Level of Service Table.

Intersection and Approach	Existing (2013)		Background (2015)		Build (2015)	
	AM	PM	AM	PM	AM	PM
N. Harrison Ave. & Dynasty Dr.	B (15.9 sec/veh)	B (11.1 sec/veh)	B (10.7 sec/veh)	B (13.6 sec/veh)	B (10.6 sec/veh)	B (11.7 sec/veh)
Eastbound	D	D	D	D	D	D
Westbound	C	E	C	E	C	E
Northbound	B	A	A	A	A	A
Southbound	A	A	B	B	A	B
N. Harrison Ave. & Maynard Rd.	C (34.0 sec/veh)	D (38.3 sec/veh)	C (34.7 sec/veh)	C (34.1 sec/veh)	C (34.0 sec/veh)	D (37.1 sec/veh)
Eastbound	D	D	D	D	D	D
Westbound	D	D	D	D	D	D
Northbound	C	C	D	C	D	C
Southbound	C	C	C	C	C	C
N. Harrison Ave. & Harrison Pointe Dr.	A (4.4 sec/veh)	A (4.7 sec/veh)	A (5.1 sec/veh)	A (7.8 sec/veh)	A (6.3 sec/veh)	A (9.9 sec/veh)
Eastbound	N/A	N/A	N/A	N/A	C	C
Westbound	C	D	D	D	D	D
Northbound	A	A	A	A	A	A
Southbound	A	A	A	A	A	A
Maynard Rd. & Gregory Dr.	A (6.8 sec/veh)	A (6.0 sec/veh)	A (6.8 sec/veh)	A (6.2 sec/veh)	A (6.8 sec/veh)	A (6.2 sec/veh)
Eastbound	A	A	A	A	A	A
Westbound	A	A	A	A	A	A
Northbound	B	B	B	B	B	B
Southbound	B	B	B	C	B	C
Maynard Rd. & Sudbury Dr./Northwood Dr.	N/A	N/A	N/A	N/A	N/A	N/A
Northbound	C	C	C	C	C	C
Southbound	B	C	B	C	B	C
Dynasty Dr. & Sudbury Dr./Gooseneck Dr.	N/A	N/A	N/A	N/A	N/A	N/A
Northbound	A	B	A	B	A	B
Southbound	B	B	B	B	B	B
Sudbury Dr. & Gorecki Place/Access #1	N/A	N/A	N/A	N/A	N/A	N/A
Eastbound	A	A	A	A	A	A
Westbound	N/A	N/A	N/A	N/A	A	A
Harrison Pointe Dr. & Access #2	N/A	N/A	N/A	N/A	N/A	N/A
Southbound	N/A	N/A	N/A	N/A	A	A
Harrison Pointe Dr. & Sudbury Dr.	N/A	N/A	N/A	N/A	N/A	N/A
Westbound	N/A	N/A	N/A	N/A	A	A

LEGEND: X = Overall signalized intersection LOS;
 (XX sec) = Overall signalized intersection control delay in seconds; X = approach LOS

Roadway Mitigation Findings

To improve intersections and allow for safe circulation, the following mitigation findings were developed.

- **Harrison Pointe Drive Extension (A zoning condition has been offered by the applicant to construct this suggested improvement)**
 - This roadway will be constructed based on design control and cross section requirements of the Town of Cary Standard Specifications and Details to connect North Harrison Avenue to Sudbury Drive to provide access to this development.
- **North Harrison Avenue and Harrison Pointe Extension (A zoning condition has been offered by the applicant to construct this suggested improvement)**
 - Construct the EB Harrison Pointe Drive Extension approach to provide one departure lane and two approaching lanes including a shared thru-left-turn lane and an exclusive right turn lane with at least 100 feet of full storage and appropriate taper.
- **Sudbury Drive and Harrison Pointe Extension (A zoning condition has been offered by the applicant to construct this suggested improvement)**
 - Construct the WB Harrison Pointe Drive Extension approach to provide one approach lane and one departure lane.
- **Sudbury Drive and Gorecki Place/Access #1 (A zoning condition has been offered by the applicant to construct this suggested improvement)**
 - Construct Access #1 to provide one egress lane and one ingress lane.
- **Harrison Pointe Drive Extension and Access #2 (A zoning condition has been offered by the applicant to construct this suggested improvement)**
 - Construct Access #2 to provide one egress lane and one ingress lane.

The executive summary of the Traffic Analysis Report for the rezoning is attached. The report is in a draft stage until action on the rezoning case is taken, at which time it will be finalized.

Stormwater

At the time of site 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.

SUMMARY OF PROCESS AND ACTIONS TO DATE

Neighborhood Meeting

According to the applicant, a neighborhood meeting for the proposed rezoning was held on February 20, 2013. According to the information submitted by the applicant, eight residents attended the meeting. According to the meeting minutes, resident questions and concerns included traffic, noise, school impacts and buffers. It was also noted by residents that there had been a proposal for apartments in the past, and the neighbors had been opposed to that use.

Notification – November 21, 2013 Town Council Public Hearing

On November 5, 2013, the Planning Department mailed notification of a public hearing on the request to property owners within 400 feet of the subject property. Notification consistent with General Statutes was published in the Cary News on November 6 and 13, 2013. Notice of the public hearing was posted on the property on November 6, 2013.

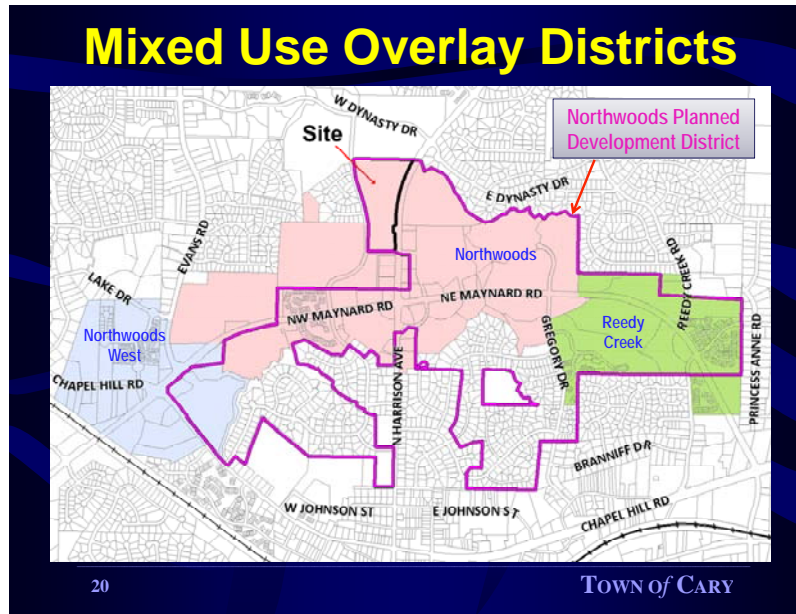
Town Council Public Hearing (November 21, 2013)

The applicant described the request and provided a history of the Northwoods Planned Development, noting that since initial adoption of the PDD (1982), the area has grown and changed, and the office demand moved northwards towards Weston. Based on existing development in the area, they believe the request for townhomes is most appropriate for this site.

Three citizens spoke in opposition to the request. Concerns related to the individual and cumulative mix of land uses in the Northwoods Mixed Use Overlay District (MUOD) (which contains the subject property) as well as the Northwoods West and Reedy Creek MUODs (which are contiguous to the Northwoods

MUOD to the west and east, respectively). There were concerns expressed regarding the number of multi-family and townhome units already existing in the general area. Speakers also expressed opposition to converting potential office use to residential use, noting that the balance between commercial and office use in the Northwoods MUOD at buildout would change from 60% commercial and 40% office to 78% commercial and 22% office. There was also concern that units would be rented rather than owner-occupied, and result in greater traffic impact.

Staff Response: The above-referenced MUODs are shown on the map below. The accompanying table lists the existing mix of residential (by type), office and commercial uses within these areas.



EXISTING LAND USES IN MIXED USED OVERLAY DISTRICTS LOCATED WITHIN NORTHWOODS PDD (plus multi-family use immediately adjacent)					
	Northwoods West MUOD	Northwoods MUOD	Reedy Creek MUOD	Adjacent Multi-Family (Oak Hollow Apts.)	Total
RESIDENTIAL (DU)					
Detached Dwellings	15	1	0	--	16
Townhomes	60	86	170	--	316
Multi-family Units	0	1399	284	460	2143
Total Residential Units	75	1486	454	460	2475
NON-RESIDENTIAL (SF)					
Office/Institutional	140,128	53,798	59,319	--	253,245
Commercial/Retail	6,252	318,954	0	--	325,206
Other	72,802	143,895	9,866	--	226,563
Total Non-Residential Area	219,182	516,647	69,185	--	805,014

There were also questions from a council member regarding building height. (Since a specific building height is not provided in the PDP, the default building height based on the LDO is 35 feet, which may be increased by one foot for every additional foot provided between the building footprint and the minimum required setback).

Planning and Zoning Board Meeting (February 17, 2014)

The rezoning was tabled at the request of the applicant to allow time to develop additional zoning conditions in response to concerns recently expressed by neighboring residents.

Notification – April 28, 2014 Planning and Zoning Board Public Hearing

Consistent with NC General Statutes, notice of the public hearing on the proposed rezoning was mailed to property owners within 400 feet of the subject property, published on the Town's website and posted on the subject property.

Changes since the February 17, 2014 Planning and Zoning Board Meeting

The applicant modified the previously-submitted preliminary development plan to:

- 1) Reduce the maximum number of townhome units from 100 to 90;
- 2) Provide a 40-foot opaque streetscape along Sudbury Dr. (*30-foot opaque streetscape required by LDO*); and
- 3) Provide a minimum of 12,000 square feet of gathering space (*4,000 square feet required by LDO*).

Planning and Zoning Board Public Hearing (April 28, 2014)

Staff summarized the request, noting that an email from a neighborhood representative had been received stating that the protest petitions were expecting to be withdrawn based on revised conditions that had been offered by the applicant. (*As of the date of this writing, May 1, 2014, none of the protest petitions have been withdrawn*). The applicant summarized the request and provided the board with two letters of support from local businesses. One citizen, the owner of a restaurant in downtown Cary, spoke in favor of the request. The Planning and Zoning Board discussed the proposal and recommended approval by a vote of 8-1. Several board members noted that the use was appropriate based on walkability, difficult topography on the subject property, and the transition to the adjacent residential neighborhood. The board member casting the dissenting vote noted that the use was reasonable but that the valid protest petition was a concern.

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

As per the Town of Cary Land Use Plan, the future land use designation for the subject property is Office/Institutional (OFC/INS). This parcel is also located within the larger Northwoods Mixed-Use Community Activity Center (CAC), which calls for a pedestrian-supportive mix of commercial, office, and high- and medium-density housing within the overall mixed use center. With regard to office uses, the plan includes guidance that a community activity center provides moderate amounts of office space demanded by community businesses.

Plan and Site History. The land use recommendations for this site date from adoption of the Townwide Land Use Plan in 1996. The 1996 Plan simply reflected the Northwoods PDD zoning for the parcel, which had been in effect since 1982 when the PDD was approved. In recent years, owners and applicants have suggested a reason for the site's failure to develop over the last 32 years. The reason offered is that the site lacks visibility from N. Harrison Avenue, due to site topography and the 100-foot riparian and Urban Transition buffer that runs the length of that frontage. At the time of the original PDD approval, such buffer regulations did not exist, which may have created different expectations for site marketability for office uses.

Analysis of Rezoning Impact on Current Mix of Uses:

The amount of development already built or approved within this mixed use center, as well as proposed by this case, is as follows:

Northwoods Community Mixed-Use Center			
Use	Built or Approved	Proposed by This Case	Total
Commercial/Retail (Sq. Ft.)	318,954	0	318,954 (86%)
Office (Sq. Ft.)	53,798	0	53,798 (14%)
Total Nonresidential (Exclusive of Institutional Uses)	372,752	0	372,752 (100%)
Institutional (Schools & Daycares) (Sq. Ft.)	143,895	0	143,895
Total Nonresidential (Sq. Ft.)	516,647	0	516,647
Detached Dwellings	1	0	1
Townhomes	86	90	176
Multi-family Units	1571	0	1571
Total Residential (Units)	1658	100	1748
Residential/Non-Residential Ratio (excludes institutional uses)	4.4 (du/ksf)		4.7 (du/ksf)

Nonresidential Mix: According to Chapter 6 (Section 6.2) of the Land Use Plan, for a community activity center (CAC), the typical range of commercial/retail floorspace should fall around 250,000 – 600,000 square feet, and the typical range of office floorspace should be within about 250,000 – 650,000 square feet. The existing amount of office space is far below the low end of the recommended range.

The Land Use Plan also recommends that office uses should comprise about 30 – 70% of total nonresidential floorspace (excluding institutional uses), and that ideally the minimum office share should be about 40% of the total. At the current level of development, the office share of nonresidential floorspace is only 14% of the total.

The proposed rezoning will not alter the existing nonresidential mix.

Residential Mix: The Land Use Plan also provides recommendations for the number of residential units in an activity center. For a CAC it is recommended that for every 1,000 square feet of nonresidential space (excluding institutional space), there should be about 0.5 to 3.0 dwellings. At present, considering both existing and under-construction units, this activity center has 4.4 dwellings per 1,000 square feet of nonresidential space. If the proposed rezoning were approved, that ratio would rise to 4.7 dwellings per 1,000 square feet of nonresidential space. Thus, the existing ratio exceeds the maximum recommended ratio, and with the proposed rezoning that ratio rises somewhat further. However, under current zoning, at full buildout of the activity center, the residential ratio would fall significantly, to 3.0, just within the recommended range. (As illustrated in the “Projected Buildout” discussion, below.)

However, one additional residential mix consideration should be noted. Section 6.2.3 of the Land Use Plan recommends that:

- *“For activity centers having sufficient acreage, the activity center should ideally include a balance of both medium and high density housing – for example, both townhomes or patio homes (medium density) and multifamily housing (high density).”*

At present, only 5% of the residential units are townhomes (86 townhomes out of 1,658 dwellings); the remainder are all multifamily units. With the proposed rezoning, the housing mix would change to 11% townhomes, and 89% multifamily, which could significantly improve the housing type mix.

Analysis of Rezoning Impact on Mix of Uses Projected at Activity Center Buildout:

The table below provides estimates of the total amount of development that could likely be supported over the entire activity center, at some point in the future when the center is fully built out. The column “Current Plan” provides the buildout estimates under existing zoning, and the “Amended Plan” column provides estimates for buildout under the proposed zoning. The table’s figures account for existing development within the CAC, existing zoning approvals, and projections for the remaining as-yet undeveloped areas.

Land Use Category	Projected Buildout Estimate	
	Current Plan	Amended Plan
Commercial/Retail (Sq. Ft.)	330,000 (60%)	330,000 (79%)
Office (Sq. Ft.)	220,000 (40%)	90,000 (21%)
Total Nonresidential (Exclusive of Institutional Uses)	550,000 (100%)	420,000 (100%)
Institutional (Schools & Daycares) (Sq. Ft.)	143,895	143,895
Total Nonresidential (Sq. Ft.)	693,895	563,895
Detached Dwellings	1	1
Townhomes	86	176
Multi-family Units	1571	1571
Total Residential (Units)	1658	1748
Residential/Non-Residential Ratio (excludes institutional uses)	3.0 (du/ksf)	4.2 (du/ksf)

The difference in the buildout estimates between the current plan and the proposed rezoning reflects the proposed rezoning’s exchange of future office/institutional floor space for medium density residential units.

Nonresidential Mix: Under the subject parcel’s current zoning, we could expect the subject parcel to someday build out with around 130,000 square feet of office space. That amount, plus another 36,000 square feet on other remaining undeveloped parcels, could raise total office space to about 220,000 square feet, which would approach the Land Use Plan’s recommended minimum of 250,000 square feet. And, total office space would approach about 40% of total nonresidential space, meeting the plan’s guidelines.

Under the proposed rezoning, at buildout there is much smaller growth in office floorspace. With the proposed rezoning, buildout projections estimate the total office space at only 90,000 square feet, keeping the total well below the recommended minimum of 250,000 square feet. And, the office share of total nonresidential floorspace would be only about 21% -- significantly below the recommended range of 30-70%.

Residential Mix: Under the current zoning, at buildout there would be no change in the total number of residential units, but the ratio of the number of units per thousand square feet of nonresidential would decline to 3.0, which would be within the recommended range of 0.5 to 3.0, and would be an improvement over today’s ratio of 4.4. However, the mix between single-family/townhome and multi-family units would remain unchanged, with multi-family accounting for 95% of all units.

With the proposed rezoning, the ratio of the number of dwelling units per thousand square feet of nonresidential space would change to about 4.2. While this ratio is an improvement over the current ratio of 4.4, it is still in excess of the recommended range of 0.5 to 3.0. However, the mix between single-family/townhome and multi-family units would improve significantly, with single-family townhomes rising to about 11% of all residential units.

About the Metrics Used in the Land Use Plan:

Bearing in mind the detailed discussion of ideal activity center metrics given above, it should be noted that the Land Use Plan recognizes that the metrics will not be appropriate or ideal in all situations. Section 6.2.5 of the Plan says:

- “The numeric metrics given in Table 6.1 are intended as approximate figures and general guidelines, and are not intended to be interpreted with the precision of an ordinance. In some cases, deviations from some of the table’s guidelines may be warranted in order to accommodate or respond to unique design opportunities or proposals that offer exceptional benefits to the community and the Town. *Not all activity centers will be able to conform to all of the guidelines in this table, due to variations between activity centers in their total acreage, pre-existing zoning, compatibility with adjacent uses, and the particular geographic configuration and conditions for each center.*” (ital. added)

That is, it should be recognized that the size, arrangement, and zoning of the Northwoods Activity Center pre-dates the guidelines of the Land Use Plan – the former being adopted in 1982, and the latter in 2009 (as an update to the 1996 Land Use Plan).

Growth Management Plan

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

1. R1 Guiding Principle: Ensure that adequate infrastructure and services are available concurrently with new development.
2. L1 Guiding Principle: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.
3. L2 Guiding Principle: Ensure that future growth protects sensitive natural resources and protects open space.
4. A1 Guiding Principle: Increase permitted densities in preferred growth areas to encourage desired forms of development.
5. Q1 Guiding Principle: Continue Cary’s leadership role in quality growth and development.

Analysis: Infrastructure and services would be available with new development. The Northwoods Community Mixed Use Center is a preferred growth area.

Affordable Housing Plan

The Affordable Housing Plan includes the following goals that may be relevant to this case:

1. Provide for a full range of housing choices for all income groups, families of various sizes, seniors, and persons with special challenges.
2. Facilitate the creation of a reasonable proportion of the Town of Cary’s housing as affordable units through additional homeownership opportunities for individuals and families earning between 60% and 80% of area median income and affordable apartments for individuals and families earning up to 60% of the area median income.
3. Encourage the location of high density housing within walking and convenient commuting distance of employment, shopping, and other activities, or within a short walk of a bus or transit stop, through "mixed use" developments, residences created on the upper floors of nonresidential downtown buildings, and other creative strategies.
4. Assure a quality living environment and access to public amenities for all residents, present and future, of the Town of Cary, regardless of income.

Comments: A medium or high density residential housing product in a mixed use center has the potential to support the goals of the Affordable Housing Plan.

Comprehensive Transportation Plan

North Harrison Avenue is designated as a Major Thoroughfare.

Existing Section: 4-lane with landscaped median in 100-foot ROW

Future Section: Existing

Sidewalks: Existing on both sides

Bicycle Lanes: 14-foot-wide outside lane required and existing

Status of Planned Improvements: N/A

Sudbury Drive is designated as a Collector Avenue.

Existing Section: 2 lanes undivided in approximately 60-foot ROW

Future Section: 2-lanes undivided in approximately 58-foot ROW; existing

Sidewalks: Existing on the east side, required on both.

Bicycle Lanes: Striped bike lanes existing

Status of Planned Improvements: Pending sidewalk project on west side funded through the sidewalk request program.

Transit:

At the time of site plan review, a land easement of 8 feet x 18 feet will be required adjacent to the public right-of-way for North Harrison Avenue, with the 18-foot dimension beginning 80 feet north of the intersection of Grande Heights Drive and Harrison Avenue. This easement is for a transit stop amenity expansion. Per Section LDO 7.10.6., a concrete pad, shelter, bench and associated passenger amenities (trash can, bike rack) may be required on the easement adjacent to the existing sidewalk.

Parks, Recreation & Cultural Resources

According to the Parks, Recreation and Cultural Resources Facilities Master Plan there are no issues related to this site.

A recreation payment-in-lieu will be required for residential development in accordance with the Land Development Ordinance.

Open Space Plan

According to the Open Space Plan approximately $\frac{3}{4}$ of the site has mixed upland hardwood and conifer forest. These natural resources were identified as being located in the north/northeastern $\frac{3}{4}$ of the site.

Historic Preservation Master Plan

According to the Historic Preservation Master Plan, there are no historic structures located on the subject property.

Summary Observations

- The site has been zoned for Office/Institutional uses since adoption of the Northwoods PDD in 1982. Since that time, over the past 32 years, the parcel has remained undeveloped for office uses. Applicants and owners over the years have cited the impacts of changing market conditions, and particularly the lack of site visibility from N. Harrison Avenue subsequent to the adoption of the Town's stream buffer and Urban Transition Buffer ordinances over the last 20 years.
- Comparison with the guidelines in Cary's Land Use Plan reveals that the Northwoods Activity Center is currently under-served with office space. Under the proposed rezoning, this situation would remain. However, under current zoning, at buildout, it is likely that total office space would rise to recommended levels.
- Comparison with the guidelines in Cary's Land Use Plan reveals that the Northwoods Activity Center currently contains more than enough residential units. However, under current zoning, at buildout, it is likely that the number of residential units would be well-balanced with commercial and office space. Under the proposed rezoning, the residential-to-nonresidential balance would tip further towards residential, and continue to exceed typical residential ratios.
- The proposed rezoning would help to improve the mix of residential dwelling types within the activity center, raising the proportion of single-family/townhome units from 5% at present, up to 11%.

- The activity center metrics given by Chapter 6 of the Land Use Plan may not be completely ideal or appropriate for a center such as Northwoods, where the zoning and land use pattern was set many years prior to adoption of the Land Use Plan metrics.
- The proposed rezoning is consistent with the Growth Management Plan.
- The subject property is well-served by existing fixed-route transit service.
- The subject property contains some identified significant natural resources.
- The subject property does not contain any known historic resources.

OTHER REFERENCE INFORMATION

Schools <i>This information is being provided for your review; however, the Wake County Board of Education controls capital projects for school capacities.</i>	Type ¹	Projected Range of Additional Students ²
	Elementary School	9-31
	Middle School	5-20
	High School	3-17
Total Projected range of additional students ²		18-68
¹ Information regarding specific Wake County Public School assignment options may be found by visiting the following: http://assignment.wcpss.net/preview/myplan.html		
² The <i>Projected Range of Additional Students</i> is a rough approximation. The actual number of students will vary depending on variables, such as the number of bedrooms, dwelling size, and other factors. For example: a site with 12 three-bedroom homes could yield six additional students, while 12 homes with greater than three bedroom units could yield 10 students. The basis for making this calculation is based on multipliers provided by the Wake County Schools Office of Student Assignment. At rezoning, student yield cannot be accurately determined due to unknown variables.		

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

13-REZ-09 Northwoods PDD Amendment - Tract C-1

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF CARY TO CHANGE THE ZONING OF 17.3 ACRES LOCATED ON THE WEST SIDE OF NORTH HARRISON AVENUE EAST OF SUDBURY DRIVE, OWNED BY GEORGE H. JORDAN III, BY AMENDING TRACT C-1 OF THE NORTHWOODS PLANNED DEVELOPMENT DISTRICT TO EXPAND THE LAND USES ALLOWED TO INCLUDE UP TO 90 TOWNHOME UNITS

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

PARCEL & OWNER INFORMATION

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
George H. Jordan III PO Box 4422 Cary, NC 27519-4422	0764480856	0037855	17.3 ±

Section 2: That this Property is rezoned, subject to the individualized development conditions set forth in the Northwoods Planned Development District document dated June 4, 1996 and on file in the Planning Department, as amended to allow townhomes as an alternative use on Tract C-1 per the “Northwoods PDD Tract C-1 Townhomes Preliminary Development Plan” dated March 28, 2014, and subject 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 set forth in the Northwoods Planned Development District document dated June 4, 1996, and on file in the Planning Department, as amended to allow townhomes as an alternative use on Tract C-1 per the “Northwoods PDD Tract C-1 Townhomes Preliminary Development Plan” dated March 28, 2014,

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

Adopted and effective: *May 22, 2014*

Harold Weinbrecht, Jr.
Mayor

Date