

# Staff Report for Town Council



**Meeting Date:** June 22, 2017

**16-REZ-16 Walnut Street Retail Rezoning**

**Purpose:** Consider action on proposed rezoning request

**Prepared by:** Katie Drye, Planning

**Speaker:** Katie Drye, Planning

**Executive Summary:** The Town of Cary has received an application to rezone an unaddressed property and a portion of an adjacent property, totaling approximately 2.06 acres, located at the northeast corner of the Walnut Street and Tryon Road intersection, from Residential 40 (R-40) to Mixed Use District (MXD) with an associated preliminary development plan to allow food and beverage service use (restaurant) not to exceed 4,818 square feet in size.

The rezoning has an associated Consistency and Reasonableness Statement.

**Recommendation:** Staff recommends that Council consider taking action on the proposed case. Staff is not making a recommendation on action for this case because the case was submitted and a Public Hearing was held prior to the adoption of the Cary Community Plan.

**Planning and Zoning Board Recommendation:** The Planning and Zoning Board recommended denial by a vote of 5 to 4.

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.

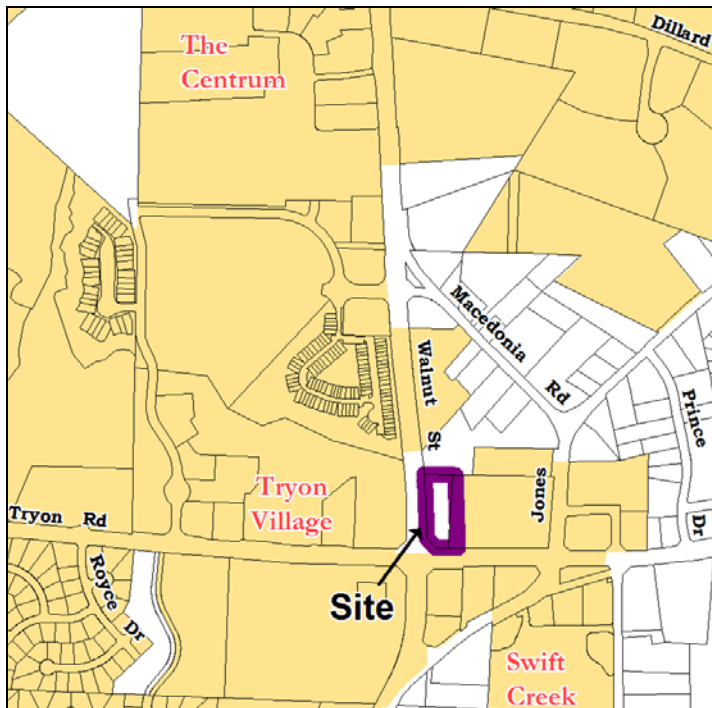
**SUBJECT PARCELS**

Property Owner(s)	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Deeded Acreage
Macedonia United Methodist Church of Cary, NC, INC 2700 Jones Franklin Road Cary, NC 27518	0772761701	0079316	1.66 +/-
	0772764706 (Portion)	0090506 (Portion)	0.4 +/- (portion of the 6.73 acre tract)
<b>Total Area</b>			<b>2.06 +/- acres</b>

**BACKGROUND INFORMATION**

Applicant	Macedonia United Methodist Church of Cary NC, Inc. (Property Owner)
Agent	Jason Barron, Attorney for PGA Development Morningstar Law Group 630 Davis Dr., Suite 200

	Morrisville, NC 27560		
Acreage	2.06 +/-		
General Location	Northeast corner of the Walnut Street and Tryon Road intersection		
Schedule	<b>Town Council Public Hearing</b> January 5, 2017	<b>Planning &amp; Zoning Board</b> February 20, 2017	<b>Town Council</b> June 22, 2017
Existing Zoning District(s)	Residential 40 (R-40); Mixed Use Overlay District (MUOD); and, Watershed Protection Overlay District (Swift Creek Sub-district).		
Existing Zoning Conditions	None		
Proposed Zoning District(s)	Mixed Use District (MXD); (Existing overlay districts will remain.)		
Proposed Zoning Conditions	Design and site layout as indicated on the associated Preliminary Development Plan (PDP) including: <ul style="list-style-type: none"> <li>▪ The use shall be limited to food and beverage service</li> <li>▪ The maximum building size shall be 4,818 square feet</li> </ul>		
Town Limits	<ul style="list-style-type: none"> <li>▪ Parcel with Wake County PIN 0772761701 is outside Town limits but inside Town ETJ.</li> <li>▪ Parcel with Wake County PIN 0772764706 is in Town Limits.</li> </ul>		
Staff Contact	Katie Drye, Senior Planner 919-469-4085 Katie.drye@townofcary.org		



## Vicinity Map

Walnut Street Retail Rezoning  
16-REZ-16



[Click on map to see surrounding development activity.](#)