

18-REZ-17

PAID

TOWN OF CARY  
Planning Department

MAY 22 2018

Submit to the Planning Department, P.O. Box 8005, Cary, NC 27512

DEVELOPMENT SERVICES Rezoning Case #

For office use only:

Payment Method: CASH \_\_\_ CHECK \_\_\_ CREDIT CARD X Amount: \$ 1900<sup>00</sup> P&Z HTE# 18-785

### APPLICATION FOR REZONING

Associated Annexation Petition  Yes  No

Traffic Impact Study  Yes  No TAR Number: \_\_\_\_\_  
Staff confirmation: Initials \_\_\_\_\_ Date \_\_\_\_\_

This application is deemed sufficiently complete for purposes of submittal.

Planning Staff Signature Scott Runyan Date 5/22/18

Submittal deadlines incorporate sufficiency review of rezoning/land use plan amendment applications. Signature by Planning Staff is required prior to payment of fees and final acceptance of application.

STAFF USE ONLY: Circle applicable Parts: 1 2 3A B1 3B2 3B3 3B4 3C1 3C2 3C3 3C4 3D 3E1a 3E1b 3E2 3F

Fees will not be accepted until the application is deemed sufficiently complete and signed by Planning Staff.

#### REZONING FEE:

- \$1,400.00 – General rezoning, or initial zoning associated with owner-initiated annexation petition, 5 acres or greater
- \$300.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres
- \$1,900.00 – Conditional use rezoning (per change of zoning classification requested)
- \$2,500.00 – Mixed Use District Rezoning (New MXD, or major amendment to existing PDP)
- \$500.00 – Mixed Use District Rezoning (Minor amendment to existing PDP - typically less than 50% of floor area, number of units, etc.)
- \$2,500.00 – New application or major amendments to approved Major PDD
- \$1,250.00 – Minor PDD or Minor Amendment to Existing PDD

NOTE: An additional fee of \$150 will be charged for each additional public hearing or neighborhood meeting required due to changes in the request made during the rezoning process.

Project Name		234 Hillsboro
Name of PDD (if applicable)		
Location	Address	234 Hillsboro St Cary 27513
	General Location	NE corner of Hillsboro St and N West St
	Jurisdiction (check one)	<input checked="" type="checkbox"/> Cary Corporate Limits <input type="checkbox"/> Cary ETJ <input type="checkbox"/> Wake Co.* <input type="checkbox"/> Chatham Co.* *Submittal of an annexation petition is required if rezoning is requested

Part 1: Applicant Information	
Applicant	Applicant's Contact
Name <u>Kevin Lamb</u>	Name <u>same</u>
Firm _____	Firm _____
Address <u>102 Annagrey Circle</u>	Address _____
City, State, Zip <u>Cary, NC 27513</u>	City, State, Zip _____
Phone (area code) <u>919.369.0190</u>	Phone (area code) _____
Email <u>kevindenali@gmail.com</u>	Email _____

Part 2: Parcel & Owner Information			
Property Owner(s) <i>Provide property owner name and address as it appears in the Wake or Chatham County Tax Records,</i>	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Deeded Acres <sup>1</sup>
Kevin and Jill Lamb 234 Hillsboro St Cary, NC 27513-4532	0764-32-4038	0032156	.35
<b>Total Acres</b>	<b>0.35</b>		
<sup>1</sup> A property survey showing zoning district boundaries and acreages is required if multiple zoning districts are proposed or if the proposed rezoning applies to only a portion of a parcel.			

### Part 3A: Rezoning Request

Pre-Application Conference:  Yes    Date: May 16, 2018     No

<b>Existing Zoning</b>	<b>Base Zoning District(s)</b>	<b>TC-HDR Mid-Rise</b>
	<b>Zoning Overlay District(s)</b> <i>Check any that apply</i>	<input type="checkbox"/> Mixed Use Overlay District (Name: _____ )  <input type="checkbox"/> Conservation Residential Overlay District <input type="checkbox"/> Airport Overlay District <input type="checkbox"/> Watershed Protection Overlay District <input type="checkbox"/> Jordan Lake <input type="checkbox"/> Jordan Lake Critical Area <input type="checkbox"/> Swift Creek <input type="checkbox"/> Historic Preservation Overlay District
	<b>Zoning Conditions</b> <i>(if any)</i>	none
<b>Proposed Zoning</b>	<b>Proposed Base Zoning District(s)</b>	<b>TC-HMXD-CU</b>
	<b>Proposed Zoning Conditions</b>	<input type="checkbox"/> No zoning conditions are proposed  <input checked="" type="checkbox"/> Zoning conditions are proposed and included in attached affidavit
	<b>Proposed Changes to Overlay Districts</b>	
	<b>Summary of Proposed Development or Purpose of Request</b>	Develop the property harmoniasly and in concert with the adjacent , existing TC-HMXD parcel to the east. Enable multifamily, townhomes, plus commercial.

## Part 3B: Applicant's Rezoning Justification Statement(s)

### Rezoning Justification Statement #1 *Required for all rezoning requests*

Describe how the proposed rezoning meets the criteria listed below.

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following criteria when reviewing all proposed rezonings:

- (1) The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;  
*Applicant's Comments: The existing zoning dates from the 2001 Town Center Plan no longer reflects the updated vision of the Downtown area.*
  
- (2) The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;  
*Applicant's Comments:*
  
- (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;  
*Applicant's Comments: This small site is already served by roads, water, sewer, and next to transit services.*
  
- (4) The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;  
*Applicant's Comments: The Town's development ordinances should adequately control the impacts from this site.*
  
- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and  
*Applicant's Comments: Zoning conditions are proposed to help mitigate impacts.*
  
- (6) The proposed zoning classification is suitable for the subject property.  
*Applicant's Comments: This parcel borders a HMXD site to the east, and across the street from a HMXD site to the south.*



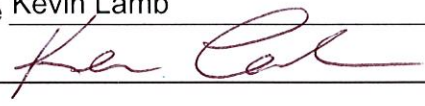
**Part 3C : Owner's Signature(s)** Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

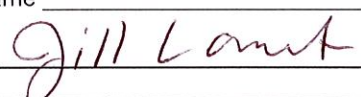
Check applicable sub-section(s)

- 3C(1) – Required where property owner is an Individual
- 3C(2) – Required where property owner is a Limited Liability Company (LLC)
- 3C(3) – Required where property owner is General Partnership (GP), Limited Partnership (LP) or Limited Liability Partnership (LLP)
- 3C(4) – Required where property owner is a Corporation

(Attach additional sheets if necessary)

**Part 3C(1): Individual** All owners must sign, including husband & wife, and all joint tenants.  
(Notary not required)

Property Owner Printed Name Kevin Lamb  
Property Owner Signature  Date 5/21/18

Property Owner Printed Name Jill Lamb  
Property Owner Signature  Date 5/21/18

Property Owner Printed Name \_\_\_\_\_  
Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

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Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

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