

MINUTES OF COMMUNITY MEETING

Pursuant to notice dated and mailed by the Town of Cary on August 21, 2018 to adjacent and surrounding property owners within 800 feet of the proposed project area (a copy of which is attached as Exhibit A), a Neighborhood Meeting was conducted at the Cary Town Hall located at 316 North Academy Street, Cary, 27513, beginning at 6:30 p.m. on Wednesday, September 5, 2018.

The purpose of the meeting was to inform the surrounding community of the Application for Rezoning in anticipation of the proposed development of the northwest quadrant of NC Hwy. 55 and Morrisville Parkway intersection, consisting of approximately 11.87 acres.

The parcels subject to the rezoning are located at 3753 and 3761 NC Hwy 55, Cary, NC, Parcel Numbers 0735619230 and 073514289 respectively, owned by Dianne N. and Russell W. Tarlton, Jr., and property located at 0 NC Hwy. 55, in Cary's ETJ, identified as parcel number 0735724045, owned by D. Cooke Properties, LLC (collectively, "the subject Property").

Debra Grannan, Assistant Planning Director, first described the general rezoning process to all attendees and applicants for all rezonings for which community meetings were held that evening.

At the break-out session pertaining to the subject Property, six neighbors attended the meeting, in addition to applicants' attorney M. Gray Styers, Jr.; Chris Morgan, representative of Sam's Express Car Wash; and staff personnel of the Town of Cary. A copy of the sign-in sheet is attached as Exhibit B, identifying those in attendance.

In response to a neighbor's question, Town Staff described the Applicants' rezoning requests to rezone the properties from Office/Research and Development (ORD), Office and Institutional (OI), and Residential 40 (R-40) to General Commercial Conditional Use (GC-CU), and Residential 8 Conditional Use (R-8-CU).

Gray Styers on behalf of applicants described the purpose of the rezoning – a proposed project and anticipated development anchored by a Sam's Express Car Wash in the corner of the intersection of NC Hwy 55 and Morrisville Parkway. He also explained how the project provided cross-access and interconnectivity with the Blakely Subdivision, road frontage improvements and enhancements, and consistency with the Town of Cary Comprehensive Plan.

Mr. Styers advised that the proposed development will include six residential lots and an office building on the parcel fronting Highway 55, currently owned by D. Cooke Properties, LLC, and, on the parcel fronting Morrisville Parkway, owned by the Tarltons, a Sam's Express Car Wash at the intersection, and a retail use (e.g. restaurant or bank) with a drive-thru.

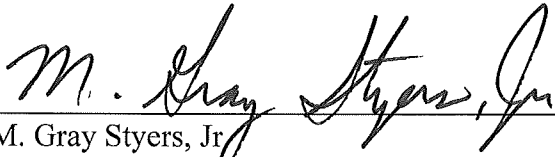
Mr. Morgan was also in attendance and spoke with the attendees to address their questions concerning the details of the car wash development. He added that the carwash would also have self-service fuel pumps for customers to use.

Questions Mr. Styers addressed included:

- (1) Where will the access points/driveways/roads be? (Answer: As shown on the zoning exhibit and concept plan.);
- (2) Who the developer would be of the 6 proposed residential lots? (Answer: Unknown at this time, but the zoning classification was consistent with the lot-size for the Blakely subdivision, and the lots would be available for Lennar to purchase.);
- (3) What are the different possible uses under the proposed zoning classifications (e.g. office, carwash, bank / restaurant) of each of lots? (Answer: Discussion of allowed uses under the Town of Cary ordinance, and the proposed condition excluding certain otherwise allowed uses; none of the neighbors suggested additional uses to be excluded.);
- (4) How the one application applies to all three parcels and will be approved or denied together, in a single vote pertaining to all three parcels? (Answer: Yes; that is how the application was filed, in light of the cross-access and buffer agreements between the owners of the parcels.);
- (5) How the D. Cooke Properties, LLC parcel will be split between two different zoning districts;
- (6) If there were any plans to construct any road improvements on Indian Wells? (Answer: No);
- (7) If the traffic light would stay on Indian Wells? (Answer: Yes, there are no proposed changes to that intersection.) (Answer and discussion that followed among attendees also noted how the project would provide additional access from the Blakely subdivision to Morrisville Parkway, and could therefore reduce traffic from Blakely relying solely on Indian Wells for ingress and egress.);
- (8) When will the access points shown and road improvements be constructed? (Answer: As the first building is built (likely the car wash) and completed and prior to the CO for that building; they will not be delayed until an uncertain future date.);
- (9) What is the size of the possible restaurant/bank building? (Answer: The TAR assumes a building size of 4,000 square feet, with a drive-thru.);
- (10) What was the noise level of the dryer blowers (Answer: Sam's typically proposes a rezoning condition of a maximum of 60 dB at the property line, but did not in this case because the Cary ordinance already has a maximum noise level of 60dB. Both Cary staff and Mr. Morgan noted that this maximum level should prevent any disturbance of neighboring properties by noise. Mr. Morgan also stated that the blowers were placed behind masonry walls which minimized noise.)
- (11) How much light would spill over to the adjacent properties? (Answer: No significant spill-over because of the requirements of the Cary lighting ordinance and because Sam's uses LED directional lighting fixtures.);
- (12) Did the TAR assume the future intersection of Morrisville Parkway with I-540 and traffic patterns on other roads around the subject Property? (Answer: Yes);
- (13) If and where a left turn lane would be from Morrisville Road into the westernmost access to the subject Property? (Answer: The applicants support the left-hand turn median-break and lane at the location shown on the concept plan and as shown at an Appendix in the TAR.)

At the conclusion of these questions and answers, Mr. Styers asked the neighbor attendees if they felt that the proposed project, as allowed by the proposed rezoning classifications and conditions, was a reasonable use of the land and in harmony with the surrounding area, and all nodded affirmatively or said, "Yes." One couple in attendance also noted that they had been driving to Apex to go to the Sam's Express car wash there, that they were impressed with the quality of the facility, and were supportive of the prospect of a new car wash closer to their home and as proposed by the rezoning application.

There being no further questions or issues to discuss, the meeting adjourned at approximately 8:15 p.m.



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PLANNING DEPARTMENT

August 21, 2018

18-REZ-19/KD
 M. GRAY STYLERS, JR
 SMITH MOORE LEATHERWOOD, LLP
 434 FAYETTEVILLE ST, SUITE 2800
 RALEIGH, NC 27601

Subject: Neighborhood Meeting for Proposed Rezoning - 18-REZ-19 (Morrisville Parkway and NC 55 Hwy)

Dear M. GRAY STYLERS, JR:

The Town of Cary has received an application to rezone properties located in the northwest quadrant of the Morrisville Parkway and NC 55 Highway intersection, consisting of approximately 11.87 acres (map attached). This letter is to notify you about this request, and of your opportunity to attend a neighborhood meeting in order to learn more about this proposal and the Town of Cary rezoning process. The applicant, represented by Smith Moore Leatherwood LLP, is requesting to rezone the properties from Office/Research and Development (ORD), Office and Institutional (OI), and Residential 40 (R-40) to General Commercial Conditional Use (GC-CU), and Residential 8 Conditional Use (R-8-CU) with zoning conditions that include limiting hours of operation for certain uses, prohibiting certain otherwise permitted uses in the GC district and establishing a maximum density of three (3) dwellings per acre for the residential zoning district.

As part of Cary's rezoning process, Town staff facilitates a "neighborhood meeting" between the applicant and neighboring property owners. This is to ensure that nearby property owners are aware of the proposed rezoning and have an opportunity to inform the applicant of any issues prior to the formal public hearing on the request. The neighborhood meeting for this proposed rezoning is on **Wednesday, September 5, 2018** beginning at **6:30 p.m.** in the Town Council Chambers located in the Cary Town Hall at 316 North Academy Street in downtown Cary.

During the first part of the meeting, Town staff will present a brief presentation on the rezoning process and public input opportunities. Next, the applicant will explain their proposal, answer questions, and receive your feedback. Although Town staff will attend, this portion of the meeting is the applicant's responsibility. Town staff does not advocate on the applicant's behalf. Staff's role is to facilitate the process and answer questions.

Please note, this meeting is not a public hearing. A formal public hearing will be conducted before the Town Council at a later date. Property owners within 800 feet of the subject property will be notified of the hearing by a separate mailing. At the public hearing, everyone present will have the opportunity to share their opinions on the proposed request with the Town Council.

Please contact me directly at 919-469-4085 or katie.drye@townofcary.org if you have any questions or need additional information.

Sincerely,

Katie Drye

Katie Drye, AICP
 Senior Planner

cc: Town Council
 Russ Overton, Assistant Town Manager
 Applicant

TOWN of CARY

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Vicinity Map

Morrisville Parkway &
NC 55 Hwy Assemblage
Rezoning
18-REZ-19

