TOWN OF CARY
RESOLUTION APPROVING SPECIAL USE PERMIT
ANCHOR AUTO OUTLET (19-SU-001)

Subject Property: 1300 Buck Jones Road
PIN#: 0773539588
Total lot/tract size: 7.1 acres
Property Owner: Martin Property Limited Partnership

At its meeting on June 13, 2019, after conducting a duly advertised quasi-judicial hearing, and after considering the application materials, testimony, exhibits, and evidence presented at the hearing or otherwise appearing in the record, and the approval criteria of Section 3.8.3 of the Town of Cary Land Development Ordinance (the “LDO”), the Cary Town Council voted 5-0 to APPROVE the special use permit, based upon the following findings and conditions:

Findings:

1. The Applicant is seeking approval of a special use permit to re-establish an automotive sales use in the former Crossroads Ford truck center at 1300 Buck Jones Road.
2. The Subject Property is 7.1 acres having Wake County parcel identification number 0773539588. The owner of the Subject Property is Martin Family Limited Partnership and Applicant is Anchor Auto Outlet.
3. The application and other records pertaining to the request are part of the record.

4. Notice has been provided as required by law.

5. The Subject Property is located within the General Commercial (GC) zoning district and is designated as Destination Center in the Imagine Cary Community Plan. Motor vehicle sales/rental uses require approval of a special use permit to be operated in the General Commercial zoning district.

6. Through the testimony of Mike Zaccardo, Civil/Site Director from Wetherill Engineering, Inc., the Applicant offered evidence related to the use’s compliance with the LDO and other adopted plans, its negligible effects on public health and safety, its harmony with the area, the necessity of the use for the general welfare of the community, and the appropriateness of its location.

7. Through the traffic analysis and the testimony of Drew Draper, Planning and Traffic Manager from Wetherill Engineering, Inc., the Applicant offered evidence related to parking and traffic congestion management.

8. Through the testimony of and a real estate appraisal report prepared by Rich Kirkland, an appraiser with Kirkland Appraisals, LLC, the Applicant offered evidence related to the use’s effect on property values of adjoining and abutting properties.

9. No testimony or other evidence was entered into the record refuting the testimony and evidence put forth by the Applicant.

10. The evidence put forth by the Applicant was competent, material, and substantial as to each of the required findings for a Special Use Permit as outlined in Section 3.8.3 of the LDO.

11. Based upon the uncontroverted competent, substantial, and material evidence submitted in the record, the approval criteria for the approval of the Special Use Permit contained in Section 3.8.3 of the LDO have been met, specifically:
   a. The proposed use generally conforms to the Comprehensive Plan and other official plans adopted by the Town;
   b. The proposed use does not materially endanger the public health or safety;
   c. The proposed use is reasonably necessary for the public health or general welfare;
   d. The proposed use does not substantially injure the value of adjoining or abutting properties;
   e. The proposed use is in harmony with the scale, bulk, coverage, density and character of the area;
f. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities; and

g. The proposed use will not cause undue traffic congestion or create a traffic hazard.

ACCORDINGLY, based on the foregoing, the Town Council hereby approves the Special Use Permit subject to the following conditions:

1. The Resolution and Permit approved for this special use request shall be recorded with the Wake County Register of Deeds upon the expiration of the appeal period, per Section 3.8.4(E) of the LDO.

2. The approval of this special use is conditioned on the subsequent approval of, and completion of construction in accordance with, development plan 19-DP-0672.

Signed, this _____ day of July, 2019

________________________________________
Harold Weinbrecht, Jr., Mayor

CERTIFICATION

I, Brittany L. Strickland, Deputy Town Clerk of the Town of Cary, North Carolina, do hereby certify the foregoing to be true copy of a Resolution duly adopted at the meeting of the Town Council held on July 18, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the seal of the Town of Cary to be affixed this _____ day of July, 2019.

________________________________________
Brittany L. Strickland, Deputy Town Clerk

(Seal)