TOWN OF CARY
RESOLUTION APPROVING DEVELOPMENT PLAN
ANCHOR AUTO OUTLET (19-DP-6072)

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 3.9.2(I) of the Town of Cary Land Development Ordinance (the “LDO”), the Cary Town Council voted 5-0 to APPROVE the development plan, based upon the following findings and conditions:

Findings:

1. The Applicant is seeking approval of a development plan for automotive sales in an existing structure that was previously occupied by 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 Property Limited Partnership and the Applicant is Anchor Auto Outlet.
3. The application and other records pertaining to the development plan are part of the record.
4. Notice has been provided as required by law.
5. On February 18, 2019, the Applicant first submitted the development plan to the Town of Cary.
6. The development plan has been reviewed by the Development Review Committee (“DRC”) and has been found to substantially comply with the requirements of the LDO, Community Appearance Manual and Standard Specifications and Details Manual.
7. The Subject Property is located within the General Commercial (GC) zoning district and is designated as Destination Center in the Imagine Cary Community Plan.
8. Pursuant to the LDO, a special use permit is required to operate automotive sales uses in General Commercial zoning. The Resolution approving the special use was adopted July 18, 2019.
Development Plan:

9. The development plan complies with applicable requirements of the LDO and other Town specifications.
10. No residential uses are adversely affected by the development plan.
11. The development plan is harmonious with the surrounding development. The plan proposes no modifications to the existing structures on the Subject Property.
12. The development plan adequately protects, and proposes no changes to, pedestrian and motorist circulation.
13. The development plan provides for safe ingress and egress of emergency services to the site.
14. The development plan adequately mitigates traffic congestion reasonably expected to be generated by the plan. Wetherill Engineering, Inc. performed a traffic analysis comparing the existing Shopping Center use against the proposed use, Used Auto Sales. The analysis:
   a. included intersections at Walnut Street and Buck Jones Road as well as Nottingham Drive and Buck Jones Road,
   b. found that all study intersections operate at an acceptable level of service, and
   c. does not recommend any roadway improvements to accommodate projected site traffic.
15. Based upon the uncontroverted competent, substantial, and material evidence submitted in the record, the approval criteria for the approval of the development plan contained in Section 3.9.2(I) of the Land Development Ordinance have been met, specifically:
   a. The development plan complies with all applicable requirements of the LDO, including all applicable Town specifications and official plans and manuals or documents adopted by the Town;
   b. The development plan adequately protects other property or residential uses located on the property from potential adverse effects of the proposed development;
   c. The development plan provides harmony and unity with the development of nearby properties;
   d. The development plan provides safe conditions for pedestrians and motorists and prevents dangerous arrangement of pedestrian and vehicular ways;
e. The development plan provides safe ingress and egress for emergency services to the site;
f. The development plans provides mitigation for traffic congestion impacts reasonably expected to be generated by the project.

 ACCORDINGLY, based on the foregoing, the Town Council hereby **approves** the development plan subject to the following condition:

1. The Applicant must satisfactorily address any remaining Development Review Committee comments on the master plan set submitted for signature.

Signed, this ____ day of July, 2019.

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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.

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Brittany L. Strickland, Deputy Town Clerk

(Seal)