

Staff Report for Town Council



Meeting Date: January 10, 2019

18-REZ-03 Camp Branch Farms Rezoning

Purpose: Consider action on a proposed rezoning request

Prepared by: Katie Drye, Planning and Development Services

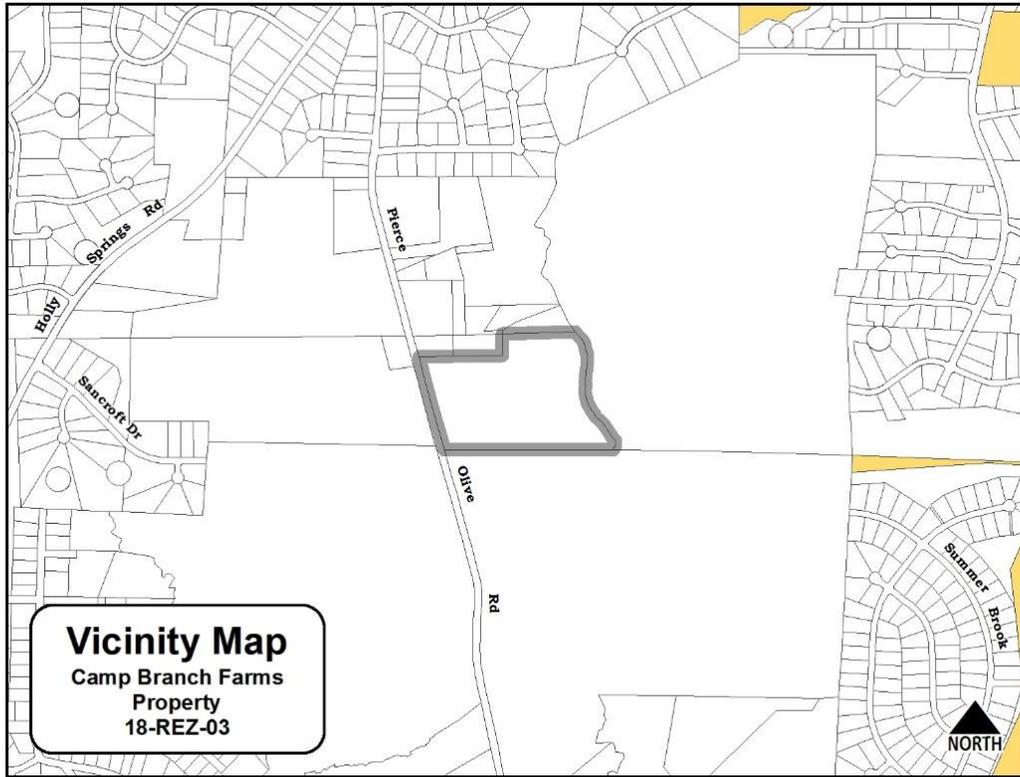
Speaker: Katie Drye, Planning and Development Services

Executive Summary: The applicant has requested the Town consider an amendment to the Town of Cary Official Zoning Map by rezoning approximately 25.72 acres of a 75.46 acre parcel located at 8732 Pierce Olive Road, from Wake County Residential (R-30) to Transitional Residential – Conditional Use (TR-CU) with zoning conditions that include limiting the proposed uses to detached dwellings, semi-detached/attached dwellings, townhouses, neighborhood recreation center, and associated accessory uses, along with a condition to limit the maximum number of units to 71. The zoning conditions also propose minimum setbacks and minimum lot sizes for the detached dwellings, architectural conditions for the townhouses and semi-detached/attached dwellings, and an open space area having a minimum of 50,000 square feet.

There is an associated annexation case 18-A-04.

Recommendation: Staff recommends approval of this rezoning request with the conditions as proposed by the applicant. See below for more information on the recommendation.

Planning and Zoning Board Recommendation: The Planning and Zoning Board found the request to be consistent with the Imagine Cary Community Plan by a vote of 8-0.



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

Changes since the Town Council Public Hearing (August 23, 2018): The applicant clarified certain amenities and features to be located within the open space. No changes have occurred since the Planning and Zoning Board meeting (November 26, 2018).

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	County Parcel Numbers (10-digit) (PIN)	Real Estate IDs (REID)	Address	Acreage
Camp Branch Farms LLC 8524 Pierce Olive Road, Apex, NC 27539	0760410884 (portion)	0055466 (portion)	8732 Pierce Olive Road	25.72 out of 75.46

OVERVIEW

Location of Subject Properties	East side of Pierce Olive Road, about 3,200 feet south of intersection with Holly Springs Road		
Schedule	Town Council Public Hearing August 23, 2018	Planning & Zoning Board November 26, 2018	Town Council January 10, 2019
Existing Zoning District	Wake County Residential 30 (R-30)		
Existing Zoning Conditions	None		
Proposed Zoning District	Transitional Residential Conditional Use (TR-CU)		
Proposed Zoning Conditions	<p>a. The only uses allowed on the property shall be detached dwelling, semi-detached/attached dwelling, townhouse, neighborhood recreation center, and any associated accessory use.</p> <p>b. The maximum number of dwelling units shall be 71.</p> <p>c. All townhouse or semi-detached/attached dwelling lots shall be located within 400 ft. of the southern property line of the parcel.</p> <p>d. The following standards shall apply to lots for detached dwellings:</p> <ul style="list-style-type: none"> i. The minimum lot size shall be 7,000 square feet in area. ii. The following dimensional standards shall apply: <ul style="list-style-type: none"> 1. Minimum Side Setback: 5 feet (5') 2. Minimum Front Setback: 18 feet (18') 3. Minimum Rear Setback: 10 feet (10') 4. Minimum Aggregate Roadway & Rear Setback: 35 feet (35') iii. Any lot sharing a property line with the parcel currently identified as Wake County Parcel Identification Number 0760-52-9474 shall have a minimum lot size of 10,000 square feet in area. iv. In addition to the community gathering space otherwise required by the Land Development Ordinance, no site or subdivision plan shall be submitted for development on the property unless it contains an open space area with a minimum of 50,000 square feet, which shall be provided within the site's southeastern corner east of the transmission line that traverses the site, identified as "open space area" on the attached Exhibit 1. This open space area shall not include residential structures, and shall be 		

	<p>interconnected to any development on the property by a trail or series of trails. This open space shall include an overlook deck with benches for seating, a swing or swings, and birdhouses.</p> <p>e. Within two (2) weeks after the final subdivision plat is recorded and prior to any transfer of lots in the subdivision, a Declaration of Covenants, Conditions, and Restrictions (“Declaration”) shall be recorded restricting the Community. The Declaration shall provide that the following architectural conditions apply to development within the Community (“architectural restriction”). Prior to applying for any building permits, an opinion letter from an attorney, licensed to practice in North Carolina, shall be provided to the Town stating that (1) the architectural restriction was included in the Declaration; (2) the Declaration requires all development to comply with the Architectural Restrictions and provides an enforcement mechanism for noncompliance; and (3) and that the Declaration was drafted in a form that the attorney, in his or her exercise of customary professional diligence, would reasonably recognize as compliant with applicable law.</p> <ul style="list-style-type: none"> i. Each front façade of any townhouse or semi-detached/attached dwelling shall contain a minimum of 35% masonry. ii. No garage shall protrude more than one (1) foot beyond the plane of the front door or beyond the foundation of the front porch of the dwelling. iii. The main roof of each Townhouse shall have a pitch of 5:12 or greater. iv. Each dwelling unit on the end of a townhouse building shall have at least one window on the exposed side. <p>f. At the time of building permit application, elevations reflecting architectural conditions i. through iv. as listed in condition e. shall be submitted to the Town.</p>
Town Limits	The subject property is located outside the corporate limits and outside the Town of Cary ETJ. An owner-initiated annexation petition, 18-A-04, has been submitted by the property owners in conjunction with this rezoning request.
Staff Contact	Katie Drye Senior Planner katie.drye@townofcary.org (919) 469-4085

Applicant	Camp Branch Farms, LLC
Applicant's Contact	Jason Barron, Morningstar Law Group 421 Fayetteville Street, Suite 530 Raleigh, NC 27601 jbarron@morningstarlawgroup.com

SUMMARY OF REQUEST

The applicant has requested an amendment to the Town of Cary Official Zoning Map by rezoning approximately 25.72 acres of the 75.46-acre parcel located at 8732 Pierce Olive Road, from Wake County Residential 30 (R-30) to Transitional Residential-Conditional Use (TR-CU). The applicant has proposed zoning conditions that include limiting the proposed uses to detached dwellings, semi-detached/attached dwellings, townhouses, neighborhood recreation center, and associated accessory uses. The applicant has also proposed setting minimum setbacks and minimum lot sizes for the detached dwellings, architectural conditions for the semi-detached/attached dwellings and townhouses, and a condition requiring an open space area with a minimum of 50,000 square feet (see attached Exhibit 1). This proposed open space area will be in the southeastern corner of the parcel, east of the transmission line that traverses the site, as shown in the attached Exhibit 1, provided by the applicant. This proposed open space area will not include residential structures and will be interconnected to any development on the property by a trail or series of trails.

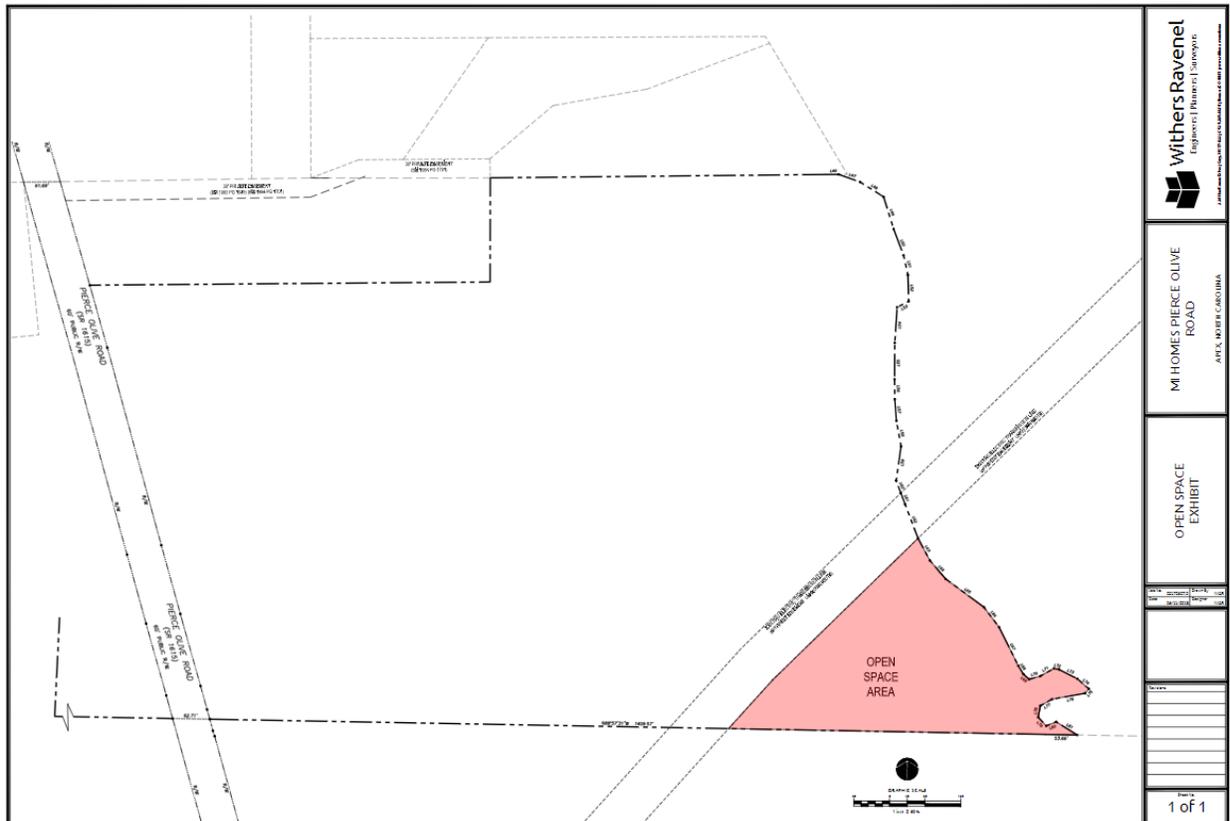
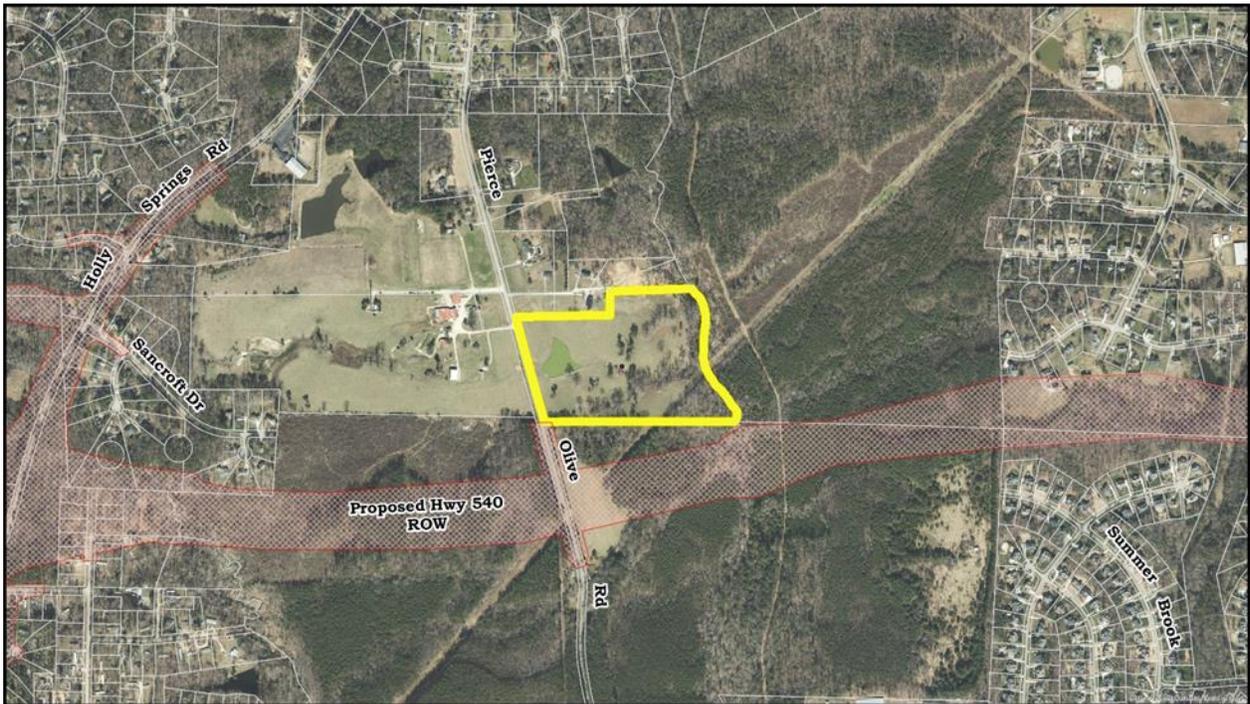


Exhibit 1, showing the proposed Open Space east of the transmission easement

The primary considerations bearing on this case include the following, all of which are discussed in detail in this report:

1. **The extent to which the proposal conforms with the Future Growth Framework.**
 - The site is located within an area designated as *Suburban Neighborhood* on the Town's Future Growth Framework Map. *Suburban Neighborhoods* are intended to consist primarily of detached housing on lots of a quarter acre or larger, with smaller lots possible if using clustered subdivision design. "Limited pockets" of attached housing may also occur. There are two key considerations related to the Future Growth Framework:
 - i. Since the proposal includes lots smaller than a quarter acre, does the proposal form an acceptable clustered subdivision?
 - ii. Since the proposal includes townhouses and attached housing, do those uses meet the intent for "limited pockets" of such housing?
2. **The extent to which the proposal supports applicable LIVE policies.** In addition to considering conformance with the *Suburban Neighborhood* designation, a key consideration is whether the proposal also supports LIVE policies from the Imagine Cary Community Plan, including policies for expanding housing choices both town-wide, and within discrete neighborhoods or subareas of Cary.
3. **The location of the site next to the future NC 540 freeway.** A key consideration is whether the location relative to the freeway affects the justification and reasonableness of the proposed uses.
4. **The transitions proposed next to adjacent existing uses.** A consideration is whether the proposed zoning will ensure reasonable transitions to properties north, south, and east of the site.



Location of the site in relation to the proposed NC 540 right-of-way

SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification

Notice of the public hearing on the proposed rezoning was mailed to property owners within 800 feet of the subject property, published on the Town's website and posted on the subject property.

Neighborhood Meeting

A neighborhood meeting for the proposed rezoning was facilitated by Planning staff at Cary Town Hall on March 7, 2018. According to information submitted by the applicant, two nearby property owners attended the meeting. Questions and concerns expressed at the meeting regarded the type of housing proposed, the location of attached housing on the site, and the type of roadway improvements required or proposed. These concerns are summarized in the attached meeting minutes submitted by the applicant.

Town Council Public Hearing (August 23, 2018)

Staff presented an overview of the request followed by the applicant's agent who shared a justification for the request. There were no speakers other than the applicant's agent at the public hearing. Council had questions regarding the timing of the future NC 540 expansion. Staff noted that NCDOT is already notifying property owners about right-of-way acquisition. Following the public hearing, staff confirmed with NCDOT that the construction contract for the 540 Outer Loop (near the subject site) will be awarded in a design/build contract in the Spring/Summer of 2019, with completion anticipated in 2024.

Other questions regarded the topography and elevation of this site compared to the future highway. Staff noted that 540 will sit below this site. Council also had questions regarding the "scenic overlook area," and whether there would be amenities and trail connections. They also asked whether the applicant would let future property owners know about the future freeway.

Changes Since the Town Council Public Hearing

The term "Scenic Overlook Area" has been removed from the original zoning condition, and replaced with "open space" in order to match terminology used in the LDO. The applicant has also proposed additional conditions committing to certain features/amenities within the open space area (to include an overlook deck, swing(s), benches and birdhouses). Staff has also worked with the applicant to clarify the language associated with some of the zoning conditions.

Planning and Zoning Board (November 26, 2018)

The Planning and Zoning Board asked for clarification on the enforcement of the architectural conditions, and the timeline of NC 540 construction. There were also questions about the future east/west collector road shown on the Future Planned Roadway Widths Map. Staff clarified that the exact alignment of the road would be determined at the time of plan review and that the developer of the site would be responsible for building the portion of the road within the site boundaries.

The Board also had questions regarding the number of townhome communities/projects in the area. The staff noted that less than 5% of the land in the area that is designated as Suburban Neighborhood is currently zoned for RMF or TR.

Changes Since the Planning and Zoning Board

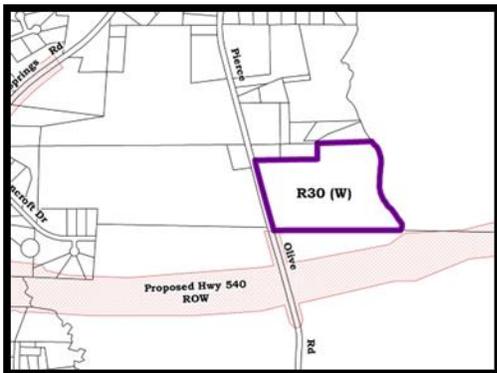
None

Attached are the applicant's responses to the justification questions contained in the application form. Please note that these statements are that of the applicant and do not necessarily represent the views or opinions of the Town of Cary.

SITE CHARACTERISTICS AND CONTEXT

The property has a rolling topography that generally slopes down towards the stream (Camp Branch stream) that runs along the eastern boundary of the site. There is a small existing pond in the center of the site adjacent to Pierce Olive Road. In addition, there is an overhead utility line that traverses the southeast corner of the property.

Pierce Olive Road serves as the boundary of the annexation agreement between the Town of Cary and Holly Springs. All properties on the west side of the road are in Holly Spring's jurisdiction.



Adjacent Zoning.

The site and all adjacent white-shaded parcels are zoned Wake County R30(W)



Location of streams

CARY COMMUNITY PLAN CONFORMANCE AND ANALYSIS

Attached is a complete listing of each policy statement in the 2040 Imagine [Cary Community Plan](#). Based on staff review and analysis of the descriptions and detailed intent of all the Plan's policies, staff has identified policies applicable to this case and has provided an analysis of the extent to which the proposed rezoning conforms to these plan policies and recommendations.

LIVE Policies

The Town's LIVE policies respond to housing challenges and opportunities facing Cary by:

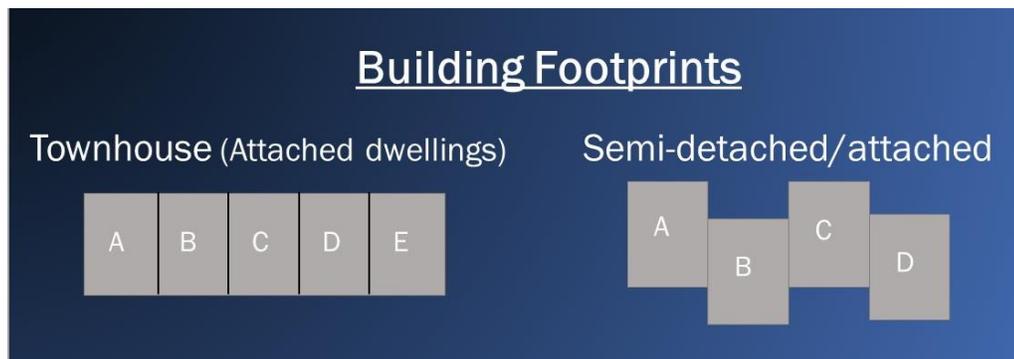
- Providing a variety of housing choices
- Meeting new household needs
- Maintaining high quality established neighborhoods

Applicable policies:

- **Provide More Housing Choices for All Residents (Policy 2)**
Provide for More Housing Options in New Neighborhoods (Policy 3)

Staff Observations:

- **Regarding Policy 2**, the proposed rezoning could improve the mix of housing choices within Cary as a whole, as well as in the planning area south of Penny Road, by providing some small-lot detached housing, as well as a more unique product, namely the proposed semi-detached/attached dwellings. Semi-detached/attached dwellings are buildings that each only have two to four dwellings and share one (1) or more common walls for no less than 25% and no more than 50% of the depth of the dwelling unit, with each dwelling unit located on its own lot.



Building footprint [aerial] diagram, contrasting townhomes and semi-detached/attached

However, Policy 2 also recommends that small-lot, townhouse, and semi-attached/detached housing be located proximate to shopping, services, employment, and transit (within walking distance is ideal). In this case, the site is not served by existing or planned transit routes and is located more than one mile from the nearest shopping center, at the corner of Holly Springs and Ten Ten Roads.

- **Regarding Policy 3**, Cary's southern growth area extends southward from Ten Ten Road to Middle Creek, and – taken as a whole – is considered an area where “new neighborhoods” are being created. The intent of Policy 3 is to encourage a mix of housing options within the newly-emerging neighborhoods in Cary, so that households can find the different types of housing they require at different stages in their life cycle, without having to leave their part of the community. Since the area south of Ten Ten Road consists overwhelmingly of detached homes on traditional suburban lots, the

proposed rezoning could add some small-lot and attached housing options to the community to help serve starting families, empty-nesters, and small households.

ENGAGE Policies

Parks Recreation and Cultural Resources Master Plan Goals

Maintain a diverse and balanced park and open space system as the Town of Cary grows. (Goal 1)

Provide Cary citizens with a highly functional, safe, well-maintained greenway network that provides recreation, transportation, and education opportunities and wildlife benefits. (Goal 2)

Incorporate best management and planning practices to ensure quality services and efficient use of resources. (Goal 9)

The Parks, Recreation and Cultural Resources Master Plan identifies a greenway corridor (Camp Branch Greenway) adjacent to the site, on the east side of the stream corridor which comprises the eastern property boundary. There is a proposed greenway connector south of the site, connecting Pierce Olive Road to the Camp Branch Greenway corridor.

The PRCR Master Plan recommends a future park in the immediate vicinity. To date, that park site has not yet been acquired. The nearest existing park is Middle Creek Park, located approximately 1.8 miles southeast of the site.



Map showing planned greenway locations. The future Camp Branch Greenway will be located just east of the site.

Historic Preservation Master Plan Goals

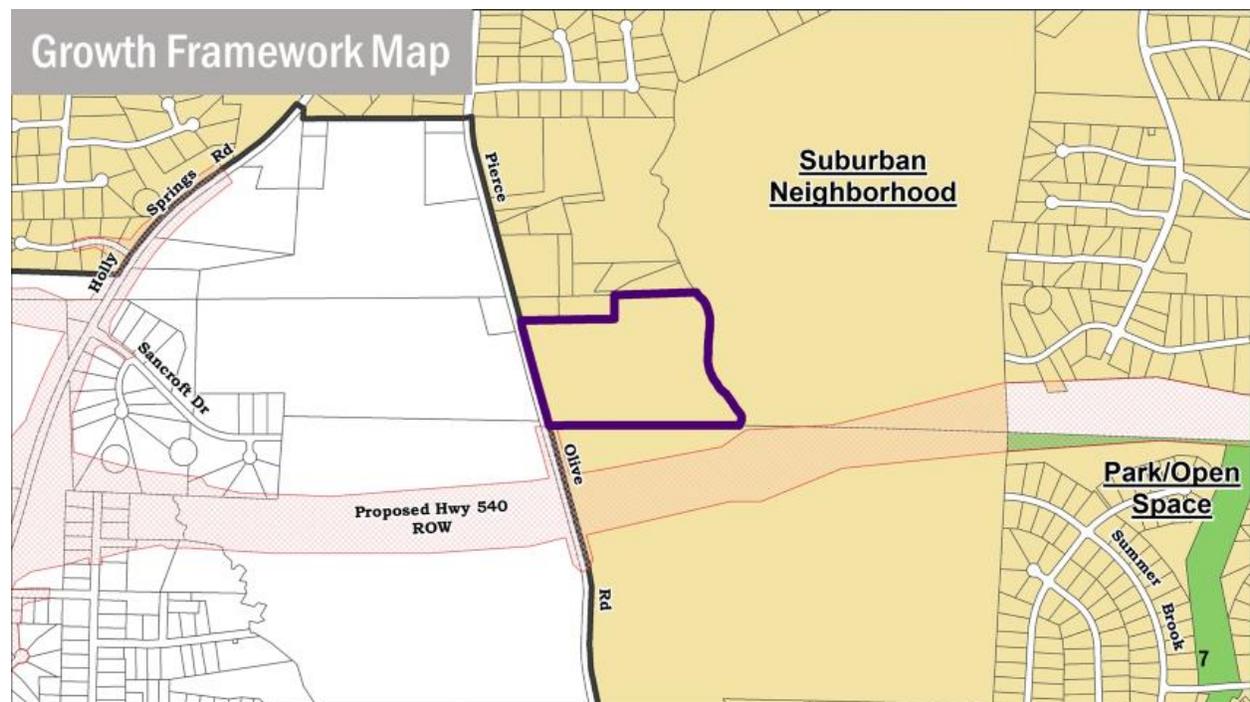
Relevant goals:

- None (the site does not contain any historic resources)

Staff Observation: The subject site does not contain any documented historic resources.

The Future Growth Framework (Cary Community Plan, [Chapter 6](#))

As can be seen in the map below, the subject site is located within a Suburban Neighborhood future land use category on the Future Growth Framework Map, as are the surrounding properties.



The Community Plan defines the *Suburban Neighborhood* development category as constituting Cary's outermost western and southern edges, and they also serve as a sort of suburban transition zone to adjacent rural and county development. Suburban Neighborhoods consist principally of single family detached development on lots of about a quarter acre or larger, unless in a clustered subdivision that preserves significant amounts of open space in exchange for smaller lots. In addition, there may be limited cases of other housing types such as patio homes or townhomes.

Staff Observations:

- **Density.** The rezoning proposes a mix of detached housing, semi-detached/attached dwellings and townhouses with a maximum of 71 dwelling units, resulting in a maximum

density of 2.76 dwellings per acre. That gross density is relatively low, and not much greater than typical densities for quarter-acre lot detached subdivisions.

- **Lot size and clustering.** The Cary Community Plan defines *suburban neighborhoods* as being primarily detached housing on lots of one quarter to one acre, unless developed as a clustered open space subdivision. The requested detached lot size minimum of 7,000 sq. ft. (0.16 acre) would therefore only be considered consistent with the plan if the applicant was proposing a clustered subdivision.

While the applicant has not offered enough open space to be considered a clustered subdivision, the provision of 50,000 square feet of open space in the southeastern corner of the property will exceed the LDO's open space requirement. (If the site develops with the proposed maximum of 71 units, at its required 500 sq. ft. per dwelling, the LDO would require at least 35,500 square feet of open space.) LDO requirements for streetscape, stream, and perimeter buffers will further increase the amount of open space.

- **Lot size next to stream buffers.** For lots adjacent to stream buffers, state law allows portions of the buffer to count towards minimum lot size. Since the applicant has not offered a zoning condition to prohibit this, detached lots adjacent to stream buffers could be smaller than 7,000 square feet.
- **Housing appearance.** The semi-detached/attached dwellings are limited to buildings of only two to four dwellings each, so that their appearance might be more like a duplex or detached home. This is an underutilized housing type that may be more harmonious with nearby detached housing than traditional townhouses.
- **"Limited pockets" of attached housing.** The Cary Community Plan states that "limited pockets" of townhouses or patio homes can also be appropriate in *suburban neighborhoods*. In terms of plan conformance, the question then is whether the townhouse component of the proposal constitutes a "limited pocket" within the larger *suburban neighborhoods* area.

Staff research indicates that at present about 4.1% of the planning area south of Ten Ten Road is zoned RMF (Residential Multifamily), TR, or TR equivalent (i.e., 188 out of 4,538 total acres). If the subject site is rezoned to TR-CU, that figure will rise to only 4.7% (i.e., 214 out of 4,538 acres). Given these relatively small figures, staff feels the proposed rezoning conforms to the recommendation for having only "limited pockets" of such uses.

In addition, the applicants are proposing a condition to limit the semi-detached/attached dwellings and townhouses to the southern 400 feet of the site, close to the future NC 540. This will help to isolate these housing types in a "pocket" next to the freeway.

However, the suburban neighborhood allowance for limited pockets of townhouses



should also be balanced against LIVE policies that address preferred siting considerations for higher density housing.

SHAPE Policies
<p><i>The Town's SHAPE policies guide future growth by:</i></p> <ul style="list-style-type: none">▪ <i>Supporting the Town's economic development efforts</i>▪ <i>Efficiently using existing and planned infrastructure</i>▪ <i>Ensuring the Town's fiscal health</i>▪ <i>Maintaining the high quality of development found today</i>
<p>Applicable policies:</p> <ul style="list-style-type: none">▪ Provide Appropriate Transitions Between Land Uses (Policy 6)

Staff Observations:

- The site is just north of the future NC 540 corridor and the applicant has proposed a condition that lots for attached dwellings will be located no more than 400 feet from the southern property line. This condition ensures that the higher density uses on the site will not be adjacent to the existing detached dwellings to the north, and can serve as a use transition between the future NC 540 corridor and the larger lot detached dwellings.

MOVE Policies
<p><i>Cary's MOVE policies are designed to respond to transportation challenges and opportunities:</i></p> <ul style="list-style-type: none">▪ <i>Provide an efficient, functional, and well-designed transportation system</i>▪ <i>Allow mobility choices</i>
<p>Ensure Safety for All Users and Modes (Policy 1) Apply Multimodal Street Designs (Policy 2) Design Transportation Infrastructure to Address Land Use Context (Policy 3) Ensure a Well-Maintained System (Policy 8)</p>

Cary's transportation requirements for development are a reflection of the Move Chapter policies. Planned improvements illustrated on the adopted Move chapter maps were developed to ensure the safety and accommodation of all users and modes, reflect land use considerations, provide additional system connections, close gaps, and minimize thoroughfare widths wherever possible.

Pierce Olive Road

Existing Cross Section: 2-lane road within 60' of right-of-way with no pedestrian or bike facilities.

Future Cross Section:

- **Road:** 2-lane roadway in 60' of right-of-way

- **Sidewalks:** 5' sidewalk both sides of the road
- **Bicycle Lanes:** 4' wide bike lane in both directions

Improvements Being Considered by the Town of Cary as Part of Ongoing Budgeted Capital Projects: N/A

Transit: This property is currently outside of GoCary's service area and is not along a major artery to be considered for future service.

Notes: 1) Streets in Cary are typically constructed or widened in increments, with developers completing the half-width section along their frontage when the property is developed. 2) Construction of other off-site improvements may be voluntarily offered as zoning conditions by applicants for rezoning cases. 3) NCDOT may require additional off-site improvements.

KEY REQUIREMENTS FROM THE LAND DEVELOPMENT ORDINANCE

Land Use

Detached dwellings, semi-detached/attached dwellings and townhouses are permitted uses in the TR zoning district. The TR district is permitted as an occasional or infrequent zoning district in an identified suburban area in the future growth framework.

Density and Dimensional Standards

	Existing Zoning District Wake County Residential -30 (WC R-30)	Proposed Zoning District Town of Cary Transitional Residential - Conditional Use (TR-CU)
Max. Gross Density	1.45 du/ac	2.76 du/ac <i>(6 du/ac per LDO)</i>
Min. Lot Size (detached)	30,000 square feet	7,000 square feet <i>(5,000 square feet per LDO)</i>
Min Lot Size (attached)	N/A	None
Minimum Lot Width (detached)	95 feet	40 feet
Minimum Lot Width (attached)	N/A	20 feet
Roadway Setback (detached)	30 feet	18 feet
Roadway Setback (attached)	N/A	18 feet
Side Yard Setback ¹ (detached)	10 feet	5 feet <i>(0/3 feet minimum, 6 feet combined per LDO)</i>

Side Yard Setback ¹ (attached)	N/A	0/3 feet minimum, 16 feet between building groupings per LDO
Rear Yard Setback ¹ (detached)	10 feet	10 feet (Per LDO: Width of the roadway or front setback and rear setbacks combined shall equal at least thirtyfive (35) feet, and shall be at least three (3) feet)
Rear Yard Setback ¹ (attached)	N/A	Per LDO: Width of the roadway or front and rear setbacks combined shall equal at least twenty (20) feet and any individual rear setback shall be at least three (3) feet.
Maximum Building Height	35 feet	35 feet (Maximum building heights may be increased one foot for each additional foot that the structure is setback from the property line(s) beyond the minimum required setback.)

¹ Unless a zoning condition voluntarily offered by the applicant states otherwise, where a regulatory stream buffer forms a rear or side property line of a lot, and pursuant to NCGS 143-214.23A(f), the Town must attribute to each lot abutting the stream buffer a proportionate share of the stream buffer area (a) for purposes of lot area requirements (i.e., the portion of the stream buffer between the applicable lot line and the near edge of the associated stream will be included for the purpose of determining if the minimum lot size requirement of the LDO is satisfied); and (b) for purposes of calculating the minimum rear or side setback and perimeter buffer if applicable (i.e., the setback or buffer will be measured from the near edge of the associated stream instead of from the actual property boundary).

Landscape Buffer and Streetscape

A 50-foot wide streetscape will be required along Pierce Olive Road. The width and type of the perimeter buffers will depend on the type and location of housing proposed by the applicant and will be therefore be determined and enforced at time of development plan review.

Traffic

The proposed rezoning of 25.72 acres includes a condition that limits the total number of dwelling units to a maximum of 71 (which would result in a maximum proposed density of 2.76 dwelling units per acre). Based on the ITE Trip Generation Manual, 10th edition, Land Use Code 210 – Single Family Detached Housing, the proposed rezoning is anticipated to generate approximately 55 AM and 70 PM peak hour trips. The threshold for a traffic study is 100 peak-hour trips; therefore, a traffic study is not required.

Stormwater

The Town has specific stormwater and floodplain management requirements for new development that must be addressed during the development plan review process to satisfy Cary’s Land Development Ordinance. These new development requirements are established

to mitigate potential flooding impacts and to enhance water quality of our streams while protecting current and future residents of Cary. These protections are provided comprehensively as follows:

- During development plan review, address improving stormwater and floodplain management by addressing the potential for replacing aging and inadequate infrastructure, as allowed and applicable.
- During construction, provide sedimentation and erosion control measures to prevent transport of sediment from the construction site.
- In perpetuity, limit the stormwater runoff from new development to pre-development site conditions with approved stormwater control measures (SCM's) that restrict stormwater flow leaving the site to engineered limits.
- Upon completion of the post-construction SCM's and prior to final acceptance of the new development, require independent certification that they will function as designed, and require provisions for the ongoing maintenance of the SCM's, to protect quantity and enhance the quality of stormwater leaving the site in perpetuity.

STAFF RECOMMENDATION

Town Staff's recommendation for the rezoning request is for approval and the rationale for the recommendation is discussed in the table below.

Summary of Analysis

- Policies in the chapters for LIVE, ENGAGE, SHAPE and MOVE were found to be applicable to the rezoning request.
- The proposal partially conforms to LIVE Policy 2, *Provide More Housing Choices for All Residents*, by providing additional variety in Cary's town-wide housing stock. However, the site is farther away from daily amenities and transit service than preferred for small-lot and townhouse development.
- The proposal supports LIVE Policy 3, *Provide More Housing Options in New Neighborhoods*, by adding more housing diversity in the portion of Cary south of Ten Ten Road.
- The site is located within the *Suburban Neighborhood* designation on the Town's Future Growth Framework Map. *Suburban Neighborhoods* are recommended to consist primarily of detached housing on lots of a quarter acre or larger, with smaller lots possible if using clustered subdivision design. "Limited pockets" of attached housing may also occur.

The applicant has proposed a maximum of 71 units, yielding a maximum density of approximately 2.76 dwellings per acre, which is similar to densities found in quarter-acre detached subdivisions.

The proposed rezoning allows detached lots as small as 7,000 square feet. While an open space area is proposed by zoning condition, it is not clear whether there will be sufficient open space for future development to be considered clustered.

The proposed rezoning conforms to the Future Growth Framework's recommendations that there be only limited pockets of small-lot detached and townhouses within *Suburban Neighborhoods*.

- The property is located just north of the future NC 540 corridor. There is no planned interchange at Pierce Olive Road however, and the highway would be grade-separated from that road. A one-hundred-foot undisturbed Highway Corridor Buffer will be required from the right-of-way of the future highway, but it is not known at this point how much that will impact this site (if at all).
- The proposal addresses SHAPE Policy 6, *Provide Appropriate Transitions*, by limiting the attached residential uses to the southern portion of the site (closest to the future NC 540).

NEXT STEPS

The Town Council may take final action on the rezoning request. If the rezoning is approved, the developer or property owner must submit and obtain approval for a Development Plan for the subject property prior to commencing construction of infrastructure or submitting requests for building permits.

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