

## REZONING ORDINANCE

### 18-REZ-01 Green Level West Road and Pine Rail Lane Rezoning

An Ordinance to apply initial Town of Cary zoning to 79.87 acres located at 4208 and 4216 Green Level West Road and 4201 Pine Rail Lane, by rezoning from Wake County Residential 40 Watershed (R-40W)) to Transitional Residential Conditional Use (TR-CU) and Watershed Protection Overlay District (Jordan Lake Sub-District).

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARY:

**Section 1:** The Official Zoning Map is hereby amended by rezoning the area described as follows:

#### PARCEL & OWNER INFORMATION

| Property Owner   | County Parcel Numbers (10-digit) (PIN) | Real Estate IDs (REID) | Addresses                  | Acreage      |
|--|--|------------------------|----------------------------|--------------|
| Parkway Green Level, LLC<br>1000 Darrington Dr., #105<br>Cary, NC 27513        | 0723164919                             | 0098986                | 4216 Green Level West Road | 40.43        |
| Highway 54 Partners, LLC and<br>GPM3 PTNR, LLC<br>PO Box 130<br>Cary, NC 27512 | 0723271438                             | 0004944                | 4208 Green Level West Road | 28.08        |
| Parkway Properties Group, LLC<br>1000 Darrington Dr., #105<br>Cary, NC 27513   | 0723281985                             | 0041998                | 4201 Pine Rail Lane        | 11.36        |
| <b>Total Area</b>  |  |                        |                            | <b>79.87</b> |

#### **Section 2:**

That this Property is rezoned from Wake County R-40(W) to TR-CU and Watershed Protection Overlay District (Jordan Lake Sub-district) subject to all the individualized development conditions set forth herein, if any, and to all the requirements of the Cary Land Development Ordinance (LDO) and other applicable laws, standards, policies and guidelines, all of which shall constitute the zoning regulations for the approved district and are binding on the Property.

#### **Section 3:**

The conditions proposed by the applicant to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and to promote the public health, safety and general welfare, and accepted and approved by the Town are:

1. Land use shall be limited to detached dwellings, semi-detached dwellings, townhouses, neighborhood recreation, and common open space.
2. There shall be a maximum of 75 townhouses.
3. The combined number of dwelling units shall not exceed 220.
4. Townhouses shall be developed in clusters no larger than 10 acres each, with each cluster separated by a road classified as a collector or higher, or by detached dwellings.

5. No portion of a townhouse building may be located within 100 feet of the western boundary of the subject property.
6. No more than 50 lots for detached dwellings may be smaller than 7,000 square feet.
7. The calculation of lot area shall be based on actual dimensions, and no credit shall be taken for land in adjacent riparian buffers.
8. Side setbacks for detached dwellings on lots 7,000 square feet or larger shall be a minimum of 5 feet.
9. Rear setbacks for all detached dwellings shall be a minimum of 15 feet.
10. Front setbacks for all detached dwellings shall be a minimum of 20 feet.
11. The Type A Streetscape Buffer along Green Level West Road shall be an average 60' and shall be a minimum of 50'.
12. A minimum 40'-wide Type A buffer shall be provided adjacent to properties identified by Real Estate Identification Numbers 0047495 and 0032144 at 4224 and 4300 Green Level West Road, as illustrated on Exhibit A.
13. Uses within 100 feet of the American Tobacco Trail shall be limited to common open space and detached residential with a minimum lot size of 10,000 square feet.
14. Open Space shall substantially conform to the locations of common open space shown on Exhibit A and shall meet the minimum areas as indicated on Exhibit A.
15. At Site Drive 1, prior to the submittal of a subdivision plat, the developer shall construct the southbound approach with one ingress lane and one egress lane; stripe the egress lane as a shared left-turn/right-turn lane; provide Stop control for southbound approach. The developer will construct an exclusive westbound right-turn lane with a minimum of 50 feet of storage and appropriate taper.
16. At Site Drive 2, prior to the submittal of a subdivision plat, the developer shall construct the southbound approach with one ingress lane and one egress lane; stripe the egress lane as a shared left-turn/right-turn lane; provide Stop control for southbound approach. The developer will construct an exclusive westbound right-turn lane with a minimum of 50 feet of storage.
17. Development shall be generally consistent with the concept plan attached hereto as Exhibit A.
18. Townhouse buildings shall contain no more than five units.
19. All streets shall be designed and constructed to public street standards and shall be offered for dedication to the public.
20. A split-rail fence with a minimum length of 20 feet, shall be placed in Common Open Space at the entrance from the subject property to the American Tobacco Trail at Green Level West Road, subject to approval from NCDOT.

**Section 4:** This ordinance shall be effective on the date of adoption.

Adopted and effective: January 10, 2019

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Harold Weinbrecht, Jr.  
Mayor

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Date

EXHIBIT A 18-REZ-01 Green Level West Road and Pine Rail Lane Rezoning

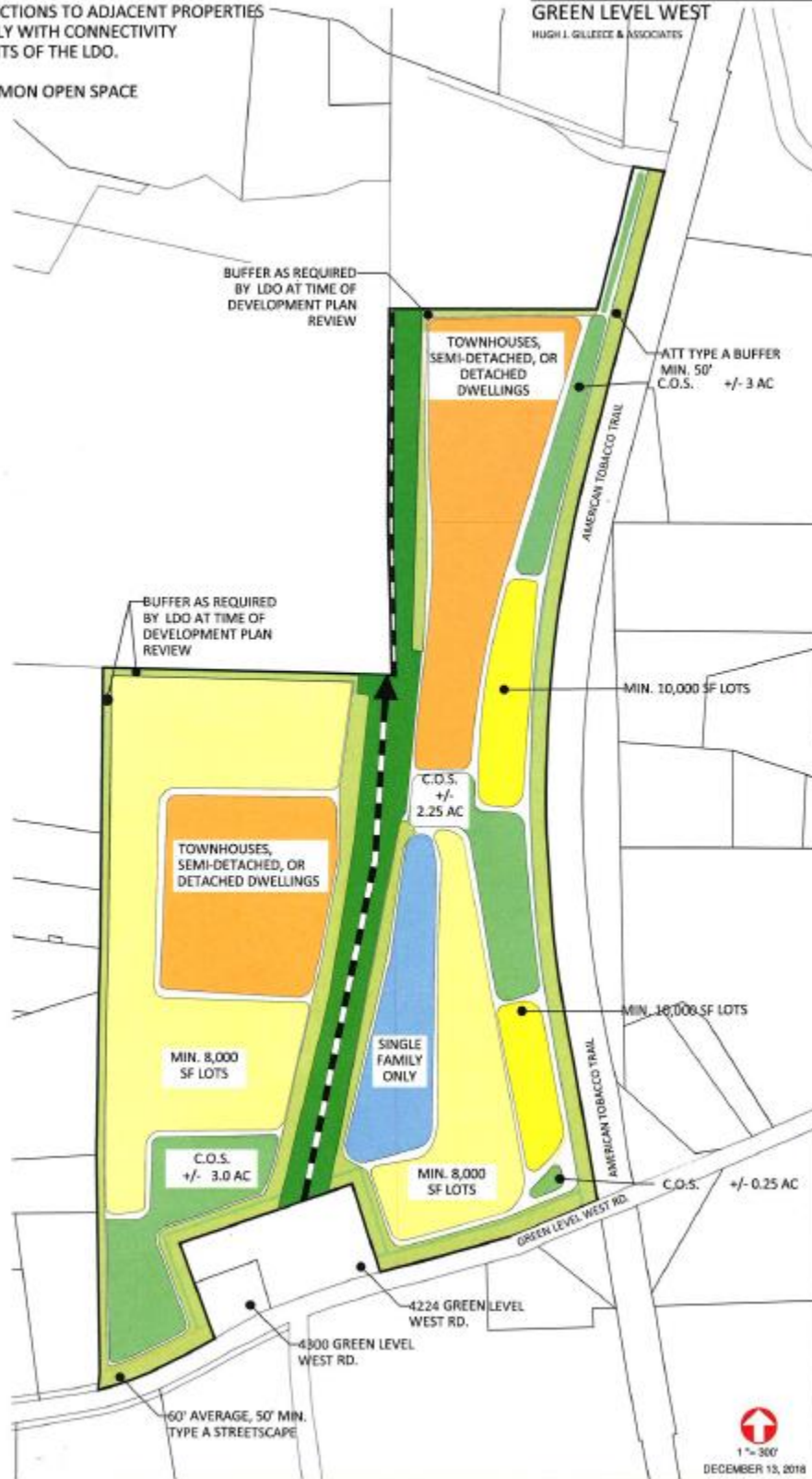
ROAD ALIGNMENTS AND R.O.W. SIZES TO BE DETERMINED AT DEVELOPMENT PLAN REVIEW.

ROAD CONNECTIONS TO ADJACENT PROPERTIES SHALL COMPLY WITH CONNECTIVITY REQUIREMENTS OF THE LDO.

C.O.S. = COMMON OPEN SPACE

EXHIBIT A  
CONCEPTUAL MASTER PLAN

GREEN LEVEL WEST  
HUGH J. GILLEECE & ASSOCIATES



THIS PLAN IS CONCEPTUAL ONLY. ROAD LOCATIONS OR RIGHT OF WAY SIZES AND OPEN SPACE DIMENSIONS MAY CHANGE DUE TO TOWN REVIEW AND/OR SURVEY INFORMATION



1" = 300'

DECEMBER 13, 2018