

**TOWN OF CARY
RESOLUTION APPROVING DEVELOPMENT PLAN
AMBERLY GLEN (19-DP-0016)**

Subject Property: 0 Crimson Sage Ln
PIN#: 0725-79-6094
Total lot/tract size: 8.96 acres
Property Owner: Standard Pacific of the Carolinas, LLC

At its meeting on December 6, 2018, 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 6-1 to APPROVE the proposed development plan, based upon the following findings and conditions:

Findings:

1. The Subject Property is an 8.96 acre site situated in a larger 70.58 acre assemblage known as the Amberly Glen community.
2. The application and other records pertaining to the site plan are part of the record.
3. Notice has been provided as required by law.
4. The Subject Property is located in the Amberly Planned Development Zoning District (PDD), being within a portion of the PDD designated for residential uses.
5. A subdivision plan for the entire 70.58 acre Amberly Glen subdivision was originally approved by the Town Council on September 8, 2016 (“Original Plan”). The Original Plan proposed development of 148 townhouses and 135 detached residential units, for a total of 283 units.
6. The Property Owner is seeking a revision to the Original Plan to convert 56 lots designated for townhouses into 56 detached residential lots (“Revised Plan”), bringing the total number of townhouses to 94, detached residential units to 189, and keeping the same total number of units at 283. The Revised Plan encompasses the entire 70.58 acre site.
7. The Revised Plan complies with applicable requirements of the LDO and other Town specifications. No modifications to LDO requirements were requested.
8. The Revised Plan adequately protects other property from the potential adverse effects of the proposed development, including the proposed residential uses on this site.
9. The Revised Plan provides harmony and unity with the development of nearby properties. The proposed uses and site elements are consistent with those permitted by the Amberly PDD and its applicable Design Guidelines.
10. The Revised Plan provides safe conditions for pedestrians and motorists, and prevents a dangerous arrangement of pedestrian and vehicular ways. Sidewalks are provided

throughout the neighborhood, and multiple pedestrian connections are provided, including three different greenway connections.

11. The Revised Plan provides for safe ingress and egress of emergency services to the site. The Town of Cary Fire and Police Departments were made aware of the proposed project and expressed no concerns regarding the proposed improvements.
12. The Revised Plan adequately mitigates traffic congestion reasonably expected to be generated by the project, given the inclusion of the improvements recommended in the traffic impact analysis performed by Kimley-Horn and Associates, and committed on the Cover Sheet of the Plan.
13. Based upon the uncontroverted competent, substantial, and material evidence appearing in the record, the approval criteria for approval of a Development Plan contained in Section 3.9.2(I) of the Land Development Ordinance have been met, specifically:
 - a. The Revised 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 Revised Plan adequately protects other property or residential uses located on the property from potential adverse effects of the proposed development;
 - c. The Revised Plan provides harmony and unity with the development of nearby properties;
 - d. The Revised Plan provides safe conditions for pedestrians and motorists and prevents dangerous arrangement of pedestrian and vehicular ways;
 - e. The Revised Plan provides safe ingress and egress for emergency services to the site;
 - f. The Revised Plan provides mitigation for traffic congestions impacts reasonably expected to be generated by the project.

ACCORDINGLY, based on the foregoing, the Town Council hereby approves the Revised Plan subject to the following conditions:

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

Signed, this _____ day of January, 2019

Harold Weinbrecht, Jr., Mayor

CERTIFICATION

I, Virginia H. Johnson, 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 December 6, 2018.

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

Virginia H. Johnson, Town Clerk

(Seal)