

STAFF REPORT

Town Council, January 27, 2016

Holly Brook Rezoning 15-REZ-22 (PL16-037b)

Consider action on a proposed rezoning request

Speaker: Mary Beerman

From: Jeff Ulma, Planning Director

Prepared by: Mary Beerman, Senior Planner

Approved by: Mike Bajorek, Interim Town Manager

Approved by: Russ Overton, Assistant Town Manager

Executive Summary: To amend the Town of Cary Official Zoning Map by applying initial Town of Cary zoning to 71 acres within the Holly Brook Subdivision which were annexed into the Town of Cary by action of the NC Legislature effective June 30, 2015. The subject property is located on Holly Brook Drive and other streets within the Holly Brook Subdivision. Previously, the land was under a Wake County zoning designation of Residential 30 (R-30). Proposed zoning districts include Residential 8 (R-8), Residential 12 (R-12), Residential 20 (R-20), Residential 40 (R-40) and Resource/Recreation (R/R) as shown on the attached map.

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	Property Address	County Parcel Number (10-digit)	Real Estate ID	Proposed Zoning District	Deeded Acreage
Robbie V & Tricia T Huskisson	4604 Holly Brook Dr.	0760051856	0163537	R-8	0.18
Susan C Baker & Gary Miller	4605 Holly Brook Dr.	0760051639	0163472	R-8	0.20
Thomas E & Gretchen K Graziosa	4608 Holly Brook Dr.	0760050865	0163536	R-8	0.19
Tyrone V. Moodley & Martha K. Parada Quezada	4609 Holly Brook Dr.	0760050750	0163473	R-8	0.19
William H. & Shirley P. Rowley	4612 Holly Brook Dr.	0750959888	0163535	R-8	0.19
Jon Christopher Sherwin	4613 Holly Brook Dr.	0750959772	0163474	R-8	0.20
Douglas G. & Liling L Warren	4616 Holly Brook Dr.	0750959814	0163534	R-8	0.21
Mark E. & Elisabeth C. Benzick	4617 Holly Brook Dr.	0750959616	0163475	R-8	0.21
Michael Gene Schad	4620 Holly Brook Dr.	0750958832	0163533	R-8	0.20
Marc S. Lemire & Kara L. Quattlebaum	4624 Holly Brook Dr.	0750957758	0163532	R-8	0.22
Ryan Michael & Chantal T. Suller	4625 Holly Brook Dr.	0750958633	0163476	R-8	0.19
Matthew H. & Frances A. Johnson	4628 Holly Brook Dr.	0750956783	0163531	R-8	0.19
Mark A. & Heather I. Knetsch	4629 Holly Brook Dr.	0750957578	0163477	R-8	0.19
Peter J. Gadziala, Jr. & Marcie Lacombe	4636 Holly Brook Dr.	0750956615	0613530	R-8	0.20

Keith I. & Margaret L. Davis	4637 Holly Brook Dr.	0750957510	0613478	R-8	0.26
Charlotte Reid Cooke	4640 Holly Brook Dr.	0750955568	0163529	R-8	0.19
Thomas & Myranda Broyles-Lewis	4641 Holly Brook Dr.	0750956474	0163479	R-8	0.19
Michael B. & Jennifer A. Akins	4700 Holly Brook Dr.	0750954338	0163523	R-8	0.19
Beth Ann & Randy S. Heasley	4704 Holly Brook Dr.	0750953364	0163522	R-8	0.18
Mark C. Morgan & Christy R. Hall	4708 Holly Brook Dr.	0750953209	0163521	R-8	0.20
Gwen & Eric Chaplin	4705 Holly Brook Dr.	0750954179	0163487	R-8	0.21
Robert G. Fulcher	4800 Holly Brook Dr.	0750951281	0163506	R-8	0.19
Donald M & Julie G Wright	4804 Holly Brook Dr.	0750951115	0163505	R-8	0.20
Carol Kimes, Thomas Bafaro, & Susan C. Wojikewych	4808 Holly Brook Rd.	0750950059	0163504	R-8	0.20
Yvonne Baggio	4812 Holly Brook Dr.	0750950023	0163503	R-8	0.20
J Christian & Amanda E Dixon	4816 Holly Brook Dr.	0750849981	0163502	R-8	0.23
John K Lanzer & Suzanne K Lanzer	4817 Holly Brook Dr.	0750941931	0185252	R-8	0.25
Gregory F & Karen A Yakaboski	4820 Holly Brook Dr.	0750849861	0163501	R-8	0.21
David A & Michelle L. Gerolemon	4824 Holly Brook Dr.	0750849753	0163500	R-8	0.20
Brian W. Lovgren	4825 Holly Brook Dr.	0750941716	0185251	R-8	0.38
De Yan Yan & Bao Qin Zhang	4828 Holly Brook Dr.	0750849654	0163499	R-8	0.20
Kristen Carroll Howard	4832 Holly Brook Dr.	0750849545	0163498	R-8	0.21
Daniel B. & Eva D. Brown	4833 Holly Brook Dr.	0750941503	0189876	R-8	0.39
William L. & Ann Walsh	4836 Holly Brook Dr.	0750849446	0163497	R-8	0.20
Mark J. & Laura A. Wolski	4837 Holly Brook Dr.	0750940482	0197134	R-8	0.20
Wanda Borrelli	4840 Holly Brook Dr.	0750849338	0163496	R-8	0.19
Linda K Fabbri	4844 Holly Brook Dr.	0750849301	0163495	R-8	0.20
Edward W. III & Victoria S. Johnson	4921 Holly Brook Dr.	0750836858	0195367	R-20	1.15
Charles A. & Catherine B. Carter	5001 Holly Brook Dr.	0750834816	0195368	R-20	0.73
Leonard Boyle	5013 Holly Brook Dr.	0750831914	0195370	R-20	0.96
Anna L. & Michael A. Crollman	5021 Holly Brook Dr.	0750739934	0195371	R-20	0.73
Robert A. & Susan R. Gilbert	5024 Holly Brook Dr.	0750748274	0195379	R-20	0.76
Barry Wolf & Tonya Adelsperger	5025 Holly Brook Dr.	0750738916	0195372	R-20	0.73
Robert Rakoski	5028 Holly Brook Dr.	0750747280	0195378	R-20	0.69
Chad C. & Elizabeth W. Walters	5029 Holly Brook Dr.	0750736983	0195373	R-20	0.70
Joan Anderson	5032 Holly Brook Dr.	0750746212	0195377	R-20	0.71
Mark A. and Ellen W. Aiken	5033 Holly Brook Dr.	0750735922	0195374	R-20	0.70
James M. & Gail A. Sheedy	5036 Holly Brook Dr.	0750744148	0195376	R-20	0.73
Burt L. & Pamela A. Price	5037 Holly Brook Dr.	0750743070	0195375	R-20	0.81
Terence Willows & Louise H Gonzalez	3900 Perney Ct.	0750942019	0197140	R-8	0.22

Janet Patricia Ford	3901 Perney Ct.	0750941039	0197141	R-8	0.23
Walter L. Jr. & Anna Squeri	3904 Perney Ct.	0750942320	0197138	R-8	0.23
Victor W. & Patricia C. Britt	3905 Perney Ct.	0750940152	0197143	R-8	0.25
Majdi A.Manawi	3908 Perney Ct.	0750941245	0197137	R-8	0.19
Christopher Tuozzo & Melissa Andreyckisk	3909 Perney Ct.	0757849188	0197144	R-8	0.20
Patrick T. Walker	3912 Perney Ct.	0750940268	0197135	R-8	0.19
William Van De Venter Leaming & Charon O'Dell Leaming	4016 Brook Cross Dr.	0750950409	0163520	R-8	0.21
Alicia D'Angelo	4020 Brook Cross Dr.	0750859521	0163519	R-8	0.18
Brian K. & Marie C. Dexter	4021 Brook Cross Dr.	0750858388	0163507	R-8	0.20
Ricky R. & Kathryn A. Roadcup	4024 Brook Cross Dr.	0750858533	0163518	R-8	0.18
Jody J. & Paige S. Hutto	4029 Brook Cross Dr.	0750856433	0163513	R-8	0.19
Zita H. Bradley, Jr.	4028 Brook Cross Dr.	0750857555	0163517	R-8	0.21
John C. & Donna L. Baldwin	4033 Brook Cross Dr.	0750855455	0163514	R-8	0.19
Vickie Lynn Hudson	4032 Brook Cross Dr.	0750856568	0163516	R-8	0.20
Cheryl Parris & David L. Dunn	4037 Brook Cross Dr.	0750854592	0163515	R-8	0.24
Frank J. & Veronica L. Erbeznik	4801 Crossvine Ct.	0750857490	0163508	R-8	0.18
Raymond J. & Catherine Troiano	4804 Crossvine Ct.	0750855394	0163512	R-8	0.19
Yolanda C. Lewis & Susan L. Burton	4805 Crossvine Ct.	0750857390	0163509	R-8	0.19
Reinhold & Suzanne K. Quick	4808 Crossvine Ct.	0750856256	0163511	R-8	0.19
John R. Jr. & Phyllis K. Crompton	4809 Crossvine Ct.	0750857224	0163510	R-8	0.19
James C. & Helen Rogers	3900 Inkberry Ct.	0750957265	0163482	R-8	0.20
James M. & Ann B. Kurtz	3901 Inkberry Ct.	0750957137	0163483	R-8	0.20
Valerie A. Pferdeort	3904 Inkberry Ct.	0750957332	0163481	R-8	0.19
Floyd Thomas Jr. & Cheryl M. Jenkins	3905 Inkberry Ct.	0750956145	0163484	R-8	0.20
William J. & Nancy M. Ratray	3909 Inkberry Ct.	0750955280	0163485	R-8	0.18
Tony Walter Cartledge	3912 Inkberry Ct.	0750956338	0163480	R-8	0.19
Derek S. & Amy A. Messer	3913 Inkberry Ct.	0750955246	0163486	R-8	0.18
James N. & Mary R. Dieffenderfer	4000 Inkberry Ct.	0750955521	0163528	R-8	0.20
Anna Lyon Rogers	4004 Inkberry Ct.	0750954577	0163527	R-8	0.20
Carlos A. & Christine Monserrate	4005 Inkberry Ct.	0750953424	0163524	R-8	0.19
Adam J. Sicard	4008 Inkberry Ct.	0750953587	0163526	R-8	0.20
Joseph M. & Mary J. Melton	4009 Inkberry Ct.	0750953530	0163525	R-8	0.18
Thomas Paul & Jodie R Lemmon	4708 Coralberry Cir.	0750844354	0195383	R-20	0.70
Steven J. & Annemarie W. Shankin	4709 Coralberry Cir.	0750842068	0195385	R-20	1.66
Adam Morris & Katelijne Vandrongelen	4712 Coralberry Cir.	0750843411	0195382	R-20	0.69

David M. & Angela S. Williams	4720 Coralberry Cir.	0750841427	0195381	R-20	0.69
Melissa & Michael Merriam	4721 Coralberry Cir.	0750841231	0195384	R-20	1.12
Christopher J. Faller & Rachel E, Williams	4724 Coralberry Cir.	0750749497	0195380	R-20	0.69
Holly Brook Sewer LLC	0 Midstream Ct.	0760050083	0170696	R/R	1.36
	0 Holly Brook Dr,	0750955056	0174411	R/R	0.99
	4100 Kildaire Farm Rd.	0750958393	0170698	R/R	5.33
	0 Holly Brook Dr.	0750955860	0170682	R/R	1.67
	4901 Holly Brook Dr.	0750942603	0174409	R/R	1.25
	4637 Holly Brook Dr.	0750930998	0195663	R/R	0.76
	0 Kildaire Farm Road	0750950567	0170693	R/R	1.06
	0 Holly Brook Dr.	0750744048	0195388	R/R	0.09
Aqua North Carolina, Inc	0 West Lake Road	0750844738	0018155	R-12	12.29
	4704 Coralberry Cir.	0750845154	0195386	R-40	0.47
Holly Brook Homeowners Assoc. Inc.	0 West Lake Rd.	0750931855	0160286	R-40	0.98
	4813 Holly Brook Dr.	0750952094	0170610	R/R	1.00
	4905 Holly Brook Dr.	0750838991	0163541	R/R	1.34
	4908 Holly Brook Dr.	0750847423	0163540	R/R	4.20
Total Area	4802 Holly Brook Dr.	0750857190	0163539	R/R	6.26
				71.0	

PROJECT SUMMARY

In 2014, many of the property owners within the Holly Brook Subdivision wished to have public utilities extended to the subdivision, and have their property annexed into the Town of Cary. Since the property at that time was not contiguous to the Town’s primary corporate limits, and less than 100% of the property owners within the subdivision agreed to sign an annexation petition, the Town of Cary was not authorized by State law to consider any request for concurrent annexation and zoning of the property. (*Annexation can only occur through action of the legislature in such cases*). At the request of a portion of the property owners within the subdivision, NC House Bill 73 was adopted by the North Carolina General Assembly, annexing the Holly Brook subdivision into the Town of Cary, effective June 30, 2015.

The purpose of this rezoning request is to apply initial Town of Cary zoning to this recently-annexed area.

A petition requesting extension of public water and sewer utilities, signed by a majority of the property owners in the Holly Brook neighborhood, was received by the Town of Cary on May 15, 2015. Cary Town Council approved the utility extension request. See [link](#) for details regarding the Holly Brook Water and Sewer Extension Project.

BACKGROUND INFORMATION

Applicant	Town of Cary		
Acreage	71 acres ±		
General Location	Holly Brook Subdivision – west side of Kildaire Farm Road about one mile north of the Kildaire Farm Road and Holly Springs Road intersection		
Schedule	Public Hearing November 19, 2015	Planning & Zoning Board December 14, 2015	Town Council January 27, 2016
Land Use Plan Designation	Medium Density Residential (MDR); Low Density Residential (LDR); and Parks & Open Space (PKS/OS)		
Existing Zoning District	Wake County Residential 30 (R-30)		
Existing Zoning Conditions	None		

Proposed Zoning Districts	Residential 8 (R-8); Residential 12 (R-12); Residential 20 (R-20); Residential 40 (R-40); and Resource/Recreation (R/R)
Proposed Zoning Conditions	None
Town Limits	Yes
Staff Contact	Mary Beerman, Senior Planner (919) 469-4342 mary.beerman@townofcary.org

Vicinity Map *Holly Brook Subdivision* 15-REZ-22

