

**Town of Cary, North Carolina
Rezoning Staff Report
12-REZ-28 Arrington Woods
Town Council Meeting
July 25, 2013**

REQUEST

The applicant, Grounded Engineering, has requested an amendment to the Town of Cary Official Zoning Map to rezone approximately 3.18 acres located at the southwest corner of the Kildaire Farm Road and W. Cornwall Road intersection from Office and Institutional Conditional Use (OI-CU) and Residential 12 (R-12) to Mixed Use District (MXD) subject to conditions specified on an associated Preliminary Development Plan (PDP). The PDP proposes development of up to 72 age-restricted multi-family residential units.

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 and can be found at <http://www.amlegal.com/library/nc/cary.shtml>.

SUBJECT PARCELS

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
William E. & Sue R. Stevens	0763463987	0067712	1.78
Billie A. Lang & Faye A. Dellinger	0763466922	0023234	1.40
Total Acreage			3.18

BACKGROUND INFORMATION

Applicant/Agent	Sean Dolle, Grounded Engineering.		
Acreage	3.18		
General Location	(906 Kildaire Farm Road and 111 W. Cornwall Road)		
Schedule	Planning & Zoning Board Public Hearing April 15, 2013	Town Council Public Hearing May 23, 2013 July 25, 2013	Town Council Decision July 25, 2013
Land Use Plan Designations	111 W. Cornwall Rd: High Density Residential (HDR); 906 Kildaire Farm Rd: Low Density Residential (LDR); Both parcels are within the Mayfair Community Mixed Use Center		
Existing Zoning Districts	111 W. Cornwall Rd: Office & Institutional Conditional Use (OI-CU); 906 Kildaire Farm Rd: Residential 12 (R-12)		
Existing Overlay Districts	Mixed Use Overlay District (MUOD); Watershed Overlay District; Swift Creek sub-area		
Existing Zoning Conditions <i>(Currently applicable to portion of property currently zoned OI-CU, but will be replaced with provisions of the preliminary development plan if the proposed rezoning is approved)</i>	<ol style="list-style-type: none"> 1. Maximum of 40-foot height from existing Cornwall Road grade level. 2. Driveways to be located as part of the site development process. 		
Proposed Zoning District	Mixed Use (MXD)		

Proposed Zoning Conditions	See Preliminary Development Plan: Cover Existing Conditions Site Layout Grading and Drainage Utility Plan Building Elevations Optional Carport Elevations
Corporate Limits	Yes
Valid Protest Petition	To be determined prior to the public hearing.
Staff Contact	Mary Beerman, AICP (919) 469-4342 mary.beerman@townofcary.org

PROJECT SUMMARY

Since the subject property is located in the Mixed Use Overlay District, the requested zoning district is Mixed Use (MXD), which requires a Preliminary Development Plan (PDP) as a component of the request.

The proposed rezoning would allow development of up to 72 age-restricted multi-family units at the southwest corner of the intersection of Kildaire Farm Road and W. Cornwall Road. The following statement is included on the preliminary development plan regarding this restriction:

“Prior to application for a building permit the property owner shall provide certification from an attorney licensed in the state of North Carolina that restrictive covenants are recorded with the Wake County Register of Deeds subjecting the whole of the development to an age restriction requirement such that at least eighty percent (80%) of all occupied units shall be occupied by at least one person 55 or older. Such restrictive covenants shall comply with all federal and state laws including the Fair Housing Act”.

SUMMARY OF PROCESS AND ACTIONS TO DATE

Neighborhood Meeting

According to meeting minutes provided by the applicant, a neighborhood meeting held on November 1, 2012 was attended by four area residents. Questions and concerns expressed at the meeting related to the number of units, the target market, and architectural standards.

Notification – April 15, 2013 Planning and Zoning Board Public Hearing

On April 2, 2013, the Planning Department mailed notification of a public hearing on the rezoning request to property owners within 400 feet of the subject property. Notification consistent with General Statutes was published in the Cary News on April 3 and 10, 2013. Notice of the public hearing was posted on the property on April 3, 2013.

Notification – May 23, 2013 Town Council Public Hearing

On May 7, 2013, the Planning Department mailed notification of a public hearing on the rezoning request to property owners within 400 feet of the subject property. Notification consistent with General Statutes was published in the Cary News on May 8 and 15, 2013. Notice of the public hearing was posted on the property on May 8, 2013.

Planning and Zoning Board Public Hearing (April 15, 2013)

There were no speakers at the public hearing other than the applicant. There were questions and concerns raised by board members regarding the requested streetscape and parking reductions. The board recommended approval of the request by a vote of 8-1.

Changes After the Planning and Zoning Board Public Hearing

The cover sheet of the PDP was revised to modify wording related to the age-restriction condition, and to request that a portion of the perimeter buffer (between the proposed stormwater pond and the adjacent non-residential parking lot to the west) be reduced to 10 feet, as illustrated on the Preliminary Development Plan.

Town Council Public Hearing (May 23, 2013)

One speaker expressed concern with the requested parking reduction and noted that cars associated with Glenaire were often parked along W. Cornwall Road. Council members also expressed concern with the requested parking reduction and noted that additional parking had been requested by Waltonwood. Staff clarified that Waltonwood was an assisted living facility, rather than independent age-restricted multi-family units, and the parking needs for Waltonwood were affected by employee parking needed during shift changes. Assurance of a quality building design and façade was also raised as a concern. The request was tabled to a future meeting to provide an opportunity for the applicant to consider the comments and discussion at the public hearing and proposed additional zoning conditions.

Changes Since the Town Council Public Hearing

The applicant has added conceptual building elevations and carport elevations to the preliminary development plan illustrating the following Architectural Control Notes specified in the PDP:

ARCHITECTURAL CONTROL NOTES

The primary residential building on the site shall be constructed of at least 45% brick materials, not including area covered by doors and windows. The remaining siding areas will be fiber-cement siding and trim. Architectural accent features shall consist of fiber-cement simulated board-and-batten or cedar shake shingle siding in the gable ends and accent walls. The building shall be painted in colors consistent with the Craftsman Style.

All building roofs shall be clad in asphalt shingles. Main roofs on all buildings shall have symmetrical gables or hips with a minimum roof pitch of 5:12. Overhanging eaves shall be a minimum of 1'-0" from the face of the building with gutter. Copper colored metal roof may be optionally utilized as an accent feature.

The primary residential building on the site shall contain windows which face the public streets and any large expanses of uninterrupted walls will be avoided through the introduction of articulated façades and/or specially designed architectural elements. The major building materials on all sides of the building shall be the same. Long planes of the building will be broken up through the use of projected porches/balconies or building planes that project such that no un-articulated wall plane greater than 32'-0" of horizontal length exists.

The included elevations are examples of the architectural concept for the Site and intended to portray the basic character of the all elevations of the building. Accessory structures such as optional carports shall share materials and be articulated in character with the primary residential building.

No building located on the Site shall exceed 45 feet in height (measured from average grade to mean elevation between eave and ridge) or contain more than three stories.

SITE CHARACTERISTICS

Floodplain and Streams: According to Cary's current GIS maps there are no streams or floodplains on the subject property. Field determination will be required at the time of site plan review.

Streams: According to Cary's current GIS maps there are no wetlands on the subject property. Field determination will be required at the time of site plan review.

Adjacent Zoning and Land Use:

North - Office & Institutional Conditional Use (OI-CU); Glenaire Retirement Community

South - General Commercial (GC) and General Commercial Conditional Use (GC-CU); Mayfair Plaza Shopping Center

East - Office & Institutional (OI); office (opposite side of Kildaire Farm Road)

West - Residential Multi-Family – Conforming (RMF-C) and General Commercial Conditional Use (GC-CU); Cornwall Village and shopping center parking lot

CONSISTENCY WITH LAND DEVELOPMENT ORDINANCE

The review of a Preliminary Development Plan (PDP) associated with a MXD rezoning request is addressed as follows in the LDO:

Mixed Use Zoning District (MXD) Provisions (per LDO Section 4.5.2(D))

Land Uses

Uses are allowed in accordance with Chapter 5 of the LDO for the specific type of activity center (Community Activity Center, in this case).

Dimensional Standards

Dimensional standards are as stated on the approved PDP.

Overlay Districts and Use Regulations (LDO Chapters 4 and 5)

Unless otherwise waived or modified by the PDP, the development must meet applicable overlay district regulations (LDO Chapter 4) and use regulations (LDO Chapter 5),

General Development and Design Standards (LDO Chapter 7).

Requirements related to urban transition buffers, stormwater control, and nitrogen reduction may not be waived or modified. (See Section below entitled "Regulations Proposed to be Waived or Modified by the Preliminary Development Plan")

Mixed Use Overlay District (MUOD) Provisions (per LDO Sections 4.4.2(F) and (G))

Buffer Widths

Buffer widths may not exceed the requirements of the LDO based on adjacent uses, and in no case may exceed 65 feet in width.

Connectivity

The road network must ensure that adjacent residential areas will have direct access to the non-residential portions of the activity center. In addition, residential and non-residential uses within the development must be connected in accordance with townwide design guidelines.

1. LAND USE

Maximum of seventy-two (72) age-restricted multi-family units, with a minimum of 2/3 of the units having one bedroom and a maximum of 1/3 having 2 bedrooms.

2. DIMENSIONAL STANDARDS

Minimum Building Setbacks	20' from all streets and property lines (except where greater width required by perimeter buffer)
Maximum Building Height	38'

3. PERIMETER BUFFERS

LOCATION	LDO STANDARD	PROPOSED
Between subject property and shopping center to south	40' Type B	Reduction to 10'
Between subject property and residential use to west	20' Type A	Per LDO

4. STREETSCAPE BUFFER

FRONTAGE	LDO STANDARD	PROPOSED
Kildaire Farm Road	50' Type A	30' Type A
E. Cornwall Road	30' Type A	20' Opaque

5. TRAFFIC

Since this rezoning case was filed prior to the repeal of LDO Section 3.23 Adequate Public Facilities for Roads, effective March 1, 2013, the rezoning was evaluated under that ordinance for traffic study

requirements. The existing zoning on the property of O&I-CU and R-12, allows uses with a trip generation potential much higher than the proposed 72-unit senior apartments. The LDO states that whenever a property is being rezoned to a less intensive trip generation zoning district, a traffic study is not required at the time of the rezoning application.

For informational purposes, the ITE Trip Generation Manual Land Use Code 252, Senior Adult Housing – Attached was referenced to determine that 72 senior apartments would generate 10 am and 12 pm peak hour trips.

6. STORMWATER

At the time of site plan review, the future plan must meet all stormwater management and detention requirements. Peak flow from the one-, two-, five- and 10-year storm events must be determined and must be attenuated back to pre-development conditions from the discharge point leaving the development.

REGULATIONS PROPOSED TO BE WAIVED OR MODIFIED BY THE PRELIMINARY DEVELOPMENT PLAN *Per Section 4.5.2(D)*

Listed below are modifications to standards proposed by the applicant. The applicant's justification and staff's observation is provided for each. These waivers or modifications are listed for the purpose of understanding the details of the proposed PDP. Because the proposed standards represent zoning conditions voluntarily offered by the applicant, the Planning and Zoning Board recommendation and Town Council action is limited to approval or denial of the requested rezoning application as a whole. While individual waivers and modifications incorporated in the PDP may be taken into consideration, they may not be voted on individually.

1. LDO Section 7.2.4(C) Required Width of Streetscape - Kildaire Farm Road

Standard: 50' streetscape

Proposed Modification: 30' streetscape

Applicant Justification:

- A. *A 30' width is consistent with the street yard buffer provided on the Glenaire Development located to the north of the proposed Arrington Woods Development;*
- B. *The majority of the area designated to be a street yard buffer is not currently vegetated. Therefore the reduction of buffer width will not significantly impact vegetation preservation.*
- C. *The street yard buffer on the adjacent property to the south is essentially 0'.*
- D. *The reduction in buffer will increase the sense of connectivity of the proposed development to the adjacent roadway and community.*

Staff Observation: An office building constructed in 1961 is located on the east side of Kildaire Farm Road across from the site. The streetscape for that site is approximately 5' adjacent to on-site parking spaces, approximately 20' along the southwest corner, and approximately 40' along the northwest corner.

2. LDO Section 7.2.4(C) Required Width of Streetscape - W. Cornwall Road

Standard: 30' streetscape

Proposed Modification: 20' streetscape

Applicant Justification:

- A. *The eastern end of the proposed buffer is not currently vegetated;*
- B. *The reduction in buffer will increase the sense of connectivity of the proposed development to the adjacent roadway and community;*
- C. *The reduced width is more consistent with the buffer widths along the south side of W. Cornwall Road.*

Staff Observation: A 30' streetscape is provided on the north side of W. Cornwall Road along the frontage of Glenaire. The 0.34-acre parcel at the northwest corner of Kildaire Farm Road across from the

subject property is currently undeveloped. The streetscape width on the south side of W. Cornwall to the west of the site, along the frontage of Cornwall Park, is approximately 15 feet.

3. LDO Table 7.2-1 Perimeter Buffer

Standard: 40' Type B buffer

Proposed Modification: 10' semi-opaque buffer

Applicant Justification:

PER LDO TABLE 7.2.1, the required perimeter buffer along the south side of the proposed development is 40' in width. With this rezoning and PDP plan, we are requesting that a portion of this buffer be allowed to be reduced as shown on the PDP plan. We believe the following reasons serve as a justification for such request:

The required perimeter buffer along the south side of the proposed development shall be reduced from 40' to 10' for the portion of buffer located at least 300' from Kildaire Farm Road.

- A. The request is only for the portion of the buffer located along the rear third of the south property line and is approximately 300' from Kildaire Farm Road;*
- B. The area of the requested reduction is planned to be utilized for a driveway location to support pedestrian and vehicular cross connection requirements along with a stormwater BMP. The BMP is planned to be designed and developed as an amenity to the site;*
- C. A portion of the requested area is already encroached on by an adjoining property driveway;*

Staff Observation: No perimeter buffer is provided on the adjoining property along to the portion of the parking lot adjacent to the western boundary of the subject property. If no reduction is granted, the applicant must provide the total required buffer width of 40 feet at the time of site plan approval.

4. LDO Table 7.8-1 Off-street Parking Spaces Required

Standard: 2.25 spaces per unit (2.0 spaces per unit plus .25 spaces per unit for guest parking)

Proposed Modification: 1.5 spaces per unit

Applicant Justification:

The minimum parking for multi-family apartment comprised of 1-bedroom and 2-bedroom units shall be reduced from 2.25 spaces per unit (2.0 spaces per unit for residents and 0.25 space per unit for visitors) to 1.5 spaces per unit.

- A. With the limitation of the age demographic, the residents will require fewer vehicles and will be making fewer vehicular trips;*
- B. By locating the proposed development directly on two different significant transit routes, the need for vehicular trips and vehicles will be reduced;*
- C. By designing a pedestrian friendly development located within walking distance of a variety of commercial, retail, and public uses, the need for vehicular trips and vehicles will be reduced;*
- D. The North Carolina Housing Finance Agency (NCHFA) only requires a minimum of 2/3 space per unit for age-restricted apartment communities.*

The applicant also provided the attached letters from Excel Property Management and the Town of Oxford concerning parking needs for senior apartment communities.

Staff Observation: Senior apartment and independent living components of Highland Village were developed with parking ratios ranging between 1 and 1½ spaces per unit. Staff is not aware of any problems that have arisen regarding adequacy of parking.

CRITERIA FOR CONSIDERATION IN REVIEWING REZONINGS

Criteria Applicable to All Rezoning Requests

Section 3.4.1(E) of the Land Development Ordinance sets forth the following criteria that should be considered in reviewing all rezoning requests:

1. The proposed rezoning corrects an error or meets the challenge of some changing condition, trend or fact;
2. The proposed rezoning is consistent with the Comprehensive Plan set forth in Section 1.3 (LDO), including the Land Use Plan, Parks, Recreation and Cultural Resources Facilities Master Plan, Growth Management Plan, Affordable Housing Plan, Comprehensive Transportation Plan, open space Plan, and Historic Preservation Master Plan.
3. The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation and utility facilities and services to the subject property while maintaining sufficient levels of service to existing development;
4. The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife and vegetation;
5. The proposed rezoning will not have significant adverse impacts on property in the vicinity of the subject tract;
6. The proposed zoning classification is suitable for the subject property.

Criteria Applicable to MXD Rezonings

Section 4.5.2(E) of the Land Development Ordinance sets forth the following development standards to be considered in reviewing Preliminary Development Plans associated with MXD rezoning requests:

(E) Approval Criteria for Mixed Use District Rezonings

In addition to the criteria for a general rezoning specified in Section 3.4.1(E), rezoning requests to a MXD district shall be reviewed for compliance with the following criteria, as applicable [i.e., it may not be reasonable or practical to expect that some existing or partially-built mixed use districts (formerly activity center concept plans or mixed use sketch plans) to achieve certain design standards]:

(1) *Intensity, Type, and Mix of Uses*

The preliminary development plan includes an appropriate intensity, type, and mix of land uses, as outlined by the guidelines contained in the Land Use Plan. This shall be assessed in relation to the scale of the activity center and the mix and relationship of existing and planned uses in the activity center, including residential, commercial, office, and institutional uses;

(2) *Site Design*

The preliminary development plan shows how the proposed mixed use development will meet or exceed Town site design guidelines and other established Town standards, including connections and linkages to immediately adjacent properties;

(3) *Expected Land Uses*

The extent to which the proposed development provides the expected land uses, including medium- and higher-density housing, outlined by the numerical and other guidelines contained in the Land Use Plan;

(4) *Public Spaces*

The preliminary development plan includes some formal outdoor space(s) for public use, such as a park, village green, or plaza, with larger mixed use centers including more such space than smaller centers; and

(5) *Scale and Context*

The preliminary development plan demonstrates that the proposed development is appropriate for the context and location, responds to the unique conditions of the area, and provides reasonable transitions within and adjacent to the district.

APPLICABLE COMPREHENSIVE OR AREA PLAN REQUIREMENTS

Land Use Plan

As per the Town of Cary Land Use Plan, the future land use designation of the subject parcels is Low Density Residential (LDR) for 906 Kildaire Farm Road and High Density Residential (HDR) for 111 West Cornwall Road. Low Density Residential (LDR) is defined as single-family-detached housing at one to three units per acre. High Density Residential (HDR) contains housing densities at eight units to the acre or greater. Both parcels are located within the Mayfair Community Mixed Use Center, which allows flexibility and a mix of uses within such a center. Also in a community sized mixed use center, medium and high density residential uses should be present.

The table below shows a comparison between existing and proposed land use categories within the Mayfair Community Mixed Use Center.

Mayfair Community Mixed Use Center			
Land Use Category	Existing Development	Range Proposed by Case	Total
Medium Density Residential dwellings	28	0	28
High Density Residential units	0	72	72
Institutional floor space (schools & daycares, assisted living facilities, places of worship)	55,042	0	55,042
Office/Institutional floor space, est. range (sq. ft.)	490,962	0	490,962
Commercial/Retail floor space, est. range (sq. ft.)	290,170	0	290,170

Analysis: Medium and high density residential uses are an important part of a community-sized mixed use center. This case proposes to add 72 high density residential units to the Mayfair Mixed Use Center. There are currently no high-density units found within this center, so this mixed use rezoning request helps further the goals of the Town of Cary Land Use Plan.

The typical number of residential units in a community-sized mixed use center, per 1,000 square feet of nonresidential space, is ½ to 3 (about 400 to 2500 units), with 1 ¼ (or about 1,050 units) being the ideal minimum number. The Mayfair Mixed Use Center has ample need for additional medium and/or high density residential development.

Parks, Recreation & Cultural Resources Facilities Master Plan

According to the Parks, Recreation and Cultural Resources Facilities Master Plan there are no issues related to this site. A recreation fund payment will be due for residential development in accordance with the LDO.

These comments were reviewed and approved by the Town’s Parks, Recreation and Cultural Resources Advisory Board at its January 7, 2013 meeting.

Growth Management Plan

The Growth Management Plan includes the following Guiding Principles which may be relevant to this case:

1. R1 Guiding Principle: Ensure that adequate infrastructure and services are available concurrently with new development.
2. L1 Guiding Principle: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.
3. A1 Guiding Principle: Increase permitted densities in preferred growth areas to encourage desired forms of development.

4. A2 Guiding Principle: Ensure that the overall amount of development in Cary is consistent with the Town's growth management goals.
5. Q1 Guiding Principle: Continue Cary's leadership role in quality growth and development.

Analysis: The subject property is located within a preferred growth area – the Mayfair Community Mixed Use Center.

Affordable Housing Plan

The Affordable Housing Plan includes the following goals that may be relevant to this case:

1. Provide for a full range of housing choices for all income groups, families of various sizes, seniors, and persons with special challenges.
2. Facilitate the creation of a reasonable proportion of the Town of Cary's housing as affordable units through additional homeownership opportunities for individuals and families earning between 60% and 80% of area median income and affordable apartments for individuals and families earning up to 60% of the area median income
3. Encourage the location of high density housing within walking and convenient commuting distance of employment, shopping, and other activities, or within a short walk of a bus or transit stop, through "mixed use" developments, residences created on the upper floors of nonresidential downtown buildings, and other creative strategies.
4. Assure a quality living environment and access to public amenities for all residents, present and future, of the Town of Cary, regardless of income.

Analysis: A higher density, age-restricted housing development, located in a mixed use center, has the potential to support the goals of the Affordable Housing Plan.

Comprehensive Transportation Plan

Kildaire Farm Road is designated as a Major Thoroughfare.

Existing Section: 3 lanes in approximately 60-foot ROW

Future Section: 4-lane median-divided in 100-foot ROW

Sidewalks: Existing on both sides

Bicycle Lanes: Existing shared use arrows

Transit: C-Tran Route 5 runs on Kildaire Farm Road.

Status of Planned Improvements: None

Cornwall Road is designated as a collector.

Existing Section: 2-lane undivided in approximately 60-foot ROW

Future Section: Existing

Sidewalks: Existing on the north side

Bicycle Lanes: None

Transit: C-Tran Route 5 runs nearby on Kildaire Farm Road.

Status of Planned Improvements: None

As shown on the Preliminary Development Plan, the applicant is proposing to widen Kildaire Farm Road to one-half of a 4-lane thoroughfare section along the project frontage. The applicant is requesting to make a payment-in-lieu of construction for one-half of the required median within Kildaire Farm Road, since the other side road has not been widened and the median could not be installed in its final location at this time. Recent LDO text changes (Section 8.1.5) allow the Engineering Director to approve payment-in-lieu of required roadway improvements in some cases. The payment-in-lieu request in this case can be approved by, and is supported by, the Engineering Director.

Open Space Plan

According to the Open Space Plan, there are no significant natural resources associated with this site.

Historic Preservation Master Plan

The Historic Preservation Master Plan recommends preserving Cary's historic buildings whenever possible, and especially those with identified architectural and historic significance.

The house at 906 Kildaire Farm Road is listed on the Cary Historic Resources Inventory (#WA7332) as a circa 1950, one-and-one-half-story asbestos-shingle, frame house built in the Minimal Traditional style. The survey report notes that the house is a good, intact example of the Minimal Traditional house-type popular in the mid-twentieth century – a style that was the immediate predecessor to the Ranch. The property includes a concrete block barn and a small shed. The house's historical context is "post-WWII," and is a property type representing the growth in Cary between the end of WWII and the beginning of Research Triangle Park. The house was first surveyed in 2012, and at that time wasn't identified as having National Register or Cary Landmark potential.

Comprehensive Plan Analysis

Overall, the potential development of up to 72 age-restricted multi-family residential units fits very well into the Mayfair Community Mixed Use Center. More medium- and high-density residential development is needed in this location, and this proposal could begin to meet this need efficiently and effectively. This mixed use rezoning request is consistent with the goals of the Town of Cary Comprehensive Plan.

STAFF EVALUATION - CONSISTENCY WITH THE DESIGN PRINCIPLES FOR MIXED USE CENTERS

Staff makes the following observations regarding the Design Principles for Mixed Use Centers included in the Town of Cary Site Design Standards:

Create a Sense of Place: The proposed building placement frames the mixed use center intersection corner.

Create Human Scale: The proposed building placement and architectural features will help meet this requirement.

Connect Uses: Vehicular and pedestrian connections are provided into and within this site, and connect to public sidewalks along Kildaire Farm Road and W. Cornwall Road, and to the adjacent shopping center.

Provide Transitions: Transitions are created through building placement and landscape buffers.

Reduce Parking Impacts: The parking area is broken into smaller areas with ample landscape areas.

Plan for Pedestrians, Bicyclists, and Transit Users: Pedestrian circulation is provided into and within the Arrington Woods PDP. C-Tran fixed route services is provided on Kildaire Farm Road.

Provide Open Space: A community gathering space is provided within the site. Stormwater BMPs will be designed as site amenities.

STAFF EVALUATION - CONSISTENCY WITH SITE DESIGN STANDARDS

Staff makes the following observations regarding the Town's Site Design Standards, the four design standard themes that support and strengthen the Town of Cary's seven design principles:

Vehicular Circulation: Vehicular circulation through the site is simple and intuitive.

Building Placement: Building placement makes a signature statement for this site as well as within the Mayfair Community Mixed Use Center.

Pedestrian Circulation: Pedestrian circulation is provided into and within the proposed Arrington Woods development with connections to the adjacent shopping center.

Community Spaces: A community gathering space with seating and landscaping will be provided. Stormwater BMPs will be designed as site amenities.

APPLICANT'S JUSTIFICATION STATEMENT

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.

ORDINANCE FOR CONSIDERATION

12-REZ-28 Arrington Woods

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF CARY TO CHANGE THE ZONING OF APPROXIMATELY 3.18 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF KILDAIRE FARM ROAD AND W. CORNWALL ROAD BY REZONING FROM RESIDENTIAL 12 (R-12) AND OFFICE & INSTITUTIONAL CONDITIONAL USE (OI-CU) TO MIXED USE DISTRICT (MXD).

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(s)		County Parcel Number(s) (10-digit)	Real Estate ID(s)	
William E. & Sue R. Stevens		0763463987	0067712	
Billie A. Lang & Faye A. Dellinger		0763466922	0023234	
Total Acreage				

Section 2: That this Property is rezoned from R-12 and OI-CU to MXD subject to the individualized development conditions set forth in “Arrington Woods Preliminary Development Plan” dated July 8, 2013, and on file in the Planning Department, 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 set forth in the “Arrington Woods Preliminary Development Plan” dated July 8, 2013, and on file in the Planning Department.

Section 4: This ordinance shall be effective on the date of adoption.
Adopted and effective: July 25, 2013

Harold Weinbrecht, Jr.
Mayor

Date