

Staff Report for Town Council

Meeting Date: June 22, 2017



16-REZ-24 Trimble Avenue Residential Rezoning

Purpose: Consider action on proposed rezoning request

Prepared by: Katie Drye, Planning

Speaker: Katie Drye, Planning

Executive Summary: The applicant has requested the Town consider an amendment to the Town of Cary Official Zoning Map by rezoning approximately 2.58 acres, owned by Bethel Baptist Church of Cary, located at 113 Trimble Avenue, from Residential 40 (R-40) to Residential 8 Conditional Use (R-8-CU) with zoning conditions that include limiting the use to seven (7) detached dwellings, adding architectural standards, setting minimum parking pad dimensions for driveways (to allow two cars to park side by side), increasing the roadway setbacks and requiring storage units for each dwelling in the rear of the properties.

This rezoning has an associated Consistency and Reasonableness Statement.

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 recommended denial by a vote of 5-3. (Note: this recommendation was based on a request for TR-CU zoning. The applicant has since changed the request to R-8-CU zoning).

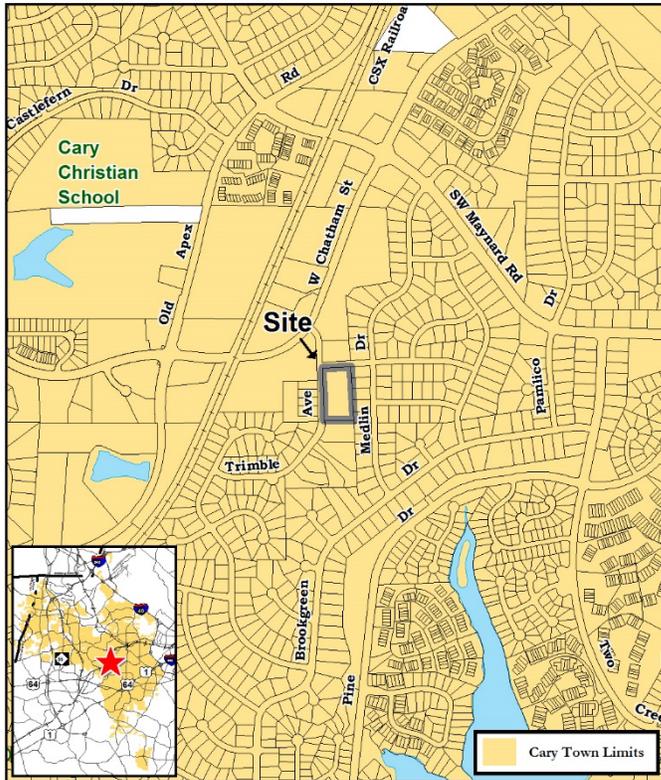
Note: The purpose of the rezoning is to determine whether or not the land uses and densities allowed in the proposed zoning district are appropriate for the site. Technical design standards of the [Land Development Ordinance](#) are addressed during review of the development plan.

SUBJECT PARCELS

Property Owner	County Parcel Number (10 digit)	Real Estate ID	Address	Deeded Acreage
Bethel Baptist Church of Cary PO Box 383 Cary, NC 27512	0753855229	0024049	113 Trimble Avenue	2.58 ±
Total Area				2.58 ±

Vicinity Map

Trimble Avenue Residential Rezoning 16-REZ-24



OVERVIEW

Applicant	Bethel Baptist Church of Cary (Property Owner)		
Applicant's Contact	William Hood 302 Jefferson St., Suite 225 Raleigh, NC 27603		
Acreage	2.58 ±		
General Location	113 Trimble Avenue (on the east side of Trimble Avenue, approximately 400 feet south of W. Chatham Street)		
Schedule	Town Council Public Hearing February 23, 2017	Planning & Zoning Board April 17, 2017	Town Council June 22, 2017
Existing Zoning District(s)	Residential 40 (R-40) Watershed Protection Overlay District (Swift Creek sub-district)		
Existing Zoning Conditions	None		
Proposed Zoning District(s)	Residential-8 Conditional Use (R-8-CU) Watershed Protection Overlay District (Swift Creek sub-district)		

Proposed Zoning Conditions	<ol style="list-style-type: none"> 1. Land use shall be limited to a maximum of 7 (seven) detached dwellings. 2. All lots will have frontage on Trimble Avenue. 3. Any plat that divides the subject property shall include notes substantially similar to the following: <ol style="list-style-type: none"> a. All homes will be built on a crawl space foundation which will be faced with brick on the front. b. All homes will have a covered front porch facing Trimble Avenue. c. All homes will have driveways that will allow two vehicles to park side by side (minimum driveway parking pad of 18' x 18'). d. All homes will have a minimum roadway setback of 30 feet from the Trimble Avenue right-of-way. e. Individual storage space shall be provided for each dwelling unit. Such storage space shall be attached to the principal structure and located in the rear yard, and include an external access point.
Town Limits	Yes
Staff Contact	Katie Drye, AICP 919-469-4085 Katie.drye@townofcary.org

SUMMARY OF REQUEST

The proposal seeks to rezone the subject property to permit an increase in residential density. The current zoning, Residential 40 (R-40), allows 1.08 dwellings per acre; the requested Residential 8 Conditional Use (R-8-CU) zoning allows 5.44 dwellings per acre, however, the applicant has proposed a condition to limit the number of units to seven (7) which would equal a maximum density of 2.7 dwellings per acre. The applicant has proposed additional conditions to add architectural standards, set minimum parking pad dimensions for driveways, increase the roadway setbacks, and add individual storage facilities in the rear of the dwellings for each lot.

History of Rezoning Application

The rezoning application for the subject property was submitted on July 29, 2016 and also included a request for a Comprehensive Land Use Plan Amendment. The application requested to rezone the subject property to RMF-CU and to amend the Comprehensive Plan designation from Low Density Residential to Medium Density Residential. The change from Low Density Residential to Medium Density Residential was requested because the LDO in effect at the time of application submittal had a provision that did not permit RMF zoning in areas designated as Low Density Residential on the Land Use Plan. On August 17, 2016 the applicant withdrew their Comprehensive Plan Amendment and placed the rezoning application on hold so that the application could be considered after the adoption of the Cary Community Plan (the Town’s new Comprehensive Plan). The applicant resumed activity on the rezoning application in November 2016, with the intention of scheduling the case for a public hearing before the Town Council in February 2017. After two neighborhood

meetings, the applicant chose to amend their request from RMF-CU to TR-CU with additional zoning conditions. The new Comprehensive Plan was adopted by Council on January 24, 2017. Because the Comprehensive Plan does not include "Low Density Residential" as a land use designation, among the amendments to the LDO adopted on January 24, 2017 was an amendment removing the prohibition against RMF or TR zoning districts in areas designated "Low Density Residential."

Overview of Site and Surrounding Area

The subject property, which is owned by Bethel Baptist Church of Cary, is currently vacant. The southern portion and eastern property border of the site is wooded (wooded area is approximately two-thirds of the site). The northwestern portion of the site is an open field. The site is adjacent to the Savon Heights neighborhood to the east (zoned R-12). The properties to the north (zoned R-20) and south (zoned R-40) are both improved with detached dwellings. The properties on the opposite side of Trimble Avenue are zoned R-8 (these lots are part of a five (5) lot subdivision named North Meadow) and contain detached dwellings. The North Meadow lots are adjacent to and north of the Scottish Hills North subdivision which is also zoned R-8.

Immediately north of the site is vacant property owned by the Town. Palmetto Drive, which was shown on a plat recorded in 1969 as part of the Savon Heights neighborhood, currently stubs to the edge of the Savon Heights neighborhood, though the pavement does not extend to the property boundary. In 1982, Bethel Baptist Church proposed to construct a parking lot expansion, which was approved by Town Council. The approved plan required right-of-way dedication and construction of one half of Palmetto Drive from the existing stub of Palmetto Drive to Trimble Avenue. The church was required to hold an active Letter of Credit for the road improvements starting in March 1984. The parking lot expansion was never constructed, and in June 1995 Bethel Baptist Church asked the Town to "close the dedicated r/w, crossing our property, that fronts on Trimble Avenue." Staff can find no record evidence that any right-of-way was actually dedicated by the church. On July 13, 1995, the Town Council (at the request of the applicant) approved the release of the requirement for the letter of credit, but not the requirement that right-of-way be dedicated. However, on September 28, 1995, the church deeded the area in question to the Town in fee simple (Deed Book 6689, Page 948).

The Town does not show a Palmetto Drive extension on the Comprehensive Transportation Plan and has not otherwise reserved this property for right-of-way. Because the deeded area to the north of the subject property is owned by the Town in fee simple and has never been designated by the Town as right-of-way, any future developer of the subject property would not be required to construct a Palmetto Drive extension.

The applicant's agent has expressed interest in using the Town's property as part of the project if the rezoning is approved. Town staff is evaluating options and more information will be brought to the Council for consideration at a future date if the applicant's agent makes a formal request of the Town for use of the property.

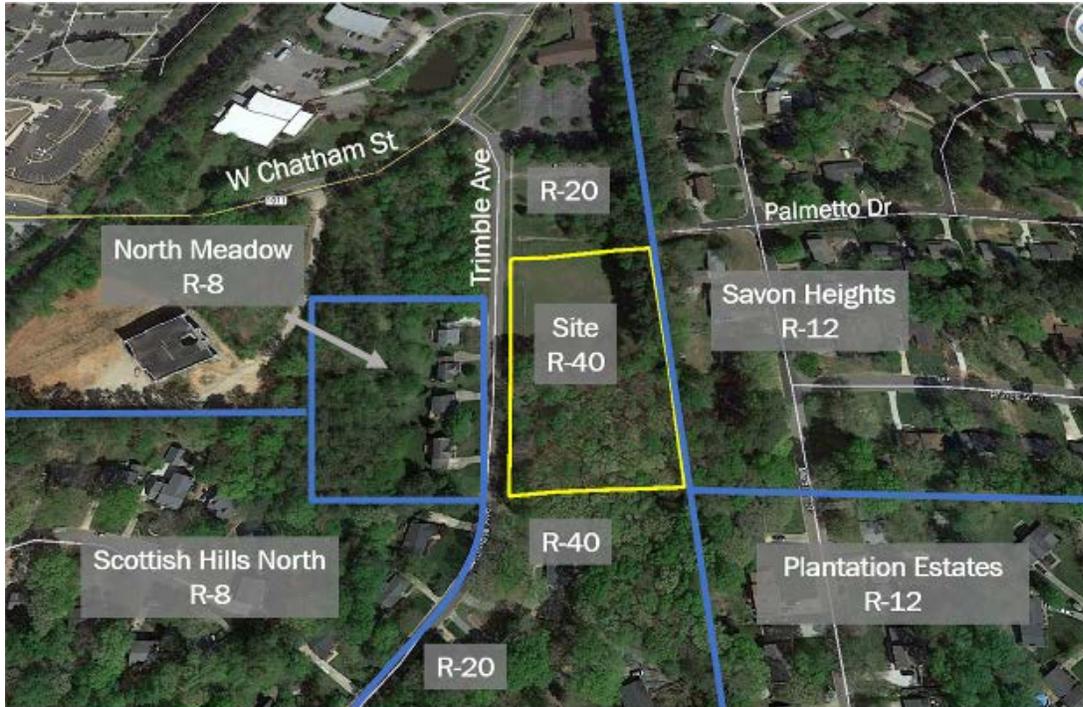


Figure 1 Vicinity Map of Site Showing Neighboring Subdivisions and Zoning Designations

Community Development Block Grant (CDBG) Annual Action Plan

The Town of Cary is a Community Development Block Grant (CDBG) “Entitlement Community,” which means the Town receives funding from the United States Department of Housing and Urban Development (HUD). CDBG funds can be used for a variety of activities prescribed by HUD with funding support for individual projects determined by the Town. These activities include economic development, social services, and public utilities, in addition to support for affordable housing. Each year the Town adopts, after opportunity for public comment, an Annual Action Plan which assesses and identifies projects for the use of CDBG funds.

The FY2017 Community Development Block Grant (CDBG) Annual Action Plan was adopted by the Town Council on April 28, 2016. The Annual Action Plan commits \$175,000 in funding in principle to Habitat for Humanity (the intended purchaser of the subject site) to acquire the 2.58 acre tract that is the subject of this rezoning case for the purpose of constructing single-family homes. Habitat has proposed the purchase of the parcel from the applicant with the intention of undertaking a future housing development. CDBG funding support from the Town for any future development on the site by Habitat will be contingent on rezoning approval by the Town Council and Habitat choosing to exercise its option to purchase the property. Should the rezoning not be approved or Habitat decline to purchase the land or the project be withdrawn, the Town has the option to transfer the potential CDBG funding contribution to another Habitat property in Cary, to another entity, or to another project or project type altogether.

The Town chose to provide funding to the Habitat project after a competitive process in which proposals for funding were received from a number of non-profit entities for different project types. The Town has identified support of residential homeownership opportunities

on infill sites as a key priority of the Cary Community Plan and the current proposal by Habitat would meet that objective as well as making a contribution to meeting the identified affordable housing shortage in Cary. However, there is no zoning condition that requires Habitat to purchase the property.

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 Meetings

A neighborhood meeting for the proposed rezoning was facilitated by Planning staff at Cary Town Hall on December 7, 2016. According to the information submitted by the applicant, 115 nearby property owners attended the meeting. Questions and concerns expressed at the meeting are provided in the meeting minutes submitted by the applicant. At the time of the neighborhood meeting, the rezoning application proposed the property be rezoned to Residential Multi-Family Conditional Use (RMF-CU) with a maximum of 23 units. At the neighborhood meeting, neighbors expressed concerns regarding stormwater and flooding, the proposed density, the housing type (only townhomes), and existing traffic problems on Trimble Avenue.

The applicant held a second neighborhood meeting on January 12, 2017 at Bethel Baptist Church of Cary. At the meeting, the applicant proposed changing the rezoning request from RMF-CU to Transitional Residential Conditional Use (TR-CU) with a mixture of detached dwellings and townhomes (which would reduce the maximum density permitted for the site). Questions and concerns from the nearby property owners were similar to those from the first neighborhood meeting. They included concerns about stormwater and flooding in the area, concerns regarding the lot size, housing type (townhomes), density, and traffic.

After the neighborhood meetings, the applicant revised their application to change the zoning designation request from RMF-CU to TR-CU with additional conditions to include limiting the land use to detached dwellings and townhomes, adding architectural requirements, specifying that only detached dwellings would have lot frontage on Trimble Avenue, and proposing a fence in the required buffer adjacent to the townhomes along the rear of the property (adjacent to the existing detached dwellings to the east).

Town Council Public Hearing (February 23, 2017)

Staff presented an overview of the case followed by the applicant's agent who provided a justification for the rezoning request. At the Town Council meeting the applicant's agent proposed new zoning conditions for the rezoning request. The new conditions included: limiting the use to nine (9) detached dwellings; increasing the minimum lot size; adding architectural standards; setting minimum parking pad dimensions for driveways (to allow two cars to park side by side); increasing the roadway setbacks; and, requiring storage units for each dwelling in the rear of the dwellings.

There were 23 speakers who addressed the Town Council at the public hearing. Several speakers shared feedback regarding the nature of the applicant's agent (the applicant's agent is Habitat for Humanity of Wake County). The Council cautioned attendees that the public hearing was regarding a request for land use and that council cannot take into consideration the potential purchaser of the site. Nearby residents also shared concerns regarding stormwater and flooding in the area. Council reminded attendees that stormwater regulations are established in the Land Development Ordinance and are addressed during the development plan process and not as part of the rezoning process.

Following the public hearing, council members discussed holding a second public hearing at a Town Council meeting rather than forwarding the case directly to the Planning and Zoning Board, in order to give citizens and council more time to review the proposed changes presented by the applicant's agent. There was a motion and second to hold a second public hearing at a council meeting. The motion failed by a vote of 3-4, meaning that the case was forwarded to the Planning and Zoning Board. Council did encourage attendees to continue to reach out to council members directly and to attend future Town Council meetings to speak during Public Speaks Out.

Some council members had questions regarding the difference between the R-8 zoning district and the proposed zoning of TR-CU. Staff explained that even though the lot sizes may be similar based on the zoning conditions proposed by the applicant, the TR-CU zoning district would allow reduced lot widths and setbacks. After the Town Council Public Hearing town staff prepared an illustration to help demonstrate the difference between the dimensional standards associated with R-8 and TR-CU zoning (this was shared at the Planning and Zoning Board Public Hearing).

Changes after the Town Council Public Hearing

The applicant formally submitted additional conditions following the Public Hearing. These conditions include limiting the use to nine (9) detached dwellings, increasing the minimum lot size, adding architectural requirements, setting minimum parking pad dimensions for driveways, increasing the front yard setback, and requiring storage facilities in the rear of the dwelling for each lot.

Planning and Zoning Board Public Hearing (April 17, 2017)

Staff presented an overview of the case. The overview included staff's preliminary recommendation for approval of the rezoning request. The applicant's agent provided a justification for the rezoning request. There were 27 speakers who addressed the Planning and Zoning Board during the public hearing. Concerns expressed by citizens included:

- Stormwater and flooding
- Proposed density created by nine (9) lots is too high
- Existing traffic on Trimble Avenue and nearby roads
- Lot widths and setback do not match the surrounding neighborhoods
- Loss of existing trees
- Impact to property values
- Changes to the rezoning application (the application was originally for RMF-CU and changed to TR-CU)

The Planning and Zoning Board had questions regarding the case. These questions included the following:

- Would sidewalk be required along the road frontage of the site?
Staff response: Yes, sidewalk would be required and would connect to the existing sidewalk on Trimble Avenue.
- How does the Cary Community Plan define Affordable Housing?
Staff response: Affordability is defined as spending no more than 30% of one's income on housing cost (which includes mortgage, utilities, etc).
- Request for information on 2006 Stormwater Study and for the Town requirements for stormwater management for the subject site.
 - Staff response: The 2006 Town Center Area Plan (TCAP) study focused on culvert crossings for sites inside the Maynard Road loop. The Trimble Avenue area was not studied as part of the 2006 TCAP study. The Town has recently received a petition from property owners in the Trimble Avenue area for a stormwater evaluation and town staff is currently evaluating that petition.
 - Staff response: The subject site would be required to meet all of the Town of Cary LDO requirements including the requirement to mitigate the 1-, 2-, 5- and 10-year storm events. Staff will also have the applicant review the 100-year storm event to ensure there is not overtopping of water on the road. Further, curb and gutter will be installed along the road frontage of Trimble Avenue. The site is also subject to the Swift Creek Land Management Plan which limits impervious surface and the Neuse River Stormwater Regulations which requires water quality treatment.
- Where would the 30-foot buffer be located on the site?
Staff response: The buffer would be required to be established along each of the property lines adjacent to other properties. There would not be a buffer required along the road.
- How many lots could fit into the site if it were zoned R-8?
Staff response: It is difficult to determine the number of lots that could be created, because in addition to a minimum lot size of 8,000 square feet, each lot must meet minimum dimensional standards including requirements for lot widths and setbacks. The site would also be required to retain a certain amount of land for site improvements such as the detention pond.
- Question to applicant: Why are all of the lots fronting Trimble Avenue?
Applicant response: The applicant proposed that all lots front Trimble Avenue as an effort to define the site design. Further, if there were lots that were not on Trimble Avenue, a road would need to be installed.

There was a motion and a second to recommend denial for the rezoning request. Discussion of the Planning and Zoning Board included concern regarding the proposed lot widths (narrowness of the lots), setbacks, and the potential lack of consistency of the proposal with the existing neighborhood. Other Planning and Zoning Board members noted concerns

regarding transitions, lack of harmony, and fit. Planning and Zoning Board members who were not in support of the recommendation for denial noted that they believed the applicant had responded to citizen requests to change the application and, further, that they support reduced setbacks in the right context.

The Planning and Zoning Board recommended denial by a vote of 5-3.

Changes since the Planning and Zoning Board Meeting

The applicant revised the application to request an R-8-CU zoning district as permitted by the LDO. The applicant has carried over all relevant conditions from the previous zoning request which included adding architectural requirements, setting minimum parking pad dimensions for driveways, increasing the front yard setback, and requiring storage facilities in the rear of the dwelling for each lot. Certain conditions such as increasing the minimum lot size to 8,000 square feet for some lots and 7,000 square feet for others are no longer applicable since the R-8-CU zoning is more restrictive than the TR-CU zoning.

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 of opinions of the Town of Cary.

SITE CHARACTERISTICS AND CONTEXT

Streams: Cary’s most recent GIS maps do not indicate the presence of streams on the subject property. Field determination of such features shall be required at the time of development plan review.

Adjacent Zoning and Land Uses:

Property	Land Use	Zoning
North	Vacant	Residential 40 (R-40)
South	Detached Dwelling	Residential 40 (R-40)
East	Detached Dwellings (Savon Heights)	Residential 12 (R-12)
West <i>(opposite side of Trimble Avenue)</i>	Detached Dwellings (North Meadow)	Residential 8 (R-8)

EVALUATION OF REZONING REQUEST UNDER CARY COMMUNITY PLAN

The 2040 [Cary Community Plan](#) is the comprehensive plan for the Town of Cary, adopted on January 24, 2017.

Relevant Plan Policies and Appendices

POLICY	ANALYSIS
LIVE Policies	
Policy 1: Maintain Neighborhood Character	The proposal directly addresses LIVE policies 1, 2, 3, and 5 and will support their policy objectives by creatively introducing a denser arrangement of single family detached housing on an existing vacant infill site, thereby increasing housing choice for residents; appropriately developing a vacant infill site and proposing a development which is sympathetic to the character, style, and scale of the surrounding neighborhoods.
Policy 2: Provide More Housing Choices for All Residents	
Policy 3: Provide More Housing Options In New Neighborhoods and Developments	
Policy 5: Support Residential Development on Infill and Redevelopment Sites	
WORK Policies	
Policy 7: Ensure the Economic Growth and Vitality of Downtown	The rezoning addresses WORK policy 7 by providing a direct economic boost through increased local expenditure and household asset formation during the construction and sales phase of the development and by providing a mix of housing options for potential future employees for local businesses operating in the downtown area.
ENGAGE: Goals from the Parks, Recreation and Cultural Resources Master Plan	
<p>Goal 1: Maintain a diverse and balanced park and open space system as the Town of Cary grows</p> <p>Goal 2: Provide citizens with a highly functional, safe and well-maintained greenway network that provides recreation, transportation, and education opportunities and wildlife benefits opportunities.</p>	<p>According to the Parks, Recreation and Cultural Resources Facilities Master Plan no park site is proposed in the vicinity of this parcel, and the parcel was not proposed for open space conservation. The subject property is located within 1 mile of Annie Jones Park and Dorothy Park, and is within 1.25-1.5 miles of Bond Park. Higgins Greenway is located a little over .5 mile northeast of the property.</p> <p>A recreation fund payment or park land dedication will be required in accordance with the Land Development Ordinance. Staff has recommended that a recreation fund payment be made for this site in lieu of a land dedication.</p> <p>These comments were reviewed and approved by the Town’s Parks, Recreation and Cultural Resources Advisory Board at its February 6 meeting.</p>
ENGAGE: Historic Preservation Master Plan	

<p>HPMP Goal 2: Preserve, Protect and Maintain Cary's Historic Resources</p>	<p>The site does not contain any identified historic resources.</p>
<p>HPMP Goal 3: Preserve Historic Contexts</p>	
<p>SHAPE Policies</p>	
<p>Policy 4: Support and Facilitate Redevelopment and Infill Development</p>	<p>The rezoning proposal directly addresses policies 4, 6 and 8 in that it proposes use of a vacant infill site close to downtown and proposes to provide both an appropriate use and a development type which, both in terms of form and appearance, is sympathetic to the character of the surrounding area and will create an appropriate transition from institutional and assembly use to a residential use. The proposed zoning conditions will lead to an arrangement which will complement the existing residential form on the other side of Trimble Avenue. The denser form will also create a visually appropriate transition from the institutional form at the street entrance created by the Bethel Baptist Church to the adjacent R-8 and R-12 residential neighborhoods to the east and west.</p>
<p>Policy 6: Provide Appropriate Transitions Between Land Uses</p>	
<p>Policy 8: Preserve and Maintain Cary's Attractive Appearance and Quality of Development</p>	
<p>Future Growth Framework Map</p>	
<p>Future Growth Framework Development Category</p>	<p>The Cary Community Plan Future Growth Framework Map outlines the long term physical structure and neighborhood character envisioned for Cary over the next two decades. The Future Growth Framework map locates the subject parcel on Trimble Avenue within the Heritage Neighborhood area close to the Downtown district. Heritage Neighborhoods are pre-dominantly “residential in nature and are characterized by broad housing mixes encompassing a wide variety of unit sizes, lot sizes, house types and densities. Typical zoning types would be R-8, R-12, TR, RMF & PDD”. The Cary Community Plan Live policies support the use of</p>

	denser zoning classifications on Heritage infill sites as these will tend to increase the range of housing options available to residents.
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MOVE: Comprehensive Transportation Plan

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.

Trimble Avenue

The adjacent street (Trimble Avenue) is not on the Comprehensive Transportation Plan.

Existing Road Cross Section: 20-foot back-of-curb to back-of-curb in a 50-foot right-of-way

Future Road Cross Section: 27-foot back-of-curb to back-of-curb in a 50-foot right-of-way

Sidewalks: On one side of the roadway

Bicycle Lanes: None

Transit: There is a planned GoCary local route along W Chatham Street, within walking distance to the property.

Streets in Cary are typically constructed or widened in increments, with developers generally completing the half-width section along their frontage when the property is developed. Construction of off-site improvements are not required but may be voluntarily offered as zoning conditions by applicants for rezoning cases. In some cases construction of off-site improvements may be required by NCDOT.

CONSISTENCY WITH LAND DEVELOPMENT ORDINANCE

Land Use

Detached dwellings are permitted uses in the R-8 zoning district.

Density and Dimensional Standards

	Existing Zoning District (R-40)	Proposed Zoning District (R-8-CU) Detached Dwellings
Max. Gross Density	1.08 dwellings per acre	R-8: 5.44 dwellings per acre 2.7 dwellings per acre (per conditions proposed)
Min. Lot Size	40,000 square feet	8,000 square feet

Minimum Lot Width	150 feet (160 feet for corner lot)	60 feet
Roadway Setbacks	20 feet	Per Zoning Condition: 30 feet
Side Yard Setback*	With septic tank/well: 20 feet With public sewer: 15 feet	5 feet min., 20 feet combined
Rear Yard Setback*	30 feet	20 feet
Maximum Building Height	35 feet <i>(May be increased by one foot for every additional foot provided between the building footprint and the minimum required setback).</i>	
*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 applicant 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

In accordance with Chapter 7 of the LDO, a 20-foot landscape area planted to a Type-B standard is required between detached residential uses when lot sizes are 8,000 square feet or greater. This area is not subject to the ownership restrictions applied to other buffers and may be located within platted portions of lots.

Traffic

The applicant proposed a rezoning condition that indicates a maximum of 7 dwelling units on approximately 2.58 acres. Based on the ITE Trip Generation Manual, 9th edition, Land Use Code 210 – Single Family Detached Housing Units, the proposed rezoning is anticipated to generate approximately 5 AM peak and 7 PM peak hour trips. The threshold for a traffic study is 100 peak-hour trips; therefore, a traffic study was not required.

Stormwater

At the time of the development plan review, the future plan must meet all stormwater management and detention requirements of the Land Development Ordinance.

STAFF RECOMMENDATION

Based on the analysis in this staff report, Town staff’s recommendation is for approval of the rezoning request with the conditions as proposed by the applicant.

Rationale for Recommendation

- The rezoning request was found to be consistent with policies of the Cary Community Plan, specifically policies found in the chapters for LIVE, WORK, ENGAGE, SHAPE and MOVE.
- The subject site is designated as part of the “Heritage Neighborhood” on the Future Growth Framework Map, which is described as residential in nature and characterized by a broad mix of housing types. The proposed use of detached dwellings is an appropriate land use in the Heritage Neighborhood designation.
- The subject site is a vacant infill site close to downtown and proposes to provide an appropriate use which is similar to the character of the surrounding area in terms of zoning district (R-8 zoned lots are located on the opposite side of Trimble Avenue as well as further south on Trimble Avenue), use (detached dwellings), lot widths and setbacks, and will create an appropriate transition from institutional and assembly use to a residential use.

Note: This is staff’s recommendation. A separate recommendation was made by the Planning and Zoning Board, and the final decision will be made by the Town Council.

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