



REZONING APPLICATION- CARY, NC

Submit complete application via the [electronic plan review](#) portal. Planning staff will notify applicant when application is deemed complete and accepted for payment.

(Staff Use)
 This application is deemed sufficiently complete for purposes of submittal.

Planning Staff Signature: Katie Drye Date: 12/13/2024

Rezoning Case Number: 24-REZ-16 Payment Confirmation: 25-5020

Associated Annexation Petition Yes No
(Concurrent submittal required when property is not in ETJ; if property is not in ETJ annexation may be submitted at time of development plan.)

Traffic Impact Study Yes TAR Number: 25-TAR-482
 No Staff confirmation: Initials_KD Date 12/13/2024

REZONING FEE:

- Fees will not be accepted until the application is deemed complete by Planning staff.
- Do not mail or drop off checks with initial application submittal.**
- An additional fee of \$150 will be charged for each additional public hearing or neighborhood meeting required due to changes in the request made during the rezoning process.

- \$1,500.00 – General rezoning, or initial zoning associated with owner-initiated annexation petition, 5 acres or greater
- \$300.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres
- \$2,500.00 – Conditional use rezoning (per change of zoning classification requested)
- \$3,000.00 – Mixed Use District Rezoning (New MXD, or major amendment to existing PDP- (See PDP Submittal Checklist)
- \$500.00 – Mixed Use District Rezoning (Minor amendment to existing PDP)
- \$3,000.00 – New application or major amendments to approved Major PDD
- \$1,500.00 – Minor PDD or Minor Amendment to existing PDD

Part 1: Applicant Information	
Project or PDD Name	Trinity Road PDD
Property Address(es)	See attached Exhibit A.
Jurisdiction <i>(Check all that apply)</i>	<input type="checkbox"/> Cary Corporate Limits <input checked="" type="checkbox"/> Cary ETJ <input type="checkbox"/> Wake Co.* <input type="checkbox"/> Chatham Co.* <input type="checkbox"/> Durham Co.* *Submittal of an annexation petition is required if rezoning is requested

Applicant's Contact/ Representative	
<i>(If self-represented, please include your contact information below.)</i>	
Name	Jamie Schwedler
Firm	Parker Poe
Address	301 Fayetteville Street
City, State, Zip	Raleigh, NC 27601
Phone	910-835-4529
Email	jamieschwedler@parkerpoe.com

Part 2: Parcel & Owner Information

Property Owner(s) <i>Provide property owner name and address as it appears in the Wake, Chatham or Durham County Tax Records</i>	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Property Address <i>as it appears in the Wake, Chatham or Durham County Tax Records</i>	Acres ¹
See attached Exhibit A.				
Total Acres	<input checked="" type="checkbox"/> Deeded <input type="checkbox"/> Surveyed			16.79

¹ A property survey showing zoning district boundaries and acreages is required if multiple zoning districts are proposed or if the proposed rezoning applies to only a portion of a parcel. If only a portion of a parcel is included in the request, include the total parcel acreage as well as the acreage included in the request. If a survey was completed in association with annexation petition, use surveyed acreage.

Part 3A: Rezoning Request

Pre-Application Conference: Yes Date: 6/5/2024 No

Traffic Impact Study: Yes TAR: 25-TAR-482 No

Existing Zoning	Base Zoning District(s) <i>Spell out and provide abbreviation</i>	R-40
	Zoning Overlay District(s) <i>Check any that apply</i>	<input type="checkbox"/> Mixed Use Overlay District <input type="checkbox"/> Conservation Residential Overlay District <input type="checkbox"/> Airport Overlay District <input type="checkbox"/> Watershed Protection Overlay District <input type="checkbox"/> Jordan Lake <input type="checkbox"/> Jordan Lake Critical Area <input type="checkbox"/> Swift Creek <input type="checkbox"/> Historic Preservation Overlay District
	Zoning Conditions <i>if any</i>	N/A
Proposed Zoning	Proposed Base Zoning District(s)	Planned Development District (PDD) Minor
	Proposed Zoning Conditions	<input type="checkbox"/> No zoning conditions are proposed <input checked="" type="checkbox"/> Zoning conditions are proposed and included in - an attachment *Executed affidavit not required with initial application. Draft conditions may be submitted for review as an attachment. Executed affidavit authorizing conditions reviewed and accepted by Cary must be submitted prior to public hearing.
	Proposed Changes to Overlay Districts	N/A
	Summary of Proposed Development or Purpose of Request	Rezoning to PDD Minor to permit up to 375 multifamily units; a minimum of 2,000 square feet, up to a maximum of 5,000 square feet, of non-residential uses (Food and Beverage Service, Retail Store, Convenience Store and Personal Service Establishment and neighborhood recreation); and one (1) single-family home, as provided in Section III.A of the PDD document.

Part 3B: Applicant's Rezoning Justification Statement(s) *Check those included*

Statement #1 *Required for all rezoning requests (LDO Conformance)*

Statement #2 *Required for all rezoning requests (ICCP Conformance)*

Statement #3 *Required when rezoning to a PDD or amending a PDD*

Statement #4 *Required only when rezoning to or amending the PDP component of MXD*

Rezoning Justification Statement #1 *Required for all rezoning requests*

Describe how the proposed rezoning meets the considerations listed below.

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following considerations when reviewing all proposed rezonings:

- (1) The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;

Applicant's Comments:

See attached Exhibit B.

- (2) The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;

Applicant's Comments:

See attached Exhibit B.

- (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;

Applicant's Comments:

See attached Exhibit B.

- (4) The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;

Applicant's Comments:

See attached Exhibit B.

- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and

Applicant's Comments:

See attached Exhibit B.

- (6) The proposed zoning classification is suitable for the subject property.

Applicant's Comments:

See attached Exhibit B.

Rezoning Justification Statement #2 *Required for all rezoning requests*

Describe how the proposed rezoning is consistent with or supported by the visions and policies of the [Cary Community Plan](#).

Growth Framework Map
See attached Exhibit B.

_____ Chapter, Policy _____
See attached Exhibit B.

_____ Chapter, Policy _____
See attached Exhibit B.

_____ Chapter, Policy _____
See attached Exhibit B.

_____ Chapter, Policy _____
See attached Exhibit B.

_____ Chapter, Policy _____
See attached Exhibit B.

Rezoning Justification Statement #3 *Required only when rezoning to a Planned Development District or amending an existing Planned Development District*
Describe how the proposed rezoning meets the considerations listed below.

Section 3.4.3(E) of the Land Development Ordinance states that Council should consider the following considerations when reviewing proposed rezonings to a Planned Development District. *These considerations are in addition to those stated in Section 3.4.1(E),*

- (1) The PDD designation is necessary to address a unique situation or represents a substantial benefit to the Town, compared to what could have been accomplished through strict application of otherwise applicable zoning district standards; and

Applicant's Comments:

See attached Exhibit B.

- (2) The request complies with the PDD standards of Section 4.2.3.

Applicant's Comments:

See attached Exhibit B.

Rezoning Justification Statement #4 *Required only when rezoning to or amending the Preliminary Development Plan component of a Mixed Use District*
Describe how the proposed rezoning meets the considerations listed below.

In addition to the considerations 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 considerations contained in LDO Section 4.5.2(E), 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 Comprehensive Plan. This shall be assessed in relation to the scale of the Mixed Use Overlay District and the mix and relationship of existing and planned uses, including residential, commercial, office, and institutional uses;

Applicant's Comments:

NA

(2) Site Design

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

Applicant's Comments:

NA

(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 Comprehensive Plan;

Applicant's Comments:

NA

(4) Public Spaces

The preliminary development plan includes some formal outdoor space(s) for public use, such as a park, village green, or plaza; and

Applicant's Comments:

NA

(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.

Applicant's Comments:

NA

Part 4: Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests. Submit original signatures.

Check applicable sub-section(s)

- (1) – Required where property owner is an Individual
- (2) – Required where property owner is a Limited Liability Company (LLC)
- (3) – Required where property owner is General Partnership (GP), Limited Partnership (LP) or Limited Liability Partnership (LLP)
- (4) – Required where property owner is a Corporation
- (5) – Required where property is owned by a Trust

(Attach additional sheets if necessary)

Owner's Signature (1) Individual

- All owners listed on the deed must sign
- Notary not required

Property Owner Printed Name Carroll Gregory Stocks

Property Owner Signature Carroll Gregory Stocks Date 11-18-2024

Property Owner Printed Name Jerry Keith Gregory

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

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- (4) – Required where property owner is a Corporation
- (5) – Required where property is owned by a Trust

(Attach additional sheets if necessary)

Owner's Signature (1) Individual

- All owners listed on the deed must sign
- Notary not required

Property Owner Printed Name Lea Anne Curlee Webb

Property Owner Signature *Lea Anne Curlee Webb* Date 11/17/2024

Property Owner Printed Name David A. Webb

Property Owner Signature *David A. Webb* Date 11/17/2024

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Part 4: Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests. Submit original signatures.

Check applicable sub-section(s)

- (1) – Required where property owner is an Individual
- (2) – Required where property owner is a Limited Liability Company (LLC)
- (3) – Required where property owner is General Partnership (GP), Limited Partnership (LP) or Limited Liability Partnership (LLP)
- (4) – Required where property owner is a Corporation
- (5) – Required where property is owned by a Trust

(Attach additional sheets if necessary)

Owner's Signature (1) Individual

- All owners listed on the deed must sign
- Notary not required

Property Owner Printed Name Jerry K. Gregory

Property Owner Signature *Jerry K. Gregory* Date 11/20/24

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Part 4: Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests. Submit original signatures.

Check applicable sub-section(s)

- (1) – Required where property owner is an Individual
- (2) – Required where property owner is a Limited Liability Company (LLC)
- (3) – Required where property owner is General Partnership (GP), Limited Partnership (LP) or Limited Liability Partnership (LLP)
- (4) – Required where property owner is a Corporation
- (5) – Required where property is owned by a Trust

(Attach additional sheets if necessary)

Owner's Signature (1) Individual

- All owners listed on the deed must sign
- Notary not required

Property Owner Printed Name Carol Gregory Stock
Property Owner Signature _____ Date _____

Property Owner Printed Name Jerry Keith Gregory
Property Owner Signature _____ Date _____

Property Owner Printed Name Victoria H. Gregory
Property Owner Signature Victoria H. Gregory Date 11-19-24

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Trinity PDD Minor Rezoning Application: Exhibit A
Owner Information Addendum

Parcel 1

Owner: Jerry K. Gregory
Owner Address: 3045 NC Hwy 89 W, Danbury, NC 27016-7374
PIN: 0774345805
REID: 0143433
Site Address: 0 Chapel Hill Road, Cary, NC 27513
Acreage: 3.18 ac

Parcel 2

Owner: Victoria H. Gregory
Owner Address: 1321 Trinity Road, Cary, NC 27513-6211
PIN: 0774355233
REID: 0119931
Site Address: 0 Trinity Road, Cary, NC 27513
Acreage: 4.23 ac

Parcel 3

Owner: Victoria H. Gregory
Owner Address: 1321 Trinity Road, Cary, NC 27513-6211
PIN: 0774347672
REID: 0119933
Site Address: 1209 Trinity Road, Cary, NC 27513
Acreage: 2.24 ac

Parcel 4

Owner: Lea Anne Curlee Webb & David A. Webb
Owner Address: 1215 Trinity Road, Cary, NC 27513-6210
PIN: 0774348839
REID: 0038631
Site Address: 1215 Trinity Road, Cary, NC 27513
Acreage: 1.36 ac

Parcel 5

Owner: Carroll Gregory Stocks & Jerry Keith Gregory
Owner Address: 6503 King Lawrence Road, Raleigh, NC 27607-4906
PIN: 0774358174
REID: 0026470
Site Address: 1317 Trinity Road, Cary, NC 27513
Acreage: 1.67 ac

Parcel 6

Owner: Victoria H. Gregory
Owner Address: 1321 Trinity Road, Cary, NC 27513-6211
PIN: 0774352250
REID: 0118327
Site Address: 1321 Trinity Road, Cary, NC 27513
Acreage: 3.45 ac

Parcel 7

Owner: Jerry K. Gregory
Owner Address: 3045 NC Hwy 89 W, Danbury, NC 27016-7374
PIN: 0774343722
REID: 0273668
Site Address: 0 Tecumseh Court, Cary, NC 27513
Acreage: 0.66 ac

Total Acreage: 16.79 acres

Trinity PDD Minor Rezoning Application: Exhibit B
Part 3B: Rezoning Justification Statement #1

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following criteria when reviewing all proposed rezonings:

- 1. The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;*

The proposed Trinity Planned Development District (“Trinity PDD”) seeks to replace three single family homes with multifamily housing to activate a prominent corner in Eastern Cary. This rezoning responds to Cary’s increasing demand for housing stock and housing diversity by providing up to 375 multifamily units at the corner of Chapel Hill Road and Trinity Road. The site is in close proximity to jobs, I-40, and existing commercial and office uses and will provide the opportunity to create an integrated mixed use area.

- 2. The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;*

The proposed rezoning is consistent with the “Heritage Neighborhood” designation on the Future Growth Framework Map of the Cary Community Plan. Heritage Neighborhoods “encompass and describe neighborhoods and housing that were built during Cary’s first suburban boom, starting in the 1960s and continuing into the early 80’s. These first ring suburbs include a rich and wide variety of housing types, unit sizes, lot sizes, and densities. Amongst the four neighborhood categories, Heritage Neighborhoods and Mixed Neighborhoods contain the greatest variety and intermingling of housing types.” These areas are also characterized by a variety of housing sizes and price points, mixed housing types, and well-connected road networks, and properties with existing development may be redeveloped to include higher-density residential uses. Appropriate zoning includes Planned Development Districts. *See Cary Community Plan pg. 94.*

This requests proposes to create the Trinity PDD to allow a multifamily mixed-use development, providing a greater variety of housing densities and types in the area while creating a transition between single-family neighborhoods and commercial uses. The proposed development includes regulations limiting height to a maximum of four story buildings that frame Chapel Hill Road and Trinity Road, with pedestrian connections to surrounding properties in order to create a walkable, active pedestrian realm at a busy intersection.

The proposed rezoning is also consistent with Policies 2 and 5 of the Live Chapter, Policies 3, 5, 6 and 8 of the Shape Chapter, and Policy 3 of the Move Chapter of the Cary Community Plan, as discussed below.

- 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;*

The Town can provide services to this property while maintaining sufficient levels of service to existing development. The site will need to be annexed into the Town’s corporate limits, but

the site is contiguous to existing corporate limits, and sewer and water utilities are located directly adjacent to the site.

4. *The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;*

The proposed rezoning will not have significant adverse impacts on the natural environment. The applicant anticipates bringing the property into compliance with all such LDO regulations, which will have a net positive impact on the environmental aspects of the property. Further, the proposed rezoning contains conditions protecting open space, champion trees, and riparian buffers.

5. *The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and*

The proposed zoning classification will not have an adverse impact on other properties in the vicinity of the proposed rezoning. The increased residential density will help support the surrounding commercial and single-family uses, and is compatible with the other residential uses in the area. Further, the rezoning will provide an appropriate transition between the existing single-family neighborhoods to the north and west with the commercial areas to the east and south.

6. *The proposed zoning classification is suitable for the subject property.*

The proposed zoning classification is suitable for the subject Property. The request will permit residential uses to allow for more housing supply in order to meet the demand for additional housing. As depicted in the concept plan, the subject property is of sufficient shape, size, and location to accommodate the proposed residential development.

Rezoning Justification Statement #2

Describe how the proposed rezoning is consistent with or supported by the visions and policies of the Cary Community Plan.

Growth Framework Map

The rezoning site is designated within a “Heritage Neighborhood” on the Future Growth Framework Map of the Cary Community Plan. Heritage Neighborhoods “include a rich and wide variety of housing types, unit sizes, lot sizes, and densities,” and are one of two neighborhood designations with the “greatest variety and intermingling of housing types.” Predominant use types include large and small multi-family, and appropriate zoning includes Planned Development Districts. *See Cary Community Plan pg. 94.*

This request proposes to create the Trinity PDD to allow a multifamily mixed-use development positioned between single family neighborhoods to the north and west and commercial areas to the south and east. This request would permit a greater variety of housing densities and types in the area, promote appropriate transitions between single-family and commercial uses, and activate an underutilized site at the corner of Chapel Hill Road and Trinity Road. Therefore, the proposed Planned Development District zoning directly conforms with the Heritage Neighborhood recommendations.

Cary Community Plan

The rezoning is consistent with the following Chapters of the Cary Community Plan (“CCP”).

Chapter 2: Live

The Live Chapter of the CCP recognizes the importance of providing quality housing options in convenient locations to attract the “missing millennial” population in Cary. This group represents the largest source of demand for new rental housing and values convenience to employment centers, housing affordability, and proximity to commercial areas and interstate I-40. CCP pg. 16-17.

- **Policy 2: Provide More Housing Choices for All Residents.** *Provide high quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, cultures, market preferences, and incomes. This includes dwellings for aging seniors and empty nesters, multi-generational households, young professionals, young families, and members of the local workforce.*

The intent of this policy is to recognize and accommodate for the fact that Cary’s residents increasingly reflect a diverse mix of family/household sizes, ages, races and ethnicities, incomes, and needs and abilities. A diversity of housing products is and will be needed to meet the needs of these residents. One particular objective of this policy is encouraging an adequate supply of housing suitable for a growing diversity of household types. This

request is consistent with this policy by not only increasing the housing supply in a walkable in close proximity to employment centers and major thoroughfares, but also providing additional housing variety to meet the needs of the diverse mix of Cary residents.

- **Policy 5: Support Residential Development on Infill and Redevelopment Sites.** *Support residential development on infill and redevelopment sites that is designed to acknowledge the surrounding context, while supporting other LIVE policies.*

The intent of this policy is to support and encourage the development of residential infill and redevelopment sites using designs that complement and/or transition to adjacent neighborhoods and residences

The proposed rezoning achieves Policy 5 by enabling the redevelopment of the site to replace three single-family homes with a multi-family, mixed use development. The site is located on a busy corner between a single-family neighborhoods and commercial uses, and thus the proposed rezoning will permit a thoughtful transition with a development containing high-quality materials, green space, and appropriate buffers to fit the context of the area.

Chapter 6: Shape

- **Policy 3: Encourage Mixed Use Development.** *Support the creation of developments and locations that include a mix of commercial/retail uses, office and employment, and housing. Site designs should encourage future densification of sites.*

The intent of this policy is to recognize and accommodate both the growing public and market preference for mixed use destinations, as well as to obtain the public benefits associated with mixed use development. Mixed use areas may emerge either whole-cloth in individual development projects, or as the aggregate result of a number of adjacent single-use projects. The mixing of uses might occur either vertically (two or more uses within individual buildings), or horizontally (different uses sited side-by-side in adjacent buildings or parcels). The proposed rezoning is consistent with Policy 3 because it adds multi-family or townhouse residential to the horizontal mix of uses in the nearby area while also providing a vertical mix of uses in one building along Chapel Hill Road.

- **Policy 5: Support the Revitalization of Targeted Redevelopment Corridors.** *Support the revitalization of a select number of targeted “redevelopment corridors” – thoroughfare corridors in older portions of Town where conditions have changed over time. Redevelopment corridors offer new opportunities for economic investment, and for improving the overall image of Cary.*

The intent of this policy is to help strengthen the economic health and visual appeal of specific thoroughfare corridors. Example corridors could include sections of Maynard Road, Kildaire Farm Road, Walnut Street, and Chapel Hill Road. Policy objectives should may include encouraging reinvestment in properties, including building renovations and/or repurposing; encouraging and facilitate new infill development and redevelopment of underperforming or distressed corridor properties; and capitalizing on corridor location and visibility, access to transit and roadway connections, and/or access to adjacent neighborhoods, employment, or amenities. This rezoning meets Policy 5’s objectives by

redeveloping a site with aging single-family homes at the corner of Chapel Hill Road and Trinity Road by reinvesting in the site to provide a residential mixed-use development.

- **Policy 6: Provide Appropriate Transitions Between Land Uses.** *Support the provision of appropriate transitions between sites having markedly different types or intensities of land uses.*

The intent of this policy is to provide for harmonious transitions between different types and intensities of land uses, to help mitigate any negative impacts that a development might have on an adjacent site. This policy embraces the principle that transitions between developments can be achieved by a number of methods, applied either singularly or in combination.

Strategies include use transitions such as designating a mediating use in the transitional space between incompatible uses, such as multifamily residential as an intermediate use between a shopping center and a single family neighborhood. This request is consistent with Policy 6 because multifamily apartments or townhomes would serve as an intermediate use transition between the single-family neighborhoods to the north and west and the commercial uses to the east and south.

- **Policy 8: Preserve and Maintain Cary's Attractive Appearance and Quality of Development.** *Preserve and maintain Cary's attractive appearance, with particular attention to the appearance of – and views from – our public spaces, while also encouraging high quality and attractive development.*

The intent of this policy is to maintain the attractive visual qualities of Cary's community, and encourages high-quality development that embraces exceptional site design, architecture, and construction. This policy is concerned with the appearance of three different aspects of the community: public areas, public views, and private views.

This request is consistent with Policy 8 because the proposed architectural and landscaping commitments will ensure a high-quality development that improves and appearance of the site from both the adjacent roadways and within the site. Parking will be located internally within the site, with the majority of parking located in a structured deck concealed by multi-family buildings. The redevelopment will also provide appropriate streetscapes and preserve champion trees along both roadways.

Chapter 7: Move

- **Policy 3: Design Transportation Infrastructure to Address Land Use Context.** *Incorporate transportation improvements along corridors in a context-sensitive way, balancing community character, historic preservation, environmental protection, and aesthetics with transportation and mobility needs.*

This policy focuses on recognizing the connection between transportation and land use, and that different intensities and types of land use require various transportation elements and configurations of transportation infrastructure. This request is consistent with Policy 3 by incorporating context-sensitive transportation improvements. Beyond the required public street improvements along the site's frontage, this includes an appropriately scaled

internal roadway network with cross access to All Saints Place and Covenant Creek Drive. In addition, an internal pedestrian network with connect to the adjacent greenway network in order to provide residents with various transportation options to access the nearby residential and commercial uses.

Rezoning Justification Statement #3

Section 3.4.3(E) of the Land Development Ordinance states that Council should consider the following considerations when reviewing proposed rezonings to a Planned Development District. *These considerations are in addition to those stated in Section 3.4.1(E),*

1. *The PDD designation is necessary to address a unique situation or represents a substantial benefit to the Town, compared to what could have been accomplished through strict application of otherwise applicable zoning district standards; and*

The property is currently zoned R-40, and the proposed PDD zoning will enable a higher quality development for this large assemblage. Further, one single family home will remain on 2 undeveloped acres of the site, and the PDD rezoning will permit a variety of standards to apply to the different uses. The rezoning represents a substantial benefit to the Town as identified in the Cary Community plan because it provides for diverse housing options to meet the needs of Cary residents.

2. *The request complies with the PDD standards of Section 4.2.3.*

The request complies with the PDD standards in the LDO by providing uses and design elements that are compatible with the surrounding land uses and neighborhood character, and providing direct access between residential and nonresidential uses in close proximity.