

**Town of Cary, North Carolina
Mixed Use Sketch Plan Data Sheet
07-MU-004 Silverton/Brier Ridge MUSP**

Kevin Hales, Case Manager

REQUEST

The applicant is requesting Council approve a Mixed Use Sketch Plan to allow for the development of 328 multi-family dwelling units and 25,000± square feet of Office space on approximately 22± acres. The property is located in the western quadrant of the intersection of Northwest Cary Parkway with Evans Road.

There is an associated PDD Amendment to the Silverton PDD (07-REZ-13) in review with this case.

The purpose of the Mixed Use Overlay District is to enable the development of lands in areas designated as mixed use centers on the Land Use Plan Map in accordance with the guidance of Comprehensive Plan and individual mixed use sketch plans. It is intended to promote higher-density, mixed-use developments of varying sizes, as an alternative to lower-density separate-use suburban sprawl-type development.

Mixed use sketch plans are conceptual documents that address the general density, mix of uses, and development patterns within a mixed use center. They are less detailed than the site plans required for full site plan review. The intent is to provide sufficient information to determine consistency with the Comprehensive Plan and the Town's Design Guidelines. Specific development issues must be addressed for compliance with existing requirements specified in the Land Development Ordinance (LDO) when the site plan is submitted. All such requirements can be found at <http://vic.townofcary.org>.

BACKGROUND INFORMATION

Applicant	Jerry Turner Jerry Turner and Associates, Inc. 905 Jones Franklin Road Raleigh, NC 27606 (919) 851-7150 jturner@jerryturnerassoc.com		
Agent	Glenda Toppe Jerry Turner and Associates, Inc. 905 Jones Franklin Road Raleigh, NC 27606 (919) 851-7150 gtoppe@jerryturnerassoc.com		
Acreage	22.03+/-		
General Location	Western quadrant of intersection of Northwest Cary Parkway and Evans Road.		
Hearings / Meetings	Public Hearing Aug 9, 2007	Planning & Zoning Nov 19, 2007*	Town Council Dec 13, 2007*
Land Use Designation	Office & Institutional (OFC/INS)		
Town Limits	Within Corporate Limits		
Annexation	Not Required.		
Valid Protest	Will be determined immediately prior to Public Hearing		
P&Z Recommendation	TO BE PROVIDED AFTER P&Z MEETING		
Existing Use	Vacant		
Proposed Use	Multi-family Residential (328 units), Office (25,000± square feet)		

* Future meeting dates are tentative

CONSISTENCY WITH THE COMPREHENSIVE PLAN

A. Land Use Plan: This request conforms with the adopted Land Use Plan; the subject parcels are within the Silverton Neighborhood Mixed Use Center. The current land use designation is Office/Institutional, and the proposed uses are appropriate in a mixed use center.

B. Growth Management Plan:

The Growth Management Plan includes the following three Guiding Principles which are relevant to this case:

1. R1 Guiding Principle: Ensure that adequate infrastructure and services are available concurrently with new development.
Analysis: Two of the four quadrants of this Neighborhood Mixed Use Center are developed. The quadrant that the subject parcels are in is partially developed. Services will be 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.
Analysis: The Silverton Mixed Use Center currently includes about 137,000 square feet of office/institutional space. The nearby SAS Regional Mixed Use Center currently includes about 724,000 square feet of office/institutional space. There are also several employers along the Weston Parkway corridor.
3. A1 Guiding Principle: Increase permitted densities in preferred growth areas to encourage desired forms of development.
Analysis: As per the Comprehensive Plan, most of the town's high-density housing should be conveniently concentrated within or adjacent to mixed use centers.

C. Affordable Housing Plan: Some of the applicable goals from the Affordable Housing Plan include:

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.

Affordable housing is defined as dwelling units that cost no more than 30% of the income of families and individuals earning 80% (for buyers) or 60% (for renters) or less of the area median income of \$71,600, adjusted for family size (2006 HUD Data).

D. Transportation

Existing Section: Evans Road: approx. 80' ROW; Cary Parkway.: 100' ROW

Future Section: Evans Road: 124' ROW, 6-lanes; Cary Parkway.: 100' ROW 4-lanes

Road Improvements: None scheduled

Sidewalks Requirements: Sidewalks required on both sides of Cary Parkway. and Evans Road

Bicycle Requirements: 14' wide outside lanes required on both sides of Cary Parkway and Evans Road

Transit Requirements: **Ray B**

Traffic Analysis: A traffic study request (07-TAR-264) has been submitted to the TOC from this applicant. The draft study will be complete on August 13th. Staff review to follow.

E. Parks & Greenways: According to the approved Parks, Recreation and Cultural Resources Facilities Master Plan a 10' wide greenway trail is to be located along the northern and eastern edge of the property. A recreation payment-in-lieu will be required for any subdivided residential development in accordance with the Land Development Ordinance. According to the Open Space and Historical Resources Plan (OSHRP) this site was not identified as significant/proposed open space.

F. Environmental: According to the Town of Cary GIS maps, there may be some impact from Urban Transition Buffers on the project. The extent of these buffers on the ground will be field determined and at that point the project will be required to comply with all buffer requirements of the Land Development Ordinance during the site plan approval process.

G. Buffers: The project is located within the Silverton PDD and will be subject to all of the buffer requirements stated in the approved PDD document except as may be amended in the associated rezoning case (07-REZ-13). The current buffers proposed are a 50' buffer along the western property line (for a total of 100' adjacent to Weston Place Townhouses) and a 20' buffer along the northern property line (for a total of 70' adjacent to the proposed Cary Church of God facility).

H. Streetscape: Per the Silverton PDD, the applicant is required to provide a 30' streetscape along both Northwest Cary Parkway and Evans Road.

CONSISTENCY WITH THE LAND DEVELOPMENT ORDINANCE

The proposed project is in the mixed use sketch stage and therefore, only preliminary engineering of the site has been done. Prior to Site Plan or Subdivision Plan approval, the application will be required to demonstrate consistency with the Land Development Ordinance with respect to specific development requirements, such as access, stormwater management, road improvements, utility line placement, road connectivity and landscape plantings.

Existing and Requested Zoning District Comparison:

District Regulations	Existing Zoning (PDD Major)	Requested Zoning (XX)
Maximum Gross Density (du/ac)	N/A	17.31 du/acre
Street Setback	30'/50'*	30'/50'*
Maximum Building Height	35'/50'***	35'/50'***

* Standard non-residential setbacks require 30' from any roadway with 50' provided if parking is located between the Building and roadway. Within a Mixed Use Center with an approved Sketch Plan (Alston Activity Center Plan) streetscapes may be reduced to a minimum of 10' based on design criteria that are met.

** Building height is 35' maximum within 100' of a residential zoning boundary, 50' outside of 100' boundary. Height maximums may be increased based on an increased setback from any roadway.

TOWN COUNCIL CRITERIA FOR CONSIDERATION IN REVIEWING MIXED USE SKETCH PLANS:

Proposed mixed use sketch plans shall be reviewed for compliance with the following approval criteria where deemed appropriate (i.e., it may not be practical for some existing or partially-built mixed use district to achieve certain design standards).

Section 4.4.2 (J) of the Land Development Ordinance sets forth the following criteria that Council should consider in reviewing mixed use sketch plans.

- (1) The mixed use sketch plan has been prepared consistent with the requirements of this Section and the Land Use Plan;
- (2) The mixed use sketch plans includes an appropriate mix of land uses for the overall activity center, including residential, commercial, office, and institutional uses;
- (3) The mixed use sketch plans will meet or exceed Town design guidelines and other established Town standards;
- (4) The mixed use sketch plans includes medium- and higher-density housing;
- (5) The mixed use sketch plans includes some formal outdoor space for public use, such as a park, village green, or plaza; larger mixed use centers should include more such space than smaller centers; and
- (6) The mixed use sketch plans demonstrates that there has been participation by residents, property owners in the surrounding neighborhoods, and the Town, so that the proposed development responds specially to the unique conditions of the area.

OTHER REFERENCE INFORMATION

Schools

The school information is being provided for your review; however, the Wake County Board of Education controls capital projects for school capacities.

School Information				
Assigned Schools*	20th Day Enrollment*	Permanent Seat Capacity¹	Average Percent Occupied	Projected Range of Additional Students²
Northwoods Elementary School	570	531	107%	18
West Cary Middle School	1119	1014	110%	8
Panther Creek (9-11) High School	893	1663	54%	6 ³
Cary High School (12)	2095	2458	85%	6 ³
Total Projected range of additional students				0-32

¹ *Current Enrollment and Building Capacity* is based on the 20th day of the school year for 2006-2007 as supplied by the Wake County Public School System. School assignment will be determined at the time of development.

² The *Projected Number of Additional Students* is only a rough approximation. The actual number of students will vary depending on several variables, such as dwelling unit type, number of bedrooms, dwelling size, and other factors. For example a site with 134 two-bedroom units could yield 27 additional students, while 134 three bedroom units could yield 100 students. The basis for making this calculation is based on multipliers provide from Wake County Schools Office of Student Assignment. At Rezoning, student yield can not be accurately determined due to unknown variables.

³ *High School Projected Students* are a total of all high school students and should not be counted twice when looking for a total number of new students. Wake County Public Schools has not provided a multiplier for each grade level.

Applicant’s Justification Statement Submitted (DATE)

The following statements are provided by the applicant in response to the criteria established in the application and does not necessarily represent the views or opinions of the Town of Cary. Any statements as to the type, quality or physical features are at the direction of the applicant and may be formulated into a condition):

[INCLUDE APPLICANT'S JUSTIFICATION]