

TOWN OF CARY
27512
Planning Department

Draft + Received

Town of Cary

Submit to the Planning Department, P.O. Box 8005, Cary, NC

AUG 19 2019

NOV 20 2019

NOV 20 2019

For office use only:

Development Services

Rezoning Case #

DEVELOPMENT SERVICES

Payment Method: CASH ☐ CHECK ☒ CREDIT CARD ☐ Amount: \$ 3800 P&Z HTE# 20-4521

APPLICATION FOR REZONING

Associated Annexation Petition Yes No

Traffic Impact Study

Yes TAR Number: 19-TAR-447

No Staff confirmation: Initials AN Date 8/20

This application is deemed sufficiently complete for purposes of submittal.

Planning Staff Signature

Debra Gannan Date 11/20/19

Submittal deadlines incorporate sufficiency review of rezoning/land use plan amendment applications. Signature by Planning Staff is required prior to payment of fees and final acceptance of application.

STAFF USE ONLY: Circle applicable Parts: 1 2 3A/B1 3B2 3B3 3B4 3C1 3C2 3C3 3C4 3D 3E1a 3E1b 3E2 3F

Fees will not be accepted until the application is deemed sufficiently complete and signed by Planning Staff.

REZONING FEE:

\$1,400.00 - 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

\$1,900.00 - Conditional use rezoning (per change of zoning classification requested)

\$2,500.00 - Mixed Use District Rezoning (New MXD, or major amendment to existing PDP)

\$500.00 - Mixed Use District Rezoning (Minor amendment to existing PDP - typically less than 50% of floor area, number of units, etc.)

\$2,500.00 - New application or major amendments to approved Major PDD

\$1,250.00 - Minor PDD or Minor Amendment to Existing PDD

NOTE: 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.

Project Name		Mt. Pisgah Rezoning
Name of PDD (if applicable)		N/A
Location	Address	1620, 1830, 0 New Hope Church Rd.; 0, 0, 1832, 1700 Mt. Pisgah Church Rd.
	General Location	West of New Hope Church Rd., and east of Mt. Pisgah Rd., and south of the intersection of Mt. Pisgah Church Rd. and New Hope Church Rd.
	Jurisdiction (check one)	Cary Corporate Limits Cary ETJ Wake Co.* Chatham Co.* * Submittal of an annexation petition is required if rezoning is requested

Updated: February 2017

Part 1: Applicant Information

Applicant	Applicant's Contact
Name Troy George Firm Lennar Carolinas, LLC Address 1100 Perimeter Park Drive, Suite 112 City, State, Zip Morrisville, NC 27560 Phone (area code) 919-309-6637 Email tim.lengen@lennar.com	Name Glenda Toppe Firm Glenda S. Toppe & Associates Address 4139 Gardenlake Drive City, State, Zip Raleigh, NC 27612 Phone (area code) 919-605-7390 Email glenda@gstplanning.com
Name GIBBONEY TERENCE & SANTOS Address LOURDES City, State, Zip 1850 NEW HOPE CHURCH RDCLE Apex, NC 27523 Phone (area code) Email	

Part 2: Parcel & Owner Information

Property Owner(s) <i>Provide property owner name and address as it appears in the Wake or Chatham County Tax Records,</i>	Chatham PIN	Parcel ID	Deeded Acres ¹
Name HORIL KEITH & HORIL JAMIE Address 1128 TWIN CREEK RD City, State, Zip APEX, NC 27523	PIN 0715 00 74 7667 (portion of)	Parcel ID 0019879 (portion of)	3.426 (Out of a total of 5.0006 acres)
Name HORIL KEITH & HORIL JAMIE Address 1128 TWIN CREEK RD City, State, Zip APEX, NC 27523	PIN 0715 00 74 4409	Parcel ID 0079886	14.676
Name WHITE BROTHERS PROPERTIES LLC Address 302 FERN VALLEY LN City, State, Zip APEX, NC 27523	PIN 0715 00 73 5853	Parcel ID 0019875	10.004
Name HORIL KEITH & HORIL JAMIE Address 1128 TWIN CREEK RD City, State, Zip APEX, NC 27523	PIN 0715 00 83 0823	Parcel ID 0082722	1.456

Name HORIL KEITH & HORIL JAMIE Address 1128 TWIN CREEK RD City, State, Zip APEX, NC 27523	PIN 0715 00 73 5273	Parcel ID 0081204	25.547
Name RIVER BEND VENTURES LLC Address 9908 CAPE SCOTT WAY City, State, Zip RALEIGH, NC 27614	PIN 0715 00 83 2670	Parcel ID 0088000	4.669
Name HODGE DONNA L TRUSTEE Address 3487 ROCKY GAP PL City, State, Zip COCOA, FL 32926	PIN 0715 00 83 9330	Parcel ID 0065997	24.976
Name GIBBONEY TERENCE & SANTOS LOURDES Address 1850 NEW HOPE CHURCH RDCLE City, State, Zip Apex, NC 27523	PIN 0715 00 84 2374, 0715 00 84 3186, 0715 00 84 5087	Parcel ID 0087997, 0087998, 0087999	2.875, 3.892, 3.137
Total Acres	94.658		
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.			

Part 3A: Rezoning Request

Pre-Application Conference: Yes Date: April 10, 2019 No

Existing Zoning	Base Zoning District(s)	R-1 (Chatham County)
	Zoning Overlay District(s) <i>Check any that apply</i>	Mixed Use Overlay District (Name: _____) Conservation Residential Overlay District Airport Overlay District Watershed Protection Overlay District Jordan Lake Jordan Lake Critical Area Swift Creek Historic Preservation Overlay District
	Zoning Conditions <i>(if any)</i>	N/A
Proposed Zoning	Proposed Base Zoning District(s)	Transitional Residential Conditional Use (TR-CU) and Residential 40 Conditional Use (R-40 CU)
	Proposed Zoning Conditions	Zoning conditions are proposed and included in attached affidavit.
	Proposed Changes to Overlay Districts	Jordan Lake Overlay District
	Summary of Proposed Development or Purpose of Request	Two different zoning classifications are being requested. 1. TR-CU: Detached residential with a maximum density of 1.8 units per acre. The minimum lot size is 7,000 square feet. Other conditions are listed in the affidavit Exhibit A. 2. R-40 CU: Uses are limited to those listed in the affidavit.

Part 3B: Applicant's Rezoning Justification Statement(s)

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

Describe how the proposed rezoning meets the criteria listed below.

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;
Applicant's Comments: There are two parts to this rezoning request. The TR-CU being proposed provides a housing type that is identified in the Cary Community for this location. The R-40 CU allows property currently located in Chatham County to be rezoned with a similar zoning classification as what they currently have in Chatham County.
- (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: The proposed rezoning is consistent with the Cary Community and the Chatham Cary Joint Land Use Plan. The subject property is located in the Chatham Cary Joint Land Use Plan. The Joint Plan designates the subject property as low density with a density up to two (2) dwelling units per acre. The designation on the Future Growth Framework Map for the subject property is Suburban Neighborhoods. The predominant use type is detached residential, large and small. A significant amount of open space is being preserved in exchange for smaller lots. Furthermore, a housing type is being offered for a sector of the population that is identified in the Cary Community Plan, seniors. The lot sizes being proposed are consistent with the type of housing built for seniors. The R-40 CU complies with the Cary Community Plan. The properties are being annexed and will have a similar zoning classification as what they have now in Chatham County.
- (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: The Town will be able to provide sufficient services to all parcels 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;
Applicant's Comments: The proposed rezoning will not have significant adverse impact on the natural environment. The LDO provides regulations to ensure there is no negative impact on the natural environment. Stormwater management will be contained on site.
- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and
Applicant's Comments: The proposed rezoning will not have an adverse impact on other properties in the vicinity of the proposed rezoning. The proposed rezoning is compatible with the adjacent residential development. All development will meet the requirements of the LDO.
- (6) The proposed zoning classification is suitable for the subject property.
Applicant's Comments: The proposed zoning classifications are suitable for this location. The Cary Community Plan encourages more housing choices for all residents. This is being provided as per the zoning condition limiting the housing to age-restricted. The proposed density is low and a significant amount of open space is being provided to ensure compatibility with surrounding development. The R-40 CU request will allow the properties to maintain their current use.

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](#). *Attach additional sheet if necessary.*

SEE ATTACHMENT DOCUMENTATION FOR STATEMENT #2

____ Chapter, Policy ____

____ Chapter, Policy ____

____ Chapter, Policy ____

____ Chapter, Policy ____

REZONING JUSTIFICATION STATEMENT #2 (TR-CU)

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 Growth Framework Map designates the subject property as a Suburban Neighborhood. The predominant use type in a Suburban Neighborhood is single-family detached (large and small).

The subject property is located in the Chatham Cary Joint Land Use Plan. The land use designation on the Joint Land Use Plan Map for the property is Low Density Residential (LDR). LDR is defined as a density up to two (2) dwelling units per acre with uses including single-family detached and attached.

The property is located in Chatham County and has a base zoning district of R-1 (Chatham County). An annexation petition to have the property annexed into the Town of Cary will be filed as part of the rezoning process. The proposed rezoning district is Town of Cary TR-CU or Transitional Residential Conditional Use.

The proposed zoning conditions limit the uses to age-restricted single-family detached and neighborhood residential. The proposed density for the development is a maximum of 1.8 dwelling units per acre. The minimum lot size is limited by zoning condition to no less than 7,000 square feet. The proposed rezoning, including the conditions being voluntarily offered, clearly meets the intent of the of the Suburban Neighborhood designation and LDR designation in the Joint Plan by limiting the residential development to single-family detached units on lots not less than 7,000 square feet as well as limiting the total number of units through the voluntarily proposed zoning density.

Within the Suburban Neighborhood designation, smaller lots are appropriate if a significant amount of open space is being protected. There is a significant amount of open space being provided by way of buffers, streetscapes and the preservation of stream buffers. This plus the lot size and density conditions enable the provision of a generous amount of open space in the proposed development.

The use of smaller lots is also justified due to the type of housing being offered with this rezoning. By zoning condition, all units are age-restricted with lot sizes being smaller than traditional housing developments.

There will be a private community recreation facility and common area land managed by its residents as outlined in the Suburban Neighborhood designation.

The proposed rezoning is in conformance with the Chatham Cary Joint Land Use Plan and the Growth Framework Map with numerous policies contained in the Cary Community Plan as listed below.

CHAPTER 1. FOUNDATIONS

The property proposed for rezoning occupies a unique geographic location near the eastern edge of land in Chatham County that will ultimately come under the Town of Cary's jurisdiction via annexation into Cary and development thereon as identified in the Chatham Cary Joint Land Use Plan. With the adoption of the Joint Plan, the subject property was identified as being part of Cary's Future Planning Area. This meant the property would develop under Town of Cary regulations with water and sewer being provided by Cary.

While this location may be seen by some as remote, it is not. Development has occurred to the east of this property as per the Joint Land Use Plan. The proposed rezoning is part of a pocket of land that has remained undeveloped bounded by Mt. Pisgah Church Road on the West and New Hope Church Rd. on the North. Given the prime location of the property, it is ideal for the planned use of the property. The Foundations Chapter notes facts, trends, and themes in Cary that are applicable to this property and they include the need for diversity in housing choices and the need for environmentally sound development. The proposed rezoning is consistent with these themes and needs.

CHAPTER 2. LIVE

The Live Chapter of the Cary Community Plan identifies an aging population as the first challenge and opportunity in this chapter. This portion of the Live section goes on to more specifically identify that aging seniors are seeking more housing alternatives for this phase of their lives.

Policy 2: Provide more housing choices for all residents. This policy addresses providing high quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, cultures, market preferences and incomes. An important objective of this policy is to encourage an adequate supply of housing for Cary's growing senior population, which might include smaller homes, small-lot homes, patio homes, multifamily housing, life care communities, and other options at diverse price points.

The proposed rezoning complies with this policy by providing housing for seniors. The homes are one-story and are situated on smaller lots. Seniors prefer smaller lots that require minimal or no maintenance.

Policy 3: Provide for more housing options in new neighborhoods. The intent of this policy is "to make an increased mix of housing options in developing parts of town." This location is considered a developing part of Cary. Parcels to the east of the subject property that are within the Joint Land Use Plan have developed. As demand for new housing has continued along with the demand for housing for seniors, this location is very desirable for new development. The predominant use in this general area is single-family large lot. The proposed use will provide

another housing option for people wanting to live in this part of the Triangle and be a part of Cary.

Policy 5: Support residential development on infill and redevelopment sites that is designed to acknowledge the surrounding context while supporting other Live policies.

This greenfield site can be considered an infill site because new development has continued to move toward this property even though it is near the outer boundary of Cary's planned jurisdictional expansion. The proposed rezoning, with its conditions, is a classic example of working with the surrounding context. The modest density, protection of the drainage ways, and the use of buffers and open space demonstrates respect for the property and the neighboring properties. The proposed rezoning is an extremely good fit for the property and for the area and is consistent with this Policy 5.

CHAPTER 4: WORK

Policy 1: Grow a Sustainable and Diversifying Workforce. The proposed rezoning is located in the far northwest region of Cary. RTP, Downtown Durham, Duke University, UNC, and Downtown Chapel Hill are located in close proximity to the property. The site is close to major super highways that enable workers to commute to any of the above referenced destinations or well beyond within a very reasonable amount of time. Due to the location, the proposed development will support the growth of a sustainable workforce.

CHAPTER : SHAPE

The property proposed for rezoning is designated as a Suburban Neighborhood and is part of the Joint Chatham Cary Land Use Plan. The overall maximum density of 1.8 units per acre will assist in efforts to make the design of the project sensitive to existing site natural features as well as the existing development on adjacent properties.

Policy 6: Provide Appropriate Transitions Between Land Uses. The property proposed for rezoning, with an overall maximum density of 1.8 units per acre, will be developed such that adjacent and nearby properties will not be adversely affected by the density.. It will enable the proposed rezoning to blend well with future developments in this area. The proposed development nestles itself into the 86.34 acres while buffering properties both within and adjacent to this acreage.

REZONING JUSTIFICATION STATEMENT #2

(R-40 CU)

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 Growth Framework Map designates the subject property as a Suburban Neighborhood. The predominant use type in a Suburban Neighborhood is single-family detached (large and small).

The subject property is also located in the Chatham Cary Joint Land Use Plan. The land use designation on the Joint Land Use Plan Map for the property is Low Density Residential (LDR). LDR is defined as a density up to two (2) dwelling units per acre with uses including single-family detached and attached.

The property is located in Chatham County and has a base zoning district of R-1 (Chatham County). An annexation petition to have the property annexed into the Town of Cary will be filed as part of the rezoning process. The proposed rezoning district is Town of Cary R-40 Conditional Use. The density of the proposed rezoning is less than two (2) dwelling units per acre.

The proposed zoning conditions limits the uses to what is currently allowed in the current zoning district.

The proposed rezoning is in conformance with the Chatham Cary Joint Land Use Plan and the Growth Framework Map and with numerous policies contained in the Cary Community Plan as listed below.

CHAPTER 1. FOUNDATIONS

The property proposed for rezoning occupies a unique geographic location near the western edge of land in Chatham County that will ultimately come under the Town of Cary's jurisdiction via annexation into Cary and development thereon as identified in the Chatham Cary Joint Land Use Plan. With the adoption of the Joint Plan, the subject property was identified as being part of Cary's Future Planning Area. This meant the property would develop under Town of Cary regulations with water and sewer being provided by Cary.

The property owners wish to be annexed into the Town of Cary.

CHAPTER 2. LIVE

Policy 2: Provide more housing choices for all residents. This policy addresses providing high quality housing in suitable areas that can accommodate a variety of lifestyles, households, The current house will remain. The property owners want to maintain their home on a large lot.

CHAPTER : SHAPE

The property proposed for rezoning is designated as a Suburban Neighborhood and is part of the Joint Chatham Cary Land Use Plan.

Policy 6: Provide Appropriate Transitions Between Land Uses. The proposed density is lower than what is required as per the Joint Plan. The proposed rezoning will be adequately protected from the proposed TR-CU rezoning.

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

Check applicable sub-section(s)

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

(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants. (No-
tary not required)

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

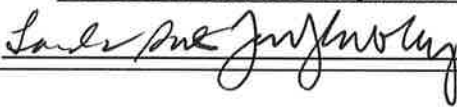
Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

Property Owner Printed Name GIBBONEY TERENCE & SANTOS LOURDES

Property Owner Signature  Date 9/30/2019

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

Check applicable sub-section(s)

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

(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants. (No-ary not required)

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature  Date 8-16-19

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature  Date 8-16-19

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

Property Owner Printed Name HORIL KEITH & HORIL JAMIE

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Part 3C(2): LIMITED LIABILITY COMPANY - The area to be rezoned is owned by a limited liability company properly registered with the State of North Carolina. If 'member managed' all members must sign. If 'manager managed,' all managers must sign. **(Must be notarized).**

Manager-Managed

Manager(s) is/are:

Printed Name ROBERT ROSENTHAL

Signature Robert Rosenthal 8-3-19 Date

Printed Name _____

Signature _____ Date

Printed Name _____

Signature _____ Date

Member-Managed

Member(s) is/are:

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

If member/manager is an individual:

STATE OF NC

COUNTY OF WAKE

I, Robert J. Mermelstein, a Notary Public, certify that Robert Rosenthal
(Name of Notary)

personally came before me this day and acknowledged that he/she is Member / Manager (Circle One) of
RiverBent Ventures, LLC and that he/she, as Member / Manager (Circle One)
(Name)

RiverBent Ventures, LLC and that he/she, as Member / Manager, being authorized voluntarily executed the
(Name of LLC) (Circle One)

foregoing on behalf of said limited liability company for the purposes stated therein.

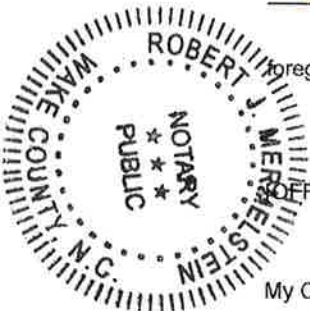
Witness my hand and official seal, this the 3 day of August, 2014

OFFICIAL SEAL

Notary Public

Printed Name of Notary Public

My Commission expires: May 31, 2023



Part 3C(2): LIMITED LIABILITY COMPANY - The area to be rezoned is owned by a limited liability company properly registered with the State of North Carolina. If 'member managed' all members must sign. If 'manager managed,' all managers must sign. **(Must be notarized).**

Manager-Managed

Manager(s) is/are:

Printed Name William Brian White
Signature William Brian White 7-31-19 Date

Printed Name Charles E. White
Signature Charles E. White 7-31-19 Date

Printed Name
Signature Date

Member-Managed

Member(s) is/are:

Printed Name _____

Signature _____

Date _____

Printed Name _____

Signature _____

Date _____

Printed Name _____

Signature _____

Date _____

If member/manager is an **individual**:

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, MARTA FERRANTINO, a Notary Public, certify that WILLIAM BOWEN WHITE AND
(Name of Notary) CHARLES E. WHITE

personally came before me this day and acknowledged that he/she is Member / Manager (Circle One) of

WHITE BROTHERS PROPERTIES LLC and that he/she, as Member / Manager (Circle One)
(Name)

WHITE BROTHERS
PROPERTIES

(Name of LLC), LLC and that he/she, as Member / Manager being authorized voluntarily executed the
(Circle One)

foregoing on behalf of said limited liability company for the purposes stated therein.

Witness my hand and official seal, this the 31ST day of JULY, 2019.



Marta Ferrantino
Notary Public
MARTA FERRANTINO
Printed Name of Notary Public

Member-Managed

Member(s) is/are:

Printed Name

Todd D. Hodge

Signature

Todd D. Hodge trustee

Date

8/1/2019

Printed Name

Signature

Date

Printed Name

Signature

Date

If member/manager is an **individual**:

STATE OF

FLORIDA

COUNTY OF

Brevard

I, ELIZABETH MARTINEZ

(Name of Notary)

a Notary Public, certify that

Todd D. Hodge

personally came before me this day and acknowledged that he/she is Member / Manager (Circle One) of

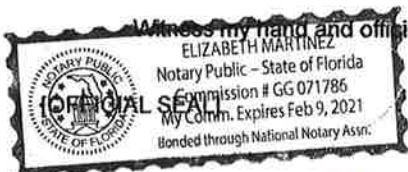
Todd Hodge trustee

(Name)

LLC and that he/she, as Member / Manager (Circle One)

_____, LLC and that he/she, as Member / Manager, being authorized voluntarily executed the
(Name of LLC) (Circle One)

foregoing on behalf of said limited liability company for the purposes stated therein.



Witness my hand and official seal, this the 1 day of August, 2019

Elizabeth Martinez
Notary Public
ELIZABETH MARTINEZ
Printed Name of Notary Public

My Commission expires:

02-09-2019

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, HORIL KEITH & HORIL JAMIE, the fee simple owner(s) of the following described property:
Property Owner Name(s)

AKPAR: 19879, 79886, 82722, 81204

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: (check all that apply)

* **Change the zoning district(s) from R-1 to TR-CU**

Amend zoning conditions applicable to an existing conditional use district

Amend the PDD document and/or Master Plan for the _____ Planned Development District

Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Troy George LENNAR CAROLINAS, LLC is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Horil Keith Owners' Signature(s) 8-16-19 Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 16 day of Aug, 2019



Cornelia Deth

Signature of Notary Public

My Commission Expires: 10-13-2021

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, WHITE BROTHERS PROPERTIES LLC, the fee simple owner(s) of the following described property:
Property Owner Name(s)

AKPAR: 19875

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

* **Change the zoning district(s) from R-1 to TR-CU**

Amend zoning conditions applicable to an existing conditional use district

Amend the PDD document and/or Master Plan for the _____ Planned Development District

Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Troy George LENNAR CAROLINAS, LLC is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Mason H. Beebe

Owners' Signature (s)

7-31-19
Date

Wake

COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 31 day of July, 20 19



Mason H. Beebe

Signature of Notary Public

My Commission Expires: 9-10-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, RIVER BEND VENTURES LLC, the fee simple owner(s) of the following described property:
Property Owner Name(s)

AKPAR: 88000

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- * Change the zoning district(s) from R-1 to TR-CU

Amend zoning conditions applicable to an existing conditional use district

Amend the PDD document and/or Master Plan for the _____ Planned Development District

Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Troy George Lennar Carolinas, LLC is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

[Signature]

Owners' Signature (s)

8-3-19

Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of August, 2019

(Official Seal)

[Signature]

Signature of Notary Public

My Commission Expires:

May 31, 2022



Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, HODGE DONNA L TRUSTEE, the fee simple owner(s) of the following described property:
Property Owner Name(s)

AKPAR: 65997

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

* **Change the zoning district(s) from R-1 to TR-CU**

Amend zoning conditions applicable to an existing conditional use district

Amend the PDD document and/or Master Plan for the _____ Planned Development District

Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Troy George LEMNA CAROLINAS, LLC is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Todd Hodge Trustee
Owners' Signature (s)

8/1/2019
Date

FLORIDA COUNTY, NORTH CAROLINA Breward

SWORN TO AND SUBSCRIBED before me this 1 day of August, 2019

(Official Seal)

Elizabeth Martinez
Signature of Notary Public



My Commission Expires: 02-09-2021