

**Town of Cary, North Carolina
Comprehensive Plan Amendment - Staff Report
13-CPA-02 Twyla Road Part Two
Town Council Meeting
August 8, 2013**

REQUEST

This Town-initiated Comprehensive Plan Amendment is a request for 6.88 +/- acres, between Twyla Road and I-540, to change the land use designation from Very Low Density Residential (VLDR) to Mixed Use (MXD). The NC Department of Transportation requested to be added to the previous Twyla Road Comprehensive Plan Amendment, case 11-CPA-05, which was approved in October 2012. It was not possible to add their property to that case, so the NC Turnpike Authority property is included with this request.

NOTE: The purpose of a comprehensive plan amendment is to evaluate the appropriateness of a proposed land use and/or other issue, need, or opportunity for the subject parcel(s) of land. Technical design standards of the Land Development Ordinance are addressed during review of the site or subdivision plan and can be found at <http://www.amlegal.com/library/nc/cary.shtml>.

SUBJECT PARCELS

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
Town of Cary PO Box 8005 Cary, NC 27512-8005	0735203193	0105970	1.78
NC Turnpike Authority 1578 Mail Service Center Raleigh, NC 27599-1578	0734291784 (portion)	0244656	2.20
NC Turnpike Authority 1578 Mail Service Center Raleigh, NC 27599-1578	0734178713 (portion)	0093186	2.52
NC Turnpike Authority 1578 Mail Service Center Raleigh, NC 27599-1578	0734283653	0105926	0.38
Total Area			6.88 +/-

BACKGROUND INFORMATION

Applicant & Agent	Meredith Chandler Town of Cary Planning Department 316 North Academy Street Cary, NC 27513 919-460-4983 meredith.chandler@townofcary.org		
Acreage	6.88 +/-		
General Location	Properties are located between Twyla Road and I-540		
Schedule	Town Council Public Hearing June 27, 2013	Planning and Zoning Board Public Hearing July 15, 2013	Town Council August 8, 2013

Planning and Zoning Board Recommendation	The Planning and Zoning Board recommended approval, 8 – 1.
Existing Land Use Plan Designation	Very Low Density Residential (VLDR)
Proposed Land Use Plan Designation	Mixed Use (MXD)
Existing Zoning District(s)	Residential 40 (R-40)
Town Limits	The subject property is located outside Cary's corporate limits, but inside its extraterritorial planning jurisdiction (ETJ).
Staff Contact	Meredith Chandler, PLA, AICP 919-460-4983 meredith.chandler@townofcary.org

SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification of Town Council Public Hearing

On June 12, 2013, the Planning Department mailed notification of a public hearing on the request to land owners within 400 feet of the subject property. Notification consistent with General Statutes was published in the Cary News on June 12 and June 19, 2013. Notice of the public hearing was posted on the property June 12, 2013.

Town Council Public Hearing of June 27, 2013

At the Town Council public hearing on June 27, 2013, two citizens spoke in favor of this Comprehensive Plan Amendment request. Council members had no questions and stated this request seemed reasonable.

Notification of Planning and Zoning Board Public Hearing

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

Planning and Zoning Board Public Hearing of July 15, 2013

At the Planning and Zoning Board public hearing on July 15, 2013, one citizen spoke in favor of this Comprehensive Plan Amendment request. A Planning and Zoning Board member asked if the subject properties were wooded, and staff replied that they appeared to be as per the aerial photograph included in the presentation. The board recommended approval, 8 – 1. The dissenting vote was made based on the preference for the properties to remain undeveloped or used as open space.

COMPREHENSIVE PLAN SUMMARY

A. Northwest Area Plan and Southwest Area Plan

The governing document for more than half of the subject properties is the Northwest Area Plan, and the governing document for the other portion of the properties is the Southwest Area Plan.

The current land use designation is Very Low Density Residential (VLDR). Very Low Density Residential (VLDR) is defined as single-family-detached residential dwellings having lot sizes of at least 2 - 3 acres.

This Town-initiated Comprehensive Plan Amendment request is a follow-up to case 11-CPA-05, Twyla Road, approved on October 11, 2012. Case 11-CPA-05 amended the land use designation for the majority of the Twyla Road Neighborhood from Very Low Density Residential (VLDR) and Medium Density Residential (MDR), to Mixed Use (MXD).

This request is to change the land use designation for the remaining few parcels in the neighborhood from Very Low Density Residential (VLDR) to Mixed Use (MXD). The MXD land use category indicates

that a mix of commercial, office, and medium to high density residential uses are desired for these land areas. Land uses may be mixed side by side on adjacent lots or sites, or as individual spaces in a multi-tenant building, or vertically within buildings (such as retail with residential above).

Analysis: This request follows up case 11-CPA-05, Twyla Road, to complete the land use designation transition to Mixed Use (MXD) to achieve consistency in this area adjacent to I-540.

B. Parks, Recreation & Cultural Resources Facilities Master Plan

According to the Parks, Recreation and Cultural Resources Master Plan, a small portion of the Green Hope School Greenway proposed along the north side of Panther Creek, is located in the northwest corner of the Twyla Road Neighborhood.

C. Growth Management Plan

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

1. L1 Guiding Principle: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.
2. A1 Guiding Principle: Increase permitted densities in preferred growth areas to encourage desired forms of development.

Analysis: It is appropriate to consider mixed use development and increased densities adjacent to a freeway and associated interchange.

D. Affordable Housing Plan

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

1. Provide for a full range of housing choices for all income groups, families of various sizes, seniors, and persons with special challenges.
2. Facilitate the creation of a reasonable proportion of the Town of Cary's housing as affordable units through additional homeownership opportunities for individuals and families earning between 60% and 80% of area median income and affordable apartments for individuals and families earning up to 60% of the area median income.
3. Assure a quality living environment and access to public amenities for all residents, present and future, of the Town of Cary, regardless of income.

Analysis: Medium to high density residential development within a mixed use development has the potential to support the goals of the Affordable Housing Plan.

E. Comprehensive Transportation Plan

Twyla Road is designated as a **local road**.

Existing Section: 2 lanes, approx. 60-foot ROW

Future Section: 2 lanes, 50-foot ROW

Sidewalks: Would be required on at least one side of the road

Bicycle Lanes: N/A

Transit: No transit requirements

Green Hope School Road is designated as a **Major Thoroughfare**.

Existing Section: 2 lanes, approx. 70-foot ROW

Future Section: 3 lanes, 70-foot ROW

Sidewalks: Required on both sides

Bicycle Lanes: 14-foot-wide outside lanes required

Transit: No transit requirements

Access to Transit: The closest existing transit service to the subject properties is Triangle Transit Route 311, which provides service along NC Highway 55, approximately one mile east of the site. At present, the closest C-Tran fixed route service terminates at the intersection of High House Road and NC 55, approximately two and a quarter miles from the site. The long-range expansion plan for C-Tran fixed route service currently envisions a route along Green Level Church Road, approximately three quarters of a mile west of the site.

F. Open Space Plan

According to the Open Space Plan, a small portion of the subject properties includes bottomland forest/hardwood swamps and mixed hardwoods/conifers.

G. Historic Preservation Master Plan

According to the Historic Preservation Master Plan, there are no known historic resources on the subject properties.

CRITERIA FOR CONSIDERATION IN REVIEWING COMPREHENSIVE PLAN AMENDMENTS

Section 3.2.2(B) of the Land Development Ordinance states that proposals to amend the Comprehensive Plan shall be evaluated based upon whether the amendment is necessary in order to address conditions including, but not limited to, the following:

- 1. A change in projections or assumptions from those on which the Comprehensive Plan is based;

Analysis: None identified.

- 2. Identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Plan;

Analysis: Both the Northwest Area and Southwest Area Plans set the stage for reexamining future land use for the Twyla Road Neighborhood, and this was achieved with the review and approval of 11-CPA-05, Twyla Road. Case 13-CPA-02, Twyla Road Part Two, follows up with and completes the land use designation transition for the Twyla Road Neighborhood.

- 3. A change in the policies, objectives, principles, or standards governing the physical development of the Town or any other geographic areas addressed by the Comprehensive Plan; or

Analysis: None identified.

- 4. Identification of errors or omissions in the Comprehensive Plan.

Analysis: None identified.

STAFF ANALYSIS AND RECOMMENDATION

This request follows up case 11-CPA-05, Twyla Road, to complete the land use designation transition to Mixed Use (MXD) to achieve consistency in this area adjacent to I-540. Staff recommends approval of this Comprehensive Plan Amendment request.