

**Town of Cary, North Carolina
Comprehensive Plan Amendment Data Sheet
12-CPA-01 Highcroft Village
Town Council Meeting
August 9, 2012**

REQUEST

This Comprehensive Plan Amendment case is a request to change the land use designation of 15.63 acres located at 1640 Wackena Road in Northwest Cary. The applicant is proposing to change the long-range land use designation of the property from a combination of Medium Density Residential (MDR), High Density Residential (HDR), and Mixed Use (MXD) to a single designation of MDR. The subject property falls within both the adopted **Northwest Area Plan** and the **Southwest Area Plan**.

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
Landfall Associates, LLC 100 Matrix Drive, # 8000 Cary, NC 27519-2551	0735-60-0822	0409175	15.63 acres
Total Area			15.63 acres

BACKGROUND INFORMATION

Applicant & Agent	Glenda Toppe Glenda S. Toppe & Associates 4139 Gardenlake Drive Raleigh, NC 27612 919-605-7390 Glenda@gstplanning.com		
Acreage	15.63		
General Location	1640 Wackena Road		
Tentative Schedule	Town Council Public Hearing May 24, 2012	Planning and Zoning Board Public Hearing July 16, 2012	Town Council August 9, 2012
Existing Land Use Plan	Medium Density Residential, High Density Residential, and Mixed Use		
Proposed Land Use Plan	Medium Density Residential		
Existing Zoning District(s)	Residential 40 & PDD Major; Jordan Lake Watershed Overlay		
Town Limits	The subject property is located inside the corporate limits except for a small portion which is in the Town of Cary's extra-territorial jurisdiction.		
Staff Contact	Anna Reading, Senior Planner 919-469-4084 anna.readling@townofcary.org		

SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification

On May 8, 2012 the Planning Department mailed notification of planned public hearings on the request to property owners within 400 feet of the subject property. Consistent with General Statutes, notification of the first public hearing on May 24, 2012 was published in the Cary News on May 9 and 16, 2012, and notice of the public hearing was posted on the property May 9, 2012. Notification for the second public hearing on July 16, 2012 was published in the Cary News on July 4 and 11, 2012, and the property was posted on June 28, 2012.

Town Council Combined CPA/Rezoning Public Hearing on May 24, 2012

The applicant's representative, Glenda Toppe of Glenda S. Toppe and Associates, presented a summary of the applicant's request. No citizens spoke.

Planning and Zoning Board Public Hearing on July 16, 2012

After brief remarks by the applicant's representative, Glenda Toppe, the public hearing was opened. No citizens spoke. After the public hearing was closed, Board Member Brent Miller confirmed with staff that approval of this CPA would not change the associated rezoning request. There was no other discussion and the Planning and Zoning Board voted unanimously to recommend approval of this CPA.

COMPREHENSIVE PLAN SUMMARY

A. Northwest Area Plan/Southwest Area Plan

Land Use Plan Designation

The northern portion of the subject property is located within the boundaries of the Northwest Area Plan, and the southern portion is located within the Southwest Area Plan. In this area, the future alignment of the planned Morrisville Parkway extension bisects the subject property and serves as the boundary between the two area plans. Thus, the northern portion of the subject property is on the north side of the future Morrisville Parkway and the southern portion of the subject property falls on the south side of the future Morrisville Parkway. The northern portion of the property is designated for Medium Density Residential (MDR), defined as between three and eight units per acre, and the southern portion has a split designation: High Density Residential (HDR), defined as eight or more units per acre, and Mixed Use (MXD), defined as a mix of commercial, office, and medium to high-density residential uses as well as compatible and complementary institutional uses.

With this CPA request, the applicant is requesting that the designations of HDR and MXD be changed to MDR so that there is a single land-use designation of MDR for the entire property.

B. Parks, Recreation & Cultural Resources Facilities Master Plan

According to the Parks, Recreation and Cultural Resources Facilities Master Plan a multi-use trail is proposed along the north side of Morrisville Parkway.

A recreation payment-in-lieu will be required for residential development in accordance with the Land Development Ordinance.

C. Growth Management Plan

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

1. R1 Guiding Principle: Ensure that adequate infrastructure and services are available concurrently with new development.

Analysis: The subject parcel is located within an area where urban services are readily available.

2. L1 Guiding Principle: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.

Analysis: This area is located within three miles of Research Triangle Park, the region's major employment center.

3. A1 Guiding Principle: Increase permitted densities in preferred growth areas to encourage desired forms of development.

Analysis: The subject parcel is in a preferred growth area by virtue of its position immediately adjacent to and within the approved Highcroft Village Planned Development District master plan, the majority of which is planned for medium-density residential development.

D. Affordable Housing Plan

The Affordable Housing Plan includes the following goals that are 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% 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.

E. Comprehensive Transportation Plan

Morrisville Parkway (planned) is designated as a **Major Thoroughfare**

Existing Section: None

Future Section: 4-lane median-divided with wide outside lanes (78-foot roadway section on 105-foot ROW)

Sidewalks: 5-foot sidewalk south side, 10-foot street-side trail north side (planned)

Bicycle Lanes: Wide outside lanes (planned)

Transit: TTA route 311 operates on NC 55 nearby

Status of Planned Improvements: 2-lane median-divided with wide outside lanes in design (54-foot roadway section on 105-foot ROW)

Wackena Road is designated as a **Collector Street**

Existing Section: 2-lane undivided with swale ditch (18-20' roadway section on 60'+ ROW)

Future Section: 2-lane undivided with curb & gutter (35-foot roadway section on 60-foot ROW)

Sidewalks: Existing: None; Future: Both sides

Bicycle Lanes: Existing: None; Future: 4-foot bike lane

Transit: TTA route 311 operates on NC 55 nearby

Status of Planned Improvements: No planned improvements

F. Open Space Plan

According to the Open Space and Historic Resources Plan there are areas of mixed upland hardwoods on site near the bend in Wackena Road, and in the southeastern corner of the subject property. These parcels were not identified as priority open space.

G. Historic Preservation Master Plan

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

APPLICANT'S JUSTIFICATION STATEMENT

Provided below are the applicant's responses to the Comprehensive Plan Amendment justification questions contained in the application form. (The application questions are repeated). Please note that

the statements below are that of the applicant and do not necessarily represent the views or opinions of the Town of Cary.

How is the proposed request reasonable? In explaining how it is reasonable, please address the following, if applicable:

1. Describe how the requested amendment is warranted due to changes in conditions, forecasts, or assumptions since the original Comprehensive Plan recommendations were developed.

Response: The Land Use Plan reflects what is proposed for Tract 5 in Highcroft Village. The land uses in the vicinity of the existing Tract 5 are primarily medium density. The proposed change from high density residential and MXD to medium density residential is more in keeping with the surrounding land uses.

2. Describe how the requested amendment is warranted due to new issues, needs, or opportunities that have arisen in this geographic area since the original Comprehensive Plan recommendations were developed.

Response: The density classification for the Town's Land Use Plan is based on the approved density for Tract 5 in Highcroft Village. Based on the proposed changes to Tract 5 and the land that is being brought into Tract 5, medium density residential is a more appropriate land use classification. The medium density residential is compatible with the surrounding land uses on the Land Use Plan.

3. Describe how the requested amendment is warranted due to changes in Town policies, objectives, or standards since the original Comprehensive Plan recommendations were developed.

Response: The change is based on the current land use development patterns in the area.

4. Describe how the requested amendment is warranted due to errors or omissions in the current Comprehensive Plan.

Response: Given development patterns in the area, changing HDR and MXD to MDR is a more appropriate land use designation for the area than what is currently identified on the NW Area Plan.

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; With the approval of Comprehensive Plan Amendments in 2005 and 2007, some of the projections and assumptions that were used in developing the Northwest and Southwest Area Plans no longer apply. See history detailed below.

2. Identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Plan;
No new issues or needs have been identified.

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
No changes have been identified.

5. Identification of errors or omissions in the Comprehensive Plan.
No errors or omissions have been identified.

STAFF ANALYSIS AND RECOMMENDATION

A. Staff Analysis

History of Plan Amendments Affecting The Subject Property

With the 2002 adoption of the Northwest Area Plan, the northern portion of the subject property was designated for Very Low Density Residential (VLDR) development. In 2007, council approved a Northwest Area Plan amendment (07-CPA-04) requested by property owners and residents in the Wackena Road/Indian Wells Road neighborhood that changed the future land use designation of the neighborhood, including the northern portion of the subject property, to MDR.

With the 2004 adoption of the Southwest Area Plan, the southern portion of the subject property was designated for Mixed-Use (MXD), reflecting the property's location in a planned Mixed-Use Activity Center at the southwest corner of the Morrisville Parkway/NC Hwy 55 intersection. In 2005, landowners requested -- through Plan amendment (05-LPA-08) and a companion rezoning (05-REZ-20) -- to remove the subject property from the proposed Mixed-Use Activity Center and re-designate/rezone it for medium-density, with a small amount of high-density, in accordance with the developer's proposed Highcroft Village Master Plan. This request was supported by staff and approved by council. A small portion of the property that was removed from the Mixed-Use Activity Center for inclusion in the Highcroft Village Master Plan retained its MXD designation, reflecting the wishes of the property owner at the time. This "leftover" MXD designation is now a part of the subject property. Thus, the subject property has evolved to contain three future land use designations: MDR in the area north of the future Morrisville Parkway Extension, and a combination of HDR and MXD in the area south of the future Morrisville Parkway Extension.

Analysis

Over the past ten years, there have been two Land Use Plan amendments, and at least one reconfiguration of parcel boundaries that have impacted the subject property and placed it geographically at the center of an evolving area. The subject property has emerged from these changes as a 15.6-acre parcel that has three different land use designations, is bisected by the future Morrisville Parkway Extension, and is substantially impacted by streams. Staff believes 1) the remaining developable portions of the parcel's HDR- and MXD-designated areas will be somewhat small for optimal development of such parking-dependent uses, and 2) the potential for associating the HDR- and MXD-designated areas with the planned mixed-use activity center with which they were originally associated has disappeared as the focus of that activity center has migrated southward toward Green Hope School Road. For these reasons, staff believes a single medium-density designation for the subject parcel is appropriate.

B. Recommendation

Staff recommends that the Future Land Use Maps of the Northwest and Southwest Area Plans be amended such that the subject property has a single future land use designation of Medium Density Residential.