

STAFF REPORT

Town Council, August 27, 2015

MS Holdings Property at Wilson Road 15-CPA-02 (PL15-065b)

Consider action on proposed comprehensive plan amendment request

Speaker: Meredith Gruber Chandler

From: Jeff Ulma, Planning Director

Prepared by: Meredith Chandler, Urban Designer/Senior Planner

Approved by: Benjamin T. Shivar, Town Manager

Approved by: Russ Overton, Assistant Town Manager

Executive Summary: This is a Comprehensive Plan Amendment request to change the land use designation from Low Density Residential (LDR) to Medium Density Residential (MDR) for 5.07 acres located on the north side of Chapel Hill Road, at Wilson Road.

SUBJECT PARCELS

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
MS Holding Company, LLC 2801 Sandia Drive Raleigh, NC 27607-3171	0754780651	0051914	5.07
Total Area			5.07

BACKGROUND INFORMATION

Applicant	MS Holding Company, LLC 2801 Sandia Drive Raleigh, NC 27607		
Applicant's Agent	Glenda Toppe, Glenda S. Toppe & Associates 4139 Gardenlake Drive Raleigh, NC 27612 glenda@gstplanning.com		
Acreage	5.07 ±		
General Location	North side of Chapel Hill Road, approximately 200 feet east of the Chapel Hill Road and Wilson Road intersection (subject property is located north and south of Wilson Road).		
Schedule	Town Council Public Hearing May 21, 2015	Planning & Zoning Board Public Hearing July 20, 2015	Town Council August 27, 2015
Planning and Zoning Board Recommendation	The board recommended approval, 9 – 0.		
Existing Land Use Plan Designation	Low Density Residential (LDR)		
Proposed Land Use Designation	Medium Density Residential (MDR)		
Existing Zoning District(s)	Residential 40 (R-40)		
Proposed Zoning District(s)	Transitional Residential Conditional Use (TR-CU); <i>see case 15-REZ-04</i>		
Town Limits	The subject property is located inside Cary's ETJ but outside the Town's corporate limits. Annexation shall be required prior to development plan approval.		

Staff Contact, Town of Cary Planning Department	Meredith Gruber Chandler, PLA, AICP 919-460-4983 meredith.chandler@townofcary.org
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SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification of Town Council Public Hearing

Notice of the public hearing on the proposed Comprehensive Plan Amendment was mailed to property owners within 800 feet of the subject property, published on the Town’s website, and posted on the subject property.

Town Council Public Hearing (May 21, 2015)

At the Town Council public hearing on May 21, 2015, Glenda Toppe, representing the property owner, provided an overview of the Comprehensive Plan Amendment request.

Two people spoke at the public hearing. The attorney for an adjacent neighbor stated opposition for the Comprehensive Plan Amendment request. She noted that the adjacent property owner would like to continue working with the applicant. A representative from Standard Pacific Homes spoke second; he said he will continue to work on the number of units adjacent to neighboring property.

Discussion and questions from council members focused on issues related to the associated rezoning case and potential future site plan. Council members encouraged the applicant to continue working with the adjacent neighbors to address their concerns.

Notification of Planning and Zoning Board Public Hearing

Notice of the public hearing on the proposed Comprehensive Plan Amendment was mailed to property owners within 800 feet of the subject property, published on the Town’s website, and posted on the subject property.

Planning and Zoning Board Public Hearing (July 20, 2015)

At the Planning and Zoning Board public hearing on July 20, 2015, Glenda Toppe, representing the property owner, provided an overview of the Comprehensive Plan Amendment request.

No one else spoke at the public hearing.

Board members asked questions about the Town of Morrisville’s plan for the adjacent property. Staff responded the land use and zoning designations were of a similar or higher nature. Toppe stated they were working with the Morrisville Planning Department on a similar land use amendment and rezoning of that property which is owned by the same family.

The board voted 9-0 to recommend approval of the Comprehensive Plan Amendment request. Discussion included that land use was appropriate, especially with Morrisville’s plans. Also, the area is growing and housing options will be needed.

COMPREHENSIVE PLAN SUMMARY

Land Use Plan

As per the Town of Cary Land Use Plan, the land use designation for the subject property is Low Density Residential (LDR) which includes single-family detached housing ranging from 1 to 3 units per acre. The applicant proposes to change the land use designation to Medium Density Residential (MDR) which may include residential uses ranging from 3 to 8 units per acre, and include a wider range of single-family

housing types, including detached, townhomes, patio homes, semi-attached, and other.

Planning History: This case appears to be the first CPA since the 1996 Land Use Plan. The land use for the subject property has consistently been shown as LDR since that time.

Analysis: The subject site is adjacent to low density residential development on the northern and eastern boundaries, and Chapel Hill Road on the southern boundary. The western boundary of the subject property is adjacent to Morrisville Town limits with a land use designation of Corridor Commercial. Either a low or medium density product are suitable for this property; however, a medium density product may provide a better transition due to the proximity of Chapel Hill Road and Park West Village.

Parks, Recreation and Cultural Resources Facilities Master Plan

According to the Parks, Recreation and Cultural Resources Facilities Master Plan, there are no issues related to this site.

A recreation fund payment or park land dedication will be required for residential development in accordance with the Land Development Ordinance.

Growth Management Plan

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

- Guiding Principle R1: Ensure that adequate infrastructure and services are available concurrently with new development.
- Guiding Principle L1: Concentrate growth near existing and planned employment centers and available and planned infrastructure to minimize costly service-area extensions.
- Guiding Principle A1: Increase permitted densities in preferred growth areas to encourage desired forms of development.

Analysis: Adequate infrastructure and services appear to be available for any new development that may occur on the subject property. Increased residential densities at this location will provide support to neighboring non-residential developments including the Town of Morrisville's Southern Activity Center, also known as Park West Village.

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. 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.

Comments: If this case results in an approval, it may have the potential to increase the diversity of housing stock in this area of Cary and Morrisville. A diversity of housing stock in turn has the potential to include a variety of price points and other options for different groups of citizens.

Comprehensive Transportation Plan

Chapel Hill Road is designated as a Major Thoroughfare.

Existing Section: 2-lanes in approximately 60-foot ROW

Future Section: 6-lane in 124-foot ROW, landscaped median

Sidewalks: Both sides

Bicycle Lanes: Wide outside lanes

Transit: A future C-TRAN route is planned nearby along NW Cary Parkway and a portion of Chapel Hill Road, approximately one-quarter mile west of the site. At present, the nearest fixed-route bus service is provided by C-Tran Routes 1 and 2, approximately one mile east of the site.

Status of Planned Improvements: N/A

Future Wilson Road Collector Avenue

Existing Section: N/A

Future Section: Collector Avenue 2 options: 58-foot to 70-foot ROW depending on typical section

Sidewalks: Both sides

Bicycle Lanes: 4-foot-striped bike lane

Transit: N/A

Status of Planned Improvements: N/A

Open Space Plan

The Open Space Plan is not applicable to the subject property; no significant natural resources have been identified.

Historic Preservation Master Plan

According to the Historic Preservation Master Plan, there are no identified historic resources.

APPLICANT'S JUSTIFICATION STATEMENT

Attached are the applicant's responses to the Comprehensive Plan Amendment justification questions contained in the application form. Please note that these statements are that of the applicant and do not necessarily represent the views or opinions of the Town of Cary.

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: No changes have been identified

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

Analysis: This area has changed since the 1996 Plan, which did not predict the size of Park West Village nor the amount of nearby multi-family development.

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: No changes have been identified.

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

Analysis: No errors or omissions have been identified.

STAFF ANALYSIS AND RECOMMENDATION

As per the evaluation criteria for Comprehensive Plan Amendments in the section above, this area of Cary – which is adjacent to Morrisville – has changed very much since the 1996 Land Use Plan. The density and intensity of Park West Village was not anticipated. This request to change the land use designation from Low Density Residential (LDR) to Medium Density Residential (MDR) would create a reasonable transition from Chapel Hill Road and adjacent development in Morrisville to other residential development in Cary. Staff recommends approval of this Comprehensive Plan Amendment request.