

**Town of Cary, North Carolina  
 Comprehensive Plan Amendment - Staff Report  
 14-CPA-03 Crosspointe Church YMCA  
 Town Council Meeting  
 October 16, 2014**

**REQUEST**

This is a Comprehensive Plan Amendment request for a 7.39-acre portion of a 38.02-acre parcel located at 6911 Carpenter Fire Station Road. The applicant proposes to change the land use designation from Office and Institutional (O&I) and Parks and Open Space (PKS/OS) to Commercial (COM).

*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
Crosspointe Church 6911 Carpenter Fire Station Road Cary, NC 27519	0735549587 Portion	0280523 Portion	7.39 ±
<b>Total Area</b>			7.39 ±

**BACKGROUND INFORMATION**

Applicant	TJ Terry Crosspointe Church 6911 Carpenter Fire Station Road Cary, NC 27519		
Applicant's Representative	Glenda Toppe Glenda S. Toppe And Associates 4139 Gardenlake Drive Raleigh, NC 27612		
Acreage	7.39 ±		
General Location	6911 Carpenter Fire Station Road		
Schedule	<b>Town Council Public Hearing</b>  July 17, 2014	<b>Planning and Zoning Board Public Hearing</b>  TBD	<b>Town Council</b>  TBD
Land Use Plan Designation	Office and Institutional (O&I) and Parks and Open Space (PKS/OS)		
Proposed Land Use Plan Designation	Commercial (COM)		
Existing Zoning District(s)	Residential 40 (R-40)		
Town Limits	Yes		
Staff Contact	Philip E. Smith, Planning Manager (919) 469-4029 Philip.smith@townofcary.org		

## SUMMARY OF PROCESS AND ACTIONS TO DATE

### **Notification of Town Council Public Hearing**

Consistent with NC General Statutes, 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 (July 17, 2014)**

At the public hearing, staff presented the Comprehensive Plan Amendment request. Jonathon Bow, Lead Pastor for Crosspointe Church, representing the applicant, explained the logic behind the request for the Comprehensive Plan Amendment and rezoning request. The church had approached the YMCA to build the recreation facility on their property which the YMCA would lease from the church. The YMCA use would result in 7-day utilization of the property, create 200 jobs and meet an important need in northwest Cary. No other citizens spoke regarding the CPA request. Following the public hearing, Councilmember Robinson noted the project was the most innovative, collaborative effort she has seen and that the church members "get it".

### **Notification of Planning and Zoning Board Public Hearing**

Consistent with NC General Statutes, 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 (September 15, 2014)**

At the public hearing, staff presented the case. Glenda Toppe of Glenda S. Toppe Associates, agent for Crosspointe Church, restated the property owners' interest in amending the land use plan to allow for an indoor/outdoor recreational facility. No other citizens spoke at the public hearing. The Planning and Zoning Board unanimously recommended approval of the Comprehensive Plan Amendment request.

## COMPREHENSIVE PLAN SUMMARY

### **A. Northwest Area Plan**

The Northwest Cary Area Plan is the governing land use document for the subject properties. The future land use designation for these properties is Office and Institutional (OFC/INS), which provides for all types of office and institutional uses. The southern portion of the parcel is designated Parks and Open Space (PKS/OS). This area reflects the area reserved in the Northwest Area Plan for a 400-foot buffer (200 feet each side) surrounding Panther Creek, one of four such buffers along streams in the Northwest Plan Area that were to serve as enhanced multi-use trails. The plan allowed for the width of these buffers to vary as long as an average of 400 feet was maintained. In practice since the adoption of the plan, significant portions of the 400-foot buffers have been reduced, as there has not been an effective zoning mechanism to enforce the buffer beyond the 100-foot Urban Transition Buffer requirements contained in the LDO. The applicant proposes to change the land use designation for the parcel to Commercial (COM) which includes a wide variety of commercial and retail uses, hotels/motels, entertainment facilities, health and fitness clubs and auto dealers.

**Analysis:** With the close proximity of this property to the Alston Regional Activity Center, commercial land use would not ordinarily be appropriate in this location so as not to compete with commercial uses in the activity center. However, given the companion conditional rezoning case to limit commercial uses to commercial indoor/outdoor recreational facilities and office and institutional uses, the actual range of commercial uses that would be permitted is very limited and not significantly different from the uses currently available under the Office and Institutional designation.

### **B. Parks, Recreation & Cultural Resources**

According to the Parks, Recreation and Cultural Resources Facilities Master Plan the Panther Creek Greenway is proposed to run along the southern boundary of this site.

### **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. L2 Guiding Principle: Ensure that future growth protects sensitive natural resources and protects open space.

**Analysis or Comments:** The property is located near the Alston Regional Mixed Use Center and is less than two miles from Research Triangle Park. Infrastructure and services as well as protection of natural resources are required by the Town of Cary Land Development Ordinance (LDO).

### **D. Affordable Housing Plan**

The Affordable Housing Plan is not relevant to this case.

### **E. Comprehensive Transportation Plan**

**Indian Wells Road is designated as a collector street.**

**Existing Section:** Two lanes in 40- to 60-foot varying ROW

**Future Section:** 35-foot, 2-lane roadway on 60-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 4-foot-striped bike lanes

**Transit:** No existing or proposed routes at this time

**Carpenter Fire Station is designated as a thoroughfare.**

**Existing Section:** Two through lanes plus turn lane with median with approximately 35- to 50-foot back of curb to back of curb in 60- to 75-foot varying ROW

**Future Section:** Four lanes with 23-foot median in 78-foot back of curb to back of curb in 100-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 14-foot-wide outside lane to accommodate bikes

**Transit:** No existing or proposed routes at this time

**NC 55 is designated as a thoroughfare.**

**Existing Section:** Four through lanes plus turn lane with median with 100-foot back of curb to back of curb in 160- to 180-foot varying ROW

**Future Section:** Six lanes with 23-foot-wide median in 102-foot back of curb to back of curb in 124-foot ROW

**Sidewalks:** Required on both sides

**Bicycle Lanes:** Required 14-foot-wide outside lane to accommodate bikes

**Transit:** No existing or proposed routes at this time

**Availability of Transit Service:** At present the nearest existing fixed-route transit service is provided by Triangle Transit Route No. 311 along NC 55 Highway, about a third mile east of the site at the closest point. The long-range expansion plan for C-Tran does anticipate future fixed-route service along Green Level Church Road, approximately 1.0 mile west of the site at the closest point. Access would be via the planned Panther Creek Greenway extension, linking the site via a greenway tunnel under the Western Wake Freeway to the Mills Park schools and Green Level Church Road. However, neither the date of such service, nor its funding, has yet been established.

### **F. Open Space Plan**

According to the Open Space Master Plan the site has mixed hardwood and conifer forests on the southern third of the site, near and along the riparian buffer areas

### **G. Historic Preservation Master Plan**

No historic resources have been identified on this site.

## 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:** N/A

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

**Analysis:** The applicant is presenting a new opportunity for the subject property that is compatible with, and complimentary to, the existing church use. With the growth of west Cary, residents have requested additional recreational opportunities in the area. The proposed use provides an opportunity to provide either a nonprofit YMCA or other commercial recreational facility to serve the area until such time as the Town can provide more public recreational amenities in the area through its capital budgeting efforts.

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:** N/A

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

**Analysis:** N/A

## STAFF ANALYSIS (SUMMARY) AND RECOMMENDATION

This Comprehensive Plan Amendment is a request to change the future land use designation of the subject parcel from Office and Institutional (O&I) and Parks and Open Space (PKS/OS) to Commercial (COM).

A change to Commercial land use in this location may at first seem inappropriate given its proximity to the Alston Regional Activity Center, where the Northwest Area Plan proposes to concentrate commercial development. The request would further violate a major principle of the Northwest Area Plan by removing a portion of the 400-foot open space buffer surrounding Panther Creek. However, the accompanying conditional rezoning case would restrict commercial uses to commercial indoor/outdoor recreational facilities and office and institutional uses. Such uses are complimentary and compatible with the existing institutional uses on the site and offer a reasonable use for the property. Further, a "commercial indoor/outdoor recreational facility provides a needed use to northwest Cary residents and allows for a more efficient use of the church property and parking areas. Panther Creek is protected by Urban Transition Buffer requirements of the LDO and a multi-use trail will still be required, which was one of the original purposes of the 400-foot buffer proposed in the Northwest Area Plan.

Based on the above analysis, staff recommends approval of this Comprehensive Plan Amendment request.