

**Town of Cary, North Carolina
 Comprehensive Plan Amendment - Staff Report
 13-CPA-04 Ashton Woods Proposed Collector Revisions
 Town Council Hearing
 October 10, 2013**

REQUEST

The proposed amendment will shift a portion of the alignment of the proposed collector between Ten Ten Road and Arthur Pierce Road east of Kildaire Farm Road and change the designation from collector avenue to collector street.

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)
Ryan David Jones 3325 Arthur Pierce Rd. Apex NC 27539-9136	0760286360	0273813
Jones Family Farm LLC 3325 Arthur Pierce Rd. Apex NC 27539-9136	0760386433	0379056
Kylee & Grant Sainsbury 4029 Chaumont Dr. Apex NC 27539-9337	0760398014	0281600
Parvinder & Kiran Ahluwalia 4036 Chaumont Dr. Apex NC 27539-9335	0760399259	0377901
Bryan L & C Dawn Skelton 4033 Chaumont Dr. Apex NC 27539-9337	0760387867	0281601
Arthur R & Mary E Depuew Kamm 4036 Chaumont Dr. Apex NC 27539-9335	0760480748	0289150
Alan R & Shirley Williams 4037 Chaumont Dr. Apex NC 27539-9337	0760388701	0281602
John & Jennifer Paige Cullen 4801 Millens Bay Ct. Apex NC 27539-5194	0760491057	0289153

BACKGROUND INFORMATION

Applicant & Agent	Town of Cary Engineering Department		
Acreage	N/A		
General Location	Near 4029 Chaumont Drive south to Jones Family Farm property, east to Arthur Pierce Road		
Schedule	Town Council Public Hearing August 22, 2013	Planning and Zoning Board Public Hearing September 16, 2013	Town Council October 10, 2013
Land Use Plan Designation	LDR		
Existing Zoning District(s)	R-8 Conditional Use		
Town Limits	The alignment within the Jones Family Farm property is located within the corporate limits of the Town of Cary. The alignment north and south of the Jones Family Farm property is located outside the corporate limits and the Town of Cary ETJ.		
Staff Contact	Todd B. Delk, P.E. (919) 462-3834 todd.delk@townofcary.org		

SUMMARY OF PROCESS AND ACTIONS TO DATE**Notification**

On August 7, 2013, the Engineering Department mailed notification of a public hearing on the request to property owners within 400 feet of the proposed alignments. Notification consistent with General Statutes was published in the Cary News on August 7 and 14, 2013. Notice of the public hearing was posted on the property August 7.

On April 1, 2013, the Engineering Department mailed notification of a public hearing on the request to property owners within 400 feet of the subject property. Notification consistent with General Statutes was published in the Cary News on April 3 and 10, 2013. Notice of the public hearing was posted on the property April 1, 2013.

Citizen Comments

Before the Town Council public hearing, staff received four (4) inquiries about the action. Three citizens, representing four property owners on the north side of Chaumont Drive, had inquiries about the segment north of the subject alignment. Staff acknowledged the issues brought up and assured them that that segment would be investigated with the Community Plan Update in a larger area-wide context. The property owner south of the proposed subdivision on Arthur Pierce Road voiced support for the amendment.

Town Council Public Hearing of August 22, 2013

A representative of the Ashton Woods developer spoke in support of the amendment at the public hearing.

Councilor Bush asked about the connection to the existing Chaumont Drive stub. Councilor Robinson expressed concern about the number of driveways on the collector and asked about traffic volumes and traffic calming features along the roadway.

Planning & Zoning Public Hearing of September 16, 2013

A representative of the Ashton Woods developer spoke in support of the amendment at the public hearing.

P&Z Board members brought up how topography and home construction along Chaumont Drive make the existing alignment difficult, asked staff to discuss their notification and communication with property owners along Chaumont Drive and Ten Ten Road, and asked for clarification on how the segments north and south of the subject collector would be reviewed and addressed in the CTP Update (part of the Community Plan Update). The members voted 7-0 unanimously in favor of a recommendation to approve the amendment as proposed.

DISCUSSION

The current alignment of the proposed collector across the Jones Family Farm property in the CTP is a generalized corridor aimed at providing connectivity for local residential neighborhoods to both Ten Ten and Arthur Pierce Roads between Kildaire Farm and Holly Springs Roads. The connection was developed on the principle of providing collectors every $\frac{1}{4}$ to $\frac{1}{2}$ mile. When originally developed, the Grenadier subdivision was not constructed in the area.

At the June 13, 2013 meeting, Town Council approved the annexation and zoning of the Jones Family Farm property owned by Ashton Woods Homes (Staff Report 12-REZ-24). The developer has met with Town staff and presented an alternative alignment for the proposed collector based on a conceptual subdivision site plan. Upon review of the current alignment, the homes constructed on Chaumont Drive prevent the collector connectivity intended in the CTP. The alternative alignment moves the northern connection east to Chaumont Drive running south from near 4029 Chaumont Drive to a new collector that would run east/west through the Ashton Woods development. The new collector would run west to Arthur Pierce Road and provide the intended connectivity with the construction of the new subdivision. A short collector stub would be provided approximately mid-way on the new collector to meet the proposed alignment across the parcel to the south.

The new collector road would be approximately 1,950 feet in length, compared to approximately 1,100 feet with the current alignment. Based on the additional length and narrow width of the parcel, the developer proposed that the designation be changed from collector avenue to collector street to allow for residential driveways to access the street. Town staff supports the developer request to shift the alignment and change the designation of the roadway from a collector avenue to collector street (Figure 1).

The developer has contacted and discussed the proposal with the residents along Chaumont Drive where the local street would be redesignated as a future collector street. Based on correspondence from the developer, they have collaborated with the neighbors on concerns with the site plan design and the neighbors are not opposed to the realignment and the designation change.

COMPREHENSIVE PLAN SUMMARY

A. Land Use Plan

The Townwide Land Use Plan recommends Low Density Residential (LDR) as the future land use for the subject property. Low Density Residential is defined as detached single-family dwellings at densities ranging from one to three units per acre. Council approved the rezoning

(Staff Report 12-REZ-24) of R-8-CU that includes a condition that limits the use of the +/- 65.22-acre property to a maximum gross density of 2.1 dwelling units per acre.

B. Parks, Recreation & Cultural Resources Facilities Master Plan

According to the Parks, Recreation and Cultural Resources Master Plan, a park site is proposed in the vicinity of this proposed development. In Rezoning Case 12-REZ-24, Council approved accepting a payment-in-lieu for this development with the intent to direct this funding towards the purchase of parkland when the adjacent properties are developed.

In addition, approximately 0.5 miles of the Camp Branch Greenway is proposed to pass through this development. The Camp Branch Greenway is designated as a primary corridor, and is the only greenway connection between the Middle Creek Greenway and Park in the southern part of town and the rest of the Town greenway network. At the time of development plan review the developer will be required to provide greenway easements.

A street-side trail is proposed along the collector road proposed through the site and will be required to be constructed in lieu of standard sidewalk in accordance with the LDO. The developer is working with PRCR staff to provide sufficient greenway amenities in the subdivision.

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.
5. A2 Guiding Principle: Ensure that the overall amount of development in Cary is consistent with the Town's growth management goals.

D. Comprehensive Transportation Plan

Arthur Pierce Road is designated as a **Major Thoroughfare**

Existing Section: 2-lane, 22-foot roadway on approximately 60-foot ROW

Future Section: 3-lane, 45-foot roadway, including center turn lane and curb & gutter, on 70-foot ROW

Sidewalks: None existing; required on both sides

Bicycle Lanes: 14-foot-wide outside lanes required

Transit: None existing or planned

Status of Planned Improvements: The Ashton Woods development proposes to improve the roadway along their frontage to the future section.

Proposed collector avenue

Existing Section: N/A

Future Section: 2-lane, 49-foot roadway with 11-foot median on 70-foot ROW (58-foot ROW with no median allowed if driveways and on-street parking are restricted)

Proposed Section: 2-lane, 35-foot roadway on 60- or 65-foot ROW (driveways allowed; on-street parking allowed with additional roadway width)

Sidewalks: Sidewalk required on both sides, street side trail required on one side for a portion

Bicycle Lanes: 4-foot bike lanes on both sides

Transit: None existing or planned

Status of Planned Improvements: The Ashton Woods development proposes construction of approximately 1,950 feet of collector street connected to both Arthur Pierce Road and Grenadier neighborhood in lieu of approximately 1,100 feet of collector avenue with no connections on either end.

E. Open Space Plan

According to the Open Space Plan there is a large area of mixed upland hardwoods along the eastern portion of the property.

F. Historic Preservation Master Plan

No documented historic resources are on the subject property.

CRITERIA FOR CONSIDERATION IN INITIATING AND REVIEWING COMPREHENSIVE PLAN AMENDMENTS

Section 3.2.2(A)(1)(a) of the Land Development Ordinance states the Director of any Town department may propose a substantive amendment to the Comprehensive Plan at any time.

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:

- A change in projections or assumptions from those on which the Comprehensive Plan is based;
Staff Analysis: No changes in projections or assumptions.
- Identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Plan;
Staff Analysis: Development of the Ashton Woods subdivision provides the opportunity to realign the proposed collector to increase short- and long-term connectivity and to minimize future property impacts to residents of Chaumont Drive. In addition, three private homes have been built on parcels along the corridor in unincorporated Wake County since the collector alignment was designated in the CTP.
- 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
Staff Analysis: No changes in policies, objectives, principles, or standards.
- Identification of errors or omissions in the Comprehensive Plan.
Staff Analysis: No identification of errors or omissions.

STAFF ANALYSIS (SUMMARY) AND RECOMMENDATION

This Town-initiated request is to move a portion of the alignment of the proposed collector between Ten Ten Road and Arthur Pierce Road east of Kildaire Farm Road to the proposed corridor and change the designation to a collector street.

Amendments to the Town's Comprehensive Transportation Plan require two public hearings (one conducted by the Planning and Zoning Board) prior to a vote by Town Council. Staff recommends conducting a public hearing at the August 22, 2013 Town Council meeting with a public hearing to follow at the next possible Planning and Zoning Board meeting.