

**Town of Cary, North Carolina
Comprehensive Plan Amendment Staff Report
13-CPA-05 Weston PDD Amendment
Town Council Meeting
February 27, 2014**

REQUEST

This Comprehensive Plan Amendment is a request for 25.24 +/- acres located on the south side of Weston Parkway, between Chapel Hill Road and Sheldon Drive. The land use designation for the subject property is Office/Industrial (OFC/IND), and the applicant proposes to change the land use designation to Office/Industrial or Medium Density Residential (OFC/IND or MDR).

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)	Calculated Acreage
PAPEC WESTON I LLC 3100 Smoketree Court, Suite 600 Raleigh, NC 27614	0705503815	0223877	19.07 ±
Highwoods Realty Limited Partnership	0755404955 (Portion)	0271880 (Portion)	6.17 ±
Total Area			25.24 ±

BACKGROUND INFORMATION

Applicant	Jeremy Medlin, MI Homes		
Agent	Bob Zumwalt, The John R. McAdams Company		
Acreage	25.24 ±		
General Location	South side of Weston Parkway about 1,000 feet east of Chapel Hill Road		
Schedule	Public Hearing January 9, 2014	Planning & Zoning Board January 27, 2014	Town Council February 27, 2014
Current Land Use Designation	Office & Industrial (OFC/IND)		
Proposed Land Use Designation	Office/Industrial or Medium Density Residential (OFC/IND or MDR)		
Planning and Zoning Board Recommendation	Recommended approval, 9 - 0		
Staff Contact	Meredith Chandler, PLA, AICP (919) 460-4983 meredith.chandler@townofcary.org		

SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification

On December 23, 2013, the Planning 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 December 25, 2013, and January 1, 2014. A notification letter was also mailed on January 16, 2014 and ads were published on January 8, 2014 and January 15, 2014 prior to the 2nd public hearing. Notice of the public hearing was posted on the property on December 23, 2013.

Town Council Public Hearing of January 9, 2014

Following staff's presentation, the applicant's representative summarized the request to change the land use designation of the subject property from Office/Industrial (OFC/IND) to Office/Industrial or Medium Density Residential (OFC/IND or MDR).

At the public hearing, no citizens came forward to speak.

Council asked how much office space might be developed on the subject property. The applicant responded that 70,000 to 80,000 square feet of office development could potentially fit on the site. The council also asked if office development on this topographically challenged site would require significant grading. The applicant responded that cutting or flattening of the site and retaining walls would likely be needed. One council member noted that Medium Density Residential (MDR) could be an acceptable use, and additional details should be discussed as part of the associated rezoning case.

Town Council requested that the current and proposed amount of office square footage in the Weston area be included in the next staff report for this case and the associated rezoning case. (As a follow up to this question, nearly two million square feet of office floorspace exists within the Weston PDD, and an additional 450,000 square feet of office development is approved but not yet constructed.)

Planning and Zoning Board Public Hearing of January 27, 2014

At the public hearing, the applicant, Bob Zumwalt, representing MI Homes, summarized the request to add Medium Density Residential (MDR) as a land use for the subject property. No other citizens came forward to speak.

A board member inquired about the quantity of residential units as well as the number of residents who both lived and worked in the Weston area. Staff responded that these items were unknown. The board member also asked how far and what route could be taken if a potential resident wished to walk to Park West Village. Staff noted that the walk to Park West Village would be between one-third and one-half mile down Cary Parkway. While discussing pedestrian circulation, another board member suggested the Town of Cary coordinate efforts with the Town of Morrisville.

The Planning and Zoning Board unanimously recommended approval of 13-CPA-05. Mr. Werner stated that a medium density residential product would be a good fit for this area. Mr. Shaw shared concerns about an increase in traffic with an increase in residential development. The applicant's representative noted that a recent traffic study prepared for the subject property concluded that a residential use would have less of a traffic impact than an office use would have.

COMPREHENSIVE PLAN SUMMARY

A. Land Use Plan

As per the Town of Cary Land Use Plan, the future land use designation for the subject property is Office/Industrial (OFC/IND). Office Parks and Office/Industrial Parks are planned concentrations of office and industrial development, having interconnected internal road networks and shared open spaces. The Weston Planned Development District is an example of an Office and Industrial Park. The applicant is requesting to change the land use designation to Office/Industrial or Medium Density Residential (OFC/IND or MDR). Medium Density Residential (MDR) is defined as single-family attached or detached housing at a density of three to eight units per acre.

Analysis: Both an Office/Industrial (OFC/IND) land use designation and an Office/Industrial or Medium Density Residential (OFC/IND or MDR) land use designation could be appropriate for the subject property. Either use could provide an appropriate transition to immediately adjacent development as well as to the larger Weston Planned Development District.

Site Specific - Natural features are both an opportunity and constraint for development. Due to the varying topography and stream buffers within and around the subject property, any type of development on the site will be well screened by existing vegetation.

Weston Planned Development District - The Town's Land Use Plan describes Office Parks and Office/Industrial Parks as planned concentrations of office and industrial development. Over the past decade, this model of mostly single-use office has transitioned due to market demand for a more mixed use environment. Both an office/industrial use and a medium density residential use would fit in this context.

Townwide and Regional Significance - The Weston Planned Development District is well connected to our region and strategically located near I-40 (Harrison Avenue exit) and RDU. Strengthening the Weston Planned Development District will only enhance Cary's position in the Triangle. Both an office/industrial use and a medium density residential use would fit and potentially strengthen the regional context.

B. Growth Management Plan

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

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

Comments: The Weston Planned Development District is an existing office/industrial park; infrastructure and services are generally available in this area.

C. 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.
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.

Comments: A medium or high density residential development, in proximity to services and employment, has the potential to support the goals of the Affordable Housing Plan.

D. Comprehensive Transportation Plan

Weston Parkway is designated as a Major Thoroughfare.

Existing Section: 4-lane median-divided in approximately 130-foot ROW

Future Section: 4-lane median-divided in 130-foot ROW

Sidewalks: The original Weston PDD had a sidewalk waiver in lieu of a greenway system that was to be built. That system was never completely installed; as a result, sidewalks are required on both sides.

Bicycle Lanes: Do not currently exist; 14-foot-wide outside lanes required

Transit: Future fixed route service is planned for the Weston Parkway area.

Status of Planned Improvements: N/A

E. Parks, Recreation & Cultural Resources Master Plan

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

F. Open Space Plan

According to the Open Space Plan there are pockets of bottomland hardwood forest associated with the stream on the northern half of the site, and larger areas of mixed hardwood forest in the southwestern quarter of the site, and along the stream in the southeast corner of the site.

G. Historic Preservation Master Plan

According to the Historic Preservation Master Plan, there are no historic structures 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: The suburban office park model has evolved from a single-use to a mixed use setting.
- 2. Identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Plan;
Analysis: The 1996 Land Use Plan describes office parks and office/industrial parks as planned concentrations of office and industrial development. Over the past decade, this model has transitioned from a pure traditional office park to a mixed use setting, especially for the Weston PDD.
- 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 AND RECOMMENDATION

Staff recommends approval of this Comprehensive Plan Amendment request based on the following observations:

Transition from pure traditional suburban office park to a mixed use setting. The Weston area is a 900+ acre planned development with three-quarters of the land originally identified for nonresidential development, primarily office and light industry. Over the past decade, through a series of about seven CPA’s, approximately seven tracts within the Weston PDD, totaling nearly 200 acres, were changed from being designated for office and light industrial uses to low density, medium density, and high density residential uses. These requests to amend the Weston PDD came along with changing needs of business owners and employees looking for residential and amenity options closer to work. These requests also started the transition of the Weston PDD from a purely traditional office park to a mixed use setting.

New development in Morrisville - Park West Village is a new 100-acre mixed-use development that includes major retail anchors, restaurants, and a movie theater. The intense amount of retail at this location would be complemented by additional rooftops and/or additional employees within a short distance of the center. The subject property is less than half a mile from Park West Village.

Site specific constraints - The subject property has varying topography, including steep slopes, and multiple stream buffers. These natural features are both a challenge and an asset for a landowner and/or developer. The challenge can be managed when site planning this property that has less developable area than other similar sized properties. The site features become assets for residents and/or employees who can enjoy the natural vegetative setting.