

Item Title: Public Hearing on Proposed Land Use Plan Amendment 03-16 to amend the Wake County-Southwest Area Land Use Plan to Include an Additional 5.5 acres to an Existing 95-acre Community Activity Center near the Intersection of Wade Drive and NC 55

Specific Action Requested:

That the Board of Commissioners holds a public hearing and adopts the attached resolution amending the Wake County-Southwest Area Land Use Plan in accordance with Land Use Plan Amendment 03-16.

Item Summary:

Applicant: Tim Sivers, Horvath Associates

Location: This map amendment would apply to the parcel identified by PIN (0733659170) located in the Town of Cary Short-Range Urban Services Area within Jordan Lake Water Supply Watershed.

Background

The Southwest Area Land Use Plan classifies the subject parcel as Residential (1 dwelling unit per acre). The property resides to the north of the existing Community Activity Center (CAC). The Land Use Plan recommends the following non-residential uses outside of activity centers: home occupations, daycare, parks, low intensity recreation, libraries, schools, churches, fire stations, nurseries, family care homes and telecommunication towers provided they meet County policies and standards.

Adjacent Land Uses:

The CAC currently contains residences, forests, vacant land, a church, sod/landscaping business, and indoor/outdoor storage facility. Wake County's Turner Creek Elementary School lies to the north in the Town of Cary. South of the CAC within the Town of Apex there is a grocery-anchored retail center and a Walgreens at the intersection with Jenks Road and NC 55.

All parcels within the current CAC are R-40W, HD (Highway District), and CU-HC (Conditional Use-Heavy Commercial). The applicant's parcel is currently zoned HD. It is important to note that this area is within the Jordan Lake Water Supply Watershed; however the parcels can be annexed and developed to municipal standards unlike other Water Supply Watersheds within Wake County.

Analysis:

Wake County Land Use Plan

In accordance with the Wake County Land Use Plan, the goal of activity centers is to focus compact development in mixed use centers that include housing, commercial services and employment opportunities designed with convenient pedestrian and vehicular access from surrounding areas. Land Use Plan Amendment 03-16 requests expansion of a community activity center in an urban growth area.

The Land Use Plan also provides guidance on size and spacing for tailoring activity center proposals to existing neighborhoods;

COMMUNITY ACTIVITY CENTER GUIDELINES

Size	Up to 120 acres
Maximum Distance that Non-residential Uses May Radiate Outwards from the Center of the Activity Center (along Roadways)	1,600 feet
Maximum Depth that Non-residential Uses Should Extend Back from Road Rights-of-way	800 feet
Minimum Separation from Neighborhood Activity Centers	1.5 mile
Minimum Separation from Community or Regional Activity Centers	3 miles

A municipal waterline exists along NC 55 and development within the CAC could obtain access. Municipal sewer is not along NC 55, however the surrounding ridgelines nearby do have service. The CAC sits in a valley between the municipalities of Cary and Apex.

Town of Cary Planning Comments

The Town of Cary Planning staff sited relevant land use policies from the 2004 Town of Cary Southwest Plan and the Draft 2040 Cary Community Plan. Within the Draft 2040 Plan a SHAPE policy provides an opportunity for commercial uses outside of designated commercial areas.

SHAPE Policy 7: Provide opportunities for a limited set of non-residential uses outside of commercial centers. Discussion: The intent of this policy is to acknowledge the need for some businesses to be located outside of the three commercial categories (shopping centers, commercial mixed use centers, and destination centers). For example, some commercial uses such as dog kennels, auto body shops, furniture warehouses, landscaping businesses, etc. are not appropriate for these types of commercial centers. Instead, these establishments should be located along major road corridors and should be compatible with and buffered from residential neighborhoods and other lower intensity uses.

Findings:

1. The parcels are classified as Residential (1 unit an acre) in Wake County Southwest Area Land Use Plan and located within the Town of Cary Short Range Urban Services Area.
2. The proposed amendment is consistent with the Wake County Land Use Plan Community Activity Center Distance/Separation and Sizing Guidelines.
3. NC Highway 55 serves as a major corridor within western wake that contains a mix of land uses.
4. The Town of Cary Planning staff sited relevant land use policies from the 2004 Town of Cary Southwest Plan and the Draft 2040 Cary Community Plan.

5. The Draft 2040 Cary Community Plan (SHAPE Policy 7) provides an option for non-residential uses outside of commercial areas along major corridors.

RECOMMENDATIONS

STAFF: That the Board of Commissioners approve Land Use Plan Amendment 03-16 to amend the Wake County Southwest Area Land Use Plan to include an additional 5.5 acres to an existing 95-acre Community Activity Center near the intersection of Wade Drive and NC 55.

PLANNING BOARD:

The Planning Board recommended at their September 7th, 2016 meeting, by a unanimous vote, that the Board of Commissioners adopt the Proposed Land Use Plan Amendment 03-16 to include an additional 5.5 acres to an existing 95-acre Community Activity Center near the intersection of Wade Drive and NC 55.

Attachments:

1. LUPA 03-16 PowerPoint
2. LUPA 03-16 Application
3. LUPA 03-16 Staff Report
4. LUPA 03-16 Community Meeting Notes
5. LUPA 03-16 Staff Map
6. LUPA 03-16 Aerial Map
7. LUPA 03-16 Community Comments
8. Wake County Land Use Plan Documents
9. Town of Cary Planning Comments
10. Planning Board Minutes
11. LUPA 03-16 Resolution