

# Planning and Zoning Board Agenda Item Report

Agenda Item No. 2018-246-0

Submitted by: Kari Grace

Submitting Department Planning

Meeting Date: July 12, 2018

## SUBJECT

Items related to the Proposed Amendment of the Land Use Plan and Zoning Map for 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive (LUP 18-02 and REZ 18-02)

1. Resolution 2018-246-0A Approving a Land Use Plan Map Amendment for Property Commonly Known as 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive, Located at the Southwest Corner of Morrisville-Carpenter Road and Davis Drive, to Neighborhood Activity Center (LUP 18-02)
2. Resolution 2018-246-0B Pertaining to the Adoption of a Plan Consistency Review Statement for a Proposed Zoning Map Amendment for Property Commonly Known as 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive, Located at the Southwest Corner of Morrisville-Carpenter Road and Davis Drive (REZ 18-02)
3. Ordinance 2018-246-0 Approving a Zoning Map Amendment for Property Commonly Known as 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive, Located at the Southwest Corner of Morrisville-Carpenter Road and Davis Drive, to the Conditional-Neighborhood Activity Center District (REZ 18-02)

Kari Grace, Planner II

## Recommendation:

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

WP East Acquisitions, LLC is requesting approval of a zoning map amendment for 19.84 acres of property commonly known as 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive, located at the southwest corner of Morrisville-Carpenter Road and Davis Drive. The Wake County PINs of the property are 0745437454, 0745435412, 0745432469 and 0745424805. One of the four parcels is already annexed into corporate limits while the other three are in the Town's ETJ. The existing zoning and land use plan designation of the properties is Low Density Residential (LDR) (See ATTH 01 – Location Map, ATTH 02 – Land Use Plan and ATTH 03 – Zoning Map). The requested rezoning is to Conditional-Neighborhood Activity Center (C-NAC) with various conditions (See ATTH 04 – Application Packet).

If the rezoning is approved, any of the uses permitted in the NAC district that are not included within the condition exclusions would be permitted to be constructed on the property provided that all other UDO requirements are met (see ATTH 05 – NAC Principal Intensity and Dimensional Standards and ATTH 06 – LDR Principal Intensity and

Dimensional Standards). All of the permitted uses in the LDR and NAC districts can be found in Table 4.2.4 of the UDO (see ATTH 07 – Principal Use Table). The anticipated uses for the site are “Multi-family Dwelling” and “Live/Work Dwelling.” If the rezoning request is approved and the developer submits an application for multi-family development as envisioned, the application would go through the Major Site Plan process and be reviewed by Planning and Zoning Board and Town Council.

The proposed conditions exclude several less compatible uses for the area and call for the inclusion of “Live/Work Dwelling” as a second principal use. Several conditions relate to access, including driveway spacing and Davis Drive access as well as the provision of cross-access to adjacent properties. There are also two conditions related to required transportation improvements. Finally, other conditions are regarding provision of a play area, open space and tree preservation.

The south side of the site has significant environmental features, including a natural stream and wetlands. A portion of the property is in the 100-year floodplain. These factors pose limitations to development of the site, particularly on the south side near the Davis Drive frontage (see ATTH 08 – Environmental Features Map).

#### POTENTIAL IMPACTS

The estimated vehicle trip generation for the highest and lowest uses in the existing and proposed zoning districts can be found in the briefing supplement. The number of school aged children estimated to be generated if the property is developed with a residential use can also be found in the briefing supplement.

#### **Potential Options:**

A land use plan amendment and zoning map amendment are legislative actions and are generally considered to be discretionary. The Planning and Zoning Board should review the requests and make a recommendation to the Town Council for approval or denial. In reviewing the requested land use plan amendment and zoning map amendment, the Board may wish to consider the items identified in Sections 2.4.3 and 2.4.19 of the Administrative Manual (see ATTH 09 and ATTH 10). In accordance with General Statute, the Board’s motion should include a statement regarding why the Board believes the rezoning request is or is not consistent with the Comprehensive Plan.

The Board may:

- Recommend approval of the requests as submitted, including any conditions proposed as part of the Conditional Rezoning;
- Recommend approval of the requests subject to modified or additional changes, with the applicant's consent; or
- Recommend denial of the requests

#### **Staff Recommendation:**

The Planning Department recommends approval of the requested land use plan and zoning map amendments for 1107, 1109 and 1113 Morrisville-Carpenter Road and 0 Davis Drive from Low Density Residential to Neighborhood Activity Center subject to the conditions proposed by the petitioner.

This recommendation is made for the following reasons:

1. The requests would result in a logical and orderly development pattern as it is compatible with the existing zoning to the west and north;
2. The requests would will help define this gateway entrance into Morrisville;

3. The requests would enhance the natural environment by preserving over one-third of the site as open space with designated tree preservation and further protecting the stream and wetlands on site;
4. The requests are compatible with existing uses surrounding the subject land as multi-family development is envisioned for the parcels, which is commonly considered to be an appropriate transition between the adjacent commercial and single-family residential uses on either side of the property;
5. The location of the subject land along a major thoroughfare and close to the intersection of two major thoroughfares makes it more suitable for higher intensity uses such as those located in the adjacent Neighborhood Activity Center district rather than Low Density Residential uses; and
6. The proposed land use plan designation and zoning district are compatible with both the land use plan designation and zoning in the surrounding area.

## ATTACHMENTS

- [2018-246-0 Peak Briefing Supplement Atth](#)
- [2018-148-0 RES A - Approving a Land Use Plan Amendment for LUP 18-02 with Exhibit](#)
- [2018-148-0 RES B - Consistency Statement for REZ 18-02 with Exhibit](#)
- [2018-246-0 ORD - Approving a Zoning Map Amendment for REZ 18-02 with Exhibit](#)
- [ATTH 01 - Location Map](#)
- [ATTH 02 - Future Land Use Map](#)
- [ATTH 03 - Zoning Map](#)
- [ATTH 04 - Application Packet](#)
- [ATTH 05 - NAC Principal Intensity and Dimensional Standards](#)
- [ATTH 06 - LDR Principal Use Intensity and Dimensional Standards](#)
- [ATTH 07 - Principal Use Table](#)
- [ATTH 08 - Environmental Features Map](#)
- [ATTH 09 - Land Use Plan Amendment Considerations](#)
- [ATTH 10 - Rezoning Considerations](#)