



STAFF REPORT – CASE CP-6-19

Comprehensive Plan Amendment

OVERVIEW

The request is to amend the 2030 Comprehensive Plan Map LU-3: Future Land Use Map from Rural Residential to Moderate Density Residential, for approximately 102 acres that are a portion of three parcels owned by Cheryl R. and Anthony C. Lewis, Douglas C. and Wallace R. Chappell, and Sandra M. Poole. Sandra M. Poole has provided written objection to her property being included in the request.

The area of the request is generally located in northeast Raleigh between Blue Run Lane and the Neuse River, just south of Buffaloe Road. The request is only for the portion of the three parcels located west of I-540 designated as Rural Residential on the Future Land Use Map. All three parcels have additional acreage east of I-540 that is not included in the request. The request is located outside of Corporate City Limits, but within the Extraterritorial Jurisdiction (ETJ) and would require an annexation should future development connect to City services including sewer and water.

The request includes acreage zoned Agriculture Productive (AP) that is currently planted for timber and acreage zoned Residential-4 (R-4), which allows up to four dwelling units per acre, but is currently employed for agricultural use. The westernmost portion of the three parcels are zoned Conservation Management (CM), corresponding with the floodplain areas of the Neuse River which borders the site to the west.

The eastern edge of the request is adjacent to the I-540 right-of-way, which measures approximately 1,900 feet in width. Adjacent to the west and south are areas zoned R-4. To the north of the request there is land zoned AP and Manufactured Housing (MH). The area zoned AP is forested, and the area zoned MH is in use as a manufactured housing neighborhood.

Most of the request lies within a Special Highway Overlay District-1 (SHOD-1) for the I-540 corridor. The SHOD-1 requires a 50-foot protective yard, which must be established as a Tree Conservation Area, for any portion of a lot abutting a Major Access Corridor such as I-540.

The area of the request is presently designated on the FLUM as Rural Residential, with the remainder of the parcels' area on the west side of I-540 designated as Public Parks & Open Space concurrent with the floodplain area along its westernmost boundary. There is additional Rural Residential designation to the south and additional Public Parks & Open Space to the west of the request. To the north of the request, there is an area designated as Moderate Density Residential. This request would expand the existing area of Moderate Density Residential from approximately 122 acres to 226 acres.

The 2030 Comprehensive Plan describes the existing Future Land Use category of Rural Residential as:

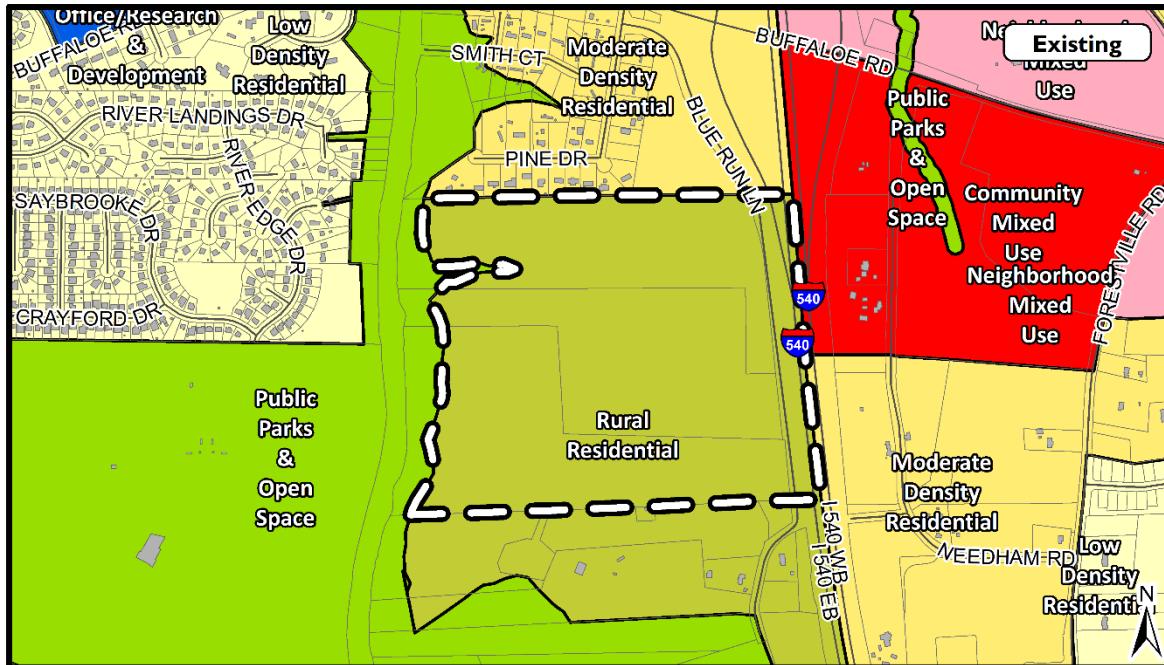
This category is generally mapped over areas zoned "R1" (or areas in the ETJ/USA with rural residential land use designations and rural County zoning) where intensification to more urban uses is not expected due to watershed constraints and existing fragmented parcel patterns. Rural Residential areas are generally developed with "ranchettes," hobby farms, estates, large-lot subdivisions, or conservation subdivisions with large common open space areas. The intent of this designation is to preserve the rural character of these areas and achieve compatible resource conservation objectives such as watershed conservation and tree protection. Gross densities in these areas would be one unit per acre or less, although clustered housing on large tracts could result in small pockets of more densely developed land.

The 2030 Comprehensive Plan describes the existing Future Land Use category of Moderate Density Residential as:

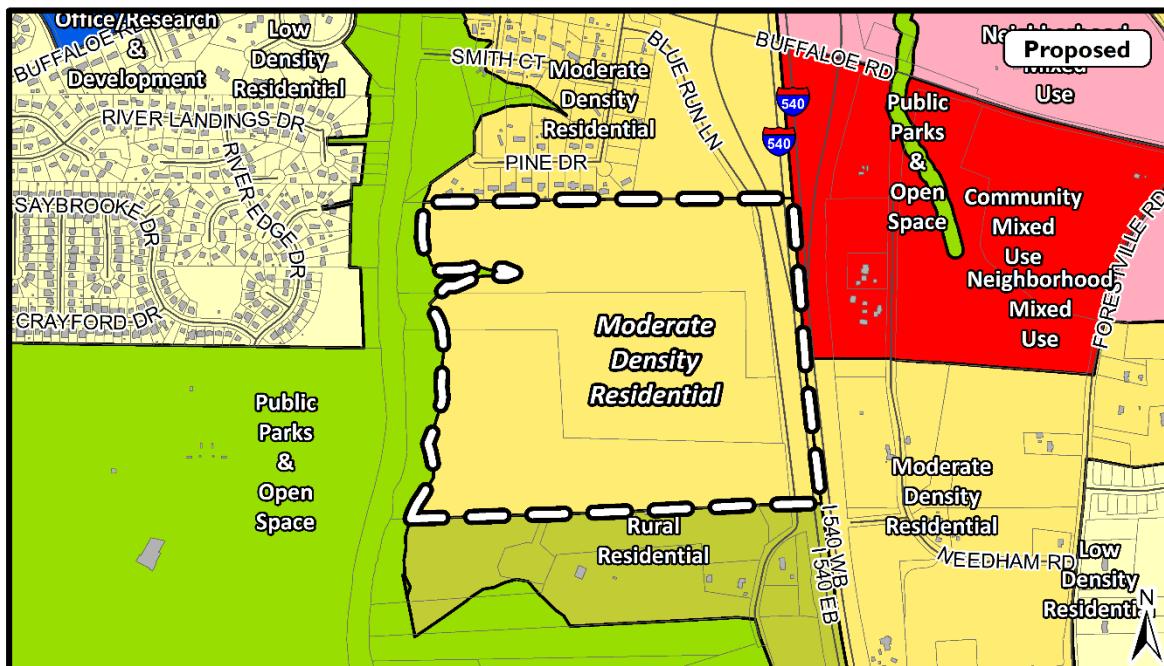
This category applies to some of the city's older single family residential neighborhoods, along with newer small lot single family subdivisions and patio home developments. Other housing types including townhouses and multifamily dwellings would be consistent with this designation as long as an overall gross density not exceeding 14 units per acre was maintained. Gross density in these areas would be 6 to 14 units per acre. Corresponding zoning districts are R-6 and R-10, or RX conditioned to limit density.

Proposal to Amend the Future Land Use Map

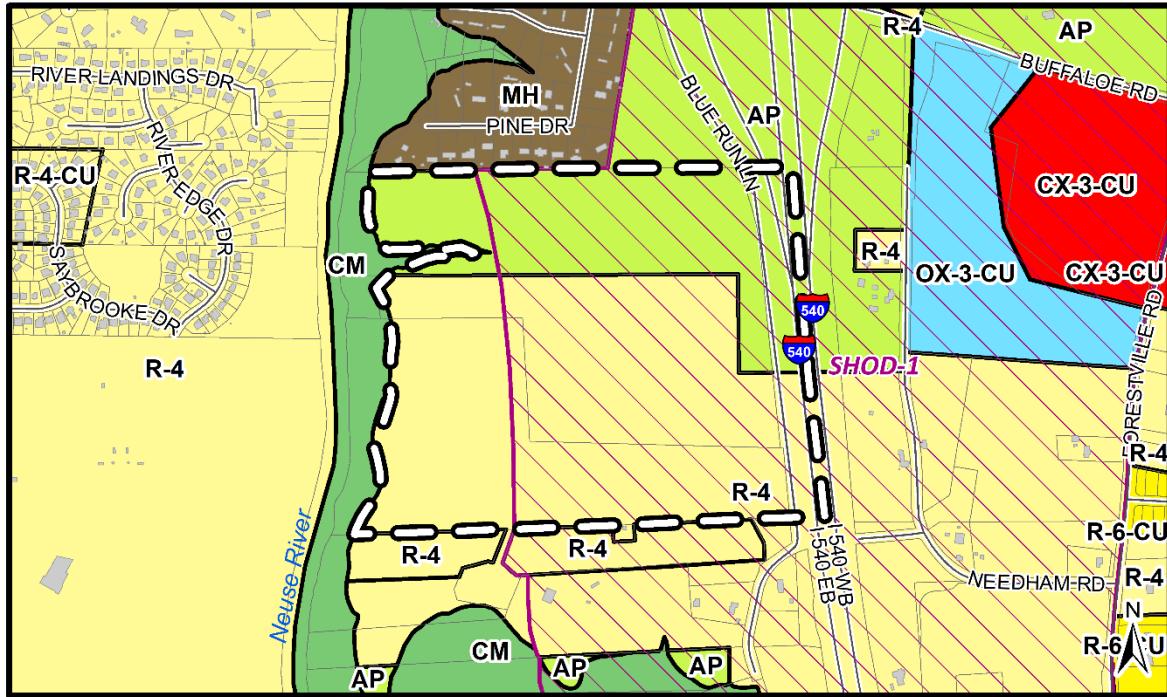
Existing Designation: Rural Residential



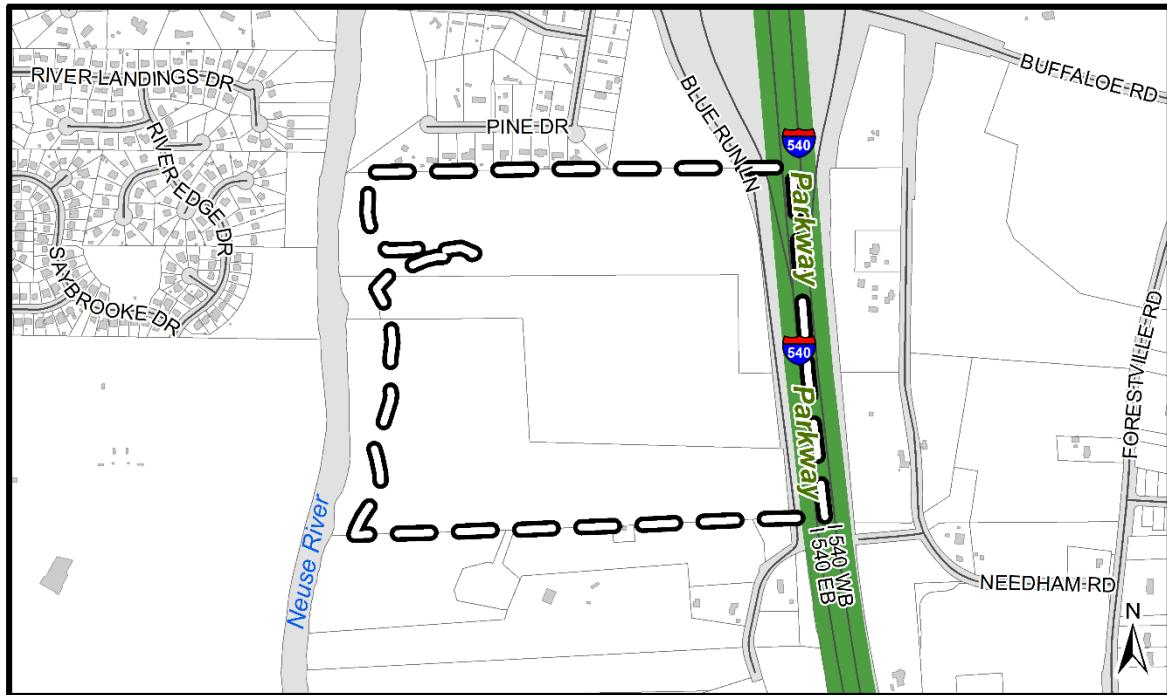
Proposed Designation: Moderate Density Residential



Existing Zoning



Existing Urban Form Map



CONSIDERATIONS FOR THE PLANNING AND DEVELOPMENT OFFICER'S REVIEW AND RECOMMENDATION:

The following list of considerations for the Planning and Development Officer's review and recommendations regarding a proposed Comprehensive Plan amendment are not all-inclusive. Review and recommendations of proposed Comprehensive Plan amendments may consider whether:

- 1. The proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;**

The request meets the challenge of a changing condition. The area is near the 5401 Planned Development (PD zoning district), and the Buffaloe Road/I-540 interchange, an area in NE Raleigh that is transitioning away from a predominantly low density, rural character to a more urban and suburban one. Expanding the area of Moderate Density Residential designation would further this transition that is already in progress.

- 2. The proposed amendment is in response to changes in state law;**

A recent change in state law adopted in October 2017 results in a de facto Comprehensive Plan amendment when a zoning case that is inconsistent with the Comprehensive Plan is approved by the City Council. The applicant has chosen to pursue the amendment independently and in advance of any rezoning request.

- 3. The proposed amendment constitutes a substantial benefit to the City as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.**

The proposed amendment would not constitute a benefit to the City as a whole, but it would provide a substantial benefit to the applicant by setting the stage for a R-10 or RX rezoning. A change in the FLUM from Rural Residential to Moderate Density Residential would facilitate development of a higher density residential district than what is currently in place and suggested by policy. The area has poor vehicular access and is environmentally sensitive. The owner of one of the parcels included in the request has provided written objection to the FLUM designation for her property being changed.

- 4. The proposed amendment is consistent with other identified Plan policies and adopted area plans;**

The proposed amendment is consistent with the following relevant Comprehensive Plan and area plan policies:

Policy LU 3.2 – Location of Growth

The development of vacant properties should occur first within the City's limits, then within the City's planning jurisdiction, and lastly within the City's USAs to provide for more compact and orderly growth, including provision of conservation areas.

The site is within the City's extraterritorial jurisdiction, but not within the City limits. There is a gravity sewer main traversing the site, paralleling a greenway easement that includes floodplain areas.

The proposed amendment is inconsistent with the following relevant Comprehensive Plan and area plan policies:

Policy LU 4.5 – Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

The proposed FLUM amendment would facilitate new residential development that would connect directly with the Capital Area Greenway system via the Neuse River Trail. However, vehicular connectivity would be constrained, with the likelihood of a single point of access onto Buffaloe Road in very close proximity to the I-540 interchange.

Policy LU 4.10 — Development at Freeway Interchanges

Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mixture of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

The site of the requested FLUM amendment is located approximately 0.2 miles from the Buffaloe Road exit with I-540 (Exit 20). The requested change to Moderate Density Residential would support zoning that would make vehicular access problematic, given the current Street Plan designation as a Neighborhood Street, and the close proximity to the I-540/Buffaloe Road interchange.

Policy EP 2.5 – Protection of Water Features

Lakes, ponds, rivers, streams, and wetlands should be protected and preserved. These water bodies provide valuable stormwater management and ecological, visual, and recreational benefits.

Policy EP 4.2 – Floodplain Conservation

Development should be directed away from the 100-year floodplain.

The proposed FLUM amendment could provide an opportunity for new residential development to meet the goal of the Environmental Protection section of the Comprehensive Plan to ‘design with nature’, by integrating best practices and environmentally-sensitive design. Low density residential development, particularly with a Conservation Subdivision option or residential cluster design, may be appropriate in this location, but should be directed toward the frontage road and away from the floodplain.

There are no existing area plan policies that pertain to this site.

5. The impact the proposed amendment has with regard to:

A. Established property or proposed development in the vicinity of the proposed amendment

The proposed amendment would increase the extent of Moderate Density Residential-designated area in the area. It would encourage rezoning to districts ranging from R-6 to RX. For the portion of the site west of I-540, the amendment could possibly increase pressure for the eventual redevelopment of the MH-zoned property to the north. Furthermore, the amendment would result in a ‘new edge’ of Moderate Density Residential-designated area bordering Rural Residential. However, this would be a relatively small area that would be bordered by Neuse River floodplain and I-540, creating a ‘wedge’ of land that would be constrained for any future development beyond low or very-low density residential.

B. Existing or future land use patterns;

The proposed FLUM amendment would not support existing land use patterns, which are predominantly vacant, agriculture and forest lands and rural residential uses. However, it could be supportive of future land use patterns given the location of the Buffaloe Road/I-540 interchange and the trending growth in the area. The proposal could increase the likelihood of future redevelopment of this area particularly the MH-zoned area to the north.

C. Existing or planned public services and facilities;

The proposed FLUM amendment could facilitate residential development with direct access to the Neuse River Trail, increasing the number of trail users.

D. Existing or planned roadways;

The proposed amendment area includes a Neighborhood Street as shown in the Street Plan. This street would ultimately connect Buffaloe Road to Tarheel Club Road, proposed as a future Avenue 4-Lane Divided. However, the number of dwelling units that could be developed under a Moderate Density Residential scenario could result in excessive trip generation for a single Neighborhood Street.

E. The natural environment, including air, water, noise, stormwater management, wildlife and vegetation;

The site contains floodplains and areas designated as Public Parks and Open Space. Future development of the site would, with careful site design, present minimal impacts to the natural environment. However, the present designation as Rural Residential would have a less adverse impact on the sensitive natural features of the Neuse River floodplain.

F. Other policies of the Comprehensive Plan.

The corresponding base zoning districts that align with the proposed FLUM amendment could support the Parkway Corridor designation on the Urban Form Map.

6. Summary:

The request is to amend Map LU-3: Future Land Use Map to adapt to changing trends in the proposed area. The site represents a transitional edge – agricultural and forest land located near the Buffaloe Road/I-540 interchange. The site is wedged between I-540 and the Neuse River, with direct access to the Neuse River Trail via a pedestrian bridge that connects to the Buffaloe Road Athletic Park. The proposal would expand the area currently designated as Moderate Density Residential, and would support future residential redevelopment on adjacent, vacant properties. The present designation of Rural Residential is less impactful on the natural environment in this location, and the current Street Plan designation and difficulties in accessing Buffaloe Road may be insufficient to support additional moderate density residential development.

COMPREHENSIVE PLAN ANALYSIS:

The request is inconsistent overall with identified Comprehensive Plan policies.

STAFF COORDINATOR:

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