



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Zoning Map Change Report

Meeting Date: March 3, 2008

Reference Name	1607 Ed Cook Road (Z07-44)		Jurisdiction	City
Request	Proposed Zoning		Residential Suburban-10 (RS-10)	
	Existing Zoning		Residential Rural (RR)	
	Proposed Use		Single family residential	
	Existing Use		Single family residential	
Site Characteristics	Tier		Suburban	
	Land Use Designation		Low Density Residential (4 DU/Ac or less)	
	Overlays		None	
	Site Acreage		0.567	
Applicant	Brent J. Lockwood		Submittal Date	November 12, 2007
Location	Southeast corner of the intersection of Ed Cook Road and Hickory Nut Drive			
PINs	0830-04-70-0189			
Recommendations/ Comments	Staff	Approval, based on consistency with the <i>Comprehensive Plan</i> and considering the information contained in this report		
	Planning Commission	Approval 7-6 on January 8, 2008. The Planning Commission finds that the ordinance request is consistent with the adopted <i>Comprehensive Plan</i> . The Commission believes the request is reasonable and in the public interest and recommends approval based on the information in the staff report and comments received during the public hearing.		
	DOST	No comments		

A. Summary

This is a request to change the zoning designation of the 0.567 acre parcel located at 1607 Ed Cook Road from RR to RS-10. The request is consistent with the future land use designation of the *Comprehensive Plan* which designates the site for Low Density Residential.

B. Site History

There have been no recent zoning map change requests for this site.

C. Area Characteristics

This site is located on the southeast corner of the intersection of Ed Cook Road and Hickory Nut Drive, and in the Suburban Tier. Uses in the area consist of single family residential, vacant lots and undeveloped land; zoning is RR and Planned Development Residential (PDR 4.000).

Adjoining Uses, Zoning Districts and Overlays			
	Existing Uses	Zoning Districts	Overlays
North	Single family residential, vacant lots	RR	None
East	Single family residential	RR	None
South	Vacant lot	RR	None
West	Undeveloped land	RR, PDR 4.000	None

Staff Analysis and Conclusion. The existing lot area of the property does not conform to minimum lot requirements for RR zoning. With the requested zoning change, the lot area would exceed the minimum lot area required for the proposed RS-10 district. This request is consistent with the higher density zoning to the west.

D. Site Characteristics

The zoning map change site is a 0.567 acre lot that is currently used for single family residential. There are no identified environmental or physical constraints on this site.

Staff Analysis and Conclusion. There are no identified constraints that would prevent the site from being developed or redeveloped in accordance with applicable ordinance standards. Conformance with UDO requirements will be determined at the time of subdivision review.

E. Requested Zoning District Characteristics

RS-10 (Residential Suburban) - the RS-10 district is established to provide for suburban residential development and redevelopment with a minimum lot size of 10,000 square feet. A variety of single-family housing types are permitted. While RS-10 is a residential district, certain nonresidential uses may be sought through a special use such as day care facilities and places of worship permit or other limited provisions of the ordinance.

Residential Development Standards – RS-10				
	Code Provision	Minimum	Maximum	Proposed
Site Area (square feet)	6.3.1.A.	10,000	N/A	10,000

Staff Analysis and Conclusion. The proposed zoning change would make the existing single family residential use meet the development standards of the Unified Development Ordinance. There are no identified constraints that would prevent the site from being developed in accordance with applicable ordinance standards.

F. Infrastructure Impacts

Road Impacts

Ed Cook Road is the major road impacted by the proposed zoning change. The adjacent Rustica Oaks development is required to widen Ed Cook Road to provide a northbound left-turn lane adjacent to this site.

The proposed Briggs Avenue Extension and the realignment of Ed Cook Road will relocate Ed Cook Road to the west away from this site. This NCDOT project is currently unfunded.

Affected Segments	Ed Cook Road
Roadway Capacity (LOS D) (ADT)	14,600
Latest Traffic Volume (AADT)	3,100
Traffic Generated by Present Designation (average 24 hour)	10*
Traffic Generated by Proposed Designation (average 24 hour)	19**
Impact of Proposed Designation	An increase of 10 daily trips

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2002)

Ed Cook Road: 2-lane Major City/County roadway with left-turn lanes

Source of Latest Traffic Volume: 2005 NCDOT Traffic Count Map

*Assumption- (Max Use of Existing Zoning) – RR: 1 single family lot

** Assumption- (Max Use of Proposed Zoning) – RS-10: 2 single family lots

2. Transit Impacts

Transit service is not provided within one-quarter mile of this site.

3. Utility Impacts

The site could be served by public sewer and water which is adjacent to the site.

4. Drainage/Stormwater Impacts

The impacts of any change will be assessed at the time of subdivision submittal.

5. School Impacts

The proposed request is not estimated to generate any additional students from the current zoning designation. The schools that would potentially serve this site are Bethesda Elementary School, Lowes Grove Middle School, and Hillside High School.

School Impacts – System Totals			
	Elementary School	Middle School	High School
Current Building Capacity	15,039	7,400	9,970
Maximum Building Capacity (LOS) - 120% of capacity	18,047	8,880	11,748
20th Day Attendance (2007-08 School Year)	16,060	6,648	10,040
Committed to date (January 2005 – December 2007)	250	127	(31)
Available Capacity	1,737	2,105	1,739
Potential Students Generated - Current Zoning	0	0	0
Potential Students Generated - Proposed Zoning	0	0	0
Impact of Rezoning	0	0	0

Staff Analysis and Conclusion. Infrastructure is available to serve development pursuant to the zoning map change.

G. Plan Consistency

Plan Requirements			
	Policy	Requirement(s) (LOS = Level of Service)	Consistent
Comprehensive Plan	Future Land Use Map	Low Density Residential (4 DU/Ac or Less)	Yes
	2.2.2b	Infrastructure Capacity	Yes
	8.1.2m	Transportation LOS	Yes
	9.4.1a, b and c	Water Quantity and Quality LOS	Yes
	11.1.1a	School LOS	Yes

Staff Analysis and Conclusion. The request is consistent with the policies of the *Comprehensive Plan* that are applicable to the development as well as the Future Land Use Map.

H. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Durham Justice & Fairness Inter-Neighborhood Association
- Inter-Neighborhood Council
- Durham People’s Alliance
- Partners Against Crime-District 4
- Center of the Region Enterprise (CORE)
- Northeast Creek Streamwatch

I. Recommendations

Staff recommends approval, based on consistency with the *Comprehensive Plan* and considering the information provided in this report.

The Planning Commission recommends approval. The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on the information in the staff report and comments received during the public hearing.

J. Summary of the Durham Planning Commission Minutes of January 8, 2007 (Case Z07-44)

Request: RR to RS-10

Location: Southeast corner of the intersection of Ed Cook Road and Hickory Nut Drive

Staff Recommendation: Approval. Ms. Sherron presented the staff report.

Public Hearing: Chair Brine opened the public hearing. No one spoke. Chair Brine closed the public hearing.

Commission Discussion: The Commission discussion centered on the problem that this lot would need to be made a flag lot in order to have road frontage.

Findings: The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on the information in the staff report and comments received during the public hearing.

Motion: Approval. (Ms. Brown, Mr. Parrish, 2nd)

Action: Motion carried 7-6 (with Ms. Brown, Ms. Giles, Ms. Jacobs, Mr. Martin, Mr. Moffitt, Mr. Parrish, voting no.)

J. Staff Contact

Gail Sherron, Senior Planner, 560-4137 ext 230 or gail.sherron@durhamnc.gov

K. Applicant Contact

Brent J. Lockwood, 919-215-1912 or ppofnc@clearwire.net

L. Attachments

1. Context Map
2. Future Land Use Map
3. Aerial Photograph
4. Planning Commissioners Written Comments
5. Application
6. Ordinance