



Transportation Special Use Permit Report

Meeting Date: December 19, 2011

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| Reference Name | Voyager Academy (T1100001) | Jurisdiction | City |
| Request | Transportation Special Use Permit (TSUP) | | |
| Site Characteristics | Tier | Suburban | |
| | Zoning District | OI (D) | |
| | Overlays | F/J-B | |
| | Site Acreage | 15.5 Acres | |
| Applicant | G.M. Hock/Steve Hubrich | Submittal Date | June 6, 2011 |
| Location | 101 Hock Parc (Middle School), 4210 Ben Franklin Drive (Elementary School), and 4302 Ben Franklin Drive (High School). Located on the south and east side of Ben Franklin Drive, north of William Penn Plaza and west of Danube Lane | | |
| PINs | 0833-01-05-7672, 0833-01-15-0924, 0833-01-05-4997 | | |
| Recommendation | Staff | Staff will make a final recommendation following the hearing. | |

A. Summary

G.M. Hock requests approval of a Transportation Special Use Permit (TSUP) for traffic impacts associated with the full build-out of a 1,300 student charter school campus on the south side of Ben Franklin Drive across from Freedom Lake Drive and Medical Park Drive (see the Context Map in Attachment #2). The phased development includes: 1) a 500 student middle school (grades 4-8) which opened in 2009; 2) a 400 student high school (grades 9-12) which opened in 2011; and 3) a proposed 400 student elementary school expected to open in 2013.

Unless exempted by Section 3.3.8A.1, a Transportation Special Use Permit (TSUP) is required for site plan projects that generate at least 600 vehicle trips in a single peak hour. The first two phases of the development did not require a TSUP, as each phase was individually under the 600 trip threshold with separate access points and infrastructure. The proposed elementary school (associated Major Site Plan case D1100049, in Attachment #7) will utilize the same access points as the two previously constructed schools, thus requiring the cumulative impact from all three schools to be considered. The proposed elementary school will generate an additional 665 daily trips with 399 trips in the a.m. peak hour and 212 trips in the school p.m. peak hour. The full build-out (cumulative

impact) of all three schools exceeds the TSUP threshold, generating an estimated 2,398 daily trips with 1,418 trips in the a.m. peak hour and 803 trips in the school p.m. peak hour.

A Traffic Impact Analysis (TIA) and Transportation Management Plans (TMPs) were prepared by the applicant's traffic consultant, Martin/Alexiou/Bryson (MAB). They were reviewed by both the City's Transportation Division and the North Carolina Department of Transportation (NCDOT). The review memos evaluating this analysis and identifying improvements required for approval of this Transportation Special Use Permit are attached (see the City Transportation Department Memo in Attachment #4, NCDOT Memo in Attachment #5). All of the recommended improvements have been agreed to by the applicant and are noted as Special Conditions of Approval on the proposed Major Site Plan.

B. Section 3.3.8D – Criteria for Approval

The City Council may grant the Transportation Special Use Permit only if each of the required findings identified in Section 3.3.8.D can be made:

1. The traffic generated by the development and associated improvements to the street system will not have a significant adverse impact on the surrounding area. Significant adverse impact shall include:
 - a. Substantial increases in traffic on local residential streets such that the majority of the traffic is not associated with the residential properties which front on the street; or
 - b. The need to widen local residential streets which would detract significantly from the character or basic function of the nearby streets.

Staff Technical Findings: An elementary school with 400 students is proposed for this site. The school is proposed to be accessed via an existing driveway on Ben Franklin Boulevard at Hock Parc Lane. This would be a shared access with the existing Voyager Academy Middle School. A second point of access will be provided to Medical Park Drive, south of Ben Franklin Boulevard. This portion of Medical Park Drive is an existing private street that provides access to Voyager Academy High School and the adjacent apartments. The school does not provide bus transportation.

The elementary school is expected to generate 399 vehicle trips during the a.m. peak hour and 212 trips in the school p.m. peak hour. The trip generation rates are based on the NCDOT Municipal and School Transportation Assistance (MSTA) Unit's spreadsheet model. The NCDOT rates are almost double the rates specified in the ITE Trip Generation Manual, which are more reflective of observed trip generations rates for North Carolina schools.

With the recommended transportation improvements, the adjacent streets and intersections are all expected to operate at an acceptable Level of Service (LOS) with full build-out of the proposed site.

There are no widening improvement impacts or substantial traffic increases to adversely affect residential streets.

2. Adequate provisions have been made for safe and efficient vehicular circulation, parking and loading, and pedestrian access.

Staff Technical Findings: The proposed site plan has been reviewed for general layout and circulation and is in conformance with all UDO requirements. Site circulation is provided within the site via proposed private drives. The site will provide 50 parking spaces which exceeds the 34 spaces required under UDO Section 10.3.1.

The vehicle stacking requirements for the pick-up/drop-off area are based on the NCDOT MSTA Unit's spreadsheet model which estimates 883 feet of stacking is needed. The site layout provides approximately 900 feet of on-site vehicle stacking, exceeding the amount required by the MSTA calculator. For the proposed use, designated service loading areas are not required. However, all service vehicles and service loading can be accommodated within the parent pick-up/drop-off loop.

The project site plan includes a system of internal sidewalks as required per UDO Section 12.4.4. This will provide pedestrian connectivity to the adjacent middle school, high school, and existing external public sidewalk along Ben Franklin Boulevard.

3. The traffic generated by the proposed development and any proposed improvements to the street system will not have a significant adverse impact on the environment. Significant adverse impacts shall include but not be limited to undue concentration of air pollutants, or excessive noise or vibrations.

Staff Technical Findings: The surface parking lot does not meet the minimum size threshold (1,500 surface parking spaces) to require a Transportation Facility Permit (for point source air quality conformance) issued through the North Carolina Department of Environment and Natural Resources. Based on the TIA results, the anticipated vehicle delays are not expected to produce any significant adverse impacts of air pollution (emissions) or excessive noise or vibrations.

4. The traffic generated by the development can be accommodated by the existing or funded transportation system, or adequate traffic mitigation measures have been proposed as part of the development application.

Proposed mitigation measures shall become conditions of the special use permit. The adopted level of service for the adjacent roadways may be considered in making this determination, but shall not be the sole factor considered by the City Council.

Staff Technical Findings: Based on the TIA and review by staff, several mitigation measures are necessary to accommodate the proposed development. These measures are listed below and are necessary to provide adequate safe ingress and egress to the site. The improvements are to be provided by the applicant and are noted and illustrated as Special Conditions of Approval on the proposed site plan. The improvements are to be completed prior to the issuance of any certificate of occupancy.

Summary of TIA Required Improvements

1. Implementation and adherence to the three individual schools and overall Voyager Academy Campus Transportation Management Plans (TMP – see Attachment #6), dated August 2011. A TMP may be modified upon review and written concurrence by the Durham Department of Transportation.
2. Construct a bus shelter to City of Durham - DATA/TTA standards on Ben Franklin Boulevard. This requirement shall not apply if transit service is not provided by DATA or TTA within one-quarter mile of the TSUP boundary at the time of the issuance of a certificate of occupancy for the Voyager Academy Elementary School. Additionally, if provided, the concrete pad/shelter shall be located within the existing right-of-way or in a transit easement on property that is part of the Voyager Academy TSUP.

Section 3.9.7.C

The City Council may place conditions on the use permit as part of the approval to assure adequate mitigation measures are associated with the use. The conditions become a part of the major special use permit approval. Violations of any of the conditions shall be treated in the same manner as other violations of the UDO.

C. Notification

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

1. Inter-Neighborhood Council
2. Unity in the Community for Progress
3. Friends of Durham

4. Peoples Alliance
5. Partners Against Crime – District 2

D. Staff Contact

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Bill Judge, Transportation Engineer IV, 560-4366 ext.36420, or
bill.judge@durhamnc.gov

E. Attachments

1. Application
2. Context/vicinity map
3. Aerial photo
4. Transportation Impact Analysis memo
5. NCDOT Impact Analysis memo
6. Transportation Management Plan (TMP) – Overall Campus
7. Site plan reductions