



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



PLAN AMENDMENT REPORT

Meeting Date: June 20, 2011

<b>Reference Name</b>	NC 54 Office (A1100002)	<b>Jurisdiction</b>	City
<b>Applicant</b>	Horvath Associates, PA		
<b>Request Change in Comprehensive Plan Designation</b>	<b>From:</b>	Low Density Residential (4 DU/Ac. or less)	
	<b>To:</b>	Office	
<b>Site Characteristics</b>	<b>Tier:</b>	Suburban	
	<b>Present Use:</b>	Vacant	
	<b>Present Zoning:</b>	RS-20	
	<b>Overlays:</b>	F/J-B	
	<b>Size:</b>	2.761 acres	
<b>Location</b>	North side of NC Highway 54, generally west of Fayetteville Road near Rollingwood Drive, and east of Southpark Drive		
<b>PIN(s)</b>	0718-02-77-2025		
<b>Recommendations</b>	<b>Staff</b>	Approval, based on the request being justified and meeting the four criteria for plan amendments	
	<b>Planning Commission</b>	Approval, April 12, 2011, 13-0, based on information provided in the staff report, the justification, and meeting the four criteria for plan amendments	

**A. Summary**

The proposed plan amendment would change the Future Land Use Map designation from Low Density Residential (4 DU/Ac. or Less) to Office for one parcel located on the north side of NC Highway 54, generally west of Fayetteville Road near Rollingwood Drive, and east of Southpark Drive. The total land area to be affected is 2.761 acres. There is an associated zoning map change requested (Z1100002) for this parcel.

## **B. Site History**

The South Durham Plan (1988) designated this parcel as Low Density Residential (Less than 4 DU/Ac.).

## **C. Applicant's Plan Amendment Justification**

The applicant states its intent to amend the future land use designation for the site and change the zoning map in order to build a one-story office building. The applicant contends in its justification statement that the site will "be developed in context to the adjacent property to the west [two-story office buildings] ...and that the architectural style of the single-story office buildings will provide a transition from the single-family residential homes to the existing two-story office complex." Furthermore, the applicant asserts that "by designing the buildings along the eastern edge and toward the front of the property, a separation is created between the parking areas and the single-family residential units that will provide additional buffering."

**Staff Analysis and Conclusion:** The applicant is requesting a Future Land Use Map change for 2.761 acres from Low Density Residential (4 DU/Ac. or Less) to Office with the stated intention of building single-story office buildings. The applicant points to the potential of single-story office buildings as a transition from a development of two-story office buildings to the nearby residential community. Office uses are typically used to transition from less intense uses, such as residential, to more intense uses such as commercial or industrial. The previously undeveloped land along NC Highway 54 close to Fayetteville Road surrounding the site has been shifting to more intense uses, particularly commercial and office. With this trend, a scenario in which this particular site would be developed as residential in the future is highly unlikely. Therefore, the plan amendment is justified based on a more detailed look at the site.

## **D. Criteria for Plan Amendments**

The Unified Development Ordinance (UDO) contains criteria for the Planning Commission to use in considering proposals to amend the *Durham Comprehensive Plan*. (See Section 3.4.7, Criteria for Planning Commission Recommendations).

- A. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and program of any adopted plans;
- B. Whether the proposed change would be compatible with the existing land use pattern and designated future land uses;

- C. Whether the proposed change would create substantial adverse impact in the adjacent area or in the City or County in general; and
- D. Whether the subject parcel is of adequate shape and size to accommodate the proposed change.

The proposed plan amendment has been evaluated against these criteria.

**1. Plan Consistency**

*Durham Comprehensive Plan* Land Use Policy 2.2.2b., Demand for Residential Land, indicates that in evaluating plan amendments, the Governing Boards and the City-County Planning Department shall consider the demand for residential land and the capacity of transportation, water systems, sewer systems, and other public facilities and services. Durham has sufficient land designated for residential uses on the Future Land Use Map to accommodate a decrease in residential land by 2.761 acres. The City-County Planning Department projects a demand of 167,000 dwelling units by the year 2035. The *Durham Comprehensive Plan* currently allocates land that would accommodate approximately 210,000 dwelling units, so the loss of potential residential acreage by the proposed plan amendment is not significant.

NC Highway 54 is the major road impacted by the proposed plan amendment. NC Highway 54 has a capacity of 16,400 annual average daily trips (AADT) and the most recent traffic volume is 18,000 (2009 estimate) annual average daily trips (AADT). Despite exceeding capacity, roadway improvements are not currently planned by either the City of Durham or NCDOT. Development under the proposed Office designation would likely result in an increase of 808 daily trips compared to the existing Low Density Residential (4 DU/AC. or Less) designation. Traffic generation and road capacity are analyzed in greater detail in the zoning map change staff report.

Development allowed with the proposed plan amendment change is estimated to generate a demand for water of 433.5 gallons per day (GPD). This represents a decrease of about 341.5 GPD from what development with the present land use designation would allow. Durham has sufficient capacity in water, sewer systems and other public facilities to accommodate the change of designation.

<b>Water Supply Impacts</b>	
Current Water Supply Capacity	37.00 MGD
Present Usage	20.19 MGD
Committed to Date (January 2008 - December 2010)	1.45 MGD
Available Capacity	15.36 MGD
Estimated Water Demand Under Present Land Use*	775 Gallons per day
Potential Water Demand Under Proposed Land Use**	433.5 Gallons per day
Impact of Proposed Plan Amendment	+341.5 Gallons per day
Notes: MGD = Million gallons per day *Assumption: Existing Land Use of Designation of Low Density Residential (4DU/Ac. or less), consisting of five single-family residential units **Assumption: Proposed Land Use Designation of Office, consisting of a 5,780 SF bank with drive-thru windows	

*Durham Comprehensive Plan* Land Use Policy 2.2.4b., Office Uses as Transition, indicates office space should be used as a complement to commercial space, providing a transition between commercial and residential areas. Though the site has remained undeveloped to date, an office use is compatible with a majority of the surrounding land uses and is often used to transition from less intense uses, such as residential, to more intense uses, such as commercial.

*Durham Comprehensive Plan* Land Use Policy 2.3.4f., Suburban Transit Areas, indicates that Suburban Transit Areas shown on the Future Land Use Map should be used to encourage development supportive of transit. While this site is not located within the boundaries of the Suburban Transit Area surrounding the Southpoint commercial node, it is located directly adjacent to it. The current Low Density Residential (4 DU/AC. or Less) designation would not yield sufficient densities to support transit. An office use at this location could bolster this Suburban Transit Area's position as an employment center.

**Staff Conclusion:** The request is consistent with the intent, goals, objectives, policies, guiding principles and programs of adopted plans and, therefore, meets criterion 3.4.7.A.

## 2. Compatibility

The site is located on NC Highway 54, generally west of Fayetteville Road near Rollingwood Drive, and east of Southpark Drive in the Suburban Tier. The NC Highway 54 corridor, particularly nearby Fayetteville Road, has experienced considerable growth in recent years, transitioning from a predominantly rural residential area to a regional commercial node and employment center. In 2005, the area surrounding Southpoint Mall was designated as a Suburban

Transit Area in the *Durham Comprehensive Plan* in anticipation of increased transit service and development at intensities supportive of transit. This site is located across NC 54 from the designated Suburban Transit Area.

The area north of the site is predominantly single-family residential development. Immediately east of the site are single-family residential units, however just further to the east is Southpoint Crossing Apartments (designated Medium Density Residential (6-12 DU/Ac.)) and the South Pointe Crossing Shopping Center (designated Commercial). Property to the west of the site is developed as a two-story office complex and is designated as Office in the Future Land Use Map. Across NC Highway 54 to the south of the site is office development.

Area Land Uses and Designations		
	Existing Uses	Land Use Designations
<b>North</b>	Single-family Residential	Low Density Residential (4 DU/Ac. or Less) and Recreation and Open Space
<b>East</b>	Single-family Residential (immediate), Multi-family Residential and Commercial	Low Density Residential (4 DU/Ac. or Less), Medium Density Residential (6-12 DU/AC.), and Commercial
<b>South</b>	Office	Office, Commercial, and Medium Density Residential (6-12 DU/Ac.)
<b>West</b>	Office	Office and Low Density Residential (4 DU/Ac. or Less)

The proposed Office designation is a reasonable request, given the existing office uses immediately adjacent to the west and across NC Highway 54 to the south. At this location, the potential for new single-family residential development at a low density is unlikely.

**Staff Conclusion:** The proposed plan amendment is compatible with the existing land use pattern and designated future land uses in the area and, therefore, meets criterion 3.4.7.B.

### 3. Adverse Impacts

The site is currently undeveloped and forested. It is within the Jordan Lake Protected Area (FJ/B), and is in proximity to Third Fork Creek and New Hope Creek; however, there is no reason to believe that any environmental impacts would preclude the site from being developed consistent with Unified Development Ordinance standards.

Amending the land use designation for this site would remove the forested buffer residents on Rollingwood Drive currently have from the office development to the west; however, if this site were to develop as the current adopted future land use policy and zoning would allow (as low density residential units), the same condition (abutting office development) would exist for this site. Many of the adverse impacts created by the office development will be addressed through provisions in the Unified Development Ordinance at the development plan and site plan level.

**Staff Conclusion:** The proposed plan amendment would not create substantial adverse impact in the adjacent area or in the City or County in general and, therefore, meets criterion 3.4.7.C.

#### **4. Adequate Shape and Size**

The total land area proposed for future land use redesignation is 2.761 acres. The site is of adequate size and appropriate shape to support office development consistent with ordinance requirements.

**Staff Conclusion:** The site is of adequate shape and size to accommodate the use pursuant to the proposed change and, therefore, meets criterion 3.4.7.D.

#### **E. Notification**

Staff certifies that notification, including newspaper advertisements and letters to property owners within 1,000 feet of the site, has been carried out in accordance with Section 3.2.5 of the UDO. The following neighborhood organizations were mailed notices:

- Darby Glen Townhomes
- Fairfield Community Awareness Committee
- Fayetteville Street Planning Group
- Friends of Durham
- Inter-Neighborhood Council
- Unity in the community for Progress
- Woodcroft Community Association

#### **F. Recommendation**

Staff recommends approval, based on the request being justified and meeting the four criteria for plan amendments.

The Planning Commission recommended approval, 13-0, on April 12, 2011, based on information provided in the staff report, the justification, and meeting the four criteria for plan amendments.

**G. Staff Contact**

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**H. Attachments**

1. Map 1, Future Land Use Map
2. Map 2, Aerial Photograph
3. Applicant's Justification Statement
4. Planning Commission Written Comments
5. Resolution