Comprehensive Plan Amendment Application

Justification Statement

As part of this development, our design is **not looking to further encroach upon the existing residential neighborhood but utilize the entire block to create logical transitions**, generally follow the existing land use plan regarding the vertical development of buildings and maximize the benefit to the community while minimizing the adverse impacts commonly felt by neighboring residents.

The proposed project requires the Comprehensive Land Use Plan to be amended in two ways, (1) clustering an additional single retail building at the corner of North Roxboro Street and Frazier Street, **a node of existing major commercial presence**, and (2) providing for Office on the balance of the block **primarily to accommodate the sites parking needs**. We contend that these zoning modifications, paired with the appropriate design, will **maintain the intent and integrity of the Future Land Use Plan while resolving some existing incompatibility of neighboring uses**, namely O&I directly adjacent to single family residential with insufficient buffers.

Currently the block in question is split between O&I and Low-Medium Density Residential. The property under discussion consists of seven (7) separate parcels being recombined to create a single cohesive project bound by North Roxboro Street, Frazier Street, Crabtree Road, and Newsome Street with defined boundaries. The largest parcel, 0823-16-94-2247, fronting North Roxboro Street includes an existing single-story medical office building in need of both repairs and updates that would be done as part of this project. Bordering along Frazier Street are two (2) additional parcels which currently contain a single family residential home with a Future Land Use Designation of O&I which **currently allows for office up to 36 feet in height**. On the other side of the same block bordering Newsome Street the entire block is zoned Low-Medium Density Residential. These two land uses are only separated by only an alley way that has never been maintained and will likely be abandoned. It would seem more appropriate for the vertical office development areas to closely follow the Current Land Use Plan Designation and utilize the majority of the remainder of the site to accommodate building parking and **adequate buffering beyond that required by ordinance**. This will provide a **more reasonable transition using physical boundaries such as streets in coordination with significant buffers** as a transitional mechanism between such conflicting uses. This aforementioned conflicting situation exists on the block directly North with Triangle Urology Associates backing up to eight single family homes. The result often turns out to be rental properties in disrepair with less desirable tenants or home owners that lose property value and their ability to sell the property as substantiated by Irene S. Whitfield of 306 Newsome Street in discussion following our neighborhood meeting on December 6th, 2011

In addition providing for a single-story medical retail use of less than 11,500 Square Feet on the northwest signalized corner of North Roxboro and Frazier Street provides for a unified medical development near the intersection of major thoroughfares. **This intersection is an existing commercial node where two of the remaining three corners already contain similar or larger retail uses** including a 135,000 Square Foot Lowe's Home Improvement, 6,000 SF First Citizens Bank, 4,200 SF Chick-fila-a,

1,300 SF Goodberrys, and a 11,000 SF Golden Corral as per Policy 2.2.5b of the Durham Comprehensive Plan. Furthermore, the plan buffers the proposed corner retail building with the existing medical office building and a second medical office building the sits within the property currently designated O&I in the Future Land Use Map providing a logical step down in use from Lowe's across the site in question.

As previously mentioned, this is a medically focused development and we are prepared to **restrict the permitted uses** beyond the generally accepted Neighborhood Commercial permitted uses to avoid concerns of other less desirable uses that meet the proposed zoning designation.

In talking to the City of Durham Traffic Department and Bill Judge, the North Roxboro area surrounding this project is not near capacity but we are interested in working with the City to **look at traffic calming measures on Newsome Street**. Although Newsome Street is primarily lined with residential properties, it still connects two major State thoroughfares and is often used as a cut-through to avoid otherwise slower traffic patterns.

By providing the requested zoning, the City will be granting the developer more freedom to design the entire site in a way that **addresses community concerns** and maximizes the property's potential to carry development. The rezoning allows for **smooth transition and buffering of uses** through proper planning, **multiple expanded natural buffers, retaining some open green space** and walk able inviting public areas including **connectivity to public walkways and numerous seating areas** for the community to enjoy.

A1100014 Supplemental Information

The development of this block that consists of an existing office building and residential rental properties into a mixed commercial/office use is consistent with the development patterns along this section of Roxboro Road. Several properties along this corridor have been converted from residential to non-residential uses over the last three decades. Most development has occurred block by block, not mixing residential and non-residential uses in the same block. The definitive edges of Newsome Street and Crabtree Avenue create logical edges for this development.

The request to change the land use on the Southwest corner of Frazier Street and Roxboro Road to Commercial is not the first commercially zoned parcel along the west side of Roxboro Road along this section of the Roxboro Road corridor stretching north and south for a ½ mile or more. There are several commercially zoned parcels along Roxboro Road that back up to residential neighborhoods. The proposed Neighborhood Commercial zoning district will be buffered to the adjacent residential properties by the proposed Office/Institutional Zoning request. The intended use of a pharmacy is supportive of the existing medical uses along this corridor.