



**CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA**



INITIAL ZONING MAP CHANGE REPORT

Meeting Date: March 19, 2012

Table A. Summary			
Application Summary			
Case Number	Z1200002A	Jurisdiction	City
Applicant	City of Durham	Annexation Effective Date	March 31, 2012
Reference Name	Auto Zone – East Durham Initial	Site Acreage	2.10
Location	4991 Wake Forest Highway, north side of Wake Forest Highway west of Patterson Road		
PIN(s)	0861-03-00-6831		
Request			
Proposed Zoning	Commercial General with a development plan CG(D)), Residential Suburban-20 (RS-20) – City Jurisdiction,	Existing Zoning	CG(D), RS-20 – County Jurisdiction
Site Characteristics			
Development Tier	Suburban	Land Use Designation	Commercial
Overlays	F/J-B	Drainage Basin	Falls Lake
River Basin	Neuse	Stream Basin	Little Lick Creek
Determination/Recommendation/Comments			
Staff	Approval		
Planning Commission	Approval, per attached resolution adopted by the Planning Commission on December 13, 2005.		

A. Summary

This is the initial zoning of property newly annexed into the City, effective March 31, 2012 (Case FY2012-03). A direct translation from County to City zoning is proposed. A site plan application, Case D1100156, has been submitted and is currently under review for a 6,785 square foot auto parts store with associated parking on the subject property.

B. Statutory Requirements

State Statutes (General Statute 160A-360) require that a municipality annexing land place its zoning designation on the property within 60 days of the effective date of the annexation.

C. Staff Analysis

The zoning involves the translation of identical zoning from the County jurisdiction to the City jurisdiction. There are no differences in uses, or in the regulations governing those uses under the Unified Development Ordinance, between the City and County jurisdictions. The present zoning of CG(D) was approved by the Board of County Commissioners with Case Z1100001 (see Attachment 3, Development Plan Reduction) on August 8, 2011. This annexation request encompasses only a portion of the property shown on the development plan.

The site is located in the Suburban Tier and the current zoning in the County is CG(D). If approved, development in the City's jurisdiction will have to meet the same requirements. Site plan D1100156 was submitted as a City case and cannot be approved until the property is annexed and. As such, if this initial zoning application is approved the above mentioned site plan for an auto parts store can be considered for approval.

D. Notification

Staff certifies that newspaper advertisements, letters to property owners within 100 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:

- Inter-Neighborhood Council
- Partners Against Crime – District 1
- Friends of Durham
- Unity in the Community for Progress
- Fayetteville Street Planning Group
- Olive Branch Road Association

E. Recommendations

Staff recommends approval of this initial zoning from CG(D) and RS-20 (County jurisdiction) to CG(D) and RS-20 (City jurisdiction).

Planning Commission recommends approval, per the resolution adopted by the Commission on December 13, 2005 and attached (Attachment 3) to this staff report.

F. Staff Contact

Amy Wolff, Senior Planner, 560-4137 ext 28235 amy.wolff@durhamnc.gov

G. Attachments

1. Context Map
2. Aerial Photo

3. Development Plan Reduction, Case Z1100001
4. Resolution of the Durham City-County Planning Commission
5. Ordinance Form