



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



**Zoning Map Change Report**

**Meeting Date: November 5, 2012**

Table A. Summary			
<b>Application Summary</b>			
<b>Case Number</b>	Z1200011	<b>Jurisdiction</b>	City
<b>Applicant</b>	Westpoint at 751 LLC	<b>Submittal Date</b>	May 14, 2012
<b>Reference Name</b>	Westpoint at 751 Revisions	<b>Site Acreage</b>	17.36
<b>Location</b>	Southwest quadrant of the intersection of NC 751 Highway and Interstate – 40 opposite Renaissance Parkway		
<b>PIN(s)</b>	0718-03-12-4789, -5634, -7637, -03-12-5227, -6935, -0707, -7233		
<b>Request</b>			
<b>Proposed Zoning</b>	No change	<b>Proposal</b>	Revision to Design Commitment #2.a.3 to allow asphalt shingles to be used for sloped roofs (see Appendix A, Attachment 4, Revised Cover Sheet)
<b>Site Characteristics</b>			
<b>Development Tier</b>	Suburban		
<b>Land Use Designation</b>	Commercial		
<b>Existing Zoning</b>	Commercial Center with a development plan (CC(D))		
<b>Existing Use</b>	Commercial, under development		
<b>Overlay</b>	F/J-B, MTC	<b>Drainage Basin</b>	Jordan Lake
<b>River Basin</b>	Cape Fear	<b>Stream Basin</b>	New Hope Creek
<b>Determination/Recommendation/Comments</b>			
<b>Staff</b>	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.		
<b>Planning Commission</b>	Approval, 13 – 0 on September 11, 2012. 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 comments received at the public hearing, the information in the staff report.		
<b>DOST</b>	No comments		
<b>BPAC</b>	No comments		

## A. Summary

This is a request to amend the design commitments associated with the approved development plan of the CC(D) zoning designation of this site to allow for asphalt shingles as a permitted roofing material. This site is 17.36 acres located at the southwest quadrant of the intersection of NC 751 Highway and Interstate – 40 opposite Renaissance Parkway.

The Planning Director has determined that replacing design commitments only requires a change to that portion of the application to be subject to the zoning map change process (ref. UDO Secs. 3.5.12.A and 3.5.12.B). As such, only the proposed design commitments have been reviewed.

Replacing the commitments, a proffered level of development greater than ordinance requirements, does not change the sufficiency of the previously approved development plan nor its consistency with the future land use designation of the *Comprehensive Plan*.

## B. Site History

The present CC(D) designation of the site was approved by City Council on March 1, 2010 with case Z0800031 and is described in the attached development plan (Attachment 5, Development Plan Z0800031). This development plan proposed 153,900- 231,000 square feet of development for office, retail, restaurant, and hotel uses and further encumbered by commitments (text, graphic and design).

## C. Staff Analysis

With approval of this application (case Z1200011), asphalt shingle for sloped roofs would be a permitted material. The new design commitments will be noted in the files and tracked in the Land Development Office (LDO) system.

The coversheet has been updated as noted (see Attachment #4, Revised Cover Sheet); the following ~~strikeout~~ and underline text shows the change:

Materials used for ~~Sloped standing seam metal~~ roofs ~~may be permitted~~ shall include asphalt shingles, metal standing seams, or synthetic roofing panels.

**Determination.** The revised design commitment, Appendix A, Attachment 4, meet the requirements of the Unified Development Ordinance and staff determines that this request is consistent with the *Comprehensive Plan* and other adopted policies and ordinances. The revised design commitment allows a range of roof materials as opposed to requiring a single roof type.

## D. 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:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Jordan Lake Resource Management
- Downing Creek

**E. Summary of Planning Commission Meeting September 11, 2012 (Case Z1200010)**

**Zoning Map Change Request:** Revision to Design Commitment #2.a.3 to allow asphalt shingles to be used for sloped roofs.

**Staff Report:** Ms. Wolff presented the staff report.

**Public Hearing:** Vice Chair Monds opened the public hearing. One citizen spoke in support. Vice Chair Monds closed the public hearing.

**Commission Discussion:** None.

**Motion:** Approval of Z1200011 (Ms. Beechwood, Ms. Mitchell-Allen 2<sup>nd</sup>).

**Action:** Motion carried 13-0.

**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 comments received at the public hearing, the information in the staff report.

**F. Recommendations**

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

**G. Contacts**

Table I. Contacts		
<b>Staff Contact</b>		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
<b>Applicant Contact</b>		
Robert Shunk, HadenStanziale	Ph: 919-286-7440	rshunk@hadenstanziale.com

## **H. Attachments**

1. Context Map
2. Future Land Use Map
3. Aerial Photograph
4. Revised Cover Sheet
5. Development Plan, Case Z0800031
6. Application
7. Owner's Acknowledgement Forms
8. Submittal History
9. Planning Commissioner's Written Comments
10. Ordinance Form