



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



MAJOR SITE PLAN REPORT

Meeting Date: January 7, 2013

<b>Reference Name</b>	McDonalds - 1010 North Miami Blvd (D1100118)	<b>Jurisdiction</b>	City
<b>Request</b>	A major site plan and floodplain development permit for a 4,500 square foot restaurant with a portion of proposed building and parking to be located within the 100-year floodplain		
<b>Site Characteristics</b>	<b>Tier:</b>	Urban	
	<b>Use:</b>	Restaurant and Retail	
	<b>Zoning:</b>	Commercial Center (CC), Commercial Neighborhood (CN)	
	<b>Overlays:</b>	Falls of the Neuse/Jordan Lake Protected Area (F/J-B)	
	<b>Size:</b>	9.893 acres	
<b>Applicant</b>	Commercial Site Design	<b>Submittal Date</b>	June 6, 2011
<b>Location</b>	1010 and 1000 N Miami Boulevard, on the northeastern side of Miami Boulevard at the intersection of Miami Boulevard, Holloway Street, and Gary Street		
<b>PIN(s)</b>	0831-12-86-7423, 96-2562		
<b>Development Review Board</b>	<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Approved 9% parking reduction, November 16, 2012, 8-1</li> <li>2. Approved fill and development for stormwater BMP within the area of shallow flooding (Zone AO), November 16, 2012, 9-0</li> </ol>	
<b>Development Review Board</b>	<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Recommended approval for the site plan if City Council rules in favor of the associated major special use permit, November 16, 2012, 9-0</li> </ol>	

<b>Area Land Uses and Designations</b>		
	<b>Existing Uses</b>	<b>Land Use Designations</b>
<b>North</b>	Single-family residential	Residential Urban-5 (RU-5)
<b>East</b>	Commercial retail	Commercial Neighborhood (CN)
<b>South</b>	Commercial retail	Commercial Neighborhood (CN)
<b>West</b>	Commercial retail	Commercial Center (CC)

**A. Summary**

Commercial Site design, on behalf of Village MP LLC and Village Realty LLC, has submitted a major site plan and floodplain development permit for a 4,500 square foot one-story restaurant building on a 1.37 acre portion of a two parcel 9.893 acre site, zoned Commercial Center (CC), Commercial Neighborhood (CN), and Falls of the Neuse/Jordan Lake Protected Area (F/J-B). The site is located at 1010 and 1000 N Miami Boulevard, on the northeastern side of Miami Boulevard, and at the intersection of Miami Boulevard, Holloway Street, and Gary Street. The project will be accessed from existing private drives off of North Miami Boulevard and Holloway Street. A major special use permit (M1100003) for fill and development within the floodway fringe must be approved prior to consideration of this site plan.

**B. Requirements**

The proposed building meets or exceeds all dimensional requirements of the CC district. The Development Review Board approved a 9% (46 vehicular spaces) parking reduction at its November 16, 2012 meeting allowing 475 vehicular parking spaces in lieu of the 521 vehicular spaces required for the proposed McDonald's restaurant and existing Wellons Village commercial center. Portions of the Wellons Village commercial center parking area are being affected by the proposed McDonald's redevelopment.

<b>General Zoning Requirements</b>			
<b>Zoning Requirement</b>	<b>Ordinance Provisions</b>	<b>Required</b>	<b>Proposed</b>
<b>Street Setback (Feet)</b>	6.11.5H	50	50
<b>Vehicle Parking Spaces</b>	10.3.1A	521	475
<b>Handicap Parking Spaces</b>	10.3.2	2 <sup>1</sup>	2
<b>Bicycle Parking Spaces</b>	10.3.1A	3 <sup>1</sup>	4
<b>Building Height (Feet)</b>	6.11.5F.2	50	20
<b>Open Space</b>	7.2	N/A	None
<b>Buffers (Adjacent to Residential Use or Zoning) (Opacity, Feet)</b>	9.4 14.4.3A	N/A <sup>2</sup>	None
<b>Tree Coverage</b>	8.3	N/A	None
<b>Maximum Impervious Surface</b>	8.7.2B.1	70.0%	70.0%

1 Required for parking areas affected with the McDonald's development

2 The proposed project development area is contained within a discrete portion of the site and pursuant to the non-conforming standards for redevelopment of non-conforming development projects, Unified Development Ordinance Sec.14.4.3A, only portions of the site being redeveloped are required to meet current Ordinance standards.

## C. Infrastructure Impacts

### 1. Streets and Sidewalks

Vehicular access to the project will be from existing private drives off of North Miami Boulevard and Holloway Street. Internal sidewalk connections between the building and parking and to the public right-of-way are proposed for pedestrian access. Due to the planned NCDOT Holloway Street widening project, Planning staff recommends payment-in-lieu of the required public sidewalk construction along the Holloway Street right-of-way portion of the project site (per UDO Section 12.4.6). This is to avoid a conflict of public sidewalk being constructed as part of this project and then being removed and replaced with the NCDOT Holloway Street widening project.

## **2. Transit Impacts**

An existing DATA transit stop serves the site and is located on the south side of Raynor Street approximately 680 feet from the McDonald's internal pedestrian access point.

## **3. Utilities**

The project will be served by public water services. Sanitary sewer services exist to the site. Construction of all water lines will be in conformance with appropriate public standards and specifications. All utilities related to this project will be installed underground.

## **4. Stormwater/Drainage**

The project was reviewed and approved by City Stormwater Services.

## **D. Site Characteristics**

### **5. Watershed Protection**

The site is located within the Falls of the Neuse/Jordan Lake Protected Area (F/J-B) watershed protection overlay and is in the Neuse River Basin. The applicant is utilizing the high density option, with the total impervious surfaces proposed for this project at 70.0% (42,088 square feet). Engineered stormwater controls have been approved by City Stormwater Services.

### **6. Floodplain, Stream Buffers, Steep Slopes and Wetlands**

There are no streams, steep slopes, or wetlands on this site.

The Development Review Board approved (9-0) the fill and development for construction of a proposed stormwater BMP (sand filtration system) within the area of shallow flooding (Zone AO) at their November 16, 2012 meeting based on the applicant's justification.

The site contains 3.41 acres of shallow flooding (Zone AO) located through the center of the Wellons Village commercial center development. The applicant is proposing to fill 18.6% (0.64 acres) and develop 27.6% (0.94 acres) of the area of shallow flooding in order to redevelop the McDonald's restaurant building and supporting vehicular parking. The Development Review Board recommended (8-1) that the City Council find in favor of the proposed fill and

development within the AO Zone at their November 16, 2012 meeting based on the applicant's justification.

#### **7. Landscaping**

Street trees along all roadways, and landscaping for the parking lots are being provided as required by the Ordinance.

#### **8. Tree Coverage**

Tree coverage is not required for non-residential development located within the Urban Development Tier.

#### **9. Recreational Area/Open Space**

Open space and recreational areas are not required for this site.

### **E. Notification**

Public notification is required for site plans requesting a modification to the standards specified in Section 3.7.1B.3 Major Site Plans that are granted at the discretion of a governing body. In accordance with Section 3.2.5, all property owners within 600 feet have been notified by mail of this request. In addition, neighborhood organizations within 1,000 feet have also been notified. The following groups were notified of this project:

- People's Alliance
- Durham Justice and Fairness Inter-neighborhood Association
- Inter-Neighborhood Council
- Partners Against Crime – District 1

### **F. Staff Contact**

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### **G. Attachments**

Attachment 1, Context Map (1 page)

Attachment 2, Parking Reduction Application (2 pages)

Attachment 3, Parking Reduction Justification Letter (1 page)

Attachment 4, Application for UDO Floodway and/or Floodway Fringe Development/Fill Requiring DRB Approval (3 pages)

Attachment 5, Application for UDO Floodway and/or Floodway Fringe Development/Fill Requiring Governing Body Approval (3 pages)

Attachment 6, Applicant Justification Letter for Fill and Development within the Floodplain (2 pages)

Attachment 7, City-County Floodplain Development Permit Application (5 pages)

Attachment 8, NCDOT Road Widening Overlay (1 page)

Attachment 9, Site Plan Reduction (25 pages)