



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



ZONING MAP CHANGE REPORT

Meeting Date: September 3, 2013

Table A. Summary			
Application Summary			
Case Number	Z1200022	Jurisdiction	City and County
Applicant	Tim Sivers, Horvath Associates, PA	Submittal Date	October 12, 2012
Reference Name	Del Webb Carolina Arbors	Site Acreage	447.33
Location	South side of Leesville Road, east of Doc Nichols Road, northwest of Andrews Chapel Road		
PIN(s)	277 total properties, see Attachment 5, Application, for full list		
Request			
Proposed Zoning	Planned Development Residential (PDR-3.700)	Proposal	Residential development of single-family, semi-attached, duplex and triplex units with a clubhouse
Site Characteristics			
Development Tier	Suburban		
Land Use Designation	Low Density Residential (4 DU/Ac. or less), Low-Medium Density Residential (4-8 DU/Ac.)		
Existing Zoning	Planned Development Residential 3.700 (PDR 3.700) and Residential Rural (RR)		
Existing Use	Single-family residential, under development (see Sec. B, Site History)		
Overlay	F/J-B (partial)	Drainage Basin	Lower Neuse, Falls Lake
River Basin	Neuse	Stream Basin	Brier Creek, Little Lick Creek

Determination/Recommendation/Comments	
Staff	Staff determines that, should the plan amendment be approved, this request would be consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.
Planning Commission	Recommends approval, 12 – 0 on July 9, 2013. The Planning Commission finds that the ordinance request is not consistent with the adopted <i>Comprehensive Plan</i> . However, should the plan amendment be approved, the request would be consistent with the <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 and the information in the staff report.
DOST	See Attachment 7, DOST Memorandum
BPAC	See Attachment 8, BPAC Memorandum

A. Summary

This is a request to change the zoning designation of 277 parcels of land totaling 447.33 acres from PDR 3.700 and RR to PDR 3.700 with a committed maximum of 1,314 single-family and/or multi-family units with an amenity center (committed). The subject property is located on the south side of Leesville Road, east of Doc Nichols Road and north and west of Andrews Chapel Road (see Attachment 1, Context Map). This request is not consistent with the *Comprehensive Plan* which designates this property as Low Density Residential (4 DU/Ac. or less) and Low-Medium Density Residential (4 – 8 DU/Ac.). A plan amendment, Case A1200011, to designate the entirety of the subject parcel as Low Density Residential (4 DU/Ac. or less) is being recommended for approval by staff.

With this zoning map change request the applicant proposes to add 18 acres to the south of the previous development boundaries (case Z1100026). The maximum number of units remains the same at 1314 dwelling units.

Appendix A provides supporting information.

B. Site History

This site has acquired a number of development approvals since entitlements first began in November of 2010. Below is a summary. Additional details can be found with Attachment 10, Legacy Cases Summary – development plans, and Attachment 11, Legacy Cases Summary – site plans.

- June 2011: case Z1000016A approved for RR (City jurisdiction), initial zoning following annexation
- August 2011: case Z1000016 approved for PDR 4.000, 1314 residential units
- June 2012: case Z1100026 approved for PDR 3.700, 1314 residential units and included initial zoning of newly annexed property

A number of site plans have also been approved and site work is presently under way.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council and Board of County Commissioners. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the PDR district (Sec. 3.5.6.D and Sec. 6.11.3). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Graphic Commitments. Elements depicted on a development plan (including but not limited to labels and descriptive information) become commitments. A summary of graphic commitments (see Table D5, Summary of Development Plan) includes: housing types, building setbacks, road layout, pod areas (describing the types of uses by geographic area), greenway trail, and offsite traffic improvements as shown in the development plan (Attachment 4).

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards and are shown in Appendix D, Table D5, Summary of Development Plan.

Design Commitments. Multifamily structures require design commitments accompanying a zoning map change when a development plan is included. As such, design commitments are required to be made for this site. The design commitments of this development provide commitments regarding architectural style, roofline, and materials. See Table D5, Development Plan Summary, for these commitments.

Determination. The requested PDR 3.700 zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Attachment 4) shall establish the level of development allowed on the property.

Future Fire Station. Text commitment #11 commits to providing a site for a future fire station. In accordance with UDO Secs. 5.1.2 and 5.2.4.D, to permit a fire station on the subject parcel it must be shown on this development plan. It should be noted that the future fire station site is not depicted on the development plan of this request and, as such, the fire station must be provided offsite which may require a minor special use permit or development plan zoning depending on the zoning of the selected site.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. Other than compliance with the Future Land Use Map (see companion plan amendment case A1200011), the requested PDR 3.700 zoning district and associated development plan are consistent with the *Comprehensive Plan*.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.8 and Durham Trails and Greenways Mater Plan. The development plan commits to providing a greenway trail and/or easement along the two tributaries of Little Brier Creek as shown on sheet D100 of the development plan (see Attachment 4, Development Plan reduction) for consistency with adopted plans. Additionally, text commitment #7 commits the developer to provide a 4-foot paved shoulder along the Leesville Road and Andrews Chapel Road frontages for consistency with Map 4.8 of the Long Range Bicycle Plan.

Wake-Durham Comprehensive Street System Plan. The development plan commits to the construction of a north/south collector street as well as an off-site collector street to T. W. Alexander Drive for consistency with the Wake-Durham Comprehensive Street System Plan.

F. Site Conditions and Context

Site Conditions. This site consists of 447.33 acres of single-family residential and vacant land currently under development. The site is impacted by streams and stream buffers, floodway fringe, and steep slopes. There are two existing farm ponds and a 335-foot Progress Energy Easement that transects the site. Portions of this site have been cited for illegal clear cutting activity because the timbering activity on portions of the site failed to maintain the appropriate perimeter buffers as well as forestry activities that intruded into some portions of the required stream buffer areas.

Area Characteristics. This site is in the Suburban Tier and in an area transitioning from rural to suburban uses. It sits near the Durham-Wake County line where, just south of this site in Wake County, recent large-scale commercial and residential projects have already been completed.

A portion of the site along Leesville Road is within the F/J-B Watershed Protection Overlay.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed PDR 3.700 district meets the ordinance and policy requirements in relation to site and context and is a reasonable request given the surrounding transitioning uses. Portions of a new north-south collector street would be constructed within the site, as required by adopted street systems plans. Significant off-site water and sewer facilities would be needed to accommodate the project.

Timbering activities. Through the timbering process mentioned above, several properties have been clear cut and determined to be in violation of UDO Sec. 8.3.4. As such, any site plan application submitted for PINs 0769-01-36-4513 and 0769-01-26-4961 shall not be approved prior to April 18, 2014 and November 12, 2013 for PINs 0769-01-16-3296, 0769-01-16-4775, and 0769-01-17-7270.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed PDR district is consistent with *Comprehensive Plan* policies regarding infrastructure impacts. With current and expected growth in this area, significant improvements will be required for infrastructure that have not yet been approved.

Traffic. The rural nature of this area will require significant transportation system improvements. A north-south collector street will be developed through this site in addition to connecting (off-site) to T.W. Alexander Drive. Other offsite improvements are also required. Text Commitment #3 places age restrictions on the community and limits the projected traffic impact of this proposal. Without this commitment the traffic impacts would be much greater.

Water and Sewer. A portion of this site does not presently have access to the adequate water and sewer improvements that would be required of this development. However, the existing Extension Agreement will be amended for these services.

H. Staff Analysis

Should the plan amendment be approved, this request would be consistent with the *Comprehensive Plan* and other applicable adopted plans and polices. Staff has identified the following concerns:

Age-Restrictions. The commitment for this development to be age restricted was proffered to allow the Traffic Impact Analysis to be performed under a reduced set of assumptions. Without the age restriction, the traffic impact would be much greater

and significantly more improvements would be required. Although Planning accepts this commitment as enforceable, the future Home Owner’s Association (HOA) will be responsible for providing required information to ensure proper enforcement. Should the HOA not comply with this commitment, Zoning Enforcement action may include assessment of a fine. Should the HOA ever become inactive, there would no longer be any practicable method to enforce this commitment.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Tim Sivers, Horvath Associates, PA	Ph: 919-490-4990	tim.sivers@horvathassociates.com

J. 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
- Olive Branch Road Association
- RDU HZO Permit Area

K. Summary of Planning Commission Meeting July 9, 2013 (Case Z1200022)

Zoning Map Change Request: From Planned Development Residential 3.700 (PDR-3.700) and Residential Rural (RR) to Planned Development Residential (PDR-3.700)

Staff Report: Ms. Wolff presented the staff reports.

Public Hearing: Chair Jones opened the public hearing. One citizen spoke in support and no one spoke in opposition. Chair Jones closed the public hearing.

Commission Discussion: Discussion was on transportation, accessibility and public safety.

Motion: Approval of the Zoning Case Z1200022. (Mr. Davis, Mr. Smudski 2nd)

Action: Motion carried, 12-0.

Findings: The Planning Commission finds that the ordinance request is not consistent with the adopted *Comprehensive Plan*. However, should the plan amendment be approved, the request would be consistent with the *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 and the information in the staff report.

L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Owner’s Acknowledgement 7. DOST Memorandum 8. BPAC Memorandum 9. Submittal and Review History
Appendix B	Site History	Attachment: 10. Legacy Cases Summary – development plans 11. Legacy Cases Summary – site plans
Appendix C	Review Requirements	n/a
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Environmental Protection Table D4: Project Boundary Buffers Table D5: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts
Appendix H	Staff Analysis	n/a
Appendix I	Contacts	n/a
Appendix J	Notification	n/a

Table K. Supporting Information		
Appendix K	Summary of Planning Commission Meeting	Attachments: 12. Planning Commissioner’s Written Comments 13. Ordinance Form

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Owner’s Acknowledgement
7. DOST Memorandum
8. BPAC Memorandum
9. Submittal and Review History

Appendix B: Site History

Attachments:

10. Legacy Cases Summary – development plans
11. Legacy Cases Summary – site plans

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
PDR	Planned Development Residential: The PDR district is established to allow for design flexibility in residential development. The district is intended to encourage efficient use of land and public services and to promote high quality design that will provide a variety of dwelling types as well as adequate support services and open space for the residents of the development. The district regulations are intended to allow innovative development that is integrated with proposed adjacent uses and compatible with existing patterns of development.

Table D1. UDO Designation Intent	
F/J-B	<p>Falls/Jordan District B Watershed Protection Overlay: The purpose this overlay district is to preserve the quality of the region's drinking water supplies through application of the development standards intended to protect the environment. In general, water supply protection will be accomplished by establishing and maintaining low intensity land use and development on land near the region's water supply rivers and reservoirs. Where high density development is desired, water supply protection will be accomplished through the use of engineered stormwater controls. The overall objective is to:</p> <ul style="list-style-type: none"> • Reduce the risk of pollution from stormwater running off of paved and other impervious surfaces; and • Reduce the risk of discharges of hazardous and toxic materials into the natural drainage system tributary to drinking water supplies.

Table D2. District Requirements – PDR			
	Code Provision	Required	Committed
Minimum Site Area (square feet)	6.11.3.B.1	4	447.33
Residential Density	6.11.3.C	Specified on plan	3.700 (DU/Ac.)
Maximum Height (feet)	6.11.3.C.3	90	35 – residential 50 – clubhouse 75 – clubhouse distinctive features
Minimum Street Yard (feet)	6.11.3.E.1	8	Single-family: 8 Multi-family: 8 (20 for opening of any garage)
Side Yard (feet)	6.11.3.E.2	n/a	Single-family: 5 Multi-family: 0
Rear Yard (feet)	6.11.3.E.2	n/a	Single-family: 5 Multi-family: 5
Minimum Open Space (%)	6.11.3.F	16 (72.00 ac.)	16 (72.00 ac.)

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Proposed
Tree Coverage	8.3.1C	20% (76.889 acres)	20% (76.889 acres)
Impervious Surface (maximum)	8.7.2B	70% (302.127 acres)	45% (194.224 acres)
Stream Protection (buffer in feet)	8.5.4.B	50	50

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	PDR 3.000	0.0/0.0	n/a – right-of-way greater than 60 feet
	RR	0.2/0.2	0.2 (10 feet)
East	RR	0.2/0.2	0.2 (10 feet)
South	RR	0.2/0.2	0.2 (10 feet)
West	RR	0.2/0.2	0.2 (10 feet)

Table D5. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. 3.700 DU/Ac. = 1,314 units	D000/D100/D101
	Building/Parking Envelope is appropriately identified.	D100/D101
	Project Boundary Buffers. Appropriately identified.	D100
	Stream Crossing. 13 stream crossings have been identified subject to DWQ approval. Four vehicular and nine identified for utility and/or trail crossings.	D100/101
	Access Points. Three site access drives and nine vehicular cross access drives have been identified. Additionally, one temporary site access drive has been identified (see text commitment #12).	D000/D100/D101
	Dedications and Reservations. 25 feet right-of-way dedication along frontage on Leesville Road and 10 feet of right-of-way dedication along frontage on Andrews Chapel Road.	D00/D100/D101
	Impervious Area. 45% = 94.224 acres	D000/D100/D101
	Environmental Features: The following protected environmental features have been identified: <ul style="list-style-type: none"> • Streams – 45.366 acres of stream buffers • Floodway fringe – 22.326 acres • Steep slopes – 5.873 acres 	D100/D101
	Areas for Preservation. There were no conditions identified, other than environmental features, that require preservation.	n/a
	Tree Coverage. 20% = 76.889 acres	D100/D101
Graphic Commitments	Location of access points.	D100/D101
	Location of tree coverage areas.	D100/D101
	Single-family and multi-family lot layouts as shown on D000 are graphically committed.	D000
	A road layout depicting a north-south collector street has been committed as shown.	D100/D101
	Six pod areas have been identified as on plan.	D100/D101
	A greenway trail and/or easement will be provided as shown on plan. See text commitment #1.	D000/D100/D101
	Offsite traffic improvements have been committed as graphically depicted. See text commitments for Summary of TIA Required Improvements.	D000/D102

Table D5. Summary of Development Plan		
Text Commitments	<ol style="list-style-type: none"> 1. A greenway trail and/or easement will be provided per the long range bicycle plan map 4.8 and Durham trails and greenway plan (as shown on sheet D100 and D101). 2. The area of development will include single, semi-attached, duplex, and / or triplex residential units along with an amenity center(s). The amenity center(s) will be located in pod 1, 2 and/or 4. All multi-family unit structures will maintain a separation of 50 feet from adjacent off-site residential primary structures exclusive of streets. 3. This community shall consist of "age restricted" units in accordance with the federal housing for older persons act of 1995 and the exemptions for housing for older persons contained in the North Carolina Fair Housing Act. <p>In accordance with the provisions of the housing for older persons act, the following requirements shall be satisfied;</p> <ol style="list-style-type: none"> 1. That at least 80% of the occupied dwelling units in the community must be occupied by at least one occupant who is 55 years of age or older; 2. Permanent residents under the age of nineteen will not be permitted; 3. That the housing community publish policies and procedures that demonstrate its intent to comply with the housing for older persons act; and 4. That the community comply with the rules issued by the Department of Housing and Urban Development (HUD) for verification of occupancy requirements. <p>The declaration of covenants, conditions, and restrictions for the community shall require that the HOA comply with the requirements of the Federal Housing for Older Persons Act of 1995. The declaration shall:</p> <ol style="list-style-type: none"> 1. Specify that at least 80% of the dwelling units in the community must be occupied by at least one occupant who is 55 years of age or older, 2. Specify that a permanent resident under the age of nineteen will not be permitted subject to the requirements of the federal housing for older persons act, 3. Require the HOA to document and verify the ages of the dwelling unit occupants in accordance with the housing for older persons act; and 4. Require the HOA to provide evidence of compliance with the housing for older persons act to the zoning enforcement officials upon request. 	D000

Table D5. Summary of Development Plan		
	<p>All housing within the community shall be subject to the housing for older persons act and the declaration of covenants, conditions, and restrictions. The declaration of covenants, conditions, and restrictions shall be subject to review by the City Attorney and Durham Planning Director, to verify continued compliance with this zoning condition. The HOA documents must be reviewed and approved by the Planning Department and City Attorney's Office prior to recordation. Recordation must occur prior to issuance of any certificate of occupancy.</p> <p>As a condition of the zoning, the HOA shall continuously enforce these requirements and the covenants, conditions, and restrictions. The HOA documents will require that, in the event that the community becomes non-compliant with these requirements, and/or is notified by the City of a potential violation, the HOA shall take actions necessary to remedy the violation and bring the community back into compliance within the prescribed timeframe as defined by the Durham City-County Planning Department or will be responsible for any notices of violation or civil penalties that may be assessed for non-compliance.</p> <p>The HOA and/or the developer (up to the time of total build out) shall conduct a survey every year to verify the ages of the dwelling unit occupants, all in accordance with the housing for older persons act, and shall provide a summary of the findings and a certification from the HOA president/manager to the planning director by January 15th of each year. Failure to do so will result in a zoning violation subject to appropriate zoning enforcement action including the issuance of a \$500.00 per day civil citation (fine) or the maximum fine allowable.</p> <ol style="list-style-type: none"> 4. A north/south collector street will be constructed to City of Durham standards as a public street with sidewalks on both sides (plat book 191, pages 249-273). 5. An offsite collector street shall be constructed to City of Durham and NCDOT standards as a public street with sidewalks on both sides to T. W. Alexander Drive (plat book 191, pages 95-97). 	

Table D5. Summary of Development Plan		
	<ol style="list-style-type: none"> 6. An additional 25 feet of right-of-way will be dedicated for the frontage of the site along Leesville Road and an additional 10 feet of right-of-way will be dedicated for the frontage of the site along Andrews Chapel Road. The right-of-way dedication may be phased at the site plan submittal and will occur prior to the issuance of any building permit associated with the site plan phase immediately adjacent to that right-of-way (plat book 191, pages 249-273). 7. A four (4) foot wide paved shoulder will be provided along the frontage of Leesville road and Andrews Chapel Road. 8. Private streets will be located within the model park / sales center area. When all homes within the model park / sales center are no longer required for sales, the associated private streets will be dedicated as public right-of-way and any security gating removed from the public right-of-way. All collector streets will be publicly dedicated rights of way and not private. 9. The combined maximum number of semi-attached, duplex, single-family attached, townhouse, and multiplex units shall be 200. 10. Prior to issuance of the 650th certificate of occupancy, the developer will request that the City of Durham Department of Transportation initiate a transit service study, coordinated by DATA/TTA. The developer will be required to provide to the Durham City-County Planning Department a quarterly certification, by the first day of the month of each quarter, concerning the number of certificates of compliance/occupancy (COS) issued to verify the build-out threshold. The transit service study will determine the feasibility and benefit of fixed route transit service for the project. If the City determines such service is appropriate, and agrees to implement service within three years, the developer shall make a lump sum payment to the city of Durham of \$50,000. 11. The developer shall provide a site for a future fire station to the City of Durham, at no cost to the City of Durham and subject to the approval by the City, prior to issuance of the 50th certificate of occupancy. The site shall be a minimum of 4 acres and may be located external to the subject tract. The developer will be required to provide to the Durham City-County Planning Department a quarterly certification, by the first day of the month of each quarter, concerning the number of certificates of compliance/occupancy (COS) issued to verify the build out threshold. 	

Table D5. Summary of Development Plan		
Text Commitments	<p>12. A temporary street connection (2a) to Leesville road (if needed) may be constructed as a right-in/right-out with approval of a NCDOT driveway permit and encroachment. The construction of the temporary street will meet the standard street requirements of the City of Durham. When the construction of the collector road (2) is completed and open for traffic, the temporary street (2a) will be removed and excess right-of-way abandoned. Until such time as the collector road (2) is opened for traffic, no building certificate of occupancy will be issued for lots that are created within the following parcels:</p> <p style="padding-left: 40px;">PIN 0769-01-16-4775 (Pulte) PIN 0769-01-17-7270 (Ross) PIN 0769-03-15-3296 (Ross) PIN 0769-01-26-4961 (Pulte) PIN 0769-01-36-4513 (Pulte)</p>	Cover
SIA Commitments	Stormwater commitments have not been proffered as a result of the Stormwater Impact Analysis checklist.	n/a
TIA Commitments	<p><u>US 70 and T.W. Alexander Drive (signalized)</u></p> <ol style="list-style-type: none"> 1. Restripe the eastbound (southbound in the analysis) US 70 approach to provide for a third through lane while keeping the existing right-turn lane and flare with adequate storage and appropriate taper for the right-turn movement. 2. Upgrade the traffic signal to accommodate the striping modification and eastbound through lane and adjust the timing splits according to the projected future traffic patterns. <p><u>Andrews Chapel road and site access #1/future collector road (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the southbound approach of site access #1/future collector road to provide for one inbound lane and two outbound lanes with a shared through/right-turn lane and a left-turn lane with adequate storage and appropriate taper. 2. Widen the westbound approach of Andrews Chapel road to provide a left-turn lane with adequate storage and appropriate taper. 3. Widen the eastbound approach of Andrews Chapel road to provide a left-turn lane with adequate storage and appropriate taper. 4. Construct the northbound approach of future collector road to provide for one inbound and two outbound lanes with a shared through/left lane and a right-turn lane) with adequate storage and appropriate taper. 5. Strengthen the existing pavement structure on Andrews Chapel road from Leesville Road to the 	Cover

Table D5. Summary of Development Plan	
	<p>proposed collector street as required by NCDOT.</p> <p><u>T.W. Alexander Drive extension and future collector road (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the southbound approach of future collector road to provide for one inbound lane and two outbound lanes, a right-turn lane and future left-turn lane. 2. Construct the eastbound approach of T.W. Alexander drive extension to provide for an exclusive left-turn lane with adequate storage and appropriate taper. <p><u>Leesville road and site access #2a (unsignalized, temporary right-in/right-out)</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive eastbound right-turn taper along Leesville Road. 2. Construct the northbound approach of access #2a to provide for one inbound lane and one outbound lane with a center median along Leesville Road to enforce left-turn restrictions. <p><u>Leesville road and site access #2 (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive westbound left-turn lane on Leesville Road with adequate storage and appropriate tapers. 2. Construct an exclusive eastbound right-turn lane Leesville Road with adequate storage and appropriate tapers. 3. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT). 4. Construct a collector street on the south side of Leesville Road to serve the proposed development and provide a north-south public street collector from T.W. Alexander (via access #1) to Leesville Road (access #2). The collector street should have one ingress lane and two egress lanes at Leesville Road. 5. Remove site access #2a with the construction with permanent access #2. <p><u>Leesville Road and site access #3 (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct site access #3 to provide for one inbound lane and one outbound lane. 2. Widen the westbound Leesville Road approach to provide for an exclusive left-turn lane with adequate storage and appropriate taper. <p><u>T.W. Alexander drive and ACC Boulevard (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the westbound approach of T.W. Alexander Drive extension to provide for one left-turn lane with adequate storage and appropriate taper, one shared through/right lane, one through lane, and two outbound lanes. 2. Restripe the eastbound approach of T.W. Alexander Drive to provide one through lane and one shared

Table D5. Summary of Development Plan		
	<p>through/right lane.</p> <p>3. Maintain the stop control on the northbound approach of ACC boulevard.</p> <p><u>Future T.W. Alexander Drive Extension cross-section</u></p> <p>1. Construct the T.W. Alexander Drive extension to provide a four-lane divided section and a center landscaped median, two through lanes in both directions, and sidewalks on both sides, extending from its current terminus at ACC Boulevard to the future intersection with the collector road.</p> <p><u>Brier Creek Parkway and ACC Boulevard (signalized)</u></p> <p>1. Re-optimize traffic signal splits according to the projected future traffic patterns.</p> <p><u>Improvements by others - which may be required of this development</u></p> <p><u>Leesville Road and Doc Nichols Road (unsignalized)</u></p> <p>1. Construct an eastbound left-turn lane on Leesville Road at Doc Nichols Road with adequate storage length and appropriate tapers.</p> <p>2. Construct an exclusive southbound left-turn lane on Doc Nichols Road at Leesville Road with adequate storage length and appropriate tapers.</p> <p>3. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT).</p> <p><u>Olive Branch Road and Doc Nichols Road (unsignalized)</u></p> <p>1. Construct an exclusive southbound right-turn lane on Olive Branch Road at Doc Nichols Road with adequate storage and appropriate tapers.</p>	
Design Commitments (summary)	<p>Architecture will include the following elements:</p> <p>Roofline. Flat and sloped (gables, hipped, etc.) roofs will be allowed. When a front façade faces a public street and its roofline is visible from that street, the front façade roofline will vary in height or shape to avoid continuous horizontal roofline.</p> <p>Building Materials. Primary material to be a choice or combination of brick, block, stone, EIFS, vinyl, and fiber cement board with visible trim and accents.</p> <p>Distinctive Architectural Features. All buildings will include covered porches.</p> <p>Context. The clubhouse and multi-family units will be similar in scale and design style.</p>	D000

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
<i>Comprehensive Plan</i>	
Policy	Requirement
Future Land Use Map	<p>Low Density Residential (4 DU/Ac. or less): Land primarily used for a range of residential uses up to four dwelling units per acre.</p> <p>Low-Medium Density Residential (4-8 DU/Ac.): Land primarily used for a range of residential uses between four and 8 dwelling units per acre.</p> <p>Suburban Tier: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.</p>
2.2.2b	Suburban Tier Land Uses: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.
2.3.1b	Contiguous Development: Support orderly development patterns that take advantage of the existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Urban Growth Area.
2.3.2a	Infrastructure Capacity. Consider the impacts to the existing capacities of the transportation, water, and sewer systems, and other public facilities and services. Measure from the potential maximum impact of current policy or regulation to the potential maximum impact of the proposed change in policy or regulation.
8.1.2j	Transportation Level of Service Maintenance: Not recommend approval for any zoning map change which would result in the average daily trips exceeding 110% of the adopted level of service standards for any adjacent road, unless the impact on the adjacent roads is mitigated.
8.1.4b	Development Review and the Adopted Trails and Greenway Plan. Review development proposals in relation to the Durham Trails and Greenways master Plan and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan.
8.1.4.d	Development Review and the Adopted Regional Bicycle Plan. Review development proposals in relation to the 2006 Comprehensive Durham Bicycle Transportation Plan and the Bicycle Component of the most recent adopted Long Range Transportation Plan, and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan and Complete Street design standards.
8.1.6d	Development Review and Adopted Transportation Plans. Review development proposals in relation to all adopted transportation plans, and shall seek dedication or reservation of right-of-way along designated road and transit corridors in conformance with these plans and Complete Streets design standards.
11.1.1a	School Level of Service Standard: The level of service for public school facilities shall be established as a maximum enrollment of 110 percent of the system’s maximum permanent building capacity, measured on a system-wide basis for each type of facility.
11.1.1b	Adequate Schools Facilities: Recommend denial of all Zoning map amendments that proposed to allow an increase in projected student generation over that of the existing zoning that would cause schools of any type to exceed the level of service.

Table E. Adopted Plans
<i>Long Range Bicycle Plan</i>
Map 4.8 shows a proposed trail along the two tributaries to Little Brier Creek as well as a proposed paved shoulder along Leesville Road and Andrews Chapel Road.
<i>Durham Trails and Greenways Mater Plan</i>
A proposed trail is shown along the two tributaries to Little Brier Creek.
<i>Wake-Durham Comprehensive Street System Plan</i>
A collector street is shown running north-south through this site.

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Single-family residential, agriculture	PDR 3.000, RR	F/J-B
East	Single-family residential, agriculture, place of worship	RR	None
South	Single-family residential, agriculture, commercial	RR	None
West	Single-family residential, agriculture, forestry	RR	None

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts
<p>Leesville Road and US 70 are the major roads impacted by the proposed zoning change. There are two scheduled NCDOT roadway improvement projects in the area.</p> <ol style="list-style-type: none"> 1) NCDOT TIP Project U-4720 will provide improvements to the US 70 corridor from Lynn Road to the Wake County Line. This project is currently unfunded. 2) NCDOT TIP U-4721 will construct the Northern Durham Parkway from US 70 to US 501 (N. Roxboro Street). This project is currently unfunded.

Table G1. Road Impacts		
Affected Segments	Leesville Road	US Highway 70
Current Roadway Capacity (LOS E) (ADT)	11,700	35,700
Latest Traffic Volume (AADT)	4,100	29,000
Traffic Generated by Present Designation (average 24 hour)*	5,179	
Traffic Generated by Proposed Designation (average 24 hour)**	4,928 (103% of TIA)	
Impact of Proposed Designation	-251	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2002)

Leesville Road: 2-lane major City/County roadway without left-turn lanes

US 70: 4-lane divided Class I arterial

Source of Latest Traffic Volume: 2009 NCDOT Traffic Count Map

***Assumption** (Max Use of Existing Zoning) – PDR 4.000: 1,053 detached senior adult housing units and 265 attached senior adult housing units; RR: 73 single-family lots

****Assumption** (Max Use of Proposed Zoning) – PDR 3.700: 1,053 detached senior adult housing units and 265 attached senior adult housing units

Table G2. Transit Impacts
Transit service is not currently provided within ¼ mile of the site.

Table G3. Utility Impacts
This site will be served by public water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review.

Table G5. School Impacts
The proposed zoning is estimated to generate 29 students. The assumption for proposed students below is based on development for townhouses (multi-family) as opposed to the greater student generating assumption of single-family due to the age-restricted commitment (text commitment #3) for this community. As such, there is a decrease of 7 students over the maximum potential (if developed with the current zone) projected for the proposed development. Durham Public Schools serving the site are Spring Valley Elementary School, Neal Middle School, and Southern High School.

Table G5. School Impacts			
Students	Elementary School	Middle School	High School
Current Building Capacity	16,832	7,717	9,980
Maximum Building Capacity (110% of Building Capacity)	18,515	8,489	10,978
20 th Day Attendance (2012-13 School Year)	16,150	7,212	9,476
Committed to Date (April 2010–March 2013)	432	151	88
Available Capacity	1,933	1,126	1,414
Potential Students Generated – Current Zoning*	17	8	11
Potential Students Generated – Proposed Zoning**	14	7	8
Impact of Proposed Zoning	-3	-1	-3

*Assumption- (Max Use of Existing Zoning) – PDR 3.700: 262 multi-family units (20% of 1,314 without age restrictions per text commitment #3) and RR: 21 single-family lots

** Assumption- (Max Use of Proposed Zoning) – PDR 3.700: 262 multi-family units (20% of 1,314 without age restrictions per text commitment #3)

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 192,365 GPD if developed to its maximum potential with the proposed zoning district. This represents a decrease of 3,255 GPD increase over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	23.33 MGD
Approved Zoning Map Changes (April 2010 – March 2013)	0.70 MGD
Available Capacity	12.97 MGD
Estimated Water Demand Under Present Zoning*	195,620 GPD
Potential Water Demand Under Proposed Zoning**	192,365 GPD
Potential Impact of Zoning Map Change	-3,255 GPD

Notes: MGD = Million gallons per day

*Assumption- (Max Use of Existing Zoning)- PDR 3.700: 1,053 detached senior adult housing units and 265 attached senior adult housing units; RR: 21 single-family lots

** Assumption- (Max Use of Proposed Zoning) –PDR 3.700: 1,053 detached senior adult housing units and 265 attached senior adult housing units

Appendix K: Summary of Planning Commission Meeting

Attachments:

12. Planning Commissioner's Written Comments
13. Ordinance Form