



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: December 16, 2013

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, Planning Director

Subject: Coordinated Annexation Agenda Item: RTP Global Mission Church

Executive Summary. A request for utility extension agreement, voluntary annexation, and initial zoning has been received from RTP Global Mission Church, LLC for a 6.503 acre property they own at 5045 Chin Page Road. This parcel was previously indicated for interest by the City and City Council adopted a Resolution of Consideration to annex in January, 2012 as the site is completely surrounded by the City limit.

The applicant has requested an initial zoning designation of Industrial Light (IL), which is not consistent with City Council policy designating the least intense zoning based on the Development Tier and the size of the lot. The least intensive zoning for this site is Residential Rural (RR). A memo summarizing this zoning request is attached (Attachment 6). The Administration recommends the City Council adopt the previously approved County zoning as the initial zoning for the following reasons:

- The proposed zoning is consistent with the City-adopted Comprehensive Plan, which recommends Industrial; and
- The IL zoning and site development standards are reasonable based on the infill context of this site and the surrounding zoning; and
- The County zoning was approved prior to the adoption of the City Council resolution in October 2012 regarding coordinated zoning, annexation, and utility extension agreements.

Public Works, Water Management, and Durham County Engineering performed the utility impact analysis for the utility extension agreement and have determined that the existing Durham County sanitary sewer and City of Durham water mains have capacity for the proposed development. No offsite improvements will be required, other than extension of sewer and water service to the site. The proposed development has submitted an extension agreement for approval by City Council. Budget and Management Services performed a fiscal impact analysis, which determined that the proposed annexation will be revenue positive the second year of

build out. This is a common scenario for tax-exempt land uses such as Places of Worship based upon the likely exemption from property taxes due to the religious use

One motion, with three components, is required by law to approve the utility extension agreement, voluntary annexation petition, and zoning map change.

Alternatives and Recommendation. Council has two alternatives:

Alternative 1) **Recommended Alternative:** Approve the utility extension agreement, voluntary annexation and initial zoning.

Alternative 2) Deny voluntary annexation petition. No action would be required or authorized on the initial zoning.

Issues and Analysis. This request involves two separate items: voluntary annexation, and initial zoning.

Voluntary Annexation Petition

The Administration is requesting the Council conduct a public hearing and consider annexation of the subject property with an effective date of December 31, 2013. The public hearing will be held in compliance with N.C. General Statute 160A-31.

Initial Zoning

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. Staff is recommending an initial zoning designation of Industrial Light (IL) on the property. The IL zoning district is not the least intense residential zoning district permitted in the Suburban Tier based on the size of the lot. The Administration recommends the City Council adopt the previously-approved County zoning as the initial zoning for the following reasons:

- The proposed zoning is consistent with the City-adopted Comprehensive Plan, which recommends Industrial; and
- The IL zoning and site development standards are reasonable based on the infill context of this site and the surrounding zoning; and
- The County zoning was approved prior to the adoption of the City Council resolution in October 2012 regarding coordinated zoning, annexation, and utility extension agreements.

Utility Impacts. Water service shall be provided by connecting to the existing 12-inch City of Durham waterline located in the private drive owned by Republic Services. There is adequate pressure in the system for the proposed use of the project. Sewer service shall be provided by connecting to the existing sanitary sewer mains operated by Durham County. Wastewater generated by City of Durham residents within the Northeast Creek Basin is treated at Durham County’s Triangle Plant. The Developer is required to obtain all necessary approvals, permits, and easements from the City, Durham County, and/or any other party for any improvements to the wastewater collection and treatment systems required to serve the Project. If the Developer is unable to obtain a required approval from Durham County or any other party, the Developer acknowledges that the City is under no obligation to provide an alternative means of wastewater treatment to the Project. This is consistent with the manner in which the City provides wastewater treatment service to all City residents within the Northeast Creek Basin.

Financial Impact. The estimated annual General Fund revenues generated from this annexation area under the initial zoning map change at build out in FY2014-15 is \$7,788. The estimated annual General Fund expenditures associated with providing City services at build out is \$4,942. The estimated annual General Fund net gain to the City at build out is \$2,846. The cumulative estimated General Fund net loss to the City at build out is \$1,986.

A cost-benefit analysis is attached that provides cost and revenue projections through FY2024-25, including CIP expenses.

The chart below contains additional details regarding projected departmental revenue and expense projections.

Department/Type	Revenues	Expenses
Emergency Communications	No revenues anticipated.	No additional expenses are anticipated.
Fire	Three inspections during construction at \$170 each. \$170 inspection fee plus \$75 permit fee collected annually.	No additional expenses are anticipated.
General Services	No revenues anticipated.	No additional expenses are anticipated.

Inspections	No revenues anticipated.	No material impacts
Parks & Recreation	No revenues anticipated.	No additional expenses are projected with this annexation.
Planning	One time revenues for site plan review, final plat: \$3,475	No additional expenses are anticipated.
Police	No revenues anticipated.	First year estimated one time-cost of \$7,142, and ongoing annual cost of \$4,845.
Public Works	No Impacts - all revenues would be stormwater related	No impacts - all expenditures would be stormwater related.
Solid Waste	No revenues anticipated.	No Impacts
Transportation	No revenues anticipated.	No Impacts
Water Management	No revenues anticipated.	No Impacts

SDBE Summary. This item has no known SDBE impact.

Attachments

- Attachment 1: Context Map
- Attachment 2: Aerial Map
- Attachment 3: Cost/Benefit Analysis
- Attachment 4: Clerk Certification
- Attachment 5: Legal Description
- Attachment 6: Zoning Memo
- Attachment 7: Estimated Utility Life Cycle Costs
- Attachment 8: Utility Extension Agreement
- Attachment 9: Annexation Ordinance
- Attachment 10: Initial Zoning Ordinance
- Attachment 11: Utility Extension Agreement Vicinity Map

Memorandum
RTP Global Mission Church