CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Date: March 17, 2014

To: Thomas J. Bonfield, City Manager
From: Scott Whiteman, Planning Supervisor
Through: Keith Chadwell, Deputy City Manager
Subject: Coordinated Annexation Agenda Item for Fifty-Four Plaza

Executive Summary. A request for utility extension agreement (EA), voluntary annexation, and a zoning map change has been received from Durham Imperial Investors, LLC for the Fifty-Four Plaza development. The site is located at 5082 & 5904 South Miami Boulevard, on the west side of South Miami Boulevard between Emperor Boulevard and Surles Court (Please see Attachment 1 for a project area context map).

The requested annexation is for 5.436 contiguous acres. If approved, the annexation would be effective on March 31, 2014.

The applicant in this case has requested an initial zoning designation of Commercial General with a development plan (CG(D)) which would allow up to 33,000 square feet of nonresidential development. The requested zoning is consistent with the adopted Future Land Use Map, which designates this site as Commercial. The current County zoning (CN – County jurisdiction) would allow approximately 10,000 square feet of retail. (see Attachment 7 for the zoning staff report).

Public Works and Water Management performed the utility impact analysis for the utility extension agreement and the existing sanitary sewer and water mains have capacity for the proposed development. The site would utilize County sewer services. No offsite improvements will be required, other than extension of sewer and water service to the site.

Budget and Management Services performed a fiscal impact analysis, which determined that the proposed annexation will be revenue-positive immediately following annexation.

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

Recommendation. Staff recommends that Council approve the EA, voluntary annexation, and zoning map change.

Issues and Analysis. This request involves three separate items: utility extension agreement, voluntary annexation, and zoning map change. Each item will be reviewed below:

Utility Extension Agreement

Approval of the EA would authorize the applicant to serve the site by connecting to the existing 16-inch City waterline adjacent to the site. The existing sanitary sewer and water mains have capacity for the proposed development. No offsite improvements will be required, only proposed sewer and water mains within the projects scope will be required.

Voluntary Annexation Petition

The staff is requesting the Council conduct a public hearing and consider annexation of the subject property with an effective date of March 31, 2014. The public hearing will be held in compliance with N.C. General Statute 160A-31.

Annexation would require the provision of City services to the subject property. Budget and Management Services performed a fiscal impact analysis, which determined that the proposed annexation will be revenue positive immediately upon annexation.

Zoning Map Change

The applicant is requesting a zoning map change from CN (County jurisdiction) to CG(D) (City jurisdiction) for 33,000 square feet of nonresidential development. This request would be consistent with all adopted City plans and policies. On January 14, 2013 the Planning Commission recommended approval by a vote of 11-0. Please see the zoning map change staff report (Attachment 7) for more information.

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 $1,065. The estimated annual General Fund expenditures associated with providing City services at build out is $8,740. The estimated annual General Fund net gain to the City at build out is $34,894. The cumulative estimated General Fund net gain to the City at build out is $162,098.

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	$1,000 in annual inspections	No additional reoccuring expenses are anticipated
Fleet Management	No revenues anticipated	No additional expenses are anticipated
Inspections	Street Impacts Fees: 9,000 square feet office space ($19,404) ; 24,000 square feet commercial retail ($106,152)	No material impacts
Parks & Recreation	No revenues anticipated	No additional expenses are projected
Planning	$4,325 site plan and $700 final plat	No additional expenses are anticipated
Police	No revenues anticipated	First year estimated service cost of $10,753 and ongoing annual cost of $8,456
Public Works	Proportional allocation for utility cuts reimbursements total $65 annually	Projected annual street maintenance costs estimated at $284
Solid Waste	No impacts	No impacts
Transportation	No impacts	No impacts
Water Management	No revenues anticipated	No additional expenses are anticipated

Utility Impacts. Public Works, Water Management, and Durham County Engineering performed the utility impact analysis for the utility extension agreement and have determined that the existing City of Durham water main and Durham County sanitary sewer have capacity for the proposed development. Public Works and Water Management are not requesting any major system improvements from this development at this time. Water service shall be provided by extending a waterline into the property from the existing 16-inch waterline in South Miami Boulevard. 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.

Alternative. Deny the EA and voluntary annexation petition. No action would be required or authorized on the zoning map change.

SDBE Summary. This item has no known SDBE impact.

Attachments

Attachment 1:	Context Map
Attachment 2:	Aerial Map
Attachment 3:	Future Land Use Map
Attachment 4:	Utility Extension Agreement
Attachment 5:	Utility Life Cycle Costs
Attachment 6:	Cost/Benefit Analysis
Attachment 7:	Zoning Map Change Staff Report
Attachment 8:	Development Plan
Attachment 9:	City of Durham Traffic Impact Analysis (TIA) Memo
Attachment 10:	NCDOT Traffic Impact Analysis (TIA) Memo
Attachment 11:	Planning Commission Summary and Written Comments
Attachment 12:	Legal Description
Attachment 13:	Clerk Certification
Attachment 14:	Annexation Ordinance
Attachment 15:	Zoning Map Change Ordinance
Attachment 16:	Vicinity Map for Utility Extension Agreement