



Durham City-County Planning Department



TRANSPORTATION SPECIAL USE PERMIT (TSUP) APPLICATION

(A Pre-submittal conference must be held prior to submission)

Tracking Information (Staff Only)

Case Number:	Date/Time rec'd: 2/19/14 @ 9:45 AM	Rec'd by: [Signature]
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About this Application**ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED**

Transportation special use permits are heard by the Governing Body (City Council if City, Board of Commissioners if County) as a quasi-judicial public hearing.

Submittal: Applications are due by noon on the submittal deadline date. Deadlines are discussed at the pre-submittal meeting and are available online at <http://www.durhamnc.gov/departments/planning/msup.cfm>. Applications should be submitted in-person, and fees are due at time of submittal.

The application is a form of written testimony, and used both to show how Ordinance considerations are addressed and to provide evidence that the required findings for approval can be made. In addition to the application materials, the applicant may provide any other written, drawn or photographed material to support his/her request and as permitted by the Governing Body, as applicable. Any such additional material submitted will become part of the application, and as such cannot be returned.

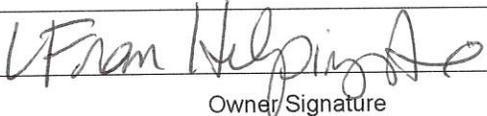
Attendance at the hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. The applicant has the **burden of proof** and must provide sufficient evidence in order for the required findings to be made. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to speak and ask questions in regards to the request. An application may be approved, approved with conditions, continued for more information, or denied. **Decisions can be appealed to Superior Court within 30 days.**

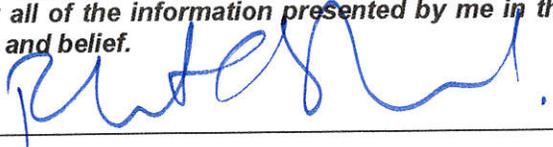
Contact Information: If you have any questions, please contact the City-County Planning Department at 560-4137 between 8:00 a.m. and 5:00 p.m. on weekdays.

Application Requirements

	Applicant Initial	Staff Initial
Record of the pre-submittal meeting (copies provided at the meeting)	RCS	
Fee	RCS	
Completed application and responses: ORIGINAL signatures required	RCS	
SITE PLAN (full size and 11x17), as determined at pre-submittal meeting	N/A	
Traffic Impact Analysis (TIA)	RCS - Already submitted	
Note: Additional supporting documents may also be submitted		

General/Property Information		
Site Address: 7619 Fayetteville Road		PIN(s): 0717-02-78-4536
Zoning District(s) :RR	Overlay District(s): F/J-B	PID(s): 150278
Current Use(s): Church, Educational Facility		<input type="checkbox"/> City <input type="checkbox"/> County <input checked="" type="checkbox"/> Both
Proposed use(s): Church, Educational Facility		
Project Name: Newhope Church		
TIA prepared by: VHB, Lyle Overcash		

Property Owner	
Name(s) (Print): Newhope Church	Telephone: 919-206-4673
Contact Person: Fran Helpingstine	Email: fran@newhopenc.org
 Owner Signature	<u>2/18/14</u> Date

Applicant	
Name(s): Stewart	
Contact Person: Robert Shunk	Telephone: 919-866-4792
Address: 101 W. Main Street	Fax:
City/State/ZIP: Durham, NC 27701	Email: rshunk@stewartinc.com
<i>I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.</i>	
 Applicant Signature	<u>2/18/14</u> Date

Agent (if different than applicant)	
Name:	
Contact Person:	Telephone:
Address:	Fax:
City/State/ZIP:	Email:

Complete and respond to the following with an attachment (suggested), or in the space provided:

Note: Before any Transportation Special Use Permit shall be granted, the Governing Body must find that satisfactory evidence has been provided for the following. Your site plan, application and testimony at the hearing must provide sufficient evidence for the Governing Body to determine that these general findings and review factors have been adequately and appropriately addressed.

Applicant's Name: I,  _____, do hereby petition the City of Durham/County of Durham for a Transportation Special Use Permit to allow the following:

Expansion of the existing building to increase the assembly seating area by 4,000 sf and provide new office space at 7615 Fayetteville Road. 7605 Fayetteville Road is to remain undeveloped at this time.

Section 3.3.8D of the UDO: Criteria for Approval of Transportation Special Use Permits

In order to approve a TSUP; the governing body shall make the following findings:

- 1. The traffic generated by the development and associated improvements to the street system will not have a significant adverse impact on the surrounding area.

Significant adverse impact shall include:

- a. Substantial increases in traffic on local residential streets such that the majority of the traffic is not associated with the residential properties which front on the street; or
- b. The need to widen local residential streets which would detract significantly from the character or basic function of the nearby streets.

An expansion of the existing Newhope Church facility is proposed and analyzed in the Traffic Impact Analysis (TIA). The expansion (approximately 750 seats) is projected to generate approximately an additional 1,388 daily Sunday site trips with 457 trips (229 entering, 228 exiting) occurring during the Sunday peak hour. In total after the expansion, the total future church development (1,576 seats) is projected to generate approximately 2,916 daily Sunday site trips with 961 (481 entering, 480 exiting) occurring during the Sunday peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and anticipated future land uses in the area.

Based on the TIA, all the intersections in the study area are operating at acceptable overall levels of service (LOS D or better) under existing conditions and would continue to operate at acceptable levels through 2016. The build-out scenario does show an increase in traffic at the intersections in the study area, however; all the intersections

are expected to continue operating at acceptable overall levels of service with the build-out of the site.

The Newhope Church facility is exclusively accessed via Fayetteville Road, a two/three-lane major thoroughfare that has a posted speed limit of 45 mph. A southbound left-turn lane already exists at the Church driveway; therefore, no additional roadway widening is required along Fayetteville Road or any other roadway in the TIA study area.

There will be no substantial increases in traffic along residential streets, and there will be no widening improvements to residential streets or adverse effects on residential streets.

2. Adequate provisions have been made for safe and efficient vehicular circulation, parking and loading, and pedestrian access.

The existing Newhope Church facility includes two access points along Fayetteville Road, Site Access #1/Antler Point Drive (Northern Driveway) and Site Access #2 (Southern Driveway). Both access points provide direct connections to the parking lots for vehicular traffic. An exclusive southbound left-turn lane currently exists at Site Access #1, which is a full movement driveway. Site Access #1 is controlled by a Traffic Control Officer during peak periods when needed, otherwise the intersection operates as a normal unsignalized intersection. The Traffic Control Officer is proposed to remain in operation with the expansion. Stop-controlled Site Access #2 is exit-only, no inbound traffic is allowed. Both driveways have westbound left- and right-turn lanes exiting the Church at Fayetteville Road.

The parking for employees, members, and visitors is proposed to exceed UDO requirements with the Church expansion.

There is an existing sidewalk along the NCDOT right-of-way that stretches from north of Site Access #1 to south of Site Access #2 along the east side of Fayetteville Road. Sidewalks and crosswalks are provided within the site to ensure safe pedestrian connectivity to the buildings. Additional sidewalks will be provided with the expansion to connect future parking areas providing safe circulation within the site.

3. The traffic generated by the proposed development and any proposed improvements to the street system will not have a significant adverse impact on the environment. Significant adverse impacts shall include but not be limited to undue concentration of air pollutants, or excessive noise or vibrations.

Due to the presence of existing left-turn lanes along Fayetteville Road, no additional widening is necessary with the proposed expansion. Therefore, there will be no adverse impacts on the environment due to roadway widening improvements. In addition, there are no off-site roadway widening or other off-site improvements associated with the proposed expansion.

The majority of the traffic will be passenger cars and trucks accessing the site. There should not be any idling of large trucks within the roadway, as there are sufficient loading zones within the site for these occasional vehicles.

Vibrations are not an issue with rubber-tired vehicles on paved roads. Only transportation modes such as rail produce vibration concerns. Therefore, no adverse impacts are anticipated from vibrations resulting from vehicular traffic.

Therefore, there should be no addition of undue concentration of pollution, noise, or vibrations.

4. The traffic generated by the development can be accommodated by the existing or funded transportation system, or adequate traffic mitigation measures have been proposed as part of the development application. Proposed mitigation measures shall become conditions of the special use permit. The adopted level of service for the adjacent roadways may be considered in making this determination but shall not be the sole factor considered by the governing body.

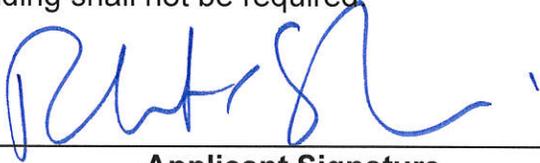
The existing roadway network is sufficient to handle the increase in traffic due to the proposed expansion. No roadway improvements are required to address the site traffic. All the intersections are projected to operate within acceptable overall levels of service with the build-out of currently proposed expansion.

The Church is providing a Transportation Management Plan (TMP) that outlines their current and proposed operating procedures, including the use of a Traffic Control Officer during peak operating times at Site Access #1.

Read and sign below:

In granting a Transportation Special Use Permit, the Governing Body may place conditions on the use to assure that adequate mitigation measures are associated with the use. The conditions shall become part of the special use permit approval. Violations of any of the conditions shall be treated in the same manner as other violations of the Ordinance. Furthermore, Special Use Permits shall become null and void in any of the following cases (Section 3.9.13 of the UDO):

- A. If a site plan is not approved within 12 months of the date of permit approval.
- B. If an approved site plan or building permit expires.
- C. If a building permit is not issued within two years of the date of approval, in cases where a site plan is not required.
- D. If a substantial violation of the conditions of the permit, as determined by the Planning Director or designee occurs. The addition of language to the special use permit regarding such voiding shall not be required.



Applicant Signature

2/18/14

Date

MSUP/Board of Adjustment Pre-Submittal Record and Checklist

Date: August 15, 2013

GENERAL INFORMATION	
Name of Applicant	Robert Shunk
Owner of Site	Newhope Church Inc
Staff present	Multi-Departmental
Jurisdiction	City
PIN or PID	150278
Location/Address	7619 Fayetteville Road
Zoning District(s)/Tier	RR Suburban
Watershed District	F/J-B
Other Overlay District	
Type of Application	TSUP
Proposal	Expansion of a Place of Worship in a Residential Zoning District
Relevant Ordinance Sections	3.9, 6, 8, 9, 10, others as applicable

Process/Application Requirements	
	Comment/Notes
Schedule/Deadlines	Application due 1 st Monday each month by NOON.
Record of the pre-submittal meeting	Yes
Fee/ Number of signs	\$2,489.00 payable to city of Durham/ 1 sign
Completed application and responses: ORIGINAL signatures required	Complete
SITE PLAN (full size and 11x17) or PLOT PLAN (11x17), as determined at pre-submittal meeting	Site Plan Required
Responses to Additional Findings and/or Review Factors, as applicable	-
Responses to Limited Use Standards, as applicable	
Floorplan (full size and 11x17), as applicable	Not Required
Elevations (full-size and 11x17), as applicable	Not Required
Comprehensive Plan and Zoning Intent statement	n/a
Note: Additional supporting documents may also be submitted	

Print

To the Applicant: When the request is submitted, thorough review and site visits will be conducted by several City/County departments. **Other issues may arise that were not identified in this preliminary discussion.**