



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



ZONING MAP CHANGE REPORT

Meeting Date: February 3, 2014

Table A. Summary			
Application Summary			
Case Number	Z1300024	Jurisdiction	City
Applicant	Glenwood Hillandale Company, LLC	Submittal Date	August 26, 2013
Reference Name	Croasdaile Commons	Site Acreage	8.751
Location	1821, 1823, and 1855 Hillandale Road, between West Carver Street and Front Street		
PIN(s)	0813-08-80-7102, -7537, -7898.L00		
Request			
Proposed Zoning	Commercial General with a development plan (CG(D))	Proposal	109,400 square feet of nonresidential uses
Site Characteristics			
Development Tier	Urban Tier		
Land Use Designation	Commercial		
Existing Zoning	Commercial Center (CC)		
Existing Use	Shopping center		
Overlay	None	Drainage Basin	Falls Lake
River Basin	Neuse	Stream Basin	Ellerbe Creek
Determination/Recommendation/Comments			
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and applicable policies and ordinances.		
Planning Commission	Approval, 12-0 on December 10, 2013. The Planning Commission finds that the ordinance request is consistent with the adopted <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	No comments		
BPAC	No comments		

A. Summary

This is a request to change the zoning designation of an 8.751-acre site for a proposed development of a maximum floor area of 109,400 square feet. The site is located at 1821, 1823, and 1855 Hillandale Road, between West Carver Street and Front Street (see

Attachment 1, Context Map). This request is consistent with the *Comprehensive Plan* and applicable policies and ordinances. The requested change to CG(D) would allow greater flexibility in site development standards and the permitted mix of uses.

Appendix A provides supporting information.

B. Site History

There has been no recent zoning map change requests associated with this site.

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. 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 (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the CG(D) district (Sec. 3.5.6.D, Sec. 6.10.1.C). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments are proffers that commit to requirements in excess of ordinance standards. No text commitments have been included with this application.

Graphic Commitments. Graphic commitments include the general location of site access points and building envelope.

Design Commitments. No architectural style has been chosen for the proposed structures. The roofs will be flat with parapets or rounded. The exterior siding materials will consist of brick and stucco with metal decorative awnings and a tower element will be used as a distinctive architectural feature.

Determination. If the requested CG(D) zoning district is approved, this request would allow for a maximum building area of 109,400 square feet.

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. The requested CG(D) zoning district is consistent with the Future Land Use Map of the *Comprehensive Plan* which designates this site as Commercial.

The following conditions have been identified on an adopted plan that may be associated with the subject site:

Long Range Bicycle Plan, Map 4.5. The *Long Range Bicycle Plan, Map 4.5*, shows a proposed bicycle lane along both Hillandale Road and Front Street. These segments have been identified as such for their “ability to provide connectivity, serve underserved areas, improve safety in areas of concern, and address public input” (Durham Comprehensive Bicycle Transportation Plan, Executive Summary). As part of a recent road widening project, NCDOT provided increased pavement width to accommodate cyclists along Hillandale Road. No improvements are shown, or required, along Front Street for the proposed zoning. As such, no improvements associated with this condition is required of the development plan.

F. Site Conditions and Context

Site Conditions. This request includes three parcels totaling 8.751 acres located at 1821, 1823, and 1855 Hillandale Road, between West Carver Street and Front Street. This site is the existing Croasdaile Commons shopping center, formerly known as Loehmann’s Plaza, and has recently been redeveloped to include a total of 98,691 square feet of office and commercial uses.

Area Characteristics. This site is located in the Urban Tier on the west side of Hillandale Road, just north of Interstate - 85 (see Attachment 1). Uses in the area consist of hotels, commercial, and office mostly between the site and the interstate, and single- and multi-family residential surrounding the nonresidential node. Zoning districts include Office Institutional, Office Institutional with a development plan, Commercial Neighborhood, Commercial General with a development plan, Residential Urban – Multifamily with a development plan, Residential Suburban – Multifamily, Residential Urban – 5, Residential Suburban – 10, and Residential Suburban – 8.

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

Determination. The proposed CG(D) district meets the ordinance requirements in relation to development on the subject site. A commercial use in close proximity to an Interstate ramp is a reasonable request, especially considering the present use of the site (commercial) and other area uses.

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 CG(D) district is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of transit, utility, drainage/stormwater, schools and water supply. The proposal is estimated to reduce students generated from the site by 15, increase water demand by 1,729 GPD, and increase traffic by 187 trips per day from the existing zoning. The existing infrastructure has available capacity to meet these needs.

H. Staff Analysis

Staff determines that this request is consistent with the *Comprehensive Plan* and applicable polices and ordinances. If the requested CG(D) zoning designation were approved a maximum of 109,400 square feet of floor area would be permitted.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Agent: Robert Shunk, Stewart	Ph: 919-866-4792	rshunk@stewartinc.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
- Partner’s Against Crime – District 2
- Friends of Durham
- Unity in the Community for Progress
- Croasdaile Farm Master Homeowners Association
- Ellerbee Creek Watershed Association

K. Summary of Planning Commission Meeting December 10, 2013 (Case Z1300024)

Zoning Map Change Request: Request CC to CG(D).

Staff Report: Ms. Wolff presented the staff report.

Public Hearing: Chair Jones opened the public hearing. One person signed up to speak, one person spoke in favor and no one spoke in opposition. Chair Jones closed the public hearing.

Commission Discussion: Vice Chair Harris stated he reports to work at this location, but there is no financial gain for him in this matter.

The discussion was centered on the need of a TIA if the additional square footage would be needed. There are no plans for future growth. This is more for internal usage.

Motion: Approval of the Zoning Case Z1300013. (Mr. Smudski, Ms. Beechwood 2nd).

Action: Motion carried, 12-0.

Findings: The Planning Commission finds that the ordinance request is consistent with the adopted 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. Submittal and Review History
Appendix B	Site History	N/A
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

Table K. Supporting Information		
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
Appendix K	Summary of Planning Commission Meeting	Attachments: 6. Planning Commissioner’s Written Comments 7. Ordinance Form

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Submittal and Review History

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
CG	Commercial General - the CG district is established to provide for a wide variety of commercial activities of varying scales that are designed to be served by major thoroughfares. It is the intent of this district to provide sufficient size and depth of property to meet business needs, yet maintain safe traffic flows. Businesses in this district should be sited convenient to automotive traffic. Development in the CG District should provide safe pedestrian access to adjacent residential areas.
D	Development Plan – the letter “D” following a zoning district indicates that a development plan has been included with a zoning map change request. This designation may be added to any zoning map change request to signify that a conceptual representation of the proposed site has been submitted that indicates how the proposed development could meet ordinance standards. Any significant change to the development plan would require a new zoning petition.

Table D2. District Requirements – CG			
	Code Provision	Required	Development
Minimum Site Area (square feet)	6.10.1.C	20,000	381,194
Minimum Lot Width (feet)	6.10.1.C	100	100
Maximum Street Yard (feet)	6.10.1.C	15	15
Minimum Side Yard (feet)	6.10.1.C	15	15
Minimum Rear Yard (feet)	6.10.1.C	25	25
Maximum Height (feet)	6.10.1.C	50	50

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Committed
Tree Coverage	8.3.B3	N/A	None

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	OI	0.4/0.6	0.6
East	OI, OI(D), RS-M,	N/A right-of-way greater than 60 feet	N/A
South	CN, CG(D)	N/A right-of-way greater than 60 feet	N/A
West	OI	0.4/0.6	0.6

Table D5. Summary of Development Plan		
Components	Description	Plan Sheet
Required Information	Intensity/Density. 109,400 square feet maximum floor area	DP-2.0
	Building/Parking Envelope has been appropriately identified.	DP-2.0
	Project Boundary Buffers have been shown.	DP-2.0
	Stream Crossing. None shown.	N/A
	Access Points. Six (6) site access points have been identified as well as access through a recorded easement.	DP-2.0
	Dedications and Reservations. None.	N/A
	Impervious Area. 95% (8.322 acres)	DP-2.0
	Environmental Features. None have been identified.	N/A
Areas for Preservation. None.	N/A	

Table D5. Summary of Development Plan		
	Tree Coverage. None.	N/A
Graphic Commitments	1. Location of six site access points. 2. Building envelope	DP-2.0
Text Commitments	None.	N/A
SIA Commitments	None Provided.	N/A
Design Commitments	Architectural Style: none chosen. Roof Lines: flat with parapets or rounded. Building Materials: exterior siding materials will consist of brick and stucco with metal decorative awnings. Distinctive Architectural Features: tower element will be used. Transition to Context: None.	Cover

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
<i>Comprehensive Plan</i>	
Policy	Requirement
Future Land Use Map	Commercial: Land used primarily for retail, entertainment, office, and services. Urban Tier: Generally, land developed with small lot sizes in traditional grid patterns and differing uses in proximity to one another with access to urban services and provides opportunities for infill and redevelopment.
2.2.3a	Urban Tier Development Focus. Ensure that new development enhances the street level experience by requiring that development within the Urban Tier have an urban form with small lot sized and proximity of uses.
2.2.3b	Urban Tier Land Uses: Land uses that shall be allowed include Recreation and Open Space, Residential, Institutional, Commercial, Office, and Industrial.
2.2.3d	Urban Tier Commercial Development: discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” and, pedestrian friendly “linear” corridors of commercial development and infill.
2.2.3e	Urban Tier Spacing of Commercial Nodes: Use the following standards when evaluation requests for new commercial development: <ul style="list-style-type: none"> i. Separate distinct nodes of commercial development by a distance of at least one-half mile; ii. Cluster commercial uses at intersections of thoroughfares; and iii. Restrict new, isolated, mid-block commercial uses, unless compatible with surrounding uses.
2.3.1a	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.
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.
8.1.4c and d	Development Review and the Adopted Bicycle Plans: 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.
8.1.4p	New Bicycle Routes: Wherever possible, incorporate recommended bike lanes or wide shoulders during street resurfacing or reconstruction and convert railroad corridors to bikeways.
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.

Table E. Adopted Plans	
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.
Long Range Bicycle Plan	
Map 4-5 shows a proposed bicycle lane along Hillandale Road and Front Street.	

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Offices, educational facility	OI, RS-8	N/A
East	Office, civic, single- and multi- family, vacant	OI, OI(D), RS-M, RU-5	E-B
South	Commercial	CN, CG(D)	N/A
West	Office	OI	N/A

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
Hillandale Road and I-85 are the major roads impacted by the proposed zoning change. There are no scheduled NCDOT roadway improvement projects in the area.		
Affected Segments	Interstate – 85	Hillandale Road
Current Roadway Capacity(LOS D) (AADT)	187,100	29,200
Latest Traffic Volume (AADT)	84,000	23,000
Traffic Generated by Present Designation (average 24 hour)*	7,012	
Traffic Generated by Proposed Designation (average 24 hour)**	7,199	
Impact of Proposed Designation	+187	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012)

Page Road: 4-lane divided city/county class II arterial roadway

I-85: 10-lane freeway

Source of Latest Traffic Volume: 2011 NCDOT Traffic Count Map

*Assumption- (Max Use of Existing Zoning) – CC: 95,570 square-foot shopping center and a drive-in bank with three drive-up windows.

**Assumption- (Max Use of Existing Zoning) – GC (D): 109,400 square-foot shopping center

Table G2. Transit Impacts
Transit service is provided adjacent to the site along Hillendale Road.

Table G3. Utility Impacts
This site is served by City water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts			
The proposed zoning is not estimated to generate any students; the plan commits to nonresidential uses. This represents a reduction of 15 students from the existing zoning. Durham Public Schools serving the site are Hillendale Elementary School, Brogden Middle School, and Riverside High School.			
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
20th 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*	9	3	3
Potential Students Generated – Proposed Zoning**	0	0	0
Impact of Proposed Zoning	-9	-3	-3

*Assumption- (Max Use of Existing Zoning) – CC: 70 apartments

**Assumption- (Max Use of Existing Zoning) – CG(D): No residential identified/not permitted

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 13,675 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 1,729 GPD 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*	11,946 GPD
Potential Water Demand Under Proposed Zoning**	13,675 GPD
Potential Impact of Zoning Map Change	+1,729

Notes: MGD = Million gallons per day

***Assumption- (Max Use of Existing Zoning)** – CC: 95,570 square-foot shopping center and a drive-in bank with three drive-up windows.

****Assumption- (Max Use of Existing Zoning)** – GC (D): 109,400 square-foot shopping center

Appendix K: Summary of Planning Commission Meeting

Attachments:

6. Planning Commissioner’s Written Comments
7. Ordinance Form