



ZONING MAP CHANGE REPORT

Meeting Date: June 1, 2015

Table A. Summary			
Application Summary			
Case Number	Z1400042	Jurisdiction	City
Applicant	Coulter, Jewell, Thames, PA, Dan Jewell	Submittal Date	December 22, 2014
Reference Name	North Mangum Residential	Site Acreage	0.86
Location	809 and 811 North Mangum Street and 804 Glendale Avenue, with frontage on North Mangum Street and Glendale Avenue, North of West Corporation Street and opposite Mission Place.		
PIN(s)	0831-05-09-8688, -9610, 8600		
Request			
Proposed Zoning	Commercial Neighborhood (CN), and Residential Urban-Multifamily (RU-M)	Proposal	Single-family residential and townhouses
Site Characteristics			
Development Tier	Urban Tier		
Land Use Designation	Medium Density Residential (6-12 DU/Ac. or less) and Commercial		
Existing Zoning	Commercial General (CG), Residential Urban- 5 (RU-5), and Residential Urban – Multifamily (RU-M)		
Existing Use	Vacant and single-family residential		
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, 10-1 on April 14, 2015. 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	See Attachment 6		

A. Summary

This is a request to change the zoning designation of three parcels totaling 0.86 acres at 809 and 811 North Mangum Street and 804 Glendale Avenue from CG, RU-5, and RU-M to

CN and RU-M for a proposed development of townhouses and single-family residential. The site is located with frontage on North Mangum Street and Glendale Avenue, North of West Corporation Street and opposite Mission Place (see Attachment 1, Context Map). This request is consistent with the *Comprehensive Plan* and applicable policies and ordinances.

Appendix A provides supporting information.

B. Site History

No recent zoning map change has been made for this property.

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 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. There is no development plan associated with this request. As such, there are no voluntary limitations imposed to the requested CN and RU-M zoning districts.

Appendix D provides supporting information.

Determination. If the requested CN and RU-M zoning districts are approved the property would be permitted to be developed in accordance with UDO standards. Generally, multifamily residential in the RU-M district on the western portion of the site facing Glendale Avenue and as a range of commercial, office, or residential uses on the eastern portion of the site along North Mangum Street along the CN designated portion of the 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. The subject site is designated by two different future land use categories, Medium Density Residential (6-12 DU/Ac.) on the west and Commercial on the east. The requested RU-M and CN zoning districts match the designation for these land use designations; RU-M is consistent with the boundary for Medium Density Residential and CN is consistent with Commercial.

The following conditions have been identified on an adopted plan that may be associated with the subject site (also see Section F):

Long Range Bicycle Plan, Map 4.5. Map 4.5 of the Long Range Bicycle Plan shows a proposed bicycle lane along North Mangum Street and a proposed greenway adjacent to the southern boundary of this site. This request does not include a development plan and therefore there is no ability to proffer commitments to accommodate these features.

F. Site Conditions and Context

Site Conditions. This request includes three parcels of land totaling 0.86 acres at 809 and 811 North Mangum Street and 804 Glendale Avenue, with frontage on North Mangum Street and Glendale Avenue, North of West Corporation Street and opposite Mission Place. The site is vacant and mostly cleared with the exception of a single family house on 804 Glendale Avenue. A cluster of hardwood trees exists along Glendale Avenue and along the southern boundary of the site.

Area Characteristics. This site is in the Urban Tier at the periphery of the Downtown Tier. The focus of these tiers is to enhance the street level experience. The Urban Tier aims to foster maintenance of the urban form with small lot sizes and differing uses in proximity to one another. In recent years, stakeholders from a variety of backgrounds have engaged in a movement to revitalize this area. Increasing development activity has occurred in the area with the rehabilitation of houses and nonresidential structures. Generally a single family neighborhood is adjacent to the site on the west and a mix of residential (single- and multi-family) and nonresidential uses are to the north, east, and south. The surrounding zoning districts include RU-5, RU-M, CG, and DD-S2.

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

Determination. The proposed RU-M and CN district meets the ordinance requirements in relation to development on the subject site. Essentially, the RU-M represents a more intense residential district than the existing RU-5 district on the western portion of the site and the CN district represents a less intense district than the existing CG district on the eastern portion of the site.

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 RU-M and CN districts are consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of transit, utility, drainage/stormwater, schools and water supply. The proposal is estimated to increase traffic by 277 trips per day, and decrease water demand by 35 gallons per day. The student generation of the site (three students) is not estimated to change from the existing designations. 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 RU-M and CN zoning designations were approved development similar to the surrounding area (both residential and nonresidential) 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		
Dan Jewell, Coulter Jewell Thames, PA	Ph: 919-682-0368	djewell@cjtpa.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
- Partners Against Crime – District 2
- Durham Athletic Park Area Planning Organization
- Fayetteville Street Planning Group
- Old Five Points Neighborhood
- Ellerbee Creek Watershed Association
- Friends of Durham
- Unity in the Community for Progress

K. Summary of Planning Commission Meeting April 14, 2015 (Case Z1400042)

Staff Report: Ms. Wolff presented the staff report.

Zoning Map Change Request: CG, RU-5 and RU-M to CN and RU-M

Public Hearing: Chair Harris opened the public hearing. Two people spoke in support and no one spoke in opposition. Chair Harris closed the public hearing.

Commission Discussion: Commission discussion centered on community support and opportunity for development of area.

Motion: To approve Z1400042 (Buzby, Padgett 2nd)

Action: Motion carried, 10-1 (Freeman voting no)

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. Application 5. Submittal and Review History 6. BPAC Comments
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
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 K. Supporting Information		
		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: 7. Planning Commissioner’s Written Comments 8. Ordinance Form 9. Consistency Statement

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Application
5. Submittal and Review History
6. BPAC Comments

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
RU-M	Residential Urban – Multi-family – the RU-M district is established to provide for orderly urban residential development and redevelopment with a minimum lot size of 3,500 square feet and a maximum of 20 dwelling units per acre. A variety of single- and multi-family housing types are permitted. While RU-M is a residential district, certain nonresidential uses such as day care facilities and places of worship may be sought through a special use permit or other limited provisions of the ordinance.
CN	Commercial Neighborhood – the CN district is established to provide for modest-scale commercial centers in close proximity to residential areas that offer limited commercial uses to satisfy the needs of the surrounding neighborhood; each lot is limited to 20,000 square feet of project floor area. While CN is a commercial district, other uses such as residential and office may also be allowed.

Table D2.1 District Requirements – RU-M		
	Code Provision	Required
Maximum Residential Density (DU/Ac.)	6.4.1A	12
Maximum Height (feet)	6.4.1A	55

Table D2.2 District Requirements – CN		
	Code Provision	Required
Minimum Site Area (square feet)	6.10.1.C	5,000
Maximum Project Floor Area (square feet)	6.10.1.C	20,000
Minimum Lot Width (feet)	6.10.1.C	50
Maximum Street Yard (feet)	6.10.1.C	15
Minimum Side Yard (feet)	6.10.1.C	10
Minimum Rear Yard (feet)	6.10.1.C	25
Maximum Height (feet)	6.10.1.C	35

Table D3. Environmental Protection			
Resource Feature	UDO Provision	District	Required
Tree Coverage	8.3.B.3	CN	N/A
	8.3.B.4.b	RU-M	3%

Table D4. Project Boundary Buffers		
Cardinal Direction	Adjacent Zone	Required Opacity
North	RU-M to RU-5	0.4/0.6
	CN to CG	0.2/0.6
East	CN to CG	0.2/0.6
South	RU-M and CN to DD-S2	N/A
West	RU-M to RU-5	0.4/0.6

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
<i>Comprehensive Plan</i>	
Policy	Requirement
Future Land Use Map	<p>Commercial: Land used primarily for retail, entertainment, office, and services.</p> <p>Medium Density Residential (6-12 DU/Ac.): Land used primarily for residential uses.</p> <p>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.</p>
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.
2.3.1a	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.
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
Long Range Bicycle Plan
Map 4.5 of the Long Range Bicycle Plan shows a proposed bicycle lane along North Mangum Street and a proposed greenway adjacent to the southern boundary of this site.

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Single- and multi-family residential	RU-5, CG	None
East	Multi-family residential, place of worship, warehouse, commercial	CG, DD-S2	None
South	Commercial	DD-S2	None
West	Single-family residential	RU-5	None

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts	
North Mangum Street is the major road impacted by the proposed zoning change. There are no scheduled NCDOT roadway improvement projects in the area.	
Affected Segments	North Mangum Street
Current Roadway Capacity(LOS D) (AADT)	19,400
Latest Traffic Volume (AADT)	9,500
Traffic Generated by Present Designation (average 24 hour)*	1,568
Traffic Generated by Proposed Designation (average 24 hour)**	1,845
Impact of Proposed Designation	+277

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2011)

N. Mangum Street: 2-lane one-way class II arterial with left-turn lanes

Carpenter Fletcher Road: 2-lane city/county class II arterial without left-turn lanes

Source of Latest Traffic Volume: 2013 NCDOT Traffic Count Map

***Assumption (existing zoning)** – CG: 3,100 sf fast-food with drive thru, RU-5: 3 single-family lots, RU-M: 1 apartment

****Assumption (proposed zoning)** – CN: 3,650 sf fast-food with drive thru, RU-M: 4 apartments

Table G2. Transit Impacts
Transit service is currently provided along N. Mangum Street via DATA Routes 9, 9A, and 9B.

Table G3. Utility Impacts
This development is 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. 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 change the students generated (three students) on the site if developed to its maximum residential potential. Durham Public Schools serving the site are Glenn Elementary School, Brogden Middle School, and Riverside High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	16,794	7,760	10,259
Maximum Building Capacity (110% of Building Capacity)	18,473	8,536	11,285
20th Day Attendance (2014-15 School Year)	16,545	7,465	10,074
Committed to Date (October 2011 – September 2014)	68	19	-35
Available Capacity	1,860	1,052	1,246
Potential Students Generated – Current Zoning*	1	1	1
Potential Students Generated – Proposed Zoning**	1	1	1
Impact of Proposed Zoning	0	0	0

*Assumption (existing zoning) – CG: 6 apartments, RU-5: 3 single-family lots, RU-M: 1 apartment

**Assumption (proposed zoning) – CN (D): 5 single-family units, RU-M (D): 4 apartments

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 1,235 GPD if developed to its maximum potential with the proposed zoning district. This represents a decrease of 35 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	27.17 MGD
Approved Zoning Map Changes (October 2011 – September 2014)	0.13 MGD
Available Capacity	9.70 MGD
Estimated Water Demand Under Present Zoning*	1,270 GPD
Potential Water Demand Under Proposed Zoning**	1,235 GPD
Potential Impact of Zoning Map Change	-35

Notes: MGD = Million gallons per day

***Assumption (existing zoning)** – CG: 6 apartments, RU-5: 3 single-family lots, RU-M: 1 apartment

****Assumption (proposed zoning)** – CN (D): 5 single family, RU-M (D): 4 apartments

Appendix K: Summary of Planning Commission Meeting

Attachments:

7. Planning Commissioner’s Written Comments
8. Ordinance Form
9. Consistency Statement