



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



PLAN AMENDMENT REPORT

Meeting Date: June 1, 2015

Reference Name	Hopson Road Self-Storage Center (A1400010)	Jurisdiction	City
Applicant	Tim Sivers, RLA, Horvath Associates, P.A.		
Request Change in Comprehensive Plan Designation	From:	Office	
	To:	Commercial	
Site Characteristics	Tier:	Compact Neighborhood	
	Present Use:	Vacant; Public services (North Carolina Railroad)	
	Present Zoning:	Rural Residential (RR) and Commercial Neighborhood (CN)	
	Overlays:	N/A	
	Size:	11.699 acres	
Location	South side of Hopson Road, near intersection with NC Highway 54		
PINs	0747-03-33-6832, 0747-03-33-2961		
Recommendations	Approval, based on the proposal being justified and meeting the four criteria for plan amendments		
	Approval, 7-3, April 14, 2015, based on based on the justification, the request meeting the four criteria for plan amendments, and information heard at the public hearing.		

A. Summary

The applicant, Horvath Associates, P.A., is proposing changes to the Future Land Use Map (FLUM) and the Zoning Map to allow the development of a self-storage facility on a portion of the site. The applicant proposes to amend the FLUM designation for two parcels totaling 11.699 acres from Office to Commercial. The applicant also requests a Zoning Map Change for one of the parcels from Commercial Neighborhood (CN) and Rural Residential (RR) to Commercial General with a development plan (CG(D)). The site is located outside of the City of Durham, thus a request for annexation is included.

B. Site History

Prior to the current *Durham Comprehensive Plan*, Durham was divided into planning districts, each with its own small area plan. The *Triangle Township Plan*, adopted in 1993

and amended in 2002, recommended that the future land use of this parcel be designated as Industrial.

C. Existing Site Characteristics

The site of the proposed plan amendment consists of two parcels totaling 11.669 acres, located just outside of Research Triangle Park. The site, which is currently vacant, has frontage along NC Highway 751. It is relatively flat and contains no significant environmental features. The western parcel has been acquired by the North Carolina Railroad and is intended to be used for a new track alignment.

D. Applicant's Plan Amendment Justification

The applicant states that the parcels under consideration should to be amended from their adopted land use designation (Office) to Commercial to complement existing commercial development to the north, east, and south. The applicant states that the parcel is of adequate size and shape to accommodate a Commercial use. The applicant further states that the proposal supports the *Durham Comprehensive Plan* policies of promoting contiguous development patterns and of focusing commercial uses at major intersections. Finally, the applicant affirms that the parcel's mild topography and relatively young vegetation allow for the parcel to be developed as Commercial without significant environmental impact.

Staff Response: Staff agrees with the applicant that the proposed plan amendment meets the goal of the *Durham Comprehensive Plan* of concentrating commercial nodes at major intersections. The parcels are adjacent to the commercial node at the intersection of South Miami Boulevard and Hopson Road. With the acquisition of one of the two subject parcels by the North Carolina Railroad, furthering the site's separation from activity on the west side of the railroad tracks, use of the remaining parcel as an isolated office use is unlikely.

A further examination of the applicant's request that this site be designated as Commercial based on the criteria for plan amendments follows.

E. Criteria for Plan Amendments

The Unified Development Ordinance (UDO) contains criteria for the Planning Commission to use in considering proposals to amend the *Durham Comprehensive Plan*. (See Section 3.4.7, Criteria for Planning Commission Recommendations). The proposed plan amendment has been evaluated against these criteria.

- A. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and program of any adopted plans;
- B. Whether the proposed change would be compatible with the existing land use pattern and designated future land uses;

- C. Whether the proposed change would create substantial adverse impact in the adjacent area or in the City or County in general; and
- D. Whether the subject parcel is of adequate shape and size to accommodate the proposed change.

1. Consistency with Adopted Plans and Policies

The *Durham Comprehensive Plan* is a policy document intended to guide growth and development in an organized and efficient manner. Evaluating the proposed plan amendment for consistency with relevant policies is crucial to determining whether changes to the Future Land Use Map are appropriate. The following policies were deemed relevant to the current plan amendment request.

Table 1: Policies Relevant to Proposed Change
<i>Policy 2.3.1a. Contiguous Development.</i> Support orderly development patterns that take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development.
<i>Policy 2.3.1e. Expansion of Commercial Nodes.</i> Through the Unified Development Ordinance, and in evaluating requests for expansions to existing commercial nodes, require that the proposed development be designed to be integrated with the rest of the existing node to promote pedestrian and vehicular circulation. (See Policy 4.2.3a, Commercial Development Design).
<i>Policy 2.1.2e. Compact Neighborhood Tier Defined.</i> The Compact Neighborhood Tier consists of areas surrounding proposed fixed guideway transit stations. These are areas identified for high density and intensity infill, redevelopment, and new development that integrate a mix of uses through an urban fabric that includes enhanced bicycle and pedestrian facilities. The Compact Neighborhood Tier is expected to have an improved street level experience and discourage auto-oriented and low intensity uses.

Amending the Future Land Use Map to Commercial is consistent with the abovementioned policy statements. The Plan seeks to avoid scattered patterns of development that would contribute to suburban sprawl. The current Office designation isolates this small site within a large industrial and commercial area, and no longer creates a useful transition from higher- to lower-intensity uses as originally intended when much of the area was rural in character. The Plan enlarges an existing Commercial node along a major traffic corridor, close to an intersection, integrating the parcel into surrounding Commercial uses. Finally, the site is located within the Compact Neighborhood Tier, where the concentration of higher-intensity uses, such as Commercial, encourages density and discourages auto-oriented development.

Staff Conclusion: This proposed plan amendment is consistent with adopted plans and policies and therefore meets criterion 3.4.7A.

2. Compatibility with Existing Development and Future Land Use Patterns

Situated in southern Durham at the convergence of several major traffic corridors, the subject site is in an area that is developing rapidly. It is located 1.2 miles west of the intersection of Interstates 40 and 540, one half mile south of NC Highway 54, and one mile east of NC Highway 147. Adjacent to the parcel are Commercial and Office designations; nearby, other designations include Medium-High Density Residential and Industrial.

Table 2: Area Land Uses and Designations		
	Existing Uses	Future Land Use Designations
North	Office, Commercial	Commercial
East	Commercial	Commercial
South	Utilities	Commercial
West	Vacant	Industrial

Existing Uses: The site of the proposed plan amendment is bordered to the north by commercial establishments and a daycare center, to the west by vacant land, to the east by a suburban-style shopping center, and to the south by an electrical substation.

Future Land Use Designations: Land to the immediate north, east, and south of the site is designated Commercial. Land immediately west and further east is designated Industrial.

Analysis: The subject site is located near the convergence of several major highways, with close proximity to Interstates 40 and 540. The subject site is surrounded on three sides by an existing commercial development. It is unlikely that these parcels would develop as Office because of their isolated position within a large commercial and industrial area and beside a railroad corridor. The proposal therefore supports City and County policies that promote compatible land usage and future development patterns.

Staff Conclusion: The proposed plan amendment is consistent with designated future land uses in the area and therefore meets criterion 3.4.7.B.

3. Adverse Impacts

Infrastructure: A theme found throughout the *Durham Comprehensive Plan* is ensuring that the pace of urbanized growth does not exceed the ability to provide essential services (*Objective 2.3.2, Infrastructure Capacity*). Toward that end, *Policy 2.3.2a., Infrastructure Capacity*, directs the City-County Planning Department to consider impacts to the capacity of existing infrastructure when evaluating changes to the Future Land Use Map and Zoning Atlas.

Durham Comprehensive Plan Policy 8.1.2a, Traffic Level of Service (LOS) Standards, states that the LOS for roads in the Compact Neighborhood Tier shall achieve a minimum of LOS E.

Analysis: A Traffic Impact Analysis (TIA) was not required as a part of the zoning map change process because the proposed project does not generate the minimum number of trips to require additional analysis. While the traffic impact of individual projects at this scale could be minor, the cumulative effects are unaccounted for because of the lack of a TIA requirement.

Future Demand for Land Uses: *Durham Comprehensive Plan Policy 2.5.2e., Demand for Land Uses*, states that in evaluating Plan Amendments, the Governing Boards and the City-County Planning Department shall consider the projected need for the requested land use in the future.

Analysis: The proposed FLUM amendment would convert approximately 11.7 acres from Office to Commercial. The 2013 Evaluation and Assessment Report of the Durham Comprehensive Plan (2013 EAR, case A1400002) reported that the amount of Office land available to meet projected demand in 2040 is approximately equal to the amount of Office land currently available on the FLUM. While these 11.7 acres may not be significant in relation to the County as a whole, staff and policy makers should be aware of needs regarding office land in the future.

Environment: The site is not located in a watershed protection overlay and does not contain any significantly sensitive environmental lands. There is no reason to believe that the site could not be developed within UDO standards.

Staff Conclusion: The proposed plan amendment does not create any substantial adverse impact in the adjacent area or in the City or County in general and, therefore, meets criterion 3.4.7.C.

4. Adequate Shape and Size

The area specified for the requested amendment totals approximately 11.7 acres, and is of sufficient shape and size for Commercial development in the Compact Neighborhood Tier.

Staff Conclusion: The site is of adequate shape and size to accommodate the use pursuant to the proposed change and, therefore, meets criterion 3.4.7.D.

F. Notification

Staff certifies that notification, including newspaper advertisements and letters to property owners within 1,000 feet of the site, has been carried out in accordance with Section 3.2.5 of the UDO. The following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- People's Alliance
- Center of the Region Enterprise (CORE)
- Northeast Creek Streamwatch
- Triangle Transit Authority
- RDU HZO Permit Area
- Durham Justice and Fairness Inter-Neighborhood Association
- Partners Against Crime – District 4
- Keep Durham Beautiful
- Town of Cary Planning

G. Staff Recommendation

Staff recommends approval, based on the proposal being justified and meeting the four criteria for plan amendments. Planning Commission recommended approval, 7-3, at their April 14, 2015 meeting, based on the justification, the request meeting the four criteria for plan amendments, and information heard at the public hearing.

H. Staff Contact

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I. Related Attachments

Attachment 8, Proposed Change Map
Attachment 9, Area Context Map
Attachment 10, Aerial Map
Attachment 11, Applicant's Justification Statement
Attachment 12, Planning Commission Written Comments
Attachment 20, Resolution