



**CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA**



Plan Amendment Report

Meeting Date: July 10, 2007

Reference Name	West Pointe Village (A07-06)		Jurisdiction	City
Request	Proposed Land Use Designation		Commercial, 20.78 Ac.; Office, 7.30 Ac.	
	Existing Land Use Designation		Low-Medium Density Residential (4-8 DU/Ac.), 15.68 Ac., Medium Density Residential (6-12 DU/Ac.), 8.03 Ac., Commercial, 4.37 Ac.	
Site Characteristics	Tier		Suburban	
	Site Acreage		28.08 acres including right-of-way	
	Existing Use		Vacant, Single-Family Residential, Commercial	
Applicant	Crosland Investments, LLC		Submittal Date	March 12, 2007
Location	North of Infinity Road and east of North Roxboro Road			
PIN(s)	0824-02-78-4179, -3175, -2074, -1021, -68-9704, -6681, -8340, -4822, -4626, -4522, -4431, -77-0851, -67-9446			
Recommendations	Staff	Approval, based on the request being justified and meeting the four criteria for plan amendments		

A. Summary

The proposed plan amendment would change the Future Land Use Map designation of 12.75 acres of Low-Medium Density Residential (4-8 DU/Ac. or less) and 8.03 acres of Medium Density Residential (6-12 DU/Ac. or less) to Commercial and 2.93 acres of Low-Medium Density Residential and 4.37 acres of Commercial to Office. The amendment affects 13 parcels located north of Infinity Road and east of North Roxboro Road. The total land area to be affected is 28.08 acres including right-of-way.

B. Site History

The *Lebanon Township Plan* designated the site as Mixed Use and Low Density Residential (2-4 DU/Ac.) on the Future Land Use Map.

C. Proposed Amendment Justification

Based upon market studies, “the applicant believes that the surrounding community is under served with commercial use... Adjacent land with commercial use designations encompass the intersection of Roxboro Rd. and Infinity Rd. and most of West Pointe Village road frontage along the west side of Roxboro Rd.” The applicant notes that,

“the requested office use would provide a smooth transition between the commercial use of West Pointe Village and the existing residential use on the south side of Infinity Rd.”

Staff Analysis and Conclusion:

1. Commercial

The applicant is correct that the site is located at a major intersection and the proposed commercial use would represent an extension of the commercial node at the intersection. Extension of commercial development to the north and east would permit a form of development that would reduce the potential for strip development along North Roxboro Road, creating greater depth of development and eliminating potential driveway cuts that would diminish road capacity. This could potentially help alleviate congestion at the intersection of North Roxboro Road and Infinity Road.

The change in designation is justified based on a more detailed examination of the site than was possible during adoption of the *Durham Comprehensive Plan*.

2. Office

The proposed office use on the southern edge of the site would provide a less intense non-residential use directly across from the developed residential neighborhood to the south, reducing the development pressure the existing commercial designation places on them.

The change in designation is justified based on a more detailed examination of the site than was possible during adoption of the *Durham Comprehensive Plan*.

D. Criteria for Plan Amendment

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).

- 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.

The proposed plan amendment has been evaluated against these criteria.

1. Plan Consistency

a. Commercial

Durham Comprehensive Plan Land Use Policy 2.2.2b., Demand for Residential Land, indicates that in evaluating Plan Amendments, the

Governing Boards and the City-County Planning Department shall consider the demand for residential land, and the capacity of the transportation, water, and sewer systems, and other public facilities and services. The proposed plan amendment would result in removing more than 23 acres from residential designation, representing about 222 dwelling units. However, the Future Land Use Map accommodates housing well above the anticipated demand, so this loss is not significant.

Durham Comprehensive Plan Land Use Policy 2.2.5b., Spacing of Commercial Development, indicates that commercial development separation should follow the recommended spacing of Table 2-3, Summary of Commercial Separation. The table indicates that appropriate separation of commercial development for the Suburban Tier is 1/2 mile. Given that this site is adjacent to commercial development on the south and southwest, the proposed plan amendment represents an expansion of an existing planned node and is therefore consistent with this policy.

Durham Comprehensive Plan Land Use Policy 2.2.5c., Strip Commercial Development, indicates that strip commercial development should be discouraged through application of the Spacing of Commercial Development Policy and requirements for access management plans on major thoroughfares. The proposed extension of the commercial node to the north and east would reduce the potential for strip development along North Roxboro Road, reducing the potential for multiple driveway cuts and creating an opportunity to better manage access onto North Roxboro Road. This proposed plan amendment is therefore consistent with this policy.

New commercial development possible with the proposed plan amendment and subsequent zoning approval will likely place somewhat greater demands on Durham's sewer, water, and transportation systems than the current residential designation. Durham has sufficient capacity in water and sewer services and other public facilities to accommodate the change of designation. Infinity Road has a capacity of 14,600 average daily trips (ADT) (LOS D) and the latest traffic volume is 7,600 annual average daily trips (AADT). North Roxboro Road has a capacity of 33,900 (ADT) and the latest traffic volume is 28,000 (AADT). New development allowed by the Plan Amendment would likely increase the traffic on Infinity Road and North Roxboro Road. The capacity of the area's transportation system, as well as road improvements to deal with demand will be considered in detail at the time of the proposed zoning map change.

Staff Conclusion: The proposed plan amendment for commercial uses is consistent with the intent, goals, objectives, policies, guiding principles and programs of adopted plans and, therefore, meets criterion 3.4.7.A.

b. Office

Durham Comprehensive Plan Land Use Policy 2.2.2b., Demand for Residential Land, indicates that in evaluating Plan Amendments, the Governing Boards and the City-County Planning Department shall consider the demand for residential land, and the capacity of the transportation, water,

and sewer systems, and other public facilities and services. As indicated above, the loss of residential designation by the proposed plan amendment is not significant.

Durham Comprehensive Plan Land Use Policy 2.2.5a., Demand for Commercial, indicates that in evaluating Plan Amendments, the Governing Boards and the City-County Planning Department shall consider the demand for commercial land and the capacity of the transportation, water, and sewer systems, and other public facilities and services. This proposed plan amendment would remove 4.37 acres from Commercial designation. The City-County Planning Department projects a demand of 4,388 acres of commercial land by the year 2030. The *Durham Comprehensive Plan* currently accommodates 6,523 acres of commercially-designated land, so the loss of commercially-designated acreage by the proposed plan amendment is not significant.

Durham Comprehensive Plan Land Use Policy 2.2.4b., Office Uses as Transition, indicates that office space should be utilized as a complement to commercial space on the Future Land Use Map, providing a transition between commercial and residential areas. Given that single-family residential designations and uses already exist across Infinity Road to the south and east of the site, the Office designation would reduce the impact of non-residential development on these properties. Accordingly, the request is consistent with this policy.

New office development possible with the proposed plan amendment and subsequent zoning approval will likely place somewhat greater demands on Durham’s sewer, water, and transportation systems than the current residential designation. Durham has sufficient capacity in water and sewer services and other public facilities to accommodate the change of designation. As indicated above, the capacity of the area’s transportation system, as well as road improvements to deal with demand will be considered in detail at the time of the proposed zoning map change.

Staff Conclusion: The proposed plan amendment is consistent with the intent, goals, objectives, policies, guiding principles and programs of adopted plans and, therefore, meets criterion 3.4.7.A.

2. Compatibility

The area surrounding the subject site is designated for residential and commercial development.

Area Land Uses and Designations		
	Existing Uses	Land Use Designations
North	Single-Family Residential, Eno Valley Elementary School, Vacant	Low Density Residential (4 DU/Ac. or less), Low-Medium Density Residential (4-8 DU/Ac. or less)

East	Single-Family Residential, Vacant	Low Density Residential (4 DU/Ac. or less)
South	Single-Family Residential, Commercial	Commercial, Low Density Residential (4 DU/Ac. or less)
West	Commercial, Single-Family Residential, Vacant	Commercial, Low-Medium Density Residential (4-8 DU/Ac.)

Staff Conclusion:

a. Commercial

The proposal is compatible with the land use designations in the area. The buffer requirements that will apply to any commercial development will provide separation between the single-family designated parcels to the east and north. For these reasons, the proposed plan amendment can result in a development pattern designed to be compatible with the existing land use pattern and designated future land uses in the area and, therefore, meets criterion 3.4.7.B.

b. Office

The office designation will provide a less intense transition to the existing single-family neighborhoods to the south. And extending the commercial designation to the east of Roxboro Road will help to prevent the progression of a strip development pattern and the loss of roadway capacity associated with such a pattern. For these reasons, the proposed plan amendment would be compatible with the existing land use pattern and designated future land uses in the area and, therefore, meets criterion 3.4.7.B.

3. Adverse Impacts

There are no environmental constraints associated with this site that would preclude its development in accordance with UDO standards.

Staff Conclusion: The proposed plan amendment would not create 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 areas being proposed for redesignation to commercial is in excess of 20 acres and to office is in excess of 7 acres.

Staff Conclusion:

a. Commercial

Commercial uses require a minimum of 5,000 square feet in site area. The property is of adequate shape and size to accommodate the proposed commercial use and, therefore, meets criterion 3.4.7.D.

b. Office

Office uses require a minimum of 20,000 square feet in site area. The property is of adequate shape and size to accommodate the proposed office use and, therefore, meets criterion 3.4.7.D.

E. Notification

Staff certifies that notification, including newspaper advertisements and letters to property owners within 1000 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:

- Latta Road Neighborhood Association
- Friends of West Point Park
- Eno River Association
- Hickory Ridge Neighborhood Association
- Durham Justice and Fairness Inter-Neighborhood Association
- Durham Peoples Alliance
- Inter-Neighborhood Council
- Durham Partners Against Crime-District 2

F. Recommendation

Staff recommends approval, based on the request being justified and meeting the four criteria for plan amendments.

G. Staff Contact

Joe Rude, Planner, 919-560-4137 ext. 247, joseph.rude@durhamnc.gov

H. Attachments

1. Context Map
2. Aerial Photograph
3. Applicant Justification