



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Plan Amendment Report

Meeting Date: May 5, 2008

Reference Name	T.W. Alexander Properties (A07-09)		Jurisdiction	City
Request	Proposed Land Use Designation		Commercial and Office	
	Existing Land Use Designation		Office and Commercial	
Site Characteristics	Tier		Suburban	
	Site Acreage		Commercial to Office, 2.80 acres and Office to Commercial, 1.73 acres, total 4.53 acres (including right-of-way)	
	Existing Use		Vacant	
Applicant	Hock Development Corporation		Submittal Date	June 11, 2007
Location	West of T.W. Alexander Drive and east of South Alston Avenue			
PIN(s)	0737-01-47-4898 (partial) and 0737-01-48-5553 (partial)			
Recommendations	Staff	Approval, based on the request being justified and meeting the four criteria for plan amendments		
	Planning Commission	Approval, March 11, 2008, 10-1, based on information provided in the staff report, the justification, and meeting the four criteria for plan amendments.		

A. Summary

The proposed plan amendment would change the Future Land Use Map designation for a portion of two parcels located west of T.W. Alexander Drive and east of South Alston Avenue. The proposed change would amend the boundaries of the existing Commercial and Office designations on the site. The proposed plan amendment would redesignate 2.80 acres of existing Commercial designation to Office, and 1.73 acres of Office to Commercial.

B. Site History

The *Triangle Township Plan*, adopted in 1993, designated the site as Mixed Use on the Future Land Use Map. The *NC 54/I-40 Corridor Study*, adopted by the County Board of Commissioners in 2001 and the City Council in 2002, designated the site Mixed Use.

C. Proposed Amendment Justification

The applicant states that the “neighborhood commercial [use] would provide a resource to area businesses and residents in the area.”

The applicant also indicates that “the adjacent area should not be adversely impacted by the proposed change in land use... The commercial neighborhood land use would provide the adjacent land uses a compatible resource. There is adequate capacity on adjacent roadway networks.” The applicant’s entire justification statement is attached at the end of the report.

Staff Analysis and Conclusion

1. Commercial

The proposed commercial node would modify the size and location of the existing Office and Commercial designations on the property. The property was likely given a split commercial and office designation at the time of the preparation of the *Durham Comprehensive Plan* due to the site being designated mixed use in the *Triangle Township Plan* and the *NC 54/I-40 Corridor Study*.

The proposed boundaries for the commercial node would not extend to T.W. Alexander Drive. The proposed amendment is therefore a fairly minor adjustment of the existing designation lines, since access would be from South Alston Avenue in either case. This 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

As mentioned above, this proposed plan amendment would modify the locations of the existing designations on the site. The proposed boundaries of the office node on the northern end of the site would provide a potentially less intense non-residential use adjacent to the Burdens Creek floodplain on the northern parcel. The majority of this parcel is designated for Recreation and Open Space because of the floodplain.

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 2.2.5a., 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 1.065 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.

Development allowed with the proposed plan amendment change is estimated to generate a demand for water of 4,126 gallons per day (GD). This represents a decrease of about 233 GD over what development with the present zoning would allow.

Water Supply Impacts	
Current Water Supply Capacity	37.00 MGD
Present Usage	28.71 MGD
Committed to Date	-0.533 MGD
Available Capacity	12.31 MGD
Estimated Water Demand Under Present Land Use	4,359 Gallons per day
Potential Water Demand Under Proposed Land Use	4,126 Gallons per day
Impact of Zoning Map Change	-233 Gallons per day
Notes: MGD = Million gallons per day	

Durham has sufficient capacity in water and sewer services and other public facilities to accommodate the change of designation. New commercial development possible with the proposed plan amendment and subsequent zoning approval will likely place somewhat less demands on Durham’s sewer, water, and transportation systems since the net result would be a larger office node and smaller commercial node.

The roadways adjacent to the plan amendment area are T.W. Alexander Drive and South Alston Avenue. T.W. Alexander Drive has a capacity of 16,400 average daily trips (ADT) at Level of Service D (LOS D) and the latest traffic volume is 13,000 annual average daily trips (AADT). South Alston Avenue has a capacity of 14,600 ADT and the latest traffic volume is 6,300 AADT. The impact of future development is assessed in the proposed zoning map change staff report (Z07-24).

Durham Comprehensive Plan Land Use Policy 2.2.5b., Spacing of Commercial Development, indicates that in evaluating plan amendments, the Governing Boards and the City-County Planning Department shall consider the following spatial policies when evaluating requests for new commercial development:

- Cluster commercial uses at intersections of major thoroughfares to create nodes and discourage encroachment into residential areas;
- Apply the spatial separation criteria in Table 2-3, Summary of Commercial Separation Criteria to protect the function of the roadway system and avoid “strip commercial development”; and
- Restrict new, isolated, mid-block commercial uses.

The proposed plan amendment represents a redesignation of an existing commercial node and therefore is in compliance with the recommended spacing of Table 2-3, Summary of Commercial Separation.

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 2.2.4a., Demand for Office Land, indicates that in evaluating plan amendments, the Governing Boards and the City-County Planning Department shall consider the demand for office land and the capacity of transportation, water, and sewer systems, and other public facilities and services. The proposed plan amendment would result in adding a total of 1.065 acres of office designation.

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. In this case, the office use would be buffer the commercial use from the Recreation and Open Space designation to the north, reducing the impact of non-residential development on this floodplain area. Accordingly, the request is consistent with this policy.

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. Durham has sufficient capacity in water and sewer services and other public facilities to accommodate the change of designation.

Staff Conclusion

The proposed plan amendment for office uses 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 research, office, residential and recreation/open space uses.

Area Land Uses and Designations		
	Existing Uses	Land Use Designations
North	Very Low Density Residential, Vacant	Recreation/Open Space, Office, Commercial, Medium Density Residential (6-12 DU/Ac.)
East	Industrial, Vacant	Office, Research/Research Applications, Recreation/Open Space
South	Public/Institutional, Industrial	Office, Research/Research Applications, Medium Density Residential (6-12 DU/Ac.)
West	Agricultural, Very Low Density Residential, Vacant, Office	Medium Density Residential (6-12 DU/Ac.), Recreation/Open Space, Office, Commercial

Staff Conclusion

a. Commercial

The proposed Commercial designation is an expansion of the existing Commercial node. The adjacent parcels to the north, south, east and west all have non-residential designations on the Future Land Use Map. The proposed plan amendment would put this Commercial designation between two nodes designated for Office on the Future Land Use Map, which creates a desirable transition. The proposed redesignation of the Commercial boundaries on the site is 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 Future Land Use Map designates the parcels to the west and south for office uses. Additionally, the parcels to the east are designated for Research and Research Applications, which is compatible with office uses. For these reasons, the proposed redesignation of the Office boundaries on the site 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

The property contains a lake that the applicant plans to fill. Burdens Creek also runs along the property line of the northern parcel of this site. The majority of this parcel is designated Recreation and Open Space because of this environmental feature. These environmental conditions would not preclude the applicant from developing the site consistent with Unified Development Ordinance 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 proposed plan amendment would redesignate 2.799 acres of existing Commercial designation to Office, and 1.734 acres of Office to Commercial. The shape is appropriate to support development consistent with ordinance requirements.

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:

- Center of the Region Enterprise
- Durham Justice and Fairness Inter-Neighborhood Association (DJFINA)
- Research Triangle Park
- Inter-Neighborhood Council
- Durham Peoples Alliance
- Northeast Creek StreamWatch
- Partners Against Crime-District 4

F. Recommendations

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

The Planning Commission recommended approval, 10-1, March 11, 2008 based on information provided in the staff report, the justification, and meeting the four criteria for plan amendments.

G. Staff Contact

Joe Carley, Planner, 919-560-4137 ext. 247, joseph.carley@durhamnc.gov

H. Attachments

1. Context Map
2. Aerial Photograph
3. Applicant Justification
4. Planning Commission Comments
5. Resolution

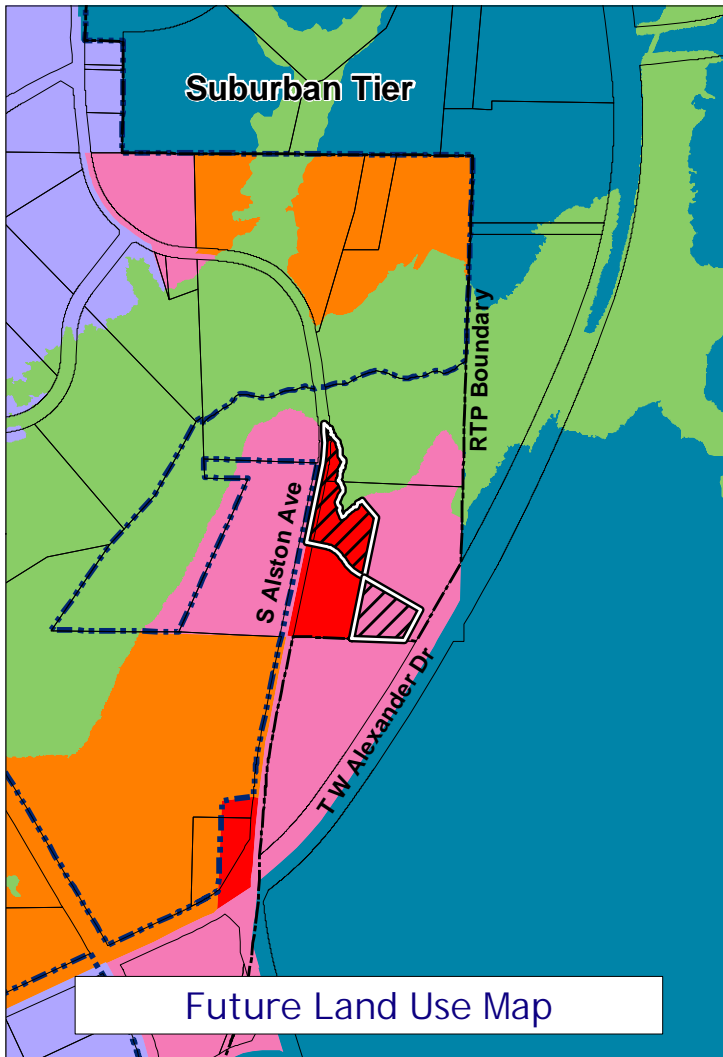
Comprehensive Plan Amendment

February 12, 2008

Applicant:
Robert Shunk, Haden Stanziale

Case:
A07-09, T W Alexander Properties

Proposed Amendment:
Office to Commercial and
Commercial to Office

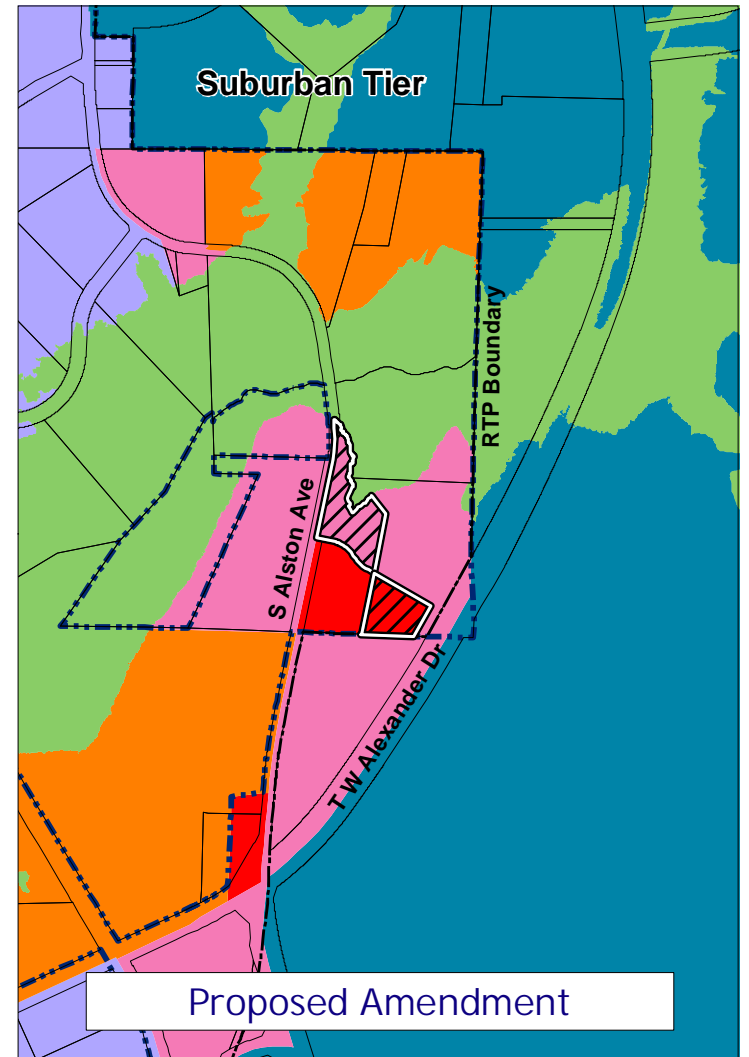


Future Land Use Map

- Agriculture
- Res., Rural (Up to 0.75 DU/A or Less)
- Res., Very Low Density (2 DU/A or Less)
- Res., Low Density (4 DU/A or Less)
- Res., Low-Medium Density (4-8 DU/A)
- Res., Medium Density (6-12 DU/A)
- Res., Medium-High Density (8-20 DU/A)
- Res., High Density (12-60 DU/A)
- Res., Very High Density (12-150 DU/A)
- Central Business District
- Mixed Use
- Commercial
- Office
- Institutional
- Industrial
- Research and Research Applications
- Recreation and Open Space
- Office
- High Density
- Urban Growth Area/
Tier Boundary
- Suburban Transit Area
- Proposed Change
- Durham City Limits
- Research Triangle Park
- Suburban Transit Station

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Feet

Durham City-County Planning Dept.
Map Printed: 1/11/2008



Proposed Amendment