



ZONING MAP CHANGE REPORT

4802 CHEEK ROAD (Z2400033 and BDG2400014)

Meeting Date: March 2, 2026

A. Executive Summary

Mike Foley, of Humabuilt, proposes to change the zoning designation of one parcel of land totaling 69.16 acres and located 4802 Cheek Road. The current zoning is Residential Rural, county jurisdiction. The applicant proposes to change this designation to Planned Development Residential 2.748 (PDR 2.748), city jurisdiction, to allow up to 190 townhouses, single-family detached, and single-family attached houses.

The property is currently designated Rural and Agricultural Reserve (RAR) and Recreation and Open Space (ROS) on the Place Type Map (PTM) (Attachment C) and is outside the Urban Growth Boundary (UGB) of the Comprehensive Plan. The annexation outside of the UGB is inconsistent with the Comprehensive Plan. If the proposal is approved, staff recommend a change to the PTM to designate the Rural and Agricultural Reserve (RAR) portion of the property as Mixed Residential Neighborhood (MRN), but retain the Recreation and Open Space (ROS) designation. If the proposal is approved, the Comprehensive Plan would be automatically amended to extend the Urban Growth Boundary to incorporate the parcel. That extension of the Urban Growth Boundary would also include a parcel ([REID 170508](#)) that is not part of the proposal. The associated annexation petition associated with this case is BDG2400014.

At the February 10, 2026, Planning Commission meeting, the applicant committed to the additional proffers below (these are not reflected in Attachment F as an update was not yet available, but will be incorporated before being presented to Council):

- Residential units shall not be located west of the powerline easement.
- No street stream crossings shall be permitted.
- At all locations where discharge from a stormwater control measure leaves the project boundary, the post development runoff rate will not exceed the pre-development rate for the 100-year storm event.
- Where silt fences are required, a third row of silt fence shall be provided adjacent to the stream and wetland.
- Developer shall provide a one-time contribution of \$30,000 for a Fire and Emergency Services Grant Project for the Redwood Volunteer Fire Department prior to the first Certificate of Compliance in the initial phase of the development.

Refer to Section C of this report the remainder of commitments.

B. Application Summary

| Application Information | | | |
|-------------------------|--------------------------------------|----------------|----------------|
| Case Number | Z2400033 | Submittal Date | August 9, 2024 |
| Case Name | 4802 Cheek Road | | |
| Case Type | Textual development plan | | |
| Proposal | Up to a maximum of 190 housing units | | |

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|--|---|---|----------|
| Applicant Contact | Mike Foley, Humabuilt, mike@humabuilt.com | | |
| Staff Contact | Andy Lester, Andrew.Lester@DurhamNC.gov | | |
| Site Information | | | |
| Location | 4802 Cheek Road | Legacy Cases | None |
| Site Acreage | 69.19 acres | Existing Use | Forestry |
| REID(s) | 170507 | | |
| Request | | | |
| Designation | Existing | Proposed | |
| Jurisdiction | County | City | |
| Development Tier | Suburban | No change | |
| Place Type Map | Rural and Agricultural Reserve (RAR); Recreation and Open Space (ROS) | No change | |
| Zoning District(s) | Rural Residential (RR) | Planned Development Residential 2.748 (PDR 2.748) | |
| Zoning Overlay(s) | Falls/Jordan Watershed Overlay District B (F/J-B) | No change | |
| Urban Growth Boundary | Outside UGB | Within UGB | |
| Allowable Use(s) | Any use allowed under the RR zoning district | 190 housing units (mixture of single-family detached and attached and townhouses) | |
| Compliance with UDO and Adopted Plans | | | |
| UDO Compliance | The zoning map change request has been reviewed by staff and determined to be compliant with UDO requirements. | | |
| Adopted Plans | The Comprehensive Transportation Plan (CTP) identifies Cheek Road as needing bicycle improvements. The proposal commits to construction of a 10-foot-wide multiuse path along the frontage of their site in compliance with the plan. | | |

C. Commitments in Excess of the UDO

| Commitments Exceeding UDO Requirements | |
|---|---|
| | The proposed development will be limited to single-family detached, attached house, townhouse, and accessory uses. |
| | The maximum number of residential units to be developed shall be 190 units. No unit type shall be less than twenty percent (20%) of the overall unit county provided at the time of site plan. |
| | A minimum of ten percent of single-family houses will have a first-floor bedroom and full bathroom. |
| | The modeled number of trips generated by the final unit mix shall not exceed 149 peak hour trips. |
| | 3% affordable housing units |
| | One townhouse dwelling unit within the development shall be donated to the Wounded Warrior Project organization, Habitat for Humanity, or equivalent non-profit organization prior to the 150 th certificate of occupancy. |
| | A one-time payment of \$7,000 will be made to Durham Public Schools prior to the issuance of the first certificate of compliance. |
| | A minimum of 1,000 linear feet of 5-foot-wide walking trail will be provided on the site. |
| | At least twenty percent (20%) of the required open space shall be located adjacent to stream buffers and/or wetland buffers. |

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| A minimum of one dual publicly accessible and/or level 2 or higher electric vehicle charging station shall be provided. |
| Each individual use, parking area, and common area will be interconnected by a pedestrian network consisting of some combination of sidewalks, painted crosswalks, and walking paths. |
| A 20,000 square feet minimum private neighborhood park/amenity will be provided for the residential development. |
| For the private neighborhood park, a minimum of two of the following elements shall be provided at the time of first site plan with structures: dog park, playground, disc golf course, play field, pocket park, community garden, nature trail, pool, covered pool cabana. |
| Minimum tree coverage for the site shall be 25%. |
| A minimum of 50% of the Unified Development Ordinance (“UDO”) required street trees, required plantings in the vehicle use area, and vegetative buffers and screens shall be native species. |
| Proposed setbacks for the development will be as follows: five foot front setback, five foot side setbacks and five foot rear setback. |
| The overall development shall be limited to a 50 percent maximum impervious area. |
| No land disturbance or development activities other than infrastructure improvements shall be allowed with the firm mapped floodway fringe. |
| A minimum 50-foot wide natural, undisturbed wildlife corridor adjacent to the required project boundary buffer shall be provided along the eastern boundary line of the development. This corridor shall have a starting point adjacent to the rear property line of the parcel identified as REID 170505, extend south adjacent to the project boundary along REIDs 170510, 219134, and 170509, then extend along the southern boundary line adjacent to REID 169975 ending at the existing Duke Energy Transmission line easement. |
| Buildings will use hip, gabled, flat or shed roofs, singly or in combination. |
| Proposed buildings will consist of two or more of the following exterior finishes: brick; traditional and/or synthetic stucco; precast concrete panels; split face or ground face masonry block; stone or cultured stone; vinyl; glazing; EIFS; aluminum or other metal panels; outdoor grade fabric, vinyl or metal accents and awnings; cementitious siding and trim; metal roofs; shingle roofs; wood siding or trim |
| Site Drive 1 shall be constructed as full movement with one ingress lane and one egress lane with adequate internal protected storage. |
| Construct an exclusive westbound left-turn lane on Cheek Road at Site Drive 1 with adequate storage and appropriate tapers. |
| Hollyheight Drive shall be constructed to City of Durham Standards with sidewalks along both sides. |
| Construct an exclusive eastbound right-turn lane on Cheek Road at Hollyheight Drive with adequate storage and appropriate tapers. |
| Construct a 10-foot-wide concrete shared path for the full frontage of the site along Cheek Road to accommodate bicycles and pedestrians. |
| By referencing roadway improvements on the plan, the applicant agrees to construct said improvements prior to the issuance of any certificate of occupancy in a manner that will allow them to function as noted on the plan and in accordance with NCDOT and City of Durham Standards and Policies. This includes (where appropriate) but is not limited to: adequate transition tapers, alignment of lanes through intersections, associated signal modifications, pavement markings, associated signage, curb and gutter, coordination with other roadway improvements and bike lanes. The applicant also accepts the financial responsibility for the acquisition of any additional right-of-way necessary to accommodate these improvements and any required sidewalk construction. |
| The required roadway improvements may be phased at the time of the site plan with the submittal of a traffic phasing analysis approved by City Transportation and NCDOT. |

D. Environmental Summary

| Environmental Data | | | | |
|---|---|---|---|---|
| Watershed Overlay | The site is within the Falls/Jordan Watershed Overlay District B (F/J-B). | | | |
| NC Natural Heritage Inventory | The NCNHI does not identify any unique, endangered, or sensitive species or vegetation on the site. | | | |
| Wildlife Corridor | The site is not within a wildlife corridor. | | | |
| UDO Compliance | Does Not Apply | Meets UDO | Exceeds UDO | UDO Reference |
| Impervious Surface | | The F/J-B allows up to 70% impervious | The proposal commits to a maximum of 50% impervious surface | Section 8.7, Watershed Protection Overlay Standards |
| Regulated Floodplain | | Floodplain is located on site | | Section 8.4, Floodplain and Flood Damage Protection Standards |
| Steep Slopes UDO | None on site | | | Section 8.8, Steep Slope Protection Standards |
| Stream Buffers | | A 100-foot perennial and intermittent stream buffer is required. | | Section 8.5, Riparian Buffer Protection Standards |
| Stream Buffer or Floodplain Intrusion | | Buffer intrusions are not prohibited. | The proposal limits the range of uses that could potentially impact the floodplain. | Section 8.5, Riparian Buffer Protection Standards |
| Project Boundary Buffers | | No project boundary buffers would be required when adjacent to residential uses. If adjacent to RR, non-residential or undeveloped, then a 0.2 opacity buffer would be required. If mass graded: a minimum of 0.6 opacity around entire site. | | Section 9.4, Project Boundary Buffers |
| Wetlands | | 2.39 acres of total wetlands are on site. If an individual wetland is over an acre, then a 25-foot buffer would be required at the time of the site plan. | | Section 8.9, Wetlands Protection Standards |

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|----------------------|--|--|---|--|
| Open Space | | The proposal provides 15% percent open space. | | Article 6, District Intensity Standards Section 7.2, Open Space |
| Tree Coverage | | For a conventional subdivision minimum required tree preservation is 20%. Tree preservation may increase to 30% for each phase of 35 acres, or if the overall development does not qualify for one of the categories found in UDO Section 8.3.1.C.4.c(1)(a).(i-v). | The proposal commits to at least 25% tree coverage. | Sec. 8.3, Tree Protection and Tree Coverage |

E. Housing and Income Impact Summary

| Proposed Housing Conditions Information | | | |
|--|--|---|-------------------------------|
| Number of Units | 190 | | |
| Density of Units | 2.748 units per acre | | |
| Number/Percent Units Affordable (AMI) | 6/3% affordable defined by the UDO. In addition to the 3% affordable units, one additional townhouse unit will be donated to either the Wounded Warriors Program, Habitat for Humanity, or equivalent non-profit. | | |
| Unit Types (UDO Category) | Single-family detached and attached, townhouses | | |
| Does the proposal add to or subtract from the housing supply? | This proposal adds to the inventory of market-rate and affordable housing available in Durham. | | |
| Current Housing Costs (for Durham County) | | | |
| Median Sales Price | \$408,000 (as of Q4 2025) | Median Rental Rate | \$1,541 (as of December 2025) |
| Median Household Income | | | |
| Census Tract (Site) | \$86,739 | HUD Income Limits for 2025 for Durham-Chapel Hill MSA | |
| City Overall | \$79,234 | County Overall | \$84,767 |

F. Social and Built Infrastructure Summary

| Current Conditions | |
|------------------------------------|---|
| Intensity of Current Zoning | Planning staff has estimated that the most intense use under the current zoning designation would be 97 single-family dwelling units. |
| Potential Impacts | |
| Durham Public Schools | |
| Region | East |

| | Elementary (PreK-5) | Middle (6-8) | High (9-12) |
|---|---|---------------------|--------------------|
| Base School Impacted | Glenn | Neal | Southern |
| Potential Students Generated – Current Zoning | 13 | 5 | 8 |
| Potential Students Generated – Proposed Zoning | 17 | 7 | 10 |
| Potential Impact of Proposed Zoning | +4 | +2 | +2 |
| Durham County Per Pupil Costs | \$5,374 per pupil estimated annual operating costs \$100,000 per pupil estimated capital costs for new construction | | |
| School Capacity | | | |
| Percent of Existing Capacity | 80.4% | 88.6% | 91.4% |
| Infrastructure Impacts | | | |
| Water Connection and Capacity | The proposed project site is within the 567-foot pressure zone and the development will require waterline extension in Cheek Road. At a minimum, a second waterline feed must be constructed and in service before the 100th certificate of occupancy will be issued. Water management will not approve a plat that establishes more than 100 units without a second waterline feed in service. All public right-of-way. Public waterlines under private streets or common areas are not permitted. | | |
| Sewer Connection and Capacity | The proposed project site is within the Lick sewer basin. The development may discharge to Fletchers Mill Lift Station via a private lift station and private force main. All public sewer mains must be constructed within public right-of-way. Public sewer lines under private streets or common areas are not permitted. | | |

G. Transportation Impact Summary

| Current Conditions | |
|--|---|
| Intensity of Current Zoning | Transportation staff has estimated that the most intense use under the current Rural Residential zoning designation for transportation-related impacts would be 97 single-family dwellings. |
| Transportation Impacts | |
| Infrastructure Impacts | Cheek Road is the major road impacted by the proposed zoning change. There are no scheduled City of Durham or NCDOT roadway improvement projects in the area. |
| Transit Service | Transit service is not currently provided within one-quarter mile of the site. |
| Existing Roadway Characteristics | |
| Affected Roadway | Cheek Road |
| Type of Roadway | Two-lane undivided city/county class I arterial without left-turn lanes |
| Current Roadway Capacity (LOS D) (AADT) | 14,200 |
| Latest Traffic Volume (AADT) | 1,900 |
| Traffic Generation | |

| | Daily Traffic Generated by Present Designation | Daily Traffic Generated by Proposed Designation | Potential Impact of Proposed Designation |
|---|--|--|---|
| Number of Trips | A.M. Peak Hour: 68 trips P.M. Peak Hour: 91 trips Daily: 915 vpd | A.M. Peak Hour: 107 trips P.M. Peak Hour: 141 trips Daily: 1,472 vpd | A.M. Peak Hour: +39 trips P.M. Peak Hour: +50 trips Daily: +557 vpd |
| Assumptions | Maximum use of existing zoning – RR: 97 single family lots Maximum use of proposed zoning - PDR 2.748: 127 single-family and 38 townhouse units Vehicles Per Day (VPD) during an average 24-hour period | | |
| Improvements | | | |
| Roadway Improvements | <ul style="list-style-type: none"> Construction of Site Drive 1 as full movement with one ingress lane and one egress lane Construction of an exclusive westbound left-turn lane on Cheek Road at Site Drive 1 Construction of Hollyheight Drive to City of Durham standards. | | |
| Site Access Points and Stub Outs | The development will utilize one access point from Cheek Road (Site Drive 1) and Hollyheight Drive for their access points. | | |
| Right-Of-Way Dedication or Reservation | None | | |
| Sidewalks | Construction of 10-foot-wide multiuse path along the frontage of Cheek Road. Construction of sidewalks along both sides Hollyheight Drive | | |
| Bicycle Lanes | Construction of 10-foot-wide multiuse path along the frontage of Cheek Road. | | |
| Unfulfilled Transportation Request | To prevent a gap in the sidewalk system, Transportation requested that the applicant construct a 10-foot concrete shared path along Cheek Road for the frontage of REID 170505. The applicant has indicated that they are unwilling to provide the requested proffer at this time. | | |

H. Equity and Engagement Summary

| Neighborhood Meeting Information | | | |
|---|---|---|--|
| Required Meeting Dates & Additional Meeting(s) | September 4, 2024 January 15, 2026 | Number of Attendees | 16 14 and 23 residents listening in from the Ruritan Club |
| Durham Rezoning Explorer | | | |
| Community comments from the Durham Rezoning Explorer | There is currently one comment for this proposal as of January 22, 2026. Please refer to the Durham Rezoning Explorer for additional details. | | |
| Equity: Potential Displacement | | | |
| | Tax Value Increase in Area | Evictions in Area | Cost-Burdened Renters |
| Potential Displacement Risk (Source) | 23.4% (Census Blockgroup) 26.6% (County) | 2 per square mile (Census Tract) 21 per square mile (County) | 40.7% (Census Tract) 48.7% (County) |
| Demographics | | | |
| (Source) | Census Tract | County | |
| People of Color | 66% | 57.4% | |
| Median Age | 36.8 | 35.7 | |

| Equity: Geography | |
|---|--|
| Is this in a formerly redlined area, as found in the Durham redline map ? | The proposal is not within a formerly redlined area as seen in the redlined map. |

I. Adjacent and Surrounding Development

| Active Cases (within a half-mile) | | |
|-----------------------------------|--------------------|-------------------------------|
| Active Site Plans | None | |
| Active Zoning Map Changes | None | |
| Active Annexations | None | |
| Proximity to Essential Services | | |
| | Distance from Site | Amenity |
| Proximity to Grocery/Food | 3.4 miles | Walmart Supercenter |
| | 4.4 miles | Carlie C's IGA |
| Proximity to Retail/Commercial | 3.4 miles | Glenn View Station |
| | 4.4 miles | Mineral Springs Village |
| Proximity to a Park/Public Space | 4.6 miles | Twin Lakes Park |
| Proximity to Healthcare | 6.6 miles | Duke Health |
| Proximity to a School | 3.2 miles | Glenn |
| | 5.4 miles | Neal |
| | 4.0 miles | Southern |
| Proximity to a Transit Stop | 3.3 miles | Glenn View Station at Walmart |

J. Comprehensive Plan Policies

| Comprehensive Plan Policy Consistency | | |
|--|-----------------------------|----|
| Generally consistent with the following number of applicable policies of the Comprehensive Plan | Consistent by Exceeding UDO | 13 |
| | Consistent by Meeting UDO | 12 |
| | Policy Not Met | 5 |
| | Policy Not Applicable | 8 |
| Comprehensive Plan Policy Consistency Analysis | Attachment I | |
| Place Type Analysis | | |
| <p>The proposed Planned Development Residential 2.748 is inconsistent with the designated place type. The proposal would move the Rural and Agricultural Reserve (RAR) Place Type within the City of Durham, which does not support the intent of the Place Type.</p> <p>If the proposed zoning is approved, staff recommends a change to the PTM to designate the existing Rural and Agricultural Reserve (RAR) as Mixed Residential Neighborhood (MRN). The proposal accommodates three housing types that make the recommended Mixed Residential Neighborhood Place Type more appropriate within the City of Durham. The Recreation and Open Space (ROS) Place Type would remain.</p> | | |

K. Case Timeline Summary

| Timeline of Activity on the Case | |
|--|-------------------|
| Date of Presubmittal Meeting | June 6, 2024 |
| Date Completed Application Submitted | August 9, 2024 |
| Date All Comments Addressed | December 18, 2025 |
| Date of Planning Commission Public Hearing | February 10, 2026 |

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|--|---------------|
| Date of Board of County Commission Work Session | March 2, 2026 |
| Date of City Council or BOCC Public Hearing | May 4, 2026 |

L. Advisory Body Recommendations

| Bicycle and Pedestrian Advisory Commission (BPAC) | |
|---|---|
| Bicycle Pedestrian Advisory Commission (BPAC) Comments | <p>BPAC Comment: Along the frontage of Hollyheight Drive, construct a 12-foot paved multiuse path (MUP) with a yellow thermos-paint dashed centerline and a 10-foot buffer from the road, with trees planted in the buffer. Applicant Response: Per Transportation comment #3 we can commit to a 10' path along Cheek Road. Staff Response: Transportation Commitment #3 requires the upgrade of Hollyheight Drive to have sidewalks along both sides of the road. The 12-foot paved multiuse path (MUP) remains unfulfilled.</p> <p>BPAC Comment: Where planned interior walking trails cross roads, build raised crosswalks to keep pedestrians at level of interior trail while crossing. This ensures safe car speeds at points where pedestrians will be crossing, and provides better accessibility for those in wheelchairs. Applicant Response: PROWAG requirements adopted by the City of Durham will be followed during the detailed design stages. Staff Response: Public Right-Of-Way Accessibility Guidelines (PROWAG) do not require raised crosswalks. The requirements dictate that the slopes are accessible and there are landings and detectable warning surfaces, but the use of a raised crosswalk would be more of a preference in certain areas. As such, the request remains unfulfilled.</p> <p>BPAC Comment: Though the frontage along Cheek Road is small, construct a 12-foot paved multi use path (MUP) with a yellow thermos-paint dashed centerline and a 10-foot buffer from the road, with trees planted in the buffer. Applicant Response: Per Transportation text commitment #5 we can commit to a 10' path. Landscaping/buffers will be provided as required by the UDO. Staff Response: Transportation Text Commitment #5 provides a 10-foot-wide concrete shared path along the site frontage of Cheek Road. Street trees will be provided along Cheek Road and if mass graded, a 30-foot-wide, 0.6 opacity buffer will be required. The yellow thermos-paint dashed centerline is not included within the textual development plan.</p> <p>BPAC Comment: Though the frontage along Cheek Rd is small, in order to comply with the DCHC MPO Comprehensive Plan which specifies an on-road bike lane on Cheek Road, allocate an 8-foot easement for a bike lane which will allow the bicycle lane to be 6 feet wide with 2-foot buffer. Applicant Response: NCDOT has moved away from allowing bike lanes on the road directly adjacent to fast moving traffic and in place has required a 10-foot wide shared multi-use path along the site frontage, which is provided as a text commitment and was requested by the Durham Transportation Department per their comment 3c above. Staff Response: Transportation Text Commitment #5 provides a 10-foot-wide concrete shared path along the site frontage of Cheek Road and complies with the Comprehensive Transportation Plan.</p> <p>BPAC Comment: Build a pedestrian and cyclist accessible connection to Suitt Rd. This will enable pedestrians and cyclists to access this neighboring development with reduced travel times and greater route comfort. Applicant Response: Unfortunately our site does not have enough frontage to the Suitt Rd right of way to accommodate this request. Staff Response: Utilizing the annexation map, it appears the site has approximately 14-feet of frontage along the Suitt St public right-of-way; however, it cannot be confirmed conclusively unless the right-of-way and property line are surveyed together. As such, staff cannot verify the applicant's response.</p> |

| Planning Commission | |
|--------------------------|-------------------------|
| Planning Commission Vote | Recommended denial 10-0 |

M. Conclusion

The proposal would allow the development of 190 dwelling units on a vacant property, with three percent being affordable as defined by the UDO and one additional townhouse unit donated to either the Wounded Warriors Program, Habitat for Humanity, or an equivalent non-profit. The site for the proposed residential development is currently located outside the Urban Growth Boundary (UGB). The development is at the edge of the current city limits with all amenities approximately 3.2 and 6.5 miles away in an area without transit options or an adequate sidewalk network.

Three types of housing are allowed with 20% of each housing type required to ensure the development has diverse housing options: single-family detached, single-family attached, and townhouses. Ten percent of the single-family houses will have a first-floor bedroom and full bathroom to accommodate a mix of age groups. To address potential impacts on Durham Public Schools, a one-time contribution of \$7,500 is proffered. To address environmental concerns, the development plan limits impervious surface to 50% of the site, requires a minimum of 50% of all required plantings to be a native species as defined by the Durham Landscape Manual, limits potential impacts to floodplain, establishes a wildlife corridor on the eastern portion of the site, and requires a minimum of 25% of tree coverage. The development plan also includes several private amenities for the residents of the new development. The proposal also provides publicly accessible electric vehicle charging stations.

This proposal is consistent with 25 of 30 of applicable policies of the Comprehensive Plan, as found in Attachment I – Comprehensive Plan Consistency. The proposal is inconsistent with the Place Type Map designation of Rural and Agricultural Reserve because this place type is not intended to be located within the Urban Growth Boundary. If the proposal is approved, the Comprehensive Plan would be automatically amended to extend the Urban Growth Boundary to incorporate the parcel. That extension of the Urban Growth Boundary would also include parcel (REID 170508) that is not part of the proposal.

If the proposal is approved, staff recommends a change to the PTM to designate the existing Rural and Agricultural Reserve as Mixed Residential Neighborhood (MRN). The proposal would accommodate various housing types with some price variation, which makes the recommended Mixed Residential Neighborhood place type most appropriate for the City of Durham. The Recreation and Open Space (ROS) Place Type designation would remain.

N. Notification

Staff certifies that newspaper advertisements, letters to property owners, and the posting of the property have been carried out in accordance with paragraph 3.2.5 of the UDO. In addition, email notice was provided per the Durham Planning Public Notification Service.