



ZONING MAP CHANGE REPORT

COLVARD FARMS PHASE 12 Z1700043

Meeting Date: August 13, 2018

Application Summary			
Application Information			
Reference Name	Colvard Farms Phase 12		
Case Number	Z1700043	Jurisdiction	County
Applicant	Mitch Craig, P.E.	Submittal Date	October 9, 2017
Location	471 Colvard Farms Road		
Request			
Proposal	Maximum of 31 Single Family Units		
Future Land Use	Existing	Very Low Density Residential (2 du/ac or less)	
	Proposed	No Change Proposed	
Zoning	Existing	Residential Rural (RR)	
	Proposed	Residential Suburban-20 with a Development Plan (RS-20(D))	
TIA	Not Required	Legacy Cases	None
Site Acreage	28.72		
Site Information			
Development Tier	Suburban	Existing Use	Vacant
Overlay Zoning District(s)	F/J-B	Drainage Basin	Farrington
River Basin	Neuse	Stream Basin	Crooked Creek and New Hope Creek
Recommendations and Determinations			
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and other adopted ordinances and policies.		
Planning Commission	Approval, 11-0 on June 12, 2018. 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.		
BPAC	See Attachment 9		

A. Summary

Mitch Craig, P.E., on behalf of CE Group, Inc., proposes to change the zoning designation of four parcels of land generally located at 471 Colvard Farms Road. The site totals 28.72 acres and is presently zoned Residential Rural (RR). Mr. Craig proposes to change this designation to Residential Suburban-20 with a development plan (RS-20(D)). The development plan associated with this request would permit a maximum of 31 single family residential units if approved. If developed under the RR district standards, a maximum of 33 units would be permissible.

B. Site History

There have been no recent development approvals for this particular the site. The Colvard Farms development has been in development for over 10 years. Photo 1 below, indicates

the general boundaries of Colvard Farms,. Phase 12 is bounded by Colvard Farms Road to the west, and Phase 9 to the east.



Photo 1

source: colvardfarms.com/site-map; accessed 5/8/18

Photos 2 and 3 shows single family homes along Edward Booth Lane currently under construction:



Photo 2



Photo 3

C. Existing Site Characteristics

Site Conditions. The subject site comprises four parcels located along the eastern side of Colvard Farms Road. The site is vacant and primarily covered by hardwood forests.

Area Characteristics. The subject site is located in the Suburban Tier, near the Rural Tier boundary and just north of the Durham/Chatham County line and near the intersection of Fayetteville Street and NC-751 (Photo 4). The areas north of the subject site have suburban characteristics Photo 5 below shows the Woodlands development, found along NC-751 approximately 0.3 miles north of the site.



Photo 4



Photo 5

North of the site, one finds residential developments which quickly transition into commercial uses near the I-40/NC-751 interchange. South, further down NC-751 and across the Chatham line, the area transitions into lower density single family uses.

D. Consistency with Adopted Plans

A zoning map change is reviewed for consistency with the Future Land Use Map and policies of the *Comprehensive Plan*, as well as other adopted plans. The *Comprehensive Plan* provides the intent and guidance for the Industrial land use designation. Attachment 5 provides the associated *Comprehensive Plan* policies which are applicable to the proposal.

Staff Conclusion. The requested RS-20(D) zoning district meets the policy requirements in relation to the *Comprehensive Plan* and other adopted plans and policies.

E. Compliance with Unified Development Ordinance

The zoning map change request has been reviewed by staff and determined to be consistent with UDO requirements. According to UDO subsection 4.1.1A, RS-20 is appropriate in the Suburban Tier.

Text Commitments. Proffered commitments include: Single family units only, no mass grading, and a contribution to Durham Public Schools.

Design Commitments. Not required for projects committing to only single-family uses.

Graphic Commitments. Graphic commitments include the general location of site access points, project boundary buffers, and private roadways internal to the site.

Staff Conclusion. The requested RS-20(D) zoning district meets the applicable requirements of the UDO. If approved, the associated development plan would permit a maximum of 31 single family units on lots at least 20,000 square feet in size. Current UDO standards for the RR district require a minimum of 30,000 square feet per lot, and would permit a maximum of 33 units.

F. Development Impact Assessment

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system and schools. Utilities were not evaluated as the site is Durham County's jurisdiction and no annexation petition has been submitted. 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.

The proposal is estimated to reduce the traffic generation of the subject site by 21 vehicle trips per day and have no impact on student generation numbers. Additional details are available in Attachment 6.

Staff Conclusion. The proposed RS-20(D) district is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of transportation and schools.

G. Reasonable and in the Public Interest

UDO subsection 1.2.1 states that the purpose of the ordinance is to "promote the health, safety and general welfare of the residents of Durham City and County" and subsection 1.2.2 provides the intent behind the regulations contained in the ordinance. These requests have been evaluated based upon the ordinance's purpose and intent and the goals of the *Durham Comprehensive Plan*.

Staff Conclusion. The applicant proposes to rezone property which is consistent with the current designation on the Future Land Use Map. In addition development plan associated with this request would result in a lower density than what is presently permissible under the code. Staff finds this to be reasonable and in the public interest, given the prevalence of residential uses in the area which are of similar scale.

H. Staff Recommendation and Determination

Staff determines that this request is consistent with the Comprehensive Plan and other adopted ordinances and policies.

I. Summary of June 12, 2018 Planning Commission Hearing

Zoning Map Change Request: Residential Rural (RR) to Residential Suburban-20 with a Development Plan (RS-20(D)).

Staff Report: Jacob Wiggins presented case Z1700043.

Public Hearing: Chair Buzby opened the public hearing. The applicant spoke in support. No one spoke in opposition. Chair Buzby closed the public hearing.

Commission Discussion: The discussion centered on compatibility with existing residential uses.

MOTION: Recommend approval of case Z1700043. (Brine, Al-Turk 2nd)

ACTION: Motion carried, 11-0 (Williams excused)

Consistency Statement: 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.

J. Staff Contacts

Staff Contact		
Jacob Wiggins	919.560.4137 x28257	Jacob.Wiggins@DurhamNC.gov
Applicant Contact		
Mitch Craig	919.367.8790 x108	mitch@cegrouppinc.com

K. Notification

Staff certifies that newspaper advertisements, letters to property owners, 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:

- Jordan Lake Resource Management
- Hopewell Neighborhood
- Inter-Neighborhood Council
- Keep Durham Beautiful

L. Attachments

1. Context Map
2. Aerial Map
3. Future Land Use Map
4. Application
5. Development Plan
6. Comprehensive Plan Consistency Analysis
7. Summary of Development Plan
8. Summary of Development Impacts
9. BPAC Comments and Applicant Response
10. PC Written Comments
11. Consistency Statement
12. Zoning Ordinance