



## ZONING MAP CHANGE REPORT

### LEESVILLE ROAD BOAT AND RV STORAGE Z1900020

Meeting Date: October 28, 2019

Application Summary			
Application Information			
Reference Name	Leesville Road Boat and RV Storage	Submittal Date	May 13, 2019
Application Type(s) (Case#)	Text-only development plan rezoning (Z1900020)		
Proposal	Self-service storage for Boats and RV use only.		
Applicant	Warren Mitchell		
Staff Contact	Jamie Sunyak, Senior Planner (Jamie.Sunyak@DurhamNC.gov)		
Site Information			
Location	4615 Leesville Road	Legacy Cases	N/A
Site Acreage	13.9	Existing Use	Undeveloped
Request			
Designations	Existing	Proposed	
Jurisdiction	County	No change	
Development Tier	Suburban	No change	
Future Land Use	Commercial	No change	
Zoning	Rural Residential (RR)	Commercial General with a text-only development plan (CG(D))	
Zoning Overlay (s)	Falls/Jordan Watershed Protection Overlay B (F/J-B)	No change	
TIA Required	Not required		
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 August 13, 2019. 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.		
BPAC	No comments received.		

#### A. Summary

Warren Mitchell proposes to change the zoning designation of one parcel of land located at 4615 Leesville Road. The site is presently zoned Rural Residential (RR). Mr. Mitchell propose to change this designation to Commercial General with a text-only development plan (CG(D)).

On January 14, 2019 the Board of County Commissioners approved changes to the Unified Development Ordinance (UDO) to allow text-only development plans. Text-only development plans are a type of development plan that allows proffered commitments that specify, limit, and/or prohibit uses within the zoning district requested pursuant to UDO section 5.1, Use Table. More information on text-only

development plans can be found in UDO Section 3.5.6.H. This rezoning request proposes Commercial General zoning with the following text commitment, “The following specific use will be self-service storage, restricted to boat and RV only.” In addition, the applicant has committed to no development or uses of any type north of the riparian features on the site.

## **B. Site History**

There have been no recent development approvals for this site.

## **C. Existing Site Characteristics**

**Site Conditions.** The heavily wooded 13.9 acre parcel contains a single-family residence set back off Leesville Road. Overhead utility wires run through the western portion of the site. As shown on Attachment 1, there are a number of riparian features that bisect the property. The topography maps show a significant change in grade with the property sloping north away from Highway 70. The following photo depicts the property and its location has been identified on the Aerial Map (Attachment 2).



Photo 1

**Area Characteristics.** The site is located in the Suburban Development Tier and in the Neuse River Basin. This site is located in the Falls/Jordan District B (F/J-B) watershed protection overlay. To the east along Leesville Road, there are a number of agriculture and residential uses (Photos 2 and 4), as well as undeveloped land (Photo 3). Along nearby Highway 70, there is no cohesive land use pattern. As shown in the pictures, there are scattered residences (Photo 7), mixed in with transportation delivery services (Photo 5), a business that sells Amish barns (Photo 8), and distribution and transportation related uses (Photos 10-12). A good portion of the surrounding area is heavily wooded and undeveloped (Photos 6 and 9). The following photos provide a visual context of the site and the area. Their locations have been identified on the Aerial Map (Attachment 2).

Z1900020, Leesville Road Boat and RV Storage  
Zoning Map Change Report



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12

#### **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. Attachment 5 provides the associated Comprehensive Plan policies which are applicable to the proposal.

**Staff Analysis.** The requested CG zoning district meets the policy requirements in relation to the Comprehensive Plan and other adopted plans and policies.

## E. Compliance with the 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, IL is appropriate in the Suburban Tier. This request, as part of a text-only development plan, includes text commitments that specify, limit, and/or prohibit uses within the CG zoning district requested pursuant to UDO section 5.1, Use Table. Summaries of the commitments in excess of UDO requirements are below.

**Text Commitments.** Proffered commitments include that the following specific uses will be permitted: Self-service storage, restricted to boat and RV only. There will be no development or use of any type north of the riparian features on the site.

Dimensional standards for the CG(D) zoning district in the Suburban Tier are as follows:

Dimensional Standard	Min.	Max
Lot Area (Square feet)	20,000	-
Lot Width (feet)	100	-
Street Yard (feet)	25	-
Side Yard (feet)	25	-
Rear Yard (feet)	25	-
Building Coverage (%)	-	60
Height (feet)	-	50

**Staff Analysis.** The requested Commercial General zoning district meets the applicable requirements of the UDO. Development of the parcel will be subject to UDO requirements.

## F. Development Impact Assessment

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer, stormwater, and schools.

The proposal is estimated to decrease the traffic generation of the site by 47 vehicle trips per day and decrease the number of school aged children by one since the project is non-residential. The Durham Stormwater Engineering Department reviewed the rezoning and has determined that adequate riparian buffers, floodplains requirements and impervious limitations have been addressed, where required. Water Management has reviewed the Utilities Statement Application for the Leesville Road Boat & RV Storage and determined that a Summary Utilities Development Statement is not required. The property was previously assessed for water and may connect to the existing water main in Leesville Road without annexation. Sewer is not required for the proposed use. As noted in Attachment 7, NCDOT Project U-5720C proposes to upgrade US 70 to a freeway from South Miami Boulevard to Page Road Extension. This project is currently in the planning and environmental documentation phase. Right-of-way acquisition and construction are anticipated in FY 2025 and 2027 respectively. At this time, it is not clear whether or not that improvement will affect this property.

**Staff Analysis.** The proposed CG district is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of transportation, utilities, 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 policies of the *Durham Comprehensive Plan*.

**Staff Analysis.** The applicant proposes to change the zoning designation to Commercial General with a text-only development plan (CG(D)) to limit permissible uses. Staff finds this zoning request designation reasonable and it is consistent with the adopted Future Land Use Map. The proposed CG(D) zoning conforms with the goals and policies of the *Comprehensive Plan* and Suburban Tier designation. If the requested CG(D) zoning designation were approved, only the uses identified in the text commitment would be permitted.

## H. Staff Recommendation and Determination

Staff determines that this request is consistent with the *Comprehensive Plan*, including the Future Land Use Map, and other adopted ordinances and plans.

## I. Summary of August 13, 2019 Planning Commission Meeting

**Zoning Map Change Request:** Rural Residential (RR), Falls/Jordan Watershed Protection Overlay B (F/J-B) to Commercial General with a text-only development plan (CG(D)), Falls/Jordan Watershed Protection Overlay B (F/J-B).

**Staff Report:** Jamie Sunyak presented case Z1900020.

**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 the impact of NCDOT improvements to the area, the type of buildings anticipated, and whether the Commercial Future Land Use designation in the area is still appropriate.

**MOTION:** Recommend approval of case Z1900020 (Miller, Hyman 2<sup>nd</sup>)

**ACTION:** Motion carried, 11-0

**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. Contacts

Staff Contact		
Jamie Sunyak, Senior Planner	919.560.4137 ext. 28235	<a href="mailto:Jamie.Sunyak@durhamnc.gov">Jamie.Sunyak@durhamnc.gov</a>
Applicant Contact		
Warren Mitchell	919.593.1916	warrendmitchellpe@gmail.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, email notice was provided per the Durham Planning Public Notification Service.

**L. Attachments**

1. Context Map
2. Aerial Map
3. Future Land Use Map
4. Application
5. Comprehensive Plan Consistency Analysis
6. Summary of Development Plan
7. Summary of Development Impacts
8. Planning Commission Written Comments
9. Consistency Statement
10. Zoning Ordinance