



ATTACHMENT 8:

PLANNING COMMISSIONERS' WRITTEN COMMENTS LEESVILLE ROAD BOAT AND RV STORAGE AUGUST 13, 2019

Z1900020 (Leesville Road Boat and RV Storage)

AL-TURK – I voted to recommend approval.

BRINE – I voted to recommend approval of this rezoning request. The requested CG zoning is consistent with the commercial designation for the site on the FLUM. This is a 13.882 acre site which is presently undeveloped, heavily wooded, and crossed by two streams. The rezoning request was accompanied by a text-only development plan which restricts the use to boat and RV storage only. There is a commitment that there will be no development or uses of any type north of the riparian features (the streams) on the site. At the Commission's public hearing the applicant stated that the proposed development will use about 3 acres of the site.

The proposed development is different from other boat and RV storage areas in that it will not be associated with a storage facility. A recent example is the Cube Smart facility off Hopson Road close to NC 54 which includes a boat and storage facility as part of the complex. According to the applicant, the Leesville Road facility will not even have an office on site. The boats and RVs will be housed in buildings, which buildings will not be visible from the roadways. The applicant estimates that 120-130 spaces will be provided.

Access to the development will be off Leesville Road. Some roadway improvements may be required as part of the driveway connection (to be determined at the site plan stage). NCDOT TIP Project U-5720 (conversion of US 70 to a freeway) will ultimately have an impact on access to the site. However, the applicant did not think that the impact would negatively impact the operation of the storage facility.

BUZBY – This text-only development proposal makes sense for this property. There was no opposition and the applicant answered all our questions to our satisfaction, including the future changes to make US 70 a highway therefore, I vote to approve.

HYMAN – Voted yes with a favorable recommendation to move forward to City Council which was supported by staff that the request is consistent with the Comprehensive Plan including the Future Land Use Map and other adopted ordinances and plans.

JOHNSON – Motion passed 11-0

KENCHEN – I vote to approve. This is a good use for the site. I also think the developer has put forth a very thoughtful plan and balances his wishes with those of the existing neighbors.

MILLER – The property in question is a 14-acre tract located on Leesville Road very near its intersection with Highway 70 between Durham and Raleigh. The land is mostly wooded, although it does contain a single family house. The pie-shaped tract is transected in the middle of its depth by two streams that converge at the property's western edge. At that edge, running north and south for a significant part of

the depth of the property is a wide, cleared utilities easement. The area surrounding the subject property along Leesville Road is very rural in nature. It contains a smattering of single family homes. Along Highway 70 to the northwest and to the southeast are non-residential uses (commercial and industrial). Leesville Road does not extend across Highway 70 and the land use on that side is very rural.

The Future Land Use Map in the Durham Comprehensive Plan designates the subject property and the parcels nearby to the west and along Highway 70 as commercial to the west and commercial and industrial to the south and east. The land further away from the highway is designated for low intensity residential uses. This designation of land in the area could be characterized as a large, linear commercial node. As indicated above, however, the FLUM designation for the area has not been realized in development on the ground. This is significant as I will later try to explain. The subject property is zoned Rural Residential (RR). The land adjoining it is zoned a commercial to the south and west and industrial across Leesville along Hwy 70. To the east, up along Leesville Road, and to the west, north of the narrow commercial land along 70, the land is zoned RR.

The owner now wishes to rezone the subject property from RR to CG(D) with a text-only development plan. I am a proponent of the text-only D-plan device. Believe this is the first such case to reach the BOCC since the UDO was modified to allow text-only development commitments. Text only commitments are limited to the constraint of use. This could take the form of an apocoptation of the uses available under the UDO's use table or it could be a constraint of the where uses might be located on the property to be rezoned. In this case, the text commitments do both. The developer has agreed that zoned CG, this property will be used only for boat and RV storage. No other uses allowed under the use table in CG would be allowed. The developer has also agreed that use of the subject property will be limited to the three-acre portion of the 14-acre tract that is below the transecting streams and outside the utility easement. Under this promise, most of the property would be left undeveloped. Much of the property that the abuts neighboring RR property would remain natural.

The request is entirely consistent with the current FLUM designation. It is the FLUM designation that is the issue in this case. The NCDOT plans to convert Hwy 70 into a limited access freeway between Raleigh and Durham. When those plans are realized, the current intersection of Leesville Road and Hwy 70 will go away and the suitability of the area for future use as a commercial node must necessarily come into question. Even if the Hwy 70 plan is not implemented, I believe the designation of this area as future commercial should be reconsidered. Our current plan is not really a plan at all. It anticipates that the current development pattern of Hwy 70 into a long, confused, ugly commercial strip will continue. It would be better in my opinion to alter the FLUM for Hwy 70 to restrict future commercial development to much smaller commercial nodes at a few select intersections - a list that would not include Leesville Road. This is one of the few areas along 70 which today is still fairly rural and maintains the separation of Raleigh and Durham. It should be preserved this way.

It is fair to note that the Hwy 70 plan envisions the construction of a new road running parallel to the highway on the north. The road would provide access between the commercial and industrial designated lands at near Leesville Road and another intersection somewhere along the new limited access 70. Such an arrangement sounds messy, but may be necessary if we are to continue to line the length of the highway with a mishmash of commercial and industrial uses. It may work for industrial

uses and commercial uses with little customer activity like boat and RV storage. It would not be ideal for ordinary retail uses.

The better course would be to redesignate the land in this area away from commercial to more limited uses and to forego the complicated access road. We will undoubtedly look at all the land along Hwy 70 as part of our review of the comprehensive plan. Until then, this rezoning case is consistent with the current comprehensive plan. I support it to some extent for that reason, but primarily I support it because the developer's text-only development plan severely restricts the proposed use of his property to a low-intensity commercial use and then even restricts that use to just a little more than the fifth part of the area of the land. The staff report includes the numbers showing the reduced impacts and demands the proposed project would make upon traffic, schools and utilities. Such a limited use of the property would be consistent with my own view of the how we should change the FLUM for the area surrounding the Leesville Road intersection with Highway 70.