



ZONING MAP CHANGE REPORT

ROYALS EXTENSION Z1900013

Meeting Date: July 13, 2020

Royals Extension			
Application Information			
Reference Name	Royals Extension	Submittal Date	April 11, 2019
Application Type(s) (Case#)	Zoning Map Change (Z1900013)		
Proposal	Any use permitted in Industrial Light. No Development Plan.		
Applicant	Bryan Harris, PE Consulting Engineer		
Staff Contact	Jamie Sunyak, Senior Planner (Jamie.Sunyak@Durhamnc.gov)		
Site Information			
Location	2622 South Miami Boulevard and 2120 Brunson Road	Legacy Cases	N/A
Site Acreage	7.627	Existing Use	Warehouse/Undeveloped
Request			
Designations	Existing	Proposed	
Jurisdiction	County	No change	
Development Tier	Suburban	No change	
Future Land Use	Industrial/Recreation and Open Space	No change	
Zoning	Industrial Light (IL) –No change Commercial Neighborhood (CN) Residential Suburban-20 (RS-20)	Industrial Light	
Zoning Overlay	None	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 10-0, on January 14, 2020. 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		

A. Summary

Bryan Harris, of Harris Engineering, proposes to change the zoning designation of two parcels of land located at 2622 South Miami Boulevard and 2120 Brunson Road. PID 163690, also known as 2120 Brunson Street, is 5.35 acres in size and is presently zoned Industrial Light (IL) and Residential Suburban-20 (RS-20). PID 163692, also known as 2622 South Miami Boulevard, is 2.27 acres in size and is presently zoned Residential Suburban-20 (RS-20) and Commercial Neighborhood (CN). The applicant proposes to change the residentially zoned portion of PID 163692 and all of PID 163692 to Industrial Light (IL). There is development plan proposed within this request, however the applicant intends on expanding the warehouse/light industrial uses currently operating at 2120 Brunson Street.

The site is designated Industrial and Recreation and Open Space on the Future Land Use Map (FLUM), see Attachment 3. No change is proposed to the Recreation Open Space designation, and the Industrial designation is consistent with the rezoning request.

B. Site History

In 2015, a minor site plan (D1500317) was approved for 2120 Brunson Street to allow tree removal and mass grading of a 20,000 square foot area for a future expansion. In 2019, two exempt plats were approved for the same property. The first was a recombination plat (S1900013) and the second was to correct minor errors to the previously recorded version (S1900314).

C. Existing Site Characteristics

Site Conditions. The 7.627 acre site comprises two parcels. The western parcel, 2120 Brunson Street, has been developed for warehouse/light industrial purposes. It contains a one story, 4,400 square foot building, asphalt parking area, and a fenced storage area with a 1,500 square foot building and fuel tanks. The rear portion of the site is wooded with floodplains and riparian features.

The eastern parcel, 2622 South Miami Boulevard, is heavily wooded. It contains an existing dwelling that appears to be abandoned. The following photos provide a visual context of the site. Their locations have been identified on the Aerial Map (Attachment 2).



Photo 1 – Facing north on Brunson Street



Photo 2 – Facing north on Brunson Street

Area Characteristics. The site is located in the Suburban Development Tier. While there is a mix of light industrial and warehouse uses along Brunson Street, including Royals Contracting, Snider Tire, and KSE Scientific, the roadway is unimproved. There are no curbs or sidewalks. To the west is SCM Metal Products, whose access is off Weck Drive. It appears that Brunson Road may have extended at one time into the SCM Metal Products property, however there is a chain link fence at its terminus preventing any formal access.

Located along South Miami Boulevard, there is a gas station and convenience store, a Dollar General, several dental offices, and a kennel. To the north, there is an undeveloped, heavily wooded parcel with frontage along South Miami Boulevard. The following photos provide a visual context of the area. Their locations have been identified on the Aerial Map (Attachment 2).



Photo 3- On South Miami Boulevard, facing northwest towards Brunson Street



Photo 4 – Facing south on Brunson Street



Photo 5 – Facing west on Brunson Street



Photo 6 – Facing west on Brunson Street



Photo 7- Facing south on Brunson Street



Photo 8 – Facing northeast on South Miami Boulevard



Photo 9 – Facing east on South Miami Boulevard



Photo 10 – Facing west on South Miami Boulevard



Photo 11- Facing east on South Miami Boulevard



Photo 12- Facing west on South Miami Boulevard



Photo 13– Facing east on South Miami Boulevard



Photo 14– Facing east on South Miami Boulevard



Photo 15- Facing north on Wreck Drive

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 proposed IL zoning district is consistent with the Future Land Use Map and 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 an allowable zoning district within the Suburban Tier. No development plan was submitted as part of case Z1900013, so there is no method to proffer text commitments for the site. A list of the permitted uses within the zoning district is provided in Attachment 7.

Dimensional standards for the IL zoning district in the Suburban Tier are as follows:

Dimensional Standard	Min.	Max
Site Area (Square feet)	25,000	-
Lot Width (feet)	100	-
Street Yard (feet)	40	-
Side Yard (feet)	30	-
Rear Yard (feet)	25	-
Building Coverage (%)	-	60
Height (feet)	-	50

Staff Analysis. The requested Industrial Light zoning district meets the applicable requirements of the UDO. Development of the site 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.

As there is no specific use proposed through a development plan, the anticipated traffic is generated based upon the most intense use within the zoning district. Based upon that information, as noted in Attachment 7, there would be an increase of 3,726 vehicle trips per day generated under the proposed rezoning compared to the present zoning designation. Any additional traffic impacts will be addressed at the time of site plan, pursuant to UDO requirements.

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.

Since there is no residential zoning proposed, there will be a decrease in the number of school aged children students compared to the existing zoning.

Staff Analysis. The proposed IL district is consistent with *Comprehensive Plan* policies regarding the impacts on transportation, utilities, and schools as described in detail in Attachment 7.

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 proposed Industrial Light zoning is consistent with the goals and policies of the *Comprehensive Plan* and Suburban Tier designation. The proposed zoning serves as an expansion to the existing zoning in the area, bring the property into conformance with the FLUM designation. It provides an opportunity for businesses to grow, which will allow for additional employment and activity to the area. It also seeks to reduce the pattern of leapfrog and split zoning that exists today. It should be noted that since no development plan was submitted, if the zoning is approved, any permitted use within the IL district would be allowed.

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 January 14, 2020 Planning Commission Meeting

Zoning Map Change Request: Industrial Light (IL), Commercial Neighborhood (CN), Residential Suburban-20 (RS-20) to Industrial Light (IL). There is no change to the existing IL area.

Staff Report: Jamie Sunyak presented case Z1900013.

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

Commission Discussion: The discussion centered on procedural questions, who has jurisdiction on the case, and any impacts on the streams.

MOTION: Recommend approval of case Z1900013 (Johnson, Brine 2nd)

ACTION: Motion carried, 10-0

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	Jamie.Sunyak@durhamnc.gov
Applicant Contact		
Bryan Harris, PE Consulting Engineer	919.789.0744	BryantHarris@harriseng.net

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 Impacts
7. List of Permitted Uses
8. Planning Commission Written Comments
9. Consistency Statement
10. Zoning Ordinance