



ZONING MAP CHANGE REPORT

LONG BEVERAGE
Z1900051

Meeting Date: September 14, 2020

Application Summary			
Application Information			
Reference Name	Long Beverage	Submittal Date	November 11, 2019
Application Type(s) (Case#)	Zoning Map Change (Z1900051)		
Proposal	All uses in the Industrial Light district, see Attachment 7 for a complete list of permitted uses.		
Applicant	Andrew Porter; Coulter Jewell Thames PA		
Staff Contact	Emily Struthers, Senior Planner (Emily.Struthers@durhamnc.gov)		
Site Information			
Location	10500 World Trade Boulevard	Legacy Cases	P04-60
Site Acreage	3.12	Existing Use	Undeveloped and Industrial
Request			
Designations	Existing	Proposed	
Jurisdiction	County	No change	
Development Tier	Suburban	No change	
Future Land Use	Industrial	No change	
Zoning	Industrial Light with a development plan IL(D)	Industrial Light (IL)	
Overlay Zoning District(s)	N/A	No change	
TIA Required	No		
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 July 21, 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	See attachment 9		

A. Summary

Andrew Porter of Coulter Jewell Thames PA, proposes to change the zoning designation of a 3.12 acre portion of one parcel located at 10500 World Trade Boulevard. The site is presently zoned Industrial Light with a development plan (IL(D) and the applicant proposes to change this designation to Industrial Light without a development plan. The property is Industrial on the Future Land Use Map (FLUM) which is consistent with the rezoning request for IL.

B. Site History

In 2005, this site was zoned Industrial-2 with a development plan. With the subsequent adoption of the Unified Development Ordinance, the Industrial-2 zoning designation became Industrial Light. The P04-60 legacy development plan (Attachment 8) restricted all uses for this property except for parking and access for the proposed development located in Wake County. The legacy development plan committed to a maximum of three parking spaces within the parcel. A committed element requiring the construction of sidewalks along the frontage of the site along Page Road prior to the issuance of a certificate of occupancy by the Town of Cary was never completed. If the proposed rezoning is approved, the commitments of the legacy development plan would no longer apply to the site.

An administrative site plan(D2000068) is currently under review in this location for proposed parking and site grading. The previously mentioned sidewalks are proposed on the site plan. The site plan cannot be approved without the approval of the proposed straight IL rezoning because the number of proposed parking spaces exceeds the maximum permissible by the legacy development plan.

C. Existing Site Characteristics

Site Conditions. The 3.12 acre site proposed for rezoning comprises a portion of one parcel located at the corner of Page Road and World Trade Boulevard. The area of the rezoning, while not consistent with current parcel configuration, aligns with the area of the legacy development plan P04-60. The site is landscaped with a grass lawn and deciduous and evergreen trees and shrubs around the perimeter. Existing sidewalk is located along World Trade Boulevard but not along Page Road. The following photos provide a visual context of the site. Their locations have been identified on the Aerial Map (Attachment 2).



Photo 1: View of site looking south from World Trade Boulevard.



Photo 2: View of site looking east from Page Road.



Photo 3: View of site from driveway of Long Beverage facility.

Area Characteristics. The site is located in the Suburban Development Tier, adjacent to the Wake County line. The context area includes the Long Beverage distribution center to the east. The area to the south was rezoned to IL in 2018 and includes a single family structure. Residential Rural zoning and uses are located to the west and north. The parcel directly north of the site is zoned Industrial Mixed Use by Raleigh’s zoning code. The following photos provide a visual context of the area. Their locations have been identified on the Aerial Map (Attachment 2).



Photo 4: Looking south from World Trade Blvd.



Photo 5: Looking north from World Trade Blvd.



Photo 6: Looking west at intersection of World Trade Blvd and Page Road.



Photo 7: Looking west from Page Road.



Photo 8: Looking west from Page Road.

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 IL 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 an allowable zoning district within the Suburban Tier. No development plan was submitted as part of case Z1900051, so there is no method to proffer text commitments for the site.

Dimensional standards for the IL zoning district in the Suburban Tier are as follows, with modifications as permissible by UDO 6.10.1.B.2:

Dimensional Standard	Min.	Max
Lot 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. Any permitted use within the IL district would be allowed. Based on existing right-of-way width, project boundary buffers would not be required by the UDO along Page Road for the proposed Industrial Light zoning, including where adjacent to residential rural zoning and residential uses. Sidewalk along Page Road, required by the legacy development plan but never installed, would be required per UDO Section 12.4.2, unless one of the exceptions noted below applies. The UDO requires sidewalks on this site unless a development submittal only proposes minor improvements such as less than four additional parking spaces, less than 1,000

square feet of unmanned facilities, or other exemptions as listed in UDO section 12.4.2.D. Payment-in-lieu for sidewalk is not an option for this site because it is located in the County.

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 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 increase the traffic generation of the site by a maximum of 2,355 vehicle trips per day. There is no water and sewer utility impact on the Durham system as a result of this zoning map change application. The site is currently served by the Town of Cary water and sewer system and any future extension of water and/or sewer to serve additional development on this site will be approved through an amendment to existing agreements between the City of Durham and the Town of Cary. As there is no development plan associated with this request, riparian buffers, floodplain requirements, and impervious limitations will be reviewed at the time of site plan and are subject to Unified Development Ordinance requirements. Compared to the existing zoning, there will be no change in the estimated school demand. Additional details are available in Attachment 6.

The City of Durham Departments of Transportation and Public Works, and City-County Planning, are conducting a conditions and cost assessment relating to the NCDOT roadways located within east and southeast Durham that are experiencing rapid transition from Rural to Suburban characteristics. The assessment will determine if the roadways meet current and potential future City standards. The departments are also assessing the physical road conditions and roadway design to determine what improvements might be needed to support the increase in vehicle trips that will be generated and will cause future deterioration of these roadways. The assessment is underway and a final completion date has not been identified.

Staff Analysis. The proposed IL 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 proposed zoning of Industrial Light is consistent with the goals and policies of the *Comprehensive Plan* and Suburban Tier designation. Staff finds the requested designation reasonable as it is compatible with the present Future Land Use Map. However, as no development plan has been proposed, the extent of the impact of the proposed industrial expansion on adjacent existing residential uses along Page Road cannot be fully assessed.

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 July 21, 2020 Planning Commission Meeting

Long Beverage (Z1900051)

Zoning Map Change Request: Industrial Light with a development plan IL(D) to Industrial Light (IL).

Staff Report: Emily Struthers presented case Z1900051.

Public Hearing: Chair Buzby opened the public hearing. The applicant and one other person spoke in support. Three people spoke in opposition. Chair Buzby closed the public hearing.

Commission Discussion: The discussion centered on industrial and residential uses in the area and proposed parking for the existing distribution center.

MOTION: Recommend approval of case Z1900051 (Miller, Johnson 2nd)

ACTION: Motion carried, 12-0

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		
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Applicant Contact		
Andrew Porter, Coulter Jewell Thames, PA	919.682.0368	Andrew.Porter@cjtpe.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 Impacts
7. List of Permitted Uses
8. Legacy Development Plan P04-60
9. BPAC comments
10. Planning Commission Written Comments
11. Consistency Statement
12. Zoning Ordinance