



ATTACHMENT 6
PLANNING COMMISSION
WRITTEN COMMENTS
TERRY ROAD DEANNEXATION
DECEMBER 8, 2020

Z2000026A (Terry Road Deannexation)

AMANDOLIA - I voted **YES** on this case.

BUZBY – This case makes sense given the unique circumstances – I vote to approve.

MILLER - The Board of County Commissioners should approve this rezoning.

The subject property contains 114 acres on both sides of Terry Road in the northwest part of Durham County. The land is vacant and was wooded until it was forested off a few years ago.

This case is a strange one. The land was annexed into the city some years ago as an island surrounded by land in the county's jurisdiction. At that time it was zoned PDR-2.5 to accommodate 289 houses. The project associated with that annexation and rezoning was never able to get off the ground and the property changed hands. The current owners explain that it is simply too expensive to extend city sewer and water to the property to support the proposed development. These owners went to the General Assembly to have the property de-annexed (a silly word) through special legislation. Because the legislation passed, it is now incumbent on the BOCC to rezone the land. The developer has asked, with the staff's concurrence, to rezone the property Rural Residential – the zone in our continuum that allows the least intense development. This zoning would be consistent with the Future Land Use Plan of the Comprehensive Plan. It is also practical for a property which, if it is to be developed at all, will have to rely upon sewer and water systems other than public utilities.

The property is exceptionally beautiful. As one climbs what neighbors refer to as "the mountain" on Terry Road, the views across the property and the county are genuinely lovely. The developers state that it is their intention to build perhaps 80 homes on the property in a conservation subdivision. The conservation subdivision tool is appropriate for this property under the controlling circumstances. Preserving significant portions of the property as open space is desirable. It is important to note, however, that the developers' application includes no development plan and that without one there is no vehicle to create a commitment to make a conservation subdivision on this land.

At the hearing before the planning Commission, the developers' representatives promised to continue to meet with neighbors in the Willow Hill subdivision to the south and the Scalybark Road subdivision to the east about the development of the subject property. These neighbors have expressed legitimate concerns about stormwater management and other issues. I hope that the BOCC will encourage the developers to continue to work with and listen to their neighbors as plans for this property progress.

MORGAN – I voted “Yes” for the change to Rural Residential (RR) since it does support the request by the property owners and staff. Since the parcel is an outlier to the rest of the City of Durham, it makes sense to de-annex it and return it to more rural zoning.