



Date: February 3, 2025

To: W. Bowman Ferguson, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Sara M. Young, AICP, Planning Director
Subject: Zoning Map Change – Pickett Apartments

Executive Summary

A request for a zoning map change has been received from Nil Ghosh, of Morningstar Law Group, for five parcels of land totaling 6.12 acres and located at 3117, 3121, 3123, and 3127 Pickett Road. The current zoning is Residential Suburban-20 (RS-20). The applicant proposes to change this designation to Planned Development Residential 36.176 (PDR 36.176). The applicant is proposing to rezone the properties to allow up to 140 apartments.

The properties are currently designated Apartment and Townhouse Neighborhood (ATN) and Recreation and Open Space (ROS) on the Place Type Map (PTM) (Attachment C). The proposed PDR 36.176 zoning is generally consistent with the designated Place Type.

Motions

To conduct a public hearing to receive comments and consider the following motions:

Motion 1: To adopt an ordinance amending the Unified Development Ordinance by taking property out of Residential Suburban-20 and establishing the same as Planned Development Residential 36.176; and

Motion 2: To adopt a Consistency Statement as required by N.C.G.S. Sec. 160D-605.

Background

As noted above, the proposed zoning is a request to change the city zoning from RS-20 to PDR 36.176. This zoning request was heard by the Planning Commission on November 12, 2024. The Planning Commission recommended denial by a vote of eight to two.

Issues and Analysis

A. Zoning Map Change

A detailed analysis of the zoning map change request may be found in Attachment E, Zoning Map Change Report.

B. Consistency Statement

A consistency statement is required to be considered per general statute NCGS 160D-605 and may be found in Attachment H, Consistency Statement. The Zoning Map Change report, Attachment E, describes the proposals consistency or inconsistency with the Comprehensive Plan.

C. Affordable Housing

Affordable housing is a priority in Durham. As such, staff is tracking affordable housing proffers. The chart below includes all mechanisms for affordability proffered through the legislative process, including income-restricted unit proffers, low-income housing tax credit projects (LIHTC), applicant-funded projects, and the construction and deeding of units to an affordable housing non-profit.

Affordable Units Proffered Through the Legislative Development Process (2020 to 12.6.24)	
Total Pending Units	1,416
Total Approved Units	1,456
Affordable Units Proffered By Funding Source	
Funding Source: City Participation	66
Funding Source: No City Participation	2,806

Alternatives

City Council may elect to deny the zoning map change.

Financial Impact

This is a zoning map change. There is no financial impact assessment performed on zoning map change applications.

Equal Business Opportunity Summary

This is a zoning map change. It was not reviewed by the Finance Department for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

Contractor Workforce Diversity & Hiring Practices

Due to the nature of this agenda item, obtaining Contractor Workforce Diversity & Hiring Practices information is not applicable.

Staff Contact

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Attachments

- Attachment A:** Zoning Context Map
- Attachment B:** Aerial Map
- Attachment C:** Place-Type Map
- Attachment D:** Development Plan
- Attachment E:** Zoning Map Change Report
- Attachment F:** Comprehensive Plan Consistency Review
- Attachment G:** Zoning Ordinance
- Attachment H:** Consistency Statement
- Attachment I:** Planning Commission Written Comments