

# NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

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planningdevelopment.nhcgov.com



## CONDITIONAL ZONING DISTRICT Application

Applicant/Agent Information		Property Owner(s) <i>If different than Applicant/Agent</i>
<b>Name</b> CINDEE WOLF	<b>Owner Name</b> HOOSIER DADDY, L.L.C.	
<b>Company</b> DESIGN SOLUTIONS	<b>Owner Name 2</b> LISA C BEAMAN - MANAGING MEMBER	
<b>Address</b> PO BOX 7221	<b>Address</b> 6025 TARIN ROAD	
<b>City, State, Zip</b> WILMINGTON, NC 28406	<b>City, State, Zip</b> WILMINGTON, NC 28409	
<b>Phone</b> 910-620-2374	<b>Phone</b> 910-769-3053	
<b>Email</b> CWOLF@LOBODEMAR.BIZ	<b>Email</b> E85LISA@GMAIL.COM	
<b>Subject Property Information</b>		
<b>Address/Location</b> REFERENCE ATTACHED LIST		
<b>Parcel Identification Number(s)</b> REFERENCE ATTACHED LIST		
<b>Total Parcel(s) Acreage</b> 79.93 AC.+/-		
<b>Existing Zoning and Use(s)</b> VACANT		
<b>Future Land Use Classification</b> GENERAL RESIDENTIAL		
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number</b> 218-11	<b>Date/Time received:</b> 7/5/2018	<b>Received by:</b> BS

## Rezoning Parcel List:

NHCo PIN	Owner	Situs Address
p/o 313307.58.5724	Hoosier Daddy, LLC	5819 Carolina Beach Rd
313306.48.5058	Hoosier Daddy, LLC	5817 Carolina Beach Rd
p/o 313307.57.3614	Hoosier Daddy, LLC	6234 Sweet Gum Dr
313310.37.8374	Hoosier Daddy, LLC	5944 Shiloh Dr
313310.37.8481	Hoosier Daddy, LLC	5940 Shiloh Dr
313310.37.8488	Hoosier Daddy, LLC	5936 Shiloh Dr
313306.37.8588	Hoosier Daddy, LLC	5930 Shiloh Dr
313306.37.8696	Hoosier Daddy, LLC	5926 Shiloh Dr
313306.37.9704	Hoosier Daddy, LLC	5922 Shiloh Dr
313306.48.0256	Hoosier Daddy, LLC	5923 Carolina Beach Rd
313306.48.1270	Hoosier Daddy, LLC	5901 Shiloh Dr
313306.48.1172	Hoosier Daddy, LLC	5905 Shiloh Dr
313306.48.1063	Hoosier Daddy, LLC	5909 Shiloh Dr
313306.47.1966	Hoosier Daddy, LLC	5913 Shiloh Dr
313306.47.1857	Hoosier Daddy, LLC	5917 Shiloh Dr
313306.47.1749	Hoosier Daddy, LLC	5921 Shiloh Dr
313306.47.1742	Hoosier Daddy, LLC	5925 Shiloh Dr
313306.47.1643	Hoosier Daddy, LLC	5929 Shiloh Dr
313306.47.1545	Hoosier Daddy, LLC	5933 Shiloh Dr
313310.47.1427	Hoosier Daddy, LLC	5937 Shiloh Dr
313310.47.1420	Hoosier Daddy, LLC	5941 Shiloh Dr
313310.47.1312	Hoosier Daddy, LLC	5945 Shiloh Dr

## Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: (CZD) R-7 Total Acreage of Proposed District: 79.93

Only uses allowed by right in the corresponding General Use District are eligible for consideration within a Conditional Zoning District. Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed).

The purpose of the R-7 district is to encourage medium density development where adequate services are already available. It allows a greater variety of housing types provided that environmental impacts are minimized and adequate open space is provided. The proposed combination of housing product styles is an acceptable transition between the busy highway corridor and the more established single-family housing beyond the rear boundary of the tract.

## Proposed Condition(s)

Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding General Use District regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

Reference attached site plan for layout and improvements. Zoning Ordinance requirements on additional setbacks and bufferyards for attached housing will mitigate any impacts to the existing neighborhoods.

## Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: 145 - Single-family Lots (210) / 143 - Attached Townhomes & Multi-family Apartments (192)

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): Per unit for each housing type

AM Peak Hour Trips: 109 / 63 / 88 = 260 PM Peak Hour Trips: 146 / 74 / 111 = 331

## CONSIDERATION OF A CONDITIONAL ZONING DISTRICT

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of very dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)

The policies for growth and development encourage safe and affordable housing to be available to every citizen. Sustainability of the County depends on sensible in-fill and maximizing use of lands already accessible to urban services. More density not only increases tax base, but makes better use of the existing infrastructure.

2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

The tract has been identified in the General Residential place type on the Comprehensive Land Use Plan, but it is the first tier beyond the Community Mixed-Use that borders Carolina Beach Road. The plan suggests higher densities to support the commercial services and compact development patterns that that place type promotes.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

The areas surrounding the subject property have been developing with single-family housing over the past couple of years, but because of the need for a lift station, sanitary sewer service was not available to these lands. Inter-connectivity and sewer capacity now make rezoning this property for moderate density residential development is a more logical transition and more efficient land use.

## APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications must be complete in order to process for further review.

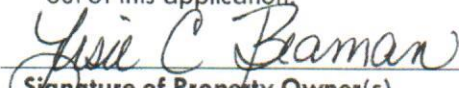
Required Information	Applicant Initial	Staff Initial
1 Complete Conditional Zoning District application.	CAW	BS
2 Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review).	CAW	BS
3 Community meeting written summary.	CAW	BS
4 Traffic impact analysis (for uses that generate more than 100 peak hour trips).	CAW	BS
5 Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	CAW	BS
6 <u>Site Plan including the following elements:</u> <ul style="list-style-type: none"> <li>• Tract boundaries and total area, location of adjoining parcels and roads.</li> <li>• Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used.</li> <li>• Development schedule including proposed phasing.</li> <li>• Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas.</li> <li>• All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage.</li> <li>• The one hundred (100) year floodplain line, if applicable.</li> <li>• Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance.</li> <li>• Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance.</li> <li>• Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable).</li> </ul>	CAW	BS
7 1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	CAW	BS
8 1 PDF digital copy of ALL documents AND plans.	CAW	BS

## ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Zoning District zoning for which is being applied. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

  
\_\_\_\_\_  
**Signature of Property Owner(s)**

LISA C BEAMAN - MANAGING PARTNER

\_\_\_\_\_  
**Print Name(s)**

  
\_\_\_\_\_  
**Signature of Applicant/Agent**

CYNTHIA WOLF - APPLICANT / AGENT

\_\_\_\_\_  
**Print Name**

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.



Legal Description for  
Conditional District Rezoning

Tract #1

Beginning at a point in the eastern boundary of Shiloh Drive, said point being at the southwestern corner of "Lot 23" on a subdivision plat entitled "Battle Park – Section 6," recorded among the land records of the New Hanover County Registry in Map Book 9, at Page 45; and running thence from the point of beginning:

North 04-32-24 East, 951.67 feet to a point; thence  
South 77-26-57 West, 259.20 feet to a point; thence  
North 04-32-24 East, 219.23 feet to a point; thence  
North 74-29-22 East, 17.29 feet to a point; thence  
North 13-49-04 East, 405.92 feet to a point; thence  
South 65-37-26 East, 292.00 feet to a point; thence  
North 25-41-42 East, 450.02 feet to a point; thence  
North 65-37-58 West, 256.82 feet to a point; thence  
South 24-20-34 West, 9.75 feet to a point; thence  
North 31-08-21 East, 439.77 feet to a point; thence  
South 82-25-07 East, 1069.15 feet to a point; thence  
South 80<sup>0</sup>02'30" East, 768.06 feet to a point; thence  
South 09-57-39 West, 1368.76 feet to a point; thence  
North 80-02-21 West, 137.50 feet to a point; thence  
North 09-57-39 East, 224.86 feet to a point; thence  
North 80-02-21 West, 45.00 feet to a point; thence  
Along a curve to the right, having a Radius of 20.00 feet and Length of 31.42 feet,  
a Chord of South 54-57-39 West, 28.28 feet to a point; thence  
South 09-57-39 West, 45.00 feet to a point; thence  
Along a curve to the right, having a Radius of 20.00 feet and Length of 31.42 feet,  
a Chord of South 35-02-21 East, 28.28 feet to a point; thence  
South 09-57-39 West, 144.94 feet to a point; thence  
North 80-02-21 West, 332.50 feet to a point; thence  
North 24-15-03 West, 70.40 feet to a point; thence  
North 66-46-46 West, 42.92 feet to a point; thence  
North 07-31-41 East, 46.49 feet to a point; thence  
North 01-52-12 West, 42.28 feet to a point; thence  
North 13-26-36 East, 107.78 feet to a point; thence  
North 52-23-09 East, 130.00 feet to a point; thence  
North 44-13-53 West, 140.19 feet to a point; thence  
North 80-02-30 West, 578.41 feet to a point; thence  
North 11-04-01 East, 135.00 feet to a point; thence  
North 77-09-33 West, 65.44 feet to a point; thence  
South 17-33-34 West, 73.92 feet to a point; thence  
South 09-29-16 West, 71.10 feet to a point; thence  
South 10-54-40 West, 26.50 feet to a point; thence  
South 05-51-32 West, 66.27 feet to a point; thence  
South 10-00-08 West, 51.31 feet to a point; thence  
South 01-58-57 East, 69.85 feet to a point; thence  
South 07-57-19 East, 30.17 feet to a point thence

(Continued Legal Description Tract #1)

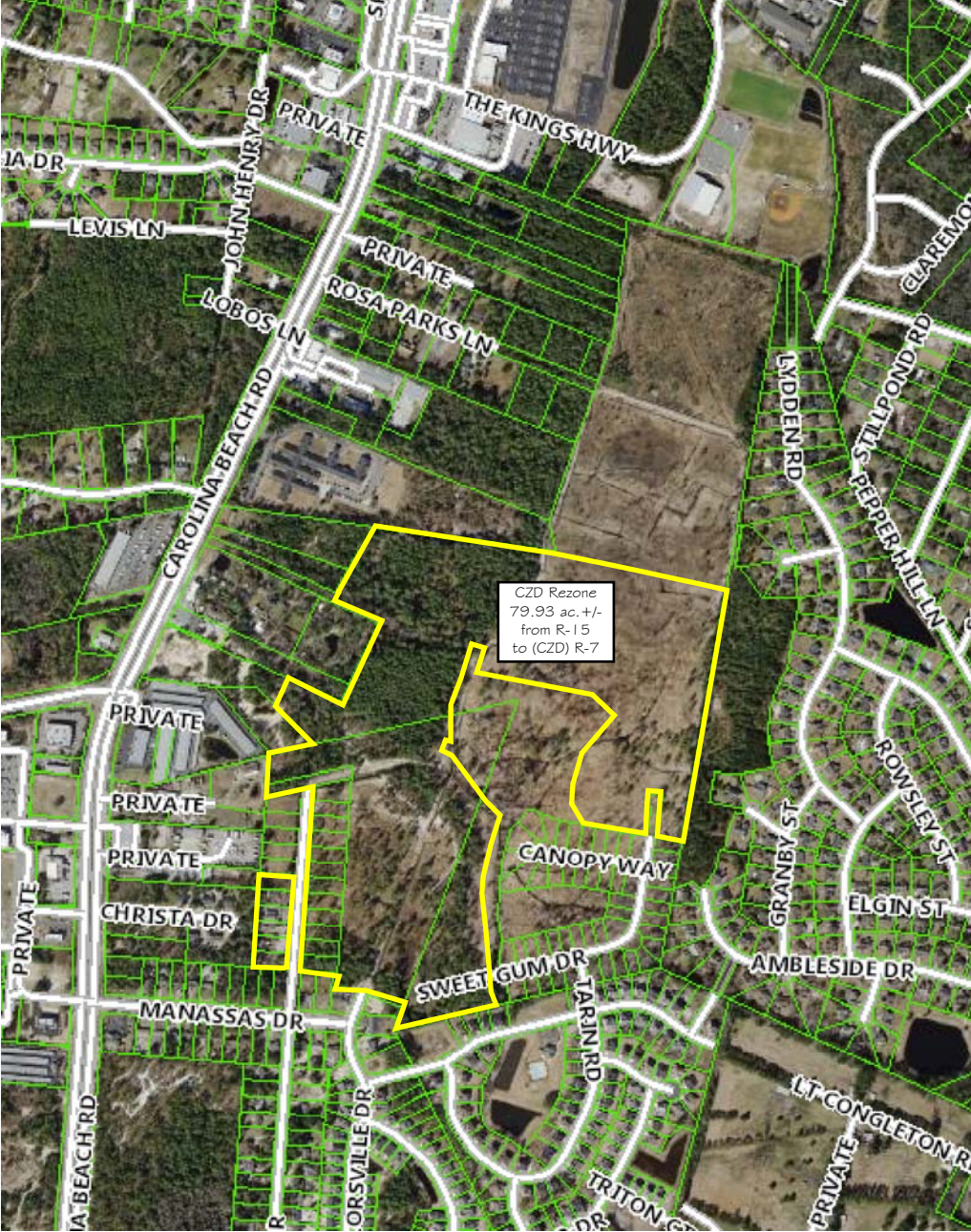
South 01-46-47 East, 24.34 feet to a point; thence South 00-47-16 East, 11.18 feet to a point; thence North 68-06-05 West, 25.89 feet to a point; thence South 21-53-55 West, 30.00 feet to a point; thence South 68-06-05 East, 39.45 feet to a point; thence South 42-45-53 East, 15.50 feet to a point; thence South 37-36-19 East, 111.68 feet to a point; thence South 43-48-12 East, 89.36 feet to a point; thence South 46-42-50 East, 42.43 feet to a point; thence South 57-27-28 East, 33.81 feet to a point; thence South 51-18-58 East, 39.53 feet to a point; thence South 24-21-35 East, 11.79 feet to a point; thence South 05-36-54 East, 37.06 feet to a point; thence South 01-23-47 East, 37.31 feet to a point; thence South 04-37-59 West, 54.75 feet to a point; thence South 14-46-36 West, 36.13 feet to a point; thence South 07-44-14 West, 70.17 feet to a point; thence South 03-02-31 West, 55.38 feet to a point; thence South 00-36-35 East, 54.60 feet to a point; thence South 01-37-27 East, 49.51 feet to a point; thence South 06-01-16 West, 74.14 feet to a point; thence South 10-20-58 East, 94.42 feet to a point; thence South 00-36-34 East, 36.00 feet to a point; thence South 12-13-34 West, 62.16 feet to a point; thence South 01-34-53 West, 58.66 feet to a point; thence South 05-26-10 East, 39.06 feet to a point; thence South 76-51-23 West, 23.92 feet to a point; thence South 13-08-37 East, 45.00 feet to a point; thence North 76-51-23 East, 27.62 feet to a point; thence South 22-03-28 East, 79.82 feet to a point; thence South 13-08-15 East, 58.64 feet to a point; thence South 76-51-23 West, 569.39 feet to a point; thence North 20-20-24 East, 119.58 feet to a point; thence North 69-39-36 West, 183.65 feet to a point; thence North 64-11-01 West, 60.56 feet to a point; thence North 84-56-25 West, 142.42 feet to a point; thence North 04-32-24 East, 75.88 feet to a point; thence North 85-27-36 West, 166.50 feet to a point; to the point and place of beginning, containing 77.86 acres more or less.



Tract #2:

Beginning at a point in the western boundary of Shiloh Drive; said point being at the southeastern corner of "Lot 1" on a subdivision plat entitled "Battle Park – Section 6," recorded among the land records of the New Hanover County Registry in Map Book 9, at Page 45; and running thence from the point of beginning:

North 81-25 West, 187.75 feet to a point; thence  
North 08-32 East, 480.00 feet to a point; thence  
South 81-25 East, 187.75 feet to a point; thence  
South 08-32 West, 480.00 feet to the point and place of beginning, containing  
2.07 acres more or less.



CZD Rezone  
79.93 ac. +/-  
from R-1.5  
to (CZD) R-7

IA DR

LEVIS LN

JOHN HENRY DR

PRIVATE

THE KINGS HWY

PRIVATE

ROSA PARKS LN

LOBOS LN

CAROLINA BEACH RD

INDDEN RD

S HILLPOND RD

CLAREMONT

PRIVATE

PRIVATE

PRIVATE

CHRISTA DR

PRIVATE

CANOPY WAY

GRANBY ST

ROWSLEY ST

ELGIN ST

AMBLESIDE DR

MANASSAS DR

SWEET GUM DR

TARJIN RD

LT CONGLETON RD

PRIVATE

ORSVILLE DR

TRITON