

# STAFF REPORT FOR Z19-11

## ZONING MAP AMENDMENT APPLICATION

### R-5 MODERATE-HIGH RESIDENTIAL ZONING OVERVIEW

- The R-5 Moderate-High Residential Zoning District is one of eight new zoning districts approved by the Board of Commissioners in July.
- The intent of the R-5 district is to provide moderate to high density residential development on smaller lots in conjunction with a compact and walkable development design. The R-5 district permits a range of housing types that can be developed in concert with non-residential developments, creating a mixed-use development pattern. This district serves as a transition between mixed-use or commercial development and low to moderate density residential developments.
- The R-5 district allows traditional single-family homes, duplexes, triplexes, quadruplexes, townhomes, and accessory dwelling units. However, mobile homes and multi-family developments, such as traditional apartments, are not permitted in this district.

#### APPLICATION SUMMARY

**Case Number:** Z19-11

**Request:**

Zoning Map amendment to rezone approximately 8.55 acres from R-20 to R-5

**Applicant:**

Cindee Wolfe, with Design Solutions

**Property Owner(s):**

TF Holdings LTD Partnership

**Location:**

3000 block of Blue Clay Road

**Acreage:**

Approximately 8.55

**PID(s):**

R03312-003-034-000

**Comp Plan Place Type:**

Community Mixed Use

**Existing Land Use:**

Undeveloped

**Proposed Land Use:**

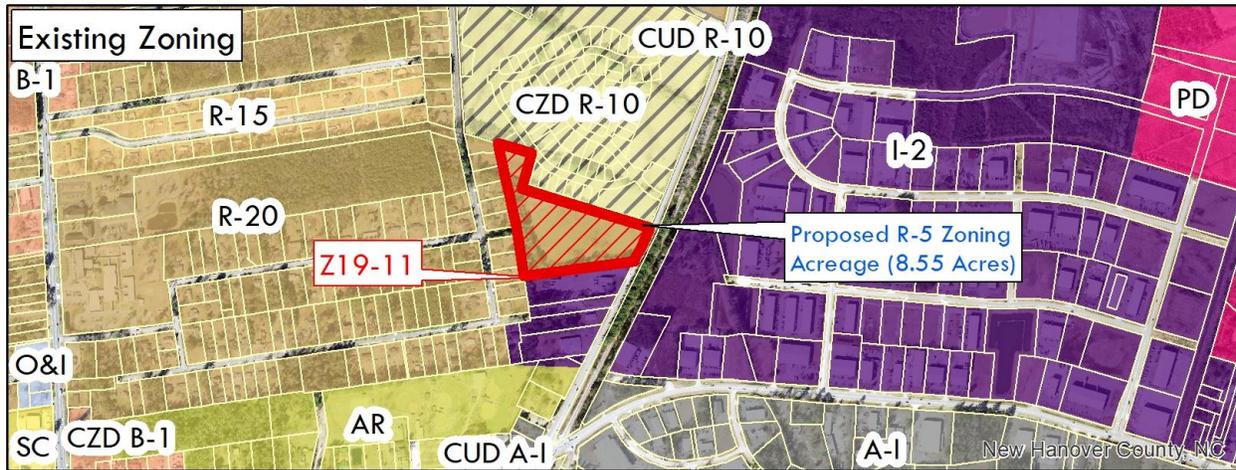
The property would be allowed to be developed in accordance with the R-5 district's standards

**Current Zoning:**

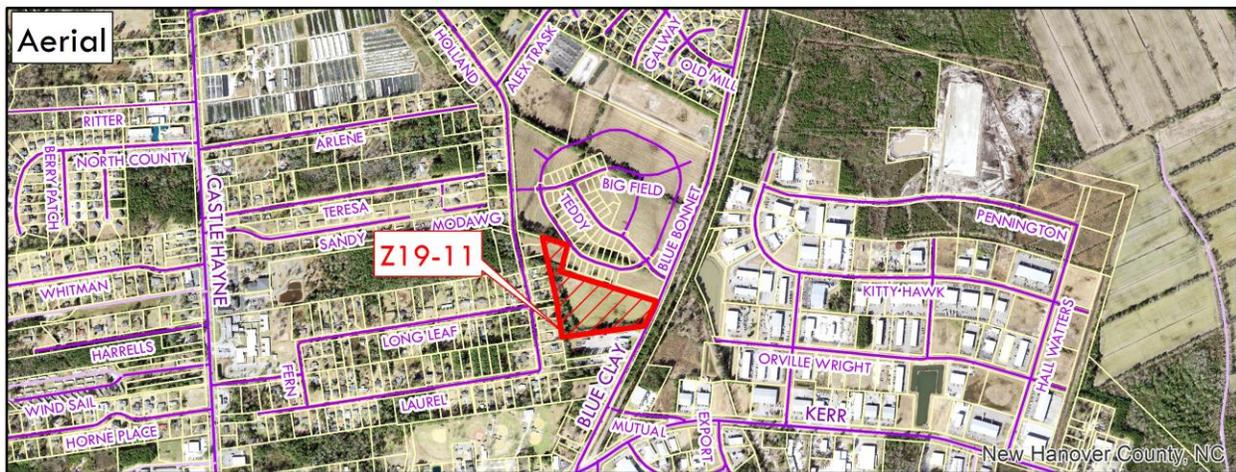
R-20 Residential District

**Proposed Zoning:**

R-5 Moderate-High Residential



SURROUNDING AREA		
	LAND USE	ZONING
North	Single-Family Residential (Rachel's Place 92 permits have been applied for new home starts)	(CZD) R-10
East	Office-Warehouse, Commercial Services (North Kerr Industrial Park)	I-2
South	Office-Warehouse, Commercial Services	I-2
West	Single-Family Residential	R-20



<b>ZONING HISTORY</b>	
<b>July 1, 1974</b>	Initially zoned R-20 (Area 10A)

<b>COMMUNITY SERVICES</b>	
<b>Water/Sewer</b>	Water and sewer will be provided by CFPUA.
<b>Fire Protection</b>	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Wrightsboro
<b>Schools</b>	Wrightsboro Elementary, Holly Shelter Middle, and New Hanover High School
<b>Recreation</b>	Optimist Park

<b>CONSERVATION, HISTORIC, &amp; ARCHAEOLOGICAL RESOURCES</b>	
<b>Conservation</b>	No known conservation resources
<b>Historic</b>	No known historic resources
<b>Archaeological</b>	No known archaeological resources

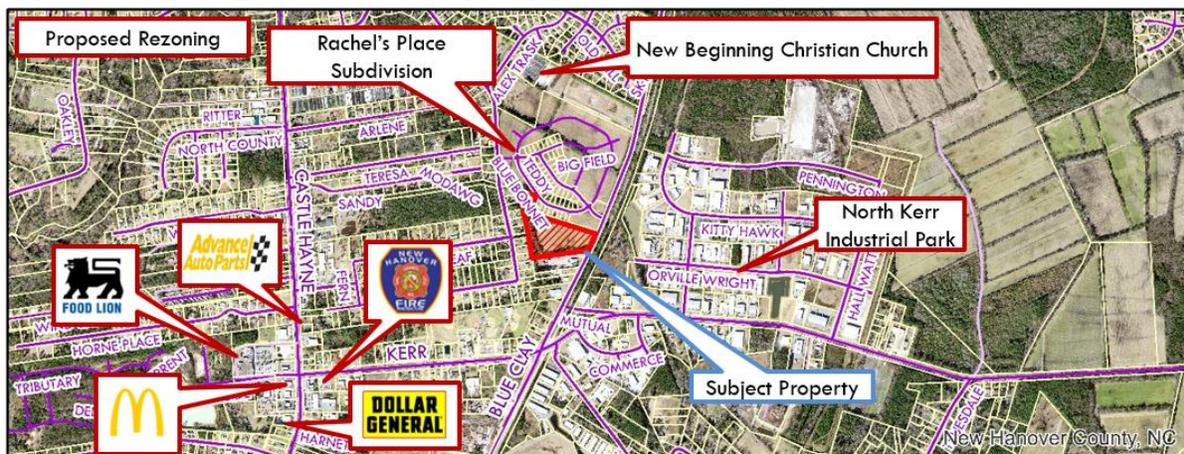
### **ZONING CONSIDERATIONS**

- The applicant is proposing to rezone approximately 8.55 acres from R-20 to R-5. The subject property is located south of the existing Rachel's Place subdivision and to the north of North Kerr Avenue. The subject property is currently undeveloped.
- The R-20 and R-5 districts are both residential zoning districts. While the R-5 district (8 du/ac) permits more base density than the R-20 district (1.9 du/ac), it prohibits mobile homes and typical multi-family development, like apartments, allowing a maximum of 4 units within any residential structure. In addition, the special use permit for high density developments is not permitted in the R-5 district, and the number of permitted nonresidential uses is reduced.

	R-20	R-5
<b>Min Lot Size</b> (Conventional)	20,000 sf. detached single family 35,000 sf Duplex	5,000 sf detached single family 7,500 sf duplex 12,500 sf 3-unit attached single family 17,500 sf 4-unit attached single family
<b>Base Density</b> (Performance)	1.9 du/ac (16 total units)	8 du/ac (68 total units)
<b>HD Special Use Permit</b>	4.25 du/ac (36 total units)	N/A
<b>Permitted Housing Types</b>	Single-family, mobile home, duplex, townhomes, multi-family	Single-family, duplex, townhome
<b>Nonresidential Uses</b>	≈ 29 uses w/ SUP (Bed and Breakfast Inn, kennels, and camping) ≈ 20 uses by-right (Golf Courses, stables)	≈ 10 uses w/ SUP (recreation establishments, day care centers) ≈ 10 uses by-right (parks, libraries, churches)

- Because this is a general map amendment and not a conditional rezoning, uses that would be allowed on the property are those allowed by right or by Special Use Permit in the R-5 district.
- If attached housing like townhomes are proposed within the subject site, a 20-foot minimum buffer would be required in areas adjacent to single-family dwellings. However, if conventional single-family detached homes are proposed buffering is not required between abutting single-family neighborhoods. Compliance with zoning and subdivision regulations will be reviewed by the Technical Review Committee during the subdivision review process.

**Proposed Rezoning and Surrounding Properties:**



- The subject property is located on an arterial road (Blue Clay Road) near a variety of more intense zoning districts including I-2, Heavy Industrial, PD, Planned Development, and AI, Airport Industrial. In addition, I-2 zoning is located directly south of the site.
- Existing R-10 zoning is located north of the property, which assists in providing a transition from the more intense zoning districts located east of Blue Clay Road to the low density residential districts located west of the site. Within this adjacent R-10 area, a high density senior living facility was approved in 2017 for 68 units at a density of 7.9 units per acre.



## TRANSPORTATION

- Access is provided to the subject property by Blue Clay Road. In addition, future roadway connections are available north to Rachel's Place and west to Long Leaf Drive in Wrightsboro Acres.
- The proposed zoning would allow a maximum of 68 units. Typically, single-family dwellings generate approximately one trip in the peak hours, while townhomes generate approximately 0.5 trips in the peak hours.
- Traffic impacts are analyzed at the time a development is proposed. Any use that exceeds 100 AM or PM peak hour trips will be required to have an approved Traffic Impact Analysis (TIA) prior to development. Even if a TIA is not required, improvements may be required when any proposed use is reviewed by NCDOT during the driveway permitting process.
- While a TIA has not been completed for a development proposal on the subject site, the adjacent Rachel's Place subdivision completed one in 2015. That TIA found the intersection of Blue Clay Road at N. Kerr Ave to be operating at a Level of Service (LOS) of B. In addition, the TIA found that the completion of Rachel's Place would have a minimal impact

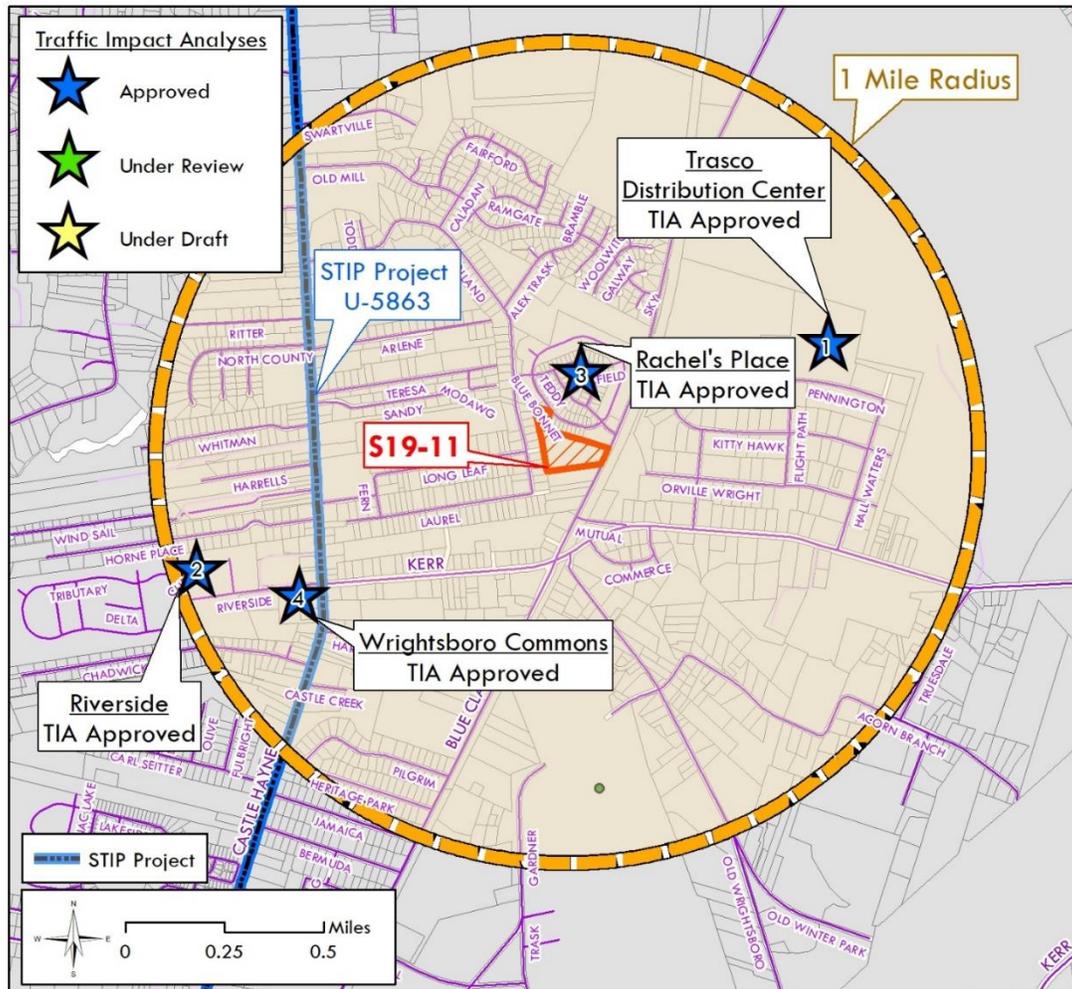
on the intersection resulting in an increase in the vehicle delay of less than one second in the AM peak and no increase in the delay in the PM peak.

- Because a current TIA was not required to analyze intersection impacts, staff has provided the volume to capacity ratio for Blue Clay Road near the subject site. While volume to capacity ratio, based on average daily trips, can provide a general idea of the function of adjacent roadways, the delay vehicles take in seconds to pass through intersections is generally considered a more effective measure when determining the Level of Service of a roadway. However, the available volume to capacity data indicates capacity currently exists in this area to support the expected additional traffic.

• **Traffic Counts – August 2018**

Road	Location	Volume	Capacity	V/C
Blue Clay Road	2900 Block (south of Teddy Road)	5,548	15,600	0.36
Blue Clay Road	3300 Block (north of Old Mill Road)	5,341	15,600	0.34

**Nearby Planned Transportation Improvements and Traffic Impact Analyses**



**Nearby NC STIP Projects:**

- STIP Project U-5863
  - This project will widen Castle Hayne Road by adding a center turn lane or median to certain sections of the Road.
  - Current production schedule for this project is to begin right-of-way acquisition in 2020 and bidding of the project in 2022. However, the draft STIP, which will be finalized in September, has moved the dates for right-of-way acquisition to 2021 and bidding of the project to 2024.

**Nearby Traffic Impact Analyses:**

*Traffic Impact Analyses are completed in accordance with the WMPO and NCDOT standards. Approved analyses must be re-examined by NCDOT if the proposed development is not completed by the build out date established within the TIA.*

<b>Proposed Development</b>	<b>Land Use/Intensity</b>	<b>TIA Status</b>
<b>1. Trasco (Fedex) Distribution Center</b>	<ul style="list-style-type: none"><li>• Distribution Center</li></ul>	<ul style="list-style-type: none"><li>• Approved June 18, 2015</li><li>• 2016 Build Out Year</li></ul>
The TIA required improvements must be completed at certain intersections in the area. The notable improvements consisted of: <ul style="list-style-type: none"><li>• Installation of a westbound right turn lane and signal modifications at North Kerr Avenue and Castle Hayne Road</li></ul>		
<b><u>Nearby Proposed Developments included within the TIA:</u></b>		
<ul style="list-style-type: none"><li>• None</li></ul>		
<b>Development Status: The commercial project is completed. The required turn lane has been installed.</b>		

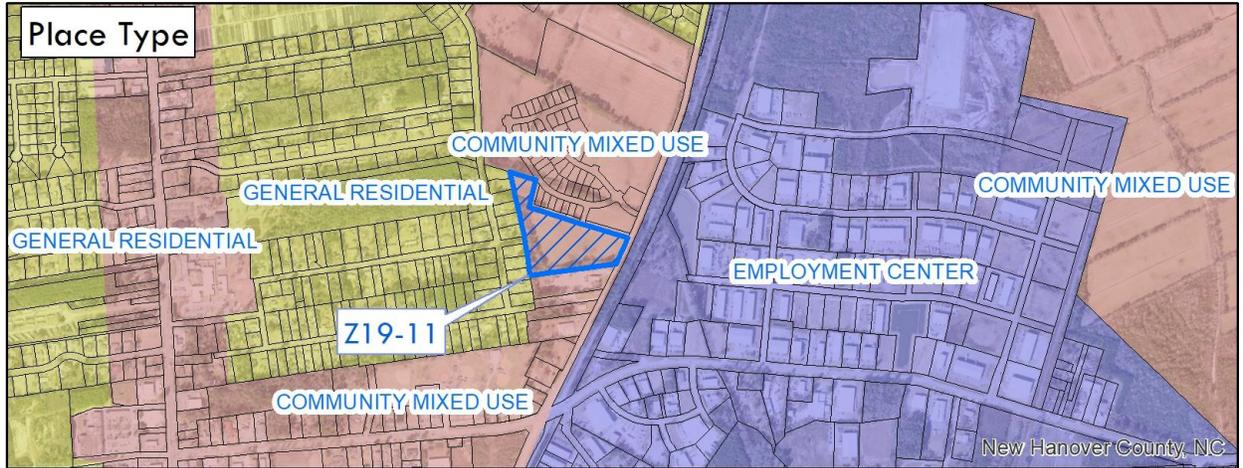
Proposed Development	Land Use/Intensity	TIA Status
<b>2. Riverside Subdivision</b>	<ul style="list-style-type: none"> <li>Phase 1: 100 single-family dwellings</li> <li>Phase 2: 65 single-family and homes 72 multi-family units</li> </ul>	<ul style="list-style-type: none"> <li>Approved August 13, 2015</li> <li>2019 Build Out Year</li> </ul>
<p>The TIA required improvements must be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> <li>Installing a separate eastbound right turn lane and extending the existing eastbound left turn lane on Riverside Drive at the intersection of Castle Hayne Road.</li> <li>Signal modification.</li> </ul>		
<p>Nearby Proposed Developments included within the TIA:</p> <ul style="list-style-type: none"> <li>River Bluffs</li> <li>Fedex Distribution Center</li> </ul>		
<p><b>Development Status: Subdivision infrastructure is under construction. Currently a temporary signal layout and temporary markings are installed. Final signal layout and markings have been designed and NCDOT is coordinating a timeline for installation with the developer.</b></p>		

Proposed Development	Land Use/Intensity	TIA Status
<b>3. Rachel's Place</b>	<ul style="list-style-type: none"> <li>154 single-family dwellings</li> </ul>	<ul style="list-style-type: none"> <li>October 22, 2015</li> <li>2018 Build Out Year</li> </ul>
<p>The TIA required improvements must be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> <li>Constructing a north bound left turn lane on Blue Clay Road at the site access on Blue Clay Road</li> </ul>		
<p>Nearby Proposed Developments included within the TIA:</p> <ul style="list-style-type: none"> <li>River Bluffs</li> <li>Fedex Distributions Center</li> <li>Riverside</li> </ul>		
<p><b>Development Status: Construction has started. Currently 92 zoning permits have been issued for new homes within Rachel's Place.</b></p>		

Proposed Development	Land Use/Intensity	TIA Status
4. Wrightsboro Commons (CBR Castle Hayne) – Residential Portion of Subject Site	<ul style="list-style-type: none"> <li>Phase 1: 216 multi-family units</li> <li>Phase 2: 144 multi-family units</li> </ul>	<ul style="list-style-type: none"> <li>Approved January 24, 2019</li> <li>2023 Build Out Year</li> </ul>
<p>The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> <li>Updating the signal timing at the intersection of Castle Hayne Road and North Kerr Avenue</li> </ul>		
<p>Nearby Proposed Developments included within the TIA:</p> <ul style="list-style-type: none"> <li>Riverside Development</li> </ul>		
<p><b>Development Status: Construction has not started pending rezoning application. Project was also modified to reduce multi-family units.</b></p>		

**ENVIRONMENTAL**

- The property does not contain any Special Flood Hazard Areas or Natural Heritage Areas.
- The property does not contain any Natural Heritage Areas.
- The property is within the Ness Creek (C;Sw) watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class II (moderate limitation) and class III (severe limitations) soils, however, the site is already served by CFPWA water and sewer services.



**2016 COMPREHENSIVE PLAN**

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County’s future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific.

<b>Future Land Use Map Place Type</b>	Community Mixed Use
<b>Place Type Description</b>	Focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. Types of appropriate uses include office, retail, mixed use, recreational, commercial, institutional, and multi-family and single-family residential.
<b>Analysis</b>	<p>The subject property is located directly adjacent to the Rachel's Place and Wrightsboro Acres subdivisions and across the street from North Kerr Industrial Park. The Comprehensive Plan designated undeveloped properties along Blue Clay Road such as this one as Community Mixed Use in order to provide an orderly transition between the employment center uses in the industrial park and around the airport from existing single family residential subdivisions.</p> <p>The proposed R-5 zoning, one of the new zoning tools adopted this summer to provide for the development patterns outlined in the Comprehensive Plan, would provide such a transition in density and intensity in this area, and the permitted density of 8 units an acre are consistent with the moderate densities recommended for Community Mixed Use places.</p>
<b>Consistency Recommendation</b>	The proposed R-5 zoning is generally <b>CONSISTENT</b> with the 2016 Comprehensive Plan because this zoning district is intended to provide a transition between higher intensity uses, such as those in the North Kerr Industrial Park, and the General Residential development pattern of the existing neighborhoods west of the site.

**STAFF RECOMMENDATION**

The proposed R-5 zoning is generally **CONSISTENT** with the 2016 Comprehensive Plan because this zoning district is intended to provide existing lower density residential neighborhoods and higher intensity development adjacent to Blue Clay Road. It would also align with the Comprehensive Plan's goal of providing more diversity of housing types.

Therefore, **staff recommends approval of this application** and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a R-5 district. The proposed R-5 zoning is generally **CONSISTENT** with the 2016 Comprehensive Plan because this zoning district is intended to provide a transition between higher intensity uses, such as those in the North Kerr Industrial Park, and the General Residential development pattern of the existing neighborhoods west of the site.

### **Alternative Motion for Denial**

I move to **DENY** the proposed rezoning to a R-5 district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between the existing lower density residential areas and the higher intensity development adjacent to Blue Clay Road, and provides for a range of housing types along a major roadway, I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.