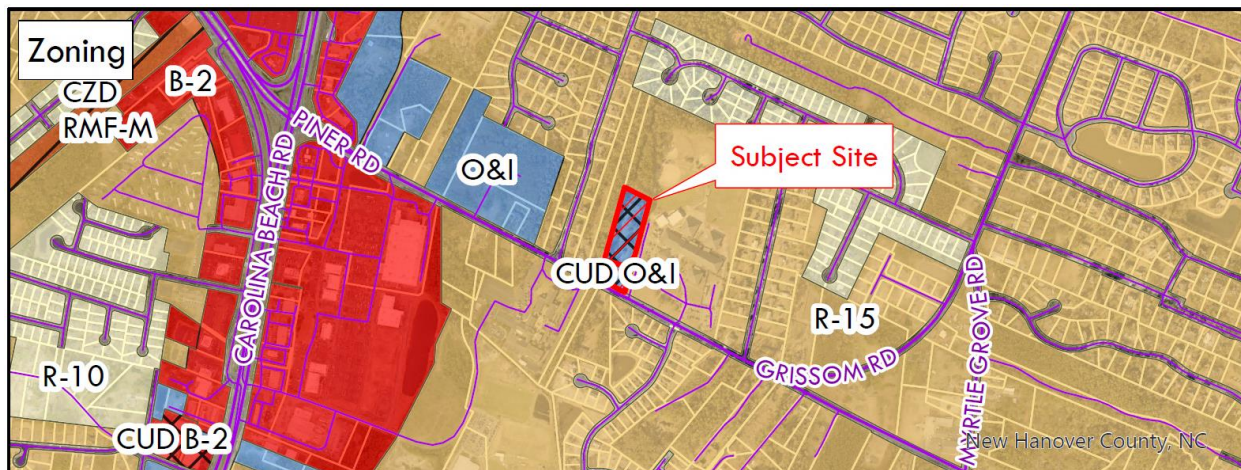


# STAFF REPORT FOR Z20-21

## ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
<b>Case Number:</b> Z20-21	
<b>Request:</b> Rezoning to a conditional CB district	
<b>Applicant:</b> Cindee Wolf – Design Solutions	<b>Property Owner(s):</b> William S. Hackney, Tara S. Hackney, and Proclaim Holdings, LLC
<b>Location:</b> 813 & 817 Piner Road	<b>Acreage:</b> 3.28
<b>PID(s):</b> R07600-002-190-000; R07600-002-020-000	<b>Comp Plan Place Type:</b> General Residential
<b>Existing Land Use:</b> Office/Recreation	<b>Proposed Land Use:</b> Contractor Office, Live/Work Unit (with issuance of SUP – S20-04)
<b>Current Zoning:</b> (CUD) O&I	<b>Proposed Zoning:</b> (CZD) CB



SURROUNDING AREA		
	LAND USE	ZONING
<b>North</b>	Undeveloped, Myrtle Grove Middle	R-15
<b>East</b>	Myrtle Grove Middle School	R-15
<b>South</b>	Single Family Residential, Kaylies Cove Subdivision, Myrtle Grove Presbyterian Church	R-15
<b>West</b>	Single Family Residential, Highgrove Estates	R-15



### ZONING HISTORY

<b>April 7, 1971</b>	The site was initially zoned R-15 (Area 4)
<b>March 10, 1997</b>	Rezoned to (CUD) O&I with a special use permit for a real estate office
<b>March 9, 1998</b>	(CUD) O&I district/SUP modified to allow for general and professional offices
<b>October 7, 2002</b>	(CUD) O&I district/SUP modified to allow for expansion of the existing structures and to permit an indoor/outdoor recreation establishment.

### COMMUNITY SERVICES

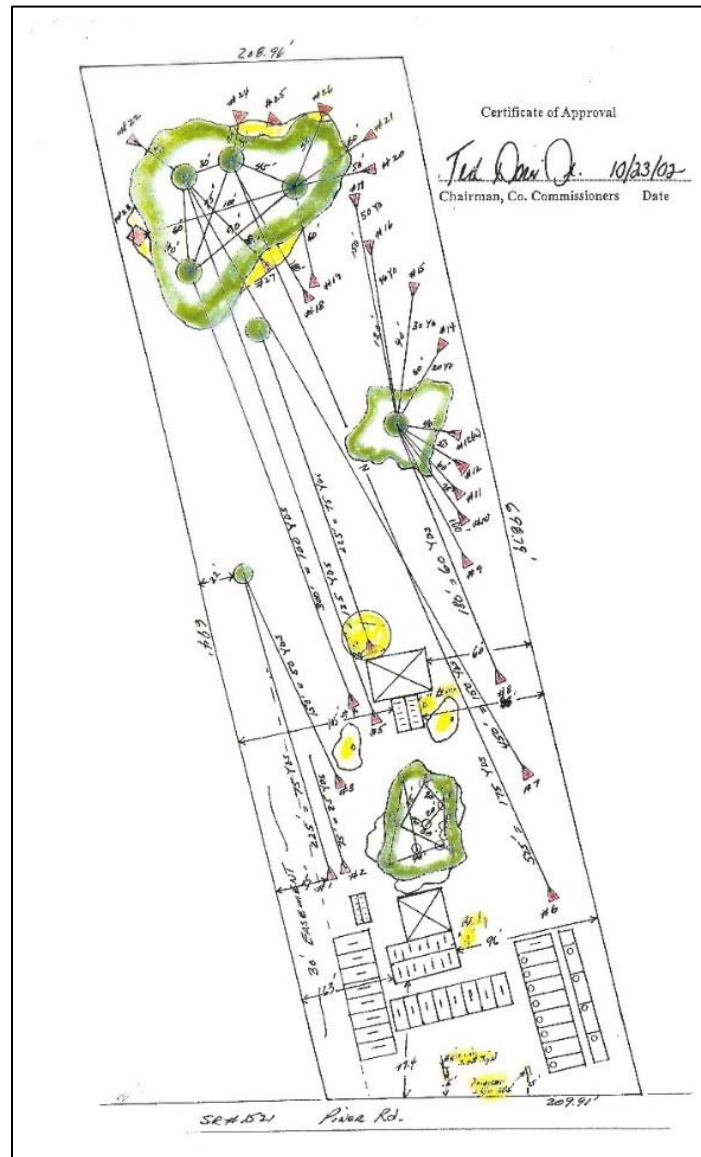
<b>Water/Sewer</b>	Water and sewer (via force main connection) available through CFPUA. Existing buildings served by CFPUA water and private septic systems.
<b>Fire Protection</b>	New Hanover County Fire Services, New Hanover County Southern Fire District, New Hanover County Station Myrtle Grove
<b>Schools</b>	Bellamy Elementary, Myrtle Grove Middle, and Ashley High schools
<b>Recreation</b>	Myrtle Grove Athletic Complex

### CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<b>Conservation</b>	No known conservation resources
<b>Historic</b>	No known historic resources
<b>Archaeological</b>	No known archaeological resources

## CURRENT APPROVED CONCEPTUAL SITE PLAN

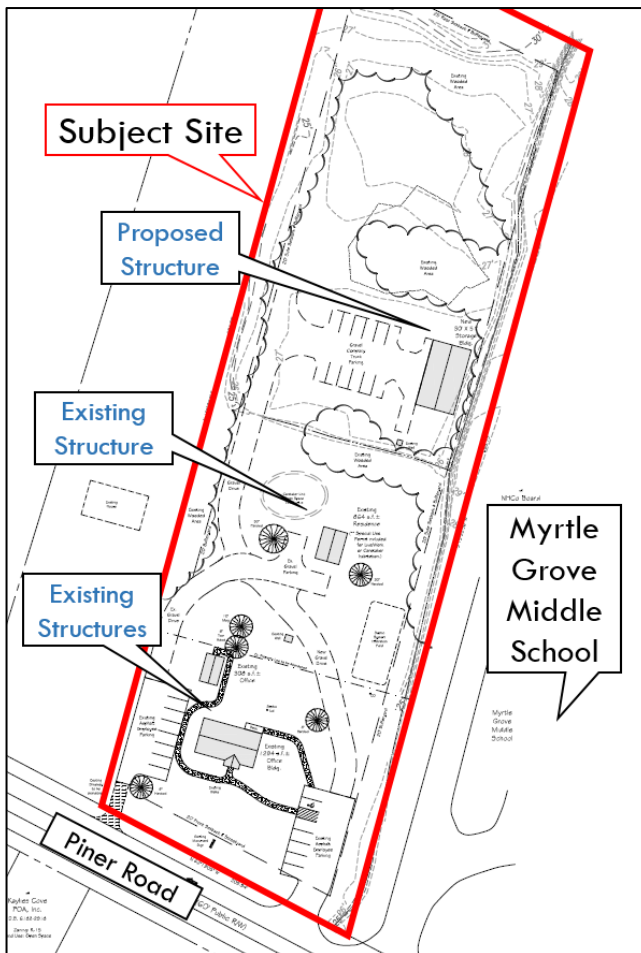
- The subject property is currently zoned (CUD) O&I with a Special Use Permit allowing the site to be used for office and recreation (golf training center) uses.
- Currently, two office buildings and one dwelling unit are located on the site. The dwelling was constructed on the site prior to the property being initially zoned as a conditional O&I district in 1997, and was approved to be converted for use as an office and the golf training center in 2002. However, the recreation use never commenced operation and the dwelling still remains as a legal nonconformity.



Current Approved Conceptual Plan



## APPLICANT'S PROPOSED CONCEPTUAL PLAN

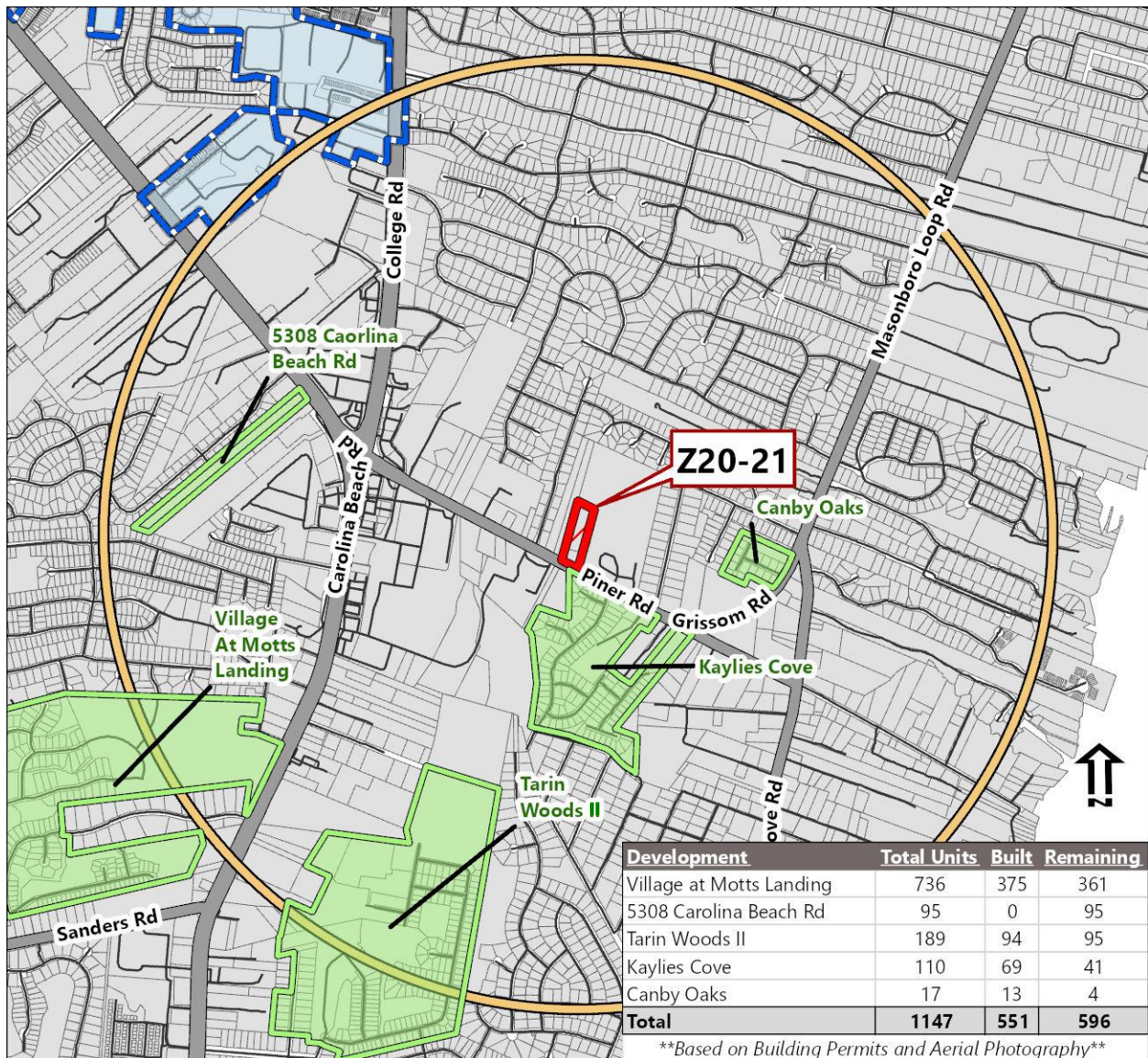


- The applicant is proposing to use the site for a landscape contractor's business. The existing office buildings will remain, and a new storage building and company truck parking area are proposed to be constructed behind the existing structures.
- The proposal would also allow for the existing dwelling to be used as a live/work unit for the business, which requires a Special Use Permit (SUP) in the proposed CB district. The applicant has applied for a separate SUP application for the live/work unit (S20-04) that is being processed concurrently with this rezoning application.
- The plan does not indicate any improvements will be made in the northern portion of the site, which is approximately one acre in area and 200 feet in length.
- The proposal will remove one of the two existing driveways currently accessing Piner Road.

## ZONING CONSIDERATIONS

- In the proposed CB district, outside storage areas are prohibited and all work associated with contractor operations shall be conducted entirely within enclosed structures.
- In the CB district, a minimum 25-foot rear setback, 20-foot interior setback, and 20-foot opaque bufferyard are required where the development abuts existing residential properties. Maximum height may not exceed 3 stories or 45-feet, though the existing and proposed buildings will not exceed 25 feet.
- In addition to the contractor's office, other office related uses would be permitted in the existing buildings after administrative review and approval. A single-tenant office would require the same amount of parking and is estimated to generate a similar amount of trips as a contractor's office.

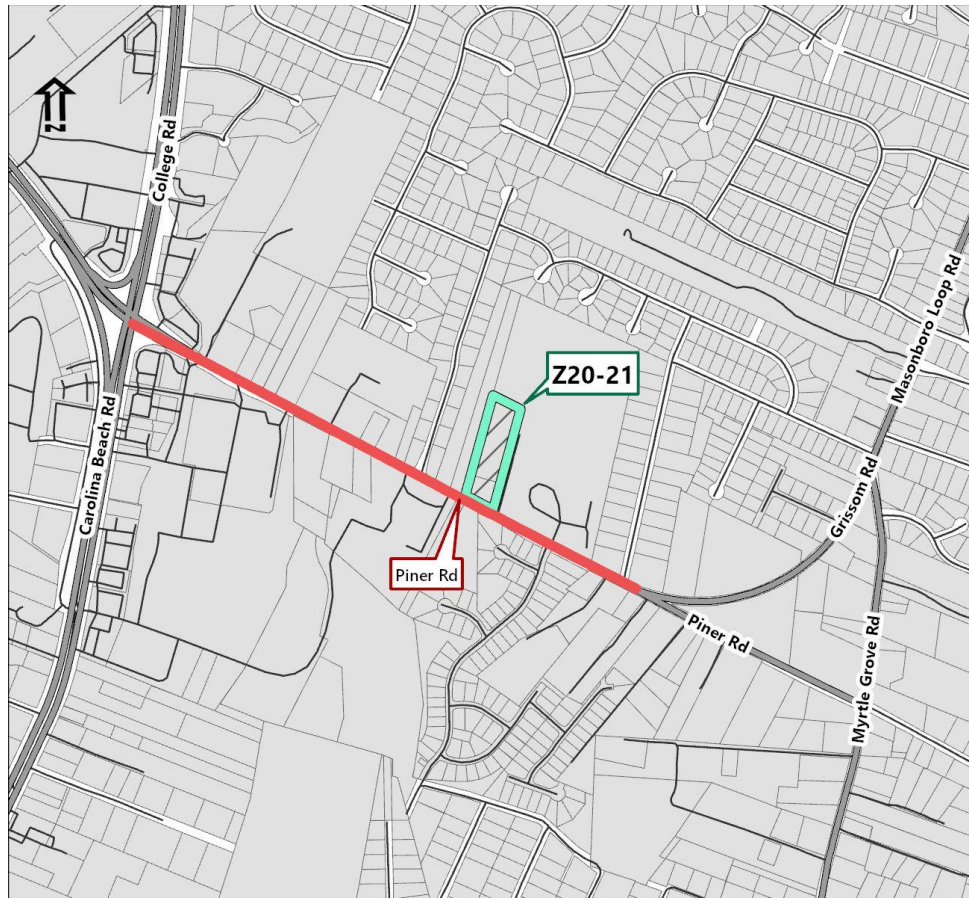
## AREA SUBDIVISIONS UNDER DEVELOPMENT



## TRANSPORTATION

- The site is accessed by Piner Road, an NCDOT-maintained minor arterial road. The site is approximately one half mile from both the Carolina Beach Road/S. College Road intersection and the Myrtle Grove Road intersection.





- As currently zoned, it is estimated the site would generate about 5-10 trips during the weekday peak hours and 20 peak hour trips on Saturday (generated from the recreational use). The proposed development is estimated to generate approximately the same number of trips during the weekday peak hours.
- A revised NCDOT driveway permit will be required for the proposal. NCDOT provided preliminary comments indicating that the driveway radius will need to be enlarge to accommodate the vehicles associated with the business.
- Based on the operation of the business, it is estimated that many of the trips generated from office will occur outside of the peak hours. According to the applicant, the field crew employees arrive at the office at 6:30 AM then leave for the specific jobs sites. They arrive back at the office around 3:00 PM before leaving for the day.
- The site is adjacent to two schools (Myrtle Grove Middle and Myrtle Grove Christian School). Drop off times range from 7:30-8:30 AM and pick up times range from 2:30-3:30 PM.

	<b>Intensity</b>	<b>Approx. Peak Hour Trips*</b>
Existing Development:	Office/Recreation	5 AM / 9 PM 20 Saturday
Proposed CB Development:	Contractor Office/Live-Work Unit	6 AM / 7 PM

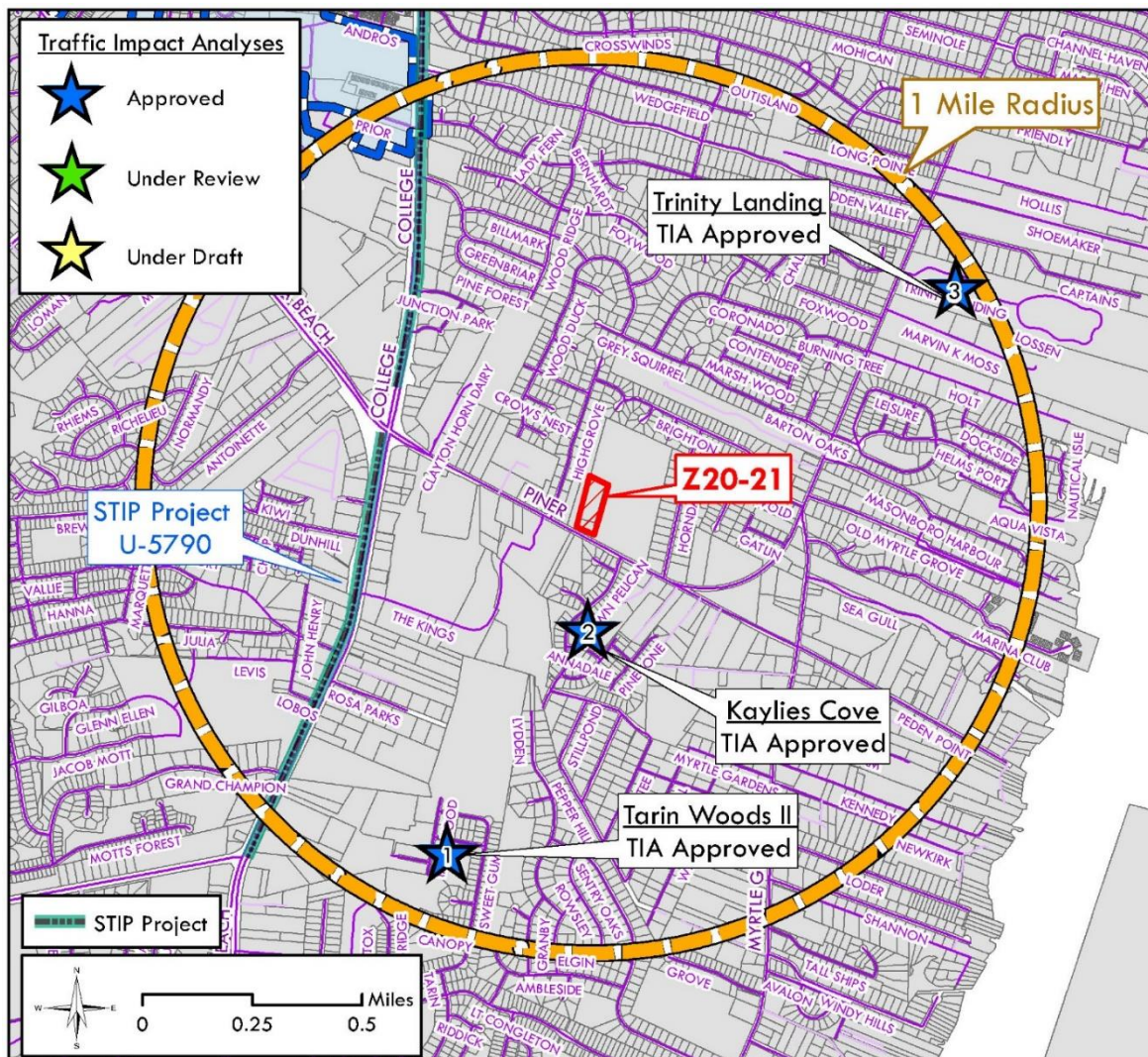
\*Per the Kaylies Cove TIA, the AM peak hour on Piner Road begins at 7:30 and the PM peak hour begins at 5:00.

- The estimated number of peak hour trips anticipated with the proposed development is below the 100 peak hour trip threshold that triggers the ordinance requirement for a Traffic Impact Analysis (TIA).
- Because a TIA is not required, staff has provided the volume to capacity ratio for Piner 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.

#### NCDOT Average Annual Daily Traffic (AADT) - 2019

Road	Location	Volume	Capacity	V/C
Piner Road	800 Block	17,500	19,604	0.89

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



### **Nearby NC STIP Projects:**

- **STIP Project U-5790**
  - Project to convert the intersection of Carolina Beach Road and College Road to a continuous flow intersection and widen a portion of Carolina Beach Road south of that intersection. Continuous flow intersections permit more efficient travel movements and help alleviate congestion by allowing more of the main street's traffic to move through the intersection. Based on the preliminary plans, Piner Road will consist of the same lane configuration with slight realignment of the roadway and the westbound right turn lane to S. College Road. The project is currently on hold at this time.

### **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.*

Proposed Development	Land Use/Intensity	TIA Status
<b>1. Tarin Woods II</b>	<ul style="list-style-type: none"><li>• 219 Single-Family Homes</li><li>• 458 Townhomes</li></ul>	<ul style="list-style-type: none"><li>• Addendum approved March 26, 2020</li><li>• 2020 Build Out Year</li></ul>
The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of: <ul style="list-style-type: none"><li>• Installation of a northbound leftover/U-turn on Carolina Beach Road at the Harris Teeter driveway (required to be installed during the development of Phase 2A).</li><li>• Installation of a second westbound right turn lane on Manassas Drive at Carolina Beach Road.</li><li>• Includes additional point of egress to Carolina Beach Road</li></ul>		
<b><u>Nearby Proposed Developments included within the TIA:</u></b>		
<ul style="list-style-type: none"><li>• Beau Rivage Update</li><li>• Beau Rivage Townhomes</li></ul>		
<b>Development Status:</b> The total number of units studied by the TIA was based on a proposed rezoning of the development that was denied by the Board of Commissioners in June. The development currently has approval for 189 lots, 175 of which have been platted. The current required roadway improvements (northbound leftover/U-turn on Carolina Beach Road at Harris Teeter) have not been completed at this time.		



<b>2. Kaylies Cove</b>	<ul style="list-style-type: none"> <li>• 110 Single-Family Homes</li> </ul>	<ul style="list-style-type: none"> <li>• Approved February 20, 2018</li> <li>• 2019 Build Out Year (as studied in the TIA)</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>• Installation of a eastbound right turn lane and westbound left turn lane on Piner Road at the site's access.</li> </ul>		
Nearby Proposed Developments included within the TIA:		
<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Development Status: Homes under construction. 110 lots have been platted at this time, and both turn lanes have been installed.</b>		

<b>3. Trinity Landing</b>	<ul style="list-style-type: none"> <li>• 220 senior adult housing dwelling units and amenities</li> </ul>	<ul style="list-style-type: none"> <li>• Approved June 23, 2017</li> <li>• 2020 Build Out Date</li> </ul>
<p>The TIA required improvements be completed at certain intersections in the area. The major improvements consisted of:</p> <ul style="list-style-type: none"> <li>• Installation of a northbound right turn lane on Masonboro Loop Road at the site's access.</li> </ul>		
Nearby Proposed Developments included within the TIA:		
<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Development Status: The development is currently under construction. The roadway improvement has not been installed at this time.</b>		

## ENVIRONMENTAL

- The property is not within a Flood Hazard Area.
- The property does not contain any Natural Heritage Areas.
- The property is within the Mott Creek (C;Sw) watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class III (severe limitations). However, CFPUA sewer is available through a force main connection.

## OTHER CONSIDERATIONS

### Context and Compatibility

- The site has been used for office related uses since the late 1990s. The existing office buildings will continue to be used by the business.
- Contractor offices generally generate fewer trips than other typical commercial uses (retail, restaurants) with many trips occurring outside of peak hours. The proposed development is estimated to generate approximately the same number of trips during the weekday peak hours as the uses currently allowed on the site.

Current Use of the Property:



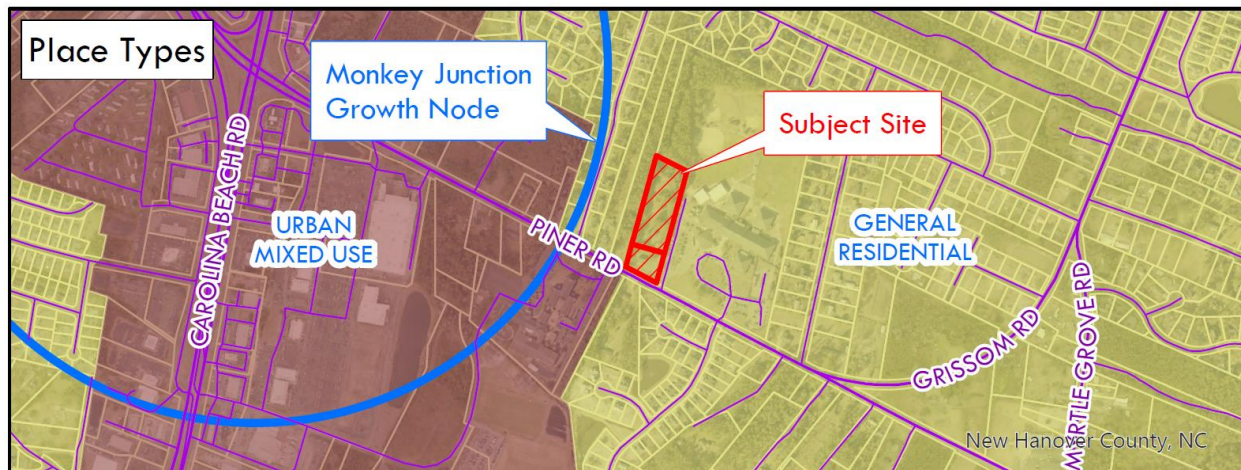
Example of Proposed Use:



*Freedom Lawns in Hampstead*

## 2016 COMPREHENSIVE LAND USE 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.



Future Land Use Map Place Type	General Residential
Place Type Description	Focuses on lower-density housing and associated civic and commercial services. Typically, housing is single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout. Types of uses include single-family residential, low-density multi-family residential, light commercial, civic, and recreational.
Analysis	<p>The intent of the General Residential place type is to provide opportunities for lower density residential development and supportive commercial, civic, and recreational development. Commercial uses in General Residential areas are recommended to be "strategically located" office and retail. This generally means that neighborhood-scale office and retail can be located at nodes, such as intersections where several neighborhoods have convenient access, or office and institutional uses can serve as transitions between residences and more intensive commercial areas.</p> <p>The subject property, while not located in an area where an office use is as likely to provide services to nearby properties, is the site of an existing, longstanding office use. The proposed lawn care business would continue the existing light office type use, which has been in existence since 1997, and would add limited vehicle traffic onto Piner Road.</p>



<b>Analysis</b>	Locating the proposed office and live/work use on the proposed site would be in keeping with the current development pattern and provides some lower intensity transition between the middle school and adjacent residential properties.
<b>Consistency Recommendation</b>	The proposed office and live/work use is generally <b>CONSISTENT</b> with the 2016 Comprehensive Plan because it is located on a site that provides some transition between the middle school and adjacent residential properties and would allow for reuse of existing structures.

## PLANNING BOARD ACTION

The Planning Board considered this application at their November 5, 2020 meeting. At the meeting, no one from the public spoke in favor of, or in opposition to, the proposal. The Planning Board recommended approval of the application (4-0), finding it to be:

**CONSISTENT** with the purposes and intent of the Comprehensive Plan because it will provide an appropriate transition between the adjacent middle school and residential properties. The Planning Board also found **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would allow reuse of the existing structures and because the proposed lawn care business is estimated to not increase the amount of traffic generated from the site.

## STAFF RECOMMENDATION

**Staff concurs with the Planning Board's recommendation** and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a conditional CB district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it will provide an appropriate transition between the adjacent middle school and residential properties. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would allow reuse of the existing structures and because the proposed lawn care business is estimated to not increase the amount of traffic generated from the site.

**[Optional]** Note any conditions to be added to the district.

### Example Motion for Denial

I move to **DENY** the proposed rezoning to a conditional CB district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it will provide an appropriate transition between the adjacent middle school and residential properties, 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 intensity will adversely impact the adjacent neighborhoods.