### STAFF SUMMARY FOR Z18-15

#### CONDITIONAL USE ZONING DISTRICT APPLICATION

#### APPLICATION SUMMARY

<table>
<thead>
<tr>
<th>Case Number:</th>
<th>Z18-15</th>
</tr>
</thead>
</table>
| Request:     | A) Rezoning to a Conditional Use R-10 Zoning District  
               B) Special Use Permit for a multi-family development |
| Applicant:   | Richard Collier - McKim & Creed  
               SENCA Properties, LLC |
| Location:    | 1100 Pandion Drive  
               14.57 Acres |
| PID(s):      | R02900-002-147-000  
               General Residential  
               General Residential |
| Existing Land Use: | Undeveloped  
| Proposed Land Use: | Multi-family (“high density” development) |
| Current Zoning: | R-15  
| Proposed Zoning: | (CUD) R-10 |

#### SURROUNDING AREA

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td></td>
</tr>
<tr>
<td>Undeveloped, New Hanover Regional Medical Center</td>
<td>R-15, (CZD) O&amp;I</td>
</tr>
<tr>
<td>East</td>
<td></td>
</tr>
<tr>
<td>Coastal Preparatory Academy, Single-Family Residential (Scotts Hill Village)</td>
<td>R-15</td>
</tr>
<tr>
<td>South</td>
<td></td>
</tr>
<tr>
<td>Single-Family Residential</td>
<td>R-15</td>
</tr>
<tr>
<td>West</td>
<td></td>
</tr>
<tr>
<td>Single-Family Residential, Undeveloped</td>
<td>R-15</td>
</tr>
</tbody>
</table>
ZONING HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 6, 1971</td>
<td>Initially zoned R-15 (Area 5)</td>
</tr>
</tbody>
</table>

COMMUNITY SERVICES

<table>
<thead>
<tr>
<th>Service</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water/Sewer</td>
<td>Water and sewer services are available through CFPUA.</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>New Hanover County Fire Services, New Hanover County Northern Fire</td>
</tr>
<tr>
<td></td>
<td>District, New Hanover County Station Porters Neck</td>
</tr>
<tr>
<td>Schools</td>
<td>Castle Hayne Elementary, Eaton Elementary, Holly Shelter Middle, and</td>
</tr>
<tr>
<td></td>
<td>Laney High schools</td>
</tr>
<tr>
<td>Recreation</td>
<td>Ogden Park</td>
</tr>
</tbody>
</table>

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Category</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation</td>
<td>No known conservation resources</td>
</tr>
<tr>
<td>Historic</td>
<td>No known historic resources</td>
</tr>
<tr>
<td>Archaeological</td>
<td>No known archaeological resources</td>
</tr>
</tbody>
</table>

PROPOSED SITE PLAN

- The application proposes to develop an apartment complex containing 192 units. The units will consist of 36 one-bedroom units, 84 two-bedroom units, and 72 three-bedroom units.
- The Zoning Ordinance requires opaque buffers to be provided along property lines that abut residential uses and zoning. In addition, the apartment buildings must be setback a distance equal to the building’s height (38 feet) where adjacent to existing detached residential development. Due to existing utility and access easements along two of the three borders of the site, the impervious surfaces (including parking lots) and buildings are setback at minimum 70 and 150 feet, respectively, from the side and rear property lines.
Under the performance residential standards, the proposed rezoning would result in the subject property being permitted an additional 12 dwelling units. Under the special use permit high density standards, the proposed rezoning would permit an additional 99 dwelling units, however the applicant is not requesting the maximum number of dwelling units permitted in a R-10 high density development.

<table>
<thead>
<tr>
<th></th>
<th>R-15</th>
<th>R-10</th>
<th>Proposed CUD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Min Lot Size</strong></td>
<td>15,000 sf</td>
<td>10,000 sf</td>
<td>N/A</td>
</tr>
<tr>
<td>(Conventional)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Max Density</strong></td>
<td>2.5 du/ac</td>
<td>3.3 du/ac</td>
<td>13.1 du/ac</td>
</tr>
<tr>
<td>(Performance)</td>
<td>10.2 du/ac</td>
<td>17 du/ac</td>
<td></td>
</tr>
<tr>
<td>(High Density)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Max Dwelling Units for</strong></td>
<td>36 (Performance)</td>
<td>48 (Performance)</td>
<td>192</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>148 (High Density)</td>
<td>247 (High Density)</td>
<td></td>
</tr>
</tbody>
</table>

Proposed Site Plan
The approximately 200-acre area around the subject property was under unified-ownership in the 2000s. Development plans for portions of the entire site have been submitted and reviewed by the County since this time. The plans included the New Hanover Regional Medical Center and future development of a medical park along US 17. These areas where rezoned to conditional O&I and B-1 districts in 2007.

Also originally proposed in 2007 was a preliminary plat for Scotts Hill Village, a performance residential development which at the time sought to construct 156 single-family units and 144 multi-family units. The areas proposed for multi-family in that preliminary plat included the subject property and the property which has been developed as the Coastal Preparatory Academy. In 2014, Scotts Hill Village received preliminary plat approval for 226 single-family units (that plat did not include the subject property or the property developed as the Coastal Preparatory Academy). Currently, two phases of Scotts Hill Village have been platted consisting of 68 lots.

**TRANSPORTATION**

- Access is provided to the subject property by Pandion Drive (Private) which connects to US 17 via Scotts Hill Medical Drive (Private) and Scotts Hill Loop Road (SR 1571).
- The subject property is a part of an association responsible for the maintenance of Pandion Drive and Scotts Hill Medical Drive. The association is made up of eight lots and includes the owners of Scotts Hill Village, Coastal Preparatory Academy, Scotts Hill Medical Park, and the New Hanover Regional Medical Center.

**Traffic Counts – January 2018**

<table>
<thead>
<tr>
<th>Road</th>
<th>Location</th>
<th>Volume</th>
<th>Capacity</th>
<th>V/C</th>
</tr>
</thead>
<tbody>
<tr>
<td>US 17</td>
<td>10200 Block</td>
<td>39,343</td>
<td>57,008</td>
<td>0.69</td>
</tr>
</tbody>
</table>
### Trip Generation

<table>
<thead>
<tr>
<th>LAND USE (ITE Code)</th>
<th>INTENSITY</th>
<th>AM PEAK</th>
<th>PM PEAK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-family Apartments (220)</td>
<td>192 dwelling units</td>
<td>98</td>
<td>123</td>
</tr>
</tbody>
</table>

- As currently zoned, R-15, the subject site would be permitted a maximum of 36 dwelling units under the performance residential standards. A detached single-family dwelling typically generates about one trip during the peak hours. With this zoning, the property is estimated to currently generate approximately 36 trips during the peak hours. The proposed rezoning to allow 192 multi-family units is estimated to increase the trips by approximately 60 in the AM peak and 90 in the PM peak.

- A Traffic Impact Analysis (TIA) was completed for the project and has been approved by the WMPO and NCDOT. The TIA can be found online at the County’s Development Activity Page: [http://planningdevelopment.nhcgov.com/development-activity/](http://planningdevelopment.nhcgov.com/development-activity/).

- The following roadway improvements are required for the proposed development:
  - Installation of a new northbound to southbound U-turn lane and U-turn bulb on US 17 just south of Scotts Hill Loop Road with 250 feet of storage and a 200-foot taper.
  - Retiming of the signals along US 17 to accommodate the traffic under future conditions.
Nearby Planned Transportation Improvements and Traffic Impact Analyses

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.

- Reviews of TIAs are managed by the WMPO to ensure that roadway improvements are coordinated between multiple projects.
### Proposed Development

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Land Use/Intensity</th>
<th>TIA Status</th>
</tr>
</thead>
</table>
• Phase 2 (2018-2019) – 587 students  
• Phase 3 (2019-2020) – 664 students  
• Phase 4 (2020-2021) – 731 students | • TIA approved January 11, 2017 |

The TIA recommended* improvements be completed at certain intersections in the area. The notable recommendations consisted of:

- Extension of the existing northbound left/u-turn lane at US 17 and Sidbury Road
- Modification of signal timing at traffic lights located on US 17 at Scotts Hill Loop Road and Sidbury Road
- Driveway improvements at the site’s access with Pandion Drive
- Installation of a left turn lane into the site
- Installation of dual westbound right-turn lanes on Scotts Hill Loop Road at the US 17 intersection

Per NCDOT, the school has not completed any of the recommended improvements.

*When this TIA was approved, State law prohibited NCDOT from requiring schools to install roadway improvements. Under current regulations, the total cost of any required improvements to the State highway system must be reimbursed by NCDOT.

#### Nearby Proposed Developments included within the TIA:

- Blake Farms
- New Hanover Regional Medical Center
- Scotts Hill Village

**Development Status:** The initial building has been constructed and the school is on schedule with the phasing plan noted above.

| 2. Blake Farms (Pender County) | • 500 Single-Family Units  
• 700 Active Adult/Senior Attached Units  
• 1,798 Active Adult/Senior Detached Units  
• 50,000 sf Mini-Warehouse  
• 50,000 sf Retail Space  
• 2 150-Room Hotels | • Approved July 6, 2015  
• 2029 Build Out Year |

The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:

- Installation of a multiple turn lanes on US 17 and Sidbury Road
- Installation of a new signal and u-turn lane at the intersection of US 17 and Sidbury Road
Nearby Proposed Developments included within the TIA:

- None

Development Status: No construction has started at this time.

### 3. Scotts Hill Village

**New Hanover Regional Emergency Facility**

- 64,000 sf of medical offices
- 200,000 sf hospital
- TIA Approved April 8, 2014
- 2018 Full Build Out Year

The TIA required improvements be completed at certain intersections in the area. The major improvements consist of:

- Installation of a northbound u-turn lane, left-turn crossover lane, and westbound right-turn lanes at the intersection of US 17 and Scotts Hill Medical Drive
- Installation of a u-turn lane on US 17 at Scotts Hill Loop Road

Per NCDOT, the improvements required at this time have been installed in accordance with their standards. Additional improvements will be required to be installed when future phases of the development are completed.

Nearby Proposed Developments included within the TIA:

- Scotts Hill Village
- Stevens Point Apartments
- Vineyard West

Development Status: Partially Completed (The emergency room has been constructed)

### 4. Scotts Hill Village

- 226 Single-Family Homes
- TIA approved February 4, 2014
- 2018 Build Out Year

The TIA required improvements be completed at certain intersections in the area. The major improvements consist of:

- Installation of an eastbound right turn lane at Scotts Hill Loop Road and the site access

The improvements required at this time have been installed in accordance with NCDOT’s standards.

Nearby Proposed Developments included within the TIA:

- Vineyard West
- Stevens Point Apartments
- Scotts Hill Medical Center

Development Status: Under construction, two phases have been platted consisting of 68 lots
Regional Transportation Plans:

- **NCDOT Project 44238**
  - Proposal for roadway improvements at the Market Street/I-140 interchange. Preliminary plans propose to realign the I-140 Market Street exit so that it connects directly into Porters Neck Road, and to widen existing ramps to and from Highway 17. This project is currently unfunded.

- **STIP Project U-4751 (Military Cutoff Extension)**
  - Extension of Military Cutoff Road from Market Street to I-140. Construction is underway.

- **STIP Project R-3300A (Hampstead Bypass)**
  - US 17 bypass of Hampstead connecting to I-140 and the Military Cutoff Extension. Right-of-way acquisition is currently in progress.

ENVIRONMENTAL

- The property does not contain any Special Flood Hazard Areas or Natural Heritage Areas.
- No wetlands will be impacted by the site’s development.
- The property is within the Futch Creek (SA;HQW) watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (suitable/slight limitation) and Class III (severe limitation) soils. However, the Zoning Ordinance requires the development to be served by public water and sewer.

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. Specific goals of the comprehensive plan are designated to be promoted in each place type, and other goals may be relevant for particular properties.
| Place Type Description | General Residential 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 | The subject property is designated as General Residential, the intent of which is to provide opportunities for similar lower density residential development and supportive commercial, civic, and recreational development. The area along Market St./Hwy 17 north of the subject property is designated as a Community Mixed Use place type. This place type 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. In general, this designation extends a few hundred feet from the right-of-way before changing to the General Residential classification, except for the medical center property east of the proposed development. There, the Community Mixed Use designation extends all the way to Pandion Dr. As a result, the subject site is immediately adjacent to a Community Mixed Use place type and is considered to be located in a transitional area. The site is located in a transition area between two place types. Because of the general nature of place type borders, which were not intended to be absolute and fixed like zoning districts, parcels located in proximity to the boundaries between place types could be appropriately developed in accordance with either place type. This allows for site-specific features and evolving development patterns in the surrounding area to be considered. When the Future Land Use Map was completed in 2016, plans for the charter school had not been submitted to the County. The place type boundary generally followed property lines of residentially zoned parcels. With the development of the school site to the south and the existing medical center development to the east, the subject property could appropriately be developed to provide a transition between the higher intensity uses possible along Market St. and the school and low-density residential properties to the south. Any further expansion of the place type beyond this proposal to the east and south of the subject site would be limited by existing and planned lower density development. |
| Consistency Recommendation | While the proposed development is not consistent with the General Residential place type, it is generally CONSISTENT with the Comprehensive Plan’s intent of providing an orderly transition of uses from higher intensity to lower intensity areas, preserving existing lower density residential development, and providing for a range of housing types. The proposed development is also consistent with the recommended uses and densities of the Community Mixed Use place type adjacent to the site. |
PLANNING BOARD ACTION

At their October 17, 2018 meeting, the Planning Board granted the applicant’s request to continue the item to the Board’s November meeting.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Zoning District. Staff concludes that the request is consistent with the requirements of the Zoning Ordinance and also the 2016 Comprehensive Plan, finding that the application is:

1. Consistent with the purposes and intent of the 2016 Comprehensive Plan because the proposal would provide an orderly transition of uses from higher intensity to lower intensity areas and provide for a range of housing types.
2. Reasonable and in the public interest because the proposed development will connect to water and sewer services, is accessed by collector streets and a highway operating at an acceptable Level of Service, and will install roadway improvements that mitigate the traffic generated by the development.

STAFF PRELIMINARY CONCLUSIONS AND FINDINGS OF FACT:

Staff has conducted an analysis of the proposed use and the information provided as part of the application package and has created preliminary findings of fact for each of the conclusions required to be reached to approve the special use permit request. These preliminary findings of fact and conclusions are based solely on the information provided to date, prior to any information or testimony in support or opposition to the request that may be presented at the upcoming public hearing at the Board meeting.

Finding 1: The Board must find that the use will not materially endanger the public health or safety where proposed and developed according to the plan as submitted and approved.

A. The site is accessed from Pandion Drive and Scotts Hill Medical Drive, private roads constructed to the county’s collector road standards which connect to US 17, a highway that is operating at an acceptable Level of Service.
B. Water and sewer services must be provided and designed in accordance with CFPUA’s standards.
C. The subject property is located in the New Hanover County North Fire Service District.
D. The site is not located within any Special Flood Hazard Area.
E. Traffic impacts are reviewed by the WMPO and NCDOT through a Traffic Impact Analysis, and any required roadway improvements must be installed in accordance with NCDOT’s standards prior to a certificate of occupancy being issued.

Staff Suggestion: Evidence in the record at this time supports a finding that the use will not materially endanger the public health or safety where proposed.
Finding 2: The Board must find that the use meets all required conditions and specifications of the Zoning Ordinance.

A. The site is proposed to be zoned R-10, Residential District.
B. High density developments are allowed by special use permit in the R-10 zoning districts.
C. The site plan has been reviewed by the Technical Review Committee and complies with all applicable technical standards including Zoning Ordinance Section 72-43: High Density Development.

Staff Suggestion: Evidence in the record at this time supports a finding that the use meets all of the required conditions and specifications of the Zoning Ordinance.

Finding 3: The Board must find that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.

A. The surrounding area contains a mixture of land uses including the New Hanover Regional Medical Center, a future medical park, school, and single-family residential housing.
B. Bufferyards must be provided between the development and adjacent residential property.
C. Due to an existing utility easement on the property, the proposed building setbacks for the southern and western property lines are more than double the County’s minimum requirements.

Staff Suggestion: The evidence in the record at this time supports a finding that the use will not substantially injure the value of adjoining or abutting property.

Finding 4: The Board must find that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for New Hanover County.

A. The property is located in an area that transitions between the Community Mixed Use and General Residential place types, as classified in the 2016 Comprehensive Plan.
B. While the property is located within the General Residential place type, it is located immediately adjacent to the Community Mixed Use place type.
C. The proposal is not consistent with the preferred density range of the General Residential place type, which recommends multi-family housing to be developed from 2-6 dwelling units an acre.
D. The proposal is consistent with the recommended uses and densities of the Community Mixed Use place type.
E. Place type borders are not intended to be absolute and fixed like zoning districts, parcels located in proximity to the boundaries between place types could be appropriately developed in accordance with either place type.
F. The proposal is generally consistent with the Comprehensive Plan’s intent of providing an orderly transition of uses from higher intensity to lower intensity areas and providing for a range of housing types.

Staff Suggestion: Evidence in the record at this time supports a finding that the use is general conformity with the plan of development for New Hanover County.