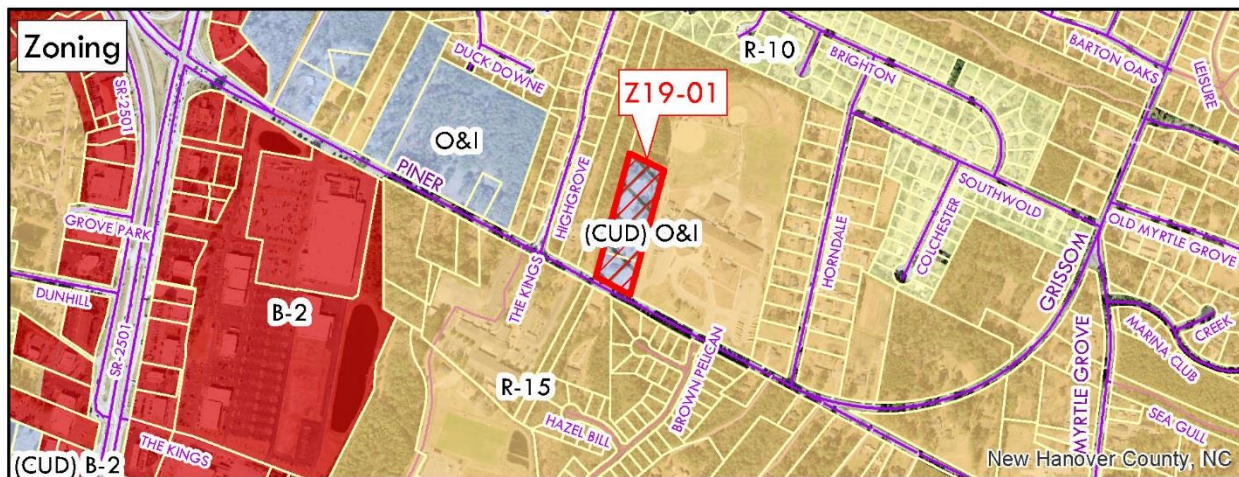


# STAFF REPORT FOR Z19-01

## CONDITIONAL ZONING DISTRICT APPLICATION

APPLICATION SUMMARY	
<b>Case Number:</b> Z19-01	
<b>Request:</b> To rezone the southern 2 acres of the subject property along Piner Road to (CZD) B-1 in order to develop a retail store, and to rezone the northern 1.28 acres to R-15.	
<b>Applicant:</b> Matt Nichols on behalf of Par 5 Development Group, LLC	<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> Retail and residential
<b>Current Zoning:</b> (CUD) O&I	<b>Proposed Zoning:</b> (CZD) B-1 & R-15



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>	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
<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, Codington Elementary, Myrtle Grove Middle, and Ashley High schools
<b>Recreation</b>	Myrtle Grove School Park

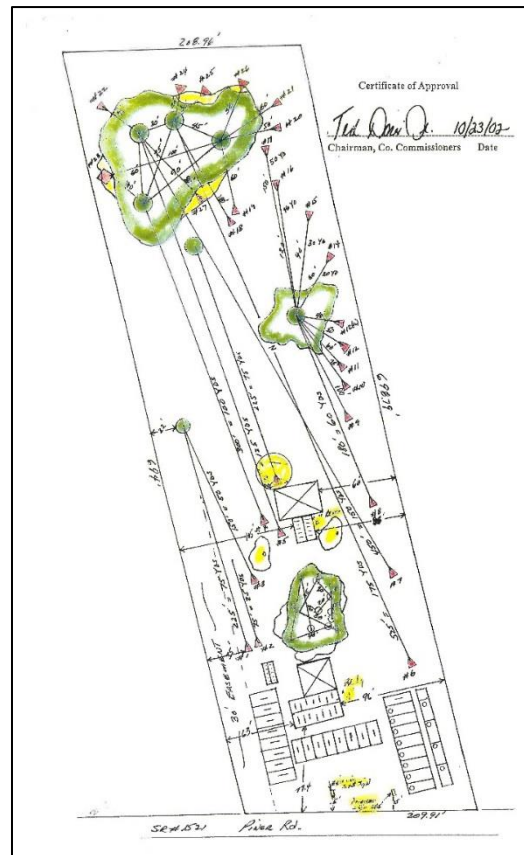
## CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<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 are located on the site. The recreation use is not in operation.

*Current Approved  
Conceptual Site Plan:*



## PROPOSED CONCEPTUAL SITE PLAN

- This application proposes to rezone the southern two acres of the property to (CZD) B-1 in order to develop a 9,100 square foot retail store.
- The remaining 1.28 acres on the northern portion of the site is proposed to be rezoned from the (CUD) O&I district to a general R-15 district. If approved, this portion of the property would be allowed to be developed in accordance with the standards of the R-15 district. 1.28 acres of land within this zoning district would generally permit three residential lots.





the recreation use allowed by the current zoning (golf training center) is estimated to have its peak hour traffic on Saturdays, with about 20 trips anticipated during this time based on the number of tees and operational characteristics.

- This proposal is expected to increase the number of trips in AM peak by approximately 40 trips and in the PM peak by approximately 65 trips.
- Currently, the average daily trips generated by the allowable uses on the site is estimated to be up to 70 trips. The proposal is expected to increase the average daily trips to approximately 600 trips per day.

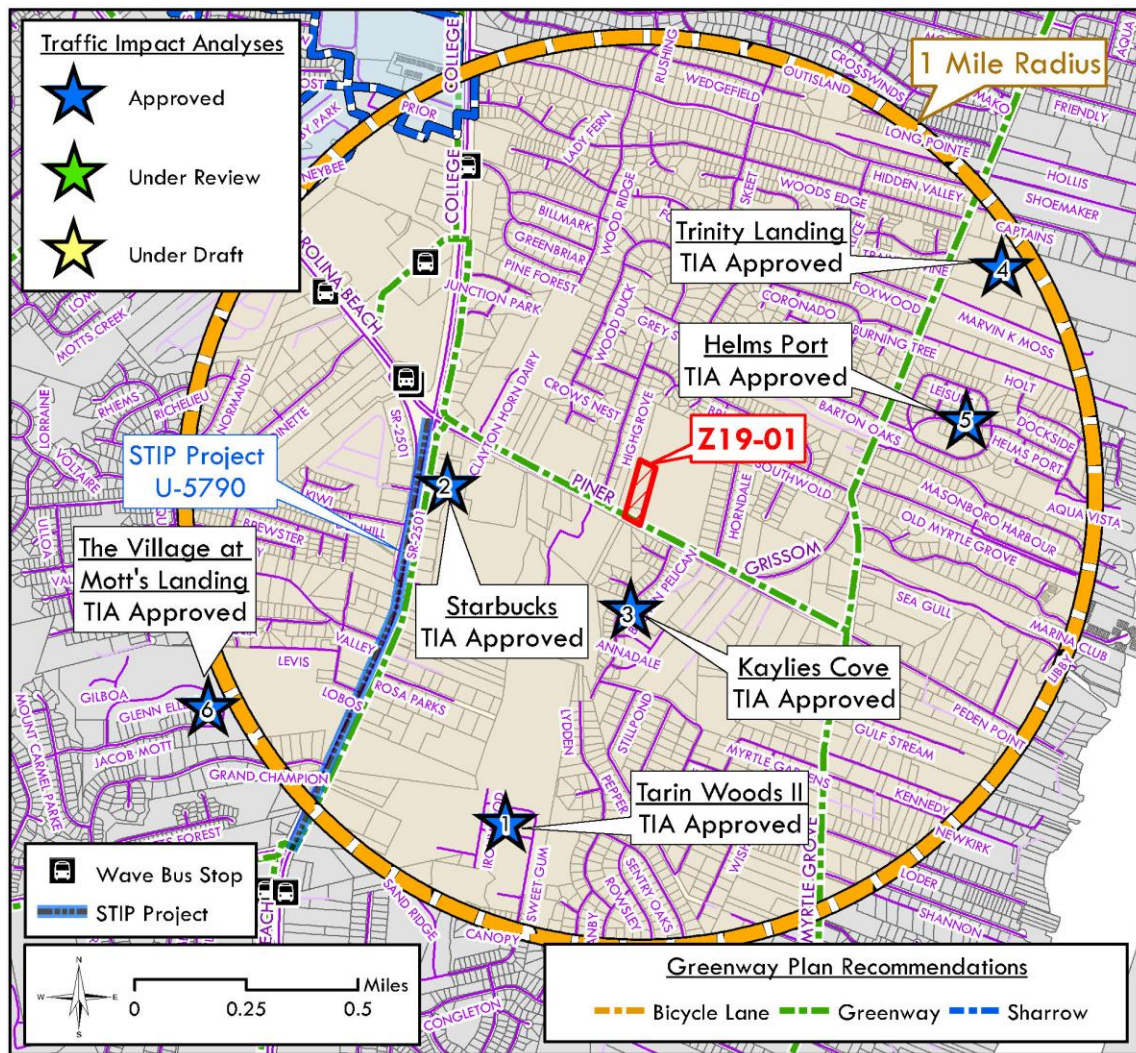
#### **Traffic Counts – August 1, 2018**

<b>Road</b>	<b>Location</b>	<b>Volume</b>	<b>Capacity</b>	<b>V/C</b>
Piner Road	600 Block (North of Home Depot)	12,412	10,400	1.19
Masonboro Road	North of Waterford Subdivision, Southwold Drive	14,215	16,200	0.88
Myrtle Grove Road	South of Peden Point Road	15,745	16,200	0.97

#### **Traffic Impact Assessment**

- The applicant provided a traffic impact assessment conducted by a traffic engineer which examined the potential impact the proposal would have on the surrounding roadway network. Specifically, the assessment looked at the existing conditions of Piner Road, and how the trip generation and distribution of the proposal would affect the road.
- The assessment concluded that the proposal “will have minimal impact on the surrounding roadways and will have adequate site access” and made the following findings:
  - *The development is expected to account for approximately 2% of total traffic on Piner Road east of the site and approximately 1% of the total traffic on Piner Road west of the site.*
  - *This study estimates that approximately 65% of the retail trips will be distributed to the east of the site along Piner Road, which is 395 daily trips, 31 AM peak hour trips, and 47 PM peak hour trips. This peak hour trip generation is approximately 1 trip every 2 minutes in the AM peak hour and less than 1 trip per minute in the PM peak hour.*
  - *Since traffic volumes are higher at the Monkey Junction intersection, the site trips are expected to account for a much smaller percentage of the traffic at this intersection. Any additional trips at the Monkey Junction intersection would be insignificant and not noticeable to vehicles currently using the intersection.*
  - *The peak traffic times of Dollar General are not expected to overlap with the peak traffic times of the adjacent Myrtle Grove Middle School, which minimizes potential for traffic congestion. There is not expected to be a conflict with drivers turning left into the store and school from the existing left-turn lane.*
- The applicant’s entire assessment is included in the attachments.
- A driveway permit from NCDOT must be obtained for the proposal. NCDOT has reviewed the proposal and provided preliminary comments indicating the proposed driveway must be relocated to western side of the site. The applicant is aware of this requirement and is currently working on updating the site plan.

## 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 will expire if the proposed development is not completed by the build out date established within the TIA.

Proposed Development	Land Use/Intensity	TIA Status
1. Tarin Woods II	<ul style="list-style-type: none"> <li>339 Single-Family Homes</li> <li>192 Apartment Units</li> </ul>	<ul style="list-style-type: none"> <li>Approved October 31, 2018</li> <li>Build Out Years: <ul style="list-style-type: none"> <li>Phase 2A (214 single-family homes): 2018</li> <li>Phase 2B (125 single-family and 192 apt homes): 2020 – rezoning required for this phase, no application currently under review</li> </ul> </li> </ul>

The TIA recommends improvements be completed at certain intersections in the area. The notable improvements consist of:

- Installation of a northbound leftover/u-turn lane on US 421 at the Harris Teeter driveway.
- Installation of a second westbound right turn lane on Manassas Drive at Carolina Beach Road.

The improvements are to be bonded through NCDOT during the construction of Phase 2A and installed prior to any certificate of occupancy being issued for Phase 2B.

Nearby Proposed Developments included within the TIA:

- River Lights
- Beau Rivage Update TIA

**Development Status: Phase 2A under construction.**

<b>2. Monkey Junction Starbucks</b>	<ul style="list-style-type: none"> <li>• 2,510 Coffee/Donut Shop with A Drive-Thru</li> </ul>	<ul style="list-style-type: none"> <li>• Approved July 13, 2018</li> <li>• 2019 Build Out Year</li> </ul>
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The TIA recommends improvements be completed at certain intersections in the area. The notable improvements consist of:

- Removal of one of the two existing driveways to the site.

Nearby Proposed Developments included within the TIA:

- None

**Development Status: Construction has not started at this time.**

<b>3. 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</li> </ul>
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The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:

- Installation of a eastbound right turn lane and westbound left turn lane on Piner Road at the site's access.

Nearby Proposed Developments included within the TIA:

- None

**Development Status: Under construction. Roadway improvements have been installed.**



<b>4. 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>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Development Status: No construction has started at this time.</b>		

<b>5. Helms Port</b>	<ul style="list-style-type: none"> <li>• 159 single-family dwellings</li> </ul>	<ul style="list-style-type: none"> <li>• Approved April 8, 2014</li> <li>• 2016 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> <li>• Installation of a three lane cross-section with one ingress and two egress lanes at the site's access.</li> </ul>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Development Status: Roadway improvements have been installed.</b>		

<b>6. The Village at Mott's Landing Phase I &amp; II</b>	<ul style="list-style-type: none"> <li>• 389 single-family dwellings</li> <li>• 24 duplex homes</li> </ul>	<ul style="list-style-type: none"> <li>• Approved February 26, 2014</li> <li>• 2018 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 southbound right turn lane and directional left-over on Carolina Beach Road at the site's access.</li> </ul>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Development Status: Under construction. Roadway improvements have been partially installed.</b>		



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

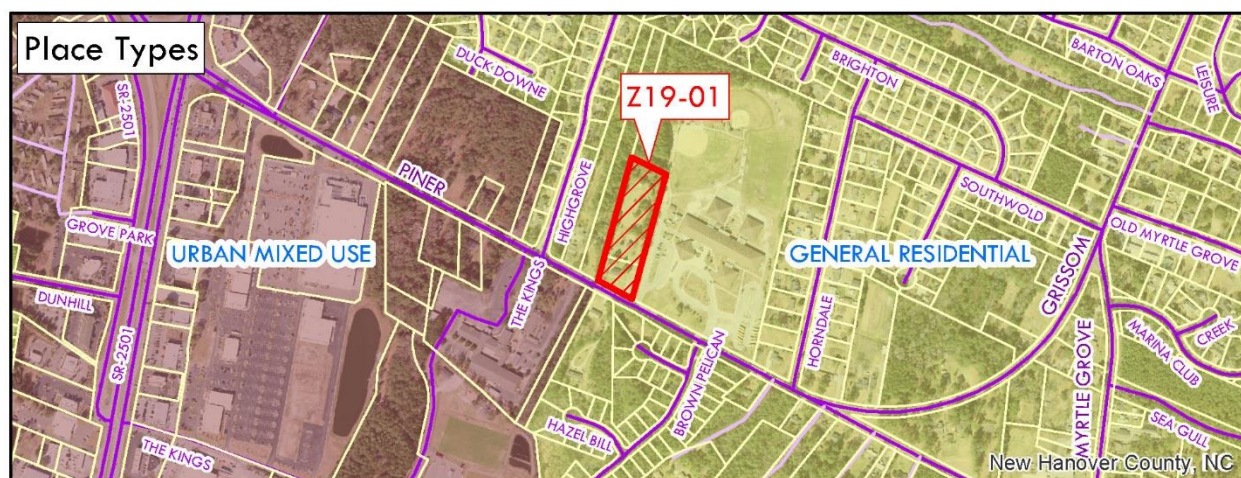
- STIP Project U-5790
  - Proposal that will convert the intersection of Carolina Beach Road/Piner Road and College Road to a continuous flow intersection and widen a portion of Carolina Beach Road south of that intersection. Continuous flow intersections permit more efficient travel movements and help alleviate congestion by allowing more of the main street's traffic to move through the intersection. Construction of the project is expected to start in 2025.

### **ENVIRONMENTAL**

- The property is not within a Flood Hazard Area.
- The property does not contain any Natural Heritage Areas.
- The property is within the Motts 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, CFPWA sewer is available through a force main connection.

### **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.



<b>Future Land Use Map Place Type</b>	General Residential
<b>Place Type Description</b>	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.

<p><b>Analysis</b></p>	<p>One of the primary goals of the 2016 Comprehensive Plan is to allow and encourage a greater mix of land uses to increase residents' access to basic goods and services. This mix of uses is primarily encouraged in the Community Mixed Use and Urban Mixed Use place types, though all place types allow for some mixing of uses. The amount and type of use mix envisioned for a place type depends on how the place type is intended to function.</p> <p>The intent of the General Residential place type is to preserve existing residential neighborhoods and provide opportunities for similar lower density residential development and supportive commercial, civic, and recreational development. As noted in the applicant's rezoning request, the goal of such supportive non-residential uses is "to provide nearby residents a convenient place to buy everyday household goods and food items within walking distance and close driving proximity to surrounding neighborhoods." Commercial uses in the General Residential place type should 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 proposed property, however, is located in an area where these functions are less likely to benefit the surrounding residential neighborhoods. To the west of the property is an area identified as a growth node in the 2016 Comprehensive Plan and that is classified as Urban Mixed Use. Retail uses, such as the proposed store, are intended to cluster in this node, along with a variety of employment and higher-density residential uses, to provide a full range of commercial services. The subject site is in close proximity to the node (about 400 ft.) but is separated by the residential Highgrove Estates neighborhood, which was intended to be the natural ending point for the Urban Mixed Use designated area on the northern side of Piner Road, and two homes facing Piner Road.</p> <p>A retail use placed in this location would not be as likely to assist in creating a neighborhood-scale commercial node for nearby residents because of its close proximity to a higher intensity commercial node. Instead, it is more likely that locating a retail use on the subject property would encourage additional commercial uses on the two existing residential lots east of Highgrove Estates, with Myrtle Grove Middle School becoming the boundary for the commercial node.</p>
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<b>Consistency Recommendation</b>	The proposed retail use is generally <b>INCONSISTENT</b> with the 2016 Comprehensive Plan's aims to strategically locate commercial uses in General Residential areas because the property is located outside of the identified growth node boundary set by the Highgrove Estates neighborhood, where transitional uses like office, institutional, and higher density residential would be more appropriate, and it is not likely to meaningfully increase convenience for residents due to its close proximity to that node.
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## STAFF RECOMMENDATION

Retail uses generally generate higher rates of traffic than residential or office uses, and, although there are some homes on the north side of Piner Road in close proximity to the site, most customers would likely be generated from the homes located east of the site resulting in an increased number of left-out turn movements from the property to return home. Any benefit of closer access to basic goods and services would likely be minimized by increased congestion on Piner Road due to the change in traffic patterns.

**Staff recommends denial of the application.** Staff concludes that the application is:

1. Inconsistent with the purposes and intent of the 2016 Comprehensive Plan's aims to strategically locate commercial uses in General Residential areas because the property is located outside of the identified growth node boundary set by the Highgrove Estates neighborhood, where transitional uses like office, institutional, and higher density residential would be more appropriate, and it is not likely to meaningfully increase convenience for residents due to its close proximity to that node.
2. Although small scale retail provides a service to the residents east of the major Monkey Junction node, the site is located close enough to the existing node to not provide the full benefit of the convenience of avoiding the major intersection. In addition, the proposal is expected to increase traffic, and the location of site being on the northern side of Piner Road would require increased number of left-out vehicular movements to serve the residents east of the site. Therefore, although this proposal may be reasonable, it is not likely in the public interest.