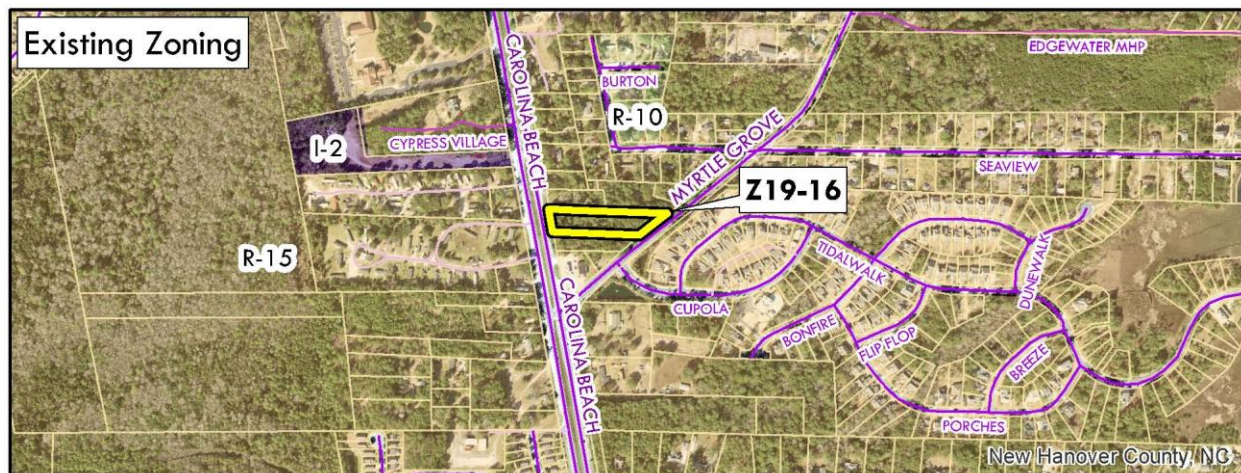


STAFF REPORT FOR Z19-16

CONDITIONAL ZONING DISTRICT APPLICATION

APPLICATION SUMMARY	
Case Number: Z19-16	
Request: Zoning Map amendment to rezone 1.56 acres from R-15 to (CZD) O&I to allow outdoor boat/RV storage	
Applicant: Gary Moore	Property Owner(s): Gary W. Moore Jr. & Falon M
Location: 7800 block of Myrtle Grove Road; 6700 block of Carolina Beach Road	Acreage: 1.56
PID(s): R08200-002-073-000	Comp Plan Place Type: Community Mixed Use
Existing Land Use: Undeveloped	Proposed Land Use: The property would be allowed to be used as an outdoor boat/RV storage lot
Current Zoning: R-15	Proposed Zoning: (CZD) O&I



SURROUNDING AREA		
	LAND USE	ZONING
North	Single-family Residential	R-15, R-10
East	Single-family Residential (Tidalwalk), Intracoastal Waterway	R-15
South	Automobile Service Station (Circle K), Single-family Residential (Old Chimney), Undeveloped Land	R-15
West	Mobile Home Park (Oceanway; Carolina Pines), Undeveloped Land, Repair Services (Lumsden Welding), Telecommunication Tower	R-15, I-2



ZONING HISTORY

April 7, 1971	Initially zoned R-15 (Area 4)
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COMMUNITY SERVICES

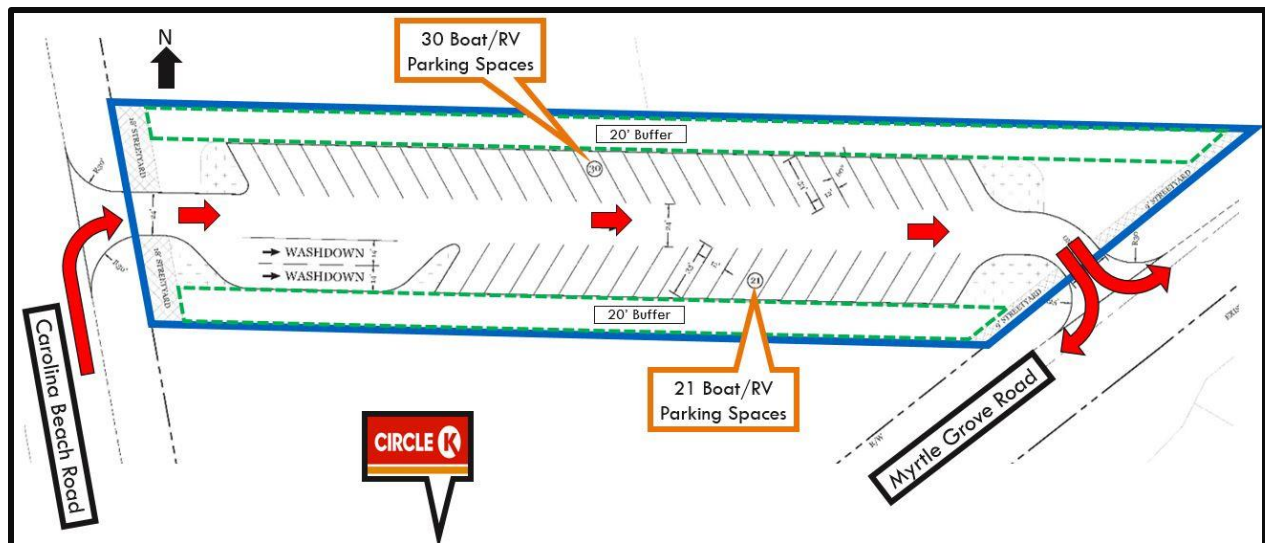
Water/Sewer	Water and sewer are available through CFPUA. Specific design will be determined during site plan review.
Fire Protection	New Hanover County Fire Services, New Hanover County Southern Fire District, New Hanover County Station Federal Point
Schools	Anderson Elementary, Codington Elementary, Murray Middle, and Ashley High School. This use will not impact NHC Schools.
Recreation	Veterans Park, Monterey Heights Park, and Snows Cut Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

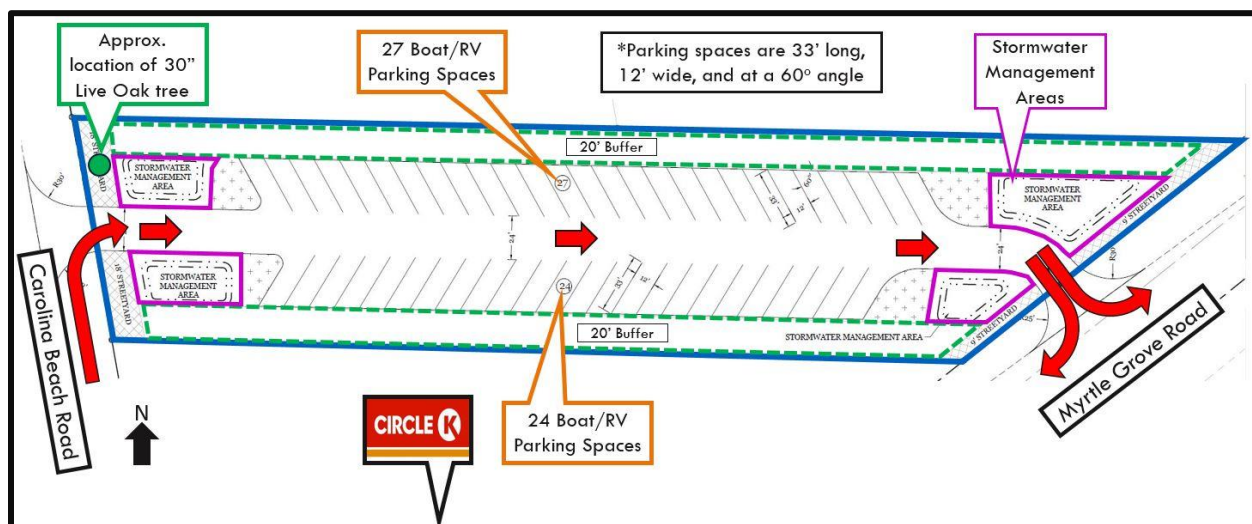
ZONING CONSIDERATIONS

- The applicant is proposing to rezone approximately 1.56 acres from R-15 to (CZD) O&I for an outdoor boat/RV storage lot with a maximum of 51 parking spaces.
- The proposed storage lot will be fenced with an automated gate with 24-hour video surveillance, allowing it to be a self-serve business for customers to drop off or pick up their vehicles during the facility's hours of operation. The applicant has agreed to place a condition on this proposal by limiting the hours of operation to 6:00 AM to 9:00 PM, seven days a week.



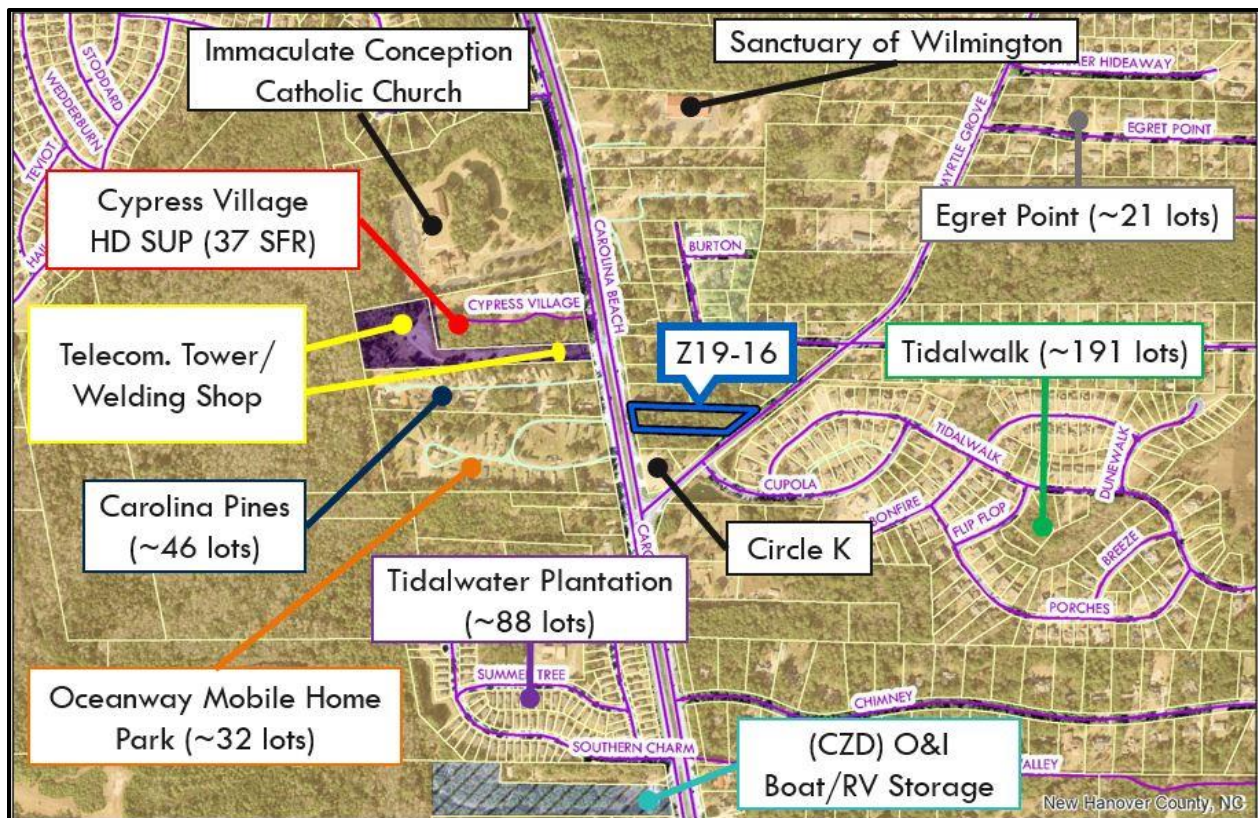
Above: Applicant's Original Conceptual Plan with Staff Markups

Below: Applicant's March 2020 Conceptual Plan with Staff Markups



- The proposed use is classified as a recreational vehicle and boat trailer storage lot, which restricts the applicant from constructing any sort of overhead covering structure and prohibits any repair, maintenance, or habitation of any recreational vehicle or boat stored on the subject property.
- In addition, the landscaping provisions in the Zoning Ordinance require a fully opaque buffer between commercial and residential uses. Currently, there are three single-family dwellings on the properties immediately north of the subject site and the applicant will be required to provide a minimum 20-foot buffer along this property line. Likewise, a minimum 20-foot buffer is required along the southern property line because it shares a common boundary with a residential zoning district.

Below: Existing Land Use in Vicinity of the Subject Site



- All lights must be shielded in a manner so that light from the fixture does not directly radiate into adjacent property.
- No structures are currently proposed for the subject site, however, if at some point in the future a building is proposed, all applicable O&I zoning district building setbacks and landscaping buffers must be met. Because no building is shown on the conceptual plan, if one was ever proposed, the Zoning Ordinance requires that degree of modification to be processed under the same review procedure as the original Conditional Zoning District, including Planning Board and Board of Commissioners consideration.

TRANSPORTATION

- The conceptual plan shows that the traffic will enter the subject site via a proposed driveway on the eastern side of Carolina Beach Road (U.S. HWY 421) and exit via a proposed driveway on the western side of Myrtle Grove Road (SR 1492).
- Per trip generation data provided by NCDOT, the proposed boat/RV storage lot is estimated to generate 7 trips in both the AM and PM peak hours. Because the proposed use does not meet the 100 peak hour trips threshold to require a TIA to analyze the traffic impacts, staff has provided the volume to capacity ratio for Carolina Beach Road and Myrtle Grove 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

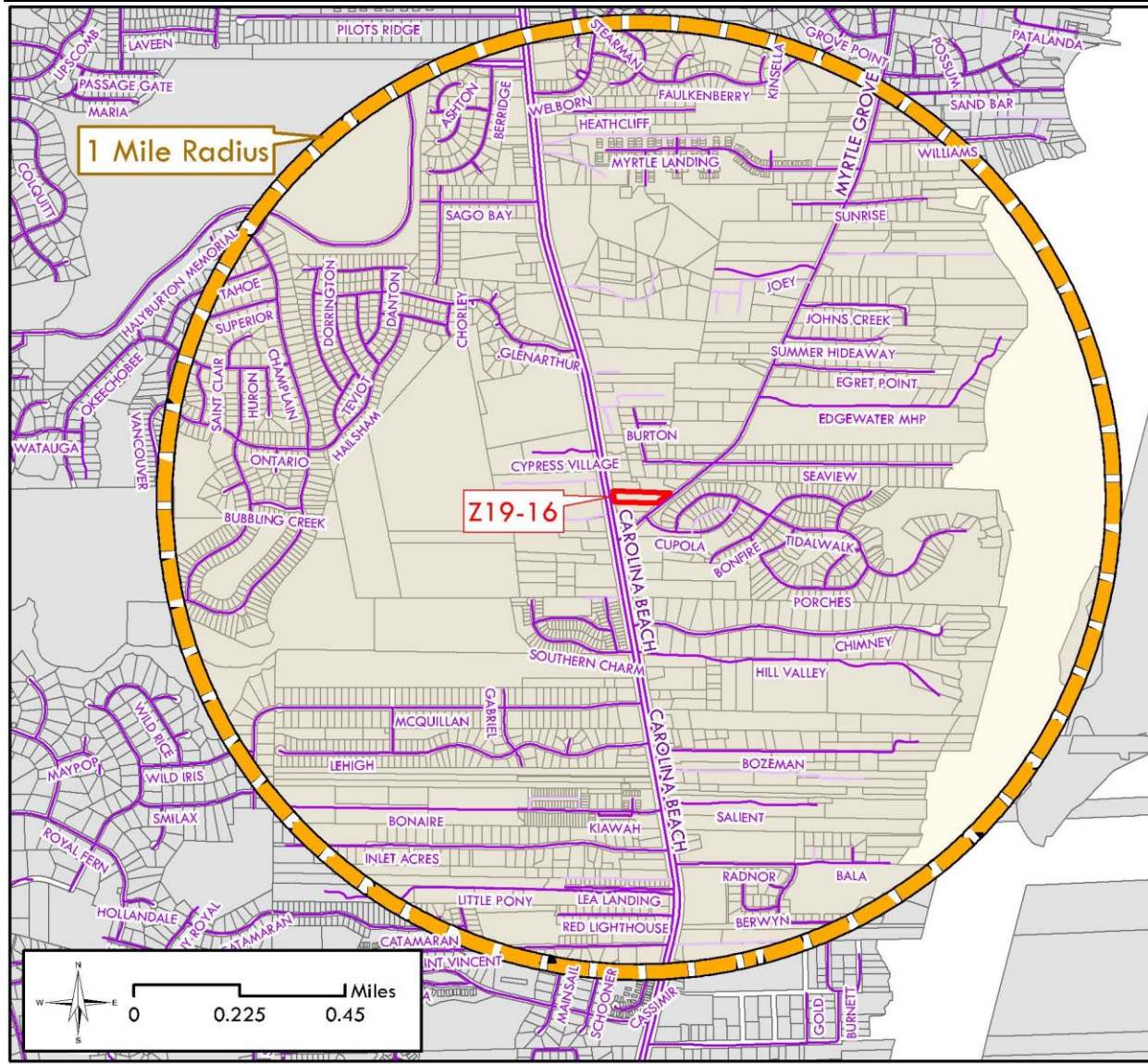
through intersections is generally considered a more effective measure when determining the Level of Service of a roadway. However, the available volume to capacity data indicates capacity currently exists in this area to support the expected additional traffic.

Traffic Counts – 2018

Road	Location	Volume	Capacity	V/C
Carolina Beach Road	6700 Block (north of Myrtle Grove Road)	35,789	40,900	0.88
Carolina Beach Road	6800 Block (south of Myrtle Grove Road)	33,512	40,400	0.83
Myrtle Grove Road	7900 Block (east of Carolina Beach Road)	4,985	16,200	0.31

- When a TIA is not required, improvements may still be required when any proposed use is reviewed by NCDOT during the driveway permitting process. The proposal is not expected to substantively increase the average daily trips on both Carolina Beach and Myrtle Grove Road. However, based upon the proposed one-way travel within the facility, customer traffic traveling from the north to the subject site will have to U-turn at the intersection of Carolina Beach and Myrtle Grove Road or some point further south to enter the site from the northbound lanes of Carolina Beach Road. This movement could create complications with large vehicles or trailers slowing to enter the subject site.
- Based upon NCDOT's preliminary comments, the proposed gate will need to be at least 50 feet from the Right-of-Way, which will allow large recreation vehicles or vehicles towing trailers to fully exit the travel lane on Carolina Beach Road when waiting on the gate to open.

Nearby Planned Transportation Improvements and Traffic Impact Analyses



Nearby Traffic Impact Analyses:

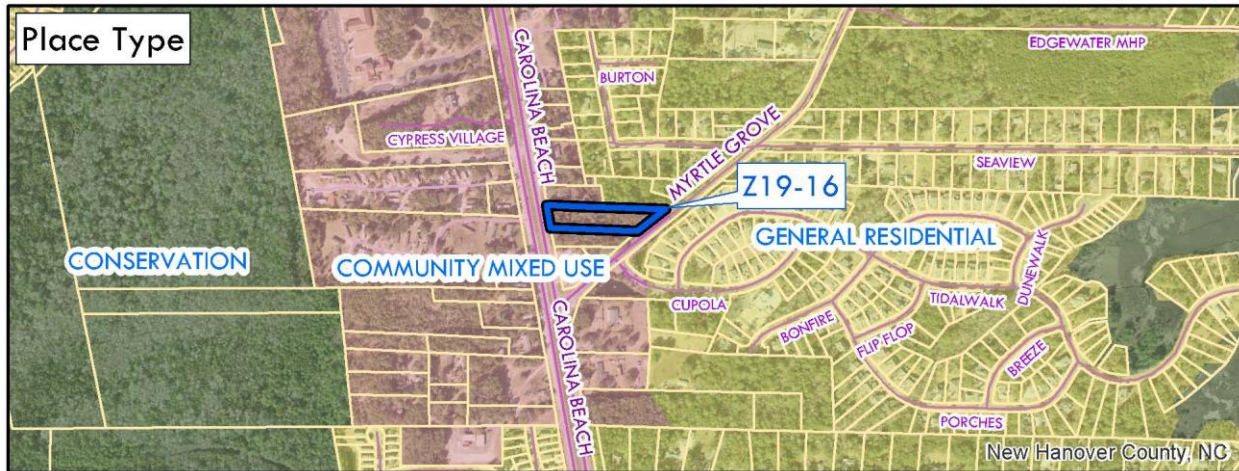
There are no pending or approved Traffic Impact Analyses within the proximity of the subject property that are anticipated to affect this requested modification.

ENVIRONMENTAL

- The subject property is not within a Special Flood Hazard Area (SFHA) and does not contain any Natural Heritage Areas.
- The subject property lies within the White Oak watershed and drains to the Intracoastal Waterway (SA; HWQ).
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (Suitable/slight limitation), Class II (Moderate limitation), and Class III (severe limitations) soils. However, sewer services will be provided by CFPWA.

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	Community Mixed Use
Place Type Description	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.
Analysis	<p>The subject property fronts both Myrtle Grove Rd. and Carolina Beach Rd. just north of where they intersect and approximately one-mile south of the commercial node at Halyburton Parkway and Masonboro Commons.</p> <p>It is located in an area designated as Community Mixed Use because of the opportunity for a community-level commercial service node at the Myrtle Grove Rd./Carolina Beach Rd. intersection, building on the convenience store and fueling station already there and providing a transition to existing residential neighborhoods.</p> <p>While this use is not specifically addressed in the Comprehensive Plan, the proposed storage lot would provide a service to nearby residents and could be an appropriate transition between higher intensity commercial services at the intersection and the adjacent residential properties.</p>

<p>Consistency Recommendation</p>	<p>The proposed RV and boat storage lot is generally CONSISTENT with the 2016 Comprehensive Plan because it is an appropriate service to be located in close proximity to the potential commercial node at the intersection of Myrtle Grove Rd. and Carolina Beach Rd. and existing residential neighborhoods.</p>
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PLANNING BOARD ACTION

The Planning Board considered this application at their December 5, 2019 meeting. Two members of the public spoke during the hearing citing concerns about the hours of operation, associated noise, and that the use was not appropriate next to residential areas.

Board members expressed concerns about the hours of operation, environmental impacts from the wash-down area, the one-way travel movement from Carolina Beach Road through to Myrtle Grove Road, the number of trees needed to be removed to accommodate the construction of the facility, and that the subject property would be more suitable for a residential development rather than the proposed use.

The Planning Board recommended denial of the application (5-0), finding it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it is an appropriate service to be located in close proximity to the potential commercial node at the intersection of Carolina Beach and Myrtle Grove Roads and existing residential neighborhoods. The Board found **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 will adversely impact the adjacent neighborhoods.

The applicant elected to appeal the Planning Board's recommendation to the Board of Commissioners. In response to the Planning Board's concerns, the applicant has agreed to conditions to save the approximately 30" Live Oak tree adjacent to Carolina Beach Road and limit the hours of operation to 6:00 AM to 9:00 PM, seven days a week. In addition, the applicant has modified the conceptual plan by removing the wash-down area and increasing the size of the four stormwater management areas.

STAFF RECOMMENDATION

The proposal is generally consistent with the Comprehensive Plan because the proposed boat/RV storage lot would provide a service to nearby residents that generates relatively low traffic volumes and could be an appropriate transition between higher intensity commercial services at the intersection of Carolina Beach and Myrtle Grove Roads and the adjacent residential properties.

In addition, it is located in an area designated as Community Mixed Use because of the opportunity for a community-level commercial service node at the Carolina Beach and Myrtle Grove Roads intersection, building on the convenience store and fueling station already there and providing a transition to existing residential neighborhoods.

Following the Planning Board meeting, the applicant indicated that in addition to the condition to save the approximately 30" Live Oak tree adjacent to Carolina Beach Road and incorporate it into the site design, he is willing to limit the hours of operation to 6:00 AM to 9:00 PM, seven days a week, and has modified the conceptual plan to remove the wash-down area and enlarge the stormwater areas to address the Planning Board's concerns.

Therefore, Staff recommends approval of this application.

EXAMPLE MOTIONS

Motion for Approval

I move to **APPROVE** the proposed rezoning to a (CZD) O&I district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it is an appropriate service to be located in close proximity to the potential commercial node at the intersection of Carolina Beach and Myrtle Grove Roads and existing residential neighborhoods. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would provide services to the nearby residents, minimize the visual impact of the business by providing additional landscaping and buffering, and serve as an appropriate transition between higher intensity commercial services at the intersection and the adjacent residential properties.

Staff, with agreement of the applicant, included the following conditions:

1. The property owner shall retain the approximately 30" Live Oak tree adjacent to Carolina Beach Road and incorporate it into the site design.
2. The hours of operation shall be limited to 6:00 AM to 9:00 PM, seven days a week.

Motion for Denial

I move to **DENY** the proposed rezoning to a (CZD) O&I district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it is an appropriate service to be located in close proximity to the potential commercial node at the intersection of Carolina Beach and Myrtle Grove Roads and existing residential neighborhoods, 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 will adversely impact the adjacent neighborhoods.