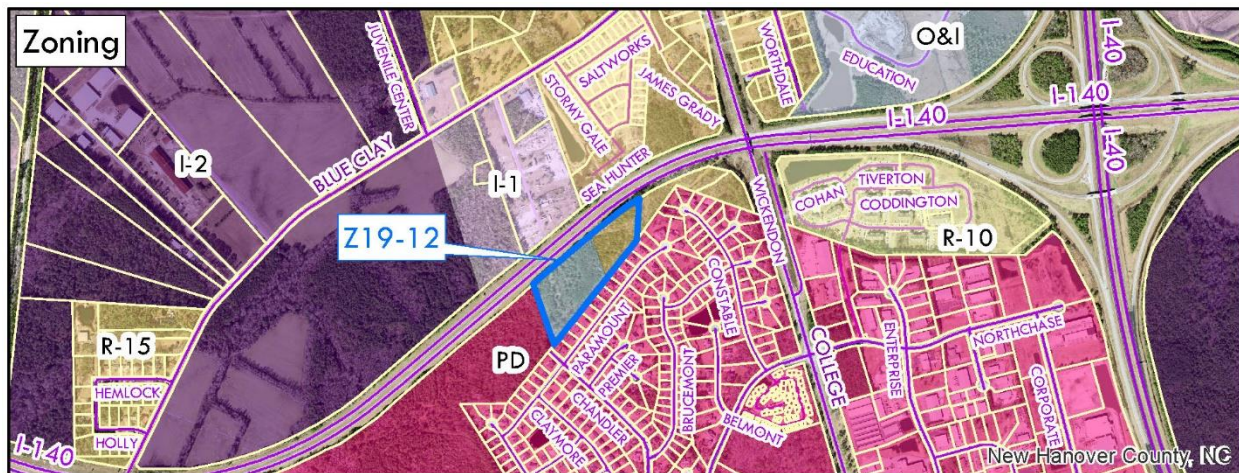


STAFF REPORT FOR Z19-12

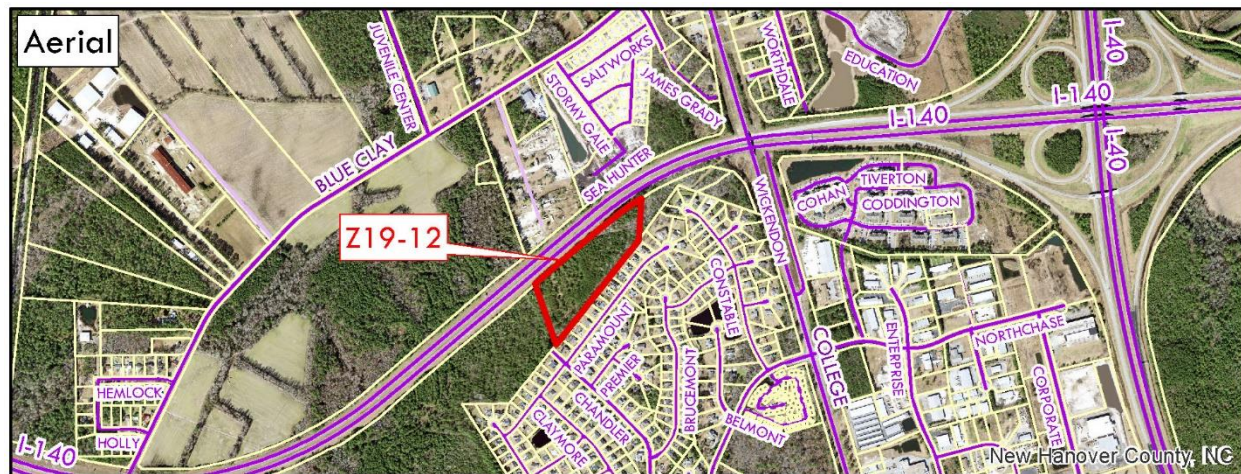
ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
Case Number: Z19-12	
Request: Rezoning to a R-5 Moderate-High Residential District	
Applicant: Cindee Wolf with Design Solutions	Property Owner(s): Raiford G. Trask Jr.
Location: North of the Northchase Planned Development, near the intersection of Chandler Drive and Paramount Way	Acreage: 10.35
PID(s): R02600-003-010-000	Comp Plan Place Type: General Residential
Existing Land Use: Undeveloped	Proposed Land Use: The property would be allowed to be developed in accordance with the R-5 district
Current Zoning: O&I and R-15	Proposed Zoning: R-5



SURROUNDING AREA		
	LAND USE	ZONING
North	I-140	I-1, R-15
East	Single-Family Residential	PD (Northchase)

South	Single-Family Residential	PD (Northchase)
West	Undeveloped, I-140	PD, I-1



ZONING HISTORY	
July 7, 1972	Initially zoned R-15 (Area 8B)
August 3, 1998	The western portion of the property rezoned to O&I (Z-630).

COMMUNITY SERVICES	
Water/Sewer	CFPUA water and sewer service would require main line extension. Specific design will be determined during site plan review.
Fire Protection	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Murrayville
*Schools	Castle Hayne Elementary, Trask Middle, and Laney High Schools *For more information, see the full School statistics below.
Recreation	Blue Clay Park, Northern Regional Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES	
Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

ZONING CONSIDERATIONS

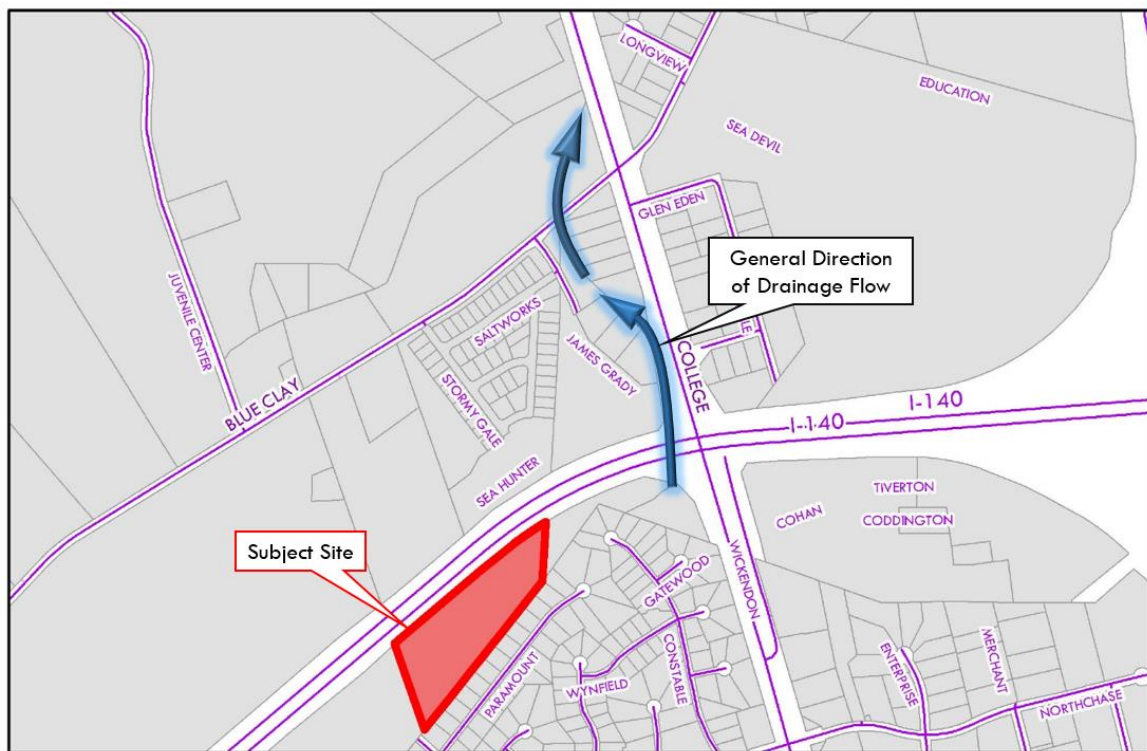
- The applicant is proposing to rezone approximately 10.35 acres from O&I and R-15 to R-5.
- The property is currently split zoned. About 6.9 acres is zoned O&I and 3.4 acres is zoned R-15. The O&I district permits office and institutional related uses (like medical and professional offices, religious institutions, and schools) and low density residential housing (maximum of 2.5 du/ac).
- The current zoning of the property would allow up to 26 dwelling units at a maximum density of 2.5 dwelling units per acre if the full site was developed with residential uses. The proposed R-5 district would allow up to 83 dwelling units at a maximum density of 8 dwelling units per acre. Alternatively, it is estimated that O&I zoned portion of the property could support about 150,000 square feet of office related uses, based on a typical 25% building area and 2-story building(s). Although that amount of office space is theoretically possible on a 7-acre site, it is not practical to expect the market would support facilities that large, if at all, at this location due to the access limitation of I-140 leaving the only current road connection to the site through the residential portion of Northchase.

	Existing Zoning		Proposed R-5
	R-15 (approx 3.4 acres)	O&I (approx 6.9 acres)	
Min Lot Size (Conventional)	15,000 sf	15,000 sf	5,000 sf
Max Density	2.5 du/ac (Performance) 10.2 du/ac (High Density SUP)	2.5 du/ac (Performance) 10.2 du/ac (High Density SUP)	8 du/ac
Max Dwelling Units for Subject Property	9 (Performance) 35 (High Density SUP)	17 (Performance) 70 (High Density SUP)	83
Commercial Uses	Limited (ex. kennels, recreation, and convenience stores w/ SUP)	Variety of office, institutional and medical related uses.	Limited (ex. recreation, day care, parks, libraries)

- The R-5 district allows duplexes, triplexes, quadruplexes, townhomes, and accessory dwelling units. However, the district 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.
- If townhomes are developed, a minimum 20-foot buffer is required around the southeastern property line of the project because the proposed development is adjacent to single-family dwellings within Northchase. In addition, the townhome units will be restricted to a maximum height of 35 feet, which is the same standard applied in the R-15 district, and more restrictive than the 40-foot height maximum applied in the O&I district. Compliance with

these provisions will be reviewed by the Technical Review Committee during the subdivision review process.

- 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. A conceptual site plan is not included with this application, however, if approved, the development of the site must comply with the standards of the R-5 district and other applicable regulations, including buffering and stormwater standards.
- The adjacent portion of Northchase east of the site has a history of flooding due to the area's topography and marginal drainage system. It is possible existing homes in this portion of Northchase have finished floor elevations below a 100-year flood elevation. Over 100 homes sustained flood damage during Hurricane Florence, which was a 500 to 1000-year storm event that totaled over 30 inches of rain.
- The downstream outfall for this area flows north and crosses I-140, Blue Clay Road, and N. College Road eventually draining to Prince George Creek.

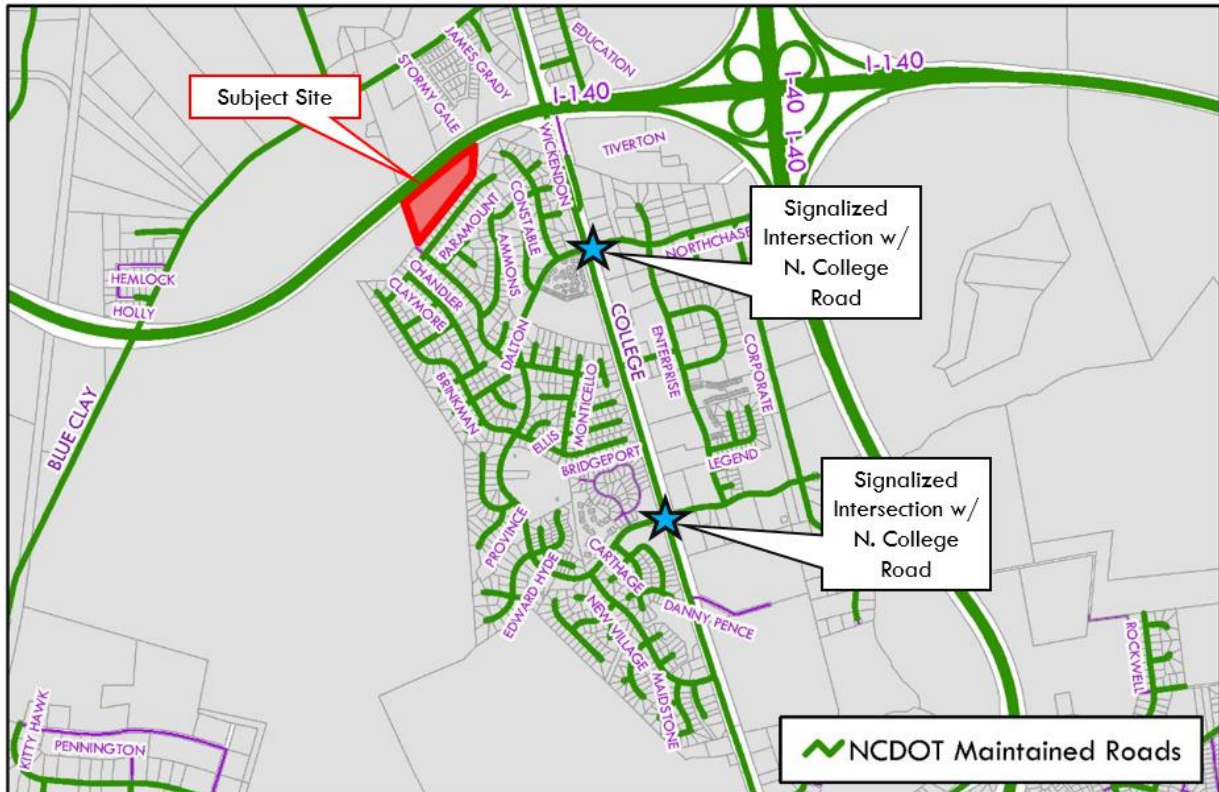


Downstream Outfall

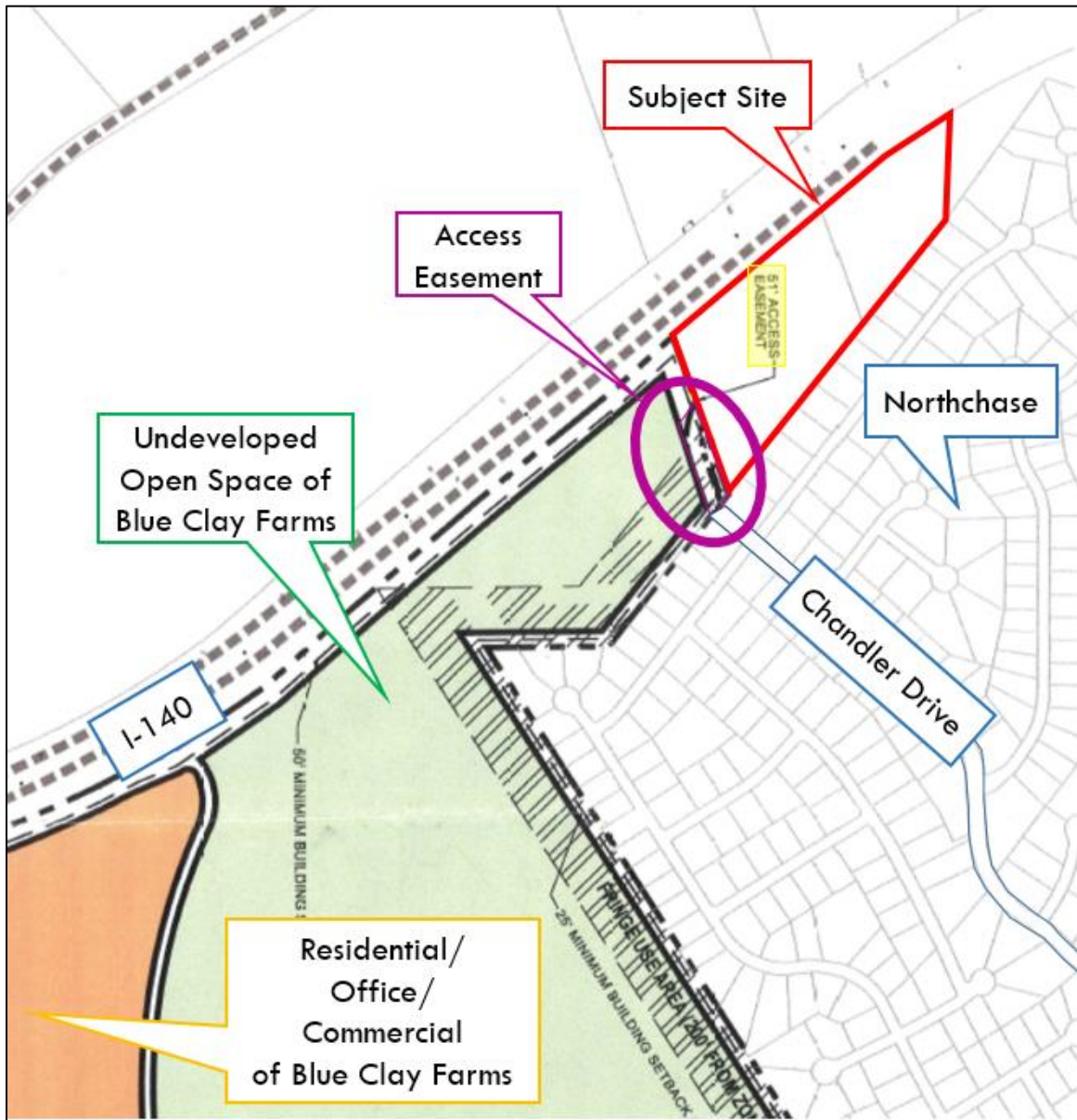
- The County was recently awarded a grant to remove debris and sedimentation from streams and waterways impacted by Hurricane Florence in the unincorporated areas of the County. The County is also seeking additional funding to increase the capacity of the drainage system serving the site and the Board of Commissioners recently voted to establish a stormwater service aimed at assisting with the maintenance and improvement of the drainage features within the County. The stormwater service will become effective in July 2020.
- While the area contains drainage challenges, a rezoning from O&I to R-5 is generally considered to be a down zoning in that the permitted uses in a residential district are less intense and typically generate less impervious coverage and traffic. Further the site must be designed to comply with the County's stormwater standards regardless of the zoning district it is developed under.

TRANSPORTATION

- The only current access is to the site is through Northchase, specifically from Chandler Drive. This road then connects to Northchase Parkway which connects to N. College Road at two signalized intersections. The majority of the roadway network within Northchase, including the above routes, is maintained by NCDOT.



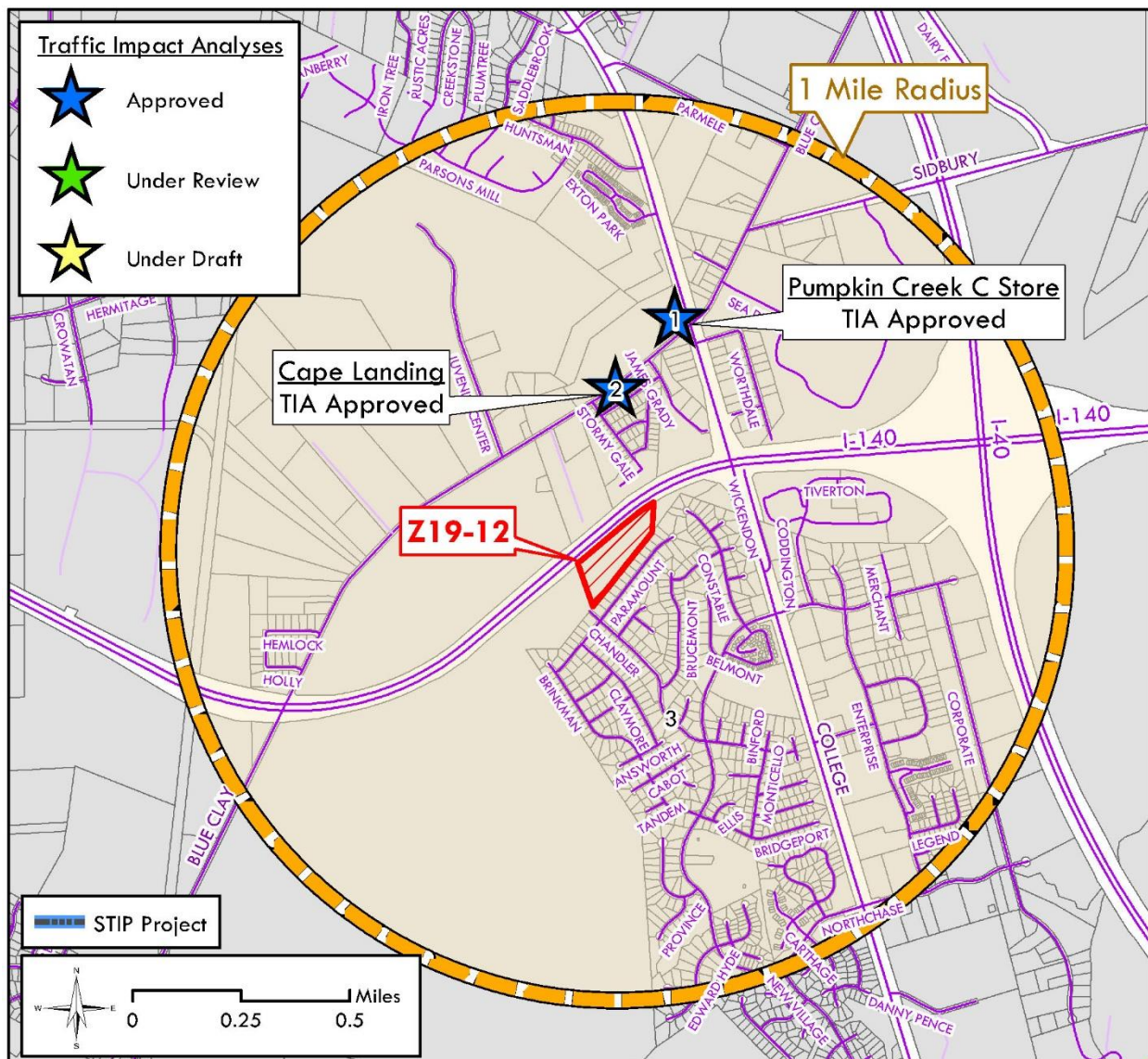
- At the Planning Board meeting, residents expressed concerns regarding the legal access to Chandler Drive from the subject property. The final plat stub for that section of Northchase did not expressly label the road stub to be a right-of-way (instead labeling it as “Future Development”). However, County staff has historically interpreted the plat to designate that area as a future road that would extend north to provide access to the adjacent property. The road stub is currently not within a tax parcel and the Master Plan for the abutting Blue Clay Farms Planned Development (approved by the Board of Commissioners) showed a proposed access easement from the subject site to Chandler Drive. In addition, the width of the stub is the same dimension (50 feet) as the right-of-way of Chandler Drive.



Master Plan of the Blue Clay Farms Planned Development illustrating proposed access to the subject site from Chandler Drive

- Typically, single-family dwellings generate approximately one trip in the peak hours, while townhomes generate approximately 0.5 trips in the peak hours. The combination of single-family homes and office uses currently permitted by the existing zoning would be expected to generate more traffic than a townhouse development under the proposed zoning. A development consisting of 83 townhomes would generate about 40-50 trips in the peak hours. A general office building consisting of 20,000 square feet would generate about the same amount of trips during the AM peak hour.

Nearby Planned Transportation Improvements and Traffic Impact Analyses



- There have not been any recent Traffic Impact Analyses (TIA) in the area that provide data on intersections along N. College Road adjacent to Northchase, however, a 2017 TIA completed for the Cape Landing subdivision estimated that the intersection of N. College Road and Blue Clay Road would operate at an acceptable Level of Service (LOS) in 2021 when that development is expected to be completed.

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
1. Pumpkin Creek Convenience Store	<ul style="list-style-type: none"> • 5,000 sf Convenience Market with Gas Pumps 	<ul style="list-style-type: none"> • Approved February 3, 2018 • 2018 Build Out Year
<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"> • Extension of the existing eastbound left turn lane on Blue Clay Road at N. College Road. • Extension of the existing southbound left turn lane on N. College Road at Blue Clay Road. 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> • Phase 1 of the Cape Fear Community College expansion. 		
Development Status: No construction has started at this time.		

2. Cape Landing	<ul style="list-style-type: none"> • 126 Single-Family Dwellings 	<ul style="list-style-type: none"> • Approved December 21, 2017 • 2021 Build Out Year
<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"> • Extension of the existing eastbound left turn lane on Blue Clay Road at N. College Road. 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> • Phase 1 of the Cape Fear Community College expansion. 		
Development Status: 62 lots have been platted, most of which now contain occupied single-family dwellings. The extension of the turn lane has not been completed at this time and is required to be installed with the second phase of the development unless it is installed by the Pumpkin Creek convenience store first.		

SCHOOLS

- Students generated from this development would be assigned to Castle Hayne Elementary, Trask Middle, and Laney High schools. Students may apply to attend public magnet, year-round elementary, or specialty high schools.
- Twenty-six dwelling units would be permitted under the current R-15 and O&I zoning base density, and 83 units would be allowed under the proposed zoning for an increase of 57 dwelling units
- Based on average student generation rates*, there are an average of 0.24 public school students (0.11 for elementary, 0.05 for middle, and 0.08 for high) generated per dwelling unit across New Hanover County. The proposed development can be estimated to generate 13.7 (6.1 elementary, 3.1 middle, and 4.4 high) more students than if developed under existing zoning.

**Average student generation rates are calculated by dividing the projected New Hanover County public school student enrollment for the 2020-2021 school year by the estimated number of dwelling units in the county. While different housing types and different locations typically yield different numbers of students, these average generation rates can provide a general guide for the number of students to anticipate. Total projected student enrollment was used, which includes students attending out-of-district specialty schools, such as year-round elementary schools, Isaac Bear, and SeaTECH.*

School Enrollment* and Capacity—2021-2022 Estimates**

Level	Total NHC % Capacity	School	Enrollment of Assigned School	Capacity of Assigned School w/ Portables	% of Capacity of Assigned School	Funded Capacity Upgrades
Elementary	97%	Castle Hayne	483	529	91%	None
Middle	107%	Trask	717	662	108%	None
High	105%	Laney	2063	1903	108%	None

**Enrollment is based on projected New Hanover County Schools enrollment for the 2020-2021 school year.*

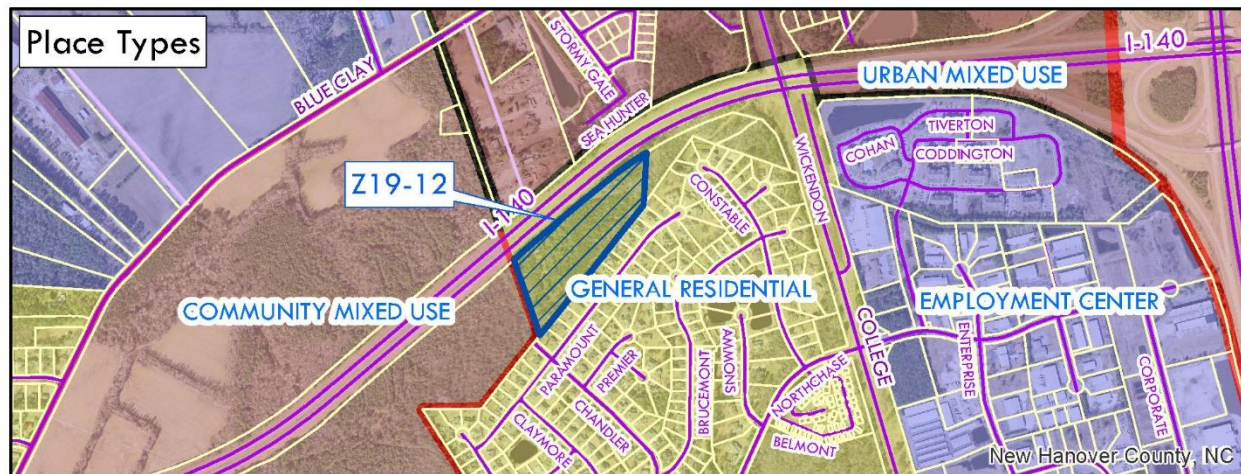
***Capacity calculations were determined by New Hanover County Schools for the 2020-2021 school year and are based on NC DPI Facility Guidelines & Class Size Requirements. Modifications refer to specific program requirements unique to a particular school. These may include exceptional children's classrooms beyond the original building design; classrooms to serve a unique population such as ESL; or classrooms designated for art and music if the building wasn't specifically designed with those spaces.*

ENVIRONMENTAL

- The property is not within a Natural Heritage Area or Special Flood Hazard Area.
- The property is within the Prince George 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 limitation) soils, however, CFPWA sewer services is available with main line extension.

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.

<p>Analysis</p>	<p>The subject site is designated as General Residential, the intent of which is to preserve existing residential neighborhoods and provide opportunities for similar lower density residential development and supportive commercial, civic, and recreational development. Because of the general nature of place type borders, sites located in proximity to the boundaries between place types could be appropriately developed in accordance with either place type.</p> <p>This site is transitional, located between the residential portion of the Northchase planned development and the I-140 Bypass and immediately adjacent to vacant land designated as a Community Mixed Use place type. Given its place type designation and proximity to Community Mixed Use, the type of office and commercial development allowed in the current O&I zoning designation could be appropriate; however, because it can only currently be accessed by Chandler Dr., residential uses would be more compatible with the existing development pattern.</p> <p>The proposed R-5 zoning district allows a maximum slightly higher than the 6 unit per acre density identified as preferable in General Residential areas, but the limited residential developments allowed in the district are more aligned with the intent of a General Residential place than the types of nonresidential uses and large multifamily buildings allowed in O&I. In addition, the maximum 8 units per acre allowed in R-5 is in line with the adjacent Community Mixed Use place type and the moderate density preferred for planned developments in a General Residential area.</p>
<p>Consistency Recommendation</p>	<p>The proposed R-5 zoning district is generally CONSISTENT with the 2016 Comprehensive Plan because it would provide an orderly transition between the existing single-family residential neighborhoods and Interstate 140, promotes more diverse housing options, and is in-line with the density recommendations for the adjacent Community Mixed Use area and for planned developments in a General Residential area.</p>

PLANNING BOARD ACTION

The Planning Board considered this application at their January 9, 2020 meeting. At the meeting, an attorney representing the Northchase Homeowners Association and several residents expressed their opposition to the rezoning request presenting concerns that it will increase traffic through the existing single-family sections of Northchase, that the area has poor drainage and is known to flood in storm events, overcrowded schools, and if the access to use Chandler Drive is legal.

The Planning Board voted 3-3 on the following motion to deny the request:

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 would provide an orderly transition between the existing single-family residential neighborhoods and Interstate 140, promotes more diverse housing options, and is in line with the density recommendations for the adjacent Community Mixed Use area and for planned developments in a General Residential area, 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.

The applicant has elected to appeal the Planning Board's recommendation and have the application considered by the Board of Commissioners.

STAFF RECOMMENDATION

Staff recommends approval of this application and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a R-5 district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal would provide an orderly transition between the existing single-family residential neighborhoods and Interstate 140, promotes more diverse housing options, and is in-line with the density recommendations for the adjacent Community Mixed Use area and for planned developments in a General Residential area. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal supports opportunities for more affordable housing and assists with providing a range of housing types to the area.

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 would provide an orderly transition between the existing single-family residential neighborhoods and Interstate 140, promotes more diverse housing options, and is in line with the density recommendations for the adjacent Community Mixed Use area and for planned developments in a General Residential area, 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.