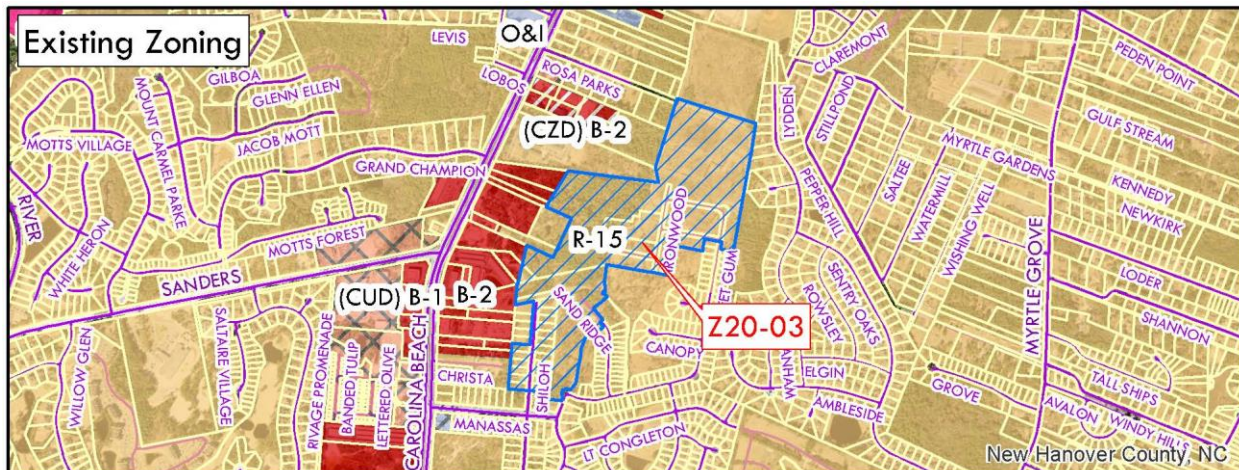


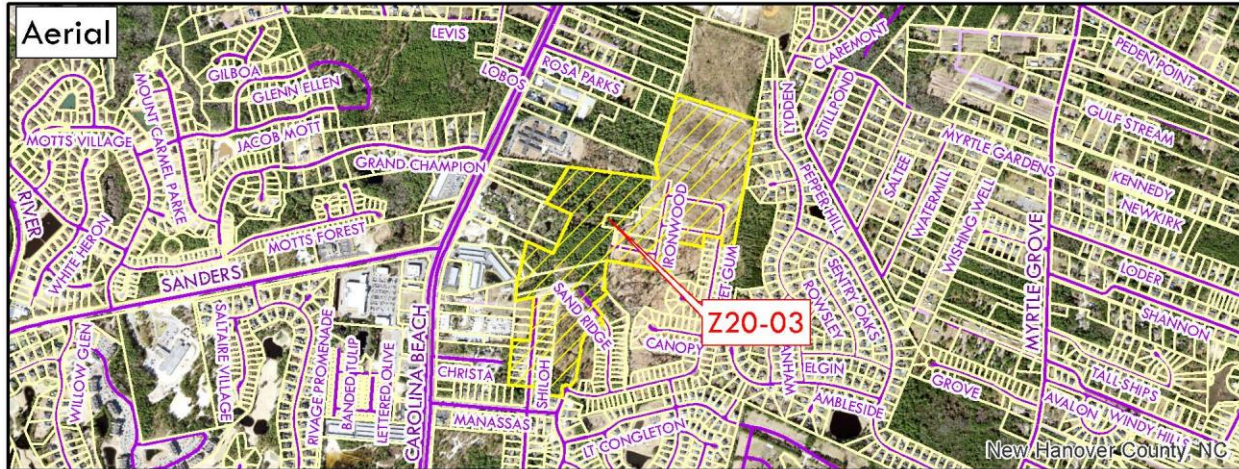
# STAFF REPORT FOR Z20-03

## ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
<b>Case Number:</b> Z20-03	
<b>Request:</b> Zoning Map amendment to rezone 74.83 acres from R-15 to (CZD) R-5	
<b>Applicant:</b> Cindee Wolf with Design Solutions	<b>Property Owner(s):</b> HD, LLC
<b>Location:</b> 5800 Block of Carolina Beach Road; 5900 Block of Shiloh Drive	<b>Acreage:</b> 74.83
<b>PID(s):</b> <i>The PIDs are included in the applicant's materials.</i>	<b>Comp Plan Place Type:</b> General Residential & Urban Mixed Use
<b>Existing Land Use:</b> Undeveloped	<b>Proposed Land Use:</b> 97 Single Family detached and 402 Single Family attached units
<b>Current Zoning:</b> R-15	<b>Proposed Zoning:</b> (CZD) R-5



SURROUNDING AREA		
	LAND USE	ZONING
<b>North</b>	Undeveloped, Institutional (Autumn Care of Myrtle Grove), Commercial (Discount House), Single-Family Residential	R-15, (CZD) B-2
<b>East</b>	Single-Family Residential (Sentry Oaks)	R-15
<b>South</b>	Single-Family Residential (Tarin Woods, Battle Park, Covington)	R-15
<b>West</b>	General Commercial – Office, retail, warehousing, Tregembo Animal Park	B-2



## ZONING HISTORY

<b>April 7, 1971</b>	Initially zoned R-15 (Area 4)
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## COMMUNITY SERVICES

<b>Water/Sewer</b>	Water and sewer services are available through CFPWA.
<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, Murray Middle, and Ashley High schools  For more information, see the full School statistics below.
<b>Recreation</b>	Myrtle Grove School Park, Monterey Heights, Veterans Park

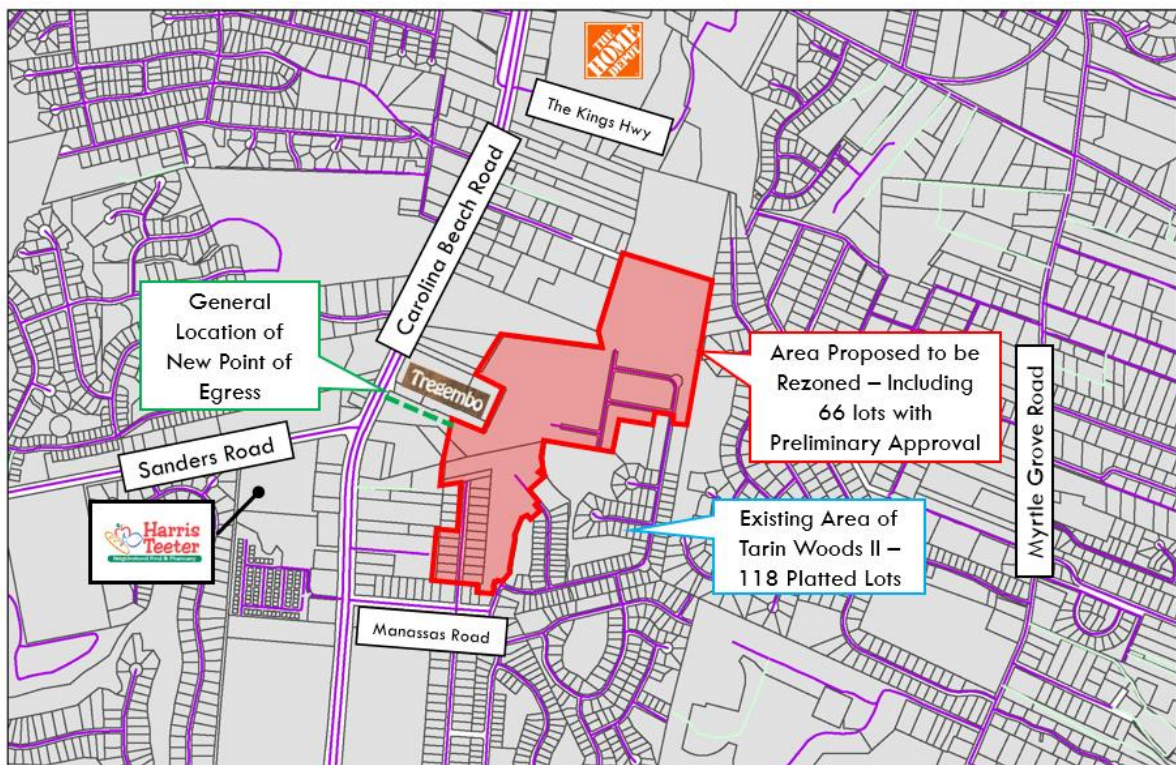
## CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<b>Conservation</b>	Conservation resource maps indicate that pocosin wetlands may exist on the property. The property owner further evaluated the site during a previous preliminary plat application and delineated the areas which are subject to additional standards of the conservation resources. The preliminary plat review indicated that the proposed development is capable of complying with these standards.
<b>Historic</b>	No known historic resources
<b>Archaeological</b>	No known archaeological resources

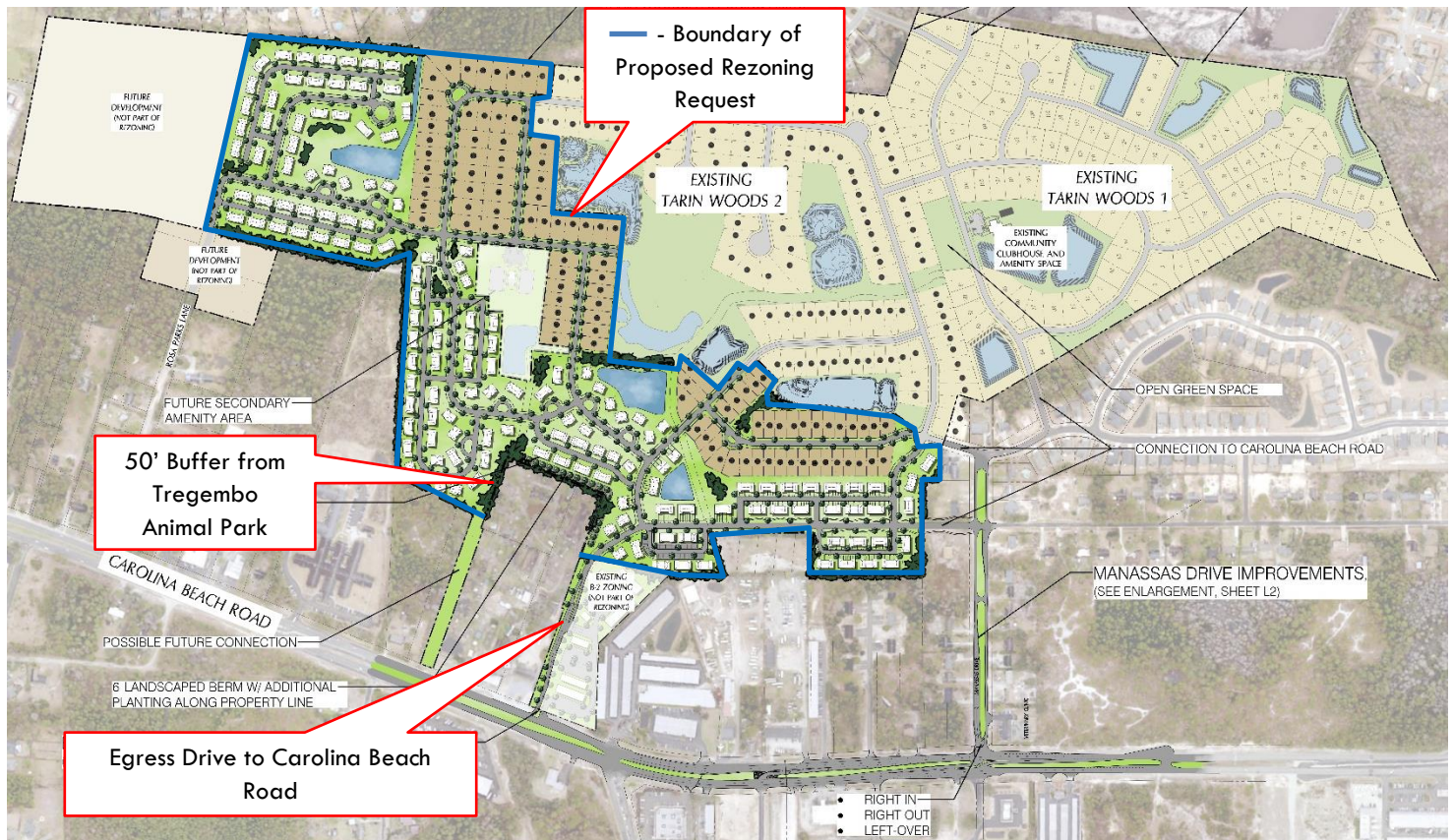


## BACKGROUND, PROPOSED USE, AND CONCEPTUAL PLAN

- The area proposed to be rezoned is an extension of the existing Tarin Woods II subdivision. This subdivision currently has approval for 188 single-family lots, 66 of which are located in the area proposed to be rezoned. 118 lots have been platted, about half of which contain occupied homes.
- The current proposal is being submitted as a conditional district, limiting the development to that shown on the submitted conceptual plan.
- In addition, the proposal adds an additional point of egress directly to Carolina Beach Road, and limits the maximum number of units to 499 at a density of 6.6 units per acre.
- The application proposes 97 single family detached units and 402 single-family attached units consisting of duplexes, triplexes, and quadruplexes. The units are located on two separate tracts consisting of 74.83 acres. Tract 1 consists of 72.76 acres and is directly adjacent to the previously platted Tarin Woods II section, while Tract 2 consists of 2.07 acres and is located on the west side of Shiloh Road, just north of the intersection with Manassas Drive.



- The current zoning of the property (R-15) would allow up to 187 dwelling units at a maximum density of 2.5 dwelling units per acre. The proposed (CZD) R-5 district would allow a total of 499 dwelling units at density of 6.6 dwelling units per acre. The proposed zoning would allow a maximum increase of 312 units.
- The R-15 and R-5 districts are both residential zoning districts. While the R-5 district permits more base density than the R-15 district, it 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.



### Proposed Conceptual Plan

	R-15	(CZD) R-5 Proposal
<b>Min Lot Size</b> (Conventional)	15,000 sf	5,000 sf
<b>Base Density</b> (Performance)	2.5 du/ac (187 total units)	6.6 du/ac (499 total units)
<b>Additional Dwelling Allowance SUP</b>	10.2 du/ac (763 total units)	N/A
<b>Permitted Housing Types</b>	Single-family, mobile home, duplex, townhomes, multi-family	Single-family, duplex, triplex, quadruplex.
<b>Nonresidential Uses</b>	<p>≈ 20 uses w/ SUP (convenience stores, kennels, camping)</p> <p>≈ 15 uses by-right (wholesale nurseries, stables)</p>	Secondary amenity area



## TRANSPORTATION

- The primary point of ingress and egress is provided to the subject property by Manassas Drive (SR 1581) which connects to Carolina Beach Road. The development also connects to the adjacent residential subdivisions of Battle Park, Covington and Tarin Woods by way of Shiloh Drive, Appomattox Drive, and Tarin Road. In addition, existing and future interconnectivity allows for access to Myrtle Grove Road through the Sentry Oaks subdivision and the proposed Congleton Farms subdivision.
- An additional point of egress from the proposed development to Carolina Beach Road has been added to this revised plan. At this time, the NCDOT has advised that this connection will provide a right-out movement only due to safety issues caused by the proximity to the intersection of Carolina Beach Road and Sanders Road. The subject property also abuts Rosa Parks Lane, however, this road is not maintained by NCDOT and is unimproved adjacent to the subject site.
- The property on which the egress to Carolina Beach Road is proposed to be located is currently zoned B-2, and future development of this property with a commercial use will potentially add a right-in (ingress only) from Carolina Beach Road. The applicant intends to design this site in a manner that will provide internal circulation to the right-out (egress only) on Carolina Beach Road.
- A Traffic Impact Analysis (TIA) was completed for the Tarin Woods II subdivision in 2018 which studied the impacts of 531 total units being proposed at that time, but the scope of the project has since been modified.
- Due to the change in scope and number of units from 531 to 499, the applicant's traffic engineer has produced a technical memorandum, dated February 4, 2020, to serve as an addendum to the previously approved TIA. The memorandum has been reviewed and approved by NCDOT. 97 single-family dwelling units and 402 townhomes are expected to generate 253 AM peak hour and 303 PM peak hour trips.
- As currently zoned, R-15, the subject site would be permitted a maximum of 187 dwelling units under the performance residential standards. 187 dwelling units are anticipated to generate 138 AM peak hour trips and 185 PM peak hour trips.
- The net change from the potential trip generation if the site were to be developed under the existing R-15 district to the proposed (CZD) R-5 district shows an approximate increase of 115 AM peak hour trips and 118 PM peak hour trips.

### Comparison of Potential Trip Generation Scenarios

	Intensity	Approx. Peak Hour Trips
Existing Development:	Undeveloped (74.83 acres)	0 AM / 0 PM
Typical Development under Current Zoning:	187 single-family homes	138 AM / 185 PM
Development under Proposed (CZD) R-5 Zoning:	97 single-family homes, 402 townhomes	253 AM / 303 PM
Net Change under Proposed (CZD) R-5 Zoning:	-	+ 115 AM / +118 PM

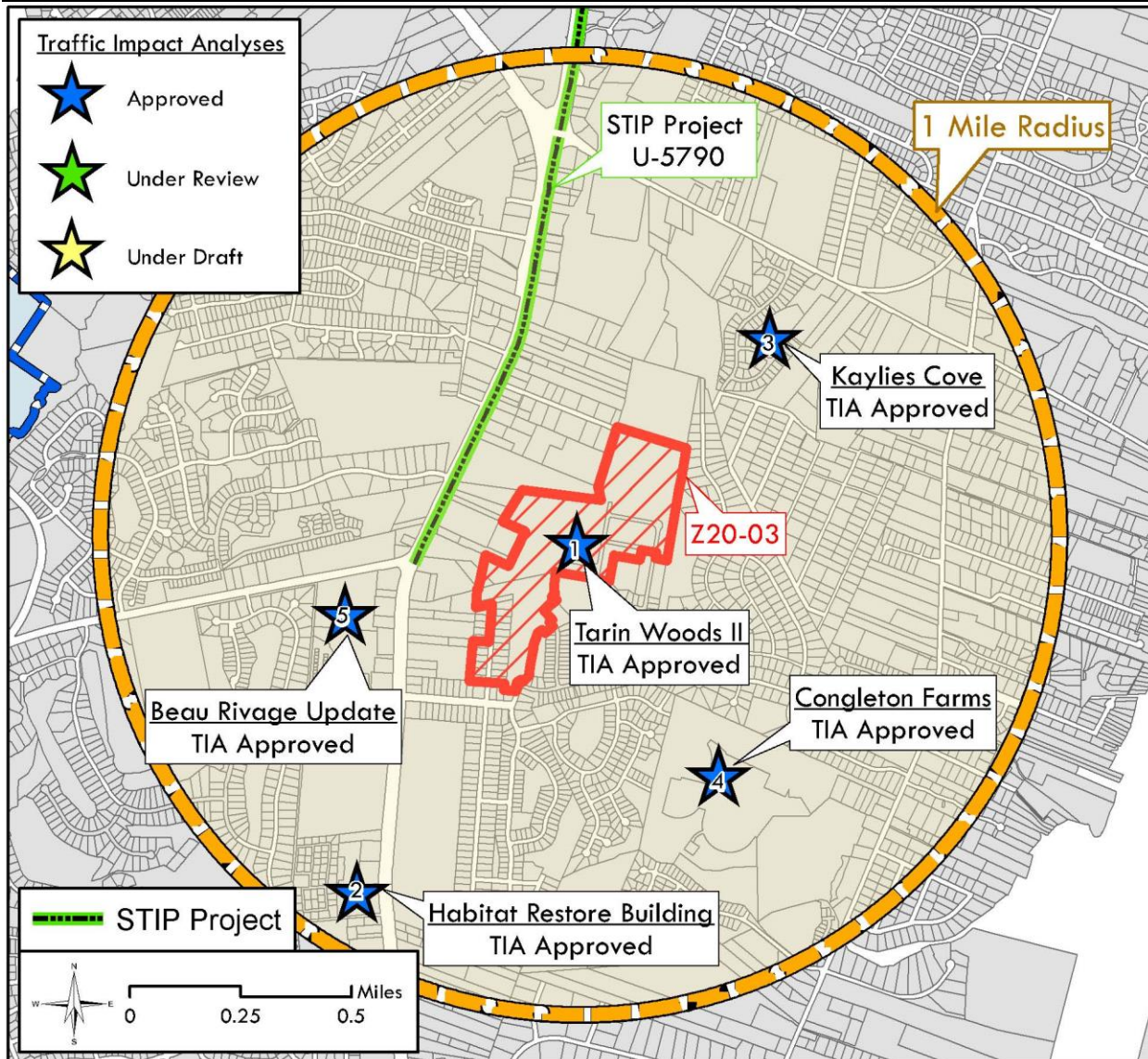
- With the inclusion of the new point of egress on Carolina Beach Road, the technical memorandum recommends the installation of a northbound leftover/U-turn lane on Carolina Beach Road at the Harris Teeter driveway (required to be installed prior to 215 lots being platted) and the installation of a second westbound right turn lane on Manassas Drive at Carolina Beach Road. In addition, the applicant is proposing the installation of a left hand turn lane to Shiloh Drive from Manassas Drive.



Required Road Improvements shown in red, with approximate location additional egress shown in yellow.



## 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. Bidding of the project is expected to occur in 2024.

### 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 (Includes Subject Site)</b>	Phase 2B(1): <ul style="list-style-type: none"> <li>• 219 Single-Family Homes</li> <li>• 398 Townhomes</li> </ul>	<ul style="list-style-type: none"> <li>• Addendum approved March 26, 2020</li> <li>• 2020 Build Out Year</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 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>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• Beau Rivage Update</li> <li>• Beau Rivage Townhomes</li> </ul>		
<b>Development Status: Development is under construction. 118 lots have been platted at this time, and remaining units are subject to approval of the conditional zoning request.</b>		

<b>2. Habitat Restore Building</b>	<ul style="list-style-type: none"> <li>• 20,320sf of Discount Store</li> <li>• 14,830sf of Shopping Center</li> </ul>	<ul style="list-style-type: none"> <li>• Approved February 26, 2018</li> <li>• 2022 Build Out Year</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 southbound right turn lane on Carolina Beach Road at the site's access.</li> <li>• Increasing the length of an existing southbound u-turn lane on Carolina Beach Road at Cathay Road.</li> </ul>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• Beau Rivage Update</li> <li>• Beau Rivage Townhomes</li> </ul>		
<b>Development Status: No construction has started at this time</b>		

<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>
<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>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• None</li> </ul>		



**Development Status: Homes under construction. 110 lots have been platted at this time, and both turn lanes have been installed.**

<b>4. Congleton Farms</b>	<ul style="list-style-type: none"> <li>• 162 Single-Family Homes</li> </ul>	<ul style="list-style-type: none"> <li>• Approved February 5, 2018</li> <li>• 2018 Build Out Date</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>• Constructing the section of Lieutenant Congleton Road along the site frontage to connect to the existing roadway with one lane in each direction.</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. 89 lots have been platted at this time.</b>		

<b>5. Beau Rivage Update</b>	<ul style="list-style-type: none"> <li>• 4,500 square feet of drive-thru bank</li> <li>• 3,500 square feet of fast food drive thru</li> <li>• 6,900 square feet of supermarket (addition to the existing Harris Teeter)</li> <li>• 7,500 square feet of shopping center</li> </ul>	<ul style="list-style-type: none"> <li>• Approved December 28, 2016</li> <li>• 2018 Build Out Date</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 an eastbound right-turn lane on Sanders Road at the site's access and Carolina Beach Road.</li> </ul>		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> <li>• Tarin Woods</li> <li>• River Lights</li> </ul>		
<b>Development Status: Under construction. The right-turn lane on Sanders Road at the site's access has been constructed.</b>		

## SCHOOLS

- Students generated from this development would be assigned to Bellamy Elementary and Ashley High schools. Students from the northern section of attached units would be assigned to Myrtle Grove Middle, while students from the remainder of the development would be assigned to Murray Middle. Students may apply to attend public magnet, year-round elementary, or specialty high schools.

- One hundred eighty-seven dwelling units would be permitted under the current R-15 zoning base density, and 499 units would be allowed under the proposed zoning for an increase of 312 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 74.8 (33.5 elementary, 1.9 middle, and 24.31 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***

<b><i>Level</i></b>	<b><i>Total NHC % Capacity</i></b>	<b><i>School</i></b>	<b><i>Enrollment of Assigned School</i></b>	<b><i>Capacity of Assigned School w/ Portables</i></b>	<b><i>% of Capacity of Assigned School</i></b>	<b><i>Funded Capacity Upgrades</i></b>
Elementary	97%	Bellamy	465	499	93%	None
Middle	107%	Myrtle Grove	714	738	97%	None
Middle	107%	Murray	899	848	106%	None
High	105%	Ashley	1869	1776	105%	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.

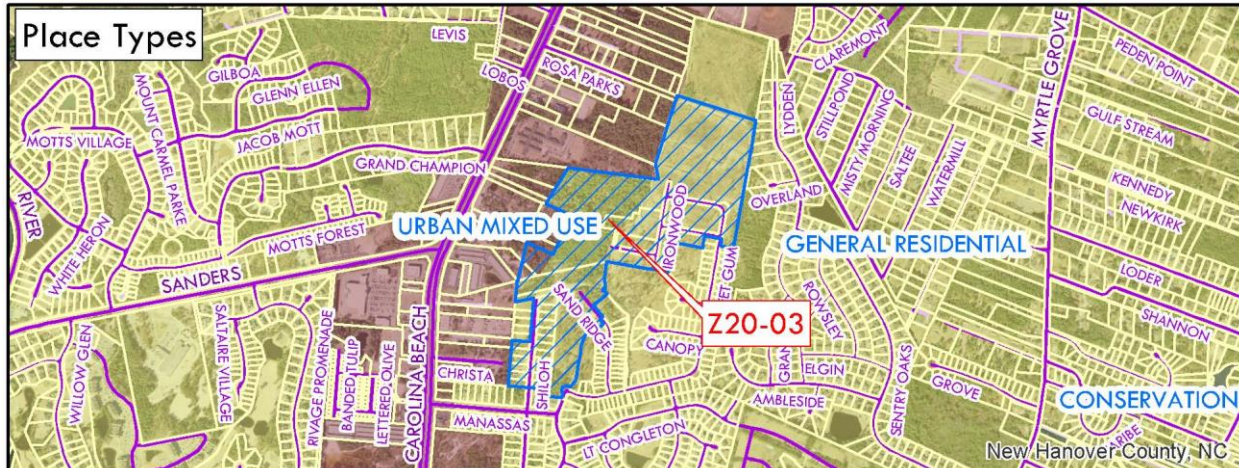
### **ENVIRONMENTAL**

- The property does not contain any Special Flood Hazard Areas or Natural Heritage Areas.
- Existence of wetlands will be verified during the development review process for the undeveloped portions of the site.
- The property is within the Everett Creek (SA;HQW) and 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 I (suitable/slight limitation), Class III (severe limitation), and Class IV (unsuitable) soils, however, the site will be served by CFPWA water and sewer.



## 2016 COMPREHENSIVE LAND USE PLAN

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<p><b>Future Land Use Map Place Type</b></p>	<p>General Residential &amp; Urban Mixed Use</p> <p>The subject parcel is primarily General Residential, with roughly 2.5% designated as Urban Mixed Use.</p> <p>Because of the general nature of place type borders, sites located in proximity to the boundaries between place types could be appropriately developed with either place type, allowing site-specific features and evolving development patterns in the surrounding area to be considered.</p>
<p><b>Place Type Description</b></p>	<p>General Residential: Focuses on lower-density housing (1-6 du/ac) 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.</p> <p>Urban Mixed Use: Promotes development of a mix of residential, office, and retail uses at higher densities. Types of uses encouraged include office, retail, mixed use, small recreation, commercial, institutional, single-family, and multi-family residential.</p>
<p><b>Analysis</b></p>	<p>The subject parcel is located between existing lower density residential neighborhoods and the Carolina Beach Road commercial corridor, which is envisioned for the most intensive place type, Urban Mixed Use.</p> <p>In general, the Comprehensive Plan designates areas along roadways for higher residential densities and a mix of uses and those near existing neighborhoods as General Residential in order to allow for an orderly transition of densities and intensities.</p>

	<p>The proposed R-5 zoning, one of the new zoning tools adopted in 2019 to provide for the development patterns outlined in the Comprehensive Plan, would provide a transition in density and intensity between existing and future development along Carolina Beach Road, and the existing single family residential districts to the east. Providing a transition between mixed-use or commercial development and low to moderate density residential development is one of the stated intents of this districts. The R-5 district allows a range of single-family housing products, however, mobile homes and multi-family developments, such as traditional apartments, are not permitted in this district.</p> <p>The design for this development positions higher density attached units (two-unit, three-unit, and four-unit buildings) closest to the higher intensity Urban Mixed Use area with lower density single-family lots closest to existing neighborhoods. This type of development pattern provides an appropriate transition in density and aligns with the Comprehensive Plan's goal of providing for a range of housing types. In addition, the low-moderate density proposed (approximately 6.6 units per acre) is generally aligned with the 0-6 units per acre density outlined for General Residential areas. (To compare, the next highest intensity place type, Community Mixed Use, provides for moderate densities around 8 units per acre.)</p>
<b>Consistency Recommendation</b>	<p>The proposed R-5 conditional district is generally <b>CONSISTENT</b> with the intent of the 2016 Comprehensive Plan because the overall density of the project is in line with recommendations for a General Residential area in close proximity to an Urban Mixed Use growth node, it provides for a range of housing types, and it will transition densities from the portions of the property adjacent to Urban Mixed Use areas, where moderate to high density multi-family and higher intensity commercial is desired, to those abutting existing lower density residential neighborhoods.</p>

## PLANNING BOARD ACTION

The Planning Board considered this application at their March 5, 2020 meeting. Six members from the public spoke in opposition to the request, citing concerns related to density, traffic, and buffering from adjacent land uses.

The Planning Board recommended approval of the application, finding it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it provides for a range of housing types, and it will transition densities from the portions of the property adjacent to Urban Mixed Use areas where moderate to high density multi-family and higher intensity commercial is desired to those abutting existing lower density residential neighborhoods. The Board also found that recommending **APPROVAL** of the rezoning request is reasonable and in the public interest because the overall density of the project is in line with recommendations for a General Residential area in close proximity to an Urban Mixed Use growth node.



The Planning Board, with agreement of the applicant, included the following conditions:

- 1) The egress drive to Carolina Beach Road will be installed in an access easement through the adjacent B-2 zoned tract.
- 2) The maximum number of units within the new proposed conditional zoning district will be capped at 499.
- 3) A 50' wide vegetated buffer shall be maintained on the 3 eastern sides of the Tregembo Zoo property. The existing vegetation shall remain within this buffer with the exception of clearing required for any essential site improvements, which include the driveway to Carolina Beach Road.

### **STAFF RECOMMENDATION**

**Staff concurs with the Planning Board's recommendation** and recommends approval of the request with the recommended conditions. The proposal is generally consistent with the goals and objectives of the Comprehensive Plan and the General Residential and Community Mixed Use place types. The proposed overall density of the project is in line with recommendations of these place types, and the proposal provides for a range of housing types which will transition densities from the portions of the property adjacent to Urban Mixed Use areas to those abutting existing lower density residential neighborhoods.

### **Alternative Motion for Denial**

I move to **DENY** the proposed rezoning to a (CZD) R-5 district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it provides for a range of housing types and it will transition densities from the portions of the property adjacent to Urban Mixed Use areas where moderate to high density multi-family and higher intensity commercial is desired to those abutting existing lower density residential neighborhoods. However, 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.