

**CASE: Z-899, 9/09**

**PETITIONER:** Steve Hall (Maus Warwick Matthews) for owners H.L. Smith, D. Inman, and L.C. Davis

**REQUEST:** From R-20 low density residential and AR Airport Residential to B-1 Neighborhood Commercial District

**ACREAGE:** Approximately 2 acres from R-20 and .53 acres from AR

**LOCATION:** 2600, 2604, 2608, 2612 Castle Hayne Rd. and 3512 and 3516 N. Kerr Ave.

**LAND CLASS:** Transition

#### **STAFF SUMMARY**

The subject properties are located in the northern portion of the county in an area classified as Transition on the 2006 CAMA Land Classification map. The properties are accessed from Castle Hayne Road and N. Kerr Avenue. Both roadways are arterials and the intersection is signalized. Traffic counts in the area show about 18% decrease in annual average daily traffic between 2006 and 2007. Castle Hayne Road has a 2007 LOS of E from the intersection northward and F from the intersection southward, meaning the road is operating at or above its design capacity with traffic congestion at peak hours. No traffic counts or level of service was available for N. Kerr Ave. in this location.

Current zoning of most of the property is R-20 low density residential along Castle Hayne Road and most of Kerr Avenue, with one parcel zoned AR Airport Residential. B-1 neighborhood business zoning is present to the east of these properties, B-2 highway business district lies south of the area and SC shopping center district is across Castle Hayne Road to the west.

The subject properties are located in Ness Creek watershed drainage area which is classified C, Sw, which refers to fresh waters best used for aquatic life propagation, fishing, wildlife, secondary recreation and agriculture. Swamp waters have low velocities and other natural characteristics which are different from the adjacent streams. The proposal is within a secondary aquifer recharge area. The aquifers in this secondary recharge area are permeable in most places and vulnerable to pollution due to its shallow depth and high water table. In this case, public water and sewer will serve the sites. The property is not within the 100 year flood zone. Airport Height Ordinance does not influence the parcels included in this proposal.

#### **Land Use Plan Considerations:**

This proposal includes six lots on the corner of Castle Hayne Road and North Kerr Avenue. There are four (4) vintage dwelling units on the six lots. One of the dwellings is

being condemned. All of the other corners at this intersection have transitioned to commercial use.

The B-1 commercial district is described as one that provides for convenient shopping of necessity goods and personal services required to serve a neighborhood.

A small area plan, "Wrightsboro, An Eye on the Past . . . A Step Towards the Future," was prepared and adopted in 1991. Goals and Actions focused a great deal on traffic issues, including preferences for widening Castle Hayne Road, signalizing major intersections and constructing turn lanes. This location exemplifies improvements that have occurred since the plan was adopted. The intersection is signalized and there are now turn lanes off N. Kerr. In addition, the 2006 CAMA Land Use Plan adopted policies relating to commercial land uses. Policy 4.3 of the Land Use Plan promotes maximum effectiveness of commercial uses by assuring that land is available for commercial uses within close proximity to the markets they serve and by ensuring that such commercial uses do not diminish the quality of life in nearby residential areas. The plan also encourages location of commercial activities at key intersections.

The 2006 Update of the Joint CAMA Plan describes the purpose of the Transition classification as providing for future intensive urban development on lands that have been or will be provided the necessary urban services for maximum efficiency in land utilization and public service delivery.

Public water and sewer lines will serve these sites. Wrightsboro Volunteer Fire Department is located directly to the south across N. Kerr Avenue.

A traffic impact analysis (TIA) will be required for any development that generates more than 100 peak hour trips. Traffic will obviously increase if the uses transition to commercial, but the location at a signalized intersection will provide managed flow of the increase. Furthermore, NCDOT will likely require improvements as needed when driveway permits are issued.

Staff feels the request is reasonable and consistent with the plan.

**ACTION NEEDED:**

In accordance with NCGS 153A-341, paragraph 2, "The planning board shall provide a written recommendation to the board of county commissioners that addresses plan consistency and other matters as deemed appropriate by the planning board . . ."

1. **Motion to Recommend Approval based on consistency with the plan and other appropriate matters.**
2. **Offer Applicant option to Withdraw the Petition (there is a one year waiting period to reapply.)**
3. **Motion to table or continue the item in order to receive additional information or documentation (Specify).**
4. **Motion to Recommend Denial based on lack of consistency with adopted plans or determination that the change would not be reasonable or is not in the public interest.**

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**Petition Summary Data**

Rezone 1.49 ac. R-20 and 1.04 ac. AR to B-1

Owner/Petitioner: Steve Hall of Maus Warwick Matthews for H. L. Smith; Dan Inman; and L.C. Davis

Existing Land Use: Residential

Zoning History: Area 10A (July 1, 1974) and Airport (Oct. 4, 1976)

Land Classification: Transition

Water Type: Public

Sewer Type: Public

Recreation Area: Optimist Park

Access & Traffic Volume: Access from N. Kerr Ave. (minor arterial) and from Castle Hayne Road (major arterial). Traffic counts are for Castle Hayne Road only. 2006 ADT =18,793 compared to 2007 ADT = 15,363 or -18%

Fire District: Wrightsboro VFD

Watershed & Water Quality Classification: Ness Creek – C;Sw

Aquifer Recharge Area: A secondary recharge area for Castle Hayne and PeeDee where occurring near land surface under water-table conditions..

Conservation/Historic/Archaeological Resources: None

Soils: Onslow loamy fine sand

Septic Suitability: Class II-Moderate limitations

Schools: Wrightsboro Elementary

Other: Not influenced by airport zone elevations

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**Rezoning:**

Rezoned approximately 2.53 acres from R-20 Residential and AR Airport Residential to B-1 Neighborhood Business District.

Location: 2600/2604/2608/2612 Castle Hayne Rd. & 3516/3512 N. Kerr Ave.

Applicant: Steve Hall of Maus, Warwick, Matthews & Co. on behalf of H.L. Smith, Dan Inman, and Laurens C. Davis



1 inch = 400 feet

**Legend**



Z-899



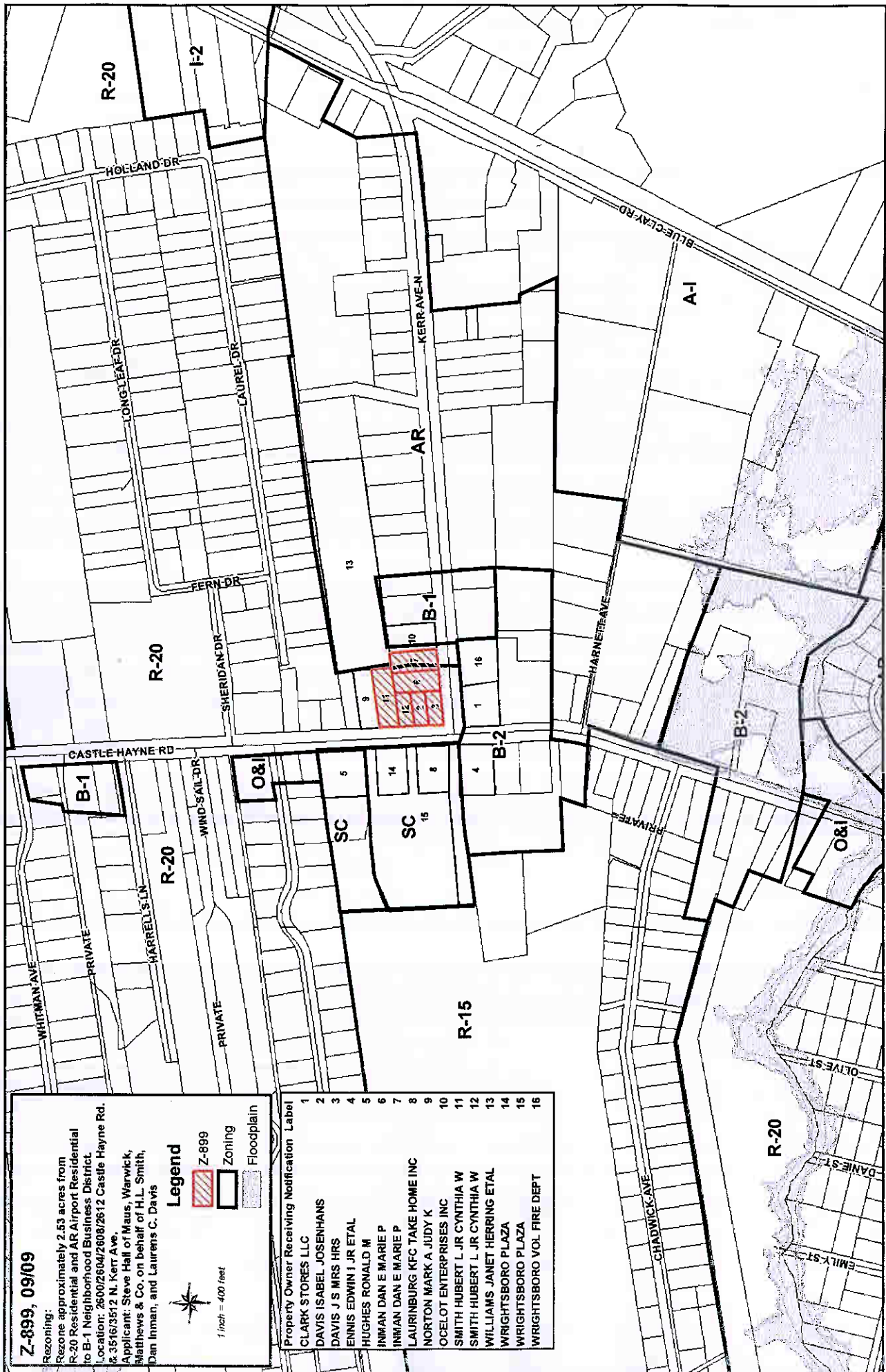
Zoning



Floodplain

**Property Owner Receiving Notification Label**

1	CLARK STORES LLC
2	DAVIS ISABEL JOSEPHANS
3	DAVIS J S MRS HRS
4	ENNIS EDWIN J JR ETAL
5	HUGHES RONALD M
6	INMAN DAN E MARIE P
7	INMAN DAN E MARIE P
8	LAURINBURG KFC TAKE HOME INC
9	NORTON MARK A JUDY K
10	OCELOT ENTERPRISES INC
11	SMITH HUBERT L JR CYNTHIA W
12	SMITH HUBERT L JR CYNTHIA W
13	WILLIAMS JANET HERRING ETAL
14	WRIGHTSBORO PLAZA
15	WRIGHTSBORO VOL FIRE DEPT
16	



# APPLICANT MATERIALS

## Change of Zoning Questions

1. These pieces of property are located at a signaled intersection at N Kerr Ave and Castle Hayne Rd. The three other corners of this intersection have been developed for commercial use (McDonalds, Burger King and Gas station. The sites are currently residential r-20 and in long range planning the corner would be well suited for a commercial use.
2. In determining which commercial zoning code to pursue we have selected B1 since the adjoining property on N Kerr Ave is already zoned B1. That would carry B1 around the corner onto Castle Hayne Road. Zoning map attached.
3. Over the past 15 years that intersection has developed to a commercial use and currently this is the last portion of that intersection zoned residential. Currently 1 house in this section is condemned, two others are in questionable condition and the other is in good condition. It's highest and best use would be to develop the corner for some type of commercial use. Two of the three owners have expressed interest in selling and fully understand that they would not be able to sell the property to a single family home owner. The annual avg. daily traffic counts from 2007 are 17,000 for Castle Hayne Road and 9500 for N Kerr Ave, extremely too high for a residential use.
4. With approval by planning staff, board and county commissioners to rezone to B1 the property will more than likely be developed to a commercial use that would benefit the area instead of looking at condemned and run downed homes.

Thank you for your consideration.

Sincerely,  
Steve Hall  
910-279-3227

