



BOARD OF ALDERMEN & PLANNING BOARD SPECIAL JOINT MEETING

MEMORANDUM

To: Members of the Board of Aldermen, Members of the Planning Board
From: Thomas Lloyd, City Planner
Re: Indigo PUD Master Development Plan & Zoning Map Amendment Application,
Submitted by East-West Partners in partnership with Bald Head Island Limited, designed
by LandDesign
Date: March 16, 2022

BACKGROUND

In partnership with Bald Head Limited, East-West Partners has submitted a PUD Master Development Plan and Rezoning application that would rezone 346.57 acres of undeveloped property adjacent to Smithville Woods, Cades Cove, and Indigo Plantation from R-20 to PUD. A small portion of the property is within our corporate limits, with the majority of it being located within the Extra-Territorial Jurisdiction. Since it is split between the two, all of it is within our zoning jurisdiction. The developer intends to annex into the City as well. In addition to this meeting, the developer is also planning on having a separate community meeting for questions from the public to introduce the project further.

PROCESS

A Planned Unit Development (PUD) is planned and developed as an integral unit, in a single development operation or a programmed series of development operations and according to an approved master development plan. All PUDs require an amendment to the City's zoning map and master development plan approval, followed by the major subdivision approval process. The minimum amount of land required for a PUD district is 9 acres of net buildable area within the corporate limits or 25 acres of net buildable area within the ETJ. This development is 346.57 acres; therefore, it meets the criteria.

The application for a PUD must be accompanied by an application to amend the zoning map (rezoning) to the planned unit development zoning district. The rezoning application should be submitted concurrently with the PUD master development plan. The approval process for a PUD Master Development Plan is the same as a zoning map amendment. The Planning Board shall

provide an advisory recommendation on the PUD master development plan and rezoning within 90 days after introducing such petition at a regularly scheduled meeting and submit its recommendation to the Board of Aldermen. In terms of timing, the PUD master development plan must be approved before the zoning map amendment. If the PUD master development plan is approved, it provides the framework for development within the PUD. The master development plan includes the bubble diagram that illustrates the densities in different areas of the PUD, supporting information, and text which specifies the use or uses intended for the property, dimensional standards, and any development standards to be approved concurrently with the application. This could include features like parking, landscaping design guidelines, buffers, and streetscapes. The master development plan must also be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer. A licensed landscape architect sealed this plan.

The City established a technical review committee for this project. I will go into more detail about that process later. As I stated earlier, the Planning Board has 90 days following the receipt of the PUD master development plan and zoning map amendment application to make a recommendation on both. To be clear, this means that a recommendation by the Planning Board will need to be made no later than at the June 16th Planning Board meeting. The Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other officially adopted applicable plans. The Planning Board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters deemed appropriate by the Planning Board. However, a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen.

It is important to understand that the PUD master site plan and zoning map amendment application are legislative decisions. When speaking of legislative decisions in this context, it is important to note that we are not talking about the State Legislature. In this case, municipal legislative decisions are finalized by the Board of Aldermen as the local Governing Board after an advisory recommendation by the Planning Board. Because legislative decisions have such a significant impact on landowners, neighbors, and the public, state law mandates broad public notice and hearing requirements for these types of decisions. Much like legislative decisions in the General Assembly, broad public discussion and careful deliberation is vital for municipal legislative decisions. Substantial discretion is allowed in legislative decisions, and boards are not under any obligation to approve them.

PROPOSAL

As mentioned previously, the Indigo PUD master development plan comprises a tract that equals 346.57 acres. The overall size of the tract that Bald Head Island Limited owns is 375.08 acres. In terms of the density, East-West Partners is proposing 1,542 dwelling units and 80,000 sf of non-residential use. This is an average of 4.1 dwelling units per acre on the total tract. The UDO allows 6 units per acre for PUDs. The PUD Master Development Plan's bubble diagram shows the different planned areas of the development and how they will differ in density, allowable uses, and allowable housing types. There are 5 different areas identified on the bubble diagram.

The first area is the Marina Village area. The proposed Marina Village area is 9.4 acres. In terms of residential, the developer proposes a mixture of Single Family Townhomes, Duplexes, Multi-Family, and Condos in these areas totaling 188 units. This is equal to 20 dwelling units an acre for this portion of the tract. It is important to note that the product types may change, but the total number of units for each area will not change. The developers are also proposing retail, restaurant, and a commercial marina as non-residential uses for a total of 20,000 sf. The second area is the Residential Core area. The proposed Residential Core area is 58.1 acres. This area will be composed of a mixture of single-family detached, single-family attached townhomes, multi-family, duplexes, assisted living, and senior living for a total of 581 units. This equals 10 dwelling units an acre. 60,000 sf of non-residential retail and office uses are also proposed. The third area proposed is the Residential Center area. This area is 105 acres. Proposed residential uses are single-family detached, single-family attached, multi-family, and duplexes. The total amount of proposed units is 630 total units. This equals 6 dwelling units an acre. No non-residential areas are proposed in the Residential Center area. The fourth area is the Residential Edge area. This area consists of 47.6 acres. The proposed uses in this area are single-family detached homes. The proposed units are 143 total units. This equals 3 dwelling units an acre. The last area identified on the PUD master development bubble diagram is open space. In PUDs, 20% of the tract must be Open Space. Designated 404 wetlands are not allowed to be counted in this calculation. East-West Partners is proposing 75.4 acres of Open Space. 75 acres are required. The proposed PUD master development plan shows 39.3 acres for a nature park. The developers propose a dog park, swimming areas, walking trails, and ball fields. They are also proposing 20.9 acres for a Central Park and pocket park. The proposed uses for this area are a playground, docks, shaded areas, greens, and ball courts. The plan also shows 7.6 acres of linear greens. As shown on the plan, the linear greens will be composed of a green trail network.

INFRASTRUCTURE

The neighborhood's primary entrance is proposed to be off Robert Ruark Dr. There will also be an additional village entrance off of Indigo Plantation D on 9th street. For water and sewer, the City has communicated to the developer that it would be in their best interest to receive service from Brunswick County. The City does not have the excess capacity to serve this project, but the City is open to looping the project into the City's waterlines with an emergency valve for emergencies. For streets, three different types of ROWs are proposed. The first is the Avenue Street. The avenue street is a 61 ft ROW with sidewalks and on-street parking on both sides of the street. The second street type is A-1. A-1 streets will be composed of 54 ft ROWs and will be located adjacent to park spaces where alley-loaded lots are designed to provide visitor parking. Street type A-2 is a 49 ft ROW with ribbon curb and ditch/swale sections along the road. The last street type is Type B. Type B is a 47' ROW and is what the developer envisions as the typical street section in the community where front-loaded lots exist. There will also be 20 ft alleys for the rear entry areas. All street types will have pedestrian sidewalks on both sides. In the same format as early 20th-century villages and neighborhoods oriented towards pedestrian walkability, these street types are akin to traditional neighborhood street designs. The UDO allows ROWs less than 60 ft with the approval of the Fire Chief/Fire Marshal and if they are designed to NCDOT's Subdivision Design Manual. When they come back for preliminary plat approval, the street design must meet NCDOT's guidelines and be approved by the Fire Chief and Fire

Marshal. The applicant has expressed the desire for the streets within the development to be publicly maintained. Public maintenance is preferable to the potential for private street networks. Private street networks often become dilapidated due to improperly funded Property Owner Association agreements, which may result in a request for the City to assume ownership and responsibility of substandard roadways down the road.

TRAFFIC IMPACT ANALYSIS STUDY

The TIA was completed by Jonathan Guy of Kimley-Horne. NCDOT approved the Project Indigo Traffic Impact Analysis (TIA) on March 3rd, 2022. Robert Ruark Dr, 9th Street, and a large portion of the intersections examined are State roads, so NCDOT has been involved in this process from the start along with City staff. City Staff met with District Engineer Ben Hughes to go over the required improvements. Of note is the first improvement. Ben Hughes mentioned that due to ROW constraints on Robert Ruark, some of the proposed improvements are not possible. Mr. Hughes suggested that the City require additional access connections at 11th street or Lord Thomas Avenue to mitigate the impacts at the 211/87 intersection. NCDOT requires the following improvements:

- **NC 211 (N. Howe Street) at NC 87 (River Road)/SR 1852 (Robert Ruark Drive)** (Signalized 4-legged Intersection)
 - Construct an additional eastbound left-turn lane on Robert Ruark Drive to provide dual left-turn lanes with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper*
 - Construct a separate eastbound right turn lane on Robert Ruark Drive with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper*
 - Modify signal timing and phasing

*It is understood that right of way constraints will likely render the proposed roadway mitigations un-constructible. Alternate and/or additional access connections are recommended to reduce impacts at this intersection

- **NC 211 (N. Howe Street) at SR 1209 (9th Street)** (Signalized 4-legged Intersection)
 - Construct an exclusive southbound right turn lane on NC 211 with 300 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper
 - Extend the existing eastbound left-turn lane on 9th Street up to the intersection of Lord Street
 - Optimize the signal timings
- **NC 211 (N. Howe Street) at 12th Street/Stuart Avenue** (Unsignalized 4-legged Intersection)
 - Install a traffic signal and the necessary communication equipment for the bordering signals on NC 211, including NC 87/Robert Ruark Drive, Fodale Avenue, and 9th Street
- **SR 1852 (Robert Ruark Drive) at Site Access 1** (Proposed unsignalized T-intersection)

- Construct the site access with one ingress and two egress lane.
- Provide stop control for the northbound approach.
- Provide a 175-foot internal protected stem for the northbound approach.
- Provide an exclusive westbound left turn lane on SR 1852 (Robert Ruark Drive) with 150 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper

TRC COMMENTS

A Technical Review Committee composed of senior city staff met regarding this project in December of 2021. Staff explained the proposal in detail. Staff explained that while they are asking for 1534 units, some of that may change once they get into more detailed engineering on the site. Each department spoke about how their services would be affected by the proposed master development plan. Parks and Recreation indicated that the current city facilities are inadequate for our current needs and that we would need additional facilities if this proposed development were approved. The Parks and Recreation Director is interested in a land swap to have better connectivity for a City Park. The Parks and Recreation Director indicated that her vision for the City-owned land adjacent to the proposed development is a recreation hub with ball fields and a multi-purpose recreation center. She mentioned that we could also partner with the Board of Education to enhance the facilities in this area so the Elementary School could make use of it, too. It was indicated that the developer is interested in working with the City to help make the recreation hub happen. Further discussions will need to be on this during the development agreement process. The Parks and Recreation Director also mentioned that staffing would need to be increased if the proposed development happens.

The Police and Fire Departments also provided comments on the proposed master development plan. The Fire Chief mentioned that even if the County provided water service, it would be good to work with the engineer to loop the water line to have an emergency valve in case of emergencies. Chief Drew also mentioned that staffing would need to be increased for both Fire and EMS. He indicated that a new ambulance would be needed and additional personnel to staff the ambulance. The Police Department indicated that their current facility isn't conducive to their needs if the proposed development happens. More evidence storage and storage would be needed. Depending on how much the population increase would be at build-out, the Department indicated that they would need 3-5 more staff members, including an additional detective.

The Public Works Department indicated that they had questions about the City ROWs and whether the City would be responsible for maintaining them. Staff indicated that the developer's intent is for the streets to be Public R/W and publicly maintained. We do not have an exact mileage of streets yet, which will come further during the engineering and design process. The Public Works Director also had questions about their stormwater system and what type of maintenance would be required. The infrastructure impact analysis that the City is undertaking with WithersRavenel will do more to answer these questions. Depending on these two variables, city staff and equipment will need to be increased to provide these additional services. Lastly, the Public Works Director mentioned that the City's Electric Infrastructure would have to be upgraded.

For the Electric Department, staff indicated that the Developer plans to be served by the City's Electric Utility. At the February 20th Board Workshop, Brunswick Electric explained how the City's Electric Infrastructure would need to be upgraded to serve the development and gave the City two options. The options are to add a new substation to serve the development or add 2 new feeders from spare circuit bays. The Electrical Superintendent indicated that the City had already discussed upgrading the substation. The Electrical Superintendent also reminded everyone that load management switches are required for all new development.

From an Administration standpoint, staff believes that if the proposed development occurs, it will require additional administrative staff, including finance staff and additional building inspectors. Staff pointed out that there would be a Development Fiscal Impact Analysis on the General Fund and City Services completed by DPF to examine further what these impacts will be if the development were to move forward. The City is also working on an infrastructure impact analysis with WithersRavenel to estimate the impacts on the City's existing infrastructure. The City is implementing both of those projects now. The City will share the results of these analyses as they are completed.