MEMORANDUM

TO: Mayor and Members of the City Council

FROM: Reginald Goodson, City Manager
Dylan Lloyd, Senior Planner

DATE: October 8, 2025

RE: Consideration – Hold a Public Hearing – RZ 02-25

BACKGROUND:

At the August 6th Planning Commission meeting a proposal for a rezoning from R15 to a Planned Unit Development (PUD-PDR) was presented and heard. This item was brought forward on during the City Council's August 25, 2025 Work Session as a request to Call for a Public Hearing.

ANALYSIS:

CASE NO.: RZ 02-25, PINES PUD REZONING submitted by Bindu Patel for the property located at 1525 N Road Street (Parcel ID: 891503302652). The applicant is requesting to rezone the property from its current zoning district of R-15 residential, to a Planned Unit Development-Residential District (PUD-PDR).

The Planning Commission voted 5-1 to Deny Recommendation of this project. As per Article 8 of the UDO, this matter now needs to be decided by City Council.

On August 25, 2025, the City Council called for a public hearing to be held during the October 13, 2025 Regular Session.

AT THE CONCLUSION OF THE PUBLIC HEARING:

STAFF RECOMMENDATION:

By motion, approve the rezoning (RZ 02-25) from R15 to PUD-PDR contingent on the following:

- Submission of an updated survey showing wetland delineation and flood hazard areas
- Submission of traffic generation data showing trips to and from the development as outlined in Article 9-10.5

Consistency Statement:

Residential R-15 to Planned Unit Development (PUD-PDR) is an acceptable rezoning, as it is consistent with the PUD process and the character of the surrounding community. While the rezoning is not consistent with the Future Land Use Plan, which prescribes the future land use as Conservation and not as Medium High Density / Residential, there are neighboring properties that represent this type of development intensity. The Future Land Use Plan is meant to be used as a guide for future growth and development and is not a regulatory document.

Ordinance # 2025-10-01
Rezoning Request RZ-02-25
1525 North Road Street
(Parcel ID: 891503302652 Tax Map #P142-7)

WHEREAS, on August 5, 2025, the Planning Commission reviewed Petition RZ-02-25, a request to rezone a 111.5-acre parcel located at 1525 N. Road Street (**ID: 891503302652 Map #P142-7**) from Residential (R-15) to Planned Unit Development (PUD-PDR); and

WHEREAS, the City Council called for a public hearing on August 25, 2025, which was held on October 13, 2025, at which time they considered any public comments received during the meeting; and

WHEREAS, the Planning Commission voted to deny the recommendation of the project however, the City Council found the request to rezone to the parcel from Residential (R-15) to Planned Unit Development (PUD-PDR) to be consistent with the area's zoning pattern and existing land uses of adjacent properties, in spite of not being consistent with the Future Land Use Map; and

WHEREAS, the proposed zoning will be consistent with the area's zoning patterns; and

WHEREAS, the Joint Pasquotank County/Elizabeth City Land Use Plan was considered; and

WHEREAS, after consideration of the technical merits of the request during the October 13th public hearing, the City Council has approved the rezoning provided the requirements imposed by City staff are satisfied.

NOW THEREFORE, BE IT ORDAINED that the City Council of the City of Elizabeth City does hereby approve the request to amend the Official Zoning Map to show that 111.5 acres at 1525 North Road Street **(ID: 891503302652 Map #P142-7)** located approximately 900 feet WNW from the intersection of North Road Street and Culpepper Lane be rezoned from Residential (R-15) to Planned Unit Development (PUD-PDR) and has issued the following consistency statement:

> ***"The City Council of the City of Elizabeth City approves the rezoning from R-15 to PUD-PDR as is consistent with the PUD process and the character of the surrounding community. While the rezoning is not consistent with the Future Land Use Plan, which prescribes the future land use as Conservation and not as Medium High Density / Residential,***

there are neighboring properties that represent this type of development intensity. The Future Land Use Plan is meant to be used as a guide for future growth and development and is not a regulatory document.

ADOPTED, this the 13th day of October 2025.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

CITY OF ELIZABETH CITY
DEVELOPMENT SERVICES

STAFF ANALYSIS

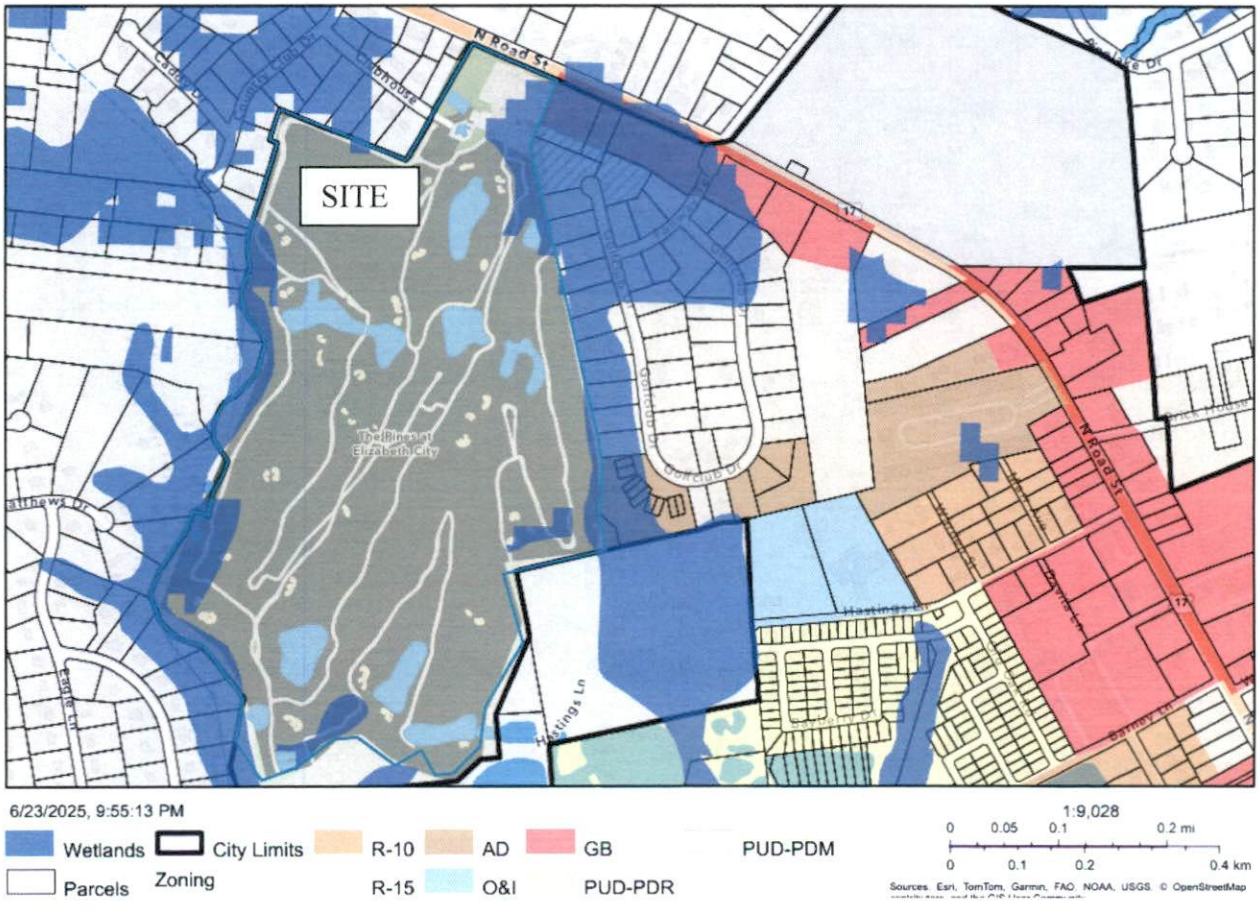
CASE NO.	**PARCEL INFO**	**MEETING DATE**
Rezoning RZ-02-25	Tax Map #P142-7	August 5, 2025

ITEM:

This application for Rezoning is a petition to amend the map from Residential (R-15) to a Planned Unit Development (PUD-PDR) for the construction of 9 Single Family Lots and 117 townhome units.

LOCATION/DESCRIPTION

This parcel lies on a 111.5-acre parcel at 1525 N Road Street on the northwestern edge of the corporate limits that has been utilized since 1958 as a privately owned Golf Course that is open to the public. The property is located approximately 900 feet WNW from the intersection of N Road Street and Culpepper Lane. The character of the area is defined mostly by small businesses along the N Road Street corridor with single family home neighborhoods reaching outward from collector roads running from each side of the street, along with pockets of multifamily development to the east.



ZONING DISTRICT:
Residential (R-15)

PROPOSED ZONING:
PUD - PDR

OWNERS
STAAR VC GROUP NCECGC LLC
114 Matthews Drive
Elizabeth City, NC

APPLICANTS
Stuart Bonnell
870 Greenbrier Circle St100
Chesapeake, VA 23320

ADJACENT ZONING AND USE

North: Pasquotank County C1 Commercial – Businesses and vacant lots
South: Residential (R-15) – Single Family Homes
East: (General Business) GB, Residential (R-15) & Apartment District (AD) – Single Family and Multifamily Homes, Medical Offices
West: Pasquotank County R-15 Residential – Single Family Homes

FLOOD ZONE: The subject property is located in two FEMA zones: The Shaded Zone X, in which there is a 0.2% annual chance of flooding, and the AE Flood Zone, which is within the 100-year floodplain. The area of interest is mostly located in an X Zone with pockets of AE Zone along the western border of the property that follows a small tributary arm of Knobbs Creek. Areas within the Hundred-Year Flood Plain are mostly south and west of the proposed location for townhome units near the golf course greens and ponds, outside of the proposed are of disturbance.

For the purposes of this rezoning, be it a Planned Unit Development with a clearly outlined area for proposed unit types and densities, the analysis for flood hazards is being reduced to just the 13.1-acre portion where build out is set to occur, according to the Master Site Plan which was approved at the May 28th Technical Review Committee (TRC) meeting. The remaining 98 acres of the site is for open space and the existing clubhouse and pool. A thorough wetland delineation survey showing flood hazard areas and amounts of wetland acreage is required before approval by Council.

NARRATIVE OF REQUEST:

The applicant is seeking a rezoning from the existing designation of R-15 Residential, which allows single family development up to 3 homes per acre as well as recreational use such as golf courses and clubhouses, to a Planned-Unit Development (PUD-PDR).

This rezoning would facilitate the applicant to plat 9 single family lots and build 117 Townhome Units at the front of the 111-acre golf course facility that could be accessed via drive aisles connecting to the front parking lot and entrance. To do this, the applicant needs to amend the map into a PUD-PDR that allows varying housing types and densities. Upon applying for a PUD rezoning, the applicant is required to adhere to guidelines prescribed in UDO section 9-10, one of which requires a Master Site Plan be submitted for review by TRC and Planning Commission.

TRC approved the Master Site Plan for this proposed rezoning on May 28th, 2025. The applicant had an original drawing submitted for TRC review dated April 21st, 2025 with 132 townhomes and a 'buffer' area of 10 single family homes to provide consistency with boundary properties located along Clubhouse Road and Country Club Drive. New drawings were presented recently on June 13, 2025 that eliminated this buffer and increased the amount of townhomes to 175. The single family units were given a density of 2.7 units per acre, which is consistent with R-15 Residential, which is also being explored in a cluster option. The applicant is still requesting a density for townhome units, so the density request is consistent with what was requested at TRC. The most recent revised drawings now plan for 117 townhome units and 9 single family lots.

PUBLIC UTILITIES

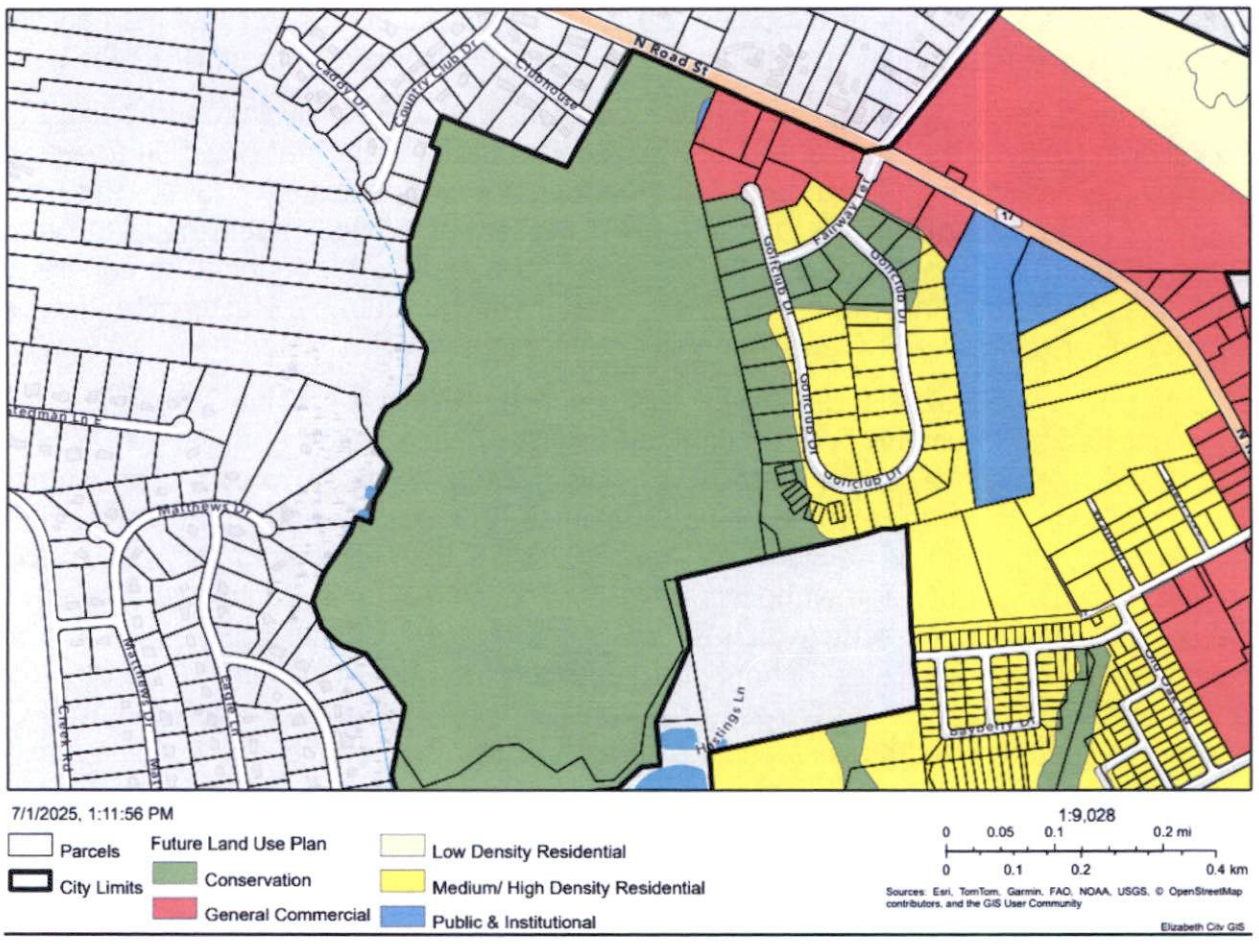
The Electric Department indicated at the May 28th TRC meeting that service was available for the 132 townhomes and 10 single family homes shown on the drawings that were distributed to members on May 5th, 2025. Applicant suggests service would connect through proposed underground wires with transformers and meters installed near the front corners of the townhome blocks. A review by the Elizabeth City electric department would be pending application at Preliminary Plat phase.

Water service is currently provided to the property by Pasquotank County under a grandfathered agreement, but the multifamily development would need to be provided by the city via a 10" water line that runs along the north side of N Road Street. A line would need to be constructed either from this existing line and built under the street, or

connect to the adjacent property at 1507 N Road Street. The closest fire hydrant is also at 1507 N Road Street and as it is approximately 800 feet from the proposed development, new hydrants would need to be placed in the proposed development area. A sewer force main also runs along the north side of N Road Street which could be utilized. It is important to note that the current clubhouse structure is served by septic for its wastewater needs.

LAND USE PLAN

The Pasquotank County Elizabeth City Future Land Use Plan, adopted by City Council on January 9th 2012, recommends Conservation Uses at the current parcel, which prescribes 1 unit per five acres of land.



TRANSPORTATION

Traffic volume data from the 2016 Pasquotank County and Elizabeth City Transportation Plan shows daily volumes of 13,000 vehicles with road capacity for 27,100 vehicles. Projected volumes for the year 2040 show 15,800 vehicles and a similar capacity for 27,100 vehicles. It is not anticipated that the size and scope of this rezoning or any development that results as a part of it would overwhelm the capacity of the roadway. Staff is still recommending that a Traffic Impact Study (TIA) be performed prior to approval of any preliminary plat for subdivision or residential multifamily development.

SCHOOL CAPACITY

According to recent attendance records, Sheep-Harney Elementary is currently 37 seats

below capacity. Elizabeth City Middle and Pasquotank High Schools do not currently have capacity issues. The Elizabeth City Pasquotank Public School Superintendent Dr. Keith Parker, Elizabeth City Pasquotank Public Schools (ECPPS) Superintendent, stated that ECPPS is supportive of any growth and expansion in the City that could lead to an increase in student enrollment at their schools. ECPPS will accommodate students and not turn them away. They will work with the City to accommodate any growth that might result if the project is built out as planned. According to calculations from the Census Bureau, this project would add an estimated 54 school-aged children.

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff is recommending certain changes and conditions to the Master Site plan as required in UDO Article 9-10.4 and 9-10.5 in order for this project to be approved. Specifically, the site drawings shall be changed to show a minimum 20' landscaped screening buffer along a portion of the perimeter so that the structures shall be in greater harmony with adjacent lands. Recent drawings have been summited reflecting these required changes for Boundary Treatment as outlined in Article 9-10.4 (D). Conditions to be satisfied before staff recommends approval include the following:

- Submission of an updated survey showing wetland delineation and flood hazard areas
- Submission of traffic generation data showing trips to and from the development as outlined in Article 9-10.5

Upon the acceptance of these conditions, staff is recommending the approval of this rezoning from Residential R-15 to Planned Unit Development (PUD-PDR) as it is consistent with the PUD process and the character of the surrounding community. Townhomes already exist adjacent to the property and in higher allowed densities zonings (AD Apartment District) than what is being proposed. There are high density residential apartments along this portion of Route 17 as well. Pasquotank Public Schools has expressed a willingness to accommodate all new students in this area.

While the rezoning is not consistent with the Future Land Use Plan which prescribes future land use as Conservation and not as Medium to High Density Residential, there are neighboring properties at 136-142 Golf Club Drive that are representative of this type of development intensity. The Conservation Land Use as described in Table 49 from the Pasquotank Elizabeth City Future Land Use Plan only recommends 1 dwelling unit per 5 acres. The Future Land Use Plan is meant to be used as a guide for future growth and development and is not a regulatory document.