



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: August 15, 2024
 Department: Planning and Economic Development Division
 Agenda Section: 5C
 Public hearing: Yes
 Date of public hearings: August 15, 2024

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II
 Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Paliouras Tract Master Plan amendment

Attachments:

1. Submitted Application Package
2. Vicinity, Zoning, and Future Land Use Maps
3. Original Paliouras Tract Master Plan & Approval
4. Staff Analysis

Background:

In 2019, James Paliouras submitted annexation, rezoning, and master plan applications for several parcels totaling 25 acres east of NC Highway 86 S and south of the I-85 interchange. The 25 acres is known as the “Paliouras Tract.” The Board of Commissioners approved the requests on June 10, 2019. This annexed the Paliouras Tract to the town, rezoned it to Entranceway Special Use (ESU), and enacted the master plan.

Vicinity, zoning, and future land use maps for the Paliouras Tract are enclosed, as are the master plan and the Resolution of Approval. Note that the Sheetz site (1990 NC 86 S; PIN 9873-69-3547) is not part of the Paliouras Tract. It was annexed and rezoned separately and is zoned High Intensity Commercial (HIC).

Proposal:

The applicant is proposing the following amendments to the Paliouras Tract Master Plan:

- Change the allowable land uses for lots 1, 2, and 8 from retail and hotel/retail to multi-family residential to allow for the development of apartments (see original master plan map to the right);
- Allow a maximum of 260 apartment units, 30% of which would be affordable to those making 70% of the average median income (AMI); and
- Set a maximum building height of 60’ for the apartment units.

The applicant is proposing to amend the master plan for the Paliouras Tract but not the zoning designation. If this amendment request is approved, the zoning will remain



Original Paliouras Tract Master Plan 2019

Entranceway Special Use (ESU). Under the terms of the master plan, the applicant will need to submit a Special Use Permit application, including a site plan, to the Board of Adjustment for approval to develop the property.

Note the applicant has submitted a sketch plan showing a conceptual layout for the apartment units. This is for illustrative purposes only. If the proposed master plan amendments are approved, the applicant will be submitting a site plan to the Board of Adjustment as stated above.

Comprehensive Sustainability Plan goals:

- Land Use and Development Goal 1:
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:
Develop and adopt plans that contribute to meeting preferred future land use and growth patterns.

Financial impacts: To be determined

Staff comments and recommendations:

Planning

Planning staff finds the proposal consistent with the planned growth pattern for the town but inconsistent with the Future Land Use Map/Plan. The future land use designation for the project area is “Retail Services,” which does not envision residential uses. However, the Board of Commissioners could still approve the master plan amendment despite this inconsistency per [NC GS § 160D-605 \(a\)](#), [Governing board statement – Plan Consistency](#).

The application package proposes an affordable housing component. If the Board of Commissioners wishes to approve the proposal, staff recommends including conditions on affordable housing in the master plan. Specifically:

1. Thirty percent (30%) of the apartment units shall be affordable to those making 70% of the average median income (AMI).
2. A deed restriction shall be recorded reserving the affordable units for a period of ninety-nine (99) years and requiring annual certification with the town of the number of affordable units before a Zoning Compliance Permit will be issued for the first apartment building.
3. The developer shall modify the intersection if needed and install a painted crosswalk with high-visibility striping, pedestrian signal heads, and a flashing beacon at the intersection of NC 86 S and Paliouras Court/Hampton Point Boulevard as allowed and approved by the North Carolina Department of Transportation.

Planning staff also recommends that the boards consider residential units “in the pipeline” (*i.e.*, approved but not yet constructed) as it reviews this proposal. As of August 2024, there are 877 approved residential units not yet built. See the enclosed staff analysis for further details.

Utilities

The Utilities Department has indicated that, based on its calculations, a multifamily development at this site would use significantly more water and discharge significantly more sewer than a hotel. The Utilities Department maintains that additional conditions to the master plan are necessary if the proposed amendment is to be approved. Specifically, Utilities recommends requiring off-site improvements to address the additional sewer flow and multiple water connections. See the enclosed staff analysis for further details.

Action requested:

Hold the public hearing and provide feedback to the applicant