

# NEW HANOVER COUNTY

## DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



## CONDITIONAL ZONING DISTRICT Application

Applicant/Agent Information		Property Owner(s) <i>If different than Applicant/Agent</i>
<b>Name</b> CINDEE WOLF	<b>Owner Name</b> RIPWOOD COMPANY, INC.	
<b>Company</b> DESIGN SOLUTIONS	<b>Owner Name 2</b>	
<b>Address</b> PO BOX 7221	<b>Address</b> 4608 CEDAR AVE, UNIT 100	
<b>City, State, Zip</b> WILMINGTON, NC 28406	<b>City, State, Zip</b> WILMINGTON, NC 28403	
<b>Phone</b> 910-620-2374	<b>Phone</b> 910-791-7472	
<b>Email</b> CWOLF@LOBODEMAR.BIZ	<b>Email</b> --	
<b>Subject Property Information</b>		
<b>Address/Location</b> 620 SPRING BRANCH RD		
<b>Parcel Identification Number(s)</b> 314809.06.7039		
<b>Total Parcel(s) Acreage</b> 3.60 ACRES +/-		
<b>Existing Zoning and Use(s)</b> R-15 / VACANT		
<b>Future Land Use Classification</b> GENERAL RESIDENTIAL		
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number</b> 220-14	<b>Date/Time received:</b> 7/19/2020 Before 5pm	<b>Received by:</b> GHS

## Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: (CZD) R-5 Total Acreage of Proposed District: 3.60 AC.

Only uses allowed by right in the corresponding General Use District are eligible for consideration within a Conditional Zoning District. Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed).

The purpose of the R-5 district is to encourage medium density development where adequate services are already available. Single-family and individually-owned, detached-townhome housing is permitted in the residential districts by performance development standards. The style of development adds an alternative housing option in this area of the County that has historically been limited to single-family homes on larger lots.

## Proposed Condition(s)

Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding General Use District regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

Reference the site plan for project layout. All landscaping requirements for an attached housing project would be applied to add shading, visual interest and aesthetic quality.

## Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: 210 - Single-family Homes

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): PER DWELLING UNIT @ 22 UNITS

AM Peak Hour Trips: 17 PM Peak Hour Trips: 22

## CONSIDERATION OF A CONDITIONAL ZONING DISTRICT

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of very dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)

The policies for growth and development encourage safe and affordable housing to be available to every citizen. Sustainability of the County depends on sensible in-fill and maximizing use of lands already accessible to urban services. Increased density of development not only adds to the tax base, but makes better use of the existing infrastructure.

2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

Rezoning this property for moderate density provides alternative housing opportunities in an area that already has public services available to it. Clustering by performance standards allows for more open common area.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

Since the original Spring View neighborhood was created, the construction of I-40 as an extension of N College Road, and of MLK Parkway, has made this vicinity more attractive for housing opportunities because of the increased ease of commuting from home to jobs and services. Adding modest increase of density for new development is not uncommon.

## APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications must be complete in order to process for further review.

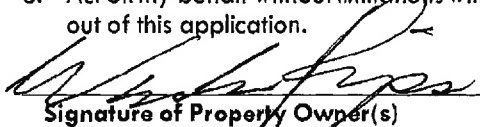
Required Information		Applicant Initial	Staff Initial
1	Complete Conditional Zoning District application.	CAW	
2	Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review).	CAW	
3	Community meeting written summary.	CAW	
4	Traffic impact analysis (for uses that generate more than 100 peak hour trips).	N/A	
5	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	CAW	
6	<u>Site Plan including the following elements:</u> <ul style="list-style-type: none"> <li>• Tract boundaries and total area, location of adjoining parcels and roads.</li> <li>• Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used.</li> <li>• Development schedule including proposed phasing.</li> <li>• Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas.</li> <li>• All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage.</li> <li>• The one hundred (100) year floodplain line, if applicable.</li> <li>• Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance.</li> <li>• Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance.</li> <li>• Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable).</li> </ul>	CAW	
7	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	CAW	
8	1 PDF digital copy of ALL documents AND plans.	CAW	

## ACKNOWLEDGEMENT AND SIGNATURES

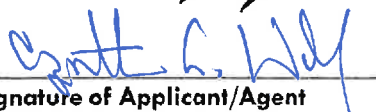
By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Zoning District zoning for which is being applied. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

  
Signature of Property Owner(s)

 (FOR RIPWOOD  
CO., INC.)  
Print Name(s)

  
Signature of Applicant/Agent

CYNTHIA WOLF / DESIGN SOLUTIONS  
Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.



Legal Description for  
Conditional Zoning District

Beginning at a point along the eastern boundary of Spring Branch Road, a 60' public right-of-way; said point being at the southwestern corner of "Lot 13 – Spring View / Section 2," a division recorded among the land records of the New Hanover County Registry in Map Book 8, at Page 50; and running thence:

South 79°43' East, 192.38 feet to a point; thence

South 10°17' West, 463.00 feet to a point in the northern boundary of Martin Luther King Parkway, a public right-of-way; thence with that right-of-way,

North 83°50'25" West, 382.12 feet to a point; thence leaving the right-of-way,

North 07°28'31" East, 286.91 feet to a point; thence

North 03°43' West, 36.00 feet to a point; thence

North 86°17' East, 240.00 feet to a point in the eastern boundary of the terminus of Spring Branch Road; thence with that eastern right-of-way,

North 03°43' West, 32.00 feet to a point; thence

Along a curve to the right, having a Radius of 537.13 feet and Length of 81.03 feet, a Chord of North 00°36'28" East, 81.01 feet to the point and place of beginning, containing 3.60 acres, more or less.

# Spring Ridge







SPRING VIEW DR

RIPLEE DR

SPRING BRANCH RD

N COLLEGE RD

N COLLEGE RD

620 Spring Branch Road  
3.60 Acres  
Proposed R-5 (CZD)

MARTIN LUTHER KING JR PKY

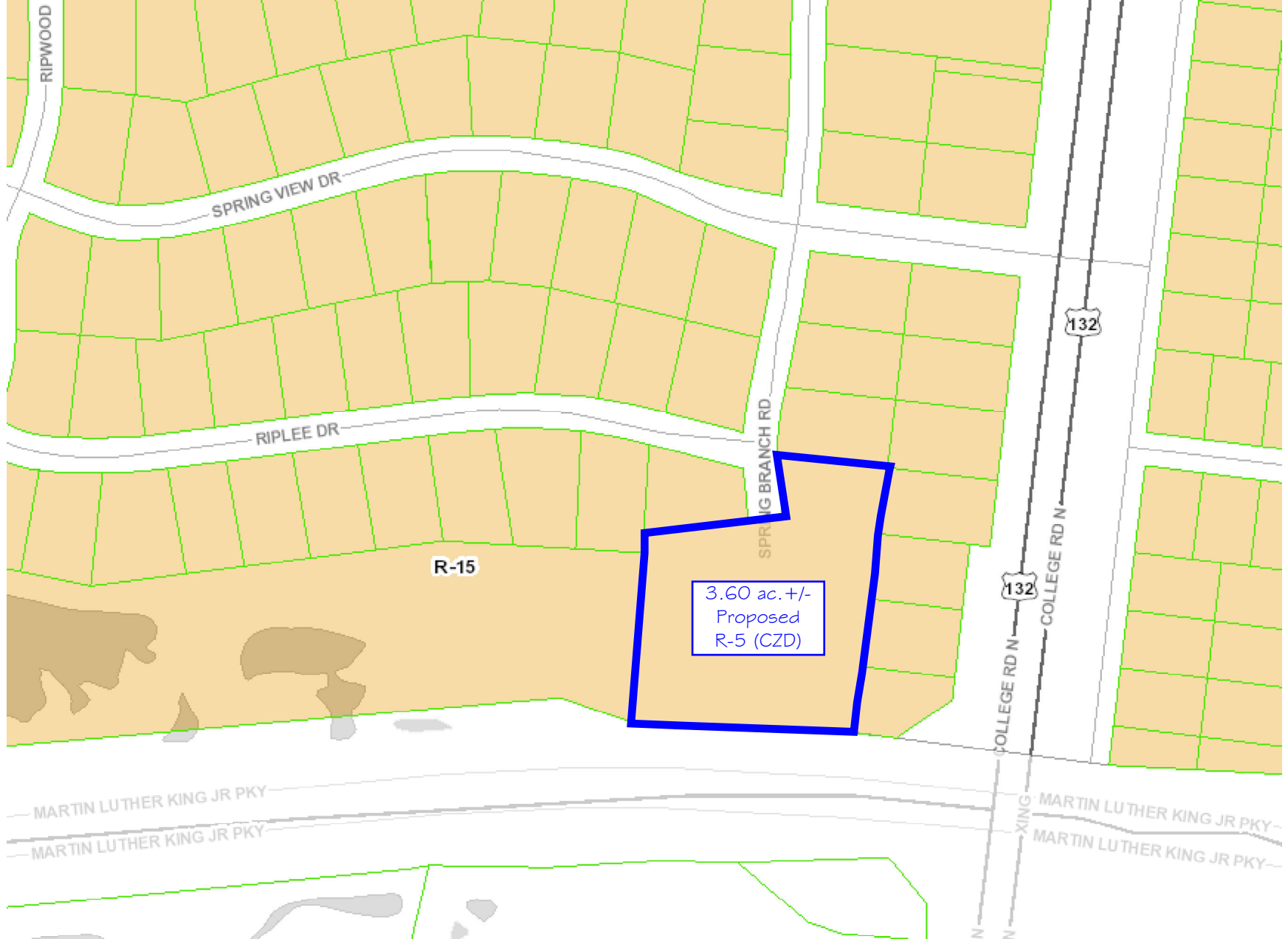
MARTIN LUTHER KING JR PKY

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MARTIN LUTHER KING JR PKY

MARTIN LUTHER KING JR PKY





RIPWOOD

SPRING VIEW DR

RIPLER DR

SPRING BRANCH RD

132

132

COLLEGE RD N

COLLEGE RD N

MARTIN LUTHER KING JR PKY

MARTIN LUTHER KING JR PKY

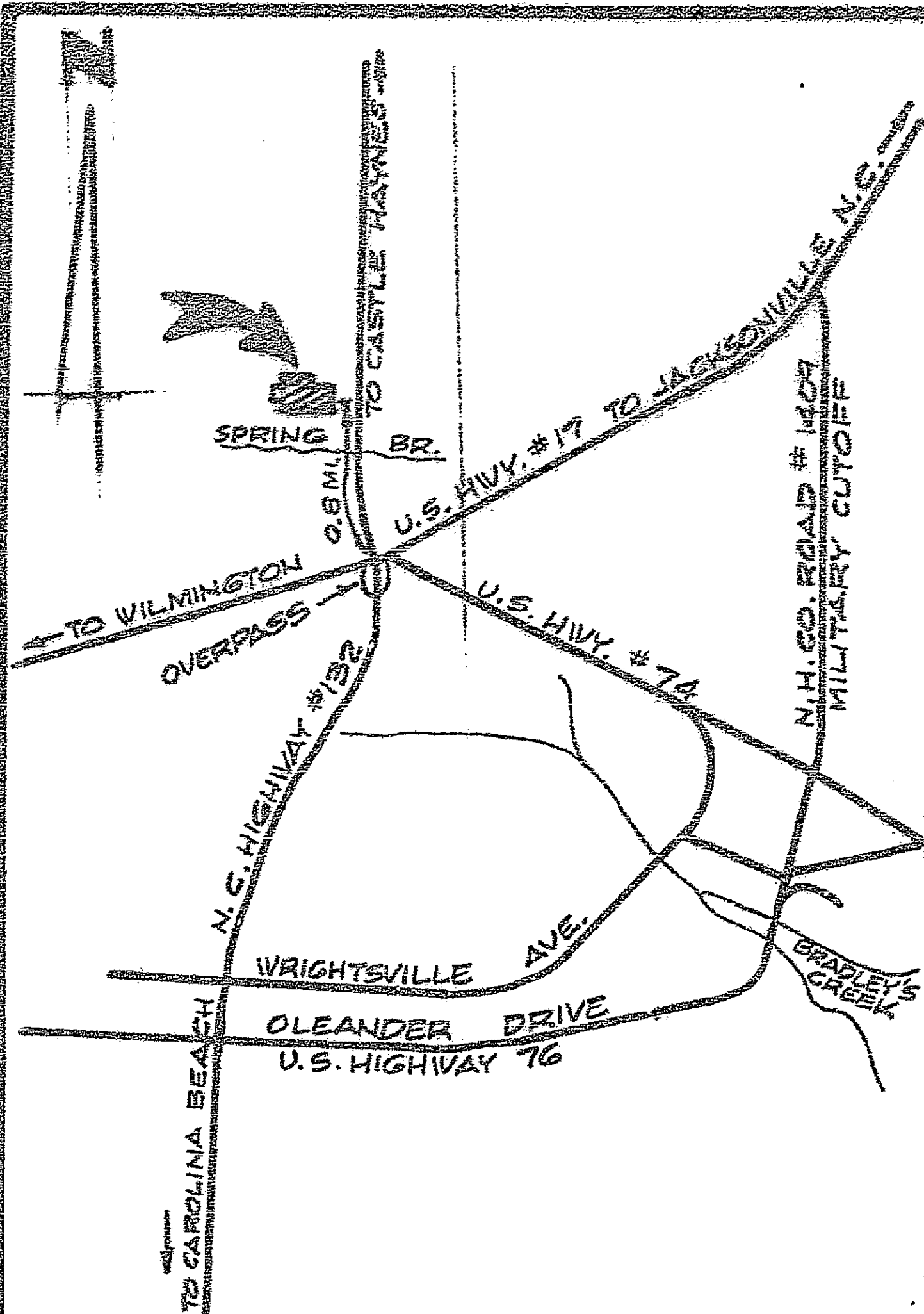
MARTIN LUTHER KING JR PKY

MARTIN LUTHER KING JR PKY

R-15

3.60 ac. +/-  
Proposed  
R-5 (CZD)





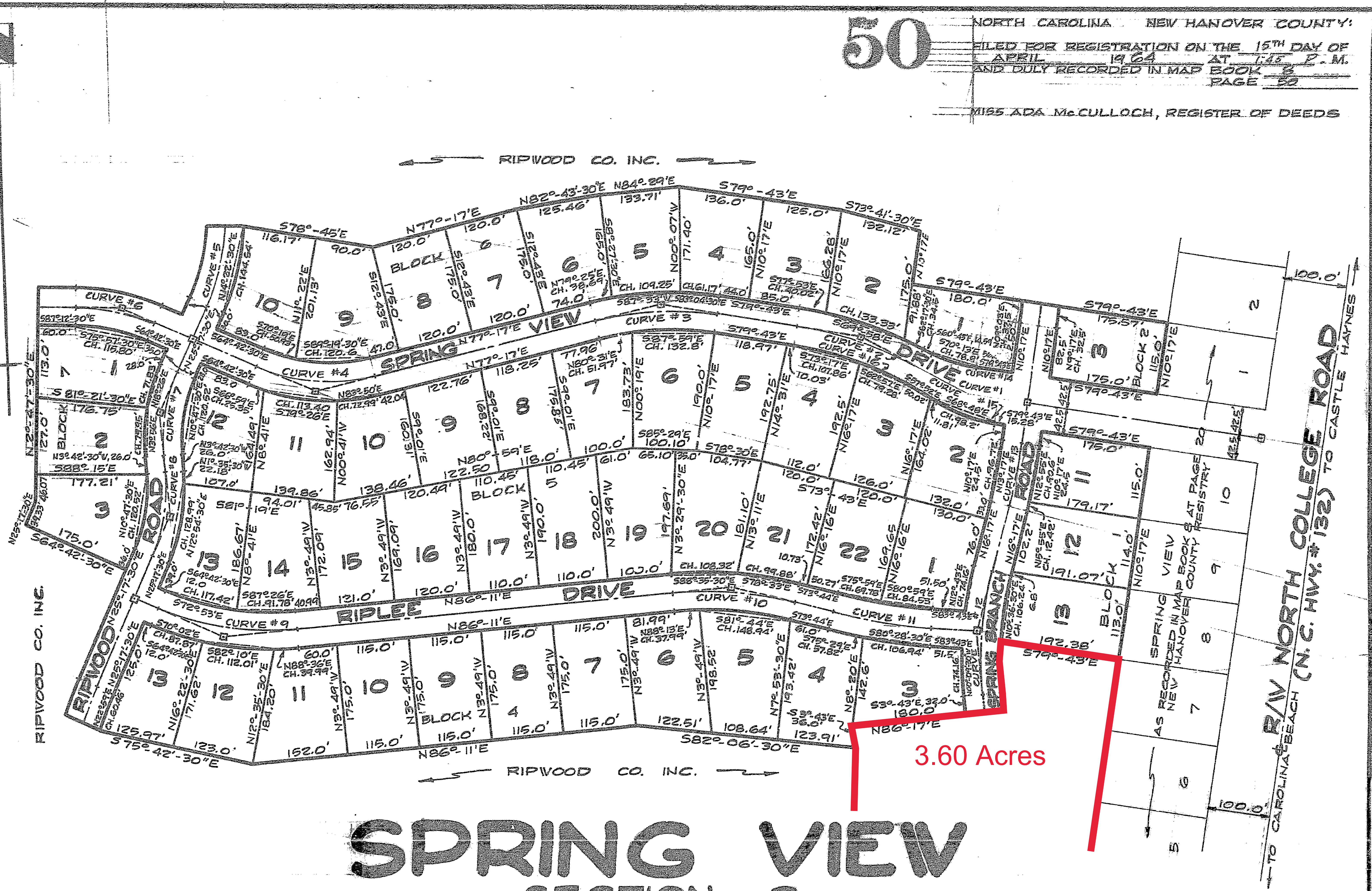
**LOCATION MAP**  
SCALE IN MILES  
0 1 2 3

NORTH CAROLINA HANOVER COUNTY:  
I, GEORGE LOSAK, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE BY ME, THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:15,000\*; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 14TH DAY OF APRIL 1964.

*George Losak*  
GEORGE LOSAK  
REGISTERED LAND SURVEYOR

SWORN TO AND SUBSCRIBED BEFORE ME THIS 14TH DAY OF APRIL 1964, LET THIS INSTRUMENT AND CERTIFICATE BE RECORDED.

*Louis J. Ward*  
CLERK OF SUPERIOR COURT



CURVE DATA				
CURVE NO.	DELTA	TANGENT	RADIUS	ARC
1	192.00'	30.0'	179.25'	59.45'
2	192.00'	100.0'	597.64'	198.16'
3	232.00'	100.0'	491.55'	197.31'
4	382.00'	100.0'	290.41'	192.61'
5	222.30'	70.0'	351.91'	138.2'
6	222.30'	65.0'	326.78'	128.32'
7	292.00'	70.0'	270.69'	137.0'
8	292.00'	70.0'	270.69'	137.0'
9	292.07'	115.0'	442.86'	225.03'
10	202.05'	100.0'	564.51'	197.95'
11	92.59'	80.0'	915.20'	159.59'
12	202.00'	100.0'	567.13'	197.96'
13	62.00'	50.0'	934.37'	99.91'

CURVE DATA				
CURVE NO.	DELTA	TANGENT	RADIUS	ARC
14	192.00'	40.0'	239.01'	79.27'
15	212.51'	50.0'	259.04'	98.74'
16	212.51'	94.98'	492.07'	187.65'

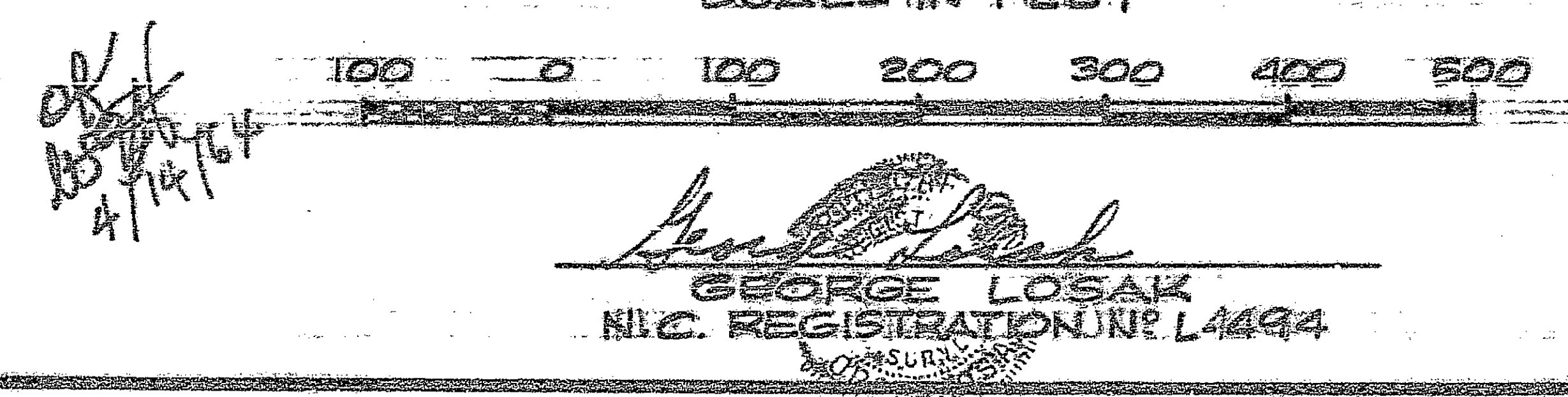
**NOTES:**  
1- ALL STREET RIGHT-OF-WAYS 60.0' UNLESS OTHERWISE SHOWN EXCEPTING THE CONVERSION IN AREA OF CURVE #1.  
2- IRON PIPES AT ALL CORNERS.

**LEGEND:**  
□ = CONCRETE MONUMENT

**SPRING VIEW**  
SECTION 2  
HARNETT TOWNSHIP - NEW HANOVER COUNTY, NORTH CAROLINA  
FOR  
**RIPWOOD CO., INC.**  
DEVELOPED BY  
**HOME REALTY CO.**

GEORGE LOSAK  
REGISTERED LAND SURVEYOR  
WILMINGTON, N. C.

SCALE: 1"=100'  
APRIL 10, 1964



50

NORTH CAROLINA NEW HANOVER COUNTY:  
FILED FOR REGISTRATION ON THE 15TH DAY OF  
APRIL 1964 AT 1:45 P.M.  
AND DULY RECORDED IN MAP BOOK 8  
PAGE 50  
MISS ADA McCULLOCH, REGISTER OF DEEDS



**REPORT OF COMMUNITY MEETING NOTIFIATION  
BY NEW HANOVER COUNTY ZONING ORDINANCE  
FOR CONDITIONAL DISTRICT REZONINGS**

Project Name: Spring Ridge  
Proposed Zoning: R-15 to (CZD) R-5

The undersigned hereby certifies that written notice of a project proposal and an exhibit of the site layout for the above proposed zoning application was sent to the adjacent property owners set forth on the attached list by first class mail, and provided to the Planning Department for notice of the Sunshine List on June 26, 2020. The mailing gave the recipients opportunity to contact us with questions or comments via telephone or email. Copies of the written notices and the site layout are attached.

The persons responding were: Reference attached list of contacts received from calls and emails.

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\_\_\_\_\_  
\_\_\_\_\_

Date: July 8, 2020  
Applicant: Design Solutions  
By: Cindee Wolf

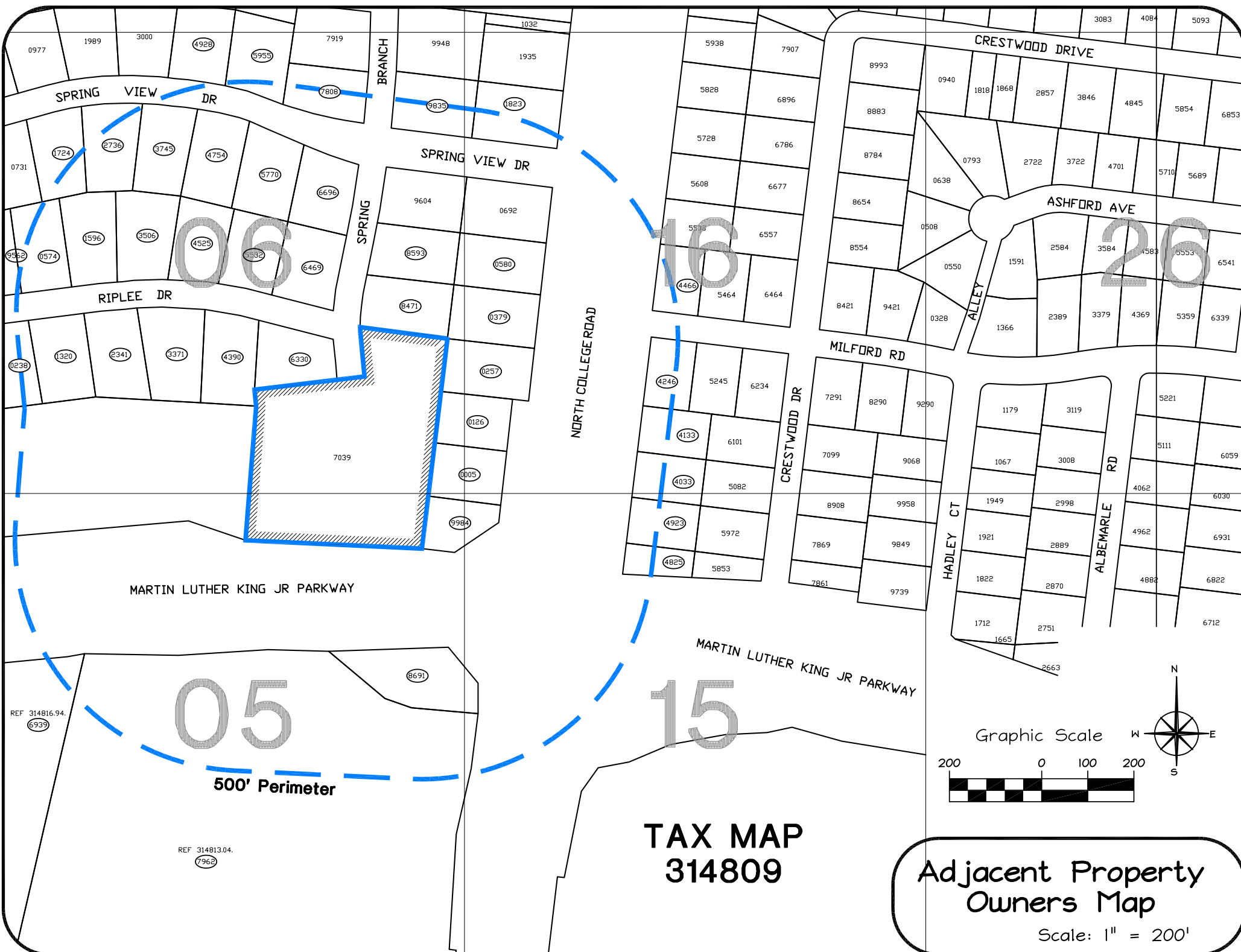
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# Community Contact List

Spring Ridge Community

Name	Address	Email (Optional)
Michael Blanchard	4642 Riplee Dr	blanchardprod@bellsouth.net
Cindee Wolf	Project Planner	<a href="mailto:cwolf@lobodemar.biz">cwolf@lobodemar.biz</a>



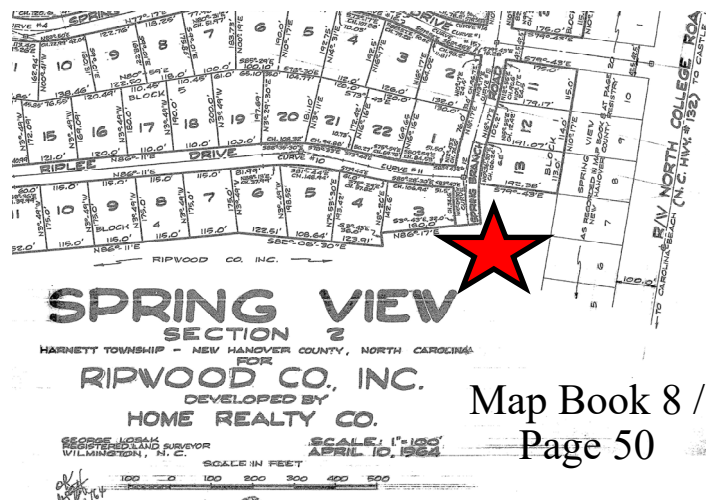


PROPERTY OWNER	MAILING ADDRESS	CITY / STATE / ZIP	SITUS LOCATION
ALDERMAN DANIEL G JR CAROLYN S	4637 RIPLEE DR	WILMINGTON, NC 28405	4637 RIPLEE DR WILMINGTON
ALLEN CHARLES	4701 MILFORD RD	WILMINGTON, NC 28405	4701 MILFORD RD WILMINGTON
BLANCHARD MICHAEL DEBORAH A	4922 NORTHEASTERN DR	WILMINGTON, NC 28409	4642 RIPLEE DR WILMINGTON
BLASZKA WILLIAM ETAL	626 COLLEGE RD N	WILMINGTON, NC 28405	626 COLLEGE RD N WILMINGTON
BREWER JERRY JASON JR ETAL	4638 RIPLEE DR	WILMINGTON, NC 28405	4638 RIPLEE DR WILMINGTON
BYSTROM LAUREN L CARL E	639 SPRING BRANCH RD	WILMINGTON, NC 28405	639 SPRING BRANCH RD WILMINGTON
CAPE COTTAGES HOA INC	2002 EASTWOOD RD #202	WILMINGTON, NC 28405	705 SUMMERTIME LN WILMINGTON
CHESTNUT STREET PARTNERS LP	1 MUSCOGEE AVE NW	ATLANTA, GA 30305	620 COLLEGE RD N WILMINGTON
CHESTNUT STREET PARTNERS LP	1 MUSOGEE AVE NW	ATLANTA, GA 30305	616 COLLEGE RD N WILMINGTON
CORBETT JOSEPH N BRENDA D	632 SPRING BRANCH RD	WILMINGTON, NC 28405	632 SPRING BRANCH RD WILMINGTON
CORNING INCORPORATED	1 RIVERFRONT PLZ	COARNING, NY 14831	521 COLLEGE RD N WILMINGTON
COSTIN EBERN MARGARET REV LIV TR	4622 SPRING VIEW DR	WILMINGTON, NC 28405	4622 SPRING VIEW DR WILMINGTON
DODSON LIONEL A LEILA H	4649 SPRING VIEW DR	WILMINGTON, NC 28405	4649 SPRING VIEW DR WILMINGTON
DOVER CLARENCE W SHIRLEY M	701 COLLEGE RD N	WILMINGTON, NC 28405	701 COLLEGE RD N WILMINGTON
FANTAUZZI SIGFREDO A	4706 MILFORD RD	WILMINGTON, NC 28405	4706 MILFORD RD WILMINGTON
FOSTER MARK JOSEPH	4634 RIPLEE DR	WILMINGTON, NC 28405	4634 RIPLEE DR WILMINGTON
HOWARD LOUIS J JR JOHNNIE C	4633 RIPLEE DR	WILMINGTON, NC 28405	4633 RIPLEE DR WILMINGTON
HUFHAM CHRISTOPHER D ROBIN A	4622 RIPLEE DR	WILMINGTON, NC 28405	4622 RIPLEE DR WILMINGTON
KENNEDY ELBERT H FAY M	4629 RIPLEE DR	WILMINGTON, NC 28405	4629 RIPLEE DR WILMINGTON
KEYS STEPHEN M	4617 RIPLEE DR	WILMINGTON, NC 28405	4617 RIPLEE DR WILMINGTON
MCCOY WINFRED S	117 MARSH FIELD DR	WILMINGTON, NC 28411	4621 RIPLEE DR WILMINGTON
MESSER TOM E NANCY VIVIAN	640 SPRING BRANCH RD	WILMINGTON, NC 28405	640 SPRING BRANCH RD WILMINGTON
MOORE JERRY E TRACY G	4702 MILFORD RD	WILMINGTON, NC 28405	4702 MILFORD RD WILMINGTON
NORRIS CARLYLE T LIFE ESTATE	4209 EDNA BUCK RD	CASTLE HAYNE, NC 28429	635 COLLEGE RD N WILMINGTON
NYGREN ERIC N	530 STARMOUNT LN	HENDERSONVILLE, NC 28791	4626 SPRING VIEW DR WILMINGTON
OXENDINE DAWN M ETAL	4630 RIPLEE DR	WILMINGTON, NC 28405	4630 RIPLEE DR WILMINGTON
PARHAM NECIE L LIFE ESTATE	639 COLLEGE RD N	WILMINGTON, NC 28405	639 COLLEGE RD N WILMINGTON
PEPPIN DORIS WATSON ETAL	1181 CARLTON CT APT 104	FORT PIERCE, FL 34949	701 SPRING BRANCH RD WILMINGTON
PETERSON CHARLES L GEORGIA	4626 RIPLEE DR	WILMINGTON, NC 28405	4626 RIPLEE DR WILMINGTON
POLLARD PATRICIA D LESLIE WALT	4703 HAMMOCK PL	WILMINGTON, NC 28409	636 SPRING BRANCH RD WILMINGTON
ROOKER MARK F	3304 DOUGHER CT	WAKE FOREST, NC 27587	4630 SPRING VIEW DR WILMINGTON
ROURK ROBERT I ANNA JANICKI	PO BOX 749	REIDSVILLE, NC 27323	4634 SPRING VIEW DR WILMINGTON
SMITH SHARON D JON MICHAEL	4633 SPRING VIEW DR	WILMINGTON, NC 28405	4633 SPRING VIEW DR WILMINGTON
SPIER ERIC A	631 SPRING BRANCH RD	WILMINGTON, NC 28405	631 SPRING BRANCH RD WILMINGTON
SUGGS ALVY JAMES JULIA	628 COLLEGE RD N	WILMINGTON, NC 28405	628 COLLEGE RD N WILMINGTON
SUMMERS DIANE H	4625 RIPLEE DR	WILMINGTON, NC 28405	4625 RIPLEE DR WILMINGTON
TURNER WILLIAM L	4629 SPRING VIEW DR	WILMINGTON, NC 28405	4629 SPRING VIEW DR
VANN RACHEL S	105 HERMITAGE RD	CASTLE HAYNE, NC 28429	631 COLLEGE RD N WILMINGTON
WILLIAMS JEFFREY TOD	4638 SPRING VIEW DR	WILMINGTON, NC 28405	4638 SPRING VIEW DR WILMINGTON
WILMINGTON CITY OF	PO BOX 1810	WILMINGTON, NC 28402	575 COLLEGE RD N WILMINGTON

June 30, 2020

To: Spring View Property Owners  
From: Cindee Wolf  
Re: Ripwood Future Development

The 3.6-acre tract at the end of Spring Branch Road has never been a part of any of the sections recorded for Spring View Subdivision. The tract as it exists, and as zoned in the R-15 district, can be developed by-right of the New Hanover County Unified Development Code, with up to nine residential housing units. After a thorough title search by an Attorney, it has also been confirmed that this land is not subject whatsoever to the Declaration of Covenants that have applied to the lots created as part of that neighborhood. Other than 20' setbacks and a maximum height of 35', there is no dictate over the size of lots, type of structure(s) or style of architecture. Those units could be nine detached homes, nine townhomes or even nine apartment units in a single building in accordance with the County's Performance Development standard.



Map Book 8 /  
Page 50

The difference with a Conditional Zoning District rezoning is that a particular use can be established with specific standards and conditions pertaining to the individual development project. Essentially, even though the density would be increased to some extent, there is a surety on the type of housing product, the layout and the improvements.

This land will be developed in the near future. The County's Comprehensive Land Use Plan recommends that increased density is appropriate for this tract, and sustainability of the County depends on sensible in-fill.

Based on the comments voiced during previous meetings, the Owner is willing to commit to twenty-two (22) single-family homes as shown on the following plan. It is obviously more density than the nine units currently permitted, but offers assurances of the housing type, the layout and the improvements. We believe that this proposed community would be the most positive addition to the Spring View neighborhood.



We intend to make a new submittal and want to give neighbors another opportunity for explanation of the proposal, and for questions to be answered concerning project improvements, benefits, and impacts.

Due to the current COVID-19 issue, a meeting cannot be held at this time. In lieu of that, you can contact me with comments or questions at:

Telephone: 910-620-2374, or

Email: [cwolf@lobodemar.biz](mailto:cwolf@lobodemar.biz)

We can also set up an on-line meeting for a forum with multiple parties if requested. Please let me know if you are interested in that alternative and arrangements will be made. All contact, comments, concerns, and recommendations will be recorded in a report delivered to the County along with a rezoning application.



Prior to this project being reviewed by the Planning Board & Commissioners, you will receive subsequent notices of those agendas directly from the County. Those meetings provide public hearings for comment on any issues pertinent to approval of the proposal.