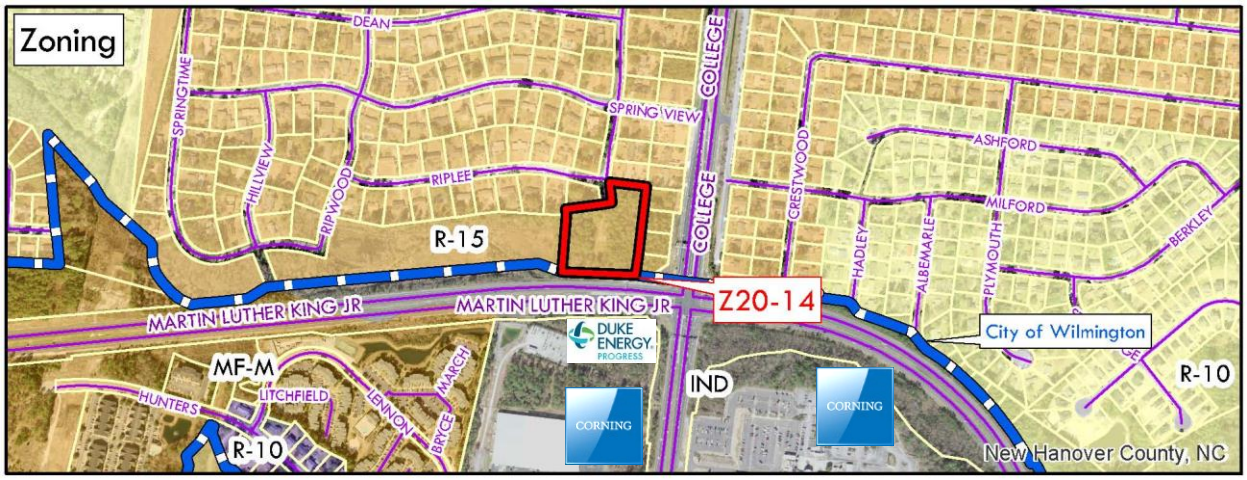
STAFF REPORT FOR **Z20-14**
CONDITIONAL ZONING DISTRICT APPLICATION

APPLICATION SUMMARY	
Case Number: Z20-14	
Request:	
Rezoning 3.6 acres from R-15 to (CZD) R-5 in order to develop 22 single-family units	
Applicant:	**Property Owner(s):**
Cindee Wolf, Design Solutions	Ripwood Company, Inc.
Location:	**Acreage:**
600 block of Spring Branch Road	3.6
PID(s):	**Comp Plan Place Type:**
R04900-001-014-000	General Residential
Existing Land Use:	**Proposed Land Use:**
Undeveloped	Single-Family Detached Dwellings
Current Zoning:	**Proposed Zoning:**
R-15	(CZD) R-5 Moderate-High Residential



SURROUNDING AREA		
	LAND USE	**ZONING**
North	Single-Family Residential	R-15
East	N. College Road Right-of-Way, Single-Family Residential	R-15
South	MLK Parkway Right-of-Way, Electrical Substation, Corning	Industrial (City of Wilmington)
West	Undeveloped, Single-Family Residential	R-15

ZONING HISTORY	
July 1, 1972	Initially zoned R-15 (Area 9A)

COMMUNITY SERVICES	
Water/Sewer	Water and sewer services are available through CFPUA. Specific design will be determined during site plan review.
Fire Protection	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Murrayville
Schools	Wrightsboro Elementary, Holly Shelter Middle, and Laney High schools For more information, see the full School statistics below
Recreation	Kings Grant Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES	
Conservation	Conservation resource maps indicate that swamp forest may be present in the southwestern corner of the site, however according to the applicant, there is no evidence of wetlands on the property. The location of any wetlands will be verified during the TRC review process.
Historic	No known historic resources
Archaeological	No known archaeological resources

APPLICANT'S PROPOSED CONCEPTUAL PLAN

- The applicant is proposing to rezone approximately 3.6 acres from R-15 to (CZD) R-5 in order to develop 22 detached single-family homes under the County's performance residential standards.
- The applicant has indicated that the subject property will be subdivided into 22 individual lots. The resultant lots will have the same dimensions as the footprint of each building, and the area outside of each footprint will be dedicated common area in which a Homeowners Association will assume responsibility for maintenance of the open space, recreation facilities, and other common areas within the development.
- The conceptual plan shows the homes on either side of a circular drive aisle at the terminus of Spring Branch Drive with driveways large enough for two vehicles for each unit. In addition, there are three visitor parking areas that provide an additional 14 spaces. A 5-foot-wide sidewalk connects the proposed development to the existing Spring View Estates neighborhood to the north.
- The subject site is located at the northwest corner of Martin Luther King Jr. Parkway and N. College Road where future NCDOT improvements are planned. To anticipate these improvements, the applicant has shown the area that NCDOT may require for future right-of-way and has designed the site to accommodate the land needed for that project. Additional information is provided in the Transportation Section below.

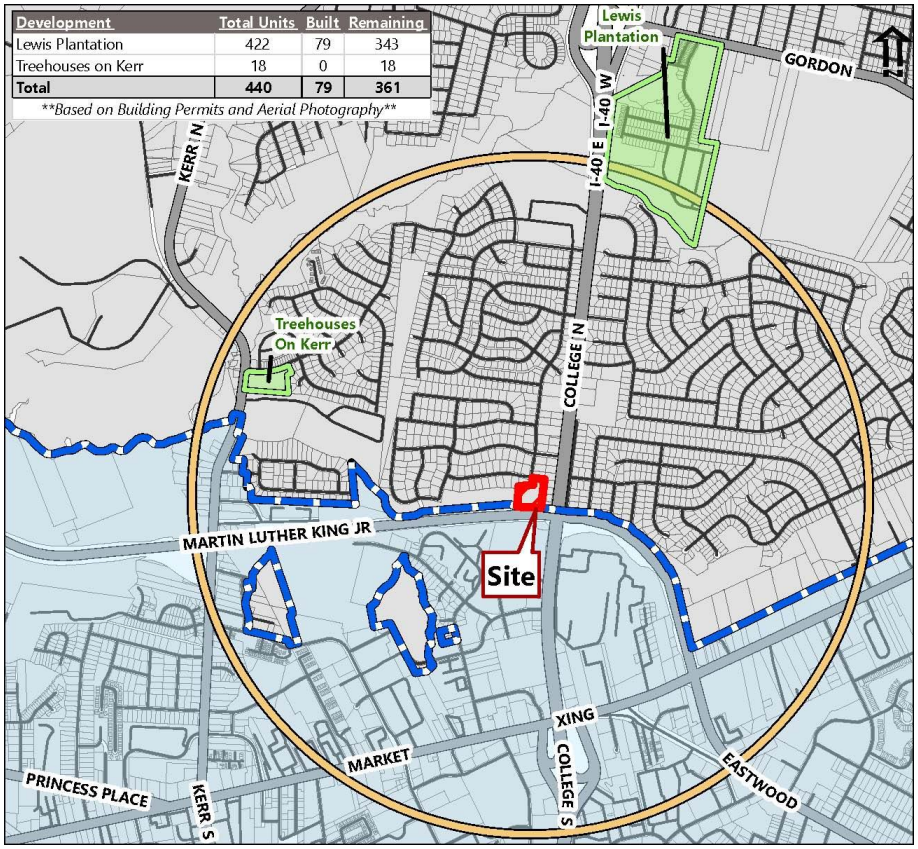
Proposed Conceptual Site Plan with Staff Markups

ZONING CONSIDERATIONS

- Under the County's performance residential standards, the subject property would be permitted up to 9 dwelling units at a maximum density of 2.5 dwelling units per acre (du/ac). The applicant is proposing a total of 22 detached single-family dwelling units on 3.6 acres at a net density of 6.11 du/ac, which is about 2 units per acre less than the maximum (8 du/ac) permitted in the R-5 district.

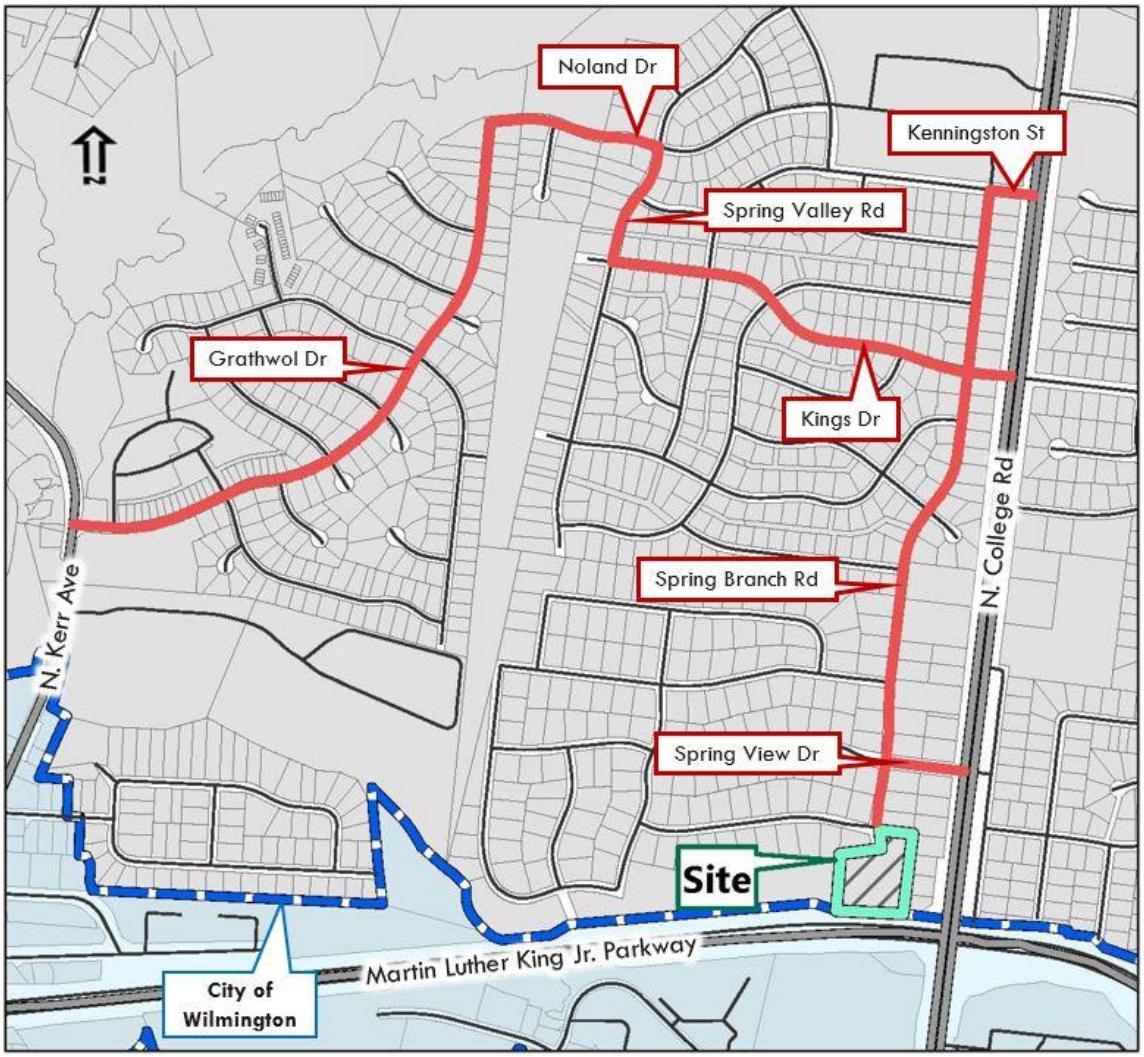
	R-15	R-5	Proposed CZD
Min Lot Size (Conventional)	15,000 sf	5,000 sf	N/A
Max Density (Performance)	2.5 du/ac (9 total units)	8 du/ac (29 total units)	6.11 du/ac (22 total units)
Additional Dwelling Unit Allowance SUP	10.2 du/ac (37 total units)	N/A	N/A
Permitted Housing Types	Single-family, mobile home, duplex, townhomes, multi-family	Single-family, duplex, townhomes (max 4-units/building)	Detached single-family homes
Nonresidential Uses	≈ 20 uses w/ SUP (convenience stores, kennels, camping) ≈ 15 uses by-right (wholesale nurseries, stables)	≈ 10 uses w/ SUP (recreation establishments, day care centers) ≈ 10 uses by-right (parks, libraries, churches)	N/A

AREA SUBDIVISIONS UNDER DEVELOPMENT



TRANSPORTATION

- Access is provided to the subject property using the internal roads of Spring View Estates. Specifically, via Spring Branch Road (SR 2059) which connects to N. College Road (NC 132/US 117) by way of Spring View Drive (SR 1378) and Kings Drive (SR 2057). Spring View Drive is currently an unsignalized intersection with limited turning movements to enter the neighborhood and exit onto N. College Road. Kings Drive, however, is a signalized intersection allowing traffic to enter and exit the neighborhood from all directions.
- Once the two planned roadway projects along MLK and College Road are complete, traffic associated with this development will be required to use the Kings Drive full movement intersection to access the site. Please refer to the Planned Transportation Improvements Section for additional information.



- A by-right residential development on the site under the current zoning (R-15) would allow 9 dwelling units, which is estimated to generate about 11 trips in the AM and 10 trips in the PM peak hours. Under the proposed R-5 zoning, 22 detached single-family homes could be constructed on the site, which is estimated to generate about 20 trips in the AM and 24 trips in the PM peak hours. The expected net difference in traffic would be an increase of 9 AM and 14 PM peak trips when compared to current zoning.

	Intensity	Approx. Peak Hour Trips
Existing Development:	Undeveloped	0 AM / 0 PM
Typical Development under Current Zoning:	9 single-family homes	11 AM / 10 PM
Proposed Development under Proposed R-5 Zoning:	22 single-family homes	20 AM / 24 PM
Net Increase under Proposed R-5 Zoning:	–	9 AM / 14 PM

- Because there have been no recent traffic impact analyses in the area addressing relevant intersections, staff has provided the volume to capacity ratio for Martin Luther King Jr. Parkway and N. College Road near the subject site. While volume to capacity ratio, based on average daily trips, can provide a general idea of the function of adjacent roadways, the delay vehicles take in seconds to pass through intersections is generally considered a more effective measure when determining the Level of Service of a roadway. The peak hour traffic estimated to be generated by this proposal represents less than 1% of the capacity of the large adjacent limited access highways and is not expected to have a noticeable impact on those roads.

NCDOT Average Annual Daily Traffic (AADT) - 2018

Road	*Location*	*Volume*	*Capacity*	*V/C*
MLK Parkway	East of N. College Road	26,500	34,600	0.77
	West of N. College Road	36,500	34,600	1.06
N. College Road	North of MLK Parkway	45,500	53,000	0.86
	South of MLK Parkway	38,500	53,000	0.73

Nearby Planned Transportation Improvements and Traffic Impact Analyses

Nearby Traffic Impact Analyses:

There are no pending or recently approved Traffic Impact Analyses within the 1-mile radius of the subject property that include improvements that affect this proposal.

Nearby NC STIP Projects:

- **U-5792 (College/MLK Interchange) & U-5881 (College Road Improvements)**
  - The NC State Transportation Improvement Program includes two projects (U-5792 & U-5881) that will upgrade College Road from Gordon Road to New Centre Drive. NCDOT's recommended plans for these projects include converting certain intersections along College Road into interchanges, including at MLK Parkway and Kings Drive. The current preliminary plans for the roadway project show that additional right-of-way will likely be required from the subject site.
  - The production schedule for the College/MLK Interchange and College Road Improvements projects were to begin right-of-way acquisition in 2024 and 2025,

respectively, and bidding of the projects in 2026 and 2028, respectively. However, both of these projects are currently on hold for the foreseeable future.

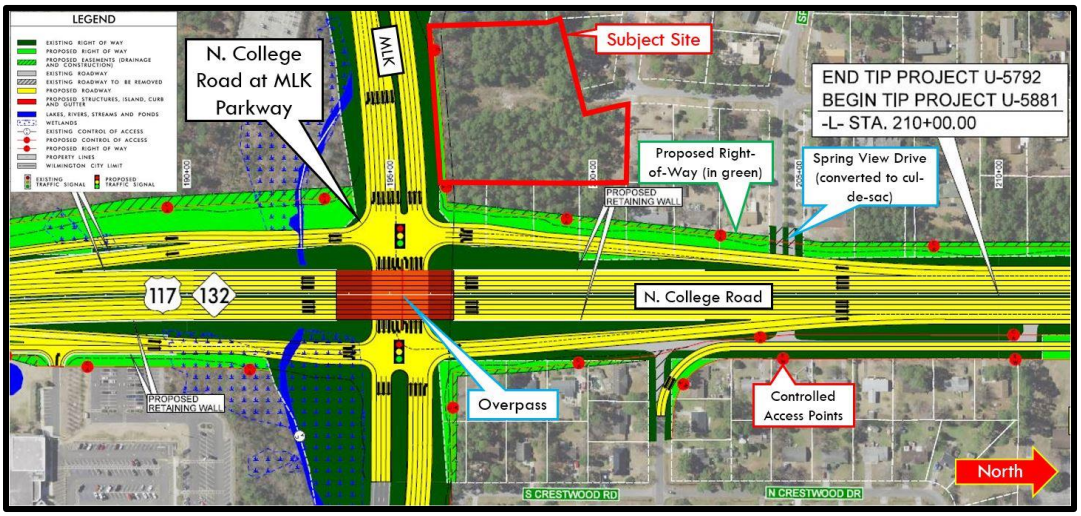
- According to preliminary plans, the STIP projects will also close existing accessways to N. College Road. Specifically, Spring View Drive and Kings Grant Road will be converted into cul-de-sacs, and Kenningston Street will be converted into a right-in/right-out intersection that directs traffic towards Kings Drive without entering N. College Road. Traffic from the existing neighborhoods would have to utilize Kings Drive to access N. College Road. This intersection will be converted to an interchange in order to accommodate the additional traffic. The interchange is currently designed with N. College Road overpassing the intersection with a roundabout installed under the bridge, which will allow for the existing signal at the intersection to be removed, permitting free flow east and west movements.

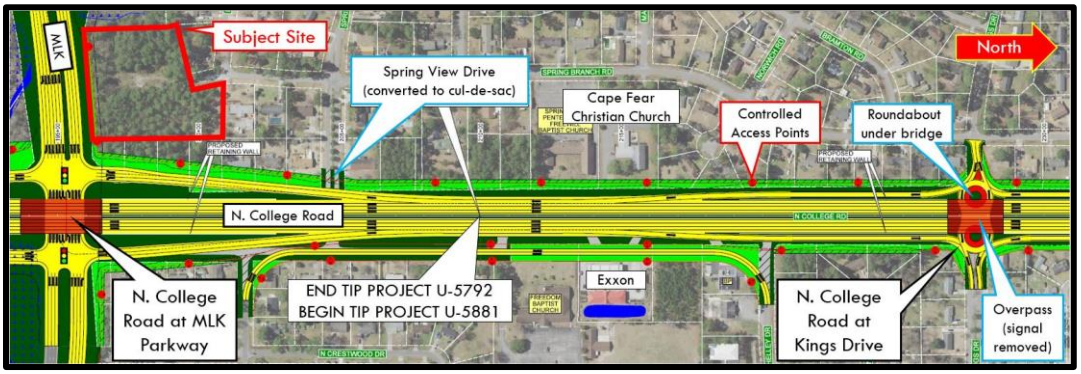
Future Improvements

- According to the Build Capacity Analysis Report for the College/MLK Interchange and College Road Improvement projects, which considered an annual approximate 2% increase in traffic volumes to the year 2040, the intersections of both N. College Road/Martin Luther King Jr. Parkway and N. College Road/Kings Drive are expected to operate at or above acceptable Levels of Service during the AM and PM peak hours once the improvements are constructed. In addition, the Kings Drive roundabout is also expected to operate at or above an acceptable Level of Service in both the AM and PM peak hours.

Proposed NCDOT Improvements Along N. College Road (STIP U-5792 & U-5881):

*Based upon 15% Plans that are preliminary and subject to change





SCHOOLS

- Students generated from this development would be assigned to Wrightsboro Elementary, Holly Shelter Middle, and Laney High schools. Students may apply to attend public magnet, year-round elementary, or specialty high schools.
- Nine dwelling units would be permitted under the current R-15 zoning base density, and 22 units would be allowed under the proposed zoning for an increase of 13 dwelling homes.
- Based on average student generation rates,* there are an average of 0.24 public school students (0.11 for elementary, 0.05 for middle, and 0.08 for high) generated per dwelling unit across New Hanover County. The proposed development can be estimated to generate 5.3 (2.4 elementary, 1.2 middle, and 1.7 high) students, which is approximately 3.1 more than if developed under existing zoning.

Development Type	***Intensity***	***Estimated Student Generation***
Existing Development	Undeveloped	Total: 0 (0 elementary, 0 middle, 0 high
Typical Development under Current Zoning	9 residential units	Total: 2.2 (1.0 elementary, 0.5 middle, 0.7 high)
Proposed Development under Proposed (CZD) R-5 Zoning	22 residential units	Total: 5.3 (2.4 elementary, 1.2 middle, 1.7 high)

*Average student generation rates are calculated by dividing the projected New Hanover County public school student enrollment for the 2020-2021 school year by the estimated number of dwelling units in the county. While different housing types and different locations typically yield different numbers of students, these average generation rates can provide a general guide for the number of students to anticipate. Total projected student enrollment was used, which includes students attending out-of-district specialty schools, such as year-round elementary schools, Isaac Bear, and SeaTECH.

School Enrollment* and Capacity**—2021-2022 Estimates

Level	***Total NHC % Capacity***	***School***	***Enrollment of Assigned School***	***Capacity of Assigned School w/ Portables***	***% of Capacity of Assigned School***	***Funded Capacity Upgrades***
Elementary	97%	Wrightsboro	547	564	97%	None
Middle	107%	Holly Shelter	917	934	98%	None
High	105%	Laney	2,063	1,903	108%	None

*Enrollment is based on projected New Hanover County Schools enrollment for the 2020-2021 school year.
**Capacity calculations were determined by New Hanover County Schools for the 2020-2021 school year and are based on NC DPI Facility Guidelines & Class Size Requirements. Modifications refer to specific program requirements unique to a particular school. These may include exceptional children's classrooms beyond the original building design; classrooms to serve a unique population such as ESL; or classrooms designated for art and music if the building wasn't specifically designed with those spaces.

ENVIRONMENTAL

- A small portion of the southwestern portion of the property, approximately 2,900 square feet in area, is within the AE Special Flood Hazard Area, however, no buildings are proposed within this area.
- The property does not contain any Natural Heritage Areas.
- The property is within the Smith Creek (C;Sw) watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class II (moderate limitation) and Class IV (unsuitable) soils. However, the subject site will be served by public water and sewer.

CONTEXT AND COMPATIBILITY

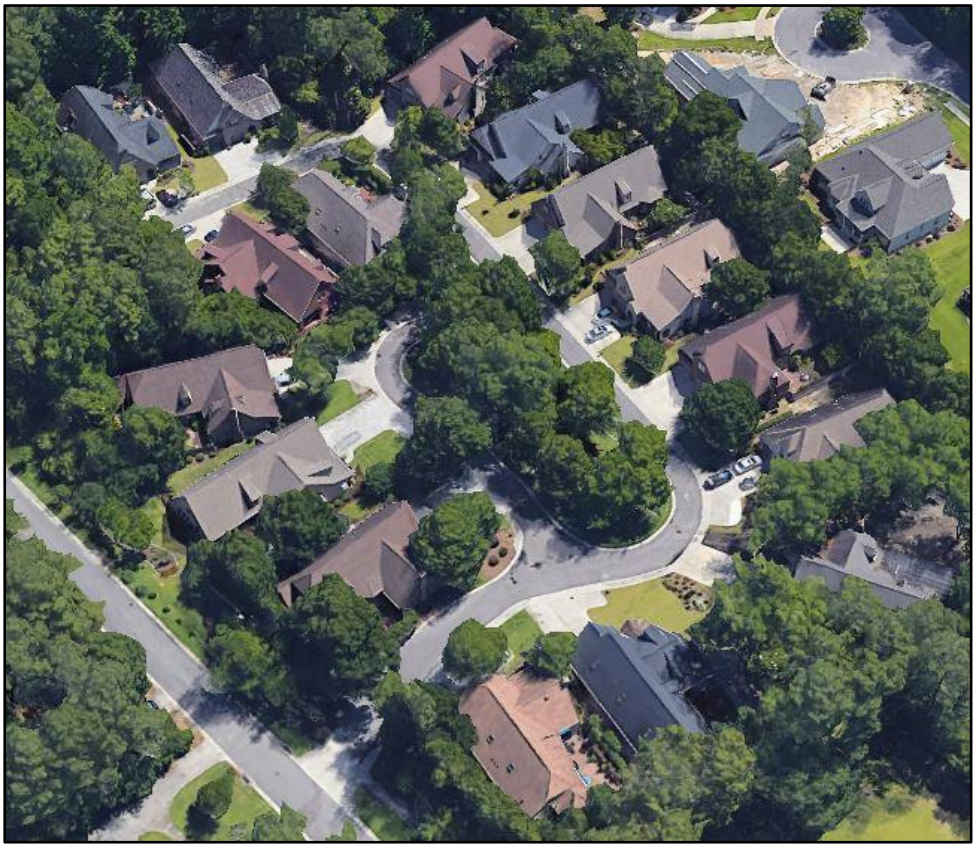
- The property is located at the southern end of Spring Branch Road which is a residential collector road that serves as the connecting street between local residential roads and the thoroughfare system.
- The development is designed similar to a traditional detached single-family neighborhood with driveways and one-car garages. However, instead of a traditional home lot, ownership will be structured more like a townhome project where residents will own the land beneath the house and a small backyard patio area while the remainder of the site will be in common ownership maintained by a Homeowners' Association.
- The site is located adjacent to an established residential neighborhood at the northwest corner of Martin Luther King Jr. Parkway and North College Road.
- The proposed detached homes will be two stories but are restricted to the same maximum 35-foot height that applies to the existing and adjacent areas zoned R-15.
- Although the homes will be on smaller lots than the nearby neighborhoods, they are detached single-family homes, functioning as a transition from the high intensity adjacent highways to the existing neighborhood.

Representative Detached Single-Family Developments in R-5:

Smith Creek Village on New Centre Drive near Kerr Avenue

Avenir off Greenville Loop Road near Pine Grove Drive

Avenir



Representative Developments in R-15:

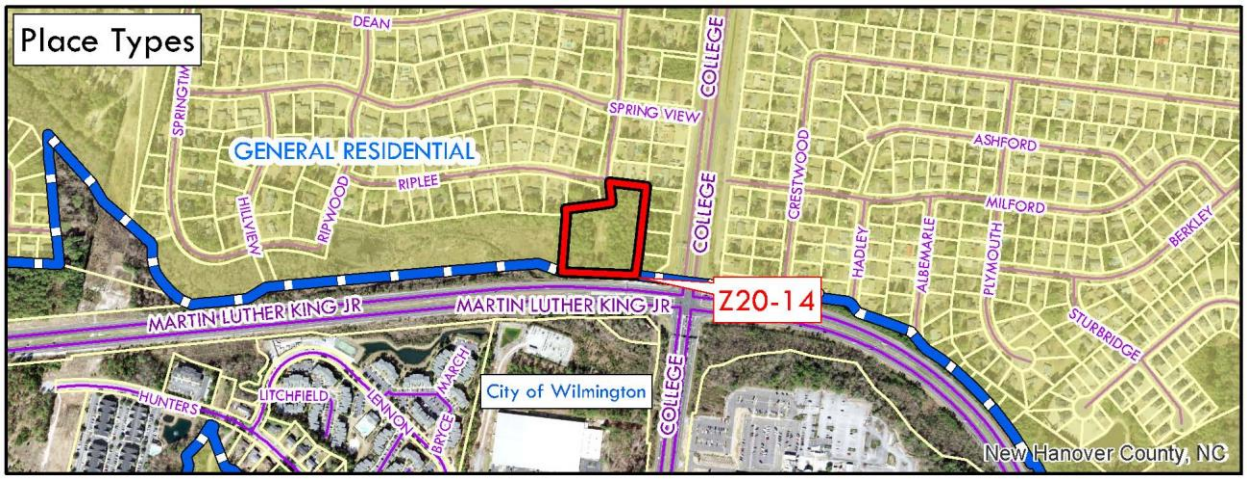
Kings Grant

Spring View Estates

Spring View Estates

2016 COMPREHENSIVE LAND USE PLAN

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County's future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific.



Future Land Use Map Place Type	General Residential
Place Type Description	Focuses on lower-density housing and associated civic and commercial services. Typically, housing is single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout. Types of uses include single-family residential, low-density multi-family residential, light commercial, civic, and recreational.
Analysis	The General Residential place type provides opportunities for lower-density housing (up to approximately eight units per acre) and associated civic and commercial services. The overall project density of 6.1 units per acre for the proposed development is in-line with the preferred density range for the General Residential place type. The subject property is located between the residential Spring View neighborhood and the intersection of N. College Road and Martin Luther King Jr. Parkway where a future NCDOT project is planned. This road project will have a major impact on the area, converting certain intersections along College Road into interchanges, closing existing access ways to N. College Road, and converting Spring View Drive into a cul-de-sac. The design of the proposed project supports the transitional nature of this development, clustering the new single-family homes to provide a buffer from the high intensity roadways and future road design while maintaining compatibility with the existing residences. In addition, the building footprints outlined in the conceptual plan are set back further from property lines shared with the existing neighborhood than required by the ordinance. The Comprehensive Plan indicates that a variety of housing types such as single family residential and duplexes are typical in the General Residential place type. The proposed single-family development will provide an orderly transition between the high intensity roadway corridors and the existing residential neighborhood while offering a diversity of ownership structure.
Consistency Recommendation	The proposed CZD R-5 rezoning is generally **CONSISTENT** with the Comprehensive Plan because the project's density is in line with the density and housing type recommendations for the General Residential areas. The project provides an orderly transition between the high intensity roadway corridors and the existing residential neighborhood.

PLANNING BOARD ACTION

The Planning Board considered this application at the August 6, 2020 meeting. At the meeting, five residents spoke in opposition to the request. Concerns included traffic, higher density compared to the existing neighborhoods, that the proposed homes might sell for less than existing homes in the area, ownership options, and emergency vehicle access.

The Planning Board recommended approval of the application (5-1; Absent – J. Rawl), finding that the application to be:

> **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the project's density is in-line with the density and housing type recommendations for the General Residential place type, and because this proposal will provide an orderly transition between the high intensity roadway corridors and the existing residential neighborhoods. The Planning Board also found **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal assists with providing a diversity of ownership options in the area while supporting opportunities for housing with a range of price points.

STAFF RECOMMENDATION

The proposed (CZD) R-5 rezoning is generally **CONSISTENT** with the 2016 Comprehensive Plan because the proposed number of units is in-line with the recommended densities in the General Residential place type and the lower-density residential development would provide an orderly transition between the high intensity roadway corridors and the existing residential neighborhoods.

Staff concurs with the Planning Board's recommendation and suggests the following motion:

> I move to **APPROVE** the proposed rezoning to a (CZD) R-5 district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the project's density is in-line with the density and housing type recommendations for the General Residential place type, and because this proposal will provide an orderly transition between the high intensity roadway corridors and the existing residential neighborhoods. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal assists with providing a diversity of ownership options in the area while supporting opportunities for housing with a range of price points.

Alternative Motion for Denial

> I move to **DENY** the proposed rezoning to a (CZD) R-5 district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the project's density is in-line with the density and housing type recommendations for the General Residential place type, and because this proposal will provide an orderly transition between the high intensity roadway corridors and the existing residential neighborhoods, I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.