



STAFF ANALYSIS

Date: May 14, 2019
To: Board of Commissioners
From: Jason Burdette, Planning Director
Re: Ballard Property, Map Amendment Pre-Development Consultation

1. INTRODUCTION

APPLICANT INFO

- **Owner:** Ballard Family
- **Designer:** N/A
- **Location:** 15425 June Washam Rd. (Parcel IDs: #00721108, 00721105, 00721103, 00743104)
- **Planning Area:** Rural Planning Area
- **Area:** 65 Acres

REQUEST

The applicant proposes to re-designate approximately 65 acres located on 15425 June Washam Rd. from Rural Planning Area to Neighborhood Edge Planning Area.

2. PLANNING STAFF PRELIMINARY REVIEW

OVERVIEW

The applicant proposes a Map Amendment for +/- 65 acres currently zoned Rural Planning Area to be re-designated as Neighborhood Edge Planning Area. The request includes four parcels, with three parcels on the north and one on the south side of June Washam Road. The majority of the land lies on the north side of the road. To the properties' north lies River Run, which is separated by contiguous woods and the West Branch of the Rocky River – including the eponymous greenway. Existing residential development surrounds the Ballard parcels on the east, south, and west: River Run Phase 5 (east); Kenmare (south, across June Washam Rd.), and large-lot homes along Bridlepath Trail (west).

The purpose of tonight's discussion is to determine whether the board of commissioners would like to see this proposed rezoning move through the formal Map Amendment (i.e. rezoning) process.

NEIGHBORHOOD EDGE PLANNING AREA

Per Davidson Planning Ordinance ("DPO") Section 2.2.11, the Neighborhood Edge Planning Area (NEPA) is intended to be a transition area from the more developed to the less developed parts of Davidson.

The Neighborhood Edge Planning Area permits a limited selection of building types, allowing only residential and institutional buildings. However, within the residential building types permitted, NEPA

permits a diversity of types ranging from detached homes (single-family and duplex) to attached homes (triplex and quadplex). In fact, for residential developments NEPA requires a minimum mix of residential building types: At least 10 percent of the homes must be duplex or attached homes, which are capped at a maximum of 30 percent in any one project. Other standards to note include a minimum mix of lot types: For projects over residential 50 units, a minimum of three lot types must be provided; for projects less than 50 units, a minimum of two lot types must be provided. In each case, the ordinance requires a certain percentage of lots to be served by alley access.

In order to afford site design flexibility amidst the prescriptive requirements, the setbacks in the Neighborhood Edge Planning Area specify moderate front setbacks (10 feet), minimal side setbacks (3 feet), and significant rear setbacks (20 feet). This serves to accommodate the variety of housing types permitted and, when coupled with the significant open space set aside of 45 percent, can lead to multiple distinct areas within a single development – some homes close to the street and arranged around common open space, some further away from the street and with substantial rear yards that provide a suitable transition to surrounding development or natural areas. Overall, these requirements work to foster development that embodies the best features of Davidson’s existing neighborhoods: A mix of housing and open space types coherently organized around an interconnected street network. The recently-approved Mayes Hall master plan is an example of how these standards work.

RURAL PLANNING AREA COMPARISON

Currently, the Davidson Planning Ordinance designates the Ballard property’s as Rural Planning Area (RPA). Unlike NEPA, the RPA specifies certain densities – Option A caps the maximum number of units at 16 and Option B specifies a maximum of 1 unit per acre. Coupled with significant open space set aside requirements of 50% or 70%, these standards focusing on land preservation and compact development forms. They are somewhat new, too: Enacted as part of the Rural Area Plan in an effort to afford greater site design flexibility but in exchange for more open space preservation. While NEPA presents more significant building type and infrastructure challenges with its minimum mix and alley requirements, RPA demands more in terms of open space preservation.

Though the differences in NEPA and RPA are recognizable, it’s important to understand that overlap exists between the two planning areas. From 2016-2017, staff worked with the Ballard family to understand these intersections by drawing different iterations of RPA and NEPA projects possible. Generally speaking, the most development intensity that could be achieved in the RPA intersects with the least development intensity an owner may elect to pursue in NEPA.

RELATED PLANS

The most relevant plan is also a recent plan – the 2016 Rural Area Plan, whose implementation via ordinance text amendments occurred in 2017. During the Rural Area Plan (RAP) process, the Ballard family participated in many of the public engagement activities and stakeholder meetings. Due to the significant size of the property it was studied through a conceptual site plan as part of the RAP (see RAP Pg. 73 or Illustration B at the end of this memo). At the time of the RAP the Ballard properties were designated as Rural Planning Area, though the properties to the north, south, and east were designated or constructed along the lines of Neighborhood Edge Planning Area (NEPA) standards and all featured or were able to access sewer.

Ultimately, the RAP recommended the re-designation of these properties from Rural Planning Area to Neighborhood Edge Planning Area. This recommendation is consistent with the development patterns to the north, east, and south as well as the prospect that – if developed – the property would be served by water and sewer utilities.

The RAP was recommended by the Planning Board and adopted by the Board of Commissioners in 2016; through its implementation via Davidson Planning Ordinance text amendments in 2017 it increased the rigor of both RPA and NEPA requirements. However, as part of the text amendments’ approval, the adopted plan’s recommendation of the Ballard properties being re-designated from RPA to NEPA was

not supported by the Board of Commissioners; so, the Ballard properties remained RPA but under the new standards described above. The Ballard family actively opposed this arrangement.

The request to rezone is consistent with the 2010 Comprehensive Plan, which notes that development proposals should be coordinated with approved small area plans. Goal 3 of that plan also notes that the town should discourage moderate densities and dispersed development in the rural area (Theme: Maintain Quality Design & Sound Planning Principles, Goal 3: Preserve the Rural Landscape). The revised RPA and NEPA requirements both work toward this end.

TIMELINE/PROCESS

The Map Amendment process is outlined in Davidson Planning Ordinance 14.19. The process takes several months to complete and requires a public hearing as well as a recommendation from the Planning Board and approval by the Board of Commissioners.

RELATED TOWN GOALS

There are several parts of the adopted Planning Principles and Comprehensive Plan that address the proposed rezoning. These include:

PLANNING PRINCIPLES

- **Principle 1 Character/Community:** *We must preserve Davidson's character and sense of community* (compact developments with community open space; neighborhoods welcoming to all citizens; and neighborhoods as integral parts of town).
- **Principle 3 Mobility:** *We must encourage alternative means of transportation* (development and redevelopment in walkable, mixed-use, connected neighborhoods).
- **Principle 4 Natural Resources:** *We must use our scarce land resources wisely* (preserving significant hardwood forests, development that builds up and not out).
- **Principle 5 Diversity:** *We must create an environment that fosters diversity* (provide a mix of housing types and prices in each neighborhood).
- **Principle 6 Growth Management:** *We must manage growth so that the town can provide public facilities and services apace with development* (A healthy diversity of uses in walkable, compact neighborhoods; alternative transportation options between destinations).

COMPREHENSIVE PLAN (2010)

Theme: Promote Cultural, Socioeconomic, & Age Diversity

- **Goal – Encourage Development and Activities that Attract a Variety of Age Groups:** The town should require housing and commercial development appropriate for occupants of all ages and abilities.
- **Goal – Provide a Full Range of Services and Opportunities for All Socioeconomic Groups:** The town should continue requiring affordable housing in all new residential developments.

Theme: Maintain Quality Design & Sound Planning Principles

- **Goal – Ensure Compatibility and Connectivity of New Development with Surrounding Context:** Coordinate new development proposals with approved small area plans.
- **Goal 3 – Preserve the Rural Landscape:** Discourage moderate density and dispersed development in the rural area.

Theme: Enable Faithful Stewardship of Natural & Historic Assets

- **Goal – Protect & Create Meaningful Open Space:** The town should continue to require open space preservation as part of development in the rural area.

Targeted Growth Plan (TGP)

- **Smart Suburban Growth Reserve:** The TGP identifies these properties as “Smart Suburban Growth Reserve.” It describes these places as “transition areas between the more intense

growth targets and existing low-intensity neighborhoods or protected open space. Residential development, public services and civic uses (such as churches and schools) and additional neighborhood-support centers are ideally located within the Village and Smart Suburban Growth Reserve.

3. FYI OR RECOMMENDED ACTION

The applicant is meeting with the board of commissioners to understand the viability of the Map Amendment (i.e. rezoning) request prior to initiating the official Map Amendment process. The purpose of tonight's discussion is to determine whether the board of commissioners would like to see this proposed rezoning move through the formal Map Amendment (i.e. rezoning) process. The board of commissioners should provide direction to the applicant as to whether they believe the proposed rezoning to Neighborhood Edge Planning Area to be a reasonable request worth pursuing further.

4. PROCESS/NEXT STEPS

Assuming affirmative responses at each point in the process:

- **BOC Pre-Development Consultation:** Spring 2019
- **Rezoning Application:** Summer 2019
- **Rezoning Process/BOC Approval:** Fall 2019
 - Includes Public Hearing and Planning Board Recommendation
- **Master Plan Application:** TBD [No Definite Plans]

5. RESOURCES & ATTACHMENTS

RESOURCES

- Comprehensive Plan (2010): <http://www.townofdavidson.org/340/Davidson-Comprehensive-Plan>
- Davidson Planning Ordinance (2015): <http://www.ci.davidson.nc.us/DocumentCenter/View/8499>
- Rural Area Plan (2016): www.townofdavidson.org/ruralareaplan

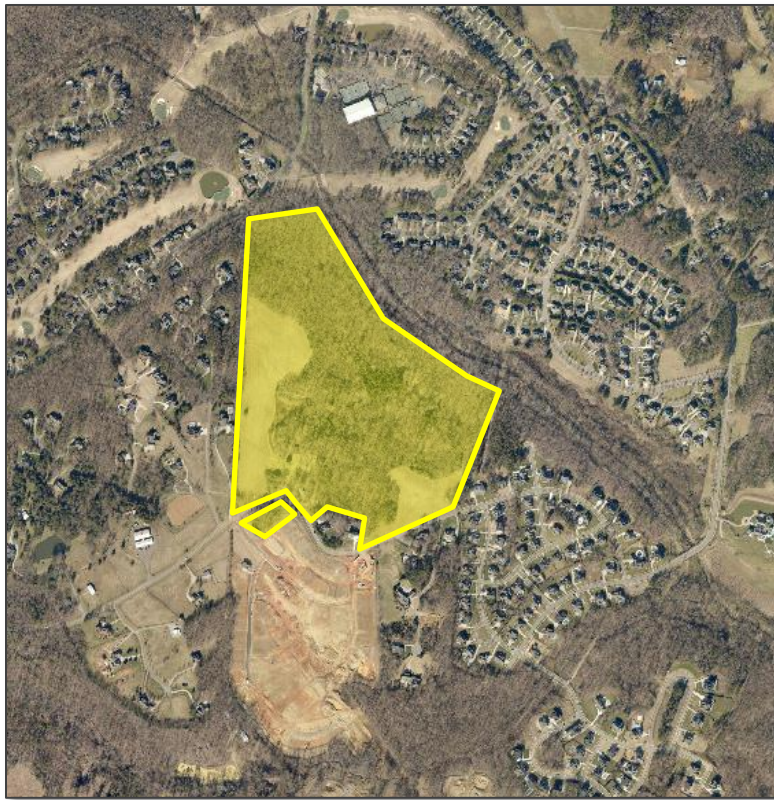
ATTACHMENTS

- Ballard Family Pre-Development Rezoning Request Description

ILLUSTRATIONS

[SEE BELOW]

- Illustration 1: Aerial of the Surrounding Context



■ Illustration 2: 2016 Rural Area Plan Conceptual Study – Neighborhood Edge Planning Area

