



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
March 14, 2022**

**Commissioners Chambers
David R. Sandifer Administration Bldg.
Brunswick County Government Center**

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Agenda Amendments.
- 6) Public Comment.
- 7) Public Hearing.

A. Planned Development – PD-71

Name: Holden Beach Landing

Applicant: CLD Engineering

Tax Parcels: 21500060, 21600112, 2160011604, 2160011802

Location: Holden Beach Road (NC 130)

Description: Holden Beach Landing is a proposed planned development to consist of 186 single family lots on 109.29 acres creating an overall density of 1.8 dwelling units per acre.

B. Rezoning Z-837

Proposed rezoning of approximately 8.8 acres located at 791 Bricklanding Road near Shallotte from NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcel 21300057.

LAND USE PLAN MAP AMENDMENT LUM-837:

Request to amend Tax Parcel 21300057 located at 791 Bricklanding Road near Shallotte from LDR (Low Density Residential) to Commercial.

C. Rezoning Z-839

Proposed rezoning of approximately 1.93 acres located on Ocean Highway West (US 17) near the intersection of Mt. Pisgah Road from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcel 1670005802.

9) Other Business.

- Planning Board Case Update.
- Blueprint Brunswick Update.

10) Adjournment.

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-71

Applicant: CLD Engineering

Project Name: Holden Beach Landing Planned Development

Property Location: Holden Beach Road (NC 130)

Parcel Numbers: 21500060, 21600112, 2160011604, 2160011802

Zoning District: CLD (Commercial Low Density) and SBR-6000 (Site Built High Density Residential)

CLD Density Maximum – 13.6 Dwelling Units per Acre
“The CLD District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business.”

SBR-6000 Density Maximum – 7.3 Dwelling Units per Acre
“The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems.”

Surrounding Zoning **North:** SBR-6000 and R-6000 (High Density Residential)
South: CLD and SBR-6000
East: SBR-6000 and R-6000
West: CLD

Proposed Use: Holden Beach Landing is a proposed planned development to consist of 186 single family lots on 109.29 acres creating an overall density of 1.8 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consists of single family residential, commercial and vacant land.
- The Future Land Use Map denotes this area as MDR (Medium Density Residential) and LDR (Low Density Residential) and is in the process of being updated through the Blueprint Brunswick Project.
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required Open Space for the development is approximately 27.32 acres. The developer is proposing 44.65 acres of dedicated open space. The developer is also proposing 4.1 acres of recreation space of which 6.11 acres are required.

- The proposed project will generate approximately 1,780 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis and driveway permit from NCDOT will be required prior to the recording of the individual lots.
- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 44.65 acres of open space where as 27.32 acres are required.
 2. The developer is proposing 6.11 acres of recreation space where as 4.1 acres are required.
 3. Sidewalks to be provided on one side of all internal streets.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reduction in setbacks.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on December 15, 2021.
- TRC was held on December 7, 2021.

If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

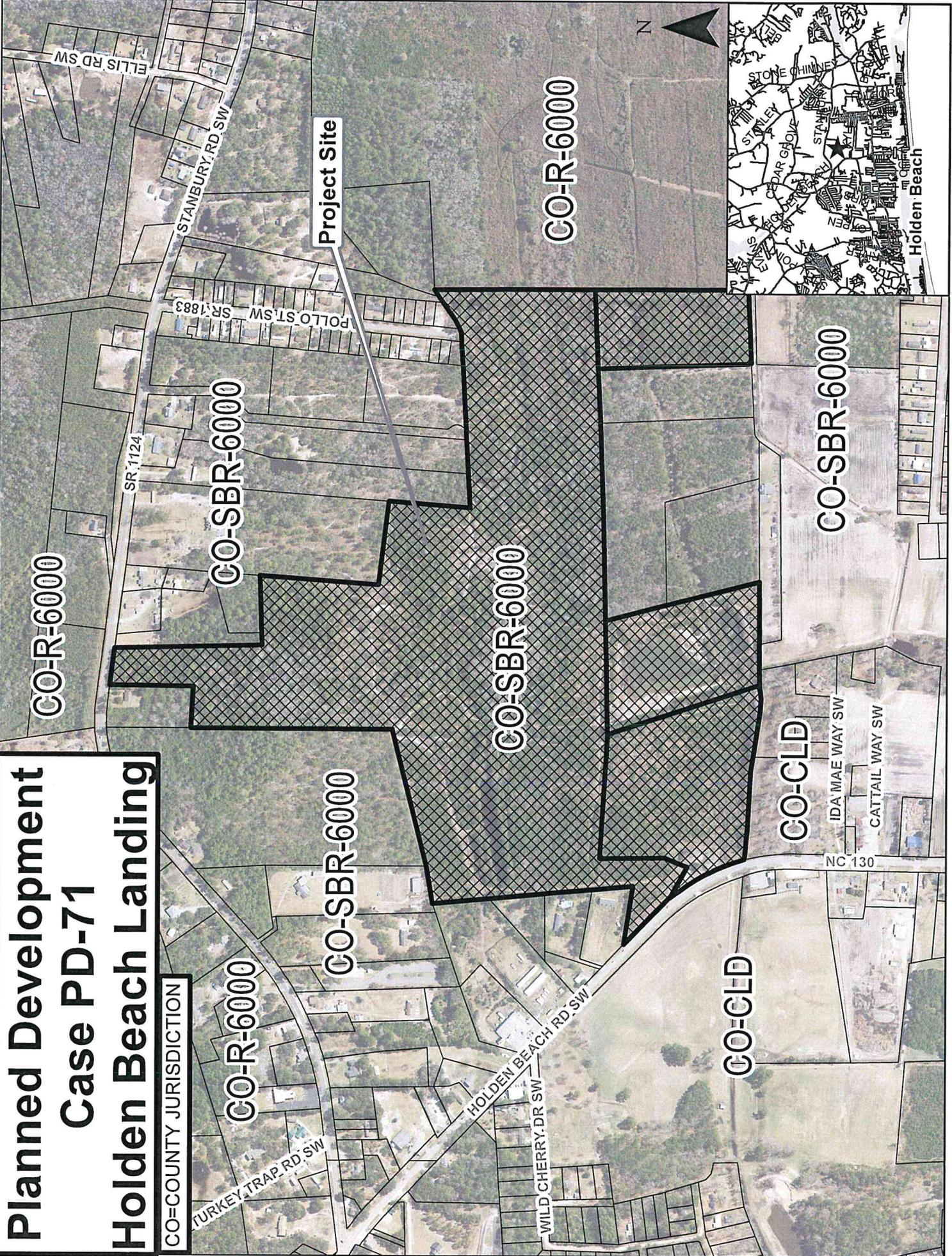
Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
4. Place a note on the site plan that the stormwater system shall be designed to accommodate the 25-year storm event.

Planned Development Case PD-71 Holden Beach Landing

CO=COUNTY JURISDICTION

Project Site



CO-R-6000

CO-SBR-6000

CO-SBR-6000

CO-R-6000

CO-SBR-6000

CO-SBR-6000

CO-R-6000

CO-CLD

CO=CLD

TURKEY TRAP RD SW

HOLDEN BEACH RD SW

WILD CHERRY DR SW

IDA MAE WAY SW

CATTAIL WAY SW

NC 130

Holden Beach



Planned Development (PD)

Application and Checklist

Fee: \$500 (Brunswick County Jurisdiction)
\$880 (City of Northwest Jurisdiction)

Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # <u>PD-71</u>	Invoice # <u>518539</u>
Date Received: <u>11/12/21</u>	
Northwest Jurisdiction	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

This application is a request to construct a Planned Development consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot layout, buffers, off-street parking and street widths. This application should only be used if the proposed development is requesting flexibility in zoning requirements in order to achieve a development as an alternative to a conventional zoning design standards. Please reference Section 4.3.1. of the Unified Development Ordinance (UDO) for requirements regarding Planned Developments (PD's).

Please fill out form completely, supplying all necessary information and documentation to support your request.

Property Owner	Name	Holden Beach Landing, LLC	Phone	(910) 418-5666
	Address	16 Causeway Drive	Fax	
	City, St, zip	Ocean Isle Beach Rd, NC 28469	Email	

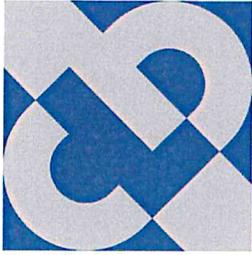
Applicant or Representative	Name	CLD Engineering, PLLC	Phone	(910) 254-9333
	Address	PO Box 1172	Fax	(910) 254-0502
	City, St, zip	Wilmington, NC 28402	Email	fbraxton@cldeng.com

Property Information	Address	
	Tax Parcel(s)	21500060, 21600112, 2160011604, 216011802
	Acreage	109.29 Acres
	Current Zoning	R-6000 and CLD
	Public Utilities Available?	<input type="checkbox"/> Water <input type="checkbox"/> Sewer

Project Information	Project Name	Holden Beach Landing		
	Modification or Expansion Of Existing PD?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	Single Family Acres	43.35	Lots	231
	Multi-Family Acres		Units	
	Commercial Acres	3.35 (Future)		

Authorization	Property Owner Signature _____	Date _____
	Applicant/Representative Signature <u><i>J. John Burt</i></u>	Date <u>11/12/2021</u>

Please submit three folded copies and one electronic copy of the site plan with application.



CLD Engineering, PLLC
Civil Engineering/Landscape Architecture
Land Planning/Construction Management

Brunswick County Planning Dept.
75 Government Drive
Bolivia, NC 28422
Attn: Marc Pages

December 17th, 2021

Re: Holden Beach Planned Development, File #PD-71 – Community Meeting Summary

To Whom It May Concern,

CLD Engineering respectfully submits the below summary of a Community Meeting held on Wednesday December 15th from 5:30-6:30 at the Lockwood Folly Community Building, in regards to the Holden Beach Landing Planned Development, to satisfy Brunswick County UDO Article 9.2. Fourteen neighbors were in attendance that evening (see attached sign up sheet) in addition to members representing County Planning, the developer, and the applicant. The points discussed were as follows:

- Introduction by Frank Braxton, CLD Engineering PLLC.
- Concerns were expressed about the impacts of a turning lane on Holden Beach Road
 - o All work will take place within the existing Right of Way. Existing signs and driveways outside of the ROW will not be impacted
- It was provided that accidents are common in the curve of Holden Beach Road.
- Concerns were expressed about the amount of stormwater on site and how project impacts would effect neighboring properties. The existing ditches convey a great deal of water and should be treated as significant modes of stormwater conveyance.
 - o The stormwater management plan approval requires the proposed design to retain and treat any water that falls on this site without impact to neighboring or downstream properties.
 - o The project will be subject to regular state and county stormwater inspections (DEQ) to ensure compliance with the engineered design.
 - o Any complaints or fear if impacts may be submitted to the county stormwater engineer, Bridget Flora, who typically responds within a day or two)
- The importance of on site ditches/streams (Stanbury Run and Bell Branch) to the existing hydrological flow patterns was expressed.
- If an existing ditch runs along a property line (shared ownership), then a maintenance easement might be arranged in order to ensure proper upkeep and adequate flow.
- Questions were asked about the proposed HOA and community management.
 - o Home size will be dictated by the builder. Currently, the typical pad proposed is 40'x70'.
 - o Only single family homes (modular or stick built) are proposed. No multi-family or mobile homes will be included in this project. The typical lot will be 52'x120'
 - o The community will not be gated
 - o The max allowed building height is 40', although estimated proposed height will be 32'-35'.
- Concerns were expressed about neighborhood access onto neighboring properties
 - o A 30' project buffer will be included between any proposed lot and the property boundary. This buffer will be planted and maintained by the HOA.

- Concerns were expressed about increased traffic on Holden Beach Road. There is typically a significant back up of beach traffic in the summer, particularly on July 4th.
 - o A Traffic Impact Analysis will be conducted, typically when school is in session. This study will also consider an adjacent project which proposed temporary camping.
 - o A turn lane might be required on Holden Beach Road. This would be triggered by a building permit threshold and will be dictated by NCDOT. Any road widening or additional pavement for a turn lane will remain within the existing ROW.
- Concern was expressed about the closeness of the proposed entry drive to the nearby property boundary.
 - o The safest location for the driveway's intersection with Holden Beach Road is as far from the curve as possible, but the design can be adjusted to move the proposed on site ROW off of the property boundary.
- It was assured that any changes made to an approved Planned Development must come back through Planning Board for approval, which is a public meeting.
- It was assured that trees existing in the wetlands will be preserved.
- It was confirmed that public water and sewer services would be provided to the site
- It was provided that there are two existing culverts under Stanbury, one of which was apparently not on record with the state.
 - o Site survey should confirm this.
- It was confirmed that the project frontage is zoned CLD. There is not a current proposal for what this area might be used for.
- There will likely be construction entrances at both accesses to the site.

Thank you for your assistance in the presentation of this project to its community members. Please feel free to contact our office with further questions or concerns regarding this meeting summary.

Kind Regards,
CLD Engineering



BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422

www.brunswickcountync.gov/planning • (910)253-2025

December 8, 2021

CLD Engineering
c/o Frank Braxton
PO Box 1172
Wilmington, NC 28402

**RE: Holden Beach Landing Planned Development
File # PD-71**

Dear Mr. Braxton,

The Technical Review Committee (TRC) at their December 7, 2021 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

Comments from Planning:

Marc Pages – 910-253-2056 – marc.pages@brunswickcountync.gov

- Please show all flood zone boundaries on the plan.
- Based upon the flood zone present, it is highly recommended that the stormwater system be over engineered to at least the 25-year storm event.
- Please revise the street buffer width to indicate 20' in width.
- Please label Apollo Street as a NCDOT ROW and label the SR number.
- Please be sure to label all recreation spaces and specify the use of each.
- Please note that sidewalks will be included on one side of all internal roads.
- Please note on the plan that this property is within a ½ mile of a Voluntary Agricultural District.
- Please note that a TIA will be completed prior to construction.
- Please note that the pump station will be screened per Section 6.4 of the UDO.
- Please note that a neighborhood meeting is required per UDO Section 9.2.

Comments from Stormwater

Brigit Flora – 910-253-2405 – brigit.flora@brunswickcountync.gov

- A State Erosion Control Permit will be required for clearing and/or grading.
- State and County Stormwater Permits are required before any construction.
- The County is requesting that additional attenuation of up to the 25-year 24-hour storm to be designed, if feasible, in addition to the normal 1-year and 10-year 24-hour storms.
- The floodplain location needs to be shown on the plans. Homes and stormwater ponds that are in the Floodway will need to be moved outside of the Floodway.



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Comments from Floodplain Administrator

John Shirk – 910-253-2046 – john.shirk@brunswickcountync.gov

- Proposed project has significant impact on AE Floodway. Need to provide proposed site plan with delineated flood zones. Project would be denied as proposed. Lots 12-18 and 205-231 are problematic. No development can be conducted within the floodway without a no-rise study and certificate approved by the floodplain administrator and the state. The proposed roadway for lots 211 through 231 will alter the watercourse. This requires a CLOMR and LOMR, notice to all surrounding municipalities of the potential watercourse alteration. Additional requirements may be necessary.

Comments from Engineering

Amy Aycock – 910-253-2047 – amy.aycock@brunswickcountync.gov

- Existing 12" AC watermain on Holden Beach Rd, 6" PVC on Apollo St and 8" watermain on Stanbury for connection.
- Fire hydrants required every 800'.
- Stub out watermain near lot 231 for possible future connection.
- Existing 16" high pressure forcemain on Holden Beach Rd.
- Odor Control required at pump station since adjacent to homesites.
- Double water meter boxes required.
- NCDOT Encroachment required for Apollo and Holden Beach Rd connections.

Comments from Fire Code Official

Brad Babson – 910-253-2043 – brad.babson@brunswickcountync.gov

- Need to submit fire application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication> . Need to also provide the following documents with the fire permit application. Construction documents (site plan, utility plan, building plan, appendix B code summary, life safety plan, and emergency responder radio coverage plan) when obtaining permits for construction. All new commercial buildings will require a separate permit application.
- This project shall comply with requirements of the Brunswick County fire marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- Will need fire hydrant flow data to be provided at time of construction.
- Need a Fire hydrant at both entrances per Brunswick County Utilities
- Need an additional Fire Hydrant at lot 122 to achieve the 800' foot minimum distance per the Brunswick County Fire Prevention ordinance C105.1.
- The dead-end travel distance from lot 210-231 exceeds the maximum distance of 750 feet and will require special approval from the Tri-Beach Fire Department per BC fire prevention ordinance Table D103.4



BRUNSWICK COUNTY PLANNING DEPARTMENT

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www.brunswickcountync.gov/planning • (910)253-2025

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on December 17, 2021.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Marc A. Pages". The signature is written in a cursive style with a large, prominent initial "M".

Marc A. Pages
Brunswick County Principal Planner

CASE PD-71

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2150004802	AM CELL TRUCKING INC	5175 VIRGINIA AVE	NORTH CHARLESTON	SC	29405
21600094	PARKER ALBERT H	PO BOX 181	SUPPLY	NC	28462
2160010901	KIRBY DONNIE LEE	1477 STANBURY ROAD SW	SUPPLY	NC	28462
2150006105	CHEERS GROUP LLC THE	880 FREDERICK TRAIL SW	SUPPLY	NC	28462
2160009401	GRISSETT ROBERTA ETVIR	2308 WEEPING OAK RD SW	SUPPLY	NC	28462
2160010410	HARGIS MAYANA	1407 STANBURY RD SW	SUPPLY	NC	28462-6037
2160011304	LUDLUM BENNY G ETUX	2401 HOLDEN BEACH RD SW	SUPPLY	NC	28462-6205
21600110	WHITE JULIAN WEBB	124 LUMBERTON STREET	HOLDEN BEACH	NC	28462
21500063	ALL IN LLC	1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802
2161A029	FODEL ALBERT ANTHONY JR	1329 GOODWIN AVE	CHARLOTTE	NC	28205-6242
2160011601	KIRBY FREEMAN EDWARD ET	202 HOLLY DR	SOUTHPORT	NC	28461-2712
2160011801	KIRBY GERALD ET	1467 STANBURY RD SW	SUPPLY	NC	28462-6037
2150005905	RHODES LLOYD W ET	2274 HOLDEN BEACH RD SW	SUPPLY	NC	28462
2150005903	RHODES LLOYD W ET	2274 HOLDEN BEACH RD SW	SUPPLY	NC	28462
21600104	ROBINSON JAY HOWARD	1423 STANBURY RD SW	SUPPLY	NC	28462
2161A030	TOWNSEND MICHELLE CLAY ETVIR	2467 HARVEST DR	HICKORY	NC	28462-6037
21600107	KIRBY GERALD ALLEN ETUX	1467 STANBURY RD SW	SUPPLY	NC	28601-7339
2150005907	RHODES LLOYD W (LT) ETUX	2280 HOLDEN BEACH RD	SUPPLY	NC	28462
2160010905	KIRBY GERALD ALLEN ET	1467 STANBURY ROAD SW	SUPPLY	NC	28462
2160010409	ROBINSON PHILIP NEIL JR ETUX	1979 DUCK HAVEN AVE SW	SUPPLY	NC	28462-3103
2160010002	COBB W ALLEN JR ET	PO BOX 188	WRIGHTSVILLE BEACH	NC	28480
21600113	LUDLUM TERRY L	2480 HOLDEN BEACH RD SW	SUPPLY	NC	28462-6204
21600111	GALLOWAY ELBERT N AND	6175 HUNTER LANE	WEDDINGTON	NC	28104
21600116	ROACH WILLIAM KELLY ETUX	1439 JOY AVE	CHARLESTON	SC	29407-3605
2150005902	ROBINSON PHILLIP ET	2590 STONE CHIMNEY RD SW	SUPPLY	NC	28462
2160011603	WILKINS DIANNE E	1588 CATTAIL WAY	SUPPLY	NC	28462
2160000105	GORE THOMAS AND	7852 CONNIE DR	HUNTINGTN BCH	CA	92648-5634
21600118	HOFSCHESTER ANDREAS	755 OCEAN VIEW DR	SALUDA	NC	28773-9668

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
21500060	HOLDEN BEACH LANDING LLC	16 CAUSEWAY DRIVE	OCEAN ISLE BEACH	NC	28469
2160011802	HOLDEN BEACH LANDING LLC	16 CAUSEWAY DRIVE	OCEAN ISLE BEACH	NC	28469
2160011604	HOLDEN BEACH LANDING LLC	16 CAUSEWAY DRIVE	OCEAN ISLE BEACH	NC	28469
21600112	HOLDEN BEACH LANDING LLC	16 CAUSEWAY DRIVE	OCEAN ISLE BEACH	NC	28469

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	CLD ENGINEERING	PO BOX 1172	WILMINGTON	NC	28402

REZONING STAFF REPORT



Prepared by Marc Pages, Principal Planner

Rezoning Case#: Z-837

March 14, 2021

APPLICATION SUMMARY

The applicant, Robert Johnson, requests to rezone Tax Parcel 21300057 from NC (Neighborhood Commercial) to C-LD (Commercial Low Density). This rezoning request is conventional therefore, no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

Location

791 Bricklanding Road (NC 179) and
Maple Hill Road

Tax Parcel

21300057

Current Zoning

NC (Neighborhood Commercial)

Proposed Zoning

C-LD (Commercial Low Density)

Surrounding Zoning

R-7500 (Medium Density
Residential) and NC

Current Use

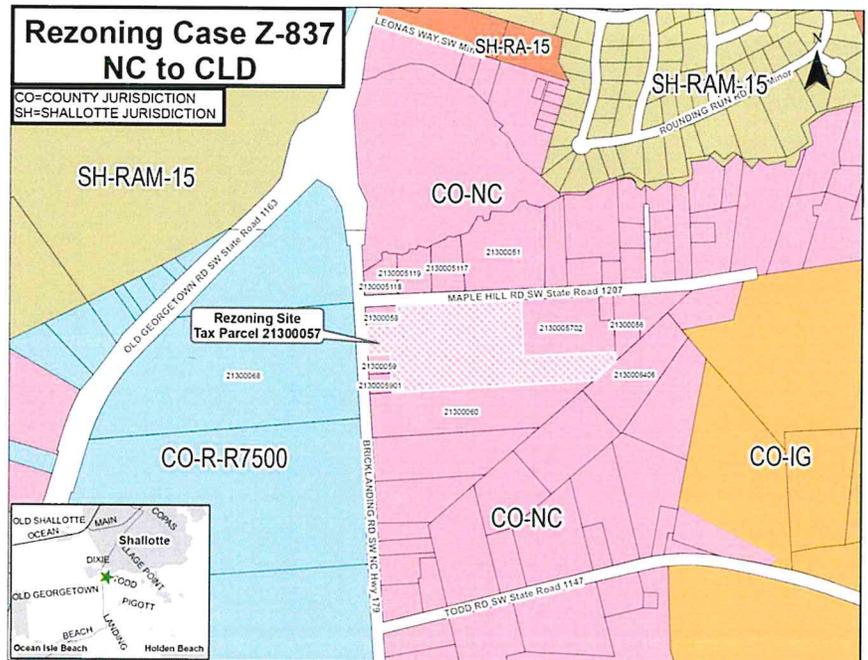
Commercial, Place of Worship

Surrounding Land Uses

Residential, Commercial, Vacant

Size

8.8 Acres



SITE CONSIDERATIONS

Zoning History: This area was rezoned from RU (Rural) to NC in 2007 as part of the UDO adoption mass rezonings.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.4 (vacant) or 0.6 (developed) opacity buffer to NC areas.

Traffic: There are no capacity deficiencies for this section of Bricklanding Road (NC 179).

Utilities: Water is available on Bricklanding and Maple Hill Road from Brunswick County Utilities. Sewer is currently not available, however Cresswind Planned Development is proposed directly opposite Bricklanding Road and that project will bring both utilities to the area.

Schools: Union Elementary School, Shallotte Middle School and West Brunswick High School have adequate capacity.

CIP Projects in Area: New Early College High School (FY 2022).

NC DOT Road Improvements in Area: Carolina Bays Parkway (R-5876) – Planning and Design Phase, Smith Avenue and US 17 (U-5862) – Upgrade to interchange (2027).

Environmental Impacts:

- No portions of the site lay within a Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: Portions of the site score a 5 out of 10 due to substantial wetlands on the site.
- The rezoning site is not within a half mile of a Voluntary Agricultural District.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

CAMA Land Use Plan Classification: LDR (Low Density Residential)

- Proposed Zoning is NOT consistent with CAMA Land Use Plan.
- Land Use Amendment (LUM-837) proposed from LDR (Low Density Residential) to Commercial.

Applicable CAMA Land Use Policies:

- P.16 Brunswick County and its participating municipalities strongly support commercial nodes, including town or village centers, and the prohibition of strip commercialization.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO C-LD WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCEL 21300057** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-837 (NC to C-LD)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____

ALTERNATIVE RECOMMENDATION: _____

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interest* for the following reasons: _____

APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment *is NOT consistent* with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons: _____

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interests* for the following reasons: _____

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

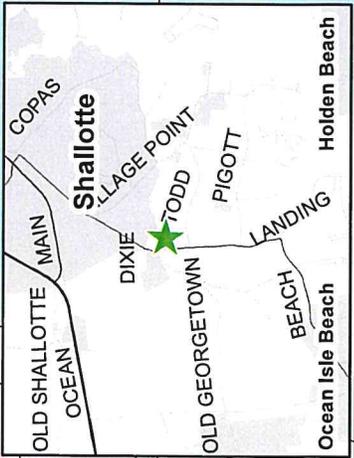
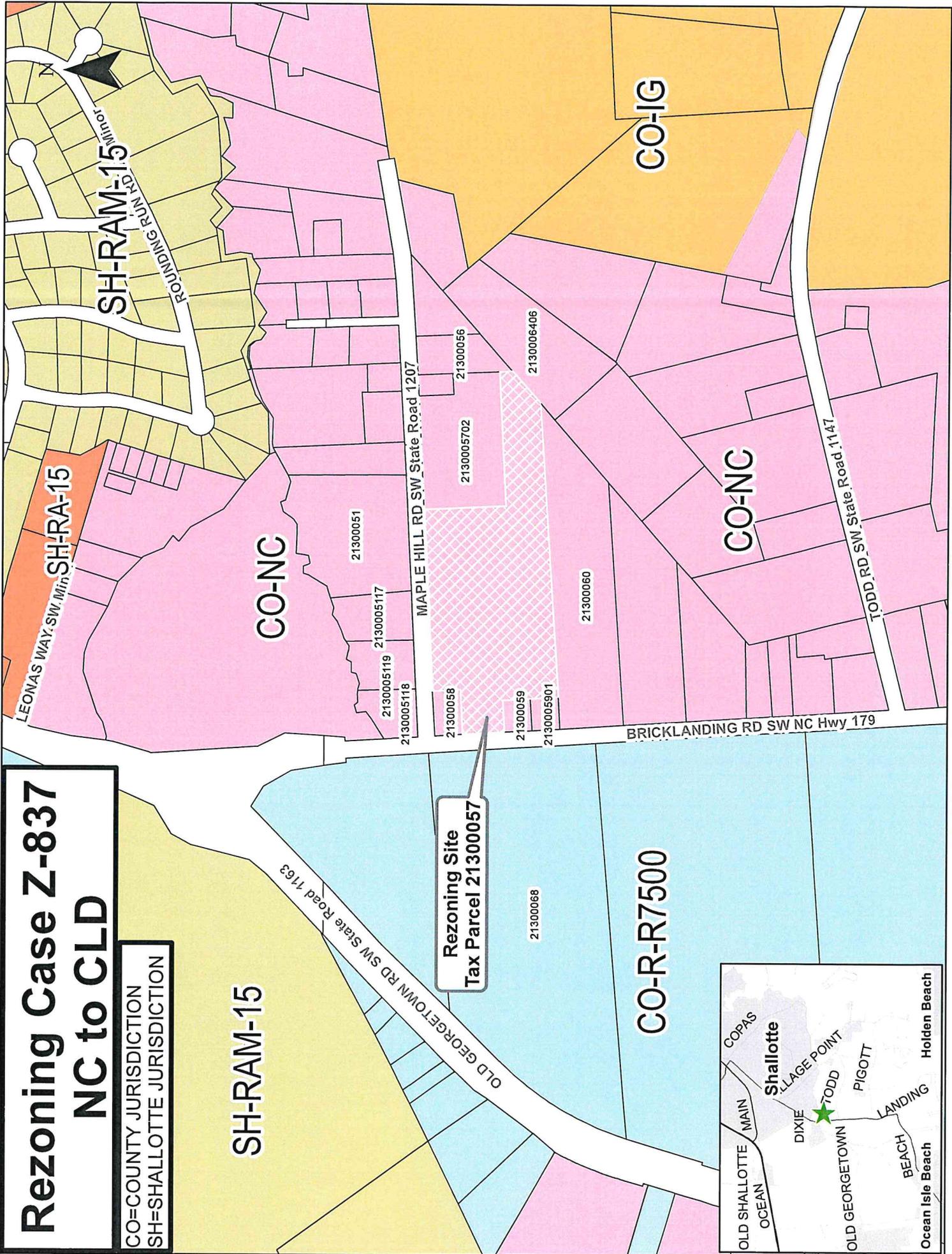
- The Planning Board finds that the proposed zoning amendment is is not consistent with the CAMA Land Use Plan (Comprehensive Plan) and is is not in the public interests for the following reasons: _____

TABLED

- The Planning Board TABLES the proposed zoning amendment to Next Planning Board Meeting A Future Planning Board Meeting in _____ months.

Rezoning Case Z-837 NC to CLD

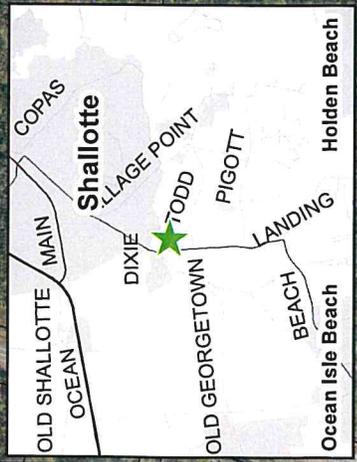
CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION



Rezoning Case Z-837 NC to CLD

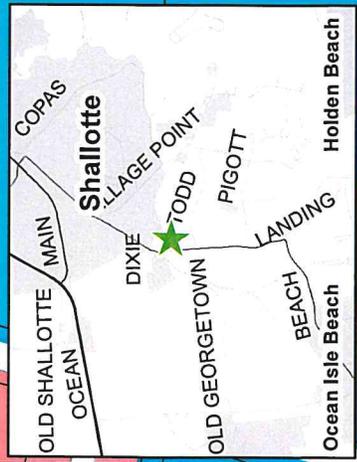
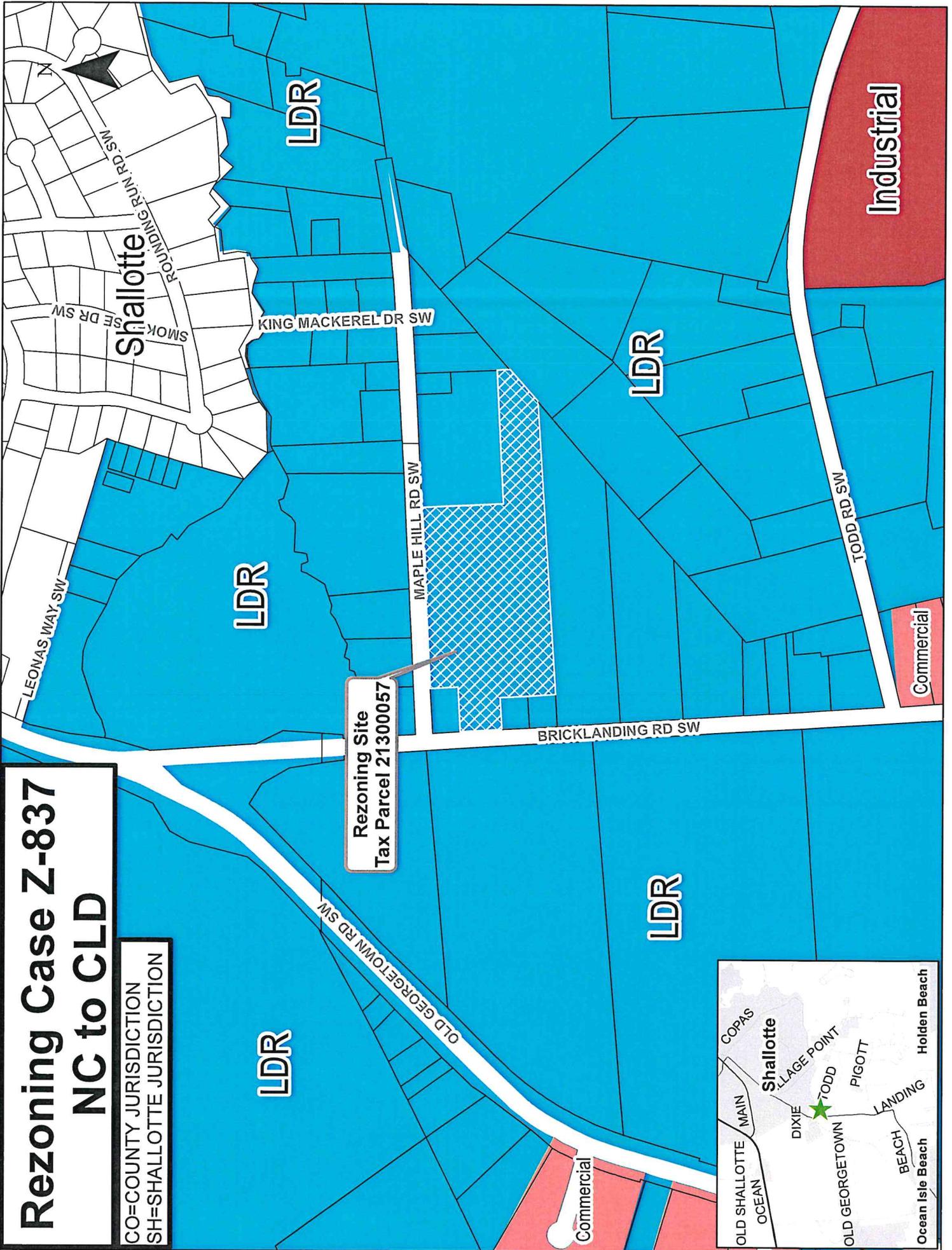
CO=COUNTY JURISDICTION

Rezoning Site
Tax Parcel 21300057



Rezoning Case Z-837 NC to CLD

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>837</u>	Invoice # <u>524492</u>
Date Received <u>2/7/22</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 253-2437
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): <u>Robert Johnston</u> <u>Rob Johnston Landscaping LLC</u>	
Mailing Address: <u>1812 Tree Shore Cir Sw</u> <u>Ocean Isle Beach, Nc 28469</u>	
Phone: <u>910 443 1735</u>	Email: <u>rjlandscapes10@gmail.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Same</u>	
Mailing Address:	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>791 Bricklanding Rd Charlotte, Nc 28470</u>	
Parcel Tax ID #(s): <u>21300057</u>	Total Site Acreage: <u>8.88</u>
Current Zoning District(s): <u>NC</u>	Proposed Zoning District(s): <u>C-ID</u>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

The rezoning is consistent with the current use and with the character of the area.

LAND USE COMPATIBILITY

Future Land Use Map Classification: LDR

Is the proposed rezoning consistent with the Land Use Plan? YES NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

With the current zoning of NC and with the planned development across the street, a change to C-UD would better serve the current use and future uses of adjacent residential neighborhoods. Road improvements attract commercial use at this location.

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: [Signature]

Date: 2/7/22

Owner Signature: [Signature]

Date: 2/7/22

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

CASE Z-837

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2130006406	HARRELL LIZZIE J	3512 OLD CHAPEL HILL RD	DURHAM	NC	27707
21300058	JOHNSON ELLA HILL	P O BOX 2655	SHALLOTTE	NC	28459
21300060	HICKMAN CLARICE R (LT)	PO BOX 1202	SHALLOTTE	NC	28459
2130005901	ROBINSON JONATHAN WAYNE C/O PECOLA HOLMES	1141 RUTLEDGE LANDING DR	KNIGHTDALE	NC	27545-8155
21300051	PAGE JAMES R ETUX MURPHY MARTHA M	4670 MAPLE HILL RD SW	SHALLOTTE	NC	28470-5368
21300056	HEWETT BARBARA GAUSE	4623 MAPLE HILL ROAD SW	SHALLOTTE	NC	28470
21300059	ROBINSON JONATHAN WAYNE (LT) C/O PECOLA HOLMES	1141 RUTLEDGE LANDING DR	KNIGHTDALE	NC	27545-8155
2130005702	COX LARRY W	PO BOX 6856	OCEAN ISL BCH	NC	28469-0856
21300068	BLUEBERRY VENTURES LLC	60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9276
2130005119	GOULD DAMITA BROOKS	4530 MAPLE HILL RD SW	SHALLOTTE	NC	28470-5366
2130005117	GOULD DAMITA BROOKS	4530 MAPLE HILL RD SW	SHALLOTTE	NC	28470-5366
2130005118	O&P LAND DEVELOPERS LLC	386 BROOKGREEN DR	LUMBERTON	NC	28358-2618

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
21300057	ROB JOHNSTON LANDSCAPING LLC	1812 TREE SHORE CIR SW	OCEAN ISLE BEACH	NC	28469

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
21300057	ROB JOHNSTON LANDSCAPING LLC	1812 TREE SHORE CIR SW	OCEAN ISLE BEACH	NC	28469

REZONING STAFF REPORT



Prepared by Marc Pages, Principal Planner

Rezoning Case#: Z-839

March 14, 2021

APPLICATION SUMMARY

The applicant, Ruslan Zaslavsky, requests to rezone Tax Parcel 1670005802 from RR (Rural Residential) to C-LD (Commercial Low Density). This rezoning request is conventional therefore, no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

Location

Ocean Highway West (US 17) near Supply

Tax Parcel

1670005802

Current Zoning

RR (Rural Residential)

Proposed Zoning

C-LD (Commercial Low Density)

Surrounding Zoning

RR and CLD

Current Use

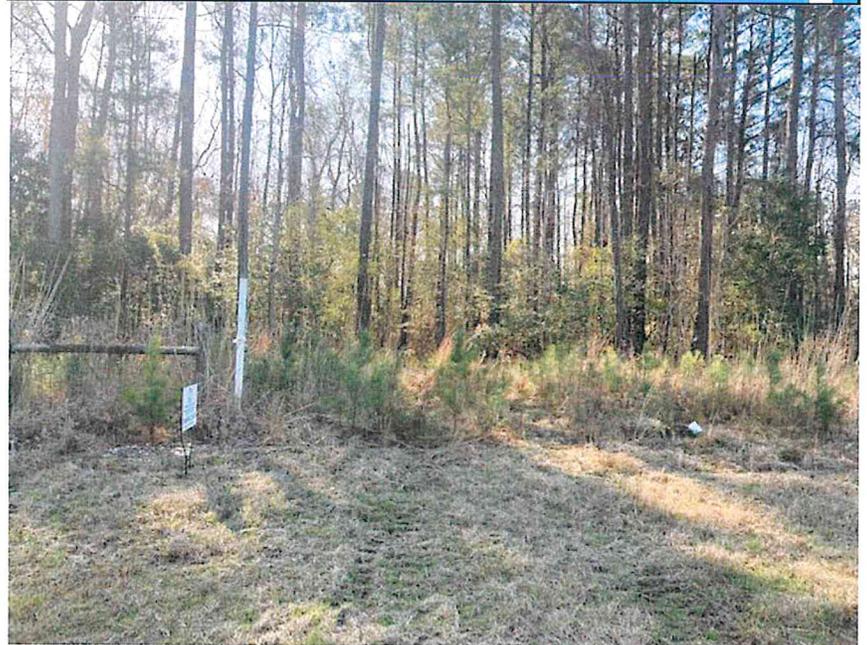
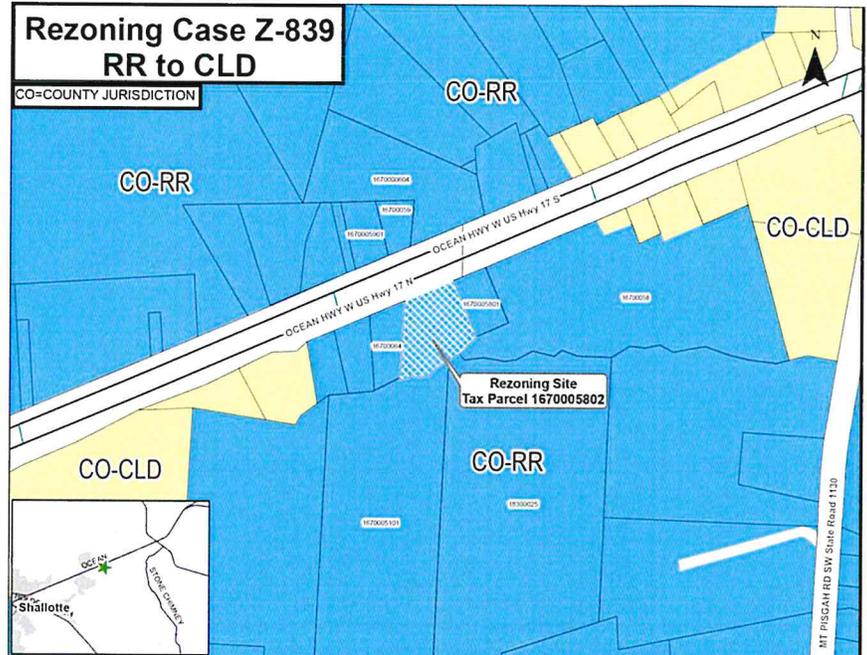
Vacant

Surrounding Land Uses

Residential, Commercial, Vacant

Size

1.93 Acres



SITE CONSIDERATIONS

Zoning History: There have been no rezoning changes since zoning was first implemented in 1994.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.6 (vacant) or 0.8 (developed) opacity buffer to RR areas.

Traffic: There are no capacity deficiencies for this section of Ocean Highway West (US 17).

Utilities: Water and Sewer is available on Ocean Highway West (US 17) from Brunswick County Utilities.

Schools: Supply Elementary School, Cedar Grove Middle School and West Brunswick High School have adequate capacity.

CIP Projects in Area: New Early College High School (FY 2022).

NCDOT Road Improvements in Area: Carolina Bays Parkway (R-5876) – Planning and Design Phase, Smith Avenue and US 17 (U-5862) – Upgrade to interchange (2027).

Environmental Impacts:

- No portions of the site lay within a Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: Portions of the site score a 7 out of 10 due to substantial wetlands on the site.
- The rezoning site is located within a half mile of a Voluntary Agricultural District.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

CAMA Land Use Plan Classification: Commercial

- Proposed Zoning is consistent with CAMA Land Use Plan.

Applicable CAMA Land Use Policies:

- P.16 Brunswick County and its participating municipalities strongly support commercial nodes, including town or village centers, and the prohibition of strip commercialization.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO C-LD FOR TAX PARCEL 1670005802 based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-839 (RR TO C-LD)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____

ALTERNATIVE RECOMMENDATION: _____

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interest* for the following reasons: _____

APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment *is NOT consistent* with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons: _____
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interests* for the following reasons: _____

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment *is* *is not* consistent with the CAMA Land Use Plan (Comprehensive Plan) and *is* *is not* in the public interests for the following reasons: _____

TABLED

- The Planning Board TABLES the proposed zoning amendment to **Next Planning Board Meeting** **A Future Planning Board Meeting** in _____ months.

Rezoning Case Z-839 RR to CLD

CO=COUNTY JURISDICTION

CO-RR

CO-RR

CO-CLD

167000604

16700059

1670005901

16700056

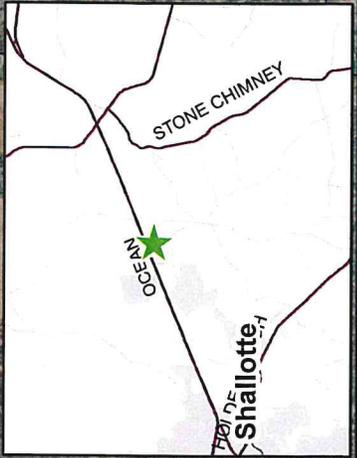
1670005801

16700064

18300025

1670005101

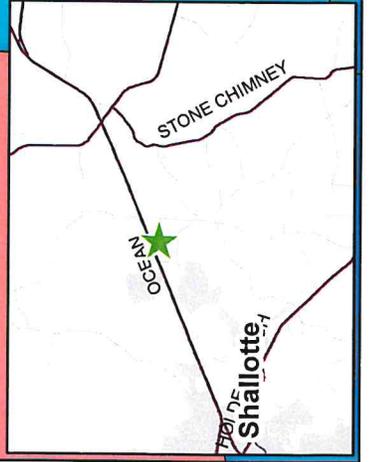
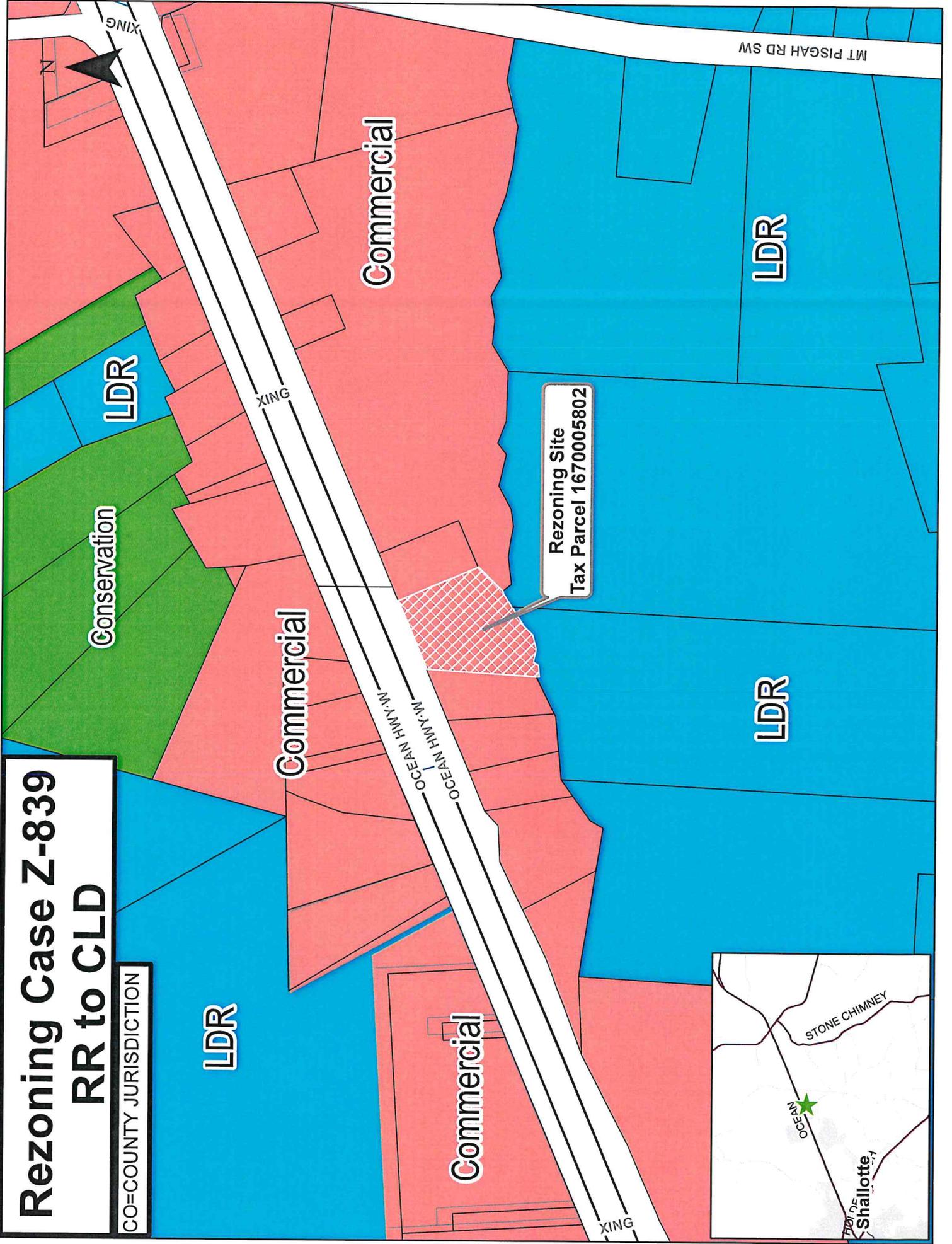
Rezoning Site
Tax Parcel 1670005802



MT PISGAH RD SW State Road 1130

Rezoning Case Z-839 RR to CLD

CO=COUNTY JURISDICTION





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>839</u>	Invoice # <u>S25418</u>
Date Received <u>2/16/22</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 253-2437

Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): <u>Ruslan Zaslavskiy</u>	
Mailing Address: <u>635 Copas Rd SW, Shalotte, NC, 28470</u>	
Phone: <u>8477974880</u>	Email: <u>izaslavskaya11@gmail.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Brunswick County Chamber of Commerce</u>	
Mailing Address: <u>112 Pine St, Shalotte, NC, 28470</u>	
Phone: <u>910-754-6644</u>	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>1.93 Ac Hwy 17, Supply, NC, 28462</u>	
Parcel Tax ID #(s): <u>1670005802</u>	Total Site Acreage: <u>1.93</u>
Current Zoning District(s): <u>RR</u>	Proposed Zoning District(s): <u>C-LD</u>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

I am considering the possibility of constructing a commercial building and arranging access roads to it for trading construction materials and renting commercial equipment.

LAND USE COMPATIBILITY

Future Land Use Map Classification: Commercial

Is the proposed rezoning consistent with the Land Use Plan? YES NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: [Signature]

Date: 01/31/2022

Owner Signature: [Signature]

Date: 2/29/2022

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

CASE Z-839

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
167000604	HANKINS JUDY A	PO BOX 452	SUPPLY	NC	28462
1670005101	HEWETT LORETTA R	549 MT PISGAH RD SW	SUPPLY	NC	28462
1670005901	GRISSETT LYNN J	P O BOX 195	SUPPLY	NC	28462
16700059	GRISSETT LYNN J	P O BOX 195	SUPPLY	NC	28462
18300025	ROYALS KENWOOD	311 NORTH MADISON ST	WHITEVILLE	NC	28472
1670005801	HEWETT NAOMI	1137 OCEAN HWY W	SUPPLY	NC	28462
16700064	MCMILLAN RUTH H HEIRS C/O DONNA R MCMILLAN	3813 BRIAR PL APT 10	DAYTON	OH	45405-1808
16700058	HANKINS DOROTHY B HEIRS ETALS C/O RAMONA DAVIS	3310 OLD OCEAN HWY	BOLIVIA	NC	28422-8918

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1670005802	BRUNSWICK CO CHAMBER OF COMMERCE	PO BOX 1185	SHALLOTTE	NC	28470

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	Ruslan Zaslavskiy	635 Copas RD SW	OCEAN ISLE BEACH	NC	28470