



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
December 14, 2020**

**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) Consideration of Minutes of the November 9, 2020 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

A. Planned Development – PD-38

Name: Saucepan Creek Planned Development

Applicant: H&H Constructors of Fayetteville, LLC

Tax Parcel: 2290007704

Location: 1501 Bricklanding Road (SR 1143)

Description: Saucepan Creek is a proposed planned development consisting of 162 single family lots and 134 townhome units on a gross site of 75.9 acres creating an overall density of 3.9 dwelling units per acre.

B. Rezoning Z-803

Proposed rezoning of approximately 2.46 acres located at the intersection of Cedar Grove Road SW (SR 1125) and Mt. Pisgah Road SW (SR 1130) from NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcel 1990012402.

LAND USE PLAN MAP AMENDMENT LUM-803:

Request to amend Tax Parcel 1990012402 located at the intersection of Cedar Grove Road SW (SR 1125) and Mt. Pisgah Road SW (SR 1130) from LDR (Low Density Residential) to Commercial.

C. Rezoning Z-804

Proposed rezoning of approximately 34.01 acres located at 2877, 2889, 2905, 2908, 2920, 2930 and 2946 Cox Landing Road SE (SR 1182) from RR (Rural Residential) and CLD (Commercial Low Density) to RR (Rural Residential) for Tax Parcels 21700103, 2170010307, 21700104, 2170010401.

LAND USE PLAN MAP AMENDMENT LUM-804:

Request to amend Tax Parcels 21700103, 2170010307, 21700104, 2170010401 located at 2877, 2889, 2905, 2908, 2920, 2930 and 2946 Cox Landing Road SE (SR 1182) from Commercial to LDR (Low Density Residential).

D. Rezoning Z-805

Proposed rezoning of approximately 20.09 acres located at 975 Holden Beach Road (NC 130) from R-6000 (Medium Density Residential) and NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcels 1990000501, 19900006, and 1990000701.

LAND USE PLAN MAP AMENDMENT LUM-805:

Request to amend Tax Parcels 1990000501, 19900006, and 1990000701 located at 975 Holden Beach Road (NC 130) from Commercial, LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial.

9) Other Business.

- Presentation on Blueprint Brunswick Project.
- Planning Board Case Update.

10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
November 9, 2020

Commissioners Chambers
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
William Clark
William Bittenbender
Brett Riggs, Alternate
Ron Medlin

MEMBERS ABSENT

Eileen Shake

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Senior Planner
Connie Marlowe, Admin. Asst. II
Justin Brantley, Project Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins
Scott Stewart
Rodney Conlogue
Pauline Haran
Don McGuire
Stephen Dragos
Jean Toner, Mayor of St. James
James McGarry

Joseph Bland, Norris & Tunstall Engineering
Dan Weeks
Patricia McGarry
Taylor Ryan
Jerry Iverson
Dan Kingsbury
Edward Dickie

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Ms. Eileene Shake was absent.

IV. CONSIDERATION OF MINUTES OF THE 12-OCT-20 MEETING.

Mr. Leary made a motion to approve the minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARING.

A. Planned Development – PD-34

Name:	Hickmans Branch Cove Planned Development
Applicant:	J. Phillip Norris, Norris and Tunstall Engineering
Tax Parcels:	22500136 and portions of 22500132 and 2250013208
Location:	993 Calabash Road NW (SR 1300)
Description:	Hickmans Branch Cove is a proposed planned development consisting of 65 single-family units on a gross site of 16.84 acres creating an overall density of 3.86 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties on a visual map. He further stated that there is a cemetery on the site with an existing access road from Calabash Road NW (SR 1300) that will be preserved.

Mr. Pages said staff recommends approval based on the following conditions:

- 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; and

- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance

Mr. Dunham asked staff if the proposed development will be impacted by S.C. 31 route through Brunswick County? Mr. Pages said there are no definitive locations for S.C. 31 at this time, but 1 of the routes could potentially impact this area.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Joseph Bland, representative for Norris and Tunstall Engineering, addressed the Board. He stated that they will meet the minimum requirements of the Brunswick County Unified Development Ordinance (UDO) and they will continue to work with the North Carolina Department of Transportation (NCDOT) regarding minimum access requirements. He further stated that they will comply with all State and local minimum requirements for stormwater and erosion control. Mr. Bland concluded that they will, also, continue to work with Brunswick County regarding the utility connections.

Mr. Dunham asked Mr. Bland if they have explored whether or not the routing of S.C. 31 through Brunswick County will impact this project? Mr. Bland said they have notified the developer that the plan may have to be modified if the project is impacted by the location of S.C. 31 through Brunswick County.

Ms. Patricia McGarry, property owner in Meadowlands, addressed the Board. She clarified that the old Brunswick County Library is not at the end of Calabash Road NW (SR 1300); rather; it was off McLamb Road NW (SR 1301).

Mr. Rodney Conlogue, owner of Tax Parcel 22500135, addressed the Board. Mr. Conlogue expressed concern regarding potential stormwater runoff that will be generated from this development. Mr. Dunham said the County's Stormwater Engineer, Brigit Flora, will address stormwater issues prior to approval of development on the site. Mr. Conlogue was also concerned with potential safety issues associated with the additional traffic generated from this development. Mr. Dunham said NCDOT will address traffic concerns. Mr. Conlogue asked the type of housing that will be in the area? Mr. Dunham said the applicant is proposing single family units. Mr. Bland reiterated that they will comply with State and local minimum requirements regarding stormwater.

With no further comments, Mr. Bittenbender made a motion to close the Public Hearing and the motion was unanimously carried

Ms. Easley made a motion to approve PD-34 (Hickmans Branch Cove Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

B. Planned Development – PD-35

Name:	Demarest Park Planned Development
Applicant:	Scott D. Stewart
Tax Parcels:	0570006539
Location:	On Maco Road NE (NC 87) near the intersection of I-140 and Ocean Hwy E (US 17)

Description: Demarest Park is a proposed planned development consisting of 90 townhome lots on a gross site of 38.11 acres creating an overall density of 2.36 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval based on the following conditions:

- 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Scott Stewart addressed the Board. Mr. Stewart stated that he previously appeared before the Board for a zoning change to C-LD for this property. Mr. Stewart provided a site layout (attached) of the property including the potential neighborhood features and existing site conditions. Mr. Stewart said he is seeking approval for 90 units that will be a mixture of townhomes and/or single-family units. He further stated that he intends to preserve as many heritage trees as possible.

With no further comments, Ms. Easley made a motion to close the Public Hearing and the motion was unanimously carried

Mr. Leary made a motion to approve PD-35 (Demarest Park Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

C. Rezoning Z-800 – Dan Weeks.

Request rezoning of approximately 135.70 acres located at 3940, 3950 and 3954 Southport-Supply Road SE (NC 211) from C-LD (Commercial Low Density) to C-I (Commercial Intensive) for Tax Parcels 20400048, 20400014, 20400013, 20400012, 20400011, 20400010 and 20400009.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from C-LD (Commercial Low Density) to C-I (Commercial Intensive) for Tax Parcels 20400048, 20400014, 20400013, 20400012, 20400011, 20400010 and 20400009.

Mr. Bittenbender asked staff if the mining activity on Tax Parcel 20400048 is permissible in the current zoning district? Mr. Pages said that mining activity was an NCDOT project that was exempt from zoning requirements. Mr. Bittenbender asked staff if the current mining operation is part of an NCDOT project? Mr. Pages said Helen Bunch, Zoning Administrator, said the mining operation was part of an NCDOT project. Ms. Dixon interjected that staff is not sure if NCDOT is still conducting the mining activities on the site because they are not required to notify the Planning Department.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Dan Weeks addressed the Board. Mr. Weeks stated that the property was rezoned to C-LD in March 2015 and approved in June 2015 for a planned development (Mirasol Planned Development) that expired June 2020. He stated that the property owner feels C-I zoning is the most appropriate zoning designation at this time.

Ms. Jean Toner, Mayor of the Town of St. James, addressed the Board in opposition to the zoning change and provided the Board with a copy (attached) of her concerns regarding public safety and the potential negative impact to the surrounding area should the property be rezoned to C-I.

Mr. Dan Kingsbury, Broker for St. James Properties, addressed the Board. Mr. Kingsbury said there is a need for more housing in the area. He felt that C-I zoning is not appropriate for this area.

Mr. Stephen Dragos, resident of the Town of St. James, addressed the Board. He provided the Board with a map (attached) of the Town of St. James and Pine Forest development indicating the demographics for both areas. Mr. Dragos said there is a market for commercial development along the roadway, but C-I zoning is not appropriate for this area. He further stated that the subject property is being used by 18 wheelers entering and exiting the property on a 2-lane road, which is not conducive to the residential area. Mr. Dragos said C-I zoning is intended for uses which require close access to major highways and Southport-Supply Road SE (NC 211) is not a major highway.

Mr. Jerry Iverson, President of the Property Owners Association (POA) in St. James Plantation, addressed the Board. Mr. Iverson said the POA is responsible for the infrastructure, amenities, parks, roads, common areas, wetlands, ponds, security and stormwater system. He felt potential industrial substances would be will be harmful to St. James Plantation's ponds, creeks, Carolina Bays and the residential community as a whole. He provided the Board with statistical information regarding the existing and proposed homes in St. James Plantation. Mr. Iverson was opposed to the zoning change.

Mr. Don McGuire, President of the Board of Directors of St. James Fire Department, addressed the Board. Mr. McGuire stated that there have been several traffic incidents in the area and he provided statistics of accidents (145) in this area (intersection of Midway Road to St. James Plantation main gate and to the Regency gate) from 2017 to the present. Mr. McGuire was concerned with hazardous spills that cannot be contained and the potential emissions from the hazardous materials in their residential neighborhood. He further stated that the Military Ocean Terminal – Sunny Point (MOTSU) normally assists with hazardous spills. However, if MOTSU cannot respond, they contact a hazardous team from Wilmington, which could be detrimental if response time is delayed. Mr. McGuire concluded that C-I zoning is not the right fit for this area.

Ms. Pauline Haran addressed the Board. Ms. Haran expressed concerns with the need for local shopping, the ability to attract new businesses to the area, the ability to keep a qualified workforce and affordable housing. Ms. Haran said that sales tax dollars will leave the County if qualified workforce is not available. She felt that industry is needed in the County, but the proposed zoning is not appropriate for this area.

Mr. Taylor Ryan addressed the Board. Mr. Ryan read a statement (attached) of his concerns regarding the living shoreline along the St. James Intracoastal Waterway (ICW). Mr. Ryan said the proposed zoning change is in close proximity to a residential, tourist area with several ponds

that could be polluted should industrial activity be permitted on the subject property. Mr. Ryan reiterated opposition to the zoning change.

Mr. Edward Dickie, resident of St. James Plantation and Town Manager of St. James, addressed the Board. Mr. Dickie concurred with the previous comments. He, too, was opposed to the proposed zoning change.

Mr. Dunham asked staff if the proposed zoning district is commercial intensive and Mr. Pages replied, yes. Mr. Pages proceeded to read some of the commercial and light industrial uses allowed in the C-I zoning district. Mr. Dunham asked staff the minimum buffer requirement along NC 211? Mr. Pages said the minimum buffer is, typically, a 20' landscaped buffer, but the minimum setbacks are 50' for the front yard.

Ms. Easley asked staff if residential uses are allowed in the C-I zoning district and Mr. Pages replied, yes.

Mr. Leary clarified that there are currently 4 C-I zoned parcels (3 to the east and 1 to the west) abutting the subject property off Southport-Supply Road SE (NC 211) and Mr. Pages concurred.

Ms. Easley asked staff if the current use of Tax Parcel 20400048 is exempted from zoning because it is an NCDOT project and Mr. Pages, replied yes. Ms. Easley asked if the property remained C-LD, would the current mining operation be allowed if NCDOT was not involved? Mr. Pages replied, no. Ms. Easley asked if mining operations are allowed in the C-I zoning district? Mr. Pages said mining operations are permissible by Board of Adjustment approval in the C-I zoning district.

Mr. Bittenbender asked staff if the fill material extracted from Tax Parcel 20400048 was for an NCDOT project? Mr. Pages reiterated that the County's Zoning Administrator said the mining operation was for an NCDOT project. Ms. Dixon interjected that the fill material was used for the Long Beach Road connection. Mr. Bittenbender said there has been activity on the site post the Long Beach Road connection opening. Ms. Dixon said the Long Beach Road connection was the initial site the fill material was used for, but staff is uncertain of any other NCDOT projects that fill material would be needed from this particular site.

Mr. Dunham asked Mr. Weeks how the property is being used at the current time? Mr. Weeks said Tax Parcel 20400048 is a borrow pit that NCDOT used for the widening on NC 133. Mr. Dunham asked if there is any activity occurring on the site at the current time? Mr. Weeks said there is a smaller borrow pit on Tax Parcel 20400012 that the owner received a permit to mine.

Mr. Weeks addressed concerns previously expressed. He stated that a private company (Land Management) toured the site and determined that there are no wetlands on the property. Mr. Weeks said there is a need for industry in this area to mesh with the existing light commercial use(s) to serve the needs of the community. He, too, felt the necessity for the affordable housing along with a balance for commercial and industrial uses to sustain a viable workforce area. Mr. Weeks said the developer has no plans to develop the property in the immediate future.

Mayor Toner readdressed the Board. Mayor Toner said there are several uses that are allowed in the C-I zoning district other than those read by staff. She proceeded to read more intensive uses allowed in the C-I zoning district. She reminded the Board that any permitted use in C-I zoning can be placed on the subject property. Mr. Pages clarified that Mayor Toner read items permitted in the Industrial General zoning district rather than Commercial Intensive zoning district. Ms.

Dixon added that C-I uses were previously added to planned developments for those citizens that like to live where they work.

With no further comments, Ms. Easley made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Bittenbender made a motion to deny the zoning change and the motion carried 6 to 1 with Mr. Dunham voting no.

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

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

There is a potential negative impact to the immediate area, there is no major corridor nearby and the proposed zoning change is not compatible with the surrounding development.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

D. Rezoning Z-801 – Henry Bennett.

Request rezoning of approximately 24.21 acres located at 341 Shingletree Road NW (SR 1302) from Undesignated to R-7500 (Medium Density Residential) for Tax Parcel 2250003911.

LAND USE PLAN MAP AMENDMENT LUM-801:

Request to amend Tax Parcel 2250003911 located at 341 Shingletree Road NW (SR 1302) from Undesignated to LDR (Low Density Residential).

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He stated that the property owner supports the R-7500 (Medium Density Residential) zoning designation for the subject property. He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from Undesignated to R-7500 (Medium Density Residential) for Tax Parcel 2250003911 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to LDR (Low Density Residential) for Tax Parcel 2250003911.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. James McGarry, property owner in Meadowlands, addressed the Board. He asked what advertisements were sent to notify property owners in the area of the proposed zoning change? Mr. Pages said abutting property owners are notified via US Mail, a sign is posted on the property and the zoning change is advertised in the local newspaper. He provided Mr. McGarry with a copy of the adjacent property owners that were notified. Mr. Pages further stated that property owners in Meadowlands would not have received a letter regarding the proposed zoning change

because they are not directly adjacent to the subject property. Mr. McGarry asked the difference in the R-7500 (Medium Density Residential) and LDR (Low Density Residential)? Mr. Pages said R-7500 is the zoning designation and LDR is the CAMA Land Use Plan classification that is proposed for the subject property so the property will be consistent with the CAMA Land Use Plan. Mr. Pages also explained the maximum dwelling units allowed in the R-7500 zoning district. Mr. McGarry was concerned with a ditch in the area and the potential of flooding when the subject property is developed. Mr. Dunham said stormwater will be addressed by the County's Stormwater Engineer when a project is submitted for approval.

Ms. Patricia McGarry addressed the Board. Ms. McGarry said there is a lot of development in the area. She, too, was concerned with potential flooding in the area. Mr. Dunham said a stormwater permit will be required from the County and State prior to developing the property. Ms. McGarry asked staff to clarify whether or not minimum buffers will be required? Mr. Pages said conventional development will not require buffers, but a planned development will require a 30' buffer.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Leary made a motion to approve Tax Parcel 2250003911 from Undesignated to R-7500 (Medium Density Residential) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to LDR (Low Density Residential) and the motion was unanimously carried.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

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 property is currently undesignated as the property was in the Town of Carolina Shores planning and zoning jurisdiction. However, a CAMA Land Use Plan amendment has been requested to LDR (Low Density Residential).

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

The property will become consistent with the surrounding area(s).

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

The property is undesignated and it is being proposed to be designated to LDR (Low Density Residential).

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated

that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

VIII. OTHER BUSINESS.

- Planning Board Cases Update

Mr. Pages addressed the Board. He stated that Z-797, Z-798 and Z-799 were approved at the Planning Board's 12-Oct-20 meeting and no rezoning appeals were received so the Planning Board's decision stands.

- Blueprint Brunswick Project Update.

Mr. Pages addressed the Board. He stated that Blueprint Brunswick Project is in the early stages and he provided the Board with a flyer (attached) of the Focus Group meeting dates. He encouraged participation from the Board members.

IX. ADJOURNMENT.

With no further business, Mr. Bittenbender made a motion to adjourn and the motion was unanimously carried.

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-38

Applicant: H&H Constructors of Fayetteville, LLC

Project Name: Saucepan Creek Planned Development

Property Location: 1501 Bricklanding Road (SR 1143)

Parcel Number: 2290007704

Zoning District: R-7500 (Medium Density Residential) and R-6000 (High Density Residential)

Surrounding Zoning **North:** R-7500, R-6000, and MR-3200 (Multifamily Residential)
South: R-7500 and NC (Neighborhood Commercial)
East: R-7500 and R-6000
West: R-7500 and NC

Proposed Use: Saucepan Creek is a proposed Planned Development consisting of 162 single family lots and 134 townhome units on a gross site of 75.9 acres creating an overall density of 3.9 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consists of single family residential, commercial and vacant land.
- This site was formerly approved for Saucepan Bay Estates Major Subdivision (SS-237) which was to consist of 203 single family lots on the same 75.9 acres. The project was preliminarily approved on March 26, 2007 but expired five years later due to inactivity.
- The Future Land Use Map denotes this area as LDR (Low Density Residential) and MDR (Medium Density Residential).
- Parking for the single family homes will have a minimum of 2 driveway parking spaces per lot. Parking for the townhomes will be a mix of driveway spaces and communal parking lots but will yield over 2 parking spaces per townhome.
- The proposed project meets minimum vehicular access point requirements.
- 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 17.1 acres. The developer is proposing 20.56 acres of dedicated open space. The developer is also proposing 3.3 acres of recreation space of which 2.57 acres are required.
- The proposed development will generate approximately 2,328 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis is currently being drafted and shall be completed prior to construction. In addition, a 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 20.56 acres of open space where as 17.1 acres are required.
 2. The developer is proposing 3.3 acres of recreation space where as 2.57 acres are required.
 3. A 10' easement to be placed within the street buffer adjacent to Bricklanding Road for a possible future greenway.
 4. Multiple points of water access via trails.
 5. Sidewalks to be used throughout on one side of the streets.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- TRC was held on November 15, 2020.

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.

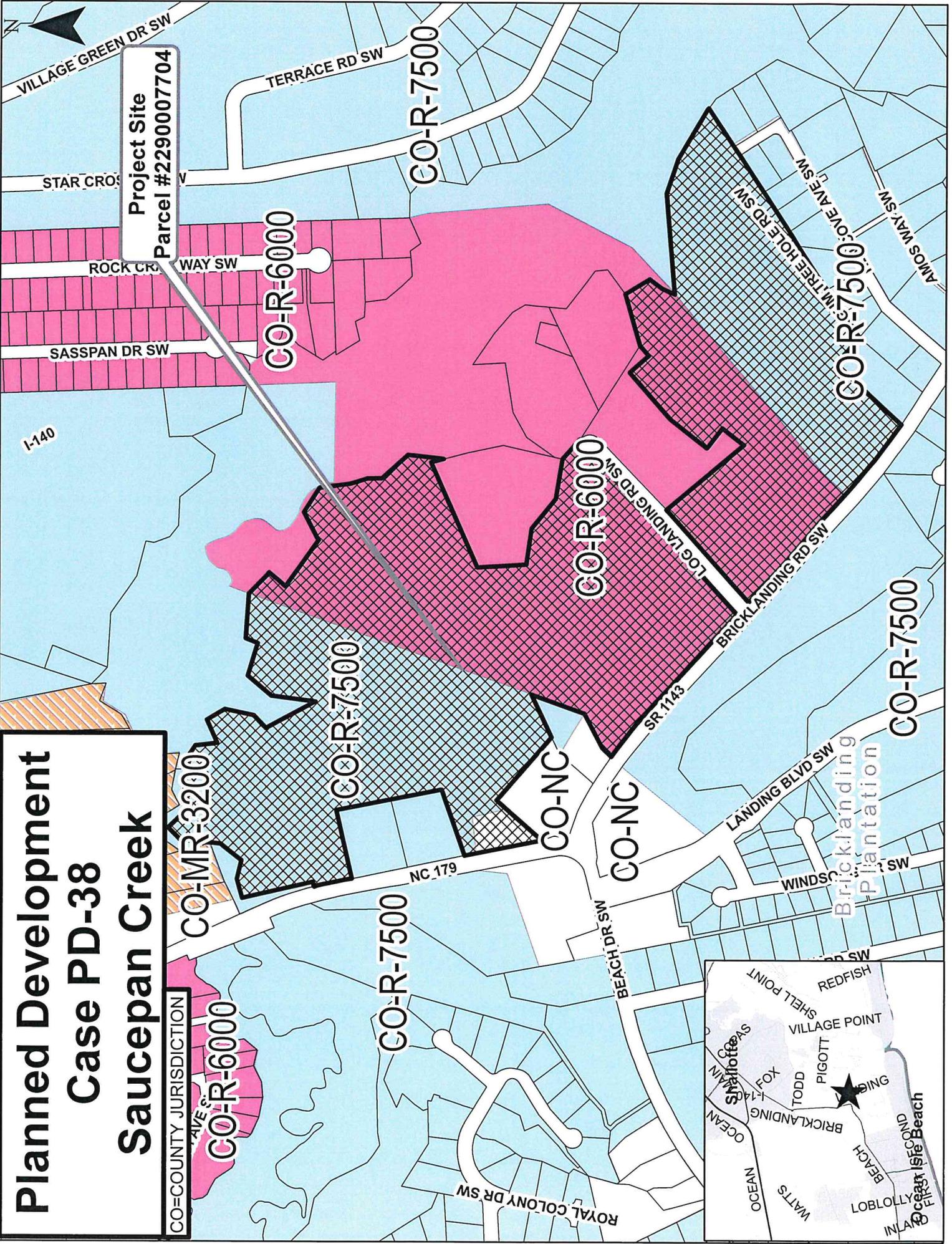
Staff recommends approval based on the following conditions:

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.

Planned Development Case PD-38 Saucepan Creek

CO=COUNTY JURISDICTION

Project Site
Parcel #2290007704



CO-MR-3200

CO-R-6000

CO-R-6000

CO-R-7500

CO-R-7500

CO-R-7500

CO-NC

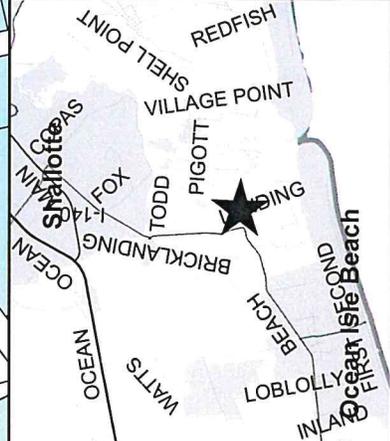
CO-NC

CO-R-6000

CO-R-7500

CO-R-7500

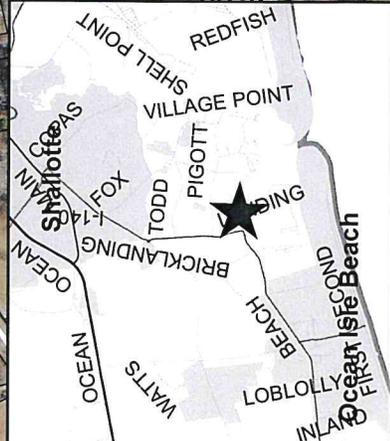
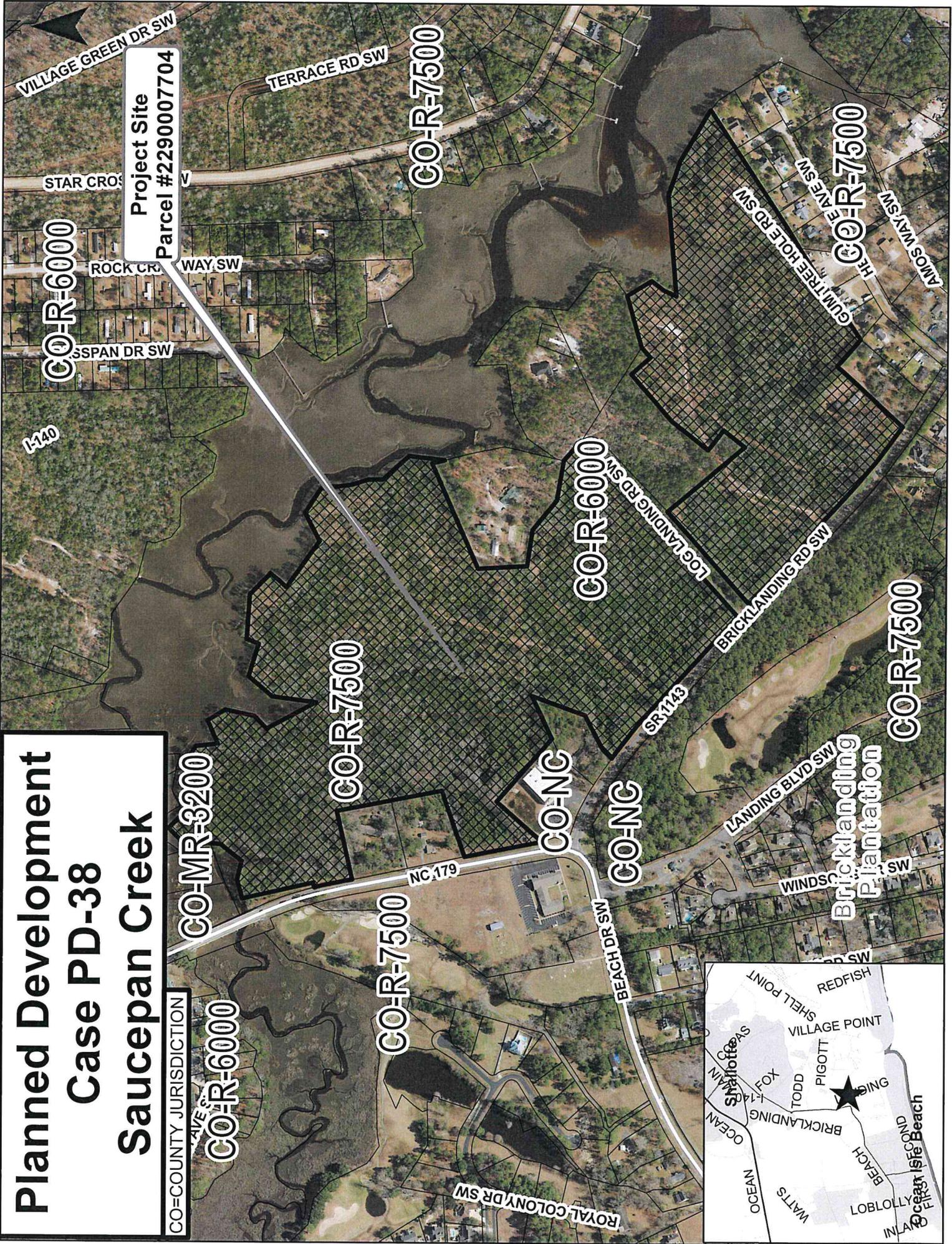
Bricklanding
Plantation



Planned Development Case PD-38 Saucepan Creek

CO=COUNTY JURISDICTION

Project Site
Parcel #2290007704





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>AD-38</u>	Invoice # _____
Date Received: <u>06 Nov 20</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	LYNX JERICO SAUCEPAN BAY, LLC	Phone	
	Address	3835 NW BOCA RATON, SUITE 200	Fax	
	City, St, Zip	BOCA RATON, FL 33431	Email	

Applicant or Representative	Name	H&H CONSTRUCTORS OF FAYETTEVILLE LLC (JACK ROSTETTER)	Phone	910-308-0804(BRYANT SPENCER) CONTACT
	Address	2919 BREEZEWOOD STE 400	Fax	
	City, St, Zip	FAYETTEVILLE, NC 28203	Email	BryantSpencer@hhhomes.com

Property Information	Address	1501 BRICKLANDING ROAD
	Tax Parcel(s)	2290007704
	Acreage	75.90
	Current Zoning	R6000, R7500
Public Utilities Available? Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/>		

Project Information	Project Name	Saucepan Creek		
	Modification or Expansion Of Existing PD?	Yes	No	<input checked="" type="checkbox"/>
	Single Family Acres	33.9	Lots	162
	Multi-Family Acres	12	Units	134
	Commercial Acres	0		

Authorization	Property Owner Signature		Date	11-5-20
	Applicant/Representative Signature		Date	11-5-20

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



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

November 18, 2020

H&H Constructors of Fayetteville
c/o Bryant Spencer
2919 Breezewood STE 400
Fayetteville, NC 28203

**RE: Saucepan Creek Planned Development
File # PD-38**

Dear Mr. Spencer,

The Technical Review Committee (TRC) at their November 17, 2020 meeting reviewed the preliminary plans for the above referenced project.

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

- The state stormwater permit will need to be modified, and a copy received for the county stormwater permit file.
- The county stormwater permit will need to be modified. Updated plans and pre/post calculations will be required.
- A new state erosion control permit is required.
- Note that two non-garage parking spaces are required per residential unit. Communal parking for the townhomes is permissible to satisfy this requirement.
- Please indicate the number of supplemental street parking spaces in the data table.
- Please indicate the mail kiosk location.
- Please indicate the existing driveways for the individually owned central parcels not appiliated with the planned development.
- Please note that existing vegetation will be used for the buffer but supplemental landscaping will be installed where necessary.
- Please note that a heritage tree survey will be completed prior to construction.
- Please note that a TIA will be completed prior to construction.
- Please note the corner side yard setback.
- Please more prominently indicate the flood hazard zones.
- Please show the trails to the water access areas.
- Please list any exceptional design elements proposed on the site.
- Please note that the home owner's association will be responsible for the maintenance of the streets, stormwater system and all open space areas.
- Please note that street lighting will be installed consistent with UDO Section 6.9.
- ATMC has facilities available to provide fiber to the home service for telephone, cable, and internet service to the project. Please contact Dane Stanley prior to



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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construction to forward a digital file of the project. He may be contacted at jdstanley@atmc.coop.

- Please forward a digital file of the project to Brunswick Electric 30 days prior to construction. Contact Tim Dean at 754-4391.

Please email pdf copies of the revised plans to the Brunswick County Planning Department by 5:00 p.m. on November 30, 2020. Revisions will be reviewed, and you may be asked for additional paper copies for Planning Board distribution.

If you have any questions, please feel free to contact me at 910-253-2056.

Sincerely,

A handwritten signature in cursive script that reads 'Marc A. Pages'.

Marc Pages
Senior Planner

CASE PD-38

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
244CA111	DONAGHER JOHN ETALS	1544 COLONIST SQUARE SW	OCEAN ISLE BEACH	NC	28469
2290007736	STANLEY RAY ERIC	4791 LOG LANDING RD SW	SHALLOTTE	NC	28470
2290007741	STANLEY RAY ERIC	4791 LOG LANDING RD SW	SHALLOTTE	NC	28470
2290007725	SELLARS MICHAEL ETUX ETUX	4733 HEN COVE AVE SW	SHALLOTTE	NC	28470-5460
2290007716	STANLEY LANDIS DAE	4796 LOG LANDING RD SW	SHALLOTTE	NC	28470
2290007739	STANLEY BRYAN CLAY	4820 HEN COVE AVE SW	SHALLOTTE	NC	28470
2290007723	HERRON TIMOTHY R	1558 GATE 1 SW	OCEAN ISLE BEACH	NC	28469
2290007702	SLOOP JERRY W ETUX	1305 BRICK LANDING RD SW	SHALLOTTE	NC	28470-5462
22900022	JENNIES BRANCH BAPTIST CHURCH INC	5256 BEACH DRIVE	SHALLOTTE	NC	28470
2290007719	TEW ERNEST W ET TRACEY K	4810 HEN COVE AVE SW	SHALLOTTE	NC	28470
2290007706	TEW ERNEST W ET TRACEY K	4810 HEN COVE AVE SW	SHALLOTTE	NC	28470
2290007718	TEW ERNEST W ET TRACEY K	4810 HEN COVE AVE SW	SHALLOTTE	NC	28470
2290007720	HICKMAN JANI M ETVIR	4790 HEN COVE AVE SW	SHALLOTTE	NC	28470-5459
2290007710	STANLEY LANDIS DAE ETUX	4796 LOG LANDING RD SW	SHALLOTTE	NC	28470-6064
2290007713	WEBB LAUREN L ETVIR	1375 BRICK LANDING RD SW	SHALLOTTE	NC	28470-5493
2290007714	MONTAUK AMITYVILLE REALTY CORP	11373 BROOKGREEN DR	TAMPA	FL	33624-5205
22900093	KATIE RICH ASSET MANAGEMENT LLC	347 RIVER RD	BRIARCLIFF	NY	10510-2417
22900077	REYES STEVEN C	153 CHICKEN PLANT RD	ABERDEEN	NC	28315-5682
229000908	SWAN PARTNERS LLC	1868 PORTAGE LN SW	OCEAN ISL BCH	NC	28469-6311
2290007721	HANSEN DONALD E ETUX	4805 HEN COVE AVE SW	SHALLOTTE	NC	28470-5484
2290007735	STANLEY CLINT W ETUX	2633 SCARECROW WAY	MYRTLE BEACH	SC	29579-3271
2290007722	WHITE NELSON M JR ETUX	4770 HEN COVE AVE SW	SHALLOTTE	NC	28470-5459
2290007705	SMITH LARRY W ET	1559 BRICKLANDING RD SW	SHALLOTTE	NC	28459

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2290007704	LYNX JERICO SAUCEPAN BAY, LLC	3835 NW BOCA RATON, SUITE 200 BOCA RATON	FL	FL	33431

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	H&H CONTRACTORS OF FAYETTEVILLE, LLC	2919 BREEZEWOOD STE 200	FAYETTEVILLE	NC	28203

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-803

December 14, 2020

APPLICATION SUMMARY

The applicant, Theodore Doucet, requests to rezone Tax Parcel 1990012402 from NC (Neighborhood Commercial) to CLD (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

Southeast corner of Mt. Pisgah Road SW (SR 1130) and Cedar Grove Road SW (SR 1125)

Tax Parcel

1990012402

Current Zoning

NC (Neighborhood Commercial)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

RR (Rural Residential)

R-7500 (Medium Density Residential)

CLD (Commercial Low Density)

Current Use

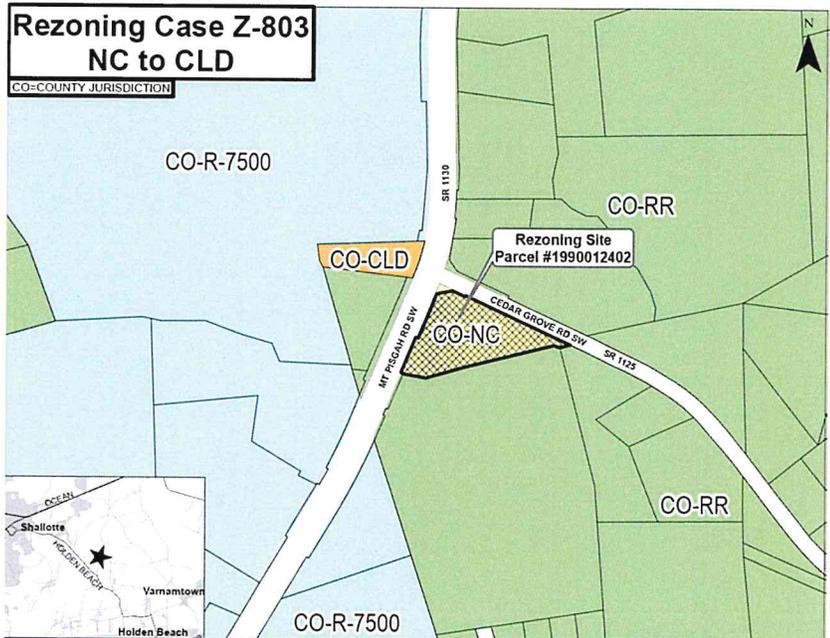
Vacant Land

Surrounding Land Uses

Residential, Commercial, Vacant Lands

Size

2.46 acres



SITE CONSIDERATIONS

Zoning History: The subject property was rezoned in January 2007 from RU (Rural) to NC as part of Rezoning Case # Z-545. Additionally, Tax Parcel 199001203 directly across Mt. Pisgah Road SW (SR 1130) was rezoned from NC to CLD in February 2016 as part of Rezoning Case Z-735.

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 Mt. Pisgah or Cedar Grove Roads (SR 1130 & 1125). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water and Sewer is available from Brunswick County Utilities along Mt. Pisgah Road SW. Utility connections will require developer responsibility to connect to the water and sewer system.

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

CIP Projects in Area: West Brunswick Classroom Addition (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021), New Early College High School (FY 2022).

NCDOT Road Improvements in Area: New Highway – Carolina Bays Parkway (R-5876) – Planning and Design Phase. Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction TBD).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scores a 0 out of 10.

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-803) proposed from LDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCEL 1990012402** 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-803 (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

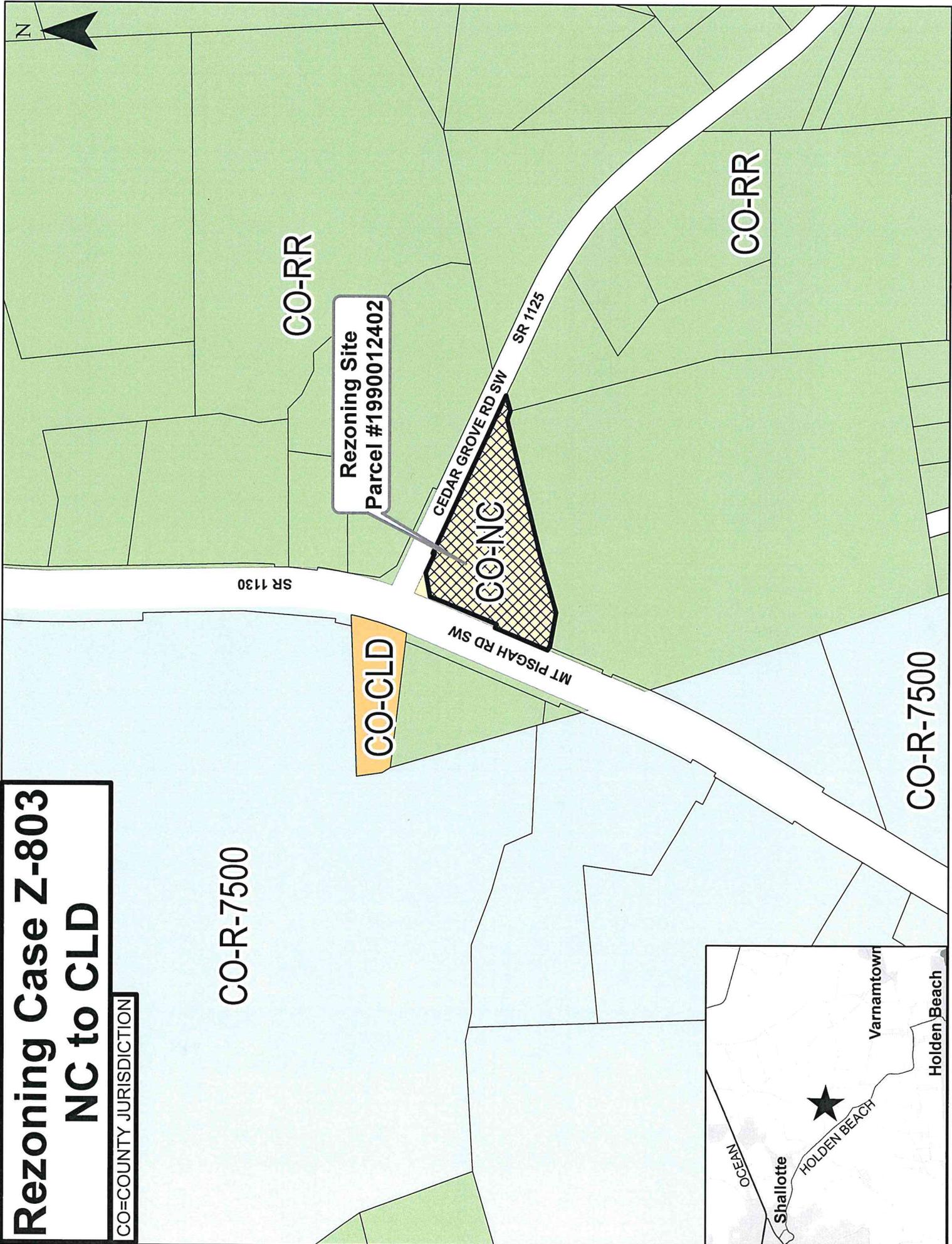
- The Planning Board finds that the proposed zoning amendment **is** **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and **is** **is not** in the public interests for the following reasons: _____

TABLED

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

Rezoning Case Z-803 NC to CLD

CO-COUNTY JURISDICTION



CO-RR

CO-RR

Rezoning Site
Parcel #1990012402

CEDAR GROVE RD SW
SR 1125

CO-NC

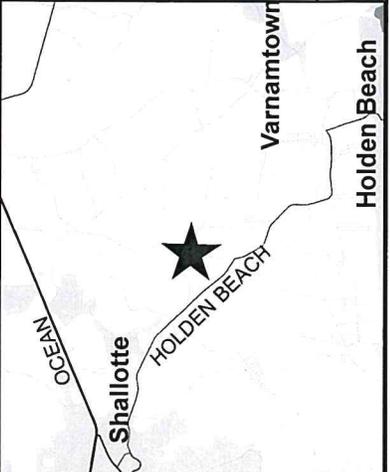
SR 1130

CO-CLD

MT PISGAH RD SW

CO-R-7500

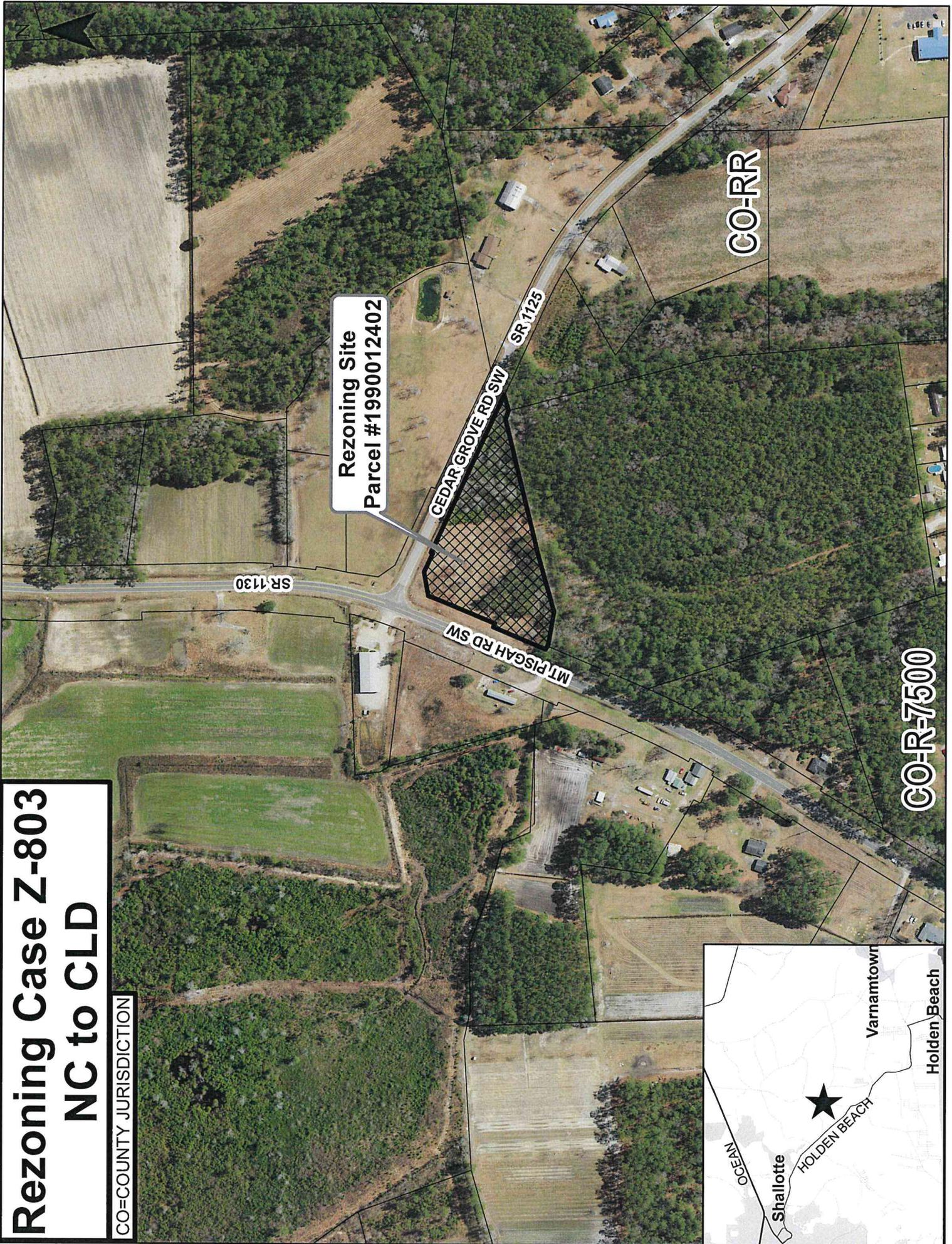
CO-R-7500



Rezoning Case Z-803 NC to CLD

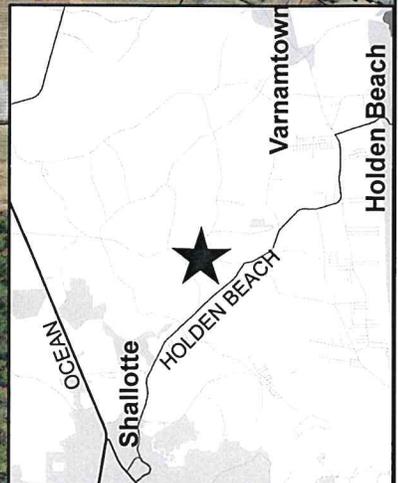
CO=COUNTY JURISDICTION

Rezoning Site
Parcel #1990012402



CO-RR

CO-R-7500



Rezoning Case Z-803 Land Use Plan

CO-COUNTY JURISDICTION





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>803</u>	Invoice # <u>483977</u>
Date Received <u>10/26/2020</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) 754-2740
 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>Theodore Doucet</u>	
Mailing Address: <u>2419 Sunfish St. SW Supply, NC 28462</u>	
Phone: <u>910-880-9294</u>	Email: <u>ted-doucet@msn.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s):	
Mailing Address:	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>South corner Mt. Pisgah and Cedar Grove</u>	
Parcel Tax ID #(s): <u>1990012402</u>	Total Site Acreage: <u>2.46</u>
Current Zoning District(s): <u>NC</u>	Proposed Zoning District(s): <u>CLD</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:

Rezoning is consistent with the character of the area.
- Major intersection
- CLD across the street
- Sewer and water on the property

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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:

- CLD across the street on a smaller lot
- It's the prominent lot at the intersection, everything else is kind of low around it
- sewer and water are on the premises

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: 10/21 20

Owner Signature: [Signature]

Date: 10/21 20

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-803

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990012403	ISLAND CART RENTALS LLC	2264 DAL STREET	SUPPLY	NC	28462
19900119	SNYDER LARRY R ET JOANNA	1430 MT PISGAH	SUPPLY	NC	28462
19900124	HEWETT PERVIS W ET	765 CEDAR GROVE RD SW	SUPPLY	NC	28462
1990011801	BELLAMY THEODORE ETUX	1630 CEDAR GROVE RD SW	SUPPLY	NC	28462-3024
19900103	BELLAMY THEODORE ETUX	1630 CEDAR GROVE RD SW	SUPPLY	NC	28462-3024
1990011806	SMITH CARRIE H	2228 BUOY DR SW	SUPPLY	NC	28462-2510
19900127	GORE DAVID L JR & BRENDA B	107 FARMINGTON BLVD	HAMPTON	VA	23666

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990012402	DOUCET THEODORE	2419 SUNFISH ST SW	SUPPLY	NC	28462

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990012402	DOUCET THEODORE	2419 SUNFISH ST SW	SUPPLY	NC	28462

REZONING STAFF REPORT

Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-804

December 14, 2020



APPLICATION SUMMARY

The applicant, Adrienne McCrary, requests to rezone Tax Parcels 21700103, 2170010307, 21700104, and 2170010401 from CLD (Commercial Low Density) to RR (Rural Residential). This rezoning request is conventional therefore, no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

Location

2889, 2905, 2908, 2920, 2930, 2946
Cox Landing Road SE (SR 1182)

Tax Parcel(s)

21700103, 2170010307, 21700104,
and 2170010401

Current Zoning

CLD (Commercial Low Density)

Proposed Zoning

RR (Rural Residential)

Surrounding Zoning

RR, R-7500 and CLD

Current Use

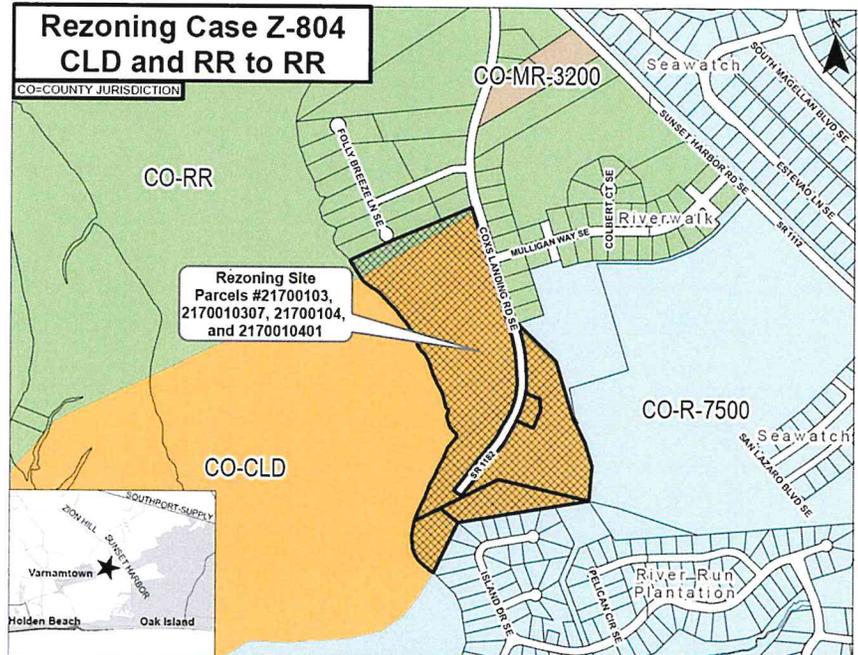
Single Family Residential and Vacant
Property

Surrounding Land Uses

Residential, Vacant Lands

Size

34.01 acres



SITE CONSIDERATIONS

Zoning History: There are not any known zoning changes to the rezoning site since introduction of zoning in 1994.

Buffers: If rezoned to RR, project boundary buffers shall be a 0.2 opacity buffer adjacent to R-7500 areas. A buffer is not required for residential uses adjacent to RR areas. If non-residential uses are proposed adjacent to RR or R-7500 areas, then a 0.4 opacity buffer will be required.

Traffic: There are no capacity deficiencies for this section of Cox Landing Road SE (SR 1182). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water is available from Brunswick County Utilities along Cox Landing Road SE. Sewer is not available in the area. Water connection will require developer responsibility to connect to the water and sewer system.

Schools: The Virginia Williamson Elementary School, Cedar Grove Middle School and South Brunswick High School have adequate capacity.

CIP Projects in Area: NC 211 R-5021 NCDOT Utility Relocation (FY 2020), Southport WWT Expansion (FY 2019), New Early College High School (FY 2022)

NCDOT Road Improvements in Area: Widen NC 211 from Midway Road (NC 906) to NC 87 (Project R-5021) – Pre-Construction Phase (Anticipated Construction 2021 - 2022). Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: 7 out of 10. Portions of the rezoning site contain wetlands classified as substantial.

ANALYSIS

The Rural Low Density Residential District is intended to accommodate nonresidential agricultural uses and low density residential development, as well as limited nonresidential uses that are supportive of the County's traditional agricultural orientation including farming, silviculture operations and related activities. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal, respectively, although clustered residential development served by public water and wastewater systems may be allowed."

CAMA Land Use Plan Classification: *Commercial*

- Proposed Zoning is not consistent with CAMA Land Use Plan.
- Land Use Amendment (LUM-804) proposed from Commercial to LDR (Low Density Residential).

Applicable CAMA Land Use Policies:

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO RR IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO LDR FOR TAX PARCELS 21700103, 2170010307, 21700104, AND 2170010401** 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-804 (C-LD to RR)



**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

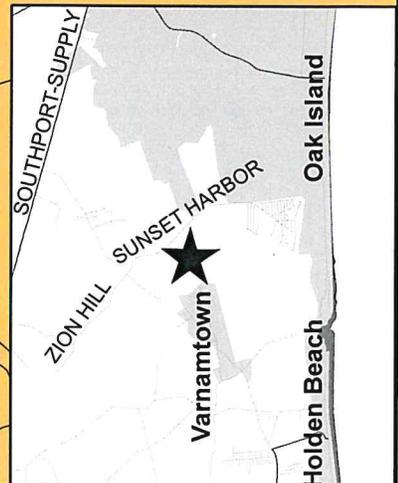
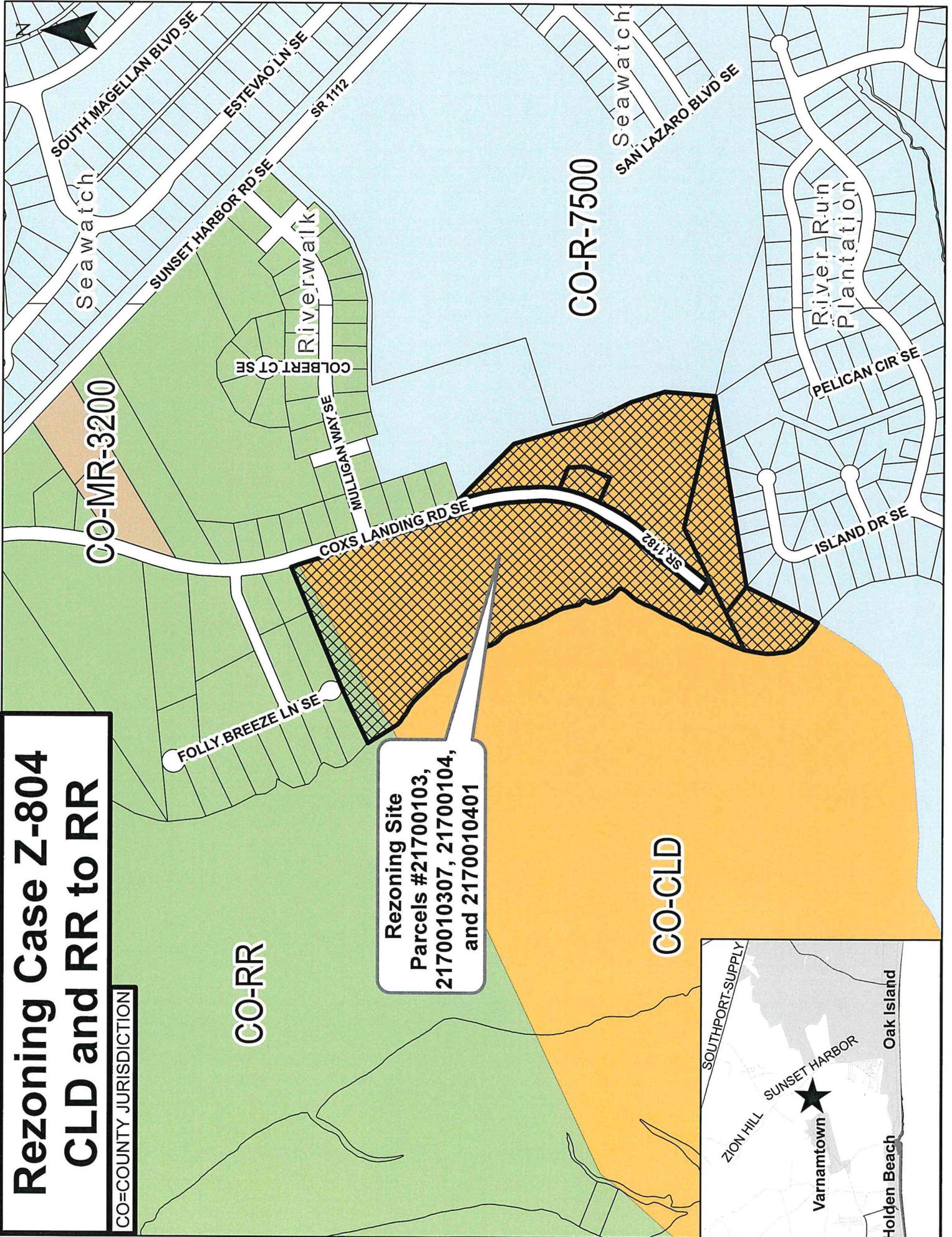
- The Planning Board finds that the proposed zoning amendment **is** **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and **is** **is not** in the public interests for the following reasons: _____

TABLED

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

Rezoning Case Z-804 CLD and RR to RR

CO=COUNTY JURISDICTION

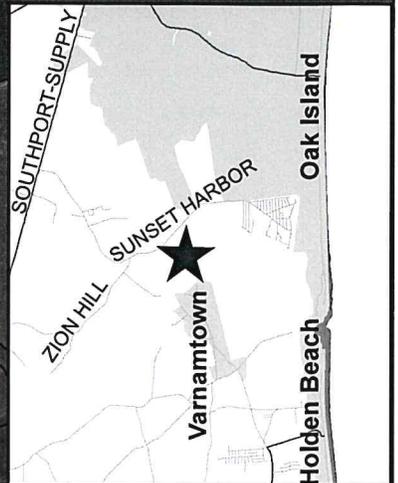


Rezoning Case Z-804 CLD and RR to RR

CO=COUNTY JURISDICTION

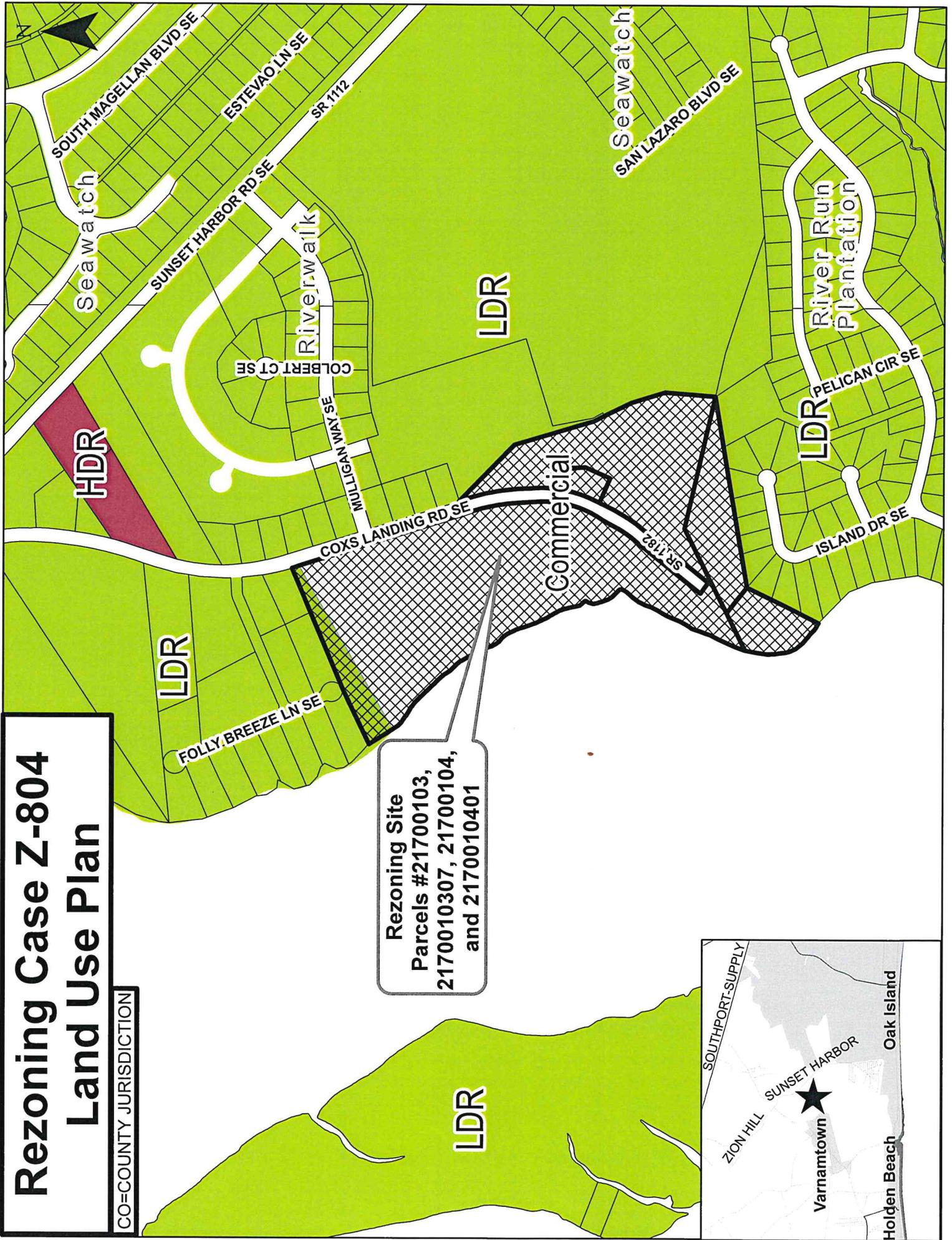


Rezoning Site
Parcels #21700103,
2170010307, 21700104,
and 2170010401

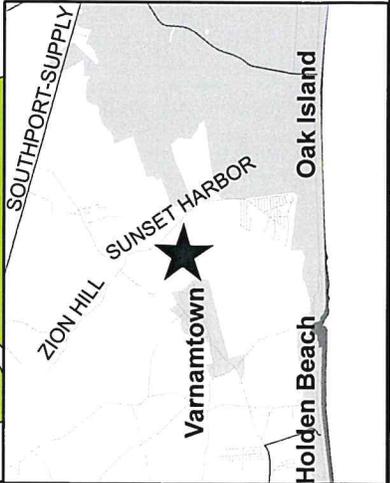


Rezoning Case Z-804 Land Use Plan

CO-COUNTY JURISDICTION



Rezoning Site
Parcels #21700103,
2170010307, 21700104,
and 2170010401





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>604</u>	Invoice # <u>8447762020</u>
Date Received <u>10/30/2020</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) 754-2740
 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): Adrienne L. McCrary

Mailing Address: 2889 Cox's Landing Rd
Bolivia, NC 28422

Phone: (910) 274-5581

Email:

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s): Alvah Cox ETALS
Alvah Cox & Anthony Donald
Charles Cox Heirs

Mailing Address: 1101 Exchange Pl. Apt 1222
Durham, NC 27713

Phone: (702) 403-4618

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location: T-2 27.63AC BY COURT DIV SR 1182
.50AC PLAT 34/228 SR 1182
L-149X356 .88 AC, 5 ACRES DAVIS TRACT

Parcel Tax ID #(s): 2170010307, 21700103,
21700104, 2170010401

Total Site Acreage: 34.01

Current Zoning District(s): CLD

Proposed Zoning District(s): RR

Conditional Zoning Request YES NO

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.

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 proposed zoning is reasonable for the area because the rezoning is consistent with the character of the area, and the rezoning will match the surrounding zoning.

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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:

The area is residential in nature.

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: Adrienne L. McCrany

Date: 10/29/2020

Owner Signature: Anthony A. Cot

Date: 10/29/2020

Owner Signature: Maurice L. Moore

Date: 10/29/2020

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

- | | | |
|---|--|---|
| <input type="checkbox"/> <1.0 acres (\$350) | <input type="checkbox"/> 1.0 to <5 acres (\$400) | <input type="checkbox"/> 5.0 to <25 acres (\$450) |
| <input checked="" type="checkbox"/> 25 to <50 acres (\$600) | <input type="checkbox"/> 50+ acres (\$1,200) | <input type="checkbox"/> Conditional Zoning (Add \$200) |

City of Northwest Jurisdiction Fees

- | | | |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650) | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870) |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200) | <input type="checkbox"/> 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-804

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
217EA008	LARROW RANDY & LAUREEN	2878 COXS LANDING RD SE	BOLIVIA	NC	28422
217CA014	DAUGHTRIDGE WILLIAM ETUX	PO BOX 593	ROCKY MOUNT	NC	27802-0593
217LC022	TARZANA VENTURES LLC	3208 Sea Grass Ct	SOUTHPORT	NC	28461
2170011601	MAS PROPERTIES LLC	131 OCEAN BOULEVARD WEST	HOLDEN BEACH	NC	28462
217LC019	PETERSON MARCUS G ETUX	2849 ISLAND DR SE	BOLIVIA	NC	28422-7731
217EA003	AHNEMAN LAURA G	2704 W YACHT DR	OAK ISLAND	NC	28465-7537
217EA006	PLANT ALBERT ETUX	502 MULLIGAN WAY SE	BOLIVIA	NC	28422-8175
217LC01901	SMITH MICHAEL EUGENE ETUX	11125 MOUNTAIN ISLAND DR	CHARLOTTE	NC	28214
2170010301	RIVER RUN PLANTATION POA	STE 108	WILMINGTON	NC	28403-5737
217EA004	BEAMAN TERRY ALAN ETUX	2862 COXS LANDING RD SE	BOLIVIA	NC	28422-7722
217LC026	ANDERSON DANA HOWARD	23617 CLARK DR	DEXTER	NY	13634-3143
217LC023	ROSENBERG RICHARD WILLIAM AND	2831 ISLAND DR SE	BOLIVIA	NC	28422-7731
217EA007	HULL DAVID C ET	503 MULLIGAN WAY SE	BOLIVIA	NC	28422-8175
217EA010	WHALEN DEANNA M	2888 COXS LANDING RD SE	BOLIVIA	NC	28422-7722
21700116	HICKORY TRAIL PARTNERS LLC	220 HICKORY TRAIL	GREENEVILLE	TN	37745
21700117	COX'S CEMETERY				
217CA015	COX LANDING PROPERTIES LLC	209 NORTH LEWIS STREET	TABOR CITY	NC	28463
217LC025	GRIFFIN THOMAS P ET REBECCA A	1282 NEW HOME CHURCH RD	PEACHLAND	NC	28133
217LC024	NORRIS RUBY (LT) & ROBERT W	1116 MIDLAND DR	WILMINGTON	NC	28412
217EA009	SEAY ROBERT ET IRENE	2882 COX LANDING RD SE	BOLIVIA	NC	28422
217LC021	HULTGREN LINDA A	5210 SWEETWATER BLVD	MURRELLS INLET	SC	29576
217EA005	CONLEY JAMES L ET BARBARA L	2866 COX LANDING RD SE	BOLIVIA	NC	28422
217LC018	TYLS ROBERT F ET DOLLIE M	2853 ISLAND DR SE	BOLIVIA	NC	28422
217CA001	BEAVER RONALD ETUX	2857 FOLLY BREEZE LN	BOLIVIA	NC	28422-3800

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
21700103	COX ALVAH ETALS	1101 EXCHANGE PL APT 1211	DURHAM	NC	27713-1898
2170010307	COX ALVAH ETALS	1101 EXCHANGE PL APT 1211	DURHAM	NC	27713-1898
21700104	COX ALVAH AND MORGAN TAMMY	2090 TURKEY TRAP RD SW	SUPPLY	NC	28462-5138
2170010401	COX CHARLES HEIRS	1101 EXCHANGE PL APT 1211	DURHAM	NC	27713-1898

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	ADRIENNE L MCCRARY	2889 COXS LANDING RD	BOLIVIA	NC	28422

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-805

December 14, 2020

APPLICATION SUMMARY

The applicant, Robert A. Cohen, requests to rezone Tax Parcels 1990000501, 19900006 and 1990000701 from NC (Neighborhood Commercial) and R-6000 (High Density Residential) and to CLD (Commercial Low Density). This rezoning request is conventional therefore, no conditions or site plans are proposed. All owners and adjacent owners have been notified via first class mail.

Location

975 Holden Beach Road (NC 130)

Tax Parcels

1990000501, 19900006 and
1990000701

Current Zoning

(Neighborhood Commercial) and R-6000 (High Density Residential)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

CLD, R-6000 and SH-R-10 (Shallotte Jurisdiction)

Current Use

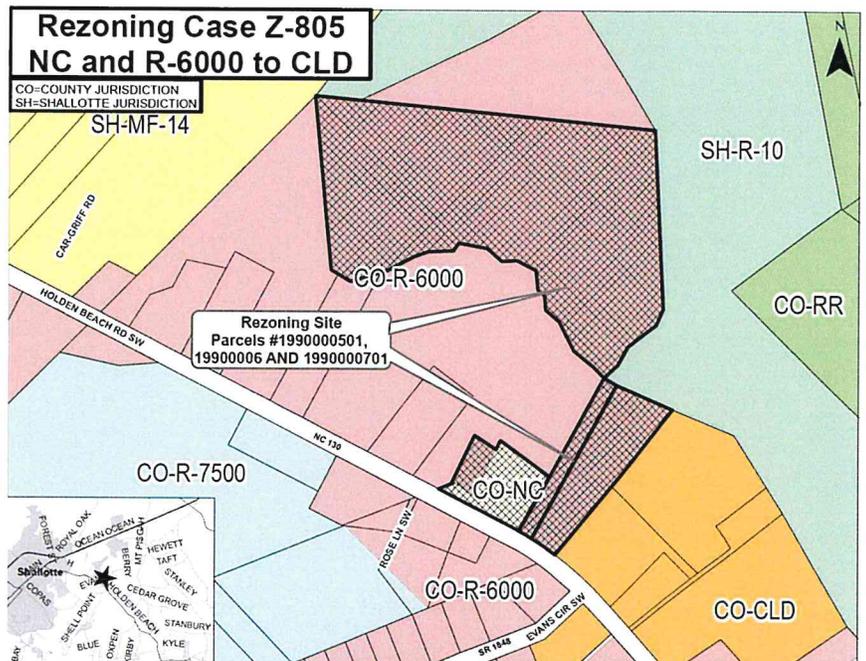
Vacant

Surrounding Land Uses

Residential, Commercial and Vacant Lands

Size

20.09 acres



SITE CONSIDERATIONS

Zoning History: A portion of Tax Parcel 1990000501 was rezoned from R-6000 (Medium Density Residential) to NC (Neighborhood Commercial) in May 2007 as part of rezoning case # Z-613.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.4 (vacant) or 0.6 (developed) opacity buffer to R-6000 areas. A buffer is not required for adjacent non-residential uses zoned CLD or SH-R-10 unless there is existing residential then a 0.4 opacity buffer will be required.

Traffic: There are no capacity deficiencies for this section of Holden Beach Road (NC 130). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water is available from Brunswick County Utilities along Holden Beach Road. Sewer is not available in the area.

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

CIP Projects in Area: West Brunswick Classroom Addition (FY 2021), New Early College High School (FY 2022)

NCDOT Road Improvements in Area: Carolina Bays Parkway (R-5876) – Planning and Design Phase, Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction TBD).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: 7 out of 10. Portions of the rezoning site contain wetlands classified as substantial.

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), MDR (Medium Density Residential), and Commercial

- Proposed Zoning is NOT consistent with CAMA Land Use Plan.
- Land Use Amendment (LUM-805) proposed from LDR, MDR and Commercial to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCELS 1990000501, 19900006 AND 1990000701** 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-805 (NC and R-6000 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

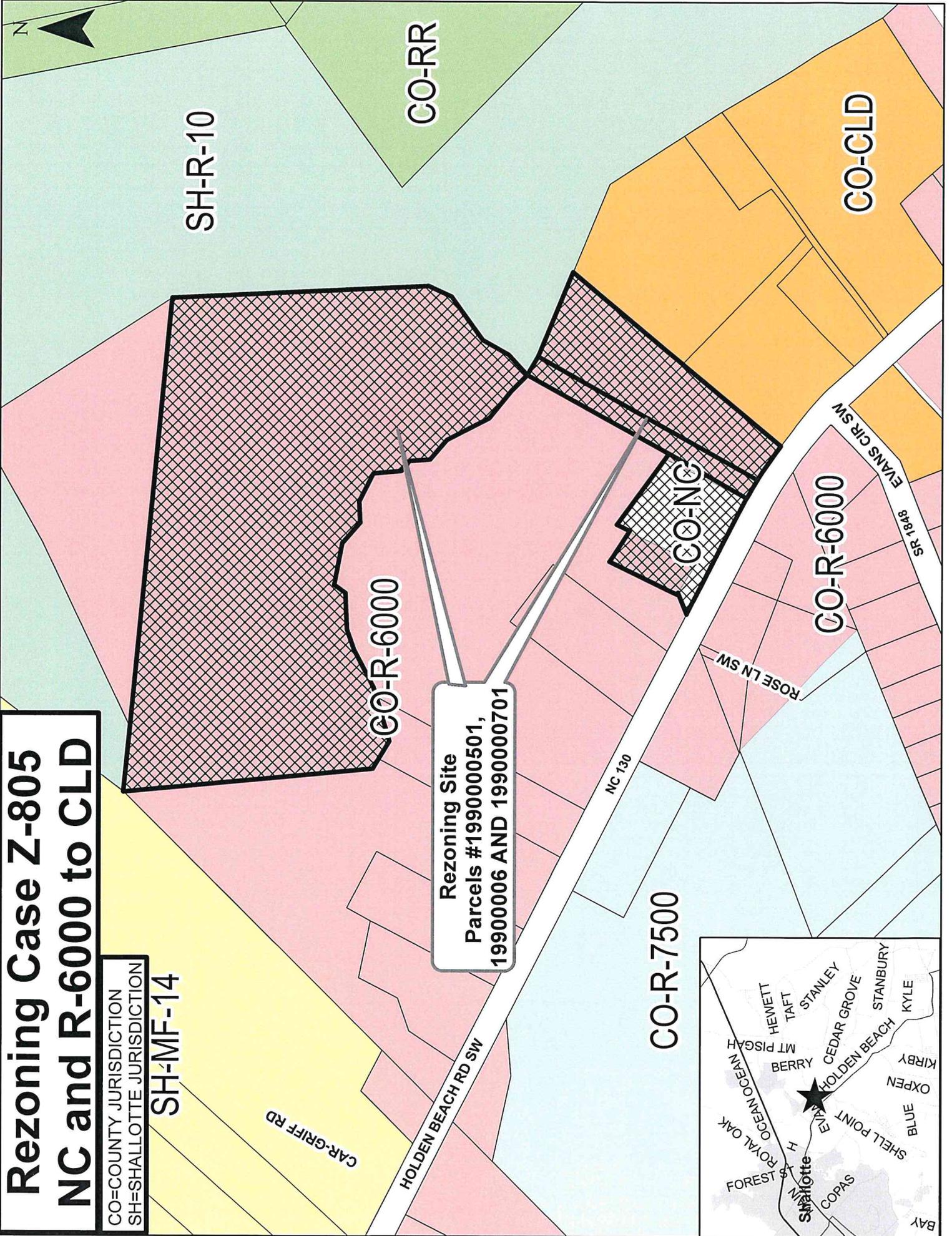
- The Planning Board finds that the proposed zoning amendment *is* *is not* consistent with the CAMA Land Use Plan (Comprehensive Plan) and *is* *is not* in the public interests for the following reasons: _____

TABLED

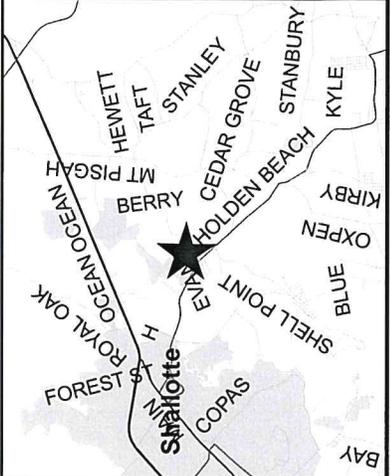
- The Planning Board TABLES the proposed zoning amendment to **Next Planning Board Meeting** **A Future Planning Board Meeting** in _____ months.

Rezoning Case Z-805 NC and R-6000 to CLD

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION
SH-MF-14



Rezoning Site
Parcels #1990000501,
19900006 AND 1990000701



Rezoning Case Z-805 NC and R-6000 to CLD

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION

SH-MF-14

SHR-10

CO-RR

CO-CLD

CO-R-6000

CO-NC

CO-R-6000

CO-R-7500

Rezoning Site
Parcels #1990000501,
19900006 AND 1990000701

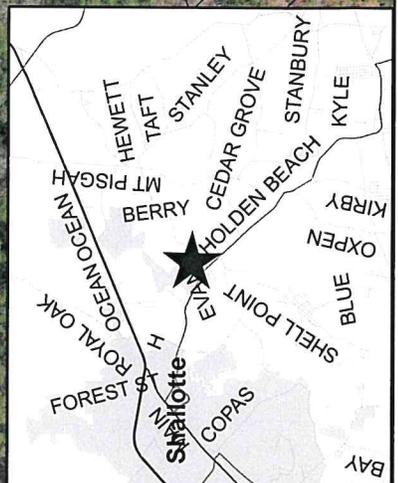
CAR-GRIFF RD

HOLDEN BEACH RD SW

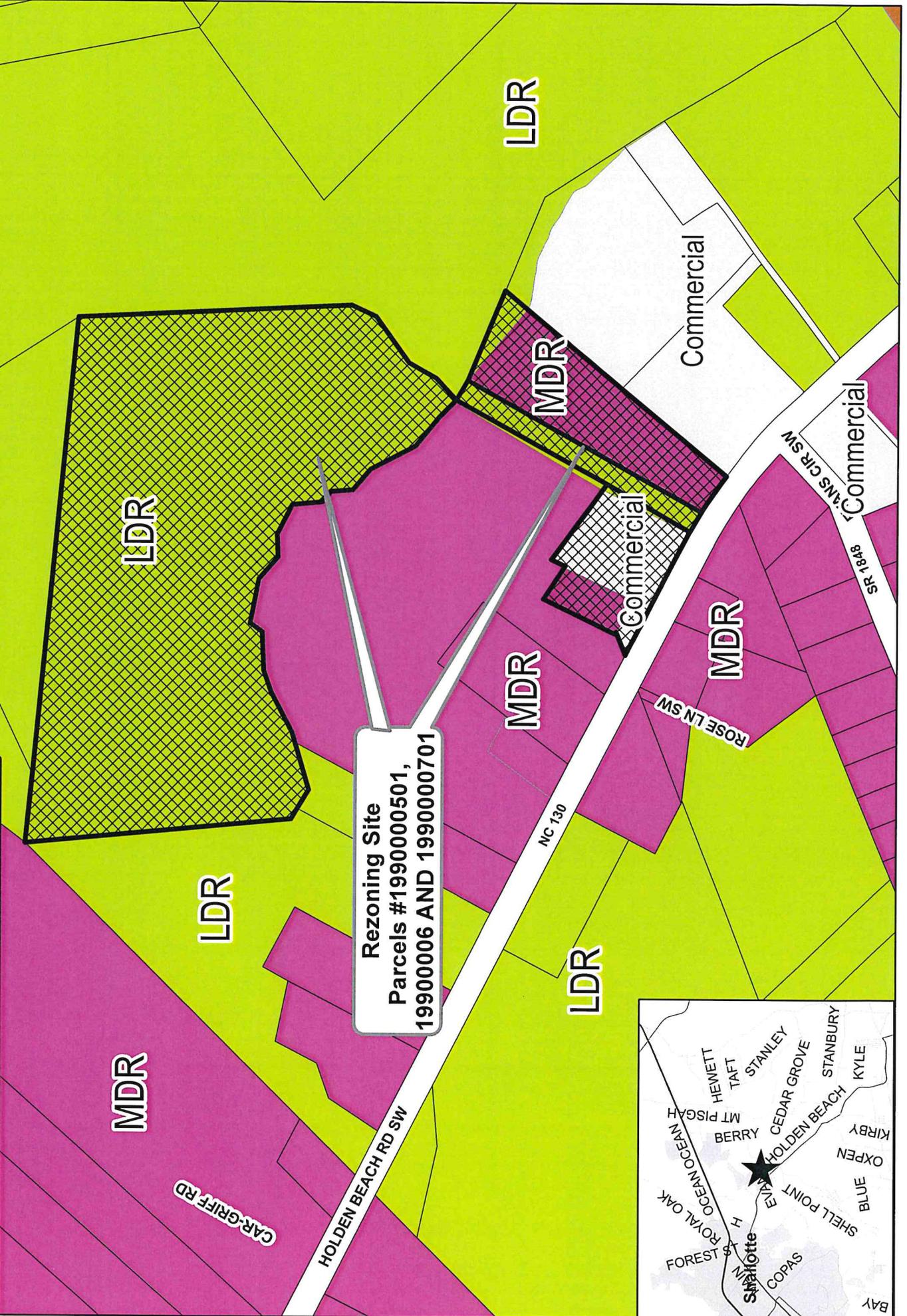
NC 130

ROSELN SW

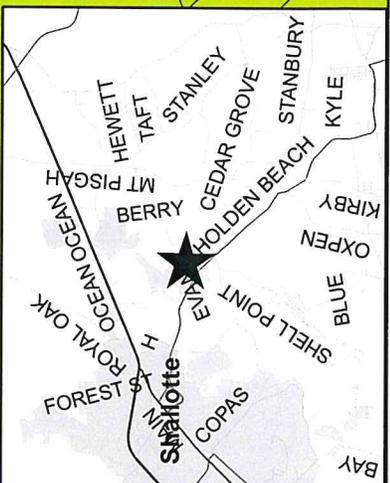
EVANS CIR SW
SR 1648



Rezoning Case Z-805 Land Use Plan



Rezoning Site
Parcels #1990000501,
19900006 AND 1990000701





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- 805 Invoice # _____

Date Received 11/10/2020

Northwest Jurisdiction YES NO

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
 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): Robert A. Cohen & David Hewitt & David Zulford

Mailing Address: P.O. Box 545 202 Civictown Rd SW
Norwood NC 28125 Supply NC 28466-3166

Phone: 704-438-2160 Email: rob@robcohenconstruction.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s): Same

Mailing Address: Same

Phone: Same Email: Same

PROPERTY INFORMATION

Property Address and/or Description of Location: 975 Holden Beach

Parcel Tax ID #(s): <u>1990000501</u> <u>1990000701</u> <u>19900006 (A portion of)</u>	Total Site Acreage: <u>1.74</u>
--	------------------------------------

Current Zoning District(s): NC Proposed Zoning District(s): ~~CLD~~ CLD

Conditional Zoning Request YES NO

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.

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:

With the Re Zoning there will be the same zoning as the Adjacent Properties & Consistency in the Area.

LAND USE COMPATIBILITY

Future Land Use Map Classification: MDR & LDR & 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:

With the proposed change it will make it more consistent with the change of current uses along Hwy 130.

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: 10/14/2020

Owner Signature: Paul R. Hunt

Date: 10/14/2020

Owner Signature: David L. Zeller

Date: 10-27-2020

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

- | | | |
|--|--|--|
| <input type="checkbox"/> <1.0 acres (\$350) | <input type="checkbox"/> 1.0 to <5 acres (\$400) | <input checked="" type="checkbox"/> 5.0 to <25 acres (\$450) |
| <input type="checkbox"/> 25 to <50 acres (\$600) | <input type="checkbox"/> 50+ acres (\$1,200) | <input type="checkbox"/> Conditional Zoning (Add \$200) |

City of Northwest Jurisdiction Fees

- | | | |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650) | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870) |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200) | <input type="checkbox"/> 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-805

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990000704	CALHOUN JAMES L	469 SCUPPERNONG CIRCLE	BOLIVIA	NC	28422
199000007	CALHOUN JAMES LESLIE	1001 HOLDEN BEACH RD SW	SHALLOTTE	NC	28459
1830010504	DRAPAC GROUP 39 LLC	PO BOX 2249	CUMMING	GA	30028
2170011601	MAS PROPERTIES LLC	131 OCEAN BOULEVARD WEST	HOLDEN BEACH	NC	28462
1990000601	GOSS-WILLIAMS DEBRA	133-19 133RD ST APT1	SOUTH OZONE PARK	NY	11420
199000002	STOUT CAROLYN	911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470
199000003	LEWIS NORMA FAYE	927 HOLDEN BEACH ROAD	SHALLOTTE	NC	28470
199000005	MCCALL DWIGHT T ETUX	937 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470
1990019202	CARROLL FLOYD EDWARD ET LORETTA	PO BOX 279	SHALLOTTE	NC	28459
1990019205	CARROLL DEAN H ET EVAN E	PO BOX 279	SHALLOTTE	NC	28459
1990019204	PHELPS PRICILLA H	PO BOX 387	SHALLOTTE	NC	28459
199HA00101	GURLEY ROBERT D	996 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990000501	HEWETT DAVID REGINALD	2102 CIVIETOWN RD SW	SUPPLY	NC	28462
199000006	FULFORD DAVID LINDBERG	4620 WHITEVILLE RD NW	ASH	NC	28420
1990000701	FULFORD DAVID LINDBERG	4620 WHITEVILLE RD NW	ASH	NC	28420

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	ROBERT A COHEN	PO BOX 545	NORWOOD	NC	28128