



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
April 11, 2016**

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

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of the Minutes of the March 14, 2016 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.
 - A. Rezoning Z-737 – Mark Bianchi

Proposed rezoning of approximately 9.59 acres located at 7969 and 7935 River Road (NC 87) and off Long Beach Road (NC 133) near Southport from R-7500 (Medium Density Residential) and CLD (Commercial Low Density) to CLD (Commercial Low Density) for Tax Parcels 2050002505, 2050002506, 2050002508 and 2050002509.
 - B. Rezoning Z-738 – Barron Young

Proposed rezoning of approximately 2.53 acres located at 2745 Holden Beach Road (NC 130) near Holden Beach from R-7500 (Medium Density Residential) and CLD (Commercial Low Density) to CLD (Commercial Low Density) for Tax Parcel 232HD003.
- 9) Other Business.
 - A. Planning Board Cases Update
- 10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
March 14, 2016

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Michael Polychrones
Troy Price
Chris Stanley
Randy Ward

MEMBERS ABSENT

Cynthia Henry
Joe Johnson

STAFF PRESENT

Michael Hargett, Director
Connie Marlowe, Admin. Asst.
Marc Pages, Land Planner
Bob Shaver, County Attorney

OTHERS PRESENT

Jeffrey M. Stokley
John Hankins
Steve Niemeyer

Terry Pope, State Port Pilot
Lewis Dozier
Frank Braxton

I. CALL TO ORDER.

The Chair 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.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 08-FEB-16 MEETING.

Mr. Ward made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Hargett asked that staff be allowed to provide an update on the restructuring of the department under Other Business.

VI. PUBLIC COMMENT.

There were none.

VII. REQUEST FOR PRELIMINARY MAJOR SUBDIVISION APPROVAL.

Name: Southview Park Major Subdivision (SS-260)
Applicant: Jeffrey M. Stokley
Tax Parcels: 029AB013
Location: Located on Leland School Road (SR 1441)
Description: The proposed Southview Park Major Subdivision consists of 21 single family lots on a gross site of 5.11 acres creating an overall density of 4.11 units per acre.

Mr. Pages read the Staff Report. He identified the subject property on a visual display. Mr. Pages said staff recommends approval with the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the Major Subdivision application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance;
- To accommodate the recommendations in the draft pedestrian plan for the Town of Leland, revise the future sidewalk width along Leland School Road to indicated a minimum of 8 feet;
- Revise the public pedestrian access trail within the stream buffer to a minimum width of 8 feet to better accommodate both foot and bicycle use; and
- Provide documentation from the Brunswick Regional Water and Sewer District (H₂GO) that there is adequate capacity to serve the project.

Mr. Polychrones asked staff when the noted requirements will have to be provided? Mr. Pages said prior to final approval. Mr. Pages said he has spoken with the applicant and the applicant has conversed with H₂GO regarding sewer capacity availability on Leland School Road NE (SR 1441).

Mr. Stanley asked staff why the buffer is included in the lots on the northern boundary? Mr. Pages said no buffer is required on the northern boundary as there is like zoning in that area, but staff asked the developer to maintain vegetation in the area to separate this development from an existing neighborhood. Mr. Stanley asked staff why the map does not indicate whether or not the

property is in a flood zone even though the property is not in a flood zone? Mr. Pages said flood lines are required when the property is in a flood zone.

Ms. Easley asked staff the type of easement mentioned on the northern boundary of the property? Mr. Pages asked the engineer and the engineer indicated that that is a 9' vegetated buffer and setback rather than an easement. Mr. Pages suggested the map be revised to reflect such.

With no further comments, Mr. Polychrones made a motion to open the Public Hearing. The motion was unanimously carried.

Mr. Frank Braxton, Coastal Land Design, addressed the Board on behalf of the applicant. Mr. Braxton said there was a plan in place for a mobile home park, but the developer elected to create a major subdivision because they felt it would be a better fit for the community. Mr. Braxton said they have attempted to contact H₂GO, but they have not had direct contact with them to date. He further stated that the utilities will be from Leland School Road NE (SR 1441) and extend through the property. Mr. Braxton said the developer has agreed to work with Port City Community Church to extend sewer so the church can gravity feed from the subject property. He said the church has agreed to treat their campus as a community campus so their grounds can be utilized as part of a greenway system as a means to link up to the business area and back to the neighborhoods. Mr. Braxton said the buffers are convoluted as they were trying to get the best use of the buffers. He said the property along the frontage will be a multi-use path and the street buffers are outside of the lots that will be maintained by the residents. As a result, the street buffer was reduced to 10' rather than 20' and identified as common area(s) on the plan. Mr. Braxton concluded that the project is being reviewed by the State for stormwater purposes and they meet the criteria for County stormwater for pre and post conditions.

Mr. Steve Niemeyer addressed the Board. Mr. Niemeyer reiterated that the proposed project is a better fit for the community. Mr. Niemeyer made himself available for questions.

With no further comments, Mr. Polychrones made a motion to close the public hearing. The motion was unanimously carried.

Mr. Polychrones made a motion to approve the Major Subdivision with the noted conditions by staff. The motion was unanimously carried.

VIII. OTHER BUSINESS.

A. Hazard Mitigation Plan Update

Mr. Pages addressed the Board. He stated that the County with the 19 municipalities as well as New Hanover and Pender Counties are part of the Southeastern Regional Hazard Mitigation Plan. He stated that the final public hearing is scheduled for Monday March 21st at 1:30 in the David Sandifer Administration Building, Second Floor Training Room. Mr. Pages said the draft plan has been approved by the Federal Emergency Management Agency (FEMA) pending adoption by all municipalities and the County. He further stated that the draft is available for review at <http://www.southeasternhmp.net/>. Mr. Pages said the matter will be on the Board of Commissioners April 4th meeting for adoption. He further stated that the document will be Community Rating System (CRS) ready, which provides for percentage benefits relief for flood insurance in the coastal communities. Mr. Pages commended the consultant (Landon Holland, Holland Consulting Planners) for their assistance in preparing the document.

B. Flood Map Update

Mr. Hargett addressed the Board. He stated that Reggie Hucks, Floodplain Administrator, has been working diligently to get the maps approved. However, there has been another update that has delayed the approval process due to an extensive amount of responses from the public.

C. Department Restructure

Mr. Hargett addressed the Board. He stated that the Board of Commissioners approved the consolidation of Economic Development and Planning and Mr. Hargett was appointed by the County Manager to be Director of both departments. He stated that an Economic Development Manager (recruitment will begin to hire a qualified candidate) and Marketing Specialist (Ms. Kim Gamlin previously hired by the former Director) will be working in the Economic Development section of the department. He said a Planning Manager will be selected from existing staff members to assist in the Planning section of the department. Mr. Hargett said the merger will be a plus as planning will be more involved upfront on developing better projects for potential industry coming to County. He further stated that staff continues to be committed to promoting quality development with a balanced approach through the flexibility currently allowed in the Brunswick County Unified Development Ordinance (UDO). Mr. Hargett said the County's focus is on job creation through new and expanded business/industry. He reiterated that the County is also focused on quality development through promoting awareness of the flexibility in the UDO.

Ms. Easley said she heard Ms. Dixon on the radio talking about the Greenway/Blueway Project and she commended her on doing an excellent job. Mr. Hargett agreed and told Ms. Easley he would share her comments with Ms. Dixon.

D. Greenway/Blueway Plan Survey

Mr. Hargett addressed the Board. He stated that there were several Greenway/Blueway Plan meetings at the end of February conducted by the consultant and staff that were very successful. Ms. Bunch handed out a copy of the Greenway/Blueway Plan Survey to be completed by Board members interested in the matter. She also provided them with a draft map of the existing and proposed Greenways/Blueways as well as existing and future parks in the County.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Date: April 11, 2016

Case#: Z-737

Tax Parcel(s): 2050002505, 2050002506, 2050002508, and 2050002509

Location: Located at 7969 and 7935 River Road and off Long Beach Rd (NC 133) near Southport NC

Acreage: 9.59

Applicant(s): Mark Bianchi

APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcels 2050002508 and 2050002509 to CLD. Planning Staff added Tax Parcels 2050002505 and 2050002506. Tax Parcels 2050002505, 2050002506, and 2050002508 are currently split zoned R-7500 and CLD. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. Owners of Tax Parcels 2050002505 and 2050002506 that Planning Staff added was notified via certified mail.

ZONING ANALYSIS

Proposed Zoning Request:

From: R-7500 (Medium Density Residential) and CLD (Commercial Low Density)

To: CLD (Commercial Low Density)

"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."

SURROUNDING AREA ZONING DESIGNATIONS:

North: R-7500 & CLD

South: CLD

East: CLD

West: CLD

PROJECT BOUNDARY BUFFERS: NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	15 feet 0 canopy 3 understory 3 shrubs	10 feet 0 canopy 3 understory 3 shrubs
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	25 feet 0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 0 canopy 5 understory 7 shrubs

* Buffer Depths and Plants Required Per 100 Linear Feet

LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands Vacant/Undeveloped Property
 Residential Commercial Industrial Institutional Utility

Brunswick County CAMA Land Use Plan Land Use Classification: Commercial

- Consistent with the Land Use Plan Map Not Consistent with Land Use Plan Map

Brunswick County CAMA Land Use Plan policies affecting this rezoning:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

Capital Improvement Plan (CIP):

- CIP Projects No CIP Projects

CIP Project(s)	Scheduled
Hwy 211 County Site Water Main Extension	FY 2019
211 Water Plant Improvements	FY 2019
New Middle School	FY 2017
New Elementary School	FY 2017
Smithville Park	FY 2016

Future Surrounding Areas Land Use(s):

The area surrounding this rezoning site has been experiencing growth based upon recent land development activities submitted to the Brunswick County Planning Department. A portion of the rezoning site is located on the new road that NCDOT just opened. The area is primarily commercial with a few residences. There are not any new planned developments or subdivisions in this area. *Currently Tax Parcel 2050002506 contains a mobile home and Tax Parcel 2050002508 contains a brick and landscaping supply business.*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<i>Elementary School:</i> <u>Southport</u>	<i>Middle School:</i> <u>South Brunswick</u>	<i>High School:</i> <u>South Brunswick</u>
<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity
<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning	<input checked="" type="checkbox"/> Two-Year Capacity Warning
<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: **Wilmington MPO** **Grand Strand MPO**

Roads	Capacity Deficiencies
Long Beach Road (NC 133)	None*
River Road (NC 87)	Over*

* New Long Beach Road route that just opened

NCDOT PROJECTS AND STUDIES: NONE

Project	Project Type	Project Description	Status
R-5021	STIP	Widen NC 211 from Midway Road (SR 1500) to NC 87	Right-Of-Way In Progress Completion Anticipated 2020
B-5627	STIP – Federal Bridge Project	Replace Bridge No. 11 over Orton Pond Creek	Right-Of-Way 2020 Completion Anticipated 2021

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

WATER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 24-inch line
LOCATION: River Rd (NC 87)

SEWER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 12-inch force main line
LOCATION: River Rd (NC 87)

It is the developer's responsibility to connect to the water and sewer system.

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body.
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area.
- The rezoning site is located with a Biodiversity & Wildlife Habitat Assessment Area. The scoring ranges from 5 and 6 to 8 out of 10 (10 is the highest conservation value) due to substantial wetlands and being in a subwatershed with federally listed aquatic species.

OTHER SITE CONSIDERATIONS

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near commercially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated as Commercial in the Brunswick County CAMA Land Use Plan.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (Southport).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located on or near the rezoning.
- Historic Site(s) known to be located on or near the rezoning.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO CLD FOR TAX PARCELS 2050002508, 2050002509, 2050002505 AND 2050002506 BASED upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Case No. Z-737

COUNTY OF BRUNSWICK
REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET

Applicant: Mark Bianchi

Owner: Bianchi Properties LLC

Property Location: 7969 and 7935 River Road SE (NC 87) and off Long Beach Road SE (NC 133)

Tax Parcel #(s): 2050002505 and 2050002506 (Added by Staff), 2050002508, and 2050002509

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

IV. Is the proposed amendment reasonable as it relates to the public interest?

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a REZONING be recommended to the Board of Commissioners for

Planning Board recommends: Approval Denial

Rezoning Case Z-737 R-7500 & CLD to CLD

CO-R-7500

20500025

CO-CLD

22100004

NC 133

OAK ISLAND
LONG BEACH RD SE

CO-CLD

22100004

RIVER RD SE

CO-CLD

20500026

20500027

Area Proposed
for Rezoning

2050002501
2050002502

2050002506

2050002507

2050002503

2050002508

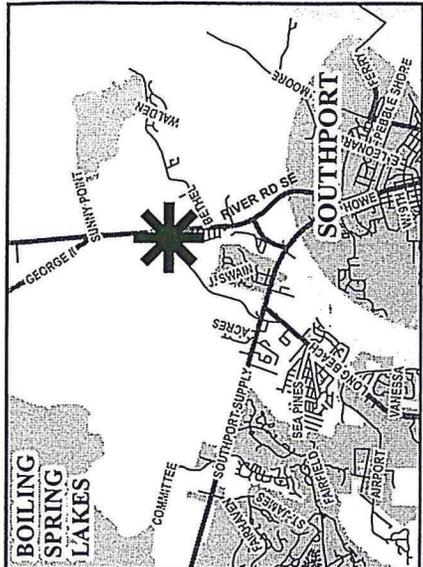
2050002504

CO-CLD

20500001

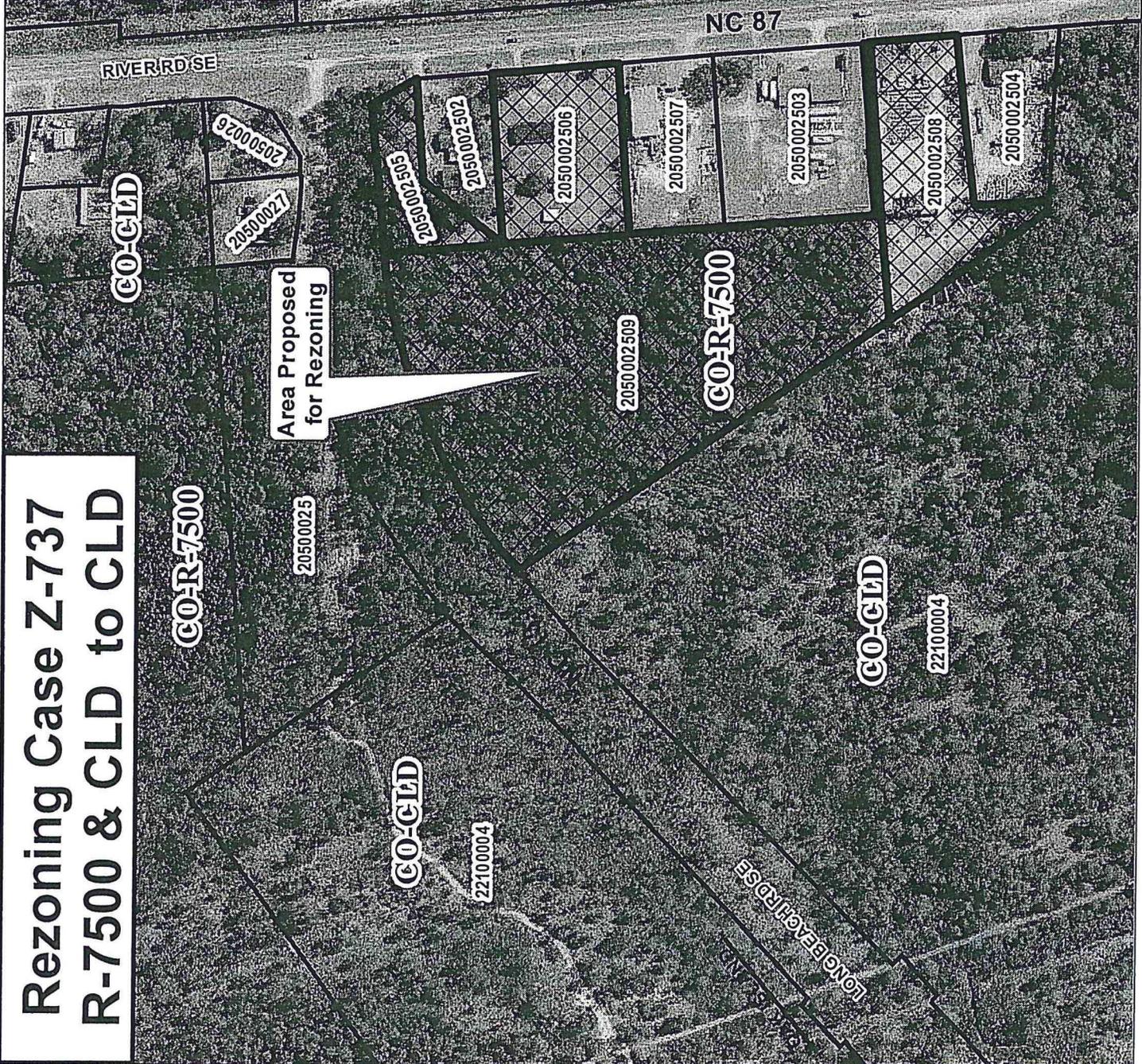
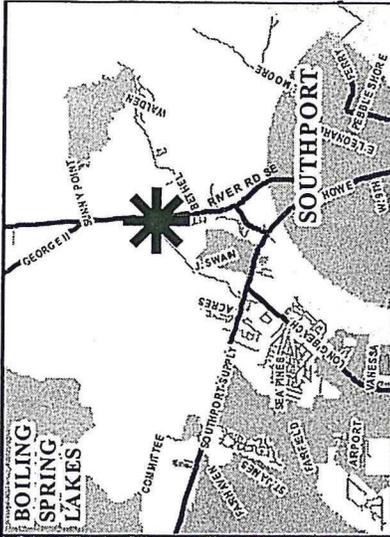
NC 87

SOUTHPORT

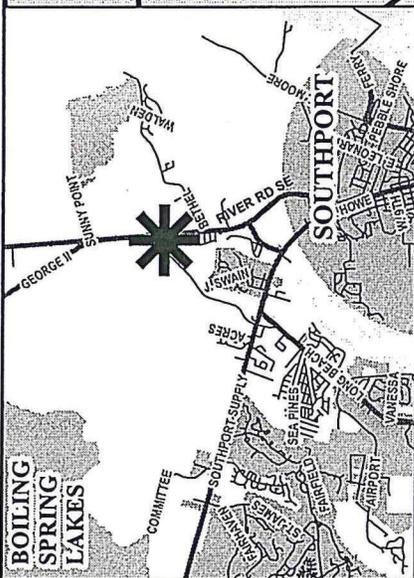


Rezoning Case Z-737 R-7500 & CLD to CLD

Area Proposed
for Rezoning



Rezoning Case Z-737 Land Use Plan Map



Area Proposed
for Rezoning

INDUSTRIAL

20600001

COMMERCIAL

20500001

RIVER RD SE

NC 87

SOUTHPORT

COMMERCIAL

20500026

20500027

20500025

2050002505

2050002502

2050002506

2050002507

2050002503

2050002508

2050002504

2050002509

COMMERCIAL

NC 133

22100004

22100004

OAK ISLAND
LONG BEACH RD SE



CASE Z-737

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2050002504	BIANCHI PROPERTIES LLC	7995 RIVER ROAD	SOUTHPORT	NC	28461
20500001	COX FRANKLIN DELANO TRUSTEE	5701 BETHEL ROAD	SOUTHPORT	NC	28461
20500026	CASTEEN RAYMOND C ETUX JOYCE	3449 SCUPPER RUN SE	SOUTHPORT	NC	28461
2050002502	WOODARD PHILIP BRYAN	7921 RIVER ROAD SE	SOUTHPORT	NC	28461
2050002507	BWB PARTNERS	PO BOX 7906	ROCKY MOUNT	NC	27804
20500027	CASTEEN RAYMOND C ETUX JOYCE	3449 SCUPPER RUN SE	SOUTHPORT	NC	28461
20500025	RIGGS CHARLES F	PO BOX 1570	JACKSONVILLE	NC	28541
2050002503	DUNN RIVER LLC	214 RIVER DR	SOUTHPORT	NC	28461
22100004	EARP ALLEN JEFFERSON ETALS	PO BOX 3649	WILMINGTON	NC	28406
20600001	DUKE ENERGY PROGRESS INC	410 S WILMINGTON STREET	RALEIGH	NC	27601-1748
---	COMMANDER MOT SUNNY POINT	6280 SUNNY POINT ROAD	SOUTHPORT	NC	28461

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2050002505	DEPARTMENT OF TRANSPORTATION	3113 N KERR AVENUE	WILMINGTON	NC	28405
2050002508	BIANCHI PROPERTIES LLC	7995 RIVER ROAD	SOUTHPORT	NC	28461
2050002506	NC 7935 LLC	PO BOX 26	PINE BUSH	NY	12566
2050002509	BIANCHI PROPERTIES LLC	7995 RIVER ROAD	SOUTHPORT	NC	28461

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	MARK BIANCHI	7335 RIVER ROAD	SOUTHPORT	NC	28461

Project # 300212

Kirstie Dixon 253-2027 (253-2988)

For Office Use Only
File# Z-737

BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT

PO BOX 249
BOLIVIA NC 28422
910-253-2025/1-800-621-0609/910-253-2437(fax)

Project # 300228

REZONING APPLICATION FORM

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.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: 2-16-16

CASE: Z- 737

RECEIPT #: 013517

- FEE: \$300 (<5.00 acres)
 \$500 (5.00 to 49.99 acres)
 \$750 (50.00 to 99.99 acres)
 \$1,000 (>100 acres)
 \$200 (Land Use Amendment Request)

LAND USE PLAN CONSISTENCY:

- Consistent with Future Land Use Plan
 NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: _____

Requested Land Use Classification: _____

Contact Information:

Applicant/Agent: Mark Bianchi
(This person will be the contact person and will receive all mailings)

Address: 7995 River Rd Southport, NC 28461

Phone: 910-443-3542 Fax: 910-443-3543

Email: mark@bianchibrickyard.com

Property Owner(s): Bianchi Properties LLC ^① NC 7935 LLC
(If the owner is different than the applicant)

Address: 7995 River Rd Southport NC 28461 ^② P.O. Box 26 Pine Bush NY

Phone: 910-443-3542 ^① 845/289-1944 Fax: 910-443-3543 ^② 845/744-8748

Email: mark@bianchibrickyard.com

Property Information:

Property Location/Address(es): NA

Tax Parcel Identification Number(s): ① 2050002509 (6.3 AC parcel)

② 2050002508 (1.52 AC parcel) - currently split zoning
③ 2050002506 - split zoning ④ 2050002505
Current Use of Property(ies): ① No use - open land ② Residential

Acreage to be Rezoned: 6.3 + 1.483 = 7.783 + 1.25 + .56 = 9.59

Zoning Information:

Current Zoning District(s): ① CO-R-7500 ② CO-R-7500/CO-CLD (split)

Requested Zoning District(s): ③ CO-CLD ④ CO-CLD

Purpose of Zoning Change (optional): _____

Spot Zoning Statement:

In the space below, please indicate whether the proposed rezoning *will* or *will not* constitute a spot zoning and explain why the proposed rezoning *will* or *will not* constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

Proposed rezoning will not constitute spot zoning.
We request all parcels to be zoned CO-CLD.
Majority of adjacent properties are all CO-CLD.

BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY

All rezoning requests must be consistent with the *Brunswick County CAMA Land Use Map*

Current Land Use Classification(s): Commercial

This rezoning request is: Consistent with the CAMA Land Use Map.
 NOT consistent with the CAMA Land Use Map.

IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:

A Land Use Map Amendment is *REQUIRED*. All rezoning requests MUST BE CONSISTENT with the *Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan*. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at www.brunswickcountync.gov).

Requested Land Use Classification(s): _____

With my signature, I certify that I have read the application guidelines below and I have submitted 15 folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.

Marie Brunel
Applicant Signature
2/16/16
Date

Marie Brunel
Owner Signature
2/16/16
Date
Rebecca L. Young

APPLICATION GUIDELINES

1. All applications must be submitted with:
 - A. A non-refundable application fee; and
 - B. One (1) folded copy of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests MUST BE CONSISTENT with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. **DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.**
4. Rezoning Review Process:
 - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
 - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
 - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:00 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the third Monday of the month at 6:00P.M. in the Commissioners' Chambers at the Brunswick County Government Center.

REZONING STAFF REPORT



Date: April 11, 2016

Case#: Z-738

Tax Parcel(s): 232HD003

Location: Located at 2745 Holden Beach Road (NC 130) near Holden Beach NC

Acreage: 2.53

Applicant(s): Barron Young

APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcel 232HD003 to CLD. The parcel is currently split zoned R-7500 and CLD. The owners and adjacent owners have been notified of the proposed rezoning via first class mail.

ZONING ANALYSIS

Proposed Zoning Request:

From: R-7500 (Medium Density Residential) and CLD (Commercial Low Density)

To: CLD (Commercial Low Density)

"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."

SURROUNDING AREA ZONING DESIGNATIONS:

North: CLD

South: R-7500

East: MR-3200

West: CLD & R-7500

PROJECT BOUNDARY BUFFERS: NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	15 feet 0 canopy 3 understory 3 shrubs	10 feet 0 canopy 3 understory 3 shrubs
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	25 feet 0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 0 canopy 5 understory 7 shrubs

* Buffer Depths and Plants Required Per 100 Linear Feet

LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands Vacant/Undeveloped Property
 Residential Commercial Industrial Institutional Utility

Brunswick County CAMA Land Use Plan Land Use Classification: Commercial

- Consistent with the Land Use Plan Map Not Consistent with Land Use Plan Map

Brunswick County CAMA Land Use Plan policies affecting this rezoning:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

Capital Improvement Plan (CIP):

- CIP Projects No CIP Projects

CIP Project(s)	Scheduled
New Middle School	FY 2017
New Elementary School	FY 2017
Cedar Grove Park Phase 2	FY 2020

Future Surrounding Areas Land Use(s):

The area surrounding this rezoning site has been experiencing some growth based upon recent land development activities submitted to the Brunswick County Planning Department. The Caison's Creek PUD is located to the south of the rezoning site and has 118 units. The rezoning site is not located within a subdivision or planned development and is vacant except for an entrance sign for the Caison's Creek PUD.

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<i>Elementary School:</i> <u>Virginia Williamson</u>	<i>Middle School:</i> <u>Cedar Grove</u>	<i>High School:</i> <u>West Brunswick</u>
<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity
<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning
<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: **Wilmington MPO** **Grand Strand MPO**

Roads	Capacity Deficiencies
Holden Beach Road (NC 130)	Over
Caison's Creek Drive (private)	None

NCDOT PROJECTS AND STUDIES: **NONE**

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

WATER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 12-inch line
LOCATION: Holden Beach Rd (NC 130)

SEWER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 18-inch force main line
LOCATION: Holden Beach Rd (NC 130)

It is the developer's responsibility to connect to the water and sewer system.

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body.
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area.
- The rezoning site is not located with a *Biodiversity & Wildlife Habitat Assessment Area*.

OTHER SITE CONSIDERATIONS

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near commercially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated as Commercial in the *Brunswick County CAMA Land Use Plan*.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (Tri-Beach).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located on or near the rezoning.
- Historic Site(s) known to be located on or near the rezoning.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD FOR TAX PARCEL 232HD003 BASED** upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Case No. Z-738

**COUNTY OF BRUNSWICK
REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET**

Applicant: Barron Young

Owner: Tina Young

Property Location: 2745 Holden Beach Road SW, Supply NC 28462

Tax Parcel #(s): 232HD003

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

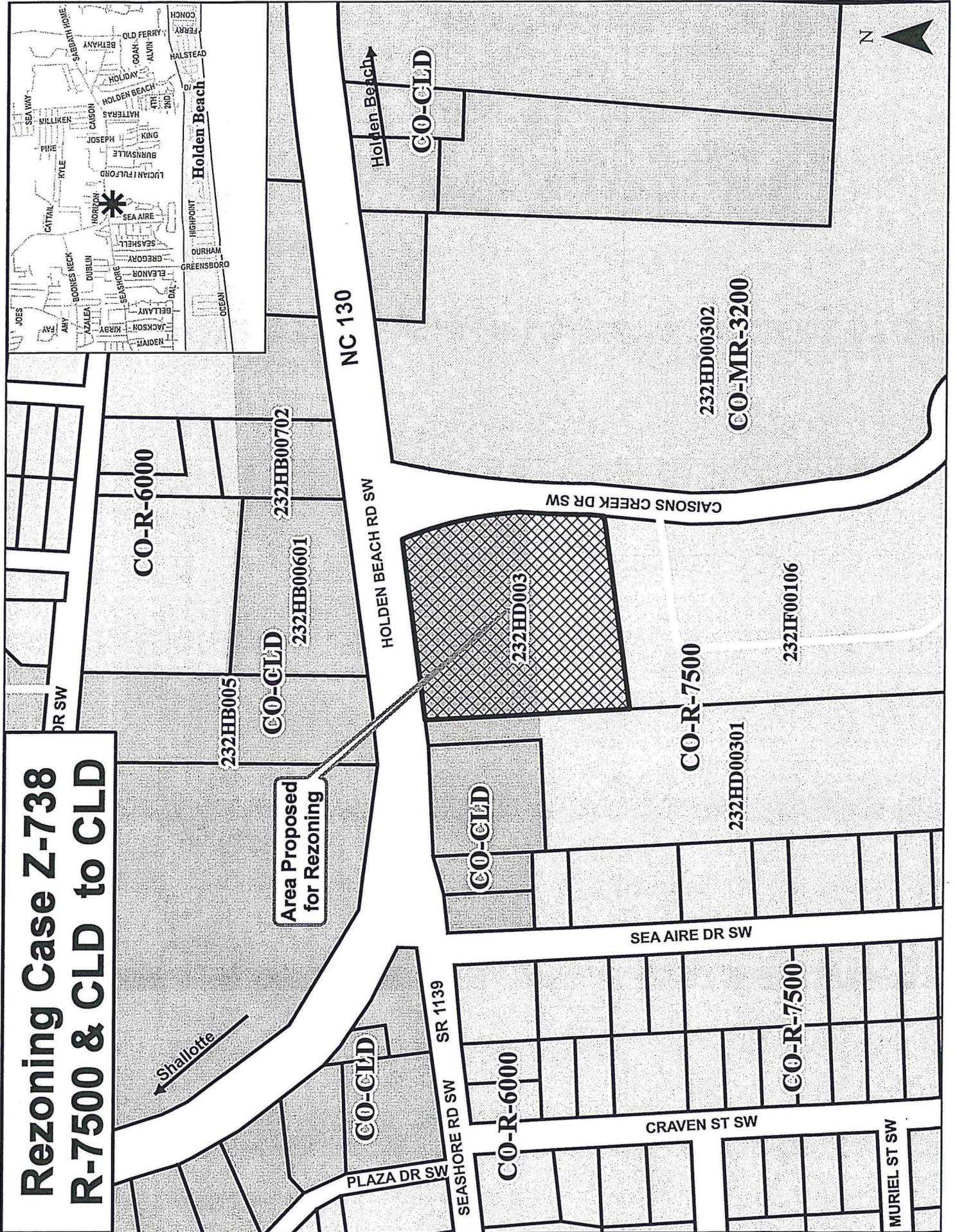
IV. Is the proposed amendment reasonable as it relates to the public interest?

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a REZONING be recommended to the Board of Commissioners for

Planning Board recommends: Approval Denial

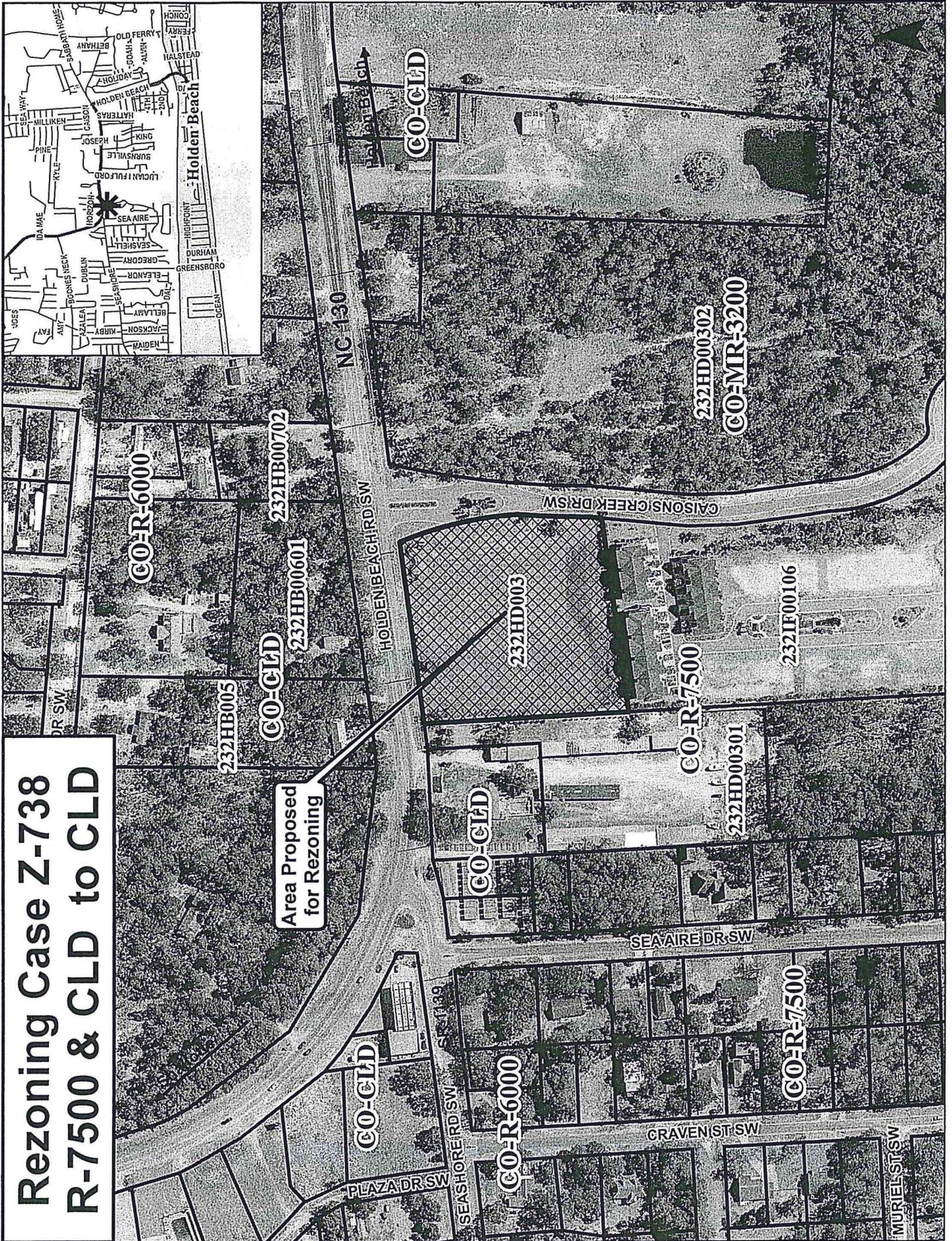
Rezoning Case Z-738 R-7500 & CLD to CLD

Area Proposed
for Rezoning



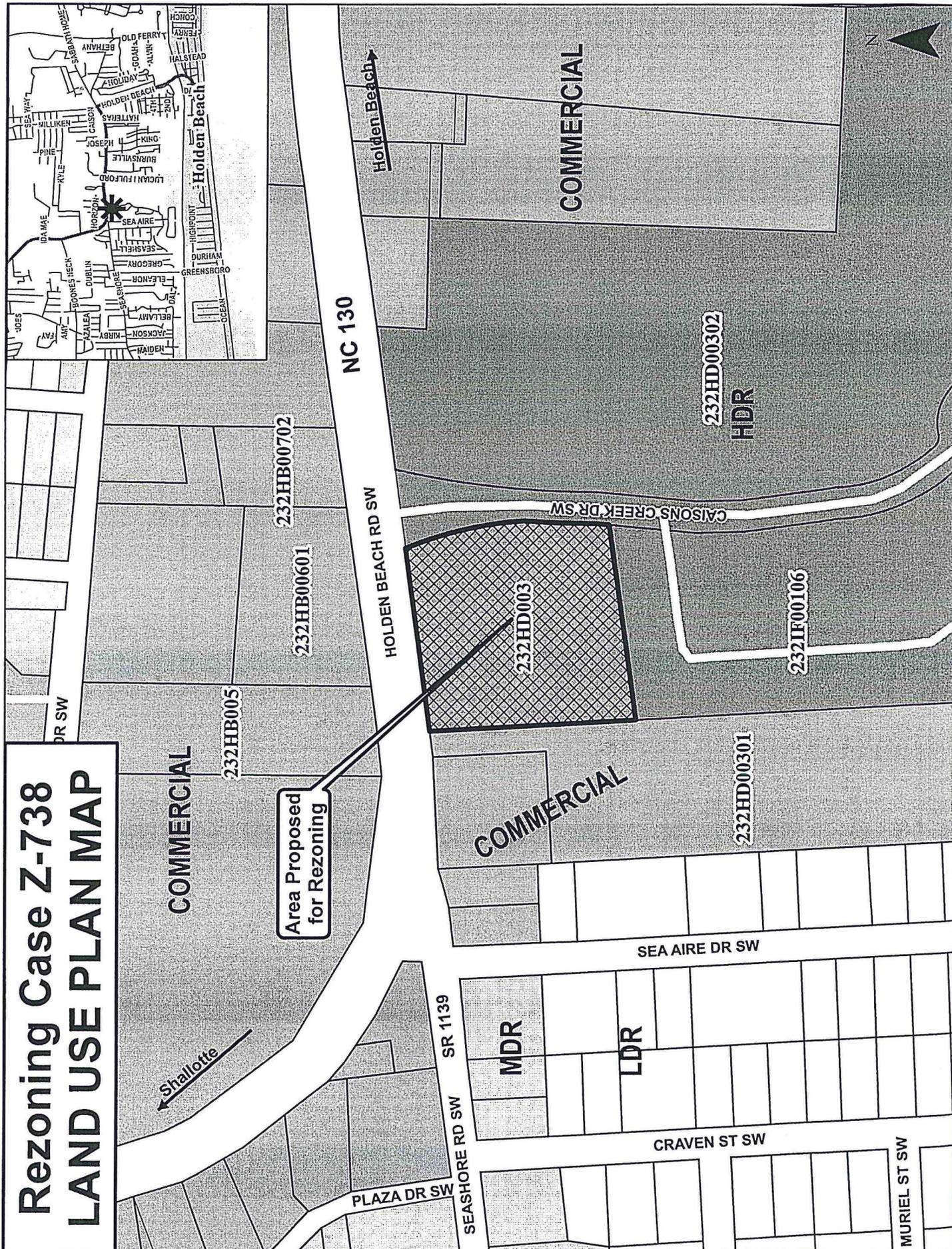
Rezoning Case Z-738 R-7500 & CLD to CLD

Area Proposed
for Rezoning



Rezoning Case Z-738 LAND USE PLAN MAP

Area Proposed
for Rezoning



CASE Z-738

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
232HD00302	SOUTH SHORE REAL ESTATE LLC		PO BOX 14	WINNABOW	NC	28479
232IF00106	OVERLOOK AT CAISONS CREEK LLC	C/O JUDY LEE	601 TALLMADGE ROAD	KENT	OH	44240
232HD00301	HEWETT BURTON A ET MARY JANE		2707 HOLDEN BEACH RD SW	SUPPLY	NC	28462
232HB00702	TATRO BEVERLY A (LT) * TAMIKA M TATRO	% TAMIKA M TATRO	2770 HOLDEN BEACH RD SW	SUPPLY	NC	28462
232HB00601	CAISON JAMES E		2843 CRAVEN ST SW	SUPPLY	NC	28462
232HB005	LUDLUM DEXTER NATHANIEL		2726 HOLDEN BEACH RD SW	SUPPLY	NC	28462
232HB004	CAISON KITTY V		2673 HOLDEN BEACH RD SW	SUPPLY	NC	28462

OWNER(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
232HD003	TINA YOUNG		6562 CASTLEBROOK WAY	OCEAN ISLE BEACH	NC	28469

APPLICANT(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
---	BARRON YOUNG		6562 CASTLEBROOK WAY	OCEAN ISLE BEACH	NC	28469

BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT
PO. BOX 249
BOLIVIA NC 28422
910-253-2025/1-800-621-0609/910-253-2437(fax)

Project # 300229

REZONING APPLICATION FORM

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.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: 3/4/16 CASE: Z- 738

RECEIPT #: 135241

FEE: \$300 (<5.00 acres)

\$500 (5.00 to 49.99 acres)

\$750 (50.00 to 99.99 acres)

\$1,000 (>100 acres)

\$200 (Land Use Amendment Request)

LAND USE PLAN CONSISTENCY:

Consistent with Future Land Use Plan

NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: Commercial

Requested Land Use Classification: _____

Contact Information:

Applicant/Agent: Barron Young

(This person will be the contact person and will receive all mailings)

Address: 6562 Castlebrook Way Ocean side Beach NC 28469

Phone: 910 512 5059 Fax: _____

Email: barronyoung91@gmail.com

Property Owner(s): Tina Young

(If the owner is different than the applicant)

Address: 6562 Castlebrook Way Ocean side Beach, NC 28469

Phone: 910 - 512 5059 Fax: _____

Email: barronyoung 91 @ gmail. com

Property Information:

Property Location/Address(es): 2745 Holden Beach Rd SW Supply, NC

Tax Parcel Identification Number(s): 232 HD003

Current Use of Property(ies): split zone

Acreage to be Rezoned: ~~2.53 acres~~ 2.53

Zoning Information:

Current Zoning District(s): split zoned CLD: R-7500

Requested Zoning District(s): CLD

Purpose of Zoning Change (optional): _____

Spot Zoning Statement:

In the space below, please indicate whether the proposed rezoning will or will not constitute a spot zoning and explain why the proposed rezoning will or will not constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

~~Spot~~ parcels in surrounding area
we zoned CLD and property is on zoning
collider

BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY

All rezoning requests must be consistent with the Brunswick County CAMA Land Use Map

Current Land Use Classification(s): Commercial

This rezoning request is: Consistent with the CAMA Land Use Map. NO
 NOT consistent with the CAMA Land Use Map.

IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:

A Land Use Map Amendment is *REQUIRED*. All rezoning requests **MUST BE CONSISTENT** with the Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at www.brunswickcountync.gov).

Requested Land Use Classification(s): _____

With my signature, I certify that I have read the application guidelines below and I have submitted 15 folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.


Applicant Signature 3/3/16
Date


Owner Signature 3/3/16
Date

APPLICATION GUIDELINES

1. All applications must be submitted with:
 - A. A non-refundable application fee; and
 - B. One (1) folded copy of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests **MUST BE CONSISTENT** with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. **DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.**
4. Rezoning Review Process:
 - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
 - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
 - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:00 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the third Monday of the month at 6:00P.M. in the Commissioners' Chambers at the Brunswick County Government Center.