



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**4:00 P.M. Monday
June 10, 2024**

**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 from the May 13, 2024 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

A. Rezoning Z-889

Proposed rezoning of approximately 3.9 acres located on 130 Green Swamp Road NW near Supply, NC from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcel 1680007201.

B. Rezoning Z-890

Proposed rezoning of approximately 1.99 acres located at 4673 Todd Road SW (SR 1147) near Shallotte, NC from IG (Industrial General) to NC (Neighborhood Commercial) for Tax Parcel 2290004505.

PROPOSED LAND USE PLAN AMENDMENT (LUM-890): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from INDI (Industrial Intensive) to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcel 2290004505 located east of 4673 Todd Road SW (SR 1147) near Shallotte, NC. This Land Use Plan Amendment totals approximately 1.99 acres.

C. Rezoning Z-891

Proposed rezoning of approximately 138 acres located at 7611 and 7707 Ocean Highway West (US 17) near Shallotte, NC from CLD (Commercial Low Density) and R-7500 (Medium Density Residential) to CLD (Commercial Low Density) for Tax Parcels 211000053 and 2110005303.

PROPOSED LAND USE PLAN AMENDMENT (LUM-891): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from MDR (Medium Density Residential) and OSC-1 (Open Space Conservation-1) to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcels 21100053 and 2110005303 located at 7611 and 7707 Ocean Highway West (US 17) near Shallotte, NC. This Land Use Plan Amendment totals approximately 138 acres.

D. Rezoning Z-892

Proposed rezoning of approximately 0.49 acres located at 3252 Oak Drive SW near Shallotte, NC from RR (Rural Residential) and SBR-6000 (High Density Site Built Residential) to RR (Rural Residential) for Tax Parcel 214CB01801.

PROPOSED LAND USE PLAN AMENDMENT (LUM-892): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from MDR (Medium Density Residential) to Rural/Agricultural for Tax Parcel 214CB01801 located at 3252 Oak Drive SW near Shallotte, NC. This Land Use Plan Amendment totals approximately 0.49 acres.

E. Rezoning Z-893

Proposed rezoning of approximately 15 acres located at 5740 Ocean Highway East near Winnabow, NC from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcel 09800047 and 0980004705.

PROPOSED LAND USE PLAN AMENDMENT (LUM-893): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from Rural/Agricultural (R/A) and OSC-1 (Open Space Conservation-1) to Commercial for Tax Parcels 09800047 and 0980004705 located at 5740 Ocean Highway East (US 17) near Winnabow, NC. This Land Use Plan Amendment totals approximately 15 acres.

F. Rezoning Z-894

Proposed rezoning of approximately 0.97 acres located at 614 Thomasboro Road SW (SR 1165) near Calabash, NC from R-7500 (Medium Density Residential) to CLD (Commercial Low Density) for Tax Parcel 2260000836.

PROPOSED LAND USE PLAN AMENDMENT (LUM-894): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial for Tax Parcel 2260000836 located at 614 Thomasboro Road SW (SR 1165) SW near Calabash, NC. This Land Use Plan Amendment totals approximately 0.97 acres.

G. Planned Development – PD-127

Name: EV 211 Tract

Applicant: Logan Developers

Tax Parcel: 20400048 and portions of 20300048, 2030004801, 2030004802, and 2030004803

Location: Southport-Supply RD SE (NC 211)

Description: EV 211 Tract is a proposed planned development to consist of 149 single family units, 88 semi-attached units, and 67 townhomes for a total of 304 residential units on 87.06 acres, creating an overall density of 3.5 dwelling units per acre.

H. Above Ground Pool Fencing Text Amendment

I. Zoning Board of Adjustment Alternate Member Text Amendment

10) Other Business.

A. UDO Committee Assignments.

B. Planning Board Case Update.

11) Adjournment.

MINUTES

PLANNING BOARD

BRUNSWICK COUNTY, NC

**6:00 P.M. Monday
May 13, 2024**

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

MEMBERS PRESENT

Joy Easley, Vice Chair
Ron Medlin
Clifton Cheek
Jason Gaver
Harry Richard Ishler, Alternate

MEMBERS ABSENT

Eric Dunham, Chair
William Bittenbender
Richard Leary

STAFF PRESENT

Kirstie Dixon, Planning Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Deputy Planning Director
Garrett Huckins, Planning Tech.
Tyler Connor
Helen Bunch, Planner III

OTHERS PRESENT

Dylan Phillips, Brunswick Beacon
Robert Russ
Paul Taltavall
Cameron Moore
Twanda Williams
Jeff Earp
Jody Bland
David Way
Jim Bradshaw
Brian Britt
Lora Sharkey
Tyler Newman
Elaine Jordan
Christy Marek
Earlene Hardy Cox
Heather Burkert
Tina Smith
James Hardy
Sam Carteret

Allison Engebretson, Paramounte Eng.
Michael Lagamba
Herman Hill
Patrick Newton
Majorie Burnside
Tim Clinkscales
Charles Stevens
Gene Vasile
Perry Davis
Doug Wendel
Jean Toner, Mayor of St. James
Steve Parker
Gary Shipman
Craig Andrews
Jim Hardy
Howard Herring
Ash Ramos
Ashley Frank

I. CALL TO ORDER.

Ms. Easley called the meeting to order at 6:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Ms. Easley said a prayer. She asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Mr. Eric Dunham, Mr. Richard Leary and Mr. William Bittenbender were absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 08-APR-24 MEETING.

Mr. Medlin made a motion to approve the 08-Apr-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Ms. Easley stated that Items D, E, and F (Tree and Landscaping Text Amendment, Transportation Overlay Zone Text Amendment and Traffic Impact Analysis Text Amendment) under New Business are being moved up on the agenda above Old Business for consideration due to the large number of attendees present to discuss these text amendments.

VI. NEW BUSINESS.

A. Tree and Landscaping – Proposed Text Amendment

Ms. Dixon addressed the Board. She stated that the Board has options to either make a recommendation to the Board of Commissioners to approve or remand the items to staff for additional study or hold another workshop or table the matter(s) up to 60 days for further review or outright deny the items. Ms. Dixon said the proposed text amendments are based on feedback from public input meetings. She stated that the proposed text amendment is not a tree ordinance and it will not mandate the preservation of trees. The State has to allow tree regulations prior to the County regulating trees on a site. Ms. Dixon proceeded to discuss the proposed Tree & Landscaping text amendment (attached) that has been revised since it was presented to the Board in draft form at the previous Board meeting based on feedback staff received on 07-May-24. The proposed text amendment addresses required trees, open space, usable recreation space, street buffers, and an updated approved landscaping species list recommended by NC Cooperative Extension. Ms. Dixon said there is an incentive to preserve trees, but there is no requirement to preserve trees and all existing, approved projects will not be affected by this text amendment. She stated that the inspectors will be tasked with ensuring 3 trees

are on site prior to issuance of a certificate of occupancy for single family lot. Ms. Dixon provided examples of lots utilizing the proposed text amendment suggestions for recreational open space via incentives that will allow for up to a 60% reduction of the total required recreational space. She further stated that staff is proposing the number of canopy trees or understory trees every 100 linear feet be twice the current requirement along collector or thoroughfare street buffers in the Brunswick County Unified Development Ordinance (UDO) for non-residential development. There will be a 100' buffer depth for residential units adjoining an existing bona fide farming activity in a Voluntary Agricultural District (VAD) and a 0.60 opacity with plantings on the inner 50' of buffer. Ms. Dixon went over questions that were submitted to staff regarding how this text amendment will affect existing development. She reiterated that this is not a tree ordinance and no tree permit will be required. She stated that there will not be any enforcement of trees on a single-family lot, but an inspection will be made to ensure they are on site prior to the issuance of a certificate of occupancy.

Mr. Cheek asked staff if diseased or dead trees will have to be replaced? Ms. Dixon said single-family lots will not have to replace diseased or dead trees because there will be no enforcement action taking on this matter. She stated that diseased or dead trees in a street buffer currently have to be replaced, but enforcement is only complaint driven.

Mr. Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Gene Vasile, President of the ABCPOA (Alliance of Brunswick County Property Owners Association), addressed the Board. Mr. Vasile read a statement (attached) commenting on the Tree and Landscaping, TOZ and TIA text amendments in support of the 3 proposed text amendments.

Mr. Jim Bradshaw addressed the Board. He stated that he addressed the Board of Commissioners regarding the clear-cutting of trees and the need to preserve trees, wherever possible, in the County. Mr. Bradshaw said staff held meetings for the public to provide input regarding this matter. He commended staff for their efforts to address a growing concern throughout the County. Mr. Bradshaw expressed his support for the proposed text amendment.

Mr. Perry Davis addressed the Board. Mr. Davis said was his understanding that the Board of Commissioners authorized staff to hire a consultant to revise the UDO as a whole and not piece meal revisions to the current UDO. Mr. Davis was opposed to the proposed text amendment. He was concerned with donated property as an incentive would not be taxable. He was also concerned with no enforcement of the proposed text amendment. Mr. Davis wondered if there is any recourse when a homeowner cuts down a tree(s) they do not like.

Mr. Brian Britt addressed the Board. Mr. Britt said he and his parents own property (renters moved out in April 2024) at 2893 Southport-Supply Road SE that is littered with garbage and they mowed the yard. He stated that the driveway is being worked on and they are seeking assistance to complete the project.

Mr. Doug Wendel, Executive Director of Hardee Investment Holdings, addressed the Board on behalf of Benjy Hardee. Mr. Wendel said Mr. Hardee is concerned with fairness and that a previously approved planned development be grandfathered and exempted from the proposed requirements. He asked that all 3 text amendments be tabled and a Study Committee be created that Mr. Hardee can be a part of to discuss the concerns and needs of Brunswick County.

Ms. Lora Sharkey addressed the Board. Ms. Sharkey wanted to address green space and open space. Ms. Sharkey was concerned with conservation for wildlife. She felt that the proposed increase in open space is a step in the right direction, but increasing the required percentage of recreation space defeats the need to have land set aside for wildlife. She quoted the Blueprint Brunswick 2040 Plan - Section 4, "Brunswick County has evolved beyond the point of needing to accept all forms of economic growth. The County has transitioned to a position that allows leaders to be more discerning in their appraisals of opportunities. Natural Resources (Goal #2) – maintain the "green" of Brunswick County as development continues. Require open space in new development and re-development to accomplish the conservation objectives. Natural Resources, such as trees, vegetation, water, wildlife habitats, shall be integral parts of all open spaces. Prioritize areas delineated in the Green/Blue Network Master Plan in meeting open space requirements, especially in conservation design options. Encourage conservation design in new residential development. Examine existing development and evaluate buffer standards in the UDO to determine whether there are conditions under which more substantial buffers in terms of width and amount of vegetation are needed to protect and promote areas of conservation". Ms. Sharkey said this is a step in the process, but not the end result. Ms. Sharkey provided a handout (attached) addressing conservation as there is a need to focus on conservation within the UDO.

Ms. Jean Toner, Mayor of St. James, addressed the Board. She stated that the Board of Commissioners asked that the proposed text amendments be fast tracked because a re-write of the UDO will take approximately 2 years. Mayor Toner said there were safety and security issues relative to traffic and flooding. She reiterated that staff held numerous public hearings regarding the proposed text amendments. She stated that the new offsets will be a reduction in open space and lower than the existing UDO standards. Mayor Toner said the TIA is needed because there are several lots (approximately 5,000 approved with 1 entrance) that could pose a safety hazard in the Town of St. James' fire district.

Mr. Tyler Newman, representative of BASE (Brunswick Alliance for a Sound Economy), addressed the Board. Mr. Newman said they are concerned with how the region continues to grow. What Brunswick County does as far as jobs, infrastructure and housing impacts what happens in New Hanover and Pender counties. He said making requirements extremely complex and overburdening to develop in Brunswick County will push people farther into Columbus County and create more travel time for the individuals working in New Hanover County. Mr. Newman suggested that this matter be tabled for further review as part of the UDO re-write.

Mr. Steve Parker addressed the Board. Mr. Parker was concerned with wetlands being developed. He asked that the Board listen to the citizens of Brunswick County. He was

concerned about the removal of trees, which affects water movement. He stated that more trees are being removed than is required to be planted in the proposed text amendment.

Mr. Cameron Moore, Executive Officer of the Wilmington Cape Fear Homebuilders Association (Association), addressed the Board. Mr. Moore stated that he sent their comments to staff last week expressing the Association's concerns. He, too, felt that this matter should be tabled and a committee be established to further study this matter. Mr. Moore felt that requiring 3 trees for single-family lots be eliminated because it will create a costly burden because home prices are increasing, while the size of homes decreases. Mr. Moore said the cost to plant the 3 trees will be placed on the consumer. He addressed the proposed open space and he felt that incentives for larger lots will increase sprawl within the County that will put a strain on emergency services, water, sewer and roadways. Mr. Moore said the proposed text amendment is too broad and needs to be further studied.

Ms. Elaine Jordan addressed the Board. Ms. Jordan asked if the most recent drafts of the text amendments are available to the public. She said the County is seeking state legislation for approval to regulate trees, but it has not been obtained at the current time. Ms. Jordan felt that this is a tree ordinance disguised as a text amendment. She said the County needs to wait for State approval for a tree ordinance instead of drafting a text amendment to regulate trees. She reiterated that the Blueprint Brunswick 2040 Plan does address a re-write of the UDO, rather than piecemealing the UDO with individual text amendments. She suggested the matter be tabled and further study be conducted to ensure this is done correctly for all the citizens of Brunswick County.

Mr. Gary Shipman, Attorney-at-Law, addressed the Board regarding re-writing the UDO and not approving sections of the UDO. He felt that the Board's attempt to approve certain items in the UDO will not accomplish what the Board seeks to accomplish.

Ms. Christy Marek addressed the Board. She expressed concern of irresponsible growth, in that, the clear cutting of trees needs to stop as well as open burning that poses problems to individuals using oxygen. Ms. Marek said all citizens as well as environmental groups such as the Coastal Federation should be represented if a committee is formed to further study this matter. Ms. Marek felt that a moratorium on tree cutting should be implemented and recreational open space should be 50% rather than 25% as proposed in this text amendment.

Mr. Craig Andrews addressed the Board. Mr. Andrews felt that donating property as an incentive appears to be a bribe for deep pocket individuals. He further stated that staff admitted that there will be no enforcement of requiring 3 trees on a single-family lot once the certificate of occupancy has been issued. Mr. Andrews felt that this is an attempt to cater to certain entities to move in the area. He felt that the matter should be revisited prior to approval of the proposed text amendment.

Ms. Earlene Hardy Cox addressed the Board. Ms. Cox said there is no distinction between all the concerns that are related to big HOAs/POAs (Homeowners Associations/Property Owners Associations) and big land development companies versus

the individual landowners in the County. She asked that the Board consider the residents that have lived here their entire life.

Mr. Jim Hardy addressed the Board. Mr. Hardy said he appeared before the Board approximately 2 years ago regarding property being clear-cut by large scale development, but the proposed text amendment is suggesting that 3 trees be planted on a single-family lot after over 100 acres of property was clear cut. Mr. Hardy said the trees that were clear cut were absorbing water and now those areas are flooding. Mr. Hardy further stated that the property behind the Government Center (Middle Creek Village) has caused tremendous flooding. He felt that a 100' buffer depth from an existing bona fide farming activity in a VAD will not be sufficient for proposed adjoining residential dwellings. He suggested that the matter be tabled until all affected parties have an opportunity to participate in a discussion on the matter.

Ms. Heather Burkert addressed the Board. She provided a handout (attached) to the Board. Ms. Burkert read excerpts from her handout regarding the purpose of the UDO that references preserving the overall quality of life for residents and visitors. Ms. Burkert said she is not against development as long as the current landowners are respected. She said development should be done in a smart and responsible manner. Ms. Burkert said the health, safety, and general welfare of the existing residents should be considered.

Mr. Howard Herring addressed the Board. Mr. Herring asked that any requirements for vegetation replacement will include information necessary to make a decision to utilize foliage that is native to this area and not from Florida.

Ms. Tina Smith addressed the Board as a native of Brunswick County. Ms. Smith felt that any decisions made should be for all the citizens of the County. She asked the Board to make sound decisions for all the people and future generations that will have to live with the decisions made by this Board.

Ms. Ash Ramos addressed the Board. Ms. Ramos said the natural lands, forestry areas and wetlands need to be viewed as intrinsically valuable. She stated that no one is totally against development, but the public wants well-informed, planned and smart development. She, too, expressed her disdain for clear-cutting of trees and filling-in wetlands. She felt that humans and nature should be able to intermingle.

With no further comments, Mr. Gaver made a motion to close the Public Hearing and the motion was unanimously carried. Mr. Gaver said comments from the public consisted of a tree ordinance disguised as a text amendment; the proposed text amendment is not enforceable, so why is it being considered; a consultant has been hired to re-write the UDO, so why piece meal updates to the UDO; and the public and other stakeholders have not had an opportunity to provide input on the proposed text amendment [Mr. Gaver did not agree with this statement]. Mr. Gaver said he did not think the Board is at a point where the proposed text amendment should move forward because there needs to be some more work on the text amendment and Ms. Easley and Mr. Cheek agreed. Mr. Gaver commended the staff on getting to this point, but the text amendment is not at the point for approval. Mr. Cheek said the intent is there, but there is room for improvement.

He further stated that a committee should be formed to vet and review the matter with input from the residents, developers, and other interest groups.

Mr. Gaver made a motion to recommend to the Board of Commissioners to deny the Tree and Landscaping Text Amendment as it is not consistent with the goals, recommendations and policies of the Blueprint Brunswick 2040 Plan and the motion was unanimously carried.

B. Transportation Overlay Zone (TOZ) – Proposed Text Amendment.

Ms. Dixon addressed the Board. She stated that the TOZ will require more landscaping along major highways. Ms. Dixon said there was a TOZ previously in the UDO and the Board of Commissioners decided to add a TOZ back to the UDO to provide more buffers and landscaping requirements on certain roads for commercial uses including planned developments, major subdivisions, major site plans, multifamily, townhomes, industrial, and public and civic uses. She stated that staff mailed out 8,258 notices to affected property owners or adjacent property owners on certain roads in the County. She went over the proposed text amendment (attached) and explained its purpose and intent, applicability, and development standards. Ms. Dixon discussed comments received from the public regarding the proposed text amendment.

Mr. Cheek asked if staff knows the number of property owners that will be able to comply with the 100' buffer requirement? Ms. Dixon said that only applies to residential projects (planned developments, multifamily, townhomes, and major subdivisions) along major designated highways (US 17, NC 211 and US 74/76). Mr. Pages interjected that the 100' buffer can be used as open space and stormwater facilities.

Mr. Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. James Hardy addressed the Board. Mr. Hardy said he received 5 letters and thought he should have received 1 letter to save money. He was concerned with all the new developments that get public sewer and water and the locals cannot get public water and sewer. Mr. Hardy was concerned about his property being taken as result of all the proposed changes and Mr. Pages explained that single lots for residential purposes are exempt from the TOZ requirements. Otherwise, non-residential or large-scale developments will have additional buffer requirements imposed as a result of the TOZ requirements. Mr. Hardy said his property is zoned commercial and he wondered if his house is destroyed, will he be able to rebuild another residential dwelling and Mr. Pages replied, yes.

Ms. Ashley Frank addressed the Board. Ms. Frank said the language proposed is subjective and arbitrary. Ms. Frank said she has 2 tracts on US 74/76 with approximately 6,600 linear feet (approximately 15 acres) on the highway that will be taken because the proposed text amendment prohibits any development in that area. She asked how the proposed text amendment will impact what she can put on her property? Ms. Dixon said the property could be developed through a cluster option (planned development) and infrastructure and open space can be in those areas. Ms. Frank said the purpose and

intent says, "Standards are provided to ensure thoroughfares are developed with more treescapes, improve traffic efficiency and safety by reducing visual clutter and avoiding unattractive site design." She said if the goal is to improve treescapes, why not increase density in the current buffer requirements. She was unclear how giving 100' of trees will make traffic more efficient when the North Carolina Department of Transportation (NCDOT) controls access on these roadways. Ms. Frank asked for an example of visual clutter and avoiding unattractive design. Ms. Frank concluded that this text amendment should be tabled and landowners should have an opportunity to provide feedback on a viable solution to what is needed and desired along major thoroughfares.

Mr. Sam Carteret addressed the Board. Mr. Carteret asked who the TOZ is for because motorists don't care how the road looks when they are travelling along the major thoroughfares within Brunswick County. He felt that there is too much control being imposed on the citizens of Brunswick County. He, too, felt that the landowners should have an opportunity to provide feedback on a viable solution to what is needed or desired along major thoroughfares.

Ms. Ash Ramos addressed the Board. She clarified that the TOZ is for new development and staff agreed. Ms. Ramos said the current homeowners will not be impacted by the proposed TOZ and staff replied, yes.

Ms. Elaine Jordan addressed the Board. She stated that this is government regulations imposed on a large amount of property in the County. She suggested that this matter be tabled until the citizens have had sufficient time to review the proposed text amendment. Mr. Pages clarified that the distance (760') is for mapping purposes and it doesn't mean that 760' into your development is subject to the proposed minimum requirements of the TOZ. There are areas in the County where the right-of-way is very wide that have to be identified. The only areas subject to the TOZ are those areas that front the major roads listed in the TOZ.

Mr. Herman Hill addressed the Board. He asked where the road will be built on NC 130? Ms. Dixon said the TOZ addresses existing roads and NC 130 is listed as a road within the TOZ. Mr. Hill said he is a native of Brunswick County and there are a lot of trees being cut down as well as animals being ran out of their habitat into citizens' yards.

Mr. Tyler Newman addressed the Board. He was concerned with the potential impact on property rights. He felt there should be additional discussions before the TOZ is recommended for approval to the Board of Commissioners.

Mr. Cameron Moore addressed the Board and concurred with Mr. Newman's comments. He stated that a cluster design will not work in some situations. He stated that further study should be done because the proposed text amendment was not made available to the public until tonight. He reiterated that the additional cost associated with designing a project will be placed on the consumer.

Mr. Patrick Newton addressed the Board. Mr. Newton said canopy and understory trees should not be required in a street buffer within 400' of an outdoor advertising structure. He stated that the email he sent to staff outlines the specifics about how a tree will block

an outdoor advertising structure. He further stated that signs are a legal, by right, permitted use. He stated that requiring a street buffer with trees will block a sign and it is in direct contradiction of a legitimate use. He stated that the sign industry is asking for language to be inserted to not require canopy and understory trees in a street buffer within 400' of an outdoor advertising structure.

Mr. Ishler asked Mr. Newton where the 400' criteria came from? Mr. Newton said that measurement depends upon the height of the sign, setback of the sign and the type of vegetation. Mr. Newton said there needs to be 600'-700' of total visibility because that is the threshold point where the information on the sign can be read.

Ms. Christy Marek addressed the Board. Ms. Marek said the buffers are supposed to protect the adjacent property from future flooding and the developers will not be in favor of this text amendment because it takes money out of their pockets. Ms. Marek felt that there are tree services in the area that can trim trees so a sign can be visible to the travelling public.

Ms. Twanda Williams addressed the Board. Ms. Williams was concerned with some residents not receiving a letter that front on the roads listed in the TOZ. She felt that further research should be conducted and all affected property owners receive proper notification of any future meeting(s). Mr. Pages said there are instances where some property owners receive more than 1 letter or some property owners may not receive a letter due to postal issues or human error. Ms. Williams was not interested in a buffer in front of her property. Mr. Pages said a buffer is not required for single-family lots developed for residential purposes.

With no further comments, Mr. Gaver made a motion to close the Public Hearing and the motion was unanimously carried. Mr. Gaver said his comments are the same as the previous text amendment, in that, the matter needs further study.

Mr. Gaver made a motion to recommend to the Board of Commissioners to deny the Transportation Overlay Zone as it is not consistent with the goals, recommendations and policies of the Blueprint Brunswick 2040 Plan and the motion was unanimously carried.

C. Traffic Impact Analysis (TIA) – Proposed Text Amendment

Ms. Dixon addressed the Board. She stated that the TIA text amendment (attached) was a direct request by the Board of Commissioners that will provide better information to the Planning Board to assist the Planning Board in their decision-making process. Ms. Dixon read questions that were presented to staff prior to the meeting and answered those questions.

Mr. Gaver said he has attended the Board of Commissioners' meetings and this matter has been discussed ad libitum. Mr. Gaver asked staff the Board's options regarding approval or denial? Ms. Dixon said the Board can either approve or deny or approve with recommended changes.

Mr. Cheek asked staff what happens if there are changes after the TIA is submitted to the Planning Department? Ms. Dixon said the TIA will have to be resubmitted to NCDOT for approval. Mr. Cheek asked staff if they knew the cost of a TIA? Ms. Dixon said the TIA could cost up to \$10,000, but it depends on the size of the project. Mr. Cheek said it could be costly for the developer and Ms. Dixon said revisions will likely not cost as much as an initial TIA.

Mr. Gaver asked if a TIA review recommendation is part of the UDO re-write? Ms. Dixon said this is not part of the monies appropriated for the re-write of the UDO.

Mr. Cheek asked if the traffic impact worksheet (recommended by a citizen) is similar to what is currently submitted with the estimated number of vehicle trips per 24 hour weekday volume? Ms. Dixon said it provides a lot of traffic data, but not traffic improvements that will be made.

Mr. Cheek made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Cameron Moore addressed the Board. He stated that the TOZ is for terminology purposes. He suggested that a TIW (Traffic Impact Worksheet) or Engineers Report be required rather than a TIA. Mr. Moore stated that the County is not in the road business and NCDOT has to approve all road improvements for roads maintained by NCDOT. Mr. Moore said requiring a TIA prior to project submittal to the Board will delay a project for approximately 6-8 months. He felt that this could potentially force the Board to approve a project because the developer has received NCDOT's approval that they may not feel should be approved without additional conditions.

Mr. Majorie Burnside addressed the Board. She felt that a TIA is extremely important to the County as a whole. Ms. Burnside said the developers should not be running the County. She further stated that the citizens of the County safety should be top priority.

Mr. Tyler Newman addressed the Board. Mr. Newman said this text amendment will only delay the inevitable. He reiterated that the County does not own or maintain roads.

Mr. Gene Vasile addressed the Board. Mr. Vasile said the TIA is very important to controlling growth. Mr. Vasile said the Board will have a better understanding of where traffic issues will be addressed by NCDOT prior to their approval of the project.

Mr. Jeff Earp addressed the Board. Mr. Earp said the TIA is an intense, complicated and technical document. He said a TIA can cost in excess of \$100,000 and take up to 18 months for approval from NCDOT. He was concerned with the excessive burden on the landowner, developer and builder if a TIA is required upfront.

Ms. Christy Marek addressed the Board. Ms. Marek was concerned with the developers stopping controlled development. She stated that the TIA is required if there a 200 vehicle trips at peak hour or 2,000 vehicle trips per day. Ms. Marek was in favor of requiring a TIA upfront.

Mr. Jim Bradshaw addressed the Board. Mr. Bradshaw said the Board of Commissioners had discussions with NCDOT about the proposed text amendment. He was in favor of requiring a TIA upfront.

Ms. Ash Ramos addressed the Board. She stated that there are several counties that currently require a TIA prior to any developments being approved. She stated that a TIA will help safety and traffic congestion. Ms. Ramos was in favor of the TIA text amendment.

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

Mr. Cheek agreed with Mr. Newman's comment that roadways are not in the County's purview. He felt that the Board should see a TIA, TIW, an Engineers Report as well as the scoping and submittal to determine what information the Board wants prior to making a decision and Ms. Easley agreed.

Mr. Cheek made a motion to table the Traffic Impact Analysis Text Amendment and he asked staff to bring back a TIA, TIW, an Engineers Report and a scoping and submittal so the Board can determine which document will be the most useful in their decision-making and the motion was unanimously carried.

VII. OLD BUSINESS.

A. Planned Development - 97

Name: Trest Tract (Tabled at the 08May23 Planning Board Meeting)
Applicant: Paramounte Engineering
Tax Parcel(s): 2100001804
Location: Hickman Road NW (SR 1303)
Description: Trest Tract is a proposed planned development consisting of 182 townhouse units on 34.35 acres creating an overall density of 5.97 dwelling units per acre.

This project was tabled at the 08May23 Planning Board Public Hearing due to concerns about potential flood impacts and the Board suggested that the applicant obtain a CLOMR (Conditional Letter of Map Revision) from FEMA. The project at that time proposed 205 townhomes, but has since been amended to propose 182 townhouse units.

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.

- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
- The proposed pump station will require the elevation of control equipment to the 500-year floodplain elevation.
- A Floodplain Development Permit will be required for all work, roads, fill and other development activities as described by the Flood Damage Prevention Ordinance, prior to the start of any construction.

Mr. Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Ms. Allison Engebretson, representative for Paramounte Engineering, addressed the Board. She discussed a PowerPoint presentation (attached). She stated that changes were made from the previous plan submitted in May 2023 by decreasing the unit count from 205 to 182 as a result of a product change that will have garages on each unit as well as parking outside each unit. The project will still be designed to the 100 storm event and there is 16 acres of untouched land in the rear that will be used for stormwater purposes. The units will be clustered closer to Hickman Road NW (SR 1303) with a central green space and usable recreation area between units. Ms. Engebretson said there will be walking trails looped throughout the development. She further stated that the units will be 2 stories and approximately 20 acres will be dedicated to tree and landscaped areas throughout the site. Ms. Engebretson said they had 4 meetings with neighbors (Brunswick Plantation and Crow Creek) and a variety of plans were presented. It was discovered that they do not want a secondary emergency only access, so they shifted the secondary emergency only access onto Hickman Road NW (SR 1303). The main access has been moved directly in line with the Dollar General after speaking with NCDOT to take advantage of the required turn lanes and add a turn lane to this development. She stated that the secondary entrance will remain closer to the Crow Creek area. Crow Creek was concerned with the secondary emergency only access; the developer will be responsible for maintaining their side of the ditch that splits the property line between Crow Creek and the project; the developer will provide the 45' buffer and increasing the intensity of plantings; and vegetation will be planted between the 2 projects.

Mr. Tim Clinkscales, Civil Engineer for Paramounte Engineering, addressed the Board regarding a CLOMR (Conditional Letter of Map Revision) request to FEMA (Federal Emergency Management Agency). He stated that they have to do a preliminary grading plan, the stormwater pond has to be sized and the Brunswick County Floodplain Administrator has to sign-off and the information is sent to FEMA for approval. Mr. Clinkscales stated that the project will be designed up to and including the 100-year storm peak flow. He stated that all structures will be elevated to meet the 2' freeboard above Base Flood Elevation (BFE) and they will request a CLOMR-F (Conditional Letter of Map Revision with Fill) from FEMA.

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

Mr. Cheek said the applicant has provided the additional information requested at the previous meeting as well as a traffic analysis. As a result, Mr. Cheek made a motion to approve PD-97 (Trest Tract Planned Development) with the noted conditions in the Staff Report as well as a sixth condition that all units will be built 2' above base flood elevation and the motion was unanimously carried.

VIII. NEW BUSINESS.

A. Planned Development – PD-126

Name: McMullan Tract
Applicant: Norris and Bland Consulting Engineers
Tax Parcel(s): Portions of 2120001803, 21200035, 2130000601 and 2280000101
Location: Ocean Isle Beach Road SW (SR 1184)
Description: McMullan Tract is a proposed planned development consisting of 550 single-family units on 249 acres creating an overall density of 2.21 dwelling 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.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

Mr. Cheek made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Jody Bland, Norris and Bland Engineering, addressed the Board. Mr. Bland said neighbors expressed concerns with stormwater at the neighborhood meeting and they are designing the project to the 100-year storm event. The neighbors were also concerned with interconnectivity, which is a request from the Fire Marshal that each development have 1 point of ingress and egress. He stated that this will allow for a secondary access point for both developments. Mr. Bland said Lakewood Estates currently has flooding issues on the northwest edge where water runs across the road during a high flow rain event. He further stated that this will not be unabated access because there were major concerns about that from the adjoining neighbors. The developer met with the HOA (Homeowners Association) and he is will to work with the HOA regarding interconnectivity. If the matter is not resolved, they will consult with NCDOT to create a secondary access (for emergency access only) to the project or they will approach the seller and get a longer emergency access down Old Georgetown Road SW (SR 1163). Mr. Bland said the Fire Marshal prefers interconnectivity between the 2 developments. Easement documents were provided to the HOA from either the current property owner or the seller and their HOA's attorney is reviewing the document for validity. He stated that the project has less density than allowed because the project could be clustered.

Mr. Charles Stevens addressed the Board. Mr. Stevens was concerned with water discharge to the proposed 9 stormwater ponds, which they are proposing to run in the wetland areas. He said the wetland areas are behind his property and he was concerned with water not being absorbed

when the trees are cut down to develop this project. Mr. Stevens said there are stormwater issues currently in the area and most of the ponds overflow across the road. He stated that there is only one access point in his community and there may be up to 2' of water across the road when there is a rainstorm. Mr. Stevens felt that the proposed project will cause more water issues because wetlands cannot soak up the water. He was also concerned with taxes increasing if the County has to come in and repair damages (fixing roads, providing public water and sewer and electrical services) to the area potentially caused by this project. He suggested that a \$5,000 impact fee be placed on each lot so growth can pay for growth.

Mr. David Way, property owner in Benton Wood of Lakewood Estates, addressed the Board. Mr. Way was concerned with stormwater drainage when the subject property is developed because there are current flooding issues in the area. Mr. Way said a lake was previously dug on the westside of McMullan property that created additional flooding issues in the area. He, too, was concerned with where the water will flow to when it leaves the subject property. He was also concerned with the proposed emergency exit because there is no easement onto Lakewood Estates. Mr. Way said they are currently trying to work out a deal with Pulte Homes that will be beneficial to all parties.

Mr. Michael Lagamba addressed the Board. He stated that he worked for NCDOT for 13 years. Mr. Lagamba said there are stormwater issues in the area and this development will only exacerbate the stormwater issue. Mr. Lagamba said their development does not have the money to replace the damaged piping, which is likely contributing to the flood situation. He said the homeowners in Lakewood Estates currently have to wait to get out of their neighborhood due to traffic congestion on the weekends. Mr. Lagamba said there is no turn lane at the end of the road and this project will only generate more traffic in the area. He felt that a TIA should be required upfront. There are a lot of approved projects in the area and no road improvements have been made to Ocean Isle Beach Road SW (SR 1184) to benefit the Lakewood Estates community.

Mr. Paul Taltavall addressed the Board. Mr. Taltavall concurred with the previous statements regarding a stormwater issue in the area. He stated that there is a seasonal creek on the northwestern side of the subject property that is labeled as a pond on the plan.

Mr. Robert Russ addressed the Board. Mr. Russ said there is flooding across Lakewood Drive and individuals that live in the community have to travel through the flooded area. He suggested that another road be looked at for egress during hurricanes as an evacuation route. Mr. Russ felt that the builder and Fire Marshal should be consulted about a fire access road being used to get emergency vehicles to the area from Old Georgetown Road SW (SR 1163) to Benton Wood on the far east side of Lakewood Estates.

Mr. Cheek asked if the road floods more in one area of Lakewood Drive SW than others. Mr. Russ identified the area where the flooding occurs on a display map. He felt that an exit out to Old Georgetown Road SW (SR 1163) would benefit all parties.

Ms. Easley asked Mr. Bland if they are aware of the previous concerns expressed? Mr. Bland said yes, and those areas will be taking into consideration when the stormwater system will be designed. Mr. Bland added that a TIA will be required for this project.

Mr. Cheek asked about the siren activated gate. Mr. Bland said the siren activated gate was brought up at the neighborhood meeting with the Lakewood Estates community. Mr. Cheek felt that there is a need for additional access points for both of the communities. Mr. Bland said interconnectivity (proposed entrance off Ocean Isle Beach Road SW [SR 1184] will be their emergency egress in the event flooding occurs) will address this issue. Mr. Bland said they are

happy to entertain a condition if the developer unable to get the interconnection worked out with Lakewood Estates. Mr. Cheek asked if Highland Street SW connects to that area? It was determined that Highland Street SW is not paved at the current time. Ms. Easley clarified that there will be a secondary emergency access point and Mr. Bland concurred.

Mr. Gaver asked if the flooding concerns have been addressed? Mr. Bland said there have been discussions with regards to a trade-off that will allow for interconnectivity. Mr. Gaver said he does not feel comfortable approving the project because it may cause more burden on the Lakewood Estates community. Mr. Bland said they are improving the stormwater drainage condition downstream with the proposed project stormwater design.

Mr. Cheek asked Mr. Bland the developers' intended solution to repair the roadway? Mr. Bland said the developer is exploring several avenues to assist in alleviating the stormwater drainage issue in Lakewood Estates, including but not limited to, potentially replacing an undersized pipe and/or damaged pipe, a monetary contribution to the Lakewood Estates HOA once their turnover is completed so funding is available for whatever road maintenance is decided on within Lakewood Drive SW. Mr. Gaver said he wants that conservation to continue prior to approval of this project by the Board. Mr. Cheek felt that a condition could be added to address this matter. Mr. Pages said there have been road maintenance agreements between the 2 parties in the past as a condition of approval. Mr. Bland said the HOA does not own the road because the developer has not turned the roads over to the HOA.

Mr. Gaver asked if the developer agreed to a resolution of the current issues, would that be acceptable and 2 gentlemen from the community said yes. Mr. Gaver said he would agree to the approval of the project with a condition added to the approval process.

Mr. Cheek made a motion to approve PD-126 (McMullan Tract Planned Development) with the noted conditions in the Staff Report as well as a fourth condition to establish a road and repair agreement of Lakewood Drive SW to mitigate flooding issues of the roadway at the stream crossing and to establish a rear development connectivity road from the PD-126 to Lakewood Drive SW near Benton Woods portion of Lakewood Estates and the motion was unanimously carried.

B. Rezoning Z-887 – Mark Stanaland (%Brunswick County Government).

Request rezoning of approximately 26.73 acres located north of Andrew Jackson Hwy (US 74/76) and south of Northwest Road NE near Northwest, NC from RR (Rural Low Density Residential) to I-G (Industrial General) for Tax Parcel 0140000201.

Mr. Marc Pages addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages proceeded to staff's recommendation and consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to I-G (Industrial General) for Tax Parcel 0140000201 located north of Andrew Jackson Hwy (US 74/76) and south of Northwest Road NE near Northwest, NC.

Mr. Cheek made a motion to open the Public Hearing and the motion was unanimously carried.

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

Mr. Cheek made a motion to approve Tax Parcel 0140000201 to I-G (Industrial General) located north of Andrew Jackson Hwy (US 74/76) and south of Northwest Road NE near Northwest, NC and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - ED-1 Maintain and expand job opportunities in the County.
 - The Industrial Suitability Map identifies the subject parcel as generally suitable for industrial development.
 - Not in a significant heritage natural area.
- The proposed site is directly adjacent to the Mid-Atlantic Industrial Rail Park.
- Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.
- Biodiversity and Wildlife Habitat Assessment score of 5 out of 10.

<input type="checkbox"/> Agricultural Development Plan	<input type="checkbox"/> Unified Development Ordinance
<input type="checkbox"/> Brunswick County Comprehensive Transportation Plan (CTP)	<input type="checkbox"/> Southeastern North Carolina Hazard Mitigation Plan
<input type="checkbox"/> Brunswick County Trail Plan	<input type="checkbox"/> Airport Height Control Ordinance
<input checked="" type="checkbox"/> Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)	<input type="checkbox"/> Other: _____

Ms. Easley 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. She 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-888 – L&L Ventures Holdings, LLC (%Norris and Bland Consulting Engineers).

Request rezoning of approximately 51.52 acres located on No. 5 School Road NW (SR 1305) near Ash, NC from RR (Rural Low Density Residential) to SBR-6000 (High Density Site Built Residential) for Tax Parcels 20900036, 2090002701, 20900025, 20900027, 2090002702, 20900026 and 2090002402 (Added by Staff).

Mr. Marc Pages addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages proceeded to staff's recommendation and consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to SBR-6000 (High Density Site Built Residential) for Tax Parcels 20900036, 2090002701, 20900025, 20900027, 2090002702, 20900026 and 2090002402 (Added by Staff) located on No. 5 School Road NW (SR 1305).

Mr. Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Jody Bland, Norris and Bland Engineering, addressed the Board on behalf of the owner. He stated that the property is contiguous to SBR-6000 zoning and that corner of No. 5 School Road NW (SR1305) is operating as commercial with storage on 1 side of the street and a nursing home on the other side of the street. He further stated that the uses in SBR-6000 are more conducive to their intended use of the property.

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

Mr. Cheek made a motion to approve Tax Parcels 20900036, 2090002701, 20900025, 20900027, 2090002702, 20900026 and 2090002402 (Added by Staff) to SBR-6000 (High Density Site Built Residential) located on No. 5 School Road NW (SR 1305) and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of plans adopted by Brunswick County (listed below) and is REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - The proposal is not located within a significant heritage natural area.

- The subject property is designated as generally suitable on the Residential Suitability Map.
- Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i>
<input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	<input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i>
<input type="checkbox"/> <i>Brunswick County Trail Plan</i>	<input type="checkbox"/> <i>Airport Height Control Ordinance</i>
<input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Other: _____</i>

Ms. Easley 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. She 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.

IX. OTHER BUSINESS.

- UDO Rewrite Update.

Mr. Pages addressed the Board. He stated that the contract (N-Focus) has been approved by the Board of Commissioners and staff will be recruiting 3 board members to assist in facilitating the re-write of the UDO. He further stated that the committee will be formed at the direction of the Board of Commissioners to provide input/feedback to the re-write of the Brunswick County Unified Development Ordinance.

- Planning Board Case Update.

Mr. Pages addressed the Board. He stated that there were no appeals submitted for the previously approved rezoning cases (Z-882, Z-883 and Z-884)) at the 08-Apr-24 Planning Board meeting, so the Board's decision stands.

IX. ADJOURNMENT.

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

SITE CONSIDERATIONS

Zoning History:

- The zoning of the subject parcel was changed in 2007 from RU (Rural) to RR (Rural Density Residential) with the adoption of the Brunswick County Unified Development Ordinance (UDO).

Buffers: When developed adjacent to the C-LD, if rezoned to C-LD, no buffer will be required. When locating a non-residential use in C-LD next to an existing residential developed property, a 0.4 buffer shall be required. Non-residential uses located next to other non-residential uses are not required to provide a buffer.

Street Yard Buffers: A 20-foot street yard buffer may be required depending on the design of future development.

Utilities:

- Water: is available, via a 12-inch county main water line on Green Swamp Road.
- Wastewater: is not available. A high-pressure force sewer main line is on Green Swamp Road, but no collection systems (gravity, low pressure, or vacuum sewer) are available.

Schools: Supply Elementary School and Cedar Grove Middle School have adequate capacity. The subject parcel is located in both the South Brunswick High School and West Brunswick High School districts, and both have adequate capacity.

CIP Projects in Area: Lockwood Folly Park Facility fiscal year 2026.

Traffic: Green Swamp Road (NC 211) has adequate capacity.

NCDOT Road Improvement Projects in Area:

- Ocean Highway (US 17)/ Green Swamp Road (NC 211) Convert Intersection to Interchange (U-5932): Planning and Design Phase.

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: Portions of the site score 0 of 10. A low score indicates less biodiversity and wildlife on the site.
- The property is not located within a half mile of a Voluntary Agricultural District.

ANALYSIS

Proposed Zoning District:

The 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."

Blueprint Brunswick 2040 Plan Place Type: Medium Density Residential-Mixed and Community Center (Activity Center 1)

Consistent with the Blueprint Brunswick 2040 Plan Place Type.

Not Consistent with the Blueprint Brunswick 2040 Plan existing Place Type.

- **Medium Density Residential-Mixed (MDR-M):** This area is characterized by moderate-density residential development. It is comprised of predominantly single-family detached homes but may include attached single-family units, such as townhomes and duplexes. The mix of housing types is intended to create intergenerational neighborhoods. Improved open spaces in the form of pocket and neighborhood parks are interspersed, and greenway trails within are located to connect such parks as well as provide links to greenway trails and walkways in neighboring developments. Maximum impervious coverage limitations help preserve green space.
- **Community Center (Activity Center 1):** These areas are intended to be centers of activity that include a mix of retail, restaurant, service, office, and civic and institutional uses (including senior centers, healthcare facilities, etc.) in addition to a variety of residential housing types. Combined, the nonresidential space exceeds 100,000 sf. The mix of uses can be horizontal as well as vertical where a change in use can occur between floors of the same building. Buildings of two or more stories are common, and connected streets include short block lengths and pedestrian facilities. Open space is integrated in the form of community parks, large and small formal greens, plazas, and courtyards. Designed to facilitate access via walking and biking, mixed-use areas should be located where access via the road network, sidewalks, greenways, and/or local shuttle/circulator service is feasible.

Applicable Blueprint Brunswick 2040 Plan Policies:

- The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential and commercial development.
- LU-2. Support development in areas that are best suited for future development.
- LU-3. Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
- ED-1. Maintain and expand job opportunities in the county.
- The site is located to the south of the Community Center Node.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-889, with the existing place type designation as Mixed Residential Living (MDR-M) based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is **CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - LU-3. Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
 - ED-1. Maintain and expand job opportunities in the county.
 - The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential and commercial development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

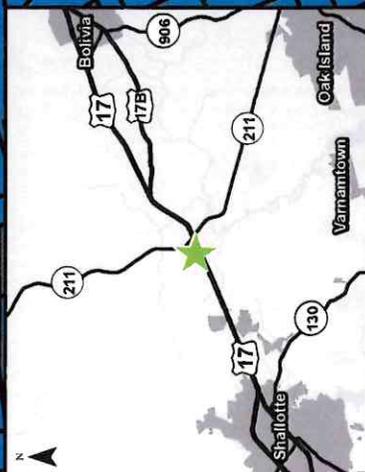
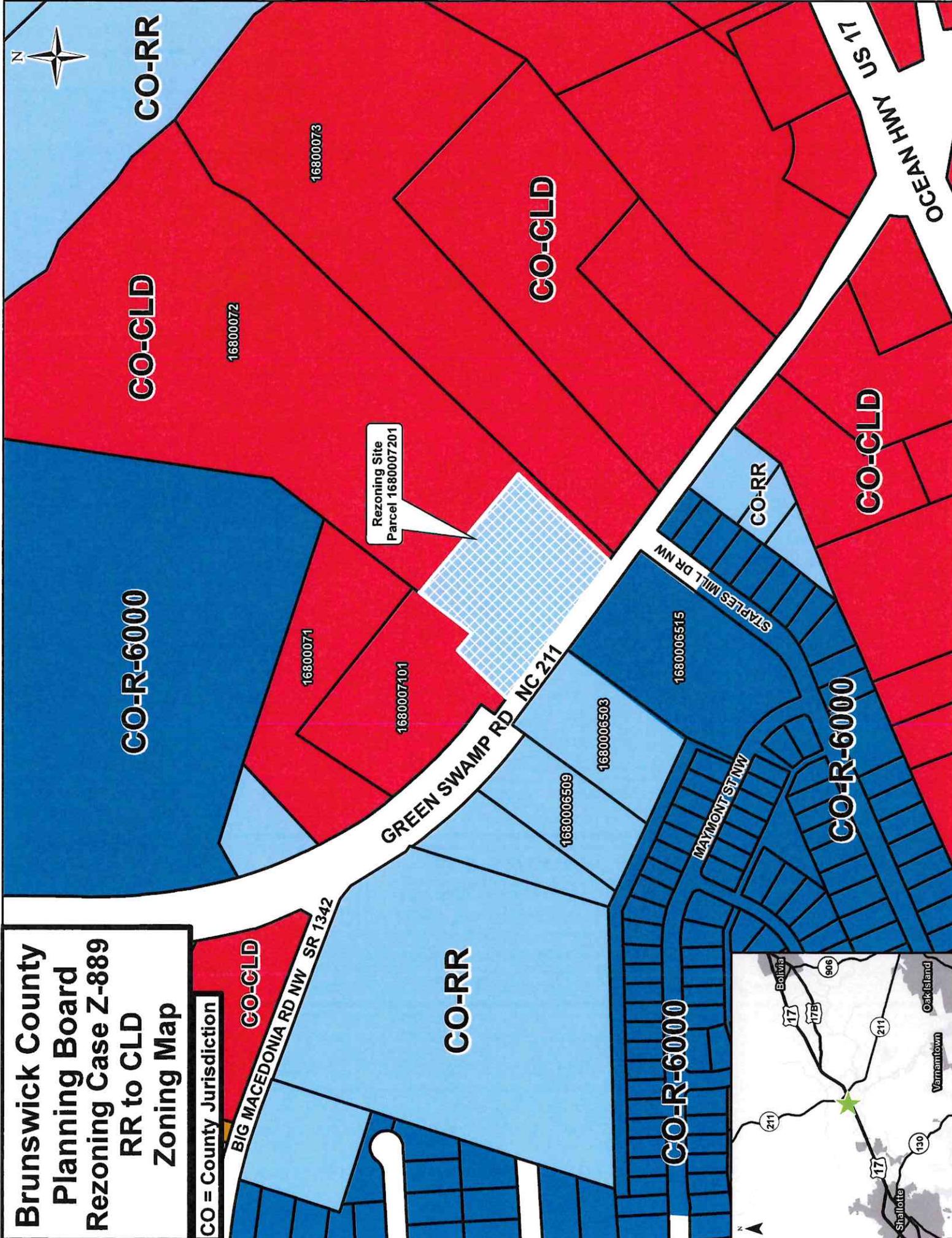
Brunswick County Planning Board Rezoning Case Z-889 RR to CLD Zoning Map

CO = County Jurisdiction

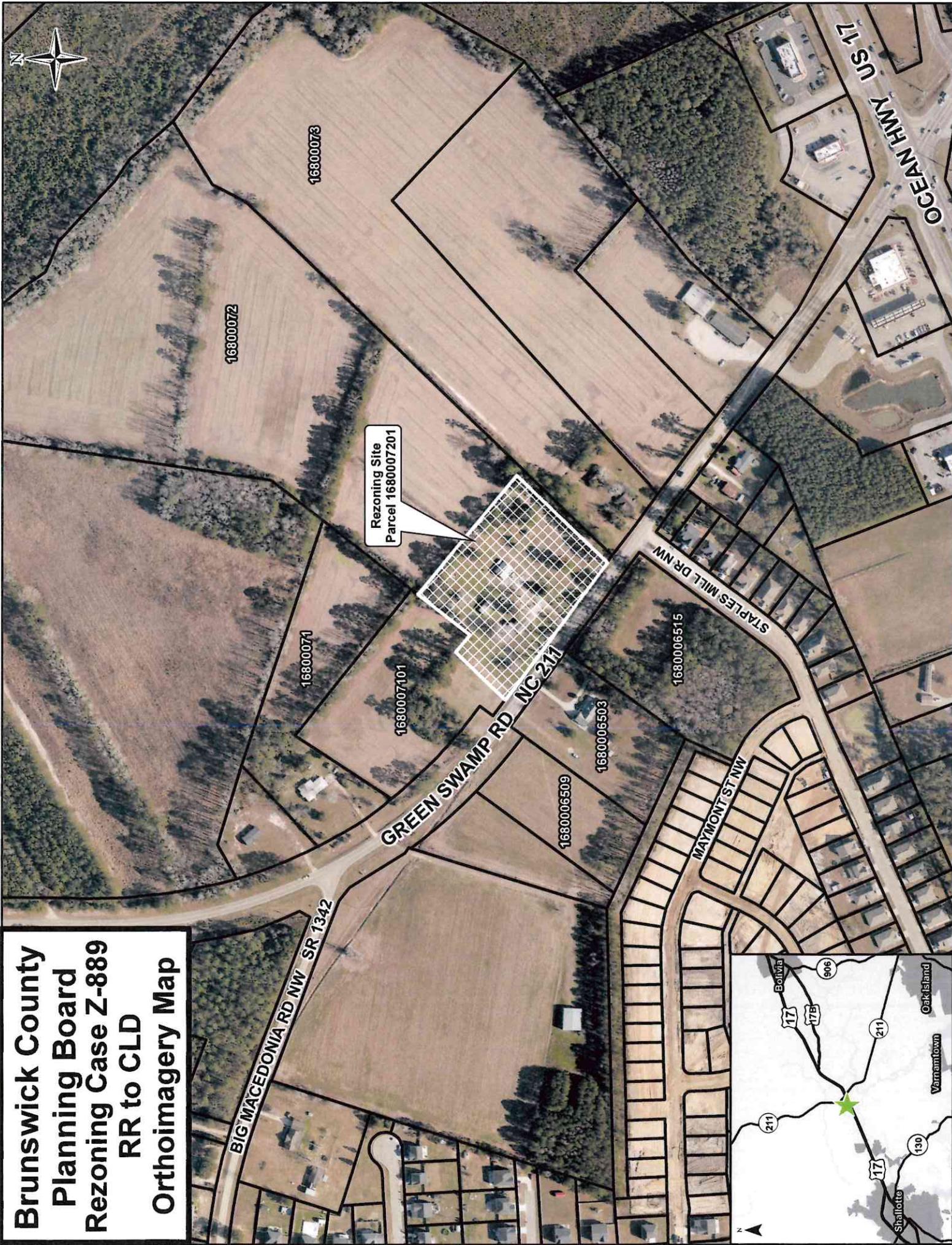
CO-CLD

BIG MACEDONIA RD NW SR 1342

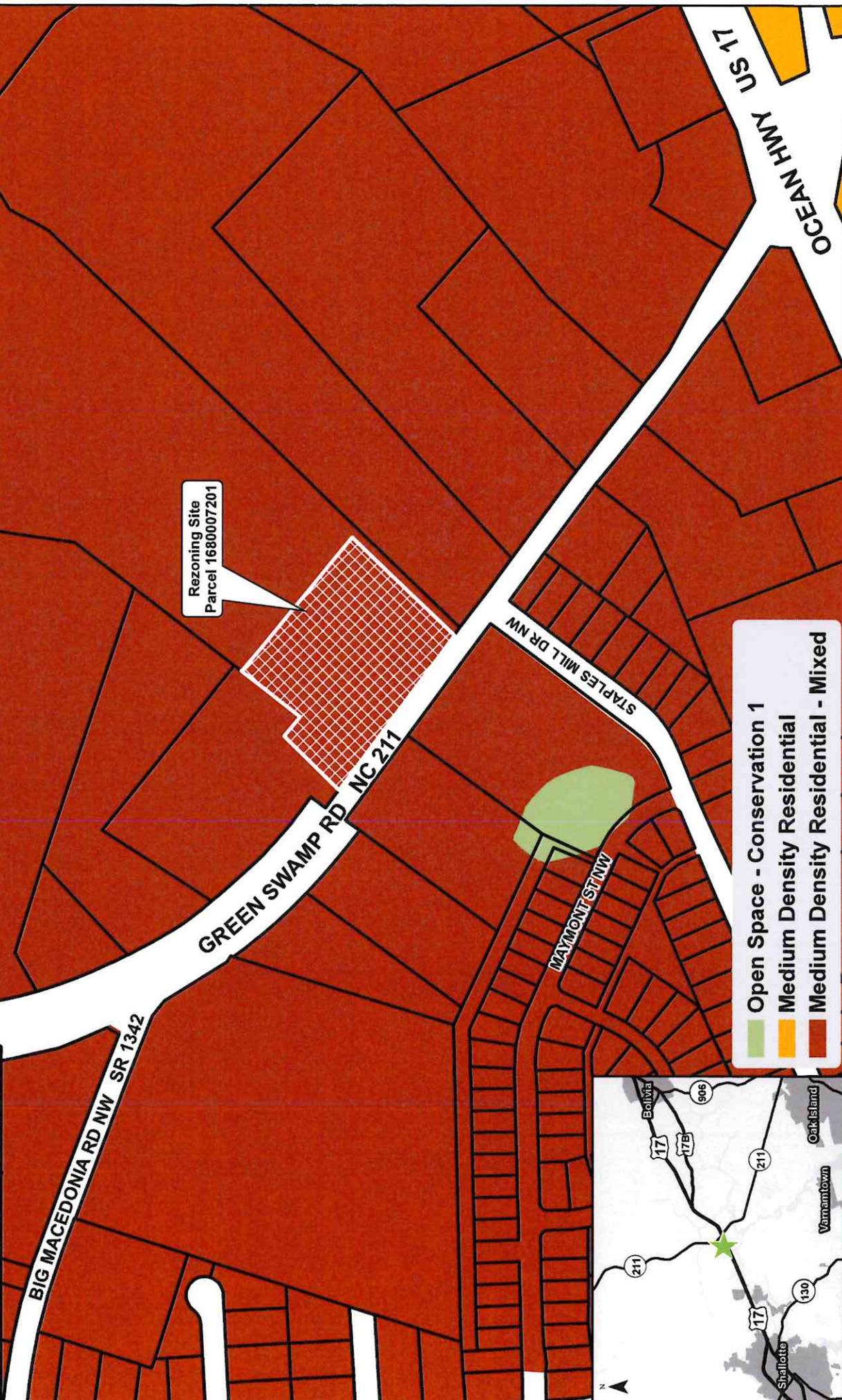
Rezoning Site
Parcel 1680007201



**Brunswick County
Planning Board
Rezoning Case Z-889
RR to CLD
Orthoimagery Map**



**Brunswick County
Planning Board
Rezoning Case Z-889
RR to CLD
Blueprint Brunswick 2040
Place Type Map**

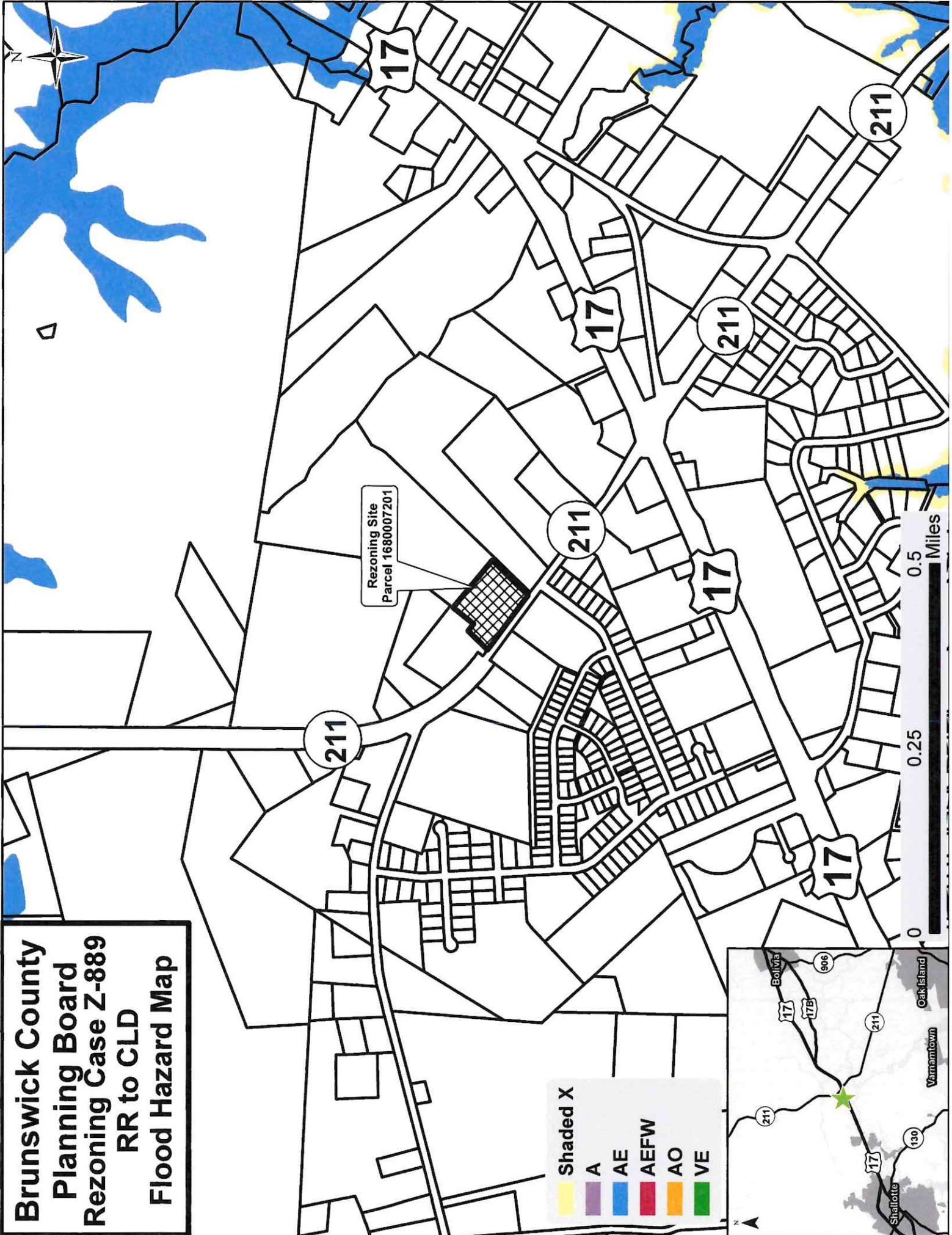


Rezoning Site
Parcel 1680007201

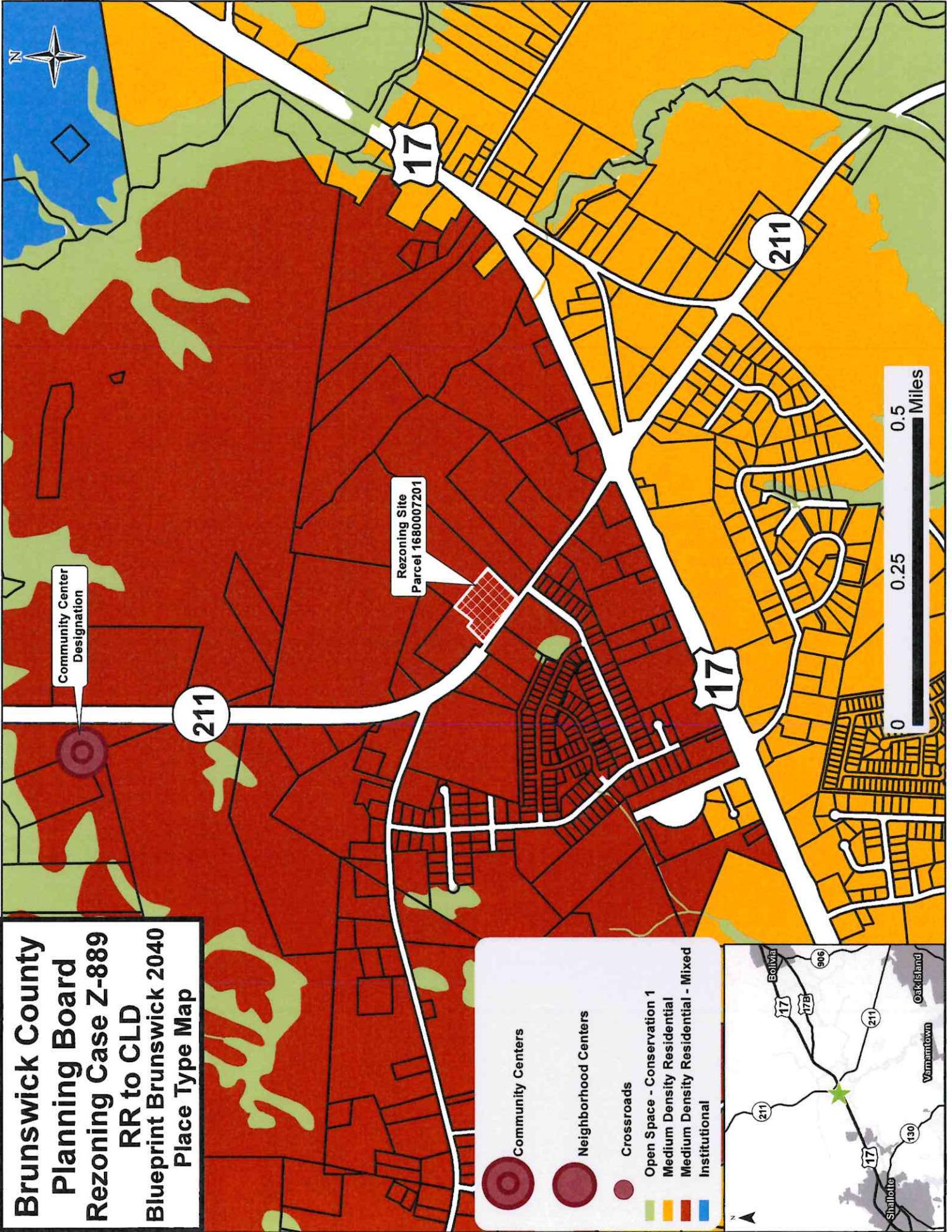
- Open Space - Conservation 1
- Medium Density Residential
- Medium Density Residential - Mixed



**Brunswick County
Planning Board
Rezoning Case Z-889
RR to CLD
Flood Hazard Map**



**Brunswick County
 Planning Board
 Rezoning Case Z-889
 RR to CLD
 Blueprint Brunswick 2040
 Place Type Map**



Community Center Designation

Rezoning Site
 Parcel 1680007201

Community Centers

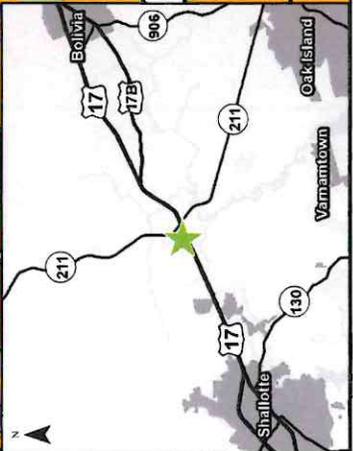
Neighborhood Centers

Crossroads

Open Space - Conservation 1

Medium Density Residential

Medium Density Residential - Mixed Institutional





REZONING APPLICATION

For Office Use Only

889

Rezoning Case Z- _____ Invoice # _____

Date Received 4/12/24

Northwest Jurisdiction YES NO

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

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

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

Applicant Name(s): South Brunswick Development LLC
David Summerlin

Mailing Address: 1430 Commonwealth Dr Suite 102
Wilmington, NC 28403

Phone: (910) 444-9012

Email: david.summerlin@scpccommercial.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s): Emily Sellers

Mailing Address: 1600 Frink St
Ocean Isle Beach, NC 28469

Phone: (910) 443-1989

Email: walt@plcoib.com

PROPERTY INFORMATION

Property Address and/or Description of Location: 130 Green Swamp Rd
Supply, NC 28462

Parcel Tax ID #(s): 1680007201

Total Site Acreage: 3.9 Acres

Current Zoning District(s): CO-RR

Proposed Zoning District(s): CO-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:

Property owner wishes to rezone to be compatible with all surrounding parcels

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:

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: David Summerlin dotloop verified 04/15/24 12:10 PM EDT GDRT-TBWP-SNZ7-I58Z Date: _____

Owner Signature: Emily Sellers dotloop verified 04/15/24 12:23 PM EDT BYAS-BYEG-IHQ5-8TN Date: _____

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.

Z-889

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
1680007101	CARLISLE JAMES ETUX	CARLISLE CAROL	1099 HEWETT RD SW	SUPPLY	NC	28462-5801
1680006509	EVANS GERALD S ETALS	EVANS PEGGY J	3779 SPICETREE DR	WILMINGTON	NC	28412-7555
16800072	THE GALLOWAY 4 LLC		671 MARBELLA CT NW	CALABASH	NC	28467-1769
1680006503	DILLAHAY CHAD L ETUX	DILLAHAY NATALIA D	131 GREEN SWAMP RD	SUPPLY	NC	28462-3483
16800073	THE GALLOWAY 4 LLC		671 MARBELLA CT NW	CALABASH	NC	28467-1769
1680006515	MIRIMAR RICHMOND HILLS LLC		3429 E INDIGO CIR	MESA	AZ	85213-3276
16800071	THE GALLOWAY 4 LLC		671 MARBELLA CT NW	CALABASH	NC	28467-1769

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
1680007201	SELLERS EMILY K		130 GREEN SWAMP RD	SUPPLY	NC	28462-3484

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	SOUTH BRUNSWICK DEVELOPMENT, LLC	ATTN: DAVID SUMMERLIN	1430 COMMONWEALTH DR SUITE 102	WILMINGTON	NC	28403

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-890
June 10, 2024

APPLICATION SUMMARY

The applicants, Scott and Adrienne Byrd, request to rezone Tax Parcel 2290004505 from IG (Industrial General) to NC (Neighborhood Commercial). 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

Todd Road NW (SR 1147) Near Supply, NC

Tax Parcels

2290004505

Current Zoning

IG (Industrial General)

Proposed Zoning

NC (Neighborhood Commercial)

Surrounding Zoning

NC (Neighborhood Commercial) and IG (Industrial General)

Current Use

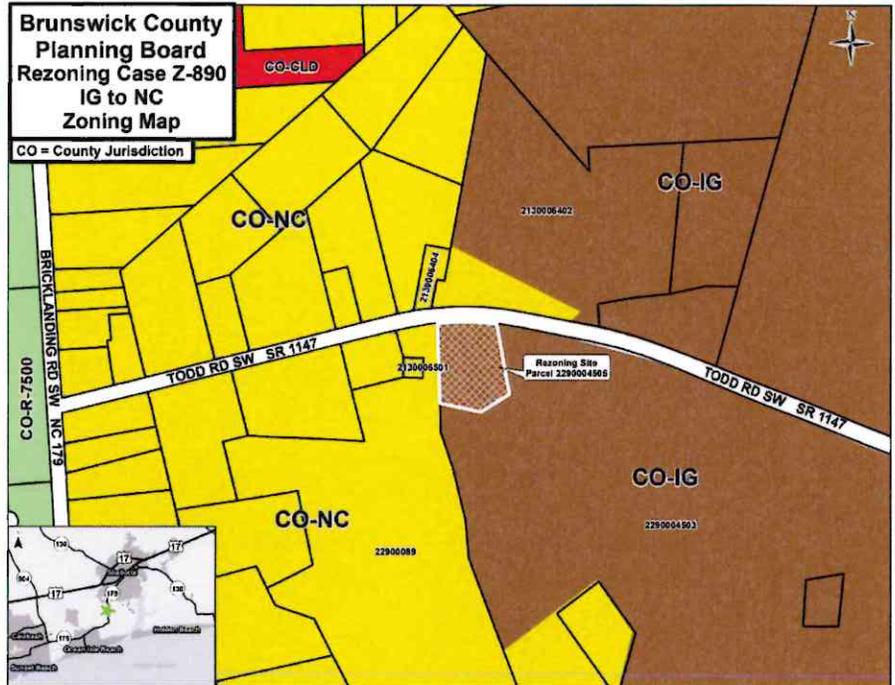
Vacant Land

Surrounding Land Uses

Residential, Commercial, and Vacant Lands

Size

1.99 acres



SITE CONSIDERATIONS

Zoning History:

- The zoning of the subject parcel was changed in 2007 from RU (Rural) to IG (Industrial General) with the adoption of the Brunswick County Unified Development Ordinance (UDO).

Buffers: If rezoned to NC, no buffer is required adjacent to NC zoned property. If adjacent to IG, all uses will require a 0.2 opaque buffer if vacant and a 1.0 opaque buffer if developed.

Street Yard Buffers: A 20-foot Street Yard Buffer may be required depending on the design and use of any future development.

Utilities: Water is available from Brunswick County Utilities. Public sewer is not available in the area. Utility connections are the developer's responsibility to connect to the water system.

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

CIP Projects in Area: OIB Wastewater Treatment Plant Expansion (FY 2025-2026), Shallotte Wastewater Treatment Plant Expansion (FY 2027).

Traffic: There are no capacity deficiencies for this section of Todd Road (SR 1147).

NCDOT Road Improvement Projects in Area:

- Smith Avenue and US 17 (U-5862)–Upgrade to interchange (2027).

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: The project site scores a 0 out of 10 due to a lack of biodiversity and wetlands on the site.
- The requested parcel is not located within a half mile of a Voluntary Agricultural District property.

ANALYSIS

Proposed Zoning District:

"The N-C, Neighborhood-Commercial District is primarily intended to accommodate very low intensity office, retail and personal service uses within and adjoining residential areas. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including low intensity office, retail, and personal service uses, without disrupting the character of the neighborhood. Compatibility with nearby residences is reflected in design standards for both site layout and buildings. In addition, uses in the N-C District will have minimal infrastructure demands."

Existing Blueprint Brunswick 2040 Plan Place Type:

Industrial Intense. This area generally accommodates manufacturing and production uses, including heavy manufacturing, light manufacturing, warehousing, distribution, assembly operations, water and sewer treatment plants, major power plants, and landfills. They are found close to major transportation corridors and are generally buffered from surrounding development by transitional uses or landscaped areas that shield the view of structures, loading docks, or outdoor storage from adjacent properties. Typically, both parcels and building footprints are large. Most of the open space is on site, privately managed, and intended for use by the building occupants. Most streets are private, designed for truck access, and access is limited by security mechanisms (gates, etc.).

Blueprint Brunswick 2040 Plan Place Type: INDI (Industrial Intense)

- Conditionally consistent with the Blueprint Brunswick 2040 Plan Place Type.
- Not Consistent with the Blueprint Brunswick 2040 Plan existing Place Type. If the place type is not consistent, a land use amendment is required.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-890, with the proposed place type designation amendment to Mixed Residential Living (MDR-M): based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

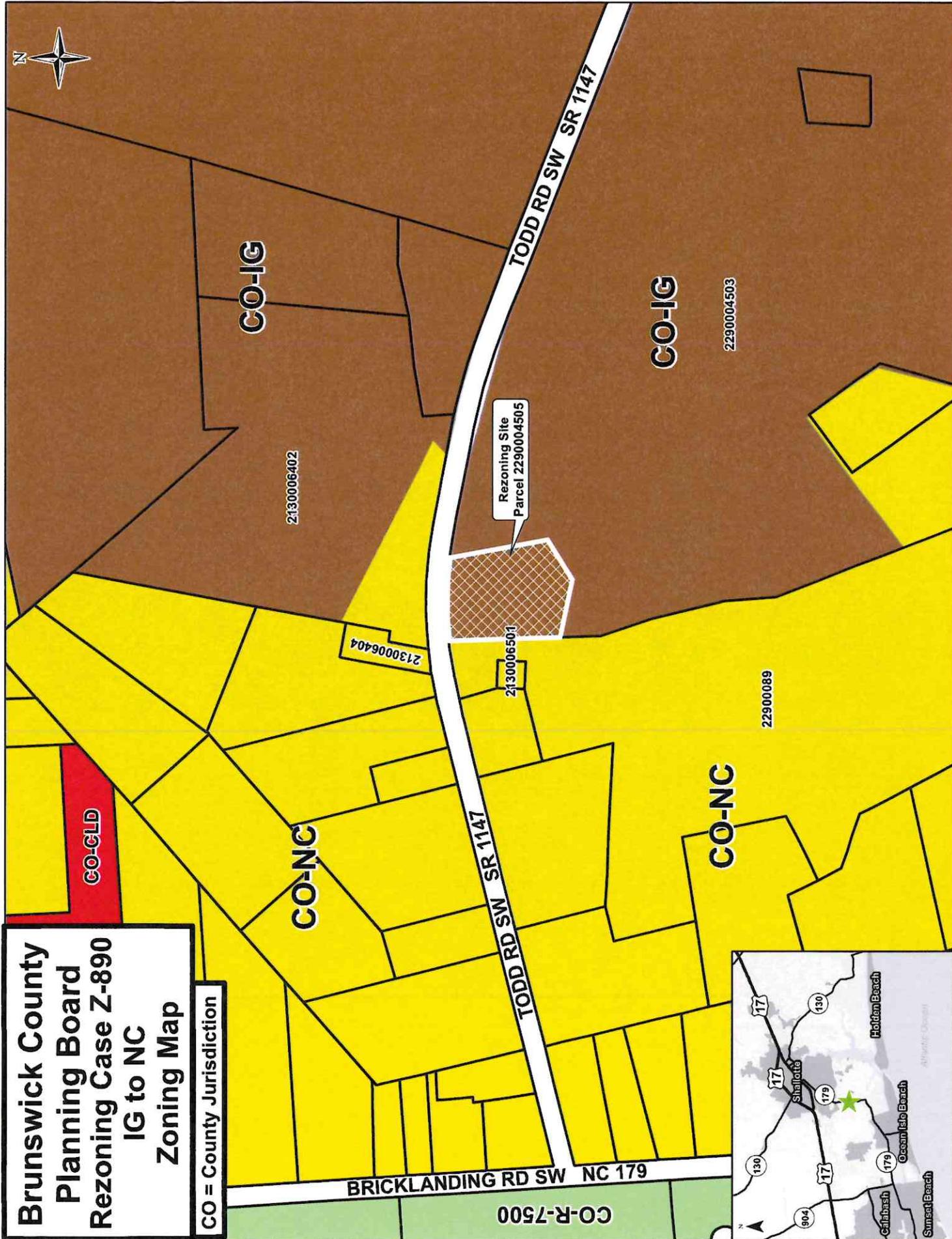
This request is **NOT CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Commercial Suitability Map identifies the subject parcels as generally suitable for commercial development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.



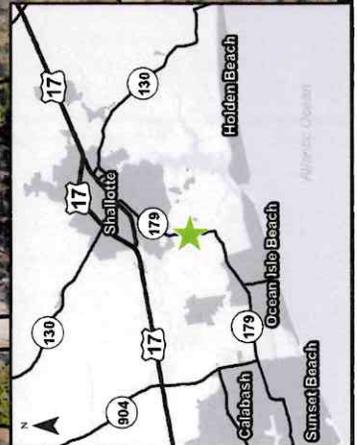
**Brunswick County
Planning Board
Rezoning Case Z-890
IG to NC
Zoning Map**

CO = County Jurisdiction



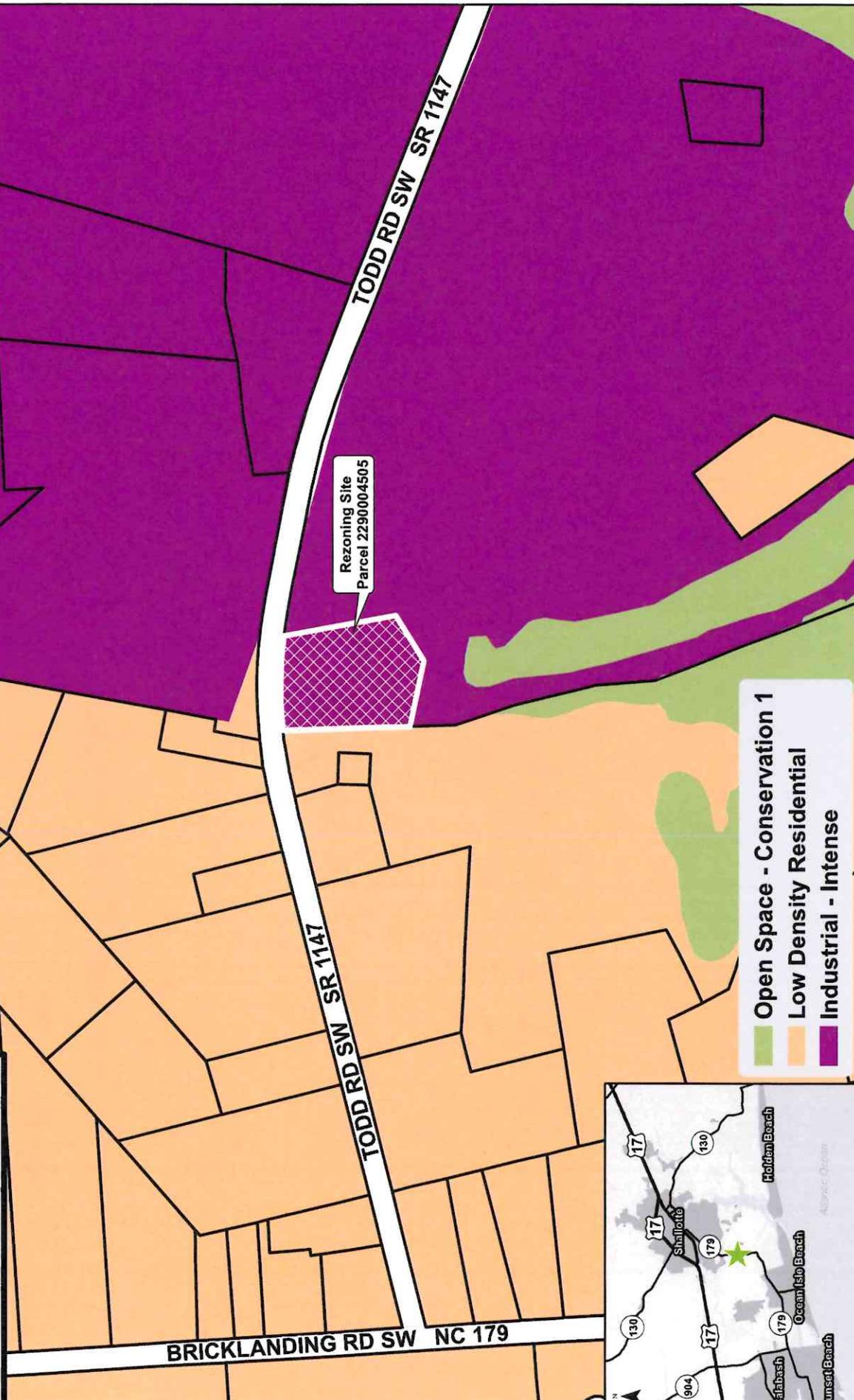


**Brunswick County
Planning Board
Rezoning Case Z-890
IG to NC
Orthoimagery Map**

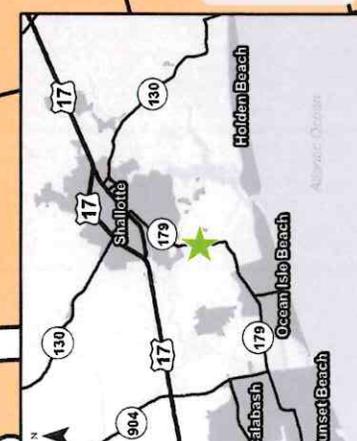




**Brunswick County
Planning Board
Rezoning Case Z-890
IG to NC
Blueprint Brunswick 2040
Place Type Map**



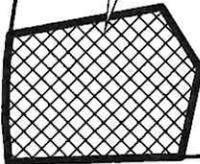
- Open Space - Conservation 1
- Low Density Residential
- Industrial - Intense





TODD RD SW SR 1147

Rezoning Site
Parcel 2290004505



0 500 1,000 Feet

**Brunswick County
Planning Board
Rezoning Case Z-890
IG to NC
Flood Hazard Map**

BRICKLANDING RD SW NC 179

Shaded X

	A
	AE
	AEFW
	AO
	VE





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>890</u>	Invoice # <u>8991772024</u>
Date Received <u>21-Feb-24</u>	Project <u>597597</u>
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): Scott A. Byrd	
Mailing Address: 950 Donaldsons Way SW, Shallotte NC, 28470	
Phone: 703.606.6170	Email: sabyrd@comcast.net
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <i>SAME AS ABOVE</i>	
Mailing Address: <i>SAME AS ABOVE</i>	
Phone: <i>SAME AS ABOVE</i>	Email: <i>SAME AS ABOVE</i>
PROPERTY INFORMATION	
Property Address and/or Description of Location: A new parcel, address unknown. Along Todd Road.	
Parcel Tax ID #(s): 2290004505	Total Site Acreage: 1.99 acres
Current Zoning District(s): IG	Proposed Zoning District(s): NC
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:

**Subject parcel is being sold, with new owners planning to build a residence.
Rezoning will match surrounding zoning, and is consistent with the character of the area.**

LAND USE COMPATIBILITY

Future Land Use Map Classification: *INDUSTRIAL INTENSIVE*

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:

RESIDENTIAL DWELLINGS NEARBY & THE AREA IS IN TRANSITION.

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: *[Signature]* Date: *2/21/2024*

Owner Signature: *[Signature]* Date: *2/21/2024*

Owner Signature: *Adrienne Boyd* Date: *2/21/24*

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.

Z-890

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
2130006501	GORE TRISHA DAVIS ETALS		4673 TODD ROAD	SHALLOTTE	NC	28470
2130006404	JOHNSON STEVEN LAMAR		4700 TODD RD SW	SHALLOTTE	NC	28470-5350
22900089	JOHNSON BOBBY W ETALS		4722 TODD RD SW	SHALLOTTE	NC	28470-5350
2290004503	BYRD SCOTT ETUX	BYRD ADRIENNE	950 DONALDSONS WAY SW	SHALLOTTE	NC	28470-1932
2130006402	FULLY LOADED MARINE LLC		2986 OLD BERWICK ST SW	SHALLOTTE	NC	28470-6139

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
2290004505	BYRD SCOTT ETUX	BYRD ADRIENNE	950 DONALDSONS WAY SW	SHALLOTTE	NC	28470-1932

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	BYRD SCOTT ETUX	BYRD ADRIENNE	950 DONALDSONS WAY SW	SHALLOTTE	NC	28470-1932

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-891
June 10, 2024

APPLICATION SUMMARY

The applicant, J. Phillip Norris, requests to rezone Tax Parcels 21100053 and 2110005303 from CLD (Commercial Low Density) and R-7500 (Medium Density Residential) 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

7611 and 7707 Ocean Highway West
(US 17) near Shallotte, NC.

Tax Parcels

211000053 and 2110005303

Current Zoning

IG (Industrial General)

Proposed Zoning

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

Surrounding Zoning

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

Current Use

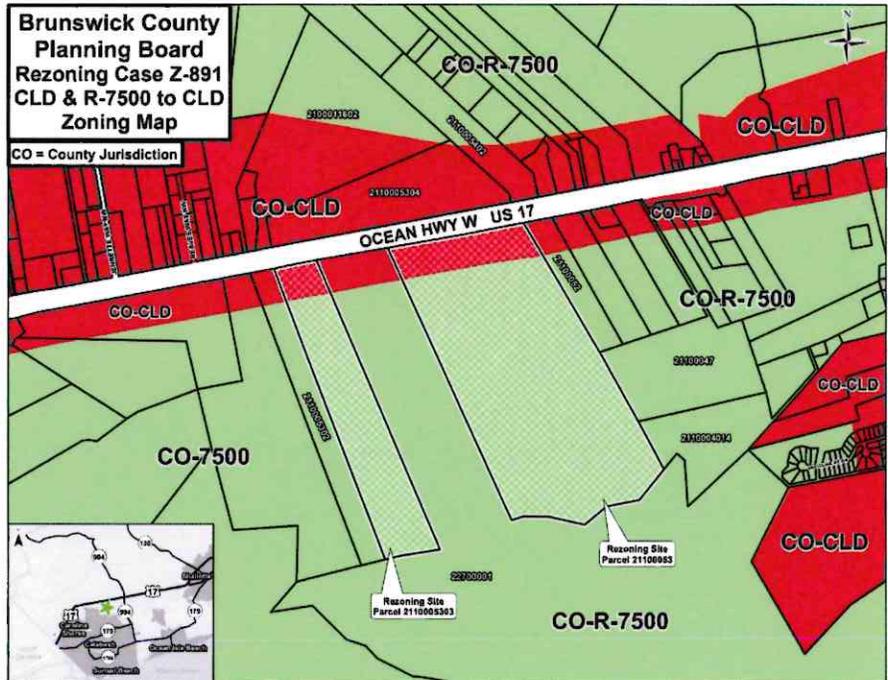
Vacant Land

Surrounding Land Uses

Residential and Vacant Lands

Size

138 acres



SITE CONSIDERATIONS

Zoning History:

- The zoning of the subject parcels has remained unchanged since countywide zoning was adopted in 1994.

Buffers: If rezoned to CLD, no buffer is required adjacent to vacant CLD zoned property. A 0.4 opacity buffer shall be required if an adjacent CLD zoned property has an existing residential use present. If adjacent to R-7500, all uses will require a 0.4 opaque buffer if vacant and a 0.6 opaque buffer if developed.

Street Yard Buffers: A 20-foot Street Yard Buffer may be required depending on the design of any future development.

Utilities: Water and sewer is available from Brunswick County Utilities along Ocean Highway West. Utility connections are the developer's responsibility to connect to the water and sewer system.

Schools: Jesse Mae Monroe Elementary School, Shallotte Middle School, and West Brunswick High School have adequate capacity.

CIP Projects in Area: OIB Wastewater Treatment Plant Expansion (FY 2025-2026), Shallotte Wastewater Treatment Plant Expansion (FY 2027).

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

NCDOT Road Improvement Projects in Area:

- Carolina Bays Parkway (R-5876) – Planning and Design Phase
- Smith Avenue and US 17 (U-5862) – Upgrade to interchange (2027).

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: Portions of the project site score a 5 out of 10 due to potential wetlands on the site.
- Portions of the requested parcels are located within a half mile of a Voluntary Agricultural District property.

ANALYSIS

Proposed Zoning District:

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

Existing Blueprint Brunswick 2040 Plan Place Type:

Open Space-Conservation 1, these areas consist primarily of undisturbed open space: floodways and floodplains, high-risk flood areas, publicly protected lands (e.g., state-maintained sanctuaries), CAMA setbacks, privately protected lands (i.e., conservation easements), NC Natural Heritage Conservation Program areas, and historically or culturally significant areas/properties. Though some development exists in these areas, new development is unlikely. New uses are associated with access to protected open space (i.e., game lands for hunting, nature preserves for education and passive recreation) and natural resource management. Maintaining environmental integrity or historic value are major considerations in land-disturbing activities.

Medium Density Residential (MDR), This area consists of—or can support—single-family detached homes on varying lot sizes. Improved open spaces in the form of neighborhood parks and recreational amenities are interspersed. Greenway trails within provide links to greenway trails in the area. Maximum impervious coverage limitations help preserved green space.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-891, with the proposed place type designation amendment to Mixed Residential Living (MDR-M): based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

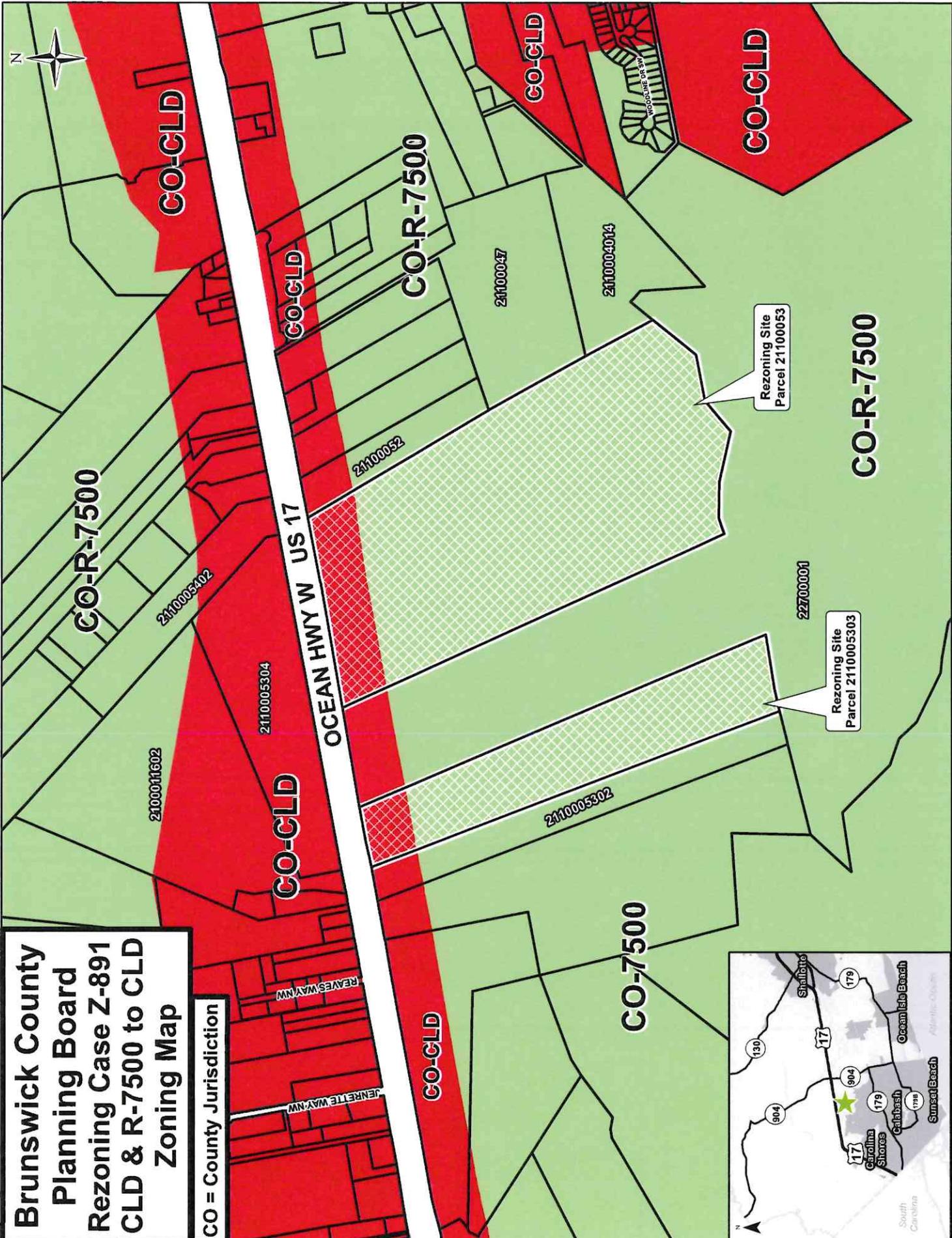
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is **NOT CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Commercial Suitability Map identifies the subject parcels as generally suitable for commercial development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 5 out of 10.
4. Will correct a split zoning on both properties.

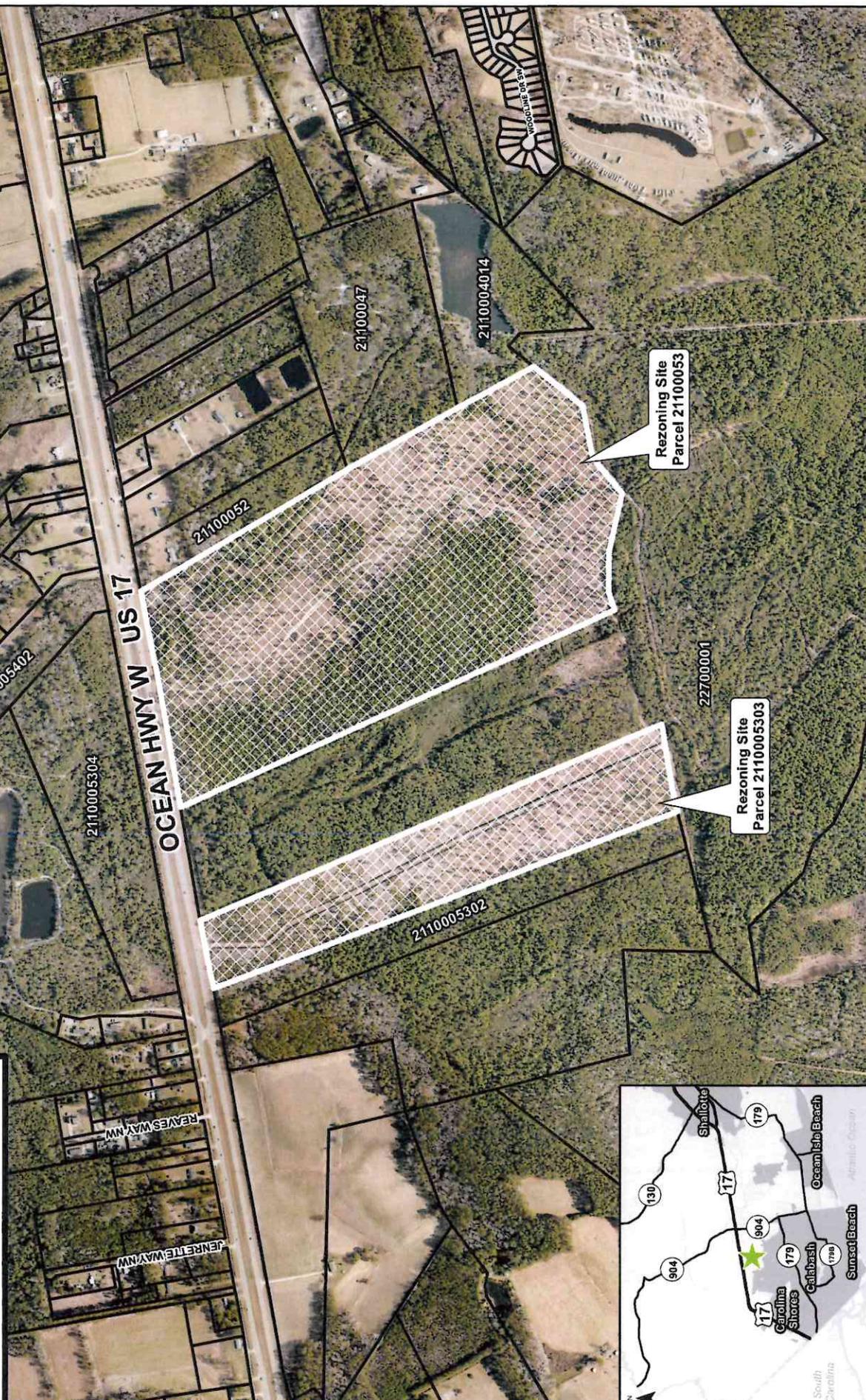
**Brunswick County
Planning Board
Rezoning Case Z-891
CLD & R-7500 to CLD
Zoning Map**

CO = County Jurisdiction



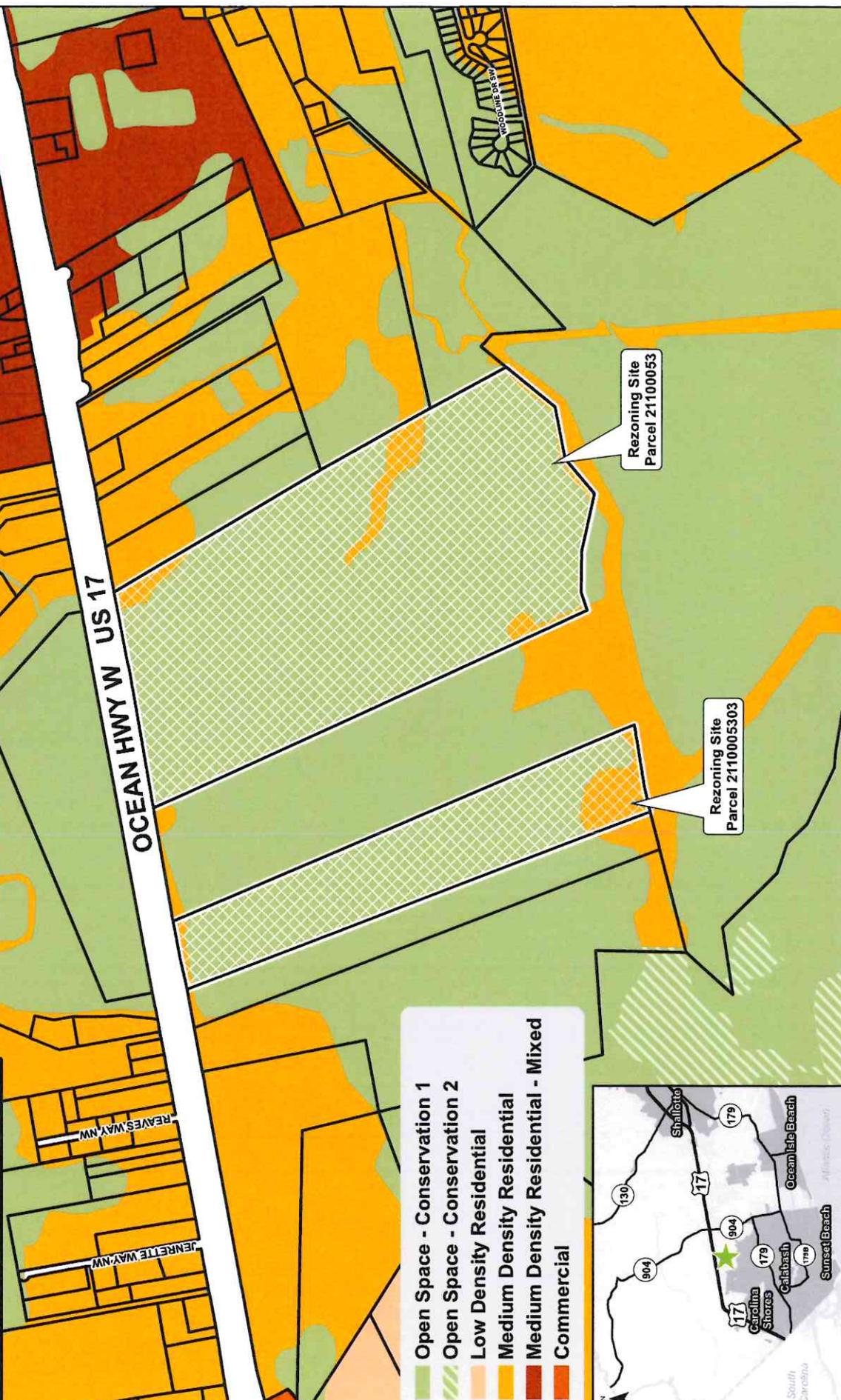


**Brunswick County
Planning Board
Rezoning Case Z-891
CLD & R-7500 to CLD
Orthoimagery Map**

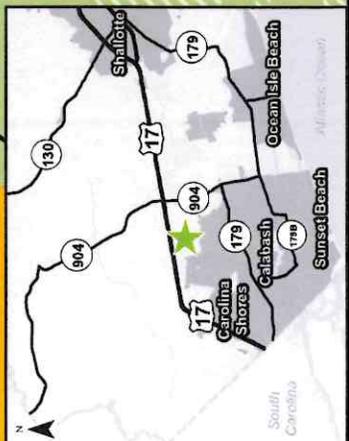




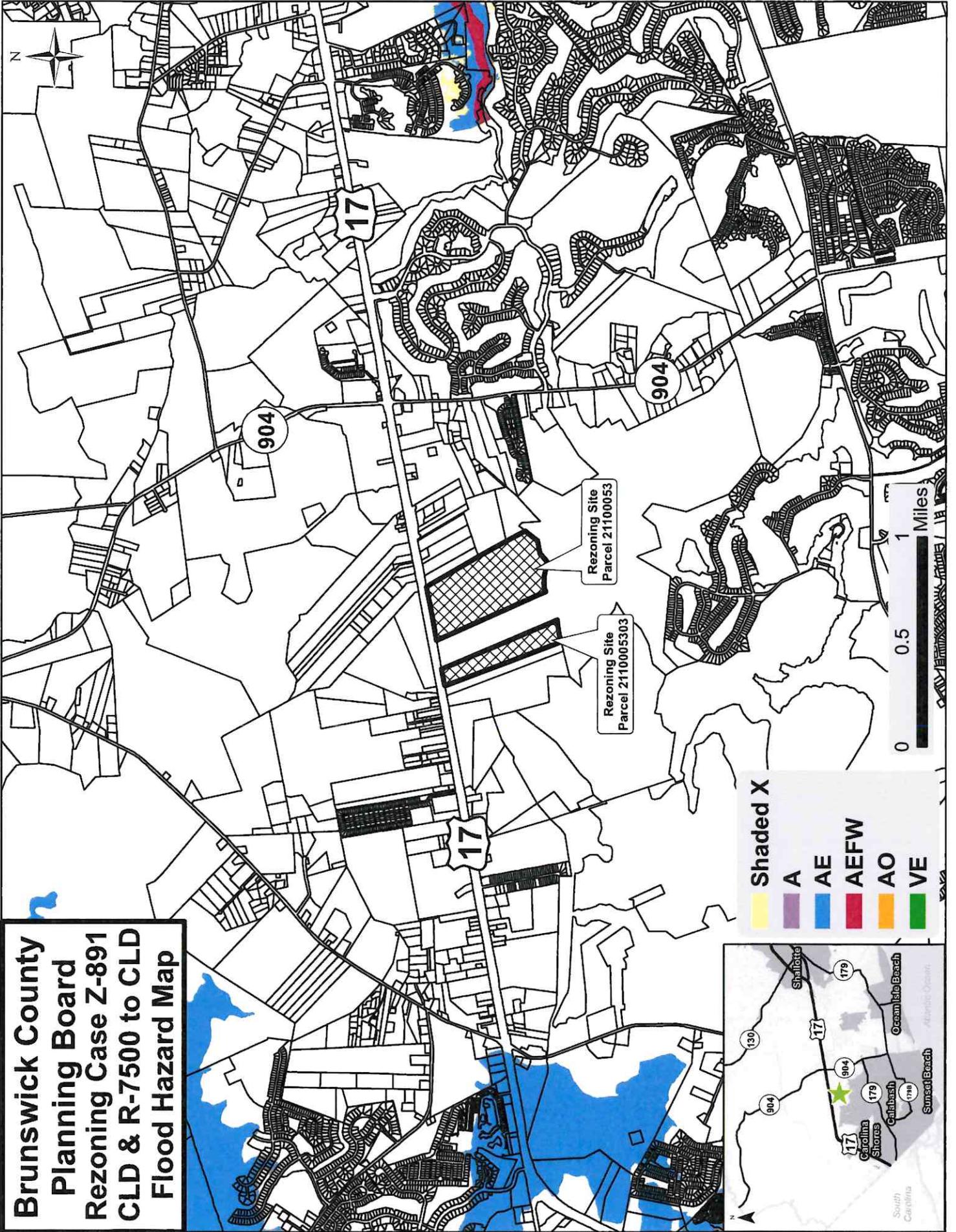
**Brunswick County
Planning Board
Rezoning Case Z-891
CLD & R-7500 to CLD
Blueprint Brunswick 2040
Place Type Map**



- Open Space - Conservation 1
- Open Space - Conservation 2
- Low Density Residential
- Medium Density Residential
- Medium Density Residential - Mixed
- Commercial



**Brunswick County
Planning Board
Rezoning Case Z-891
CLD & R-7500 to CLD
Flood Hazard Map**





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>891</u>	Invoice # _____
Date Received <u>4/12/24</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): J. Phillip Norris, P.E.	
Mailing Address: 1429 Ash-Little River Rd. NW Ash NC 28420	
Phone: 910-287-5900	Email: pnorris@nbeng.com
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): Robert Thomas	
Mailing Address: 9 Prathers Woods Lane Augusta, GA 30909-3103	
Phone: 803-952-8378	Email: bothomas35@gmail.com
PROPERTY INFORMATION	
Property Address and/or Description of Location:	
Parcel Tax ID #(s): 21100053 2110005303	Total Site Acreage: 103.2 AC 35 AC
Current Zoning District(s): CLD & R7500	Proposed Zoning District(s): CLD
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:

It is the same zoning as the portion of the site adjacent to US 17.

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:

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: 3/2/2024

Owner Signature: [Signature]

Date: 2/2/2024

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.

Z-891

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
21100047	FRINK JAMES F	C/O LEMAN FRINK	7541 OCEAN HWY W	SUNSET BEACH	NC	28468-6108
2110004014	VILLA JAMES V		7256 FARM LOOP PATH	SUNSET BEACH	NC	28468
2110005304	BLACKMAN DIANE K AND	CHYKIRDA WAYNE R	PO BOX 6142	OCEAN ISL BCH	NC	28469-0142
21100052	FRINK JAMES F	C/O LEMAN FRINK	7541 OCEAN HWY W	SUNSET BEACH	NC	28468-6108
22700001	SUNSET BEACH DEVELOPMENT LLC		2002 OAK ST SUITE 200	MYRTLE BEACH	SC	29577
2100011602	BLACKMAN DIANE K AND	CHYKIRDA WAYNE R	PO BOX 6142	OCEAN ISL BCH	NC	28469-0142
2110005402	OCEAN VIEW MISSIONARY BAPTIST ASSO	C/O FREEMAN GAUSE	8221 OCEAN HWY WEST	SUNSET BEACH	NC	28468
2110005302	PICKETT GEORGE EDWARD V		7507 JONQUIL CT	WILMINGTON	NC	28409-2695

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
21100053	THOMAS ROBERT P JR ETUX	THOMAS KATHRYN A	9 PRATHER WOODS LN	AUGUSTA	GA	30909-3103
2110005303	THOMAS ROBERT P JR		9 PRATHER WOODS LANE	AUGUSTA	GA	30909

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	J. PHILLIP NORRIS, P.E.		1429 ASH-LITTLE RIVER RD NW	ASH	NC	28420

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-892
June 10, 2024

APPLICATION SUMMARY

The applicant, Fay Arican, request to rezone Tax Parcel 214CB01801 from RR (Rural Residential) and SBR-6000 (High Density Site Built Residential) to RR (Rural Residential). 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

3252 Oak Drive SW near Shallotte, NC

Tax Parcels

214CB01801

Current Zoning

RR (Rural Residential) and SBR-6000
(High Density Site Built Residential)

Proposed Zoning

RR (Rural Residential)

Surrounding Zoning

RR (Rural Residential) and SBR-6000
(High Density Site Built Residential)

Current Use

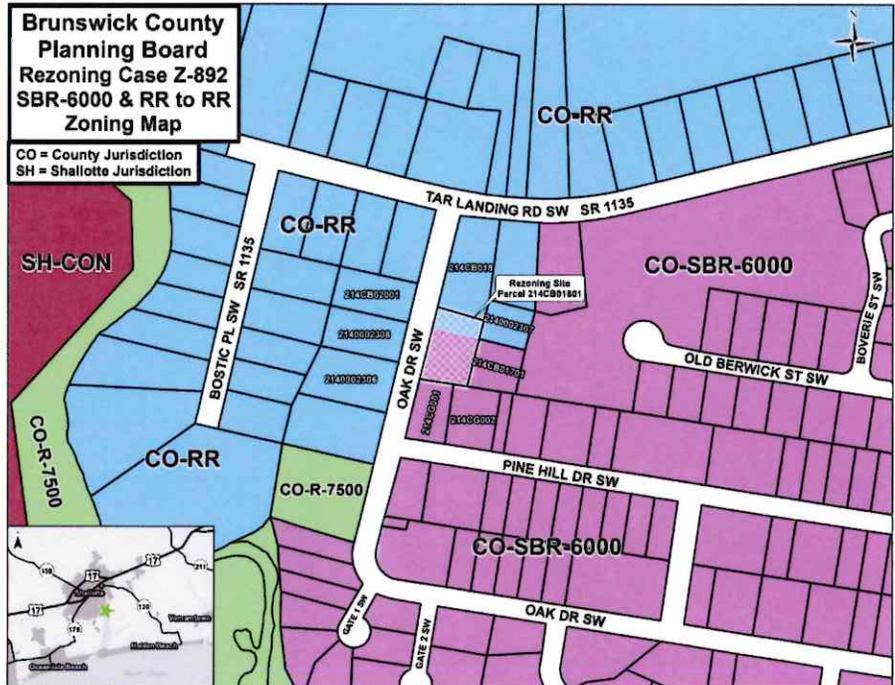
Residential

Surrounding Land Uses

Residential and Vacant Lands

Size

0.49 acres



SITE CONSIDERATIONS

Zoning History:

- The northern portion of the property was changed from RU (Rural) to RR (Rural Residential) as part of the UDO changes in 2007. The southern portion of the property has remained SBR-6000 since zoning was first adopted in 1994.

Buffers: If rezoned to RR, no buffer is required adjacent to vacant RR zoned property. If adjacent to SBR-6000, all uses will require a 0.2 opaque buffer if vacant and a 0.2 opaque buffer if developed.

Street Yard Buffers: A 20-foot Street Yard Buffer may be required depending on the use and design of any future development.

Utilities: Water is available from Brunswick County Utilities along Oak Drive SW. Sewer is not available in the area. Utility connections are the developer's responsibility to connect to the water system.

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

CIP Projects in Area: Shallotte Wastewater Treatment Plant Expansion (FY 2027).

Traffic: There are no capacity deficiencies for this section of Oak Drive SW or nearby Tar Landing Road SW (SR 1135).

NCDOT Road Improvement Projects in Area:

- US 17 and Red Bug Road Intersection Improvements (HS-2003W) – Under Construction.
- Smith Avenue and US 17 (U-5862) – Upgrade to interchange (2027).

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: The project site scores a 0 out of 10 due to a lack of potential biodiversity and wetlands on the site.
- The requested parcel is not located within a half mile of a Voluntary Agricultural District property.

ANALYSIS

Proposed Zoning District:

"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."

Existing Blueprint Brunswick 2040 Plan Place Type:

Medium Density Residential (MDR), This area consists of—or can support—single-family detached homes on varying lot sizes. Improved open spaces in the form of neighborhood parks and recreational amenities are interspersed. Greenway trails within provide links to greenway trails in the area. Maximum impervious coverage limitations help preserved green space.

Blueprint Brunswick 2040 Plan Place Type: MDR Place Types

- Conditionally consistent with the Blueprint Brunswick 2040 Plan Place Type.
- Not Consistent with the Blueprint Brunswick 2040 Plan existing Place Type. If the place type is not consistent, a land use amendment is required.

Proposed Blueprint Brunswick 2040 Plan Place Type:

Rural Agricultural, This area is characterized by the relatively undeveloped land and working lands (pastures, crops, timberlands). It is intended to remain rural while allowing residential uses at very low densities. New residential development is sensitively integrated, avoiding encroachment on agricultural operations or valuable natural and cultural features. Agricultural support uses, homebased businesses, and seasonal and temporary uses are part of the mix. Most of the open space is privately maintained. Conservation design, which preserves more natural open space (or agricultural land) in exchange for smaller minimum lot sizes, may be a preferred approach to conventional residential development, provided utilities are available.

The project site is designated as MDR Place Type. Staff finds the applicant's request reasonable and in the public's interest because the request for the RR zoning district is similar to the adjacent parcels and will correct a split zoning on the subject parcel.

Applicable Blueprint Brunswick 2040 Plan Policies:

- LU-2. Support development in areas that are best suited for future development.
- The Residential Suitability Map identifies the subject parcels as generally suitable for residential development.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-892, with the proposed place type designation amendment to Rural Agricultural: based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

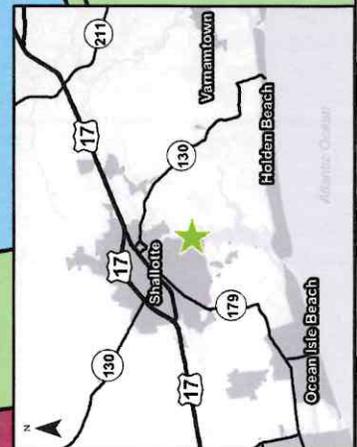
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is **NOT CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

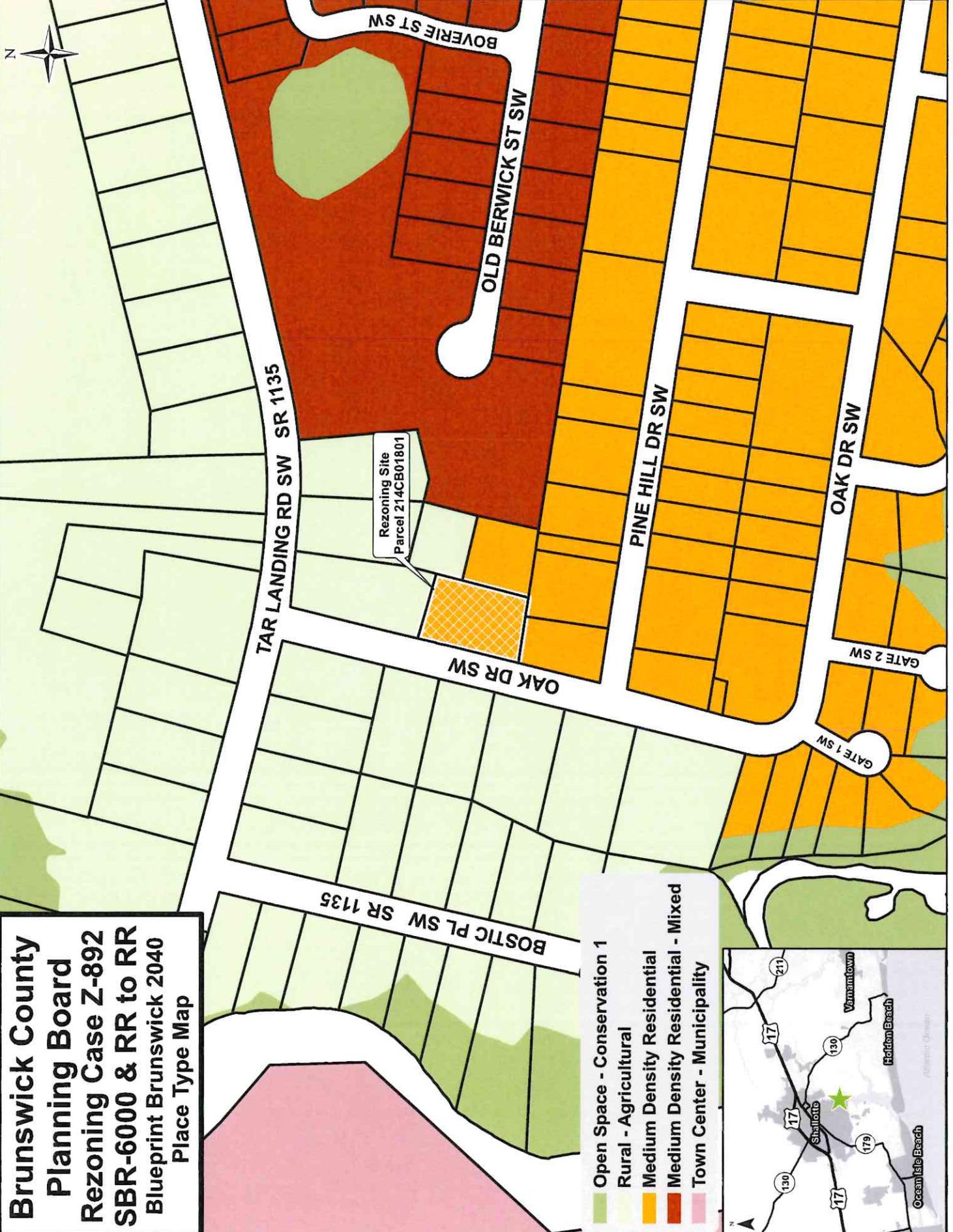
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.
4. Will correct a split zoning on the property.

Brunswick County Planning Board Rezoning Case Z-892 SBR-6000 & RR to RR Zoning Map

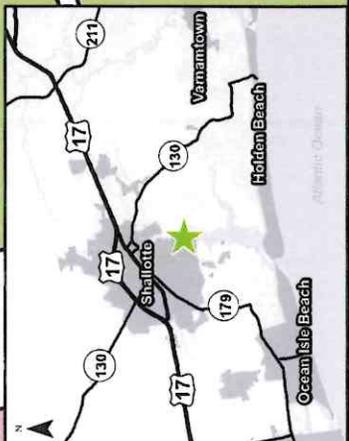
CO = County Jurisdiction
SH = Shalotte Jurisdiction



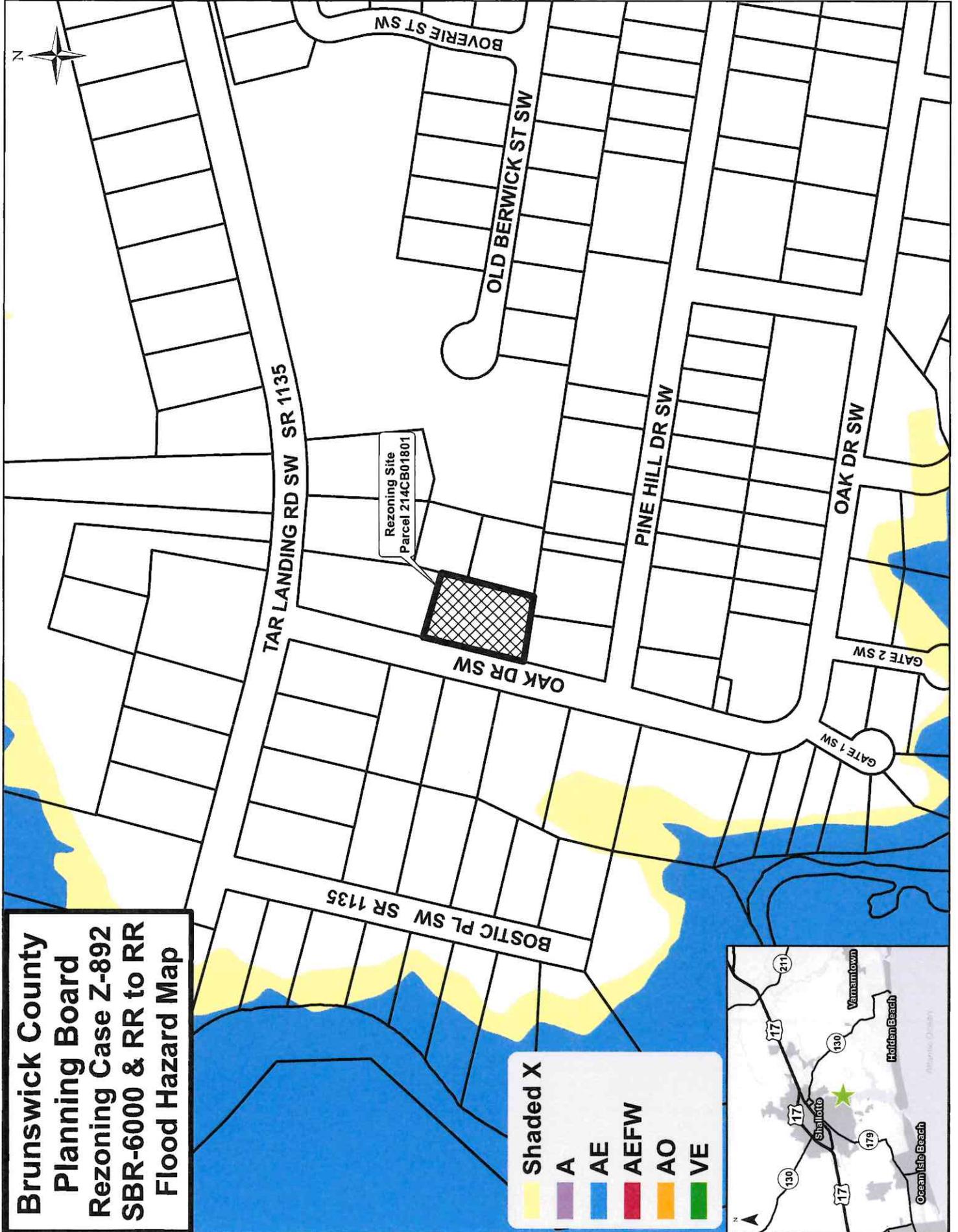
**Brunswick County
 Planning Board
 Rezoning Case Z-892
 SBR-6000 & RR to RR
 Blueprint Brunswick 2040
 Place Type Map**



- Open Space - Conservation 1
- Rural - Agricultural
- Medium Density Residential
- Medium Density Residential - Mixed
- Town Center - Municipality



**Brunswick County
 Planning Board
 Rezoning Case Z-892
 SBR-6000 & RR to RR
 Flood Hazard Map**



- Shaded X
- A
- AE
- AEFW
- AO
- VE





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>892</u>	Invoice # _____
Date Received <u>4/12/24</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): Fay Arican	
Mailing Address: 3252 Oak Dr SW Shallotte, NC	
Phone: (910)754-4575	Email: arican001@yahoo.com
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): Muhammad A and Edith Fay Arican	
Mailing Address: 3252 Oak Dr SW Shallotte, NC	
Phone: (910)754-4575	Email: arican001@yahoo.com
PROPERTY INFORMATION	
Property Address and/or Description of Location: 3252 Oak Dr SW Shallotte, NC	
Parcel Tax ID #(s): 214CB01801	Total Site Acreage: 0.49
Current Zoning District(s): Brunswick	Proposed Zoning District(s): Brunswick
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: Correct existing split zoning of our property. Consistent with properties North & West.

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: On the border of being consistent with properties North & West which are RR.

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: Jay Arican Date: 4-9-2024

Owner Signature: Edith Jay Arican Date: 4-9-2024

Owner Signature: Mahmoud A Arican Date: 4-9-2024

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.

Z-892

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
214CB02001	HUTCHENS MICHAEL LEE		4713 TRUELOVE FARM RD	EAST BEND	NC	27018
214CB018	SMITH MORRIS W ETUX	SMITH JEAN A	3221 BUTNER MILL ROAD	EAST BEND	NC	27018
214CB01701	MATTHEWS LINDA J AND	JESTER RINDA J	232 EAST MAIN ST	EAST BEND	NC	27018
2140002308	SPINKS G RONALD ET	SPINKS LINDA S	110 GREENSBORO STREET	HOLDEN BEACH	NC	28462
2140002307	MATTHEWS LINDA J AND	JESTER RINDA J	232 EAST MAIN ST	EAST BEND	NC	27018
2140002306	VOSBURGH CHARLES A IV ETUX	NIX HEATHER N	3253 OAK DR SW	SHALLOTTE	NC	28470-5962
214CG002	CARICO IAN J		3190 PINE HILL DR SW	SHALLOTTE	NC	28470-5935
214CG001	LOHR STEVEN RAY		3196 PINE HILL DR SW	SHALLOTTE	NC	28470-5935

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
214CB01801	ARICAN EDITH F ETVIR	ARICAN MUHAMMAD A	3252 OAK DR SW	SHALLOTTE	NC	28470

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	FAY ARICAN		3252 OAK DR SW	SHALLOTTE	NC	28470

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-892, with the proposed land use classification amendment to Rural Agricultural: based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is **NOT CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-894
June 10, 2024

APPLICATION SUMMARY

The applicant, Daphne Williams, requests to rezone Tax Parcel 2260000836 from R-7500 (Medium Density Residential) 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

614 Thomasboro Road SW (SR 1165)
near Calabash, NC

Tax Parcels

2260000836

Current Zoning

R-7500 (Medium Density Residential)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

R-7500, CLD, and CA-PUD (Calabash Jurisdiction)

Current Use

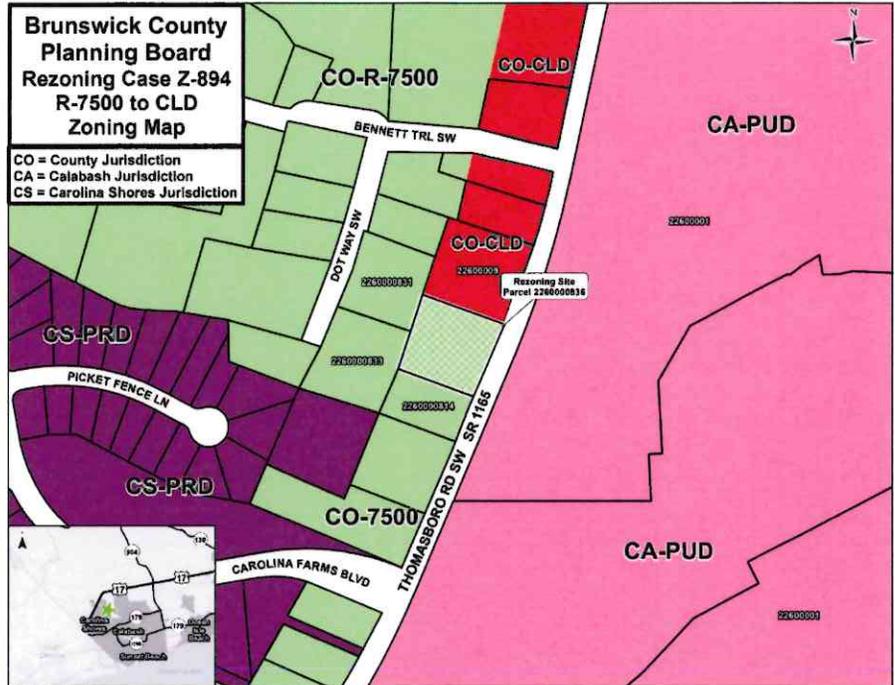
Vacant

Surrounding Land Uses

Residential, Commercial, and Vacant Lands

Size

0.97 acres



SITE CONSIDERATIONS

Zoning History:

- The property has been zoned R-7500 since countywide zoning was adopted in 1994.

Buffers: If rezoned to CLD, all uses will require a 0.4 opaque buffer if vacant and a 0.6 opaque buffer if developed adjacent to R-7500 zoned property. A buffer would not be required adjacent to CLD zoned property.

Street Yard Buffers: A 20-foot Street Yard Buffer may be required depending on the design of any future development.

Utilities: Water is available from Brunswick County Utilities along Thomasboro Road SW. Public Sewer is not available in the immediate area. Utility connections are the developer's responsibility to connect to the water system.

Schools: Jesse Mae Monroe Elementary School, Shallotte Middle School, and West Brunswick High School have adequate capacity.

CIP Projects in Area: OIB Wastewater Treatment Plant Expansion (FY 2025-2026), Shallotte Wastewater Treatment Plant Expansion (FY 2027).

Traffic: There are no capacity deficiencies for this section of Thomasboro Road SW (SR 1165).

NCDOT Road Improvement Projects in Area:

- Carolina Bays Parkway (R-5876) – Planning and Design Phase
- Smith Avenue and US 17 (U-5862)–Upgrade to interchange (2027).

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: The project site scores a 0 out of 10 due to no potential wetlands on the site.
- The requested parcel is not located within a half mile of a Voluntary Agricultural District property.

ANALYSIS

Proposed Zoning District:

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

Existing Blueprint Brunswick 2040 Plan Place Type:

Low Density Residential (LDR), This area is characterized by low-density residential development. Singlefamily detached homes on ½-acre lots or larger are common. Smaller lots are accomplished by keeping the gross density of the development. Improved open spaces include golf courses, neighborhood parks and recreational amenities, and greenway trails.

Blueprint Brunswick 2040 Plan Place Type: LDR

- Conditionally consistent with the Blueprint Brunswick 2040 Plan Place Type.
- Not Consistent with the Blueprint Brunswick 2040 Plan existing Place Type. If the place type is not consistent, a land use amendment is required.

Proposed Blueprint Brunswick 2040 Plan Place Type:

Commercial, These areas are devoted to small-scale complexes or individual sites with stand-alone buildings developed for retail, office, or service uses. Open space is integrated in the form of small greens and courtyards. Such establishments are located to take advantage of highway visibility and access, but may include higher density residential uses (i.e., multifamily and upper floor units).

The project site is designated as Low Density Residential (LDR) Place Type. Staff finds the applicant's request reasonable and in the public's interest because the request for the CLD zoning district is similar to adjacent zoning, has water availability, and is located on a minor thoroughfare.

Applicable Blueprint Brunswick 2040 Plan Policies:

- LU-2. Support development in areas that are best suited for future development.
- The Commercial Suitability Map identifies the subject parcels as more suitable for commercial development.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-894, with the proposed place type designation amendment to Commercial: based upon the information provided, the surrounding area, current uses, the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan), and other adopted Brunswick County plans and policies.

CONSISTENCY & REASONABLENESS DETERMINATION

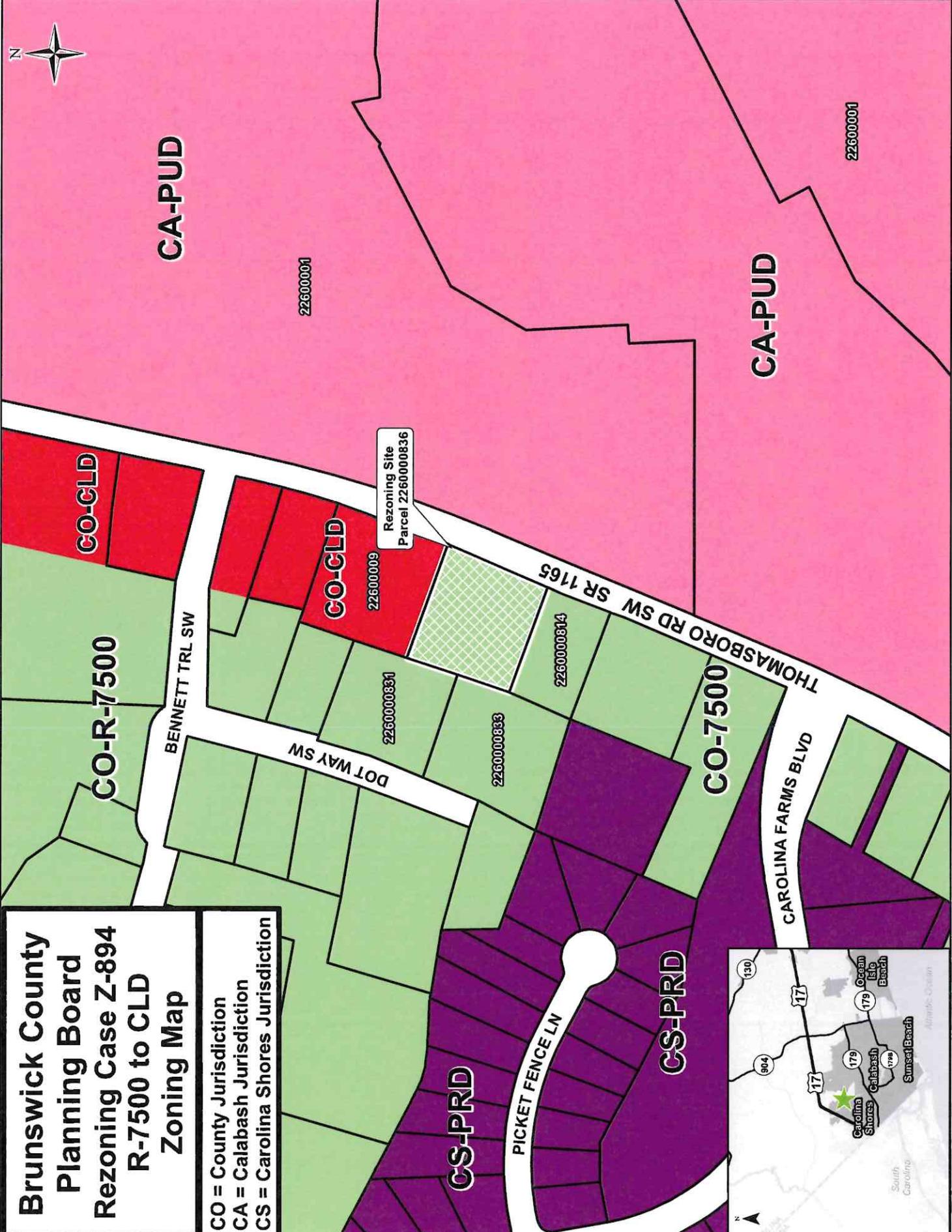
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is **NOT CONSISTENT** with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and **CONSISTENT** with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request **REASONABLE**, appropriate, and in the public interest based upon the following findings:

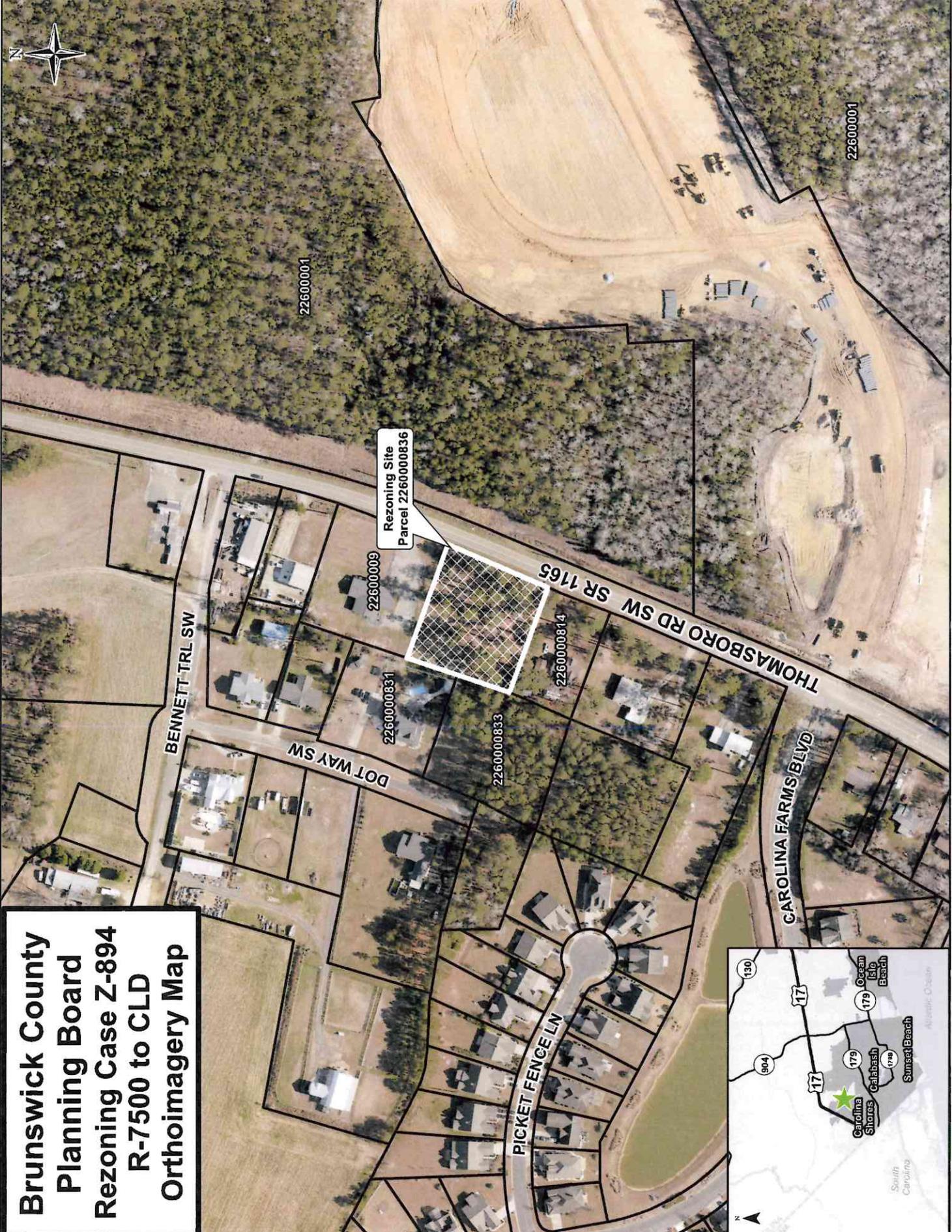
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Commercial Suitability Map identifies the subject parcel as more suitable for commercial development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

**Brunswick County
Planning Board
Rezoning Case Z-894
R-7500 to CLD
Zoning Map**

CO = County Jurisdiction
CA = Calabash Jurisdiction
CS = Carolina Shores Jurisdiction



**Brunswick County
Planning Board
Rezoning Case Z-894
R-7500 to CLD
Orthoimagery Map**





**Brunswick County
Planning Board
Rezoning Case Z-894
R-7500 to CLD
Blueprint Brunswick 2040
Place Type Map**

Rezoning Site
Parcel 2260000836

BENNETT TRL SW

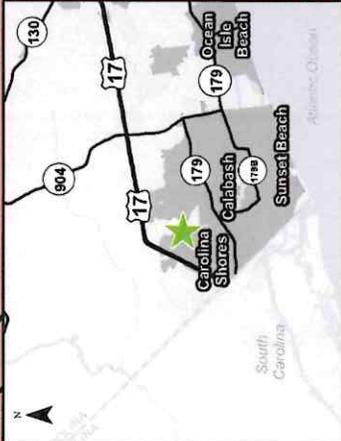
DOT WAY SW

THOMASBORO RD SW SR 1165

CAROLINA FARMS BLVD

PICKET FENCE LN

- Open Space - Conservation 1
- Low Density Residential
- Commercial
- Town Center - Municipality





**Brunswick County
Planning Board
Rezoning Case Z-894
R-7500 to CLD
Flood Hazard Map**

Rezoning Site
Parcel 2260000836

BENNETT TRL SW

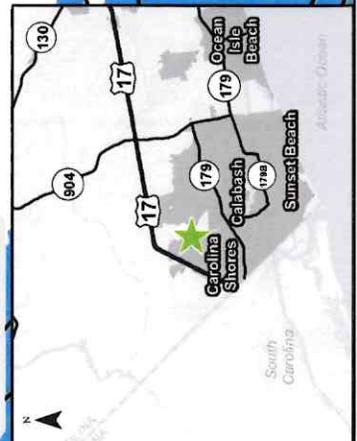
DOT WAY SW

PICKET FENCE LN

THOMASBORO RD SW SR 1165

CAROLINA FARMS BLVD

- Shaded X
- A
- AE
- AEFW
- AO
- VE





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>894</u>	Invoice # _____
Date Received <u>4-12-24</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): <u>Daphne M. Williams</u>	
Mailing Address: <u>770 Thomasboro Rd SW Calabash, N.C. 28467</u>	
Phone: <u>910 231-3848</u>	Email: <u>rdwilliams16@hotmail.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Rodney & Daphne Williams</u>	
Mailing Address: <u>Same as above</u>	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>614 Thomasboro Rd SW Calabash, N.C. 28467</u>	
Parcel Tax ID #(s): <u>22600000^{2A}836</u>	Total Site Acreage: <u>1 ACRE (0.97)</u>
Current Zoning District(s): <u>R-7500</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:

Property on one side is already zoned CLD

LAND USE COMPATIBILITY

LDR (RM)

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:

Property on one side has a land use classification of MDR-M & we feel it's appropriate for this parcel.

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: Daphne Williams

Date: 4/11/24

Owner Signature: Ruby Williams

Date: 4-11-24

Owner Signature: Daphne Williams

Date: 4/11/24

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.

Z-894

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
2260000814	WILLIAMS RODNEY T ETUX	WILLIAMS DAPHNE M	770 THOMASBORO RD SW	CALABASH	NC	28467
2260000833	WILLIAMS RODNEY T ETALS		770 THOMASBORO RD SW	CALABASH	NC	28467-2156
2260000831	LACH REVOCABLE LIVING TRUST		565 DOT WAY	CALABASH	NC	28467-2181
22600009	HARRELL PRESTON		PO BOX 65	CURRIE	NC	28435-0065
22600001	THOMASBORO LANDCO II LLC		11118 US HIGHWAY 31	SPANISH FORT	AL	36527-5647

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
2260000836	WILLIAMS RODNEY T ETUX	WILLIAMS DAPHNE M	770 THOMASBORO RD SW	CALABASH	NC	28467

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	WILLIAMS RODNEY T ETUX	WILLIAMS DAPHNE M	770 THOMASBORO RD SW	CALABASH	NC	28467

SITE CONSIDERATIONS

Zoning History:

- The property was rezoned from RU (Rural) to RR (Rural Residential) as part of the UDO changes in 2007.

Buffers: If rezoned to CLD, all uses will require a 0.6 opaque buffer if vacant and a 0.8 opaque buffer if developed adjacent to RR zoned property.

Street Yard Buffers: A 20-foot Street Yard Buffer may be required depending on the use and design of any future development.

Utilities: Water and sewer is available from Brunswick County Utilities along Ocean Highway East. Utility connections are the developer's responsibility to connect to the water and sewer system.

Schools: Bolivia Elementary School, South Brunswick Middle School, and South Brunswick High School have adequate capacity.

CIP Projects in Area: Northeast Brunswick Wastewater Treatment Plant Expansion (FY 2026).

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

NCDOT Road Improvement Projects in Area:

- I-140 Pavement Resurfacing (I-6036) – Construction Year 2024.

Environmental Impacts:

- The site is not located within a Flood Hazard Zone.
- Biodiversity and Wildlife Habitat Assessment Score: Portions of the project site score a 6 out of 10 due to potential wetlands on the site.
- The requested parcel is located within a half mile of a Voluntary Agricultural District property.

ANALYSIS

Proposed Zoning District:

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

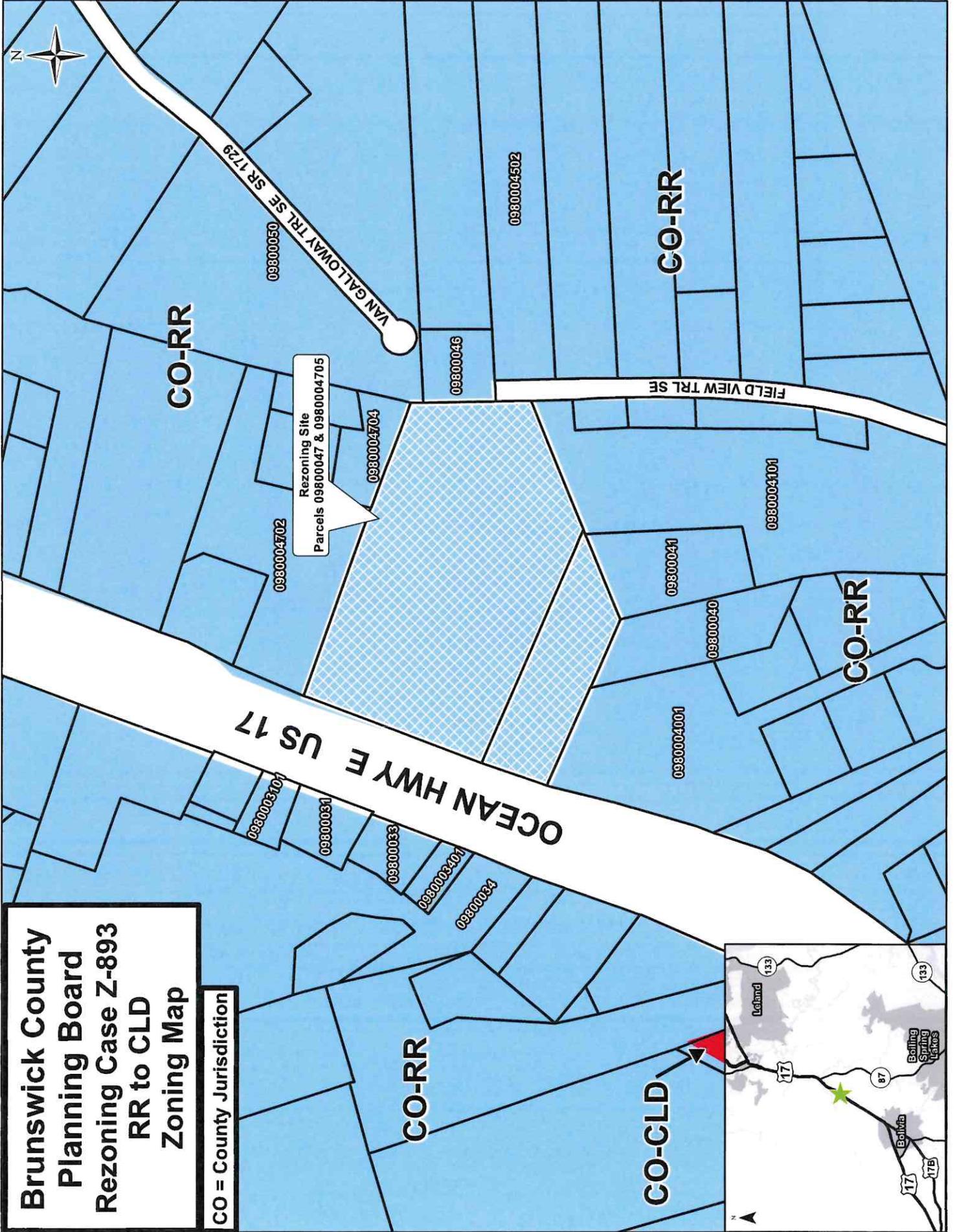
Existing Blueprint Brunswick 2040 Plan Place Type:

Open Space-Conservation 1, these areas consist primarily of undisturbed open space: floodways and floodplains, high-risk flood areas, publicly protected lands (e.g., state-maintained sanctuaries), CAMA setbacks, privately protected lands (i.e., conservation easements), NC Natural Heritage Conservation Program areas, and historically or culturally significant areas/properties. Though some development exists in these areas, new development is unlikely. New uses are associated with access to protected open space (i.e., game lands for hunting, nature preserves for education and passive recreation) and natural resource management. Maintaining environmental integrity or historic value are major considerations in land-disturbing activities.

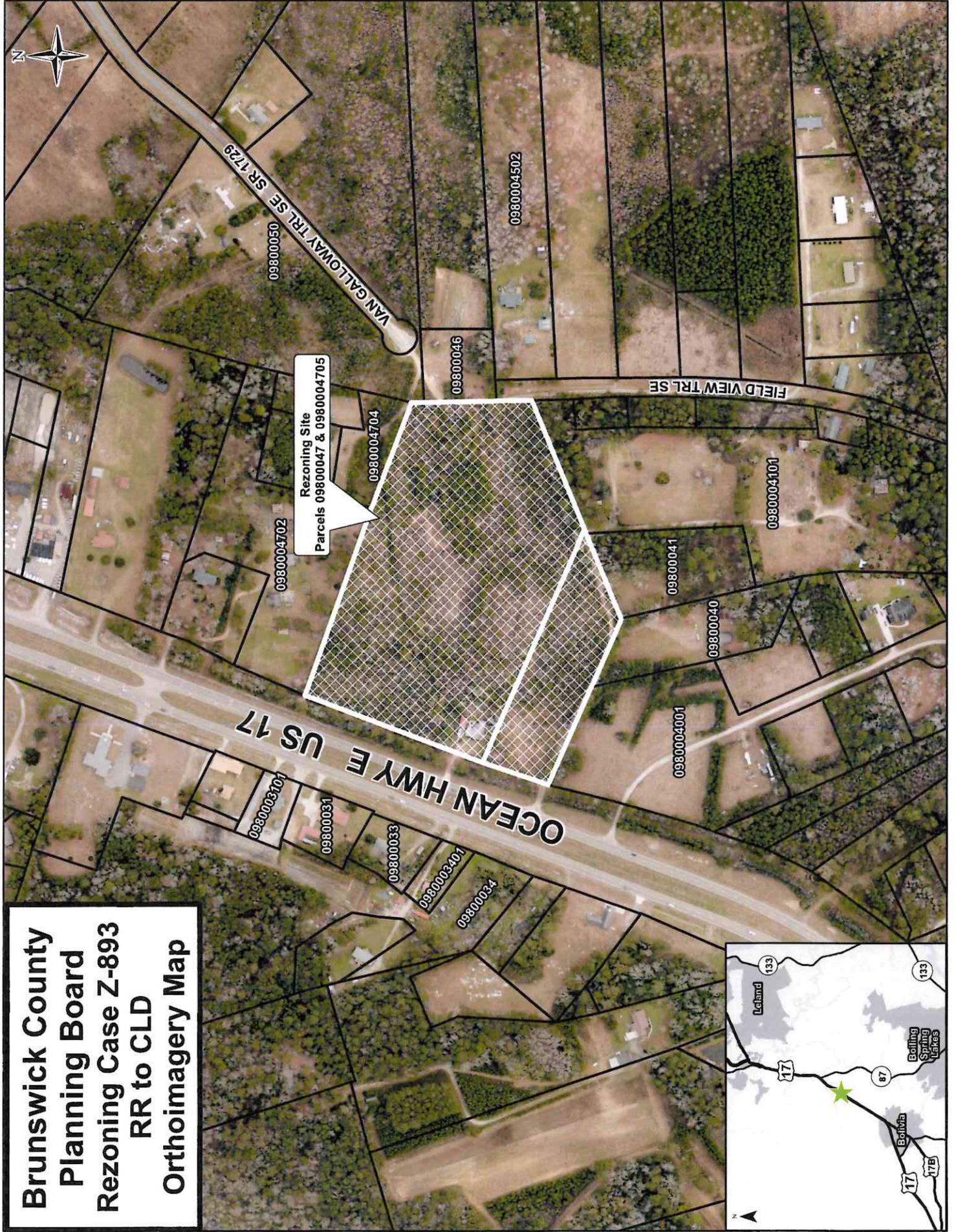
Rural Agricultural, This area is characterized by the relatively undeveloped land and working lands (pastures, crops, timberlands). It is intended to remain rural while allowing residential uses at very low densities. New residential development is sensitively integrated, avoiding encroachment on agricultural operations or valuable natural and cultural features. Agricultural support uses, homebased businesses, and seasonal and temporary uses are part of the mix. Most of the open space is privately maintained. Conservation design, which preserves more natural open space (or agricultural land) in exchange for smaller minimum lot sizes, may be a preferred approach to conventional residential development, provided utilities are available.

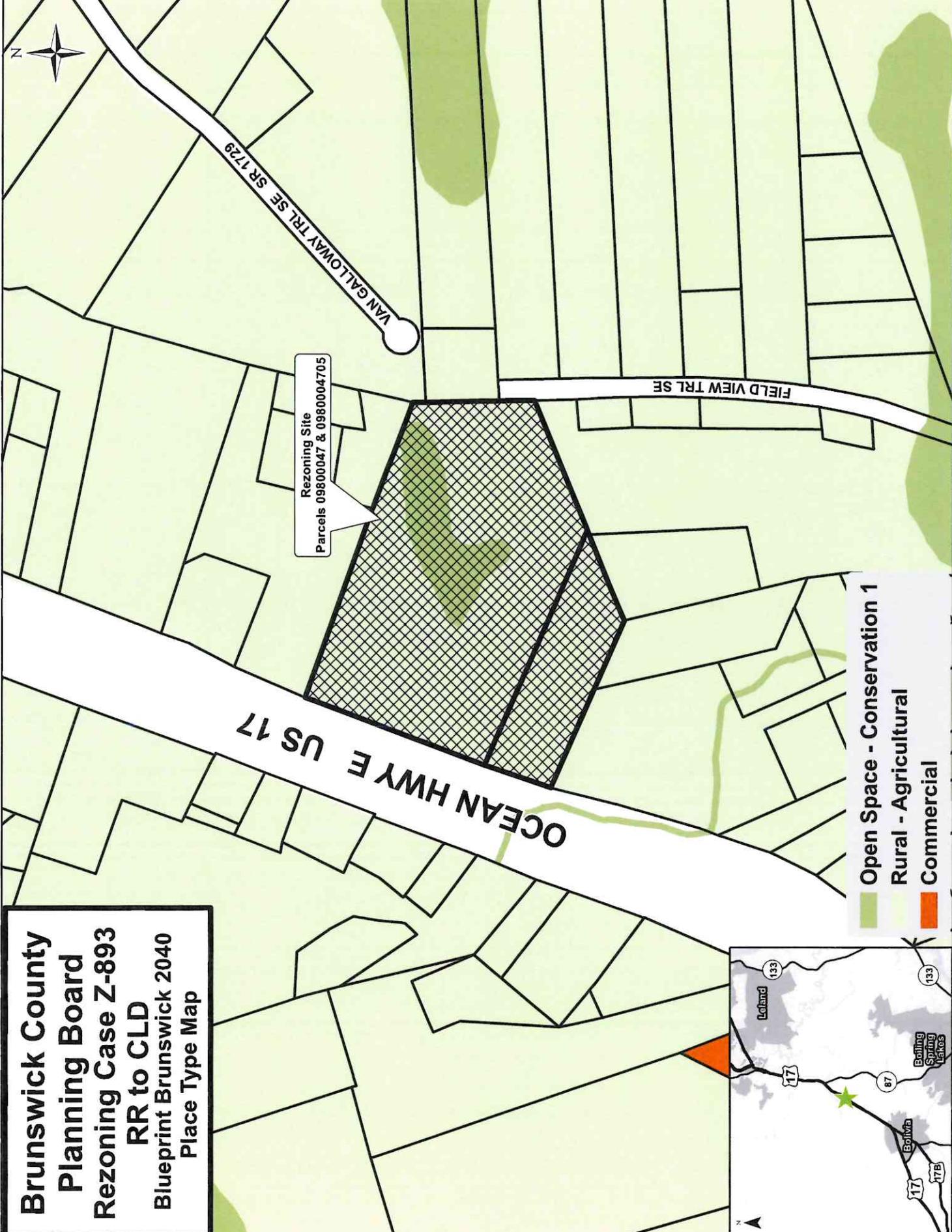
**Brunswick County
Planning Board
Rezoning Case Z-893
RR to CLD
Zoning Map**

CO = County Jurisdiction



**Brunswick County
Planning Board
Rezoning Case Z-893
RR to CLD
Orthoimagery Map**





Rezoning Site
Parcels 09800047 & 0980004705

- Open Space - Conservation 1
- Rural - Agricultural
- Commercial

Brunswick County
Planning Board
Rezoning Case Z-893
RR to CLD
Blueprint Brunswick 2040
Place Type Map



**Brunswick County
Planning Board
Rezoning Case Z-893
RR to CLD
Flood Hazard Map**



Rezoning Site
Parcels 09800047 & 0980004705

OCEAN HWY E US 17

Shaded X

- A
- AE
- AEFW
- AO
- VE

0 750 1,500 Feet





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- 893	Invoice # _____
Date Received <u>4/10/24</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): Donald Keith Smith	
Mailing Address: 5740 Ocean Highway East, Winnabow, NC 28479	
Phone: 270-401-3278	Email: pointvillagehomes@gmail.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: 5740 Ocean Highway East, Winnabow, NC 28479	
Parcel Tax ID #(s): 09800047, 0980004705	Total Site Acreage: 15
Current Zoning District(s): RR	Proposed Zoning District(s): C-LD
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 required if we intended to use the property as desired. It is our understanding that the intended uses are consistent with the Land Use Plan. If approved, the new commercial zoning would be consistent with other parcels in close proximity.

Rezoning would allow us to address several issues including affordable housing for those aging out of foster care and any such units used for this purpose would be designated for a minimum of 15-30 years depending on the financial incentives and/or grants obtained. Approval of the rezoning request would allow us to design a working community for the youth aging out of foster care by providing living accommodations along with work opportunities in close proximity. Approval would also allow us to include work-force housing and any such units used for this purpose would also be designated for a minimum of 15-30 years.

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: While these particular parcels are not consistent with the assigned zoning in the future land use plan, there are several other parcels located in close proximity that have similar zoning. It is our understanding that there are parcels located to the south and north of these parcels, on Highway 17, that have the commercial zoning designation.

We believe the zoning request to be consistent with the overall goals of the future land-use plan.

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: 4-10-2024

Owner Signature: [Signature]

Date: 4-10-2024

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 (\$800)
- 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.

Z-893

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
0980003101	WILLIAMS HERBERT III		5775 OCEAN HWY E	WINNABOW	NC	28479-5725
098000050	OGLETREE ROSA LEE ETALS	C/O ROSA BELL	118 AUTUMN BREEZE LN NE	BOLIVIA	NC	28422-8311
0980004704	BUCK RETHA H		1205 ZACK ST SE	BOLIVIA	NC	28422-8194
0980004702	REYNOLDS JACKIE M ETUX	REYNOLDS FELICIA W	PO BOX 234	WINNABOW	NC	28479-0234
098000046	NICHOLAS TINESHA AND	PEREZ BRENDA	122 DAFFODIL DR	E STROUDSBURG	PA	18301-9355
0980004502	OWENS WILLIAM E JR ETUX	OWENS DOROTHEA M	110 FIELDVIEW TRL SE	WINNABOW	NC	28479-5705
0980004101	STEGALL LESTER REX ET	STEGALL CAROL LYNNE O	116 NE 47TH STREET	OAK ISLAND	NC	28465
09800041	THORPE LARRY STEVENSON		266 NORTH HILLS DR	BOILING SPG LKS	NC	28461
0980004001	TYNER CORRINE LEE ETVIR	TYNER CHRISTOPHER MARK	110 BROOKSHIRE LANE	WILMINGTON	NC	28409
098000040	HARVELL RAYMOND DEXTER		71 NORTHERN TRL SE	WINNABOW	NC	28479-5561
098000034	STUMP KERMIT RAE ETUX	STUMP GUSSIE	5711 OCEAN HWY E BOX 142-G	WINNABOW	NC	28479-5725
098000033	MISHOE GEORGE E AND	HANKINS HAYLEY	334 VAN GALLOWAY TRL SE	WINNABOW	NC	28479-5418
09800003401	STUMP KERMIT RAE ETUX	STUMP GUSSIE	5711 OCEAN HWY E BOX 142-G	WINNABOW	NC	28479-5725
098000031	WILLIAMS HERBERT JR ET	WILLIAMS VELMA	5761 OCEAN HWY E	WINNABOW	NC	28479

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
0980004705	SMITH DONALD KEITH ETUX	SMITH GRETCHEN M	5740 OCEAN HWY E	WINNABOW	NC	28479-5424
098000047	SMITH DONALD KEITH ETUX	SMITH GRETCHEN M	5740 OCEAN HWY E	WINNABOW	NC	28479-5424

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	SMITH DONALD KEITH ETUX	SMITH GRETCHEN M	5740 OCEAN HWY E	WINNABOW	NC	28479-5424

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-127

Applicant: Logan Developers

Project Name: EV 211 Tract

Property Location: Southport-Supply Road (NC 211)

Parcel Numbers: 20400048 and portions of 20300048, 2030004801, 2030004802, and 2030004803

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

Surrounding Zoning **North:** OK-CLD and OK-R-7 (Oak Island Jurisdiction)
South: CLD and CI (Commercial Intensive)
East: CLD
West: CLD and OK-R-7 (Oak Island Jurisdiction)

Proposed Use: EV 211 Tract is a proposed planned development to consist of 149 single family units, 88 semi-attached units, and 67 townhomes for a total of 304 residential units on 87.06 acres, creating an overall density of 3.5 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consists of multifamily residential and vacant land.
- The Blueprint Brunswick Future Land Use Plan denotes this area as Commercial and OSC-1 (Open Space Conservation 1).
- Parking will be outside of the right-of-way with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- The proposed development will have a 20-30 foot, 0.6 opacity peripheral buffer using existing vegetation and fencing to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- Access to the project will be via a collector street (Weatherside Drive) through the adjacent Evolve at St. James multifamily project currently under construction. A supplemental emergency road connection will also be installed through the multifamily project for access to Southport-Supply Road.
- The required Open Space for the development is approximately 21.77 acres. The developer is proposing 22.34 acres of dedicated open space. The developer is also proposing 4.02 acres of recreation space of which 3.26 acres are required.
- The proposed 304 lots will generate approximately 2,657 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis (TIA) and driveway permit from NCDOT will be required prior to the recording of

the individual lots. *Note that this application was submitted before to the recent changes to when a TIA is required prior to Planning Board.*

- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 22.34 acres of open space where as 21.77 acres are required.
 2. The developer is proposing 4.02 acres of recreation space where as 3.26 acres are required.
 3. Multiple stubouts to be provided for future connections.
 4. Sidewalks shall be provided along one side of all interior roadways.
 5. The stormwater ponds shall be designed to accommodate the 100-year storm event.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reduction in setbacks.
- No flood zones and no wetlands are on the project site.
- The proposed project does not lie within a half mile of a Voluntary Agricultural District.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on May 23, 2024.
- TRC was held on May 1, 2024.

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

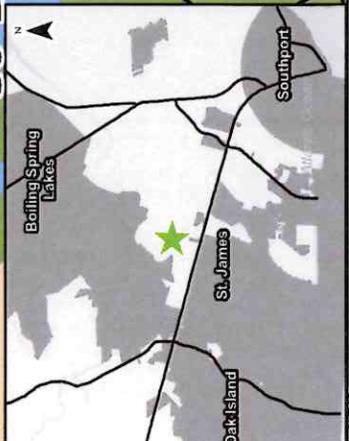
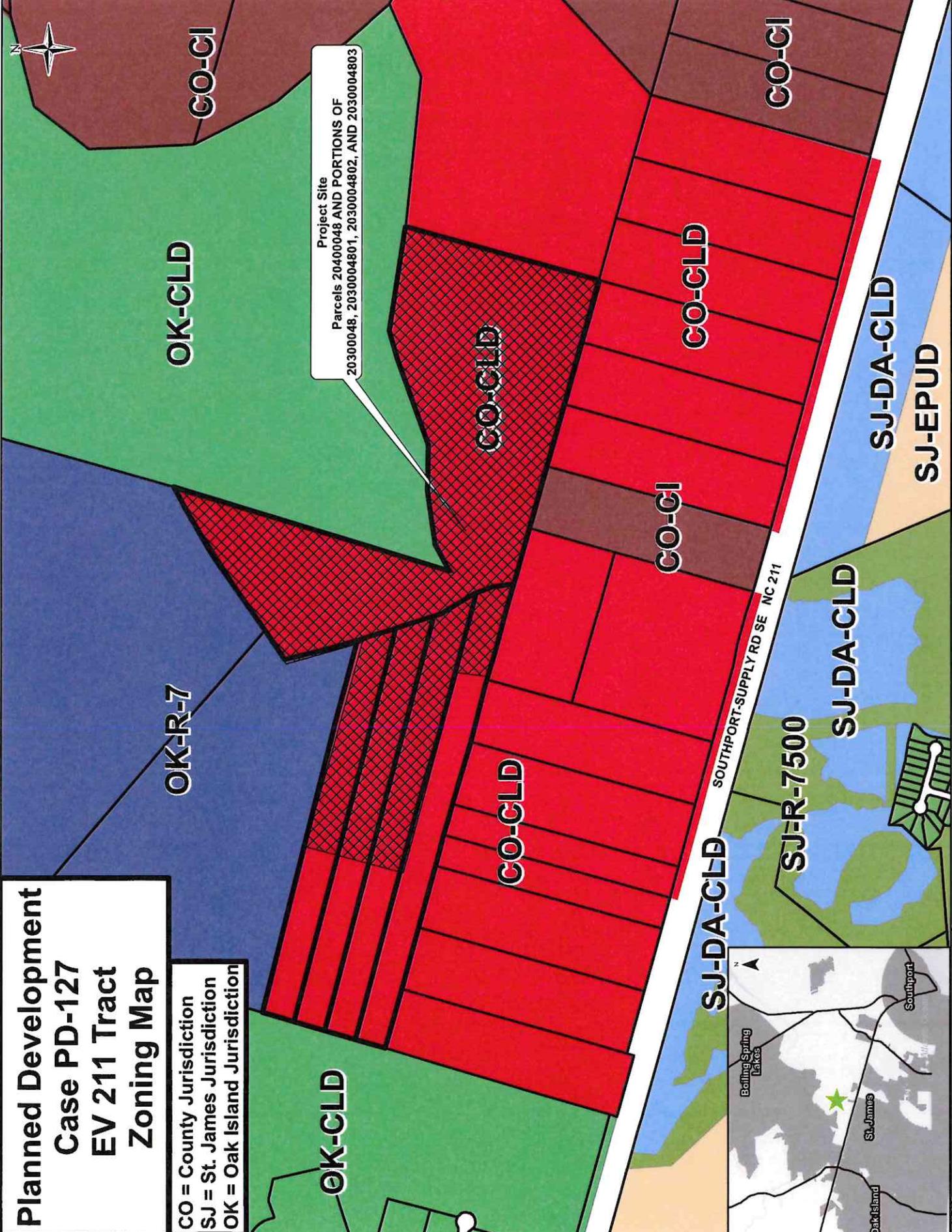
Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
4. Establish a road maintenance agreement between the proposed EV 211 Tract and the adjacent Evolve at St. James multifamily development for the shared collector street (Weatherside Drive).
5. Provide a stubout for a possible future connection to Tax Parcel 20300049.

**Planned Development
Case PD-127
EV 211 Tract
Zoning Map**

CO = County Jurisdiction
SJ = St. James Jurisdiction
OK = Oak Island Jurisdiction

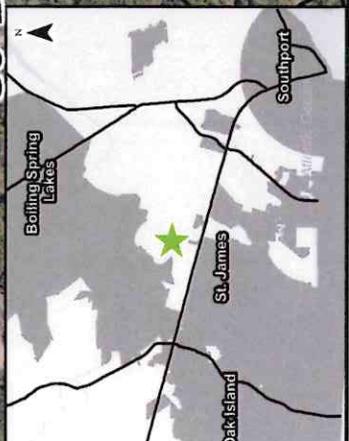
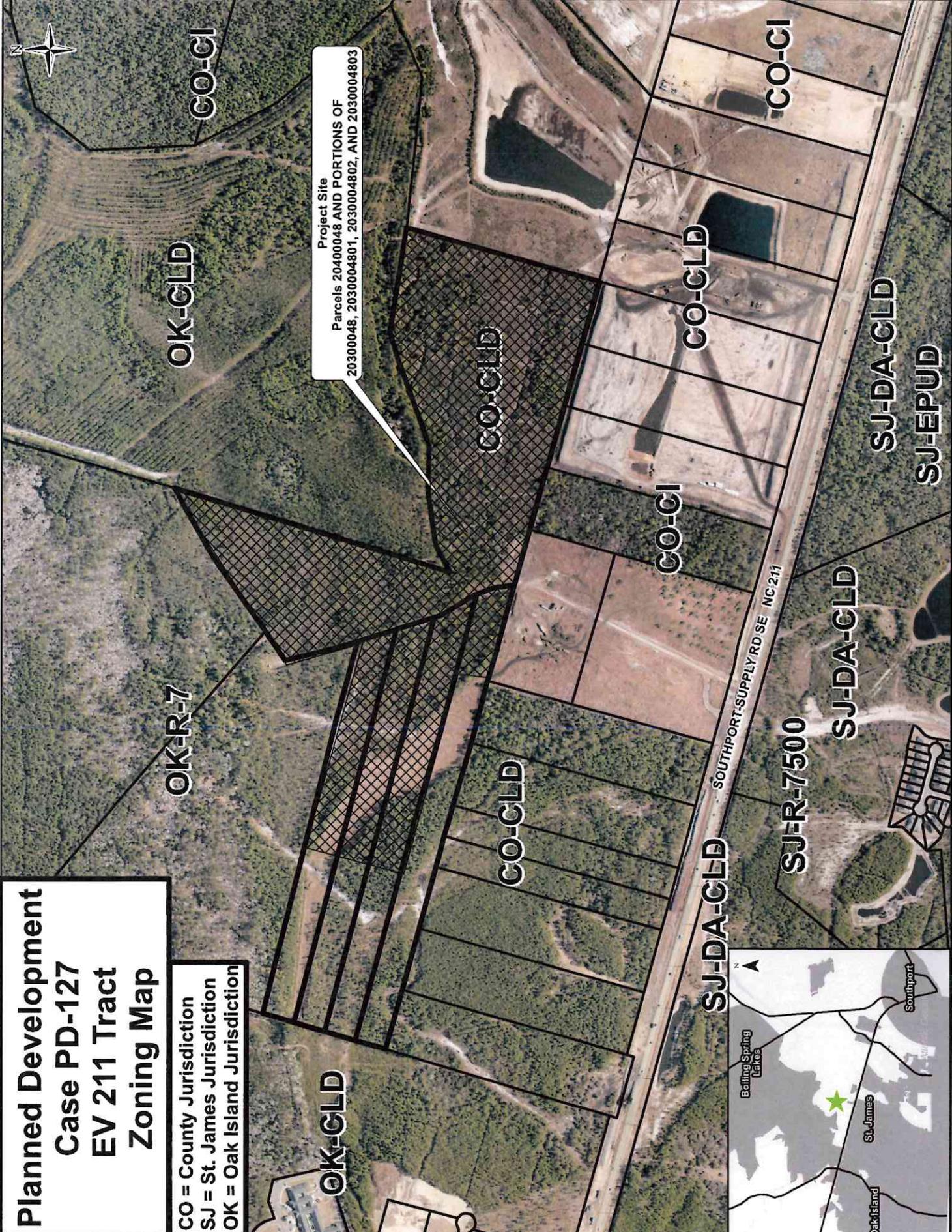
Project Site
Parcels 20400048 AND PORTIONS OF
20300048, 2030004801, 2030004802, AND 2030004803



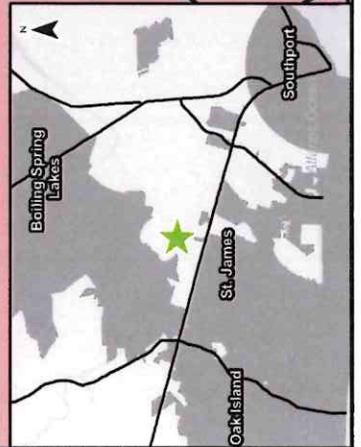
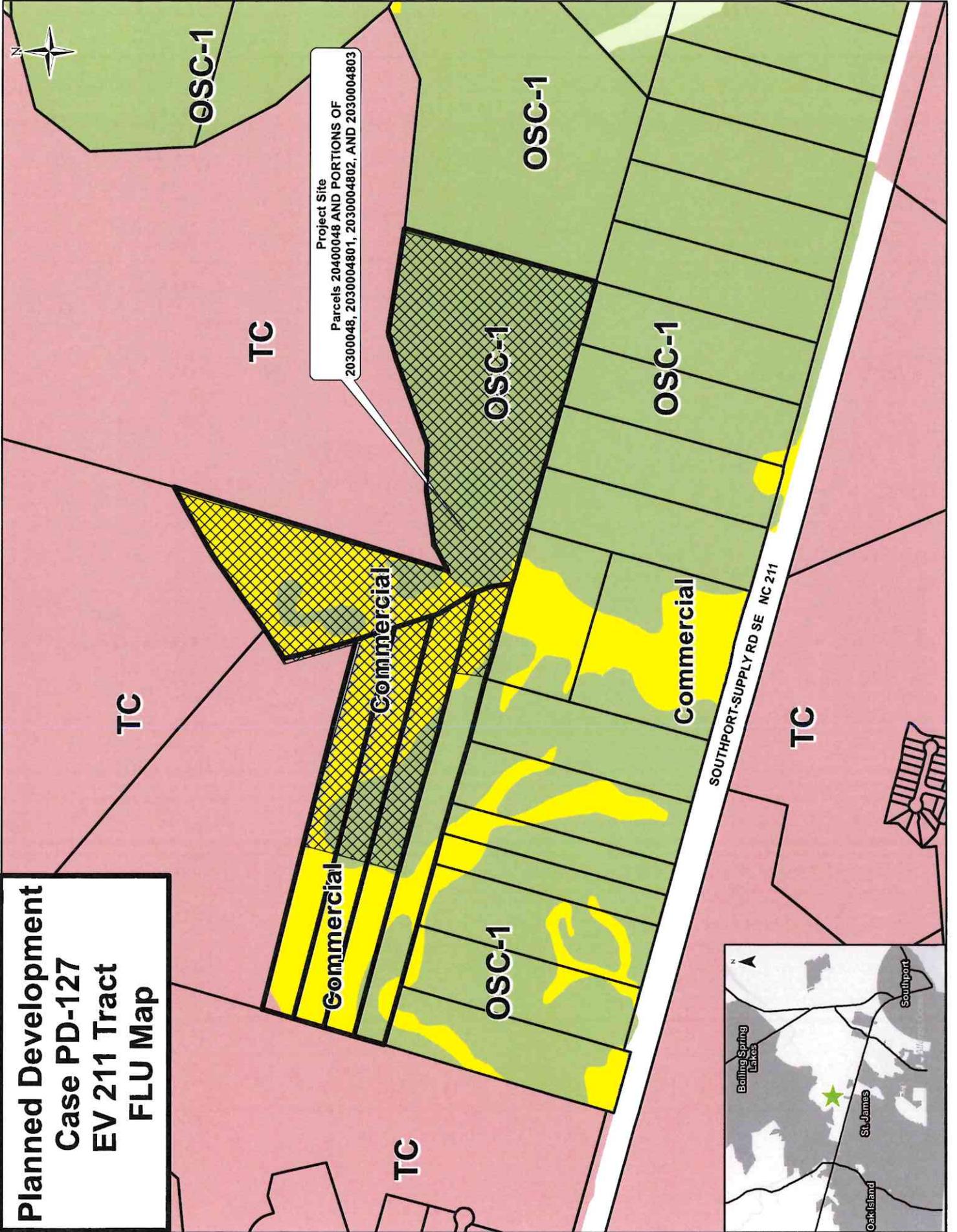
Planned Development Case PD-127 EV 211 Tract Zoning Map

CO = County Jurisdiction
SJ = St. James Jurisdiction
OK = Oak Island Jurisdiction

Project Site
Parcels 20400048 AND PORTIONS OF
20300048, 2030004801, 2030004802, AND 2030004803



**Planned Development
Case PD-127
EV 211 Tract
FLU Map**

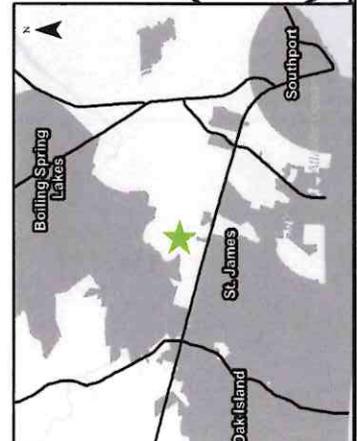


Planned Development Case PD-127 EV 211 Tract Flood Map



Project Site
Parcels 20400048 AND PORTIONS OF
20300048, 2030004801, 2030004802, AND 2030004803

SOUTHPORT-SUPPLY RD SE NC 211





BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

May 3, 2024

Logan Developers
60 Gregory Road
Leland, NC 28451

**RE: EV 211 Tract Planned Development
File # PD-127**

To Whom It May Concern:

The Technical Review Committee (TRC) at their May 1, 2024 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- A second entrance is needed which, at a minimum, should be an emergency entrance with a siren activated gate or other device approved by emergency services. If you are proposing to use the existing utility access drive on the eastern side of Tax Parcels 20400006 and 20400007, the road must meet the construction standards of NC Fire Code. Planning staff will be in contact with the Town of Oak Island to see if a connection to the Pine Forest development is possible.
- Please provide additional stubout(s) to the north and east of the site. Stub outs to areas that are conservation easements are not required.
- Where the periphery buffer indicates a 20-foot width, please note that there will be a 6-foot high opaque fence installed.
- Please label the western pond area as open space.
- Please note the school bus pick up location at the amenity area.
- Please note if sidewalks are proposed and indicate if they are going to be on both or one side of the roads.
- Please indicate which storm event standard the stormwater system shall be designed to (25-year, 100-year, etc.).
- Please indicate which adjacent properties are located in a conservation easement.
- Please indicate the proposed mail kiosk location.
- Please revise the open space provided note to show 18.47 acres.
- Please note that no wetlands are on the project site.
- Please consider providing a number of the homes for workforce housing.
- Please note that all street lighting must meet the standards of UDO Section 6.9.
- Please note that each lot shall have a minimum of two driveway parking spaces.
- Please note that a heritage tree survey shall be completed consistent with UDO Section 6.1.3. prior to construction. If no heritage trees are present, please note on the site plan.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

- Please note that all pump stations and other above ground utilities shall be screened consistent with UDO Section 6.4.
- Please note that the HOA shall be responsible for maintaining all roads, common areas and stormwater elements.
- Please note that a neighborhood meeting is recommended per UDO Section 9.2.

Comments from Stormwater

Richard Christensen – 910-253-1716 – Richard.Christensen@brunswickcountync.gov

- Erosion Control Permit that covers new phases will need to be obtained.
- Existing State Stormwater permit will need to be modified.
- A new State Stormwater permit will need to be obtained for a portion of the new development.
- Existing County SW permit will need to be modified.
- A new County SW permit will need to be issued for a portion of the new development.
- Drainage issue regarding the adjacent Bostic properties was brought to applicant's attention and will need to be resolved. Final SW approval for Evolve at Southport property may be delayed if issue not resolved.

Comments from Engineering and Public Utilities

Bill Pinnix – 910-253-2406 – william.pinnix@brunswickcountync.gov

- Road extension for Road A through Apartments Phase 1B area is in our plan review queue at this time - with extension of the 12" watermain to the property for this proposed phase and one leg of gravity sewer to serve some of Phase 1B in the future.
- This project is within the Wellhead Protection Area.
- Existing Access Easement for the raw water line and to the wellhead protection area goes through this development.
- 12" watermain to be extended for Road A will end in a full-size valve and this Phase will be able to connect.
- Existing gravity influent manhole and pump station installed with Evolve Southport Apartments Phase 1A can be connected to with this Phase.
- Fire hydrants to be placed every 500' throughout single family home section and every 400' throughout multifamily sections.
- Double water meter boxes or (2) single water meters boxes are required for each single family lot and townhouse unit/lot (Fee Simple); If gang meter assemblies are to be used for the multi-family section- double water meter boxes are required for each unit.
- One gravity clean-out required for each single family lot and townhouse unit/lot (Fee Simple).
- Overall water and gravity sewer layout on the plans look acceptable.

COMMENTS FROM PUBLIC UTILITIES:

- The area from apartments Phase to single family phase – provide access to easement, heavy equipment may be needed for servicing the wellhead.
- Install gate to maintain access along the easement.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

- The area at the existing well in the N/NE area – move landscape buffer out of the County easement, remain outside the fence line. Maintain crane access for wellhead access. Maintain electrical service at all times. Ensure stormwater is diverted away from the wellhead area.
- Northern corner – Landscape buffer is infringing on County easement, move landscape buffer out of the easement.
- Proposal for well within the project boundary - layout is not acceptable. Move outside the fenced easement area, maintain fence, no work may occur inside fenced area. Maintain crane access for maintenance purposes of the wellhead. Maintain electrical service at all times. Divert stormwater away from wellhead area.
- Rather than referencing the “fenced area” around well 12 we should stipulate that the entire 200x200 lease area should not be encroached upon. After all we are paying for this area.
- It may be wise if we have a survey of the lease areas and easements around 12 and 12a.
- Ensure we have free access to well 12A as it does not show a road there.
- Any fencing or beautification will be the responsibility of the builder with Brunswick County Utility approval.
- Builder and any eventual HOA should know that we regularly blow off these wells and a significant amount of water is put onto the ground. Areas should be graded accordingly. Also, during the cleaning processes significant “rusty” water is discharged onto the surrounding area.

Comments from Fire Code Official

Joe Oliver – 910-676-4392 – joseph.oliver@brunswickcountync.gov

- Will need development permit for access roads and fire hydrants.
- Will need to determine fire flow requirements and witness hydrant flow.
- General Comments:
 1. Need to apply for a fire development permit.
<https://www.brunswickcountync.gov/code-administration/permits/> . Select Fire Application and complete all applicable fields. And upload civil/utility plans.
 2. Need to provide a site utility plan indicating the locations of all fire hydrants. Need to show a fire hydrant at the entrances and then every 800' feet thereafter, 400 feet from any commercial structure, and 100 feet from any FDC. Will need Hydraulic calculations. Hydrants are to be in place and have water before combustible construction materials are placed on site.
 3. Need to review the “Development / Subdivision Fire approval Guidance document located at the following link.

<https://www.brunswickcountync.gov/fire-marshal/development-subdivision-fire-approval-process/>

- Final plat will require fire approval.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on May 10, 2024.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

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

Sincerely,

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

Marc A. Pages
Brunswick County Principal Planner



Planned Development (PD)

Application and Checklist

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

Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # <u>PD-127</u>	Invoice # _____
Date Received: <u>4/12/24</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 Evolve at St James, LLC	Phone 919-815-6724
	Address STE A 2918 Martinsville Rd	Fax _____
	City, St, Zip Greensboro, NC 27408-2782	Email patrick.perez@evolvecos.com

Applicant or Representative	Name Logan Developers, D Logan	Phone 910-452-7175
	Address 60 Gregory Rd	Fax _____
	City, St, Zip Leland, NC 28451	Email tlong@logandevolvers.com

Property Information	Address N/A
	Tax Parcel(s) 20400050 and portions of: 20300048, 2030004801, 2030004802, 2030004803
	Acreage 77.08 Total Project Area
	Current Zoning Commercial Low Density
	Public Utilities Available? <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Sewer

Project Information	Project Name EV 211
	Modification or Expansion Of Existing PD? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Single Family Acres 77.08 Lots 307
	Multi-Family Acres N/A Units N/A
	Commercial Acres N/A

Authorization	Property Owner Signature <u>[Signature]</u>	Date <u>4/9/24</u>
	Applicant/Representative Signature <u>[Signature]</u>	Date <u>4/9/24</u>

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



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

August 4, 2022

Caroline Cheeves, PE

Ramey Kemp & Associates, Inc.
5808 Faringdon Place
Raleigh, NC 27609

RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed **Southport Development (Parcel ID's: 20400006, 20400007)** in Brunswick County, NC.

The NCDOT and Brunswick County staffs have reviewed the Southport Development TIA dated June 7, 2022. This development consists of:

- o 120 dwelling units: Single-Family Homes (LUC 210)
- o 240 dwelling units: Multi-Family Homes (LUC 220)
- o Build Year: 2024

Based on review of the analysis provided in the TIA report, the following improvements are required by the developer:

NC 211 (Southport Supply Road) at St James Western Access/Site Drive 1

(unsignalized intersection)

- Construct site access with one ingress and one egress lane and align with St James Western Access
- Provide stop-control for southbound approach
- Provide an internal protected stem of 150 feet measured from the right-of-way
- Construct a westbound right turn lane with 100 feet of storage, 50 feet of full-width deceleration and 100 feet of taper
- Install a traffic signal
- Coordination on roadway plans need to occur with NCDOT for STIP project R-5021

NC 211 (Southport Supply Road) at Site Drive 2 (proposed unsignalized right-in/right-out intersection)

- Construct site access with one ingress and one egress lane (RIRO only)

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DISTRICT 3 ENGINEER'S OFFICE
300 DIVISION DRIVE
WILMINGTON, NC 28401-8883

Telephone: 910-398-9100
Customer Service: 1-877-368-4968

Website: ncdot.gov

Location:
300 DIVISION DRIVE
WILMINGTON, NC 28401

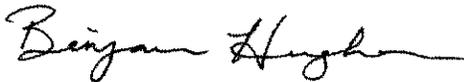
- Provide stop-control for southbound approach
- Provide an internal protected stem of 50 feet measured from the right-of-way
- Construct a westbound right turn lane with 125 feet of storage, 50 feet of full-width deceleration and 100 feet of taper

If changes are made to the proposed site driveways, land uses, land use intensity, or other study parameters, or if the build year studied in the report has passed, a revised Traffic Impact Analysis will be required for review by NCDOT. Any such changes will null and void this TIA approval.

The applicant is required to obtain all applicable Brunswick County and NCDOT permits for access to the road network. A copy of this TIA approval shall be included with any NCDOT driveway permit application. All applicable NCDOT and Brunswick County technical standards and policies shall apply.

Please contact me at 910-398-9100 with any questions regarding this approval.

Sincerely,



Benjamin T. Hughes, PE
District Engineer
Division 3, District 3

cc: Jon Roan, Deputy District Engineer, NCDOT
Michael Bass, Assistant District Engineer, NCDOT
Jessi Leonard, PE, Division Traffic Engineer, NCDOT
Stonewall Mathis, PE, Deputy Division Traffic Engineer, NCDOT
Krupa Koilada, Senior Assistant Traffic Engineer, NCDOT
Marc Pages, Brunswick County Planning
Helen Bunch, Brunswick County Zoning Administrator

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DISTRICT 3 ENGINEER'S OFFICE
300 DIVISION DRIVE
WILMINGTON, NC 28401-8883

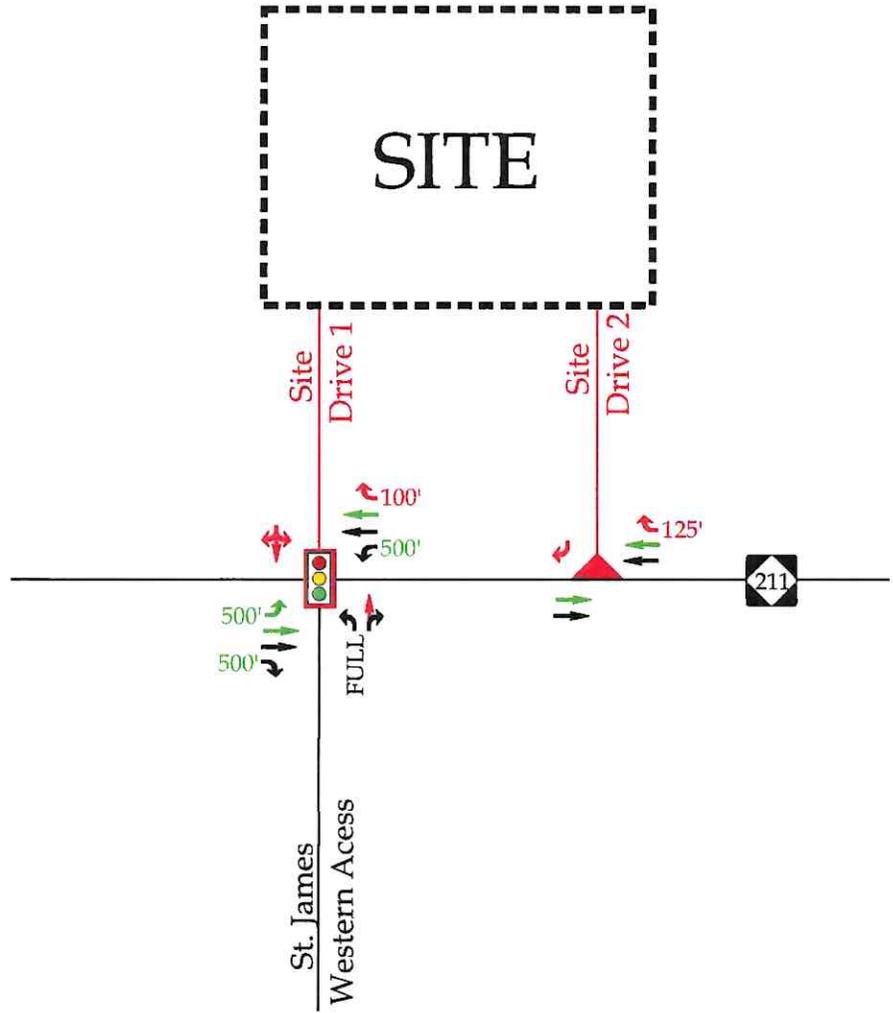
Telephone: 910-398-9100
Customer Service: 1-877-368-4968

Website: ncdot.gov

Location:
300 DIVISION DRIVE
WILMINGTON, NC 28401

LEGEND

-  Right-In/Right-Out Intersection
-  Monitor for Signalization
-  Existing Lane
-  Improvement by Developer
-  STIP R-5021 Improvement
-  Storage (In Feet)



Southport
Brunswick County, NC

Recommended Lane Configurations	
Scale: Not to Scale	Figure E-1

PD-127

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	ADDRESS	CITY	STATE	ZIP
18700023	EQUITY INVESTMENTS ASSOC LLC	11675 RAINWATER DR STE 220	ALPHARETTA	GA	30009-8684
20400048	JONES HOLDING NC LLC	1475 PARK LN S #U-4	JUPITER	FL	33458
20400011	BARNHILL CONTRACTING COMPANY	800 TIFFANY BLVD STE 200	ROCKY MOUNT	NC	27804-1946
20400010	BARNHILL CONTRACTING COMPANY	800 TIFFANY BLVD STE 200	ROCKY MOUNT	NC	27804-1946
20400009	BARNHILL CONTRACTING COMPANY	800 TIFFANY BLVD STE 200	ROCKY MOUNT	NC	27804-1946
20400008	HILLTOP HOLDINGS III LLC	4716 HILLTOP RD	GREENSBORO	NC	27407-5217
20400007	EVOLVE AT ST JAMES III LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408
20300047	BOSTIC WILLIAM E JR	22 SALISBURY ST W STE A	WRIGHTSVILLE BEACH	NC	28480
20300046	BOSTIC WILLIAM E JR	22 SALISBURY ST W STE A	WRIGHTSVILLE BEACH	NC	28480
2030004501	BOSTIC WILLIAM E JR	22 SALISBURY ST W STE A	WRIGHTSVILLE BEACH	NC	28480
20300045	LET'S GO CAMPING LLC	22A SALISBURY ST W	WRIGHTSVILLE BEACH	NC	28480
20300044	MCCALL ALLISON JUNE A ETALS	865 TIP TOP RD	BREVARD	NC	28712-4179
20300043	MCCALL ALLISON JUNE A ETALS	865 TIP TOP RD	BREVARD	NC	28412-4179
20300042	SOSEBEE TODD	PO BOX 1104	BESSEMER CITY	NC	28016
2030001720	PINE FOREST DEVELOPMENT CO LLC	355 INDUSTRIAL PARK DR	BOONE	NC	28607-3978
20300049	BRANDT ERIC A	1032 BELLA COOLA RD	LAKE WACCAMAW	NC	28450
20400051	EQUITY INVESTMENTS ASSOC LLC	11675 RAINWATER DR STE 220	ALPHARETTA	GA	30009-8684

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
20400050	EVOLVE AT ST JAMES III LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408
2280000101	EVOLVE AT ST JAMES III LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408
2130000601	EVOLVE AT ST JAMES III LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408
2120001803	EVOLVE AT ST JAMES III LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	MCKIM AND CREED ENGINEERING	243 N. FRONT STREET	WILMINGTON	NC	28401

Brunswick County Unified Development Ordinance

ABOVE GROUND POOL FENCING

TEXT AMENDMENT

(May 20, 2024)

- Amend Article 5, Section 5.4.8.A.1., to clarify that above-ground pool fencing is not required for above-ground pools at least four (4) feet in height if the ladder is removed or the ladder has a gate when not in use.
 1. Outdoor swimming pools shall be enclosed with a wire fence or other equivalent-type barrier at least four (4') feet high designed to protect public safety. The fence or barrier may enclose either the pool area only or the full property boundary area or any part of the property which includes the pool. Fencing is NOT required for above-ground pools at least four (4) feet in height if the ladder is removed or when NOT in use, the ladder is equipped with a self-closing and positive self-latching gate for permanent locking.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends (X) APPROVAL () DENIAL of Zoning Board of Adjustment Alternative Member Text Amendments based upon information provided, and the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan).

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is (X) CONSISTENT () NOT CONSISTENT with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is (X) REASONABLE () NOT REASONABLE and appropriate based upon the following findings:

- Consistent with NC Building Code.
- Clarifies above-ground pool fencing requirements in the Unified Development Ordinance (UDO).

- | | |
|---|---|
| <input type="checkbox"/> Agricultural Development Plan | <input type="checkbox"/> Unified Development Ordinance |
| <input type="checkbox"/> Brunswick County Comprehensive Transportation Plan (CTP) | <input type="checkbox"/> Southeastern North Carolina Hazard Mitigation Plan |
| <input type="checkbox"/> Brunswick County Trail Plan | <input type="checkbox"/> Airport Height Control Ordinance |
| <input checked="" type="checkbox"/> Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) | <input type="checkbox"/> Other: _____ |

Brunswick County Unified Development Ordinance
ZONING BOARD OF ADJUSTMENT ALTERNATE MEMBER
TEXT AMENDMENT

(May 20, 2024)

- Amend Article 2, Section 2.4.1.B.1., to increase the number of alternate members from two to three.
1. The Zoning Board of Adjustment shall consist of five voting members, each a resident of one of the five electoral voting districts, ~~two~~ **three** alternate members, and one non-voting ex officio member who shall be the Zoning Administrator, who shall serve as clerk.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends (X) APPROVAL () DENIAL of Zoning Board of Adjustment Alternative Member Text Amendments based upon information provided, and the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan).

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is (X) CONSISTENT () NOT CONSISTENT with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is (X) REASONABLE () NOT REASONABLE and appropriate based upon the following findings:

- Better support Zoning Board of Adjustment meeting facilitation.
- Addresses Zoning Board of Adjustment workloads.

- | | |
|---|---|
| <input type="checkbox"/> Agricultural Development Plan | <input type="checkbox"/> Unified Development Ordinance |
| <input type="checkbox"/> Brunswick County Comprehensive Transportation Plan (CTP) | <input type="checkbox"/> Southeastern North Carolina Hazard Mitigation Plan |
| <input type="checkbox"/> Brunswick County Trail Plan | <input type="checkbox"/> Airport Height Control Ordinance |
| <input checked="" type="checkbox"/> Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) | <input type="checkbox"/> Other: _____ |