



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
July 8, 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 June 10, 2024 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

Old Business

A. Rezoning Z-893 (Tabled from June 10, 2024)

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.

B. Proposed Traffic Impact Analysis (TIA) Text Amendment (Tabled from May 15, 2024)

New Business

C. Rezoning Z-885CZ

Proposed rezoning of approximately 2.81 acres located at 5813 & 5825 Washington Road SW (SR 1720) near Shallotte, NC from CLD (Commercial Low Density) to RR-CZ (Rural Residential-Conditional Zoning) for Tax Parcel 1970007602. This conditional zoning request proposes an outdoor recreation use consisting of an 800 square-foot building, 6 outdoor pickleball courts and an associated parking facility.

D. Rezoning Z-895

Proposed rezoning of approximately 12.07 acres located at 1886 and 1917 Boones Neck Road SW (SR 1137) near Supply, NC from R-6000 (High Density Residential) to CLD (Commercial Low Density) for Tax Parcel 23100041 and a portion of 2310004103.

PROPOSED LAND USE PLAN AMENDMENT (LUM-895): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from MDR (Medium Density Residential) to MDRM (Medium Density Residential Mixed) for Tax Parcel 23100041 and a portion of 2310004103 located at 1886 and 1917 Boones Neck Road SW (SR 1137) Near Supply, NC. This Land Use Plan Amendment totals approximately 12.07 acres.

E. Rezoning Z-896

Proposed rezoning of approximately 3.83 acres located on Green Swamp Road (NC 211) Near Supply, NC from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcels 1680006509 and 1680006510.

F. Rezoning Z-897

Proposed rezoning of approximately 26.15 acres located on Midway Road SE (NC 906) Near Bolivia, NC from R-7500 (Medium Density Residential) to CLD (Commercial Low Density) for Tax Parcel 1870000101 and 1870002502.

PROPOSED LAND USE PLAN AMENDMENT (LUM-897): Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial for Tax Parcel 1870000101 and 1870002502 located on Midway Road SE (NC 906) Near Bolivia, NC. This Land Use Plan Amendment totals approximately 26.15 acres.

G. Outdoor RV Resort - Casitas Text Amendment

10) Other Business.

- A. Wellhead Protection Area Overlay District Community Meeting – July 16, 2024 at 6 p.m.
- B. Planning Board Case Update.

11) Adjournment.

MINUTES

PLANNING BOARD

BRUNSWICK COUNTY, NC

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

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Ron Medlin
Clifton Cheek
Richard Leary
Jason Gaver

MEMBERS ABSENT

William Bittenbender
Harry Richard Ishler, Alternate

STAFF PRESENT

Kirstie Dixon, Planning Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Deputy Planning Director
Garrett Huckins, Planning Tech.
Tyler Connor, Planner I
Bryan Batton, County Attorney
Ryan King, Asst. County Attorney

OTHERS PRESENT

Glenn Trantham
David Summerlin
Jody Bland, Norris & Bland Engineering
Fay Arican
Rodney Williams
Mark Venesky
Richard Collier
Savanna Tenenoff, Brunswick Beacon

Patrick Newton
Scott Byrd
Cindy Babson
Jackie Reynolds
Daphne Williams
Mary Ellen Venesky
John Hankins
Jamey Cross, Star News

I. CALL TO ORDER.

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

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. William Bittenbender and Mr. Harry 'Richard' Ishler were absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 10-JUN-24 MEETING.

Mr. Leary made a motion to approve the 10-Jun-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENTS.

Mr. Glenn Trantham addressed the Board. Mr. Trantham stated that the National Oceanic and Atmospheric Administration (NOAA) has predicted that there will be above normal storms this hurricane season and he was concerned that a safe evacuation route is in place to move people out of harm's way during major storms. He said there are no new roads being constructed to provide additional evacuation routes to accommodate the population increase in the County generated by all the approved developments. Mr. Trantham said the Brunswick County Unified Development Ordinance (UDO) is 9 years old and nothing has been done to amend the UDO, while the Board continues to approve developments. Mr. Trantham said the UDO should be a guide that is utilized and followed by developers for proposed zoning changes and development of property. He reminded the Board that they work for all the citizens of the County. Mr. Trantham felt that there is too much overdevelopment and more public facilities (police substations, fire stations, water purification plant, and hospital) to accommodate the excessive growth in the County. He further stated that no more development should be approved until the UDO has been amended to address the overdevelopment issues. Mr. Trantham said there are traffic congestion concerns, he currently has to boil his water before consumption, and the mail carriers stand in the rain to deliver mail because there are so many newly developed communities.

Mr. Dunham asked staff the number of amendments that have been made to the UDO? Ms. Dixon said there have been several amendments to the UDO since it was implemented including the 2 proposed text amendments on the agenda. She further stated that a consultant has been hired to assist in the re-write of the UDO that will be underway in the next few months.

Mr. Patrick Newton addressed the Board. He read excerpts from the May 13, 2024 meeting that says, "Mr. Gaver said he did not think the Board is at a point where the proposed text amendment [Tree and Landscaping 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. 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. Newton asked if the

committee has been formed? Mr. Gaver said Item 10 (UDO Committee Assignments) under Other Business on the agenda, is to discuss a UDO Committee. Mr. Newton said his comments are relative to the Transportation Overlay Zone (TOZ) and Tree and Landscaping Text Amendments. He further stated that Ms. Dixon said the proposed text amendments will be presented to the Board of Commissioners Monday 17-Jun-24 in a presentation and he was unclear of the purpose to do so. Ms. Dixon said the 2 proposed text amendments will be presented to the Board of Commissioners in presentation form for informational purposes only and no public hearing or action will be taken at that time. Mr. Newton was concerned with the process; in that, there is no feedback from the comments provided by the public at the 13-May-24 Planning Board meeting. He said it seems comments presented go into the ether (disappear).

VII. NEW BUSINESS.

A. Rezoning Z-889 – Southern Brunswick Development LLC (%David Summerlin).

Request rezoning of approximately 3.90 acres located at 130 Green Swamp Road NW near Supply, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680007201.

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

Mr. Connor said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680007201 located at 130 Green Swamp Road NW near Supply, NC.

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

Mr. David Summerlin addressed the Board on behalf of the property owner. Mr. Summerlin said the property fronts NC 211; it is surrounded by C-LD and the subject project is consistent with the Blueprint Brunswick 2040 Plan.

Mr. Glenn Trantham addressed the Board. He wondered if this rezoning would be beneficial to the people of Brunswick County because NC 211 (Southport-Supply Road SE) is already overcrowded. He felt that this zoning change will only generate more traffic to the area. Mr. Dunham said the subject property is surrounded by C-LD. Mr. Trantham stated that there is an existing residential neighborhood to the south of the area that will be negatively impacted by this zoning change. Ms. Easley added that this area will have a different traffic pattern in a few years because the North Carolina Department of Transportation (NCDOT) will be reconfiguring the roads at the intersection of NC211 and US 17. She stated that the area is designated as Community Center and the existing businesses (BoJangles, Hardees, and Circle K) will be demolished when the new road is constructed, which will necessitate another area for commercial industry.

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

Mr. Cheek made a motion to approve Tax Parcel 1680007201 to C-LD (Commercial Low Density) located at 130 Green Swamp Road NW near Supply, 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 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:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following 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 identifies the subject parcel as more suitable for residential and commercial development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
- 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 0 out of 10.

<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>

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

B. Rezoning Z-890 – Scott and Adrienne Byrd.

Request rezoning of approximately 1.99 acres located east of 4673 Todd Road SW (SR 1147) near Shallotte, NC from I-G (Industrial General) to NC (Neighborhood Commercial) for Tax Parcel 2290004505.

LAND USE PLAN MAP 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.

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 the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from I-G (Industrial General) to NC (Neighborhood Commercial) for Tax Parcel 2290004505 located east of 4673 Todd Road SW (SR 1147) near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcel 2290004505.

Mr. Dunham asked if this is the largest area in the County that is zoned NC? Mr. Pages said it is one of the largest NC zoned areas in the County. He further stated that there were a lot of sand mines in the area, which prompted the current zoning of the property. Mr. Pages said most of those sand mines are not in existence at the current time, so the area is in transition. Mr. Pages concluded that the area will likely be rezoned when the re-write of the UDO is implemented.

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

Mr. Scott Byrd, property owner, addressed the Board. He said he owns approximately 88 acres in the area and he has a home on Tax Parcel 2290004504. Mr. Byrd said he intends to sell the subject property for residential purposes. Mr. Byrd said there are speeders and some drug activity in the area. He said he hopes more residents will purchase property from him and build in the area in an effort to deter negative activity on Todd Road SW (SR 1147).

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

Mr. Leary made a motion to approve Tax Parcel 2290004505 to NC (Neighborhood Commercial) located east of 4673 Todd Road SW (SR 1147) near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcel 2290004505 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 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:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following 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 generally suitable for commercial development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Mr. Dunham stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

C. Rezoning Z-891 – J. Phillip Norris.

Request rezoning of approximately 138 acres located at 7611 and 7707 Ocean Highway West (US 17) near Shallotte, NC from C-LD (Commercial Low Density) and R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 21100053 and 2110005303.

LAND USE PLAN MAP 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.

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 the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from C-LD (Commercial Low Density) and R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 21100053 and 2110005303 located at 7611 and 7707 Ocean Highway West (US 17) near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcels 21100053 and 2110005303.

Ms. Easley clarified that Open Space Conservation-1 (OSC-1) Place Type does not seem to be compatible with the subject property and Mr. Pages concurred. He further stated that the wetland areas are designated OSC-1 Place Type in the Blueprint Brunswick 2040 Comprehensive Plan.

Mr. Leary 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 property owner. He stated that the applicant wants to correct a split-zoning issue and the proposed zoning designation is the highest and best use of the property.

Ms. Cindy Babson addressed the Board. Ms. Babson said the property is currently being cleared and Mr. Pages said the North Carolina Department of Environmental Quality will issue a Sedimentation & Erosion Control permit, if applicable. Ms. Babson felt that the proposed zoning change is not comparable to the area. She stated that the GIS mapping designates the property as wetlands and she was fearful of the wetlands being destroyed if the subject property is zoned C-LD (Commercial Low Density). Mr. Dunham interjected that no development could occur in wetlands without prior approval from the US Army Corps of Engineers (Corps of Engineers).

Mr. Patrick Newton addressed the Board. Mr. Newton said that U.S. Supreme Court case last year with Sackett v. EPA stated that isolated wetlands are not considered Corps of Engineers' jurisdictional wetlands if there is no connection to navigable waters. Mr. Pages added that staff's analysis for wetlands are based on preliminary data (LiDAR [Light Detection and Ranging] and soil types). He further stated that the Corps of Engineers delineates Section 404 wetlands. Mr. Newton said the issue is whether the Corps of Engineers has jurisdiction over the wetlands. He further stated that the U.S. Supreme Court's ruling says if there are isolated wetlands (wetlands not connected to navigable waters), the Corps of Engineers does not have jurisdiction. Ms. Dixon added that there are several types of wetlands, but the Corps of Engineers has jurisdiction of Section 404 wetlands. Mr. Pages said staff is waiting for guidance from the Corps of Engineers on this matter.

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

Mr. Medlin made a motion to approve Tax Parcels 21100053 and 2110005303 to C-LD (Commercial Low Density) located at 7611 and 7707 Ocean Highway West (US 17) near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed Use) for Tax Parcels 21100053 and 2110005303 and adopt the consistency and reasonableness determination statement and the motion carried 5 to 1 with Mr. Cheek opposing.

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:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following 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 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.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.
- Will correct a split-zoning on both properties.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Mr. Dunham stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

D. Rezoning Z-892 – Fay Arican.

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

LAND USE PLAN MAP 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.

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 the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) and SBR-6000 (High Density Site Built Residential) to RR (Rural Low Density Residential) for Tax Parcel 214CB01801 located at 3252 Oak Drive SW near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Rural/Agricultural for Tax Parcel 214CB01801.

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

Ms. Fay Arican, property owner, addressed the Board. Ms. Arican reiterated that the property is split-zoned and she wanted the entire property zoned Rural Low Density Residential (RR).

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

Mr. Cheek made a motion to approve Tax Parcel 214CB01801 to RR (Rural Low Density Residential) located at 3252 Oak Drive SW near Shallotte, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Rural/Agricultural for Tax Parcel 214CB01801 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 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:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following 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.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.
- Will correct a split-zoning on the property.

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|--|--|
| <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> |

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

E. Rezoning Z-893 – Donald Keith Smith.

Request rezoning of approximately 15 acres located at 5740 Ocean Highway East (US 17) near Winnabow, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 09800047 and 0980004705.

LAND USE PLAN MAP AMENDMENT (LUM-893):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from Rural/Agricultural 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.

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 the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 09800047 and 0980004705 located at 5740 Ocean Highway East (US 17) near Winnabow, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial for Tax Parcels 09800047 and 0980004705.

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

Mr. Jackie Reynolds addressed the Board. Mr. Reynolds said he has lived near the subject property for approximately 50 years. He stated that his private well has tested negative for the presence of GenX chemicals. Mr. Reynolds was concerned with overdevelopment and the potential for water contamination because Brunswick County has the highest content of GenX chemicals according to a news report.

Mr. Dunham asked if the property owner or a representative for the property owner was present and no one came forward. As a result, Mr. Leary made a motion to table Z-893 until the 08-Jul-24 Board

meeting and staff contact the applicant of the meeting date and time and the motion was unanimously carried.

F. Rezoning Z-894 – Daphne Williams.

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

LAND USE PLAN MAP 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) near Calabash, NC. This Land Use Plan Amendment totals approximately 0.97 acres.

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 the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 2260000836 located at 614 Thomasboro Road SW (SR 1165) near Calabash, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial for Tax Parcel 2260000836.

Mr. Cheek clarified that a buffer will not be required on the north end of the property and Mr. Pages concurred.

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

Mr. Rodney and Daphne Williams addressed the Board. Mr. Williams said he and his wife have owned the subject property for an extended period of time. He stated that they want the property rezoned to C-LD. Ms. Williams said there is C-LD zoning on one side of the subject property and they and their 2 children own the parcels surrounding the subject property.

Mr. Mark Venesky, owner of Tax Parcel 241EC064, addressed the Board in opposition to the zoning change. He stated that Thomasboro Road SW (SR 1165) is a 2-lane road and the proposed change will negatively impact the current property owners in the area with regards to infrastructure and excessive traffic (approximately 4,000 more vehicles that will be generated from approximately 2,400 approved homes to the area. He wanted to know the plans to mitigate traffic and utility concerns. He felt that commercial zoning would be intrusive to a predominantly residential area.

Ms. Daphne Williams re-addressed the Board. She stated that she is a native of Brunswick County and she currently lives off Thomasboro Road SW (SR 1165). She said public water and sewer are available to the subject property. Mr. Rodney Williams added that C-LD will provide for more flexibility of the property.

Ms. Mary Ellen Venesky addressed the Board in opposition to the zoning change. Ms. Venesky said Thomasboro Road SW (SR 1165) is predominantly residential and C-LD will be intrusive to the existing residential communities. She reiterated that the property owners currently have a residence on Thomasboro Road SW (SR 1165) as well as their children. She felt that C-LD zoning is not reasonable

for this area. Ms. Venesky asked that the zoning change be denied so the integrity and quality of life of the surrounding residential communities can be maintained.

Mr. Dunham asked about the properties currently zoned C-LD and Mr. Pages said those tracts were zoned C-LD prior to the implementation (May 2007) of the UDO.

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

Mr. Cheek made a motion to approve Tax Parcel 2260000836 to C-LD (Commercial Low Density) located at 614 Thomasboro Road SW (SR 1165) near Calabash, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial for Tax Parcel 2260000836 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 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:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following 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.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.
- Will correct a split-zoning on the property.

<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>

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

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

G. Planned Development – PD-127

Name: EV 211 Tract
Applicant: Logan Developers
Tax Parcel(s): 20300050 and Portions of 20300048, 2030004801, 2030004802, and 2030004803
Location: Southport-Supply Road SE (NC 211)
Description: EV 211 Tract is a proposed planned development consisting of 149 single-family units, 88 semi-attached units, and 67 townhomes totaling 304 residential units on 87.06 acres creating an overall density of 3.50 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. He stated that the planned development will likely have a name change from EV 211 Tract Planned Development to Pelican Cove Planned Development.

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.
- 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 SE).
- Provide a stubout for a possible future connection to Tax Parcel 20300049.

Mr. Leary asked about the access point. Mr. Pages said the main access into the site is on the left-hand side of the southern portion of the site and the emergency access will be through some of the parking areas of the multifamily and connect to a gravel road that provides access for the well and utility pump station. Mr. Dunham asked staff how the secondary emergency road is accessed? Mr. Pages said the emergency road is accessed off Southport-Supply Road SE (NC 211). Mr. Cheek asked if the off-site pond is a stormwater pond for this development? Mr. Pages said that pond is for the multifamily section.

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

Mr. Richard Collier, representative for McKim and Creed, addressed the Board on behalf of Logan Homes. Mr. Collier said the project name is Pelican Cove rather than EV 211 Tract. He stated that part of the pond on the west side of the project is for this development. Mr. Collier discussed a PowerPoint Presentation (attached) and he stated that the project will have a mixture of single family, duplexes and

townhomes; the project will meet the minimum density and open space requirements; there will be a walking trail around the pond on the eastern and western sides of the site; there will be a 20' buffer with landscaping and a fence as well as a 30' buffer in some areas; there will be two groundwater wells with a 100' standoff radius and a 200'x200' fence with maintenance access to the wells; the main access to the site will be off Southport-Supply Road SE (NC 211) as well as an emergency vehicle access; there will be 2 stormwater wet ponds that have been designed to handle a 100-year storm event; there will be interconnectivity between St. James and the subject property; and public utilities will be dedicated to the County once the project is complete.

Mr. Patrick Newton asked why there is a 100' radius on the County wells? Mr. Collier said 100' radius on County wells is regulated by the State.

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

Mr. Leary made a motion to approve PD-127 (Pelican Cove Planned Development) with the noted conditions in the Staff Report and the motion was unanimously carried.

H. Above Ground Pool Fencing Text Amendment.

Ms. Dixon addressed the Board. She read the proposed text amendment (attached) and the consistency and reasonableness determination statement. Ms. Dixon said the proposed text amendment will ensure compliance with the State Building Code requirements. Ms. Dixon said staff recommends approval and adopt the consistency & reasonableness determination statement.

Mr. Leary asked the rationale for the proposed text amendment? Ms. Dixon said staff had requests for the amendment to the UDO and the text amendment is consistent with the State Building Code requirements. Mr. Batton added that there were discussions regarding the barrier of an above-ground pool qualifies as the fencing if the ladder is removed.

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 recommend to the Board of Commissioners to approve the Above Ground Pool Fencing Text Amendment and adopt the consistency and reasonableness determination statement and the motion carried 5 to 1 with Mr. Leary opposing.

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 goals, recommendations, and policies of the following plans adopted by Brunswick County and is REASONABLE and appropriate based upon the following findings:

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

<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>

I. Zoning Board of Adjustment Alternate Member Text Amendment.

Ms. Dixon addressed the Board. She read the proposed amendment (attached) and the consistency and reasonableness determination statement that addresses adding an alternate member to ensure the Board has a quorum (4 sitting members) if 4 members are not available for a meeting. Ms. Dixon said staff recommends approval and adopt the consistency & reasonableness determination statement.

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

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

Mr. Cheek made a motion to recommend to the Board of Commissioners to approve the Zoning Board of Adjustment Alternate Member Text Amendment 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 goals, recommendations, and policies of the following plans adopted by Brunswick County and is 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"/> <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> |

IX. OTHER BUSINESS.

- UDO Committee Assignments.

Ms. Dixon addressed the Board. She asked for volunteers to sit on the UDO Committee. Ms. Dixon said the Committee will hold 1 meeting a month either virtual or in-person. After a brief discussion about how the process will move forward, Mr. Leary, Mr. Gaver, and Mr. Cheek volunteered to serve on the UDO Committee.

- Planning Board Case Update.

Ms. Dixon addressed the Board. She stated that there were no appeals submitted for the previously approved rezoning cases (Z-887 and Z-888)) at the 13-May-24 Planning Board meeting, so the Board's decision stands.

- Tree and Landscaping and Transportation Overlay Zone Text Amendments.

Ms. Dixon addressed the Board. She stated that the Board of Commissioners decided that they wanted a presentation regarding the proposed text amendments for informational purposes only. Ms. Dixon said there will not be a public hearing, public comments and/or action taken on the matter when it is presented to the Board of Commissioners for informational purposes.

- Traffic Impact Analysis (TIA) Text Amendment.

Ms. Dixon addressed the Board. She said staff is gathering information in addition to the emailed documents (copy of a TIA and a Staff Report from another jurisdiction) sent to the Board members. Ms. Dixon said she will provide an engineer's report in the near future, possibly at the 08-Jul-24 meeting.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-893
June 10, 2024

APPLICATION SUMMARY

The applicant, Donald Keith Smith, requests to rezone Tax Parcels 09800047 and 0980004705 from RR (Rural 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

5740 Ocean Highway East (US 17) near Winnabow, NC

Tax Parcels

09800047 and 0980004705

Current Zoning

RR (Rural Residential)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

RR

Current Use

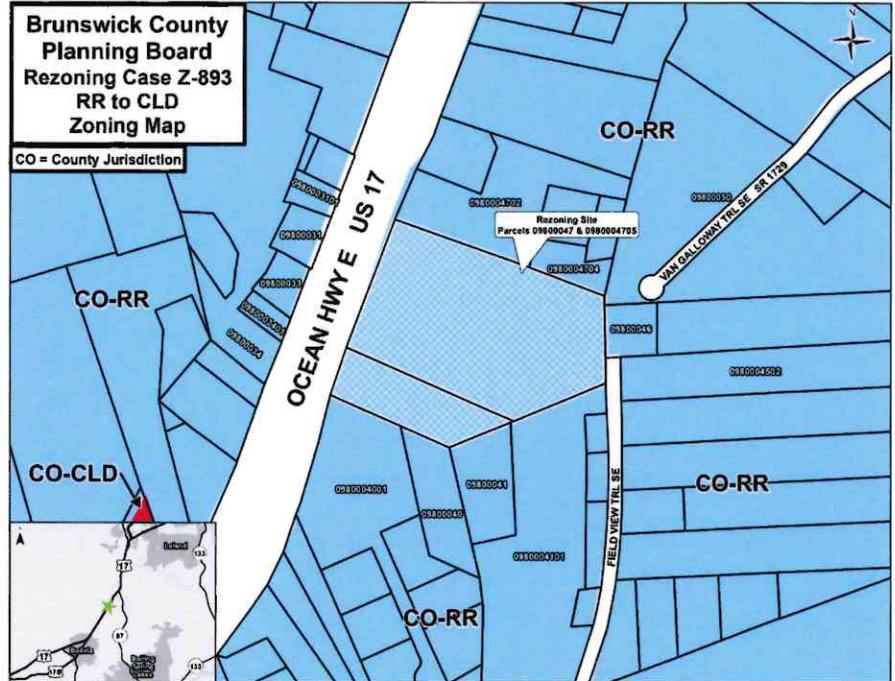
Residential and Vacant

Surrounding Land Uses

Residential and Vacant Lands

Size

15 acres



2024/05/30 13:39:40

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 (US 17). 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.
- The requested parcel is not located within a Significant Natural Area.

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.

Blueprint Brunswick 2040 Plan Place Type: Rural Agricultural and OSC-1 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:

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 Rural Agricultural and OSC-1 Place Types. Staff finds the applicant's request reasonable and in the public's interest because the request for the CLD zoning district is similar to nearby zoning, has water and sewer availability, and is located on a major 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-893, 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

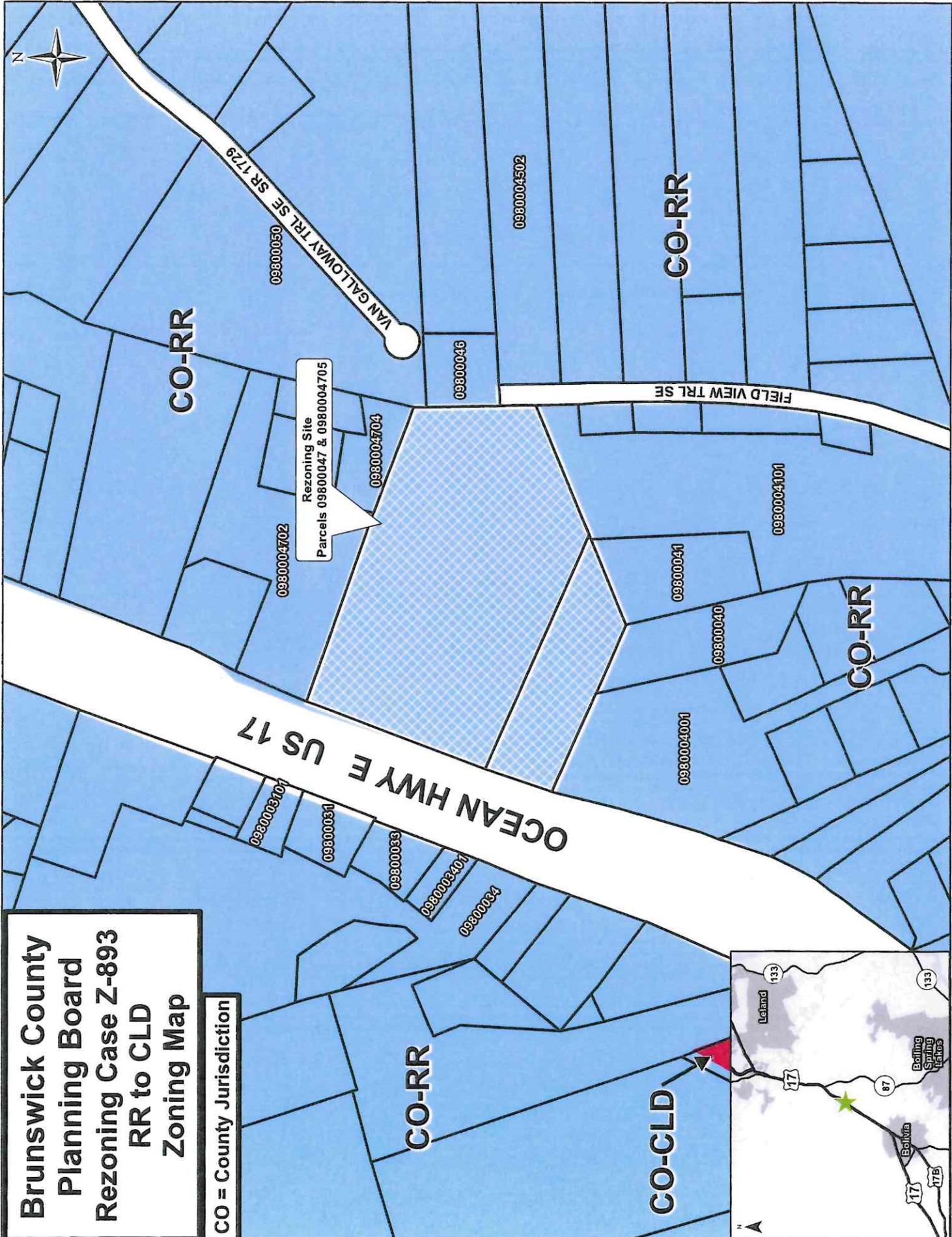
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

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:

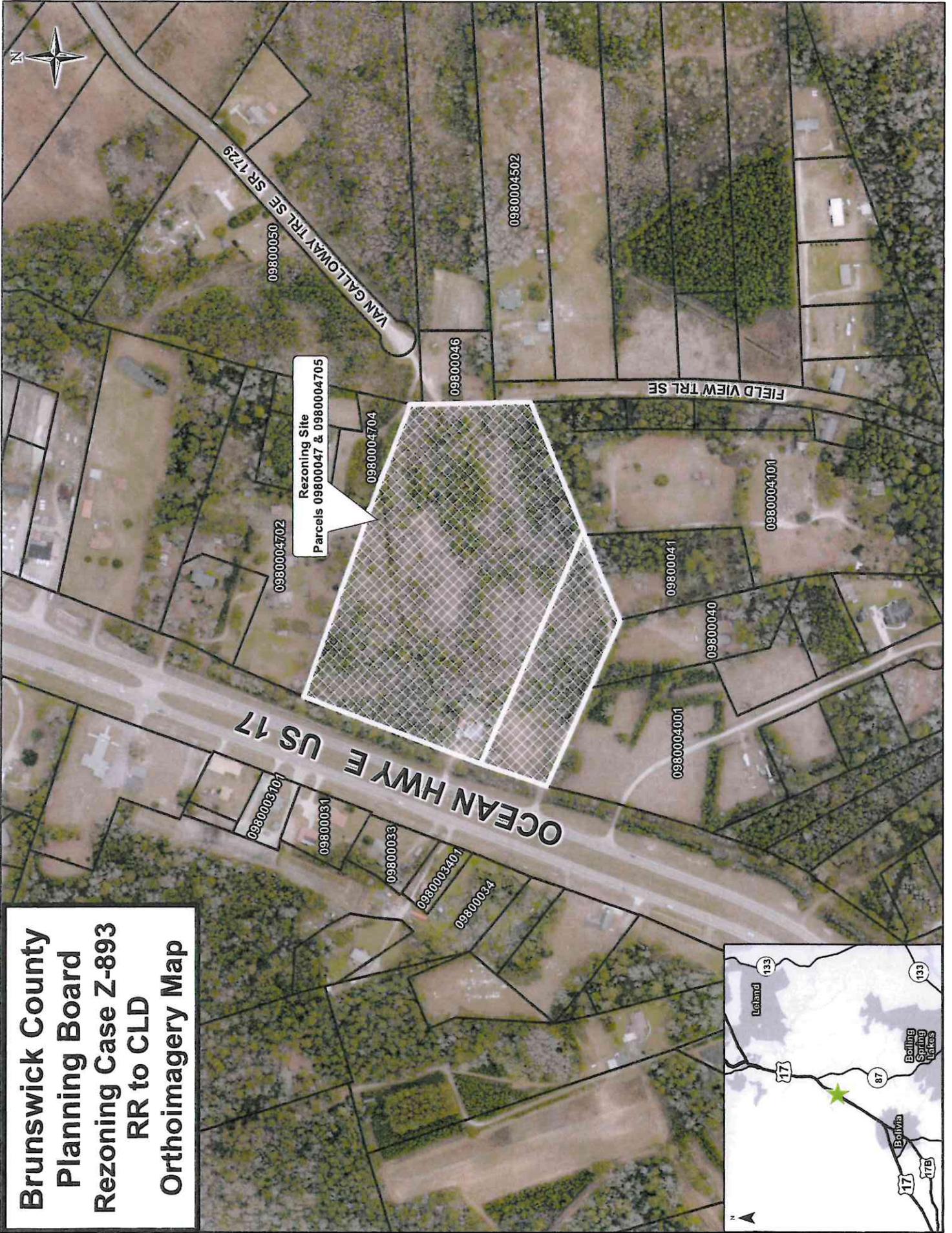
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - The Commercial Suitability Map identifies the subject parcel as more 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 6 out of 10.

**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**



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



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



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

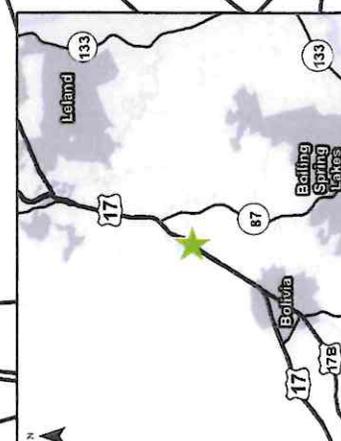


Rezoning Site
Parcels 09600047 & 0960004705

OCEAN HWY E US 17

Shaded X

Yellow	A
Purple	AE
Blue	AEFW
Pink	AO
Orange	VE





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 (\$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-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
09800046	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
09800040	HARVELL RAYMOND DEXTER		71 NORTHERN TRL SE	WINNABOW	NC	28479-5561
09800034	STUMP KERMIT RAE ETUX	STUMP GUSSIE	5711 OCEAN HWY E BOX 142-G	WINNABOW	NC	28479-5725
09800033	MISHOE GEORGE E AND	HANKINS HAYLEY	334 VAN GALLOWAY TRL SE	WINNABOW	NC	28479-5418
0980003401	STUMP KERMIT RAE ETUX	STUMP GUSSIE	5711 OCEAN HWY E BOX 142-G	WINNABOW	NC	28479-5725
09800031	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
09800047	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 Unified Development Ordinance

PROPOSED TRANSPORTATION IMPACT ANALYSIS (TIA)

TEXT AMENDMENT

(DRAFT – April 19, 2024)

*******This Is A Draft Version*******

1. Amend Section 6.16.1.B. & C to increase the number of vehicle trips to trigger when a Traffic Impact Analysis (TIA) is required:

- B. Unless exempted in paragraph Section 6.16.2 below, a Traffic Impact Analysis may be required for all residential projects, which can be anticipated to generate at least ~~100~~ **200** vehicle trips at peak hour or ~~1,000~~ **2,000** vehicle trips per day based on the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.
- C. Commercial **and Industrial** projects may be required to submit a Traffic Impact Analysis if the project can be anticipated to generate at least ~~100~~ **200** vehicle trips at peak hour or ~~1,000~~ **2,000** vehicle trips per day based on the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

2. Remove Section 6.16.2.B. as it is not needed to require redevelopment to have a TIA:

~~B. Development of any site on which the additional traffic at peak hour represents an increase of less than **100** additional peak hour trips from the traffic generated by the previous development, where the redevelopment is initiated within 12 months of the completion of demolition of the previous project.~~

3. Add Section 6.16.4.J. to require a Planned Development or Major Subdivision approved by NCDOT prior to Planning Board:

Any required Traffic Impact Analysis for a Planned Development or Major Subdivision shall be approved by NCDOT and submitted to the Brunswick Planning Department for review prior to submission to the Brunswick County Planning Board.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends (X) APPROVAL () DENIAL of TIA Text Amendment 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:

- Clarifies the timing of TIA requirement in the Unified Development Ordinance (UDO).

<input type="checkbox"/> Agricultural Development Plan	<input checked="" 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: _____

CONDITIONAL REZONING STAFF REPORT

Prepared by Jeff Walton, Project Planner
Rezoning Case#: Z-885CZ
July 8, 2024



APPLICATION SUMMARY

The applicant and property owner, Dr. Jennifer A. Darrow, requests to rezone Tax Parcel 1970007602 to RRCZ (Rural Low Density Residential Conditional Rezoning). This conditional zoning request proposes an outdoor recreation use consisting of an 800 square-foot building, 6 outdoor pickleball courts and an associated parking facility. Outdoor recreation is defined as public or private golf courses, driving ranges, swimming pools, tennis courts, ball fields, and ball courts which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The use would also include accessory uses, such as snack bars, pro shops, club houses, country clubs or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use. The proposed use is permitted by-right in the RR district and is not permitted in the CLD District.

The applicant held a Neighborhood Meeting on May 19, 2024. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

Location

5813 & 5825 Washington Road SW
(SR 1720)

Tax Parcel

1970007602

Current Zoning

CLD (Commercial Low Density)

Proposed Zoning

RR CZ (Rural Low Density
Residential Conditional Rezoning)

Surrounding Zoning

C-LD & CI

Current Use

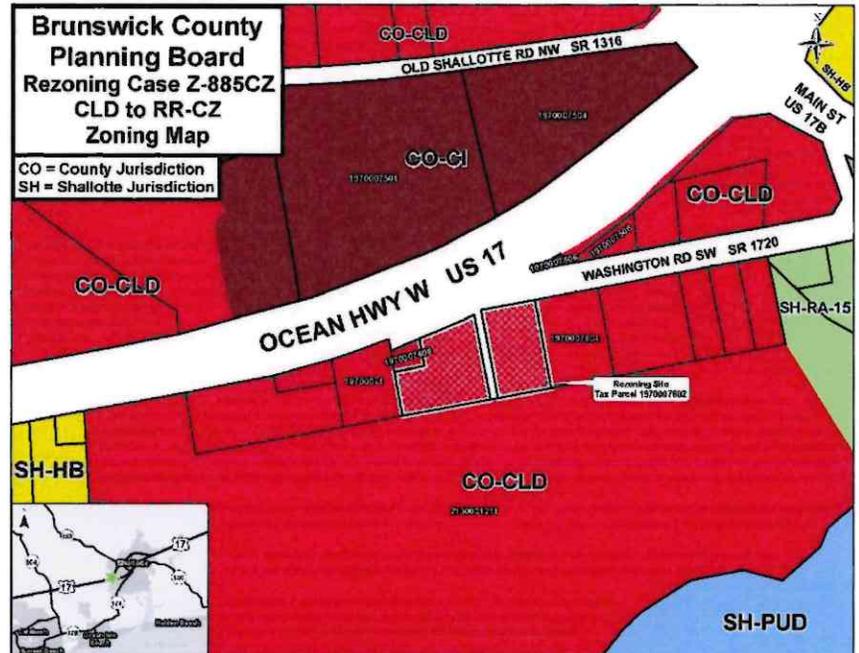
Vacant

Surrounding Land Uses

Vacant Land, Commercial,
Residential

Size

2.81 acres



SITE CONSIDERATIONS

Zoning History: The zoning designation on this property has remained unchanged since County Zoning was adopted in 1994.

Perimeter Buffers: The site plan denotes a 20', 0.4 opacity perimeter buffer proposed along the eastern and western property lines. No buffer is proposed against the vacant rear property to the south. Existing trees outside the limits of disturbance would be preserved.

Street Yard Buffers: A 20-foot street yard buffer is proposed along the property frontage including portions of Washington Road SW and Ocean Highway W.

Utilities: A 24-inch watermain is available from Brunswick County Utilities within Washington Road SW. The site plan proposes a septic wastewater system located between the proposed building and the rear property line.

CIP Projects in Area: None

Traffic: According to NCDOT, Washington Road SW (SR 1720) is classified as a local street and has adequate capacity.

NCDOT Road Improvement Projects in Area:

- Ocean Highway (US 17)/ Main Street (Bus 17) Convert Intersection to a reduced conflict intersection (superstreet) (R-5857): Projected construction in 2026.
- Ocean Highway (US 17)/ Main Street (Bus 17) Convert grade intersection to interchange (U-6104): Not funded.

Environmental Impacts:

- The site is located within the AE (14.2') Flood Hazard Zone. All structures would be required to be elevated 16.2 feet above base flood and flood proofing would be allowed if designed by a professional engineer.
- Biodiversity & Wildlife Habitat Assessment Score: The site scores a 0 out 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.
- The requested parcel is not located within a Significant Natural Area.

ANALYSIS

Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicant's submitted site plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning Board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications of the site.

Proposed Zoning District:

The RR, 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 Types:

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.

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.

Applicable Blueprint Brunswick 2040 Plan Policies:

- HW-2. Ensure equitable access to healthcare and healthy environments, by increasing access to gathering places as a way of fostering social connections.
- NR-2. Maintain the "green" of Brunswick County as development continues, by encouraging tree preservation within site development.
- The Natural Heritage/Natural Areas Map indicates that the subject parcel is not in a significant heritage natural area.
- The Commercial Suitability Map identifies the subject parcels as more suitable for commercial development.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO RRCZ (RURAL LOW DENSITY RESIDENTIAL CONDITIONAL REZONING) IN ACCORDANCE WITH THE SITE PLAN, THE LIST OF CONDITIONS AND OUTDOOR RECREATION USE FOR TAX PARCEL 1970007602 BASED** upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Permitted Uses:

1. **Outdoor Recreation – limited to an outdoor recreation use consisting of an 800 square-foot building, 6 outdoor pickleball courts and an associated parking facility.**

Conditions:

1. **All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall conform to the site plan, the list of permitted uses (subject to all limited standards imposed by the UDO), and all design features as submitted, and approved as part of this conditional rezoning as kept on file by the Brunswick County Planning Department.**
2. **All applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits.**
3. **All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance (UDO) and all permits shall be subject to revocation and any other enforcement actions available by law.**
4. **Conditional Zoning approval does not constitute an authorization to construct. All applicable federal, state and county requirements will be necessary to obtain building permits. This includes any requirements deemed essential by local Emergency Services.**
5. **Site lighting requirements must meet the UDO standards.**

In signing of these conditions, I agree with the proposed conditions and permitted uses listed herein and I agree to develop in accordance with the site plan site plan that is approved as part of this conditional rezoning. I certify that I understand that the above tax parcel will be conditionally zoned within the Brunswick County and that zoning designation goes with the property and not the owner. I further certify that I understand that making major changes to the site plan, the conditions, or the permitted uses will require a rezoning (AKA zoning map amendment) to be requested and approved by Brunswick County.

Register Agent/Owner Signature: _____ Date: _____

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-885CZ to RRCZ, Rural Low Density Residential (Conditional District): 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

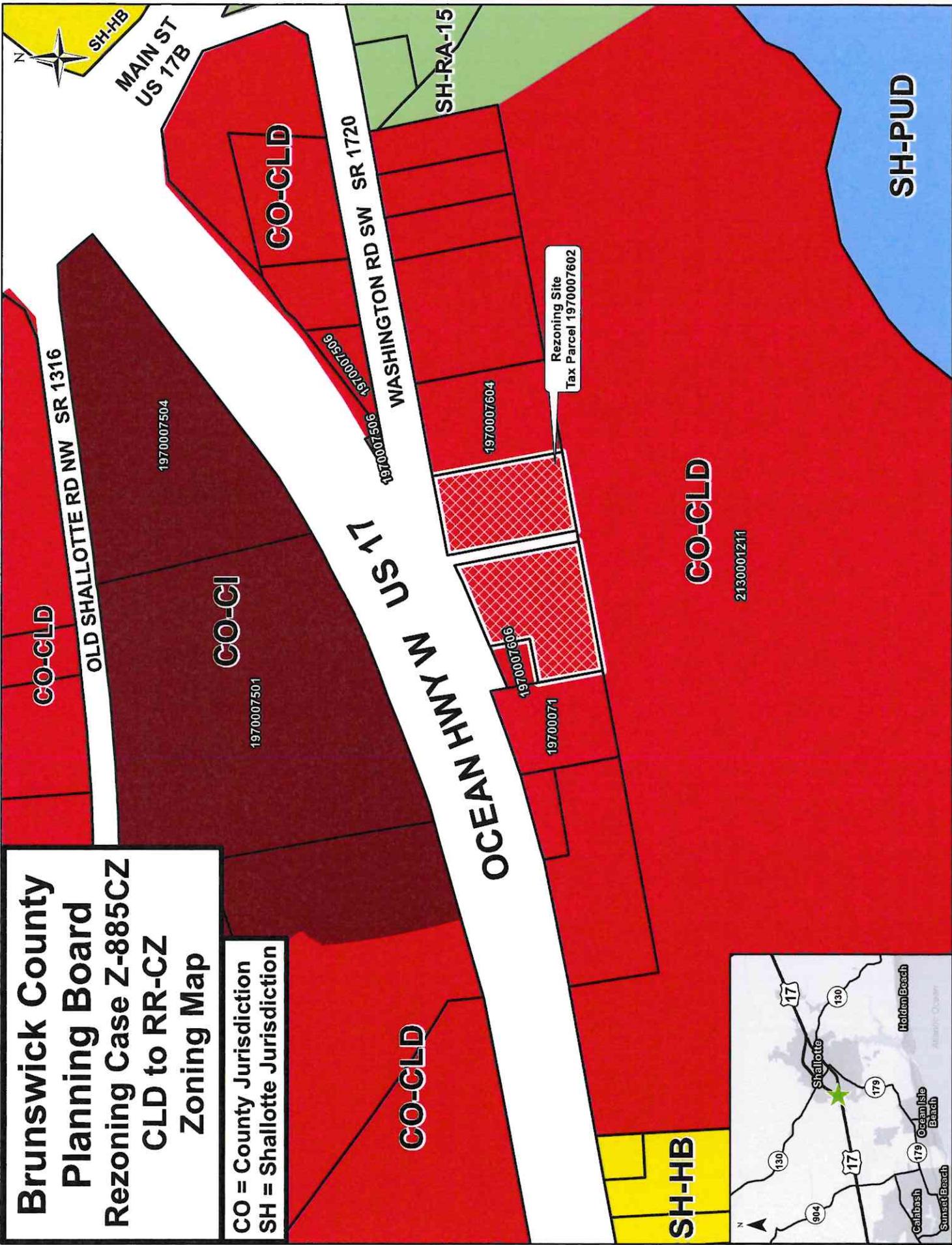
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

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:

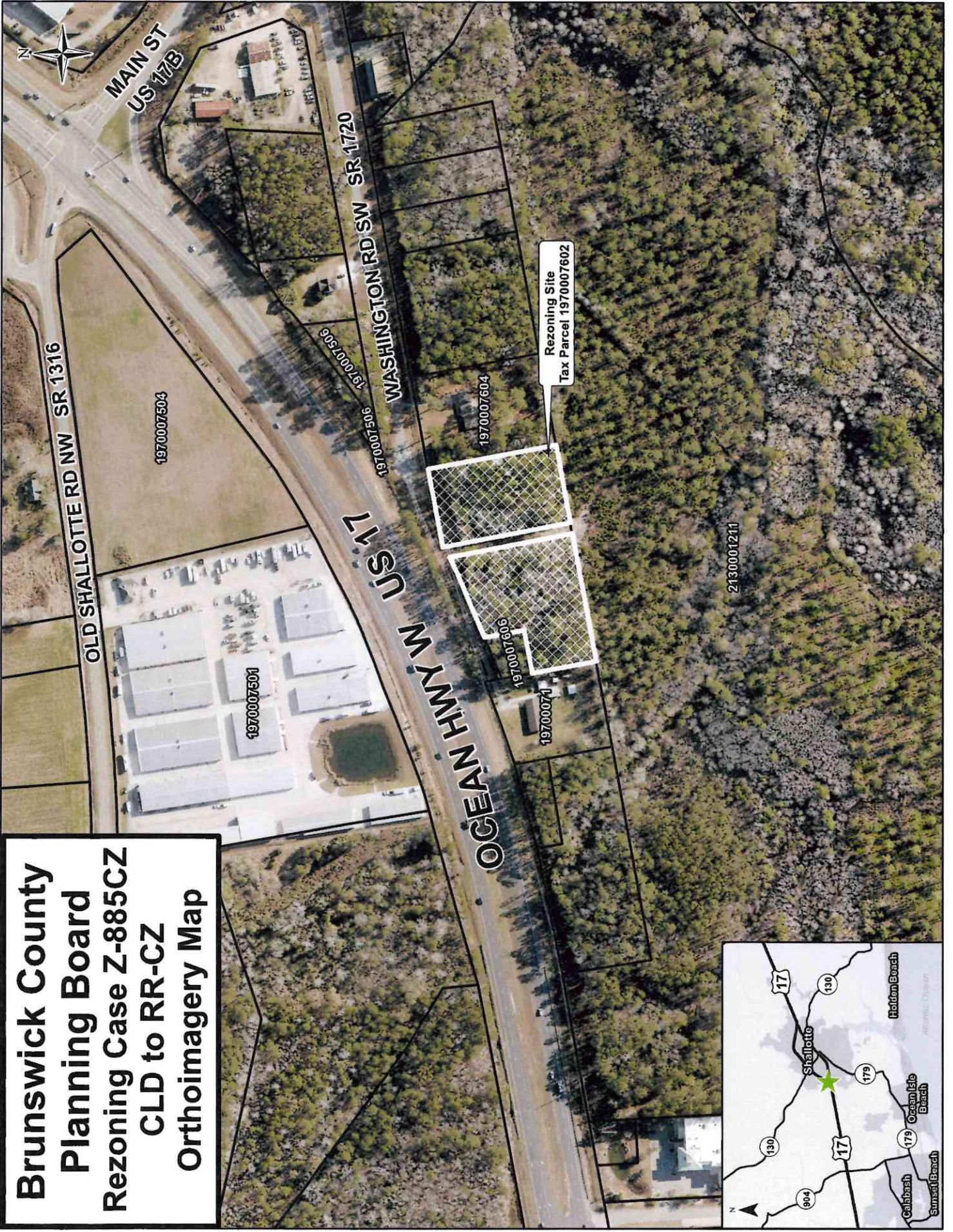
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - HW-2. Ensure equitable access to healthcare and healthy environments, by increasing access to gathering places as a way of fostering social connections.
 - NR-2. Maintain the “green” of Brunswick County as development continues, by encouraging tree preservation within site development.
2. The Commercial Suitability Map identifies the subject parcels as more suitable for commercial development.
3. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
4. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

**Brunswick County
Planning Board
Rezoning Case Z-885CZ
CLD to RR-CZ
Zoning Map**

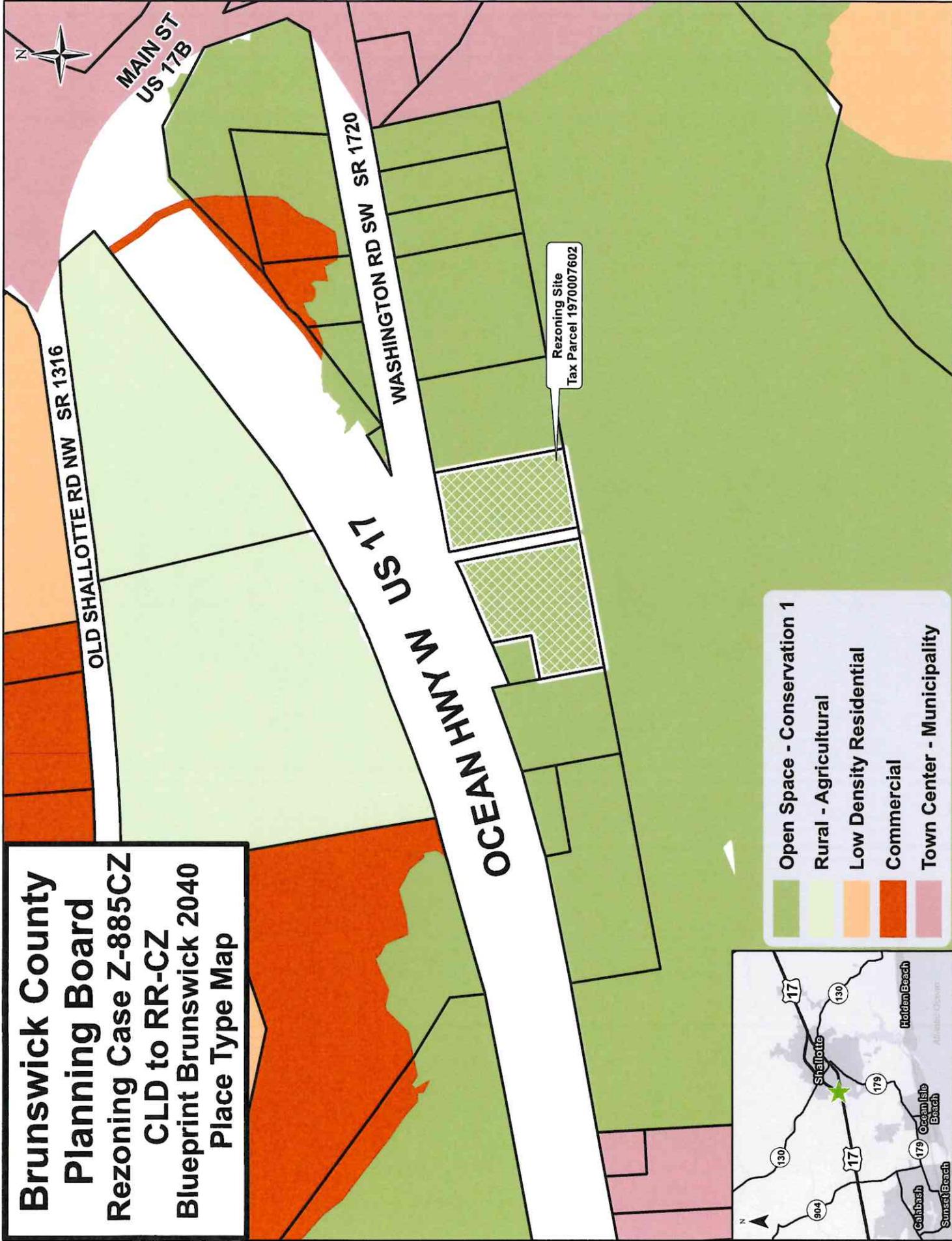
CO = County Jurisdiction
SH = Shallotte Jurisdiction



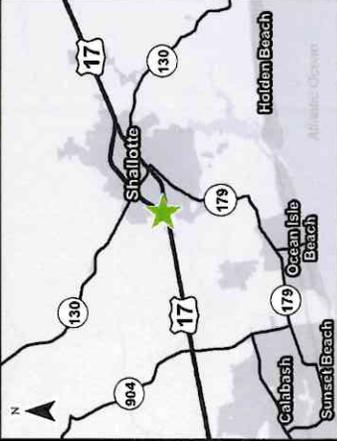
**Brunswick County
Planning Board
Rezoning Case Z-885CZ
CLD to RR-CZ
Orthoimagery Map**



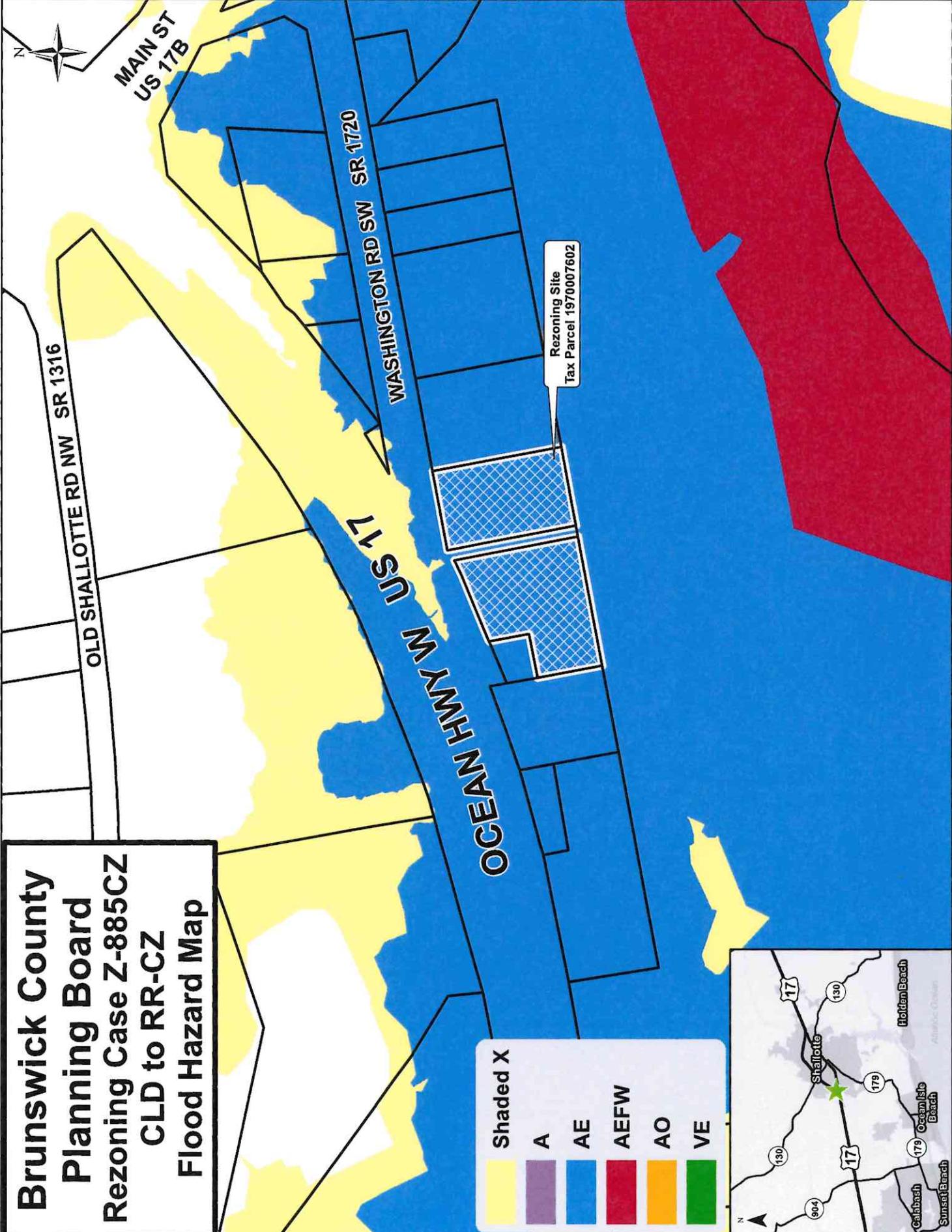
**Brunswick County
 Planning Board
 Rezoning Case Z-885CZ
 CLD to RR-CZ
 Blueprint Brunswick 2040
 Place Type Map**



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



**Brunswick County
 Planning Board
 Rezoning Case Z-885CZ
 CLD to RR-CZ
 Flood Hazard Map**



Rezoning Site
 Tax Parcel 1970007602

Shaded X	A	AE	AEFW	AO	VE



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

To: Jennifer Darrow, Applicant
From: Jeff Walton, Commercial Review, Brunswick Planning; 910-253-2039
CC: File;
Date: 1/4/2024
Re: Carolina Pickleball Co - 5825 Washington Rd SW

Name	Division	Status
Jeff McIntosh	Inspections, Plan Review	No comments sent
Amy Aycock	County Engineering, Utilities	Comments provided below
Richard Christensen, PE	County Engineering, Stormwater	Comments provided below
James Paggioli	Floodplain Administrator	Comments provided below
Joe Oliver	County Fire	Comments provided below
Danny Thornton	Environmental Health	Comments provided below
Helen Bunch	Transportation Planning	Comments provided below
Jeff Walton	Planning, Commercial Review	Comments provided below

The following is a list of comments for review from planning regarding the project. Please provide your corrections as listed below. Additional review will be required once all the needed documents have been provided. Items of documents not provided on initial submission will be subject to further review. Please contact me for any further questions.

Amy Aycock, Engineering Utilities, 910-253-2407; (amy.aycock@brunswickcountync.gov)

- The applicant can connect to the watermain on Washington road, there is the 24" watermain closest to this property. The County also has a high pressure force-main on the opposite side of Hwy 17, where a Duplex Grinder Station could be installed, but is not mandatory as long as she can get a septic tank permit.
- I have included a GIS snapshot for reference, the orange and green lines are the Town of Shallotte's force-mains



- For a Commercial Plan review:
 - Need a site plan submitted with locations of any water or sewer services shown as well as any additional fire hydrants that the Fire Marshall would require.
 - Site plan must be one 24"x36" paper set of plans with a Brunswick County Cover Sheet, with all relevant Brunswick County detail sheets included and Brunswick County Specifications (most recent versions can be found on the Brunswick County Engineering website).
 - Submit all applications from State Agencies if required; Brunswick County Engineering does not have any applications for water or sewer that will need to be submitted.
- Here is the link for Brunswick County Engineering Design Manual: <https://www.brunswickcountync.gov/wp-content/uploads/2023/04/BC-Design-Manual-Rec-1.06-revised-4-10-23.pdf>
- Here is the link for the Brunswick County Engineering Department: <https://www.brunswickcountync.gov/engineering/>

Richard Christensen, Engineering Stormwater, 910-253-1718; (richard.christensen@brunswickcountync.gov)

- I have already performed a stormwater review and provided comments to the engineer. I am waiting for the resubmittal. The site plan has been enhanced since I reviewed it back in October, so I am interested to see how my comments have been addressed.

James Paggioli, Floodplain Administrator, 910-253-2054, (james.paggioli@brunswickcountync.gov)

- Floodplain Development Permit will be required for Building, Fill and Construction Activities.
- Determination of Section 404 Jurisdiction Wetlands Permit is required.
- The Container Buildings are proposed at a FF of 16.2'. This is the exact RFPE for the site and all material (Including flooring of the Containers) is required to be Flood Resistant materials be FEMA Technical Bulletin #2. It is recommended that the Top of the Foundation Piers be at the RFPE elevation of 16.2', and therefore any materials within the containers not be subject to the Flood resistant materials criteria.
- It is likely that the containers will require ground anchoring similar to Manufactured Home requirements. Structural Engineer plans should calculate, loading, wind loading and floatation forces that may impact the containers when determining the foundation connections and possible anchoring.

Joe Oliver, Fire Marshall, 910-254-2043; (joseph.oliver@brunswickcountync.gov)

- Fire has no comment- just reference notes that the 24/25 foot road with hammerhead would need to support the weight of a fire apparatus of 75,000 lb and hydrant would need to flow 1,500 gpm rate.

Danny Thornton, Environmental Health, 910-253-2252; (danny.thornton@brunswickcountync.gov)

- EH as received a septic application for this project (EH Project # 2021075532).
- The Septic System Improvement Permit as not been issued at this time. EH is waiting for an approved storm water plan to verify setback requirements. The application submitted to EH included 2 bathrooms and 2 showers, and 7 pickle ball courts.
- Based on the information provided in the application, EH has sized the wastewater system to support a daily design flow of 1000 gpd. Once the stormwater plan and the updated site plan has been provided, EH will be able to review and based on approval status move forward with issuing an Improvement Permit.
- Finally, the application indicated that the facility will be connected to public water.

UPDATED: Helen Bunch, Transportation Planning, 910-253-2035; (helen.bunch@brunswickcountync.gov)

- Note that the No 57 aggregate 24' wide driveway dividing Tax Parcel 1970007602 and explain its purpose for the subject parcel and any adjacent parcels.
- Address how the chosen mulch parking surface meets the requirements of Section 6.12.5.B.4. of the Unified Development Ordinance (UDO), including how it will be retained within the limits of the parking space and drive aisles.
- Provide the parking calculations for parking spaces.
- Provide a completed NCDOT Driveway Permit Form for Transportation Planning Signature.
- Indicate the purpose of the half circle and rectangle areas near the proposed mulch parking spaces.

Jeff Walton – Planning, Commercial Review, 910-253-2039; (Jeff.walton@brunswickcountync.gov)

- On your next submittal, please include landscaping and lighting plans.
- This use is considered Outdoor Recreation within the UDO. The use is not permitted in the CLD zone, which these parcels are located. To be able to be permitted, the parcels would need to be rezoned to RR (Rural Residential), RU-I (Industrial-Rural) or CP (Conservation and Protection).
 - Ordinance Definition: **Outdoor Recreation:** Public or private golf courses, driving ranges, swimming pools, tennis courts, ball fields, and ball courts which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, club houses, country clubs or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use.
 - To apply or ask questions regarding rezoning, contact Ron Meredith at ronald.meredith@brunswickcountync.gov or 910-253-2292.
 - Another option is to propose a text amendment to allow this use in the CLD. This would need to be initiated with you as the applicant and you may find staff support if you were to proceed. I can send more info on process and fees if you choose this route.

Site Plan Regs (I will base my comments the site being rezoned to RR, if that proceeds):

- Please reflect the required site setbacks per the RR zone. Show proposed setback compliance for all site features.

Yards (minimum feet)	
Front Yard ⁹	25
Rear Yard ⁹	25
Side yard (minimum feet)	
One Yard ⁴	10
Total (sum of both side yards)	--
Street Side Yard ⁵	15

- If the site remains cld, please list required setbacks in a data table.
- Sec 6.1.3(A) A Heritage Tree Survey is required showing the general location, species and size of trees listed below.
 - With the exception of clearing required for required driveways or street connections, the retention of heritage trees within a proposed landscaping or buffer area shall be required.
 - For purposes of this Ordinance, a heritage tree shall be defined as follows:
 - A flowering Dogwood, Live Oak, Long Leaf Pine, Redbay, Black Tupelo or Laurel Oak with a trunk diameter measurement of 4" or greater measured at 4.5 feet above ground.
 - Any tree species included in the planting table (See Section 6.1.5.C) with a trunk caliper measurement of 18" or greater measured at 4.5 feet above ground.
- 6.3.8. Street Buffers
 - Street buffers shall be required and existing vegetation should be used to satisfy these planting requirements where possible (see Section 6.1.4, Existing Vegetation).
 - Collector or Thoroughfare Street Buffers requires one canopy tree per 100 linear feet of property frontage, located within a twenty-foot landscape buffer; OR two understory trees per 100 linear feet of property frontage, located within a twenty-foot landscape buffer
 - Please submit a landscape plan showing compliance with preserved trees or proposed trees.
- 6.3.9 Project Boundary Buffers
 - When locating a non-residential use in a Rural Residential, R-7500, R-6000, SBR-6000, MR-3200, NC, C-LD, or RU-I Zoning District next to an existing residential developed property
 - a 0.4 buffer shall be required. Chart provided below for compliance. Please add this to your landscaping plan.

Required Opacity ⁽¹⁾	Alternative 1 Plantings	Alternative 2 Plantings	6-Foot (Height) Fence ⁽²⁾
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	15 feet width 3 understory 3 shrubs

- Sec 6.4 Screening:
 - Check and comment screening for the following:
 - HVAC ground units
 - Show location and screening
 - Trash handling facilities, including dumpsters and recycling.
 - Show location and screening
 - 5. Screening notes
 - Mechanical equipment which shall be screened with a wood fence/slatted chain link fence or vegetation to the height of the equipment plus six inches.
 - Enclosures shall be required around dumpsters, at least 6 feet tall, please add a detail for fence type, location and height.
 - Dumpsters and/or trash handling facilities shall not be located within any required buffer or within five feet of any property line, whichever is greater. Such facilities shall not be located in front of the front wall of the structure.
- 6.12 Off Street Parking and Loading
 - Please show the required and provided parking based on use.
 - Label that all wheel stops are made of concrete.
- 6.12.E – Parking spaces are 9' x 18' and drive aisle width minimum 25 feet.
 - Also dimension the handicap spaces (9 x 18) and loading space (8 x 18).
- Parking lot landscaping:
 - Off-street parking facility: (please update on landscaping plan)
 - i. Each off-street parking facility with 20 spaces or more shall provide one landscaped island for each twenty 20 spaces or fraction thereof.
 - ii. For off-street parking facilities with 20 or more parking spaces at least one landscaped island must be located within 150 feet of every parking space.
 - iii. Each island shall consist of not less than 144 square feet of unpaved area and have a minimum internal dimension of at least eight feet measured in all directions. Each island shall be planted with a tree at least five feet in height (see Appendix A for a listing of approved trees). The remaining area within a landscaped island shall be surfaced with shrubs, ground cover, grass, or other landscape material (excluding rock).
- 6.9.4. Lighting Plan (if proposed)
 - A site lighting plan shall be required as part of the application review for all areas proposed for illumination that exceed 40,000 square feet in area. Projects with multiple areas proposed to be illuminated (such as separate parking lots) shall submit a site lighting plan if the sum of the multiple areas exceeds 40,000 square feet.
 - A. Fixture (Luminaire)
 - The light source shall be completely concealed behind an opaque surface and recessed within an opaque housing and shall not be visible from any street right-of-way or adjoining properties.
 - Overhead lighting fixtures shall be designed to prevent light from emitting upwards towards the sky.
 - Fixture Height: Not exceed 40 feet in height.
 - Light Source (Lamp): Non color corrected high-pressure sodium lamps are prohibited
 - Mounting: Fixtures shall be mounted in such a manner that the cone of light is contained on-site and maximum illumination levels off-site does not exceed those found in Section 6.9.6 and not conflict with excessive illumination requirements found in Section.



REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>885CZ</u>	Invoice # _____
Date Received <u>2/8/24</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): Jennifer A. Darrow

Mailing Address:

5825 Washington Rd SW, Charlotte, NC 28470

Phone: 203-913-9432

Email: Jennifer.Darrow@live.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s): same as above

Mailing Address:

Phone:

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location:

5825 Washington Rd SW, Charlotte, NC. aka 5813 Washington Rd SW Charlotte, NC

Parcel Tax ID #(s):

1970007602

Total Site Acreage:

2.81

Current Zoning District(s): CDL

Proposed Zoning District(s): RRC2

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:

Rezoning is consistent with the Land use plan

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: 2/6/24

Owner Signature: [Signature]

Date: 2/6/24

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.

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: 5/19/24 CASE # OR PROJECT NAME: 1970007602

LOCATION OF MEETING: 5825 Washington Rd SW, Charlotte NC
11:00 am - 11:43 am

The Carolina
Pickleball Company
LLC

ATTENDEES

NUMBER OF ATTENDEES: 1

LIST OF ATTENDEES:

- 1. Tammy Burney
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____
- 21. _____

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

Plans and goals discussed - no objections
or concerns

Zoning application discussed - no objections
or concerns

Case Z-885CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
1970007604	COE HANNAH MICHELLE		5801 WASHINGTON RD SW	SHALLOTTE	NC	28470-3436
1970007504	OMNISTORAGE INC		4712 GOOSE LN SW	SHALLOTTE	NC	28470-5442
1970007501	PRIME STORAGE SHALLOTTE LLC		83 RAILROAD PL # 85	SARATOGA SPGS	NY	12866-2124
19700071	BURNEY TAMMY RENEE		PO BOX 268	SHALLOTTE	NC	28459-0268
1970007606	MITCHELL WRATHIEL		3149 SIDS MILL RD	FAYETTEVILLE	NC	28312
2130001211	LONG BAY WOODS LLC		1286 RIVERBEND DRIVE SW	SHALLOTTE	NC	28470
1970007506	WEMYSS JAMES PHILLIP		109 OCEAN ISLE BEACH ROAD	OCEAN ISLE BEACH	NC	28469

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
1970007602	DARROW JENNIFER A		5825 WASHINGTON RD SW	SHALLOTTE	NC	28470-3436

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	DARROW JENNIFER A		5825 WASHINGTON RD SW	SHALLOTTE	NC	28470-3436

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-895
July 8, 2024

APPLICATION SUMMARY

The applicants, Samuel Varnam and the Theresa Rhodes Family Trust, request to rezone Tax Parcel 23100041 and a portion of 2310004103 from R-6000 (High 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

1886 and 1917 Boones Neck Road SW
(SR 1137) Near Supply, NC

Tax Parcels

23100041 and a portion of 2310004103

Current Zoning

R-6000 (High Density Residential)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

CLD (Commercial Low Density), R-6000
(High Density Residential), and MR-
3200 (Multifamily Residential)

Current Use

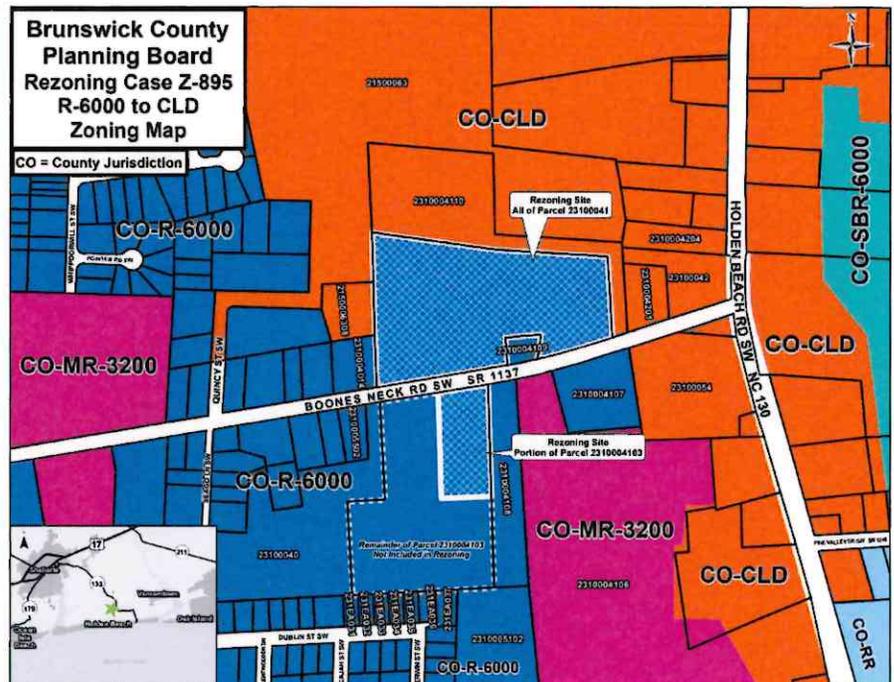
Single Family Residential and Vacant
Land

Surrounding Land Uses

Residential, Commercial, and Vacant
Lands

Size

12.07 acres



SITE CONSIDERATIONS

Zoning History:

- The property has been zoned R-6000 since zoning was first adopted in 1994.

Buffers: If rezoned to CLD, no buffer is required adjacent to CLD zoned property. If adjacent to R-6000, 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 and use of any future development.

Utilities: Water is available from Brunswick County Utilities. Public sewer is not available on Boones Neck Road but is available in the vicinity along Holden Beach Road. It is the developer's responsibility to connect to the water and sewer system.

Schools: Virginia Williamson Elementary School, Cedar Grove 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 Boones Neck Road (SR 1137), however Holden Beach Road (NC 130) is currently near capacity.

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: Portions of the project site score a 5 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.
- The requested parcel is not located within a Significant Natural Area.

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:

Medium Density Residential: *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 (Medium Density Residential)

- 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-895, 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

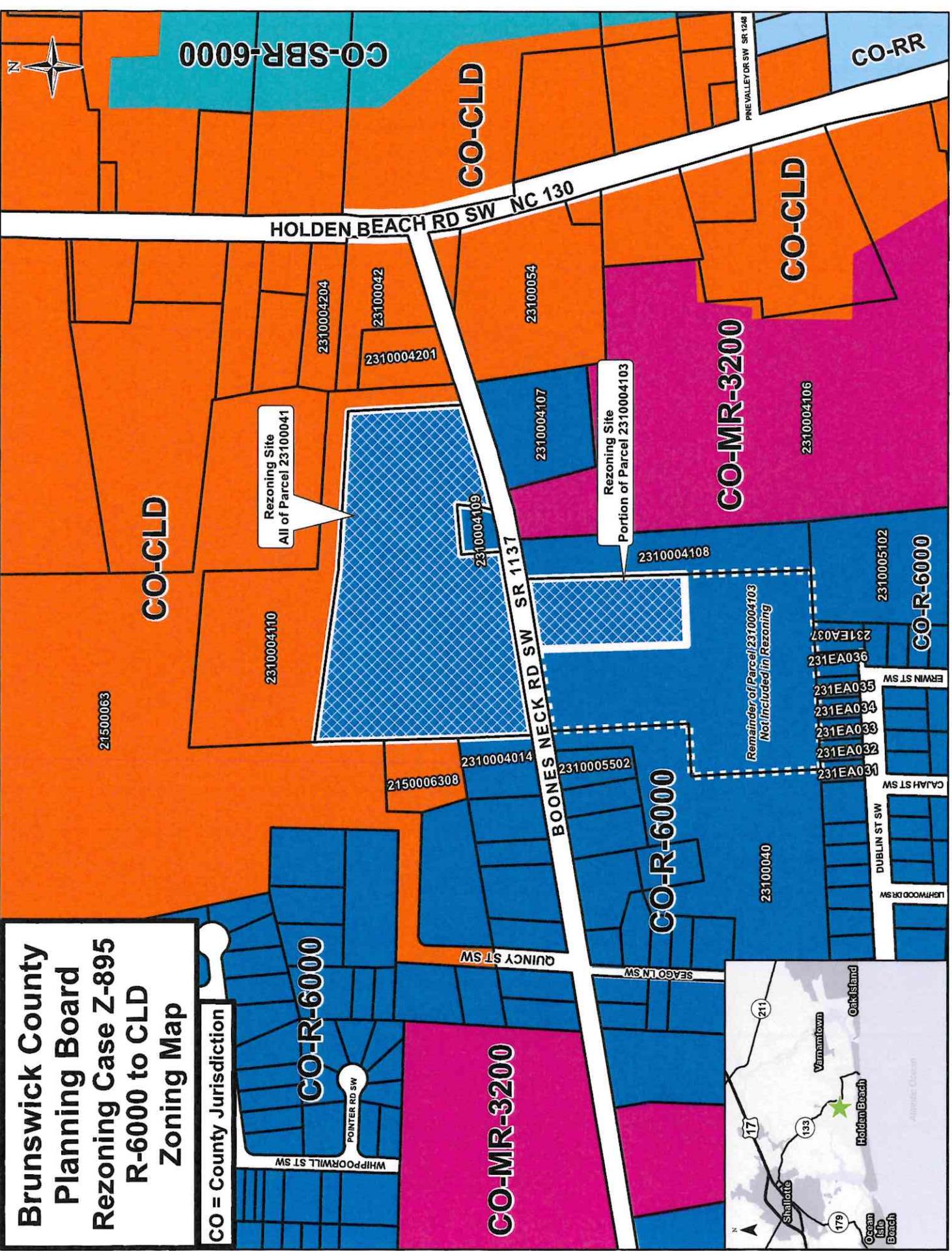
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

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.
 - ED-1. Maintain and expand job opportunities in the county.
 - The Commercial Suitability Map identifies the subject parcels as generally 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 5 out of 10.

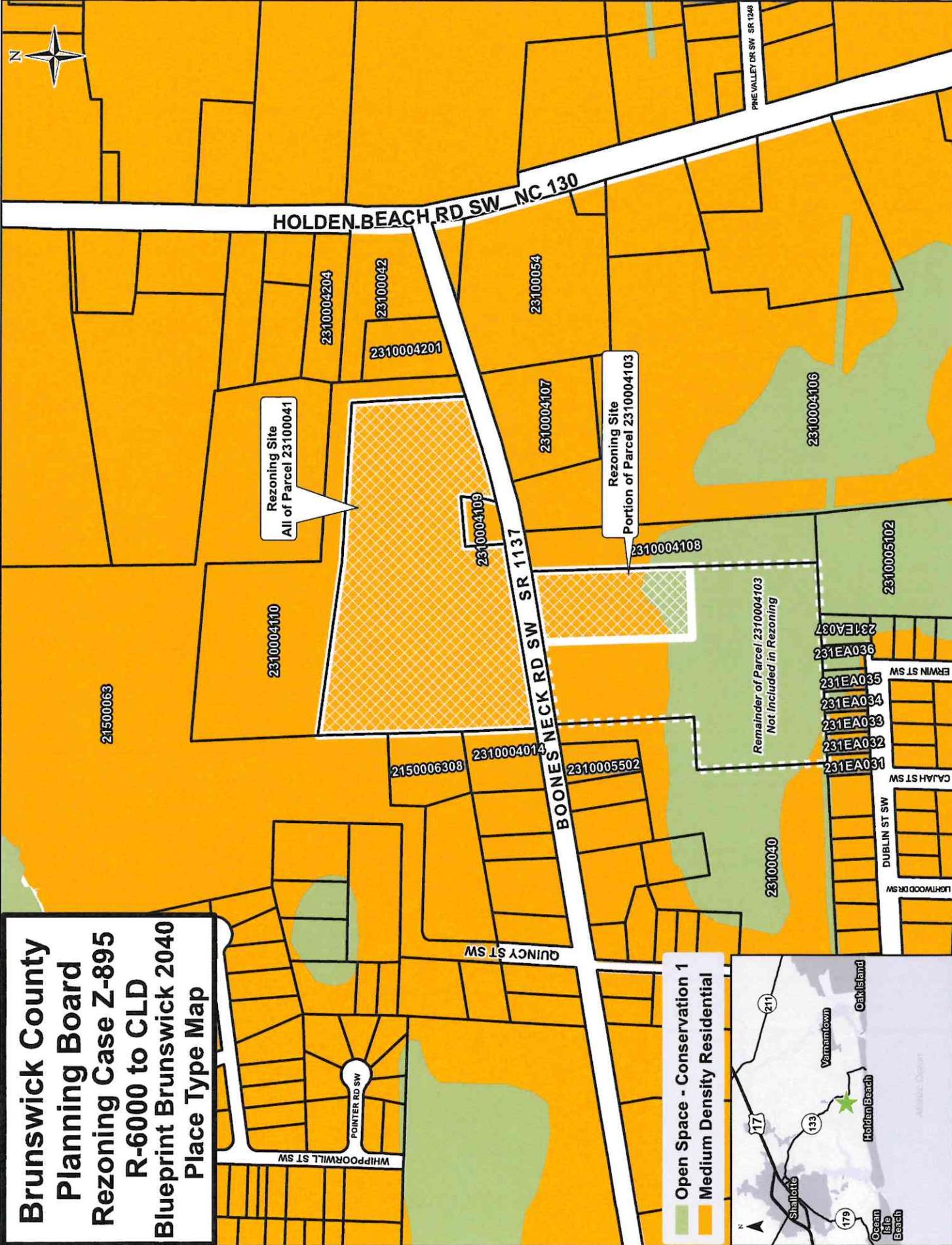
**Brunswick County
Planning Board
Rezoning Case Z-895
R-6000 to CLD
Zoning Map**

CO = County Jurisdiction



**Brunswick County
Planning Board
Rezoning Case Z-895
R-6000 to CLD
Blueprint Brunswick 2040
Place Type Map**

- Open Space - Conservation 1
- Medium Density Residential

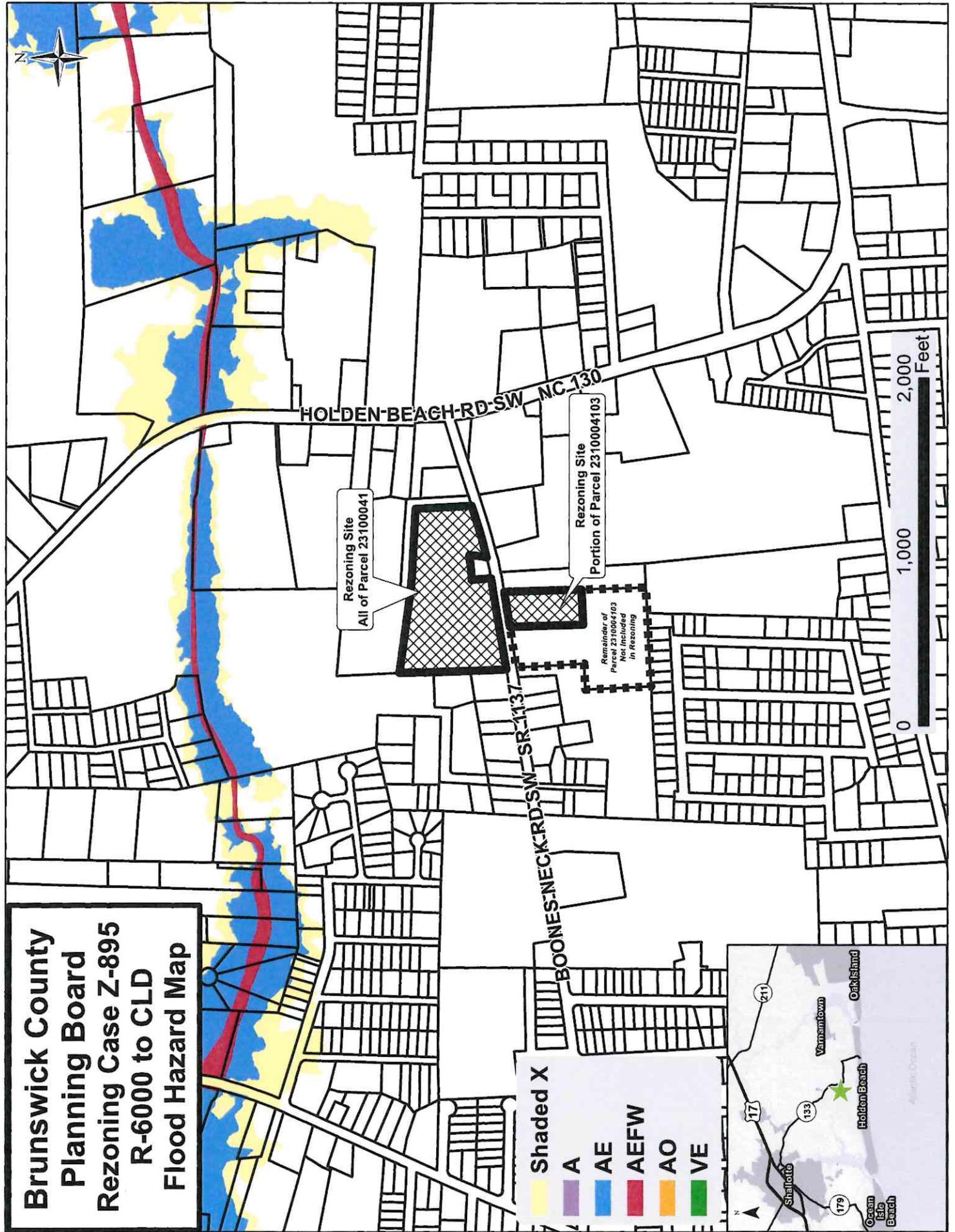


Rezoning Site
All of Parcel 23100041

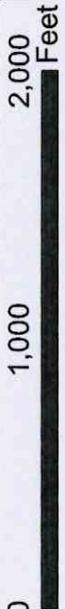
Rezoning Site
Portion of Parcel 2310004103

Remainder of Parcel 2310004103
Not Included in Rezoning

**Brunswick County
Planning Board
Rezoning Case Z-895
R-6000 to CLD
Flood Hazard Map**



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





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>895</u>	Invoice # <u>608399</u>
Date Received <u>5/20/24</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):
 1. Theresa P. Rhodes Family Revocable Living Trust-2310004103
 2. Samuel N. Varnam-23100041

Mailing Address:

Rhodes: 1917 Boonesneck Road, Supply, NC 28462
 Varnam: 1574 Monster Buck Street, Supply, NC 28462

Phone: 910-443-9974

Email: seamiststorage@atmc.net & sammy@seabreezenc.com

PROPERTY OWNER INFORMATION (if different from above)

Owner Name(s):

Mailing Address:

Phone:

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location: Rhodes: 1917 Boonesneck Road, Supply, NC
 Varnam: 1886 Boonesneck Road, Supply, NC

Parcel Tax ID #(s):

1. A portion of Tax Parcel 2310004103-2 Acres
2. All of Tax Parcel 23100041-10.07 Acres

Total Site Acreage: 12.07 Acres

See attached map

Current Zoning District(s): R-6000

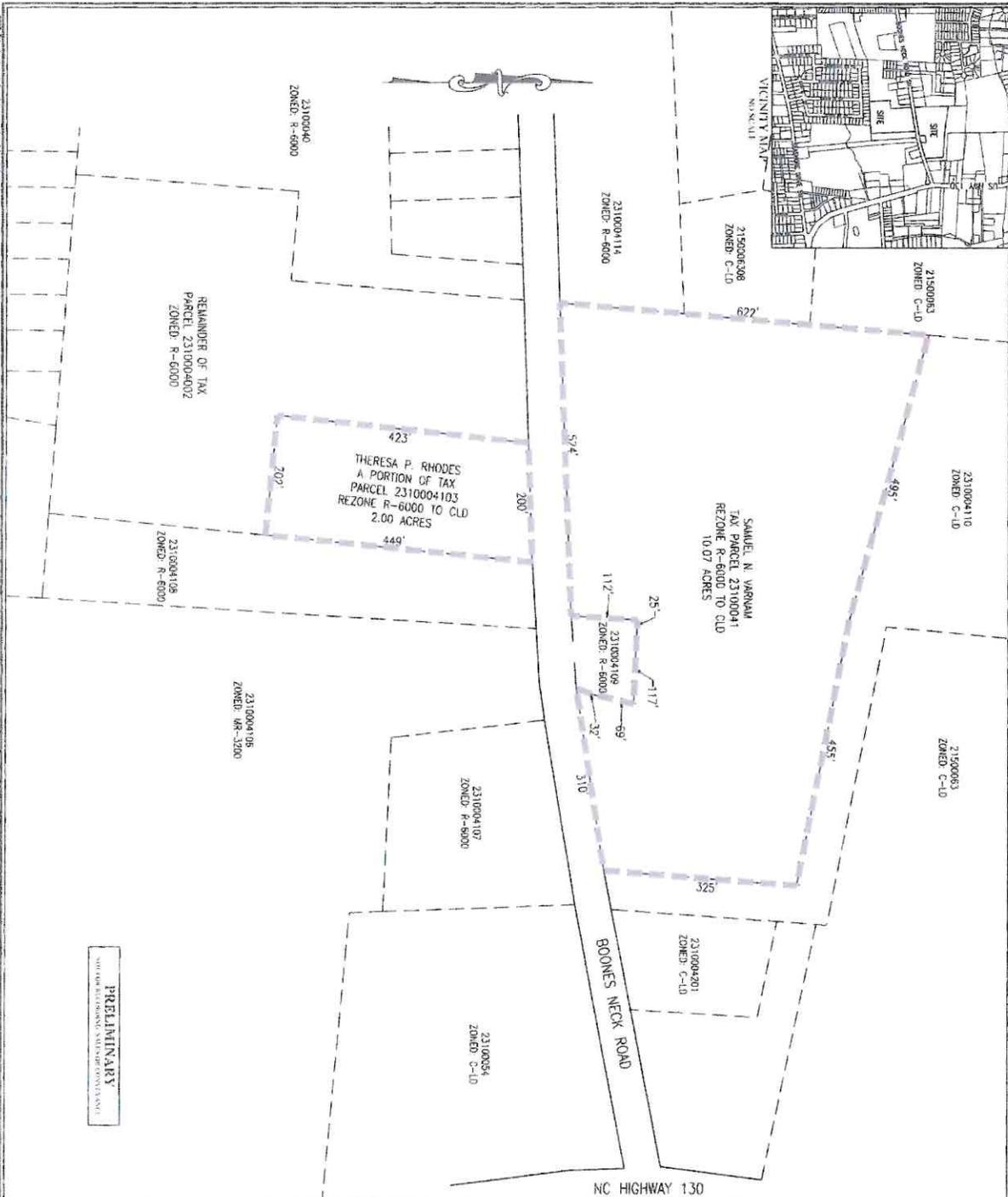
Proposed Zoning District(s): C-LD

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.

2025: This zoning text and its amendments is subject to public review and comment. It is not intended to be a final ordinance until it has been approved by the Board of Zoning Adjustments.



PRELIMINARY



COASTALGEOMATICS
LAND SURVEYING • MAPPING • PLANNING

Physical Address: 5041-J Main Street, Shalotte, NC 28470
Mailing Address: Post Office Box 1560, Shalotte, NC 28459
Telephone: 910-356-1800 - www.coastalgeomatics.com

THERESA P. RHODES & SAMUEL N. VARNAM

REZONING EXHIBIT MAP FOR

NC HIGHWAY 130

Map Scale

Z-895

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
23100042	THERESA P RHODES FAMILY REVOCABLE LIV TRUST		1917 BOONES NECK RD SW	SUPPLY	NC	28462-5335
2310004109	CLEMMONS REBECCA ETVIR	CLEMMONS JAMES JR	1880 BOONES NECK RD SW	SUPPLY	NC	28462-5332
23100040	WOOTEN DONNIE		2016 OLD SPENCER MOUNTAIN RD	DALLAS	NC	28034-9497
2310004107	POTTER HELEN		1917 BOONES NECK RD SW	SUPPLY	NC	28462-5335
231EA037	ANN W BRACEY LIVING TRUST THE		1463 ALLISON CIR	ROCK HILL	SC	29732-7798
231EA036	TODD ROY DOUGLAS JR ETALS		1950 ROBINSONVILLE RD SW	SUPPLY	NC	28462-5976
231EA035	TODD LESTER		PO BOX 215	SUPPLY	NC	28462
231EA034	TODD ROY DOUGLAS JR ET	TODD JAYNE	1950 ROBINSONVILLE RD SW	SUPPLY	NC	28462
231EA033	TODD ROY DOUGLAS JR ET	TODD JAYNE	1950 ROBINSONVILLE RD SW	SUPPLY	NC	28462
231EA032	TODD ROY DOUGLAS JR ETALS		1950 ROBINSONVILLE RD SW	SUPPLY	NC	28462-5976
231EA031	TODD ROY DOUGLAS JR ETALS		1950 ROBINSONVILLE RD SW	SUPPLY	NC	28462-5976
2310004110	ALL IN LLC		1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802
2310005102	EMERY H LEHUE & SHIRLEY P LEHUE REV LIV TRUST		338 LEHUE PARKER RD	NORWOOD	NC	28128-6584
2310004204	ROACH W A ETUX	ROACH JETTY S	3719 SHELL POINT RD	SHALLOTTE	NC	28470-5717
2310004201	JORDAN MARIAN GORE		PO BOX 53233	FAYETTEVILLE	NC	28305-3233
23100054	SELLERS TAMMIE ANGELIA		1850 CLEMMONS ROAD	BOLIVIA	NC	28422
2310004106	ANTILL ENTERPRISES INC		2940 LAKE POINT DR SW	SUPPLY	NC	28462-5986
2310004108	KELLY JEFFERY T ETUX	KELLY ROBIN M	1900 HEALING WATER LN SW	SUPPLY	NC	28462-3533
21500063	ALL IN LLC		1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802
2150006308	ALL IN LLC		1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802
2310004014	SCHULTZ DAVID L ETUX	SCHULTZ SUE R	2773 PIRATE LN SW	SUPPLY	NC	28462-2579
2310005502	RUIZ ADAM ETUX	RUIZ MEGAN	1935 BOONES NECK RD SW	SUPPLY	NC	28462-5335

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
2310004103	THERESA P RHODES FAMILY REVOCABLE LIV TRUST		1917 BOONES NECK RD SW	SUPPLY	NC	28462-5335
23100041	VARNAM SAMUEL N ETUX	VARNAM LISA L	1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	THERESA P RHODES FAMILY REVOCABLE LIV TRUST		1917 BOONES NECK RD SW	SUPPLY	NC	28462-5335
	VARNAM SAMUEL N ETUX	VARNAM LISA L	1574 MONSTER BUCK EST NW	SUPPLY	NC	28462-3802

REZONING STAFF REPORT



Prepared by Tyler Connor, Planner I
Rezoning Case#: Z-896
July 8, 2024

APPLICATION SUMMARY

The applicant, David Summerlin with South Brunswick Development LLC., requests to rezone Tax Parcels 1680006509 and 1680006510 from RR (Rural Residential) to C-LD (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

West of 131 Green Swamp Road
(NC 211) Near Supply, NC

Tax Parcel

1680006509 and 1680006510

Current Zoning

RR

Proposed Zoning

C-LD

Surrounding Zoning

RR, R-6000, and C-LD

Current Use

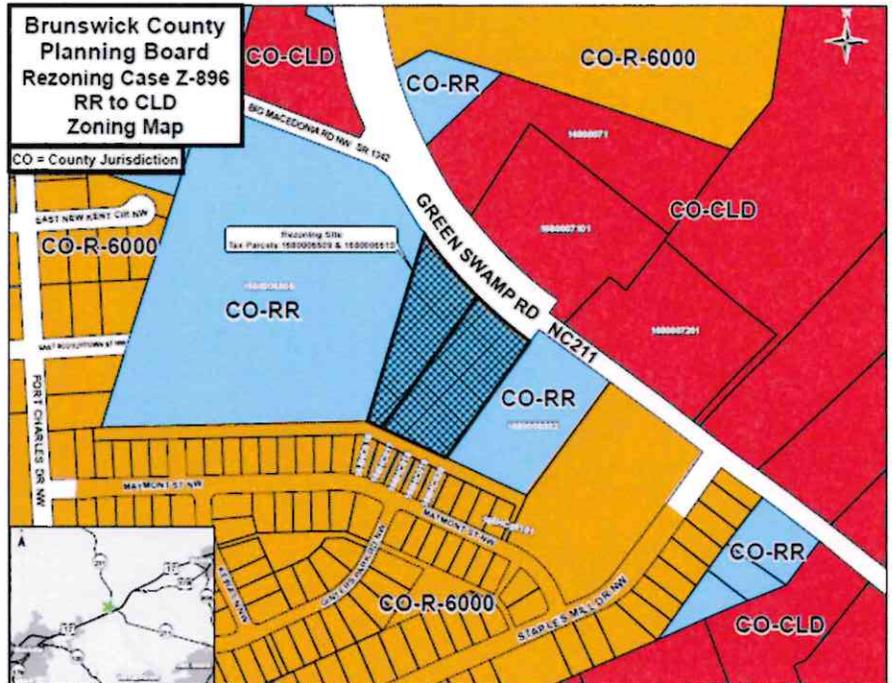
Undeveloped/Agricultural

Surrounding Land Uses

Residential, Undeveloped

Size

3.83 Acres



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 RR, if rezoned to C-LD, a 0.8 buffer will be required when located next to a developed property and a 0.6 buffer would be required when located next to a vacant property. When developed adjacent to the R-6000, if rezoned to C-LD, a 0.6 buffer will be required when located next to a developed property and a .04 buffer would be required when located next to a vacant property.

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: Both parcels are located within the Supply Elementary School, Cedar Grove Middle School, and West Brunswick High School districts. All schools 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 located within a half mile of a Voluntary Agricultural District.
- The requested parcel is not located within a Significant Natural Area.

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.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-896, 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-896 RR to CLD Zoning Map

CO = County Jurisdiction

EAST NEW KENT CIR NW

CO-R-6000

EAST SCOTCHTOWN ST NW

FORT CHARLES DR NW

MAYMONT ST NW

KERA LN NW



CO-R-6000

CO-RR

CO-CLD

BIG MACEDONIA RD NW SR 1342

CO-CLD

GREEN SWAMP RD NC211

16800071

1680007101

1680007201

Rezoning Site
Tax Parcels 1680006509 & 1680006510

1680006508

CO-RR

CO-RR

1680006503

168HC016
168HC017
168HC018
168HC019
168HC020

168HC00101

MAYMONT ST NW

STATES MILL DR NW

CO-R-6000

CO-RR

CO-CLD

GINTERS PARK RD NW

MAYMONT ST NW

211

17

130

79

211

17B

904

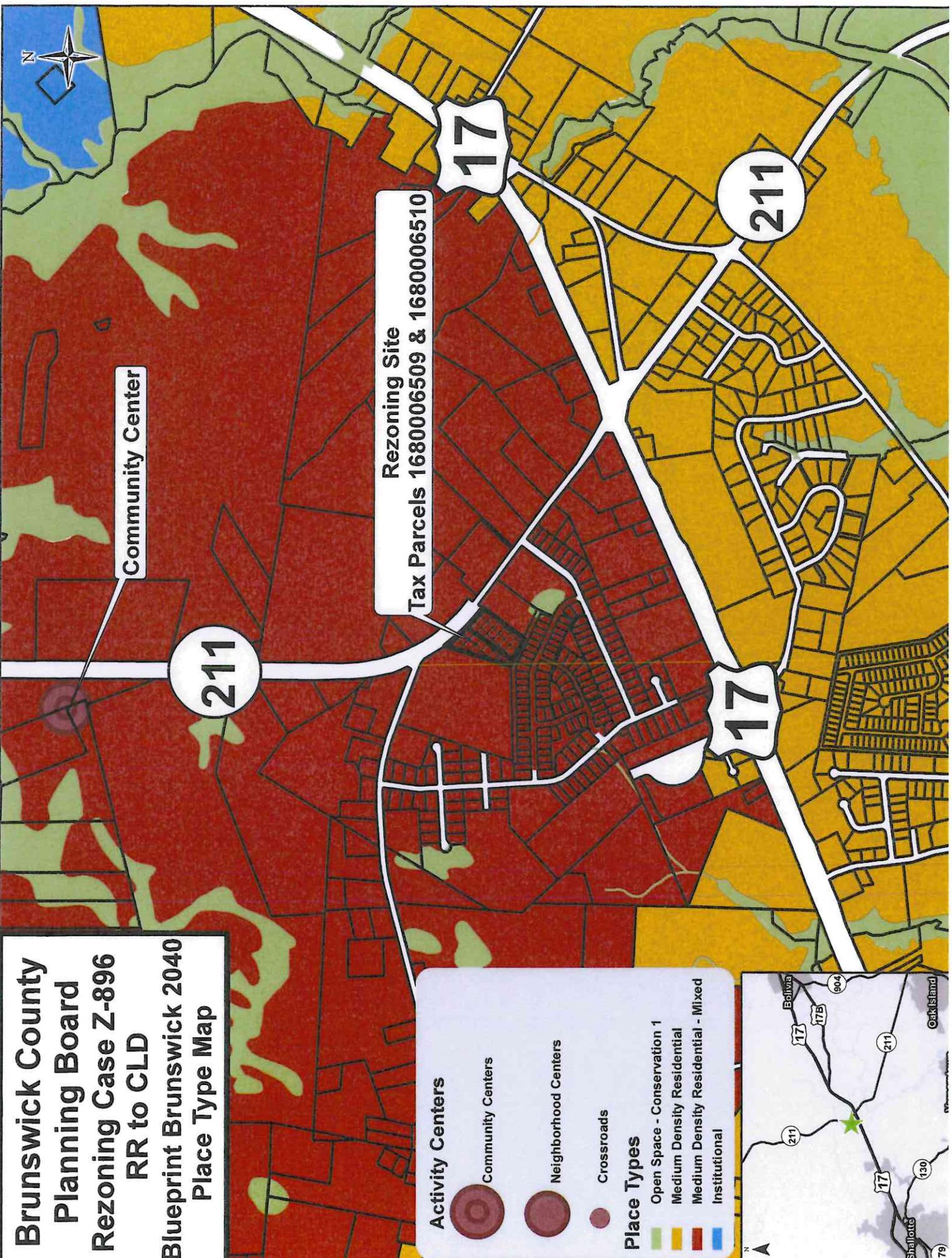
Bolivia

Oak Island

Shallotte

Wilmington

**Brunswick County
 Planning Board
 Rezoning Case Z-896
 RR to CLD
 Blueprint Brunswick 2040
 Place Type Map**



Community Center

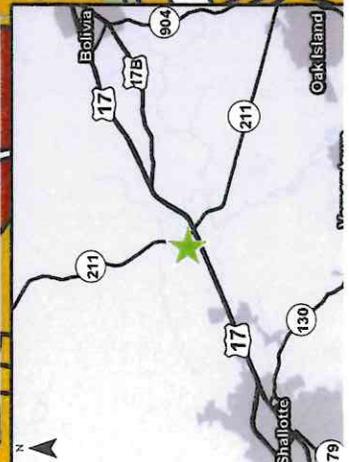
Rezoning Site
 Tax Parcels 1680006509 & 1680006510

Activity Centers

-  Community Centers
-  Neighborhood Centers
-  Crossroads

Place Types

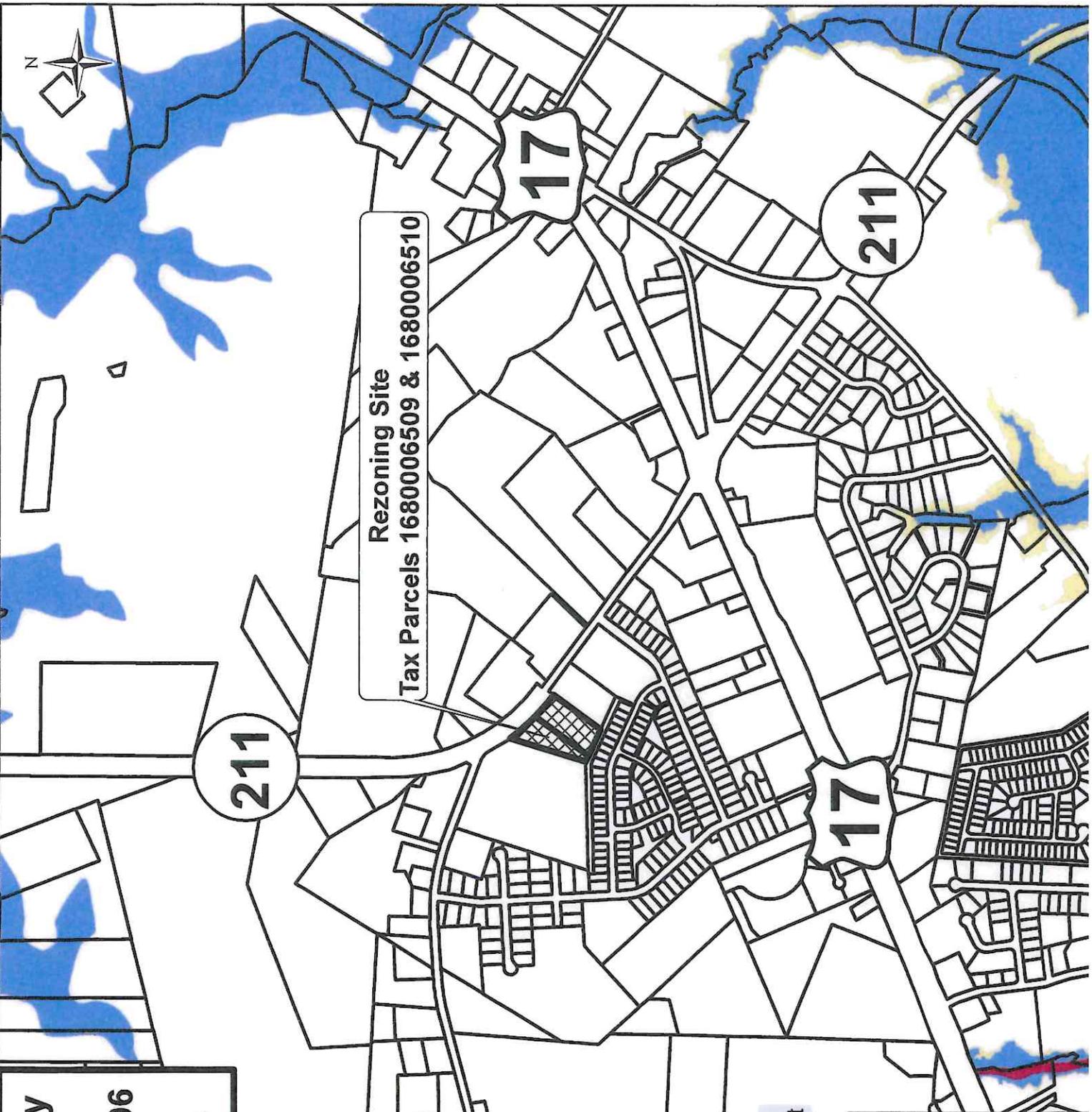
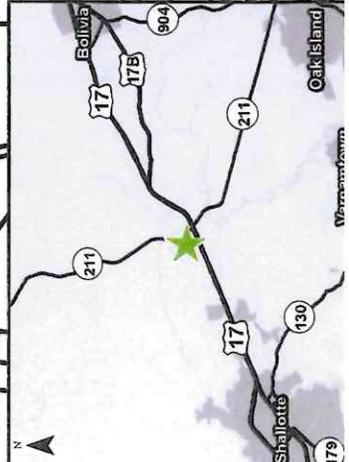
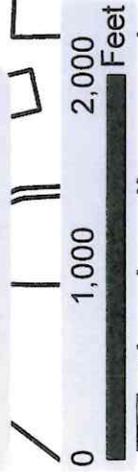
-  Open Space - Conservation 1
-  Medium Density Residential
-  Medium Density Residential - Mixed
-  Institutional



**Brunswick County
Planning Board
Rezoning Case Z-896
RR to CLD
Flood Hazard Map**

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

Rezoning Site
Tax Parcels 1680006509 & 1680006510





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- 896 Invoice # 610286

Date Received May 30, 2024

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 Ste 102 Wilmington, NC 28403	
Phone: 910-444-9012	Email: david.summerlin@scpcommercial.com
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): Peggy Evans	
Mailing Address: 2305 Oleander Dr Wilmington, NC 28403	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: Two parcels around 155 Green Swamp Rd in Supply, NC	
Parcel Tax ID #(s): 1680006509 1680006510	Total Site Acreage: 3.83 acres
Current Zoning District(s): RR	Proposed Zoning District(s): CO-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:

This area is subject to a pending interchange plan at the intersection of Hwy 17 and Hwy 211. These sites are needed for future commercial uses, in that the NCDOT is not allowing Hwy 17 access on many of the properties near the intersection. This property is not affected by the interchange plan, making it ideal for future commercial uses. This proposal fits the Brunswick County 2040 Future Land Use Plan

LAND USE COMPATIBILITY

Future Land Use Map Classification: Mixed Use

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: 5-22-24

Owner Signature: Peggy Jean Williamson Evans

Date: 5-30-2024

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 an additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

Z-896

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
1680007201	SELLERS EMILY K		130 GREEN SWAMP RD	SUPPLY	NC	28462-3484
1680006503	DILLAHAY CHAD L ETUX	DILLAHAY NATALIA D	131 GREEN SWAMP RD	SUPPLY	NC	28462-3483
1680006508	CLEMMONS FARMING INC		273 SELLERS RD NW	SUPPLY	NC	28462
168HC00101	MIRAMAR RICHMOND HILLS LLC		3249 E INDIGO CIR	MESA	AZ	85213-3273
16800071	THE GALLOWAY 4 LLC		671 MARBELLA CT NW	CALABASH	NC	28467-1769
168HC016	LOGAN DEVELOPERS INC		60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9275
168HC017	LOGAN DEVELOPERS INC		60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9275
168HC018	LOGAN DEVELOPERS INC		60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9275
168HC019	LOGAN DEVELOPERS INC		60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9275
168HC020	LOGAN DEVELOPERS INC		60 GREGORY RD NE STE 1	BELVILLE	NC	28451-9275
1680007101	CARLISLE FAMILY REVOCABLE TRUST ETALS		1099 HEWETT RD SW	SUPPLY	NC	28462-5801

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
1680006510	EVANS GERALD S ETALS	EVANS PEGGY J	3779 SPICETREE DR	WILMINGTON	NC	28412-7555
1680006509	EVANS GERALD S ETALS	EVANS PEGGY J	3779 SPICETREE DR	WILMINGTON	NC	28412-7555

APPLICANT(S)

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

REZONING STAFF REPORT



Prepared by Marc Pages, Deputy Director
Rezoning Case#: Z-897
July 8, 2024

APPLICATION SUMMARY

The applicants, David Purser, requests to rezone Tax Parcels 1870000101 and 1870002502 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
Midway Road SE (NC 906) Near Bolivia, NC

Tax Parcels
1870000101 and 1870002502

Current Zoning
R-7500 (Medium Density Residential)

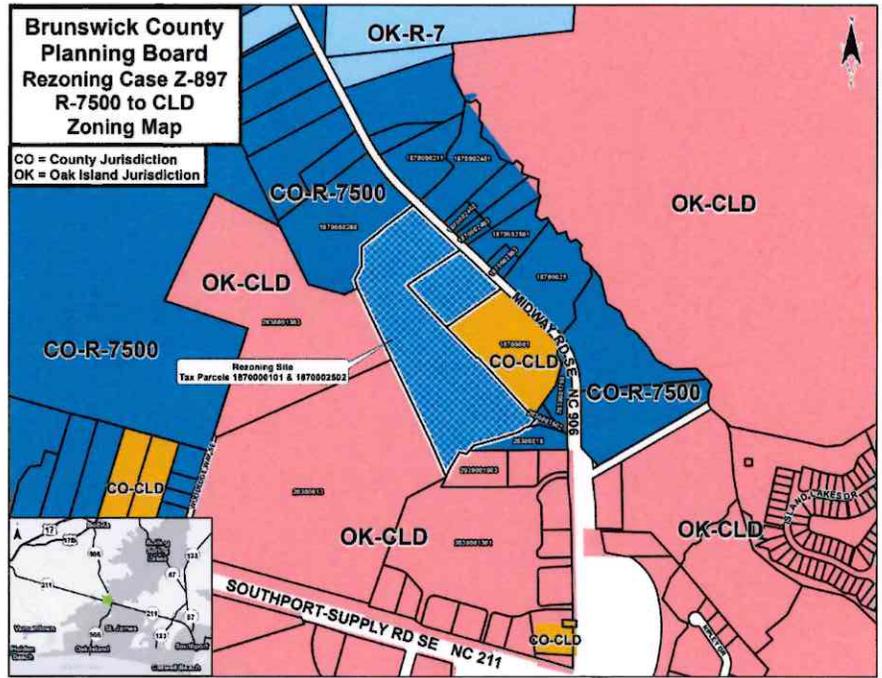
Proposed Zoning
CLD (Commercial Low Density)

Surrounding Zoning
CLD (Commercial Low Density), R-7500 (Medium Density Residential), and OK-CLD (Oak Island Commercial)

Current Use
Vacant Land

Surrounding Land Uses
Residential, Commercial, and Vacant Lands

Size
26.15 acres



SITE CONSIDERATIONS

Zoning History:

- The property was rezoned from RU (Rural) to R-7500 as part of the mass rezonings during the UDO adoption in 2007.

Buffers: If rezoned to CLD, no buffer is required adjacent to CLD zoned property. 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 and use of any future development.

Utilities: Water is available from Brunswick County Utilities. Public sewer is not available on this section Midway Road but is available approximately 1,500 feet to the south. It is the developer's responsibility to connect to the water and sewer system.

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

CIP Projects in Area: Wastewater Transmission Main Expansion - Midway Road to West Brunswick Treatment Plant (FY 2024-2025).

Traffic: There are no capacity deficiencies for this section of Midway Road (NC 906), however Southport-Supply Road (NC 211) is currently over capacity.

NCDOT Road Improvement Projects in Area:

- Southport-Supply Road (NC 211) - (R-5021)–Widen to four lanes (Currently under construction).

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.
- The requested parcel is not located within a Significant Natural Area.

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: 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 (Low Density Residential)

- 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-897, 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.

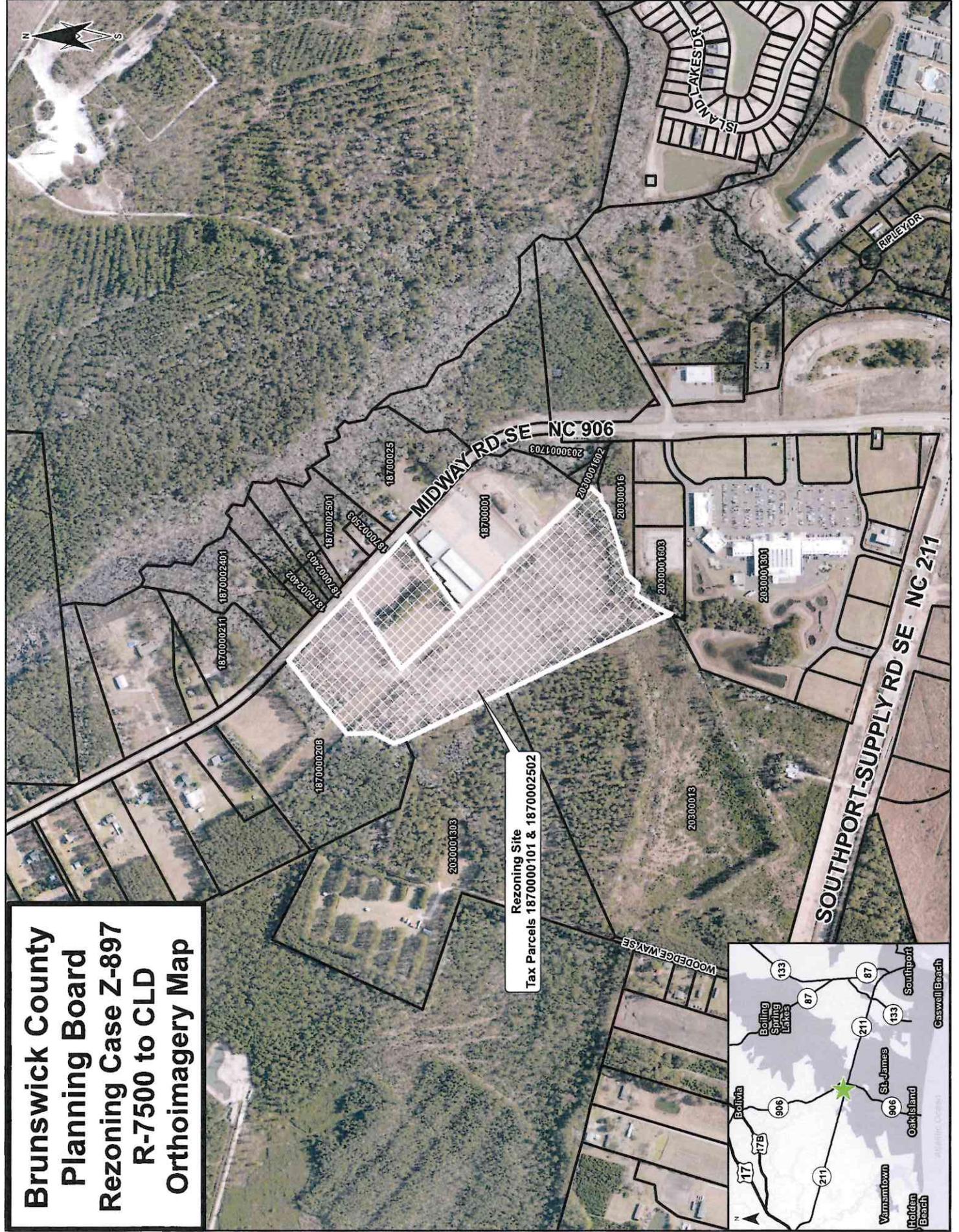
CONSISTENCY & REASONABLENESS DETERMINATION

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.
 - ED-1. Maintain and expand job opportunities in the county.
 - The Commercial Suitability Map identifies the subject parcels 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-897
R-7500 to CLD
Orthoimagery Map**



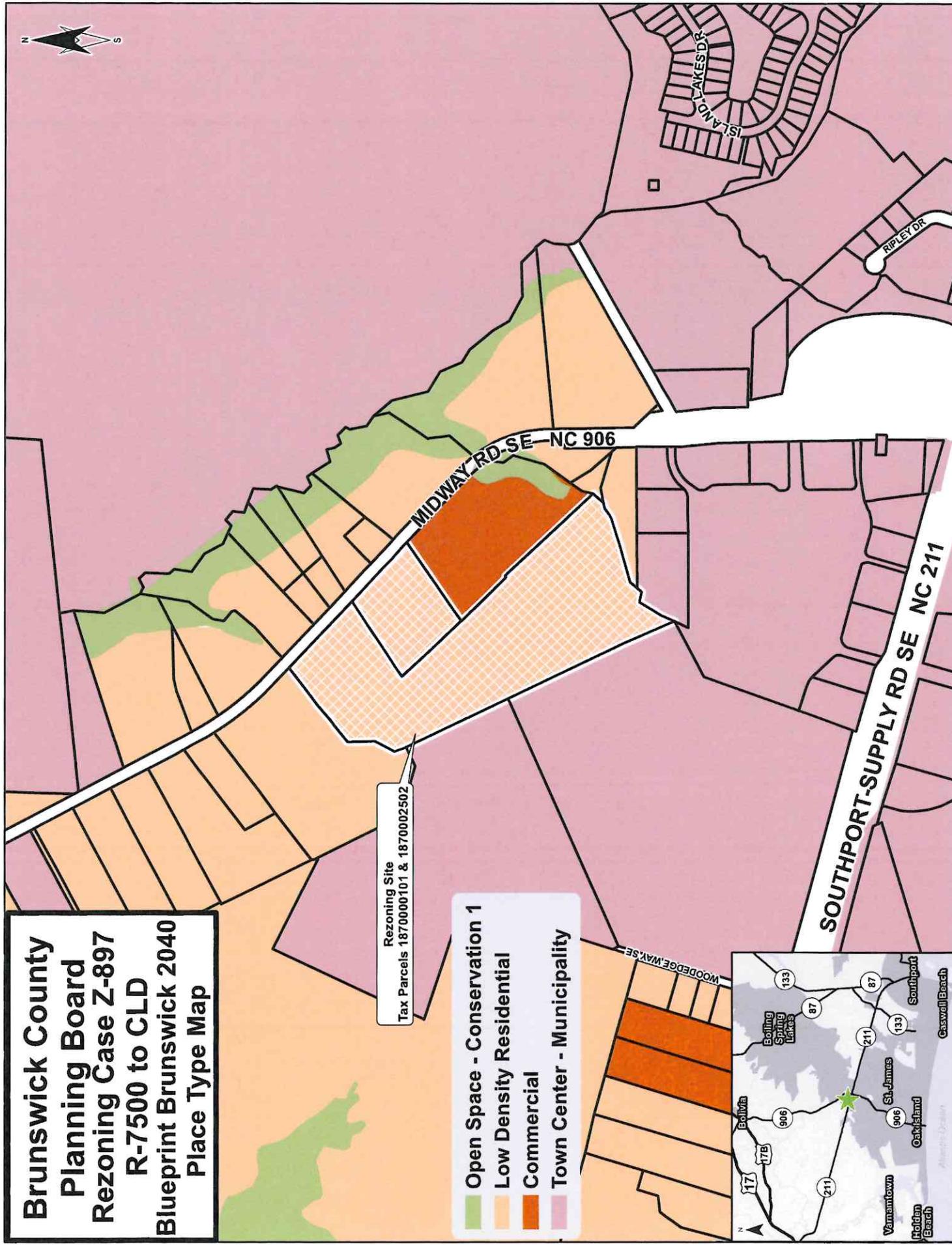
Rezoning Site
Tax Parcels 1870000101 & 1870002502



**Brunswick County
Planning Board
Rezoning Case Z-897
R-7500 to CLD
Blueprint Brunswick 2040
Place Type Map**

Rezoning Site
Tax Parcels 1870000101 & 1870002502

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

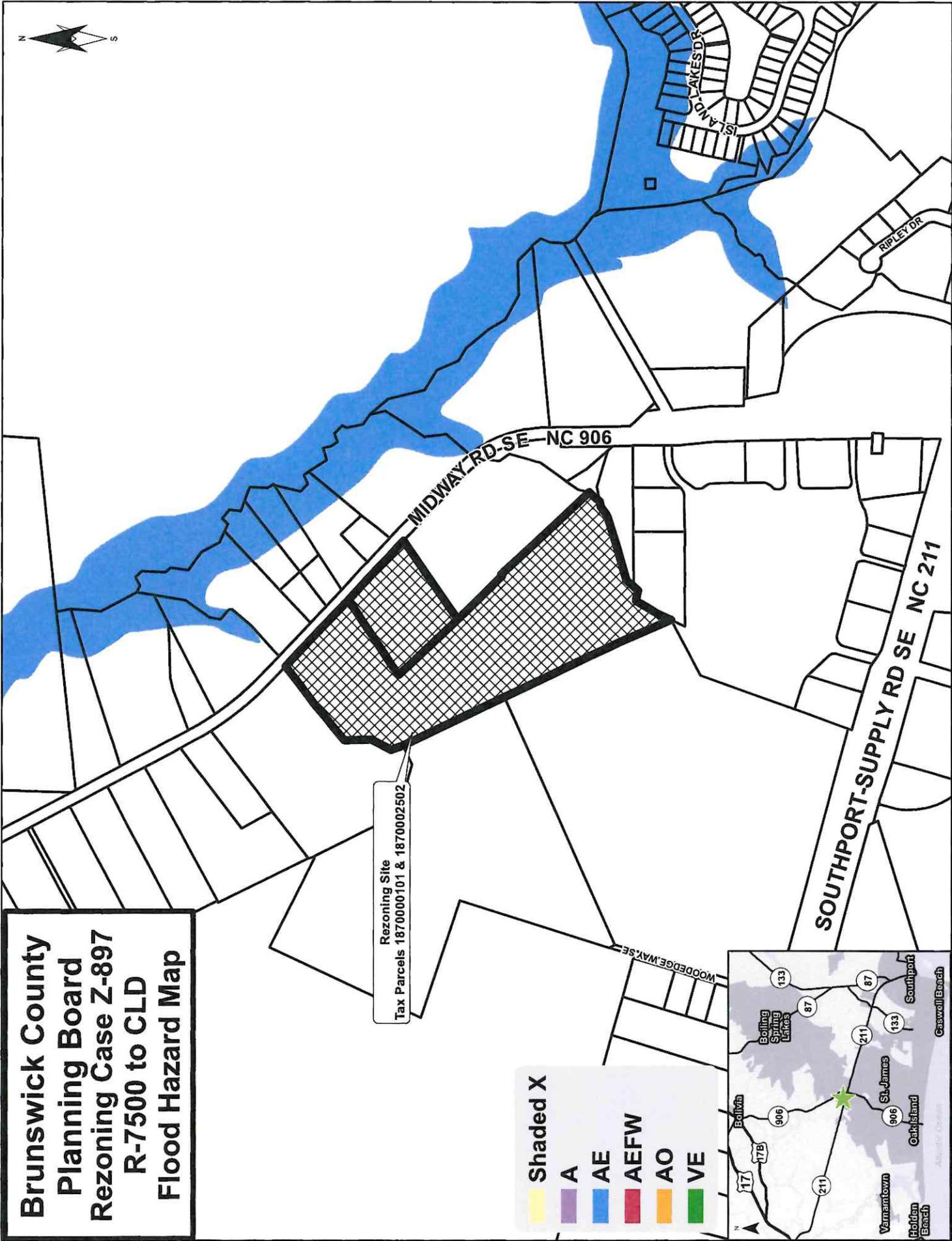
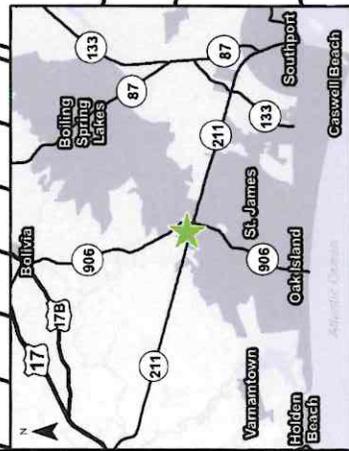




**Brunswick County
Planning Board
Rezoning Case Z-897
R-7500 to CLD
Flood Hazard Map**

Rezoning Site
Tax Parcels 1870000101 & 1870002502

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





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>897</u>	Invoice # _____
Date Received <u>June 6, 2024</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>LPM Group Inc.</u> <u>David Purser</u>	
Mailing Address: <u>2651 Midway Road SE.</u> <u>Bolivia, NC 28422</u>	
Phone: <u>980-254-1489</u>	Email: <u>dpurser4@carolina.rr.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Same as above</u>	
Mailing Address:	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>Land next to 2651 Midway Rd</u>	
Parcel Tax ID #(s): <u>1870000101</u> <u>1870002502</u>	Total Site Acreage: <u>26.15</u>
Current Zoning District(s): <u>R75</u>	Proposed Zoning District(s): <u>CLD</u>
Conditional Zoning Request <input type="checkbox"/> YES <input type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

The rezoning will match surrounding zonings and is consistent with future Land use.

LAND USE COMPATIBILITY

Future Land Use Map Classification: CLD

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: 6/3/24

Owner Signature: [Signature]

Date: 6/3/24

Owner Signature: [Signature]

Date: 6/3/24

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

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

City of Northwest Jurisdiction Fees

- | | | |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650) | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870) |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200) | <input type="checkbox"/> Conditional Zoning (Add \$550) |

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

Z-897

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
1870000208	WILLIAMS BENJAMIN T	MCQUERY BARBARA W	402 MIDWAY RD SE	BOLIVIA	NC	28422-7502
2030001603	BRUNSWICK ELECTRIC MEMBERSHIP CORP		PO BOX 826	SHALLOTTE	NC	28459
2030001602	LPM GROUP INC		4912 E OAK ISLAND DR	OAK ISLAND	NC	28465-5225
203000016	BOWLING WILLIAM BRADLEY ETALS		497 DANFORD RD SE	BOLIVIA	NC	28422-8513
2030001303	MAKE MY DAY LLC		2780 GREENWOOD CIR SE	BOLIVIA	NC	28422
18700002503	CLARIDA JOHN E SR ET	CLARIDA WILLA	2634 MIDWAY RD SE	BOLIVIA	NC	28422-8006
187000025	HEWETT WILLIAM E		113 HOMESTEAD DRIVE	GOLDSBORO	NC	27530
2030001301	MDI MANAGEMENT INC	% RON KNEDLIK	PO BOX 800	HICKORY	NC	28603-0800
203000013	COLBY GEORGE RUSSELL TR AND	COLBY SUSAN G TR	2768 GREENWOOD CIRCLE SE	BOLIVIA	NC	28422
18700002402	HOME BUYERS ETC		2619 N COLLEGE RD STE A	WILMINGTON	NC	28405-8811
18700002403	HOME BUYERS ETC		2619 N COLLEGE RD STE A	WILMINGTON	NC	28405-8811
18700002501	SMITH MATTIE C		23 GILES AVE	NORTH HAVEN	CT	06473-3203
18700002401	BRYNOFF RONALD N ETUX	BRYNOFF DEBRA L	2600 MIDWAY RD SE	BOLIVIA	NC	28422-8006
187000001	MIDWAY COMMONS STORAGE INC		2651 MIDWAY RD SE	BOLIVIA	NC	28422-8007
2030001703	JOHNSON MICHAEL WAYNE		2719 MIDWAY RD SE	BOLIVIA	NC	28422-8005
1870000211	EVANS MARSHALL C JR ET	EVANS DEBROAH P	2540 MIDWAY RD SE	BOLIVIA	NC	28422

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
1870000101	LPM GROUP INC	ATTN: DAVID PURSER	2651 MIDWAY RD SE	BOLIVIA	NC	28422-8007
18700002502	LPM GROUP INC	ATTN: DAVID PURSER	2651 MIDWAY RD SE	BOLIVIA	NC	28422-8007

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	LPM GROUP INC	ATTN: DAVID PURSER	2651 MIDWAY RD SE	BOLIVIA	NC	28422-8007



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

MEMORANDUM

DATE: July 8, 2024

TO: Planning Board Members

FROM: Dennis Rabon, Zoning Administrator

RE: **Text Amendment – Outdoor RV Resorts**

Staff received a text amendment request on June 10, 2024, from CCMR, LLC to allow casitas as an accessory use to an RV/Travel Trailer on the same lot within an Outdoor RV Resort. Currently, site-built or modular cabins are allowed on some campsites within an RV Resort, however; a site-built structure and an RV/Travel Trailer are not permitted on the same lot. This text amendment if approved, will allow an RV/Travel Trailer to have as an accessory use, a site-built casita on the same campsite within the Outdoor RV Resort.

As part of this text amendment, the term casita is being added as an accessory use and defined in the definition section of the UDO.

Minimum Campsite Requirements			
Campsite Size (sq ft)	1,920		
Campsite Width (feet)	32		
Minimum Yard Setbacks (feet)			
Lot Type	Front Yard Setback	Rear Yard Setback	Side Yard Setback
Conventional Lot	15	5	5
Through Lot (Double Frontage Lot)	10	10	5

viii. Each Outdoor RV Resort must meet the minimum standards and requirements set forth in the North Carolina Building Codes for sanitation and plumbing installations, accommodations, use and any associated parking.

ix. Amenities/service structures may contain a retail sales counter and/or coin operated machines for the resort residents' use, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area provided there is no exterior advertising on the structure. All service structures shall be maintained in a clean and sanitary condition and kept in good repair at all times. Structures shall be safely and adequately illuminated. Facilities shall be easily accessible and conveniently located to all users of the resort. All structures shall be constructed in accordance with the International Building Code with North Carolina Amendments and shall meet Building Code and/or UDO setback requirements.

x. No permanent accessory structures such as carports, ~~cabanas~~, or decks, except as permitted in Section 5.3.8.C.7.xii may be attached or unattached to any recreational vehicle or other vehicular accommodations within the Outdoor RV Resort. At-grade patios and uncovered steps are permissible. A detached storage structure no greater than 100 square feet may be permitted on each campsite, provided the building setbacks and structural separation requirements are met.

xi. ~~Up to 40% of the campsites in an~~ Outdoor RV Resorts ~~may~~ contain camping cabins, cabins, ~~casitas, cabanas~~, yurts and/or tiny homes. Only one camping structure per campsite is permitted, except as permitted in Section 5.3.8.C.7.xii.

xii. Both a recreational vehicle and casita may be located on a campsite. On any such campsite, neither the casita nor the recreational vehicle site may be rented separately from the entire campsite.

- Amend Definition Section to add casita:

Outdoor Lodging Camping Unit:

(g) Casita: a small self-contained dwelling, typically unattached from a main home, but on the same property.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends (X) APPROVAL () DENIAL of Outdoor RV Resorts 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:

- Enhance economic development and tourism opportunities.
- Clarifies that casitas can be utilized in Outdoor RV Resorts.

- | | |
|---|---|
| <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
TEXT AMENDMENT APPLICATION
UNIFIED DEVELOPMENT ORDINANCE (UDO)**

For Internal Use Only
 Application #: _____
 Date: 6-10-24
 Receipt #: Check # 1022
 Fee: \$250.00

Applicant: CCMR, LLC

(First Name) _____ (Last Name) _____

PO BOX 41 _____ Sparta NC 28675

(Mailing Address) _____ (City) (State) (Zip)

(704)-418-9086 _____ LaveVentures@gmail.com

(Daytime Phone Number) _____ (Email Address)

Amendment Information:

This is a request to amend Article Number(s): Section 5.3.8.C.7 re General Design Standards

Amended version of proposed text language showing "strikeouts" of any text proposed to be deleted is attached or follows below:

v. Some campsites within the Resort may be used for site-built or modular cabins. No RV/Travel Trailer may be parked on a cabin site, except as set forth in Section 5.3.8.C.7.xii. All cabins must conform to North Carolina Building Codes.

xi. Up to 40% of the campsites in an Outdoor RV Resort may contain camping cabins, cabins, yurts and/or tiny homes. Only one camping structure per campsite is permitted, except as permitted in Section 5.3.8.C.7.xii.

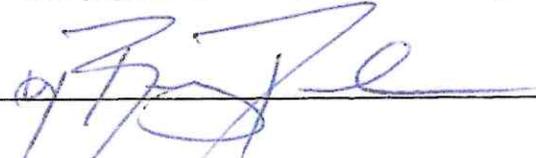
xii. In an Outdoor RV Resort that includes no less than fifty (50) separately subdivided campsites, each at least 5,000 square feet in size, both a recreational vehicle and camping cabin may be located on a campsite. On any such campsite, neither the camping cabin nor the recreational vehicle site may be rented separately from the entire campsite.

Statement justifying the reason for the amendment request is attached or follows below:

Current zoning allows for RV living but limits auxiliary structures. The Outdoor RV Resort development proposed by CCMR, LLC includes an 850sqft (1) Bedroom accessory casita, not to be classified as permanent residence. Each lot within the RV Resort will be individually owned. There will be no rental program.

Attached to this Application Are:

- Attachments indicated above
- Other information requested by the Zoning Administrator
- Filing Fee \$250.00 (Check made payable to the **Brunswick County Planning Department**)

Applicant Signature: CCMR, LLC  **Date:** 6/10/24

IF YOU HAVE ANY QUESTIONS ABOUT COMPLETING THIS FORM, CALL 910-253-2025.

Return Completed Form To:

Brunswick County Planning Department, PO Box 249, Bolivia, NC 28422 ATTN: Zoning Administrator

Brunswick County Central Permitting
75 Courthouse Drive, Bolivia, NC 28422
(910) 253-2021
Receipt for Permits / Planning

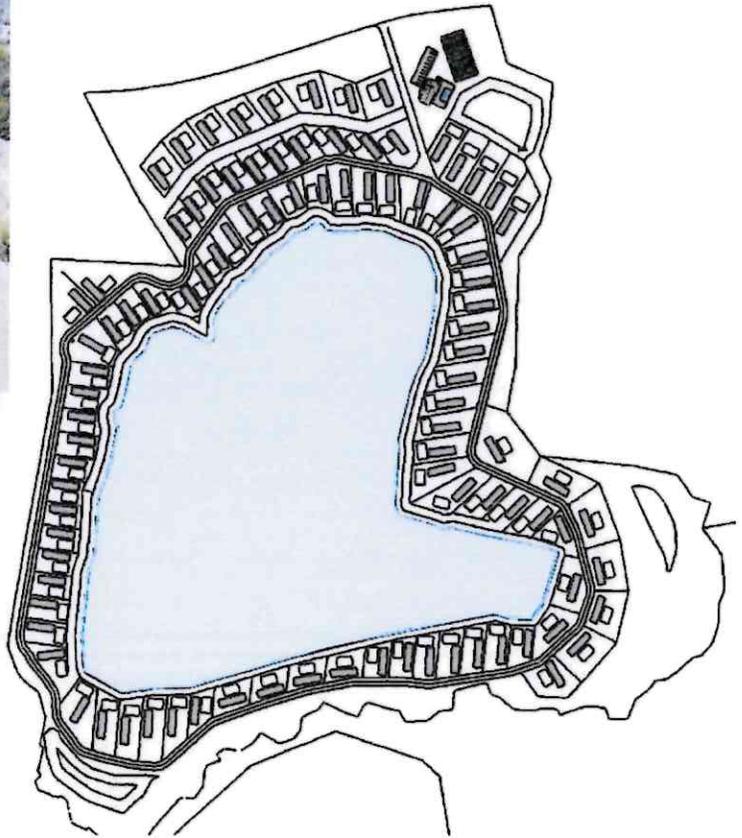
Project Number 611415
Payment Date 6/14/2024
Payment Method CHECK
Payment Amount \$250.00
Check Number 1022

Permit Number	Description	Permit Amount
1000	Planning Board - Text Amendment - Budget Line Item Number: 383937	\$250.00
Total		\$250.00

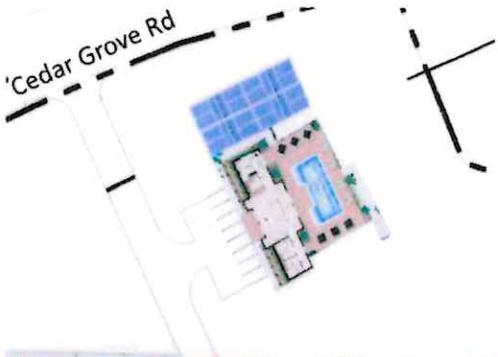


CAROLINA COASTAL

LUXURY MOTORCOACH RESORT
CCMR DEVELOPMENT PLAN



CCMR BUILT CLUBHOUSE



PICKLEBALL COURTS
RESORT POOL
SMALL MEETING AREA
& ENTERTAINMENT SPACE



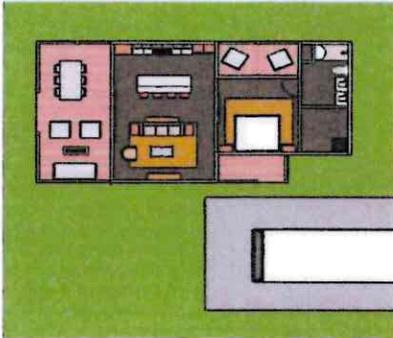
CCMR BUILT CASITAS

Accessory Residence, cannot be classified as primary residence)



Approximate Specification

- Concrete Motorcoach Pads
- 800-1200sqft Under Roof
 - Large Covered living
- Gourmet Kitchen with Oversized Island
 - Screened Lanai
- Optional Outdoor Kitchen or Plunge Pool





Class A Motorcoach

Deed restricted
motorcoach
requirements are spelled
out in covenants.

Covenant Restriction Reference - Article I

(z) "Motor Coach" shall mean and refer to only Class "A" motor coaches and/or "bus conversion" motor coaches, i.e. motor coaches built on either a truck chassis or a bus chassis where the driving compartment is an integral part of the vehicle interior, that: (a) for a Class "A" Motor Coach at least thirty-four (34) feet in length and model age not more than twelve (12) years old at time of Class "A" Motor Coach Lot purchase and for and certain Vintage Coaches as approved by CCMR (b) have an RVIA seal if applicable; (c) have a current State inspection, if applicable; (d) is "roadworthy" as determined by the Village Association and (e) is "visually in good repair" as determined by the Village Association. Not included in this definition of Class A "Motor Coach" shall be modern travel trailers, folding tents not mounted on wheels, tent type folding trailers, pick-up campers, vans greater than 15 feet, fifth wheel trailers, Class C and Super C motor coaches, Class B motor coaches, and park model or park home recreational vehicles. It is the declared intent of CCMR to exclude motor coaches shorter than thirty-four (34) feet long, motor coaches in visually poor repair and/ or not roadworthy as the same may be determined by the Village Association in its sole discretion, park model trailers, park home trailers, and mobile homes (single-wide, double-wide, triple-wide, "tiny homes" on trailer frames or modular) from being placed on any Lot and to create and maintain an area designated for maximum beauty and benefit of the Motor Coach Village(s).



The Village of Beau's View

Luxury Motorcoach Resort
Roaring Gap, NC

Number of Lots – 33

Total Land Tax Value Before Development - \$3,455,000

Total Land Tax Value After Development - \$19,950,000



Our Previous Development



The Village of Laurel Branch

Luxury Motorcoach Resort
Roaring Gap, NC

Number of Lots – 19

Total Land Tax Value Before Development - \$95,000

Total Land Tax Value After Development - \$5,817,000



Our Previous Development



Our Previous Development



THORNTON CREEK

Luxury Motorcoach Resort
Punta Gorda, FL

Number of Lots – 99
Total Land Tax Value Before Development - \$550,000
Total Land Tax Value After Development - \$39,105,000



BEAR CREEK

Luxury Motorcoach Resort
Sparta, NC

Number of Lots – 21

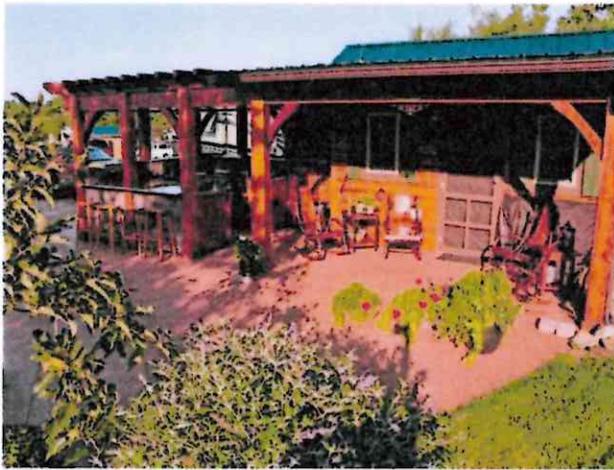
Total Land Tax Value Before Development - \$160,000

Total Land Tax Value After Development - \$7,000,000



Our Previous
Development





DEER CREEK

Luxury Motorcoach Resort
Galax, VA

Number of Lots – 70

Total Land Tax Value Before Development - \$248,000

Total Land Tax Value After Development - \$15,648,000

Our Previous
Development



**Become a part of the
Most Unique Luxury Motorcoach**

Ownership Resort

The motorcoach community offers a distinct level of indoor/outdoor living with true five-star amenities, full club membership, a gated community, 18-hole championship golf course, and maintenance-free lot ownership. Olde Beau Motorcoach Resort is offering a collection of boutique motorcoach villages that feature custom built sites with concrete pads and options of coach cottages to meet every desire for your indoor/outdoor motorcoach experience.



The Village of Genealogies will feature 18 wooded sites, up to 1.5 acres, overlooking the Blue Ridge Mountains and fairways four, five and six of the golf course. This new village offers the newest ownership opportunity in Olde Beau Motorcoach Resort giving owners the option to custom build a 1200 square foot coach cottage.

Boutique Villages



The Village of Laurel Branch
Consists of a 19 lot village on the golf course lining the 6th fairway. Laurel Branch features a coach cottage of 1050 square feet, including a full indoor kitchen, bath, bedroom and golf cart garage.



The Village of Beau's View
Features 36 sites with long range mountain views and custom built one to two bedroom coach cottages with tons of outdoor living options. Our oversized lots make the most of Blue Ridge mountain living.



MEET THE TEAM

Barry & Laura Poole

have been in the luxury motorcoach development business since 2007. They have completed four developments each showcasing distinct knowledge basis and experience in luxury lot ownership and development. The Poole's bring the unique niche experience to maximize land values.



Louis & Annamaria Poole

bring their construction and engineering expertise to the team with degrees in Mechanical & Construction Engineering. Together they are licensed Contractors that have worked in the construction industry for over seven years. They have built a wide range of commercial and custom residential structures.

Where to find more information?

Olde Beau Motorcoach Resort See our latest development.

<https://www.oldebeaumotorcoach.com/>

YouTube Learn more about motorcoach resorts.

<https://youtu.be/XXizzmvuJZU>

Facebook Resale Group See examples of current resales at Thornton Creek.

<https://www.facebook.com/groups/305864127127534>



Contact Information

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BRUNSWICK COUNTY

Community Meeting

Hosted by Brunswick County Planning & Brunswick County Public Utilities

Wellhead Protection Area Overlay District
Adding Performance Standards

Tuesday July 16, 2024 at 6pm

BRUNSWICKCOUNTYNC.GOV

Location: St. James Community Center, Room A
4136 Southport Supply Rd. SE, St. James, NC 28461

For questions or information, please call Brunswick County Planning @ 910-253-2025