



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**4:00 P.M. Monday
September 9, 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 August 12, 2024 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

New Business

A. Planned Development – PD-119

Name: Midway Tract
Applicant: Norris and Bland Engineering
Tax Parcel: 18600016 and 18700004
Location: Southport-Supply Road SE (NC 211), Gilbert Road SE (SR 1501), Midway Road SE (NC 906), and Clemmons Road SE (SR 1505)
Description: Midway Tract is a proposed planned development to consist of 2,950 single family lots, 330 townhome lots, 336 multifamily units, and 26 acres of commercial on a total of 1,502.2 acres, creating an overall density of 2.4 dwelling units per acre.

B. Planned Development – PD-130

Name: Timber Farms Planned Development Expansion
Applicant: H & W Design
Tax Parcel: 19400008, 19500004, 21100063, 2110004607, 2110006904, & 21100069
Location: Ocean Highway West (US 17) and Longwood Road NW (NC 904)
Description: Timber Farms is a previously approved planned development consisting of 1,700 single family units, 300 townhouse units, and 500 multifamily units, on 849.97 acres, creating an overall density of 2.9 dwelling units per acre. The developer is proposing to add 74.04 acres of commercial property to the development fronting on Ocean Highway (US 17). There is no proposed change to the previously approved residential portion of the development.

C. Rezoning Z-900

Proposed rezoning of approximately 1.16 acres located at 8892 No. 5 School Road (SR 1305) near Ash, NC from SBR-6000 (Site Built High Density Residential) to R-7500 (Medium Density Residential) for Tax Parcel 21000031.

Old Business

A. Rezoning Z-898 – Former City of Southport Extra Territorial Jurisdiction (3 parcels tabled from the August 12, 2024 Planning Board meeting)

Proposed initial zoning of Tax Parcels 221OA037, 221LA01501, and 221MC00702 consisting of approximately 18.15 acres located in the former City of Southport Extra Territorial Jurisdiction near Southport, NC to various County Zoning Districts.

9) Other Business.

A. Tex Amendment Updates:

- Transportation Overlay Zone (TOZ)
- Tree and Landscaping
- Traffic Impact Analysis (TIA)

B. UDO Modernization Project Update.

C. Planning Board Case Update.

10) Adjournment.

MINUTES

PLANNING BOARD

BRUNSWICK COUNTY, NC

**4:00 P.M. Monday
August 12, 2024**

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

MEMBERS PRESENT

Jason Gaver
Richard Leary
William Bittenbender, At-Large
Allen Brittain, At-Large

MEMBERS ABSENT

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

STAFF PRESENT

Kirstie Dixon, Planning Director
Connie Marlowe, Admin. Asst. II
Jeff Walton, Planner II
Garrett Huckins, Planning Tech.
Tyler Connor, Planner I
Phillip Coates, Planner I
Ryan King, Asst. County Attorney

OTHERS PRESENT

Jody Bland, Norris and Bland Engineering
Mike Nichols, Paramounte Engineering
Bob Liepa, State Port Pilot
Dylan Phillips, Brunswick Beacon
Tim Clinkscales, Paramounte Engineering
Ulysses Jenkins
Sue Hodgin
Cheryl Roy
Stewart Terrell
Fred Fiss
Phillip Dudley
Matthew Lawrence
Karen Friemel
Cindy Babson
William Rainwater

Hal Workman
John Workman
Christie Marek
Marilyn Matteo
Eddie Jenkins
Frank Popelars
Charles Paul
Evan Peterson
Carolyn Mitchum
Karen Mosteller
Robert Fullerton
Karen Jackson
Craig Stoeckle
Jenny Prunty

I. CALL TO ORDER.

Attorney Ryan King stated that the Board will have to elect a Chair due to the absence of Vice Chair, Joy Easley. Mr. Leary made a motion to nominate Jason Gaver as Chair and the motion was unanimously carried.

Mr. Gaver called the meeting to order at 4:09 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Ms. Joy Easley, Mr. Harry 'Richard' Ishler, Mr. Ron Medlin, and Mr. Clifton Cheek were absent.

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

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

V. AGENDA AMENDMENTS.

Ms. Kirstie Dixon said staff would like to add Tree and Landscaping Text Amendment Update under Other Business.

VI. PUBLIC COMMENTS.

Ms. Christie Marek, 2986 Longwood Road NW, Ash, NC, addressed the Board. Ms. Marek said she created Stop Overdevelopment in Brunswick County and the Non-Profit Brunswick County Conservation Partnership in March 2024. Ms. Marek said they are not against growth and developing, but they are against irresponsible developing that poses a health and safety risk on communities in the County. She further stated that we are under a State of Emergency and the County has flooding issues as well as rising rivers. Ms. Marek said there has been 10 breaks of wastewater and untreated discharges in the County's rivers and neighborhoods in the past 7 months. She provided statistical information (attached) regarding gallons of wastewater discharge in 2024. Ms. Marek said she has been told by past and present employees working in Brunswick County Public Utilities that the pumps are at capacity. She asked that a moratorium be put in place to stop residential clear-cutting and residential development until the Brunswick County Unified Development Ordinance (UDO) has been updated and an investigation plan is in place to protect our health and safety. Ms. Marek said there is e-coli is on the beach in Oak Island.

VII. NEW BUSINESS.

A. Planned Development – PD-129

Name: Hankins Tract
Applicant: Norris and Bland Engineering
Tax Parcel(s): 1390006601
Location: Old Ocean Highway (US 17B)
Description: Hankins Tract is a proposed planned development consisting of 93 single-family units on 26.81 acres creating an overall density of 3.47 dwellings units per acre.

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

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

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

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

Mr. Brittain asked staff if the Technical Review Committee's (TRC) comments have been resolved and did staff receive a digital set of revised plans? Ms. Dixon said all TRC comments as well as a digital set of the revised plans have to be submitted before the proposed project will be placed on the agenda for the Board's consideration.

Mr. Jody Bland, Norris and Bland Engineering, addressed the Board. Mr. Bland stated that the project will be designed to the 100-year storm event. He said the pump station that was originally shifted west has been moved away from the adjacent properties. There will be a dog park on the project site. Mr. Bland said the right-of-way for Brunswick Electric Membership Corporation (BEMC) will not be developed. He stated that a roadway crossing has been adjusted that will cross approximately 2,500 square feet of wetlands to improve the internal circulation for emergency services that will provide a loop rather than a dead-end road(s). Mr. Bland concluded that they will coordinate with the North Carolina Department of Transportation (NCDOT) during the driveway permit phase of the project.

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

Mr. Leary made a motion to approve PD-129 (Hankins Tract) with the noted conditions in the Staff Report and the motion was unanimously carried.

B. Planned Development – PD-128

Name: The Preserve at White Rock Lake (Modification)
Applicant: Hal Workman
Tax Parcel(s): 21600039
Location: Stoney Chimney Road SW (SR 1115)
Description: The Preserve at White Rock Lake is a planned development that was approved in November 2023 for 91 single-family lots on a gross site of 42.81 acres creating an overall density of 2.13 units per acre. The applicant is proposing to modify the planned development by adding 8 single-family lots for a total of 99 single-family lots on 42.81 acres creating an overall density of 2.3 dwelling units per acre.

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

Mr. Coates 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.
- Revise the maximum building height in the site data table to indicate 40-feet.

Mr. Brittain asked staff if the portions of open space in the AE flood zone can be used? Ms. Dixon said it will be natural land. Mr. Brittain asked if staff received plans as requested in the TRC comments? Ms. Dixon said some of the TRC comments were not addressed before the requested date, so this project was not placed on the agenda for consideration until this month's meeting to ensure all TRC comments were addressed.

Mr. Leary asked if there were discussions about designing the project to the 100-year storm event? Ms. Dixon said it is, typically, discussed at the TRC meeting, but she was unsure of the outcome because she did not attend that TRC meeting.

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

Mr. Hal Workman, 98 Hampton Drive, Holly Ridge NC 28445, introduced himself to the Board.

Mr. John Workman, 98 Hampton Drive, Holly Ridge NC 28445, addressed the Board. Mr. Workman said he is certain that there were discussions at the TRC meeting about designing the project to the 100-year storm event. Ms. Dixon added that this is an older project that was previously approved prior to the Board suggesting that projects should be designed to the 100-year storm event.

Mr. Hal Workman said they want to add more open space and green space than was previously submitted for approval. He further stated that some lots have been shifted.

Ms. Christie Marek, 2986 Longwood Road NW, Ash, NC, addressed the Board. Ms. Marek was concerned with potential flooding and whether or not the Federal Emergency Management Agency (FEMA) has made a site visit. She suggested that the buffer be larger to ensure the proposed homes are protected from potential flooding issues. Ms. Marek asked if the property has been clear-cut? Mr. John Workman said the property has not been clear-cut. Ms. Marek suggested that a wildlife study be conducted in the area. She expressed concern with the trees remaining to minimize flooding in the area.

Mr. John Workman said they intend to keep trees on the property, wherever possible. Ms. Dixon said property can be developed in flood zones provided that a flood permit is obtained from the Floodplain Manager(s). She stated that the developer has opted to not build in the flood zone. Ms. Dixon said wildlife studies are typically conducted by the State.

Mr. Hal Workman said they are changing lot lines and reducing the roads to provide additional open space than was previously approved for this project.

Ms. Marek re-addressed the Board. She stated that the developer is adding 8 homes to the previously approved project and Ms. Dixon concurred.

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

Mr. Leary made a motion to approve PD-128 (The Preserve at White Rock Lake Modification) with the noted conditions in the Staff Report and the motion was unanimously carried.

C. Major Subdivision – SS-287

Name: Clearwell Estates Major Subdivision (%Mike Nichols)
Applicant: Paramounte Engineering
Tax Parcel: Portion of 01600058
Location: Clearwell Drive NE south of Mt. Misery Road NE (SR 1428)
Description: Clearwell Estates is a proposed Major Subdivision consisting of 79 single-family units on 66.50 acres creating an overall density of 1.19 dwelling units per acre.

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

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

- That the development proceeds in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) complies with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Major Subdivision 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.

- Prior to construction, a road maintenance agreement must be secured between the developer and owner of Clearwell Road NE.

Mr. Gaver asked if the total number of lots is 47 or 79 because the Staff Report indicates 47 proposed lots under the Approval Criteria? Ms. Dixon said the project consist of 79 single-family lots. Mr. Gaver asked staff if the 756 vehicle trips per 24-hour weekday volume apply to 47 or 79 single-family lots? Ms. Dixon said the 756 vehicle trips per 24-hour weekday volume applies to 79 single-family lots.

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

Mr. Tim Clinkscales, Paramounte Engineering, addressed the Board. He clarified that the trips per day is 756 for 79 single-family lots.

Mr. Mike Nichols, 122 Cinema Drive, Wilmington, NC 28403, addressed the Board on behalf of Paramounte Engineering. Mr. Nichols said this is a low impact development and there will a second entrance for emergency purposes. Mr. Nichols said they have 2 stub outs for future use.

Mr. Gaver asked the applicant to elaborate on the project being a low impact development project. Mr. Clinkscales said the State stormwater allows for a project that is less than 24% impervious to be a low-density project, which allows for swales rather than retention ponds. He stated that the County exempts projects from water quantity requirements that are less than 15% impervious.

Mr. Eddie Jenkins, 3987 Thunder Hill Road NE, addressed the Board. Mr. Jenkins said he is adjacent to the subject property and Rattlesnake Creek runs through the subject property and behind his house. He was concerned with the potential stormwater runoff when the subject project is clear cut and the potential impact to his property if a retention is not in place to capture stormwater that will be generated from the proposed development. Mr. Jenkins was also concerned with other property owners currently living in the area if the impervious are exceeds the allowable amounts imposed by the State and County.

Mr. Clinkscale re-addressed the Board. He said a TIA will be required if this project exceeds the threshold allowed by NCDOT and stormwater will be addressed by the County Stormwater Engineer (15% impervious) as well as the State (24% impervious). He stated that they cannot restrict the flow to Rattlesnake Creek and there will be a minimal impact regarding stormwater runoff. He further stated that there are stormwater ponds proposed for detention purposes.

Mr. Jenkins re-addressed the Board. Mr. Jenkins was concerned with the potential of stormwater runoff and the current stormwater issues. He stated that there is a development that is currently creating stormwater runoff issues in the area. Ms. Dixon suggested that Mr. Jenkins speak with the County Stormwater Engineer so they can address his concerns of potential stormwater issues in the area.

Mr. Ulysses Jenkins, 4038 Butler Road NE, addressed the Board. Mr. Jenkins asked if the yield sign near the water plant on Clearwell Drive NE will become a stop sign from Clearwell Drive NE to Butler Road NE? He stated that the yield sign is not always recognized by vehicles travelling at a high rate of speed in the area. Ms. Dixon said she will get with Mr. Jenkins about who he should contact regarding this matter.

Ms. Christie Marek, 2986 Longwood Road, addressed the Board. Ms. Marek said there are a considerable amount of wetlands on the property, but wetlands that do not have water flowing through them are not protected. She asked if a buffer will be around all of the wetlands or the protected wetlands? Ms. Dixon said a major subdivision requirements are different from a planned development; in that, they do not have to cluster out of wetlands. She said the developer has indicated that the protected wetlands will not be disturbed.

Ms. Marek was not comfortable with the proposed plan being approved. Ms. Dixon said the NC Wildlife recommends buffers on wetlands, but major subdivision requirements are not the same as a planned development. She stated that the minimal requirements for a major subdivision have been met by the developer. Ms. Marek was unclear regarding the 15% impervious requirement for a project to be a low-density project and Mr. Clinkscales clarified the 15% impervious requirement by the County for a development to be a low density project.

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

Mr. Brittain made a motion to approve SS-287 (Clearwell Estates Major Subdivision) with the noted conditions in the Staff Report and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- Transportation Impact Analysis (TIA) Update

Ms. Dixon addressed the Board. She stated that the Planning Board Subcommittee met after this matter was tabled at 08-Jul-24 meeting and it was discussed with the development community via a staff meeting. There were suggestions made and staff is working on changes to the TIA text amendment based on those discussions. She further said staff will continue working with the subcommittee and a revised document will be presented to the Board at a later date. Mr. Gaver added that the subcommittee wants to get this right and not push or rush a document that is not clearly thought through.

- UDO Committee Assignments.

Ms. Dixon addressed the Board. She stated that the UDO Committee is on-going and the consultant will be reviewing the UDO for the recommended changes.

- Planning Board Case Update.

Ms. Dixon addressed the Board. She stated that there were no appeals submitted for the previously approved rezoning cases (Z-885CZ, Z-893, Z-896, and Z-897) at the 08-Jul-24 Planning Board meeting, so the Board's decision stands. She stated that a written appeal has been submitted for Z-895 and the matter will be placed on the Board of Commissioner's 16-Sep-24 Board meeting for consideration.

- Tree and Landscaping Text Amendment Update

Ms. Dixon addressed the Board. She stated that a meeting was held with the development community and this matter will come back before the Board in the near future for consideration. Mr. Gaver said a public informational meeting was held that was well attended with a lot of feedback. Ms. Dixon said information will be posted online regarding when the next meeting will be held.

IX. PUBLIC COMMENTS.

Mr. Gaver reopened the public comment section.

Ms. Marilyn Matteo, 7721 Morgan Creek Road NE, addressed the Board. She stated that she is a licensed NC Rehabber. She expressed concerned with wildlife not being protected and clear-cutting is being done without including any professional wildlife personnel to ensure wildlife is protected. As a result of the clear-cutting, wildlife is forced to invade in residential communities looking for food. She reiterated that rehabbers should be involved upfront in the approval process for new development.

X. PUBLIC HEARINGS, CONTINUED.

D. Rezoning Z-898 – Formerly City of Southport Extra Territorial Jurisdiction (ETJ).

Request initial zoning of approximately 1,911 acres located in the former City of Southport ETJ near Southport, NC to various County Zoning Districts.

Mr. Jeff Walton addressed the Board. He stated that there was a concern with the Board having a potential conflict of interest, so staff recommends that the Board remove 5010 Robert Ruark Drive, Southport NC (Tax Parcel 221OA037) from tonight's proceedings and discussed at the 09-Sep-24 Planning Board meeting. He furthered stated that staff recommends removing 2 properties fronting Rob Gandy Blvd SE (Tax Parcels 221LA01501 and 221MC00702). He proceeded to reading the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Walton read the consistency and reasonableness determination statement (attached).

Mr. Walton said staff recommends approval of the initial zoning of properties that were formerly in the City of Southport's ETJ to RR (Rural Low Density Residential), R-7500 (Medium Density Residential), R-6000 (High Density Residential), SBR-6000 (High Density Site Built Residential), MR-3200 (Multifamily Residential), C-LD (Commercial Low Density), NC (Neighborhood Commercial), I-G (Industrial General), and CP (Conservation and Protection) near Southport, NC excluding 5010 Robert Ruark Drive, Southport NC (Tax Parcel 221OA037) and the 2 properties fronting Rob Gandy Blvd SE (Tax Parcels 221LA01501 and 221MC00702) and adopt the consistency and reasonableness determination statement.

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

Mr. Charles Paul, 2217 Marlin Drive, Wilmington, NC addressed the Board as the and Chief Executive Officer of Bald Head LTD. Mr. Paul said he owns Project Indigo Phase 2 and they do not object to proposed zoning by the County.

Ms. Cheryl Roy addressed the Board for a property owner at 6240 Lookout Pointe. She said the property owner lives in California and they did not receive a public notice. The property is owned by Gala and Halley Armstrong (GGH Properties LLC) and it is adjacent to a 50 acre that will be zoned SBR-6000 (High Density Site Built Residential). They are concerned about the zoning potentially preventing walkability on the beach, an increase in traffic congestion, noise, lack of privacy, overcrowding, and pushing infrastructure limits, especially, on River Road SE, Howe Street and NC 133. There is a substantial part of the acreage that is marshland controlled by the Coastal Area Management Act (CAMA), which could pose flooding issues that could potentially go into the Landing development. They are also concerned with wildlife exposure and tree destruction.

Mr. Gaver asked staff to address the public notice policy. Ms. Dixon said staff mailed over 900 public notices and the address information is retrieved from the Tax office. Ms. Roy was concerned with the property being proposed at a higher density (SBR-6000). She further stated that there is no infrastructure available to the area. Mr. Walton said the proposed zoning was based on what was nearby. Ms. Roy was concerned with their community changing and wildlife being displaced with development. She encouraged the Board to come to the area and see all the traffic congestion in the area. Mr. Walton said staff is recommending SBR-6000 based on the surrounding uses, but if the Board chooses to zone the property to a lower density (R-7500), it is within their purview.

Mr. Evan Peterson, 6237 Navigator Lane, asked that the Board not zone the area high density as previously mentioned by Ms. Roy because he lives in that area. He said there are wetlands in the area, but there is a 30' easement from a berm into the wetlands. He, too, asked that it be zoned low density residential. He said there is wildlife in his backyard that will likely be displaced.

Mr. Stewart Terrell, 356 Trevally Court SE, addressed the Board as Southport City Manager. He read a handout (attached) that was previously presented to the Board. He suggested that the city and county work together to protect the future generations. He felt that the County zoning is not compatible with the city's zoning. Mr. Gaver asked staff if they worked with the City of Southport to determine the best zones for the former ETJ area and Mr. Walton said yes. He further stated that staff has been working with the City of Southport since June 2024. Ms. Dixon said staff has zoned areas as close as feasibly possible to the existing zoning in the former ETJ area.

Ms. Carolyn Mitchum, 7002 Robert Ruark Drive, addressed the Board. She was confused with an area being zoned to high density that is currently zoned rural low density. Ms. Dixon explained the justification for the zoning proposed was to ensure the prohibition of businesses in the area.

Mr. Fred Fiss, 216 N. Atlantic Ave, addressed the Board. Mr. Fiss said he serves on the Planning Board and they worked to reduce the height requirement from 40' to 30' in their business district. The County's maximum height requirement is 50', which is inconsistent with the existing height requirements. Ms. Dixon explained the height restrictions currently in the UDO applies to the unincorporated areas of Brunswick County.

Mr. Gaver was in favor of changing the maximum height requirement to 30' for commercial uses on Howe Street. Attorney King said the UDO would have to be amended to reduce the maximum height requirements. Ms. Dixon added that the entire County would be affected by the change.

Ms. Dixon said staff is considering creating a commercial zoning district in the UDO re-write to accommodate similar situations throughout the County.

Ms. Karen Mosteller, 310 N, Atlantic Ave, addressed the Board. Ms. Mosteller was concerned with N. Howe Street being developed with 50' commercial buildings. She felt that the Board and staff do not have the tools to mesh County zoning with similar existing zoning for the former ETJ areas.

Mr. Gaver asked what happens if the zoning does not occur. Ms. Dixon said the former ETJ will not be zoned, which means there will be no height or use limits. Attorney Ryan King said there is the potential for a freefall and the County will be forced to issue a permit if someone applied for a use in the former ETJ area(s). Ms. Mosteller re-addressed the Board. She suggested that a committee be set aside to make amendments to the UDO.

Mr. Philip Dudley, 218 Sellers Street, addressed the Board. Mr. Dudley said trees slow and redirect damaging winds, they provide shade, they are a habitat for birds and flies that eat mosquitoes, and they protect wetlands. He stated that there needs to be a greenway for wildlife.

Mr. Robert Fullerton, 3898 Timber Stream Drive, addressed the Board. Mr. Fullerton said this will affect all municipalities in the County. He asked that transition zoning be considered or a conservation zone be created to help diminish the relinquishment of the ETJ area.

Mr. Matthew Lawrence, 1003 Bussells Turn SE, addressed the Board. Mr. Lawrence asked if permits could be halted until the issues are resolved? Attorney King said legislature does not allow for a moratorium to be placed on residential development.

Ms. Karen Jackson, 725 Jabbertown Road SE, addressed the Board. She was concerned with the area being zoned high density and not rural low density. Mr. Walton said staff reviewed Jabbertown Road and there are smaller lots on that road. He stated another zone would make some current uses non-conforming. Ms. Jackson asked if the zoning designation can be changed? Mr. Walton reiterated that the proposed zoning is based on what is in the area and not making current uses non-conforming.

Ms. Karen Friemel, 6247 Lookout Pointe Drive, addressed the Board. Ms. Friemel suggested that developers be held accountable to provide things that are needed in the area such as infrastructure (water, sewer, roads).

Mr. Craig Stoeckle, 1240 N, Caswell Ave, addressed the Board. Mr. Stoeckle was concerned with taller structures being built near his home. He stated that there are traffic concerns in the area and there are alligators eating animals (dogs) in the area. He further stated that there are also flooding issues in the area and he asked that the Board to consider the current residents before making a decision on this matter.

Ms. Cindy Babson, 2245 Whiteville Road NW, addressed the Board. She, too, asked that a moratorium be put in place to slow development.

Ms. Jenny Prunty, 5906 Dutchman Creek Road SE, addressed the Board. Ms. Prunty was concerned with this matter being rushed. She urged the Board to work with the city and potentially overlay the city's zoning with the County's zoning. She suggested that an extension be requested because she understood such could be requested per Representative Charlie Miller.

Attorney King said there is no extension in place to his knowledge. He reiterated that the County has been instructed to adopt zoning for the former ETJ area within 60 days.

Mr. Frank Popelars, 1023 Captain Atkins Drive, addressed the Board. Mr. Popelars said a property owner in Smithville Woods violated the tree ordinance and that is why this matter is before this Board. He stated a petition was done in approximately 45 days to relinquish the ETJ area. He, too, suggested that an extension be requested from the State.

Ms. Christie Marek, 2986 Longwood Road NW, addressed the Board. Ms. Marek said an extension can be requested. She suggested that a section of the proposed zoning be postponed until September 2024. She stated that a moratorium can be put in place to protect the health and safety of the community (i.e., evacuation issues, wildlife preservation). Mr. Gaver asked her to explain the extension and Ms. Marek said if there is an issue (health and safety concerns), an extension can be requested, but it may not be granted. Ms. Dixon interjected that the General Assembly is not in session until November 2024 and Attorney King concurred. Otherwise, they will have to have an emergency session called for this matter to be heard.

Ms. Sue Hodgkin, 608 Cottage Point Way, addressed the Board. She stated that she serves on the City of Southport Planning Board. Ms. Hodgkin concurred that an extension can be requested, but the General Assembly would have to call a special session. She encouraged the Board and staff to work with the city and try to create a positive impact for the former ETJ area(s).

Mr. William Rainwater, 3008 Robert Ruark Drive SE, addressed the Board. Mr. Rainwater said he, too, signed a petition when a local neighbor was cited for cutting trees. He said there are wetlands and wildlife that can be potentially damaged if this matter is not well thought out.

Mr. Gaver addressed the audience regarding what happens next as a result of the mandate from the State. He asked staff what are the Board's options? Ms. Dixon said the Board can approve staff's recommendations, approve staff's recommendation with changes, or postpone the matter. She said postponing the matter will mean these properties will not be zoned until the County such time as the County zone the former ETJ area. Mr. Gaver asked staff if delaying the zoning until the Board's 09-Sep-24 meeting have any value? Ms. Dixon said the map will not change and amending the UDO will take approximately 90 days.

With no further comments, Mr. Bittenbender made a motion to close the Public Hearing and the motion was unanimously carried. Mr. Leary asked if the UDO re-write is the best course of action and Ms. Dixon said it would be ideal for the consulting firm to update the UDO. Mr. Leary asked if the height restriction could be limited to a 30' maximum for the former ETJ area? Ms. Dixon said it will have to be a conditional zoning request for that entire area and signed permission from each property owner will have to be received.

Mr. Gaver stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. 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.

Mr. Leary made a motion to approve the initial zoning of properties that were formerly in the City of Southport's ETJ to RR (Rural Low Density Residential), R-7500 (Medium Density Residential), R-6000 (High Density Residential), SBR-6000 (High Density Site Built Residential), MR-3200 (Multifamily Residential), C-LD (Commercial Low Density), NC

(Neighborhood Commercial), I-G (Industrial General), and CP (Conservation and Protection) near Southport, NC, remove the 3 properties (Tax Parcels 221OA037, 221LA01501 and 221MC00702) 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:
 - G-1 - Make consulting Blueprint Brunswick in advance of decision making a regular practice of the County’s elected and appointed officials, County staff, and the County’s strategic partners.
 - LU-1 - Recognize the County’s position in its evolution and how to leverage that position for positive change.
 - LU-2 - Support development in areas that are best suited for future development.
 - NR-1 - Conserve natural resources of the County.
 - DQ-2 - Maintain the character of the County, particularly the unique features that contribute to the identity of the place.
- The Commercial Suitability Map identifies parcels along George II Hwy as more suitable for commercial development.
 - Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
 - Biodiversity and Wildlife Habitat Assessment Score: Within the SP-ETJ, the assessment score ranges from 0 within the developed/commercial areas but increases from 7 to 9 indicating more wildlife habitat. Areas in this zone are the larger undeveloped parcels.
 - The NC General Assembly relinquished the City of Southport’s ETJ effective July 1, 2024, giving Brunswick County 60 days to enact zoning or the area will be unzoned.

<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 checked="" 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>
--	--

Mr. Gaver stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. 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.

E. Rezoning Z-899 & Z-899CZ– De-annexed Parcels in the former City of Boiling Spring Lakes.

Request initial zoning of six recently de-annexed parcels totaling approximately 23.79 acres located in the former City of Boiling Spring Lakes to C-LD (Commercial Low Density), RR (Rural Low Density Residential), and C-LDCZ (Commercial Low Density Conditional Zoning) near Boiling Spring Lakes, NC.

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

Mr. Walton said staff recommends approval to C-LD (Commercial Low Density), RR (Rural Low Density Residential) for Tax Parcels 1730000101, 17300025, 17300026, 17300019 and 11300039 and C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcel 1560000702 located in the former City of Boiling Spring Lakes and adopt the consistency and reasonableness determination statement.

Mr. Bittenbender 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. Brittain made a motion to approve Tax Parcels 1730000101, 17300025, 17300026, 17300019 and 11300039 to C-LD (Commercial Low Density) and RR (Rural Low Density Residential), approve Tax Parcel 1560000702 to C-LDCZ (Commercial Low Density Conditional Zoning) based on the permitted use(s) and conditions outlined in the Staff Report, 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:

- LU-2 – Support development in areas that are best suited for future development.
- LU-4 – Conserve viable agriculture while facilitating the transition of some existing working lands affected by urbanization.
- The Commercial Suitability Map identifies parcels along George II Hwy as more suitable for commercial development.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment Score: Vacant land within the proposed zoning score 9 out of 10 or has a high possibility of biodiversity and wildlife on the site. Developed properties along George II Hwy. score 0 out of 10 and have little change of biodiversity or wildlife on site.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input checked="" 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. Gaver stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. 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.

XI. ADJOURNMENT.

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

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-119

Applicant: Norris and Tunstall Engineering

Project Name: Midway Tract Planned Development

Property Location: Southport-Supply Road SE (NC 211), Gilbert Road SE (SR 1501), Midway Road SE (NC 906), and Clemmons Road SE (SR 1505)

Parcel Numbers: 18600016 and 18700004

Zoning District: R-7500 (Medium Density Residential)
R-7500 Density Maximum – 5.8 Dwelling Units per Acre
“The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems.”

Surrounding Zoning **North:** R-7500
South: R-7500, CLD (Commercial Low Density), OK-CLD and OK-R-20 (Oak Island Jurisdiction)
East: R-7500, CLD, OK-R-7 (Oak Island Jurisdiction)
West: R-7500, CLD, RR (Rural Residential)

Proposed Use: Midway Tract is a proposed planned development to consist of 2,950 single family lots, 330 townhome lots, 336 multifamily units, and 26 acres of commercial on a total of 1,502.2 acres, creating an overall density of 2.4 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consist of single-family residential, agricultural, commercial, and vacant land.
- The Blueprint Brunswick Future Land Use Map denotes this area as Medium Density Residential, Low Density Residential, and OSC-1 (Open Space Conservation).
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required open space for the development is approximately 300.4 acres. The developer is proposing 650.5 acres of dedicated open space. The developer is also proposing 177.5 acres of recreation space of which 45.1 acres are required.

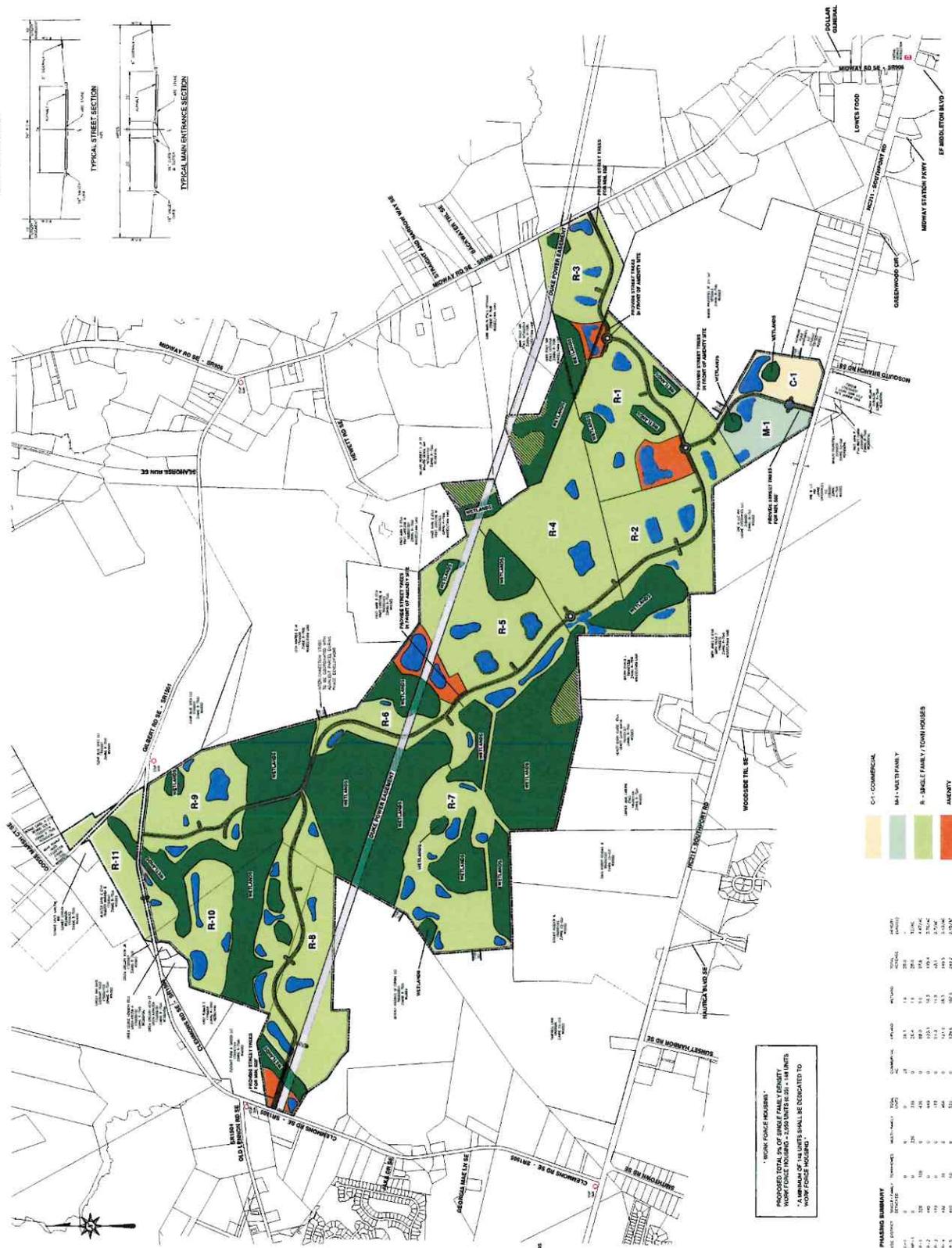
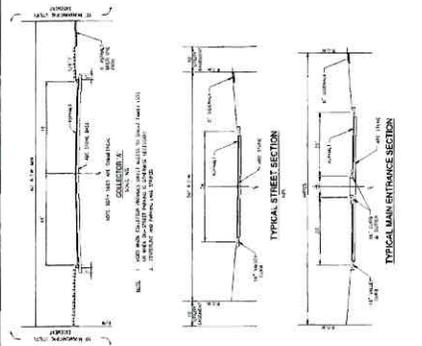
- The proposed project will generate approximately 31,559 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis (TIA) shall be required prior to construction and driveway permits from NCDOT will be required prior to the recording of the individual lots. There are no road capacity deficiencies for Midway Road, Gilbert Road or Clemmons Road. Southport-Supply Road is currently near capacity but road improvements are planned or under construction. NCDOT STIP (State Transportation Improvement Plan) Project R-5021 is currently under construction to widen Southport-Supply Road (NC 211) from Midway Road to NC 87 in Southport to four lanes. NCDOT STIP Project R-5947 proposes to widen Southport-Supply Road to four lanes from Sunset Harbor Road to Midway Road. This project is not yet funded. Phase 3 of the widening of Southport Supply Road from Sunset Harbor Road to US 17 is not yet designed nor has been placed in the STIP.
- There are no school capacity deficiencies within this district.
- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 650.5 acres of open space where as 300.4 acres are required.
 2. The developer is proposing 177.5 acres of recreation space where as 45.1 acres are required.
 3. The developer has agreed to dedicate 30 acres of land for public use such as a future school, regional park or Fire/EMS Station (Location TBD).
 4. The developer shall provide 5% (148 units) of the single family homes for workforce housing. These homes shall be distributed throughout the development and not be confined to a single area.
 5. The stormwater ponds will be designed for the attenuation treatment of the 1, 10, 25 and 100 year storm event.
 6. Sidewalks to be provided on one side of all roads.
 7. A 10' Access Easement for future greenways shall be provided along all NCDOT roads. An internal access easement for a future public greenway shall be provided along the main corridor from Clemmons Road to Southport-Supply Road.
 8. Street trees to be provided on main corridors in select areas.
 9. The collector roads within the development will not be gated.
 10. The developer shall limit the number of individual driveways along the main collector streets.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reduction in setbacks.
 3. Commercial Area along Southport-Supply Road (NC 211).
- No portions of the site are located within a Flood Hazard Zone.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- TRC was held on November 29, 2023.
- A neighborhood meeting was held on December 19, 2023.

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

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
4. The developer shall provide a utility easement for Brunswick County Utilities parallel to the existing power line easement.
5. The developer must coordinate with the Brunswick County Planning Department and the Brunswick County Attorney's Office to guarantee the long-term affordability of the Workforce Housing units for households earning below 80% of the HUD median income for the area. This may involve establishing a Development Agreement, implementing Deed Restrictions, or devising other similar arrangements between the developer and Brunswick County.

SYMBOL	DATE	DESCRIPTION	BY



LEGEND

- C-1 - COMMERCIAL
- M-1 - MULTIFAMILY
- R - SINGLE FAMILY / TOWN HOMES
- AMENITY
- UNDEVELOPED GREENSPACE
- PONDS
- STREET TREES

PARCEL SUMMARY

PARCEL	AREA (AC)	PERCENTAGE	TOTAL AREA (AC)	TOTAL PERCENTAGE
1	1.00	100%	1.00	100%
2	1.00	100%	1.00	100%
3	1.00	100%	1.00	100%
4	1.00	100%	1.00	100%
5	1.00	100%	1.00	100%
6	1.00	100%	1.00	100%
7	1.00	100%	1.00	100%
8	1.00	100%	1.00	100%
9	1.00	100%	1.00	100%
10	1.00	100%	1.00	100%
11	1.00	100%	1.00	100%
12	1.00	100%	1.00	100%
13	1.00	100%	1.00	100%
14	1.00	100%	1.00	100%
15	1.00	100%	1.00	100%
16	1.00	100%	1.00	100%
17	1.00	100%	1.00	100%
18	1.00	100%	1.00	100%
19	1.00	100%	1.00	100%
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95	1.00	100%	1.00	100%
96	1.00	100%	1.00	100%
97	1.00	100%	1.00	100%
98	1.00	100%	1.00	100%
99	1.00	100%	1.00	100%
100	1.00	100%	1.00	100%

WORK FORCE HOUSING -
 PROPOSED TOTAL 50 OF SINGLE FAMILY RESIDENTY
 WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS
 WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS
 WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS



STREETS

1. ALL STREETS SHALL BE CONSTRUCTED TO THE STANDARD SPECIFICATIONS FOR PAVED STREETS AND SIDEWALKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF SUPERVISORS.

2. ALL STREETS SHALL BE CONSTRUCTED TO THE STANDARD SPECIFICATIONS FOR PAVED STREETS AND SIDEWALKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF SUPERVISORS.

3. ALL STREETS SHALL BE CONSTRUCTED TO THE STANDARD SPECIFICATIONS FOR PAVED STREETS AND SIDEWALKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF SUPERVISORS.

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9. ALL STREETS SHALL BE CONSTRUCTED TO THE STANDARD SPECIFICATIONS FOR PAVED STREETS AND SIDEWALKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF SUPERVISORS.

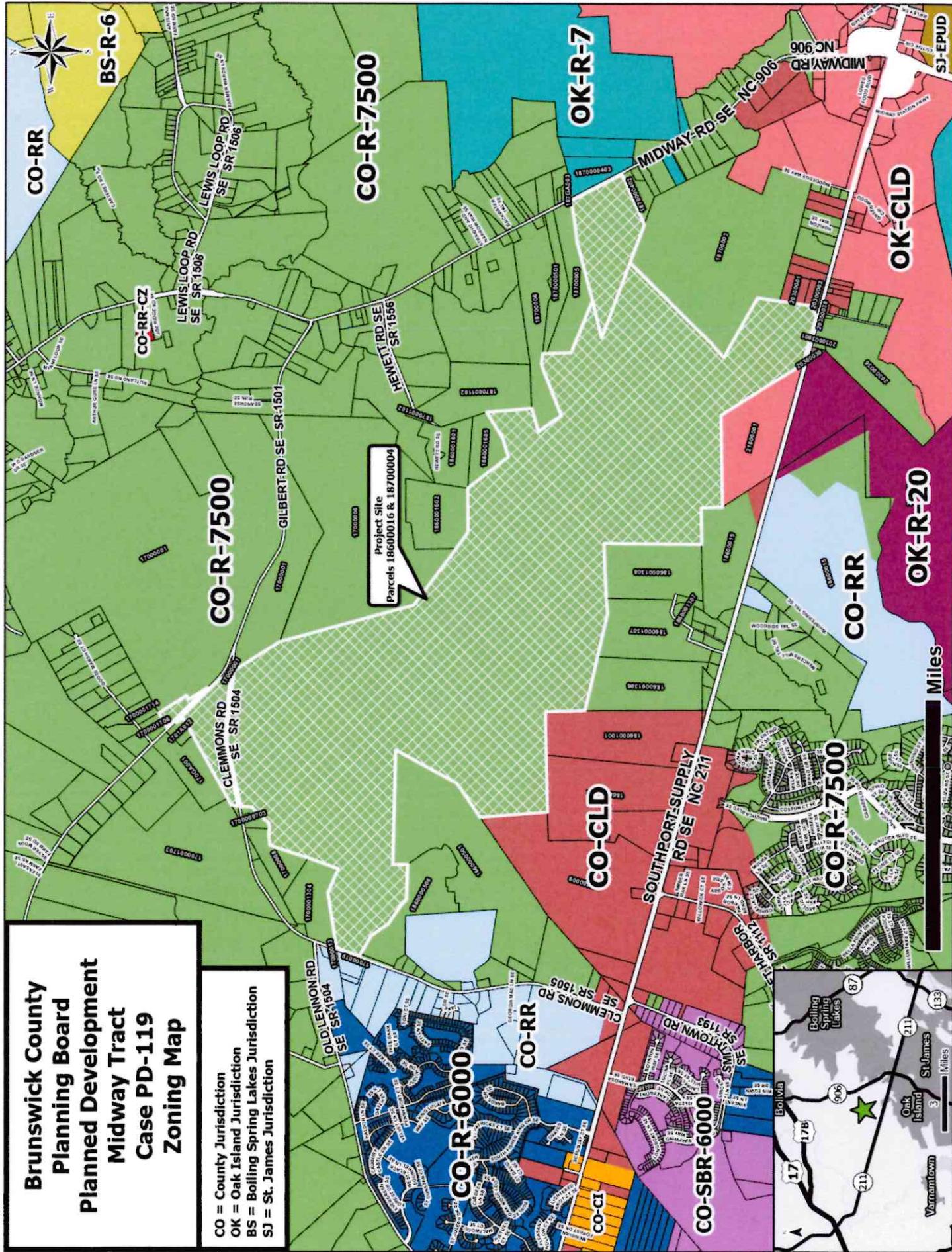
10. ALL STREETS SHALL BE CONSTRUCTED TO THE STANDARD SPECIFICATIONS FOR PAVED STREETS AND SIDEWALKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF SUPERVISORS.

PROPOSED DEVELOPMENT

NO.	DESCRIPTION	AREA (AC)	PERCENTAGE
1	WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS	1.00	100%
2	WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS	1.00	100%
3	WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS	1.00	100%
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49	WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS	1.00	100%
50	WORK FORCE HOUSING - 1,500 UNITS @ 30 - 34 UNITS	1.00	100%

**Brunswick County
Planned Development
Midway Tract
Case PD-119
Zoning Map**

CO = County Jurisdiction
 OK = Oak Island Jurisdiction
 BS = Boiling Spring Lakes Jurisdiction
 SJ = St. James Jurisdiction

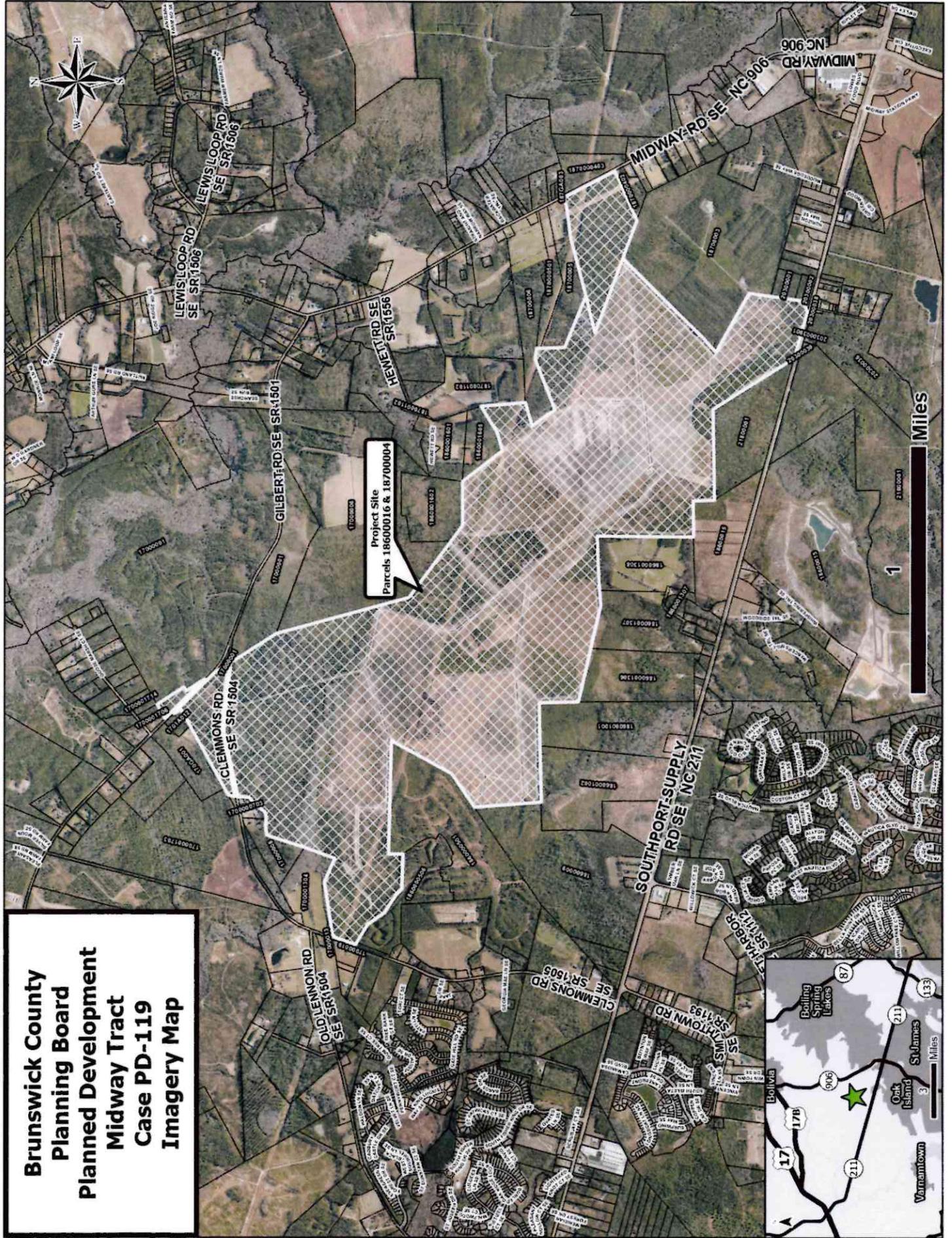


Project Site
 Parcels 18600016 & 18700004

1 Miles



**Brunswick County
Planning Board
Planned Development
Midway Tract
Case PD-119
Imagery Map**

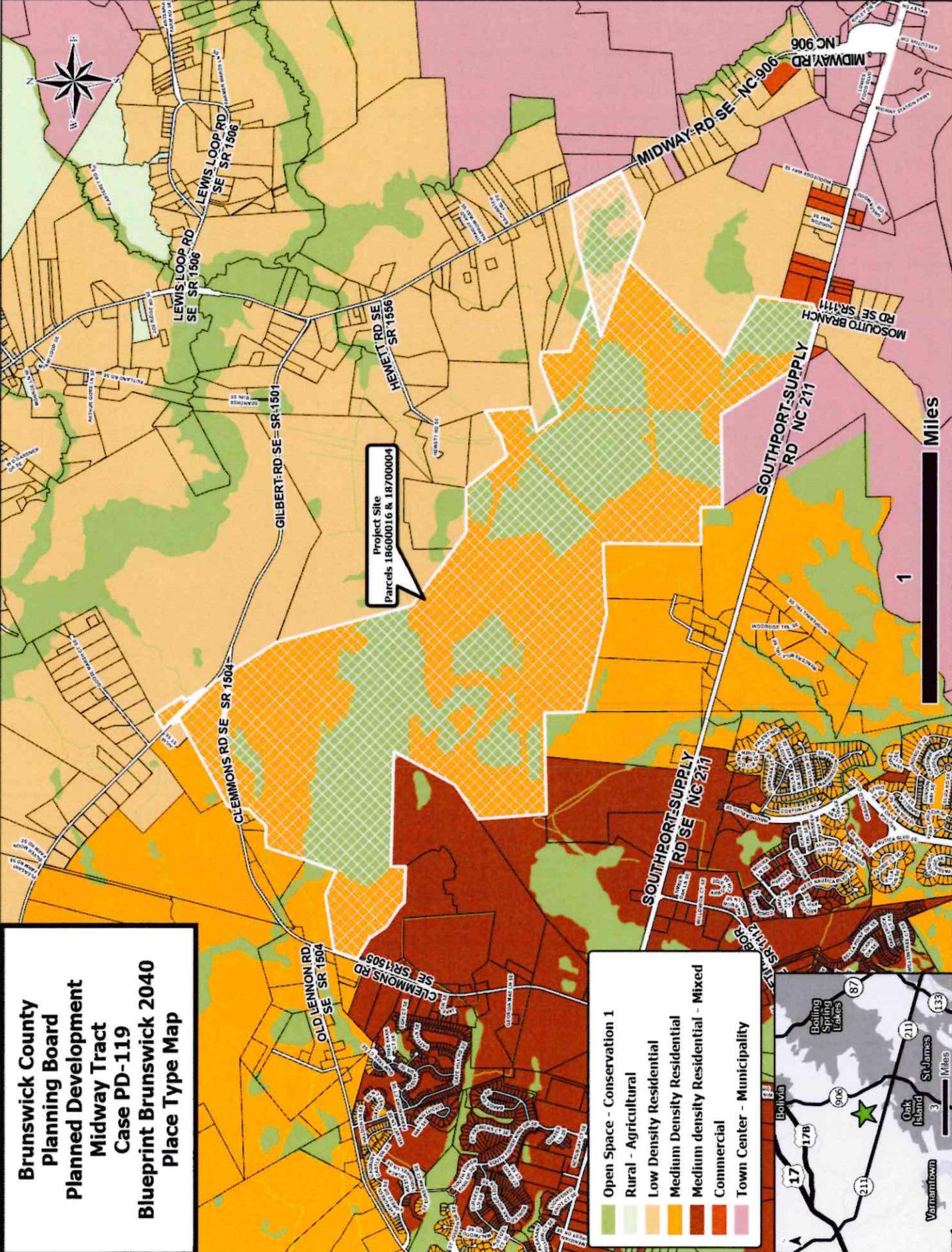


Project Site
Parcels 18600016 & 18700004

1 Miles

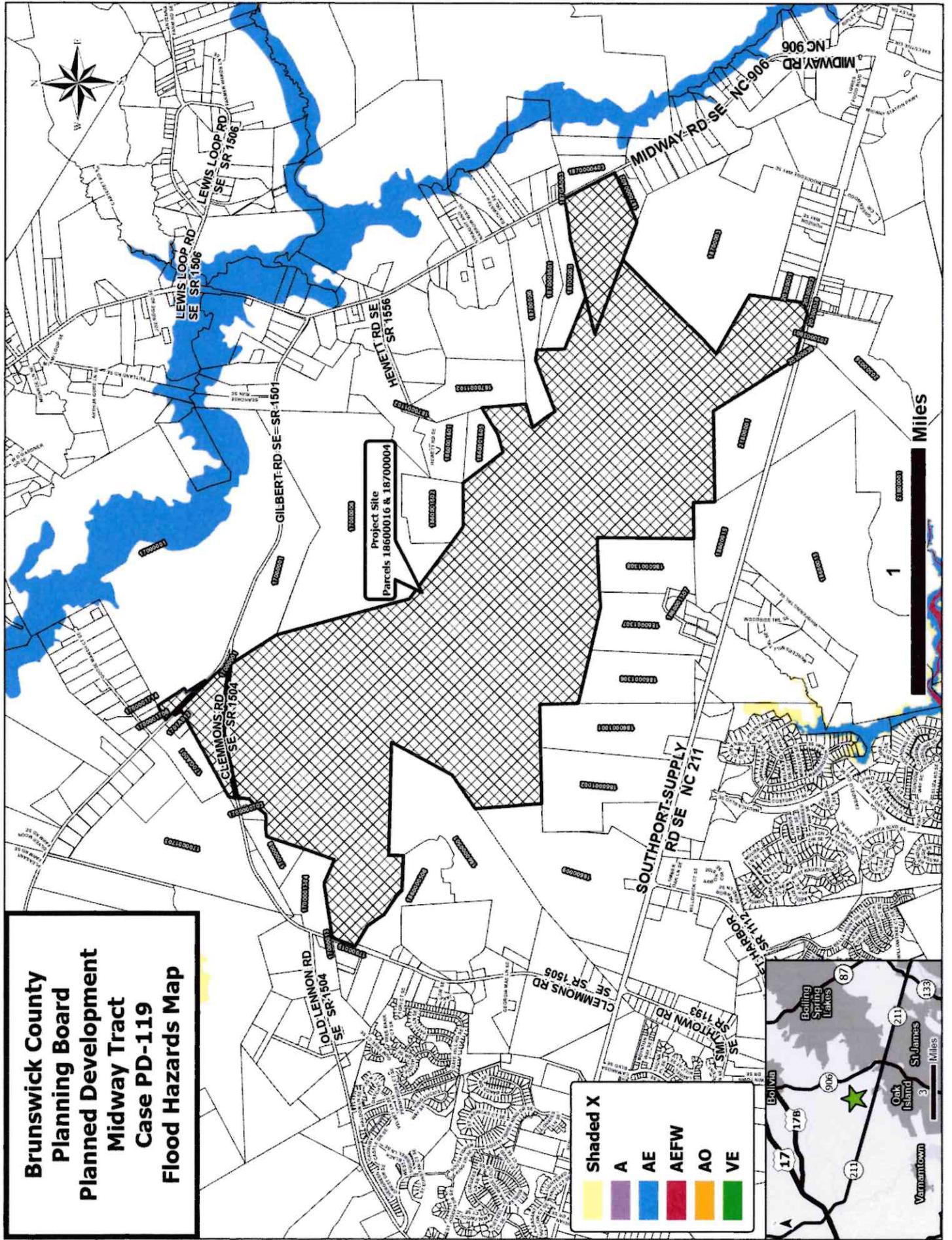
**Brunswick County
 Planning Board
 Planned Development
 Midway Tract
 Case PD-119
 Blueprint Brunswick 2040
 Place Type Map**

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



Project Site
 Parcels 18600016 & 18700004

**Brunswick County
 Planning Board
 Planned Development
 Midway Tract
 Case PD-119
 Flood Hazards Map**





BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

December 1, 2023

Norris and Tunstall Engineering
1429 Ash-Little River Road
Ash, NC 28420

**RE: Midway Tract Planned Development
File # PD-119**

To Whom It May Concern:

The Technical Review Committee (TRC) at their November 29, 2023 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- Please note that Planning Staff recommends that the main collector streets within the projects have limited individual driveways for better internal traffic flow.
- Please note that it is recommended that acreage be set aside for a public school or park.
- Please add stubouts to Tax Parcels 18700003, 17000006, 18600009, 20300001 and 1860000501.
- Please show and label the north-south running power line easement on Tax Parcel 18700004.
- Please label all wetland areas and list the wetland acreage.
- Please indicate where the multimodal paths are to be located and the minimum width.
- The northernmost portion of the property is somewhat isolated on the east side of Gilbert Road yet it is indicated as recreational space. This may be a safety issue for pedestrians crossing an arterial NCDOT road. Please consider making changing the proposed use of this property.
- Please note that there will be a greenway easement running parallel along the collector road from Clemmons Road to Southport-Supply Road. This greenway easement may be placed on any planned multimodal paths or sidewalks proposed by the developer.
- Please note on the plan that there will be a 10' access easement along all NCDOT roads for future sidewalks/greenways.
- Please note that a neighborhood meeting is recommended per UDO Section 9.2.
- Please note that designing the stormwater ponds to meet the 100-year storm event is highly recommended.

Comments from US Army Corps of Engineers

David Moose – 910-251-4810 – David.e.moose@usace.army.mil



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

- Please submit a copy of the site forestry plan for so the USACE can do a thorough review of the wetland areas.

Comments from Stormwater

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

- As per note #2, the project will require state and county stormwater permits.
- The county stormwater requirements are that post-development peak flow rates cannot exceed the pre-development condition for the 1-year, 10-year and 25-year design events. The 100-year design storm must also be analyzed, where the stormwater control measures can contain the 100-year – no overtopping.
- A state sedimentation and erosion control permit will be required.

Comments from Engineering

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

- No proposed water or sewer shown on plans.
- Existing 24" high pressure forcemain on Clemmons Road (no known capacity issues at this time; will need a metering vault); existing 16" high pressure forcemain on Southport-Supply Road (at this time no capacity issues, there are other large developments being discussed in the area and capacity is given on a permitting first come first serve basis).
- Existing 16" watermain on Southport-Supply, Midway, and Gilbert Roads.
- Gravity sewer to be designed to maximum extent possible before any consideration of alternative sewer.
- Odor Control may be required for pump station(s) depending on location.
- Fire hydrants every 800' and at all entrances; every 400' for multi-family.
- Double water meter boxes or 2 single gang meter boxes required for each lot/unit (either single family or multifamily/townhomes).
- Please review Brunswick County Engineering Design Manual for assistance/reference for design standards as needed.
- NCDOT Encroachment will be required for connection to water and sewer mains.

Comments from Fire Code Official

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

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



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

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

- Final plat will require fire approval.

Comments from Duke Power

Bill Wilder – 910-520-3911 – Bill.Wilder@duke-energy.com

- The design engineering firm for the owner/developer will you please provide them with my contact information below to ensure they contact me to discuss the Duke TRANSMISSION easement and our guidelines, restrictions and begin to interact directly with me in required approvals for any impacts to the transmission line easement.
- The conceptual plan shows several street crossings. For each of those we will need an existing and proposed grade profile specific to the transmission line 100 foot wide easement and the structure span location proposed between. Any street crossings must be with all associate utility easements not be within 25 feet of our pole structures and or guy anchors. No grading cut or fill within 25 feet of our structures, guy anchors or facilities. Street crossings must be between 30 and 90 degrees in crossing and not have any portion parallel within the easement.
- lots should be designed so as not to overlap the limits of the 100 foot wide transmission line easement. This helps greatly avoid costly encroachments in the future by the home owners who always want to place sheds, swimming pools, fences and other types of structures on their property.
- Please see the attached Duke Power documents for further information.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on December 11, 2023.

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

Sincerely,

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

Marc A. Pages
Brunswick County Principal Planner

Marc Pages

From: Jody Bland <jbland@ntengineers.com>
Sent: Wednesday, December 20, 2023 9:40 AM
To: Marc Pages
Cc: Scott Lloyd; cmun@landtechsc.com; Phil Norris; Tammy Watson
Subject: Midway Tract PUD - Neighborhood meeting
Attachments: 20231220094915501.pdf

CAUTION: This email originated from outside of Brunswick County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Marc

Please see the attached sign in sheet from last night's neighborhood meeting. There were a few more neighbors in attendance than what is shown on the sheet. My guess is probably 15-20 people in total were present. We introduced the project and provided a general overview for everyone. We explained that the property is already zoned R7500 and a subdivision may be developed without the PUD process. We explained a few differences in the PUD process mainly open space requirements, the ability to shrink the lots, & minimize installed infrastructure/ impervious which in turn reduces stormwater runoff.

We discussed that a TIA will be required by NCDOT for development, and we expect several traffic upgrades to be required during the duration of the project. We explained that we would be extending Brunswick County utilities throughout the area as needed to serve the project. We explained that we will treat stormwater to the 100yr storm as part of the project.

We discussed a potential school site in the R11 area and a potential emergency services site on the 4-acre remnant parcel along Gilbert Rd. We indicated that we felt like these sites were good candidates but ultimately there is additional coordination required with Brunswick County to determine site(s) that work for both parties. We indicated that if either of these sites were to be dedicated and developed by Brunswick County then they would have a site-specific review Brunswick County P&Z and would be required to adhere to the UDO.

We also discussed that this is a long-term project. The developer's current schedule is set up for scheduled platting of 200 lots each year. We explained to the neighbors that this could change depending on market conditions, but this would make this a 15 +/- year build out over time. Phase one would begin with the connection to NC211 and the second connection would be to Midway Rd. Development would then proceed back through the tract with eventual connections to Clemmons Rd. coming in later phases. The TIA will be coordinated to reflect the developer's schedule and will dictate timing of all proposed connections to NCDOT roadways.

The following were concerns that were discussed during the meeting.

- Traffic - The process of TIA was explained. We indicated that coordination would occur between NCDOT, developer's traffic engineer, and Brunswick County to develop a scope for study. Traffic counts would then occur, and the traffic engineer would then develop requirements for driveway connections and intersections that were identified to be studied. The traffic engineer would then coordinate with NCDOT regarding their findings and recommendations. NCDOT would then accept or require modifications to the proposed TIA recommendations.
- Stormwater – There were concerns regarding stormwater runoff and its potential impacts to the area. We explained that the current Brunswick County ordinance requires treatment up to the 25yr storm. Our proposed development will provide pre-post treatment of stormwater up to the 100yr storm. We explained that the PUD helped reduce this impact by allowing the development to reduce lot sizes and expand open space. This in turn will help minimize impervious surfaces where possible and further reduce runoff.
- Buffers - We explained that the PUD requires a 30' vegetative buffer. We explained that there are areas that will exceed the minimum buffer requirements due to wetlands or undeveloped green space areas. We also indicated that when we design each phase of development that we will maximize the buffer where possible. We also

explained that if this were to be developed as a straight R7500 subdivision then no buffers would be required. We explained that buffers would be confirmed by zoning during the platting inspections and areas of the buffer where existing vegetation may be thin would have to be augmented with additional plantings.

- Utilities – We explained that we would extend utilities where needed to provide service to the development. We explained that if needed utility extensions were to run past a neighboring parcel then the neighbor could request and coordinate connections with Brunswick County. Some neighbors expressed that they felt the developer should extend utilities and make them available to the whole area.
- Wetlands – Some neighbors had concerns that we would fill or impact significant portions of wetlands for the development. We explained the intent is to minimize any wetland impacts. There is already a network of existing farm/ soil roads that run through wetland pockets. We intend to utilize these areas to minimize impacts. The wetlands are currently being studied. The developer has received a preliminary wetland evaluation. Their environmental consultant is performing field work to verify their preliminary evaluation. Once complete their findings will be submitted to the Army Corps of Engineers (ACOE) for confirmation and issuance of the Jurisdictional Determination (JD).
- School/ Emergency Services – We discussed the potential R-11 area as a potential school site (31 ac +/-) and potential emergency services site (4.5 ac +/-). A few neighbors expressed a few concerns regarding traffic and the development process for these sites. We explained that traffic would be studied as part of the TIA. We also explained that each site would be required to have a site-specific review through Brunswick County.

Additionally, we have received two phone calls from neighbors prior to the meeting.

Parcel # 2030003901

We spoke with Mrs. Bitt regarding the development. Their property is across NC211 from the main entrance. She wanted us to be aware of the ongoing expansion of the NC211 corridor and that it will be occurring on our side of NC211 in this area. She did not express any major concerns other than traffic during our call. We indicated that we assume there will be upfits required associated with the NC211 entrance with the assumption that signalization of the proposed entrance may be required. She indicated that they did not like to drive at night since they were elderly.

Parcel # 18600009

We spoke with Mr. Campbell about the development. She indicated that she lives in Florida. She had concerns regarding stormwater, buffers, and the stub out identified to her property. We explained the proposed stormwater treatment will be in excess of the Brunswick County ordinance. We explained that we would maintain a minimum 30' vegetated buffer but would expand it where possible. We explained the stub out connection was a request of Brunswick County during the TRC process. We explained that it could be a future connection for access and utility connections. We recommended discuss her stub out concerns with Mr. Pages from Brunswick County P&Z. We did indicate that it would be a benefit that, at a minimum, that utilities be extended to her property line for a potential interconnection of the Brunswick County system.

We felt like this was a very good cordial meeting. There are a few neighbors that obviously do not want the development. We feel their concerns can be mitigated and abated based on the concessions and additional things developer is proposing. We feel that this development meets or exceeds the intent of the PUD ordinance. We are excited to bring this proposal to the Planning Board in January.

Scott/ Chuck please add anything additional that may have left out from our meeting last night.

Thanks,
Joseph Bland, PE



Our office will be closed Monday December 25th 2023 through Monday January 1st 2024 Merry Christmas and Happy New Year!

Case PD-119

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	ADDRESS	CITY	STATE	ZIP
18600009	CAMPBELL LYNNE	1480 LONG HORN RD	MIDDLEBURG	FL	32068-3030
18700005	AMAN TRACY RAY ETALS	1990 ALBEMARLE RD	SOUTHPORT	NC	28461-7887
1870000403	EQUITY INVESTMENT ASSOCIATES LLC	11675 RAINWATER DR	ALPHARETTA	GA	30009-8684
18700006	GORE MARILYN Y ETALS	5213 PROSPERITY VIEW DR	CHARLOTTE	NC	28269-1572
1860001306	GARNER JAMIE CARLENE ETALS	154 NE 11TH ST	OAK ISLAND	NC	28465-6401
1870000402	MORRIS PROPERTIES OF 211 LLC	126 SE 3RD ST	OAK ISLAND	NC	28465-6701
187000003	MORRIS PROPERTIES OF 211 LLC	126 SE 3RD ST	OAK ISLAND	NC	28465-6701
1860001605	PRATT MARK D ETUX	1003 OSPREY CIR	SOUTHPORT	NC	28461-2669
1860001601	PRATT MARK D ETUX	1003 OSPREY CIR	SOUTHPORT	NC	28461-2669
1860001308	BROWN DONALD L	PO BOX 4552	WILMINGTON	NC	28406
203000001	CLEMMONS PLACE APARTMENTS LLC	1015 ASHES DR	WILMINGTON	NC	28405-8353
1860001602	PRATT MARK D ETUX	1003 OSPREY CIR	SOUTHPORT	NC	28461-2669
186000015	SMITH JAMES O ETUX	1118 BUFFALO NVNO	ZIONVILLE	NC	28698-9421
1870000501	AMAN TRACY RAY ETALS	1990 ALBEMARLE RD	SOUTHPORT	NC	28461-7887
1860001307	HEWETT BOBBY CURTIS ETUX	PO BOX 65	BOLIVIA	NC	28422-0065
170000006	LESH WINFRED E JR	PO BOX 921	SUPPLY	NC	28462-0921
170000008	KIRBY RONALD E	2215 CLEMMONS ROAD SE	BOLIVIA	NC	28422
1700000701	GREEN GREGORY KEITH ET	2231 CLEMMONS RD SE	BOLIVIA	NC	28422
1700000703	GREEN GREGORY KEITH JR	2231 CLEMMONS RD SE	BOLIVIA	NC	28422-7609
1700000702	GREEN GEORGE KENNETH ETUX	2251 CLEMMONS RD SE	BOLIVIA	NC	28422-7609
2030003901	BRITT JOHN P ETUX	169 BRENTWOOD DRIVE	WILMINGTON	NC	28401
1701A012	SCHMIDT SCOTT CARLTON AND	1712 CULDEES LN SE	BOLIVIA	NC	28422-0801
1700001706	MONK RONALD HEIRS	1310 GILBERT RD SE	BOLIVIA	NC	28422-8748
218000001	DWE III LLC AND	2618 NEW VILLAGE WAY	WILMINGTON	NC	28405
170000019	SALVUCCI STEPHANIE A	24 GATE HOUSE LN	WESTON	MA	02493-2424
1870000102	BALLARD HERBERT G JR ET	2819 HEWETT RD SE	BOLIVIA	NC	28422
170000001	CLEAR BLUE SKIES LLC	5315 MEGANS PLACE DR	WILMINGTON	NC	28409-3677
170GA001	REGISTER DAVID E ETUX	6007 ROBERT RUARK DR SE	SOUTHPORT	NC	28461-2643
170GA002	DIXON DONALD B JR ETUX	381 HARRIS SWAMP RD SE	BOLIVIA	NC	28422-8605
1700001703	SHIRLEY ANN DAVID EVERHART TRUST	805 JOHN MORGAN RD	GOLD HILL	NC	28071-5617
1700001303	SELLERS BRANDI JANETTE LEIGH ETVIR	1925 GEORGIA MAE LN	BOLIVIA	NC	28422
1700001304	PLEASANT FARM & GARDEN LLC	1950 PLEASANT FARM RD SE	BOLIVIA	NC	28422-8356
1860001001	DAVIS ROBERT KENDALL III	1821 OLD LENNON RD SE	BOLIVIA	NC	28422
1860001002	DOSHER ROBERTA M	210 WEST MOORE STREET	SOUTHPORT	NC	28461
203000039	BIANCHI PROPERTIES LLC	7995 RIVER RD	SOUTHPORT	NC	28461-8971
170000013	SMITH JOSEPH PRESTON	582 NEWGATE CT SE	BOLIVIA	NC	28422-7474
1860000501	BLF 1 LLC	8800 N GAINES CENTER DR STE 345	SCOTTSDALE	AZ	85258-2153
1860000506	D R HORTON INC	6725 PARKER DRIVE STE 210	WILMINGTON	NC	28405

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
18700004	SMITH WAYNE J	20 THOMASBORO RD SW	CALABASH	NC	28467-2806
186000016	SMITH WAYNE J	20 THOMASBORO RD SW	CALABASH	NC	28467-2806

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	NORRIS AND TUNSTALL ENGINEERING	1429 ASH-LITTLE RIVER RD	ASH	NC	28420

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-130

Applicant: H & W Design

Project Name: Timber Farms Planned Development Expansion

Property Location: Ocean Highway West (US 17) and Longwood Road NW (NC 904)

Parcel Numbers: 19400008, 19500004, 21100063, 2110004607, 2110006904, & 21100069

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

Surrounding Zoning **North:** R-7500 and RR (Rural Residential)
South: R-7500 and CLD
East: R-7500, RR and CLD
West: R-7500

Proposed Use: Timber Farms is a previously approved planned development consisting of 1,700 single family units, 300 townhouse units, and 500 multifamily units, on 849.97 acres, creating an overall density of 2.9 dwelling units per acre. The developer is proposing to add 74.04 acres of commercial property to the development fronting on Ocean Highway (US 17). There is no proposed change to the previously approved residential portion of the development.

Approval Criteria

- The majority of surrounding uses consists of single family residential, commercial and vacant land.
- The Blueprint Brunswick Future Land Use Map denotes this area as Medium Density Residential Mixed, and OSC-1 (Open Space Conservation).
- The proposed project meets minimum vehicular access point requirements.
- Proposed infrastructure:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required Open Space for the development is 169.9 acres of which a minimum of 25.4 acres is required to be active recreation space. The developer is proposing 231.2 acres of dedicated open space of which 61.3 acres is to be recreational.
- The proposed 2,500 residential units will generate approximately 21,317 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis has been completed and approved by NCDOT. A driveway permit from NCDOT will be required prior to the recording of the individual lots.
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Tax Parcel 2110006902 is not part of the project but access will be provided per note #22 on the master plan.
- There are no school capacity deficiencies within this district.

- The Exceptional Design elements to be included in the project are as follows:
 1. Sidewalks are to be provided on one side of all streets.
 2. The developer is proposing 250 additional parking spaces over the minimum in the multifamily areas.
 3. Good distribution of recreational open space areas throughout the development.
 4. The developer is proposing 231.2 acres of open space where as 169.9 acres are required.
 5. The developer is proposing 61.3 acres of recreation space where as 25.4 acres are required.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reduction in setbacks.
- No portions of the site are located within a Flood Hazard Zone.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- TRC was held on July 31, 2024.
- A neighborhood meeting was held on August 22, 2024.

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

Staff recommends approval based on the following conditions:

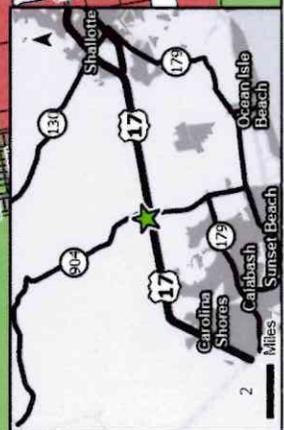
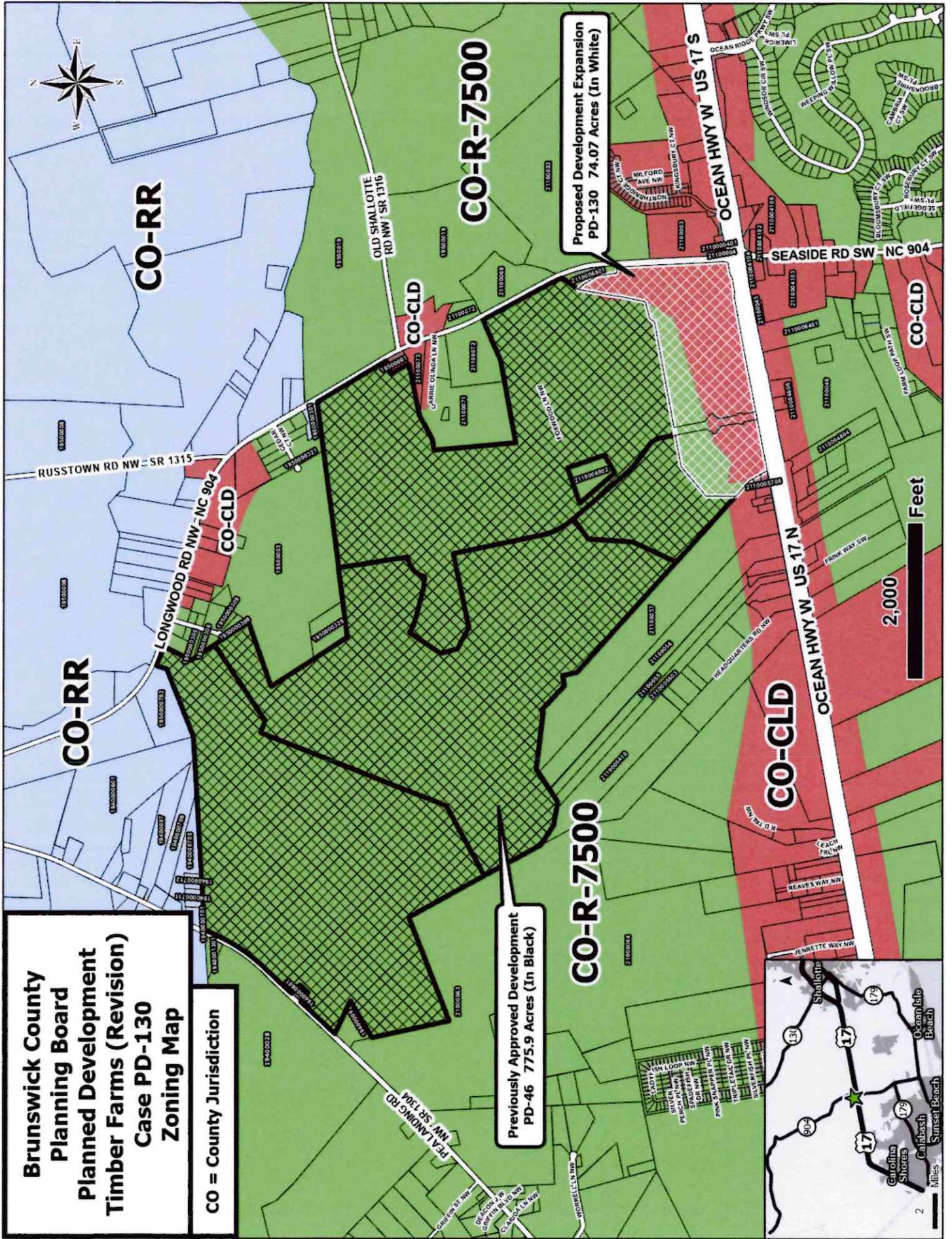
1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance (UDO).
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
4. Show and label a 0.6 opacity 30-foot peripheral boundary around Tax Parcel 2110006902.

**Brunswick County
Planning Board
Planned Development
Timber Farms (Revision)
Case PD-130
Zoning Map**

CO = County Jurisdiction

Previously Approved Development
PD-46 775.9 Acres (In Black)

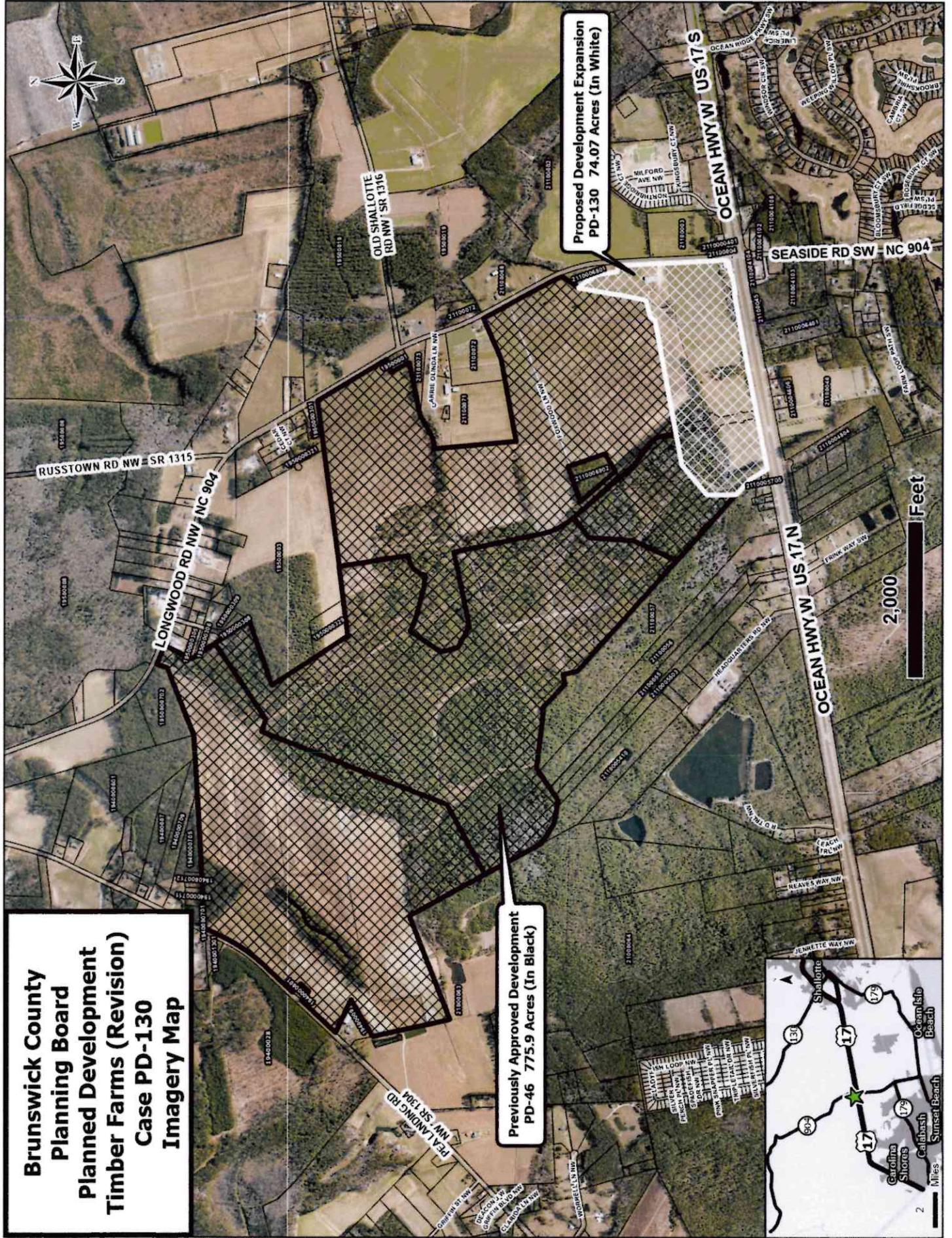
Proposed Development Expansion
PD-130 74.07 Acres (In White)



**Brunswick County
Planning Board
Planned Development
Timber Farms (Revision)
Case PD-130
Imagery Map**

**Previously Approved Development
PD-46 775.9 Acres (In Black)**

**Proposed Development Expansion
PD-130 74.07 Acres (In White)**



2,000 Feet

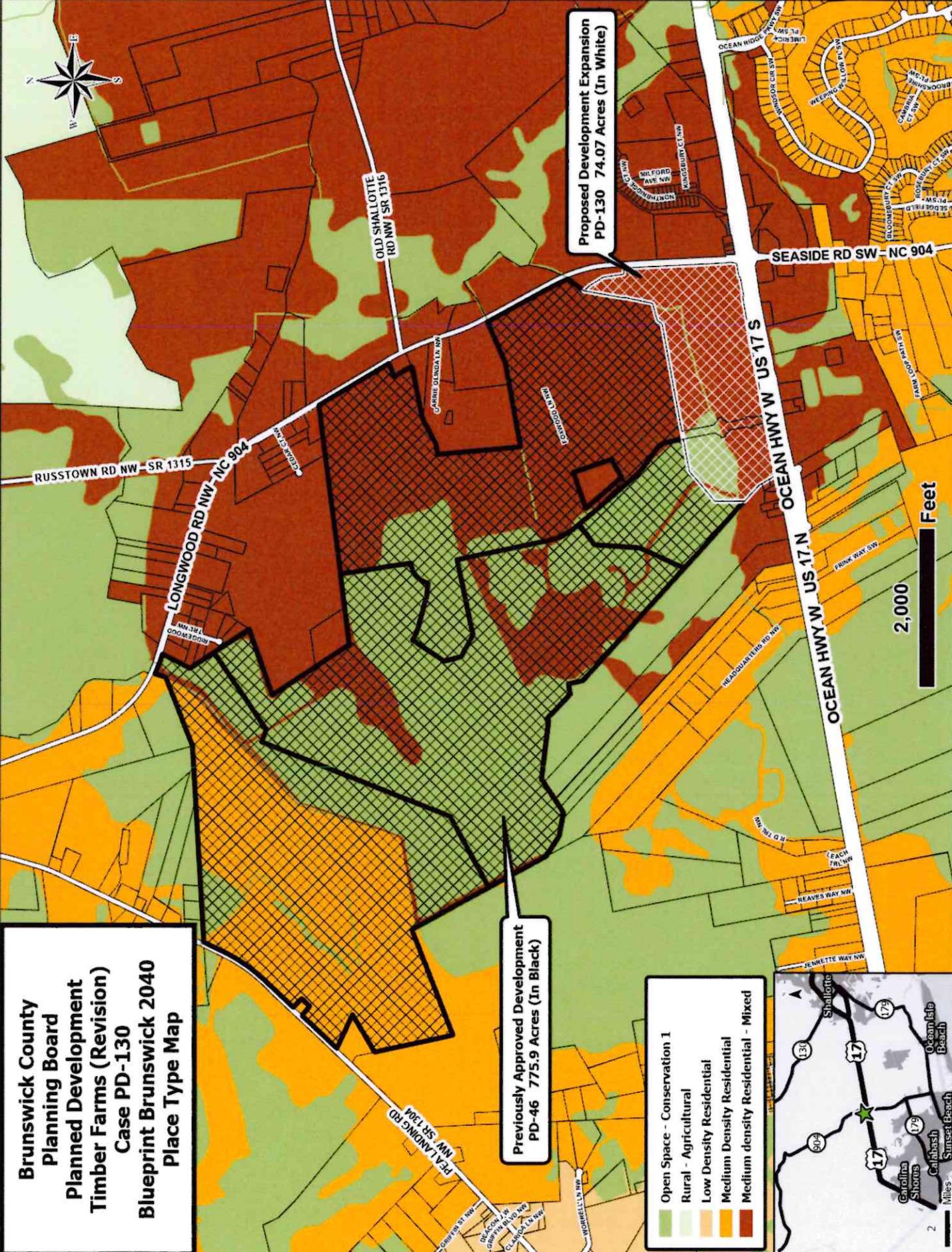
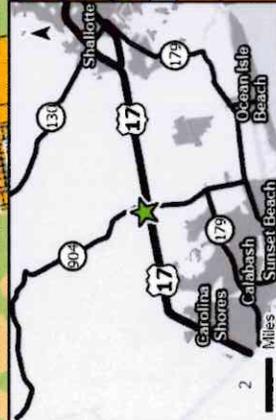


**Brunswick County
Planning Board
Planned Development
Timber Farms (Revision)
Case PD-130
Blueprint Brunswick 2040
Place Type Map**

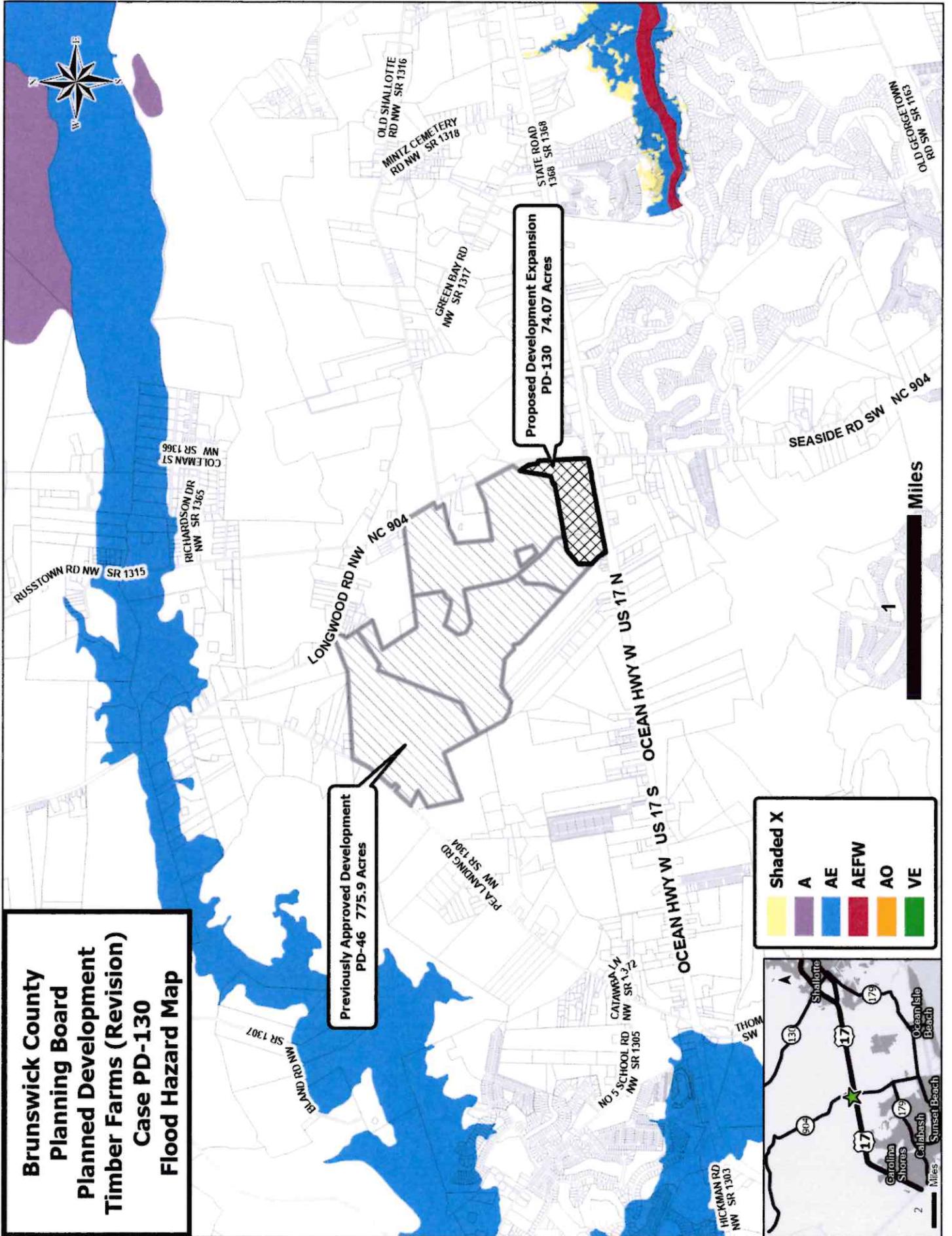
**Previously Approved Development
PD-46 775.9 Acres (In Black)**

**Proposed Development Expansion
PD-130 74.07 Acres (In White)**

- Open Space - Conservation 1
- Rural - Agricultural
- Low Density Residential
- Medium Density Residential
- Medium density Residential - Mixed



**Brunswick County
 Planning Board
 Planned Development
 Timber Farms (Revision)
 Case PD-130
 Flood Hazard Map**



Previously Approved Development
 PD-46 775.9 Acres

Proposed Development Expansion
 PD-130 74.07 Acres

Shaded X	
[Yellow Box]	A
[Purple Box]	AE
[Blue Box]	AEFW
[Red Box]	AO
[Orange Box]	VE





August 26, 2024

**Community Meeting Minutes
Timber Farms Planned Development (Expansion)**

Re: PD File # PD – 130 – 849 Acres

Hwy 17, NC 904 & Pea Landing Road

A neighborhood project meeting was held at **Ocean Isle Beach Park- Picnic Shelter #1** (adjacent to the playground) between the hours of 5:00 pm to 7:00 pm on August 22, 2024 to discuss the proposed PD expansion of the subject property. The following is a listing of comments made during the meeting:

1. Dan Weeks (DW) presented the proposed site plan illustrating the expansion of approximately 74 acres of commercial type uses in into the existing approved Planned Development approved in August of 2022. DW noted the underlying zoning is commercial low density and the proposed amendment would be in concert with any proposed commercial use
2. DW also defined the process and conditions associated with the approval and public hearing dates concerning approval of the proposed request
3. DW stated that the plan itself is a general plan at this time. Modifications to the plan could of course occur based upon regulatory requirements at the time of permit submittals. Any significant modification to an approved plan would be required to go back through the approval process
4. Runoff and storm water management was a concern for the adjacent residents, DW stated one of the new conditions was to increase the 10 yr/24-hour storm as approved in 2022 to 25 yr/24-hour event and evaluate the ponds for the 100-year event
5. Residents asked if there were any thoughts of providing a fire station site within the proposed commercial area
6. Residents asked what type of commercial uses are being proposed in the expansion area, DW stated that any use would be reviewed and approved by Brunswick County Planning Department prior to development
7. DW stated that NCDOT has approved the TIA for the subject property which is inclusive of the additional commercial acreage being added to the PD
8. DW stated that every attempt would be made to preserve the existing tree canopy within the existing 30 ft. perimeter buffer and any voids in the required buffer would require additional plantings and approved by the Planning Department

These minutes represent the writer's understanding of the public meeting. Any correction and/or clarifications should be directed to the writer's attention within three days of receipt of these meeting minutes.

910.470.9383
2 5 1 2
Independence Blvd.
S u i t e 2 0 0
Wilmington, NC
2 8 4 1 2

Written by: Dan Weeks, RLA
cc: Marc Pages, Brunswick County Principal Planner,
Attachments: PD Master Plan exhibit, sign-up sheet



Planned Development (PD)

Application and Checklist

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

Brunswick County Planning Dept. 910-253-2025

For Office Use Only

File # _____ Invoice # _____

Date Received: _____

Northwest Jurisdiction YES NO

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

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

Property Owner	Name	HARDEE Timber TRACT LLC	Phone	843-249-1264
	Address	4206 Sea Mountain Hwy.	Fax	
	City, St, Zip	Little River, SC 29566	Email	BenjyHardee@A0HARDEE-SON.COM

Applicant or Representative	Name	H+W DESIGN	Phone	910 470 9383
	Address	1512 INDEPENDENCE BLVD, SUITE 200	Fax	—
	City, St, Zip	WILMINGTON, NC 28412	Email	DIVEKS@H-WDESIGN.COM

Property Information	Address	271 LONWOOD RD NW	Project Information	Project Name	TIMBER FARMS
	Tax Parcel(s)	2110004607, 2110006805, 2110069, 1950004, 1940008, 2110006802, 2110006804, 849 AC		Modification or Expansion Of Existing PD?	Yes <input checked="" type="radio"/> No <input type="radio"/>
	Current Zoning	R7500, CUD		Single Family Acres	474 Lots 1700
	Public Utilities Available?	Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/>		Multi-Family Acres	70.7 Units 800
			Commercial Acres	74.07	

Authorization	Property Owner Signature	<i>Benjy A. Hardee</i>	Date	7/9/2024
	Applicant/Representative Signature	<i>David Dives</i>	Date	7/9/2024

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



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

December 5, 2022

Chase T. Smith, PE

5808 Faringdon Place, Suite 100
Raleigh, NC 27609

RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed **Gore Timber Tract** in Brunswick County, NC.

The NCDOT and Brunswick County staffs have reviewed the Gore Timber Tract TIA dated September 23, 2022. This development consists of:

Phase 1

- o 400 dwelling units: Single family detached housing (LUC 210)
- o Build Year: 2024

Full Build

- o 1700 dwelling units: Single family detached housing (LUC 210)
- o 300 dwelling units: Townhomes (LUC 215)
- o 500 dwelling units: multi-family housing low rise (LUC 220)
- o 618,400 square feet: Shopping Center (LUC 820)
- o Build Year: 2031

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

US 17 (Ocean Highway) and SR 1165 (Thomasboro Road)/SR 1304 (Pea Landing Road) (Signalized intersection/Proposed signalized RCI)

Phase 1 & Full Build

- No improvements are required

US 17 (Ocean Highway) and NC 904 (Seaside Road/Longwood Road) (Signalized intersection/Proposed signalized RCI)

Phase 1 & Full Build

- No improvements are required

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

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

Website: ncdot.gov

Location:
300 DIVISION DRIVE
WILMINGTON, NC 28401

NC 904 (Longwood Road) and SR 1304 (Pea Landing Road) (Stop-controlled intersection)

Phase 1 & Full Build

- No improvements are required

US 17 (Ocean Highway) and Proposed Westbound U-turn Location (Proposed signalized intersection)

Full Build

- Construct dual U-turns west of Site Access 2 with 350 feet of storage, 50 feet of full width deceleration and appropriate taper.
- Install traffic signal and provide necessary coordination.

US 17 (Ocean Highway) and Site Access 1/Private Driveway (Proposed signalized intersection)

Phase 1

- Construct site access (southbound approach) with one ingress lane and one egress lane configured as right-in/right-out intersection.
- Provide stop-control for southbound approach.
- Provide an internal protected stem of 300 feet measured from the right-of-way.
- Construct a westbound right turn lane on US 17 with 500 feet of storage, 50 feet of full width deceleration and appropriate taper.

Full Build

- Relocate the existing median break to Site Access 1 and modify the intersection as an RCI with leftovers onto Site Access 1 and Private Driveway.
- Construct a second receiving lane on Site Access 1.
- Construct a second southbound right turn lane on Site Access 1 with at least 500 feet of full width storage and appropriate taper.
- Construct dual eastbound left turn lanes on US 17 with 475 feet of storage, 50 feet of full width deceleration and appropriate taper.
- Construct a westbound left turn on US 17 with 200 feet of storage, 50 feet of full width deceleration and appropriate taper.
- Install a traffic signal for eastbound left turn lane and southbound right turn lane and provide necessary coordination.
- Provide stop-control for westbound left turn lane and northbound right turn lane.

Note: For Site Access 1, provide at least 300 feet of internal protected stem. Any proposed driveways between 300 feet to 500 feet on Site Access 1, will be restricted to Right-In/Right-Out only.

US 17 (Ocean Highway) and Site Access 2 (Proposed stop-controlled right-in/right-out intersection)

Full Build

- Construct site access (southbound approach) with one ingress lane and one egress lane configured as a right-in/right-out.
- Provide stop-control for southbound approach.
- Provide an internal protected stem of 300 feet measured from the right-of-way.
- Construct a westbound right turn lane on US 17 with 200 feet of storage, 50 feet of deceleration and appropriate taper.

US 17 (Ocean Highway) and Site Access 3 (Proposed stop-controlled right-in/right-out intersection)

Full Build

- Construct site access (southbound approach) with one ingress lane and one egress lane configured as a right-in/right-out.
- Provide stop-control of southbound approach.
- Provide an internal protected stem of 300 feet measured from right-of-way.
- Construct a westbound right turn lane on US 17 with 200 feet of storage, 50 feet of full width deceleration and appropriate taper.

NC 904 (Longwood Road) and Site Access 4 (Proposed stop-controlled intersection)

Full Build - Option 1

- Construct site access with one ingress lane and two egress lanes configured as an exclusive left turn lane and an exclusive right turn lane.
- Provide stop-control for eastbound approach.
- Provide an internal protected stem of 100 feet measured from the right-of-way.
- Construct a northbound left turn lane with 100 feet of storage, 50 feet of full-width deceleration and appropriate taper.
- Construction a southbound right turn lane on NC 904 (Longwood Road) with 50 feet of storage, 50 feet of full width deceleration and appropriate taper.

Full Build - Option 2

- Construct a single-lane roundabout.
- Construct site access with one ingress lane and one egress lanes
- Provide yield control for all approaches.
- Provide an internal protected stem of 100 feet measured from the right-of-way.

NC 904 (Longwood Road) and Site Access 5 (Proposed stop-controlled intersection)

Full Build

- Construct site access (eastbound approach) with one ingress and one egress lane.
- Provide stop-control for eastbound approach.
- Provide an internal protected stem of 75 feet measured from the right-of-way.
- Construct a northbound left turn lane on NC 904 (Longwood Road) with 100 feet of storage, 50 feet of deceleration and appropriate taper.
- Construct a southbound right turn taper of 100 feet on NC 904 (Longwood Road).

SR 1304 (Pea Landing Road) and Site Access 6 (Proposed stop-controlled intersection)

Full Build

- Construct site access (northbound approach) with one ingress and one egress lane.
- Provide stop-control for northbound approach.
- Provide an internal protected stem of 75 feet measured from the right-of-way.

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

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

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

Sincerely,



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

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

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
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300 DIVISION DRIVE
WILMINGTON, NC 28401-8883

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

Website: ncdot.gov

Location:
300 DIVISION DRIVE
WILMINGTON, NC 28401

04-11-03 COURIER

PD-130

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
21000064	HARDY JAMES E JR ET	HARDY EARLENE H	4 NICOLE CIRCLE NW	SUNSET BEACH	NC	28468
1940000705	SIMMONS JOHANNA		1492 BESSENT AVE	LITTLE RIVER	SC	29566-8213
1940000701	BENTON CLYDE HOWARD		900 PEA LANDING RD NW	ASH	NC	28420
211000068	GRISSETT FRANCES (LT)	* GRISSETT TALBOT	280 LONGWOOD RD NW	OCEAN ISL BCH	NC	28469-3604
211000056	SEW GROUP LLC		4528 LIVE OAK DR	LITTLE RIVER	SC	29566-9136
2110004104	ARCHLAND PROPERTY I LLC	% DENNIS ANDERSON	PO BOX 3992	WILMINGTON	NC	28406
211000046	SOMERSETT CHARLES W ET	SOMERSETT DIANNA W	7309 OCEAN HWY WEST	SUNSET BEACH	NC	28468
19400013	COX JOSEPH WEBSTER		805 PEA LANDING RD NW	ASH	NC	28420-2511
19400028	KSF LONG LLC ETALS	C/O KATHARINE S FORT	PO BOX 70687	MYRTLE BEACH	SC	29572-0030
1950000307	MARGUERITE YORK RESIDENCE TRUST		7248 RIDGEWOOD TRL NW	OCEAN ISL BCH	NC	28469-3598
1950000301	MEDERO OMAR CABRERA		499 LONGWOOD RD NW	OCEAN ISL BCH	NC	28469-3552
2110004102	MCCAULEY & MCDONALD INVESTMENT INC		PO BOX 361	FAYETTEVILLE	NC	28302
19500001	PRINCESS PROPERTY LLC		401 LONGWOOD RD NW	OCEAN ISL BCH	NC	28469-3552
21100073	MCCALL JEFFREY SCOT		1177 MCKEE FARM LN	BELMONT	NC	28012-8671
21100055	JENRETTE CHARLES		7490 OCEAN HWY WEST	SUNSET BEACH	NC	28468
2110005410	COX EARLENE HARDIE		3965 WYNDMERE DR	SOUTHPORT	NC	28461-8170
21000063	REAVES CLARENCE DEWAYNE		676 PEA LANDING RD NW	ASH	NC	28420
19500008	WARD SARAH THERESA		11 BRIERWOOD RD SW	SHALLOTTE	NC	28470-4404
1950000702	WARD CHARLES M ETUX	WARD SONIA	9 OBAN CT	SHALLOTTE	NC	28470-4524
1950000329	BUFFKIN NELL LONG		1006 MILL BRANCH CHURCH RD	TABOR CITY	NC	28463-9676
1950000309	BUFFKIN NELL LONG		1006 MILL BRANCH CHURCH RD	TABOR CITY	NC	28463-9676
1950000308	BUFFKIN NELL LONG		1006 MILL BRANCH CHURCH RD	TABOR CITY	NC	28463-9676
1950000306	WHEELER DONNA W		7236 RIDGEWOOD TRAIL	OCEAN ISLE BEACH	NC	28469
1950000305	COX EARL ET	COX MICHELLE	7226 RIDGEWOOD TRAIL NW	OCEAN ISLE BEACH	NC	28469
1940001301	COX JOE		805 PEA LANDING RD NW	ASH	NC	28420-2511
1940000712	SIMMONS JOHANNA		1492 BESSENT AVE	LITTLE RIVER	SC	29566-8213
1940000711	BENTON CLYDE HOWARD		900 PEA LANDING RD NW	ASH	NC	28420
1940000709	PHILLIPS JULIE		870 PEA LANDING RD NW	ASH	NC	28420-2510
19400007	ETHERIDGE IRREVOCABLE TRUST ETALS		874 PEA LANDING RD NW	ASH	NC	28420-2510
2110004606	ANDREWS LARRY R ET	ANDREWS PRISCILLA P	7301 OCEAN HIGHWAY WEST	SUNSET BEACH	NC	28468
2110000401	MCMULLAN PARTNERS LLC		870 OLD CANTON ROAD	MARIETTA	GA	30068-2363
21100004	MCMULLAN PARTNERS LLC		870 OLD CANTON ROAD	MARIETTA	GA	30068-2363
21100003	BENTON WARREN C ETUX	BENTON MARY DELL SOMERSETT	4715B SAINT ANDREWS DR N	WILSON	NC	27896-9171
21100002	FRINK WILLIAM TERRY		305 BLANE CT	SUNSET BEACH	NC	28468-9700
2110004103	MCLEOD LORIS SEACOAST HOSPITAL		PO BOX 100551	FLORENCE	SC	29502-0551
2110004106	MCCAULEY & MCDONALD INVESTMENT INC		PO BOX 361	FAYETTEVILLE	NC	28302
211000045	KELLEY TIMOTHY P ET	KELLEY ANGELA K	7169 OCEAN HWY W	SUNSET BEACH	NC	28468

PARCEL ID	NAME	NAME 2	OWNER(S)	ADDRESS	CITY	STATE	ZIP
2110004601	BAILEY DAVID B ETUX			7251 OCEAN HWY W	SUNSET BEACH	NC	28468-6162
2110004605	ANDREWS LARRY RAY ET	BAILEY LINDA M		P O BOX 387	SHALLOTTE	NC	28459
2110004804	BROWN LARRY N	ANDREWS PRISCILLA H		411 EASTWOOD LANE SE	LELAND	NC	28451
21100057	JACKSON GENNELL H ETALS			PO BOX 6364	OCEAN ISLE BEACH	NC	28469-0364
2110005705	JACKSON GENNELL H ETALS			PO BOX 6364	OCEAN ISLE BEACH	NC	28469-0364
21100061	MCNEILL EDWARD T			1954 OAK VALLEY RD	DECATUR	GA	30035-1953
21100062	LIVINGSTON CORNELLA ETVIR	LIVINGSTON THURMAN		3674 BOMBING RANG RD	LONG	SC	29568
2110006401	HYATT MICHAEL JOSEPH			PO BOX 1710	WHITEVILLE	NC	28472-1710
2110005503	MATTHEWS VICKI J ETVIR	MATTHEWS JAMES RENARD		7490 OCEAN HWY W	SUNSET BEACH	NC	28468
21100071	KING CAROLINA PROPERTIES LLC			4872 WHITEVILLE RD NW	ASH	NC	28420-3714
1950000321	BRADT DAVID M ETUX	BRADT LAURALEE A		7147 CEDAR CT NW	OCEAN ISLE BEACH	NC	28469-6000
19500003	BUFFKIN NELL LONG			1006 MILL BRANCH CHURCH RD	TABOR CITY	NC	28463-9676
1940000601	BENTON MILTON W ETUX	BENTON MARSHA		950 PEALANDING RD NW	ASH	NC	28420-2508
21100072	GRISSETT RUBY T (LT) AND	GRISSETT WILLIAM WAYNE (LT) ETALS		331 LONGWOOD RD NW	OCEAN ISL BCH	NC	28469-3607
1950000302	BUFFKIN RICKY G AND	BUFFKIN FRANCES		769 LONGWOOD RD NW	OCEAN ISLE BEACH	NC	28469
19400009	REAVES CLARENCE DEWAYNE			676 PEA LANDING RD NW	ASH	NC	28420
1940000801	QUINN SCHOPF MICHAEL AND			726 PEA LANDING ROAD	ASH	NC	28420
2110006801	PHELPS JAMES HENRY	MULLER CHRISTINE		179 LONGWOOD RD NW	OCEAN ISL BCH	NC	28469-3603
2110006902	GRISSETTE K O NEAL			7317 FOXWOOD LANE NW	OCEAN ISLE BEACH	NC	28469
19500019	REDWINE DORIS F			1754 FRINK ST SW	OCEAN ISLE BEACH	NC	28469

PARCEL ID	NAME	NAME 2	OWNER(S)	ADDRESS	CITY	STATE	ZIP
19400008	HARDEE TIMBER TRACT LLC			55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818
19500004	HARDEE TIMBER TRACT LLC			55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818
21100063	HARDEE TIMBER TRACT LLC			4206 SEA MOUNTAIN HWY	LITTLE RIVER	SC	29566-7865
2110004607	HARDEE TIMBER TRACT LLC			55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818
2110006904	HARDEE TIMBER TRACT LLC			55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818
21100069	HARDEE TIMBER TRACT LLC			55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818

PARCEL ID	NAME	NAME 2	APPLICANT(S)	ADDRESS	CITY	STATE	ZIP
	H+W DESIGN			2512 INDEPENDENCE BLVD SUITE 200	WILMINGTON	NC	28412

REZONING STAFF REPORT



Prepared by Tyler Connor, Planner I
Rezoning Case#: Z-900
September 9, 2024

APPLICATION SUMMARY

The applicant, Lauro Dominguez, requests to rezone Tax Parcel 21000031 from SBR-6000 (High Density Site Built Residential) to R-7500 (Medium Density Residential). This rezoning request is conventional; therefore, no conditions or site plans are proposed. All owners and adjacent owners have been notified via first-class mail.

Location

8892 No. 5 School Rd. NW

Tax Parcel

21000031

Current Zoning

SBR-6000

Proposed Zoning

R-7500

Surrounding Zoning

SBR-6000 and R-7500

Current Use

Accessory Structure

Surrounding Land Uses

Residential, Undeveloped

Size

1.16 Acres



SITE CONSIDERATIONS

Zoning History:

- The property was originally zoned R-7500 when the County enacted zoning. In 1997 the property was rezoned from R-7500 to SBR-6000 (Case Z-175).

Buffers: If rezoned to R-7500, no buffer is required for a residential use. For a non-residential use locating next to a vacant property a 0.2 buffer shall be required. When locating a non-residential use next to an existing residential developed property a 0.4 buffer shall be required.

Street Yard Buffers: A 15-foot street yard buffer (Local Street Buffer) with an opacity of 0.2 may be required depending on the design of future development.

Utilities:

- Water is available, via a 12-inch county main water line on No. 5 School Road.
- Wastewater: is not available. There is a 6-inch high pressure force main at the intersection of No. 5 School Road and North Balfour Drive.

Schools: The parcel is located within the Jessie Mae Monroe Elementary School, Shallotte Middle School, and West Brunswick High School districts. All schools have adequate capacity.

CIP Projects in Area: No CIP projects near the property.

Traffic: No. 5 School Rd. (SR 1305) has adequate capacity.

NCDOT Road Improvement Projects in Area:

- US 17 and 904 Intersection. NC 904 upgrade to reduce conflict intersection. (Not Funded)
- Ash Little River Rd. (SR 1300) Replace Bridge 090126 over Caw Caw Swamp (Recently Completed)

Environmental Impacts:

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

ANALYSIS

Proposed Zoning District:

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

Blueprint Brunswick 2040 Plan Place Type: *Medium Density Residential*

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

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

Applicable Blueprint Brunswick 2040 Plan Policies:

- The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential development.
- LU-6. Amend land development regulations to align with Place Types as defined within Blueprint Brunswick.
- HN-1. Expand housing choices within Brunswick County to respond to changing preferences and to increase housing affordability in the county.
- HN-2. Minimize impacts to and invest in established residential areas.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-900, with the existing place type designation as Medium Density Residential (MDR) 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

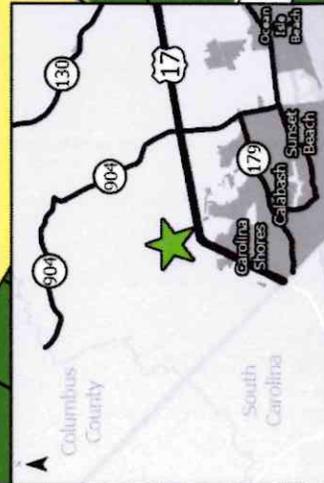
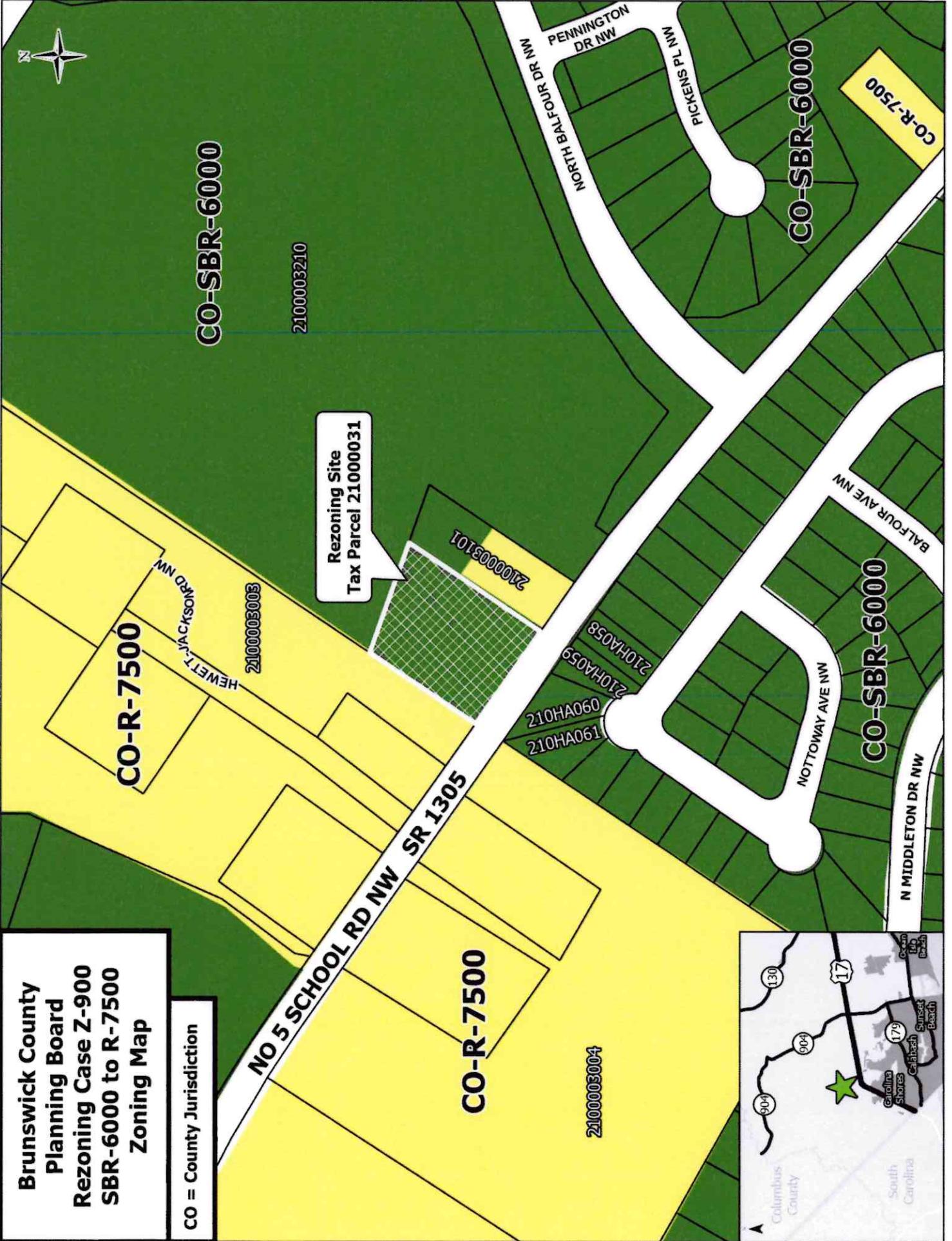
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

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-6. Amend land development regulations to align with Place Types as defined within Blueprint Brunswick.
 - HN-1. Expand housing choices within Brunswick County to respond to changing preferences and to increase housing affordability in the county.
 - HN-2. Minimize impacts to and invest in established residential areas.
 - The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics and existing zoning in the area.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

**Brunswick County
Planning Board
Rezoning Case Z-900
SBR-6000 to R-7500
Zoning Map**

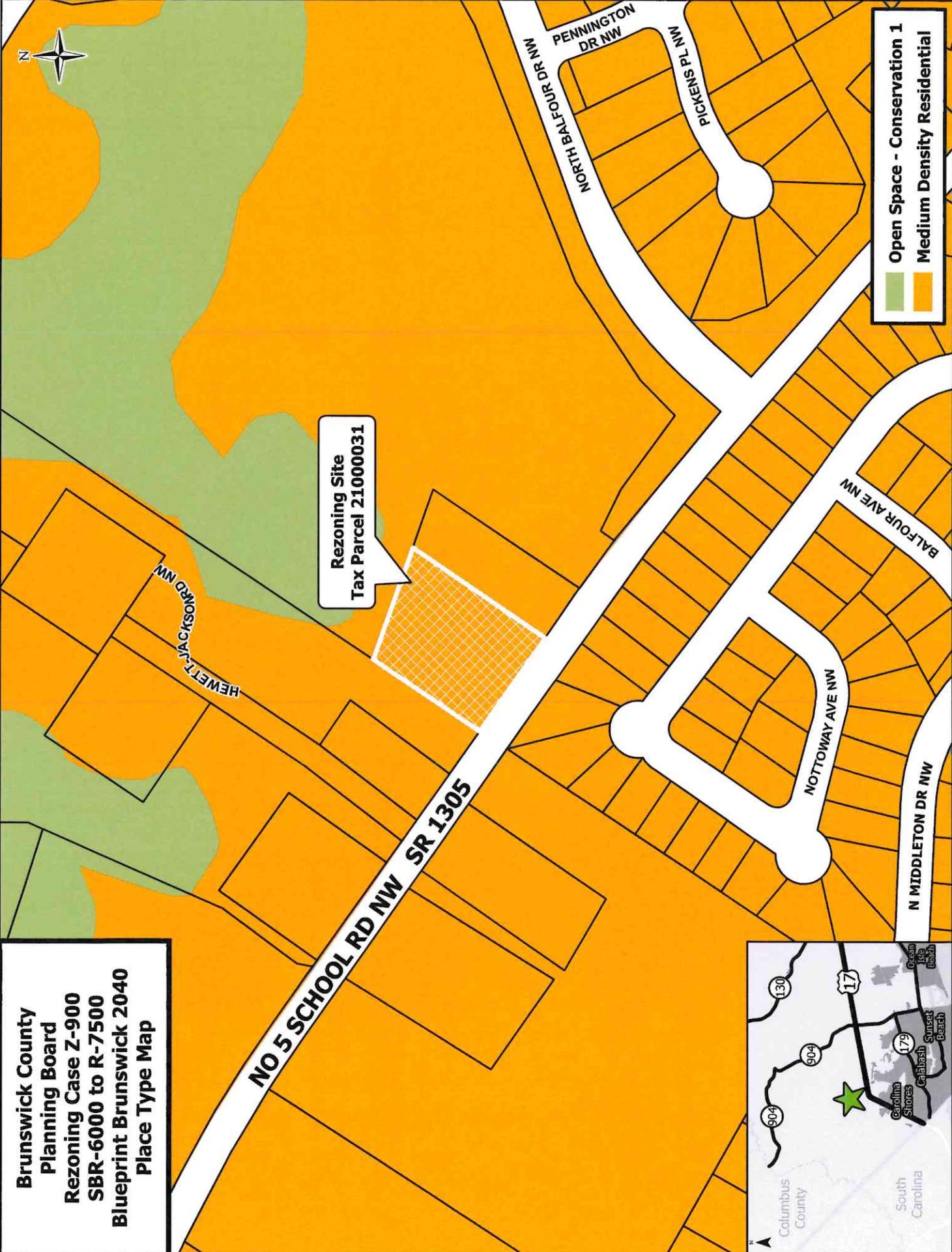
CO = County Jurisdiction

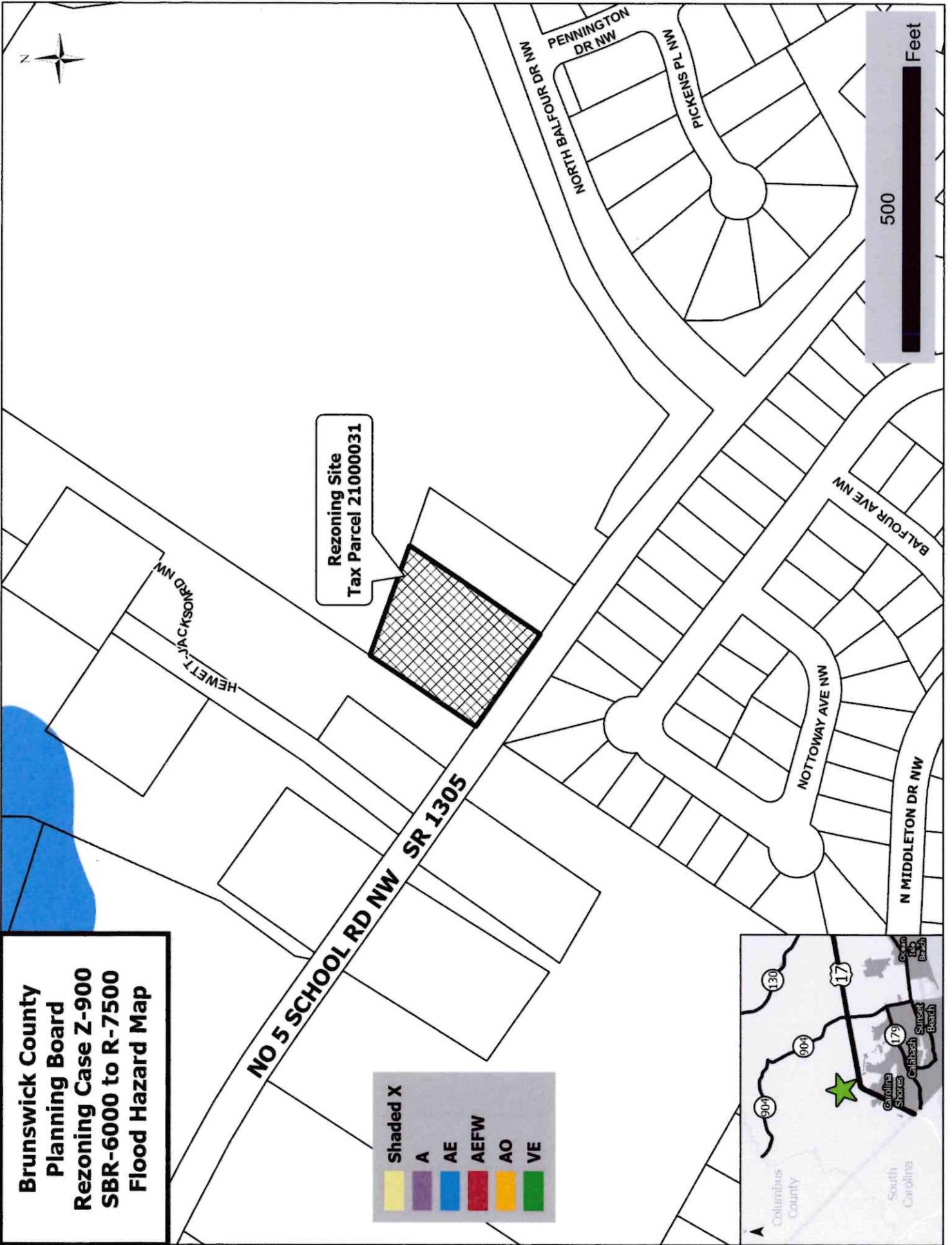


**Brunswick County
Planning Board
Rezoning Case Z-900
SBR-6000 to R-7500
Blueprint Brunswick 2040
Place Type Map**

Rezoning Site
Tax Parcel 21000031

Open Space - Conservation 1
Medium Density Residential

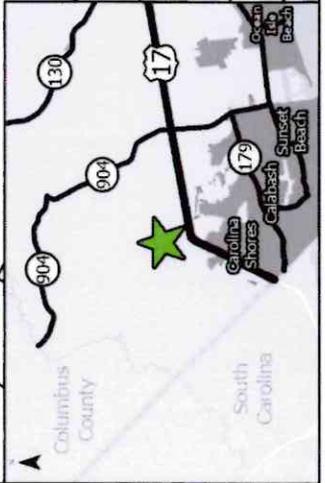




**Brunswick County
 Planning Board
 Rezoning Case Z-900
 SBR-6000 to R-7500
 Flood Hazard Map**

Rezoning Site
 Tax Parcel 21000031

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





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- _____ Invoice # _____

Date Received _____

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): <i>Lauro Dominguez</i>	
Mailing Address: <i>361 Maplewood Dr</i>	
Phone: <i>910-742-3192</i>	Email: <i>dominguezlma@live.com</i>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <i>Dominguez Lawncare LLC</i>	
Mailing Address: <i>361 Maplewood Dr Calabash, NC 28467</i>	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location: <i>8892 No. 5 School Rd</i>	
Parcel Tax ID #(s): <i>21000031</i>	Total Site Acreage: <i>1.16</i>
Current Zoning District(s): <i>SBR-6000</i>	Proposed Zoning District(s): <i>R-7500</i>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

The proposed rezoning is identical to adjacent properties & is consistent w/ Land Use Plan



LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

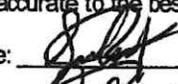
If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

N/A

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:  _____

Date: _____

Owner Signature:  _____

Date: _____

Owner Signature: _____

Date: _____

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

Brunswick County Jurisdiction Fees

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

City of Northwest Jurisdiction Fees

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

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

Z-900

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
210HA059	FERRAIOLI ALBERT G ETUX	FERRAIOLI PATRICIA A	8892 NOTTOWAY AVE NW	CALABASH	NC	28467-2129
210HA058	SICURANZA KATHRYN L TRUSTEE		8882 NOTTOWAY AVE NW	CALABASH	NC	28467
210HA061	CHILDS THOMAS W ETUX	CHILDS VICTORIA LINDA	8896 NOTTOWAY AVENUE NW	CALABASH	NC	28467
210HA060	FERRAIOLI ALBERT G ETUX	FERRAIOLI PATRICIA A	8892 NOTTOWAY AVE NW	CALABASH	NC	28467-2129
2100003101	ANDERSON HOWARD M ET	ANDERSON SONYA	8878 N 5 SCHOOL RD NW	ASH	NC	28420-2106
2100003003	HICKEN ROBIN L		8911 NUMBER 5 SCHOOL RD NW	ASH	NC	28420-2109
2100003004	HICKEN ROBIN L		8911 NUMBER 5 SCHOOL RD NW	ASH	NC	28420-2109
2100003210	CAW CAW LAND CORP		252 S MIDDLETON DR NW	CALABASH	NC	28467-2157

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
21000031	DOMINGUEZ C LAWNCARE LLC		361 MAPLEWOOD DR NW	CALABASH	NC	28467-1831

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	Lauro Dominguez		361 MAPLEWOOD DR NW	CALABASH	NC	28467-1831

INITIAL REZONING STAFF REPORT



Prepared by Jeff Walton, Senior Planner

Rezoning Case#: Z-898 (3 parcels tabled from the August 12, 2024, Planning Board meeting)

September 9, 2024

APPLICATION SUMMARY

The modification request is to initially zone 3 tax parcels within the former Southport Extra-Territorial Jurisdiction (SP-ETJ) to County zoning as follows:

Owner	Parcel ID	Site Address or Street Location	Zoning SP-ETJ	Proposed Zoning	Proposed Land Use Map
ALLEN ET & CINDY H. BRITTAIN	2210A037	5010 ROBERT RUARK DR SE	R-20	SBR-6000: 1.02 acres	Commercial
LEE SHORE HOLDINGS, LLC	221LA01501	ROB GANDY BLVD SE / JABBERTOWN RD	R-20	CLD : 2.61 acres R-6000: 7.88 acres	Commercial & Medium Density Residential
GANDY, LLC	221MC00702	ROB GANDY BLVD SE / JABBERTOWN RD	LI	CLD : 3.53 acres R-6000: 3.11 acres	Commercial & Medium Density Residential

The North Carolina General Assembly ratified House Bill 911 on June 28, 2024, and made effective the removal of the former SP-ETJ zoned properties on July 1, 2024. On August 12, 2024, the Brunswick County Planning Board approved the initial zoning of properties within the former SP-ETJ, subject to a 15-day appeal period.

The three items for consideration were pulled from the August Planning Board meeting, due to last minute changes and a planning board member owning property within the former SP-ETJ. The C-LD, Commercial-Low Density 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. The SBR-6000, High Density Site Built Residential and R-6000, High Density Residential are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. The difference between the two districts is that the R-6000 in additional allows for manufactured housing.

The proposed initial zoning map was created based on staff analysis, existing land use patterns, the design to limit non-conforming situations, future potential development and feedback from existing SP-ETJ property owners.

Location

5010 Robert Ruark Dr SE; 2 parcels on Rob Gandy Blvd SE

Current Zoning

Unzoned

Initial Zoning

C-LD, Commercial-Low Density, R-6000, High Density Residential, SBR-6000, High Density Site Built Residential

Current Use

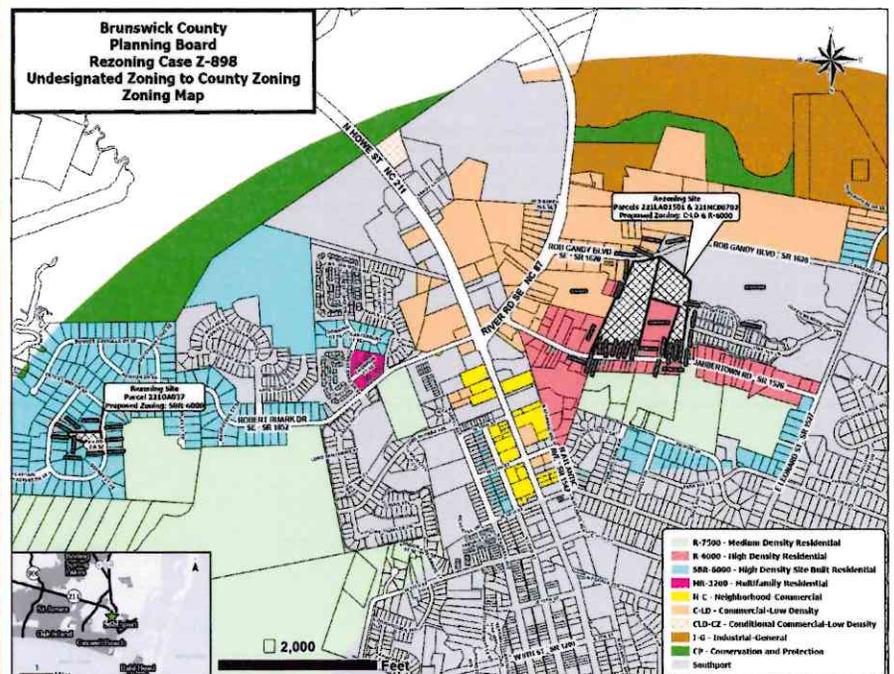
Residential & Vacant Land

Surrounding Land Uses

Vacant Land, Residential, Commercial

Size

18.15 acres; 3 tax parcels



AREA CONSIDERATIONS

Brunswick County Unified Development Ordinance: The following is a synopsis of the proposed zoning districts, required setbacks and potential density allowed if water and sewer were extended.

Symbol	Name	Description	Residential Use Setbacks (ft.)	Nonresidential Use Setbacks (ft.)	Density (units per acre)
R-6000	High Density Residential	Residential district for suburban development of single-family homes, duplexes, and mobile homes. Multifamily and townhomes are allowed in planned developments. Limited commercial uses.	Front yard – 25 Back yard – 9 Street side yard – 15 Side yard – 5	Front yard – 30 Back yard – 20 Street side yard – 20 Side yard – 15	7.3
SBR-6000	High Density Site Built Residential	Residential district for site built suburban development of single-family homes. Multifamily, duplexes, and townhomes are allowed in planned developments. Limited commercial uses.	Front yard – 25 Back yard – 9 Street side yard – 15 Side yard – 5	Front yard – 30 Back yard – 20 Street side yard – 20 Side yard – 15	7.3
C-LD	Commercial-Low Density	Commercial district for outlying areas near major thoroughfares. Uses will create commercial facilities for residents and will serve accommodate highway-oriented business. Limited residential uses.	Front yard – 25 Back yard – 6 Street side yard – 15 Side yard – 5	Front yard – 25 Back yard – 6 Street side yard – 25 Side yard – 10	13.6

Utilities: The majority of parcels within the former SP-ETJ do not have access to sewer and are served by septic. Water mains exist in most areas, and along major corridors.

Site Address or Street Location	Water service	Sewer Service
5010 ROBERT RUARK DR SE	Existing main	Septic
ROB GANDY BLVD SE / JABBERTOWN RD (2 parcels)	Existing main	Septic*

CIP Projects in Area: 211 WTP HSPS Rehab & Replacement (WS-09) (FY 2026-2027), Southport Merger - Pump Station Rehab (FY 2025), Southport Merger - Sewer Replacement (Rob Gandy Extension*) (FY 2025), Southport Merger - Construction Find and Fix It (FY 2025).

Traffic: Southport-Supply Road (NC 211) is currently over capacity, but TIP Project #5021 is currently under construction that will accommodate capacity – Widen NC 211 to four lanes From Midway Road to NC 87.

Environmental Impacts:

- The site is not located within the Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: Vacant land within the proposed zoning along Rob Gandy Blvd score 7 out of 10 or has a medium possibility of biodiversity and wildlife on the site. The Robert Ruark property score a 0 of 10 and have little chance of biodiversity or wildlife on site.
- The property is not located within a half mile of a Voluntary Agricultural District.
- All properties proposed for initial zoning and in Exceptional Natural Areas according to the NC Natural Heritage Program.

ANALYSIS

Staff recommends the parcel on Robert Ruark to be zoned SBR-6000, consistent with the surrounding zoning and land uses for the existing Smithville Woods subdivision. For the two parcels on Rob Gandy Blvd, staff recommends portions of property fronting Rob Gandy Blvd be zoned C-LD district with the remainder zoned R-6000 district. These recommendations were determined by request of the existing property owners.

The *Blueprint Brunswick 2040 Plan* was adopted in February 2023. The City of Southport elected not to be included in the County's land plan and adopted their own land use plan. Since these properties are no longer within the SP-ETJ, staff proposes the following land use place types to be amended with the land use plan, complimentary of the proposed zoning districts.

Proposed Blueprint Brunswick 2040 Plan Place Types:

High-Density Residential, this area accommodates attached single-family and multi-family units. It appeals to a variety of age groups and lifestyle preferences. It is intended for locations where access to the transportation network and services is high. Improved open spaces include pocket parks and green spaces that support neighborhood gatherings and some recreational activities. Maximum impervious coverage limitations help preserved green space.

Commercial (Retail & Office), 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). (Proposed C-LD and C-LDCZ zoning)

- 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:

- G-1. Make consulting Blueprint Brunswick in advance of decision making a regular practice of the County's elected and appointed officials, County staff, and the County's strategic partners.
- LU-1. Recognize the County's position in its evolution and how to leverage that position for positive change.
- LU-2. Support development in areas that are best suited for future development.
- DQ-2. Maintain the character of the county, particularly the unique features that contribute to the identity of the place.

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of initial zoning of property for Case# Z-898 to R-6000, High Density Residential, SBR-6000, High Density Site Built Residential, and C-LD, Commercial-Low Density: 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:
 - G-1. Make consulting Blueprint Brunswick in advance of decision making a regular practice of the County's elected and appointed officials, County staff, and the County's strategic partners.
 - LU-1. Recognize the County's position in its evolution and how to leverage that position for positive change.
 - LU-2. Support development in areas that are best suited for future development.
 - DQ-2. Maintain the character of the county, particularly the unique features that contribute to the identity of the place.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity & Wildlife Habitat Assessment Score: Vacant land within the proposed zoning along Rob Gandy Blvd score 7 out of 10 or has a medium possibility of biodiversity and wildlife on the site. The Robert Ruark property score a 0 of 10 and have little chance of biodiversity or wildlife on site.

Brunswick County Planning

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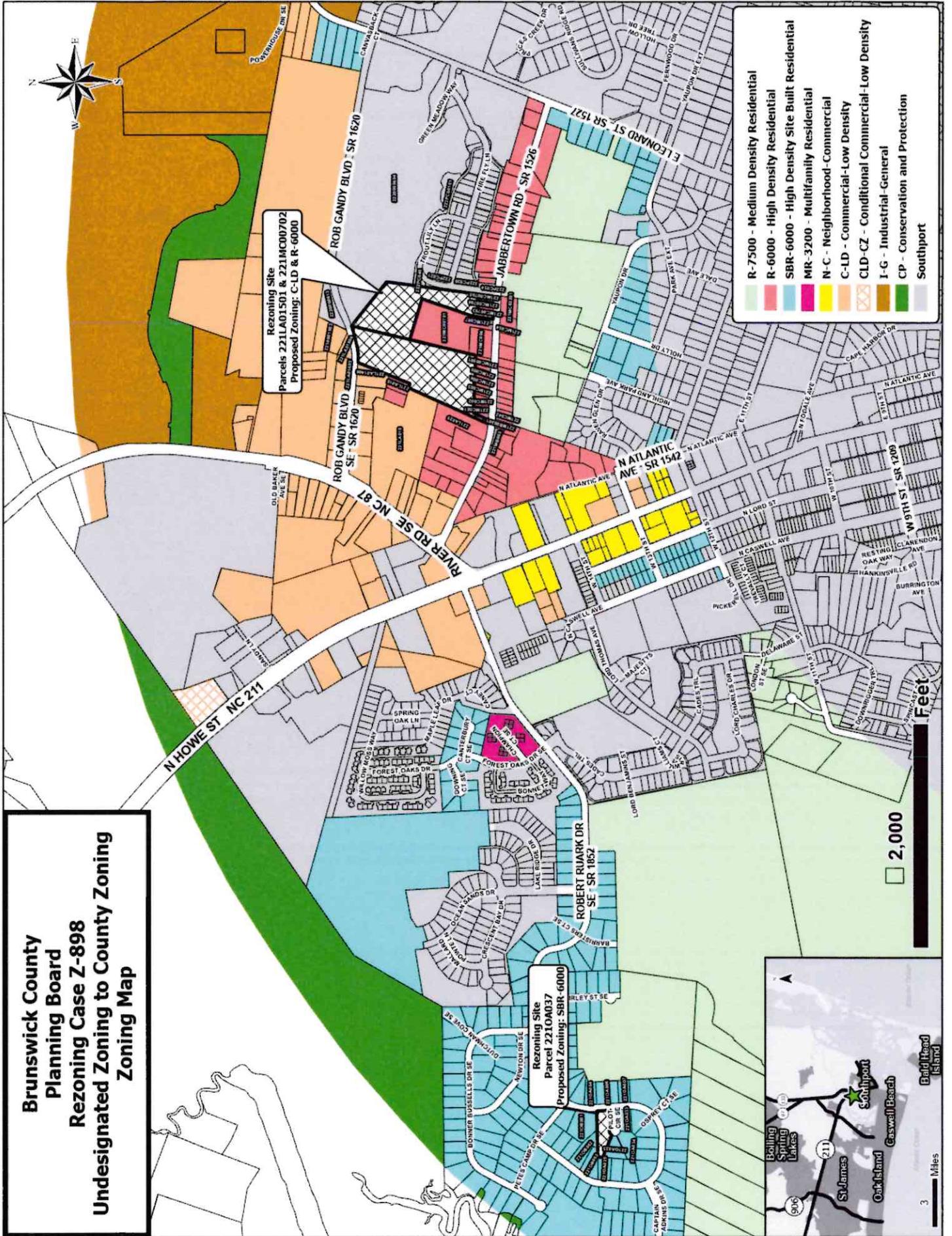
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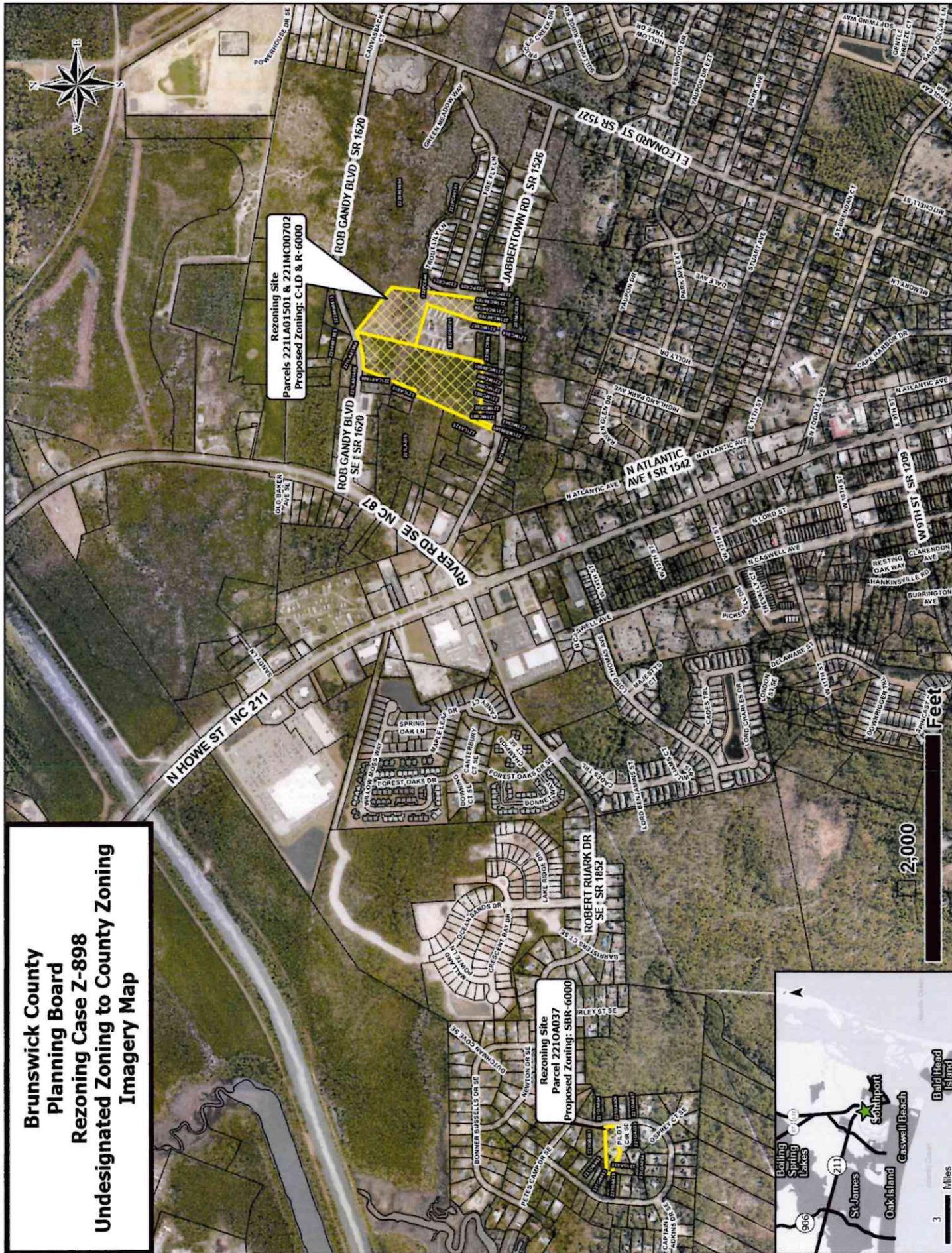
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Brunswick County Planning Board Rezoning Case Z-898 Undesignated Zoning to County Zoning Zoning Map



**Brunswick County
Planning Board
Rezoning Case Z-898
Undesignated Zoning to County Zoning
Imagery Map**



**Brunswick County
Planning Board
Rezoning Case Z-898
Undesignated Zoning to County Zoning
Blueprint Brunswick 2040
Place Type Map**



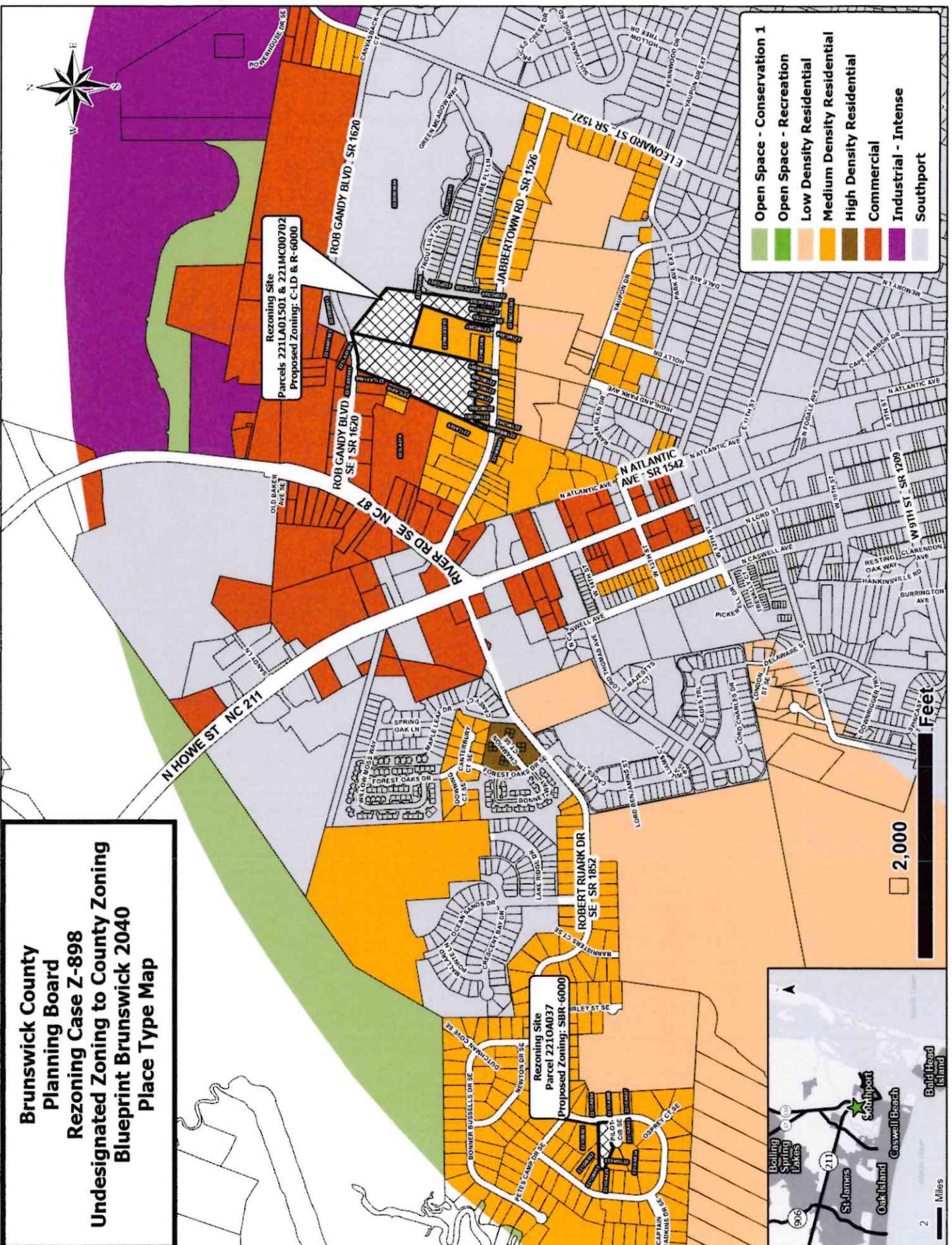
Rezoning Site
Parcels 221LA01501 & 221MC00702
Proposed Zoning: C-LD & R-6000

Rezoning Site
Parcel 221OAO37
Proposed Zoning: SBR-6000

Open Space - Conservation 1

- Open Space - Recreation
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Industrial - Intense
- Southport

2,000

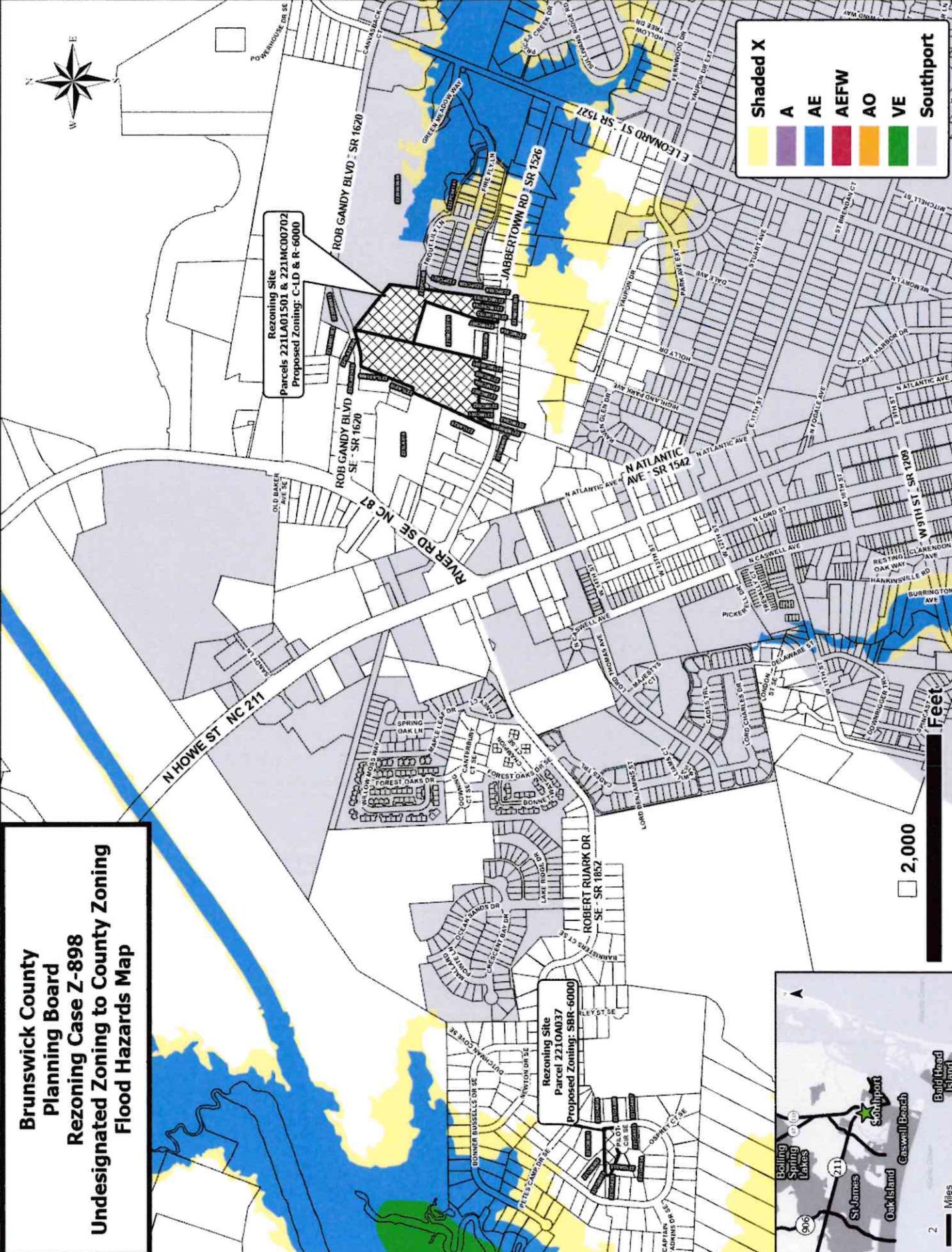


**Brunswick County
Planning Board
Rezoning Case Z-898
Undesignated Zoning to County Zoning
Flood Hazards Map**



Shaded X

	A
	AE
	AEFW
	AO
	VE
	Southport



Rezoning Site
Parcels 221LA01501 & 221MC00702
Proposed Zoning: C-LD & R-6000

Rezoning Site
Parcel 221OAO37
Proposed Zoning: SBR-6000



Z-898

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
221OB001	HERZOG THOMAS		5006 ROBERT RUARK DR SE	SOUTHPORT	NC	28461-2646
221MB00301	RUBIO LORENZO ETUX	RUBIO GLORIA	701 JABBERTOWN RD	SOUTHPORT	NC	28461-2719
221OA025	POWELL ADAM L ETUX	POWELL JENNY LEE ANN	4870A LONG BEACH RD SE	SOUTHPORT	NC	28461-8713
221LA01504	918 EMORY INVESTMENTS LLC		PO BOX 12627	WILMINGTON	NC	28405-0130
221MC00501	BROWN CHARLES LEE		616 JABBERTOWN RD	SOUTHPORT	NC	28461-2718
221LA01406	S&G HOLDING LLC		13237 MELVIN ARNOLD RD	RALEIGH	NC	27613-7208
221MC001	LEE HOWARD HEIRS SR	C/O TIFFANY ROGERS	1923 WAKE BRIDGE DR	WHITSETT	NC	27377-9274
221MC002	ROGERS TIFFANY CLEMMONS ETALS		1923 WAKE BRIDGE DR	WHITSETT	NC	27377-9274
221MC003	MONTGOMERY THOMAS ADAM		624 JABBERTOWN RD	SOUTHPORT	NC	28461-2718
221MC004	JACKSON GILDA M		620 JABBERTOWN RD	SOUTHPORT	NC	28461
221MC005	BROWN WESLEY JR		858 JACKEYS CREEK LN SE	LELAND	NC	28451
221MC007	WHITE MARY E	% DEBORAH WILLIAMS	532 JABBERTOWN RD	SOUTHPORT	NC	28461
221MC00701	556 JABBERTOWN LLC		702 BURNEY ST	WILMINGTON	NC	28412-7149
221MC00703	GANDY LLC		613 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7835
221MC00704	GANDY LLC		613 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7835
221MC00705	GANDY LLC		613 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7835
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221LA016	JACKSON THALIE HRS		P O BOX 10461	SOUTHPORT	NC	28461
221LA025	JACKSON RICHARD H		P O BOX 10461	SOUTHPORT	NC	28461
221MC006	GILL VIOLET B AND	HERRING RAMONA G	3206 RIVENHURST DR	FAYETTEVILLE	NC	28301-3046
221MC032	MCCRACKEN HERMAN E	C/O MALONE CHERYL	9191 ATCHISON RD	CENTERVILLE	OH	45458-9213
221MC034	WHITE MARY E	% DEBORAH WILLIAMS	532 JABBERTOWN RD	SOUTHPORT	NC	28461
221MC042	HANKINS JOHARA AND	HANKINS GARLAND	PO BOX 11403	SOUTHPORT	NC	28461-1403
221MC03201	WHITE CONSTANCE M		713 SUMMIT DR	SOUTHPORT	NC	28461-9713
2220000604	SMITH HILL GROUP LLC		107 BONNETS CREEK LANE	SOUTHPORT	NC	28461
221MB003	SARRATT VERIDA B		14408 RHIANNON LN	HUNTERSVILLE	NC	28078-1257
221LA01405	COIL ANNA R		2160B COUNTRY CLUB RD	WINSTON SALE NC	NC	27104
221OA007	BARUTIS MICHAEL F ETUX	BARUTIS SUSAN	5011 ROBERT RUARK DR SE	SOUTHPORT	NC	28461-2645
221OB053	POWELL ADAM L ETUX	POWELL JENNY LEE ANN	4870A LONG BEACH RD SE	SOUTHPORT	NC	28461-8713
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221OB052	RICHARDSON WADE C ET	RICHARDSON SPRING C	7008 ROBERT RUARK DR SE	SOUTHPORT	NC	28461
222PC00101	PRICES CREEK HOMEOWNERS ASSN	C/O AT ITS BEST	609A PINER RD PMB 124	WILMINGTON	NC	28409-4201
221OA004	STOLZ JOHN J ETALS		5007 ROBERT RUARK DRIVE	SOUTHPORT	NC	28461
221OA033	BLANKS NELSON CRAIG ETUX	BLANKS DIANE COOK	5012 ROBERT RUARK DR SE	SOUTHPORT	NC	28461

2210A034	MORGAN DAVID F JR & PAMELA S TRUSTEES	1006 PILOT CIRCLE	SOUTHPORT	NC	28461
222PC054	CAMERON L SMITH & SON PROPERTIES LLC	5503 ROB GANDY BLVD SE UNIT 3	SOUTHPORT	NC	28461-2753
222PC021	DEANS MARK A SR ETUX	416 FIRE FLY LN	SOUTHPORT	NC	28461-2766
222PC040	DRABBLE DAWN C ETVIR	424 TROUT LILY LN	SOUTHPORT	NC	28461-3561
2210001503	JONES GLORIA MCKENZIE AND	407 N HOWE ST	SOUTHPORT	NC	28461-3421
2220000613	SMITH HILL GROUP LLC	107 BONNETS CREEK LANE	SOUTHPORT	NC	28461
2210A035	WARD WILSON EDWARD ETUX	1530 PILOT CIR	SOUTHPORT	NC	28461-2637
222PC020	HAMBLIN CYNTHIA KAY ETVIR	417 FIRE FLY LN	SOUTHPORT	NC	28461-2766
	COMMANDER MOT SUNNY POINT	6280 SUNNY POINT RD SE	SOUTHPORT	NC	28461

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221LA01501	LEE SHORE HOLDINGS LLC	2758 PINECREST DR SE	SOUTHPORT	NC	28461-8488
2210A037	BRITTAIN ALLEN ET	5010 ROBERT RUARK DR SE	SOUTHPORT	NC	28461-2646

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