



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**4:00 P.M. Monday
January 13, 2025**

***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 December 9, 2024 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

A. Planned Development – PD-133

Name: Price Tract Planned Development (Modification)
Applicant: James M. Wooten, P.E.
Tax Parcel: Portion of 22600012
Location: Thomasboro RD SW (SR 1165)
Description: Price Tract is a previously approved planned development, consisting of 164 single family units, 22 townhome units and 5 acres of commercial area on 82.17 acres, creating an overall density of 2.26 units per acre. The applicant is proposing adding an additional 3 single family units and 4.11 acres. With the proposed modification, the overall development would consist of 167 single family units, 22 townhome units and 5.1 acres of commercial area on 86.28 acres, creating an overall density of 2.19 units per acre.

B. Planned Development – PD-138

Name: Pea Landing Tract Planned Development (Modification)
Applicant: Norris & Bland Consulting Engineers P.C.
Tax Parcel: 21000071
Location: Pea Landing RD NW (SR 1304)
Description: Pea Landing Tract was a previously approved major subdivision, consisting of 85 single family units on 28.76 acres, creating an overall density of 3.00 units per acre. The developer is proposing a revision to the Pea Landing Tract, as a planned development, consisting of 150 single family units on 28.76 acres, creating an overall density of 5.22 units per acre.

C. Planned Development – PD-141

Name: Fox Hollow Planned Development
Applicant: Lennar Carolinas
Tax Parcel: 21000055
Location: Pea Landing RD NW (SR 1304)
Description: Fox Hollow is a proposed planned development, consisting of 166 single family units on 76.9 acres, creating an overall density of 2.16 dwelling units per acre.

D. Planned Development – PD-142

Name: King Tract Planned Development
Applicant: BRD Land Development
Tax Parcel: 16300024, 16300025, 16300033, 1630003302, 1630003303, 1630003304, 1630002502, 1640000602, 16400006, & 16400008
Location: Whiteville Road (NC 130)
Description: King Tract is a proposed planned development, consisting of 1,800 single family units on approximately 642 acres, creating an overall density of 2.80 dwelling units per acre.

E. Rezoning Z-904

Proposed rezoning of approximately 0.5 acres located at 303 Yaupon Drive near Southport, NC from SBR-6000 (High Density Site Built Residential) to R-7500 (Medium Density Residential) for a portion of Tax Parcel 221MD021.

F. Rezoning Z-907CZ

Proposed conditional rezoning of approximately 1.14 acres located at 3792 Sunset Harbor Road (SR 1720) and 580 & 590 Cumberland Street (SR 1903) near Bolivia, NC from C-LD (Commercial Low Density) and R-6000 (High Density Residential) to C-LD-CZ (Commercial Low Density Conditional Zoning) for Tax Parcels 233EF014, 233EF01403, and 233EF01404.

9) Other Business.

- A. UDO Modernization Project Update.
- B. Planning Board Case Update.

10) Adjournment.

MINUTES

PLANNING BOARD

BRUNSWICK COUNTY, NC

**4:00 P.M. Monday
December 9, 2024**

**County Cafeteria (Building D)
County Government Center
35 Courthouse Drive NE**

MEMBERS PRESENT

Clifton Cheek, Chair
Jason Gaver, Vice Chair
Richard Leary
Harry Richard Ishler, Alternate
William Bittenbender, At-Large
Allen Brittain, At-Large

MEMBERS ABSENT

Ron Medlin
James (Jim) Board

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Deputy Director
Connie Marlowe, Admin. Asst. II
Garrett Huckins, Planning Tech.
Tyler Connor, Planner I
Phillip Coates, Planner I
Dennis Rabon, Zoning Administrator
Jeff Walton, Planner II
Ryan King, Asst. County Attorney

OTHERS PRESENT

Bob Liepa, State Port Pilot
Carl Parker
Twanda Williams
Mark Stocks
Firas Salah
Greg Williams
John Tunstall
Lora Sharkey
Greyson Kelley
Larry Smith

Dylan Phillips, Brunswick Beacon
Della Hann
Patrick Newton
Lynn Franco
Ginny Prunty
Charles Paul
Frank Popelars
Lorelai Kelley
Jim McKee

I. CALL TO ORDER.

Mr. Cheek called the meeting to order at 4:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Ron Medlin and Mr. Jim Board were absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 12-NOV-24 MEETING.

Mr. Leary made a motion to approve the 12-Nov-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENTS.

There were none.

VII. OLD BUSINESS – PUBLIC HEARINGS.

A. Transportation Overlay Zone (TOZ) Text Amendment.

Ms. Kirstie Dixon addressed the Board. Ms. Dixon said the proposed text amendment (attached) is in response to the public complaining about excessive tree removal prior to parcels being developed. She stated that staff is working with the consultant so this item will be added to the UDO rewrite. Ms. Dixon discussed the proposed text amendment (attached) regarding its purpose and intent, applicability, and development standards. She stated that the TOZ will apply to thoroughfares within Brunswick County's planning jurisdiction such as US Highway 17, US Highway 74/76, NC 130, NC 87, NC133, NC 179, NC 904 and NC 906. Stand-alone single-family and two-family (including Class A, B, and C Mobile Homes) on a parcel, and bona fide farms are exempt.

Mr. Cheek clarified that the segments on the visual map displayed that are not highlighted in yellow lie within an incorporated area of the County and Ms. Dixon concurred. She stated that the proposed text amendment would not apply to the incorporated areas in the County.

Mr. Gaver made a motion to open the Public Hearing and the motion was unanimously carried. Mr. Carl Parker, President of the Brunswick County NAACP, addressed the Board. Mr. Parker asked staff when condemnation will play a part in the TOZ and Ms. Dixon said condemnation does not come into play with regards to the TOZ. She stated that the proposed TOZ text amendment only applies to new and/or expansions of existing non-residential uses. Mr. Parker was concerned with properties being condemned to suit new development. He also expressed concern with no diversity on the Planning Board, who are appointed by the Board of

Commissioners. He felt that all citizens are not being represented when decisions are made that affect everyone's livelihood. Mr. Leary asked Mr. Parker if he is opposed to the TOZ and Mr. Parker replied, yes.

Ms. Della Hann addressed the Board. Ms. Hann asked the color difference (blue and gray) in the visual map displayed on the monitor? Mr. Cheek said the blue areas on the map are parcels in an incorporated area of the County and the gray areas are parcels within the County's jurisdiction. Ms. Hann asked when the proposed text amendment goes into effect? Ms. Dixon explained that the Planning Board makes recommendations to the Board of Commissioners and the Board of Commissioners will either approve or deny or approve with changes. Ms. Hann asked if existing approved projects will have to comply with this text amendment? Mr. Cheek said all future projects submitted after the proposed text amendment is approved will have to comply with the minimum requirements of this text amendment and Ms. Dixon concurred.

Ms. Twanda Williams addressed the Board. Ms. Williams said she attended the May 13, 2024 Planning Board meeting and the Board tabled this matter. She stated that she attended a Board of Commissioners' (Commissioners) meeting on July 8, 2024 and Mr. Haynes Brigman and Ms. Kirstie Dixon made a presentation to the Commissioners about the TOZ. Ms. Williams said in Robert's Rule of Order tabled items do not move forward until further discussion by the board (Planning Board) that tabled matter. She went on to say that the Commissioners decided to table the matter until feedback was received from the Planning Board. Ms. Dixon said staff did not move forward to the Commissioners with this matter when it was tabled by the Planning Board at the May 13, 2024 meeting. Ms. Dixon said Mr. Haynes Brigman (former Deputy County Manager) took a list of items to the Commissioners for their input, which was prior to the Planning Board tabling the matter. Ms. Williams said when she listened to the Commissioners July 8, 2024 meeting, Ms. Dixon was on the recording and she concurred with Mr. Brigman. Ms. Williams said she is speaking for herself and other affected property owners that were not aware of the meeting tonight because no letters were received regarding this matter coming back before the Planning Board. She was concerned with her property or property near her property being rezoned to commercial that will be subject to comply with the proposed text amendment. Mr. Pages interjected that this matter was not presented to the Commissioners as a public hearing; rather, it was presented to the Commissioners for informational purposes only. Ms. Williams was baffled that a recommended proposal was presented to the Commissioners when this matter was tabled at the Planning Board level. Mr. Pages disagreed and he reiterated that there was a discussion with no proposed vote on the matter. Ms. Williams advised staff to listen to the Commissioners recorded meeting on July 8, 2024 because the recording suggest otherwise. Mr. Pages concluded that the Planning Board has to either recommend approval or denial before the Commissioners will take action on a text amendment. Ms. Williams said she is opposed to this text amendment and there are people in her community and surrounding areas that are opposed to this text amendment. She concluded that further study should be done before moving forward.

Mr. Patrick Newton addressed the Board. Mr. Newton provided the Board with a handout (attached) requesting Section 4.8.9.C.3.v.c). be amended to include, "Canopy and understory trees are not required in street buffers located within 400 feet of an Outdoor Advertising Structure." He further stated that a developer or landowner may freely choose to install trees in the buffer adjacent to a billboard if they choose to do so. Any sign visibility issues will be between the landowner and the sign company. Mr. Gaver thanked Mr. Newton for his comments. He stated that he and the Chair agree with his comments and they have asked the consultant to include this language in the UDO rewrite. Mr. Gaver further stated that he and the Chair are on the subcommittee for the UDO rewrite. Mr. Newton asked that his provision be added to the TOZ whether the TOZ is tabled or if the Planning Board recommend either approval or denial to the Commissioners.

Mr. Mark Stocks, Lamar Advertising, concurred with Mr. Newton's comments. He provided the Board with photos (attached) of Lamar Advertising signs that will be subject to the proposed minimum if they have to be replaced or rebuilt.

Ms. Lynn Franco addressed the Board. Ms. Franco said signs support businesses and provide income to the sign industry, but they are unattractive. She felt that trees should be trimmed near billboards.

Mr. Firas Salah addressed the Board. Mr. Salah said he understands the purpose and intent of the TOZ, but he was opposed to the TOZ because this will prohibit growth in the County. He suggested that the requirements be less stringent because the proposed minimum requirements will have a negative impact to the County.

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

Mr. Gaver felt that the TOZ is not ready to move forward because a consultant has been hired to rewrite the UDO and this document cannot be enforced. As a result, Mr. Gaver made a motion to recommend to the Board of Commissioners to deny the Transportation Overlay Zone (TOZ) Text Amendment and add "Canopy and understory trees are not required in street buffers located within 400 feet of an Outdoor Advertising Structure" in Section 4.8.9. C.3.v.c). Mr. Leary was not a proponent of denying the text amendment; rather, he thought that both the Transportation Overlay Zone (TOZ) and the Traffic Impact Analysis (TIA) should be reverted to the consultant to be included in the overall UDO rewrite. He stated that this is piecemeal the current UDO. The motion carried 5 to 1 with Mr. Bittenbender opposing.

B. Traffic Impact Analysis (TIA) Text Amendment.

Ms. Dixon addressed the Board. She stated that the current UDO does not address the timing of a TIA. The Commissioners voted this spring to require a TIA prior to Planning Board consideration of a project, which is currently not addressed in the UDO as such. Ms. Dixon said staff wanted the UDO to clearly state when a TIA will be required. She went over the proposed text amendment (attached) that will require a TIA for projects that generate 200 vehicle trips at peak hour or 2,000 vehicle trips per day for commercial and industrial projects. Ms. Dixon further stated that the text amendment will require a North Carolina Department of Transportation (NCDOT) approved scoping report be submitted to the Planning Department instead of a TIA prior to submission to the Planning Board for consideration. She further stated that the Planning Board subcommittee recommended a scoping report be submitted as part of the submitted application for consideration.

Mr. Cheek clarified that a TIA is not required until the first plat is submitted for recordation and Ms. Dixon concurred. He stated that a scoping analysis must be provided to the Planning Department before a project submission is presented to the Planning Board for consideration.

Mr. Gaver asked staff if this is an appropriate balance between the 18 months required for a TIA approval versus the citizens and Commissioners' concerns that a TIA is not required at the right time and Ms. Dixon concurred.

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

Ms. Ginny Prunty, 5906 Dutchman Creek Road, addressed the Board. Ms. Prunty clarified that a TIA is required if there are at least 200 vehicle trips at peak hour or 2,000 vehicle trips per day, which is a 100% increase from the previous proposed language. Ms. Dixon explained that

NCDOT has different thresholds for requiring a TIA and the previous numbers (100 vehicle trips at peak hour or 1,000 vehicle trips per day) would not have triggered a TIA requirement from NCDOT. The project would have to provide a mini-TIA (driveway study). Ms. Prunty said there are a lot of project approvals with less than 200 vehicle trips at peak hour that will have an impact on traffic patterns and infrastructure. Ms. Prunty felt that a study should be done to consider the number of approved developments that do not meet the threshold for a TIA requirement by NCDOT.

With no further comments, Mr. Bittenbender made a motion to close the public hearing.

Mr. Brittain said staff has been working on this text amendment for approximately 6 months and the County has hired a consultant to rewrite the UDO. He stated that this item can either be approved or the proposed language can be included in the rewrite of the UDO. The Chair clarified that this matter will move forward to Commissioners with the Planning Board's recommendation. Mr. Ryan King said it is his understanding that the Commissioners want to hear this matter at their January meeting.

Mr. Gaver said he and other members (Mr. Cheek and Mr. Leary) of the sub-committee have worked on this text amendment and it appears that there is a balance of the threshold when a TIA will be required. However, he felt that it is more appropriate for this text amendment to be included in the UDO rewrite. As a result, Mr. Gaver made a motion to recommend to the Board of Commissioners to deny the Traffic Impact Analysis (TIA) Text Amendment and the motion was unanimously carried.

VIII. NEW BUSINESS – PUBLIC HEARINGS.

A. Planned Development – PD-131

Name: Breccourt Manor Planned Development Expansion
Applicant: Norris & Tunstall Consulting Engineers, PC
Tax Parcel(s): A portion of 16800072 and 16800073
Location: Green Swamp River Road (NC 211)
Description: Breccourt Manor is a planned development consisting of 137 single-family units on 33.23 acres with an overall density of 4.12 units per acre.

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

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

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

Mr. Cheek clarified that the Board is only considering the yellow highlighted area on the submitted plan and Mr. Pages concurred. Mr. Pages said there are other future proposed areas (commercial and multifamily) that are by-right uses that are administratively approved.

Mr. Brittain asked staff if the County has adequate capacity for public water and sewer? Mr. Pages replied, yes. He further stated that this project was discussed at the Technical Review Committee (TRC) meeting and Brunswick County Engineering and Public Utilities confirmed that there is a force main available to the site and the sewerage plant is directly north of the property. Mr. Brittain asked staff if all of the other approved developments are factored into whether or not there is adequate public water and sewer capacity available? Mr. Pages said all projects subject for approval by the Planning Board must have TRC approval prior to the Board's consideration. Ms. Dixon added that Public Utilities has invested several million dollars into public water and sewer infrastructure.

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

Mr. Greg Williams, Managing Partner of CC&W Development Group, addressed the Board. Mr. Williams stated that the project site is a total of 77 acres. The commercial area (multifamily and townhomes) they are proposing are permitted by-right. He reiterated that there will be 137 single-family units with 2 access points onto Southport-Supply Road SE (NC 211) and 1 entranceway off U.S. 17. They are negotiating with D.R. Horton to provide interconnectivity with their project located to the west of the subject property. He stated that the TIA has been approved by NCDOT. There was a neighborhood meeting on August 29, 2024 in Supply, NC and Mr. Fred Long was the only attendee in the meeting. Mr. Williams said Mr. Long was in favor of the project, pleased that there may be a grocery store in the area and he hoped that an ACE Hardware comes to the area. Mr. Williams said they have met with ACE Hardware about potentially locating on the project site. The project price for single-family homes will begin at 350k, but there is no builder under contract at the current time. He reiterated that NCDOT has approved their TIA and the Fire Marshal was satisfied with the access points and proposed interconnectivity. He stated that the project will be designed to stormwater approval and the project will be an asset to the County because there is an opportunity for an additional grocery store in the County as well as a potential hotel, restaurant(s) and shopping center.

Mr. Carl Parker addressed the Board with concerns of existing areas that do not have public water and sewer, but they pay a fire tax with no fire hydrant(s) nearby. Mr. Parker suggested that grants (State and Federal) be sought to assist citizens that need public water and sewer. He felt that the fire tax fee could be used to bring public water and sewer to the areas in the County that are normally overlooked. Mr. Gaver asked Mr. Parker if he has any specific comments about PD-131 because his previous comments are more appropriate during the Public Comment section of the meeting. Mr. Parker said he is opposed to the proposed project and existing, undeveloped areas that have been marginalized should be developed. Mr. Cheeks explained that fire fees fund the fire departments and first responders. Mr. Pages added that the developer will be responsible for installing infrastructure (public water and sewer) within the development including fire hydrants.

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

Mr. Leary made a motion to approve PD-131 (Brecourt Manor Planned Development) with the noted conditions in the Staff Report and the motion was unanimously carried.

B. Planned Development – PD-137

Name: Indigo Planned Development
Applicant: East West Partners
Tax Parcel(s): 22100027, 2210002901, 2210A001, 2370000401, 2370000419, 2370000418, 2370000417, 2370000422, 23700005, 2370000502, 23700020, 23700018, 2370001601, 23700016 and 23700015
Location: Robert Ruark Drive SE (SR 1852) and West 9th Street (SR 1209)
Description: Indigo is a previously approved planned development consisting of 400 single family units, 200 duplex/townhouse units, and 500 multifamily units on 326.96 acres creating an overall density of 3.36 units per acre.

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

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

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
- Prior to construction, locate and protect the “English Field” gravesite(s) purported to be near the intersection of West 9th Street (SR 1209) and Maple Street.

Mr. Gaver pointed out there is a potential for a school capacity deficiency in 2025 and Mr. Pages agreed if there are no additional expansions proposed prior to that time. He stated that the school representative (Craig Eckert) is invited to TRC meetings, but he did not cite any concerns with school capacity. He stated that Mr. Eckert was mainly concerned with bus pickup points and the proximity to the school. Mr. Pages proceeded to say that there is a proposed intersection improvement near the school that the developer will have to accommodate with cross walks. Mr. Cheek asked staff if the graphs presented to the Board include the residents that will be produced by the neighborhoods? Mr. Pages said they do, but it is difficult to predict. He said Mr. Eckert always asks the market for each development and Mr. Pages said there are situations that clearly denote the housing age group, but the actual number is not none regarding school age children.

Mr. Brittain clarified that there is an entrance on Robert Ruark Drive SE (SR 1852) and Indigo Plantation Drive, which is an extension of W. 9th Street (SR 1209). It is anticipated that 80% of the daily traffic will utilize Robert Ruark Drive (SR 1852). Mr. Brittain felt that a stop light should be at that road? Mr. Pages said there will be a left turn lane and there is a potential for a third connection on W. 11th Street. The developer will have to work with the City of Southport (City) to obtain interconnectivity. Mr. Cheek asked staff the areas that are in the City and Mr. Pages identified those areas displayed on the visual map.

Mr. Cheek asked staff about the areas currently zoned IG (Industrial General). Mr. Pages said the IG zoned areas are the Duke Power Plant cooling canal corridor. Mr. Cheek said it was noted that clear-cutting is prohibited by the developer. Mr. Pages said the developer is

proposing that they will clear areas to install roads, infrastructure (water and sewer), and lot by lot basis to minimize clear-cutting of trees on the site. Mr. Cheek said there appears to be some properties in the VE flood zone and Mr. Pages concurred. He stated that there is a small area to the southwest that is in both the AE and VE flood zones, but development is allowed in the AE and VE flood zones with certain provisions.

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

Mr. Charles "Chad" Paul, CEO of Bald Head Limited, addressed the Board as the property owner and co-partner with East West Partners. Mr. Paul said they have an Architectural Review Board (ARB) that addresses clear-cutting so each property owner will have to pull a tree survey on a lot-by-lot basis. Mr. Paul said they own several properties in the former extraterritorial jurisdiction (ETJ) of the city and the subject property is the larger parcel(s). He said they are presenting a top-notch conservative development and they are providing 50% more open space than is required. The project will be developed by local builders and they plan to develop more projects in the County. Mr. Paul said they intend to leave existing vegetation as part of the open space. He stated that they cannot force the neighboring development to connect to this project. They own several lots in Smithville Woods and they will make connectivity available to them. All roads will have sidewalks on both sides of the road. Mr. Paul said the homes will mirror the homes designed in the city with porches against the sidewalk and rear facing garages. Mr. Paul proceeded to say that they will continue to work collaboratively with the city on their properties within the city's jurisdiction. He stated that they provided an approved TIA at the TRC meeting for 1542 units.

Mr. Leary asked Mr. Paul about their proposed development in the AE and VE flood zones. Mr. Paul said they have been developing in the AE and VE flood zones on the Village of Bald Head Island (BHI) for 40 years per the Federal Emergency Management Agency's (FEMA) minimum requirements. He further stated that any development in the VE flood zone will be 42' with the first floor on stilts.

Mr. Cheek clarified that sidewalks will be on both sides of the road and Mr. Paul concurred. Mr. Cheek asked if the stormwater ponds are designed to accommodate the 100-year storm event? Mr. Paul said the stormwater ponds are built to attenuate and the project is near the ocean so they know where the stormwater will go.

Mr. John Tunstall, Norris and Tunstall Consulting Engineers, addressed the Board. Mr. Tunstall said they will follow the current stormwater guidelines of the County and they will attenuate pre/post development to the 25-year storm event and hold to the 100-year storm event. Mr. Cheek clarified that the stormwater ponds will be built to the 25-year storm event and attenuate or hold the 100-year storm event. Mr. Tunstall said the stormwater ponds will not attenuate the 100-year storm event, but they will hold the 100-year storm event without overtopping. Mr. Paul added that the topography shows the stormwater drains to Dutchman Creek for the property at the main road near Indigo Plantation Drive and Robert Ruark Drive (SR 1852).

Mr. Gaver said the TIA was done in February 2022, which was likely completed 3 years ago. Mr. Paul said the original TIA was requested by the State to account for the traffic on July 4th going in and out of Southport. It was later determined through citizen discussions that a broader TIA should be done to include the traffic on W. 9th Street (SR 1209) for the elementary school and NCDOT sent a letter to them saying an additional TIA was not required.

Ms. Ginny Prunty, 5906 Dutchman Creek Road, addressed the Board. Ms. Prunty said the map shows a mixed-use area that was proposed as an 80,000 square foot medical building in March

2022 that was briefly mentioned in an information meeting held in November 2024. She stated that the map does not indicate what the commercial area will be. She felt that a commercial facility of that magnitude is unacceptable with the current traffic and the potential traffic that will be generated by the proposed use. She felt that the traffic study (completed in 2021) is not up-to-date and will not accurately account for the traffic in the area. She asked if the specific commercial use must be identified and Mr. Pages said staff cannot require the specific commercial uses prior to the Board's consideration of the project. However, the developer must apply for approval of the specific commercial use and that use will be reviewed and approved administratively. Mr. Pages said staff was also concerned with the approval date of the TIA and NCDOT Director Benjamin Hughes said that the initial TIA is still acceptable and valid. Ms. Prunty still expressed her concerns regarding the increase in traffic since the TIA was completed and she felt that it is not logical. Ms. Prunty felt that the residential community will be disrupted by the additional traffic that will be generated from the commercial area of the project. She was concerned with the proposed turn lanes onto N. Howe Street (NC 211) from Robert Ruark Drive (SR 1852) as there is only 1 turn lane proposed on W. 9th Street (SR 1209), which may potentially pose a problem. Ms. Prunty felt that imminent domain will have to occur for the turn lane onto Robert Ruark Drive (SR 1852) and there is no light at W. 11th Street. Ms. Prunty asked if the roads will be private and Mr. Pages replied, yes. She asked how long the roads into the development will be private? Mr. Pages said until the developer either dedicates the roads to NCDOT or the development is annex into the city because the County does not own or maintain roads. Mr. Cheek interjected that the Board does not have any jurisdiction over roads because NCDOT regulates road improvements via a TIA approval.

Mr. Frank Popelars, resident of Smithville Woods, addressed the Board. Mr. Popelars said there was a meeting at Supply that indicated this project would be annexed into the City of Southport. He wondered what happens after the project is annexed into the city even though this Board is going through all the planning reviews of the project. Mr. Pages said this plan will be vested and any additions to the plan will have to be approved by the city when or if they are annexed. Mr. Popelars asked when the project will be annexed into the city? Mr. Paul said the original Indigo Plantation property was developed and approved in the 1980s by the County because the city did not have the manpower on staff. He further stated that they will work with the city regarding what portions of the development the city will annex.

Mr. Cheek clarified that it is the intent of the developer(s) to annex into the city. Mr. Paul said the annexation is subject to the areas the city wants to annex and he felt it will likely be annexed in phases.

Ms. Lora Sharkey, 432 Cades Trail, addressed the Board. Ms. Sharkey expressed concern with the undeveloped, non-recreational open space being clustered and this is the type of development that North Carolina Wildlife Resources is asking we make part of the green growth development. She said the developer should be commended for taking the time to not fragment the existing ecosystems that are in place and they are working with the land to protect wildlife preservation.

Ms. Lorelai Kelley, 5971 Dutchman Creek Road, addressed the Board. Ms. Kelley said traffic is very congested when the elementary school is done for the day. She felt that more rooftops and people are only going to exacerbate traffic congestion. Ms. Kelley said the city's structure will not be able to handle the excessive traffic that will be generated by the proposed project. Mr. Pages interjected that staff has been working with the city regarding the proximity of the school and traffic on W. 9th Street (SR 1209), so the main corridor up to Robert Ruark Road (SR 1852) will have limited driveways to accommodate thru traffic.

Mr. Greyson Kelley, 5971 Dutchman Creek Road, addressed the Board. He stated that there is a lot of wildlife such as fox squirrels and woodpeckers in the area and removal of trees will displace or kill the wildlife.

Mr. Jim McKee, 114 South Davis Street, addressed the Board. Mr. McKee expressed concern with preservation of historic and pre-historic assets that are in the ground. North Carolina has a 12,000-year history of occupation by humans (prehistoric and Native American history) and there was a fear that graves would be lost. Mr. McKee commended the developer for surveying for at least 1 English Field gravesite and he felt that this should be a lesson to all developers to make all attempts to preserve human remains.

Mr. Paul readdressed the Board. He said they are not planning to cut a road through Smithville Woods, but they are willing to work with the neighborhood to do a golf cart or pedestrian accessway. Mr. Paul reiterated that they cannot force a community to connect to the proposed project. He stated that they currently own lots near the elementary school and the English Field gravesite(s) is nearby. Mr. Paul said that area is in the city's planning and zoning jurisdiction. He further stated that they dedicated 2 lots off W. 11th Street to the city if they wanted to extend the road. He reiterated that there will be sidewalks on side(s) of the street that have homes.

Mr. Larry Smith addressed the Board. Mr. Smith said he works with the Brunswick County Schools and they keep up with planned development(s) so the numbers should be accurate that were presented to the Board regarding school capacity. He stated that Brunswick County Schools are aware that there may be a capacity issue at South Brunswick High School in 2028. The school system has a purchase agreement for property near Jackey's Creek and they are in the due diligence stage of the process for an elementary school. There are also plans to build a high school in the area to alleviate some of the students that would attend South Brunswick High School.

Mr. Paul said water and plumbing has been completed to accommodate the proposed medical facility for this project. He further stated that there are no plans to build a 7-story building, but it will likely be a maximum of 4 stories.

Mr. Brittain asked if there are plans for docks into Dutchman Creek and Mr. Paul replied, no.

Ms. Lynn Franco readdressed the Board. Ms. Franco was concerned with evacuation routes for the additional traffic that will be generated from this project because there are 2 roads that will be utilized unless there is more interconnectivity. Mr. Pages said the approved TIA shows 80% of the traffic for this development will be using Robert Ruark Drive (SR1852) and 20% of the traffic will be utilizing W. 9th Street (SR 1209). Mr. Pages added that this will not be a gated community so traffic will have access through this development.

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

Mr. Leary made a motion to approve PD-137 (Indigo Planned Development) with the noted conditions in the Staff Report and the motion carried 5 to 1 with Mr. Gaver opposing.

C. Rezoning Z-903 – Brunswick County Planning Department).

Request rezoning of approximately 735.85 acres located off Thomasboro Road SW (SR 1165) and Sandpiper Bay Drive near Calabash, NC from Undesignated to CP (Conservation and Protection) for Tax Parcels 2260000104, 2260000101, and 2260000103.

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

Mr. Connor said staff recommends approval from Undesignated to CP (Conservation and Protection) for Tax Parcels 2260000104, 2260000101, and 2260000103 located off Thomasboro Road SW (SR 1165) and Sandpiper Bay Drive near Calabash, NC.

Mr. Connor stated that staff received 3 emails (Deborah and Robert Hardos, Dennis and Andrea Behrendt, and Chris and Jennie Fry) in support of the zoning the subject properties.

Mr. Brittain asked how this area was mistakenly annexed in the Town of Calabash. Mr. Pages said it is his understanding that there was a transition between town managers that resulted in the annexation of the subject properties into the town's planning and zoning jurisdiction.

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

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

Mr. Leary made a motion to approve Tax Parcels 2260000104, 2260000101, and 2260000103 to CP (Conservation and Protection) located off Thomasboro Road SW (SR 1165) and Sandpiper Bay Drive near Calabash, NC and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

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

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

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-5 – Direct growth away from areas not well-suited for development.
 - NR-1 – Conserve natural resources of the County.
 - NR-2 – Maintain the “green” of Brunswick County as development continues.
- All three subject parcels are in a recorded Conservation Easement.

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

Mr. Cheek 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.

IX. OTHER BUSINESS.

- 2025 Planning Calendar.

Mr. Pages addressed the Board. He provided the Board with the 2025 Planning Board Calendar. He stated that the deadline for application submittal, TRC meeting date, and the project revision date have changed to accommodate advertising all planned developments and major subdivisions in the local newspaper as requested by administration.

- UDO Modernization Project Update.

Ms. Dixon addressed the Board. She stated that the project is moving forwarding. There will be 3 community meetings (Town Creek Community Building at 6:00 p.m. on Monday January 27th, St. James Community Center at 6:00 p.m. on Wednesday January 29th, and Shallotte BSRI Senior Center on Thursday January 30th) in January 2025. Ms. Dixon said staff sent out a save the date today and staff will be contacting the Director of Communications to put the information on social media. She stated that up to 3 Board members can attend a meeting(s).

- Planning Board Case Update.

Ms. Dixon addressed the Board. She stated that there were no appeals submitted for the previously approved rezoning case Z-902 at the 12-Nov-24 Planning Board meeting, so the Board's decision stands.

XI. ADJOURNMENT.

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

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-133

Applicant: James M. Wooten, P.E.

Project Name: Price Tract Planned Development (Modification)

Property Location: Thomasboro RD SW (SR 1165)

Parcel Numbers: 22600012 (A Portion of)

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:** CLD (Commercial Low Density)
South: R-7500 and CLD
East: R-7500 and CLD
West: R-7500, CLD, and CS-PRD (Carolina Shores Jurisdiction)

Proposed Use: Price Tract is a previously approved planned development (Feb. 2024), consisting of 164 single family units, 22 townhome units and 5 acres of commercial area on 82.17 acres, creating an overall density of 2.26 units per acre. The applicant is proposing adding an additional 3 single family units and 4.11 acres. With the proposed modification, the overall development would consist of 167 single family units, 22 townhome units and 5.1 acres of commercial area on 86.28 acres, creating an overall density of 2.19 units per acre.

Approval Criteria

- The majority of surrounding uses consist of single family residential and vacant land.
- The Blueprint Brunswick Future Land Use Map denotes this area as Low Density Residential and Open Space Conservation 1 (OSC-1).
- 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 17.26 acres. The developer is proposing 32.51 acres of dedicated open space. The developer is also proposing 3.03 acres of recreation space of which 2.59 acres are required.

- The proposed project will generate approximately 1,736 vehicle trips per 24-hour weekday volume. A TIA (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. There are no road capacity deficiencies for Thomasboro Road.
- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 32.51 acres of open space where as 17.26 acres are required.
 2. The developer is proposing 3.03 acres of recreation space where as 2.59 acres are required.
 3. Sidewalks to be provided on one side of the road throughout the development.
 4. The stormwater system will be constructed to the 100-year storm event.
 5. All lots to be located outside of the AE Flood Zone.
 6. Extensive walking trail system.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Designation of Commercial Area.
- Portions of the site are located within an AE Flood Zone. All lots shall be located outside of this Flood Zone.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- TRC was held on September 4, 2024.
- A neighborhood meeting was held on November 19, 2024.

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

Staff recommends approval based on the following conditions:

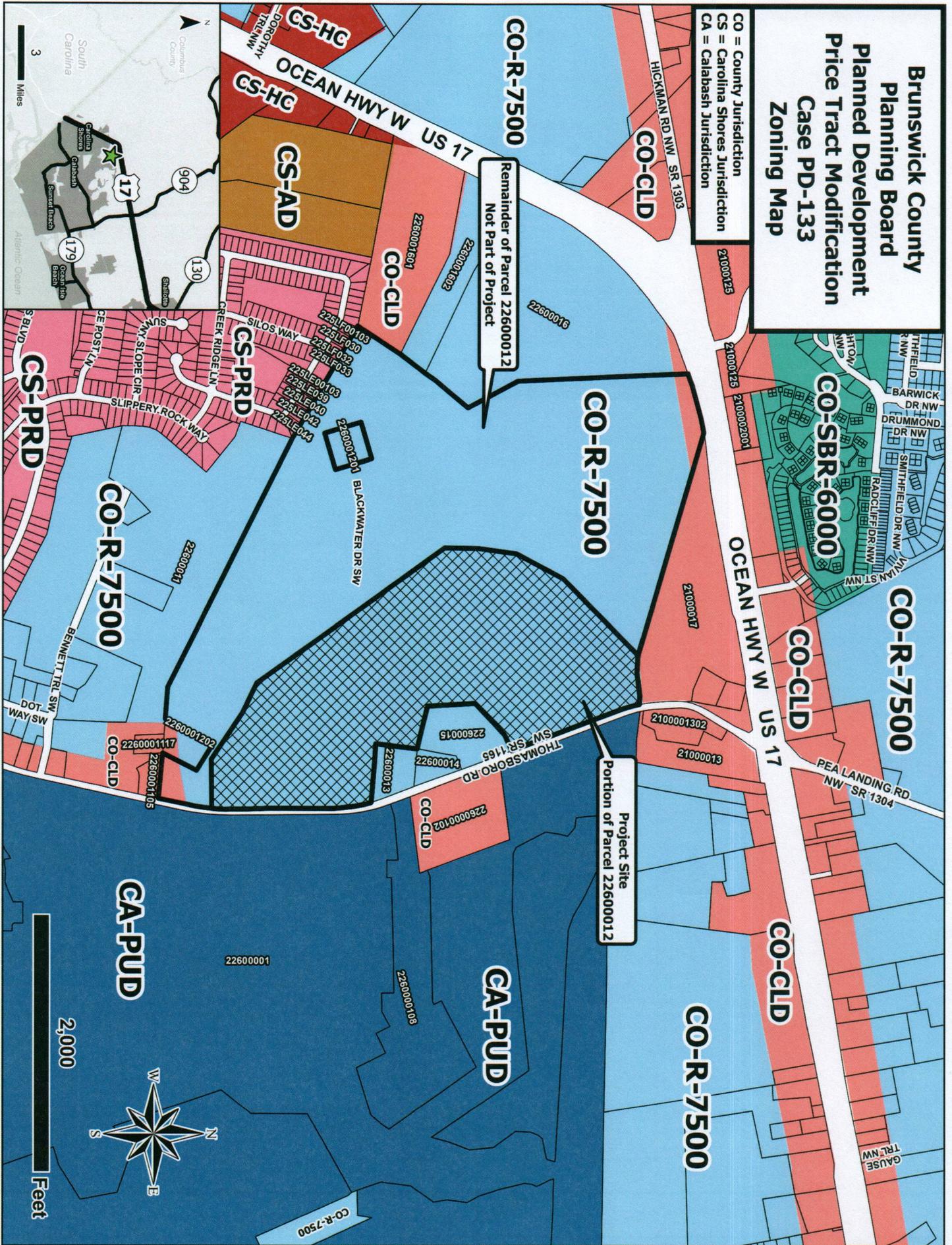
1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the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

**Brunswick County
Planning Board
Planned Development
Price Tract Modification
Case PD-133
Zoning Map**

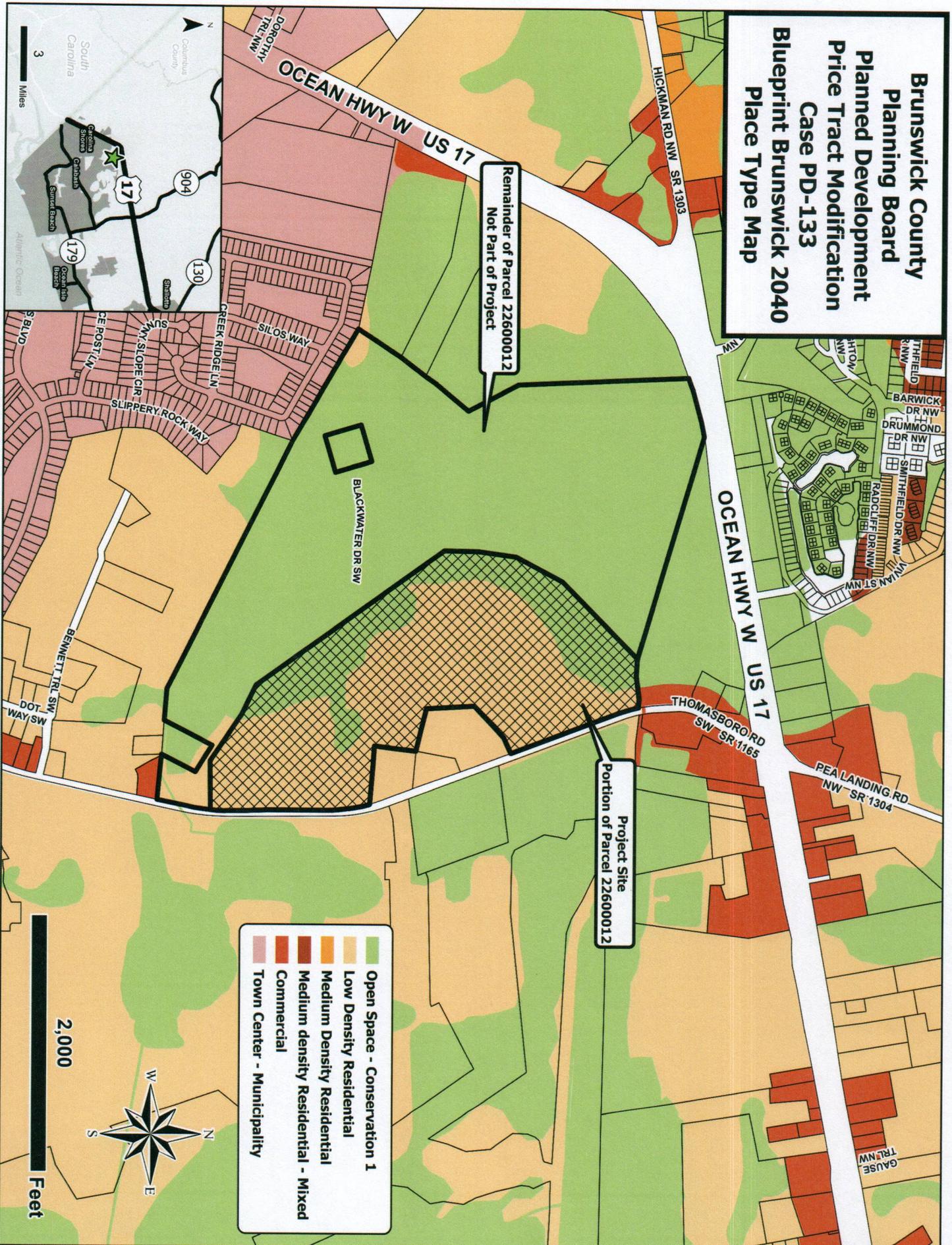
CO = County Jurisdiction
CS = Carolina Shores Jurisdiction
CA = Calabash Jurisdiction

CO-R-7500
Remainder of Parcel 22600012
Not Part of Project

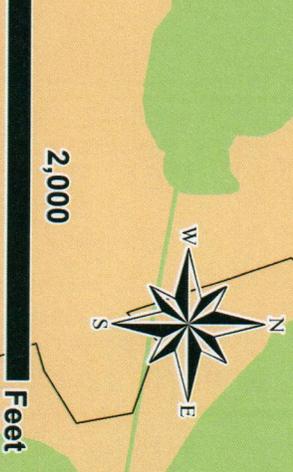
CO-CLD
Project Site
Portion of Parcel 22600012



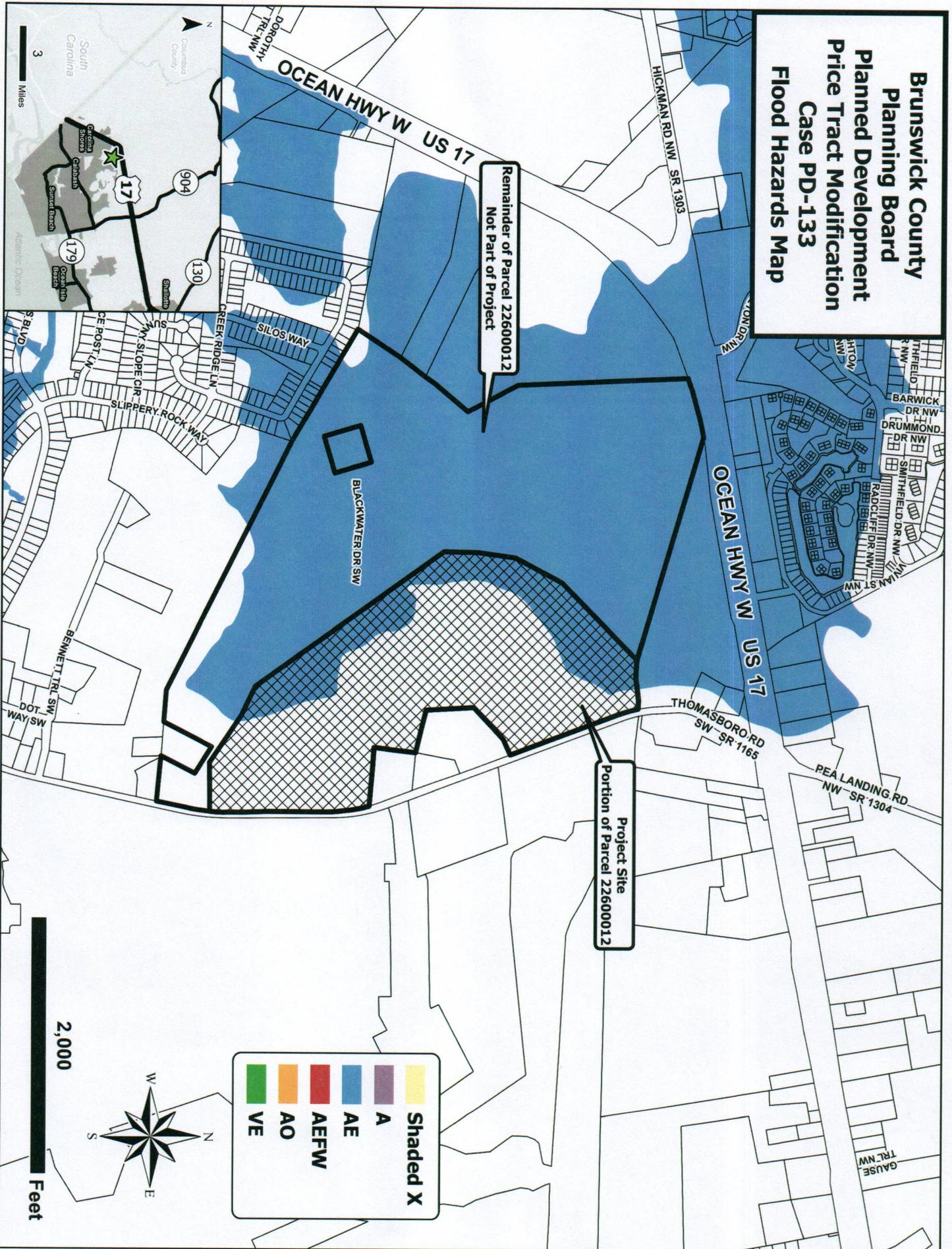
**Brunswick County
 Planning Board
 Planned Development
 Price Tract Modification
 Case PD-133
 Blueprint Brunswick 2040
 Place Type Map**



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



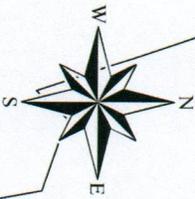
**Brunswick County
 Planning Board
 Planned Development
 Price Tract Modification
 Case PD-133
 Flood Hazards Map**



Project Site
 Portion of Parcel 22600012

Remainder of Parcel 22600012
 Not Part of Project

Yellow	Shaded X
Purple	A
Blue	AE
Red	AEFW
Orange	AO
Green	VE



2,000
 Feet

3
 Miles



Real People. Real Solutions.

418 S Dawson Street
Raleigh, NC 27596

Ph: (919) 719-1800
Bolton-Menk.com

October 22, 2024

Ben Hughes
District Engineer
NCDOT Division 3 District 3
(910)-632-0891
bthughes@ncdot.gov

Reference: Price Subdivision
Brunswick County, North Carolina

Subject: Trip Generation & Turn Lane Warrant Analysis

Dear Mr. Hughes:

This letter provides the trip generation potential and turn lane warrant analysis for the proposed Price Subdivision development to be located along Thomasboro Road SW, south of US 17 in Brunswick County, North Carolina. The proposed development is assumed to consist of 167 single-family homes and 22 townhomes, anticipated to be completed by 2029. Access to the site is proposed via two (2) full-movement driveways along Thomasboro Road. Refer to the attachments for a preliminary site plan and site location map.

Per Brunswick County's (County) Unified Development Ordinance (UDO), a traffic impact analysis (TIA) is required if a proposed development is expected to generate at least 1,000 daily trips and 100 peak hour trips. Based on coordination with the North Carolina Department of Transportation (NCDOT) and County during scoping, a turn lane warrant analysis was requested at the proposed site access points in lieu of a TIA.

Existing Peak (2024) Hour Traffic Volumes

Thomasboro Road SW is a 2-lane undivided roadway with a speed limit of 45 miles per hour (mph) in the vicinity of the site. Thomasboro Road SW experiences an average annual daily traffic (AADT) volume of 4,900 vehicles per day (vpd) per NCDOT's mapping application.

Existing peak hour traffic volumes were determined based on a 24-hour tube count conducted along Thomasboro Road SW, south of US 17, in October of 2024 on a typical weekday while schools were in session. Based on the tube count, Thomasboro Road experienced an ADT of 4,299 vpd. Refer to the attachments for a copy of the count data and an illustration of the existing (2024) peak hour traffic volumes.

No-Build (2029) Peak Hour Traffic Volumes

Based on historical Average Annual Daily Traffic (AADT) volumes in the study network, an average annual growth rate of 1.5% was calculated and utilized to project traffic volumes to the build year of 2029. Refer to the attachments for a copy of the historic data calculations.

Through coordination with the NCDOT and the County, the Stone Farm development was identified to be included as an approved adjacent development in this analysis. Based on the Bay

Line Subdivision (Stone Farm) Phasing Study, completed in September of 2024 by DRMP, the development is assumed to be fully built out by 2041 and will consist of the following:

- 1,500 single family units
- 617 townhome units
- 198 duplex units
- 100,000 square feet of shopping center

For the purpose of this analysis, which assumes a 2029 build out year, the first phase of the Stone Farm development is assumed to be constructed and operational and consist of the following:

- 650 residential units
- 100,000 square feet of commercial

The no-build traffic volumes (2029) were determined by projecting the existing peak hour traffic (2024) to the year 2029 and adding the adjacent development trips. Refer to the attachments for the adjacent development information. Refer to attachments for an illustration of the projected (2029) peak hour traffic volumes, adjacent development trips, and no-build (2029) peak hour traffic volumes.

Site Trip Generation and Distribution

The proposed development is assumed to consist of 167 single-family homes and 22 townhomes. Average daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using the ITE *Trip Generation Manual*, 11.1 Edition. **Table 1** provides a summary of the trip generation potential for the proposed development utilizing equations for the land uses.

Table 1: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single-Family Detached Housing (210)	167 units	1,618	30	89	101	60
Single-Family Attached Housing (215)	22 units	118	1	5	5	4
Total Trips		1,736	31	94	106	64

It is estimated that the proposed development will generate approximately 1,736 total site trips on the roadway network during a typical 24-hour period. Of the daily traffic volume, it is anticipated that 125 trips (31 entering and 94 exiting) will occur during the weekday AM peak hour and 170 trips (106 entering and 64 exiting) will occur during the weekday PM peak hour. Although the trip generation potential for the proposed development is expected to meet the County’s threshold for a TIA, a turn lane warrant analysis was requested by the County and NCDOT in lieu of a TIA.

The trip distribution used in assigning the site traffic for the proposed development was estimated based on a combination of existing traffic patterns, population centers in the vicinity of the study area, engineering judgement, and the March 2022 Stone Farm TIA.

It was assumed that the overall site trips will be regionally distributed as follows:

- 80% to/from the north via Thomasboro Road SW
- 20% to/from the south via Thomasboro Road SW

Build (2029) Traffic Volumes

To determine the build peak hour traffic volumes along Thomasboro Road SW at the site driveways, the no-build (2029) peak hour traffic volumes along Thomasboro Road SW were utilized as the through movements and the site traffic for the proposed development was added. Refer to the attachments for an illustration of the proposed distribution, site trip assignment and build (2029) peak hour traffic volumes at the proposed driveways.

Turn Lane Warrant Analysis

Turn lanes were considered at the proposed driveways based on the criteria contained in the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual) Warrant for Left and Right-Turn Lanes nomograph.

Utilizing build (2029) peak hour traffic volumes, and the NCDOT Driveway Manual’s Warrant for Left and Right-Turn Lanes nomograph, a southbound right-turn lane with 75 feet of storage is warranted at the Access 1 [northern access]; however, it should be noted that NCDOT typically prefers a minimum of 100 feet of storage for turn lanes. Refer to the attachments for the Turn Lane Warrant Chart for the proposed driveways.

Conclusion

This letter was provided at the request of the County and NCDOT, in lieu of a TIA, to determine the trip generation potential and the need for turn lanes for the proposed Price Subdivision development. Based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual) Warrant for Left and Right-Turn Lanes nomograph, a southbound right-turn lane with 75 feet of storage is warranted at Access 1.

If you have any questions or concerns, please do not hesitate to contact me.

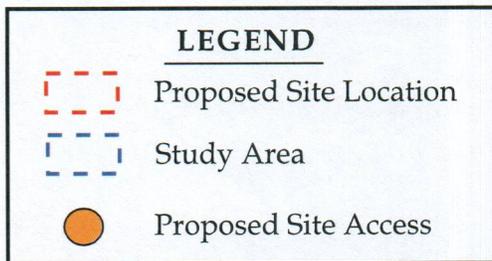
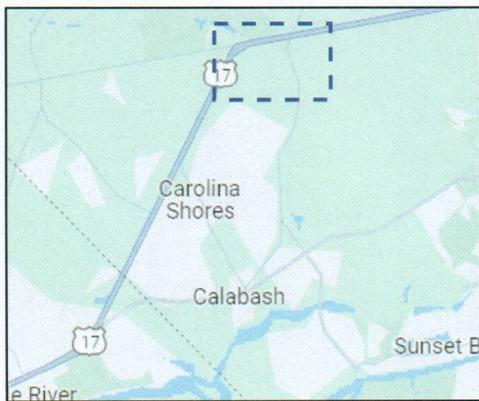
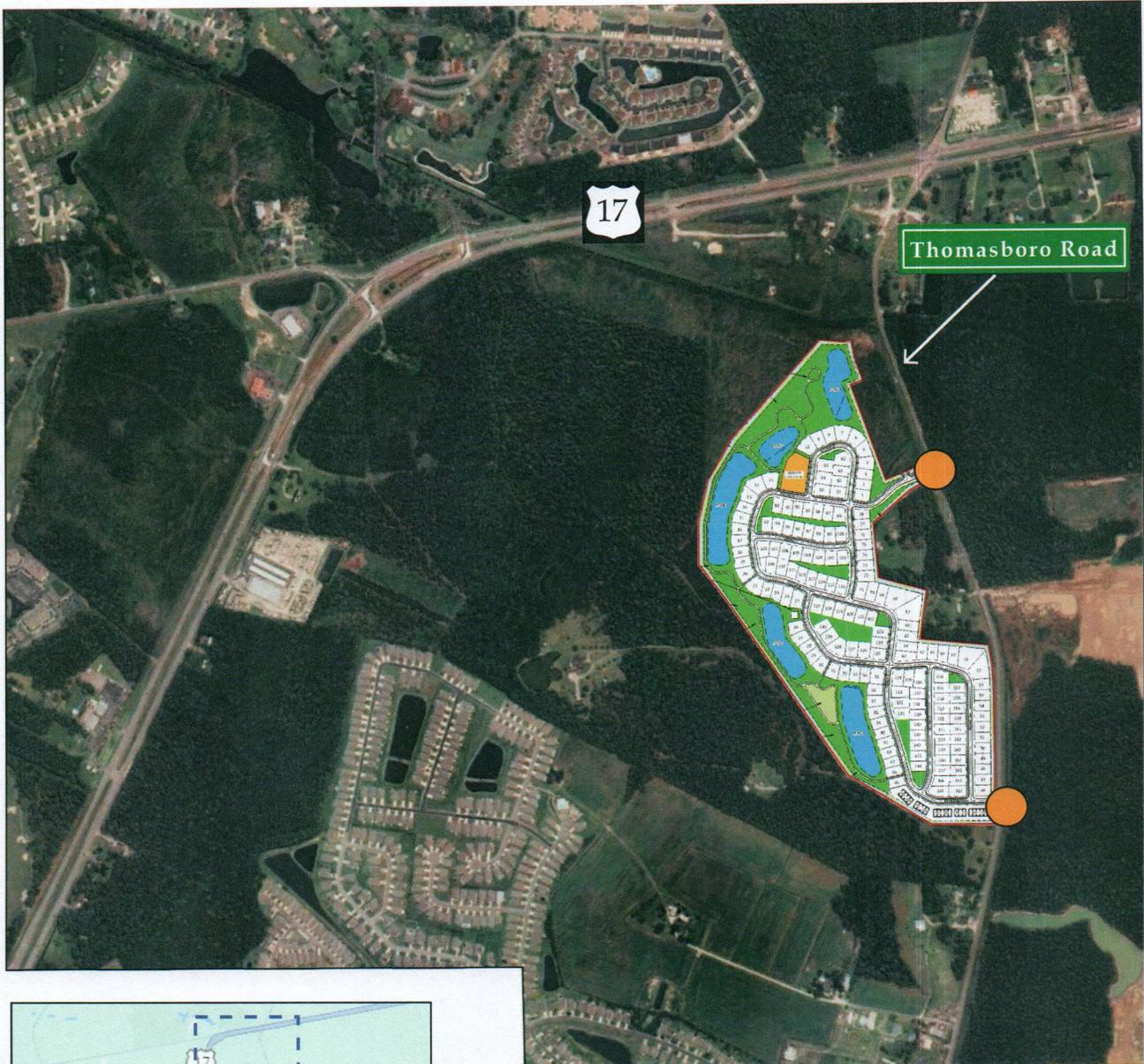
Sincerely,
Bolton & Menk, Inc.

Danielle Troutman, PE
Transportation Project Engineer



- Attachments: Preliminary Site Plan
- Count Data
- Historical Data Calculations
- Adjacent Development
- Figures
- Turn Lane Warrant Charts

- CC: Bryce Cox – NCDOT
- Stonewall Mathis – NCDOT
- Madison Lee – NCDOT
- Kristie Dixon – Brunswick County
- Helen Bunch – Brunswick County
- Marc Pages – Brunswick County




**BOLTON
& MENK**

Real People. Real Solutions.

Price Subdivision
Brunswick County, NC

Site Location Map

Scale:
Not to Scale

Figure 1



BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422
www.brunswickcountync.gov/planning • (910)253-2025

September 6, 2024

Bolton & Menk
1298 Professional Dr.
Myrtle Beach, SC 29577

**RE: Price Tract Planned Development Modification
File # PD-133**

To Whom It May Concern:

The Technical Review Committee (TRC) at their September 4, 2024 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- Please update the site data to reflect the change in overall site acreage. This change would result in changes to density, required open space, and recreation space.
- Please revise acreage amount not included in PD.
- Please clearly show and label the AE flood boundary.
- Please connect the trail to the commercial area.
- Please note that the TIA must be approved by NCDOT prior to going before the Planning Board.
- Please note that a neighborhood meeting is required per UDO Section 9.2.

Comments from Stormwater

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

- A State Sedimentation and Erosion Control Permit will be required.
- A State Stormwater Permit will be required.
- A County Stormwater Permit will be required.
- County SW Requirement: Post-development peak flow rate(s) must not exceed the predevelopment condition for the 1, 10 and 25-year design storms.
- The permitted SCMs must be able to control the 100-year peak flow rate. Overtopping of SCMs will not be allowed.

Comments from Engineering

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

- Existing 12" watermain on Thomasboro Road available for connection.
- Existing 12" forcemain on Hwy 17 available for connection; There has been a 10" forcemain installed on Thomasboro Road, but it is not in service yet, potential for future connection once it is in service and County owned.
- No proposed water or sewer mains shown; pump station site shown.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

- Fire hydrants every 500' and at entrances to subdivision; every 400' in multi-family section.
- Double water meter boxes or (2) single water meter boxes required for each lot.
- We will determine in plan review if Odor Control will be required for the proposed pump station.
- Gravity sewer is the preferred sewer collection system to be installed per the county Sewer Use Ordinance; One gravity clean-out per lot.
- NCDOT Encroachment would be required; Primary/Secondary for Thomasboro, controlled access for US Hwy 17 for force main drilled under 17.
- NCDOT Encroachment needed for connection(s) on Northwest Road

Comments from Fire Code Official

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

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

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

- Final plat will require fire approval.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on September 13, 2024.

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

Sincerely,

Marc A. Pages
Brunswick County Principal Planner



Planned Development (PD)

Application and Checklist

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

Brunswick County Planning Dept. 910-253-2025

For Office Use Only

File # _____ 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	Troy Price	Phone	910-218-7240
	Address	624 Blackwater Drive SW	Fax	
	City, St, Zip	Calabash, NC 284 67	Email	Tprice9955@gmail.com

Applicant or Representative	Name	James M. Wooten, PE	Phone	843-692-3200
	Address	1298 Professional Drive	Fax	
	City, St, Zip	Myrtle Beach, SC 29577	Email	mike.wooten@bolton-menk.com

Property Information	Address	
	Tax Parcel(s) :	22600012
	Acreage:	78.8
	Current Zoning:	PD
	Public Utilities Available?	<input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Sewer

Project Information	Project Name:	Price Tract (PD-121)
	Modification or Expansion	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Of Existing PD?	
	Single Family Acres:	167 <input type="checkbox"/> Lots
	Multi-Family Acres	N/A <input type="checkbox"/> Units
Commercial Acres	N/A	

Authorization	Property Owner Signature	<u>Troy Price</u>	Date	<u>August 8, 2024</u>
	Applicant/Representative Signature	<u>[Signature]</u>	Date	<u>8/7/24</u>

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

PD-133

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
2260000108	THOMASBORO LANDCO LLC		11118 US HIGHWAY 31	SPANISH FORT	AL	36527-5647
2260001202	COX CHRISTEN PRICE		1346 SUNNYSIDE ST SW	SHALLOTTE	NC	28470-5274
225LF00103	FREEDOM HOMES AT THE FARM	C/O CAMS	3960 EXECUTIVE PARK BLVD # 8	SOUTHPORT	NC	28461-8184
225LF00104	FREEDOM HOMES AT THE FARM	C/O CAMS	3960 EXECUTIVE PARK BLVD # 8	SOUTHPORT	NC	28461-8184
2260001601	EDGE HOLDINGS LLC		1 SNEAD CT	SHALLOTTE	NC	28470-4519
226000015	CARLUS JOE PHIPPS FAMILY TRUST		228 THOMASBORO RD SW	CALABASH	NC	28467-2151
2260001602	SIDELINGER ADRIANNA AND	EDGE JENNINGS GARY	1 SNEAD COURT	SHALLOTTE	NC	28470
226000014	VAUGHT NEDIA M (LT) ET VIR	VAUGHT CHARLES R (LT) % TIMOTHY M RANDALL	8901 OCEAN HIGHWAY WEST	CALABASH	NC	28467
226000013	CARLUS JOE PHIPPS FAMILY TRUST		228 THOMASBORO RD SW	CALABASH	NC	28467-2151
2260001105	BELLAMY MICHAEL R ET	BELLAMY SYLVIA	490 THOMASBORO RD SW	CALABASH	NC	28467
2260000102	BRUNSWICK COMMUNITY COLLEGE	THE BOARD OF TRUSTEES	PO BOX 30	SUPPLY	NC	28462-0030
2260001117	BELLAMY BRADLEY MARK		490 THOMASBORO RD SW	CALABASH	NC	28467-2153
2100001302	LONG MARIE B ET VIR	LONG CLAUDE	51 THOMASBORO RD SW	SUNSET BEACH	NC	28468
225LE00103	FREEDOM HOMES AT THE FARM AT BRUNS ASSOC INC	C/O CAMS	3960 EXECUTIVE PARK BLVD SUITE 8	SOUTHPORT	NC	28461-8184
210000017	F&M CAPITAL INC		PO BOX 157	N TAZEWELL	VA	24630-0157
210000013	LONG MARIE B ETALS		51 THOMASBORO ROAD SW	SUNSET BEACH	NC	28468
2100002001	BRUNSWICK PARTNERS LLC		252 S MIDDLETON DR NW	CALABASH	NC	28467-2157
210000125	CAW CAW LAND CORPORATION		252 S MIDDLETON DR NW	CALABASH	NC	28467-2157
226000011	LLOYD EDWIN BENNETT & CHERYL G	BENNETT REV LIV TRUST	738 BENNETT TRL SW	CALABASH	NC	28467-2102
2260001201	PRICE TROY ET	PRICE GAIL C/O DOCK SIDE RESTAURANT	9955 NANCE STREET	CALABASH	NC	28467
226000016	SIDELINGER ADRIANNA E AND	EDGE JENNINGS GARY	1 SNEAD CT	SHALLOTTE	NC	28470-4519
225LE043	POST PETER W ETUX	POST MAURA A	3709 WORTHING CT	GREENSBORO	NC	27455-3361
225LE039	DWYER DIANE L		1401 FENCE POST LN	CAROLINA SHOR	NC	28467-2964
225LE045	PARTON JENNIFER MARIE AND	CANADY BRITTNEY N	1425 FENCE POST LN	CAROLINA SHOR	NC	28467-2964
225LE044	SILBERQUIT SANDRA A ET VIR	SILBERQUIT RANDAL J	55 SPARROW RIDGE RD	CAROLINA SHOR	NC	28467-2964
225LE042	THOMPSON LISA R		1413 FENCE POST LN	CARMEL	NY	10512-1561
225LE041	GRAHAM CHARLES D ETUX	GRAHAM JULYE P	1409 FENCE POST LN	CAROLINA SHOR	NC	28467-2964
225LE040	VITA MEREDITH ANN		1315 FENCE POST LN	CAROLINA SHOR	NC	28467-2964
225LE038	ALMEIDA JEFFERSON CAMILO DE ETUX	ALMEIDA ROSANA CARRO	1397 FENCE POST LN	CAROLINA SHOR	NC	28467-2963
225LF028	VAUGHAN WILLIAM D ETUX	VAUGHAN SHARON S	1361 FENCE POST LN	CAROLINA SHOR	NC	28467-2963
225LF033	WHITE MARK R ETUX	WHITE JADA THOMPSON	4201 STONEHENGE RD	CAROLINA SHOR	NC	28467-2963
225LF029	KLINE JOHN ERIC ETUX	KLINE REBEKA JAYNE	1369 FENCE POST LN	CAROLINA SHOR	NC	28467
225LF032	HOLSTEIN FRANK J ETUX	HOLSTEIN MARIANNE	1381 FENCE POST LN	CAROLINA SHOR	NC	28467-2963
225LF030	MURRAY ESTHER SUE		1373 FENCE POST LN	CAROLINA SHOR	NC	28467
225LF031	PORT FREDERICK ETUX	PORT MICHELLE	507 REHOBETH CHURCH RD	CLARION	PA	16214-5919
22600001	THOMASBORO LANDCO II LLC		11118 US HIGHWAY 31	SPANISH FORT	AL	36527-5647

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
22600012	PRICE TROY ET	PRICE GAIL C/O DOCK SIDE RESTAURANT	9955 NANCE STREET	CALABASH	NC	28467
Per Application	PRICE TROY		624 BLACKWATER DR SW	CALABASH	NC	28467

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
Per Application	JAMES M. WOOTEN, PE		1298 PROFESSIONAL DRIVE	MYRTLE BEACH	SC	29577

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-138

Applicant: Norris And Tunstall Consulting Engineers P.C.

Project Name: Pea Landing Tract (Modification)

Property Location: Pea Landing Road north of Jessie Mae Monroe Elementary School

Parcel Number: 21000071

Zoning District: R-7500 (Medium Density Residential)
R-7500 Density Maximum – 5.8 Dwelling Units per Acre (with water and sewer)
“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 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: R-7500 (Medium Density Residential) with an existing school located to the South.

Proposed Use: Pea Landing Tract was a previously approved major subdivision (Dec. 2022), consisting of 85 single family units on 28.76 acres, creating an overall density of 3.00 units per acre. The developer is proposing a revision to the Pea Landing Tract, as a planned development, consisting of 150 single family units on 28.76 acres, creating an overall density of 5.22 units per acre.

Approval Criteria

- The majority of surrounding uses consist of single family residential and vacant land.
- The Blueprint Brunswick Future Land Use Map denotes this area as Low Density Residential
- 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 5.7 acres. The developer is proposing 7.67 acres of dedicated open space. The developer is also proposing 0.97 acres of recreation space of which 0.86 acres are required.
- The proposed project will generate approximately 1,436 vehicle trips per 24-hour weekday volume. A TIA (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. There are no road capacity deficiencies for Pea Landing Road.
- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 7.67 acres of open space where as 5.7 acres are required.
 2. Sidewalks to be provided on one side of the road throughout the development.

3. The stormwater system will be constructed to the 100-year storm event.
4. A Pedestrian connection is to be provided to the adjacent school.

- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reductions in setbacks.
- No portions of the site are located in 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 6, 2024.
- A neighborhood meeting was held on December 23, 2024.

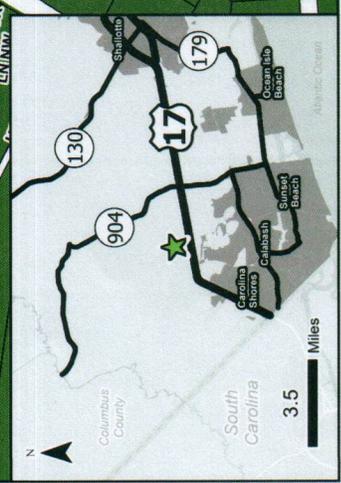
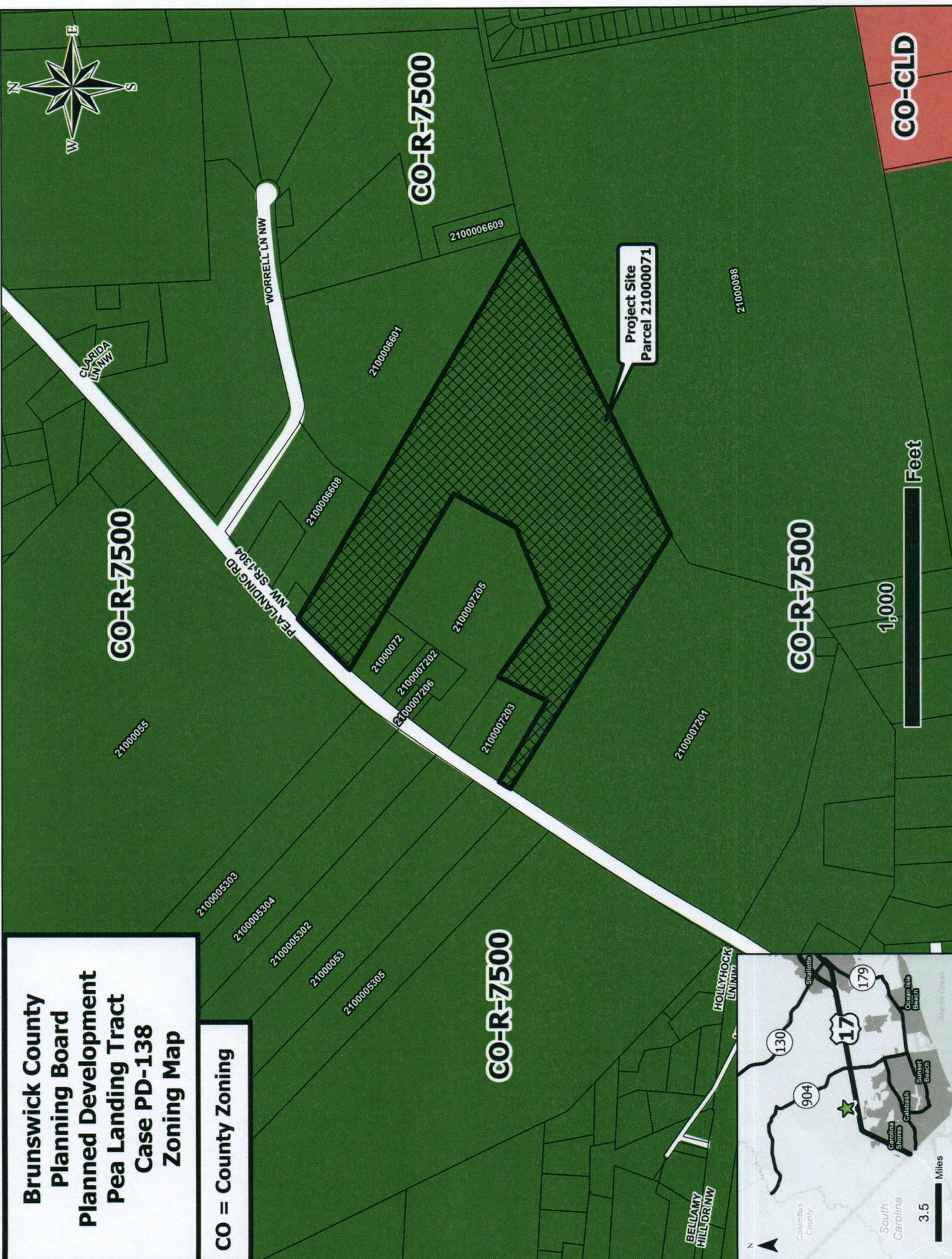
If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

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

**Brunswick County
Planning Board
Planned Developing Tract
Pea Landing Tract
Case PD-138
Zoning Map**

CO = County Zoning



**Brunswick County
Planning Board
Planned Developing Tract
Pea Landing Tract
Case PD-138
Imagery Map**



**Project Site
Parcel 21000071**

**1,000
Feet**

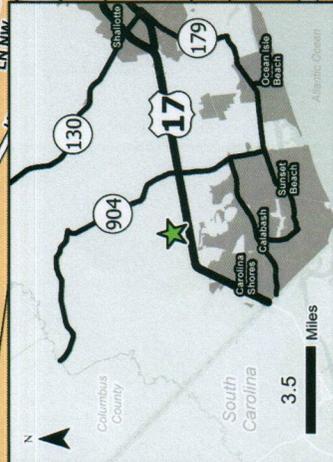
**3.5
Miles**

**Brunswick County
 Planning Board
 Planned Development
 Pea Landing Tract
 Case PD-138
 Blueprint Brunswick 2040
 Place Type Map**

-  Open Space - Conservation 1
-  Low Density Residential
-  Medium Density Residential
-  Commercial
-  Institutional

**Project Site
 Parcel 21000071**

**1,000
 Feet**



**Brunswick County
Planning Board
Pea Landing Tract
Case PD-138
Flood Hazards Map**



Project Site
Parcel 21000071

Feet

4,000

Miles

3.5



Transportation Impact Analysis

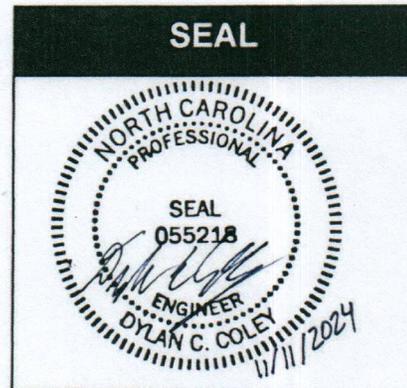
Pea Landing Tract Brunswick County, NC

Prepared for
Pea Landing, LLC

November 11, 2024

Analysis by: Monisha Badarinath, EI
Scott A. James, PE, PTOE

Reviewed and Sealed By: Dylan Coley, PE



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Wilmington, NC 28409
Main 910 251 8912 Fax 336 458 9377

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EXECUTIVE SUMMARY

The Pea Landing Tract residential development is located at 280 Pea Landing Road near Ash, in Brunswick County, NC. The proposed development will consist of up to 149 single family residences. Two access points onto Pea Landing Road NW are proposed for this development, with the one closest to Jessie Mae Elementary School reserved for emergency access only. The expected build-out year for this development is 2025. Information regarding the property was provided by Pea Landing, LLC.

DAVENPORT was retained to determine the potential traffic impact of this development and to identify transportation improvements that may be required to accommodate the new development traffic.

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with Brunswick County and North Carolina Department of Transportation (NCDOT). This site has a trip generation potential of 1,456 daily trips: 107 estimated trips in the AM peak hour, and 145 trips in the PM peak hour.

In conclusion, this study has determined the minimal anticipated traffic impact of this development upon the public roadway network. Accordingly, no improvements are recommended in order to serve future site traffic. The site access recommendations summarized in Table A and in Figure A should be constructed to comply with applicable NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and/or Brunswick County standards.

Table A – Summary of Recommended Improvements	
INTERSECTION	RECOMMENDATIONS
Pea Landing Road NW and Site Access 1	<ul style="list-style-type: none"> Design site drive according to applicable NCDOT and/or Brunswick County standards.
Pea Landing Road and Site Access 2 (Emergency Access)	<ul style="list-style-type: none"> Site Access 2 is intended to serve as emergency access only; the design of the access should be in accordance with applicable standards of NCDOT, Brunswick County, and local emergency service departments.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

November 8, 2024

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

**RE: Pea Landing Tract Planned Development
File # PD-138**

To Whom It May Concern:

The Technical Review Committee (TRC) at their November 6, 2024 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- Please indicate all open space areas.
- Please revise the open space calculations. Because this is a Planned Development, the minimum open space is 20% of the gross area. Adjust recreation space and density calculations accordingly.
- Please show an emergency entrance road along the southern boundary out to Pea Landing Road. Please label the emergency access gate location.
- Please show the pedestrian connection to the adjacent school.
- Please note that a TIA or Warrant Analysis is required prior to the Planning Board hearing.
- Please number the individual lots.
- Please note the 30' street buffer.
- Please add all open space and recreation space calculations to the data table.
- Please note that there are no wetlands or flood zones on site.
- Please note that a neighborhood meeting is required per UDO Section 9.2.

Comments from Stormwater

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

- A State Sedimentation and Erosion Control Permit will be required.
- This project has existing State and County Stormwater Permits that would need to be modified to account for the lot size and number change and the possible change in BUA. County SW Requirement: Post-development peak flow rate(s) must not exceed the predevelopment condition for the 1, 10 and 25-year design storms.
- The permitted SCMs must be able to control the post-development peak flow rate for the 100-year design event. Overtopping of SCMs will not be allowed.



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Comments from Engineering

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

- Previously reviewed and approved November 2023 -- 8", 6" & 2" watermain extensions, 8" gravity sewer, pump station and 4" forcemain.
- NCDEQ water and sewer permits have been issued.
- No updated water or sewer shown on site plan.
- Another plan review would be needed by Engineering and NCDEQ-DWQ and PWS permit mods would be needed for the sewer and water permits as originally permitted with 85 lots now showing 149 single family lots.
- Existing 8" watermain on Pea Landing Road.
- Existing 12" high pressure forcemain on Hwy 17 available for connection (the pump station and forcemain from the school is not able to be connected too).
- At pump station site, no Odor Control would be required.
- Another development is proposed directly across the street – may want to reach out about cost share on forcemain installation.
- Fire Hydrants every 500' and at entrance, must end in fire hydrant or Post Flushing Hydrant in cul-de-sac; mains to end in fire hydrant and full size gate valve for future connections.
- One sewer service and one water service required for each lot (double water meter boxes or (2) single meter boxes).
- A primary/Secondary NCDOT Encroachment application was signed, not sure if permit was ever approved.

Comments from Floodplain Administrator

Jim Paggioli – 910-253-2054 – james.paggioli@brunswickcountync.gov

General:

- 1) The Typical Street section should be at least drawn consistently to scale in the width direction. The 5 foot side walk and road shoulders should at least match the proper proportion of the pavement and proposed right of way width. As shown, the detail misrepresents the open space within the proposed right of ways.
- 2) It is noted that Overland flow occurs from the rear of the school property northerly through the premises, what conditions are being proposed to ensure that the runoff is unencumbered by the proposed development. Outlets/Flow directions to SW Ponds should also be addressed.

Floodplain:

- 1) The property is currently not mapped within the SFHA on the effective FIRM Flood Mapping, However, the NCEM Advisory mapping Clearly depict that significant sections are impacted by the 1% Rainfall (100 Year Storm) – This should be addressed before approval.

Comments from Fire Code Official

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

- No hydrant plan given. Fire hydrants spaced at 500 feet with no point to exceed 250 feet at any point in road. Fire hydrants should not be put at end of dead end roads if can be put at intersection to meet distance requirements.
- Fire hydrant will be required to flow 1,000 GPM for residential, commercial minimum is 1,500 GPM. A development permit will be required for site and utility



BRUNSWICK COUNTY PLANNING DEPARTMENT

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plans. Please include road names for those plans. 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 review the "Development / Subdivision Fire approval Guidance document located at the following link.

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

- Final plat will require fire approval.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on November 15, 2024.

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

Sincerely,

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

Marc A. Pages
Brunswick County Principal Planner



Planned Development (PD)
Application and Checklist
Fee: \$1,000 (Brunswick County Jurisdiction)
\$968 (City of Northwest Jurisdiction)
 Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # _____	Invoice # _____
Date Received: _____	
Northwest Jurisdiction <input type="checkbox"/> YES <input type="checkbox"/> NO	

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

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

Property Owner	Name Pea Landing, LLC (a S.C. Limited Liability Company) Phone 843-251-2654
	Address 10554 Ocean Hwy Fax _____
	City, St, Zip Pawleys Island SC 29585-6510 Email chip@abernethyandjones.com

Applicant or Representative	Name Norris & Bland Consulting Engineers P.C. Phone 910-287-5900
	Address 1429 Ash-Little River Rd. NW Fax _____
	City, St, Zip Ash NC 28420 Email pnorris@nbengr.com

Property Information	Address 280 Pea Landing Rd. NW Ash NC 28420
	Tax Parcel(s) 21000071
	Acreage 28.76
	Current Zoning R-7500
	Public Utilities Available? <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Sewer

Project Information	Project Name Pea Landing Tract
	Modification or Expansion Of Existing PD? Yes No <input checked="" type="checkbox"/>
	Single Family Acres 28.76 Lots 149
	Multi-Family Acres 0 Units 0
	Commercial Acres 0

Authorization	Property Owner Signature <u>A. HARVEY ABERNETHY JR</u> Date <u>10/4/24</u>
	Applicant/Representative Signature <u>Phil Lee</u> Date <u>10/08/2024</u>

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

Planned Development Checklist

PD-138

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
21000098	GAUSE FREEMAN (LT) ETALS		8221 OCEAN HWY W	SUNSET BEACH	NC	28468-6116
2100007201	BRUNSWICK COUNTY BOARD OF EDUCATION		35 REFERENDUM DR NE	BOLIVIA	NC	28422-7578
2100007202	CRIBB PAMELA ELENE		340 PEA LANDING RD NW	ASH	NC	28420-2520
2100007206	CRIBB I V (LT) ETALS		340 PEA LANDING RD NW	ASH	NC	28420-2520
2100007205	CRIBB I V (LT) ETALS		340 PEA LANDING RD NW	ASH	NC	28420-2520
21000072	CRIBB I V (LT) ETALS		340 PEA LANDING RD NW	ASH	NC	28420-2520
2100006609	PIERCE KEVIN L ETUX	PIERCE KELLY T	8089 WORRELL LN NW	ASH	NC	28420-2535
2100006608	PIERCE KEVIN L ETUX	PIERCE KELLY T	8089 WORRELL LN NW	ASH	NC	28420-2535
2100006607	ATLANTIC TELEPHONE CO		P O BOX 3198	SHALLOTTE	NC	28459
2100006601	PIERCE KEVIN L ETUX	PIERCE KELLY T	8089 WORRELL LN NW	ASH	NC	28420-2535
2100005304	CHESTNUT SYLANE G ETVIR	CHESTNUT EARL	702 WEST 6TH ST	TABOR CITY	NC	28463
2100005302	BROOKS WANDA G		7112 MUSKERRY WAY	LELAND	NC	28451-5025
2100005303	GAUSE ROGER L		1214 S 7TH ST	WILMINGTON	NC	28401-5732
21000055	COASTAL CAROLINA TIMBER MGMT LLC		302 LIBERTY STREET	WHITEVILLE	NC	28472
21000053	GAUSE HOLLINS HRS	C/O MELODY GAUSE	737 HUNT STATION DR	LAWRENCEVILLE	GA	30044-5615
2100007203	JESUS ROBERT B ETUX	FINN JESUS LAUREN K	328 PEA LANDING RD NW	ASH	NC	28420-2520
2100005305	GAUSE PERCELL	C/O JEREMINE FRINK	478 MCMILLY RD NW	SHALLOTTE	NC	28470-1802

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
21000071	PEA LANDING LLC		10554 OCEAN HWY	PAWLEYS ISL	SC	29585-6510

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	NORRIS & BLAND CONSULTING ENGINEERS P.C.		1429 ASH-LITTLE RIVER RD NW	ASH	NC	28420

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-141

Applicant: Lennar Carolinas

Project Name: Fox Hollow

Property Location: Pea Landing Road (SR 1304)

Parcel Number: 21000055

Zoning District: R-7500 (Medium Density Residential)
R-7500 Density Maximum – 5.8 Dwelling Units per Acre (with water and sewer)
“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 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: R-7500 (Medium Density Residential)

Proposed Use: Fox Hollow is a proposed planned development, consisting of 166 single family units on 76.9 acres, creating an overall density of 2.16 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consist of single family residential and vacant land.
- The Blueprint Brunswick Future Land Use Map denotes this area as Low Density Residential and Open Space Conservation 1 (OSC-1).
- 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 15.4 acres. The developer is proposing 47.7 acres of dedicated open space. The developer is also proposing 2.3 acres of recreation space of which 2.3 acres are required.
- The proposed project will generate approximately 1,600 vehicle trips per 24-hour weekday volume. A TIA (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. There are no road capacity deficiencies for Pea Landing Road.
- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 47.7 acres of open space where as 15.4 acres are required.
 2. Sidewalks to be provided on one side of the road throughout the development.
 3. The stormwater system will be constructed to the 100-year storm event.
 4. A minimum 20-foot vegetated buffer shall be provided adjacent to all wetlands.

- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reductions in setbacks.
- No portions of the site are located in 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 6, 2024.

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

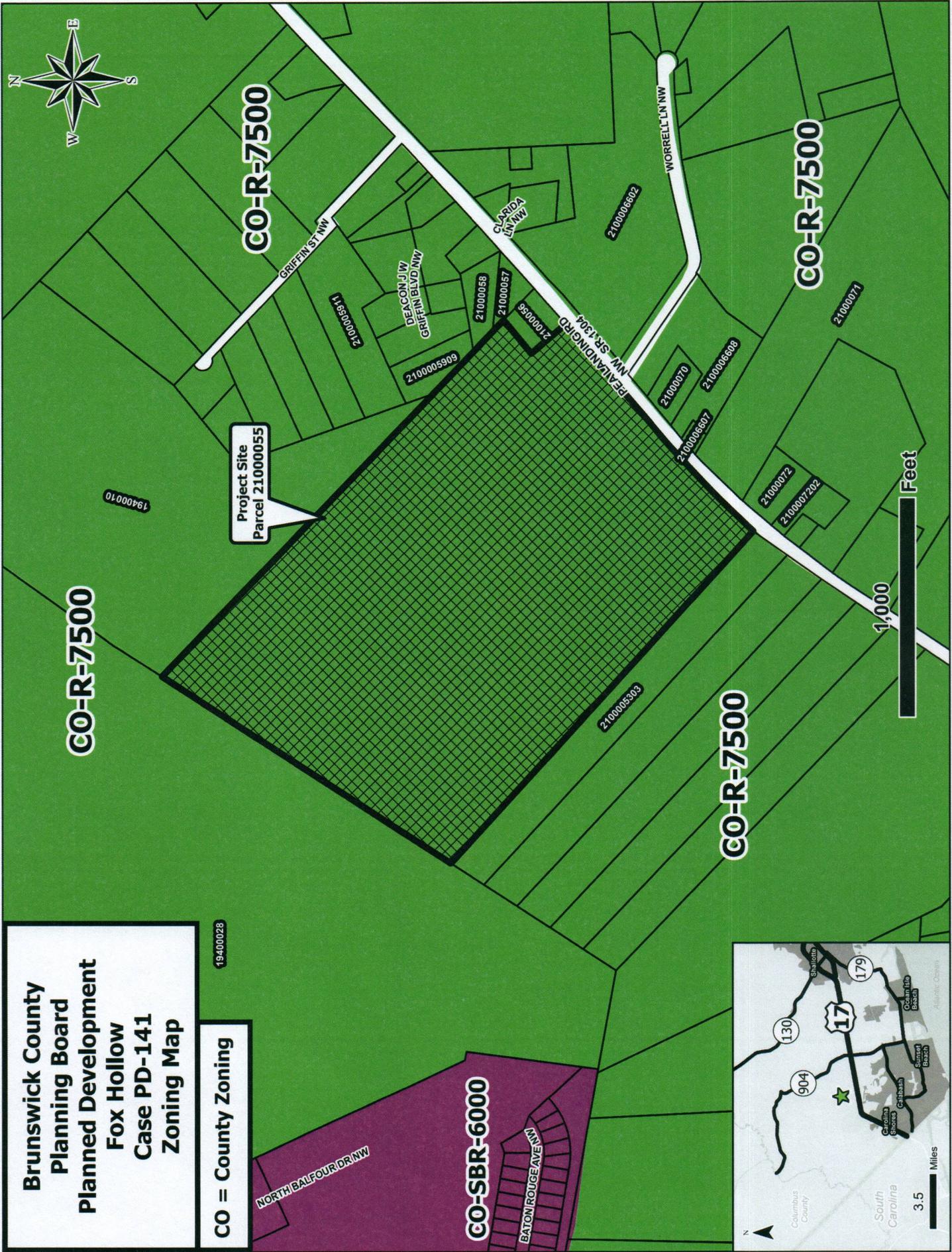
Staff recommends approval based on the following conditions:

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

**Brunswick County
 Planning Board
 Planned Development
 Fox Hollow
 Case PD-141
 Zoning Map**

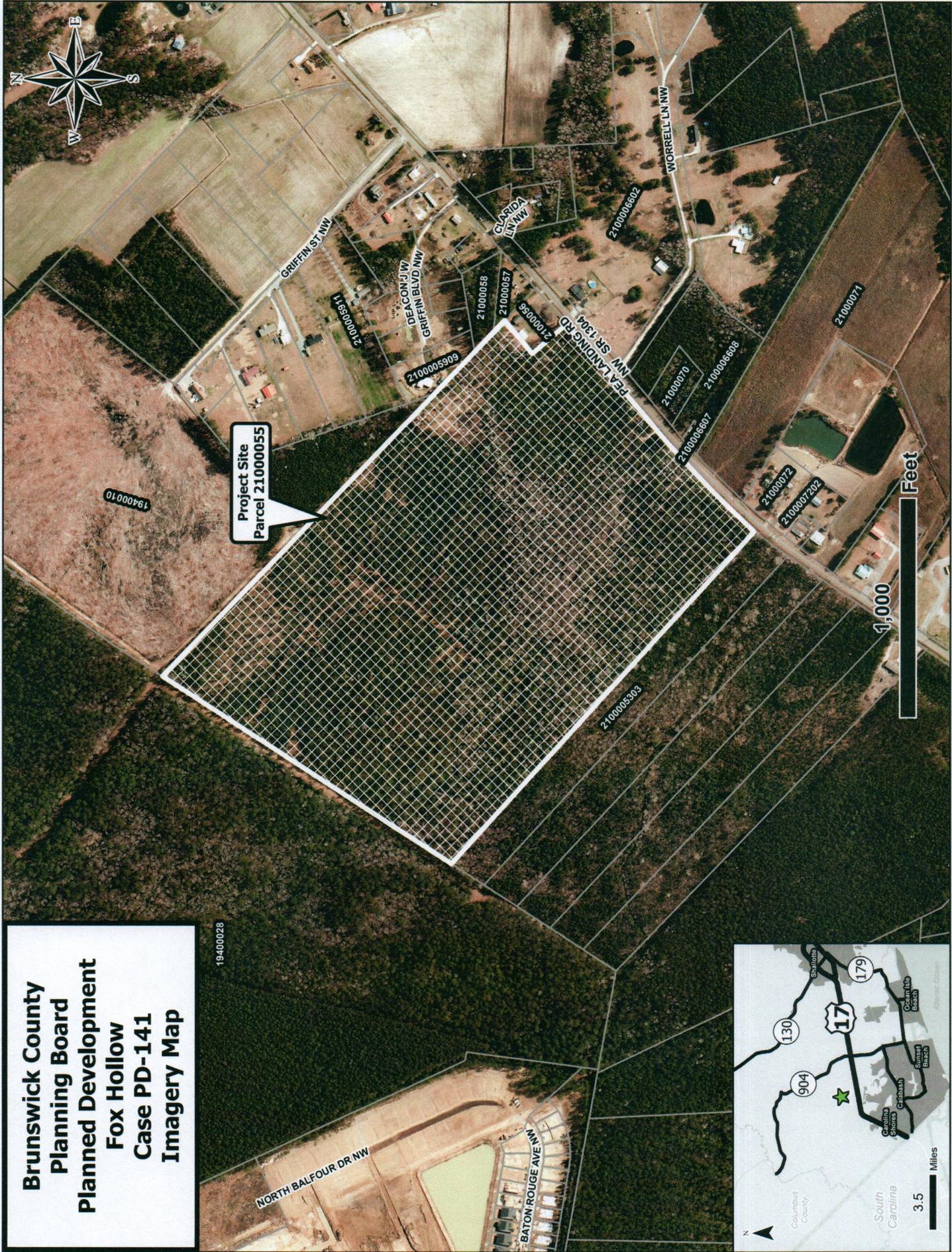
CO = County Zoning

19400023



**Brunswick County
 Planning Board
 Fox Hollow
 Case PD-141
 Imagery Map**

19400023



**Brunswick County
 Planning Board
 Planned Development
 Fox Hollow
 Case PD-141
 Blueprint Brunswick 2040
 Place Type Map**

NORTH BALFOUR DR NW

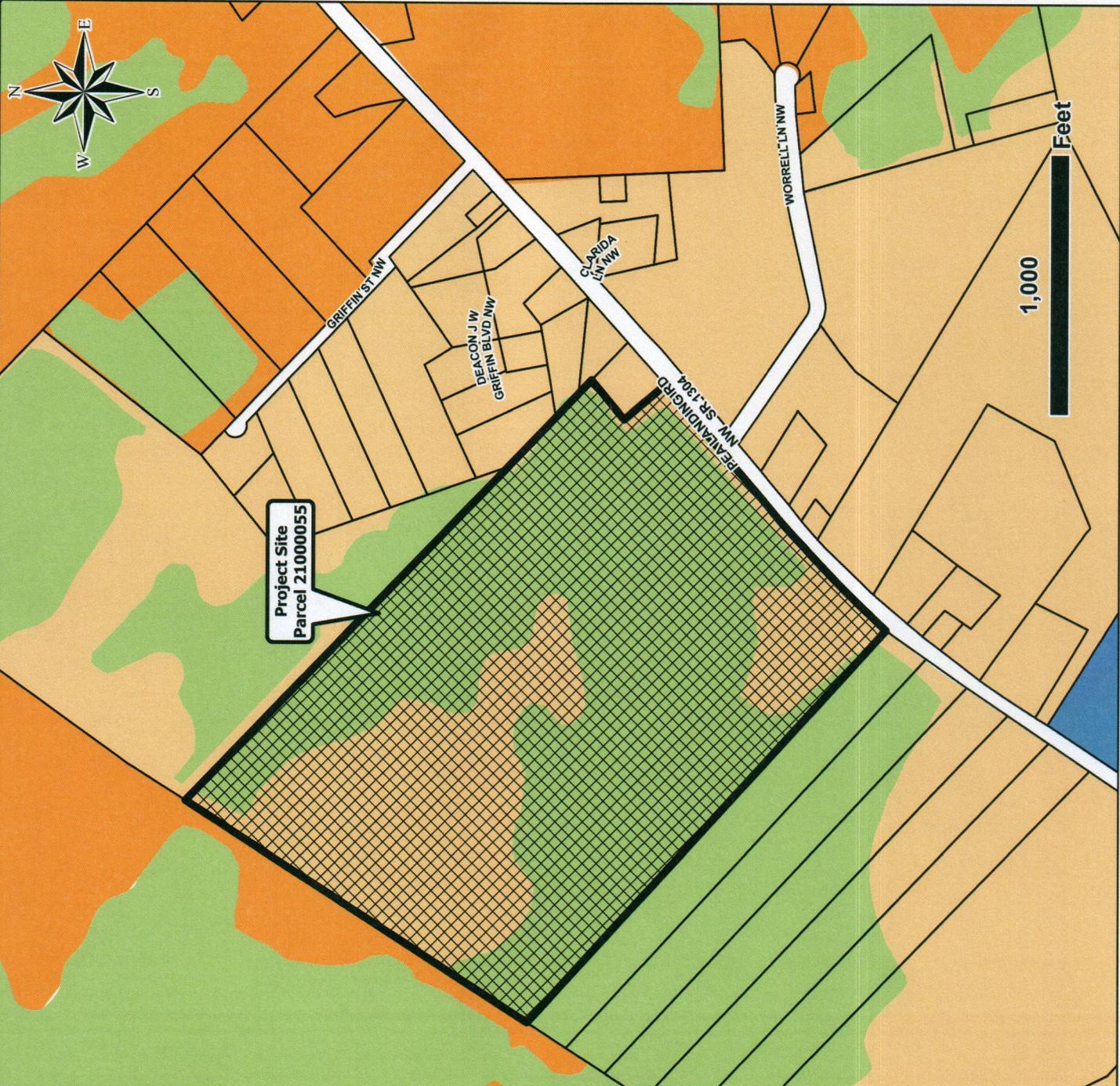
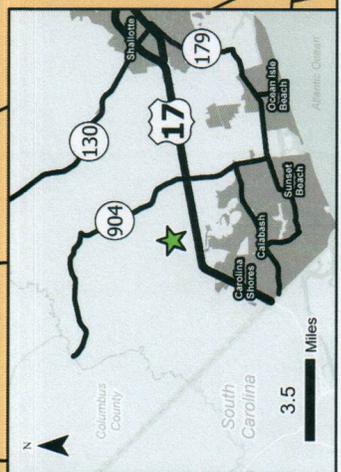
Project Site
 Parcel 21000055

Open Space - Conservation 1

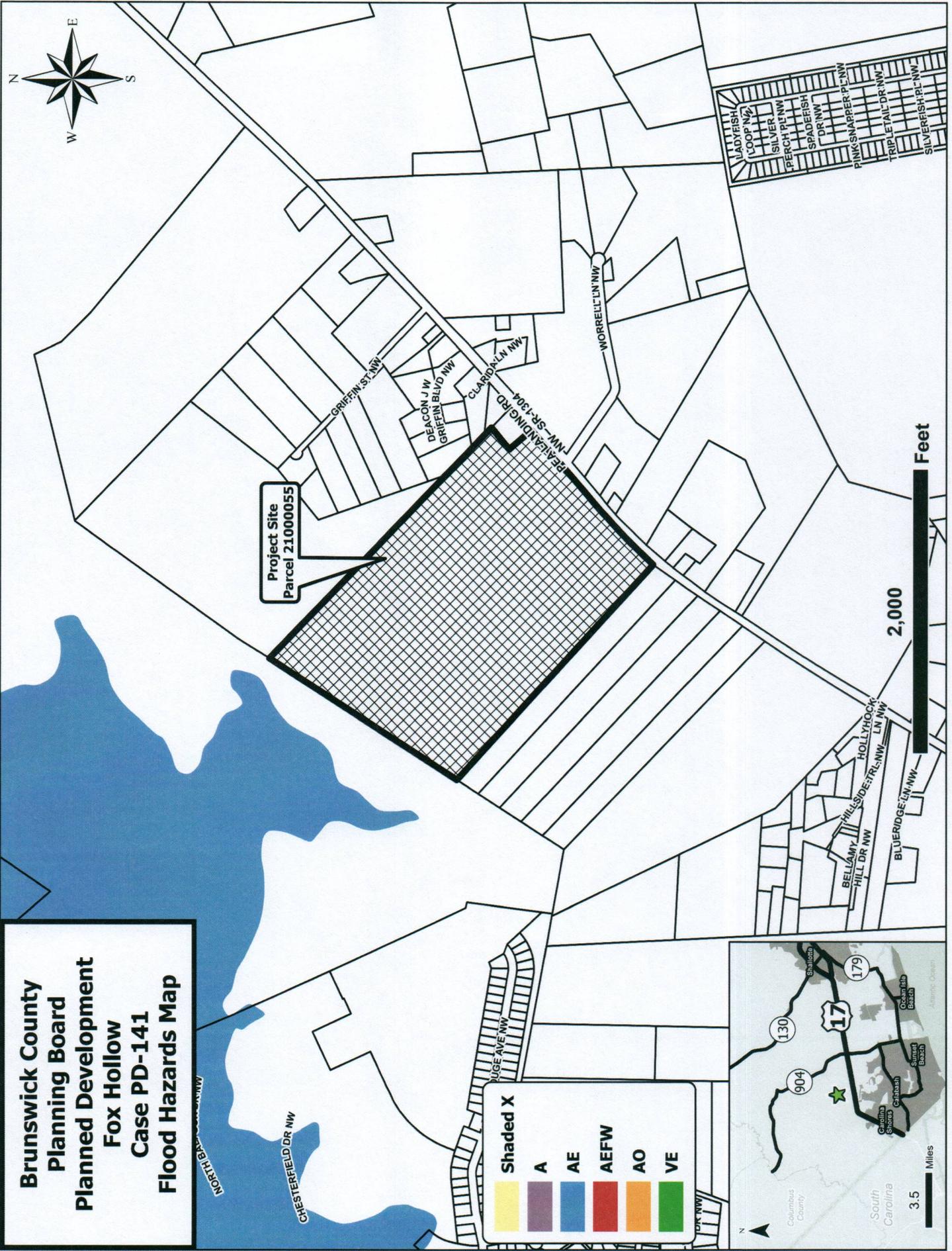
Low Density Residential

Medium Density Residential

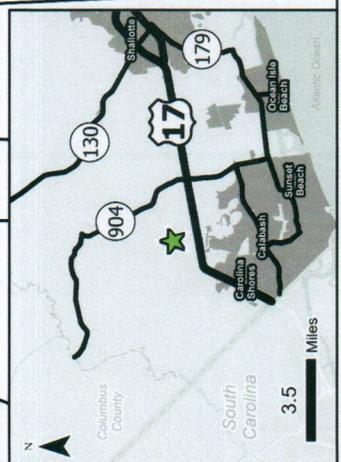
Institutional



**Brunswick County
 Planning Board
 Fox Hollow
 Case PD-141
 Flood Hazards Map**



Shaded X	A	AE	AEFW	AO	VE



2,000 Feet



Transportation Impact Analysis

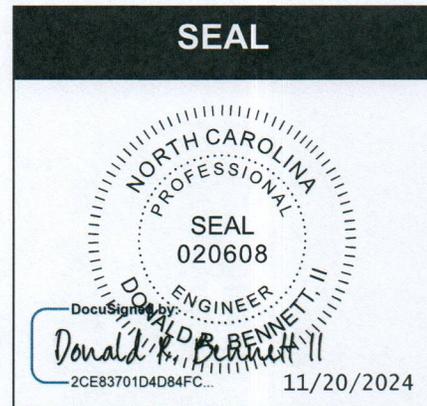
Fox Hollow (formerly Pea Landing West) Brunswick County, NC

Prepared for
THOMAS & HUTTON

November 20, 2024

Analysis by: Samuel Starks

Reviewed and Sealed By: Donald R. Bennett, II, PE



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Wilmington, NC 28409
Main: 910.251.8912; Fax: 336.458.9377

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EXECUTIVE SUMMARY

The Fox Hollow (formerly Pea Landing West) residential development is located at 423 Pea Landing Road near Ash, in Brunswick County, NC. The proposed development will consist of up to 165 single family residences. Two access points onto Pea Landing Road NW are proposed for this development, with the first access located directly across Worrell Lane, and the second access located approximately 750 feet south of the first access. The expected build-out year for this development is 2027. Information regarding the property was provided by THOMAS & HUTTON.

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with Brunswick County and North Carolina Department of Transportation. This site has a trip generation potential of 1,600 daily trips: 117 estimated trips in the AM peak hour, and 159 trips in the PM peak hour.

In conclusion, this study has determined the minimal anticipated traffic impact of this development upon the public roadway network. Accordingly, no improvements are recommended in order to serve future site traffic. The site access recommendations summarized in Table A and in Figure A should be constructed to comply with applicable NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and/or Brunswick County standards.

Table A – Summary of Recommended Improvements	
INTERSECTION	RECOMMENDATIONS
Pea Landing Road NW and Site Access 1 (North Access)	<ul style="list-style-type: none"> Design site drive according to applicable NCDOT and/or Brunswick County standards.
Pea Landing Road NW and Site Access 2 (South Access)	<ul style="list-style-type: none"> Design site drive according to applicable NCDOT and/or Brunswick County standards.

PD-141

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
21000056	LEE DANNY A ET	LEE JULIA B	443 PEA LANDING ROAD	ASH	NC	28420
21000058	GRIFFIN RUDELL		467 PEA LANDING RD NW	ASH	NC	28420-2519
19400028	KSF LONG LLC ETALS	C/O KATHARINE S FORT	PO BOX 70687	MYRTLE BEACH	SC	29572-0030
2100007202	CRIBB PAMELA ELENE		340 PEA LANDING RD NW	ASH	NC	28420-2520
21000072	CRIBB I V (LT) ETALS		340 PEA LANDING RD NW	ASH	NC	28420-2520
21000070	EVANS RANDOLPH ETUX	EVANS ANNIE	370 BLUE CREEK SCHOOL RD APT 108	JACKSONVILLE	NC	28540-3322
2100006608	PIERCE KEVIN L ETUX	PIERCE KELLY T	8089 WORRELL LN NW	ASH	NC	28420-2535
2100006607	ATLANTIC TELEPHONE CO		P O BOX 3198	SHALLOTTE	NC	28459
2100006602	NANCE GREGORY WADE ETUX	NANCE TROI COOLIDGE	430 PEA LANDING RD NW	ASH	NC	28420-2518
2100005911	PAYNE JOSEPH C JR ET	PAYNE JACQUELINE P	8145 GRIFFIN ST NW	ASH	NC	28420
2100005909	HUMPHREYS RICHARD		201 DEACON J W GRIFFIN BLVD NW	ASH	NC	28420-2543
21000057	GORE PRISCILLA GRIFFIN		3741 HOPE MARIAN ST	GASTONIA	NC	28052-5721
2100005303	GAUSE ROGER L		1214 S 7TH ST	WILMINGTON	NC	28401-5732
21000071	PEA LANDING LLC		10554 OCEAN HWY	PAWLEYS ISL	SC	29585-6510
19400010	LONGWOOD PROPERTIES LLC		PO BOX 70247	MYRTLE BEACH	SC	29572-0023

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
21000055	COASTAL CAROLINA TIMBER MGMT LLC		302 LIBERTY STREET	WHITEVILLE	NC	28472

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	LENNAR CAROLINAS, LLC		1359 21ST AVE NORTH, SUITE 105	MYRTLE BEACH	SC	29577



BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422
www.brunswickcountync.gov/planning • (910)253-2025

November 8, 2024

Thomas and Hutton Engineering
611 Burroughs and Chapin Blvd.
Myrtle Beach, SC 29577

**RE: Fox Hollow Planned Development
File # PD-141**

To Whom It May Concern:

The Technical Review Committee (TRC) at their November 6, 2024 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- Please indicate the true width of the proposed buffers. In many areas the width appears to be greater than 30 feet.
- Please Note the 0.6 opacity street buffer.
- Please note any wetland buffer minimum widths on the site plan.
- Please note that a TIA or Warrant Analysis is required prior to the Planning Board hearing.
- Please note that planning staff encourages preserving trees in all passive open space areas.
- Please note that a neighborhood meeting is required per UDO Section 9.2.

Comments from Stormwater

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

- A Sedimentation & Erosion Control Permit issued by NCDEMLR will be required.
- Note 3A under Exceptional Design Standards needs to be revised to state that the post-development peak flow rates shall not exceed the predevelopment conditions for the 1-, 10- and 25-year design events.
- Show and label the required 30-foot riparian buffer on both sides of the blue line stream

Comments from Engineering

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

- Existing 8" watermain on Pea Landing Road.
- Existing 12" high pressure forcemain on Hwy 17 available for connection (the pump station and forcemain from the school is not able to be connected too).
- 8" watermain and 8" gravity sewer (our preferred sewer) shown on plans along with pump station and forcemain; if pocket of low pressure sewer – additional easement



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/setback would be needed on lots and a polymer concrete connecting manhole would be required.

- Another development is proposed directly across the street – may want to reach out about cost share on forcemain installation.
- Fire Hydrants at each entrance and every 500' throughout subdivision.
- One gravity clean-out and a double water meter box/(2) single water meter boxes required per lot.
- Odor Control requirement would be determined in plan review.
- NCDOT Encroachment required (Primary/Secondary?).

Comments from Floodplain Administrator

Jim Paggioli – 910-253-2054 – james.paggioli@brunswickcountync.gov

- 1) The development occurs within current effective FIRM mapping Zone X. The drain way located within Open Space #11 is the outlet for proposed storm water from the proposed PD-138 Pea Landing Tract. Road Crossing culverts for this area should be designed to not be impacted by the 100 year storm flow from upstream development out flow.
- 2) The Wetland area are depicted on the NCEM Advisory mapping to be within the AE Flood Zones. As such it is recommended that the lots adjacent to these area be elevated to at least 2 feet above the BFE of the adjacent wetland area. Easterly Lots BFE=37, Lot grade to be not less than 39.0'; Mid Development BFE 36.0', Lot grade not less than 38.0'; Rear Portion BFE BFE 35.4, Lot Grade not less than 37.4'.
- 3) Pump Station Control Panel to be not below 38.0 and Wet Well cover not less than elevation 38.0'.

Comments from Fire Code Official

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

- No hydrant plan given. Fire hydrants spaced at 500 feet with no point to exceed 250 feet at any point in road. Fire hydrants should not be put at end of dead end roads if can be put at intersection to meet distance requirements.
- Fire hydrant will be required to flow 1,000 GPM for residential, commercial minimum is 1,500 GPM. A development permit will be required for site and utility plans. Please include road names for those plans 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 review the "Development / Subdivision Fire approval Guidance document located at the following link.

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

- Final plat will require fire approval.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on November 15, 2024.

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

Sincerely,

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

Marc A. Pages
Brunswick County Principal Planner



**Planned Development (PD)
Application and Checklist**
Fee: \$1,000 (Brunswick County Jurisdiction)
\$968 (City of Northwest Jurisdiction)
 Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # _____	Invoice # _____
Date Received: _____	
Northwest Jurisdiction <input type="checkbox"/> YES <input type="checkbox"/> NO	

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

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

Property Owner	Name	Coastal Carolina Timber Mgmt LLC	Phone	
	Address	302 Liberty Street	Fax	
	City, St, Zip	Whiteville, NC 28472	Email	

Applicant or Representative	Name	Lennar Carolinas LLC	Phone	(843) 901-8360
	Address	1359 21st Ave North, Suite 105	Fax	
	City, St, Zip	Myrtle Beach, SC 29577	Email	Sean Knudsen <sean.knudsen@lennar.com> Nathan Pound <pound.n@tandh.com> Ida Hussey <hussey.i@tandh.com>

Property Information	Address	Fox Hollow
	Tax Parcel(s)	Parcel ID: 21000055 Parcel PIN: 103700741827
	Acreage	+/- 76.9 AC
	Current Zoning	CO-R-7500
	Public Utilities Available?	<input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Sewer

Project Information	Project Name	Fox Hollow
	Modification or Expansion Of Existing PD?	Yes <input checked="" type="checkbox"/> No
	Single Family Acres	+/- 76.9 Lots 166
	Multi-Family Acres	N/A Units N/A
	Commercial Acres	N/A

Authorization	Property Owner Signature		Date	10/9/24
	Applicant/Representative Signature		Date	10/9/24

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

Planned Development Checklist

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-142

Applicant: BRD Land and Investment

Project Name: King Tract

Property Location: Whiteville Road (NC 130)

Parcel Number: 16300024, 16300025, 16300033, 1630003302, 1630003303, 1630003304, 1630002502, 1640000602, 16400006, & 16400008

Zoning District: RR (Rural Residential)
RR Density Maximum – 2.9 Dwelling Units per Acre (with water and sewer)
The Rural Low Density Residential District is intended to accommodate nonresidential agricultural uses and low density residential development, as well as limited nonresidential uses that are supportive of the County's traditional agricultural orientation including farming, silviculture operations and related activities. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal, respectively, although clustered residential development served by public water and wastewater systems may be allowed.

Surrounding Zoning: RR (Rural Residential) and R-7500 (Medium Density Residential)

Proposed Use: King Tract is a proposed planned development, consisting of 1,800 single family units on approximately 642 acres, creating an overall density of 2.80 dwelling units per acre.

Approval Criteria

- The majority of surrounding uses consist of single family residential, agricultural, and vacant lands.
- The Blueprint Brunswick Future Land Use Map denotes this area as RA (Rural Agricultural) and Open Space Conservation 1 (OSC-1).
- 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 128.4 acres. The developer is proposing 153.5 acres of dedicated open space. The developer is also proposing 20.0 acres of recreation space of which 19.3 acres are required.
- The proposed project will generate approximately 14,598 vehicle trips per 24-hour weekday volume. A TIA (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. There are no road capacity deficiencies for Whiteville Road.

- The Exceptional Design elements to be included in the project are as follows:
 1. The developer is proposing 153.5 acres of open space where as 128.4 acres are required.
 2. 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.
 3. The developer has agreed to dedicate 4 acres of land for public use such as a future Fire/EMS Station.
 4. The wetlands shall be placed in a conservation easement.
 5. A 30-foot 0.6 opacity street buffer is proposed adjacent to Whiteville Road.
 6. Sidewalks to be provided on a minimum of one side of the road throughout the development.
 7. Individual driveways fronting on the spine road shall be limited
 8. The stormwater ponds will be constructed to the 100-year storm event.
 9. All lots shall be outside of the AE Flood Zone.
 10. A minimum 30-foot vegetated buffer shall be provided adjacent to all wetlands.
- The design flexibility elements requested for the project are as follows:
 1. Reduction in lot dimensions.
 2. Reductions in setbacks.
- No proposed structures are to be in a flood hazard zone and all wetlands have been indicated on the site plan.
- The developer has provided a preliminary threatened and endangered species report (enclosed) and submitted it to the US Fish and Wildlife Service.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- TRC was held on November 6, 2024.
- A neighborhood meeting was held on December 13, 2024.

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

Staff recommends approval based on the following conditions:

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

**Brunswick County
Planning Board
Planned Development
King Tract
Case PD-142
Zoning Map**

CO = County Zoning

Project Site
Parcels 16300024, 16300025, 16300033,
1630003302, 1630003303, 1630003304,
1630002502, 164000602,
16400006, 16400008

CO-R-7500

CO-CLD

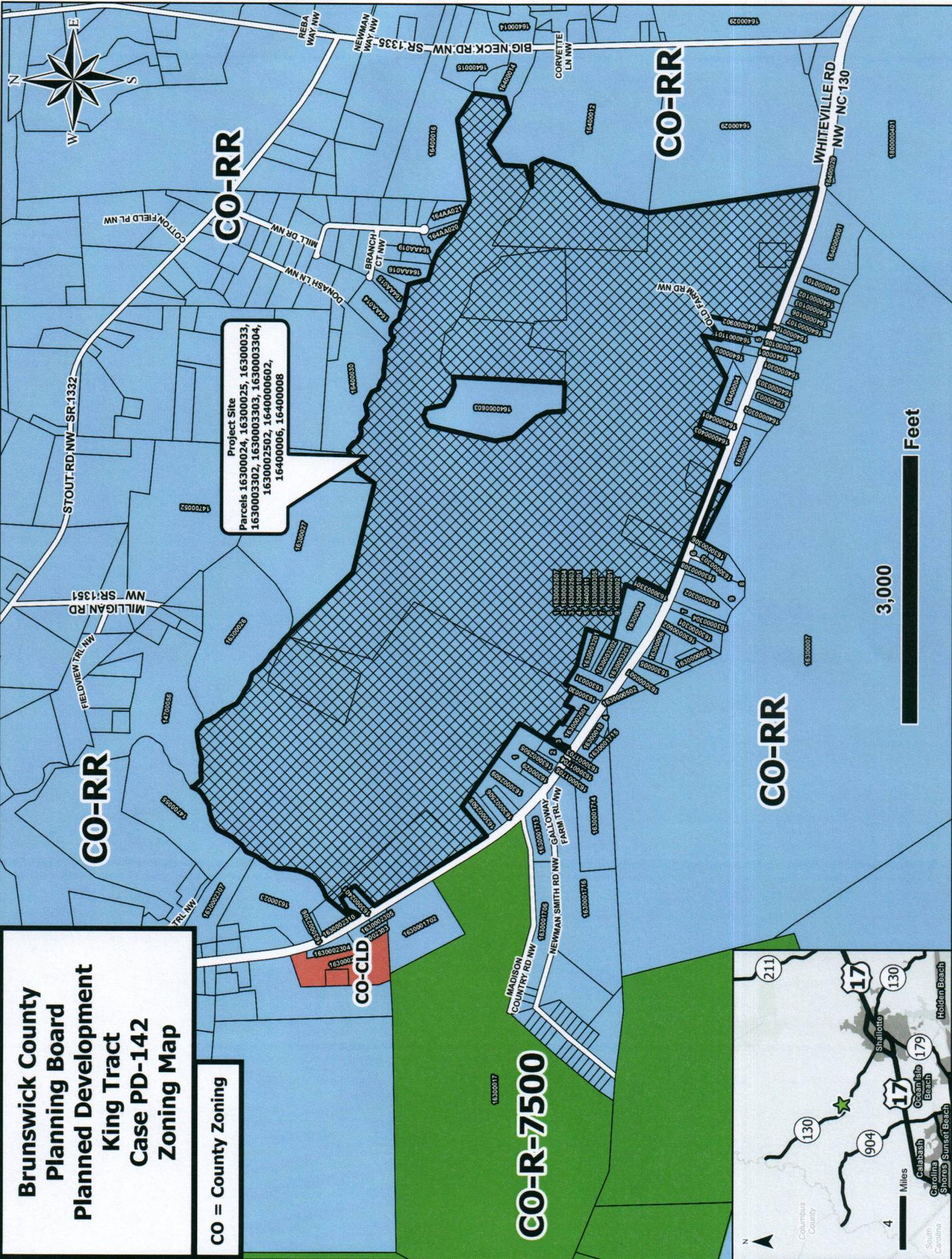
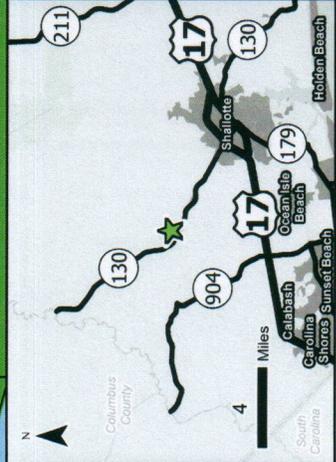
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CO-RR

CO-RR

CO-RR

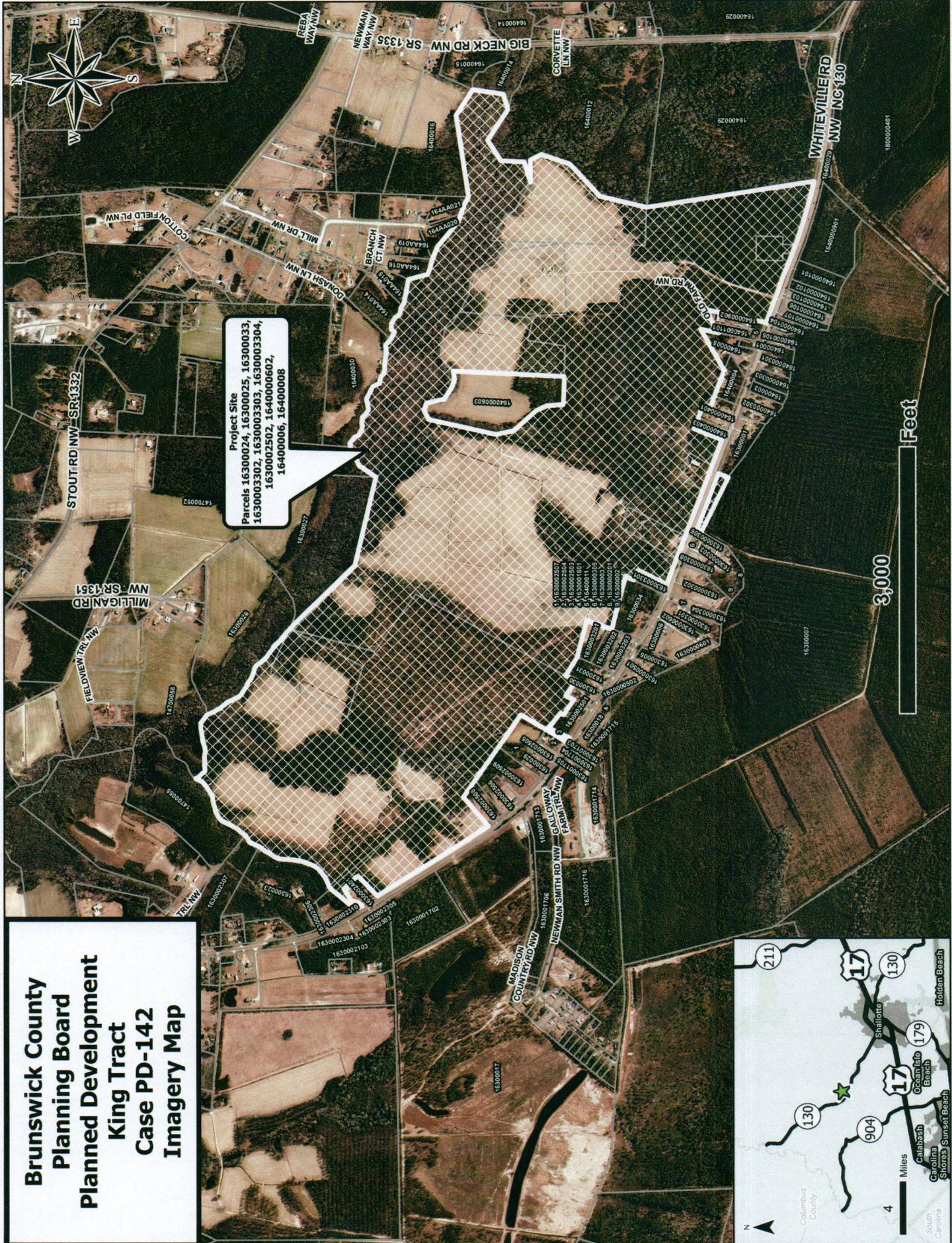
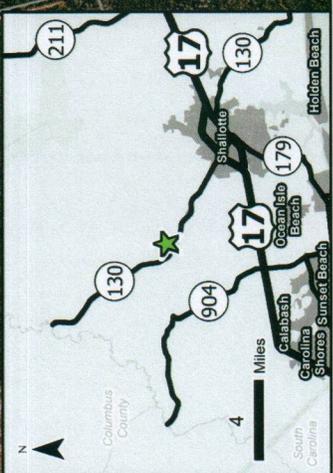
3,000 Feet



**Brunswick County
 Planning Board
 Planned Development
 King Tract
 Case PD-142
 Imagery Map**

Project Site
 Parcels 16300024, 16300025, 16300033,
 1630003302, 1630003303, 1630003304,
 1630002502, 1640000602,
 16400006, 16400008

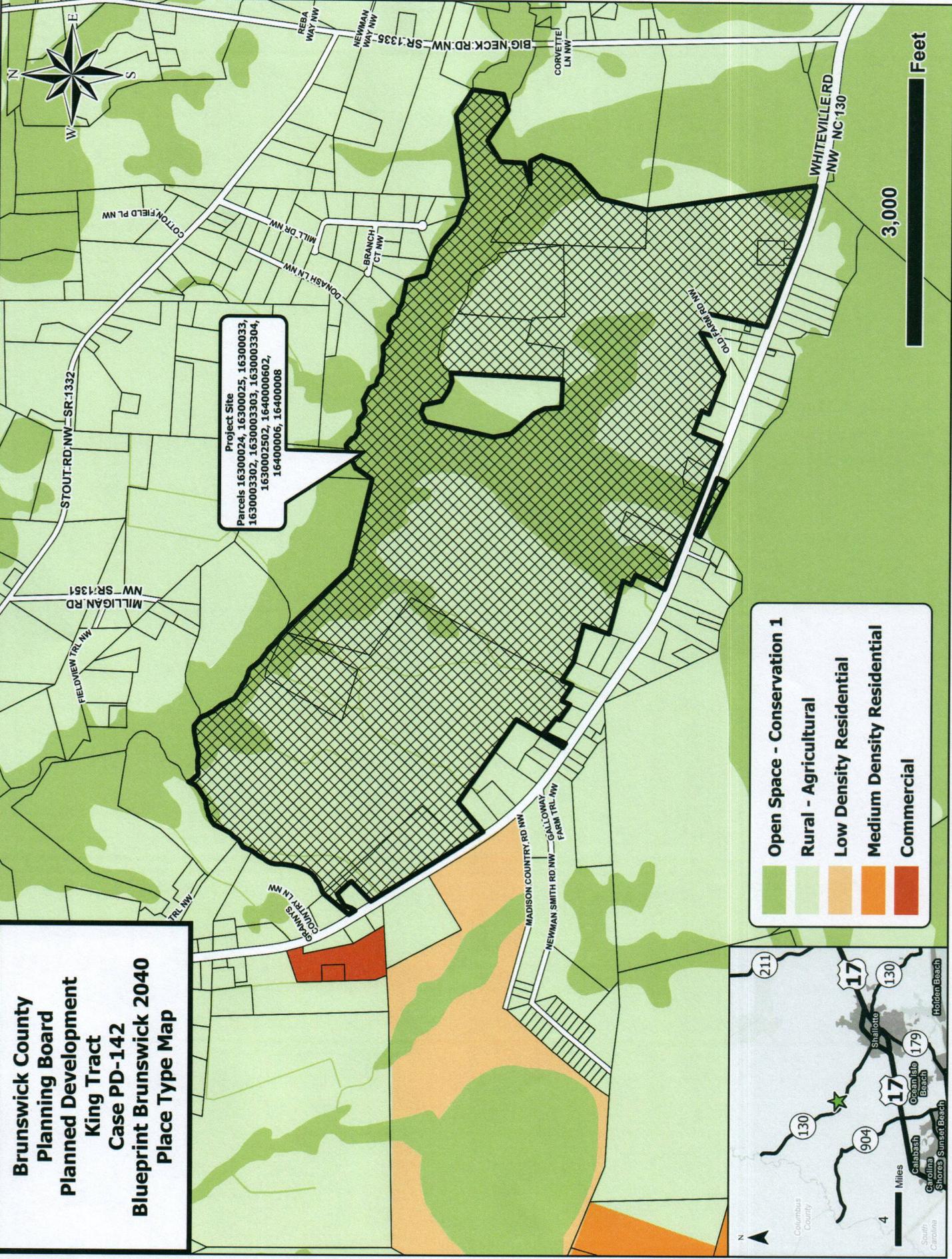
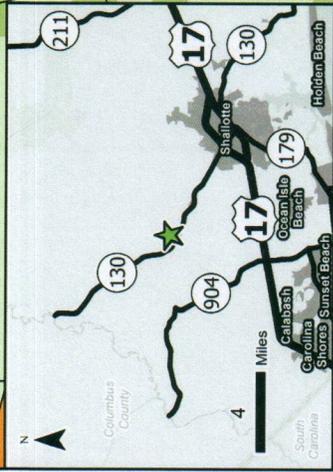
3,000 Feet



**Brunswick County
Planning Board
Planned Development
King Tract
Case PD-142
Blueprint Brunswick 2040
Place Type Map**

Project Site
 Parcels 16300024, 16300025, 16300033,
 163000302, 163000303, 163000304,
 1630002502, 164000602,
 16400006, 16400008

Open Space - Conservation 1
Rural - Agricultural
Low Density Residential
Medium Density Residential
Commercial

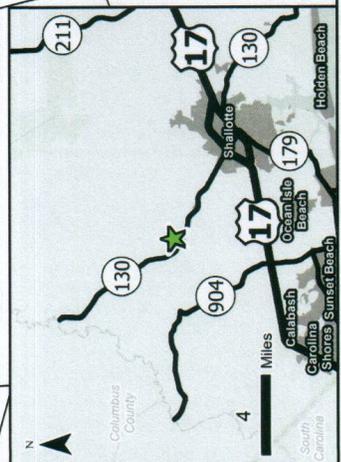


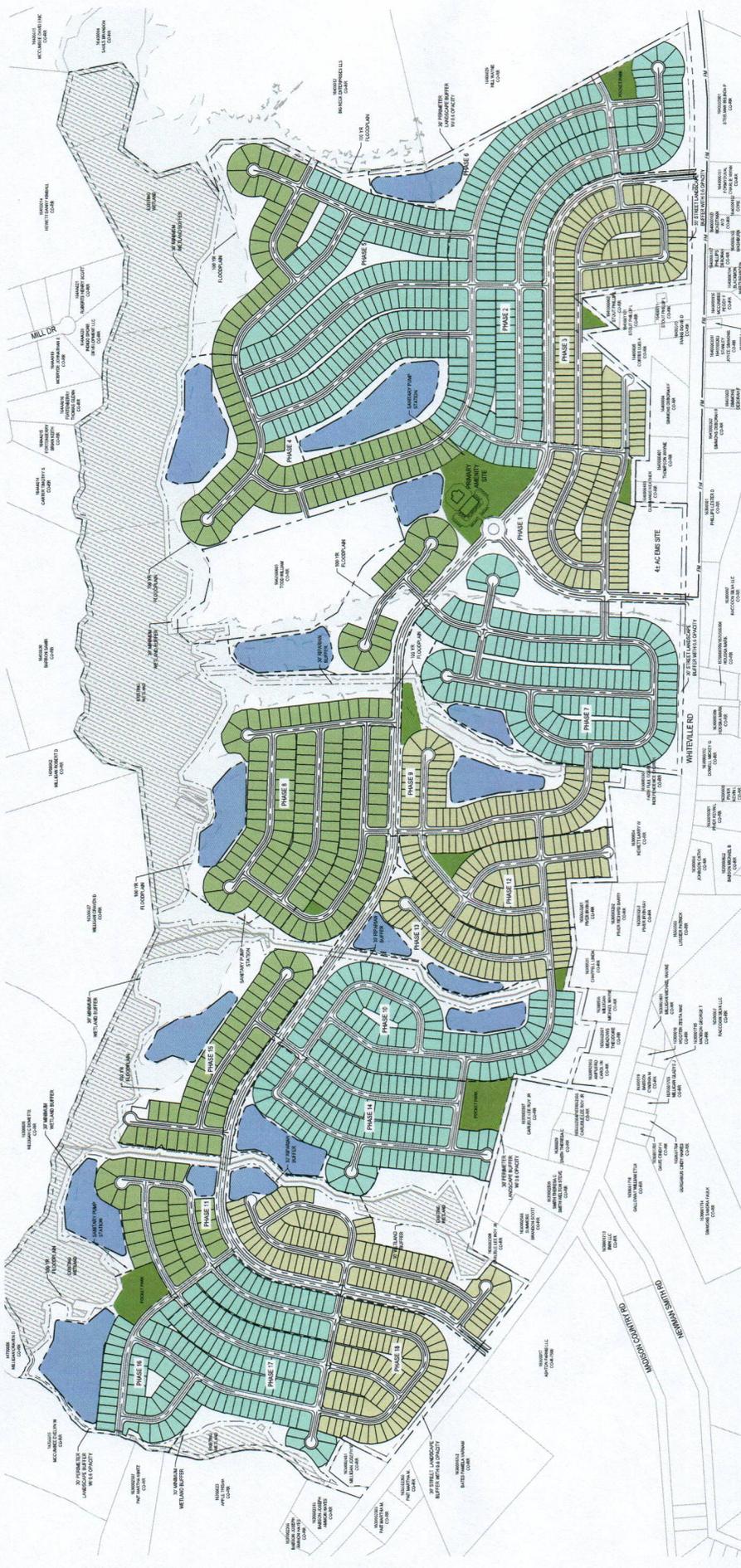
**Brunswick County
 Planning Board
 Planned Development
 King Tract
 Case PD-142
 Flood Hazards Map**

Project Site
 Parcels 16300024, 16300025, 16300033,
 1630003302, 1630003303, 1630003304,
 1630002502, 1640000602,
 16400006, 16400008

Shaded X

	A
	AE
	AEFW
	AO
	VE





- GENERAL NOTES**
1. ALL PHASES SHALL BE DEVELOPED IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
 2. COUNTY WAREHOUSE DEVELOPMENT SHALL BE OBTAINED PRIOR TO ANY CONSTRUCTION ACTIVITY.
 3. THERE SHALL BE A 10' BUFFER ZONE BETWEEN PHASES AND EXISTING ADJACENT DEVELOPMENT.
 4. ALL PHASES SHALL BE DEVELOPED IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
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 14. ALL PHASES SHALL BE DEVELOPED IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
 15. ALL PHASES SHALL BE DEVELOPED IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.

- EXCEPTIONAL DESIGN STANDARDS**
1. MATERIALS AND FINISHES SHALL BE AS SPECIFIED IN THE SUBMITTED PHASE PLANS.
 2. THE DESIGN SHALL BE IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
 3. THE DESIGN SHALL BE IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
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 14. THE DESIGN SHALL BE IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.
 15. THE DESIGN SHALL BE IN ACCORDANCE WITH THE SUBMITTED PHASE PLANS.

LEGEND

44-AC OASIS SITE	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	PHASE 7	PHASE 8	PHASE 9	PHASE 10	PHASE 11	PHASE 12	PHASE 13	PHASE 14	PHASE 15
...

DATE: 11/26/24
PROJECT: BRD LAND & INVESTMENT KING TRACT
CLIENT: BRUNSWICK COUNTY, NC
SCALE: 1" = 300'
DESIGNED BY: STILLWATER ENGINEERS
CHECKED BY: [Name]
APPROVED BY: [Name]



**TRAFFIC IMPACT
ANALYSIS
FOR
KING TRACT
LOCATED IN
BRUNSWICK COUNTY, NC**

Prepared For:

BRD Land & Investment
234 Kinsley Park Drive, Suite 110
Fort Mill, SC

Prepared By:

DRMP, Inc.
License #F-1524

8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the King Tract development to be located along the north side of NC 130 and west of Big Neck Road NW in Brunswick County, North Carolina. The proposed development is anticipated to be completed in three phases. Phase 1, assumed to be completed in 2030, is assumed to consist of 279 single family homes. Site access for phase 1 is proposed via one full movement driveway along NC 130. Phase 2, assumed to be completed in 2033, is assumed to consist of 731 single family homes. Site access for phase 2 is proposed via two full movement driveways along NC 130. Full-build, assumed to be completed in 2035, is assumed to consist of 1,825 single family homes. Site access for full-build is proposed via three full movement driveways along NC 130.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2024 Existing Traffic Conditions
- 2030 No-Build Traffic Conditions
- 2033 No-Build Traffic Conditions
- 2035 No-Build Traffic Conditions
- 2030 Build Traffic Conditions
- 2033 Phase 2 Build Traffic Conditions
- 2035 Full-Build Traffic Conditions

Trip Generation

Primary site trips are expected to generate approximately 190 trips (47 entering and 143 exiting) during the weekday AM peak hour and 261 trips (164 entering and 97 exiting) during the weekday PM peak hour for phase 1. For phase 2, primary site trips are expected to generate approximately 455 trips (114 entering and 341 exiting) during the weekday AM peak hour and 645 trips (406 entering and 239 exiting) during the weekday PM peak hour. For full-build, primary site trips are expected to generate approximately 1,047 trips (262 entering and 785 exiting) during the weekday AM peak hour and 1,524 trips (960 entering and 564 exiting) during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions with the exception of the intersections listed below. A summary of the study area intersections that are expected to need improvements are as follows:

NC 130 and Big Neck Road NW

A traffic signal was considered at this intersection, and full-build (2035) traffic volumes were analyzed utilizing the criteria contained in the MUTCD. A traffic signal was warranted during the weekday AM peak hour. The intersection is expected to meet the AM peak hour warrant under the future full-build (2035) condition. It is recommended that the intersection is monitored for signalization in the future.

9. RECOMMENDATIONS

The following improvements are necessary to meet NCDOT and/or Town guidelines and standards. Some of the improvements may not be feasible to construct due to right-of-way limitations or utility impacts; however, more detailed design would be required to determine the constructability of the improvements. If improvements cannot be constructed, additional analysis may be necessary to determine alternative improvements. Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 9 for an illustration of the recommended lane configuration for the proposed development.

NCDOT Improvements

NC 130 and US 17 Northbound Ramps / Visitor Center Driveway

- Install adaptive coordinated traffic signal.
- Construct southbound right-turn lane with appropriate decel and taper.

NC 130 and US 17 Northbound Ramps / Visitor Center Driveway

- Install adaptive coordinated traffic signal.
- Construct northbound right-turn lane with appropriate decel and taper.

Recommended Improvements by Developer

2030 Phase 1

NC 130 and Site Drive 1

- Construct southbound approach with one ingress lane and two egress lanes.
- Construct southbound right-turn lane with at least 50 feet of storage with appropriate decel and taper.
- Provide stop control for southbound approach.
- Construct westbound right-turn lane with at least 100 feet of storage with appropriate decel and taper.

2033 Phase 2

NC 130 and Site Drive 2

- Construct southbound approach with one ingress lane and two egress lanes.
- Construct southbound right-turn lane with at least 50 feet of storage with appropriate decel and taper.
- Provide stop control for southbound approach.
- Construct westbound right-turn lane with at least 150 feet of storage with appropriate decel and taper.

2035 Full-Build

US 17 Business & NC 130

- Extend eastbound left-turn lane to at least 300 feet of storage with appropriate decel and taper.
- Extend eastbound right-turn lane to at least 200 feet of storage with appropriate decel and taper.
- Modify coordinated signal timings.

NC 130 and US 17 Northbound Ramps / Visitor Center Driveway

- Extend southbound right-turn lane to at least 350 feet of storage with appropriate decel and taper.
- Construct additional eastbound left-turn lane with at least 150 feet of storage with appropriate decel and taper.
- Construct additional northbound receiving lane with at least 800 feet of storage with appropriate decel and taper.
- Modify adaptive coordinated signal timings.

NC 130 and US 17 Southbound Ramps / Shallotte Manor Apartments Driveway

- Construct eastbound right-turn lane with at least 50 feet of storage and appropriate decel and taper.
- Construct northbound left-turn lane with at least 450 feet of storage and appropriate decel and taper.

- Construct additional westbound receiving lane with at least 900 feet of storage and appropriate decel and taper.
- Modify adaptive coordinated signal timings.

NC 130 and Big Neck Road NW

- Construct eastbound left-turn lane with at least 50 feet of storage and appropriate decel and taper.
- Monitor intersection for signalization and install traffic signal when warranted. Coordinate with NC 130 and Site Drive 1 intersection and NC 130 and Site Drive 2 intersection.

NC 130 and Site Drive 1

- Construct eastbound left-turn lane with at least 75 feet of storage with appropriate decel and taper.
- Increase westbound right-turn lane to at least 150 feet of storage with appropriate decel and taper.
- Install traffic signal and coordinate with NC 130 and Site Drive 2 intersection and NC 130 and Big Neck Road NW intersection.

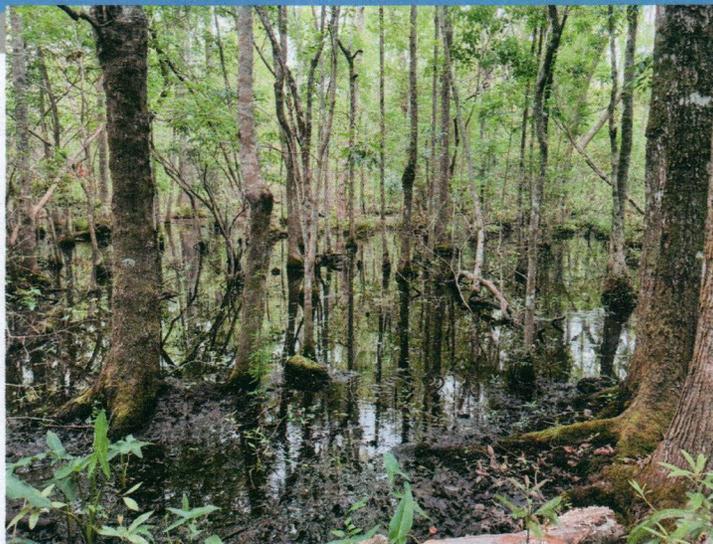
NC 130 and Site Drive 2

- Construct eastbound left-turn lane with at least 75 feet of storage with appropriate decel and taper.
- Install traffic signal and coordinate with NC 130 and Site Drive 1 intersection and NC 130 and Big Neck Road NW intersection.

NC 130 and Site Drive 3

- Construct southbound approach with one ingress lane and two egress lanes.
- Construct southbound right-turn lane with at least 50 feet of storage with appropriate decel and taper.
- Provide stop control for southbound approach.
- Construct westbound right-turn lane with at least 125 feet of storage with appropriate decel and taper.
- Construct eastbound left-turn lane with at least 50 feet of storage with appropriate decel and taper.

PRELIMINARY THREATENED AND ENDANGERED SPECIES REVIEW



WET ASH PROPERTIES
OLD FARM ROAD NW
ASH, BRUNSWICK COUNTY, NORTH CAROLINA

ECS PROJECT NO. 49:22826

FOR STILLWATER DEVELOPMENT

MAY 23, 2024





ECS Southeast, LLC

Geotechnical • Construction Materials • Environmental • Facilities

"One Firm. One Mission."

May 23, 2024

Ms. Lizzy Kurre
Stillwater Development
665 Deep Sea Circle
Mount Pleasant, South Carolina, 29464

ECS Project No. 49:22826

Reference: Preliminary Threatened and Endangered Species Review, Wet Ash Properties, Old Farm Road NW, Ash, Brunswick County North Carolina

Dear Ms. Kurre:

ECS Southeast, LLC (ECS) is pleased to submit this Preliminary Threatened and Endangered Species Review for the above-referenced site. ECS services were provided in general accordance with ECS Proposal No. 49:43192P authorized on April 10, 2024.

If there are questions regarding this report, or a need for further information, please contact the undersigned.

ECS Southeast, LLC

Nicholas Nelson
Environmental Senior Project Manager
nnelson@ecslimited.com
910-686-9114

Michelle Measday, CFM, PWS
Environmental Principal
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NC Engineering No. F-1519 NC Geology No. C-553 SC Engineering No. 3239

ECS Florida, LLC • ECS Mid-Atlantic LLC • ECS Midwest, LLC • ECS Pacific, Inc. • ECS Southeast, LLC • ECS Southwest, LLP
ECS New York Engineering, PLLC - An Associate of ECS Group of Companies • ecslimited.com

"ONE FIRM. ONE MISSION."

1.0 BACKGROUND INFORMATION

1.1 Project Study Area

This report presents the findings of a Preliminary Threatened and Endangered Species Review conducted by ECS Southeast, LLC (ECS) for Stillwater Development at the Wet Ash Properties site located off Old Farm Road NW in Ash, Brunswick County, North Carolina. According to the Brunswick County Online GIS Database website, the Parcel Identification Numbers (PINs) are: 1630003304 (365.39 acres), 1630003303 (2.13 acres), 16300033 (1.86 acres), 1630003302 (4.25 acres), 16300025 (166.30 acres), 16300024 (14.93 acres), and 1630002502 (12.56 acres) (567 acres). The site consists of wooded land, open fields, and single-family residences. Surrounding properties consist of wooded land, open fields, and single-family residences. Based on the United States Geological Survey (USGS) Topographic Map, the South Prong of Wet Ash Swamp is depicted on site.

ECS understands that the property will be developed with a residential development.

1.2 1973 Endangered Species Act

Congress passed the Endangered Species Act (ESA) in 1973 (Act). The purpose of the Act is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife.

Under the Act, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. For the purposes of the Act, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments.

Section 4(d) of the Act authorizes the USFWS to administer regulations necessary to conserve species listed as threatened. This applies particularly to "take," which can include any act that kills or injures threatened species and may include habitat modification. The ESA prohibits any take of species listed as endangered. Take that does not interfere with survival and recovery of threatened species may be allowed.

Protection from disturbance differs between federally listed endangered and threatened plant and animal species. No penalties are assessed if endangered or threatened plant species are harmed while conducting legal land management practices on private lands, whereas the taking of an endangered or threatened animal species, or destruction of critical habitat, either by intent or negligence, is subject to prosecution under Section 9 of the Endangered Species Act. Conversely, the take of endangered or threatened plants on land under federal jurisdiction (which includes private land under

1.3 NC Endangered Species Act and Plant Protection and Conservation Act – General Statutes

The NC Endangered Species Act prohibits the taking of state listed species (G.S. Chapter 106, Article 19B and 113, Article 25). The Act also states that it does not limit the rights of a landowner in the lawful management of his/her land.

G.S. Chapter 106, Article 19B states, “[u]nless the conduct is covered under some other provision of law providing greater punishment, it is unlawful to engage in any of the following conduct:

- (1) To uproot, dig, take or otherwise disturb or remove for any purpose from the lands of another, any plant on a protected plant list without a written permit from the owner which is dated and valid for no more than 180 days and which indicates the species or higher taxon of plants for which permission is granted; except that the incidental disturbance of protected plants during agricultural, forestry or development operations is not illegal so long as the plants are not collected for sale or commercial use.
- (2) To sell, barter, trade, exchange, export, offer for sale, barter, trade, exchange or export or give away for any purpose including advertising or other promotional purpose any plant on a protected plant list, except as authorized according to the rules and regulations of the Board.”

Under G.S. Chapter 113, Article 25, “[i]t is unlawful:

- (1) To take, possess, transport, sell, barter, trade, exchange, export, or offer for sale, barter, trade, exchange or export, or give away for any purpose including advertising or other promotional purpose any animal on a protected wild animal list, except as authorized according to the regulations of the Commission, including those promulgated pursuant to G.S. §113-333(1); and
- (2) To perform any act specifically prohibited by the regulations of the Commission promulgated pursuant to its authority under G.S. §113-333.”

2.0 THREATENED & ENDANGERED SPECIES DESKTOP REVIEW & HABITAT ASSESSMENT

2.1 Desktop Review

ECS utilized the USFWS Information Planning and Consultation (IPaC) tool to identify federally listed threatened and/or endangered species with potential to occur within the PSA or general project vicinity.

ECS utilized the NC Natural Heritage Program (NHP) portal for Environmental Professionals to obtain information regarding the program’s knowledge of listed species, and/or associated habitat, and/or other protected and managed areas on site or in the surrounding areas. Based on the information reviewed, No records for federally rare, threatened, and endangered species, natural communities, natural areas, or managed areas were listed as occurring within the PSA; however, Banded Sunfish (*Enneacanthus obesus*, State Significantly Rare) and Venus Flytrap (*Dionaea muscipula*, State Threatened) were listed as having the potential to appear on site. The NC NHP database

identified one record of state/federally endangered species including Red-cockaded Woodpecker (*Dryobates borealis*), one record of state threatened species including Venus Flytrap (*Dionaea muscipula*), three records of state significantly rare species including Coppery Emerald (*Somatochlora georgiana*), Blackbanded Sunfish (*Enneacanthus chaetodon*), and Banded Sunfish (*Enneacanthus obesus*), one record of state Special Concern including Bachman’s Sparrow (*Peucaea aestivalis*), and one record of State Special Concern Vulnerable including Savanna Milkweed (*Asclepias pedicellate*). Three natural communities are located within a one-mile radius of the PSA including Pine/Scrub Oak Sandhill, Pond Pine Woodland, and Wet Pine Flatwoods. One natural area is located within a one-mile radius of the PSA including Long Bays Savanna and Carolina Bays. No managed areas are located within a one-mile radius of the PSA. A copy of the NC NHP response letter is included as an attachment.

Additional species- and site-specific details are reflected in the table below and summarized in the narratives, thereafter.

Common Name Scientific Name	Listing Status	Preferred Habitat	Potential Habitat Present?	USFWS Optimal Survey Window
Northern Long-eared bat <i>Myotis septentrionalis</i>	FE; SE	Northern Long-eared bat (NLEB) spend winter hibernating in caves and mines. During the summer, NLEB roost singly or in colonies underneath bark, in cavities, or in crevices of both live and dead trees. This bat also been found, rarely, roosting in structures like barns and sheds, under eaves of buildings, behind window shutters, in bridges, and in bat houses.	Yes	April 15 – September 15
Tricolored Bat <i>Perimyotis subflavus</i>	PFE	During spring, summer, and fall, tricolored bats are found in forested habitats where they roost in trees, primarily among leaves of live or recently dead deciduous hardwood trees, but are also found in Spanish moss, pine trees, and occasionally human structures. During the winter, tricolored bats are often found in caves and abandoned mines.	Yes	May 15 – August 15
Piping plover <i>Charadrius melodus</i>	FT; ST	The piping plover nest most commonly where there is little or no vegetation, but some may nest in stands of beach grass. The nest is a shallow depression in the sand that is usually lined with shell fragments and light-colored pebbles.	No	April – late-August
Red-Cockaded Woodpecker <i>Picoides borealis</i>	FT; SE	For nesting and roosting habitat, red-cockaded woodpeckers (RCW) need open stands of pine containing trees 60 years old and older. RCWs need live, large older pines in which to excavate their cavities. Foraging habitat is provided in pine and pine hardwood stands 30 years old or older with foraging preference for pine trees 10 inches or larger in diameter.	No	Year Round; November – early March (optimal)



Rufa Red Knot <i>Calidris canutus rufa</i>	FT; ST	Habitats used by red knots in migration and wintering areas are similar in character: coastal marine and estuarine habitats with large areas of exposed intertidal sediments. Red knots are commonly found along sandy, gravel, or cobble beaches, tidal mudflats, salt marshes, shallow coastal impoundments and lagoons, and peat banks. Ephemeral features such as sand spits, islets, shoals, and sandbars, often associated with inlets can be important habitat for roosting.	No	May - September
Wood Stork <i>Mycteria americana</i>	FT	Storks are birds of freshwater and estuarine wetlands, primarily nesting in cypress or mangrove swamps. They feed in freshwater marshes, narrow tidal creeks, or flooded tidal pools. Particularly attractive feeding sites are depressions in marshes or swamps where fish become concentrated during periods of falling water levels.	No	April 15 - July 15
American Alligator <i>Alligator mississippiensis</i>	FT; ST	Alligators are usually found in freshwater, slow-moving rivers. They also live in swamps, marshes and lakes.	No	Year Round
Green Sea Turtle <i>Chelonia mydas</i>	FT; ST	The green sea turtle can be found in shallow waters. They are attracted to lagoons, reefs, bays, mangrove swamps, and inlets where an abundance of marine grasses can be found, as this is the principal food source for the green turtle.	No	April 1 - August
Kemp's Ridley Sea Turtle <i>Lepidochelys kempii</i>	FE; SE	Kemp's ridley sea turtles prefer beach sections that are backed up by extensive swamps or large bodies of open water having seasonal narrow ocean connections and a well-defined elevated dune area. The species prefers neritic areas with sandy or muddy bottoms	No	April 1 - August
Leatherback Sea Turtle <i>Dermochelys coriacea</i>	FE; SE	Leatherback sea turtle nesting occurs from April to August. They need sandy beaches backed with vegetation in the proximity of deep water and generally with rough seas. Beaches with a relatively steep slope are usually preferred.	No	April 1 - August



Loggerhead Sea Turtle <i>Caretta caretta</i>	FT; ST	Loggerheads occasionally nest on North Carolina beaches and are the most common of all the sea turtles that visit the North Carolina coast. They nest between May and September, on isolated beaches that are characterized by fine-grained sediments. In near shore areas, loggerheads have been observed in bays, lagoons, salt marshes, creeks, ship channels, and mouths of large rivers. Coral reefs, rocky places, and shipwrecks are often used as foraging areas.	No	April 1 - August
Magnificent Ramshorn <i>Planorbella magnifica</i>	FE; SE	The snail is adapted to still or slow-flowing aquatic habitats, and lays eggs on spatterdock and lily pads. Salinity and pH appear to have been major factors limiting the distribution of the magnificent ramshorn, as the snail prefers freshwater bodies with pH within the range of 6.8-7.5.	No	
Cooley's Meadowrue	FE; SE	Cooley's meadowrue, documented in the Pine Savanna natural community, in sunny, moist to wet grass-sedge bogs, wet-pine savannas, and savannah-like areas, often at the ecotones of intermittent drainages or non-riverine swamp forests. This rhizomatous perennial herb is also found along plowed firebreaks, roadside ditches and right-of-way, forest clearings dominated by grass or sedge, and power line or utility rights-of-way. The species requires some type of disturbance (e.g., mowing, cleaning, periodic fire) to maintain its open habitat.	No	Mid-June - early July
Rough-leaved Loosestrife	FE; SE	Rough-leaved loosestrife generally occurs in the ecotones or edges between longleaf pine uplands and pond pine pocosins in dense shrub and grown on moist to seasonally saturated sands and on shallow organic soils overlaying sand. Occurrences are found in such disturbed habitats as roadside depressions, maintained power and utility line rights-of-way, firebreaks, and trails. The species prefers full sunlight, is shade intolerant, and requires areas of minimal disturbance	No	Mid-May - September
P = Proposed; F = Federal; S = State; T = Threatened; E = Endangered				

2.2 Species & Habitat Descriptions

Northern Long-eared Bat:

The Northern long-eared bat (NLEB) is a medium sized bat approximately three to 3.7 inches in length with a wingspan of nine to ten inches in length. The name comes from the characteristic long ears that distinguish this bat species from other species of bats.



In North Carolina, the Northern long-eared bat (NLEB) occurs in the mountains, with scattered records in the Piedmont and coastal plain. In western North Carolina, NLEB spend winter hibernating in caves and mines. Since this species is not known to be a long-distance migrant, and caves and subterranean mines are extremely rare in eastern North Carolina, it is uncertain whether or where NLEB hibernate in eastern North Carolina. During the summer, NLEB roost singly or in colonies underneath bark, in cavities, or in crevices of both live and dead trees (typically ≥ 3 inches dbh). Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat also been found, rarely, roosting in structures like barns and sheds, under eaves of buildings, behind window shutters, in bridges, and in bat houses. Foraging occurs on forested hillsides and ridges, and occasionally over forest clearings, over water, and along tree-lined corridors. Mature forests may be an important habitat type for foraging.

Tricolored Bat:

The tricolored bat is a small insectivorous bat that is distinguished by its unique tricolored fur and often appears yellowish to nearly orange, typically dark at the base, lighter in the middle and dark at the tip. This species is typically 3-3.5 inches long and approximately 7-8 grams in weight.

During the spring, summer and fall (non-hibernating seasons), tricolored bats primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. In the southern and northern portions of the range, tricolored bats will also roost in Spanish moss (*Tillandsia usneoides*) and *Usnea trichodea* lichen, respectively. In addition, tricolored bats have been observed roosting during summer among pine needles of various pine species (*Pinus spp.*), eastern red cedar (*Juniperus virginiana*), within artificial roosts like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female tricolored bats return yearly to the same summer roosting locations. Female tricolored bats form maternity colonies and switch roost trees regularly, while males roost singly.

During the winter, tricolored bats hibernate in caves and mines. In the southern United States, where caves are sparse, tricolored bats often hibernate in road-associated culverts and sometimes in tree cavities and abandoned water wells. Tricolored bats exhibit high site fidelity with many individuals returning yearly to the same hibernaculum.

2.3 Onsite Habitat Assessment

ECS personnel conducted the field investigation on April 23, 2024. The PSA was observed to have wooded, and agricultural land, with two active commercial structures. The wooded areas consisted of mixed hardwood and pine species, and generally included black oak (*Quercus nigra*), sweetgum (*Liquidambar styraciflua*), and loblolly pine (*Pinus taeda*).

3.0 CONCLUSIONS & RECOMMENDATIONS

ECS has conducted a preliminary threatened and endangered species determination for the site. Please note that our services did not include detailed studies for threatened and endangered species or historic and archaeological resources.

Tricolored Bat:

Potentially suitable habitat for the tricolored bat is present onsite within the forested area of the PSA. Based on the findings of the onsite habitat assessment, the proposed project may affect potential tricolored bat habitat. **With your authorization, ECS will provide this information to the USFWS and request a “May Affect, Not Likely to Adversely Affect” determination for tricolored bat.**

Currently, this species has not yet been listed as federally threatened or endangered and does not have Section 7 consultation requirements under the Endangered Species Act. On September 14, 2022, the USFWS published a proposal in the Federal Register to list the tricolored bat as endangered under the ESA and has up to 12 months from the date the proposal published to make a final determination, either to list the tricolored bat under the ESA or to withdraw the proposal. Species proposed for listing are not afforded ESA protections; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and “take” will apply.

If the potential new listing goes into effect and project-related activities may affect tricolored bats and/or their habitat (i.e., if clearing or demolition activities have not been completed prior to the new listing, the USFWS will request that clearing be restricted from April 1st through October 15th and, depending on the location of the project site, may recommend performing additional analyses to more accurately determine the possible effects of the project on tricolored bats and whether consultation under Section 7 of the ESA is necessary. Additionally, a tree clearing moratorium between April 1st and October 15th would be issued as a Special Condition in the NWP issued by the USACE. Projects with an existing Section 7 biological opinion may require re-initiation of consultation to provide uninterrupted authorization for covered activities.

Northern Long-eared Bat:

The PSA consists of wooded land, agricultural land and urban buildings. The PSA was examined during the site reconnaissance for potential roost trees. The PSA contains a mix of deciduous and pine trees. No recently dead deciduous or pine trees or snags were noted. Based upon site observations, suitable habitat for the NLEB is not present within the PSA. In addition, based upon the USFWS expanded guidance on suitable habitat released with the new determination key, the attached letter was generated which reached the conclusion of **“may affect, not likely to adversely affect”** determination with the attached concurrence letter generated from IPaC. Based upon the IPaC submission and a standing analysis, the project is not certain to cause incidental take of the northern long-eared bat. Unless the Service advises within 15 days of the date of this letter, dated May 29, 2024, that the IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.



Appendix I: Figures

	<p>Client:</p> 	<p>Project:</p> <p>WET ASH PROPERTIES</p> <p>OLD FARM ROAD NW ASH, BRUNSWICK COUNTY, NORTH CAROLINA</p>	<p>Title:</p> <p>SITE LOCATION MAP</p>	<p>BRUNSWICK COUNTY</p> 	<p>Drawn By: AMC</p> <p>Scale: 1" = 2,000'</p> <p>Approved By: PMS</p> <p>Date: 04/22/2024</p> <p>ECS Project No.: 49: 22826</p>
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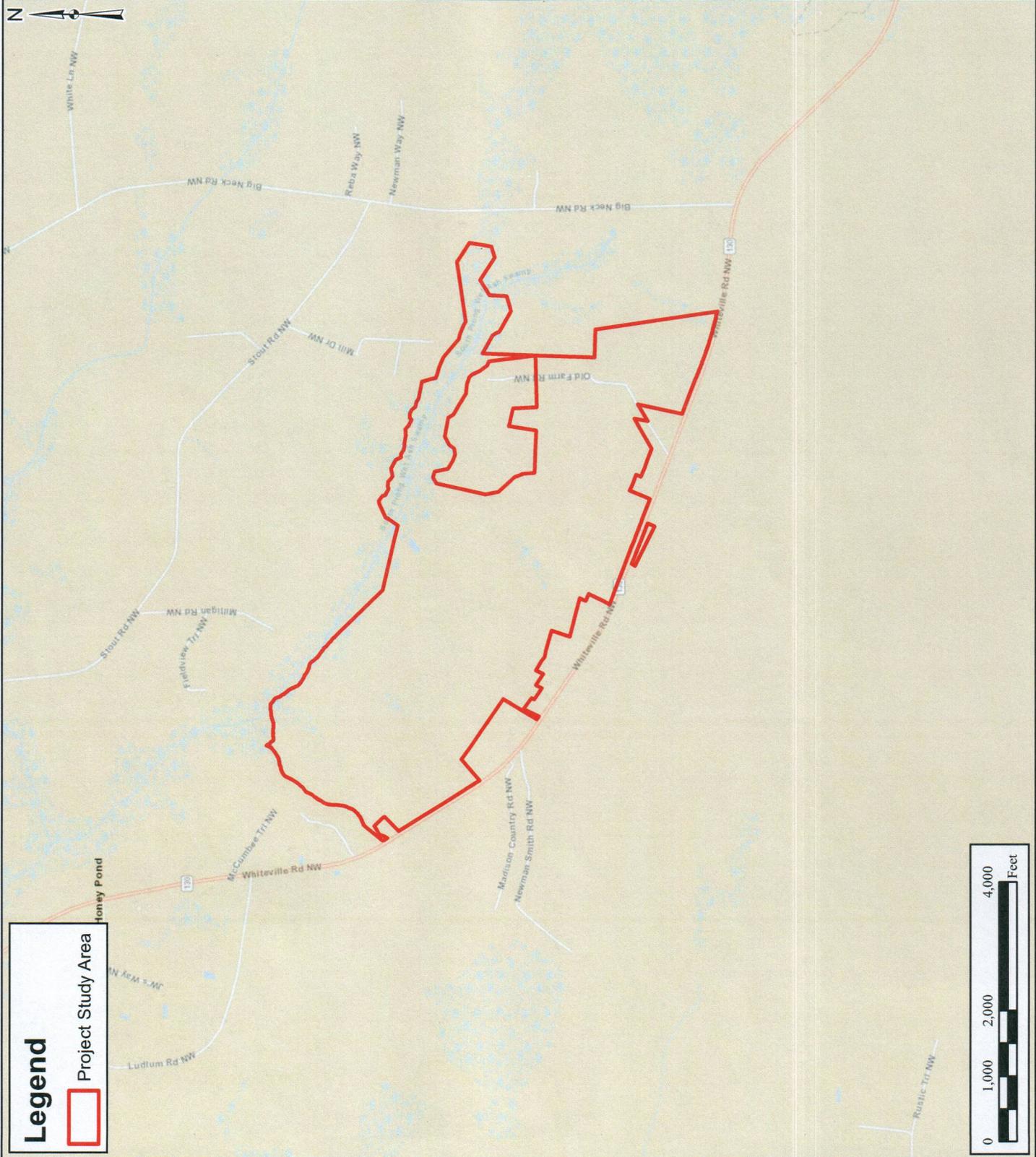


FIGURE 1



Client:



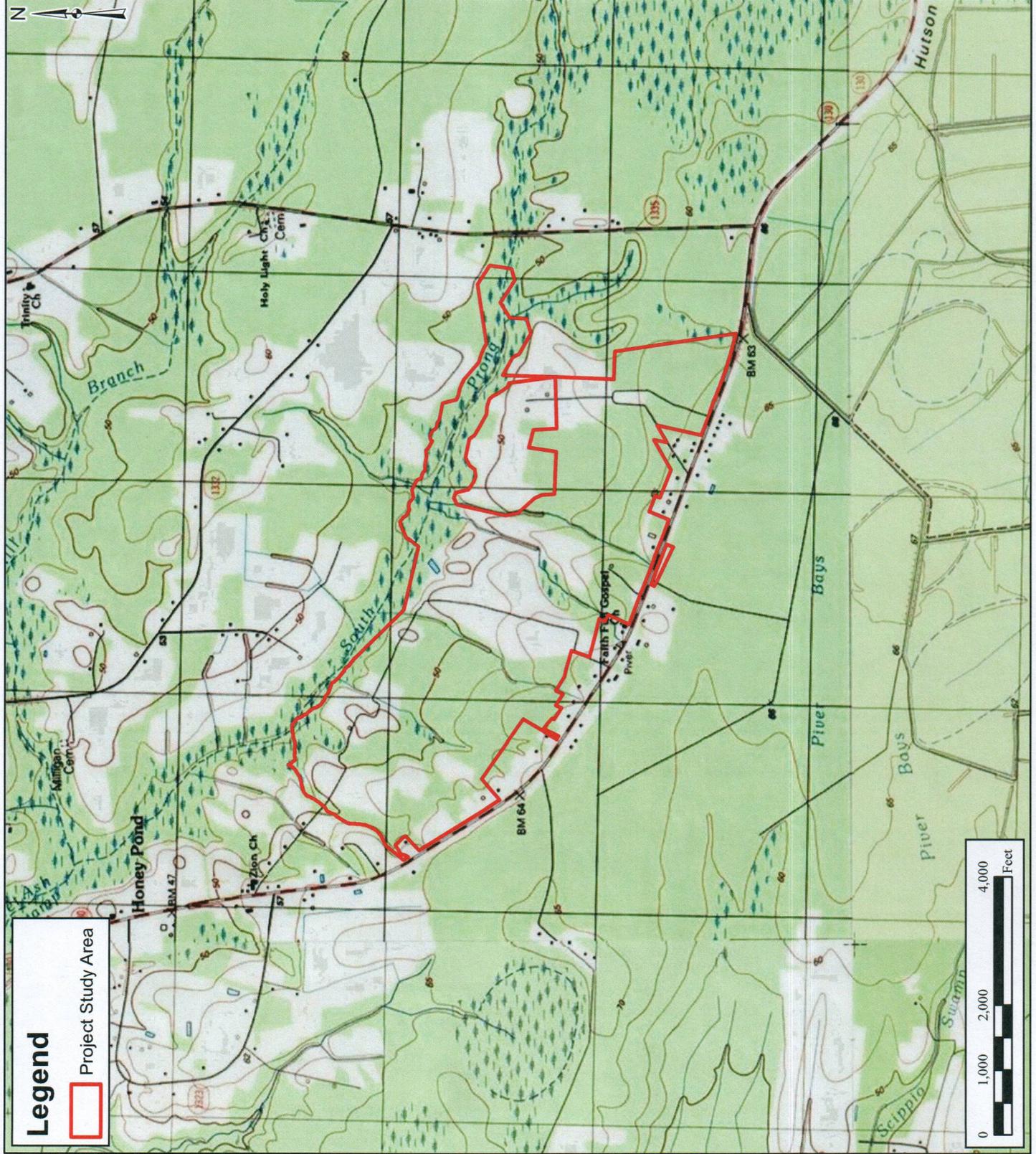
Project:

WET ASH
PROPERTIES
OLD FARM ROAD NW
ASH,
BRUNSWICK COUNTY,
NORTH CAROLINA

Title:
USGS TOPOGRAPHIC
MAP

EXUM, NC
QUADRANGLE
DATED: 1990

PROJECT STUDY AREA



Legend

 Project Study Area



Drawn By:	AMC	Scale:	1" = 2,000'
Approved By:	PMS	Date:	04/22/2024
ECS Project No.		49: 22826	

FIGURE 2



Client:



Project:

WET ASH
PROPERTIES

OLD FARM ROAD NW
ASH,
BRUNSWICK COUNTY,
NORTH CAROLINA

Title:

USDA-NRCS
WEB SOIL SURVEY
MAP

PROJECT STUDY AREA



Drawn By: AMC

Scale: 1" = 1,200'

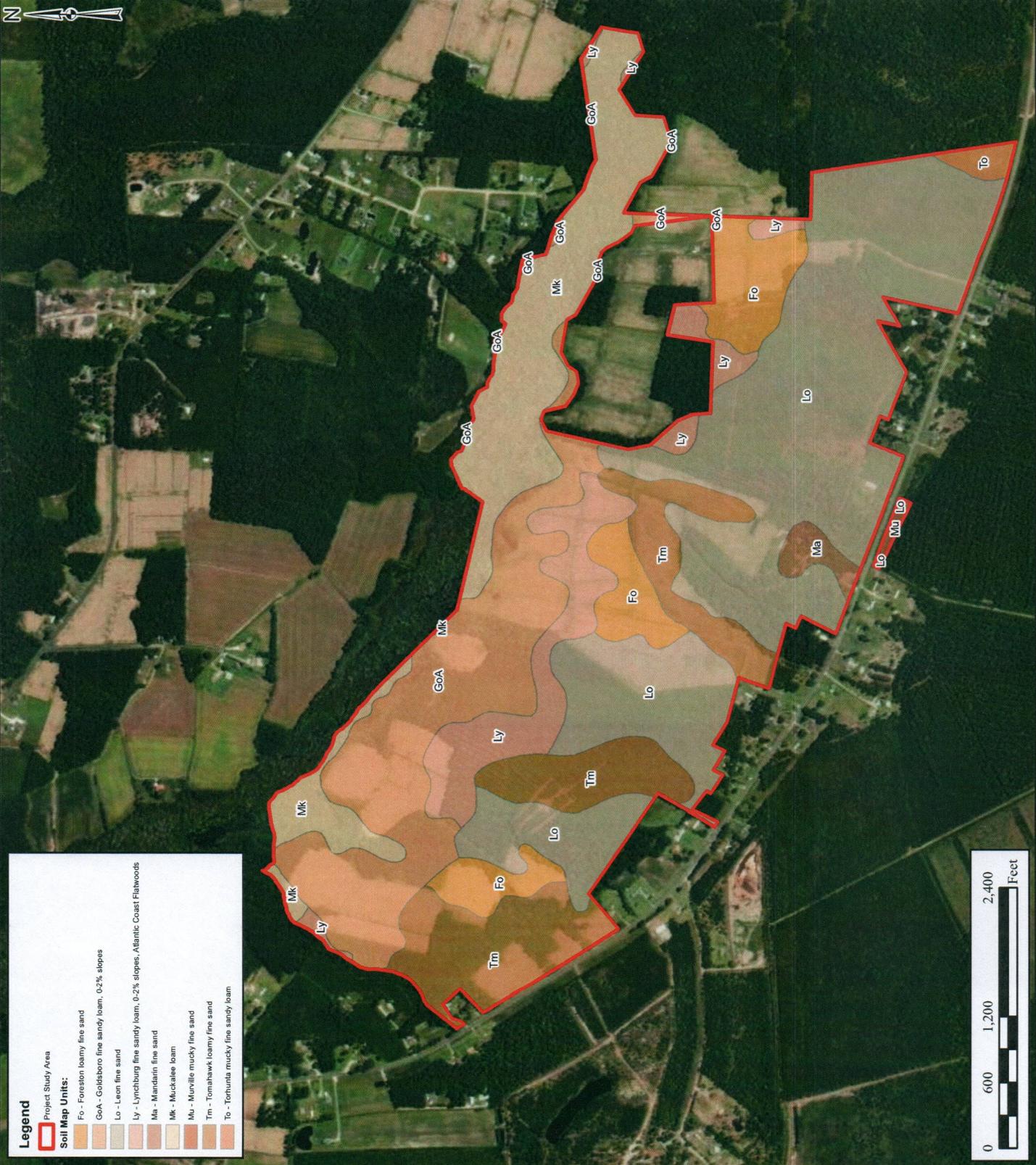
Approved By: PMS

Date: 04/22/2024

ECS Project No.

49: 22826

FIGURE 3



Legend

Project Study Area

Soil Map Units:

- Fo - Foreston loamy fine sand
- GoA - Goldsboro fine sandy loam, 0-2% slopes
- Lo - Leon fine sand
- Ly - Lynchburg fine sandy loam, 0-2% slopes, Atlantic Coast Flatwoods
- Ma - Mendenhall fine sand
- Mk - Muckataee loam
- Mu - Murville mucky fine sand
- Tm - Tomahawk loamy fine sand
- To - Torhunta mucky fine sandy loam

**Appendix II: IPaC USFWS
Species List and NLAA
Consistency NLEB Letter**



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Raleigh Ecological Services Field Office

3916 Sunset Ridge Rd

Raleigh, NC 27607

Phone: (919) 856-4520 Fax: (919) 856-4556

In Reply Refer To:

05/08/2024 18:04:13 UTC

Project Code: 2024-0087567

Project Name: Wet Ash

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). If your project area contains suitable habitat for any of the federally-listed species on this species list, the proposed action has the potential to adversely affect those species. If suitable habitat is present, surveys should be conducted to determine the species' presence or absence within the project area. The use of this species list and/or North Carolina Natural Heritage program data should not be substituted for actual field surveys.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Raleigh Ecological Services Field Office
3916 Sunset Ridge Rd
Raleigh, NC 27607
(919) 856-4520

PROJECT SUMMARY

Project Code: 2024-0087567
Project Name: Wet Ash
Project Type: Residential Construction
Project Description: Development
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.01462615,-78.4835040094741,14z>



Counties: Brunswick County, North Carolina

ENDANGERED SPECIES ACT SPECIES

There is a total of 15 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Endangered
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Wood Stork <i>Mycteria americana</i> Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8477	Threatened

REPTILES

NAME	STATUS
American Alligator <i>Alligator mississippiensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/776	Similarity of Appearance (Threatened)
Green Sea Turtle <i>Chelonia mydas</i> Population: North Atlantic DPS There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6199	Threatened
Kemp's Ridley Sea Turtle <i>Lepidochelys kempii</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/5523	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i>	Endangered

NAME	STATUS
There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1493	
Loggerhead Sea Turtle <i>Caretta caretta</i> Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

SNAILS

NAME	STATUS
Magnificent Ramshorn <i>Planorbella magnifica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6216	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Cooley's Meadowrue <i>Thalictrum cooleyi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3281	Endangered
Rough-leaved Loosestrife <i>Lysimachia asperulaefolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2747	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

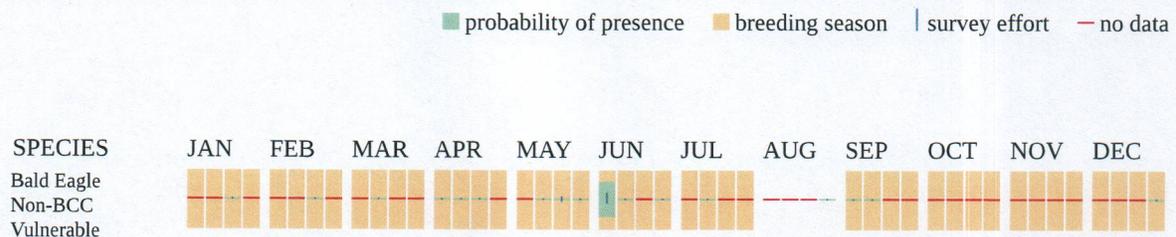
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31
Brown-headed Nuthatch <i>Sitta pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9427	Breeds Mar 1 to Jul 15
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

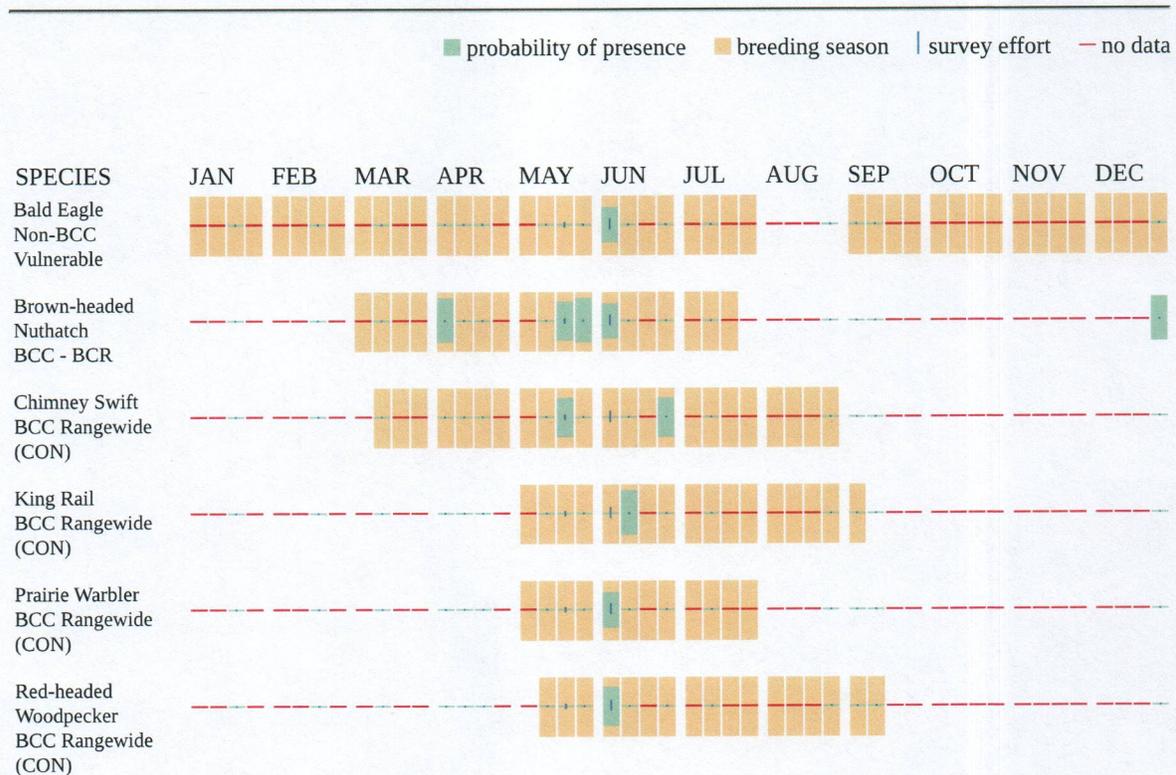
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

IPAC USER CONTACT INFORMATION

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Phone: 4044302609



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Ecological Services Field Office
3916 Sunset Ridge Rd
Raleigh, NC 27607
Phone: (919) 856-4520 Fax: (919) 856-4556



In Reply Refer To:
Project code: 2024-0096890
Project Name: 49-22826-A Wet Ash

05/29/2024 21:33:04 UTC

Federal Nexus: yes
Federal Action Agency (if applicable):

Subject: Technical assistance for '49-22826-A Wet Ash'

Dear Michelle Measday:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on May 29, 2024, for '49-22826-A Wet Ash' (here forward, Project). This project has been assigned Project Code 2024-0096890 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. **Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.**

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- American Alligator *Alligator mississippiensis* Similarity of Appearance (Threatened)
- Cooley's Meadowrue *Thalictrum cooleyi* Endangered
- Green Sea Turtle *Chelonia mydas* Threatened
- Kemp's Ridley Sea Turtle *Lepidochelys kempii* Endangered
- Leatherback Sea Turtle *Dermochelys coriacea* Endangered
- Loggerhead Sea Turtle *Caretta caretta* Threatened
- Magnificent Ramshorn *Planorbella magnifica* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Piping Plover *Charadrius melodus* Threatened
- Red-cockaded Woodpecker *Picoides borealis* Endangered
- Rough-leaved Loosestrife *Lysimachia asperulaefolia* Endangered
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Wood Stork *Mycteria americana* Threatened

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

Next Step

Consultation with the Service is necessary. The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is incomplete and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **691-144068327**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.

3. Click on Review/Finalize to convert the 'not likely to adversely affect' consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the Raleigh Ecological Services Field Office and reference Project Code 2024-0096890 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

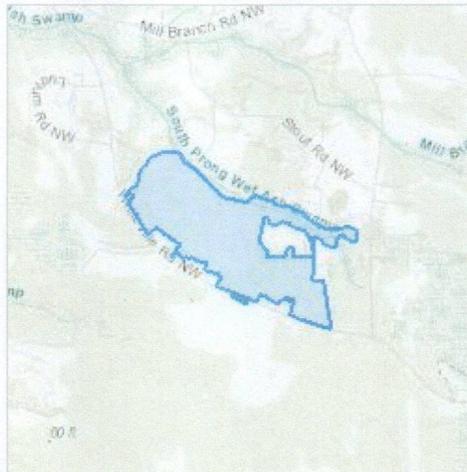
49-22826-A Wet Ash

2. Description

The following description was provided for the project '49-22826-A Wet Ash':

confirm site conditions

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.01462615,-78.4835040094741,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Your project overlaps with an area where northern long-eared bats may be present year-round. Time-of-year restrictions may not be appropriate for your project due to bats being active all year.

Do you understand that your project may impact bats at any time during the year and time-of-year restrictions may not apply to your project?

Yes

3. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

4. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

6. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

7. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the effects of any activities that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of Effects of the Action can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. Your project overlaps with an area where northern long-eared bats may be present year-round.

Is suitable northern long-eared bat habitat present within 1000 feet of project activities?

Yes

12. Will the action cause effects to a bridge?

No

13. Will the action result in effects to a culvert or tunnel?

No

14. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats’ entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer “Yes.” Answer “No” if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term “National Wildlife Control Operators Association bats”). Also see the White-Nose Syndrome Response Team’s guide for bat control in structures

No

15. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats?**

No

16. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

17. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

18. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

19. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

20. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

21. Will the action include drilling or blasting?

No

22. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

23. Will the proposed action involve the use of herbicide or other pesticides (e.g., fungicides, insecticides, or rodenticides)?

No

24. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

25. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

27. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

28. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

No

29. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

30. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your state agency or USFWS field office

Automatically answered

No

31. Your project overlaps with an area where northern long-eared bats may be present year-round. To minimize or avoid impacts to the northern long-eared bat, all activities affecting trees should not occur from December 15th to February 15th and April 15th to July 30th.

Will any project activities occur from December 15th to February 15th and/or April 15th to July 30th.

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

570

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

570

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

570

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

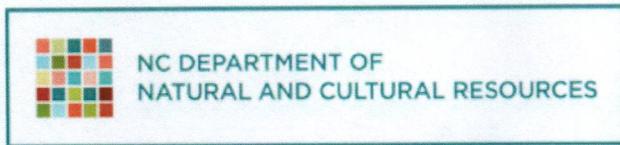
Will all project activities be completed by November 30, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Michelle Measday
Address: 5260 Greens Dairy Road
City: Raleigh
State: NC
Zip: 27616
Email: mmeasday@ecslimited.com
Phone: 9198619910

Appendix III: NC NHP Letter



Roy Cooper, Governor
D. Reid Wilson, Secretary
Misty Buchanan
Deputy Director, Natural Heritage Program

NCNHDE-25650

April 16, 2024

Michelle Measday
ECS Limited
9001 Glenwood Avenue
Raleigh, NC 27617
RE: WetAsh T&E

Dear Michelle Measday:

The North Carolina Natural Heritage Program (NCNHP) appreciates the opportunity to provide information about natural heritage resources for the project referenced above.

A query of the NCNHP database indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. These results are presented in the attached 'Documented Occurrences' tables and map.

The attached 'Potential Occurrences' table summarizes rare species and natural communities that have been documented within a one-mile radius of the property boundary. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists. Tables of natural areas and conservation/managed areas within a one-mile radius of the project area, if any, are also included in this report.

If a Federally-listed species is documented within the project area or indicated within a one-mile radius of the project area, the NCNHP recommends contacting the US Fish and Wildlife Service (USFWS) for guidance. Contact information for USFWS offices in North Carolina is found here: <https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=37>.

Please note that natural heritage element data are maintained for the purposes of conservation planning, project review, and scientific research, and are not intended for use as the primary criteria for regulatory decisions. Information provided by the NCNHP database may not be published without prior written notification to the NCNHP, and the NCNHP must be credited as an information source in these publications. Maps of NCNHP data may not be redistributed without permission.

Also please note that the NC Natural Heritage Program may follow this letter with additional correspondence if a Dedicated Nature Preserve, Registered Heritage Area, Land and Water Fund easement, or an occurrence of a Federally-listed species is documented near the project area.

If you have questions regarding the information provided in this letter or need additional assistance, please contact the NCNHP at natural.heritage@dncr.nc.gov.

Sincerely,
NC Natural Heritage Program

Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Intersecting the Project Area

WetAsh T&E
 April 16, 2024
 NCNHDE-25650

Element Occurrences Documented Within Project Area

Taxonomic Group	EO ID	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Freshwater Fish	32368	Enneacanthus obesus	Banded Sunfish	2017-10-25	E	3-Medium	---	Significantly Rare	G5	S3
Vascular Plant	26096	Dionaea muscipula	Venus Flytrap	2018-06-25	A	2-High	---	Threatened	G2	S2

No Natural Areas are Documented within the Project Area

No Managed Areas Documented within the Project Area

Definitions and an explanation of status designations and codes can be found at <https://ncnhde.natureserve.org/help>. Data query generated on April 16, 2024; source: NCNHP, Winter (January) 2
 Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

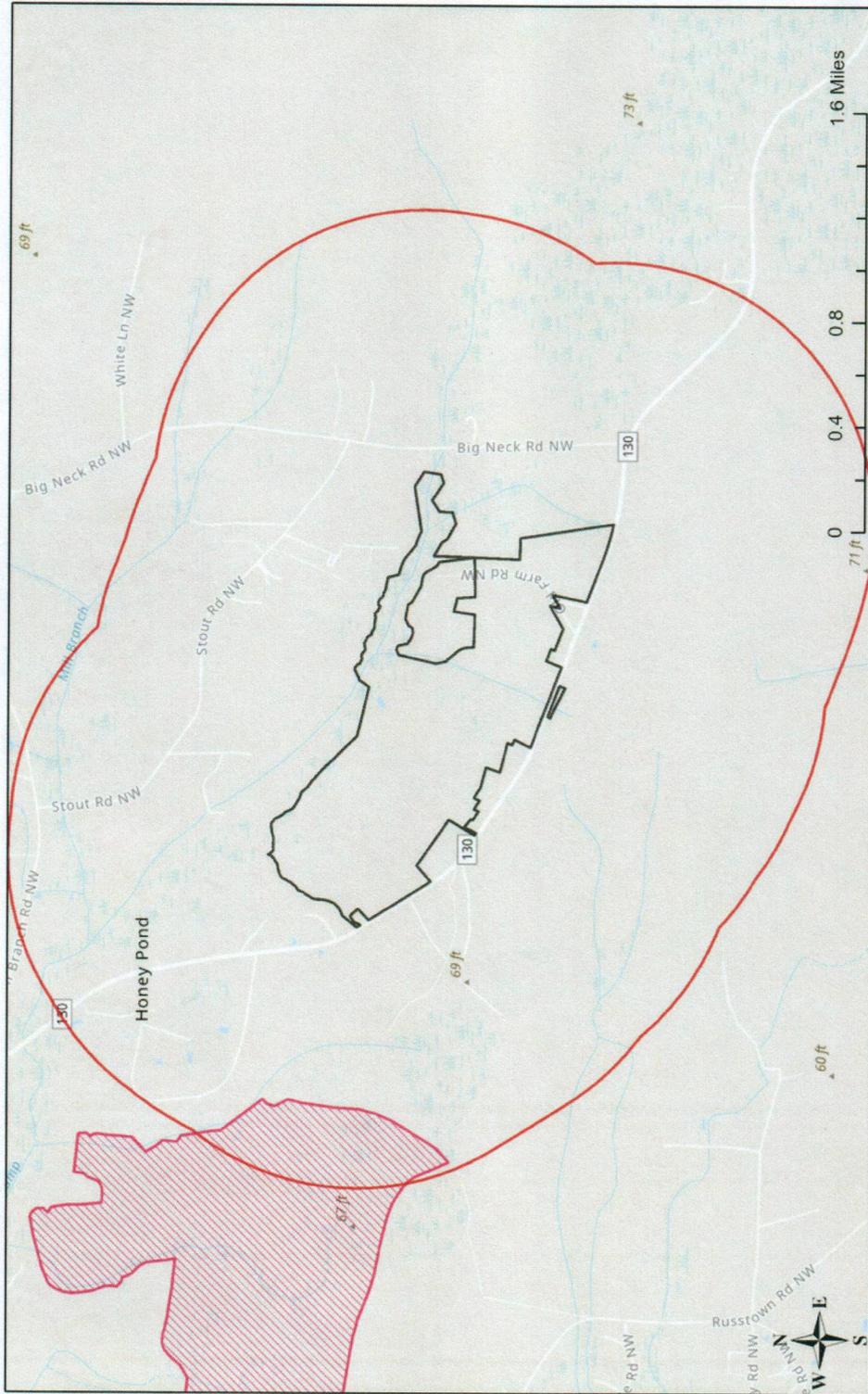
Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Within a One-mile Radius of the Project Area
 WetAsh T&E
 April 16, 2024
 NCNHDE-25650

Element Occurrences Documented Within a One-mile Radius of the Project Area										
Taxonomic Group	EO ID	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Bird	11015	Dryobates borealis	Red-cockaded Woodpecker	1985-10	H	4-Low	Endangered	Endangered	G3	S2
Bird	19807	Dryobates borealis	Red-cockaded Woodpecker	1977-08	H	4-Low	Endangered	Endangered	G3	S2
Bird	14414	Peucaea aestivalis	Bachman's Sparrow	2013-04-23	E	3-Medium	---	Special Concern	G3	S3B,S2N
Dragonfly or Damselfly	33738	Somatochlora georgiana	Coppery Emerald	2004-Pre	H?	5-Very Low	---	Significantly Rare	G3G4	S1?
Freshwater Fish	39321	Enneacanthus chaetodon	Blackbanded Sunfish	1981-10-05	H	3-Medium	---	Significantly Rare	G3G4	S3
Freshwater Fish	32368	Enneacanthus obesus	Banded Sunfish	2017-10-25	E	3-Medium	---	Significantly Rare	G5	S3
Natural Community	17051	Pine/Scrub Oak Sandhill (Coastal Fringe Subtype)	---	1994-09-05	C	3-Medium	---	---	G2	S2
Natural Community	13070	Pond Pine Woodland (Typic Subtype)	---	2006	C	2-High	---	---	G3	S3
Natural Community	12021	Wet Pine Flatwoods (Typic Subtype)	---	1994-09-05	C	2-High	---	---	G3	S3
Vascular Plant	14838	Asclepias pedicellata	Savanna Milkweed	1991-07-16	C	3-Medium	---	Special Concern	G4	S3
Vascular Plant	16178	Dionaea muscipula	Venus Flytrap	1982	X	3-Medium	---	Vulnerable	G2	S2
Vascular Plant	26096	Dionaea muscipula	Venus Flytrap	2018-06-25	A	2-High	---	Threatened	G2	S2
Natural Areas Documented Within a One-mile Radius of the Project Area										
Site Name	Savanna and Carolina Bays				Representational Rating	Collective Rating				
Long Bays					R5 (General)	C3 (High)				

No Managed Areas are Documented Within a One-mile Radius of the Project Area

Definitions and an explanation of status designations and codes can be found at <https://ncnhde.natureserve.org/help>. Data query generated on April 16, 2024; source: NCNHP, Winter (January) ; Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

NCNHDE-25650: WetAsh T&E

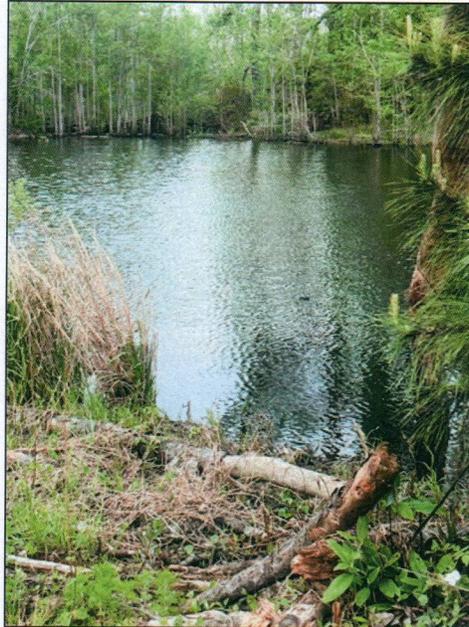


April 16, 2024

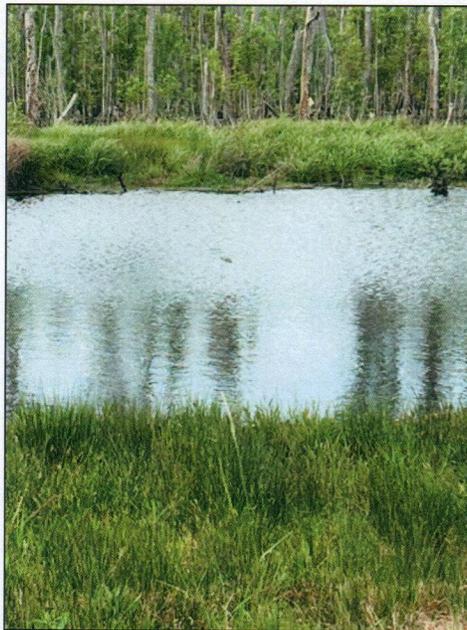
-  NHP Natural Area (NHNA)
-  Buffered Project Boundary
-  Project Boundary

Esri, NASA, NGA, USGS, FEMA, State of North Carolina, DOT, GeoTechnologies, Inc., METINASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, East, TomTom, Garmin, SafeGraph

Appendix IV: Photographic Log



1 - Open water pond and view of assumed Alligator head within water
(*Alligator mississippiensis*, Federally Threatened)



2 - Open water pond and view of assumed Alligator head within water
(*Alligator mississippiensis*, Federally Threatened)



3 - Venus Flytrap (*Dionaea muscipula*, State Threatened)



4 - Clusters of Venus Flytraps (*Dionaea muscipula*, State Threatened)



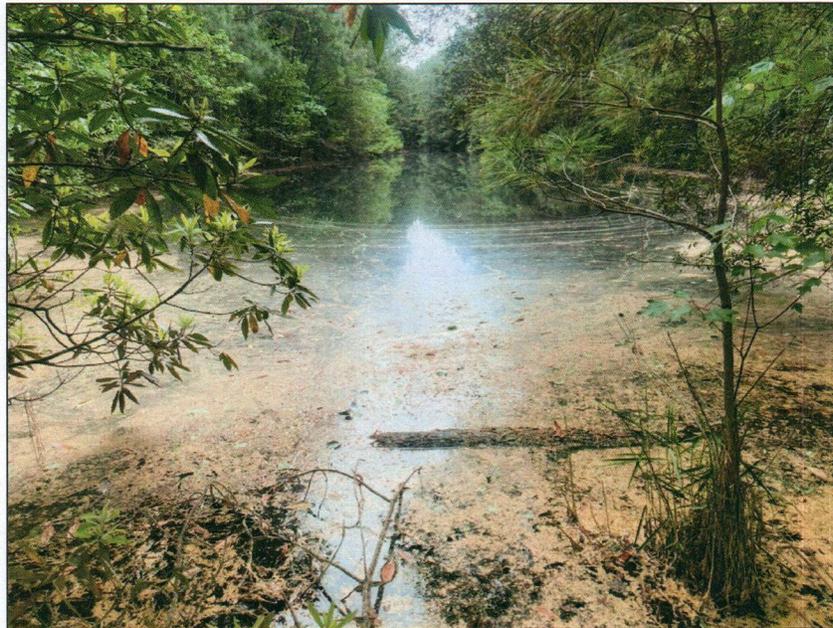
5 - Open Water Pond abutting field



6 - Open Water Pond



7 - Open Water Pond



8 - Open Water Pond



9 - Tributary through field



10 - Tributary along field



11 - Tributary along field



12 - Tributary through woods



13 - Tributary



14 - Wetland abutting field



15 - South Prong Wet Ash Swamp - Stream



16 - South Prong Wet Ash Swamp - Stream



17 - South Prong Wet Ash Swamp - Stream



18 - South Prong Wet Ash Swamp - Stream



19 - South Prong Wet Ash Swamp - Stream



20 - Vegetated wetland area abutting Wet Ash Swamp.



21 - Wetland adjacent to South Prong Wet Ash Swamp - Storm Damage



22 - Wetland adjacent to South Prong Wet Ash Swamp - Field Adjacent



23 - Wetland adjacent to South Prong Wet Ash Swamp



24 - Wetland adjacent to South Prong Wet Ash Swamp



25 - Wetland adjacent to South Prong Wet Ash Swamp - Storm Damage



26 - Wetland in Loblolly Plantation



27 - Wetland in Logged Loblolly Plantation



28 - Wetland in Logged Loblolly Plantation



29 - Upland field area abutting upland wooded area



30 - Upland field



31 - Upland field



32 - Upland wooded area



33 - Upland wooded area



34 - Upland wooded area



Planned Development (PD)
Application and Checklist
Fee: \$1,000 (Brunswick County Jurisdiction)
\$968 (City of Northwest Jurisdiction)
 Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # _____	Invoice # _____
Date Received: _____	
Northwest Jurisdiction <input type="checkbox"/> YES <input type="checkbox"/> NO	

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

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

Property Owner	Name	King Carolina Properties LLC	Phone	
	Address	4872 Whiteville Rd	Fax	
	City, St, Zip	Ash, NC 28420	Email	kingfarming@atmc.net

Applicant or Representative	Name	BRD Land and Investment - Pat Quinn	Phone	704-942-0248
	Address	234 Kingsley Park Dr, Suite 110	Fax	
	City, St, Zip	Fort Mill, SC 29715	Email	pat@stillwater-development.com

Property Information	Address	Whiteville Rd and Old Farm Rd. Ash, NC 28420		
	Tax Parcel(s)	16300024, 16300024, 16300033, 1630003302, 1630003303, 1630003304, 1630002502, 1640000603, 1640000602, 1640006, 16400008		
	Acreage	642 acres		
	Current Zoning	RR		
	Public Utilities Available?	<input checked="" type="radio"/> Water	<input type="radio"/> Sewer	

Project Information	Project Name	Kings Preserve		
	Modification or Expansion Of Existing PD?	Yes	<input checked="" type="radio"/> No	
	Single Family Acres	320	Lots	1760
	Multi-Family Acres	0	Units	0
	Commercial Acres	0		

Authorization	Property Owner Signature	<u>King Carolina Properties, LLC by Whitney C. King, MANAGER</u>	Date	<u>10-21-2024</u>
	Applicant/Representative Signature	<u>John J. Min</u>	Date	<u>10/21/24</u>

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

Planned Development Checklist



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

November 8, 2024

Stillwater Development
665 Deep Sea Circle
Mt. Pleasant SC, 29464

**RE: King Tract Planned Development
File # PD-142**

To Whom It May Concern:

The Technical Review Committee (TRC) at their November 6, 2024 meeting reviewed the preliminary plans for the above referenced project.

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

Comments from Planning:

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

- Please provide a site plan without the aerial image in the background.
- Please provide a site plan sheet with the open space areas, buffers, site data, etc.
- Please indicate a 30' wide street buffer along Hwy 130 with 0.6 opacity.
- Please note or indicate any provided wetland buffers.
- Please note on the site plan that individual driveways on the collector road shall be limited.
- Please clearly indicate the AE Flood zone boundary.
- Please note on the site plan that all buffers shall be located outside of the proposed lots.
- Please note that all lots shall be located outside of the AE Flood zone.
- Please note that all mail kiosks shall be ADA compliant.
- Please note that amenity areas, pump stations, and other nonresidential uses are subject to site specific review.
- Please indicate the 30' riparian buffer where applicable.
- Please note that a TIA or Warrant Analysis is required prior to the Planning Board hearing.
- Please indicate any phase lines.
- Please note that a neighborhood meeting is recommended per UDO Section 9.2.

Comments from Stormwater

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

- Stormwater and Erosion Control Permits will be required.
- A county SW permit will be required. Post-development peak flow rates are not to exceed predevelopment conditions for the 1, 10 and 25-year design storms. SCMs must be designed to handle the 100- year storm without overtopping the SCM.
- Show 30-foot riparian buffer adjacent to all blue line streams.



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

Comments from Engineering

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

- Existing 12" watermain on Whiteville Road available for connection.
- There is no sewer available for connection on Whiteville Road at this location, the closest high pressure forcemain available for connection is a 24" on US Hwy 17 (approx 4 miles away).
- 16" high pressure forcemain would need to be installed in accordance with the Wastewater Master Plan along Whiteville Road (TEAMS meeting last week with BCPD); refer to the Sewer Use Ordinance for Developer Agreement possibilities.
- Note on plans for utilities - watermain to connect to 12" on Whiteville Road, 3 pump station sites noted and proposed forcemain shown on Whiteville Road.
- Odor Control determination would be made at plan review.
- Gravity sewer is the preferred sewer and must be designed to the furthest extent possible before consideration of a low pressure system per the Engineering Design Manual.
- One sewer service and one water service per lot (double water meter box or 2 single water meter boxes).
- NCDOT Encroachment needed for water connection and/or sewer extensions.

Comments from Floodplain Administrator

Jim Paggioli – 910-253-2054 – james.paggioli@brunswickcountync.gov

General:

- 1) 42' Lot sizes are comparable to Urban Development. Storm Water designs should be minimum to sized for such density, ie. 25 or 50 year pipe designs and 100 year non-increase peak discharge /containment of storm water pond designs.
- 2) Collector roads with 18" deep V ditches for the road side ditches have been problematic in Brunswick Forest for maintaining the collector roadways not under water in storm events greater that the design storm, especially with limited road grades. This type of roadway design at 20' wide for this many lots in likely to be insufficient.(i.e. collector pavement width should not be thinner than local roads)

Floodplain:

- 1) All proposed Collector Roads crossing Floodplains shall be designed with cross culverts that will accommodate the 100 year storm flows without causing a rise in headwaters over 1 foot and shall not cross/impede the collector road during the 100 year storm event.
- 2) Proposed Lot pads should be not less than two feet above adjacent AE Zones (BFE – Base Flood Elevations) once established.
- 3) All Sewage Pump Station shall not be located within AE Flood Zone and Wet Well Tops shall be not less than the RFPE (BFE+2) and all Control Panels shall be not lower than the 500 year flood BFE or the RFPE (AE BFE + 2'), which ever is higher.
- 4) The Flood Zone depicted on the plan are as shown on the application submitted to NCFlood/FEMA. The final determination has not yet been received to date.

Comments from Fire Code Official



BRUNSWICK COUNTY PLANNING DEPARTMENT

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

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

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

- Roads in excess of 150 feet will need an approved turn around (this includes any stub out roads or around amenity building).
- Fire hydrants spaced at 500 feet with no point to exceed 250 feet at any point in road. Fire hydrants should not be put at end of dead end roads if can be put at intersection to meet distance requirements.
- Fire hydrant will be required to flow 1,000 GPM for residential, commercial minimum is 1,500 GPM. A development permit will be required for site and utility plans. Please include road names for those plans. 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 review the "Development / Subdivision Fire approval Guidance document located at the following link.

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

- Final plat will require fire approval.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on November 15, 2024.

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

PD-142

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
1630002507	CARLISLE LEE ROY JR		2256 WHITEVILLE RD NW	ASH	NC	28420
1630002505	CARLISLE LEROY ET	CARLISLE FRANCES B (LT) % LEROY CARLISE JR	2256 WHITEVILLE RD NW	ASH	NC	28420
1630002503	AMPUERO CAROLYN	C/O GRACIELA M AMPUERO	15 CANTERBURY CT	SOUTHPORT	NC	28461-2690
1630002307	PAIT MARTHA MINTZ		2459 WHITEVILLE RD NW	ASH	NC	28420-3225
1630001801	MILLIGAN MICHAEL WAYNE		5440 SPARROW ST SW	OCEAN ISLE BEACH	NC	28469
163000018	WOOTEN ZESTA MAE ETVIR		2055 ZION HILL ROAD	BOLIVIA	NC	28422
1630001715	MADISON GEORGE T	WOOTEN CLARENCE	PO BOX 990	SHALLOTTE	NC	28459-0990
1630001706	SMITH JONATHAN L		286 SADDLEBRED LANE	RAEFORD	NC	28376
1630001704	GURGANUS CINDY HAWES		2275 WHITEVILLE RD NW	ASH	NC	28420
1630001703	MILLIGAN GLADYS J (LT)	% BARBARA ANN EVANS	6039 KINGTOWN RD NW	ASH	NC	28420
14700055	MCCUMBEE EVELYN W AND	SKIPPER KITTY W	5870 MCCUMBEE TRL NW	ASH	NC	28420
1630002509	SMITH THERESA C ETVIR	SMITH WELTON STEVE	4014 THOMAS RD	LITTLE RIVER	SC	29566-8834
163000029	SMITH THERESA C		4014 THOMAS RD	LITTLE RIVER	SC	29566-8834
1630002504	CARLISLE LEE ROY JR ET	CARLISLE DEMEATRICE C	2256 WHITEVILLE RD NW	ASH	NC	28420
1630002501	MEADOWS THEODORE ET	MEADOWS LOIS	2226 WHITEVILLE RD NW	ASH	NC	28420-3306
1630001713	BWH LLC		2038 OLEANDER DR	WILMINGTON	NC	28403-2336
1630001716	GALLOWAY WILLIAM ETUX	GALLOWAY KAITLYN	5975 NEWMAN SMITH RD NW	ASH	NC	28420-3242
1630001714	SIMMONS SANDRA FAULK		150 VINEGAR LOOP RD	TABOR CITY	NC	28463-9320
163000019	BABSON CYNTHIA M		2245 WHITEVILLE RD NW	ASH	NC	28420-3307
163000030	MILLIGAN MICHAEL WAYNE		5440 SPARROW ST SW	OCEAN ISL BCH	NC	28469-6309
1630002401	MILLIGAN JOSEPH V ETUX	MILLIGAN LARA R	P O BOX 131	ASH	NC	28420
1630001705	DAVIS CINDY H ETVIR	DAVIS HARRY D JR	2275 WHITEVILLE ROAD NW	ASH	NC	28420
1630002508	CARLISLE LEE ROY JR ET	CARLISLE DEMEATRICE C	2256 WHITEVILLE RD NW	ASH	NC	28420
1640000104	BLACKMON MARTI BRANDON		1907 WHITEVILLE RD NW	ASH	NC	28420
1640000303	STANLEY JOYCE SIMMONS		1933 WHITEVILLE RD NW	ASH	NC	28420
1640000103	MCKEITHAN W D ETUX	MCKEITHAN JEAN P	1889 WHITEVILLE RD NW	ASH	NC	28420
164000001	CUAVAS ERIC		2205 POLLY BRANCH DR SW	SUPPLY	NC	28462-3149
1630003301	FAITH FULL GOSPEL INDEPENDENT CHURCH		5240 MYRTLE HEAD RD	ASH	NC	28469
163000001	PHILLIPS LESTER D ET		1977 WHITEVILLE RD NW	ASH	NC	28420-3313
1640001101	STOUT PHILLIP L		911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470-1738
1640000106	WASHBURN CHERYL F		1895 WHITEVILLE ROAD NW	ASH	NC	28462
163000031	CHAPPELL LINDA ETVIR	CHAPPELL WILLIAM	2190 WHITEVILLE RD NW	ASH	NC	28420
164000011	STOUT PHILLIP ET	STOUT CAROLYN	911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470-1738
164000010	EVANS DOVIE D		1930 WHITEVILLE RD NW	ASH	NC	28420
1640000403	GURGANUS HEATHER		1994 WHITEVILLE RD NW	ASH	NC	28420-3312
1630003203	PIVER IRVIN RAY		2164 WHITEVILLE ROAD NW	ASH	NC	28420
1640000301	STANLEY JOYCE SIMMONS		1933 WHITEVILLE RD NW	ASH	NC	28420

1630002506	SUMMERS BRANDON SCOTT AND	CORSON RENEE DAWN	2320 WHITEVILLE RD NW	ASH	NC	28420-3226
16300023	APPLE TRISHA		5843 GRANNYS COUNTRY LN NW	ASH	NC	28420-3396
1800000401	WEYERHAEUSER FOREST HOLDINGS INC		205 PERRY LANE RD	BRUNSWICK	GA	31525-9799
16300007	CAROLINA STRAND PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
1630002310	BABSON JOSEPH AMMON HAYES ETUX	BABSON DENITA	2482 WHITEVILLE RD NW	ASH	NC	28420-3224
16300034	HEWETT LARRY W ETALS		580 SANDY LN	FAIR BLUFF	NC	28439-8904
164AA015	FORTENBERRY BRIAN KEITH		5339 BRANCH CT NW	ASH	NC	28420-3383
16300002	LEWIS DONNA	C/O LINDA CHAPPELL	2190 WHITEVILLE RD NW	ASH	NC	28420-3308
1630000201	HOUSKA MARK ETUX	HOUSKA LILLIAN	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
1630000301	PIVER KEVIN L ETUX	PIVER CAROLE	2125 WHITEVILLE RD NW	ASH	NC	28420
1630000303	HOUSKA MARK ETUX	HOUSKA LILLIAN	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
1630000601	BABSON MICHAEL B ETUX	BABSON JACQUELINE C	2135 WHITEVILLE RD NW	ASH	NC	28420-3309
1630000602	BABSON MICHAEL B ETUX	BABSON JACQUELINE C	2135 WHITEVILLE RD NW	ASH	NC	28420-3309
16300003	PIVER KEVIN L ETUX	PIVER CAROLE	2125 WHITEVILLE RD NW	ASH	NC	28420
1630000302	DOWELL MICKEY G		2101 WHITEVILLE RD NW	ASH	NC	28420-3309
1630000305	HOUSKA MARK ETUX	HOUSKA LILLIAN	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
1630000306	HOUSKA MARK ETUX	HOUSKA LILLIAN	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
1630000307	HOUSKA MARK ETUX	HOUSKA LILLIAN	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
1630000308	HOUSKA MARK L AND	HOUSKA LILLIAN M	2089 WHITEVILLE RD NW	ASH	NC	28420-3311
16300005	LUSSIER PATRICK ETUX	LUSSIER SUNDI	14 CRESCENT DR	ASH	NC	28420-3311
1630000501	LUSSIER PATRICK ETUX	LUSSIER SUNDI	14 CRESCENT DR	CORTLANDT MNR NY	NY	10567-2608
1630000502	LUSSIER PATRICK ETUX	LUSSIER SUNDI	14 CRESCENT DR	CORTLANDT MNR NY	NY	10567-2608
16300006	JOHNSON CATHY		2143 WHITEVILLE RD	ASH	NC	28420
16400016	HEWETT DANNY KIMBALL (LT) ETUX	HEWETT LORETTA (LT)	2166 BIG NECK RD NW	ASH	NC	28420-3320
164AA021	ROBERTS HENRY SCOTT		6514 OCEAN HWY W	OCEAN ISLE BEACH NC	NC	28469
164AA014	CARTER TIMOTHY S JR		2377 MILL DR NW	ASH	NC	28420-3333
16400029	HILL WAYNE ETALS	C/O YOUNTS ERNIE M	601 11TH AVE N	N MYRTLE BCH	SC	29582-2651
16400014	SAULS BRANDON ETUX	SAULS WHITNEY	1766 TWISTED OAK LN SW	OCEAN ISL BCH	NC	28469-6334
16400012	BIG NECK ENTERPRISES LLC		9686 SCENIC DR SW	CALABASH	NC	28467-2742
1640000903	STOUT PHILLIP ET	STOUT CAROLYN	911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470-1738
1640000901	STEELMAN BELINDA P		211 HOLLY VIEW LN	LORIS	SC	29569
14700056	MILLIGAN CRAVEN D JR ET	MILLIGAN WENDY R	5993 MILL BRANCH ROAD	ASH	NC	28420
14700052	MILLIGAN ROBERT D ET	MILLIGAN VELLA	2805 WHITEVILLE RD NW	ASH	NC	28420
16400005	CORTES LUIS A ET	CORTES MARY A	164 WILDWOOD ST NW	SHALLOTTE	NC	28470-1817
1640000102	GORE RONALD GENE (LT) SR ETUX	GORE RITA F (LT)	6287 MANLEY SMITH RD	NAKINA	NC	28455-8913
1640000101	FORMYDUVAL CHARLIE WYNN (LT) ETUX	FORMYDUVAL BETTY FAYE (LT)	14339 NEW BRITTON HWY	NAKINA	NC	28455-9657
1630003202	PIVER RICHARD BARRY		2157 SE TRIUMPH RD	PORT ST LUCIE	FL	34952-4864
1630003201	PIVER IRVIN R ET	PIVER LISA	2180 WHITEVILLE RD NW	ASH	NC	28420
16300027	MILLIGAN CRAVEN D JR ET	MILLIGAN WENDY	5993 MILL BRANCH ROAD	ASH	NC	28420
164AA019	MCBRYDE JOHNATHAN E ETUX	MCBRYDE KELLY N	PO BOX 2	ASH	NC	28420-0002
164AA016	FORTENBERRY THOMAS GLENN		5329 BRANCH COURT	ASH	NC	28420
16400015	MCCUMBEE DAVID ERIC ETUX	MCCUMBEE STEPHANIE	2149 BIG NECK RD NW	ASH	NC	28420-3321
16400030	BARRON SAMIR		7269 JOHNNIE MAE LN NW	ASH	NC	28420-1725
16300026	MILLIGAN C DEMETTE AND	MILLIGAN ROBERT D	5915 MILL BRANCH RD NW	ASH	NC	28420
1640000401	THOMPSON WAYNE ETUX	THOMPSON DEBBIE L	1974 WHITEVILLE RD NW	ASH	NC	28420-3312

1640000105	MCCUMBEE PEGGY F (LT)	* JENE TERRY MCCUMBEE	1919 WHITEVILLE ROAD NW	ASH	NC	28420
1630001702	BATES PAMELA VARNAM		1333 SPRING VALLEY RD	WILMINGTON	NC	28405-1220
1630002103	BROWN JEFFREY LEE ETUX	BROWN WENDY ROHRBACK	2535 WHITEVILLE RD NW	ASH	NC	28420-3223
1630002303	PAIT MARTHA M ETVIR	PAIT TERRY E	2459 WHITEVILLE ROAD NW	ASH	NC	28420
1630002304	PAIT MARTHA M ETVIR	PAIT TERRY E	2459 WHITEVILLE ROAD NW	ASH	NC	28420
1630002305	PAIT MARTHA M ETVIR	PAIT TERRY E	2459 WHITEVILLE ROAD NW	ASH	NC	28420
163000017	ASHTON FARMS LLC		2038 OLEANDER DR	WILMINGTON	NC	28403-2336
16400003	SIMMONS WILLIAM DAVIS ETALS		8428 FAIRGREEN AVE	WAXHAW	NC	28173-7071
1640000302	SIMMONS WILLIAM DAVIS ETALS		8428 FAIRGREEN AVE	WAXHAW	NC	28173-7071
16400004	SIMMONS WILLIAM DAVIS ETALS		8428 FAIRGREEN AVE	WAXHAW	NC	28173-7071
164AA020	INMAN CAMERON AND		2251 MILL DR NW	ASH	NC	28420-3371
1640000107	TUCKER TIMOTHY (LT) AND	VARNUM CHELSEA	1901 WHITEVILLE RD NW	ASH	NC	28420-3313
1640000902	STOUT PHILLIP L	* PHILLIPS DEBORAH L	911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470-1738
1630002306	BABSON JOSEPH A H ETUX	BABSON DENITA	2482 WHITEVILLE RD NW	ASH	NC	28420-3224
1640000603	TODD WANDA S ETVIR	TODD WILLIAM EARL	989 BRICKLANDING RD SW	SHALLOTTE	NC	28470-5353
1630000304	PIVER CEMETERY					

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
16300024	KING CAROLINA PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
1630002502	KING CAROLINA PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
16300025	KING CAROLINA PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
16300033	KING CAROLINA PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
1630003302	KING WHITNEY ELROY		PO BOX 129	ASH	NC	28420
16400006	STOUT PAUL C ETUX	STOUT APRIL	1270 SKIPPER RUN DR SW	SUPPLY	NC	28462-6351
1630003304	KING CAROLINA PROPERTIES LLC		4872 WHITEVILLE RD NW	ASH	NC	28420-3714
1640000602	STOUT PHILLIP L ETUX	STOUT CAROLYN M	911 HOLDEN BEACH RD SW	SHALLOTTE	NC	28470-1738
16400008	STANLEY JOYCE SIMMONS ETALS		1933 WHITEVILLE RD NW	ASH	NC	28420-3313
1630003303	KING LYLE RAY ET	KING JUDY	4872 WHITEVILLE ROAD NW	ASH	NC	28420

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	BDR LAND AND INVESTMENT	ATTN: PAT QUIIN	234 KINGSLEY PARK DR, SUITE 110	FORT MILL	SC	29715

REZONING STAFF REPORT



Prepared by Tyler Connor, Planner I
Rezoning Case#: Z-904
January 13, 2025

APPLICATION SUMMARY

The applicant, David M. Bland and Candace L. Bland, requests to rezone a portion of Tax Parcel 221MD021 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
303 Yaupon Drive Southport, N.C. 28461

Tax Parcel
A portion of Parcel 221MD021

Current Zoning
SBR-6000 (High Density Site Built Residential) and SP-R-20 (Southport Jurisdiction)

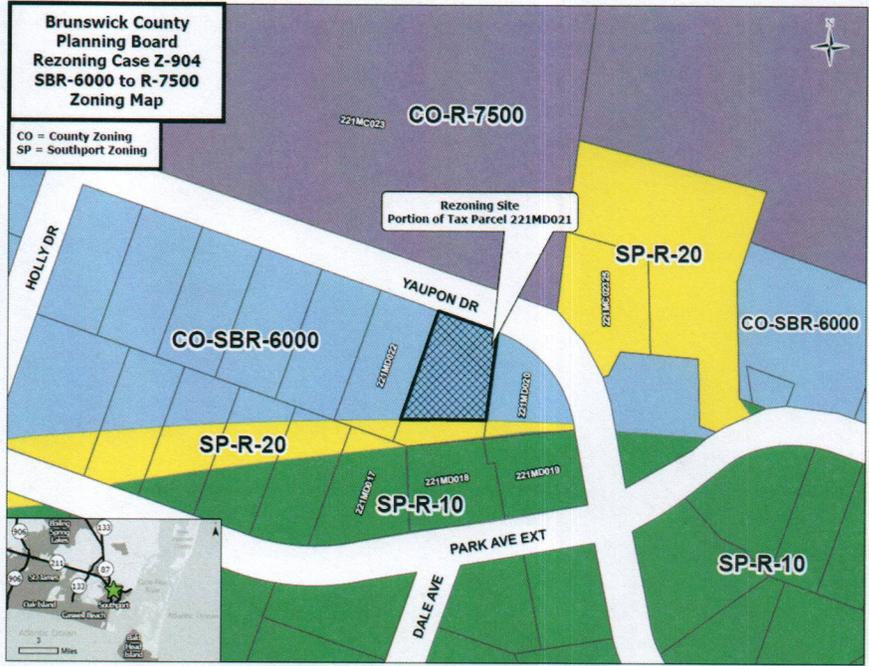
Proposed Zoning
R-7500 (Medium Density Residential) within the Counties portion of the property

Surrounding Zoning
R-7500, SBR-6000, SP-R-20 (Southport Jurisdiction), and SP-R-10 (Southport Jurisdiction)

Current Use
Single Family Residential

Surrounding Land Uses
Residential and Undeveloped

Size 0.50 Acres



SITE CONSIDERATIONS

Zoning History:

- The parcel is a former City of Southport ETJ parcel. This parcel had been zoned SP-R-20 (Southport Jurisdiction) since at least 2004 and had remained unchanged until House Bill 1064 was passed and became effective July 1, 2024. This statute relinquished the City of Southport's ETJ powers and gave Brunswick County 60 days to rezone the affected properties including the subject property. The portion of the subject property within the County's jurisdiction was rezoned to SBR-6000 in Rezoning Case Z-898 by the Brunswick County Planning Board on August 12th, 2024. The decision was appealed to the Brunswick County Board of Commissioners. The Brunswick County Board of Commissioners approved Rezoning Case Z-898 on October 21st, 2024 with the property zoned as SBR-6000. The property has been zoned SBR-6000 since then.

Buffers: When located next to SBR-6000, if rezoned to R-7500, no buffer would be required. Non-residential uses locating next to vacant property shall be required to provide a 0.2 buffer. When locating a non-residential use next to an existing residential developed property, a 0.4 buffer shall be required. Non-residential uses locating next to other non-residential uses are not required to provide a buffer.

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

Utilities:

- County water is not available.
- County wastewater is not available.

Schools: The property is located within the Southport Elementary School, South Brunswick Middle School, and South Brunswick High School Districts. All schools have adequate capacity.

CIP Projects In the Area: Southport Merger - Pump Station Rehab (FY 2025), Southport Merger - Sewer Replacement (FY 2025), Southport Merger - Construction Find and Fix It (FY 2025).

Traffic:

- The nearest state road E. Leonard St. (SR 1527) is nearing capacity.

NCDOT Road Improvement Projects in Area:

- TIP Project # R-5021: NC 211 widening project from SR 1500 (Midway Road) to NC 87 Widen to four lanes is currently under construction.
- TIP Project # EB-5982: NC 211 (North Howel St.) East Owen Street to Doshier Hospital in Southport construct sidewalk construction year 2025.
- TIP Project #: F-5705: Southport-Fort Fisher Ferry construct river class ferry not funded.
- TIP Project # F-5707: Southport-Fort Fisher construct mooring facilities construction year 2025.

Environmental Impacts:

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

ANALYSIS

Proposed Zoning District:

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.

Existing Blueprint Brunswick 2040 Plan Place Types:

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

Blueprint Brunswick 2040 Plan Place Type: Medium Density Residential

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:

- 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-904, with the existing place type designation as Open Space-Conservation (OCS-1) 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

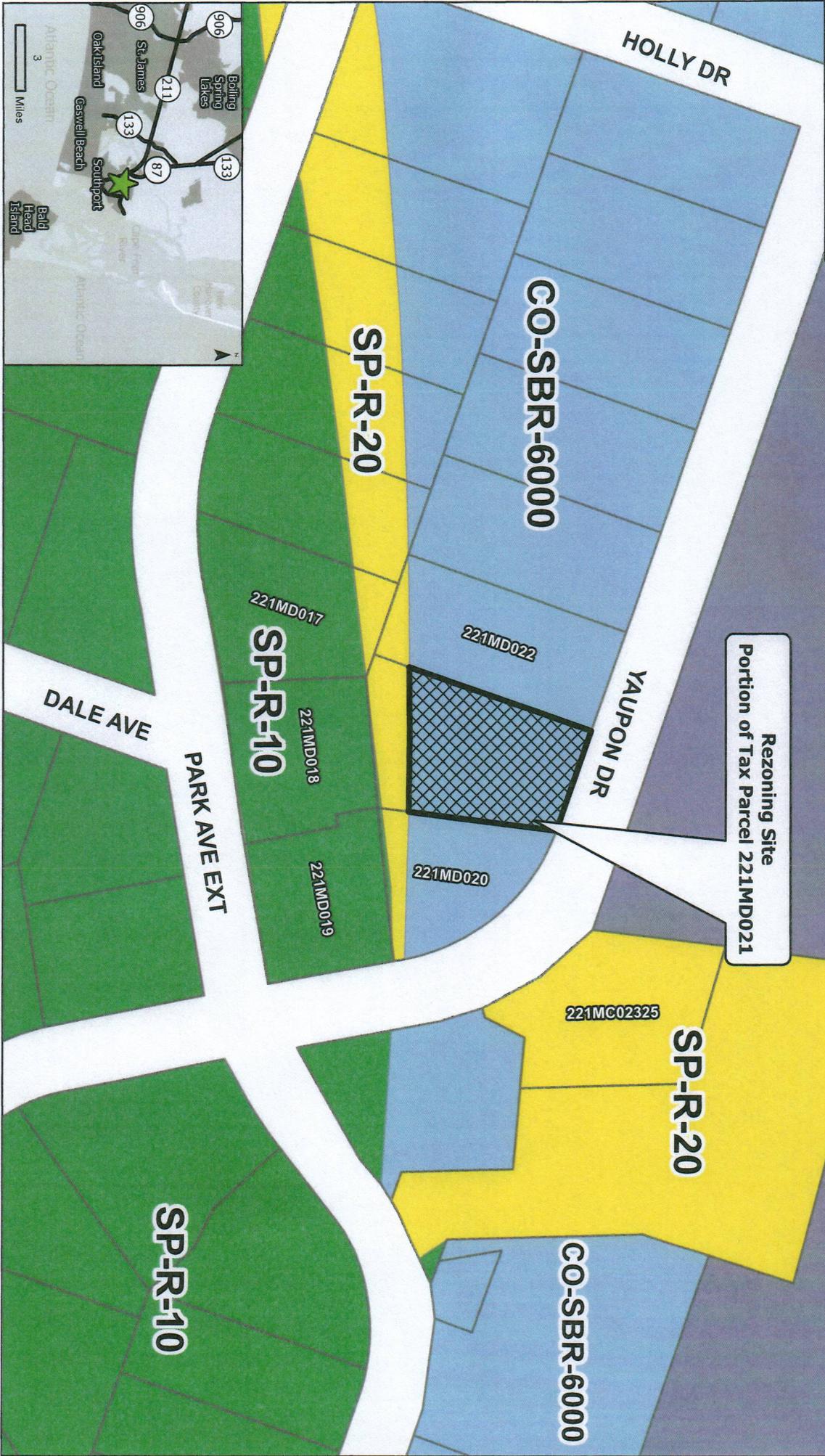
Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

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:

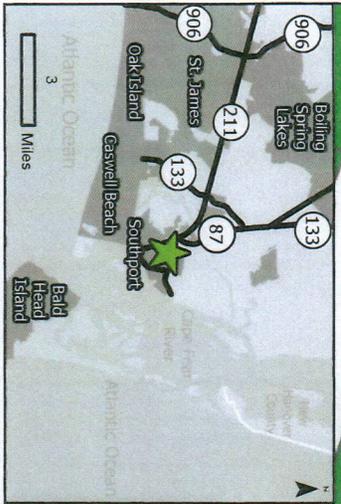
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-6. Amend land development regulations to align with Place Types as defined within Blueprint Brunswick.
 - HN-1. Expand housing choices within Brunswick 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.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. The Residential Development Suitability Map show the parcel in an area more suitable for residential development.

**Brunswick County
Planning Board
Rezoning Case Z-904
SBR-6000 to R-7500
Zoning Map**

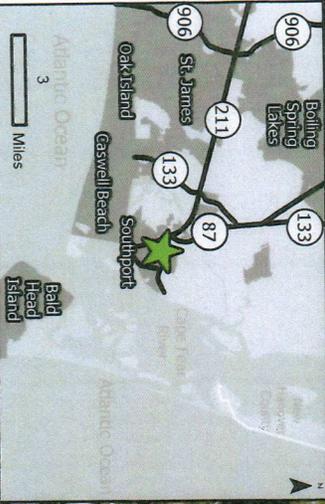
CO = County Zoning
SP = Southport Zoning



Rezoning Site
Portion of Tax Parcel 221MD021



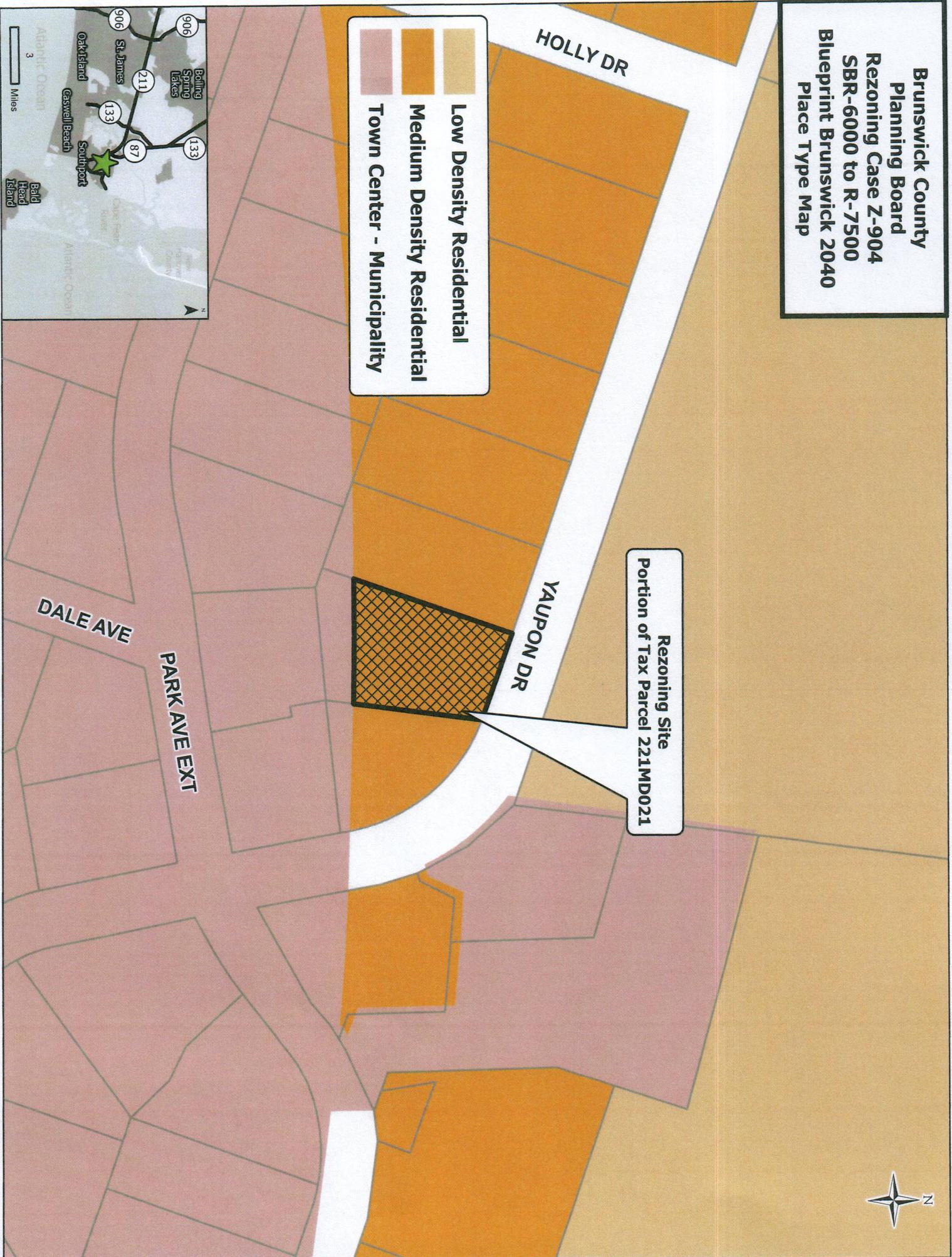
**Brunswick County
Planning Board
Rezoning Case Z-904
SBR-6000 to R-7500
Imagery Map**



**Brunswick County
Planning Board
Rezoning Case Z-904
SBR-6000 to R-7500
Blueprint Brunswick 2040
Place Type Map**

- Low Density Residential
- Medium Density Residential
- Town Center - Municipality

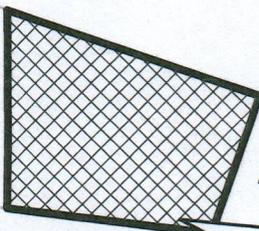
Rezoning Site
Portion of Tax Parcel 221MD021



**Brunswick County
Planning Board
Rezoning Case Z-904
SBR-6000 to R-7500
Flood Hazard Map**

	Shaded X
	A
	AE
	AEFW
	AO
	VE

Rezoning Site
Portion of Tax Parcel 221MD021

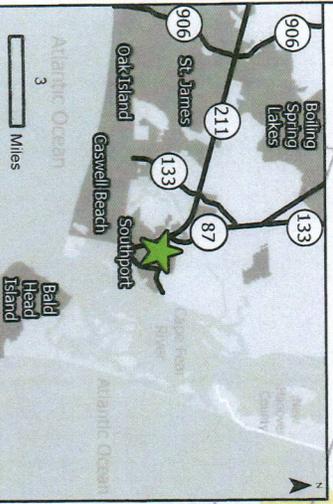


HOLLY DR

YAUPON DR

DALE AVE

PARK AVE EXT



3 Miles

Atlantic Ocean

Bald Head Island

Southport

Gaswell Beach

Oak Island

St. James

906

211

133

87

133

Bolton Spring Lakes

906



REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>904</u>	Invoice # _____
Date Received <u>November 1, 2024</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): David M. Bland and Candace L. Bland	
Mailing Address: 303 Yaupon Dr.; Southport, NC 28461-2735	
Phone: 910-477-0917	Email: dmb@jstmgn.com
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): Bland, David M. & Candace Lorraine	
Mailing Address: 303 Yaupon Dr.; Southport, NC 28461-2735	
Phone: 910-477-0917	Email: dmb@jstmgn.com
PROPERTY INFORMATION	
Property Address and/or Description of Location: 303 Yaupon Dr.; Southport, NC 28461-2735 Lot 48R, Highland Heights, Section 2 Map Book/Page - 14/40; Deed Book/Page - 1757/1060	
Parcel Tax ID #(s): 221MD021	Total Site Acreage: 0.5 acres
Current Zoning District(s): SBR-6000	Proposed Zoning District(s): R-7500
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:

R-7500 and RR county zonings more closely matche the former R-20 Southport zoning and more closely align with the average lot size of 19,700 sq. ft. for the Yaupon Drive neighborhood and the adjacent Park Avenue Extension neighborhood.

R-20 ----- 20,000 s.f. min. lot size, 100' min. lot width, 40' min. front & 25' min. rear setbacks
SBR-6000 ---10,000 s.f. min. lot size, 60' min. lot width, 25' min. front & 9' min. rear setbacks
R-7500 -----15,000 s.f. min. lot size, 75' min. lot width, 25' min. front & 9' min. rear setbacks
RR ----- 20,000 s.f. min. lot size, 75' min. lot width, 25' min. front & 25' min. rear setbacks

LAND USE COMPATIBILITY

Future Land Use Map Classification: Medium Density Residential

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

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:
Note: "Brunswick County, NC Planning Board Rezoning Case Z-898 Undesignated Zoning to County Zoning Future Land Use Map" designates 303 Yaupon Drive as "Medium Density Residential," but Z-898 has zoned it as SBR-6000 High Density Site Built Residential. Map also designates wetlands area (Parcel #221MC023) as "Low Density Residential," but Z-898 has zoned it as R-7500 Medium Density Residential.

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: [Signature] Date: Oct. 29, 2024
Owner Signature: [Signature] Date: Oct. 29, 2024
Owner Signature: Condace Bland Date: 10-29-24

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

Brunswick County Jurisdiction Fees

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

City of Northwest Jurisdiction Fees

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

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

David M. Bland
303 Yaupon Drive
Southport, NC 28461-2735
910-477-0917
dmb@jstmgn.com

October 29, 2024

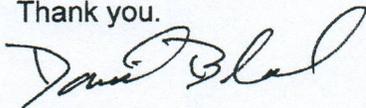
Brunswick County Planning
PO Box 249
Bolivia, NC 28422

To Whom It May Concern:

Enclosed is an application for the rezoning of Parcel #221MD021, which is located within the former City of Southport Extra Territorial Jurisdiction area.

Based on the statements made by County Commissioner Pat Sykes in the October 23, 2024, issue of The State Port Pilot (copy enclosed), I understand that the standard fee for a rezoning application is being waived for former ETJ property owners.

Thank you.

A handwritten signature in black ink, appearing to read "David Bland", written in a cursive style.

David M. Bland

Z-904

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
221MC023	BRASWELL HOLDINGS OF SOUTHPORT LLC		5134 PRICES CREEK DR	SOUTHPORT	NC	28461-3128
221MD022	PHIPPS PHILIP LAWRENCE		305 YAUPON DR	SOUTHPORT	NC	28461-2735
221MD020	DRAUGHN JOHN CHRISTIAN		301 YAUPON DR	SOUTHPORT	NC	28461-2735
221MC02325	BRASWELL GEORGE K ETUX	BRASWELL ASHLEY J	915 E LEONARD ST	SOUTHPORT	NC	28461-3105
221MD017	KIRBY CARL M JR ETUX	KIRBY SADONIE F	306 PARK AVENUE EXT	SOUTHPORT	NC	28461
221MD018	NUGENT KELLY A		304 PARK AVENUE EXT	SOUTHPORT	NC	28461-2726
221MD019	PICKARD EUGENE RANDOLPH ET COMMANDER MOT SUNNY POINT	PICKARD ELIZABETH	302 PARK AVE EXTENSION 6280 SUNNY POINT RD SE	SOUTHPORT	NC	28461

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
221MD021	BLAND DAVID M ET	BLAND CANDACE LORRAINE	303 YAUPON DR	SOUTHPORT	NC	28461-2735

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
221MD021	BLAND DAVID M ET	BLAND CANDACE LORRAINE	303 YAUPON DR	SOUTHPORT	NC	28461-2735

CONDITIONAL REZONING STAFF REPORT



Prepared by Jeff Walton, Planner II

Rezoning Case#: Z-907CZ

January 13, 2025

APPLICATION SUMMARY

The applicant, Chris Lumpkin and property owners, Felix Scropo and Jeffrey McDowell, requests to rezone Tax Parcels 233EF014, 233EF01403, & 233EF01404 to C-LD-CZ (Commercial-Low Density-Conditional Zoning). This conditional zoning request proposes a restaurant use consisting of an existing 3,009 square-foot building and an associated parking facility. The proposed parking facility and dumpster would extend into the existing R-6000 district and would not be permitted without rezoning the parcels. The proposed use is permitted by-right in the C-LD district and is not permitted in the R-6000 district. Staff recommends modifying the *Blueprint Brunswick 2040 Plan* Place Type category to Neighborhood Center (Activity Center 2) to better reflect the existing land use of the property.

The applicant held a Neighborhood Meeting on January 2, 2025. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

Location

3792 Sunset Harbor Rd SE (SR 1720)
580 & 590 Cumberland St SE (SR 1903)

Tax Parcels

233EF014, 233EF01403, &
233EF01404

Current Zoning

C-LD (Commercial-Low Density) &
R-6000 (High Density Residential)

Proposed Zoning

C-LD-CZ (Commercial-Low Density-
Conditional Zoning)

Surrounding Zoning

C-LD & R-6000

Current Use

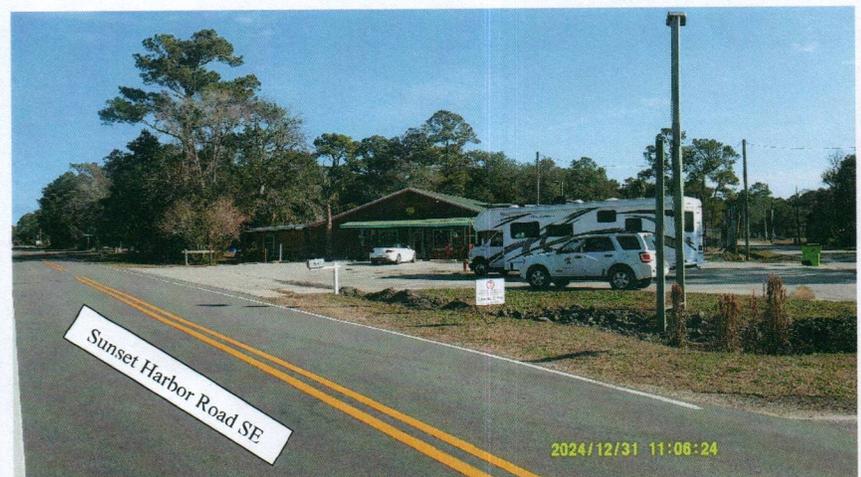
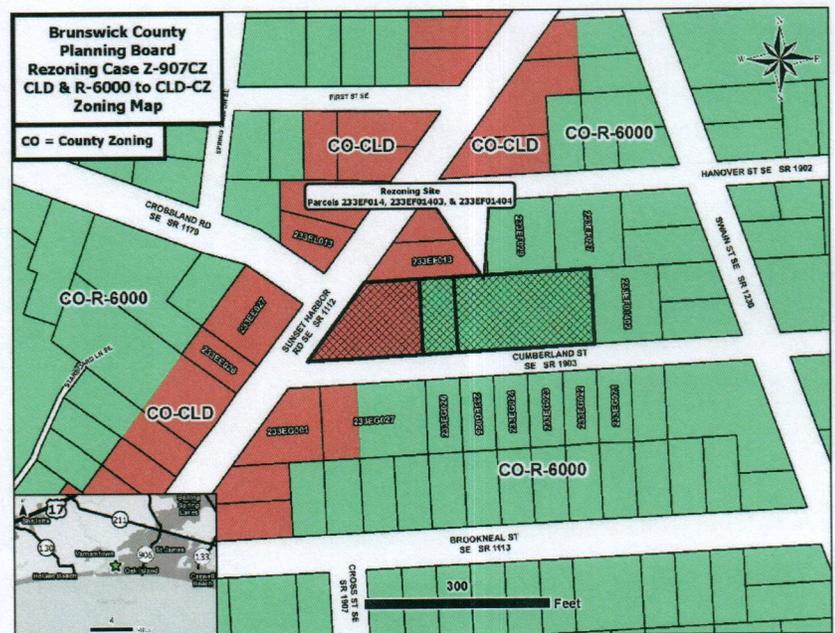
Vacant building and vacant land

Surrounding Land Uses

Vacant Land, Commercial, Residential

Size

1.14 acres



SITE CONSIDERATIONS

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

Perimeter Buffers: The site plan denotes a 15 to 20', 0.4 to 0.6 opacity perimeter buffer proposed along the northern and eastern property lines which includes a 6-foot-tall wooden privacy fence. Existing trees in the rear yard outside the limits of disturbance would be preserved.

Street Yard Buffers: A 15-foot street yard buffer is proposed along the property frontage of Cumberland Street SE.

Utilities: A 6-inch watermain is available from Brunswick County Utilities within Sunset Harbor Road SE and Cumberland Street SE. The site plan proposes to use the existing septic wastewater system located on site.

CIP Projects in Area: None

Traffic: According to NCDOT, Sunset Harbor Road SE and Cumberland Street SE are classified as local streets and have adequate capacity.

NCDOT Road Improvement Projects in Area: None

Environmental Impacts:

- The site is located within the zone X Flood Hazard Zone and no mitigation measures are required.
- Biodiversity & Wildlife Habitat Assessment Score: The site scores a 0 out of 10. A low score indicates less biodiversity and wildlife on the site
- The property is not located within a half mile of a Voluntary Agricultural District and is not located within a Significant Natural Area.

ANALYSIS

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

Proposed Zoning District:

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

Blueprint Brunswick 2040 Plan Place Types:

- **Mixed Residential Living (existing):** *This area is characterized by moderate-density residential development. It is comprised of predominantly single-family detached homes but may include attached single-family units, such as townhomes and duplexes. The mix of housing types are intended to create intergenerational neighborhoods. Improved open spaces in the form of pocket and neighborhood parks are interspersed, and greenway trails within are located to connect such parks as well as provide links to greenway trails and walkways in neighboring development. Maximum impervious coverage limitations help preserve green space.*
- **Neighborhood Center (Activity Center 2) (proposed):** *This area encourages the blending of complementary commercial, office, and service uses flanked by a mix of residential housing types. These areas typically offer a horizontal mix of uses where changes in use occur between adjacent one-and two-story buildings. With up to 100,000 sf of local serving uses that are supportive of a neighborhood (i.e., grocery and drug stores, coffee shops, dry cleaners, branch banks, and restaurants), these centers may be located within walking/biking distance of and complement surrounding residential neighborhoods. Open space is in the form of small greens, courtyards, and pedestrian/bike paths.*

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:

- LU-2. Support development in areas that are best suited for future development. As the centers of commerce in the county and the areas of population concentrations, the existing communities are the logical places for the delivery of services and infrastructure, particularly as they expand over time.
- LU-3. Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery. Neighborhood Centers should serve existing and emerging population centers, and the form should be compact to minimize sprawl in unincorporated areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO C-LDCZ (COMMERCIAL-LOW DENSITY CONDITIONAL REZONING) IN ACCORDANCE WITH THE SITE PLAN, THE LIST OF CONDITIONS AND A RESTAURNT USE FOR TAX PARCELS 233EF014, 233EF01403, & 233EF01404 BASED** upon information provided, surrounding area, current uses, the Blueprint Brunswick 2040 Plan, and other adopted Brunswick County plans and policies.

Permitted Uses:

1. Restaurant – limited to an existing 3,009 square-foot building, open outdoor/greenspace areas and an associated parking facility.

Conditions:

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

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

Register Agent/Owner Signature: _____ **Date:** _____

Brunswick County Planning

STAFF RECOMMENDATION SUMMARY

PLANNING STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Rezoning Case# Z-907CZ to C-LD-CZ, Commercial Low Density Conditional Zoning 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:

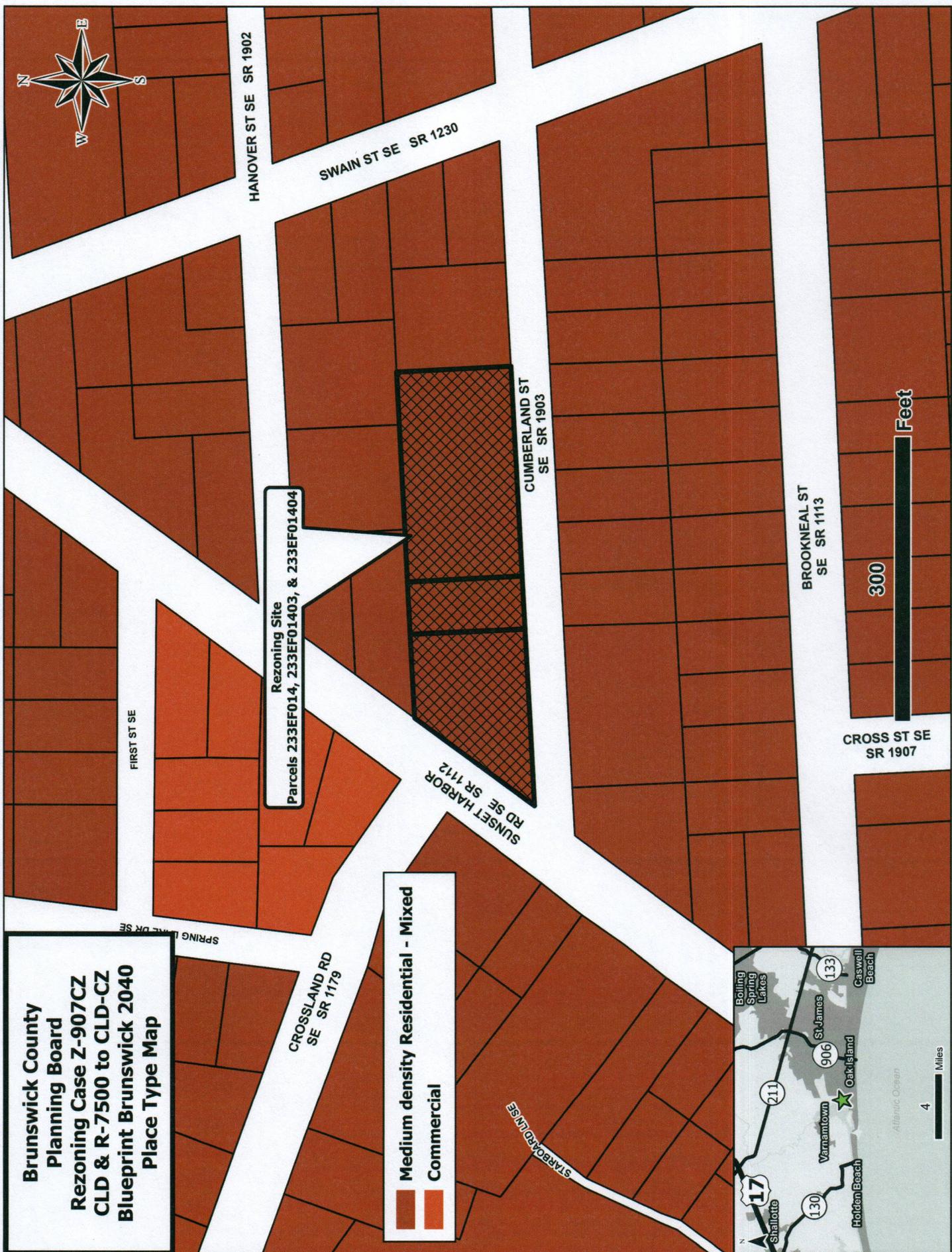
1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - LU-2. Support development in areas that are best suited for future development. As the centers of commerce in the county and the areas of population concentrations, the existing communities are the logical places for the delivery of services and infrastructure, particularly as they expand over time.
 - LU-3. Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery. Neighborhood Centers should serve existing and emerging population centers, and the form should be compact to minimize sprawl in unincorporated areas.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.



**Brunswick County
Planning Board
Rezoning Case Z-907CZ
CLD & R-7500 to CLD-CZ
Blueprint Brunswick 2040
Place Type Map**

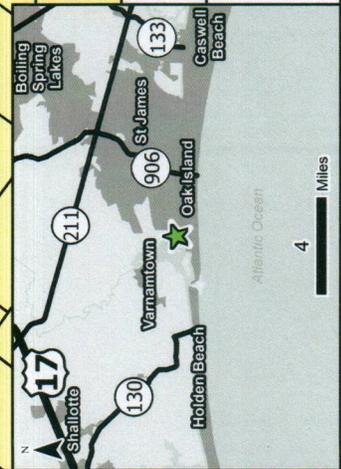
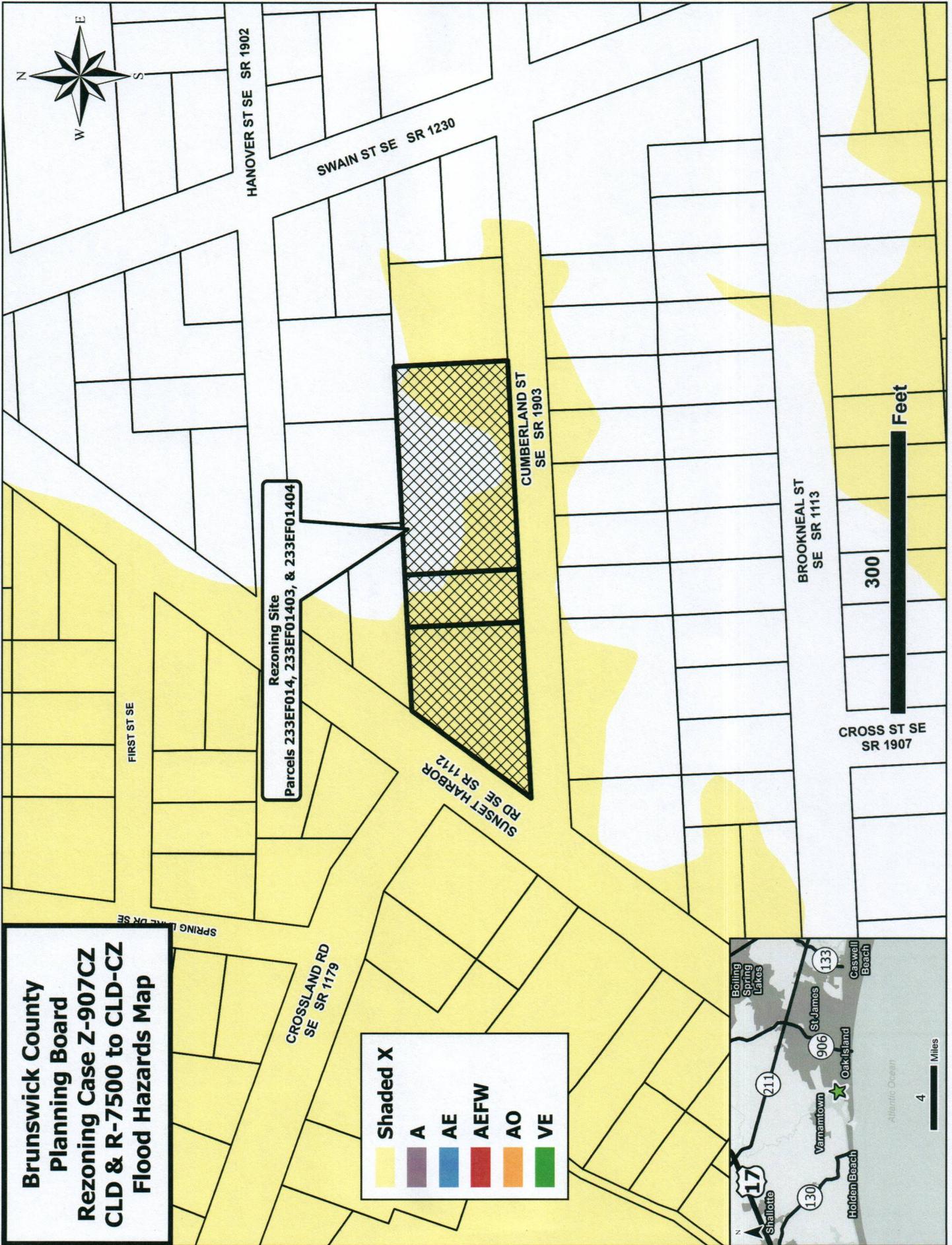
Rezoning Site
Parcels 233EF014, 233EF01403, & 233EF01404

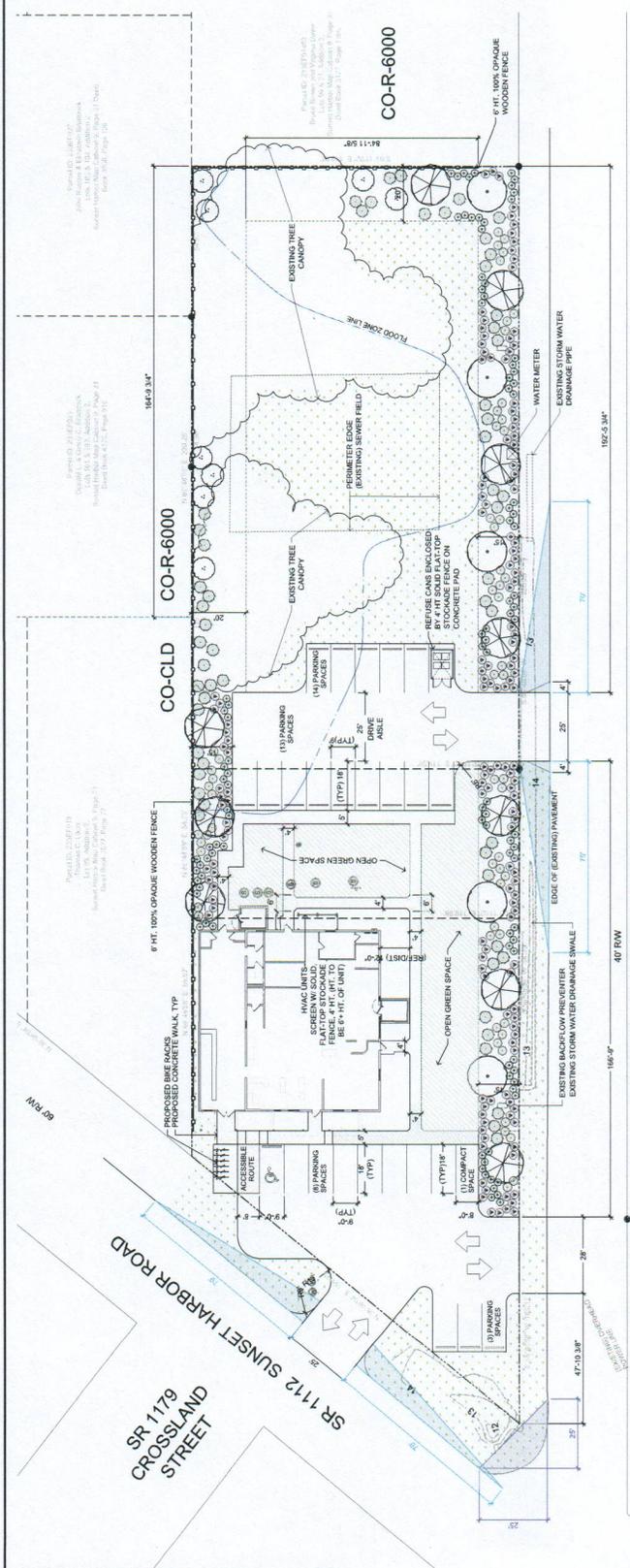
- Medium density Residential - Mixed
- Commercial



**Brunswick County
Planning Board
Rezoning Case Z-907CZ
CLD & R-7500 to CLD-CZ
Flood Hazards Map**

	Shaded X
	A
	AE
	AEFW
	AO
	VE





- PERENNIALS / GROUND COVER**
- MULLENBERGIA CAPILLARIS, PINK MUHLY GRASS
1 GAL. QTY: 151
 - PINESTRAW MILCH AT ALL PLANT BEDS
QTY: ~12,071 SF
 - ZOYSIA GRASS
SOD QTY: ~14,000 SF

- SHRUBS**
- ILEX GLABRA, INGBERRY HOLLY, SHAMROCK
3 GAL. QTY: 57
 - RHAPIDOPHYLLUM HYSTRIK, NEEDLE PALM
3 GAL. QTY: 58
 - PITTIOSPORUM TOBIRA, WHEELER, WHEELER DWARF PITTIOSPORUM
3 GAL. QTY: 102

- UNDERSTORY TREES**
- AMELANCHIER ALBOREA, SERVICEBERRY
2.3" CAL. 4.5 FT. (MIN) QTY: 8
 - LAGERSTROEMIA INDICA X FAUREI, WATCHEZ,
MATCHEZ GRAPE MYRTLE
8-10" HT. QTY: 10

- CANOPY TREES**
- QUERCUS VIRGINIANA, LIVE OAK
3.4" CAL. 4.5 FT. (MIN) QTY: 6

5.1.2.6 REQUIRED PARKING MINIMUM:
RESTAURANTS - 1 PER 100 SF FLOOR AREA AND 1 PER 300 SF FOR KITCHEN
NOTE: PUBLIC AREAS AND STORAGE EXCLUDED
1618 SF RESTAURANT / 100 SF = 17 PARKING SPACES REQUIRED
1391 SF KITCHEN / 300 SF = 5 PARKING SPACES REQUIRED
REQUIRED TOTAL: 22 PARKING SPACES REQUIRED
PROPOSED TOTAL: 26 PARKING SPACES
FOR A TOTAL OF 26 PARKING SPACES

STREET AND BOUNDARY BUFFERS	PER TABLE MINIMUM REQUIRED PROJECT BOUNDARY BUFFER 6.3.A.4	PROJECT BUFFER LINEAR FEET - REQUIRED PLANTING	PROPOSED BUFFER PLANTING
STREET BUFFER-CUMBERLAND STREET - ACROSS FROM RESIDENTIAL DISTRICT	ALT. 1 PLANTINGS: PER 100 LINEAR FEET: 1 CANOPY TREE, 1 UNDERSTORY TREE, 7 SHRUBS	~380 LF = 4 CANOPY TREES, 4 UNDERSTORY TREES, 28 SHRUBS	CANOPY TREES: (4) LIVE OAK, (4) GRAPE MYRTLE, (4) INGBERRY HOLLY, (4) NEEDLE PALM, (28) PITTIOSPORUM.
PROJECT BOUNDARY BUFFERS - APPLIES TO PARCELS TO THE NORTH	ALT. 3 PLANTINGS + 6 FT. FENCE: PER 100 LINEAR FEET: 15 WT, 3 UNDERSTORY TREES, 3 SHRUBS	~100 LF = 3 UNDERSTORY TREES, 3 SHRUBS	UNDERSTORY TREES: (3) GRAPE MYRTLE, (3) HOLLY, (13) NEEDLE PALM, (28) PITTIOSPORUM.
PROJECT BOUNDARY BUFFERS - APPLIES TO PARCELS TO THE NORTH & EAST	ALT. 3 PLANTINGS + 6 FT. FENCE: PER 100 LINEAR FEET: 20 WT, 3 UNDERSTORY TREES, 3 SHRUBS	~250 LF = 9 UNDERSTORY TREES, 9 SHRUBS	UNDERSTORY TREES: (9) TOTAL: (9) SERVICEBERRY, (1) GRAPE MYRTLE, (8) INGBERRY HOLLY, (9) PITTIOSPORUM

Plan prepared by:
Design: [Name], [Title]
Approved: [Name], [Title]

NOT FOR CONSTRUCTION



1114 Lake Road Drive
Wilmington, North Carolina
Mobile: 704-562-4225
www.blainc.com

DATE: _____ REVISIONS: _____

The
Felix Cafe
1792 Sunset Harbor Rd SE
Raleigh, NC

PROJECT: FEL

SCALE: 1" = 32'-0"

DRAWN BY: JMD

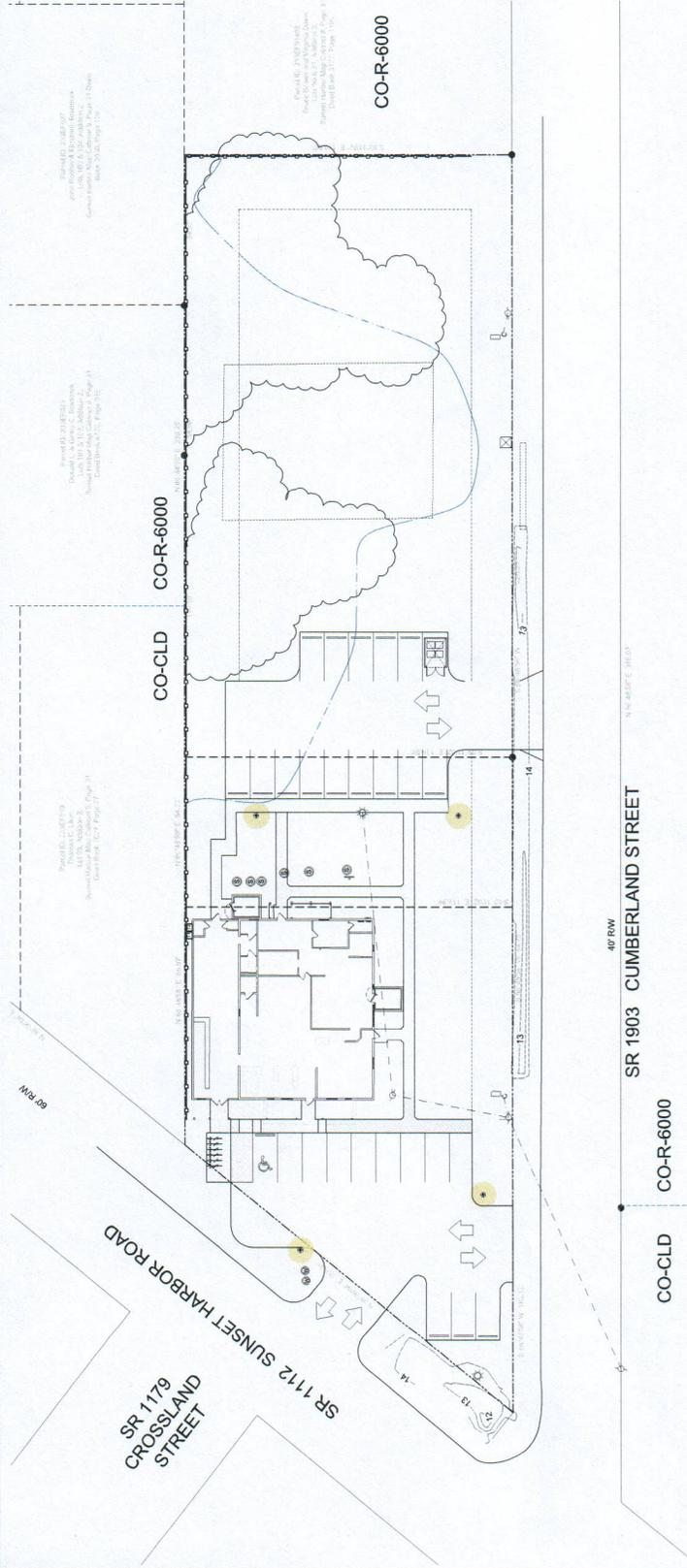
CHECKED BY: SR

DATE: 12/12/2024

Proposed
Lighting Plan

DRAWING NUMBER

L1.01



5.12.6 REQUIRED PARKING MINIMUM:
RESTAURANTS - 1 PER 100 SF FLOOR AREA AND 1 PER 300 SF FOR KITCHEN
NOTE: PUBLIC AREAS AND STORAGE EXCLUDED
1618 SF RESTAURANT / 100 SF = 17 PARKING SPACES REQUIRED
1381 SF KITCHEN / 300 SF = 5 PARKING SPACES REQUIRED
REQUIRED TOTAL: 22 PARKING SPACES REQUIRED
PROPOSED TOTAL: 25 PARKING SPACES & 1 COMPACT PARKING SPACE
FOR A TOTAL OF 26 PARKING SPACES

- LIGHTING LEGEND**
- TRANSFORMERS
QTY: 2
 - SECURITY LIGHTS
TYPE: 30
QTY: 4
 - FIXTURES - SECURITY LIGHTS
TYPE: 30
QTY: 2



REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>907</u>	Invoice # _____
Date Received <u>11/26/24</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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

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

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): <u>Chris Lummkin</u>	
Mailing Address: <u>P.O. Box 16106 Wilmington, NC 28408</u>	
Phone: <u>910-790-5287</u>	Email: <u>clummkin@constructivebuilding.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Felix Scropo + Jeffrey McDowell</u>	
Mailing Address: <u>3792 Sunset Harbor Rd SE Bolivia, NC 28422</u>	
Phone: <u>910-508-2510</u>	Email: <u>felix.scropo@gmail.com</u>
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>3792 Sunset Harbor Rd SE Bolivia, NC 28422</u>	
Parcel Tax ID #(s): <u>233EF014 233EF01403 233EF01404</u>	Total Site Acreage: <u>1.13 acres</u>
Current Zoning District(s): <u>R-6000</u>	Proposed Zoning District(s): <u>CLDCZ</u>
Conditional Zoning Request <input type="checkbox"/> YES <input type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

REZONING IS CONSISTENT WITH THE CHARACTER OF THE AREA

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map: THE EXISTING BUILDING LOCATED AT 3792 SUNSET HARBOUR RD WAS OPERATED AS A BAR & GRILL BY THE PREVIOUS OWNERS. THE CURRENT OWNERS ARE PROPOSING TO UPGRADE THE 2 PARCELS AT THE REAR OF THE BUILDING TO BETTER SERVICE THE FACILITY BY UPGRADE PARKING AREAS + PROVIDING PERIMETER LANDSCAPING BUFFERS WITH EXISTING CANOPY TREES TO REMAIN. PROPOSED IMPROVEMENTS TO THE FACILITY INCLUDE A COMPLETE INTERIOR UPFIT TO ACCOMMODATE A FULL SERVICE RESTAURANT IN AN AREA THAT IS "RESTAURANT STARVED" AND WITHIN WALKING

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. Distant of near by residential areas.

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: [Signature] Date: 11/19/24
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 (\$1,815) 1.0 to <5 acres (\$1,936) 5.0 to <25 acres (\$2,057)
- 25 to <50 acres (\$2,299) 50+ acres (\$2,420) Conditional Zoning (Add \$605)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$605 for City of Northwest Jurisdiction.

Z-907CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIP
233EE027	BROWN LARRY T & YVONNE L TRUSTEE		5603 W FRIENDLY AVE STE B	GREENSBORO	NC	27410-4252
233EG001	SMART JIM AND	MARTIN VERNON RAY JR	302 1/2 RIVER DR	SOUTHPORT	NC	28461-4110
233EF013	LIKOS THOMAS C		1145 E LEONARD ST	SOUTHPORT	NC	28461-8316
233EE026	QUINN BRIAN P		PO BOX 11486	SOUTHPORT	NC	28461-1486
233EF029	BRADDOCK DONALD L ETUX	BRADDOCK GINNY C	1072 BATTLE DAIRY RD	ROCKINGHAM	NC	28379-7312
233EL013	BOLING PHILIP ETUX	BOLING DAWN	561 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7833
233EG027	PEACE VICKY ANN (LT)	* DRYE GRACE LANNING	PO BOX 190	TRINITY	NC	27370-0190
233EG026	JONES STEPHEN DEAN ETUX	JONES RHONDA HAITHCOCK	735 BRADY STREET EXT	RAMSEUR	NC	27316-8707
233EG025	JONES STEPHEN D ETUX	JONES RHONDA H	735 BRADY STREET EXT	RAMSEUR	NC	27316-8707
233EG024	HARTSELL DAVID ANDREW ET	HARTSELL MARLENE	191 BOUNDARY RD	OAKBORO	NC	28120
233EG023	HARTSELL DAVID ANDREW SR		191 BOUNDARY ROAD	OAKBORO	NC	28129
233EG022	HARTSELL DAVID ANDREW SR		191 BOUNDARY ROAD	OAKBORO	NC	28129
233EG021	ALLMAN TIMOTHY DALE ETUX	ALLMAN ELAINE	338 ROWAN ROAD	CLEVELAND	NC	27013-8741
233EF027	BRADDOCK JOHN ROBBIE ETUX	BRADDOCK ELIZABETH	1084 BATTLE DAIRY ROAD	ROCKINGHAM	NC	28379
233EF01402	BROWN BRUCE ETUX	DAVIE VIRGINIA	602 CUMBERLAND ST SE	BOLIVIA	NC	28422-7872

OWNER(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
233EF01404	SCROPPO FELIX J JR AND	MCDOWELL JEFFREY W	464 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7828
233EF01403	SCROPPO FELIX J JR AND	MCDOWELL JEFFREY W	464 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7828
233EF014	SCROPPO FELIX J JR AND	MCDOWELL JEFFREY W	464 LOCKWOOD FOLLY RD SE	BOLIVIA	NC	28422-7828

APPLICANT(S)

PARCEL ID	NAME	NAME 2	ADDRESS	CITY	STATE	ZIP
	CHRIS LUMPKIN		P.O. BOX 16106	WILMINGTON	NC	28408