



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
December 10, 2018**

**Second Floor Training Room
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 of the October 22, 2018 and November 13, 2018 Meetings
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.

A. Rezoning Z-773 – Tim Butler

Proposed rezoning of approximately 8.97 acres located off Whiteville Road (NC 130) from RR (Rural Residential) to IG for a portion of Tax Parcel 16400029.

LAND USE PLAN MAP AMENDMENT LUM-773:

Request to amend a portion of Tax Parcel 16400029 from Conservation to Industrial.

B. Rezoning Z-774 – Owen Metts

Proposed rezoning of approximately 19.27 acres located off Randolphville Road (SR 1402) from NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcels 139AA007, 139AA025, 139AA027, 139AA030, 139AA031, 139AA008, 139AA019, 139AA020, 139AA011, 139AA001, 139AA0029, 139AA032, 139AA004, 139AA016, 139AA002, 139AA015, 139AA003, 139AA017, 139AA022, 139AA02201, 139AA02202, 139AA018, 139AA021, 139AA005, 139AA026, 139AA02601, 139AA013, 139AA010, 139AA009, 139AA006, 139AA028, 139AA012, 139AA023, 139AA014

C. Major Subdivision Plan Approval - PD-21

Name: Autumn Trail Planned Development
Applicant: JBS Consulting
Tax Parcels: 1680011002, 16800112 and 1680011201
Location: Located on Southport-Supply Road (NC 211)
Description: Autumn Trail is a proposed planned development consisting of 74 townhome units on a gross site of 24.39 acres creating an overall density of 3.03 units per acre.

8) Other Business.

- Planning Board 2019 Schedule
- Planning Board Case Update

9) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
October 22, 2018

Commissioners Chambers
Cooperative Ext. Training Room
Building N
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Ron Medlin
Troy Price

MEMBERS ABSENT

Tom Simmons
William Bittenbender

STAFF PRESENT

Kirstie Dixon, Director
Helen Bunch, Zoning Administrator
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Terry Pope, State Port Pilot
William B. Miller, Jr.
Don Harley
Ed Burnett

Donald Ward
Allan D. Yahasz
Ann Adams
Thomas R. Smith

I. CALL TO ORDER.

The Chair called the meeting to order at p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Tom Simmons and Mr. William Bittenbender were absent.

IV. CONSIDERATION OF MINUTES OF THE 13-AUG-18 MEETING.

Ms. Easley made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-769 – Donald R. Ward

Request to rezone approximately 18.57 acres located off Sunset Harbor Road SE (SR 1112) near Bolivia from NC (Neighborhood Commercial) to C-LD (Commercial Low Density) for Tax Parcel 2010001307.

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

Mr. Hackney said staff recommends denial from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 0570007203.

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

Mr. Donald Ward addressed the Board. He stated that he is asking for the highest and best use of the property.

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

Mr. Leary made a motion to recommend to the Board of Commissioners to approve Tax Parcel 2010001307 to C-LD (Commercial Low Density) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is consistent with the Comprehensive Plan (CAMA Land Use Plan) and other parcels in the immediate area .

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The proposed amendment is adjacent to similar zoning and infrastructure is in place.

B. Rezoning Z-770CZ – William Bryan Miller, Jr.

Request to rezone approximately 1.4 acres located off Pirate Shores Drive SW near Holden Beach from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcels 231LE02302, 231MA006 and 231MA008.

Land Use Plan Map Amendment LUM-770CZ:

Request to amend Tax Parcels 231LE02302, 231MA006 and 231MA008 located off Pirate Shores Drive SW near Holden Beach from HDR (High Density Residential) to Commercial.

Ms. Bunch addressed the Board. She read the Staff Report (attached). She identified the subject property and surrounding properties on a visual map.

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

Mr. Bryan Miller addressed the Board. Mr. Miller stated that he intends to offer storage of boats for residents. He provided maps of the area as well as a map of expected growth to this area. He further stated that there was a previous proposal for a boating facility to the area, but traffic will be reduced with the intended use of the property. Mr. Miller said Shane Street will be accessed for emergency purposes only. Mr. Miller said there will be improvements to an existing bridge. Mr. Miller addressed other concerns regarding safety and security that were discussed at the neighborhood meeting. He stated that the intended use will be strictly for residential use.

Mr. Dunham asked the applicant the water level in the area and Mr. Miller replied, the water depth is approximately 24”.

Mr. Jerry Blanks (owner of Tax Parcels 231MA007 and 231MA004) addressed the Board. Mr. Blanks spoke in opposition to the rezoning because it will change the dynamics of the neighborhood. He stated that his property is surrounded by this property. Mr. Blanks was also concerned with the potential lighting shining in his home and the potential traffic that will be generated by the intended use. Mr. Blanks said their POA will have to improve the road(s) in the community and the applicant’s portion will be minimal until he has a certain number of boat slips sold. Mr. Blanks expressed concern with other uses that are allowed should this conditional use be allowed. He provided the Board with copies of other homeowners opposing the zoning change.

Mr. Dunham asked staff the minimum buffer requirements? Ms. Bunch explained the minimum alternative buffers that will be required. Ms. Easley asked staff the closest commercial property

in the area? Ms. Dixon said there is no commercial zoning and/or property in the immediate area.

Mr. Kevin Henry addressed the Board. Mr. Henry said there is no project coming to the area because the current property owner is trying to sell said property. He further stated that the project has expired.

Mr. Richard Hutton addressed the Board. Mr. Hutton was opposed to any commercial uses in the area. He felt that people gaining access to the boat storage area will be trespassing on the current homeowners' property. Mr. Hutton felt that the proposed use will generate more traffic to the area.

Ms. Mary Russ addressed the Board. Ms. Russ was concerned with the potential noise from the proposed use and pollution.

Ms. Tammy Chamberlin addressed the Board. Ms. Chamberlin was opposed to the potential traffic that will be generated from the proposed zoning change. She was also concerned with the potential noise from vehicles pulling trailers to unload boats.

Mr. Steven Russ addressed the Board. Mr. Russ expressed concern with excessive traffic, lights shining in homes and pollution to the intracoastal waterway.

Ms. Elena Blanks addressed the Board. Ms. Blanks read 2 emails from other property owners in opposition to the intended use of the property.

Mr. Henry Sherrill addressed the Board. Mr. Sherrill spoke in opposition to the zoning change. He reiterated that the intended use is not compatible with their community. Mr. Sherrill asked that the Board deny the applicant's request.

Mr. George Magee addressed the Board. Mr. Magee reiterated his opposition to any commercial use coming to the area and changing the dynamics of their residential community.

Mr. Larry Leggett, 2830 Pirate Shore Drive SW, addressed the Board. Mr. Leggett said his bedroom window will be near the proposed parking lot. He, too, reiterated his neighbor's concerns in opposition to the proposed project.

Mr. Henry Sherrill readdressed the Board. Mr. Sherrill was concerned with access and it was determined that access will be provided.

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

Ms. Easley asked Attorney Batton about the potential of spot zoning if this is approved. Attorney Batton stated that conditional zoning is, by definition, spot zoning. He explained the process to allow conditional zoning that is reasonable to the area.

Ms. Bunch said staff recommends approval from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcels 231LE02302, 231MA006 and 231MA008 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcels 231LE02302, 231MA006 and 231MA008.

Ms. Bunch said staff recommends approval from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcels 231LE02302, 231MA006 and 231MA008 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcels 231LE02302, 231MA006 and 231MA008.

M Ms. Bunch said staff recommends approval from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcels 231LE02302, 231MA006 and 231MA008 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcels 231LE02302, 231MA006 and 231MA008.

Ms. Easley clarified the intent of the C-LD zoning district.

Ms. Easley made a motion to recommend to the Board of Commissioners to deny because it is not compatible with surrounding development and not reasonable, and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is not consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is not consistent with the Comprehensive Plan (CAMA Land Use Plan). However, a CAMA Land Use Plan Map amendment has been requested.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community:

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The proposed amendment.

C. Rezoning Z-771CZ – Allan D. Yuhasz

Request to rezone approximately 1.54 acres located off Southport-Supply Road SE (NC 211) near Bolivia from SBR-6000 (Site Built High Density Residential) to C-LD-CZ (Commercial Low Density Residential Conditional Zoning) for Tax Parcel 18500013.

Land Use Plan Map Amendment LUM-771CZ:

Request to amend Tax Parcel 18500013 located off Southport-Supply Road SE (NC 211) near Bolivia from LDR (Low Density Residential) to Commercial.

Ms. Bunch addressed the Board. She read the Staff Report (attached). She identified the subject property and surrounding properties on a visual map.

Ms. Bunch said staff recommends approval from SBR-6000 (Site Built High Density Residential) to C-LD-CZ (Commercial Low Density Conditional Zoning) for Tax Parcel 18500013 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcel 18500013.

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

Mr. Allan Yuahasz addressed the Board. He stated that the proposed use will generate minimal traffic.

Mr. Dunham asked staff if this area will be increased to 4 lanes and Ms. Bunch said the additional lanes will likely be on the opposite side of NC 211.

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

Mr. Leary made a motion to recommend to the Board of Commissioners to approve from SBR-6000 (Site Built High Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcel 18500013 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial for Tax Parcel 18500013 located off Southport-Supply Road SE (NC 211) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is not consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is not consistent with the Comprehensive Plan (CAMA Land Use Plan). However, a CAMA Land Use Plan Map amendment has been requested.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community:

There are conditions proposed by staff and there was no opposition at the neighborhood meeting or Planning Board meeting.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The subject property is adjacent to a major thoroughfare and the conditional uses can be used by the neighborhood.

D. Rezoning Z-772 – Don Harley and Anne Adams

Request to rezone approximately 30.87 acres located off Ocean Highway East (US 17) near Bolivia from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206.

Land Use Plan Map Amendment LUM-772:

Request to amend Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 located off Ocean Highway East (US 17) near Bolivia from LDR (Low Density Residential) to Commercial.

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

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206.

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

Mr. Don Harley addressed the Board on behalf of the property owner. Mr. Harley said the requesting zoning change is the highest and best use of the subject property. He stated that there will be a natural buffer where the existing ditch is located.

Mr. Charley Hewett, 1307 , addressed the Board. Mr. Hewett said he hunt in the area and would like to continue hunting in the area. He stated that he spoke with Mr. Harley prior to the meeting.

Ms. Janet Rockenhauser, owner of Tax Parcel 111KA003, addressed the Board. Ms. Rockenhauser expressed concern with the potential of additional traffic and noise generated from the proposed development.

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

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

Ms. Rockenhauser readdressed the Board. She asked how the property will be developed. Mr. Harley said they have no plans for a specific development at this time.

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

Mr. Price made a motion to recommend to the Board of Commissioners to approve from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial for Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 located off Ocean Highway East (US 17) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is not consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is not consistent with the Comprehensive Plan (CAMA Land Use Plan). However, a CAMA Land Use Plan Map amendment has been requested.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community:

There is similar zoning nearby.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The property is adjacent to a major thoroughfare.

E. Planned Development Approval – PD-15

Name: Country Walk Planned Development
Applicant: Ed Burnett
Tax Parcel: A portion of 11100014
Location: Bell Swamp Connection NE (SR 1407)
Description: Country Walk is a proposed planned development consisting of 92 single-family lots on a gross site of 37.61 acres creating an overall density of 2.45 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.

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

Mr. Thomas Scheetz, Norris and Tunstall, addressed the Board on behalf of the applicant.

Mr. Dunham asked staff if the property will be split and Mr. Pages said it will eventually be split.

Mr. Arthur Bellamy addressed the Board. Mr. Bellamy said this is an agricultural area and his neighbor (James Clemmons) has 80 cows and he has 15 cows. Mr. Bellamy felt that an 8' fence should be erected for a buffer. He stated that the proposed development will cause congestion to the area and a traffic light would have to alleviate the traffic. Mr. Bellamy reiterated the need for a fence to protect his cows.

Mr. Leon Franks addressed the Board. Mr. Franks asked the entrance to the proposed development? Mr. Pages replied, Bell Swamp Connection and he pointed out the area on a visual map. Mr. Franks was concerned with Kentucky Avenue being accessed rather than Bell Swamp Connection to gain access to US 17. Mr. Pages said the project is not proposing to access Kentucky Avenue. Mr. Scheetz said homes will be built to prevent access through Kentucky Avenue. Mr. Franks was concerned with the project coming back and forth to the Board for approval and Mr. Pages explained the process.

Ms. Sue Carlisle addressed the Board. Ms. Carlisle asked what her limitations will be when the property is developed. Mr. Pages said Ms. Carlisle property is currently zoned RR and she can develop the property for residential purposes and some light commercial uses. Ms. Carlisle was concerned with the potential traffic issues with the proposed development. Mr. Dunham said the applicant will have to get a driveway permit from NCDOT.

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

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

Ms. Denotra Franks addressed the Board. Ms. Franks asked if other parcels could be added to the approved PD and Ms. Dixon said the applicant would have to come back to the Board for additional approval. Ms. Franks asked about wetlands on the site. Mr. Scheetz said there are 3 dry basins on the site. Ms. Franks asked if the pond will be included within the development and Mr. Scheetz replied, yes.

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

Mr. Price made a motion to approve Country Walk Planned Development with the noted conditions and the motion was unanimously carried.

F. Planned Development Approval – PD-19

Name: Leland Commercial Planned Development
Applicant: TRS Holdings LLC
Tax Parcel: 04600040, 04600041, 0460004601, 04600046 and 046LA061
Location: Ocean Highway E. (US 17) and Carol-Lynn Drive NE (SR 1732)
Description: Leland Commercial is a proposed planned development consisting of 123 townhome units and 11.29 acres of commercial on a gross site of 30.17 acres creating an overall density of 4.08 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area 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;
- Clearly delineate the cemetery with a fence or similar and ensure a minimum of 25 feet clearance to any structure; and
- Indicate a 6 foot wooden fence will be installed 10 feet south of the property line adjacent to Tax Parcel 0460004805
- .

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

Mr. Steve Shuttleworth addressed the Board. Mr. Shuttleworth said they met with Mr. Duffy to address his concerns. He stated that they have been in contact with NCDOT.

Ms. Jane Whitaker addressed the Board. Ms. Whitaker addressed the Board on behalf of Mr. Weiss. She asked what will happen next to her property. Mr. Shuttleworth explained that they will not be developing within 60' to her property. Ms. Whitaker asked the proposed housing types? Mr. Shuttleworth said they will have single family and 1 to 2 story townhomes. Mr. Shuttleworth said they have no plans for the commercial area of this project.

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

Mr. Price made a motion to approve Leland Commercial Planned Development with the noted conditions and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Zoning Case Z-765 and Z-767 were approved by the Board of Commissioners. She stated that Z-767 was withdrawn until the November Board meeting.

IX. ADJOURNMENT.

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

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Tuesday
November 13, 2018

Second Floor Training Room
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Alvin Nobles
Troy Price
Tom Simmons

MEMBERS ABSENT

William Bittenbender
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Helen Bunch, Zoning Administrator
Brandon Hackney, Project Planner
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Marva Moss
Julia Sealey
Deanna Lewis
John Hankins
Jeremy Timco

Karen Gaughan
Thomas Scheetz
Heather Burkert
Lewis Dozier
Tim Moon

I. CALL TO ORDER.

The Chair called the meeting to order at 6:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Ron Medlin and Mr. William Bittenbender were absent.

IV. AGENDA AMENDMENTS.

Ms. Dixon stated that D.R. Horton requested that Hawkeswater Planned Development Revision (PD-20) be withdrawn for consideration.

V. PUBLIC COMMENT.

There were none.

VI. OLD BUSINESS.

A. Rezoning Z-766 – Marva S. Moss and Edna S. Bryant (Tabled 09-Jul-18)

Request to rezone approximately 1.15 acres located off Hazels Branch Road SE (SR 1619) near Leland from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) Tax 0570007203.

Land Use Plan Map Amendment LUM-766:

Request to amend Tax Parcel 0570007203 located off Hazels Branch Road SE (SR 1619) from LDR (Low Density Residential) to Commercial.

Mr. Dunham said this matter was tabled at the 09-Jul-18 Planning Board meeting because it appeared to be spot zoning. At that time, the Board suggested that the applicant contact adjoining property owners about including other parcels in the rezoning request.

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

Ms. Marva Moss addressed the Board. Ms. Moss said she spoke with adjacent property owners and they were not interested in including their property with the requested zoning change. Ms. Moss said there were previous discussions of developing Tax Parcel 05700068 for commercial purposes, but the project never happened. She further stated that there are other commercial uses nearby and there is a potential for other commercial projects in the area. She said the subject property is small, but it can be used for commercial purposes if the rezoning is granted. Ms. Moss expressed concern with how the flooding from Hurricane Florence impacted the property with regards to the tax value assessment?

Ms. Karen Gaughan addressed the Board. Ms. Gaughan said she lived in Stoney Creek and her home was flooded during Hurricane Florence. She stated that she and her husband are concerned

with the potential of flooding as result of excessive development in the area. Ms. Gaughan said she and her husband asked the Town of Leland (Town) to work with US Army Corps of Engineers (Corps of Engineers) to conduct a study on why this area flooded during Hurricane Florence. She reiterated her concern for excessive development that may put the current residents at risk for flooding. Mr. Dunham asked Ms. Gaughan if the Corps of Engineers has responded to their inquiry? She said the Corps of Engineers has to have a fund sharing partnership with the Town and the Town has agreed to do so. She further stated that the Town and the Corps of Engineers are in the beginning phase.

Ms. Moss readdressed the Board. She stated that they are not trying to build on the property in question. Ms. Moss reiterated that there is a limited area they can develop on the 1.15 acres tract. Mr. Dunham asked Ms. Moss if there are wetlands on the subject property? Ms. Moss said the Corps of Engineers has not delineated any wetlands on the property. Mr. Dunham said rezoning the subject property appears to be spot zoning as previously discussed at the 09-Jul-18 meeting,

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

Mr. Pages said staff recommends denial from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 0570007203 as previously stated in the Staff Report (attached).

Mr. Leary made a motion to recommend to the Board of Commissioners to deny Tax Parcel 0570007203 to C-LD (Commercial Low Density) and the motion was unanimously carried.

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

DENIAL – INCONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment is not consistent with the CAMA Land Use Plan (Comprehensive Plan) and is not in the public interest for the following reasons:

It appears to be spot zoning and the property is not adjacent to a major intersection or any intersection being utilized for commercial purposes.

VII. PUBLIC HEARINGS.

A. Major Subdivision Plan Approval – SS-267

Name: Vineyard Grove Major Subdivision
Applicant: Leland School Road, LLC
Tax Parcel: 029AB023
Location: Leland School Road NE (SR 1441)
Description: Vineyard Grove is a proposed major subdivision consisting of 31 single-family lots on a gross site of 6.45 acres creating an overall density of 4.74 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.

Ms. Simmons asked the distance from the entrance to Leland Elementary School? Mr. Patton said this site is where the old elementary school use to be located, which is now the ballpark.

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

Mr. Thomas Scheetz, Norris and Tunstall Consulting Engineers, addressed the Board on behalf of the applicant. He stated that there will be a walking trail around the stormwater pond and a 10' pedestrian easement between Lots 13 and 14 to Port City Community Church property (Tax Parcel 02900001).

Ms. Julia Sealey, owner of Tax Parcels 029AB021 and 029AB022), addressed the Board. She felt that a study should be done on Leland School Road NE (SR 1441) because it is used as a shortcut from Mt. Misery Road NE (SR 1426) to Village Road NE (SR 1472) and vehicles are travelling at high speeds. Mr. Dunham asked staff if there was a representative from the North Carolina Department of Transportation (NCDOT) at the Technical Review Committee (TRC) meeting? Mr. Pages said NCDOT is requiring a driveway permit, but a traffic impact study is not required by NCDOT. Ms. Sealey felt that the proposed development will be adding a lot of homes to the area. Ms. Sealey was also concerned with a ditch near her property that is cluttered with debris. Mr. Pages said any ditches in the NCDOT right-of-way with debris should be cleared by NCDOT. Ms. Sealey said there is a ditch between her house and the property to be developed. Mr. Scheetz said that particular ditch will be cleared of debris and maintained by his client.

Ms. Deanna Lewis, owner of Tax Parcel 029AA009, addressed the Board. Ms. Lewis asked where the entrance will be to the development? Mr. Scheetz identified the entrance to the site on a visual map. Ms. Lewis said the proposed entrance will be in front of her property. She asked if there will be a traffic light installed to alleviate the additional traffic that will be generated from this development? Mr. Dunham replied, no. He reiterated that NCDOT is only requiring a driveway permit be obtained for this project. Ms. Lewis reiterated that several people use Leland School Road NE (SR 1441) as a shortcut between Mt. Misery Road NE (SR 1426) and Village Road NE (SR 1472). She asked if the speed limit could be reduced and Mr. Dunham said NCDOT would make that determination. Mr. Pages reiterated that an NCDOT Driveway Permit will be required, but a traffic impact study is not required for this particular project. Ms. Lewis was concerned with whether NCDOT is aware of the number of vehicles that travel Leland School Road NE (SR 1441) on a daily basis. Mr. Pages said NCDOT do annual traffic counts and those numbers can be obtained from NCDOT. Subsequently, Leland School Road NE (SR 1441) is not above the threshold to require a traffic impact study.

Mr. Scheetz readdressed the Board. He stated that his client is willing to install a 10' buffer on the northern and southern boundary of the property and the ditch near Ms. Sealey's property will

be cleared of debris and maintained to ensure the stormwater pond functions properly on the subject property. Mr. Scheetz reiterated that they will be applying for the NCDOT Driveway Permit.

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

Ms. Easley made a motion to approve Vineyard Grove Major Subdivision with the noted conditions including a 10' buffer on the northern and southern boundary of the property and the motion was unanimously approved.

B. Rezoning Z-775 – Jeremy Timco

Request to rezone approximately 16.57 acres located off Holden Beach Road SW (NC 130) near Holden Beach from C-LD (Commercial Low Density) and R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 232HC00802, 232HC00803, and 232HC00801.

Land Use Plan Map Amendment LUM-775:

Request to amend Tax Parcels 232HC00802 and 232HC00803 located off Holden Beach Road SW (NC 130) near Holden Beach from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial.

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

Mr. Pages said staff recommends approval from C-LD (Commercial Low Density) and R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 232HC00802, 232HC00803 and 232HC00801 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcel 232HC00802, 232HC00803 and 232HC00801.

Mr. Dunham asked staff if Tax Parcel 232HC007 should be included in the CAMA Land Use Plan amendment? Mr. Pages said Tax Parcel 232HC007 is currently classified as commercial in the CAMA Land Use Plan Map, but it is split zoned R-6000 and C-LD. Ms. Dixon said staff has elected not to add parcels without the homeowner's consent because it could potentially become controversial.

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

Ms. Heather Burkert addressed the Board on behalf of the applicant. Ms. Burkert said the zoning change will be consistent with the surrounding area as well as eliminate the existing split-zoning of the parcel.

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

Mr. Price made a motion to recommend to the Board of Commissioners to approve from C-LD (Commercial Low Density) and R-6000 (High Density Residential) to C-LD (Commercial Low Density) Tax Parcels 232HC00802, 232HC00803 and 232HC00801 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial for Tax Parcels

232HC00802, 232HC00803 and 232HC00801 located off Holden Beach Road SW (NC 130) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is not consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is not consistent with the Comprehensive Plan (CAMA Land Use Plan). However, a CAMA Land Use Plan Map amendment has been requested and the property is split-zoned.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community:

The area is in transition and the change will encourage a town and village center rather than commercial strip development.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The change will encourage a town and village center rather than commercial strip development.

D. Rezoning Z-776 – Tim Moon

Request to rezone approximately 0.19 acres located at 7040 Allred Street SW near Ocean Isle Beach from R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 243PI025.

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

Ms. Easley asked to be excused from the matter citing a potential conflict of interest. Mr. Price made a motion to recuse Ms. Easley and the motion was unanimously carried.

Mr. Dunham asked about access to the property. Mr. Pages stated that there is access from the marina to Allred Street SW and the subject property via a swing gate.

Mr. Hackney said staff recommends approval from R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 243PI025.

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

Mr. Tim Moon addressed the Board. Mr. Moon said the subject property will be used for overflow parking from the marina and the existing home on the site will be demolished. He further stated that he may build a home on the property in question in the future.

Mr. Nobles asked if access to the subject project will be off Allred Street SW? Mr. Moon replied, yes. Mr. Moon said the marina is accessed off Somerset Road SW (SR 1161), but the subject property is a stand-alone parcel off Allred Street SW. He further stated that traffic will come through the marina and drive to the overflow parking area, if needed. He reiterated that he may build a house on the property in the future, but it will have access off Allred Street SW.

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

Mr. Price made a motion to recommend to the Board of Commissioners to approve from R-6000 (High Density Residential) to C-LD (Commercial Low Density) Tax Parcel 243PI025 and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is consistent with the Comprehensive Plan (CAMA Land Use Plan) as the area is currently zoned for commercial use.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The area is currently classified as mixed use and there was no opposition from the public.

Mr. Dunham made a motion for Ms. Easley to rejoin the Board and the motion was unanimously carried.

- E. Proposed Revisions to the Campground and RV Resort standards in Article 5, Section 5.3.8 of the Brunswick County Unified Development Ordinance.

Mr. Pages addressed the Board. He stated that the proposed amendments will provide more flexibility for Campgrounds and RV Resorts as result of feedback from existing Campground owners and potential Campground and RV Resort owners. Mr. Pages discussed the proposed amendments (attached).

Mr. Leary asked if the industry wants to create smaller campsites and Mr. Pages concurred. Ms. Dixon added that staff wants to ensure Outdoor RV Resorts requirements are doable and the industry feels that the current requirements do not work. Ms. Dixon added that 1 RV Resort has been approved and others have explored doing an RV Resort.

Mr. Dunham asked staff who is responsible for ensuring the surface has a minimum of six inches of compacted stone? Mr. Pages said the Engineering Department will verify such.

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

Mr. Jeremy Timco addressed the Board. He asked if yurts will be allowed in a campground? Mr. Pages said the lot width may prohibit such because yurts may not be able to fit, depending on their size.

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

Mr. Price made a motion to recommend to the Board of Commissioners to approve the text amendments for Campgrounds and RV Resorts and the motion was unanimously carried.

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

There is no impact to the Comprehensive Plan (CAMA Land Use Plan).

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public interest for the following reasons:

The proposed text amendment comports with industry standards.

VIII. OTHER BUSINESS.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that all Zoning Cases from 22-Oct-18 (excluding Z-770CZ that was postponed by the applicant until February 2019) and tonight's meeting will be considered at the Board of Commissioners 17-Dec-18 meeting.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-773

December 10, 2018

APPLICATION SUMMARY

The applicant requests to rezone a portion of Tax Parcel 16400029 from RR (Rural Residential) to IG (Industrial General). 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

Whiteville Road NW (NC 130)

Tax Parcel

A portion of 16400029

Current Zoning

RR

Proposed Zoning

IG

Surrounding Zoning

RR, SH-HI (Shalotte Jurisdiction)

Current Use

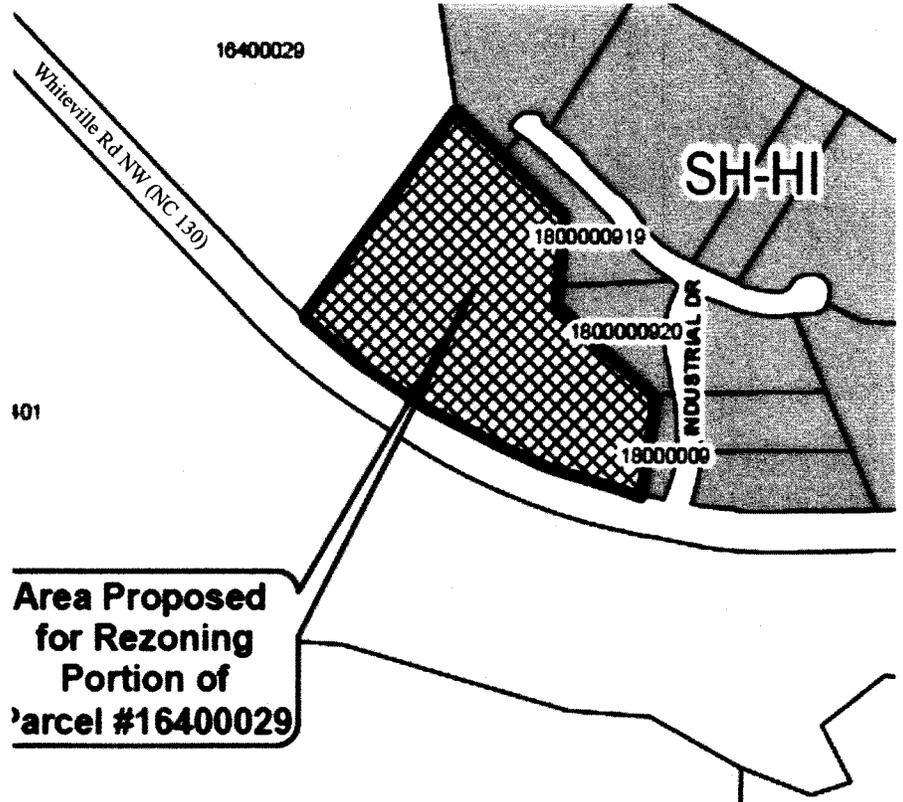
Vacant

Surrounding Land Uses

Industrial and Vacant Lands

Size

8.97 acres



SITE CONSIDERATIONS

Zoning History: No known changes in zoning have occurred in the vicinity since the introduction of Zoning in Brunswick County in 1994.

Buffers: If rezoned to IG, all uses will require a 0.8 (vacant) or 1.0 (developed) opacity buffer to RR areas.

Traffic: The average annual daily traffic count for this section of Whiteville Road NW (NC 130) is 5,200 vehicle trips per day.

Utilities: Water is available from Brunswick County along Whiteville Road NW. Sewer is not available in the vicinity. It is the developer's responsibility to connect to the water system.

Schools: There are no vicinity school capacity deficiencies at this time.

CIP Projects in Area: West Brunswick Classroom Addition (FY 2019).

NCDOT Road Improvements in Area: Carolina Bays Parkway – Design and Environmental Study in Progress.

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small portions of rezoning site scores 7 out of 10 due to wetlands classified as substantial.

ANALYSIS

"The I-G District is intended to provide locations for enterprises engaged in a broad range of manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembly of goods, merchandise or equipment. Lands in this District are to be located on or near Major Thoroughfares as identified in the Major Thoroughfare Plan or Cooperative Transportation Plan; to rail service; and to in-place infrastructure such as water, sewer, and/or natural gas."

CAMA Land Use Plan Classification: *Conservation*

- Proposed Zoning is **not** consistent with CAMA Land Use Plan.
- Associated Land Use Plan Amendment (LUM-773):
Request to a portion of Tax Parcels 16400029 from Conservation to Industrial.

Applicable CAMA Land Use Policies:

- P.21 States that Brunswick County will encourage/support the development of clean industries in locations where services can be provided, environmental impacts can be mitigated, surrounding land uses are compatible, and transportation systems can support the development.
- P.49 States that Brunswick County and its participating municipalities support directing more intensive land uses to areas that have existing or planned infrastructure.
- P.111 States that Brunswick County will expand employment opportunities in all areas of the County.
- P.112 States that Brunswick County will encourage industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO IG IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO INDUSTRIAL FOR A PORTION OF TAX PARCEL 16400029 BASED** upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

I, Steven M. Norris, a Professional Land Surveyor, certify that this map was drawn from an actual survey made under my direct supervision, that the ratio of precision of the actual field observations, as calculated by Leuckers and departures is 1 : 10,000 ±, that it conforms to G.S. 47-30 as amended and that it is true and correct to the best of my knowledge and belief.

I hereby certify that this survey contains a subdivision of land which is subject to a deed of trust, mortgage, lien or other encumbrance that requires records of land.



Review Officer of Brunswick County, certify that the map or plan to which the certification is affixed meets all statutory requirements for recording.

Review Officer _____
Date: _____

Wayne Hill, ETALS
DB: 3942, PG: 91
MB: 33, PG: 113
16400029

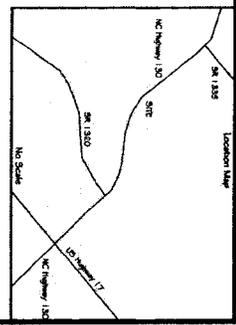
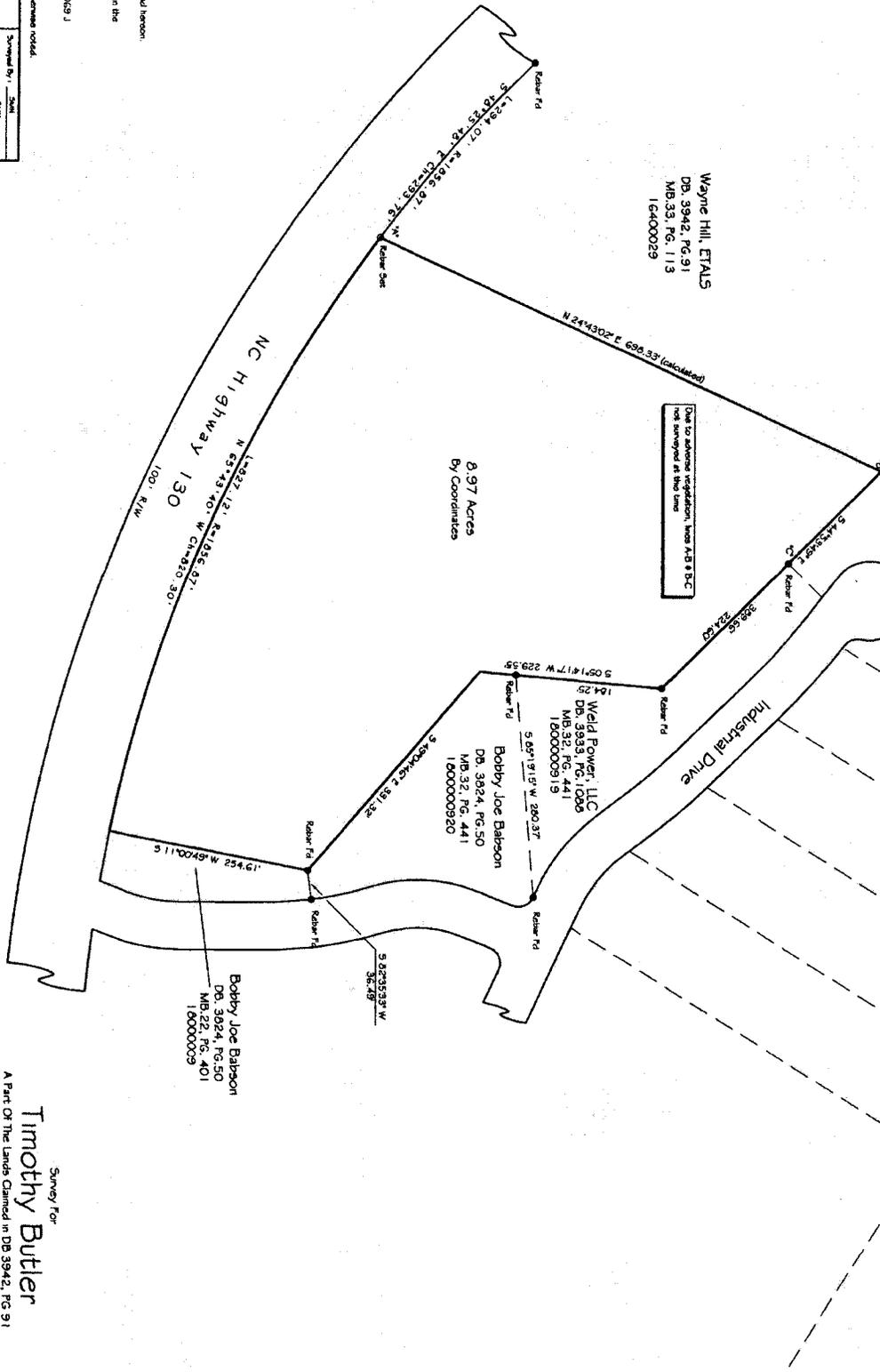
Southern Equipment Company, Inc
DB: 1747, PG: 811
MB: 22, PG: 401
1000000905

Wald Power, LLC
DB: 3933, PG: 1098
MB: 32, PG: 441
1000000915

Bobby Joe Babson
DB: 3924, PG: 50
MB: 32, PG: 441
1000000920

Bobby Joe Babson
DB: 3924, PG: 50
MB: 22, PG: 401
1000000929

Due to advance vegetation, lines A-B & B-C not surveyed at this time



NOTES:
For additional tie and reference see maps as referenced herein.
Adjoining Property owners based on information found in the Brunswick County Tax Office.
Based on BrunswickCounty Flood Insurance Rate Map 9780 I06S001 Community Number 370295 Parcel I (DGS 1) the parcel appears to be in Flood Zone 'X'.
All Distances are horizontal ground distances unless otherwise noted.

NORRIS & WARD
Land Surveyors, P.A.
North Carolina & South Carolina

Professional Seal
C. 1037

Surveyed By: SWM
Checked By: NW
Scale: 1:10000
Map No.: 100002

State of North Carolina, Survey of Maps, P.L.S.

Survey For
Timothy Butler
A Part Of The Lands Granted in DB 3942, PG 91

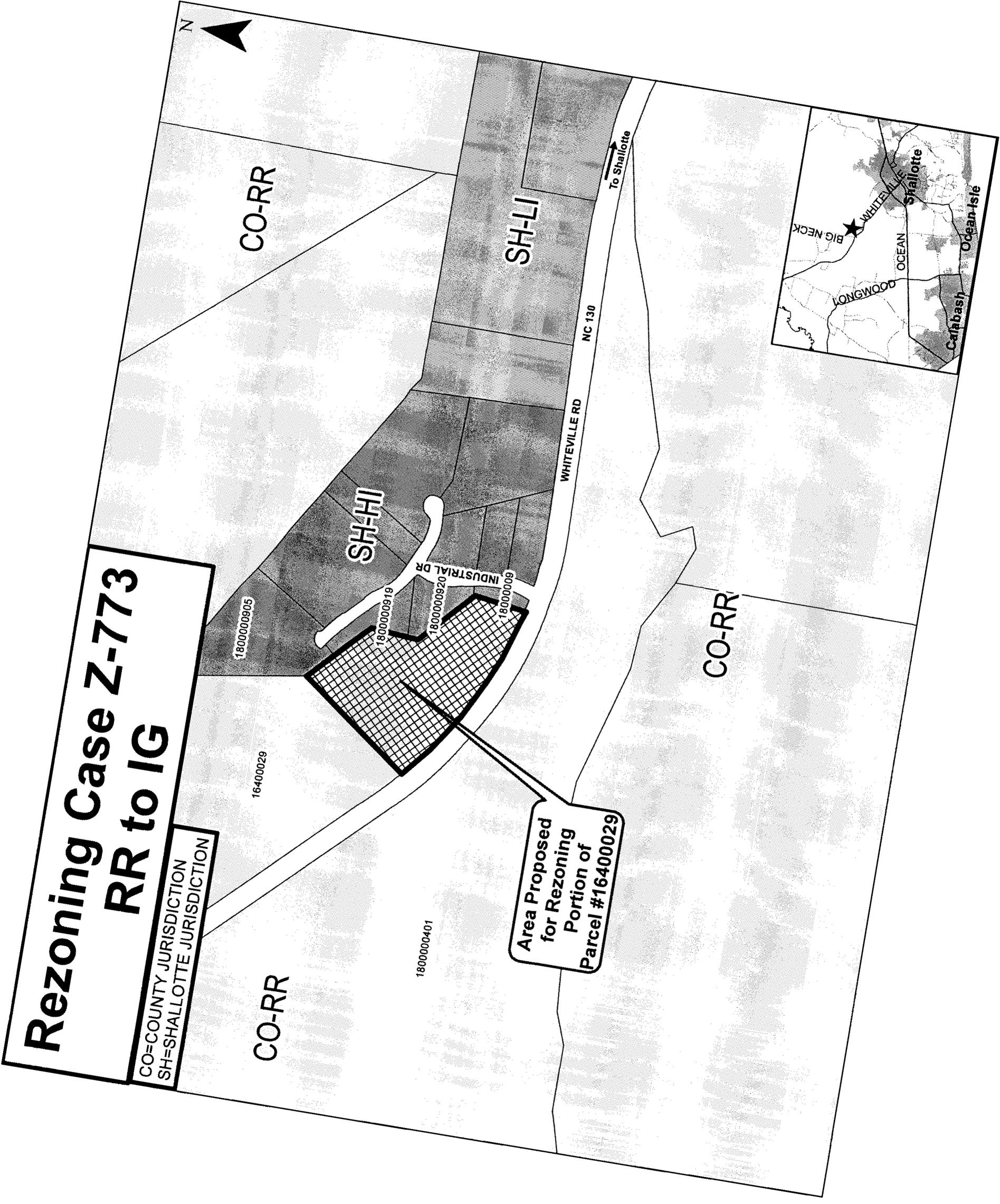
Standard Township
Brunswick County, N.C.

Scale 1" = 100'
August 21st, 2016

CHURCH & WARD LAND SURVEYORS P.A. 2016

Rezoning Case Z-773 RR to IG

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION



Area Proposed
for Rezoning
Portion of
Parcel #16400029

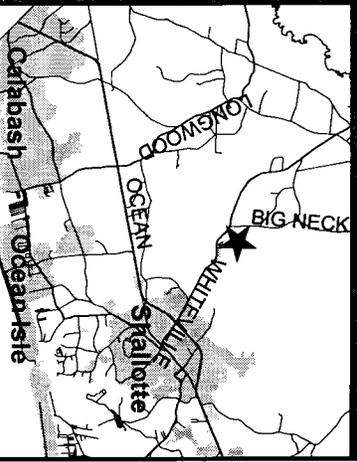
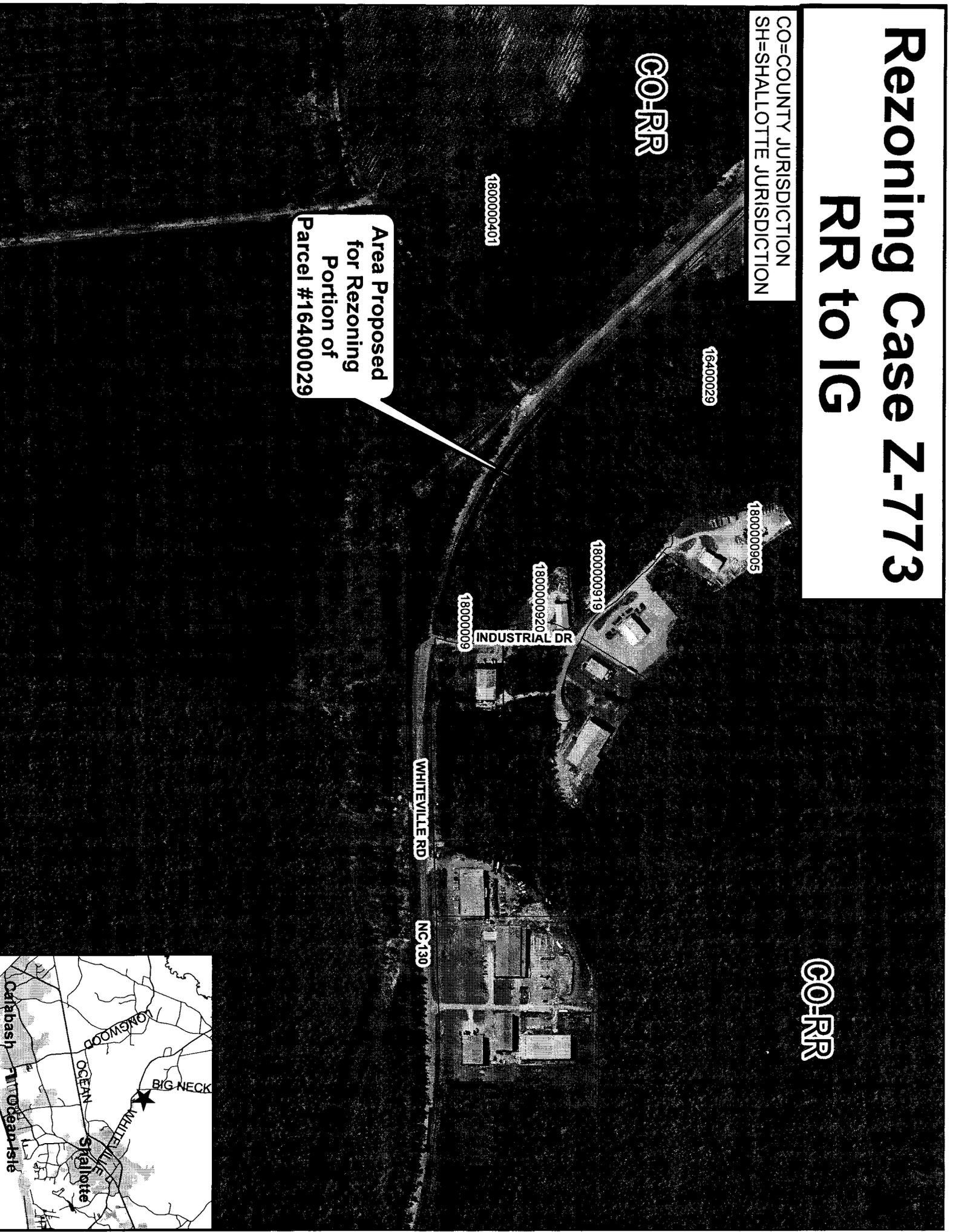
Rezoning Case Z-773 RR to IG

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION

CO-RR

CO-RR

Area Proposed
for Rezoning
Portion of
Parcel #16400029



Rezoning Case Z-773 Future Land Use

CO=COUNTY JURISDICTION
SH=SHALLOTTE JURISDICTION

CONSERVATION



1800000905

16400029

LDR

1800000919

INDUSTRIAL DR

1800000920

18000009

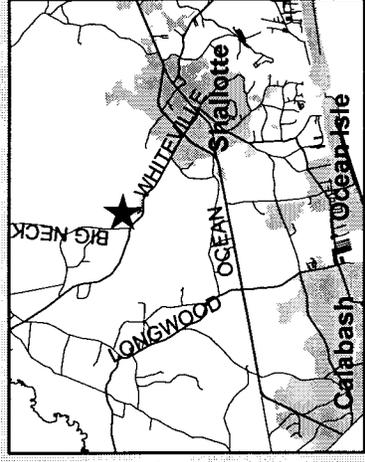
1800000401

WHITEVILLE RD
NC 130

To Shallotte

Area Proposed
for Rezoning
of
Portion of
Parcel #16400029

LDR





REZONING APPLICATION

For Office Use Only

Planning Project #: _____

Rezoning Case Z- 723

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

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>TIM Butler</u>	
Mailing Address: <u>P.O. Box 3138</u> <u>N. Myrtle Beach SC</u> <u>29582</u>	
Phone: <u>336-906-6535</u>	Email: <u>timbutler01@gmail.com</u>
PROPERTY OWNER INFORMATION (if different from above)	
Owner Name(s): <u>Ernie Youpts</u> <u>Clayne Hill</u> <u>Joseph Todd</u> <u>William Thomas</u>	
Mailing Address: <u>Box 3325</u> <u>N. Myrtle Beach SC 29582</u>	
Phone: <u>843-331-6149</u>	Email: <u>Youpts1950@gmail.com</u>
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>Portion of 16400029</u> <u> Hwy 130, just north of Industrial Dr.</u> <u>Shelby</u>	
Parcel Tax ID #(s): <u>16400029 (Portion) (u)</u>	Total Site Acreage: <u>+/- 8</u>
Current Zoning District(s): <u>RR</u>	Proposed Zoning District(s): RR <u>IG</u>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

Rezoning is consistent with the character of the area and would match surrounding zoning.

LAND USE COMPATIBILITY

Future Land Use Map Classification: **HI**

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:

Shalotte Industrial Park adjoins the property, rezoning would allow consistency in the area.

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: _____

Date: 07/31/2018

Owner Signature: [Signature]

Date: 7.29.18

Owner Signature: [Signature]

Date: 7.29.18

Date: 7.29.18

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

OFFICE USE ONLY

DATE RECEIVED: 7/31/18

RECEIPT #: 23646

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

CASE Z-773

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1800000401	BRUNSWICK TIMBER LLC	15 PIEDMONT CENTER	ATLANTA	GA	30305
1800000920	BABSON BOBBY JOE ETUX	4920 PIGOTT RD SW	SHALLOTTE	NC	28470-5172
18000009	BABSON BOBBY JOE ETUX	4920 PIGOTT RD SW	SHALLOTTE	NC	28470-5172
1800000919	WELD POWER LLC	4977 INDUSTRIAL PARK RD	SHALLOTTE	NC	28470-3441
16400029	HILL WAYNE ETALS	PO BOX 3325	N MYRTLE BCH	SC	29582-0325
1800000905	SOUTHERN EQUIPMENT COMPANY INC	3015 WINDWARD PLZ STE 300	APHARETTA	GA	30005

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
16400029	HILL WAYNE ETALS	PO BOX 3325	N MYRTLE BCH	SC	29582-0325

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
16400029	TIM BUTLER	PO BOX 3138	N MYRTLE BEACH	SC	29582

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-774

December 10, 2018

APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 139AA007, 139AA025, 139AA027, 139AA030, 139AA031, 139AA008, 139AA019, 139AA020, 139AA011, 139AA001, 139AA0029, 139AA032, 139AA004, 139AA016, 139AA002, 139AA015, 139AA003, 139AA017, 139AA022, 139AA02201, 139AA02202, 139AA018, 139AA021, 139AA005, 139AA026, 139AA02601, 139AA013, 139AA010, 139AA009, 139AA006, 139AA028, 139AA012, 139AA023, 139AA014 from NC (Neighborhood Commercial) to CLD (Commercial Low Density). This rezoning is comprised of the subdivision of Mary Frances Place (Recorded 1997). 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

Randolphville Road (SR 1402)

Tax Parcels

139AA007, 139AA025, 139AA027,
139AA030, 139AA031, 139AA008,
139AA019, 139AA020, 139AA011,
139AA001, 139AA0029, 139AA032,
139AA004, 139AA016, 139AA002,
139AA015, 139AA003, 139AA017,
139AA022, 139AA02201, 139AA02202,
139AA018, 139AA021, 139AA005,
139AA026, 139AA02601, 139AA013,
139AA010, 139AA009, 139AA006,
139AA028, 139AA012, 139AA023,
139AA014

Current Zoning

NC

Proposed Zoning

CLD

Surrounding Zoning

NC, CLD

Current Use

Vacant, Residential

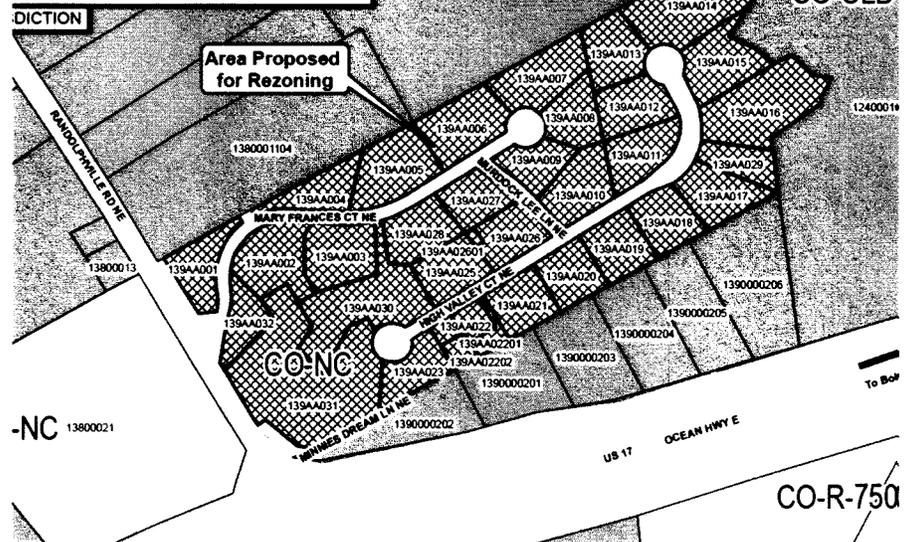
Surrounding Land Uses

Residential, Agricultural, Vacant Lands

Size

19.27 acres

ing Case Z-774 NC to CLD



SITE CONSIDERATIONS

Zoning History: No known changes in zoning have occurred in the vicinity since the introduction of Zoning in Brunswick County in 1994.

Buffers: If rezoned to CLD, a buffer is not required for non-residential uses zoned CLD unless there is existing residential. When adjacent to a residential use, a 0.4 opacity buffer will be required.

Traffic: The average annual daily traffic count for Randolphville Road is 240 trips and 21,000 trips for the nearby section of Ocean Hwy East.

Utilities: Water is available from Brunswick County along Randolphville Road NE. Sewer is not available in the vicinity. It is the developer's responsibility to connect to the water system.

Schools: There are no vicinity school capacity deficiencies at this time.

CIP Projects in Area: New Town Creek Middle School (FY 2019), New Early College Building (FY 2021)

NCDOT Road Improvements in Area: Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small portions of the rezoning site score a 6 out of 10 due to wetlands classified as substantial.

ANALYSIS

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

CAMA Land Use Plan Classification: *Commercial*

- Proposed Zoning is consistent with CAMA Land Use Plan.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 States that Brunswick County will encourage industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

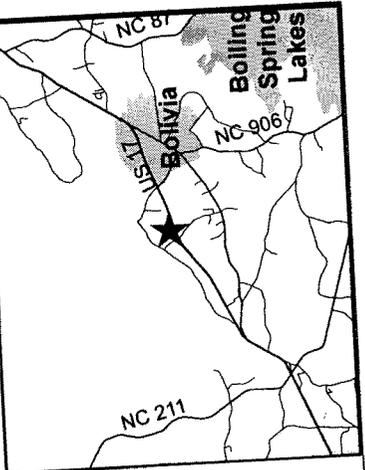
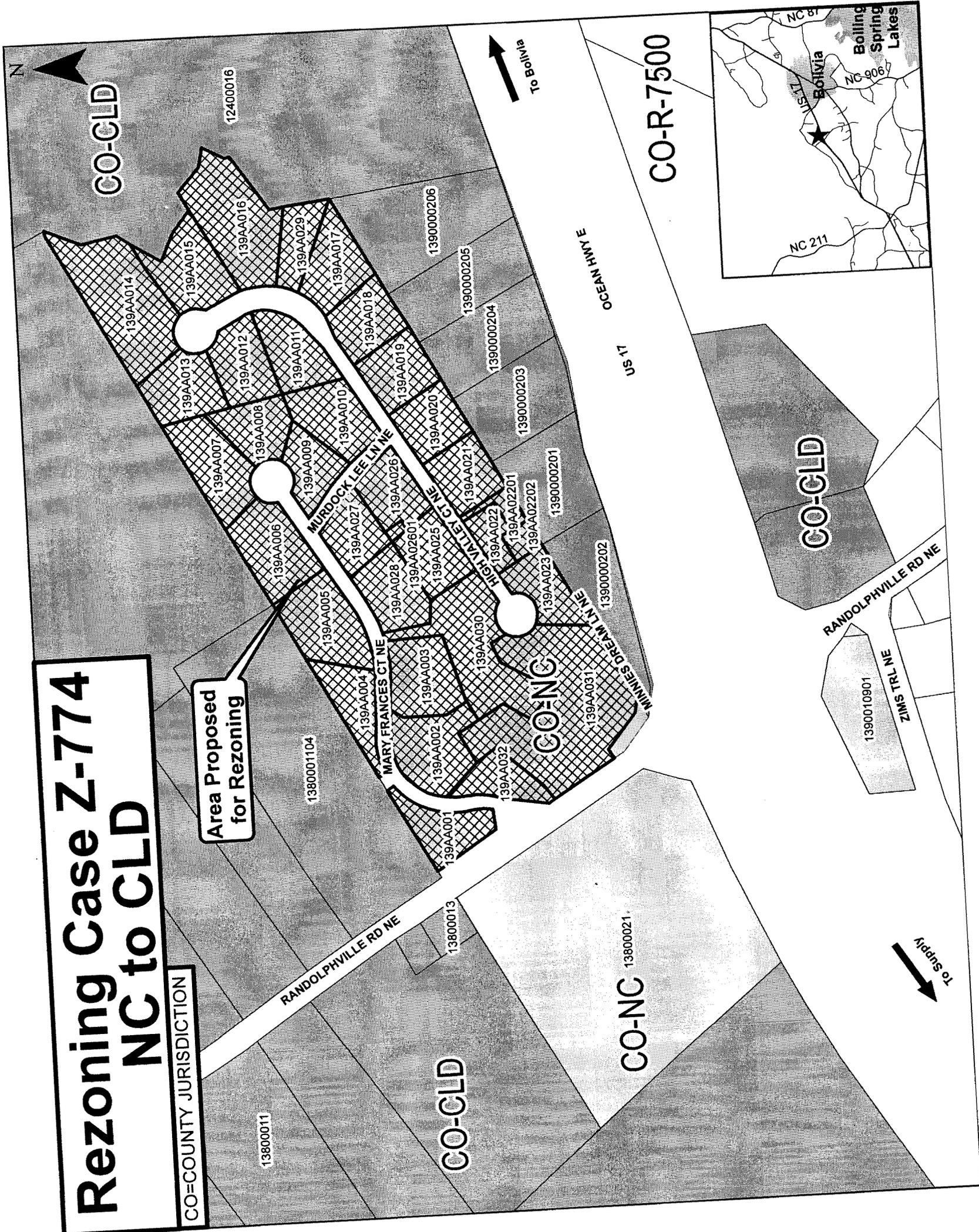
STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD IN FOR TAX PARCELS 139AA007, 139AA025, 139AA027, 139AA030, 139AA031, 139AA008, 139AA019, 139AA020, 139AA011, 139AA001, 139AA0029, 139AA032, 139AA004, 139AA016, 139AA002, 139AA015, 139AA003, 139AA017, 139AA022, 139AA02201, 139AA02202, 139AA018, 139AA021, 139AA005, 139AA026, 139AA02601, 139AA013, 139AA010, 139AA009, 139AA006, 139AA028, 139AA012, 139AA023 AND 139AA014** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Rezoning Case Z-774 NC to CLD

CO=COUNTY JURISDICTION

Area Proposed
for Rezoning



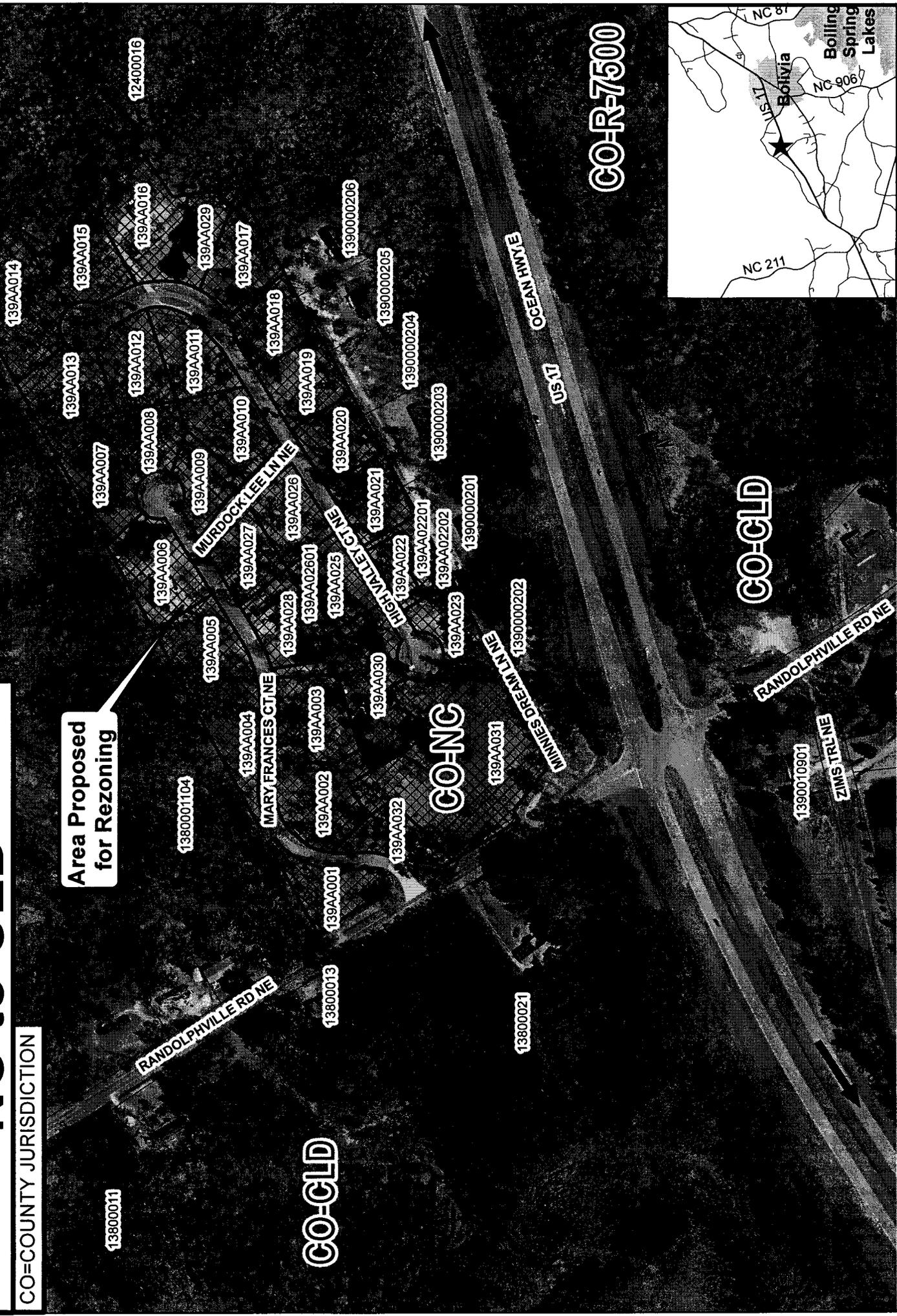
To Supply

To Supply

Rezoning Case Z-774 NC to CLD

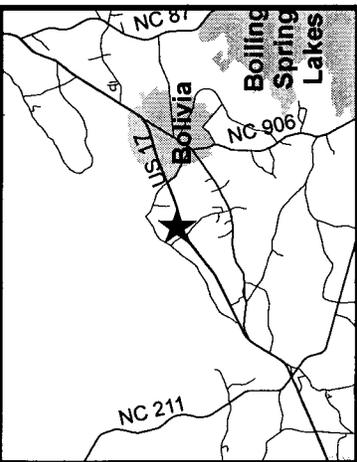
CO=COUNTY JURISDICTION

Area Proposed
for Rezoning



CO-R-7500

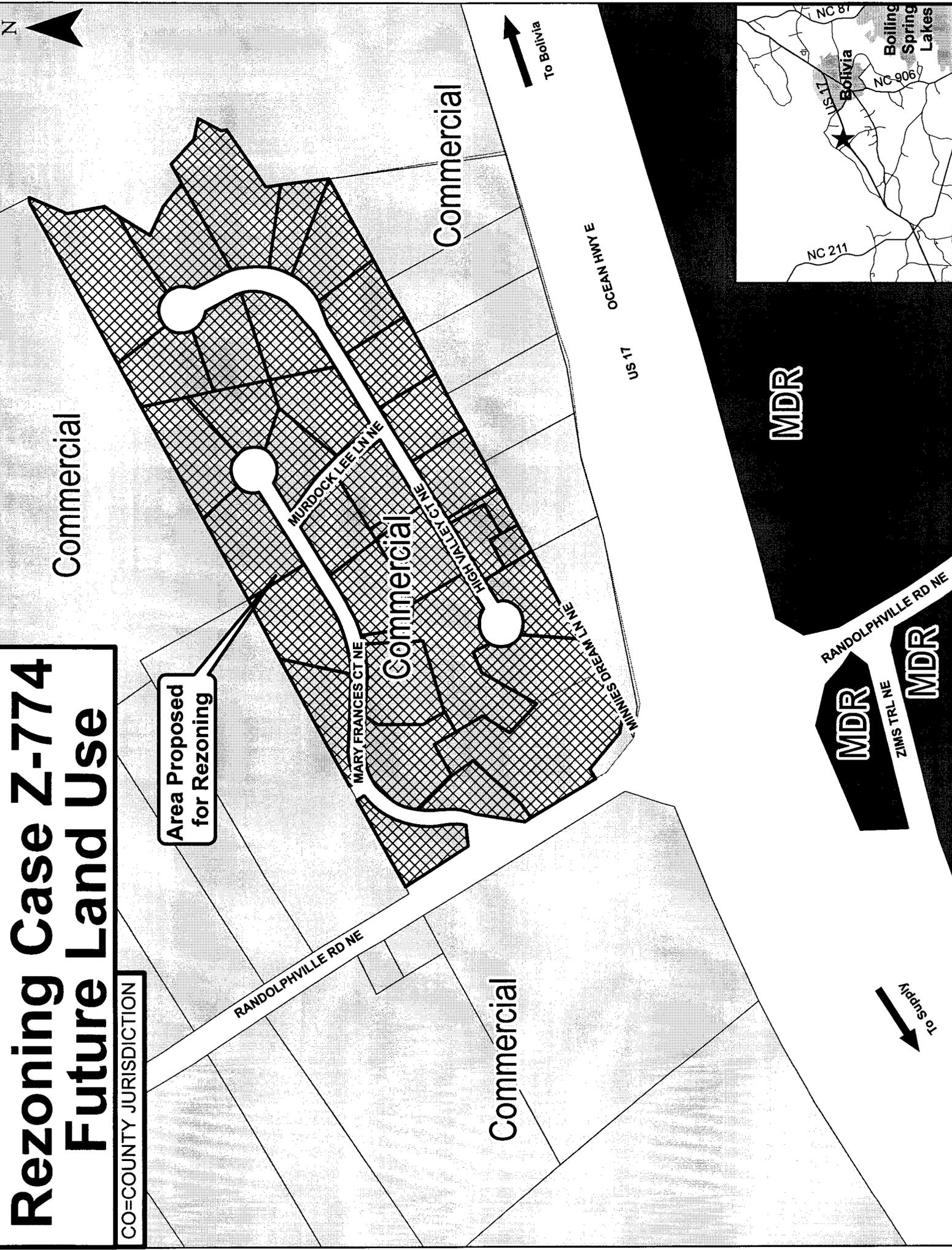
CO-CLD



Rezoning Case Z-774 Future Land Use

CO-COUNTY JURISDICTION

Area Proposed
for Rezoning





REZONING APPLICATION

RECEIVED
AUG 27 2018

<i>For Office Use Only</i>	
Planning Project #:	_____
Rezoning Case Z-:	774

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

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): Owen E. Metts, Sr	
Mailing Address: P.O. Box 628 Wilmington, NC 28402	
Phone: 910-297-6997	Email: Ometts@yahoo.com
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): O.A.O.A., LLC	
Mailing Address: P.O. Box 628 Wilmington, NC 28402	
Phone: 910-297-6997	Email: Ometts@yahoo.com
PROPERTY INFORMATION	
Property Address and/or Description of Location:	
Parcel Tax ID #(s): See Attached Parcel List	Total Site Acreage: 19.27
Current Zoning District(s): Neighborhood Comm.	Proposed Zoning District(s): CLD
Conditional Zoning Request <input type="checkbox"/> YES <input type="checkbox"/> NO	
Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

Parcels for consideration to be rezoned

Tax Parcel	Acreage
139AA001	0.468
139AA002	0.678
139AA003	0.621
139AA004	0.449
139AA005	0.718
139AA006	0.678
139AA007	0.653
139AA008	0.453
139AA009	0.40
139AA010	0.567
139AA011	0.511
139AA012	0.523
139AA013	0.549
139AA014	1.206
139AA015	0.642
139AA016	1.033
139AA017	0.54
139AA018	0.486
139AA019	0.491
139AA020	0.456
139AA021	0.463
139AA022	0.233
139AA02201	0.117
139AA02202	0.11
139AA023	0.438
139AA025	0.488
139AA026	0.449
139AA02601	0.027

Parcels for consideration to be rezoned

Tax Parcel	Acreage
139AA027	0.419
139AA028	0.518
139AA029	0.355
139AA030	1.090
139AA031	2.080
139AA032	0.360
Total Acreage	19.27

STATEMENT OF REASONABLENESS

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

The rezoning will match the surrounding zoning

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

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

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: *[Signature]* Date: 8-27-2018
Owner Signature: *[Signature]* Date: 8-27-2018
Owner Signature: *[Signature]* Date: 11-26-2018

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

OFFICE USE ONLY

DATE RECEIVED: 8/27/18 RECEIPT #: 23644

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

STATEMENT OF REASONABLENESS

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

The rezoning will match the surrounding zoning.

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

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

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: *Thomas E. Matthews*

Date: 8-27-2018

Owner Signature: *Thomas E. Matthews*

Date: 8-27-2018

Owner Signature: *Eric Johnson*

Date: 10-25-2018

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

OFFICE USE ONLY

DATE RECEIVED: 8/27/18

RECEIPT #: 23644

- | | | |
|---|---|---|
| <input type="checkbox"/> <5.00 acres (\$300) | <input checked="" type="checkbox"/> 5.00 to 49.99 acres (\$500) | <input type="checkbox"/> 50.00 to 99.99 acres (\$750) |
| <input type="checkbox"/> >100 acres (\$1,000) | <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Conditional Zoning |

STATEMENT OF REASONABLENESS	
<p>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:</p> <p><i>The rezoning will match the surrounding zoning.</i></p>	
LAND USE COMPATIBILITY	
Future Land Use Map Classification:	
Is the proposed rezoning consistent with the Land Use Plan? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:	
<p>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.</p>	
APPLICANT/OWNER SIGNATURE	
<p>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.</p>	
Applicant Signature: <i>[Signature]</i>	Date: <i>8-27-2018</i>
Owner Signature: <i>[Signature]</i>	Date: <i>8-27-2018</i>
Owner Signature: <i>[Signature]</i>	Date: <i>11-26-2018</i>
NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.	
OFFICE USE ONLY	
DATE RECEIVED:	RECEIPT #:
<input type="checkbox"/> <5.00 acres (\$300) <input type="checkbox"/> 5.00 to 49.99 acres (\$500) <input type="checkbox"/> 50.00 to 99.99 acres (\$750)	

STATEMENT OF REASONABLENESS	
<p>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:</p> <p><i>The rezoning will match the surrounding zoning.</i></p>	
LAND USE COMPATIBILITY	
Future Land Use Map Classification:	
Is the proposed rezoning consistent with the Land Use Plan? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:	
<p>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.</p>	
APPLICANT/OWNER SIGNATURE	
<p>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.</p>	
Applicant Signature: <i>Carol Salazar</i>	Date: <i>8-27-2018</i>
Owner Signature: <i>Carol Salazar</i>	Date: <i>8-27-2018</i>
Owner Signature: <i>Carol Salazar</i>	Date: <i>11-26-2018</i>
NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.	
OFFICE USE ONLY	
DATE RECEIVED: _____	RECEIPT #: _____
<input type="checkbox"/> <5.00 acres (\$300) <input type="checkbox"/> 5.00 to 49.99 acres (\$500) <input type="checkbox"/> 50.00 to 99.99 acres (\$750)	
<input type="checkbox"/> >100 acres (\$1,000) <input type="checkbox"/> Land Use Plan Amendment <input type="checkbox"/> Conditional Zoning	

STATEMENT OF REASONABLENESS

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

The rezoning will match the surrounding zoning.

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

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

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: *Carrie E. Matthews* Date: 8-27-2018

Owner Signature: *Carrie E. Matthews* Date: 8-27-2018

Owner Signature: *Georgia Metts River Mill* Date: 10-26-2018

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

OFFICE USE ONLY

DATE RECEIVED: 8/27/18 RECEIPT #: 23644

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

Conditional Zoning Request YES Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan: TZe L/Ä/// k/-ound/24f 7--022/055"

LAND USE COMPATIBILITY Future Land Use Map Classification: Is the proposed rezoning consistent with the Land Use Plan? EYES NO If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

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

APPLICANT/OWNER SIGNATURE In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I rther certify that I am authorized to submit this application and that all the information presented in this application is acurat best of my knowled , i formation, and belief. Applicant Signature Date: 10/27/2018 Owner Signatur <i>Eugene Ruff</i> Date: Owner Signature: <i>Catherine Johnson</i> Date: 10/27/2018
NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

CASE Z-774

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1380001104	RANDOLPH GLEN ETUX ROSA ETALS	870 RANDOLPHVILLE ROAD	BOLIVIA	NC	28422
1390000203	POWELL SYLVIA SMITH & ASHLEY SMITH	2535 MINNIE DREAM LANE	BOLIVIA	NC	28422
13800021	BRYANT HERBERT J ET GLORIA	815 RANDOLPHVILLE RD NE	BOLIVIA	NC	28422
1390000202	BELLAMY LENORA S	802 RANDOLPHVILLE RD	BOLIVIA	NC	28422
12400016	SOUTHEAST PROPERTIES FAMILY LLC	PO DRAWER 2318	SMITHFIELD	NC	27577
13800013	EVANS ARTHUR JR ET	909 TOBES RD NE	BOLIVIA	NC	28422
1390000206	SMITH JAMES N ETUX LISA A	2565 MINNIES DREAM LN NE	BOLIVIA	NC	28422
1390000204	SMITH CHARLES C	765 MARY R CIR NE	BOLIVIA	NC	28422
1390000201	GREGGS CAROLYN S ETVIR	PO BOX 338	BOLIVIA	NC	28422
13800011	RANDOLPH MACARTHUR HEIRS ETALS	2105 ALICE AVE APT 4	OXON HILL	MD	20745-3505
1390000205	JACKSON LOIS SMITH ET	2555 MINNIES DREAM LN NE	BOLIVIA	NC	28422
1390010901	HARTSFIELD DARRYL	903 N MULBERRY RD NW	BOLIVIA	NC	28422

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
139AA007	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA025	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA027	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA030	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA031	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA008	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA019	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA020	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA011	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA001	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA029	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA032	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA004	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA016	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA002	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA015	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA003	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA017	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA022	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA02201	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA02202	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA018	OAOA LLC	P O BOX 628	WILMINGTON	NC	28402

139AA021	METTS GEORGIA & BRIAN MICHAEL	365 CLINTON AVE 5G	BROOKLYN	NY	11238
139AA005	ODOM DARRELL CORNELIUS	13612 CHESTNUT OAK LANE	BRANDYWINE	MD	20613
139AA026	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA02601	OAOA LLC	PO BOX 628	WILMINGTON	NC	28401
139AA013	O A O A LLC	P O BOX 628	WILMINGTON	NC	28402
139AA010	O A O A LLC	P O BOX 628	WILMINGTON	NC	28402
139AA009	OAOA LLC ETALS	PO BOX 628	WILMINGTON	NC	28403
139AA006	SALAZAR JOSEPH E ETUX CAROL S	2522 MARY FRANCES CT NE	BOLIVIA	NC	28422
139AA028	HALL EDGAR MITCHELL	5066 GLEN COVE DR	SOUTHPORT	NC	28461
139AA012	JONES ERIC	9 GAGE LN	SHREWSBURY	MA	01545-2257
139AA023	METTS OWEN E ETUX	2519 HIGH VALLEY CT NE	BOLIVIA	NC	28422-9014
139AA014	RUFFNER EUGENE AND	2503 HIGH VALLEY CT NE	BOLIVIA	NC	28422-9014

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	OWEN METTS	PO BOX 628	WILMINGTON	NC	28402

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-21

Applicant: JBS Consulting

Project Name: Autumn Trail Planned Development

Property Location: Southport-Supply Road SE (NC 211)

Parcel Number(s): 1680011002, 16800112 and 1680011201

Zoning District: CLD

Surrounding Zoning **North:** R-7500 (Medium Density Residential) **South:** R-7500
East: RR (Rural Residential) **West:** RR

Proposed Use: Autumn Trail is a proposed planned development consisting of 74 townhome units on a gross site of 24.39 acres creating an overall density of 3.03 dwelling units per acre.

Approval Criteria

- The majority of the surrounding uses consists of single family residential and vacant land. The Future Land Use Map denotes this area as Commercial.
- A 15-foot peripheral buffer with a 6-foot opaque fence is proposed for the project. A 20-foot street buffer adjacent to Southport-Supply Road is proposed for the project.
- The proposed project meets minimum vehicular access point requirements.
- The Exceptional Design elements to be included in the project are as follows:
 1. The 404 wetlands on site will be placed into a conservation easement.
 2. Pedestrian access around pond and to picnic areas on isolated uplands.
 3. 10' Greenway easement to be reserved adjacent to Southport-Supply Road.
 4. The developer is proposing 10.3 acres of additional open space and 3.6 acres of additional recreation space over what is required by the UDO.
 5. The developer is proposing 3 parking spaces per townhome.
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick County
 2. **Roads** will be private.

- **Open Space** is required at 25% or **6.1** acres of the total project area. The developer is proposing a total of **16.37** acres of open space. The developer is also proposing **4.5** acres of recreational open space of which **0.9** acres are required.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- **TRC** was held on November 15, 2018.
- According to NCDOT the average daily traffic count for this section of Southport-Supply Road is 11,000 vehicle trips per day. NCDOT driveway permits shall be required prior to recording of the individual lots.
- The daily vehicle trips generated by this planned development at build out will be approximately 430 vehicle trips per day.

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.

R3	11-19-18	RESPONDED TO 11-6-18 BRUNSWICK PLANNING COMMENTS
R2	10-15-18	RELEASED TO BRUNSWICK PLANNING
R1	8-24-18	RELEASED FOR STORM & S&E REVIEW
NUMBER	DATE	REVISION

WETLAND A 10.85 AC			WETLAND B 0.96 AC		
Course	Bearing	Distance	Course	Bearing	Distance
L3	S 01°50'14" E	27.24'	L36	S 01°48'09" E	61.00'
L4	N 53°34'10" E	94.42'	L37	N 43°02'40" W	39.94'
L5	N 27°48'44" E	25.00'	L38	S 76°32'46" W	27.22'
L6	N 68°15'56" E	46.55'	L39	S 39°43'59" W	17.80'
L7	N 53°02'19" E	39.38'	L40	S 14°28'11" E	53.85'
L8	N 46°32'23" E	41.81'	L41	S 38°15'12" E	40.90'
L9	N 34°05'54" E	28.22'	L42	S 14°42'42" E	32.38'
L10	N 44°51'14" E	25.20'	L43	S 31°52'16" E	42.43'
L11	N 40°47'24" E	92.10'	L44	S 01°48'09" E	74.46'
L12	N 18°31'37" E	35.50'	L45	N 46°54'11" W	38.37'
L13	N 70°20'40" E	23.18'	L46	N 28°47'27" W	22.62'
L14	N 69°57'11" E	48.36'	L47	N 57°21'39" W	49.27'
L15	S 89°54'46" W	26.15'	L48	N 62°08'24" W	47.62'
L16	N 57°32'28" W	32.66'	L49	N 12°01'19" W	13.47'
L17	N 33°53'50" E	38.81'	L50	N 01°50'19" E	38.09'
L18	N 69°38'03" E	12.22'	L51	N 00°42'01" E	37.49'
L19	N 01°48'09" W	44.22'	L52	N 34°04'42" W	54.99'
L20	N 64°58'02" W	34.71'	L53	N 70°28'46" W	77.02'
L21	S 59°59'42" W	22.21'	L54	N 49°20'55" W	40.39'
L22	S 65°41'27" W	42.18'	L55	N 61°17'07" W	49.17'
L23	S 47°03'52" E	42.49'	L56	N 80°03'32" W	38.58'
L24	N 34°13'19" E	40.21'	L57	N 55°41'58" W	30.79'
L25	N 78°36'43" E	40.21'	L58	S 50°45'06" W	23.39'
L26	N 12°08'22" E	34.40'	L59	N 01°50'14" W	105.84'
L27	N 53°44'35" E	24.19'	L60	S 77°41'08" E	40.52'
L28	N 00°13'06" W	16.20'	L61	S 80°31'14" E	35.73'
L29	N 46°34'47" W	21.77'	L62	S 76°10'55" E	55.78'
L30	N 00°05'09" W	24.49'	L63	S 64°13'02" E	46.82'
L31	N 31°14'40" E	37.65'	L64	S 22°06'31" E	51.56'
L32	N 24°13'30" E	16.67'	L65	S 53°54'11" E	41.81'
L33	N 01°48'09" W	880.02'	L66	S 79°36'51" E	37.46'
L34	S 01°44'27" E	1385.92'	L67	N 53°58'19" E	40.53'
L35			L68	S 84°45'05" E	45.82'
			L69	N 86°47'08" E	35.07'

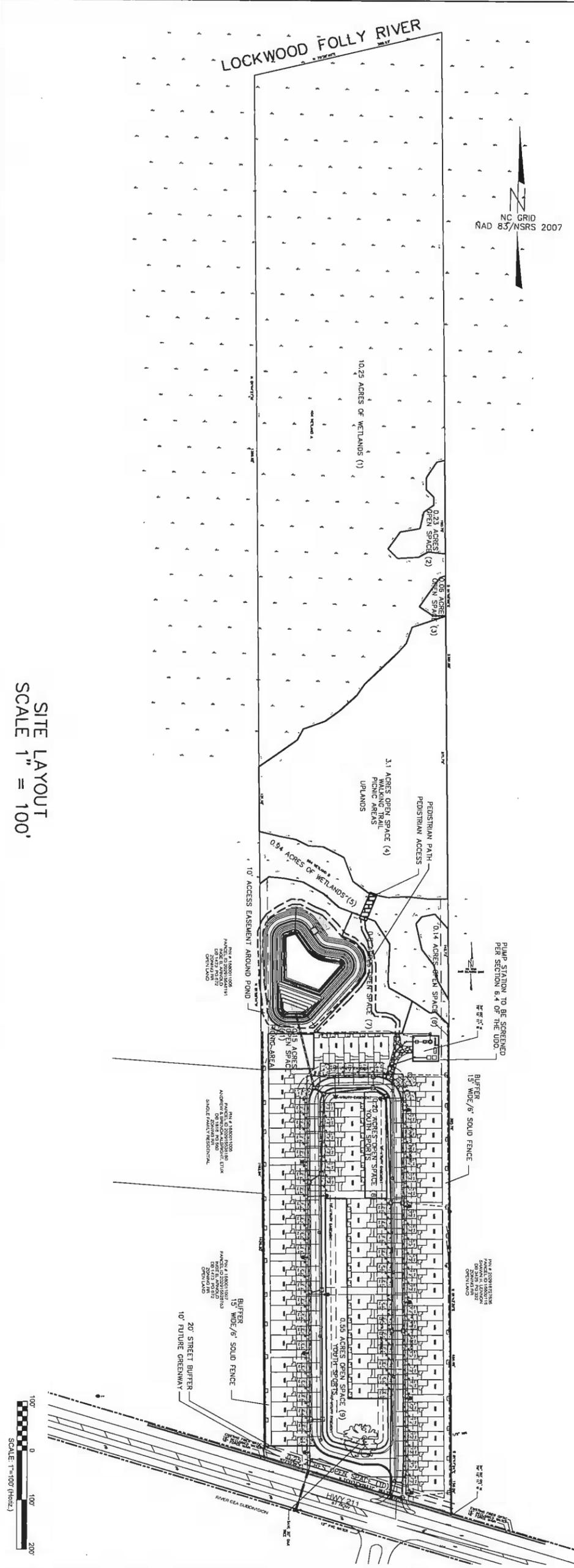
GENERAL NOTES

PROJECT TO BE BUILT TO COUNTY SPECIFICATIONS FOR WATER AND SEWER. A UTILITY PLAN MUST BE SUBMITTED AND APPROVED BY ENGINEERING AND EMERGENCY MANAGEMENT. COUNTY AND STATE STORMWATER PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION. NO NATURAL DRAINAGE AREAS WILL BE CUT OFF OR DISTURBED BEFORE OBTAINING THE PERMITS.

THERE SHALL BE A NOTE ON THE FINAL PLATS, MASTER COMMENTS AND DECS SHOWING THE LOCATION OF THE WETLANDS AND NOTING THAT THOSE AREAS MAY NOT BE FILLED, DISTURBED, OR ALTERED IN ANY WAY UNLESS PROPERLY PERMITTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND/OR THE US ARMY CORP OF ENGINEERS.

A HOME OWNERS ASSOCIATION WILL BE FORMED PRIOR TO THE SALE OF LOTS AND HOMEOWNERS ASSOCIATION WILL COVER THE COST OF THE DEVELOPMENT. THE ASSOCIATION WILL COVER THE COST OF THE STORMWATER PERMITS IN SECTION 6.11.21 OF THE BRUNSWICK COUNTY UNITED DEVELOPMENT ORDINANCE.

ALL ROADS WILL BE BUILT TO NCDOT MINIMUM PAVING STANDARDS FOR SUBDIVISION ROADS.



SITE LAYOUT
SCALE 1" = 100'

SITE DATA

ADDRESS: 676 SOUTHPORT-SUPPLY ROAD SE
BOLIVIA, NC 28422

PARCEL ID # 1860011002 23.56 ACRES
186001112 0.41 ACRES
186001120 0.42 ACRES
TOTAL ACREAGE 24.39 ACRES (1,062,428 SF)

DEED BOOK DB 393 PG 1070
PLAT BOOK MB 4 PG 365
MB 2 PG 228

ZONING = C2-COMMERCIAL LOW DENSITY

BUILDING SET BACKS

FRONT YARD 10'
REAR YARD 20'
SIDE YARD (TOTAL SWM) N/A
BUILDING HEIGHT 35.0'

EMERGENCY
10'
20'
N/A
35.0'

OFF STREET PARKING REQUIREMENTS

MIN. SPACE SIZE = 9' WIDE X 18' LONG
PROVIDED SPACE SIZE = 9' WIDE X 18' LONG
SPACES REQUIRED = 175 SPACES PER UNIT
SPACES PROVIDED: 3 PER UNIT 2 - OUTSIDE 1 - INSIDE GARAGE

FLOOD INFORMATION
FIRM NUMBER 3720202900
EFFECTIVE DATE XINE 2, 2006
ZONE 1 - ANNUAL 100 YEAR FLOOD

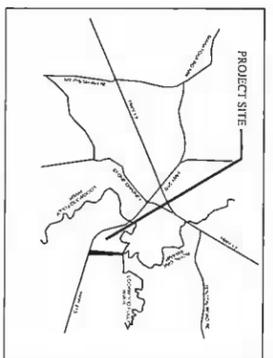
WATER SERVICE IS PROVIDED BY BRUNSWICK COUNTY UTILITIES
SEWER SERVICE IS PROVIDED BY BRUNSWICK COUNTY UTILITIES

WATER QUALITY INFORMATION
RECEIVING STREAM - LOCKWOOD FOLLY RIVER
STREAM CLASS C-5
ZONE 1 - ANNUAL 100 YEAR FLOOD

ALL ROADS WHEN THE DEVELOPER SHALL BE BUILT TO NC DOT STANDARDS BUT WILL BE PRIVATE AND MAINTAINED BY THE UO.

BUY INFORMATION

DESCRIPTION	QUANTITY	BUY	TOTAL
3 BROWNS TOWN HOMES	74	1349	114,038 SF
DRIVEWAY - DDD BALL	1	689	689 SF
DRIVEWAY - DDD BALL	1	1007	1,007 SF
DRIVEWAY - DDD BALL	1	643	643 SF
DRIVEWAY - DDD BALL	1	643	643 SF
DRIVEWAY - DDD BALL	1	4568	4,568 SF
DRIVEWAY - DDD BALL	1	4568	4,568 SF
MISC (WALL, DIRT)	1	2500	2,500 SF
TOTAL BUY			208,929 SF



OPEN SPACES CALCULATIONS

AREA #	ACREAGE	PASSIVE	PASSIVE/RECREATION
1	10.25	PASSIVE	
2	0.23	PASSIVE	
3	0.06	PASSIVE	
4	0.34	PASSIVE	
5	0.14	PASSIVE	
6	0.20	PASSIVE	
7	0.25	PASSIVE	
8	0.25	PASSIVE	
9	0.15	PASSIVE	
10	0.15	PASSIVE	
11	0.15	PASSIVE	
TOTAL	18.37 ACRES		

TOTAL LOT AREA = 24.3 ACRES
OPEN SPACE = 18.37/24.3 = 75.6%
PASSIVE AREA = 11.87 ACRES
RECREATIONAL AREA = 4.9 ACRES 27.5%

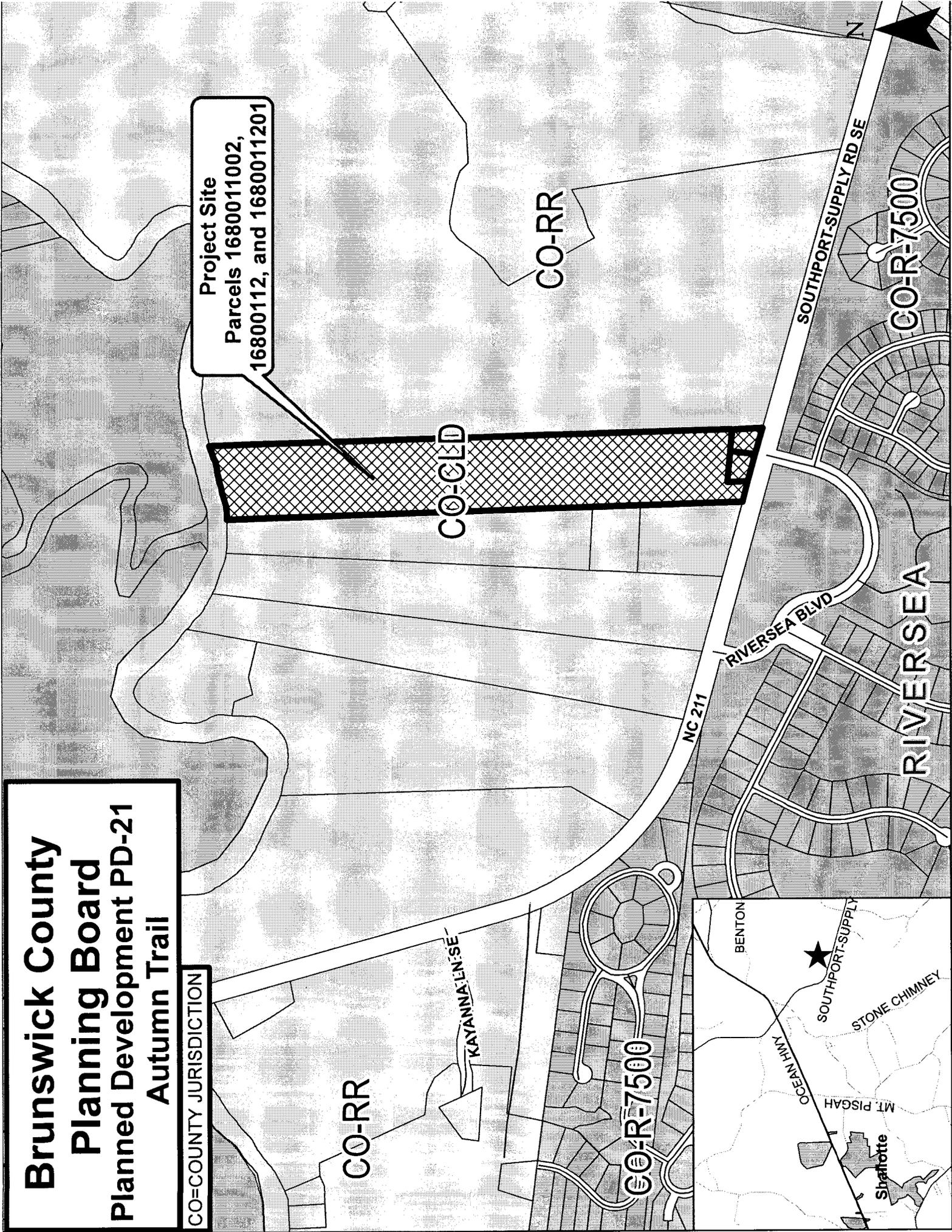


<p>SHEET C1 of X</p> <p>BRUNSWICK COUNTY 099-004</p>	<p>JBS CONSULTING, PA 7332 Colesworth Drive Wilmington, NC 28405 (910) 619-9990 LICENSE # C2525 PLANNING - ENGINEERING - CONSTRUCTION MANAGEMENT</p>	<p>OWNER ATRIUM HOMES, INC. 315 FRIDAY DRIVE WILMINGTON, NC 28411 1-910-538-5719</p>	<p>DESIGN BY: BDS</p>
			<p>DRAWN BY: BDS</p>
<p>SITE LAYOUT BRUNSWICK COUNTY, NC</p>		<p>CHECKED BY: BDS</p>	
<p>AUTUMN TRAIL TOWNHOMES</p>		<p>DATE: AUGUST, 2018</p>	

Brunswick County Planning Board Planned Development PD-21 Autumn Trail

CO=COUNTY JURISDICTION

Project Site
Parcels 1680011002,
16800112, and 1680011201



CO-R-7500

RIVERSEA

RIVERSEA BLVD

SOUTHPORT-SUPPLY RD SE

NC 211

CO-GLD

CO-RR

CO-RR

CO-R-7500

KAYANNA LN SE

BENTON

SOUTHPORT-SUPPLY

STONE CHIMNEY

MT PISGAH

Shalotte

N

Brunswick County Planning Board Planned Development PD-21 Autumn Trail

CO=COUNTY JURISDICTION

Project Site
Parcels 1680011002,
16800112, and 1680011201

CO-RR

CO-CLD

CO-RR

CO-R-7500

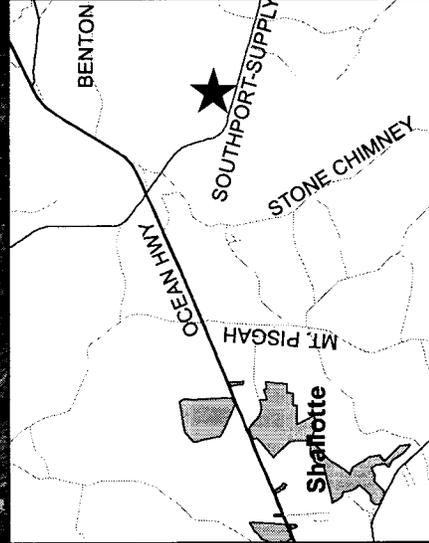
RIVERSEA BLVD

SOUTHPORT SUPPLY

CO-R-7500

RIVERSEA

KAYANNA LN SE





Planned Development (PD)

Application and Checklist

Fee: \$500

Brunswick County Planning and Community Development Dept.
910-253-2056

For Office Use Only	
File # <u>PD-21</u>	Receipt # <u>23667</u>
Date Submitted: <u>11/5/18</u>	

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 Brunswick County 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	<u>Atrium Homes, Inc./Tom Tucker</u>	Phone	<u>910-538-5719</u>
	Address	<u>315 Friday Drive</u>	Fax	<u>N/A</u>
	City, St, Zip	<u>Wilmington, NC 28411</u>	Email	<u>tntucker@gmail.com</u>

Applicant or Representative	Name	<u>JBS Consulting, PA/Brad Sedgwick</u>	Phone	<u>910-619-9990</u>
	Address	<u>7332 Cotesworth Drive</u>	Fax	<u>N/A</u>
	City, St, Zip	<u>Wilmington, NC 28405</u>	Email	<u>bradsedgwick@hotmail.com</u>

Property Information	Address	<u>676 Southport-Supply Road</u>
	Tax Parcel(s)	<u>1680011002/16800112</u> <u>1680011201</u>
	Acreage	<u>24.39 acres</u>
	Current Zoning	<u>CLD - Commercial</u>
	Public Utilities Available? Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/>	

Project Information	Project Name	<u>Atumn Trail Townhomes</u>
	Modification or Expansion Of Existing PD?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Single Family Acres	<input type="text"/> Lots <input type="text"/>
	Multi-Family Acres	<u>24.39</u> Units <u>74</u>
	Commercial Acres	<input type="text"/>

Authorization	Property Owner Signature	<u><i>Thomas Tucker</i></u>	Date	<u>11/7/18</u>
	Applicant/Representative Signature	<u><i>Brad Sedgwick</i></u>	Date	<u>11/7/18</u>

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



Brunswick County Economic Development & Planning
P.O. Box 249
75 Courthouse Drive N.E., Bldg I
Bolivia, NC 28422
(910) 253-2025

November 16, 2018

JBS Consulting, Pa
C/o Brad Sedgwick
7332 Cotesworth drive
Wilmington, NC 28405

**RE: Autumn Trail Planned Development
File # PD-21**

Dear Mr. Sedgwick,

The Technical Review Committee (TRC) at their November 15, 2018 meeting reviewed the preliminary plans for the above referenced project.

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

- Begin discussions for the Driveway Permit and utility easement process from NCDOT. Please contact Angel Hammers with NCDOT for additional details – 251-2655 or akhammers@ncdot.gov.
- Please forward a digital file of the project to Brunswick Electric 30 days prior to construction. Contact Tim Dean at 754-4391.
- Please show and label a pedestrian path/trail from the street to the pedestrian bridge across the wetlands.
- Please indicate the required and provided open space and recreational space calculations in the site data table. Note that the required open space for the CLD zone is 25% of the gross acreage and the recreation space is 15% of the required open space. Please hatch or specify all recreation space areas and indicate specific use of each.
- Please indicate the peripheral buffer and width on the site plan.
- Angel Hammers with NCDOT has expressed some concern with cross access corridor and the driveway stem length to the first lot in the development. (See attached email.)
- Please indicate the 20' street buffer along Southport-Supply Road. Also indicate a 10' portion within the buffer to be reserved for a future greenway.
- Please note the required parking space calculations in the data table.
- Please note that the pump station will be screened per Section 6.4 of the UDO.
- Please provide a detail indicating the typical lot square footage and width.
- Please indicate the proposed distances between buildings.
- Please label that the roads will be private.

- Please provide a street detail for the subdivision streets with dimensions.
- Please note or indicate a 10' non-county easement adjacent to all interior roads.
- Please be aware that street names will need to be secured prior to the recording of final plats. Contact Jan Clemmons with Brunswick County GIS at 910-253-2392 to reserve street names.
- Please note on the plan, "All street lighting will be installed in compliance with Section 6.9. of the UDO"
- Please be aware that during stormwater plan review, a 10' maintenance and access easement to and around any ponds will be required.

Please return 3 *folded* copies of the revised plans to the Brunswick County Planning Department by 5:00 p.m. on November 26, 2018. Please accompany the paper plans with a digital set as well. Revisions will be reviewed and you will be asked for additional copies for Planning Board distribution.

If you have any questions, please feel free to contact me at 910-253-2056.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages". The signature is written in black ink and is positioned below the word "Sincerely,".

Marc Pages
Senior Planner

TECHNICAL REVIEW COMMITTEE MEETING
November 15, 2018
Sign-In Sheet

DEPARTMENT

REPRESENTATIVE

NCDOT

Brunswick Electric Membership Corp.

Atlantic Telephone Membership Corp.

M. New Phelps

Bell South

Progress Energy

Engineering & Utilities

G. Ayud

Stormwater

Bright Haa

Wildlife Resources

GIS

Jan Clemens

Building Inspections

County Emergency Management/Fire Marshal

Parks & Recreation

Environmental Health

Brunswick County Planning Board

W. Bitt

County Board of Education

Soil and Water Conservation District

Solid Waste (Operations Services)

Town of St. James Representative

Planning Department

Marc Pages

Other(s)

Michael Blackburn

BRAD SEDGWICK

CASE PD-21

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1680011006	ALBRIGHT ANDREW ETUX BRENDA	620 SOUTHPORT SUPPLY RD	BOLIVIA	NC	28422
168001008	AZZATO JOHN A ET MARYANN C	6014 DUTCHMAN CREEK RD	SOUTHPORT	NC	28461
168001114	GODBEE JAMES RICHARD ETALS	5610 FLEMING TERR RD	GREENSBORO	NC	27410
1840000310	RIVERSEA COMMERCIAL PARTNERS LLC	8660 US 601	SALISBURY	NC	28147
168001115	LENNON SHAWN H	810 OLD LENNON ROAD	BOLIVIA	NC	28422
1680011007	ALBRIGHT BRENDA	620 SOUTHPORT SUPPLY RD SE	BOLIVIA	NC	28422-7662
1680011005	ALBRIGHT BRENDA	620 SOUTHPORT SUPPLY RD SE	BOLIVIA	NC	28422-7662
1840000301	RIVERSEA PLANTATION POA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
16800112	TUCKER INC	315 FRIDAY DR	WILMINGTON	NC	28411-9645
1680011002	TUCKER INC	315 FRIDAY DR	WILMINGTON	NC	28411-9645
1680011201	TUCKER INC	315 FRIDAY DR	WILMINGTON	NC	28411-9645

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
16800112	JBS CONSULTING	7332 COTESWORTH DRIVE	WIL MINGTON	NC	28405
1680011002	JBS CONSULTING	7332 COTESWORTH DRIVE	WIL MINGTON	NC	28405
1680011201	JBS CONSULTING	7332 COTESWORTH DRIVE	WIL MINGTON	NC	28405

BRUNSWICK COUNTY PLANNING BOARD

2019 Meeting Schedule

Planning Board Meeting Date
1/14/2019
2/11/2018
3/11/2019
4/8/2019
5/13/2019
6/10/2019
7/8/2019
8/12/2019
9/19/2019
10/14/2019
11/12/2019*
12/9/2019
1/13/2020
2/10/2020

*Meeting will be on **Tuesday**, November 12, 2019 due to observance of Veterans Day