



Pender County

Agenda

Planning Board Meeting

Tuesday, December 5, 2023 @ 6:00 PM

Pender County Public Assembly Room 805 S. Walker
Street, Burgaw, NC 28425

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
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5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
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7. PUBLIC COMMENT		
8. APPROVALS AND RESOLUTIONS		
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9.1. REZONE 2023-57: Request to rezone three parcels totaling approximately 59 acres from the RA, Rural Agricultural, zoning district to the CZ-4, Conditional Zoning District 4, in the Grady Township REZONE 2023-57 - Pdf		29 - 77
10. NEXT MEETING DATE		
11. ADJOURNMENT		



Pender County November 14, 2023 Meeting Minutes

TO: Planning Board
FROM: Daniel Adams
DATE: December 5, 2023
SUBJECT: November 14, 2023 Meeting Minutes

SUMMARY:

Minutes from the November 14, 2023, Planning Board meeting.

ACTION REQUESTED:

Approval of minutes from November 14, 2023, Planning Board meeting.

ATTACHMENTS:

1. November 14, 2023 Planning Board meeting minutes.



MINUTES
Planning Board Meeting
Tuesday, November 14, 2023
Pender County Hampstead Annex Auditorium
6:00 PM

MEMBERS PRESENT:

Delva Jordan, Chairman
Damien Buchanan, Vice-Chairman
Jeffrey Pitts
John Gruntfest
Jeff Beaudoin

MEMBERS ABSENT:

Norman "Ken" Teachey
Margaret Mosca

OTHERS PRESENT:

Daniel Adams, Planning Director
Justin Brantley, Deputy Planning Director
Taylor Davis, Current Planner
Adam Moran, Long Range Planner
Tucker Cherry, Current Planner
Donna Sayre, Planning Technician
Trey Thurman, County Attorney
Members of the Public

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 6:05 pm.

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda made by Jeffrey Pitts, seconded by Damien Buchanan.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	5	0	0	2

CARRIED.

6 ADOPTION OF MINUTES

Motion to approve the October 3, 2023, Planning Board minutes made by John Gruntfest, seconded by Damien Buchanan.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	5	0	0	2

CARRIED.

7 PUBLIC COMMENT

No public comment.

PUBLIC HEARINGS

a) REZONE 2023-54

Adam Moran, Long Range Planner, presented the staff report.

Mr. Moran stated that Lewis Landing LLC, applicant on behalf of Glenn Lewis, owner, Mark Lewis, owner, Mark M. Lewis, owner, and Sloop Point Marina Owner's Association, owner, is requesting the approval of a Conditional Use Zoning Map Amendment to expand the current General Business-Conditional District 1 (GB-CD1) to adjacent properties that are currently zoned Residential Performance (RP). The purpose of the rezoning is to expand the existing dry stack boat storage facility as well as to allow for a restaurant, office, and retail space. The subject properties are located approximately 0.5 miles southeast of the intersection of Sloop Point Loop Road and Lewis Road, in the Topsail Township and may be further identified by Pender County PINS 4224-02-0810-0000, 4224-02-7174-0000, 4224-02-7017-0000, and 4224-01-6909-0000.

Mr. Buchanan asked when the original Conditional Use was approved. Mr. Moran stated 2017.

Mr. Buchanan asked if a Traffic Impact Analysis is required. Mr. Moran stated that a TIA is not required for this site due to trip generation numbers not meeting the threshold for requiring a study.

Mr. Buchanan asked if a boat yard is a non-conforming use in the RP zoning district. Mr. Moran stated that this site is a non-conforming site that has a grandfather status. Mr. Buchanan asked if the boat yard has been in business a long time with Mr. Moran responding affirmatively.

Mr. Beaudoin asked if there is an underground stormwater retention pond. Mr. Moran stated that there is some type of underground water containment device for the storage of stormwater, but the Applicant may need to provide further information about that system.

Mr. Gruntfest asked if the road that runs parallel with the intracoastal and perpendicular to Moores Landing Road is ever going to be connected to Lewis Road. Mr. Moran responded that it is his understanding that connection is not intended.

Mr. Jordan asked if the Board members had any additional questions for the staff. No additional questions were presented.

Brad Schuler, Planner with Paramounte Engineering, stated his representation of the Lewis family and the marina.

Mr. Schuler stated that Sloop Point Marina is located within the Conditional GB zoning district and was approved by the Board of Commissioners in 2017. The approval allowed for the development of two hundred twenty-four boat dry stacks at the site.

Mr. Schuler stated that the proposed expansion includes surrounding properties zoned RP, Residential Performance, but has been used for non-residential purposes. He stated that the area that they are requesting permission to expand into has been used as a boat yard for over twenty-five years.

Mr. Schuler stated that the proposal would allow for boat trailers to be parked and stored at the site, which currently is not possible. He stated that the current ship store will be converted into a restaurant. Mr. Schuler stated that CAMA permits have been obtained to install new docks along the Intercoastal Waterway.

Mr. Schuler stated that all setbacks will meet and exceed Pender County requirements along with the planted buffers. He stated that there is an existing vegetated wetland area along the northern boundary that will be retained and not disturbed.

Mr. Schuler stated the proposed plan contains one hundred fifteen additional parking spaces. He stated that they will also install a sidewalk along Lewis Road and will work with staff on the exact placement of the sidewalk.

Mr. Buchanan asked Mr. Schuler to show the location of the proposed restaurant. Mr. Schuler showed the location on the map and stated that this rezoning will allow the store to become a restaurant. Mr. Buchanan asked where the parking for the restaurant would take place with Mr. Schuler stating that parking would all be shared.

Mr. Buchanan asked Mr. Schuler to explain the path that equipment would use to unload boats from the dry stacks. Mr. Schuler explained how it currently is handled and how it would be handled if the expansion takes place.

Mr. Beaudoin asked how many boat slips are proposed in front of the restaurant. Mr. Schuler stated that there are currently twenty wet boat slips, but CAMA has approved an additional fourteen slips.

Mr. Beaudoin asked if the square footage of the restaurant will be expanded. Mr. Schuler stating that it would be very hard to expand due to the building being right on the water already.

Mr. Jordan asked the Board members if they had any additional questions for the Applicant and no questions were presented.

Beth Ogden, 363 Twin Oaks Drive, stated that she mailed a petition to one hundred and three people who have surrounding properties and sixty people responded. They signed the petition opposing the proposal. She stated that she does not want this

proposal to be granted due to already existing traffic and excessive speeds on Lewis Road. Ms. Ogden stated she is also concerned with the amount of oil and gas that is in the water.

Ms. Ogden presented the petition as **Exhibit A** to the Board. The Board received and accepted the exhibit as evidence.

Matt Moore, 148 Moores Landing Extension, stated he is the fourth generation of Moores who founded Moores Landing Road. He stated that his great grandfather founded Moores Landing Road and was an integral part of Hampstead. Mr. Moore stated that Hampstead is growing rapidly. He stated that this area has beautiful waters and majestic oaks and those should be preserved. Mr. Moore stated that he feels that this area should be residential and not commercial.

Mr. Moore stated that traffic and the potential new traffic would congest the area too much. He also stated that the boat traffic is disrespectful and does not clean up after themselves, especially during boating season.

Matt Payne, 296 Lewis Road, stated that he has lived in the area for over forty years. He stated that the traffic numbers found in the 2016 study are so outdated that they should not even be used. Mr. Payne stated that the traffic is bad and there is a lot of speeding on Lewis Road. He stated he enjoys boating himself but backed up traffic during peak season make it nearly impossible to enjoy it.

Walt Taylor, 157 Mansfield Court, stated he is the owner of a slip at Sloop Point Marina and is concerned with the Marina's ability to handle the expansion that is being requested. He stated that owners and renters of the boat slips will suffer with additional boats but no dock expansion.

Allison Taylor, 156 Lewis Road, stated she has owned her home since 2020 and the area used to be quiet and calm. She stated that she has concerns about traffic, excessive speeding, and trash. Ms. Taylor stated that it is not safe for people to walk on and enjoy Lewis Road anymore.

Norma Troutman, 611 Moores Landing Road, stated that when she first moved into her house the boat yard was not that visible but now due to land being cleared, the dry stacks are visible. She is concerned as to what is holding the boats to the dry stacks during a major hurricane or storm. Ms. Troutman stated that when she asked, she was told that the weight of the boats is what hold them in place but is concerned that is not enough. She feels that the boats should be at least strapped down.

Tom Shakespeare, 205 Pelican Walk, stated that he called CAMA to inquire as to what permits have been obtained and was told by CAMA that there are no current permits. He stated that he is concerned about excessive traffic and the lack of safety it creates. Mr. Shakespeare stated that there are usually two to three officers on the east side of

Pender County, so if there is an incident on Lewis Road, who will be responsible for responding.

Larry Troutman, 611 Moores Landing Road, stated that traffic is already a major issue. He stated he is concerned as to whether fire trucks would be able to reach all dry stacks and other areas on the property. Mr. Troutman stated that boat traffic is very bad during summer weekends.

Mr. Beaudoin asked if there were any plans to add more public boat ramps anywhere in Hampstead. Mr. Adams stated that there are none that he is aware of. Mr. Thurman stated that there have been considerations but nothing definite.

Mr. Buchanan stated that the traffic and trash concerns are understandable. He then discussed the differences between public boat ramps and private.

Mr. Buchanan asked Mr. Schuler to explain how the dry stack boat ramp system works. Mr. Schuler stated that the client will schedule a time for pick up on an App and it usually takes about forty-five minutes to get the boat to the dock. He stated that approximately eighteen boats can be handled in an hour, but the marina would like to increase that number to forty.

Mr. Buchanan asked if the restaurant will be public with Mr. Schuler responding affirmatively.

Mr. Beaudoin asked how far the proposed sidewalk would extend. Mr. Schuler stated that it would extend to the property boundary. He stated that a crosswalk would be put in for crossing to the ship store and future restaurant.

Mr. Jordan asked if the App is for members or for the public bringing their boat and trailer. Mr. Schuler stated that the App would only service those who own or rent a dry stack. He stated that the public cannot launch their boats at this location, as they would need to use the public boat ramp. Mr. Schuler stated that the facility has the ability to handle eighteen boats an hour during peak summer weekend time. He stated that the facility has multiple forklifts for their use.

Mr. Jordan asked Mr. Schuler to explain the marina's policy during bad weather and hurricanes. Mr. Schuler stated that the current dry stacks have been there since 2018, and the weather has not been bad enough to have to remove the boats from the dry stacks. Mr. Schuler stated that there are staff at the marina who monitor the weather and will tie down all loose equipment. He also stated that boat owners can come collect their boats if they choose to.

Tim Clinkscales, Paramounte Engineer, explained how the dry stacks are constructed. Mr. Buchanan asked if the dry stacks will be built to withstand a Category 5 hurricane. Mr. Clinkscales stated they will be constructed to building code standard.

Mr. Jordan asked the height of the current dry stack. Mr. Schuler stated forty-three feet.

Mr. Buchanan asked Mr. Clinkscales if he feels the traffic will increase if more dry stacks are added. Mr. Clinkscales stated he believes it will to a certain extent though he feels residential development will cause more traffic than additional dry stacks. Mr. Schuler stated that the traffic will be spread out during the day and not coming all at one time.

Mr. Jordan asked how many boats are currently using the dry stacks. Mr. Schuler stated two hundred twenty-four. Mr. Jordan asked how many additional dry stacks were being proposed. Mr. Schuler responded with three hundred and fifty-six for a grand total of five hundred eighty.

Mr. Jordan asked if there is a fuel facility located on site. Mr. Schuler stated that there is a mobile fuel truck that is available to the members.

Mr. Beaudoin asked how many trailers with boats on them are currently parked where the proposed dry stack will be placed. Mr. Schuler stated that there are approximately fifty currently parked. Mr. Schuler stated with the current conditions, only one boat trailer is allowed to be stored at the site.

Mr. Buchanan stated that this is not a typical case so there are many questions. He stated that he is overall in favor of the proposal because there is a need for it. Mr. Buchanan stated that he feels this is a more organized and professional way to handle the boat situation than a state boat ramp.

Mr. Jordan asked if the Board members had any additional questions for the Applicant. No questions were presented.

Mr. Pitts stated that since this current boat yard has already been operated as a boat yard it would only make sense that by default, this would be a good spot for another boat yard.

Mr. Buchanan stated that this area has been operated as a boatyard for over twenty years.

Mr. Jordan asked if the mobile fuel truck is currently in use. Mr. Moran stated that when he did a site visit, the mobile fuel truck was parked under one of the dry stacks.

Mr. Beaudoin stated that he is concerned with the length of the sidewalk on Lewis Road. Mr. Moran stated that the proposed sidewalk goes the length of the property.

Mr. Beaudoin stated that due to safety factors, the sidewalk should extend all the way down Lewis Road. He stated that there is no other location in Hampstead to have this dry stack but does feel the sidewalk is very important for safety purposes.

Mr. Jordan stated that this is a difficult case. He is concerned with the trash but feels that a lot of the trash could be coming from the public access and not from the dry stacks.

Mr. Beaudoin asked Mr. Adams if this will go before the Board of Commissioners. Mr. Adams stated that the Planning Board is an advisory Board, and a recommendation is made but the Board of Commissioners is the final decision maker.

Ms. Pitts made a motion to approve the Conditional Zoning Map Amendment and to make a finding that the approval is consistent with the Pender 2.0 Comprehensive Land Use Plan, approval is reasonable and in the public interest and furthers the goals of the Pender 2.0 Land Use Plan. Mr. Gruntfest seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan		X		
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	4	1	0	2

CARRIED.

Mr. Adams stated that adjacent property owners will once again receive mailers notifying them of the meeting and information pertaining to it. He stated this will be heard at the December 4th meeting.

Mr. Buchanan made a motion to take a short recess. Mr. Pitts seconded the motion and the vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey				X
	4	0	0	2

CARRIED.

Mr. Pitts made a motion to resume the meeting. Mr. Buchanan seconded the motion and the vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey				X
	4	0	0	2

CARRIED.

b) MDP 2023-50

Mr. Buchanan made a motion to recuse Mr. Beaudoin from this hearing. Mr. Pitts seconded the motion, and the vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey				X
	4	0	0	2

CARRIED.

Justin Brantley, Deputy Planning Director, presented the staff report

Mr. Brantley stated Jeff Beaudoin (JBEAU LLC.), applicant and owner, is requesting approval of a Master Development Plan Revision for a mixed-use development known as the Community Aquatic Lifestyle Center. The revision is to remove PIN 4203-35-3108-000 from the previously approved Master Development Plan reducing the total Master Development Plan area to approximately 4.55 acres of land and to reduce the number of residential units allowed as well as to reduce the total commercial square footage to be developed. The project area consists of approximately 4.55 acres, is located approximately 750 feet southwest of the intersection of Transfer Station Road and Country Club Drive in the Topsail Township and may be further identified by Pender County PIN 4203-35-3583-0000.

Mr. Buchanan asked if there was access off the collector street to the commercial component of this project. Mr. Brantley responded negatively but did note that there is a bicycle and pedestrian friendly sidewalk with a proposed bike rack to be installed.

Mr. Brantley reads aloud Section 4.8.1.C of the Pender County Unified Development Ordinance.

Mr. Jordan asked the Board members if there were any questions for staff and no questions were presented.

Mr. Buchanan stated that he supported this previously and it has been downsized. He stated he feels it would be a great asset to the community.

Mr. Buchanan made a motion to approve the Master Development Plan as noted in the staff report and presentation. Mr. Pitts seconded the motion, and the vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey				X
	4	0	0	2

CARRIED.

Mr. Brantley stated that the neighboring properties will get notification of any subsequent applications pertaining to this property.

Mr. Buchanan made a motion to allow Mr. Beaudoin to rejoin the meeting. Mr. Pitts seconded the motion, and the vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey				X
	4	0	0	2

CARRIED.

c) MDP 2023-57

Taylor Davis, Current Planner, presented the staff report.

Ms. Davis stated that McAdams Homes, LLC., applicant, and Blakes of Scotts Hill, LLC., owner, are requesting approval of a Master Development Plan with the PD, Planned Development zoning district to allow for a mixed-use development consisting of 133 single-family detached dwelling units, 60 single-family attached dwelling units, 225 multi-family units, and 20 acres of commercial area. The subject property is located approximately ¼ of a mile northeast of the intersection of Scotts Hill Loop Road and US Hwy 17 South between Pandey Ann Lane and Blake Farm Blvd in the Topsail Township. The parcel may be further identified by Pender County PIN 3271-43-5429-0000.

Mr. Pitts asked how often a traffic study is done on Hwy 17 so that updated information can be provided.

Mr. Buchanan stated that the revised map does not appear to have as much connectivity in the grid like pattern. He also stated that he is interested in what the County considers meandering.

Mr. Buchanan asked what authority the Board has regarding the interpretation the UDO has concerning meandering and curvature versus the benefit of connectivity.

Mr. Thurman stated that the Board does have the ability to interpret it and does not think they are defined in the UDO. Mr. Adams stated that neither meander nor curvilinear are defined in the UDO.

Mr. Brantley stated that curvilinear design may not be the most ideal scenario.

Scott James, Transportation Engineer with Wilmington Metropolitan Planning Organization, spoke of both curvilinear and grid design concepts. He stated that a horizontal deflection should result in a reduction in speed. Mr. Buchanan asked what degree is considered a horizontal deflection. Mr. Scott stated that anything more than twenty degrees would be considered a curve sharp enough to result in a decrease of speed.

Mr. James stated that there are annual traffic counts collected at designated locations.

Mr. James gave an explanation as to other ways besides using curves to help reduce speed.

Amy Schaefer with Lee Kaess, PLLC., stated she represents the Applicant, McAdams Homes, LLC. She stated Grady Gordon is present and represents McAdams Homes.

Ms. Schaefer presented the Board with their overview of the proposal.

Mr. Thurman asked Ms. Schaefer if she is requesting a Quasi-Judicial hearing. She stated that they are requesting an Administrative Review.

Mr. Thurman stated that NCDOT will review the street pattern strictly as a safety standpoint whereas the Board will have a broader scope given its nature. He stated that the Board can consider other factors besides the safety factors.

Mr. Adams read out loud Section 4.8.1.E of the Pender County Unified Development Ordinance.

Ms. Schaefer stated that they would agree to private restrictions for extremely low speed limits.

Mr. Jordan asked for Mr. Scott to clarify how often a curve is required. Mr. Scott spoke to the Board as to how often a curve needs to be put in place.

Mr. Jordan asked if there were any questions for Mr. Scott and no questions were presented.

Sara Ritz, 211 Wanchese Road N, stated that she just moved to North Carolina in September and chose Scotts Hill due to it being unique and beautiful. She stated her concern about trees being clear-cut all-around Scotts Hill. Ms. Ritz asked the Board not to allow developers to strip the area of its quaintness. She stated she is opposed to development and that nature and trees should remain.

Ms. Schaefer stated that as they go through the zoning process, the County has requirements for tree clearing that they will have to adhere to.

Mr. Buchanan stated in the Applicant's initial application, there were five different egresses and ingresses on the property in the back and he is inquiring as to where they were intended to go. Mr. Gordon stated they are joining in with the projects behind them. He stated in the initial plan, he did not have their plans to know where their stubs were going to be located. Mr. Gordon stated the second plan was created after receiving a copy of their plan.

Mr. Buchanan expressed his concern as to interpreting and the precedent it could set going forward in the PD, Planned Development, zoning district. Mr. Thurman stated that as long as the interpretation is reasonable, it will stand.

Mr. Pitts stated that he does not have the level of uncertainty that Mr. Buchanan is expressing. Mr. Gruntfest stated that he thinks safety is what he is most concerned about.

Ms. Schaefer stated that there will be sidewalks, street trees, and homes will have driveways which will provide other visual traffic calming devices. She stated that visual break-ups will be included as part of the plan.

Mr. Jordan asked if there will be street parking allowed. Mr. Gordon stated that there is no intention of street parking. Mr. Buchanan asked if the HOA would allow street parking with Mr. Gordon responding negatively.

Mr. Jordan stated in his opinion that the curvature is not significant enough to decrease speed and it may be more harmful having those slight curves if it impairs a person's line of vision.

Mr. Buchanan stated that one option may be to table the hearing to receive further clarification on the interpretation. Mr. Pitts asked Mr. Buchanan what further clarification he would need to feel comfortable.

Ms. Schaefer stated that since the plan does still have to go through full technical review, while the road must be curvature, she cannot guarantee the curve would look exactly like whatever is approved. She stated it may change through the technical review process.

Ms. Schaefer stated that they are asking for the plan to be approved with a clarifying comment if needed, regarding the road curvature and potential street calming measures.

Mr. Beaudoin asked Mr. Adams if the Planning staff has flexibility on the final plat if a road needs to be moved. Mr. Adams stated that there are parameters where staff can make administrative modifications but once a threshold has been exceeded, the plat would need to come back before the Board. Mr. Adams stated that generally a modification of an internal roadway is something that can be made administratively by staff and not administratively by the Planning Board.

Mr. Buchanan stated his biggest concern is being consistent with the UDO. He stated he is just trying to be a responsible Planning Board member for all future actions until the PD district is eliminated.

Ms. Schaefer stated that they are asking for the Board to read the language from Section 4.8.1.E of the UDO and that any concerns with that Section will be addressed with staff during the Technical Review process.

Mr. Buchanan made a motion to approve the Master Development Plan proposal MDP 2023-57 given staff's recommendation and the policy it meets in the staff report. In addition, the following conditions must be met by the Applicant being a ten-foot-wide multi-use path adjacent to US Hwy 17 right of way and dedicate this path for public use via an easement and that the development will not allow street parking which will be enforced by the Declarant or HOA going forward. That the Planning Board as the Administrator finds that the conceptual plan meets the road standards of the PD District in Section 4.8.1.E being curvature and meandering but giving the Planning Director authority to modify the plan to ensure the intention of Section 4.8.1.E of the UDO is met.

If the Planning Director is uncertain during the process, the plan should be brought back for review by the Planning Board. Mr. Pitts seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	5	0	0	2

CARRIED.

9 APPROVALS AND RESOLUTIONS

1) 2024 Meeting Calendar

Mr. Adams stated that meetings are generally held on the first Tuesday of each month except in January, September, and November.

Mr. Beaudoin asked if there are items on the agenda to be heard at the December meeting. Mr. Adams stated that there are items on the agenda but that there is a conflict with reserving the Hampstead Annex on that date, so the meeting will need to be held in the BOCC room in Burgaw.

Mr. Buchanan made a motion to table the 2024 Planning Board schedule for review by Planning Board members until the December meeting. Mr. Beaudoin seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	5	0	0	2

CARRIED.

10. DISCUSSIONS

No discussion items

11 NEXT MEETING DATE

December 5, 2023, at 6:00 p.m.
BOCC Room, Burgaw
805 S Walker Street
Burgaw, NC 28425

12 ADJOURNMENT

Mr. Gruntfest made a motion to adjourn with Mr. Buchanan seconding the motion. The vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca				X
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	5	0	0	2

CARRIED.

EXHIBIT A

RESIDENTS OPPOSE NEW PLAN

Rezoning by Lewis Landing, LLC which would ALLOW for EXPANSION
to the EXISTING DRY STACK BOAT STORAGE OPERATION located at 579 Lewis Rd
Petition SIGNED by RESIDENTS
and RECEIVED - first class mail

60	= PETITIONS RECEIVED
103	= PETITIONS SENT OUT
58.3%	= % OPPOSE

<u>Name</u>	<u>Address</u>		<u>Resident E-Mail provided</u>
Johnson, Charlene A.	1812 Slop Point Rd	Hampstead, NC	weanieq73@yahoo.com
Holly & Chris Foster	228 Lewis Rd	Hampstead, NC	hollybf86@gmail.com fishontackle@gmail.com
Camden M. Brown	183 Twin Oaks Dr	Hampstead, NC	Cambrown603@gmail.com
Micheall and Janice Evans	307 E. Island View Dr	Hampstead, NC	MikeVauspt@yahoo.com
Robert A. Jenkins	311 Pelican Walk	Hampstead, NC	jenkinsR129@gmail.com vejraj@aol.com
Laura Hawkins	214 A Twin Oaks Dr	Hampstead, NC	hawkins1@yahoo.com
Don & Jessica W. Sasser	345 Twin Oaks Dr	Hampstead, NC	jsasser16@gmail.com
Richmond, Margaret # 910-530-0645	31 Twin Oaks Dr	Hampstead, NC	Obxmrichmond@gmail.com
Mike and Allison Taylor = trash is being picked up on a daily basis on Lewis Rd Residents yards from the Boat Dock Area w/excessive speeding down Lewis Rd	156 Lewis Rd	Hampstead, NC	alstaylor66@yahoo.com
Robert J. Martin	581 Moores Landing Rd	Hampstead, NC	Robertomartin48@gmail.com
Elizabeth M. Lewis	408 Lewis Rd	Hampstead, NC	BeaLewis1962@gmail.com
Robert Dale Russell	290 Twin Oaks Dr	Hampstead, NC	drussell6357@gmail.com
Heather Thompson	311 E. Island View Drive	Hampstead, NC	thompson-heather@allergen.com rob7thompson@yahoo.com
Joe & Ashley Klaus	37 Oakview Lane	Hampstead, NC	JRKlaus21@gmail.com AshleyGlenn46@gmail.com
Larry and Norma Troutman	611 Moores Landing Rd	Hampstead, NC	bydariver@charter.net
Adam and Kristina Tawes	305 E. Island View Dr	Hampstead, NC	ttawes@bellsouth.net
John and Tracey M Shakespeare	205 Pelican Walk	Hampstead, NC	tracy.shakespeare@gmail.com
Jeff Wood	207 Pelican Walk	Hampstead, NC	pwood396@gmail.com
Beth Ogden	363 Twin Oaks Dr	Hampstead, NC	ogdenfinancialgroup@gmail.com
Daniel Ogden	363 Twin Oaks Dr	Hampstead, NC	danielhomes.build@gmail.com

Jeff Snider	319 Pelican Walk	Hampstead, NC	Sniderj5@yahoo.com
Linda C. Fry	105 Salt Marsh Ln	Hampstead, NC	lindafry123@gmail.com
Farron J. Upchurch	302 E. Island View Dr	Hampstead, NC	jerry.upchurch2012@gmail.com
Jimmy Pulley	176 Lewis Rd	Hampstead, NC	auto.dr.jdg@gmail.com
Peter Westmella	410 Moores Landing Rd	Hampstead, NC	PMW410@yahoo.com
Alex J. Rhodes	2994 Sloop Point Loop Rd	Hampstead, NC	alx.rhodes@icloud.com
Kerry M Danger	276 B Twin Oaks Dr	Hampstead, NC	Kerry.danger1@gmail.com
Irma R. Quinn	206 Pelican Walk	Hampstead, NC	quinnirma@hotmail.com
John & Angie Blakeney	114 Hugh Edens Ln	Hampstead, NC	angieblakeney75@gmail.com
Adam Winstead	120-A Hugh Edens Ln	Hampstead, NC	adamtwinstead@gmail.com
Brian & Lauren Walsh	120-B Hugh Edens Ln	Hampstead, NC	brianwalsh84@gmail.com
Matthew B. Moore, Sr	148 Moores Landing Ext	Hampstead, NC	mbmoore271@gmail.com
Debora Moore	148 Moores Landing Ext	Hampstead, NC	dj.harts75@gmail.com
Theresa A. Clark	142 Moores Landing Ext	Hampstead, NC	
Samuel Cole Portor	585 Moores Landing Rd	Hampstead, NC	Owner wanted all 3 of his properties on Record of OPPOSING
Samuel Cole Portor	573 Moores Landing Rd	Hampstead, NC	
Samuel Cole Portor	586 Moores Landing Rd	Hampstead, NC	
Shawn and Heather Farless	89 Twin Oaks Dr	Hampstead, NC	
Brad Karwoski	62 Oakview Lane	Hampstead, NC	
Mike and Anne Hervey	221 Pelican Walk	Hampstead, NC	
Stuart and Melba Laney	203 Pelican Walk	Hampstead, NC	
Ronald L. Baxley	494 Moores Landing RD	Hampstead, NC	
Dr. Viorel Verka	301 Willingham Rd	Morrisville, NC	Lot Owner = Lot 6 Oak View Lane - Hampstead, NC
Stephanie Baxley Riverbark	494 Moores Landing Rd	Hampstead, NC	
James B. Pumphrey	204 S. Stargazer Court	Hampstead, NC	
Robert Dale Russell	290 Twin Oaks Dr	Hampstead, NC	
Anthony Scolpino	201 Salt Marsh Ln	Hampstead, NC	
Robert Cromley	201 Twin Oaks Dr	Hampstead, NC	

PETITION FOR RESIDENTS TO OPPOSE NEW PLAN

RE: CONDITIONAL REZONING by LEWIS LANDING, LLC which would ALLOW for EXPANSION to the EXISTING DRY
STACK BOAT STORAGE OPERATION located at 579 Lewis Road – Hampstead

23rd of October 2023

RESIDENT

Some of us were able to attend this meeting on the 09th of October 2023 and we has Homeowners that live in this area are **OPPOSED** to this rezoning. We brought up our concerns in this meeting and it is scheduled to go in front of the planning board on the 14th of November 2023 in Burgaw.

Attached is the Agenda that was presented to the engineers of Paramounte Engineering Inc. that are proposing this new plan to rezone and build more dry stacks in our quiet neighborhood area down by our boat launch that is publicly owned by North Carolina Wild Life along with our lovely neighbors of Pecan Grove and there private boat launch. We have also attached a copy of the Preliminary Design that they provided.

We are not opposed to the existing ships store to be converted into a restaurant, as long as it is a restaurant that all families with children can go to and enjoy.

Please Stand with Us and support our neighborhood from this EYE SORE, NO Hurricane Preparedness Plan, HAZARDOUS for our waters, more TRAFFIC in our area, PARKING Issues, LOSS of Views with Home Value Decline for Residential Homes and NOISE that carries thru out our neighborhoods from the machinery that is used to move these boats off and on and into our waters. Along with, based upon the proposal there will be double even triple the amount of boats going in and out of our waters thru there expansion plan.

We have included a self-addressed postage paid envelope to return your acknowledgement of Opposing this New Plan.

We are asking the community to support and HOPE that you will assist us in this petition to oppose this new plan for rezoning.

RESIDENT OPPOSES the NEW PLAN for the REZONING and EXPANSION to the EXISTING DRY STACK BOAT STORAGE OPERATION located at 579 Lewis Road – Hampstead (next to the NC Wildlife Public & Private Pecan Grove Parking and Boat Launches)

TIME is OF THE ESSENCE SO PLEASE FORWARD as soon as possible so we may have your VOTE to OPPOSE at the meeting on the 14th of November 2023.

Name, PRINTED

Resident, Address

Email Address (Please provide if you would like for us to keep you informed on our progress or would like to be part of this group of neighbors that are opposing this rezoning)

AGENDA

RESIDENTS OPPOSE NEW PLAN

RE: CONDITIONAL REZONING by LEWIS LANDING, LLC which would ALLOW for EXPANSION to the EXISTING DRY STACK
BOAT STORAGE OPERATION located at 579 Lewis Road – Hampstead

REASON OF CONCERNS:

-  Parking ISSUES – should have at least 1 parking space per boat housed in dry stack – only 15% of the total of 544 boat slips allotted for parking per unit owner

-  HEIGHT PROPOSED of 42'
 - Residential Home Construction for Pender County to not exceed 35'
 - why different requirements being allowed
 - 42' in height which does not include the boats on the top levels to possibly exceed 50'

-  NEW SEPTIC SYSTEM & REPAIR AREA – For Proposed RESTAURANT

-  FIRST RESPONDERS ACCESS – 20' Wide Easements Necessary

-  HURRICANE PREPAREDNESS PLAN – Danger of Flying Debris
 - 544 Boats Uplifted during Hurricanes and Tropical Storms with excessive high winds resulting from debris from boats

-  LOST OF VIEWS – Residential Home Values Decline

-  ENVIRONMENTAL
 - 544 units proposed that house 544 boats vs the existing 224 units that house 224 boats = 143 % more traffic in boats coming in and out of the water
 - POLLUTION
 - We are already experiencing high levels of boat fuel and oil in our waters in this specific area since the existing dry stack was constructed and in operation

-  TRAFFIC
 - ALL the residents in this area are already VERY concerned regarding the excessive traffic coming down Lewis Road along with in additional excessive speeds of vehicles driving
 - This will increase traffic dramatically when issues already exist currently

Continued AGENDA RESIDENTS OPPOSE NEW PLAN

 NOISE

- Excessive Noise all days of the week for the machinery used to load and unload the boats from the existing dry stack
- With Proposed this noise will more than double even triple with the amount they plan to move in and out of stacks during the week and on the weekends
- Noise carries from this area throughout the neighborhoods that surround it

 TIME PERIOD of NOTIFICATION

- Did not allow homeowners in this neighborhood to have ample amount of time to make the necessary arrangements to be at this meeting to OPPOSE this New Plan. Homeowners in this area feel that this was deliberate

 This once was a quaint area with just our congestion on the holiday weekends from our public boat ramp – Our town planners at one time were going to purchase this land to allow our Hampstead area to have a Park which is desperately needed for green space. It was disturbing that those plans were not followed thru on. Instead investors/developers are destroying what chance we have to have such green spaces in our area for our families and children. We would of preferred residential homes being built there vs what is currently and proposed to be planned.



Pender County 2024 Meeting Calendar

TO: Planning Board
FROM: Daniel Adams
DATE: December 5, 2023
SUBJECT: 2024 Meeting Calendar

SUMMARY:

Included as Attachment 1 is the proposed meeting calendar for the Planning Board for 2024.

ACTION REQUESTED:

Consideration of proposed 2024 meeting calendar.

ATTACHMENTS:

1. Proposed Meeting Calendar

2024 Planning Board Schedule	
Month	Meeting Date
January	1.3.2024*
February	2.6.2024
March	3.5.2024
April	4.2.2024
May	5.7.2024
June	6.4.2024
July	7.2.2024
August	8.6.2024
September	9.4.2024*
October	10.1.2024
November	11.6.2024*
December	12.3.2024
<i>January 2025 (Tentative)</i>	<i>1.7.2025</i>
<i>February 2025 (Tentative)</i>	<i>2.4.2025</i>

*Denotes meeting that will not be held on the first Tuesday of the month.



Pender County
REZONE 2023-57: Request to rezone
three parcels totaling approximately 59
acres from the RA, Rural Agricultural,
zoning district to the CZ-4, Conditional
Zoning District 4, in the Grady Township

TO:	Planning Board
FROM:	Justin Brantley
DATE:	December 5, 2023
SUBJECT:	REZONE 2023-57: Request to rezone three parcels totaling approximately 59 acres from the RA, Rural Agricultural, zoning district to the CZ-4, Conditional Zoning District 4, in the Grady Township

SUMMARY:

TW & AG Timber, LLC, applicant and owner, is requesting approval of a Conditional Rezoning application for the expansion of an existing Industrial Site located at the Corner of Porter Road and Malpass Corner Road. The existing industrial site was originally approved as a Special Use Permit in 1988 for Lumber Manufacturing. Currently, the owner wishes to seek the allowance of additional light industrial and industrial uses for the site as well as to expand the development into two adjacent parcels that are under the same ownership.

The subject properties consist of approximately 59 acres and are located on the southside of the intersection of Malpass Corner Road and Porter Road, in the Grady Township and may be further identified by Pender County PINs 2276-79-7246-0000, 2276-89-3080-0000, & 2276-78-2161-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Zoning Map Amendment request.

ATTACHMENTS:

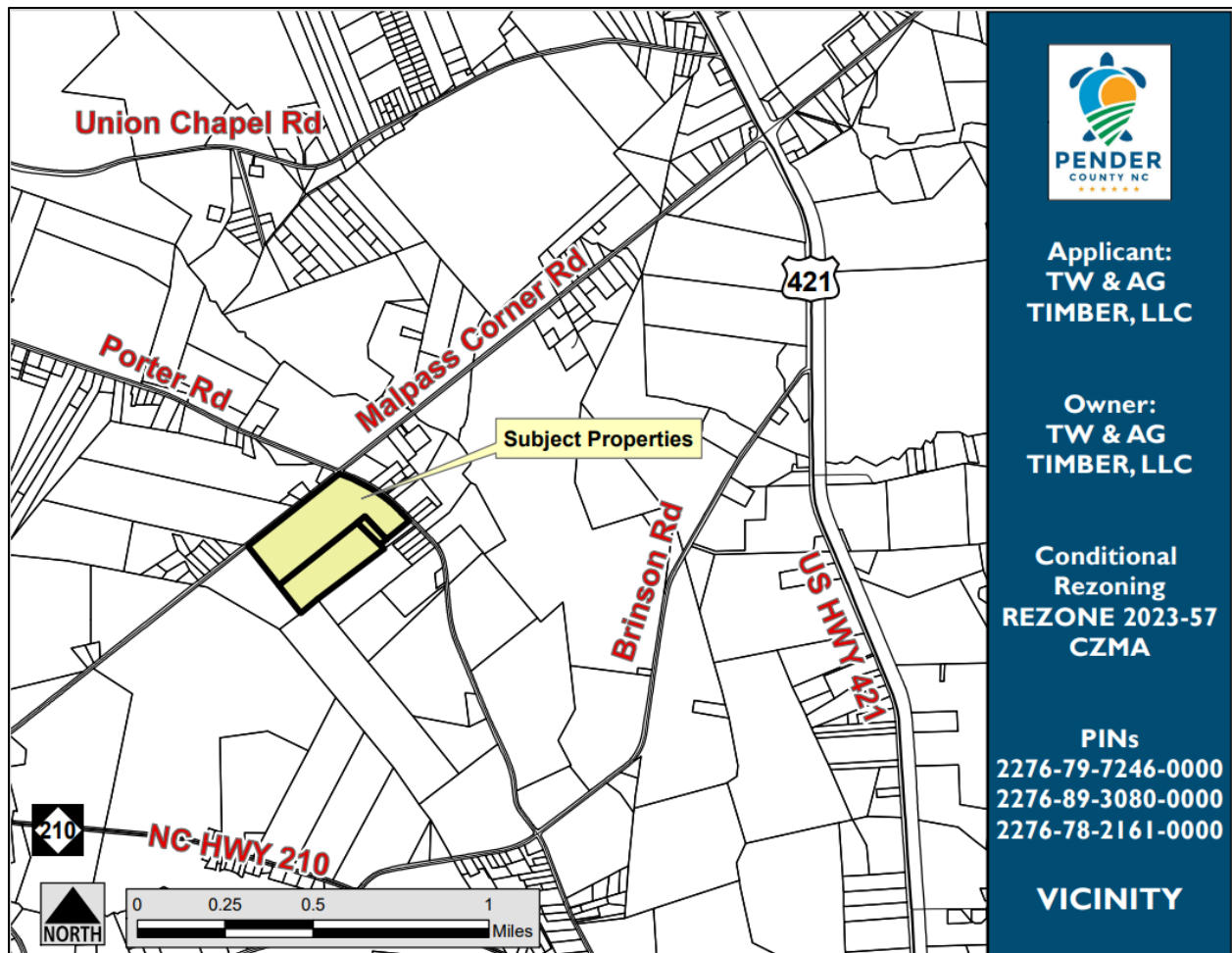
1. Staff Report
2. Application
3. Narrative and Proposed Uses
4. Site Plan
5. Attachment 1: 1988 Special Use Permit
6. Attachment 2: Table of Permitted Uses
7. Attachment 3: Public Input Meeting Information

STAFF REPORT FOR REZONE 2023-57 CONDITIONAL ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
Case Number	REZONE 2023-57 CZMA
Hearing Dates	December 5, 2023 – Planning Board TBA – Board of Commissioners
Applicant	TW & AG Timber, LLC
Property Owners	TW & AG Timber, LLC
Parcel Identification Number(s)	2276-79-7246-0000, 2276-89-3080-0000, 2276-78-2161-0000
Proposed Rezoning Area	Approximately 59 acres
Township	Topsail
Pender 2.0 Future Land Use Category	Rural Agriculture
Proposed Zoning District	CZ-4

CONDITIONAL REZONING PROPOSAL
TW & AG Timber, LLC, applicant and owner, is requesting approval of a Conditional Rezoning application for the expansion of an existing Industrial Site located at the Corner of Porter Road and Malpass Corner Road. The existing industrial site was originally approved as a Special Use Permit in 1988 for Lumber Manufacturing. Currently, the owner wishes to seek the allowance of additional light industrial and industrial uses for the site as well as to expand the development into two adjacent parcels that are under the same ownership.
LOCATION
The subject properties consist of approximately 59 acres and are located on the southside of the intersection of Malpass Corner Road and Porter Road, in the Grady Township and may be further identified by Pender County PINs 2276-79-7246-0000, 2276-89-3080-0000, & 2276-78-2161-0000.

Below: Vicinity Map



CONDITIONAL REZONING PROPOSAL AND BACKGROUND

On December 5th, 1988 the Pender County Board of Commissioners approved a Special Use Permit (**See Attachment 1**) for the use of Lumber Manufacturing on Parcel 2276-79-7246-0000 at the corner of Porter Road and Malpass Corner Road. The site was operated as a lumber manufacturing enterprise, which is industrial in nature, for nearly 30 years. Since that time, Pender County's land development regulations have changed. Our most recent ordinance, the Unified Development Ordinance (UDO), was adopted in 2010. This ordinance included a Table of Permitted Uses for all established zoning districts. Per the Table of Permitted Uses, the subject properties' RA, Rural Agriculture, designation does not allow lumber manufacturing and therefore the lumber manufacturing use was considered a legal non-conforming use as it was legally established through the Special Use Permit process.

Today the RA zoning district does not allow manufacturing uses as these uses are generally permitted in the GI, General Industrial, zoning district as well as some manufacturing uses being allowed in the IT, Industrial Transitional, zoning district.

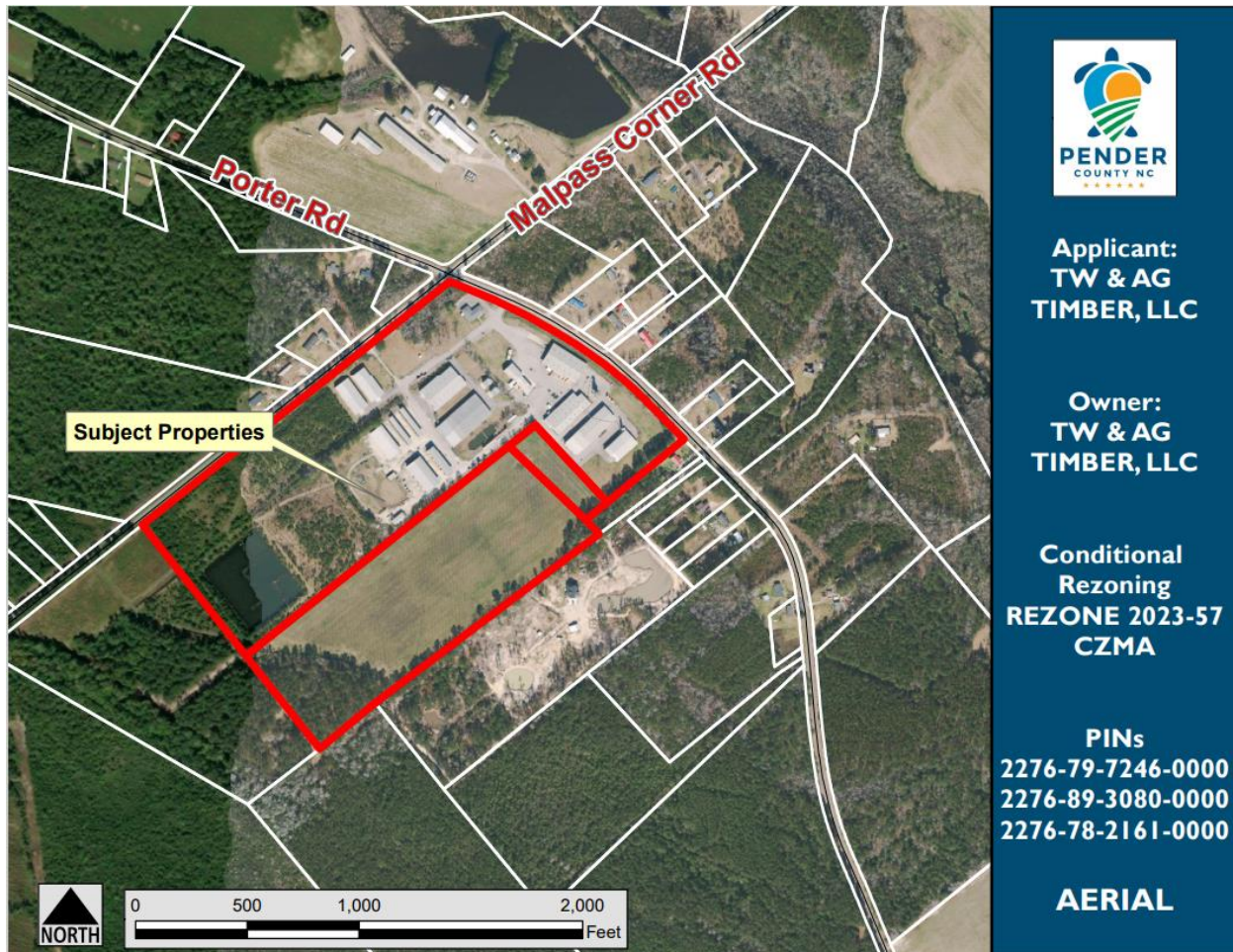
The property is now under new ownership which includes common ownership of the two adjacent parcels identified in this report. While the property has somewhat sat dormant since March of 2021, the new owner wishes to bring new enterprises and economic opportunities to the site. Initially, the applicant wishes for Nash Building, a metal building manufacturer, to be the first new tenant and occupy 75,000 square feet of the existing buildings on site fronting Porter Road.

Beyond the initial tenant, the applicant is proposing additional uses for the site within a variety of sectors include manufacturing, construction, wholesale trade, transportation and warehousing, real estate rental and leasing, waste management, technical and trade schools, etc. See attached project narrative and list of proposed uses, along with the attached application and site plan.

Moving forward, it is important to recognize that this site was historically designated and developed as an industrial site through the special use permit process while today's future land use map and zoning map do not recognize the property as such.

In summation, the applicant wishes to bring new vitality to an existing industrial site through newly established enterprises that will provide job opportunities, services to area residents and property owners, and general economic benefits to the area while wishing to expand the site to adjacent properties under the same ownership to further meet this intent. The Conditional Rezoning Process is an opportunity for the owner to pursue the repurposing and expansion of the site while providing opportunity for the community to provide input to help mitigate and balance the associated impacts of industrial and commercial uses in a historically residential and agricultural area.

Below: Aerial Map



Intent of Conditional Zoning, Article 3.3.9.B

A conditional zoning district (CZ) is intended for a development that has a high level of certainty of being constructed and the most expected application will contain a specified use or uses, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements.

If approved, the applicant would be allowed to submit Minor Site Development plans for the occupancy of existing buildings. This would go through an expedited 5-day TRC review process to allow tenants to move forward in a timelier fashion compared to the Major Site Development Plan process for new development. However, for further development of the site, the applicant will be required to submit a Master Development Plan that will be reviewed administratively by staff. This will be followed by a Major Site Development Plan and/or Minor Site Development Plans that would involve a more technical review of expansion of the site. Subsequently, Master Development Plan as well as Major Site Development applications will require notification by mail to properties within 500' of the site to keep the community informed of the progress of the development.

[illegible]

The applicant is proposing a variety of light industrial, heavy industrial, and commercial uses. See attached narrative and list of proposed uses for the complete list of proposed uses. Also, see **Attachment 2** for the Table of Permitted Uses to see allowable uses in the RA, IT, and GI zoning districts for comparison.

Per Article 4.13 of the UDO, standards of a conditional zoning district are specific to the conditions of the site and are set by a conditional rezoning application. The applicant has proposed the following setbacks and dimensional standards for the site:

	Proposed
Minimum Front Setback (Porter Rd)	30'
Minimum Side Setback	15'
Minimum Corner Setback (Malpass Corner Rd)	15'
Minimum Rear Setbacks (Southeastern & Southwestern Boundary)	50' (Southeastern Boundary) 30' (Southwestern Boundary)
Structure Separation	Per Building Code
Maximum Building Height	30'

The 30' building height maximum is consistent with the existing buildings on the site.

The applicant is also proposing a 50' building setback for new buildings along the southeastern boundary of the undeveloped parcels. This is proposed in-lieu of a vegetative buffer as the applicant maintains that existing vegetation along the property line is adequate and the presence of an existing drainage swale would conflict with required plantings. However, Staff supports the 50' building setback along this boundary but does not support the lack of additional plantings as the majority of the existing plantings along the property line are on the adjacent owner's residential property. While there is existing vegetation, the adjacent owner is not responsible or obligated to maintain this buffer. The installation and maintenance of an adequate buffer is essential when locating commercial or industrial uses next to residential properties. Staff recommends the following condition of approval related to the Southeastern Boundary of PINs 2276-78-2161-0000 and 2276-89-3080-0000:

Recommended Condition – Upon development of PINs 2276-78-2161-0000 and 2276-89-3080-0000 a 25' Type C-4 buffer will be required. Existing vegetation along the southwestern boundary shall remain within this 25' buffer.

Landscaping and Buffers

The project site includes a significant but inconsistent amount of vegetation around the perimeter of the site. Staff recommends the preservation of the existing vegetative buffers consistent with what is illustrated on the site plan while recommending supplemental plantings where needed based on the buffers required. See previous section for discussion related to the Malpass Corner Road Boundary.

Per the site plan, the applicant is proposing a Type C buffer along Porter Road. While existing vegetation exists along this boundary, supplemental plantings may be required upon evaluation of any development approvals. An overhead transmission line is present along the Porter Road boundary of the site. Section 8.2.5 of the UDO provides that planting of trees in utility maintenance easements is prohibited. However, shrubs may be planted within easements as long as they are within the outer three feet of the easement. Staff will work with the applicant to ensure that adequate screening is provided to meet the intention of the C-buffer requirement in a manner that does not conflict with the utility easement.

	Proposed Buffers	Staff Recommended
Porter Road Boundary	Type C Buffer	Type C Buffer
Malpass Corner Road	Type A Buffer	Type C Buffer
All other Boundaries	Type C Buffer	Type C Buffer

Recommended Condition – The existing established vegetative buffer along Malpass Corner Road shall remain. As expansion of the site occurs, supplemental plantings may be required for areas where the existing vegetative buffer is inadequate as determined by the Administrator. However, new or modified driveways as approved by NCDOT along this roadway will be exempt from this condition.

See buffer standards below from the Pender County UDO:

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:

A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or

A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or

A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or

A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:

C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

*Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge

C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Hours of Operation

No specific hours of operation are proposed.

Signage

Signage is not being proposed currently. Any proposed signage shall be required to be in conformance with the standards outlined in Article 9 of the Unified Development Ordinance.

Access

The primary access for the site is on Malpass Corner Road with secondary access on Porter Road. See additional traffic-related discussion in the following section.

TRANSPORTATION AND OTHER INFRASTRUCTURE***Traffic***

Typically, a Traffic Impact Analysis (TIA) is required when a development is estimated to generate more than 100 trips in the morning and/or evening peak hours or more than 1,000 trips per day. However, this is an existing industrial site with multiple established access points to the NCDOT system. Any new uses proposed for the site would have to be evaluated by NCDOT to see if updates to the existing driveway permits are required. Any required road improvements would be determined by NCDOT and constructed to NCDOT standards.

The proposed trips below are based on the potential occupancy of all existing buildings based on manufacturing and office uses. This analysis does not consider the expansion of the site in terms of additional proposed uses and their associated traffic impact or the occupancy of other types of proposed uses and their associated traffic impact. As discussed previously, the initial tenant, Nash Building, a metal building construction company, will occupy approximately 75,000 square feet of building space. Based on the proposed trip counts below, a TIA would not be required initially.

This process is intended to allow initial tenants to occupy the existing buildings in advance of the development of the remainder of the site. For the development of the remainder of the site a Master Development Plan will be required.

Trip Generation Data

EXISTING TRIPS					
LAND USE	ITE CODE	INTENSITY	24 HOUR VOLUMES	AM PEAK	PM PEAK
SMALL OFFICE	712	3,672 SF	53	10	12
WAREHOUSING	150	177,000 SF	318	48	47

PROPOSED TRIPS					
LAND USE	ITE CODE	INTENSITY	24 HOUR VOLUMES	AM PEAK	PM PEAK
SMALL OFFICE	712	3,672 SF	53	10	12
MANUFACTURING	140	177,000 SF	869	142	143

CHANGE IN TRIPS		
24 HOUR VOLUMES	AM PEAK	PM PEAK
551	94	96

Available traffic data from NCDOT from 2021 provides that the Annual Average Daily Traffic (AADT) for 2021 was around 1,700 trips per day. This count was taken on Malpass Corner Road about 650 linear feet northeast of the intersection of Malpass Corner Road and Porter Road.

Stormwater

Article 7.9 of the Pender County Unified Development Ordinance requires that stormwater infrastructure be built such that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff. Low-density projects are required to meet this standard for the 1 year 24-hour event, while high density projects shall meet this requirement for the 10- and 25-year return period events and be analyzed for the 50-year event. Certification from a licensed engineer that the project meets these requirements shall be required prior to staff issuing administrative approval of the development. Additionally, all necessary state permits will be required prior to administrative approval for land disturbing activities.

The existing facility is governed under a State Stormwater Permit. Any modification to the site will be reevaluated by NCDEQ to see if modification to the State Stormwater Permit is required.

Utilities

Public water is available to the site. Public or private sewer is not available in this area of the County and wastewater management would rely on septic systems. Further development and occupancy of new tenants will require evaluation by Pender County Utilities and Environmental Health as part of the technical review process.

Schools

No residential uses are proposed and therefore the proposal would have no adverse impact on the Pender County School System.

ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain Special Flood Hazard Areas ¹ .
Wetlands	Portions of the subject property may contain wetlands ^{2,3} . No Jurisdictional Determination for the U.S. Army Corps of Engineers has been submitted by the applicant, which will be required prior to any administrative approvals. Any disturbance within these wetlands is subject to review and approval by the U.S. Army Corps of Engineers.
Areas of Environmental Concern	The subject property does not contain Areas of Environmental Concern along a waterway (AEC) ⁴ .

¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

⁴ According to the North Carolina Department of Environmental Quality (NCDEQ)

Public Input Meeting

As required by Article 3.3.9 of the UDO, the applicant hosted a public input meeting at the Burgaw Depot on October 26th at 6:00pm. Notice of the meeting was mailed to all property owners within 500 feet of the subject parcels. As described in the applicant's report of the meeting, nearly a dozen community members attended. The public input meeting summary can be found in the Board's packet as **Attachment 3**.

EVALUATION

Zoning and Existing Land Use in Area

Much of the immediately surrounding area consists of single-family residential land uses, as well as agricultural land uses. The area is also predominately zoned RA, Rural Agricultural.

CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Residential, Agricultural	RA, Rural Agricultural
East	Residential, Agricultural	RA, Rural Agricultural
South	Residential, Agricultural	RA, Rural Agricultural
West	Residential, Agricultural	RA, Rural Agricultural

Unified Development Ordinance Compliance

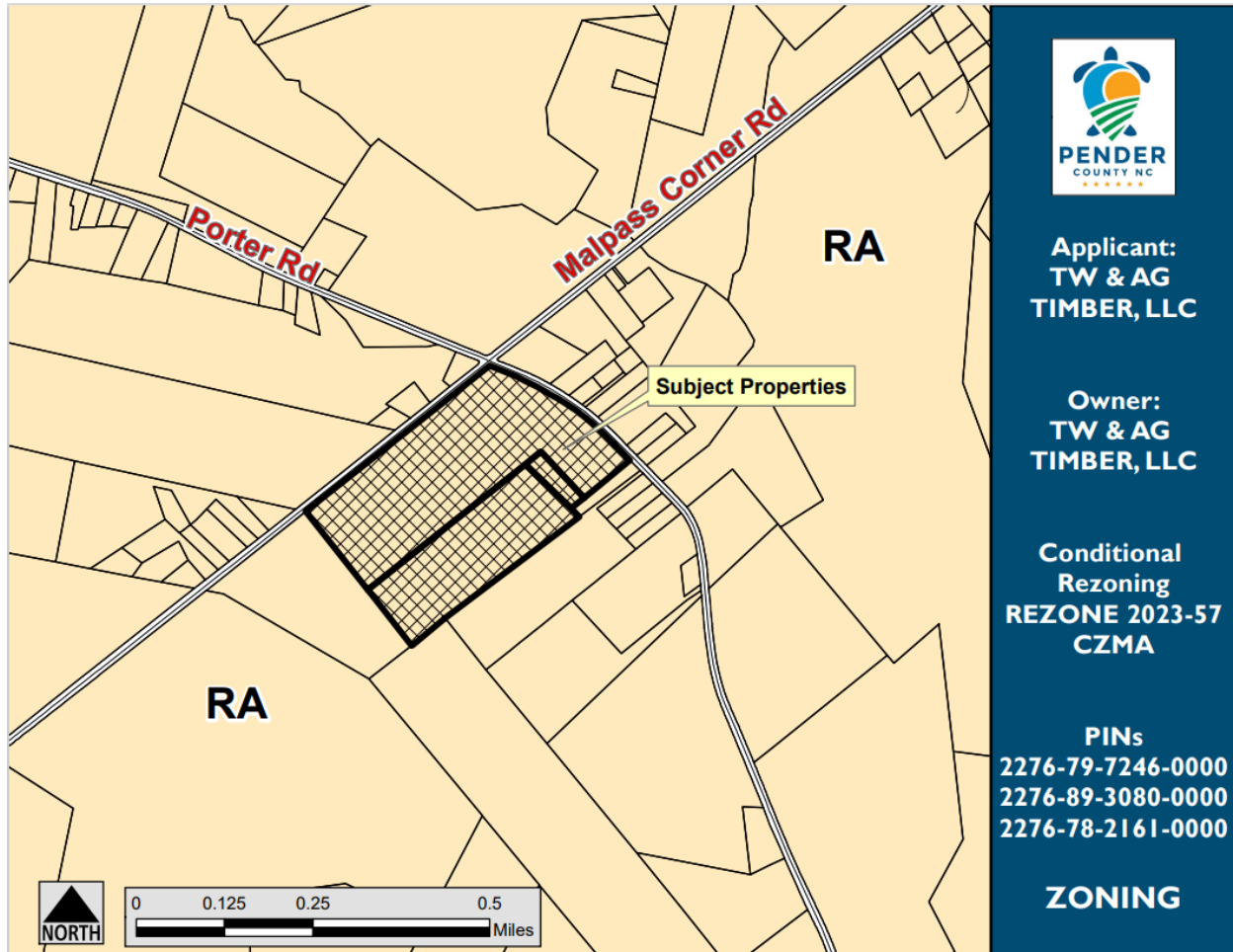
Section 3.3.9 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. These standards include evaluating proposals against whether adequate public facilities/services (i.e. water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

3.3.9.B.3 Approval Criteria for Conditional Rezoning

When evaluating an application for the establishment of a conditional zoning district, the reviewing bodies shall consider the following:

- A. The Approval Criteria for a Rezoning (Section 3.3.5).
- B. That the application meets the intent of a conditional rezoning, per this subsection.
- C. That the contents of the application are complete, sufficient, and recorded appropriately either as conditions of approval or on the associated site plan or preliminary plat, and that the appropriate procedures have been followed.
- D. The potential impacts and/or benefits on the surrounding area and adjoining properties.
- E. The report of results from the public input meeting.
- F. That sufficient guarantee is in place or can be made that any off-site impacts generated by the proposed project shall be mitigated appropriately at the time the need for the mitigating action is generated.

Below: Zoning Map of the Area



Pender 2.0 Comprehensive Land Use Plan Compliance

The Pender 2.0 Comprehensive Land Use Plan designates the subject property as Rural Agriculture. The Rural Agricultural future land use category supports and protects Pender County's agricultural areas. These areas are an essential part of the County's economy and agricultural heritage. Within the Rural Agriculture future land use category, agriculture uses are highly encouraged. Preservation of prime farmland soils for continued prosperity of farming and forestry operations should be considered. Manufactured homes and very low density single-family detached dwellings are appropriate uses in this category. Commercial, civic, office, and institutional uses are permitted where compatible with existing neighborhoods and as a resource or employment opportunity for area residents. Development density within this category is one dwelling unit an acre or less. Expansion of centralized water and sewer systems within this future land use category are discouraged, unless necessary to protect public health when existing systems fail.

Desired Uses:

- Single-family dwellings – detached
- Manufactured homes
- Recreation, parks, and open space

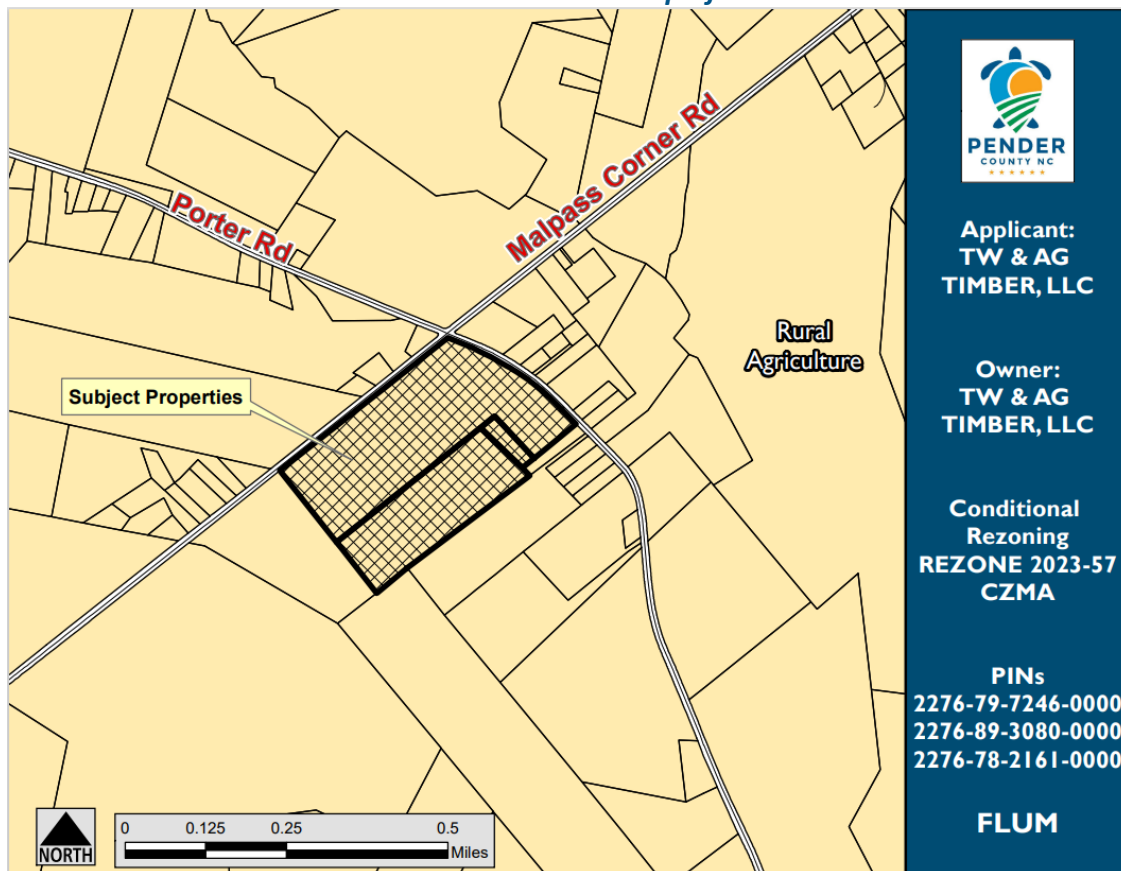
Inappropriate Uses:

- Single-family dwellings – attached
- Multi-family residential uses
- Most commercial, office, and institutional development
- Industrial development

Transportation Infrastructure:

- Automobile: Collector (local, minor) and local roads
- Cyclist: paved shoulders and multi-use paths

Below: Future Land Use Map of the Area



Planning staff finds the proposed conditional zoning district to be inconsistent with the Future Land Use Map (FLUM) classification for the property as it is designated Rural Agriculture and does not support industrial development and finds that most commercial uses are inappropriate in this category.

Evaluation of Uses

Staff is supportive of the fundamental intention of this proposal in terms of bringing new businesses and jobs to the site and is also supportive of the limited expansion of this site. However, staff is not supportive of certain uses proposed as part of this request. Staff finds that the following uses are inappropriate in this area and recommend removal of these uses prior to approval:

Sector 56: Administrative and Support and Waste Management and Remediation Services

All Uses within this Sector.

Staff recommends removal of all waste management related services as this may be disruptive to the residential and agricultural character of this community.

Sector 31-33: Manufacturing

Redi-Mix Concrete Manufacturing (NAICS 32733)

Other Concrete Manufacturing (NAICS 32739)

Staff supports all of the proposed manufacturing uses with the exception of those related to concrete manufacturing. This may be better suited for a more isolated industrial site.

Land Use Plan Policies

The request was found to be consistent with the following policies and recommended action which support the request as the proposed use is considered an expansion of an existing similar use.

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

Policy 5.1.D: Focused Growth and Development: The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

Recommended Action 5.1.N.1: Consider committing additional County resources to improve and expand efforts to retain and recruit industries. Place emphasis on re-use of vacant buildings, recruitment of clean industries, expansion of the Pender Commerce Park, and creation of jobs.

Policy 5.1.FF: Rural Non-Residential Uses: The County shall continue to accommodate limited non-residential uses in rural areas.

Furthermore, the request was found to be inconsistent with the following policies:

Policy 5.1.N Industrial Uses and Business Development: The County supports the recruitment and siting of compatible industrial, heavy commercial, and large-scale employment establishments in areas that are consistent with County's future land use map. Compatible heavy commercial and employment center uses are also appropriate within the Regional Mixed Use future land use category.

Policy 5.1.EE: Rural Land Use Patterns: The County supports the rural residential and agricultural land use patterns as they currently exist throughout much of the County and as depicted on the future land use map.

STAFF RECOMMENDATION

Staff finds that overall, the request is something that can offer much benefit to this area of rural Pender County in terms of businesses, jobs, and overall economic benefits. While this is a currently vacant former industrial site, it is important for this site to be able to continue to provide these benefits in a place where industrial-type uses have been established through the 1988 Special Use Permit. However, it is essential to balance this proposal with the interest of the surrounding community to establish a better outcome in terms of compatible land uses.

With the proposed setbacks and recommended conditions, this is a project that Planning Staff will continue to support to bring new vitality to this site and therefore offer new opportunities for residents of this area of Pender County. With the removal of uses previously identified as inappropriate, Staff recommends approval of this conditional rezoning request with the conditions provided throughout this report and summarized below.

PROPOSED CONDITIONS OF APPROVAL

Per Section 3.3.9.B.4 of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners can add reasonable and appropriate conditions based on mutually established goals with the Applicant and adjacent property owners.

Conditions may address parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the participants in the public input meeting, staff, Planning Board, and County Commission find appropriate or the petitioner may propose.

Conditions to Consider in Approving the Conditional Rezoning for this Site.

1. The project shall comply with all requirements of the Pender County Unified Developed Ordinance.
2. The applicant shall meet all other local, state, and federal regulations.
3. The applicant shall forfeit the Special Use Permit on record as a conditional rezoning of the Special Use Permit site will conflict with this previous approval. This shall take place prior to the issuance of the first zoning permit.
4. The existing established vegetative buffer along Malpass Corner Road shall remain. As expansion of the site occurs, supplemental plantings may be required for areas where the existing vegetative buffer is inadequate as determined by the Administrator. However, new or modified driveways as approved by NCDOT along this roadway will be exempt from this condition.
5. Upon development of PINs 2276-78-2161-0000 and 2276-89-3080-0000 a 25' Type C-4 buffer will be required. Existing vegetation along the southwestern boundary shall remain within this 25' buffer.

PLANNING BOARD ACTION NEEDED:

TO APPROVE: Motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies and goals in the Pender 2.0 Comprehensive Land Use Plan:

- **5.1.C: Coordination with Infrastructure/Services**
- **5.1.D: Focused Growth and Development**
- **5.1.K: Commercial Development**
- **Recommended Action 5.1.N.1**
- **5.1.FF: Rural Non-Residential Uses**

While the proposed rezoning is inconsistent with the Rural Agriculture Land Use classification in the Pender 2.0 Comprehensive Land Use Plan the proposal is reasonable and in the public interest and furthers the goals of the Pender 2.0 Comprehensive Land Use Plan.

TO DENY: Motion to deny the Zoning Map Amendment and to make a finding of denial because said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING] ...

PLANNING BOARD ACTION FOR CONDITIONAL REZONING

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	TW+AG Timber, LLC	Owner's Name:	TW+AG Timber, LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	←
City, State, & Zip	Currie, NC 28435	City, State, & Zip	←
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lewisfarm and liquid waste.com	Email Address:	←
Legal relationship of applicant to landowner: SAME			

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	2276-79-7246	Total property acreage:	37.62
Current Zoning District:	RA (Special Use)	Proposed Zoning District:	Conditional Zoning
Project Address or Location:	1753 Porter Road Currie, NC 28435		
Proposed Uses to be Considered (Include NAICS Code):			
332311 and 332322 (and Proposed Uses Attached)			

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):

ELIMINATE OTHER USES IN TABLE - EXCEPT THOSE LISTED

SECTION 3: SIGNATURES

Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature	<i>Wesley Wooten</i>	Date:	10-10-2023
Owner's Name Printed	Wesley Wooten	Date:	10-10-23

NOTICE TO APPLICANT

1. Applicant must also submit the information described on the Rezoning Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
4. All fees are non-refundable
5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	TW AG + Timber, LLC	Owner's Name:	TW AG + Timber LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	8155 Malpass Corner
City, State, & Zip	Currie, NC 28435	City, State, & Zip	Currie, NC 28435
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lewisfarmard liquidwaste.com	Email Address:	←
Legal relationship of applicant to landowner: SAME			

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	2276-99-3080	Total property acreage:	1.21
Current Zoning District:	Agriculture	Proposed Zoning District:	CZ
Project Address or Location:	Porter Road		

Proposed Uses to be Considered (Include NAICS Code):

(See attached list of proposed uses)

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):

(Eliminate all others on Table of Use List)
Except those on attached list

SECTION 3: SIGNATURES

Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature	<i>[Signature]</i>	Date:	10-10-23
Owner's Name Printed		Date:	

NOTICE TO APPLICANT

1. Applicant must also submit the information described on the Rezoning Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
4. All fees are non-refundable.
5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	TW AG + Timber, LLC	Owner's Name:	TW AG + Timber LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	8155 Malpass Corner
City, State, & Zip	Currie, NC 28435	City, State, & Zip	Currie, NC 28435
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lewisfarmardliquidwaste.com	Email Address:	←
Legal relationship of applicant to landowner: SAME			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	2276-78-2161	Total property acreage:	20.24
Current Zoning District:	Agriculture	Proposed Zoning District:	Conditioned - C2
Project Address or Location:	PORTER ROAD		
Proposed Uses to be Considered (Include NAICS Code):			
(See attached list of proposed uses)			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
(Eliminate all others on Table of Use list) Except those on attached list			
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature	[Signature]	Date:	10-10-23
Owner's Name Printed		Date:	
NOTICE TO APPLICANT			
1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda			

October 12, 2023

Pender County Planning
805 South Walker Street
Burgaw, NC 28425

RE: Porter Road Conditional Zoning

Pender County Planning Department:

We submit the following to serve as the application description as a part of the Conditional Zoning request for the Porter Road Parcels owned by TW AG & Timber, LLC.

The applicant, TW AG & Timber, LLC, is applying for approval of a Conditional Zoning for 3 tracts of land. They are located at Malpass Corner Road and Porter Road. TW AG & Timber are the owners of all 3 parcels. The parcels have a combined acreage of 59.07.

Current Parcel Information:

Owner:	TW AG & Timber, LLC
Property Address:	1753 Porter Road, Currie, NC 28435
PIN:	2276-79-7246-0000
Zoning:	RA (Special use from 1988) Lumber and Lumber Manufacturing
Acreage:	37.62

Owner:	TW AG & Timber, LLC
Property Address:	Porter Road
PIN:	2276-78-2161-0000
Zoning:	Agriculture
Acreage:	20.24

Owner:	TW AG & Timber, LLC
Property Address:	Porter Road
PIN:	2276-89-3080-0000
Zoning:	Agriculture
Acres:	1.21 acres

This property operated as a Lumber and Lumber Manufacturing facility for 32 years and the Owner decided to relocate. TW AG & Timber purchased the property in 2021. They have improved many items on said property (storm drainage, landscaping and building maintenance) over the last couple of years and have started looking for a tenants. Recently, a metal building company who provides metal building components and roofing would like to lease a portion of the property that was formerly the lumber company.

The neighboring 2 parcels were purchased by TW AG Timber last year. They do not have any structures on them and are currently zoned RA. We would like the Conditional Zoning to incorporate all 3 parcels listed above.

We would like to request a Conditional Rezoning for the following proposed uses:

ACCESSORY USES AND STRUCTURES

Agritourism Activities on active farms

SECTOR 22: UTILITIES

Natural Gas Distribution Except Transmission Lines	221210
Water Supply Facilities	221310

SECTOR 23: CONSTRUCTION

Construction of Buildings	236
Specialty Trade Contractors	238

Sectors 31-33: MANUFACTURING:

Artisan Manufacturing	
Food Manufacturing	311
Beverage Tobacco Product Manufacturing	312
Textile Mills	313
Textile Product Mills	314
Apparel Manufacturing	315
Wood Product Manufacturing	321
Truss Manufacturing	321214
Prefabricated Wood Building Manufacturing	321992
Prefabricated Metal Building and Component Manufacturing	332311
Printing and Related Support Activities	323
Soap, Cleaning Compound and Toilet Preparation Manufacturing	3256
Fabricated Product Manufacturing	332
Machine Shops; Turned Product; and Screw, Nut and Bolt Manufact.	3327
Machinery Manufacturing	333
Computer & Electronic Product Manufacturing	334
Electrical Equipment, Appliance, & Component Manufacturing	335
Transportation Equipment Manufacturing	336
Furniture and Related Product Manufacturing	337

Redi-Mix Concrete Manufacturing	32733
Other Concrete Manufacturing	32739
Fabricated Product Manufacturing	332
Machine Shops: Turned Product; and Screw, Nut and Bolt Manufact.	3327
Miscellaneous Manufacturing	339

Sector 42: WHOLESALE TRADE

Wholesale Trade	42
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Sector 48-49: TRANSPORTATION AND WAREHOUSING:

Truck Transportation	484
Charter Bus Industry	4855
Support Activities for Transportation	4881
Support Activities for Road Transportation	4884
Warehousing and Storage	493

Sector 53: REAL ESTATE AND RENTAL AND LEASING

Real Estate and Rental and Leasing	53
Commercial and Industrial Machinery and Equipment	5324

Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES 54

Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES 55

Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES

Administrative and Support Services	561
Solid Waste Collection Public	562111
Solid Waste Collection Private	562111
Other Nonhazardous Waste Treatment and Disposal	562219
Remediation Services	562910
Materials Recovery Facilities	562920
All Other Waste Management Facilities	56299

Sector 61: EDUCATIONAL SERVICES

Technical and Trade Schools	6115
-----------------------------	------

Sector 81: OTHER SERVICES EXCEPT PUBLIC ADMINISTRATION

Automotive Repair and Maintenance	8111
Electronic and Precision Equipment Repair and Maintenance	8112
Commercial and Industrial Machinery and Equipment Repair	8113
Linen & Uniform Supply	81233

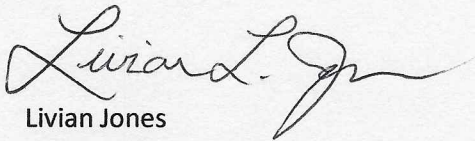
MISCELLANEOUS:

Bona fide Farm Purposes	
Industrial Park	
Portable Storage Containers	
Storage of Merchandise, Materials or Equipment on Site	

Telecommunication Facilities
Temporary Manufactured Homes
Temporary Modular/Manufactured Offices
Temporary Buildings for Construction or Development

Please let me know if you have any questions.

Thanks -

A handwritten signature in cursive script, appearing to read "Livian Jones", written in black ink.

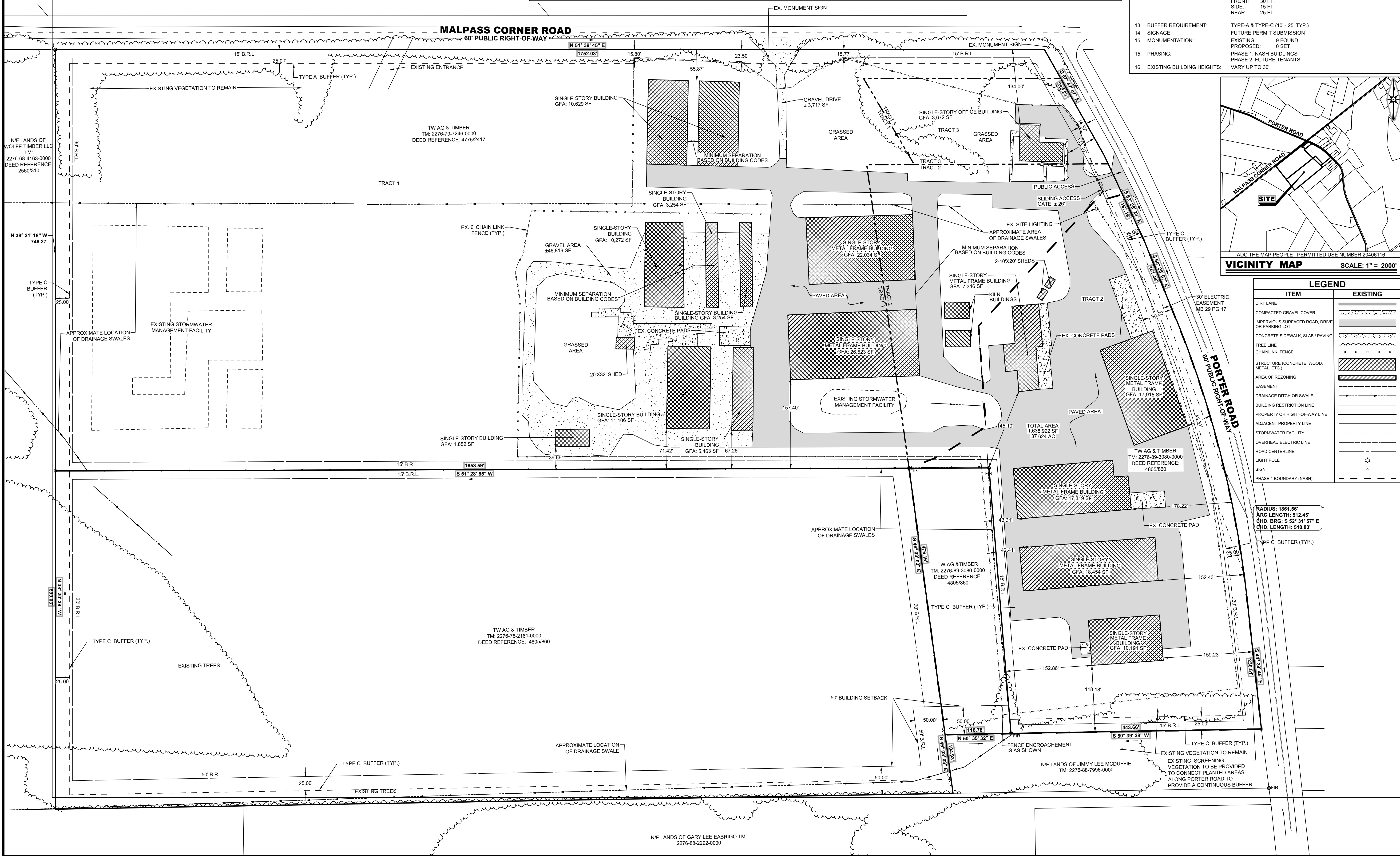
Livian Jones
910-520-3943

GENERAL NOTES:	
1.	NO EXISTING STRIPED PARKING ON SITE. EXISTING PARKING UTILIZES GRAVEL AREAS. FUTURE PARKING LAYOUT WILL BE EVALUATED WITH FUTURE PERMIT APPLICATIONS AND IS DEPENDENT UPON TENANT DEMANDS AND FINAL USES.
2.	FUTURE SIGNAGE TO BE PROVIDED UNDER SEPARATE PERMITS CONSISTENT WITH SECTION 9.8, PARTS A, B & C OF THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
3.	FUTURE SITE LIGHTING SHALL COMPLY WITH SECTION 7.11 OF THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
4.	NO EXTENSIONS, CHANGES OR ADDITIONS TO EXISTING WATER UTILITY ARE PROPOSED FOR THIS SITE.
5.	PROPOSED AREAS TO BE REZONED ARE AS FOLLOWS: PARCELS 2276-79-7246-0000, 2276-78-2161-0000, AND 2276-89-3080-0000

TRIP GENERATION DATA:											
EXISTING TRIPS						PROPOSED TRIPS					
LAND USE	ITE CODE	INTENSITY	24 HOUR VOLUMES	AM PEAK	PM PEAK	LAND USE	ITE CODE	INTENSITY	24 HOUR VOLUMES	AM PEAK	PM PEAK
SMALL OFFICE	712	3,672 SF	53	10	12	SMALL OFFICE	712	3,672 SF	53	10	12
WAREHOUSING	500	177,000 SF	318	48	47	MANUFACTURING	140	177,000 SF	869	142	143
									24 HOUR VOLUMES	AM PEAK	PM PEAK
									551	94	96

PROPOSED USES				
CONSTRUCTION (SECTOR 23)	WHOLESALE TRADE (SECTOR 42)	EDUCATIONAL SERVICES (SECTOR 61)		
• CONSTRUCTION OF BUILDINGS	• WHOLESALE TRADE	• TECHNICAL AND TRADE SCHOOLS		
• SPECIALTY TRADE CONTRACTORS				
MANUFACTURING (SECTOR 31-33)	TRANSPORTATION AND WAREHOUSING (SECTOR 48-49)	ACCESSORY USES AND STRUCTURES		
			• AGRITOURISM ACTIVITIES ON ACTIVE FARMS	
	• ARTISAN MANUFACTURING	• TRUCK TRANSPORTATION	UTILITIES (SECTOR 22)	
	• CHARTER BUS INDUSTRY	• SUPPORT ACTIVITIES FOR ROAD TRANSPORTATION		• NATURAL GAS DISTRIBUTION EXCEPT TRANSMISSION LINES
	• SUPPORT ACTIVITIES FOR ROAD TRANSPORTATION	• WAREHOUSING AND STORAGE		
	• FOOD MANUFACTURING			
	• BEVERAGE TOBACCO PRODUCT MANUFACTURING			
	• TEXTILE MILLS			
	• APPAREL MANUFACTURING			
	• WOOD PRODUCT MANUFACTURING			
	• TRUSS MANUFACTURING			
	• PREFABRICATED WOOD BUILDING MANUFACTURING			
	• PREFABRICATED METAL BUILDING AND COMPONENT MANUFACTURING			
	• PRINTING AND RELATED SUPPORT ACTIVITIES			
• SOAP, CLEANING COMPOUND AND TOILET PREPARATION MANUFACTURING				
• FABRICATED PRODUCT MANUFACTURING				
• MACHINE SHOPS; TURNED PRODUCT; AND SCREW, NUT AND BOLT MANUFACTURING				
• METAL FABRICATING MANUFACTURING				
• COMPUTER & ELECTRONIC PRODUCT MANUFACTURING				
• ELECTRICAL EQUIPMENT, APPLIANCE, & COMPONENT MANUFACTURING				
• TRANSPORTATION EQUIPMENT MANUFACTURING				
• FURNITURE AND RELATED PRODUCT MANUFACTURING				
• RED-MIX CONCRETE MANUFACTURING				
• OTHER CEMENTS MANUFACTURING				
• MISCELLANEOUS MANUFACTURING				
	REAL ESTATE AND RENTAL AND LEASING (SECTOR 53)	OTHER SERVICES EXCEPT PUBLIC ADMINISTRATION (SECTOR 81)		
	• REAL ESTATE AND RENTAL LEASING	• AUTOMOTIVE REPAIR AND MAINTENANCE		
	• COMMERCIAL AND INDUSTRIAL MACHINERY AND EQUIPMENT	• ELECTRONIC AND PRECISION EQUIPMENT REPAIR AND MAINTENANCE		
	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES (SECTOR 54)	• COMMERCIAL AND INDUSTRIAL MACHINERY AND EQUIPMENT REPAIR		
	MANAGEMENT OF COMPANIES AND ENTERPRISES (SECTOR 55)	• LINEN & UNIFORM SUPPLY		
	ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES (SECTOR 56)	MISCELLANEOUS		
	• ADMINISTRATIVE AND SUPPORT SERVICES	• BONA FIDE FARM PURPOSES		
	• SOLID WASTE COLLECTION-PUBLIC	• INDUSTRIAL PARK		
	• SOLID WASTE COLLECTION-PRIVATE	• PORTABLE STORAGE CONTAINERS		
	• OTHER NONHAZARDOUS WASTE TREATMENT AND DISPOSAL	• STORAGE OF NONHAZARDOUS MATERIALS OR EQUIPMENT ON SITE		
	• REMEDIATION SERVICES	• TELECOMMUNICATION FACILITIES		
	• MATERIALS RECOVERY FACILITIES	• TEMPORARY MANUFACTURED HOMES		
	• ALL OTHER WASTE MANAGEMENT FACILITIES	• TEMPORARY MODULAR/ARMY/NAVY OFFICES		
		• TEMPORARY BUILDINGS FOR CONSTRUCTION OR DEVELOPMENT		

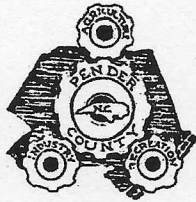
SITE DATA	
1. OWNER OF RECORD:	TW AG & TIMBER LLC 8155 MALPASS CORNER ROAD CURRIE, NC 29435
2. SURVEYOR:	JONATHAN MURPHY, PLS. 10505 LEAFWOOD PLACE RALEIGH, NC 27613 919-282-5188
3. ENGINEER:	BECKER MORGAN GROUP INC. 3333 JAECKLE DRIVE, SUITE 120 WILMINGTON, NC 28403 910-341-7600
4. PROPERTY MAP NUMBER:	2276-79-7246-0000, 2276-78-2161-0000, 2276-89-3080-0000
5. ZONING CLASSIFICATION:	EXISTING: RA-RURAL AGRICULTURAL / (PENDER COUNTY) PROPOSED: MIXED USE / (PENDER COUNTY)
6. DEED SUMMARY:	4775/2417, 4805/860
7. PLAT REFERENCE:	N/A
8. PRESENT USES:	OFFICE (3,672 SF) & WAREHOUSING (179,887 SF)
9. PROPOSED USES:	SEE PROPOSED USES THIS SHEET
10. TOTAL SITE AREA:	37.62 ACRES
11. FEMA:	PARCEL IS NOT IN FLOOD HAZARD AREA. DESIGNATION IS ZONE "X".
12. SETBACKS:	MAP: 3720227600K EFFECTIVE DATE: 12/6/2019 MIXED USE FRONT: 30 FT. SIDE: 15 FT. REAR: 25 FT.
13. BUFFER REQUIREMENT:	TYPE-A & TYPE-C (10' - 25' TYP.)
14. SIGNAGE:	FUTURE PERMIT SUBMISSION
15. MONUMENTATION:	EXISTING: 9 FOUND PROPOSED: 0 SET
15. PHASING:	PHASE 1: NASH BUILDINGS PHASE 2: FUTURE TENANTS
16. EXISTING BUILDING HEIGHTS:	VARY UP TO 30'



ATTACHMENT 1: Special Use Permit

Pender County

Planning and Inspection Department



"Designing a better future for Pender County"

P. O. BOX 832

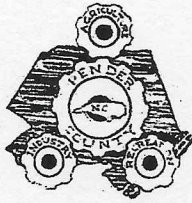
BURGAU, NORTH CAROLINA 28425

SUGGESTED CONDITIONS FROM PLANNING BOARD

1. That a buffer of a mixture of hardwood and softwood be placed along the borders of the properties adjacent to the public roads and this being necessary to buffer out existing residential areas. The buffer plan will be in accordance with the Pender County Zoning Ordinance.
2. That the proposed facility that contains the sawmill, maintenance building, and outside storage area be fenced for the safety of the public.
3. All ground surface not in daily use shall be established in permanent grasses and maintained.

Pender County

Planning and Inspection Department



"Designing a better future for Pender County"

P. O. BOX 832

BURGAU, NORTH CAROLINA 28425

Phone (919) 259-5461

Form 7

COUNTY OF PENDER

SPECIAL USE PERMIT GRANTED

On the date(s) listed below, the Planning Board for the County of Pender met and held a public hearing to consider the following application.

Applicant: Coastal Piedmont Co., P.O. Box 3741, Wilmington NC

Property location: SR 1120, Currie, NC

Tax Map F-100 Block Lot 17,17-1

Proposed use of property: Lumber and Lumber Manufacturing

Meeting date(s) December 5, 1988

Having heard all the evidence and argument presented at the hearing, the board finds that the application is complete, that the application complies with all of the applicable requirements of the Pender County Zoning Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this board, a copy of which is filed in Clerk Office/Planning Dept.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

If this permit authorizes development on a tract of land larger than one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the county the attached acknowledgment of the issuance of this permit so that

the county may have it recorded in the Pender County Registry.

IN WITNESS WHEREOF, the county has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

COUNTY OF PENDER

Attest:

[Signature] (Seal) By Jim L Baker

COASTAL PIEDMONT FOREST PRODUCTS, INC., owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Richard A. Olson Owner [Signature] Owner
President Vice-President

NORTH CAROLINA
PENDER COUNTY

I, John Allen Moore, a Notary Public in and for said state and county, do hereby certify that Richard A. Olson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 9 day of January, 1989.

John Allen Moore
Notary Public

My commission expires:

August 19, 1989

(Not valid until fully executed and recorded)

COASTAL-PIEDMONT FOREST PRODUCTS, INC.
P.O. Box 3741
Wilmington, NC 28406
December 12, 1988

Tim G. Baker
Chairman
Pender County Board of Commissioners
P.O. Box 5
Burgaw, NC 28425

RE: Application for Special Use Permit

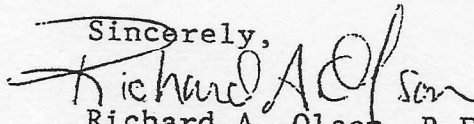
Dear Mr. Baker:

As requested by the Pender County Board of Commissioners on December 5, 1988, we are forwarding this letter of clarification.

In the development of our proposed project near Currie, NC, we will comply with the three suggested conditions from the Pender County Planning Board.

As discussed in our Presentation to the Pender County Planning Board in Support of Application for Special Use Permit, we will also comply with all applicable local, state, and federal regulations during the construction and operation of the proposed facility.

We appreciate the opportunity to work with you and the Pender County Board of Commissioners in the development of our proposed project.

Sincerely,

Richard A. Olson, R.F.
President

cc: Mike Lord, Pender County Administrator
Alvin Midgette, Pender County Planning Board

Pender County
Planning and Inspection Department



"Designing a better future for Pender County"

P. O. BOX 832

BURGAU, NORTH CAROLINA 28425

November 18, 1988

Mr. Thomas F. Mann
Wilmington Industrial Development
P.O. Box 1698
Wilmington, N.C. 28402

Dear Mr. Mann:

This is a follow-up of your letter and telephone conversation on November 18, 1988. I appreciate the positive response of the letter, but with reference to your third paragraph pertaining to the waiting time of the presentation for Coastal, Mr. Olson was informed prior to the meeting that it would be after 8:00 p.m. before he would appear on the agenda. He, along with Jimmy Smith, knew that the Planning Board had several mobile home parks for review.

I am sorry that you or others were discouraged at the waiting for the presentation, but it was Mr. Olson's responsibility to inform his guest as to the approximate time of the presentation. It should also be noted that the Planning Board's agenda time is not centered around the wishes of the presenters, but around the review of the projects. The times given to presenters are all approximate times with a desire that their presentation could start at that time, but some times other reviews may take longer.

It is hoped that the efforts of the Planning board to review, comment, approve, and set the public hearing date for this project on the same night instead of the sixty days option would not be critized for a few minutes of delay time for the presentation.

In the future the Planning Board will be reminded to be more receptive to the assigned time schedule.

Again, thank you for your appreciative letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alvin F. Midgette".
Alvin F. Midgette

cc: Richard Olson
Wayne Zeigler

COASTAL-PIEDMONT FOREST PRODUCTS, INC.
P.O. Box 3741
Wilmington, NC 28406
December 12, 1988

Tim G. Baker
Chairman
Pender County Board of Commissioners
P.O. Box 5
Burgaw, NC 28425

RE: Application for Special Use Permit

Dear Mr. Baker:

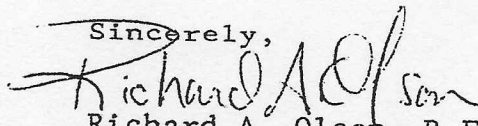
As requested by the Pender County Board of Commissioners on December 5, 1988, we are forwarding this letter of clarification.

In the development of our proposed project near Currie, NC, we will comply with the three suggested conditions from the Pender County Planning Board.

As discussed in our Presentation to the Pender County Planning Board in Support of Application for Special Use Permit, we will also comply with all applicable local, state, and federal regulations during the construction and operation of the proposed facility.

We appreciate the opportunity to work with you and the Pender County Board of Commissioners in the development of our proposed project.

Sincerely,


Richard A. Olson, R.F.
President

cc: Mike Lord, Pender County Administrator
Alvin Midgette, Pender County Planning Board

Public Hearing Notice

Notice is hereby given that the Pender County Commissioners will hold a public hearing on December 5, 1988 at 4:00 p.m. at the Howard Holly Administration Building, 300 Fremont Street, Burgaw, North Carolina to review a proposed lumber and lumber manufacturing company request for a Special Use Permit. According to the Pender County Zoning Ordinance, Coastal Piedmont Forest Products, Inc. is a North Carolina company established for the purpose of manufacturing and wholesaling of lumber and wood products. The location of the proposed project is at the intersection of SR 1120 and SR 1118, Currie, North Carolina.

Persons interested in commenting on the proposed project should attend the hearing.

Persons interested in reviewing the proposed project should contact the Pender County Planning Department, located in the Howard Holly Administration Building Annex, 259-1202.

PUBLIC HEARING

Public Hearing Notice

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#419

Nov 23&30

ATTACHMENT 2: Table of Permitted Uses

TABLE OF PERMITTED USES											
P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process											
Use Category Specific Use Type		Residential				Mixed Use	Commercial		Industrial		Special Purpose
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
RESIDENTIAL											
SFD: Detached-Conventional		P	P	P	P	P					
SFD: Detached Zero Lot Line				P		P					
SFD-Attached: Duplex		P	P	P		P					
SFD-Attached: Multiplex				P		P					
SFD-Townhouse (5+ attached)				P		P					
Multifamily (condominium/apartment)				P		P					
Upper Story Residential						P	P	P			
Accessory Dwelling Unit		D	D	P		D					
Accessory Dwelling Unit on Non Residential Principal Uses		D				D			P	P	
Manufactured Home		P	D		P						
Manufactured Home Park					PMD						
ACCESSORY USES AND STRUCTURES											
Accessory Structures		P	P	P	P	P	P	P	P	P	
Cottage Occupations		SD	SD	SD		SD	SD				
Home Occupation		D	D	D	D	D	D				
Agritourism Activities on active farms		D	D	D	D	D	D	D	D	D	D
Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
Sector 22: UTILITIES											
Fossil Fuel Electric Power Generation	221112									S	
Other Electric Power Generation	221119								S	S	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	
Natural Gas Distribution Except Transmission Lines	221210									P	
Water Supply Facilities*	221310		S			PM				P	

Sewage Treatment Facilities*	221320		S	PMD/S		PMD/S				P	
Except: Sewage Lift Stations*		SD	SD	PMD/S	PMD/S	PMD/S	D	D	D	D	
*County Owned or County Service District Provided Systems=P											
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33 MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	
Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating and Adhesive Manufacturing	3255									P	

Soap, Cleaning Compound and Toilet Preparation Manufacturing	3256										P
Other Chemical Product and Preparation Manufacturing											P
Except: 32592 Explosive Manufacturing											
Plastics and Rubber Products Manufacturing	326										P
Clay Product and Refractory Manufacturing	3271										P
Ready-Mix Concrete Manufacturing	32732										P
Concrete Pipe, Brick, & Block Manufacturing	32733										P

		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 31-33 MANUFACTURING											
Other Concrete Product Manufacturing	32739									P	
Gypsum Product Manufacturing	32742									P	
Fabricated Product Manufacturing	332									P	
Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	3327								P	P	
Machinery Manufacturing	333									P	
Computer & Electronic Product Manufacturing	334								P	P	
Electrical Equipment, Appliance, & Component Manufacturing	335									P	
Transportation Equipment Manufacturing	336									P	
Furniture and Related Product Manufacturing	337								P	P	
Miscellaneous Manufacturing	339								P	P	
Sector 42 WHOLESALE TRADE											
Wholesale Trade	42	S							P	P	
Sectors 44-45 RETAIL TRADE											

Motor Vehicle and Parts												
Dealers	441	S					P		P			
Furniture and Home Furnishings Stores	442						P		P			
Electronics and Appliance Stores	443	S				P	P		P			
Building Material, Garden Equipment & Supplies Dealers	444	S					P		P	P		
Food and Beverage Stores	445	S	S			P	P		P			
Health and Personal Care Stores	446	S	S			P	P	P	P			
Gasoline Stations	447	S				P	P		P			
Clothing and Clothing Accessories Stores	448	S				P	P		P			
Sporting Goods, Hobby, Book, and Music Stores	451					P	P		P			
Miscellaneous Store Retailers	453	S				P	P					
Non store Retailers	454	S				P	P		P			
Liquefied Petroleum Gas Dealers	454312									P		
Sectors 48-49: TRANSPORTATION AND WAREHOUSING												
Air Transportation	481								P	P		
Rail Transportation	482								P	P		
Truck Transportation	484								P	P		
Transit and Ground Passenger Transportation	485								P	P		
Interurban and Rural Bus Transportation	4852						P		P	P		
Taxi and Limousine Service	4853						P		P	P		
School and Employee Bus Transportation	4854								P	P		
Charter Bus Industry	4855								P	P		
Support Activities for Transportation	4881								P	P		
Support Activities for Road Transportation	4884	S					P		P	P		
Postal Services	491110	S	S			P	P	P				
Couriers and Messengers	492						P	P	P	P		
Zoning Districts												
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	

Sectors 48-49:												
TRANSPORTATION AND WAREHOUSING												
Warehousing and Storage	493	S							P	P		
Sector 51: INFORMATION												
Information	51					P	P	P	P	P		
Finance and Insurance	52	S	S			P	P	P	P	P		
Sector 53: REAL ESTATE AND RENTAL AND LEASING												
Real Estate and Rental and Leasing	53	S	S			P	P	P	P	P		
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P		
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES												
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P		
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES												
Management of Companies and Enterprises	55	S	S			P	P	P	P	P		
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES												
Administrative and Support Services	561	S				P	P	P	P	P		
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P		
Solid Waste Collection Private	562111									S		
Solid Waste Landfill	562212									S		
Solid Waste Combustors and Incinerators	562213									S		
Other Nonhazardous Waste Treatment and Disposal	562219	S					S		S	S		
Remediation Services	562910									S		
Materials Recovery Facilities	562920									S		
All Other Waste Management Facilities	56299									S		
Sector 61: EDUCATIONAL SERVICES												
Educational Services	611	P	S			P	P	P				

Business Schools, Computer & Management Training	6114	S				P		P	P		
Technical and Trade Schools	6115	S				P	P	P	P	P	
Other Schools and Instruction	6116	S				P	P	P	P		
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
Performing Arts Companies	7111	S				P	P				
Spectator Sports	7112	S					P		P		
Promoters of Performing Arts, Sports and Similar Events	7113	S				S	S				
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	7114					P	P	P			
Museums, Historical Sites and Similar Institutions	712	S				P	P	P			
Amusement and Theme Parks	713110	S				S	S				
Amusement Arcades	713120						P				

Golf Courses and Country Clubs	713910	S	PM			P					
Fitness & Recreational Sports Centers	713940	S				P	P	P	P		
Bowling Centers	71395					P	P	P	P		
All Other Amusement & Recreation Industries	71399	S				P	P		P		
Aviation Clubs, Recreational	713990	S	S			P	P		P		
Canoeing, Recreational	713990	S	S			P	P		P		
Fishing Clubs, Recreational	713990	S	S			P	P		P		
Flying Clubs, Recreational	713990	S	S			P	P		P		
Guide Services (i.e. Fishing, Hunting, Tourist)	713990	S	S			P	P		P		
Horse Riding, Recreational	713990	P	S								
Outdoor Shooting Ranges	713990	S									
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
Hotels and Motels	72111					P	D	D			
Bed and Breakfast Inns	721191	S	S		S	P	P				
All Other Traveler Accommodation	721199	S	S		S	P	P				
RV Parks and Recreational Camps	7212	SD					SD				
Recreational and Vacation Camps	721214	S									S
Rooming and Boarding Houses	721310	S				P	P				
Full Service Restaurants	7221	S				P	P	P	P	P	
Limited Service Eating Places	7222	S				P	P	P	P	P	
Special Food Services	7223	S				P	P	P	P	P	
Drinking Places (Alcoholic Beverages)	7224	S				P	P				
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
Automotive Repair and Maintenance	8111	S					P		P	P	
Electronic and Precision Equipment Repair and Maintenance	8112	S					P	P	P	P	

Commercial and Industrial												
Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113								P	P		
Personal and Household Goods Repair and Maintenance	8114	S				P	P	P	P	P		
Personal Care Services	8121	P	S			P	P	P	P			
Funeral Homes and Funeral Services	81221	S					P	P	P	P		
Cemeteries and Crematories Except: Private Cemetery	81222	S	S			S	S	S	S	S		
Coin Operated Laundries and Drycleaners	812310	P				P	P					
Dry-cleaning and Laundry Services	812320	S				P	P		P	P		
Linen & Uniform Supply	81233								P	P		
Other Personal Services	8129	S				P	P	P	P			
Pet Care Services	812910	D					D		D	D		
Religious Organizations	8131	P	S			P	P	P	P			
Grant making and Giving Services	8132					P	P	P	P			
Social Advocacy Organizations	8133					P	P	P	P			
Civic and Social Organizations	813410	S	S			P	P	P				
Business, Professional, Labor, Political and Similar Organizations	8139					P	P	P	P			
Public Administration	92	P	P	P	P	P	P	P	P	P		
			Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
MISCELLANEOUS USES												
Adult and Sexually Oriented Businesses									S	S		
Adult Retail									S	S		
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D	
Child Care Center		P	S			S	P	P				
Community Boating Facility		SD	SD	SD	SD	SD						
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD						
Disaster Volunteer Housing		D	D	D	D	D	D	D	D	D		

Family Care Home		D	D	D	D	D						
Family Child Care Home		P	P			P	P	P				
Industrial Park										SD		
Marina (Commercial)		SD	PMD			PMD						
Portable Storage Containers		D	D	D	D	D	D	D	D	D		
Private Cemetery less than 6,000 sq. ft.		D	D					D	D	D		
Private Cemetery 6,000 sq. ft. and larger		S	S					S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P		
Private Residential Boating Facility		D	D	D	D	D						
Salvage Operations		S									D	
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S								P	P	
Storage of boats and watercraft outdoors or on dry stack structures								S				
Sweepstakes Center								SD		SD	SD	
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD		
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD		
Temporary Manufactured Homes		P	P			P						
Temporary Modular/Manufactured Offices						P	P	P	P	P		
Temporary Fruit & Vegetable Stands		P	P									
Temporary Buildings for Construction or Development		D	D	D	D	D	D	D	D	D		
Temporary Events		D						D	D	D	D	

5.3 USES WITH STANDARDS

5.3.1 General

- A. These standards shall only apply to those districts and uses where the “S”, “PM” or “D” is designated on the use table in Section 5.2.3. In addition to these standards the use shall be permitted in compliance with the general development standards of the underlying

ATTACHMENT 3: Public Input Meeting Information

Community Meeting Information

October 12, 2023

To: Adjacent Property Owners and others within 500ft.

From: Livian Jones (representing TW AG & Timber, LLC)

My name is Livian Jones and I am sending this notice on behalf of TW AG & Timber, LLC. We are requesting a Conditional Zoning for the properties at the Corner of Malpass Road and Porter Road (Address: 1753 Porter Road). The previous Owner of the property received a Special Use Permit in 1988 for Lumber and Timber Manufacturing. TW AG & Timber purchased the property in 2021 and has made improvements since that time.

The community meeting will be held on October 26, 2023 at the Burgaw Train Depot (109 N. Walker Street, Burgaw, NC 28425) 6:00-8:00.

If you cannot attend the meeting and have any questions, please feel free to contact me at 910-520-3943 or LivianLJones@gmail.com and I will get you the answer.

Sincerely,


Livian L. Jones
910-520-3943

NAME

ADDRESS

EMAIL

NAME	ADDRESS	EMAIL
Emily Lewis (John Rowe)	6640 Malpass Corner Rd.	
Don Robert Jorrett	1514 Porter Rd Currie NC	
Conway Murphy	6628 Malpass Corner Rd Currie	
Louis Murphy	2553 Porter Rd Currie	
Jason Hensley	1642 Porter Rd. Currie, NC 28438	
Debbie M. Walker	1152 Union Chapel Rd Burgaw, NC	
Elsie L. Murphy	1899 Porter Rd Currie, NC	
Elaine Walker Lewis	1346 Union Chapel Rd Burgaw	
Hytia Marshall	2068 Porter Rd Currie, NC	
Phyllis North	27926 Hwy 210 P.O. Box 18 Currie, NC	
Guyana Lewis	820 Hatfield Rd Burgaw, NC	
Quetta Simpson	7216 Malpass Corner Rd Currie, NC 28435	

REPORT OF COMMUNITY MEETING

Project Name: Malpass Corner and Porter Road Conditional Rezoning

A meeting was held regarding the Conditional Rezoning of the 3 parcels at 1753 Malpass Corner Road and Porter Road. The meeting was held on October 26, 2023, 6:00pm at the Burgaw Train Depot (109 N. Walker Street, Burgaw, NC 28425).

The citizens in attendance are on the attached sign-in sheet. Attendees were primarily from the Currie area. The group was provided a list of the submitted proposed uses and the Site Plan.

In general, most of the questions were regarding the uses and intentions of use for the property. We let the group know that we have an interested tenant that would be a very similar use to what was previously there. This property is currently Zoned RA with a Special Use permit (Lumber and Lumber Manufacturing) that was issued in 1998. We also let the group know that we had deleted several uses they had issues with previously.