# Pender County

**Agenda**

**Planning Board Meeting**

**Tuesday, June 7, 2022 @ 7:00 PM**

**Pender County Hampstead Annex Auditorium**

| | | Presenter | Page |
|---|---|---|---|
| 1. | CALL TO ORDER | | |
| 2. | ROLL CALL | | |
| 3. | INVOCATION | | |
| 4. | PLEDGE OF ALLEGIANCE | | |
| 5. | ADOPTION OF AGENDA | | |
| 6. | ADOPTION OF MINUTES | | |
| 6.1. | April 5, 2022 Meeting Minutes<br>April 5, 2022 Minutes - Pdf | | 3 - 9 |
| 7. | PUBLIC COMMENT | | |
| 8. | PUBLIC HEARINGS | | |
| 8.1. | MDP-R 2022-38<br>MDP-R 2022-38 - Pdf | | 11 - 72 |
| 8.2. | ZTA 2022-15<br>ZTA 2022-15 - Pdf | | 73 - 80 |
| 8.3. | REZONE 2022-31<br>REZONE 2022-31 - Pdf | | 81 - 108 |
| 8.4. | REZONE 2022-32<br>REZONE 2022-32 - Pdf | | 109 - 133 |
| 8.5. | REZONE 2022-33<br>REZONE 2022-33 - Pdf | | 135 - 158 |
| 9. | DISCUSSION | | |
| 10. | NEXT MEETING DATE | | |
| 10.1. | July 6, 2022 (Wednesday) at 7 PM<br>Pender County Administration Building<br>805 S. Walker Street<br>Burgaw, NC 28425 | | |
| 11. | ADJOURNMENT | | |

# Pender County
# Request for Board Action

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Travis Henley |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | April 5, 2022 Meeting Minutes |

**ACTION REQUESTED:**
Review and Approve Meeting Minutes from April 5, 2022

Pender County Planning Board Meeting Minutes – April 5th, 2022

**Members Present:**

Delva Jordan, Damien Buchanan, Jeff Beaudoin, Jeffrey Pitts, & Margaret Mosca.

**1 Call To Order**: 7:01pm

**2 Roll Call:**

All Members present except for Norman K. Teachey and John Gruntfest.

**3 Invocation**

**4 Pledge of Allegiance**

**5 Adoption of Agenda**

Mr. Pitts made a motion to adopt the agenda. Mr. Buchanan seconded the motion, and the motion was unanimously approved.

**6 Adoption of Minutes**

Mr. Buchanan made a motion to adopt the minutes from the March 1st, 2022 Planning Board Meeting. Mr. Pitts seconded the motion, and the motion was unanimously approved.

**7 Public Comment**

There was not public comment.

**8 Public Hearings**

a) Wyndwater Master Development Plan Revision - MDP-R 2022-38

Mr. Travis Henley, Planning Director, presented the Staff Report. Mr. Henley provided that Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals. The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

Mr. Buchanan asked for clarification on the change to the number of units. Mr. Henley provided that the total number of units will decrease by one unit. He added that the section of the project proposed to be removed would be allowed up to three units per acre based on current standards.

Mr. Mike Pollak, applicant and owner, addressed the Board. Mr. Pollak provided that Wyndwater has been developing over the last 8 years and that he is working on adding additional townhomes to the project as well as some additional commercial. This was related to the removing townhomes from a previously approved section. Mr. Pollak stated that he would like to bring in some medical offices for the commercial component of this project which has recently been acquired with the intention of incorporating it into the existing Master Development Plan.

Next, Mr. Pollak explained that a land swap was pursued with Topsail Greens related to the existing boat and RV storage facility that did not work out. This led to this portion being removed from the request.

Lastly, Mr. Pollak explained that townhomes have always been a part of the project and added that townhomes are sought after in today's market as they allow a better price point for home buyers.

Mr. Buchanan asked for clarification on the medical businesses intended for the commercial area. Mr. Pollak provided that this would be for smaller medical offices and practices such as dentists, doctors, etc. and would not include assisted living facilities.

Mr. Jordan asked for clarification on the northern property adjoining the townhomes. Mr. Pollak provided that this area is a part of Topsail Greens. Mr. Pollak added that the density proposed for Wyndwater is consistent with Topsail Greens.

Mr. Pollak addressed setbacks and buffers in this area. Mr. Pollak stated that he has heard from adjoining property owners that they would like to see a more open buffer design.

Mr. Pitts asked if properties in the flood zone could have flexibility with height allowances. Mr. Henley answered yes and provided that they would need to meet the requirements of the Flood Damage Prevention Ordinance.

Mr. Henley addressed the group and provided that he was made aware that copies of the mailed notices were copied placed in private mailboxes without postage which is a violation of Federal law.

Al Burfield addressed the Board. Mr. Burfield provided that he is concerned about the impact on his septic system in proximity to a proposed stormwater pond, the impact of a potential TIA on needed road improvements, as well as the uncertainty of who will maintain Topsail Plantation Drive which is a private road owned by Wyndwater.

Anthony Whitmore addressed the Board. Mr. Whitmore requested consideration for preserving a natural barrier at a portion of the property boundary for Phase 11 around Ensign Drive and Fathom Court to help preserve the existing natural area.

James Quaglia addressed the Board. Mr. Quaglia provided that he is seeking clarification on the maintenance of existing roads and the septic suitability of several lots. Mr. Quaglia stated that he is concerned with heavy equipment going over drain lines that run under the roadway.

Becky Maness, Vice President of the Topsail Greens HOA, addressed the Board. Ms. Maness provided a handout and stated that she is concerned with Topsail Greens septic lines. Ms. Maness requested that Phase 7 be denied and modified to protect the existing water system.

Arthur Mark addressed the Board. Mr. Mark provided that he lives of Plank Ct and is concerned about stormwater runoff in his vicinity.

Casey Gunn addressed the Board. Ms. Gunn provided that she is concerned that the golf course which is a great community open space will be developed leaving no open space for the community.

Kimberly Zampitella addressed the Board. Ms. Zampitella provided that the areas around the proposed phases 7 and 11 are home to many forms of wildlife such as the red cockaded woodpecker. Ms. Zampitella provided that habitat loss for wildlife is undesired.

Micheal Milko addressed the Board. Mr. Milko provided maps from the North Carolina Fish and Wildlife Service and stated that he is concerned with potential impact to the nature area such as the freshwater ponds. Mr. Beaudoin clarified that the developer will be responsible for performing a wetlands delineation.

Mr. Dave Gunn addressed the Board. Mr. Gunn provided that his main concern is water and sewer infrastructure in regard to the existing system in the area. Mr. Gunn stated that he would like to know where wastewater will go. His additional concern was uncertainty on the increase in population the community will see as a result of approval.

Andrea Wheatley addressed the Board. Ms. Wheatley stated that she is concerned with the process and asked for clarification on the buffer requirements.

Andrew Atkinson addressed the Board. Mr. Atkinson provided that he is representing residents on Breakers Court and Admiral Court. Mr. Atkinson provided that he is concerned with the proposal as the community is susceptible to flooding. He also shared concern of traffic where the community meets US HWY 17. Next, Mr. Atkinson provided that members of the community are concerned with the density associated with the proposal. He added that there should not be more development in this area until the Hampstead bypass is complete.

Lynne Fedor addressed the Board. Ms. Fedor shared concern that this area is rapidly developing and that the character of the area is in jeopardy.

Mr. Henley provided clarity by explaining buffer requirements and the various options a developer may pursue. He explained that required buffers are determined by adjacent uses with the C Buffer being the most intense.

Mr. Jordan asked for clarification on the green space or open space within the community and how this would be impacted. Mr. Henley provided that this is evaluated at the Master Plan level and added that overall, the project is providing 36 acres of open space spread throughout the phases.

Mr. Buchanan asked if a TIA would be performed. Mr. Henley provided that the TIA would be required to be updated to inform needed road improvements.

Mr. Buchanan asked for clarification on utilities in relationship to existing infrastructure including septic systems and associated easements as well as road maintenance in relationship to construction trucks. Mr. Henley provided that water will be provided by Pender County Utilities with sewer being provided by Pluris.

Mr. Jordan asked for clarification on elevation requirements in terms of the flow of water. Mr. Henley provided that Pender County does not prohibit fill being brought in to improve the elevation of properties and added that this would need to be approved by NCDEQ. Mr. Henley stated that water being potentially redirected should be addressed by stormwater engineering.

Mr. Pitts asked for clarification on existing water, sewer, and septic lines and associated easements. Mr. Henley provided that he would defer to the applicant for knowledge of existing easements.

Ms. Mosca asked if the proposed townhomes would be on sewer. Mr. Henley provided that the proposed townhomes will be serviced by Pluris.

Mr. Pollak addressed Mr. Burfield's concern and provided that the stormwater pond shown indicates he potential location and added that the actual location will be designed based on all applicable requirements.

Mr. Pollak provided that he is aware of the existing water and sewer lines and stated that everyone will be addressed. The current plans at this stage to not address this level of detail. He continued and stated that he spent a one quarter of a million dollars on a new well for the community and intends to address all concerns related to the existing infrastructure.

Mr. Pollak stated that he intends to work with the community and comply with all applicable rules. Mr. Pollak added that he wishes to explore preserving the natural vegetation within buffers as well as limit wetland impacts. Mr. Pollak reiterated that this plan is conceptual and that once site-specific design occurs existing wetlands may cause changes to the layout of proposed buildings.

Mr. Pollak addressed concerns about road conditions and traffic. Mr. Pollak briefly discussed the history of the HOA in terms of road maintenance. He added that if the community wanted to work to improve the existing road and would be open to getting involved. Mr. Pollak provided that he intends to bring drainage improvements to the community.

Mr. Jordan stated that he is concerned with fill diverting water to existing developed properties. Mr. Pollak provided that the engineer would design to the applicable requirements to ensure that the system works in terms of drainage and water flow. He clarified that the proposal would not be allowed to divert water to existing properties.

Mr. Buchanan asked what storm event the proposed stormwater infrastructure be designed to. Mr. Garry Pape, engineer, provided that the system will be designed for the 25-year

storm event. Mr. Henley stated that this is the minimum requirement for stormwater engineering.

Mr. Atkinson addressed the Board. Mr. Atkinson stated that the project area is within a basin and reiterated that there is significant concern with water flow and drainage in this area.

Mr. Jordan asked Mr. Henley if Topsail Greens has an HOA. Mr. Henley answered yes and clarified that Wyndwater has a separate HOA. Mr. Pollak stated that Plantation Drive does not have an HOA. Mr. Henley provided that this section was established prior to statutory requirements for HOAs.

Mr. Buchanan reiterated his concern that the large portion being removed from the project may be re-entitled to allow a specific density. Mr. Henley stated that the Zoning Map is set by the County Commissioners and clarified that the Future Land Use Map informs what types and intensities of developments are generally desired.

Mr. Buchanan stated that he would like to see stormwater infrastructure engineered for the 100-year storm event. Mr. Henley clarified that the Planning Board is tasked with providing an administrative review and decision for the proposal.

Mr. Buchanan made a motion to table the item until the next meeting and hold the meeting in Hampstead. Mr. Buchanan requested that the applicant to highlight the buffers on the map with additional visual representations for the buffer types that will be utilized to add clarity. Mr. Buchanan also requested clarification on the existing utility lines and how the proposal will not impact these areas. Ms. Moska requested a survey of existing utilities to better address concerns of the community. Ms. Moska made a second and the motion unanimously carried with a 5-0 vote.

b) REZONE 2022-30

Mr. Greg Feldman, Current Planner, presented the Rezoning application. Mr. Feldman provided that the request is to two tracts totaling approximately 2.2 acres of land from the RP, Residential Performance zoning district to the GB, General Business zoning district. Planning staff recommended approval of the rezoning request, citing consistency among the application and Future Land Use Map along with three policies within the Pender 2.0 Comprehensive Plan.

Cole Burack, applicant, addressed the Board. Mr. Burack suggested to the Planning Board that his application has the potential to better the surrounding area by bringing commercial development to Hampstead. Mr. Burack then suggested developing the property commercially would enhance its current state.

Mr. Buchanan made a motion to recommend approval of the rezoning application, citing consistency with policies 5.1.D, 5.1.H, and 5.1.K from the Pender 2.0 Comprehensive Land Use Plan. Mr. Buchanan also stated that commercial development on the property would be an improvement to the community. Mr. Pitts seconded the motion and it passed unanimously with a 5-0 vote.

**9 Discussion**

There was no discussion.

**10 Next Meeting Date**

May 4th, 2022

15060 US HWY 17

Hampstead, NC 28443

Pender County Hampstead Annex

**11 Adjournment**

Meeting adjourned at 9:24pm

**Pender County**
**MDP-R 2022-38**

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Travis Henley |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | MDP-R 2022-38 |

**SUMMARY:**
Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals. The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

**ACTION REQUESTED:**
Consideration of MDP-R 2022-38

**ATTACHMENTS:**
1. MDPR 2022-38 Staff Report
2. Wyndwater MDP Project Narrative
3. Wyndwater MDP
4. Wyndwater MDP Net Density Calculation
5. Wyndwater MDP Application
6. Wyndwater MDP Revision Public Input
7. Wyndwater TIA Revision Scope Approval
8. Revised Site Plans for Phases 7 and 11

**STAFF REPORT FOR MDP-R 2022-38**
**MASTER DEVELOPMENT PLAN REVISION APPLICATION**

| APPLICATION SUMMARY | |
|---|---|
| Case Number | MDP-R 2022-38 |
| Hearing Date | April 5, 2022 - Planning Board, tabled<br>June 7, 2022 - Planning Board |
| Applicant | Signature Top Sail NC, Ltd. |
| Property Owner(s) | Signature Top Sail NC, Ltd. and Trust Special, Ruth Kalmar Estate |
| Parcel Identification Number | 4204-84-9111-0000; 4214-50-8387-0000; 4213-59-0181-0000; 4214-31-5745-0000; 4204-75-9493-0000; 4204-85-1358-0000; 4204-75-8439-0000; 4204-75-9493-0000; 4204-85-1358-0000. |
| Acreage | 205.96 |
| Township | Topsail |
| Zoning District | PD, Planned Development |
| Pender 2.0 Future Land Use Category | Low Density Residential and Coastal Residential |

**MASTER DEVELOPMENT PLAN PROPOSAL**

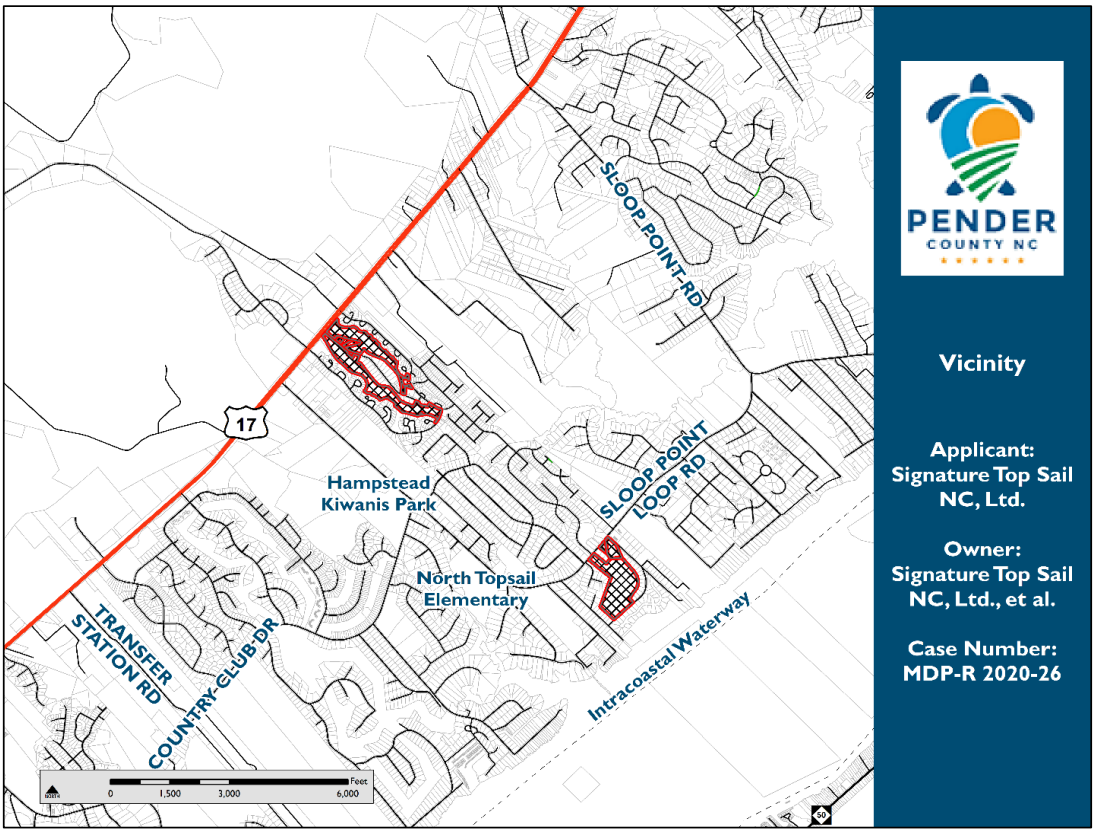
Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals.

**LOCATION**

The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

**RECOMMENDATION *(Revised April 1, 2022)***

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.




## MDP REVISION PROPOSAL

In accordance with standards of the PD, Planned Development zoning district as laid out in the Pender County Unified Development Ordinance, Master Development Plans within this zoning district shall be subject to the review and approval of the Pender County Planning Board. In addition, major modifications to previously approved Master Development Plans shall also be subject to the review and approval of the Planning Board.

The Master Development Plan known as Wyndwater has been subject to a number of revisions of the course of its existence (see Attachment 1 for a history of the project). As it currently exists, the Master Development Plan of Wyndwater includes approximately ±234.28 acres, a significant number of which have already been developed or are in the process of being developed. Within Wyndwater, Phases 1, 2, 3, 6, 8, and 9 have received Final Plat approval and are entirely or mostly built out. All of Phase 4 has received Final Plat approval as well, and Phase 5 is currently under construction. The overall Master Development Plan is approved to include 529 units.

The proposal as outlined in this report does not seek to expand the previously approved unit allowance within the Master Development Plan. Rather, the proposed Master Development

Plan Revision seeks to allocate uses and unit counts to the remaining phases of the project, as well as provide additional clarity as to the infrastructure within the remaining phases. Additionally, the proposal seeks to increase non-residential acreage and uses within the project, with all non-residential uses continuing to be clustered along US HWY 17 at its intersection with Topsail Plantation Drive. Furthermore, the request seeks to remove approximately 29 acres from the overall Master Development Plan. Specifically, the Master Development Plan Revision proposal seeks approval for the following:

- Phase 10 (Pender County PINs 4213-49-8163-0000, 4214-40-7044-0000, and 4214-40-7044-0000): Remove from the project. This parcel was originally intended to include 41 single-family detached and townhome units. The parcel shall retain the PD, Planned Development zoning district designation but shall require its own Master Development Plan process if developed in the future.
- Phase 11 (northern portion of Pender County PIN 4204-84-9111-0000, as well as Pender County PINs 4204-75-8439-0000; 4204-75-9493-0000 and 4204-85-1358-0000): Previously approved for 76 townhome units, proposal reduces this number to 56 townhome units and increases commercial acreage to include 56,000 square feet of medical office and retail space.
- Phase 7 (southern portion of Pender County PIN 4204-84-9111-0000): previously noted as future development, proposal includes 60 townhome units as well as 12,800 square feet of medical office space. The 60 residential units allocated to this phase are sourced from the reduction of units in Phase 11 and the removal of Phase 10 from the project. This phase was designated to contain townhomes in the most recent Master Development Plan Revision, however no units were allocated to it (see below).

*Above: Property previously designated as Phase 10, proposed to be removed from the project.*

With approval of the proposed Master Development Plan Revision as outlined in this report, there would be no other phases within the project designated for future development. All residential units approved for the project would be allocated to one of the phases within it, all residential and non-residential uses would be designated, and all phases would be of sufficient detail to move forward to construction without any further revisions to the Master Development Plan. The majority of the remainder of this report is in the context of Phases 7 and 11 specifically, as all proposed changes within the Master Development Plan (with the exception of the removal of Phase 10) are contained within these two phases.

**Density**

The Wyndwater Master Development Plan has added additional land over time, and as such the overall density calculation has fluctuated over time. Generally, the approved residential density has been around 3 units per acre over the course of the Master Development Plan's existence. The most recent Master Development Plan revision established a net density of 2.76 units per acre across the entirety of the project. Given that the proposal seeks to remove approximately 29 acres from the project, the project now yields a higher units per acre figure of 3.46 units per

acre across the entirety of the project. However, the total number of residential units is not increasing by virtue of this proposal.

The standards of the PD, Planned Development zoning district at the time of Wyndwater's initial approval included a maximum of 5 units per acre for development within that zoning district, and the Comprehensive Land Use Plan adopted by the County at that time also recommended a density maximum of 5 units per acre in this location as well. While both the standards of the Unified Development Ordinance, as well as the adopted Comprehensive Land Use Plan have changed since that original approval, the Wyndwater Master Development Plan as proposed remains consistent with the standards and guidance that existed at the time it was established. A further discussion of density is included below in relation to the Pender 2.0 Comprehensive Land Use Plan.

**Non-Residential Development**

The applicant is proposing approximately 9.60 acres of non-residential space within the Master Development Plan. The majority of this acreage is clustered at the intersection of US HWY 17 and Topsail Plantation Drive, within Phases 7 and 11. Overall non-residential uses in this area includes approximately 68,800 square feet of medical office and retail space with associated parking and other typical features of non-residential development. Development of these areas shall require submittal of a Major Site Development Plan for all or a portion of the site, during which time the project shall be reviewed for its conformance to the Master Development Plan's requirements as well as those found within the Unified Development Ordinance.

In a previous iteration of this proposal, the applicant has floated the idea of a storage lot to be utilized by the Topsail Greens community and replace an existing storage lot along Topsail Plantation Road near US HWY 17. According to the applicant's submitted public input meeting report following the meeting in October, the Topsail Greens Homeowners Association was in support of this endeavor. Since that time, the ability for the land home to the existing storage area to be transferred to the applicant has been called into question. As such, the applicant has removed that property and all storage uses from the proposal (section revised April 1, 2022).

**Proposed Setbacks and Dimensions**

The applicant is requesting no changes to previously approved dimensional standards for the project. Structure separation between townhome buildings is proposed to be 10 ft. Maximum building height for all phases of the development is 38 ft. As outlined in the Unified Development Ordinance, Section 4.8.1.D outlines that the minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan approval process and may be modified by the Planning Board.

**Allowable Uses**

Per Section 6.1.1.A of the Pender County Unified Development Ordinance (UDO), all proposed uses shall be specified in the Master Development Plan narrative by NAICS code. The applicant has requested a change in allowable uses outlined in the approved Master Development Plan, necessitating a revision to be considered by the Planning Board.

| | Proposed Allowable Uses in Master Development Plan | |
|---|---|---|
| | NAICS Code | Use |
| Proposed Allowable Uses | 443 | Electronics and Appliance Stores |
| | 445 | Food and Beverage Stores |
| | 446 | Health and Personal Care Stores |
| | 447 | Gasoline Stores |
| | 448 | Clothing and Clothing Accessory Stores |
| | 451 | Sporting Goods, Hobby, Book, and Music Stores |
| | 453 | Miscellaneous Store Retailers |
| | 454 | Non-Store Retailers |
| | 54 | Professional, Scientific, and Technical Offices |
| | 621 | Ambulatory Health Care Services |

## TRANSPORTATION INFRASTRUCTURE

**Roadways, Street Connectivity, and Access**
The applicant is proposing private roadways in Phases 7 and 11.

Per Section 7.5.3, all designated private streets are required to be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards manual. The townhomes within Phases 7 and 11 shall be served by 40 ft. private rights of way, some of which will also serve future commercial development along US HWY 17 as well. This is in conformance with the Pender County Unified Development Ordinance. These roadways will be reevaluated at the point of Preliminary Plat and/or Major Site Development Plan submittal.

According to Section 4.8.1.E, the PD, Planned Development zoning district requires reasonable access to be provided to adjacent properties for development. Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5, these roadways are required to be designated as public when connected to adjacent parcels. Phases 7 and 11 are designated to include private rights-of-way to reach the proposed townhomes from Topsail Plantation Drive. The design of the existing Topsail Greens subdivision, particularly those lots along Topsail Greens Drive, Topsail Plantation Drive, and Champion Drive, does not permit additional access points to be established to Phases 7 and 11. As such, the proposal is found to be in conformance with the Unified Development Ordinance from an access standpoint.

**Pedestrian Access**
Per Section 4.8.1.E.2 pedestrian-oriented communities are encouraged to maximize the opportunity for pedestrian activity and improve the quality of the pedestrian experience. Many existing phases of Wyndwater include pedestrian facilities. At the March 2, 2021 meeting of the Planning Board, a condition was placed upon the Wyndwater Master Development Plan such that all future roadways within the project would include pedestrian facilities on at least one side of the right-of-way or drive aisle. That condition shall be applicable to all private rights-of-way within Phases 7 and 11.

**Traffic**
A revision to the Traffic Impact Analysis (TIA) is currently underway given the proposed changes to the Master Development Plan, and the approved Scope for the revision is included as an attachment to this report. The TIA will analyze the proposal in the context of existing traffic volumes and roadway projects in coordination with NCDOT and the Wilmington Metropolitan Planning Organization, identifying roadway improvements to be installed by the developer to mitigate the impacts of the proposal on the NCDOT system. Additional units or other further revisions to the Master Development Plan may also require a further update to the Wyndwater TIA in the future. The TIA shall be approved, in addition to all applicable NCDOT Driveway Permits, prior to zoning approval being issued for any phase of the project.

**Parking**
Parking for the commercial uses will be determined based on the specific type of use and the total square footage of the building. As specific tenants for the proposed commercial developments are not yet known, parking requirements for this portion of the project cannot be determined at this time, and all parking areas shown on the Master Development Plan are only placeholders at this time. Through the site development plan approval process, parking will be reevaluated for conformance with the UDO.

## LANDSCAPING, ENVIRONMENT, AND OTHER INFRASTRUCTURE

**Landscape and Buffers**
The table below outlines the required buffers in the PD, Planned Development zoning district based on the adjacent land uses to the subject property within Phases 7 and 11. The proposed master plan illustrates the type of buffer along each property boundary, all of which are compliant with UDO requirements.

| Required and Proposed Buffers | |
|---|---|
| **Buffer Type** | **Location of Buffer** |
| Type A | Adjacent to US HWY 17 and Topsail Plantation Drive |

| | |
|---|---|
| Type C | Adjacent to all residential uses along Topsail Plantation Drive, Topsail Greens Drive, Champion Drive, and other roadways |

**Significant Trees**

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval. The Applicant shall be required to submit this documentation for all phases prior to the issuance of staff approvals of either Preliminary Plats or Major Site Development Plans. The applicant has agreed to a condition of approval requiring all significant trees to remain on site to be marked on the Master Development Plan and wrapped with protective fencing prior to issuance of any construction authorization and until construction is complete for all subsequent phases of the development. They have also agreed to mitigate significant trees required to be removed at a 4:1 ratio, whereas the Pender County Unified Development Ordinance requires mitigation at a 2:1 ratio.

**Open Space**

The Wyndwater Master Development Plan has expanded in acreage multiple times over the course of previous approvals. As such, the proposal conflicts with Section 7.6.1.E.1 of Pender County Unified Development Ordinance with regard to open space: per Section 7.6.1.E.1, the dedicated [open space] land shall form a single parcel of land, whether the subdivision is developed in phases or sections, except where it is determined by the appropriate governing body, that two (2) or more parcels would be in the best interests of the residents of the subdivision and the public; and in such case, the appropriate governing body, may require that such parcels be connected.

The Wyndwater open spaces do not connect due to the applicant acquiring additional pieces of property throughout the Master Development Plan's multiple revisions. As the applicant completes the infill development, the open spaces become better connected throughout the Master Development Plan using sidewalks and pedestrian easements. The proposed 36.07 acres of open space exceeds the requirements within Section 7.6.1.C, which requires 0.03 acres per dwelling unit. All recreational unit requirements have been fulfilled at this time.

| Open Space Type | Required (acres) | Proposed (acres) |
|---|---|---|
| Passive | 7.92 | 15.52 |
| Active | 7.92 | 20.54 |
| Total | 15.88 | 36.07 |

**Utilities**

An Intent to Service Letter was provided by the applicant on behalf of Pluris Hampstead, LLC and Pender County Utilities during a previous approval process for the September 2016 MDP revision. No additional density has been added to this revision and no further action in required. Coordination with Pender County Utilities and Pluris Hampstead, LLC shall continue as individual phases are brought forward for review and approval by Planning Staff and the Technical Review Committee.

**Stormwater**
Previously approved phases of the Wyndwater Master Development Plan were approved under a previous version of the Unified Development Ordinance. Section 7.9 of the Pender County Unified Development Ordinance, which addresses stormwater management, has been updated following the submittal of the last revision to this Master Development Plan. Due to the submittal of this revision, all subsequent phases of the Wyndwater Master Development Plan shall be required to meet the updated stormwater standards enforced by Pender County. Conformance to these standards shall be verified during the site development plan and/or preliminary plat process for each individual phase.

**Special Flood Hazard Areas**
A portion of the subject property (PIN 4204-84-9111-0000) located directly east of US HWY 17 is located within the "Approximate Zone A" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Map (FIRM) Map Number 3720420400J. This was the established flood zone at the time of the original Master Development Plan approval, and construction standards in the Approximate Zone A would require elevation of structures within it at an elevation of 2' about highest adjacent grade (HAG). However, preliminary FIRMs are available for public review but not yet adopted, on which the amount of the parcel shown to be in the Special Flood Hazard Area is reduced and is within "Zone AO," which is a 1% annual-chance floodplain (also known as 100-year floodplain) with a depth of 2 ft. in all locations. Construction standards in this floodzone would include a 2' freeboard in addition to the 2' depth, leading to finish floor elevations for those structures being required to be 4' above highest adjacent grade (HAG). Finally, the applicant has the option to conduct a standalone flood study for this area and provide it for the County Floodplain Manager for their review in accordance with the Pender County Flood Damage Prevention Ordinance.

All development in these areas will require re-examination by Staff at the time of development submittal in accordance with the best available flood data and the effective Special Flood Hazard Area maps at that time. Both Phases 7 and 11 are and will be subject to the requirements of the Flood Damage Prevention Ordinance at the time of construction.

| ENVIRONMENTAL CONCERNS | |
|---|---|
| Wetlands | It appears that the subject properties may contain wetlands per data provided by the NC Division of Coastal Management and the National Wetlands Inventory. The presence of any wetlands will be verified during the site development plan review process. |
| Areas of Environmental Concern | The subject property does not contain any Areas of Environmental Concern (AEC), according to the North Carolina Department of Environmental Quality. |

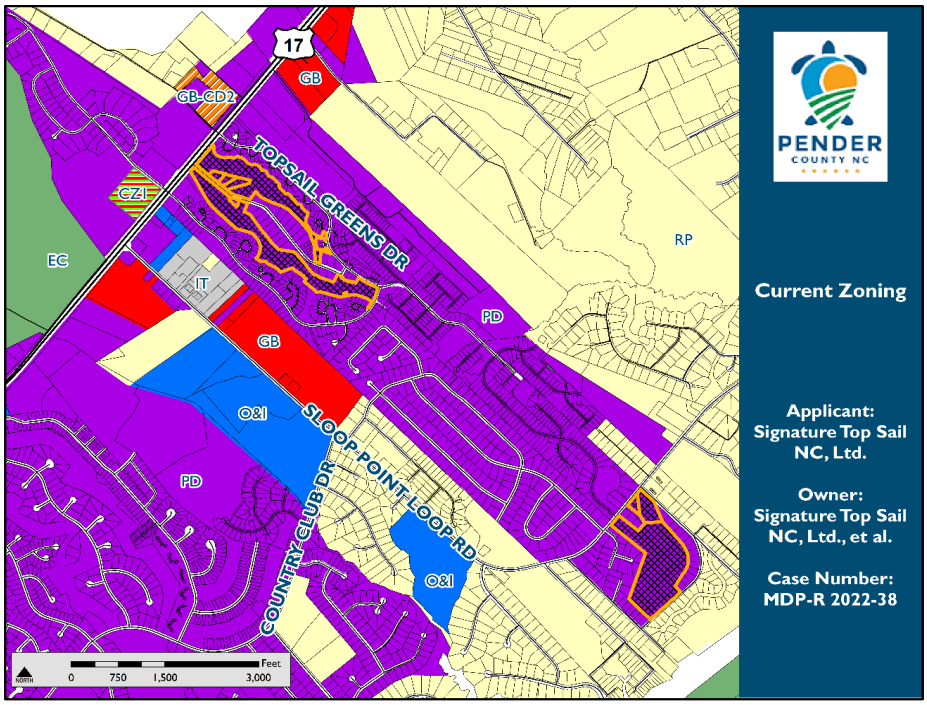
**External Permits**

All applicable state and federal agency permits, including but not limited to a Stormwater Management Permit, Erosion Control Plan, wetlands impact permits and delineations, and NCDOT Driveway/Encroachment Permits will be required prior to the approval of the for each phase as applicable, in addition to any further permits that may be required in the context of each phase.

## PUBLIC INPUT MEETING

Per Sections 3.1 and 4.8 of the Pender County Unified Development Ordinance, an applicant for a Master Development Plan or major revision to said plan is required to hold a public input meeting prior to being scheduled for a public hearing with the Planning Board. The applicant held their meeting on Saturday, October 8th, 2021 at the Wyndwater pool and amenity site. According to the submitted report from the applicant, questions included flexibility in the buffer standards to remove fencing requirements (discussed earlier in this report). Additionally, the report confirms the Topsail Greens' Homeowners Association approval of the movement of the storage lot area, which has since been removed from the proposal (revised April 1, 2022).

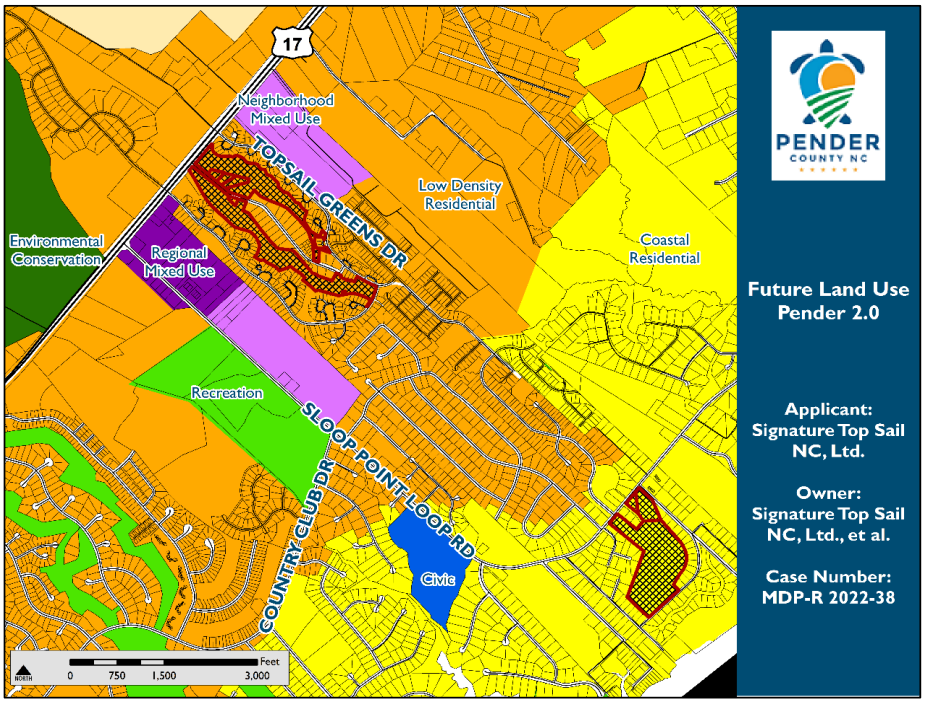
## EVALUATION



*Below: Zoning Map of the Area*

| CHARACTERISTICS OF THE SURROUNDING AREA | | |
|---|---|---|
| | **LAND USE** | **ZONING** |
| **North** | Topsail Greens, Cardinal Acres, farm uses | PD, Planned Development |
| **East** | Multiple Low Density Residential Subdivisions | PD, Planned Development |
| **South** | Greenway Plantation, Topsail Greens, Various Commercial and Light Industrial Uses | PD, Planned Development; GB, General Business; IT, Industrial Transitional |
| **West** | Low Density Residential, Various Commercial | PD, Planned Development, Multiple Conditional Districts |

**Pender 2.0 Comprehensive Land Use Plan Compliance:** The Wyndwater Master Development Plan was originally approved under the 2010 Pender County Comprehensive Land Use Plan. That Plan designated the subject parcels within the "Mixed Use" Future Land Use Category, which established areas where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit-friendly manner.



Pender County adopted the Pender 2.0 Comprehensive Land Use Plan in August 2018. As this is a proposed revision to the approved Wyndwater Master Development Plan, the project shall now be evaluated under the Pender 2.0 Comprehensive Land Use Plan.

The Pender 2.0 Comprehensive Land Use Plan designates the subject properties as Low Density Residential and Coastal Residential. The Low Density Residential future land use category is established in areas that are typically established single-family neighborhoods with a low density residential development pattern. Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new communities is encouraged.

The Coastal Residential future land use category is established to protect the County's coastal character. Coastal residential land uses are located east of the US 17 corridor and generally within a half-mile of estuarine waters such as coastal creeks and the Intracoastal Waterway. Appropriate uses include single-family residences, community recreation and open space uses, and water-based recreation uses (public and private). Unencumbered access to public trust coastal waters and maximum development setback from the shoreline is highly encouraged. Clustering of new communities is encouraged. In addition, Low Impact Development techniques are encouraged, as are enhanced tree preservation and mitigation strategies and the limiting of impervious surfaces.

Desired development density within the Low Density Residential future land use category is 2 units an acre or less, while in Coastal Residential, desired development density is 3 units an acre or less.

The Wyndwater Master Development Plan was previously approved for 529 units over 234.28 acres, yielding a net density of 2.76 units per acre over the entirety of the project. Because a phase of the project is proposed to be removed, the net density figure changes to become 3.46 units per acre. While this density is slightly higher than what is desired by the Pender 2.0 Comprehensive Land Use Plan in the Low Density and Coastal Residential Future Land Use Classifications, Phases 7 and 11 are immediately between areas designated for higher density, mixed use development. The Future Land Use Map is not intended to be parcel specific, and areas on the border between future land use categories are intended to be areas of transition between them. Based on an analysis of the area as one of transition, along with previous approvals and the specifics of the proposed revision, Staff find that the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan.

In addition to the future land use map, the proposal was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan:

**Policy 3.1.L: Tree Preservation:** The County shall continue to require tree preservation for significant trees.

**Goal 4.3:** Provide safe opportunities for walking and cycling, while supporting the need for paratransit services and other alternatives to provide transportation choices for residents and visitors.

**Objective 4.3:** Encourage alternate means of transportation to reduce traffic, enhance economic development, offer services to those without use of a vehicle, and provide recreational opportunities for residents and visitors.

**Policy 5.1.V: Residential Development:** The County supports a range of housing types and development at appropriate densities and locations that are compatible with their surroundings and are in accordance with the future land use map.

**Policy 5.1.X: Coastal Residential Development:** The County supports the protection of existing coastal single-family residential neighborhoods and property values by encouraging low-impact development principles, impervious coverage thresholds, public trust access, and preservation of tree canopy.

The proposal fulfills several desired policy outcomes for development as described in the Pender 2.0 Comprehensive Land Use Plan. Primary among them is the provision of multiple housing types within the development, which can address different needs of the community at different price points. Furthermore, the applicant has agreed to providing pedestrian infrastructure along all subsequent rights-of-way and drive-aisles within the development, allowing residents additional opportunities for recreation and access to open space areas. The applicant has also agreed to a more stringent significant tree protection and mitigation standard than is provided for in the Unified Development Ordinance.

The proposal was not found to conflict with any goals, objectives, or policies within the Pender 2.0 Comprehensive Land Use Plan.

**Unified Development Ordinance Compliance:** Section 3.5.4 of the UDO provides the applicable review procedure for Master Development Plans.

**3.5.4 Master Development Plan Review**

A. Applicants shall submit the MDP to the Administrator, together with completed application materials.
B. Application form must be completed, and fee paid at the time of submission.
C. The Master Development Plan must meet all the requirements prescribed in Section 6.1, Master Development Plan Contents.
D. The Administrator will forward the MDP to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.
E. When the submission is complete, the Administrator shall submit the plans, application materials and comments to the Planning Board for its consideration, if required in accordance with Section 3.5.2.
F. The Planning Board shall act on the MDP within 90 days of the date of the presentation of the plan to the Board. The Planning Board shall approve the plan, approve it with required changes or deny the plan. If the Planning Board fails to act within 90 days, the plan shall be deemed approved. The applicant may request additional time if he/she deems it necessary.
G. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan or appeal the Planning Board's decision to Zoning Board of Adjustment.
H. Any decision rendered by the Planning Board is appealable to the Zoning Board of Adjustment within thirty (30) days of the decision.
I. Planning Board Master Development Plan approval shall be valid for two (2) years.

## STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.

## CONDITIONS OF APPROVAL

The following conditions of approval are all applicable to various phases of the Wyndwater Master Development Plan and were added over various previous approvals. The majority of the conditions have already been addressed through review of various phases, and Staff propose no additional conditions at this time:

1. Phase III: Provide connection to adjacent property for future development to the northwest of the subject property (documented under case #11067 Cardinal Pointe, as submitted to Planning Board in December 2013);
2. Phase II: Provide connection to identified “Capstone Property” identified by Pender County PIN 4214-22-7567-0000;
3. Phase I: Allow for “alternative” design for alleyway
4. Phase III: Allow for emergency access along the connection to Doral Drive (SR 1693).
5. Phase III: The temporary cul de sac shown on the western portion Phase III shall be converted to a through roadway at the time of the adjacent parcel development.
6. Phase III: Additional to condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000 and identified as the Cardinal Pointe Master Development Plan Case # 11067).
7. Phase IV: Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook tract).
8. Phase VI: Provide connection to Oak Circle (private).
9. Phase IV: Allow for “alternative” design of a hammerhead. The applicant has implemented this design into the Phase IV submittal.
10. Phase VI: A roadway connection to “Amanda Lane”, which is part of the Cardinal Acres Manufactured Home Park, adjacent to proposed Phase VI of Wyndwater.
11. Improve the temporary construction connection from Aurora (public) to Topsail Greens (private) to be an additional means of ingress and egress for the Wyndwater Subdivision.
12. Resurface and maintain Topsail Greens Drive (private) from the intersection of US HWY 17 to its terminus at Aurora Place (public) to NCDOT road surfacing standards until an additional access is provided from Wyndwater to US HWY 17.
13. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall provide sidewalks or other equivalent pedestrian infrastructure along at least one side of every right-of-way or drive aisle within those phases.
14. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall be held to a significant tree mitigation factor of 4:1 (for every significant tree removed, four of the same species shall be planted). Significant trees to be kept shall be shown on Preliminary Plats or Major Site Development Plans and fenced prior to approval of those documents. Fencing shall not be removed until all construction on-site is complete.

September 10, 2021

Pender County
Planning and Community Development
805 S. Walker Street
Burgaw, NC 28425

Re: Wyndwater
Master Development Plan Project Narrative

This project is located off and has direct access to Sloop Point Loop Road (SR 1563) in Hampstead, Pender County, North Carolina. This project will be developed in Phases. Completed Phase 1 contains 40 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 1 sewer is treated by the use of septic systems. Completed Phase 2 contains 65 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 2 sewer is treated by the use of septic systems owned by the individual lot owners & gravity sewer owned and operated by Pluris. Completed Phase 3 contains approximately 114 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 3 sewer is treated by the use of gravity sewer and a lift station owned and operated by Pluris. Partially completed Phase 4 contains 52 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 4 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Currently in Permitting Phase 5 contains 63 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 5 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Completed Phase 6 contains approximately 45 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 6 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 7 contains approximately 60 townhomes to be served by Private drive aisles with 30' Utility & Access Easements and/or 40' Private Right of Ways serving all the lots as well as a Public waterline extension. Phase 7 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Completed Phase 8 contains approximately 25 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 8 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Completed Phase 9 contains approximately 8 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 9 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 11 contains approximately 56 townhomes to be served by Private drive aisles with 30' Utility & Access Easements and/or 40' Private Right of Ways serving all the lots as well as a Public waterline extension. Phase 11 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. With this MDP Revision 52,800 sf of Medical Office and 16,000 sf of Retail are being proposed at the US Hwy 17 frontage of the development. These commercial parcels will be accessed off US Hwy 17 by the existing Topsail Plantation Drive. Topsail Plantation Drive will be a Private Right of Way and the roadway will be improved up to the Phase 7 & Phase 11 access points to NCDOT standards. Additionally, a 2.04 Ac. Storage Area is proposed off Topsail Plantation Drive between Phases 7 & 3 near the Topsail Plantation Drive and Topsail Greens Drive intersection. The primary stormwater measures for the development will be closed conduit systems, road side ditches and overland sheet flow that will direct the runoff to proposed wet detention basins that will be designed to control the peak runoff from the 10-year & 25-year storm events and will be analyzed for the 50-year storm event. This development will require approvals from the USACOE for onsite wetlands, NCDEQ-Public Water Supply Section for the water line extensions, NCDOT for the driveway connections and the subdivision streets, NCDEQ-Division of Water Resources for the sewer extensions & NCDEQ-Division of Mineral, Energy and Land Resources for the stormwater systems and erosion & sediment control. The development (412 single family lots, 116 townhome/duplex units, 52,800 sf of Medical Office & 16,000 sf of Retail) will generate approximately 5,917 total daily trips based on the ITE Trip Generation Manual 8$^{th}$ edition using ITE Code 210 for single family homes, Code 230 for the duplex/townhome units, Code 710 for the Medical Office & Code 814 for the Retail. All recommended improvements through TIA Phase 2

6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

have been installed. Through the first several phases of this development, the majority of the Open Space areas provided were mostly unconnected in areas of Environmental concern. Starting with Phase 6 the Open Spaces were designed to connect with the previously designed and approved Open Space areas. Phases 7 & 11 and the commercial areas of the development are situated in areas of the development separate from the other phases and thusly the open space areas are not connected to the previous open spaces. This development contains Public road connection to Sloop Point Loop Road from Phase 1 and from Phase 5, a Public road connection to the Morris Property in Phase 3 that is intended to connect to the Westbrook Property to the north with future land acquisition & development, a second Public road connection to the Morris Property in Phase 3 that is intended to connect to US Hwy 17 in the future and a third Public road connection to the Morris Property in Phase 6. This development is being developed with both Public and Private Streets and contains multiple connections to adjacent properties as well as areas with Private streets used to create smaller pocket neighborhoods to increase public safety and create privacy for the future homeowners in these smaller sections. The MDP revisions are provided in more detail below.

Phase 10 (Pender County PIN 4213-59-0181-0000): This phase of the development consisting of approximately 27.79 ac. is being removed from the Wyndwater MDP Development. This property is located to the east of Sloop Point Loop Road, directly across from Phase 1 of Wyndwater, and is to the south of Roberts Road (private) and west of Oak Circle (private).

Phase 11 (Pender County PIN 4204-84-9111-0000): This Phase of the development was approved with the last MDP Revision to contain seventy-six (76) townhome units. The current MDP Revision proposes fifty-six (56) townhome units. Phase 11 is to the north of Topsail Plantation Drive, south of Topsail Greens Drive, and directly east of US HWY 17.

Phase 7 (Pender County PIN 4204-84-9111-0000): This Phase of the development was previously noted as future development. With this MDP Revision Phase 7 is proposed to contain sixty (60) townhome units. Phase 7 is to the south of Topsail Plantation Drive, north of Champion Drive, and directly east of US HWY 17.

Phase 11 Commercial area (Pender County PIN 4204-84-9111-0000): This area of the development was approved with the last MDP Revision as a 1.6 ac. Commercial area. The current MDP Revision proposes a 4.30 ac. Commercial area containing 16,000 sf of Retail and 40,000 sf of Medical Office space. This area of the development is to the north of Topsail Plantation Drive, south of Topsail Greens Drive, and directly east of US HWY 17.

Phase 7 Commercial area (Pender County PIN 4204-84-9111-0000): This area of the development was approved with the last MDP Revision as a 1.06 ac. Commercial area. The current MDP Revision proposes a 2.66 ac. Commercial area containing 12,800 sf of Medical Office space. This area of the development is to the south of Topsail Plantation Drive, north of Champion Drive, and directly east of US HWY 17.

Storage Area (Pender County PIN 4204-84-9111-0000): This area of the development was previously noted as future development. The current MDP Revision proposes to split this 5.69 ac. area into a 2.04 ac. Storage area (containing +/-64,000 sf storage), 0.54 ac. area for a storm water pond and the remaining 3.11 ac. as open space for the development.

Based on the development containing a total of 528 residential units (previously approved for 529 residential units) the required open space (0.03 ac./unit) is 15.84 ac. The current MDP Revision contains 36.06 ac. of open space which is more than double of which is required. Based on the required amount of open space the Net Density for the development equates to 3.46 units per acre which is less than the adjacent existing Topsail Greens development which is 3.67 units per acre.

Please contact me immediately at (910) 442-7870 or gpape@gsp-consulting.com if you have any questions or require additional information.

6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

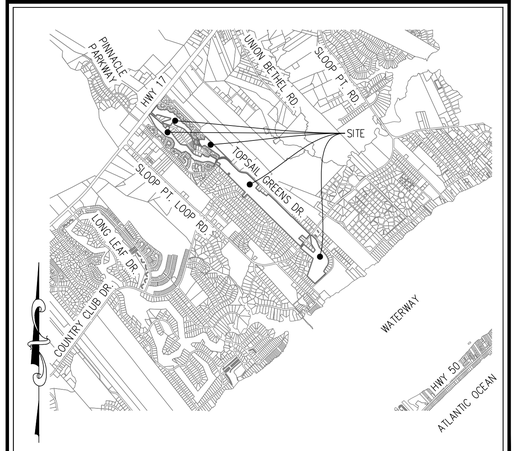
Sincerely,
GSP CONSULTING, PLLC.

Garry S. Pape, P.E.

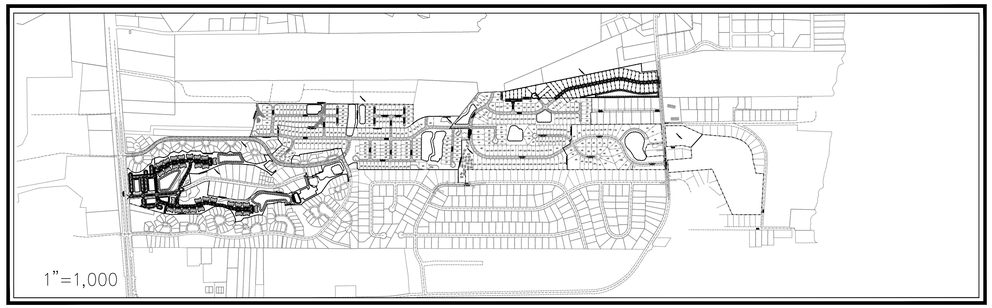
6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

# MASTER DEVELOPMENT PLAN
FOR
# WYNDWATER
## PENDER COUNTY, NORTH CAROLINA
SEPTEMBER 2021

## VICINITY MAP




VICINITY MAP
(NTS)




## LEGEND

| DESCRIPTION | EXISTING | PROPOSED |
|---|---|---|
| 1' CONTOUR INTERVAL | | |
| 5' CONTOUR INTERVAL | | |
| PROPERTY LINE | | |
| ROADWAY CENTERLINE | | |
| RIGHT OF WAY LIMITS | | |
| EASEMENT LINE | | |
| CURB & GUTTER | | |
| SANITARY SEWER FACILITIES | | |
| STORM SEWER FACILITIES | | |
| WATERLINE | | |
| FIRE HYDRANT ASSEMBLY | | N/A |
| WATERWAYS | | |

PROPOSED

PROPOSED LOT AND S.F. OPEN SPACE LABEL — X, 5,000 s.f., (A)

OPEN SPACE

BUILDING SET BACKS

PRIVATE SANITARY SET BACKS

STREET SIGN

404 WETLANDS

FLOW DIRECTION

## DEVELOPER/OWNER

Signature Top Sail NC, LP
9337b Katy Freeway #377
Houston, Texas 77024
Phone: (713) 789-0466

## OTHER PROPERTY OWNERS

Ruth Caroline Kalmar Lewis Estate
2237 Queens Road East, Charlotte, NC 28207
Capstone Ventures, LLC
129 Timber Hill Place, Chapel Hill, NC 27514

## PREPARED BY:

**GSP CONSULTING,PLLC**
**ENGINEERING**
6626 Gordon Road, Unit C, Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659 License # P-0718

## INDEX OF SHEETS


| | |
|---|---|
| SHT C-0 | COVER SHEET |
| SHT C-1 | GENERAL NOTES |
| SHT C-2.1 – C-2.6 | BOUNDARY SURVEY |
| SHT C-3.1 – C-3.6 | SITE PLAN |
| SHT C-4.1 – C-4.6 | UTILITY & STORMWATER MANAGEMENT PLAN |


## SITE DATA TABLE

DEVELOPMENT NOTES:

1. PENDER COUNTY PARCEL NO.: PIN 4214-12-8251-0000
2. TOTAL TRACT AREA: 8,971,551 SF = 205.96 AC.±
3. ZONING: PLANNED DEVELOPMENT (PD)
4. LAND CLASSIFICATION: VACANT
5. A PORTION OF THIS PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP #3720420400J, EFFECTIVE DATE 2/16/2007 AND FLOOD INSURANCE RATE MAP #3720421400J, EFFECTIVE DATE 2/16/2007.
6. THIS PROPERTY DOES NOT CONTAIN ANY A.E.C. AREAS OR IS UNDER CAMA JURISDICTION.
7. THIS PROPERTY DOES CONTAIN 404 FEDERAL WETLANDS WHICH HAVE BEEN APPROVED BY THE USACOE.

GENERAL NOTES:

1. OWNERSHIP REFERENCE: D.B. 4379 P.G 330
2. PROPERTY IS LOCATED IN PENDER COUNTY AND IS ZONED PLANNED DEVELOPMENT (PD).
3. A HOME OWNERS ASSOCIATION WILL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
4. ALL INTERIOR ROADWAYS ARE TO BE BUILT TO NCDOT SUBDIVISION ROADS MINIMUM CONSTRUCTION STANDARDS.
5. INTERIOR ROADWAYS ARE TO BE PRIVATE AND PUBLIC AS DEPICTED ON THE MASTER PLAN OR FUTURE PRELIMINARY PLANS. PUBLIC ROADWAYS SHALL BE DEDICATED TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
6. A HOME OWNERS ASSOCIATION WILL BE FORMED PRIOR TO THE SALE OF ANY LOTS AND MEMBERSHIP WILL BE AUTOMATIC UPON PURCHASE.
7. THIS MASTER PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE IN ACCORDANCE WITH THE PROVISIONS OF PENDER COUNTY DEVELOPMENT ORDINANCE.
8. THE DEVELOPERS HAVE THE SOLE RIGHT TO MODIFY THIS MASTER PLAN IN ACCORDANCE WITH MARKET CONDITIONS OR OTHER CONDITIONS WHICH INDICATE A CHANGE IS DESIRED OR REQUIRED. ANY AND ALL CHANGES MUST BE REVIEWED BY THE PLANNING DEPARTMENT AND IN SOME INSTANCES MAY REQUIRE PLANNING BOARD APPROVAL.
9. BUFFERS WILL BE PROVIDED PER CURRENT PENDER COUNTY ZONING ORDINANCE.
10. WETLANDS IMPACTED WILL BE MITIGATED IN ACCORDANCE WITH ANY REQUIREMENTS OF APPLICABLE STATE AND FEDERAL PERMITS.
11. ALL LOTS SHALL MEET CURRENT PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE REGULATIONS.
12. IT IS THE INTENT FOR PHASE 3 OF THIS DEVELOPMENT TO INCLUDE A POOL FACILITY AND MULTI-USE PATHS/SIDEWALKS WITHIN THE DEVELOPMENT AS SHOWN ON THE MDP.

SINGLE FAMILY DEVELOPMENT STANDARDS:

MINIMUM LOT DIMENSIONS:

| | |
|---|---|
| AREA IN (S.F) | 12,000 SF (W/SEPTIC)<br>5,000 SF (W/SEWER) |
| MAX USABLE LOT AREA (%) | 95% |
| MIN LOT WIDTH (FT) | 70' (W/SEPTIC)<br>40' (W/SEWER) |
| MIN CHORD AT ROW (CUL-DE-SAC) | 30' |
| MAX BLDG.. HT. (FT) | 38' |

PROPOSED BUILDING SETBACKS:

| | |
|---|---|
| FRONT – | 15' |
| REAR – | 20' |
| SIDE – | ZERO LOT LINE<br>(10' MAINTENANCE EASEMENT BETWEEN STRUCTURES,<br>STRUCTURES TO BE A MINIMUM OF 5' FROM SIDE PROPERTY LINE) |
| CORNER – | 10'<br>ANY PERIPHERAL PROPERTY LINE STRUCTURES – AS PER NORTH CAROLINA STATE BUILDING CODE |

SINGLE FAMILY ATTACHED DEVELOPMENT STANDARDS:

MINIMUM LOT DIMENSIONS:

| | |
|---|---|
| AREA IN (S.F) | 5,000 SF |
| MAX USABLE LOT AREA (%) | 95% |
| MIN LOT WIDTH (FT) | 40' |
| MIN CHORD AT ROW (CUL-DE-SAC) | 30' |
| MAX BLDG.. HT. (FT) | 38' |

PROPOSED BUILDING SETBACKS:

| | |
|---|---|
| FRONT – | 15' |
| REAR – | 20' |
| SIDE* – | ZERO LOT LINE<br>(10' MAINTENANCE EASEMENT BETWEEN STRUCTURES) |
| CORNER – | 10'<br>ANY PERIPHERAL PROPERTY LINE STRUCTURES – AS PER NORTH CAROLINA STATE BUILDING CODE<br>*TWO ATTACHED SINGLE FAMILY UNITS LOCATED ON ONE OR TWO LOTS THAT SHARE A COMMON WALL ALONG THE LOT LINE |

REQUIRED OPEN SPACE:
528 LOTS * 0.03 AC/LOT = 15.84 AC±

PROVIDED OPEN SPACE
36.07 AC± TOTAL OPEN SPACE PROVIDED
NOTE: PROPOSED OPENSPACE/RECREATION SPACE AREAS ARE NOT FOR BUILDING OR STRUCTURAL DEVELOPMENT & ARE SUBJECT TO CHANGE

CUMULATIVE TRIP GENERATION:
412 SINGLE FAMILY HOMES* & 116 DUPLEX/TOWNHOME UNITS**
52,800 SF MEDICAL OFFICE*** & 16,000 SF RETAIL****:
5,917 – TOTAL DAILY TRIPS
552 – AM PEAK HOUR
599 – PM PEAK HOUR
*PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 210
**PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 230
***PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 710
****PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 814

TIA TRIP GENERATION:
379 SINGLE FAMILY HOMES*, 155 DUPLEX/TOWNHOME UNITS**
60,000 SF MINI-WAREHOUSE*** & 100 SENIOR ADULT HOUSING UNITS****:
5,143 – TOTAL DAILY TRIPS
410 – AM PEAK HOUR
497 – PM PEAK HOUR
*PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 210
**PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 230
***PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 151
****PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 251

DEVELOPMENT DATA:

TOTAL TRACT AREA = 8,971,551 SF = 205.96 AC.±
AVERAGE LOT SIZE – 10,587 SF
AREA OF LOTS – 4,361,809 SF = 100.13 AC±
AREA OF TOWNHOMES – 253,855 SF = 5.83 AC±
AREA OF ROW – 1,231,006 SF = 28.26 AC±
TOTAL ROAD LENGTH – 25,720 L.F.±

OVERALL BUA – 2,806,934 S.F. (31.3%)

OPEN SPACE BY PHASE:

| PHASE | PASSIVE (AC.) | ACTIVE (AC.) |
|---|---|---|
| PHASE 1 | 1.31 | 1.31 |
| PHASE 2 | 0.00 | 3.82 |
| PHASE 3 | 3.63 | 3.63 |
| PHASE 4 | 0.35 | 1.38 |
| PHASE 5 | 0.00 | 1.07 |
| PHASE 6 | 1.39 | 1.39 |
| PHASE 7 | 3.32 | 3.32 |
| PHASE 8 | 0.00 | 0.81 |
| PHASE 9 | 0.00 | 0.12 |
| PHASE 11 | 3.68 | 3.68 |
| OTHER | 1.83 | 0.00 |
| TOTAL | 15.52 | 20.54 (36.07) |

DEVELOPMENT DATA BY PHASE:

| PHASE | # OF LOTS | ROAD LEN. (LF) | ROW AREA (AC.) |
|---|---|---|---|
| PHASE 1 | 40 | 2,517 | 3.33 |
| PHASE 2 | 65 | 2,394 | 2.89 |
| PHASE 3 | 114 | 7,060 | 7.54 |
| PHASE 4 | 52 | 3,171 | 3.60 |
| PHASE 5 | 63 | 2,797 | 2.87 |
| PHASE 6 | 45 | 2,462 | 2.72 |
| PHASE 7 | 60 | 1,774 | 1.76 |
| PHASE 8 | 25 | 1,350 | 1.17 |
| PHASE 9 | 8 | 600 | 0.70 |
| PHASE 11 | 56 | 1,595 | 1.68 |
| TOTAL | 528 | 25,720 | 28.26 |

DEVELOPMENT DATA:

| | |
|---|---|
| TOTAL TRACT AREA = | 205.96 AC |
| NON-RESIDENTIAL ACREAGE = | 9.60 AC |
| WETLAND ACREAGE = | 4.34 AC |
| RIGHT OF WAY ACREAGE = | 28.26 AC |
| OPEN SPACE ACREAGE = | 36.07 AC |
| ACTIVE = | 20.54 AC |
| PASSIVE = | 15.52 AC |
| TOTAL UNITS = | 528 |
| DEVELOPABLE LAND = | 132.03 AC |
| NET DENSITY = | 4.00 UNITS/AC |

DEVELOPMENT NOTES:
1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
2. PROJECT SHALL COMPLY WITH ALL CITY, STATE & FEDERAL REGULATIONS.

NOTE:
*ALL DESIGN AND CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE & THE STATE OF NORTH CAROLINA*

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER HARRY S. PAPE
09/09/2021

PROJECT NAME: WYNDWATER
GSP CONSULTING PROJECT #: 2016-0001

## COORDINATION NOTES

1. THE CONTRACTOR IS REQUIRED TO OBTAIN ANY/ALL PERMITS REQUIRED FOR CONSTRUCTION OF THESE PLANS.
2. ALL WORK IS TO BE IN ACCORDANCE WITH PENDER COUNTY AND THE STATE OF NORTH CAROLINA.
3. THE CONTRACTOR IS TO ESTABLISH AND CHECK ALL HORIZONTAL AND VERTICAL CONTROLS TO BE USED WITH THE PROJECT. IN ADDITION, THE CONTRACTOR IS TO COMPUTE THE LAYOUT OF THE ENTIRE SITE PLAN IN ADVANCE OF BEGINNING ANY WORK ASSOCIATED WITH THE SUBJECT PLANS. CONTRACTOR SHALL EMPLOY A PROFESSIONAL SURVEYOR TO PERFORM SITE IMPROVEMENT STAKEOUT(S).
4. ANYTIME WORK IS PERFORMED OFF-SITE OR WITHIN AN EXISTING EASEMENT, THE CONTRACTOR IS TO NOTIFY THE HOLDER OF SAID EASEMENT AS TO THE NATURE OF PROPOSED WORK, AND TO FOLLOW ANY GUIDELINES OR STANDARDS WHICH ARE ASSOCIATED WITH OR REFERENCED IN THE RECORDED EASEMENT.

## GENERAL NOTES:

1. EXISTING TOPOGRAPHY, BOUNDARY AND UTILITIES, HAVE BEEN PREPARED BY A FIELD SURVEY BY ATLANTIC COAST SURVEY, PLLC (P-0822) AND OTHER AVAILABLE INFORMATION.
2. REASONABLE CARE HAS BEEN EXERCISED IN SHOWING THE LOCATION OF EXISTING UTILITIES ON THE PLANS. THE EXACT LOCATION OF ALL EXISTING UTILITIES IS NOT KNOWN IN ALL CASES. THE CONTRACTOR SHALL EXPLORE THE AREA AHEAD OF DITCHING OPERATIONS BY OBSERVATIONS, ELECTRONIC DEVICES, HAND DIGGING AND BY PERSONAL CONTACT WITH THE UTILITY COMPANIES. IN ORDER TO LOCATE EXISTING UTILITIES IN ADVANCE OF TRENCHING OPERATIONS SO AS TO ELIMINATE OR MINIMIZE DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS RESULTING FROM ANY DAMAGE TO THE EXISTING UTILITY LINES INCLUDING LOSS OF UTILITY REVENUES. CONTRACTOR SHALL ARRANGE FOR TEMPORARY SUPPORT OF EXISTING UTILITIES, SUCH AS POLES, CONDUITS, FIBER OPTIC CABLES, TELEPHONE CABLES, WATER LINES, ETC...
3. CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS AND INTERPRETATIONS OF THE DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT.
4. CONTRACTOR SHALL PLAN AND CONSTRUCT WORK SO AS TO CAUSE MINIMUM INCONVENIENCE TO THE OWNER AND THE PUBLIC. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK, SUITABLE BARRIERS, FENCES, SIGNS OR OTHER ADEQUATE PROTECTION, INCLUDING FLAGMEN AND WATCHMEN AS NECESSARY TO INSURE THE SAFETY OF THE PUBLIC AS WELL AS THOSE ENGAGED IN THE CONSTRUCTION WORK. CONSTRUCTION SIGNING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "CONSTRUCTION AND MAINTENANCE OPERATIONS SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE DOT.
5. ALL MATERIAL CLEARED OR DEMOLISHED BY THE CONTRACTOR IN ORDER TO CONSTRUCT THE WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF-SITE.
6. ALL WORK BY THE CONTRACTOR SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER THE OWNER ACCEPTS THE WORK.
7. CONTRACTOR SHALL CALL THE NORTH CAROLINA ONE-CALL CENTER AT 1 (800) 632-4949 AND ALLOW THE CENTER TO LOCATE EXISTING UTILITIES BEFORE DIGGING.
8. CONTRACTOR SHALL REMOVE ASPHALT, AGGREGATE BASE COURSE, AND CONCRETE CURB & GUTTER WITHIN LIMITS OF DEMOLITION AS SHOWN ON PLAN.

## DEMOLITION NOTES

1. CONTRACTOR TO COORDINATE WITH THE OWNER TO PROPERLY MAINTAIN OR RELOCATE EXISTING SERVICE CONNECTIONS WHEN NECESSARY
2. CONTRACTOR IS TO WALK THE SITE AND BECOME FAMILIAR WITH THE SCOPE OF DEMOLITION REQUIRED. ALL DEMOLITION WORK REQUIRED TO CONSTRUCT NEW SITE IMPROVEMENTS WILL BE PERFORMED BY THE CONTRACTOR AND WILL BE UNCLASSIFIED EXCAVATION.
3. DEMOLITION SHALL INCLUDE BUT IS NOT LIMITED TO THE EXCAVATION, HAULING AND OFFSITE DISPOSAL OF CONCRETE PADS, CONCRETE DITCHES, FOUNDATIONS, SLABS, STEPS, AND STRUCTURES; ABANDONED UTILITIES, BUILDINGS, PAVEMENTS AND ALL MATERIALS CLEARED AND STRIPPED TO THE EXTENT NECESSARY AS DIRECTED BY THE SOILS ENGINEER FOR THE INSTALLATION OF THE NEW IMPROVEMENTS AND WITHIN THE LIMITS OF CLEARING AND GRADING AND AS SHOWN ON THESE PLANS.
4. THE CONTRACTOR SHALL PROTECT ALL ADJACENT PROPERTY, STRUCTURES AND UTILITIES ON THE PROPERTY NOT TO BE DEMOLISHED. DAMAGE TO PROPERTIES OF OTHERS DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPLACED IN KIND BY THE CONTRACTOR AT NO COST TO OWNER.
5. ELECTRIC, TELEPHONE, SANITARY SEWER, WATER AND STORM SEWER UTILITIES THAT SERVICE OFF-SITE PROPERTIES SHALL BE MAINTAINED DURING THE CONSTRUCTION PROCESS BY THE CONTRACTOR.
6. EXISTING UTILITIES NOT INTENDED FOR DEMOLITION SHALL BE MAINTAINED, PROTECTED AND UNDISTURBED DURING DEMOLITION
7. ALL EXISTING IMPROVEMENTS INDICATED OR REQUIRED TO BE DEMOLISHED SHALL INCLUDE REMOVAL FROM THE PROPERTY AND PROPER DISPOSAL.
8. CONTRACTOR SHALL COORDINATE RELOCATION OF ALL EXISTING OVER HEAD AND UNDERGROUND UTILITIES INCLUDING CABLE, GAS, TELEPHONE AND ELECTRIC AND ANY OTHER UTILITIES THROUGH THE SITE WITH THE RESPECTIVE COMPANIES.
9. PROVIDE SMOOTH SAW CUT OF EXISTING PAVEMENTS, CURBS AND GUTTERS AND SIDEWALKS TO BE DEMOLISHED.
10. ALL DEMOLITION WORK SHALL BE DONE IN STRICT ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS AS WELL AS OSHA REGULATIONS.
11. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS, BUT THE THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATIONS OF THE MAINS BY DIGGING TEST PITS BY HAND.

## EROSION AND SEDIMENT CONTROL NOTES

### GENERAL NOTES:

1. CLEAR AND REMOVE FROM SITE ALL TREES, ROOTS, ROOT MAT, ETC. FROM THE AREA WITHIN DESIGNATED CLEARING LIMITS.
2. PLANT GRASS OVER ALL GRADED AREAS AS SHOWN IN THE TABLE ON THIS SHEET OF CEASE OF ANY GRADING ACTIVITY.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING AND RESTORING TO PRE-CONSTRUCTION CONDITIONS ANY AREAS OUTSIDE THE PROJECT LIMITS THAT MAY INADVERTENTLY BE DAMAGED DUE TO THE FAILURE OF THE EROSION MEASURES
4. DURING GRADING AND AFTER GRADING HAS BEEN COMPLETED, CONTRACTOR SHALL CONTINUE TO MAINTAIN PERMANENT AND TEMPORARY EROSION CONTROL MEASURES UNTIL FINAL INSPECTION AND APPROVAL BY THE NCDENR DIVISION OF LAND QUALITY.
5. WATER, FERTILIZE, MOW AND MAINTAIN SPRIGGED, SODDED AND PLANTED AREAS UNTIL FINAL APPROVAL BY THE NCDENR DIVISION OF LAND QUALITY.
6. ANY BORROW MATERIAL BROUGHT ONTO SITE MUST BE FROM A LEGALLY OPERATED MINE OR OTHER APPROVED SOURCE.
7. ANY EXCESS MATERIAL REMOVED FROM SITE MUST BE HAULED TO A LEGALLY OPERATED MINE OR OTHER APPROVED SOURCE.

## MAINTENANCE PLAN

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RUNOFF-PRODUCING RAINFALL BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
2. ALL CONSTRUCTION ENTRANCES WILL BE PERIODICALLY TOP DRESSED WITH AN ADDITIONAL 2 INCHES OF #4 STONE TO MAINTAIN PROPER DEPTH. ANY SEDIMENT THAT IS TRACKED INTO THE STREET WILL BE IMMEDIATELY REMOVED.
3. SEDIMENT WILL BE REMOVED BEHIND THE SEDIMENT FENCE WHEN IT BECOMES 0.5 FEET DEEP AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER. SILT FENCE STAKES WILL BE SPACED 6 FEET APART UNLESS A WIRE BACKING IS USED WITH 8 FOOT STAKE SPACING.
4. INSPECT INLET PROTECTION AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT. CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS TO PROVIDE ADEQUATE FLOW FOR SUBSEQUENT RAINS. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE WIRE MESH DURING SEDIMENT REMOVAL. REPLACE STONE AS NEEDED.
5. ALL SEEDED AREAS WILL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
6. INSPECT TEMPORARY SEDIMENT TRAPS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-HALF INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. REMOVE SEDIMENT AND RESTORE THE TRAP TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE-HALF THE DESIGN DEPTH OF THE TRAP. PULL THE SKIMMER TO ONE SIDE SO THAT THE SEDIMENT UNDERNEATH IT CAN BE EXCAVATED. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT JUST AROUND THE SKIMMER OR THE FIRST CELL. MAKE SURE VEGETATION GROWING IN THE BOTTOM OF THE BASIN DOES NOT HOLD DOWN THE SKIMMER. PLACE THE SEDIMENT THAT IS REMOVED IN THE DISPOSAL AREA, AND REPLACE THE PART OF THE GRAVEL FACING THAT IS IMPAIRED BY SEDIMENT.

   IF THE SKIMMER IS CLOGGED WITH TRASH AND THERE IS WATER IN THE BASIN, USUALLY JERKING ON THE ROPE WILL MAKE THE SKIMMER BOB UP AND DOWN AND DISLODGE THE DEBRIS AND RESTORE FLOW. IF THIS DOES NOT WORK, PULL THE SKIMMER OVER TO THE SIDE OF THE BASIN AND REMOVE THE DEBRIS.

   IF THE SKIMMER ARM OR BARREL PIPE IS CLOGGED, THE ORIFICE CAN BE REMOVED AND THE OBSTRUCTION CLEARED WITH A PLUMBER'S SNAKE OR BY FLUSHING WITH WATER. BE SURE AND REPLACE THE ORIFICE BEFORE REPOSITIONING THE SKIMMER.

   CHECK THE STRUCTURE FOR DAMAGE FROM EROSION OR PIPING. PERIODICALLY CHECK THE DEPTH OF THE SPILLWAY TO ENSURE IT IS A MINIMUM OF 1.5 FEET BELOW THE LOW POINT OF THE EMBANKMENT. IMMEDIATELY FILL ANY SETTLEMENT OF THE EMBANKMENT TO SLIGHTLY ABOVE DESIGN GRADE. ANY RIPRAP DISPLACED FROM THE SPILLWAY MUST BE REPLACED IMMEDIATELY.

   AFTER ALL DEMENT-PRODUCING AREAS HAVE BEEN PERMANENTLY STABILIZED, REMOVE THE STRUCTURE AND ALL UNSTABLE SEDIMENT. SMOOTH THE AREA TO BLEND WITH THE ADJOINING AREAS, AND STABILIZE PROPERLY.
7. INSPECT EXCELSIOR MATTING AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT REPAIR IMMEDIATELY. GOOD CONTACT WITH THE GROUND MUST BE MAINTAINED, AND EROSION MUST NOT OCCUR BENEATH THE MATTING. ANY AREAS OF THE MATTING THAT ARE DAMAGED OR NOT IN CLOSE CONTACT WITH THE GROUND SHALL BE REPAIRED AND STAPLED. IF EROSION OCCURS DUE TO POORLY CONTROLLED DRAINAGE, THE PROBLEM SHALL BE FIXED AND THE ERODED AREA PROTECTED. MONITOR AND REPAIR THE MATTING AS NECESSARY UNTIL GROUND COVER IS ESTABLISHED.
7. INSPECT BAFFLES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY. EVENT REPAIR IMMEDIATELY. GOOD CONTACT WITH THE GROUND MUST

   BE SURE TO MAINTAIN ACCESS TO THE BAFFLES. SHOULD THE FABRIC OF A BAFFLE COLLAPSE, TEAR, DECOMPOSE, OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY.

   REMOVE SEDIMENT DEPOSITS WHEN IT REACHES HALF FULL TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE BAFFLES. TAKE CARE TO AVOID DAMAGING THE BAFFLES DURING CLEANOUT. SEDIMENT DEPTH SHOULD NEVER EXCEED HALF THE DESIGNED STORAGE DEPTH.

   AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED, REMOVE ALL BAFFLE MATERIALS AND UNSTABLE SEDIMENT DEPOSITS, BRING THE AREA TO GRADE, AND STABILIZE IT.

## STABILIZATION NOTES

1. ALL DISTURBED AREAS WILL BE STABILIZED WITHIN 15 WORKING DAYS OF CEASE OF ANY PHASE OF ACTIVITY AND SLOPES WITHIN 21 CALENDAR DAYS.

## PERMANENT SEEDING SCHEDULE – MIXTURE 5CP

| SPECIES | RATE (LB/ACRE) |
|---|---|
| CENTIPEDE GRASS | 10-20 |

### Seeding Dates
MARCH – JUNE

### Soil Amendments
APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS, OR APPLY 300 LB/ACRE 10-10-10 FERTILIZER.

### Mulch
DO NOT MULCH.

### Maintenance
FERTILIZE VERY SPARINGLY LB/ACRE NITROGEN IN SPRING WITH NO PHOSPHORUS. CENTIPEDE GRASS CANNOT TOLERATE HIGH PH OR EXCESS FERTILIZER.

## TEMPORARY SEEDING-LATE WINTER/EARLY SPRING

### WINTER AND EARLY SPRING

| SPECIES | RATE (LB/ACRE) |
|---|---|
| Rye (GRAIN) | 120 |
| *ANNUAL LESPEDEZA (KOBE IN PIEDMONT AND COASTAL PLAIN, KOREAN IN MOUNTAINS) | 50 |

*OMIT ANNUAL LESPEDEZA WHEN DURATION OF TEMPORARY COVER IS NOT TO EXTEND BEYOND JUNE.

### SUMMER

| SPECIES | RATE (LB/ACRE) |
|---|---|
| GERMAN MILLET | 40 |

### FALL

| SPECIES | RATE (LB/ACRE) |
|---|---|
| RYE (GRAIN) | 120 |

### Seeding dates
COASTAL PLAIN – DEC.1-APR. 15 – LATE WINTER AND EARLY SPRING
APRIL 15 – AUG. 15 – SUMMER
AUG. 15 – DEC. 30 – FALL

### Soil amendments
FOLLOW RECOMMENDATIONS OF SOIL TESTS OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 750 LB/ACRE 10-10-10 FERTILIZER.

### Mulch
APPLY 4,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

### Maintenance
REFERTILIZE IF GROWTH IS NOT FULLY ADEQUATE. RESEED, REFERTILIZE AND MULCH IMMEDIATELY FOLLOWING EROSION OR OTHER DAMAGE.

## GENERAL GRADING NOTES

1. REASONABLE CARE HAS BEEN EXERCISED IN SHOWING THE LOCATION OF EXISTING UTILITIES ON THE PLANS. THE EXACT LOCATION OF SUCH UTILITIES IS NOT KNOWN IN ALL CASES. THE CONTRACTOR SHALL EXPLORE THE AREA AHEAD OF THE DITCHING OPERATION BY OBSERVATIONS, ELECTRONIC DEVICES, HAND DIGGING AND BY PERSONAL CONTACT WITH THE UTILITY COMPANIES IN ORDER TO LOCATE EXISTING UTILITIES IN ADVANCE OF THE TRENCHING OPERATIONS SO AS TO AVOID AND PREVENT DAMAGE TO THE EXISTING UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COST RESULTING FROM ANY DAMAGE TO THE EXISTING UTILITY LINES INCLUDING BUT NOT LIMITED TO REPAIRS AND LOSS SERVICE REVENUE. CONTRACTOR SHALL ARRANGE FOR TEMPORARY SUPPORT OF EXISTING UTILITIES, SUCH AS POLES, CONDUITS, FIBER OPTIC CABLES, TELEPHONE CABLES, WATER LINES, ETC...
2. CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS AND INTERPRETATIONS OF THE DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT.
3. CONTRACTOR SHALL PLAN AND CONSTRUCT WORK SO AS TO CAUSE MINIMUM INCONVENIENCE TO THE OWNER AND THE PUBLIC. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK, SUITABLE BARRIERS, FENCES, SIGNS OR OTHER ADEQUATE PROTECTION, INCLUDING FLAG MEN AND WATCHMEN AS NECESSARY TO INSURE THE SAFETY OF THE PUBLIC AS WELL AS THOSE ENGAGED IN THE CONSTRUCTION WORK. CONSTRUCTION SIGNING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "CONSTRUCTION AND MAINTENANCE OPERATIONS SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE NCDOT.
4. ALL MATERIAL CLEARED AND GRUBBED BY THE CONTRACTOR IN ORDER TO CONSTRUCT THE WORK, SUCH AS TREES, VEGETATION, FENCING, ETC... SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF-SITE OR BURNED IF PROPER PERMITS ARE RECEIVED.

## SITE NOTES

1. ANY DISCREPANCY IN THIS PLAN AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER PRIOR TO START OF CONSTRUCTION. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
2. THE GENERAL CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, UTILITIES AND R.O.W.'S PUBLIC OR PRIVATE, PRIOR TO WORKING IN THESE AREAS.
3. CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND PUBLIC SHALL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
4. ACCESS TO UTILITIES, FIRE HYDRANTS, STREET LIGHTING, ETC., SHALL REMAIN UNDISTURBED, UNLESS COORDINATED WITH THE RESPECTIVE UTILITY.
5. DO NOT SCALE THIS DRAWING AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
6. THE GENERAL CONTRACTOR SHALL REMOVE ALL DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
7. THE GENERAL CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE "CONSTRUCTION LIMITS" BROOM CLEAN AT ALL TIMES.
8. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
9. IF DEPARTURES FROM THE SPECIFICATIONS OR DRAWINGS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THEREOF SHALL BE GIVEN TO THE OWNER FOR REVIEW, NO DEPARTURES FROM THE CONTRACT DOCUMENT SHALL BE MADE WITHOUT THE PERMISSION OF THE OWNER.
10. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COST HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATION SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE OTHER OBSTRUCTIONS OR FROM DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. CONTACT NORTH CAROLINA ONE CALL" TOLL FREE 1-800-632-4949 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NONSUBSCRIBING UTILITIES.
11. ALL PERMITS RELATIVE TO PROJECT MUST BE OBTAINED, PRIOR TO CONSTRUCTION
12. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY, AND LOCAL CODES.
13. FOR BUILDING DIMENSIONS, SEE ARCHITECTURAL DRAWINGS.
14. ALL DIMENSIONS AND RADII ARE TO OUTSIDE FACE OF BUILDING OR TO FACE OF CURB UNLESS OTHERWISE NOTED.
15. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL INSPECTIONS, CERTIFICATIONS, EQUIPMENT, ETC., THAT MAY BE REQUIRED.
16. THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND METHODS ASSOCIATED WITH THE PROJECT AS SET FORTH IN THESE PLANS.

## GENERAL STORM SEWER NOTES

1. ALL STORM SEWERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH PENDER COUNTY AND THE STATE OF NORTH CAROLINA REQUIREMENTS AS SPECIFIED ON THE DRAWINGS AND IN THE PROJECT SPECIFICATIONS.
2. BEDDING FOR ALL STORM SEWER PIPE SHALL BE AS SPECIFIED ON THE DRAWINGS, PROJECT SPECIFICATIONS, AND MANUFACTURER SPECIFICATIONS.
3. ALL STORM SEWER PIPES ON PRIVATE PROPERTY TO BE HDPE ADS N-12 OR EQUIVALENT, UNLESS OTHERWISE SPECIFIED. ALL STORM SEWER PIPES LOCATED WITHIN THE PUBLIC ROW TO BE RCP CLASS III.
4. ALL STORM SEWER PIPES SHOWN AS RCP ON THE PLANS SHALL BE REINFORCED CONCRETE PIPE CONFORMING TO ASTM C-76, UNLESS INDICATED OTHERWISE ON PLANS.

GROUND STABILIZATION

| SITE AREA DESCRIPTION | STABILIZATION TIME FRAME | STABILIZATION TIME FRAME EXCEPTIONS |
|---|---|---|
| PERIMETER DIKES, SWALES, DITCHES AND SLOPES | 7 DAYS | NONE |
| HIGH QUALITY WATER (HQW) ZONES | 7 DAYS | NONE |
| SLOPES STEEPER THAN 3:1 | 7 DAYS | IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED. |
| SLOPES 3:1 OR FLATTER | 14 DAYS | 7-DAYS FOR SLOPES GREATER THAN 50 FEET IN LENGTH |
| ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1 | 14 DAYS | NONE (EXCEPT FOR PERIMETERS AND HQW ZONES) |

## EXISTING UTILITY NOTES

1. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY THE ACTUAL LOCATION AND AVAILABILITY OF ALL EXISTING AND PROPOSED UTILITIES IN THE FIELD PRIOR TO GROUND BREAKING.
2. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL FIELD VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.

## UTILITY CONTACTS:

1. CONTACT THE NORTH CAROLINA ONE CALL CENTER PRIOR TO DOING AND DIGGING. 1-800-632-4949

## NOTICE REQUIRED

ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED BY CONTRACTOR PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF SAID UTILITIES.

CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS PRIOR TO ANY EXCAVATION OR DEMOLITION.

CONTACT "CAROLINA ONE CALL" AT
1-800-632-4949

EMERGENCY DIAL 911 POLICE - FIRE - RESCUE

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER CARRY S. PAPE
09/09/2021

| No. | Revision | Date | By |
|---|---|---|---|
| | | | |

| | |
|---|---|
| Designer: GSP | Scale |
| Drawn By: GSP | Date: September 2021 |
| License #: P-0718 | Job No.: 2016-0001 |

# WYNDWATER

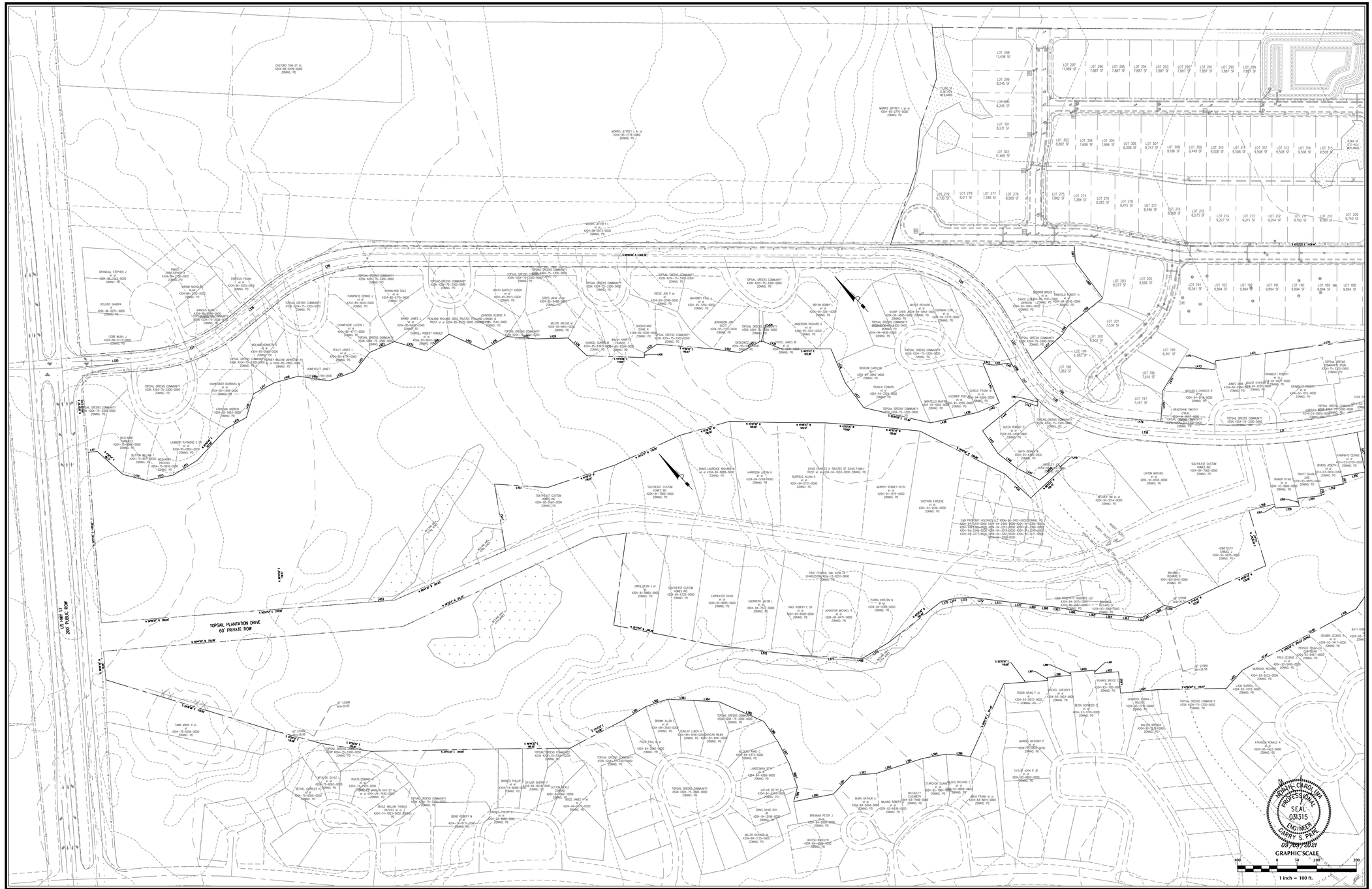
Topsail Township Pender County North Carolina

# GENERAL NOTES

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-1


TOPSAIL PLANTATION DRIVE
60' PRIVATE ROW
US HWY 17
200' PUBLIC ROW
LOT 298
11,408 SF
LOT 299
8,245 SF
LOT 300
8,245 SF
LOT 301
8,231 SF
LOT 302
11,466 SF
LOT 297
11,989 SF
LOT 296
7,887 SF
LOT 295
7,887 SF
LOT 294
7,887 SF
LOT 293
7,887 SF
LOT 292
7,887 SF
LOT 291
7,887 SF
LOT 290
7,887 SF
LOT 289
7,887 SF
LOT 303
8,802 SF
LOT 304
7,688 SF
LOT 305
7,896 SF
LOT 306
8,308 SF
LOT 307
8,747 SF
LOT 308
9,186 SF
LOT 309
9,449 SF
LOT 310
9,508 SF
LOT 311
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LOT 314
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LOT 315
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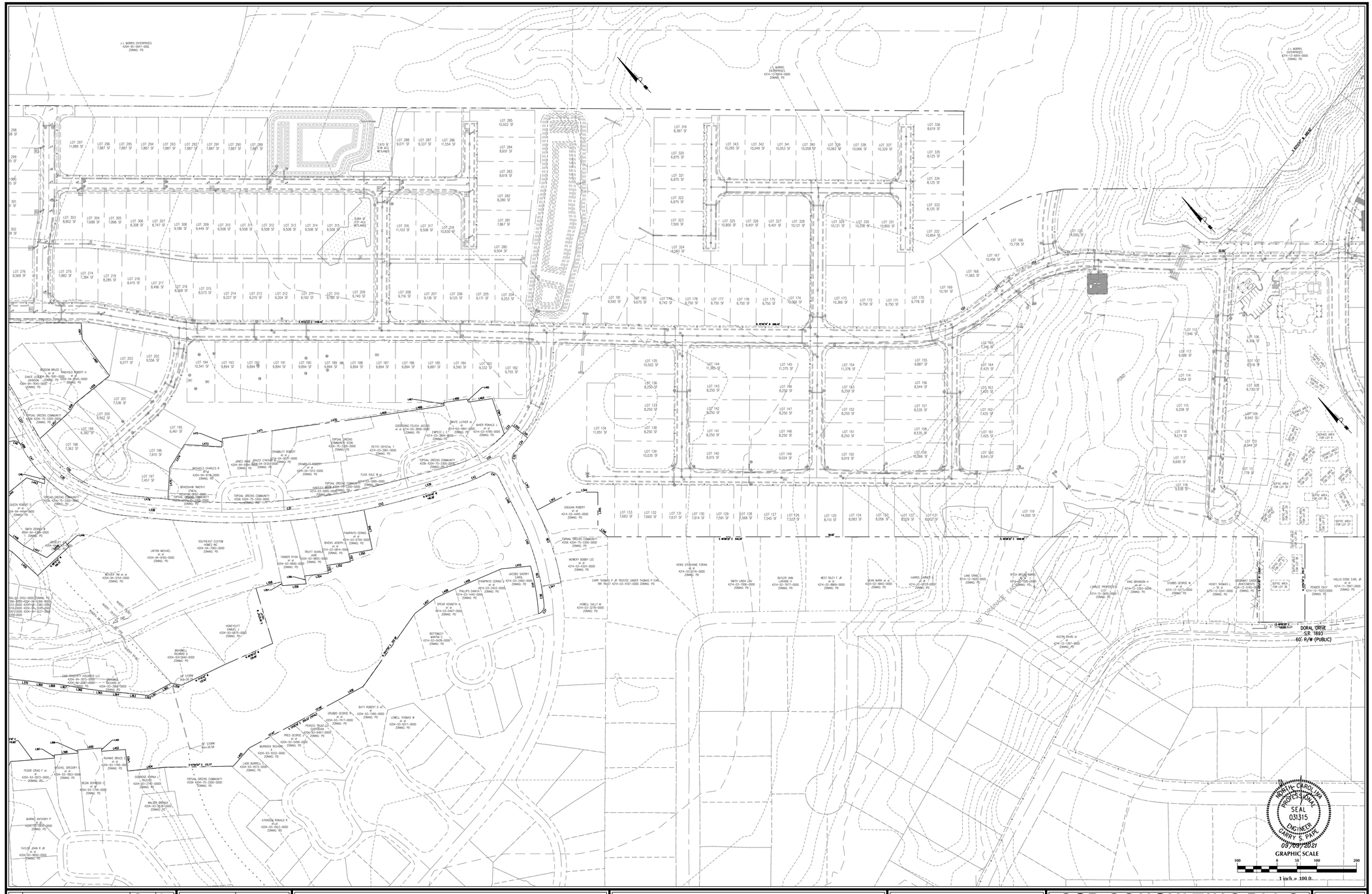
LOT 325
9,743 SF
LOT

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| Designer | GSP |
| Scale | 1" = 100' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

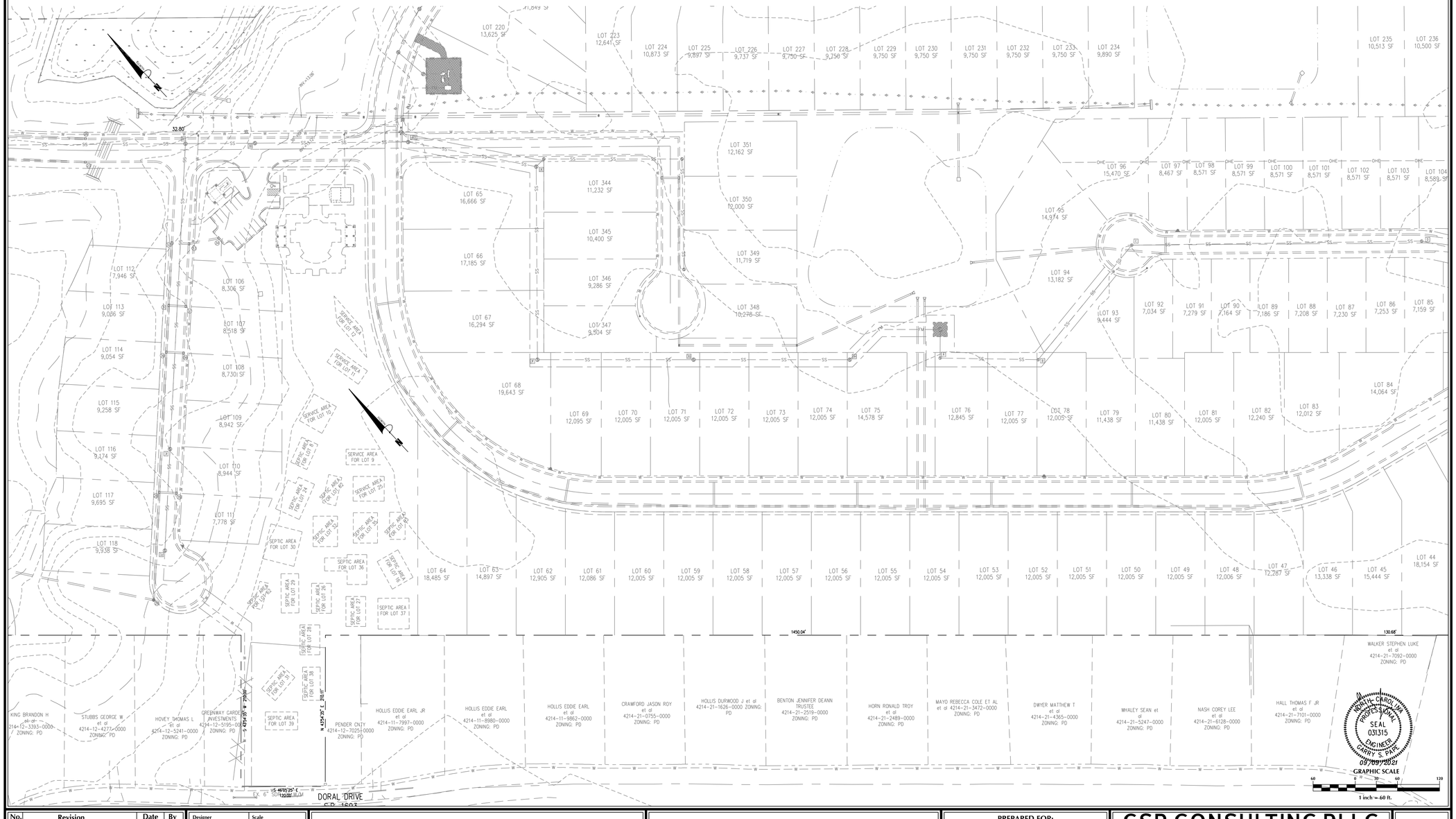
Topsail Township — Pender County — North Carolina

# EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-2.2




| No. | Revision | Date | By |
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|---|---|---|---|
| Designer | GSP | Scale | 1" = 60' |
| Drawn By | GSP | Date | September 2021 |
| License # | P-0718 | Job No. | 2016-0001 |

# WYNDWATER

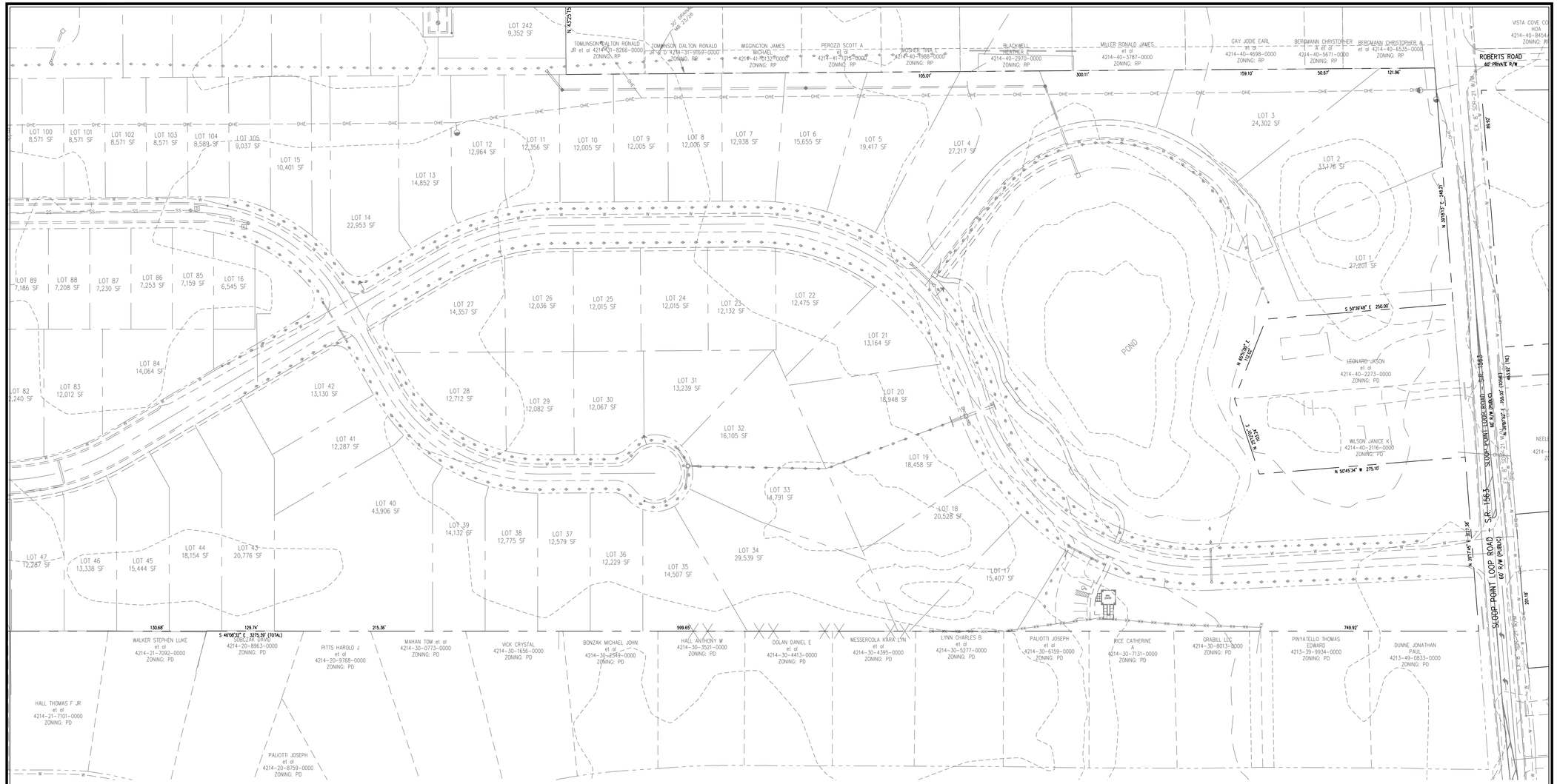
Topsail Township Pender County North Carolina

## EXISTING CONDITIONS

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-2.3**




| No. | Revision | Date | By |
|---|---|---|---|
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| Designer | GSP |
| Scale | 1" = 60' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

Topsail Township Pender County North Carolina

# EXISTING CONDITIONS

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
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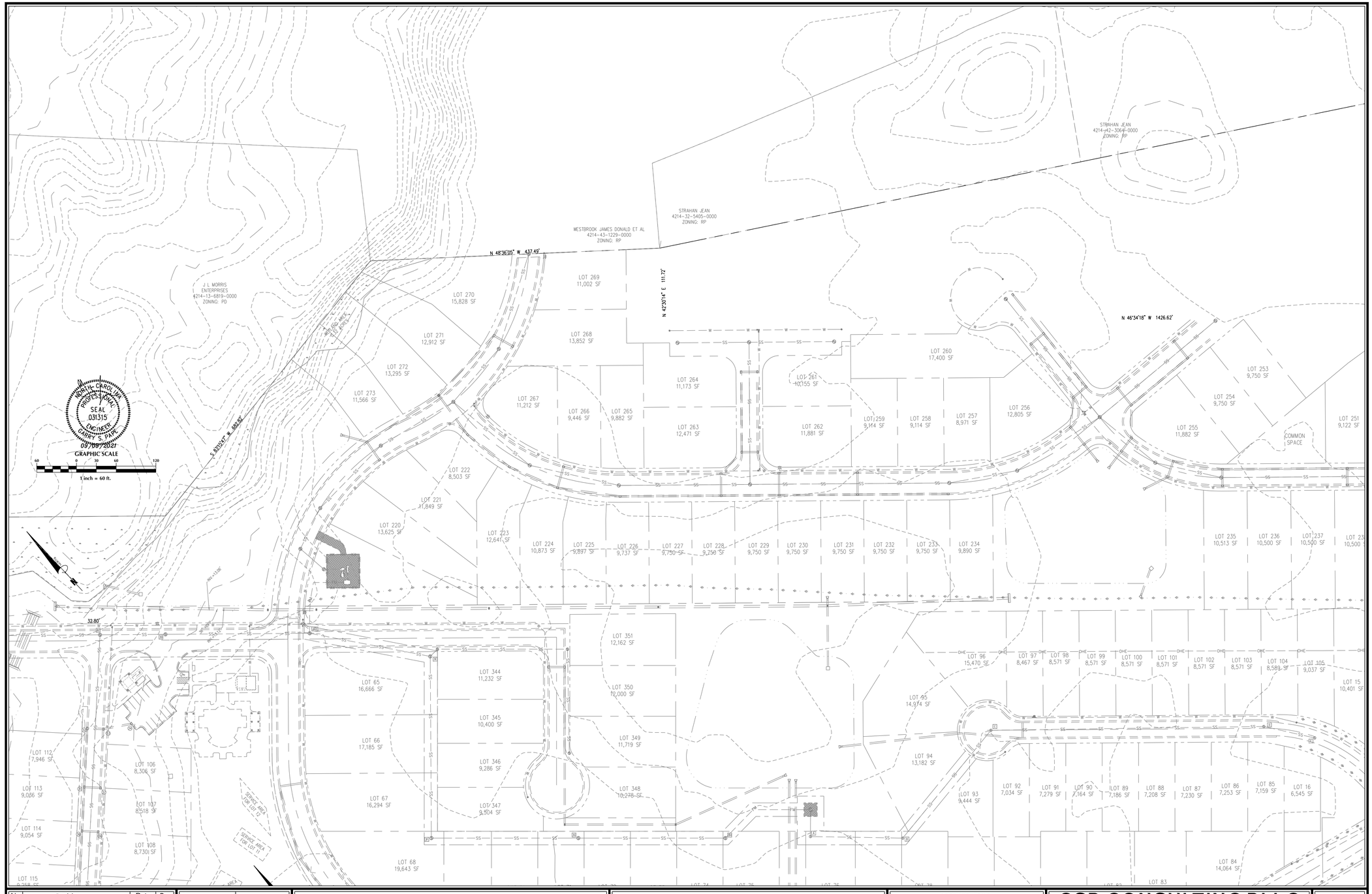
**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-2.4**

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| Designer | GSP |
| Scale | 1" = 60' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

Topsail Township Pender County North Carolina

## EXISTING CONDITIONS

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
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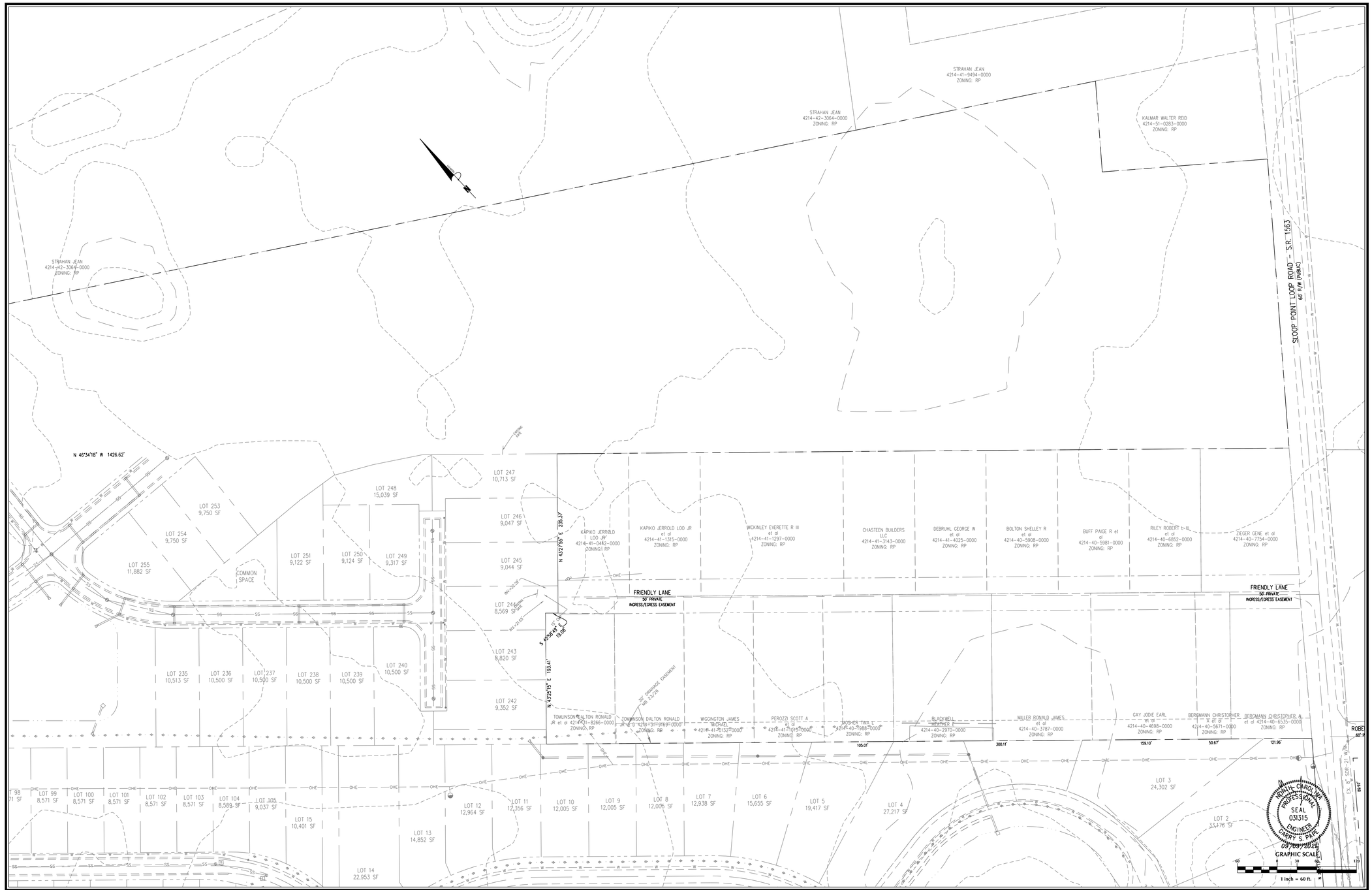
**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-2.5**




| No. | Revision | Date | By |
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| Designer | GSP |
| Scale | 1" = 60' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

Topsail Township Pender County North Carolina

## EXISTING CONDITIONS

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
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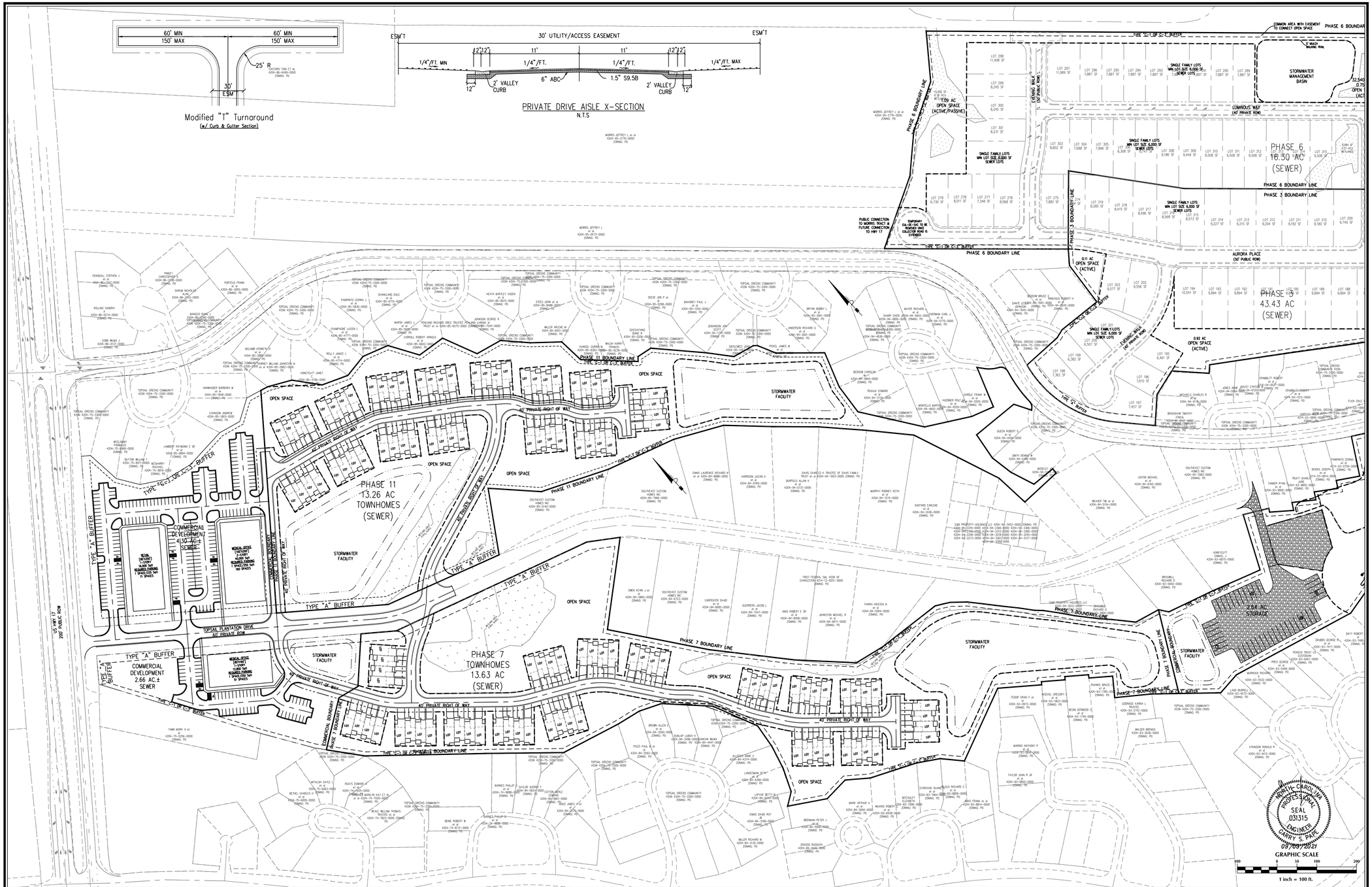
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
**C-2.6**


60' MIN
150' MAX
60' MIN
150' MAX
25' R
30' ESM
Modified "T" Turnaround
(w/ Curb & Gutter Section)
ESM'T
30' UTILITY/ACCESS EASEMENT
ESM'T
12"
12"
11'
11'
12"
12"
1/4"/FT. MIN
1/4"/FT.
1/4"/FT.
1/4"/FT. MAX
12"
2' VALLEY CURB
6" ABC
1.5" S9.5B
2' VALLEY CURB
12"
PRIVATE DRIVE AISLE X-SECTION
N.T.S
PHASE 6 BOUNDARY LINE
PHASE 5 BOUNDARY LINE
PHASE 6
16.30 AC
(SEWER)
PHASE 5
43.43 AC
(SEWER)
0.09 AC OPEN SPACE (ACTIVE/PASSIVE)
0.11 AC OPEN SPACE (ACTIVE)
0.92 AC OPEN SPACE (ACTIVE)
STORMWATER MANAGEMENT BASIN
LUMINOUS WAY (40' PRIVATE ROW)
AURORA PLACE (50' PUBLIC ROW)
EVENING WALK (50' PUBLIC ROW)
SINGLE FAMILY LOTS MIN LOT SIZE 8,000 SF SEWER LOTS
TEMPORARY CUL-DE-SAC TO BE REMOVED ONCE COLLECTION ROAD IS EXTENDED
PUBLIC CONNECTION TO MORRIS TRACT & FUTURE CONNECTION TO HWY 17
TYPE "C" OR "C-A" BUFFER
PHASE 11 BOUNDARY LINE
PHASE 11
13.26 AC
TOWNHOMES
(SEWER)
PHASE 7
TOWNHOMES
13.63 AC
(SEWER)
PHASE 7 BOUNDARY LINE
COMMERCIAL DEVELOPMENT
2.66 AC ±
SEWER
COMMERCIAL DEVELOPMENT
4.10 AC ±
SEWER
MEDICAL OFFICE (RETAIL)
1,200SF
4,000SF
11,800 SqFt
BUILDING PARKING
7 SPACE/1,000 SqFt
79 SPACES
BANK
(RETAIL)
3,500SF
10,500 SqFt
BUILDING PARKING
7 SPACE/1,000 SqFt
71 SPACES
MEDICAL OFFICE (RETAIL)
1,200SF
4,000SF
11,800 SqFt
BUILDING PARKING
7 SPACE/1,000 SqFt
90 SPACES
STORMWATER FACILITY
OPEN SPACE
40' PRIVATE RIGHT-OF-WAY
TOPSAIL PLANTATION DRIVE
60' PRIVATE ROW
US HWY 17
200' PUBLIC ROW
TYPE "A" BUFFER
TYPE "C" OR "C-A" BUFFER
COMMON AREA WITH EASEMENT TO CONNECT OPEN SPACE
8' MULCH WALKING TRAIL
0.75 OPEN SPACE (ACTIVE)
0.64 AC STORAGE
PHASE 6 BOUNDARY
PHASE 7 BOUNDARY
COMMERCIAL BOUNDARY
PHASE 5 BOUNDARY
PHASE 11 BOUNDARY
TOP OF C-A BUFFER
TOP OF C-B BUFFER
TOP OF C-C BUFFER
TOPSAIL GREENS COMMUNITY ASSN #204-75-1300-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN #204-75-3300-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN #204-75-5300-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN #204-75-7300-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN #204-75-9300-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN #204-76-1300-0000 ZONING: PD
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MORRIS JEFFREY L et al #204-85-2776-0000 ZONING: PD
MORRIS JEFFREY L et al #204-85-3973-0000 ZONING: PD
CRANDALL STEPHEN J et al #204-86-4162-0000 ZONING: PD
PINKET CHRISTOPHER E #204-86-3945-0000 ZONING: PD
PORTEUS FRANK #204-86-3905-0000 ZONING: PD
SHRUM NICHOLAS ALAN #204-86-2972-0000 ZONING: PD
ROLLINS SANDRA #204-86-0774-0000 ZONING: PD
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COBB WILMA J #204-86-0537-0000 ZONING: PD
WILLIAMS DIANE M #204-85-3792-0000 ZONING: PD
SHINGLEDAZ et al #204-85-4715-0000 ZONING: PD
PHIMPHISTO CERINO J et al #204-85-5232-0000 ZONING: PD
CHAMPAGNE LUCIEN L et al #204-85-4777-0000 ZONING: PD
CARROLL ROBERT ARNOLD #204-85-4652-0000 ZONING: PD
WATSH JAMES V #204-85-3696-0000 ZONING: PD
PENLAND RICHARD GREG TRUSTEE OF PENLAND LIVING TRUST et al #204-85-4575-0000 ZONING: PD
HEATH BARTLEY HADEN #204-85-8915-0000 ZONING: PD
JOHNSON GEORGE III #204-85-4774-0000 ZONING: PD
STETS JOHN et al #204-85-8488-0000 ZONING: PD
MILLER WILENE W #204-85-3951-0000 ZONING: PD
DEESE JON P et al #204-85-3288-0000 ZONING: PD
WHICHEY PAUL J #204-85-1250-0000 ZONING: PD
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MCLAMB WILLIAM JOHNNY JR et al #204-85-3982-0000 ZONING: PD
VANWAGNER BARBARA M et al #204-85-1848-0000 ZONING: PD
ATKINSON ANDREW #204-85-1823-0000 ZONING: PD
MCCLAMMY #204-75-8983-0000 ZONING: PD
BUTTON WILLIAM F #204-75-9577-0000 ZONING: PD
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PARNELLEE #204-75-8669-0000 ZONING: PD
TAMN MARK A et al #204-75-5748-0000 ZONING: PD
MITCHUM DAVID et al #204-75-9583-0000 ZONING: PD
BETHEL CHARLES W #204-75-4005-0000 ZONING: PD
ROATS EDWARD et al #204-74-7926-0000 ZONING: PD
BEANE MARILYN KAY ET AL et al #204-74-7926-0000 ZONING: PD
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BOZE JAMES W et al #204-84-9276-0000 ZONING: PD
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HARRISON JUSTIN K et al #204-84-9769-0000 ZONING: PD
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BURFIELD ALLAN K #204-84-2772-0000 ZONING: PD
MURPHY RODNEY KEITH et al #204-84-1274-0000 ZONING: PD
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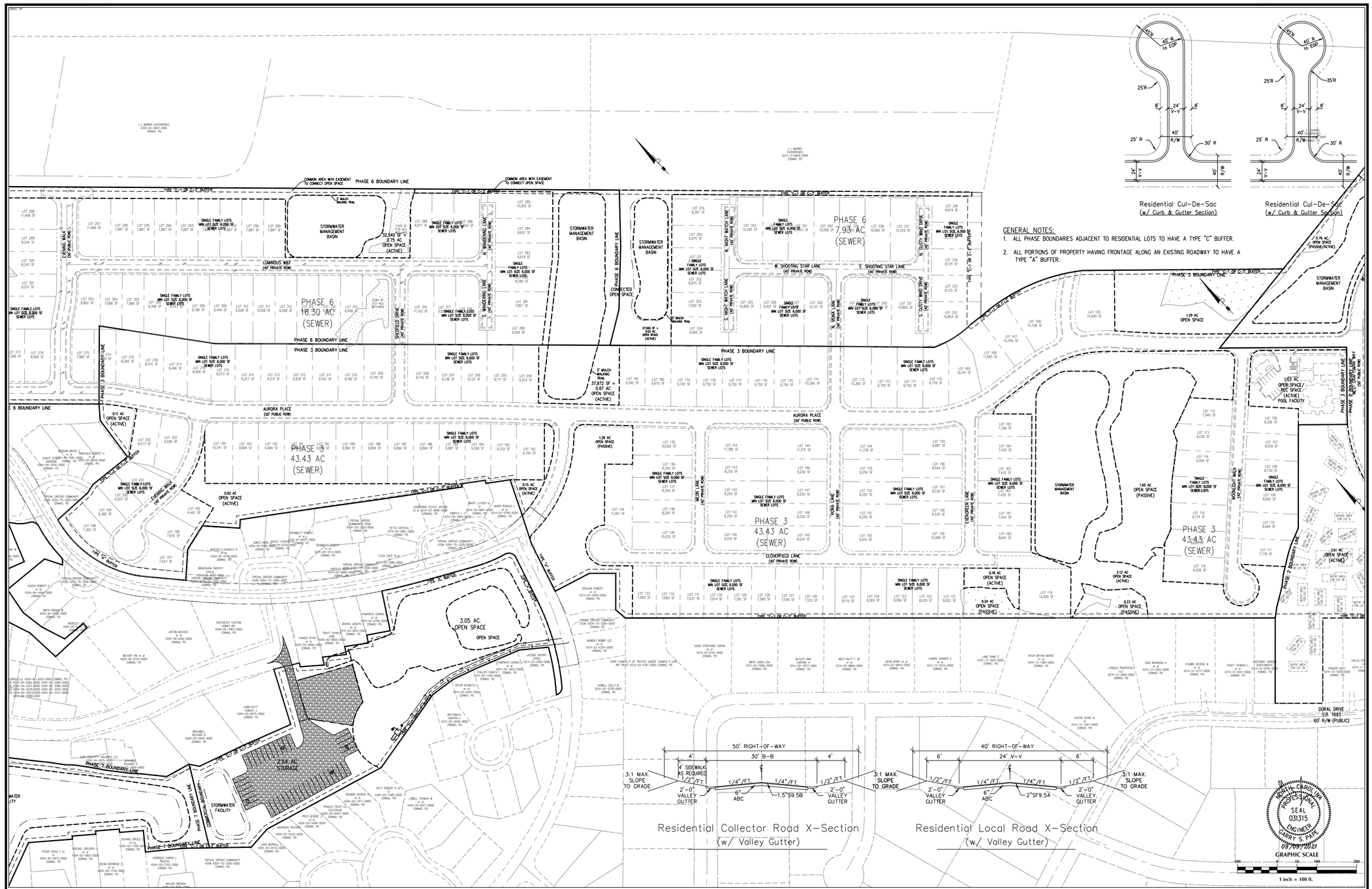


| No. | Revision | Date | By |
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|---|---|
| Designer | GSP |
| Scale | 1" = 100' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

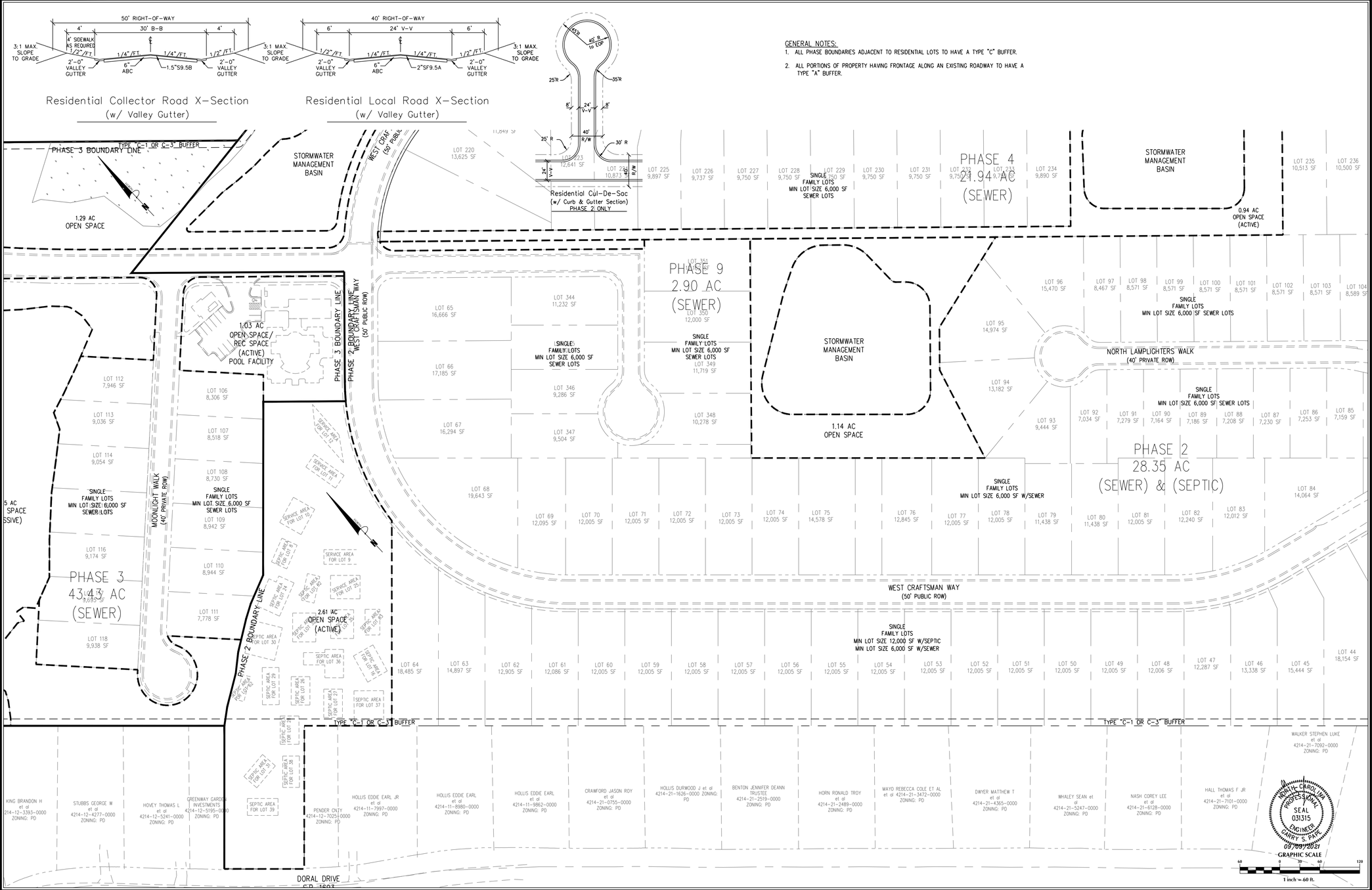
Topsail Township — Pender County — North Carolina

# SITE PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-3.2




| No. | Revision | Date | By |
|---|---|---|---|
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|---|---|
| Designer | GSP |
| Drawn By | GSP |
| License # | P-0718 |
| Scale | 1" = 60' |
| Date | September 2021 |
| Job No. | 2016-0001 |

# WYNDWATER

Topsail Township Pender County North Carolina

## SITE PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
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713-789-0466

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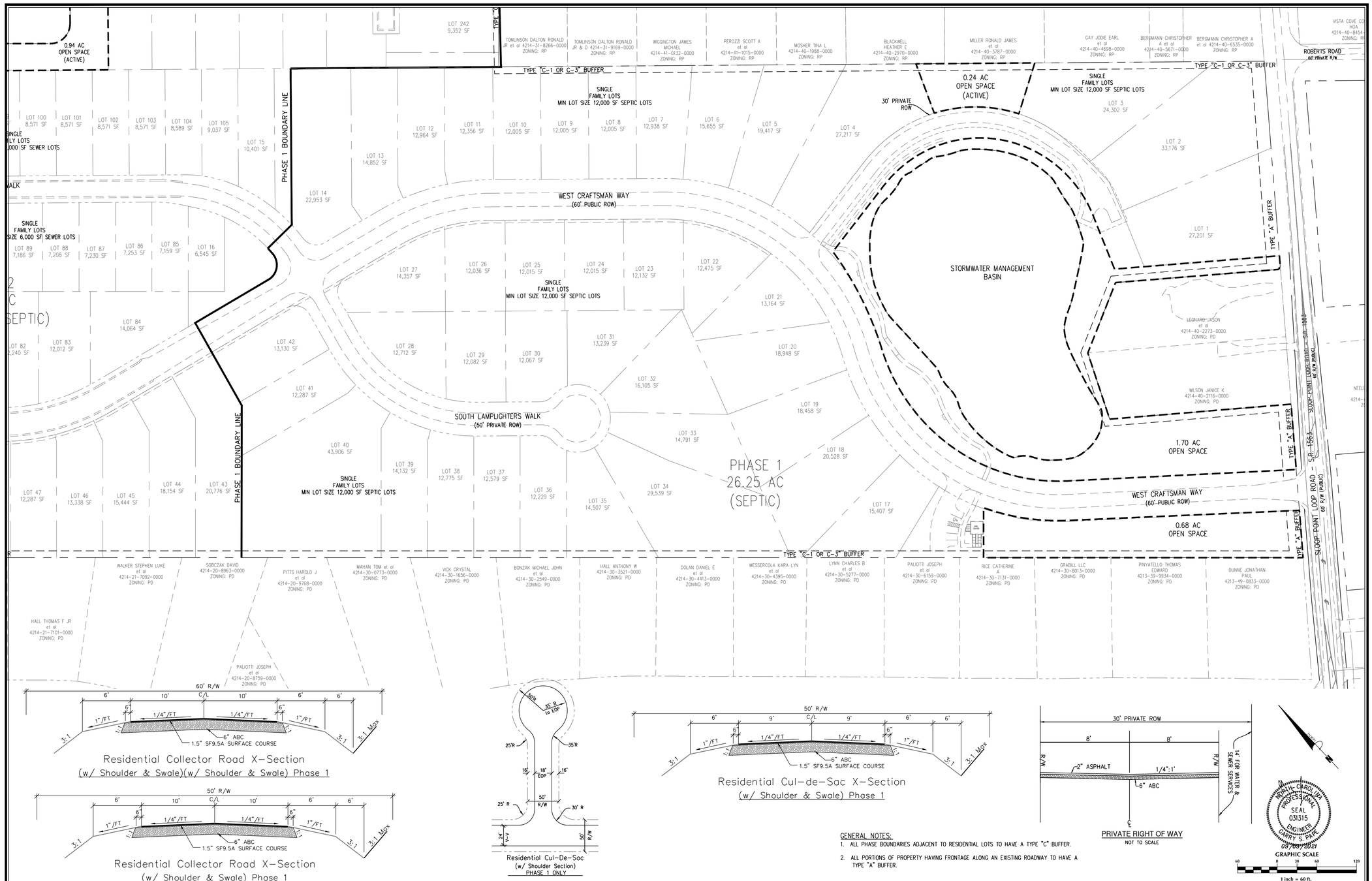
Sheet No. **C-3.3**




GENERAL NOTES:

1. ALL PHASE BOUNDARIES ADJACENT TO RESIDENTIAL LOTS TO HAVE A TYPE "C" BUFFER.
2. ALL PORTIONS OF PROPERTY HAVING FRONTAGE ALONG AN EXISTING ROADWAY TO HAVE A TYPE "A" BUFFER.

| No. | Revision | Date | By |
|---|---|---|---|
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|---|---|
| Designer: GSP | Scale: 1" = 60' |
| Drawn By: GSP | Date: September 2021 |
| License #: P-0718 | Job No.: 2016-0001 |

# WYNDWATER

Topsail Township — Pender County — North Carolina

## SITE PLAN

**PREPARED FOR:**
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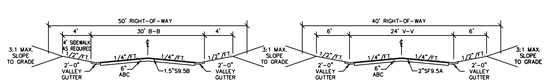
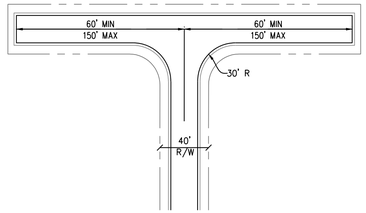
Sheet No. C-3.4



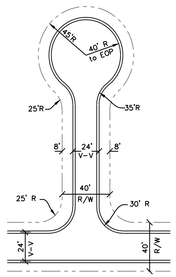

Residential Collector Road X-Section
(w/ Valley Gutter)



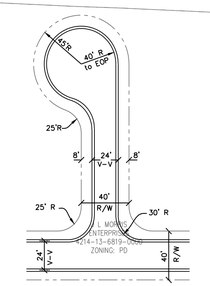

Residential Local Road X-Section
(w/ Valley Gutter)




Modified "T" Turnaround
(w/ Curb & Gutter Section)




Residential Cul-De-Sac
(w/ Curb & Gutter Section)




Residential Cul-De-Sac
(w/ Curb & Gutter Section)

GENERAL NOTES:
1. ALL PHASE BOUNDARIES ADJACENT TO RESIDENTIAL LOTS TO HAVE A TYPE "C" BUFFER.
2. ALL PORTIONS OF PROPERTY HAVING FRONTAGE ALONG AN EXISTING ROADWAY TO HAVE A TYPE "A" BUFFER.

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER GARRY S. PAPE
07/07/2021

GRAPHIC SCALE
60 0 30 60 120
1 inch = 60 ft.

STRAHAN JEAN
4214-42-3064-0000
ZONING: RP

STRAHAN JEAN
4214-32-5405-0000
ZONING: RP

WESTBROOK JAMES DONALD ET AL
4214-43-1229-0000
ZONING: RP

R MORRIS ENTERPRISES
4214-13-6819-0000
ZONING: PD

TYPE "B" BUFFER

TYPE "C-1 OR C-3" BUFFER

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

PHASE 4 BOUNDARY LINE

PHASE 5 BOUNDARY LINE

40' PRIVATE RIGHT OF WAY

SONOMA PLACE (40' PRIVATE ROW)

SAILOR SKY WAY (50' PUBLIC ROW)

WEST CRAFTSMAN WAY (50' PUBLIC ROW)

LOT 269 11,002 SF
LOT 270 15,828 SF
LOT 271
LOT 272 13,295 SF
LOT 273 11,566 SF
LOT 268 13,852 SF
LOT 267 11,212 SF
LOT 266 9,446 SF
LOT 265 9,882 SF
LOT 264 11,173 SF
LOT 263 12,471 SF
LOT 261 10,155 SF
LOT 262 11,881 SF
LOT 260 17,400 SF
LOT 259 9,114 SF
LOT 258 9,114 SF
LOT 257 8,971 SF
LOT 256 12,805 SF
LOT 253 9,750 SF
LOT 254 9,750 SF
LOT 255 11,882 SF
LOT 251 9,122 SF
COMMON SPACE

LOT 222 8,503 SF
LOT 221 11,849 SF
LOT 220 13,625 SF
LOT 223 12,641 SF
LOT 224 10,873 SF
LOT 225 9,897 SF
LOT 226 9,737 SF
LOT 227 9,750 SF
LOT 228 9,750 SF
LOT 229 9,750 SF
LOT 230 9,750 SF
LOT 231 9,750 SF
LOT 232 9,750 SF
LOT 233 9,750 SF
LOT 234 9,890 SF

PHASE 4
21.94 AC
(SEWER)

STORMWATER MANAGEMENT BASIN

0.94 AC OPEN SPACE (ACTIVE)

LOT 235 10,513 SF
LOT 236 10,500 SF
LOT 237 10,500 SF
LOT 238 10,500

0.79 AC. OPEN SPACE (PASSIVE/ACTIVE)

STORMWATER MANAGEMENT BASIN

PHASE 3 BOUNDARY LINE

PHASE 2 BOUNDARY LINE

1.03 AC OPEN SPACE/ REC SPACE (ACTIVE) POOL FACILITY

SERVICE AREA FOR LOT 67

SERVICE AREA FOR LOT 68

LOT 112 7,946 SF
LOT 113 9,036 SF
LOT 114 9,054 SF
LOT 106 8,306 SF
LOT 107 8,518 SF
LOT 108 8,730 SF

SINGLE FAMILY LOTS
LOT SIZE 6,000 SF
SEWER LOTS

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

MIDNIGHT WALK (PRIVATE ROW)

LOT 65 16,666 SF
LOT 66 17,185 SF
LOT 67 16,294 SF
LOT 68 19,643 SF
LOT 344 11,232 SF
LOT 346 9,286 SF
LOT 347 9,504 SF

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

PHASE 9
2.90 AC
(SEWER)

LOT 351
LOT 350 12,000 SF
LOT 349 11,719 SF
LOT 348 10,278 SF

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

STORMWATER MANAGEMENT BASIN

1.14 AC OPEN SPACE

LOT 96 15,470 SF
LOT 97 8,467 SF
LOT 98 8,571 SF
LOT 99 8,571 SF
LOT 100 8,571 SF
LOT 101 8,571 SF
LOT 102 8,571 SF
LOT 103 8,571 SF
LOT 104 8,589 SF
LOT 105 9,037 SF
LOT 15 10,401 SF
LOT 95 14,974 SF
LOT 94 13,182 SF
LOT 93 9,444 SF
LOT 92 7,034 SF
LOT 91 7,279 SF
LOT 90 7,164 SF
LOT 89 7,186 SF
LOT 88 7,208 SF
LOT 87 7,230 SF
LOT 86 7,253 SF
LOT 85 7,159 SF
LOT 16 6,545 SF

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF SEWER LOTS

NORTH LAMPLIGHTERS WALK (40' PRIVATE ROW)

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF SEWER LOTS

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF W/SEWER

PHASE 2
28.35 AC
(SEWER) & (SEPTIC)

LOT 84 14,064 SF
LOT 83

| No. | Revision | Date | By |
|---|---|---|---|
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|---|---|
| Designer: GSP | Scale: 1" = 60' |
| Drawn By: GSP | Date: September 2021 |
| License #: P-0718 | Job No.: 2016-0001 |

# WYNDWATER

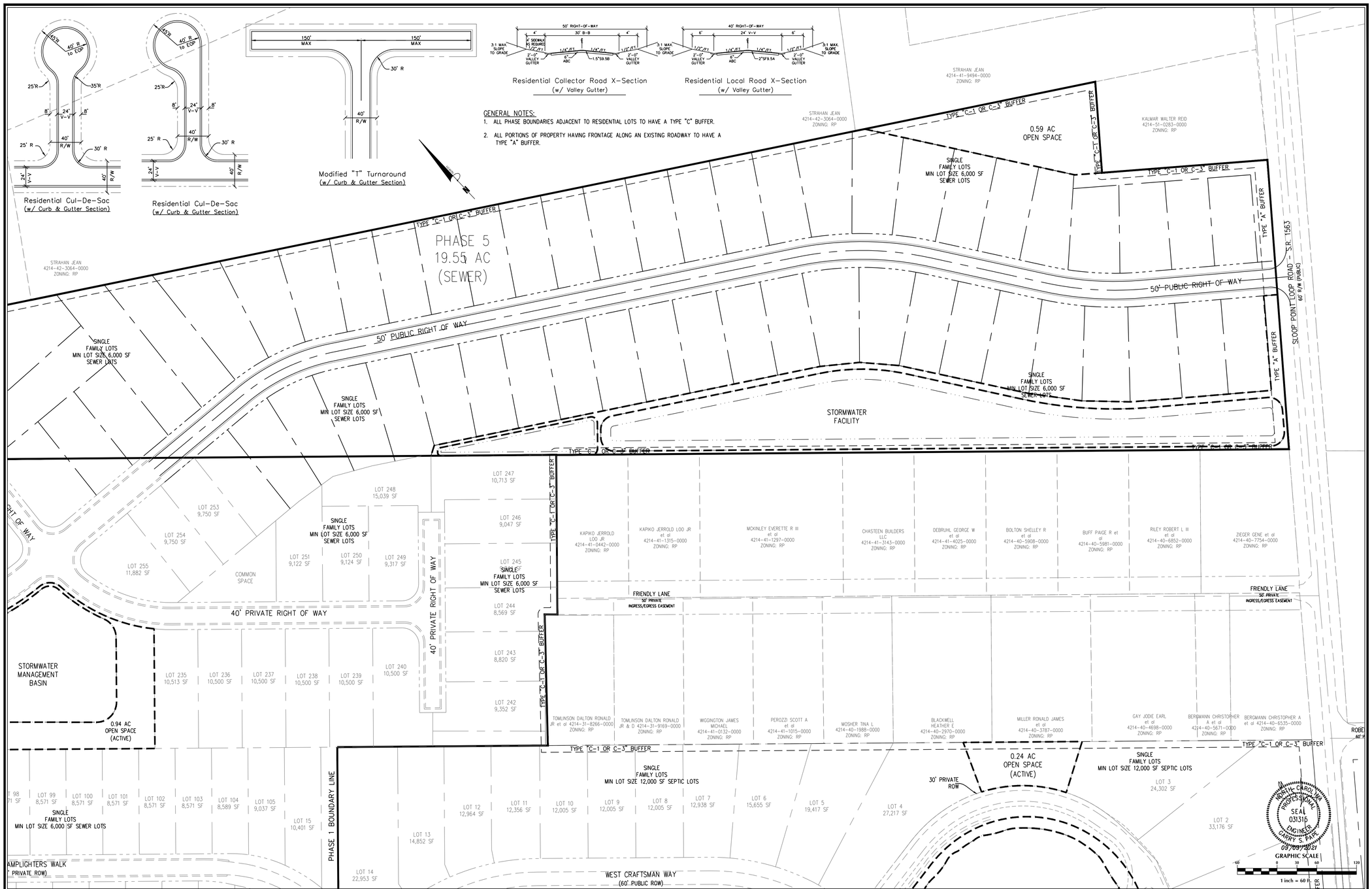
Topsail Township Pender County North Carolina

## SITE PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-3.5




| No. | Revision | Date | By |
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|---|---|---|---|
| Designer | GSP | Scale | 1" = 60' |
| Drawn By | GSP | Date | September 2021 |
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## SITE PLAN

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Sheet No.
C-3.6

## GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

## GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST-DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS
3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE, AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
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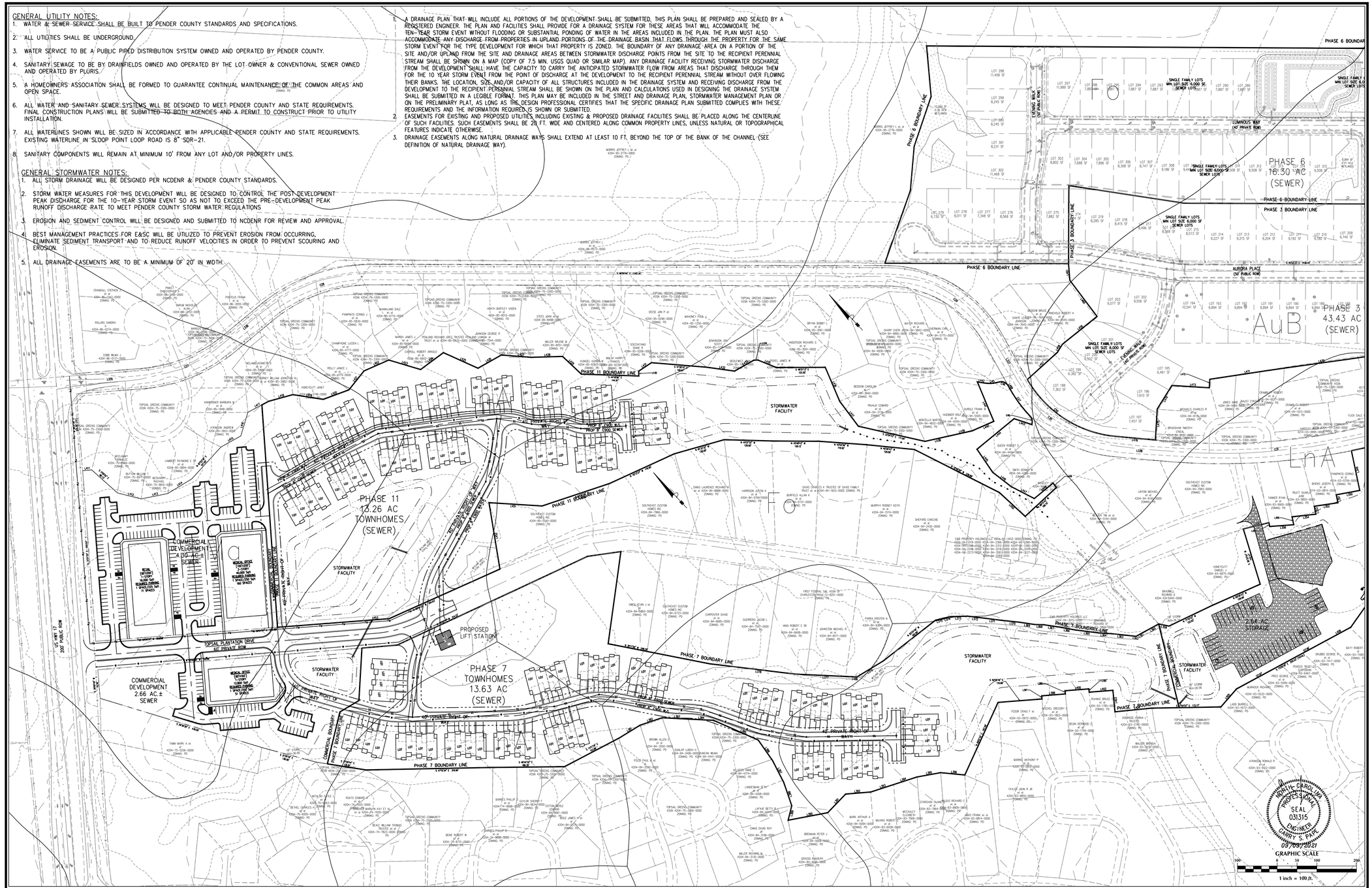
3. DRAINAGE EASEMENTS ALONG NATURAL DRAINAGE WAYS SHALL EXTEND AT LEAST 10 FT. BEYOND THE TOP OF THE BANK OF THE CHANNEL (SEE DEFINITION OF NATURAL DRAINAGE WAY).




NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 031315 GARRY S. PAYNE 09/09/2021

| No. | Revision | Date | By |
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|---|---|
| Designer | GSP |
| Drawn By | GSP |
| License # | P-0718 |
| Scale | 1" = 100' |
| Date | September 2021 |
| Job No. | 2016-0001 |

# WYNDWATER

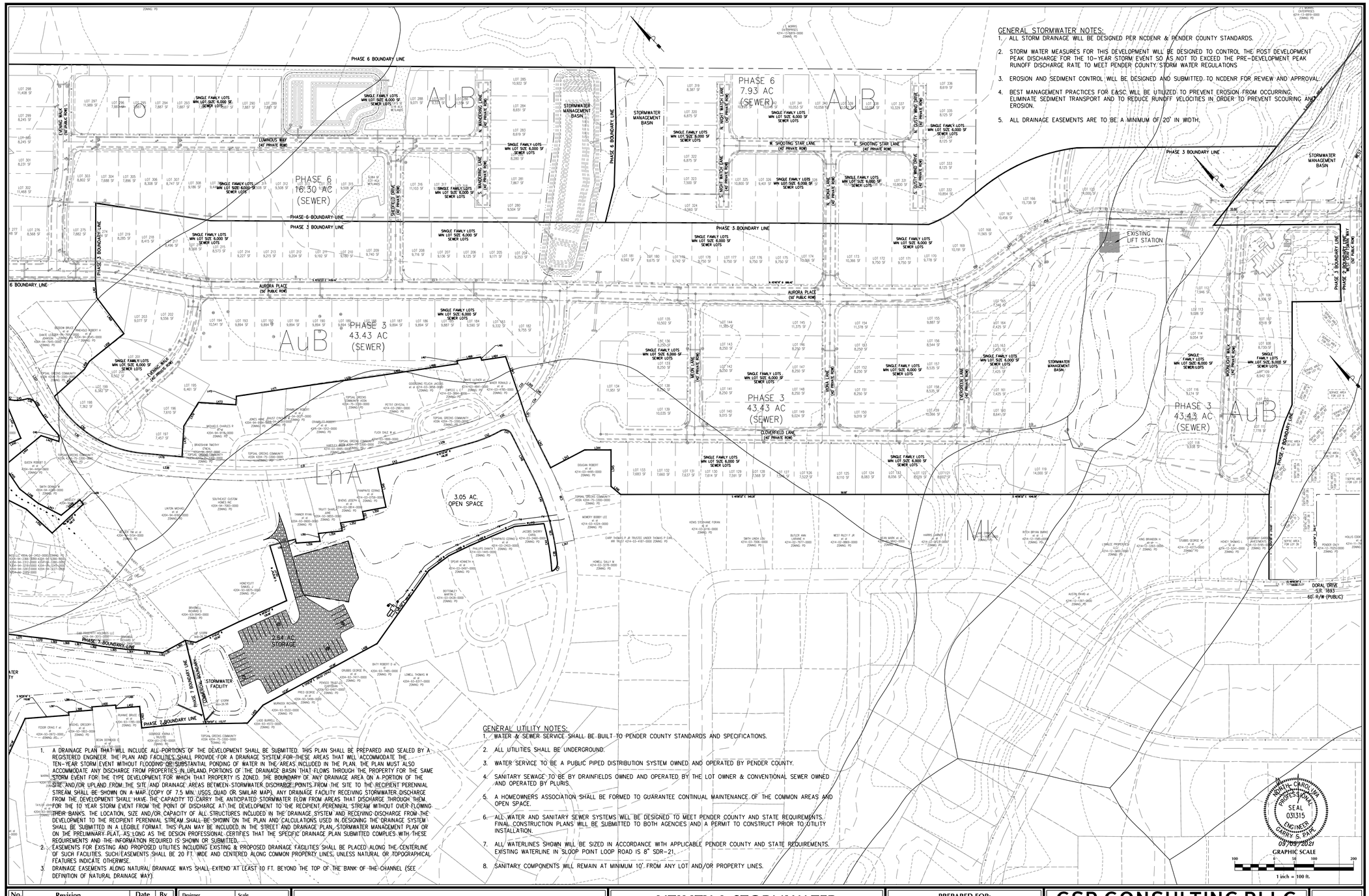
Topsail Township — Pender County — North Carolina

# UTILITY & STORMWATER MANAGEMENT PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-4.1**




GENERAL STORMWATER NOTES:

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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 031315 HARRY S. PAIR 09/09/2021

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

| No. | Revision | Date | By |
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|---|---|
| Designer: GSP | Scale: 1" = 100' |
| Drawn By: GSP | Date: September 2021 |
| License #: P-0718 | Job No.: 2016-0001 |

# WYNDWATER

Topsail Township — Pender County — North Carolina

# UTILITY & STORMWATER MANAGEMENT PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-4.2

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GRAPHIC SCALE
1 inch = 60 ft.

| No. | Revision | Date | By |
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| Designer | GSP | Scale | 1" = 60' |
| Drawn By | GSP | Date | September 2021 |
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# WYNDWATER

Topsail Township — Pender County — North Carolina

# UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
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GSP CONSULTING, PLLC
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Sheet No.
C-4.3

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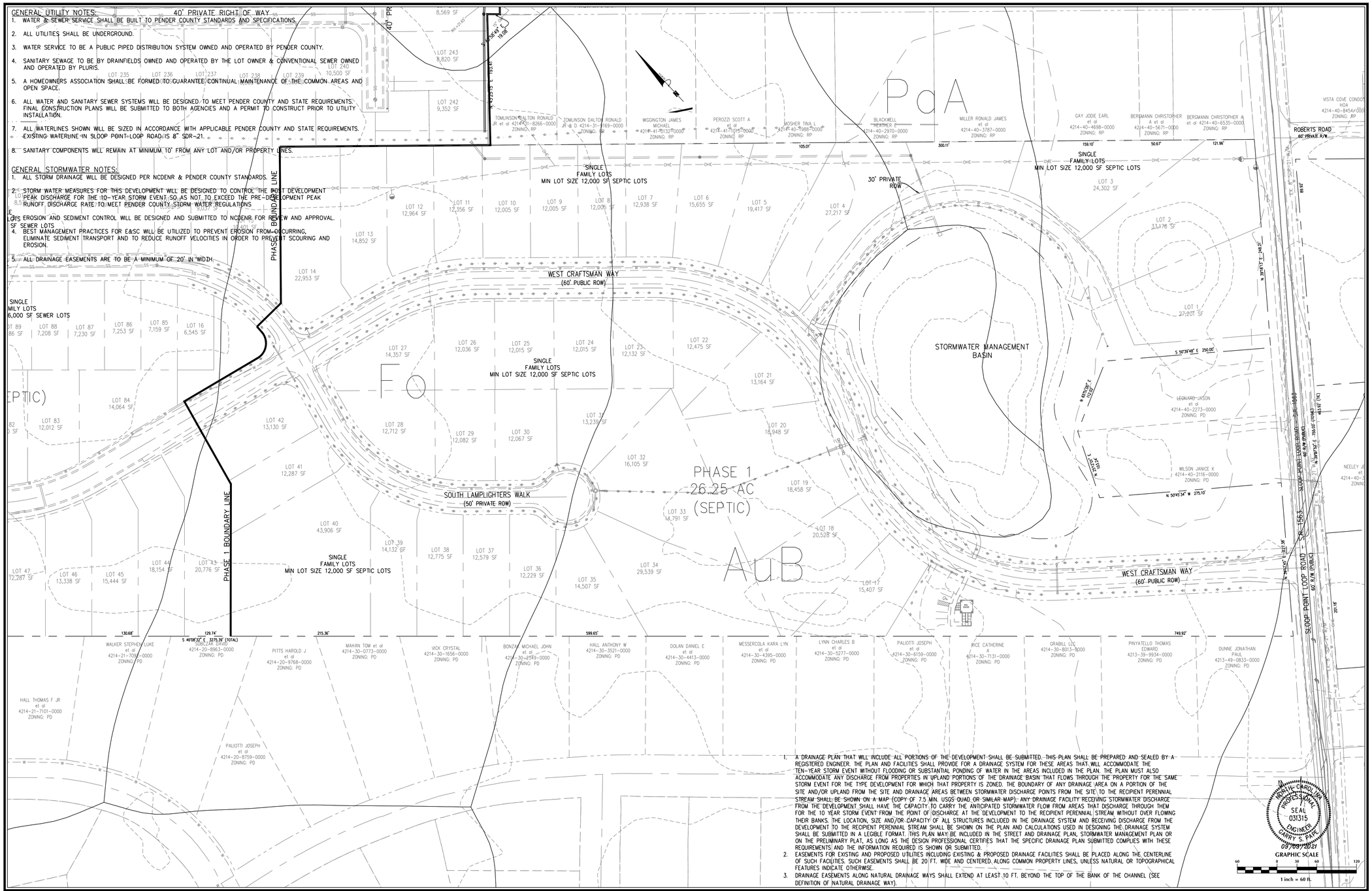
40' PRIVATE RIGHT OF WAY
PHASE 1 BOUNDARY LINE
SINGLE FAMILY LOTS MIN LOT SIZE 12,000 SF SEPTIC LOTS
WEST CRAFTSMAN WAY (60' PUBLIC ROW)
SOUTH LAMPLIGHTERS WALK (50' PRIVATE ROW)
PHASE 1 26.25 AC (SEPTIC)
STORMWATER MANAGEMENT BASIN
30' PRIVATE ROW
SLOOP POINT LOOP ROAD - SR 1563 (60' R/W PUBLIC)
ROBERTS ROAD (60' PRIVATE R/W)
PdA
AuB
FoD
LOT 1 27,207 SF
LOT 2 33,176 SF
LOT 3 24,302 SF
LOT 4 27,217 SF
LOT 5 19,417 SF
LOT 6 15,655 SF
LOT 7 12,938 SF
LOT 8 12,006 SF
LOT 9 12,005 SF
LOT 10 12,005 SF
LOT 11 12,356 SF
LOT 12 12,964 SF
LOT 13 14,852 SF
LOT 14 22,953 SF
LOT 15 8,569 SF
LOT 16 6,545 SF
LOT 17 15,407 SF
LOT 18 20,528 SF
LOT 19 18,458 SF
LOT 20 18,948 SF
LOT 21 13,164 SF
LOT 22 12,475 SF
LOT 23 12,132 SF
LOT 24 12,015 SF
LOT 25 12,015 SF
LOT 26 12,036 SF
LOT 27 14,357 SF
LOT 28 12,712 SF
LOT 29 12,082 SF
LOT 30 12,067 SF
LOT 31 13,239 SF
LOT 32 16,105 SF
LOT 33 14,791 SF
LOT 34 29,539 SF
LOT 35 14,507 SF
LOT 36 12,229 SF
LOT 37 12,579 SF
LOT 38 12,775 SF
LOT 39 14,132 SF
LOT 40 43,906 SF
LOT 41 12,287 SF
LOT 42 13,130 SF
LOT 43 20,776 SF
LOT 44 18,154 SF
LOT 45 15,444 SF
LOT 46 13,338 SF
LOT 47 12,287 SF
LOT 83 12,012 SF
LOT 84 14,064 SF
LOT 85 7,159 SF
LOT 86 7,253 SF
LOT 87 7,230 SF
LOT 88 7,208 SF
LOT 89 8,086 SF
LOT 240 10,500 SF
LOT 242 9,352 SF
LOT 243 8,820 SF
LEONARD JASON et al 4214-40-2273-0000 ZONING: PD
WILSON JANICE K. 4214-40-2116-0000 ZONING: PD
VISTA COVE CONDO HOA 4214-40-8454-0000 ZONING: RP
MILLER RONALD JAMES et al 4214-40-3787-0000 ZONING: RP
BLACKWELL HEATHER P 4214-40-2970-0000 ZONING: RP
PEROZZI SCOTT A et al 4214-41-1015-0000 ZONING: RP
MOSHER TINA L 4214-40-9985-0000 ZONING: RP
WIGGINGTON JAMES MICHAEL 4214-41-0132-0000 ZONING: RP
TOMLINSON DALTON RONALD JR & D 4214-31-4369-0000 ZONING: RP
TOMLINSON DALTON RONALD JR et al 4214-31-8266-0000 ZONING: RP
GAY JODIE EARL et al 4214-40-4698-0000 ZONING: RP
BERGMANN CHRISTOPHER A et al 4214-40-5671-0000 ZONING: RP
BERGMANN CHRISTOPHER A et al 4214-40-6535-0000 ZONING: RP
WALKER STEPHEN LUKE et al 4214-21-7094-0000 ZONING: PD
SOBCZAK DAVID 4214-20-8963-0000 ZONING: PD
PITTS HAROLD J et al 4214-20-9768-0000 ZONING: PD
MAHAN TOM et al 4214-30-0775-0000 ZONING: PD
WICK CRYSTAL 4214-30-1656-0000 ZONING: PD
BONZO MICHAEL JOHN et al 4214-30-2549-0000 ZONING: PD
HALL ANTHONY W 4214-30-3521-0000 ZONING: PD
DOLAN DANIEL E et al 4214-30-4413-0000 ZONING: PD
MESSERCOLA KARA LYN et al 4214-30-4395-0000 ZONING: PD
LYNN CHARLES B et al 4214-30-5277-0000 ZONING: PD
PALIOTTI JOSEPH et al 4214-30-6159-0000 ZONING: PD
RICE CATHERINE A 4214-30-7131-0000 ZONING: PD
GRABILL LLC 4214-30-8013-0000 ZONING: PD
PINYATELLO THOMAS EDWARD 4213-39-9934-0000 ZONING: PD
DUNNE JONATHAN PAUL 4213-49-0833-0000 ZONING: PD
HALL THOMAS F JR et al 4214-21-7101-0000 ZONING: PD
PALIOTTI JOSEPH et al 4214-20-8759-0000 ZONING: PD
S 56°26'45" E 19.08'
N 33°33'15" E 1,322.75'
S 50°38'48" E 250.00'
N 50°45'34" W 275.10'
S 46°08'39" E 327.39' (TOTAL)
130.68'
129.74'
215.36'
599.65'
749.92'
105.01'
300.11'
159.10'
50.67'
121.96'
N 39°21'5" E 248.93'
89.93'
201.16'
N 50°38'55" W 250.00' (DEED)
N 50°45'34" W 250.00' (SURVEY)
465.93' (TIE)
227.38'
N 50°45'34" W 227.38'
N 50°38'55" W 201.16'
N 50°38'55" W 89.93'
N 50°38'55" W 465.93' (TIE)
N 50°38'55" W 250.00' (DEED)
N 50°45'34" W 250.00' (SURVEY)
N 50°38'55

## GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

## GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS.
3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN, OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
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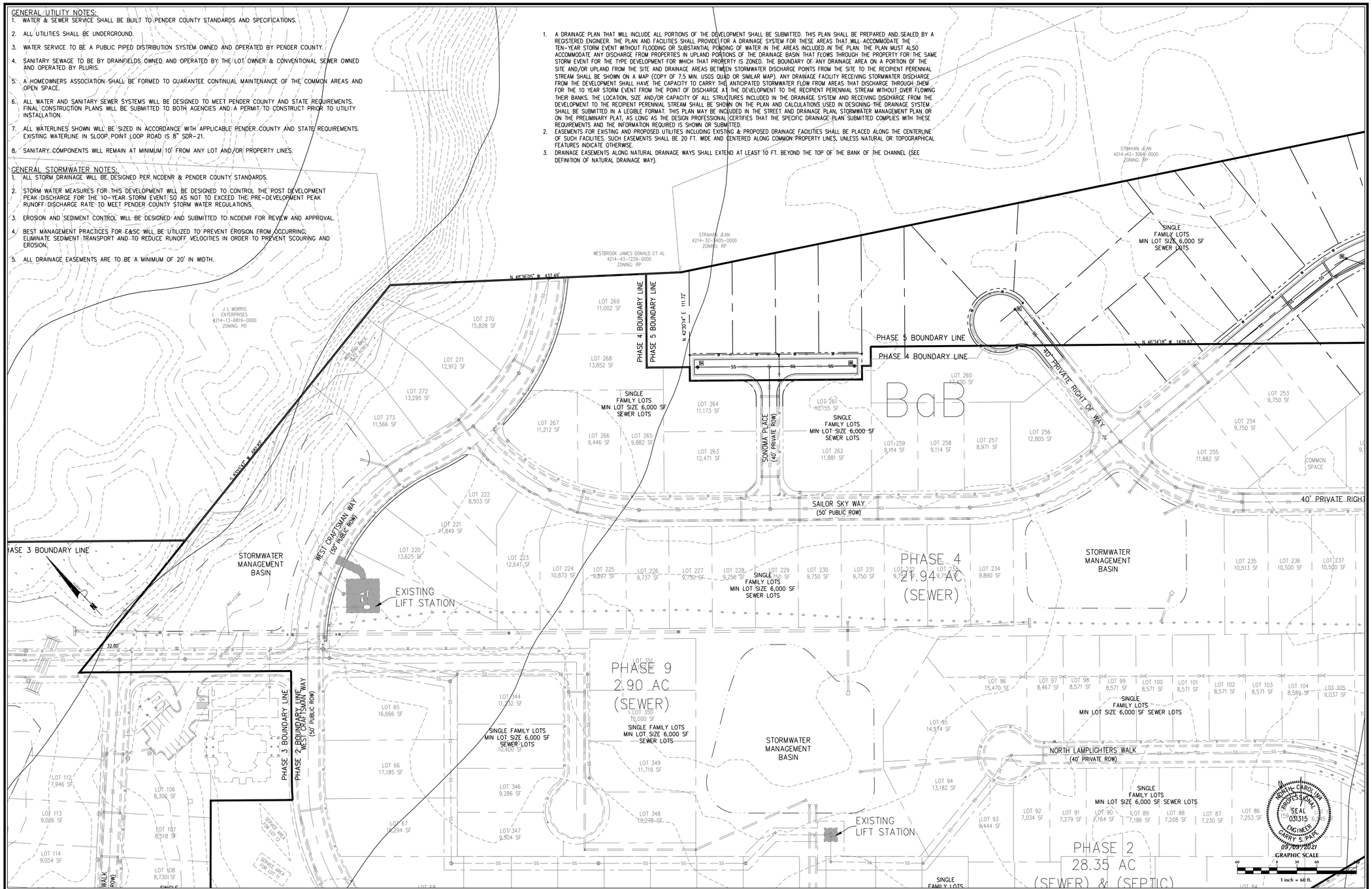


| No. | Revision | Date | By |
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| Designer | GSP |
| Drawn By | GSP |
| License # | P-0718 |
| Scale | 1" = 60' |
| Date | September 2021 |
| Job No. | 2016-0001 |

**WYNDWATER**
Topsail Township — Pender County — North Carolina

**UTILITY & STORMWATER MANAGEMENT PLAN**

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-4.5**

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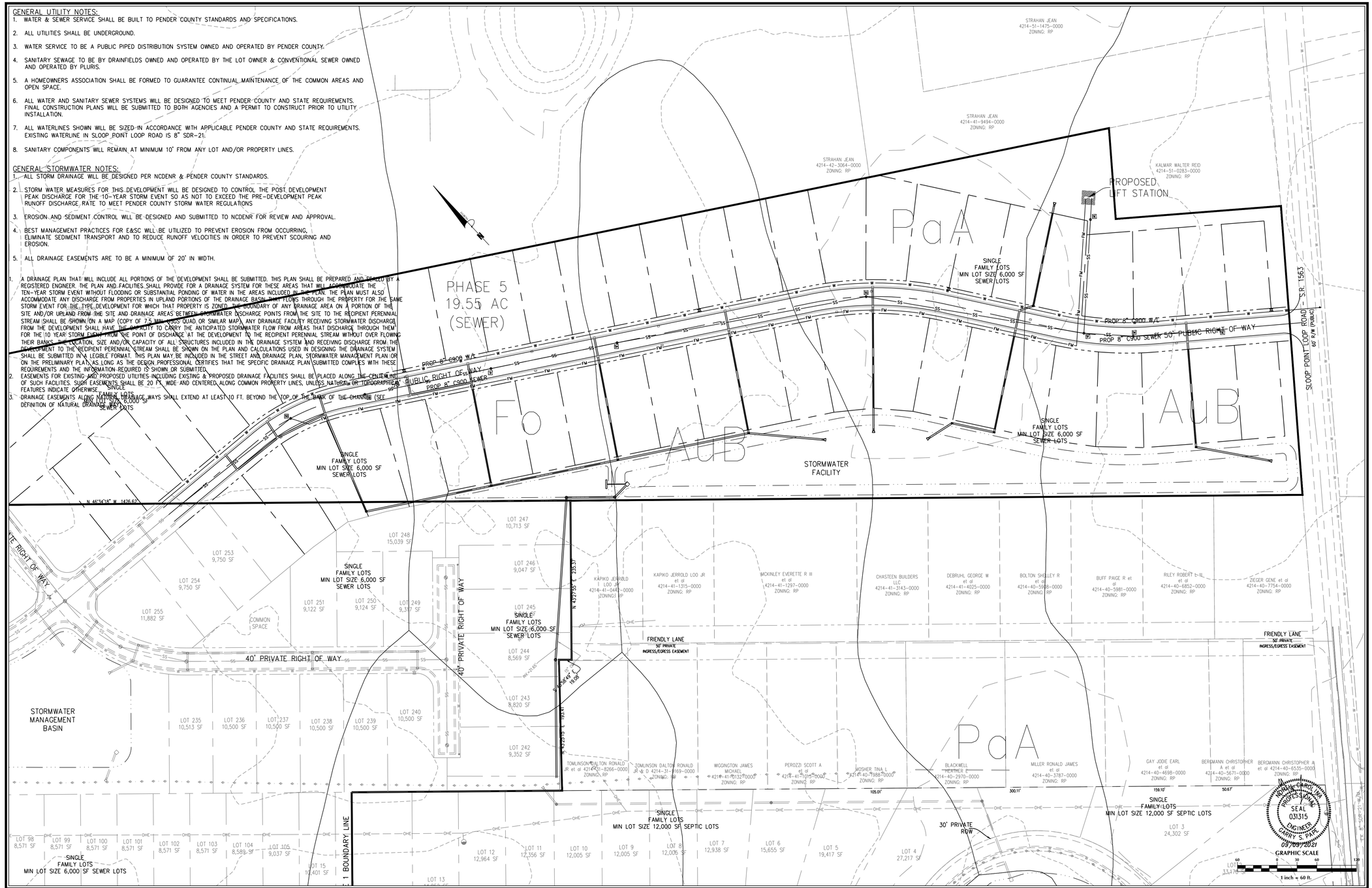


| No. | Revision | Date | By |
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| Designer | GSP |
| Scale | 1" = 60' |
| Drawn By | GSP |
| Date | September 2021 |
| License # | P-0718 |
| Job No. | 2016-0001 |

# WYNDWATER

Topsail Township Pender County North Carolina

# UTILITY & STORMWATER MANAGEMENT PLAN

**PREPARED FOR:**
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

**GSP CONSULTING, PLLC**
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-4.6**

## Wyndwater Master Development Plan

| | |
|---|---|
| **Total Acreage** | **205.96** |
| **Non-Residential Acreage** | 9.60 |
| **Wetlands Acreage** | 4.34 |
| **Right of Way Acreage** | 27.98 |
| **Active** | 7.92 |
| | |
| **Passive** | 7.92 |
| | |
| **Total Units** | 528 |
| | |
| **Developable Land** | **152.53** |
| | |
| **Net Density** | **3.46** |

## Topsail Greens

| | |
|---|---|
| **Residential Acreage** | **83.08** |
| **Non-Residential Acreage** | 18.25 |
| | 0.00 |
| | 0.00 |
| | 0.00 |
| | |
| | 0.00 |
| | |
| **Total Units** | 238 |
| | |
| **Developable Land** | **64.83** |
| | |
| **Net Density** | **3.67** |

# Pender County
# Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## Planned Development & Residential Mixed Zoning Districts
## Master Development Plan Submission

Applications will be considered for the Technical Review Committee hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

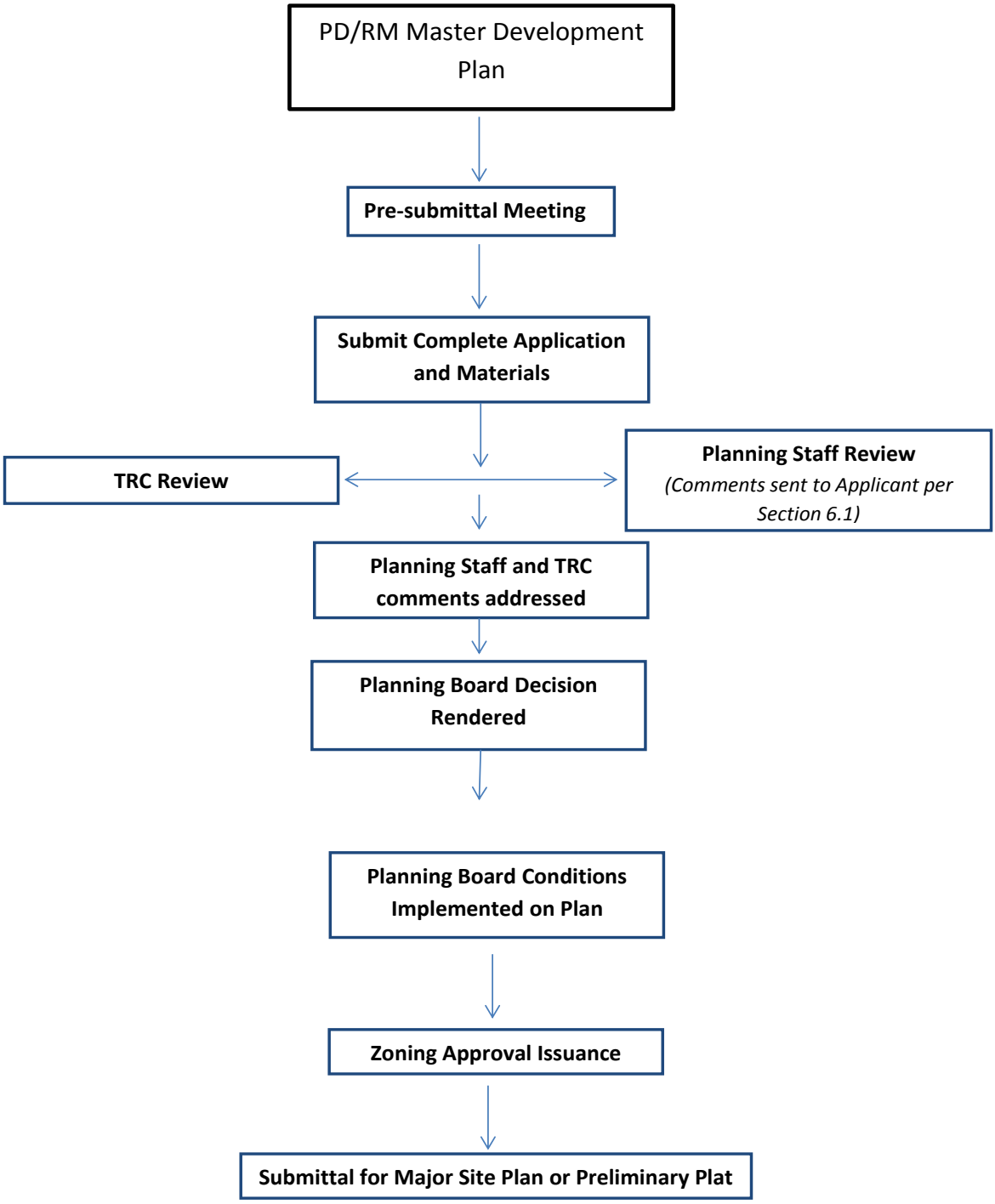
1. _____ **Pre-submittal Meeting**
   Date of Meeting _____
2. _____ **Signed Application**
3. _____ **Payment**
   $500 plus $10 per acre for the first 100 acres, $5 per acre thereafter
4. _____ **Paper Plan Sets**
   One (1) 24 x 36, Fifteen (15) 11 x 17
5. _____ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. _____ **Adjacent Property List**
   A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the of the perimeter of the project bounds.
7. _____ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage.
8. _____ **Permits**
   Please include any permits issued on the project including but not limited to: environmental, traffic analysis, utility, or other site specific conditions.
9. _____ **Site Plan Requirements**
   A prepared site plan in accordance with the Unified Development Ordinance standards 6.1, Pender County Collector Street Plan, Pender County Transportation Plan, other approved State of Federal Transportation Improvement Plan, or any other adopted plan in Pender County.
   (See Master Development Plan Checklist)

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant Jennifer Dew Evans Date 9/10/21

Printed Name Jennifer Dew Evans
Signature Top Soil NC Ltd.

| Staff Initials: | _____ |
|---|---|
| Date: | _____ |


PD/RM Master Development Plan
Pre-submittal Meeting
Submit Complete Application and Materials
TRC Review
Planning Staff Review
(Comments sent to Applicant per Section 6.1)
Planning Staff and TRC comments addressed
Planning Board Decision Rendered
Planning Board Conditions Implemented on Plan
Zoning Approval Issuance
Submittal for Major Site Plan or Preliminary Plat

| | | Meeting Date | Complete Application Due Date | Applicant Final Submission for PB | Planning Board Meeting |
|---|---|---|---|---|---|
| TRC | **January** | 1.8.20 | 12.13.19 | 1.17.20 | 2.4.20 |
| | **February** | 2.5.20 | 1.17.20 | 2.14.20 | 3.3.20 |
| | **March** | 3.4.20 | 2.14.20 | 3.13.20 | 4.7.20 |
| | **April** | 4.1.20 | 3.13.20 | 4.17.20 | 5.5.20 |
| | **May** | 5.6.20 | 4.17.20 | 5.15.20 | 6.2.20 (H) |
| | **June** | 6.3.20 | 5.15.20 | 6.12.20 | 7.7.20 |
| | **July** | 7.1.20 | 6.12.20 | 7.17.20 | 8.4.20 |
| | **August** | 8.5.20 | 7.17.20 | 8.14.20 | 9.1.20 |
| | **September** | 9.2.20 | 8.14.20 | 9.11.20 | 10.6.20 (H) |
| | **October** | 10.7.20 | 9.18.20 | 10.16.20 | 11.3.20 |
| | **November** | 11.4.20 | 10.16.20 | 11.13.20 | 12.1.20 |
| | **December** | 12.2.20 | 11.13.20 | 12.17.20 | 1.5.21 (H) |

Complete Application Date: All documents must be received by 12PM on the deadline date to be considered a complete application.

Final Applicant Submission for Planning Board: All final documents must be submitted by 10AM or the item will be removed from the Planning Board's Agenda.

Specific requirements can be found in Section 6.1 of the Pender County Unified Development Ordinance

**Master Development Plan – Mixed Use Districts Specific Requirements**

**1. Requirements**

a. A land use plan
b. Boundaries of existing environmental features as defined
c. The proposed location of entrances to the development
d. Proposed parking areas.
e. The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets -providing access to adjoining parcels
f. The use of adjoining parcels and the location of adjoining streets and utilities
g. The approximate location of sewer
h. Letter of intent for wastewater connection to package plant
i. The approximate location of water mains
j. Wastewater disposal method
k. Water source with statements
l. A conceptual plan for stormwater management
m. The proposed location and arrangement of all streets
n. Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
o. A Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
p. The location and treatment proposed for all historical structures
q. Timing of construction for all amenities

**2. Roadways**

a. Public roadways - Built to NCDOT Subdivision Roads Minimum Construction Standards
b. Private roadways - All designated private streets designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards
c. Private streets will be subject to requirements to construct public collector streets under any of the following conditions (per Section 7.5.3.C)
    - Dimension of more than 5280 ft.
    - -Any street in the subdivision has the potential to serve more than 200 residential or commercial units
    - -Access to any lot or unit in the subdivision is more than 5280 ft. by a private street to a public street
    - -Existing public streets have been dedicated or constructed to the property line of the subdivision
    - -Access to adjacent properties will be hindered as a result of private streets being allowed in the subdivision

**3. Access** (per Section7.4)

a. All lots shall have direct or indirect access to a public street, private street, or private access easement.
b. Access must provide a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.

**4. Public and Private Street Design** (per Section 7.5.1)

a. Adjoining street systems,
b. Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
c. Continuity in existing streets and proposed streets,

Specific requirements can be found in Section 6.1 of the Pender County Unified Development Ordinance

d. Adequate right-of-way for collector streets
e. Reasonable access provided to adjacent properties for development
f. Street intersections are directly aligned if possible.
g. If not aligned not offset centerline to centerline by not less than 125 ft.
h. Intersect as nearly as possible at right angles
i. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets are longer than 1,000 ft.
j. Street name approval from the Pender County Addressing Coordinator.
k. Sight triangles as required in the NCDOT

**5. Buffers** (8.2 please refer to Section 4.15 of the Pender County UDO)

a. Along all boundaries adjacent to a street Buffer A
b. Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development Buffer C
c. Along all other boundaries Buffer B
d. -Boundaries and location of common open space, with the percentage of the total acreage of the site to be common open space.

**6. Housing Types** (per Section 4.15)

**7. Residential Dimensional Requirements**

a. Front Setbacks
b. Side Setback
c. Rear Setbacks
d. Corner Setbacks
e. Building Height
f. Structure Separation
g. Minimum Chord distance
h. Minimum lot width

**8. Commercial Dimensional Requirements**

a. Front Setbacks
b. Side Setback
c. Rear Setbacks
d. Corner Setbacks
e. Building Height
f. Structure Separation
g. Minimum Chord distance
h. Minimum lot width

**9. Density**

a. Non-Residential Acreage
b. Wetlands Acreage
c. Passive Open space Acreage
d. Active Open Space Acreage
e. Right of Way Acreage
f. Total Units
g. Developable Land
h. Net Density

**10. Open Space Labeled Cleary with Acreages** (per Section 7.6)

a. Open Space
b. Passive Open Space
c. Active Open Space

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# Planning and Community Development

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## MASTER DEVELOPMENT PLAN

Prior to submission of a preliminary master development plan for approval, the applicant shall request a pre-application review conference with the County staff.

1. The purpose of the pre-application conference shall be to discuss the proposal in relation to the requirements of the Land Use Plan and UDO and to obtain advice on the preparation of the master development plan.
2. At the pre-application conference, the applicant shall provide a land use plan describing the following:
    a. The general location of the site.
    b. The general location of proposed roads.
    c. The general location of proposed uses, environmental areas, housing types or open space.
    d. The uses on adjoining properties.
    e. Utility requirements.

The purpose of the master development plan (MDP) is to promote orderly and planned development of property within Pender County. It is the purpose of the MDP to ensure that such development occurs in a manner that suits the characteristics of the land, is harmonious with adjoining property, is in substantial compliance with the goals and policies of the adopted Land Use Plan, and is in the best interest of the general public. The MDP shall be used to illustrate the characteristics of the property proposed for development and of surrounding properties.

**See Figures 2 and 3 at the end of Section 3.4, Pender County UDO for an illustrative process*

1. The MDP shall at least include all contiguous land under single or common ownership in the above zoning districts.
2. A preliminary MDP may be submitted with an application for a conditional rezoning but shall not be considered binding until approval of a final MDP.

**Waivers to MDP – Residential Districts**

The Administrator may waive the requirements of a MDP in the Residential Districts if the proposed development contains all of the following criteria:

1. Contains ten (10) or less traditional detached single-family dwelling units;
2. Is not an integral portion of a property proposed or planned for future development or subdivision;
3. Is planned to be developed in a manner that is harmonious with surrounding properties and land uses; and
4. Does not substantially affect the purpose and intent of its zoning district and the intent of this article.

**Waivers to MDP – Commercial and Industrial Districts**

The Administrator may waive the requirement of a MDP in the Commercial and Industrial Districts if the proposed development contains all of the following criteria:

1. If the proposed subdivision or development is less than five (5) acres in size;
2. Includes no new streets, roads or rights-of-way, does not further extend any existing or dedicated street, road or rights-of-way and does not significantly change the layout of any existing or dedicated street, road or rights-of-way;
3. Is not an integral portion of a property proposed or planned for future development or subdivision;
4. That such development is limited to one individual parcel and one single use in accordance with Section 5.2.

# APPLICATION FOR MASTER DEVELOPMENT PLAN

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | MDP | **Date** | |
| **Application Fee** | $ | **Receipt No.** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| **SECTION 1: APPLICANT INFORMATION** | | | |
|---|---|---|---|
| **Applicant's Name:** | Signature Top Sail NC, LP | **Owner's Name:** | Signature Top Sail NC, LP |
| **Applicant's Address:** | 9337B Katy Freeway #377 | **Owner's Address:** | 9337B Katy Freeway #377 |
| **City, State, & Zip** | Houston, Texas 77024 | **City, State, & Zip** | Houston, Texas 77024 |
| **Phone Number:** | 713-822-3891 | **Phone Number:** | |
| **Legal relationship of applicant to land owner:** | Land Owner and Developer | | |

| **SECTION 2: PROJECT INFORMATION** | | | | |
|---|---|---|---|---|
| **Type of Master Development Plan** | ☐ **Residential** *RP, PD, RM MH District* | ☐ **Commercial** *GB, OI, IT, GI District* | ☑ **Mixed Use** *PD* | ☐ **Exempt** |
| **Property Identification Number (PIN):** | 4214-12-8251-0000 | **Total property acreage:** | 205.96 | |
| **Zoning Classification:** | PD | **Acreage to be disturbed:** | | |
| **Project Address :** | Sloop Point Loop Road | | | |
| **Description of Project Location:** | Wyndwater Subdivision | | | |
| **Describe activities to be undertaken on project site:** | Development of Residential Lots & Commercial Development | | | |

| **SECTION 3: SIGNATURES** | | | |
|---|---|---|---|
| **Applicant's Signature** | Jennifer Pollak Evans | **Date:** | 9/10/21 |
| **Owner's Signature** | Jennifer Pollak Evans<br>Signature Top Sail NC Ltd | **Date:** | 9/10/21 |

# APPLICATION FOR MASTER DEVELOPMENT PLAN

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | **MDP** | **Date** | |
| **Application Fee** | **$** | **Receipt No.** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| **SECTION 1: APPLICANT INFORMATION** | | | |
|---|---|---|---|
| **Applicant's Name:** | Signature Top Sail NC, LP | **Owner's Name:** | Trust Special, Ruth Kalmar Estate |
| **Applicant's Address:** | 9337B Katy Freeway #377 | **Owner's Address:** | 2237 Queens Road East |
| **City, State, & Zip** | Houston, Texas 77024 | **City, State, & Zip** | Charlotte, NC 28207 |
| **Phone Number:** | 713-822-3891 | **Phone Number:** | 704-661-7426 |
| **Legal relationship of applicant to land owner:** | Developer | | |

| **SECTION 2: PROJECT INFORMATION** | | | | |
|---|---|---|---|---|
| **Type of Master Development Plan** | ☐ **Residential** *RP, PD, RM MH District* | ☐ **Commercial** *GB, OI, IT, GI District* | ☑ **Mixed Use** *PD* | ☐ **Exempt** |
| **Property Identification Number (PIN):** | 4214-50-8387-0000 | **Total property acreage:** | 19.56 | |
| **Zoning Classification:** | PD | **Acreage to be disturbed:** | | |
| **Project Address :** | Sloop Point Loop Road | | | |
| **Description of Project Location:** | Project is located between Hwy 17 & Sloop Point Loop Road | | | |
| **Describe activities to be undertaken on project site:** | Development of Residential Lots | | | |

| **SECTION 3: SIGNATURES** | | | |
|---|---|---|---|
| **Applicant's Signature** | | **Date:** | |
| **Owner's Signature** | Richard Alan Lewis, Successor Trustee | **Date:** | 9/9/2021 |

## NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. 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.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

## Office Use Only

| | | |
|---|---|---|
| ☐ | **MDP Fees: (***$500.00 plus $10/acre for the first 100 acres $5/acre thereafter)* | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y ☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y ☐ N |

| | | | |
|---|---|---|---|
| **Payment Method:** | **Cash :** ☐ **$**_____ | **Credit Card:** ☐ Master Card ☐ Visa | **Check:** ☐ Check # _____ |

| | | |
|---|---|---|
| Application received by: | | Date: |
| Application completeness approved by: | | Date: |
| Date scheduled for public hearing: | | |

| | |
|---|---|
| **Contents of a Preliminary Master Development Plan – Residential Districts**<br>Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information: | |
| | A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses. |
| | The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements. |
| | The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development. |
| | The location and approximate boundaries of existing environmental features as defined. |
| | The location of environmental protection land to be included in common open space. |
| | The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development. |
| | The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space. |
| | The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable. |
| | The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable. |
| | The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels. |
| | The location and arrangement of street entrances, driveways and parking areas. |
| | The use of adjoining parcels and the location of adjoining streets and utilities. |
| | Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual. |
| | Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual. |
| | Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development. |
| | The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities. |
| | A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot. |
| | Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed. |
| | The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County. |
| | Location and timing of construction for all amenities. |
| | Landscaping and Buffer requirements per Article 8. |
| | All subdivided land and parcels shall comply with Section 7.2, Lot Design. |
| | Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements. |
| | Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design |
| | Calculated open space requirements shall adhere to Section 7.6, Open Space. |

| | |
|---|---|
| **Contents of a Preliminary Master Development Plan – Commercial and Industrial Districts**<br>The site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses, including the following: | |
| | A conceptual plan, showing the location and arrangement of proposed uses. |
| | The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or identified on any historical survey for Pender County. |
| | The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided. The location and approximate boundaries of existing environmental features as defined. |
| | Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual. |
| | Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual. |
| | Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development. |
| | The proposed location of entrances to the development from existing public streets and proposed parking areas. |
| | The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels. |
| | Landscaping and Buffer requirements per Article 8. |
| | The use of adjoining parcels and the location of adjoining streets and utilities. |
| | The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities. |
| | A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel. |
| **Contents of a Preliminary Master Development Plan – Mixed Use Districts**<br>Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types | |

| | |
|---|---|
| and land uses, including the following information: | |
| | A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses. |
| | The location and approximate boundaries of existing environmental features as defined. |
| | The proposed location of entrances to the development from existing public streets and proposed parking areas. |
| | The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development. |
| | The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space. |
| | The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels. |
| | The use of adjoining parcels and the location of adjoining streets and utilities. |
| | The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities. |
| | A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel. |
| | The proposed location and arrangement of all streets and utility systems. |
| | The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable. |
| | The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements. |
| | The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development |
| | Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual. |
| | Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual. |
| | Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development. |
| | The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities. |
| | Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed. |
| | The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County. |
| | Location and timing of construction for all amenities. |
| | Landscaping and Buffer requirements per Article 8. |
| | All subdivided land and parcels shall comply with Section 7.2, Lot Design. |
| | Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements. |
| | Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design. |
| | Calculated open space requirements shall adhere to Section 7.6, Open Space. |

Tuesday, November 2, 2021 at 7:52:55 AM Central Daylight Time

**Subject:** Town Meeting
**Date:** Tuesday, November 2, 2021 at 7:52:49 AM Central Daylight Time
**From:** Mike Pollak
**To:** Gideon Smith

Gideon
The town hall meeting was held October 8th at the Wyndwater pool facility. We had approximately 30 people attend. Both the president and vice president of the Topsail Greens HOA attended the meeting. They confirmed at the meeting that their board approved the land swap to relocate their storage area to the area we have proposed for the commercial storage.
The meeting was very informative and the majority of the people in attendance were supportive of the townhomes. There was a lot of concern about the fencing requirements for the perimeter of the project. Some adjacent property owners questioned if there was flexibility in the ordinance to leave out fencing where views of water amenities would be blocked.
Mike

305 Chestnut Street
PO Box 1810
Wilmington, NC 28402
Ph: (910) 341-3258
Fax: (910) 341-7801
www.wmpo.org

March 10, 2022

**Mr. Nate Bouquin, PE, PTOE**
Ramey Kemp Associates
5808 Faringdon Place, Suite #100
Wilmington, NC 27609

RE: Scope for the Traffic Impact Analysis associated with the proposed revisions to the Wyndwater residential development in Hampstead, NC (Pender County).

Dear Mr. Bouquin,

Based on the information provided, and conversations held to date, this development is located between US 17 and Sloop Point Loop Road in Hampstead, North Carolina. It is our understanding that the proposed development will consist of two (2) phases for the purposes of the TIA.

**TIA Phase 1**
400 Single Family Homes (ITE Land Use Code 210)

- Construction Phase 1
  - 40 Single Family Homes
- Construction Phase 2
  - 65 Single Family Homes
- Construction Phase 3
  - 103 Single Family Homes
- Construction Phase 4
  - 52 Single Family Homes
- Construction Phase 5
  - 63 Single Family Homes *(under construction)*
- Construction Phase 6
  - 44 Single Family Homes
- Construction Phase 8
  - 25 Single Family Homes
- Construction Phase 9
  - 8 Single Family Homes

**TIA Full Build (includes TIA Phase 1)**

516 Single Family Homes (ITE Land Use Code 210)
42 berths (~63,800 SF) Boat/RV storage (ITE Land Use Code 420)
52,800 square feet of Office Space (ITE Land Use Code 710)
16,000 square feet of Strip Retail (ITE Land Use Code 822)

- Construction Phase 7
  - 60 Single Family Homes
- Construction Phase 11
  - 56 Single Family Homes
  - 42 berths (~63,800 SF) Boat/RV storage
  - 52,800 square feet of Office Space
  - 16,000 square feet of Strip Retail

Below please find the scope to be used for the Traffic Impact Analysis:

1. **Data Collection - Analysis Parameters:**

a) Existing Conditions

i. For existing intersections, provide turning movement counts, including pedestrians for weekday during school (T,W,TH) morning (7:00am-9:00am) and afternoon (4:00pm-6:00pm) peak travel periods. For all signal warrant study locations, please collect 13 hour turning movement counts.

1. US 17 and Topsail Greens Drive/Quarter Horse Lane (signal warrant analysis)
2. US 17 and Topsail Plantation Drive
3. US 17 and Champion Drive/ Pinnacle Parkway (signal warrant analysis)
4. US 17 and SR 1561 (Sloop Point Road)
5. US 17 and SR 1563 (Sloop Point Loop Road)
6. US 17 and NB to SB U-turn located north of SR 1561 (Sloop Point Road)*
7. SR 1563 (Sloop Point Loop Road) and Site Access 1 (northeast of Masters Lane)
8. SR 1563 (Sloop Point Loop Road) and Site Access 2 (northeast of Friendly Lane)

*For this location, evaluate signal needs based on the NCDOT Publication Guidelines for Signalization of Intersections with Two or Three Approaches.

Signal timing plans may be acquired by sending a request to NCDOT Traffic Services.

b) Site Trip Generation, Site Trip Distribution and Background Traffic Assumptions

1. Site Trip Generation Estimate
   Note: Trip generation estimates for Phases 1-6, and 8-9, are required in the TIA documentation. All of these phases have been built out, except for Phase 5, which is under construction. The estimated site trips for the built houses should be removed from existing counts so that they are not double counted in the analysis.

2. Site Trip Distribution
   To be determined based on collected traffic count data.

c) Adjacent Development (approved, but as of yet to be built, developments):
   - Bay Ridge Development (without required improvements)

d) Planned Roadway Improvements
   - U-5732

e) Background Traffic Assumptions
   - Horizon year – 2026
   - Growth rate – 2% per year

2. **Capacity Analysis: Week day AM & PM Peak Hour**

A) Technical Analysis
   i. 2022 Existing
   ii. 2026 Future No-Build
   [Existing + 1% background growth + approved development trips – TIA Phase 1 Site Trips]
   iii. 2026 Future Build Conditions
   [Existing + 1% background growth + approved development trips + TIA Phase 1 & Full Build Site Trips]
   iv. 2026 Future Build Conditions + improvements

3. **Final Report Submittal:**
   a) Completed TIA Application
   b) Electronic copies to include PDF of TIA and Synchro output files.
   c) Synchro analysis files in digital format
   d) Signed and sealed by a Professional Engineer

4. **Notes:**
   a) This scope shall remain valid for three months from the date of this letter.
   b) Please note that if any changes occur (including but not limited to; land use, intensity, phasing, and/or site access) additional analysis may be required.

Please contact me at (910) 473-5130 with any questions regarding this scope.

Sincerely,

Scott A. James, PE
Transportation Planning Engineer
Wilmington Urban Area MPO

Attachments: Traffic Impact Analysis Supplemental Guidelines
Scoping request letter and map (provided by RKA)

ec: Kirsten Spirakis, PE, District Engineer, NCDOT
Doug Racine, Deputy District Engineer, NCDOT
Brad Haste, Assistant District Engineer, NCDOT
Jessi Leonard, PE, Division Traffic Engineer, NCDOT
Stonewell Mathis, PE, Deputy Division Traffic Engineer, NCDOT
Krupa Koilada, Senior Assistant Division Traffic Engineer, NCDOT
Travis Henley, MPA, Planning Director, Pender County
Vanessa Lacer, Planner II, Pender County
Mike Kozlosky, Executive Director, WMPO
Bill McDow, Associate Planner, WMPO
Jamar Johnson, EI, Engineering Associate, WMPO

# Pender County
# Planning and Community Development

**Planning Division**
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## MEMORANDUM

TO: Pender County Planning Board
FROM: Planning Staff
DATE: February 2, 2021
RE: Wyndwater Master Development Plan Case History

The community known as “Wyndwater” is a Master Development Plan in eastern Pender County, located on a portion of the old Topsail Greens Golf Course and is immediately adjacent to the existing Topsail Greens community. The project is located in the PD, Planned Development zoning district and has been moving forward for some time. The history shown below captures previous cases before the Planning Board – it does not include staff approvals.

***Wyndwater History***

Wyndwater was brought forward as a Master Development Plan in November 2013 for +/-185 single family residential units and +/- 58,370 square footage of commercial space to be located on +/-143 acres. The Planning Board approved the Master Development Plan with four conditions: 1) Provide connection to adjacent property to future development to the northwest (document cases #11067), 2) Provide Connection to identified Capstone Property, 3) Allow for "alternative" design for alleyway as shown on sheet C 3.4, 4) Allow for emergency access along the connection to Doral Drive (SR 1693).

In March 2014, the preliminary plat for Phase 1 was brought forward with a total of 42 single family lots on +/-25.58 acres. The Planning Board did not impose additional conditions. In May 2014, the preliminary plat was brought forward with 55 single family lots on +/-28.35 acres. The Planning Board did not impose additional conditions.

In January 2015, the applicant revised the Master Development Plan to add zero lot lines to the setbacks for the development. Planning Board did not impose additional conditions.

In July 2015, the applicant revised the Master Development Plan to increase the project area +/-6.2 acres, adding duplexes to the housing type, reducing the minimum lot size from 12,000 sq. Ft. To 5,000 sq. Ft., increased the total number of units to 350 units resulting in an increase project density from 2.72 to 3.1 units per acre. The Planning Board added two conditions: 5) The temporary cul-de-sac shown on the western portion of the Master Development Plan (PG C-3.2 of the Site Plan) shall be converted to a through roadway at the time of the adjacent parcel development; the roadway connecting the

Wyndwater and Cardinal Pointe shall be built to constructor street standards as outlined in Section 7.5.3.C. Coordination between the applicant and the adjacent property owner shall be necessary to ensure interconnectivity and 6) Addition to the condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000).

In November 2015, the applicant proposed a revision to Phase II preliminary plat—calling it Phase IIB for a total of 31 lots. Planning Board did not impose additional conditions.

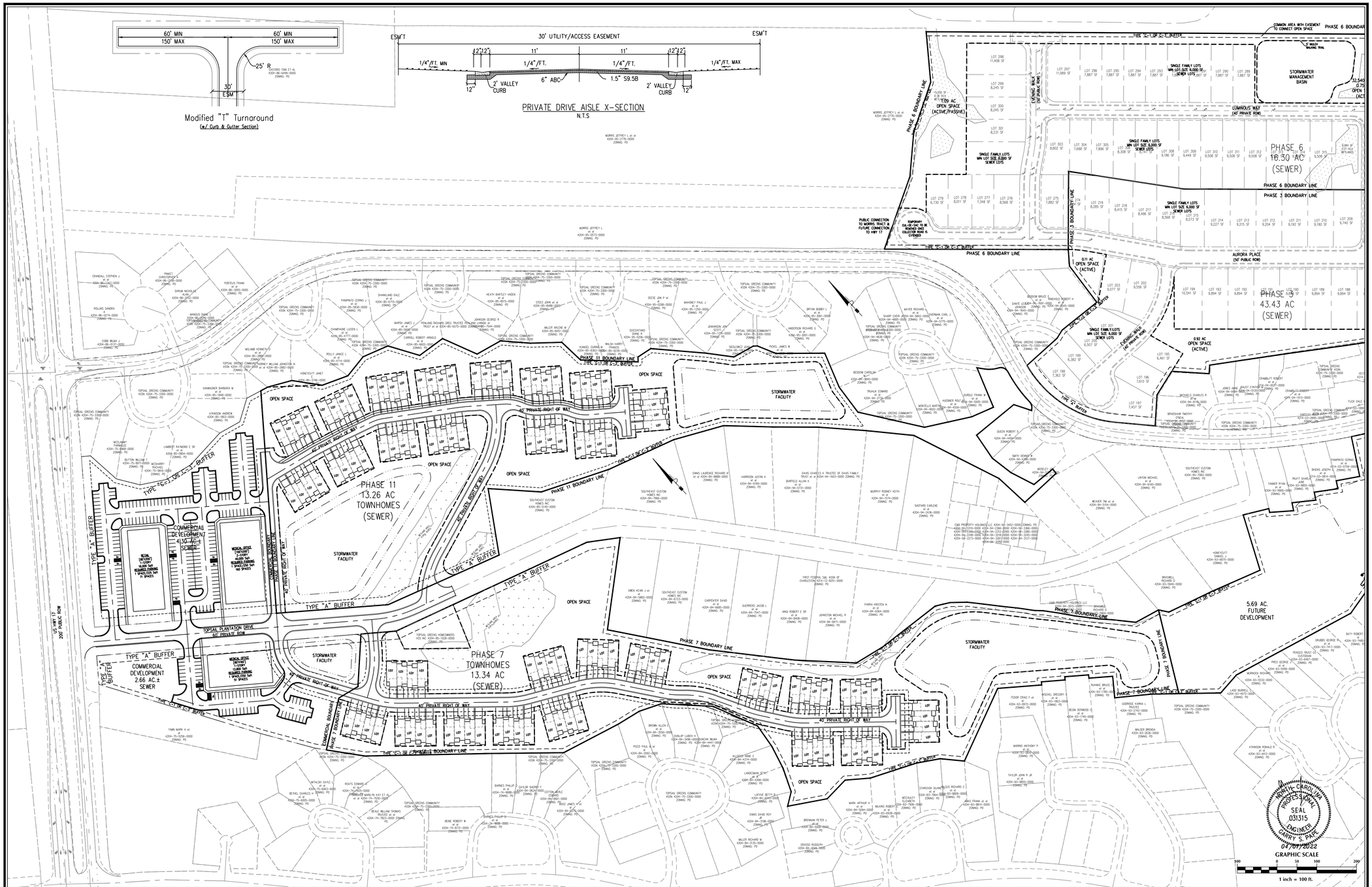
In February 2016, the applicant proposed a revision to the Master Development Plan to increase the project acre to +/-204.07 acres, increase the project density to 3.1 units per acre to 3.14 units per acres, changing the front yard setback from 20 Ft. To 15 Ft., allow “alternative” design for alleyway located in Phase II as shown on the MDP submittal PG C2-3, allow for "alternative" design of a hammerhead in Phase IV as shown on the MDP submittal PG C-3.7. The Planning Board proposed four additional conditions on the project: 7) Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook Tract), 8) Provide Connection to Oak Circle (private), 9) Allow "Alternative" design for alleyway located in Phase II as shown on the MDP submittal PG C-2.3, 10) Allow for "alternative" design of a hammerhead in Phase IV as shown on the MDP submittal PG C-3.7.

In September 2016, the applicant brought Phase III preliminary plat forward with 69 single family detached lots and 40 single family attached duplex lots. The applicant requested a tabling until October 2015, which the Planning Board approved with no additional conditions.

In May 2016, the applicant revised the Phase III preliminary plat to be 118 single family conventional lots. The Planning approved with no additional conditions.

In June 2018, the applicant revised the Master Development Plan and Phase VIII and IX Preliminary Plat, the meeting was continued in November 2018 and again to January 2019. The Master Development Plan and Phase VIII and IX preliminary plats were denied. The applicant appealed the Planning Board decision within 30 days and the Board of Adjustment overturned the Planning Board decision to approve the Master Development Plan and Phase VIII and IX Preliminary Plat. Conditions of the approval are as followed: The Applicant will construct a temporary construction easement to connect Aurora Place (public) to Topsail Greens Drive (Private). The applicant states that upon completion of Phase 6, Topsail Greens Drive (private) will be repaved to US HWY 17. Aurora Place (public) will eventually be extended to allow for connections to US HWY 17 when the commercial component of the development is proposed. Staff is recommending that the extension of Aurora Place (public) is conditioned on the Master Development Plan Revision. This resulted in the Master Development Plan being approximately 234 acres in size.

In March 2021, the applicant revised the Master Development Plan to modify the roadway and stormwater layout in Phase 5, establish Phase 11 with 76 townhome units, establish Phase 7 as future development, reduce the size of the commercial area along US HWY 17 at Topsail Plantation Drive, and allocate 41 residential units to Phase 10. Additional conditions were added to the project at this time involving pedestrian facilities and significant tree mitigation.


60' MIN
150' MAX
25' R
30' ESM
Modified "T" Turnaround
(w/ Curb & Gutter Section)
ESM'T
30' UTILITY/ACCESS EASEMENT
ESM'T
12"
12"
11'
11'
12"
12"
1/4"/FT. MIN
1/4"/FT.
1/4"/FT.
1/4"/FT. MAX
2' VALLEY CURB
6" ABC
1.5" S9.5B
2' VALLEY CURB
PRIVATE DRIVE AISLE X-SECTION
N.T.S
PHASE 6
16.30 AC
(SEWER)
PHASE 5
43.43 AC
(SEWER)
PHASE 11
13.26 AC
TOWNHOMES
(SEWER)
PHASE 7
TOWNHOMES
13.34 AC
(SEWER)
COMMERCIAL DEVELOPMENT
4.00 AC ±
SEWER
COMMERCIAL DEVELOPMENT
2.66 AC ±
SEWER
5.69 AC.
FUTURE
DEVELOPMENT
STORMWATER FACILITY
STORMWATER MANAGEMENT BASIN
0.09 AC
OPEN SPACE
(ACTIVE/PASSIVE)
0.11 AC
OPEN SPACE
(ACTIVE)
0.92 AC
OPEN SPACE
(ACTIVE)
OPEN SPACE
PHASE 6 BOUNDARY LINE
PHASE 5 BOUNDARY LINE
PHASE 11 BOUNDARY LINE
PHASE 7 BOUNDARY LINE
COMMERCIAL BOUNDARY LINE
TOP OF C-1 OR C-2 BUFFER
TOP OF C-3 BUFFER
TYPE "C-1" OR "C-2" BUFFER
TYPE "C-3" BUFFER
TYPE "A" BUFFER
40' PRIVATE RIGHT-OF-WAY
LUMINOUS WAY
(40' PRIVATE ROW)
AURORA PLACE
(50' PUBLIC ROW)
EVENING WALK
(50' PRIVATE ROW)
TOPSAIL PLANTATION DRIVE
(60' PRIVATE ROW)
US HWY 17
200' PUBLIC ROW
PUBLIC CONNECTION TO MORRIS TRACT & FUTURE CONNECTION TO HWY 17
TEMPORARY CUL-DE-SAC TO BE REMOVED ONCE COLLECTOR ROAD IS EXTENDED
COMMON AREA WITH EASEMENT TO CONNECT OPEN SPACE
PHASE 6 BOUNDAR
6' MULCH WALKING TRAIL
SINGLE FAMILY LOTS MIN LOT SIZE 8,000 SF SEWER LOTS
SINGLE FAMILY LOTS MIN LOT SIZE 6,000 SF SEWER LOTS
MORRIS JEFFREY L et al
4204-85-2776-0000
ZONING: PD
TOPSAIL GREENS COMMUNITY
4204-75-3300-0000
ZONING: PD
TOPSAIL GREENS HOMEOWNERS ASS INC
4204-85-1028-0000
ZONING: PD
SOUTHEAST CUSTOM HOMES INC
4204-84-9946-0000
ZONING: PD
SOUTHEAST CUSTOM HOMES INC
4204-84-6723-0000
ZONING: PD
EMS LAURENCE RICHARD III et al
4204-84-8800-0000
ZONING: PD
HARRISON JUSTIN K et al
4204-84-9769-0000
ZONING: PD
DAVIS CHARLES K TRUSTEE OF DAVIS FAMILY TRUST et al
4204-84-1653-0000
ZONING: PD
BURRELL ALLAN K
4204-84-2213-0000
ZONING: PD
MURPHY RODNEY KEITH et al
4204-84-1274-0000
ZONING: PD
SHEPARD EARLENE et al
4204-84-2436-0000
ZONING: PD
MEAHER TIM et al
4204-84-9104-0000
ZONING: PD
LINTON MICHAEL et al
4204-84-6580-0000
ZONING: PD
SOUTHEAST CUSTOM HOMES INC
4204-84-3967-0000
ZONING: PD
EBB PROPERTY HOLDINGS LLC
4204-84-2379-0000
4204-84-2379-0000
4204-84-2379-0000
4204-84-2379-0000
4204-84-2379-0000
4204-84-1386-8100
4204-84-1386-0000
4204-84-1380-0000
4204-84-1380-0000
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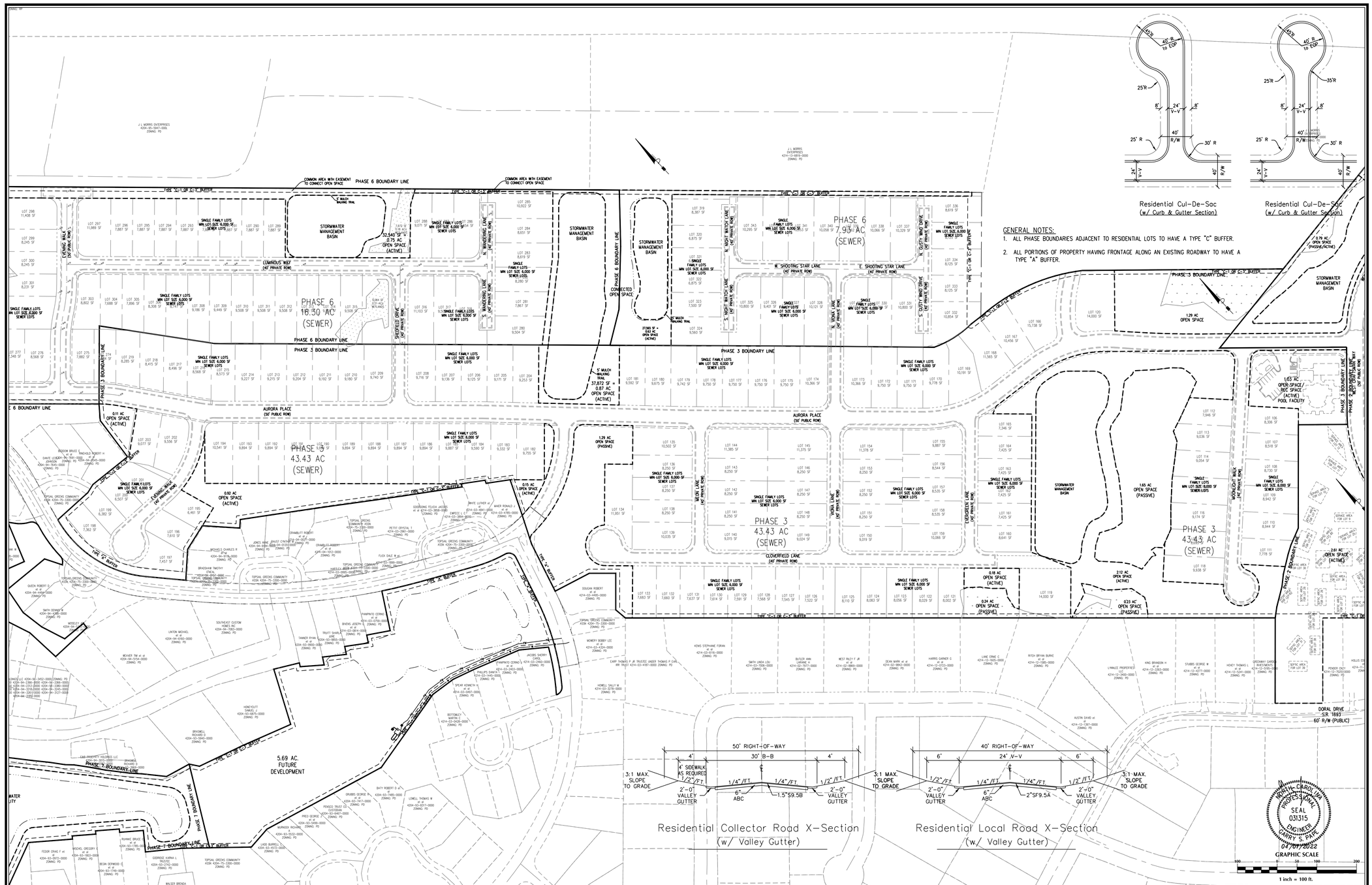
PHASE 6
16.30 +/- AC
(SEWER)
PHASE 6
7.93 +/- AC
(SEWER)
PHASE 3
43.43 AC
(SEWER)
PHASE 3
43.43 AC
(SEWER)
5.69 AC.
FUTURE
DEVELOPMENT
STORMWATER MANAGEMENT BASIN
PHASE 6 BOUNDARY LINE
PHASE 3 BOUNDARY LINE
TYPE "C" OR C-Y BUFFER
COMMON AREA WITH EASEMENT TO CONNECT OPEN SPACE
5' WALK/WALKING TRAIL
32,540 SF +/- 0.75 AC. OPEN SPACE (ACTIVE)
37,872 SF +/- 0.87 AC. OPEN SPACE (ACTIVE)
27,365 SF +/- 0.63 AC. OPEN SPACE (ACTIVE)
0.11 AC OPEN SPACE (ACTIVE)
0.60 AC OPEN SPACE (ACTIVE)
0.15 AC OPEN SPACE (ACTIVE)
1.29 AC OPEN SPACE (PASSIVE)
0.79 AC OPEN SPACE (PASSIVE/ACTIVE)
1.29 AC OPEN SPACE
1.03 AC OPEN SPACE/ REC SPACE (ACTIVE) POOL FACILITY
1.65 AC OPEN SPACE (PASSIVE)
0.18 AC OPEN SPACE (ACTIVE)
0.24 AC - OPEN SPACE - (PASSIVE)
2.12 AC OPEN SPACE (ACTIVE)
.633 AC OPEN SPACE (PASSIVE)
2.61 AC OPEN SPACE (ACTIVE)
AURORA PLACE (50' PUBLIC ROW)
LUMINOUS WAY (40' PRIVATE ROW)
SKIFFIELD DRIVE (40' PRIVATE ROW)
N. WANDERING LANE (40' PRIVATE ROW)
S. WANDERING LANE (40' PRIVATE ROW)
N. NIGHT WATCH LANE (40' PRIVATE ROW)
S. NIGHT WATCH LANE (40' PRIVATE ROW)
E. SHOOTING STAR LANE (40' PRIVATE ROW)
W. SHOOTING STAR LANE (40' PRIVATE ROW)
N. DUSTY WIND DRIVE (40' PRIVATE ROW)
S. DUSTY WIND DRIVE (40' PRIVATE ROW)
N. MOON LANE (40' PRIVATE ROW)
VIOLI LANE (40' PRIVATE ROW)
EVERGREEN LANE (40' PRIVATE ROW)
CLOVERFIELD LANE (40' PRIVATE ROW)
MOONLIGHT WALK (40' PRIVATE ROW)
EXISTING WALK (50' PUBLIC ROW)
EXISTING DRIVE (40' PRIVATE ROW)
SINGLE FAMILY LOTS MIN LOT SIZE 8,000 SF SEWER LOTS
DORAL DRIVE S.R. 1693 60' R/W (PUBLIC)
PHASE 7 BOUNDARY LINE
PHASE 2 BOUNDARY LINE
PHASE 1 BOUNDARY LINE
STORMWATER MANAGEMENT BASIN
CONNECTED OPEN SPACE
SEPTIC AREA FOR LOT 5
SEPTIC AREA FOR LOT 38
SEPTIC AREA FOR LOT 39
SEPTIC AREA FOR LOT 37
SEPTIC AREA FOR LOT 36
SEPTIC AREA FOR LOT 35
SEPTIC AREA FOR LOT 34
SEPTIC AREA FOR LOT 33
SEPTIC AREA FOR LOT 32
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SEPTIC AREA FOR LOT 10
SEPTIC AREA FOR LOT 9
SEPTIC AREA FOR LOT 8
SEPTIC AREA FOR LOT 7
SEPTIC AREA FOR LOT 6
SEPTIC AREA FOR LOT 4
SEPTIC AREA FOR LOT 3
SEPTIC AREA FOR LOT 2
SEPTIC AREA FOR LOT 1
6.84 AC +/- 227 AC± WETLANDS
5.69 AC. FUTURE DEVELOPMENT
J.J. MORRIS ENTERPRISES 4214-13-6810-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-4295-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-3858-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-4785-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-3854-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-13-6810-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN 4204-75-1330

# Pender County
# Request for Board Action

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Travis Henley |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | ZTA 2022-15 |

**SUMMARY:**
Trask Land Company Inc., applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of final zoning approval. A detailed description of the proposed changes can be found in the Planning & Community Development Offices.

**ACTION REQUESTED:**
Consideration of the proposed Zoning Text Amendment

**ATTACHMENTS:**
1. Staff Report
2. Proposed Language
3. Applicant's Narrative
4. Application

# STAFF REPORT FOR ZTA 2022-15
# ZONING TEXT AMENDMENT APPLICATION

| APPLICATION SUMMARY | |
|---|---|
| Case Number | ZTA 2022-15 |
| Hearing Dates | June 7, 2022 Planning Board<br>July 11, 2022 Board of Commissioners |
| Applicant | Trask Land Company Inc. |

## ZONING TEXT AMENDMENT PROPOSAL

Trask Land Company Inc., applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of final zoning approval. A detailed description of the proposed changes can be found in the Planning & Community Development Offices.

## AMENDMENT DESCRIPTION

The proposed Zoning Text Amendment to the Pender County Unified Development Ordinance seeks to increase efficiency in the application submittal and review processes while providing an opportunity to increase the speed of the development process if certain conditions are met.

The applicant has requested that language proposed within the pending Pender County Unified Development Ordinance Update be brought forward early to create a Zoning Approval process for clearing and grading work to be completed prior to the issuance of final zoning approval. This language shall require certification by Planning Staff that the proposed site plan meets all standards of the Unified Development Ordinance, a permit for erosion and sedimentation control has been issued by NCDEQ and provided to Planning Staff, and if applicable, a significant tree inventory and mitigation plan has been submitted and reviewed and approved by Planning Staff. The specific language proposed to be added to Section 3.2.1 'Zoning Approval' can be found as an attachment to this report.

The request seeks to build efficiency in the development process by allowing for clearing and grading of a site to begin prior to final zoning approval, which is contingent upon receipt of any and all applicable external permits. That requirement shall still apply, and no installation of any infrastructure (including but not limited to roads and utility lines) nor any building permits shall be issued until final zoning approval has been issued.

Furthermore, the proposed language ensures that if clearing and grading approval is issued and then the project does not move forward, the requirements of any significant tree mitigation plan shall be required to be executed by the property owner. Failure to do would result in a Notice of Violation being issued by Planning Staff and would subject the site to any and all enforcement proceedings under Article 13 'Enforcement and Penalties' of the Pender County Unified Development Ordinance.

## EVALUATION

As prescribed in Section 3.18.5 of the Pender County Unified Development Ordinance, in evaluating any proposed Ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Zoning Text Amendments, the central issue before the Planning Board and County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents and the specific intent of this Ordinance.

## PENDER 2.0 COMPREHENSIVE LAND USE PLAN COMPLIANCE

The proposed changes allow for increased efficiency in the development review process. These changes provide flexibility while maintaining consistency with the spirit and intent of the Unified Development Ordinance and Comprehensive Land Use Plan.

The Amendment is supported by one policy in the Comprehensive Land Use Plan:

> **Policy 5.I.G: Development Review:** The County supports an efficient, transparent, and predictable development review and approval process. The intention of the Amendment is to increase the efficiency of the application submittal and review process.

There are no conflicting policies within the Pender 2.0 Comprehensive Land Use Plan or any adopted land use documents for the proposed Zoning Text Amendment. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the Pender 2.0 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance.

## RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as the amendments are consistent with the Pender County Unified Development Ordinance and with the Pender 2.0 Comprehensive Land Use Plan.

## PLANNING BOARD CONSISTENCY STATEMENT:

**TO APPROVE:** Motion to approve the Zoning Text Amendment and to make a finding that the approval is consistent with the Pender 2.0 Comprehensive Land Use Plan.

The amendment of Section 3.2.1 increases the efficiency of the review and development processes and is supported by one policy within the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.G: Development Review**

There are no specific policies that conflict with the proposal. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the Pender 2.0 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance.

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

| PLANNING BOARD ACTION FOR ZONING TEXT AMENDMENT<br>May 4, 2022 |
|---|

| MOTION | SECONDED |
|---|---|
| | |

| APPROVED | DENIED | UNANIMOUS |
|---|---|---|
| | | |

| Jordan | Buchanan | Beaudoin | Gruntfest | Pitts | Teachey | Mosca |
|---|---|---|---|---|---|---|
| | | | | | | |

**3.2.1 Zoning Approval**

A. Activities for which a Zoning Approval is required: A valid Zoning Approval shall be required for any application for a Building or Electrical Permit. No Building or Electrical Permit shall be issued for any activity in a zoned area until such Zoning Approval or a written determination by the Administrator that no approval is required, has been issued. Zoning approvals may be issued in the form of an individual permit or as a corresponding approval on a related form, such as a building permit. In all circumstances a Zoning Approval shall be required for the following activities:

1) To commence the excavation for or the construction of any building or other structures including accessory structures.
   a) A Zoning Approval Permit may be issued by the County to allow for clearing and grading of the site prior to issuance of final zoning approval upon the following:
      i) Certification that the proposed site plan or preliminary plat meets all standards of the Unified Development Ordinance;
      ii) An Erosion and Sedimentation Control permit has been issued by NCDEQ; and
      iii) A tree protection survey and mitigation plan has been submitted if applicable.
   b) This permit shall not permit the installation of any infrastructure associated with the proposal.
   c) Should a project fail to move forward, the property owner shall be responsible for executing the mitigation requirements of any significant tree mitigation plan if applicable.
2) To commence the moving, exterior alteration, expansion, or substantial repair (see definition of substantial repair) of any structure including accessory structures,
3) To initiate a new use or change the use on any land, lot, parcel or property,
4) To initiate a new use or change the use for any building including accessory structures.

Trask Land Company, Inc.
1022 Ashes Dr., Suite 201
Wilmington, NC 28405

March 4, 2022

Travis Henley
Pender County Planning Director
805 S. Walker St.
Burgaw, NC 28425

Subject: Text amendment application narrative

Dear Mr. Henley:

Currently Staff is not able to sign the plan until all external permits are received (Stormwater, Erosion & Sedimentation Control, State Water and Sewer Approval, etc.). These permits are currently required prior to the issuance of zoning approval for this project.

We are looking at 7-8 months before we can obtain stormwater review(s) and approval as there are approximately 30+ projects in the queue. Therefore, we would respectfully ask the county to please consider a text amendment that would allow for us to be able to pull an erosion control, clearing, and grading permit once we have site plan approval & NCDENR Erosion Control approval. We understand that the Pender County Building Permit would be held up until we receive all necessary approvals from Pluris for the sewer and NCDENR stormwater.

Thank you in advance for your consideration.

Sincerely,

Madison Robideau
Development & Operations Manager
Trask Land Company, Inc.

*Confidentiality Statement: This letter contains information from Trask Land Company, Inc., which is privileged and confidential. It is intended only for the use of the addressee(s) shown above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of such information is strictly prohibited. If you have received this letter in error, please immediately notify us. Thank you.*

# APPLICATION FOR TEXT AMENDMENT

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | **ZTA** | **Date** | |
| **Application Fee** | **$** | **Receipt No.** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| **SECTION 1: APPLICANT INFORMATION** | |
|---|---|
| **Applicant's Name:** | Trask Land Company Inc. |
| **Applicant's Address:** | 1022 Ashes Dr. Suite 201 |
| **City, State, & Zip** | Wilmington, NC 28405 |
| **Phone Number:** | 910-799-8755 |
| **Email Address:** | madison@trasklandco.com |

**SECTION 2: UDO TEXT TO BE AMENDED**

Current Text to be Amended (Please site accurate Article number referenced):

Article 3 - Grading Permit per Draft UDO

Proposed Text to be added:

**SECTION 3: SIGNATURE**

**Applicant's Signature** [signature] **Date:** 3/4/22

## NOTICE TO APPLICANT

If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.

## TEXT AMENDMENT CHECKLIST

| | |
|---|---|
| ☑ | Signed application form |
| ☑ | Application fee |
| ☑ | A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application |

## Office Use Only

| ☐ **ZTA Fees:** $250 | | **Total Fee Calculation:** | |
|---|---|---|---|
| **Payment Method:** | **Cash :** ☐ $_____ | **Credit Card:** ☐ Master Card ☐ Visa | **Check:** ☐ Check # _____ |

| | | | |
|---|---|---|---|
| Application Received By: | | Date: | |
| Application completeness approved by: | | Date: | |
| Dates Scheduled for Public Hearings: | ☐ Planning Board: | ☐ BOC: | |

# Pender County
# Request for Board Action

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Chris Hatcher |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | REZONE 2022-31 |

**SUMMARY:**
Benjamin Burgess, applicant, on behalf of B Squared LLC, owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 303 acres of land from the RP, Residential Performance zoning district to the RA, Rural Agriculture zoning district. The subject property is located on Ashton Road, approximately one mile west of the intersection of Ashton Road and US HWY 117 in the Rocky Point Township and may be further identified by Pender County PIN 3236-02-4982-0000.

**ACTION REQUESTED:**
To hold a public hearing and consider the rezoning request.

**ATTACHMENTS:**
1. Staff Report
2. Application
3. Narrative
4. Parcel Map
5. Table of Permitted Uses

# STAFF REPORT FOR REZONE 2022-31
# ZONING MAP AMENDMENT APPLICATION

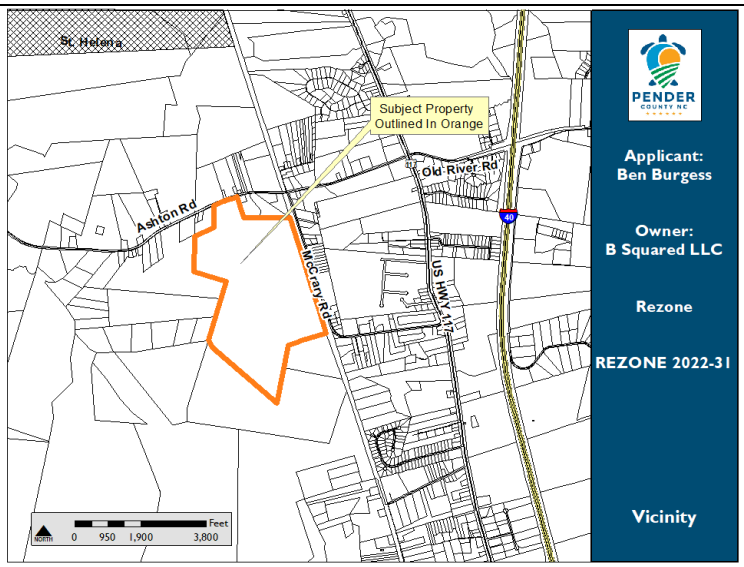
| APPLICATION SUMMARY | |
|---|---|
| Case Number | REZONE 2022-31 |
| Hearing Dates | June 7, 2022, Planning Board<br>July 11, 2022 Board of Commissioners |
| Applicant | Ben Burgess |
| Property Owner(s) | B Squared LLC |
| Parcel Identification Number | 3236-02-4982-0000 |
| Acreage | 303 |
| Township | Rocky Point |
| Pender 2.0 Future Land Use Category | Rural Agriculture |

## REZONING PROPOSAL

Ben Burgess, applicant, on behalf of B Squared LLC, is requesting the approval of a Zoning Map Amendment to rezone one tract totaling approximately 303 acres of land from RP, Residential Performance zoning district to RA, Rural Agriculture zoning district.

## LOCATION

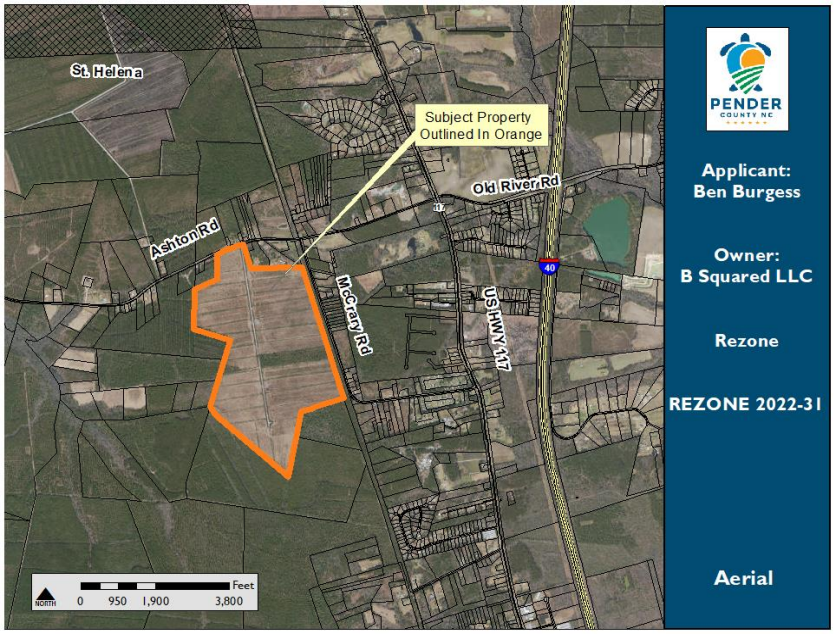
The subject property is located on the east side of Interstate 40, approximately 1,440 feet east of the intersection of Ashton Road and McCrary Road.



## REZONING PROPOSAL

The applicant is proposing to rezone approximately 303 acres from the RP, Residential Performance zoning district to the RA, Rural Agriculture zoning district. The Rural Agricultural District is intended to accommodate non-residential agricultural uses and very low density residential development (minimum of 1 du/ac), as well as limited non-residential uses, in rural areas adjacent to agricultural operations. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal.

Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the RA, Rural Agriculture zoning district. However, any future development of the site must comply with the standards of the RA, Rural Agriculture zoning district and is subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.



**Dimensional Requirements**
As this is a general use rezoning, the standard setbacks in the RA, Rural Agriculture zoning district apply and are outlined in the table below. The dimensional standards are proposed to apply uniformly to all buildings and uses on the subject properties.

| Minimum Setback (General Business) | |
|---|---|
| Front | 30' |
| Side | 15' |
| Rear | 30' |
| Corner | 15' |
| Max. Height | 35' |
| Structure Separation | 30' |

The minimum lot size in this district is 1 acre, and the subject property is compliant with this standard.

**Allowable Uses**
Because this is a general use rezoning, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the RA, Rural Agriculture zoning district. The table below provides a general list of typical developments permitted in the GB, General Business zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment 1.

| | RA, Rural Agriculture |
|---|---|
| **Residential Uses** | ≈ 7 uses by-right (Detached -Conventional, Attached: Duplex, Accessory Dwelling Unit, Manufactured home)<br>≈ 1 use w/ SUP (Cottage Occupation) |
| **Commercial Uses** | ≈ 22 uses by-right (Educational Services, Horse Riding, Recreational, Coin Laundry and Drycleaners, Religious Organizations, Child Care Center ect.)<br>≈ 70 uses w/ SUP (Agritourism, Nonmetallic Mineral Mining & Quarry, Artisan Manufacturing, Wholesale Trade, Retail Trade, Accommodations and Food Services etc.) |

## TRANSPORTATION INFRASTRUCTURE

**Access**

The subject property has direct access to Ashton Road. NCDOT has classified Ashton Rd as a local road and expect the lower end of traffic for a coastal rural 2-lane highway.

**Traffic**
Traffic Impact Analyses (TIA) are not required for general use rezoning since a site-specific development plan is not required to be included in the application package. The UDO requires a

Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

***NCDOT Average Annual Daily Traffic (AADT) – 2020.***

| Road | Location | Volume | Capacity | V/C |
|---|---|---|---|---|
| Ashton Road | 11763 ASHTON RD | 1100 | 7700 | .14 |

## OTHER INFRASTRUCTURE

**Utilities**
Public water is not available through Pender County Utilities (PCU) and according to available GIS data, the nearest PCU water main is along US HWY 17 approximately 5,100 ft from the property. The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

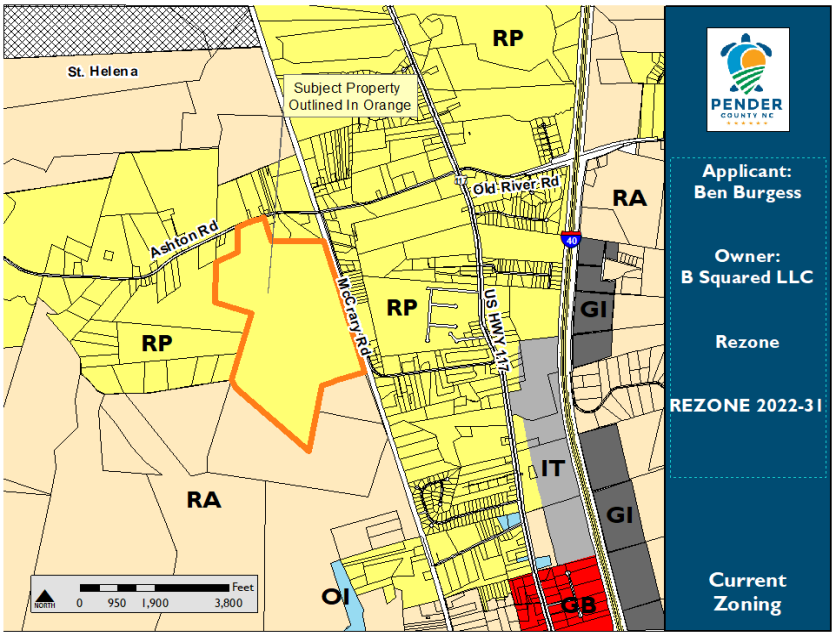
**Schools**
There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time. However, potential school impact would be reduced as the proposed change would reduce the allowed residential density. The proposed rezoning is from a residential zoning district to a residential zoning district, so an impact to school capacity is not anticipated.

| ENVIRONMENTAL CONCERNS | |
|---|---|
| Special Flood Hazard Areas | The subject property does not contain any Special Flood Hazard Areas[1]. |
| Wetlands | Portions of the subject property may contain wetlands[2, 3]. The location of any wetlands will be verified when a site-specific development plan is submitted for review. 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 any Areas of Environmental Concern (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)

## EVALUATION

***Below: Zoning Map of the Area***

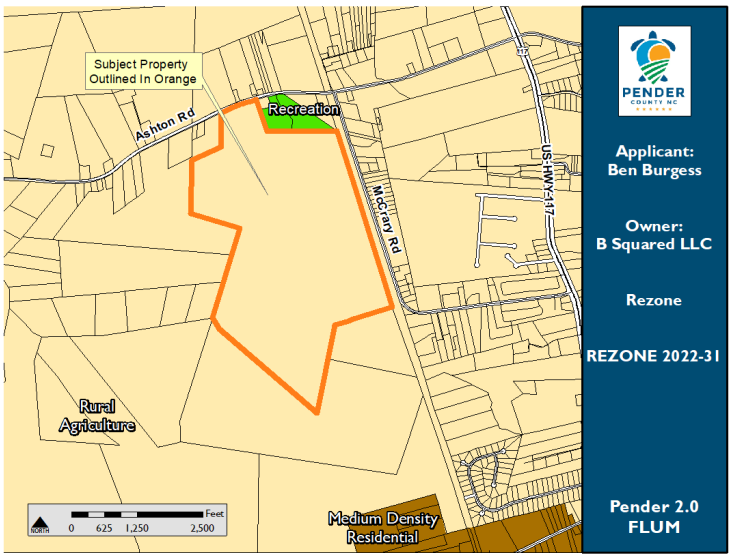



| CHARACTERISTICS OF THE SURROUNDING AREA | | |
|---|---|---|
| | **LAND USE** | **ZONING** |
| **North** | Vacant, Residential | RP, Residential Performance |
| **East** | Vacant, Residential | RP, Residential Performance,<br>RA, Rural Agricultural |
| **South** | Vacant | RA, Rural Agricultural |
| **West** | Vacant, Residential | RP, Residential Performance,<br>RA, Rural Agricultural |

**Surrounding Zoning**

The subject property is currently within the RP, Residential Performance zoning district. Properties immediately adjacent to the subject properties are currently zoned RP, Residential Performance and RA, Rural Agricultural as indicated by the table above.

**Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject property is located within the Rural Agricultural Future Land Use Classification within the Pender 2.0 Comprehensive Land Use Plan and as shown in the Future Land Use Map to the right. 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 are detached single-family dwellings, manufactured homes, recreation, parks, and open space. Inappropriate uses are attached single-family dwellings, multi-family residential uses, most commercial, office, and institutional development, and industrial development.




The proposed zoning district, Rural Agricultural zoning district is consistent with the Rural Agricultural future land use classification due to its intention to accommodate non-residential agricultural uses and very low density residential development (minimum of 1 dwelling unit per acre), as well as limited non-residential uses, in rural areas adjacent to agricultural operations. Additionally, the overall residential density is proposed to decrease from three dwelling units per acre to one dwelling unit per acre.

In addition to consistency with the Future Land Use Map, the proposal was found to be consistent with the following four policies within the Pender 2.0 Comprehensive Land Use Plan:

> **Policy 5.1.B: Land Use Plan Consistency:** The County generally requires that any official land use and development related actions (e.g., re-zonings, text amendments, and special use permits) remain consistent with the policies adopted in this plan and any other applicable plan. Any actions that are inconsistent with such plans shall require a statement from the Planning Board and Board of Commissioners approving such decisions, as to the in conditions taken into account in amending the Unified

Development Ordinance to meet the development needs of the community, and why the action was reasonable and in the public interest.

**Policy 5.1.CC: Agricultural Business**: The County support efforts to preserve existing farming operations and to expand agri-business opportunities.

**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.

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

**Unified Development Ordinance Compliance:** Section 3.3.5 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.

**3.3.5 Approval Criteria for Rezoning**

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

A. Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:
    1. be detrimental to the natural environment,
    2. adversely affect the health, safety, or welfare of residents or workers in the area,
    3. be detrimental to the use or development of adjacent property,
    4. materially or adversely affect the character of the general neighborhood, and
    5. be reasonable as it relates to the public interest.
B. 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;
C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan, CAMA Land Use Plan, and any other adopted land use document.

## RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board Disposition. The proposed Zoning Map Amendment is consistent with the Future Land Use Map and four policies within the Pender 2.0 Comprehensive Land Use Plan.

The proposed RA, Rural Agricultural zoning district rezoning request is consistent with the Pender 2.0 Comprehensive Land Use Plan and the allowable uses within the requested zoning district are compatible with the surrounding area. Therefore, Planning staff respectfully recommends approval of the Zoning Map Amendment as detailed in this report.

**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 in the Pender 2.0 Comprehensive Land Use Plan:

- **5.1.B: Land Use Plan Consistency**
- **5.1.CC: Agricultural Business**
- **5.1.EE: Rural Land Use Patterns**
- **5.1.FF: Rural Non-Residential Uses**

The proposed rezoning is consistent with the Rural Agriculture Future Land Use classification in 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 although the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan, 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 GENERAL USE REZONING | |
|---|---|
| **MOTION** | **SECONDED** |
| | |

| APPROVED | DENIED | UNANIMOUS |
|---|---|---|
| – | | |

| Mosca | Jordan | Beaudoin | Buchanan | Gruntfest | Pitts | Teachey |
|---|---|---|---|---|---|---|
| | | | | | | |

# Pender County
# Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## Zoning Map Amendment Submission (Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

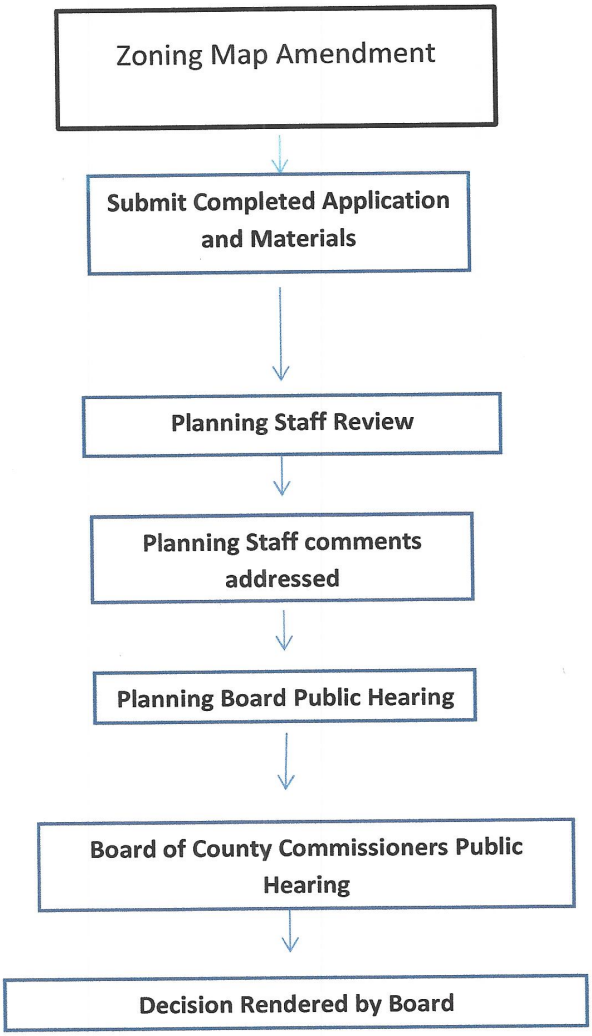
1. ✓ **Pre-submittal Meeting**
   Date of Meeting 3-15-2022
2. _____ **Signed Application**
3. _____ **Payment** - 3480
   $500 for the first 5 acres; $10/ acre thereafter up to 1,000 acres; $5 per acre thereafter
4. ✓ **Requested Revision Boundary Map**
   Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. ✓ **Narrative**
   A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5. _____ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. ✓ **Adjacent Property List**
   A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. ✓ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant Ben Burgess Date 3/23/2022

Printed Name Ben Burgess

Staff Initials: _____
Date: _____


Zoning Map Amendment
Submit Completed Application and Materials
Planning Staff Review
Planning Staff comments addressed
Planning Board Public Hearing
Board of County Commissioners Public Hearing
Decision Rendered by Board

| | | Agenda Deadline | Planning Board Meeting Date | Board of Commissioners Meeting |
|---|---|---|---|---|
| Planning Board and Board of Commissioners | January | 11.21.19 | 1.7.20 | 3.16.20 |
| | February | 12.13.19 | 2.4.20 | 4.20.20 |
| | March | 1.17.20 | 3.3.20 | 5.18.20 |
| | April | 2.14.20 | 4.7.20 | 6.15.20 |
| | May | 3.13.20 | 5.5.20 | 7.6.20 |
| | June | 4.17.20 | 6.2.20 | 8.17.20 |
| | July | 5.15.20 | 7.7.20 | 9.21.20 |
| | August | 6.12.20 | 8.4.20 | 10.19.20 |
| | September | 7.17.20 | 9.1.20 | 11.16.20 |
| | October | 8.14.20 | 10.6.20 | 12.7.20 |
| | November | 9.18.20 | 11.3.20 | January 2021 |
| | December | 10.16.20 | 12.1.20 | February 2021 |

Complete Application Date: All documents must be received by 12PM on the deadline date to be considered a complete application.

## Zoning Map Amendment Specific Requirements

1. **Application Submittal**
   - Application
   - Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
   - All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.
   - Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan.
   - The rezoning application must contain a description and/or statement of the present and proposed zoning regulation or district boundary, and the name(s) and address(es) of the owner(s) of the property involved as required by General Statute.
   - The applicant shall provide an accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail for the rezoning to be located on the Official Zoning Map.

2. **Planning Board and Board of Commissioners Review Criteria (per Section 3.3.8)**
   - A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
   - B. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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;
   - C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
   - D. Whether the proposed amendment is reasonable as it relates to the public interest.

# Pender County
# Planning and Community Development

**Planning Division**
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## GENERAL USE REZONING

### GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.

2. Amendments to the Zoning Map, also called a Rezoning, shall be made in accordance with the provisions of the Pender County UDO and shall follow the review process as shown in Figure 1 at the end of Section 3.4.

3. The County Commissioners shall approve or deny amendments to the Zoning Map of Pender County, as may be required from time to time.

4. Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of the UDO. An illustration containing a metes and bounds description is required.

5. All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.

6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

### APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).

2. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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.

3. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.

4. Whether the proposed amendment is reasonable as it relates to the public interest.

# APPLICATION FOR REZONING (Zoning Map Amendment)

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | ZMA | **Date** | |
| **Application Fee** | $ | **Invoice** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| SECTION 1: APPLICANT INFORMATION | | | |
|---|---|---|---|
| **Applicant's Name:** | Benjamin Burgess | **Owner's Name:** | B Squared LLC |
| **Applicant's Address:** | 6901 Runningbrook Terrace | **Owner's Address:** | 11763 Ashton Rd |
| **City, State, & Zip** | Wilmington NC 28411 | **City, State, & Zip** | Burgaw NC 28425 |
| **Phone Number:** | 910-336-8363 | **Phone Number:** | 910-336-8363 |
| **Email Address:** | ben@burgessgroup.org | **Email Address:** | ben@burgessgroup.org |
| **Legal relationship of applicant to landowner:** | | | |

| SECTION 2: PROJECT INFORMATION | | | |
|---|---|---|---|
| **Property Identification Number (PIN):** | 3236-02-4982-0000 | **Total property acreage:** | 303 Acres |
| **Current Zoning District:** | RP | **Proposed Zoning District:** | RA |
| **Project Address:** | 11763 Ashton Rd, Burgaw NC 28425 | | |
| **Description of Project Location:** | OFF OF Ashton Rd in Pender County | | |

| SECTION 3: SIGNATURES | | | |
|---|---|---|---|
| **Applicant's Signature** | Ben Burgess | **Date:** | 3/23/22 |
| **Applicant's Name Printed** | Ben Burgess | **Date:** | 3/23/22 |
| **Owner's Signature** | Ben Burgess | **Date:** | 3/23/22 |
| **Owner's Name Printed** | B Squared LLC | **Date:** | 3/23/22 |

**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

## Rezoning/Zoning Map Amendment Checklist

| | |
|---|---|
| ☑ | Signed application form |
| ☑ | Application fee |
| ☑ | A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning. |
| ☑ | Two (2) business size envelopes legibly addressed with **first class** postage for each of the adjacent and abutting property owners on the above list. |
| ☑ | Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map. |
| ☑ | 18 (11"x17") map copies to be distributed to the Planning Board |
| ☑ | 20 (11"x17") map copies to be distributed to the Board of Commissioners |
| ☐ | Digital (.pdf) submission of all application materials |
| ☑ | A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties. |

**Office Use Only**

| | | |
|---|---|---|
| ☐ | **ZMA Fees:** (*$500.00 for first 5 acres; $10/acre thereafter up to 1,000 acres; $5/acre thereafter)* | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y ☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y ☐ N |

| | | | |
|---|---|---|---|
| **Payment Method:** | **Cash :** ☐ $_____ | **Credit Card:** ☐ Master Card ☐ Visa | **Check:** ☐ Check # _____ |

| | | |
|---|---|---|
| **Application received by:** | | **Date:** |
| **Application completeness approved by:** | | **Date:** |

Dates scheduled for public hearing:
- ☐ **Planning Board:**
- ☐ **Board of Commissioners:**

**RETURN COMPLETED APPLICATION TO:**
Pender County Planning & Community Development
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

**B Squared LLC**
11763 Ashton Rd
Burgaw, NC 28425

March 23, 2022

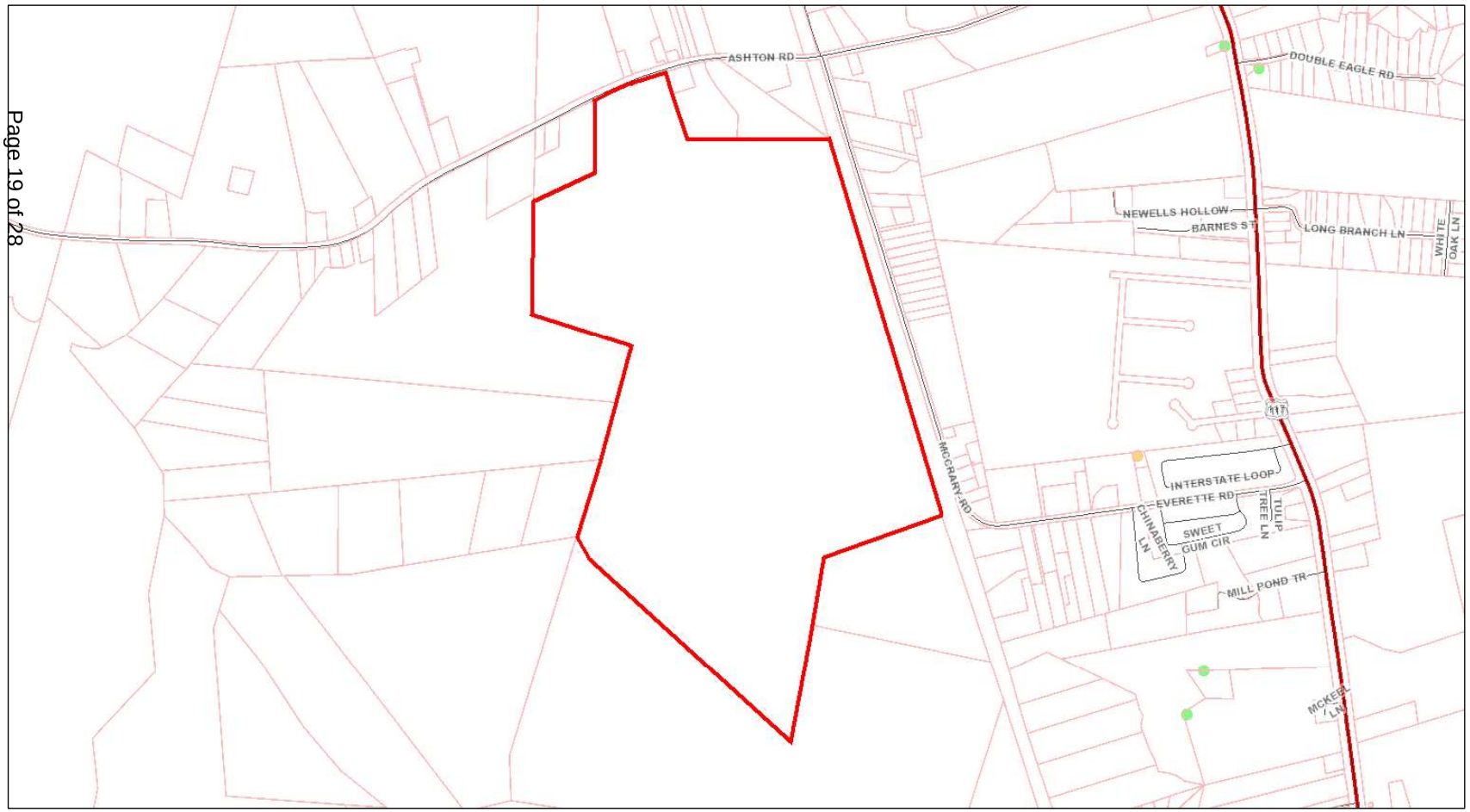
Pender County Planning and Community Development
805 S Walker Street
PO Box 1519
Burgaw, NC 28425

To Whom it May Concern:

B Squared LLC owns a 303-acre tract of farmland at 11763 Ashton Road, Burgaw, NC 28425. The 303-acre tract of land is currently zoned as Residential Performance (RP). B Squared LLC is requesting the full 303 acres be rezoned to Residential Agriculture (RA). It is the intention of B Squared LLC to use the land as farmland with a section of it as a sod farm and to subdivide a section of the land to be used as an outdoor shooting range. B Squared LLC does not intend to develop the tract and wishes to rezone this tract as RA for these purposes.

Sincerely,

Ben Burgess
B Squared LLC




**PIN:** 3236-02-4982-0000
**Owner:** B SQUARED LLC
11763 ASHTON RD
BURGAW, NC 28425
**Deed Ref:** 4630/1737
**Property Address:**
**Description:** 303 AC TR PB 5/24 WMS LUMBER TR

**Sale Price:** $475,000
**Sale Date:** LAST_SALE_DATE
**Plat:** 00050024
**Account No:** 1007145
**Township:** ROCKY POINT
**Subdivision:**
**Tax Codes:** G01 F24 R40
**NBRHD:** R3000

**Acres:** 303
**Land Value:** $432,500
**Building Value:** $0
**Total value:** $93,930
**Deferred Value:** $338,570
**Exempt Amount:** 0
**PCL Class:** R
**Heated Sq Feet:**

Pender County

1:10,239

0 0.075 0.15 0.3 mi
0 0.125 0.25 0.5 km

1 inch = 853 feet

7/8/2020

| 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 | | | S | | | P | P | |
| 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

# Pender County
# Request for Board Action

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Daniel Adams |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | REZONE 2022-32 |

**SUMMARY:**
Michael Afify, applicant, on behalf of Share the Table, Inc., owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 0.6 acres of land from the RP, Residential Performance zoning district to the GB, General Business zoning district. The subject property is located along Perkins Drive, approximately 300 feet east of US HWY 17 in the Topsail Township and may be further identified by Pender County PIN 4226-74-5773-0000.

**ACTION REQUESTED:**
To hold a public hearing and consider the rezoning request.

**ATTACHMENTS:**
1. Staff Report
2. Application
3. Narrative
4. Table of Permitted Uses

# STAFF REPORT FOR REZONE 2022-32
# ZONING MAP AMENDMENT APPLICATION

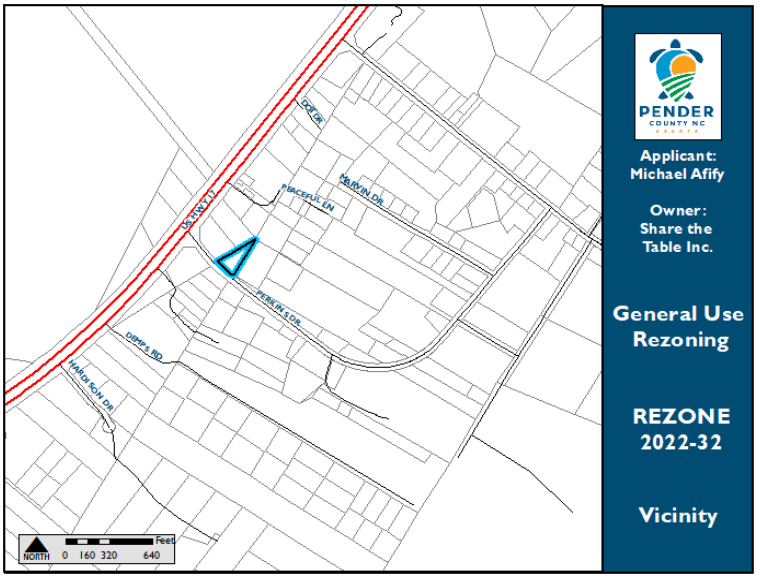
| APPLICATION SUMMARY | |
|---|---|
| Case Number | REZONE 2022-32 |
| Hearing Dates | June 7, 2022 Planning Board<br>July 11, 2022 Board of Commissioners |
| Applicant | Michael Afify |
| Property Owner(s) | Share the Table, Inc. |
| Parcel Identification Number | 4226-74-5773-0000 |
| Acreage | 0.6 |
| Township | Topsail |
| Pender 2.0 Future Land Use Category | Medium-Density Residential |

## REZONING PROPOSAL

Michael Afify, applicant on behalf of Share the Table, Inc., owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 0.6 acres of land from the RP, Residential Performance zoning district to the GB, General Business zoning district.

## LOCATION

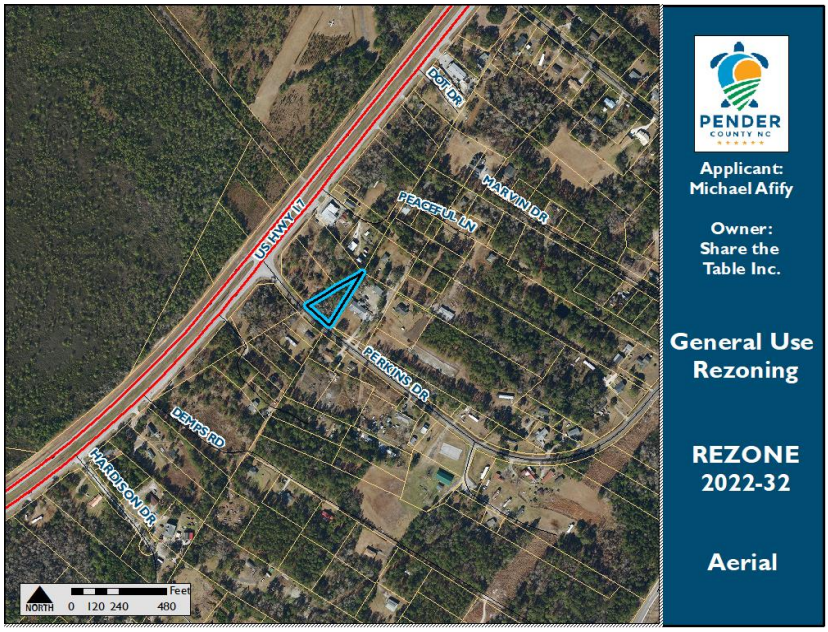
The subject property is located on Perkins Drive, approximately 300 feet east of US Highway 17.



## REZONING PROPOSAL

The applicant is proposing to rezone approximately 0.6 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. This district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. However, any future development of the site must comply with the standards of the GB, General Business zoning district and is subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.




**Dimensional Requirements**

As this is a general use rezoning, the standard setbacks in the GB, General Business zoning district apply and are outlined in the table below. The dimensional standards are proposed to apply uniformly to all buildings and uses on the subject property.

| Minimum Setback (General Business) | |
|---|---|
| Front | 25’ |
| Side | 10’ |
| Rear | 10’ |
| Corner | 12’ |
| Max. Height | 40’ |
| Structure Separation | 20’ |

The minimum lot size in this district is 15,000 square feet, and the subject property is compliant with this standard.

**Allowable Uses**
Because this is a general use rezoning, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. The table below provides a general list of typical developments permitted in the GB, General Business zoning district. A comprehensive list of all uses from Section 5.2.3 of the Pender County Unified Development Ordinance (UDO) is included in Attachment 1.

| | GB, General Business |
|---|---|
| **Residential Uses** | Upper story Residential |
| **Commercial Uses** | ≈ 83 uses by-right (Retail Trade, Real Estate and Rental and Leasing, Professional Scientific and Technical Services, Educational Services, etc.)<br>≈ 18 uses w/ SUP (Utilities, Manufacturing, Arts, Entertainment, and Recreation etc.) |

## TRANSPORTATION INFRASTRUCTURE

**Access**
The property is currently accessible only by Perkins Drive, though the applicant anticipates using this parcel in conjunction with the adjacent lot owned by Share the Table, which is a corner lot accessible by Perkins Drive and US HWY 17. US HWY 17 is identified as a Major Arterial Roadway according to the Wilmington Urban Area Metropolitan Planning Organization (WMPO). A break in the median of US HWY 17 exists where Perkins Drive meets US HWY 17, which allows for left turns on to US HWY 17 southbound from Perkins Drive and vice versa.

**Traffic**
A Traffic Impact Analysis (TIA) is not required for a general use rezoning since a site-specific development plan is not required to be included in the application package. The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

***NCDOT Average Annual Daily Traffic (AADT) – 2016; WMPO Roadway Capacities – 2016***

| Road | Location | Volume | Capacity | V/C |
|---|---|---|---|---|
| Perkins Drive | 100 Block of Perkins Drive (east of US HWY 17) | 260 | Not available | Unknown |

## OTHER INFRASTRUCTURE

**Utilities**
Public water is available through Pender County Utilities (PCU) and according to available GIS data, the nearest PCU water main is along the north side of Perkins Drive. Based on available data and information from private sewer providers, sewer is not currently available in this location. The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

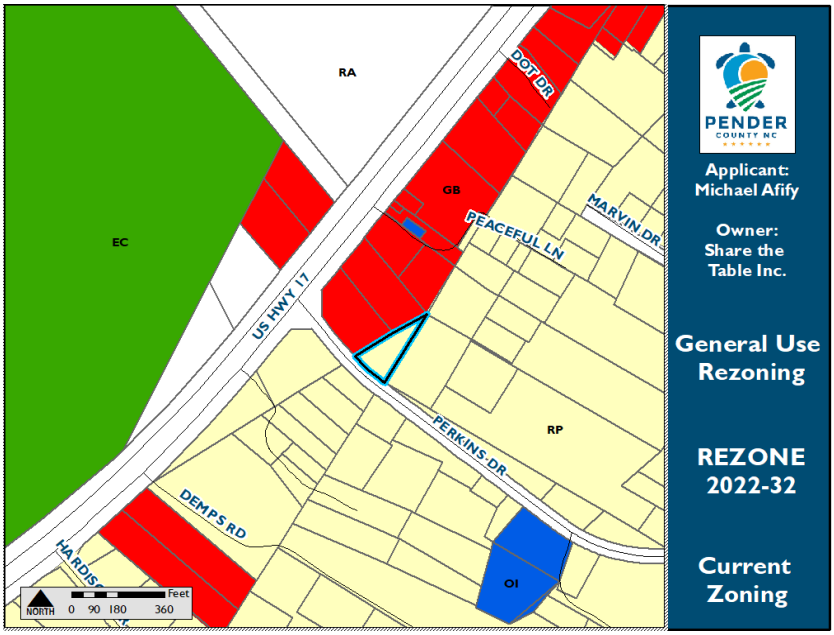
**Schools**
There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time. Because the proposed rezoning is from a predominantly residential zoning district to a predominantly commercial zoning district, an impact to school capacity is not anticipated.

| ENVIRONMENTAL CONCERNS | |
|---|---|
| Special Flood Hazard Areas | The subject property does not contain any Special Flood Hazard Areas[1]. |
| Wetlands | Portions of the subject property may contain wetlands[2, 3]. The location of any wetlands will be verified when a site-specific development plan is submitted for review. 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 any Areas of Environmental Concern (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)

## EVALUATION

*Below: Zoning Map of the Area*

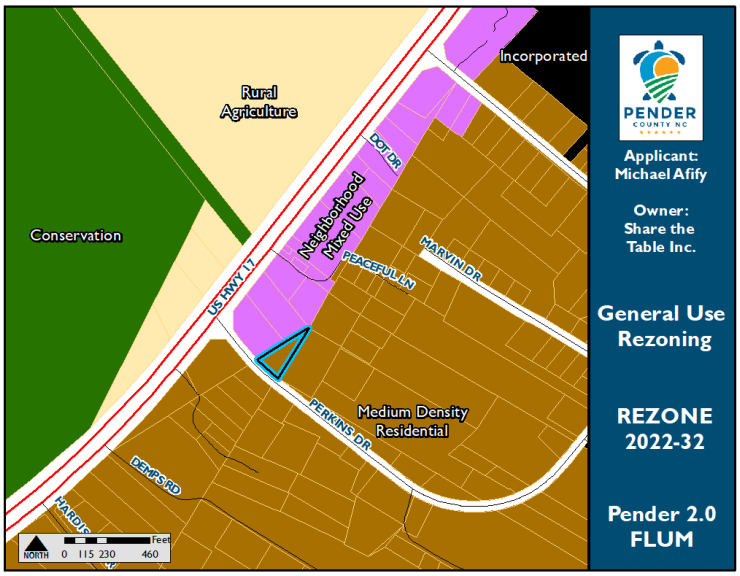



| CHARACTERISTICS OF THE SURROUNDING AREA | | |
|---|---|---|
| | **LAND USE** | **ZONING** |
| **North** | Non-Conforming Residential & Residential | GB, General Business & RP, Residential Performance |
| **East** | Residential | RP, Residential Performance |
| **South** | Residential | RP, Residential Performance |
| **West** | Vacant | GB, General Business |

**Surrounding Zoning**

The subject property is currently within the RP, Residential Performance zoning district. Properties immediately adjacent to the subject property are currently zoned GB, General Business and RP, Residential Performance as indicated by the table above.

**Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject property is located within the Medium Density Residential future land use classification as shown in the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan. This future land use category is established in areas that are typically in close proximity to supporting services and a mixture of development types. Appropriate uses include single-family dwellings, duplexes, community recreation and open space uses, and neighborhood-scale institutional facilities such as religious and civic organizations. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Development density within this category is three to six dwelling units per acre or less.




The Future Land Use classification for the parcel immediately west of the subject property, also owned by the applicant, is Neighborhood Mixed Use, which is a classification allowing for transitional uses between commercial and lower density residential neighborhoods. While commercial uses are inconsistent with the Medium Density Residential future land use classification, the subject parcel's size and proximity to Neighborhood Mixed Use parcels aligns with the classification's desire to provide a low intensity transitional use between commercial and residential neighborhoods. Additionally, the proposal is consistent with the spirit of the Medium Density Residential classification because the parcel will be in close proximity to supporting services and a mixture of development types, which is desired in the Medium Density Residential classification.

The proposal is supported by the following two policies within the Pender 2.0 Comprehensive Land Use Plan:

> **Policy 5.1.E: Compatible Development:** The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

**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.

Although the proposed rezoning would allow for non-residential uses to be established in an area designated for residential use in the Future Land Use Map's preferred growth scenario, the size of the parcel and its proximity to commercially zoned property minimize the inconsistency. The Medium Density Residential future land use category is described as being located in close proximity to supporting services and a mixture of development types, which includes commercial uses.

**Unified Development Ordinance Compliance:** Section 3.3.5 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.

**3.3.5 Approval Criteria for Rezoning**

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

A. Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:
    1. be detrimental to the natural environment,
    2. adversely affect the health, safety, or welfare of residents or workers in the area,
    3. be detrimental to the use or development of adjacent property,
    4. materially or adversely affect the character of the general neighborhood, and
    5. be reasonable as it relates to the public interest.
B. 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;
C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan, CAMA Land Use Plan, and any other adopted land use document.

## RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The proposed Zoning Map Amendment is supported by two policies within the Pender 2.0 Comprehensive Land Use Plan that encourage low intensity commercial development that minimize impacts on existing residential uses. Although the proposed GB, General Business zoning district rezoning request is inconsistent with the Future Land Use Map, the size of the parcel and its proximity to commercially zoned property indicates that the inconsistencies are minimal. Therefore, Planning staff respectfully recommends approval of the Zoning Map Amendment as detailed in this report.

**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 in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.E**
- **Policy 5.1.K**

The proposed rezoning is consistent with the Medium Density Residential Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan because it has the ability to provide supporting services in an area near existing residences in an area experiencing growth.

**TO DENY:** Motion to deny the Zoning Map Amendment and to make a finding of denial because although the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan, 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 GENERAL USE REZONING | |
|---|---|
| **MOTION** | **SECONDED** |
| | |

| APPROVED | DENIED | UNANIMOUS |
|---|---|---|
| – | | |

| Jordan | Buchanan | Beaudoin | Gruntfest | Mosca | Pitts | Teachey |
|---|---|---|---|---|---|---|
| | | | | | | |

# APPLICATION FOR REZONING (Zoning Map Amendment)

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | ZMA | **Date** | |
| **Application Fee** | $ | **Invoice** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| **SECTION 1: APPLICANT INFORMATION** | | | |
|---|---|---|---|
| **Applicant's Name:** | Michael Afify - A'N'A Builders | **Owner's Name:** | Dawn Ellis/Share the Tradition |
| **Applicant's Address:** | 14223a NC Hwy 50 Surf City NC 28445 | **Owner's Address:** | PO Box 4170 |
| **City, State, & Zip** | Surf City NC 28445 | **City, State, & Zip** | Surf City, NC 28445 |
| **Phone Number:** | cell 919-210-9474 / office 910-329-9819 | **Phone Number:** | 910-264-9509 |
| **Email Address:** | MMAFIFY@GMAIL.COM | **Email Address:** | Sharethetradence@gmail.com |
| **Legal relationship of applicant to landowner:** | | | |

| **SECTION 2: PROJECT INFORMATION** | | | |
|---|---|---|---|
| **Property Identification Number (PIN):** | 4226-74-5773-0000 | **Total property acreage:** | 0.6 |
| **Current Zoning District:** | RP | **Proposed Zoning District:** | GB or (Match Adjoining Property) |
| **Project Address:** | TBD | | |
| **Description of Project Location:** | Pie Shaped lot beside 95 Perkins Dr. Both Lots are @ intersection of Perkins and Hwy 17. | | |

| **SECTION 3: SIGNATURES** | | | |
|---|---|---|---|
| **Applicant's Signature** | | **Date:** | 3/3/2022 |
| **Applicant's Name Printed** | Michael Afify A'N'A Builders Inc | **Date:** | 3/31/2022 |
| **Owner's Signature** | Dawn Ellis / Share the Tradition, Inc. | **Date:** | 4/1/2022 |
| **Owner's Name Printed** | Dawn Ellis / Share the Tradition | **Date:** | 4/1/2022 |

## 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

# Pender County
# Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## Zoning Map Amendment Submission (Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. ✓ **Pre-submittal Meeting**
   Date of Meeting 3/31/2022
2. ✓ **Signed Application**
3. ____ **Payment** TBD
   $500 for the first 5 acres; $10/ acre thereafter up to 1,000 acres; $5 per acre thereafter
4. ✓ **Requested Revision Boundary Map**
   Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.

Tax Map

4. ✓ **Narrative**
   A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5. ✓ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. ✓ **Adjacent Property List**
   A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. ✓ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant _____ Date 4/1/2022

Printed Name Michael A. Fay

Staff Initials: ____
Date: ____

# Rezoning/Zoning Map Amendment Checklist

| | |
|---|---|
| ☑ | Signed application form |
| ☐ | Application fee |
| ☑ | A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning. |
| ☐ | Two (2) business size envelopes legibly addressed with **first class** postage for each of the adjacent and abutting property owners on the above list. |
| ☑ | Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map. |
| ☐? | 18 (11"x17") map copies to be distributed to the Planning Board |
| ☐? | 20 (11"x17") map copies to be distributed to the Board of Commissioners |
| ☑ | Digital (.pdf) submission of all application materials |
| ☑ | A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties. |

**Office Use Only**

| | | |
|---|---|---|
| ☐ | **ZMA Fees: (*$500.00 for first 5 acres; $10/acre thereafter up to 1,000 acres; $5/acre thereafter)*** | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y ☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y ☐ N |

| | | | |
|---|---|---|---|
| **Payment Method:** | **Cash :** ☐ $_____ | **Credit Card:** ☐ Master Card ☐ Visa | **Check:** ☐ Check # _____ |

| | | |
|---|---|---|
| **Application received by:** | | **Date:** |
| **Application completeness approved by:** | | **Date:** |

Dates scheduled for public hearing:
- ☐ **Planning Board:**
- ☐ **Board of Commissioners:**

**RETURN COMPLETED APPLICATION TO:**
Pender County Planning & Community Development
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

# Pender County
# Planning and Community Development

**Planning Division**
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## GENERAL USE REZONING

### GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.

2. Amendments to the Zoning Map, also called a Rezoning, shall be made in accordance with the provisions of the Pender County UDO and shall follow the review process as shown in Figure 1 at the end of Section 3.4.

3. The County Commissioners shall approve or deny amendments to the Zoning Map of Pender County, as may be required from time to time.

4. Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of the UDO. An illustration containing a metes and bounds description is required.

5. All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.

6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

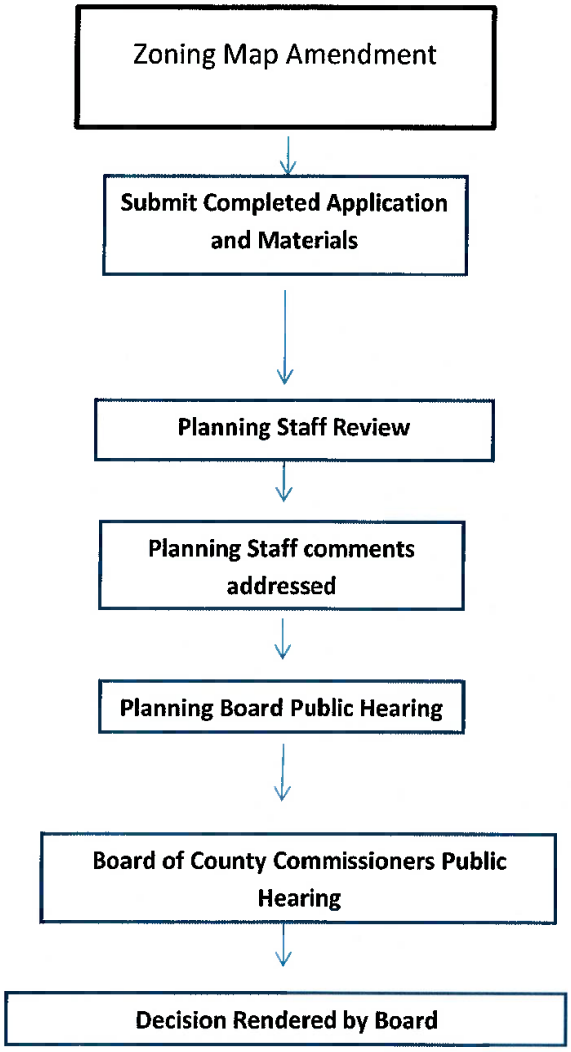
### APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).

2. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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.

3. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.

4. Whether the proposed amendment is reasonable as it relates to the public interest.


Zoning Map Amendment
Submit Completed Application and Materials
Planning Staff Review
Planning Staff comments addressed
Planning Board Public Hearing
Board of County Commissioners Public Hearing
Decision Rendered by Board

License #44723
www.AnAbuilders.com

A'n'A Builder's, Inc.

14223a Hwy50/210 Surf City, NC 28445
Office: (910).329.9819
Fax: (910).329.9907

*"Specializing in Quality Custom Homes and Commercial Buildings"*

Pender County Rezoning Dept
Address of Lot to be Re-zoned: TBD Perkins Rd Hampstead NC
PIN: 4226-74-5773-0000

Narrative:
Share the Table, Inc has purchased this "pie" shaped lot next to the lot they previously purchased at the corner of Hwy 17 and Perkins Rd in Hampstead for the Storm water pond to be placed and approx 10 overflow parking spaces. Share the Table is a non-profit food pantry that services our community and that will need a commercial type zoning and the current zoning of this lot is RP. This lot is oddly shaped, and would be hard to meet the setback minimums for any structure unless used for a project like the one currently requested. We appreciate your consideration to Rezone this project from RP to a commercial designation allowing this use.

Regards,

Michael Afify
Project Manager
A'n'A Builders Inc.

| 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 | | D | D | P | | D | | | | | |
| Accessory Dwelling 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 | | | S | | | P | P | |
| 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 | |

# Pender County
# Request for Board Action

| | |
|---|---|
| **TO:** | Planning Board |
| **FROM:** | Justin Brantley |
| **DATE:** | June 7, 2022 |
| **SUBJECT:** | REZONE 2022-33 |

**SUMMARY:**
Robert Batson, applicant and owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 41 acres of land from the GB, General Business zoning district to the IT, Industrial Transitional zoning district. the subject property is located along Sloop Point Loop Road, approximately one-half mile east of its intersection with US HWY 17 in the Topsail Township and may be further identified by Pender County PIN 4204-92-0474-0000.

**ACTION REQUESTED:**
To hold a public hearing and consider the rezoning request.

**ATTACHMENTS:**
1. Staff Report
2. Application
3. Narrative
4. Property Survey
5. Table of Permitted Uses

# STAFF REPORT FOR REZONE 2022-33
# ZONING MAP AMENDMENT APPLICATION

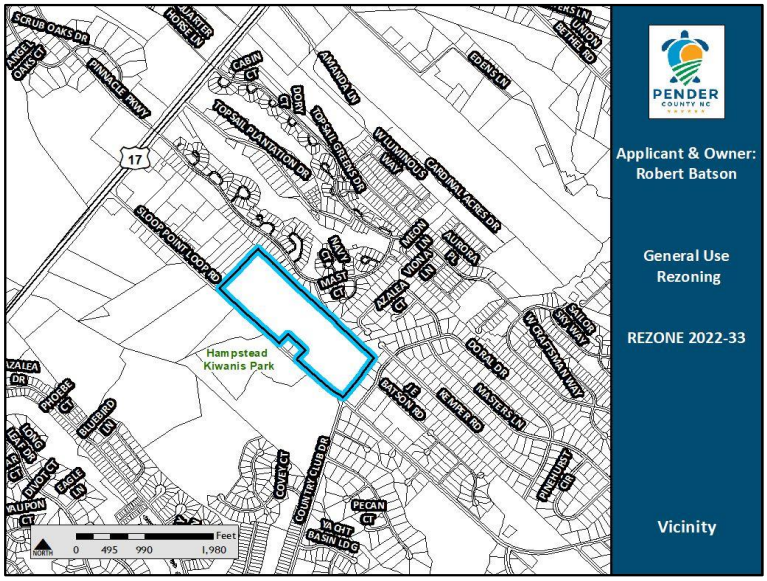
| APPLICATION SUMMARY | |
|---|---|
| Case Number | REZONE 2022-33 |
| Hearing Dates | June 7, 2022 Planning Board<br>July 11, 2022 Board of Commissioners |
| Applicant | Robert Batson |
| Property Owner(s) | Robert Batson |
| Parcel Identification Number | 4204-92-0474-0000 |
| Acreage | 41 |
| Township | Topsail |
| Pender 2.0 Future Land Use Category | Neighborhood Mixed Use |

## REZONING PROPOSAL

Robert Batson, applicant and owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 41 acres of land from GB, General Business zoning district to IT, Industrial Transitional zoning district.

## LOCATION

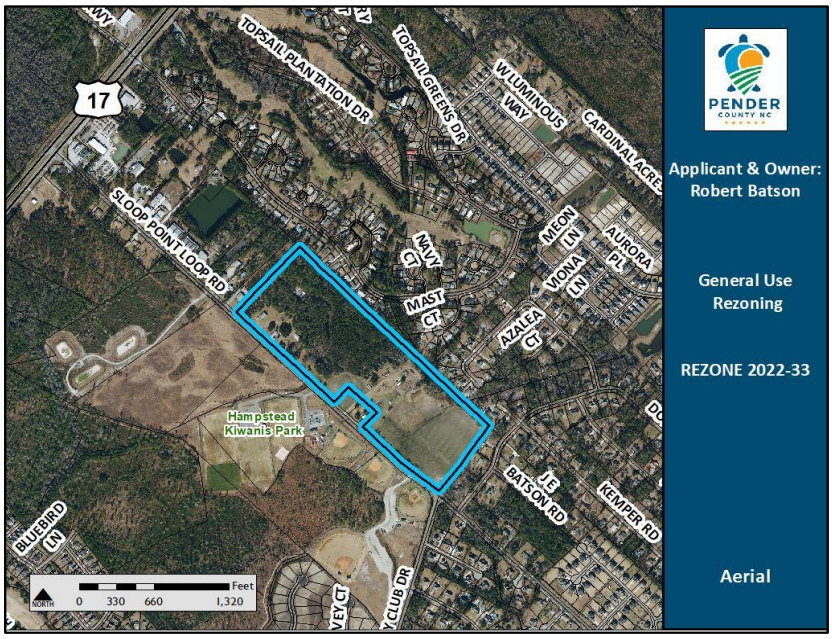
The subject property is located on Sloop Point Loop Road, approximately one half mile west of its intersection with US Highway 17.



## REZONING PROPOSAL

The applicant is proposing to rezone approximately 41 acres from the GB, General Business zoning district to the IT, Industrial Transitional zoning district. The intent of this district is to provide for heavy commercial activities, involving larger scale marketing or wholesaling, where production and assembly occur onsite and retail sales of those products can be sold on premise where produced. In some cases, such areas may be transitional, located between business and industrial areas. In these areas, there will be a mixture of automobile and truck traffic. Flex space (as defined in Appendix A of the Pender County Unified Development Ordinance, Definitions) and technical uses are allowed. Some of the uses in this district will require large areas of land and may have outdoor storage and display. The uses in this district shall not be sources of excessive noise, dust, smoke or other industrial nuisances, as defined in Appendix A. Such industrial transition areas shall be provided with safe and sufficient access.

Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the IT, Industrial Transitional zoning district. However, any future development of the site must comply with the standards of the IT, Industrial Transitional zoning district and is subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.



**Dimensional Requirements**
As this is a general use rezoning, the standard setbacks in the IT, Industrial Transitional zoning district apply and are outlined in the table below. The dimensional standards are proposed to apply uniformly to all buildings and uses on the subject properties. In addition, the minimum lot size in this district is one acre, and the subject property exceeds this standard.

| Minimum Setback (Industrial Transitional) | |
|---|---|
| Front | 40' |
| Side | 25' |
| Rear | 25' |
| Corner | 20' |
| Max. Height | 50'[1] |
| Structure Separation | Per NC Building Code |

[1] Additional building height is allowed at a rate of one additional foot of height for every one foot of additional yard depth (front and sides).

**Allowable Uses**
Because this is a general use rezoning, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the IT, Industrial Transitional zoning district. The table below provides a general list of typical developments permitted within this district. A comprehensive list of all uses from Section 5.2.3 of the Pender County Unified Development Ordinance (UDO) is included in **Attachment 1**.

| | IT, Industrial Transitional |
|---|---|
| **Residential Uses** | Accessory Dwelling Unit on Non Residential Principal Uses |
| **Commercial Uses** | ≈ 90 uses by-right (Specialty Trade Contractors, Prefabricated Metal Building and Component Manufacturing, Machine Shops, Warehousing and Storage, Commercial and Industrial Machinery and Equipment Rental and Leasing, etc.)<br>≈ 8 uses w/ SUP (Other Nonhazardous Waste Treatment and Disposal, Cemeteries and Crematories Except Private Cemetery, Adult Businesses, Telecommunication Facilities, etc.) |

## TRANSPORTATION INFRASTRUCTURE

**Access**
The property is currently accessible only by Sloop Point Loop Road. Sloop Point Loop Road is identified as a secondary route according to the NCDOT and further classified as a collector road by the Wilmington Urban Area Metropolitan Planning Organization (WMPO).

**Traffic**
A Traffic Impact Analysis (TIA) is not required for a general use rezoning since a site-specific development plan is not required to be included in the application package. The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

***NCDOT Average Annual Daily Traffic (AADT) – 2020; WMPO Roadway Capacities – 2020***

| Road | Location | Volume | Capacity | V/C |
|---|---|---|---|---|
| Sloop Point Loop Rd | Between US 17 and Country Club Dr | 5900 | 10978 | 0.54 |

## OTHER INFRASTRUCTURE

**Utilities**
Public water is available through Pender County Utilities (PCU) along Sloop Point Loop Road. Based on available data and information from private sewer providers, sewer is also available in this location. The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

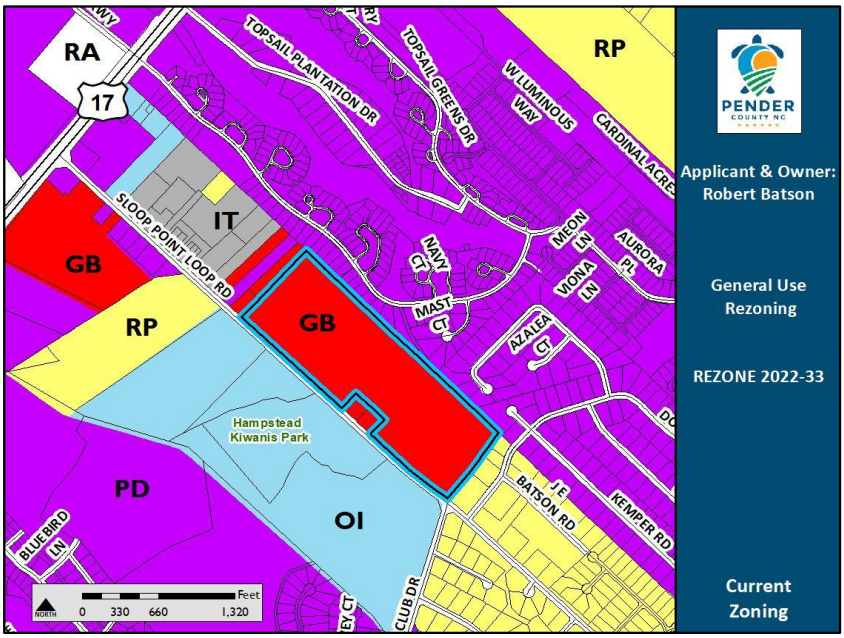
**Schools**
There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time. Because the proposed rezoning is from one predominantly non-residential zoning district to another primarily non-residential zoning district, an impact to school capacity is not anticipated.

| ENVIRONMENTAL CONCERNS | |
|---|---|
| Special Flood Hazard Areas | The subject property does not contain any Special Flood Hazard Areas[1]. |
| Wetlands | Portions of the subject property may contain wetlands[2, 3]. The location of any wetlands will be verified when a site-specific development plan is submitted for review. 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 any Areas of Environmental Concern (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)

## EVALUATION

***Below: Zoning Map of the Area***

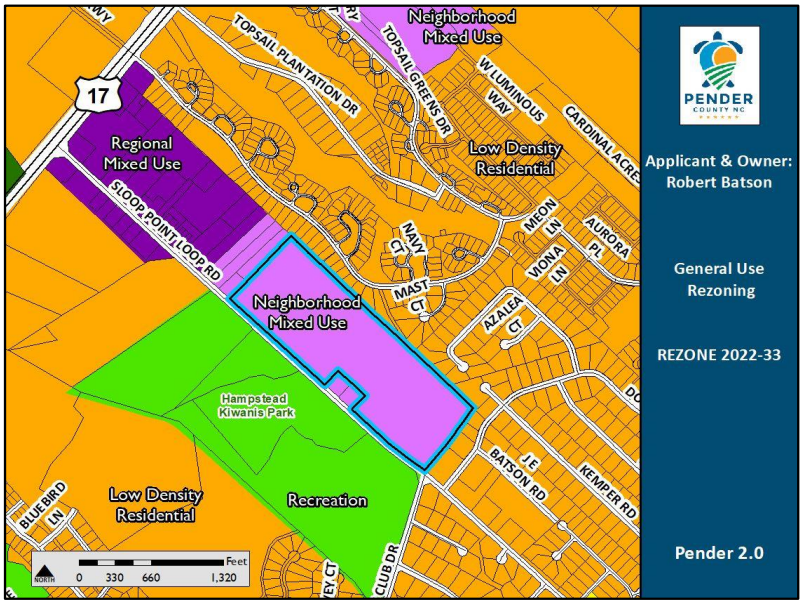



| CHARACTERISTICS OF THE SURROUNDING AREA | | |
|---|---|---|
| | **LAND USE** | **ZONING** |
| **North** | Residential | PD, Planned Development & GB, General Business |
| **East** | Residential | RP, Residential Performance & PD, Planned Development & GB, General Business |
| **South** | Residential, Recreational (Hampstead Kiwanis Park) | RP, Residential Performance & O&I, Office and Institutional |
| **West** | Residential, Recreational (Hampstead Kiwanis Park), Commercial | RP, Residential Performance & O&I, Office and Institutional |

**Surrounding Zoning**

The subject property is currently within the GB, General Business zoning district. Properties immediately adjacent to the subject properties are currently zoned GB, General Business, RP, Residential Performance, and PD, Planned Development, as indicated by the table and map above.

**Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject property is located within the Neighborhood Mixed Use future land use classification as shown in the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan. Neighborhood mixed use allows for a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three mile radius. Land use and development within this category is closely coordinated with existing and planned roadway transportation networks, while encouraging bicycle and pedestrian access. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and single-family residential uses. This future land use classification is not intended to be solely reserved for mixed use developments. Single use developments that contribute toward an integrated land use pattern of appropriate commercial, office, civic, and medium density residential uses are encouraged.




Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller. These areas should be served by water and sewer infrastructure. Development density within this category allows for up to 10 units per acre for residential development.

The IT, Industrial Transitional zoning district is inconsistent with the Neighborhood Mixed Use future land use classification due to its allowance of industrial uses, which are not desired in areas designated Neighborhood Mixed Use.

In addition to conflicting with the Future Land Use Map, the proposal was found to conflict with the following four policies within the Pender 2.0 Comprehensive Land Use Plan:

**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.E: Compatible Development:** The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

**Policy 5.1.H: Mixed Use Development:** The County supports a wide range of commercial and residential development at varying intensities, when appropriately located, and provided that impacts to adjacent property owners and traffic congestion is mitigated.

**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.

The proposal was not found to be supported by any policies within the Pender 2.0 Comprehensive Land Use Plan.

**Unified Development Ordinance Compliance:** Section 3.3.5 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.

### 3.3.5 Approval Criteria for Rezoning

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

A. Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:
    1. be detrimental to the natural environment,
    2. adversely affect the health, safety, or welfare of residents or workers in the area,
    3. be detrimental to the use or development of adjacent property,
    4. materially or adversely affect the character of the general neighborhood, and
    5. be reasonable as it relates to the public interest.

B. 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;

C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan, CAMA Land Use Plan, and any other adopted land use document.

## RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board Disposition. The proposed Zoning Map Amendment is inconsistent with the Future Land Use Map and is inconsistent with four policies within the Pender 2.0 Comprehensive Land Use Plan. The proposal was not found to be supported by any policies within the Pender 2.0 Comprehensive Land Use Plan.

While the current Zoning Map designation of GB, General Business for the property is consistent with the Pender 2.0 Comprehensive Land Use Plan, a more intense commercial designation of IT, Industrial Transitional, would be inconsistent with the Pender 2.0 Comprehensive Land Use Plan and would not be in character with the surrounding area as the surrounding area is designated for low-density residential and recreational with limited commercial through the Neighborhood Mixed Use designation. Therefore, Planning staff respectfully recommends denial of the Zoning Map Amendment as detailed in this report.

**PLANNING BOARD ACTION NEEDED:**

**TO APPROVE:** Motion to approve the Zoning Map Amendment and to make a finding of approval because although the proposal is inconsistent with the Pender 2.0 Comprehensive Land Use Plan, said approval 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]…

**TO DENY:** Motion to deny the Zoning Map Amendment and to make a finding that the approval is inconsistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.D**
- **Policy 5.1.E**
- **Policy 5.I.H**
- **Policy 5.1.N**

The proposed rezoning is inconsistent with the Neighborhood Mixed Use Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan because it would allow for uses not supported nor desired by the Neighborhood Mixed Use future land use classification.

**PLANNING BOARD ACTION FOR GENERAL USE REZONING**

| MOTION | SECONDED |
|---|---|
| | |

| APPROVED | DENIED | UNANIMOUS |
|---|---|---|
| – | | |

| Mosca | Jordan | Beaudoin | Buchanan | Gruntfest | Pitts | Teachey |
|---|---|---|---|---|---|---|
| | | | | | | |

# Pender County
# Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

## Zoning Map Amendment Submission (Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. _____ **Pre-submittal Meeting**
   Date of Meeting _____
2. _____ **Signed Application**
3. _____ **Payment**
   $500 for the first 5 acres; $10/ acre thereafter up to 1,000 acres; $5 per acre thereafter
   40.8 Ac - 5 Ac = 35.8 Ac x 10 + 500 = 858 $ ~~858.00~~
4. _____ **Requested Revision Boundary Map**
   Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. _____ **Narrative**
   A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5. _____ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. _____ **Adjacent Property List**
   A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. _____ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant Robert Bates Date 3-24-22

Printed Name Robert Bates

Staff Initials: _____
Date: _____

# APPLICATION FOR REZONING (Zoning Map Amendment)

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | ZMA | **Date** | |
| **Application Fee** | $ | **Invoice** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| **SECTION 1: APPLICANT INFORMATION** | | | |
|---|---|---|---|
| **Applicant's Name:** | ROBERT BATSON | **Owner's Name:** | SAME |
| **Applicant's Address:** | 679 SLOOP POINT RD | **Owner's Address:** | SAME |
| **City, State, & Zip** | HAMPSTEAD NC 28443 | **City, State, & Zip** | SAME |
| **Phone Number:** | 910 620-5085 | **Phone Number:** | |
| **Email Address:** | | **Email Address:** | |
| **Legal relationship of applicant to landowner:** | | | |

| **SECTION 2: PROJECT INFORMATION** | | | |
|---|---|---|---|
| **Property Identification Number (PIN):** | 4204-92-0474-0000 | **Total property acreage:** | 40.8± |
| **Current Zoning District:** | GB | **Proposed Zoning District:** | IT |
| **Project Address:** | | | |
| **Description of Project Location:** | NORTH WESTEN CORNER INTERSECTION OF SLOOP PT RD & COUNTRY CLUB ROAD | | |

| **SECTION 3: SIGNATURES** | | | |
|---|---|---|---|
| **Applicant's Signature** | Robert Batson | **Date:** | 3-24-22 |
| **Applicant's Name Printed** | Robert Batson | **Date:** | 3-24-22 |
| **Owner's Signature** | | **Date:** | |
| **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

## Rezoning/Zoning Map Amendment Checklist

| | |
|---|---|
| ☐ | Signed application form |
| ☐ | Application fee |
| ☐ | A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning. |
| ☐ | Two (2) business size envelopes legibly addressed with **first class** postage for each of the adjacent and abutting property owners on the above list. |
| ☐ | Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map. |
| ☐ | 18 (11"x17") map copies to be distributed to the Planning Board |
| ☐ | 20 (11"x17") map copies to be distributed to the Board of Commissioners |
| ☐ | Digital (.pdf) submission of all application materials |
| ☐ | A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties. |

**Office Use Only**

| | | |
|---|---|---|
| ☐ | **ZMA Fees: (***$500.00 for first 5 acres; $10/acre thereafter up to 1,000 acres; $5/acre thereafter)* | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y ☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y ☐ N |

| | | | |
|---|---|---|---|
| **Payment Method:** | **Cash :** ☐ $_____ | **Credit Card:** ☐ Master Card ☐ Visa | **Check:** ☐ Check # _____ |

| | | |
|---|---|---|
| **Application received by:** | | **Date:** |
| **Application completeness approved by:** | | **Date:** |

Dates scheduled for public hearing:
- ☐ **Planning Board:**
- ☐ **Board of Commissioners:**

**RETURN COMPLETED APPLICATION TO:**
Pender County Planning & Community Development
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

# PROPOSED REZONING
# FOR
# ROBERT BATSON

**TAX PIN #4204-92-0474-0000**

THE SUBJECT PROPERTY WHICH IS LOCATED AT THE NORTH WESTERN CORNER OF THE INTERSECTION OF S.R. 1563 (SLOOP POINT LOOP ROAD) & S.R. 1565 (COUNTRY CLUB ROAD)

THIS IS THE IDEAL LOCATION FOR A CAMPER / R.V. / BOAT & TRAILER STORAGE SITE. THIS LOCATION OFFERS EASY ACCESS TO BOAT LANDINGS, HARDWARE & PARTS STORES DUE TO SMALL LOT SIZES OF THE SURROUNDING AREA THIS SITE WILL OFFER ADEQUATE AREA FOR STORAGE OF LARGE PERSONAL PROPERTY ITEMS NEEDED BY PENDER COUNTY RESIDENTS LOCATED IN THIS PORTION OF THE COUNTY.

THERE IS PROPERTY CURRENTLY ZONED (IT) LOCATED 350+/- FEET NORTH WESTERLY TOWARD US 17 ON SLOOP POINT LOOP ROAD.

THIS PROPERTY IS CURRENTLY ZONED (GB) WHICH WILL NOT ALLOW OUTSIDE STORAGE AT THIS TIME. THIS REQUEST IS TO REZONE TO (IT) WHICH WILL ALLOW OUTSIDE STORAGE.

Sincerely,

Robert Batson

Robert Batson

3-24-22

***SURVEY REFERENCE:***

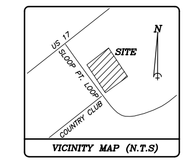
*MAP BOOK 46 AT PAGE 16*
*DEED BOOK 4194 AT PAGE 210*
*PENDER COUNTY REGISTRY*

***NOTES:***

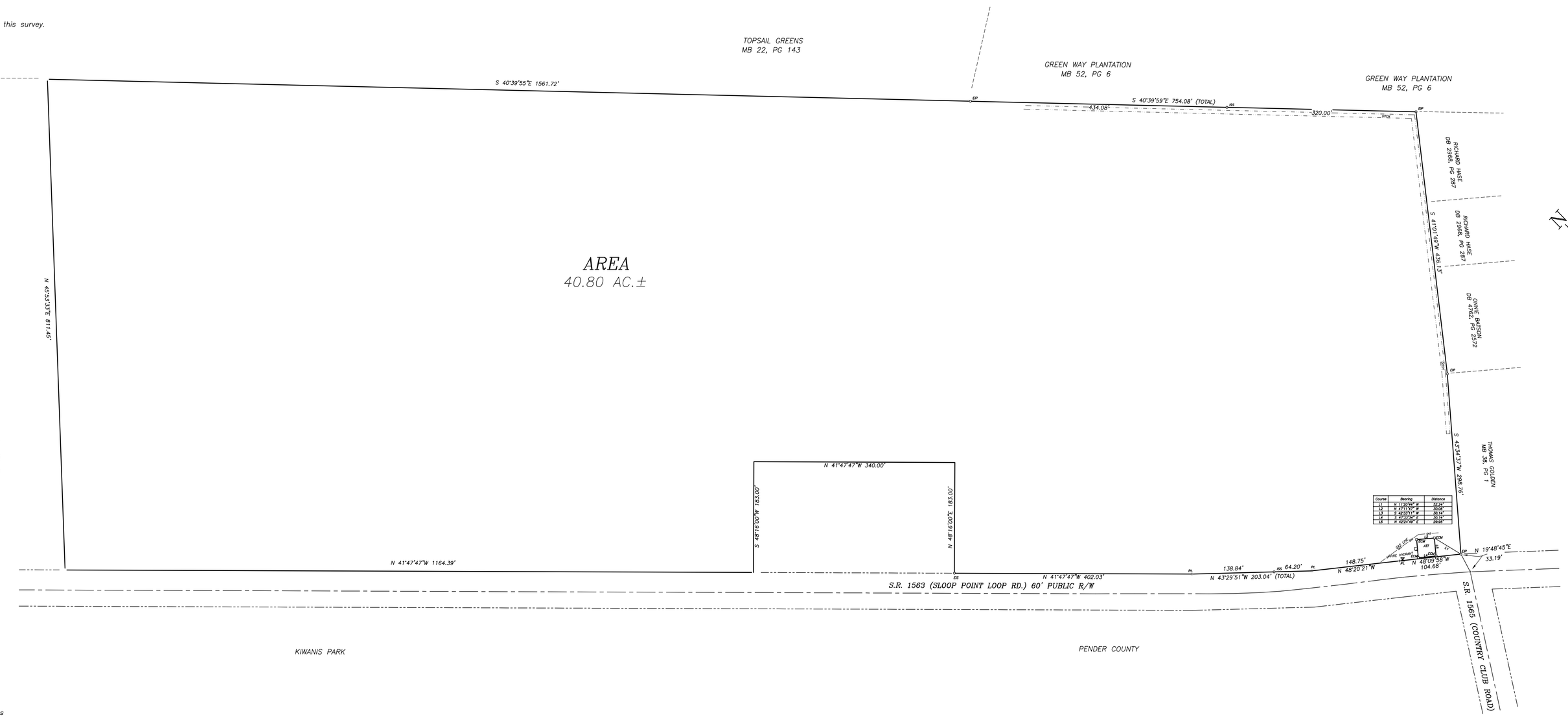
1. *CORNERS ARE MARKED AS NOTED ON MAP.*
2. *ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.*
3. *AREA COMPUTED BY THE COORDINATE METHOD.*
4. *THIS PROPERTY IS ZONED GB.*
5. *THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARDOUS AREA.*
6. *NO KNOWN HORIZONTAL CONTROL WITHIN 2,000'.*
7. *BUILDING SET BACKS REQUIRED TO BE IN ACCORD WITH THE PENDER COUNTY ZONING ORDINANCE. (FRONT 25' // SIDE 10' // REAR 10')*

*This map is subject to any easements, agreements or rights of way prior to the date of this map that were not visible at my time of inspection.*

*No complete title search was performed for this survey.*




*VICINITY MAP (N.T.S)*




| Curve | Bearing | Distance |
|---|---|---|
| L1 | S 22°20'26" E | 50.00' |
| L2 | S 67°39'34" W | 50.00' |
| L3 | S 22°20'26" E | 50.00' |
| L4 | S 67°39'34" W | 50.00' |
| L5 | S 22°20'26" E | 50.00' |

***Parcel Identifier Certificate***

*Parcel Identifiers will be issued for all parcels shown on this plat after recordation.*
*TAX PIN #4204-92-0474-0000*

*Tax Office* *Date*

*PARCEL ID #*

NORTH CAROLINA PROFESSIONAL SEAL L-4503 LAND SURVEYOR FREDERICK W. JONES II

***LEGEND:***

- *EIP (EXISTING IRON PIPE) OR EIS (EXISTING IRON STAKE) OR ISS (IRON STAKE SET)*
- *Pt. (POINT)*
- *PROPERTY LINE*
- *NON-SURVEYED LINE*
- *DITCH LINE*
- *℄ (CENTER LINE)*
- *R/W (RIGHT OF WAY)*
- *N.T.S. N.T.S. (NOT TO SCALE)*

*TAX PIN #4204-92-0474-0000*

# *PROPOSED REZONING MAP*
## *FOR*
# *ROBERT BATSON*

*TOPSAIL TOWNSHIP – PENDER COUNTY – NORTH CAROLINA*
*SCALE: 1" = 100'* *MARCH 14, 2022*

100 0 100 200 300
GRAPHIC SCALE – FEET

***Owner***

*BATSON CONSTRUCTION INC*
*C/O ROBERT BATSON*
*679 SLOOP POINT LOOP ROAD*
*HAMPSTEAD NC 28443*

***F.W. JONES Surveying Company***
*N.C. LICENSE No. F-1036*
*P.O. Box 1471*
*111 East Fremont Street*
*Burgaw, NC 28425*
*Ph: (910) 259-2954*
*Fx: (910) 259-9040*
*Em: jonessurveying@bellsouth.net*
*File: GPL 19 BATSON ROBERT 1563 SLOOP POINT ROAD*

| 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 | | | S | | | P | P | |
| 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** | | | | | | | | | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| 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** |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| **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 | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| 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 | | | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| 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