



Pender County

Agenda

Planning Board Meeting

Tuesday, July 6, 2021 @ 7:00 PM

Pender County Public Assembly Room

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
4. PLEDGE OF ALLEGIANCE		
5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
7. PRESENTATIONS		
8. PUBLIC COMMENT		
9. PUBLIC HEARINGS		
MDP 2021-29		3 - 26
MDP 2021-29 - Pdf		
REZONE 2021-23		27 - 48
REZONE 2021-23 - Pdf		
REZONE 2021-24		49 - 70
REZONE 2021-24 - Pdf		
10. DISCUSSION		
11. NEXT MEETING DATE		
12. ADJOURNMENT		



Pender County MDP 2021-29

TO: Planning Board
FROM: Gideon Smith
DATE: July 6, 2021
SUBJECT: MDP 2021-29

SUMMARY:

Parker & Associates, Inc., applicant, on behalf of Market Street Real Estate Investment Group, LLC, owner, is requesting approval of a Master Development Plan within the PD, Planned Development zoning district for the construction of two structures consisting of an 11,880 square foot preschool and a 10,080 square foot multi-use commercial building, with a third 5,800 square foot multi-use commercial building for future development. All permitted uses within the commercial buildings to be included as part of the Master Development Plan are listed in the report below. The subject property consists of an approximately 4.21-acre tract of land located on the northeastern corner of the intersection of US HWY 17 and Bay Ridge Road in the Topsail Township and may be further identified by Pender County PIN: 4204-87-1130-0000.

ACTION REQUESTED:

To hold a Public Hearing and consider the Master Development Plan

ATTACHMENTS:

1. MDP 2021-29 Staff Report
2. MDP 2021-29 Application
3. MDP 2021-29 Narrative
4. MDP 2021-29 Proposed MDP
5. MDP 2021-29 Approved Scope
6. MDP 2021-29 Tree Survey
7. MDP 2021-29 Public Input Meeting Summary
8. MDP 2021-29 TRC Comments

PLANNING STAFF REPORT MASTER DEVELOPMENT PLAN

SUMMARY:

Hearing Date: July 6, 2021, Planning Board
Applicant: Parker & Associates, Inc.
Property Owner: Market Street Real Estate Investment Group, LLC
Case Number: MDP-2021-29

Development Proposal: Parker & Associates, Inc., applicant, on behalf of Market Street Real Estate Investment Group, LLC, owner, is requesting approval of a Master Development Plan within the PD, Planned Development zoning district for the construction of two structures consisting of an 11,880 square foot preschool and a 10,080 square foot multi-use commercial building, with a third 5,800 square foot multi-use commercial building for future development. All permitted uses within the commercial buildings to be included as part of the Master Development Plan are listed in the report below.

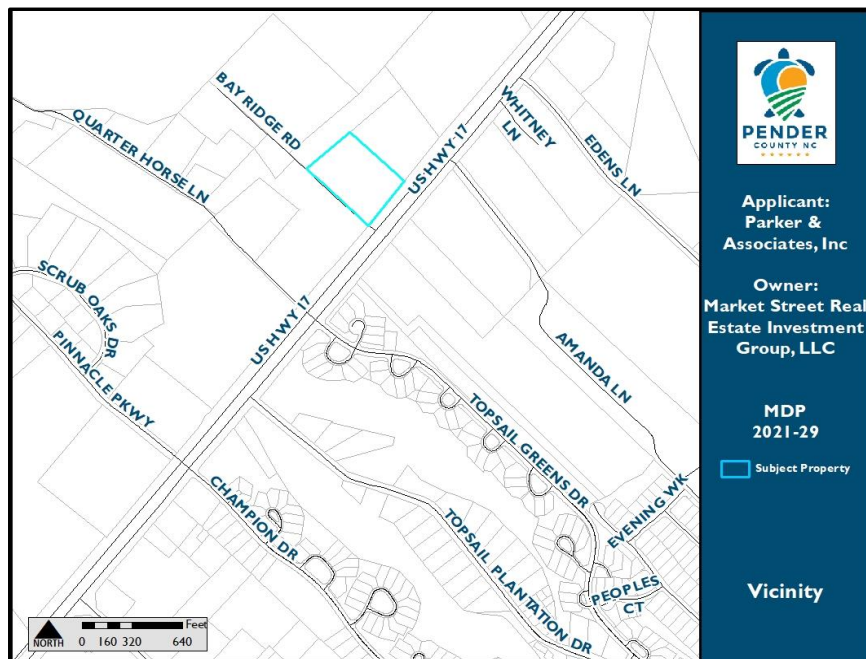
Property Record Number, Acreage, and Location: The subject property consists of an approximately 4.21-acre tract of land located on the northeastern corner of the intersection of US HWY 17 and Bay Ridge Road in the Topsail Township and may be further identified by Pender County PIN: 4204-87-1130-0000.

Zoning District of Property: The subject property is zoned PD, Planned Development zoning district.

Recommendation:

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with the Future Land Use Map as well as one goal and three policies within the Pender 2.0 Comprehensive Land Use Plan and was not found to conflict with any goals, objectives, or policies within that plan. The proposed development is also consistent with the Pender County Unified Development Ordinance. Therefore, Planning Staff

recommends the approval of the Master Development Plan as detailed in the report for the development known as Bay Ridge Commons. All future development, phases, or changes to the Master Development Plan are subject to the Planning Board review and approval.



DESCRIPTION: History

The subject property was zoned PD, Planned Development prior to the adoption of the Pender County Unified Development Ordinance (UDO) in 2010 and remains as such today.

Master Plan Proposal

The applicant is proposing to construct a non-residential mixed-use development in two phases consisting of an 11,880 square foot preschool and a 10,080 square foot multi-use commercial building. A third 5,800 square foot multi-use commercial building is being proposed as Phase 2 for future development. Based upon the proposed uses associated with this request and the design of the site, the applicant is meeting the requirements of Section 4.8.I.B.d of the UDO by providing a mix of uses. Because the subject property is less than 100 acres, a mix of residential and non-residential uses is not required. The proposed development is currently named "Bay Ridge Commons."

As proposed and shown on the master development plan, each of the structures will be 1-story commercial buildings. The applicant has indicated that the 11,880 square foot structure furthest from US HWY 17 will be occupied by Creative Minds Preschool, an existing preschool that currently operates out of several commercial structures near the intersection of US HWY 17 and Pandey Ann Lane in Scotts Hill. According to the applicant's submitted



narrative, Creative Minds Preschool is interested in opening a similar facility on the subject parcel in Hampstead to meet the high demand of quality childcare.

The new educational facility would be designed to accommodate 256 students and 53 employees. This proposed structure, as well as the 10,080 square foot structure closer to US HWY 17 would be constructed as part of Phase I of the development, if approved. The submitted narrative suggests that 10,080 square foot structure would be constructed to accommodate two restaurants with outdoor seating areas, medical offices and health care providers, drive-thru services, and other uses listed in the table below. These other uses generally consist of restaurants, professional and medical offices, retail stores, educational facilities, personal and household repair, nail and hair salons, and religious organizations.

Although the 5,800 square foot building is being proposed to be constructed as Phase 2 of the development, the only uses that would be permitted in that structure are those included in this report and listed in the table below. All proposed uses are sourced from Section 5.2.3 of the Pender County Unified Development Ordinance (UDO) and are permitted in the PD, Planned Development zoning district as part of an approved master development plan.

Proposed Master Development Plan Allowable Uses	
NAICS Code	Use
	Accessory Structures
	Artisan Manufacturing
443	Electronic & Appliance Stores
444	Building Material, Garden Equipment, & Supplies Dealers
445	Food and Beverage Stores
446	Health and Personal Care Stores
448	Clothing and Clothing Accessories Stores
451	Sporting Goods, Hobby, Book, and Music Stores
453	Miscellaneous Store Retailers
454	Non store Retailers
491110	Postal Services
52	Finance and Insurance
53	Real Estate and Rental and Leasing
54	Professional, Scientific, and Technical Services
55	Management of Companies and Enterprises
561	Administrative and Support Services
611	Educational Services
6114	Business Schools, Computer, and Management Training
6115	Technical and Trade Schools
6116	Other Schools and Instruction
621	Ambulatory Health Care Services
622	Hospitals
7111	Performing Arts Companies
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
712	Museums, Historical Sites, and Similar Institutions
713940	Fitness and Recreational Sports Centers
71395	Bowling Centers
7221	Full Service Restaurants
7222	Limited Service Eating Places
7223	Special Food Services
8114	Personal & Household Goods, Repair, and Maintenance
8121	Personal Care Services
812310	Coin Operated Laundries and Dry Cleaners
812320	Dry Cleaning & Laundry Services
8129	Other Personal Services
8131	Religious Organizations
8132	Grant making and Giving Services
8133	Social Advocacy Organizations
813410	Civic and Social Organizations
8139	Business Professional, Labor, Political, and Similar Organizations
92	Public Administration

The applicant has indicated that no specific tenants have been retained for the proposed development and are requesting uses that are compatible with childcare facilities on-site.

If this proposed request is approved, the applicant will be required to submit a Major Site Development Plan to be reviewed by the Technical Review Committee (TRC) to ensure compliance with all applicable County, State, and Federal regulations. Approval of the Master Development Plan shall not be construed to grant approval to begin construction.

Dimensional Requirements

Dimensional standards within the PD, Planned Development zoning district are specific to individual parcels or parcels included in master development plans. If a property is not included in a master development plan, dimensional standards must be reviewed and approved by the Planning Board.

The applicant is proposing the below minimum dimensional standards. These standards are to be applied uniformly to all buildings and uses on the subject property.

Bay Ridge Commons Proposed Setbacks	
	Minimum Setback
Front	25'
Side	10'
Rear	10'
Corner	10'
Max. Building Height	24'
Accessory Structure Separation	10'

Access

Access is provided to the subject property via US HWY 17, an NCDOT maintained Principal Arterial Road based on the WMPO Functional Classification Map. The subject property is also accessed via Bay Ridge Road, a private road. According to the applicant's narrative, Bay Ridge Road will be paved if the master development plan is approved and the site is developed.

Parking Standards

Per Section 7.10.1 of the UDO, off-street parking spaces shall be provided for all uses and buildings with multiple uses shall calculate parking based on the square footage of each use in the building. To establish the minimum parking requirement for the site, Staff used the applicant's estimated square footage of the preschool, medical, retail, and restaurant land uses that could be permitted on site if this master development plan is approved. The required parking calculations are as follows:

Bay Ridge Commons Parking Calculations			
Use and Size	Parking Calculation	Required Parking Spaces	Spaces Provided
Day Care (11,880 sf; 256 students; 53 employees)	1 per employee + 1 per 10 attendees or fraction thereof	79	79
Medical (7,940 sf)	1 per 250 SF floor area	32	32
Retail (4,446 sf)	1 per 225 SF floor area for the first 50,000 SF of Gross Leaseable Area	20	20
Restaurant (3,494 sf)	1 per 100 SF floor area	35	35
Total		166	166

Per Section 8.3.2 of the UDO, landscape islands shall be provided within parking areas, except parking garages, to prevent excessively long, contiguous runs of parking spaces. Based on the proposed master development plan, it appears that the site meets the standards outlined in both Sections 7.10 and 8.3.2 of the UDO. Compliance with these provisions will be reviewed again at Major Site Development Plan submittal for each building and/or phase.

Traffic

A Traffic Impact Analysis (TIA) is required for the proposed master development plan because it is estimated to generate more than 100 trips in the morning and evening peak hours and over 1,000 trips per day. Any traffic requirements will be addressed by NCDOT and will be required to be compliant with their standards. The chart below shows the trip generation calculations that the applicant submitted based upon the proposed uses included in this request. Although the estimated trips per land use category are not specified, the cumulative sum of these trips exceeds the threshold that requires a TIA to be submitted.

Staff advised the applicant that a TIA would be required based on these estimates. At this time, a scoping document has been approved by the WMPO and can be found in Attachment I. This scoping document is the first step in the TIA process. NCDOT, WMPO, and Pender County Planning staff will work with the applicant's traffic engineer throughout the TIA review process. Before any development can occur on the subject site, an approved TIA, approved by NCDOT and the WMPO, will be required.

Bay Ridge Commons Estimated Trip Generation			
Land Use	AM Peak	PM Peak	Daily
Day Care (LUC 565)	534 AM Peak	319 PM Peak	1,362 Daily
Medical (LUC 720)			
Retail (LUC 826)			
Restaurant (LUC 936)			

Because a Traffic Impact Analysis has not been completed at this time that analyzes roadway impacts as a result of the development, the volume to capacity ratio for US HWY 17 near the subject site has been provided. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, US HWY 17 in this area has capacity to handle the anticipated traffic volume increases associated with the proposed master development plan.

NCDOT Average Annual Daily Traffic (AADT) – 2019; WMPO Roadway Capacities – 2019

Road	Location	Volume	Capacity	V/C
US HWY 17	19900 Block	36,000	44,677	0.81

Depending on the results of the TIA, the applicant and/or developer of the site may be required to install roadway improvements to mitigate the impacts the proposed development has on the nearby roadway system. Those improvements are monitored through the NCDOT Driveway Permitting process.

Utility Services (Wastewater/Water)

The applicant is proposing to connect to Pender County Utilities (PCU) for water service. According to comments provided by PCU, there is a water main located on the opposite side of US HWY 17, which would require the applicant to bore under the highway to connect to this water source. Any connection to this system would require review and approval from PCU.

The applicant is also proposing to construct a pump station and force main to connect to Pluris Hampstead, LLC for wastewater service. Any connection to this system would require review and approval from Pluris Hampstead, LLC.

Environmental Concerns

Wetlands, Flood, and CAMA

According to data provided by the North Carolina Division of Coastal Management (DCM) and the National Wetlands Inventory (NWI), wetlands may be present on the subject property. However, the applicant's site plan indicates that no wetlands exist on site. The location of any wetlands will be verified during the site development plan review process, and any development within wetlands is subject to review and approval from the U.S. Army Corps of Engineers.

The subject parcel is not located within any Special Flood Hazard Area (SFHA) according to the 2007 Flood Insurance Rate Maps (FIRMs), and that would not change under the preliminary FIRMs that have not yet been adopted.

It appears there are no CAMA Areas of Environmental Concern (AECs) located on the project site. The applicant's site plan also indicates that there are no AEC on site.

Landscaping and Buffers

All landscape and buffers are to be approved in accordance with Section 8.2.8, Project Boundary Buffer of the Pender County UDO. In the PD, Planned Development zoning district the following buffers are required:

Buffers Required for Multifamily and Planned Developments - Multifamily and Planned Developments shall be required to have the following buffers:	
Location of Buffer for Multi-family & Planned Developments	Type Buffer
Along all boundaries adjacent to a street	Buffer A
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
Along all other boundaries	Buffer B

The applicant is proposing to install a Type A Buffer along US HWY 17 and Bay Ridge Road, a Type B along the eastern property boundary, and a type C Buffer along the northern property boundary. The UDO includes various options of buffer types that vary based upon width and the required number of trees and shrubs per 100 feet. The proposed master development plan illustrates the type of buffer along each property boundary, all of which are compliant with UDO requirements. Specific details regarding type of trees and shrubs, and specific planting location will be verified during the site development plan review process.

Significant Tree Survey

Based on the significant tree survey submitted by the applicant, a total of 10 significant trees have been identified on site. If any of these significant trees are removed during the development process, the applicant/developer will be required to mitigate the removal of the trees by planting two trees of the same species (2" + caliper) on site. Please refer to Attachment 2 for this survey.

Bay Ridge Commons Significant Trees	
Species (Total)	Caliper (Total)
Oak (7)	14" (2)
	10" (3)
	8" (2)
Maple (3)	14" (2)
	12" (1)

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 NCDOT Driveway Permit will be required prior to approval of a Major Site Development Plan.

PUBLIC INPUT MEETING

In accordance with the Pender County Unified Development Ordinance, the applicant held a public input meeting on Thursday, June 10, 2021 at the Hampstead Annex. One resident adjacent to the subject property attended the meeting. According to the applicant's meeting summary, the neighbor raised questions about buffering and planned improvements to Bay Ridge Road. A summary of the public input meeting is included in Attachment 3.

Technical Review Committee (TRC) Responses:

On June 7, 2021, the proposed master development plan was sent to the Pender County Technical Review Committee for review. The responses collected can be found in Attachment 4.

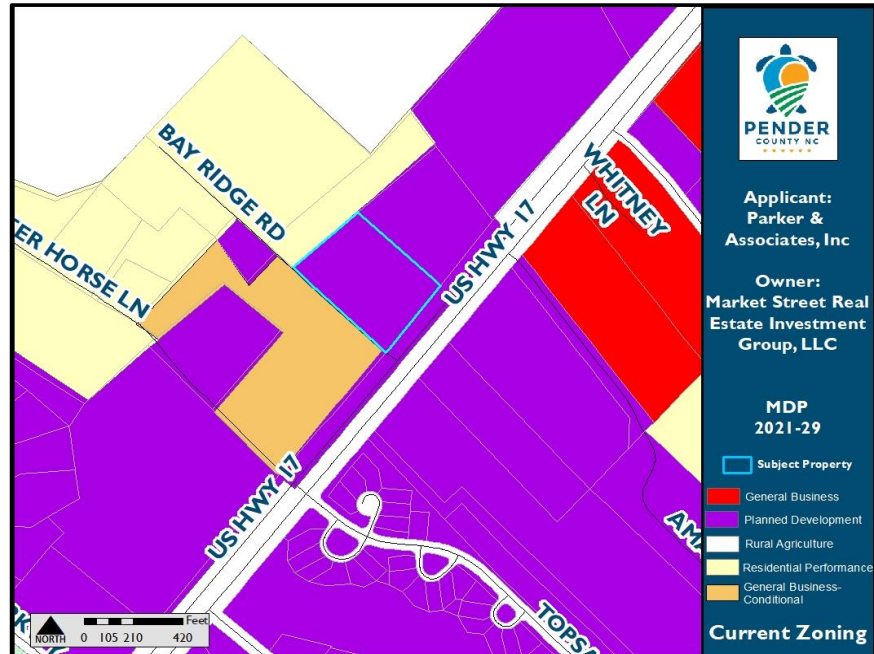
EVALUATION:

A. **Public Notifications:** Public Notice for the proposal has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500' of the proposed development have been given written notice of the request, and a public notification sign has been placed on the property.

B. **Existing Zoning in Area:**

The subject property is located within a PD, Planned Development zoning district. The properties to the south and east are zoned PD, Planned Development zoning district. Properties located to the north are zoned RP, Residential Performance zoning district, and properties located to the south are zoned GB, General Business

Conditional District 2 zoning district.

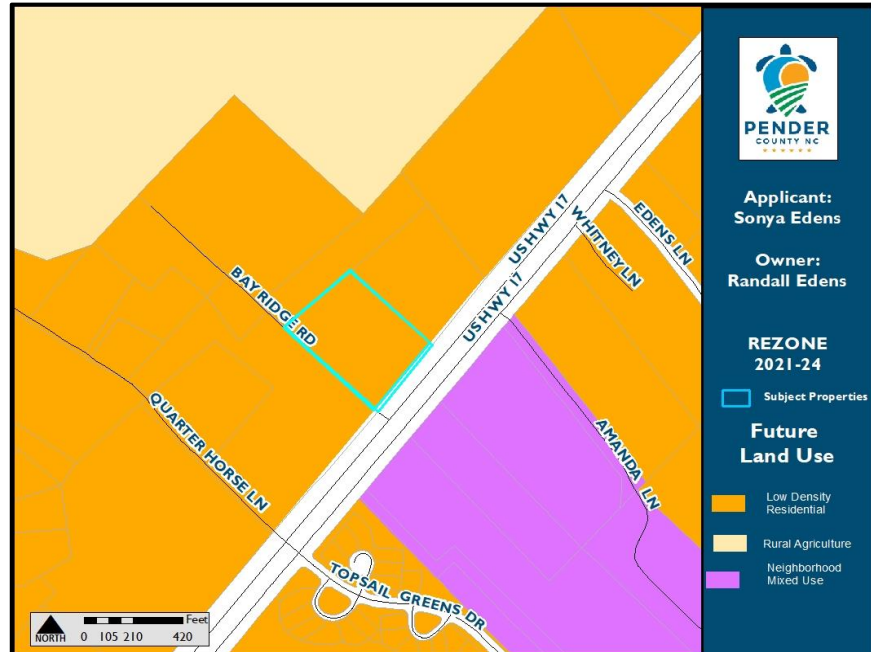


C. **Existing Land Use in Area:** The subject property is located among a range of land uses, including single-family residential to the north, mini warehousing and a fitness center to the south and west, and vacant, undeveloped land to the east. US HWY 17 is immediately adjacent to the south and east and Bay Ridge Road to the south and west.

D. **Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject property is located within the Low-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 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. Development density within this category is two dwelling units per acre or less.

The Pender 2.0 Comprehensive Land Use Plan's Future Land Use Map provides the preferred growth and development scenario over a 30-year planning horizon. These categories were designated to describe the types of development that are appropriate and recommended throughout the county. These categories are not intended to be parcel-specific and can be viewed as indicators of general vicinities that could be developed with specific ranges of land uses. In addition, the future land use category boundaries are viewed as transitional in nature and serve as general areas for the blending of one preferred development scenario into another and vice versa.

The subject property is located immediately across US HWY 17 from an area designated as Neighborhood Mixed Use future land use category, which is generally bound by Topsail Greens Drive and Amanda Lane as shown in purple on the map to the right. This future land use category is intended to denote areas for commercial developments that serve as a resource and employment



opportunity for nearby residents. While this category supports developments that incorporate a mixture of residential and non-residential development, single-use development that contribute toward an integrated mixture of uses more broadly are also encouraged.

The proposal was found to be consistent with a transition between Neighborhood Mixed Use and Low Density Residential future land use categories. The subject property is directly across from Neighborhood Mixed Use on the opposite side of US HWY 17 and it provides an opportunity to be a resource for nearby residents for employment, goods, and services, while still being compatible with the current and future low density residential development that surrounds the subject property due to the proposed scale and intensity of the development proposal.

In addition to the Future Land Use Map, the proposed master development plan was found to be consistent with one goal and three 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.I.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.I.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.

Goal 5.8: Topsail Planning Area: Protect existing single-family neighborhoods and coastal habitats from the expansion of incompatible land uses, while focusing more intensive growth and development in key locations along the US 17 corridor and in accordance with the US 17 Bypass and Collector Street Plan.

The request is consistent with the above goal and policies because it proposes a non-residential mixed-use development that has direct access to a major corridor with planned roadway improvements while providing nearby residents an opportunity to obtain employment, goods, and services. The proposal is also supported by these policies because it will provide for the types of retail, office uses, and other non-residential uses that are recommended for Neighborhood Mixed Use future land use category.

RECOMMENDATION:

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with the Future Land Use Map as well as one goal and three policies within the Pender 2.0 Comprehensive Land Use Plan and was not found to conflict with any goals, objectives, or policies within that plan. The proposed development is also consistent with the Pender County Unified Development Ordinance. Therefore, Planning Staff recommends the approval of the Master Development Plan as detailed in the report for the development known as Bay Ridge Commons. All future development, phases, or changes to the Master Development Plan are subject to the Planning Board review and approval.

BOARD ACTION FOR MASTER DEVELOPMENT PLAN

Motion: _____ **Seconded:** _____

Approved: _____ **Denied:** _____ **Unanimous:** _____

McClammy: ____ Jordan: ____ Beaudoin: ____ Buchanan: ____ Pitts: ____ Gruntfest: ____ Teachey: ____

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP 2021-29	Date	05/07/2021
Application Fee	\$ 542.10	Invoice Number:	00018361
Pre-Application Conference	04/14/2021	Hearing Date	07/06/2021
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Parker & Associates, Inc.	Owner's Name:	Market Street Real Estate Investment Group, LLC
Applicant's Address:	604-E Cedar Point Blvd	Owner's Address:	(Ken Lloyd) 2001 Balmoral Place
City, State, & Zip	Cedar Point NC 28584	City, State, & Zip	Wilmington NC 28405
Phone Number:	252-393-6101	Phone Number:	919-971-4265
Email Address:	JMCDANIEL@Parkerjacksonville.com	Email Address:	Kplinvestment20@gmail.com
Legal relationship of applicant to land owner: Professional Engineer (Agent)			
SECTION 2: PROJECT INFORMATION			
Type of Master Development Plan	☐ Residential RP, PD, RM MH District ☐ Commercial GB, OI, IT, GI District ☒ Mixed Use PD		
Property Identification Number (PIN):	4204-87-1130-0000	Total property acreage:	4.21 Ac.
Zoning Classification:	PD	Acreage to be disturbed:	3.90 Ac.
Water Provider	Pender Co.	Wastewater Provider:	Pluris
Project Address :	4.21 Ac at corner of Bay Ridge Rd & US Hwy 17		
Description of Project Location:	" (undeveloped / vacant)		
Describe activities to be undertaken on project site:			
SECTION 3: SIGNATURES			
Applicant's Signature	<i>Jonathan L. McDaniel</i>	Date:	5/14/21
Applicant's Printed Name	JONATHAN L. MCDANIEL	Date:	5/14/21
Owner's Signature	* Agent Authorized *	Date:	
Owner's Printed Name	KENNETH LLOYD	Date:	5/14/21

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)							
☐ /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:		Gideon Smith				Date: 05/07/2021	
Application completeness approved by:		Gideon Smith				Date: 05/07/2021	
Date scheduled for public hearing:		07/06/2021					

BAY RIDGE COMMONS

Master Development Plan (MDP)

Market Street Real Estate Investment Group, LLC is requesting approval of the enclosed MDP for the undeveloped 4.21-acre parcel (4204-87-1130-000) located at the intersection of Bay Ridge Road and US Hwy 17 in Hampstead, North Carolina. The site, north of Sloop Point Road, is just north of the future Hampstead Bypass entrance, which is scheduled to begin construction next year. The parcel is currently zoned PD and will remain so under this proposed request. Our plan proposes the initial construction of two buildings, a 11,880 SF Preschool Daycare, and a 10,080 SF multi-use commercial building. In addition, we would include a third 5000 SF multi-use building for future expansion. We intend to construct all these buildings to be architecturally attractive combining element of brick/stone and natural stucco.

The Preschool/Childcare building will be occupied by Creative Minds Preschool which is currently located in Scotts Hill on Hwy 17 and Pandy Ann Lane. Creative Minds Preschool is a local, professionally operated childcare facility serving the residents of Pender County for the last 13 plus years. Creative Minds Preschool is one of the only Five Star rated childcare facilities operating in Pender County. They have a student capacity of 245 and currently employ a staff of 48 people. They wanted to open another similar facility in northern Hampstead to meet the high demand for quality childcare. The proposed childcare building will have 256 students and a staff on 53 employees. They believe Bay Ridge Road to be a perfect location for a second childcare facility.

We envision the multi-use commercial building to be occupied by two small restaurants or cafés with small outdoor seating areas, a dentist or other medical doctor offices, or another commercially approved tenant listed in the Pender County PD Zoning district as itemized on the MDP. We intend to rent all these suites to business that serve the residents in this area of Pender County that would complement and blend in with a childcare facility. Furthermore, we have incorporated in the MDP a drive thru pickup window to be located on the southern end of the commercial building.

We have requested a Traffic Impact Analysis (TIA) required by NCDOT/WMPPO to determine the traffic impacts due to the build out of Bay Ridge Road. Based upon our experience with these types of projects and the location along Hwy 17, we anticipate a turn lane into Bay Ridge Road may be required. We intend to pave Bay Ridge Road from Hwy 17 as indicated on our MDP.

Regarding the site utilities, we plan to build a forced main sewer station to be connected and served by Pluris of Hampstead and public water to be supplied by Pender Utilities. Duke Energy Progress will supply the power. We have submitted in the MDP a significant tree survey per the UDO. The survey shows few significant trees on the site. We will be working with zoning to develop an attractive landscaping plan including native plants and trees to make the center stand out.

Respectfully submitted,



Kenneth G. Lloyd, Owner/Member

MARKET STREET REAL ESTATE INVESTMENT GROUP, LLC

2001 BALMORAL PLACE

WILMINGTON, NC 28405

Legend:

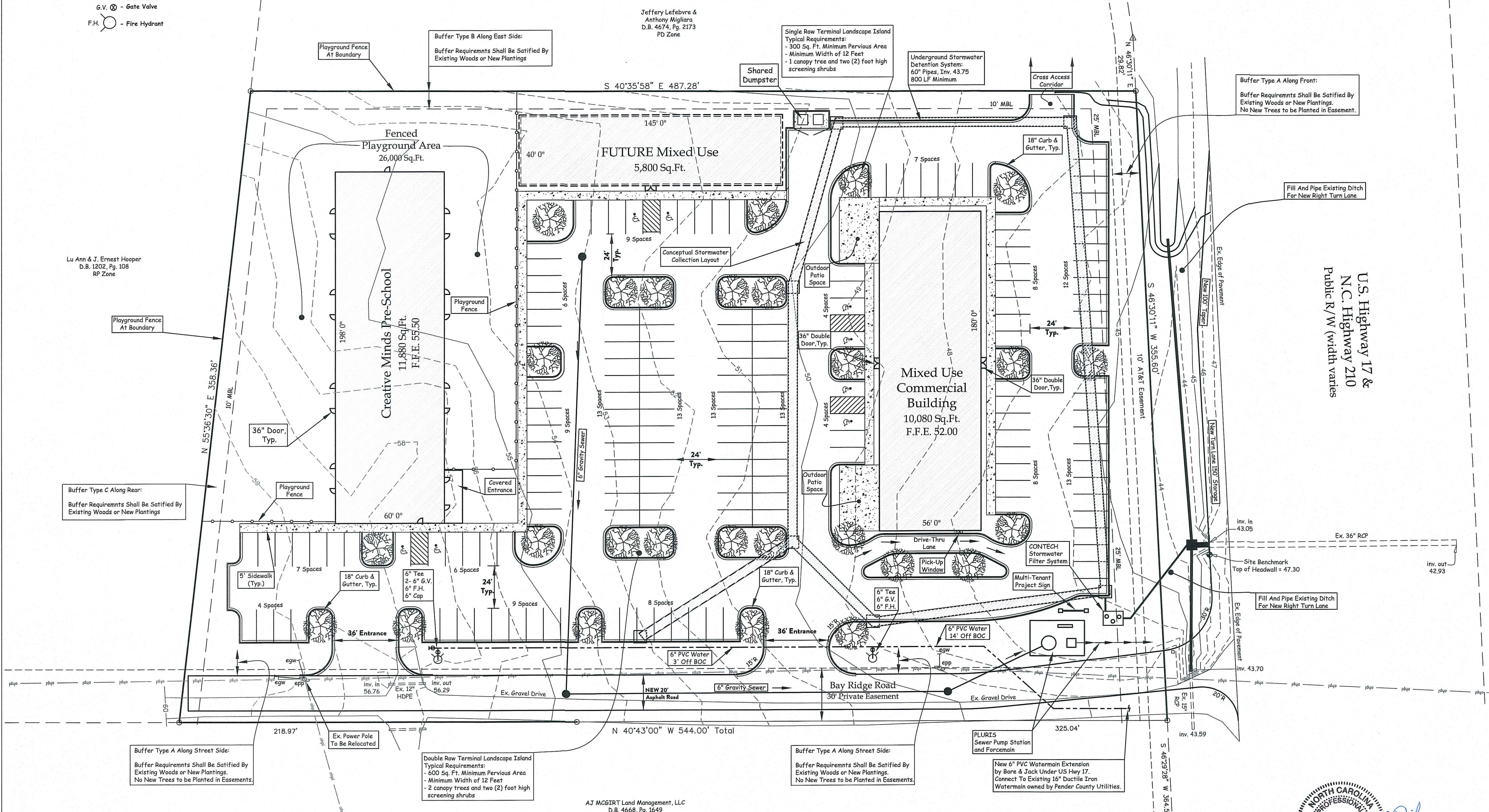
BOC - Back of Curb
D.B. - Dead End
eab - Existing Electrical Box
egw - Existing Guy Wire
eep - Edge of Pavement
epp - Existing Power Pole
ex - Existing
hdpe - High density polyethylene pipe
inv - Invert
L.F. - Linear Feet
M.B. - Map Book
MBL - Minimum Building Line
Pg. - Page
RCP - reinforced concrete pipe
R/W - Rights-of-way
Sq.Ft. - Square Feet
Typ. - Typical

chpl - Overhead Powerline
--- Ex. Contour Line
--- Watermain
--- 6" V. - Gate Valve
F.H. - Fire Hydrant

Proposed Uses With NAICS Code

Accessory Structures
Artisan Manufacturing
Electronics and Appliance Stores - 443
Building Material, Garden Equipment & Supplies Dealers - 444
Food and Beverage Stores - 445
Health and Personal Care Stores - 446
Clothing and Clothing Accessories Stores - 448
Sporting Goods, Hobby, Book, and Music Stores - 451
Miscellaneous Store Retailers - 453
Non store Retailers - 454
Postal Services - 491110
Finance and Insurance - 52
Real Estate and Rental and Leasing - 53
Professional, Scientific, & Technical Services - 54
Management of Companies and Enterprises - 55
Administrative and Support Services - 561
Educational Services - 611
Business Schools, Computer & Management Training - 6114
Technical and Trade Schools - 6115
Other Schools and Instruction - 6116

Hospitals - 622
Performing Arts Companies - 7111
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures - 7114
Museums, Historical Sites and Similar Institutions - 712
Fitness & Recreational Sports Centers - 713940
Bowling Centers - 71395
Full Service Restaurants - 7221
Limited Service Eating Places - 7222
Special Food Services - 7223
Personal and Household Goods Repair and Maintenance - 8114
Personal Care Services - 8121
Coin Operated Laundries and Drycleaners - 812310
Dry-cleaning and Laundry Services - 812320
Other Personal Services - 8129
Religious Organizations - 8131
Grant making and Giving Services - 8132
Social Advocacy Organizations - 8133
Civic and Social Organizations - 81340
Business, Professional, Labor, Political and Similar Organizations - 8139
Public Administration - 92



Note:
Contractor shall insure that he and all his workers (contractors, subcontractors and other site personnel) do not damage construction stakes or other measures used in laying out the project whether by the Engineer or another entity including those under the employ of the contractor. Contractor shall cause his workers to observe and verify to the fullest extent practicable that stakes, other measures and grades are, or appear to be, accurate and correct, and immediately, but prior to any associated work, notify the staking entity of any potential conflict, error or question regarding the work. The Engineer shall not be responsible if all of the above measures are not strictly adhered to. The Engineer shall not be responsible where due to damage, his staking can not be verified. For critical or costly components of the work, where the contractor believes that staking may not be preserved, the contractor shall request the staking entity to place staking in an area where its preservation can be insured.

- General Notes**
- Boundary and topographic information taken from survey by Talbot Land Surveying, P.C. April 20th, 2021.
 - Development area is currently wooded. Land disturbance over 1 acre to be permitted for erosion control through NCEQ Land Quality Section.
 - There are no Areas of Environmental Concern (AEC) as defined by Coastal Area Management Act (CAMA), and no surface waters or wetlands exist on this site.
 - This site is greater than 1/2 mile from any surface water designated as SA. HQW in regards to permitting for NCEQ Stormwater rules. Stormwater system to be underground detention with Cortech Stormfilter treatment, and permitted through NCEQ post construction state stormwater program. Detention to be designed for 25 year storm per Pender County requirements.
 - This entire site is not within any special flood hazard area per FEMA OFP # 3720420400 J (Pender County) effective 02/16/07.

COGO: n/a
Filename: Bay Ridge Center Gen'dwg
Drawn By: JLM
Job No.: S204401-7695

Sheet 1 of 1

Tract Data:
Total Acreage 4.21
Number of Parcels 1
Zone Planned Development (PD)
Existing Use (a) Vacant
Proposed Use Mixed Use (Pre-School & Mixed)
Water Service Pender Co. Utilities
Sewer Service Pluris
Power Service Duke Energy

PIN 3282-30-4783-0000
Deed Ref.: D.B. 2418, Pg. 324
M.B. 31, Pg. 61

PD Zone Setbacks:
Front Yard - 25'
Rear Yard - 10'
Side Yard - 10'
Accessory Structure - 10'

Building Data:
Existing Building Square Footage ... 0 Sq.Ft. (Vacant Land)
PHASE I Building Square Footage 11,880 Sq. Ft. (Pre-School)
10,080 Sq. Ft. (Mixed Use)
Total Building Square Footage
For PHASE I 21,960 Sq. Ft.
Future Building 5,800 Sq. Ft. (Mixed Use)
Proposed Max. Height of Building ... 24 Ft. (Phase I)

Parking & Traffic Data:
Parking Required
Pre-school:
1 parking space per 10 Students +
1 parking space per Employee,
256 students = 26 Spaces
+ 53 Employees
= 79 Spaces Required
Mixed Use (15,880 SF Total):
Medical (50%) 1 per 250 SF
7,940 SF / 250 = 32 Spaces
Retail (28%) 1 per 225 SF
4,446 SF / 250 = 20 Spaces
Restaurants (22%), 1 per 100 SF
3,494 SF / 100 = 35 Spaces
= 87 Spaces Required
Pre-school + Mixed Use = 166 Spaces Total
Proposed Parking 166 Spaces (6 R/C Spaces)
NCDOT Annual Average Traffic 36,000 (2019)
Location: Hwy. 17, with NC 210
ITE Trip Generation Pre-school & Mixed Use
Code 565 (Daycare), Code 720 (Medical),
Code 826 (Retail), Code 936 (Restaurant)
1362 Daily Trips
534 AM Peak Trips
319 PM Trips

Master Development Plan

BAY RIDGE COMMONS
Topsail Township, Pender County, North Carolina
Owner: **Market Street Real Estate Investment Group, LLC**
2001 Balmoral Place
Wilmington, North Carolina 28405
(919) 971-4265

DATE: 05/14/21
SCALE: 1"=30'
PARKER & ASSOCIATES, INC.
Engineers - Surveyors - Planners
Jacksonville, North Carolina
P.O. Box 976 - 306 New Bridge Street - 28540
Phone (910) 455-2414 - www.ParkerJacksonville.com
N.C. Firm License Number: F-0108





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

June 17, 2021

Mr. Don Bennett, PE
DAVENPORT
5917 Oleander Drive, Suite 206
Wilmington, NC 28403

RE: Approved Scope for the Traffic Impact Analysis (TIA) associated with the proposed
Bay Ridge Center Development in Hampstead, NC (Pender County)

Dear Mr. Bennett:

Based on the information provided and conversations held to date, it is our understanding that the proposed development will consist of the following land uses:

- ITE Code 565 – Daycare Center (11,880 Sq. Ft.)
- ITE Code 720 – Medical/Dental Offices (5,800 Sq. Ft.)
- ITE Code 820 – General Retail (4,580 Sq. Ft.)
- ITE Code 932 – High Turnover (sit-down) Restaurant (3,000 Sq. Ft.)
- ITE Code 937 – Coffee/Donut Shop w/ Drive-thru (2,500 Sq. Ft.)

The conceptual site plan proposes two (2) driveways onto Bay Ridge Road.

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

1. Data Collection - Analysis Parameters:

a) Existing Conditions

- i. Turning movement counts weekday (T,W,TH) morning (7:00 AM – 9:00 AM) and afternoon (4:00 PM – 6:00 PM) peak periods, signal timing (if applicable) and lane geometry;
 - US 17/NC Hwy 210 at Bay Ridge Road (private) (right-in/right-out)
 - US 17/NC Hwy 210 at Topsail Greens Drive/Quarter Horse Lane
 - US 17/NC Hwy 210 at Edens Lane

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick
County of Currituck • The Fear Public Transportation Authority • North Carolina Department of Transportation

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

- i. Site Trip Generation Estimate
 - o Based upon ITE Trip General Manual, 10th Edition
- ii. Site Trip Distribution
 - o TBD based upon background traffic patterns
- iii. Adjacent Developments (approved but not yet built)
 - o Edens Lane Development
- iv. Planned Roadway Improvements
 - o None
- v. Background Traffic Assumptions
 - o Horizon year – 2022
 - o Growth rate – 1% per year

2. Capacity Analysis: Weekday AM and PM Peak Hours

- a) 2021 Existing Conditions
- b) 2022 Future No-Build Conditions
 - [Existing + 1% background growth + approved development trips]
- c) 2022 Full Build Conditions
 - [Existing + 1% background growth + approved development trips + site trips]
- d) 2022 Full Build Conditions (with improvements)
 - [Existing + 1% background growth + site trips]

3. Final Report Submittal

- a. Completed TIA Application
- b. Signed and sealed by a NC Professional Engineer
- c. Electronic copies to include PDF of TIA, appendices and original Synchro analysis and output files

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, signal phasing, and/or site access) additional analysis may be required.

Scope of study for Bay Ridge Center Development Traffic Impact Analysis (TIA)

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
Trip Generation Summary (provided by Davenport)
Site Map (provided by Davenport)

Ec: Dan Cumbo, PE, District Engineer, NCDOT
Doug Racine, Assistant District Engineer, NCDOT
Brad Haste, Assistant District Engineer, NCDOT
Jessi Leonard, PE, Division Traffic Engineer, NCDOT
Eva Covarrubias, Transportation Engineering Associate, NCDOT
Travis Henley, Planning Director, Pender County
Gideon Smith, Planner, Pender County
Mike Kozlosky, Executive Director, WMPO
Bill McDow, Transportation Planner, WMPO

I, Paul D. Talbot, do certify that this map was drawn by me from an actual survey made by me (deed descriptions as referenced). In accordance with "The Standards of Practice for Land Surveying in North Carolina", that this is a survey of an existing parcel of land. Witness my original signature, license number and seal this 22nd day of April 2021.

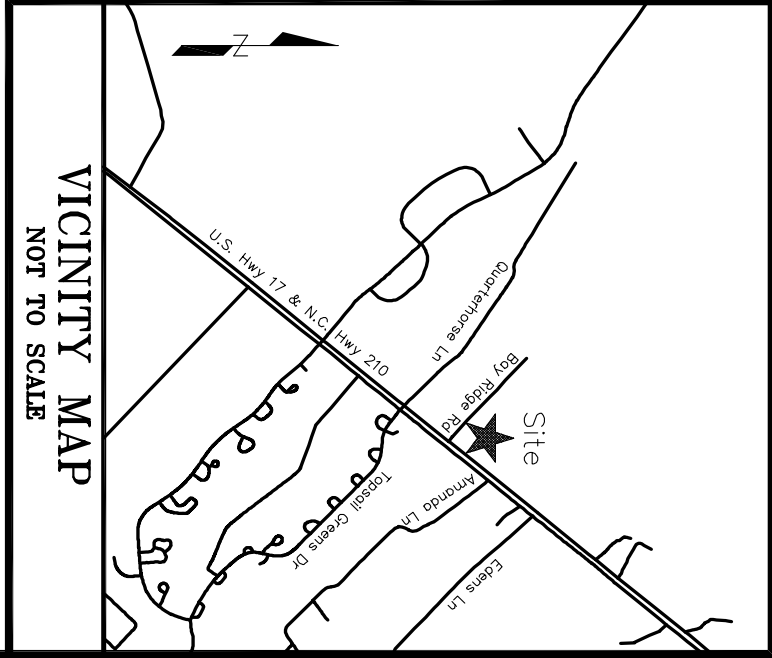
Preliminary
For Review Purposes Only
Not for recordation,
conveyances, or sales
Paul D. Talbot P.L.S. L-4099

ELECTRONIC FILE DISCLAIMER:
Electronic files provided by Talbot Land Surveying, P.C. are for information, recordation, and conveyance purposes only. They are not intended to be altered and modified, either intentionally or unintentionally, by computer error or operator error. Talbot Land Surveying, P.C. makes no warranties or guarantees, express or implied, as to the accuracy, reliability, validity, or reliability of the data provided in electronic form. It is the receiving party's responsibility to verify the electronic data to insure accurate representation of the original signed and sealed document.

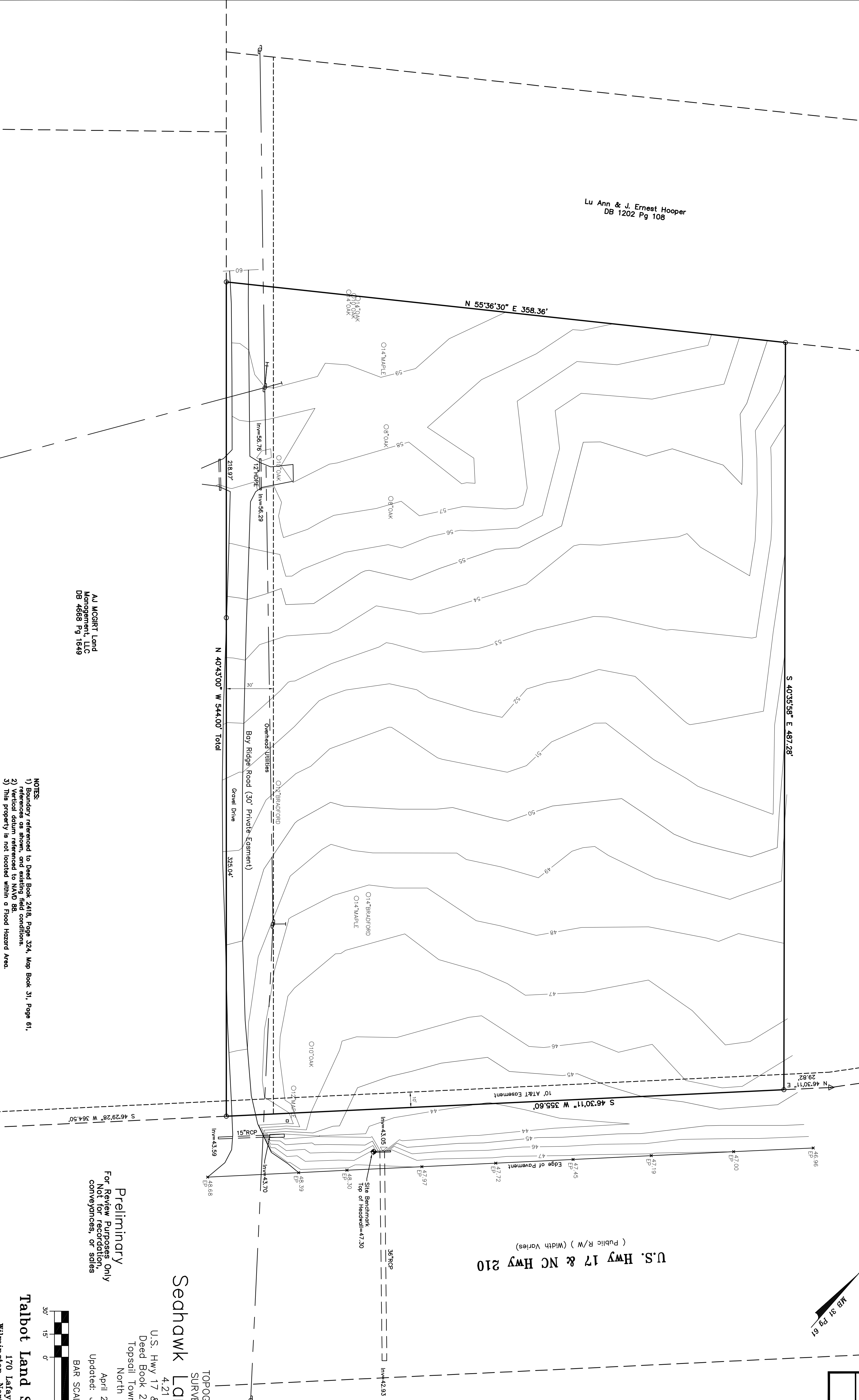
Jeffrey Lefebvre &
Anthony Migliore
DB 4674 Pg 2173

Lu Ann & J. Ernest Hooper
DB 1202 Pg 108

U.S. Hwy 17 & NC Hwy 210
(Public R/W) (Width Varies)



Legend:
Existing Iron Pipe
Utility Pole
Utility Pole
Utility Pole
Utility Pole



AJ MCGRATH Land
Management, LLC
DB 4666 Pg 1649

NOTES:
1) Survey referenced to Deed Book 2418, Page 324, Map Book 31, Page 61.
2) Vertical datum referenced to NAVD 83.
3) This property is not located within a Flood Hazard Area.

Preliminary
For Review Purposes Only
Not for recordation,
conveyances, or sales

BAR SCALE 1" = 30'



Talbot Land Surveying, P.C.
170 Lafayette Street
Wilmington, North Carolina 28411
Phone: (910) 270-8824

Gideon Smith

From: Kenneth Lloyd <kplinvestment20@gmail.com>
Sent: Friday, June 11, 2021 9:02 AM
To: Gideon Smith; Travis Henley
Subject: [External]Informal Public Meeting Report from 6/10/2021 for the MDP Bay Ridge Road Project

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

Gentlemen,

We had the required Informal Public Meeting at the Hampstead Annex last night regarding the proposed Master Development Plan (MDP) for the Bay Ridge Road Project. The meeting was attended by one adjacent property owner, Mrs. Lu Ann Hooper. I believe Mrs. Hooper was in favor of the project and asked many thoughtful questions. She expressed interest in better understanding the rear landscaping buffer and fencing which touches her property on the western boundary. Also, she was pleased to know that a section of Bay Ridge Road was going to be paved. In fact, she was going to ask the other neighbors if they had any interest in paving the road further to their respective properties. She expects to communicate our development plans with the other two (2) neighbors located behind the project serviced by Bay Ridge Road. I appreciate Travis Henley and Gideon Smith attending the meeting and answering any question from Pender County's perspective.

Respectfully submitted,

Kenneth G. Lloyd

--

MARKET STREET REAL ESTATE INVESTMENT GROUP, LLC KENNETH G. LLOYD
2001 BALMORAL PLACE
WILMINGTON, NC 28405
kplinvestment20@gmail.com
910-679-8901 (W)
919-9714265 (M)

Gideon Smith

From: Gideon Smith
Sent: Monday, June 7, 2021 2:17 PM
To: Gideon Smith
Cc: Travis Henley; Carlene Shaw; Tera Cline; Vanessa Lacer
Subject: Proposed Master Development Plan Review - Bay Ridge Center
Attachments: Bay Ridge Center MDP.pdf

Good afternoon everyone,

We have received a Master Development Plan that will be presented to the Planning Board at their July meeting for consideration. Will you please review the attached site plan and provide any comments to me by next Wednesday, June 16?

Thanks,
Gideon

Gideon Smith | Senior Planner

[Pender County Planning & Community Development](#)

(910) 259-1529

gsmith@pendercountync.gov

805 S. Walker Street,

Burgaw, NC 28425



www.pendercountync.gov

Gideon Smith

From: Gideon Smith
Sent: Thursday, June 17, 2021 9:29 AM
To: Kenneth Lloyd
Cc: Jonathan McDaniel
Subject: Bay Ridge Center TRC Comments

Mr. Lloyd,

Below are the TRC comments we have received at this point. Please let me know if you have any questions.

Thanks,
Gideon

Pender County Utilities, Anthony Colon 910-259-1521

1. Our 16" Ductile Iron Pipe (DIP) water main is located on the opposite side of Highway 17 across from the site. A bore under the road will be needed to get public water supply to the site, unless the developer decides to use well water. That will affect also water for fire suppression in the case that the fire marshal requires a fire hydrant for the facility. A good engineer should be able to provide an efficient solution.

Pender County Floodplain Administrator, Daniel Adams 910-259-0231

1. No comment.

Pender County Addressing Coordinator, Mike Dickson 910-259-1442

1. The two buildings will be assigned addresses based off of US Hwy 17 during the permitting phase.
2. The mixed use building shall be given unit or suite numbers by the developer.
3. As long as they are consistent it does not matter if they are alphabetic or numeric. The building labeled "Future Mixed Use" may also be given a US Hwy 17 address despite its Bay Retreat Rd orientation. This may happen to alleviate the potential confusion of having addresses on different roads situated within the same commercial parcel. This will also be decided during the building's permitting phase of development.

NCDEQ-DEMLR Stormwater Permitting, Kelly Johnson 910-796-7335

4. The tract is over an acre which will require an E&SC plan which will trigger the requirement for them to apply for a State Stormwater permit.

NCDEQ-DEMLR State Stormwater Program, Christine Hall 910-796-7339

5. There is not much information provided and their site plan doesn't show an area to treat the SW runoff.
 - a. Please make sure they have a plan to treat their runoff (if it's not redevelopment) and will permit this development with the post construction state stormwater program.

NCDEQ CAMA Field Representative, Jason Dail 910-796-7221

6. The NC Division of Coastal Management has no comment on the proposed development as the site location is outside of Areas of Environmental Concern (AEC)

Gideon Smith | Senior Planner

[Pender County Planning & Community Development](#)

(910) 259-1529

gsmith@pendercountync.gov

805 S. Walker Street,

Burgaw, NC 28425



www.pendercountync.gov



Pender County REZONE 2021-23

TO: Planning Board
FROM: Gideon Smith
DATE: July 6, 2021
SUBJECT: REZONE 2021-23

SUMMARY:

Sonya and Randall Edens, applicant and owners, are requesting the approval of a Zoning Map Amendment to rezone one tract of land totaling approximately 3.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district. The subject property is approximately 3.64 acres and is located on the northern corner of the intersection of NC HWY 210 and Whispering Pines Court, southeast of the Holiday Hills Subdivision in the Topsail Township. The subject property may be further identified by Pender County PIN 3283-10-9257-0000.

ACTION REQUESTED:

To hold a Public Hearing and consider the Zoning Map Amendment.

ATTACHMENTS:

1. REZONE 2021-23 Staff Report
2. REZONE 2021-23 Application
3. REZONE 2021-23 Narrative
4. REZONE 2021-23 Survey
5. REZONE 2021-23 Attachment

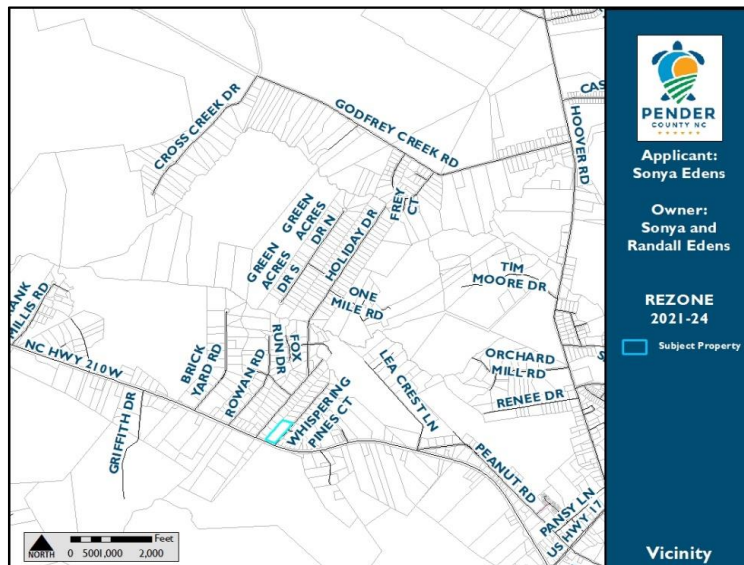
**PLANNING STAFF REPORT
ZONING MAP AMENDMENT
NC HWY 210 AND WHISPERING PINES CT.**

SUMMARY

Hearing Date: July 6, 2021, Planning Board
August 16, 2021, Board of Commissioners
Applicant: Sonya Edens
Property Owners: Randall and Sonya Edens
Case Number: REZONE 2021-23

Rezoning Proposal: Sonya and Randall Edens, applicant and owners, are requesting the approval of a Zoning Map Amendment to rezone one tract of land totaling approximately 3.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district.

Property Record Number, Acreage, and Location: The subject property is approximately 3.64 acres and is located on the northern corner of the intersection of NC HWY 210 and Whispering Pines Court, southeast of the Holiday Hills Subdivision in the Topsail Township. The subject property may be further identified by Pender County PIN 3283-10-9257-0000.



RECOMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The proposed rezoning is for one parcel totalling approximately 3.64 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. The proposal was found to be in conformance with the Pender County Unified Development Ordinance. While the proposal was found to be consistent with one policy within the Pender 2.0 Comprehensive Land Use Plan, the proposal was found to conflict with two policies as well as the Future Land Use Map within Pender 2.0. Based on the conflicts with Pender 2.0, Planning staff respectfully recommend denial of the request as outlined in this report.

REZONING PROPOSAL

The applicant is proposing to rezone approximately 3.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district. According to the applicant's submitted narrative, the rezoning request is driven by a desire for additional commercial businesses to serve their growing neighborhood, and an expected increase in commercial need for the area with the arrival of the US HWY 17 Hampstead Bypass, which will be located within approximately one mile from the subject property. Because this is a general use rezoning, a conceptual plan is not included within the application. If approved for 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.

If approved, any future development of the site would be reviewed by the Technical Review Committee (TRC) to ensure compliance with applicable County and State regulations, including applicable site design and approval provisions within the Pender County Unified Development Ordinance (UDO). All proposed uses would be required to meet the standards of the GB, General Business zoning district, including but not limited to, parking, landscaping and buffering, and stormwater.

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 Setbacks (General Business)	
Front	25'
Side	10'
Rear	10'
Corner	12'
Max. Height	40'
Structure Separation	20'

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 UDO is included in Attachment I.

	GB, General Business
Permitted Housing Types	Upper Story Residential
Nonresidential Uses	≈ 80 uses by-right (Gasoline Stations, Motor Vehicle and Parts Dealers, Food and Beverage Stores, Real Estate and Rental Leasing, Hospitals, Nursing and Residential Care Facilities, Fitness and Recreational Sports Centers, Drinking Places, Laundries and Dry Cleaners, Childcare Center)
	≈ 13 uses w/ SUP (Telecommunications Facilities, RV Parks, Boat Storage, Amusement and Theme Parks, Cemeteries or Crematories, Prefabricated Wood Building Manufacturing)

TRANSPORTATION INFRASTRUCTURE

Access

The subject property has direct frontage along NC HWY 210, an NCDOT maintained Minor Arterial Road based on the WMPO Functional Classification Map. Access to the site is also provided by Whispering Pines Court which is a private road. Any future development or improvements are subject to review and approval at the time of a site development application. Driveway construction along NC HWY 210 would require an NCDOT driveway permit which would be reviewed and permitted at time of submittal during the TRC process. In addition, access could also be provided via Whispering Pines Court.

Traffic

Traffic Impact Analyses are not required for general use rezoning since a site-specific development plan is not required to be included in the application package. The Pender County 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.

Because a Traffic Impact Analysis is not required at this time, the volume to capacity ratio for NC HWY 210 has been provided, as the subject property has direct frontage this road. The volume to capacity ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, NC HWY 210 in this area has capacity to handle the anticipated traffic volume increases if the subject property is rezoned.

NCDOT Average Annual Daily Traffic (AADT) – 2019; WMPO Roadway Capacities – 2019

Road	Location	Volume	Capacity	V/C
NC HWY 210	1500-1600 Block	9,300	20,942	0.44

OTHER INFRASTRUCTURE

Utilities

According to available GIS data, Pender County Utilities (PCU) has a water main on the development's side of NC HWY 210, indicating public water services are available through PCU. Any connection to this system would require review and approval from PCU.

Based on comments provided by Pluris Hampstead, LLC, private wastewater lines are not in the vicinity of the subject property. Private wastewater services would be determined when a site-specific development plan is submitted. Unless another wastewater service provider can be utilized, any proposed development may be required to design an on-site wastewater system. Any final zoning approvals are contingent upon review and approval by all appropriate local and state agencies.

Schools

There is no development proposal associated with this general use rezoning. However, because the proposed request is to rezone the subject property to GB, General Business zoning district, it is unlikely that this proposal will impact the school districts in the area.

ENVIRONMENTAL CONCERNS

Wetlands

According to data provided by the North Carolina Division of Coastal Management (DCM), wetlands may be present on the subject property. However, the location of any wetlands will be verified during the site development plan review process, and any development within wetlands is subject to review and approval from the U.S. Army Corps of Engineers.

Flood

The subject property is not located within a designated Special Flood Hazard Area.

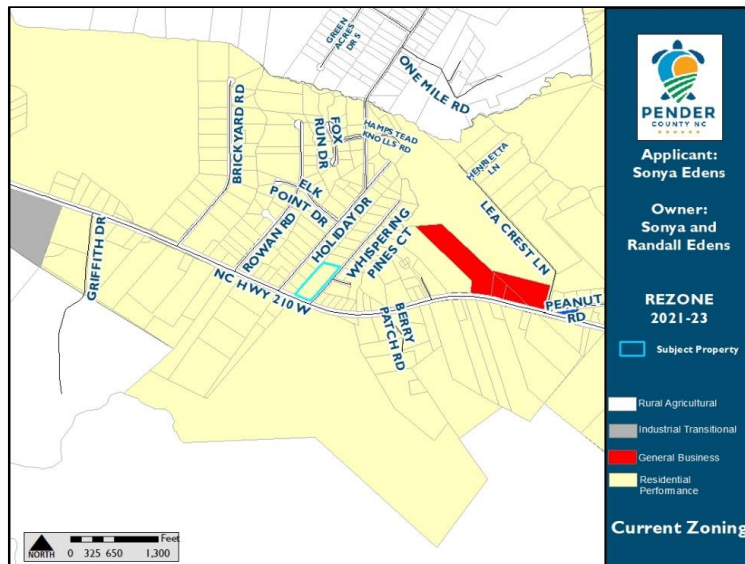
EVALUATION

A. **Public Notifications:** Public Notice for the proposal has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500' of the proposed development have been given written notice of the request, and a public notification sign has been placed on the property.

B. **Existing Zoning in**

Area: The subject property is currently within the RP, Residential

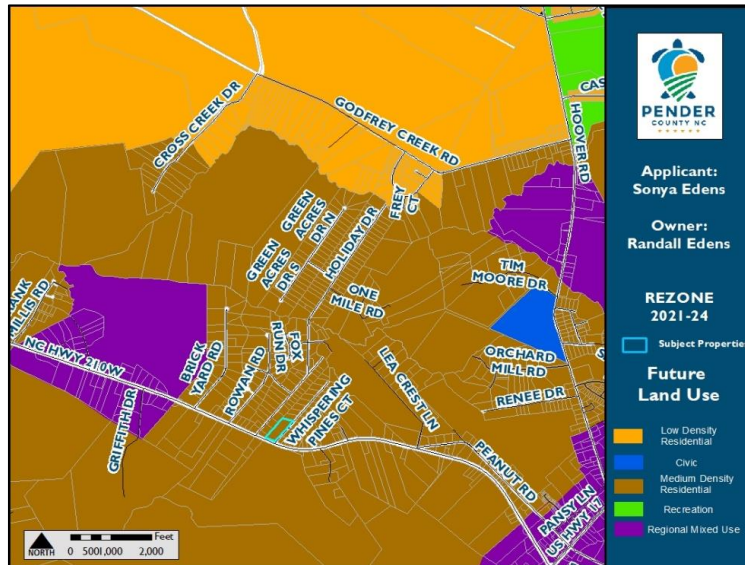
Performance zoning district. The subject parcel is immediately adjacent to additional RP, Residential Performance zoning districts to the west, north, and south. IT, Industrial Transitional zoning district, is located approximately 0.75 miles to the west on the opposite side of NC HWY 210 and GB, General Business zoning district is located approximately 0.25 miles to the east.



C. **Existing Land Use in Area:** The subject property is currently vacant with single-family dwellings to the north, east and west. Prior to right-of-way acquisition associated with the Hampstead Bypass, Pender EMS & Fire Station #28, Carolina Storage, and D&D Glass Company were on the opposite side of NC HWY 210 to the west. However, due to that NCDOT project, those uses are no longer in operation.

D. Pender 2.0 Comprehensive Land Use Plan

Compliance: The Pender 2.0 Comprehensive Land Use Plan designates the subject property as Medium Density Residential. The Medium Density Residential future land use category is established in areas with proximity to supporting services and a mixture of development types. Appropriate uses are single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations.



Although this category is established to primarily include residential uses, some non-residential uses may be consistent if included within master planned communities with well-integrated neighborhood-scale commercial and office uses. The Pender 2.0 Comprehensive Land Use Plan defines “neighborhood scale” as development that conforms to the neighborhood fabric, and the footprint of neighborhood scale structures is typically limited to 15,000 square feet with parking facilities less than 20,000 square feet in area. Inappropriate uses for the Medium Density Residential future land use category are industrial and manufacturing uses, along with commercial office uses not located within a master planned community.

Planning staff find that the request is inconsistent with the Medium Density Residential future land use category. As this is a general use rezoning that does not allow conditions to be applied to the approval of the request, nor does it allow for consideration of specific uses of land, it cannot be determined at this time whether or not the development of the subject property under the proposed zoning classification would be consistent with the Medium Density Residential future land use category. It is unlikely that development within the proposed zoning district would occur in the context of a master planned community as desired by Pender 2.0, and only non-residential developments in a master planned community context are considered appropriate in these areas.

While the proposed zoning map amendment request conflicts with the Future Land Use Map, it is supported by one policy within the Pender 2.0 Comprehensive Land Use Plan:

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.

The proposed general use rezoning is consistent with the above policy due to the number of commercial uses allowed within the GB, General Business zoning district either by right or by Special Use Permit.

In addition to conflicting with the Future Land Use Map, the proposal was found to conflict with the following two 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.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.

While the proposal would allow for non-residential uses to be established, the Future Land Use Map's preferred growth scenario designates specific areas for non-residential development while reserving others for primarily commercial development. In the Medium Density Residential future land use category, non-residential uses are only supported in the context of a master planned community. The proposed general use rezoning does not meet this standard.

- E. **Unified Development Ordinance Compliance:** 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 rezoning is for one parcel totalling approximately 3.64 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. The proposal was found to be in conformance with the Pender County Unified Development Ordinance. While the proposal was found to be consistent with one policy within the Pender 2.0 Comprehensive Land Use Plan, the proposal was found to conflict with two policies as well as the Future Land Use Map within Pender 2.0. Based on the conflicts with Pender 2.0, Planning staff respectfully recommend denial of the request as outlined in this report.

PLANNING BOARD ACTION NEEDED:

TO APPROVE: Motion to recommend approval of the Zoning Map Amendment and to make a finding that although the request is inconsistent overall with the Pender 2.0 Comprehensive Land Use Plan, the approval is consistent with the following policy in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.K**

And the proposal is reasonable and in the public interest because [INSERT REASONING]...

TO DENY: Motion to recommend denial of the Zoning Map Amendment and to make a finding that the proposal is inconsistent with the Medium Density Residential future land use category in the Pender 2.0 Comprehensive Land Use Plan, and the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.D**

- **Policy 5.1.H**

The proposed rezoning is not consistent with the Medium Density Residential future land use category classification in the Pender 2.0 Comprehensive Land Use Plan due to its allowance for non-residential uses outside the context of a master planned community, the only instance in which non-residential uses are desired in these areas.

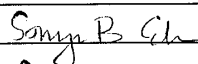
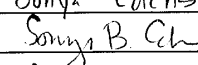
BOARD ACTION FOR ZONING MAP AMENDMENT REQUEST

Motion: _____ **Seconded:** _____

Approved: _____ **Denied:** _____ **Unanimous:** _____

McClammy: ____ Jordan: ____ Beaudoin: ____ Buchanan: ____ Pitts: ____ Gruntfest: ____
Teachey: ____

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2021-23	Date	05/07/2021
Application Fee	\$ 500	Invoice	00017860
Pre-Application Conference	03/23/2021	Hearing Date	07/06/2021
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Sonya Edens	Owner's Name:	Randall & Sonya Edens
Applicant's Address:	19226 US Hwy 17	Owner's Address:	19226 US Hwy 17
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-619-1737	Phone Number:	910-619-1737
Email Address:	sonya@rscengineering.com	Email Address:	sonya@rscengineering.com
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3283-10-9257-0000	Total property acreage:	3.64
Current Zoning District:	RP	Proposed Zoning District:	GB
Project Address:	210 Hwy and Whispering Pines Court (Hampstead)		
Description of Project Location:	Parcel is located at the corner of NC Hwy 210 & Whispering Pines Court in Hampstead.		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	5/4/21
Applicant's Name Printed	Sonya Edens	Date:	5/4/21
Owner's Signature		Date:	5/4/21
Owner's Name Printed	Sonya Edens	Date:	5/4/21
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:	Gideon Smith
Date:	05/07/2021
Application completeness approved by:	Gideon Smith
Date:	05/07/2021
Dates scheduled for public hearing: ☐ Planning Board: 07/06/2021 ☐ Board of Commissioners: 08/16/2021	

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

Narrative

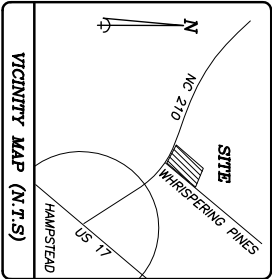
NC 210 & Whispering Pines Court

(Proposed Rezone from RP to GB)

The request being submitted is to rezone the parcel (PIN 3283-10-9257-0000) from RP (Residential Performance) to GB (General Business). The parcel is located at the corner of NC 210 and Whispering Pines Court in Hampstead. It is 3.64 acres in size and is currently vacant. The request to rezone is driven by lack of commercial properties along this section of NC 210 and by the rapid growth and development of residential areas in the Hampstead area. The parcel is located along the stretch between NC 210 and the future bypass which makes the entire corridor a candidate for future GB zoning. It is likely with the bypass construction, this corridor will become more commercial and less residential over time. There are a few parcels currently zoned GB along the NC 210 roadway. The range of uses permitted in the GB zoning district are appropriate for a parcel that is located with direct access to a major highway that provides access from one side of the county to the other. The change of zoning shall not provide any additional burden on the public facilities and services that currently serve the parcel. The proposed change is consistent with the Future Land Use Map which shows Regional Mixed Use in the bypass corridor. The permitted uses within the GB zoning are those which one would intend to find along larger highways, bypasses, roadway interchanges, etc. In a time where the county is looking to slow the residential growth to allow public facilities and services to catch up, it is a great opportunity to allow for some commercial growth such that the growing population can be adequately serviced.

NOTES:

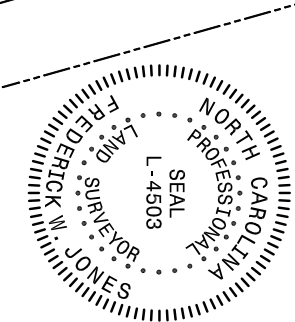
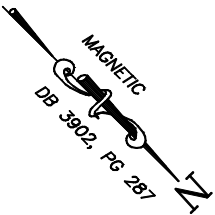
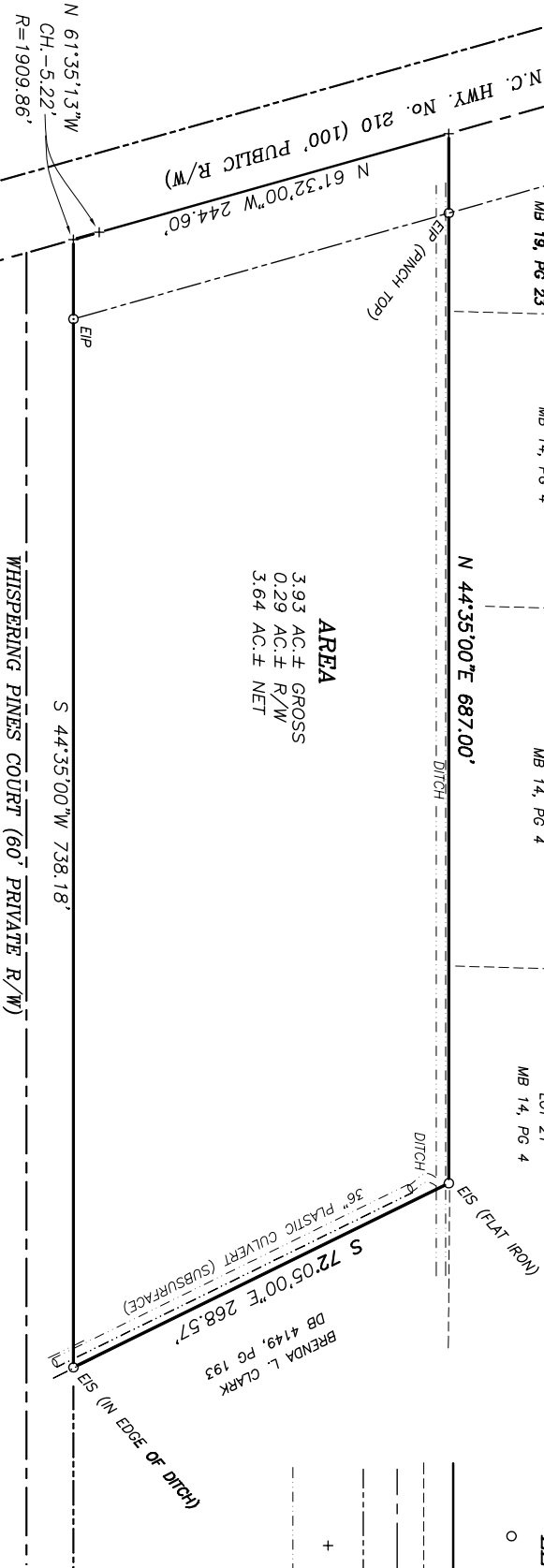
- 1. CORNERS ARE MARKED AS NOTED ON MAP.
- 2. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
- 3. AREA COMPUTED BY THE COORDINATE METHOD.
- 4. THIS PROPERTY IS ZONED RP.
- 5. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARDOUS AREA.
- 6. NO KNOWN HORIZONTAL CONTROL WITHIN 2,000'.
- 7. BUILDING SET BACKS REQUIRED TO BE IN ACCORD WITH THE PENDER COUNTY ZONING ORDINANCE. (FRONT 30' // SIDE 10' // REAR 25')



LEGEND:

- EIP (EXISTING IRON PIPE)
- OR EIS (EXISTING IRON STAKE)
- PROPERTY LINE
- NON-SURVEYED LINE
- C (CENTER LINE)
- R/W (RIGHT OF WAY)
- + Pt. (POINT)
- DITCH LINE

AREA
3.93 AC.± GROSS
0.29 AC.± R/W
3.64 AC.± NET



MAP OF SURVEY
FOR
RANDALL EDENS

TOPSAIL TOWNSHIP – PENDER COUNTY – NORTH CAROLINA
SCALE: 1" = 100'
MAY 16, 2018
GRAPHIC SCALE – FEET

SURVEY REFERENCE:

TRACT 3
DEED BOOK 3902 AT PAGE 287
PENDER COUNTY REGISTRY

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:
Dwg. No.: PN 17 JANE_210_WHISPERING

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

Table of Permitted Uses Pender County Unified Development Ordinance

5.2.3 Table of Permitted Uses

The Table of Permitted Uses shows those principal uses that are permitted by right, permitted subject to limited use standards, or permitted subject to a Special Use Permit.

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			PMD/S			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 REZONE 2021-24

TO: Planning Board
FROM: Gideon Smith
DATE: July 6, 2021
SUBJECT: REZONE 2021-24

SUMMARY:

Sonya and Randall Edens, applicant and owners, are requesting approval of a Zoning Map Amendment to rezone two tracts of land totaling approximately 1.09 acres from RA, Rural Agricultural zoning district and GB, General Business zoning district to RP, Residential Performance zoning district. The subject properties total approximately 1.09 acres and are located on the western side of US HWY 17 (20600 block) immediately across from Union Bethel Road, approximately 0.5 miles south of the intersection of US HWY 17 and Sloop Point Road in the Topsail Township. The subject properties may be further identified by Pender County PINs 4215-00-6231-0000 and 4215-00-8013-0000.

ACTION REQUESTED:

To hold a Public Hearing and consider the Zoning Map Amendment.

ATTACHMENTS:

1. REZONE 2021-24 Staff Report
2. REZONE 2021-24 Application
3. REZONE 2021-24 Narrative
4. REZONE 2021-24 Survey
5. REZONE 2021-24 Attachment

PLANNING STAFF REPORT ZONING MAP AMENDMENT

SUMMARY:

Hearing Date: July 6, 2021, Planning Board
August 16, 2021, Board of Commissioners
Applicant: Sonya Edens
Property Owners: Randall & Sonya Edens
Case Number: REZONE 2021-24

Rezoning Proposal: Sonya and Randall Edens, applicant and owners, are requesting approval of a Zoning Map Amendment to rezone two tracts of land totaling approximately 1.09 acres from RA, Rural Agricultural zoning district and GB, General Business zoning district to RP, Residential Performance zoning district.

Property Record Number, Acreage, and Location: The subject properties total approximately 1.09 acres and are located on the western side of US HWY 17 (20600 block) immediately across from Union Bethel Road, approximately 0.5 miles south of the intersection of US HWY 17 and Sloop Point Road in the Topsail Township. The subject properties may be further identified by Pender County PINs 4215-00-6231-0000 and 4215-00-8013-0000.



RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The proposed Zoning Map Amendment is compliant with the Pender County Unified Development Ordinance. In addition, the request is consistent with the Future Land Use Map, as well as three policies within the Pender 2.0 Comprehensive Land Use Plan, while conflicting with none.

Overall, the proposed RP, Residential Performance zoning district rezoning request is generally consistent with the Pender 2.0 Comprehensive Land Use Plan because it is in line with the recommended densities in the Low-Density Residential future land use category and is compatible

with the existing development pattern in this area. Therefore, Planning staff recommend approval of the Zoning Map Amendment as detailed in this report.

REZONING PROPOSAL

The applicant is proposing to rezone approximately 1.09 acres from RA, Rural Agricultural zoning district and GB, General Business zoning district to RP, Residential Performance zoning district. The applicant has indicated that the subject properties will be developed as residential with an affordable housing product. However, because this is a general use rezoning, a conceptual plan is not included within the application. In addition, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the RP, Residential Performance zoning district.

If approved, the development of the site must comply with the standards of the RP, Residential Performance zoning district. Due to the size of the property and housing type options, any residential development would be required to apply for applicable building permits. At that time, County zoning standards would be reviewed for compliance with the Pender County Unified Development Ordinance (UDO).

If any non-residential development permitted by right or by Special Use Permit were proposed, that development would be reviewed by the Technical Review Committee (TRC) to ensure compliance with applicable County and State regulations.



Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the RP, Residential Performance 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 (Residential Performance)	
Front	30'
Side	10'
Rear	25'
Max. Height	35'
Structure Separation	30'

The minimum lot size in this district for single-family dwellings is 15,000 square feet and 22,000 square feet for duplexes. Section 5.3.2.A.1 of the UDO allows up to 3 residential structures on a parcel provided that each principal residential structure meets the minimum lot size, setbacks, and structure separation in that district. Based upon the area of the subject site, three residential structures could potentially be built. However, those structures would be reviewed to ensure compliance with minimum lot size and minimum setback requirements at the time of building permit application.

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 RP, Residential Performance zoning district. The table below provides a general list of typical developments permitted in the RP, Residential Performance zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment I.

	RP, Residential Performance
Permitted Housing Types	Single-family (detached conventional), duplex (attached), accessory dwelling, manufactured home
Nonresidential Uses	≈ 8 uses by-right (solid waste collection, public administration, family care homes, parks, temporary fruit stands, etc.) ≈ 33 uses w/ SUP (food/beverage stores, postal services, financial institutions, professional offices, salons, educational services, recreational clubs, etc.)

TRANSPORTATION INFRASTRUCTURE

Access

Access is provided to the subject properties via US HWY 17, an NCDOT maintained Principal Arterial Road based on the WMPO Functional Classification Map.

Traffic

Traffic Impact Analyses are not required for general use rezoning since a site-specific development plan is not required to be included in the application package. The Pender County 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.

Because a Traffic Impact Analysis is not required at this time and is unlikely to be required due to the size of the property and maximum number of residential structures permitted, the volume to capacity ratio for US HWY 17 near the subject site has been provided. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, US HWY 17 in this area has capacity to handle the anticipated traffic volume increases as a result of the proposed rezoning.

NCDOT Average Annual Daily Traffic (AADT) – 2019; WMPO Roadway Capacities – 2019

Road	Location	Volume	Capacity	V/C
US HWY 17	20600 Block	34,500	44,677	0.77

OTHER INFRASTRUCTURE

Utilities

Public water is available through Pender County Utilities (PCU). According to available GIS data, the nearest PCU water main is located across US HWY 17 near Union Bethel Road. Any connection to this system would require review and approval from PCU.

Based on comments provided by Pluris Hampstead, LLC, their private wastewater lines are not in the vicinity of the subject properties. Therefore, it is likely that any proposed development on the subject properties will utilize private well and septic, which would be reviewed and approved by Pender County Environmental Health once a building permit application is submitted.

Schools

There is no development proposal associated with this general use rezoning. However, because the proposed request is to rezone the subject properties to RP, Residential Performance zoning district, which would allow up to 3 new dwelling units, there is a potential that this proposal will impact the school districts in the area.

ENVIRONMENTAL CONCERNS

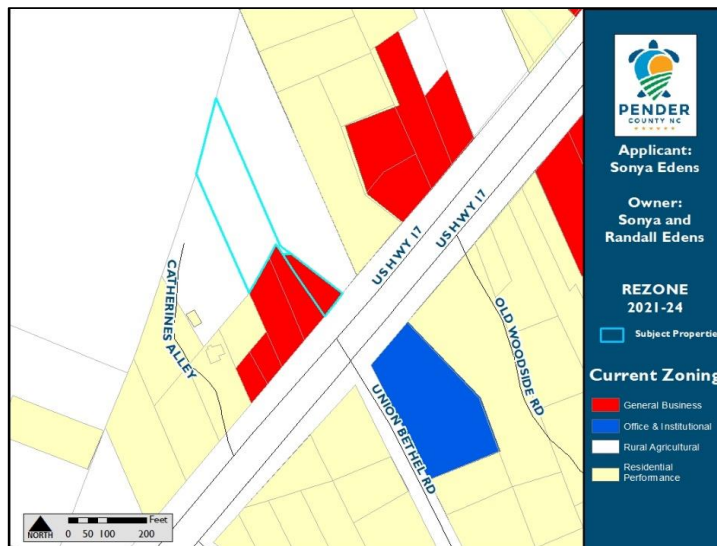
Wetlands and Flood

According to data provided by the North Carolina Division of Coastal Management (DCM) and the National Wetlands Inventory (NWI), there are no wetlands located on the subject property. The subject properties are not located within a designated Special Flood Hazard Area.

EVALUATION

- A. **Public Notifications:** Public Notice for the proposal has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500' of the proposed development have been given written notice of the request, and a public notification sign has been placed on the property.

- B. **Existing Zoning in Area:** The subject properties are currently within the RA, Rural Agricultural zoning district and the GB, General Business zoning district. Properties immediately adjacent to the subject properties are currently zoned RA, Rural

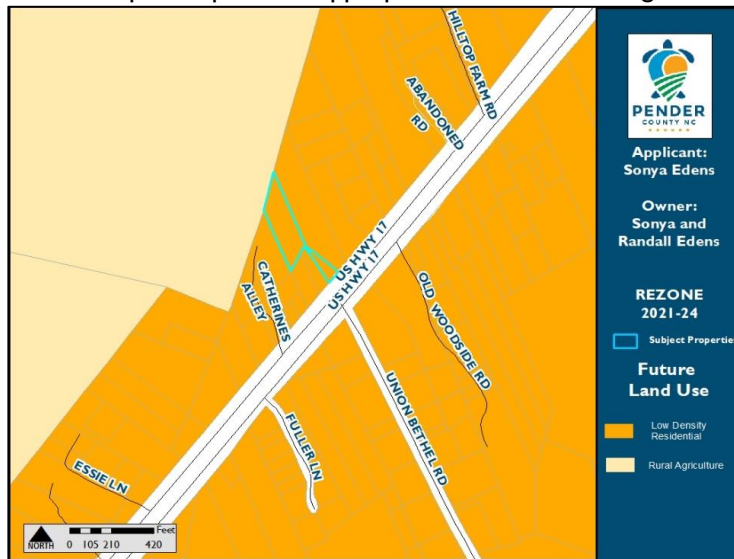


Agricultural zoning district, GB, General Business zoning district, and RP, Residential Performance zoning district.

C. **Existing Land Use in Area:** The subject properties are currently vacant with single-family dwellings to the east and west (RA/RP zoning districts). The adjacent properties zoned GB, General Business zoning district are currently vacant.

D. **Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject properties are located within the Low-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 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. Development density within this category is two dwelling units per acre or less.



The Low-Density Residential future land use category provides opportunities for development densities up to 2 dwelling units per acre (du/ac) and neighborhood-scale institutional facilities. The maximum number of dwellings permitted on the subject site is 3 units, resulting in a density slightly higher (2.75 du/ac) than the preferred density range for this project. However, due to the size and shape of the subject properties, it is unlikely that 3 units could be constructed based upon the dimensional requirements of the RP, Residential zoning district, indicating that the proposal is generally consistent with the desired density of this future land use category.

The proposed rezoning is also consistent with the Low-Density Residential future land use category because of its location among other single-family residential uses on properties of similar size. In addition, the development pattern of this section of US HWY 17 is generally

characteristic of low-density development with limited commercial and institutional development in the vicinity.

In addition to the Future Land Use Map, the Zoning Map Amendment was found to be consistent with three 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.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.W: Single-family Residential Development: The County shall maintain areas exclusively for conventional single-family development. Conversion of single-family homes to two-family and/or multi-family residential uses within established single-family neighborhoods shall be discouraged.

The proposed general use rezoning is supported by the above policies because of its proximity to, and consistency with, other low-density single-family uses in the vicinity. The proposed rezoning and allowable uses within the requested zoning district are also compatible with the surrounding area and existing development pattern.

- E. **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 compliant with the Pender County Unified Development Ordinance. In addition, the request is consistent with the Future Land Use Map, as well as three policies within the Pender 2.0 Comprehensive Land Use Plan, while conflicting with none.

Overall, the proposed RP, Residential Performance zoning district rezoning request is generally consistent with the Pender 2.0 Comprehensive Land Use Plan because it is in line with the recommended densities in the Low-Density Residential future land use category and is compatible with the existing development pattern in this area. Therefore, Planning staff recommend 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.D**
- **Policy 5.1.V**
- **Policy 5.1.W**

The proposed rezoning is consistent with the Low-Density Residential Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan because the density is in line with the density and housing type recommendations for this future land use category, is compatible with the existing development pattern in the area, and can provide for affordable housing options.

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]...

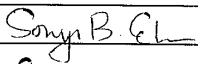
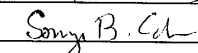
BOARD ACTION FOR GENERAL USE REZONING:

Motion:_____ **Seconded:**_____

Approved:_____ **Denied:**_____ **Unanimous:**_____

McClammy:_____ Jordan:_____ Beaudoin:_____ Buchanan:_____ Gruntfest:_____ Pitts:_____ Teachey:_____

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2021-24	Date	05/07/2021
Application Fee	\$ 500	Invoice	00017862
Pre-Application Conference	03/21/2021	Hearing Date	07/06/2021
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Sonya Edens	Owner's Name:	Randall & Sonya Edens
Applicant's Address:	15226 US Hwy 17	Owner's Address:	15226 US Hwy 17
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-619-1737	Phone Number:	910-619-1737
Email Address:	Sonya@rsceengineering.com	Email Address:	Sonya@rsceengineering.com
Legal relationship of applicant to landowner: Self			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4215-00-6231-0000 4215-00-8013-0000	Total property acreage:	0.97 0.12
Current Zoning District:	RA GB	Proposed Zoning District:	RP RP
Project Address:	Adjacent to 20689 US 17		
Description of Project Location:	Located on US 17 S across from Union Bethel Rd		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	5/5/21
Applicant's Name Printed	Sonya Edens	Date:	5/5/21
Owner's Signature		Date:	5/5/21
Owner's Name Printed	Sonya Edens	Date:	5/5/21
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.
<u>Office Use Only</u>	
☒	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:	Gideon Smith
Date:	05/07/2021
Application completeness approved by:	Gideon Smith
Date:	05/07/2021
Dates scheduled for public hearing: ☐ Planning Board: 07/06/2021 ☐ Board of Commissioners: 08/16/2021	

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

Narrative

PIN: 4215-00-6231-0000 (RA to RP)

PIN: 4215-00-8013-0000 (GB to RP)

The request being submitted is to rezone two contiguous parcels (PIN 4215-00-6231-0000 & 4215-00-8013-0000) from RA (Rural Agricultural) and GB (General Business) to RP (Residential Performance). The parcels are noted as Lot A and Lot B on the submitted survey. The parcels are located just off of US 17 N in Hampstead directly across US 17 from Union Bethel Road. The RA parcel is 0.97 acres and the GB parcel is 0.12 acres in size. Both parcels are currently vacant. The request to rezone is driven by desire to place affordable housing on the parcel(s) similar to the adjacent parcels. The parcels are located along a stretch of US 17 that is primarily residential. There is a mix of RA, RP and GB zoned parcels around the subject sites. The current use of all adjacent parcels is currently residential. The range of uses permitted in the RP zoning district are appropriate for these parcels as it is surrounded by residential uses. The change of zoning shall not provide any additional burden on the public facilities and services that currently serve the parcels. The proposed change is consistent with the Future Land Use Map which shows Low Density Residential in the area. Rezoning of the parcels would allow for better use of the parcels and provide some affordable housing in the eastern Pender County area.

SURVEY REFERENCE:
DEED BOOK 3882 AT PAGE 230
DEED BOOK 464 AT PAGE 28 MINUS DEED BOOK 1383 AT PAGE 87
DEED BOOK 3863 AT PAGE 294 (TRACT 5)
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 RA.
 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.
RA - (FRONT 30' /// SIDE 15' /// REAR 30')
GB - (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.

"This lot is adjacent to a natural drainage way or perennial stream or/and a 20 ft. drainage easement is recorded from the lot to a natural drainage way or perennial stream."

Parcel Identifier Certificate

Parcel Identifiers will be issued for all parcels shown on this plat after recordation.
TAX PIN #4215-00-6231-0000
TAX PIN #4215-00-8013-0000

Tax Office _____ Date _____
PARCEL ID # _____
PARCEL ID # _____



Surveyor Certificate II

This plat is of a survey of existing parcels and is therefore exempt from any subdivision ordinance.

CERTIFICATION OF SURVEY AND ACCURACY

I, Frederick W. Jones, PLS, certify that this plat was drawn by me from an actual field survey made by me from information as noted hereon; that the boundaries not surveyed are clearly indicated as dashed lines; that this map was prepared in accordance with G.S. 47-30 as amended; that the ratio of precision as calculated is 1:10000+ and is correct to the best of my knowledge and belief. Witness my original Signature, License Number and Seal

this _____ day of _____, AD, 2019.

Frederick W. Jones, PLS
NC License No. L-4503

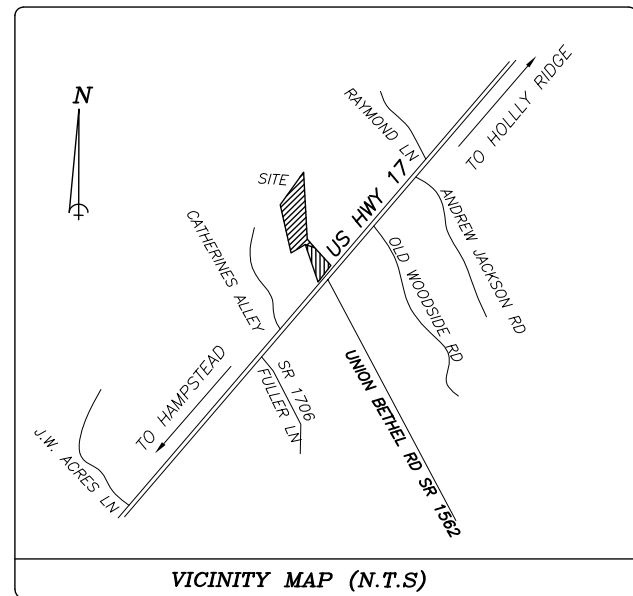


MAP OF SURVEY
FOR
BRENDA CROTTS
U.S. HWY. 117
HAMPSTEAD NC 28443

TOPSAIL TOWNSHIP - PENDER COUNTY - NORTH CAROLINA
SCALE: 1" = 50' MAY 3, 2019
50 0 50 100 150
GRAPHIC SCALE - FEET

LEGEND:

- EIP (EXISTING IRON PIPE)
OR EIS (EXISTING IRON STAKE)
OR ISS (IRON STAKE SET)
- △ S"PK" (SET PARKER-KALON NAIL)
OR EN&C (EXISTING NAIL & CAP)
- N. C. GRID MONUMENT
- Pt. (POINT)
- PROPERTY LINE
- - - NON-SURVEYED LINE
- - - Q (CENTER LINE)
- - - R/W (RIGHT OF WAY)
- - - OVERHEAD UTILITY LINE
- - - SWMH (SINGLE WIDE MOBIL HOME)



STATE OF NORTH CAROLINA

PENDER COUNTY

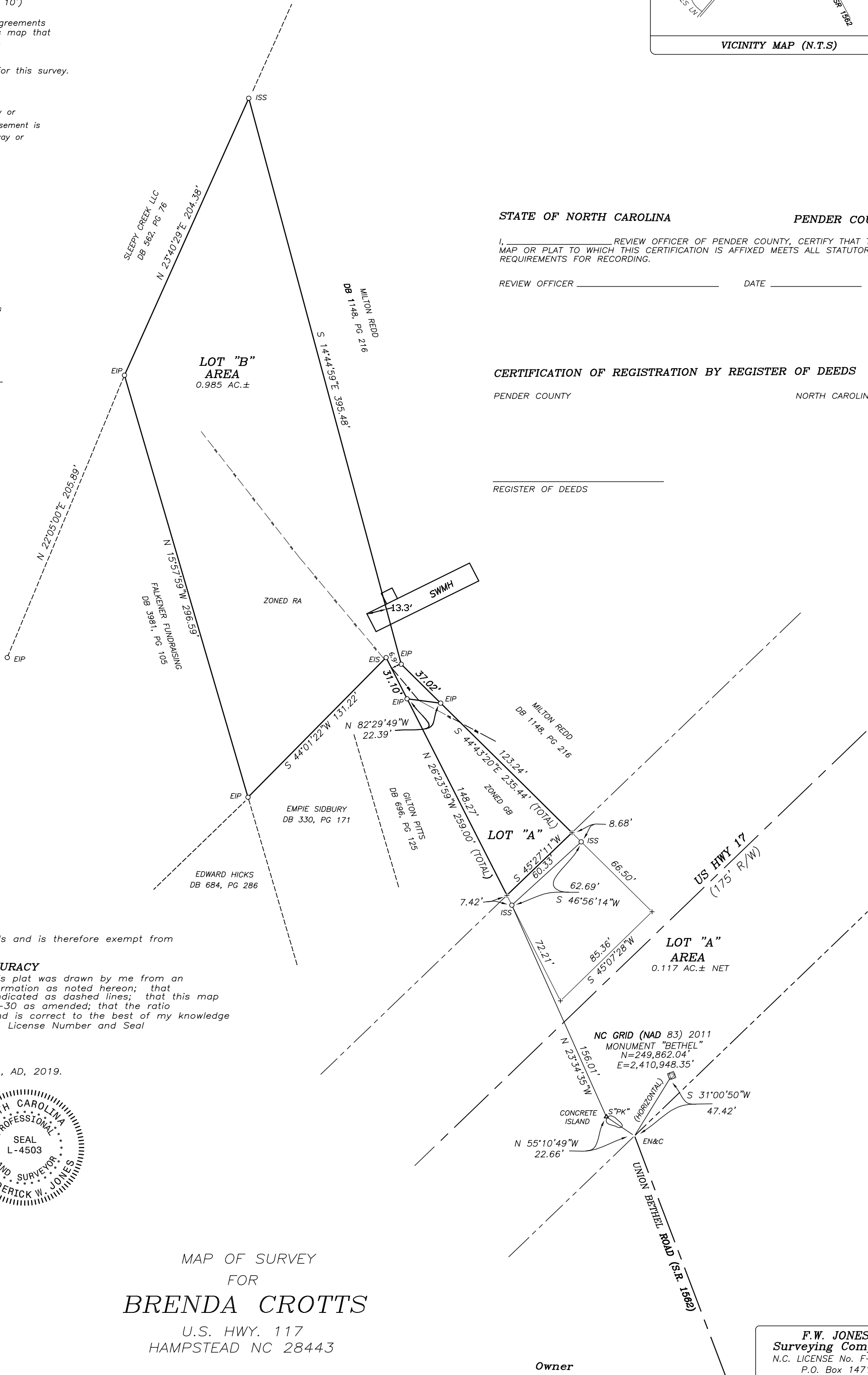
I, _____ REVIEW OFFICER OF PENDER COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

CERTIFICATION OF REGISTRATION BY REGISTER OF DEEDS

PENDER COUNTY _____ NORTH CAROLINA _____

REGISTER OF DEEDS _____



Owner
BRENDA CROTTS
100 EAGLE LANE
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: PL 21 CROTTS
BRENDA US 117

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

Table of Permitted Uses Pender County Unified Development Ordinance

5.2.3 Table of Permitted Uses

The Table of Permitted Uses shows those principal uses that are permitted by right, permitted subject to limited use standards, or permitted subject to a Special Use Permit.

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			PMD/S			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	