



Pender County

Agenda

Pender County Technical Review Committee Meeting
Thursday, December 7, 2023 @ 9:00 AM
Pender County Public Assembly Room

	Presenter	Page
1. CALL TO ORDER		
2. CASES		
2.1. REZONE 2023-60 & MDP 2023-61 REZONE 2023-60 & MDP 2023-61 - Pdf		3 - 15
2.2. REZONE 2023-59 REZONE 2023-59 - Pdf		17 - 26
3. DISCUSSION		
4. NEXT MEETING DATE		
5. ADJOURNMENT		



Pender County Wylie Branch V

TO: Technical Review Committee
FROM: Taylor Davis
DATE: December 7, 2023
SUBJECT: REZONE 2023-60 & MDP 2023-61

SUMMARY:

Conditional rezoning application for Pender County PIN 3263-43-4574-0000 from the RA, Rural Agriculture to the RP, Residential Performance zoning districts. In addition, a Master Development Plan application will be reviewed in concurrence with the rezoning proposal for a subdivision consisting of 96 residential dwelling units

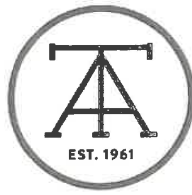
ACTION REQUESTED:

Case will be reviewed by the TRC

ATTACHMENTS:

1. Application - Rezone
2. Application - Master Development Plan
3. Site Plan
4. Narrative

APPLICATION PACKAGE



TIDEWATER ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS
JACKSONVILLE, NORTH CAROLINA

LETTER OF TRANSMITTAL

TO: Taylor Davis, Planner
Pender County Planning & Community Dev.
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

DATE: November 08, 2023
REF: Wylie Branch V
Pender County, NC
Conditional Rezoning Submittal

WE ARE SENDING YOU:

One (1) Completed Application with checklist.

DELIVERY VIA:

☐ *Regular Mail* ☒ *Hand* ☐ *Federal Express*
☐ *UPS Overnight* ☐ *UPS Ground* ☒ *Other* Email

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ *For Approval* ☐ *As Requested* ☒ *For Review and Comment*
☐ *For Your Use* ☐ *For Bids Due*
☐ *Other* _____

COMMENTS: _____

Benjamin L. Darling
Benjamin L. Darling, Drafting Tech

cc: A. Sydes Construction, Inc.

BLD/jrh

CF (P), LAM

(if enclosures are not as noted, kindly notify us at once)

C2.JRH.2023.Forms.Davis.PenderCounty.WylieBranchV.ConditionalRezoningSunmittal.11082023

306 New Bridge Street | P.O. Box 976 | Jacksonville, NC 28541-0976 | (910) 455-2414

Firm License Number F-0108 | www.tidewaterenc.com

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

Conditional Zoning Map Amendment Submission (Conditional Rezoning)

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

1. BLD **Pre-submittal Meeting**
Date of Meeting 3-17-22
2. BLD **Signed Application**
3. Submitted **Payment**
with Rezoning \$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter
4. Submitted **Generalized Site Development Plan**
with Master All applications which specify an intended use must include a generalized site
Development Plan development plan drawn to a suitable scale, supporting information and text which
specifies the use or uses intended for the property and any development standards to
be approved concurrently with the rezoning application.
5. Submitted **Narrative**
with Rezoning A description and/or statement of the present and proposed land use classification and
stating why the request is being made and any information that is pertinent to the case.
6. **Public Input Meeting Report**
A meeting summary shall be submitted in accordance with the Unified Development
Ordinance. This item is not required at the time of application submittal but must be
received by the Administrator prior to any public hearings are noticed.
7. BLD **Digital Submission**
For all documents submitted in paper copy, a digital copy shall be sent via email or
digital drive.
8. Submitted **Adjacent Property List**
with Rezoning A list of names and addresses, as obtained from the county tax listings and tax abstract,
to the owners of all properties located within 500-feet of the perimeter of the project
bounds.
9. Submitted **Adjacent Property Envelopes**
with Rezoning The applicant shall provide two sets of business envelopes addressed to each of the
owners of all properties located within 500-feet of the perimeter of the project bounds
and accompanied with the amount of postage required for first class postage. No return
address shall be placed on the envelopes at the time of submission.

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

Signature of Applicant Benjamin L Darling

Date 11/08/2023

Printed Name Benjamin L Darling

Staff Initials: _____
Date: _____

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD	Date	
Application Fee	\$	Invoice Number:	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Tidewater Associates, Inc.	Owner's Name:	A. Sydes Construction, Inc.
Applicant's Address:	306 New Bridge Street	Owner's Address:	100 Carolina Plantations Blvd.
City, State, & Zip	Jacksonville, NC 28540	City, State, & Zip	Jacksonville, NC 28544
Phone Number:	(910) 455-2414	Phone Number:	(910) 455-6956
Email Address:	office@tidewaterenc.com	Email Address:	leahquinn@sydescommunities.com
Legal relationship of applicant to landowner: Planning Agency			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3263-43-4574-0000	Total property acreage:	110.0± Acres
Current Zoning District:	RA Zone	Proposed Zoning District:	RP Zone
Project Address or Location:	Off Island Creek Road		
Proposed Uses to be Considered (Include NAICS Code):			
See Master Development Plan			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
See Map			
SECTION 3: SIGNATURES			
Applicant's Signature	<i>Benjamin L. Darling</i>	Date:	11/08/2023
Applicant's Name Printed	Benjamin L. Darling	Date:	11/08/2023
Owner's Signature	<i>Anthony W. Sydes</i>	Date:	11/08/2023
Owner's Name Printed	Anthony W. Sydes	Date:	11/08/2023
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			

Conditional (Zoning Map) Amendment Checklist

☒	Signed application form
☒	Application fee
☒	A list of names and addresses, as obtained from the county tax listings & tax abstract, all adjacent property owners, including property owners directly across any road or road easement, & 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 that are to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
☐	12 (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
☐	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
☒	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.
☒	All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application
☒	A generalized site development plan shall include the following items: ☒ A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. ☒ A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. ☒ All existing easements, reservations and rights of way. ☒ Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. ☐ For residential uses, the number of units, heights and a generalized location. For non-residential uses, the height, approximate footprint and location of all structures. ☐ If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. ☒ All proposed setbacks, buffers, screening and landscaping. ☒ Phasing. ☐ Signage. ☐ Outdoor lighting. ☒ Current zoning district designation and current land use status. ☒ Other information deemed necessary by the Administrator, Planning Board, or Board of Commissioners, including but not limited to a Traffic Impact Analysis or other report from a subject matter expert.

Office Use Only						
ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$					
Attachments Included with Application: (Please include # of copies)						
CD /other digital version	☐ Y ☐ N	Plan Sets	# of large	# of 11X17	Other documents/Reports	☐ Y ☐ N
Payment Method:	Cash : ☐ \$ _____	Credit Card: ☐ Master Card ☐ Visa		Check: ☐ Check # _____		
Application received by:						Date:
Application completeness approved by:						Date:
Dates scheduled for public hearing:		☐ Planning Board:		☐ Board of Commissioners:		

Conditional Rezoning Standards Checklist

When submitting a conditional rezoning application, the site plan and supporting materials must provide proposed standards for a variety of standards which are guided by the zoning district. This may be by requesting custom standards or by requesting the existing standards of an existing general use zoning district. Please provide proposed standards for:

☐	Maximum density
☐	Setbacks (Front, side, rear, corner)
☐	Minimum lot width/Minimum chord length at the right-of-way for cul de sacs
☐	Structure separation
☐	Minimum lot size
☐	Maximum building height
☐	Permitted uses (Including NAICS code)
☐	Buffer standards (Depth, number and type of vegetation per 100 linear feet)
☐	Sign standards to the extent that the UDO's requirements are zoning district-specific

Where desired, the applicant must explicitly request varying standards for different uses within the conditional zoning district.

Conditional rezoning applications may not be used to vary from the general standards of the ordinance, including but not limited to:

- Traffic Impact Analysis thresholds
- Stormwater regulations
- Open space/recreational unit requirements
- Street design standards
- Off-street parking standards
- HOA requirements
- Water and wastewater requirements

The Pender County Planning Board and Board of County Commissioners may approve or deny the request entirely, or approve with modifications. Additionally, in approving a petition for the reclassification of property to a conditional zoning district, the Planning Board may recommend, and the Board of Commissioners request that the applicant add reasonable and appropriate conditions to the approval of the petition.

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

By- Right Master Development Plan Submission

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

1. BLD **Pre-submittal Meeting**
Date of Meeting 3-17-22
2. BLD **Signed Application**
3. BLD **Payment**
\$500 plus \$10 per acre for the first 100 acres, \$5 per acre thereafter
4. BLD **Paper Plan Sets**
One (1) 24 x 36, Fifteen (15) 11 x 17
5. BLD **Digital Submission**
For all documents submitted in paper copy, bring a digital copy with paper submission.
6. Submitted With Rezoning **Adjacent Property List**
A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the perimeter of the project bounds.
7. Submitted With Rezoning **Adjacent Property Envelopes**
The applicant shall provide a set of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage.
8. BLD **Permits**
Include any permits issued on the project including but not limited to: environmental, traffic analysis, utility, or other site specific conditions.
9. BLD **Site Plan Requirements**
A prepared site plan in accordance with the Unified Development Ordinance standards 6.1, Pender County Collector Street Plan, Pender County Transportation Plan, other approved State of Federal Transportation Improvement Plan, or any other adopted plan in Pender County.
(See Master Development Plan Checklist)

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

Signature of Applicant Benjamin X Darling
Printed Name Benjamin L Darling

Date 11/08/2023

Staff Initials:	_____
Date:	_____

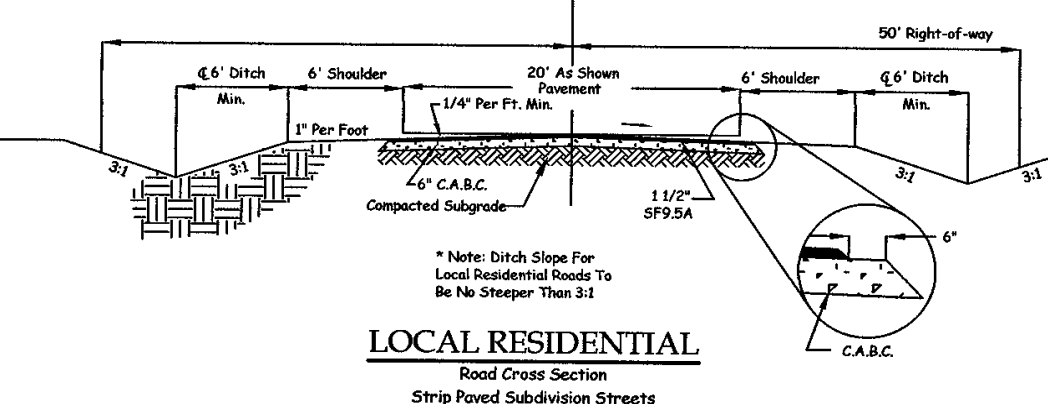
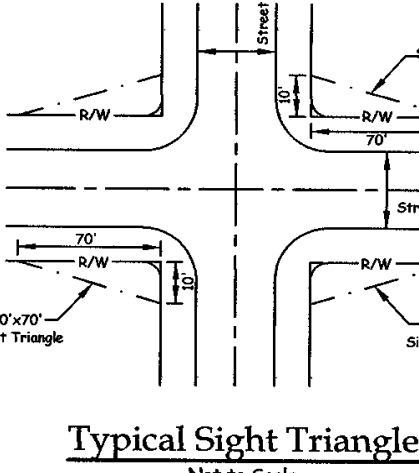
APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP 2023-61	Date	11/9/2023
Application Fee	\$ 1550.00	Invoice Number:	00036842
Pre-Application Conference		Hearing Date	TRC 12/7/23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Tidewater Associates, Inc.	Owner's Name:	A. Sydes Construction, Inc.
Applicant's Address:	306 New Bridge Street	Owner's Address:	100 Carolina Plantations Blvd.
City, State, & Zip	Jacksonville, NC 28540	City, State, & Zip	Jacksonville, NC 28544
Phone Number:	(910) 455-2414	Phone Number:	(910) 455-6956
Email Address:	office@tidewaterenc.com	Email Address:	leahquinn@sydescommunities.com
Legal relationship of applicant to land owner: Planning Agency			
SECTION 2: PROJECT INFORMATION			
Type of Master Development Plan	☒ Residential (RP) PD, RM MH District ☐ Commercial GB, OI, IT, GI District		
Property Identification Number (PIN):	3263-43-4574-0000	Total property acreage:	110.0± Acres
Zoning Classification:	RP Zone (Proposed)	Acreage to be disturbed:	46± Acres
Project Address :	Off Island Creek Road		
Description of Project Location:	Tract 3 PB 61/110 The Herring Tract		
Describe activities to be undertaken on project site:	See Narrative		
SECTION 3: SIGNATURES			
Applicant's Signature	<i>Benjamin L. Darling</i>	Date:	11/08/2023
Applicant's Printed Name	Benjamin L. Darling	Date:	11/08/2023
Owner's Signature	<i>Anthony W. Sydes</i>	Date:	11/08/2023
Owner's Printed Name	Anthony W. Sydes	Date:	11/08/2023

NOTICE TO APPLICANT							
1. Applicant or agent authorized in writing must attend the public hearing. 2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 3. All fees are non-refundable 4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda							
Office Use Only							
☐		MDP Fees: (\$500.00 plus \$10/acre for the first 100 acres \$5/acre thereafter)				Total Fee Calculation: \$	
Attachments Included with Application: (Please include # of copies)							
CD /other digital version	☐ Y ☐ N	Plan Sets	# of large	# of 11X17	Other documents/Reports	☐ Y ☐ N	
Payment Method:		Cash : ☐ \$ _____		Credit Card: ☐ Master Card ☐ Visa		Check: ☐ Check # _____	
Application received by:		Taylor Davis				Date: 11/9/2023	
Application completeness approved by:		Taylor Davis				Date: 11/9/2023	
Date scheduled for public hearing:				TRC 12/7/23			

SITE PLAN(S)

Development Phasing		
Phase I - (Recorded Per M.B. 64, Pg. 80)		
Acresage	27.33	Ac.
Number of Lots	65	Lots
Acresage in Street R/W	1.72	Units/Ac.
Density	0.74	Units/Ac.
Phase II - (Recorded Per M.B. 66, Pg. 120)		
Acresage	24.17	Ac.
Number of Lots	31	Lots
Acresage in Street R/W	3.10	Units/Ac.
Density	0.32	Units/Ac.
Phase III - (Recorded Per M.B. 69, Pg. 90)		
Acresage	31.41	Ac.
Number of Lots	45	Lots
Acresage in Street R/W	4.04	Units/Ac.
Density	0.32	Units/Ac.
Phase IV - (Recorded Per M.B. 71, Pg. 62)		
Acresage	69.29	Ac.
Number of Lots	83	Lots
Acresage in Street R/W	5.01	Units/Ac.
Density	0.45	Units/Ac.
Phase V		
Acresage	27.33	Ac.
Number of Lots	45	Lots
Acresage in Street R/W	1.72	Units/Ac.
Density	0.64	Units/Ac.
Phase VI		
Acresage	82.71	Ac.
Number of Lots	51	Lots
Acresage in Street R/W	1.72	Units/Ac.
Density	1.66	Units/Ac.



Vicinity Sketch

Not to Scale

[illegible]

Common Area #7 - Passive

Front Yard	30'
Side Yard	10'
Corner Yard (Side Street)	15'
Rear Yard	25'

Common Area #8 - Active

Front Yard	49.96 Ac.
Side Yard	42.67 Ac.

Estimated Trip Generation

Estimated Average Daily Trips ..	2,266
Estimated AM Peak Hour Trips ...	178
Estimated PM Peak Hour Trips ...	238

Note:
The Estimated Average Daily Trips Were Calculated
According To The Institute of Transportation
Engineers Trip Generation Manual 9th Edition

Revised
Master Development Plan – Not for recordation, conveyance, or sales

WYLLIE BRANCH, SECTION V
Tepart Trp., Pender Co., North Carolina

Owner/Developer:

Slack Creek Developments, LLC
100 Carolina Plantations Boulevard
Jacksonville, North Carolina 28546

DATE: 11/08/23
SCALE: 1"=200'

GRAPHIC SCALE: 1"=200'
0 100 200 400 600
FEET

TIDEWATER ASSOCIATES, INC.
Consulting Engineers - Land Surveyors - Land Planners
Jacksonville, North Carolina
P.O. Box 97 - 305 New Bridge Street - 28540
Phone (910) 435-2414 - www.tidewater.com
Firm License Number: F-0108

Wylie Branch, Section V

Project Narrative

Location and Access:

The proposed project is located on the North side of Island Creek Road (N.C.S.R. 1002) near the Pender County/New Hanover County line, approximately 0.8 miles South of the intersection with N.C. Hwy. 210.

The proposed project is bordered to the East, South & West by undeveloped property, zoned RA; to the North by undeveloped property, zoned RA & Wylie Branch Subdivision (single family lots), zoned RP.

The proposed project has one street connection onto W. Broughton Lane and 2 stub street connections to the adjoining properties to the East & South.

All of the streets in the proposed project will be public and designed to N.C.D.O.T. standards. The rights-of-way are 50' and the pavement widths are 20' strip pavement with roadside swales.

Description of Activities on Site:

The proposed project consists of ninety-six (96) Single Family Dwelling-Detached Conventional lots on One Hundred Ten (110) acres of which Forty-Seven and Fifty-Two Hundredth (47.52) acres is wetlands.

Fifty-Three and Forty-Five Hundredth (53.45) acres is planned as open space that consists of passive & active, Forty-Four and Twenty-Five Hundredth (44.25) acres of wetlands, and a Community Mailbox site. The percentage of open space is 49%.

All open spaces will be conveyed to and maintained by the Homeowners Association.

Description of Construction Activities:

The proposed project will be constructed with 20' wide paved streets and roadside swales, to meet N.C.D.O.T. minimum roadway and drainage requirements.

A public water system will be constructed to meet the Pender County Utilities requirements to serve all lots within this subdivision.

A public Sewer system will be constructed to meet the Pluris requirements to serve all lots within this subdivision.

Stormwater management is proposed a low density with roadside swales and outlet swales.

Type of Utilities to Serve Site:

The proposed water & sewer system will tie into the existing water & sewer system within the Wylie Branch subdivision.

Power, telephone, and cable will be underground and installed by the local providers.



Pender County Little Kelly RD

TO: Technical Review Committee
FROM: Taylor Davis
DATE: December 7, 2023
SUBJECT: REZONE 2023-59

SUMMARY:

Conditional rezoning application for a partial rezoning of Pender County PIN 3214-28-8318-0000 from the RA, Rural Agriculture to the GB, General Business for a proposed retail store

ACTION REQUESTED:

Case will be reviewed by the TRC

ATTACHMENTS:

1. Application
2. Site Plan
3. Narrative

APPLICATION PACKAGE

**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

Conditional Zoning Map Amendment Submission (Conditional Rezoning)

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

1. ☒ **Pre-submittal Meeting**
Date of Meeting 10-26-2023
2. ☒ **Signed Application**
3. ☒ **Payment** To be paid after invoice is sent digitally.
\$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter
4. ☒ **Generalized Site Development Plan**
All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application.
5. ☒ **Narrative**
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
6. ☐ **Public Input Meeting Report**
A meeting summary shall be submitted in accordance with the Unified Development Ordinance. This item is not required at the time of application submittal but must be received by the Administrator prior to any public hearings are noticed.
7. ☒ **Digital Submission**
For all documents submitted in paper copy, a digital copy shall be sent via email or digital drive.
8. ☒ **Adjacent Property List**
A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the perimeter of the project bounds.
9. ☒ **Adjacent Property Envelopes**
The applicant shall provide two sets of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage. No return address shall be placed on the envelopes at the time of submission.

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

Signature of Applicant

[Handwritten Signature]

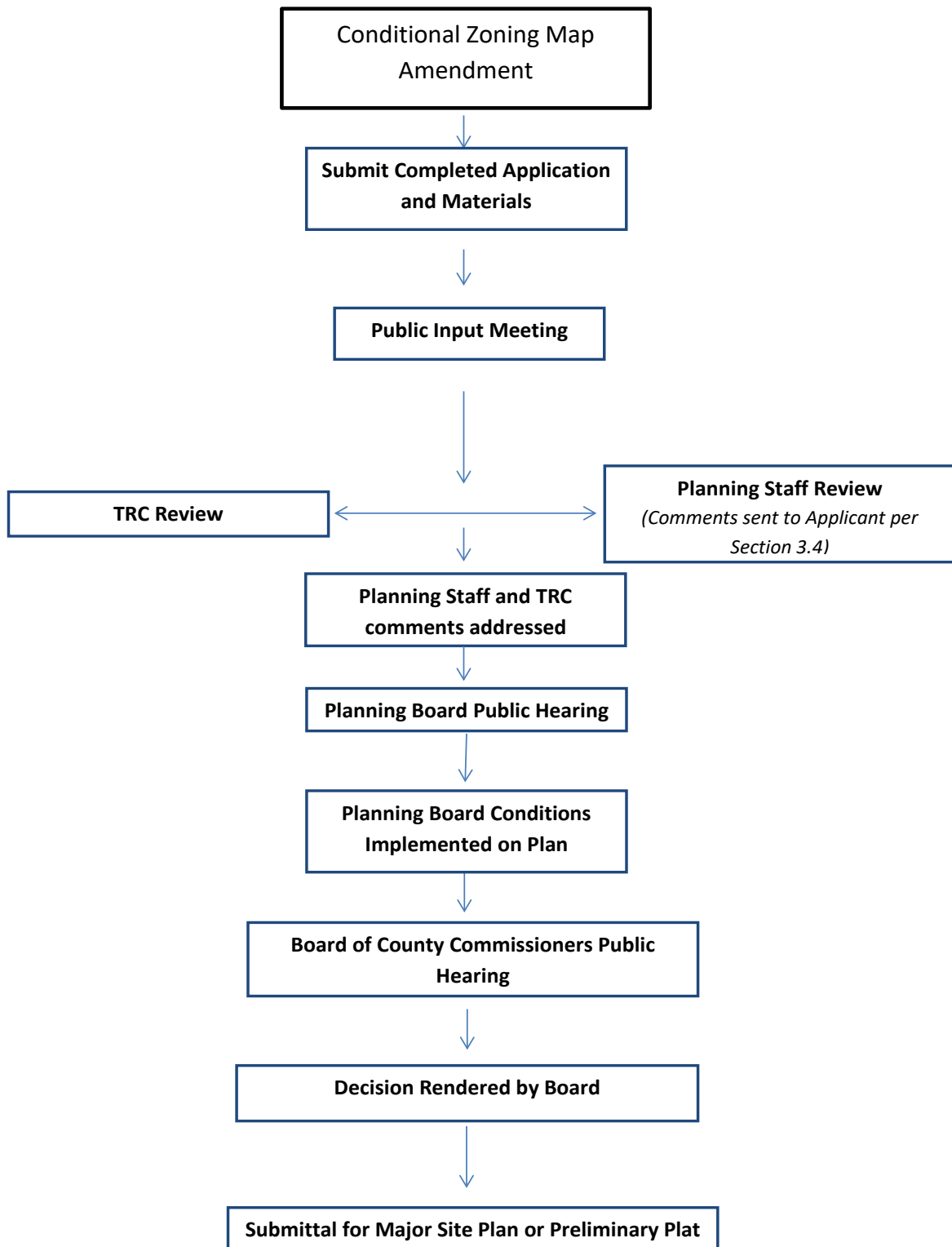
Date 10-31-23

Printed Name

Jamie S. Encinosa

Staff Initials: _____

Date: _____



Pender County Planning and Community Development

Planning Division

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



Phone: 910-259-1202
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CONDITIONAL REZONING

Intent

- A. Conditional zoning districts hereby included are to allow for the consideration of certain uses that are permitted uses in the underlying zoning district but due to their nature may not be appropriate for a particular location.
- B. A conditional zoning district is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses on small and large scale projects.
- C. Although, it is not intended to be used for speculative purposes, a conditional zoning district applicant may include as part of the application, a list of uses which will not be developed on the property.
- D. All uses listed as part of any application must be in the same format and description as listed in the Table of Permitted Uses.
- E. The following zoning district categories are approved to be assigned conditional zoning districts: PD, RP, RM, GB, OI, IT, IG (Reference Article 4 for Zoning District Descriptions).

Application

Except as provided herein, all applications to establish a conditional zoning district must follow the regulations prescribed in this section in addition to the standard rezoning process as described in Section 3.3, Rezoning of this Ordinance.

Public Input Meeting

Prior to scheduling a public hearing on the rezoning application, **the applicant must conduct one public input meeting and file a report of the results with the Administrator.**

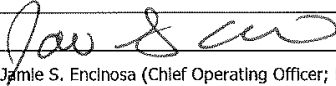
- 1. The report for the public hearing will include a summary of the public input meeting.
- 2. The applicant shall mail a notice for the public input meeting to adjoining property owners not less than ten (10) days prior to the scheduled meeting.
- 3. The notice shall include the time, date and location of the meeting as well as a description of the proposal.
- 4. The applicant's report of the meeting shall include:
 - a. A copy of the letter announcing the meeting.
 - b. A list of adjoining property owners contacted.
 - c. An attendance roster.
 - d. A summary of the issues discussed.
 - e. The results of the meeting including changes to the project's proposal, if any.

Review

When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:

- 1. The application's consistency to the general policies and objectives of the adopted Land Use Plan.
- 2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
- 3. The report of results from the public input meeting.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD REZONE 2023-59	Date	11.7.23
Application Fee	\$ 500	Invoice Number:	00036803
Pre-Application Conference		Hearing Date	TRC 12.7.23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Rhetson Companies, Inc.	Owner's Name:	Livvie R. Lewis C/O Elizabeth B. Grix
Applicant's Address:	2075 Juniper Lake Road	Owner's Address:	3828 Echo Farms Blvd
City, State, & Zip	West End, NC, 28412	City, State, & Zip	Wilmington, NC, 28412
Phone Number:	910-944-0881	Phone Number:	910-512-4201
Email Address:	permits@rhetson.com	Email Address:	Bettyann1@ec.rr.com
Legal relationship of applicant to landowner:		Applicant under contract to purchase property	
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3214-28-8318-0000	Total property acreage:	5.65 acres
Current Zoning District:	Rural Agricultural	Proposed Zoning District:	General Business
Project Address or Location:	NC HWY 210 E, Wilmington, NC, 28412		
Proposed Uses to be Considered (Include NAICS Code):			
Single Tenant Commercial Retail Store NAICS Code: 44-45 (Retail Trade)			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	Oct 31, 2023
Applicant's Name Printed	Jamie S. Enchosa (Chief Operating Officer; Rhetson Companies, Inc.)	Date:	
Owner's Signature		Date:	Oct 29, 2023
Owner's Name Printed	Livvie R. Lewis C/O Elizabeth B. Grix	Date:	
NOTICE TO APPLICANT			
1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda			

Conditional (Zoning Map) Amendment Checklist

☐	Signed application form
☐	Application fee
☐	A list of names and addresses, as obtained from the county tax listings & tax abstract, all adjacent property owners, including property owners directly across any road or road easement, & 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 that are to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
☐	12 (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
☐	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
☐	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.
☐	All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application
☐	A generalized site development plan shall include the following items: ☐ A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. ☐ A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. ☐ All existing easements, reservations and rights of way. ☐ Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. ☐ For residential uses, the number of units, heights and a generalized location. For non-residential uses, the height, approximate footprint and location of all structures. ☐ If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. ☐ All proposed setbacks, buffers, screening and landscaping. ☐ Phasing. ☐ Signage. ☐ Outdoor lighting. ☐ Current zoning district designation and current land use status. ☐ Other information deemed necessary by the Administrator, Planning Board, or Board of Commissioners, including but not limited to a Traffic Impact Analysis or other report from a subject matter expert.

Office Use Only					
ZMA-CD Fees: (<i>\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter</i>)				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:		Adam Moran			Date:
Application completeness approved by:		Taylor Davis			Date: 11.7.23
Dates scheduled for public hearing: 12.7.23 TRC		☐ Planning Board:		☐ Board of Commissioners:	

Conditional Rezoning Standards Checklist

When submitting a conditional rezoning application, the site plan and supporting materials must provide proposed standards for a variety of standards which are guided by the zoning district. This may be by requesting custom standards or by requesting the existing standards of an existing general use zoning district. Please provide proposed standards for:

☐	Maximum density
☐	Setbacks (Front, side, rear, corner)
☐	Minimum lot width/Minimum chord length at the right-of-way for cul de sacs
☐	Structure separation
☐	Minimum lot size
☐	Maximum building height
☐	Permitted uses (Including NAICS code)
☐	Buffer standards (Depth, number and type of vegetation per 100 linear feet)
☐	Sign standards to the extent that the UDO's requirements are zoning district-specific

Where desired, the applicant must explicitly request varying standards for different uses within the conditional zoning district.

Conditional rezoning applications may not be used to vary from the general standards of the ordinance, including but not limited to:

- Traffic Impact Analysis thresholds
- Stormwater regulations
- Open space/recreational unit requirements
- Street design standards
- Off-street parking standards
- HOA requirements
- Water and wastewater requirements

The Pender County Planning Board and Board of County Commissioners may approve or deny the request entirely, or approve with modifications. Additionally, In approving a petition for the reclassification of property to a conditional zoning district, the Planning Board may recommend, and the Board of Commissioners request that the applicant add reasonable and appropriate conditions to the approval of the petition.



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 130
Raleigh, NC 27612
919-578-9000

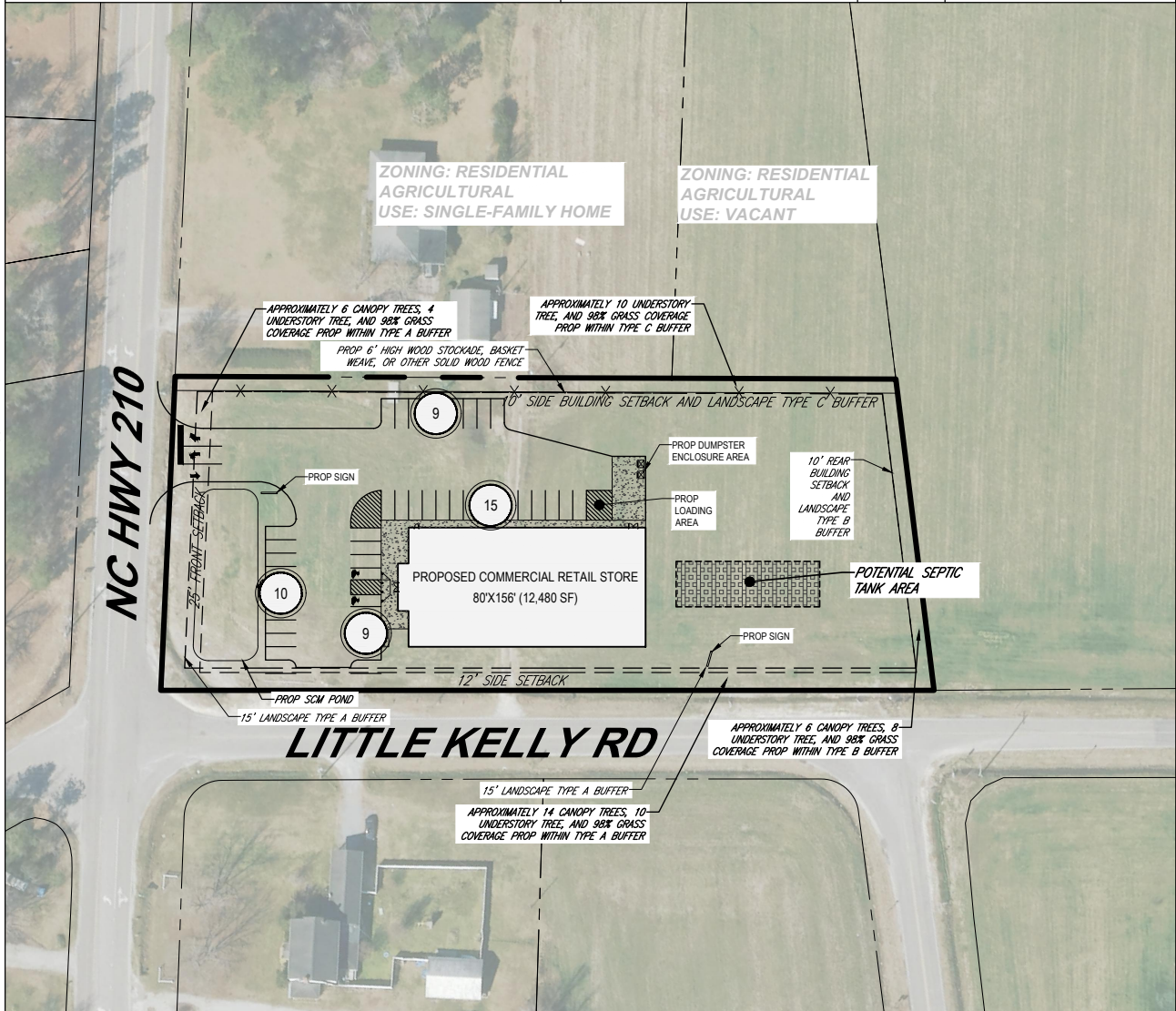
Narrative

Project Name: Little Kelly Road & 210 Conditional Rezoning
Project Address: NC Hwy 210 E
Wilmington, NC 28412
Pender County

Developer: Rhetson Companies, Inc.
Mailing Address: 2075 Juniper Lake Road
West End, NC 28412
Phone: (910) 944-0881

This application package is requesting for the conditional rezoning of parcel 3214-28-8318-0000 located at the intersection of Hwy 210 and Little Kelly Road in Pender County. The site is currently vacant and zoned RA, rural agricultural. This this conditional rezoning process we are requesting the rezoning to GB, general business. The proposed use of the property after the conditional rezoning is for a general retail business store which can be seen in the generalized site development plan consisting of the proposed building, parking, utilities, stormwater treatment, lighting, and landscaping improvements.

OVERALL SITE PLAN PROP. VARIETY STORE TYPE: 12,480 SF PROTOTYPE A PARKING STALLS: 43 PROPOSED PARCEL SIZE: ± 2.37 AC.	LOCATION: NC HWY 210, ROCKY POINT, NC 28547		NOTE: THIS LAYOUT IS BASED UPON COUNTY GIS INFORMATION AND AERIAL PHOTOGRAPH. ALL DIMENSIONAL INFORMATION SHOWN HEREIN IS APPROXIMATE ONLY.
	DESIGNER	DATE	
	COMPANY: BOHLER ENGINEERING NC	10/3/2023	
	NAME: IVAN ROSALES		
	PHONE #: 919-578-9000		



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BOHLER //
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132

4130 PARKLAKE AVENUE, SUITE 200
RALEIGH, NC 27612
Phone: (919) 578-9000

NC@BohlerEng.com

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PROPOSED COMMERCIAL RETAIL STORE

ROCKY POINT, NC 28457

10/03/2023 | IRF | NCB230212

