



# Pender County

## Agenda

### Planning Board Meeting

Tuesday, July 2, 2024 @ 7:00 PM  
Hampstead Annex - 15060 US Highway 17

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	Presenter	Page
1.	CALL TO ORDER	
2.	ROLL CALL	
3.	INVOCATION	
4.	PLEDGE OF ALLEGIANCE	
5.	ADOPTION OF AGENDA	
6.	ADOPTION OF MINUTES	
6.1.	May 7, 2024 Meeting Minutes <a href="#">May 7 2024 Meeting Minutes - Pdf</a>	3 - 28
7.	PUBLIC COMMENT	
8.	PUBLIC HEARINGS	
8.1.	REZONE 2024-66: Request to modify the RM-CD1 conditional zoning district to allow for private storage of boats, recreational vehicles, campers and trailers in the Topsail Township <a href="#">REZONE 2024-66 - Pdf</a>	29 - 102
8.2.	REZONE 2024-67: Request to rezone one parcel totaling approximately 0.41 acres from the PD, Planned Development zoning district to the RP, Residential Performance zoning district in the Topsail Township <a href="#">REZONE 2024-67 - Pdf</a>	103 - 131
9.	DISCUSSION	
9.1.	Update on the Comprehensive Land Use Plan <a href="#">Comprehensive Plan Update - Pdf</a>	133
10.	NEXT MEETING DATE	
11.	ADJOURNMENT	





## Pender County May 7, 2024 Meeting Minutes

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**TO:** Planning Board  
**FROM:** Daniel Adams  
**DATE:** July 2, 2024  
**SUBJECT:** May 7, 2024 Meeting Minutes

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**SUMMARY:**

Minutes from the May 7, 2024 Planning Board meeting.

**ACTION REQUESTED:**

Approval of the minutes from the May 7, 2024 Planning Board meeting.

**ATTACHMENTS:**

1. May 7, 2024 Planning Board meeting minutes



**DRAFT MINUTES**  
**Planning Board Meeting**  
**Tuesday, May 7, 2024**  
**Pender County Hampstead Annex**  
**7:00 PM**

**MEMBERS PRESENT:**

Delva Jordan, Chairman  
Jeffrey Pitts  
Norman "Ken" Teachey  
John Gruntfest  
Jeff Beaudoin  
Margaret Mosca

**MEMBERS ABSENT:**

Damien Buchanan, Vice-Chairman

**OTHERS PRESENT:**

Daniel Adams, Planning Director  
Justin Brantley, Deputy Planning Director  
Tucker Cherry, Current Planner  
Adam Moran, Long Range Planner  
Tracy Sholders, Administrative Specialist  
Trey Thurman, County Attorney  
Members of the Public

**1 CALL TO ORDER**

Chairman Delva Jordan called the meeting to order at 7:01 pm.

**2 ROLL CALL**

**3 INVOCATION**

**4 PLEDGE OF ALLEGIANCE**

**5 ADOPTION OF AGENDA**

Motion to move agenda item 8.1 from the first public hearing to the last public hearing made by Mr. Gruntfest, seconded by Mr. Teachey.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

Motion to adopt the amended agenda made by Mr. Teachey, seconded by Mr. Pitts.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

## **6 ADOPTION OF MINUTES**

Mr. Gruntfest made a motion to approve the April 3, 2024, minutes, seconded by Mr. Pitts.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

**7 PUBLIC COMMENT**

No public comment

**8 PUBLIC HEARINGS**

a) REZONE 2024-62

Tucker Cherry, Current Planner, presented the staff report.

Seth F. Stroud, applicant on behalf of Stroud Holdings, LLC, owner, is requesting approval of a Zoning Map Amendment to rezone one parcel totaling approximately 4.91 acres of land from the GB, General Business zoning district to a CZ, Conditional District zoning district. The proposed request would permit a covered 93-unit storage facility for boats and recreational vehicles. It will operate in conjunction with StroudCraft Marine, boat manufacturing, which currently operates on the property.

The subject property is located approximately ¼ mile west of the intersection of NC Highway 210 and US Highway 117, between NC Highway 210 and Carr Avenue, in the Rocky Point Township and may be further identified by Pender County PIN 3235-61-3629-0000.

Mr. Teachey asked what kind of fence would be required. Mr. Cherry stated a six-foot wooden fence would be required on the east side.

Mr. Jordan asked if the area between building C and Hwy 210 is currently graveled. Mr. Tucker responded affirmatively.

Mr. Jordan asked if a Stormwater Permit was needed. Mr. Cherry stated that there is a proposed stormwater pond.

Mr. Jordan asked what buffer would be required on the west side. Mr. Cherry stated that buffering C1 will be required.

Mr. Cherry clarified that the east side of the property that borders residential properties is where the 6-foot fence is located.

Mr. Jordan asked if there are any residential homes located on the west side. Mr. Cherry stated that there are none to his knowledge. Audience members stated that there are homes located on the western border with Mr. Jordan agreeing with the audience.

Mr. Beaudoin asked for clarification as to the difference between obtaining a Special Use Permit and a Conditional Rezoning for Boat Storage in zoning district GB, General Business. Mr. Cherry stated that the main reason for the Conditional Rezoning request in this situation is to bring the historic use into compliance.

Mr. Beaudoin asked if this Conditional Rezoning would cover anything that may take place on the property in the future or is this rezoning just for the uses being requested. Mr. Cherry stated that the rezoning would be just for the uses being requested.

Mr. Jordan asked if there is a driveway entrance on Carr Avenue. Mr. Cherry stated that there is a gated entrance off Carr Avenue for the boat manufacturing facility and another entrance on Hwy 210 for the storage facility.

Mr. Gruntfest asked if there will be stackable storage on site with Mr. Cherry responding negatively.

Mr. Teachey asked if there will be a height restriction. Mr. Cherry stated that there will be the height maximum of forty feet.

Mr. Jordan asked if buildings A, B & C are covered structures. Mr. Cherry stated that the buildings are covered with building B being more of a flex covered structure. He stated that the storage will take place in buildings A and C and both of those buildings will be covered. Mr. Jordan stated that the buildings will basically be one level carport type of buildings with Mr. Cherry responding affirmatively.

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

Mr. Jordan asked if the applicant has a presentation. Mr. Adams and Mr. Cherry both responded that there is no applicant presentation, but the applicant is available to answer any questions the Planning Board may have.

Tony Hubbard, 318 Carr Avenue, stated that he was under the impression that the pond was going to be located closer to the road. He stated that where the pond is located now is near his house and the standing water in the pond will cause mosquitos and he will not be able to enjoy sitting out on his deck. Mr. Hubbard also stated his concern for the smell that is coming from buildings which he thinks is maybe the glue that is used. He feels there should be a way to filter the smells.

Seth Stroud, 13991 Hwy 210, stated that he bought the facility approximately three years ago, but the business has been there about thirty years. He stated that they have expanded the business a little bit but now would like to utilize the entire property. Mr. Stroud stated that with all the expansion in the area, the boat storage use will be needed. He stated that the pond location is handled by the Engineer, but he does not think the pond will always have water in it. Mr. Stroud stated that he thinks the pond will mostly be dry but is there to collect water during heavy rains and storms. He stated that the property had not been maintained as it should have been so once he bought it, the property has been cleaned up and the appearance is better overall. Mr. Stroud stated he will work with the Board and community members with any issues that may be of concern, such as the smell that Mr. Hubbard spoke of.

Mr. Jordan asked the members if there are any questions of the applicant, and no questions were presented.

Mr. Adams stated that due to this request being a Conditional Rezoning, the Board does have the option to consider conditions if there is a motion to approve.

Mr. Pitts asked if Carr Avenue is maintained by NCDOT. Mr. Cherry responded affirmatively. Mr. Pitts asked if primary egress and ingress for the manufacturing facility will be off Carr Avenue. Mr. Cherry responded affirmatively.

Mr. Teachey spoke to the Applicant about Mr. Hubbard's smell concern. Mr. Teachey stated that the applicant is already approved for the activity that is taking place on the property currently and this Conditional Rezoning will not change that. Mr. Stroud agreed with Mr. Teachey's statement.

Mr. Stroud stated that the carport type storage buildings cannot physically be stacked due to their design. He stated that each storage space is enclosed on three sides with the front side uncovered to allow entrance and exit abilities. Mr. Stroud stated that they may consider enclosing the fourth side in the future if this is a request by the paying users. He stated that due to the one side being open, it is considered outdoor storage, which requires a Conditional Rezoning and not a Special Use Permit.

Mr. Beaudoin asked Mr. Stroud if there is fencing along Hwy 210 where building C is located. Mr. Stroud responded that there is a wood fence located on this property boundary. Mr. Stroud stated for security purposes, he may install a chain-link fence inside the wooden fence in the future.

Mr. Gruntfest asked if bushes in a buffer will be planted along Hwy 210. Mr. Stroud responded affirmatively.

Mr. Teachey stated that he is familiar with how the property has looked in the past and any improvement to it will be beneficial. He stated that the site used to look not maintained and made the whole community look bad.

Mr. Jordan asked about the design of the buildings. Mr. Stroud stated that building A is a single slope design and building C is a A-Frame design with the slope being low pitch.

Mr. Jordan asked if Mr. Stroud knows the dimensions of the buildings. Mr. Stroud stated that he believes building A is 276 feet long by 52 feet wide and building C is 443 feet by 72 feet.

Ms. Mosca asked what the hours of access will be. Mr. Stroud stated that they have not determined whether the storage facility will be available twenty-four hours a day or only during regular business hours. Mr. Stroud stated he prefers business hours himself but will have to consider the feedback from the storage renters.

Ms. Mosca asked if the storage will be strictly for boats or will other items be considered such as trailer, motorcycles, or recreational vehicles. Mr. Stroud stated that the facility is designed for boats and RVs with no living within the RVs permitted.

Mr. Jordan asked if there were any additional questions for the applicant and no questions were presented.

Mr. Jordan asked Mr. Thurman if the Board has the authority to regulate the hours of operation of the storage facility. Mr. Thurman stated that the hours of operation can be a condition if the Board decides to approve the request. Mr. Pitts asked if a condition for hours of operation is for the manufacturing facility or storage facility. Mr. Jordan stated that the manufacturing facility has had established hours since in the 1980's and he is referring to the storage facility. Mr. Jordan stated that the neighbors need to be taken into consideration.

Mr. Stroud stated that they have located the main egress and ingress entrance on Hwy 210 to eliminate disturbing the surrounding neighborhoods using Carr Avenue.

Mr. Gruntfest asked if the other members would like to discuss the potential of stacking of boats in the future or put a height restriction. Mr. Thurman stated that a condition of maximum height can be imposed by the Board.

Mr. Beaudoin made a motion to approve the request with the condition of no dry stacking. He stated that the request is consistent with the Pender 2.0 Comprehensive Land Use Plan Policies 5.1.C., 5.1.F, and 5.1.K. Mr. Teachey seconded the motion.

Mr. Jordan asked if a condition could be imposed as to the maintenance of the stormwater pond. Mr. Beaudoin stated that the stormwater pond is regulated by the Division of Water Quality with the State.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

b) ZTA 2024-24

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

Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance (UDO). Specifically, the changes include adjustments to the Table of Permitted Uses to add "Personal Structure (non-commercial)" as a permitted use with standards in the Rural Agricultural (RA) and Residential Performance (RP) zoning districts. The use standards for this addition would be added as 5.3.12.R, Personal Structure.

Mr. Beaudoin asked if a landowner were wanting to place a shed on a piece of property without a primary structure located on the property first, would a site plan need to be submitted indicating where the shed would be located and a potential future home. Mr. Moran stated that the language will be presented to the Board further into his presentation and that should help respond to Mr. Beaudoin.

Mr. Beaudoin asked why this ZTA is only targeted to the RA and RP zoning districts and not any zone which is considered residential. Mr. Moran stated that it was determined that this request would be a good incremental approach as most residential properties in Pender County are zoned RA and RP.

Ms. Mosca stated that if a piece of property does not perk in a residential property and the landowner is allowed to put a garage on the property knowing that a primary

structure will never be located on the property, won't that allow the peppering of properties with garages only. Mr. Moran stated that is a possibility.

Mr. Gruntfest asked if a landowner has two properties side by side and one property does not perk, are there currently any restrictions in the RA and RP zoning districts that will not allow the landowner to combine the two lots into one. Mr. Moran stated there are no restrictions that he is aware of, and recombining is one of the only ways currently in place that will allow an Accessory structure to be placed on a piece of property without a primary structure.

Mr. Gruntfest stated that he does not feel the recombining process is overly complicated for a landowner who really wants to fully utilize the property that they paid for. He stated that the County has an Ordinance in place to protect landowners.

Mr. Teachey stated that many landowners do not have the money to recombine property and by requiring a recombination is putting an additional financial burden on the landowner.

Ms. Mosca asked how does the County regulate a landowner putting an Accessory structure on a lot and having parties there on a regular basis. Mr. Teachey stated the County cannot regulate where citizens party and a building does not need to be present for people to have a party.

Mr. Teachey stated that the Board is always talking about property rights but tell landowners that they cannot place a shed on a piece of property that adjoins their primary residence, and he feels that is wrong.

Mr. Jordan stated that this amendment will allow landowners to put a structure on a property regardless of where it is in RP and RA zoning districts.

Ms. Mosca asked Mr. Thurman if Bona-fide farms are exempt from zoning requirements. Mr. Thurman stated that Bona-fide farms are exempt from zoning but not from all inspections, such as electrical.

Mr. Teachey asked if a landowner has a two-acre garden and wants to set up a small fruit and vegetable stand, would that be considered commercial. Mr. Adams stated that the UDO does allow for temporary/seasonal fruit and vegetable stands.

Mr. Beaudoin asked Planning staff to rank the top three residential zoning districts pertaining to land area. Mr. Moran stated the first one would most likely be RA and then followed by RP. Mr. Beaudoin stated he would speculate PD as being the third to which Mr. Adams agrees, though he does not have any actual data in front of him to confirm.

Mr. Thurman stated that requirement number two states "must" and if the Ordinance is not making something mandatory, then the word "must" should not be in the language.

Mr. Adams stated that a frequent situation the Planning staff encounters is trying to permit Accessory structures after they have already been placed on the property. He stated that Planning staff wants to make sure the applicant is thinking of future plans for placing a home on the property also. Mr. Gruntfest stated that this could also pertain to a future landowner if the current one decides to sell or if a property owner passes away and the heirs decide to sell the property. Mr. Adams stated that the language is there to keep property owners thinking of what they may do with the property in the future.

Mr. Adams stated that the language can be changed. Mr. Thurman stating that an acknowledgment from the applicant is necessary so that someone can't come back and state they were never told.

Mr. Gruntfest stated that North Carolina is a buyer beware state and it is up to the buyer to do their due diligence before buying a piece of property. He also stated he is uncomfortable with the RP zoning district portion of this request.

Mr. Jordan asked if the members had any additional questions for the Planning staff and no questions were presented.

Olive Hollinger, 2530 Piney Woods Road, stated that she is appreciative of the Planning staff addressing this issue that many residents have raised with the Board of Commissioners. She stated that the Planning staff has done a good job in evaluating what is a difficult situation for many landowners in Pender County. Ms. Hollinger stated she has been on family property for many years and when she found out that she could not build a barn on one of the pieces, it astounded her. She stated that this amendment addresses her concerns. Ms. Hollinger stated that she was given the option of combining her property but did not feel she should have to pay to have her land surveyed again because she has no issues with how it is surveyed now or the amount of acreage that she has. She stated that the landowner should not face the financial burden of resurveying their property if no issues with the property exist.

Larry Bolick, 2525 Penderlea Highway, agrees with the comments that Ms. Hollinger stated and is requesting the Planning Board to approve. He stated that the concern with partying is that it can be done anywhere, regardless of what structures may or may not be on the property. Mr. Bolick stated that partying can take place on a vacant lot just as easy as one with a structure. He stated that landowners should not have the extra expense of having their land surveyed again just to place an Accessory structure on it.

Debbie Crews, 4768 Horsebranch Rd, stated she purchased her property in 2020 then her husband became sick and passed away. She stated before he passed, they bought tractors and other equipment to maintain the property but was told she could not build an Accessory structure on the property without a primary structure, so they had nowhere to store their equipment. Ms. Crews stated she would like to see this change to the Ordinance so that other landowners will be able to build an Accessory structure on their property if they have the desire to do so.

Barbara Eiler, 4112 Englishtown Road, stated that she wants to thank the Planning staff for coming up with this amendment to the Ordinance. She stated that she owns and farms two adjoining lots approximately six and a half acres each and has had to build all her barns and sheds on the piece of property where her house is situated due to not be able to place any of them on the adjoining parcel. Ms. Eiler stated that she would like to put her bee hives and bee shed on the adjacent piece of property and this amendment would allow her to do so.

Mr. Adams stated that he has drafted up language per the request of the members. He stated that the new language is as follows: "Applicant must acknowledge that the personal structure will be placed on the parcel in such a manner that at such time the structure becomes an accessory structure to a primary structure, it is compliant with all the requirements for accessory structures, consistent with Section 5.3.3. of the UDO:"

Mr. Gruntfest stated that he feels that many residents located within the RP zoning district are being glossed over but will be greatly impacted by this amendment.

Mr. Teachey stated that it is wrong to tell the citizens of Pender County that they can't use their property like they want to.

Mr. Pitts stated that he feels the Planning Department has taken a good approach to the situation. He stated he feels this amendment would work very well for both the RA and RP zoning districts.

Mr. Teachey made a motion to approve the Zoning Text Amendment with the amendment that states "Applicant must acknowledge that the personal structure will be placed on the parcel in such a manner that at such time the structure becomes an accessory structure to a primary structure, it is compliant with all the requirements for accessory structures, consistent with Section 5.3.3. of the UDO." and to make a finding that the approval is consistent with the Pender County Unified Development Ordinance's purpose and intent, and advances the public health, safety, or welfare and is consistent with two policies, 5.1.G and 5.1.EE, of the Pender 2.0 Comprehensive Land Use Plan. Mr. Pitts seconded the motion.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest		X		
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	5	1	0	1

CARRIED.

c) ZTA 2024-25

Daniel Adams, Director, presented the staff report.

Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 7.9 Stormwater Management, to require the submission of calculations and specifications for stormwater infrastructure with the submission of development proposals.

Ms. Mosca asked if the UDO requires the calculations to be signed and sealed to which Mr. Adams responded affirmatively.

Mr. Jordan stated that the Engineer is basically being asked to explain his work, which should not be that difficult, but is this a stepping stone for asking the Engineer to certify other items in the future. Mr. Adams stated that if the Planning Department solely relied on the Engineer to provide this information, the potential of mistakes or misunderstanding of the Ordinance could occur.

Ms. Mosca stated that this would essentially allow for a second set of eyes to review and see the data.

Mr. Jordan asked if there were any additional questions for staff and none were presented.

Ms. Mosca made a motion to approve the Zoning Text Amendment and to make a finding that the approval is consistent with the spirit, purpose, and intent of the Pender County Unified Development Ordinance and the Policies 3.1.D and 5.1.G of the Pender 2.0 Comprehensive Land Use Plan. Mr. Pitts seconded the motion.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

d) MDP 2024-65

Justin Brantley, Deputy Planning Director, presented the staff report.

Capital Asset Development, LLC., applicant, on behalf of Signature Top Sail NC, LTD., and Lewis, Richard Alann Successor Trustee, owners, is requesting the approval of a Master Development Plan within the Planned Development, PD, zoning district for the construction of a 39-lot single family residential community with a private boat storage facility and amenity center.

The subject properties consist of approximately 27.8 acres and are located east of Sloop Point Loop Road and between Roberts Road and Cole Drive in the Topsail Township and may be further identified by Pender County PIN(s): 4213-49-8163-0000, 4213-59-0181-0000, and 4214-40-5134-0000. Mr. Brantley also presented Master Development Plan case MDP 2024-64, which was submitted simultaneously by the Applicant. This project is in the RP, Residential Performance, zoning district, adjacent to MDP 2024-65 and is subject to staff review and approval.

Mr. Jordan asked for clarification as to the PD and RP acreage. Mr. Brantley stated that the PD portion is 27.8 acres with the RP portion being 33.85 acres.

Mr. Brantley verified that there are 39 proposed lots consisting of 10,000 square foot each in this request.

Mr. Jordan asked if there were any additional questions for the Planning staff at this time and no questions were presented.

Richard Collier, McKim & Creed, 243 N. Front Street, stated he is representing Capital Asset Development. He stated that he is requesting that the Master Plan Development proposal be approved this evening.

Mr. Collier stated that they are requesting a total of eighty-seven lots, which would be thirty-nine lots in the PD zoning district and forty-eight in the RP zoning district.

Mr. Collier stated that both the federal and CAMA Wetlands are shown on the Master Plan, a boundary Topography map has been completed by a surveyor, and a tree survey has been completed also.

Mr. Collier stated that they will preserve and save as many trees as possible on both pieces of property. He stated that a custom home builder will be building in this subdivision and will work with each home builder to conserve and save trees on each individual lot.

Mr. Collier stated that they are improving both Roberts Road and Oak Circle. He stated that Oak Circle will be a twenty-foot paved road and Roberts Road will be twenty-two-foot paved road.

Mr. Beaudoin asked if the portion of Cole Drive shown is a dirt road with Mr. Collier responding affirmatively.

Mr. Collier stated that the water source will be Pender County Utilities and sanitary sewer would be provided by Pluris.

Mr. Collier stated that there will be a stormwater pond that will handle all the stormwater runoff from the lots and roads contained in the PD zoning district portion.

Mr. Beaudoin asked how many boat slips are being proposed. Mr. Collier stated seventy-five, which is less boat slips than lots. He stated that a person must own a lot in the subdivision in order to own a boat slip.

Mr. Jordan asked if there were any additional questions for the applicant and no questions were presented.

Muriel Raker, 430 Roberts Road, stated that the area where Mr. Collier is indicating for the marina is wetlands with lots of wildlife living in it. She stated her concern as to what will happen to the wildlife that currently exists on this property. Mr. Beaudoin asked for clarification as to where Ms. Raker's property is located to which Ms. Raker provided.

Joan Kelly, 431 Roberts Road, stated one of her main concerns is the wildlife. She stated that Roberts Road has approximately forty families that live on it with two or more vehicles which would be over one hundred vehicles utilizing it. Ms. Kelly stated her concern as to the damage that would happen to Roberts Road if this Master Plan was

approved. She stated she has spoken to Justin Brantley, Amy Burton, and Chris Plafferd with Capital Assets and the consensus was to have the road paved from Sloop Point to Oak Circle. Ms. Kelly stated she is unclear as to what improvements will be made to both Roberts Road and Oak Circle and the residents are wanting assurance that it will be paved and maintained.

Ms. Kelly stated that she is not opposed to growth and development but does feel there is a much greater need for thoughtful planning when it pertains to natural resources. She is proposing that forty percent of all trees that are cut down are replaced with trees native to this area. Ms. Kelly provided the Board with a list of plants native to the coastal NC area. The list is recognized as **Exhibit A** and was accepted into record.

Lawrence Dello Russo, 371 Hickory Point Road, stated one of his concerns is traffic in the area, especially in the morning. He stated one of the main exits from this area is across from another exit which will only increase traffic if more homes are being built. Mr. Dello Russo stated that the roads need to be rebuilt to handle the additional volume of traffic.

Gary Gray, 469 Hickory Point Road, stated that the area where he lives will be the runoff area for stormwater from this subdivision and is concerned with how it will be controlled during a tropical storm. He also stated his concern with additional traffic that this development will bring.

Mike Musser, 412 Cole Drive, stated that he lives at the end of Cole Drive and if this development is approved, the road is going to have to be improved. He stated his desire in trying to preserve nature and if a twenty-foot buffer is required on Roberts Road than that same buffer should be required on Cole Drive. Mr. Musser stated he has a safety concern regarding the elementary school located near this area.

Louise Shrum, 407 Roberts Road, stated that she grew up in that area and still lives there and does not want to see the environment and wildlife destroyed. She stated that for the developer to put a marina in the wetland area, they would need to dredge from the Intracoastal Waterway all the way back. Ms. Shrum stated that the schools are already over capacity and adding more children to the area will only make the overcrowding worse. She is asking the Board members to really consider what the developer is requesting before deciding.

Mr. Jordan asked if there were any questions for Planning staff and none were presented.

Mr. Pitts asked for clarification as to whether the portion closest to the ICW is not up for discussion tonight due to that being an Administrative Decision approval. Mr. Brantley responded affirmatively and stated that even though the Planning Board is not being asked to approve the RP portion of the project, the information has been shared with the Board so that the big picture of the project can be visualized.

Mr. Pitts asked if there is a turn lane into Wyndwater. Mr. Brantley stated that there is a turn lane on the Wyndwater side but not on this side.

Mr. Pitts asked for clarification as to Roberts Road being paved or not and maintenance of the road. Mr. Brantley stated that he was under the impression that the gravel road would be improved but not paved but it now appears as though the applicant intends on paving the road.

Mr. Beaudoin asked if Oak Circle is paved. Mr. Brantley stated that it is not paved but is rather dirt and gravel.

Mr. Jordan asked if Roberts Road is a private road. Mr. Brantley stated that it is private and is not maintained by NCDOT.

Mr. Beaudoin asked if Sloop Point is a state-maintained road. Mr. Brantley responded affirmatively.

Ms. Mosca stated that if Roberts Road and Cole Road are private roads, who owns the roads. Mr. Brantley stated that ownership of a road is more of a legal question and Mr. Thurman may be better person to respond. Mr. Thurman stated he has not researched ownership of these roads but can state it may become a civil matter between the developer and landowners.

Mr. Jordan asked if Sloop Point Road is the main access to the parcel of land that is zoned PD. Mr. Brantley responded affirmatively. Mr. Jordan asked if there needs to be two access points for emergency vehicle purposes. Mr. Brantley stated that he is not with Emergency Management but working with Deputy Fire Marshall Amy Burton in the past, his understanding is that if a single project has over one hundred lots, a second full access is required.

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

Mr. Jordan asked Mr. Collier if they intend of paving Roberts Road. Mr. Collier stated that both Roberts Road and Oak Circle will be paved. He stated that Roberts Road will be twenty feet wide, and Oak Circle will be twenty-two feet wide.

Mr. Jordan asked if Roberts Road will be paved until it branches off to Oak Circle. Mr. Collier responded affirmatively.

Mr. Grunfest asked if the developer intends on paving the road to NCDOT standards. Mr. Collier stated that he is not paving it to NCDOT standards but rather to subdivision standards.

Mr. Gruntfest asked who will maintain the road. Mr. Collier stated that there will have to be a maintenance agreement between the HOA and the people who own property on Roberts Road. Mr. Collier stated that they will pay one hundred percent of the fee for having it paved but will not be responsible for maintaining the road in the future.

Mr. Pitts asked if any of the lots being developed in the PD zoning district are fronting Roberts Road. Mr. Collier stated that none of the thirty-nine lots will front Roberts Road.

Mr. Collier stated that the developer has no issues using species native to the area to replace any trees that will be removed. He asked for a copy of the list that is known as Exhibit A.

Mr. Thurman clarified for the Board and public the definition and meaning of “by-right” or “of-right” in the RP zoning district.

Mr. Pitts made a motion to approve the Master Development Plan, MDP 2024-65, and to make a finding that the approval is consistent with Policies 4.2.I, 5.1.C, 5.1.D, and 5.1.V of the Pender 2.0 Comprehensive Land Use Plan. Mr. Gruntfest seconded the motion.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

Mr. Brantley stated that this approval is for the Master Development Plan and the next step for the developer is the Preliminary Plat Review and any landowner who received mail notice of this hearing, will also receive a notice when the Preliminary Plat is submitted to staff.

**9 DISCUSSIONS**

Mr. Gruntfest stated that at one time, Planning staff provided the Board with street view photos in their package for projects and requested that continue being done.

Mr. Adams stated including the requested photos would not be an issue.

Mr. Teachey made a motion to hold the June 4, 2024, meeting in Hampstead with a starting time of 7:00 p.m. with Mr. Beaudoin seconding the motion

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.

#### 10 NEXT MEETING DATE

June 4, 2024, at 7:00 p.m.  
Pender County Hampstead Annex  
15060 US Hwy. 17  
Hampstead, NC 28443

#### 11 ADJOURNMENT

Mr. Pitts made a motion to adjourn with Ms. Mosca seconding the motion.

*Motion to approve*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Delva Jordan	X			
Damien Buchanan				X
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	6	0	0	1

CARRIED.



April 22, 2024

Compiled by Patti Achee/JKelly

## Native Plants for Coastal NC Landscapes

This Native Plant list was developed to assist Homeowners and Landscapers to locate Native plants that are readily available in our area. While plants are seasonal, the attached list of local Nurseries were visited, physically checked for plant availability and are listed in **bold** below.

There are many challenges to planting in residential and urban spaces in Coastal North Carolina. Compacted soil, sand, drought, flooding, and poor plant selection can lead to short life spans for newly installed plants. Many native plants can perform well in these conditions and provide a host of ecosystem service and wildlife benefits. Right Plant for the right location should be taken into consideration when choosing a plant. Please note the Scientific Name is ve

ry important when selecting a plant, as common names may apply both to native and nonnative, alike. Excellent information on these plants and care can be found in the **North Carolina Extension Gardener Plant Toolbox**: <https://plants.ces.ncsu.edu/>

**\*\* Denotes this species has cultivars available**

### Tall Trees – 30'+

Common Name	Scientific Name
<b>Arborvitae – American Arborvitae</b>	<i>Thuja occidentalis</i>
<b>Birch - River Birch</b>	<i>Betula nigra</i>
<b>Cedar - Eastern Redcedar</b>	<i>Juniperus virginiana</i>
<b>Cypress - Bald Cypress</b>	<i>Taxodium distichum</i>
Cypress - Pond Cypress	<i>Taxodium distichum</i> var. <i>imbricarium</i>
Gum - Black Gum	<i>Nyssa sylvatica</i>
Gum - Sweetgum	<i>Liquidambar styraciflua</i> **
Hornbeam - American Hornbeam/Ironwood	<i>Carpinus carolinana</i>
<b>Maple – Red Maple</b>	<i>Ace rubrum</i>
Oak - Cherrybark Oak	<i>Quercus pagoda</i>
Oak - Laurel Oak/Darlington Oak	<i>Quercus hemisphaerica</i>
<b>Oak - Live Oak</b>	<i>Quercus virginiana</i>
<b>Oak - Overcup Oak</b>	<i>Quercus lyrate</i>
<b>Oak - Pin Oak</b>	<i>Quercus palustris</i>
<b>Oak - Shumard Oak</b>	<i>Quercus shumardii</i>
<b>Oak - Swamp White Oak</b>	<i>Quercus bicolor</i>
<b>Oak – Willow Oak</b>	<i>Quercus phellos</i>
<b>Pine - Long Leaf Pine</b>	<i>Pinus palustris</i>
<b>Poplar - Tulip Poplar</b>	<i>Liriodendron tulipifera</i>

### Understory Trees – under 30'

Common Name	Scientific Name
<b>Dogwood – Flowering Dogwood</b>	<i>Cornus florida</i>
<b>Fringe - American Fringetree</b>	<i>Chionanthus virginicus</i>
<b>Holly - American Holly (can get tall with age)</b>	<i>Ilex opaca</i>
Holly - Dahoon Holly	<i>Ilex cassine</i>
Holly - Tinga Holly	<i>Ilex x attenuate **</i>
Laurel - Carolina Cherry Laurel	<i>Prunus caroliniana</i>
Magnolia - Ashe Magnolia	<i>Magnolia ashei</i>
<b>Magnolia - Southern Magnolia</b>	<i>Magnolia grandiflora **</i>
<b>Magnolia - Sweetbay Magnolia</b>	<i>Magnolia virginiana</i>
<b>PawPaw</b>	<i>Asimina triloba</i>
<b>Redbud</b>	<i>Cercis canadensis</i>
<b>Serviceberry</b>	<i>Amelanchier arborea</i>

### Shrubs – Tall Evergreen – over 10'

Common Name	Scientific Name
<b>Anise</b>	<i>Illicium parviflorum **</i>
<b>Carolina Cherry Laurel</b>	<i>Prunus caroliniana</i>
Titi	<i>Cyrilla racemiflora</i>
<b>Yaupon Holly</b>	<i>Ilex vomitoria</i>
<b>Wax Myrtle</b>	<i>Myrica cerifera</i>
<b>Weeping Yaupon</b>	<i>Ilex vomitoria</i>

### Shrubs – Tall Deciduous – over 10'

Common Name	Scientific Name
<b>Arrowwood Viburnum</b>	<i>Viburnum dentatum 'Blue Muffin'</i>
<b>Buttonbush</b>	<i>Cephalanthus occidentalis</i>
<b>Elderberry</b>	<i>Sambucus canadensis</i>
<b>Oakleaf Hydrangea</b>	<i>Hydrangea quercifolia</i>
Possumhaw Holly	<i>Ilex decidua</i>
Red Buckeye	<i>Aesculus pavia</i>
<b>Red Chokeberry</b>	<i>Aronia arbutifolia</i>
<b>Swamp Highbush Blueberry</b>	<i>Vaccinium formosum</i>

<b>Sweetshrub</b>	<i>Calycanthus floridus</i> **
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**Shrubs – Small Evergreen – medium 4-10'**

Common Name	Scientific Name
<b>Adam's Needle</b>	<i>Yucca Filamentosa</i>
Dwarf Chokeberry	<i>Aronia melanocarpa</i> **
<b>Dwarf Palmetto</b>	<i>Sabal minor</i>
Dwarf Wax Myrtle	<i>Myrica cerifera</i> **
<b>Dwarf Yaupon Holly</b>	<i>Ilex vomitoria</i> **
<b>Inkberry Holly</b>	<i>Ilex glabra</i> **
Shining Fetterbush	<i>Lyonia lucida</i>
<b>Yucca – Adam's Needle</b>	<i>Yucca filamentosa</i>
<b>Yucca</b>	<i>Spanish needle</i>

**Shrubs – Small Deciduous – medium 4-10'**

Common Name	Scientific Name
<b>American Beautyberry</b>	<i>Callicarpa americana</i>
<b>Annabella Hydrangea</b>	<i>Hydrangea arborescens</i> **
<b>Coastal Sweet Pepperbush</b>	<i>Clethra ainifoli</i>
Florida Flame Azalea	<i>Rhododendron austrinum</i>
Hearts-a-Bustin'	<i>Euonymus americanus</i>
Oconee Azalea	<i>Rhododendron flammeum</i>
Silverleaf Hydrangea	<i>Hydrangea radiata</i>
Swamp Azalea	<i>Rhododendron viscosum</i>
Sweet Pepperbush	<i>Clethra alnifolia</i>
<b>Virginia Sweetspire</b>	<i>Itea virginica</i> **

**Shrubs – Small Evergreen – under 4'**

Common Name	Scientific Name
Coastal Doghobble	<i>Leucothoe oxillaris</i>

### Shrubs – Small Deciduous – under 4’

Common Name	Scientific Name
<b>Blueberry</b>	<i>Vaccinium angustifolium</i>
Coastal Azalea	<i>Rhododendron atlanticum</i>
Myrtle-leaf St. John’s Wort	<i>Hypericum myritifolium</i> **
<b>St. John’s Wort</b>	<i>Hypericum frondosum</i> **
Witch-Alder	<i>Fotherfilla gardenii</i>

### Ferns & Grasses

Common Name	Scientific Name
Christmas Fern (shade)	<i>Polystichum acrostichoides</i>
<b>Little Bluestem</b>	<i>Schizachyrium scoparium</i>
Maidenhair Fern	<i>Adiantum capillas -veneris</i>
<b>Muhly Grass</b>	<i>Muhlenbergia capillaris</i>
Narrowleaf Whitetop Sedge	<i>Rhynchospora colorata</i>
Purple Lovegrass	<i>Eragrostis spectabilis</i>
<b>River Oats</b>	<i>Chasmanthium latifolium</i>
Royal Fern (Shade)	<i>Osmunda regalis</i>
Sensitive Fern (Shade)	<i>Onoclea sensibilis</i>
Southern Shield Fern (Shade)	<i>Thelpteris kunthii</i>

### Carnivorous Plants

Hooded Pitcher Plant (1-2’)	<i>Sarracenia minor</i>
Venus Flytrap ( Upt to 1.5’)	<i>Dionaea muscipula</i>

### Ground Covers

<b>Creeping Phlox</b>	<i>Phlox nivalis</i> ’Eco Flirty Eyes
Frog Fruit	<i>Phyla nodiflora</i>
Green and Gold	<i>Chrysogonum repens</i> **
Mouse Ear / Ladies tobacco	<i>Antennaria plantaginifolia</i>
Partridgeberry	<i>Mitchella repens</i>
Spreading Bellwort	<i>Uvularia sessilifolia</i>

## Vines

Common Name	Scientific Name
<b>Carolina Jessamine</b>	<i>Gelsemium sepervirens</i>
Climbing Aster	<i>Ampelaster Carolinianus</i>
<b>Coral Honeysuckle</b>	<i>Lonicera sempervirens</i>
<b>Crossvine</b>	<i>Bignonia capreolata</i>
Leatherflower	<i>Clematis viorna</i>
<b>Passion Flower</b>	<i>Passiflora incarnata</i>
Virgin's Bower	<i>Clematis virginiana</i>

## Perennials for Shade

Common Name	Scientific Name
<b>Height to 1 ½'</b>	
<b>Foamflower</b>	<i>Tiarella cordifolia</i>
<b>Lance Leaf Blanket Flower</b>	<i>Gaillardia aestivalis</i>
Woodland Phlox	<i>Phlox divaricate</i>
<b>Height 1.5-2'</b>	
Indian Pink	<i>Spigelia marilandica</i>
<b>Height 2-3'</b>	
<b>American Alumroot (Coral Bells)</b>	<i>Heuchera americana</i>
<b>Eastern Columbine</b>	<i>Aquilegia canadensis</i>

## Perennials for Sun

Common Name	Scientific Name
<b>Height to 1 ½'</b>	
Moss Pinks, Thrift	<i>Phlox subulata</i>
<b>New England Aster</b>	<i>Symphotrichum novaeangliae</i>
Poppy Mallow	<i>Callirhoe involucrata</i>
<b>Verbena</b>	<i>Verbena canadensis</i>

Height 1.5-2'	
<b>Butterfly Weed</b>	<i>Asclepias tuberosa</i>
<b>Mouse Ear Coreopsis</b>	<i>Coreopsis auriculata</i>
<b>New England Aster</b>	<i>Symphyotichum novaeangliae</i>
<b>Southern Sundrops</b>	<i>Oenothera fruttcosa</i>
<b>Stokes Aster</b>	<i>Stokes laevis</i>
<b>Threadleaf Coreopsis</b>	<i>Coreopsis Coreopsis verticillata</i>
<b>Turtlehead</b>	<i>Chelone glabra, Chelone obliqua</i>
Height 2-3'	
<b>Aromatic Aster</b>	<i>Symphyotrichum laeve</i>
<b>Eastern Columbine</b>	<i>Aquilegia canadensis</i>
<b>Eastern Smooth Beardtongue</b>	<i>Penstemon laevigatus</i>
<b>False Sunflower</b>	<i>Heliopsis angustifolius</i>
<b>False Wild Indigo</b>	<i>Baptisia australis;...alba;...tinctoria;...hybrids</i>
<b>Fireworks Goldenrod</b>	<i>Solidago rugosa **</i>
<b>Garden Phlox</b>	<i>Phlox paniculata</i>
<b>Gaura</b>	<i>Oenothera lindheimeri</i>
<b>Rudbeckia, Orange; Coneflower</b>	<i>Rudbeckia fulgida</i>
<b>Smooth Aster</b>	<i>Symphyotrichum laeve</i>
Height 3-5'	
<b>Arkansas Blue Star; Arkansas Amsonia</b>	<i>Amsonia hubrichtii</i>
<b>Bee Balm</b>	<i>Monarda</i>
<b>Boltonia</b>	<i>Boltonia asteroides</i>
<b>Blue Star</b>	<i>Amsonia tabernaemontana</i>
<b>Cardinal Flower</b>	<i>Lobelia cardinalis</i>
<b>Carolina Lupine</b>	<i>Thermopsis villosa</i>
<b>Hardy Hibiscus, Mallow Rose</b>	<i>Hibiscus moscheutos **</i>
<b>Heath Aster</b>	<i>Aster ercoides</i>
<b>Purple Coneflower</b>	<i>Echinacea purpurea</i>
<b>Seashore Mallow</b>	<i>Kniphofia uvaria</i>
<b>Swamp Milkweed</b>	<i>Asclepias incarnata</i>

Height 5' plus	
<b>Coral Bean</b>	<i>Erythrina herbacea</i>
<b>Green Head Coneflower</b>	<i>Rudbeckia laciniata</i>
<b>Joe Pye Weed</b>	<i>Eutrochium fistulosum;...dubium **</i>
<b>Swamp Sunflower</b>	<i>Helianthus angustifolius</i>
<b>Wild Ginger</b>	<i>Asarum arifolia</i>
<b>Wild Petunia</b>	<i>Ruellia caroliniensis</i>
<b>Wood Sorrel</b>	<i>Oxalis violacea</i>

## Area Nurseries, Garden Centers and Supplies

This listing is not inclusive of all services provided in the area nor is any recommendation intended.

Please contact retailers for hours and availability

\*\*Sells native plants

### **Five Oaks Nursery and Tree Farm\*\***

2120 Old Winter Park Rd., Wilmington 28405  
910-762-8637  
fiveoaksnursery.com

### **Tinga Nursery Inc.\*\***

2918 Castle Hayne Rd., Castle Hayne 28429  
910-762-1975  
tinganursery.com

### **Ash's Japanese Maple Nursery**

421 Rowen Rd., Hampstead 28443  
910-270-4723  
japanesemaplefarm.com

### **Lewis Nursery and Farms, Inc.**

6517 Gordon Rd., Wilmington 28411  
910-452-9659  
lewisfarms.com

### **Phillips Nursery, Inc.**

1082 Towncreek Rd. NE, Leland 28451  
910-253-6692  
philipsnursery.org

### **Johnson Nursery\*\***

985 Johnson Nursery Rd., Willard 28478  
800-624-8174  
johnson-nursery.com

### **Farmers Supply Company**

2025 Oleander Dr., Wilmington 28403  
910-763-4664

### **Japanese Maples of Wilmington**

5114 Clear Run Drive, Wilmington 28403  
910-799-5828

### **Carolina Greenery**

1768 State Hwy 57 N, Little River, SC 29566  
843-390-1985

### **Carolina Girl Gardens\*\***

7026 Market St. Wilmington 28411  
910-650-7832  
carolinagirlgardens.com

### **The Plant Place**

6114 Market St., Wilmington 28405  
910-791-9594  
theplantplacewilmington.com

### **Purple Pepper**

27200 Andrew Jackson Hwy E.  
Delco, NC 28436  
910-655-8400  
purplepeppergardencenter.com

### **Shelton Herb Farm\*\***

340 Goodman Road  
Leland, NC 28451  
910-253-5964  
www.sheltonherbfarm.com

### **Penderlea Farms**

1225 Stag Park Rd. Burgaw, NC 28425  
910-259-0523  
www.penderleafarms.com/

### **Craft American Hardware**

7002 Wrightsville Ave., Wilmington 28403  
910-256-4782

### **Pender Pines Garden Center\*\***

20949 US Hwy 17 N, Hampstead 28443  
910-270-2706  
penderpines.com

### **Bloomin Crazy Nursery**

47 Waterford Business Center Way Leland, NC  
28451 / 910-408-9754  
<https://www.bloomincrazynursery.com/>

## **Mulch**

### **Mulch and More**

39 Edgewood Lane NE  
Winnabow, NC 28479  
910-253-7663  
mulchandmorenc.com

### **Evergreen Products, Inc. (Mulch)**

2605 Blue Clay Rd, Wilmington, NC 28405  
910-762-9156  
evergreenmulch.com

### **Stone Garden**

5726 Market St., Wilmington, NC 28405  
910-452-1619  
stonegarden-nc.com

### **Jet Mulch**

6144 Carolina Beach Rd., Wilmington, NC 28412  
910-686-5111  
jetmulchwilm.com

## **Sod**

### **Superior Sod and Garden Supplies**

7340 Market St., Wilmington 28411  
910-686-5296  
superiorsodnc.com

### **Turf Master Sod Farm**

1721 N Kerr Ave, Wilmington 28401  
910-452-5133  
turfmastersodfarm.com

## **Water Garden Contractors**

### **Creative Cascades, LLC**

316 N 15th St  
Wilmington, NC  
910-431-1011  
creativecascades.com

### **Seaside Mulch**

201 N Green Meadows Dr., Wilmington, NC 28405  
910-791-2100  
seasidemulch.com

### **Mike's Mulch and Stone**

6512 Carolina Beach Rd., Wilmington, NC 28412  
910-793-9111  
mikesmulchandstonenc.com

### **Wilmington Compost Company**

7336 State Hwy 210, Rocky Point, NC 28457  
910-660-9117  
wilmingtoncompostcompany.com/

### **NHC Environmental Management**

3002 US Hwy 421 North Wilmington, NC 28401  
910-798-4400  
recycling.nhcgov.com/services/food-waste-composting/

### **Oakland Plantation Turf Farm, Inc.**

120 Bermuda Dr., Council, NC 28434  
910-669-2991  
ncturfgrass.com

### **Quality Turf**

1540 Pinkney Rd., Burgaw, NC 28425  
910-259-3064  
qualityturfnc.com

### **Cape Fear Water Gardens**

910-200-6053  
drew@capefearwatergardens.com



**Pender County**  
**REZONE 2024-66: Request to modify the**  
**RM-CD1 conditional zoning district to**  
**allow for private storage of boats,**  
**recreational vehicles, campers and**  
**trailers in the Topsail Township**

---

**TO:** Planning Board  
**FROM:** Tucker Cherry  
**DATE:** July 2, 2024  
**SUBJECT:** REZONE 2024-66: Request to modify the RM-CD1 conditional zoning district to allow for private storage of boats, recreational vehicles, campers and trailers in the Topsail Township

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**SUMMARY:**

KG Plaza, LLC, applicant and owner, is requesting to modify an existing conditional zoning district to allow for the residents of the Sanctuary at Forest Sound to store recreational vehicles (boats, RVs, campers, and trailers) within a private facility in the development. The private storage facility will be approximately 3.5 acres, and consist of 106 spaces. The existing conditional district was approved in 2015 and allowed for the development of 106 single-family homes.

The subject property is located approximately 500 feet east of the intersection of US Highway 17 and Forest Sound Road, south of Forest Sound Road, in the Topsail Township and may be further identified by PIN 3292-17-8903-0000.

**ACTION REQUESTED:**

Hold a public hearing and consider the request.

**ATTACHMENTS:**

1. Staff Report
2. Application
3. Project Narrative
4. Property Owner Mailing List
5. Site Plan
6. Attachment 1: Table of Permitted Uses
7. Attachment 2: Grey Bull Preliminary Plat
8. Attachment 3: Case 132-2015 Original CZ Case Summary
9. Attachment 4: TRC Comments
10. Attachment 5: Public Input Meeting Packet
11. Attachment 6: Original Site Plan

12. Attachment 7: Right-Of-Way Agreement (1980)
13. Attachment 8: Warranty Deed (1980)

**STAFF REPORT FOR REZONE 2024-66  
ZONING MAP AMENDMENT APPLICATION**

<b>APPLICATION SUMMARY</b>	
Case Number	REZONE 2024-66
Hearing Dates	July 2, 2024 Planning Board August 19, 2024 Board of Commissioners
Applicant	KG Plaza, LLC
Property Owner	KG Plaza, LLC
Parcel Identification Number	3292-17-8903-0000
Acreage	60.5
Township	Topsail
Pender 2.0 Future Land Use Category	Low Density Residential

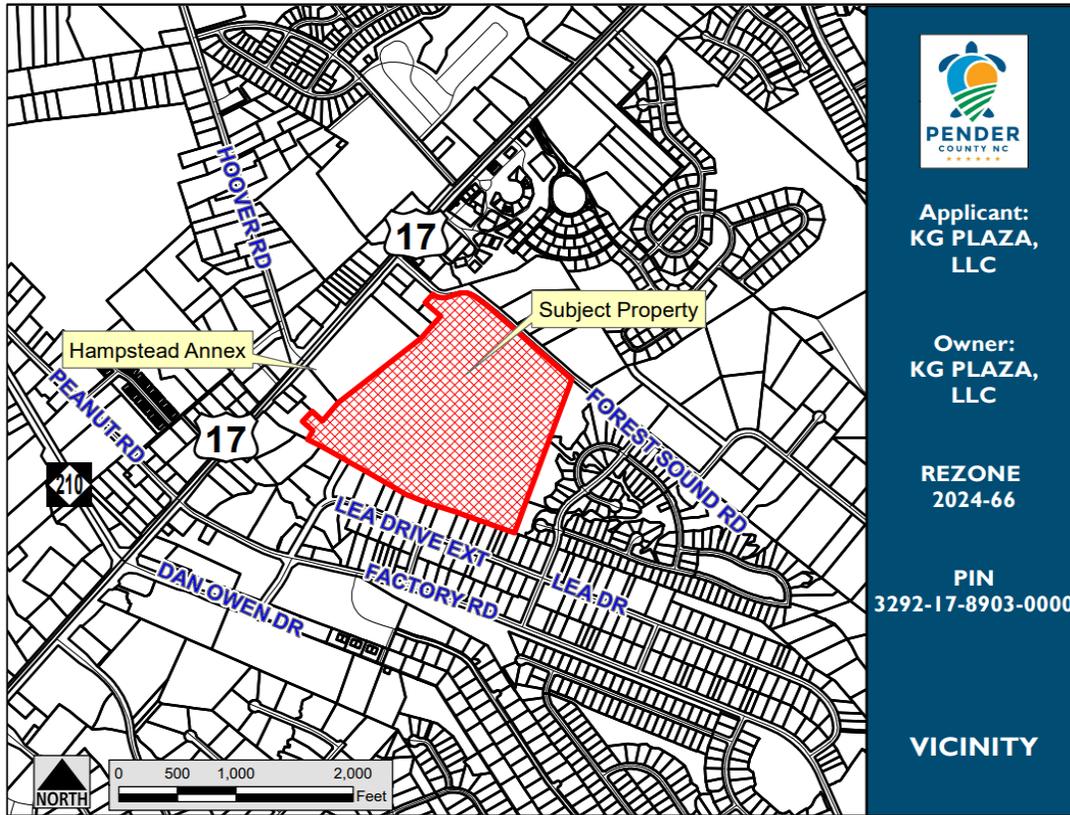
**REZONING PROPOSAL**

KG Plaza, LLC, applicant and owner, is requesting to modify an existing conditional zoning district to allow for the residents of the Sanctuary at Forest Sound to store recreational vehicles (boats, RVs, campers, and trailers) within a private facility in the development. The private storage facility will be approximately 3.5 acres and consist of 106 spaces. The existing conditional district was approved in 2015 and allowed for the development of 106 single-family homes.

**LOCATION**

The subject property is located approximately 500 feet east of the intersection of US Highway 17 and Forest Sound Road, south of Forest Sound Road, in the Topsail Township and may be further identified by PIN 3292-17-8903-0000.

Below: Vicinity Map of the Area



### REZONING PROPOSAL

The applicant is proposing to amend their previously approved Conditional Zoning district (132-2015 CZMA). The intention of this request is to allow for the use of a private storage facility for residents of the Sanctuary at Forest Sound to store boats, trailers, campers, and recreational vehicles. According to the applicant’s narrative, which is included in the Board’s packet, the proposed storage area would not be open to the public and limited only to the property owners within the Sanctuary at Forest Sound. It will be located west of the existing lots on a vacant 60.5-acre parcel within the development. The application, narrative, and site plan are provided in the Board’s packet.

Pender County uses the North American Industry Classification System (NAICS) to classify land uses based on functional or product characteristics. Functions and characteristics include the type and amount of activity, the type of customers and how goods or services are sold or delivered (see **Attachment 1** for Table of Permitted Uses). More information on how the NAICS system is used can be found in Article 5 of the County’s Unified Development Ordinance (UDO).

Staff have determined that NAICS code 531130 (Lessors of Mini warehouses and Self-Storage Units) and the Miscellaneous Use “Storage of boats and watercraft outdoors or on dry stack structures” are appropriate for the proposed uses of the site. However, this site will be limited to the storage of recreational vehicles (boats, RVs, campers, and trailers) for residents of the Sanctuary at Forest Sound only.

### **Background**

On November 23, 2015, the Pender County Board of Commissioners approved a zoning map amendment for a conditional rezoning from the RP, Residential Performance zoning district to the RM-CD1, Residential Mixed conditional zoning district 1, for one tract totaling approximately 120.87 acres. This approval allowed for the development of a single-family neighborhood consisting of 106 homes with neighborhood amenities. This development is known as the Sanctuary at Forest Sound and is located between Forest Sound Road to the north and Lea Drive to the south. See **Attachment 2** for the development’s preliminary plat and **Attachment 3** for the original conditional zoning case summary.

At the July 10th, 2023, Board of County Commissioners meeting, the Board unanimously approved a Zoning Map Amendment to rezone PIN 3292-08-0050-0000 from the RM-CD1, Residential Mixed Conditional zoning district 1, to the GB, General Business zoning district (REZONE 2023-49). The parcel is approximately 1.64 acres and was not included as part of the required or provided open space (passive and active) of the residential development. The site can now be developed based upon all uses that are permitted by right or by Special Use Permit in the General Business zoning district.

### **Intent of the Conditional Zoning District**

A conditional zoning district (aka “CZ”) 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, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements. If approved, the applicant would be required to submit a major site development plan. The major site development plan would be reviewed by staff and the Pender County Technical Review Committee (TRC). Review and approval of the major site development plan would be an administrative procedure, meaning staff would issue any approvals, consistent with the requirements outlined in the Unified Development Ordinance and consistent with the conditions of this approval. Changes to the proposed conditional zoning district, including an alteration of the proposed dimensional standards, uses, requirements or conditions would require the applicant to resubmit a conditional zoning proposal in accordance with Article 3.3.9.B.6 of the UDO.

The Conditional Rezoning request went before the Technical Review Committee on April 4th, 2024. TRC Comments are attached in the Board’s packet (see **Attachment 4**).

Below: Aerial Map of the Area



**Dimensional Requirements**

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

Table 1: Dimensional Standards (Conditional Zoning)	
Front	30'
Side	30'
Rear	30'
Street Yard	30'
Site Boundary	30'
Max Height	40'

In addition, the storage area is setback over 160 feet from Forest Sound Road, allowing for adequate vehicle stacking and separation from the adjacent single-family homes.

### Landscaping and Buffers

The applicant is proposing to use the existing vegetation to meet the buffer requirements. The storage area will be screened by existing wetlands and a proposed 30-foot A-4 street buffer along Forest Sound Road.

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

### Allowable Uses

Staff have determined that NAICS code 531130 (Lessors of Miniwarehouses and Self-Storage Units) and the Miscellaneous Use “Storage of boats and watercraft outdoors or on dry stack structures” are appropriate for the site. Uses under NAICS code 53 are permitted with a Special Use Permit in the Residential Performance and Rural Agricultural zoning district and by-right within the Planned Development, General Business, Office and Institutional, Industrial Transitional, and General Industrial zoning districts. Storage of boats and watercraft outdoors or on dry stack structures is only permitted via Special Use Permit in the General Business zoning district. This conditional rezoning amendment would allow the 106-unit private storage facility as seen on the proposed site plan to be constructed. This facility will be utilized only by residents/property owners of the Sanctuary at Forest Sound and will not have a commercial or public component.

## PUBLIC INPUT MEETING

As required by Article 3.3.9 of the UDO, the applicant hosted a public input meeting at the project site on Friday, April 12, 2024, from 2:00PM to 3:00 PM. The applicant provided notice to all property owners within 500 feet of the subject parcels, as well as the Board Director of Forest Sound to notify the entire Forest Sound Community and The Sanctuary at Forest Sound HOA management company, CEPCO, for them to also invite the owners as a group. According to the report submitted by the applicant (see **Attachment 5**), 53 people attended the meeting and the discussion involved access and the use of Forest Sound Road, environmental impact, building heights, traffic, lighting, and other concerns about the private storage facility.

Based on feedback from the public input meeting, the applicant has revised their original site plan to reduce the amount of storage units from 154 to 106. See original site plan as **Attachment 6**. The overall footprint of the proposed development has decreased by approximately 34%.

## TRANSPORTATION INFRASTRUCTURE

**Table 2: Estimated Vehicular Trips**

Land Use (ITE Code)	Intensity	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Mini-Warehouse (151)	1.54	28	2	3

**Access**

The applicant is proposing one point of access to the facility. The entrance for the proposed storage facility will be from Forest Sound Road via a proposed driveway. Further development of the subject property may require driveway approval from the North Carolina Department of Transportation (NCDOT).

One of the conditions of approval from the original Conditional Rezoning Case 132-2015 provides the following:

- 4.b. If there are any changes requested to the site plan presented with this Conditional Rezoning or if additional single family residential structures are proposed, the project shall be reevaluated in accordance with Pender County Unified Development Ordinance standards. If future development is proposed, roadway connection to Davis Road and Lea Drive Extension (SR 1614) will be reevaluated.

The change to the Conditional Zoning district as requested by the Applicant has been evaluated in terms of additional access and Staff have found that the extensive presence of wetlands as demonstrated in **Attachment 3** (Case 132-2015 (11458) Original CZ Summary) will make connection to Lea Drive Extension impractical.

On May 12, 1980, a right-of-way easement between Forest Sound Development Corporation (grantor) and L.E. Howard and wife, Florine Howard, Sandra Faye Howard Meadows and husband, Kelly L. Meadows, Linda Kay Howard Taylor and husband, James M. Taylor, and Wallace M. Reed and wife, Mary W. Reed (grantees) was recorded with the Pender County Register of Deeds (see **Attachment 7** and **Attachment 8**). The easement contains Forest Sound Road, Corcus Ferry Road, and Howard’s Lane for the purpose of ingress and egress to and from U.S. Highway 17.

**Traffic**

The UDO requires a Traffic Impact Analysis (TIA) be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required. For Table 2 above, the WMPO provided this note *“There is no true analogous ITE Land Use Code for a boat/recreational vehicle storage development. Trips generated may be higher or lower for the actual development.”*

The volume to capacity ratio for US Highway 17 near the subject site has been provided below. 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. According to the data provided, US Highway 17 is over capacity. With the proposed use being reserved for the residents of the Sanctuary at Forest Sound, the trips generated from the site would be comparable to the trips generated by the existing homes.

**NCDOT Annual Average Daily Traffic (AADT) – 2023; WMPO Roadway Capacities – 2020**

Location	Roadway Segment	AADT (NCDOT 2023)	ADT (WMPO 2023)	Planning Capacity	V/C
US Hwy 17	US Hwy 17 near Forest Sound Rd	45,271 vehicles	37,232 vehicles	37,232 vehicles	1.22
Forest Sound Rd	Forest Sound Rd	N/A	N/A	N/A	N/A

**OTHER INFRASTRUCTURE**

**Utilities**

Public water is available through Pender County Utilities (PCU) and according to available GIS data, the nearest PCU water main runs parallel to Forest Sound Road. Based on available data and information from private sewer providers, private sewer is available at this location.

**Schools**

There is no residential development associated with this proposal, so no specific impacts on the school system are anticipated.

Table 3: Environmental Concerns	
Special Flood Hazard Areas	The subject property does not contain Special Flood Hazard Areas. <sup>1</sup>
Wetlands	The subject property may contain characteristics of wetlands. <sup>2, 3</sup>
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC). <sup>4</sup>

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

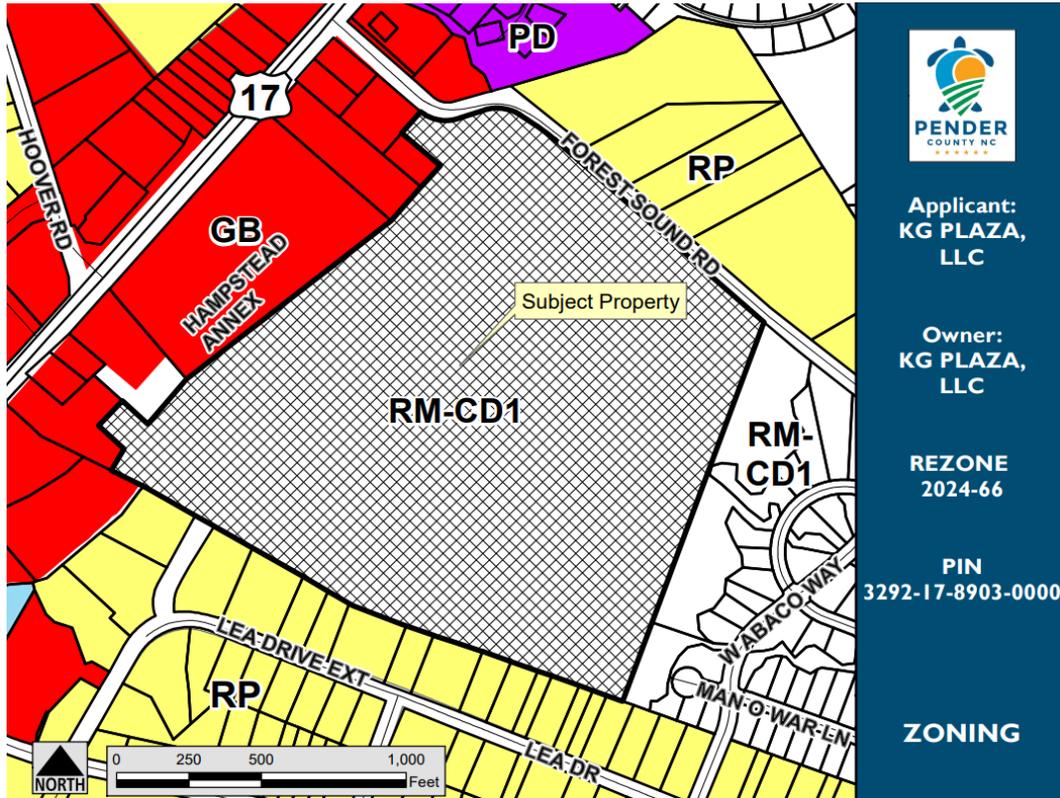
<sup>2</sup> According to the NC Division of Coastal Management (NC DCM)

<sup>3</sup> According to the National Wetlands Inventory (NWI)

<sup>4</sup> According to the North Carolina Department of Environmental Quality (NCDEQ).

## EVALUATION

Below: Zoning Map of the Area



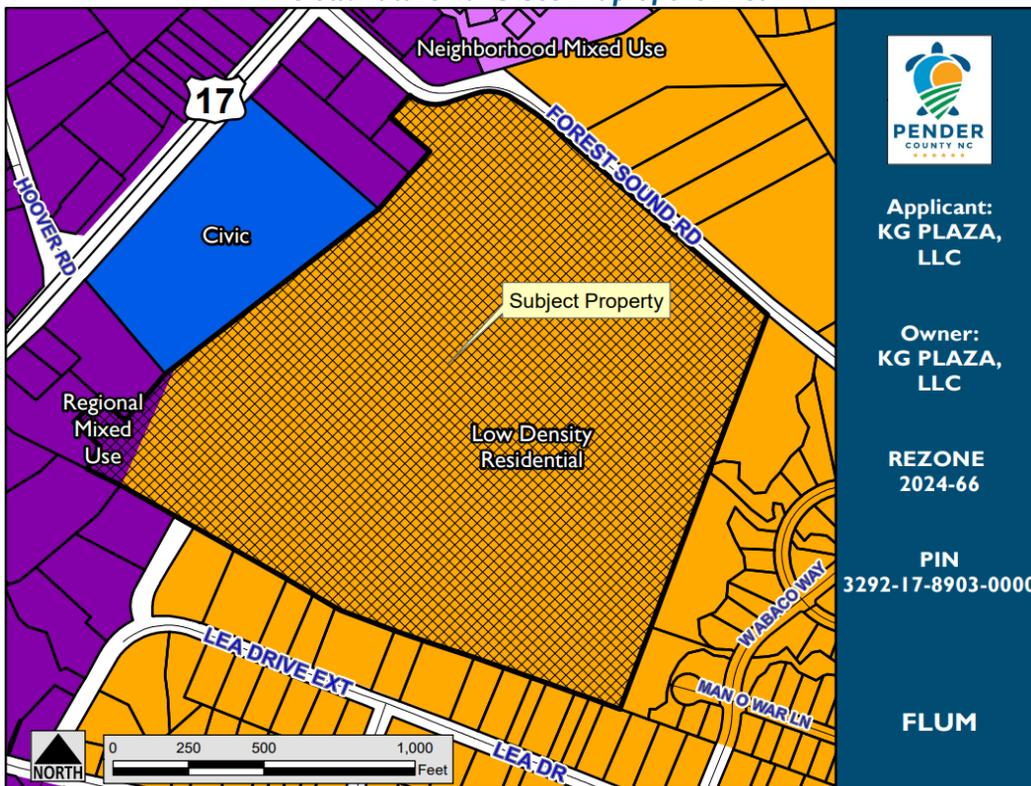
### Surrounding Zoning and Adjacent Land Uses

The subject property is currently within the RM-CD1, Residential Mixed Conditional zoning district. Properties adjacent to the subject property are currently zoned RP, Residential Performance; GB, General Business; PD, Planned Development; and RM-CD1, Residential Mixed Conditional District 1, as indicated by Table 4.

There are established residential uses to the north, south, and east sides of the parcel along Forest Sound Road and Factory Drive. To the west, bordering US Highway 17, is the Hampstead Annex.

Table 4: Characteristics Of the Surrounding Area		
	LAND USE	ZONING
North	Commercial, Residential	GB, General Business, RP, Residential Performance
East	Residential	RP, Residential Performance
South	Residential	RM-CD 1
West	Commercial, Institutional	GB, General Business

Below: Future Land Use Map of the Area



**Pender 2.0 Comprehensive Land Use Plan Compliance:** The subject property is located within the Low Density Residential future land use category, as shown on the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan.

The Low Density Residential future land category is located on the fringe of medium density residential uses and within existing single-family neighborhoods. These areas are typically

established single-family neighborhoods with a low-density residential development pattern. Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new communities is encouraged. Development density within this category is two dwelling units an acre or less. Water and sewer service may not be available in these areas.

**Desired Uses:**

- Single-family residential uses – detached.
- Duplexes and townhomes may be suitable when included as part of a master planned community.
- Recreation, parks, and open space.

**Inappropriate Uses:**

- Non-residential development.
- Single-family dwellings – attached.
- Multi-family residential uses

**Transportation Infrastructure:**

- Automobile: Collector (local, minor), and local roads.
- Pedestrian: 5-foot sidewalks on one side.
- Cyclist: bicycle lanes and multi-use paths.

The proposed Zoning Map Amendment was found to be consistent with the following policies within the Pender 2.0 Comprehensive Land Use Plan:

**Policy 5.1.F: Conditional Zoning:** The County shall continue to use conditional zoning process as a tool for encouraging desirable development outcomes.

**Recommended Action 5.1.K.1:** Discourage the construction of storage facilities along the road frontage. Such facilities should be located behind other development and generally not visible from primary roadways. Based on public input, storage facilities are not desired along the US 17 corridor.

**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. 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 the Planning Board's recommendation. The proposed Conditional Zoning Map Amendment is supported by two policies within the Pender 2.0 Comprehensive Land Use Plan that encourage the use of conditional zonings and appropriately located (i.e. not along any road frontage or the US 17 corridor) storage facilities. The site will be used as a private amenity for the Sanctuary at Forest Sound residents, with no commercial purpose, therefore it is compatible with the nearby existing use. The proposed uses on-site, preservation of existing vegetation, and supporting policies indicate that the request is reasonable and appropriate for this area. Planning Staff respectfully recommend approval of the Zoning Map Amendment as detailed in this report.

Per Section 3.3.9.B.4 of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners can add reasonable and appropriate conditions based on mutually established goals with the applicant and adjacent property owners. Conditions may address parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way

improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the participants in the public input meeting, staff, Planning Board, and County Commission find appropriate or the petitioner may propose.

Staff recommended conditions to consider in approving the conditional rezoning for this site are:

1. The project shall comply with all requirements of the Pender County Unified Developed Ordinance.
2. The applicant shall meet all other local, state, and federal regulations.
3. The storage facility shall remain private and only for the use of residents of the Sanctuary at Forest Sound development.

#### **COMPREHENSIVE PLAN CONSISTENCY STATEMENT:**

**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.F**
- **Recommended Action 5.1.K.1**

The proposed rezoning is consistent with the Low Density Residential Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan. The proposal is reasonable and in the public interest because it has the potential to be generally consistent with current land uses in the vicinity.

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

**PLANNING BOARD ACTION FOR CONDITIONAL REZONING**

<b>MOTION</b>	<b>SECONDED</b>

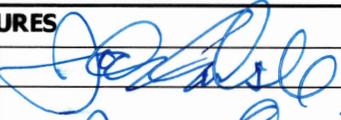
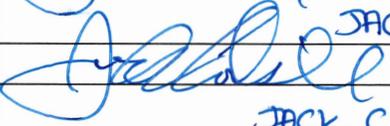
<b>APPROVED</b>	<b>DENIED</b>	<b>UNANIMOUS</b>

<b>Jordan</b>	<b>Buchanan</b>	<b>Beaudoin</b>	<b>Gruntfest</b>	<b>Mosca</b>	<b>Pitts</b>	<b>Teachey</b>

# **REZONE 2024-66**

## Application

## APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD	Date	3/1/24
Application Fee	\$ 1,055	Invoice Number:	38851
Pre-Application Conference		Hearing Date	TRC 4.4.24
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	KG Plaza, LLC	Owner's Name:	Same as Applicant
Applicant's Address:	3722 Shipyard Blvd, Suite G	Owner's Address:	
City, State, & Zip	Wilmington, NC 28403	City, State, & Zip	
Phone Number:	910-791-6707 (rep)	Phone Number:	
Email Address:	bschuler@paramounte-eng.com (rep)	Email Address:	
Legal relationship of applicant to landowner: Same			
<b>SECTION 2: PROJECT INFORMATION</b>			
Property Identification Number (PIN):	3292-17-8903-0000	Total property acreage:	+/- 60.5 ac (parcel)
Current Zoning District:	RM-CD1	Proposed Zoning District:	RM-CD1
Project Address or Location:	Forest Sound Road		
<b>Proposed Uses to be Considered (Include NAICS Code):</b>			
Recreational Vehicle Storage (493190)			
<b>Proposed Uses to be Eliminated from Consideration (Include NAICS Code):</b>			
All uses not listed above and/or on the site plan.			
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature		Date:	02/27/2024
Applicant's Name Printed	JACK CARLISLE	Date:	02/27/2024
Owner's Signature		Date:	02/27/2024
Owner's Name Printed	JACK CARLISLE	Date:	02/27/2024
<b>NOTICE TO APPLICANT</b>			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>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.</li> <li>4. All fees are non-refundable.</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda.</li> </ol>			

## Conditional (Zoning Map) Amendment Checklist

<input type="checkbox"/>	Signed application form
<input type="checkbox"/>	Application fee
<input type="checkbox"/>	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.
<input type="checkbox"/>	Two (2) business size envelopes legibly addressed with <b>first class</b> postage for each of the adjacent and abutting property owners on the above list.
<input type="checkbox"/>	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.
<input type="checkbox"/>	12 (11"x17") map copies to be distributed to the Planning Board
<input type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners
<input type="checkbox"/>	Digital (.pdf) submission of all application materials
<input type="checkbox"/>	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
<input type="checkbox"/>	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.
<input type="checkbox"/>	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
<input type="checkbox"/>	A generalized site development plan shall include the following items: <ul style="list-style-type: none"> <li><input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways &amp; public facilities.</li> <li><input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed.</li> <li><input type="checkbox"/> All existing easements, reservations and rights of way.</li> <li><input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands.</li> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections.</li> <li><input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping.</li> <li><input type="checkbox"/> Phasing.</li> <li><input type="checkbox"/> Signage.</li> <li><input type="checkbox"/> Outdoor lighting.</li> <li><input type="checkbox"/> Current zoning district designation and current land use status.</li> <li><input type="checkbox"/> 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.</li> </ul>

### Office Use Only

<b>ZMA-CD Fees:</b> (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)				<b>Total Fee Calculation:</b> \$ 1,055		
<b>Attachments Included with Application: (Please include # of copies)</b>						
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N
<b>Payment Method:</b>	<b>Cash:</b> <input type="checkbox"/> \$ _____	<b>Credit Card:</b> <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		<b>Check:</b> <input type="checkbox"/> Check # _____		
<b>Application received by:</b>	Taylor Davis				<b>Date:</b>	3/11/24
<b>Application completeness approved by:</b>	Taylor Davis				<b>Date:</b>	3/11/24
Dates scheduled for public hearing:		<input type="checkbox"/> <b>Planning Board:</b>		<input type="checkbox"/> <b>Board of Commissioners:</b>		

# **REZONE 2024-66**

## Project Narrative

# PARAMOUNTE ENGINEERING, INC.

## Sanctuary at Forest Sound – Recreational Vehicle Storage Forest Sound Road (Parcel 3292-17-8903-0000) Conditional Rezoning Narrative & Supplemental Information

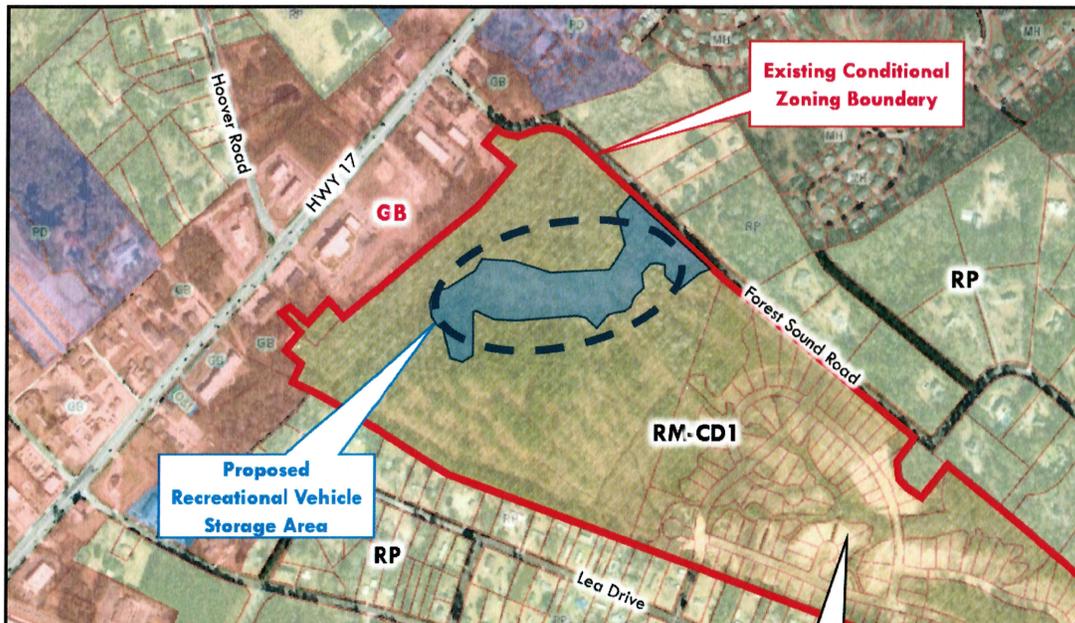
### **Owner/Applicant Information**

KG Plaza, LLC  
3722 Shipyard Blvd, Suite G  
Wilmington, NC 28403

### **Agent Information**

Paramounte Engineering, Inc.  
122 Cinema Drive  
Wilmington, NC 28403  
[bschuler@paramounte-eng.com](mailto:bschuler@paramounte-eng.com)  
910-791-6707

### **Proposal**



KG Plaza, LLC, is requesting to modify an existing conditional zoning district in order to allow for the residents of the Sanctuary at Forest Sound to store recreational vehicles (boats, RVs, campers, and trailers) within the development. The existing conditional district was approved in 2015 and allows for the development of 106 single-family homes.

122 CINEMA DRIVE, WILMINGTON, NC 28403  
PH: (910) 791-6707 FAX: (910) 791-6760

The proposed storage area would not be open to the public and limited only to the property owners within the Sanctuary at Forest Sound. It will be located east of the existing lots on a vacant 60.5-acre parcel within the development. The storage area will be screened by existing wetlands and a proposed 30-foot street yard buffer. In addition, the storage area is setback over 160 feet from Forest Sound Road, allowing for adequate vehicle stacking and separation from the adjacent single-family homes.

As the use of the proposed storage will be limited to the residents of the Sanctuary at Forest Sound, it is not expected to generate enough trips to warrant a Traffic Impact Analysis (TIA).

**Pender 2.0: Comprehensive Land Use Plan**

The Comprehensive Plan classifies that subject site as Low Density Residential.



Desired uses within this classification include detached single-family, duplex, and townhome housing. In addition, recreation, parks, open space are promoted within the Low Density Residential classification.

Overall, the proposed zoning modification is consistent with the Comprehensive plan as it will support increased recreational opportunities for the residents of the Sanctuary at Forest Sound.

# **REZONE 2024-66**

## Property Owner Mailing List

**The Sanctuary at Forest Sound Modification - Adjacent Property Owner List**

Property Address	PIN	Owner	Mailing Address	City	State	Zip
	3292-19-9858-0000	HAMPSTEAD VILLAGE ASSN INC C/O R KILROY	110 HAMPSTEAD VILLAGE	HAMPSTEAD	NC	28443
14840 US HWY 17	3282-97-7548-0000	ANDERSON RONALD E	360 OLDE POINT LOOP	HAMPSTEAD	NC	28443
96 LEA DR	3292-16-6714-0000	GOOFF UNLIMITED LLC	PO BOX 785	SNEADS FERRY	NC	28460
15280 US HWY 17	3292-19-2319-0001	ANCHOR BANK	C 380 WELLINGTON ST, TOWER B, 12TH	LONDON ONTARIO	CN	N6A4S-4
757 LEA DRIVE EXT	3292-07-4110-0000	CONNELL MICHAEL	50 PASSAGE POINT	HAMPSTEAD	NC	28443
201 SECOND ST	3292-27-3218-0000	CAVINESS & CATES BUILDING AND DEVELOPMEN	639 EXECUTIVE PLACE SUITE 400	FAYETTEVILLE	NC	28305
	3292-16-8917-0000	GARVEY KENNETH L	720 LEA DRIVE	HAMPSTEAD	NC	28443
14905 US HWY 17	3282-98-6151-0000	HAMPSTEAD STATION LLC	2324 PANSY STREET SW	HUNTSVILLE	AL	35801
15 LEA DRIVE EXT	3292-17-3182-0000	HOWARD CHARLENE C	15 LEA DR	HAMPSTEAD	NC	28443
748 LEA DRIVE EXT	3292-07-8384-0000	CLEMENTS MARK H	112 CIRCLE DR	HAMPSTEAD	NC	28443
99 W ABACO WAY	3292-28-7011-0000	MAZLIACH DANIEL P ET AL	99 W ABACO WAY	HAMPSTEAD	NC	28443
427 FACTORY RD	3292-16-2665-0000	DURANT TAMMY	1009 EDGEWATER CLUB RD	WILMINGTON	NC	28411
12 LYFORD CAY CT	3292-27-5246-0000	CAVINESS & CATES BUILDING AND DEVELOPMEN	639 EXECUTIVE PLACE SUITE 400	FAYETTEVILLE	NC	28305
17 HWY OFF	3292-07-1701-0000	HAMPSTEAD CROSSING LLC	PO BOX 12027	WILMINGTON	NC	28405
	3292-06-8769-0000	SPECK IDA MAE C/O MELODY SPECK EVANS	3101 WESCOT CT	WILMINGTON	NC	28409
117 W ABACO WAY	3292-27-8980-0000	STRAIGHT JORDYN	117 ABACO WAY	HAMPSTEAD	NC	28443
237 SECOND ST	3292-27-4329-0000	HANCZAR GORDON J	209 SENECA CIRCLE	STATE COLLEGE	PA	16801
71 SOUTH END CT	3292-19-6355-0000	CAVENESS MICHAEL B	408 E CREEKVIEW DRIVE	HAMPSTEAD	NC	28443
204 FIRST ST	3292-16-0749-0000	PAYTON JERRY PHILLIPS	204 FIRST ST	HAMPSTEAD	NC	28443
88 W ABACO WAY	3292-27-7618-0000	DENTON DANIEL JEFFERSON	88 W ABACO WAY	HAMPSTEAD	NC	28443
18 MAN O WAR LN	3292-26-4914-0000	CARVER CAROLYN MARIE LYNN	18 MAN O' WAR LANE	HAMPSTEAD	NC	28443
	3292-19-4204-0000	MCGEE LANDSCAPING INC	4636 BALLAST DR	WILMINGTON	NC	28405
88 CYPRESS CIR	3292-28-8841-000L	SUN COASTAL PLANTATION LLC	27777 FRANKLIN ROAD SUITE 200	SOUTHFIELD	MI	48034
95 LEA DR	3292-16-7948-0000	GARVEY KENNETH L	720 LEA DRIVE	HAMPSTEAD	NC	28443
MAN O WAR LN	3292-27-1115-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
67 FACTORY RD	3282-97-6272-0000	HAMPSTEAD BAPTIST CHURCH	67 FACTORY RD	HAMPSTEAD	NC	28443
US HWY 17	3292-08-0050-0000	GARG SHYAM	14980 HWY 17	HAMPSTEAD	NC	28443
14921 US HWY 17	3282-98-7116-0000	HAMPSTEAD STATION LLC	903 LONG COVE COURT	WILMINGTON	NC	28405
131 LEA DR	3292-16-9932-0000	SMITH TRACEY J	131 LEA DR	HAMPSTEAD	NC	28443
	3292-06-9707-0000	PAYTON JERRY PHILLIPS	204 FIRST ST	HAMPSTEAD	NC	28443
41 W ABACO WAY	3292-27-4622-0000	MURPHY RYAN	41 W ABACO WAY	HAMPSTEAD	NC	28443
85 LEA DR	3292-17-6071-0000	GARVEY KENNETH L	720 LEA DRIVE	HAMPSTEAD	NC	28443
193 LEA DR	3292-26-2812-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
301 FACTORY RD	3292-06-6846-0000	SHOLAR STANLEY S	206 N 22ND ST	WILMINGTON	NC	28405
20 SOUTH END CT	3292-19-5500-0000	4A PROPERTIES LLC	5617 RAMSEY ST SUITE 200	FAYETTEVILLE	NC	28311
15226 US HWY 17	3292-09-9270-0000	EDENS W RANDALL	15226 US HWY 17	HAMPSTEAD	NC	28443
409 FACTORY RD	3292-16-1668-0000	SMART CAROLE J	519 LEA DR	HAMPSTEAD	NC	28443
750 LEA DRIVE EXT	3292-07-7430-0000	LORUSSO JESSICA	750 LEA DRIVE EXT	HAMPSTEAD	NC	28443
126 CYPRESS CIR	3292-28-9576-000L	SUN COASTAL PLANTATION LLC	27777 FRANKLIN ROAD SUITE 200	SOUTHFIELD	MI	48034
26 CAY CT	3292-27-2166-0000	CAVINESS & CATES BUILDING & DEVELOPMENT	639 EXECUTIVE PLACE	FAYETTEVILLE	NC	28305
72 FOREST SOUND RD	3292-19-1160-0000	EDENS W RANDALL	15226 US HWY 17	HAMPSTEAD	NC	28443

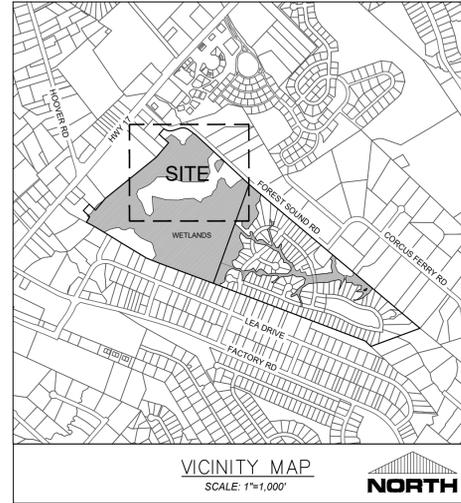
155 LEA DR	3292-26-0828-0000	HINNANT JULIA MARIE	155 LEA DR	HAMPSTEAD	NC	28443
14980 US HWY 17	3292-08-0136-0000	GARG SHYAM L	14980 US HIGHWAY 17 N	HAMPSTEAD	NC	28443
283 FOREST SOUND RD	3292-28-3893-0000	ENGLISH AMANDA	283 FOREST SOUND ROAD	HAMPSTEAD	NC	28443
	3292-17-1204-0000	CLEMENTS MARK H	112 CIRCLE DR	HAMPSTEAD	NC	28443
65 W ABACO WAY	3292-27-4772-0000	KLARENBEK MARCO HENDRIKUS	65 W ABACO WAY	HAMPSTEAD	NC	28443
	3292-19-7558-0000	JJKKPS HOLDINGS LLC	9228 COACHHOUSE LN	ESTERO	FL	33928
21 CAY CT	3292-26-2939-0000	LOWTHER CINDY L	21 CAY COURT	HAMPSTEAD	NC	28443
	3292-06-9756-0000	PAYTON JERRY P	204 FIRST ST	HAMPSTEAD	NC	28443
SECOND ST	3292-27-8609-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
200 FIRST ST	3292-16-1915-0000	THOMAS JAMES M	200 FIRST ST	HAMPSTEAD	NC	28443
24 W ABACO WAY	3292-27-6511-0000	TOMPKINS TERRY A	24 W ABACO WAY	HAMPSTEAD	NC	28443
	3282-97-8857-0000	HAMPSTEAD CROSSING LLC	PO BOX 12027	WILMINGTON	NC	28405
ABACO WAY	3292-27-6702-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
14985 US HWY 17	3282-98-9554-0000	MCDONALD'S REAL ESTATE CO C/O DANIEL CHAPMAN HHC CORP	303 SQUANKUM RD	FARMINGDALE	NJ	07727
15280 US HWY 17	3292-19-2319-0000	PIVER ANNIE	1256 COUNTY CLUB DR	HAMPSTEAD	NC	28443
219 SECOND ST	3292-27-3374-0000	TRUSCOTT DARLENE	219 SECOND STREET	HAMPSTEAD	NC	28443
121 LEA DR	3292-16-8964-0000	SMITH JOSEPH W JR	121 LEA DR	HAMPSTEAD	NC	28443
	3292-18-2965-0000	EDENS W RANDALL	15226 US HWY 17	HAMPSTEAD	NC	28443
754 LEA DR EXT	3292-07-5477-0000	SMITH CLIFFORD HAROLD III	754 LEA DR	HAMPSTEAD	NC	28443
745 LEA DRIVE EXT	3292-07-9012-0000	COLE DANIEL EUGENE	745 LEA DR EXT	HAMPSTEAD	NC	28443
363 FOREST SOUND RD	3292-28-8370-0000	TROMBINO BARBARA R	363 FOREST SOUND RD	HAMPSTEAD	NC	28443
17 W ABACO WAY	3292-27-4454-0000	WENTWORTH NICOLA	17 W ABACO WAY	HAMPSTEAD	NC	28443
15010 US HWY 17	3292-08-2283-0000	TAYLOR MEADOWS' LANDS LLC	326 HOWARDS LN	HAMPSTEAD	NC	28443
45 FACTORY RD	3292-06-8811-0000	BRANTLEY IDA SPECK C/O MELODY SPECK EVANS	3101 WESCOT CT	WILMINGTON	NC	28409
204 FIRST ST	3292-16-0749-0000	PAYTON JERRY PHILLIPS	204 FIRST ST	HAMPSTEAD	NC	28443
116 LEA DR	3292-16-7710-0000	CANADY RANDALL E	116 LEA DRIVE	HAMPSTEAD	NC	28443
87 W ABACO WAY	3292-27-6935-0000	MITCHELTREE RYAN TAYLOR	87 W ABACO WAY	HAMPSTEAD	NC	28443
28 MERCHANTS CIR	3292-19-3660-0000	FIRST CITIZENS BANK & TRUST CO	PO BOX 275131	RALEIGH	NC	27611
96 CYPRESS CIR	3292-28-8751-0000	SUN COASTAL PLANTATION LLC	27777 FRANKLIN ROAD SUITE 200	SOUTHFIELD	MI	48034
31 CAY CT	3292-27-1041-0000	SELLITTO NICOLA	31 CAY COURT	HAMPSTEAD	NC	28443
172 LEA DR	3292-26-0507-0000	RUNYON TYLER DALE	172 LEA DRIVE	HAMPSTEAD	NC	28443
15248 US HWY 17	3292-19-0237-0000	RSSC HOLDINGS LLC	406 SPIKE RUSH COURT	WILMINGTON	NC	28405
751 LEA DRIVE EXT	3292-07-6134-0000	WRIGHT JAMES KEITH	751 LEA DRIVE EXT	HAMPSTEAD	NC	28443
746 LEA DRIVE EXT	3292-07-9360-0000	EASON KIMBERLY EDWARDS	1221 STAG RD	HAMPSTEAD	NC	28443
15060 US HWY 17	3292-08-6686-0000	COUNTY OF PENDER A POLITICAL SUBDIVISION	PO BOX 5	BURGAW	NC	28425
FOREST SOUND RD	3292-17-8903-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
MAN O WAR LN	3292-36-2762-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
463 FACTORY RD	3292-16-4569-0000	KINDERVATER PHYLLIS STEPHANIE	104 POPPY LANE	HAMPSTEAD	NC	28443
MAN O WAR LN	3292-27-6137-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
15235 US HWY 17	3292-09-8437-0000	BOB JERABEK DEVELOPMENT LLC	118 DEERFIELD DR	HAMPSTEAD	NC	28443
23 LYFORD CAY CT	3292-27-7432-0000	RHODES JOSHUA	23 LYFORD CAY COURT	HAMPSTEAD	NC	28443
17 HWY	3282-97-6753-0000	HAMPSTEAD UNITED METHODIST CHURCH INC	15395 US HWY 17	HAMPSTEAD	NC	28443
499 FACTORY RD	3292-16-6560-0000	TREUSCH PAUL EDWARD	499 FACTORY RD	HAMPSTEAD	NC	28443

W ABACO WAY	3292-27-2426-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
17 HWY	3292-19-1325-0000	ANCHOR BANK	C 380 WELLINGTON ST, TOWER B, 12TH	LONDON ONTARIO	CN	N6A4S-4
753 LEA DRIVE EXT	3292-07-5134-0000	JOHNSON TONY ALEXANDER	753 LEA DRIVE EXT	HAMPSTEAD	NC	28443
747 LEA DR EXT	3292-07-8017-0000	WRENN DAVID	747 LEA DR	HAMPSTEAD	NC	28443
321 FOREST SOUND RD	3292-28-6601-0000	GARG SHYAM L	14980 US HIGHWAY 17 N	HAMPSTEAD	NC	28443
201 FIRST ST	3292-16-2896-0000	ELMORE ROBERT W	201 1ST ST	HAMPSTEAD	NC	28443
	3292-17-5017-0000	OWENS SUSAN E	51 LEA DR	HAMPSTEAD	NC	28443
MAN O WAR LN	3292-26-2997-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
758 LEA DR EXT	3292-07-2445-0000	ARMSTRONG LESLIE LYNN	760 LEA DRIVE	HAMPSTEAD	NC	28443
FOREST SOUND RD	3292-29-1053-0000	GRACEY JACK	249 FOREST SOUND RD	HAMPSTEAD	NC	28443
17 MAN O WAR LN	3292-27-4171-0000	MAXWELL GEORGE LUAN	17 MAN O WAR LANE	HAMPSTEAD	NC	28443
485 FACTORY RD	3292-16-5564-0000	SHEPARD JUANITA	485 FACTORY RD	HAMPSTEAD	NC	28443
321 FACTORY RD	3292-06-7832-0000	GRIMSLEY PAUL STROUD TRUSTEE	PO BOX 640	HAMPSTEAD	NC	28443
W ABACO WAY	3292-27-6548-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
77 W ABACO WAY	3292-27-5882-0000	SCOTT RICHARD MICHAEL II	77 W ALBACO WAY	HAMPSTEAD	NC	28443
36 SOUTH END CT	3292-19-6409-0000	RAME PROPERTIES LLC C/O AMY SMITH	1024 OCEAN BLVD	SURF CITY	NC	28445
30 MAN O WAR LN	3292-26-4971-0000	MCMAHON NOLAN M	30 MAN O' WAR LANE	HAMPSTEAD	NC	28443
147 FACTORY RD	3282-97-9136-0000	TP FACTORY LLC	163 VOYAGER WAY	HAMPSTEAD	NC	28443
156 LEA DR	3292-16-9611-0000	POPE DARREN STEVEN	156 LEA DR	HAMPSTEAD	NC	28443
754 LEA DR EXT	3292-07-5477-0000	SMITH CLIFFORD HAROLD III	754 LEA DR	HAMPSTEAD	NC	28443
67 LEA DR	3292-17-6004-0000	SMITH CLAUDE ALLEN	2707 LINDEN ROAD	ABERDEEN	NC	28315
	3292-29-1224-0000	EDENS WILLIAM R	15226 US HWY 17	HAMPSTEAD	NC	28443
OFF MERCHANTS CIR	3292-19-8535-0000	COASTAL KINGS LLC	48 NORTH LAMPLIGHTS WALK	HAMPSTEAD	NC	28443
447 FACTORY RD	3292-16-3663-0000	KELLY SHARON LANETTE F	42 KELLY'S TR	DELCO	NC	28436
31 W ABACO WAY	3292-27-4553-0000	YUDISKAS BARBARA	31 W ABACO WAY	HAMPSTEAD	NC	28443
171 LEA DR	3292-26-1825-0000	KG PLAZA LLC	8620 RIVER ROAD	WILMINGTON	NC	28412
407 FOREST SOUND RD	3292-38-0173-0000	MATTLIN JOSEPH	407 FOREST SOUND RD.	HAMPSTEAD	NC	28443
225 LEA DR	3292-26-3777-0000	MURRAY TONY FRANCIS	225 LEA DR	HAMPSTEAD	NC	28443
68 W ABACO WAY	3292-27-6653-0000	LEBLANC JUDITH L	68 W ABACO WAY	HAMPSTEAD	NC	28443
743 LEA DRIVE EXT	3292-16-0919-0000	FLOWERS JEFFREY HALES	743 LEA DRIVE EXT	HAMPSTEAD	NC	28443
94 MERCHANTS CIR	3292-19-6599-0000	MILL CREEK PROPERTY MANAGEMENT INC	94 MERCHANTS CIRCLE 100	HAMPSTEAD	NC	28443
72 SOUTH END CT	3292-19-5328-0000	MCLEOD MICHAEL R & LAURA W	72 SOUTH END CT	HAMPSTEAD	NC	28443
112 CYPRESS CIR	3292-28-9603-000L	SUN COASTAL PLANTATION LLC	27777 FRANKLIN ROAD SUITE 200	SOUTHFIELD	MI	48034
59 SECOND ST	3292-26-0594-0000	CHARLES MICHELLE W	59 2ND ST	HAMPSTEAD	NC	28443
	3282-98-8323-0000	HAMPSTEAD STATION LLC	903 LONG COVE COURT	WILMINGTON	NC	28405
76 LEA DR	3292-16-5747-0000	KEELEY LARRY RUSSELL	76 LEA DR.	HAMPSTEAD	NC	28443
249 FOREST SOUND RD	3292-28-2962-0000	GRACEY JACK A	249 FOREST SOUND RD	HAMPSTEAD	NC	28443
756 LEA DR EXT	3292-07-3653-0000	ARMSTRONG LESLIE LYNN	760 LEA DRIVE	HAMPSTEAD	NC	28443
17 HWY	3292-08-1231-0000	GARG SHYAM L	14980 US HIGHWAY 17 N	HAMPSTEAD	NC	28443
	3292-17-2158-0000	LEA BERT L JR	301 LEAS LANE	HAMPSTEAD	NC	28443
132 LEA DR	3292-16-8625-0000	CANNADY RANDALL	116 LEA DR	HAMPSTEAD	NC	28443
749 LEA EXT	3292-07-7120-0000	WRIGHT JAMES K	751 LEA DRIVE EXT	HAMPSTEAD	NC	28443
51 SOUTH END CT	3292-19-7414-0000	BANYAN TRAIL LLC	346 OLDE POINT LOOP	HAMPSTEAD	NC	28443
29 MAN O WAR LN	3292-27-5049-0000	ILLING ZACH	29 MAN O WAR LANE	HAMPSTEAD	NC	28443

15200 US 17 HWY	3292-18-0927-0000	JONES LINDA A TRUSTEE	23 DOWNY DR	HAMPSTEAD	NC	28443
W ABACO WAY	3292-27-8915-0000	KG PLAZA LLC	8620 RIVER RD	WILMINGTON	NC	28412
	3292-16-4821-0000	KELLY SHARON LANETTE F	42 KELLY'S TR	DELCO	NC	28436
760 LEA DR EXT	3292-07-1322-0000	ARMSTRONG LESLIE LYNN	760 LEA DRIVE	HAMPSTEAD	NC	28443
	3292-26-4732-0000	MURRAY TONY FRANCIS	225 LEA DR	HAMPSTEAD	NC	28443
26 LYFORD CAY CT	3292-27-6255-0000	HOLSHAUSEN KEITH	26 LYFORD CAY COURT	HAMPSTEAD	NC	28443

# **REZONE 2024-66**

## Site Plan



**SITE INFORMATION**  
 PROJECT ADDRESS: FOREST SOUND ROAD  
 HAMPSTEAD, NC 28443  
 PARCEL ID: 3292-17-8903-0000  
 PROPERTY OWNER: KG PLAZA LLC  
 8620 RIVER ROAD  
 WILMINGTON, NC 28412  
 CURRENT ZONING: RM-CD1  
 PROPOSED ZONING: RM-CD1  
 USE AREA (DRIVEWAY AND FENCED AREA): 44.51 ACRES OR 196,492 SF  
 PARCEL AREA: 460.5 ACRES OR 2,635,380 SF  
 RM-CD1 DISTRICT AREA: ±119.19 ACRES OR 5,191,901 SF  
 CURRENT USE: UNDEVELOPED  
 PROPOSED USE: RECREATIONAL VEHICLE STORAGE  
 (BOATS, RVs, CAMPERS, TRAILERS)  
 -NAIGS CODE 493190  
 FLOOD INFORMATION: THIS SITE IS NOT LOCATED IN SPECIAL  
 FLOOD HAZARD AREA AS NOTED ON  
 FEMA FLOOD PANEL 3720329200J,  
 BEARING AN EFFECTIVE DATE OF  
 FEBRUARY 16, 2007

**DIMENSIONAL STANDARDS**

	MIN. PROPOSED
FRONT SETBACK:	30'
SIDE SETBACK:	30'
REAR SETBACK:	30'
STREET YARD BUFFER:	30'
SITE BOUNDARY BUFFER:	30'
MAX STRUCTURE HEIGHT:	40'

**BUFFERS**  
 EXISTING VEGETATION SHALL BE CREDITED TOWARD THE PLANTING  
 REQUIREMENTS WITHIN THE PROPOSED BUFFERS. ADDITIONAL LANDSCAPING  
 SHALL BE PLANTED IN AREAS WHERE THE EXISTING VEGETATION IS NOT  
 COMPLIANT WITH THE BUFFER REQUIREMENTS.

**OUTDOOR LIGHTING**  
 STREETLIGHT LOCATIONS SHOWN ON PLAN ARE PRELIMINARY. ALL OUTDOOR  
 LIGHTING SHALL NOT CAST DIRECT LIGHT BEYOND THE PROPERTY LINE.

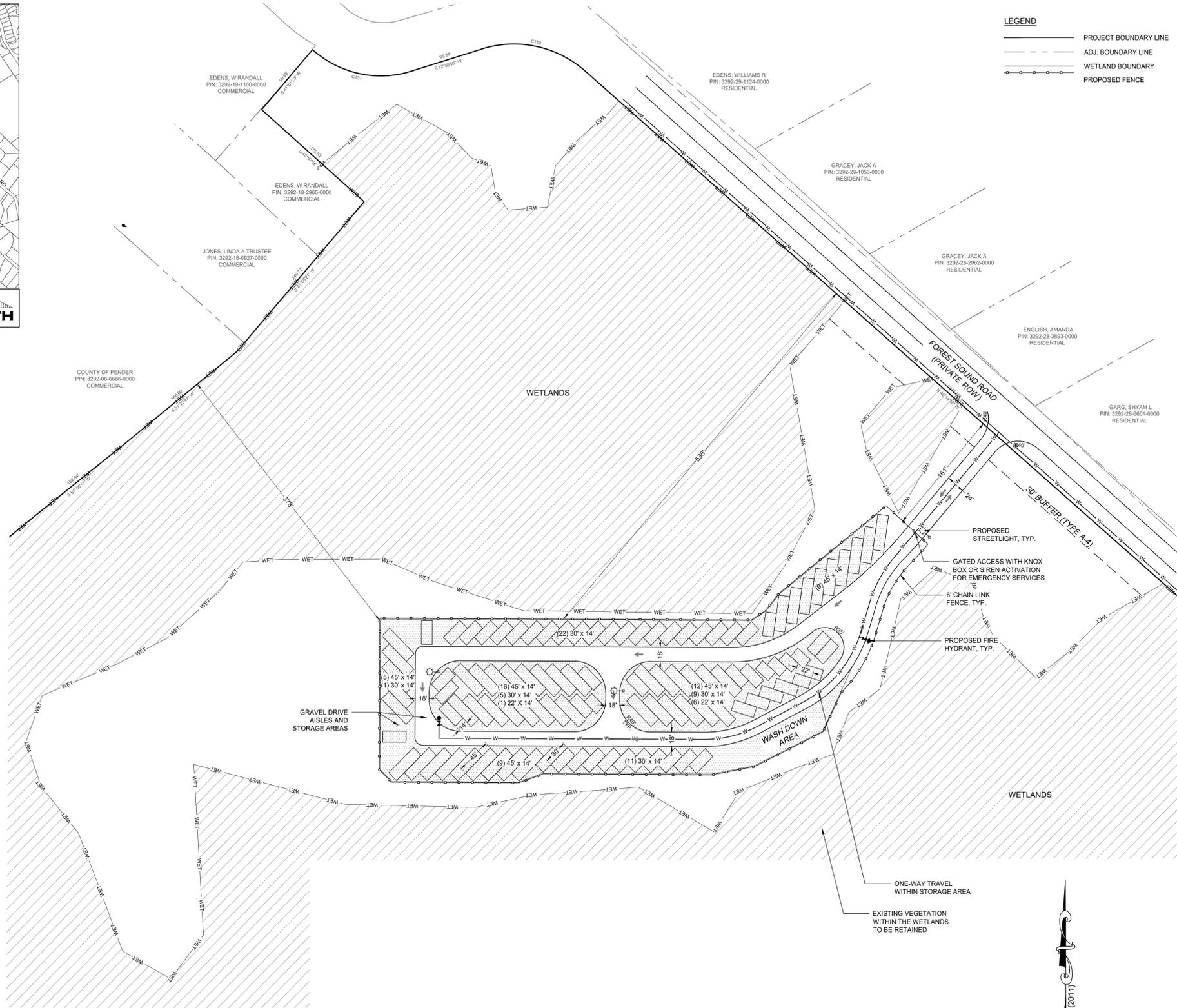
**UTILITIES**  
 WATER SERVICES TO BE COORDINATED WITH PENDER COUNTY ENGINEERING  
 AND PROVIDED BY PENDER COUNTY UTILITIES.

**STORMWATER MANAGEMENT / EROSION CONTROL**  
 1. STORMWATER AND EROSION CONTROL MEASURES WILL BE HANDLED ON  
 SITE IN COMPLIANCE WITH ALL STATE AND COUNTY STORMWATER AND  
 EROSION CONTROL STANDARDS.  
 2. DRIVE AISLES AND STORAGE AREAS SHALL CONSISTS OF PERVIOUS  
 GRAVEL SURFACING WITH NO.57 STONE AND A GEOTEXTILE FABRIC.

**PHASING**  
 1. PROJECT WILL BE PHASED. PHASE BOUNDARIES WILL BE BASED ON  
 MARKET CONDITIONS. PRIOR TO CONSTRUCTION OF A PHASE, ALL  
 APPLICABLE APPROVALS MUST BE OBTAINED FROM PENDER COUNTY.

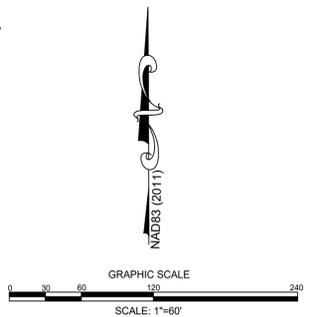
**TRIP GENERATION**  
 1. THE PROPOSED PROJECT WILL NOT EXCEED 100 PEAK HOUR TRIPS AND  
 1,000 DAILY TRIPS. A TRAFFIC IMPACT ANALYSIS IS NOT REQUIRED.  
 2. TRIP GENERATION NUMBERS ARE BASED ON ITE CODE 151,  
 MINI-WAREHOUSE, AND 154 STORAGE SPACES.

AM PEAK:	2 TRIPS
PM PEAK:	3 TRIPS
DAILY:	28 TRIPS



**LEGEND**

	PROJECT BOUNDARY LINE
	ADJ. BOUNDARY LINE
	WETLAND BOUNDARY
	PROPOSED FENCE



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

<p>REVISIONS:</p>	<p>CLIENT INFORMATION:</p> <p><b>KG PLAZA LLC</b>                  3722 SHIPYARD BLVD, SUITE G                  WILMINGTON, NC 28412</p>
<p>PROJECT STATUS:</p> <p>PRELIMINARY LAYOUT:                  PRELIMINARY FOR CONSTRUCTION</p>	<p><b>PARAMOUNT ENGINEERING</b></p> <p>122 Cinema Drive                  Wilmington, North Carolina 28403                  (910) 791-1111 (F) (910) 791-6700 (F)                  NC License #: C-2846</p>
<p>SEAL</p>	<p><b>CD REZONING SITE PLAN</b></p> <p><b>SANCTUARY AT FOREST SOUND</b>                  PENDER COUNTY                  NORTH CAROLINA</p>
<p>DRAWING INFORMATION:</p> <p>DATE: 04/11/24                  SCALE: 1"=60'                  DRAWN: BMS                  CHECKED: TOC</p>	<p><b>C-2.0</b></p> <p>PEI JOB#: 24131.PE</p>

**ATTACHMENT 1:**  
**Table of Permitted Uses**

**TABLE OF PERMITTED USES**

P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process

Use Category Specific Use Type	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
		Residential				Mixed Use	Commercial	Industrial			Special Purpose
<b>RESIDENTIAL</b>											
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						
<b>ACCESSORY USES AND STRUCTURES</b>											
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
<b>Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION</b>											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
<b>Sector 22: UTILITIES</b>											
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											
		<b>Zoning Districts</b>									
<b>Use Type</b>	<b>Ref NAICS</b>	<b>RA</b>	<b>RP</b>	<b>RM</b>	<b>MH</b>	<b>PD</b>	<b>GB</b>	<b>OI</b>	<b>IT</b>	<b>GI</b>	<b>EC</b>
<b>Sector 23: CONSTRUCTION</b>											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
<b>Sectors 31-33 MANUFACTURING</b>											
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	

Use Type	Ref NAICS	Zoning Districts										
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
<b>Sectors 31-33 MANUFACTURING</b>												
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	
<b>Sector 42 WHOLESALE TRADE</b>												
Wholesale Trade	42	S								P	P	
<b>Sectors 44-45 RETAIL TRADE</b>												

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	
<b>Sectors 48-49: TRANSPORTATION AND WAREHOUSING</b>												
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	
<b>Zoning Districts</b>												
<b>Use Type</b>	<b>Ref NAICS</b>	<b>RA</b>	<b>RP</b>	<b>RM</b>	<b>MH</b>	<b>PD</b>	<b>GB</b>	<b>OI</b>	<b>IT</b>	<b>GI</b>	<b>EC</b>	
<b>Sectors 48-49: TRANSPORTATION AND WAREHOUSING</b>												

Warehousing and Storage	493	S							P	P	
<b>Sector 51: INFORMATION</b>											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
<b>Sector 53: REAL ESTATE AND RENTAL AND LEASING</b>											
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	
<b>Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES</b>											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	
<b>Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES</b>											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
<b>Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES</b>											
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
<b>Sector 61: EDUCATIONAL SERVICES</b>											
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		

<b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>											
Ambulatory Health Care Services	621					P	P	P			
<b>Except:</b> Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
<b>Zoning Districts</b>											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>											
<b>Except:</b> Psychiatric and Substance Abuse Hospitals	6222							S			
<b>Except:</b> Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
<b>Except:</b> 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	
<b>Sector 71: ARTS, ENTERTAINMENT, AND RECREATION</b>											
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									
<b>Zoning Districts</b>											
<b>Use Type</b>	<b>Ref NAICS</b>	<b>RA</b>	<b>RP</b>	<b>RM</b>	<b>MH</b>	<b>PD</b>	<b>GB</b>	<b>OI</b>	<b>IT</b>	<b>GI</b>	<b>EC</b>
<b>Sector 72: ACCOMMODATIONS AND FOOD SERVICES</b>											
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				
<b>Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION</b>											
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	
<b>Zoning Districts</b>											
<b>Use Type</b>	<b>Ref NAICS</b>	<b>RA</b>	<b>RP</b>	<b>RM</b>	<b>MH</b>	<b>PD</b>	<b>GB</b>	<b>OI</b>	<b>IT</b>	<b>GI</b>	<b>EC</b>
<b>MISCELLANEOUS USES</b>											
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	

**ATTACHMENT 2:**

Grey Bull Approved  
Preliminary Plat 4/22/2021

# GREY BULL PROPERTY

FOREST SOUND RD.  
PENDER COUNTY, NORTH CAROLINA

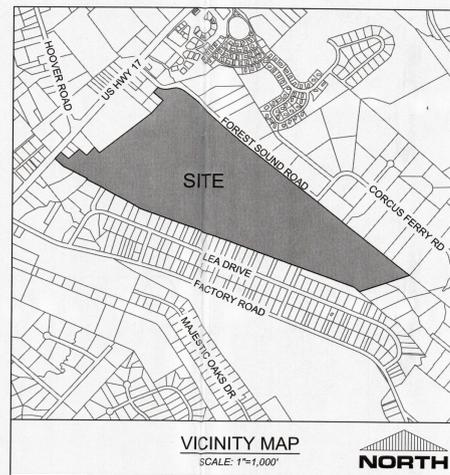
## CONDITIONAL REZONING / PRELIMINARY PLAT

### MAY 2017

REVISED 5/19/17 PER COMMISSIONERS CONDITIONS 12/3/15  
REVISED 10/16/2020

FOR:

**K&G PLAZA, LLC**  
8640 RIVER ROAD  
WILMINGTON, NC 28412



<b>Certification of Submission</b>	
A copy of this plat has been submitted. Approval is subject to review; this does not constitute an approval.	
Pender County Utilities: <i>[Signature]</i>	Date: <i>4/19/17</i>
Pender County Environmental Health: <i>[Signature]</i>	Date: <i>4/19/17</i>
Pender County Addressing Coordinator: <i>[Signature]</i>	Date: <i>4/19/17</i>
<b>Certificate of Preliminary Plat Approval</b>	
Preliminary approval by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.	
Planning Staff: <i>[Signature]</i>	Date: <i>4/19/17</i>

**DEVELOPER:**

K&G PLAZA, LLC  
8640 RIVER ROAD  
WILMINGTON, NC 28412  
ATTN: ROBERT H. JACKSON, (919) 291-8721

**ENGINEER (CIVIL):**

PARAMOUNTE ENGINEERING, INC.  
122 CINEMA DRIVE  
WILMINGTON, NORTH CAROLINA 28403  
ATTN: TIMOTHY G. CLINKSCALES, P.E. (910) 791-6707

**SHEET INDEX**

SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
SV-1	PROPERTY SURVEY
C-2.0	OVERALL SITE PLAN
C-2.1 thru C-2.4	PRELIMINARY PLAT

**NOTICE REQUIRED**

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

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

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

**CONTACT THESE UTILITIES**

PENDER COUNTY PLANNING AND COMMUNITY  
DEVELOPMENT  
ATTN: CHAD STAROZUMSKY  
PH: 910-259-1274

PIEDMONT NATURAL GAS  
ATTN: CARL PAQUET  
PH: 910-350-2242

EMERGENCY DIAL 911  
POLICE - FIRE - RESCUE

PENDER COUNTY UTILITIES (WATER & SEWER)  
ATTN: KENNY KEEL  
PH: 910-259-0212

DUKE ENERGY  
ATTN: KEVIN LEATHERWOOD  
PH: 910-602-4304

AT&T  
ATTN: STEVE DAYVAULT  
PH: 910-392-8712

TIME WARNER CABLE  
PH: 910-763-4638

**PREPARED BY:**

**PARAMOUNTE**  
ENGINEERING, INC.

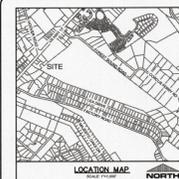
122 Cinema Drive  
Wilmington, North Carolina 28403  
(910) 791-6707 (O) (910) 791-6760 (F)  
NC License #: C-2846

PROJECT # 15204.PE

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION







**SITE INFORMATION**  
CURRENT LAND USE: VACANT LAND  
CURRENT ZONING: RM-CD1  
PIN: 3292-27-2690-0000  
PROPOSED USE: RESIDENTIAL  
TOTAL SITE AREA: 120.87 ACRES

**SINGLE FAMILY DIMENSION REQUIREMENTS**  
MINIMUM LOT SIZE: 6,800 SF  
MINIMUM LOT WIDTH: 30'  
FRONT YARD SETBACK: 5' MINIMUM  
SIDEYARD SETBACK: 5' MINIMUM  
CORNER SIDEYARD SETBACK: 5' MINIMUM  
REAR SETBACK: 10' MINIMUM  
CHORD: 40' MINIMUM  
MAXIMUM HEIGHT: 40'  
STRUCTURE SEPARATION: 10' (OR AS DICTATED BY FIRE CODE)  
DENSITY: NOT TO EXCEED 5 DU/AC

**UNIT TOTALS**  
SINGLE FAMILY: 93 SINGLE FAMILY UNITS

**OPEN SPACE REQUIREMENTS**  
REQUIRED: 0.03 ACRES/ 198 UNITS = 3.18 ACRES  
NO LESS THAN 50% = 1.59 ACRES  
PROVIDED: ± 4.48 ACRES (UPLANDS)  
ACTIVE SPACE: ± 3.34 ACRES  
PASSIVE SPACE: ± 1.14 ACRES UPLANDS (OUTSIDE WETLANDS)  
± 58.99 ACRES (WETLANDS NOT INCLUDED)

**STORMWATER**  
1. Stormwater design shall be compliant with Pender County UDO  
2. Full permit approvals to be provided to County when received  
3. Stormwater will be handled on site in compliance with all state and county stormwater standards. To be permitted as Low Density Development with swales between lots to handle stormwater. See plan.  
4. Low Density Development with 12% max impervious area. Each lot will be allocated 3,750 sq ft of impervious coverage.  
5. The plan and facilities shall provide for a drainage system for these areas that will accommodate the ten-year storm event without flooding or substantial ponding of water in the areas included in the plan.

**UTILITIES**  
1. All water utilities will be coordinated with Pender County Engineering; and sewer utilities will be coordinated with Old North State Water Company, LLC.  
2. Water provided by Pender County Engineering.  
3. Sanitary sewer provided by Old North State Water Company, LLC. Letter provided in package depicts capacity is available to serve this project.

**RECREATION UNIT NOTES**  
1. 93 lots require 1 recreation unit totaling \$10,000 or more.  
2. Applicant will install pavilion with sidewalk connection in the active open space area, with construction costs exceeding \$10,000.  
3. Final design is pending and cost estimate will be provided to Pender County upon completion.

**WETLAND DELINEATION NOTES**  
1. Jurisdictional wetland delineation for this property is approved. Reference permit number SAW-2017-00644.

**PHASING**  
1. The neighborhood is planned to have 2 phases.  
2. All amenities will be constructed in phase 1.

**Density Calculations**

Approved Grand Unit Total	106
Phase 1 Grand Unit Total	95
Total Site Area (approx.)	120.87
Total Wetland Area (approx.)	58.99
Total Open Space Area (based on Number of Lots x 0.03)	3.18
Areas to Subtract from Site Area	
Commercial Area (Existing Cell Tower Parcel)	2.40
Future Development Area	12.10
Road and Parking	8.73
Wetlands in Lots	0.00
Wetlands outside of Lots (58.99 Ac) - upland passive open space (1.14 Ac)	57.85
Total Active Open Space	3.34
Total Area Subtracted from Total Site Area	84.42
Total Developable Land Area	36.45
Max. Allowable Density Units/Acre (max. Sdu/ac allowed)	182.25
Total Proposed Density Units/Acre	2.9

**TRAFFIC IMPACTS**  
1. SEE BELOW FOR TABLE 1: TRIP GENERATION CALCULATIONS - PRELIMINARY

**TRIP GENERATION CALCULATIONS - PRELIMINARY**

Use:	Residential
Land Use Code	210
Number of Dwelling Units	95
Weekday: Ln(T)=0.92Ln(X)+2.71	
T	= 992 Avg.VTE
Weekday Peak AM: Ts=0.70(X)+9.43	
T	= 75 Avg.VTE
Weekday Peak PM: Ln(T)=0.90Ln(X)+0.52	
T	= 101 Avg.VTE

**FLOODPLAIN NOTES**  
1. Portion of this tract lays within designated Flood Zone AE per FRIS Preliminary Firm Map 3720329200, dated February 16, 2007.

**HISTORICAL & ARCHAEOLOGY NOTES**  
1. No known historic or archeological sites exist on any of the subject parcels.

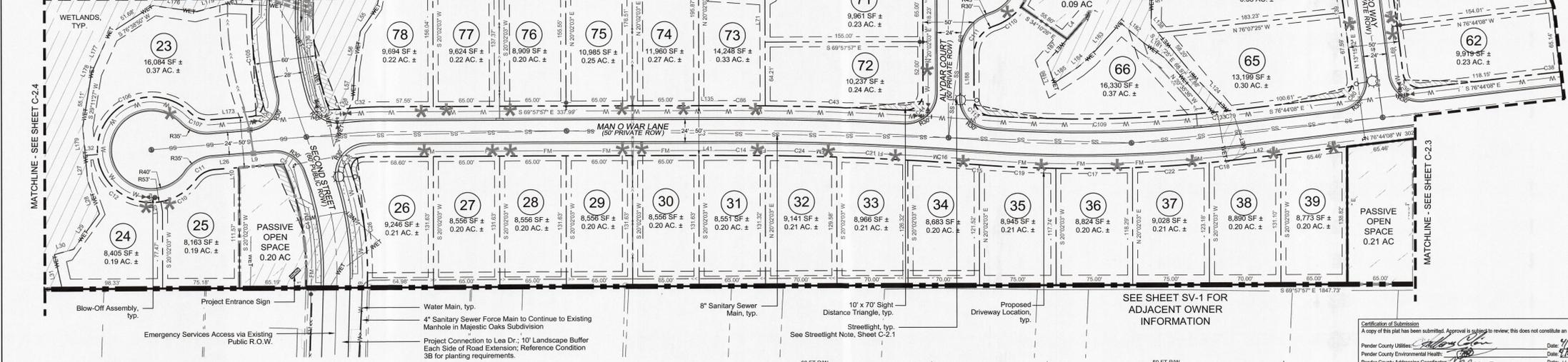
**STREETLIGHT NOTES**  
1. Streetlight locations shown on plan are preliminary, and based on Pender County UDO specifications. Final design, locations, and calculations will be provided by Duke Energy.

**HOMEOWNERS ASSOCIATION**  
1. Per Pender County UDO 7.3, homeowners associations shall be required for all developments with dedicated improvements such as privately maintained streets and/or open space dedications and must be recorded along with the first phase of a final plat to encompass the entire development with an outline of amenities/land transferred to the said HOA at or before 25% of all units are constructed.

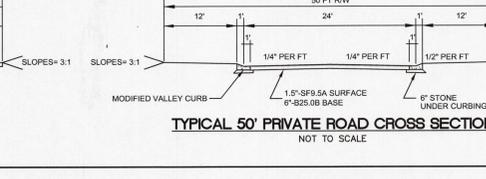
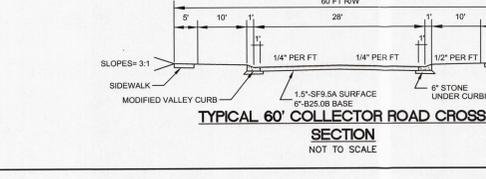
**LANDSCAPING**  
1. See sheets C-2.2 for Landscape Plan

**BUFFER NOTES**  
1. All adjacent properties along Hwy 17 are Zoned GB. All other adjacent properties are Zoned RP. No buffer or screening is required between residential uses.

**CELL TOWER NOTE**  
1. Reference Special Use permit number 10956 for cell tower information.



**PROJECT ROAD NOTES**  
1. All collector roads will be public right of ways constructed to NCDOT Subdivision Roads Minimum Construction Standards. Only Second Street will be dedicated to NCDOT.  
2. All other roads will be private rights of way open to public use, constructed to NCDOT subdivision roads minimum construction standards but not dedicated to NCDOT. Private roads to be maintained by community HOA.  
3. All proposed internal roadway intersections and connections to existing roadways & the project collector road will have a 30' radius minimum.  
4. Street name signs shall be installed as soon as roadways are accessible by vehicle traffic to include during construction and meet Pender County street sign specifications.  
5. Addressing will comply with Pender County UDO article 11.  
6. Sidewalks will be located on both sides of 2nd street. No other streets will have sidewalks.  
7. Sidewalks shall meet all applicable collector road standards.  
8. No proposed road exceeds 1 mile in length or accesses more than 200 lots. All roads will comply with section 7.5.3 of the Pender County UDO.  
9. Private streets are designed to NCDOT standards and all lots shall be accessible to Pender County emergency service vehicles, with clearance to trees over the roadway from 13.5' in height by 20' in width.



**PER APPROVAL LETTER DATED DECEMBER 3, 2015**  
**CONDITIONAL ZONING MAP AMENDMENT (114458)**

The Pender County Board of Commissioners, at their November 23, 2015 meeting, voted unanimously to approve the Zoning Map Amendment for a conditional rezoning of the property identified by Pender County PIN: 3292-27-2690-0000. Specifically, they approved the rezoning of one (1) tract from RP, Residential Performance zoning district to RM-CD1, Residential Mixed Conditional zoning district.

The Pender County Board of Commissioners, at their November 23, 2015 meeting, voted unanimously to approve the Zoning Map Amendment for a conditional rezoning of the property identified by Pender County PIN: 3292-27-2690-0000. Specifically, they approved the rezoning of one (1) tract from RP Residential Performance zoning district to RM-CD1, Residential Mixed Conditional zoning district.

The conditions for this project as approved by the Board of County Commissioners are as follows:  
1. Uses allowed shall be limited to one hundred and six (106) Single Family Detached Conventional housing type as defined typical neighborhood amenities and project infrastructure, as well as a approved telecommunication tower (Case 10965). A "single-family detached residence" shall be a dwelling unit located on a single lot with private yards on all four sides.  
2. The Applicant shall submit an approved Traffic Impact Analysis (TIA) prior to the approval of any phases of the development proposal.  
3. Buffers

a. The project shall provide a twenty (20) foot buffer within common area along Forest Sound Road (private) where single family lots are proposed and are adjacent to the private road right of way through a combination of existing vegetation and supplemental plantings to preserve community cohesiveness with the adjacent Forest Sound neighborhood to the extent practical. Buffer plantings shall be installed in addition to existing natural growth on the property where existing vegetation a natural growth does not meet the required buffer.  
The plantings shall consist of indigenous trees and shrubs such as but not limited to; wax myrtles, red cedars, oak species, maples and other similar species. The specific plantings shall have a minimum plant size in accordance with the Pender County Unified Development Ordinance (Section 5.1.6) including; for canopy trees a minimum of a two (2) inch caliper measured at four and a half (4.5) feet above ground and planted thirty (30) feet on center or as a mature canopy tree may dictate and for understorey trees minimum of four (4) feet in height at planting. Landscape and buffer maintenance shall be the responsibility of the homeowner association and referenced within the restrictive covenants and subsequently recorded in the Pender County Register of Deeds. All buffer installation is required prior to the Final Plat approval of any phase.

b. Applicant met with adjacent property owners located on Second Street (SR 1616) where the platted right of way exists located within the legal description of "Lot 1 & 2" and "Lot 19 & 20" on Map Book 8 Page 27 Hampstead on the Second Street S and both parties agree to mutually define, establish, and install a landscape buffer equal to ten (10) feet in width measured from the outside boundary of the NCDOT right of way identified as Second Street (SR 1616) and the side yard of each property abutmentment.

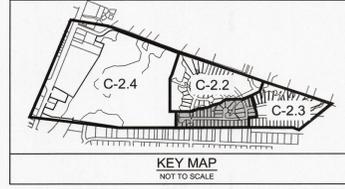
The plantings shall consist of indigenous trees and shrubs such as but not limited; to wax myrtles, red cedars, oak species, maples and other similar species as available. The specific plantings shall be a minimum of two (2) inch caliper. All buffers shall be installed by the Applicant at Applicant's expense and maintained by property owners as mutually agreed upon. The developer shall work with NCDOT in the installation of any additional driveway accesses requested by the property owners on Second Street (SR 1616) and culverts, if any, to allow for access to existing rear yards.

c. The project shall contain a twenty (20) foot landscape easement measured from the rear of the lots on the eastern property boundaries (Groveview Lane), specifically lot numbers 20-23 as depicted on the Conditional Rezoning Site Plan dated September 14, 2015. The easement shall require the Applicant and property owners for these lots to maintain existing and natural vegetation. The easement shall serve as a perpetual vegetative buffer between adjacent properties. Responsibility of maintenance shall be conveyed to each individual property owner and referenced and enforced by the rights conveyed to the homeowners association through the bylaws and restrictive covenants recorded at the Pender County Register of Deeds.

4. Roadways  
a. The Applicant shall collaborate with the Forest Sound Homeowners Association, herein FSHA, to devise a Road Maintenance Agreement specifically to address improvements "Y-1" and long-term maintenance of Forest Sound Road (private) from the site entrance to US HWY 17. The applicant has agreed to resurface Forest Sound Road (private) and enter into a mutually satisfactory Agreement, herein "Agreement", with the FSHA to effectuate the same. The Agreement will define the resurfacing to meet or exceed the current NCDOT Subdivision Roads (Secondary Roads) Standards for resurfacing. All improvements are required prior to the approval of Final Plat for any phase.  
b. If there are any changes requested to the site plan presented with this Conditional Rezoning or if additional single family residential structures are proposed, the project shall be reevaluated in accordance with Pender County Unified Development Ordinance standards. If future development is proposed, roadway connection to Davis Road and Lea Drive Extension (SR 1614) will be reevaluated.

5. The Applicant and FSHA have collaborated independently from Pender County to mutually agree upon a private agreement to assist in alleviating some of the concerns FSHA expressed as a result of the proposed development. Some of the terms and conditions of the private agreement contain provisions for the following:  
a. Privacy through funding a private gate entrance designed and maintained by FSHA.  
b. Formal education by Applicant delivered to each future homeowner of the proposed residential subdivision through written documents, such as but not limited to Restrictive Covenants, maps, and notices, outlining the easements, buffers and various private property areas of the FSHA and the necessary legal requirements to adhere to the private property restrictions in place to protect unauthorized access of the same.

6. The applicant shall direct site work involved with the construction of the project to the greatest extent possible to ingress on Second Street (SR 1616) and egress on Forest Sound Road (private) to distribute traffic equitably as not to decrease safety at any intersection or negatively increase safe conditions to the network (Adopted at 11/23/2015 Board of County Commissioners Meeting).



**REVISIONS:**

01/15/17	Revised per comments received 02/17
11/15/16	Revised per NCDOT road req.
10/16/16	Revised per Staff Comments
2/23/16	ADDITION OF LOTS 24 & 39 TO PHASE 1 PRELIMINARY PLAT

**CLIENT INFORMATION:**  
KG PLAZA, LLC  
8640 RIVER ROAD  
WILMINGTON, NC 28412

**PARAMOUNT ENGINEERING**  
122 Cinema Drive  
Wilmington, North Carolina 28403  
(910) 791-6707 (O) (910) 791-6760 (F)  
NC License # C-2846

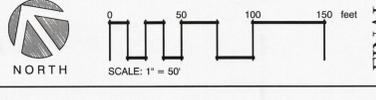
**PRELIMINARY PLAT**  
PHASE 1  
FOREST SOUND  
PENDER COUNTY  
NORTH CAROLINA

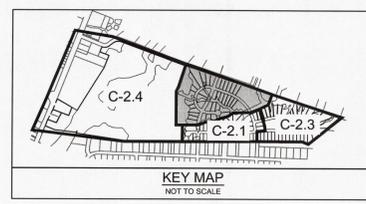
**PROJECT STATUS:**  
CONCEPTUAL LAYOUT  
PRELIMINARY LAYOUT  
RELEASED FOR CONSTRUCTION  
**DRAWING INFORMATION:**  
DATE: 11/15/16  
SCALE: AS SHOWN  
DRAWN: JAC  
CHECKED: JAC

**C-2.1**  
PEI JOB#: 15204-PE

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

**Certification of Submission**  
A copy of this plat has been submitted. Approval is subject to review, this does not constitute an approval.  
Pender County Utilities: [Signature] Date: 11/16/16  
Pender County Environmental Health: [Signature] Date: 11/15/16  
Pender County Addressing Coordinator: [Signature] Date: 11/15/16  
**Certificate of Preliminary Plat Approval**  
Preliminary Plat Approval by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.  
Planning Staff: [Signature] Date: 11/15/16





**PLANT SCHEDULE**  
(SEE SHEET C-2.1 FOR LETTERS)

TREES	CODE	BOTANICAL NAME	SIZE	QTY
	QUE FAL	QUERCUS FALCATA	2" CAL	56
	SOU RED OAK	SOUTHERN RED OAK		

BUFFER PLANTING PER COUNTY COMMISSIONER'S CONDITIONS  
(SEE SHEET C-2.1 FOR LETTERS)  
REQUIRED: (1) CANOPY TREE PER 30'

**REVISIONS:**

6/15/17	Revised per comments received 6/27/17
11/12/19	Revised per NCDOT road rev.
10/16/20	Revised per Staff Comments
2/23/21	ADDITION OF LOTS #4 & 56 TO PHASE 1 PRELIMINARY PLAT

**CLIENT INFORMATION:**  
**KG PLAZA, LLC**  
 8640 RIVER ROAD  
 WILMINGTON, NC 28412

**PARAMOUNT ENGINEERING**  
 122 Cinema Drive  
 Wilmington, North Carolina 28403  
 (910) 791-6707 (O) (910) 791-6760 (F)  
 NC License #: C-2846

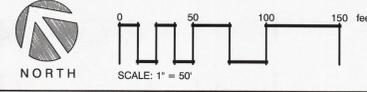
**PRELIMINARY PLAT PHASE 1**  
**FOREST SOUND**  
**PENDER COUNTY**  
**NORTH CAROLINA**

**PROJECT STATUS:**  
 CONCEPTUAL LAYOUT: \_\_\_\_\_  
 FINAL DESIGN: \_\_\_\_\_  
 RELEASED FOR CONSTRUCTION: \_\_\_\_\_

**DRAWING INFORMATION:**  
 DATE: 05/19/21  
 DRAWN BY: JAE  
 CHECKED BY: JAE  
 DESIGNED BY: JAE  
 DATE: 2/23/21

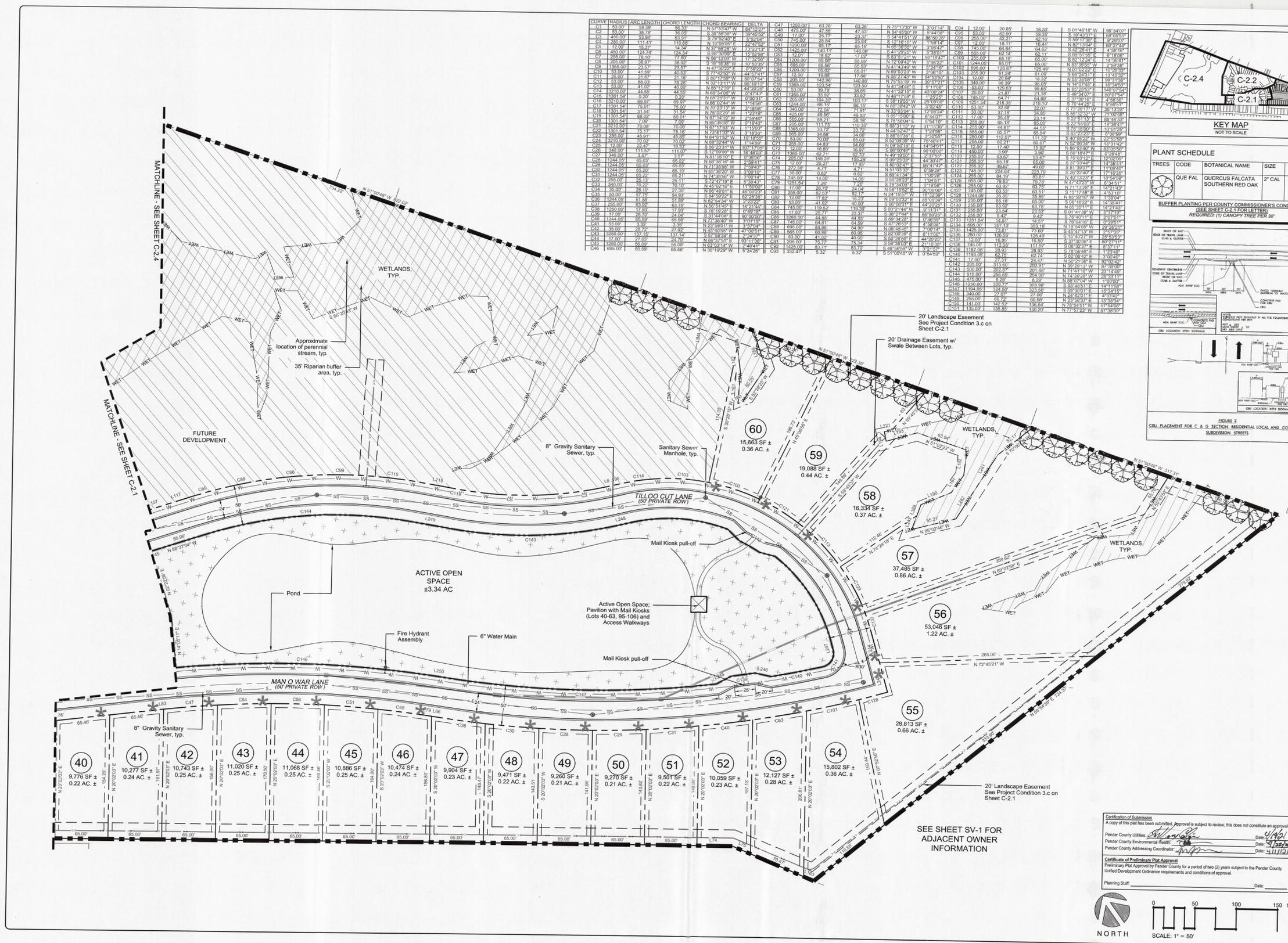
**Certification of Submission**  
 A copy of this plat has been submitted. Approval is subject to review; this does not constitute an approval.  
 Pender County Utilities: \_\_\_\_\_ Date: 4/16/21  
 Pender County Environmental Health: \_\_\_\_\_ Date: 4/27/21  
 Pender County Addressing Coordinator: \_\_\_\_\_ Date: 4/12/21

**Certificate of Preliminary Plat Approval**  
 Preliminary Plat Approval by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.  
 Planning Staff: \_\_\_\_\_ Date: \_\_\_\_\_

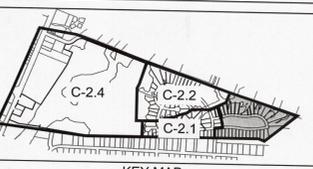


FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

**C-2.2**  
 PEI JOB#: 15204.PE



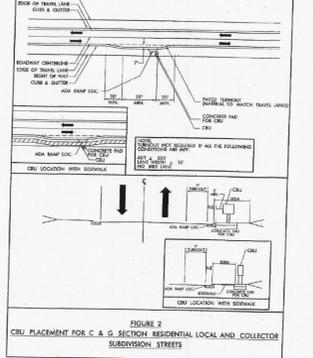
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C47	1200.00	63.26	63.26	N 75°19'00" W	30°11'4"	C48	1200.00	63.26	63.26	N 75°19'00" W	30°11'4"	C49	1200.00	63.26	63.26	N 75°19'00" W	30°11'4"	C50	1200.00	63.26	63.26	N 75°19'00" W	30°11'4"	C51



PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME	SIZE	QTY
QUE FAL		QUERCUS FALCATA	2" CAL	56
		SOUTHERN RED OAK		

BUFFER PLANTING PER COUNTY COMMISSIONER'S CONDITIONS  
(SEE SHEET C-2.1 FOR LETTERS)  
REQUIRED: (1) CANOPY TREE PER 30'



REVISIONS

NO.	DATE	DESCRIPTION
1	01/12/17	ISSUED FOR PERMITS
2	01/12/17	REVISIONS PER COMMENTS
3	01/12/17	REVISIONS PER COMMENTS

CLIENT INFORMATION

**PARAMOUNT ENGINEERING**

122 Cinema Drive  
Wilmington, NC 28403  
(910) 791-5707 (O) (910) 791-6760 (F)  
NC License #: C-2846

PROJECT STATUS

PRELIMINARY PLAT  
PHASE 1  
FOREST SOUND  
PENDER COUNTY  
NORTH CAROLINA

PROJECT STATUS

PRELIMINARY PLAT  
PHASE 1  
FOREST SOUND  
PENDER COUNTY  
NORTH CAROLINA

DRAWING INFORMATION

DATE: 4/19/17  
SCALE: AS SHOWN  
DRAWN: J. G. CLINE  
CHECKED: J. G. CLINE

SEAL

J. G. CLINE  
REGISTERED PROFESSIONAL ENGINEER  
NO. 28847  
STATE OF NORTH CAROLINA

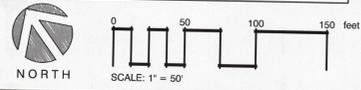
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DATE: 4/19/17

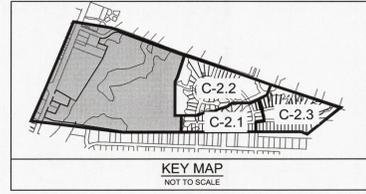
Planning Staff: \_\_\_\_\_ Date: \_\_\_\_\_

C-2.3

PEI JOB#: 15204.PE

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

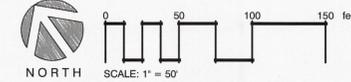




LINE	BEARING	DISTANCE	E	N	S	W
L1	N 81°16'00" E	43.50	11131 N 25°53'20" E	22.07		
L2	S 81°56'30" E	15.19	11331 N 25°53'20" E	48.66		
L3	N 00°00'00" W	41.65	11211 N 89°44'15" W	20.10		
L4	N 00°00'00" W	30.56	11211 N 89°44'15" W	15.17		
L5	S 47°59'12" W	30.48	11231 N 89°44'15" W	13.96		
L6	S 80°18'24" E	6.81	11241 S 89°44'15" W	48.20		
L7	S 89°29'12" W	1.83	11251 N 89°44'15" W	39.80		
L8	S 48°10'18" W	27.23	11261 N 89°44'15" W	3.98		
L9	N 74°38'54" W	35.19	11271 N 89°44'15" W	13.32		
L10	S 15°21'58" W	9.88	11281 N 89°44'15" W	14.06		
L11	N 21°33'00" E	7.64	11291 N 89°44'15" W	46.12		
L12	N 74°29'12" W	9.32	11301 N 89°44'15" W	4.84		
L13	S 29°29'12" W	26.55	11311 N 89°44'15" W	48.12		
L14	S 47°59'12" W	1.80	11321 N 89°44'15" W	32.94		
L15	S 89°29'12" W	38.59	11331 N 89°44'15" W	38.55		
L16	S 81°18'24" E	26.79	11341 S 89°44'15" W	13.87		
L17	S 20°00'00" E	31.32	11351 S 89°44'15" W	59.85		
L18	S 00°00'00" E	44.69	11361 S 89°44'15" W	59.85		
L19	S 43°14'24" W	30.57	11371 N 89°44'15" W	48.12		
L20	N 74°29'12" W	20.22	11381 S 89°44'15" W	47.74		
L21	S 30°36'36" E	35.38	11391 N 89°44'15" W	5.79		
L22	S 00°00'00" W	29.29	11401 N 89°44'15" W	15.45		
L23	S 50°26'36" E	0.49	11411 N 89°44'15" W	39.39		
L24	N 74°29'12" W	3.58	11421 N 89°44'15" W	28.39		
L25	S 17°11'24" W	10.00	11431 N 89°44'15" W	31.26		
L26	S 00°00'00" W	25.30	11441 N 89°44'15" W	1.18		
L27	S 13°29'12" W	25.30	11451 S 89°44'15" W	1.18		
L28	S 01°17'12" W	35.44	11461 N 89°44'15" W	44.11		
L29	S 00°00'00" W	43.00	11471 S 89°44'15" W	10.35		
L30	N 85°24'24" E	19.22	11481 S 89°44'15" W	8.06		
L31	N 00°00'00" W	35.85	11491 S 89°44'15" W	44.22		
L32	N 74°29'12" W	17.00	11501 N 89°44'15" W	33.37		
L33	S 29°29'12" W	14.41	11511 N 89°44'15" W	19.46		
L34	S 74°18'24" E	0.49	11521 S 89°44'15" W	23.07		
L35	N 21°33'00" E	15.55	11531 N 89°44'15" W	19.46		
L36	N 74°18'24" E	47.19	11541 N 89°44'15" W	27.12		
L37	S 00°00'00" W	15.55	11551 N 89°44'15" W	19.46		
L38	S 00°22'24" W	15.55	11561 N 89°44'15" W	21.52		
L39	S 00°00'00" W	28.25	11571 N 89°44'15" W	19.46		
L40	S 74°18'24" E	49.11	11581 N 89°44'15" W	19.46		
L41	N 89°44'15" W	20.45	11591 S 89°44'15" W	48.02		
L42	N 44°14'15" W	38.46	11601 S 89°44'15" W	44.22		
L43	S 00°00'00" W	29.22	11611 N 89°44'15" W	38.83		
L44	S 29°29'12" W	48.00	11621 N 89°44'15" W	49.81		
L45	N 74°18'24" E	27.56	11631 S 89°44'15" W	19.20		
L46	S 47°59'12" W	41.65	11641 S 89°44'15" W	41.65		
L47	N 00°00'00" W	33.68	11651 N 89°44'15" W	8.45		
L48	S 21°33'00" E	19.46	11661 N 89°44'15" W	24.76		
L49	S 21°33'00" E	6.00	11671 S 89°44'15" W	8.82		
L50	S 04°48'24" W	48.01	11681 S 89°44'15" W	24.76		
L51	N 17°11'24" E	14.11	11691 N 89°44'15" W	24.64		
L52	N 29°26'18" E	18.03	11701 N 89°44'15" W	24.26		
L53	N 44°14'15" W	38.46	11711 S 89°44'15" W	49.72		
L54	S 11°00'00" W	31.38	11721 N 89°44'15" W	48.81		
L55	S 29°29'12" W	38.85	11731 S 89°44'15" W	49.81		
L56	S 28°42'48" E	38.41	11741 N 89°44'15" W	24.59		
L57	S 47°59'12" W	39.41	11751 N 89°44'15" W	39.55		
L58	S 41°26'36" E	10.55	11761 N 89°44'15" W	43.31		
L59	N 81°17'12" W	19.04	11771 S 89°44'15" W	7.98		
L60	S 74°29'12" W	18.69	11781 S 89°44'15" W	26.35		
L61	S 00°00'00" W	5.37	11791 N 89°44'15" W	20.03		
L62	N 00°26'48" E	30.18	11801 N 89°44'15" W	25.45		
L63	N 34°26'36" E	43.66	11811 N 89°44'15" W	30.15		
L64	N 49°15'24" W	24.85	11821 S 89°44'15" W	47.48		
L65	N 89°44'15" W	13.69	11831 S 89°44'15" W	14.40		
L66	N 00°00'00" W	4.30	11841 S 89°44'15" W	27.45		
L67	S 41°18'18" E	48.00	11851 N 89°44'15" W	50.50		
L68	S 15°18'54" E	48.00	11861 N 89°44'15" W	50.50		
L69	N 00°00'00" W	17.02	11871 N 89°44'15" W	14.50		
L70	S 41°26'36" E	18.20	11881 N 89°44'15" W	39.44		
L71	S 41°26'36" E	2.11	11891 N 89°44'15" W	39.44		
L72	S 41°26'36" E	42.75	11901 N 89°44'15" W	31.97		
L73	S 74°18'24" E	24.11	11911 N 89°44'15" W	49.12		
L74	S 44°26'36" E	37.88	11921 N 89°44'15" W	5.02		
L75	S 00°00'00" W	39.29	11931 S 89°44'15" W	19.29		
L76	N 81°17'12" W	4.30	11941 S 89°44'15" W	27.45		
L77	S 41°18'18" E	48.00	11951 N 89°44'15" W	50.50		
L78	N 81°17'12" W	4.30	11961 S 89°44'15" W	13.83		
L79	S 41°18'18" E	48.00	11971 S 89°44'15" W	19.15		
L80	S 00°00'00" W	5.19	11981 N 89°44'15" W	13.72		
L81	S 29°29'12" W	37.58	11991 N 89°44'15" W	39.53		
L82	S 29°29'12" W	7.82	12001 S 89°44'15" W	54.04		
L83	N 74°44'36" W	2.02	12011 N 89°44'15" W	29.26		
L84	S 17°11'24" E	25.30	12021 N 89°44'15" W	2.04		
L85	S 70°18'24" E	18.18	12031 N 89°44'15" W	47.04		
L86	S 70°18'24" E	14.07	12041 N 89°44'15" W	30.45		
L87	S 20°12'12" W	0.84	12051 N 89°44'15" W	39.85		
L88	N 00°00'00" W	13.69	12061 N 89°44'15" W	21.24		
L89	N 50°26'36" E	50.06	12071 S 89°44'15" W	50.81		
L90	S 41°18'18" E	39.29	12081 N 89°44'15" W	6.00		
L91	S 00°00'00" W	31.82	12091 N 89°44'15" W	26.10		
L92	S 21°33'00" E	29.81	12101 N 89°44'15" W	19.11		
L93	S 21°33'00" E	40.22	12111 N 89°44'15" W	40.18		
L94	S 00°00'00" W	10.94	12121 N 89°44'15" W	29.80		
L95	S 41°26'36" E	31.72	12131 N 89°44'15" W	24.44		
L96	S 07°00'00" E	42.38	12141 N 89°44'15" W	19.85		
L97	N 17°11'24" E	24.11	12151 N 89°44'15" W	41.69		
L98	S 41°26'36" E	18.38	12161 N 89°44'15" W	26.69		
L99	N 00°00'00" W	25.71	12171 N 89°44'15" W	19.20		
L100	S 00°00'00" W	38.85	12181 N 89°44'15" W	14.90		
L101	S 00°00'00" W	38.85	12191 N 89°44'15" W	7.30		
L102	S 30°12'36" E	44.70	12201 N 89°44'15" W	25.37		
L103	S 30°12'36" E	44.70	12211 N 89°44'15" W	25.37		
L104	S 11°17'12" W	27.44	12221 S 89°44'15" W	40.11		
L105	S 00°00'00" W	41.83	12231 S 89°44'15" W	39.14		
L106	S 00°00'00" W	11.49	12241 S 89°44'15" W	37.70		
L107	S 00°00'00" W	26.69	12251 S 89°44'15" W	39.24		
L108	N 00°00'00" W	33.56	12261 S 89°44'15" W	39.24		
L109	N 37°12'36" E	45.53	12271 S 89°44'15" W	33.10		
L110	N 00°00'00" W	21.14	12281 S 89°44'15" W	29.26		
L111	N 00°00'00" W	30.68	12291 S 89°44'15" W	31.41		
L112	S 30°12'36" E	27.02	12301 S 89°44'15" W	40.70		
L113	S 21°33'00" E	36.22	12311 S 89°44'15" W	14.56		
L114	S 21°33'00" E	42.87	12321 S 89°44'15" W	15.42		
L115	S 41°26'36" E	30.22	12331 S 89°44'15" W	26.66		
L116	S 41°26'36" E	24.03	12341 N 89°44'15" W	47.17		
L117	S 00°00'00" W	47.74	12351 N 89°44'15" W	37.84		
L118	S 00°00'00" W	19.52	12361 N 89°44'15" W	19.52		
L119	S 00°00'00" W	21.19	12371 N 89°44'15" W	21.19		
L120	S 00°00'00" W	21.19	12381 N 89°44'15" W	21.19		
L121	N 04°20'12" E	11.93	12391 N 89°44'15" W	20.14		
L122	N 00°00'00" W	44.37	12401 N 89°44'15" W	44.37		
L123	S 11°42'36" E	73.05	12411 N 89°44'15" W	73.05		
L124	S 41°03'48" E	13.38	12421 N 89°44'15" W	13.38		

**Certification of Submission**  
 A copy of this plat has been submitted. Approval is subject to review; this does not constitute an approval.  
 Pender County Utilities: \_\_\_\_\_ Date: 7/19/21  
 Pender County Environmental Health: \_\_\_\_\_ Date: 7/19/21  
 Pender County Addressing Coordinator: \_\_\_\_\_ Date: 11/11/21

**Certification of Preliminary Plat Approval**  
 Preliminary Plat Approved by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.  
 Planning Staff: \_\_\_\_\_ Date: \_\_\_\_\_



FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

**REVISIONS:**

8/15/17	Revised per comments received 02/17
11/12/19	Revised per NCDOT road rev.
10/16/20	Revised per Staff Comments

**CLIENT INFORMATION:**

**KG PLAZA LLC**  
 8640 RIVER ROAD  
 WILMINGTON, NC 28412

**PARAMOUNT ENGINEERING, INC.**  
 122 Cinema Drive  
 Wilmington, North Carolina 28403  
 (910) 791-0101 (O) (910) 791-0284 (F)  
 NC License #: C-2846

**PRELIMINARY PLAT**  
**PHASE 1**  
**FOREST SOUND**  
**PENDER COUNTY**  
**NORTH CAROLINA**

**PROJECT STATUS**  
 PRELIMINARY LAYOUT:  
 RELEASED FOR CONSTRUCTION:  
 DRAWING INFORMATION  
 DATE: 7/19/21  
 SCALE: AS SHOWN  
 DRAWN: \_\_\_\_\_  
 CHECKED: \_\_\_\_\_

**C-2.4**

PEI JOB#: 15204.PE

**ATTACHMENT 3:**  
**Case 132-2015 (11458)**  
**Original CZ Summary**

**CASE 132-2015 (11458)**

**Rezoning Proposal:** Grey Bull Inc., applicant, on behalf of Linda Kaye Howard Taylor et al, owner, is requesting approval of a Zoning Map Amendment for a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. The proposed uses within the RM-CD1, Residential Mixed conditional zoning district are; telecommunication tower, single family dwelling conventional detached and other typical neighborhood amenities or project infrastructure. All other uses will be prohibited unless an alteration is made to the approval. It is the applicant’s intention to develop the site for a single family residential subdivision. There are 106 proposed residential units on the subject parcel.

**Property Record Numbers, Acreage, and Location:** The subject property is located to the east of US HWY 17, to the south and west of the residential subdivision Forest Sound, and to north of the residential subdivision Hampstead on the Sound in Hampstead and may be further identified by Pender County PIN 3292-27-2690-0000.

**Summary:** The application consisted of a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. As submitted, the request complies with all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is not in conflict with the 2010 Comprehensive Land Use Plan. The application is consistent with three (3) goals and thirteen (13) policies of the 2010 Pender County Comprehensive Land Use Plan and potentially conflicts with one (1) policy. At their October 13, 2015 meeting the Pender County Planning Board unanimously recommended approval of the conditional rezoning request with the conditions as outlined in this report.

**Project Description:** The proposed uses within the RM-CD1, Residential Mixed conditional zoning district are; telecommunication tower, single family dwelling conventional detached and other typical neighborhood amenities or project infrastructure. All other uses will be prohibited unless an alteration is made to the approval. It is the applicant’s intention to develop the site for a single family residential subdivision. There are 106 proposed residential units on the subject parcel.

The minimum lot size proposed is 6,800 sq. ft. and a proposed maximum height of forty (40) feet. Setbacks of this conditional rezoning are below:

	<b>Proposed Setbacks (in feet)</b>	<b>RP Zoning District Setbacks (in feet)</b>
Front Yard	5	30
Side Yard	5	10
Corner Yard	5	15
Rear Yard	10	25
Chord Length	40	30

*Utilities*

The Applicant is proposing a public water connection to Pender County Utilities and all review and approvals for the public water service are per Pender County Utilities Department. An intent to service letter was provided by the applicant on behalf of Old North State Water Company LLC. to service 110 single family residential units. The applicant shall work directly with Old North State Water Company LLC. and Pender County for wastewater approval for service to each phase of the development prior to final approval. Old North State Water Company LLC. currently operates the Majestic Oaks wastewater package plant and the subject parcel is proposing connection into the same plant for wastewater services.

#### *Open Spaces*

The applicant is required to provide 3.18 acres of open space with at least 1.59 acres of active open space.

#### *Recreational Units*

With 106 lots proposed the applicant is required to provide 1.5 recreational units, which equates to \$15,000. The Applicant intends to develop the recreation facilities within the subject property; a commercial outdoor fitness equipment for the residents to utilize while they are walking throughout the subdivision. There are also "senior playgrounds" where unit has component that are geared toward increasing the balance, coordination and agility of the adult users.

#### *Public Roadways*

A public collector roadway will connect Forest Sound Road (private) to Second Street (SR 1616). This roadway is recommended in the 2007 Coastal Pender Collector Street Plan in Figure 4.1 as a priority new collector with bicycle facilities.

#### *Private Roadways*

The Applicant has provided evidence of legal rights for ingress and egress through Forest Sound Road (private) from the subject property. The access point and use of Forest Sound Road (private) shall be in accordance with the current HOA of Forest Sound and their road maintenance agreement on this private roadway.

#### *Traffic*

A Traffic Impact Analysis (TIA) is required for this development.

#### **Public Input Meeting Summary:**

According to Pender County Unified Development Ordinance Section 3.4.3, prior to scheduling a public hearing on the rezoning application, the applicant must conduct one public input meeting. On September 2, 2015 the Applicant held a Community Meeting at the Auditorium of the Hampstead Annex at 4:30PM in accordance with Section 3.4.3 of the Pender County Unified Development Ordinance. Approximately sixty (60) citizens were present at the meeting; concerns raised at this community meeting include but were not limited to;

1. type of product and the projected price point
2. timeframe for construction build out
3. impact on schools
4. planned roadway improvements and the coordination of the U-5732 Hampstead Superstreet

5. traffic and safety at Forest Sound Rd. (private) driveway with US HWY 17
6. maintenance of Forest Sound Rd. (private)
7. construction traffic
8. wetlands, drainage and other environmental impacts
9. safety of neighborhood and the private boat ramp
10. the unknown potential of the stub connection shown on the southwestern portion of the proposal
11. future land use and growth patterns of the County
12. appropriate buffers
13. buildout if the conditional rezoning proposal is not approved
14. utilities connections.

Following the Community Meeting, the Applicant has met with Forest Sound HOA Representatives to devise a list of mutually established conditions to further expand upon on the concerns.

**Approval:** On November 23, 2015 the Pender County Board of Commissioners approved a zoning map amendment for a conditional rezoning from RP, Residential Performance zoning district to RM, Residential Mixed conditional zoning district 1 as described herein.

**Conditions of Approval:**

The conditions for this project as approved by the Board of County Commissioners are as follows:

1. Uses allowed shall be limited to one hundred and six (106) Single Family Detached Conventional housing type as defined typical neighborhood amenities and project infrastructure, as well as an approved telecommunication tower (Case 10965). A “single-family detached residence” shall be a dwelling unit located on a single lot with private yards on all four sides.
2. The Applicant shall submit an approved Traffic Impact Analysis (TIA) prior to the approval of any phases of the development proposal.
3. Buffers
  - a. The project shall provide a twenty (20) foot buffer within common area along Forest Sound Road (private) where single family lots are proposed and are adjacent to the private road right of way through a combination of existing vegetation and supplemental plantings to preserve community cohesiveness with the adjacent Forest Sound neighborhood to the extent practical. Buffer plantings shall be installed in addition to existing natural growth on the property where existing vegetation and natural growth does not meet the required buffer.

The plantings shall consist of indigenous trees and shrubs such as but not limited to; wax myrtles, red cedars, oak species, maples and other similar species. The specific plantings shall have a minimum plant size in accordance with the Pender County Unified Development Ordinance (Section 8.1.6) including; for canopy trees a minimum of a two (2) inch caliper measured at four and a half (4.5) feet above ground and planted thirty (30) feet on center or as a mature canopy tree may dictate and for understory trees a minimum of four (4) feet in height at planting.

Landscape and buffer maintenance shall be the responsibility of the homeowners association and referenced within the restrictive covenants and subsequently recorded in the Pender County Register of Deeds. All buffer installation is required prior to the Final Plat approval of any phase.

b. Applicant met with adjacent property owners located on Second Street (SR 1616) where the platted right of way exists located within the legal description of "Lot 1 & 2" and "Lot 19 & 20" on Map Book 8 Page 27 Hampstead on the Sound Section 5 and both parties agreed to mutually define, establish, and install a landscape buffer equal to ten (10) feet in width measured from the outside boundary of the NCDOT right of way identified as Second Street (SR 1616) and the side yard of each property aforementioned.

The plantings shall consist of indigenous trees and shrubs such as but not limited; to wax myrtles, red cedars, oak species, maples and other similar species as available. The specific plantings shall be a minimum of two (2) inch caliper. All buffers shall be installed by the Applicant at Applicant's expense and maintained by property owners as mutually agreed upon.

The developer shall work with NCDOT in the installation of any additional driveway accesses requested by the property owners on Second Street (SR 1616) and culverts, if any, to allow for access to existing rear yards.

c. The project shall contain a twenty (20) foot landscape easement measured from the rear of the lots on the eastern property boundaries (Grovediere Lane), specifically lot numbers 20-23 as depicted on the Conditional Rezoning Site Plan dated September 14, 2015. The easement shall require the Applicant and property owners for these lots to maintain existing and natural vegetation. The easement shall serve as a perpetual vegetative buffer between adjacent properties. Responsibility of maintenance shall be conveyed to each individual property owner and referenced and enforced by the rights conveyed to the homeowners association through the bylaws and restrictive covenants recorded at the Pender County Register of Deeds.

#### 4. Roadways

a. The Applicant shall collaborate with the Forest Sound Homeowners Association, herein FSHA, to devise a Road Maintenance Agreement specifically to address improvements and long-term maintenance of Forest Sound Road (private) from the site entrance to US HWY 17. The applicant has agreed to resurface Forest Sound Road (private) and enter into a mutually satisfactory Agreement, herein "Agreement", with the FSHA to effectuate the same. The Agreement will define the resurfacing to meet or exceed the current NCDOT Subdivision Roads (Secondary Roads) Standards for resurfacing. All improvements are required prior to the approval of Final Plat for any phase.

b. If there are any changes requested to the site plan presented with this Conditional Rezoning or if additional single family residential structures are proposed, the project shall be reevaluated in accordance with Pender County Unified Development Ordinance standards. If future development is proposed, roadway connection to Davis Road and Lea Drive Extension (SR 1614) will be reevaluated.

5. The Applicant and FSHA have collaborated independently from Pender County to mutually agree upon a private agreement to assist in alleviating some of the concerns FSHA expressed as a result of the proposed development. Some of the terms and conditions of the private agreement contain provisions for the following;

- a. Privacy through funding a private gate entrance designed and maintained by FSHA.
- b. Formal education by Applicant delivered to each future homeowner of the proposed residential subdivision through written documents, such as but not limited to Restrictive Covenants, maps, and notices, outlining the easements, buffers and various private property areas of the FSHA and the necessary legal requirements to adhere to the private property restrictions in place to protect unauthorized access of the same.

6. The applicant shall direct site work involved with the construction of the project to the greatest extent possible to ingress on Second Street (SR 1616 )and egress on Forest Sound Road (private) to distribute traffic equitably as not to decrease service at any intersection or negatively increase safe conditions to the network (Added at 11/23/2015 Board of County Commissioners Meeting).

**ATTACHMENT 4:**  
**TRC Comments**



## Technical Review Committee Review and Response

**Project Title:** Forest Sound Boat Storage Conditional Rezoning  
**Case Number:** REZONE 2024-66  
**TRC Meeting Date:** 04/04/2024  
**Planning Board:** TBD  
**Board Hearing (if applicable):** TBD  
**Date of Review:** 03/21/2024

### **Outstanding Requirements per Section 3.3.9.B of the Pender County Unified Development Ordinance:**

The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Administrator no less than 1:50 scale. Outstanding ordinance standards are illustrated below in black with corresponding **staff comments in red**.

#### B. Conditional Rezoning

##### 1) Intent

A conditional zoning district (aka "CZ") 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, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements.

##### 2) Application Requirements

- a) Contents of Application – at a minimum, the following (and a description) shall be required for a conditional zoning district to be considered:
  - i) A list of all uses proposed for the district, which shall be of equal descriptiveness and in the same format and description as listed in the Table of Permitted Uses from this Ordinance.  
**Please include NAICS code for all proposed uses on the site plan.**
  - ~~ii) A list of all setbacks and dimensional standards for every proposed use, which shall be of equal descriptiveness and in the same format and description as listed in the Zoning District Dimensional Requirements, from this Ordinance.~~
  - ~~iii) A sketch plan drawn to a suitable scale, with supporting information and text which specifies the location of the use or uses intended for the property and any development or dimensional standards to be approved as part of the establishment of the conditional rezoning district.~~
  - iv) The sketch plan shall include the following items:
    - ~~a) Delineation of all Areas of Environmental Concern and Resource Conservation Areas including but not limited to federal jurisdictional wetlands.~~
    - ~~b) For residential uses, the number of units, heights, and a generalized location.~~
    - c) For non-residential uses, the height, approximate footprint, and location of all structures.

**You mentioned having a maximum building height of 40'. Please clarify what structures are proposed and why there would be a 40' height allowance. No structures were shown on the site plan.**

- d) Traffic generation calculations and/or Traffic Impact Analysis if required by this Ordinance, parking and circulation plans illustrating dimensions, intersections, and typical cross sections.

**Clarify if the trip generation data was informed by the most recent trip generation manual.**

- e) All proposed setbacks, buffers, screening, and landscaping

**Clarify type(s) of plantings in areas where existing landscape will not be used.**

- ~~f) Phasing~~

- g) Signage

**Will there be any signage? If so, please show it to the plan. This will go through a separate permitting process but needs to be reflected on the plan.**

- ~~h) Outdoor lighting~~

- ~~i) Current zoning district designation and current land use status~~

- j) 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.

C) Public Input Meeting

- ii) 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, per Section 3.1.3.

**Please email us the summary of the public input meeting once it has been held. See Section 3.1.3 of the UDO for requirements.**

**Additional Technical Review Committee Comments:**

**Vence Dodge, Environmental Health, 910-259-1233, [vdodge@pendercountync.gov](mailto:vdodge@pendercountync.gov)**

See attached sheet.

**Jamar Johnson, WMPO, 910-343-3915 ([Jamar.Johnson@wilmingtonnc.gov](mailto:Jamar.Johnson@wilmingtonnc.gov))**

See attached sheet.

**Mike Dickson, Pender County GIS, 910-259-1442, [mdickson@pendercountync.gov](mailto:mdickson@pendercountync.gov)**

See attached sheet.



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

**MEMORANDUM**

**To:** Pender County Technical Review Committee  
**Date:** 4/4/24  
**Subject:** Forest Sound Boat Storage

**Comments:**

- Provide turning templates of the largest design vehicle to access the site.

**NCDOT Projects:** n/a

**WMPO 2045 Projects:** n/a

**Pender County CTP:** n/a

**TIA:** Based on the ITE Trip Generation 11<sup>th</sup> Edition, a TIA is not required.

Land Use (ITE Code)	Intensity	Unit	24 Hour Volumes	AM Peak Hour Trips	PM Peak Hour Trips
ITE 151 Mini-Warehouse	1.54	Storage Units (100s)	28	2	3

Note: There is no true analogous ITE Land Use Code for a boat/recreational vehicle storage development. Trips generated may be higher or lower for the actual development.

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 Wayne • The Fear Public Transportation Authority • North Carolina Department of Transportation



**Technical Review Committee Review and Response**

Date: = 26 March 24  
Name: Vence Dady  
Phone: 259-1233

Case Name: Rezone 2024-66  
Agency: EH  
Email: \_\_\_\_\_

Requirements:

Recommendations:

Comments:

DEQ rule (15A2H.01069F) includes language for "individual non-commercial vehicle washing operations". They need to verify a way to dispose of wastewater for the wash down area.

Information Requested:

Please Follow Up Prior to Meeting: Yes  No

If the wash down area has a solid surface with floor drains, ~~the~~ the PCHD may need to permit ~~the~~ this as in <sup>Page 57 of 74</sup> industrial waste. Vence Dady



**Technical Review Committee Review and Response**

Date: \_\_\_\_\_

Case Name: \_\_\_\_\_

Name: \_\_\_\_\_

Agency: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Requirements:

Recommendations:

Comments:

Information Requested:

Please Follow Up Prior to Meeting: Yes      No

**ATTACHMENT 5:**  
**Public Input Meeting Packet**

## Public Input Meeting-The Sanctuary at Forest Sound

### Summary

The Applicant held a public Input Meeting on Friday April 12<sup>th</sup> from 2:00-3:00 pm at the Hampstead Public Library Branch. The meeting was well attended. In addition to noticing the mandated adjacent property owners, the Applicant also notified the Board Director of Forest Sound to notify the entire Forest Sound Community. In addition, the Applicant notified The Sanctuary at Forest Sound HOA management company, CEPCO, for them to also invite the owners as a group.

The Meeting was well attended. We had 53 individuals arrive at the beginning of the presentation or intermittently. At the presentation we had a map of the Project for review on an easel and Robert Jackson presented the scope and details of the Boat/RV private storage facility.

The breakdown of the attendees where 42 attendees from Forest Sound that generally opposed to the Zoning Amendment and 11 attendees from The Sanctuary that were in favor of the Zoning Amendment.

### Those in attendance in opposition-comments-42 people:

- The Applicant/Developer has already accessed the private road known as “Forest Sound Road” and more than one access would create a burden on the private road. The general rationale for these comments were as follows.
  - In their analysis the Warranty Deed language only requires them to provide one ingress and egress to The Sanctuary
  - A Boat/Trailer/RV Storage would be harmful the environment because trees would have to be removed.
  - The existing Forest Sound subdivision has deferred maintenance on their internal private roads and their causeway needs replacement/repairs and they don’t have the reserves to maintain any other additional traffic on their road.
  - The developers should have planned to have an access from Lea Drive to their facility instead of Forest Sound Drive
  - They would be fine with a boat/rv/trailer storage if it did not use their roadway
  - They would rather have a pool or other amenity but not the one proposed
  - They would be OK with the location and project if we would agree in writing to repair any damage we created on the adjacent shoulders to the ingress and egress to the Project as we construct the facility.
  - Please make sure the design allows for ample width and tapers so that trailers don’t run off the road/asphalt
  - Why didn’t the developer tell us upfront that this was going to be the amenity and location?

- We feel like this is a bait and switch and in the end, you will rent spots in the facility to outside parties
- Lighting, what type of lighting are you proposing?
- We were never told when we purchased in our project that the property owner of your project would have access to Forest Sound Road
- You are proposing more spaces than lots, why?
- What kind of visibility will we have to the amenity from the road?
- Several in opposition to the project came up after the meeting and said if we have a legal right to ingress and egress Forest Sound Road the bulk of people in opposition would be “ok” with our proposal, that using their private road is the main underlying objection. In fact many people suggested that if we accessed the facility through our property or Lea Drive they would support the proposal and be in favor.

**Those in attendance in Favor-comments-11 attendees:**

- The general support of the project was very favorable.
  - Typical amenity for dozens of existing Pender County and coastal county residential subdivision
  - Allows for and encourages outdoor activities such as boating, camping/rvs, etc
  - Allows people that can’t afford waterfront access to have boats to use with their families at public boat ramps, wildlife ramps, and nearby lakes etc
  - Several people stated that having subdivisions with boat/rv storage is more appealing than the zoning/permitting storage yards on the primary roadways like Highway 17 and other secondary roads which create a hazard when pulling out, or when backing into or pulling out of private driveways with limited visibility.
  - Owners stated that they, as an HOA, agreed during the initial zoning hearing to engage in a private agreement which mandated they maintain 50% of the shared private road known as Forest Sound and have done so to date, also the developers paved the road with new asphalt using NCDOT specifications costing on excess of \$84,000 and remitted \$40,063 for a private security gate.
  - The Forest Sound traffic has been diverted to Second Street through the Sanctuary Project and has decreased the traffic on their private road by more than 50% and resulted in speeding and hazardous situations through our neighborhood.

**RESULTS**

- The applicant agreed to have an attorney representing the Applicant contact the Forest Sound HOA attorney to discuss the concern of using Forest Sound Road
- The Applicant assured those in attendance that the current zoning and the proposed zoning amendment would NOT allow any outside parties to “rent” or purchase a boat/rv space from the Applicant, a developer or an Owner in the project. That the Pender UDO prohibited that legally and could be prevented.

- The Applicant reiterated that this was not a “for profit” amenity and that only the owners of record in The Sanctuary would have legal access and use of the facility.
- The Applicant agreed that the only lighting at the facility would be a security light motion activated at the gate for ingress and egress and to enter a gate code and that the operating hours would be 30 minutes before sunrise and 30 minutes after sunset.
- The Applicant agreed to repair or replace any damage to Forest Sound road that incurred due to construction of the amenity, the Applicant is already liable for 50% of any damages legally but that they would agree to pay 100% if such costs were connected to the construction phase.
- The Applicant agreed to keep the access gate 160’ per plan from the road so that ample space for ingress and egress existed and visibility from the road would be limited.

#### **Meeting Roster**

**Attached,** The Meeting Roster was at the presenters table from the inception of the Meeting and was available for people to sign. However, it was not circulated during the meeting so very few people signed the Roster. However, I did remind people at the conclusion the meeting to feel free to sign in if desired. I did have a scribe at the meeting, and they logged in and did a head count of each attendee and who was in favor and opposed as stated in the Summary. 5 people departed early from the meeting due to fire code regulations of standing on the hallway and those attendees were logged in as in opposition.

Public Input Meeting  
Sanctuary at Forest Sound

Pender County Property Owners  
Adjacent to the Subdivision Known as Sanctuary at Forest Sound  
(Criteria 500' from Property)

Dear Property Owner:

KG Plaza, LLC is pleased to inform the adjacent property owners of a forthcoming **Public Input Meeting** to inform any interested parties the description and scope of our proposed Sanctuary at Forest Sound private storage area for recreational vehicles (boat/trailers/rvs/campers).

Our proposed amenity would encompass a portion of land already included in our existing Parcel, currently identified on the rezoning plat as "Undeveloped Common Area".

The Application to Pender County included details such as a 160' setback from Forest Sound Road and a 30' street yard buffer. As an HOA amenity, the storage facility would only be accessible by Sanctuary at Forest Sound Property Owners.

You are welcome to attend the scheduled Public Input Meeting as follows:

**Pender Public Library  
Hampstead Branch, "Hampstead Meeting Room"  
75 Library Drive  
Hampstead, NC 28443**

**2:00 pm – 3:00 pm  
Friday April 12<sup>th</sup>, 2024**

The representatives from KG Plaza, LLC attending the meeting will answer any other questions you may have.

Sincerely,

KG Plaza, LLC  
Declarant/Developer

## **Sanctuary @ Forest Sound Public Input Meeting Roster**

Jennifer and Joshua Moss, 31 Abaco Way

Megan Illing 29 Man O War Ln

Casey Haflett 215 Abaco Way

George Maxwell 17 Man O War Ln

Chris Koelling

Sharon Cruz 66 Lyford

Marco Klarenbeek 65 W Aboco Way

Sharon Trinetto

Joseph Trinetto

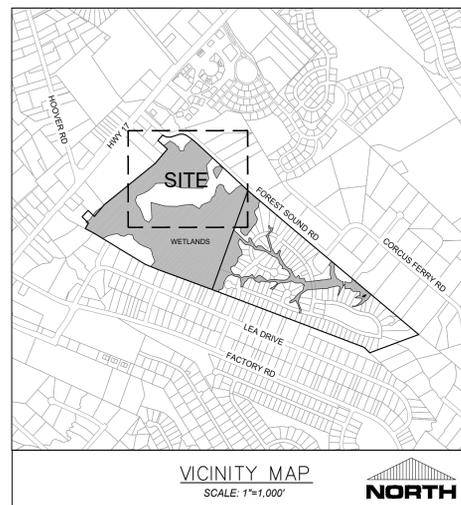
Brandon Meier 31 Alydar Ct

Joshua & Jennifer Moss 31 Abaco

Matt Mooney 711 Corcus Ferry

Brooke Conner 105 Hilltop Lane

**ATTACHMENT 6:**  
**Original Site Plan**



**SITE INFORMATION**  
**PROJECT ADDRESS:** FOREST SOUND ROAD  
 HAMPSTEAD, NC 28443  
**PARCEL ID:** 3292-17-8903-0000  
**PROPERTY OWNER:** KG PLAZA LLC  
 8620 RIVER ROAD  
 WILMINGTON, NC 28412  
**CURRENT ZONING:** RM-CD1  
**PROPOSED ZONING:** RM-CD1  
**USE AREA (DRIVEWAY AND FENCED AREA):** ±4.51 ACRES OR 196,492 SF  
**PARCEL AREA:** ±60.5 ACRES OR 2,635,380 SF  
**RM-CD1 DISTRICT AREA:** ±119.19 ACRES OR 5,191,901 SF  
**CURRENT USE:** UNDEVELOPED  
**PROPOSED USE:** RECREATIONAL VEHICLE STORAGE (BOATS, RVs, CAMPERS, TRAILERS)  
**FLOOD INFORMATION:** THIS SITE IS NOT LOCATED IN SPECIAL FLOOD HAZARD AREA AS NOTED ON FEMA FLOOD PANEL 3720329200J, BEARING AN EFFECTIVE DATE OF FEBRUARY 16, 2007

**DIMENSIONAL STANDARDS**

	MIN. PROPOSED
FRONT SETBACK:	30'
SIDE SETBACK:	30'
REAR SETBACK:	30'
STREET YARD BUFFER:	30'
SITE BOUNDARY BUFFER:	30'
MAX STRUCTURE HEIGHT:	40'

**BUFFERS**  
 EXISTING VEGETATION SHALL BE CREDITED TOWARD THE PLANTING REQUIREMENTS WITHIN THE PROPOSED BUFFERS. ADDITIONAL LANDSCAPING SHALL BE PLANTED IN AREAS WHERE THE EXISTING VEGETATION IS NOT COMPLIANT WITH THE BUFFER REQUIREMENTS.

**OUTDOOR LIGHTING**  
 STREETLIGHT LOCATIONS SHOWN ON PLAN ARE PRELIMINARY. ALL OUTDOOR LIGHTING SHALL NOT CAST DIRECT LIGHT BEYOND THE PROPERTY LINE.

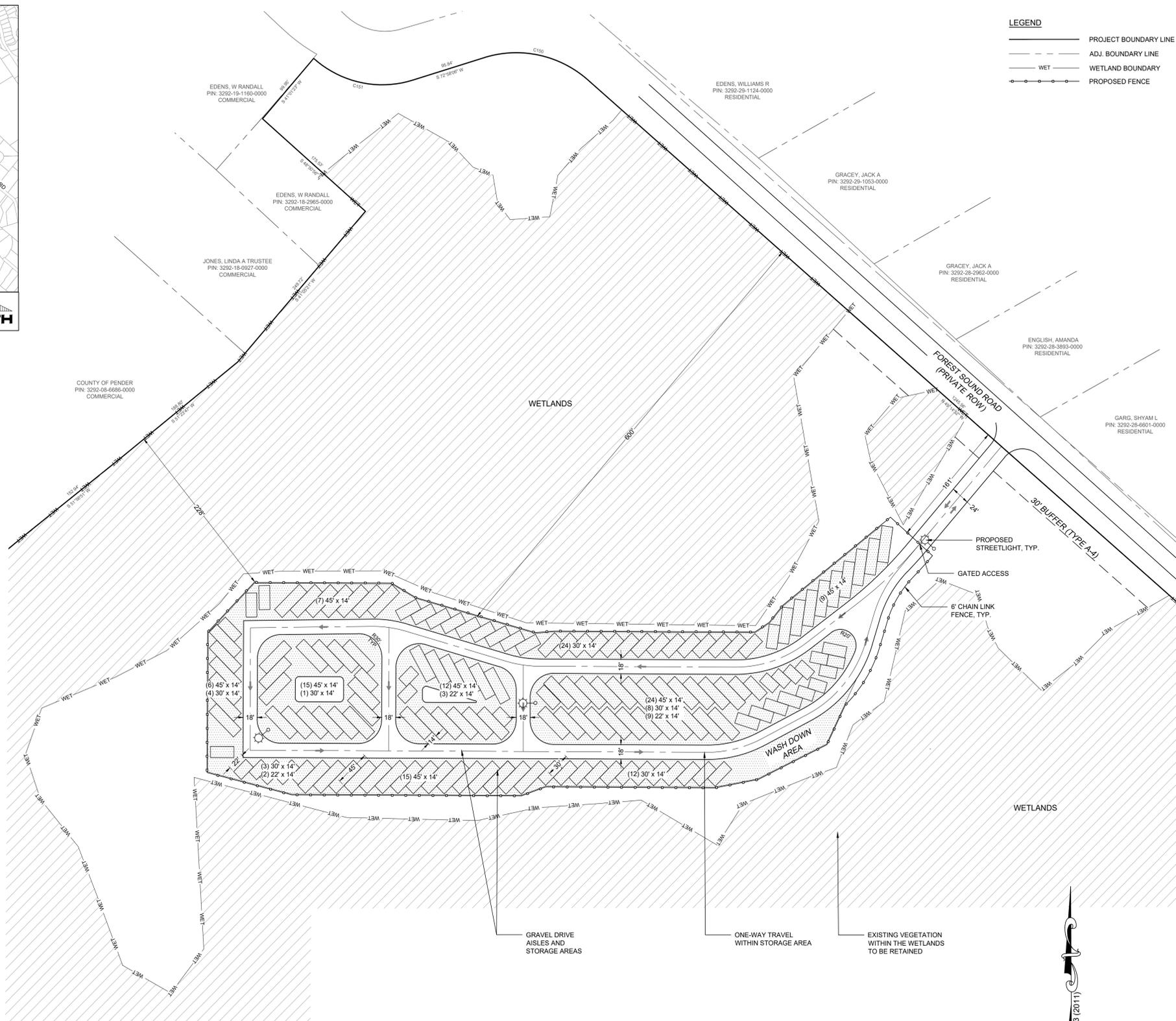
**UTILITIES**  
 WATER SERVICES TO BE COORDINATED WITH PENDER COUNTY ENGINEERING AND PROVIDED BY PENDER COUNTY UTILITIES.

**STORMWATER MANAGEMENT / EROSION CONTROL**  
 1. STORMWATER AND EROSION CONTROL MEASURES WILL BE HANDLED ON SITE IN COMPLIANCE WITH ALL STATE AND COUNTY STORMWATER AND EROSION CONTROL STANDARDS.  
 2. DRIVE AISLES AND STORAGE AREAS SHALL CONSIST OF PERVIOUS GRAVEL SURFACING WITH NO.57 STONE AND A GEOTEXTILE FABRIC.

**PHASING**  
 1. PROJECT WILL BE PHASED. PHASE BOUNDARIES WILL BE BASED ON MARKET CONDITIONS. PRIOR TO CONSTRUCTION OF A PHASE, ALL APPLICABLE APPROVALS MUST BE OBTAINED FROM PENDER COUNTY.

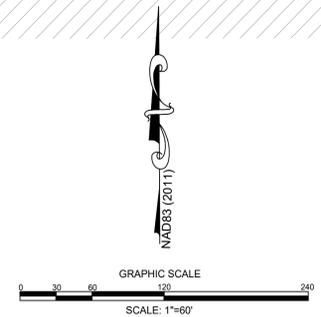
**TRIP GENERATION**  
 1. THE PROPOSED PROJECT WILL NOT EXCEED 100 PEAK HOUR TRIPS AND 1,000 DAILY TRIPS. A TRAFFIC IMPACT ANALYSIS IS NOT REQUIRED.  
 2. TRIP GENERATION NUMBERS ARE BASED ON ITE CODE 420, MARINA, AND 154 STORAGE SPACES.

AM PEAK:	19 TRIPS
PM PEAK:	32 TRIPS
DAILY:	371 TRIPS



**LEGEND**

	PROJECT BOUNDARY LINE
	ADJ. BOUNDARY LINE
	WETLAND BOUNDARY
	PROPOSED FENCE



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

<p><b>REVISIONS:</b></p> <table border="1" style="width: 100%; height: 40px;"> <tr> <td style="width: 5%;"> </td> <td style="width: 10%;"> </td> <td style="width: 85%;"> </td> </tr> </table>				<p><b>CLIENT INFORMATION</b></p> <p><b>KG PLAZA, LLC</b>          3722 SHIPYARD BLVD, SUITE G          WILMINGTON, NC 28412</p> <p><b>PARAMOUNT ENGINEERING</b>          122 Cicero Drive          Wilmington, North Carolina 28403          (910) 791-6707 (O) / (910) 791-6700 (F)          NC License #: C-2846</p>	<p><b>PROJECT STATUS</b></p> <p>CONCEPTUAL LAYOUT:          PRELIMINARY LAYOUT:          RELEASED FOR CONSTRUCTION</p> <p><b>DRAWING INFORMATION</b></p> <p>DATE: 02/29/24          DRAWN BY: [Redacted]          CHECKED BY: [Redacted]          DESIGNED BY: [Redacted]          CHECKED BY: [Redacted]</p>
<p><b>CD REZONING SITE PLAN</b></p> <p><b>SANCTUARY AT FOREST SOUND</b>          PENDER COUNTY          NORTH CAROLINA</p>					
<p><b>C-2.0</b></p> <p>PEI JOB#: 24131.PE</p>					

**ATTACHMENT 7:**  
**Right-of-Way Agreement**  
**(1980)**

152

578-152

COPY

Filed for registration on the 12 Day of May 1980. At 4:50 clock P.M.  
 and registered in the office of the Register of Deeds  
 for Pender County in Book No. 578 Page 152  
Hugh Overstreet Jr.  
 RIGHT-OF-WAY EASEMENT  
 CP Register of Deeds for  
 PENDER COUNTY

5.00  
Mary Reed

STATE OF NORTH CAROLINA  
 COUNTY OF PENDER

This right of way agreement, made and entered into this 12th day of May, 1980 by and between Forest Sound Development Corporation, a North Carolina Corporation, party of the first part, herein called grantor, and L. E. Howard and wife, Florine Howard, Sandra Faye Howard Meadows and husband, Kelly L. Meadows, Linda Kaye Howard Taylor and husband, James M. Taylor, Wallace M. Reed and wife, Mary W. Reed, parties of the second part, herein called Grantees.

WITNESSETH

For and in consideration of ten (\$10.00) dollars and other good and valuable considerations, the receipt of which is hereby acknowledged grantor does hereby grant, bargain, sell and convey to grantees and their heirs and assigns a perpetual easement and right of way over and across the lands of party of the first part, said right of way being more particularly described as follows:

Lying and being in Topsail Township, Pender County, North Carolina and more particularly described as follows:

Being those certain roadways shown on a map entitled "Map of Survey for Forest Sound", as surveyed by Johnie C. Garrason, Registered Land Surveyor, and recorded in Map Book 18 at Pages 45 and 46 of the Pender County Registry, said roadways being named on said map as "Forest Sound Road, Corcus Ferry Road, and Howard's Lane."

To have and to hold said easement and right of way with all privileges and appurtenances thereunto belonging to the said grantees, their heirs, successors and assigns forever, for the uses hereinafter set forth:

The purposes of ingress and egress to and from U. S. Highway 17 and property owned by the parties.

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed in its corporate name by its president and attested by its secretary, the day and year first above written.

FOREST SOUND DEVELOPMENT CORPORATION  
 BY: Alexander M. Hall  
 Alexander M. Hall, President

ATTEST  
Patsy A. Stevens  
 Patsy A. Stevens, Secretary



TRAWICK AND  
 POLLOCK  
 Attorneys at Law  
 P.O. Drawer 956  
 Burgaw, North Carolina  
 28425

STATE OF NORTH CAROLINA

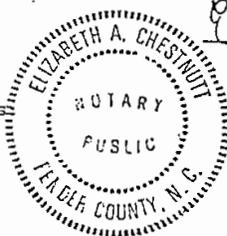
COUNTY OF PENDER

I, Elizabeth A. Chestnut, a Notary Public of the County and State aforesaid, certify that Patsy A. Stevens personally came before me this day and acknowledged that she is Secretary of Forest Sound Development Corporation a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its Corporate seal and attested by her as its Secretary.

Witness my hand and official stamp this 12th day of May, 1980.

My commission expires

7/18/83



Elizabeth A. Chestnut  
Notary Public

NORTH CAROLINA, PENDER COUNTY  
The foregoing or annexed certificate of

Elizabeth A. Chestnut

This instrument was presented for registration and recorded in this Office at Book 578, Page 152.  
Notary Public/Notaries Public is/are certified to be correct.

This 12 day of May, 1980 at 4:57 o'clock P.M.

HUGH OVERSTREET, JR.  
Register of Deeds

By Carlynn Padgett  
Assistant Register of Deeds

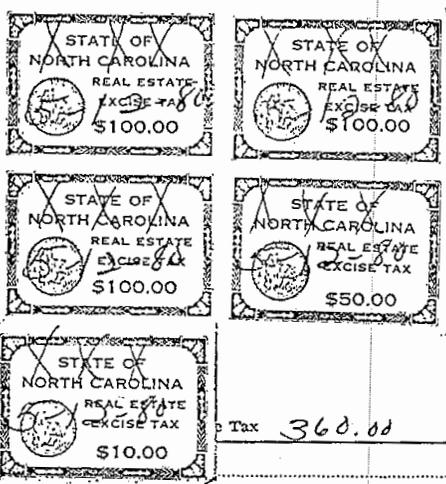
TRAWICK AND  
POLLOCK  
Attorneys at Law  
P.O. Drawer 956  
Burgaw, North Carolina  
28425

**ATTACHMENT 8:**  
Warranty Deed (1980)

157

578-151

COPY



Filed for registration on the 12 Day of May 1980 At 4:52 O'clock P.M.  
 and registered in the office of the Register of Deeds for Pender County in Book No. 578 Page 151  
Hugh Overstreet Jr.  
 CP Register of Deeds for PENDER COUNTY

Tax 360.00

Recording Time, Book and Page 7.00

Tax 360.00 Parcel Identifier No. \_\_\_\_\_  
 Verified by [Signature] County on the \_\_\_\_\_ day of \_\_\_\_\_, 1980  
 by \_\_\_\_\_

Mail after recording to \_\_\_\_\_

This instrument was prepared by Alexander M. Hall, Nelson, Smith & Hall  
 Brief description for the Index \_\_\_\_\_

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 12 day of May, 1980, by and between

GRANTOR	GRANTEE
L. E. HOWARD and wife, FLORINE W. HOWARD PENDER COUNTY, NORTH CAROLINA	FOREST SOUND DEVELOPMENT CORPORATION NEW HANOVER COUNTY, NORTH CAROLINA

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of \_\_\_\_\_, \_\_\_\_\_ Township, Pender County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" Attached hereto and Incorporated herein.

N.C. BAR Assoc. Form No. 3 © 1975, Revised 1977.

The property hereinabove described was acquired by Grantor by instrument recorded in .....

A map showing the above described property is recorded in Plat Book ..... page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Grantors hereby reserve unto themselves, their heirs, successors, assigns, personal representatives, and invitees, for ingress and egress to and from U.S. highway #17 and property being retained by grantors, over and across that portion of the property hereinabove conveyed described as follows: Those certain roadways as shown on that certain map entitled "Map of Survey of Forest Sound" said map being recorded in Map Book 18 at Page 45 and 46 of the Pender County Registry, said roadways being named - Forest Sound Road, Corcus Ferry Road and Howard's Lane.

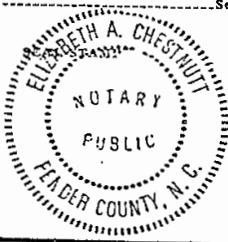
All marshlands conveyed in this deed are excepted from the warranty clause of said conveyance.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)
President
ATTEST:
Secretary (Corporate Seal)

USE BLACK INK ONLY

L. E. Howard (SEAL)
Florine W. Howard (SEAL)
(SEAL)
(SEAL)



NORTH CAROLINA, Pender County.
I, a Notary Public of the County and State aforesaid, certify that L. E. Howard and wife Florine W. Howard Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 12 day of May 1980
My commission expires: 7/18/83 Elizabeth A. Chestnutt Notary Public

SEAL-STAMP

NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19
My commission expires: Notary Public

The foregoing Certificate(s) of Elizabeth A. Chestnutt, Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Hugh Overstreet, Jr. REGISTER OF DEEDS FOR Pender COUNTY
By Carolyn Padgett Deputy/Assistant - Register of Deeds

## EXHIBIT "A"

## TRACT #1:

BEING all of Tracts 101, 102, 103, 104, 105, 106, 107, 108, 108A, 110, 111, 112, 113, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 128, 129, 133, 134, 135, 136, and 138; as shown on Sheets 1 of 2 and 2 of 2 on a map entitled, "Map of Survey of Forest Sound", as surveyed by Johnie C. Garrason, Registered Land Surveyor No. L-1347 of Wilmington, North Carolina, and as recorded in Map Book 18 at Page 45 and 46 of the Pender County Registry.

Subject to restrictive covenants established for Forest Sound as recorded in Book 578 at Page 145 of the Pender County Registry.

## TRACT #2:

BEGINNING at an iron pipe in the southeastern right-of-way line of U. S. 17 and N. C. 210, 50 feet from the centerline thereof, said beginning iron pipe being located North 46 degrees 44 minutes East 410.00 feet as measured along said right-of-way line from an existing concrete monument at the most northern corner of the tract conveyed to The Board of Education of Pender County, N. C. by deed recorded in Book 300 at Page 596 of the Pender County Registry, said concrete monument being located North 45 degrees 28 minutes 15 seconds East 55.67 feet from U. S. C. and G. S. Azimuth Mark Hampstead 2 1947; running thence from said beginning point, South 43 degrees 16 minutes East 400.00 feet to an iron pipe; running thence with a circular curve to the left having a radius of 74.1693 feet, and arc distance of 75.15 feet to an iron pipe that is located a chord bearing and distance of South 72 degrees 17 minutes 37 seconds East 71.98 feet from the preceding point; running thence North 78 degrees 40 minutes 45 seconds East 135.95 feet to an iron bolt in the run of Seventeen Mile Branch or Hansley Branch; running thence South 43 degrees 35 minutes East 148.83 feet to an iron pipe; Running thence with a circular curve to the left having a radius of 141.2533 feet, an arc distance of 142.34 feet to an iron pipe that is located a chord bearing and distance of North 72 degrees 27 minutes 07 seconds West 136.40 feet from the preceding point; running thence South 78 degrees 40 minutes 45 seconds West 95.95 feet to an iron pipe; running thence with a circular curve to the right having a radius of 134.1693 feet, an arc distance of 135.94 feet to an iron pipe that is located a chord bearing distance of North 72 degrees 17 minutes 37 seconds West 130.20 feet from the preceding point; running thence North 43 degrees 16 minutes West 400.00 feet to an iron pipe in the above-mentioned right-of-way line of U. S. 17 and N. C. 210; running thence with said right-of-way line, North 46 degrees 44 minutes East 60.00 feet to the beginning and being that portion of Forest Sound Road lying within the bounds of the lands conveyed from Floyd M. Hufham, et ux, to L. E. Howard.

Included within the above-described tract is the 30 foot drive as shown on a map of East Hampstead as recorded in Map Book 3, at Page 78, of the Pender County Registry.

## TRACT #3:

BEGINNING at an iron pipe in the southeastern right-of-way line of U. S. 17 and N. C. 210, 50 feet from the centerline thereof, said beginning iron pipe being located North 46 degrees 44 minutes East 410.00 feet as measured along said right-of-way line from an existing concrete monument at the most northern corner of the tract conveyed to The Board of Education of Pender County, N. C., by deed recorded in Book 300 at Page 596 of the Pender County Registry, said concrete monument being located North 45 degrees

28 minutes 15 seconds East 55.67 feet from U. S. C. and G. S. Azimuth Mark Hampstead 2 1947; running thence from said beginning point, South 43 degrees 16 minutes East 400.00 feet to an iron pipe; running thence with a circular curve to the left having a radius of 74.1693 feet, an arc distance of 75.15 feet to an iron pipe that is located a chord bearing and distance of South 72 degrees 17 minutes 37 seconds East 71.98 feet from the preceding point; running thence North 78 degrees 40 minutes 45 seconds East 135.95 feet to an iron bolt in the run of Seventeen Mile Branch or Hansley Branch; running thence with the run of said branch in a northwesterly direction to an iron pipe at the most easterly corner of a tract conveyed to Herby by deed recorded in Book 518 at Page 10 of the Pender County Registry, said iron pipe being located the following four chord bearings and distances from the preceding iron bolt, North 18 degrees 06 minutes West 63.81 feet North 46 degrees 51 minutes West 55.00 feet, North 10 degrees 32 minutes West 98.00 feet, and North 67 degrees 41 minutes West 43.16 feet; running thence with Herby's southeastern line, South 46 degrees 44 minutes West 189.20 feet to an iron pipe; running thence with Herby's southwestern line, North 43 degrees 16 minutes West 300.50 feet to an iron pipe in the above-mentioned southeastern right-of-way line of U. S. 17 and N. C. 210; running thence with said right-of-way line South 46 degrees 44 minutes West 20.00 feet to the beginning and containing 0.985 acres and being a portion of the lands conveyed from Floyd M. Hufham, et ux, to L. E. Howard.

Tract #4:

Being those roadways shown on a map entitled "Map of Forest Sound as recorded in Map Book 18 at Pages 45 and 46 known as Rorest Sound Road, Corcus Ferry Road, Jensen's Bluff Road, and Howard's Lane.



**Pender County**  
**REZONE 2024-67: Request to rezone one**  
**parcel totaling approximately 0.41 acres**  
**from the PD, Planned Development**  
**zoning district to the RP, Residential**  
**Performance zoning district in the**  
**Topsail Township**

---

**TO:** Planning Board  
**FROM:** Daniel Adams  
**DATE:** July 2, 2024  
**SUBJECT:** REZONE 2024-67: Request to rezone one parcel totaling approximately 0.41 acres from the PD, Planned Development zoning district to the RP, Residential Performance zoning district in the Topsail Township

---

**SUMMARY:**

Pender County Planning & Community Development, applicant, on behalf of CMH Homes, Inc. dba: Clayton Homes, owner, is requesting the approval of a General Use Zoning Map Amendment to rezone one parcel of land totaling approximately 0.41 acres from the PD, Planned Development zoning district to the RP, Residential Performance zoning district.

The subject property is located on Cole Drive approximately ¼ mile southeast of the intersection of Sloop Point Loop Road and Cole Drive in the Topsail Township. The property may be further identified by Pender County PIN 4213-48-6218-0000.

**ACTION REQUESTED:**

Hold a public hearing and consider the request.

**ATTACHMENTS:**

1. Staff Report
2. Application
3. Deed
4. Attachment 1: Table of Permitted Uses

**STAFF REPORT FOR REZONE 2024-67  
ZONING MAP AMENDMENT APPLICATION**

<b>APPLICATION SUMMARY</b>	
Case Number	REZONE 2024-67
Hearing Dates	July 2, 2024 – Planning Board
Applicant	Pender County Planning & Community Development
Property Owner	CMH Homes, Inc. dba: Clayton Homes
Parcel Identification Number (PIN)	4213-48-6218-0000
Acreage	±0.41 acres
Township	Topsail
Pender 2.0 Future Land Use Category	Coastal Residential

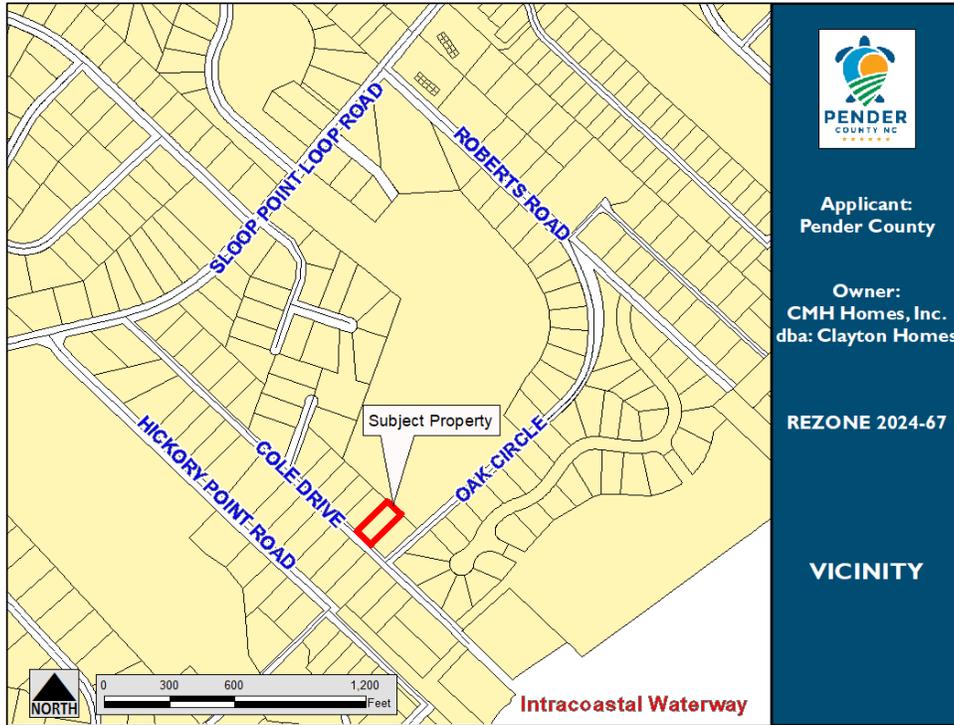
**REZONING PROPOSAL**

Pender County Planning & Community Development, applicant, on behalf of CMH Homes, Inc. dba: Clayton Homes, owner, is requesting the approval of a General Use Zoning Map Amendment to rezone one parcel of land totaling approximately 0.41 acres from the PD, Planned Development zoning district to the RP, Residential Performance zoning district.

**LOCATION**

The subject property is located on Cole Drive approximately ¼ mile southeast of the intersection of Sloop Point Loop Road and Cole Drive in the Topsail Township. The property may be further identified by Pender County PIN 4213-48-6218-0000.

Map 1: Vicinity Map



### REZONING PROPOSAL

Planning Staff and the owner are proposing to rezone approximately 0.41 acres from the PD, Planned Development, zoning district to the RP, Residential Performance, zoning district. Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the RP zoning district. Any future development of the site must comply with the standards of the RP zoning district and is subject to review and approval by staff and/or the Technical Review Committee (TRC) to ensure compliance with all applicable local, state, and federal regulations.

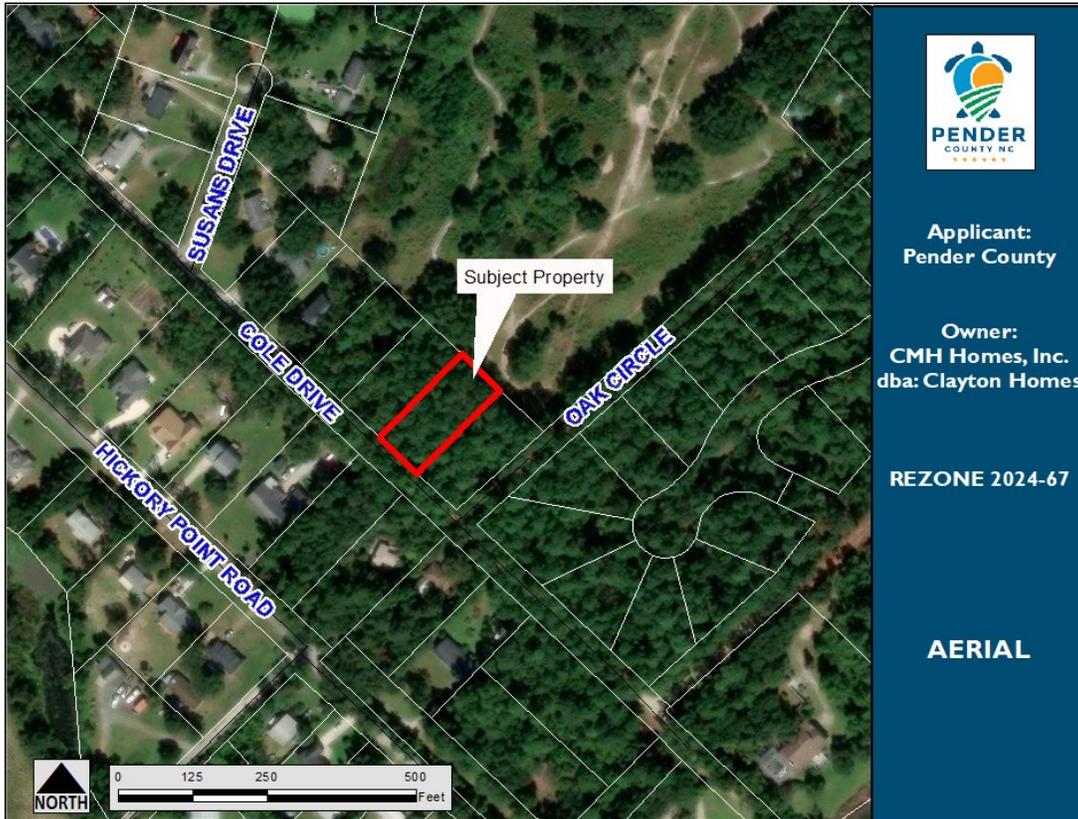
#### **Intent of the Residential Performance Zoning District (Proposed)**

The intent of the Residential Performance district is to allow for a variety of residential uses, densities, and limited commercial activities as well as agritourism.

#### **Intent of the Planned Development Zoning District (Existing)**

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general development standards.

Map 2: Aerial Map



**Dimensional Requirements**

As this is a general use rezoning, the standard setbacks in the RP zoning district would 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.

Table 1: RP Dimensional Standards*	
Front	30'
Side	10'
Rear	25'
Corner	15'
Max. Height	35'
Structure Separation	30'

\*The minimum lot size in this district is 15,000 square feet.

**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 zoning district. The table below provides a general list of typical land uses permitted in the RP zoning district. A comprehensive list of all uses from Section 5.2.3 of the Pender County Unified Development Ordinance (UDO) is included as Attachment 1.

Table 2: Summary of Permitted Uses in RP Zoning District	
<b>Residential Uses</b>	SFD-Detached: Conventional, Duplex; Accessory Dwelling Unit; Manufactured Home
<b>Commercial Uses</b>	≈ 18 uses by-right (Home Occupation; Public Administration; Family Child Care Home; Public Parks; Temporary Fruit & Vegetable Stands)
	≈ 33 uses w/ SUP (Cottage Occupations; Water Supply Facilities; Artisan Manufacturing; Food & Beverage Stores; Postal Services; Educational Services; Bed & Breakfast Inns; Religious Organizations; Telecommunication Facilities)

**TRANSPORTATION INFRASTRUCTURE**

**Access**

The subject property has direct access to Cole Drive, a private road. The parcel is approximately ¼ mile southeast of the intersection of Sloop Point Loop Road and Cole Drive.

**Traffic**

Traffic Impact Analyses (TIA) are not required for general use rezonings since a site-specific development plan is not required to be included as part of the proposal. Based on the size of the parcel (approximately 18,000 square feet) and available utilities, if the property were to be developed residentially, it would be limited to one single family home or manufactured home. That development density would not reach the threshold of requiring a TIA.

Table 3: NCDOT Annual Average Daily Traffic (AADT) – 2023				
Road	Location	Volume	Capacity	V/C
Sloop Point Loop Road	West of Country Club Drive	6,500	10,979	0.59

## OTHER INFRASTRUCTURE & ENVIRONMENTAL CONCERNS

### Utilities

Neither public water nor private sewer are available at this site. Public water lines and private sewer lines are in the area, so this site may have access to that infrastructure in the future. The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

### Schools

There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time. It is unlikely that the proposed rezoning would have any different impact on the school system as it would be limited to one single family dwelling unit due to its size.

Special Flood Hazard Areas	The subject property does not contain any Special Flood Hazard Areas. <sup>1</sup>
Wetlands	The subject property does not demonstrate characteristics of wetlands. <sup>2, 3</sup>
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC). <sup>4</sup>

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

<sup>2</sup> According to the NC Division of Coastal Management (NC DCM)

<sup>3</sup> According to the National Wetlands Inventory (NWI)

<sup>4</sup> According to the North Carolina Department of Environmental Quality (NCDEQ)

**EVALUATION**

**Surrounding Zoning**

The subject property is currently within the Planned Development zoning district. Properties in the immediate vicinity of the subject property are currently zoned Residential Performance and Planned Development as shown on the map and table below.

*Map 3: Zoning Map*

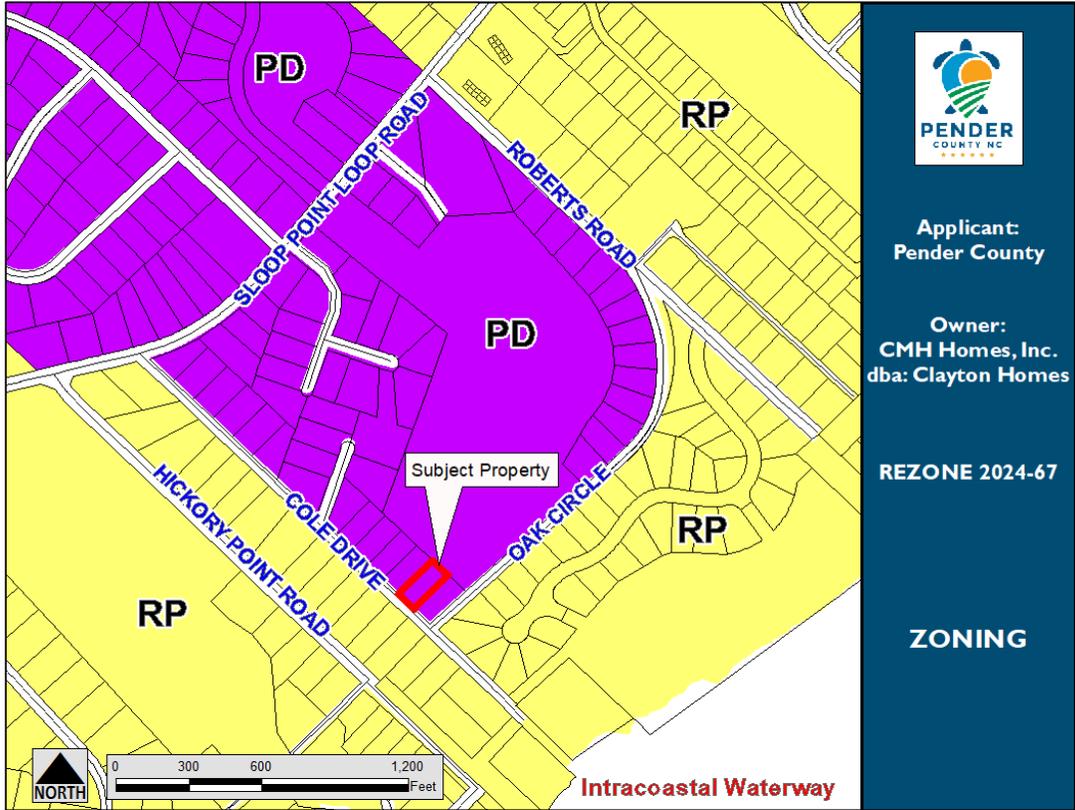


Table 5: Adjacent Uses and Zoning		
Direction	Land Use	Zoning
North	Vacant, Residential	Planned Development (PD)
East	Vacant, Residential	Planned Development (PD) Residential Performance (RP)
South	Residential	Residential Performance (RP)
West	Vacant, Residential	Residential Performance (RP) Planned Development (PD)

**Pender 2.0 Comprehensive Land Use Plan Compliance**

The subject property is within the Coastal Residential Future Land Use Category as designated by the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan (Comprehensive Plan).

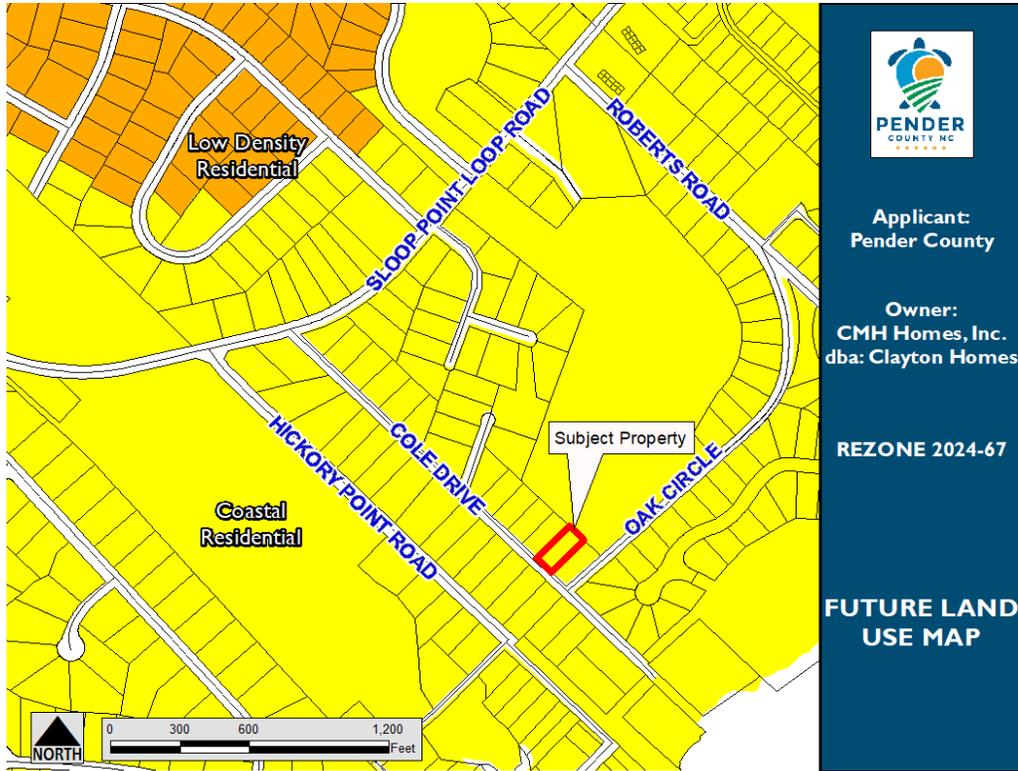
**Coastal Residential**

Supporting the County’s coastal character and natural habitat is a top priority for Pender County residents. To more appropriately preserve the County’s coastal character, the Coastal Residential future land use category is established. Coastal residential land uses are located east of the US 17 corridor and generally within a half-mile of estuarine waters such as coastal creeks and the Intracoastal Waterway. Appropriate uses include single-family residences, community recreation and open space uses, and water-based recreation uses (public and private). Unencumbered access to public trust coastal waters and maximum development setback from the shoreline is highly encouraged. Clustering of new communities is encouraged.

To support adjacent coastal surface water quality, low impact development (LID) is encouraged. In general, lots should maximize pervious surfaces. Tree preservation and mitigation is required for stormwater purposes and as a means of preserving the coastal habitat. Development density within this category is three dwelling units an acre or less. Water and sewer service are typically available in these areas.

<b>Table 6: Future Land Use Category</b>	
<b>Coastal Residential</b>	
<b>Desired Uses</b>	
<ul style="list-style-type: none"><li>• Single-family dwellings – detached</li><li>• Recreation, parks, and open space</li></ul>	
<b>Inappropriate Uses</b>	
<ul style="list-style-type: none"><li>• Single-family dwellings – attached</li><li>• Multi-family residential uses</li><li>• Commercial, office, and institutional development</li><li>• Industrial development</li></ul>	

Map 4: Future Land Use Map of the Area



### Pender 2.0 Comprehensive Land Use Plan Policy Evaluation

This proposal is supported by the following policies and goals within the Pender 2.0 Comprehensive Land Use Plan:

**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.

**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.

**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.

### STAFF EVALUATION AND RECOMMENDATION

Planning & Community Development Staff are submitting the proposed general use rezoning application for Planning Board consideration. This proposal is consistent with two policies and one goal of the Comprehensive Plan, which encourage the County to support a variety of housing types and preserve areas to be maintained for single-family residential development. Staff respectfully recommend approval of the proposal.

**COMPREHENSIVE PLAN CONSISTENCY STATEMENT:**

**TO APPROVE:** Motion to approve the Zoning Map Amendment and to make a finding that the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan; said approval is reasonable and in the public interest and furthers the goals of the Pender 2.0 Comprehensive Land Use Plan because it is consistent with the following policies as noted in the staff report:

- Policy 5.1.V
- Policy 5.1.W
- Goal 5.8

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

**PLANNING BOARD ACTION FOR GENERAL USE REZONING**

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

# **REZONE 2024-67**

## Application

## APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
<b>Application No.</b>	<b>ZMA</b>	<b>Date</b>	
<b>Application Fee</b>	<b>\$</b>	<b>Invoice</b>	
<b>Pre-Application Conference</b>		<b>Hearing Date</b>	
SECTION 1: APPLICANT INFORMATION			
<b>Applicant's Name:</b>	Pender County Planning	<b>Owner's Name:</b>	CMH Homes Inc. dba: Clayton Homes
<b>Applicant's Address:</b>	805 S. Walker Street	<b>Owner's Address:</b>	5000 Clayton Rd
<b>City, State, &amp; Zip</b>	28425	<b>City, State, &amp; Zip</b>	Maryville TN 37804
<b>Phone Number:</b>	910-259-1202	<b>Phone Number:</b>	910-270-4457
<b>Email Address:</b>	dadams@pendercountync.gov	<b>Email Address:</b>	malia.doane@claytonhomes.com
<b>Legal relationship of applicant to landowner:</b> N/A			
SECTION 2: PROJECT INFORMATION			
<b>Property Identification Number (PIN):</b>	4213-48-6218-0000	<b>Total property acreage:</b>	+/- 0.41 acres
		<b>Total Acreage to be Rezoned:</b>	+/- 0.41 acres
<b>Current Zoning District:</b>	PD, Planned Development	<b>Water Provider:</b>	PCU
		<b>Waste Water Provider:</b>	Private Septic
<b>Project Address:</b>	211 Cole Drive	<b>Proposed Zoning District:</b>	RP, Residential Performance
<b>Description of Project Location:</b>	East of Sloop Point Loop Rd	<b>Township:</b>	Topsail
	Topsail Plantation	<b>Road Type:</b>	Private
SECTION 3: SIGNATURES			
<b>Applicant's Signature</b>	<i>DLA</i>	<b>Date:</b>	5/31/2024
<b>Applicant's Name Printed</b>	Pender County Planning, Daniel Adams	<b>Date:</b>	5/31/2024
<b>Owner's Signature</b>	<i>Malia Doane</i>	<b>Date:</b>	05/31/2024
<b>Owner's Name Printed</b>	Malia Doane for Clayton Homes	<b>Date:</b>	05/31/2024
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>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.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol>			

# **REZONE 2024-67**

## Deed

DR 4000 10 2000 - 2002 (3) DOC# 20120707  
This Document eRecorded: 02/26/2024 01:26:54 F  
Fee: \$26.00 DocType: DEED Tax: \$180.00  
Pender County, North Carolina  
Sharon Lear Willoughby, Register of Deeds

Delinquent taxes, if any, to be paid by the closing  
Attorney to the PENDER County Tax Collector upon  
Disbursement of closing proceeds

\_\_\_\_\_, Closing Attorney

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$180.00  
File No.: 23-1885

Parcel Identifier No: 4213-48-6218-0000

Mail after recording to Grantee

This instrument prepared by: Fisher & Berch, PLLC, Attorneys At Law

Brief Description for the index: LOT 212, TOPSAIL PLANTATION

\*\*\*NO TITLE SEARCH REQUESTED OR PERFORMED BY PREPARING ATTORNEY\*\*\*

THIS DEED, made January 10, 2024, 2024, by and between

GRANTOR	GRANTEE
<b>KEVIN BRETT SMITH, unmarried</b>	<b>CMH HOMES, INC., A Tennessee Corporation</b>
Mailing Address: 7805 Bigelow Road Cary, NC 27519	Mailing Address: 5000 CLAYTON RD MARYVILLE, TN 37804

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in **PENDER** County, North Carolina and more particularly described as follows:

Submitted electronically by "Price & Williams, P.A."  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Pender County Register of Deeds.

All of Lot 212, Section II, Topsail Plantation Country Club, as shown on map of Walter K. Gaylor, Jr., Registered Land Surveyor, dated 7 March 1973 and recorded in Map Book 12 at Page 20 in the Office of the Register of Deeds of Pender County, reference to which is hereby made for a more particular description.

**SUBJECT to any and all Restrictions and Easements of record.**

Pursuant to the provisions of North Carolina General Statutes § 105-317.2, this \_\_\_ is/  is not a conveyance of the Grantor=s primary residence.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1256, Page 341, PENDER County Registry.

A map showing the above described property is recorded in Map Book 12, Page 20, PENDER County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. **Liens for taxes, assessments and other governmental charges that are not yet due and payable;**
2. **All general utility easements and restrictive covenants of record;**
3. **Reservation of oil, gas, mineral or other subsurface rights of record if any;**
4. **The provisions of all applicable zoning and land use ordinances, statutes and regulations;**
5. **Any exceptions listed after the description.**

Initials

LBS

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Kevin Brett Smith (SEAL)  
KEVIN BRETT SMITH, unmarried

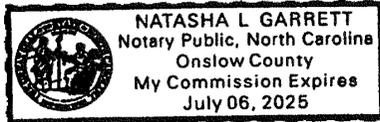
STATE OF NC  
COUNTY OF Pender

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above: **KEVIN BRETT SMITH, unmarried.**

This the 10 day of January, 2024.

NOTARY SEAL

Natasha G. Mantt  
Notary Public



Natasha L. Garrett  
Typed or printed name of notary

My commission expires: 7-6-25

# **ATTACHMENT 1**

## **Table of Permitted Uses**

**TABLE OF PERMITTED USES**

**P = Permitted Use**  
**D = Permitted with Use Standards**  
**S = Special Use Approval Required**  
**SD = Special Use Approval Required with Additional Standards**  
**PM = Permitted in conjunction with the MDP process**

Use Category Specific Use Type	Residential					Mixed Use	Commercial	Industrial	Special Purpose	
	Zoning Districts									
Use Type	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>RESIDENTIAL</b>										
SFD-Detached: Conventional	P	P	P	P	P					
SFD-Detached: Zero Lot Line			P		P					
SFD-Attached: Duplex	P	P	P		P					
SFD-Attached: Multiplex			P		P					
SFD: Townhouse (5+ attached)			P		P					
Multifamily (condominium/ apartment)			P		P					
Upper Story Residential					P	P	P			
Accessory Dwelling Unit	D	D	P		D					
Accessory Dwelling Unit on Non-Residential Principal Uses	D				D			P	P	
Manufactured Home	P	D		P						
Manufactured Home Park				PMD						
<b>ACCESSORY USES AND STRUCTURES</b>										
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

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION</b>											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
<b>Sector 22: UTILITIES</b>											
Fossil Fuel Electric Power Generation	221112									S	
Other Electric Power Generation	221119								S	S	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	
Natural Gas Distribution Except Transmission Lines	221210									P	
Water Supply Facilities*	221310		S			PM				P	
Sewage Treatment Facilities*	221320		S	PMD /S		PMD /S				P	
Except: Sewage Lift Stations*		SD	SD	PMD /S	PMD /S	PMD /S	D	D	D	D	
*County Owned or County Service District Provided Systems = P (Permitted)											
<b>Sector 23: CONSTRUCTION</b>											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
<b>Sectors 31-33: MANUFACTURING</b>											
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	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sectors 31-33: MANUFACTURING (cont.)</b>											
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	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sectors 31-33: MANUFACTURING (cont.)</b>											
Concrete Pipe, Brick & Block Manufacturing	32733									P	
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	
<b>Sector 42: WHOLESALE TRADE</b>											
Wholesale Trade	42	S							P	P	
<b>Sectors 44-45: RETAIL TRADE</b>											
Motor Vehicle & Parts Dealers	441	S					P		P		
Furniture and Home Furnishings Stores	442						P		P		
Electronics & 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 & Personal Care Stores	446	S	S			P	P	P	P		

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sectors 44-45: RETAIL TRADE (cont.)</b>											
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	
<b>Sectors 48-49: TRANSPORTATION AND WAREHOUSING</b>											
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	
Warehousing and Storage	493	S							P	P	
<b>Sector 51: INFORMATION</b>											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
<b>Sector 53: REAL ESTATE, RENTAL &amp; LEASING</b>											
Real Estate, Rental & Leasing	53	S	S			P	P	P	P	P	
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 54: PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES</b>											
Professional, Scientific & Technical Services	54	S	S			P	P	P	P	P	
<b>Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES</b>											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
<b>Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES</b>											
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	
<b>Sector 61: EDUCATIONAL SERVICES</b>											
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		

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>											
Ambulatory Health Care Services	621					P	P	P			
<b>Except:</b> Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
<b>Except:</b> Psychiatric and Substance Abuse Hospitals	6222							S			
<b>Except:</b> Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
<b>Except:</b> 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	
<b>Sector 71: ARTS, ENTERTAINMENT, AND RECREATION</b>											
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				

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 71: ARTS, ENTERTAINMENT, AND RECREATION (continued)</b>											
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									
<b>Sector 72: ACCOMMODATIONS AND FOOD SERVICES</b>											
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				

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION</b>											
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	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>MISCELLANEOUS USES</b>											
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					

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>MISCELLANEOUS USES</b> <i>(continued)</i>											
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  
Update on the Comprehensive Land Use  
Plan**

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**TO:** Planning Board  
**FROM:** Daniel Adams  
**DATE:** July 2, 2024  
**SUBJECT:** Update on the Comprehensive Land Use Plan

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**SUMMARY:**  
Staff will provide an update on the Comprehensive Land Use Plan project.