

Pender County Planning and Community Development

Planning Division

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



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

Application Information CKBuff Enterprises, LLC Conditional Rezoning

Case Number: REZONE 2024-73

Application Type: Conditional Rezoning

Applicant: Equitas Law Partners, LLP

Owners: CKBuff Enterprises, LLC

Location: The subject properties are located on the east side of US HWY 17 northeast of Edens Lane and southwest of Union Bethel Road in the Topsail Township.

Property ID #(s): 4214-07-4802-0000 & 4214-08-0545-0000

Description: Equitas Law Partners, LLP, applicant, on behalf of CKBuff Enterprises, LLC, owner, is requesting the approval of a conditional rezoning for the development of 240 apartment units and approximately 13,500 sq ft of commercial building space across approximately 20.35 acres.

Current Zoning: RP, Residential Performance

Technical Review Committee Meeting: 8/1/2024

Planning Board Meeting: 9/4/2024 (Subject to Change)

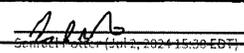
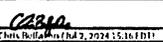
Application Materials

Application
Narrative
Proposed Site Plan

REZONE 2024-73

Application

APPLICATION FOR CONDITIONAL REZONING

| THIS SECTION FOR OFFICE USE | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|------------------------|
| Application No. | ZMA-CD REZONE 2024-73 | Date | 7/05/2024 |
| Application Fee | \$ 653.50 | Invoice Number: | 00041487 |
| Pre-Application Conference | N/A | Hearing Date | TBA |
| SECTION 1: APPLICANT INFORMATION | | | |
| Applicant's Name: | Equitas Law Partners LLP | Owner's Name: | CKBuff Enterprises LLC |
| Applicant's Address: | 330 Military Cutoff Rd., Ste A2 | Owner's Address: | 439 Whitebridge Rd. |
| City, State, & Zip | Wilmington NC 28405 | City, State, & Zip | Hampstead NC 28443 |
| Phone Number: | (910) 500-1532 | Phone Number: | (910) 500-1532 |
| Email Address: | sam@equitaslp.com | Email Address: | sam@equitaslp.com |
| Legal relationship of applicant to landowner: | | | |
| SECTION 2: PROJECT INFORMATION | | | |
| Property Identification Number (PIN): | 4214-07-4802-0000 4214-08-0545-0000 | Total property acreage: | 20.35 |
| Current Zoning District: | RP | Proposed Zoning District: | PD |
| Project Address or Location: | Hwy 17 / Topsail Township | | |
| Proposed Uses to be Considered (Include NAICS Code): | | | |
| Proposed rezoning to PD to provide approximately 13,500 sq/ft of commercial building space and 240 unit apartments | | | |
| Proposed Uses to be Eliminated from Consideration (Include NAICS Code): | | | |
| | | | |
| SECTION 3: SIGNATURES | | | |
| Applicant's Signature |  | Date: | 02/07/24 |
| Applicant's Name Printed | Equitas Law Partners LLP | Date: | |
| Owner's Signature |  | Date: | 02/07/24 |
| Owner's Name Printed | CKBuff Enterprises LLC | Date: | |
| NOTICE TO APPLICANT | | | |
| <ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable. 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda. | | | |

Conditional (Zoning Map) Amendment Checklist

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

Office Use Only

| | | | | | | |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------------|
| ZMA-CD Fees: (<i>\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter</i>) | | | | Total Fee Calculation: \$ | | |
| Attachments Included with Application: (Please include # of copies) | | | | | | |
| CD /other digital version | <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 |
| Payment Method: | Cash : <input type="checkbox"/> \$ _____ | Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa | | Check: <input type="checkbox"/> Check # _____ | | |
| Application received by: | | | | | Date: | |
| Application completeness approved by: | | | | | Date: | |
| Dates scheduled for public hearing: | | | <input type="checkbox"/> Planning Board: | | <input type="checkbox"/> Board of Commissioners: | |

REZONE 2024-73

Narrative

Narrative
CKBUFF Enterprises, LLC
Rezoning

Applicant and Owner request that the subject properties be rezoned to Planned Development (PD) – Conditional District for approximately twenty (20) acres along Highway 17, north of Hampstead and close to the planned Hampstead Bypass exchange. The proposed development consists of commercial buildings closest to Highway 17, with two hundred forty (240) apartments towards the back of the properties. The property is accessed through two connections to Highway 17; one which would directly access the commercial property and another that primarily serves the apartments.

The property is bordered by Longley Supply and boat storage to the south-west, Highway 17 to the west, a trailer park and undeveloped land to the south, and undeveloped land to the north and east. As a result, there are no immediate current neighbors to the apartment designated portion of the property and other commercial uses adjacent to the commercial designation portion of the property. Adjacent zoning is a mix of RP and PD.

While the current future land use map designates the area around the property as low density residential, this designation is outdated and not practical. The property is located along a busy highway, in close proximity to the planned Hampstead Bypass, which is scheduled to begin construction next summer. Pender County is currently working on revising the Future Land Use Plan and it is highly likely that the low-density residential designation for this property will change. As a result, Owner intends to seek an amendment to the current Future Land Use Plan to change the property's designation to "Regional Mixed Use". This use type is consistent with Land Use Compatibility Goals 5.1.E-F and I.

REZONE 2024-73

Site Plan

SITE DATA TABULATION

OWNER / APPLICANT: CKBUFF ENTERPRISES LLC
439 WHITEBRIDGE ROAD
HAMPSTEAD, NC 28443

PROJECT ADDRESS: HIGHWAY 17

TAX PARCEL IDENTIFICATION #: 4214-07-4802-0000 (19.77 AC.)
4214-08-0545-0000 (0.59 AC.)

TOTAL PARCEL AREA: 20.36 AC
RECORDED DEED BOOK: 4762/831
CURRENT ZONING: RP
PROPOSED ZONING: CONDITIONAL REZONING DISTRICT (CZ)
EXISTING LAND USE: VACANT
PROPOSED LAND USE: COMMERCIAL / MULTI-FAMILY

BUILDING INFORMATION

NUMBER OF PROPOSED RESIDENTIAL BUILDINGS: 10 APARTMENT BUILDINGS
NUMBER OF PROPOSED UNITS: 24 UNITS PER BUILDING / 240 UNITS TOTAL

NUMBER OF PROPOSED COMMERCIAL BUILDINGS: 1
PROPOSED BUILDING HEIGHT: 20' (1-STORY)
NUMBER OF PROPOSED SF: 12,500 SF TOTAL (EXACT CONFIGURATION T.B.D.)

SITE PARKING

PROPOSED RESIDENTIAL PARKING: BUILDINGS 1 THRU 6:
144 UNITS / 257 PARKING SPACES PROVIDED = 1.78 SPACES / UNIT

BUILDINGS 7 THRU 10:
96 UNITS / 170 SPACES PARKING SPACES PROVIDED = 1.77 SPACES / UNIT

TOTAL RESIDENTIAL PARKING SPACES PROVIDED: 427

PROPOSED COMMERCIAL PARKING: 12,500 SF / 225 = 55.5 REQUIRED
63 SPACES PROVIDED

OPEN SPACE

OPEN SPACE REQUIREMENT: 0.03 ACRES PER UNIT
NUMBER OF PROPOSED UNITS: 240 UNITS TOTAL

TOTAL OPEN SPACE REQUIRED: 7.2 ACRES
OPEN SPACE PROVIDED: 7.2 ACRES

DIMENSIONAL STANDARDS

PROPOSED SETBACKS FOR CONDITIONAL REZONING

FRONT: 25'
SIDE: 25'
REAR: 25'

MINIMUM SETBACK BETWEEN STRUCTURES: 20'
MAXIMUM BUILDING HEIGHT: 45'

SIGNIFICANT TREE SURVEY

1. A SIGNIFICANT TREE SURVEY IS UNDERWAY AND WILL BE PROVIDED UPON COMPLETION.

SIGNAGE

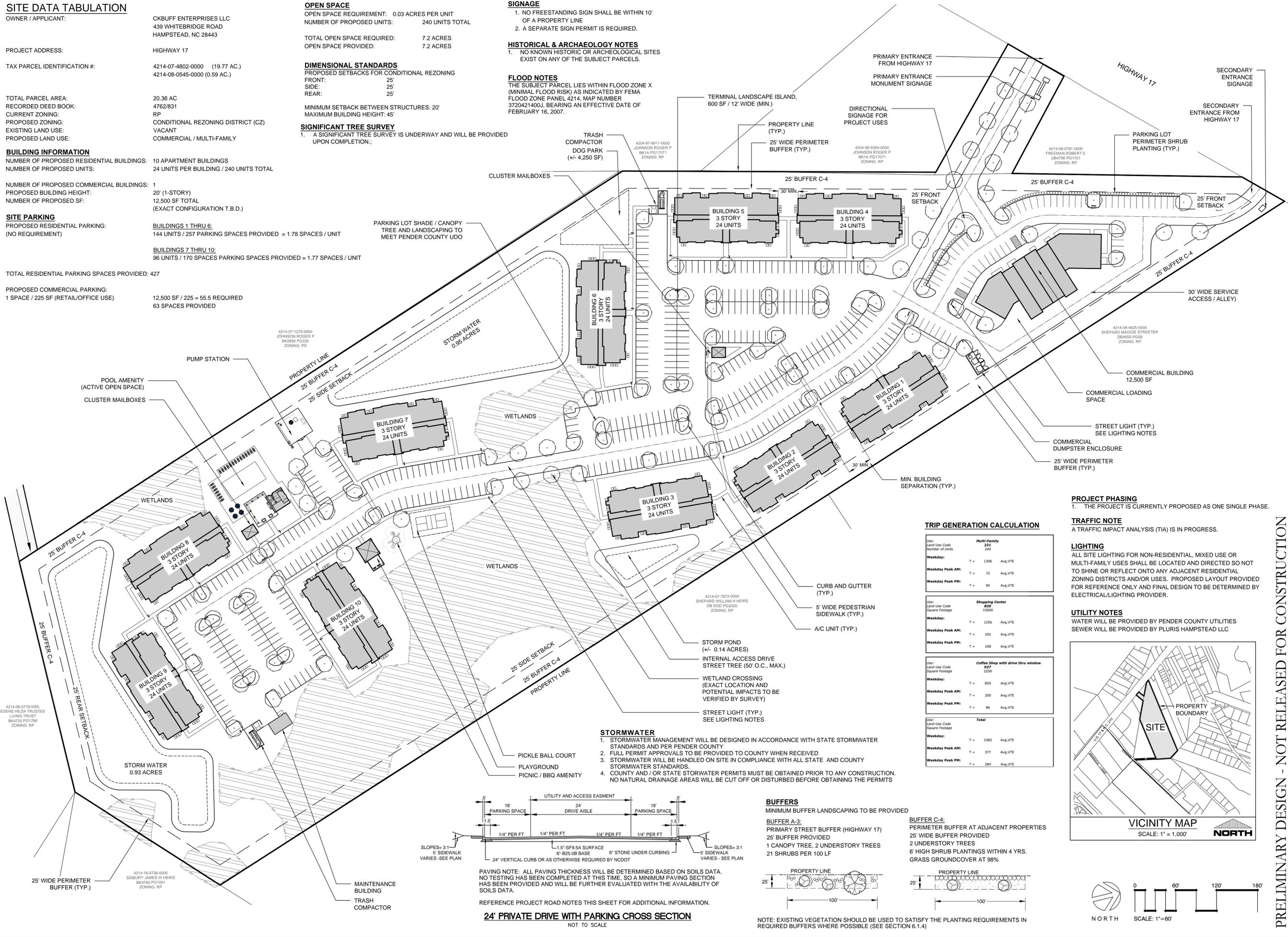
1. NO FREESTANDING SIGN SHALL BE WITHIN 10' OF A PROPERTY LINE
2. A SEPARATE SIGN PERMIT IS REQUIRED.

HISTORICAL & ARCHAEOLOGY NOTES

1. NO KNOWN HISTORIC OR ARCHAEOLOGICAL SITES EXIST ON ANY OF THE SUBJECT PARCELS.

FLOOD NOTES

THE SUBJECT PARCEL LIES WITHIN FLOOD ZONE X (MINIMAL FLOOD RISK) AS INDICATED BY FEMA FLOOD ZONE PANEL 4214, MAP NUMBER 3720421400J, BEARING AN EFFECTIVE DATE OF FEBRUARY 16, 2007.



TRIP GENERATION CALCULATION

| Use | Land Use Code | Multi-Family | 221 |
|------------------|---------------|--------------|----------|
| Number of Units | | 240 | |
| Weekday: | T = | 1306 | Avg. VTE |
| Weekday Peak AM: | T = | 72 | Avg. VTE |
| Weekday Peak PM: | T = | 90 | Avg. VTE |

| Use | Land Use Code | Shopping Center | 820 |
|------------------|---------------|-----------------|----------|
| Square Footage | | 10000 | |
| Weekday: | T = | 1256 | Avg. VTE |
| Weekday Peak AM: | T = | 105 | Avg. VTE |
| Weekday Peak PM: | T = | 108 | Avg. VTE |

| Use | Land Use Code | Coffee Shop with drive thru window | 937 |
|------------------|---------------|------------------------------------|----------|
| Square Footage | | 2250 | |
| Weekday: | T = | 820 | Avg. VTE |
| Weekday Peak AM: | T = | 200 | Avg. VTE |
| Weekday Peak PM: | T = | 86 | Avg. VTE |

| Use | Land Use Code | Total | |
|------------------|---------------|-------|----------|
| Square Footage | | | |
| Weekday: | T = | 3382 | Avg. VTE |
| Weekday Peak AM: | T = | 377 | Avg. VTE |
| Weekday Peak PM: | T = | 284 | Avg. VTE |

PROJECT PHASING

1. THE PROJECT IS CURRENTLY PROPOSED AS ONE SINGLE PHASE.

TRAFFIC NOTE

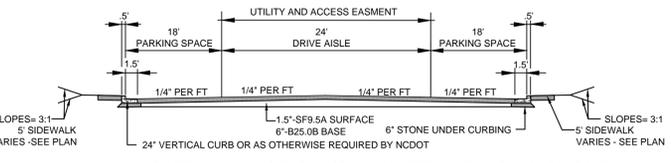
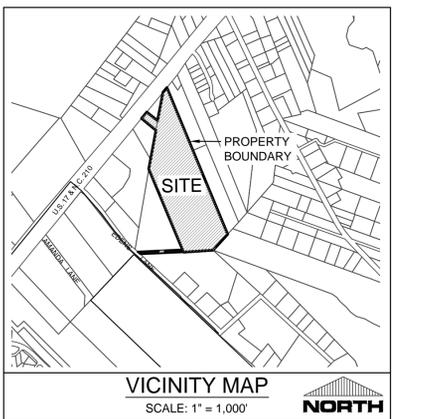
A TRAFFIC IMPACT ANALYSIS (TIA) IS IN PROGRESS.

LIGHTING

ALL SITE LIGHTING FOR NON-RESIDENTIAL MIXED USE OR MULTI-FAMILY USES SHALL BE LOCATED AND DIRECTED SO NOT TO SHINE OR REFLECT ONTO ANY ADJACENT RESIDENTIAL ZONING DISTRICTS AND/OR USES. PROPOSED LAYOUT PROVIDED FOR REFERENCE ONLY AND FINAL DESIGN TO BE DETERMINED BY ELECTRICAL/LIGHTING PROVIDER.

UTILITY NOTES

WATER WILL BE PROVIDED BY PENDER COUNTY UTILITIES
SEWER WILL BE PROVIDED BY PLURIS HAMPSTEAD LLC



PAVING NOTE: ALL PAVING THICKNESS WILL BE DETERMINED BASED ON SOILS DATA. NO TESTING HAS BEEN COMPLETED AT THIS TIME, SO A MINIMUM PAVING SECTION HAS BEEN PROVIDED AND WILL BE FURTHER EVALUATED WITH THE AVAILABILITY OF SOILS DATA.

REFERENCE PROJECT ROAD NOTES THIS SHEET FOR ADDITIONAL INFORMATION.

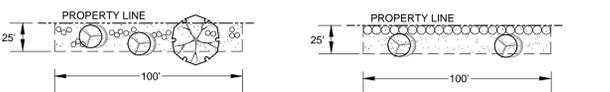
24' PRIVATE DRIVE WITH PARKING CROSS SECTION
NOT TO SCALE

BUFFERS

MINIMUM BUFFER LANDSCAPING TO BE PROVIDED

BUFFER A-3: PRIMARY STREET BUFFER (HIGHWAY 17)
25' WIDE BUFFER PROVIDED
1 CANOPY TREE, 2 UNDERSTORY TREES
21 SHRUBS PER 100 LF

BUFFER C-4: PERIMETER BUFFER AT ADJACENT PROPERTIES
25' WIDE BUFFER PROVIDED
2 UNDERSTORY TREES
6' HIGH SHRUB PLANTINGS WITHIN 4 YRS.
GRASS GROUND COVER AT 98%



NOTE: EXISTING VEGETATION SHOULD BE USED TO SATISFY THE PLANTING REQUIREMENTS IN REQUIRED BUFFERS WHERE POSSIBLE (SEE SECTION 6.1.4)

REVISIONS:

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| | | | |
| | | | |

CLIENT INFORMATION: CKBUFF ENTERPRISES LLC
439 WHITEBRIDGE ROAD
HAMPSTEAD, NC 28443

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

SITE PLAN

HWY 17 NORTH MIXED USE
PENDER COUNTY
NORTH CAROLINA

PROJECT STATUS: CONCEPTUAL LAYOUT
PRELIMINARY LAYOUT
RELEASED FOR CONSTRUCTION

DRAWING INFORMATION: DATE: 6/18/2024
SCALE: 1" = 60'

SEAL

C-1

PEI JOB#: 00000.00

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION