

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 Conditional Rezoning

Case Number: REZONE 2023-60

Application Type: Conditional Rezoning

Applicant: Tidewater Associates, Inc.

Owners: A. Sydes Construction, INC.

Location: Approximately .63 miles northwest of the intersection of Haversham Ave and Island Creek Rd

Property ID #(s): 3263-43-4574-0000

Description: Conditional Rezoning request from the RA, Rural Agriculture to the RP, Residential Performance zoning district for the expansion of a residential neighborhood consisting of 96 single family units.

Current Zoning: RA, Rural Agriculture

Proposed Zoning: RP, Residential Performance

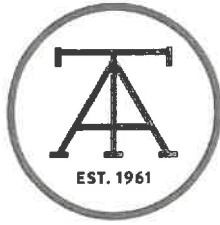
Technical Review Committee Meeting: December 7th, 2023 at 9am

Board of County Commissioners/Planning Board Meeting: TBD

Application Materials

Application Package
Narrative
Site Plan

APPLICATION PACKAGE



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

LETTER OF TRANSMITTAL

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

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

WE ARE SENDING YOU:

One (1) Completed Application with checklist.

DELIVERY VIA:

- Regular Mail* *Hand* *Federal Express*
- UPS Overnight* *UPS Ground* *Other* Email

THESE ARE TRANSMITTED AS CHECKED BELOW:

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

COMMENTS:

Benjamin L. Darling
Benjamin L. Darling, Drafting Tech

cc: A. Sydes Construction, Inc.
BLD/jrh **CF (P), LAM**

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

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Conditional Zoning Map Amendment Submission (Conditional Rezoning)

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

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

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

Signature of Applicant Benjamin L Darling

Date 11/08/2023

Printed Name Benjamin L Darling

Staff Initials: _____

Date: _____

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD REZONE 2023-60	Date	
Application Fee	\$	Invoice Number:	
Pre-Application Conference		Hearing Date	TRC 12.7.23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Tidewater Associates, Inc.	Owner's Name:	A. Sydes Construction, Inc.
Applicant's Address:	306 New Bridge Street	Owner's Address:	100 Carolina Plantations Blvd.
City, State, & Zip	Jacksonville, NC 28540	City, State, & Zip	Jacksonville, NC 28544
Phone Number:	(910) 455-2414	Phone Number:	(910) 455-6956
Email Address:	office@tidewaterenc.com	Email Address:	leahquinn@sydescommunities.com
Legal relationship of applicant to landowner: Planning Agency			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3263-43-4574-0000	Total property acreage:	110.0± Acres
Current Zoning District:	RA Zone	Proposed Zoning District:	RP Zone
Project Address or Location:	Off Island Creek Road		
Proposed Uses to be Considered (Include NAICS Code):			
See Master Development Plan			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
See Map			
SECTION 3: SIGNATURES			
Applicant's Signature	<i>Benjamin L Darling</i>	Date:	11/08/2023
Applicant's Name Printed	Benjamin L Darling	Date:	11/08/2023
Owner's Signature	<i>Anthony W. Sydes</i>	Date:	11/08/2023
Owner's Name Printed	Anthony W. Sydes	Date:	11/08/2023
NOTICE TO APPLICANT			
<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 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 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 checked="" type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. <input checked="" type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. <input checked="" type="checkbox"/> All existing easements, reservations and rights of way. <input checked="" 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 checked="" type="checkbox"/> All proposed setbacks, buffers, screening and landscaping. <input checked="" type="checkbox"/> Phasing. <input type="checkbox"/> Signage. <input type="checkbox"/> Outdoor lighting. <input checked="" type="checkbox"/> Current zoning district designation and current land use status. <input checked="" 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							
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)</td> <td style="border: none; text-align: right;">Total Fee Calculation: \$</td> </tr> </table>		ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$				
ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$						
Attachments Included with Application: (Please include # of copies)							
CD /other digital version	<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:		Check:			
		<input type="checkbox"/> Master Card <input type="checkbox"/> Visa		<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:		

Conditional Rezoning Standards Checklist

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

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

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

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

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

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

Wylie Branch, Section V

Project Narrative

Location and Access:

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

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

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

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

Description of Activities on Site:

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

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

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

Description of Construction Activities:

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

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

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

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

Type of Utilities to Serve Site:

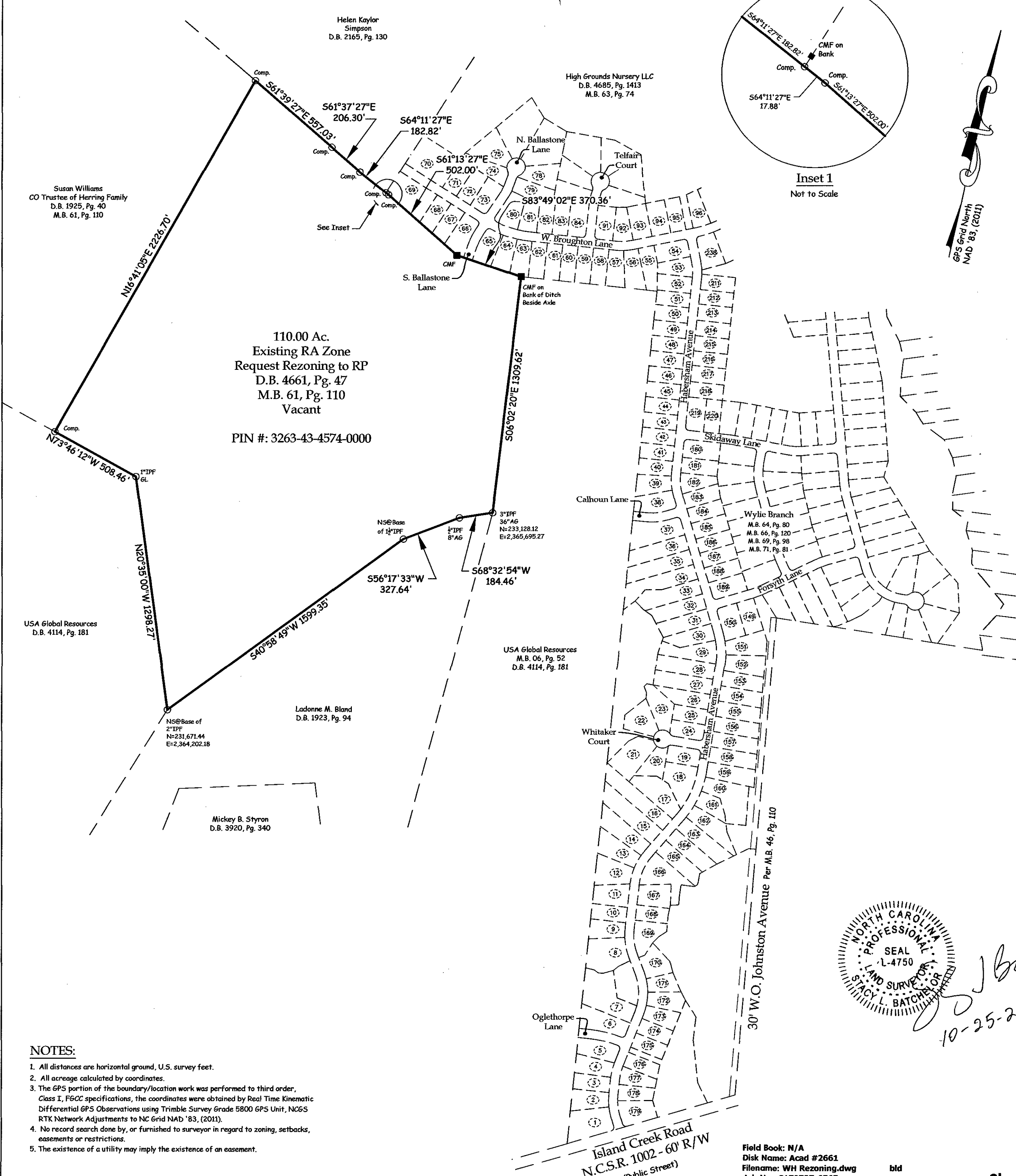
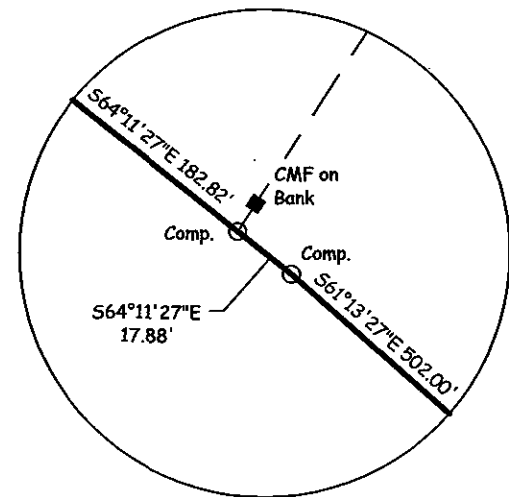
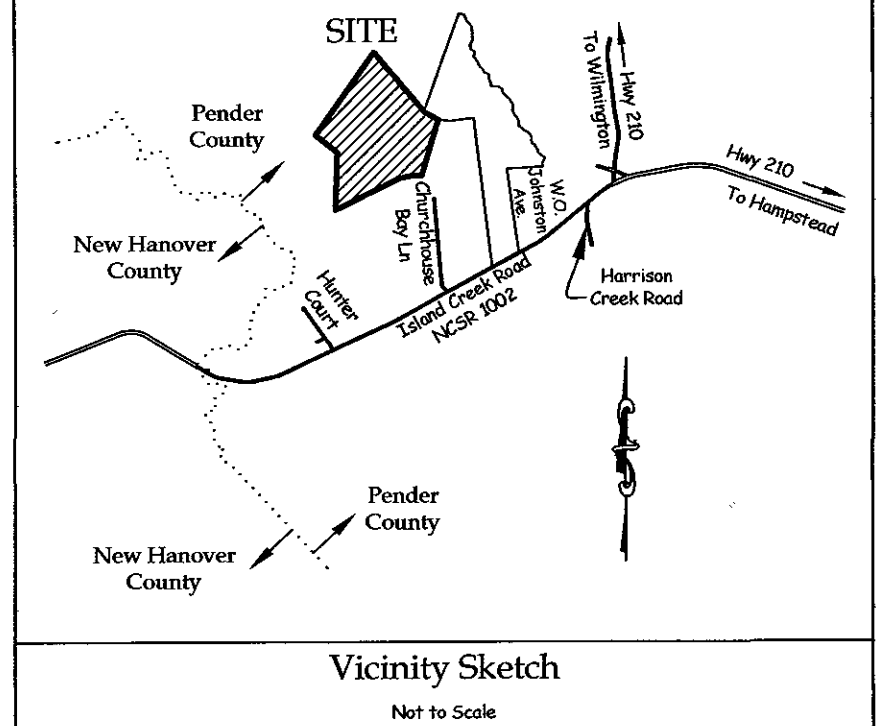
The proposed water & sewer system will tie into the existing water & sewer system within the Wylie Branch subdivision.

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

SITE PLAN(S)

Legend:

- Ac. - Acres
- CL - Centerline
- CMF - Concrete Monument Found
- Comp. - Computed Point
- D.B. - Deed Book
- E - Easting
- GL - Ground Level
- ISF - Iron Stake Found
- M.B. - Map Book
- N - Northing
- Pg. - Page



Adjoiner Data

Lot No.	Owner(s)	D.B. / Pg.	Subdivision	M.B. / Pg.	Zone	Use(s)	Pin #
N/A	USA Global Resources LLC	D.B. 4114, Pg. 181	N/A	M.B. 6, Pg. 52	RA Zone	Vacant/Wooded	3263-61-1720-0000
N/A	Ladonne M. Bland	D.B. 1923, Pg. 94	N/A	N/A	RA Zone	Single Family	3263-41-9768-0000
N/A	Mickey B. Styron	D.B. 3920, Pg. 340	N/A	N/A	RA Zone	Single Family	3263-41-9321-0000
N/A	USA Global Resources LLC	D.B. 4114, Pg. 181	N/A	N/A	RA Zone	Vacant/Partially Wooded	3263-13-6028-0000
N/A	Susan Williams CO Trustee of Herring Family	D.B. 1925, Pg. 40	N/A	M.B. 61, Pg. 110	RA Zone	Vacant/Wooded	3263-24-4538-0000
N/A	Helen Kaylor Simpson	D.B. 2165, Pg. 130	N/A	N/A	RA Zone	Vacant/Wooded	3263-61-2850-0000
57	83 W Broughton, LLC	D.B. 4804, Pg. 1292	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-64-0598-0000
58	Jonathan Garcia	D.B. 4803, Pg. 2264	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-9567-0000
59	Brian Langley	D.B. 4807, Pg. 561	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-8586-0000
60	Peter Abosagy	D.B. 4813, Pg. 2784	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-7595-0000
61	April L. Dunn	D.B. 4804, Pg. 65	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-6523-0000
62	Sherique Leyan Jenkins	D.B. 4811, Pg. 464	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-4543-0000
63	Jesse Angst	D.B. 4801, Pg. 2271	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-5532-0000
64	Shane Colin Keney	D.B. 4802, Pg. 248	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-4543-0000
65	Cynthia D. Anderson	D.B. 4813, Pg. 2584	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-3544-0000
66	Stephanie Dawn Chambers	D.B. 4810, Pg. 526	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-1598-0000
67	Tyler A. Capellan	D.B. 4805, Pg. 2077	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-1603-0000
68	Allie Elizabeth Simmons	D.B. 4805, Pg. 818	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-0626-0000
69	A. Sydes Construction Inc.	D.B. 4810, Pg. 967	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-44-8773-0000
70	Rosa Lilia Martinez Lopez	D.B. 4805, Pg. 1536	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-44-9944-0000
71	Hope C. Capps	D.B. 4806, Pg. 99	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-1808-0000
72	Mary Katherine Lauindon	D.B. 4814, Pg. 2350	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-1885-0000
73	Craig J. Moore	D.B. 4812, Pg. 2877	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-2872-0000
74	Todd E Brannigan	D.B. 4805, Pg. 1238	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-2947-0000
75	Lawrence Daniel Jr. Wintermute	D.B. 4813, Pg. 312	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-55-2048-0000
78	Sean S. Gilbert	D.B. 4804, Pg. 2662	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-55-5040-0000
79	James Matthew Sutherland	D.B. 4815, Pg. 1658	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-5910-0000
80	Darryl V. Brown	D.B. 4813, Pg. 1647	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-4727-0000
81	Edward M. Sweeney	D.B. 4813, Pg. 1141	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-5736-0000
82	Mark McGuire Co-Trustees	D.B. 4808, Pg. 1562	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-6718-0000
83	Zachary West	D.B. 4814, Pg. 947	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-7709-0000
84	Joseph Dennis Quinn	D.B. 4796, Pg. 989	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-7890-0000
85	Bernard Addai	D.B. 4802, Pg. 1429	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-7923-0000
90	Jessica Chesley	D.B. 4804, Pg. 2590	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-9987-0000
91	Casey Schoonmaker	D.B. 4810, Pg. 1652	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-9842-0000
92	Rebekah Bell	D.B. 4802, Pg. 189	Wylie Branch Sect. III	M.B. 69, Pg. 98	RP Zone	Single Family	3263-54-0832-0000
N/A	High Grounds Nursery LLC	D.B. 4685, Pg. 1413	N/A	M.B. 63, Pg. 74	RP Zone	Vacant/Wooded	3263-56-8119-0000

This map was prepared from an actual survey by Parker & Associates, Inc. (Tidewater Associates, Inc.) on 12/17/17 and is for rezoning purposes only.

Rezoning Map

TRACT OFF OF ISLAND CREEK ROAD, NCSR 1002, WYLIE BRANCH V

Topsail Twp., Pender Co., North Carolina

Owner:

A. Sydes Construction Inc.

100 Carolina Plantations Boulevard
Jacksonville, North Carolina 28546

DATE: 09/19/23

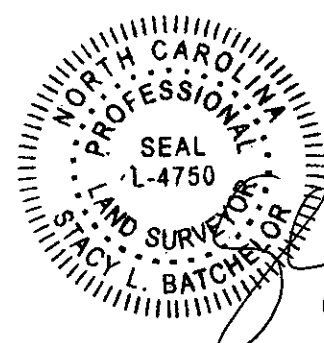
SCALE: 1"=400'

GRAPHIC SCALE: 1"=400'



TIDEWATER ASSOCIATES, INC.
Consulting Engineers - Land Surveyors - Land Planners

Jacksonville, North Carolina
P.O. Box 976 - 306 New Bridge Street - 28540
Phone (910) 455-2414 - www.TidewaterENC.com
Firm License Number: F-0108



J. Ben
10-25-2023

NOTES:

1. All distances are horizontal ground, U.S. survey feet.
2. All acreage calculated by coordinates.
3. The GPS portion of the boundary/location work was performed to third order, Class I, F6CC specifications, the coordinates were obtained by Real Time Kinematic Differential GPS Observations using Trimble Survey Grade 5800 GPS Unit, NCGS RTK Network Adjustments to NC Grid NAD '83, (2011).
4. No record search done by, or furnished to surveyor in regard to zoning, setbacks, easements or restrictions.
5. The existence of a utility may imply the existence of an easement.

Field Book: N/A
Disk Name: Acad #2661
Filename: WH Rezoning.dwg
Job No.: S170727-6565