

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 Future Land Use Map Amendment – Little Kelly Road

Case Number: REZONE 2023-63

Application Type: Future Land Use Map Amendment

Applicant: Rhetson Companies, INC.

Owners: Livvie R. Lewis C/O Elizabeth B. Grix

Location: Across the intersection of Clarks Landing Loop Rd where NC HWY 133 merges with NC HWY 210. The property fronts Little Kelly RD and US HWY 210

Property ID #(s): 3214-28-8318-0000

Description: Future Land Map Amendment request from the Medium Density Residential future land use to the Neighborhood Mixed Use future land use for commercial development of a retail store. Application to be reviewed in conjunction with a conditional rezoning request REZONE 2023-59.

Current Future Land Use: Medium Density Residential

Proposed Future Land Use: Neighborhood Mixed Use

Technical Review Committee Meeting: N/A

Board of County Commissioners/Planning Board Meeting: February 6th, 2024

Application Materials

Application Package
Narrative
Site Plan

APPLICATION PACKAGE

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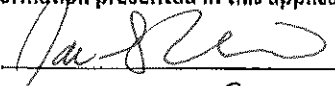
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Future Land Use Plan Amendment Submission

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

1. Pre-submittal Meeting
Date of Meeting 10-26-23 (rezoning)
2. Signed Application
3. Pending Payment
\$250
4. Requested Revision Boundary Map
Amendment must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing future land use designation and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. 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.
5. Digital Submission
For all documents submitted in paper copy, please bring a digital copy with paper submission
6. Already provided Adjacent Property List
A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. Already provided Adjacent Property Envelopes
The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

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

Signature of Applicant 
Printed Name Jamie S. Encinosa

Date 1-18-24

Staff Initials:	
Date:	

Future Land Use Amendment



**Submit Completed Application
and Materials**



Planning Staff Review



**Planning Staff comments
addressed**



Planning Board Public Hearing



**Board of County Commissioners Decision
Rendered**

Future Land Use Amendment Specific Requirements

Same process and criteria for evaluation as a General Use Rezoning per Section 3.3.8 of the Unified Development Ordinance.

1. Application Submittal

- Application
- Amendment must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
- All requirements shall be met within the boundaries of the area being re-classified. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet requirements.
- Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan.
- The application must contain a description and/or statement of the present and proposed zoning regulation or district boundary, and the name(s) and address(es) of the owner(s) of the property involved as required by General Statute.
- The applicant shall provide an accurate legal description or a map drawn to scale showing the property boundaries that are to be amended, in sufficient detail for the rezoning to be located on the Comprehensive Land Use Plan.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.3.8)

- A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
- B. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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 and CAMA Land Use Plan or any other adopted land use document.
- D. Whether the proposed amendment is reasonable as it relates to the public interest.

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Comprehensive Plan Future Land Use Map Amendment

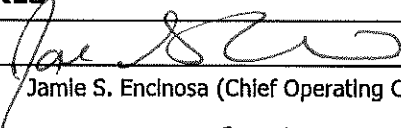
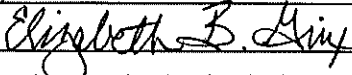
GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.
2. Amendments to the Future Land Use Map shall be made in accordance with the provisions of the Pender County Comprehensive Land Use Plan.
3. The County Commissioners shall approve or deny amendments to the Future Land Use Map of Pender County, as may be required from time to time.
4. Amendments must correspond with the boundary lines of existing platted lots or tracts.
5. All zoning requirements shall be met within the boundaries of the area being reclassified. If all of the requirements cannot be met on the site, the amendment shall be expanded to include all property necessary to meet zoning requirements.
6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).
2. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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.
3. Whether the proposed change is consistent with any other adopted land use document.
4. Whether the proposed amendment is reasonable as it relates to the public interest.

Application for Future Land Use Amendment

THIS SECTION FOR OFFICE USE			
Application No.	CPMA	Date	
Application Fee	\$	Invoice Number:	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Rhetson Companies, Inc.	Owner's Name:	Livvie R. Lewis C/O Elizabeth B. Grix
Applicant's Address:	2075 Juniper Lake Road	Owner's Address:	3828 Echo Farms Blvd
City, State, & Zip	West End, NC, 28412	City, State, & Zip	Wilmington, NC, 28412
Phone Number:	(910) 944-0881	Phone Number:	(910) 512-4201
Email Address:	permits@rhetson.com	Email Address:	Bettyann1@ec.rr.com
Legal relationship of applicant to landowner: Applicant under contract to purchase property			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3214-28-8318-0000	Total property acreage:	5.65 acres
Current FLU Classification	Rural Agricultural	Proposed FLU Classification:	General Business
Project Address:	NC HWY 210 E, Wilmington, NC, 28412		
Description of Project Location:	Remnant TR A PB 58/99 Livvie Lewis Division, Wilmington, NC, 28412		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	January 16, 2024
Applicant's Name Printed	Jamie S. Encinosa (Chief Operating Officer)	Date:	January 16, 2024
Owner's Signature		Date:	1-16-2024
Owner's Name Printed	Livvie R. Lewis C/O Elizabeth B. Grix	Date:	January 16, 2024
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the 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 			

Future Land Use 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 and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.					
<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. (total of 16 envelopes with stamps)					
<input checked="" type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.					
<input checked="" type="checkbox"/>	18 (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 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.					
Office Use Only						
<input type="checkbox"/>	Plan Amendment: \$250		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:						

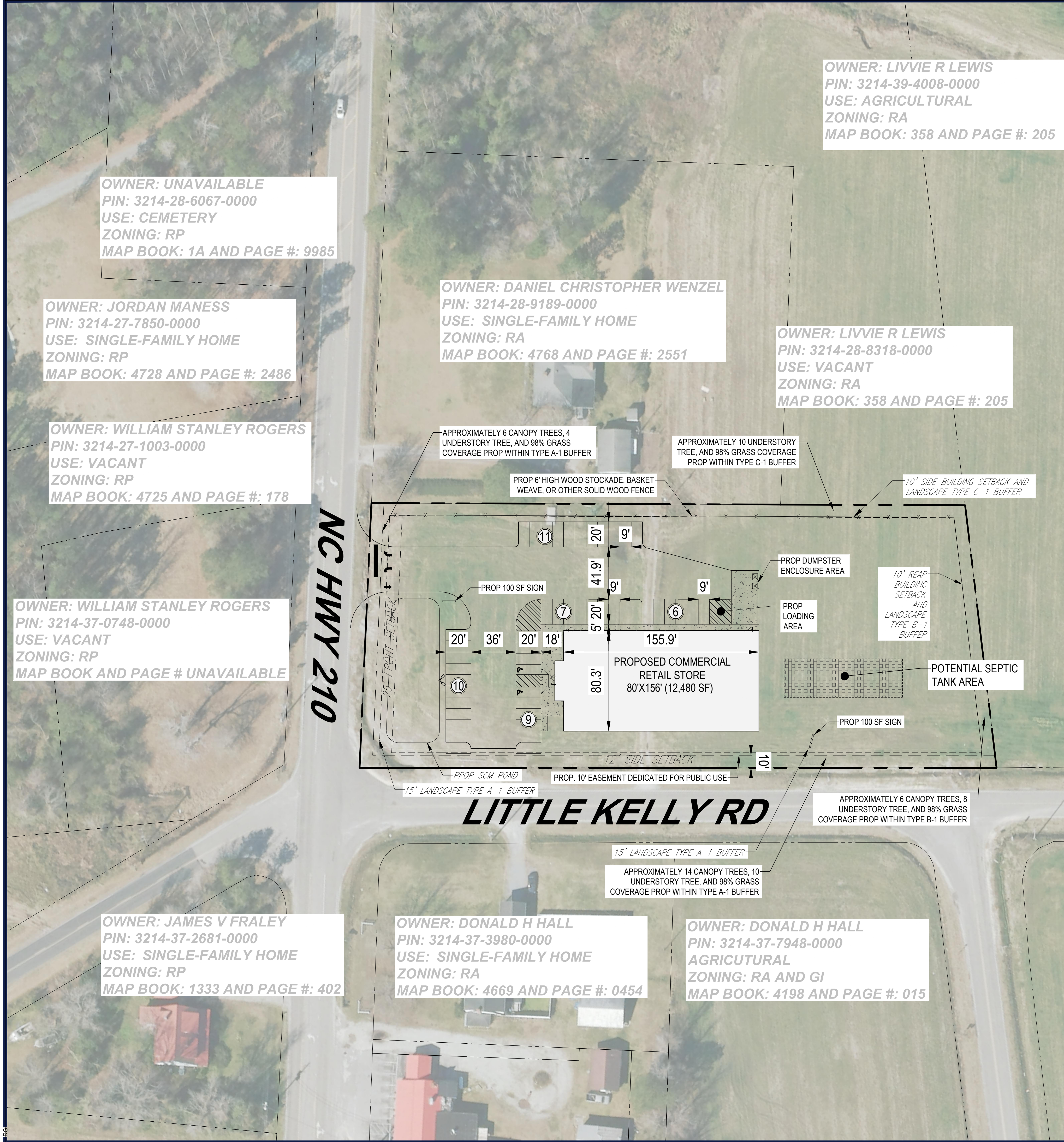
NARRATIVE

Amendment to the Future Land Use Plan Supporting Narrative

This narrative highlights the supportive characteristics for an amendment to the Pender County Future Land Use Plan in conjunction with our application for rezoning the parcel at the intersection of Little Kelley Road and NC Hwy 210 further identified as parcel 3214-28-8318-0000. Below are characteristics of the parcel that we propose support an amendment to the future land use plan:

1. The parcel is located at the intersection of two major thoroughfare highways (NC Highway 210 and NC Highway 133) with an average daily traffic count of 4800 according to NCDOT. Intersections with high traffic are more conducive to commercial development.
2. The parcel has several non-residential surrounding it within an approximately 1 mile including RP Quickstop (formerly C.H. Clark & Sonds pork and sausage outlet), Pender County Packing Company, Rooks Farm Service Inc-Garage, Lewis Nursery and Farms, American Blueberries LLC, Caleco Soil Services, Inc., McNally's Farms, and several churches, along with four large chicken houses. Due to the plethora of non-residential uses, mixed-use may be a more accurate representation of how the area is currently being used.
3. The property previously operated as a pay at the pump gas station.
4. Initial Phase I environmental testing as identified Recognized Environmental Concerns (REC's) related to the previous gas station use and recommendations for additional environmental assessment in the form of a Phase II. These REC's may discourage residential development on the parcel due to cost to remedy concerns.
5. During pre-application and TRC meeting, planning staff expressed support for the area being primed for commercial growth.

SITE PLAN(S)



OWNER: LIVVIE R LEWIS
 PIN: 3214-39-4008-0000
 USE: AGRICULTURAL
 ZONING: RA
 MAP BOOK: 358 AND PAGE #: 205

OWNER: UNAVAILABLE
 PIN: 3214-28-6067-0000
 USE: CEMETERY
 ZONING: RP
 MAP BOOK: 1A AND PAGE #: 9985

OWNER: JORDAN MANESS
 PIN: 3214-27-7850-0000
 USE: SINGLE-FAMILY HOME
 ZONING: RP
 MAP BOOK: 4728 AND PAGE #: 2486

OWNER: DANIEL CHRISTOPHER WENZEL
 PIN: 3214-28-9189-0000
 USE: SINGLE-FAMILY HOME
 ZONING: RA
 MAP BOOK: 4768 AND PAGE #: 2551

OWNER: LIVVIE R LEWIS
 PIN: 3214-28-8318-0000
 USE: VACANT
 ZONING: RA
 MAP BOOK: 358 AND PAGE #: 205

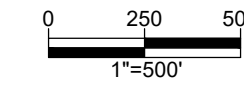
OWNER: WILLIAM STANLEY ROGERS
 PIN: 3214-27-1003-0000
 USE: VACANT
 ZONING: RP
 MAP BOOK: 4725 AND PAGE #: 178

OWNER: WILLIAM STANLEY ROGERS
 PIN: 3214-37-0748-0000
 USE: VACANT
 ZONING: RP
 MAP BOOK AND PAGE # UNAVAILABLE

OWNER: JAMES V FRALEY
 PIN: 3214-37-2681-0000
 USE: SINGLE-FAMILY HOME
 ZONING: RP
 MAP BOOK: 1333 AND PAGE #: 402

OWNER: DONALD H HALL
 PIN: 3214-37-3980-0000
 USE: SINGLE-FAMILY HOME
 ZONING: RA
 MAP BOOK: 4669 AND PAGE #: 0454

OWNER: DONALD H HALL
 PIN: 3214-37-7948-0000
 USE: AGRICULTURAL
 ZONING: RA AND GI
 MAP BOOK: 4198 AND PAGE #: 015

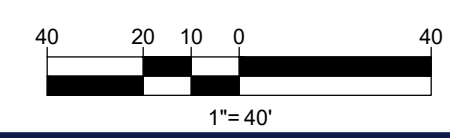


CONCEPT PLAN NOTES

- THIS CONCEPT WAS PREPARED STRICTLY AND SOLELY BASED UPON INFORMATION IDENTIFIED IN THE PLAN REFERENCES.
- THE CONCEPT DEPICTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING SOLELY FROM LAYOUT PREFERENCES AND GUIDANCE DICTATED AND IDENTIFIED SOLELY BY THE CLIENT. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED, AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF APPLICABLE REQUIREMENTS AND AFTER THE PROCUREMENT OF ALL NECESSARY JURISDICTIONAL APPROVALS.
- THIS CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES, ONLY, AND IS NOT INTENDED TO AND SHOULD NOT BE UTILIZED AS A ZONING OR CONSTRUCTION DOCUMENT.
- THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS PROVIDED TO THE ENGINEER, AT THE TIME OF THE ENGINEER'S PREPARATION OF THIS CONCEPT PLAN, BY THE OWNER AND OTHERS NOT UNDER ENGINEER'S CONTROL, AND IS SUBJECT TO CHANGE AFTER PERFORMANCE OF ADDITIONAL DUE DILIGENCE, FIELD SURVEY OR BOTH.
- IT IS STRONGLY RECOMMENDED THAT A ZONING CONFORMANCE ANALYSIS BE PERFORMED TO DETERMINE AND EVALUATE IF THERE ARE ANY RESTRICTIONS AND/OR ZONING ISSUES, CONCERNS OR RESTRICTIONS THAT MAY OR COULD IMPACT THE FEASIBILITY OF THIS PROJECT, AS THE OWNER HAS DESCRIBED IT.
- PER PRELIMINARY DUE DILIGENCE, NO ENVIRONMENTAL CONCERNS HAVE BEEN IDENTIFIED ON THE PROPOSED PROJECT LOCATION OF THIS SITE.
- LANDSCAPE ISLANDS ARE REQUIRED EVERY 120 FEET BETWEEN PARKING STALLS AND MUST BE 300 SF AT MINIMUM.
- TERMINAL ISLANDS REQUIRED ON EITHER SIDE OF THE ROW.
- THE PROJECT SHALL BE DESIGNED SO THAT THE POST DEVELOPMENT RUNOFF FROM THE PROJECT BE NO MORE THAN TEN (10) PERCENT MORE THAN THE PRE-DEVELOPMENT RUNOFF FOR THE 10-, 25-, AND 50-YEAR RETURN PERIOD EVENTS AND BE ANALYZED FOR THE 100-YEAR EVENT.

CONCEPT PLAN DATA TABLE

NAICS CODE	453
GAS PROVIDER	PIEDMONT GAS
ELECTRIC PROVIDER	DUKE ENERGY
WATER PROVIDER	PENDER COUNTY UTILITIES
APPLICANT NAME	GREG STEWART
APPLICANT ADDRESS	2075 JUNIPER LAKE ROAD WEST END NC, 27376
APPLICANT PHONE NUMBER	910-944-0881
APPLICANT EMAIL	GREG@RHETSON.COM
EX. PARCEL SIZE	5.65 AC
AREA OF PARCEL TO BE REZONED	2.37 AC
FRONT SETBACK	25'
SIDE SETBACK	10' AND 12'
REAR SETBACK	10'
FRONT BUFFER	15' TYPE A-1
SIDE BUFFER	15' TYPE A-1 AND 10' TYPE C-1
REAR BUFFER	10' TYPE B-1
REQUIRED PARKING	1 PER 225 SF: 12,480 SF ÷ 225 ≈ 56 SPACES
PARKING PROVIDED	33 SPACES
PROP STORE HOURS	8AM - 10PM
PROP BUILDING HEIGHT	21'-0"
MAX HEIGHT	40'-0"
EMPLOYEE COUNT	6 PER DAY: 1 FULL TIME & 2 PART TIME PER SHIFT (MORNING & AFTERNOON)



BOHLER
 BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	DRAWN BY
1	1-17-24	PENDER COUNTY PLANNING BOARD	IR RG

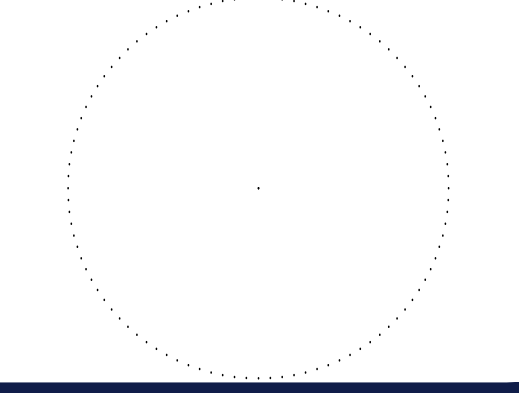
811
 Know what's below.
 Call before you dig.
 ALWAYS CALL 811
 It's fast. It's free. It's the law.

DRAFT

PROJECT No.: NCB230212
 DRAWN BY: IRF
 CHECKED BY: RG
 DATE: 12/21/2023
 CAD ID:

PROJECT:
PROP. SITE PLAN DOCUMENTS
 FOR
 RHETSON COMPANIES, INC
 PROPOSED DEVELOPMENT
 18660 NC HWY 210
 PENDER COUNTY
 ROCKY POINT AND NC
 PIN: 3214-28-8318-0000

BOHLER
 BOHLER ENGINEERING NC, PLLC
 NCBELS P-1132
 4130 PARKLAKE AVENUE, SUITE 200
 RALEIGH, NC 27612
 Phone: (919) 578-9000
 NC@BohlerEng.com



SHEET TITLE:
CONCEPT PLAN
 SHEET NUMBER:

Jan 18, 2024
 H:\2023\NCB230212\01\LAND DEVELOPMENT\CAD\DRAWINGS\EXHIBITS\NCB230212-EA-HA-D-TRC COMMENT RESPONSE---LAYOUT-CONCEPT