

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



CONDITIONAL ZONING DISTRICT Application

Applicant/Agent Information		Property Owner(s) <i>If different than Applicant/Agent</i>
Name Par 5 Development Group, LLC	Owner Name William S. Hackney, II and Tara S. Hackney	
Company	Owner Name 2 Proclaim Holdings, LLC	
Address 2075 Juniper Lake Rd.	Address P. O. Box 15447	
City, State, Zip West End, NC 27376	City, State, Zip Wilmington, NC 28408	
Phone (910) 508-7476 c/o Applicant's Attorney, Matt Nichols	Phone	
Email matt@mattnicholslaw.com c/o Applicant's Attorney, Matt Nichols	Email	
Subject Property Information		
Address/Location 813 and 817 Piner Rd.		
Parcel Identification Number(s) R07600-002-190-000 and R07600-002-020-000		
Total Parcel(s) Acreage ±3.28 acres		
Existing Zoning and Use(s) CUD(O&I) office and former golf training/recreation facility		
Future Land Use Classification General Residential		
Application Tracking Information (Staff Only)		
Case Number 219-01	Date/Time received: 1/9/2019	Received by: BS

Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: CZD(B-1) and R-15

CZD(B-1) ±2.0

Total Acreage of Proposed District: R-15 ± 1.28

Only uses allowed by right in the corresponding General Use District are eligible for consideration within a Conditional Zoning District. Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed).

Please see attached Exhibit "A".

Proposed Condition(s)

Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding General Use District regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

Please see attached Exhibit "A".

Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

PER THE MPO - B. SCHULER

ITE Land Use: 854 - DISCOUNT SUPERMARKET

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): 9,100 SF

AM Peak Hour Trips: 23 PM Peak Hour Trips: 76

CONSIDERATION OF A CONDITIONAL ZONING DISTRICT

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of very dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)

Please see attached Exhibit A.

2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

Please see attached Exhibit A.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

Please see attached Exhibit A.

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications must be complete in order to process for further review.

Required Information	Applicant Initial	Staff Initial
1 Complete Conditional Zoning District application.		BS
2 Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review).		BS
3 Community meeting written summary.		BS
4 Traffic impact analysis (for uses that generate more than 100 peak hour trips).		N/A
5 Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.		BS
6 <u>Site Plan including the following elements:</u> <ul style="list-style-type: none"> • Tract boundaries and total area, location of adjoining parcels and roads. • Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. • Development schedule including proposed phasing. • Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. • All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage. • The one hundred (100) year floodplain line, if applicable. • Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance. • Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance. • Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable). 		BS
7 1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.		BS
8 1 PDF digital copy of ALL documents AND plans.		BS

ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Zoning District zoning for which is being applied. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.


Signature of Property Owner(s)

William S. Hackney, II and Tara S. Hackney

Print Name(s)


Signature of Applicant/Agent

Par 5 Development Group, LLC by

Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.



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Signature of Property Owner(s)

Proclaim Holdings, LLC
by William S. Hackney, II, Managing Member

Print Name(s)

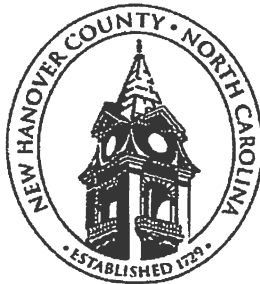

Signature of Applicant/Agent

Par 5 Development Group, LLC

Print Name

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*AUTHORITY FOR
APPOINTMENT OF AGENT*

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910-798-7053 fax
www.nhcgov.com

Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.

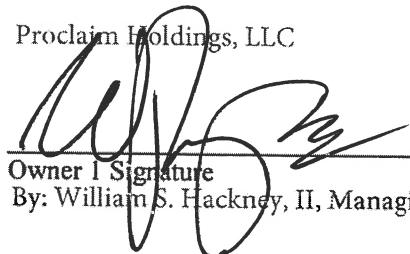
The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name Matthew A. Nichols	Owner Name Proclaim Holdings, LLC	Address 813/817 Piner Rd.
Company Law Office of Matthew A. Nichols	Owner Name 2	City, State, Zip Wilmington, NC 28409
Address 3205 Randall Pkwy, Suite 104	Address P.O. Box 15447	Parcel ID R07600-002-190-000
City, State, Zip Wilmington, NC 28403	City, State, Zip Wilmington, NC 28408	for Conditional Zoning Application
Phone (910) 508-7476	Phone	
Email matt@mattnicholslaw.com	Email	
Application Tracking Information (Staff Only)		
Case Number Reference:	Date/Time received:	Received by:

This document was willfully executed on the 7 day of January, 2019.

Proclaim Holdings, LLC


Owner 1 Signature
By: William S. Hackney, II, Managing Member

Owner 2 Signature



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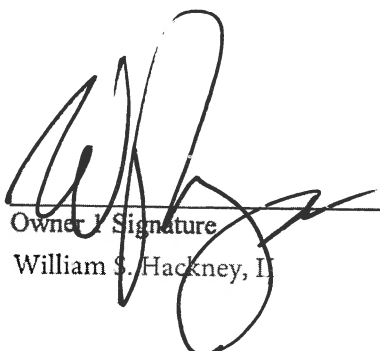
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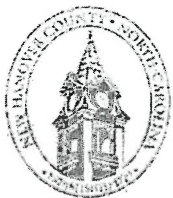
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3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name Matthew A. Nichols	Owner Name William S. Hackney, II	Address 817 Piner Rd.
Company Law Office of Matthew A. Nichols	Owner Name 2 Tara S. Hackney	City, State, Zip Wilmington, NC 28409
Address 3205 Randall Pkwy, Suite 104	Address P.O. Box 15447	Parcel ID A portion of R07600-002-020-000
City, State, Zip Wilmington, NC 28403	City, State, Zip Wilmington, NC 28408	for Conditional Rezoning Application
Phone (910) 508-7476	Phone	
Email matt@mattnicholslaw.com	Email	
Application Tracking Information (Staff Only)		
Case Number Reference:	Date/Time received:	Received by:

This document was willfully executed on the 7 day of January, 20 19.


Owner 1 Signature
William S. Hackney, II


Owner 2 Signature
Tara S. Hackney



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Agent Information	Property Owner(s) Applicant	Subject Property
Name Matthew A. Nichols	Owner Name Par 5 Development Group, LLC	Address 813 and 817 Piner Rd.
Company Law Office of Matthew A. Nichols	Owner Name 2	City, State, Zip Wilmington, NC 28409
Address 3205 Randall Pkwy, Suite 104	Address 2075 Juniper Lake Rd.	Parcel ID R07600-002-190-000 and a portion of R07600-002-020-000
City, State, Zip Wilmington, NC 28403	City, State, Zip West End, NC 27376	for Conditional Zoning District
Phone (910) 508-7476	Phone	
Email matt@mattnicholslaw.com	Email	
Application Tracking Information (Staff Only)		
Case Number Reference:	Date/Time received:	Received by:

This document was willfully executed on the _____ day of _____, 20_____.

Par 5 Development Group, LLC

Owner 1 Signature
Applicant

By: Zachary Ivey, Authorized Representative

Owner 2 Signature

Exhibit A
to
Conditional Zoning District Application

Applicant: Par 5 Development, LLC, a North Carolina limited liability Company

Property Address: 813 and 817 Piner Road

Property Owners: William S. Hackney, II and wife, Tara S. Hackney, and Proclaim Holdings, LLC, a North Carolina limited liability company

Proposed Uses and Project Narrative

Proposed Use: A 2.0 acre CZD(B-1) lot for development of a $\pm 9,100$ sq. ft. retail store and a 1.28 acre R-15 general residential parcel for future residential development.

The Applicant is proposing a 2.0 acre CZD(B-1) commercial lot for construction of a $\pm 9,100$ square foot retail store on 813 Piner Road and a portion of 817 Piner Road with the remaining portion of 817 Piner Rd. (± 1.28 acres) proposed as a R-15 general residential parcel (total area of the combined project is 3.28 acres). The proposed retail store is intended to be a neighborhood store, conveniently located within walking distance of both existing residential neighborhoods and new single- and multi-family residential neighborhoods currently under development. Additionally, the retail store is in close driving proximity to the surrounding neighborhoods and is intended to provide a convenient shopping alternative in a location that will capture existing vehicle trips on Piner Road.

The remaining portion of 817 Piner Road, located behind the proposed retail store site, is planned to be a 1.28-acre R-15 residential parcel (general zoning district), which is consistent with both the surrounding zoning and the General Residential placetype.

Both 813 and 817 Piner Road are currently zoned CUD (O&I). There is an existing commercial office generally located where the $\pm 9,100$ square foot retail store is planned, and there is a former commercial golf training facility in the general area where the R-15 parcel is proposed.

The Applicant respectfully contends that a convenient neighborhood store and a low-density residential parcel in this location would be a higher and better use than the existing

office and current approved recreational facility use. This proposed project would provide a convenient shopping option for area residents, create jobs, expand the County's tax base, and provide an additional opportunity for a single-family home or a very small-scale, low-density residential housing development.

With regard to conditional zoning districts, the New Hanover County Zoning Ordinance § 55.2-1 states in part:

This procedure is intended primarily for use with transitions between zoning districts of very dissimilar character (e.g. R-15 and B-2) where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large.

This stated purpose of the conditional district zoning ordinance is particularly applicable to the proposed project. The subject property, while located in the General Residential place-type, also touches the Urban Mixed-Use place-type of Monkey Junction. While big-box retail or full-sized grocery stores are more appropriately located within the central part of the Monkey Junction growth node, a conveniently-sized neighborhood retail store in this location would be more appropriate in the existing context and surrounding land uses, and it would serve as a good transition between the more intense commercial uses in Monkey Junction and the more residential uses down Piner Road. Additionally, many policies of the New Hanover County Comprehensive Plan support this type of use.

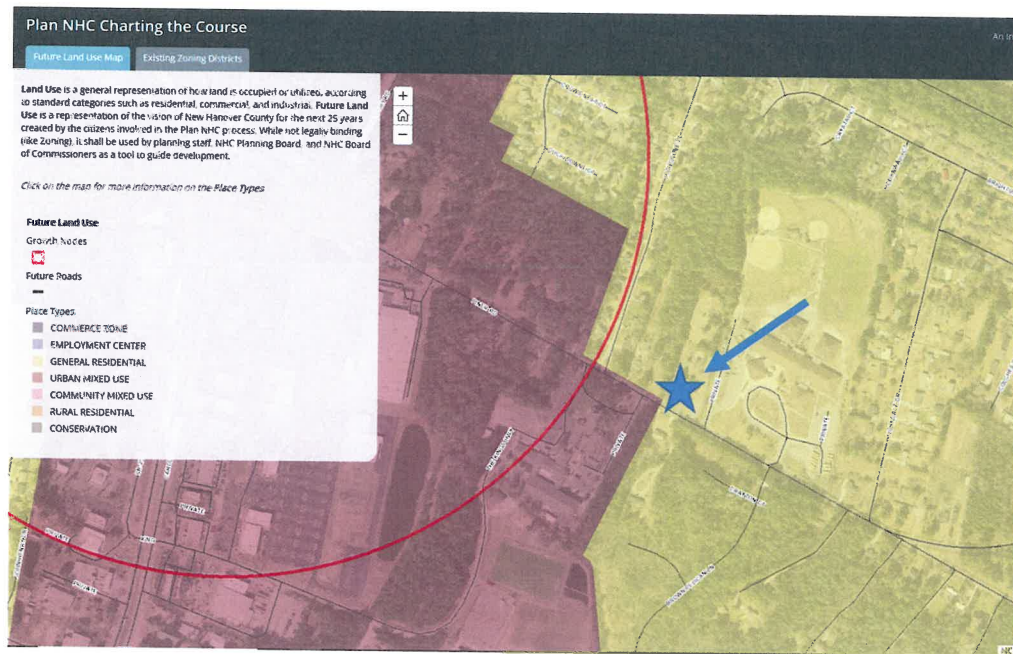
Proposed Conditions

The Applicant looks forward to working with County Planning Staff to develop a list of appropriate and reasonable proposed conditions.

Criteria

- 1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)**

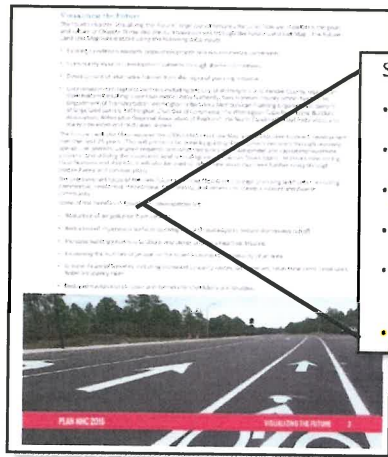
The Subject Property is located in the General Residential Place-Type and touches the Urban Mixed-Use Place-Type. The Monkey Junction growth node is also nearby as illustrated below:



The General Residential place-type allows for low-intensity neighborhood scale retail, such as the proposed use, in order to serve nearby residences. The intent and goal is to provide nearby residents a convenient place to buy everyday household goods and food items within walking distance and close driving proximity to surrounding neighborhoods.

It is also important to note that while there is a major commercial node at Monkey Junction, there are few general goods stores on the west side of Monkey Junction. The proposed retail store will provide many nearby area residents with a convenient shopping option for everyday goods and food items without having to cross the Monkey Junction intersection at College Road and Carolina Beach Road.

One benefit of adding a mixture of low-intensity commercial uses to nearby residences is to capture existing vehicle trips along Piner Road, allowing residents a more convenient shopping option. Placing a shopping alternative for everyday household goods and food items within walking distance or close driving proximity to area residences will capture existing trips and help reduce the need for residents to travel greater distances to the County's major commercial nodes and shopping centers. This is one of the main planning goals in the Comprehensive Plan, which describes the benefits of locating a mixture of uses close together, particularly with respect to transportation issues.



Some of the benefits of mixed-use development are:

- Reduction of air pollution from vehicles.
- Reduction of impervious surfaces (parking lots and roadways) to reduce stormwater runoff;
- Increase walking proximity to shops and stores creates a healthier lifestyle.
- Increasing the number of people on the street to enhance the security of an area.
- Greater financial benefits, including increased property values, tax revenues, retail lease rates, retail sales, hotel occupancy rates.
- Reduced transportation costs and barriers for the elderly and disabled.

This concept is promoted throughout the Comprehensive Plan in many Policies and Guidelines. The proposed rezoning is consistent with all of the following Comprehensive Plan Guidelines:

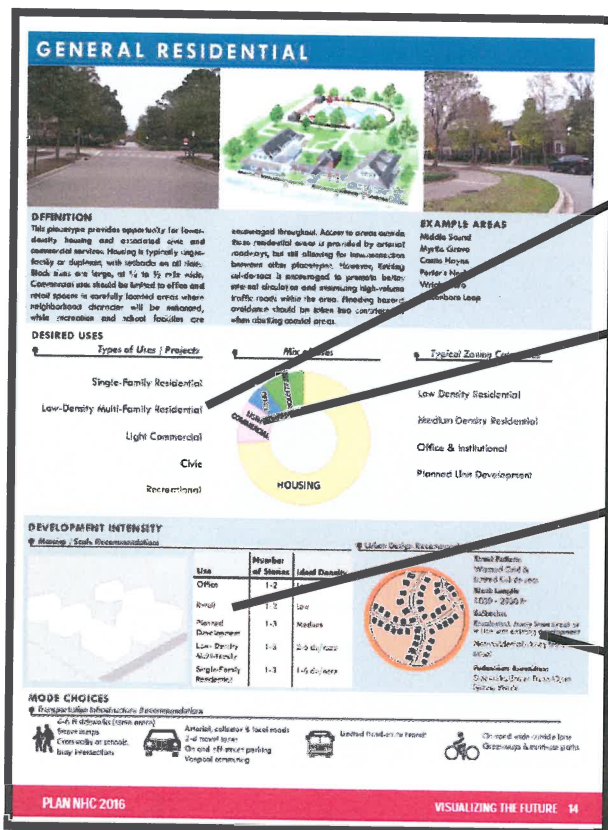
- **Guideline I.C.2: Develop strategies for encouraging office, retail and other light intensity non-residential uses within existing residential areas to provide community level service.**
- **Guideline III.D.1: Encourage incremental transformation of single uses into compatible mixed use centers that are compatible with the surrounding neighborhoods.**
- **Guideline V.B: Facilitate programs to encourage reuse, rehabilitation, and redevelopment of existing residential, commercial, industrial buildings and properties where appropriate.**
- **Guideline IX.A: Promote a mixture of uses where appropriate in an effort to cluster development and minimize impacts on natural resources.**
- **Guideline IX.D.1: Encourage incremental inclusion of mixed uses into areas that are single use dominated where the uses are compatible with the surrounding neighborhoods.**
- **Guideline XXI.A.1: Promote compact development and infill with a mix of integrated community uses (e.g. housing, shops, workplaces, schools, parks, and civic facilities) within walking or bicycling distance that minimize vehicle trips and vehicle miles traveled.**

- **Guideline IX.D.2: Encourage infill development to maximize use of previously developed sites for highest and best use.**

Throughout the Comprehensive Plan, you can see the guiding principles encourage incorporating a mixture of uses and creating a more efficient development pattern. An affordable and convenient neighborhood retail store within walking distance of nearby residences and the opportunity to create additional low-density housing is entirely consistent with these principles.

2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

The Future Land Use Map categorizes the area General Residential, with Urban Mixed Use diagonally across the road. The General Residential classification allows for low-density, one to two story commercial that is set back from the road as well as lower density housing. It also allows for low density single-family residential uses as proposed for the R-15 portion of the project.



Lower density housing and associated civic and commercial.

Preferred mix of uses includes light commercial.

Preferred intensity of commercial is low density with 1-2 stories.

Non-residential should be set back from the street.

The type, scale and low-intensity nature of this proposed use is consistent with the preferred uses of the General Residential area. More generally, and as set forth in the foregoing response to Question #1, the proposed rezoning is supported by many of the planning and growth strategies, policies and goals in the Comprehensive Plan. The proposed rezoning provides a preferred mix of both light commercial and residential uses at a desired density and scale under the Comprehensive Plan.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

In 2016, the County adopted a new Comprehensive Plan and reclassified the area from Transitional to General Residential, which generally favors more low-density commercial uses and lower density housing.

Consistent with NHC Zoning Ordinance § 55.2-1, the proposed development provides a good transition and balance between the more intensive commercial uses in Monkey Junction and the more residential uses down Piner Road.

The proposed development is low-density commercial, as recommended in the Comprehensive Plan for General Residential areas; it is one-story in height; it will have low visual impacts in the surrounding area, including the existing residential uses; it will have a relatively low vehicle trip generation and is designed to capture existing vehicle trips along Piner Road; and it will not negatively impact the existing residential uses in the area. The R-15 portion of the project will allow future development low-density residential on the parcel as also recommended for the General Residential area.

The growth in this area of the County also weighs in favor of this rezoning request. Unlike the existing commercial office and commercial golf training facility currently approved for this site—which for the most part do not provide beneficial goods, services or shopping alternatives to the vast majority of area residents on a day-to-day basis—the proposed small-scale retail store will provide a convenient shopping option for household goods and food items on a daily basis for all area residents.

REPORT OF COMMUNITY MEETING
Proposed Conditional Rezoning from CUD (O&I) to CZD (B-1) and R-15
813 and 817 Piner Road

The undersigned hereby certifies that written notice of a community meeting for the above-referenced conditional rezoning proposal was mailed via First Class Mail to all property owners within 500 feet of the subject properties as listed on the County tax records on November 26, 2018, and also submitted to the County Planning Department on November 26, 2018 for e-mail distribution via the "Sunshine List". A list of all adjacent property owners to whom written notice was mailed is attached hereto as Exhibit "A". A copy of the written notice is also attached as Exhibit "B". No envelopes were returned undeliverable.

The meeting was held at the following time and place: Thursday, December 13, 2018, from 5:30 p.m. to 7:00 p.m. at Wilmington Moose Lodge #343, 4610 Carolina Beach Rd., Wilmington, North Carolina.

The persons in attendance were:

For a list of persons in attendance, please see copy of sign-in sheets from the Community meeting attached hereto as Exhibit "C". On behalf of the Applicant, Par 5 Development Group, LLC, the following people were in attendance: Richard Vincent, President, and Michael Black, Land Acquisition Specialist, Par 5 Development Group, LLC; Tommy Scheetz, Project Engineer, Norris & Tunstall Consulting Engineers, P.C.; Matt Nichols (attorney) and Nikki Cooper (paralegal), Law Office of Matthew A. Nichols.

The following issues were discussed at the Community Meeting:


- Proposed ±9,100 sq. foot retail store for front portion of property and proposed general residential for rear portion of property.
- Location of proposed store and basis for selection of proposed location.
- Anticipated traffic impacts and concerns along Piner Road.
- Site layout and proposed store design.
- Stormwater drainage and retention pond.
- Types of retail goods and food items to be offered in proposed store.
- Number of anticipated jobs created.
- Anticipated economic and tax impacts of proposed project.
- Number of community meeting notices mailed and process for generating mailing list.
- Information regarding Dollar General's history, stores, locations and community involvement.
- Anticipated timeline for submittal of rezoning application to New Hanover County and earliest possible dates for Planning Board hearing.

As a result of the meeting the following changes were made to proposed project:

No proposed changes at this time.

Respectfully submitted,

Applicant: Par 5 Development Group, LLC

By: 
Matthew A. Nichols, attorney and agent for the Applicant
Law Office of Matthew A. Nichols

PROPERTY OWNER	MAILING ADDRESS	PROPERTY PARID	PROPERTY ADDRESS
PROCLAIM HOLDINGS LLC	PO BOX 15447	R07600-002-190-000	817 PINER RD.
NEW HAN CNTY BD OF EDUCATION	6410 CAROLINA BEACH RD	R07600-002-021-000	901 PINER RD.
COE WILLIAM M GAY G	140 SYLVAN SHORES DR	R07600-002-032-000	5760 HIGHGROVE PL
BERRY BRUCE DAVID	708 CROWS NEST CT	R07600-002-037-000	5740 HIGHGROVE PL
MULLIGAN SEAN P	5756 HIGHGROVE PL	R07600-002-033-000	5756 HIGHGROVE PL
PHAM NATHAN TUAN	5768 HIGHGROVE PL	R07600-002-030-000	5768 HIGHGROVE PL
FERRIER CELIA	5765 HIGHGROVE PL	R07600-002-064-000	5765 HIGHGROVE PL
COREY DANA H	5764 HIGHGROVE PL	R07600-002-031-000	5764 HIGHGROVE PL
REAVES RONNIE D	735 PINER RD	R07600-002-016-000	735 PINER RD
LANCASTER JOHN R	PO BOX 307	R07600-002-061-000	5753 HIGHGROVE PL
HUBBARD WILLIAM T	5757 HIGHGROVE PL	R07600-002-062-000	5757 HIGHGROVE PL
HATCHER BARTON	5761 HIGHGROVE PL	R07600-002-063-000	5761 HIGHGROVE PL
BURNETTE ROBERT S JR MARY F	5733 HIGHGROVE PL	R07600-002-056-000	5733 HIGHGROVE PL
NORRIS DAVID G BETTY V	4105 BUFFINGTON PL	R07600-002-057-000	5737 HIGHGROVE PL
ROWLAND DANIEL RAY ETAL	920 PINER RD	R07600-002-018-000	801 PINER RD
SMITH FRANCES W HEIRS	805 PINER RD	R07600-002-019-000	805 PINER RD
GL & SM LTD PTNRP	1406 CASTLE HAYNE RD	R07600-002-068-000	719 PINER RD
MILLARD DAVID K BILLIE J	712 DUCK DOWNE CT	R07611-006-008-000	712 DUCK DOWNE CT



MYRTLE GROVE PRESBYTERIAN CHURCH	800 PINER RD	WILMINGTON, NC 28409	R07600-004-018-003	800 PINER RD
HACKNEY WILLIAM S II TARA S	PO BOX 15447	WILMINGTON, NC 28408	R07600-002-020-000	817 PINER RD
BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON, NC 28403	R07600-004-145-000	5609 BROWN PELICAN LN
			R07600-004-144-000	5605 BROWN PELICAN LN
			R07600-004-139-000	908 DRAYTON CT
			R07600-004-133-000	923 DRAYTON CT
			R07600-004-134-000	919 DRAYTON CT
			R07600-004-136-000	911 DRAYTON CT
			R07600-004-138-000	904 DRAYTON CT
			R07600-004-135-000	915 DRAYTON CT
			R07600-004-141-000	916 DRAYTON CT
			R07600-004-142-000	920 DRAYTON CT
			R07600-004-143-000	924 DRAYTON CT
			R07600-004-159-000	5622 BROWN PELICAN LN
			R07600-004-018-000	802 PINER RD
			R07600-004-160-000	OPEN/Common AREA/STORM WATER EASEMENT KAYLIES COVE PH 1
			R07600-004-140-000	912 DRAYTON CT

SANDERS CAROL	5748 HIGHGROVE PL	WILMINGTON, NC 28409	R07600-004-137-000	907 DRAYTON CT
DORAZIO JENNIFER J ETAL	5744 HIGHGROVE PL	WILMINGTON, NC 28409	R07600-002-035-000	5748 HIGHGROVE PL
DUFFY CHRISTOPHER	5752 HIGHGROVE PL	WILMINGTON, NC 28409	R07600-002-036-000	5744 HIGHGROVE PL
FOXWORTH EDWARD J LISA ANN C	5749 HIGHGROVE PL	WILMINGTON, NC 28409	R07600-002-034-000	5752 HIGHGROVE PL
POPOWSKI MICHAEL JEAN	5741 HIGHGROVE PL	WILMINGTON, NC 28409	R07600-002-060-000	5749 HIGHGROVE PL
ATZ MICHAEL J	1561 3RD STREET	WEST BABYLON, NY 11704	R07600-002-058-000	5741 HIGHGROVE PL
BILL CLARK HOMES OF WILMINGTON LLC	27 RACINE DR SUITE 201	WILMINGTON, NC 28403	R07600-002-059-000	5745 HIGHGROVE PL
ROGERS DUDLEY LINWOOD JR	5546 PEDEN POINT RD	WILMINGTON, NC 28409	R07600-004-010-000	902 PINER RD
			R07600-004-011-000	814 PINER RD



**LAW OFFICE OF
MATTHEW A. NICHOLS**

3205 Randall Parkway, Suite 104
Wilmington, NC 28403

Ph: (910) 508-7476
Email: matt@mattnicholslaw.com

November 26, 2018

NOTICE OF COMMUNITY MEETING

TO: Adjacent and Nearby Property Owners and Residents
FROM: Matthew A. Nichols
RE: Community Meeting Regarding Proposed Conditional Zoning District Request
Thursday, December 13, 2018 – 5:30 p.m. to 7:00 p.m.
Wilmington Moose Lodge #343, 4610 Carolina Beach Rd., Wilmington, NC

Dear Neighbors:

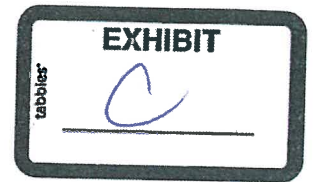
This is a notice for a community information meeting for an upcoming request by my client, Par 5 Development Group, LLC, the applicant, on behalf of William S. Hackney, II and wife, Tara S. Hackney, and Proclaim Holdings, LLC, the property owners, for a rezoning from CUD(O&I) to CZD (B-1) and R-15, for a ±9,100 square foot retail store on the proposed CZD(B-1) zoned portion of the subject property, and approximately 1.28 acres of general residential on the proposed R-15 zoned portion of the subject property.

The combined subject properties total approximately 3.28 acres and are located at 813 and 817 Piner Road, and are identified as New Hanover County Tax Parcel ID Nos. R07600-002-190-000 and R07600-002-020-000. The subject properties are generally shown as that light blue shaded area on the attached exhibit map (Exhibit 1). Also attached to this notice is a preliminary conceptual rendering of the proposed project (Exhibit 2).

The purpose of the community information meeting is to explain the proposal and answer questions from meeting attendees. This meeting is also open to the general public.

The community meeting will be held in the meeting room of the Wilmington Moose Lodge #343 located at 4610 Carolina Beach Rd., Wilmington, NC from 5:30 p.m. to 7:00 p.m. on Thursday, December 13, 2018.

For directions or for further information, or if you are unable to attend the community information meeting and have any questions, comments or concerns about this matter, please feel free to contact me or my paralegal Nikki Cooper at the contact information listed above, and I will be glad to speak or meet with you individually at your convenience.



COMMUNITY MEETING SIGN-IN SHEET
FOR PROPOSED CONDITIONAL DISTRICT REZONING REQUEST
FOR 813 AND 817 PINER RD.
(NEW HANOVER TAX PARCEL ID NOS. R07600-002-190-000 AND R07600-002-020-000)
DECEMBER 13, 2018
WILMINGTON MOOSE LODGE #343, 4610 CAROLINA BEACH RD., WILMINGTON, NC

NAME

ADDRESS

Cece Nunn	2909 Newkirk Ave.
BRAD SCHUCER	230 Government Center
Spe Hale	5114 Masontown Harbor Dr.
David & Breegan Meland	712 Duck Down Ct.
Marcie Morgan	110 Green Smith Lane
Wendell Nixon	1064 Pined Rd., Wilmington
Barbara Bakowycz	902 Deer Spring Lane Wilmington NC
Megan Weiskopf	210 Royal Oak Dr. Wilmington NC 28409
Justin Weiskopf	11 11
Mckenzie Rankin	WWAY TV 3

Wilmington Moose Lodge #343, 4610 Carolina Beach Rd.

ADDRESS

JUSTIN WEISKOPF 210 ROYAL OAK DRIVE 28409

EXHIBIT

1



2



LEGEND

 PROPERTY LINE 25 BF BUFFER
 RIGHT OF WAY SY STREET YARD
 50 SB SETBACK

NORRIS & TUNSTALL
CONSULTING ENGINEERS, P.C.
902 MARKET STREET
WILMINGTON, NC 28401
N&T LICENSE NO. C-3641
PHONE (910) 343-9553
FAX (910) 343-9504
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N&T NO. 18085

DOLLAR GENERAL
PINER ROAD
SCHEMATIC SITE PLAN

SCALE: 1" = 100'

PERM LICENSE NO. C-35991		CITY, STATE, STREET: WILMINGTON, NC. PINER RD		ISSUE DATE 11/09/18	DRAWING NUMBER C2.1		
PROTOTYPE:	F						
BLDG/SALES SF:	9,100 SF	COMPANY:	PAR 5 DEV. GROUP			COMPANY:	NORRIS & TUNSTALL
ACREAGE:	2.00	NAME:	LEE PITTMAN			NAME:	PHIL NORRIS
PARKING SPACES:	27	PHONE:	910-944-0881			PHONE:	910-287-5900



TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 01/15/2015 11:26:06 AM

Book: PLAT 60 Page: 76-77

Document No.: 2015001149

2 PGS \$21.00

Recorder: JOHNSON, CAROLYN

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

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10. *Journal of the American Medical Association*, 2000; 284: 2689-2695.



2015001149

18085

FOR REGISTRATION REGISTER OF DEED
TAMMY THEUSCH BEASLEY
NEW HANOVER COUNTY, NC
2015 JAN 15 11:26 06 AM
BK 60 PG.76-77 FEE \$21 00



INSTRUMENT # 2015001149

MAP INDEX

Recombination For William

Spencer Hackney

Name of Map

William Spencer Hackney

Owner's Name

Type of Map: ✓ Subdivision Plat
Condo
Highway

Book 60 Page(s) 76

Number of Pages 1

Recorded By: Carolyn Johnson
Carolyn Johnson-Deputy