



Proposed
CZD / RMF-M
(7578 Carolina
Beach Road)

CAPESIDE DR

PLAYER WAY

GRAND BANKS DR

OCRACOCKE DR

CAROLINA BEACH RD

XING

R-15



NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina 28403

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com

CONDITIONAL ZONING APPLICATION

This application form must be completed as part of a conditional zoning application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.3 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name Cindee Wolf	Owner Name (if different from Applicant/Agent) Sanjeev B. & Hita S. Badhiwala
Company Design Solutions	Company/Owner Name 2
Address P.O. Box 7221	Address 5424 Aventuras Drive
City, State, Zip Wilmington, NC 28406	City, State, Zip Wilmington, NC 28409
Phone 910-620-2374	Phone 910-742-1112 (Contact: Matt Ward)
Email cwolf@lobodemar.biz	Email matt@woodseng.com

2. Subject Property Information

Address/Location 7578 Carolina Beach Road		Parcel Identification Number(s) 313110.37.6263/ R08500-002-022-000	
Total Parcel(s) Acreage 1.50 ac+/-	Existing Zoning and Use(s) R-15	Future Land Use Classification Community Mixed-Use	

3. Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: CZD / RMF-M	Total Acreage of Proposed District: 1.50 ac+/-
<p>Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (attach additional pages if necessary). Note: Only uses permitted in the corresponding General Use District are eligible for consideration within a Conditional Zoning District.</p> <p>The proposed project is to develop sixteen (16) attached / single-family residences in four (4) -unit buildings. They will be constructed for individual ownership. Utility service will be provided by AQUA America water & sanitary sewer mains. Access is directly from Carolina Beach Road, a major thoroughfare. Stormwater management be facilitated by a pond.</p>	

4. Proposed Condition(s)

<p>Note: 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.</p> <p>Reference the Concept Plan for site layout and improvements. If approved, proposed project will go through detailed design and permitting by all County departments and State agencies prior to construction authorization.</p>
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5. 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 Traffic 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.

ITE Land Use: Residential Townhouse (230)

Trip Generation Use and Variable (gross floor area, dwelling units, etc.) per Dwelling Unit @ 16

AM Peak Hour Trips: 7

PM Peak Hour Trips: 8

6. Conditional Zoning District Considerations

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County 2016 Comprehensive Plan and the objectives outlined in the Unified Development Ordinance and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of 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 Zoning district meets the following criteria.

- 1. How would the requested change be consistent with the County's policies for growth and development, as described in the 2016 Comprehensive Plan, applicable small area plans, etc.**

The policies for growth and development encourage safe and affordable housing to be available to every citizen. Sustainability of the County depends on sensible in-fill and maximizing use of lands already accessible to urban services. The proposed development will provide for an alternative housing product in the area.

2. How would the requested Conditional Zoning district be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map.

The tract is identified in the Comprehensive Land Use Plan as a "Community Mixed-Use" place-type. The plan suggests higher densities. The proposed project is an acceptable transition use along the busier Carolina Beach Road, and the single-family / "age-restricted" residential community of Capeside Village to the West.

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?

Carolina Beach Road is a major thoroughfare, and has become extremely busy over the years. These undeveloped tracts along the highway are no longer attractive for the classic single-family home. Attached housing is a reasonable transitional use. Increased density allows for more affordability.

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 determined to be incomplete must be corrected in order to be processed for further review; Staff will confirm if an application is complete within five business days of submittal.

Application Checklist

Applicant Initial

<input type="checkbox"/> This application form, completed and signed	<u>CW</u>
Application fee:	
<input type="checkbox"/> <ul style="list-style-type: none"> • \$600 for 5 acres or less • \$700 for more than 5 acres • \$300 in addition to base fee for applications requiring TRC review 	<u>CW</u>
<input type="checkbox"/> Community meeting written summary	<u>CW</u>
<input type="checkbox"/> Traffic impact analysis (if applicable)	<u>N/A</u>
<input type="checkbox"/> Legal description (by metes and bounds) or recorded survey Map Book and Page Reference of the property requested for rezoning	<u>CW</u>
Conceptual Plan including the following minimum elements:	
<input type="checkbox"/> Tract boundaries and total area, location of adjoining parcels and roads <ul style="list-style-type: none"> • Proposed use of land, building areas and other improvements <ul style="list-style-type: none"> ○ For residential uses, include the maximum number, height, and type of units; area to be occupied by the structures; and/or proposed subdivision boundaries. ○ For non-residential uses, include the maximum square footage and height of each structure, an outline of the area structures will occupy, and the specific purposes for which the structures will be used. • Proposed transportation and parking improvements; including proposed rights-of-way and roadways; proposed access to and from the subject site; arrangement and access provisions for parking areas. • All existing and proposed easements, required setbacks, rights-of-way, and buffers. • The location of Special Flood Hazard Areas. • A narrative of the existing vegetation on the subject site including the approximate location, species, and size (DBH) of regulated trees. For site less than 5 acres, the exact location, species, and sized (DBH) of specimen trees must be included. • Approximate location and type of stormwater management facilities intended to serve the site. • Approximate location of regulated wetlands. • Any additional conditions and requirements that represent greater restrictions on development and use of the tract than the corresponding general use district regulations or additional limitations on land that may be regulated by state law or local ordinance 	<u>CW</u>
<input type="checkbox"/> One (1) hard copy of ALL documents and site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	<u>CW</u>
<input type="checkbox"/> One (1) digital PDF copy of ALL documents AND plans	<u>CW</u>

7. 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 I am applying. I understand that the existing Official Zoning Map is presumed to be correct. 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 comments; 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.

Sanjeev Badhiwala

Signature of Property Owner(s)

Cynthia Wolf

Signature of Applicant/Agent

Sanjeev B. Badhiwala

Print Name(s)

Cynthia Wolf / Design Solutions

Print Name

Note: This 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, 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.

Legal Description for
Conditional Zoning District over
7578 Carolina Beach Road

Beginning at a point in the western boundary of Carolina Beach Road (U.S. Hwy. 421), a 160' public right-of-way; said point also being at the southeastern corner of "Lot 1 – Mary Freeman Ford Division," a plat recorded among the land records of the New Hanover County Registry in Map Book 32, at Page 121; and running thence with the Carolina Beach Road right-of-way:

South $13^{\circ}57'12''$ West, 208.72 feet to a point; thence,
South $89^{\circ}10'51''$ West, 322.90 feet to a point; thence
North $13^{\circ}57'12''$ East, 208.72 feet to a point; thence
North $89^{\circ}10'51''$ East, 322.90 feet to the point and place of beginning, containing 65,270 square feet, or 1.50 acres, more or less.

**REPORT OF COMMUNITY MEETING REQUIRED BY
NEW HANOVER COUNTY ZONING ORDINANCE
FOR CONDITIONAL DISTRICT REZONINGS**

Project Name: ASMW Townhomes / 7578 Carolina Beach Road
Proposed Zoning: R-15 to (CZD) RMF-M

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail, and provided to the Planning Department for notice of the Sunshine List on June 14, 2021 . A copy of that written notice and a list of recipients are attached.

Subsequently, one of the recipients objected to the venue and offered the community clubhouse as an alternative. Another mailing was made for the updated location. It is also attached.

The meeting was held at the following time and place: Monday, June 28, 2021
6:00 p.m.; at the Capeside Village Clubhouse, 704 Capeside Drive.

The persons in attendance at the meeting were: Reference attached sign-in List.

The following issues were discussed at the meeting: A presentation was given on the
proposed project, how it relates to the Comp Plan and the particulars about Conditional
Zoning Districts. A representative from the community gave a presentation and provided a
Petition of signatures outlining the various points their opposition (See Attached).
Subsequent conversation revolved around mistrust in the stormwater regulations to protect
them and the ever-increasing traffic on Carolina Beach Road.
Some opponents simply did not want anything to be developed on the site, and others
made a request that the developers consider age-restricting the proposed development
as would be similar to their community.

As a result of the meeting, the following changes were made to the petition: No changes were
made to the concept layout of sixteen (16) units, but the developers are pro-actively
reviewing the soils and preliminary stormwater management design.

Date: June 29, 2021
Applicant: Design Solutions
By: Cindee Wolf

Community Information

7578 Carolina Beach Road

Date: June 28, 2021

Name	Address	Email (Optional)
Cynthia Terry	412 Capeside Dr	clt1552@hotmail.com
George Lichtenfels	7503 Player Way	Sligh Lichtenfels@verizon.net Phone Contact
Gerald (Gellos?)		Phone Contact
Dee Pearce	Appraiser	deepearce@gmail.com
Mary Ford Freeman	7552, 7558 & 7562 ^{Carolina Beach Rd.}	maryford43@outlook.com
MARTHA + John Elliott	609 Capeside Dr.	phone contact
KAY + JOHN PRENTICE	504 CAPESE DR	PHONE
PAUL GERBA	613 CAPESE DR	XCBMW@AOL.COM
^{Ebbetts Woods} Frank & Joan	7520 Player Way	you have it
Alfred Wade Sr	9626 River Rd	alfred@lucy@charter.net
John MacNeil	727 Grand Banks Dr.	_____
Charles A. Holden	809 N. Seabreeze Rd	Holden-ernestine.net
Bernie Vaudrin	640 Capeside Dr.	bernienbeth@gmail.com
John Hinnant	4922 Randall Pkwy, Unit D. ₋₈₄₀₃	joh@eccrnc.com
Katie Bradshaw	734 Grand Banks Drive	surveykbb@yahoo.com
Carolyn A. Forsythe	7515 Player Way	CForsythe43@yahoo
Matt Ward	Developer	matt@woodseng.com
Cindee Wolf	Project Planner	cwolf@lobodemar.biz

7578 Carolina Beach Road Townhomes

[illegible]

P.O. Box 7221
Wilmington, NC 28406



HAWKINS PAUL W
4509 OLD LARKIN CT
WAKE FOREST, NC 27587



FOREVER / USA

NIXIE 276 FE 1 0006/21/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 28406722121 *0148-02001-10-04

UTF
27587587071RC

P.O. Box 7221
Wilmington, NC 28406



LICHTENFELS GEORGE R JR SHERRY
554 SEWARD ST
SEWARD, PA 15954



FOREVER / USA

CHARLOTTE NC 280

15 JUN 2021 PM 4 L

WTF

NIXIE 152 FE 1 0006/25/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 28406722121 *2348-05144-15-45

FWD
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284067221

Overview

Introduction

My Name is Frank Ebbinghouser my wife Joan and I own and reside at 7500 Player Way, for the past 25 years. I was appointed to speak for the residents of the community to you regarding our concerns.

We thank you for changing the location of the meeting to our clubhouse accommodating the residents to be more comfortable.

I hope you took the opportunity to drive around our community to see what 30 years of independent seniors can accomplish. We take great pride in our community and are ready, willing, and able to fight using all legal means to protect our homes, health and rights.

Description of Capeside

Capeside Village was established in 1993 as one of the first over 55 retirement communities in the state of North Carolina. Its current make up is 61 single family residences, includes a small pool and clubhouse for the exclusive use of the residents. It sits on 14 acres 11 are developed and 3 acres are protected wetlands. Our controlling documents are supplemented by 24 CFR part 100 Housing for Older Persons Act of 1955.

The current population consists of approximately 97 senior citizens, 20 homes are occupied by a single individual. 38 homes are occupied by 2 or more residents. And 3 are currently vacant and for sale. The average age of the community is 74 years. (These numbers are subject to change).

Historical water problems

The west end of the community sits directly adjacent to the wetlands which empties into the Cape Fear River. The lowest elevations of these homes are in the 5 foot range which is equal to the high tide. There are 5 homes directly adjacent to the wetlands. The east end of the community is in the 11 to 14 foot elevation range, some of this land is adjacent to the lot in which the rezoning request is being made. There are 2 storm water drainage ditches, one on the North side of the community the other on the South side of the community. Both intersect

Carolina Beach Road and direct the storm water flow through the backyards into the wetlands. The north ditch flows through the yards of 16 homes. The south ditch flows through the yards of 13 homes clubhouse and pool. The ditches distance from the home foundations in some instances is as close as 10 feet. According to the latest flood zone maps 36 homes are all or partially in flood zone AE requiring flood insurance. This is a heavy burden placed on seniors who are mostly on a fixed income.

Because of the grade being higher at Carolina Beach Road to lower at the west end of the community terminating in the wetlands all water not contained in the storm water ditches flows through the streets ponding at the lower elevations and the lower end of the driveways.

I am not an engineer or claim to have any special education in water flow but I am a homeowner and when I dig a hole in my yard under normal rainfall the water table is less than one foot down. During heavy weather my grass is covered sometime by inches of water that seep slowly into the ground and it takes hours to go away.

Decision of board to form committee

Immediately after receiving Ms. Wolfs letter the President called an emergency meeting where the community voted to form a petition committee in opposition to the project and research hiring an attorney specializing in land use and zoning issues.

Our understanding of the code requires you as the developer and its representative to file all objections that have been raised at this meeting with the appropriate government officials. In order to insure fair compliance I personally will be filing copies of the document with them.

Objections

Our primary objections are the addition of approximately ½ acre or more of hard scape, eliminating the natural absorption of the rainwater into the forest, causing all this water to flow downstream into our community, The addition of a infiltration pond at the north west corner of the project directly over our north drainage ditch will add to the burden of an overwhelmed system causing,

additional water flow, and possible flooding if the pond is not properly maintained. (see attached WECT article) The removal of the trees and bushes that act as a natural barrier will open up our homes to storm winds with the potential of catastrophic damage.

There are other serious concerns described in the document.

Petition and results

I hereby present you with a documented petition containing 91 signatures or email authorizations protesting your attempt to rezone the property commonly known as 7578 Carolina Beach Road, from R15 to "A Performance Residential Town Home Development."

In the text we describe 10 objections the community has to your project and how it will impact our lives and health. We ask you carefully review this document and cease your attempt at rezoning.

Future actions that will be taken

If your decision is adverse to the welfare of the community we will proceed with hiring an attorney to represent us at any and all future meetings and respond to any and all legal issues that come up.

We respectfully submit this 15 page document to you and hope that common sense will prevail. Ask yourselves if we were your grandparents or great grandparents would you subject them to this indignity and disregard their health, and needs.

Thank you for your time.

Frank Ebbinghouser

6.28.21

Capeside Village Owners' Association Inc.

704 Capeside Drive,
Wilmington NC 28412

June 28, 2021

Cindee Wolf
Design Solutions
PO Box 7223
Wilmington NC 28406

CC:
New Hanover County Department of Planning and Land Use.

Re: 7578 Carolina Beach Road rezoning request.

Dear Ms. Wolf, Unnamed Developer, Rebekah Roth CZO and Nicole Smith CZO.

We, as the closest and most immediately impacted community by the proposed rezoning of the parcel 7578 Carolina Beach Road. From R15 to "A Performance Residential District" **strongly Protest this change in zoning.**

Background

Capeside Village was established in 1993 as one of the first over 55 retirement communities in the state of North Carolina. Its current make up is 61 single family residences, a small pool and clubhouse for the exclusive use of the residents. It sits on 14 acres 11 are developed and 3 acres are protected wetlands. Our controlling documents are supplemented by 24 CFR part 100 Housing for Older Persons Act of 1955.

The current population consists of approximately 97 senior citizens, 20 homes are occupied by a single individual. 38 homes are occupied by 2 or more residents. And 3 are currently vacant and for sale. The average age of the community is 74 years. (These numbers are subject to change).

Character of the Neighborhood

The west end of the community sits directly adjacent to the wetlands which empties into the Cape Fear River. The lowest elevations of these homes are in the 5 foot range which is equal to the high tide. There are 5 homes directly adjacent to the wetlands. The east end of the community is in the 11 to 14 foot elevation range, some of this land is adjacent to the lot in which the rezoning request is being made. There are 2 storm water drainage ditches, one on the North side of the community the other on the South side of the community. Both intersect Carolina Beach Road and direct the storm water flow through the backyards into the wetlands. The north ditch flows through the yards of 16 homes. The south ditch flows through the yards

of 13 homes clubhouse and pool. The ditches distance from the home foundations in some instances is as close as 10 feet. According to the latest flood zone maps 36 homes are all or partially in a flood zone requiring flood insurance. This is a heavy burden placed on seniors who are mostly on a fixed income.

Because of the grade being higher at Carolina Beach Road to lower at the west end of the community terminating in the wetlands all water not contained in the storm water ditches flows through the streets ponding at the lower elevations and the lower end of the driveways. I am not an engineer or claim to have any special education in water flow but I am a homeowner and when I dig a hole in my yard under normal rainfall the water table is less than one foot down. During heavy weather my grass is covered sometime by inches of water that seep slowly into the ground and it takes hours to go away.

Objections:

(1) Since the property in question is upstream from our community we are concerned with increased watershed run off that will impact our ditches causing additional flooding during storms and at some point may require more of us to purchase flood insurance.

(2) The addition of an infiltration pond discharging into the north ditch will increase the water flow through the north ditch contributing to additional backups and draining problems. This ditch experiences numerous backups and overflow on a regular basis. It is a known fact that retention or infiltration ponds require regular maintenance, they need to be cleaned regularly to remove sediment, the berms need to be maintained, they need to be kept free of vegetation which can cause blockages and overflow. They breed mosquitoes; attract unwanted animals such as water snakes, and alligators. What guarantee do we have that such a small HOA of 16 homes can afford to properly maintain this pond? It is a known fact that unmaintained ponds negatively affect property values. Putting an infiltration pond adjacent to a neighbor's property that has NO authority to maintain it without regard for their welfare or property values is irresponsible.

(3) The addition of approximately one half acre of hard scape impeding the natural absorption of rain water into the ground may contribute to flooding of our streets and ditches by this water flowing off the hardscape into our community.

(4) The removal of trees, bushes and brush will impede the absorption of water into the ground and will take away the natural protections the community has from storm and hurricane winds which are blocked by the trees.

(5) The possible additional runoff from this project may contribute to a higher water table possibly causing crawl spaces to become wet and promote mold growth.

(6) We are further concerned about the noise and safety of our residents should this proposal go through. Our community is frail and many of our residents require assistance, so they need to be protected.

(7) We are concerned with the sewage discharged from this new community if it is pumped into our present system which is already at its maximum we will have more instances of sewerage flowing in the streets as we have had in the past when there are power outages or the pump fails.

(8) Exiting Capeside drive onto Carolina Beach Road is hazardous in the best of times, due to the proximity of the traffic light at the River Road intersection. There are constant backups and it is very difficult to enter into the flow of traffic. Adding additional vehicles will make exiting the community even more difficult. The latest traffic study shows in excess of 33,000 cars a day pass our community.

(9) The loss of wildlife habitat is a concern for the residents, there is currently 8 acres of vacant land adjacent to the community with a rich diversion of wildlife, from a small deer herd, to possums, raccoons fox, rabbit, squirrels and even a few alligators and a myriad of birds all adding to the quality of life for the residents.

(10) Capeside Village is a quality community desired by many people looking to retire gracefully in a beautiful, safe corner of our state. We are concerned that the addition of an out of place development will adversely affect our property values and degrade the quality of life our residents have worked so hard to create.

Conclusion

The residents of Capeside Village wish to be good neighbors and have been so for almost 30 years. We wish no ill will to any neighbor nor do we wish to infringe on anyone's rights. When our homes, rights, health, community and lifestyle are threatened by whatever means we do not take it lightly or sit by without protest or response. Therefore we respectfully request Design Solutions "Cease and Desist" its plans to rezone the property known as 7578 Carolina Beach Road because we see this type of a development as a detriment to our lives. We purchased our homes with the secure knowledge that this adjacent property was zoned R15 and had fully expected that if developed it would be the same kind that we currently enjoy. Changing the game after we invested our hopes and expectations is abusive, immoral, unkind and unjust.

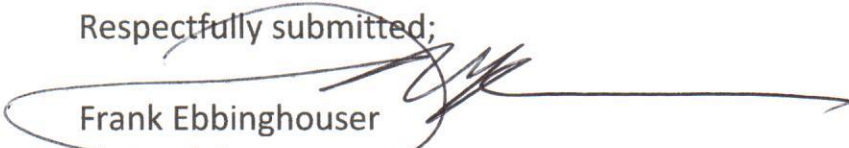
At a meeting of the community regarding this issue on June 21, 2021 the community was almost in full agreement we take the following actions.

We respectfully present to you a petition signed by 91 of our residents protesting the unfair changing of the game by a rezoning request. We will file this petition with all governmental agencies required so our voices may be heard.

The community also agreed at this meeting to hire an Attorney to protect our rights if necessary. The search has begun and we are interviewing Attorneys at this time to represent the community before any appropriate governmental agency to protect our rights.

An ideal solution to this situation is for all this land abutting Capeside Village be purchased by New Hanover County or be deeded to Capeside Village Owners' Association Inc. to be preserved as greenspace in perpetuity. This will solve a myriad of problems. Capeside retirement community lifestyle would be preserved. Water shed problems reduced. Wildlife could live in peace. There would be no added pollution, no increased traffic congestion. And no additional burden to the public services of New Hanover County. Thank you for your attention to this matter.

Respectfully submitted;



Frank Ebbinghouser
Chair of the Committee.

Attachments:

Petition

Exhibits #1 thru #9

Article from WECT 6.25.21 "Retention pond flooded Independence Blvd."

Design Solutions Site Plan of proposed project.

PETITION

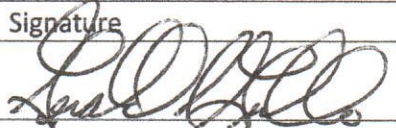
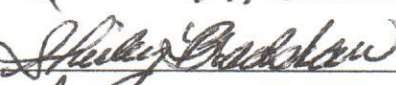

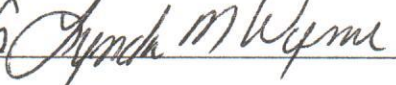
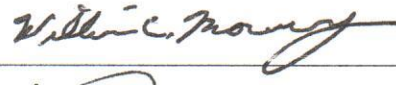

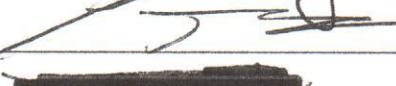
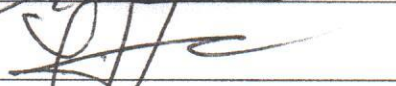

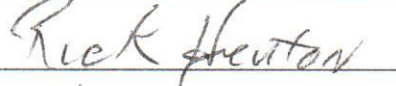
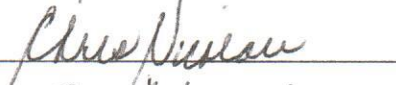
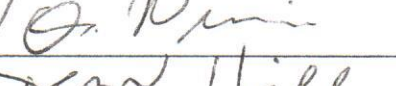

06/28/2021

13

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
GERALD S. GULLO	421 CAPESIDE DR. WILM. NC 28412	
Shirley Bradshaw	421 Capeside Dr. Wilm. NC 28412	
Michael Herman	428 Capeside Dr. Wilmington NC 28412	
Lynda Wynne	420 Capeside Dr. NC 28412	
REDACTED	REDACTED	REDACTED
WILLIAM MOWERY	420 CAPESIDE DR. 28412	
DOWNA MOWERY	420 CAPESIDE DR 28412	
Cynthia Terry	412 Capeside Dr 28412	
REDACTED	REDACTED	REDACTED
TIM HOGAN	517 CAPESIDE DR 28412	
JOANN BROOKSHIRE	408 Capeside	
Rick Henton	408 Capeside	
CHRIS NICOLAU	404 Capeside	
ANTONIO NICOLAU	404 CAPESIDE	
DEAN HILL	412 Capeside dr.	

PETITION

06/28/2021

//

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
Barbara Thimmes	644 Capeside Dr	Barbara Thimmes
Elsa M. Nichol	629 Capeside Dr	Elsa M. Nichol
Willie Wilson	7512 Playerway	Willie Wilson
Mary S. Luciano	705 Capeside Drive	Mary Luciano
Tressa Simpson	7503 Player Way	Tressa Simpson
Kyreama Lewis	7503 Player Way	Kyreama Lewis
CAROLYN A. FORSYTHE	7515 PLAYER WAY	Carolyn A. Forsythe
Gibby Fletcher R	521 CAPESE DR	Gibby Fletcher
William Fletcher	521 CAPESE DR	William Fletcher
SD GORE, JR.	7504 Player Way	SD Gore, Jr.
RICKY CATES	7508 PLAYER WAY	Ricky Cates

6/28/21 14

PETITION

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
JOAN M KOPS	7500 PLAYER WAY	Joan M Kops
FRANK Ebbinghouse	7500 player way	Frank Ebbinghouse
Donna Cahill	6000 Capeside drive	Donna K. Cahill
Bruce Cahill	6000 Capeside Dr	Bruce Cahill
Sherry Lichtenfels	7503 Player Way	Sherry Lichtenfels
George Lichtenfels	7503 Player Way	George Lichtenfels
JAMES McCarthy	540 Capeside Dr.	James McCarthy
PATRICIA HARRISON	540 CAPESE DR.	Patricia Harrison
DORIS H. MARKIE	604 CAPESE DR.	Doris H. Markie
MARY J BUZZERCO	601 CAPESE DR	Mary J Buzzerco
MICKI JAY	527 Capeside Dr	Micki Jay
Kenneth W. Rock	528 CAPESE DR.	Kenneth W. Rock
Dolores Sgambati	605 Capeside Dr	Dolores Sgambati
Sal Sgambati	605 Capeside Dr.	Sal Sgambati

PETITION

06/28/2021 14

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
Bernard Vaudrin	640 Capeside Dr.	Bernard Vaudrin
MARKY JANE LECHMAN	616 CAPE SIDE DR	Marky Jane Lechman
Doris Harrison	608 Capeside Dr.	
MARTHA R HARRIS	536 Capeside Dr.	Martha R Harris
PAUL GEBB	613 CAPE SIDE DR	Paul Gebb
Ansel Metz	638 CAPE Side Dr.	Ansel Metz
Rhonda Metz	632 CAPE Side Dr.	Rhonda Metz
Mary Beth Vaudrin	640 Capeside Dr.	Mary Beth Vaudrin
Bob Jester	636 Capeside Dr	Bob Jester
Valerie Johnson	636 Capeside Dr.	Valerie Johnson
L. S. S. 11	612 Capeside Dr.	L. S. S. 11
MARTHA ELLIOTT	609 Capeside Dr	Martha Elliott
JOHN ELLIOTT	609 Capeside Dr	John Elliott
KATHERINE SWEENEY	628 Capeside Dr.	Katherine Sweeney

PETITION

06/28/2021 12

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
Maria Cates	7508 PLAYER WAY	Maria Cates
ENZA CIACCIA	7508 PLAYER WAY	Enza Ciaccia
JOYCE COLLINS	425 CAPE ^{SIDE} DRIVE	Joyce Collins
Debra J. Hogan	517 Capeside Dr.	Debra Hogan
Leigh M. Rock	528 Capeside Dr	Leigh M. Rock
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Kenna N. Rock	528 Capeside Dr	Kenna N. Rock
Synella McMillian	524 Capeside Dr	Synella McMillian
Tarell McMillian	524 Capeside Dr.	Tarell McMillian
Margaret Schlatter	512 Capeside DR	MARGARET SCHLATTER
Olivia Thomas	520 Capeside dr.	Olivia Thomas
Jerome Thomas	500 Capeside dr	Jerome Thomas
Demond Thomas	500 Capeside dr	Demond Thomas

PETITION

06/28/2021

3

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

[illegible]

PETITION

06/28/2021

12

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
ESTHER HARRIS (Email)	419 CAPESE Dr	EMAIL ATTACHED
Robert Harris (Email)	419 CAPESE Dr	EMAIL ATTACHED
CANDOLYN MILLER	509 CAPESE Dr	EMAIL ATTACHED
Jill Morrison	509 CAPESE Dr	EMAIL ATTACHED
ERIC McLaughlin	9511 Playa Way	EMAIL ATTACHED
MARGARET McLaughlin	9511 Playa Way	EMAIL ATTACHED
ETANNA HOG	424 CAPESE	EMAIL ATTACHED
DENNIS ADAMS	620 CAPESE	EMAIL ATTACHED
BONNIE ADAMS	620 CAPESE	EMAIL ATTACHED
FRANCES BOYER	625 CAPESE	EMAIL ATTACHED
ROY MUSSLERWHITE	7507 Playa Way	TEXT APPROVAL
JANET MUSSLERWHITE	7507 Playa Way	TEXT APPROVAL
Michael Musslerwhite	7507 Playa Way	TEXT APPROVAL

PETITION

06/28/2021

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

[illegible]

PETITION

06/28/2021

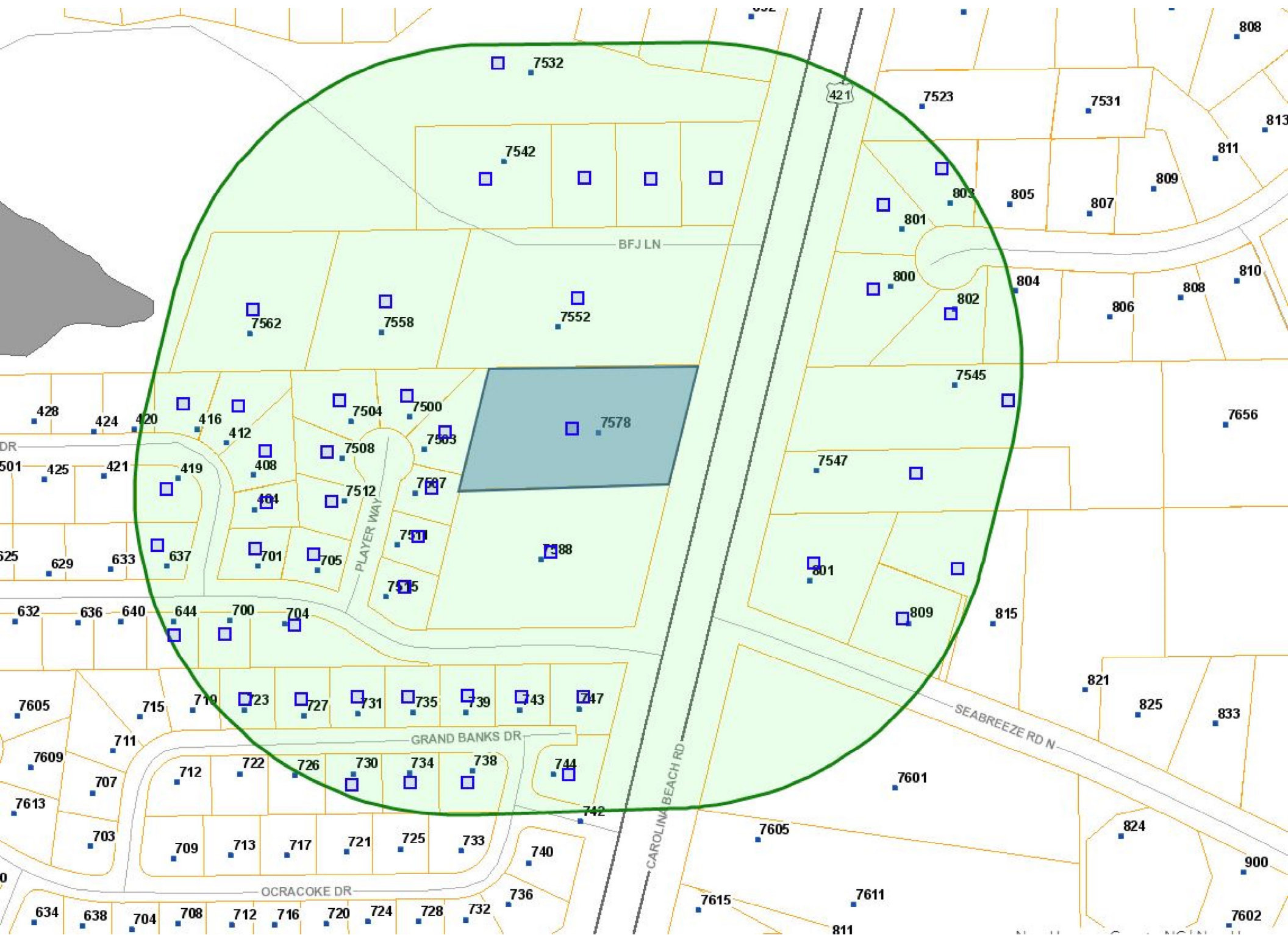
8

TO DESIGN SOLUTIONS

WHEREAS the undersigned object to the Rezoning of 7578 Carolina Beach Road, Wilmington, NC to a Performance Residential Town Home Development of sixteen (16) units on said property.

WE the undersigned petition Design Solutions from refraining from rezoning 7578 Carolina Beach Road, Wilmington, NC to erect 16 town homes on the property:

Printed Name	Address (printed)	Signature
KAY M. PRENTICE	504 CAPESE DR	Kay M. Prentice
ALVA L. NICHOL JR.	629 CAPESE DR	Alva L. Nichol Jr.
John R. Prentice	504 Capeside Dr	John R. Prentice
Tennym McGrath	500 Capeside Dr	Tennym McGrath
FRANCES DEER	501 Capeside Dr.	Frances Deer
Pat Wilson	505 Capeside	Pat Wilson
SAM WILSON	505 Capeside	Sam Wilson
Marjorie Perkins	508 Capeside	Marjorie Perkins
Becky Appleby	416 Capeside	Becky Appleby



ADJACENT PROPERTIES WITHIN 500' OF 7578 CAROLINA BEACH ROAD:

OWNER	ADDRESS	CITY / STATE / ZIP	PROPERTY LOCATION
APPLING JULIA R	416 CAPESIDE DR	WILMINGTON, NC 28412	416 CAPESIDE DR WILMINGTON
BADHIWALA SANJEEV B HIT A S	5424 AVENTURAS DR	WILMINGTON, NC 28409	7578 CAROLINA BEACH RD WILMINGTON
BAILEY DONALD L SR DEBORAH R	7620 ROCK QUARRY RD	RALEIGH, NC 27610	735 GRAND BANKS DR WILMINGTON
BORTNER CRAIG J VALERIE S	637 CAPESIDE DR	WILMINGTON, NC 28412	637 CAPESIDE DR WILMINGTON
BOWERS-LEE CYNTHIA L	7532 CAROLINA BEACH RD	WILMINGTON, NC 28412	7542 CAROLINA BEACH RD WILMINGTON
BOWERS-LEE CYNTHIA L	7532 CAROLINA BEACH RD	WILMINGTON, NC 28412	7542 CAROLINA BEACH RD WILMINGTON
BOWERS-LEE CYNTHIA L	7532 CAROLINA BEACH RD	WILMINGTON, NC 28412	7542 CAROLINA BEACH RD WILMINGTON
BOWERS-LEE CYNTHIA L	7532 CAROLINA BEACH RD	WILMINGTON, NC 28412	7532 CAROLINA BEACH RD WILMINGTON
BOWERS-LEE CYNTHIA L	7532 CAROLINA BEACH RD	WILMINGTON, NC 28412	7542 CAROLINA BEACH RD WILMINGTON
BRADSHAW RONALD S JR PATTI H ETAL	93 SPARGER SPRINGS LN	DURHAM, NC 27705	734 GRAND BANKS DR WILMINGTON
CANNON VIRGINIA B JD GORE JR	7503 PLAYER WAY	WILMINGTON, NC 28412	7504 PLAYER WAY WILMINGTON
CAPESIDE VILLAGE OWNERS ASSOC	PO BOX 15207	WILMINGTON, NC 28408	704 CAPESIDE DR WILMINGTON
CARROTHERS EDWARD D JR LYNN C	744 OCRACOCKE DR	WILMINGTON, NC 28412	744 OCRACOCKE DR WILMINGTON
CATES RICKEY G MARIA L	7508 PLAYER WAY	WILMINGTON, NC 28412	7508 PLAYER WAY WILMINGTON
DEANES ROBERT F II PATRICIA S	800 TARPON DR	WILMINGTON, NC 28409	800 TARPON DR WILMINGTON
EATON HUBERT A SR HEIRS	1600 EADS ST S APT 406N	ARLINGTON, VA 22202	7588 CAROLINA BEACH RD WILMINGTON
FORD MARY FREEMAN	1887 DYOUVILLE LN	ATLANTA, GA 30341	7552 CAROLINA BEACH RD WILMINGTON
FORD MARY FREEMAN	1887 DYOUVILLE LN	ATLANTA, GA 30341	7562 CAROLINA BEACH RD WILMINGTON
FORD MARY FREEMAN	1887 DYOUVILLE LN	ATLANTA, GA 30341	7558 CAROLINA BEACH RD WILMINGTON
FORSYTHE CAROLYN ALLEN	7515 PLAYER WAY	WILMINGTON, NC 28412	7515 PLAYER WAY WILMINGTON
GIACOMELLI ROBERT V LISA D	743 GRAND BANKS DR	WILMINGTON, NC 28412	743 GRAND BANKS DR WILMINGTON
GORDON BRIAN M COURTNEY T	802 TARPON DR	WILMINGTON, NC 28409	802 TARPON DR WILMINGTON
HALSTEAD JAMES A	801 TARPON DR	WILMINGTON, NC 28409	801 TARPON DR WILMINGTON
HARRIS ROBERT C ESTHER M	419 CAPESIDE DR	WILMINGTON, NC 28412	419 CAPESIDE DR WILMINGTON
HAWKINS PAUL W	4509 OLD LARKIN CT	WAKE FOREST, NC 27587	731 GRAND BANKS DR WILMINGTON
HOLDEN CHARLES ERNESTINE W	809 SEABREEZE RD N	WILMINGTON, NC 28409	815 SEABREEZE RD N WILMINGTON
HOLDEN CHARLES H ERNESTINE W	809 SEABREEZE RD N	WILMINGTON, NC 28409	809 SEABREEZE RD N WILMINGTON
JANIK KATHLEEN	700 CAPESIDE DR	WILMINGTON, NC 28412	700 CAPESIDE DR WILMINGTON
KAMINSKI EDWARD G ANTONINA V	152 WALKING PATH PLACE	HILLSBOROUGH, NC 27278	738 GRAND BANKS DR WILMINGTON
KEARNS DONALD RAY DEBRA PARRISH	1528 PALMERS GROVE CHURCH RD	HILLSBOROUGH, NC 27278	739 GRAND BANKS DR WILMINGTON
KOPS JOAN M	7500 PLAYER WAY	WILMINGTON, NC 28412	7500 PLAYER WAY WILMINGTON
LICHTENFELS GEORGE R JR SHERRY	554 SEWARD ST	SEWARD, PA 15954	7503 PLAYER WAY WILMINGTON
LUCIANO MARY S	705 CAPESIDE DR	WILMINGTON, NC 28412	705 CAPESIDE DR WILMINGTON
MACNEIL JOHN J KAREN R	727 GRAND BANKS DR	WILMINGTON, NC 28412	727 GRAND BANKS DR WILMINGTON
MAURER WILLIAM L DEBORAH A	723 GRAND BANKS DR	WILMINGTON, NC 28412	723 GRAND BANKS DR WILMINGTON
MCINTOSH MELANI R	7545 CAROLINA BEACH RD	WILMINGTON, NC 28412	7545 CAROLINA BEACH RD WILMINGTON
MCLAUGHLIN ERIC R MARGARET B	3 RIVER CHASE CT	GREENSBORO, NC 27407	7511 PLAYER WAY WILMINGTON
MCLEAN JOANN	408 CAPESIDE DR	WILMINGTON, NC 28412	408 CAPESIDE DR WILMINGTON
MUSSELWHITE ROY F JANET O ETAL	7507 PLAYER WAY	WILMINGTON, NC 28412	7507 PLAYER WAY WILMINGTON
NICOLAU CHRISTINE ANTONIO	404 CAPESIDE DR	WILMINGTON, NC 28412	404 CAPESIDE DR WILMINGTON
PEARSON RICHARD DALE ANGELA MARIA CANCIO	4314 PARK AVE	WILMINGTON, NC 28403	747 GRAND BANKS DR WILMINGTON
PERKINS BRITTANY C ETAL	803 TARPON DR	WILMINGTON, NC 28409	803 TARPON DR WILMINGTON
SCHLALINE ROBERT F BRENDA F	613 WINDGATE DR	WILMINGTON, NC 28412	701 CAPESIDE DR WILMINGTON
SOUTH ATLANTIC CONFERENCE ASSN	7859 CAROLINA BEACH RD	WILMINGTON, NC 28412	7547 CAROLINA BEACH RD WILMINGTON
TERRY CYNTHIA	412 CAPESIDE DR	WILMINGTON, NC 28412	412 CAPESIDE DR WILMINGTON
THIMMES BARBARA	644 CAPESIDE DR	WILMINGTON, NC 28412	644 CAPESIDE DR WILMINGTON
WADE ALFRED JR ELAINE DORSEY ETAL	9626 RIVER RD	WILMINGTON, NC 28412	801 SEABREEZE RD N WILMINGTON
WALKER SONDR A G ETAL	18905 RED OAK LN	TRIANGLE, VA 22172	730 GRAND BANKS DR WILMINGTON
WILSON WILLIAM J	7512 PLAYER WAY	WILMINGTON, NC 28412	7512 PLAYER WAY WILMINGTON

June 22, 2021

To: Adjacent Property Owners

Re: Townhome Community at 7578 Carolina Beach Road

This message is follow-up to a letter recently sent to you as notice for a project information meeting. Due to concerns about the heat & possibility of inclement weather for an outdoor venue, we have relocated the meeting to:

**Capeside Village Clubhouse,
704 Capeside Drive, 6:00 p.m., June 28th.**

Also, please do not hesitate to contact me at:

Telephone: [910-620-2374](tel:910-620-2374), or Email: cwolf@lobodemar.biz

if you cannot attend & have comments or questions.

Thank you.

Cindee Wolf



Transmittal

June 14, 2021

To: Adjacent Property Owners

From: Cindee Wolf

Re: A Performance Residential Townhome Development
At 7578 Carolina Beach Road

My clients are interested in developing a sixteen (16)-unit residential community on lands within the proximity of your property. This proposal would require a Conditional Zoning District approval from New Hanover County.

A Conditional Zoning District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Essentially, this means that only that use, structures and layout of an approved proposal can be developed. A plan of the project layout is enclosed.

The County requires that the developer hold a meeting for all property owners within 500 feet of the tract boundary, and any and all other interested parties. This provides neighbors with an opportunity for explanation of the proposal and for questions to be answered concerning project improvements, benefits and impacts.

A meeting will be held on Monday, June 28th, at the Veteran's Park Picnic Shelter #2, 6:00 p.m. The location is off the parking lot north of the tennis courts, 355 Halyburton Memorial Parkway.

If you cannot attend, you are also welcome to contact me at telephone # 910-620-2374, or email cwolf@lobodemar.biz with comments and/or questions.

We appreciate your interest in the project, and look forward to being a good neighbor and an asset to the community.



Infiltration Pond

Open Space

Player Way

Capeside Drive

Carolina Beach Road

N Seabreeze Road

