



NEW HANOVER COUNTY PLANNING & LAND USE

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Wilmington, NC 28403
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Application for ZONING MAP AMENDMENT

Petitioner Information	Property Owner(s) <i>If different than Petitioner</i>	Subject Property
Name MICHAEL NADEAU	Owner Name WPE HOLDINGS, LLC	Address 9000 MARKET STREET
Company	Owner Name 2	Parcel ID(s) 2900-002-068-000
Address PO BOX 56	Address PO BOX 56	Area SCOTTS HILL
City, State, Zip HAMPSTEAD, NC 28443	City, State, Zip HAMPSTEAD, NC 28443	Existing Zoning and Use B1(CD)
Phone 910-620-1237	Phone	Proposed Zoning and Use B-1
Email MIKE@CREATIVECOMMERCIAL.BIZ	Email	Land Classification "COMMUNITY MIXED-USE"
Application Tracking Information (Staff Only)		
Case Number 219-05	Date/Time received: 3/6/2019	Received by: BS

APPLICATION OVERVIEW

In order to assist petitioners through the rezoning process, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Petitioners are requested to review the sections of the Zoning Ordinance specific to zoning amendments prior to submission, and advised to contact Planning Staff with any questions. The following sections of the Zoning Ordinance pertain specifically to zoning amendments:








- Section 110: Amending the Ordinance
- Section 111: Petitions
- Section 112: Approval Process

Applications for zoning amendments must first be considered by the New Hanover County Planning Board at a public hearing. The Planning Board will make a recommendation to the County Commissioners which will take final action on the permit application in a quasi-judicial public hearing. Attendance at all public hearings is required. The public hearings will allow staff, the applicant, proponents and opponents to testify in regards to the request. Unless otherwise published or announced, Planning Board meetings are held on the first Thursday of each month at 6:00PM in the Commissioner's Assembly Room at the Historic County Courthouse located at Third and Princess Streets, Wilmington, North Carolina. All meeting dates and application deadlines are published on the New Hanover County Planning website.

APPLICATION REQUIREMENTS

In order to assist petitioners through the rezoning process, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Applications must be reviewed by Planning Staff for completeness prior to being officially accepted. Applications must be submitted to Planning Staff at least twenty (20) working days before the Planning Board meeting at which the application is to be considered. In order to allow time to process, fees and review for completeness, applications will not be accepted after 5:00 PM on the deadline day. Once accepted, the Planning Board will consider the application at the assigned meeting unless the applicant requests a continuance.

For all proposals, in addition to this application, the following supplemental information and materials are required:

Required Information	Applicant Initial	Staff Initial
Copy of the New Hanover County Tax Map, which delineates the property requested for rezoning.		BS
Legal description (by metes and bounds) of property requested for rezoning.		BS
Copy of the subdivision map or recorded plat which delineates the property.		BS
Any special requirements of the Ordinance (for example, Section 54.2 for Planned Development District, Section 54.1 for Exceptional Design Zoning District, or Section 54.3 for Riverfront Mixed Use District)		N/A
A report of the required public information meeting outlined in Section 111-2.1 (if applicable)		N/A
Authority for Appointment of Agent Form (if applicable)		N/A
Fee - For petitions involving 5 acres or less, \$500. For petitions involving greater than 5 acres, \$600		N/A

CRITERIA REQUIRED FOR APPROVAL OF A CHANGE OF ZONING

Requests for general rezonings do not consider a particular land use but rather all of the uses permitted in the zoning district which is being requested for the subject property. Rezoning requests must be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance, and the applicant has the burden of proving that the request is not consistent with the county's adopted land use plan, zoning ordinance, reasonable, and in the public's interest. The applicant should explain, with reference to attached plans (where applicable), how the proposed zoning district satisfies these requirements. The applicant has the burden of proof and must provide sufficient evidence in order for the required findings to be met.

You must explain in the space below how your request satisfies each of the following requirements (attach additional sheets if necessary):

1. How would the requested change be consistent with the County's Policies for Growth and Development?

This proposed B-1 General Business zone will facilitate development of a mix of office uses, convenient shopping options and personal services to fast growing Northern New Hanover and Southeastern Pender Counties. The tract fronts Market Street, a primary collector road. As the land adjacent to the east is an undevelopable wooded wetland zoned R-15, the proposed B-1 section will be fully buffered from the school and residential uses located toward the waterway.

2. How would the requested zone change be consistent with the property's classification on the Land Classification Map?

The future land use plan recommends the "community mixed use" designation for this entire tract. The low and moderate intensity commercial uses that typify the B-1 zone are compatible with the vision for a "community mixed used" area.

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?

The existing zoning, a conditional use district proposing five 40,000 square foot office facilities, was originally approved in 2006. A dramatic market change has occurred over the last 12 years: the extraordinary consolidation of medical practices. Most of the small practices best suited to leasing a suite within a large facility are now gone. It is clear that the larger, consolidated practices that dominate the market today want stand alone buildings customized to their marketing and patient needs. Eliminating the five building conditional district plan will facilitate development that meets current market demand.

4. How will this change of zoning serve the public interest?

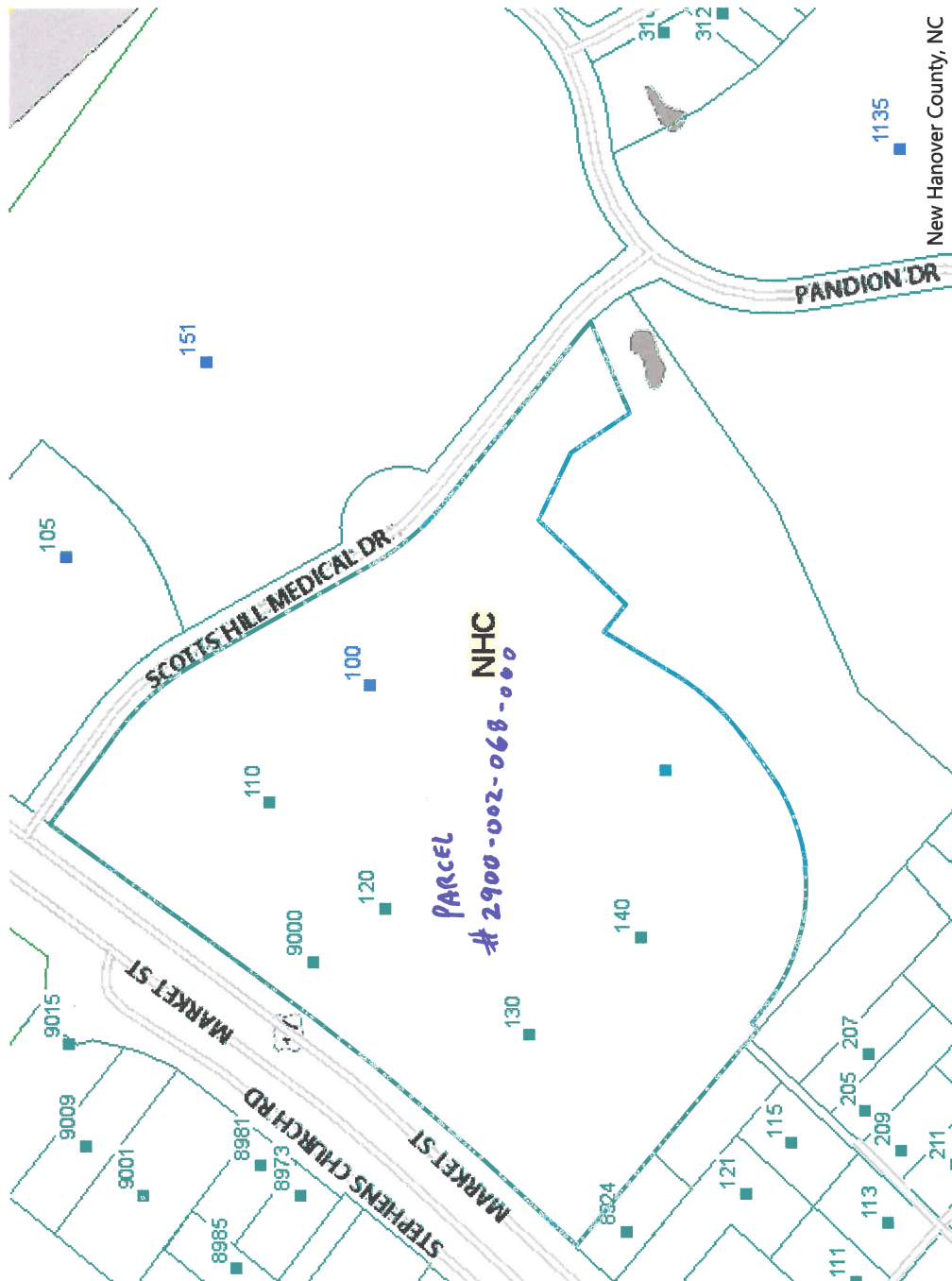
The undeveloped tract holds the potential to provide medical services, general office uses, retail business and restaurants to patients at the Surgicenter and the NHRMC North Campus as well as to the residents of Scotts Hill and Porters Neck. Rezoning to B-1 will provide close-to-home convenience for thousands in the area.

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.

By my signature below, I understand and accept all of the conditions, limitations and obligations of the zoning district for which I am applying. 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.


Signature of Petitioner and/or Property Owner

Michael Nadeau
Print Name



New Hanover County, NC



March 21, 2019

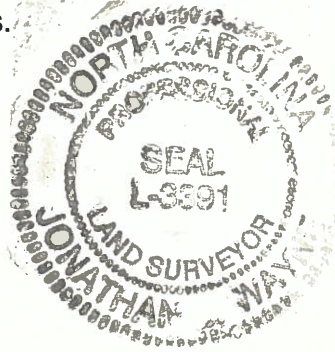
Re: WPE Holdings LLC Re-Zoning

Being part of the WPE Holdings LLC tract recorded at book 5305 page 2428 and shown on mapbook 52 page 220 and being more particularly described as follows:

Beginning at a point at the southwestern corner of the WPE Holdings LLC tract, said point being located S 27-31-21 W 78.23' from N.C. Grid monument "Tee", said point have N.C. Grid coordinates N:207,560.13', E:2,3780,350.19'. Proceed from said point of beginning and with the lines of said WPE Holdings LLC tract S 50°03'42" E a distance of 477.10'; thence S 50°03'42" E a distance of 18.00'; thence S 48°34'51" E a distance of 24.53'; thence N 41°13'39" E a distance of 15.21'; thence S 50°00'52" E a distance of 27.46'; thence with a curve turning to the left with an arc length of 473.31', with a radius of 355.00', with a chord bearing of S 88°12'35" E, with a chord length of 439.02'; thence N 53°35'41" E a distance of 74.75'; thence with a curve turning to the left with an arc length of 178.57', with a radius of 450.00', with a chord bearing of N 42°13'36" E, with a chord length of 177.40'; thence with a new line N 30°51'30" E a distance of 450.30' to a point on the southern line of Scotts Hill Medical Drive (60' Private Access Easement); thence with said southern line and a curve to the left having a radius of 113.00 ft. a chord N 79-57-24 E 97.40 ft. to point, thence crossing said Scotts Hill Medical Drive easement N 50-55-17 W 25.15 ft. thence with a curve to the right having a radius of 460.00 ft. a chord N 40-00-52 W 174.08 ft. to a point thence with said southern line of Scotts Hill Medical Drive; thence N 29°06'27" W a distance of 364.22'; thence with a curve turning to the left with an arc length of 201.44', with a radius of 470.00', with a chord bearing of N 41°23'09" W, with a chord length of 199.90'; thence N 53°39'39" W a distance of 202.30' to the eastern right of way of U.S. Highway 17 (Irregular public right of way); thence with said eastern right of way S 36°17'20" W a distance of 541.98'; thence with a curve turning to the right with an arc length of 444.96', with a radius of 4068.96', with a chord bearing of S 39°25'18" W, with a chord length of 444.74'; thence S 42°33'16" W a distance of 247.23' to the point of beginning and containing 23.25 acres.

All bearings are N.C. Grid NAD 1988

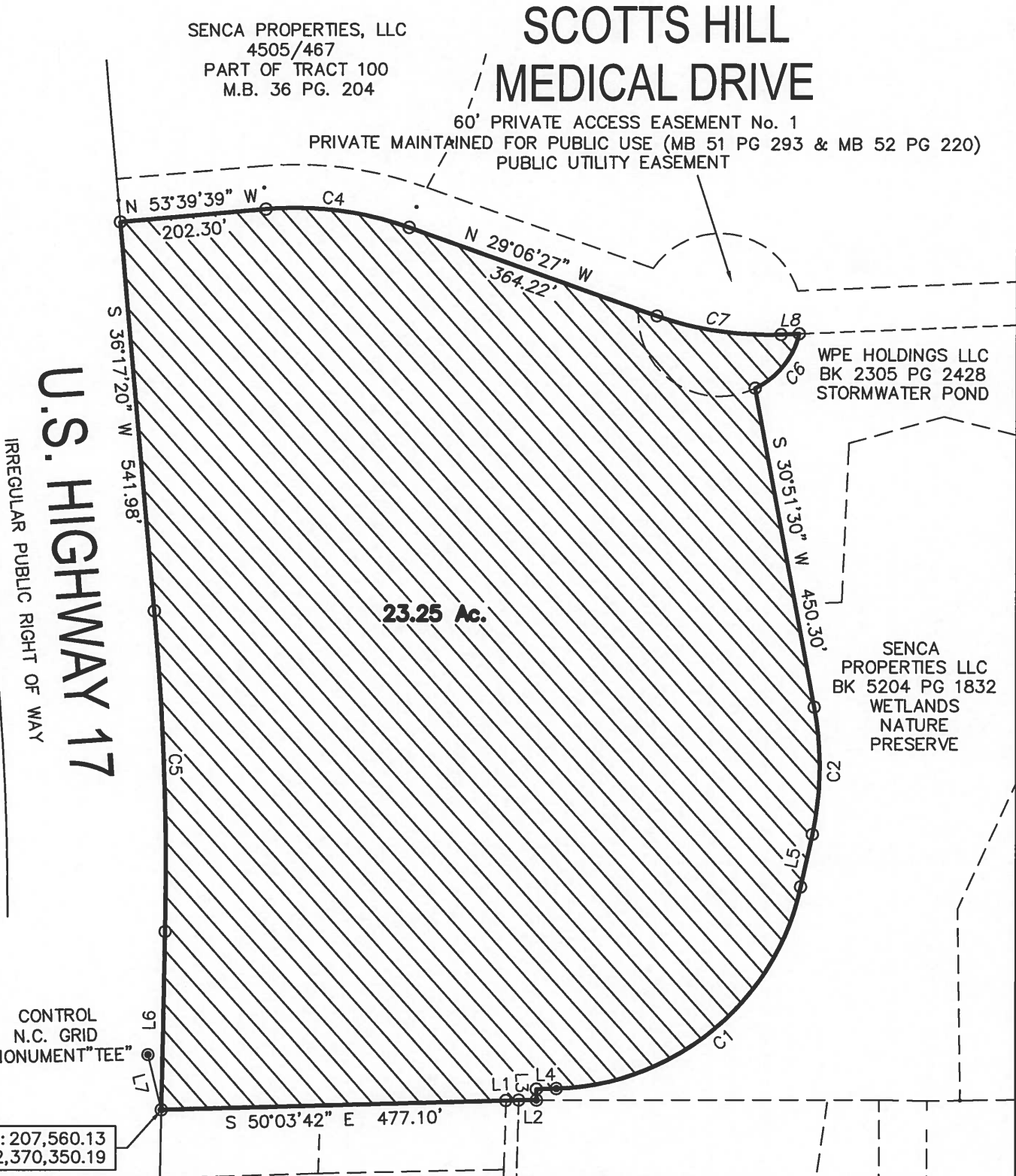
Jonathan L. Wayne PLS 3391



RE-ZONING OF A PORTION OF THE WPE HOLDINGS LLC TRACT

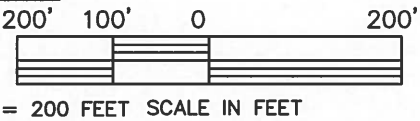
HARNETT TOWNSHIP NEW HANOVER COUNTY NORTH CAROLINA
REFERENCE: BK 5305 PG 2428, MB 52 PG 220
DATE: MARCH 4, 2018

NEW HANOVER REGIONAL
MEDICAL CENTER
DB 5207 PG 1315



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	473.31'	355.00'	76°23'27"	S 88°12'35" E	439.02'
C2	178.57'	450.00'	22°44'11"	N 42°13'36" E	177.40'
C4	201.44'	470.00'	24°33'23"	N 41°23'09" W	199.90'
C5	444.96'	4068.96'	6°15'56"	S 39°25'18" W	444.74'
C6	100.70'	113.00'	51°03'38"	N 79°57'24" E	97.40'
C7	175.13'	460.00'	21°48'51"	N 40°00'52" W	174.08'

LINE	BEARING	DISTANCE
L1	S 50°03'42" E	18.00'
L2	S 48°34'51" E	24.53'
L3	N 41°13'39" E	15.21'
L4	S 50°00'52" E	27.46'
L5	N 53°35'41" E	74.75'
L6	S 42°33'16" W	247.23'
L7	N 27°31'21" E	78.23'
L8	N 50°55'17" W	25.15'



HANOVER DESIGN SERVICES, P.A.

LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 FLORAL PARKWAY
WILMINGTON, N.C. 28403
PHONE: (910) 343-8002
FAX: (910) 343-9941
FIRM CERTIFICATE C-0597
JOB 5902 Rezoning Map



Preliminary 03/21/19

THIS MAP IS NOT FOR RECORDATION