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.nheg ev.com



CONDITIONAL ZONING DISTRICT

Application

Applicant/Agent Information	Property Owner(s) If different than Applicant/Agent		
CHRIS DUNBAR	Design I I I NOW THE		
Company Southeastern Site Acquisiti	Owns Name 2 REMAIS		
Address	Address	11	
5826 Samel Dr. Site 10	05 2545 CASHE HAYNE RE	Y	
City, State, Zip High Point NC 2726 Phone	5 Wilmington, WC		
336 889 1590 Email	Phone 910 619-39-42		
	Emgil		
columbur Oblueridge compa	enies com comswitching the MA	ke k	
Subject Property Information			
Address/Location 2535, 2529, 2539, 2531, 2525	5,2545 CASTLE HAYNE RD		
	01-059-000 1203300-001-014-000		
Total Parcel(s) Acreage		CHARLES MAKE	
±12.30AC			
Existing Zoning and Use(s) 13-2, R-15 COMMERCIAL/R	RETAIL/RESTAURANT, HOME/FARM		
Future Land Use Classification		ᅱ	
COMMUNITY MIKED USE, GT	eneral residential		
Application Tracking Information (State	off Only)		
Case Number Date	e/Time received: Received by:		
219-09 6	1/2/2009 \$5	-	

Proposed Zoning, Use(s), & Narrative					
Proposed Conditional Zoning District: UMY Z Total Acreage of Proposed District: ±12.30Ac					
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).					
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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 an 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. SEE ATTACHED					

		pa	

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.

ITE Land Use:

See AracHer TIA (BRC CAPTLE HAINE)

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

AM Peak Hour Trips:

PM Peak Hour Trips:

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.

١.	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)
	SEE ATTACHED
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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?
	SEE ATTACHED
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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?
	SEE ATTACHED
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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.

Rec	quired 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).		B5
3	Community meeting written summary.		
1	Traffic impact analysis (for uses that generate more than 100 peak hour trips).		85 85
	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.		35
	Site Plan including the following elements:		
	 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. 		\$5
	 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).	999	
	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.		B 5
	1 PDF digital copy of ALL documents AND plans.		85

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 Applicant/Agent

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.





NEW HANOVER COUNTY PLANNING & LAND USE

AUTHORITY FOR APPOINTMENT OF AGENT

230 Government Center Drive Suite 110 Wilmington, NC 28403 910-798-7165 phone 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

This document was willfully executed on the 12

- 2. Appeal at public meetings to give representation and commitments on behalf of the property owner
- 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.

Owner Name 2 NANCY R ENNIS	Address 2535,2529,2539 2531,2525 CASTLE HAYNERD City, State, Zip WILMINGTON, NC 28 401
NANCY R ENNIS	WILMINGTON, NC 28/01
Address	
00,000	Parcel IDR03300-001-039-000 R03300-001-013-000, R03300-001-059 R03300-001-060-000
City, State, Zip Wilmington, N.C	RD3300-001-014-000
Phone 910 619-3942	
Email emswilmington@Aul	
(Staff Only)	
Date/Time received:	Received by:
	City, State, Zip Wilmington, N.C Phone 910 619-3941 Email Email Email Email (Staff Only)

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	a Aland
Makey R Ennes	John Some
Owner 1 Signature	Owner 2 Signature

day of JUNE



NEW HANOVER COUNTY PLANNING & LAND USE

AUTHORITY FOR APPOINTMENT OF AGENT

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- 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
- 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	Owner Name CHRIS DUNBAR	Address 2535, 2529, 2539, 2531, 2525 CASTLE HOUNERD
Company PARAMOUNTE ENGINEERING, INC	Owner Name 2 SOUTHEASTERN SITE ACQUISITIONS, LLC	City, State, Zip WILMINGTON, NC Z8401
Address 122 CINEMA DR	Address 5826 SAMET DR SUITE 105	Parcel ID 203300-001-039-000
City, State, Zip WILMINGTON, NC 28403	City, State, Zip HIGH POINT INC 27265	R03300-001-059-060
Phone 90.791.7262	Phone 336-889-1590	R03300-001-014-000
Email aengobretson@povamounte-eng.com	Email Combar@blueridgecomponies.com	
Application Tracking Information	(Staff Only)	
Case Number Reference:	Date/Time received:	Received by:

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Southeastern = te Agnistion: LCC Chic Dunbar, man Owner 1 Signature Approximation	Owner 2 Signature Appucast

This document was willfully executed on the 1Z day of Jone , 20 19

Wrightsboro Commons-Supplemental Information

Date: 15 July 2019

Project Narrative

Wrightsboro Commons is proposed as a \pm 12.30 acre mixed-use commercial and multi-family project. The site is currently split zoned with B-2 in the front of the site along Castle Hayne Road with R-15 on the remaining portions of the site. The land known as the subject site for Wrightsboro Commons is currently comprised of small shopping strip retail/restaurants/office and stand-alone retail/recreational vehicle and boat trailer storage lot, cellular and PCS antennas along Castle Hayne Road and as a second tier retail/restaurant building accessed from Riverside Drive adjacent to the Food Lion and associated retail/restaurant. Behind these uses, a couple of farms/homes are accessed by Riverside Drive.

This project is consistent with the County's Future Land Use Plan which identifies the area as Community Mixed Use and General Residential, and it utilizes one of the newly approved zoning districts, UMXZ to create a truly small scale mixed use development. This conditional rezoning will allow the applicant to construct a walkable rental housing community blended into the heart of Wrightsboro's commercial area. Furthermore, the project fills a need for a housing type not otherwise available in this area of New Hanover County and a rental community close to both downtown Wilmington as well as the I-40/I-140 corridors. The project offers a larger community benefit in that it can be work force housing for employees at N Kerr Industrial Park, ILM, VA hospital, GE and surrounding and downtown retail/restaurants due to its central location to these businesses.

The applicant is requesting a conditional rezoning of the subject site to UMXZ to create a multi-family residential community mixed with commercial use as neighborhood services, office, and restaurants. The residential component of the community will include a variety of housing options with studio/1 bedroom apartments, 2 and 3 bedroom apartments and possibly lofts integrated above the existing and proposed commercial spaces. The project will work with existing businesses to upfit the existing buildings. In some cases, buildings may be in need of replacement to fit with the mixed-use community's architectural style.

The proposed community scale mixed-use project will bring work-force housing into an area within walking or short driving distance to necessary neighborhood services such as grocery stores, restaurants, and financial services. Integrated community walking trails and sidewalks will provide multi-modal access to internal and adjacent businesses and neighborhood services. The project will also act as transition from the commercial hub located near the intersection of N. Kerr Avenue and Castle Hayne Road to the single family development located on the land behind the grocery store and surrounding single family neighborhoods.

Wrightsboro Commons proposes to keep the existing, permitted uses within the commercial, retail, restaurant, office currently existing on site. The non-conforming uses and associated sites will be retrofitted into UMXZ conforming commercial, retail, office, and/or restaurant uses. In addition to the existing uses, small businesses will be encouraged to be part of the mixed use project. Additional uses welcomed to the site include: veterinarian office(s), showrooms for contractors, builders, designers, all retail trade uses allowed in UMXZ, cellular & PCS Antennas (existing on site now), wholesaling with no outdoor storage, financing, insurance, real estate offices, all services allowed in UMXZ by-right, office for private business & professional activities, motion pictures producing and distribution, single family dwelling – attached, artisan manufacturing.

Proposed Conditions

The plan complies with UMXZ zoning. We propose creating a community with sidewalks that is walkable and allows access to commercial businesses, retail establishments, offices, restaurants, and multi-family residential areas within the project and access in some areas along the edge of the project to pedestrian access to commercial areas immediately adjacent to the project. The applicant is willing to discuss other required or requested conditions as needed.

Consideration of a Conditional Zoning District

1. How would the requested change be consistent with the County's policies for growth and development?

The proposed mixed-use development falls in line with many policies and ideas outlined in the County's Plan NHC Comprehensive Plan. To begin, the proposed development is located in an area identified as "Medium Intensity Development" land cover and land use is identified as "Services" and "Residential" according to the New Hanover County Comprehensive Plan. The CAMA Land Use identifies the area as "Transition". In addition, the Future Land Use classification is mixed between community mixed-use and general residential. The County's identified policies promote mixed-use tax base enhancing projects in areas with water and sewer and community services available to support the project. This site is located in a growth node in the County and fits well among the existing uses along Castle Hayne Road and the commercial portion of Riverside Drive. It preserves and enhances the businesses, restaurants, and offices in the front of the + 12.3 acres site with apartments behind the commercial development. The design of this project acts as a transition, as the Comprehensive Plan sets forth for this land. It is a transition to single family residential with medium intensity development providing both services and residential. This project meets all intended land uses and identifications for the location. Furthermore, the County's policies support this type of mixed-use, small project growth throughout the County. In addition, the planned development proposes enhancement to the existing commercial area at Castle Hayne Road near Riverside Drive/N. Kerr Ave. This enhancement will give the area a face-lift and generally clean up and organize traffic flow around existing businesses. In addition, the project will integrate pedestrian friendly routes to get folks from the residential areas to the neighborhood services within and adjacent to the mixed-use development. All of this furthers the County's goals of smaller, targeted growth promoting a mixture of uses featuring residential in close proximity to commercial and neighborhood services.

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 applicant proposes a project consistent with the County's Future Land Use Plan which identifies the area as Community Mixed Use and General Residential. The mixed-use project will provide a combination of community mixed use and attached residential within one site located in the heart of Wrightsboro's commercial corridor. See responses above and below for additional information.

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?

Wrightsboro has historically seen single family and rural development. However, with the extension of CFPUA water and sewer along Castle Hayne Road, the potential for growth has expanded. Now the intersection of N. Kerr/Riverside Drive at Castle Hayne Road is a key commercial node with neighborhood goods and services serving the community from Downtown Wilmington to Castle Hayne. With access to I-140 and I-40 within 2 miles of the project site, commutes to jobs and destinations in Brunswick and Pender Counties are easy and quick. The growth and growth potential around this portion of New Hanover County is due to the recent availability of urban services and proximity to multiple locations in New Hanover County now makes this area of the County suitable for a wide variety of development. However, the County's planning documents have identified the site as suitable for the type of project proposed. This is a case where the zoning has remained unchanged in an area now ripe for growth; therefore, we seek a zoning that complies with the County's vision for the area.

In recent years, the County and Wrightsboro have experienced growth along the Castle Hayne Road corridor in large part because of the availability of CFPUA's water and sewer. Furthermore, this Wrightsboro area project is located in the heart of the commercial corridor which is in keeping with some of the clustering of neighborhood services, thus fulfilling many objectives set forth in the County's comprehensive and future land use plans.

With the added capacity to serve a \pm 12.30 acre mixed commercial and attached residential project, this project will provide a combination of community mixed use and attached residential within one site located in the heart of Wrightsboro's commercial corridor. The applicant believes this project is compliant with the projected growth goals and policies set forth in guiding planning documents and respectfully requests that the board approve this conditional rezoning.

Wrightsboro Commons Community Meeting Summary

Submittal Date: June 12, 2019

Community Meeting Date: November 29, 2018

Meeting Time: 5:45-7:45

Meeting Location: La Bella Airosa

Meeting Summary

Neighbors attended the community meeting in which a site and development plans were presented to the community. The site was put into context of the adjacent Riverside single family and multi-family development. At the time of the meeting, the developer was under contract to purchase a 72 unit entitled multi-family development from the developer of the Riverside neighborhood. This 72 unit development was included with the proposed multi-family development on the TIA release the same day as the community meeting. It was the 72 unit development immediately adjacent to the single family homes in Riverside that drew ire. Since the community meeting, the developer has dropped the contract to purchase the entitled 72 unit multi-family development. The TIA at this time was approved with 360 total apartments. The current proposal of 222 total apartments is far reduced from that approved TIA amount and the amount discussed at the community meeting in November of last year. This will drastically reduce the number of trips the applicant's subject development will generate.

At the time of the community meeting, there was much concern over traffic and the needed improvements at the intersection of Riverside Drive/N. Kerr Avenue and Castle Hayne Road. Since the meeting, the Riverside developer has completed required improvements including medians, pavement markings, traffic signal improvements and paving. Other improvements are required in this applicant's TIA, and those will be installed as required in the appropriate phase dictated by the approved TIA.

The NCDOT also proposes improvements to Castle Hayne Road in the area around the subject development. This will widen the road to 4 lanes and provide medians and other traffic control measures to raise the level of service of Castle Hayne Road.

Stormwater and buffering were additional concerns and a large part of the discussion at the community meeting. The Riverside ponds under development at the time of Hurricane Florence, failed. This caused much concern about new development coming in nearby. The applicant has since re-evaluated stormwater and proposes a large pond between the Riverside property and the subject development. All stormwater will be designed, permitted and maintained in accordance with local, state, and federal requirements.

In conclusion, the developer heard the concerns of the neighbors, and has taken a hard look at the plans to alleviate potential trouble spots. We present the plans to the board and the community in good faith that we hear and understand the concerns and want to be good neighbors.

Community Information Meeting

Wrightsboro Commons

Thursday, November 29, 2018

Name	Address	Email (Optional)
Bennie Herring	114 Charlins 284011	
Sylvia Harker	115 11 11	
Tobal Chronierd	Costle Hayre 82	
R) Dolserty	184 Jumpin Run	
DadM	104 Chalwich Ave	
Geny Caisir	135 Chroduic AX	
TURNER	106 Charwick Au	
Dont	106 CHADWICK AUC 3610 Rosewood Landin D.	
Bill Jayne	3610 Rosewood Landin D.	jay Nebilognail, com
JOSEPH BURTOM	107 RITTER DR.	
Bill Pate	1611 Ockley Rd	nesscreek @ bellsouth.net
Barbara 432	216 Horne Place	Sarbarati,)17@accor
Robert Bern Bas	143 Chadwick Ale	be bass@bellsouth. Nut
Larry Davis	152 Olde Point RJ Howpstead	Ldovis 2854 a grail. ce
Bu Marton	633 JENOA DR CASTLEHRY.	bill to last 65@ 9 maile com
GLENN : MAN MANN	662 JONOADR. C.H. 28459	LISAMANNEY7206 MOIL. COM
Don Smith	165 Chadwick Angwil MC	
Cindee Wolf A CLISON	16 9 CHADWICK AVE Project Planner	cwolf@lobodemar.biz

Community Information Meeting

Wrightsboro Commons

Thursday, November 29, 2018

Email (Optional) BRENT JOHNSON 167 HORN EPLACEDR. Versie Cavy (Dr 168 Home Place Dr. Walter Hodeng Simmons 124 Chadwick Ave Tom Hancy Jacobs 3634 Resewood Landing, CH Dobock Maxwell 121 Jamqica Wilm 8401 Earla Pope 149 Chadevich De Cypthia avery 2317 Oakley Rd



122 Cinema Drive Wilmington, NC 28403

June 14, 2019 19257.PE

Wrightsboro Commons Cape Fear Township New Hanover County, NC



Being all that tract or parcel of land lying in Cape Fear Township, New Hanover County, State of North Carolina being all or portions of lands recorded in deed book 1493, page 1768, deed book 5183, page 277, and deed book 5136, page 1331 in the New Hanover County Register of Deeds, located on the western margin of U.S. 117 N.C. 133 Castle Hayne Road, being a 100' right of way, map book 32, page 259; said parcel being more particularly described as follows:

Beginning at an iron pipe found located on the western margin of Castle Hayne Road and the most southeastern corner of Ennis Edmin I Jr Etal, deed book 5136, page 1331, thence South 02°20'27" East a distance of 274.99' to a PK found;

Thence continuing along the western margin of Castle Hayne Road, South 04°34'47" West a distance of 50.35' to an iron rod set, being South 87°36'57" West a distance of 2.45' away from an iron pipe found;

Thence along the northern and western boundary of Filippini Family LTD PTNRP, deed book 4201, page 752, the following two (2) courses

South 87°36'57" West a distance of 267.06' to an iron rod found; South 16°56'21" West a distance of 123.18' to an iron pipe found;

Thence along the western boundary of Espinosa Maradiaga Bessy L, deed book 5989, page 1469, South 17°02'59" West a distance of 134.98' to an iron pipe found;

Thence along the northern boundary of Chadwick Acres, map book 5, page 100, North 86°33'32" West a distance of 457.88' to an iron pipe found;

Thence along the eastern boundary of Clearly Development Inc, deed book 5813, page 201, the following five (5) courses

North 19°57'15" West a distance of 412.30' to an iron pipe found; South 87°21'16" West a distance of 100.48' to an iron rod set; North 08°14'37" West a distance of 212.87' to an iron rod set; North 81°45'56" East a distance of 99.59' to an iron rod set; North 81°47'45" East a distance of 171.99' to an iron pipe found;

Phone: (910) 791-6707 Fax: (910) 791-6760



122 Cinema Drive Wilmington, NC 28403

Thence along the southern boundary of Wrightsboro Plaza, deed book 1592, page 934, North 81°45'33" East a distance of 550.31' to an iron rod set;

Thence along the western and southern boundary of said Ennis Edmin I Jr Etal, the following two (2) courses

South 02°29'10" East a distance of 167.47' to an iron rod found; North 87°27'21" East a distance of 250.06' to an iron pipe found being the point of beginning.

Having an area of 534,683 square feet or 12.275 acres more or less.

Phone: (910) 791-6707 Fax: (910) 791-6760