

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) If different than Applicant/Agent
Name CINDEE WOLF	Owner Name REDLAND DEVELOPMENT INCORPORATED	
Company DESIGN SOLUTIONS	Owner Name 2	
Address PO BOX 7221	Address 6622A GORDON ROAD	
City, State, Zip WILMINGTON, NC 28406	City, State, Zip WILMINGTON, NC 28405	
Phone 910-620-2374	Phone 910-443-2700 (CONTACT: MARTIN SORENSON)	
Email CWOLF@LOBODEMAR.BIZ	Email REDLAND1@ICLOUD.COM	
Subject Property Information		
Address/Location 8814 MARKET STREET		
Parcel Identification Number(s) 326012.96.5171 [R02900-003-032-000]		
Total Parcel(s) Acreage 7.15		
Existing Zoning and Use(s) R-15 & B-1 / VACANT		
Future Land Use Classification COMMUNITY MIXED-USE		
Application Tracking Information (Staff Only)		
Case Number 720-05	Date/Time received: 7/6/2020 Before 5PM	Received by: GS

Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: (CZD) MF-M Total Acreage of Proposed District: 6.50 AC.

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).

PROPOSED FOUR (4) THREE-STORY / 24-UNIT APARTMENT BUILDINGS WITH ACCESSORY AMENITY AREA,
PARKING & STORMWATER FACILITY.

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.

** REFERENCE SITE PLAN FOR SITE LAYOUT & IMPROVEMENTS

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.

ITE Land Use: 4000 S.F. RETAIL (820) / 96 MID-RISE APTS (221)

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): CALCULATED PER GFA & DWELLINGS

AM Peak Hour Trips: 53 / 33 = 86 PM Peak Hour Trips: 53 / 43 = 96

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)

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 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 tract is identified in the Comprehensive Land Use Plan as a Community Mixed-use place type. The plan suggests higher densities to support the small-scale, compact development patterns that the place type promotes. The proposed development is an acceptable transition between the busy highway corridor and the more established single-family housing beyond the boundary of the tract.

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?

Market Street (US Hwy 17) is a major thoroughfare of the community. Single-family residences are less attractive along very busy traffic corridors. Transition of density is an acceptable planning strategy.

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.	CAW	
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).	CAW	GS
3	Community meeting written summary.	CAW	GS
4	Traffic impact analysis (for uses that generate more than 100 peak hour trips).	N/A	NA
5	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	CAW	GS
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). 	CAW	GS
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.	CAW	GS
8	1 PDF digital copy of ALL documents AND plans.	CAW	GS

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)

REDLAND DEVELOPMENT INC /
MARTIN SORENSON

Print Name(s)

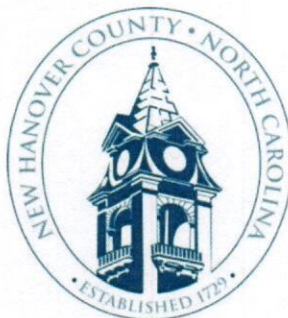

Signature of Applicant/Agent

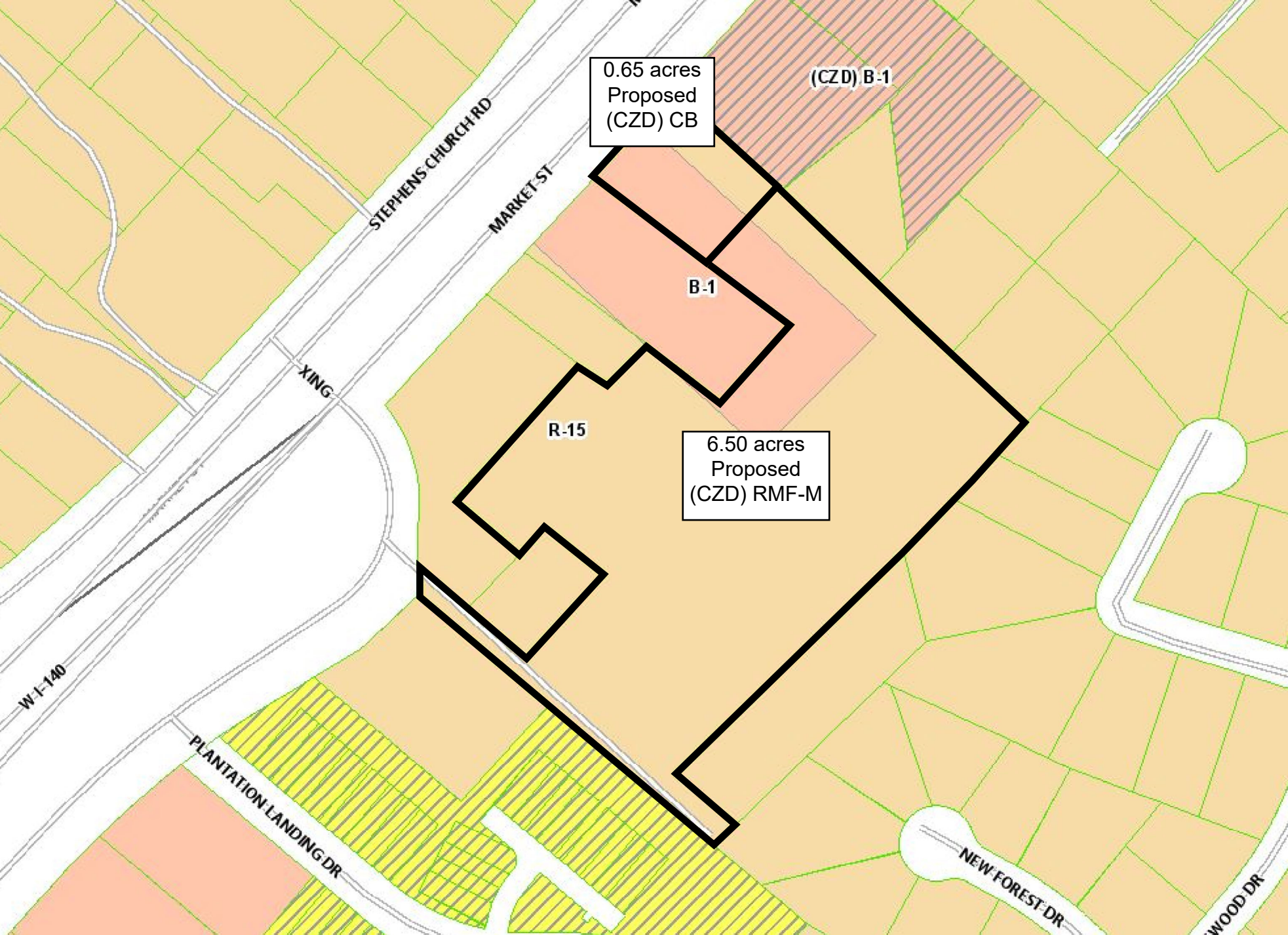
DESIGN SOLUTIONS / CINDEE WOLF

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.





0.65 acres
Proposed
(CZD) CB

(CZD) B-1

B-1

R-15

6.50 acres
Proposed
(CZD) RMF-M

STEPHENS CHURCH RD

MARKET ST

XING

W-140

PLANTATION LANDING DR

NEW FOREST DR

WOOD DR

Legal Descriptions for
Conditional Zoning Districts
at 8814 Market Street

Rezoning 0.65 acres+/- from R-15 & B-1 to (CZD) CB:

Beginning at a point in the southeastern boundary of Market Street (U.S. Hwy. 17), a variable width public right-of-way; said point being located approximately 410 feet along the boundary from its intersection with the northeastern boundary of Old Market Street (a.k.a. Futch Creek Road Extension); and running thence with the Market Street right-of-way:

North 42°24'57" East, 155.75 feet to a point; thence
South 48°01'59" East, 196.60 feet to a point in the southeastern boundary of a 30' Duke Power
Right-of-way; thence with that easement,
South 42°22'34" West, 138.89 feet to a point; thence
North 53°01'58" West, 193.47 feet to the point and place of beginning, containing 0.65 acres, more or less.

Rezoning 6.50 acres+/- from R-15 & B-1 to (CZD) RMF-M:

Beginning at a point in the southeastern boundary of a 30' Duke Power Right-of-Way; said point being located approximately 410 feet along the southeastern boundary of Market Street (U.S. Hwy. 17), a variable with public right-of-way, from its intersection with the northeastern boundary of Old Market Street (a.k.a. Futch Creek Road Extension), thence North 42°24'57" East, 155.75 feet, thence South 48°01'59" East, 196.60 feet to the point of beginning; and running thence from the that point of beginning:

South 48°01'59" East, 4.09 feet to a point; thence
South 44°28'37" East, 177.72 feet to a point; thence
South 47°07'47" East, 135.05 feet to a point; thence
South 47°20'31" East, 134.59 feet to a point; thence
South 43°08'49" West, 236.54 feet to a point; thence
South 46°11'17" West, 419.97 feet to a point; thence
South 49°41'16" East, 105.47 feet to a point; thence
South 46°05'01" West, 40.20 feet to a point; thence
North 49°43'30" West, 512.22 feet to a point; thence
North 47°27'07" East, 1.28 feet to a point; thence
North 00°57'32" West, 33.46 feet to a point; thence
South 51°18'49" East, 183.63 feet to a point; thence
North 43°04'42" East, 150.37 feet to a point; thence
North 51°18'49" West, 100.05 feet to a point; thence
South 43°03'39" West, 47.17 feet to a point; thence
North 50°54'37" West, 113.33 feet to a point; thence
North 42°30'50" East, 242.05 feet to a point; thence
South 52°38'43" East, 45.99 feet to a point; thence
North 42°37'10" East, 75.22 feet to a point; thence
South 53°04'19" East, 124.09 feet to a point; thence
North 42°34'31" East, 134.89 feet to a point; thence
North 53°01'58" West, 131.00 feet to a point in the Duke Power Right-of-Way; thence with that line,
North 42°22'34" East, 138.89 feet to the point and place of beginning, containing 6.50 acres, more or less.

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

Project Name: Pinnacle Apartments (8814 Market Street)

Proposed Zoning: R-15 & B-1 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 December 16, 2019. A copy of that written notice and the list of recipients is attached.

The meeting was held at the following time and place: Wednesday, December 30, 2019,
6:00 p.m.; at the Pender County Annex auditorium, 15060 Hwy 17, Hampstead.

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

The following issues were discussed at the meeting: A brief presentation was given on the proposed project. Several people were confusing it with the on-going Oaks at Murray Farms petition. It was explained that all traffic from this project would access Hwy. 17 directly. Other concerns were over the drainage that currently traverses the site. That flow will be bi-passed within a piped system in a public drainage easement. Runoff from the subject development will be maintained in an on-site pond meeting the pre- / post- detention requirements.

As a result of the meeting, the following changes were made to the petition: No changes were made to the concept layout for four (4) three-story / 24-unit buildings, but the plan has been better detailed for submittal.

Date: February 4, 2020

Applicant: Design Solutions

By: Cindee Wolf

SIGN IN Please

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
Ed Penniman	8605 PLANTATION LANDING DR	910-319-7413
Lois Penniman	8605 PLANTATION LANDING DR	910-319-7413
Dana Binen	341 Gaskins Ln	(unlisted)
Rita Ann Lane	4042 Scotts Hill Ln	910-540-1683
Lynda Brooks	8754 New Forest Pl	215-510-4321
Jay Brooks	8754 New Forest DR	610-909-9060
Moria Hobbs	8913 Saville Ct. 28411	301 943 5666
Bob Padula	8919 Tilbury Dr 28411	710 443-0353
Lora Padula	" "	910.547.7445
Anna Allegretto	8600 Felzio Dr.	910 617-2220
Dee Jay Chase	8923 Tilbury Dr 28411	919 623 5353
Paul Chase	8923 Tilbury Dr	910 431 9470
Steve Marcus	8705 PLANTATION LND DR	(41) 305 3334481
DON REICHARD	8355 VINTAGE CLUB CIR	910 686 0081
EDIE STUART	8927 TILBURY DR.	910 352-5389
Jimmy McPherson	8830 Brantwood Ct	(910) 297-6383
Elizabeth Bentley	8915 Tilbury DR	(910) 352-3258
Gregory Bentley	8915 Tilbury Dr.	(910) 233-1591
Ned Beckes	8225 Sage Valley Pl.	910 319 7767
Jill Manzo	8834 TILBURY DR.	678-488-4500
JUDY DELANTIS	" " "	516-850-9117
LINDA DELANTIS	617 KAVU LN	516 850-9117
JOE DELANTIS	" " "	" "
Adam & Ann Ericson	8854 Brantwood Ct	910-279-2082
		910-279-1988

Suzanne Wessel	8901 Plantation Ldg Dr.	970 ⁵⁴⁰ 421-6105
Milene Vane	8916 New Forest Dr.	732-492-6042
OMAR VALE	8916 NEW FOREST DR	732-421-2547
Jesse CARVALHO	8612 PINKERTON DR	203-460-2324
Leda CARVALHO	8612 PINKERTON DR	232-435-8446
Edmund Bonifaz	8915 Tilburg	910-395-1771
David Forcinito	583 Tibbys	919-922-4660

REDLAND
DEVELOPMENT INCORPORATED

6622-A Gordon Road
Wilmington, NC 28411

GALLIMORE JAMES L
6204 BULLHEAD RD
APEX, NC 27502

940052270001220

28411>8415

REDLAND
DEVELOPMENT INCORPORATED

6622-A Gordon Road
Wilmington, NC 28411

940052270001220

28411>8415
28403-362441

CHARLOTTE NC 282

17 DEC 2019 PM 1 L



FOREVER USA



NIXIE 276 5E 1 0201/23/20

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

SC: 28411641373 2843-03224-17-45

REDLAND
DEVELOPMENT INCORPORATED

6622-A Gordon Road
Wilmington, NC 28411



FOREVER / USA



NIXIE 276 7E 1 0201/01/20

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

SC: 28411641373 2843-03224-17-45



FIRST BAPTIST CHURCH TRUSTEES	PO BOX 751	WILMINGTON, NC 28402
FOY DAVID III ETAL	8857 STEPHENS CHURCH RD	WILMINGTON, NC 28411
GALLIMORE JAMES L	6204 BULLHEAD RD	APEX, NC 27502
GIBSON DEEHJE PAUL R CHASE	8923 TILBURY DR	WILMINGTON, NC 28411
GOODLOW JERRY W REV TRUST ETAL	8931 TILBURY DR	WILMINGTON, NC 28411
GOTTSCHALK BERNARD J ETAL	8920 NEW FOREST DR	WILMINGTON, NC 28411
GREEN DANIEL LEE DELPHINE RENA	8762 MARKET ST	WILMINGTON, NC 28411
GREEN JERRY HRS	2118 ROBERT E LEE BLV	BOSSIER CITY, LA 71112
GREENE WYONNE H BARBARA	300 BUCKHURST DR	WILMINGTON, NC 28411
HALL WILLIAM EDWARD JODIE BUTLER	8905 NEW FOREST DR	WILMINGTON, NC 28411
HEUER MICHAEL R LAURA A	503 SAGEWOOD DR	WILMINGTON, NC 28411
HINES JIMMIE	8845 STEPHENS CHURCH RD	WILMINGTON, NC 28411
HODGES SAMMY R LOREN L	8908 TILBURY DR	WILMINGTON, NC 28411
JOHNSON LARRY E PAULA M	8906 NEW FOREST DR	WILMINGTON, NC 28411
KEZIAH RAY JODY B	8900 PLANTATION LANDING DR	WILMINGTON, NC 28411
KIRST JESSICA	8912 PLANTATION LANDING DR	WILMINGTON, NC 28411
LATTER GERALD M PAMELA S	8915 NEW FOREST DR	WILMINGTON, NC 28411
LOWMAN CONRAD KAREN	8537 BALD EAGLE LN	WILMINGTON, NC 28411
MARTINEZ LORENZO LEA BARTOLOME	5412 MARINA CLUB DR	WILMINGTON, NC 28409
MATTOCKS WILLIE MAE	8720 MARKET ST	WILMINGTON, NC 28405
MCINTYRE DORTHA DAVID L SR	216 ROCKAWAY AVE APT 8E	BROOKLYN, NY 11233
MCINTYRE MARY L PIERCE	129 MCINTYRE TRL	WILMINGTON, NC 28405
MCMILLAN EUGENE LORETTA	8833 STEPHENS CHURCH RD	WILMINGTON, NC 28411
MCMILLAN EUGENE LORETTA <i>one letter</i>	8833 STEPHENS CHURCH RD	WILMINGTON, NC 28411
MOYA RAQIBA	126 FOYS TRL	WILMINGTON, NC 28411
MURRAY GEORGE L HENRIETTA	8759 STEPHENS CHURCH RD	WILMINGTON, NC 28405
NIXON BESSIE F ETAL	8830 MARKET ST	WILMINGTON, NC 28411
NIXON LIZZIE B	119 FOYS TRL	WILMINGTON, NC 28411
OLSEN MARC V CYNTHIA	8905 TILBURY DR	WILMINGTON, NC 28411
PADULA ROBERT M LORA B	8919 TILBURY DR	WILMINGTON, NC 28411
PALESE MATTHEW KATHLEEN	8905 PLANTATION LANDING DR	WILMINGTON, NC 28405
PRIDGEN BERNICE HRS	8801 STEPHENS CHURCH RD	WILMINGTON, NC 28405
PRIDGEN LEROY JR HEIRS	8805 STEPHENS CHURCH RD	WILMINGTON, NC 28405
RAWLINGS KATHY I	8910 NEW FOREST DR	WILMINGTON, NC 28411

REDDICK HERBERT ETAL
REDLAND DEVELOPMENT INCORPORATED
RIGGINS BRUCE ADINA L
RIGGINS MICHELLE A
ROMANO NICHOLAS LANA B
SATTERFIELD ANTHONY R DIANE S
SCHUMAN ZACHARY ASHLEY H
SHUPING MARY B TRUSTEE
SIMMONS KATHERINE
SMALLWOOD BRANDON L MELANIE L
SMITH EDWARD L LUCI M
SPICER ODESSA B HRS
ST STEPHENS AME CHURCH
STUART EDWIN T AMY C
TWOMEY EDWARD A SR EILEEN
VALE MILENE OMAR M
VIOREL JOHN C AILEEN W
WALKER ELIZA JANE HRS
WALSH HENRY
WARD FRANK J III STACY R
WARD FRANK J STACY
WHEELER BRIAN T DEBORAH
WHITLEY CHARLES J ASHLEY B

265 RIDGE CIRCLE RD
6622 GORDON RD
PO BOX 11079
PO BOX 11079
511 SAGEWOOD DR
8904 PLANTATION LANDING DR
8909 TILBURY DR
8743 NEW FOREST DR
3329 WILTON DR
8900 TILBURY DR
8909 NEW FOREST DR
8809 STEPHENS CHURCH RD
8799 STEPHENS CHURCH RD
8927 TILBURY DR
17 GREEN HILLS RD
8916 NEW FOREST DR
8935 TILBURY DR
1621 ANN ST
101 HUGHES RD
8936 TILBURY DR
8936 TILBURY DR
8904 TILBURY DR
8919 NEW FOREST DR

HENDERSON, NC 27537
WILMINGTON, NC 28405
WILMINGTON, NC 28404
WILMINGTON, NC 28404
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28411
SUMPTER, SC 29150
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28405
WILMINGTON, NC 28405
WILMINGTON, NC 28411
LONG VALLEY, NJ 7853
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28401
HAMPSTEAD, NC 28443
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28411

[illegible]

REDLAND

DEVELOPMENT INCORPORATED

12/16/2019

To: Adjacent Property Owners

From: Martin Sorensen, President of Redland Development Incorporated

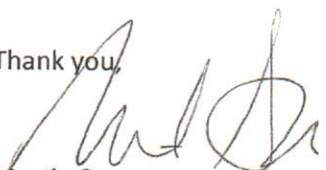
Re: Futch Creek Apartments

Redland Development is proposing the rezoning to a conditional use district for the development of a 96 unit apartment community and a small commercial out parcel at 8814 Market Street. This zoning would restrict the development to certain uses, structures and layout of the approved proposal. This tract is within 500 feet of your property. This proposal will require approval from New Hanover County to proceed. Part of the approval process is a community informational meeting.

We will be holding this meeting on December 30th at 6:00 PM at the Pender County Annex auditorium in Hampstead. The address is 15060 Highway 17, Hampstead, NC 28443.

We will hopefully be able to answer all your questions concerning the project's improvements, benefits and impacts. We look forward to seeing you there. If your schedule does not allow you to attend, feel free to contact me at (910) 443-2700.

Thank you,



Martin Sorensen

Redland Development Incorporated

Encl. proposed site plan Futch Creek Apartments