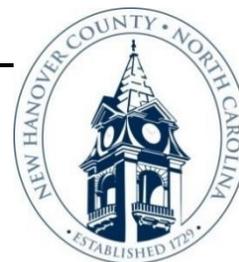


# NEW HANOVER COUNTY

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](http://planningdevelopment.nhcgov.com)



## MASTER PLANNED DEVELOPMENT APPLICATION

This application form must be completed as part of a master planned development 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 10.3.4 of the Unified Development Ordinance.



### 1. Applicant and Property Owner Information

<b>Applicant/Agent Name</b> Samuel B. Franck	<b>Owner Name</b> (if different from Applicant/Agent) Ridgewood Gardens Health Investors, LLC
<b>Company</b> Ward and Smith, P.A.	<b>Company/Owner Name 2</b>
<b>Address</b> 127 Racine Dr.	<b>Address</b> 2334 41st Street
<b>City, State, Zip</b> Wilmington, NC 28403	<b>City, State, Zip</b> Wilmington, NC 28403
<b>Phone</b> 910.794.4835	<b>Phone</b> 919.612.7002
<b>Email</b> sbf@wardandsmith.com	<b>Email</b> tmoore@libertyseniorliving.com

### 2. Subject Property Information

<b>Address/Location</b> 8704 Market Street		<b>Parcel Identification Number(s)</b> Portion of R02900-003-513-000	
<b>Total Parcel(s) Acreage</b> 29.956 Acres	<b>Existing Zoning and Use(s)</b> R-15 and B-1	<b>Future Land Use Classification</b> UMXZ	

#### Applicant Tracking Information (This section completed by staff)

<b>Case Number:</b>	<b>Date/Time Received:</b>	<b>Received by:</b>
---------------------	----------------------------	---------------------

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

Proposed Zoning District:	Total Acreage of Proposed District:
<p>Please provide a project narrative, describe the purpose of the master planned development, and list the uses that will be allowed (attach additional pages if necessary).</p> <p>See Addendum A.</p>	

### 4. Traffic Impact

<p>Please provide the estimated number of trips generated for the project’s proposed maximum density and intensity 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.</p>	
<p><b>ITE Land Use:</b> See attached memo of 7/28/20</p>	
<p><b>Trip Generation Use and Variable (gross floor area, dwelling units, etc.)</b> See attached memo of 7/28/20</p>	
<p><b>AM Peak Hour Trips:</b> See attached memo of 7/28/20</p>	<p><b>PM Peak Hour Trips:</b> See attached memo 7/28/20</p>

## 5. Master Planned Development Considerations

Please explain how the proposed development meets the following criteria (attach additional pages if necessary).

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.

See Addendum B.

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

See Addendum B.

3. How does the proposed master planned development meet the required elements and intent of the proposed zoning district?

See Addendum B.

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". Applications determined to be incomplete must be corrected in order to be processed for further review.

**Application Checklist**

**Applicant Initial**

**Staff Initial**

This application form, completed and signed

CSF

\_\_\_\_\_

Application fee:

- \$600 for 5 acres or less

- \$700 for more than 5 acres

- \$300 in addition to base fee for applications requiring TRC review

CSF

\_\_\_\_\_

Community meeting written summary

CSF

\_\_\_\_\_

Traffic impact analysis (if applicable)

N/A

N/A

Legal description (by metes and bounds) or recorded survey Map Book and Page Reference of the property requested for rezoning

CSF

\_\_\_\_\_

A copy of the title to all land that is part of the proposed master planned development district to demonstrate unified control

CSF

\_\_\_\_\_

Master Development Plan (MDP) Master Plan including the elements listed on the attached checklist:

CSF

\_\_\_\_\_

Proposed MDP Terms & Conditions Document specifying

- Conditions related to approval of the application for the master planned development zoning district classification;
- References to the MDP Master Plan, including any density/intensity standards, dimensional standards, and development standards;
- Conditions related to the approval of the MDP Master Plan, including any conditions related to the form and design of development shown in the MDP Master Plan;
- Provisions addressing how transportation, potable water, wastewater, stormwater management, and other infrastructure will be provided to accommodate the proposed development;
- Provisions related to environmental protection and monitoring; and
- Any other provisions relevant and necessary to the development of the master planned development in accordance with applicable standards and regulations.

CSF

\_\_\_\_\_

One (1) hard copy of ALL documents AND <sup>(1)</sup> ~~8~~ hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.

As directed by staff

CSF

\_\_\_\_\_

One (1) digital PDF copy of ALL documents AND plans

CSF

\_\_\_\_\_

## 6. Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the Master Planned Development 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.

---

**Signature of Property Owner(s)**



---

**Print Name(s)**

Samuel B. Franck

---

**Signature of Applicant/Agent**

---

**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.*



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

Agent Information	Property Owner(s)	Subject Property
<b>Name</b> Samuel B. Franck	<b>Owner Name</b> Ridgewood Gardens Health Investors, LI	<b>Address</b> 8704 Market Street
<b>Company</b> Ward and Smith, P.A	<b>Owner Name 2</b>	<b>City, State, Zip</b> New Hanover County, NC
<b>Address</b> 127 Racine Dr.	<b>Address</b> 2334 41st Street	<b>Parcel ID</b> Portion of R02900-003-513-000
<b>City, State, Zip</b> Wilmington, NC 28403	<b>City, State, Zip</b> Wilmington, NC 28403	
<b>Phone</b> 910.794.4835	<b>Phone</b> 919.612.7002	
<b>Email</b> sbf@wardandsmith.com	<b>Email</b> tmoore@libertyseniorliving.com	
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number Reference:</b>	<b>Date/Time received:</b>	<b>Received by:</b>

This document was willfully executed on the 8th day of July, 20  .

  
\_\_\_\_\_  
Owner 1 Signature

\_\_\_\_\_  
Owner 2 Signature

By: Liberty Real Properties, LLC  
Manager, Ronald B. McNeill

## Master Planned Development (MPD) Master Plan Requirements Checklist

### Requirements for All MPD Districts (UMXZ, RFMU, EDZD, PD)

Tract boundaries and total area, location of adjoining parcels and roads	_____
Proposed use of land, structures and other improvements, including general building types, density/intensity, pedestrian and vehicular circulation, and public facilities	_____
Proposed resource protection and open space areas	_____
Development schedule, including proposed phasing	_____
All existing and proposed easements, reservations, required setbacks, rights-of-way, and buffering	_____
The location of Special Flood Hazard Areas, if applicable	_____
Location, species, and size (DBH) of regulated tree	_____

### Additional Requirements for EDZD Districts

Map showing location of existing public water and sewer lines, roadway classification, existing or planned bicycle and pedestrian facilities, schools, parks, employers, and shopping districts within a 1/2 mile of the outermost project boundary	N/A
Proposed location, size, and type of signage	N/A
Inventory of existing environmental, cultural, historical, and natural site attributes	N/A
Calculations of the requested density/intensity and documentation supporting the award of points for any density bonus	N/A

### Additional Requirements for PD Districts

Existing topographic information with 2-foot contour intervals	N/A
All water courses, mean high water lines, and unique natural features	N/A
Estimated square footage and acreage table for all commercial, industrial, and office and institutional areas	N/A
All adjoining land uses and zoning districts	N/A
School sites being reserved and recreational areas to be dedicate for public use, if applicable	N/A
Calculations of the requested density/intensity and documentation supporting the award of points for any density bonus	N/A

## Addendum A to Master Planned Development Application

### Proposed Zoning, Uses, and Narrative

**Please provide a project narrative, describe the purpose of the master planned development, and list the uses that will be allowed:**

Ridgewood is requesting to rezone property located at 8704 Market Street in New Hanover County ("Property") from its current zoning of Residential 15 ("R-15") and Neighborhood Business ("B-1") to an Urban Mixed Use Zoning District ("UMXZ") to allow a mixed use development including Senior Living, Assisted Living, independent living, office, and potentially, Personal Services, uses in accordance with New Hanover County's ("County") Unified Development Ordinance ("UDO"). The rezoning will provide the opportunity to create a senior living community comprised of independent living cottages with a total of fifty-two (52) units, a healthcare building with assisted living with capacity for one hundred (100) units, a single Senior Living Independent Living facility with up to one hundred eighty-six (186) units, and a residential, office and retail building with up to four (4) residential units and roughly four thousand (4000) square feet of office or personal services space on the ground floor.

## Addendum B to Master Planned Development Application

### Master Planned Development Considerations

**Please explain how the proposed development 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 areas plans, etc.?**

The proposed UMXZ rezoning would be consistent with the significant planning goals and objectives in New Hanover County ("County") favoring a mix of housing types and land uses, job and tax base creation, and smart planning strategies for infill of existing development. The proposed senior living development is consistent with the themes and objectives of the County's 2016 Comprehensive Plan ("2016 Plan") in many ways, including these specific items:

- "Livable Built Environment" to ensure that all elements of the built environment, including land use, transportation, housing, energy, and infrastructure work together to provide sustainable, green places for living, working, and recreation to provide a high quality life. The project provides a mix of housing and open space areas with a focus on retaining trees and providing green space in excess of what's required by the land use code.
- "Harmony with Nature" to ensure the contributions of natural resources are being explicitly recognized and valued and to maintain their health. The project includes an innovative approach to stormwater and drainage design to ensure that the development treats all stormwater on site with a focus on eliminating any negative impact on adjacent properties. Ridgewood has also intentionally left a significant tree line around most of the Property screening all residential uses from the site to promote the existing ecology and limit an impact from the height of the development.
- "Resilient Economy" to ensure that the community is prepared to deal with both positive and negative changes in its economic health and to initiate sustainable urban development that foster growth. The County is experiences a rapid increase in the population of its citizens who need sustainable, well-designed senior living options. Rather than force those citizens to seek accommodations outside of the County, Ridgewood is seeking to offer them the opportunity to stay involved and invested in New Hanover County.

- "Interwoven Equity" to ensure fairness and equity in providing housing, services, health, safety, and livelihood needs of all citizen groups. The project aims to provide housing for a currently underserved demographic in our County, our senior citizens who are facing a current housing shortage. The proposed development is a step towards creating equity in the housing market and allowing that population to remain housed and engaged in our community.
- "Healthy Community" to ensure public health needs are recognized and addressed through provisions for healthy foods, physical activity, access to recreation, health care, environmental justice, and safe neighborhoods. The project is aimed at fulfilling all of these admirable goals. The development plan for the Property will create a safe, comfortable, and environmentally sustainable community to promote active and healthy lifestyles for its residents while ensuring that they have access to the medical care they need through collaboration with local healthcare providers.
- "Responsible Regionalism" to ensure all local proposals account for, connect with, and support the plans of adjacent jurisdictions and surrounding region. The City of Wilmington is the largest adjacent jurisdiction and has recognizes its own needs regarding a growing senior population, the need for diverse housing options, and the benefits of a mix of uses to reduce traffic and encourage on-site activities.

The project is also confident with the following specific implementation strategies of the 2016 Plan:

- III.C – Encourage infill development in vacant or blighted pieces of property.
- III.D – Encourage the redevelopment of single-uses into mixed-use developments.
- IV.C – Consider revising zoning ordinances to support mixed uses and holistic approach to development.
- VI.D – Encourage conservation and enhancement of the unique environment, character, and history of the County.
- IX.A – Promote a mixture of uses where appropriate in an effort to cluster development and minimize impacts on natural resources.
- IX.D – Strengthen and direct development toward existing communities through encouraging infill and redevelopment.
- XVI.B – Encourage a walkable community that creates more human interactions between neighbors.
- XVIII.A – Encourage a mixture of uses in developments that allows individuals to walk rather than rely upon vehicles.
- XXI.A – Promote compact development, mixture of uses, and infill that minimizes trips and vehicle miles traveled.

- XXI.B – Encourage development patterns and neighborhood street designs that are conducive to pedestrian and bicycle use.

**2) How would the requested development be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map?**

The New Hanover County Future Land Use Map depicts the site as General Residential. The proposed senior living project is consistent with that approach, consisting primarily of senior living residential units, but also including the mixed-use infill that the County has focused on the 2016 Plan. In addition, there are several specific aspects of the project that demonstrate why the project exemplifies good design and development consistent with the General Residential land type.

After several versions of a proposed development plan, the current site plan evolved with a priority to achieve sustainability, diversity, ecology, and connectivity. The finished product achieves preservation of many of the existing trees on the property and promotes internal interconnectivity through multiple driveway access points and new road installations that will be added during development, while limiting the impact on adjacent residential neighborhoods by omitting any direct interconnectivity with the same.

Ridgewood designed the site plan in this manner was to limit the footprint of all buildings to reduce impervious surface, stormwater, and drainage concerns and limiting the impact of taller structures on nearby properties while still creating a senior living community capable of serving a meaningful population of residents in need of a safe, well-designed senior living community. Existing wetlands on the Property will remain undisturbed, and all stormwater generated on the site will be treated on-site by stormwater ponds and facilities. Once treated, any water leaving the Property will follow the existing water flow path into a stream on the east side of the Property.

The proposed structures range in height from thirty feet (30') for the cottages adjacent to residential areas, forty-five feet (45') for the healthcare facility and mixed-use structure adjacent to Market Street, and forty-five feet (45') for the independent living facility in the center of the Property with the greatest setbacks to any nearby use. Vegetative buffers, primarily made up of existing trees roughly sixty-five feet (65') tall will separate the adjacent residential uses from the Property and, as shown on the site plan, will screen almost all view of the development.

The Property is positioned off of the Futch Creek connection to Market Street. Following additional driveway and road improvements provided by Ridgewood and after an assessment of the projected traffic impact for the site completed by Kimley Horn Engineering, the site is expected to generate fifty-two (52) AM peak hour

traffic trips and eighty-nine (89) PM peak hour trips. The projected totals are a significant reduction from the "by-right" use of the Property if it was developed under its current R-15 and B-1 zoning. An average example of by-right land use, as described in the attached memo, would be expected to generate two hundred eighty-five (285) AM peak hour trips, and two hundred twenty-five (225) PM peak hour trips.

**3) How does the proposed master planned development meet the required elements and intent of the proposed zoning district?**

The UMXZ zone is the only zone in the County that permits Senior Living and Assisted Living by right, and was established to meet five (5) primary objectives within the County. The County's UDO describes those objectives as follows:

- 1) to encourage the efficient mixed use development pattern envisioned in the Comprehensive Plan;
- 2) to result in quality design and a variety of build forms of lasting value that result in a pedestrian scale;
- 3) to provide a mix of housing options;
- 4) to promote and enhance transportation options, particularly those that are pedestrian-oriented, while reducing demand for automobile trips; and
- 5) to encourage a mix of uses to foster a sense of community

Ridgewood and the engineering and design teams that have contributed to the site plan for the Property take these objectives as a minimum standard for the project. The design was created and adapted to fit the goals of the UMXZ zone in the following ways:

- 1) The rezoning would allow Ridgewood to develop the Property as a mixed use development with a mix of Senior Living Assisted Care, Senior Living Independent Living, and office and/or personal services use towards the front of the Property. This mix of uses is broader than what could be achieved under the existing zoning and is the type of mixed-use development that the County encourages under its Comprehensive Plan.
- 2) Under the current zoning designation the Property could be developed into residential uses and commercial uses closer to Market Street. Ridgewood has taken considerable care to propose a site plan that serves a currently underserved portion of our population in the elderly, and does so in a way that maintains and strengthens the community and neighborhood feel of the existing area.
- 3) Under the proposed rezoning, a mix of senior living options will be developed that offer flexibility and access to the County's aging population in need to safe, well-designed housing options.

- 4) The Property will be accessible by multiple driveway points and internally served by a comprehensive sidewalk and pedestrian walkway system designed to ensure "walkability" and to be consistent with the existing landscaping and ecology of the site. Ridgewood is also proud to produce a design that significantly decreases the amount of traffic that could be generated under the by-right uses under the current zoning.
- 5) By rezoning property from "Neighborhood Business" to a senior living mixed use development, Ridgewood is establishing a mixed-use senior living project in an area that could previously be developed into self-storage or other, more intense commercial uses. Our goal has been to create a strong community for our future residents; one that will hopefully enhance the community and neighborhoods around the Property.

The proposed site plan would also establish a significantly less dense development than could be achieved under another UMXZ project. UMXZ permits a maximum density of twenty-five (25) units per acre. The Property is 29.956 acres which would permit a maximum of roughly seven hundred fifty (750) units. The proposed site plan only proposes three hundred forty two (342) units, or a density of 11.42 units per acre, far less than the twenty five (25) units per acre permitted under the UMXZ's maximum allowance. That decrease in density is intentional. It creates a smaller, more community focused development for future residents, limits traffic in and out of the Property, and decreases stormwater and drainage issues from the Property.



July 28, 2020

Thad Moore  
Development Manager  
Liberty Senior Living  
2334 South 41<sup>st</sup> Street  
Wilmington, NC 28403

**RE: 8704 Market Street Senior Living, Wilmington, NC – Trip Generation Analysis**

Kimley-Horn has prepared an analysis of the trip generation potential of the proposed 8704 Market Street Senior Living facility in Wilmington, NC. As currently envisioned the development will consist of 56 senior living attached dwelling units, 186 independent living dwelling units, and 110 assisted living dwelling units. The proposed development is located near the intersection of Market Street at Futch Creek Road in Wilmington, NC. The property is currently zoned as B1 which is defined as a neighborhood shopping district.

**Site Trip Generation**

Traffic for the zoned and proposed development was generated using ITE 10<sup>th</sup> Edition for a typical weekday, the weekday AM peak hour, and the weekday PM peak hour. The AM peak hour typically falls within the period from 7-9 AM and the PM peak hour generally occurs between 4-6 PM. NCDOT guidance from the ITE Rate vs Equation spreadsheet was used in the development of this trip generation. *It is important to note that assisted living is recommended to be run per bed instead of per dwelling unit, thus 110 beds was used for the 100 dwelling units of assisted living per direction of Liberty Senior Living.*

The trip generation of the proposed development was done using two different methodologies for the proposed residential land uses. The first methodology (shown in **Table 1** on the following page) is per NCDOT Congestion Management Guidelines, in which the individual land uses are broken out for the trip generation. In addition, a variety of land uses have been analyzed for the proposed 4,000 sf non-residential land use. The intent of this effort is to show a variety of land uses that could occupy this space and the trip generation falls below the 100-trip threshold for requiring a traffic impact analysis per the Wilmington MPO and NCDOT.

Table 1 - Trip Generation for Individual Land Uses									
Land Use	Intensity		Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
ITE 252 - Senior Adult Housing Attached	56	DU	200	11	4	7	16	9	7
ITE 253 - Congregate Care Facility	186	DU	376	11	7	4	31	16	15
ITE 254 - Assisted Living	110	Bed	286	20	13	7	37	17	20
ITE 710 - Office	4,000	SF	47	10	9	1	5	1	4
<b>Subtotal</b>			<b>909</b>	<b>52</b>	<b>33</b>	<b>19</b>	<b>89</b>	<b>43</b>	<b>46</b>
<b>Internal Capture</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Pass-By</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net New External Trips</b>			<b>909</b>	<b>52</b>	<b>33</b>	<b>19</b>	<b>89</b>	<b>43</b>	<b>46</b>

As shown in **Table 1**, the proposed site has the potential to generate 52 AM peak hour trips and 89 PM peak hour trips, if the individual land uses of the development are broken out per NCDOT Congestion Management guidance. The proposed 4,000 sf of non-residential space was analyzed as office. The trip generation is less than NCDOT's daily threshold of 3,000 daily trips and less than WMPO's peak hour threshold of 100 trips per hour for requiring a traffic impact study.

**Table 2** shows the proposed development as presented in Table 1 except for the 4,000 sf of non-residential space. In Table 2, the 4,000 sf of space was analyzed using personal services land use. As shown on Table 2, the proposed development is projected to generate 47 AM peak hour trips and 90 PM peak hour trips. The trip generation is less than NCDOT's daily threshold of 3,000 daily trips and less than WMPO's peak hour threshold of 100 trips per hour for requiring a traffic impact study.

Table 2 - Trip Generation for Individual Land Uses									
Land Use	Intensity		Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
ITE 252 - Senior Adult Housing Attached	56	DU	200	11	4	7	16	9	7
ITE 253 - Congregate Care Facility	186	DU	376	11	7	4	31	16	15
ITE 254 - Assisted Living	110	Bed	286	20	13	7	37	17	20
ITE 918 - Personal Services, General	4,000	SF	110	5	3	2	6	1	5
<b>Subtotal</b>			<b>972</b>	<b>47</b>	<b>27</b>	<b>20</b>	<b>90</b>	<b>43</b>	<b>47</b>
<b>Internal Capture</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Pass-By</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net New External Trips</b>			<b>972</b>	<b>47</b>	<b>27</b>	<b>20</b>	<b>90</b>	<b>43</b>	<b>47</b>



**Table 3** shows the trip generation potential of the subject property being developed for which would be allowed under a B1 and R-15 zoning.

Table 3 - R-15 and B1 Zoning Trip Generation									
Land Use	Intensity	Daily	AM Peak Hour			PM Peak Hour			
			Total	In	Out	Total	In	Out	
ITE 820 - Shopping Center	20,000 SF	2,012	19	12	7	165	79	86	
ITE 934 Fast Food	11,000 SF	5,180	442	225	217	359	187	172	
ITE 710 - Office	40,000 SF	436	74	65	9	48	8	40	
ITE 210 Multifamily - Low Rise	31 DU	194	16	4	12	21	13	8	
<b>Subtotal</b>		<b>7,822</b>	<b>551</b>	<b>306</b>	<b>245</b>	<b>593</b>	<b>287</b>	<b>306</b>	
<b>Internal Capture</b>		<b>1,586</b>	<b>66</b>	<b>33</b>	<b>33</b>	<b>250</b>	<b>125</b>	<b>125</b>	
<b>Pass-By</b>		<b>318</b>	<b>200</b>	<b>100</b>	<b>100</b>	<b>118</b>	<b>59</b>	<b>59</b>	
<b>Net New External Trips</b>		<b>5,918</b>	<b>285</b>	<b>173</b>	<b>112</b>	<b>225</b>	<b>103</b>	<b>122</b>	

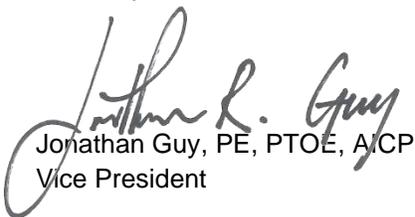
As shown in **Table 3**, the by right land use has a potential to generate 285 AM peak hour trips and 225 PM peak hour trips. The by right plan generates a considerably higher volume of traffic than that of the proposed plan.

**Conclusions**

The proposed 8704 Market Street Senior Living Development is not anticipated to generate more than the NCDOT nor WMPO trip thresholds of 100 peak hour trips (in either peak) to require a traffic study. Furthermore, the proposed Senior Living development is anticipated to generate significantly less daily, AM, and PM peak hour trips than the by-right zoning allows. Thus, a traffic study should not be required for the proposed development.

Please let me know if you have any questions or require any further information. We appreciate the opportunity to provide these services to you.

Sincerely,



Jonathan R. Guy, PE, PTOE, ACP  
Vice President

## Report of Community Meeting

Proposed Rezoning from R-15 and B-1 to UMXZ  
8704 Market Street  
Liberty Senior Living Development

The undersigned hereby certifies that written notice of a community meeting for the above referenced UMXZ rezoning proposal was mailed via First Class Mail to all property owners within five hundred feet (500') of the subject property as listed on the New Hanover County ("County") tax records and based upon a list of recipients provided by New Hanover County, and that the same was submitted to the County planning department for e-mail distribution via the "Sunshine List" on June 23, 2020. A list of all adjacent property owners to whom written notice was mailed is attached to this report as Exhibit A. A copy of the written notice is attached as Exhibit B. A list of the parties who registered to attend the meeting is attached at Exhibit C, and a list of those who attended is attached as Exhibit D.

The meeting was held on July 6, 2020 at 5:00pm. In light of the COVID-19 virus, the meeting was held electronically via Zoom videoconference. The community meeting notice provided information for attendees to register for and attend the Zoom meeting.

On behalf of the applicant, Ridgewood Gardens Health Investors, LLC ("Ridgewood"), the following people were in attendance: Thad Moore and Will Purvis with Ridgewood; Andrew Jamison, Chris Boney, and Jaime Smith with LS3P Associates, LTD. architects; Jonathan Guy with Kimley Horn traffic engineering; and Samuel Franck and James Todd with Ward and Smith, P.A. attorneys.

The following issues were discussed at the meeting:

- Stormwater management;
- Traffic impact;
- Impact on local schools;
- Drainage;
- Wildlife and environmental management;
- Building height and sight line impacts;
- Buffers and setbacks;
- Aesthetic construction of the development;
- The types of commercial uses that may be part of the development;
- Estimated construction and phasing schedule;
- Ridgewood's experience developing similar projects; and
- Street lighting and light impact on adjacent residential properties

Consistent with the comments and questions from the neighbors expressed at the meeting, the following have been incorporated into the proposed development:

- The stormwater management program will focus on existing drainage concerns along Grayson Park Drive to the southeast of the property;
- Attention will be given to on-site lighting to avoid direct direction of any lighting towards adjacent residential areas;
- Mature landscaping buffers including significant tree coverage along the residential-adjacent portions of the property will not be disturbed, so as to limit visual, light, and sound impacts from the property

Respectfully submitted,

Ridgewood Gardens Health Investors, LLC

By:   
\_\_\_\_\_  
Samuel F. Franck, attorney and agent for applicant  
Ward and Smith, P.A.

Date: July 9, 2020  
\_\_\_\_\_

Exhibit A

List of Adjacent Property Owners Who Received Notice

OWNER	OWNER ADDRESS
ABBEY GLEN OWNERS ASSOCIATION	16 5TH ST N
LESLIE N ADAMS	117 WHITE STONE PL
DAVID AND BEVERLY ANDERSON	8916 PLANTATION LANDING DR.
BARBARA J ASKHAM	8833 PLANTATION LANDING DR.
KAITLIN B BAILEY	8967 PLANTATION LANDING DR.
THOMAS AND KATHY BAILEY	8863 NEW FOREST DR.
JOHN F BARNHILL	130 WEST POINTE RD
DORRENE L BATES	8708 ABBEY GLEN WAY
JOSEPH A AND CAITLIN T BELCHER	201 KRYSTAL POND DR.
MATTHEW AND BETHANY BENENATI	8875 NEW FOREST DR.
NANCY BENTLEY	8667 GRAYSON PARK DR.
KYLE T AND NICOLE M BLALOCK	8832 PLANTATION LANDING DR.
ANTHONY W AND LINDA M BOAHN	8901 NEW FOREST DR.
ROY AND LOU ANNE BOATWRIGHT	121 WHITE STONE PL
DAVID T AND JAMIE B BORUM	8867 NEW FOREST DR.
ALYSON D BROWN	8646 GRAYSON PARK DR.
MICHAEL A AND KATHERINE D BUMGARDNER	8663 GRAYSON PARK DR.
JUSTIN A AND STEPHANIE M CARR	302 GASKINS LN
RICK AND MARIA CASPER	8622 GRAYSON PARK DR.
DANIEL T AND AMY K CHECK	8701 ABBEY GLEN WAY
WILLIAM E III AND ALLISON H CHESTNUTT	8625 GRAYSON PARK DR.
STEVE AND JOANNE CIPOLLA	20 COMMERCE ST
CLAYTON PROPERTIES GROUP INC	5000 CLAYTON RD

DAVID AND AMY P CLEM	8709 PINKERTON DR.
SHELBY AND MARK COLLIER	104 FARMSTEAD LN
COMMUNITY DEVELOPMENT ASSN OF SCOTTS HILL	8737 STEPHENS CHURCH RD
GRANT R AND REBECCA J COVEY	8850 PLANTATION LANDING DR.
GERALDINE RICHARDSON COXE	109 WHITE STONE PL
DAVID A AND GREER P CREECH	8907 BREADON CT
JOANNE CRESS	8879 PLANTATION LANDING DR.
DAVID M AND KELLI E CURBO	8909 PLANTATION LANDING DR.
MARK J AND RACHEL F DANIEL	8915 BREADON CT
ADAM M AND STEPHANIE A DEBERRY	8682 GRAYSON PARK DR.
PATRICK AND NATALIE DORAN	8679 GRAYSON PARK DR.
MARY B AND STEPHEN B C DOWLESS	8821 PLANTATION LANDING DR.
MILAN G DRAGITY	8618 GRAYSON PARK DR.
LISA W ECKMAN	337 GASKINS LN
MARY BECK ELMORE	8686 GRAYSON PARK DR.
FLORENCE M ELWYN	8858 PLANTATION LANDING DR.
DEBORAH M FITZGIBBON	8611 GRAYSON PARK DR.
AMANDA C AND BRIAN P FLEMING	8903 BREADON CT
PAMELA S AND JULIO E MACAS FOSSI	8900 PLANTATION LANDING DR.
FRANCIS T FOX	8862 PLANTATION LANDING DR.
LAWRENCE S AND LUCY JEAN B FRANKEL REV TRUST	8851 NEW FOREST DR.
ALEXA A FRENCH	8837 PLANTATION LANDING DR.
LYNN M FULLERTON	8638 GRAYSON PARK DR.
FUTCH CREEK INVESTORS LLC	10 CARDINAL DR. S
GEORGE AND SUSAN B GAMBLE	8866 PLANTATION LANDING DR.
THOMAS ALTON GARDNER	334 GASKINS LN
PAUL AND FRANCES ANN GOSLINE	8683 GRAYSON PARK DR.

WILLIAM L SR AND MARIA GOSLINE	8662 GRAYSON PARK DR.
GRAYSON PARK HOA INC	5710 OLEANDER DR. SUITE 210
JOEL AND KELLEY GRECO	318 GASKINS LN
DANIEL LEE AND DELPHINE RENA GREEN	8762 MARKET ST
MICHAEL CARSON GREENWOOD	8671 GRAYSON PARK DR.
KARA GROENE ETAL	8690 GRAYSON PARK DR.
DAVID P AND BETHANY L GUNN	8874 PLANTATION LANDING DR.
JERENY AND HEATHER	8883 PLANTATION LANDING DR.
DONNIE R AND KAREN Y HALL	8829 PLANTATION LANDING DR.
WILLIAM EDWARD AND JODIE BUTLER HALL	8905 NEW FOREST DR.
BERNADINE T HARRITY	314 GASKINS LN
THOMAS R HARVEY	325 GASKINS LN
JESSICA HERRING ETAL	8871 PLANTATION LANDING DR.
SANDRA L HOENN	8828 PLANTATION LANDING DR.
CRYSTAL JONES	121 FUTCH CREEK RD
JESSICA KIRST	8912 PLANTATION LANDING DR.
THOMAS AND DEBORAH W KLAMERUS	326 GASKINS LN
JUDITH A LASKO	8963 PLANTATION LANDING DR.
GERALD M AND PAMELA S LATTER	8915 NEW FOREST DR.
MICHAEL AND TREMILLA S LAWRENCE	8836 PLANTATION LANDING DR.
BRADLEY AND ERIKA LEONARD	204 KRYSTAL POND DR.
JONATHAN E AND SARA E LEWIS	200 KRYSTAL POND DR.
VINCENT LEWIS ETAL	8674 GRAYSON PARK DR.
GABRIEL A AND KARINA D LOPES LUCIANO	8666 GRAYSON PARK DR.
SUSAN JANE MACAOON	8853 PLANTATION LANDING DR.
CYNTHIA THORNTON MADDOX	8825 PLANTATION LANDING DR.

WILLIE MAE MATTOCKS	8720 MARKET ST
ATLAS A III AND BETTY M MAYNARD	109 FUTCH CREEK RD
MARY L MCRAE	8651 GRAYSON PARK DR.
DALLAS RAY MERCER JR	8691 GRAYSON PARK DR.
TAYLOR F MILLS ETAL	8670 GRAYSON PARK DR.
MM10 LLC	639 INDIAN WELLS WAY
LARRY E MOELLER ETAL	310 GASKINS LN
LISA D MOORE	8951 PLANTATION LANDING DR.
RANDY A AND SUSAN R MOREAU	8655 GRAYSON PARK DR.
MARGOT BODO MUELLER	8824 PLANTATION LANDING DR.
SHAWN P MURPHY AND JOANNA N MCVAUGH	8678 GRAYSON PARK DR.
DAVID E AND CATHERINE H OWEN	8859 NEW FOREST DR.
PATRICIA A OWENS	8659 GRAYSON PARK DR.
WILLIAM E OWENS	8630 GRAYSON PARK DR.
MATTHEW AND KATHLEEN PALESE	8905 PLANTATION LANDING DR.
RAYMOND S AND REBECCA J PASTORE	PO BOX 1024
MIHAI NELA PAUN	8878 PLANTATION LANDING DR.
ASHLEY D PERRITT	8846 PLANTATION LANDING DR.
KIM PIPER AND WILLIAM JOHN SLAYS JR	8687 GRAYSON PARK DR.
PLANTATION LANDING HOA INC	7036 WRIGHTSVILLE AVE SUITE 101
LAMYA E REYNOLDS ETAL	717 EDGEWATER RIDGE CT
TIMOTHY M REYNOLDS SR	8654 GRAYSON PARK DR.
RIDGEWOOD GARDENS HEALTH INVESTORS LLC	2334 41ST ST S
ROSEMARY AND DONALD RITZ	2730 BRYANT DR.
WILLIE R AND LYNN A RITZ	8650 GRAYSON PARK DR.
SANDY C RIVENBARK	PO BOX 10613

BRIAN MICHAEL AND SHANNON ROBINSON	8639 GRAYSON PARK DR
ROBERT F AND LISA M ROSS	8911 BREADON CT
DAVID G JR AND KIM A M SAMTMANN	8871 NEW FOREST DR
ANTHONY R ANS DIANE S SATTERFIELD	8904 PLANTATION LANDING DR
DAVID AND CHERYL SCHMITTER	205 KRYSTAL POND DR
JAMES R AND VIRGINIA S SCOTT	8704 ABBEY GLEN WAY
MELVIN AND AMY SHAW	8705 PINKERTON DR
MARY B SHUPING TRUSTEE	8743 NEW FOREST DR
GRETCHEN SIMMONS	333 GASKINS LN
CHRISTOPHER BURNEY AND KRISTEN J SMITH	8705 ABBEY GLEN WAY
L AND EDWARD LUCI M SMITH	8909 NEW FOREST DR
ANTHONY H JR AND MAUREEN E SPATARO	8902 BREADON CT
RONALD AND CHARLOTTE L SPENCER JLT	8865 PLANTATION LANDING DR
DOUGLAS J AND MICHELLE D STEIN	8875 PLANTATION LANDING DR
STEPHENS POINT LLC	PO BOX 56607
JOHN TRAVIS STONE	322 GASKINS LN
STEVE AND ROBERTA SWAIN	8854 PLANTATION LANDING DR
CHARLES C TALTON	8883 NEW FOREST DR
RYAN AND SHELLY TANNER	8849 PLANTATION LANDING DR
MICHAEL TAYLOR AND COURTNEY EDWARDS	8643 GRAYSON PARK DR
A GERALD AND CAROLYN K TERTZAGIAN	329 GASKINS LN
TREVOR AND ROBYN THOMAS	8879 NEW FOREST DR
CHRISTOPHER D AND CRYSTAL P TICE	8626 GRAYSON PARK DR
TKB HOLDINGS LLC	1109 TURNBERRY LN
MICHAEL K AND BRANDY N TOMCANY	8647 GRAYSON PARK DR

EDWARD A SR AND EILEEN TWOMEY	17 GREEN HILLS RD
DAVID N AND JENNIFER K UPCHURCH	8840 PLANTATION LANDING DR
MARGARET P VANHOOK	8675 GRAYSON PARK DR
JOHN DOUGLAS AND KAREN ANN WALSH	306 GASKINS LN
DAVID L AND JANNEY F WARREN	8658 GRAYSON PARK DR
KEVIN E AND SHARON P WELSH	8615 GRAYSON PARK DR
STEVEN F AND SUZANNE T WESSEL	8901 PLANTATION LANDING DR
RAYMOND GLENNWOOD WHITE ETAL	8870 PLANTATION LANDING DR
AVERY HAYWARD YOUNTS & DEBRA WYNNE ROBBINS	113 WHITE STONE PL
MARK AND BARBARA ZENOBIA	8709 ABBEY GLEN WAY

Exhibit B

June 23, 2020

TO: Adjacent and Nearby Property Owners and Residents

FROM: Ridgewood Gardens Health Investors, LLC

RE: Notice of Community Meeting Regarding Rezoning - 8704 Market Street

Dear Neighbors,

This is a notice of a community meeting for all Adjacent and Nearby Property Owners in the proximity of the land located at 8704 Market Street (parcel ID No.: R02900-003-513-000) (the "Property"). The Property is owned by Ridgewood Gardens Health Investors, LLC ("Ridgewood").

Ridgewood is seeking to rezone the Property from its current zoning: Neighborhood Business ("B-1") and Residential 15 ("R-15"); to an Urban Mixed Use Zoning District ("UMXZ") to allow the development of a senior living community.

The planned senior living community will include independent senior living villas, and independent senior living, licensed assisted living, healthcare, and related retirement community facilities, as will also include office, residential, and, potentially, salon use. A site plan showing the location and planned distribution of these uses is attached to this notice.

We look forward to describing our plans for the Property in greater detail, and answering any questions you have about the project.

Given the current COVID-19 pandemic, and after careful consideration of how to appropriately solicit meaningful feedback from our neighbors while exercising social distancing measures, we will hold this meeting in a virtual setting via a **Zoom meeting on July 6, 2020 at 5:00pm.**

To register to attend this community meeting, please visit: <https://bit.ly/2UVizJ5>

After registering, you will receive a confirmation email containing information about joining the webinar.

In the alternative, you may email us at [rsvp@wardandsmith.com](mailto:rsvp@wardandsmith.com) and we will send the above link to your email address. Please also use this email address as a resource for any questions you may have regarding registration for, and participation in, the meeting.

If you have any questions regarding the topics to be covered in the meeting, or wish to comment on the proposed rezoning outside the context of this community meeting, please write or call Thad Moore, a representative of the owner, at [TMoore@LibertySeniorLiving.com](mailto:TMoore@LibertySeniorLiving.com) or (910) 332-1967.

Best regards,

Sam Franck

Counsel to Ridgewood Gardens Health Investors, LLC

Exhibit C

Parties who Registered for Community Meeting

<b>Attended</b>	<b>First Name</b>	<b>Last Name</b>	<b>Address</b>
Yes	Gabriel	N/A	8666 Grayson Park Drive
Yes	Matt	N/A	8784 Tilbury Dr.
Yes	Paul	Gosline	N/A
Yes	Susan	N/A	8674 Grayson Park Dr.
Yes	Parker	Anderson	3911 Malabar Run
Yes	Steven	Cipolla	20 Commerce Street
Yes	Joanne	Cress	8879 Plantation Landing Drive
Yes	Adam	DeBerry	8682 Grayson Park Dr.
Yes	Lawrence & Lucy	Frankel	8851 New Forest Drive
Yes	Susan	Gamble	8866 Plantation Landing Dr.
Yes	Chris	Hobbs	8913 Saville Court
Yes	Charles	Long	1011 Porters Neck Rd
Yes	Jason	McLeod	210 Small Dove Ct
Yes	JoAnna	McVaugh	8678 Grayson Park Dr.
Yes	Taylor	Mills	8670 Grayson Park Dr.
Yes	Shawn	Murphy	8678 Grayson Park Drive
Yes	Timothy	Reynolds	8654 Grayson Park Drive
Yes	Lynn	Stinson	8638 Grayson Park Drive
Yes	Mike	Tedder	8231 Blue Heron Dr. E, Apt 4
No	Kristen	Harlach	710 Tuscan Way
No	Judith	Lasko	8963 Plantation Landing Dr.
No	Heather	Martin	Tilbury Dr.
No	Ronnie	McNeill	102 Magnolia Drive
No	Lauren	Messmer	100 1st Ave N, Suite 3206
No	Brian	Pisani	8690 Grayson park Dr.

No	Kara	Pisani	8690 Grayson Park Dr.
No	Janney	Warren	8658 Grayson Park Dr.

Exhibit D

Community Meeting Attendees

<b>Attended</b>	<b>First Name</b>	<b>Last Name</b>	<b>Address</b>
Yes	Gabriel	N/A	8666 Grayson Park Drive
Yes	Matt	N/A	8784 Tilbury Dr.
Yes	Paul	Gosline	N/A
Yes	Susan	N/A	8674 Grayson Park Dr.
Yes	Parker	Anderson	3911 Malabar Run
Yes	Steven	Cipolla	20 Commerce Street
Yes	Joanne	Cress	8879 Plantation Landing Drive
Yes	Adam	DeBerry	8682 Grayson Park Dr.
Yes	Lawrence & Lucy	Frankel	8851 New Forest Drive
Yes	Susan	Gamble	8866 Plantation Landing Dr.
Yes	Chris	Hobbs	8913 Saville Court
Yes	Charles	Long	1011 Porters Neck Rd
Yes	Jason	McLeod	210 Small Dove Ct
Yes	JoAnna	McVaugh	8678 Grayson Park Dr.
Yes	Taylor	Mills	8670 Grayson Park Dr.
Yes	Shawn	Murphy	8678 Grayson Park Dr.
Yes	Timothy	Reynolds	8654 Grayson Park Dr.
Yes	Lynn	Stinson	8638 Grayson Park Dr.
Yes	Mike	Tedder	8231 Blue Heron Dr. E, Apt 4

Legal Description of Ridgewood Gardens Health Investors, Inc. Property re UMXZ Rezoning

Beginning at a point located on the eastern right of way of Market Street-US Highway 17 (variable width Public R/W), said point being the southwestern point of Tract A Willie Mattocks depicted on Map Book 47, at Page 52 in the office of the Register of Deeds of New Hanover County and being located South 43°11'37" West 172.09 feet from an existing iron on the eastern right of way of Market St-US Highway 17 (Variable Width Public R/W) as shown on a plat recorded in Plat Book 51, at Page 3 in the office of the Register of Deeds of New Hanover County prepared by Arnold W. Carson dated January 8, 2007, which existing iron is located South 51°02'32" West 242.05 feet from an existing NCDOT Disk, said point being the "Point of Beginning," thence from said Point of Beginning leaving said right of way South 49°48'44" East 510.74 feet to a point, thence North 40°11'16" East 171.85 feet to a point, thence South 49°48'44" East 479.47 feet to a point, thence South 36°03'33" West 172.30 feet to a point, thence South 49°48'44" East 201.05 feet to a point, thence North 40°21'20" East 343.73 feet to a point, thence South 49°48'57" East 635.72 feet to a point on the centerline of ditch, thence with said centerline South 76°58'17" West 110.61 feet to a point, thence South 46°24'45" West 2.97 feet to a point, thence South 46°24'45" West 3.73 feet to a point, thence South 33°53'10" West 32.38 feet to a point, thence South 49°38'22" West 26.23 feet to a point, thence South 74°31'02" West 46.60 feet to a point, thence South 81°15'29" West 35.64 feet to a point, thence South 50°53'13" West 12.99 feet to a point, thence South 50°51'36" West 1.88 feet to a point, thence South 38°31'24" West 52.38 feet to a point, thence South 38°55'11" West 23.05 feet to a point, thence South 29°13'55" West 35.75 feet to a point, thence South 29°40'11" West 25.78 feet to a point, thence South 19°59'40" West 41.89 feet to a point, thence South 13°49'10" West 44.23 feet to a point, thence South 16°55'47" West 141.52 feet to a point, thence South 20°12'13" West 72.32 feet to a point, thence South 20°12'44" West 14.62 feet to a point, thence South 41°35'48" West 33.68 feet to a point, thence South 59°58'39" West 50.05 feet to a point, thence South 75°24'11" West 34.69 feet to a point, thence South 78°07'55" West 89.48 feet to a point, thence South 69°34'40" West 34.57 feet to a point, thence South 49°27'01" West 19.83 feet to a point, thence South 38°06'37" West 17.66 feet to a point, thence South 40°08'33" West 85.74 feet to a point, thence South 26°45'32" West 11.75 feet to a point, thence leaving said centerline North 49°11'10" West 718.04 feet to a point, thence North 49°01'06" West 484.05 feet to a point, thence North 37°58'48" East 242.18 feet to a point, thence North 47°23'55" West 549.11 feet to a point on the eastern right of way of Market Street-US Highway 17 (Variable Width R/W), thence with said right of way North 42°36'05" East 380.85 feet to the Point of Beginning, containing 29.956 acres (1,304,899 Sq Ft) more or less.

4  
23  
15,500 r/s



FOR REGISTRATION REGISTER OF DEEDS  
REBECCA P. SMITH  
NEW HANOVER COUNTY, NC  
2007 FEB 08 09:33:20 AM  
BK: 5139 PG: 1461-1465 FEE: \$23.00  
NC REV STAMP: \$15,500.00  
INSTRUMENT # 2007006347

Revenue Stamps: \$15,500 PJM

Recording time, book and page

Parcel Identifier No. See below

No certification or opinion on title is expressed by the preparer of this deed except as may appear from the preparer's signed certificate or opinion.

Prepared by: W. Talmage Jones  
Hogue, Hill, Jones, Nash & Lynch, L.L.P.  
P. O. Drawer 2178  
Wilmington, NC 28402

RETURNED TO: HELMS, MULLISS & WICKER, PLLC

Grantee mailing address: 2334 S. 41<sup>st</sup> Street, Wilmington, NC 28403  
Returned to: J. Dickson McLean, Esq.

STATE OF NORTH CAROLINA

WARRANTY DEED

COUNTY OF NEW HANOVER

KNOW ALL MEN BY THESE PRESENTS that **FUTCH CREEK PARTNERS, LLC**, a North Carolina limited liability company, "GRANTOR;" in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, paid to GRANTOR by **RIDGEWOOD GARDENS HEALTH INVESTORS, L.L.C.**, a Virginia limited liability company with an address c/o Liberty Healthcare Group, 2334 S. 41<sup>st</sup> Street, Wilmington NC 28403 "GRANTEE," the receipt of which is hereby acknowledged, by these presents, does give, grant, bargain, sell and convey unto the said GRANTEE, and GRANTEE'S successors and assigns, forever, in fee simple, all that certain lot or parcel of land located in the County of New Hanover, State of North Carolina, and more particularly described as follows:

TRACT 1

BEING ALL of Tract Number 1 containing 5.53 acres more or less as shown on a map of Futch Creek Village prepared by Arnold W. Carson, PLS PC dated January 8, 2007 and recorded in Map Book 51, Page 3 of the New Hanover, North Carolina, Register of Deeds.

This tract is a portion of a 9.22 acre tract that was acquired by Grantor by Warranty Deed from King Brothers Company, LLC dated June 28, 2006 and recorded in Book 5045, Pages 253-256 of the aforesaid Registry and by Quitclaim Deed from King Brothers Company, LLC dated June 30th, 2006 and recorded in Book 5050, Pages 365-368 of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Office as (9.22 acres) Porters Neck and has a Parcel ID number of R02900-003-045-000.

**TRACT 2**

BEING ALL of Tract Number 2 containing 37.20 acres more or less as shown on a map of Futch Creek Village prepared by Arnold W. Carson, PLS PC dated January 8, 2007 and recorded in Map Book 51, Page 3 of the New Hanover, North Carolina Register of Deeds.

This tract is comprised of several tracts acquired by Grantor as follows:

(i) it contains a portion of the 9.22 acre tract acquired from King Brothers Company, LLC by deeds recorded in Book 5045, Pages 253-256 and Book 5050, Pages 365-368 of the aforesaid Registry and identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-045-000; and

(ii) A 2.04 acre tract acquired by deeds from Eugene C. Hines, Jr. and wife Ava M. Hines, see Book 4911, Pages 621-625; and Cynthia H. Gongs and husband Charlie E. Gongs, see Book 4911, Pages 626-630 all of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-043-001; and

(iii) A 2.02 acre tract acquired by deed from SAMM PROPERTIES, INC. recorded in Book 4911, Pages 660-663 of the aforesaid Registry. This tract is identified in the deed as Tract One and on the tax roll of New Hanover County Tax Office as Parcel ID number R02900-003-043-003; and

(iv) A 2.02 acre tract acquired by deeds from Ramona Hines Harris, "unmarried", see Book 4911, Pages 647-650; Philip S. Hines, "unmarried", see Book 4911, Pages 643-646; Curtis L. Hines, "unmarried", see Book 4911, Pages 639-642; John O. Hines and wife Jimmie C. Hines, see Book 4911, Pages 635-638; and Terry A. Hines, "unmarried", see Book 4911, Pages 631-634, all of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-043-000; and

(v) A 2.04 acre tract acquired by deed from SAMM PROPERTIES, INC. recorded in Book 4911, Pages 660-663 of the aforesaid Registry. This tract is identified in the deed as Tract Two and on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-043-004; and

(vi) A .25 acre tract acquired by deed from SAMM PROPERTIES, INC. recorded in Book 4951, Pages 2111-2114 of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Collector as Parcel ID number R02900-003-044-000; and

(vii) A 16.19 acre tract acquired from David Greene, widower, by deed recorded in Book 4951, Pages 2115-2117 of the aforesaid Registry and identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-042-000; and

(viii) A 1.92 acre tract acquired by deed from Willie Mae Mattocks, widow, in Book 4951, Pages 2118-2120 of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-239-000; and

(ix) A 2.69 acre tract acquired by deed from Herman Dale Chambers, unmarried, recorded in Book 4951, Pages 2121-2124 of the aforesaid Registry. This tract is identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-043-002; and

(x) A 4.10 acre tract acquired from Willie Mae Mattocks, widow, by deed recorded in Book 5045, Pages 237-240 of the aforesaid Registry and identified on the tax roll of the New Hanover County Tax Office as Parcel ID number R02900-003-038-000.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging, to the said GRANTEE and said GRANTEE's heirs, successors, and assigns, forever, in fee simple; and the GRANTOR, for itself, its successors and assigns, does covenant with the said GRANTEE and said GRANTEE's heirs, successors and assigns, that

GRANTOR is seised of the premises in fee simple, and has the right to convey the same in the estate aforesaid, that title is marketable and free and clear of all encumbrances, except as herein stated, and that GRANTOR hereby will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions herein stated.

Title to the property is subject to the following exceptions:

The provisions of all applicable zoning and land use ordinances, statutes and regulations; current year ad valorem taxes; and all applicable restrictive covenants and utility easements of record.

The designation GRANTOR and GRANTEE as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer, this the 12<sup>th</sup> day of January, 2007.

FUTCH CREEK PARTNERS, LLC

BY: John S. Anderson (SEAL)  
JOHN S. ANDERSON, Member/Manager

BY: Mark L. Maynard (SEAL)  
MARK. L. MAYNARD, Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

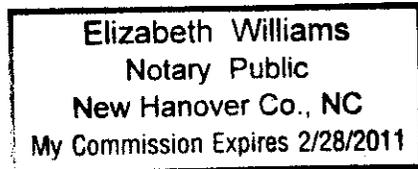
I, Elizabeth Williams, a Notary Public, certify that the following person(s) personally appeared before me this day, and

- I have personal knowledge of the identity of the principal(s)
  - I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_
  - A credible witness has sworn to the identity of the principal(s);
- each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
John S. Anderson	Member/Manager

On behalf of and as the act of the following entity: Futch Creek Partners, LLC.

Date: 1-12-07  
Elizabeth Williams  
Notary Public  
Elizabeth Williams  
Print Name



STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

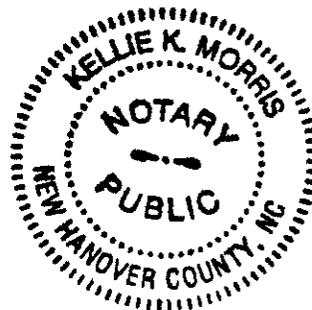
I, Kellie K. Morris, a Notary Public, certify that the following person(s) personally appeared before me this day, and

- I have personal knowledge of the identity of the principal(s)
  - I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_
  - A credible witness has sworn to the identity of the principal(s);
- each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Mark L. Maynard	Member/Manager

On behalf of and as the act of the following entity: Futch Creek Partners, LLC.

Date: 1-15-07  
Kellie K. Morris  
Notary Public  
Kellie K. Morris  
Print Name



My commission expires: June 22, 2010 S:\WT\FutchCreekPartnersLLC\Deed\_Ridgewood.wpd



REBECCA P. SMITH  
REGISTER OF DEEDS, NEW HANOVER  
216 NORTH SECOND STREET

WILMINGTON, NC 28401

\*\*\*\*\*

Filed For Registration: 02/08/2007 09:33:20 AM  
Book: RE 5139 Page: 1461-1465  
Document No.: 2007006347  
DEED 5 PGS \$23.00  
NC REAL ESTATE EXCISE TAX: \$15,500.00  
Recorder: CRESWELL, ANDREA

State of North Carolina, County of New Hanover

**YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.  
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.**

**\*2007006347\***

2007006347