

DEPARTMENT OF PLANNING & LAND USE 230 Government Center Drive, Suite 110 Wilmington, North Carolina 28403 Telephone (910) 798-7165 FAX (910) 798-7053 planningdevelopment.nhcgov.com



CONDITIONAL ZONING APPLICATION

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

				Public Hearin	g Procedures	
1	2	3	4	5	6	7
Community Information Meeting	Application Submittal & Acceptance	Planning Director Review & Staff Report (TRC Optional)	Public Hearing Scheduling & Notification	Planning Board Hearing & Recom- mendation		Post-Decision Limitations and Actions
	Community Information	Community Application Submittal &	Community Application Planning Information Submittal & Director Review Acceptance & Staff Report	Community Application Planning Public Hearing Information Submittal & Director Review Scheduling & Notification	1 2 3 4 5 Community Information Submittal & Acceptance	Community Application Planning Public Hearing Planning Board of Information Submittal & Director Review Scheduling & Hearing & Commissioners Meeting Acceptance & Staff Report Notification Recom- Hearing &

1. Applicant and Property Owner Information

Applicant/Agent Name	Owner Name (if different from Applicant/Agent)
Cindee Wolf	TF Holdings, Limited Partnership
Company	Company/Owner Name 2
Design Solutions	
Address	Address
P.O. Box 7221	6336 Oleander Drive, Suite 1
City, State, Zip	City, State, Zip
Wilmington, NC 28406	Wilmington, NC 28403
Phone	Phone
910-620-2374	910-264-8518 (Contact: Brett Bostic)
Email	Email
cwolf@lobodemar.biz	brettbostic@yahoo.com

2. Subject Property Information

Address/Location 3001 Blue Clay Road		Parcel Identification Number(s) 312908.99.2530 / R03312-003-034-000	
Total Parcel(s) Acreage	Existing Zoning a	nd Use(s)	Future Land Use Classification
8.55 ac+/-	R-20		Community Mixed-Use

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

Proposed Conditional Zoning District: CZD / R-5	Total Acreage of Proposed District: 7.59 ac+/-		
Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (attach additional pages if necessary). Note: Only uses permitted in the corresponding General Use District are eligible for consideration within a Conditional Zoning District.			
The proposed project is to develop fifty (50) townhome-style residences in combinations of three (3) or four (4) units per building. They will be constructed for individual ownership and serviced by public water & sanitary sewer mains.			

4. Proposed Condition(s)

Note: Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding general use district regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

The 0.96-acre portion of the existing tract will be subdivided off from this proposed development and deeded access by a private easement from Holland Drive. It will remain zoned R-20.

The existing platted, but unimproved, Long Leaf Drive right-of-way, as recorded on the Wrightsboro Acres - Section 5 subdivision (Map Book 7, at Page 1), will be extended from its present terminus at Holland Drive through the project to intersect Blue Clay Road. This will provide more efficient interconnectivity within the neighborhoods. Another stubbed right-of-way from Rachel's Place - Phase 1 subdivision (Map Book 63, at Page 82) will also be extended.

5. Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Traffic Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: Residential Townhouse (230)

Trip Generation Use and Variable (gross floor area, dwelling units, etc.) per Dwelling Unit @ 50

AM Peak Hour Trips: 22 PM Peak Hour Trips: 26

6. Conditional Zoning District Considerations

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County 2016 Comprehensive Plan and the objectives outlined in the Unified Development Ordinance and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community at-large.

The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Zoning district meets the following criteria.

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

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

2. How would the requested Conditional Zoning district be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map.
The tract is identified in teh Comprehansive Land Use Plan as a "Community Mixed-Use" place-type. The plan suggests higher densities. The proposed project is an acceptable transition use along the busier Blue Clay Road, and between the single-family residential neighborhoods and the industrial uses to the East & South.
3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning? The typical large-lot homes of the past were necessary due to the need for adequate land to support wells and septic systems. Now public utilities are available. A denser housing product makes infill possible with better affordability.

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications determined to be incomplete must be corrected in order to be processed for further review; Staff will confirm if an application is complete within five business days of submittal.

App	olication Checklist	Applicant Initial
	This application form, completed and signed Application fee:	CW
	\$600 for 5 acres or less	
	• \$700 for more than 5 acres	
	 \$300 in addition to base fee for applications requiring TRC review 	CW
	Community meeting written summary	CW
	Traffic impact analysis (if applicable)	N/A
	Legal description (by metes and bounds) or recorded survey Map Book and Page Reference of the property requested for rezoning	CW
	Conceptual Plan including the following minimum elements:	
	Tract boundaries and total area, location of adjoining parcels and roads	
	 Proposed use of land, building areas and other improvements 	
	 For residential uses, include the maximum number, height, and type of units; area to be occupied by the structures; and/or proposed subdivision boundaries. 	
	 For non-residential uses, include the maximum square footage and height of each structure, an outline of the area structures will occupy, and the specific purposes for which the structures will be used. 	
	 Proposed transportation and parking improvements; including proposed rights-of-way and roadways; proposed access to and from the subject site; arrangement and access provisions for parking areas. 	
	 All existing and proposed easements, required setbacks, rights-of-way, and buffers. 	
	 The location of Special Flood Hazard Areas. 	
	 A narrative of the existing vegetation on the subject site including the approximate location, species, and size (DBH) of regulated trees. For site less than 5 acres, the exact location, species, and sized (DBH) of specimen trees must be included. 	
	 Approximate location and type of stormwater management facilities intended to serve the site. 	
	 Approximate location of regulated wetlands. 	
	 Any additional conditions and requirements that represent greater restrictions on development and use of the tract than the corresponding general use district regulations or additional limitations on land that may be regulated by state law or local ordinance 	CW
	One (1) hard copy of ALL documents and site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	CW
	One (1) digital PDF copy of ALL documents AND plans	CW

7. Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the Conditional Zoning District zoning for which I am applying. I understand that the existing Official Zoning Map is presumed to be correct. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

- 1. Submit an application including all required supplemental information and materials;
- 2. Appear at public hearings to give representation and comments; and
- Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

Der	D. Webster Trask for TF Holdings Ltd. Partnership
Signature of Property Owner(s)	Print Name(s)
Cynthia Wolf	Cynthia Wolf / Design Solutions
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.

Legal Description for Rezoning

Being an 8.55-acre tract for which a map of survey is recorded among the Land Records of the New Hanover County Registry in Map Book 39, at Page 243; and being further described as

Beginning at a point in the western boundary of Blue Clay Road (NC S.R. 1318), a sixty-foot (60') public right-of-way; and running thence:

South 85°53'52" West, 726.45 feet to a point; thence

North 04°57'49" West, 271.75 feet to a point; thence

North 03⁰53'53" West, 60.01 feet to a point; thence

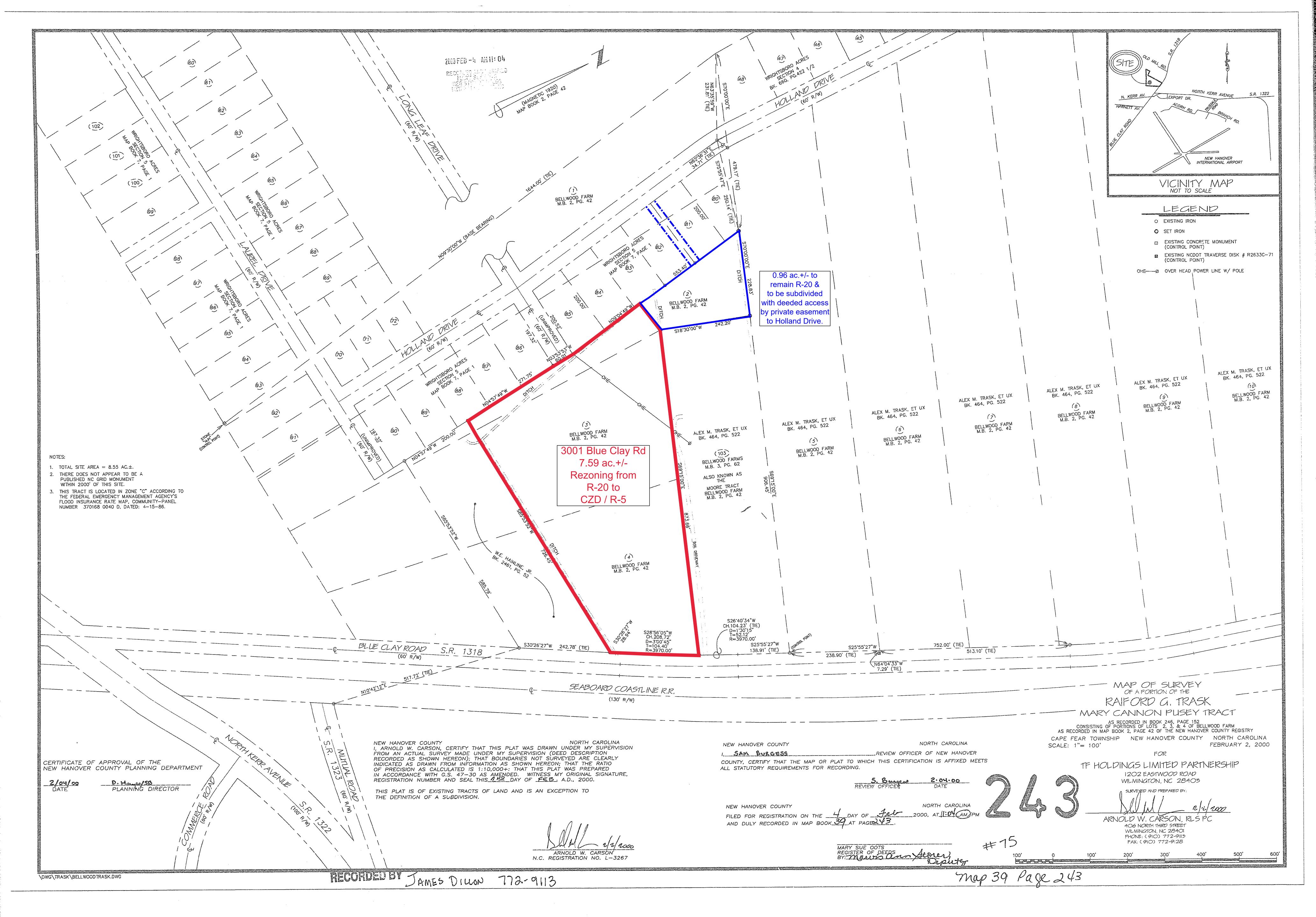
North 09⁰04'49" West, 227.50 feet to a point; thence

North 80⁰55'11" East, 87.85 feet to a point; thence

South 69⁰15'00" East, 873.66 feet to a point in the western boundary of Blue Clay Road; thence with that right-of-way,

Along a curve to the right, having a Radius of 3970.00 feet and Length of 208.74 feet, a Chord of South 28°56′05″ West, 208.72 feet to a point; thence

South 30°26′27" West, 28.94 feet to the point and place of beginning, containing 7.59 acres more or less.



REPORT OF COMMUNITY MEETING NOTIFIACTION BY NEW HANOVER COUNTY ZONING ORIDINANCE FOR CONDITIONAL DISTRICT REZONINGS

Project Name: _	Blue Clay Townes / 3001 Blue	Clay Road
Proposed Zoning: _	R-20 to (CZD) R-5 for a 50-uni	t Townhome Community
		f a project proposal and an exhibit of the site
•	. •	sent to the adjacent property owners set
		led to the Planning Department for notice of gave the recipients opportunity to contact us
		Copies of the written notices and the site
layout are attached.		
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emails.	ing were: <u>Reference attached</u>	l list of contacts received from calls or
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-		cerning the extension of Long Leaf Drive re asked, and answered, concerning the
	ed units and how visual buffering	
		
	Date:	March 30, 2021
	Applicant:	Design Solutions
	Ву:	Cindee Wolf

Community Information

3001 Blue Clay Road

Name	Address	Email (Optional)
Dorothy Blackwell	97 Holland Dr	dblackwell1011@gmail.com
Shelby Coelho	2244 Blue Bonnet Circle	shelby.arenahealth@gmail.com
Robert Russ	87 Holland Dr	<u>Tel. 910-763-8734</u>
Craig Herman	1320 Teddy Rd	craigherman100@gmail.com
Cindee Wolf	Project Planner	cwolf@lobodemar.biz

P.O. Box 7221 Wilmington, NC 28406

Design Solutions

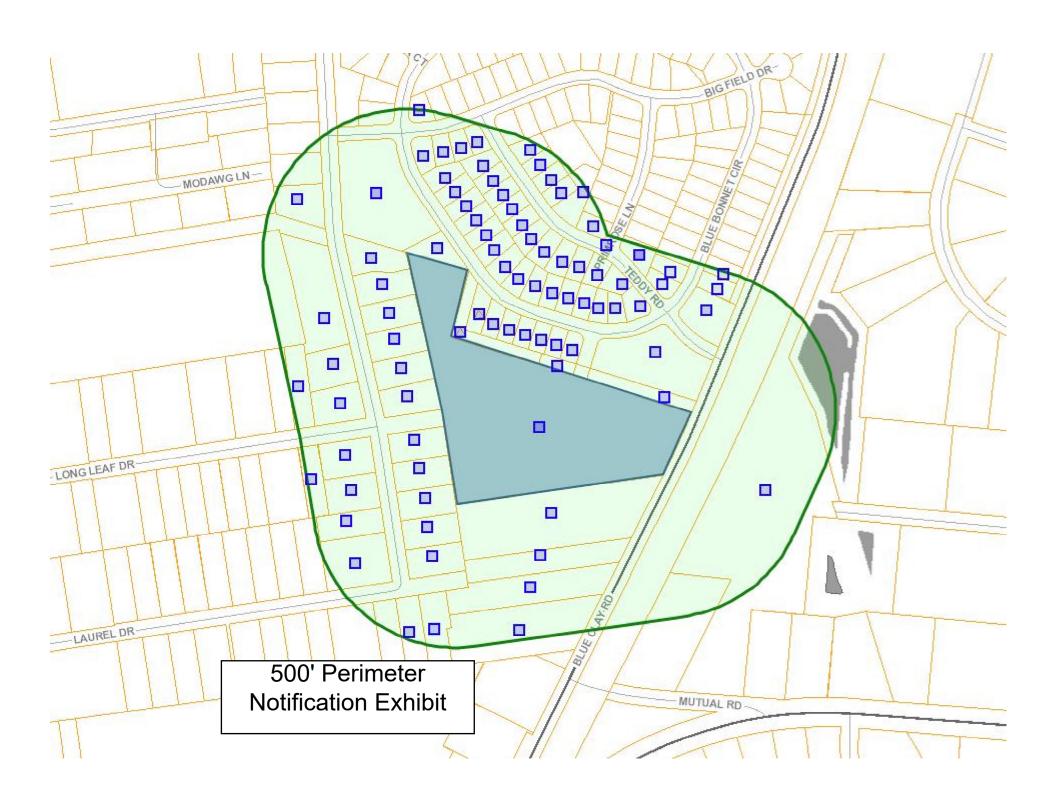
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642 CASTLE HAYNE RD
WILMINGTON, NC 28401

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PROPERTY OWNEERS WITHIN 500':

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76 HOLLAND DR CASTLE HAYNE
2232 BLUE BONNET CIR CASTLE HAYNE
2011 BLUE BONNET CIR CASTLE HAYNE



Transmittal

March 12, 2021

To: Adjacent Property Owners

From: Cindee Wolf

Re: A Performance Residential Townhome Development

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

A Conditional Zoning District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Essentially, this means that only that use, structures and layout of an approved proposal can be developed. An exhibit of the project layout is enclosed. The units are 2-story, attached-townhomes, of approximately 1600-1800 square feet, with one and two-car garages, that will be constructed for individual ownership.

The County requires that the developer notify the property owners within an adjacency to the project and hold a meeting for any and all interested parties. This is intended to provide neighbors with an opportunity for explanation of the proposal, and for questions to be answered concerning project improvements, benefits, and impacts.

Due to the current COVID-19 issue, however, a meeting cannot be held at this time. In lieu of that, you can contact the land planner, Cindee Wolf, with comments or questions at:

Telephone: 910-620-2374, or Email: cwolf@lobodemar.biz

All contacts, comments, concerns, and recommendations must be recorded in a report delivered to the County along with the rezoning application.

Prior to this project being reviewed by the Planning Board & Commissioners, you will receive subsequent notices of the agendas directly from the County. Those meetings provide public hearings for comment on any issues pertinent to approval of the proposal.

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

