

Jeff Wenzel
Mayor

Pamala Hall
Mayor Pro Tem

Rena Bragg
Councilmember

Greg Hines
Councilmember

Tom Hedrick
Councilmember

Dexter Sholar
Councilmember

Town of Holly Ridge

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Heather Reynolds, CMC
Town Manager

Tracy Martin
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TOWN OF HOLLY RIDGE PLANNING BOARD/TOWN COUNCIL SPECIAL MEETING MINUTES August 26th, 2021 5:00 P.M.

Call to Order

The meeting was called to order at 5:00 PM by Mayor Jeff Wenzel. Members present were Mayor Jeff Wenzel, Mayor Pro Tem Pamala Hall, Greg Hines, Tom Hedrick, Chairman John McIver, Toni Hardin, Nicholas Tripp, and Dave Mosey. Also, present were Town Manager Heather Reynolds, Deputy Town Clerk Tracy Martin, Community Development Director Nathan Rhue, and Marsha-Gray Kircher from the Community Development Department. Dexter Sholar joined the meeting at 5:05 PM, Rena Bragg joined the meeting at 5:11 PM.

Invocation and Pledge of Allegiance

Invocation was led by Greg Hines. Mayor Jeff Wenzel led the Pledge of Allegiance.

Adoption of Agenda (Additions and/or Deletions)

Town Manager Heather Reynolds mentioned to the Town Council that they would recess so the Planning Board could continue with Rezone, after number 5 on the agenda. A motion was made by *Tom Hedrick* and seconded by *Pamala Hall* to adopt the agenda with proposed change. *All Agreed.*

Adoption of Minutes

A motion was made by *Toni Hardin* and seconded by *Dave Mosey* to adopt the minutes from Planning Board Meetings held on June 15th, 2021. *All Agreed.*

New Business

Joint Workshop with Town Council – Discussion and Possible Recommendation regarding Planning Unit Developments

Presented by Nathan Rhue. See Town Council Minutes prepared by Deputy Town Clerk, Tracy Martin.

Mayor Jeff Wenzel asked if the Planning Board had a recommendation for the Town Council. Dave Mosey asked for more time to review the proposed ordinance.

A motion was made by *Toni Hardin* and seconded by *Dave Mosey* to table the item for further review until special meeting on September 2nd, 2021. *All Agreed.*

Town Council left the meeting to commence in hallway with discussion of Liberty Festival and adjourn meeting.

Board members agreed to meet at 8:30 AM on Thursday, September 2nd, 2021, to continue discussion on proposed PUD ordinance.

Zoning Map Amendment – Town of Holly Ridge – Camp Davis Industrial Park

Toni Hardin disclosed that she has a close business relationship with the property owner and recused herself. Toni Hardin remained present in the meeting.

Presented by Nathan Rhue – Application was submitted by the Town and signed by the owner of the Camp Davis Industrial Park property. The parcel is identified as parcel number 033805, and currently zoned at R-20, with a rezone request to Commercial. The property is located at 501 US Hwy 17 S, 2.63 acres, and is located near the Holly Ridge storage facility heading down past the Industrial Park on the right-hand side of the road heading towards Wilmington. The existing house on the property is vacant and is proposed to be torn down in the future. Nathan Rhue explained that the intent of this particular property is going to provide another access to Camp Davis Industrial Park.

Nathan Rhue mentioned that the property is currently zoned R-20, and that there was discussion if this piece of property should be zone Light Industrial like the rest of Camp Davis Industrial Park, or commercial. Staff's recommendation was that it would be commercial due to it being located right on Hwy 17, and with it proposed as having a road, this would open up having possible future endeavors for commercial development along that road that is going to be created for the Industrial Park access. Nathan Rhue mentioned that there is couple of lots close by on the same side of the road also zoned Commercial.

Nathan Rhue explains that the Town's Future Land Use Plan identifies this particular parcel as red being commercial, therefore it does fit within the Town's Comprehensive Plan. Nathan Rhue reminds the Board that with all rezones, all permitted uses need to be taken into consideration.

Nicholas Tripp states that he does not see a road as a permitted use in the permitted use table. Nathan Rhue responded that it is to be zoned commercial, there is not a proposal for it, but there needs to be road as it is to be an access; it does open it up for commercial development on that parcel, therefore the request being commercial.

Nathan Rhue reminds the Planning Board of the guidelines for all rezones per the Town Ordinance's Section 7-7-4 that they must consider and discussed each item with the Board.

(A) The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories;
Surrounding properties found within the area are zoned R-20 and Light-Industrial. The adjoining properties are residentially zoned and utilized for residential uses. The location of the Camp Davis Industrial Park behind the property in question would allow for similar uses to be located on this property if commercially zoned.

(B) There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group;
The purpose of the C district is to encourage more uses directed toward recreation and entertainment for the public. As part of the purpose of the Commercial zoning district, the requested rezoning would accommodate the development of retail, service and related businesses abutting major roadways throughout the town that cater to the traveling public. The proposed district classification would be in the general public interest as additional commercial options would be available for them, especially for those traveling.

(C) There is convincing demonstration that all uses permitted under the proposed new district classification are appropriate for the area included in the proposed change;
Being as the property is located on Hwy. 17, the proposed new district classification would be appropriate as this highway is a major corridor for the traveling public. The variety of permitted uses would afford options directed to commercial endeavors that would both enhance the area for the public that travel or that could potentially conduct business within Holly Ridge.

(D) There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change;
Being the diversity of districts and land uses currently existing in the area, particularly the Light Industrial District, there appears to be no convincing demonstration that the character of the neighborhood would be adversely affected if developed in accord with the listed permitted uses.

(E) The proposed change is in accord with the Holly Ridge Comprehensive Plan, and any other officially adopted plan;
As provided in the staff packet, the proposed change would be in accord with the Holly Ridge Comprehensive Plan as the future designation of this property is Commercial.

Nicholas Tripp asked if the owner of the piece of property is the Industrial Park and not the Town. Nathan Rhue responded that the Town is currently under due diligence to purchase Phase 2 of the Industrial Park. John McIver mentioned that he thought you cannot ask for a rezone unless you own the piece of property. Nathan Rhue responded that you can do it as the applicant with owner's

authorization. Nicholas Tripp asked if the intent was to merge the land. Nathan Rhue responded yes. Nicholas Tripp verified if the land could be merged together with two different zones. Nathan Rhue responded that you can do that because this is a separate parcel as it is now; before there is development it would still need to be surveyed.

Nicholas Tripp stated that he did not understand why if the land is going to be merged that it would not be the same zoning. Nathan Rhue responded that is the recommendation, but from staff's perspective, it is not a good idea to have light industrial uses right off Hwy 17. Nicholas Tripp asked how wide the property is, and if there was going to be an access road on it, there would not be room to put a shop up on it. Nathan Rhue stated that we could find that answer. Nathan Rhue mentioned that he does not know definitively if the parcel and the Industrial Park will be combined, there will not be a requirement to do so. It would make sense to combine it, but it could end up being an established easement.

Nathan Rhue mentioned to the Board that the property is approximately 171 feet wide; road requirement for a road would be 20 feet for pavement, right of ways including road are approximately 45 feet, so there would be approximately 125 feet to play with.

Nathan Rhue explained that it is Staff's recommendation to approve as submitted contingent on the property being purchased. The reason being that it would provide another access point for the Camp Davis Industrial Park. The location of additional property along Hwy 17 would also complement other commercial uses, both that are presently existing and for future prospects. The Comprehensive Land Use Plan indicates high-impact commercial developments should be located along the major thoroughfares within Holly Ridge. One location of such development is along Hwy 17 and this subject property would complement this designation.

Dave Mosey asked if the Board approves this rezone, who would own the road. Nathan Rhue responded that the Town would. Dave Mosey asked if the Town has the facilities in the current budget to maintain the road. Nathan Rhue responded that he does not know. Nicholas Tripp asked if this would be a benefit to the Town. Nathan Rhue responded that this would be a benefit to anyone whether it is done now or in the future. Nicholas Tripp asked for clarification if the applicant is the Town. Nathan Rhue responded that is correct. Nicholas Tripp stated it would benefit the Town for their Industrial Park if this done. Nathan Rhue responded that is if it is purchased by the Town, even if the Town does not purchase this property, the Industrial Park would still be required to put in another access for Phase 2. Nicholas Tripp asked if the Town bought the piece of property, would they be able to rezone it then. Nathan Rhue responded yes.

Nicholas Tripp asked to view the current zoning map. John McIver asked why Holly Ridge needed to apply, and the property owners could not ask for the rezone themselves. Nathan Rhue responded he has no idea. Nathan Rhue mentioned that the condition being that it be approved with the Town purchasing the property; this is the Town doing their due diligence as far as purchasing the property because if that is going to be the case, the Town wants that in place so we know how much it would be to install a road through the property.

John McIver stated that Town was not purchasing the property to sell back to them as rezoned, it will stay belonging to the Holly Ridge. Nathan Rhue responded that is correct, unless Town Council decides to sell it. Nathan Rhue explained that the intent is for there to be another access for Camp Davis, but with it being zoned commercial and with the width that we have confirmed, it could potentially also allow for commercial development along that road to add

additional shops, for example. Nicholas Tripp stated but the Town will own the road so they would have to put the commercial in; if the Town owns the piece of property, it would be the Town that would need to sell it or putting the commercial property on it. Nathan Rhue responded that the Town would put the road it and subdivide it and sell the lots off, just like what they are going through with the Camp Davis Industrial Park. John McIver stated that if the Industrial Park takes off like crazy then Holly Ridge would have a nice little chunk of change right in the middle of it, in theory; get the money back three or four times. Nathan Rhue responded that the Town's intent is not purchasing a piece of property to hold onto it, the intent is to sell it off. It is proposed that the Town is going to own the road through Camp Davis.

Nicholas Tripp asked if the intent is to connect what is already existing or is it to be a road to go into the piece of land behind it. Nathan Rhue responded that the land behind it is the Industrial Park. Nicholas Tripp stated there is already a road in there. Nathan Rhue responded not in this portion, there needs to be a second entrance, and a lot of that is dictated through DOT; regardless of if the Town purchases this lot or not, DOT will probably require another access into the Industrial Park. Nathan Rhue explained that with the Town being under due diligence to purchase it, the Town is trying to get our ducks in a row to get this taken care of.

Nicholas Tripp asked to see the aerial again, stating there is an abandoned house on the lot, but what is in between there and the storage lot. Nathan Rhue responded there is a house that someone lives in. Nicholas Tripp mentioned that the Board has to take into account the neighboring properties; turning this piece of property into commercial when there is a residential home right next to it, and R-20 on either side of it, is that the best use of the land. Nathan Rhue responded that Staff believes it is, and to take into consideration the Town's Future Land Use Plan which has this section along Hwy 17 designated commercial.

Nicholas Tripp stated that is does not understand why it would not be zoned light industrial if it is all light industrial in the back. Nathan Rhue responded that that could be the Board's recommendation if they choose to provide it. Nicholas Tripp clarified that the request is for commercial zoning, so would that need to be a denial with a recommendation. Nathan Rhue responded that the Board could deny it and say that you would rather it be for a zoning designation of light industrial. Nathan Rhue mentioned that would not be consistent with the Town's Comprehensive Land Use Plan, which is fine, but that would change the plan to where you would have one strip that would be light industrial. Nicholas Tripp stated that it is one strip, 171 feet between what is already industrial and R-20 and then commercial and back to R-20, sure the future use plan is commercial, but it is more light industrial than it is commercial right there.

Nathan Rhue responded surrounding it yes, but along Hwy 17 and in the zoning ordinance, it is more suited for commercial along the major thoroughfares, that it why the request for commercial and not light industrial. Nathan Rhue explained that to Nicholas's point, right now everything down there is R-20 until you get to the 2 parcels that are commercial, and beside that is a housing development; to Nicholas's point whether this is zoned commercial, an entity beside another residential use, you already have that existing right down the road from this particular parcel where you have residential uses right next door to something already zoned commercial.

Nicholas Tripp stated but there is nothing there. Nathan Rhue responded no not yet. Nicholas Tripp stated that was going to have condos on it, not a street that would have trucks on it every day. Nathan Rhue responded that it is zoned commercial, therefore it could be; that is the whole intent of rezoning, the applicant can come and promise you to do one thing and that deal falls through but it is

still commercial, so any commercial use could be put there. Nathan Rhue stated that is all he has for the Board.

Dave Mosey verified that for the width of the road, it would be 45 feet for total space of the road, does that increase for a commercial access. Nathan Rhue responded that it could potentially increase, sometimes it comes down to the determination of what DOT wants the Town to have in there. Dave Mosey stated that if the Board is suggesting that this decision will provide it to change into a commercial environment with the intention of it being a road as a secondary access point for the Industrial Park, and we do not know what the total width of the road will be as a result of it being a commercial road, while there is going to be enough width by itself with 171 feet, we do not necessarily think that whatever remains as a result of whatever specification they have for the width, that there would be any room to support commercial buildings with what is left; it is only 100 feet. Nicholas Tripp stated that we cannot make that determination. Dave Mosey stated that he is not saying that the Board does, just that there will not be much left.

A motion was made by *Nicholas Tripp* and seconded by *Dave Mosey* to recommend approval of the following resolutions: RESOLVED, that the Town of Holly Ridge Planning Board hereby finds the amendment to the Zoning Map is consistent with the Town's comprehensive plan (Town of Holly Ridge Comprehensive Land Use Plan) as the future land designation is Commercial and that it is reasonable and in the public interest because the property is located along a major corridor and the more commercial options for the traveling public would be beneficial and forwards the included Consistency Statement to the Holly Ridge Town Council. *All Agreed.*

Persons wishing to address the Board

There were none.

Staff Updates

There were none.

Board Member Questions or Concerns

There were none.

Adjourn

A motion was made by *Toni Hardin* and seconded by *Dave Mosey* to adjourn the meeting at 6:30 PM. *All Agreed.*



John McIver
Chairman



Marsha-Gray Kircher
Community Development Department