

Jeff Wenzel
Mayor

Pamala Hall
Mayor Pro-Tem

Dexter Sholar
Councilmember

Greg Hines
Councilmember

Rena Bragg
Councilmember

Carolyn Stanley
Councilmember

Town of Holly Ridge

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Heather Reynolds, CMC
Town Manager

Tracy Martin
Deputy Town Clerk

HOLLY RIDGE PLANNING BOARD MEETING AGENDA April 19, 2022 6:00PM

1. Call to Order

2. Moment of Silence/Pledge of Allegiance

3. Adoption of Agenda

4. Approval of March 15, 2022 PB Minutes

5. New Business

A. Zoning Map Amendment—Evolve Companies, LLC—501 Drag Strip Road

Request for a zoning map amendment for two (2) properties located on Drag Strip Road to rezone from R-20 to Commercial

B. Planned Unit Development Concept—Charles Riggs—Brooke Haven

Review and recommendation to Town Council for a proposed Planned Unit Development located on US Hwy 17

6. Board Questions/Comments

7. Adjournment



Planning & Zoning Department
Staff Report
Zoning Map Amendment
Planning Board Meeting Date:
April 19, 2022

Evolve Companies, LLC, applicant, is requesting a zoning map amendment for two (2) properties on US Hwy 17 and Drag Strip Road totaling approximately 2.41 acres and identified as parcels #019651 (Map #735-45) and #028331 (Map #735-41.1). The map amendment is to rezone the properties from R-20 to Commercial.

<p>Applicant: Evolve Companies, LLC</p> <p>Property Owner: Felix & Connie Ottaway</p> <p>Parcel ID#: 019651 (Map #735-45) 028331 (Map #735-41.1)</p> <p>Current Zone: R-20</p> <p>Proposed Zone: C (Commercial)</p> <p>Acreage: 2.41 total acres</p> <p>Number of Properties: 2</p> <p>*Planning Board Action Required: Yes</p> <p>*Town Council Action Required: Yes</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Recommend Approval/Denial of the proposed rezoning, as presented in the Staff Report or with changes. 2. Continue to a future date to obtain/consider additional information. The next available meeting date is May 17, 2022. 3. Determine consistency with the Holly Ridge Comprehensive Land Use Plan. 	<p>Current Legal Use: One (1) parcel is vacant and one (1) parcel has two (2) vacant single-family dwellings</p> <p>Relevant History: Found within the Town's ETJ, the existing property is zoned as R-20 which permitted uses are more of the residential nature. The properties adjoin the previously approved Planned Unit Development and, while not directly part of said development, it would provide for additional commercial uses along Hwy 17 similar to the portion of the PUD previously approved. It is also in the area of Phase II of the Camp Davis Industrial Park. Across Hwy 17, though part of the Commercial District, are found individual parcels consisting of single-family dwellings as well as the Homeplace subdivision. South of the subject parcels are vacant, undeveloped parcels zoned RA. A public hearing for this map amendment, as well as for annexation, is scheduled for May 10, 2022.</p> <p>Summary of Key Issues: The Holly Ridge Comprehensive Land Use Plan, in particular the Future Land Use Map, designates this particular parcel as Low-Density Residential causing this request to be inconsistent with the Town's plan. However, the amendment to this property to Commercial would assist in satisfying some of the public input priorities found within the Land Use Plan, namely in attracting a broad variety of businesses.</p> <p>Staff Recommendation: Approval w/condition if sale of property completed</p>
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OVERVIEW

The applicant is requesting a Zoning Map amendment from R-20 to C (Commercial). The purpose of the R-20 district is to stabilize established and/or planned single-family residential neighborhoods by providing a place for low density stick-built homes, modular homes and recreational uses and light agricultural purposes. Minimum lot area within the R-20 zoning district must be at least 20,000 square feet.

The description of the Commercial District is provided below:

Commercial District purpose is to accommodate the development of retail, service and related businesses abutting major roadways throughout the town that cater to the traveling public with minimum lot areas of 15,000 square feet.

The underlined portion is provided by Staff as to highlight the area the Commercial District is found to be more appropriate and to stress the focal point related to public interest.

The surrounding properties consist mostly of vacant undeveloped residentially zoned parcels of Rural Agriculture (RA). These parcels also directly adjoin the previously approved Planned Unit Development currently under design and owned by the same applicant of this request. While adjoining this development, the subject parcels will align with the previously proposed Commercial District associated with the approved PUD. Across Hwy 17 are parcels zoned Commercial and R-20 with existing single-family dwellings, including the 46-lot Homeplace subdivision. Located South of the property is vacant, undeveloped parcels.



Aerial of Property

The property is currently zoned R-20 with the adjoining properties to the North being Commercial, South being RA, West being R-20 and Commercial, and East being R-20 and Commercial. While the majority of the properties surrounding the parcels in question are primarily vacant and undeveloped, there are residential uses, both single-family and multi-family, found in the area. It also adjoins the previously approved Planned Unit Development submitted by the same applicant of this request. As part of the approved PUD, commercial uses are proposed directly adjoining these two (2) subject parcels.



Current Zoning of Property

PERMITTED USES

In reviewing a general zoning map amendment, consideration of all permitted uses must take place in approving or denying the request as submitted. The following uses are permitted uses within the Commercial Zoning District:

Multi-Family Dwelling (Apartment/Townhouses/Duplexes) (Special Use Permit)	Upper-Story Residential	Children’s home	Family Care home
Nursing, convalescent, assisted living facility	Rehabilitation Facility	Accessory Apartment (Special Use Permit)	Accessory structures/uses
Temporary construction offices	Hotels/Motels	Greenhouse and/or nurseries (commercial)	Arts and graphics services
Auction house	Auto, truck and motorcycle sales	Auto supplies	Bakery
Banks and finance companies	Blueprints and drafting supplies	Boat repairs, sales, and service	Brick, tile and pottery yard (sales and service)

Camera and photography supplies	Convenience store	Dairy, meat and seafood market	Drinking establishments (bars/lounge/pub) (Special Use Permit)
Equipment rental	Farm supplies	Farm/heavy equipment sales and rental	Flea market (indoor/outdoor)
Floor covering store (sales and installation)	Food store (under 10,000 sq. ft.)	Gas or service station	Heating and refrigeration sales and service
Industrial supplies and equipment sales	Lawn and garden supplies	Lumber and building material sales	Manufactured home/recreational vehicle sales
Manufacturer's showrooms	Monument works/sales	Plumbing and heating supplies	Rental of vehicles
Residential development sales (office on-site)	Restaurant	Roadside stand	Shopping Center
Supermarket (over 10,000 sq. ft.)	Truck, farm equipment, heavy equipment, sales and service	Winery	Sales, service, repair and rental, not elsewhere listed
Cabinet shops (Special Use Permit)	Concrete products production	Metal machining, welding and fabrication shop	Woodworking fabrication shop
Animal hospital/veterinarian clinic	Auto detailing	Automatic teller machine	Barber and beauty shops
Building, cleaning and maintenance services	Car wash	Child care center	Coin operated laundry
College/university/technical college (Special Use Permit)	Computer and data processing services	Contractor's office	Detective agency
Dry cleaners (Special Use Permit)	Grading business	Heating and refrigeration repair shop	Kennel and animal shelters
Lawnmower Repair	Mental health, in patient (Special Use Permit)	Publishing and printing	Research activities
Tattoo/body piercing	Tire dealers and service	Office and commercial services not elsewhere listed	Aquarium
Church (including fellowship buildings)	Club and/or Lodge	Community centers-public	Fire and Rescue (EMS)
Government facilities	Hospital (human) (Special Use Permit)	Libraries	Liquor Store (ABC Store)
Museums	Parks and Playgrounds	Police Departments	Schools (elementary, middle, high, private)
US Postal Service	Adult Establishments (Special Use Permit)	Amusement park	Arcade
Baseball hitting ranges	Billiard or pool halls	Boat marina (Special Use Permit)	Bowling alley
Dance schools	Electronic Gaming Operation (Special Use Permit)	Firing Range, indoor (Special Use Permit)	Go-cart track (Special Use Permit)
Golf course, public/private (Special Use Permit)	Golf driving range (Special Use Permit)	Greenways	Health club
Livestock petting zoo	Miniature golf	Movie theaters (indoor)	Private recreation clubs (non-adult)

Skating Rink	Ambulance service	Bus garages	Bus terminal (Special Use Permit)
Convenience center (Special Use Permit)	Mini warehouse	Open storage facility	Parking lot (commercial)
Recycling collection center (Special Use Permit)	Truck/freight terminal (6 or fewer trucks)	Truck/freight terminal (more than 6 trucks) (Special Use Permit)	Vehicle for hire
Warehousing (Special Use Permit)	Wholesale distribution (Special Use Permit)	Public utility facility (substation)	Sewer system (private) (Special Use Permit)
Utility company operation center	Wireless communication tower/substantial modification (Special Use Permit)	Wireless communication facility, small cell/collocation	

FUTURE LAND USE

The future land use designation for these sites is Low-Density Residential. However, as illustrated below, the future land use map also designates parcels in the area, and especially across Hwy 17, as commercial. While not reflected below, being as the aforementioned Planned Unit Development was approved, the adjoining property was also amendment and should be considered as Commercial. The Commercial zoning district is designated for high-density development and the location of the subject property, as well as that of the surrounding properties along Hwy. 17 would conform closer to the stated purpose of the Commercial District, which would accommodate the development of retail, service and related businesses abutting major roadways.



Future Land Use Map of Area

PLANNING BOARD POLICY CONSIDERATIONS

The Planning Board must consider each of the following guidelines in making their recommendation to the Town Council.

(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, RA, and Commercial. The adjoining properties are residentially and commercially zoned and utilized for both residential and commercial uses. Similar uses within the Commercial district would place these properties in the same or complementary categories.

(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.

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 Commercial district found across Hwy 17, 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.

While the proposed change is not consistent with the Future Land Use Map, it is consistent with the public input priorities found in the Comprehensive Land Use Plan as a whole.

Actions & Consistency Statements

Action A: Recommend Approval

Motion 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 not consistent with the Town's Future Land Use Map but is consistent with the Town of Holly Ridge Comprehensive Land Use Plan because, though the map designates this property as Low-Density Residential, the public input priorities suggest more variety of businesses be attracted to Holly Ridge (page 1-10) 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.

Action B: Recommend Denial

Motion to recommend denial of the following resolution: RESOLVED, that the Town of Holly Ridge Planning Board hereby finds the map amendment to the Official Holly Ridge Zoning Map is (i) consistent/inconsistent with the Town's comprehensive plan (Town of Holly Ridge Comprehensive Growth Strategy) stating that _____

And (ii) that it is not reasonable and in the public interest because it will _____

Staff Recommendation

Town Staff recommends **APPROVAL w/ condition (if sale of property completed)** of this requested zoning map amendment as it is submitted. Per the included application, the request is to rezone 2.41 acres of property located on US Hwy. 17 and identified as Parcels #019651 (Map #735-45) and #028331 (Map #735-41.1).

Located on Hwy 17, the amendment would afford more business options for the citizens and traveling public to access. While some residential uses exist in the area, the majority of the surrounding properties are vacant and undeveloped. The adjoining property located North of these parcels is part of a previously approved Planned Unit Development, which would place the subject parcels directly adjoining additional Commercial Districts. The location of additional commercial property along Hwy. 17 would also complement other commercial uses, both that are presently existing and for future prospects.

While the Future Land Use Map designates these parcels as Low-Density Residential, the request is consistent with the public input priorities as found within the Comprehensive Land Use Plan. Additionally, the location of commercially zoned property along a major thoroughfare would be consistent with the existing purpose for the Commercial district.

A public hearing will be scheduled before Town Council during their next regular meeting scheduled for May 10, 2022 at 6:30pm in order to consider this matter.

Town of Holly Ridge
General Zoning Application Form

Application # _____ Date 3/18/2022

Permit Fee: **\$300.00** Receipt # _____

Request for: Appeal Variance Conditional Use Rezoning Annexation

Applicant: Evolve Companies, LLC Owner: Felix Ivan Ottaway & Connie R. Ottaway

Address: Owner: 113 Hardison Road, Holly Ridge, NC 28445
Applicant: 122 Cinema Drive, Wilmington, NC 28403 (rep)

Telephone: 910-791-6707 (rep) Cell Number: _____

Purpose of Permit: To rezone the subject site from R-20 (Residential District) to C (Commercial District)
Note: Property proposed to be annexed into Holly Ridge.

Property Location: 501 Drag Strip Road

Tax Map & Parcel #: Map # 735-41.1 & 735-45; Parcel # 028331 & 019651

Lot Size 2.41 Acres +/- Square Ft 104,980 SF Zoning District R-20 (Current)
C (Proposed)

Number Buildings to Remain n/a Gross Floor Area to Remain _____

Number Proposed Buildings n/a Floor Area of Proposed Buildings _____

Total Acreage of Land to be Disturbed n/a Acres

Estimated Cost of Project: \$ n/a

If needed to illustrate appeal or request for variance, attach plot plan. Also, a survey of the site prepared by a registered surveyor licensed to practice in North Carolina may be required.

Signature of Applicant _____

Date 3/18/22

A FEE OF \$300.00 WILL BE REQUIRED AT SUBMISSION OF THIS APPLICATION.

Aerial Map:



Zoning Map:





**Planning & Zoning Department
Staff Report
Planned Unit Development-Brooke Haven
Planning Board Meeting Date:
April 19, 2022**

Request from Charles F. Riggs & Associates, Inc. to rezone property located on US Hwy 17 for development of a Planned Unit Development. Neighborhood Business (NB) District will be the principal district for this property. The included concept map is required as part of the PUD procedure for approval in accordance with 7-4-18 of the Town’s Zoning Ordinance. Preliminary plats for the proposed phases will be submitted for approval as required in both Section 7-4-18 of the Town’s Zoning Ordinance and 8-25 of the Town’s Subdivision Ordinance. The applicant proposes to develop approximately 16.977 acres into a Planned Unit Development consisting of 240 multi-family dwelling units (10 24-unit buildings) with approximately 1.87 acres allotted for commercial development.

Applicant: Charles F. Riggs & Associates, Inc.

Owner: Kenneth & Mary Morgan

Parcel ID#: 016934 (Map #734-8)

Acreage: 16.977

Current Zone: NB/R.5A (overlay)

Planning Board Action Required: Yes

Town Council Action Required: Yes

Actions:

1. Recommend approval of the Sketch Plan as submitted.
2. Recommend approval of the plan with recommendations for change.
When a significant amount of change is recommended, the Planning Board may require that the plan be resubmitted with the changes for approval.
3. Recommend disapproval of the plan.

OVERVIEW

Section 7-4-18 of the Town's Zoning Ordinance provides the requirements associated with Planned Unit Developments. Those requirements are as follows:

- Minimum of ten (10) acres
 - 16.977 acres proposed
- Access to major streets
 - US Hwy 17 runs directly in front of the subject parcel
- Density requirements for Commercial not to exceed sixteen (16) units per acre
 - 271 permitted—240 total units proposed
- Minimum fifteen (15) percent of gross acreage for open space to be used by residents
 - 1.69 acres required—2.276 acres proposed
- Commercial development to be 10% gross acreage and to blend with community
 - 1.69 acres required—1.87 proposed
- Commercial parking to be interconnected
 - Illustrated on concept plan
- Written statement explaining character of proposed PUD, proposed financing, present ownership, indication of expected development schedule, plat/legal description of total area
 - Statement provided
- Preliminary plat to be submitted for review/approval by Town's Planning Board in accordance with Chapter 8 of the Town's Subdivision Ordinance and, in addition to requirements noted in Ordinance, plat must note:
 - Landscaping, sidewalk, lighting, buffering in accordance with Town ordinance/policy
 - Access and circulation to provide for firefighting equipment, deliveries, etc.
 - Underground installation of all utilities

The Town's Subdivision Ordinance requires that a Preliminary Plat be submitted and approved prior to applicant submittal of a Final Plat. Once the Preliminary Plat is approved the applicant may proceed with construction of the required improvements that will serve the site.

SUBDIVISION AND SITE PLAN APPROVAL PROCESS

1. Since the project is proposed to be developed in phases, a Sketch Plan of the entire project must be submitted for recommendation by the Planning Board to Town Council. Each phase of the subdivision will require separate preliminary plat review and approval by the Planning Board with Final Plat approval by the Planning Department.
2. Following Final Plat approval, a mylar may be recorded with the Register of Deeds for subdivision of the property. Final plats may be approved after either all required infrastructure has been installed or properly guaranteed. Required infrastructure includes water systems, sewerage systems, transportation systems (including streets, street signs, and sidewalks), stormwater drainage systems, and buffer landscaping.
3. Each subdivided lot, if proposed, will require a separate Site Plan approval based on a specific proposed use. Site Plans for uses identified as a Permitted Use (P or PS in the table of uses) are approved by the Zoning Administrator. Site Plans for uses identified as a Special Use (S or SS in the table of uses) are approved by the Board of Adjustment.
4. Following Site Plan approval (and after approval of required infrastructure and release of performance guarantee if Final Plat was approved prior to infrastructure completion), zoning permits can be issued and building plans may be submitted. Final zoning approval and Certificate of Occupancy can be issued once a site and building are inspected and determined to be constructed in compliance with approved plans.

STAFF COMMENTS

The applicant has submitted the required information related to Planned Unit Developments with the Preliminary Plat being submitted at a future time. All required information as found in Chapter 8 of the Town's Subdivision Ordinance must be submitted and reviewed by the Technical Review Committee and forwarded to the Town's Planning Board for approval. The overall acreage, density, and open space requirements meet the Town's ordinances related to PUDs. The applicant has submitted, and is included with this report, the required written statement explaining the character of the proposed PUD along with the other required information.

Staff recommends conditional approval of the sketch plan as submitted.

Town of Holly Ridge

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Holly Ridge, North Carolina 28445

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GENERAL ZONING APPLICATION

Application Number: _____ Date Submitted: 3/18/2022

Application Fee: \$ 300.00 Receipt Number: _____

Request for: Appeal Variance Conditional Use Rezoning Annexation

Applicant: Charles F. Riggs & Associates, Inc. Owner: W.K. Morgan, Sr. and wife, Mary Morgan

Purchaser/Applicant: Atlantic Coast Capital, LLC

Address: P. O. Box 1570, Jacksonville, NC 28541

Telephone: 910-455-0877 Cell Number: 910-548-2811

Purpose of Permit: Rezoning Property to PUD (Planned Unit Development)

Property Location: U. S. Highway 17

Parcel ID Number: 016934 or 734-8

Lot Size: 16.977 Acres Square Foot: 739,526 Sq. Ft. Zoning District: NB

Number of Buildings to Remain: N/A Gross Floor Area to Remain: N/A

Number Proposed Buildings: 10 Apt. Bldgs. Floor Area of Proposed Buildings: 262,140 Sq.Ft.

Total Acreage of Land to be Disturbed 16.0 Estimated Cost of Project: \$ 27,000,000

If needed to illustrate appeal or request for variance, attach plot plan. Also, a survey of the site prepared by a registered surveyor licensed to practice in North Carolina may be required.


Signature of Applicant

3/18/2022

Date


Signature of Owner

Date

A FEE WILL BE REQUIRED AT SUBMISSION OF THIS APPLICATION PER CURRENT ADOPTED FEE SCHEDULE.

CHARLES F. RIGGS & ASSOCIATES, INC.

Land Surveyors

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charlesriggs@riggslandnc.com

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03/18/2022

Preliminary Concept Plan for Planned Unit Development - Brooke Haven

The Planned Unit Development consists of 16.977 Acres with 1.879 acres of commercial and 11.279 acres of apartments (240 units) having an additional area of 2.776 acres of open space. This open space alone is 16.4 % of the Gross Area. The Planned Unit Development allows for the flexibility and creation of mixed uses, with this case having commercial and multifamily(apartments) with substantial open space throughout the project surrounding the commercial area, the apartments, and an abundance of open space adjacent to the property line branch.

The project will be financed by an accredited financial institution with standard banking policies.

The property is presently owned by W. Kenneth Morgan, Sr. and wife, Mary B. Morgan and is under contract to Atlantic Coast Capital, LLC.

A brief anticipated development schedule is as follows:

Town of Holly Ridge PUD Approval	May 2022
Design of Water, Sewer, Site Plan, Architectural Plans	May 2022 – October 2022
Submittal of Plans to State Agencies for Permit Approval	October 2022
Receipt of Permits	January 2023
Clearing, Grubbing and Grading of Site	February 2023
Installation of Water, Sewer, and Stormwater	March 2023
Commencement of Vertical Construction (Apartments)	April 2023
Construction of driveways, parking areas and deceleration lane	October 2023
Anticipate Certificate of Occupancy for Apartments	February 2024

Preliminary Concept Plan for Planned Unit Development of Brooke Haven attached