



**CITY OF SOUTHPORT  
PLANNING BOARD  
REGULAR MEETING AGENDA  
VIRTUALLY OVER ZOOM  
May 19, 2022  
6:00 PM**

**Agenda**

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. Changes to this policy may occur, as needed to help prevent the spread of the Coronavirus.

The regular monthly meeting of the Planning Board will be held at 6:00 p.m. on the third Thursday of each month. All members are asked to attend.

**A. Call to Order**

**B. Invocation**

**C. Pledge of Allegiance**

**D. Approval of Minutes**

1. Minutes of the April 21, 2022 Regular Meeting

**E. Approval of Agenda**

**F. Public Comment**

**G. Old Business**

1. Zoning Text Amendment: Section 3.14 Parking
2. Major Site Plan: Live Oak Landing
3. Project Indigo Expansion
4. Zoning Map Amendment: Rhettson Companies for Lisa B. Fitchett Trust
5. Zoning Map Amendment: Ienna for Harper Heirs
6. Zoning Map Amendment: Beebe for Gilbert Chris Etals
7. Zoning Map Amendment: Sea Dog Holdings

**H. New Business**

1. Major Site Plan: Paramounte Engineering for MDI Management LLC

**I. Other Business**

1. Board Attendance and Roster

**J. Announcements**

**K. Adjourn**





**Planning Board Meeting Minutes  
Southport Community Building  
223 E. Bay Street  
April 21, 2022  
6:00 P.M.**

**Members Present:** Sue Hodgin, Will Hewett, Scott Jones, Christopher Jones, Dick Sloan, Gustavo Mibelli, Donnie Joyner, Fred Fiss, and Maureen Meehan

**Members Absent:** None

**Staff Present:** Thomas Lloyd, Development Services Director  
Tanya Shannon, Deputy City Clerk

**Board of Aldermen Liaisons:** Karen Mosteller and John Allen

**Others Present:** Alderman Robert Carroll, Alderman Rich Alt, Mr. & Mrs. Ron Thompson, Mr. Cameron Smith, Mr. Chad Paul, CEO Bald Head Island Ltd; Mr. McKay Siegel with East West Partners, Ms. Amy Shaffer with Rhettson Companies, and Ms. Kate Ienna.

1. Chair Sue Hodgin called the meeting to order at 6:01 p.m.
2. Mr. Donnie Joyner gave the Invocation.
3. Chair Hodgin led the Pledge of Allegiance.
4. Motion to approve the March 17, 2022, regular meeting minutes by Mr. Joyner and second by Vice-Chair Hewett. ***Unanimous vote; motion carried.***
5. Motion to approve the agenda by Vice-Chair Hewett and second by Mr. Sloan. ***Unanimous vote; motion carried.***
6. Public Comment:

Mr. Joyner made a motion to enter Public Comment and second by Vice-Chair Hewett. ***Unanimous vote; motion carried.***

There being no questions or comments from the Public, Chair Hodgin requested a motion to close out of Public Comment. Mr. Joyner motioned to go out of the Public Comment, and second by Vice-Chair Hewett. ***Unanimous vote; motion carried.***

## 7. Old Business:

### A. Zoning Text Amendment: Section 3.14: Parking submitted by Ron Thompson.

Mr. Lloyd gave an overview of the proposed amendment. He explained that there are several existing vacant lots in the Business District that are historic, undersized, and nonconforming that were subdivided before the Zoning and Subdivision Ordinance was established in 1973. Mr. Thompson owns a vacant piece of property at 413 N. Howe Street that is 33 x 66 ft for a total of 2,128 sf. In the Central Business District, off-street parking is not required. For the BD, off-street parking is still required, but the requirement can be reduced by 50% in areas where on-street parking is present. Due to the small size of Mr. Thompson's lot, it would be close to impossible to have off-street parking due to the size of this lot. Mr. Lloyd said that in a previous version of the Ordinance, there was a mechanism called a "parking exception" for these types of situations. The Ordinance was updated, and this method was removed because it is an improper request for a Variance. Staff thought it would be more appropriate to amend the Ordinance for these situations since this will affect multiple properties. Staff estimates that they are approximately 8 lots where parking issues would be alleviated with the approval of this amendment. Mr. Lloyd said that if this amendment were to move forward, only pre-existing historic lots platted prior to 1973 would be eligible for this reduction in off-street parking.

Mr. Thompson is proposing the following language for the text amendment:

#### 3.14 Parking

#### D. MINIMUM OFF-STREET PARKING RATIOS

4. In the BD zoning district, no off-street parking shall be required for nonresidential uses proposed on vacant lots less than 6,000 sf that existed before 1973.

A Review Committee was appointed and met on April 4<sup>th</sup>. The Committee consisted of Mr. Will Hewett, Mr. Gustavo Mibelli, Ms. Maureen Meehan, and Staff. Mr. Ron Thompson and his wife, Ms. Lois Thompson, were also present. Mr. Thompson said that he does not feel like the UDO intends to prevent such lots from being unusable. However, he requests provisions to be made so that the property can be used. Staff agreed that the intent of the new language in the UDO was not to hurt the City's Business District. Mr. Mibelli asked if other properties have had this issue because of the changes in the parking section of the UDO. This is the first small vacant property that has been proposed to be developed since the UDO has been updated. Since there are 8 other vacant lots with similar dimensions subdivided before 1973, there will likely be more requests for this type of situation. Mr. Thompson mentioned that even if he could design something, he did not think that NCDOT would issue him a driveway permit on Howe St., which is a State Rd. Ms. Meehan did not believe that a driveway for parking would be a good idea in this area. She said this is a highly walkable area, and new driveways could make it difficult for pedestrians to go to the existing businesses. The Committee requested that Staff check with NCDOT to get more information on their policy for driveways on Howe Street. Staff consulted with Mr. Aaron LeBeau, the Assistant District Engineer for Brunswick County. He confirmed that NCDOT tries to avoid issuing new driveway permits on Howe St. due to the number of existing driveways and their proximity to intersections. Mr. Mibelli mentioned how parking is significant and that not having it further congests the streets. He requested that Mr. Thompson show a proposal sketch plan to demonstrate further how parking would be difficult. It was the consensus of the Review Committee to be in favor of the amendment if NCDOT confirmed that they would be against driveway permits on Howe St. and if Mr. Thompson brought a conceptual drawing

that further illustrated the issues with providing parking on these narrow nonconforming lots in the BD.

Chair Hodgins questioned whether the conceptual drawing of the plan that was requested was received and presented to the Committee.

Mr. Thompson stated that because he can build with zero setbacks on the lot, he felt the drawing that he provided of the footprint of the building that covers the entire lot minus 10 ft from the rear to exit the building was a sufficient sketch plan. Mr. Lloyd reiterated that because the 33 x 66 ft. lot is so narrow, it would be challenging to provide off-street parking even with a small-sized building. Mr. Mibelli feels like this decision should be reviewed thoroughly since it will also affect other properties and that a demonstration of the logic of the petition is a reasonable request.

Mr. Thompson recalled that at the Committee Meeting, it was stated that he needed to contact NCDOT, and if they said a curb cut could not be created there, then it would be okay to proceed pending approval by the Board. Mr. Mibelli said that he was under the impression that NCDOT said they would prefer not to do a curb cut, but they did not state that they would not permit it.

There was discussion on whether there was a formal request for the conceptual drawing of the building. Mr. Thompson said that there was no request for a sketch of the building. The report from the Committee Meeting states that a conceptual drawing was requested that would further illustrate the issues with providing off-street parking on these narrow nonconforming lots in the BD. Mr. Thompson did provide a drawing that shows the footprint of the building. Mr. Thompson stated that he did not believe the UDO intended to restrict these types of properties from use. Still, he feels that a Text Amendment is appropriate to relieve the unintended constraints on these small and narrow lots.

Chair Hodgins recommended tabling the proposed text amendment to allow the applicant to provide more information and to discuss the other 7 lots with the same challenges.

Ms. Meehan said that the Committee did discuss the other properties and that they could not come up with the best solution. The Committee decided to bring the discussion back to the entire Board for more input.

Mr. Christopher Jones stated that he would like to review all 8 properties before making a recommendation. He said this discussion only addresses this property and wants to see how this will affect the other properties. He asked what determined the 6,000 sf rule for the proposed amendment. Mr. Lloyd explained that Staff looked at all the nonconforming vacant lots in this area that are narrow, and the most considerable lot is a little less than 6,000 sf. He explained that although this lot is a little deeper, it is also narrow, and the access point would also be on Howe Street.

There were no other questions or comments. Chair Hodgins requested a motion to have the Review Committee discuss consideration of the text amendment again along with the other 7 lots and allow the applicant to provide a conceptual sketch plan.

Mr. Mibelli made a motion to table the proposed Parking Text Amendment for further review and continue the discussion at the next regular Planning Board Meeting on May 19th and second by Ms. Meehan. ***Unanimous vote; motion carried.***

**B. Zoning Text Amendment: Section 3:18: Landscape Preservation, submitted by Cameron Smith and Ginger Harper.**

Mr. Lloyd gave the background of the proposed Zoning Text Amendment. He said the applicant is applying for an amendment to the Tree Preservation section of the UDO. The amendment would change the ordinance section that requires mitigation for all regulated trees related to the utility, infrastructure, and drainage improvements. With the applicant's language, new development would only be responsible for mitigating regulated hardwoods 12" or greater within the ROW, infrastructure, and utility areas. Mr. Lloyd said that multiple developers had expressed concern about mitigating all regulated trees located within these required infrastructure areas. He said the applicant has communicated with staff that they intend to help fix this hardship while retaining appropriate protections for regulated hardwoods greater than 12" in these improved areas. This would not affect the standards that require the trees to be protected or mitigated within the setbacks of buildable lots. The Review Committee modified the language to retain regulated oaks greater than 8" to be protected within these improved areas. The Committee also added language that mitigation would not be required for dead and severely diseased trees.

The proposed Text Amendment is as follows:

**3.18 TREE PROTECTION AND LANDSCAPE PRESERVATION**

**F. Tree Plan**

a) Two separate zones during the planning phase:

- i) Tree Removal Zones- Zones that show the impacts of utility, infrastructure, and drainage improvements would still require mitigation **for all regulated live oaks 8" or greater in diameter.**

**G. CRITERIA FOR ISSUANCE OF TREE IMPACT PERMIT**

2. ~~Notwithstanding the above,~~ Any tree removed requiring mitigation shall be mitigated by planting new material as provided in 3.18 (H) Mitigation. **Mitigation shall not be required for trees that are dead, severely diseased, injured, or in danger of falling close to existing structures.**

A Review Committee was appointed and met on March 29th. The Committee consisted of Maureen Meehan, Christopher Jones, and Fred Fiss. Also in attendance was Chair Scott Len of the Forestry Committee and Staff. The applicant Cameron Smith and the developers of the project known as "Oakton" (adjacent to the Hammocks) were also present. Mr. Lloyd gave the Committee Report. The applicant explained that in the development process, they realized that it is difficult to replace all regulated pines greater than 12" and regulated hardwoods greater than 8" located within the required improved areas (infrastructure, ROW, and Stormwater Control Measures). Mr. Len, Chair of the Forestry Committee, noted that the Ordinance might be "over mitigating" by requiring too many inches to be planted back, especially with the mitigation of trees within these ROW areas. His concern is that it is not necessarily healthy for the long-term viability of the urban forest in these areas if they are planted too close together. Mr. Len said that Laurel and Pin Oaks of a specific size might not be worth mitigating, especially if they are in poor health. The Committee suggested that the applicant's language be changed to reflect language protecting all regulated live oaks greater than 8" in diameter. This will protect the live oaks but give some flexibility for the pine trees and other hardwoods that may not be worth keeping. The applicant suggested adding

language to provide credit when significant trees are saved. He said that if there are more significant incentives to keep those trees, they may be able to preserve them better. The Forestry Committee Chair noted that keeping a large specimen tree provides more significant benefits than three 10" trees in return. Mr. Len pointed out that the credit system would be a good incentive. The Committee decided to discuss the fines per caliper inch for cutting down individual trees at a later date. The Committee also added some language to section G., which would clarify that mitigation is not required for dead or diseased trees. It was the consensus of the Review Committee to recommend approval of the amendment as written above.

Since there were no questions or comments, Chair Hodgins requested a motion for a recommendation.

Mr. Sloan made a motion to adopt the Statement of Consistency that recommended approval to the Board of Aldermen and second by Vice-Chair Hewett.

***Unanimous vote; motion carried.***

### **C. Project Indigo Expansion**

- i. Planned Unit Development Master Development Plan; Indigo Expansion, submitted by East West Partners Management Co. Inc. and Bald Head Island Limited, LLC**
- ii. Zoning Map Amendment: 346.57 acres, R-20 to PUD, submitted by East West Partners Management Co. Inc. and Bald Head Island Limited, LLC**

Development Services Director Thomas Lloyd went over the applications. In partnership with East-West Partners, he explained that Bald Head Island Limited submitted a Planned Unit Development Master Plan and Rezoning application to rezone 346.57 acres of property adjacent to Smithville Woods, Cades Cove, and Indigo Plantation from R-20 to PUD. A small portion of the property is within the City's corporate limits, with the majority within the Extra-Territorial Jurisdiction. Since it is split between the two, all of it is within the City's zoning district. The developer intends to annex into the City. The developer presented the Indigo Development at a special joint workshop of the Board of Aldermen and the Planning Board on March 24<sup>th</sup>. The Planning Board Chair appointed a Review Committee at the March 24<sup>th</sup> meeting. The Committee consisted of Chair Sue Hodgins, Maureen Meehan, and Christopher Jones. There was an additional Mayor's Town Hall Community Input meeting on the project on April 4<sup>th</sup>.

The Review Committee and Staff met on April 7<sup>th</sup> to discuss the process of reviewing the project. Chad Paul with Bald Head Limited, LLC and McKay Siegel with East-West Partners were also in attendance. The Committee established an "Indigo Review Hub Committee" that will consist of Chair Hodgins, Maureen Meehan, and Christopher Jones. It was the consensus of the Committee to establish Subcommittees into specific areas of interest and concern. The appointed Subcommittees will be tasked with these four categories to review specifically: (1) Design and Character, (2) Traffic Analysis, (3) Infrastructure, and (4) Environmental Concerns. The Committee recommended posting an Indigo Public Survey on the City's website to receive more citizen input. Staff has now implemented the survey on the website under "Project Indigo Information and Resources." Those questions and concerns will then be submitted to the Subcommittees and the Developers to provide feedback. Each Subcommittee will report its reviews to the full Planning Board for more discussion.

Chair Hodgins reiterated that the Planning Board has 90 days following the receipt of the application to make a recommendation for both the PUD Master Development Plan and the Zoning Map Amendment to the Board of Aldermen. The recommendation by the Planning Board will need to be made no later than June 16th. Mr. Lloyd said an extension could be allowed if pertinent information is shown to be missing. However, it is ideal for the process to move sufficiently so that all requirements can be achieved by the planned deadline. Mr. Lloyd explained that the approval process for the PUD and the Zoning Map Amendment is the same. If the PUD Master Plan is approved, this would concurrently provide the framework for rezoning.

Mr. Lloyd said that the City is working on an Infrastructure Impact Analysis with WithersRavenel to estimate the impacts on the City's existing infrastructure. DPFG is completing a Development Fiscal Impact Analysis on the General Fund and City Services to examine the impacts if the development were to move forward. Chair Hodgins asked when these analyses would be ready for review. Mr. Lloyd estimated sometime in May.

After input was received from the Planning Board Members, Chair Hodgins announced the appointments to the Subcommittees.

1. Design and Character: Gustavo Mibelli (lead), Fred Fiss, Donnie Joyner, Dick Sloan (alternate)
2. Infrastructure: Fred Fiss (lead), Chris Jones, Dick Sloan, Donnie Joyner (alternate)
3. Environmental Concerns: Mo Meehan (lead), Scott Jones, Gustavo Mibelli, Will Hewett (alternate)
4. Traffic Impacts: Will Hewett (lead), Chris Jones, Mo Meehan, Scott Jones (alternate)

Chair Hodgins declared the floor open for discussion with the Board and the Developers. She started by asking the Developers to speak more on the March 3rd summary letter from the NCDOT regarding their analysis of the TIA report (performed by Kimley Horn). She said in the letter there is a notation in the review stating: "It is understood that right of way constraints will likely render the proposed roadway mitigations un-constructible. Alternate and/or additional access connections are recommended to reduce impacts at this intersection." at the signaled 4-legged intersection at N. Howe and Robert Ruark Drive. She asked what might be in the works for alternate roads or accesses under consideration for that impact reduction.

Mr. Chad Paul, CEO of Bald Head Island Limited, LLC, said that they would be working with the City to consider additional access connections at possibly 11<sup>th</sup> Street or Lord Thomas Ave. Currently, the Development's primary entrance is proposed to be off Robert Ruark Dr. There will also be an additional village entrance off of Indigo Plantation Dr. on 9<sup>th</sup> St. He said that Limited owns the 3.5-acre vacant parcel at the NC 87 and Howe St./ NC 211 intersection across from Truist Bank (formerly BB&T). He said they have already agreed with NCDOT to work with the ROWs and reframe that section to help alleviate traffic impact. He said that his understanding of the location across the street at Howe St. and Robert Ruark at Famous Subs Pizza is that the setbacks are too close for NCDOT to work with, and they are working on ways to resolve this issue.

Mr. Scott Jones asked how Project Indigo planned to meet the requirements made by NCDOT in the analysis review of the Traffic Impact Analysis, where they stated the following

improvements are required by the developer at the intersection of N. Howe Street and NC 87 Robert Ruark Drive.

- Construct an additional eastbound left-turn lane on Robert Ruark Drive to provide dual left-turn lanes with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper\*
- Construct a separate eastbound right turn lane on Robert Ruark Drive with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper\*
- Modify signal timing and phasing

Mr. Paul said that through the mitigation process for the potential for annexation, the Developers would collectively work with the City, the County, and NCDOT to implement the best solutions to alleviate traffic impacts.

Mr. Christopher Jones commented on the fluctuations in the number of dwelling units that were first presented as 1,542 dwelling units. Then it was discussed a possible decrease in the number of units to around 900. He said the Design and Character Subcommittee will discuss this in more detail and would like to see input on ideas and steps to facilitate something in the middle. Mr. Paul stated that the PUD Master Development Plan bubble diagram shows the different proposed planned areas of the development and how they will differ in density, allowable uses, and housing types. He said this proposal could vary depending on what uses the City would like. He said a reduction in the number of units could come from multiple areas, such as removing the plan for an assisted living facility and/or removing a plan for subsidized apartments. He said it depends on the recommendation from the City on what type of uses would like to be seen.

Ms. Meehan asked for clarification on the assisted living facility that was first presented. She questioned if the facility also proposes independent senior living with step-down care and or memory care units. Mr. Paul said if the City wanted to include this type of facility in the plan, it would be developed/designed by a professional outside source with this type of experience. He stated that Limited would coordinate with the City on where it would be located and accessed.

Ms. Meehan asked about the MF units (townhomes/condos) and if affordable housing would be available for full-time residents. Mr. Paul said that they would include it in the Development Agreement that within that bubble, 5% would be designated for affordable housing for low-income residents. Mr. Paul also stated that Short-term Rentals can be deed-restricted by right and included with the Development Agreement with the City.

Mr. Fiss asked if a Tree Survey was available for review. Mr. Paul said they have walked the property with an Arborist and identified most of the tree species. Mr. McKay Siegel reiterated that they would have a comprehensive tree survey completed once the roads and infrastructure is laid out. Mr. Fiss asked what kind of buffer would be implemented between Cades Cove and the other Residential areas backing up to the Development. Mr. Paul said this is the NE portion of the property, and the majority of this area is designated as open space.

## **8. New Business**

### **A. Zoning Map Amendment: BD to HC, Corner of Howe, and 14<sup>th</sup> Street (2.07 acres of Parcel ID's 221MA028, 221MA02801, 221MA02803, 221MA02804, and 221MA02701), submitted by Rhettson Companies, Inc. on behalf of Lisa B. Fitchett Trust (RZ-22-0307-01)**

Mr. Lloyd gave the background on the proposed zoning map amendment. He said the application is for a 2.07-acre tract in the ETJ. The property is located at the corner of W. 14<sup>th</sup> and N. Howe St. It is zoned in the Business District, and the applicant would like to rezone it to Highway Commercial. He said the proposed amendment would remove BD zoning and replace it with HC zoning on the zoning map. The surrounding area consists of BD and MF.

Ms. Amy Shaffer, a representative of Rhettson Companies, said that the property is currently located across the street from an automotive and tire repair shop (Royal Coach). She feels that this property would align with the existing area and would not adversely impact the existing businesses. She said it would increase opportunities for new services and employment.

Since there were multiple applications for Zoning Map Amendments on this agenda, the Board agreed to select one Committee to review each request consecutively.

### **B. Zoning Map Amendment: BD/MF to R-10, 27 lots between W. 14th and W. 12th St.(3.80 acres total Parcel ID 221MA00110) submitted by Kate Ienna on behalf of James M. Harper Heirs (RZ 22-0310-01).**

The zoning map amendment application is for a 3.80-acre tract currently in the ETJ. The property is located on Caswell Ave. between W. 14<sup>th</sup> and W. 12<sup>th</sup> Street. It is split zoned BD/MF, and the applicant would like to rezone it to R-10. The property consists of 27 existing lots in Blocks 6 and 7 of the Historic Southport Heights Subdivision, originally platted in 1910. The lots in this subdivision are 50 ft by 123 ft. R-10 would allow these lots to be developed using the nonconforming R-10 lot provisions in the Ordinance.

Ms. Kate Ienna gave an explanation of her rezoning request. She said her client is under contract for two parcels between W 14<sup>th</sup> Street and W 12<sup>th</sup> Street. It was combined for tax purposes, but the original plat from 1910 outlines the 27 lots. She said her clients plan to build cottage-style homes to maintain the historic feel and charm of Southport.

Mr. Fiss questioned the sewer capacity and if it would be able to manage an additional 27 single-family homes. Mr. Lloyd said this would need to be addressed and will likely have to add another pump. He said the Director of Public Services would need to review the system and determine how to manage the additional capacity. Mr. Christopher Jones questioned how the 27 lots will be accessed and if they are considered land lots. Mr. Lloyd said they are not considered land lots, and they will have the right to access their properties thru the public right of ways because that is how it is platted. He said the Developer would need to construct the roads to further access.

### **C. Zoning Map Amendment: MF to R-10, 6 lots on W 14<sup>th</sup> St. (.84 acres total Parcel ID 221MA00101), submitted by Whit Beebe on behalf of Gilbert Chris B. ETALS (RZ 22-0310-02)**

The application is for a Zoning Map Amendment on a 3.80-acre tract currently in the ETJ. The property is located on Caswell between W. 14<sup>th</sup> St and W. 12<sup>th</sup> St, and it is a concurrent rezoning request in the same area as the applicant above. It is zoned BD, and the applicant



would like it to be rezoned to R-10. The property consists of 6 existing lots in Block 7 of the historic Southport Heights Subdivision. The lots in this subdivision are 50 ft by 123 ft. The applicant was not in attendance but stated that rezoning to the R-10 District will be consistent with the Land Use Plan and would be compatible with the surrounding areas.

Chair Hodgkin named Vice-Chair Hewett, Mr. Fred Fiss, and Mr. Christopher Jones to the Review Committee for the rezoning requests for agenda items A-C.

**D. Zoning Map Amendment: BD to R-10, 4 lots on 10<sup>th</sup> and N. Lord St. (.403 acres total Parcel ID 237DC006), submitted by Sea Dog Holding LLC. (RZ-22-0405-01)**

Mr. Lloyd gave an overview of the proposed Zoning Map Amendment application for a .403-acre tract within the corporate limits. The property is located on Lord Street on the corner of W. 10<sup>th</sup> Street. It is currently zoned in BD, and the applicant would like to rezone it to R-10. The property consists of 4 exiting lots in Block 11 of the Smith & Weeks Addition. The lots in the subdivision are 33 ft by 128 ft. The applicant stated that the proposed zoning is consistent with the Land Use Plan because he believes it would be a better fit for the surrounding residents in this area.

Chair Hodgkin requested volunteers for the Review Committee. Vice-Chair Hewett, Mr. Christopher Jones and Mr. Fred Fiss volunteered for the Committee.

**9. Other Business:** None

**10. Announcements:** Mr. Donnie Joyner invited everyone to attend the Commemoration of the John S. Smith Cemetery's placement on the National Register of Historic Places on Saturday, April 23<sup>rd</sup>.

**Adjourn:**

There being no further business, Vice-Chair Hewett made a motion to adjourn, and second by Mr. Gustavo Mibelli. ***Unanimous vote; motion carried.***

**Meeting adjourned at 6:52 P.M.**

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Sue Hodgkin, Chair

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Tanya Shannon, Deputy Clerk



## PLANNING BOARD

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### MEMORANDUM

**To:** Members of the Planning Board

**From:** Thomas Lloyd, City Planner

**Re:** Zoning Text Amendment, Section 3.14 Parking, Submitted by Ron Thompson

**Date:** May 12, 2022

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### BACKGROUND

There are several existing vacant lots in the Business District zoned area that are historic, undersized nonconforming lots that were subdivided prior to the Zoning & Subdivision Ordinance being established in 1973. As an example, Mr. Thompson owns a vacant piece of property at 413 N Howe Street that is 33x 66 ft for a total of 2,128 sf. In the CBD, off-street parking is not required. This is not the case in the BD. In the BD, off-street parking is still required, however, the requirement can be reduced by 50% in areas where on-street parking is present. However, due to the small size of Mr. Thompson's lot, off-street parking for almost any permitted use is extremely difficult due to the limited width and dimensions of his lot. In a previous iteration of the ordinance, there was a mechanism called a parking exception for these types of situations. We removed that from the ordinance during the update because it is an improper variance. Rather than go through the variance process staff thought it would be more appropriate to amend the ordinance for these types of situations since this affects multiple properties. Staff estimates that there are 10 lots where parking issues would be alleviated as a result of this amendment. Mr. Thompson has proposed the following language:

### 3.14 PARKING

#### D. MINIMUM OFF-STREET PARKING RATIOS

1. The following table establishes the formulas to be used to calculate the number of parking spaces required for a particular use. For uses that do not correspond to the use types listed in Table 3.4, Minimum Off-Street Parking Spaces Required, the UDO Administrator shall determine the minimum parking space requirement. In such instances, the applicant shall provide adequate information for review, which includes, but is not limited to the type of use(s), number of employees, the occupancy of the building, square feet of sales, service and office area, parking spaces proposed, and hours of operation.

2. Within the CBD zoning district, no off-street parking shall be required for any nonresidential use, whether new construction or change of use/redevelopment. Within the CBD zoning district, all residential uses require full compliance with the off-street parking requirements contained herein.
3. In the BD zoning district, for nonresidential uses, where on-street or public parking facilities are located within 500 linear feet of a proposed use, measured as a straight-line distance from the entrance of the building, the minimum off-street parking requirement may be reduced by 50%.
4. In the BD zoning district, no off-street parking shall be required for nonresidential uses proposed on vacant lots less than 6,000 sf that were existing prior to 1973.
5. Within any zoning district, if the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the main entrance to such principal use.

If this amendment were to move forward, only pre-existing historic lots platted prior to 1973 would be eligible for this reduction in off-street parking. The language is designed that way so that existing lots would not be able to be subdivided and take advantage of this same provision moving forward. The intent is to provide relief to pre-existing lots that were subdivided prior to the first iteration of the zoning & subdivision ordinance. Below is a list of these lots in their entirety.

| Address       | Parcel ID  | Square Footage | Width |
|---------------|------------|----------------|-------|
| 513 N Howe    | 237EF030   | 2183           | 33 ft |
| W St. George  | 237EF047   | 5662.8         | 33 ft |
| W St. George  | 237EF048   | 5662.8         | 33 ft |
| W Brown St    | 237EF054   | 5662.8         | 33 ft |
| W Brown St    | 237EF055   | 5662.8         | 33 ft |
| N Howe St     | 237EF028   | 3049.2         | 43 ft |
| 418 N Howe St | 237EF023   | 5227.2         | 40 ft |
| N Howe St     | 237EA040   | 5227.2         | 33 ft |
| N Howe St     | 237EA04002 | 5227.2         | 33 ft |
| N Howe St     | 237EA04001 | 5227.2         | 33 ft |

## REVIEW COMMITTEE

The Planning Board appointed a review committee at the March 17<sup>th</sup> regular meeting to review the text amendment in more detail. The review committee met on April 4<sup>th</sup> at 10 am. Present were committee members Will Hewett, Gustavo Mibelli, Mo Meehan, and staff. Also present

were the applicants Ron and Lois Thompson. Staff explained the nature of the amendment. Mr. Thompson discussed how the UDO is a living and breathing document and how he did not believe that the intent was to make these properties unusable but that it needs to be amended to make provisions so these properties can be used. Staff agreed that the intent of the new language was not to hurt the City's vibrant Business District. Mr. Mibelli asked whether any other properties have had this issue because of the changes in the parking section of the new UDO. Staff explained that there used to be language that allowed for a "parking exception" which was in essence an improper variance. Since that was removed from the ordinance during the UDO update, this is the first small vacant property that has come forward to be developed. It was explained that this would not be the last situation. There are 8 other vacant lots that were subdivided prior to 1973 that are narrow, small lots. 33 ft wide lots do not offer much room to incorporate parking lot driveways and aisles. Mr. Thompson also mentioned that even if he could design something, he did not feel like NCDOT would issue him a driveway permit on Howe Street which is a State Road. Ms. Meehan agreed that a driveway for parking would not be good in this area. She mentioned that it is an extremely walkable area and that it would be best to keep new driveways from forming that might hurt the walkability in that area for the existing businesses. Mr. Thompson also mentioned that none of the other existing buildings there have off-street parking. The committee asked staff to check with NCDOT to get more information on their policy for driveways on Howe Street. Staff checked with Aaron LeBeau, the Assistant District Engineer for Brunswick County. Mr. LeBeau confirmed that NCDOT tries to avoid issuing new driveway permits on Howe Street due to the number of driveways already existing on Howe Street and their proximity to intersections. Mr. LeBeau said that driveways from side streets are preferable. Ms. Meehan also mentioned that the language should be carefully crafted to keep it only for the historic nonconforming lots. Mr. Mibelli mentioned how parking is extremely important, and that not having it further congests streets. He asked that Mr. Thompson show a proposal sketch of his building to further demonstrate how parking would be difficult. It was the consensus of the Review Committee that they would be in favor of the amendment if NCDOT confirmed that they would be against driveway permits on Howe Street and if Mr. Thompson brought a conceptual drawing that further illustrated the issues with providing parking on these narrow nonconforming lots in the BD. They also wanted to bring it back to the full Planning Board for their additional thoughts. The full Planning Board reviewed it at the 4/21 meeting. The Board requested additional information from Mr. Thompson, including a drawing that demonstrated why parking was difficult on these lots.

The Committee was scheduled to meet on 5/10 at 3 pm. Unfortunately, due to unforeseen circumstances, the committee had to postpone the meeting until Monday 5/16 at 3 pm. The committee will update the full Planning Board further at the 5/19 Planning Board meeting.

## **PROCESS**

In order to amend the Unified Development Ordinance, a zoning text amendment must be approved by the Board of Aldermen. The Planning Board must review the text amendment and adopt a statement of consistency and recommendation. Following a recommendation from the Planning Board, the zoning text amendment is then sent to the Board of Aldermen for their

consideration. A duly advertised public hearing is then held to gain public feedback on the text amendment prior to a decision.

**ACTION ITEM: CONSISTENCY STATEMENT – TEXT AMENDMENT**

The City of Southport Planning Board hereby recommends the adoption of the proposed text amendment of the Unified Development Ordinance to the Board of Aldermen and finds that the proposed zoning text amendment is consistent with the 2015 CAMA Land Use Plan adopted on November 13, 2014, and as subsequently amended by the Southport Board of Aldermen. The Planning Board finds that it is in the public interest because it will advance the public health, safety, and/or welfare of the City of Southport by supporting commercial development along the Howe Street Corridor in Business District areas, specifically Policy P 2.12.



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT:                      ZA 22-0221-01**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby recommends the adoption of the proposed text amendment of the Unified Development Ordinance to the Board of Aldermen and finds that the proposed zoning text amendment is consistent with the 2015 CAMA Land Use Plan adopted on November 13, 2014, and as subsequently amended by the Southport Board of Aldermen. The Planning Board finds that it is in the public interest because it will advance the public health, safety, and/or welfare of the City of Southport by supporting commercial development along the Howe Street Corridor in Business District areas, specifically Policy P 2.12.

The statement and motion was seconded and passed \_\_\_\_\_.

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Tanya Shannon, Deputy City Clerk

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Sue Hodgins, Chair



## PLANNING BOARD

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### MEMORANDUM

**To:** Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** Major Site Plan, Live Oak Landing Lot 7, submitted by Ron Greger, Charles Hunter, and Andrew Laing  
**Date:** May 11, 2022

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### BACKGROUND

That attached Major Site Plan application is for lot 7 at the Live Oak Landing subdivision in the ETJ. The property is located at 5521 Rob Gandy Blvd. The proposed site plan shows a 5,000 sf building that will consist of leasable units for tenants to upfit. The developer sees this as a building that contractors/trades can lease out for office space. The zoning district is Highway Commercial so this particular use would fit in with the zoning of that district. For parking, this type of use requires 1 space per 1,000 sf of floor area. The plan exceeds that with 14 spaces. There is also one handicap space as is required. The property will be served by a septic tank. There is 18,413 sf in impervious area proposed for the property. In terms of stormwater, there is an existing stormwater pond for the master development adjacent to the property that has excess capacity. There is a valid stormwater permit for this pond and each lot in the Live Oak Landing development has access to it. As part of their landscaping plan, the applicant will be planting a variety of trees. They will be planting 2 Southern Magnolia's, 1 Eastern Redbud, 8 Eastern Red Cedar, 3 River Birch, 5 Palmetto Palms, 8 Yellow Lantana, 6 Virginia sweetspire, and 2 American Beautyberrys. 65 shrubs will also be planted. A street yard buffer is required adjacent to Rob Gandy Blvd. Their landscape plan shows 5 canopy trees, 10 understory trees, and 42 shrubs. The Planning Board appointed a review committee to review this at the February 17<sup>th</sup> Planning Board meeting. The Review Committee consisted of Mo Meehan, Dick Sloan, and Fred Fiss.

The Review Committee met on 2/25 at 9:30 am. Also present was the applicant Andrew Laing and staff. The first question was about the location of the dumpster enclosure. Mr. Fiss asked where it would be located on the property. Mr. Laing was unsure and indicated that Mr. Greger would be the person to ask. Staff asked for it to be shown on the plans. Mr. Fiss also asked about whether it was City Water or Sewer. Staff explained that it is County Water in that location and the wastewater would have to be septic. There is no sewer in that area. Mr. Fiss asked if a septic tank test had been completed yet. Mr. Laing was unsure but pointed out that the land perked in

the other outparcels that are already developed (the Southport Coffee Kiosk and Dr. Satterwhites office). Mr. Laing agreed to get the documentation for the septic tank test from Mr. Greger. The committee then discussed landscaping. Mr. Fiss asked whether the applicant would be willing to swap out the two magnolias shown in the landscape plan to Live Oaks. Mr. Laing indicated that he would be sure to clear it with his partners, but that he did not see an issue with swapping those out. Staff asked about the location and type of exterior lighting. Staff indicated that the City needed to see a lighting plan. Staff further explained that the lighting could not exceed a color temperature of 3,000 degrees Kelvin. Ms. Meehan had further questions about the engineered drawings in relation to the landscape plan. Ms. Meehan asked that the Engineered drawings be updated to reflect the changes that were made in the curbing and parking areas as shown in the landscape plan. The plans were confusing because one plan showed asphalt and the other plan showed 57 stone. Staff asked the applicant to double check which surface it would be so it could be reflected in the final engineering plan. There was also discussion regarding regulated trees on the site. Staff went on site and there appeared to be around 3 trees that looked to qualify as regulated trees that need to be shown and accounted for on the landscape plan. It was the consensus of the review committee to recommend that the Major Site Plan be tabled until the above referenced changes were made on the site plan.

Staff received the above-referenced changes on the site plan. Staff will be polling the Review Committee's availability to reconvene to look over the changes that have been made by the applicant.





# Major Site Plan

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

\*For Staff Use Only\*

PERMIT No. MSP 22-02-11 FEE: \$ 500 Date Received: 2/11

Applicant's Name: Ron Greger, Charles Hunter, Andrew Laing

Mailing Address: 6158 River Sound Cir City: Southport

State: NC Zip Code: 28461 Phone: 760-799-1969

Email: andrewscottlaing@gmail.com

Location of the property: 5521 Rob Gandy Blvd., Southport

Parcel No.: 221LA01407 Overall Acreage: .97 acres Number of lots: 1

Property Owner's Name: S & G Holdings LLC

Address of Owner: 13237 Melvin Arnold Rd. Phone: \_\_\_\_\_

City: Raleigh State: NC Zip Code: 27613

Email: \_\_\_\_\_

Surveyor: Randy Ward License #: 3494

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: 910-443-1898 Email: \_\_\_\_\_

### Major Site Plan Definition

Per Section 2.7.B of the UDO, Purpose. A major site plan is intended for more intense development proposals requiring greater discretion of the city.

The following development types must submit a major site plan as specified in this ordinance:

- a) Residential development of four (4) or more dwelling units on a lot.
- b) Nonresidential development whereby 10,000 square feet or more of impervious surfaces are proposed.
- c) All other development not subject to minor site plan approval.

Pre-Application Meetings: Applicants may request a pre-application meeting with the UDO Administrator prior to submission of an application to discuss procedural and substantive matters related to the proposed application.

Required Application Materials for Submittal:

- One (1) digital copy and 12 hard copies of the major site plan shall be submitted with all such applications.
- The major site plan shall be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer registered to practice in the state of North

Major site plans shall include all required information as provided in Appendix A: Submission Requirements of the UDO.



\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

2-11-22

\_\_\_\_\_  
Date

**APPROVED BY:**

\_\_\_\_\_  
UDO Administrator

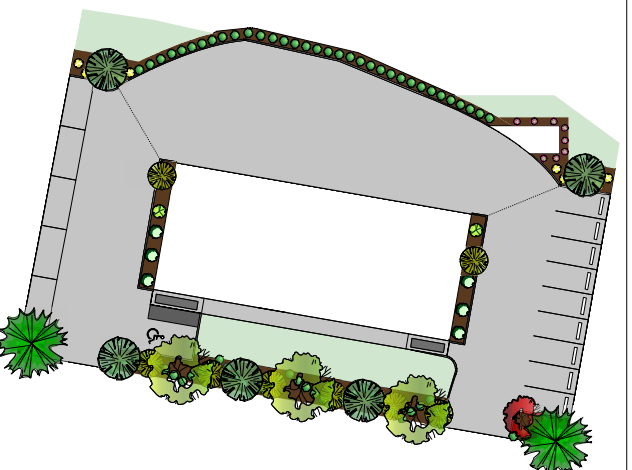
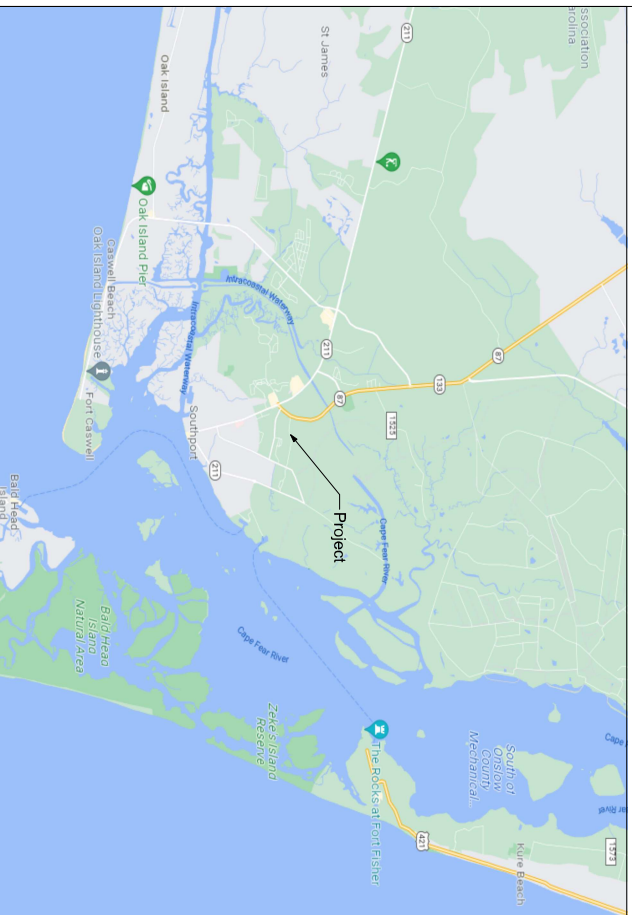
\_\_\_\_\_  
Date

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Page 21 of 132

A vertical strip of a repeating pattern. It features a series of stylized windows with multiple panes, set against a background of horizontal lines. The windows are separated by textured, block-like elements. The pattern is composed of repeating units that create a rhythmic, architectural feel.

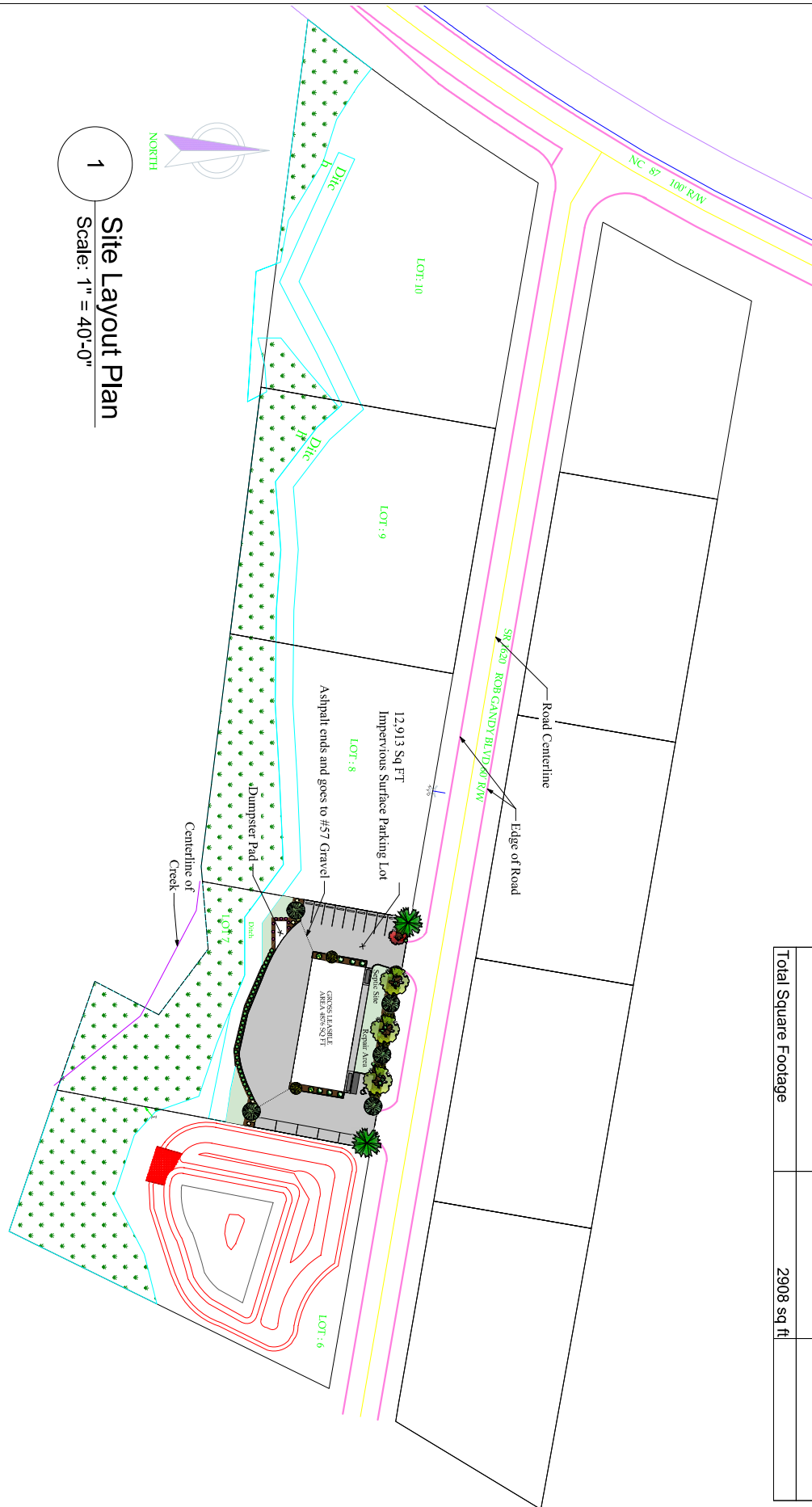
## Sheet List



| Sheet | Drawing Title                     |
|-------|-----------------------------------|
| C-0   | Cover Sheet                       |
| L-1   | Site Layout Plan                  |
| L-2   | Canopy Trees and Understory Trees |
| L-3   | Shrub & Groundcover Planting Plan |
| L-4   | Outdoor Lighting Plan             |

|                                                          |             |                |  |
|----------------------------------------------------------|-------------|----------------|--|
| Project #                                                |             |                |  |
| Newport Gardens<br>18285 Newport Rd<br>Raleigh, NC 27613 |             |                |  |
| Contract #                                               | Grant Hall  |                |  |
| REL. DATE                                                | DESCRIPTION |                |  |
| C                                                        | 3/31/2022   | V 1,2 Complete |  |
| B                                                        | 3/31/2022   | V 1,2 Complete |  |
| A                                                        | 3/31/2022   | V 1,2 Complete |  |
| NO. DATE                                                 | REL. DATE   |                |  |
| Project Name                                             | Project     |                |  |
| RO Name                                                  | Grant Hall  |                |  |
| Year                                                     | 3/31/2022   | Quantity       |  |
| Project #                                                | 6051        |                |  |
| Project #                                                |             |                |  |
| Cover Sheet                                              |             |                |  |
| Project #                                                |             |                |  |
| C-0                                                      |             |                |  |

| Buildable Area       |                |                  | Turf Area            |                |         | Planting Bed Area             |                |                  |
|----------------------|----------------|------------------|----------------------|----------------|---------|-------------------------------|----------------|------------------|
| Name                 | Square Footage | Percent of Total | Name                 | Square Footage | Percent | Name                          | Square Footage | Percent of Total |
| Parking Lot          | 12913 sq ft    | 71%              | Turf Front           | 1358 sq ft     | 53%     | Planting Bed Frontage Left    | 190 sq ft      | 7%               |
| Side Walk            | 500 sq ft      | 3%               | Turf Rear Left       | 708 sq ft      | 27%     | Planting Bed Frontage Right   | 1120 sq ft     | 39%              |
| Building             | 4876 sq ft     | 27%              | Turf Rear Right      | 520 sq ft      | 20%     | Planting Bed Frontage Left    | 82 sq ft       | 3%               |
|                      |                |                  |                      |                |         | Planting Bed Foundation Left  | 235 sq ft      | 8%               |
|                      |                |                  |                      |                |         | Planting Bed Foundation Right | 235 sq ft      | 8%               |
|                      |                |                  |                      |                |         | Planting Bed Rear Left        | 380 sq ft      | 13%              |
|                      |                |                  |                      |                |         | Planting Bed Rear Right       | 332 sq ft      | 11%              |
|                      |                |                  |                      |                |         | Planting Bed Rear Center      | 334 sq ft      | 11%              |
| Total Square Footage | 18289 sq ft    |                  | Total Square Footage | 2586 sq ft     |         | Total Square Footage          | 2908 sq ft     |                  |



1  
Site Layout Plan  
Scale: 1" = 40'-0"



[illegible]

| Plant List                                                                          |       |     |                        |                                 |
|-------------------------------------------------------------------------------------|-------|-----|------------------------|---------------------------------|
| Image                                                                               | ID    | Qty | Common Name            | Latin Name                      |
|  | Er    |     | 1 Eastern redbud       | Cercis canadensis               |
|  | JV    |     | 8 Eastern Red Cedar    | Juniperus virginiana            |
|  | LS 01 |     | 799 Low Shrub 01       | Low Shrub 01                    |
|  | MSA   |     | 8 Adagio Maiden Grass  | Miscanthus sinensis<br>'Adagio' |
|  | P 01  |     | 5 Palmetto Palm        | Sabal Palmetto                  |
|  | Qv    |     | 2 Southern Live Oak    | Quercus virginiana              |
|  | SCWb  |     | 2 American Beautyberry | Callicarpa Americana            |
|  | T-Bn  |     | 3 River Birch          | Betula nigra                    |
|  | VS-1  |     | 6 Virginia sweetspire  | Itea virginica                  |
|  | YL    |     | 8 Yellow Lantana       | Lantana 'Yellow'                |



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# Live Oak Landing Lot 7

5521 Rob Gandy Blvd  
Southport, NC 28461

Grant Hall

| Plant List |       |     |                      | "Side Yard" Planting Requirements Calculations |       |                        |                 |
|------------|-------|-----|----------------------|------------------------------------------------|-------|------------------------|-----------------|
| Image      | ID    | QTY | Common Name          | Latin Name                                     | Type  | Amount per Linear Foot | Required Amount |
|            | Er    | 1   | Eastern redbud       | Cercis canadensis                              | Shrub | 100 LF                 | 40              |
|            | JV    | 8   | Eastern Red Cedar    | Juniperus virginiana                           | Shrub | 100 LF                 | 40              |
|            | LS 01 | 70  | Low Shrub 01         | Low Shrub 01                                   | Shrub | 100 LF                 | 40              |
|            | MA    | 8   | Adagio Maiden Grass  | Miscanthus sinensis                            | Shrub | 100 LF                 | 40              |
|            | P 01  | 5   | Palmetto Palm        | Sabal Palmetto                                 | Shrub | 100 LF                 | 40              |
|            | Qv    | 2   | southern Live Oak    | Quercus virginiana                             | Shrub | 100 LF                 | 40              |
|            | S-Cby | 2   | American Beautyberry | Callicarpa Americana                           | Shrub | 100 LF                 | 40              |
|            | T-Bn  | 3   | River Birch          | Betula nigra                                   | Shrub | 100 LF                 | 40              |
|            | VS-1  | 6   | Virginia sweetspire  | Itea virginica                                 | Shrub | 100 LF                 | 40              |
|            | YL    | 8   | Yellow Lantana       | Lantana 'Yellow'                               | Shrub | 100 LF                 | 40              |

## Shrub & Groundcover Planting Plan

Scale: 1" = 10'-0"



# Outdoor Lighting Notes

1. All street light fixtures shall not exceed 15 feet in height.
2. LED light source type must be used for on all outdoor lights throughout the development.
3. The light source color temperature shall be consistent throughout all outdoor lighting.
4. The light source color temperature for outdoor lighting shall not exceed 3,000 degrees Kelvin.
5. Fixtures shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.
6. The light source shall be completely concealed behind an opaque surface and recessed within an opaque housing and shall not be visible from any street right-of-way or adjoining properties. Overhead lighting fixtures shall be designed to prevent light from emitting upwards towards the sky.
7. Under canopy lighting fixtures should be completely recessed within the canopy and shall not create glare off-site.



1 Outdoor Lighting Plan  
Scale: 1" = 10'-0"



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## Live Oak Landing Lot 7

5521 Rob Gandy Blvd  
Southport, NC 28461

Project Title  
Norwood Gardens  
2825 Norwood Rd  
Raleigh, NC 27613

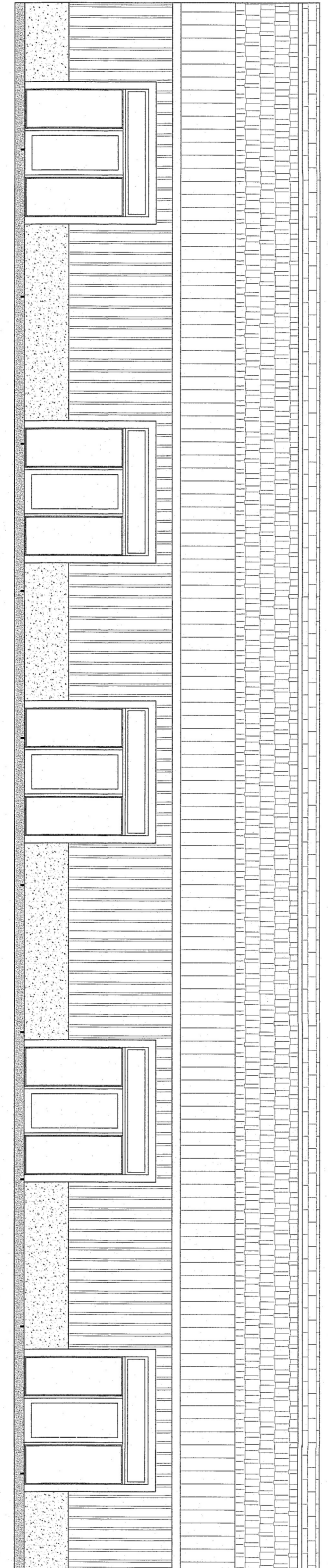
Client  
Grant Hall

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |

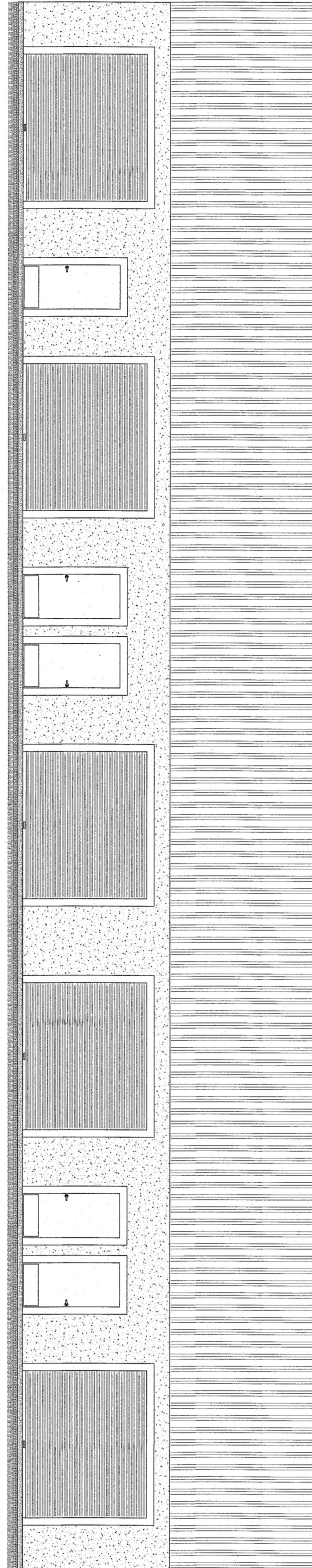
|         |           |                             |
|---------|-----------|-----------------------------|
| C       | 3/21/2022 | V-1.2 Outdoor Pool          |
| B       | 3/21/2022 | V-1.1 Outdoor Lighting Plan |
| M       | 3/21/2022 | V-1.0 Outdoor Lighting Plan |
| DATE    | 3/21/2022 | Project                     |
| PROJECT | RO-1      | Grant Hall                  |
| DATE    | 3/21/2022 | Project                     |
| PROJECT | RO-1      | Grant Hall                  |
| DATE    | 3/21/2022 | Project                     |
| PROJECT | RO-1      | Grant Hall                  |

Outdoor Lighting Plan

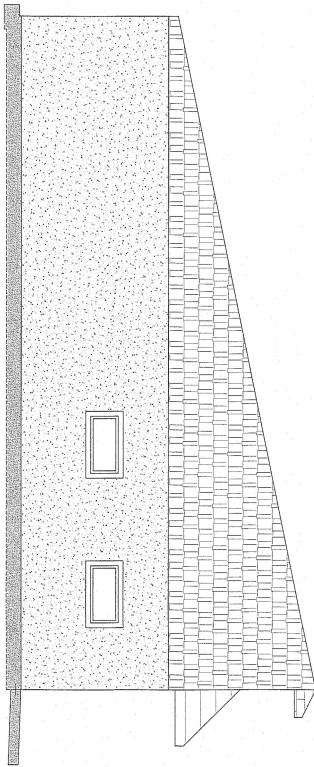
L-4



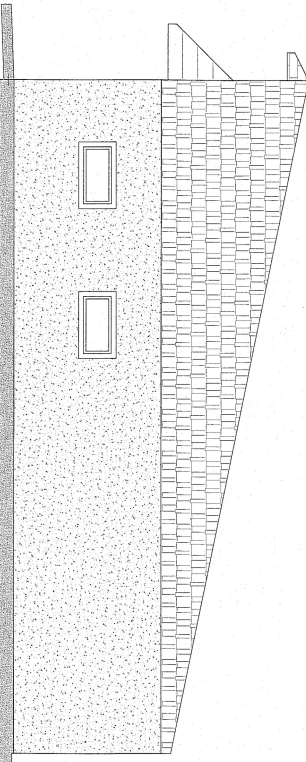
1 FRONT ELEVATION  
D-1 SCALE: 1/4" = 1'-0" ELEVATION VIEW



2 REAR ELEVATION  
D-1 SCALE: 1/4" = 1'-0" ELEVATION VIEW



3 LEFT ELEVATION  
D-1 SCALE: 1/4" = 1'-0" ELEVATION VIEW



4 RIGHT ELEVATION  
D-1 SCALE: 1/4" = 1'-0" ELEVATION VIEW







## PLANNING BOARD

### MEMORANDUM

---

**To:** Chair Hodgins, Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** Indigo PUD Master Development Plan & Zoning Map Amendment Application,  
Submitted by East-West Partners in partnership with Bald Head Island Limited, designed  
by LandDesign  
**Date:** 05/12/2022

---

### BACKGROUND

In partnership with Bald Head Limited, East-West Partners has submitted a PUD Master Development Plan and Rezoning application that would rezone 346.57 acres of undeveloped property adjacent to Smithville Woods, Cades Cove, and Indigo Plantation from R-20 to PUD. A small portion of the property is within our corporate limits, with the majority of it being located within the Extra-Territorial Jurisdiction. Since it is split between the two, all of it is within our zoning jurisdiction. The developer intends to annex into the City as well. The Indigo Project was presented by the developer at a special joint workshop of the Board of Aldermen and Planning Board on March 24<sup>th</sup>. A review committee was appointed by the Planning Board Chair at the March 24<sup>th</sup> meeting. It consisted of Chair Hodgins, Mo Meehan, and Chris Jones. There was an additional Mayor's Town Hall Community Input meeting on the project on April 4<sup>th</sup>.

### PROCESS

A Planned Unit Development (PUD) is planned and developed as an integral unit, in a single development operation or a programmed series of development operations and according to an approved master development plan. All PUDs require an amendment to the City's zoning map and master development plan approval, followed by the major subdivision approval process. The minimum amount of land required for a PUD district is 9 acres of net buildable area within the corporate limits or 25 acres of net buildable area within the ETJ. This development is 346.57 acres; therefore, it meets the criteria.

The application for a PUD must be accompanied by an application to amend the zoning map (rezoning) to the planned unit development zoning district. The rezoning application should be submitted concurrently with the PUD master development plan. The approval process for a PUD Master Development Plan is the same as a zoning map amendment. The Planning Board shall provide an advisory recommendation on the PUD master development plan and rezoning within 90 days after introducing such petition at a regularly scheduled meeting and submit its recommendation to the Board of Aldermen. In terms of timing, the PUD master development plan must be approved before the zoning map amendment. If the PUD master development plan is approved, it provides the framework for development within the PUD. The master development plan includes the bubble diagram that illustrates the densities in different areas of the PUD, supporting information, and text which specifies the use or uses intended for the property, dimensional standards, and any development standards to be approved concurrently with the application. This could include features like parking, landscaping design guidelines, buffers, and streetscapes. The master development plan must also be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer. A licensed landscape architect sealed this plan.

The City established a technical review committee for this project. I will go into more detail about that process later. As I stated earlier, the Planning Board has 90 days following the receipt of the PUD master development plan and zoning map amendment application to make a recommendation on both. To be clear, this means that a recommendation by the Planning Board will need to be made no later than at the June 16<sup>th</sup> Planning Board meeting. The Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other officially adopted applicable plans. The Planning Board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters deemed appropriate by the Planning Board. However, a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen.

It is important to understand that the PUD master site plan and zoning map amendment application are legislative decisions. When speaking of legislative decisions in this context, it is important to note that we are not talking about the State Legislature. In this case, municipal legislative decisions are finalized by the Board of Aldermen as the local Governing Board after an advisory recommendation by the Planning Board. Because legislative decisions have such a significant impact on landowners, neighbors, and the public, state law mandates broad public notice and hearing requirements for these types of decisions. Much like legislative decisions in the General Assembly, broad public discussion and careful deliberation is vital for municipal legislative decisions. Substantial discretion is allowed in legislative decisions, and boards are not under any obligation to approve them.

## **PROPOSAL**

As mentioned previously, the Indigo PUD master development plan comprises a tract that equals 346.57 acres. The overall size of the tract that Bald Head Island Limited owns is 375.08 acres. In terms of the density, East-West Partners is proposing 1,542 dwelling units and 80,000 sf of non-

residential use. This is an average of 4.1 dwelling units per acre on the total tract. The UDO allows 6 units per acre for PUDs. The PUD Master Development Plan's bubble diagram shows the different planned areas of the development and how they will differ in density, allowable uses, and allowable housing types. There are 5 different areas identified on the bubble diagram.

The first area is the Marina Village area. The proposed Marina Village area is 9.4 acres. In terms of residential, the developer proposes a mixture of Single-Family Townhomes, Duplexes, Multi-Family, and Condos in these areas totaling 188 units. This is equal to 20 dwelling units an acre for this portion of the tract. It is important to note that the product types may change, but the total number of units for each area will not change. The developers are also proposing retail, restaurant, and a commercial marina as non-residential uses for a total of 20,000 sf. The second area is the Residential Core area. The proposed Residential Core area is 58.1 acres. This area will be composed of a mixture of single-family detached, single-family attached townhomes, multi-family, duplexes, assisted living, and senior living for a total of 581 units. This equals 10 dwelling units an acre. 60,000 sf of non-residential retail and office uses are also proposed. The third area proposed is the Residential Center area. This area is 105 acres. Proposed residential uses are single-family detached, single-family attached, multi-family, and duplexes. The total amount of proposed units is 630 total units. This equals 6 dwelling units an acre. No non-residential areas are proposed in the Residential Center area. The fourth area is the Residential Edge area. This area consists of 47.6 acres. The proposed uses in this area are single-family detached homes. The proposed units are 143 total units. This equals 3 dwelling units an acre. The last area identified on the PUD master development bubble diagram is open space. In PUDs, 20% of the tract must be Open Space. Designated 404 wetlands are not allowed to be counted in this calculation. East-West Partners is proposing 75.4 acres of Open Space. 75 acres are required. The proposed PUD master development plan shows 39.3 acres for a nature park. The developers propose a dog park, swimming areas, walking trails, and ball fields. They are also proposing 20.9 acres for a Central Park and pocket park. The proposed uses for this area are a playground, docks, shaded areas, greens, and ball courts. The plan also shows 7.6 acres of linear greens. As shown on the plan, the linear greens will be composed of a green trail network. A Development Fiscal Impact Analysis on the General Fund and City Services is being completed by DPFPG to examine further what the impacts will be if the development were to move forward

## **INFRASTRUCTURE**

The neighborhood's primary entrance is proposed to be off Robert Ruark Dr. There will also be an additional village entrance off Indigo Plantation D on 9<sup>th</sup> street. For water and sewer, the City has communicated to the developer that it would be in their best interest to receive service from Brunswick County. The City does not have the excess capacity to serve this project, but the City is open to looping the project into the City's waterlines with an emergency valve for emergencies. For streets, three different types of ROWs are proposed. The first is the avenue Street. The avenue street is a 61 ft ROW with sidewalks and on-street parking on both sides of the street. The second street type is A-1. A-1 streets will be composed of 54 ft ROWs and will be located adjacent to park spaces where alley-loaded lots are designed to provide visitor parking. Street type A-2 is a 49 ft ROW with ribbon curb and ditch/swale sections along the road. The last street type is Type B. Type B is a 47' ROW and is what the developer envisions as the typical street section in the community where front-loaded lots exist. There will also be 20 ft alleys for

the rear entry areas. All street types will have pedestrian sidewalks on both sides. In the same format as early 20th-century villages and neighborhoods oriented towards pedestrian walkability, these street types are akin to traditional neighborhood street designs. The UDO allows ROWs less than 60 ft with the approval of the Fire Chief/Fire Marshal and if they are designed to NCDOT's Subdivision Design Manual. When they come back for preliminary plat approval, the street design must meet NCDOT's guidelines and be approved by the Fire Chief and Fire Marshal. The applicant has expressed the desire for the streets within the development to be publicly maintained. Public maintenance is preferable to the potential for private street networks. Private street networks often become dilapidated due to improperly funded Property Owner Association agreements, which may result in a request for the City to assume ownership and responsibility of substandard roadways down the road. The City is also working on an infrastructure impact analysis with WithersRavenel to estimate the impacts on the City's existing infrastructure. The City is implementing both of those projects now. The City will share the results of these analyses as they are completed.

## **TRAFFIC IMPACT ANALYSIS STUDY**

The TIA was completed by Jonathan Guy of Kimley-Horne. NCDOT approved the Project Indigo Traffic Impact Analysis (TIA) on March 3rd, 2022. Robert Ruark Dr, 9<sup>th</sup> Street, and a large portion of the intersections examined are State roads, so NCDOT has been involved in this process from the start along with City staff. City Staff met with District Engineer Ben Hughes to go over the required improvements. Of note is the first improvement. Ben Hughes mentioned that due to ROW constraints on Robert Ruark, some of the proposed improvements are not possible. Mr. Hughes suggested that the City require additional access connections at 11<sup>th</sup> street or Lord Thomas Avenue to mitigate the impacts at the 211/87 intersection. NCDOT requires the following improvements:

- **NC 211 (N. Howe Street) at NC 87 (River Road)/SR 1852 (Robert Ruark Drive)** (Signalized 4-legged Intersection)
  - Construct an additional eastbound left-turn lane on Robert Ruark Drive to provide dual left-turn lanes with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper\*
  - Construct a separate eastbound right turn lane on Robert Ruark Drive with 350 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper\*
  - Modify signal timing and phasing

\*It is understood that right of way constraints will likely render the proposed roadway mitigations un-constructible. Alternate and/or additional access connections are recommended to reduce impacts at this intersection

- **NC 211 (N. Howe Street) at SR 1209 (9th Street)** (Signalized 4-legged Intersection)
  - Construct an exclusive southbound right turn lane on NC 211 with 300 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper
  - Extend the existing eastbound left-turn lane on 9th Street up to the intersection of Lord Street
  - Optimize the signal timings

- **NC 211 (N. Howe Street) at 12th Street/Stuart Avenue** (Unsignalized 4-legged Intersection)
  - Install a traffic signal and the necessary communication equipment for the bordering signals on NC 211, including NC 87/Robert Ruark Drive, Fodale Avenue, and 9th Street
- **SR 1852 (Robert Ruark Drive) at Site Access 1** (Proposed unsignalized T-intersection)
  - Construct the site access with one ingress and two egress lane.
  - Provide stop control for the northbound approach.
  - Provide a 175-foot internal protected stem for the northbound approach.
  - Provide an exclusive westbound left turn lane on SR 1852 (Robert Ruark Drive) with 150 feet of storage, 50 feet of full-width deceleration, and 100 feet of taper

## REVIEW COMMITTEE REPORT

The review committee met on Thursday, April 7<sup>th</sup>. As I mentioned earlier, it consisted of Chair Hodgins, Mo Meehan, and Chris Jones. The committee members termed this committee the 'Indigo Review Hub Committee'. Due to the size of the project, there was a consensus that there should be different subcommittees to further examine specific areas of interest and concern. The subcommittees to be established are **Design/Character**, **Traffic**, **Infrastructure**, and **Environmental Concerns**. The Chair assigned volunteers to these subcommittees at the 4/21 Planning Board meeting. Staff developed a questionnaire to be posted on the City website to receive additional citizen input. There are questions that are specific to each subcommittee. We have received 27 responses so far. Staff will compile the questions and provide them to the subcommittees and developers. As subcommittee meetings are held and become more overlapping, the full Planning Board will stay informed, and we'll see this process gel into the creation of the Planning Board's recommendations for the Aldermen. The Infrastructure subcommittee met for their first meeting with the developer and the City Manager on April 28<sup>th</sup> at 4:00 pm. The Traffic Impacts subcommittee met for their first meeting with the developer and the Development Services Director on May 9<sup>th</sup> at 3:00 pm. The Design and Character subcommittee met for their first meeting on May 11<sup>th</sup> at 11:00 am. The Environmental Concerns subcommittee is currently scheduled to meet on May 18<sup>th</sup> at 4:30 pm.

# Planned Unit Development Permit

City of Southport, North Carolina

PAID  
MAR 10 2022



BY: .....

1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

Planning &amp; Inspections

Phone 910-457-7961 Fax 910-457-7957

**\*For Staff Use Only\***

PERMIT No. P4D 21-1104-01 FEE: \$ 2,000 Date Received: 11/4/2021

Applicant's Name: East West Partners Management Co., incMailing Address: 226 N Front St City: WilmingtonState: NC Zip Code: 28401 Phone: 910-386-8683Email: msiegel@ewpnc.comProperty Owner's Name: Bald Head Island Limited, LLCAddress of Owner: PO Box 3069 City: Bald Head IslandState: NC Zip Code: 28461 Phone: 910-457-7358Email: cpaul@bhisland.comProperty Address: Survey Attached City: Annexing - SouthportParcel Size (acres): 346.57 AC Number of Dwellings: 1,542Open Space Area: 75.4 Acres Right-of-way Area: .....Surveyor: Michael Underwood and Associates, PA License #: .....Mailing Address: 102 Cinema Dr, Suite A City: WilmingtonState: NC Zip Code: 28403 Phone: 910-815-0650

Email: .....



Per Section 2.9 of the UDO, the purpose of a Planned Unit Development (PUD), is planned and developed as an integral unit, in a single development operation or a definitely programmed series of development operations and according to an approved master development plan. All PUDs require an amendment to the city's zoning map and master development plan approval, followed by the major subdivision approval process as specified in this ordinance.

The minimum amount of land (unified control to be planned and developed as a whole) required for a PUD district shall be eight (8) acres of net buildable area within the city corporate limits, on one or more contiguous parcels or 25 acres of net buildable area in the ETJ, on one (1) or more parcels (this may include parcels on both sides of a street).

Application and Planned Unit Development Review Procedure is found in Section 2.9.C

**Minimum Dimensional Standards:**

1. Lot area. Not less than 60 percent of the minimum lot area which would normally be required under the single-family standards of the prevailing zoning district.
2. Lot width. 40 feet.
3. Lot frontage. 40 feet, except on the radius of a cul-de-sac where such distance may be reduced to 20 feet.
4. Public or private street setback. No principal or accessory structure shall be closer than 10 feet to a public street right-of-way or private street easement.
5. Side yard setback. Not less than 8 feet. Dwellings which do not utilize zero lot line provisions shall maintain a minimum side setback of not less than six (6) feet.
6. Rear yard setback. Not less than 15 feet.
7. Building separations. No portion of any principal structure shall be located less than 10 feet from any accessory structure as measured to the closest point.
8. Periphery boundary setback. No principal or accessory structure shall be located less than 25 feet from the peripheral boundaries of the development.
9. Maximum height. 40 feet.
10. Detached accessory structure requirements.
  - a) Shall not be located within any front yard setback;
  - b) Shall not be located within five (5) feet of any other accessory structure;
  - c) Shall not cover more than twenty (20) percent of any side or rear yard; and
  - d) The side or rear yard requirement for detached accessory structures shall not be less than five (5) feet.
  - e) Shall not be greater than 30 feet in height.

\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

\_\_\_\_\_  
Date

**APPROVED BY:**

\_\_\_\_\_  
UDO Administrator

\_\_\_\_\_  
Date

AUTHORITY FOR APPOINTMENT OF PERSON  
TO ACT ON MY BEHALF

The undersigned owner, Bald Head Island Limited, LLC, hereby appoints East West Partners Management Company, Inc. to act on its behalf for the purpose of petitioning the City of Southport for: a) an amendment to the zoning text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; e) annexation of property; and/or f) street closure, as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Southport that said appointee has the authority to do the following acts for and on behalf of the owner with respect to the subject property:

- (1) to submit a proper petition and the required supplemental materials;
- (2) to appear at public meetings to give testimony and make commitments on behalf of the owner;
- (3) in the case of a special use permit, to accept conditions or recommendations made for issuance of the special use permit on the owner's said property; and
- (4) to act on the owner's behalf with regard to any and all things directly or indirectly connected with or arising out of any petition for the purposes and property described herein.

This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: November 3, 2021

Appointee's Name, Address & Telephone:

McKay Siegel - East West Partners

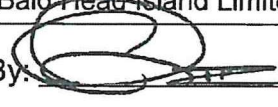
226 N Front St

Wilmington, NC 28401

910-386-8683

Signature of Owner:

Bald Head Island Limited, LLC

By: 

Charles A. Paul, III, Manager

AUTHORITY FOR APPOINTMENT OF PERSON  
TO ACT ON MY BEHALF

The undersigned owner, Bald Head Island Limited, LLC, hereby appoints East West Partners Management Company, Inc. to act on its behalf for the purpose of petitioning the City of Southport for: a) an amendment to the zoning text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; e) annexation of property; and/or f) street closure, as applicable to the property described in the attached petition.

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Date: November 3, 2021

Appointee's Name, Address & Telephone:

McKay Siegel - East West Partners

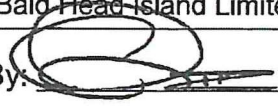
226 N Front St

Wilmington, NC 28401

910-386-8683

Signature of Owner:

Bald Head Island Limited, LLC

By: 

Charles A. Paul, III, Manager



# Zoning Map Amendment

City of Southport, North Carolina

**PAID**  
MAR 10 2022



BY: .....

1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

**For Staff Use Only**

PERMIT No. EZ 21-11024-01 FEE: \$ 35,700 Date Received: 11/4/2021

Applicant's Name: East West Partners Management Co., inc.  
Mailing Address: 226 N Front St City: Wilmington  
State: NC Zip Code: 28401 Phone: 910-386-8683  
Email: msiegel@ewpnc.com

Property Owner's Name: Bald Head Island Limited, LLC  
Address of Owner: PO Box 3069 City: Bald Head Island  
State: NC Zip Code: 28461 Phone: 910-457-7358  
Email: cpaul@bhisland.com

Project Name: Indigo  
Project Address and/or Description of Location: Survey Attached  
  
  
Parcel ID #: Survey attached Number of Lots: 29 Site Acreage: 346.57  
Current Zoning District: ETJ (R-20), PUD Proposed Zoning District: PUD

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with the CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 2.7.D of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income of future residents, owner vs. renter housing, or who the owner is when deciding.

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

- A. Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerline;
- B. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines, shall be construed as following such lines, limits, or boundaries;
- C. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such shorelines;
- D. Where a district boundary divides a lot each part of the lot or tract so divided shall be used in conformity with the regulations established by this ordinance for the district in which said part is located, nor shall a change in lot line be construed to have modified a zoning district boundary;
- E. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- F. Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.

Future Land Use Map Designation: PUD

Is the proposed zoning consistent with the Land Use Plan? (Check One and Describe Below):

☐ Yes ☒ No

Narrative Attached.

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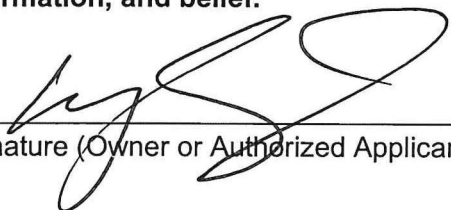


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Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

Narrative attached.

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

11/4/21  
\_\_\_\_\_  
Date

**APPROVED BY:**

  
\_\_\_\_\_  
UDO Administrator

11/4/21  
\_\_\_\_\_  
Date





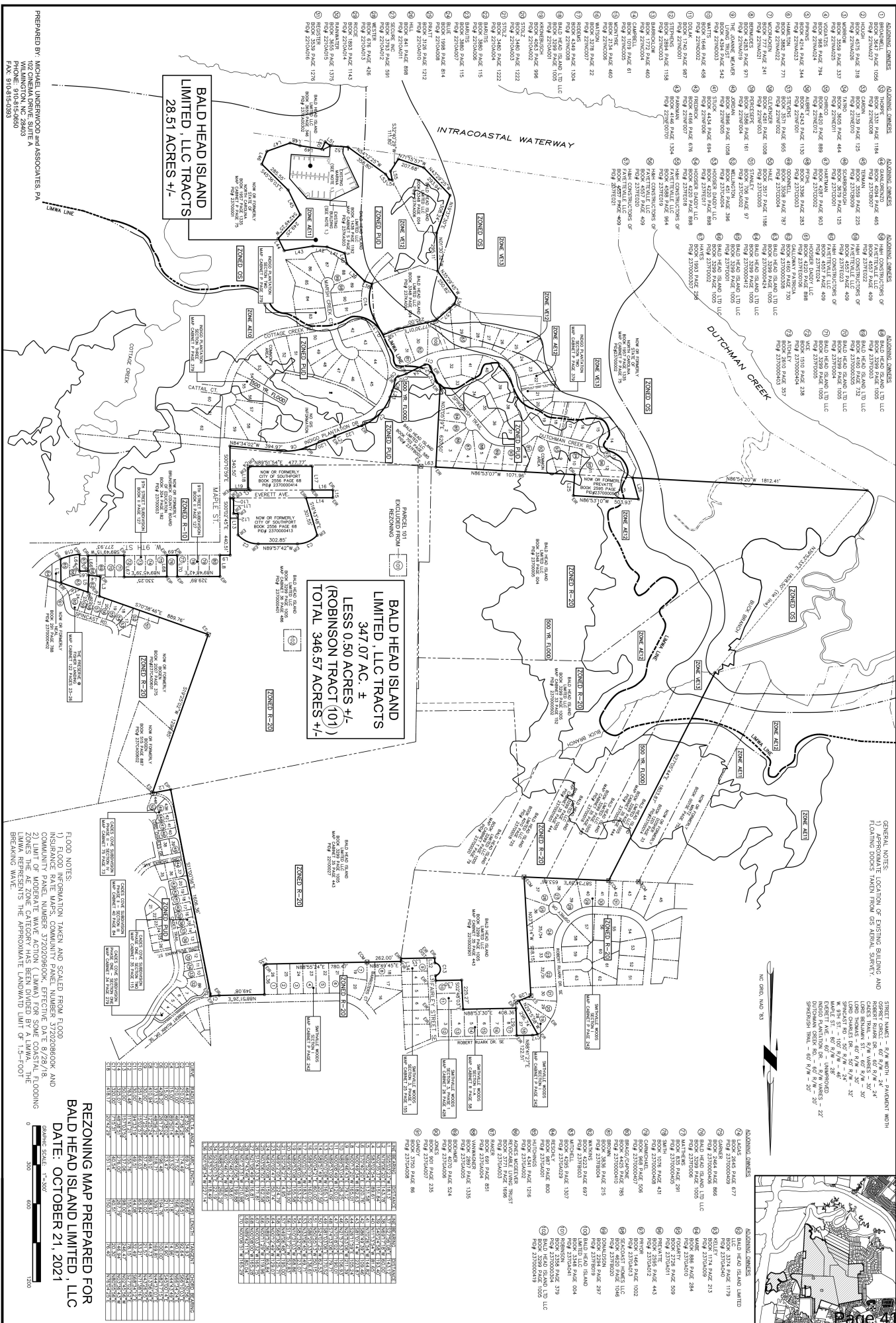
Rezoning Narrative

Plan Set

Metes and Bounds

Traffic Impact Analysis













## Project Indigo Rezoning Narrative

Submitted by East West Partners

4 November 2021

The Cape Fear region is one of the fastest growing areas of North Carolina. This growth requires proper planning and preparation to be successful. Project Indigo endeavors to rezone 347 acres as a Planned Unit Development (PUD) within the Unified Development Ordinance (UDO) of the City of Southport, NC. The purpose of PUD zoning is for large projects to be planned and developed as an integral unit with known and programmed development operations. The proposed PUD for Project Indigo is the best way to provide for orderly, programmed growth of a large tract of land for sustainability and success in Southport as well as integration into the current development patterns and neighborhoods. PUD zoning for Project Indigo is consistent with Southport's relevant adopted plans.

Presently, +/- 38 of the included acres are within the City of Southport and zoned with an existing PUD. The remaining 309 acres are within the Extra-Territorial Jurisdiction (ETJ) of Southport, and currently included in considerations of Brunswick County. Therefore, in addition to rezoning, Project Indigo will be seeking annexation into the City of Southport, and that annexation will be conditional upon the approval of the rezoning and PUD proposed. This zoning request creates continuity and harmony with the area.

The subject property covers areas ranging from least suitability to high suitability as defined in Section 5. E. of the CLUP under the section "Suitability of Land." As stated in the CLUP "Several factors are considered during the analysis, including the natural system constraints, compatibility with existing land uses and development patterns, existing land use policies, and the availability of community facilities." Many of the areas identified as least suitable are further west, and presumably less suitable because they are further from utilities, which will be included in course of development. Project Indigo is in close proximity to community amenities such as schools and The Southport Senior Center, Town Hall, and a fire station while creating additional community facilities. A major benefit of this request is that PUD as it requires a master development plan approval so the issues listed as determining the suitability of development can be addressed systematically at the beginning of the project.

The design of Project Indigo accounts for the location and the environmental requirements of the area. A 404 Wetlands Delineation is included as part of this submission. Project Indigo will not be a clear-cut-style development and will comply with all stormwater permitting requirements. Project Indigo provides for multiple large open spaces shown as Central Park and Nature Park on the project plans. The open space will be connected by linear green space to ensure an interconnected network of greenspaces and trails.

The Comprehensive Pedestrian Plan (CPP) shows areas adjacent to Project Indigo currently have good sidewalk connectivity which will be enhanced by the pedestrian system within Project Indigo. A Traffic Impact Analysis is provided in conjunction with this submission.

Project Indigo seeks to bring a potential for 1,540 homes to Southport. As identified in the CLUP, the typical Southport resident is 45 years old or older, and aging; indicating that Project Indigo will attract early-or-near retirees. This age demographic will produce a lower impact on the school system than other

age demographics. In addition, the mix of housing types will also provide a lower impact on schools than all single family residential as evidenced by data provided by the National Center for Education Statistics, a division of the US Department of Education. Early estimates put the project at a valuation in excess of \$500,000,000 in taxable value, in today's dollars.

The overwhelming majority of the property under consideration is envisioned as R-20 by the current Land Use Plan, roughly 2 homes per acre, however the southern parcel which is already included within the city as a Planned Unit Development is zoned for higher density. Likewise, the Future Land Use Map places different portions of Project Indigo at either "Low Density Residential," (2-3 units per acre) or "Medium Density Residential," (4 units per acre). The proposed PUD would total 4.1 units per acre and mimic the current LUP and FLUP of lower density on the northern parcels, higher density on the southern parcels around the marina. Project Indigo provides a range of housing types and price points for residents in a planned neighborhood with ample amenities, open space, and connectivity.



**Legal Description**  
**Prepared for Rezoning**  
**Bald Head Island Limited, LLC**  
**346.57 Acres +/-**  
**Southport, NC**

**Beginning** at a point located in the eastern line of Lot 1, Section 1, Smithville Woods as recorded at Map Cabinet P, Page 242, Brunswick County Registry at its intersection with the southern R/W line of Robert Ruark Drive SE (60' Public R/W); said beginning point also being the southeastern corner of Lot 1, Section 1, Smithville Woods; thence rom said **Point of Beginning** along and with the southern R/W line of Robert Ruark Drive SE the following courses and distances North 88 degrees 51 minutes 26 seconds East a distance of 349.08 feet to a point; thence following a curve to the left (R=464.61', Arc=69.73') having a chord which bears North 84 degrees 30 minutes 56 seconds East a chord distance of 69.66 to a point located western line of a common area tract of Cades Cove Subdivision, Phase One, Section One as recorded at Map Cabinet 34 Page 279 Brunswick County Registry; thence along and with the western line of a common area tract of Cades Cove Subdivision the following courses and distances; South 05 degrees 03 minutes 23 seconds West a distance of 18.13 feet to a point; thence South 11 degrees 00 minutes 56 seconds East a distance of 1,606.36 feet to a point located in the southern line of a common area tract of Phase II, Section IV, Cades Cove Subdivision as recorded at Map Cabinet 75 Page 73, Brunswick County Registry; thence along and with the common area tract of Phase II, Section IV, Cades Cove Subdivision North 79 degrees 06 minutes 20 seconds East a distance of 143.78 feet to a point located in the western line of the now or formerly Bogen tract as recorded at Book 515, Page 887, Brunswick County Registry; thence along and with the western line of the now or formerly Bogen tracts South 19 degrees 25 minutes 02 seconds West a distance of 1,296.85 feet to a point located in the southern line of the now or formerly Bogen tract as recorded at Book 2007, Page 375, Brunswick County Registry; thence along and with the now or formerly Bogen tract, the now or formerly Stanley tract as recorded at Book 706, Page 97 Brunswick County Registry and The Preserve at Fisher Landing as recorded at Map Cabinet 122, Pages 23-26 Brunswick County Registry South 70 degrees 38 minutes 46 seconds East a distance of 889.76 feet to a point located in the western line of the Galloway tract as recorded in Book 4160 Page 730, Brunswick County Registry; thence along and with the western line of the Galloway tract South 02 degrees 35 minutes 37 seconds West a distance of 151.84 feet to a point located in the southern line of the Galloway tract; thence along and with the southern line of the Galloway tract South 83 degrees 02 minutes 54 seconds East a distance of 89.61 feet to a point located in the western line of the now or formerly Bald Head Island Limited, LLC tract as recorded at Book 3299 Page 1005, Brunswick County Registry; thence along and with the western line of the western line of the Bald Head Island Limited, LLC tract North 02 degrees 52 minutes 54 seconds East a distance of 131.58 to a point located in the southern line of The Preserve at Fisher Landing as recorded at Map Cabinet 122 Pages 23-26, Brunswick County Registry; thence along and with the southern line of The Preserve at Fisher Landing South 70 degrees 40 minutes 20 seconds East a distance of 220.76 feet to a point located in the western line of the now or formerly Neal tract as recorded at Book 291, Page 788, Brunswick County Registry; thence along and with the western line of the Neal tract South 00 degrees 49 minutes 34 seconds East a distance of 182.63 feet to a point located in the northern line of West 9<sup>th</sup> Street (Public R/W); thence along and with the northern line of West 9<sup>th</sup> Street following a curve to the right (R=418.17', Arc=151.14') having a chord which bears South 76 degrees 04 minutes 25 seconds West a distance of 150.31 feet to a point located in the eastern line of the now or formerly Hayes tract as recorded at Book 1993 Page 258, Brunswick County Registry; thence along and with the eastern line of the Hayes tract North 00 degrees 12 minutes 49 seconds West a distance of 129.07 feet to a point located in the northern line of the Hayes tract; thence along and with the northern line of the Hayes tract South 89 degrees 57 minutes 36 seconds West a distance of 65.84 feet to



a point located in the western line of the Hayes tract; thence along and with the western line of the Hayes tract South 00 degrees 11 minutes 29 seconds East a distance of 119.96 feet to a point located in the northern line of West 9<sup>th</sup> Street (Public R/W); thence along and with the northern line of West 9<sup>th</sup> Street South 89 degrees 49 minutes 15 seconds West a distance of 277.93 feet to a point located in the eastern line of the now or formerly Vice tract as recorded in Book 1510, Page 238, Brunswick County Registry; thence along and with the eastern line of the Vice tract North 00 degrees 03 minutes 32 seconds West a distance of 165.75 feet to a point located in the northern line of the 9<sup>th</sup> Street Subdivision as recorded at Book II Page 127, Brunswick County Registry; thence along and with the northern line of the 9<sup>th</sup> Street Subdivision South 89 degrees 45 minutes 39 seconds West a distance of 330.25 feet to a point located in Western line of the now or formerly Garner tract as recorded at Book 2464, Page 866, Brunswick County Registry; thence along and with the western line of the Garner tract South 00 degrees 08 minutes 00 seconds East a distance of 165.28 feet to a point located in the northern R/W line of West 9<sup>th</sup> Street (public R/W); thence along and with the northern R/W line of West 9<sup>th</sup> Street South 89 degrees 42 minutes 11 seconds West a distance of 80.04 feet to a point located in the eastern line of the now or formerly Matthews tract as recorded at Book 835, Page 291, Brunswick County Registry; thence along and with the eastern line of the Matthews tract North 00 degrees 06 minutes 51 seconds West a distance of 165.29 feet to a point located northern line of the 9<sup>th</sup> Street Subdivision; thence along and with the northern line of the 9<sup>th</sup> Street subdivision South 89 degrees 48 minutes 42 seconds West a distance of 329.89 feet to a point located in the the western line of the now or formerly Bragg/Capone tract as recorded at Book 4425 Page 785, Brunswick County Registry; thence along and with the western line of the Bragg/Capone tract South 00 degrees 13 minutes 20 seconds East a distance of 165.01 feet to a point located in the northern R/W line of West 9<sup>th</sup> Street (100' Public R/W); thence along and with the northern R/W line of West 9<sup>th</sup> Street South 89 degrees 46 minutes 43 seconds West a distance of 79.12 feet to a point located in the eastern R/W line of Maple Street (80' Public R/W); thence along and with Maple Street South 00 degrees 02 minutes 45 second East a distance of 440.51 to a point located in the northern R/W line of Everett Ave. as shown on Map Cabinet 36 Page 487, Brunswick County Registry; thence along and with the northern R/W line of Everett Ave. (60' Public R/W) South 89 degrees 53 minutes 04 seconds West a distance of 25.26 feet to a point located in the eastern line of the now or formerly City of Southport tract as recorded at Book 2556 Page 68, Brunswick County Registry; thence along and with the City of Southport tract the following courses and distances; North 00 degrees 08 minutes 49 seconds West a distance of 120.01 feet to a point; thence South 89 degrees 53 minutes 09 seconds West a distance of 34.09 feet to a point; thence North 00 degrees 10 minutes 08 seconds West a distance of 165.13 feet to a point; thence following a curve to the left (R=210.00', Arc=174.49') having a chord which bears North 66 degrees 10 minutes 03 seconds West a chord distance of 169.51 feet to a point; thence North 89 degrees 57 minutes 42 seconds West a distance of 302.85 feet to a point; thence following a curve to the left (R=210.00', Arc=166.79') having a chord which bears South 66 degrees 34 minutes 24 seconds West a chord distance of 166.79 feet to a point; thence South 16 degrees 43 minutes 48 seconds East a distance of 301.55 feet to a point northern R/W line of Everett Avenue; thence along and with the northern line of Everett Avenue South 89 degrees 51 minutes 49 seconds West a distance of 207.59 feet a point located at the termination of Everett Avenue; thence along and with the termination of Everett Avenue South 00 degrees 04 minutes 21 seconds West a distance of 60.00 feet to a point located in the southern R/W line of Everett Avenue; thence along and with the southern R/W line of Everett Avenue North 89 degrees 50 minutes 19 seconds East a distance of 160.05 feet to a point located in the western line of the now or formerly City of Southport tract as recorded at Book 2556 Page 68, Brunswick County Registry; thence along and with the City of Southport tract the following courses and distances; South 00 degrees 01 minutes 50 seconds East a distance of 183.27 feet o a point; thence North 89 degrees 51 minutes 54 seconds East a distance of 477.77 feet to a point; thence following a curve to the left (R=15.00', Arc=23.52') having a chord which bears North 44 degrees 43 minutes 49 seconds East a chord distance of 21.18 feet to a point; thence North



00 degrees 08 minutes 05 seconds West a distance of 153.22 feet to a point; thence following a curve to the left (R=15.00', Arc=23.47') having a chord which bears North 45 degrees 00 minutes 14 seconds West a distance of 21.15 feet to a point located in the southern R/W line of Everett Ave ( 60' Public R/W); thence along and with the southern R/W line of Everett Ave., North 89 degrees 53 minutes 08 seconds East a distance of 155.58 feet to a point located in the western R/W line of Maple Street (80' Public R/W); thence along and with the western R/W line of Maple Street South 00 degrees 10 minutes 59 seconds East a distance of 340.50 feet to a point located in the northern R/W line of Indigo Plantation Drive (60' R/W) the following courses and distances; North 84 degrees 34 minutes 02 seconds West a distance of 394.97 feet to a point; thence following a curve to the left (R=428.20', Arc=196.48') having a chord which bears South 82 degrees 17 minutes 15 seconds West a distance of 194.76 feet to a point; thence South 69 degrees 06 minutes 22 seconds West a distance of 239.00 feet to a point; thence South 20 degrees 36 minutes 27 seconds East a distance of 4.95 feet to a point; thence South 69 degrees 12 minutes 05 seconds West a distance of 224.79 feet to a point; thence following a curve to the left (R=373.13', Arc=318.71') having a chord which bears South 44 degrees 37 minutes 07 seconds West a distance of 309.11 feet to a point; thence South 20 degrees 09 minutes 47 seconds West a distance of 50.74 feet to a point; thence following a curve to the left (R=410.94', R=89.10') having a chord which bears South 13 degrees 56 minutes 48 seconds West a distance of 88.93 feet to a point; thence following a curve to the right (R=30.00', Arc=37.40') having a chord which bears South 43 degrees 26 minutes 55 seconds West a distance of 35.02 feet to a point located in the northwestern R/W line of Dutchman Creek Road (60' R/W); thence along and with the northwestern R/W line of Dutchman Creek Rd. the following courses and distances; following a curve to the left (R=251.40', Arc=66.03') having a chord which bears South 71 degrees 38 minutes 16 seconds West a distance of 65.84 feet to a point; thence South 64 degrees 09 minutes 08 seconds West a distance of 159.65 feet to a point; thence following a curve to the right (R=30.00', Arc=49.51') having a chord which bears North 68 degrees 34 minutes 12 seconds West a distance of 44.08 feet to a point located in the northeastern R/W line of Spikerush Trail (60' R/W); thence along and with the northeastern R/W line of Spikerush Trail the following courses and distances; North 21 degrees 08 minutes 49 seconds West a distance of 16.81 feet to a point; thence following a curve to the left (R=763.48', Arc=155.76') having a chord which bears North 27 degrees 02 minutes 52 seconds West a distance of 155.49 feet to a point located in the eastern line of Indigo Plantation, Section Two as recorded at Map Cabinet P, Page 379, Brunswick County Registry; thence along and with the eastern line of Indigo Plantation, Section Two North 03 degrees 05 minutes 19 seconds East a distance of 620.50' to a point located in the northern line of the Indigo Plantation, Section Two; thence along and with the northern line of Indigo Plantation, Section Two North 86 degrees 53 minutes 07 seconds West a distance of 1,071.96 feet to a point located in the eastern line of the now or formerly Prevatte tract as recorded at Book 2595, Page 443, Brunswick County Registry; thence along and with the Prevatte tract the following courses and distances; North 03 degrees 06 minutes 50 seconds East a distance of 162.58 feet to a point; thence North 86 degrees 53 minutes 10 seconds West a distance of 503.93 feet to a point; thence South 15 degrees 43 minutes 33 seconds East a distance of 171.81 feet to a point located in the northern line of the Indigo Plantation, Section Two as recorded at Map Cabinet 9 Page 379, Brunswick County Registry at its intersection with the now or formerly State of North Carolina tract as recorded at Book 1957 Page 1335, Brunswick County Registry; thence along and with the northern line of Sate of North Carolina tract North 86 degrees 54 minutes 20 seconds West a distance of 1,812.41 feet to a point located in the run of Buck Branch; thence along with the run of Buck Branch as it meanders in a northerly direction to a point located in the southeastern line of the now or formerly Doshier tract as recorded at 1201 Page 33, Brunswick County Registry; said point being located North 39 degrees 52 minutes 33 seconds East a distance of 1,828.50 feet from the previous point; thence along and with the southeastern line of the Doshier tract North 27 degrees 05 minutes 44 seconds East a distance of 1,803.87 feet to a point located in the southern line of Smithville Woods, Section 1 as recorded at Map Cabinet P, Page 242; thence along



and with the southern line of Smithville Woods, Section 1 South 87 degrees 34 minutes 39 seconds East a distance of 653.86 feet to a point located in the eastern line of Smithville Woods, Section 1; thence along and with the eastern line of Smithville Woods, Section 1 North 03 degrees 17 minutes 14 seconds West a distance of 918.15 feet to a point located in the southern line of Smithville Woods, Section 1; thence along and with the southern line of Smithville Woods, Section 1 North 67 degrees 43 minutes 46 seconds East a distance of 99.93 feet to a point located in the northeastern line of the Kronebusch tract as recorded at Book 4063, Page 996, Brunswick County Registry; thence along and with the northeastern line of the Kronebusch tract North 29 degrees 15 minutes 58 seconds West a distance of 296.74 feet to a point located in the southern R/W line of Robert Ruark Drive SE (Public R/W); thence along and with the southern R/W line of Robert Ruark Drive SE the following courses and distances; following a curve to the right (R=300.20', Arc=40.54') having a chord which bears North 80 degrees 05 minutes 56 seconds East a distance of 40.51 feet to a point; thence North 88 degrees 41 minutes 27 seconds East a distance 122.51 feet to a point located in the western line of the now or formerly Rodems tract as recorded at Book 4349, Page 1304, Brunswick County Registry; thence along and with the western line of the Rodems tract South 01 degrees 23 minutes 51 seconds East a distance of 210.98 feet to a point located in the northern line of Smithville Woods Section 1-A as recorded at Map Cabinet R Page 58, Brunswick County Registry; thence along and with the northern line of Smithville Woods Section 1-A North 88 degrees 53 minutes 30 seconds East a distance of 408.36 feet to a point located in the western line of Smithville Woods, Section 3, Phase 1 as recorded at Map Cabinet 26 Page 428, Brunswick County Registry; thence along and with the western line of Smithville Woods, Section 3, Phase 1 South 02 degrees 48 minutes 03 seconds East a distance of 225.27 feet to a point located in the southern line of Smithville Woods, Section 3, Phase 1; thence along and with the southern line of Smithville Woods, Section 3, Phase 1 North 88 degrees 49 minutes 56 seconds East a distance of 199.88 feet to a point located in the western line of R/W line of Fairley Street SE (60' Public R/W); thence along and with the western R/W line of Fairley Street SE the following courses and distances; South 02 degrees 46 minutes 12 seconds East a distance of 38.61 feet to a point; thence following a curve to the left (R=50.00', Arc=137.06') having a chord which bears South 02 degrees 45 minutes 56 seconds East a distance of 98.00' to a point; thence South 02 degrees 46 minutes 12 seconds East a distance of 38.61 feet to a point located in the southern line of Smithville Woods, Section 3, Phase 1 as recorded at Map Cabinet 25 Page 155, Brunswick County Registry; thence along and with the southern line of Smithville Woods, Section 1 the following courses and distances; North 88 degrees 52 minutes 52 seconds East a distance of 260.29 feet to a point; thence North 03 degrees 00 minutes 15 seconds West a distance of 22.19 feet to a point; thence North 88 degrees 49 minutes 45 seconds East a distance of 262.00 feet to a point; thence North 88 degrees 55 minutes 24 seconds East a distance of 780.47 feet to a point; thence North 63 degrees 57 minutes 12 seconds East a distance of 18.49 feet to a point located in the eastern line of Lot 1, Smithville Woods, Section 1 as recorded at Map Cabinet 25, Page 155, Brunswick County Registry; thence along and with the eastern line of Lot 1 North 01 degrees 08 minutes 34 seconds West a distance of 227.14 feet to the **Point of Beginning**; containing 347.07 Acres, more or less.

**EXCLUDING from the above 347.07 Acre description**, the now or formerly ALBERT M. ROBINSON or CAROLYN M. ROBINSON, TRUSTEES OF THE ALBERT M. ROBINSON AND CAROLYN M. ROBINSON REVOCABLE LIVING TRUST tract; PID: 2370000304; and recorded at Book 2358 Page 379, Brunswick County Registry; and being more particularly described below:

Property Description (including any improvements): A tract of land in Brunswick County, North Carolina described as Lots 6 and 7, both in Block 3 of the E.B. Stevens Subdivision of Cottage Place as more particularly described in the plat thereof recorded at Book "FF", Pages 126 in the

office of the Register of Deeds of Brunswick County, North Carolina. Tax Lot No. L. 6 & 7 83 Plat 1/176, Parcel Identifier No. 2370000304 and being noted on the Rezoning Map as Parcel 101 and containing 0.50 Acres, more or less for a net acreage of 346.57 Acres, more or less.

AUTHORITY FOR APPOINTMENT OF PERSON  
TO ACT ON MY BEHALF

The undersigned owner, Bald Head Island Limited, LLC, hereby appoints East West Partners Management Company, Inc. to act on its behalf for the purpose of petitioning the City of Southport for: a) an amendment to the zoning text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; e) annexation of property; and/or f) street closure, as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Southport that said appointee has the authority to do the following acts for and on behalf of the owner with respect to the subject property:

- (1) to submit a proper petition and the required supplemental materials;
- (2) to appear at public meetings to give testimony and make commitments on behalf of the owner;
- (3) in the case of a special use permit, to accept conditions or recommendations made for issuance of the special use permit on the owner's said property; and
- (4) to act on the owner's behalf with regard to any and all things directly or indirectly connected with or arising out of any petition for the purposes and property described herein.

This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: November 3, 2021

Appointee's Name, Address & Telephone:

McKay Siegel - East West Partners

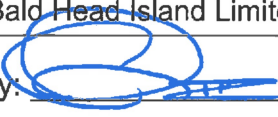
226 N Front St

Wilmington, NC 28401

910-386-8683

Signature of Owner:

Bald Head Island Limited, LLC

By: 

Charles A. Paul, III, Manager



REZONING PACKAGE

# INDIGO

## MASTER PLANNED COMMUNITY

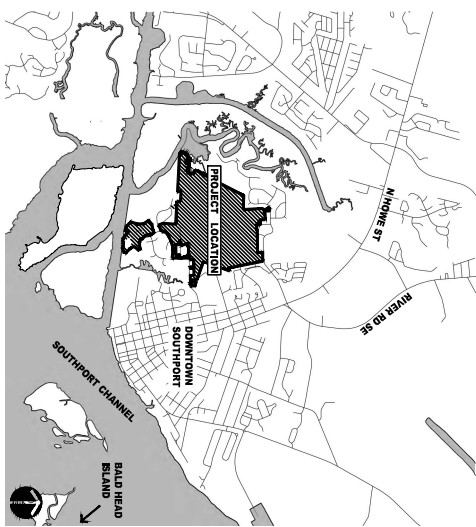
SOUTHPORT, NORTH CAROLINA

DATE: 02.09.2022

### SHEET INDEX

| Sheet List Table |                          |
|------------------|--------------------------|
| Sheet Number     | Sheet Title              |
| RZ-0             | COVER                    |
| RZ-1             | SURVEY                   |
| RZ-2             | EXISTING CONDITIONS      |
| RZ-3             | MASTER DEVELOPMENT PLAN  |
| RZ-4             | PROPOSED STREET TYPOLOGY |
| RZ-5             | STREET SECTION TYPOLOGY  |
| RZ-6             | LANDSCAPE SPACE          |
| RZ-7             | CHARACTER Mosaic         |

### VICINITY MAP



### PROJECT TEAM

#### OWNER/DEVELOPER

INDIGO  
EAST WEST PARTNERS  
226 N FRONT ST  
WILMINGTON, NC 28401  
910.386.8883

#### LANDSCAPE ARCHITECT

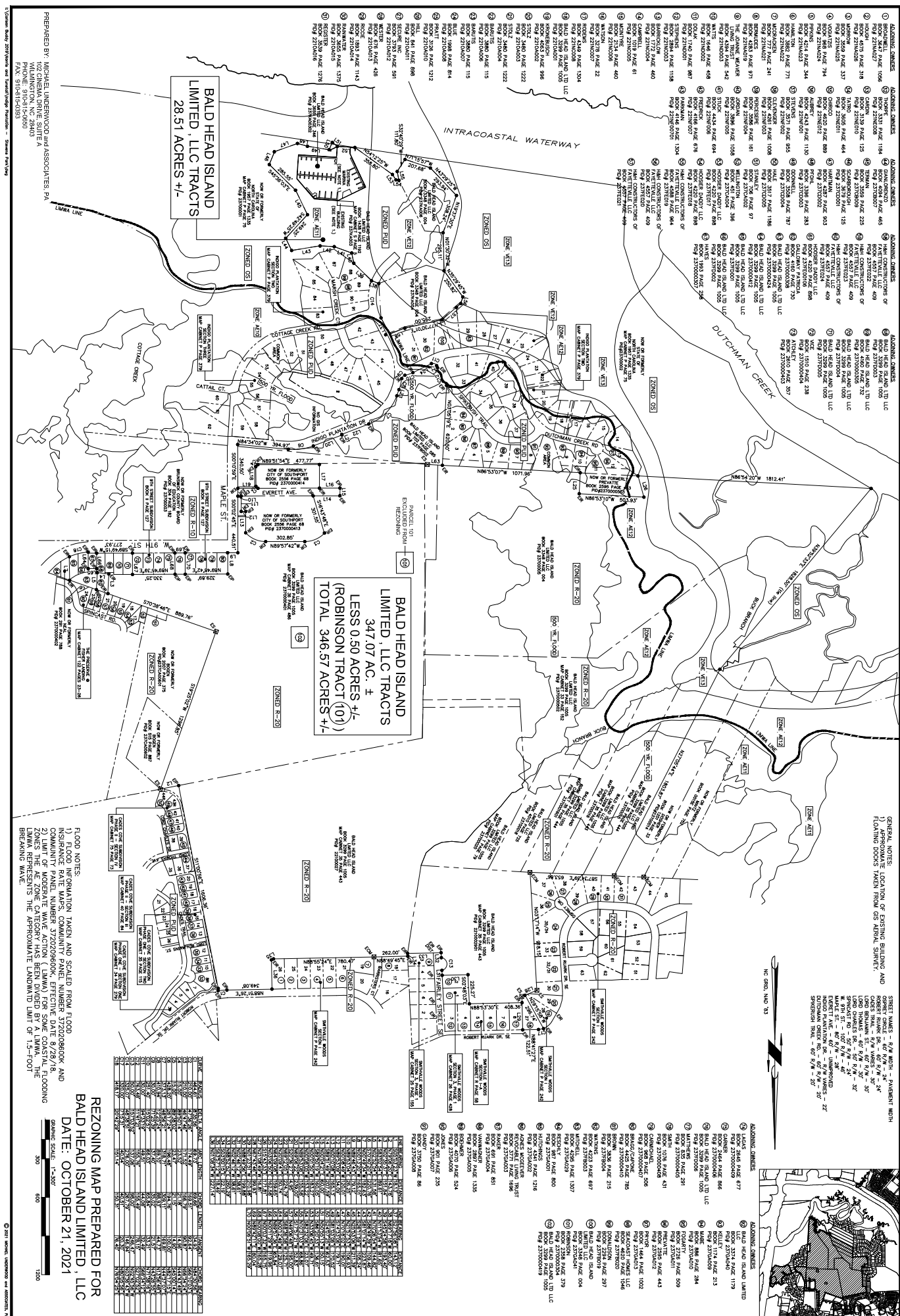
LAND DESIGN  
223 NORTH GRAHAM STREET  
CHARLOTTE, NC 28202  
704.333.0329  
CONTACT NAME: ERIC POHLMANN

#### SURVEYOR

MICHAEL UNDERWOOD & ASSOCIATES, P.A.  
102 ONEIDA DR, SUITE A  
WILMINGTON, NC 28403  
910.815.0650

#### CIVIL ENGINEER

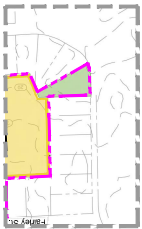
NORRIS & TUNSTALL CONSULTING ENGINEERS, P.C.  
2602 IRON GATE DR, SUITE 102  
WILMINGTON, NC 28412  
910.343.9653











SEE INSET THIS PAGE

### Residential Edge

Along the edges and adjacent to the existing residential fabric, the lowest density residential detached houses will be designed.

### Linear Greens

A series of linear green spaces will run through the residential blocks and cross the wetland to ensure a interconnected network of green spaces, pedestrian, and bicycle through the community.

### Central Park

A key element to ensuring that the development is focused on high-quality open spaces, a Central Park is proposed as a space for recreation, play, and community events. It will include a variety of open spaces, from formal elements, such as playgrounds, open lawn areas, etc.

### Nature Park

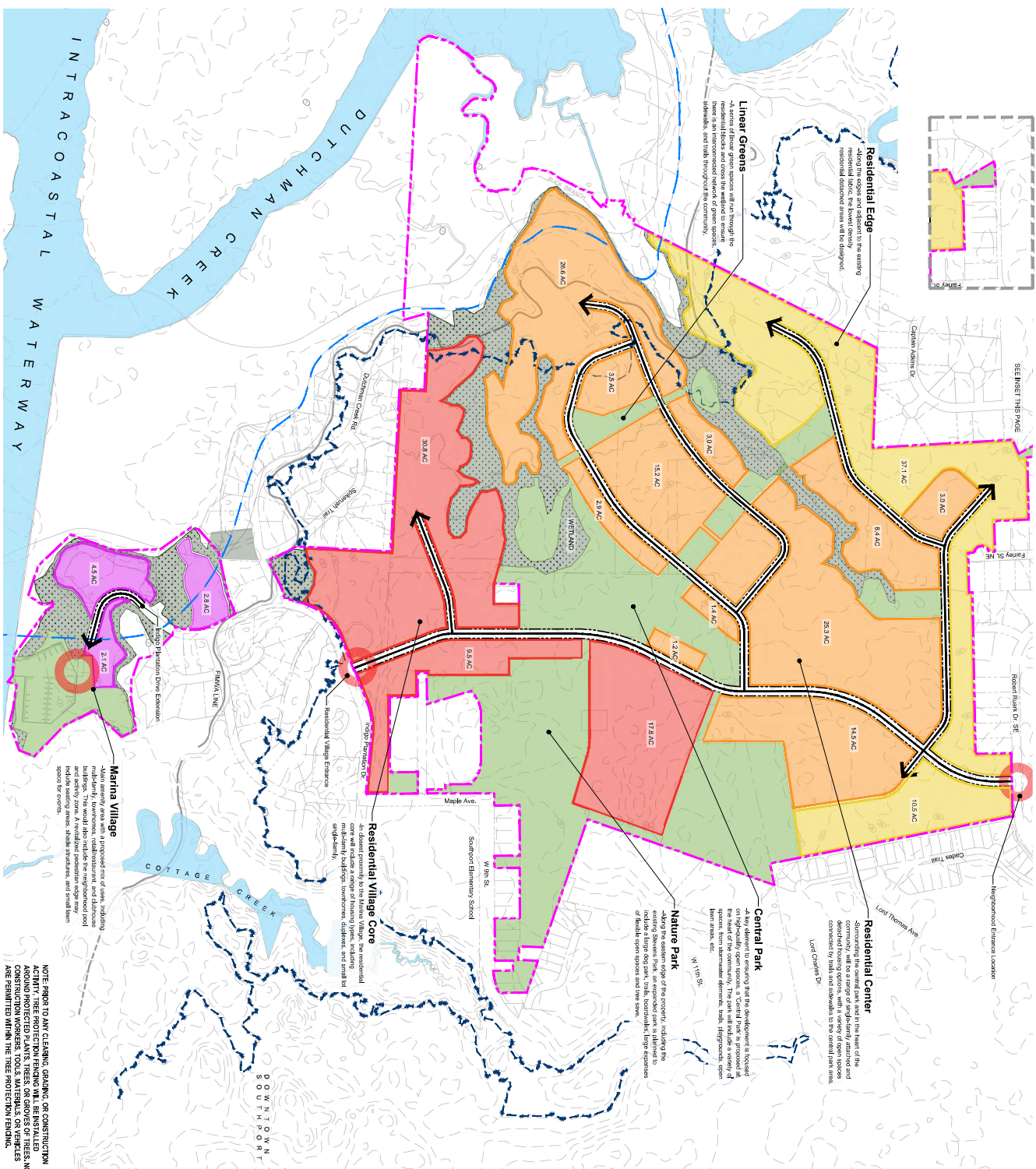
Along the eastern edge of the property, including the wetland, a Nature Park is proposed. This park will include a large dog park, trails, botanicals, large expanses of flexible open spaces and tree lawn.

### Residential Village Core

The closest proximity to the Marina Village, the residential core will include a range of housing types, including townhomes, multi-unit, medium-density, and small lot single-family.

### Marina Village

Marina Village area with a proposed mix of uses, including residential, commercial, and recreational. This area will include a waterfront pedestrian edge, a dog park, and a variety of open spaces for events, public structures, and small lawn spaces for events.



### DEVELOPMENT SUMMARY

PROPOSED DEVELOPMENT SUMMARY

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### LEGEND

AREA A - MARINA

AREA B - RESIDENTIAL CORE

AREA C - RESIDENTIAL CENTER

AREA D - RESIDENTIAL EDGE

OPEN SPACE

EXISTING WETLAND

PROPOSED STREET

100 YEAR FLOODPLAIN

FLOODWAY

PROPERTY LINE

NOTE: 1. LOT SIZES ARE BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHY. 2. THERE ARE NO LOT SIZES FOR THE MARINA VILLAGE AND MARINA VILLAGE WILL BE REGULATED BY DEVELOPER LOCAL. 3. LOT SIZES ARE BASED ON OVERALL DEVELOPMENT EXCLUSIVE OF ALL UTILITIES. 4. TOTAL PROPOSED: 134 ACRES. 5. TOTAL EXISTING: 146 ACRES. 6. TOTAL WETLANDS: 146 ACRES. 7. TOTAL OPEN SPACE: 146 ACRES. 8. TOTAL FLOODPLAIN: 146 ACRES. 9. TOTAL FLOODWAY: 146 ACRES. 10. TOTAL PROPERTY LINE: 146 ACRES.

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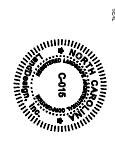
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| REVISION / ISSUANCE | DATE       |
|---------------------|------------|
| 1. DESIGN / ISSUE   | 11.14.2021 |
| 2. DESIGN / ISSUE   | 11.14.2021 |
| 3. DESIGN / ISSUE   | 11.14.2021 |
| 4. DESIGN / ISSUE   | 11.14.2021 |
| 5. DESIGN / ISSUE   | 11.14.2021 |
| 6. DESIGN / ISSUE   | 11.14.2021 |
| 7. DESIGN / ISSUE   | 11.14.2021 |
| 8. DESIGN / ISSUE   | 11.14.2021 |
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| 10. DESIGN / ISSUE  | 11.14.2021 |
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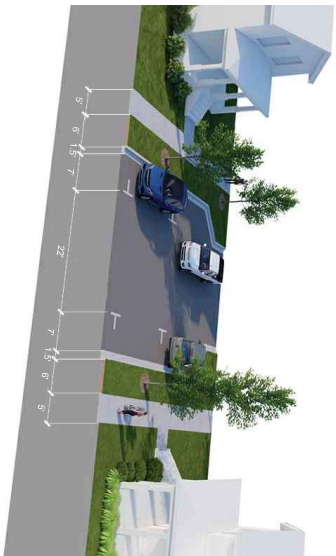
BLDG HEAD ISLAND, LLC  
 SOUTHPORT, NC  
 28461

INDIGO





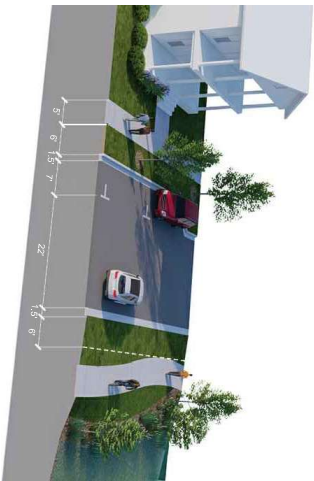




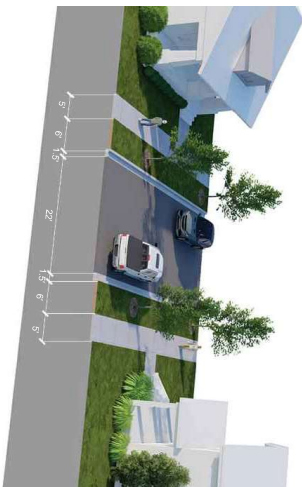
**AVENUE STREET: 61' ROW**  
 - LOCATED ALONG THE MAIN NORTH/SOUTH STREET THROUGH THE COMMUNITY. PEDESTRIAN-ORIENTED WITH ON-STREET PARKING ON BOTH SIDES OF THE STREET.



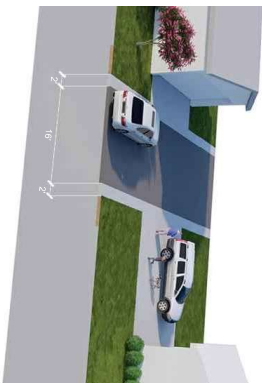
**STREET TYPE A-1: 54' ROW**  
 - LOCATED ADJACENT TO PARK SPACES AND WHERE ALLEY-LOADED LOTS ARE DESIGNED TO PROVIDE VISITOR PARKING.



**STREET TYPE A-2: 49' ROW**  
 - WHERE OPPORTUNITIES EXIST ALONG THE GREAT PARK AND OTHER LOCATIONS WHERE STORMWATER ELEMENTS MAY BE DESIGNED. A RIBBON CURB AND DITCH/SMALL SECTION MAY BE UTILIZED.



**STREET TYPE B: 47' ROW**  
 - THE TYPICAL STREET SECTION IN THE COMMUNITY WHERE FRONT-LOADED LOTS EXIST, WHILE ALSO PROVIDING PEDESTRIAN ORIENTED SIDEWALKS/TREES ON BOTH SIDES OF THE STREET.



**ALLEY, TYP.: 20' ROW**

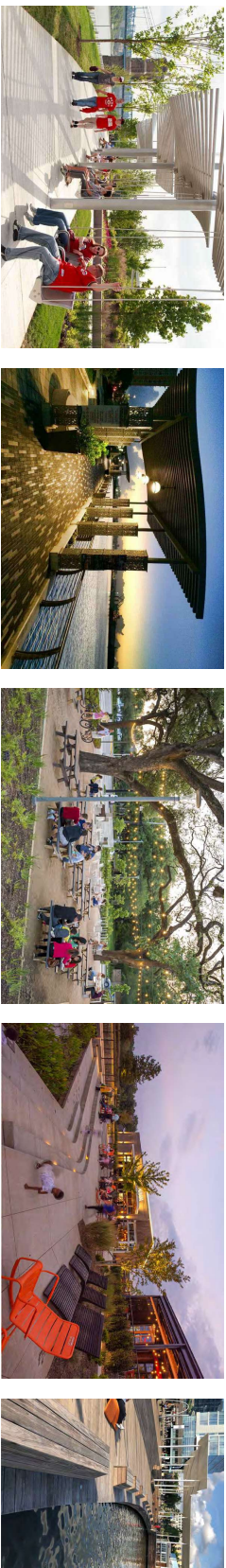




CENTRAL PARKS/POCKET PARKS



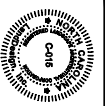
MARINA



NATURE PARK



LINEAR GREENS



INDIGO

BLVD HEAD BRAND, LLC  
SOUTHPORT, NC  
28461

DATE: 10/27/19

REVISION / RESUBMIT

NO. DISCRIPTION DATE

1 REDESIGNED SUBMITTAL 11/15/2021

2 REDESIGNED SUBMITTAL 12/28/2022

3 REDESIGNED SUBMITTAL 12/28/2022

4 REDESIGNED SUBMITTAL 12/28/2022

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RZ-7









# **Southport Mixed-Use Development**

## **Traffic Impact Analysis**

Southport, North Carolina

*Prepared for*

**East West Partners**

*Prepared by*

**Kimley»Horn**

February 2022  
© Kimley-Horn and Associates, Inc.

# Southport Mixed-Use Development

## Traffic Impact Analysis

Southport, NC

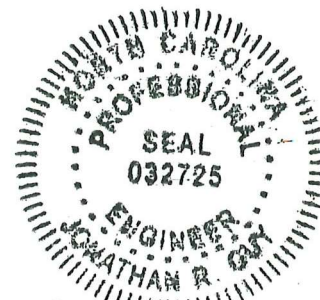
*Prepared for*

East West Partners

*Prepared by*

**Kimley»Horn**

NC #F-0102



*Jonathan R. Guy*  
7 FEBRUARY 2022

February 2022  
© Kimley-Horn and Associates, Inc.  
115 Fairchild Street, Suite 250  
Charleston, South Carolina, 29492



## 1 Executive Summary

The proposed Southport Mixed-Use Development is located in Southport, NC west of the Southport city limits within a currently vacant parcel bounded by Robert Ruark Drive (to the north), W 11<sup>th</sup> Street/W 9<sup>th</sup> Street (to the east), Indigo Plantation Drive (to the south), and the Dutchman Creek floodplain (to the west). Based on the current site plan, the proposed development is anticipated to consist of the following land uses:

- Residential Land Uses
  - 330 single-family detached homes
  - 340 single-family attached townhomes
  - 480 recreational homes
  - 120 senior adult detached housing units
  - 200 senior adult attached housing units
- Office Land Uses
  - 80,000 square feet of medical-dental office space
- Retail Land Uses
  - 8,000 square feet of retail shopping center space

The full build of the proposed development is anticipated to be complete in 2032 with access to be provided as follows:

- Connection to existing Robert Ruark Drive approximately 800 feet west of Forest Oak Drive/Cades Trail
- Connection to existing W 9<sup>th</sup> Street in front of Southport Elementary School

The North Carolina Department of Transportation (NCDOT) has a project identified (STIP Project R-5021) which will widen NC 211 (N. Howe Street) from NC 87 (River Drive) to NC 906. In coordination with NCDOT, it was determined that the future year analysis from this TIP project (2040) would be analyzed as part of the Southport Mixed-Use Development analysis. This traffic impact analysis (TIA) evaluates traffic operations under 2021 Existing, 2032 No-Build, 2032 Build, 2040 No-Build, and 2040 Build traffic conditions during the AM and PM peak hours at the following intersections:

1. NC 211 (N. Howe Street) at NC 87 (River Road)/Robert Ruark Drive
2. NC 211 (N. Howe Street) at 11<sup>th</sup> Street
3. NC 211 (N. Howe Street) at Fodale Avenue
4. NC 211 (N. Howe Street) at 9<sup>th</sup> Street
5. NC 211 (N. Howe Street) at West Street
6. NC 211 (N. Howe Street) at Moore Street

7. NC 211 (N. Howe Street) at 12<sup>th</sup> Street/Stuart Avenue
8. NC 211 (S. Howe Street) at Bay Street
9. Robert Ruark Drive at Proposed Site Access #1

The NCDOT TIA scoping document associated with this project was originally approved by NCDOT on July 21, 2021. This NCDOT TIA scoping document is included in **Appendix A** for reference. The Town of Southport requested the addition of the Bay Street intersection in January of 2022. This report has been amended to include this intersection at this request.

Kimley-Horn was retained to determine the potential traffic impacts of this development and identify transportation improvements that may be required to accommodate these impacts in accordance with the guidelines set forth in the North Carolina Department of Transportation (NCDOT) *Congestion Management Capacity Analysis Guidelines* and NCDOT *Policy on Street and Driveway Access to North Carolina Highways*. This report presents trip generation, trip distribution, capacity analyses, and recommendations for transportation improvements required to mitigate anticipated traffic demands produced by the subject development.

Based on the results of the analyses described within this report, the following improvements are recommended to accommodate site traffic associated with the proposed development:

#### **NC 211 (N. Howe Street) at NC 87 (River Road)/Robert Ruark Drive**

- Construct one (1) additional eastbound left-turn lane to form dual left-turn lanes with approximately 350 feet of full-width storage and an appropriate taper length.
- Construct one (1) eastbound right turn lane with approximately 350 feet of full-width storage and an appropriate taper length.
- Modify signal timing and phasing to accommodate the proposed improvements and changes in traffic volumes on each approach.

#### **NC 211 (N. Howe Street) at 9<sup>th</sup> Street**

- Construct a southbound right-turn lane with a minimum of 300 feet of full-width storage and an appropriate taper length, as utility and right-of-way constraints allow.
- Optimize signal timing in the context of the proposed improvements and increases in traffic volumes on each approach.

The following additional improvements have been identified based on No-Build traffic volumes (i.e., without the proposed Southport Mixed-Use Development) and are not the responsibility of the developer:

#### **NC 211 (N. Howe Street) at 12<sup>th</sup> Street**

- Install a fully actuated traffic signal to operate with existing geometry and permitted phasing on all approaches.
- Install a westbound right turn lane with 175 feet of storage and appropriate taper

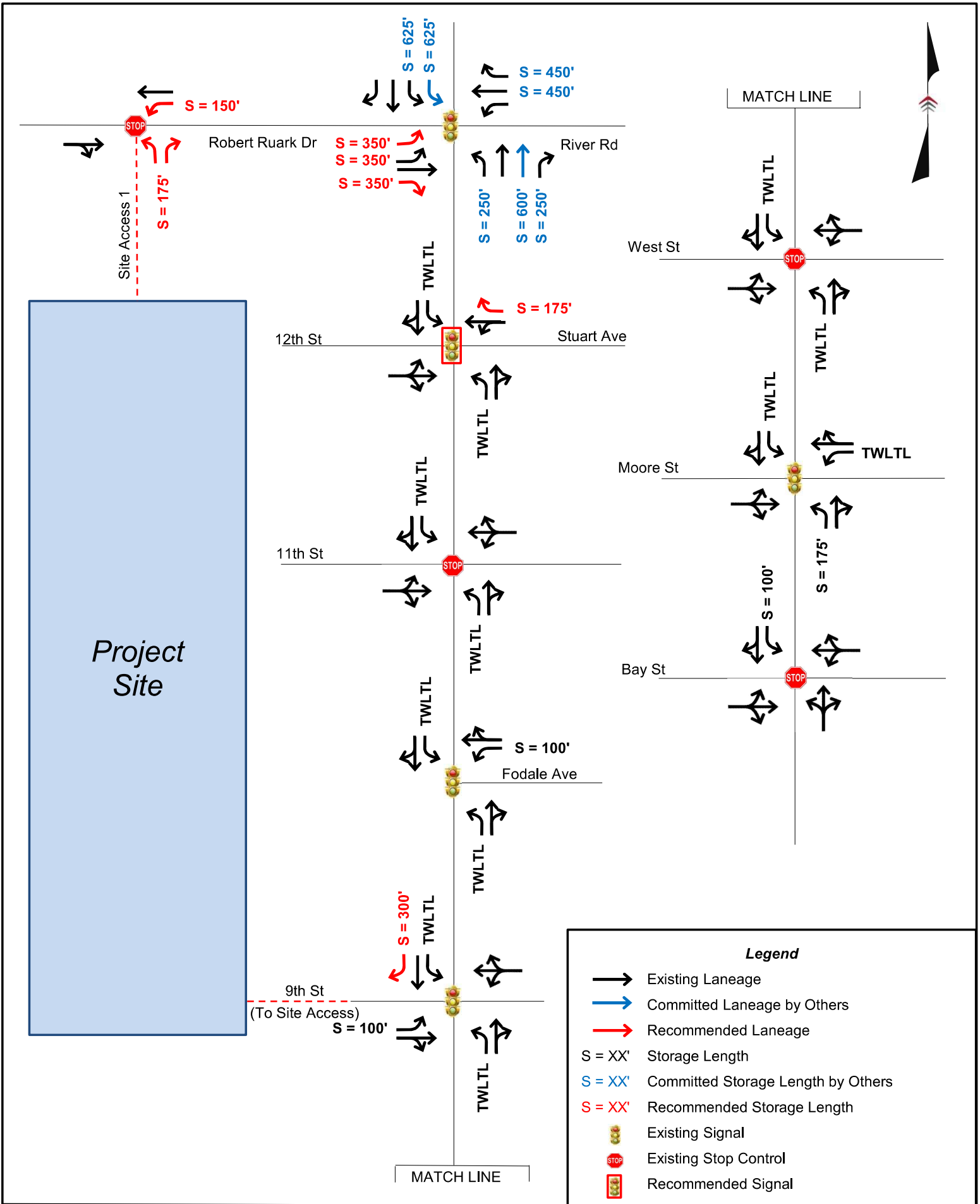
**Robert Ruark Drive at Site Access #1**

- Construct a westbound left-turn lane with a minimum of 150 feet of full-width storage and an appropriate taper length.
- Construct the site access point to include one ingress lane and two egress lanes:
  - One northbound left-turn lane
  - One northbound right-turn lane with a minimum of 175 feet of full-width storage and an appropriate taper length

Based on forecasted traffic volumes developed through coordination with NCDOT, additional improvements may be warranted at the intersections of NC 211 (N. Howe Street) with 11<sup>th</sup> Street and Fodale Avenue. The need for these improvements was identified through the analyses described herein, but the design and construction of these improvements are not the responsibility of the developer.

**Figure ES-1** shows the recommended roadway geometry and traffic control at the study area intersections as described above.







STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

March 03, 2022

**Jonathan Guy, PE**

Kimley Horn

RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed  
**Project Indigo** in Southport, NC.

The NCDOT and Brunswick County staffs have reviewed the Project Indigo TIA dated February 8, 2022. This development consists of:

- 330 dwelling units: Single-Family Detached Homes (LUC 210)
- 340 dwelling units: Single-Family Attached homes (LUC 220)
- 480 dwelling units: Recreational Homes (LUC 260)
- 120 dwelling units: Senior Adult Housing – Detached Homes (LUC 251)
- 200 dwelling units: Senior Adult Housing – Attached Homes (LUC 252)
- 80,000 square feet: Medical-Dental Office (LUC 720)
- 8,000 square feet: Retail (LUC 820)
- Build Year: 2032

Based on review of the analysis provided in the TIA report, the following improvements are required by the developer:

**NC 211 (N. Howe Street) at NC 87 (River Road)/SR 1852 (Robert Ruark Drive)**  
(Signalized 4-legged Intersection)

- Construct an additional eastbound left-turn lane on Robert Ruark Drive to provide dual left turn lanes with 350 feet of storage, 50 feet of full-width deceleration and 100 feet of taper\*
- Construct a separate eastbound right turn lane on Robert Ruark Drive with 350 feet of storage, 50 feet of full width deceleration and 100 feet of taper\*
- Modify signal timing and phasing

\*It is understood that right of way constraints will likely render the proposed roadway mitigations un-constructible. Alternate and/or additional access connections are recommended to reduce impacts at this intersection.

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
DISTRICT 3 ENGINEER'S OFFICE  
300 DIVISION DRIVE  
WILMINGTON, NC 28401-8883

*Telephone:* 910-398-9100  
*Customer Service:* 1-877-368-4968

*Website:* [ncdot.gov](http://ncdot.gov)

*Location:*  
300 DIVISION DRIVE  
WILMINGTON, NC 28401

**NC 211 (N. Howe Street) at 11th Street** (Stop controlled 4-legged Intersection)

- No improvements are required.

**NC 211 (N. Howe Street) at Fodale Avenue** (Unsignalized T-Intersection)

- No improvements are required.

**NC 211 (N. Howe Street) at SR 1209 (9th Street)** (Signalized 4-legged Intersection)

- Construct an exclusive southbound right turn lane on NC 211 with 300 feet of storage, 50 feet of full width deceleration and 100 feet of taper
- Extend the existing eastbound left turn lane on 9<sup>th</sup> Street up to the intersection of Lord Street
- Optimize the signal timings

**NC 211 (N. Howe Street) at SR 1194 (West Street)** (Unsignalized 4-legged Intersection)

- No improvements are required.

**NC 211 (N. Howe Street) at Moore Street** (Signalized 4-legged Intersection)

- No improvements are required.

**NC 211 (N. Howe Street) at 12th Street/Stuart Avenue** (Unsignalized 4-legged Intersection)

- Install a traffic signal and the necessary communication equipment for the bordering signals on NC 211 including NC 87/Robert Ruark Drive, Fodale Avenue, and 9th Street

**NC 211 (N. Howe Street) at Bay Street** (Unsignalized T-Intersection)

- No improvements are required.

**SR 1852 (Robert Ruark Drive) at Site Access 1** (Proposed unsignalized T-intersection)

- Construct the site access with one ingress and two egress lane.
- Provide stop control for the northbound approach.
- Provide a 175-foot internal protected stem for the northbound approach.
- Provide an exclusive westbound left turn lane on SR 1852 (Robert Ruark Drive) with 150 feet of storage, 50 feet of full width deceleration and 100 feet of taper

If changes are made to the proposed site driveways, land uses, land use intensity, or other study parameters, or if the build year studied in the report has passed, a revised Traffic Impact Analysis will be required for review by NCDOT. Any such changes will null and void this TIA approval.

The applicant is required to obtain all applicable Brunswick County and NCDOT permits for access to the road network. A copy of this TIA approval shall be included with any NCDOT driveway permit application. All applicable NCDOT and Brunswick County technical standards and policies shall apply.

Please contact me at 910-398-9100 with any questions regarding this approval.

Sincerely,



Benjamin T. Hughes, PE  
District Engineer  
Division 3, District 3

cc: Jon Roan, Deputy District Engineer, NCDOT  
Aaron LeBeau, Assistant District Engineer, NCDOT  
Jessi Leonard, PE, Division Traffic Engineer, NCDOT  
Stonewall Mathis, PE, Deputy Division Traffic Engineer, NCDOT  
Krupa Koilada, Senior Assistant Traffic Engineer, NCDOT  
Marc Pages, Brunswick County Planning  
Helen Bunch, Brunswick County Zoning Administrator  
Thomas Llyod, Development Services Director, City of Southport







## PLANNING BOARD

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### MEMORANDUM

**To:** Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** **Zoning Map Amendment:** BD to HC, Corner of Howe and 14th Street (2.07 Acres of Parcel IDs 221MA028, 221MA02801, 221MA02803, 221MA02804, and 221MA02701), submitted by Rhettsen Companies, Inc. on behalf of Lisa B. Fitchett Trust  
**(RZ-22-0307-01)**  
**Date:** May 13, 2022

---

### BACKGROUND

The attached zoning map amendment application is for a 2.07 acre tract currently in the Extraterritorial Jurisdiction (ETJ.) The property is located on the corner of W. 14<sup>th</sup> and N. Howe St. It is currently zoned Business District (BD) and the applicant would like to rezone it to Highway Commercial (HC).

The Planning Board and Board of Aldermen may consider the following when deciding on a zoning map amendment: **all uses allowed in that zoning district**, impacts on neighbors, economic impact, tax base increase, **spot zoning**, road capacity, whether there is adequate infrastructure, community opinion, property values, **consistency with the CAMA Land Use Plan, the future land use map**, the land suitability map, jobs, public services, buffering requirements, the environmental impacts, site limitations, and consistency with other plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. rental housing, or who the owner is when deciding.

### ZONING MAP AMENDMENT (REZONING)

The proposed zoning map amendment would remove BD zoning and replace it with HC zoning on the zoning map. Figure 1 shows the current zoning map in this area and Figure 2 shows the Future Land Use map. The surrounding area consists of BD and MF.

An aerial photograph overlaid with a cadastral map. The map shows several large land parcels outlined in orange. One parcel, labeled 221MA028, is highlighted with a thick yellow border. Other parcels are labeled with codes such as 221MA031, 221MA030, 221MA009, 221MA007H, 221MA027, 221MA026, 221MB015, 221MB016, 221MB017, 221MB018, 221MB019, 221MB020, 221MA001, 221MA002, 221MA003, 221MA004, 221MA005, 221MA006, 221MA007, 221MA008, 221MA009, 221MA010, 221MA011, 221MA012, 221MA013, 221MA014, 221MA015, 221MA016, 221MA017, 221MA018, 221MA019, 221MA020, 221MA021, 221MA022, 221MA023, 221MA024, 221MA025, 221MA026, 221MA027, 221MA028, 221MA029, 221MA030, 221MA031, 221MA032, 221MA033, 221MA034, 221MA035, 221MA036, 221MA037, 221MA038, 221MA039, 221MA040, 221MA041, 221MA042, 221MA043, 221MA044, 221MA045, 221MA046, 221MA047, 221MA048, 221MA049, 221MA050, 221MA051, 221MA052, 221MA053, 221MA054, 221MA055, 221MA056, 221MA057, 221MA058, 221MA059, 221MA060, 221MA061, 221MA062, 221MA063, 221MA064, 221MA065, 221MA066, 221MA067, 221MA068, 221MA069, 221MA070, 221MA071, 221MA072, 221MA073, 221MA074, 221MA075, 221MA076, 221MA077, 221MA078, 221MA079, 221MA080, 221MA081, 221MA082, 221MA083, 221MA084, 221MA085, 221MA086, 221MA087, 221MA088, 221MA089, 221MA090, 221MA091, 221MA092, 221MA093, 221MA094, 221MA095, 221MA096, 221MA097, 221MA098, 221MA099, 221MA100. Some parcels have smaller numbers or letters next to them, possibly indicating specific lots or subdivisions. The map also shows roads and other geographical features. A blue line runs diagonally across the center of the map, possibly representing a river or a major road. The overall color scheme is dominated by shades of brown and tan, typical of an aerial photograph.

The Future Land Use Map shows the property as light commercial. According to the CAMA Land Use Plan, light commercial is generally associated with lower intensity commercial uses such as offices, boutiques, and places of worship. There are a variety of uses that are allowed in HC but not BD that are higher intensity uses. Staff recommends that a review committee be appointed to go over this rezoning and review these potential uses as well as its consistency with the surrounding area.

## **REVIEW COMMITTEE REPORT**

A review committee of Fred Fiss and Will Hewett met on May 5<sup>th</sup> at 10 am. Also present were representatives of the applicant Amy Schaefer, Brent Purdum, and staff. Staff gave a summary of the proposed rezoning. Mr. Fiss asked staff to explain what permitted uses would be allowed in Highway Commercial. Staff went through the permitted uses that were allowed in HC but not in BD. As an example, these included self-storage units, boat storage, and major retail (retail over 5,000 sf). The full uses can be seen in the table of permitted uses. Mr. Fiss was concerned about uses that were found in Highway Commercial but not Business District there in the Gateway of town. He felt that we should be cautious because it is the entry corridor into town. The committee was also concerned about how there are no design standards that are required by highway commercial-like there are for the business district. There were also questions about landscape and buffering. Staff explained that a 10-foot street yard buffer would be required where adjacent to the public ROW. A 10-foot buffer yard would also be required where adjacent to residential. It was the consensus of the review committee that they wanted to entertain additional feedback from the full Planning Board for this application. The developer indicated that they would bring additional information on what the required buffers might look like if it were rezoned. The applicant is also interested in potentially changing their application to a conditional rezoning if that would make the City more comfortable. The City could then put additional design conditions on the rezoning if that process were used.

## **PROCESS**

To rezone the portion of the property to HC, a zoning map amendment must be approved. A consistency statement will also be required for the zoning map amendment, which may include a motion for a recommendation of approval or denial. Following a recommendation from the Planning Board, the zoning map amendment will be sent to the Board of Aldermen for their consideration. A duly advertised public hearing will be held and the rezoning will require mailing a notice of the hearing to each property owner to be rezoned and abutting property owner. The Planning Board may appoint a review committee to review this zoning map amendment if they deem it necessary.



## **Southport CAMA Land Use Plan Rezoning Talking Points**

- All uses allowed in a zoning district. Rezoning requests cannot be based on consideration of only one use or a partial list of uses allowed within a zoning district. That would be contract zoning. Contract zoning is against the law.
- The potential for spot zoning. Rezoning requests will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning where the sole purpose is to serve private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan.
- The likelihood of a zoning decision resulting in a strip development. Strip developments should be discouraged. These types of developments are typically commercial, extending along both sides of a major street. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.
- Zoning regulations should be made in accordance with the Southport Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its particular suitability for uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Southport's planning jurisdiction.
- Does Southport need more land in the zoning class requested?
- Is there property in the City that might be more appropriate for this zoning?
- Is the request in accordance with the CAMA Land Use Plan?
- Will the request have a serious impact on traffic circulation, parking space, sewer, water, or other utilities?
- Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
- Will the request cause serious noise, odors, light, activity, or unusual disturbance?
- Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?
- Does the request adversely impact any CAMA AEC's or other environmentally sensitive areas including water quality?

PAID  
MAR 10 2022



# Zoning Map Amendment

City of Southport, North Carolina

BY: .....

1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

## For Staff Use Only

PERMIT No. RZ 22-0307-01 FEE: \$ 500.00 Date Received: 3/7/22

Applicant's Name: Rhetson Companies, Inc.  
Mailing Address: 2075 Juniper Lake Road City: West End  
State: NC Zip Code: 27376 Phone: 910-944-0881  
Email: chris@rhetson.com

Property Owner's Name: Lisa B. Fitchett, Trustee  
Address of Owner: 603 West Divine Street City: Dunn  
State: NC Zip Code: 28334 Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Project Name: General Retail  
Project Address and/or Description of Location: N. Howe Street  
6 parcels surrounded by N. Lord Street, W. 14th Street and Hwy 211.  
Parcel IDs: 221MA028, 221MA02801, 221MA02802, 221MA02803, 221MA02804, 221MA02701  
Parcel ID #: \_\_\_\_\_ Number of Lots: 6 Site Acreage: 2.07+-  
Current Zoning District: BD Proposed Zoning District: HC

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with the CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 2.7.D of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income of future residents, owner vs. renter housing, or who the owner is when deciding.

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

- A. Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerline;
- B. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines, shall be construed as following such lines, limits, or boundaries;
- C. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such shorelines;
- D. Where a district boundary divides a lot each part of the lot or tract so divided shall be used in conformity with the regulations established by this ordinance for the district in which said part is located, nor shall a change in lot line be construed to have modified a zoning district boundary;
- E. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- F. Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.

Future Land Use Map Designation: Yes

Is the proposed zoning consistent with the Land Use Plan? (Check One and Describe Below):



Yes



No

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Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

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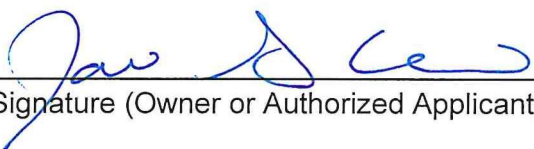
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In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

2/15/2022  
\_\_\_\_\_  
Date

**APPROVED BY:**

\_\_\_\_\_  
UDO Administrator

\_\_\_\_\_  
Date



February 7, 2022

To Whom It May Concern:

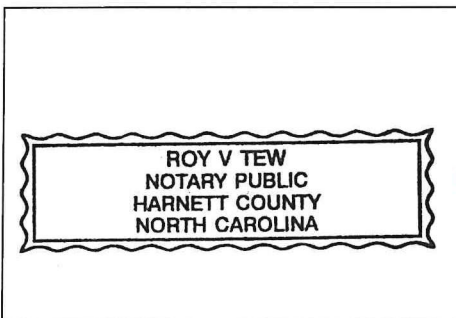
Rhetson Companies, Inc. is authorized to submit a Zoning Map Amendment for a proposed Retail Development on the property owned by The Lisa B. Fitchett Revocable Trust. The specific property is found at the corner of N. Howe Street, W. 114<sup>th</sup> Street, and N. Lord Street in the City of Southport, in Brunswick County. The property consists of 6 parcels with Parcel I.D. # 221MA028, 221MA02801, 221MA02802, 22MA02803, 221MA02804, and 2221MA02701 as described in the Brunswick County records.

Yours Truly,

*Lisa Fitchett*

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I, Roy V Tew, a Notary Public for the State of NC, County of HARNETT, do hereby certify that LISA Fitchett personally appeared before me this 7 day of February, 2022, and acknowledge the due execution of this authorization to submit a land disturbance permit application. Witness my hand and official seal,



SEAL

My commission expires 07/20/2025

## Title Commitment Notes

**Zoning Map Amendment – City of Southport  
Attachment for Rhetson Companies, Inc.**

**Is the proposed zoning consistent with the Land Use Plan?**

Rhetson Companies, Inc. submitted a Zoning Map Amendment application for properties in Southport's ETJ located between S Howe Street, N Lord Street, W 14<sup>th</sup> Street, and W 13<sup>th</sup> Street, totaling approximately 2.07 acres, from Business District (BD) to Highway Commercial (HC).

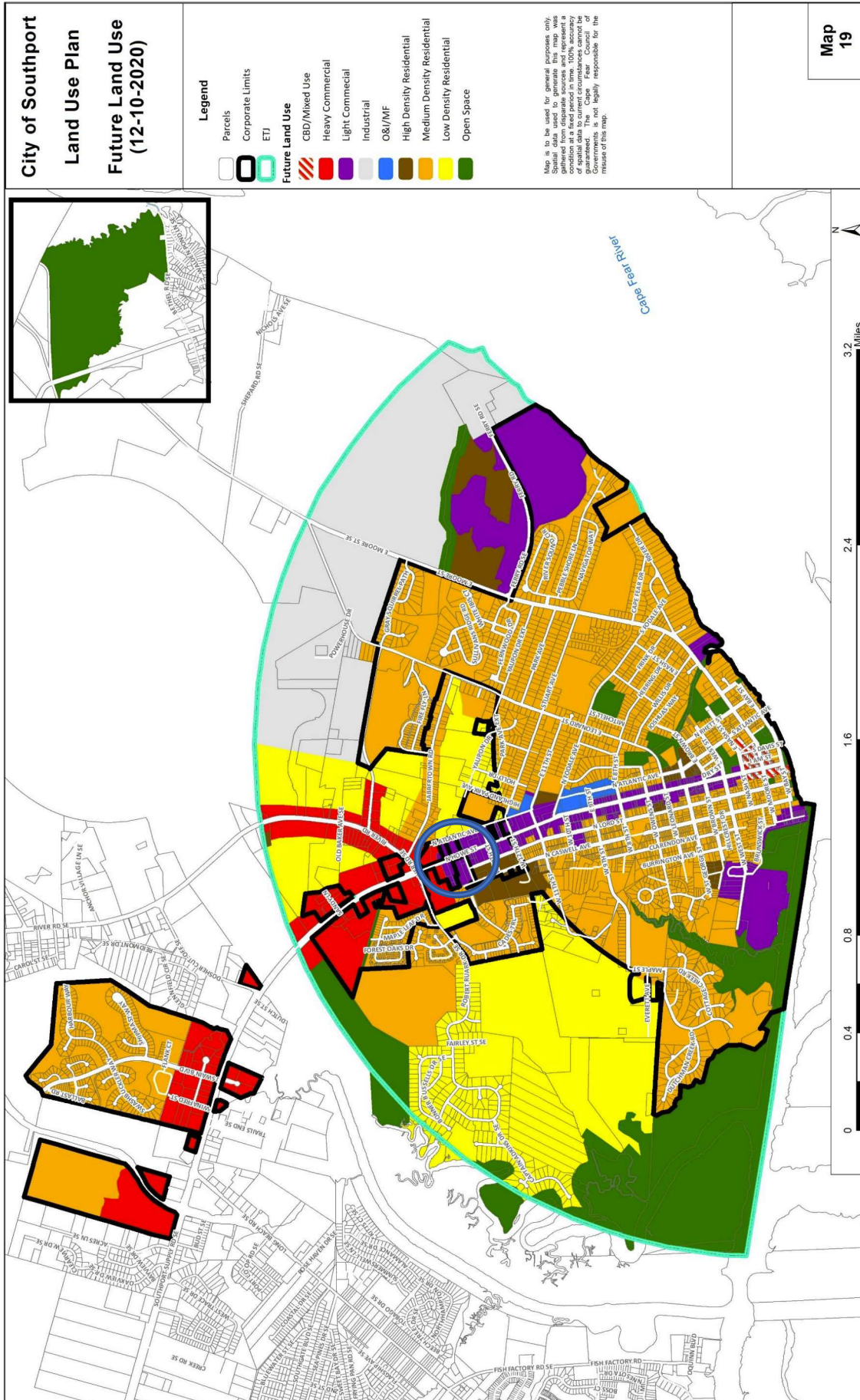
This zoning map amendment request is consistent with the CAMA Core Land Use Plan ("Land Use Plan") and any applicable officially adopted plans. These properties are identified as Light Commercial in the Land Use Plan. Light Commercial is generally associated with lower intensity commercial uses such as offices, boutiques, and places of worship. As evidenced on the attached zoning map, the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned.

**Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans.**

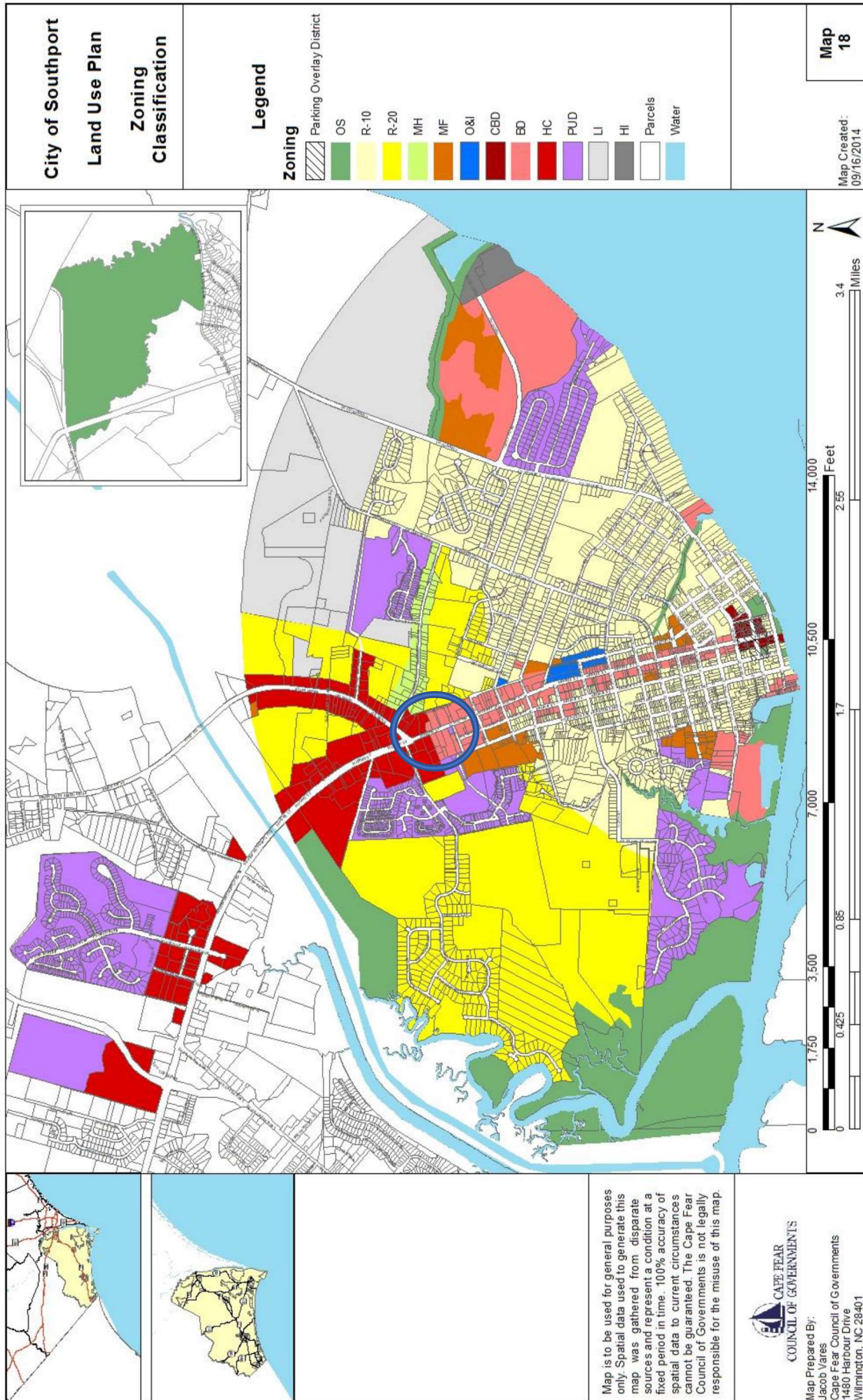
This area was previously identified on land use maps as office/institutional. However, the 2020 modifications to the CAMA Core Land Use Plan identified Howe Street specifically as appropriate for a variety of commercial uses. The proposed amendment is in the interest and will benefit the general public by increasing access to good and services to the community as well as creating potential employment opportunities. The properties are located on a Howe Street, a major corridor identified in the Plan as the proper location for future commercial development.

The Howe Street location provides sufficient infrastructure and utilities to support commercial development. In addition, multiple policies support rezoning the properties from BD to HC, specifically **Policy 2.11:** Southport supports development that blends a mix of uses at a reasonable scale offering convenient retail facilities to nearby residents in an effort to reduce traffic flow on main thoroughfares; and **Policy 2.12:** Southport supports commercial development along the Howe Street Corridor and other areas consistent with the City's future land use map.

This zoning map amendment request is consistent with the CAMA Core Land Use Plan and any applicable officially adopted plans. These properties are identified as Light Commercial in the Land Use Plan. Light Commercial is generally associated with lower intensity commercial uses such as offices, boutiques, and places of worship all of which are also consistent with uses permitted in the Highway Business District.









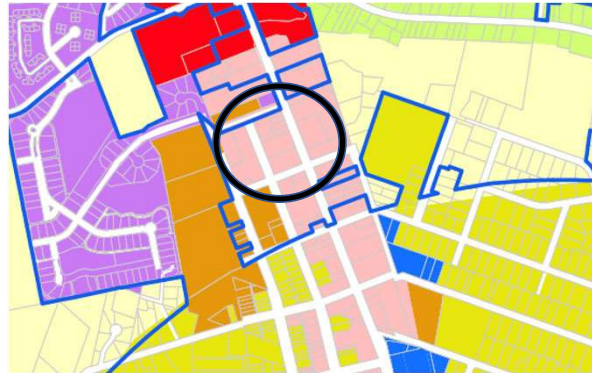




## Current Zoning

Current Zoning: (BD)  
Business District

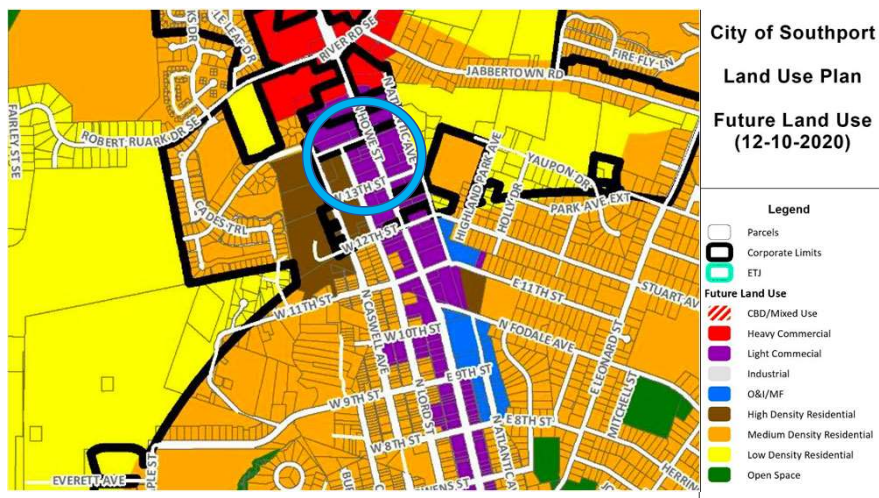
Proposed Zoning: (HC)  
Highway Commercial



LEE KAESS  
PLLC

3

## CAMA Core Land Use Plan

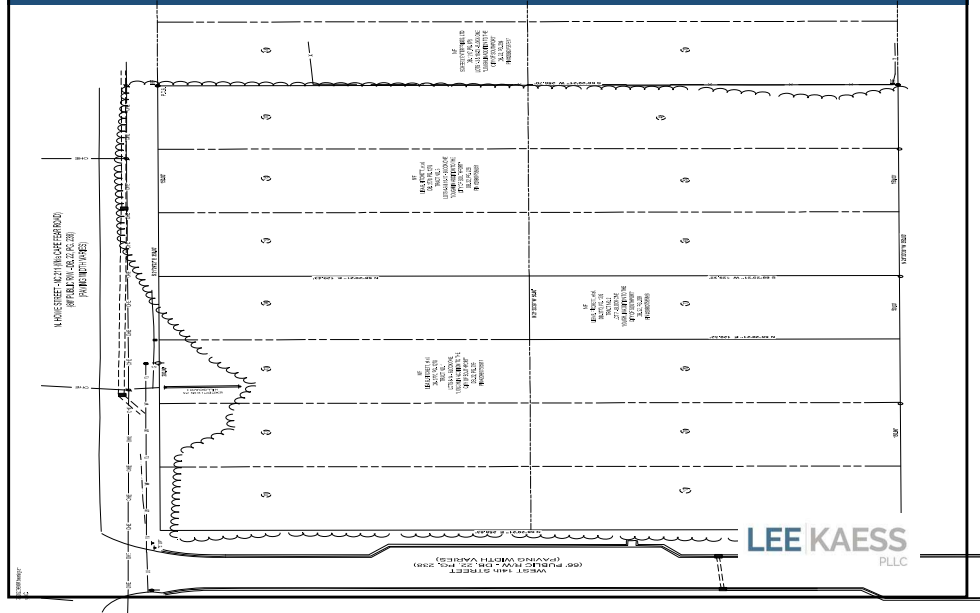


LEE KAESS  
PLLC

4



## Property



5

## CAMA Core Land Use Plan

- Noted as an Area of Significant Growth
- Existing infrastructure makes growth feasible
- Increases access to goods and services
- Increases potential employment
- New zone guidelines align with existing area businesses

LEE KAESS  
PLLC

6

## Conclusion

- Rezoning from BD to HC would not adversely impact existing businesses
- Increase opportunities for new services and employment
- Existing infrastructure in place to allow for growth
- Increase variety of commercial uses along Howe Street, an identified growth corridor for Southport

LEE KAESS  
PLLC

7

## Questions?



LEE KAESS  
PLLC

8



## PLANNING BOARD

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### MEMORANDUM

**To:** Chair Hodgins, Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** **Zoning Map Amendment:** BD/MF to R-10, 27 lots in between W. 14<sup>th</sup> and W. 12<sup>th</sup> St (3.80 acres total, Parcel ID # 221MA00110), submitted by Kate Ienna on behalf of James M. Harper Heirs (**RZ 22-0310-01**)  
**Date:** May 12, 2022

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### BACKGROUND

The attached zoning map amendment application is for a 3.80-acre tract currently in the Extraterritorial Jurisdiction (ETJ.) The property is located on Caswell between W14<sup>th</sup> and W 12<sup>th</sup> Street. It is currently split zoned BD/MF and the applicant would like to rezone it to R-10. The property consists of 27 existing lots in Blocks 6 and 7 of the historic Southport Heights Subdivision, originally platted in 1910. The lots in this subdivision are 50 ft by 123 ft. R-10 would allow these lots to be developed using the nonconforming R-10 lot provisions in the ordinance. The applicant's narrative is attached to this application on why they feel like the rezoning is consistent with the CAMA Land Use Plan.

The Planning Board and Board of Aldermen may consider the following when deciding on a zoning map amendment: all uses allowed in that zoning district, impacts on neighbors, economic impact, tax base increase, spot zoning, road capacity, whether there is adequate infrastructure, community opinion, property values, consistency with the CAMA Land Use Plan, the future land use map, the land suitability map, jobs, public services, buffering requirements, the environmental impacts, site limitations, and consistency with other plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. rental housing, or who the owner is when deciding.

### ZONING MAP AMENDMENT (REZONING)

The proposed zoning map amendment would remove BD/MF zoning and replace it with R-10 zoning on the zoning map. This would be a less intensive use and would match rezonings that we have already done in this area in the past year.

**Figure 1: Existing Zoning Map**



The surrounding area consists of MF to the North and West, and R=10 to the South with BD to the East.

**Figure 2: CAMA Future Land Use Map**



The Future Land Use Map shows the property as High Density Residential. High Density Residential is defined as a variety of single and multi-family residential uses. The allowable density is 11 units per acre. The North shows Light Commercial, the East shows High Density Residential with Medium Density residential below 12<sup>th</sup> St.



## **REVIEW COMMITTEE REPORT**

The review committee met on May 5<sup>th</sup> at 10 am. Present were Fred Fiss and Will Hewett. Also present were staff and the applicants Kate Ienna and Ron Drake. Staff gave a summary of the zoning map amendment application. Staff explained that this tract consisted of a split zoned area that was both Mf and BD. The tract consists of 27 individual lots from a historic subdivision. The applicants explained that they felt that R-10 would have less impact on the community than MF and BD. They had looked into developing it to MF but thought that R-10 would be less intensive. The applicant indicated that they were interested in 1500-1800 sf cottages on these properties rather than townhomes and apartment buildings. They also indicated that rezoning the lots would allow them to use the lots how they were originally designed. Staff pointed out that this property had been identified earlier to be rezoned to R-10 but that at the time the property owner was not interested. It would also match existing zoning along the N. Caswell corridor. There were questions about sewer in that area. Staff indicated that there is a force main on N Caswell although an engineer would need to get with the City and design an adequate pump station to pump into it for those lots. It was the consensus of the committee that the rezoning would be a less intensive use and that they would recommend that the full Planning Board approve it.

## **PROCESS**

To rezone the portion of the property to R-10, a zoning map amendment must be approved. A consistency statement will also be required for the zoning map amendment, which may include a motion for a recommendation of approval or denial. Following a recommendation from the Planning Board, the zoning map amendment will be sent to the Board of Aldermen for their consideration. A duly advertised public hearing will be held and the rezoning will require mailing a notice of the hearing to each property owner to be rezoned and abutting property owner. The Planning Board may appoint a review committee to review this zoning map amendment if they deem it necessary.

## **ACTION ITEM: ADOPTION OF CONSISTENCY STATEMENT & RECOMMENDATION**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are better for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT: RZ-22-0310-01**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are better for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.

The statement and motion was seconded and passed \_\_\_\_\_.

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Tanya Shannon, Deputy City Clerk

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Sue Hodgins, Chair

## **Southport CAMA Land Use Plan Rezoning Talking Points**

- All uses allowed in a zoning district. Rezoning cannot be based on consideration of only one use or a partial list of uses allowed within a zoning district. That would be contract zoning. Contract zoning is against the law.
- The potential for spot zoning. Rezoning requests will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning where the sole purpose is to serve private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan.
- The likelihood of a zoning decision resulting in a strip development. Strip developments should be discouraged. These types of developments are typically commercial, extending along both sides of a major street. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.
- Zoning regulations should be made in accordance with the Southport Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its particular suitability for uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Southport's planning jurisdiction.
- Does Southport need more land in the zoning class requested?
- Is there property in the City that might be more appropriate for this zoning?
- Is the request in accordance with the CAMA Land Use Plan?
- Will the request have a serious impact on traffic circulation, parking space, sewer, water, or other utilities?
- Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
- Will the request cause serious noise, odors, light, activity, or unusual disturbance?
- Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?
- Does the request adversely impact any CAMA AEC's or other environmentally sensitive areas including water quality?

**PAID**  
MAR 10 2022



# Zoning Map Amendment

City of Southport, North Carolina

BY: .....

1029 N. Howe St, Southport NC 28461  
[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections  
Phone 910-457-7961 Fax 910-457-7957

**For Staff Use Only**

PERMIT No. 12-22-0310-01 FEE: \$ 1,000 Date Received: 3/10/22

Applicant's Name: Kate Ienna  
Mailing Address: 4320 Southport-Supply Rd City: Southport  
State: NC Zip Code: 28461 Phone: 910.599.5776  
Email: kate.ienna@icloud.com

Property Owner's Name: James M Harper - Heirs Ginger Harper  
Address of Owner: 105 E Bay St. City: Southport  
State: NC Zip Code: 28461 Phone: 910.470.6713  
Email: gingerharper@seacoastrealty.com

Project Name: \_\_\_\_\_

Project Address and/or Description of Location: Parcel 221MA00110, which is located between W 14th St and W 12th Street.

Parcel ID #: 221MA00110 Number of Lots: 27 Site Acreage: 3.80

Current Zoning District: SP-BD Proposed Zoning District: SP-R-10  
SP-MF



A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with the CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 2.7.D of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income of future residents, owner vs. renter housing, or who the owner is when deciding.

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

- A. Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerline;
- B. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines, shall be construed as following such lines, limits, or boundaries;
- C. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such shorelines;
- D. Where a district boundary divides a lot each part of the lot or tract so divided shall be used in conformity with the regulations established by this ordinance for the district in which said part is located, nor shall a change in lot line be construed to have modified a zoning district boundary;
- E. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- F. Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.

**Future Land Use Map Designation:** \_\_\_\_\_

**Is the proposed zoning consistent with the Land Use Plan? (Check One and Describe Below):**

☒ Yes      ☐ No

see attached document

Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

See attached document

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Kate Lenna

Signature (Owner or Authorized Applicant)

3/8/22

Date

**APPROVED BY:**

UDO Administrator

Date

- 1). See attached survey
- 2). See attached survey
- 3). There are no existing structures on the property.
- 4). The existing land use associated with the property is BD and MF.
- 5). The zoning classification of all abutting zoning districts are R-10 on the parcel South of W 13th Street. Parcels owned by Norton, Crouch and Russ. The parcel N of W 13th street is zoned BD and the abutting zoning is also BD. Parcels owned by Gilbert and Baker.
- 6). Kimberly and Tammy Norton, Brandon Crouch, James Russ, David and Brenda Baker, Thomas Gilbert. You should be receiving another application to rezone Thomas Gilbert and David and Brenda Baker's property from another buyer who is under contract on these parcels.

My client is under contract for two parcels located between W 14th Street and W 12th Street. The parcel PID is 221MA00110. It was combined for tax purposes, but the original plat from 1910 (which is included in this application), outlines the 27 lots with dimensions of 50 X 120. My clients plan to build cottage style homes to maintain the historic feel and charm of Southport.

The property located at 1147 & 1151 N Caswell, which is across the street from the S portion of the parcel and 1132 and 1136 which are abutting the S parcel are all zoned SP-R-10. The parcel N of W 13th street is currently zoned BD, including the property owned by Thomas Gilbert and David and Brenda Baker, who are on board to rezone to R-10, you should be receiving an application on their behalf to rezone these parcels. We feel that rezoning this area to R-10 makes the most of the land use, since every lot S of the S parcel running to W Bay Street is already zoned R-10 (with the exception of three parcels - 22337DC006, 237DE009, 237DE001 that are zoned BD).

This will bring more tax dollars to the city, but will not impact the roads as there will only be 27 units vs an apartment complex or other multifamily unit which would impact the infrastructure and the charm that is Southport.



NOTES:

1. SURVEY WAS DERIVED FROM THE BRUNSWICK COUNTY GIS, DB 463 PG 804 AND MB 25 PG 60.
2. AREAS SHOWN WERE CALCULATED BY COORDINATE METHOD.
3. SURVEY DONE WITHOUT THE BENEFIT OF A CERTIFIED TITLE REPORT AND IS SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.
4. THIS SURVEY IS OF AN EXISTING PARCEL OF PROPERTY AND DOES NOT CREATE A SUBDIVISION.



North - Proposed section to be changed to R-10 currently zoned BD

The lots owned by Thomas Gilbert and David and Brenda Baker are currently zoned BD as well. Both of these properties are being purchased and that buyer is submitting a rezoning application to rezone to R-10 as well.

PARCEL ID# 221MA00110  
166,045 SQ FT  
OR 3.81 ACRES  
(BOTH TRACTS)

South - Proposed section to be changed to R-10 Currently zoned MF

James Russ, Kimberly/ Tammy Norton and Brandon Crouch lots is currently R-10

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 68°39'34" W | 123.00'  |
| L2   | N 21°20'26" W | 500.00'  |
| L3   | N 68°39'34" E | 123.23'  |
| L4   | N 21°20'26" W | 50.00'   |
| L5   | N 68°39'34" E | 122.77'  |
| L6   | S 21°20'26" E | 150.00'  |
| L7   | S 68°39'34" W | 123.00'  |
| L8   | S 21°20'26" E | 300.00'  |
| L9   | N 68°39'34" E | 246.00'  |
| L10  | S 21°20'26" E | 300.00'  |
| L11  | S 68°39'34" W | 122.77'  |
| L12  | N 21°20'26" W | 100.00'  |
| L13  | N 68°39'34" E | 123.13'  |
| L14  | S 21°20'26" E | 400.00'  |

THIS IS NOT A BOUNDARY SURVEY  
ALL DISTANCES AND DIRECTIONS SHOWN HEREON ARE BASED ON THE MAP/DEED OR GIS. NO CHECK WAS MADE FOR ACCURACY. THIS MAP SHALL NOT BE USED FOR CONVEYANCE OR RECORDING PURPOSES OR OTHERWISE RELIED UPON FOR BOUNDARY INFORMATION.

PARCEL DRAWING

Joshua M. McKittrick  
Land Surveying, PLLC

Firm No.: 1608  
(910)231-5339(CELL)

809 Windgate Drive  
Wilmington, North Carolina  
28412

Date : 11/19/21  
Scale: 1"=140'  
Drawn : JMM  
Chk: JMM  
Proj. No: 21899

PARCEL ID# 221MA00110  
3.81 ACRE PARCEL  
SOUTHPORT, NC  
BRUNSWICK COUNTY, NC  
SMITHVILLE TOWNSHIP







Card prepared by  
Lewis H. Clementson

ADMITTED TO RECORD  
BOOK 41-3 PAGE 804

ROBERT J. ROBINSON  
REGISTER OF DEEDS  
BRUNSWICK COUNTY, N.C.

W I T N E S S E T H :

BEING all of those Southport Heights Lots, City of Southport, North Carolina, as the same were devised to Edward B. Taylor by Will of Jessie S. Taylor recorded in Will Book D at Page 221, Clerk of Superior Court for Brunswick County, described in Item Nine, part 2 of said Will, excepting therefrom, however, such of those lots as have been conveyed since the probate of said Will, whether said conveyances are of record or not.

BEING the same real estate conveyed to Lewis H. Clementson and Nancy T. Clementson, his wife, by deed from Edward B. Taylor and Helen B. Taylor dated October 16, 1980 and recorded October 22, 1980, in Deed Book 459, page 436.

AND the said Grantors covenant to and with the Grantees,

View as PDF

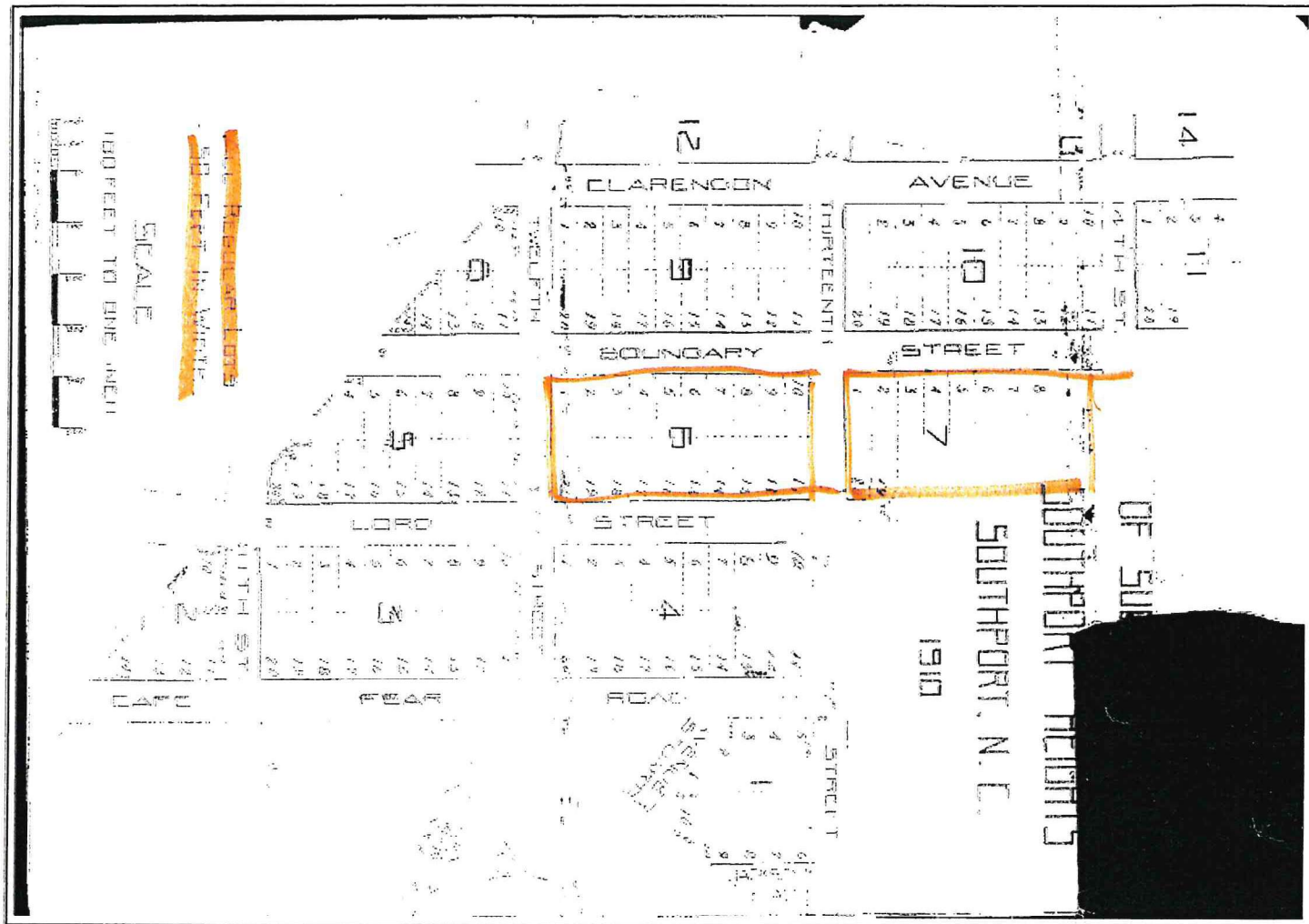
Zoom in

Zoom out

◀ Previous Page

Book:14 Page:214

Next Page ▶



◀ Previous Page

Book:14 Page:214

Next Page ▶

**AUTHORITY FOR APPOINTMENT OF PERSON  
TO ACT ON MY BEHALF**

The undersigned owner, Morgan Harper, Jahaila Harper, Katherine Hufham, Ginger Harper, does hereby appoint Kate Ienna to act on my behalf for the purpose of petitioning the City of Southport for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a planned unit development site plan; and/or, e) street closing, as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Southport that said person has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials:
- (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and
- (3) In the case of a special use permit, to accept conditions or recommendations made for the issuance of the special use permit on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 03/08/2022

Appointee's Name, Address & Telephone:

**Kate Ienna**  
**4320 Southport-Supply Road SE**  
**Suite 100**  
**Southport, NC 28461**  
**910-599-5776**  
**kate.ienna@icloud.com**

Signature of Owner:

|                             |                                                                 |
|-----------------------------|-----------------------------------------------------------------|
| <i>MS Harper</i>            | dotloop verified<br>03/10/22 3:15 PM EST<br>NZXA-SO4Q-DKDK-WAP5 |
| <i>Jahaila Harper</i>       | dotloop verified<br>03/10/22 1:27 PM EST<br>3NAS-9NJK-NH2A-MIHD |
| <i>Katherine hufham</i>     | dotloop verified<br>03/08/22 3:28 PM EST<br>MNCY-BJWZ-NZZN-BAYJ |
| <i>Ginger Willis Harper</i> | dotloop verified<br>03/08/22 2:16 PM EST<br>V81S-BJA6-ZQL4-YK05 |





## PLANNING BOARD

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### MEMORANDUM

**To:** Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** **Zoning Map Amendment:** MF to R-10, six lots on W 14<sup>th</sup> St, (.84 acres total, Parcel ID 221MA00101), submitted by Whit Beebee on behalf of Gilbert Chris B. ETALS  
(RZ 22-0310-02)  
**Date:** May 12, 2022

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### BACKGROUND

The attached zoning map amendment application is for a 3.80-acre tract currently in the Extraterritorial Jurisdiction (ETJ.) The property is located on Caswell between W14<sup>th</sup> and W 12<sup>th</sup> Street. It is currently zoned BD and the applicant would like to rezone it to R-10. The property consists of 6 existing lots in Block 7 of the historic Southport Heights Subdivision, originally platted in 1910. The lots in this subdivision are 50 ft by 123 ft. R-10 would allow these lots to be developed using the nonconforming R-10 lot provisions in the ordinance. The applicant's narrative is attached to their application on why they feel like the rezoning is consistent with the CAMA Land Use Plan.

The Planning Board and Board of Aldermen may consider the following when deciding on a zoning map amendment: all uses allowed in that zoning district, impacts on neighbors, economic impact, tax base increase, spot zoning, road capacity, whether there is adequate infrastructure, community opinion, property values, consistency with the CAMA Land Use Plan, the future land use map, the land suitability map, jobs, public services, buffering requirements, the environmental impacts, site limitations, and consistency with other plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. rental housing, or who the owner is when deciding.

### ZONING MAP AMENDMENT (REZONING)

The proposed zoning map amendment would remove BD zoning and replace it with R-10 zoning on the zoning map. This would be a less intensive use and would match rezonings that we have already done further south in this area in the past year. The property directly

adjacent to this is also being considered in a separate zoning map amendment.

**Figure 1: Existing Zoning Map**



The surrounding area consists of MF to the North and West, and R=10 to the South with BD(although they are also asking to be rezoned to R-10) to the East.

**Figure 2: CAMA Future Land Use Map**



The Future Land Use Map shows the property as High Density Residential. High Density Residential is defined as a variety of single and multi-family residential uses. The allowable density is 11 units per acre. The North shows Light Commercial, the East shows High Density Residential with Medium Density residential below 12<sup>th</sup> St.

## **REVIEW COMMITTEE REPORT**

The review committee met on May 5<sup>th</sup> at 10 am. Present were Fred Fiss and Will Hewett. Also present were staff and the applicants Whit Beebee. Staff gave a summary of the zoning map amendment application. Staff explained that this tract consists of an area that is MF. The tract consists of 6 individual lots from a historic subdivision. The applicants explained that they felt that R-10 would have less impact on the community than MF. They had looked into developing it to MF but thought that R-10 would be less intensive. They also indicated that rezoning the lots would allow them to use the lots how they were originally designed. Staff pointed out that this property had been identified earlier to be rezoned to R-10 but that at the time the property owner was not interested. It would also match existing zoning along the N. Caswell corridor. There were questions about sewer in that area. Staff indicated that there is a force main on N Caswell although an engineer would need to get with the City and design an adequate pump station to pump into it for those lots. It was the consensus of the committee that the rezoning would be a less intensive use and that they would recommend that the full Planning Board approve it.

## **PROCESS**

To rezone the property to R-10, a zoning map amendment must be approved. A consistency statement will also be required for the zoning map amendment, which may include a motion for a recommendation of approval or denial. Following a recommendation from the Planning Board, the zoning map amendment will be sent to the Board of Aldermen for their consideration. A duly advertised public hearing will be held and the rezoning will require mailing a notice of the hearing to each property owner to be rezoned and abutting property owner. The Planning Board may appoint a review committee to review this zoning map amendment if they deem it necessary.

## **ACTION ITEM: ADOPTION OF CONSISTENCY STATEMENT & RECOMMENDATION**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are better for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT: RZ-22-0310-02**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are better for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.

The statement and motion was seconded and passed \_\_\_\_\_.

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Tanya Shannon, Deputy City Clerk

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Sue Hodgins, Chair



## **Southport CAMA Land Use Plan Rezoning Talking Points**

- All uses allowed in a zoning district. Rezoning cannot be based on consideration of only one use or a partial list of uses allowed within a zoning district. That would be contract zoning. Contract zoning is against the law.
- The potential for spot zoning. Rezoning requests will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning where the sole purpose is to serve private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan.
- The likelihood of a zoning decision resulting in a strip development. Strip developments should be discouraged. These types of developments are typically commercial, extending along both sides of a major street. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.
- Zoning regulations should be made in accordance with the Southport Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its particular suitability for uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Southport's planning jurisdiction.
- Does Southport need more land in the zoning class requested?
- Is there property in the City that might be more appropriate for this zoning?
- Is the request in accordance with the CAMA Land Use Plan?
- Will the request have a serious impact on traffic circulation, parking space, sewer, water, or other utilities?
- Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
- Will the request cause serious noise, odors, light, activity, or unusual disturbance?
- Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?
- Does the request adversely impact any CAMA AEC's or other environmentally sensitive areas including water quality?

# Rezoning Application

City of Southport, North Carolina

PAID  
MAR 10 2022



BY: .....

1029 N. Howe St, Southport NC 28461  
[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections  
Phone 910-457-7961 Fax 910-457-7957

Date: 3/7/22

FEE: \$ \$500.00

Permit #: .....

Project Name (If Applicable): .....

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 12-5 of the UDO.

The Planning Board and Town Council may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. renter housing, or who the owner is when deciding.

Petitioner Name: William Beebe

Mailing Address: 501 Bramson Court, Suite 400 City: Mount Pleasant

State: SC Zip Code: 29464

Phone: 804-516-6290 Email: whitbeebe@rolinahomes.com

Street Address and/or Description of Location: 1224 N Caswell Ave

Parcel ID #: 221MA00101

Site Acreage: .84

Number of Lots: 6

Current Zoning District: BD

Proposed Zoning District: MF

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

1. All property lines with dimensions and north arrow.
2. Adjoining streets with rights-of-way and paving widths.
3. The location of all existing structures on the property.
4. The existing land uses associated with the property.
5. The zoning classification of all abutting zoning districts.
6. A list of all abutting property owners.

Future Land Use Map Designation: Medium Density Residential

Is the proposed zoning consistent with the Land Use Plan? (Describe how it is consistent below if so)  
(Please Circle One):    Yes       No

Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

According to the Southport zoning map dated 2/21/19, this parcel is zoned BD surrounded by other properties zoned BD and MF. We are asking to be rezoned to MF due to the surroundings of the parcel. Through conversations with the planning board, we have found that this area is desired by the town to become a residential district. We believe it is in the best interest of the town to rezone this due to the surrounding areas.

### Rezoning Fees as of July 1, 2018

|                             |                         |
|-----------------------------|-------------------------|
| Rezoning: Less than 3 Acres | \$500.00                |
| Rezoning: 3.01-6.00 Acres   | \$1,000.00              |
| Rezoning: 6.01 + Acres      | \$1,000.00 + \$100/acre |

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

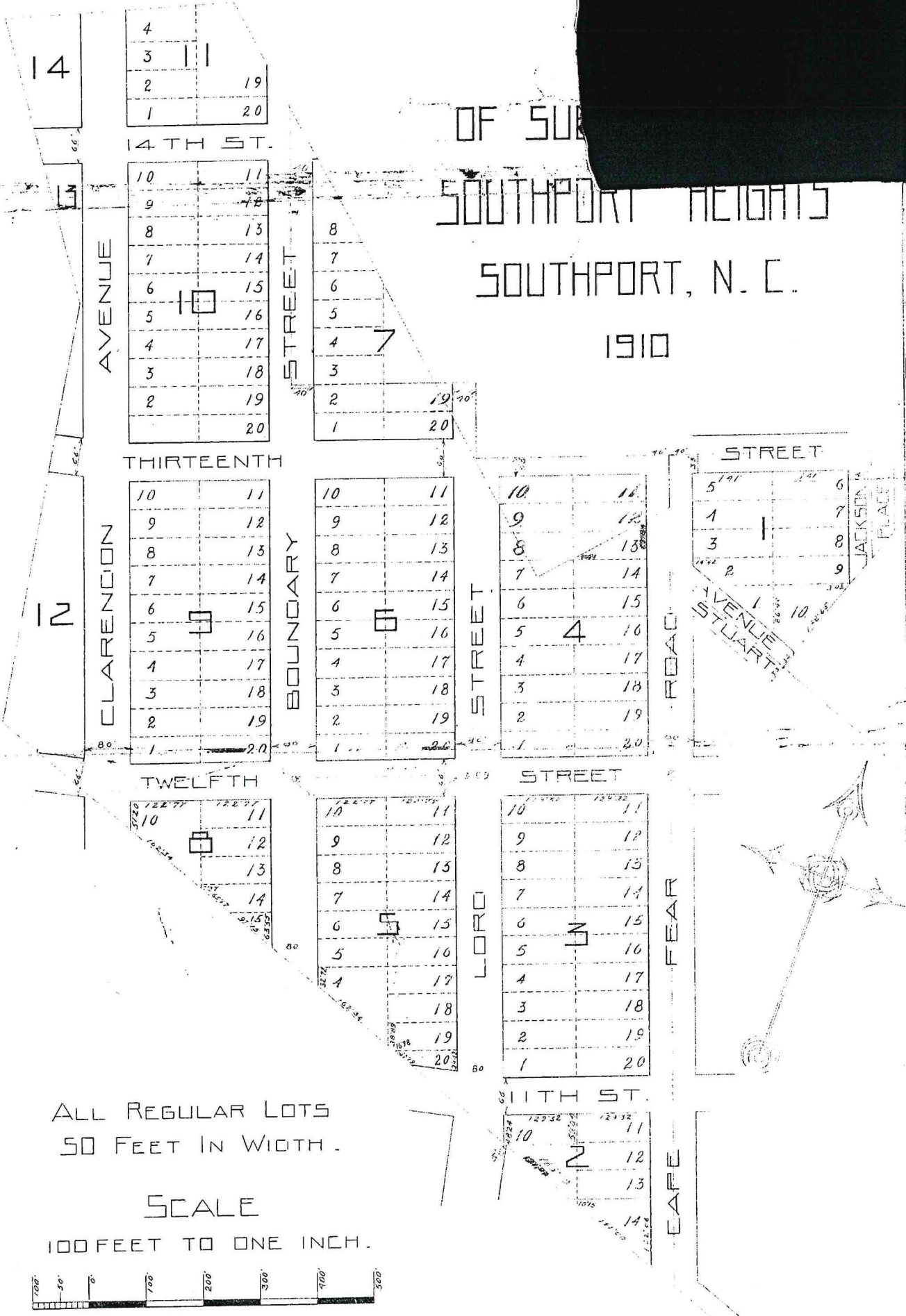


\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

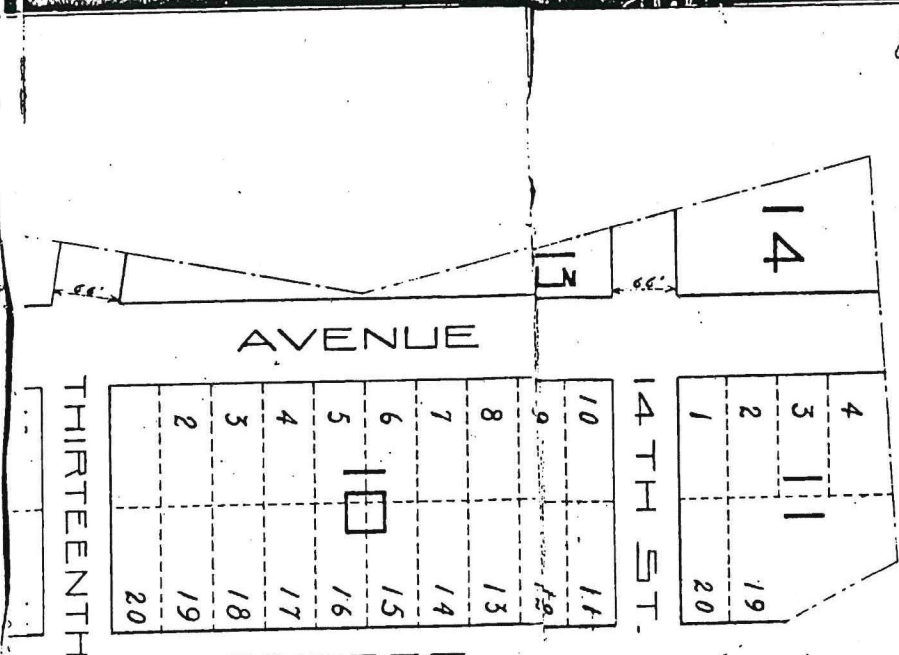
3/7/22

\_\_\_\_\_  
Date

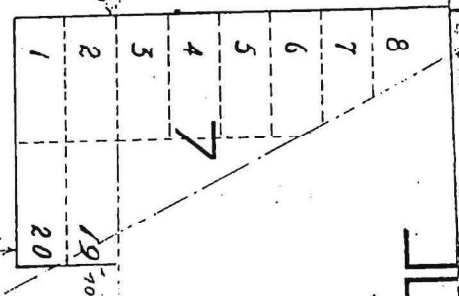




214-A



STREET



OF 500

SCOTT & BOWEN

SOUTHPORT, N. C.

1910

STREET

# AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned owner, Chris Gilbert, Kelly Cousino, Thomas Gilbert IV and Thomas Gilbert V, does hereby appoint Rolina Homes NC, LLC to act on my behalf for the purpose of petitioning the City of Southport for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a planned unit development site plan; and/or, e) street closing, as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Southport that said person has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials:
- (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and
- (3) In the case of a special use permit, to accept conditions or recommendations made for the issuance of the special use permit on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

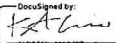
This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 2/28/22

Appointee's Name, Address & Telephone:

William Beebe  
501 Bramson Court Suite 400  
Mount Pleasant, SC 29464  
804-516-6290

Signature of Owner:

|                                                                                                                                                                                                         |                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <div>DocuSigned by:<br/><br/>410270C4329202</div> <div>DocuSigned by:<br/>Thomas Gilbert V<br/>2F24D34FCE04DA</div> | <div>DocuSigned by:<br/>Thomas Gilbert V<br/>4100C095934DC</div> <div>DocuSigned by:<br/>Chris Gilbert<br/>2C859F721E404F</div> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|



## PLANNING BOARD

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### MEMORANDUM

**To:** Chair Hodgins, Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** **Zoning Map Amendment:** BD to R-10, four lots on 10<sup>th</sup> and N. Lord, (.403 acres total Parcel ID 237DC006), submitted by Sea Dog Holdings LLC.  
(RZ-22-0405-01)  
**Date:** April 12, 2022

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### BACKGROUND

The attached zoning map amendment application is for a .403-acre tract in the corporate limits.) The property is located on Lord on the corner of W 10<sup>th</sup> St. It is currently zoned BD and the applicant would like to rezone it to R-10. The property consists of 4 existing lots in Block 11 of the Smith & Weeks Addition. The lots in this subdivision are 33 ft by 128 ft. R-10 would allow these lots to be developed using the nonconforming R-10 lot provisions in the ordinance. The applicant's narrative is attached to their application on why they feel like the rezoning is consistent with the CAMA Land Use Plan. The Planning Board may recall that a few years back we rezoned many of the properties along the Lord St Corridor from BD to R-10. We had targeted this one as part of those but at the time the applicant was not interested.

The Planning Board and Board of Aldermen may consider the following when deciding on a zoning map amendment: all uses allowed in that zoning district, impacts on neighbors, economic impact, tax base increase, spot zoning, road capacity, whether there is adequate infrastructure, community opinion, property values, consistency with the CAMA Land Use Plan, the future land use map, the land suitability map, jobs, public services, buffering requirements, the environmental impacts, site limitations, and consistency with other plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. rental housing, or who the owner is when deciding.

### ZONING MAP AMENDMENT (REZONING)

The proposed zoning map amendment would remove BD zoning and replace it with R-10 zoning on the zoning map. This would be a less intensive use and would match rezonings that





## **REVIEW COMMITTEE REPORT**

The Review Committee met on May 5<sup>th</sup> and consisted of Will Hewett and Scott Jones. The applicant Cliff Lill and staff were also present. Staff gave a summary of the request and explained how this was an area of town that had been previously identified as a candidate to be changed from BD to R-10. At the time, the property owner wanted to keep it zoned Business but is now interested in R-10. The review committee noted that the adjacent property owners would most likely be in favor of the property being R-10 over BD. It would be less intensive use of the property. Under R-10 the developer of the property would also not be able to build commercial with 0 side and front yard setbacks. It was the consensus of the committee to provide a positive recommendation on the zoning map amendment application to the full Planning Board.

## **PROCESS**

To rezone the property to R-10, a zoning map amendment must be approved. A consistency statement will also be required for the zoning map amendment, which may include a motion for a recommendation of approval or denial. Following a recommendation from the Planning Board, the zoning map amendment will be sent to the Board of Aldermen for their consideration. A duly advertised public hearing will be held and the rezoning will require mailing a notice of the hearing to each property owner to be rezoned and abutting property owner. The Planning Board may appoint a review committee to review this zoning map amendment if they deem it necessary.

## **ACTION ITEM: ADOPT STATEMENT OF CONSISTENCY AND RECOMMENDATION**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are more appropriate for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT: RZ-22-0405-01**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed zoning map amendment is consistent with the 2015 CAMA Land Use Plan adopted November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning map amendment is consistent with the future land use map and it is consistent with the CAMA land use plan because it encourages in-fill development within the City's districts and promotes efficient use of land (Objective 2 iii). Further, the Planning Board believes the zoning map amendment is reasonable and in the public interest because the properties are more suitable for the uses permitted in the R-10 Zoning District and because of the R-10 zoning district's dimensional requirements and development standards are better for the small nonconforming lots in this area. The Planning Board recommends that the Board of Aldermen adopt the zoning map amendment.

The statement and motion was seconded and passed \_\_\_\_\_.

---

Tanya Shannon, Deputy City Clerk

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Sue Hodgins, Chair

## **Southport CAMA Land Use Plan Rezoning Talking Points**

- All uses allowed in a zoning district. Rezoning cannot be based on consideration of only one use or a partial list of uses allowed within a zoning district. That would be contract zoning. Contract zoning is against the law.
- The potential for spot zoning. Rezoning requests will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning where the sole purpose is to serve private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan.
- The likelihood of a zoning decision resulting in a strip development. Strip developments should be discouraged. These types of developments are typically commercial, extending along both sides of a major street. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.
- Zoning regulations should be made in accordance with the Southport Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its particular suitability for uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Southport's planning jurisdiction.
- Does Southport need more land in the zoning class requested?
- Is there property in the City that might be more appropriate for this zoning?
- Is the request in accordance with the CAMA Land Use Plan?
- Will the request have a serious impact on traffic circulation, parking space, sewer, water, or other utilities?
- Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
- Will the request cause serious noise, odors, light, activity, or unusual disturbance?
- Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?
- Does the request adversely impact any CAMA AEC's or other environmentally sensitive areas including water quality?



# Zoning Map Amendment

City of Southport, North Carolina

**PAID**

CK. NO. 1125

DATE 4/6/22

J. Dewiney



1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

**For Staff Use Only**

PERMIT No. RZ 22-0405-01 FEE: \$ 500.00 Date Received: 4/6/22

Applicant's Name: CLIFF LILL

Mailing Address: 411 N. Burrington AVE City: SOUTHPORT

State: N.C. Zip Code: 28461 Phone: 910-477-2056

Email: C.LILL@AOL.COM

Property Owner's Name: SEA Dog Holdings LLC

Address of Owner: 411 N. Burrington AVE City: SOUTHPORT

State: N.C. Zip Code: 28461 Phone: 910-477-2056

Email: C.LILL@AOL.COM

Project Name: RE ZONE #03190831

Project Address and/or Description of Location: LOTS 29-32 Block 11

CORNER OF W. 10TH AND LORD STREET

Parcel ID #: 237DC006 Number of Lots: 4 <sup>Lot 29-32</sup> Site Acreage: .403

Current Zoning District: B-D Proposed Zoning District: R-D - R-10

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with the CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 2.7.D of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income of future residents, owner vs. renter housing, or who the owner is when deciding.

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

- A. Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerline;
- B. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines, shall be construed as following such lines, limits, or boundaries;
- C. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such shorelines;
- D. Where a district boundary divides a lot each part of the lot or tract so divided shall be used in conformity with the regulations established by this ordinance for the district in which said part is located, nor shall a change in lot line be construed to have modified a zoning district boundary;
- E. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- F. Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.

Future Land Use Map Designation: SURVEY PLAT PLAN SUPPLIED

Is the proposed zoning consistent with the Land Use Plan? (Check One and Describe Below):



Yes



No

THERE IS MIXED USE BETWEEN COMMERCIAL AND RESIDENTIAL  
IN THE LOCATION OF BLOCK 11 SMITH + WEEKS ADDITION.  
THE CHANGE FROM COMMERCIAL TO RESIDENTIAL WOULD  
BE A BETTER FIT FOR THE RESIDENTS OF THE AREA.

Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

NEW HOMES ARE BEING BUILT EVERY WEEK IN THIS  
LOCATION. RESIDENTIAL IN GENERAL IS A BETTER FIT  
FOR THIS AREA OF TOWN.

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Cliff Lill / SEA Day Holdings LLC.  
Signature (Owner or Authorized Applicant)

4-5-2022  
Date

APPROVED BY:

\_\_\_\_\_  
UDO Administrator

\_\_\_\_\_  
Date





I, OREN D. BROWN, AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY PERSONAL SUPERVISION AND THAT THE BOUNDARIES NOT SHOWN ARE CLEARLY INDICATED AS DASHED LINES. THAT THE PLAT OR PRECISION AS CALCULATED IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTES 47-30, AS AMENDED. I WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS

SITH DAY OF JULY, A.D. 2018.

I, OMEN D. GIDLOW, PROFESSIONAL LAND SURVEYOR No. L-1356  
CERTIFY:

THAT THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND,  
Wendy Anderson P.S. L-41556  
 WENDY R. GOLDMAN, PROFESSIONAL LAND SURVEYOR No. L-4356

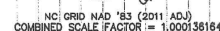
1. BRANSHURG COUNTY PD 37200006 IS ZONED CITY OF SOUTHPORT BO.
2. BUILDING SETBACK FOR BO ZONING = 20 FEET, SIDE
3. SETBACK = 20 FEET, REAR SETBACK TO BRUSH 3720000600 IN
4. EFFECTIVE DATE = 8-28-2018.
5. AREA FOR PD 37200006 IS 31,235.5 SQUARE FEET FOR 30-40' ACCESS
6. AREA FOR 3720000600 IS 10,000 SQUARE FEET FOR 30-40' ACCESS
7. ALL DISTANCES ARE HORIZONTAL, GROUND DISTANCES. COMBINED SCALE=100 FEET.
8. FACTOR = 1.000135164.
9. HORIZONTAL DATA -- MAY 1993 (2011 ADJUSTMENT).
10. VERTICAL DATA -- MAY 1993.

DEED BOOK 4193 PAGE 41  
BOOK OF DONORS & DONORS PAGE 11  
OFFICE 3720209600K - [frs.nc.gov](http://frs.nc.gov) -  
NORTH CAROLINA FLOOD RISK INFORMATION SYSTEM  
BRANSMICK COUNTY GS  
BRANSMICK COUNTY REGISTER OF DEEDS  
EXISTING PHYSICAL EVIDENCE

|    |                 |     |
|----|-----------------|-----|
| IF | IRON PIPE FOUND |     |
| IR | IRON REBAR      | SET |
| IS | ISOLATED POINT  |     |
| IT | IT'S            |     |
| JB | JELLYBOX        |     |
| JD | JELLYBOX        |     |
| JE | JELLYBOX        |     |
| JF | JELLYBOX        |     |
| JG | JELLYBOX        |     |
| JH | JELLYBOX        |     |
| JI | JELLYBOX        |     |
| JO | JELLYBOX        |     |
| JP | JELLYBOX        |     |
| JQ | JELLYBOX        |     |
| JR | JELLYBOX        |     |
| JS | JELLYBOX        |     |
| JT | JELLYBOX        |     |
| JU | JELLYBOX        |     |
| JV | JELLYBOX        |     |
| JW | JELLYBOX        |     |
| JX | JELLYBOX        |     |
| JY | JELLYBOX        |     |
| JZ | JELLYBOX        |     |
| KA | KAYAK RISK      |     |
| KB | KAYAK RISK      |     |
| KC | KAYAK RISK      |     |
| KD | KAYAK RISK      |     |
| KE | KAYAK RISK      |     |
| KF | KAYAK RISK      |     |
| KG | KAYAK RISK      |     |
| KH | KAYAK RISK      |     |
| KI | KAYAK RISK      |     |
| KJ | KAYAK RISK      |     |
| KK | KAYAK RISK      |     |
| KL | KAYAK RISK      |     |
| KM | KAYAK RISK      |     |
| KN | KAYAK RISK      |     |
| KO | KAYAK RISK      |     |
| KP | KAYAK RISK      |     |
| KQ | KAYAK RISK      |     |
| KR | KAYAK RISK      |     |
| KS | KAYAK RISK      |     |
| KT | KAYAK RISK      |     |
| KU | KAYAK RISK      |     |
| KV | KAYAK RISK      |     |
| KW | KAYAK RISK      |     |
| KX | KAYAK RISK      |     |
| KY | KAYAK RISK      |     |
| KZ | KAYAK RISK      |     |
| LA | LAKE RISK       |     |
| LB | LAKE RISK       |     |
| LC | LAKE RISK       |     |
| LD | LAKE RISK       |     |
| LE | LAKE RISK       |     |
| LF | LAKE RISK       |     |
| LG | LAKE RISK       |     |
| LH | LAKE RISK       |     |
| LI | LAKE RISK       |     |
| LJ | LAKE RISK       |     |
| LK | LAKE RISK       |     |
| LL | LAKE RISK       |     |
| LM | LAKE RISK       |     |
| LN | LAKE RISK       |     |
| LO | LAKE RISK       |     |
| LP | LAKE RISK       |     |
| LQ | LAKE RISK       |     |
| LR | LAKE RISK       |     |
| LS | LAKE RISK       |     |
| LT | LAKE RISK       |     |
| LU | LAKE RISK       |     |
| LV | LAKE RISK       |     |
| LW | LAKE RISK       |     |
| LX | LAKE RISK       |     |
| LY | LAKE RISK       |     |
| LZ | LAKE RISK       |     |
| MA | MACE RISK       |     |
| MB | MACE RISK       |     |
| MC | MACE RISK       |     |
| MD | MACE RISK       |     |
| ME | MACE RISK       |     |
| MF | MACE RISK       |     |
| MG | MACE RISK       |     |
| MH | MACE RISK       |     |
| MI | MACE RISK       |     |
| MJ | MACE RISK       |     |
| MK | MACE RISK       |     |
| ML | MACE RISK       |     |
| MM | MACE RISK       |     |
| MN | MACE RISK       |     |
| MO | MACE RISK       |     |
| MP | MACE RISK       |     |
| MQ | MACE RISK       |     |
| MR | MACE RISK       |     |
| MS | MACE RISK       |     |
| MT | MACE RISK       |     |
| MU | MACE RISK       |     |
| MV | MACE RISK       |     |
| MW | MACE RISK       |     |
| MX | MACE RISK       |     |
| MY | MACE RISK       |     |
| MZ | MACE RISK       |     |
| NA | NACE RISK       |     |
| NB | NACE RISK       |     |
| NC | NACE RISK       |     |
| ND | NACE RISK       |     |
| NE | NACE RISK       |     |
| NF | NACE RISK       |     |
| NG | NACE RISK       |     |
| NH | NACE RISK       |     |
| NI | NACE RISK       |     |
| NJ | NACE RISK       |     |
| NK | NACE RISK       |     |
| NL | NACE RISK       |     |
| NM | NACE RISK       |     |
| NO | NACE RISK       |     |
| NP | NACE RISK       |     |
| NQ | NACE RISK       |     |
| NR | NACE RISK       |     |
| NS | NACE RISK       |     |
| NT | NACE RISK       |     |
| NU | NACE RISK       |     |
| NV | NACE RISK       |     |
| NW | NACE RISK       |     |
| NX | NACE RISK       |     |
| NY | NACE RISK       |     |
| NZ | NACE RISK       |     |
| OA | OACE RISK       |     |
| OB | OACE RISK       |     |
| OC | OACE RISK       |     |
| OD | OACE RISK       |     |
| OE | OACE RISK       |     |
| OF | OACE RISK       |     |
| OG | OACE RISK       |     |
| OH | OACE RISK       |     |
| OI | OACE RISK       |     |
| OJ | OACE RISK       |     |
| OK | OACE RISK       |     |
| OL | OACE RISK       |     |
| OM | OACE RISK       |     |
| ON | OACE RISK       |     |
| OO | OACE RISK       |     |
| OP | OACE RISK       |     |
| OQ | OACE RISK       |     |
| OR | OACE RISK       |     |

THE UTILITY INFORMATION SHOWN DEPICTS GROUND SURFACE LOCATIONS OF APPARENT UTILITIES AND MAY OR MAY NOT INDICATE THE EXISTENCE OF THE UTILITY, AS LOCATED.

THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A FULL AND ACCURATE ABSTRACT OF TITLE, AND



**SEA DOG HOLDINGS LLC**  
N/F  
LOTS 29-32, BLOCK 11  
SMITH & WEEKS ADDITION  
& 1/2 OF 10 FOOT ALLEY  
DEED BOOK 4193 PAGE 41  
±17,535 FEET<sup>2</sup> OR ±0.403 ACRES  
PD#2375C006  
(VACANT WITH GRADED SOIL PAD)

EXISTING CONDITIONS SURVEY OF  
PID#237DC006, LOTS 29-32, BLOCK 11  
SMITH & WEEKS ADDITION  
VILLAGE TOWNSHIP BRUNSWICK COUNTY CITY OF SOUTHPORT  
SURVEY FOR SEA DOG HOLDINGS LLC

**WithersRavenel**  
Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832





## PLANNING BOARD

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### MEMORANDUM

**To:** Chair Hodgins, Members of the Planning Board  
**From:** Thomas Lloyd, City Planner  
**Re:** Major Site Plan, Tractor Supply, Submitted by Paramounte Engineering on Behalf of MDI Management, LLC  
**Date:** May 12, 2022

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### BACKGROUND

The attached Major Site Plan application is for the upcoming outparcel ten at the Southport Crossings Shopping Center within the City's satellite corporate limits. The property is located on Southport Crossings Way and will have two entrances, one off a 50' Public ROW and another off of a 40' Public ROW. The proposed site shows a 21,930-SF proposed building, 20,000-SF fenced outdoor display area, a 6,620-SF sidewalk outdoor display, and a 3,744-SF Garden Center. Also of note, the site plan shows an 8 ft high ornamental aluminum fence around the permanent outdoor display area. It is important to note that there may be no chain-link fencing where facing the Public Right of Way.

This use would qualify as a Building Material Dealer; Hardware, Lawn, or Garden Store. This type of use requires one (1) space per 500 square feet of floor area for parking. The outdoor display area would be included in the parking requirement. By this calculation, 91 parking spaces would be required for 45,441 sf. The parking plan shows 92 spaces. 4 accessible parking spaces are needed, and 4 are shown on the plan. The site shows 120,927 sf of impervious area. 78.9% of the site will be impervious.

In terms of the tree removal plan, there are a total of 22 trees that will be removed. These consist of 2 Live Oak and 20 Pine trees. No specimen trees will be removed. 309 inches in total are to be removed. They will be planting 310 inches of DBH back.

10-foot-wide street yards are required for new commercial development when it is adjacent to Public R.O.W. There will be street yards on three sides of this site. The north street yard will consist of 12 Live Oaks, 29 understory trees, and 113 shrubs. The west street yard will consist of 4 Live Oaks, 9 understory trees, and 36 shrubs. The south street yard will consist of 6 Live Oaks, 14 understory trees, and 56 shrubs. For Foundation plantings, 421.5 sf is required, but 888 sf is provided. Also attached is a lighting plan. None of the proposed lights exceed 3,000 degrees kelvin, per the ordinance requirements. If it is the will of the Planning Board, this may be assigned to a review committee.



# Major Site Plan

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461

[www.southportnc.org](http://www.southportnc.org)

*Planning & Inspections*

Phone 910-457-7961 Fax 910-457-7957

**\*For Staff Use Only\***

**PERMIT No.** \_\_\_\_\_ **FEE: \$** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Applicant's Name:** Mike Nichols, Paramounte Engineering, Inc.

**Mailing Address:** 122 Cinema Dr. **City:** Wilmington

**State:** NC **Zip Code:** 28403 **Phone:** 910-791-6707

**Email:** mnichols@paramounte-eng.com

**Location of the property:** Lot 10 - Southport Crossings Shopping Center

**Parcel No.:** (Not Yet Available, T.B.D.) **Overall Acreage:** 3.51 **Number of lots:** 1

**Property Owner's Name:** MDI Management, LLC **Contact:** Rick Rowe, Wakefield Associates, Inc.

**Address of Owner:** 120 4th Street SW **Phone:** 919-789-9707

**City:** Hickory **State:** NC **Zip Code:** 28602

**Email:** (Rick Rowe) rrowe@wakefieldassociates.net

**Surveyor:** Josh Taylor, PLS / Paramounte Engineering, Inc. **License #:** L-5217

**Mailing Address:** 122 Cinema Dr. **City:** Wilmington

**State:** NC **Zip Code:** 28403

**Phone:** 910-791-6707 **Email:** jtaylor@paramounte-eng.com

### Major Site Plan Definition

Per Section 2.7.B of the UDO, Purpose. A major site plan is intended for more intense development proposals requiring greater discretion of the city.

The following development types must submit a major site plan as specified in this ordinance:

- a) Residential development of four (4) or more dwelling units on a lot.
- b) Nonresidential development whereby 10,000 square feet or more of impervious surfaces are proposed.
- c) All other development not subject to minor site plan approval.

**Pre-Application Meetings:** Applicants may request a pre-application meeting with the UDO Administrator prior to submission of an application to discuss procedural and substantive matters related to the proposed application.

**Required Application Materials for Submittal:**

- One (1) digital copy and 12 hard copies of the major site plan shall be submitted with all such applications.
- The major site plan shall be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer registered to practice in the state of North

Major site plans shall include all required information as provided in Appendix A: Submission Requirements of the UDO.

  
\_\_\_\_\_  
Signature (Owner or Authorized Applicant)  
\_\_\_\_\_  
Date

**APPROVED BY:**

\_\_\_\_\_  
UDO Administrator

\_\_\_\_\_  
Date

# TRACTOR SUPPLY CO.

## LOT 10 - SOUTHPORT CROSSINGS SHOPPING CENTER

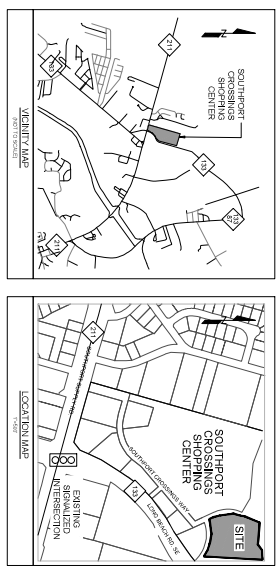
### SOUTHPORT, NORTH CAROLINA

## PRELIMINARY DESIGN DOCUMENTS

MARCH 2022

FOR:

SOUTHPORT DEVELOPMENT GROUP, LLC  
155 WEST NEW YORK AVE. #200  
SOUTHERN PINES, NC 28387



| SHEET INDEX  |                |
|--------------|----------------|
| SHEET NUMBER | SHEET TITLE    |
| C-10         | COVER SHEET    |
| S-10         | SITE PLAN      |
| L-10         | LANDSCAPE PLAN |
| D-10         | DRAINAGE PLAN  |
| SHT. 1 OF 1  |                |

**NOTE REQUIRED**

ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF SAID UTILITIES.

CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION.

CONTRACTORS SHALL CONTACT OVERHEAD ELECTRIC PROVIDERS TO COMPLY WITH FEDERAL OSHA 1910.333 MINIMUM APPROACH DISTANCE TO ENERGIZED POWERLINES AND OSHA 1926.405-411 WHICH MUST BE FOLLOWED.



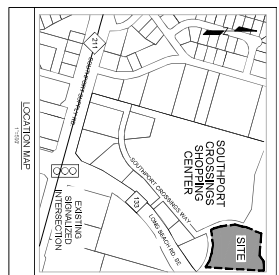
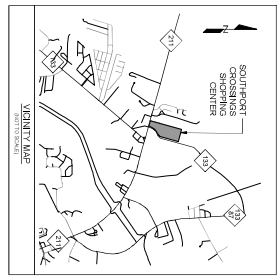
**DEVELOPER:**  
SOUTHPORT DEVELOPMENT GROUP, LLC  
155 WEST NEW YORK AVENUE, SUITE 200  
SOUTHERN PINES, NC 28387  
ATTN: BRAD L. BOWMAN, JR.  
(910) 334-7373  
(910) 724-6729

**CIVIL ENGINEER, LANDSCAPE ARCHITECT & LAND SURVEYOR:**  
PARAMOUNT ENGINEERING INC.  
123 CHERRY DRIVE  
WILMINGTON, NORTH CAROLINA 28403  
PHONE: (910) 797-6707  
ATTN: JEROME SMITH, P.E., CIVIL ENGINEER  
LANDSCAPE ARCHITECT  
LAND SURVEYOR  
(910) 797-6707 (F) (910) 797-6707 (F)  
FAX: (910) 797-6707

**PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION**



**Know what's below.  
Call before you dig.**



**SITE DATA**  
PROJECT NAME: TRACTOR SUPPLY COMPANY

**HC DIMENSION REQUIREMENTS**  
FRONT SETBACK 25'

WINNER  
MCA INVESTMENT I LLC  
120 4TH STREET SW  
HICKORY, NC 28602-2947

PARKING FACILITIES LANDSCAPE

PARCELS IN SOIL THERMAL CROSSINGS PARCELS

LANDSCAPE AREA PRO...

PROPOSED PARCEL AREA: +/- 153,114.92 SF (3.51 ACRES)

FACILITY (SEE PLAN FOR LANDSCAPE PENINSULA)

HARDWARE, LAWN OR GARDEN  
FEED, SEED, AND FERTILIZER  
MACHINE SALES

MEASURED FROM BACK OF CURB. ISLANDS CONTAIN AT LEAST 100 S

BY FEMA FLOOD PANEL 2087, M  
3/20206700K, DATED 8/28/2018

|        |  |                                        |
|--------|--|----------------------------------------|
| NUMBER |  | PARKING FACILITIES LA<br>(8% REQUIRED) |
|--------|--|----------------------------------------|

FENCED OUTDOOR DISPLAY: 13,170 SF  
SIDEWALK OUTDOOR DISPLAY: 6,620 SF

\* DOES NOT INCLUDE LOSS AT HEAD OF STORM AREA

|                          |                  |
|--------------------------|------------------|
| REQUIRED PARKING (1:500) | 90.8 (91 SPACES) |
| PARKING SPACES PROVIDED  | 92 SPACES        |

1. 8" HIGH ORNAMENTAL ALUMINUM (RESEMBLING "WROUGHT IRON" AROUND PERMANENT OUTDOOR

**IMPERVIOUS CALCULATIONS:**

CONSTRUCTED WITHIN 15' TO A RIGHT-OF-WAY STREET.

PERCENT OF PROPOSED IMPERVIOUS  
\*INCLUDES SERVICE & LOADING AREAS AT REAR OF STORE

1.9%

**SITE SIGNAGE**  
ALL SIGNAGE SHOWN ON PLAN TO BE PERMITTED BY OTHERS.

PHOTOS  
EXISTING MO  
SHOPPING C

REQUIRED YARD CALCULATIONS:  
STREET YARD  
10' WIDE STREET YARD REQUIRED ADJACENT TO PUBLIC R.O.W.,

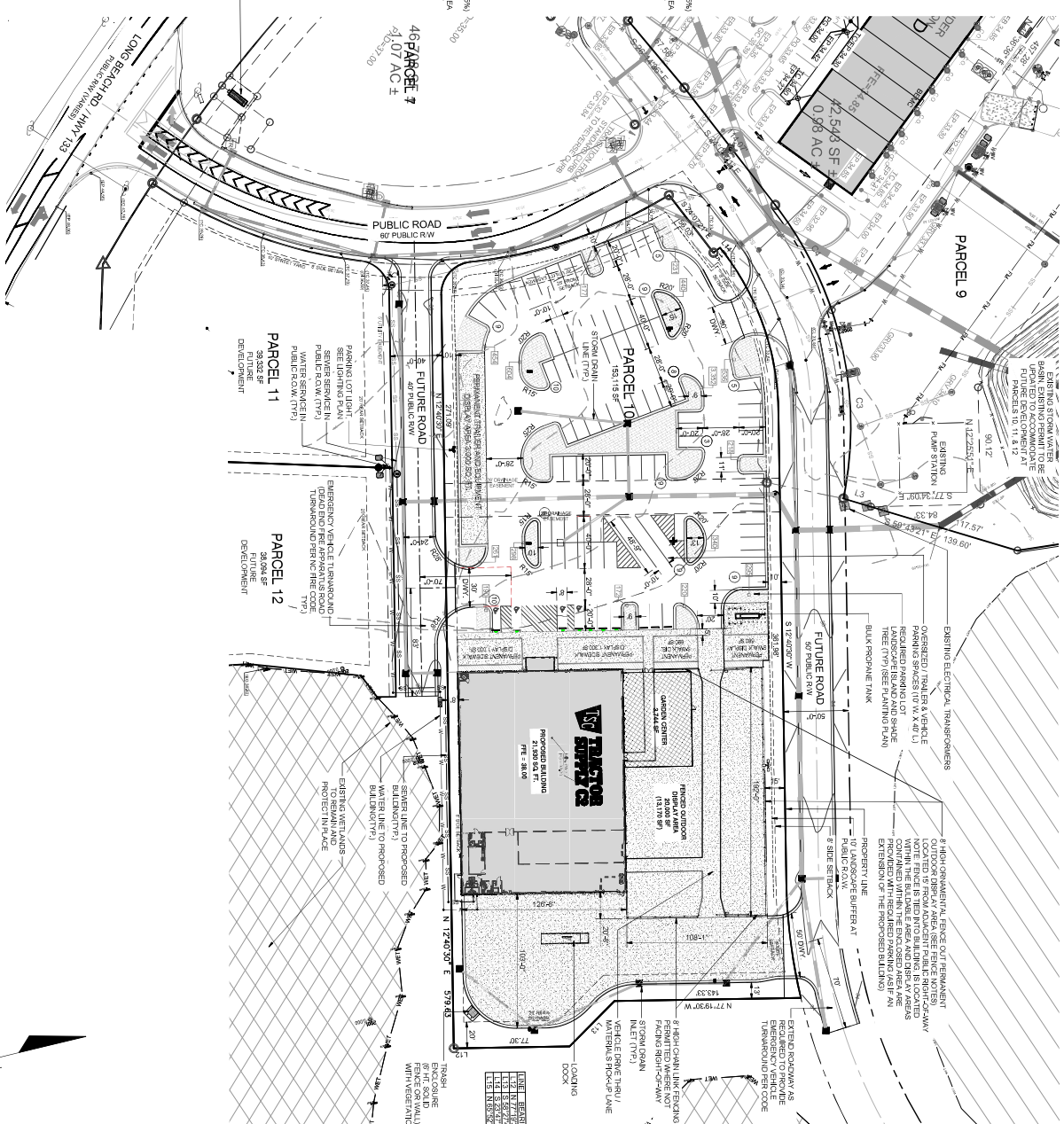
## BUFFER YARD

ZERO (0) FEET BUFFER YARD (SEE ARTICLE 3.17-1, PG. 3-104)



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PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

C-2.0



|                            |            |
|----------------------------|------------|
| <b>PROJECT STATUS</b>      |            |
| CONCEPTUAL LAYOUT:         |            |
| PRELIMINARY LAYOUT:        |            |
| FINAL DESIGN:              |            |
| RELEASED FOR CONST:        |            |
| <b>DRAWING INFORMATION</b> |            |
| DATE:                      | 03/17/2022 |
| SCALE:                     | 1" = 40'   |
| DESIGNED:                  | RPS        |
| DRAWN:                     | RPS        |

SITE PLAN

TRACTOR SUPPLY CO.  
TBD SOUTHPORT CROSSING WAY  
SOUTHPORT, NC 28461

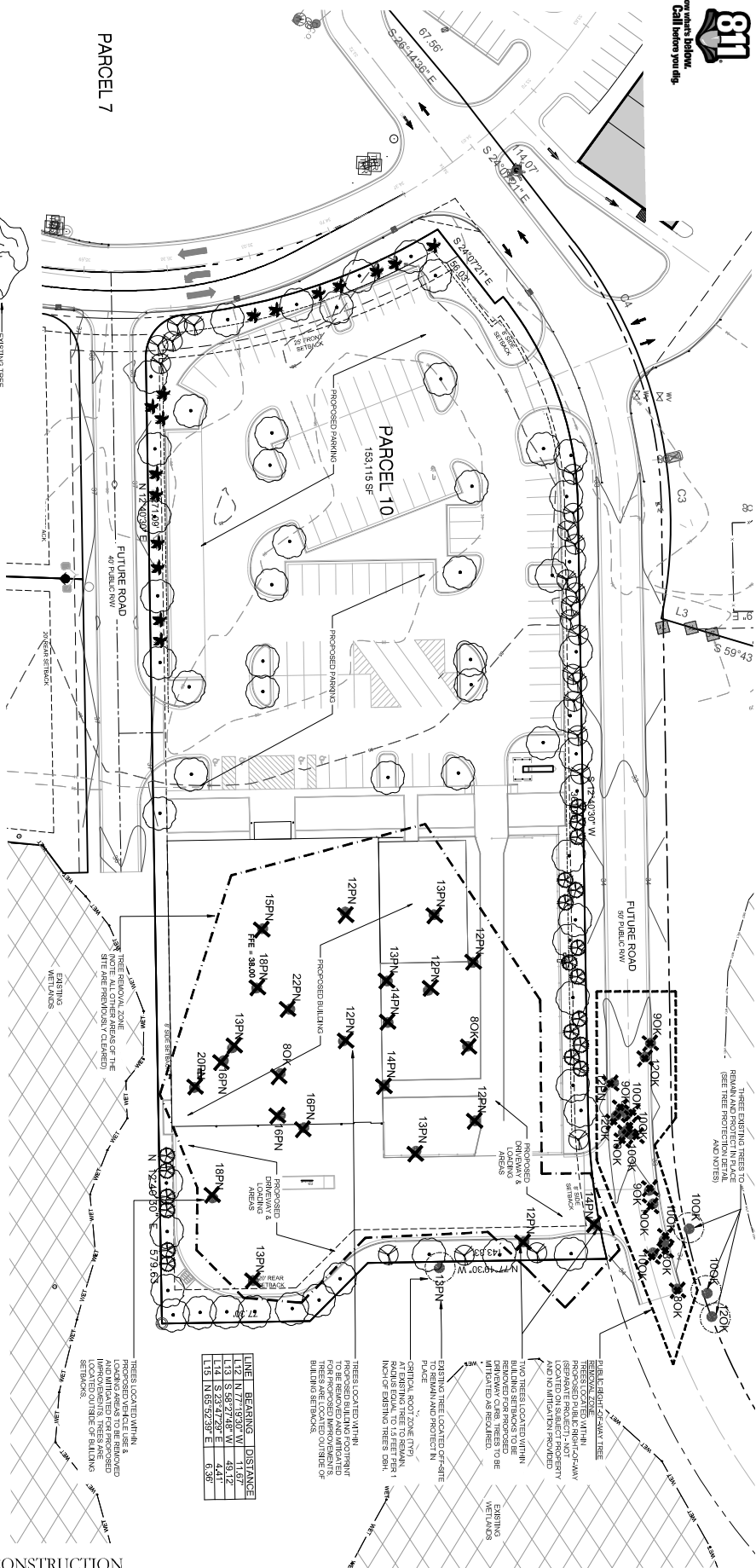
**PARAMOUNT**  
ENGINEERING, INC.

122 Cinema Drive  
Wilmington, North Carolina 28403  
(910) 791-6707 (O) (910) 791-6760 (F)  
NC License #: C-2846

SOUTHPORT DEVELOPEMENT GROUP, LLC  
155 W. NEW YORK AVE, SUITE 200  
SOUTHERN PINES, NC 28387

| REVISIONS |  |
|-----------|--|
|           |  |
|           |  |
|           |  |
|           |  |
|           |  |

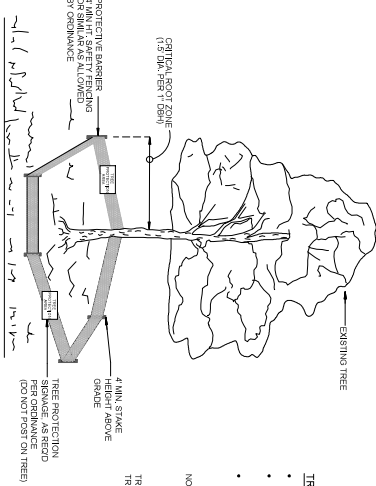
Page 127



PARCEL 7

**TREE PROTECTION NOTES:**

- TREES TO BE SAVED WILL BE CLEARLY MARKED PRIOR TO CONSTRUCTION. PROTECTION FENCING IS REQUIRED PRIOR TO LAND DISTURBANCE ACTIVITY AND IS TO BE MAINTAINED UNTIL AFTER FINAL SITE INSPECTION.
- THE CRITICAL ROOT ZONE - SEE PLAN.
- THE CRITICAL ROOT ZONE - 1.5 TIMES THE TREE CALIPER.
- SEE SECTION 3.1.3 TREE PROTECTION AND LANDSCAPE PRESERVATION FOR ADDITIONAL INFORMATION AND RECOMMENDATIONS.
- TREE REMOVAL ZONES SHOWN ON PLAN. NOTE ALL OTHER AREAS OF THE SITE ARE PREVIOUSLY CLEARED.



**METHOD OF TREE PROTECTION DURING CONSTRUCTION**

**SYMBOL LEGEND**

|   |                                                                               |
|---|-------------------------------------------------------------------------------|
| ✗ | TREE TO BE REMOVED FROM SUBJECT PROPERTY - SEE MITIGATION                     |
| ✗ | TREE TO BE REMOVED FROM PUBLIC SHOWINGS (REFERENCED) - NO MITIGATION REQUIRED |

**ON-SITE TREE REMOVALS - PRIVATE PROPERTY**

TREES REMOVED AS A RESULT OF THE PROPOSED IMPROVEMENTS SHOWN ON THIS PLAN. LOT 10 OF SOUTHPORT CROSSINGS.

| TREE         | QUANTITY  | TREE SPECIES | SUBTOTAL DBH | TOTAL DBH  |
|--------------|-----------|--------------|--------------|------------|
| 12PN         | 2         | WHITE OAK    | 10           | 20         |
| 13PN         | 3         | WHITE OAK    | 15           | 45         |
| 14PN         | 1         | WHITE OAK    | 15           | 15         |
| 15PN         | 1         | WHITE OAK    | 15           | 15         |
| 16PN         | 1         | WHITE OAK    | 15           | 15         |
| 18PN         | 1         | WHITE OAK    | 15           | 15         |
| 20PN         | 1         | WHITE OAK    | 15           | 15         |
| 22PN         | 1         | WHITE OAK    | 15           | 15         |
| <b>TOTAL</b> | <b>11</b> |              | <b>105</b>   | <b>105</b> |

**OFF-SITE TREE PLANTING MITIGATION**

NOTE: NO SPECIMEN TREES ARE LOCATED ON THE SUBJECT PROPERTY.

SEE LANDSCAPE PLAN FOR ADDITIONAL INFORMATION.

| TREE         | QUANTITY  | TREE SPECIES | SUBTOTAL DBH | TOTAL DBH  |
|--------------|-----------|--------------|--------------|------------|
| 12PN         | 2         | WHITE OAK    | 10           | 20         |
| 13PN         | 3         | WHITE OAK    | 15           | 45         |
| 14PN         | 1         | WHITE OAK    | 15           | 15         |
| 15PN         | 1         | WHITE OAK    | 15           | 15         |
| 16PN         | 1         | WHITE OAK    | 15           | 15         |
| 18PN         | 1         | WHITE OAK    | 15           | 15         |
| 20PN         | 1         | WHITE OAK    | 15           | 15         |
| 22PN         | 1         | WHITE OAK    | 15           | 15         |
| <b>TOTAL</b> | <b>11</b> |              | <b>105</b>   | <b>105</b> |

**PLANT SCHEDULE**

| CONTRACT TREE | QTY       | SCIENTIFIC COMMON NAME | SIZE               |
|---------------|-----------|------------------------|--------------------|
| 12PN          | 2         | QUERCUS BICOLOR        | 12" DBH, 4'-10" H. |
| 13PN          | 3         | QUERCUS BICOLOR        | 13" DBH, 4'-10" H. |
| 14PN          | 1         | QUERCUS BICOLOR        | 14" DBH, 4'-10" H. |
| 15PN          | 1         | QUERCUS BICOLOR        | 15" DBH, 4'-10" H. |
| 16PN          | 1         | QUERCUS BICOLOR        | 16" DBH, 4'-10" H. |
| 18PN          | 1         | QUERCUS BICOLOR        | 18" DBH, 4'-10" H. |
| 20PN          | 1         | QUERCUS BICOLOR        | 20" DBH, 4'-10" H. |
| 22PN          | 1         | QUERCUS BICOLOR        | 22" DBH, 4'-10" H. |
| <b>TOTAL</b>  | <b>11</b> |                        | <b>105</b>         |

**OFF-SITE TREE REMOVALS - PUBLIC PROPERTY, NO MITIGATION REQUIRED**

TREES REMOVED AS A RESULT OF THE PROPOSED PUBLIC RIGHT-OF-WAY NOT LOCATED ON THE SUBJECT PROPERTY AS REQUIRED BY THE CITY - SHOWN FOR REFERENCE ONLY.

| TREE         | QUANTITY  | TREE SPECIES | SUBTOTAL DBH | TOTAL DBH  |
|--------------|-----------|--------------|--------------|------------|
| 12PN         | 2         | WHITE OAK    | 10           | 20         |
| 13PN         | 3         | WHITE OAK    | 15           | 45         |
| 14PN         | 1         | WHITE OAK    | 15           | 15         |
| 15PN         | 1         | WHITE OAK    | 15           | 15         |
| 16PN         | 1         | WHITE OAK    | 15           | 15         |
| 18PN         | 1         | WHITE OAK    | 15           | 15         |
| 20PN         | 1         | WHITE OAK    | 15           | 15         |
| 22PN         | 1         | WHITE OAK    | 15           | 15         |
| <b>TOTAL</b> | <b>11</b> |              | <b>105</b>   | <b>105</b> |

**TREE BEARING DISTANCE**

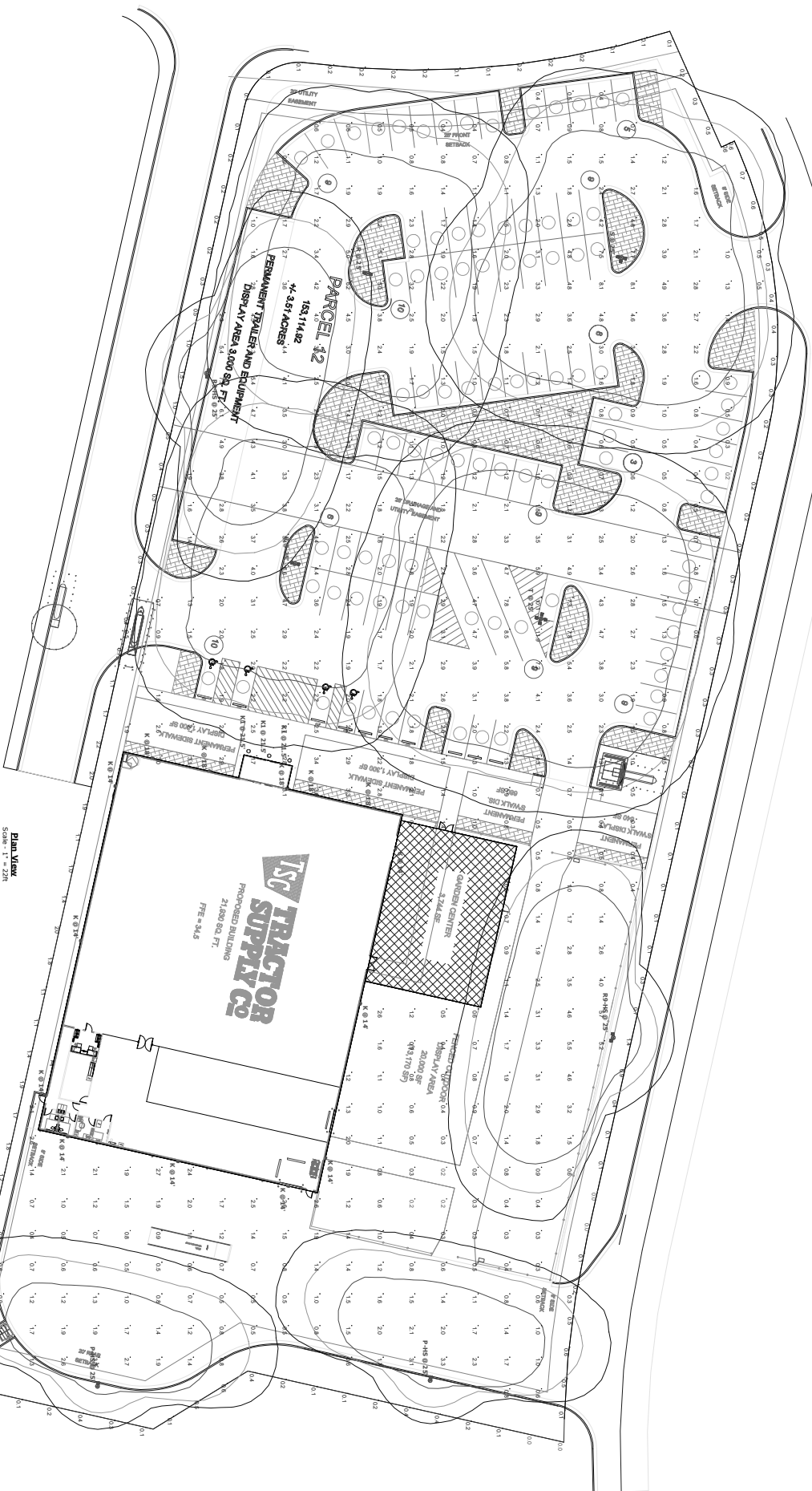
| TREE | BEARING         | DISTANCE |
|------|-----------------|----------|
| 12PN | N 15° 30' E     | 15.0'    |
| 13PN | S 55° 27' 48" W | 45.12'   |
| 14PN | S 23° 47' 29" E | 4.41'    |
| 15PN | N 65° 52' 59" E | 6.50'    |

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

| <p><b>L-1.0</b></p> <p>150' SCALE</p> <p>DATE: 2/16/2011</p> | <p><b>PROJECT STATUS</b></p> <p>CONCEPTUAL LAYOUT</p> <p>PRELIMINARY LAYOUT</p> <p>FINAL DESIGN</p> <p>DESIGNED FOR CONSTRUCTION</p> | <p><b>TREE PLAN</b></p> <p>TRACTOR SUPPLY CO.</p> <p>TBD SOUTHPORT CROSSING WAY</p> <p>SOUTHPORT, NC 28461</p>                                                                                                             | <p><b>PARAMOUNT</b></p> <p>122 Cinema Drive</p> <p>Wilmington, North Carolina 28403</p> <p>(910) 791-6707 (O) (910) 791-6760 (F)</p> <p>NC License #: C-2846</p> | <p><b>CLIENT INFORMATION:</b></p> <p>SOUTHPORT DEVELOPMENT GROUP, LLC</p> <p>155 W. NEW YORK AVE., SUITE 200</p> <p>SOUTHERN PINES, NC 28387</p> | <p><b>REVISIONS:</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DATE | DESCRIPTION |  |  |  |  |  |  |  |  |  |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------|-------------|--|--|--|--|--|--|--|--|--|
|                                                              | NO.                                                                                                                                  | DATE                                                                                                                                                                                                                       | DESCRIPTION                                                                                                                                                      |                                                                                                                                                  |                                                                                                                                                                                                                                                     |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                              |                                                                                                                                      |                                                                                                                                                                                                                            |                                                                                                                                                                  |                                                                                                                                                  |                                                                                                                                                                                                                                                     |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                              |                                                                                                                                      |                                                                                                                                                                                                                            |                                                                                                                                                                  |                                                                                                                                                  |                                                                                                                                                                                                                                                     |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                              |                                                                                                                                      |                                                                                                                                                                                                                            |                                                                                                                                                                  |                                                                                                                                                  |                                                                                                                                                                                                                                                     |     |      |             |  |  |  |  |  |  |  |  |  |
| <p><b>SCALE</b></p> <p>1" = 30'</p> <p>DATE: 2/16/2011</p>   | <p><b>DRAWING INFORMATION</b></p> <p>DATE: 2/16/2011</p> <p>DESIGNED BY: J. J. J.</p> <p>CHECKED BY: J. J. J.</p>                    | <p><b>PLAN PREPARED BY:</b></p> <p>MICHAEL NICHOLS, P.E.</p> <p>PARAMOUNT ENGINEERING, INC.</p> <p>NC LICENSE: 1860</p> <p><b>TREES LOCATED BY SURVEY:</b></p> <p>PARAMOUNT ENGINEERING, INC.</p> <p>NC LICENSE: 12417</p> | <p><b>DATE:</b></p> <p>2/16/2011</p>                                                                                                                             | <p><b>DATE:</b></p> <p>2/16/2011</p>                                                                                                             | <p><b>DATE:</b></p> <p>2/16/2011</p>                                                                                                                                                                                                                |     |      |             |  |  |  |  |  |  |  |  |  |







Schedule table with columns: Symbol, Label, Quantity, Catalog Number, Description, Lamp, Light Loss Factor, Wattage. Includes rows for P-HIS, R, R3-HIS, S, T, K, and K1.

Statistics table with columns: Description, Symbol, Avg, Max, Min, Max/Avg, Max/Min, Avg/Min. Includes rows for Parking Lot, Light Levels, Property Line, and Light Levels.

Tractor Supply Co - Southport, NC
Parking Lot Lighting Layout



## 2022 PLANNING BOARD ATTENDANCE

| MEETING<br><u>DATE</u>    | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug | Sept | Oct | Nov | Dec |                   |
|---------------------------|------|------|------|------|-----|------|------|-----|------|-----|-----|-----|-------------------|
| <u>NAME</u>               |      |      |      |      |     |      |      |     |      |     |     |     | Total<br>Absences |
| Sue Hodgkin<br>Chair      | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Will Hewett<br>Vice-Chair | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Fred Fiss                 | N/A  | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Christopher<br>Jones      | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Scott Jones               | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Donnie Joyner             | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Maureen Meehan            | P    | P    | A    | P    |     |      |      |     |      |     |     |     | 1                 |
| Gustavo E.<br>Mibelli     | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Dick Sloan                | P    | P    | P    | P    |     |      |      |     |      |     |     |     |                   |
| Tish Harem                | P    | P    | -    | -    |     |      |      |     |      |     |     |     |                   |
|                           |      |      |      |      |     |      |      |     |      |     |     |     |                   |

**P = Present**  
**A = Absent**



## 2022 PLANNING AND ZONING BOARD MEMBER ROSTER

|    |                                                                                                 |                         |                                    | APPOINTMENT                      | EXPIRATION             |             |
|----|-------------------------------------------------------------------------------------------------|-------------------------|------------------------------------|----------------------------------|------------------------|-------------|
| 1  | Sue Hodgins, Chair<br><a href="mailto:beachnsue@gmail.com">beachnsue@gmail.com</a>              | 608 Cottage Point Way   | (910)<br>477-1808                  | Feb. 10, 2022                    | 3 Yr.<br>February 2025 | IN          |
| 2  | Will Hewett, Vice-Chair<br><a href="mailto:willhewett.68@gmail.com">willhewett.68@gmail.com</a> | 129 Cape Fear Drive     | (910)<br>520-3291                  | July 11, 2019                    | 3 Yr.<br>July 2022     | IN          |
| 3  | Fred Fiss<br><a href="mailto:ffiss@bellsouth.net">ffiss@bellsouth.net</a>                       | 216 N. Atlantic Ave.    | (910)<br>269-6901                  | Feb. 10, 2022                    | 3 Yr.<br>February 2025 | CITY<br>ALT |
| 4  | Christopher W. Jones<br><a href="mailto:cjonessy03@gmail.com">cjonessy03@gmail.com</a>          | 1008 Dutchman Cove SE   | (910)<br>549-1407                  | March 12, 2020                   | 3 Yr.<br>March 2023    | ETJ<br>ALT  |
| 5  | Scott Jones<br><a href="mailto:southportjones@gmail.com">southportjones@gmail.com</a>           | 1001 Pete's Camp Road   | 457-9770<br>(910)<br>471-0802<br>C | August 14, 2020                  | 3 Yr.<br>August 2023   | ETJ         |
| 6  | Donnie Joyner<br><a href="mailto:donnie.joyner@gmail.com">donnie.joyner@gmail.com</a>           | 635 Jabbertown Road     | (910)<br>368-7501                  | August 14, 2020                  | 3 Yr.<br>August 2023   | ETJ         |
| 7  | Maureen Meehan<br><a href="mailto:Mo@lantanagallery.com">Mo@lantanagallery.com</a>              | 212 Frink Drive         | (252)<br>422-8365                  | August 14, 2020                  | 3 Yr.<br>August 2023   | IN          |
| 8  | Gustavo Mibelli<br><a href="mailto:gemibelli@gmail.com">gemibelli@gmail.com</a>                 | 5995 Gray Squirrel Path | (704)<br>491-7879                  | Oct. 8, 2020                     | 3 Yr.<br>October 2023  | IN          |
| 9  | Richard Sloan<br><a href="mailto:saltydogrhs14@gmail.com">saltydogrhs14@gmail.com</a>           | 509 E. Moore Street     | (910)<br>946-1771                  | Feb. 10, 2022                    | 3 Yr.<br>February 2025 | IN          |
| 10 | Thomas Lloyd<br><a href="mailto:tlloyd@cityofsouthport.com">tlloyd@cityofsouthport.com</a>      | 1029 N. Howe Street     | (910)<br>457-7961                  | Development Services<br>Director |                        |             |
| 11 | Tanya Shannon<br><a href="mailto:tshannon@cityofsouthport.com">tshannon@cityofsouthport.com</a> | 1029 N. Howe Street     | (910)<br>457-7929                  | Staff<br>Deputy Clerk            |                        |             |
| 12 | Dorothy Dutton<br><a href="mailto:ddutton@cityofsouthport.com">ddutton@cityofsouthport.com</a>  | 1029 N. Howe Street     | (910)<br>457-7900<br>X 1010        | Staff<br>City Clerk              |                        |             |

**Meetings are held on the third Thursday of every month at 6:00 pm at the Community Building.  
223 E. Bay Street Southport, N.C. 28461**