



AGENDA | BOARD OF COMMISSIONERS REGULAR MEETING

March 12, 2024 at 4:30 PM

Burgaw Town Center
108 E Wilmington St

- 1. Call to Order**
- 2. Invocation**
- 3. Pledge of Allegiance**
- 4. Approval of Agenda**
- 5. Approval of Consent Agenda**

*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Board.

 - A. Resolution 2024-05 Approving Local Water Supply Plan**
 - B. Ordinance 2024-04 Approving the amendment to the Town of Burgaw Code of Ordinances, Section 4-1 Running at Large**
 - C. Ordinance 2024-05 Amending the FY 2023-2024 Annual Budget for the purchase of a digital message board/road sign, Merry Christmas Garland Banner, 15' illuminated 3D Santa, and a contract service to have the Burgaw Town Center parking lot paved.**
 - D. Ordinance 2024-06 Amending the FY 2023-2024 Annual Budget to reflect changes to the Pay Classification Plan**
- 6. Special Requests/Presentations**
 - A. Arbor Day Proclamation**
 - B. Tourism Development Authority - Update**
 - C. John Westbrook - Special Events Application**

- D. **Pender Spring Fest - Request of Street Closure**
- E. **Resilient Coastal Communities Program - Update**
- F. **Kids Making It Program**

7. Departmental Items

- A. **Public Works Department**
Alan Moore, Public Works Director
- B. **Fire Department**
Jim Taylor, Fire Chief
- C. **Facilities & Grounds Department**
Damon Stanley, Facilities & Grounds Director
- D. **Parks, Recreation & Tourism Department**
Cody Suggs, Parks & Recreation Director
- E. **Planning Department**
Gilbert Combs, Planning Director
- F. **Building Inspections Department**
Louis Hesse, Building Code Administrator
- G. **Finance Department**
Wendy Pope, Finance Officer
- H. **Police Department**
Daniel Fuller, Assistant Police Chief

8. Public Forum

9. Public Hearing

- A. **Rezoning Request: Penderline, LLC**
Gilbert Combs, Planning Director
Consideration of a conditional district rezoning from R-12, Residential to R-7(CZ), Residential Conditional District for a multifamily project containing 30 3-bedroom townhomes located on Timberly Lane (PIN: 3229-36-9052-0000).
- I. **Resolution 2024-06 Statement of Consistency**
Adopting a statement of consistency regarding an amendment of the

official zoning map of the Town of Burgaw requested by Andrew Smith of Penderline, LLC to rezone property located on North Timberly Lane (Parcal Identification Number 3229-36-9052-0000) from R-12, Residential to R-7 (CZ) Residential District Conditional Zoning for a multifamily project containing 30 3-bedroom townhomes.

II. Ordinance 2024-07 Zoning Map Amendment

A map amendment of the official zoning map of the Town of Burgaw requested by Andrew Smith of Penderline, LLC to rezone property located on North Timberly Lane (Parcal Identification Number 3229-36-9052-0000) from R-12, Residential to R-7 (CZ) Residential District Conditional Zoning for a multifamily project containing 30 3-bedroom townhomes.

B. Special Use Permit: Penderline, LLC

Consideration of a special use permit request for multifamily residential in an R-7(CZ), Residential Conditional Zoning District for 30 3-bedroom townhomes located on Timberly Lane (PIN: 3229-36-9052-0000).

I. Resolution 2024-07 Special Use Permit

Resolution for a Special Use Permit for property located on North Timberly Lane (Parcel ID: 3229-36-9052-0000) to allow a multifamily project containing 30 3-bedroom townhomes in the R-7 (CZ), Residential District Conditional Zoning.

C. Special Use Permit: Pender County Law Enforcement Center

Consideration of a special use permit request for the Pender County Law Enforcement Center for a detention facility and sheriff's office located on Old Savannah Road (PIN: 3219-87-6937-0000).

I. Resolution 2024-08 Special Use Permit

Resolution for a Special Use Permit for property located on Old Savannah Road South (Parcel ID: 3219-87-6937-0000) to allow the Pender County Law Enforcement Center project which includes a detention center (jail) in the RA, Rural Agricultural Zoning District.

D. Text Amendment Request

Consideration of a text amendment to the Unified Development Ordinance by staff to amend sections 8.14 Table of Permitted Uses, Special Uses and Special Requirements, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions.

I. Resolution 2024-09 Statement of Consistency

Adopting a statement of consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by staff of the

Town of Burgaw to amend sections 8.14 Table of Permitted Uses, Special Uses and Special Requirements, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions.

II. Ordinance 2024-08 Text Amendment

A text change amendment to the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend sections 8.14 Table of Permitted Uses, Special Uses and Special Requirements, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions.

10. Items from Manager

A. Public Safety Radio Replacement Project

B. Update on current town projects

11. Items from Attorney

12. Items from Mayor and Board of Commissioners

13. Closed Session

A. Pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege

14. Adjournment



**Town of Burgaw
ITEM REPORT**

Item: 5A

DATE OF MEETING: March 12, 2024 DEPARTMENT OF ORIGIN: Public Works	DATE SUBMITTED: 03/04/2024 SUBMITTED BY: Kristin Wells, Town Clerk
AGENDA ITEM DESCRIPTION: Resolution 2024-05 Approving Local Water Supply Plan	
SUMMARY STATEMENT: The following resolution concerns the Town of Burgaw's Local Water Supply Plan that was approved by the North Carolina Department of Environmental Quality. This plan is reviewed and updated yearly according to the requirements set by NCDEQ. It was approved by NCDEQ on February 15, 2024.	
STAFF RECOMMENDATION AND REQUESTED ACTION:	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	
ATTACHMENTS (IF ANY): LWSP_Sample_Resolution_Generic	

Resolution 2024-05
RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Burgaw, has been developed and submitted to the Board of Commissioners for approval; and

WHEREAS, the Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Town of Burgaw, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Burgaw that the Local Water Supply Plan entitled, Town of Burgaw Local Water Supply Plan 2023 dated February 2023, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 12th day of March, 2024.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2024-04

APPROVING THE AMENDMENT TO THE TOWN OF BURGAW CODE OF ORDINANCES TO ADD TO CHAPTER 4 - ANIMALS AND FOWL, SECTION 4-1. - RUNNING AT LARGE

WHEREAS, Town of Burgaw Staff has requested an amendment to the Town of Burgaw Code of Ordinances to Chapter 4 – ANIMALS AND FOWL, Section 4-1. – Running at Large;

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the request, and found the proposed amendment reasonable and in the public interest; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

SECTION 1. The Town of Burgaw Code of Ordinances is amended to Section 4-1 as follows:

Chapter 4 – ANIMALS AND FOWL

Sec. 4-1. – Running at Large.

~~No person owning or having control of any animal or fowl shall permit it to run at large within the corporate limits.~~

(a) It shall be unlawful for any owner of a dog, other animal, or fowl, to permit them to run at large or be off the premises of its owner and not under the restraint of a competent person. Restraint of a competent person shall be a leash in the physical control of such person and not exceed twenty (20) feet in length. An electronic obedience collar, not a GPS tracking collar, may be utilized if in proper working order, within a reasonable distance, not to exceed 20 feet. Having a trained dog under voice command/control will not be considered as a restraint.

(b) Upon an officer observation of a dog running at large or off the premises of its owner and not under the control of a competent person, the officer may, at their discretion, impound the dog, per the county's Animal Control Policy, or return it to its owner.

(c) Upon the receipt of a complaint that a dog is running at large or is off the premises of its owner and not under the control of a competent person, the officer shall investigate the complaint and, upon a finding that there is probable cause that a violation has occurred, the officer may issue a citation or a warning or take any other action provided for by ordinance or state law as the circumstances may require.

SECTION 2. This amendment is approved on this, the 12th day of March 2024.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2024-05

AMENDING FISCAL YEAR 2023-2024 ANNUAL BUDGET Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2023-2024 on June 6, 2023; and

WHEREAS, the Town of Burgaw Board of Commissioners has obligated fund balance for the funding of items discussed in an open board meeting; and

WHEREAS, the purchases of a Digital Message Board/Road Sign, Merry Christmas Garland Banner, 15' Illuminated 3D Santa, and a contract service to have the Burgaw Town Center parking lot paved have been requested; and

WHEREAS, a general fund fund balance appropriation is needed to authorize these expenses in FY 23-24.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

The FY 2023-2024 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-3900-00-900	Fund Balance Appropriation	\$ 250,000

INCREASE BUDGETED EXPENDITURE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-6300-00-740	Beautification Comm Capital Outlay	\$ 13,000
10-5050-80-740	Facilities & Grounds Capital Outlay	\$ 56,000
51-7050-00-459	BTC Landscape/Paving/Sidewalk	\$ 181,000

Adopted this the 12th day of March, 2024.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2024-06

***AMENDING FISCAL YEAR 2023-2024 ANNUAL BUDGET
Change to Pay Classification Plan***

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2023-2024 on June 6, 2023; and

WHEREAS, the Board of Commissioners approved a change of staff in the Fire Department to add Fire Marshall, remove Deputy Fire Chief, and to create the Information Technology Manager position; and

WHEREAS, the Town has updated the Pay Classification Plan to accommodate these positions; and

WHEREAS, the Pay Classification Plan in the budget ordinance will need to be amended to reflect these changes.

***NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD
OF COMMISSIONERS THAT:***

The FY 2023-2024 Pay Classification Plan be altered to reflect the following changes as attached.

(See attachment)

Adopted this the 12th day of March, 2024.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

PAY CLASSIFICATION PLAN

Fiscal Year 2023-24

Grade	Classification	FLSA Non-Exempt/Exempt	Minimum Yearly	Maximum Yearly
12	Facilities & Grounds Maintenance Worker	NE	\$33,822	\$47,350
13	Water & Sewer Maintenance Worker	NE	\$35,733	\$50,026
14	Recreation Coordinator	NE	\$38,821	\$54,349
15	Firefighter	NE	\$39,624	\$55,473
	Mechanic			
	Community Development Coordinator			
	Police Administrative Assistant			
	Public Works Administrative Assistant			
	Utility Billing Technician/Customer Service Representative			
16	Equipment Operator	NE	\$42,067	\$58,894
17	Accounting Technician II	NE	\$43,266	\$60,573
	Firefighter / Apparatus Operator			
	Firefighter / Apparatus Operator			
	Streets & Drainage Superintendent			
	Utility Technician			
18	Water & Sewer Superintendent	NE	\$45,525	\$63,735
20	Patrol Officer	NE	\$49,314	\$69,040
	Patrol Officer / K-9 Officer			
	Patrol Officer / School Resource Officer			
21	Deputy Finance Officer	E	\$49,521	\$69,330
22	Assistant Public Works Director	Sa	\$50,877	\$71,227
	Fire Marshall			
	Corporal			
	Corporal - Crime Diversion Officer			
	Detective			
24	Detective Sergeant	NE	\$53,443	\$74,820
	Patrol Sergeant			
25	Human Resources Director/Deputy Town Clerk	E	\$56,106	\$78,548
26	Assistant Police Chief	E	\$58,672	\$82,141
	Facilities & Grounds Director			
	Parks, Recreation & Tourism Director			
	Planning Director			
	Town Clerk			
28	Building Code Administrator	E	\$66,968	\$95,831
	Fire Chief			
	Public Works Director			
	Information Technology Manager			
29	Finance Officer	E	\$69,353	\$97,094
31	Police Chief	E	\$75,540	\$105,756
34	Assistant Town Manager	E	\$85,754	\$120,055
36	Town Manager	E	\$104,876	\$146,827

Amended: 3/12/2024

Arbor Day Proclamation

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, Olivia Dawson, Mayor of the Town of Burgaw, do hereby proclaim March 22, 2024 as

Arbor Day

In the Town of Burgaw, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 12th day of March in the year 2024.

Olivia Dawson, Mayor



SPECIAL EVENT PERMIT APPLICATION

PLEASE TAKE TIME TO REVIEW THE SPECIAL EVENT PERMIT APPLICATION AND INSTRUCTIONS BEFORE YOU BEGIN COMPLETING THE APPLICATION FORM.

The Town of Burgaw is proud to have its residents and visitors host a multitude of community events in order to improve the quality of life and contribute to the economic vitality of the Town. The following pages include the Town of Burgaw's Special Events Permit Application and accompanying instructions developed to guide you through the permit process.

A Special Events Permit Application can be printed online or picked up at and submitted to:

Attn: Cody Suggs
Parks & Recreation Department
Town of Burgaw
109 N. Walker St.
Burgaw, NC 28452

For more information please contact (910) 300-6401 or csuggs@burgawnc.gov. On behalf of the Town of Burgaw we thank you for contributing to the vitality of our community and offer you best wishes for a successful event.

THERE ARE NO SHORTCUTS TO THE PROCESSING OF A SPECIAL EVENTS PERMIT APPLICATION. PLEASE ALLOW A MINIMUM OF THIRTY (30) DAYS FOR THE PROCESSING OF THE SPECIAL EVENTS PERMIT APPLICATION.

A completed application must have all applicable sections of the application complete and must include a detailed map of the event layout. Any application that is submitted without a map of the event layout will be deemed incomplete and returned to the applicant.

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INSTRUCTIONS

Completed Special Events Permit Applications must be received no later than thirty (30) days prior to the event start date and may be submitted as early as six (6) months prior to the event start date. In general, any organized activity involving the use of, or having impact upon public property, street areas or the temporary use of private property in a manner that varies from its current land use, requires a permit.

It is our goal to assist event organizers in planning safe and successful events that create a minimal impact on the communities and residents surrounding the events.

PERMIT APPLICATION PROCESS

The Permit Application Process begins when the Event Organizer submits a completed Special Events Permit Application. During the initial application screening process, you will be allowed time to provide all pending documents (e.g. Liability Insurance, secondary permits, etc.). Upon receipt of your completed Permit Application, a representative from the Town will contact you.

A completed application must have all applicable sections of the application complete and must include a detailed map of the event layout. Any application that is submitted without a map of the event layout will be deemed incomplete and returned to the applicant.

Your Town Liaison will distribute, for review, copies of your Permit Application to all Town Departments affected by your event. You may be contacted individually by these departments only if they have specific questions or concerns about your event. Please be aware that in some cases you may need to contact federal, state or county agencies in addition to the Town of Burgaw.

Throughout the Permit Application Process, you will be notified if your event requires any additional information, permits, licenses or insurance. Delays in providing the requested items often delay the ability to finish the Permit Application Process and approve a Permit Application in a timely manner and could result in denial of the application.

Note: Keep in mind that acceptance of your Permit Application should in no way be construed as final approval or confirmation of your Permit Application.

SECTION I – CONTACT INFORMATION

*Required information. Please complete entire section

Host Organization*

Host Organization is the organization accepting all financial responsibility for the event and provides the required insurance.

Organization Name: NC MG CAR CLUB
MG BRITISH AUTO CLUBType of Organization: ☐ Corporation ☐ LLC ☒ Non-Profit
(Non-Profit must provide copy of determination letter)Mailing Address: 818 FAMILCO DRIVE CARY NC 27511
(Street Address) (City) (State) (Zip)Physical Address: SAME
(If different) (Street Address) (City) (State) (Zip)Primary Phone Number: 919 740-3108 Fax Number: _____Website Address: http:// NCMGCC.ORG**Event Organizer***

Event Organizer is the applicant given authorization by the host organization to apply for the Special Event Permit.

Name: BILL HAWKINS Title: COASTAL TOUR GUIDEMailing Address: 2301 KENDRICKS CT RALEIGH NC 27613
(Street Address) (City) (State) (Zip)Phone Number: (919) 740-3108 Cell Phone Number: ()E-Mail address: whawkins@yahoo.com**On-Site Contact**

Contact information for the person who will be on-site and will be the primary contact on the day(s) of the event.

Name: JOHN WEBSTER Title: OWNER BA☐ Check if same as above for Event Organizer or Secondary OrganizerPhone Number: (919) 254-7020 Cell Phone Number: (919) 604-1191E-Mail address: oldfinds@attstar.net**Only those authorized as event organizer and secondary organizer will be able to make changes to the application.**

SECTION II – EVENT INFORMATION

***REQUIRED INFORMATION. Please complete entire section.**

Event Details*

Event Name: ANNUAL COASTAL TOUR

Type of Event: ☐ 5k or 10k Runs ☐ Bike Races ☐ Block Party ☐ Celebration
☐ Ceremony ☐ Concert ☐ Festival ☐ Fundraiser
☐ Farmers Market ☐ Marathon ☐ Half-Marathon ☐ Parade
☐ Procession ☐ Street Fair ☐ Walkathons ☐ Car Show

☒ Other: CAR SHOW / LUNCH

Detailed Event Description (50-Word **Minimum**):

THE 4 ARE COMING TO SPEND
MONEY.

Is this an annual event? ☒ Yes, ☐ No

Is this a multi-day event? ☐ Yes, ☒ No If so, how many days? _____

Is there an admission fee? ☐ Yes, ☒ No If yes, please include admission fee(s) \$_____

What is the anticipated attendance? Overall: 60-65 Daily: _____

Previous year's attendance (if applicable): Overall: FIRST TIME Daily: _____

Event Set-Up & Tear-Down*

If you will be utilizing street closures, please refer to the next section to provide all street closure information.

How many days will your organization require to:

Set-Up: 9 AM Tear Down: 2:00 PM

Event Set-Up Date: TUES, 4/9/24
 (Day of Week) (Date)

Event Set-Up Time: 9 AM to 2 PM

Event Start Date: TUES, 4/9/24
 (Day of Week) (Date)

Event Start Time: 10 AM/PM

Event End Date: TUES 4/9/24
 (Day of Week) (Date)

Event End Time: 2 AM/PM

Event Tear-Down Date: TUES 4/9/24
 (Day of Week) (Date)

Event Tear-Down Time: 3 PM to _____

If your event is a multi-day event, please complete the following information for each separate date. Space is provided for five (5) additional entries. If your event is longer than five (5) days, please attach an additional sheet of paper with the requested information.

Additional Day One: *N.A.*

Event Set-Up Date: _____

Event Set-Up Time: _____ to _____

Event Start Date: _____

Event Start Time: _____ AM/PM

Event End Date: _____

Event End Time: _____ AM/PM

Event Tear-Down Date: _____

Event Tear-Down Time: _____ to _____

Additional Day Two:

Event Set-Up Date: _____

Event Set-Up Time: _____ to Event Start

Date: _____

Event Start Time: _____ AM/PM

Event End Date: _____

Event End Time: _____ AM/PM

Event Tear-Down Date: _____

Event Tear-Down Time: _____ to _____

Additional Day Three:

Event Set-Up Date: _____

Event Set-Up Time: _____ to Event Start

Date: _____

Event Start Time: _____ AM/PM

Event End Date: _____

Event End Time: _____ AM/PM

Event Tear-Down Date: _____

Event Tear-Down Time: _____ to _____

Additional Day Four:

Event Set-Up Date: _____

Event Set-Up Time: _____ to Event Start

Date: _____

Event Start Time: _____ AM/PM

Event End Date: _____

Event End Time: _____ AM/PM

Event Tear-Down Date: _____

Event Tear-Down Time: _____ to _____

Additional Day Five:

Event Set-Up Date: _____

Event Set-Up Time: _____ to Event Start

Date: _____

Event Start Time: _____ AM/PM

Event End Date: _____

Event End Time: _____ AM/PM

Event Tear-Down Date: _____

Event Tear-Down Time: _____ to _____

SECTION III – STREET CLOSURE(S)

Closure Start Date: _____

Closure Start Time: _____ AM/PM

Closure End Date: H.A.

Closure End Time: _____ AM/PM

Please list the streets, from intersection to intersection, which will be closed for your event. Space is provided for up to five (5) entries. If you need more space please attach an additional sheet of paper with the requested information. Your Site Plan/Map must show all streets, street closures, and must include a designated 12-foot wide emergency lane.

1) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

2) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

3) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

4) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

5) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

SECTION IV – VENUE & STAGING

Venue Details*

Venue Name: ANNUAL COASTAL TOUR

Venue Address: BURGAW NC 28425
(Street Address) (City) (State) (Zip)

Venue Description (Please attach your Site Plan/Map to your Application Packet):

EAST SIDE OF WRIGHT ST,
FROM WILMINGTON ST, TO FREMONT ST

Staging Details*

The following items will be used at the event (Please mark all that apply):

☐ Amplified Music ☐ Bleacher(s) ☐ Dance Floor(s) ☐ Live Entertainment* ☐ Jumper
☐ Loud Speaker(s) ☐ Microphone(s) ☐ Disk Jockey (DJ) ☒ Moving Vehicles (Including golf
carts) LEAPRIDE

☐ Stage(s) Number & Size: M, B, 1

☐ Do you need power on the square or at the depot?

Provide by: NO

☐ EZ Up Number & Size: B

☐ Canopy Number & Size: B

Please indicate location of EZ Ups/canopies and size on Site Plan/Map.

☐ Other: △

*If Live Entertainment is selected, please describe: NO LIVE

Note: If any of the above items will be used, please indicate their location on your attached Site Plan/Map with Legend. Use of the above items may require the Event Organizer to meet Fire Department, ADA regulations, and insurance requirements.

Note: All formal request to use the court house square for an event should be made through Pender County Government.

Note: All formal request to use the Burgaw Community House/Train Depot for events at a rate beyond the already agreed upon rate, must go before the Burgaw Town Commissioners for approval.

SECTION V – CATERING & ALCOHOLIC BEVERAGES

Event Organizer must obtain a health permit for the event including all food providers. If alcoholic beverages will be provided or sold at the event, an ABC Permit is required. ABC Permit application must be submitted to the Town for approval a minimum of 10 days prior to the event. Police services may be required.

Event will include the following (Please mark all that apply):

- ☐ Alcoholic Beverages ☐ Non-Profit Food Vendors ☐ Pot Luck Items
☐ Professional Catering ☐ Pre-Packaged Food/Beverage Items ☐ Retail Food Vendors

SECTION VI – SANITATION

Restroom Facility Details*

Some events will require the presence of portable restrooms and/or hand-washing stations. Use of these items will require the Event Organizer to meet ADA regulations. Please contact your rental company for attendance to restroom ratios. Please indicate location(s) on your Site Plan/Map.

Will Event Organizer provide portable restroom facilities?

☐ Yes,

☒ No

SECTION VII – SITE PLAN/MAP INSTRUCTIONS

All site plans/maps must be submitted using 8 ½" x 11" or 8 ½" x 14" white paper. **All applicants are required to submit a detailed Site Plan/Map.**

Site plans/maps must also include a key showing the use of symbols for people, vehicles, first aid station(s), cooking station(s), food tables, stage(s), platform(s), barricades, 12-foot fire lane, etc.

If using Computer Assisted Generation (CAG) for the site plan/map please ensure the use of Arial Fonts no smaller than size 10.

SECTION VIII – MISCELLANEOUS

Animals

If animals will be present, food service canopies/tents must be at least fifty (50) feet away. It will also be required that Event Organizer provides portable hand-washing stations.

Will there be any kind of animals at this event (e.g. petting zoo, ponyrides, etc.)? ☐ Yes, ☐ No

If yes, please list type of animal(s):

MADRIDES 1 SHOWN TO A

If so, please indicate the location of the animals on the Site Plan/Map. Additional permitting may be required.

IN CAR ONLY

INSURANCE

Host Organization and/or Event Organizer must provide a General Liability Insurance Certificate providing evidence of general liability insurance coverage in the minimum amount of \$1,000,000 combined single limit, \$2,000,000 aggregate AND \$1,000,000 Auto Liability if the event includes any moving vehicles including golf carts AND an additional insured endorsement naming the Town of Burgaw, its officers, employees and agents' as additional insured. \$1,000,000 Liquor Liability if the event is selling alcohol. \$1,000,000 Liquor Host if the event is distributing alcohol at no charge. All vendors participating in the event and service providers must provide insurance as well as all contracted services for the event i.e. Security services, rentals, traffic management, etc. **This document must be submitted no later than fifteen (10) days prior to the event start date**

SECTION IX - INDEMNIFICATION AGREEMENT

Host Organization and/or Event Organizer agree, in consideration of the granting of this Application and Special Event Permit for:

H.A. to be held on _____
Event Name Event Date(s)
by _____ of _____
Event Organizer/Primary Applicant Host Organization

Host Organization and/or Event Organizer(s) agree to defend, indemnify and hold harmless the Town of Burgaw, and the Town of Burgaw's employees, managers, council members, and volunteers harmless from any and all losses, damages, claims for damage, liability, lawsuits, judgment expense and cost(s) arising from any injury or death to any person or damage to any property including all reasonable costs for investigation and defense thereof (including, but not limited to, attorney fees, costs and expert fees) arising out of or attributed to the issuance of Applicant's Special Event Permit regardless of where the injury, death or damage may occur, unless such injury, death or damage is caused by the sole negligence or willful misconduct of the Town.

?
Print Name

Title

Signature

Date

For Office Use Only

Approved: _____

Not Approved: _____

Parks & Recreation Director

Date



SPECIAL EVENT PERMIT APPLICATION

PLEASE TAKE TIME TO REVIEW THE SPECIAL EVENT PERMIT APPLICATION AND INSTRUCTIONS BEFORE YOU BEGIN COMPLETING THE APPLICATION FORM.

The Town of Burgaw is proud to have its residents and visitors host a multitude of community events in order to improve the quality of life and contribute to the economic vitality of the Town. The following pages include the Town of Burgaw's Special Events Permit Application and accompanying instructions developed to guide you through the permit process.

A Special Events Permit Application can be printed online or picked up at and submitted to:

Attn: Cody Suggs
Parks & Recreation Department
Town of Burgaw
109 N. Walker St.
Burgaw, NC 28452

For more information please contact (910) 300-6401 or csuggs@burgawnc.gov. On behalf of the Town of Burgaw we thank you for contributing to the vitality of our community and offer you best wishes for a successful event.

THERE ARE NO SHORTCUTS TO THE PROCESSING OF A SPECIAL EVENTS PERMIT APPLICATION. PLEASE ALLOW A MINIMUM OF THIRTY (30) DAYS FOR THE PROCESSING OF THE SPECIAL EVENTS PERMIT APPLICATION.

A completed application must have all applicable sections of the application complete and must include a detailed map of the event layout. Any application that is submitted without a map of the event layout will be deemed incomplete and returned to the applicant.

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INSTRUCTIONS

Completed Special Events Permit Applications must be received no later than thirty (30) days prior to the event start date and may be submitted as early as six (6) months prior to the event start date. In general, any organized activity involving the use of, or having impact upon public property, street areas or the temporary use of private property in a manner that varies from its current land use, requires a permit.

It is our goal to assist event organizers in planning safe and successful events that create a minimal impact on the communities and residents surrounding the events.

PERMIT APPLICATION PROCESS

The Permit Application Process begins when the Event Organizer submits a completed Special Events Permit Application. During the initial application screening process, you will be allowed time to provide all pending documents (e.g. Liability Insurance, secondary permits, etc.). Upon receipt of your completed Permit Application, a representative from the Town will contact you.

A completed application must have all applicable sections of the application complete and must include a detailed map of the event layout. Any application that is submitted without a map of the event layout will be deemed incomplete and returned to the applicant.

Your Town Liaison will distribute, for review, copies of your Permit Application to all Town Departments affected by your event. You may be contacted individually by these departments only if they have specific questions or concerns about your event. Please be aware that in some cases you may need to contact federal, state or county agencies in addition to the Town of Burgaw.

Throughout the Permit Application Process, you will be notified if your event requires any additional information, permits, licenses or insurance. Delays in providing the requested items often delay the ability to finish the Permit Application Process and approve a Permit Application in a timely manner and could result in denial of the application.

Note: Keep in mind that acceptance of your Permit Application should in no way be construed as final approval or confirmation of your Permit Application.

SECTION I – CONTACT INFORMATION

*Required information. Please complete entire section

Host Organization*

Host Organization is the organization accepting all financial responsibility for the event and provides the required insurance.

Organization Name: PENDER COUNTY SPRING FESTIVAL

Type of Organization: ☐ Corporation ☐ LLC ☐ Non-Profit
(Non-Profit must provide copy of determination letter)

Mailing Address: POB 247 BURGAW NC 28425
(Street Address) (City) (State) (Zip)

Physical Address: 111 W. FREMONT ST
(If different) (Street Address) (City) (State) (Zip)

Primary Phone Number: (910) 259 4844 Fax Number: ()

Website Address: http://

Event Organizer*

Event Organizer is the applicant given authorization by the host organization to apply for the Special Event Permit.

Name: W. ROSS HARRELL Title: COMMITTEE MEMBER

Mailing Address: POB 247 BURGAW NC 28425
(Street Address) (City) (State) (Zip)

Phone Number: (910) 259 4844 Cell Phone Number: (910) 200 6001

E-Mail address: ROCHELL@FURNITURE@BELL SOUTH. NET

On-Site Contact

Contact information for the person who will be on-site and will be the primary contact on the day(s) of the event. ROCHELL WHITE-SIDE

Name: ROCHELL WHITE-SIDE Title:

☒ Check if same as above for Event Organizer or Secondary Organizer

Phone Number: (910) 259-4844 Cell Phone Number: (910) 617 2368

E-Mail address:

Only those authorized as event organizer and secondary organizer will be able to make changes to the application.

SECTION II – EVENT INFORMATION

***REQUIRED INFORMATION. Please complete entire section.**

Event Details*

Event Name: PENDER COUNTY SPRINGS FESTIVAL

Type of Event: ☒ 5k or 10k Runs ☐ Bike Races ☐ Block Party ☐ Celebration
☐ Ceremony ☐ Concert ☒ Festival ☐ Fundraiser
☐ Farmers Market ☐ Marathon ☐ Half-Marathon ☐ Parade
☐ Procession ☐ Street Fair ☐ Walkathons ☐ Car Show
☐ Other: _____

Detailed Event Description (50-Word **Minimum**):

COMMUNITY NETWORKING EVENT FEATURING HAND MADE, HOME MADE AND HOME GROWN PRODUCTS EXCLUSIVELY FROM PENDER COUNTY - STREET DANCE FRIDAY EVENING - 3 MILE WALK RUN

Is this an annual event? ☒ Yes, ☐ No
 Is this a multi-day event? ☒ Yes, ☐ No If so, how many days? 1 1/2
 Is there an admission fee? ☐ Yes, ☐ No If yes, please include admission fee(s) \$ 0

What is the anticipated attendance? Overall: 2000 Daily: _____
 Previous year's attendance (if applicable): Overall: _____ Daily: _____

Event Set-Up & Tear-Down*

If you will be utilizing street closures, please refer to the next section to provide all street closure information.

How many days will your organization require to: Set-Up: 1 Tear Down: SAME DAY
 Event Set-Up Date: SATURDAY 5/4/2024 Event Set-Up Time: 6 AM to 9 AM
 (Day of Week) (Date)
 Event Start Date: SATURDAY 5/4/2024 Event Start Time: 9 A AM/PM
 (Day of Week) (Date)
 Event End Date: SATURDAY 5/4/2024 Event End Time: 4 AM/PM
 (Day of Week) (Date)
 Event Tear-Down Date: SATURDAY 5/5/2024 Event Tear-Down Time: 4 PM to 6 PM
 (Day of Week) (Date)

If your event is a multi-day event, please complete the following information for each separate date. Space is provided for five (5) additional entries. If your event is longer than five (5) days, please attach an additional sheet of paper with the requested information.

Additional Day One:

Event Set-Up Date: FRIDAY 5/3/2024

Event Start Date: FRIDAY 5/3/2024

Event End Date: SAME

Event Tear-Down Date: SAME

Event Set-Up Time: 5:30 PM to 30 mins

Event Start Time: 6 AM/PM PM

Event End Time: 10 AM/PM PM

Event Tear-Down Time: 9:30 to 10 PM

Additional Day Two:

Event Set-Up Date: _____

Date: _____

Event End Date: _____

Event Tear-Down Date: _____

Event Set-Up Time: _____ to Event Start

Event Start Time: _____ AM/PM

Event End Time: _____ AM/PM

Event Tear-Down Time: _____ to _____

Additional Day Three:

Event Set-Up Date: _____

Date: _____

Event End Date: _____

Event Tear-Down Date: _____

Event Set-Up Time: _____ to Event Start

Event Start Time: _____ AM/PM

Event End Time: _____ AM/PM

Event Tear-Down Time: _____ to _____

Additional Day Four:

Event Set-Up Date: _____

Date: _____

Event End Date: _____

Event Tear-Down Date: _____

Event Set-Up Time: _____ to Event Start

Event Start Time: _____ AM/PM

Event End Time: _____ AM/PM

Event Tear-Down Time: _____ to _____

Additional Day Five:

Event Set-Up Date: _____

Date: _____

Event End Date: _____

Event Tear-Down Date: _____

Event Set-Up Time: _____ to Event Start

Event Start Time: _____ AM/PM

Event End Time: _____ AM/PM

Event Tear-Down Time: _____ to _____

SECTION IV – VENUE & STAGING

Venue Details*

Venue Name: _____

Venue Address: _____
(Street Address) (City) (State) (Zip)

Venue Description (Please attach your Site Plan/Map to your Application Packet):

Staging Details*

The following items will be used at the event (Please mark all that apply):

☐ Amplified Music ☐ Bleacher(s) ☐ Dance Floor(s) ☒ Live Entertainment* ☐ Jumper
☒ Loud Speaker(s) ☐ Microphone(s) ☐ Disk Jockey (DJ) ☐ Moving Vehicles (Including golf
carts)

☒ Stage(s) Number & Size: 1 - TOWN STAGE

☐ Do you need power on the square or at the depot?

Provide by: TOWN

☐ EZ Up Number & Size: _____

☒ Canopy Number & Size: 1 30' x 60'

Please indicate location of EZ Ups/canopies and size on Site Plan/Map.

☐ Other: _____

*If Live Entertainment is selected, please describe: _____

Note: If any of the above items will be used, please indicate their location on your attached Site Plan/Map with Legend. Use of the above items may require the Event Organizer to meet Fire Department, ADA regulations, and insurance requirements.

Note: All formal request to use the court house square for an event should be made through Pender County Government.

Note: All formal request to use the Burgaw Community House/Train Depot for events at a rate beyond the already agreed upon rate, must go before the Burgaw Town Commissioners for approval.

SECTION III – STREET CLOSURE(S)

Closure Start Date: 5/4/24

Closure Start Time: 6 AM/PM

Closure End Date: 5/4/24

Closure End Time: 4 AM/PM

Please list the streets, from intersection to intersection, which will be closed for your event. Space is provided for up to five (5) entries. If you need more space please attach an additional sheet of paper with the requested information. Your Site Plan/Map must show all streets, street closures, and must include a designated 12-foot wide emergency lane.

1) Street Name: WRIGHT

From (cross street): WILMINGTON

To (cross street): FREMONT

Type of Closure: ☒ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

2) Street Name: FREMONT

From (cross street): WRIGHT

To (cross street): WALKER

Type of Closure: ☒ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

3) Street Name: Courthouse Ave

From (cross street): Wright

To (cross street): Alley

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

4) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

5) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

SECTION III – STREET CLOSURE(S)

Closure Start Date: 5/3/24

Closure Start Time: 5:30 AM/PM (P)

Closure End Date: 5/3/24

Closure End Time: 10 AM/PM (P)

Please list the streets, from intersection to intersection, which will be closed for your event. Space is provided for up to five (5) entries. If you need more space please attach an additional sheet of paper with the requested information. Your Site Plan/Map must show all streets, street closures, and must include a designated 12-foot wide emergency lane.

1) Street Name: WRIGHT

From (cross street): COURT HOUSE AVE

To (cross street): FREMONT

Type of Closure: ☒ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

2) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

3) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

4) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

5) Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: ☐ Street Closure ☐ Sidewalk Closure ☐ Lane Closure

SECTION V – CATERING & ALCOHOLIC BEVERAGES

Event Organizer must obtain a health permit for the event including all food providers. If alcoholic beverages will be provided or sold at the event, an ABC Permit is required. ABC Permit application must be submitted to the Town for approval a minimum of 10 days prior to the event. Police services may be required.

Event will include the following (Please mark all that apply):

- | | | |
|---|---|--|
| ☐ Alcoholic Beverages | ☒ Non-Profit Food Vendors | ☒ Pot Luck Items |
| ☒ Professional Catering | ☐ Pre-Packaged Food/Beverage Items | ☐ Retail Food Vendors |

SECTION VI – SANITATION

Restroom Facility Details*

Some events will require the presence of portable restrooms and/or hand-washing stations. Use of these items will require the Event Organizer to meet ADA regulations. Please contact your rental company for attendance to restroom ratios. Please indicate location(s) on your Site Plan/Map.

Will Event Organizer provide portable restroom facilities? ☒ Yes, ☐ No

SECTION VII – SITE PLAN/MAP INSTRUCTIONS

All site plans/maps must be submitted using 8 ½" x 11" or 8 ½" x 14" white paper. **All applicants are required to submit a detailed Site Plan/Map.**

Site plans/maps must also include a key showing the use of symbols for people, vehicles, first aid station(s), cooking station(s), food tables, stage(s), platform(s), barricades, 12-foot fire lane, etc.

If using Computer Assisted Generation (CAG) for the site plan/map please ensure the use of Arial Fonts no smaller than size 10.

SECTION VIII – MISCELLANEOUS

Animals

If animals will be present, food service canopies/tents must be at least fifty (50) feet away. It will also be required that Event Organizer provides portable hand-washing stations.

Will there be any kind of animals at this event (e.g. petting zoo, ponyrides, etc.)? ☒ Yes, ☐ No

If yes, please list type of animal(s):

HORSES

If so, please indicate the location of the animals on the Site Plan/Map. Additional permitting may be required.

INSURANCE

Host Organization and/or Event Organizer must provide a General Liability Insurance Certificate providing evidence of general liability insurance coverage in the minimum amount of \$1,000,000 combined single limit, \$2,000,000 aggregate AND \$1,000,000 Auto Liability if the event includes any moving vehicles including golf carts AND an additional insured endorsement naming the Town of Burgaw, its officers, employees and agents' as additional insured. \$1,000,000 Liquor Liability if the event is selling alcohol. \$1,000,000 Liquor Host if the event is distributing alcohol at no charge. All vendors participating in the event and service providers must provide insurance as well as all contracted services for the event i.e. Security services, rentals, traffic management, etc. **This document must be submitted no later than fifteen (10) days prior to the event start date**

SECTION IX - INDEMNIFICATION AGREEMENT

Host Organization and/or Event Organizer agree, in consideration of the granting of this Application and Special Event Permit for:

PENDER SPRING FESTIVAL to be held on 5/3/2024 - 5/4/2024
Event Name Event Date(s)
by ROSS HARRELL of PENDER COUNTY ARTS COUNCIL
Event Organizer/Primary Applicant Host Organization

Host Organization and/or Event Organizer(s) agree to defend, indemnify and hold harmless the Town of Burgaw, and the Town of Burgaw's employees, managers, council members, and volunteers harmless from any and all losses, damages, claims for damage, liability, lawsuits, judgment expense and cost(s) arising from any injury or death to any person or damage to any property including all reasonable costs for investigation and defense thereof (including, but not limited to, attorney fees, costs and expert fees) arising out of or attributed to the issuance of Applicant's Special Event Permit regardless of where the injury, death or damage may occur, unless such injury, death or damage is caused by the sole negligence or willful misconduct of the Town.

W. ROSS HARRELL
Print Name

SPRING FEST COMMITTEE
Title

W. Ross Harrell
Signature

3/5/2024
Date

For Office Use Only

Approved: _____

Not Approved: _____

Parks & Recreation Director

Date



CASE SUMMARY

Board of Commissioners

Conditional District Rezoning

March 12, 2024

Gilbert Combs, 910-663-3451, gcombs@burgawnc.gov

Staff Recommendation	Conditional approval
Planning Board	10/19/2023; Recommend denial, 6-1
Board of Commissioners	11/14/2023; Continued // 12/12/2023; Continued // 01/09/2024; Denied // 3/12/2024; SCHEDULED

Request

Request	Rezone PIN #3229-36-9052-0000 from R-12, Residential to R-7 (CZ), Residential for a multifamily project containing 30 townhomes	
Applicant	Andrew Smith / Penderline, LLC	andrew@hampsteadnchomes.com 910-262-6744

1. Case Overview

Application to rezone ±5.71 acres of undeveloped land located on Timberly Lane (PIN 3229-36-9052-0000) from R-12, Residential District to R-7 (CZ), Residential District Conditional Zoning for a multifamily project containing 30 3-bedroom townhomes.



2. Summary and Recommendation

2.1 Proposal

The applicant is proposing to construct a 30-unit multifamily townhome project on an existing undeveloped parcel located on North Timberly Lane (US Hwy 117 Bus).

Figure 2.1.A: Proposed Site Plan

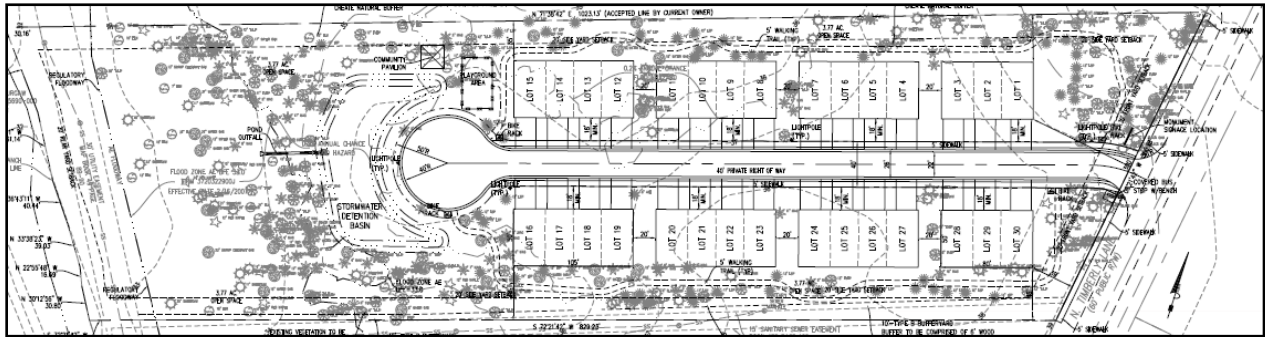


Figure 2.1.B: Front Elevation Examples



2.2 Community Meetings

The two required community meetings were held on 10/10/2023 at 10 AM and 10/10/2023 at 6:00 PM at 204 South Walker. A summary of each meeting can be found in attachment 15.



2.2.1 Criteria for Review and Recommendation

Section 8.8 Conditional Zoning (CZ) Amendments of the Unified Development Ordinance (UDO)

Conditional zoning districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property. A conditional zoning district allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the adopted land use plan, and adopted district and area plans. The review process established in this section provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with the use and enjoyment of neighboring properties.

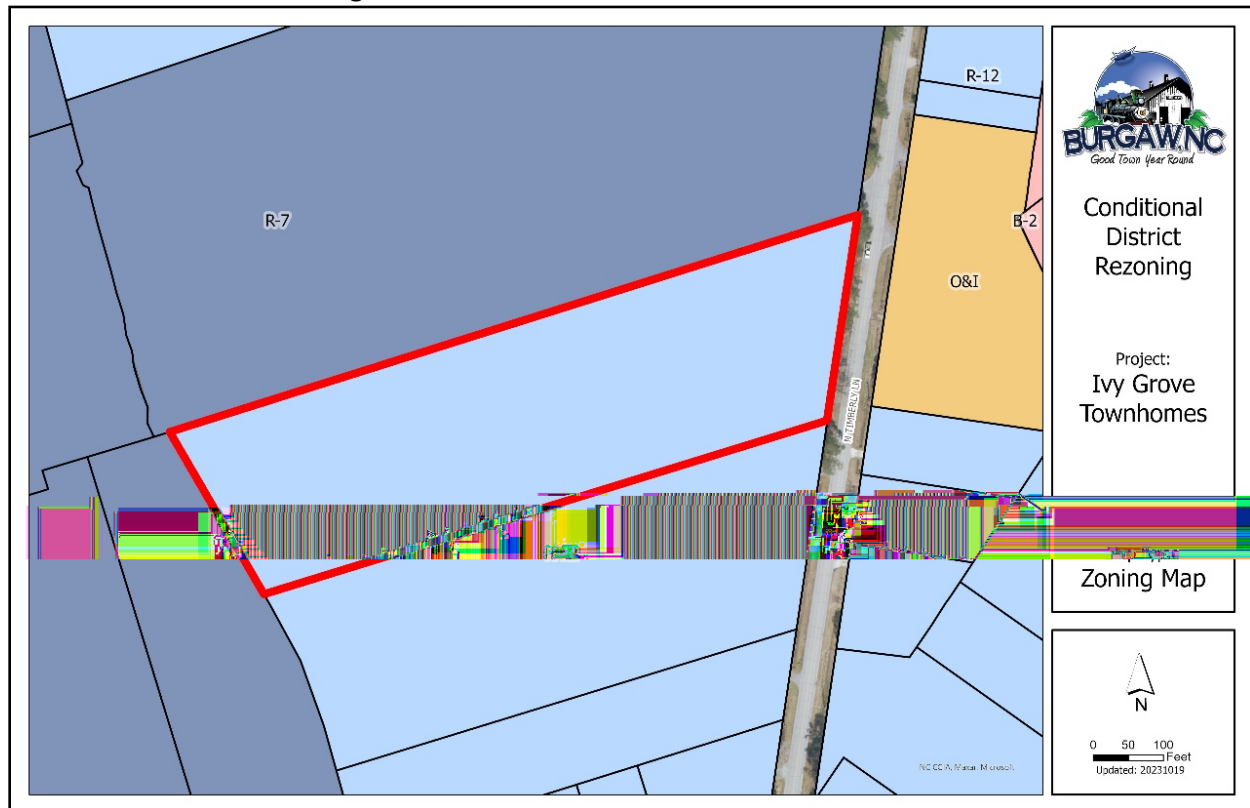
Recommended Conditions

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this conditional district rezoning does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.
3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and no effect and proceedings shall be instituted to rezoning the property to its previous zoning classification.
4. The use and development of the subject property shall be in substantial compliance with the site plan as submitted and accepted by the Board of Commissioners on 3/12/2024.
5. The elevations of each structure shall be in substantial compliance with the elevation examples as submitted and accepted by the Board of Commissioners on 3/12/2024.
6. A five-foot sidewalk at Timberly Lane along the entire project frontage is required.
7. Six, evenly dispersed, bike racks are required.
8. A covered bus shelter shall be located between either unit 1 or 30 and the back of the proposed sidewalk.
9. No structure may exceed two stories in height and may not exceed the maximum allowable height of 35 feet.
10. No more than 30 residential units may be constructed.



3. Analysis

3.1 Area Context and Existing Conditions



Surrounding Area	North	South	East	West
Zoning	R-7 Residential	R-12 Residential	O&I Office and Institutional, R-12 Residential	R-7 Residential
Current Land Use	Multi-family residential	Single-family dwelling	Institutional / Single-family dwelling	Institutional

3.2 Site History

There are no files related to this property in the Planning Department.

3.3 Environmental

According to a review conducted by Southern Environmental Group, Inc., there are no wetlands or waters of the U.S. present within the boundaries of the parcel. An approval from the US Army Corp of Engineers will be required prior to conditional zoning release. The survey map submitted by the applicant delineates the location of different flood designations on the parcel, to include floodway at the rear of the property.

3.4 Consistency of Proposed Development with Unified Development Ordinance (UDO) Requirements

Preliminary review of the proposed development against the UDO shows it is in general compliance with reviewed sections.



CONSISTENCY WITH APPROVED PLANS

Town of Burgaw Comprehensive Land Use Plan

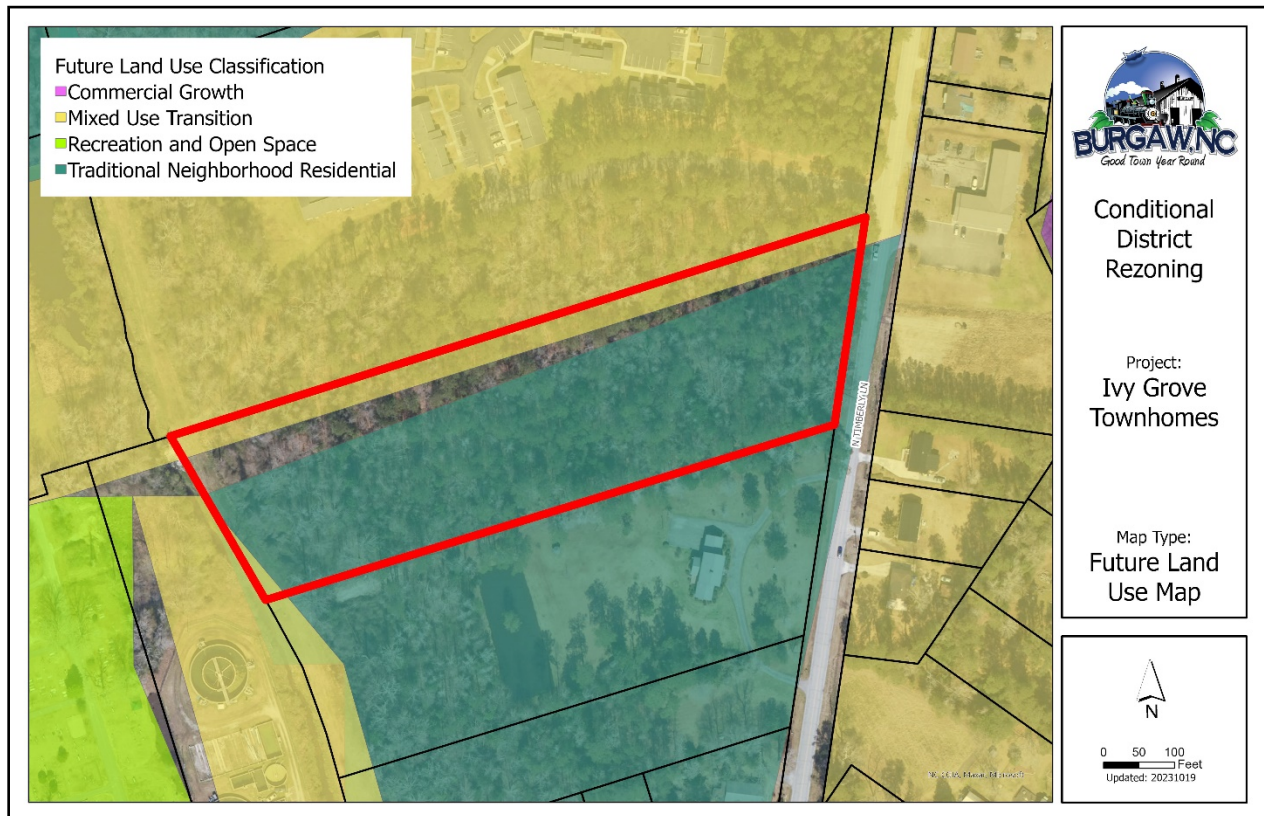
The proposed amendment is consistent with the policy intent of the Town of Burgaw Comprehensive Land Use Plan. Policies that are most pertinent to the proposed amendment are below. Not all policies carry equal weight and may depend on the specifics of the proposal. The following symbology is employed:

			
Strong Support	Modest Support	Modest Non-support	Strong Non-support

Land Use	
Goal 1: To promote infill development and revitalization of areas with existing infrastructure: Encourage development in areas where the necessary infrastructure—roads, water, sewer, etc.—are available, planned, or can be most cost effectively provided and extended to serve existing and future development	
Goal 1: To promote infill development and revitalization of areas with existing infrastructure: Oppose rezonings and infrastructure improvements that create a “leap frog” development pattern, wherein development bypasses primary growth areas and occurs in isolation or in small clusters	
Economic Development	
Goal 1: To support the profitability and sustainability of existing businesses and industries: Work with the private sector to evaluate economic trends, opportunities, and needs of key industries, with the intention of anticipating issues and taking early action to avoid decline in the city’s commercial areas	
Goal 2: To attract businesses and industries that will enhance the economic health and livability of the town: Ensure the town’s zoning and development codes can accommodate appropriate businesses and industries and a variety of development forms	
Environmental Protection	
Goal 4: To preserve and enhance the town’s tree canopy: Promote the reforestation of tree coverage that is typically lost during urban and suburban development through tree conservation, targeted tree plantings, urban forestry, and street tree plantings	
Public Health and Safety	
Goal 1: To promote land use patterns and transportation systems that encourage physical activity, promote healthy living, and reduce risk for chronic illness: Consider health impacts of development plans and proposals as part of the review process	
Transportation	
Goal 2: To increase the use and effectiveness of alternative transportation modes, such as walking, bicycling, etc.: Require development and redevelopment proposals to accommodate multiple modes of transportation	

Equity Statement

Transportation: Prioritize construction of new sidewalks and bicycle infrastructure along routes regularly used by those with limited access to motorized vehicles



Future Land Use Map: Traditional Neighborhood Residential

The Traditional Neighborhood Residential Classification is characterized by its connectivity, both auto and pedestrian, and primarily single-family housing. It includes properties in existing medium-density neighborhoods, undeveloped properties that are surrounded by or adjacent to such neighborhoods, and undeveloped areas suitable for future residential development.

Recommended Land Uses: single-family residential, two-family residential, beds and breakfast

DEVELOPMENT GUIDELINES

Medium-density residential	●
Street grid connectivity or multi-use paths	NA
Pedestrian and bicycle infrastructure	●
Required cluster developments when needed to protect wetlands and floodways	NA
Impervious maximums in environmentally sensitive areas (hydric soils, wetlands, floodplains, etc.)	NA



CONCLUSIONS AND RECOMMENDATION

The proposal for a 30-townhome multifamily project is consistent with policies and development guidelines in the Town of Burgaw Comprehensive Land Use Plan. Not all development guidelines for the 'Traditional Neighborhood Residential' classification are applicable as these guidelines fall more in line with larger traditional subdivision development. If a traditional subdivision were proposed here under current R-12, residential standards, approximately 16 units could be developed assuming that about 25% of the property would be used for roadways, drainage, easements, etc. If the zoning was straight R-7, residential, and again assuming that about 25% of the project area would be allocated for areas other than residential units, it could produce approximately 26 units. Given the R-7 zoning district is the town's most dense base residential zoning district, and provided the proposed project would yield over 150% the estimated residential yield in R-7, this would not coincide with the intent of the Traditional Neighborhood Residential classification as identified in the future land use map as it relates to medium density residential development. It is important to note that future land use designations are not parcel specific, rather they identify general areas for different types of development as determined during the engagement process for the development of the land use plan.

Of the two required community meetings held, only one person, the adjacent property owner to the south, attended the earlier meeting. His remark on the comment sheet seems opposed to the proposed multifamily project and emphasizes his opinions of character and density.

The conditions proposed are intended to provide accommodation for pedestrian and bicycle activities related to the potential increase in residential units on the site. The stub connection is a requirement of the zoning code. If approved, tree mitigation and other UDO requirements will be determined during the plans review process.

Despite inconsistencies with the future land use map, the proposed plan is supported by a number of policies in the Town of Burgaw Comprehensive Land Use Plan. It may be reasonable to introduce additional conditions to safeguard the property owner immediately to the south. Given the zoning and land uses in the surrounding area and the existing multifamily project immediately to the north, it is reasonable for the Planning Department to give a recommendation for **approval** for this conditional district rezoning.

AT PLANNING BOARD 10/19/2023

Of those in attendance at the Planning Board meeting, 15 signed up with the majority of those in attendance participating in the public input session after staff and applicant presentations. Of those who spoke, one person spoke in favor of the project stating that there is inadequate rental stock in Burgaw and that he was interested in living in one of the units. The gentleman mentioned that there were no affordable options and that the ability to work from home meant he and his wife did not have to live in the bigger city where her office is located. Two didn't seem strongly for or against the project but did mention that the town should consider stresses on the schools and the stormwater infrastructure regarding flooding. One of the two called some of the concerns, "growing pains." All others who spoke were in opposition of the project with the following concerns: light pollution, prying eyes to adjacent single-family residential homes, noise, inconsistency with the Town of Burgaw Future Land Use Map, "big city concerns," preserving the small-town character, parking, and again flooding.

One Planning Board member asked for the applicant to consider including adding a covered bus stop at the project frontage as families with children may live in the townhomes, if approved.



AT BOARD OF COMMISSIONERS 11/14/2023

Of the public in attendance at the Board of Commissioners meeting held on 11/14/2023, the majority of the comments made during the public hearing portion were in opposition of the project as proposed. Common concerns were flood considerations, pedestrian safety and congestion impacts to the general area, and dense residential development so closely placed to single-family dwellings.

AT BOARD OF COMMISSIONERS 12/12/2023

Prior to planning staff presenting the item, the applicant requested and was granted a continuance to modify the proposed plan to address some of the concerns mentioned during public hearings.

AT BOARD OF COMMISSIONERS 1/9/2024

Planning staff presented the item and the applicant spoke on the project. Concerns were mentioned during the public hearing by members of the public and the board and discussion between the board and the applicant continued. A motion to deny the proposed rezoning was made and passed.

AT BOARD OF COMMISSIONERS 2/13/2024

The applicant, during the public input portion of the meeting, requested that the decision made at the previous meeting be reconsidered based on the applicant's willingness to reduce the number of units from 40 down to 30, which was a request by the board in previous meetings. Agreement for reconsideration was made and was planned for the 3/12 agenda.

NEIGHBORHOOD CONTACT

	Community Meetings	Board of Commissioners
Advertisement Date(s)	10/10/23 AT 10 AM and 6 PM	Sign posted: 2/20/2024 First Class Letters to PO: 2/28/2024 Advertised: 2/29/2024 and 3/7/2024

ACTIONS TO DATE

<i>Planning Board</i>	10/19/2023; Recommended denial 6-1
<i>Board of Commissioners</i>	11/14/2023; Continued // 12/12/2023; Continued // 01/16/2024; Denied // 3/12/2024; Scheduled (Denial reconsidered)

Attachments

- | | |
|--------------------------------------|--------------------------------|
| 1. Application | 11. Zoning Map |
| 2. Deed | 12. Future Land Use Map |
| 3. Site Plan | 13. Community Meeting Notice |
| 4. Proposed Elevation Examples | 14. Community Meeting Notes |
| 5. Legal Description | 15. Appraisal Analysis |
| 6. Survey | 16. Stormwater Statement – GSP |
| 7. Wetlands Statement | 17. Consistency Statement |
| 8. Public Works Service Availability | 18. Ordinance |
| 9. Trip Generation | 19. Resolution |
| 10. Aerial Location Map | |



PETITION FOR CONDITIONAL DISTRICT REZONING

Petitions for conditional district rezoning must be accompanied by eight (8) hard copy sets and one digital copy of required information.

DATE: 9/23/2023 FEE: _____

As the Petitioner(s), I/We Andrew Smith as Penderline, LLC request that the Town of Burgaw Planning Board recommend to the Town of Burgaw Board of Commissioners to change the Official Zoning Map of the Town of Burgaw as defined in the Unified Development Ordinance as follows:

LOCATION OF PROPERTY

PARCEL ID NUMBER: 3229-36-9052-0000

STREET ADDRESS: Timberly Lane, Burgaw

PROPERTY SIZE

ACREAGE 5.71 STREET FRONTAGE (ft) 300.18 DEPTH (ft) 829'-1020'

ZONING

CURRENT ZONING DISTRICT R-12 REQUESTED ZONING DISTRICT R-7 (CZ)

PROPERTY OWNERS

I CERTIFY THAT THE FOLLOWING ARE OWNER(S) OF THE PROPERTY SUBJECT TO THE REZONING REQUEST AS LISTED IN THE PENDER COUNTY REGISTRY.

NAME	ADDRESS
1. <u>Penderline, LLC</u>	1. <u>17117 Hwy 17N Hampstead 28443</u>
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____

ADJACENT PROPERTIES LIST

Please add below the adjacent properties and property owners required to be notified of the public hearing. Please note the Town Fee Schedule requires an additional fee of \$7 per property required to be notified.

NAME

SMITH, CAMERON LAYNE

ADJACENT PROPERTY ADDRESS

511 N TIMBERLY LANE

PARCEL NUMBER

3229-45-0779-0000

NAME

TOWN OF BURGAW

ADJACENT PROPERTY ADDRESS

304 E WALLACE ST

PARCEL NUMBER

3229-35-5690-0000

NAME

ADJACENT PROPERTY ADDRESS

PARCEL NUMBER

NAME

ADJACENT PROPERTY ADDRESS

PARCEL NUMBER

NAME

PHP NORTHWOODS LLC

ADJACENT PROPERTY ADDRESS

601 TIMBERLY LN

PARCEL NUMBER

3229-36-9483-0000

NAME

ROWE, DONNA T

ADJACENT PROPERTY ADDRESS

600 N TIMBERLY LN

PARCEL NUMBER

3229-46-6253-0000

NAME

ADJACENT PROPERTY ADDRESS

PARCEL NUMBER

NAME

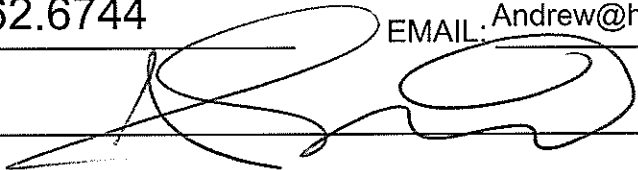
ADJACENT PROPERTY ADDRESS

PARCEL NUMBER

SUPPLEMENTARY INFORMATION

- ♦ PRELIMINARY SITE PLAN (SEE ATTACHED CHECK SHEET)
- ♦ SUPPORTING INFORMATION AND TEXT THAT SPECIFIES THE ACTUAL USE OR USES INTENDED FOR THE PROPERTY AND ANY RULES, REGULATIONS, AND CONDITIONS THAT WILL GOVERN THE DEVELOPMENT AND USE OF THE PROPERTY
- ♦ REPORT OF THE REQUIRED COMMUNITY MEETING TO INCLUDE:
 - A LIST OF THOSE PERSONS AND ORGANIZATIONS CONTACTED ABOUT THE MEETING
 - THE MANNER AND DATE OF CONTACT
 - THE DATE, TIME, AND LOCATION OF THE MEETING
 - A ROSTER OF THE PERSONS IN ATTENDANCE AT EACH MEETING
 - A SUMMARY OF ISSUES DISCUSSED AT THE MEETING
 - A DESCRIPTION OF ANY CHANGES TO THE REZONING PETITION MADE BY THE PETITIONER AS RESULT OF THE MEETING

OWNER INFORMATION

PHONE: 910.262.6744 EMAIL: Andrew@hampsteadnchomes.com
SIGNATURE: 
DATE: 9/23/23

APPLICANT INFORMATION (if different from owner)

PHONE: 910.262.6744 EMAIL: Andrew@hampsteadnchom
SIGNATURE: 
DATE: 9/23/23

OFFICE USE ONLY

COMPLETE APPLICATION RECEIVED BY: _____ DATE: _____

CONDITIONAL DISTRICT REZONING SITE PLAN CHECKLIST

REQUIRED INFORMATION	NOT APPLICABLE WAIVED BY PLANNING	INCLUDED WITH APP
Boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), the general location in relation to adjacent properties, major streets, railroads, and/or waterways, the date, and north arrow		✓
All existing easements, reservations, and rights-of-way		✓
Approximate location of existing and proposed buildings, structures, and other improvements		✓
Proposed use of all lands and structures, including the number and square footage of all units, residential and nonresidential		✓
All yards, buffers, screening, and landscaping required and proposed		✓
All existing and proposed points of access to public streets		✓
Location of flood zones		✓
Location of wetlands		✓
Proposed phasing, if any	N/A	
The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development		✓
Location of all existing and proposed infrastructure on the site, including water, sewer, roads, pedestrian walkways, and open space		✓
Generalized traffic, parking, and circulation plans (including bicycle and pedestrian facilities)		✓
Proposed screening, buffers, and landscaping, as well as proposed treatment of any existing natural features		✓
Existing and proposed topography at five-foot contour intervals or less		✓
The location of existing vegetation and regulated trees		✓
Scale of buildings relative to abutting property		✓
Building elevations and exterior features of proposed development		✓
Master Sign Plan		✓
An evaluation of traffic impacts prepared in accordance with a scope of work established by NCDOT and the UDO)		✓
Inventory of the existing environmental, cultural, historical, and natural site attributes	N/A	
A conceptual plan that shows with reasonable certainty the type and intensity of use for the proposal		✓
Any other information needed to demonstrate compliance with regulations		ATTACHED



Doc No: 20115759
Recorded: 05/17/2023 03:07:02 PM
Fee Amt: \$26.00 Page 1 of 2
Excise Tax: \$300.00
Pender County North Carolina
Sharon Lear Willoughby, Register of Deeds
BK 4812 PG 2795 - 2796 (2)

NORTH CAROLINA GENERAL-WARRANTY DEED

Excise Tax: \$300.00

Parcel Identifier No. 3229-36-9052-0000

✓ Mail after recording to: Coleman Law, PLLC, P.O. Box 340; 105 W. Fremont St., Burgaw, NC 28425
Prepared by: Coleman Law, PLLC, P.O. Box 340; 105 W. Fremont St., Burgaw, NC 28425

PREPARED WITHOUT OPINION OF TITLE

Brief description for the Index: LOT 14 6 4/10 ACRES W/S TIMBERLY LANE

THIS DEED made this 15 day of May, 2023, by and between

GRANTOR

RACHEL TOWNS
PO Box 95
Burgaw, NC 28425

GRANTEE

PENDER LINE, LLC
17117 HWY 17 N.
Hampstead, NC 28443

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, that certain lot or parcel situated in Burgaw Township, Pender County, North Carolina particularly described as follows:

Beginning at a stake in the Western line of State Highway No. 40, the Northeast corner of Lot No. 13, and running thence with the line of Lot #13 S73-30W 1,025 feet crossing Osgood Branch to a stake in the line of the cemetery lot; thence with the line of the cemetery lot N16-30W 270 feet to a stake; thence N73-30E 100 feet to the run of Osgood Branch; thence crossing said branch and continuing same course with line of lot # 15, 975 feet to a stake in the Western line of highway, corner of lot #15, thence with the Western line of the Highway S9-30W 301 feet to the Beginning, containing six and four-tenths acres more or less.

EXCEPTING, however from the above described property, that portion heretofore deeded to the Town of Burgaw lying East of the Burgaw Cemetery and lying West of Osgood Branch adjacent to said cemetery.

See also Lot 14, Map Book 6 at Page 86

Bk 4812
Pg 2796

The property hereinabove described was acquired by Grantor by instrument recorded in Book: **4210** at Page: **278**. Lethia V. Towns is deceased having passed away on December 6, 2013.

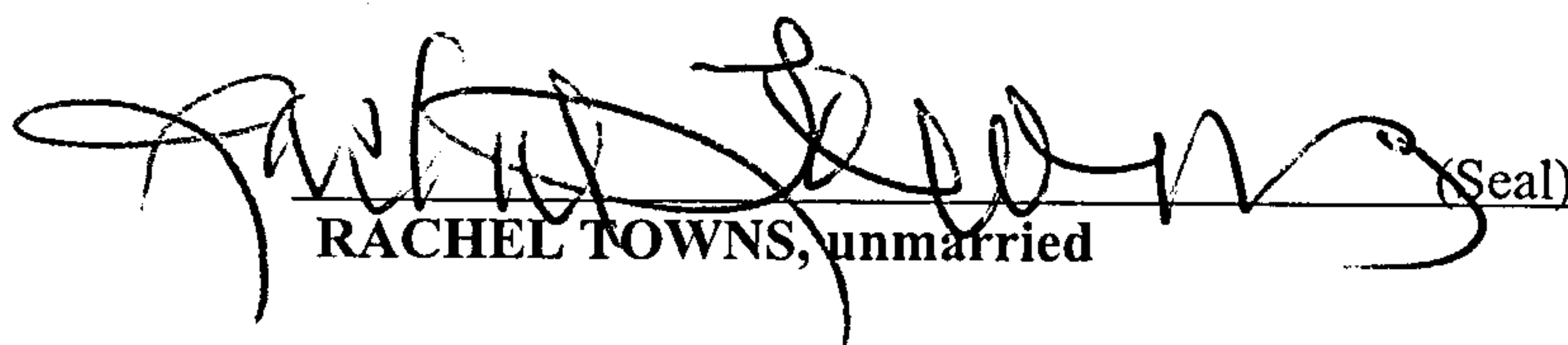
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that the Grantor is seized in the premises in fee simple and will warrant and defend title against the lawful claims of all persons claiming by, under or through Grantor except for the exceptions hereinafter stated, if any.

Title to the property hereinabove described is subject to the following exceptions:

1. County and/or Municipal Zoning Ordinances, Rules and Regulations.
2. Restrictive Covenants, Easements and Rights of way of record.
3. Ad valorem taxes for the year 2023 and thereafter.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

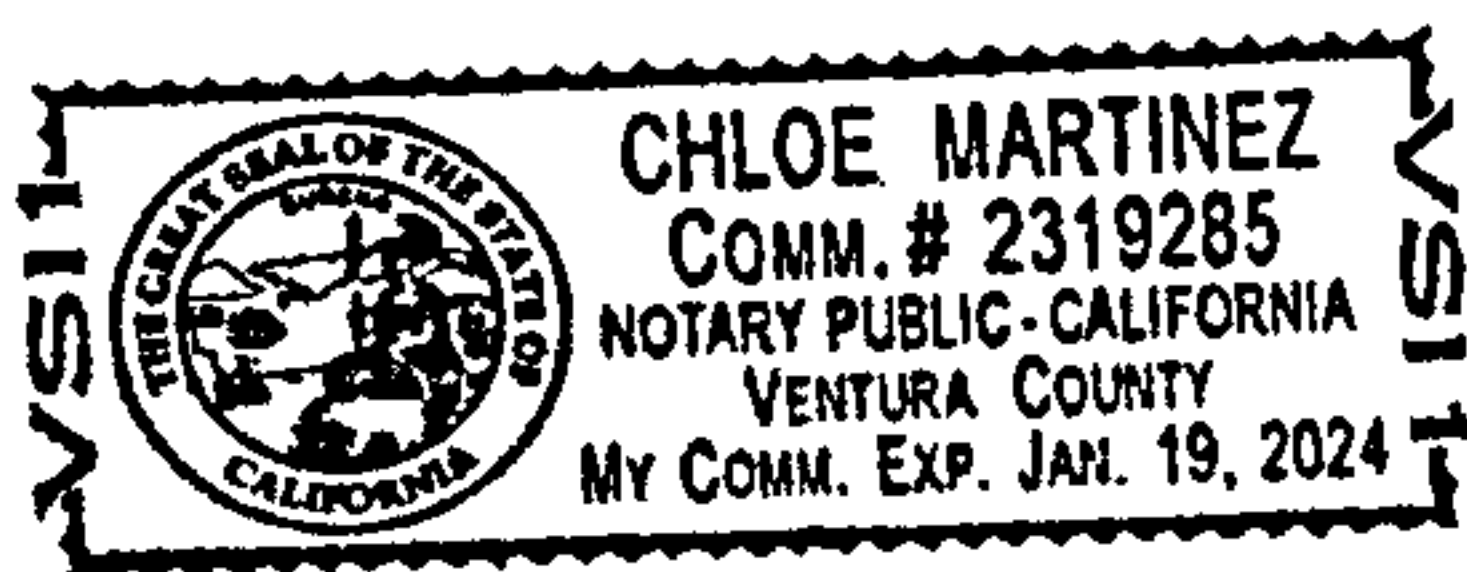
 (Seal)
RACHEL TOWNS, unmarried

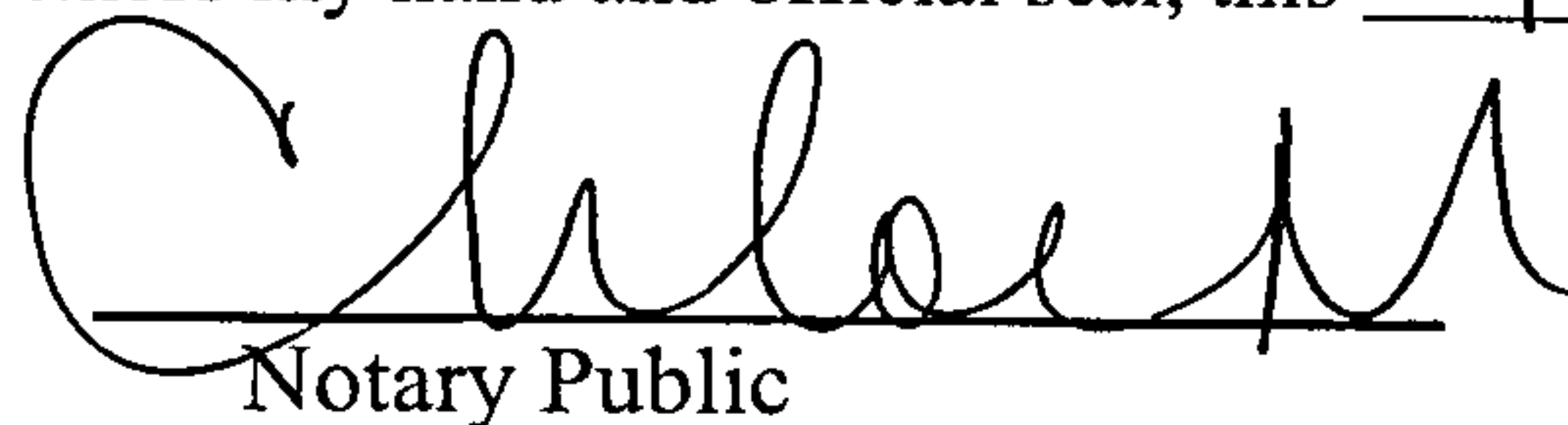
State of California

County of Ventura

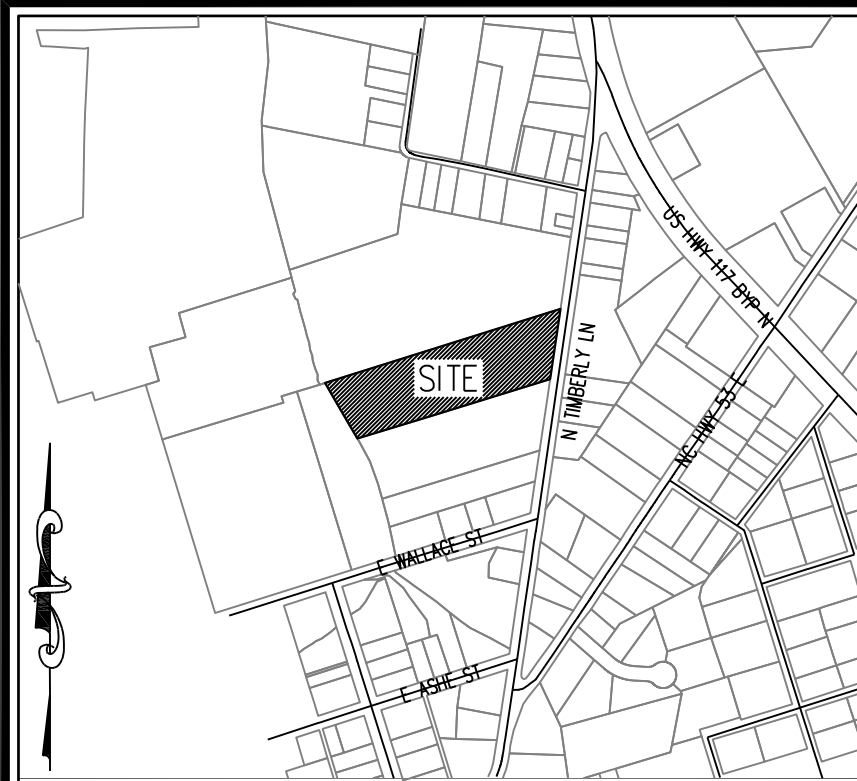
A notary public or other officer completing this certificate Verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

I, the undersigned Notary Public for Ventura County, CA, certify that RACHEL TOWNS personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and official seal, this 15 day of May, 2023.




Notary Public

My commission expires: 01/19/2024



VICINITY MAP
(NTS)

GENERAL NOTES:

- PENDER CO. PARCEL NO.:
PIN-3229-36-9052-0000
SITE ADDRESS: N. TIMBERLY LANE, BURGAW, NC 28425
OWNERSHIP REFERENCE: D.B. 4812, PG. 2795
- TOTAL TRACT AREA: 248,928 SF = 5.71 AC.±
- EXISTING ZONING DISTRICT: R-12
PROPOSED ZONING DISTRICT: R-7 (CZ)
SETBACKS - REQUIRED PROVIDED
30' FRONT 39' FRONT
20' SIDE 35' SIDE
20' REAR 350' REAR
- THIS PROPERTY DOES NOT CONTAIN ANY 404 FEDERAL WETLANDS.
- THIS PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP #3720322900J, EFFECTIVE DATE 2/16/2007.

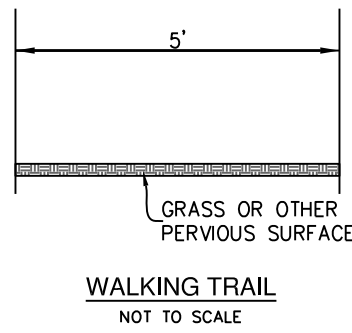
DEVELOPMENT DATA:

LOT AREA - 248,928 SF = 5.71 AC.±
PROPOSED LAND USE: RESIDENTIAL
LOT SIZE FOR R-7 (MULTI-FAMILY):
REQUIRED: 8,000 SF FOR FIRST TWO DWELLING UNITS AND 2,000 SF FOR EACH ADDITIONAL DWELLING UNIT
= 64,000 SF FOR 30 UNITS
PROPOSED: LOT SIZE = 248,928 SF
OPEN SPACE PROVIDED - 3.77 AC. = 66.0%
FRONTAGE: REQUIRED - 75'
PROPOSED - 300'
BLDG. HGT. - 2-STORY / 35'
PARKING -
REQUIRED: 30-3 BEDROOM UNITS @ 3 SPACES/UNIT = 90 SPACES
PROVIDED: 1 GARAGE SPACE & 2 DRIVEWAY SPACES/UNIT

BUA
BUILDINGS - 39,600 S.F.
IMPERVIOUS PAVEMENT - 20,200 S.F.
IMPERVIOUS CONCRETE - 5,600 S.F.
IMPERVIOUS DRIVEWAYS - 14,600 S.F.
TOTAL - 80,000 S.F. (32.1%)

SEWER & WATER CAPACITY:

PROPOSED SEWER - 10,800 GPD (@ 360 GPD FOR 3 BEDROOM UNIT)
PROPOSED WATER - 13,500 GPD (@ 125% SEWER USE)
FIRE HYDRANT TO BE ADDED AT SITE ENTRANCE.
TRASH TO BE CONTAINER PICKUP.

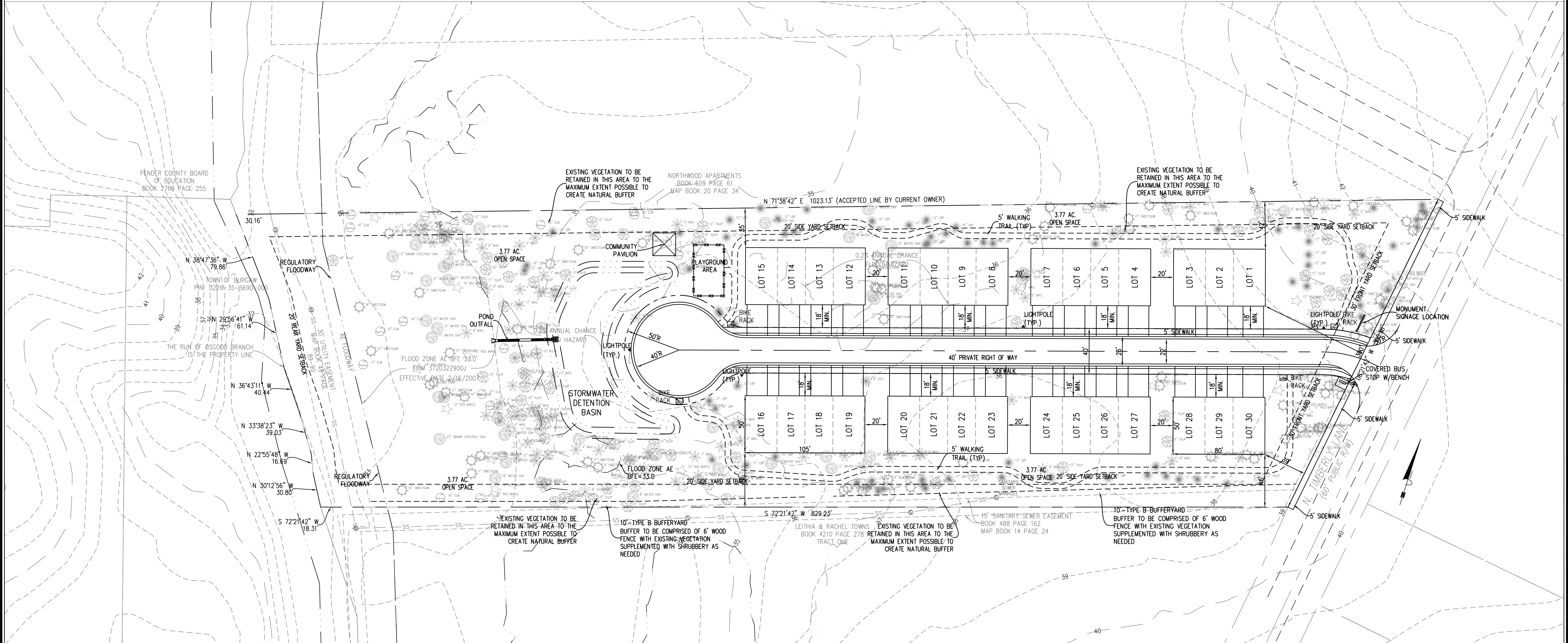


SITE NOTES:

SIDEWALKS, WALKING TRAILS & PARKING LOT LANDSCAPE ISLANDS TO BE MODIFIED AS NECESSARY TO PRESERVE AS MUCH EXISTING VEGETATION AS POSSIBLE.

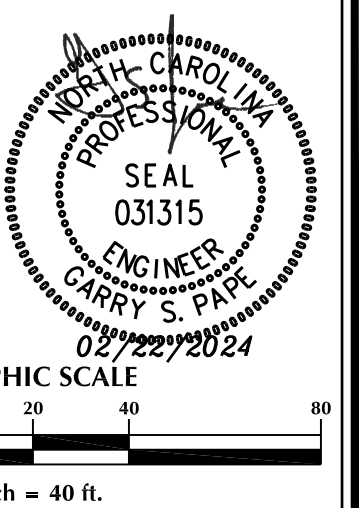
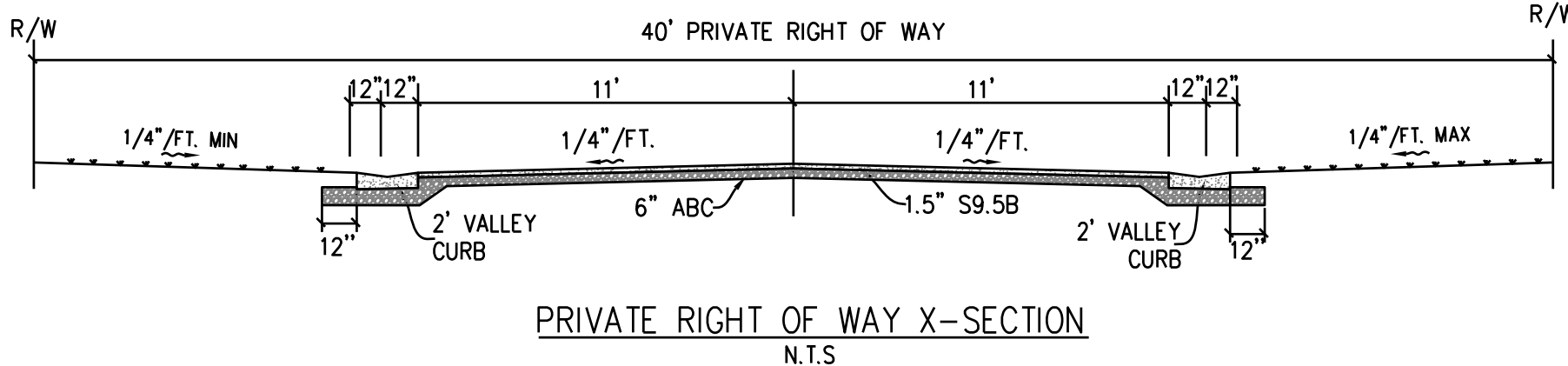
REGULATORY FLOODWAY NOTE:

REGULATORY FLOODWAY TO REMAIN AT EXISTING ELEVATIONS. POND SLOPES TO BEGIN OUTSIDE OF FLOODWAY. GROUND ELEVATIONS ABOVE POND OUTFALL PIPE TO BE RETURNED TO EXISTING ELEVATIONS.



TREE RETENTION/MITIGATION NOTES:

BOTH REGULATED AND SPECIMEN TREES, AS DEFINED BY THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE (UDO), SHALL BE CONSIDERED PROTECTED AND REMOVAL SHALL BE MITIGATED.
REGULATED TREES SHALL BE PRESERVED TO THE GREATEST EXTENT PRACTICAL AND INCORPORATED INTO REQUIRED LANDSCAPING. IF REMOVED, THEY ARE TO BE MITIGATED WITH A NEW TREE OF THE SAME SPECIES OR ONE LISTED ON THE TREE BOARD'S SPECIES LIST WITH A MINIMUM CALIPER OF TWO (2) INCHES.
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No.	Revision	Date	By

Designer	GSP	Scale	1" = 40'
Drawn By	GSP	Date	May 2023
License #	P-0718	Job No.	2023-0005

Burgaw Township

IVY GROVE
TOWNHOMES
Pender County

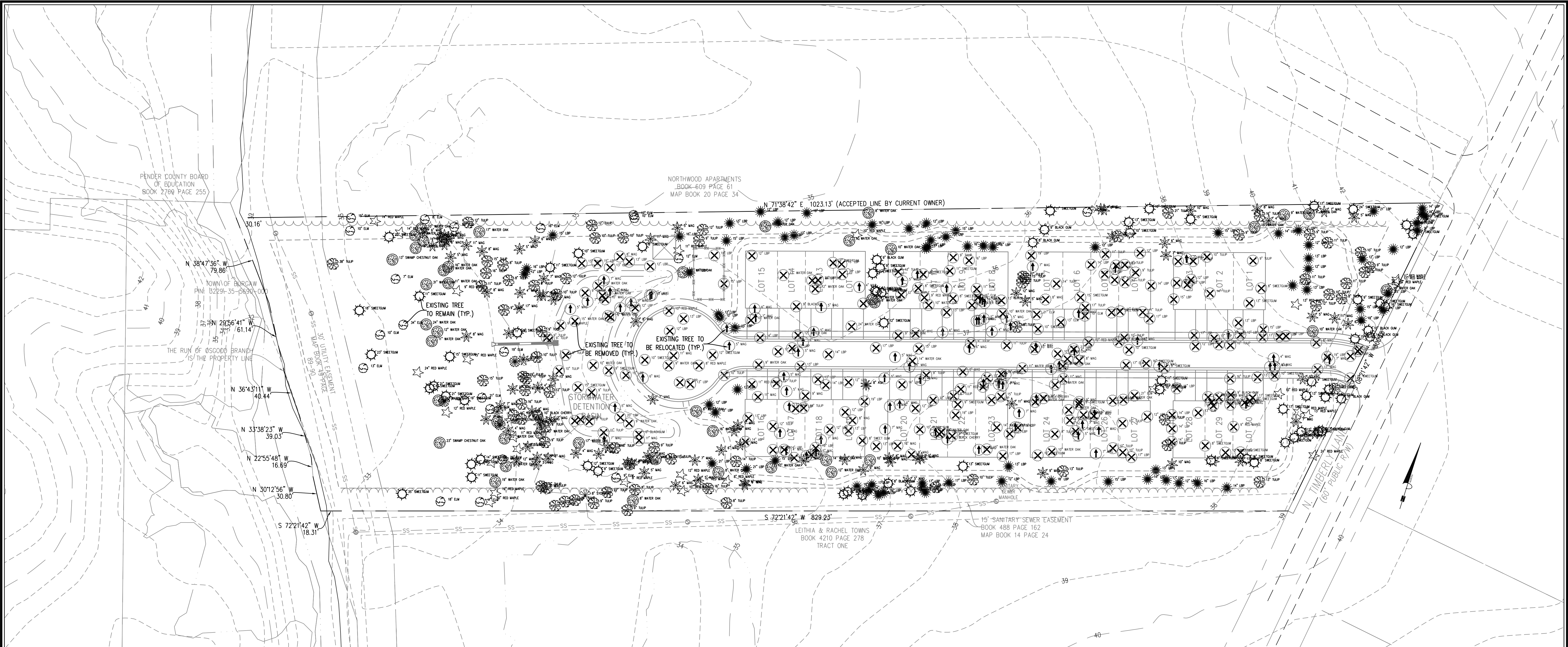
North Carolina

PRELIMINARY PLAN

PREPARED FOR:
Penderline, LLC
17117 US Hwy 17
Hampstead, NC 28443
910-270-4444

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-1



TREE LEGEND / INVENTORY

- DOGWOOD
- GUM
- OAK
- CREPE MYRTLE
- SYCAMORE
- PINE
- BIRCH
- ELM
- MAGNOLIA
- MAPLE
- POPLAR
- HICKORY
- TULIP
- CHERRY
- ASH
- HOLLY
- TREE TO BE REMOVED
- TREE TO BE RELOCATED

TREES TO BE REMOVED

8" BLACK GUM	1	10" ELM	1	8" TULIP	5
9" BLACK GUM	2	11" ELM	2	9" TULIP	9
10" BLACK GUM	1	13" ELM	2	10" TULIP	9
8" SWEETGUM	8	16" ELM	1	11" TULIP	7
9" SWEETGUM	6	17" ELM	1	12" TULIP	3
10" SWEETGUM	10	21" ELM	2	13" TULIP	3
11" SWEETGUM	1	12" LOB LOLLY PINE	15	14" TULIP	2
12" SWEETGUM	2	13" LOB LOLLY PINE	15	15" TULIP	1
13" SWEETGUM	1	14" LOB LOLLY PINE	15	16" TULIP	1
14" SWEETGUM	2	15" LOB LOLLY PINE	8	17" TULIP	1
15" SWEETGUM	3	16" LOB LOLLY PINE	3	8" WATER OAK	1
16" SWEETGUM	1	17" LOB LOLLY PINE	11	9" WATER OAK	7
17" SWEETGUM	1	18" LOB LOLLY PINE	2	10" WATER OAK	8
8" MAG	10	19" LOB LOLLY PINE	8	11" WATER OAK	3
9" MAG	2	20" LOB LOLLY PINE	3	12" WATER OAK	5
10" MAG	3	21" LOB LOLLY PINE	2	13" WATER OAK	5
11" MAG	5	22" LOB LOLLY PINE	2	14" WATER OAK	4
12" MAG	1	23" LOB LOLLY PINE	1	15" WATER OAK	1
9" SWAMP CHESTNUT OAK	1	26" LOB LOLLY PINE	1	24" WATER OAK	1
8" RED MAPLE	1				
9" RED MAPLE	3				
10" RED MAPLE	2				
11" RED MAPLE	2				
12" RED MAPLE	3				

TREES TO BE PRESERVED

7" ELM	1	4" MAG	11	8" TULIP	9	8" RED MAPLE	4
8" ELM	1	5" MAG	17	9" TULIP	16	9" RED MAPLE	3
9" ELM	1	6" MAG	18	10" TULIP	10	10" RED MAPLE	4
10" ELM	4	7" MAG	17	11" TULIP	7	11" RED MAPLE	5
11" ELM	1	8" MAG	9	12" TULIP	6	12" RED MAPLE	3
12" ELM	1	9" MAG	6	13" TULIP	2	13" RED MAPLE	3
13" ELM	1	10" MAG	3	14" TULIP	2	14" RED MAPLE	2
15" ELM	2	11" MAG	6	15" TULIP	3	15" RED MAPLE	1
16" ELM	1	12" MAG	3	16" TULIP	6	19" RED MAPLE	1
18" ELM	2	13" MAG	2	18" TULIP	1	24" RED MAPLE	2
19" ELM	1	17" MAG	1	19" TULIP	1	8" SWEETGUM	4
20" ELM	1	12" LOB LOLLY PINE	21	21" TULIP	2	9" SWEETGUM	9
21" ELM	1	13" LOB LOLLY PINE	9	22" TULIP	2	10" SWEETGUM	7
29" ELM	1	14" LOB LOLLY PINE	9	38" TULIP	1	11" SWEETGUM	8
34" ELM	1	15" LOB LOLLY PINE	9	8" BLACK GUM	3	12" SWEETGUM	4
8" WATER OAK	7	16" LOB LOLLY PINE	7	9" BLACK GUM	2	13" SWEETGUM	6
9" WATER OAK	3	17" LOB LOLLY PINE	6	10" BLACK GUM	2	14" SWEETGUM	1
10" WATER OAK	8	18" LOB LOLLY PINE	4	13" BLACK GUM	1	15" SWEETGUM	2
11" WATER OAK	4	19" LOB LOLLY PINE	3	14" BLACK GUM	1	16" SWEETGUM	3
12" WATER OAK	3	20" LOB LOLLY PINE	1	15" BLACK GUM	1	17" SWEETGUM	2
13" WATER OAK	2	21" LOB LOLLY PINE	4	16" BLACK GUM	1	18" SWEETGUM	1
14" WATER OAK	2	25" LOB LOLLY PINE	1	17" BLACK GUM	1	19" SWEETGUM	1
15" WATER OAK	2	10" BLACK CHERRY	1	4" HOLLY	1	21" SWEETGUM	2
16" WATER OAK	2	10" SWAMP CHESTNUT OAK	1	7" HOLLY	2	23" SWEETGUM	2
17" WATER OAK	2	13" SWAMP CHESTNUT OAK	1	8" ASH	1	24" SWEETGUM	1
18" WATER OAK	1	23" SWAMP CHESTNUT OAK	1	8" SYCAMORE	1	35" SWEETGUM	1
19" WATER OAK	1						
21" WATER OAK	1						
24" WATER OAK	1						
31" WATER OAK	1						

TREES TO BE RELOCATED

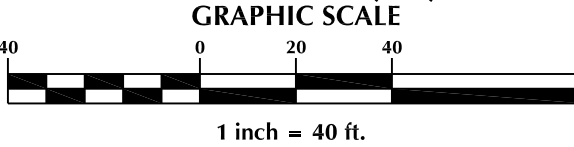
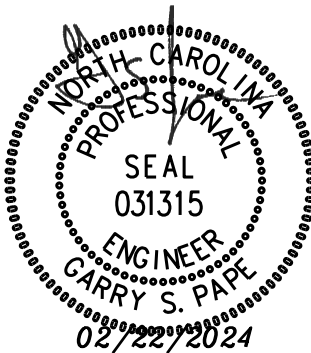
4" BLACK CHERRY	2
7" HOLLY	1
4" MAG	15
5" MAG	29
6" MAG	13
7" MAG	18
8" MAG	1
9" MAG	1

TREE RETENTION/MITIGATION NOTES:

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Designer	GSP	Scale	1" = 40'
Drawn By	GSP	Date	May 2023
License #	P-0718	Job No.	2023-0005

IVY GROVE TOWNHOMES

Burgaw Township Pender County North Carolina

SITE INVENTORY PLAN

PREPARED FOR:
Penderline, LLC
17117 US Hwy 17
Hampstead, NC 28443
910-270-4444

GSP CONSULTING, PLLC

ENGINEERING

6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.

C-2



Juniper
1591 square feet



FIRST FLOOR



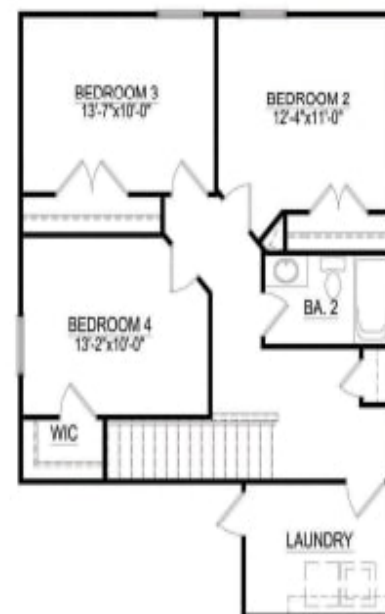
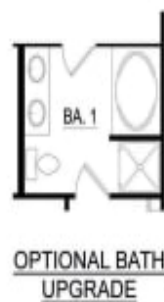
SECOND FLOOR



Magnolia
1841 square feet



FIRST FLOOR



SECOND FLOOR









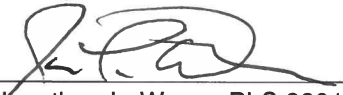
August 7, 2023

Re: Pender Line, LLC Tract, Parcel No. 3229-36-9052-0000

A certain tract or parcel of land lying and being in the Town of Burgaw, Pender County North Carolina and being that tract as described in book 4812 page 2795 records of the Pender County Register and being more particularly described as follows:

Beginning at an iron on the western right of way of North Timberly Lane (60' public right of way), said iron being the southeastern corner of said Pender Line, LLC Tract, said iron also being located N 08-21-42 E 564.58' from an iron at the intersection of said western right of way of North Timberly Lane and the northern right of way of East Wallace Street: Proceed from said point of beginning S 72-21-42 W 829.23' to an iron line marker, thence S 72-21-42 W 18.31' to the run of Osgood Branch, thence with said run N 30-12-56 W 30.80', thence N 22-55-48 W 16.69', thence N 33-38-23 W 39.03', thence N 36-43-11 W 40.44', thence N 29-56-41 W 61.14', thence N 38-47-36 W 79.86', thence leaving said run N 71-38-42 E 30.15' to an iron line marker, thence N 71-38-42 E 1,023.13' to a concrete monument on said western right of way, thence with said western right of way S 08-21-42 W 300.18' to the point of beginning and containing 5.71 acres.

All bearings are N.C. Grid NAD 1983


Jonathan L. Wayne PLS 3391



MAP OF THE

Pender Line, LLC Tract

Parcel No. 3229-36-9052-0000

TOWN OF BURGAW, BURGAW TOWNSHIP, PENDER COUNTY, NORTH CAROLINA

OWNER: PENDER LINE, LLC
17117 HWY 17 N.
HAMPSTEAD, NC 28443

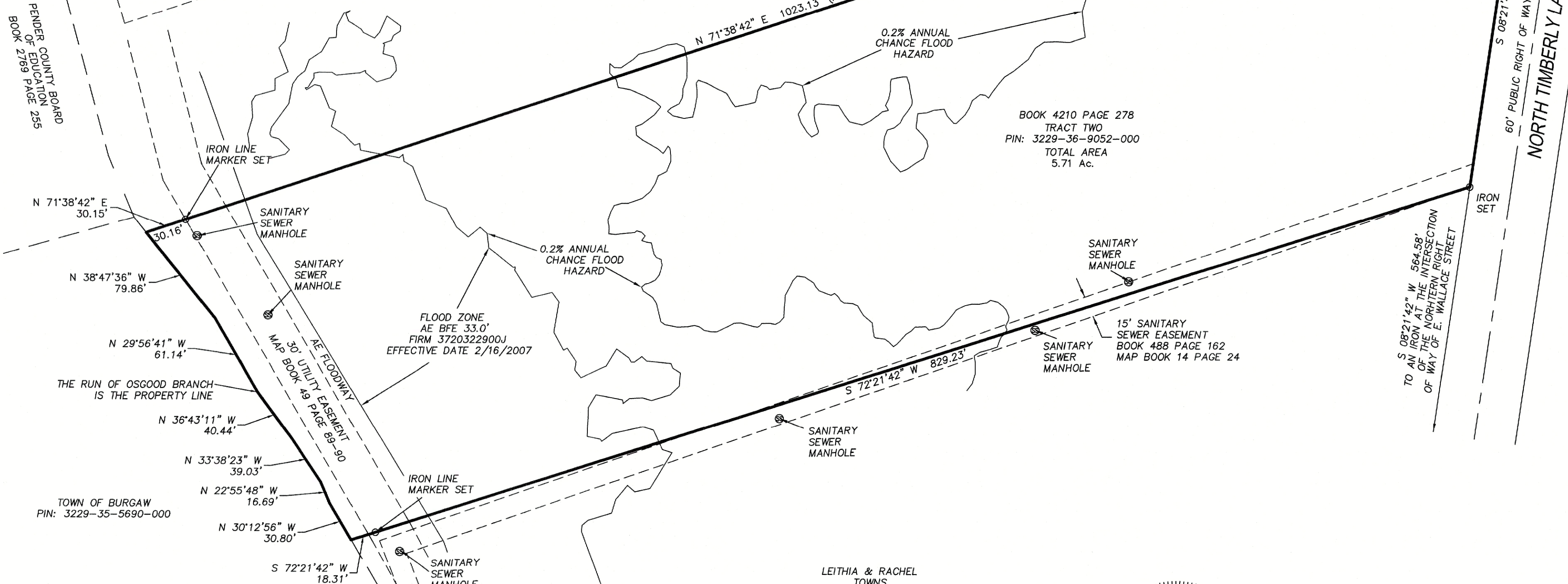
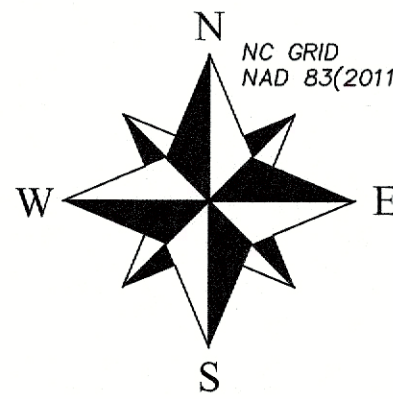
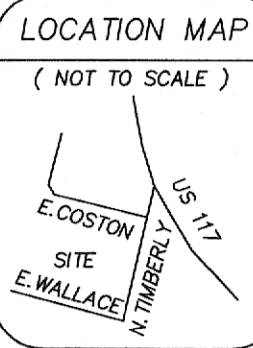
DATE: AUG. 7, 2023

PHP NORHTWOODS LLC
BOOK 4009 PAGE 311
MAP BOOK 20 PAGE 34
MAP BOOK 21 PAGE 53

NORTHWOOD APARTMENTS
BOOK 609 PAGE 61
MAP BOOK 20 PAGE 34

BOOK 4210 PAGE 278
TRACT TWO
PIN: 3229-36-9052-000
TOTAL AREA
5.71 Ac.

LEITHIA & RACHEL
TOWNS
BOOK 4210 PAGE 278
TRACT ONE

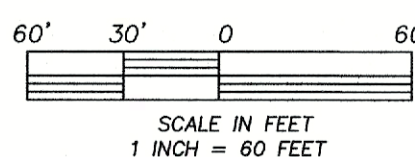


- NOTES
1. AREA COMPUTED BY COORDINATE METHOD
 2. ALL DISTANCES ARE HORIZONTAL
 3. FOR REFERENCE SEE BOOK 4812 PAGE 2795, MAP BOOK 6 PAGE 86
 4. SURVEYED MAY 2023
 5. 5.71 ACRES TOTAL AREA
 6. THIS PROPERTY IS NOT LOCATED WITHIN 2000' OF AN EXISTING N.C. GRID MONUMENT

LEGEND

E.I.P. = EXISTING IRON PIPE
E.I. = EXISTING IRON
E.C.M. = EXISTING CONCRETE MONUMENT
R\W = RIGHT OF WAY
C.P. = COMPUTED POINT

PROPERTY LINE
BUILDING SETBACK
CENTERLINE
EASEMENT
COMPUTED PROPERTY LINE



CERTIFICATE OF ACCURACY AND MAPPING

I, JONATHAN L. WAYNE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED AS NOTED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS NOTED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 20,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 7th DAY OF Aug. A.D. 2023

[Signature]
JONATHAN L. WAYNE PLS L-3391

THIS PLAT IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 7th DAY OF Aug. A.D. 2023

[Signature]
JONATHAN L. WAYNE PLS L-3391

CERTIFICATE OF REGISTRATION BY REGISTER OF DEEDS

NORTH CAROLINA COUNTY _____ NOTARY PUBLIC IS THE FOREGOING CERTIFICATE OF _____ CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS _____ DAY OF 2023: AT _____ O'CLOCK _____ AND DULY RECORDED IN MAP BOOK _____ PAGE _____

BY: _____

HANOVER DESIGN SERVICES, P.A.
LAND SURVEYORS ENGINEERS LAND PLANNERS
1123 FLORAL PARKWAY
WILMINGTON, N.C. 28403
PHONE: (910) 343-8002
FAX: (910) 343-9941
FIRM CERTIFICATE C-0597
16292 RECORD MAP

Southern Environmental Group, Inc.

5315 South College Road, Suite E · Wilmington, North Carolina 28412
910.452.2711 · Fax: 910.452.2899 · office@segi.us · www.segi.us

September 28, 2023

Mr. Andrew Smith
17117 Hwy 17 N
Hampstead, NC 28443
Andrew@hampsteadnchomes.com

**RE: Cursory Environmental Evaluation
Timberly Lane., Burgaw, Pender Co., North Carolina**

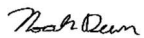
Dear Mr. Smith,

This correspondence is in reference to a parcel of land, totaling 5.71-acres, located on Timberly Lane., with the parcel ID 3229-36-9052-0000, in Burgaw, Pender County, North Carolina.

Our firm was contacted to determine if there were any wetlands or waters of the U.S. present within the boundaries of the parcel. After a thorough review of local soils and USGS topographic data, our firm conducted an on-site evaluation of the property on May 11th, 2023, to determine the extent of wetlands or waters of the U.S., utilizing wetland criteria outlined in the United States Army Corps of Engineers (USACE) 1987 Corps of Engineers Wetlands Delineation Manual (TR-Y-87-1) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (TR-10-20). After a complete inspection of the subject parcels, it is our firm's opinion that there were no wetlands present within the boundaries of the site. However, we strongly suggest getting final concurrence from the USACE.

If you need anything else, or have any questions, please feel free to contact us at (910) 515-8008.

Sincerely,



Noah Dean
Wetlands Biologist

From: [Alan Moore](#)
To: [Gilbert Combs](#)
Subject: RE: [External] Updated Requirements Timberly Lane - 5 Acres Zoning & Special Use Application
Date: Monday, August 14, 2023 9:42:01 AM
Attachments: [image001.png](#)

Water and sewer capacity is available at this location, water would be available on Timberly Ln. and sewer would be available from the North end of property.

From: Gilbert Combs <gcombs@burgawnc.gov>
Sent: Friday, August 11, 2023 12:06 PM
To: Alan Moore <rmoore@burgawnc.gov>; Matthew Myslow <mmyslow@burgawnc.gov>
Subject: FW: [External] Updated Requirements Timberly Lane - 5 Acres Zoning & Special Use Application

Guys,

I've mentioned this before as incoming but want to be sure that there is adequate capacity for 40 3-unit townhomes south of Norwood Apartments.

Please see attached for the proposed plan that should be going before planning board and BOC prior to TRC.

Gilbert Combs | Planning Director



Town of Burgaw
109 N Walker St
Burgaw, NC 28425
(p) 910.663.3451
(f) 910-259-6644
gcombs@burgawnc.gov

From: Andrew Smith <andrew@hampsteadnchomes.com>
Sent: Friday, August 11, 2023 9:00 AM
To: Gilbert Combs <gcombs@burgawnc.gov>
Cc: Jessica Gray <jgray@burgawnc.gov>
Subject: [External] Updated Requirements Timberly Lane - 5 Acres Zoning & Special Use Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Morning, see below.



Date: June 22, 2023

Project: Ivy Grove Townhomes
Burgaw, NC

Re: Project Trip Generation totals

The following Trip Generation Totals are based on the ITE Trip Generation Manual, 11th Edition.

215-Single Family Attached Housing, 40-3 Bedroom Townhomes

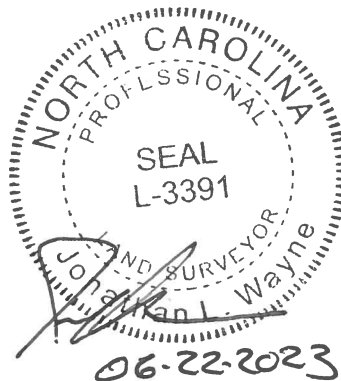
AM PEAK HOUR

20 Trips

PM PEAK HOUR

29 Trips

Total Trips per day = 200



Conditional
District
Rezoning

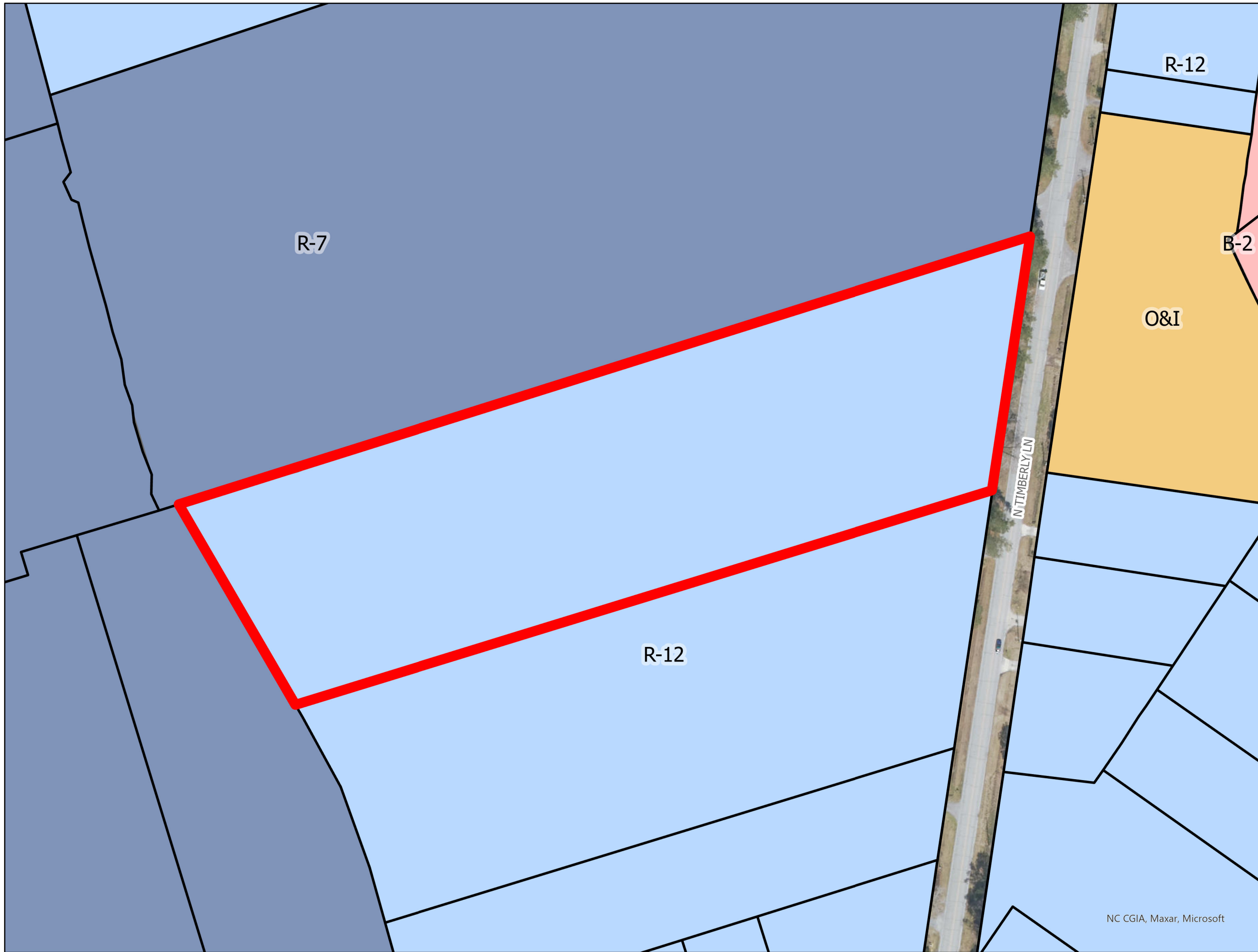
Ivy Grove
Townhomes

Aerial Map



0 50 100 Feet
Updated: 20231019

NC CGIA, Maxar, Microsoft



Conditional District Rezoning

Project:
**Ivy Grove
Townhomes**

Map Type:
Zoning Map



0 50 100
Feet
Updated: 20231019

Future Land Use Classification

- Commercial Growth
- Mixed Use Transition
- Recreation and Open Space
- Traditional Neighborhood Residential



Conditional
District
Rezoning

Project:
Ivy Grove
Townhomes

Map Type:
Future Land
Use Map



0 50 100 Feet
Updated: 20231019

NC CGIA, Maxar, Microsoft

Community Meeting

WHO : Adjacent Property owners of PIN - 3229-36-9052-0000. This property is located on N. Timberly Lane in Burgaw, NC.

WHAT : Requested Zoning Change

WHEN : October 10, 2023 at 10am OR 6pm (Two meetings will be held)

WHERE : 204 S. Walker St. Burgaw, NC

RE: Section 6.3.F

Required Community Meeting—Before the Planning Board will review a petition for a conditional zoning district, the applicant must file with the Town Planner a written report of a minimum of two (2) community meetings held by the applicant. Notice of such a meeting shall be given to property owners and tenants adjacent to the proposed project. At least one community meeting shall be after 6 pm in the evening. Notice of both meetings shall be given two weeks in advance. The report shall include, among other information, a listing of those persons and organizations contacted about the meeting and the manner and date of contact; the date, time, and location of the meeting; a roster of the persons in attendance at each meeting; a summary of issues discussed at the meeting; and description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was held. The adequacy of a meeting held or report filed pursuant to this section shall be considered by the Board of Commissioners in the rezoning request but shall not be subject to judicial review.

This notice is to inform you Pender Line LLC will be holding two community meetings on Oct 10, 2023 . The first meeting will be held at 10am and the second meeting will be held at 6pm. The location of this meeting will be held at 204 S. Walker St in Burgaw.

In attendance will be a member/manager of Pender Line, LLC and adjacent property owners. We welcome you to attend the meeting to address any concerns or questions. We look forward to meeting with you.
Sincerely,

Pender Line, LLC

MEETING ATTENDANCE SHEET

Meeting Date: Tuesday, October 10th

Start Time: 10:00am

Meeting Topic: Application for Rezoning

HOMEOWNER/LOT OWNER IN ATTENDANCE

Name: CAMERON SMITH

Contact Info: (858) 842-8108

QUESTIONS AND/OR REMARKS

How IS R-12 ALLOWED TO CHANGE TO 40 UNIT TOWNHOMES?
THIS PROJECT IS OUT OF CHARACTER FOR THE AREA, ZONING
AN LOT SIZE & DENISTY. THIS PROJECT WILL AFFECT MY PRIVACY
& SAFETY. IF ZONES ARE MEANINGLESS, WHY HAVE ANY ZONING?
Signature: _____ Date: _____

MEETING ATTENDANCE SHEET

Meeting Date: Tuesday, October 10th

Start Time: 6:00pm

Meeting Topic: Application for Rezoning

HOMEOWNER/LOT OWNER IN ATTENDANCE

Name:

Contact Info:

QUESTIONS AND/OR REMARKS

Signature:

Date:

**An Analysis of any Potential Impacts
To Surrounding Properties
Resulting from the Development of
The Proposed Ivy Grove Townhomes
To be Located on Timberly Ln (PIN 3229-36-9052-0000)
Burgaw, North Carolina**



Prepared For:

**Mr. Leo Andrades
Penderline, LLC
17117 US Highway 17 N
Hampstead, NC 28443**

Prepared By:

**G. Brad White, MAI
G. Brad White and Associates, LLC
8718 Ramsbury Way
Wilmington, NC 28411**

G. Brad White and Associates, LLC

Professional Appraisal and Consulting Services

8718 Ramsbury Way

Wilmington, NC 28411

Phone (910) 612.2478

bwhite@gbwvaluations.com

November 14, 2023

Mr. Leo Andrades
Penderline, LLC
17117 US Highway 17 N
Hampstead, NC 28443

RE: Impact Analysis of the Proposed Ivy Grove Townhomes
Timberly Ln (PIN 3229-36-9052-0000)
Burgaw, NC

Dear Mr. Andrades:

At your request and authorization, I have performed an analysis to determine the impact on market value, if any, for properties adjoining the proposed Ivy Grove Townhomes to be located on Timberly Lane, further identified as Brunswick County PIN 3229-36-9052-0000 in Burgaw, Pender County, NC. This is the purpose of this assignment.

This consulting assignment is not an appraisal and does not render an opinion of value for any identified property. The intended use of this impact study is to assist the client in their application for rezoning to allow the above-referenced development. The intended user of this consulting assignment is the client, Mr. Leo Andrades as well as the Town of Burgaw Council and/or Planning Department.

The subject site was inspected on November 9, 2023. As part of this assignment, the proposed site plan and renderings were reviewed and incorporated within this report for reference.

The attached report addresses the subject site, the surrounding properties (and any effects to such properties resulting from the development of the proposed Ivy Grove Townhomes. It provides essential data and a summary of the reasoning employed in reaching my conclusions.

Based on my analysis, it is my opinion that the proposed project will maintain or enhance the market value of the contiguous properties with no measurable negative impact on value due to their proximity to the proposed development.

Sincerely yours,


G. Brad White, MAI
NC Certified General Appraiser No. A5053
bwhite@gbwvaluations.com



File No.: 23-116

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SECTION 1: INTRODUCTION

1.1: PURPOSE AND INTENDED USE OF THE CONSULTING ASSIGNMENT

Client	Mr. Leo Andrades
Intended use	to assist the client in their process of obtaining a rezoning from R-12, Residential District to R-7 (CZ), Residential District Conditional Zoning to allow the development of 40, 3-bedroom townhomes
Intended user	In addition to the client, other intended users include the Town Council and Planning Department of the Town of Burgaw, NC
Purpose of the consulting assignment	to determine the impact on market value, if any, for adjacent properties, caused by the proposed development of a 40-unit townhome project

1.2: DATE OF INSPECTION

The subject property was physically inspected on November 9, 2023. On this date, photographs of the subject and the surrounding properties were taken.

1.3: DATE OF THE REPORT

This report, which summarizes the assignment conclusions, was completed and dated November 14, 2023.

1.4: SCOPE OF THE CONSULTING ASSIGNMENT

To perform this consulting assignment, I performed the following steps:

- Inspected the subject site and the surrounding neighborhood;
- Inspected the renderings, site plan and project concept of the proposed improvements in order to gain a good understanding of the scope of the proposed project;
- Collected market information needed to draw informed conclusions relating specifically to Section 6.1.5 (B) (ii) of the Town of Burgaw Unified Development Ordinance which addresses *the benefits and detriments to the landowners, the neighbors, and the surrounding community*.
 1. To perform this, the scientific method is utilized. The question to be tested is "How does a property's location adjacent to a new townhome development, similar to the proposed project, affect its market value?"
 2. The independent variable is the one condition that you change in an experiment. In this case, the independent variable is a location as it relates to similar developments to the one being proposed
 3. The dependent variable is the variable that you measure or observe. In this experiment, measuring the effect of location proximate to similar development to the one proposed, the market value of such comparable properties is the dependent variable.

4. This assignment is not an appraisal. No opinion of market value is given or implied for either the subject property, or any contiguous properties. This assignment is merely a study of the effect on properties that share similar locational characteristics to projects considered similar to the proposed subject.

5. Therefore, it is customary and reasonable for the appraiser to spread the data search geographically, to other areas, in order to gain sufficient understanding of the effects on market value for properties that lie adjacent to similar developments as the proposed Ivy Grove Townhomes.

- Prepared a narrative report setting forth the conclusions derived in this analysis as well as the information upon which the conclusions are based.
- Present my findings orally before the Town of Burgaw Town Council on Tuesday, November 14, 2023

SECTION 2: IDENTIFICATION OF THE SUBJECT SITE

The subject property has not been assigned a physical address, which is typical of vacant properties in Pender County.

The site is located on the west side of Timberly Lanes (US 117 Bus), approximately 550 feet north of its intersection with E. Wallace Street. It is further identified as Pender County Tax Parcel 3229-36-9052-0000.

For illustrative purposes, an aerial photograph of the parcel is located below.

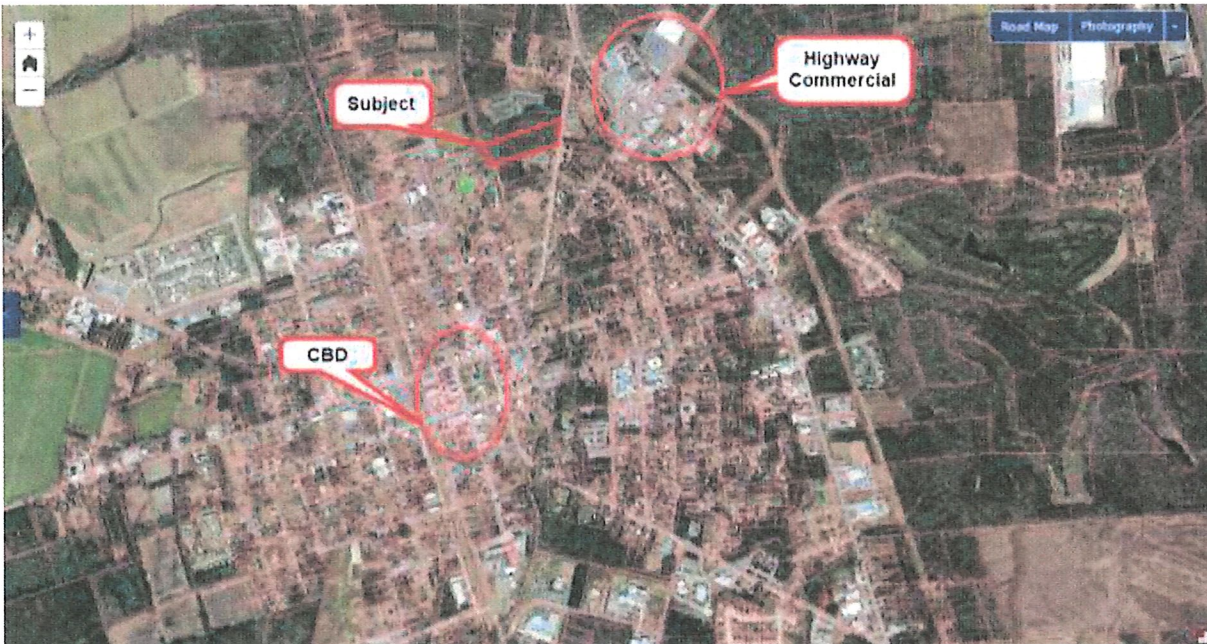
Exhibit 2.1 Aerial Photograph of the Subject Parcel



SECTION 3: THE IMMEDIATE NEIGHBORHOOD

The subject is located in the northeastern portion of the Town of Burgaw. The immediate neighborhood consists of a transitional area between the burgeoning commercial uses along US 117 bypass at its intersection with NC 53, and the town's Central Business District on the southwest.

Exhibit 3.1 Neighborhood Map



Commercial uses just northeast of the subject include, but are not limited to the following:

1. Pender Landing Shopping Center (Food Lion anchor tenant)
2. Auto Zone
3. Hardee's
4. Advance Auto Parts
5. Burgaw Motel
6. Kentucky Fried Chicken
7. Walmart
8. Taco Bell
9. Bojangles'
10. McDonalds
11. Shell Convenience Store
12. GoGas gas outlet
13. Dollar Tree

By way of N. Timberly Lane (US 117 Business) and US 117 Bypass, the intersection of US 117 Bypass and NC 53 is less than 2,000 linear feet 0.38 mi from the subject's northeastern property corner.

The Town of Burgaw Central Business District, as measured to the Pender County Courthouse, lies 0.60 mi southwest via Timberly Lane, NC Hwy 53 (E. Bridgers Street) and N. Walker Street.

Commercial uses within this quaint small-town business district consist primarily of locally-owned street retail uses such as antique stores and coffee shops. These uses are generally zero-lot line, storefronts with no off-street parking. They cater to pedestrians and public parking is ample within the street rights of way. The only two branded retail uses in this portion of town is a freestanding Piggly Wiggly grocery store and a Family Dollar discount retailer; both occupied.

A file mile radius population of the subject property has a population of 8,387 which is expected to grow by almost 10% by 2025.

Radius	1 Mile	3 Mile	5 Mile
Population			
2025 Projection	2,533	5,934	9,210
2020 Estimate	2,312	5,406	8,387
2010 Census	2,116	4,875	7,532
Growth 2020 - 2025	9.56%	9.77%	9.81%
Growth 2010 - 2020	9.26%	10.89%	11.35%
2020 Population by Hispanic Origin	179	526	834
2020 Population	2,312	5,406	8,387
White	1,584 68.51%	3,717 68.76%	5,782 68.94%
Black	661 28.59%	1,500 27.75%	2,303 27.46%
Am. Indian & Alaskan	25 1.08%	56 1.04%	85 1.01%
Asian	8 0.35%	20 0.37%	30 0.36%
Hawaiian & Pacific Island	1 0.04%	8 0.15%	14 0.17%
Other	33 1.43%	106 1.96%	174 2.07%
U.S. Armed Forces	0	1	7
Households			
2025 Projection	836	2,097	3,361
2020 Estimate	762	1,911	3,064
2010 Census	685	1,710	2,745
Growth 2020 - 2025	9.71%	9.73%	9.69%
Growth 2010 - 2020	11.24%	11.75%	11.62%
Owner Occupied	452 59.32%	1,224 64.05%	2,060 67.23%
Renter Occupied	311 40.81%	687 35.95%	1,003 32.73%
2020 Households by HH Income	763	1,910	3,065
Income: <\$25,000	217 28.44%	594 31.10%	965 31.48%
Income: \$25,000 - \$50,000	160 20.97%	456 23.87%	760 24.80%
Income: \$50,000 - \$75,000	139 18.22%	318 16.65%	522 17.03%
Income: \$75,000 - \$100,000	96 12.58%	212 11.10%	318 10.38%
Income: \$100,000 - \$125,000	48 6.29%	97 5.08%	142 4.63%
Income: \$125,000 - \$150,000	41 5.37%	122 6.39%	194 6.33%
Income: \$150,000 - \$200,000	43 5.64%	64 3.35%	84 2.74%
Income: \$200,000+	19 2.49%	47 2.46%	80 2.61%
2020 Avg Household Income	\$66,030	\$61,077	\$59,845
2020 Med Household Income	\$50,736	\$43,691	\$42,531

Burgaw is located within the Wilmington MSA. Wilmington lies approximately 26 miles south, along Interstate 40. Wilmington and New Hanover County have exhibited a northward growth pattern, which positions the town as a good alternative to more densely populated areas to the south.

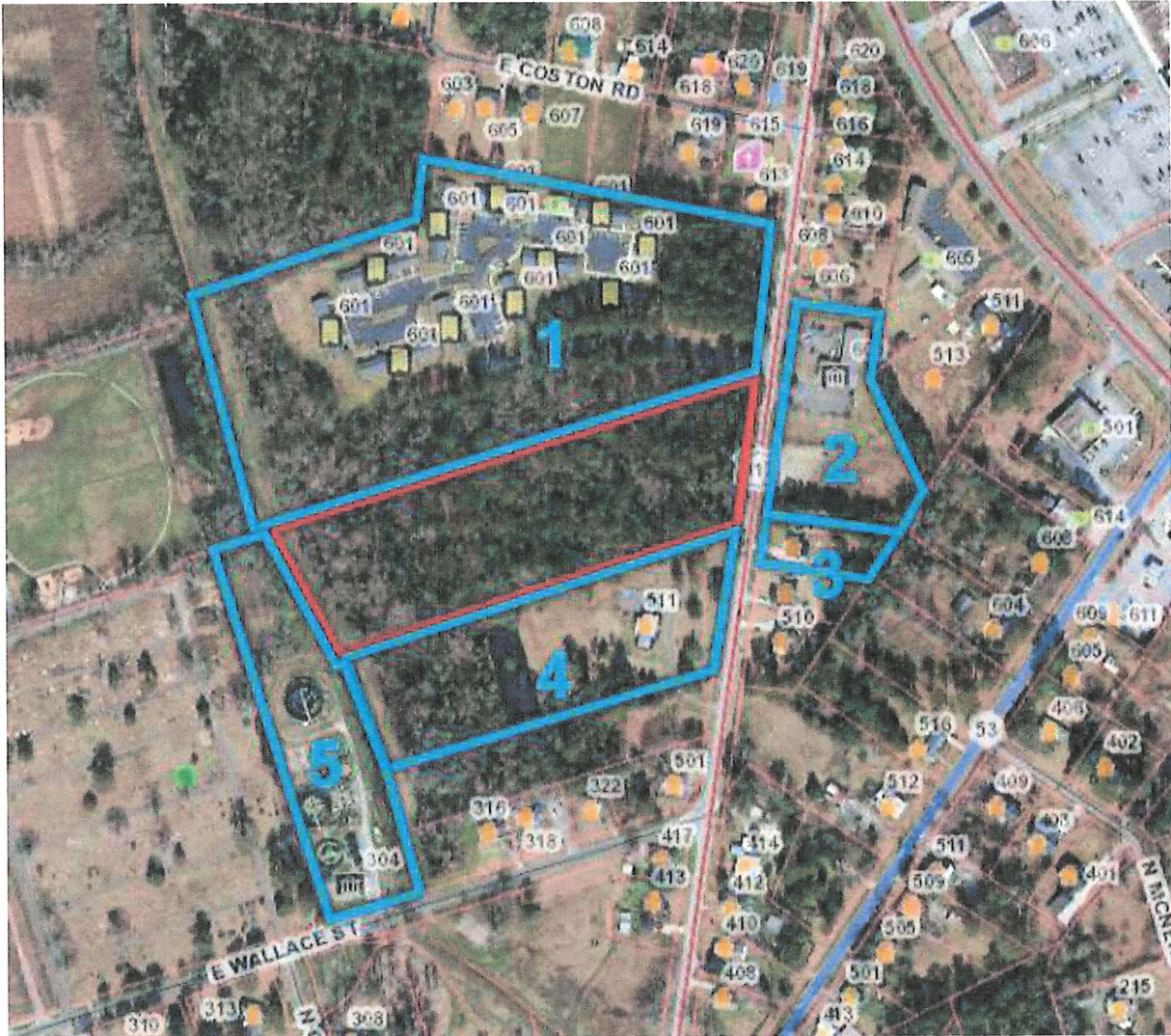
With a population growth expected for the immediate neighborhood, demand for single and multi-family residential uses, as well as commercial uses should remain strong for the foreseeable future.

SECTION 4: CONTIGUOUS PROPERTY USES

For this analysis, **Contiguous Property** is defined as a parcel or lot which adjoins a subject property by either sharing a property line or would share a common property line but for the existence of an intervening right-of-way.

The following five (5) properties are considered contiguous to the subject property.

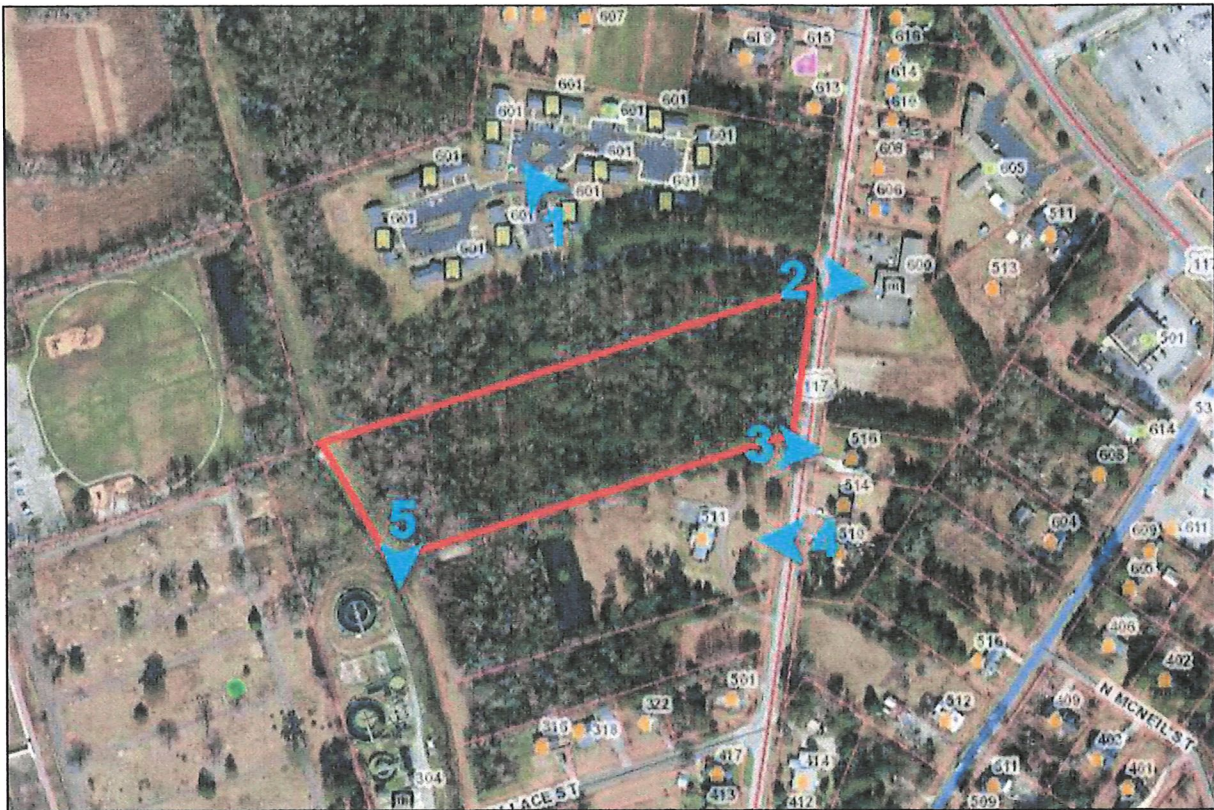
Exhibit 4.1 Contiguous Property Uses



	1. Current Use: Northwoods Apartments Owner: PHP Northwoods, LLC Parcel ID: 3229-36-9483-0000 Size: 12.21 acres Zoning: R-7 Residential Comments: 50 apartment units. 1, 2 and 3-BR units. Section 8 vouchers accepted. Market rents are \$717, \$844 and \$1,021 for 1, 2 and 3-BR units, respectively.
	2. Current Use: Smart Start of Pender County Owner: Donna T. Rowe Parcel ID: 3229-46-6253-0000 Size: 1.93 acres Zoning: O&I Office and Institutional Comments:
	3. Current Use: Single-family dwelling Owner: Leslie Hutcherson Parcel ID: 3229-45-6928-0000 Size: 0.562 acres Zoning: R-12 Residential Comments: 1,000-sf brick ranch built in 1977

	4. Current Use: Single-family dwelling Owner: Cameron Layne Smith Parcel ID: 3229-45-0779-0000 Size: 4.765 acres Zoning: R-12 Residential Comments: 3,000-sf brick dwelling built in 1956. Last known sale 3/3/21 for \$415,000.
	5. Current Use: Municipal water treatment facility Owner: Town of Burgaw Parcel ID: 3229-35-5690-0000 Size: 3.09 acres Zoning: R-7 Residential Comments: Town of Burgaw sewer treatment plant.

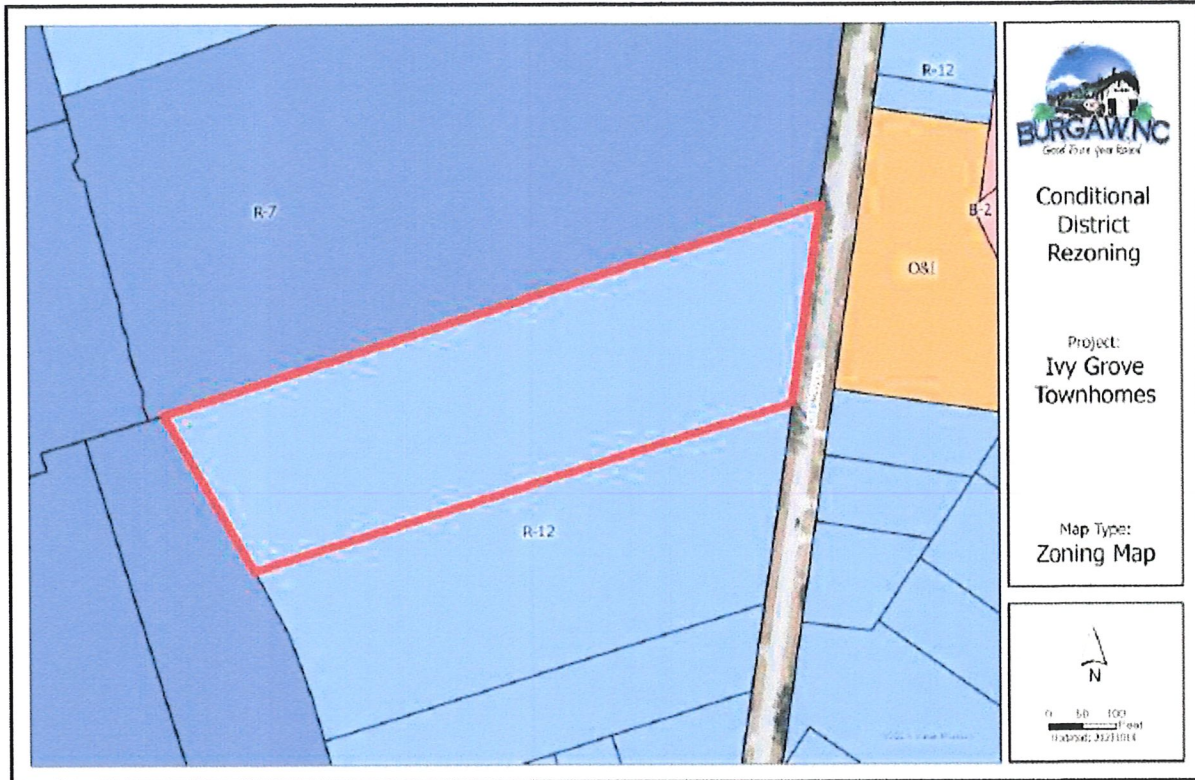
Exhibit 4.2 Location of Photographs of Contiguous Properties



SECTION 5: ZONING

The subject site is currently zoned R-12 Residential, by the Town of Burgaw. The property immediately abutting the subject on the north and west are zoned R-7. The Smart Start of Pender County property to the east is zoned Office and Institutional, O&I. The single-family dwelling to the east is zoned R-12. This is seen in the following zoning map on which the subject property has been identified.

**Exhibit 5.1 Town of Burgaw Zoning Map
Source (Planning Board Case Summary)**



Surrounding Area	North	South	East	West
Zoning	R-7 Residential	R-12 Residential	O&I Office and Institutional, R-12 Residential	R-7 Residential
Current Land Use	Multi-family residential	Single-family dwelling	Institutional / Vacant	Institutional

SECTION 6: EXISTING CONDITIONS AS OF NOVEMBER 9, 2023

	1. Front view
	2. View looking south along Timberly Ln. Subject is wooded area on right.
	3. Interior view of subject from southeastern property corner.



4. View looking north along Timberly Ln as seen from southeastern property corner. Subject on left.



5. Subject marked with red arrow as seen from Timberly Ln, just south of subject

SECTION 7: DESCRIPTION OF THE PROPOSED IMPROVEMENTS

The proposed improvement is described as a 40-unit townhome development to be known as Ivy Grove Townhomes. According to the site plan, the 40 units are to be located within ten (10) buildings; each with four units.

Each unit is to be a two-level floorplan with 3 bedrooms. The site plan shows 149 surface parking spaces, resulting in a parking ratio of 3.73 spaces per unit.

Amenities will include a community pavilion and small dog park. Additional site improvements will include concrete curb and gutter, concrete sidewalks, stormwater retention pond, good landscaping, utility taps and signage.

The site is currently wooded. The site plan indicates a wooded buffer of existing vegetation and supplemented with Leland Cypress and other shrubs as needed to be located on the northern and southern property lines.

According to the developer, each townhome will range from 1,800 – 2,000 sf with an anticipated price point of \$299,000 - \$350,000. The developer has plans to initially sell 16 units and lease the remaining 24 units at market rates reportedly in the range of \$1,800 - \$2,400 per month. The appraiser has not performed a market analysis to determine the validity of this claim.

Based on the renderings provided to the Town of Burgaw, included in the Case Summary by the planning board and incorporated herein for reference, the exterior appears to be a combination of brick and vinyl or cement board siding, with asphalt shingle roof cover over a gable roof structure.

Exhibit 7.1 Proposed Site Plan
Source (Town of Burgaw Planning Board Case Summary)

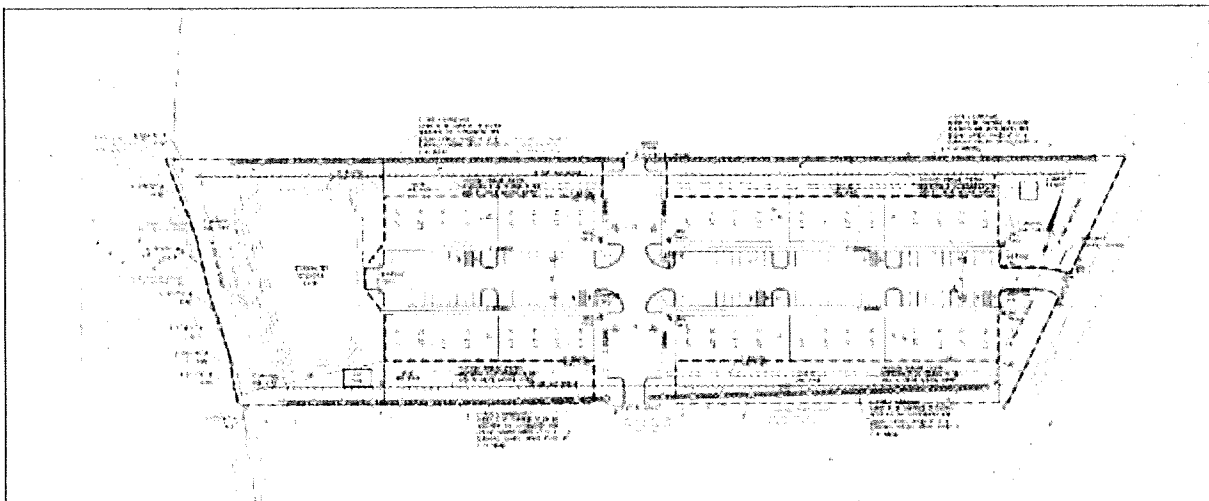


Exhibit 7.2 Front Elevation
Source (Town of Burgaw Planning Board Case Summary)



Exhibit 7.3 Perspective View From Timberly Lane
Source (Town of Burgaw Planning Board Case Summary)



Exhibit 7.4 Zoomed View From Timberly Lane
Source (Town of Burgaw Planning Board Case Summary)

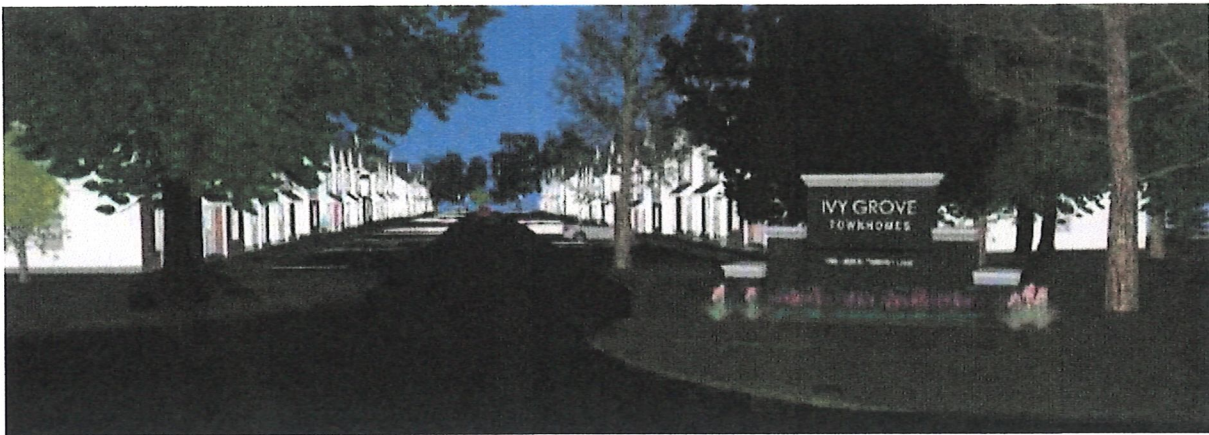


Exhibit 7.5 View From Rear of Project
Source (Town of Burgaw Planning Board Case Summary)



A summary of the proposed construction areas is as follows:

Site Area	±5.71 acres
Units	40 Units
Density	7.01 Units/Acre
Parking	149 spaces 3.73 spaces/unit

SECTION 8: CASE STUDIES

8.1 Justice Farm

Sneads Ferry
Onslow County

Justice Farm Townhomes

Year Built: 2018
Levels: 2
Parking: Surface; unassigned
Price Point: \$179,900 - \$225,000
of Units: 66 on ±16.14 acres or 4.08 units per acre (septic systems required)

Exhibit 8.1 (a) Photos (Source Flex MLS)



Exhibit 8.1 (b) MLS Search Data



Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.1(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	105 Lawndale Ln	08/02/23	\$292,000	2005	1743	\$167.81
2	103 Lawndale Ln	05/09/23	\$290,000	2005	1290	\$224.81
3	119 Lawndale Ln	03/05/22	\$210,000	2005	1125	\$186.67
4	123 Lawndale Ln	08/17/22	\$260,000	2005	1268	\$205.05

Average Home Size	1,357 sf
Minimum Price per SF	\$186.67
Maximum Price per SF	\$224.81
Average Price per SF	\$196.09
Median Price per SF	\$195.86

Market Conditions Indications:

Table 8.1 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	09/10/19	\$195,650	49.50%	47	1.05%

Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.1(e) Non-Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	202 Bluebird Ct	04/21/22	\$252,000	2005	1706	\$147.72
2	210 Bluebird Ct	04/26/22	\$264,900	2005	1672	\$157.43
3	202 Vale Ct	09/02/22	\$239,900	2005	1268	\$189.20
4	205 Vale Ct	12/16/21	\$263,000	2005	1737	\$151.41
5	200 Molly Ct	05/23/22	\$247,000	2005	1268	\$194.79
6	210 Molly Ct	05/22/23	\$295,000	2006	1453	\$203.03
7	213 Molly Ct	06/16/23	\$260,000	2010	1355	\$191.88
8	100 Knotts Ct	04/21/23	\$293,000	2006	1463	\$200.27
9	102 Knotts Ct	04/21/22	\$255,000	2006	1355	\$188.19
10	104 Knotts Ct	03/25/22	\$255,000	2005	1461	\$174.54
11	118 Lawndale Ln	09/22/23	\$293,000	2005	1337	\$219.15
12	120 Lawndale Ln	07/11/22	\$267,500	2005	1268	\$210.96
13	141 Lawndale Ln	04/04/22	\$245,000	2006	1284	\$190.81
14	128 Lawndale Ln	06/30/22	\$295,000	2005	1881	\$156.83
15	132 Lawndale Ln	08/25/23	\$295,000	2005	1403	\$210.26
16	136 Lawndale Ln	05/09/22	\$305,000	2006	1909	\$159.77
17	138 Lawndale Ln	05/23/22	\$278,000	2006	1508	\$184.35
18	138 Lawndale Ln	09/19/23	\$300,000	2006	1508	\$198.94
19	142 Lawndale Ln	09/01/22	\$292,500	2006	1877	\$155.83

Average Home Size	1,511 sf
Minimum Price per SF	\$147.72
Maximum Price per SF	\$219.15
Average Price per SF	\$183.44
Median Price per SF	\$189.20

Market Conditions Indications:

Table 8.1 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	01/22/19	\$179,000	40.78%	39	1.05%
9	06/19/20	\$189,900	34.28%	22	1.56%
11	12/06/19	\$187,900	55.93%	45	1.25%
18	12/07/18	\$179,900	66.76%	57	1.17%

SUMMARY AND CONCLUSIONS FOR JUSTICE FARM

The Justice Farm Townhomes are two-level townhomes with common area surface parking. They feature vinyl siding exteriors with faux stone accents. The development was constructed in 2018 and contains 66-units. Prices have ranged from \$179,900 to \$225,000 per unit (over the past 24 months).

Four single-family home sales were discovered over the past 24 months that abutted the townhome development. They indicated a median price of \$195.86 per sf of heated living area.

This compares favorably to the median price of nineteen (19) sales of similar homes within the subdivision over the same time period that do not abutt the townhome development. They indicated a median price of \$189.20 per sf of heated living area, 3.40% less than the median home price for homes abutting the townhome development.

All homes were similar in age, construction quality and lot sizes. Slight variances occurred in the sizes of the homes. The average size of the four homes abutting the townhomes was 1,357 sf versus an average of 1,511 sf for the nineteen sales within the interior of the subdivision. (10.19% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 3.40% discrepancy in per-unit pricing.

Finally, from the single contiguous home sale from which a market conditions adjustment could be determined from prior sales activity, Comparable 1 indicated a monthly upward appreciation of 1.05%. There were four non-contiguous sales from which a monthly appreciation could be determined that ranged from 1.05% to 1.56% per month. Though the contiguous property at 1.05% falls within the lower end of the range, it does indeed indicate a similar appreciation pattern for properties lying contiguous to the townhomes as those that do not.

From this study of the Justice Farm Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

8.2 Springwater Reserve Townhomes

Castle Hayne
New Hanover County

Springwater Reserve Townhomes

Year Built: 2018 - present
Levels: 2
Parking: Concrete driveways; Garage (1-car)
Price Point: \$359,900 - \$412,900
of Units: 44 units on 6.58 acres or 6.69 units per acre

Exhibit 8.2 (a) Photos (Source Flex MLS)

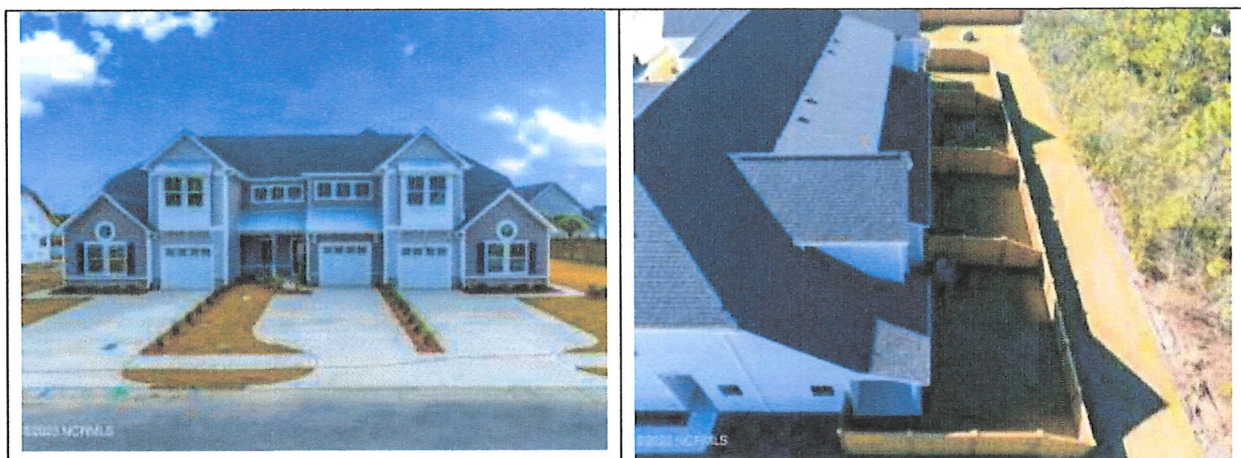


Exhibit 8.2 (b) MLS Search Data



* Home Sales in Hanover Reserve in excess of 3,000 sf HLA are excluded as they skew the price per sf HLA downward due to their significantly larger sizes.

**Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23**

Table 8.2(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	7353 Springwater Dr	02/08/23	\$515,000	2018	2574	\$200.08
2	7416 Murrayville Rd	09/02/22	\$340,000	1995	1526	\$222.80

Average Home Size **2,050 sf**
Minimum Price per SF **\$200.08**
Maximum Price per SF **\$222.80**
Average Price per SF **\$211.44**
Median Price per SF **\$211.44**

Market Conditions Indications:

Table 8.2 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	12/20/18	\$311,500	65.33%	62	1.05%

**Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23**

Table 8.2(e) Non-Contiguous Sales (excluding homes in excess of 3,000 sf)

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	1344 Goldengrove Ln	05/17/23	\$472,000	2020	2493	\$189.33
3	1451 Eastbourne Dr	04/06/22	\$485,000	2016	2400	\$202.08
4	1443 Eastbourne Dr	11/18/22	\$485,000	2015	2359	\$205.60

Average Home Size	2,417 sf
Minimum Price per SF	\$189.33
Maximum Price per SF	\$205.60
Average Price per SF	\$199.00
Median Price per SF	\$202.08

Market Conditions Indications:

Table 8.2 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	06/30/20	\$327,500	44.12%	35	1.26%

SUMMARY AND CONCLUSIONS FOR SPRINGWATER RESERVE

The Springwater Reserve Townhomes are two-level townhomes with each unit having its own concrete driveway and a one-car garage. They feature cement board siding exteriors, craftsman trim, hip roofs with asphalt shingle roof cover and metal roof accents. The development began construction in 2018 and will contain 44-units. Some buildings contain three units and some contain four. No building contains more than four units. Prices have ranged from \$359,900 - \$412,900 per unit (over the past 24 months).

Two single-family home sales were discovered over the past 24 months that abutted the townhome development. They indicated a median price of \$211.44 per sf of heated living area.

This compares favorably to the median price of three (3) sales of similar homes within the adjacent Hanover Reserve subdivision over the same time period that do not abutt the townhome development (dwellings in excess of 3,000 sf HLA excluded as they skew the price per sf downward). They indicated a median price of \$202.08 per sf of heated living area, 4.43% less than the median home price for homes abutting the townhome development.

Almost all homes were similar in age, construction quality and lot sizes. The dwelling at 7416 Murrayville Road, though constructed in 1995, had been renovated prior to sale. The average size of the two homes abutting the townhomes was 2,050 sf versus an average of 2,417 sf for the three sales within the interior of the adjacent Hanover Reserve subdivision. (15.18% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 4.43% discrepancy in per-unit pricing.

Finally, from the single contiguous home sale from which a market conditions adjustment could be determined from prior sales activity, Comparable 1 indicated a monthly upward appreciation of 1.05%. There was one non-contiguous sale from which a monthly appreciation could be determined that indicated 1.26% per month. It should be noted that the contiguous property indicating 1.05% per month, was previously sold in December 2018. The non-contiguous comparable indicating 1.26% monthly previously sold in June 2020. Market conditions from December 2018 through June 2020 were not improving as rapidly as those from June 2020 onward. For this reason, the two appreciation patterns are considered very similar for properties lying contiguous to the townhomes as those that do not.

From this study of the Springwater Reserve Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

8.3 Ibis Landing Townhomes

Leland
Brunswick County

Ibis Landing Townhomes

Year Built: 2021 - present
Levels: 2
Parking: Concrete driveways; Garage (1-car)
Price Point: \$234,840 - \$350,540
of Units: 125 units on 18.6 acres or 6.72 units per acre

Exhibit 8.3 (a) Photos (Source Flex MLS)



Exhibit 8.3 (b) MLS Search Data

8 - Multi Property

Change Search Template
Draft last saved: 11/14/2023, 11:41:43 AM

View Results for 2023

Home Data Search

Status Change Date

Sub-Type

County

City

Marketing City

Please enter 3 or more characters

Distance Search

Map

SAFT - Hatched (Priority)

Your Box

Waterfront

Waterview

Location Type

Listing/Selling Number

Listing/Selling Office

Zip Code

Delayed Marketing Date (DM)

Add + More

Additional Search Options



**Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23**

Table 8.3(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	61 Carol Lynn Dr NE	05/02/22	\$295,000	1995*	1222	\$241.41

* Renovated prior to sale

Average Home Size	1,222 sf
Minimum Price per SF	\$241.41
Maximum Price per SF	\$241.41
Average Price per SF	\$241.41
Median Price per SF	\$241.41

Market Conditions Indications:

Table 8.3 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	12/13/21*	\$160,000	84.38%	4	21.09%

* Purchased to renovate and flip

Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.3 (e) Non-Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	8084 Rachel Wynd Rd	02/14/22	\$408,000	2000	2557	\$159.56
3	8107 Rachel Wynd Rd	08/19/22	\$320,000	1997*	1630	\$196.32
4	8136 Rachel Wynd Rd	07/08/22	\$290,000	1993*	1212	\$239.27
5	8173 Rachel Wynd Rd	09/15/22	\$316,500	1998	1785	\$177.31
6	8143 Webster Ct	10/26/23	\$280,000	1993	1225	\$228.57
7	8099 Webster Ct	06/22/22	\$311,000	2016	1220	\$254.92
8	8085 Webster Ct	12/08/22	\$349,000	2015	1397	\$249.82

* Renovated prior to sale

Average Home Size	1,378 sf
Minimum Price per SF	\$159.56
Maximum Price per SF	\$254.92
Average Price per SF	\$215.11
Median Price per SF	\$228.57

Market Conditions Indications:

Table 8.3 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
3	01/22/19	\$195,000	64.10%	19	3.37%
4	10/23/19*	\$130,000	123.08%	9	13.67%

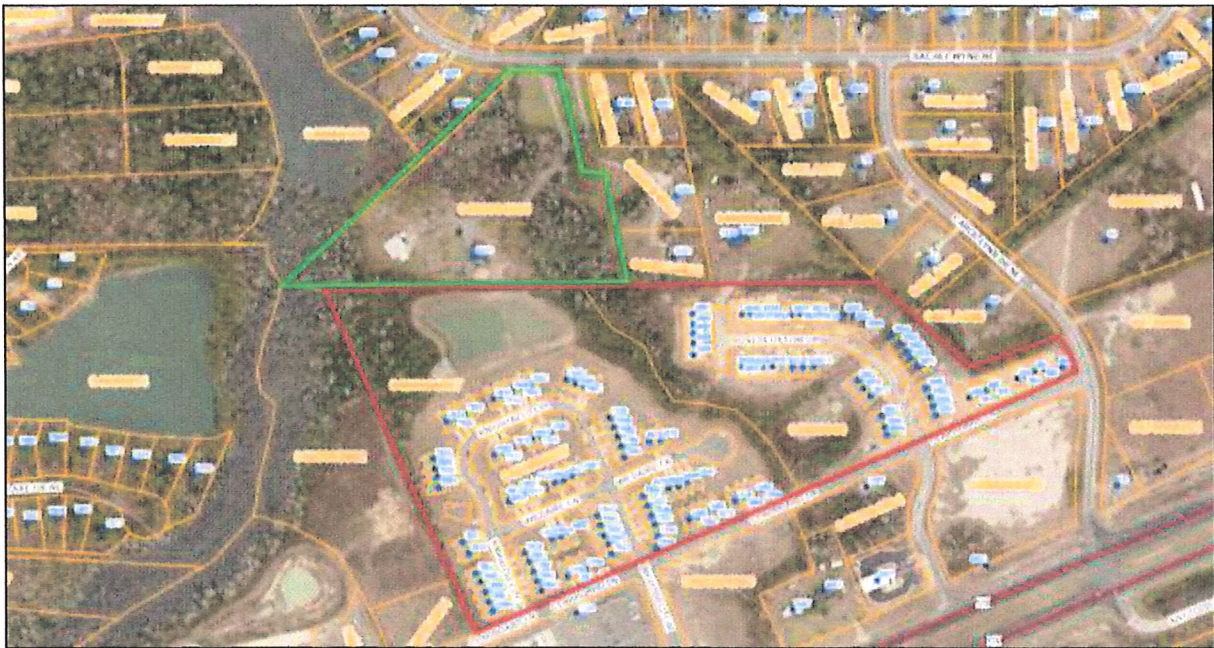
* Purchased to renovate and flip

Also considered is the sale of an abutting parcel located at **8050 Rachel Wynd Road** (Brunswick County PIN 0460004805). It is **5.38 acres**, improved with a single-family dwelling of 1,864 and associated accessory structures. The dwelling was constructed in 1998. **This property sold on 8/16/2023 for \$615,000.**

The seller had **previously acquired this property on 7/20/20 for \$365,000.** This indicates an upward change in market conditions of 68.49% over 37 months or **1.85% per month.** It was not included in the above analysis due to the significant land area.

This parcel is shown in the following exhibit. It is marked in green with the Ibis Landing Townhomes marked in red.

Exhibit 8.3 (g) Aerial Image Showing Adjacent 5.38-acre Parcel Sold



SUMMARY AND CONCLUSIONS FOR IBIS LANDING

The Ibis Landing Townhomes are two-level townhomes with each unit having its own concrete driveway and a one-car garage. They feature vinyl siding exteriors and gable roofs with asphalt shingle roof cover. The first sales within the development occurred in 2021. Prices have ranged from \$234,840 - \$350,540 per unit (over the past 24 months).

One single-family home sale was discovered over the past 24 months that abutted the townhome development. It had been purchased, renovated and flipped with the latter sale having a price of \$241.41 per sf of heated living area.

This compares favorably to the median price of eight (8) sales of similar homes within the same subdivision over the same time period that do not abutt the Ibis Landing townhome development. They indicated a median price of \$228.57 per sf of heated living area, 5.32% less than the price of the one home abutting the townhome development.

The one home abutting the townhomes was 1,222 sf versus an average of 1,378 sf for the eight sales within the interior of the subdivision. (11.32% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 5.32% discrepancy in per-unit pricing.

The subdivision that lies adjacent to the Ibis Landing townhome development has been very active for home flippers. The sale that directly abutts the townhomes was such a flip that indicated an increase in value of 21.09% per month (renovation costs not considered). The same can be said for Comparable 4 that does not abutt the townhomes, but was flipped for an increase in value of 13.67% per month (exclusive of renovation costs). Though not necessarily considered a "flip" Comparable 3 indicated a 3.37% per month improvement over 19 months, though it did have slight renovations having been performed prior to the latter sale.

This makes a determination of any effects from a market conditions standpoint very difficult, if not impossible beyond the fact that there is significant demand for homes in the adjacent subdivision with many being purchased for renovation; including the property directly abutting the townhomes.

Finally, this property is unique as it has an adjacent 5.38-acre tract improved with a single-family dwelling. This is similar to the subject having a 4.765-acre tract with a single-family dwelling abutting it on the south. A matched-pair analysis of two sales of this same property, with very little having been done to the property between sales, indicates appreciation of 1.85% per month (22.20% annually). This is well supported by market data and represents some of the highest increases within this analysis.

From this study of the Ibis Landing Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

SECTION 9: FINAL SUMMARY AND CONCLUSIONS

Three townhome properties were analyzed. Due to insufficient data within the Town of Burgaw, the data search was expanded geographically.

The properties chosen represent townhome properties with relatively similar densities as the subject. The subject's proposed density is 40 units over ± 5.71 acres or approximately 7.00 units per acre. The projects chosen represent densities of 4.08 units per acre (utilizing septic systems), 6.69 units per acre and 6.72 units per acre, respectively.

The appraiser also placed high importance on properties immediately adjacent to lower-density, single-family residential development. Properties in high-density areas, commercial areas, or rural areas, not immediately abutting low-density single-family residential development were excluded from this analysis.

Of the three properties surveyed and analyzed, the median sales prices per square foot of properties immediately abutting the townhome developments were 3.40%, 4.43% and 5.32% higher than the median sales prices of comparable homes not abutting the townhome property. In each instance, the homes abutting the townhome projects were smaller, on average, than those that did not share the same locational characteristics. Typically, smaller dwellings generally sell for higher per incremental units of value. Therefore, the higher per-unit pricing for dwellings adjacent to townhomes is most likely due to size differences.

Nonetheless, there is no evidence to suggest that single-family residential properties immediately abutting townhome developments similar to the proposed subject, suffer any diminution in value as a result of their location, when compared to similar properties, nearly identical with the exception of locational differences.

Furthermore, there is no evidence to suggest that being located adjacent to a development similar to the one proposed, results in any future effects on value as the data has shown similar appreciation rates for single-family properties abutting townhome developments when compared to those that do not.

ADDENDA

APPRAISAL QUALIFICATIONS

G. BRAD WHITE, MAI
8718 RAMSBURY WAY
WILMINGTON, NORTH CAROLINA 28411
PHONE 910-612-2478
E-MAIL: *bwhite@gbwvaluations.com*

EDUCATION

B.S.B.A. EAST CAROLINA UNIVERSITY, 1998
Introduction to Income Property Appraisal (G-1) 3/00
Income Capitalization Procedures (G-2) 9/00
Applied Income Property Valuation (G-3) 9/00
Advanced Income Capitalization 510 5/05
Market Analysis/Highest and Best Use 520 3/06
Advanced Sales Comparison & Cost Approaches 530 6/07
Report Writing & Valuation Analysis 540 6/08
Advanced Applications 550 7/09
Certified under North Carolina Real Estate Appraisal Board
Continuing Education Program

EMPLOYMENT HISTORY

Owner, G. Brad White and Associates, LLC 2017 to present
Worsley Real Estate Company, 1998 to 2017
Worsley & Glenn, Intern 1993

PROFESSIONAL AFFILIATIONS

N. C. State Certified General Real Estate Appraiser
Certification Number A5053, (2002)
Appraisal Institute, MAI Designation (2015)
Member of the New Hanover County Board of Equalization
and Review

APPRAISAL EXPERIENCE

Private and For Fee Golf Courses
Hotel, Motels, Restaurants, Resort Developments
Single and Multi-Family Residential Projects
Apartment Complexes, Townhouses, Condominiums
Office Buildings, Shopping Centers, Day Care Centers
Warehouses, Industrial and Manufacturing Buildings
Agricultural Land, Conservation and Historical Properties,
Marinas, Tank Farms, Deep-Water Port-Related Properties
and Wetland Mitigation Banks

FINANCIAL CLIENTELE

Bank OZK
Branch Bank & Trust Company
Carolina Farm Credit
Corning Federal Credit Union
Dogwood State Bank
First Bank
First Community Bank
First National Bank
North State Bank
Old National Bank
Paragon Bank
Park Sterling Bank
PNC Bank
Red River Bank
Select Bank
South State Bank
Southern Bank
Union Bank and Trust
United Bank
Wells Fargo Bank

INSTITUTIONAL CLIENTELE

N. C. Department of Transportation
Duke Energy Progress, Inc.
Cape Fear Public Utility Authority
Telics, Inc.
Wilmington Housing Authority
Wilmington International Airport

PROFESSIONAL CLIENTELE

Osprey Lands, LLC
Crocker Brothers, LLC
Par 5 Development Group, LLC
JBS Industrial Properties, LLC
Nicholls & Crampton, P.A.
Block, Crouch, Keeter, Behm and Sayed, LLP
Marshall, Williams & Gorham, LLP
JTV Business Consultant, Inc.
The Cameron Company, Inc.
Brunswick Corporation/Hatteras Yachts



March 4, 2024

Town of Burgaw
109 N. Walker Street
Burgaw, NC 28425
c/o Gilbert Combs

Re: Ivy Grove Townhomes
Stormwater Management

This +/- 5.71 acre site is located off Timberly Lane (PIN 3229-36-9052) in the Town of Burgaw, Pender County, North Carolina. This project will drain to a stormwater detention basin that will discharge to Osgood Branch at the rear of the site. The location of this development is downstream from the Town of Burgaw and this portion of Osgood Branch discharges to Burgaw Creek to the north and away from the Town of Burgaw. This project will consist of the construction of 30 townhome units and related site appurtenances. The amount of impervious surface draining to the proposed stormwater detention basin is 32.1% and the development is proposing 66.0% of the property area as Open Space.

The primary stormwater measures for this project will consist of overland sheet flow and closed conduit systems that direct the runoff to the proposed stormwater detention basin that will be designed to treat rainfall to meet the North Carolina Department of Environmental Quality (NCDEQ) Stormwater Regulations and to control the post development peak discharge for the 10-year storm event so as not to exceed the pre-development peak runoff discharge rate to meet Water Quantity Stormwater Regulations. An emergency spillway will be provided to convey the 100-year storm event.

By treating the water quality volume as required by NCDEQ, detaining the water quantity volume for the 10-year storm event the proposed stormwater detention basin will be used in conjunction with the development preserving 66.0% of the site in a pervious/natural state and over 478 existing trees remaining on site to mitigate any potential stormwater impacts on surrounding properties.

Please contact me immediately at (910) 442-7870 or gpape@gsp-consulting.com if you have any questions or require additional information.

Sincerely,

GSP CONSULTING, PLLC.



Garry S. Pape, P.E.

RESOLUTION 2024-06

ADOPTING A STATEMENT OF CONSISTENCY REGARDING AN AMENDMENT OF THE OFFICIAL ZONING MAP OF THE TOWN OF BURGAW REQUESTED BY ANDREW SMITH OF PENDERLINE, LLC TO REZONE PROPERTY LOCATED ON NORTH TIMBERLY LANE (PARCEL IDENTIFICATION NUMBER 3229-36-9052-0000) FROM R-12, RESIDENTIAL TO R-7 (CZ) RESIDENTIAL DISTRICT CONDITIONAL ZONING FOR A MULTIFAMILY PROJECT CONTAINING 30 3-BEDROOM TOWNHOMES.

WHEREAS, the Applicant, Andrew Smith of Penderline, LLC, has requested the Town amend the Official Zoning Map of the Town of Burgaw to rezone property located on North Timberly Lane (Parcel Identification Number 3229-36-9052-0000) from R-12, Residential to R-7 (CZ), Residential District Conditional Zoning for a multifamily project containing 40 3-bedroom townhomes; and

WHEREAS, Planning Staff has reviewed the proposed rezoning for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning Board, at their October 19, 2023, meeting, recommended denial in the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners with a vote of 6-1; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the Staff Report and Draft Comprehensive Plan Consistency Statement at their November 14, 2023, meeting and voted to continue the item until the December 12, 2023, meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners at their December 12, 2023, meeting, voted to continue the item upon the Applicant's request until the January 9, 2024, meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners reexamined the Staff Report and Draft Comprehensive Plan Consistency Statement at their January 9, 2024, meeting and found the proposed rezoning to NOT be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, NOT being reasonable, and NOT in the public interest with a unanimous vote to deny the proposal; and

WHEREAS, the Town of Burgaw Board of Commissioners at their February 13, 2024, meeting, heard from the applicant during the public input portion of the meeting requesting reconsideration of the decision to deny based on the willingness to reduce the overall number of units from 40 to 30 and was approved to be heard at the following meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners reheard the Staff Report and Draft Comprehensive Plan Consistency Statement at their March 12, 2024 meeting and found the proposed rezoning to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed rezoning is consistent with the Town of Burgaw 2030 Comprehensive Plan by promoting infill development and revitalization of areas with existing infrastructure and would attract businesses and industries that will enhance the economic health of the town.

Adopted this 12th day of March 2024.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2024-07

A MAP AMENDMENT OF THE OFFICIAL ZONING MAP OF THE TOWN OF BURGAW REQUESTED BY ANDREW SMITH OF PENDERLINE, LLC TO REZONE PROPERTY LOCATED ON NORTH TIMBERLY LANE (PARCEL IDENTIFICATION NUMBER 3229-36-9052-0000) FROM R-12, RESIDENTIAL TO R-7 (CZ) RESIDENTIAL DISTRICT CONDITIONAL ZONING FOR A MULTIFAMILY PROJECT CONTAINING 30 3-BEDROOM TOWNHOMES.

WHEREAS, the Applicant, Andrew Smith of Penderline, LLC, has requested the Town amend the Official Zoning Map of the Town of Burgaw to rezone property located on North Timberly Lane (Parcel Identification Number 3229-36-9052-0000) from R-12, Residential to R-7 (CZ), Residential District Conditional Zoning for a multifamily project containing 30 3-bedroom townhomes; and

WHEREAS, the Town of Burgaw Planning Board, at their October 19, 2023, meeting, recommended denial of the proposed rezoning to the Board of Commissioners of the Town of Burgaw with a vote of 6-1; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report, the proposed text amendments and the Draft Comprehensive Plan Consistency Statement at their November 14, 2023, meeting and voted to continue the item until the December 12, 2023, meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners at their December 12, 2023, meeting, voted to continue the item upon the Applicant's request until the January 9, 2024, meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners reexamined the Staff Report and Draft Comprehensive Plan Consistency Statement at their January 9, 2024, meeting and found the proposed rezoning to NOT be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, NOT being reasonable, and NOT in the public interest with a unanimous vote to deny the proposal; and

WHEREAS, the Town of Burgaw Board of Commissioners at their February 13, 2024, meeting, heard from the applicant during the public input portion of the meeting requesting reconsideration of the decision to deny based on the willingness to reduce the overall number of units from 40 to 30 and was approved to be heard at the following meeting; and

WHEREAS, the Town of Burgaw Board of Commissioners reheard the Staff Report and Draft Comprehensive Plan Consistency Statement at their March 12, 2024, meeting and found the proposed rezoning to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW THEREFORE BE IT ORDAINED:

SECTION 1. The Official Zoning Maps of the Town of Burgaw are hereby amended by removing the hereinafter described tract of land from the present R-12, Residential District and putting it in R-7 (CZ), Residential Conditional Zoning District, said tract being more particularly described as follows:

A certain tract or parcel of land lying and being in the Town of Burgaw, Pender County, North Carolina and being that tract as described in book 4812 page 2795 records of the Pender County Register and being more particularly described as follows:

BEGINNING AT AN IRON ON THE WESTERN RIGHT OF WAY NORTH TIMBERLY LANE (60' PUBLIC RIGHT OF WAY), SAID IRON BEING THE SOUTHEASTERN CORNER OF SAID PENDERLINE, LLC TRACT, SAID IRON ALSO BEING LOCATED N 08-21-42 E 564.58' FROM AN IRON AT THE INTERSECTION OF SAID WESTERN RIGHT OF WAY NORTH TIMBERLY LANE AND THE NORTHERN RIGHT OF WAY EAST WALLACE STREET: PROCEED FROM SAID POINT OF BEGINNING S 72-21-42 W 829.23' TO AN IRON LINE MARKER, THENCE S 72-21-42 W 18.31' TO THE RUN OF OSGOOD BRANCH, THENCE WITH SAID RUN N 30-12-56 W 30.80', THENCE N 22-55-48 W 16.69', THENCE N 33-38-23 W 39.03', THENCE N 36-43-11 W 40.44', THENCE N 29-56-41 W 61.14', THENCE N 38-47-36 W 79.86', THENCE LEAVING SAID RUN N 71-38-42 E 30.15' TO AN IRON LINE MARKER, THENCE N 71-38-42 E 1,023.13' TO A CONCRETE MONUMENT ON SAID WESTERN RIGHT OF WAY, THENCE WITH SAID RIGHT OF WAY S 08-21-42 W 300.18' TO THE POINT OF BEGINNING AND CONTAINING 5.71 ACRES.

SECTION 2. The following rules, regulations, and conditions shall apply to the property described in this ordinance:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this conditional district rezoning does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.
3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and no effect and proceedings shall be instituted to rezoning the property to its previous zoning classification.

4. The use and development of the subject property shall be in substantial compliance with the site plan as submitted and accepted by the Board of Commissioners on 3/12/2024.
5. The elevations of each structure shall be in substantial compliance with the elevation examples as submitted and accepted by the Board of Commissioners on 3/12/2024.
6. A five-foot sidewalk at Timberly Lane along the entire project frontage is required.
7. Six, evenly dispersed, bike racks are required.
8. A covered bus shelter shall be located between either unit 1 or 30 and the back of proposed sidewalk.
9. No structure may exceed two stories in height and may not exceed the maximum allowable height of 35 feet.
10. No more than 30 residential units may be constructed.

SECTION 3. The Town Clerk and the Planning Director are hereby authorized and directed under the supervision of the Town Manager to change the Zoning Maps on file in the office of the Town Clerk and the Planning Department, to conform with this ordinance.

SECTION 4. That any person violating the provisions of this ordinance, including the approved site plan, shall be subject to the penalties set forth in the Town of Burgaw Unified Development Ordinance.

SECTION 5. Any prior rezoning related to this property that are in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 6. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7. That this ordinance shall be effective upon its adoption by the Board of Commissioners, and the Town's receipt of written acceptance by the Applicant of all conditions adopted by the Town.

Adopted this 12th day of March 2024.

G. Olivia Dawson, Mayor

Attest:

APPROVED AS TO FORM:

Kristin Wells, Town Clerk

Town Attorney

DRAFT



CASE SUMMARY

Board of Commissioners

Special Use Permit

March 12, 2024

Gilbert Combs, 910-663-3451, gcombs@burgawnc.gov

<i>Staff recommendation</i>	Not applicable
<i>Board of Commissioners</i>	11/14/2023; Continued /// 12/12/2023; Continued /// 01/18/2024; Part A (rezoning to R7) not approved /// 3/12/2024; Scheduled (item to be reconsidered)

Request

<i>Address/Location</i>	Ivy Grove Townhomes PIN: 3229-36-9052-0000	
<i>Acreage</i>	Approximately 5.71 acres	
<i>Request</i>	Multifamily project containing 30 3-bedroom townhomes	
<i>Owner/Applicant</i>	Penderline, LLC Andrew Smith 17117 Hwy 17N Hampstead, NC 28443	andrew@hampsteadnchomes.com (910) 262-6744

Property Characteristics

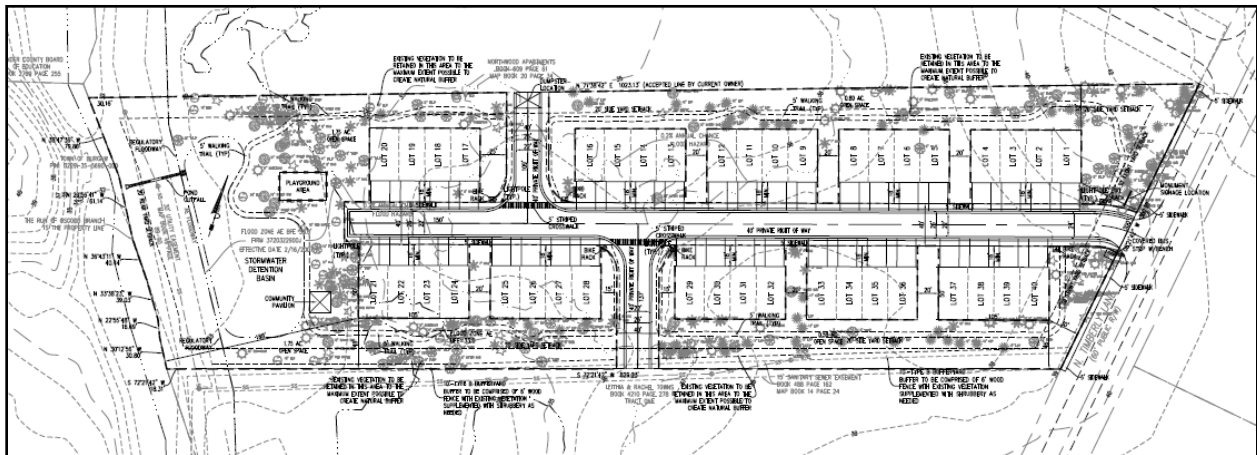
Zoning	R-7(CZ), Residential District Conditional Zoning (if item A1 approved)
Current Land Use	Vacant

Surrounding Area	North	South	East	West
Zoning	R-7 Residential	R-12 Residential	O&I Office and Institutional, R-12 Residential	R-7 Residential
Current Land Use	Multi-family residential	Single-family dwelling	Institutional / Single-family dwelling	Institutional

Findings of Fact

1. The site is currently vacant.
2. The project area includes approximately 5.71 acres and is zoned R-7(CZ), Residential District Conditional Zoning (if item A1 approved).
3. Multi-family development is permitted in the R-7 zoning district with the issuance of a special use permit.
4. The maximum allowable number of units per acre for multifamily per UDO is 12 units per acre. At 5.71 acres, the maximum allowable would be more than 60. The proposal is for 30 units.

Figure 1. Proposed Site Plan



Project Frontage



1.0 Staff Review

- Staff has conducted a preliminary review of the proposed plan for consistency with the Burgaw Unified Development Ordinance.
- If approved, an application for site plan review by the Technical Review Committee (TRC) must be submitted and accompanied by a full plan set in accordance with applicable checklists.
- If the project is approved by the Town of Burgaw Board of Commissioners, approval to begin site work is not granted until release is given by the Planning and Building Inspections Departments.

2.0 Public services, Facilities, and Infrastructure

2.1 Traffic and Transportation

- The site fronts North Timberly Lane (US-117 Business).
- One driveway is proposed generally in the center of the lot's road frontage.
- According to a representative for the applicant, the originally proposed project for 40 3-bedroom townhomes would have created 20 Trips at the AM Peak Hour and 29 Trips at the PM Peak Hour. It would have created 200 total trips per day. No estimated generation of trips meets or exceeds the threshold for a Traffic Impact Study (TIS). Due to the reduction in overall units proposed from 40 to 30, the trip generation from this project, if constructed, would be further from the threshold for a traffic impact study.

2.2 Public Utilities

- The site has access to both water and sewer. Water is available on North Timberly Lane and sewer is available from the northern end of the property.



2.3 Public Safety

- The nearest hydrants to the site are near Coston Road and North Timberly Lane and near East Wallace Street and North Timberly Lane. Due to the distance from the subject site, it is likely that during the TRC process the Fire Department would require a hydrant near the entrance of the project and at least one hydrant inside the development.

2.4 Stormwater

- The development of the site would be reviewed for compliance with the State's stormwater management regulations.

2.5 Landscaping, Buffering, Tree Protection, and Open Space

- A buffer will be required at the southern boundary.
- Tree preservation and mitigation will be required. Tree protection fencing must be in place prior to the start of any construction activities.

Recommendation

If the Board of Commissioners elects to recommend approval of the proposed subdivision, staff recommends the following conditions be applied:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the subdivision final plat shall be null and void.
3. Approval of this special use permit does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.
4. The use and development of the subject property shall be in substantial compliance with the site plan as submitted and accepted by the Board of Commissioners on 3/12/2024.
5. The elevations of each structure shall be in substantial compliance with the elevation examples as submitted and accepted by the Board of Commissioners on 3/12/2024.
6. A five-foot sidewalk at Timberly Lane along the entire project frontage is required.
7. Six, evenly dispersed, bike racks are required.
8. A covered bus shelter shall be located between either building 1 or 30 and the back of the proposed sidewalk.
9. No structure may exceed two stories in height and may not exceed the maximum allowable height of 35 feet.
10. No more than 30 residential units may be constructed.

**NEIGHBORHOOD CONTACT**

	Board of Commissioners
<i>Signs Posted</i>	2/20/2024
<i>Property Owner Letters</i>	2/28/2024
<i>Advertisement Date(s)</i>	2/29/2024 & 3/7/2024
<i>Other – Contact(s)</i>	

ACTIONS TO DATE

<i>Board of Commissioners</i>	11/14/2023; Continued /// 12/12/2023; Continued /// 01/09/2024; Not heard /// 3/12/2024; Scheduled
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ATTACHMENTS

1. Application
2. Proposed Site Plan
3. Deed
4. Legal Description
5. Survey
6. Trip Generation Statement
7. NCDOT Email
8. Special Use Answers
9. Appraisal Analysis
10. Stormwater Statement - GSP
11. Resolution



TOWN OF BURGAW APPLICATION PACKET for SPECIAL USE PERMIT

Special Use Permits are reviewed by the Town Planner and the Technical Review Committee before a Public Hearing is held.

Schedule of Meetings

Technical Review Committee	As Needed
Board of Adjustments (Minor special uses)	Third Thursday of Month
Board of Commissioners (Major Special Uses)	Second Tuesday of Month

- Initial Applications for Special Use Permits must be submitted 21 days prior to the appropriate Board meeting.
- The Town will schedule the application for the appropriate board meeting as quickly as possible; however, the Town cannot guarantee a specific date or meeting at which your application will heard by the applicable Board.
- Special Use Permit minor changes may be submitted to the Town Planner at any time.

Fee Schedule - Application for Special Use Permit

Not requiring technical review:

Existing structure and not construction \$300*

New construction non-residential \$400*

Requiring technical review:

Existing structure and not construction \$350*

New construction non-residential \$500*

Professional Engineering Review, if needed - Direct Cost Recovery

*plus an additional fee of \$7 per property owner that is legally required to be notified of public hearing

Submittal Requirement checklist for Special Use Permits

Staff may determine that some requirements are not applicable to all applications.

- ☐ Complete Application form
- ☐ Complete Site Plan, 2 paper copies and a digital pdf copy
- ☐ Survey of property boundaries and legal description.
- ☐ Legal documents indicating unified control over the site, such as a deed or a contract to purchase
- ☐ Identify on the site plan any archeological, historic, or natural features to be preserved or protected and note by what means
- ☐ Identify critical areas including but not limited to floodplain, easements, body of water, drainage area, historic, cemetery and topography of the property
- ☐ For each building, a list of the following information on the form and included on the site plan:
 - List of anticipated uses for each building or property (from permitted use table)
 - Expected number of employees
 - Hours of operation
 - Phases of constructions
 - Setbacks

- Impervious surface
- Number of parking spaces and dimensions including drive aisles
- Number and type of signs
- Building height
- Review Appendix B of the UDO and provide the required information on your site plan.
- A Traffic Impact Study is required for a Special Use Permit if the estimated traffic generated exceeds 200 trips/day. A sealed letter by the design engineer will have to be submitted documenting the daily trip generation based on the ITE manual. The Traffic Impact Study will have to be reviewed by NCDOT traffic engineering and the Town of Burgaw's traffic engineer prior to the Special Use Permit being scheduled for a public hearing. Refer to Section 9.3 of the Unified Development Ordinance concerning the standards for Traffic Impact Studies.
- A statement as to the applicant's expected water use for the daily operations of the site upon completion.
- *Section 4.7.1 Purpose and Applicability; Special Uses (E) Entering of competent, material, and substantial evidence to enable the record to contain sufficient evidence is part of the application and hearing process. The burden of proof is on the applicant, and it is recommended that they provide testimony on the following:*
 - a. *The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.***
 - b. *The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this Ordinance.***
 - c. *The use of the property as proposed will not affect other adjoining or abutting property values.***
 - d. *The use will not materially endanger the public health or safety, if located where proposed and developed, according to the plan as submitted and approved.***
 - e. *The increase in vehicular traffic resulting from a proposed development would not pose a danger to public safety.***

******These matters should be provided by an expert by providing evidence and testimony for the record.

- Reviews by Other Agencies-submit confirmation of approval or their comments
 - NCDOT
 - Traffic Study review and conditions recommended
 - Driveway permit
 - Off-site road improvements
- **Submittal Requirement Checklist for Special Use Permit Modification or Minor Change**
 - Complete application form
 - An amended to-scale site plan exhibiting the proposed changes
 - A written statement outlining, in detail, the changes proposed
 - To-scale building elevations exhibiting any proposed building façade changes
 - Fee (if applicable) Special Use Permits are now required to be recorded in the Pender County Register of Deeds

Date: 2/22/24

Pin# 3229-36-9052 0000

Project Title: IVY GROVE TOWNHOMES

Parcels #(s): _____

APPLICANT INFORMATION

Name: PENDERLINE LLC Phone: 910.262.6744

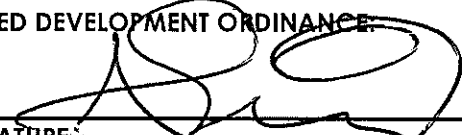
Property Address: N. TIMBERLY LANE

Applicant's Address: 17117 HWY 17 N HAMPSTEAD

Telephone: 910.270.4444

Applicant's Email Address: ANDREW@HAMPSTEADTOWNHOMES.COM

TAKE NOTICE THAT THE UNDERSIGNED HEREBY PETITIONS THE BOARD ADJUSTMENTS OR TOWN BOARD OF COMMISSIONERS OF THE TOWN OF BURGAW FOR A SPECIAL USE PERMIT AS DESCRIBED IN THE UNIFIED DEVELOPMENT ORDINANCE.


SIGNATURE _____ DATE 2/22/24

PROPERTY OWNER

Location: _____

Property Owner's Signature: _____

SIGNATURE

DATE

APPLICANT OR APPLICANT'S REPRESENTATIVE MUST BE PRESENT FOR AN APPLICATION TO BE HEARD. IF SOMEONE OTHER THAN THE APPLICANT WILL BE THE REPRESENTATIVE, THE FOLLOWING MUST BE COMPLETED.

I/We _____ am/are the owner(s) of the property located at _____, I/We herby authorize _____ to appear on my behalf in order to ask for a special use permit at this location. I/We understand that the special use permit, if granted, is permanent and runs with the land unless otherwise conditioned.

Owner's Signature

Date

_____ County, North Carolina

I certify that the above person(s) personally appeared before me this day, each acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated herein.

Date: _____

(official seal)

Notary Public

My commission expires: _____

PROPERTY INFORMATION -----

Current Zoning District(s): R-12 Total Parcel Acreage: 5.71

Adjacent Zoning District(s): R-7, R-12, O-1F

Water Service: ☒ Public Water ☐ Well Sewer Service: ☒ Public Sewer ☐ Septic Tank

Existing Structures:

VACANT LAND

Proposed Structures:

30 UNITS

Critical Areas:

☐ Floodplain

☐ Drainage/Stream

☐ Easements

☐ Historic

☐ Pond/Lake

☐ Cemetery

☐ Steep Slopes

☐ Other: _____

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE FROM PROPERTY OWNER.**

Applicant's Signature

Date

Property Owner's Signature

Date

2/22/24

Surveyor/Engineer:

JON WAYNE / GARRY PARE

Surveyor's/Engineer Mailing Address:

GSP CONSULTING, PLLC

City: WILMINGTON

State: NC

Zip: 28411

Telephone: 910.442.7870

Email: GPARE@GSP-CONSULTING.COM

Surveyor/Engineer's

Signature

Date

Expected Uses	RESIDENTIAL
Expected Employees	N/A
Hours of Operation	N/A
Setbacks	F-30' S-20' 2-20'
Impervious Surface	80,000 SQ FT
Outdoor Seating	COMMUNITY PAULION

Parking Spaces	DRIVEWAYS
Number of Signs	1
Height of Signs	TBD
Building Height	2 STORY
Phases	1
Music/Noise	N/A

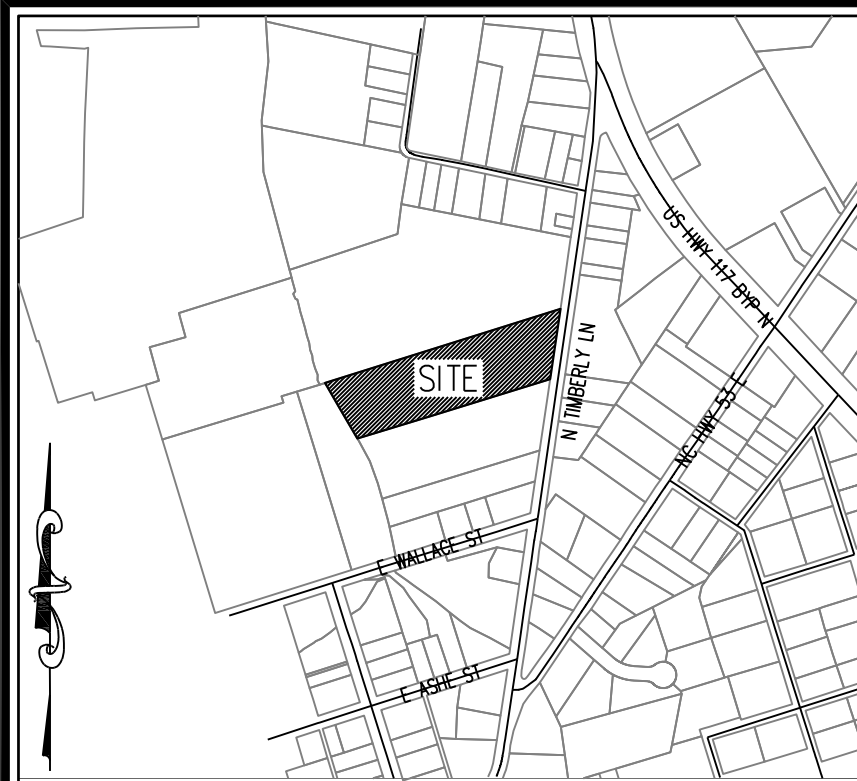
Application Received by the Planning Department

Town Planner

Date

Receipt # and Fee Amount

Date



VICINITY MAP
(NTS)

GENERAL NOTES:

- PENDER CO. PARCEL NO.:
PIN-3229-36-9052-0000
SITE ADDRESS: N. TIMBERLY LANE, BURGAW, NC 28425
OWNERSHIP REFERENCE: D.B. 4812, PG. 2795
- TOTAL TRACT AREA: 248,928 SF = 5.71 AC.±
- EXISTING ZONING DISTRICT: R-12
PROPOSED ZONING DISTRICT: R-7 (CZ)
SETBACKS - REQUIRED PROVIDED
30' FRONT 39' FRONT
20' SIDE 35' SIDE
20' REAR 350' REAR
- THIS PROPERTY DOES NOT CONTAIN ANY 404 FEDERAL WETLANDS.
- THIS PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP #3720322900J, EFFECTIVE DATE 2/16/2007.

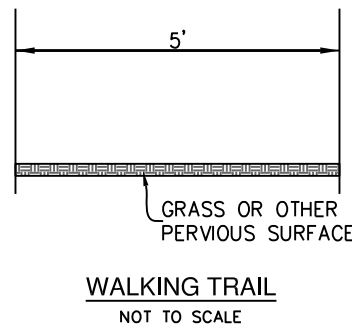
DEVELOPMENT DATA:

LOT AREA - 248,928 SF = 5.71 AC.±
PROPOSED LAND USE: RESIDENTIAL
LOT SIZE FOR R-7 (MULTI-FAMILY):
REQUIRED: 8,000 SF FOR FIRST TWO DWELLING UNITS AND 2,000 SF FOR EACH ADDITIONAL DWELLING UNIT
= 64,000 SF FOR 30 UNITS
PROPOSED: LOT SIZE = 248,928 SF
OPEN SPACE PROVIDED - 3.77 AC. = 66.0%
FRONTAGE: REQUIRED - 75'
PROPOSED - 300'
BLDG. HGT. - 2-STORY / 35'
PARKING -
REQUIRED: 30-3 BEDROOM UNITS @ 3 SPACES/UNIT = 90 SPACES
PROVIDED: 1 GARAGE SPACE & 2 DRIVEWAY SPACES/UNIT

BUA
BUILDINGS - 39,600 S.F.
IMPERVIOUS PAVEMENT - 20,200 S.F.
IMPERVIOUS CONCRETE - 5,600 S.F.
IMPERVIOUS DRIVEWAYS - 14,600 S.F.
TOTAL - 80,000 S.F. (32.1%)

SEWER & WATER CAPACITY:

PROPOSED SEWER - 10,800 GPD (@ 360 GPD FOR 3 BEDROOM UNIT)
PROPOSED WATER - 13,500 GPD (@ 125% SEWER USE)
FIRE HYDRANT TO BE ADDED AT SITE ENTRANCE.
TRASH TO BE CONTAINER PICKUP.

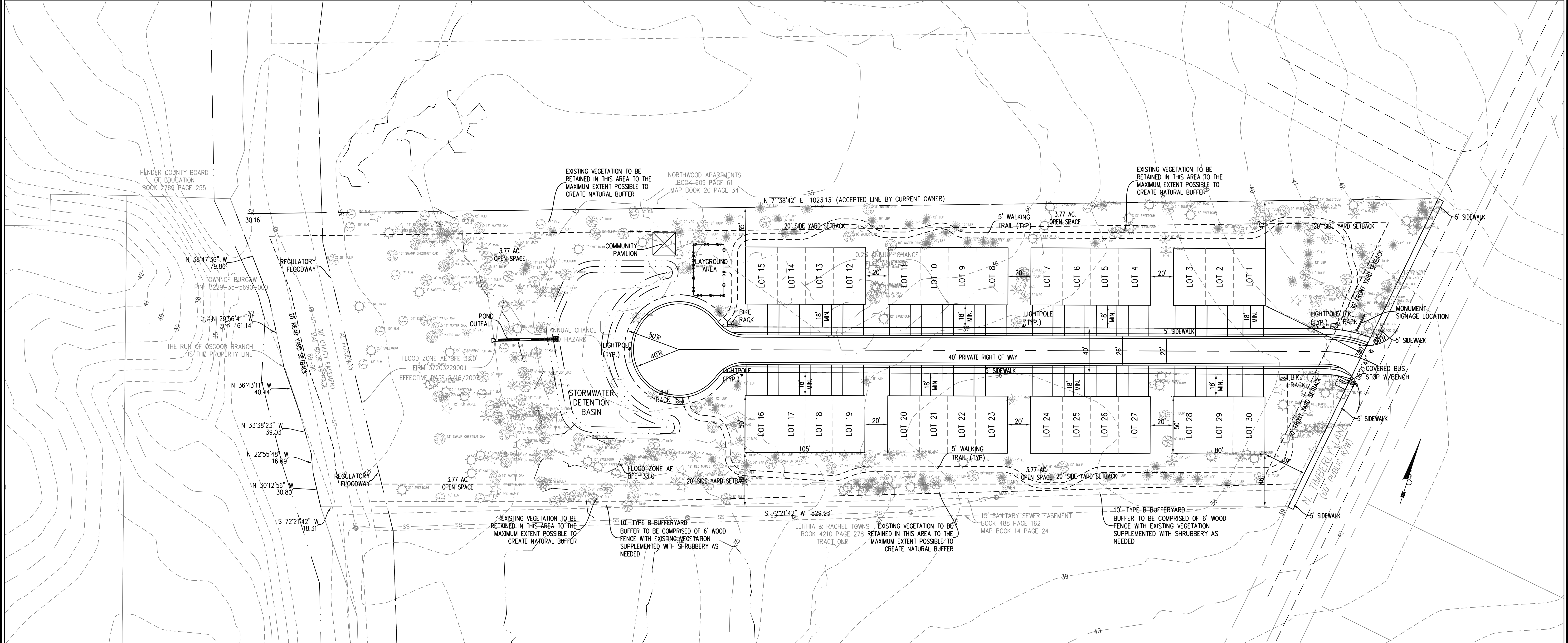


SITE NOTES:

SIDEWALKS, WALKING TRAILS & PARKING LOT LANDSCAPE ISLANDS TO BE MODIFIED AS NECESSARY TO PRESERVE AS MUCH EXISTING VEGETATION AS POSSIBLE.

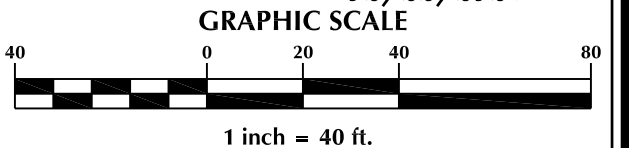
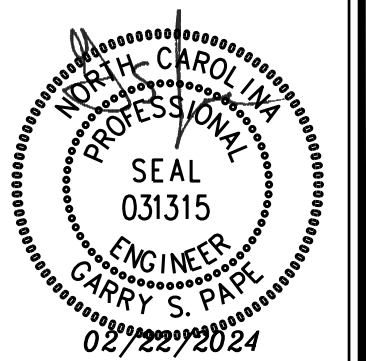
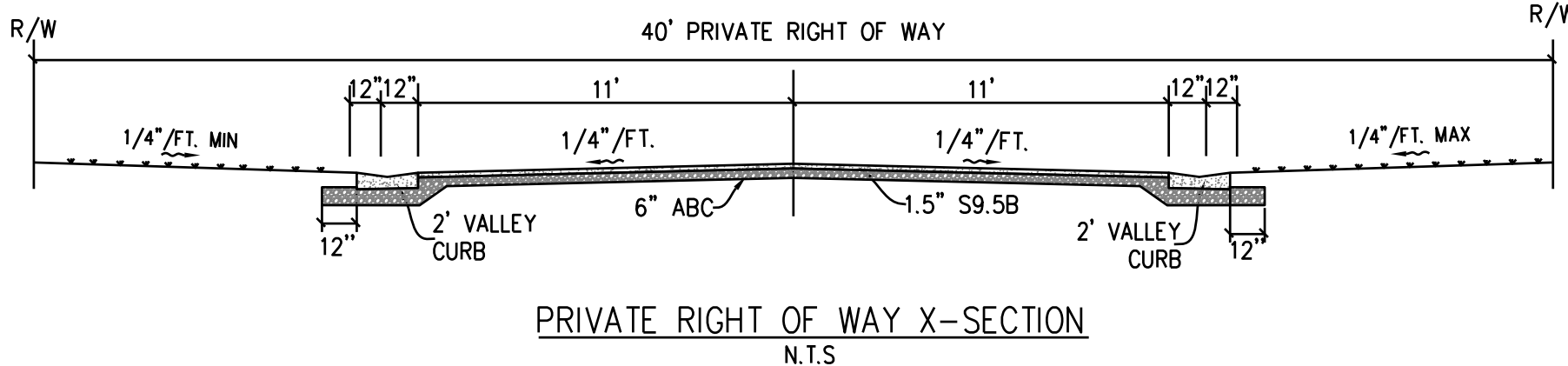
REGULATORY FLOODWAY NOTE:

REGULATORY FLOODWAY TO REMAIN AT EXISTING ELEVATIONS. POND SLOPES TO BEGIN OUTSIDE OF FLOODWAY. GROUND ELEVATIONS ABOVE POND OUTFALL PIPE TO BE RETURNED TO EXISTING ELEVATIONS.



TREE RETENTION/MITIGATION NOTES:

BOTH REGULATED AND SPECIMEN TREES, AS DEFINED BY THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE (UDO), SHALL BE CONSIDERED PROTECTED AND REMOVAL SHALL BE MITIGATED.
REGULATED TREES SHALL BE PRESERVED TO THE GREATEST EXTENT PRACTICAL AND INCORPORATED INTO REQUIRED LANDSCAPING. IF REMOVED, THEY ARE TO BE MITIGATED WITH A NEW TREE OF THE SAME SPECIES OR ONE LISTED ON THE TREE BOARD'S SPECIES LIST WITH A MINIMUM CALIPER OF TWO (2) INCHES.
SPECIMEN TREES SHALL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE. IF REMOVED, THEY ARE TO BE MITIGATED WITH REPLACEMENT TREES OF THE SAME SPECIES WITH A MINIMUM CALIPER OF TWO (2) INCHES FOR EVERY SPECIMEN TREE REMOVED, UNLESS THE TREES ARE SHOWN TO BE DEAD, DYING, OR GREATER THAN FIFTY PERCENT (50%) DAMAGED OR DISEASED AS A RESULT OF NATURAL FACTORS.



No.	Revision	Date	By

Designer	GSP	Scale	1" = 40'
Drawn By	GSP	Date	May 2023
License #	P-0718	Job No.	2023-0005

Burgaw Township

IVY GROVE
TOWNHOMES
Pender County

North Carolina

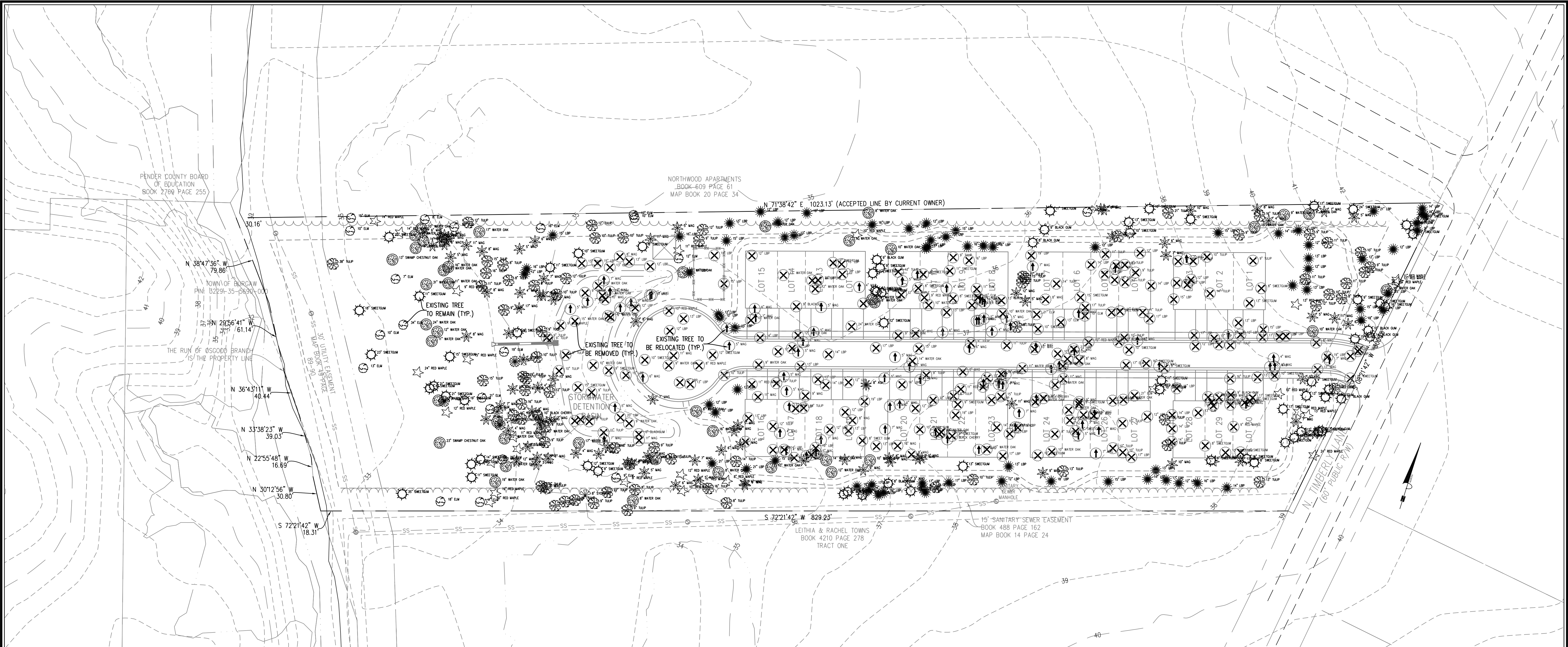
PRELIMINARY PLAN

PREPARED FOR:
Penderline, LLC
17117 US Hwy 17
Hampstead, NC 28443
910-270-4444

GSP CONSULTING, PLLC
ENGINEERING

6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-1



TREE LEGEND / INVENTORY

- DOGWOOD
- GUM
- OAK
- CREPE MYRTLE
- SYCAMORE
- PINE
- BIRCH
- ELM
- MAGNOLIA
- MAPLE
- POPLAR
- HICKORY
- TULIP
- CHERRY
- ASH
- HOLLY
- TREE TO BE REMOVED
- TREE TO BE RELOCATED

TREES TO BE REMOVED

8" BLACK GUM	1	10" ELM	1	8" TULIP	5
9" BLACK GUM	2	11" ELM	2	9" TULIP	9
10" BLACK GUM	1	13" ELM	2	10" TULIP	9
8" SWEETGUM	8	16" ELM	1	11" TULIP	7
9" SWEETGUM	6	17" ELM	1	12" TULIP	3
10" SWEETGUM	10	21" ELM	2	13" TULIP	3
11" SWEETGUM	1	12" LOB LOLLY PINE	15	14" TULIP	2
12" SWEETGUM	2	13" LOB LOLLY PINE	15	15" TULIP	1
13" SWEETGUM	1	14" LOB LOLLY PINE	15	16" TULIP	1
14" SWEETGUM	2	15" LOB LOLLY PINE	8	17" TULIP	1
15" SWEETGUM	3	16" LOB LOLLY PINE	3	8" WATER OAK	1
16" SWEETGUM	1	17" LOB LOLLY PINE	11	9" WATER OAK	7
17" SWEETGUM	1	18" LOB LOLLY PINE	2	10" WATER OAK	8
8" MAG	10	19" LOB LOLLY PINE	8	11" WATER OAK	3
9" MAG	2	20" LOB LOLLY PINE	3	12" WATER OAK	5
10" MAG	3	21" LOB LOLLY PINE	2	13" WATER OAK	5
11" MAG	5	22" LOB LOLLY PINE	2	14" WATER OAK	4
12" MAG	1	23" LOB LOLLY PINE	1	15" WATER OAK	1
9" SWAMP CHESTNUT OAK	1	26" LOB LOLLY PINE	1	24" WATER OAK	1
8" RED MAPLE	1				
9" RED MAPLE	3				
10" RED MAPLE	2				
11" RED MAPLE	2				
12" RED MAPLE	3				

TREES TO BE PRESERVED

7" ELM	1	4" MAG	11	8" TULIP	9	8" RED MAPLE	4
8" ELM	1	5" MAG	17	9" TULIP	16	9" RED MAPLE	3
9" ELM	1	6" MAG	18	10" TULIP	10	10" RED MAPLE	4
10" ELM	4	7" MAG	17	11" TULIP	7	11" RED MAPLE	5
11" ELM	1	8" MAG	9	12" TULIP	6	12" RED MAPLE	3
12" ELM	1	9" MAG	6	13" TULIP	2	13" RED MAPLE	3
13" ELM	1	10" MAG	3	14" TULIP	2	14" RED MAPLE	2
15" ELM	2	11" MAG	6	15" TULIP	3	15" RED MAPLE	1
16" ELM	1	12" MAG	3	16" TULIP	6	19" RED MAPLE	1
18" ELM	2	13" MAG	2	18" TULIP	1	24" RED MAPLE	2
19" ELM	1	17" MAG	1	19" TULIP	1	8" SWEETGUM	4
20" ELM	1	12" LOB LOLLY PINE	21	21" TULIP	2	9" SWEETGUM	9
21" ELM	1	13" LOB LOLLY PINE	9	22" TULIP	2	10" SWEETGUM	7
29" ELM	1	14" LOB LOLLY PINE	9	38" TULIP	1	11" SWEETGUM	8
34" ELM	1	15" LOB LOLLY PINE	9	8" BLACK GUM	3	12" SWEETGUM	4
8" WATER OAK	7	16" LOB LOLLY PINE	7	9" BLACK GUM	2	13" SWEETGUM	6
9" WATER OAK	3	17" LOB LOLLY PINE	6	10" BLACK GUM	2	14" SWEETGUM	1
10" WATER OAK	8	18" LOB LOLLY PINE	4	13" BLACK GUM	1	15" SWEETGUM	2
11" WATER OAK	4	19" LOB LOLLY PINE	3	14" BLACK GUM	1	16" SWEETGUM	3
12" WATER OAK	3	20" LOB LOLLY PINE	1	15" BLACK GUM	1	17" SWEETGUM	2
13" WATER OAK	2	21" LOB LOLLY PINE	4	16" BLACK GUM	1	18" SWEETGUM	1
14" WATER OAK	2	25" LOB LOLLY PINE	1	17" BLACK GUM	1	19" SWEETGUM	1
15" WATER OAK	2	10" BLACK CHERRY	1	4" HOLLY	1	21" SWEETGUM	2
16" WATER OAK	2	10" SWAMP CHESTNUT OAK	1	7" HOLLY	2	23" SWEETGUM	2
17" WATER OAK	2	13" SWAMP CHESTNUT OAK	1	8" ASH	1	24" SWEETGUM	1
18" WATER OAK	1	23" SWAMP CHESTNUT OAK	1	8" SYCAMORE	1	35" SWEETGUM	1
19" WATER OAK	1						
21" WATER OAK	1						
24" WATER OAK	1						
31" WATER OAK	1						

TREES TO BE RELOCATED

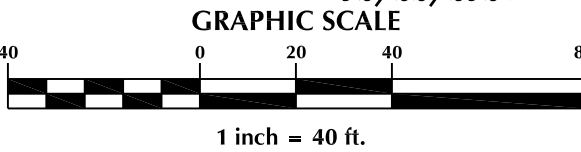
4" BLACK CHERRY	2
7" HOLLY	1
4" MAG	15
5" MAG	29
6" MAG	13
7" MAG	18
8" MAG	1
9" MAG	1

TREE RETENTION/MITIGATION NOTES:

BOTH REGULATED AND SPECIMEN TREES, AS DEFINED BY THE TOWN OF BURGAU UNIFIED DEVELOPMENT ORDINANCE (UDO), SHALL BE CONSIDERED PROTECTED AND REMOVAL SHALL BE MITIGATED.

REGULATED TREES SHALL BE PRESERVED TO THE GREATEST EXTENT PRACTICAL AND INCORPORATED INTO REQUIRED LANDSCAPING. IF REMOVED, THEY ARE TO BE MITIGATED WITH A NEW TREE OF THE SAME SPECIES OR ONE LISTED ON THE TREE BOARD'S SPECIES LIST WITH A MINIMUM CALIPER OF TWO (2) INCHES.

SPECIMEN TREES SHALL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE. IF REMOVED, THEY ARE TO BE MITIGATED WITH REPLACEMENT TREES OF THE SAME SPECIES WITH A MINIMUM CALIPER OF TWO (2) INCHES FOR EVERY SPECIMEN TREE REMOVED, UNLESS THE TREES ARE SHOWN TO BE DEAD, DYING, OR GREATER THAN FIFTY PERCENT (50%) DAMAGED OR DISEASED AS A RESULT OF NATURAL FACTORS.



No.	Revision	Date	By

Designer	GSP	Scale	1" = 40'
Drawn By	GSP	Date	May 2023
License #	P-0718	Job No.	2023-0005

Burgaw Township

IVY GROVE TOWNHOMES

Pender County

North Carolina

SITE INVENTORY PLAN

PREPARED FOR:
Penderline, LLC
17117 US Hwy 17
Hampstead, NC 28443
910-270-4444

GSP CONSULTING, PLLC

ENGINEERING

6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.

C-2



Doc No: 20115759
Recorded: 05/17/2023 03:07:02 PM
Fee Amt: \$26.00 Page 1 of 2
Excise Tax: \$300.00
Pender County North Carolina
Sharon Lear Willoughby, Register of Deeds
BK 4812 PG 2795 - 2796 (2)

NORTH CAROLINA GENERAL-WARRANTY DEED

Excise Tax: \$300.00

Parcel Identifier No. 3229-36-9052-0000

✓ Mail after recording to: Coleman Law, PLLC, P.O. Box 340; 105 W. Fremont St., Burgaw, NC 28425
Prepared by: Coleman Law, PLLC, P.O. Box 340; 105 W. Fremont St., Burgaw, NC 28425

PREPARED WITHOUT OPINION OF TITLE

Brief description for the Index: LOT 14 6 4/10 ACRES W/S TIMBERLY LANE

THIS DEED made this 15 day of May, 2023, by and between

GRANTOR

RACHEL TOWNS
PO Box 95
Burgaw, NC 28425

GRANTEE

PENDER LINE, LLC
17117 HWY 17 N.
Hampstead, NC 28443

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, that certain lot or parcel situated in Burgaw Township, Pender County, North Carolina particularly described as follows:

Beginning at a stake in the Western line of State Highway No. 40, the Northeast corner of Lot No. 13, and running thence with the line of Lot #13 S73-30W 1,025 feet crossing Osgood Branch to a stake in the line of the cemetery lot; thence with the line of the cemetery lot N16-30W 270 feet to a stake; thence N73-30E 100 feet to the run of Osgood Branch; thence crossing said branch and continuing same course with line of lot # 15, 975 feet to a stake in the Western line of highway, corner of lot #15, thence with the Western line of the Highway S9-30W 301 feet to the Beginning, containing six and four-tenths acres more or less.

EXCEPTING, however from the above described property, that portion heretofore deeded to the Town of Burgaw lying East of the Burgaw Cemetery and lying West of Osgood Branch adjacent to said cemetery.

See also Lot 14, Map Book 6 at Page 86

Bk 4812
Pg 2796

The property hereinabove described was acquired by Grantor by instrument recorded in Book: **4210** at Page: **278**. Lethia V. Towns is deceased having passed away on December 6, 2013.

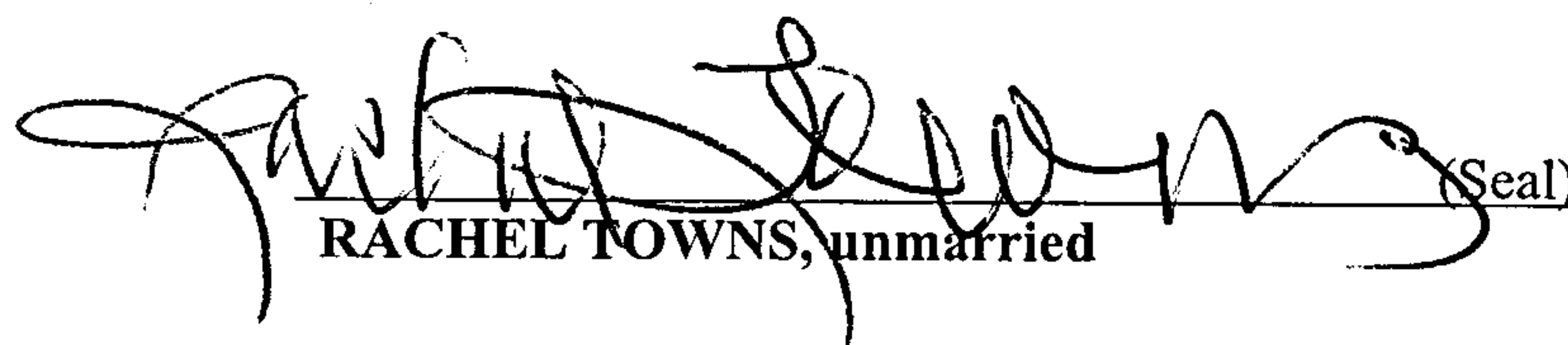
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that the Grantor is seized in the premises in fee simple and will warrant and defend title against the lawful claims of all persons claiming by, under or through Grantor except for the exceptions hereinafter stated, if any.

Title to the property hereinabove described is subject to the following exceptions:

1. County and/or Municipal Zoning Ordinances, Rules and Regulations.
2. Restrictive Covenants, Easements and Rights of way of record.
3. Ad valorem taxes for the year 2023 and thereafter.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

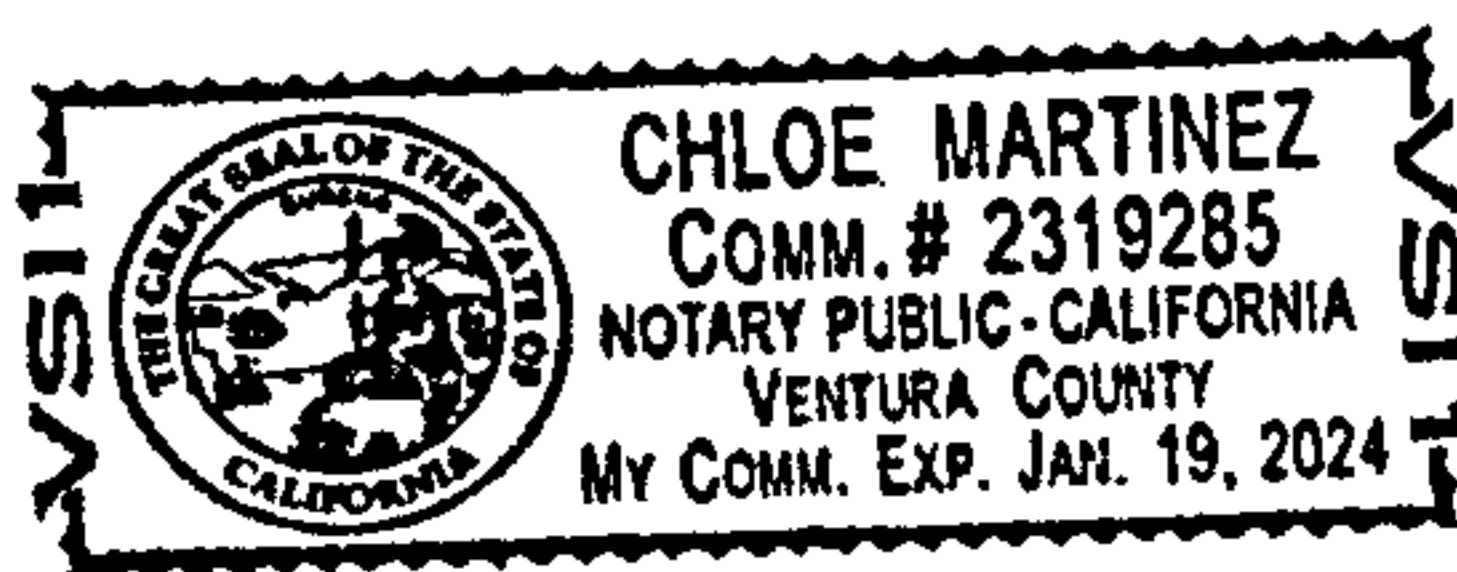
 (Seal)
RACHEL TOWNS, unmarried

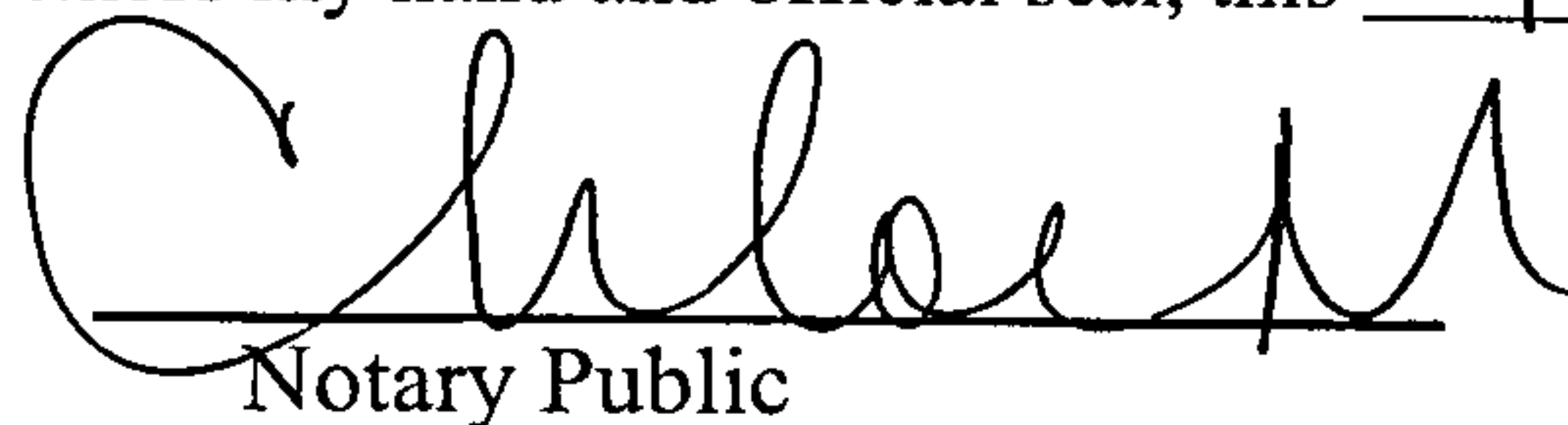
State of California

County of Ventura

A notary public or other officer completing this certificate Verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

I, the undersigned Notary Public for Ventura County, CA, certify that RACHEL TOWNS personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and official seal, this 15 day of May, 2023.




Notary Public

My commission expires: 01/19/2024



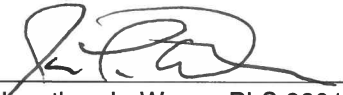
August 7, 2023

Re: Pender Line, LLC Tract, Parcel No. 3229-36-9052-0000

A certain tract or parcel of land lying and being in the Town of Burgaw, Pender County North Carolina and being that tract as described in book 4812 page 2795 records of the Pender County Register and being more particularly described as follows:

Beginning at an iron on the western right of way of North Timberly Lane (60' public right of way), said iron being the southeastern corner of said Pender Line, LLC Tract, said iron also being located N 08-21-42 E 564.58' from an iron at the intersection of said western right of way of North Timberly Lane and the northern right of way of East Wallace Street: Proceed from said point of beginning S 72-21-42 W 829.23' to an iron line marker, thence S 72-21-42 W 18.31' to the run of Osgood Branch, thence with said run N 30-12-56 W 30.80', thence N 22-55-48 W 16.69', thence N 33-38-23 W 39.03', thence N 36-43-11 W 40.44', thence N 29-56-41 W 61.14', thence N 38-47-36 W 79.86', thence leaving said run N 71-38-42 E 30.15' to an iron line marker, thence N 71-38-42 E 1,023.13' to a concrete monument on said western right of way, thence with said western right of way S 08-21-42 W 300.18' to the point of beginning and containing 5.71 acres.

All bearings are N.C. Grid NAD 1983


Jonathan L. Wayne PLS 3391



MAP OF THE

Pender Line, LLC Tract

Parcel No. 3229-36-9052-0000

TOWN OF BURGAW, BURGAW TOWNSHIP, PENDER COUNTY, NORTH CAROLINA

OWNER: PENDER LINE, LLC
17117 HWY 17 N.
HAMPSTEAD, NC 28443

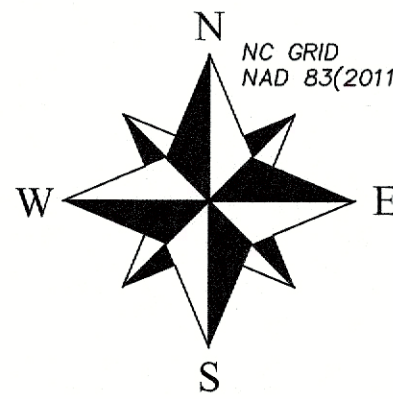
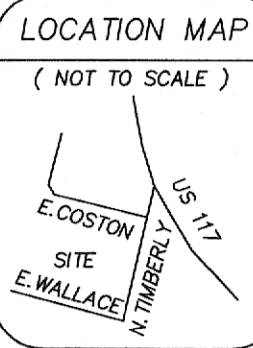
DATE: AUG. 7, 2023

PHP NORHTWOODS LLC
BOOK 4009 PAGE 311
MAP BOOK 20 PAGE 34
MAP BOOK 21 PAGE 53

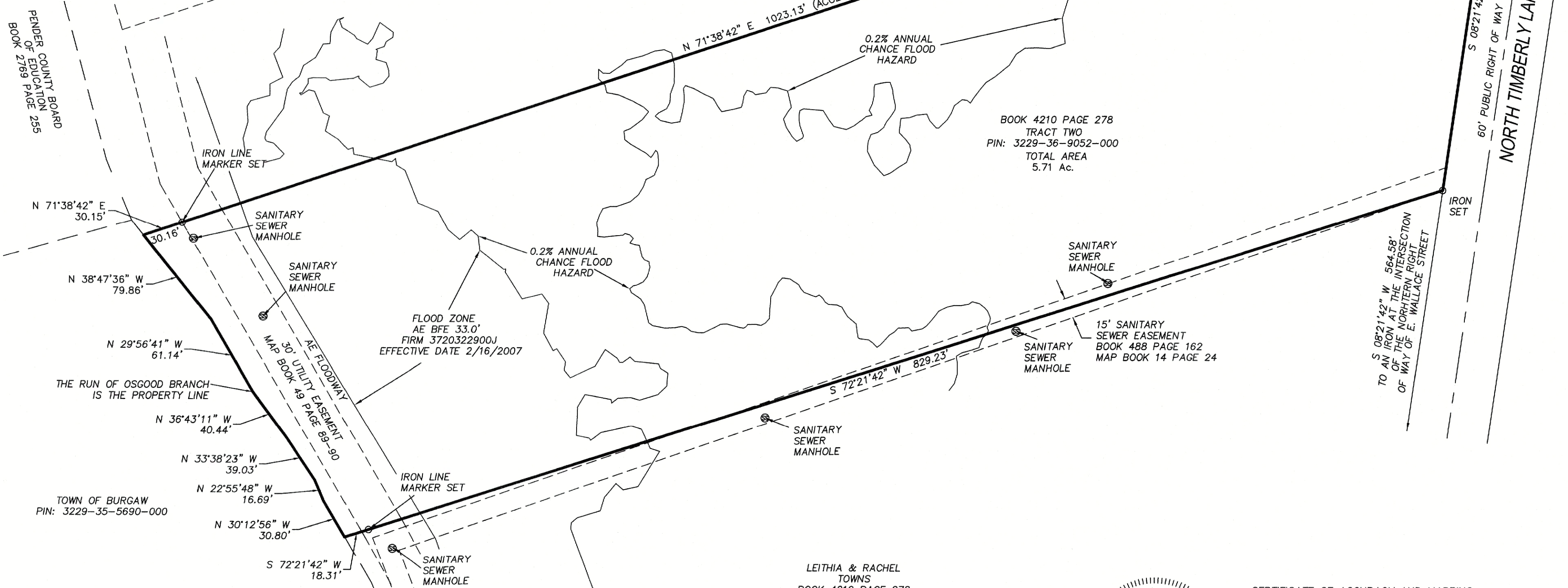
NORTHWOOD APARTMENTS
BOOK 609 PAGE 61
MAP BOOK 20 PAGE 34

BOOK 4210 PAGE 278
TRACT TWO
PIN: 3229-36-9052-000
TOTAL AREA
5.71 Ac.

LEITHIA & RACHEL
TOWNS
BOOK 4210 PAGE 278
TRACT ONE



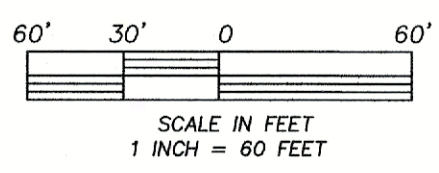
PENDER COUNTY BOARD
OF EDUCATION 255
BOOK 2769 PAGE 255



- NOTES
1. AREA COMPUTED BY COORDINATE METHOD
 2. ALL DISTANCES ARE HORIZONTAL
 3. FOR REFERENCE SEE BOOK 4812 PAGE 2795, MAP BOOK 6 PAGE 86
 4. SURVEYED MAY 2023
 5. 5.71 ACRES TOTAL AREA
 6. THIS PROPERTY IS NOT LOCATED WITHIN 2000' OF AN EXISTING N.C. GRID MONUMENT

- LEGEND
- E.I.P. = EXISTING IRON PIPE
 - E.I. = EXISTING IRON
 - E.C.M. = EXISTING CONCRETE MONUMENT
 - R\W = RIGHT OF WAY
 - C.P. = COMPUTED POINT

- PROPERTY LINE
- BUILDING SETBACK
- CENTERLINE
- EASEMENT
- COMPUTED PROPERTY LINE



CERTIFICATE OF ACCURACY AND MAPPING

I, JONATHAN L. WAYNE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED AS NOTED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS NOTED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 20,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 7th DAY OF Aug. A.D. 2023

JONATHAN L. WAYNE PLS L-3391

THIS PLAT IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 7th DAY OF Aug. A.D. 2023

JONATHAN L. WAYNE PLS L-3391

CERTIFICATE OF REGISTRATION BY REGISTER OF DEEDS

NORTH CAROLINA COUNTY _____ NOTARY PUBLIC IS THE FOREGOING CERTIFICATE OF _____ CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS _____ DAY OF 2023: AT _____ O'CLOCK _____ AND DULY RECORDED IN MAP BOOK _____ PAGE _____

BY: _____

HANOVER DESIGN SERVICES, P.A.
LAND SURVEYORS ENGINEERS LAND PLANNERS
1123 FLORAL PARKWAY
WILMINGTON, N.C. 28403
PHONE: (910) 343-8002
FAX: (910) 343-9941
FIRM CERTIFICATE C-0597
16292 RECORD MAP



Date: June 22, 2023

Project: Ivy Grove Townhomes
Burgaw, NC

Re: Project Trip Generation totals

The following Trip Generation Totals are based on the ITE Trip Generation Manual, 11th Edition.

215-Single Family Attached Housing, 40-3 Bedroom Townhomes

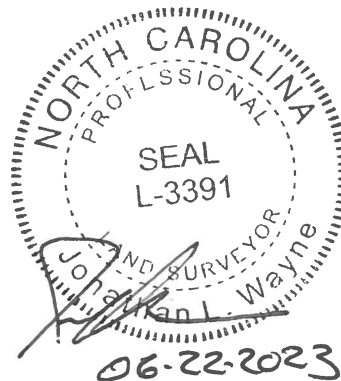
AM PEAK HOUR

20 Trips

PM PEAK HOUR

29 Trips

Total Trips per day = 200



From: [Spirakis, Kirsten L](#)
To: [Racine, Douglas W](#); [Gilbert Combs](#)
Cc: [Sokolik-Porch, Tanya M](#); [Lanier, Lantz S](#); [Vause, Robert A](#)
Subject: [External] RE: [External] Burgaw project and questions on timing
Date: Tuesday, August 22, 2023 8:55:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Ivey Grove Trip Generation 6-22-23.pdf](#)
[Ivy Grove Townhomes Preliminary Plan.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gilbert,

When I use our trip generation spreadsheet, I get a lower peak hour trip generation for the proposed 40-unit townhome development, **Ivy Grove Townhomes** – see screenshot below. The **proposed development will access US 117 Bus. (N. Timberly Ln)**. Our AADT maps show 2,000 vpd on this route in 2021. Even if this were projected to 2023 volumes, it would still not meet the Department's threshold of 4,000 vpd to be able to require turn lanes.

A Driveway Permit and Encroachment Agreement will be required. Please let us know if you have any questions.

ITE Code	Description	Units	ITE Vehicle Trip (peak hours are for			Total Generated Trips				Time-of-Day Distribution of Generated Trips			
			Weekday Avg. Rate	Daily Trips Equati on R2	Expected Unit Input	Daily from Avg. Rate	Daily from Equation	AM Peak Hour	PM Peak Hour	AM In	AM Out	PM In	PM Out
215*	Single Family Attached Housing	DU	7.20	0.94	40.00	288	254	15	20	5	10	11	9

Kirsten L. Spirakis, PE

District Engineer
Division 3 | District 1
910-467-0500

From: Racine, Douglas W <dracine@ncdot.gov>
Sent: Wednesday, August 9, 2023 9:36 AM
To: Spirakis, Kirsten L <klspirakis@ncdot.gov>; Combs, Gilbert <gcombs@burgawnc.gov>
Subject: RE: [External] Burgaw project and questions on timing

Kirsten,

I apologize I had two requests for this development one from the Engineer and one from the Town. So, the emails overlapped. But the Engineer sent me the Trip Generation letter, and I have attached it.

Thank you,

Douglas W. Racine
Deputy District Engineer
Division 3 District 1
North Carolina Department of Transportation

Direct Line: 910-467-0502
Main Line: 910-467-0500
dracine@ncdot.gov

295 Wilmington Hwy. Suite A
Jacksonville, NC 28540



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Spirakis, Kirsten L <klspirakis@ncdot.gov>
Sent: Tuesday, August 8, 2023 11:46 AM
To: Combs, Gilbert <gcombs@burgawnc.gov>; Racine, Douglas W <dracine@ncdot.gov>
Subject: RE: [External] Burgaw project and questions on timing

Gilbert,

Sorry for the delay in responding to your inquiry. I have provided responses below in **red**.

Kirsten L. Spirakis, PE

District Engineer
Division 3 | District 1
910-467-0500

From: Gilbert Combs <gcombs@burgawnc.gov>
Sent: Tuesday, July 25, 2023 9:36 AM
To: Racine, Douglas W <dracine@ncdot.gov>; Spirakis, Kirsten L <klspirakis@ncdot.gov>
Subject: [External] Burgaw project and questions on timing

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Hello,

I have this project Timberly Lane Townhomes going for conditional district rezoning and special use permit in the next couple months. The PIN is 3229-36-9052-0000 and it

Reference Number 3229-36-9052-0000 N. Timberly Lane

Section 4.7.1 Purpose and Applicability; Special Uses (E) Entering of competent, material, and substantial evidence to enable the record to contain sufficient evidence is part of the application and hearing process. The burden of proof is on the applicant, and it is recommended that they provide testimony on the following:

a. The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.**

Yes, the proposed plan meets all requirements within both applications, one to be rezoned to conditional zoning R7 (CZ) and two the application for the special use permit. The Ivy Grove Townhome community has received a recommendation of Approval from the Burgaw Planning Department.

In addition, The proposed residential project at N. Timberly Lane is in harmony and conforms within the zoning request change of R7 (CZ) zoning. As outlined in Section 8.5 Conventional Use Zoning Districts in the Town of Burgaw UDO, item D identifies R-7 (CZ) as a higher density residential district where multi-family dwellings are allowed. The site on N. Timberly Lane is situated next to Northwoods Apartments currently zoned R-7 and adjacent to 600 N. Timberly Lane is currently zoned O&I being used for commercial purposes today.

The R-7 CZ zoning for multifamily requires a 20' rear setback with a minimum of a 10' buffer yard. The Ivy Grove community goes well above this requirement at a total of 46'-48' of bufferyard & setback on the south side of the property boarding R-12 zoning. All boundary required setbacks within R7 CZ are sufficient or greater than the required UDO.

This is a transitional area of town. Noted in page 75 of the Burgaw 2030 land use, under Actions - *consider the modifications of existing zoning districts or addition of new zoning restrictions to allow for transition zones between residential and commercial areas*. This property falls in line with the future land use map of surrounding land labeled as Mixed Use Transition. (Those properties include northern property, western property and the entire street on the east side of this property shown on the Burgaw 2030 Land Use Map).

On Page 91 of the 2030 Burgaw Land use:

Mixed-Use Transition areas are designated for land uses that serve to buffer residential areas from intensive commercial, industrial, and institutional areas. This land use classification allows for a variety of small scale land uses. In general, these areas are located between major commercial corridors and residential areas and include areas with existing office and institutional uses. Recommended Land Uses: small-scale multi-family residential,

Within the Burgaw 2030 Land Use Plan on page 74 under Land Use. Goal 1 is to promote infill development of existing areas within town.

Actions Included: Develop and utilize innovative and flexible land planning techniques that encourage developments to efficiently use land resources that result in more compact development, infill development, redevelopment, and the adaptive re-use of existing buildings. Explore the addition of conditional zoning to the UDO as a way to provide more flexibility for the

land owner/developer and the town to mutually agree upon specific development conditions and requirements.

b. The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this Ordinance. As proposed, the use of the facility meets all the requirements found within the town ordinance:

The proposed site location is currently zoned R-12. With approval of the conditional rezoning to R-7 (CZ) per the Town of Burgaw UDO Section 8.14 Table of Permitted Uses, Special Uses and Special Requirements, a major special use permit is required for development of a multi-family community in the R-7 Zoning District and a Major Special Use Permit to develop a Residential Planned Building Group. The proposed townhomes are using multi-family standards to meet the density allowed on this property per zoning change to R-7. The proposed multi-family development falls under the detailed regulations found in Section 8.16 Regulation of Special Uses on page 134: Dwelling, Multi-family uses shall include no fewer than three (3) and no more than eight (8) individual dwelling units sharing a common roofline and building structure. Each building being proposed will consist of no more than four (4) units under a roofline. Per the Town of Burgaw UDO Section 8.13 Dimensional Requirements on page 74, and Section 8.16 Regulations for Special Uses on page 134: Dwelling, Multi-Family: For each Dwelling, Multi-Family use, there shall be a minimum land requirement of eight thousand (8,000) square feet for the first two(2) dwelling units and two thousand (2,000) square feet for each additional dwelling unit. The property consists of 5.71 acres which supports the proposed 30 unit townhome community and setbacks shown on the provided Site and Utility Plan. Per section 9.24.3 Minimum Parking Requirements on page 193 - One and a half (1.5) parking spaces on the same lot for each dwelling unit. The proposed community is providing 1 garage space and 2 driveway spaces as seen on the provided Site and Utility plan.

c. The use of the property as proposed will not affect other adjoining or abutting property values.

Please reference the certified and sealed letter provided by Greg Dunn of Atlantic Coast Appraisers & Associates that states this project will not negatively impact the surrounding properties within the immediate area.

A second appraisal was performed by Brad White and Associates, LLC. Brad attended one of the BOC meetings with his presentation and findings. It was consistent with the findings of Greg Dunn of Atlantic Coast Appraisers. Brad White's presentation stated that the Ivy Grove community will not have any negative effects on adjoining or abutting properties and will not affect property values of adjoining or adjacent properties.

Currently the proposed community site does have trees on the property. Per the guidelines set in Section 9.27.3 Tree Preservation and Replacement During Development and Section 9.27.8 Buffer Yards Purpose, this community has performed a tree survey in order to take into consideration the preservation and replacement of as many trees as possible. The site plan shows the applicant has saved 478 trees on the property. Preservation and replanting of trees can improve the aesthetics of a community and those who live & work within the

surrounding areas. In addition, the community is proposing to keep as many trees boarding the 5.71 acres community as possible plus adding a buffer yard of 10' to be composed of Leyland Cypress Trees spaced at 32' and Elaeagnus Pungens Shrubs spaced at 6' as needed. Per Section 9.27.10 a Bufferyard is a vegetative screen to obscure views and create spatial and physical separation between adjacent land uses and zoning districts. In addition to the natural tree buffer, the proposed 10' buffer of plantings, we will add a 6' wooden fence on the south side of the property that neighbors the current R-12 zoning. This project is going well above the minimum requirements of a 10' buffer yard and a 20' rear setback. Per the site plan, this community will provide 46'-48' of rear setbacks allowing the development to keep all of the existing trees on the southside of this development in addition to the 10' buffer yard and 6' fence. Of the 5.71 acres, this community will have 3.77 acres of open space which is equal to 66.0% of the total property.

d. The use will not materially endanger the public health or safety, if located where proposed and developed, according to the plan as submitted and approved.

This community was developed with an eye for public health and safety. Keeping as many trees as possible, the goal is to create a "park like" feel while providing shade and a place for kids to play outside. A walking trail around the entire community will promote a healthy lifestyle for all residents. Included in the community design is 6 different bike rack locations to encourage biking as much as possible. A community playground is also another way to get residents outside while providing a safe and environmentally friendly space for children to play. A community pavilion will offer a covered space for birthday parties, cookouts and a place to bring families and friends together and promote additional outdoor activities. The buildings were designed with a breezeway between each building groups structure. This allows more trees to be kept when constructing the community, gives more of a green space and promotes clear visibility between structures. Included will be monument lighting at the entrance along with street lighting and building lighting will be installed for visibility and security. Driveways and garage spaces were created to private parking and promote parking in front of the units within the driveways. This also gives more green space between each driveway to have grass and trees for shade. Garages will provide a safe and secure parking space for residents to keep their cars and personal belongings out of public view.

Lastly, no part of this development will impact the floodway shown on the community sitemap and utility plan.

e. The increase in vehicular traffic resulting from a proposed development would not pose a danger to public safety.

Per Section 9.3 Traffic Impact Study - Section 9.3.2 A traffic impact Study shall be prepared and "sealed" by a registered NC professional traffic engineer. See attached letter from Jon Wayne with Hanover Design Services, P.A. showing total trips per day equals 200. This has been signed, stamped and sealed by Jon Wayne and colleague Adam Grady who has also confirmed this data.

As the community proposed will be a max of 30 attached single family homes, consisting of ten different four unit buildings, the increase in vehicular traffic will not pose a danger to public

safety. This development will have 6 different bike rack locations to promote and encourage the residents to use other means of transportation to local areas around town such as the Osgood Canal Greenway & Urban walking trails. With close shopping and dining nearby, we are encouraging the walkability and use of bikes within our design. Ivy Grove sitemap shows the new sidewalk that will be installed at the front of the community that meets the requirements of Burgaw's new UDO for community development. Lastly, In-fill development that is mentioned within the Burgaw 2030 Land Use Plan on page 74 under Land Use. Goal 1 is to promote infill development of existing areas within town. The Ivy Grove community is an example of this infill development and will promote and encourage walking and biking in and around the downtown business district, the courthouse square, Urban trail & Osgood Canal Greenway trail and other parts of our community.

**An Analysis of any Potential Impacts
To Surrounding Properties
Resulting from the Development of
The Proposed Ivy Grove Townhomes
To be Located on Timberly Ln (PIN 3229-36-9052-0000)
Burgaw, North Carolina**



Prepared For:

**Mr. Leo Andrades
Penderline, LLC
17117 US Highway 17 N
Hampstead, NC 28443**

Prepared By:

**G. Brad White, MAI
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November 14, 2023

Mr. Leo Andrades
Penderline, LLC
17117 US Highway 17 N
Hampstead, NC 28443

RE: Impact Analysis of the Proposed Ivy Grove Townhomes
Timberly Ln (PIN 3229-36-9052-0000)
Burgaw, NC

Dear Mr. Andrades:

At your request and authorization, I have performed an analysis to determine the impact on market value, if any, for properties adjoining the proposed Ivy Grove Townhomes to be located on Timberly Lane, further identified as Brunswick County PIN 3229-36-9052-0000 in Burgaw, Pender County, NC. This is the purpose of this assignment.

This consulting assignment is not an appraisal and does not render an opinion of value for any identified property. The intended use of this impact study is to assist the client in their application for rezoning to allow the above-referenced development. The intended user of this consulting assignment is the client, Mr. Leo Andrades as well as the Town of Burgaw Council and/or Planning Department.

The subject site was inspected on November 9, 2023. As part of this assignment, the proposed site plan and renderings were reviewed and incorporated within this report for reference.

The attached report addresses the subject site, the surrounding properties (and any effects to such properties resulting from the development of the proposed Ivy Grove Townhomes. It provides essential data and a summary of the reasoning employed in reaching my conclusions.

Based on my analysis, it is my opinion that the proposed project will maintain or enhance the market value of the contiguous properties with no measurable negative impact on value due to their proximity to the proposed development.

Sincerely yours,


G. Brad White, MAI
NC Certified General Appraiser No. A5053
bwhite@gbwvaluations.com



File No.: 23-116

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SECTION 1: INTRODUCTION

1.1: PURPOSE AND INTENDED USE OF THE CONSULTING ASSIGNMENT

Client	Mr. Leo Andrades
Intended use	to assist the client in their process of obtaining a rezoning from R-12, Residential District to R-7 (CZ), Residential District Conditional Zoning to allow the development of 40, 3-bedroom townhomes
Intended user	In addition to the client, other intended users include the Town Council and Planning Department of the Town of Burgaw, NC
Purpose of the consulting assignment	to determine the impact on market value, if any, for adjacent properties, caused by the proposed development of a 40-unit townhome project

1.2: DATE OF INSPECTION

The subject property was physically inspected on November 9, 2023. On this date, photographs of the subject and the surrounding properties were taken.

1.3: DATE OF THE REPORT

This report, which summarizes the assignment conclusions, was completed and dated November 14, 2023.

1.4: SCOPE OF THE CONSULTING ASSIGNMENT

To perform this consulting assignment, I performed the following steps:

- Inspected the subject site and the surrounding neighborhood;
- Inspected the renderings, site plan and project concept of the proposed improvements in order to gain a good understanding of the scope of the proposed project;
- Collected market information needed to draw informed conclusions relating specifically to Section 6.1.5 (B) (ii) of the Town of Burgaw Unified Development Ordinance which addresses *the benefits and detriments to the landowners, the neighbors, and the surrounding community*.
 1. To perform this, the scientific method is utilized. The question to be tested is "How does a property's location adjacent to a new townhome development, similar to the proposed project, affect its market value?"
 2. The independent variable is the one condition that you change in an experiment. In this case, the independent variable is a location as it relates to similar developments to the one being proposed
 3. The dependent variable is the variable that you measure or observe. In this experiment, measuring the effect of location proximate to similar development to the one proposed, the market value of such comparable properties is the dependent variable.

4. This assignment is not an appraisal. No opinion of market value is given or implied for either the subject property, or any contiguous properties. This assignment is merely a study of the effect on properties that share similar locational characteristics to projects considered similar to the proposed subject.

5. Therefore, it is customary and reasonable for the appraiser to spread the data search geographically, to other areas, in order to gain sufficient understanding of the effects on market value for properties that lie adjacent to similar developments as the proposed Ivy Grove Townhomes.

- Prepared a narrative report setting forth the conclusions derived in this analysis as well as the information upon which the conclusions are based.
- Present my findings orally before the Town of Burgaw Town Council on Tuesday, November 14, 2023

SECTION 2: IDENTIFICATION OF THE SUBJECT SITE

The subject property has not been assigned a physical address, which is typical of vacant properties in Pender County.

The site is located on the west side of Timberly Lanes (US 117 Bus), approximately 550 feet north of its intersection with E. Wallace Street. It is further identified as Pender County Tax Parcel 3229-36-9052-0000.

For illustrative purposes, an aerial photograph of the parcel is located below.

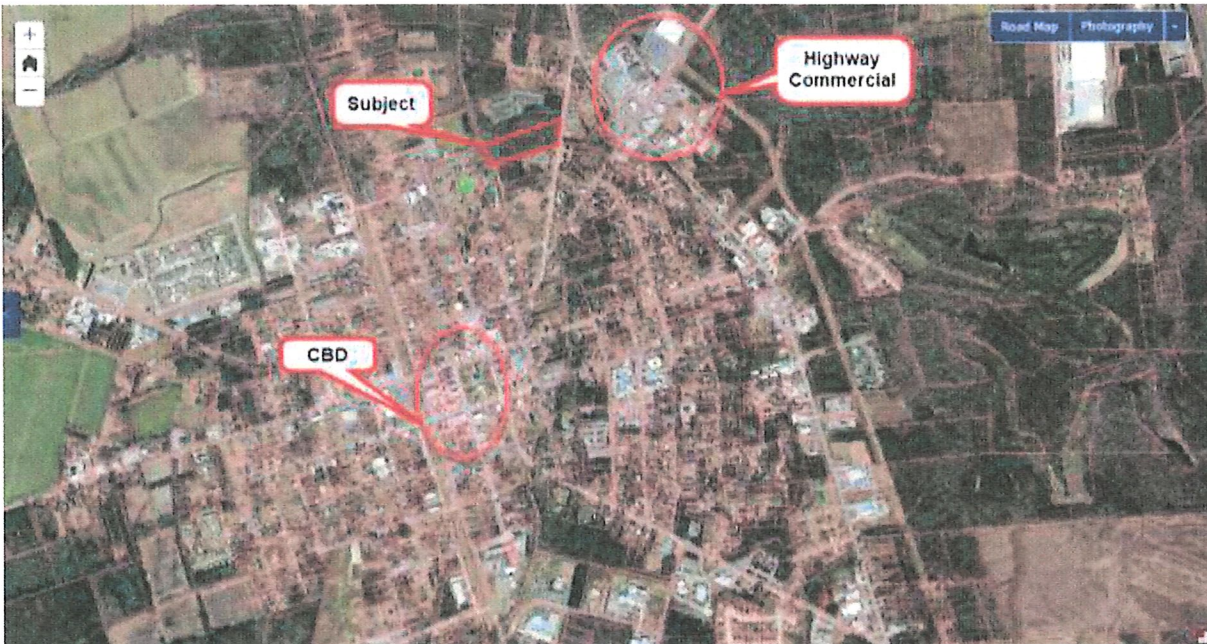
Exhibit 2.1 Aerial Photograph of the Subject Parcel



SECTION 3: THE IMMEDIATE NEIGHBORHOOD

The subject is located in the northeastern portion of the Town of Burgaw. The immediate neighborhood consists of a transitional area between the burgeoning commercial uses along US 117 bypass at its intersection with NC 53, and the town's Central Business District on the southwest.

Exhibit 3.1 Neighborhood Map



Commercial uses just northeast of the subject include, but are not limited to the following:

1. Pender Landing Shopping Center (Food Lion anchor tenant)
2. Auto Zone
3. Hardee's
4. Advance Auto Parts
5. Burgaw Motel
6. Kentucky Fried Chicken
7. Walmart
8. Taco Bell
9. Bojangles'
10. McDonalds
11. Shell Convenience Store
12. GoGas gas outlet
13. Dollar Tree

By way of N. Timberly Lane (US 117 Business) and US 117 Bypass, the intersection of US 117 Bypass and NC 53 is less than 2,000 linear feet 0.38 mi from the subject's northeastern property corner.

The Town of Burgaw Central Business District, as measured to the Pender County Courthouse, lies 0.60 mi southwest via Timberly Lane, NC Hwy 53 (E. Bridgers Street) and N. Walker Street.

Commercial uses within this quaint small-town business district consist primarily of locally-owned street retail uses such as antique stores and coffee shops. These uses are generally zero-lot line, storefronts with no off-street parking. They cater to pedestrians and public parking is ample within the street rights of way. The only two branded retail uses in this portion of town is a freestanding Piggly Wiggly grocery store and a Family Dollar discount retailer; both occupied.

A file mile radius population of the subject property has a population of 8,387 which is expected to grow by almost 10% by 2025.

Radius	1 Mile	3 Mile	5 Mile
Population			
2025 Projection	2,533	5,934	9,210
2020 Estimate	2,312	5,406	8,387
2010 Census	2,116	4,875	7,532
Growth 2020 - 2025	9.56%	9.77%	9.81%
Growth 2010 - 2020	9.26%	10.89%	11.35%
2020 Population by Hispanic Origin	179	526	834
2020 Population	2,312	5,406	8,387
White	1,584 68.51%	3,717 68.76%	5,782 68.94%
Black	661 28.59%	1,500 27.75%	2,303 27.46%
Am. Indian & Alaskan	25 1.08%	56 1.04%	85 1.01%
Asian	8 0.35%	20 0.37%	30 0.36%
Hawaiian & Pacific Island	1 0.04%	8 0.15%	14 0.17%
Other	33 1.43%	106 1.96%	174 2.07%
U.S. Armed Forces	0	1	7
Households			
2025 Projection	836	2,097	3,361
2020 Estimate	762	1,911	3,064
2010 Census	685	1,710	2,745
Growth 2020 - 2025	9.71%	9.73%	9.69%
Growth 2010 - 2020	11.24%	11.75%	11.62%
Owner Occupied	452 59.32%	1,224 64.05%	2,060 67.23%
Renter Occupied	311 40.81%	687 35.95%	1,003 32.73%
2020 Households by HH Income	763	1,910	3,065
Income: <\$25,000	217 28.44%	594 31.10%	965 31.48%
Income: \$25,000 - \$50,000	160 20.97%	456 23.87%	760 24.80%
Income: \$50,000 - \$75,000	139 18.22%	318 16.65%	522 17.03%
Income: \$75,000 - \$100,000	96 12.58%	212 11.10%	318 10.38%
Income: \$100,000 - \$125,000	48 6.29%	97 5.08%	142 4.63%
Income: \$125,000 - \$150,000	41 5.37%	122 6.39%	194 6.33%
Income: \$150,000 - \$200,000	43 5.64%	64 3.35%	84 2.74%
Income: \$200,000+	19 2.49%	47 2.46%	80 2.61%
2020 Avg Household Income	\$66,030	\$61,077	\$59,845
2020 Med Household Income	\$50,736	\$43,691	\$42,531

Burgaw is located within the Wilmington MSA. Wilmington lies approximately 26 miles south, along Interstate 40. Wilmington and New Hanover County have exhibited a northward growth pattern, which positions the town as a good alternative to more densely populated areas to the south.

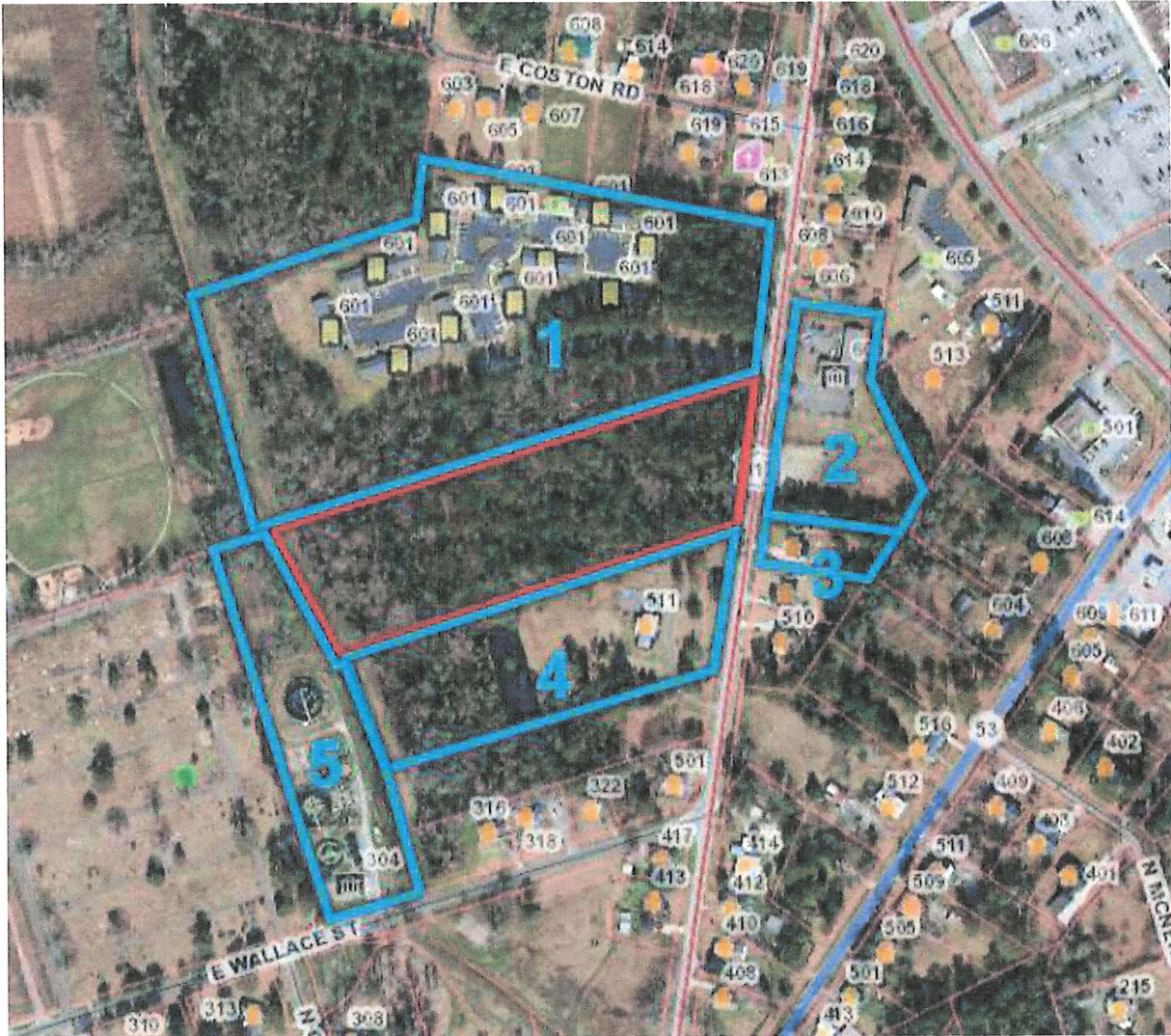
With a population growth expected for the immediate neighborhood, demand for single and multi-family residential uses, as well as commercial uses should remain strong for the foreseeable future.

SECTION 4: CONTIGUOUS PROPERTY USES

For this analysis, **Contiguous Property** is defined as a parcel or lot which adjoins a subject property by either sharing a property line or would share a common property line but for the existence of an intervening right-of-way.

The following five (5) properties are considered contiguous to the subject property.

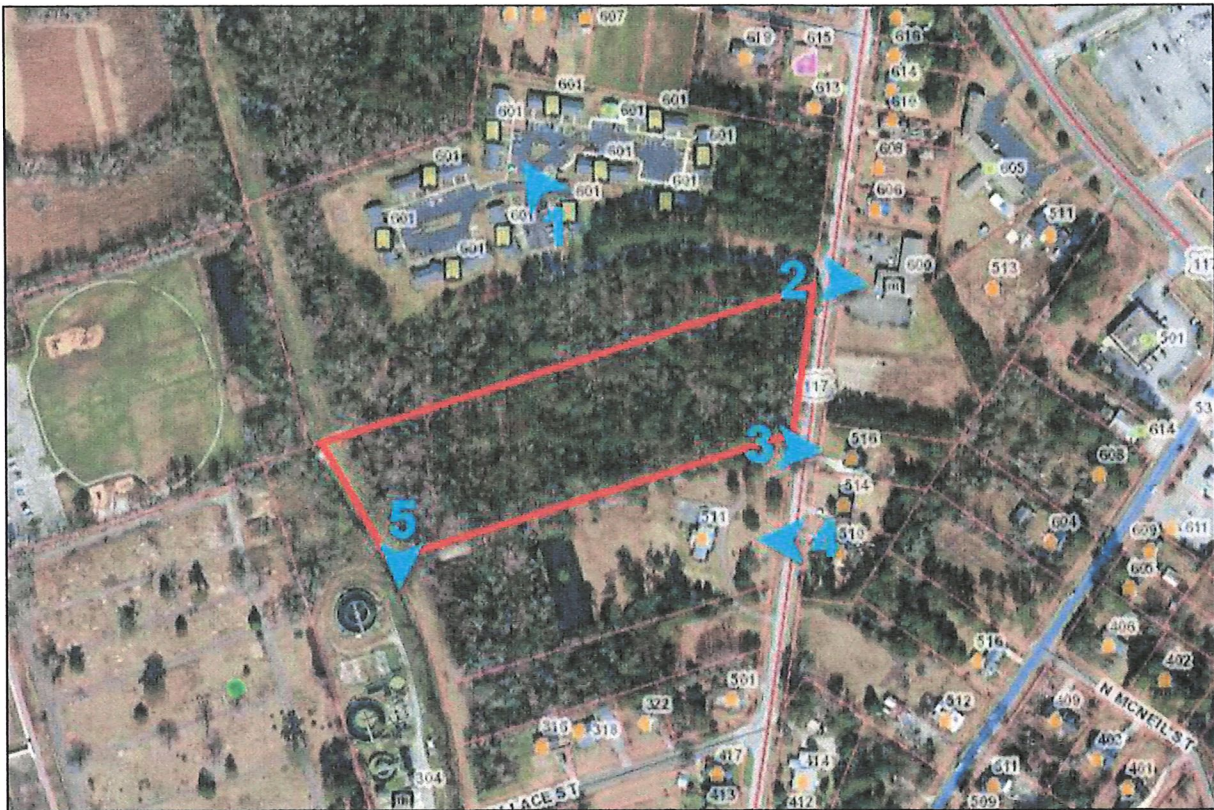
Exhibit 4.1 Contiguous Property Uses



	1. Current Use: Northwoods Apartments Owner: PHP Northwoods, LLC Parcel ID: 3229-36-9483-0000 Size: 12.21 acres Zoning: R-7 Residential Comments: 50 apartment units. 1, 2 and 3-BR units. Section 8 vouchers accepted. Market rents are \$717, \$844 and \$1,021 for 1, 2 and 3-BR units, respectively.
	2. Current Use: Smart Start of Pender County Owner: Donna T. Rowe Parcel ID: 3229-46-6253-0000 Size: 1.93 acres Zoning: O&I Office and Institutional Comments:
	3. Current Use: Single-family dwelling Owner: Leslie Hutcherson Parcel ID: 3229-45-6928-0000 Size: 0.562 acres Zoning: R-12 Residential Comments: 1,000-sf brick ranch built in 1977

	4. Current Use: Single-family dwelling Owner: Cameron Layne Smith Parcel ID: 3229-45-0779-0000 Size: 4.765 acres Zoning: R-12 Residential Comments: 3,000-sf brick dwelling built in 1956. Last known sale 3/3/21 for \$415,000.
	5. Current Use: Municipal water treatment facility Owner: Town of Burgaw Parcel ID: 3229-35-5690-0000 Size: 3.09 acres Zoning: R-7 Residential Comments: Town of Burgaw sewer treatment plant.

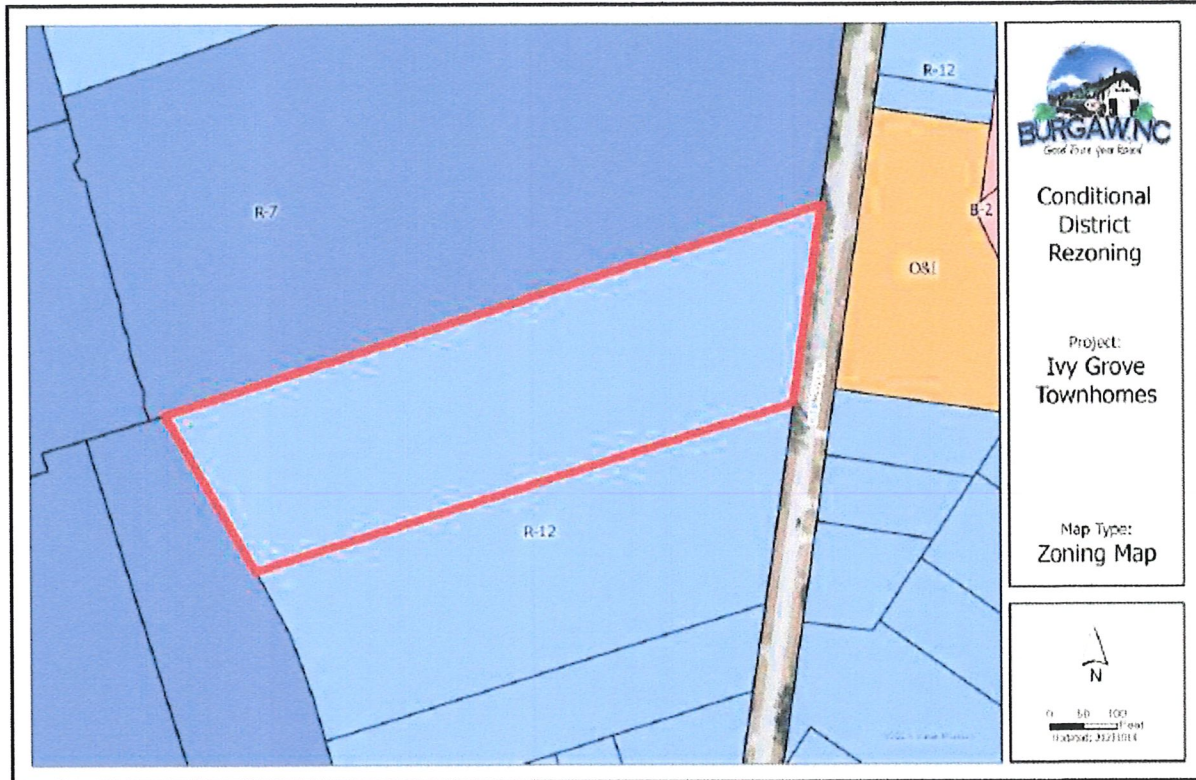
Exhibit 4.2 Location of Photographs of Contiguous Properties



SECTION 5: ZONING

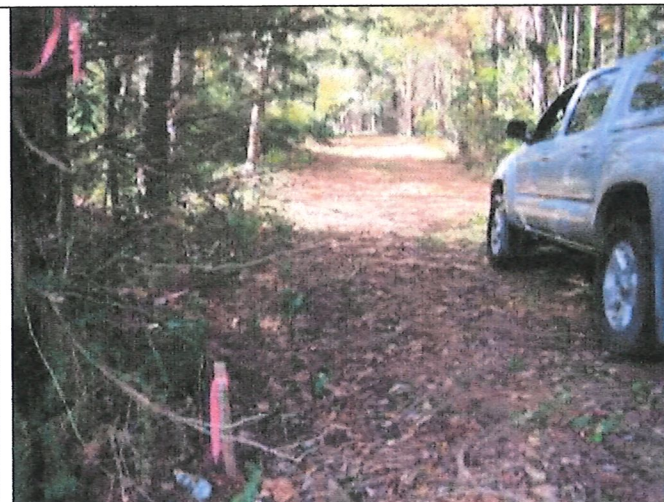
The subject site is currently zoned R-12 Residential, by the Town of Burgaw. The property immediately abutting the subject on the north and west are zoned R-7. The Smart Start of Pender County property to the east is zoned Office and Institutional, O&I. The single-family dwelling to the east is zoned R-12. This is seen in the following zoning map on which the subject property has been identified.

**Exhibit 5.1 Town of Burgaw Zoning Map
Source (Planning Board Case Summary)**



Surrounding Area	North	South	East	West
Zoning	R-7 Residential	R-12 Residential	O&I Office and Institutional, R-12 Residential	R-7 Residential
Current Land Use	Multi-family residential	Single-family dwelling	Institutional / Vacant	Institutional

SECTION 6: EXISTING CONDITIONS AS OF NOVEMBER 9, 2023

	1. Front view
	2. View looking south along Timberly Ln. Subject is wooded area on right.
	3. Interior view of subject from southeastern property corner.



4. View looking north along Timberly Ln as seen from southeastern property corner. Subject on left.



5. Subject marked with red arrow as seen from Timberly Ln, just south of subject

SECTION 7: DESCRIPTION OF THE PROPOSED IMPROVEMENTS

The proposed improvement is described as a 40-unit townhome development to be known as Ivy Grove Townhomes. According to the site plan, the 40 units are to be located within ten (10) buildings; each with four units.

Each unit is to be a two-level floorplan with 3 bedrooms. The site plan shows 149 surface parking spaces, resulting in a parking ratio of 3.73 spaces per unit.

Amenities will include a community pavilion and small dog park. Additional site improvements will include concrete curb and gutter, concrete sidewalks, stormwater retention pond, good landscaping, utility taps and signage.

The site is currently wooded. The site plan indicates a wooded buffer of existing vegetation and supplemented with Leland Cypress and other shrubs as needed to be located on the northern and southern property lines.

According to the developer, each townhome will range from 1,800 – 2,000 sf with an anticipated price point of \$299,000 - \$350,000. The developer has plans to initially sell 16 units and lease the remaining 24 units at market rates reportedly in the range of \$1,800 - \$2,400 per month. The appraiser has not performed a market analysis to determine the validity of this claim.

Based on the renderings provided to the Town of Burgaw, included in the Case Summary by the planning board and incorporated herein for reference, the exterior appears to be a combination of brick and vinyl or cement board siding, with asphalt shingle roof cover over a gable roof structure.

Exhibit 7.1 Proposed Site Plan
Source (Town of Burgaw Planning Board Case Summary)

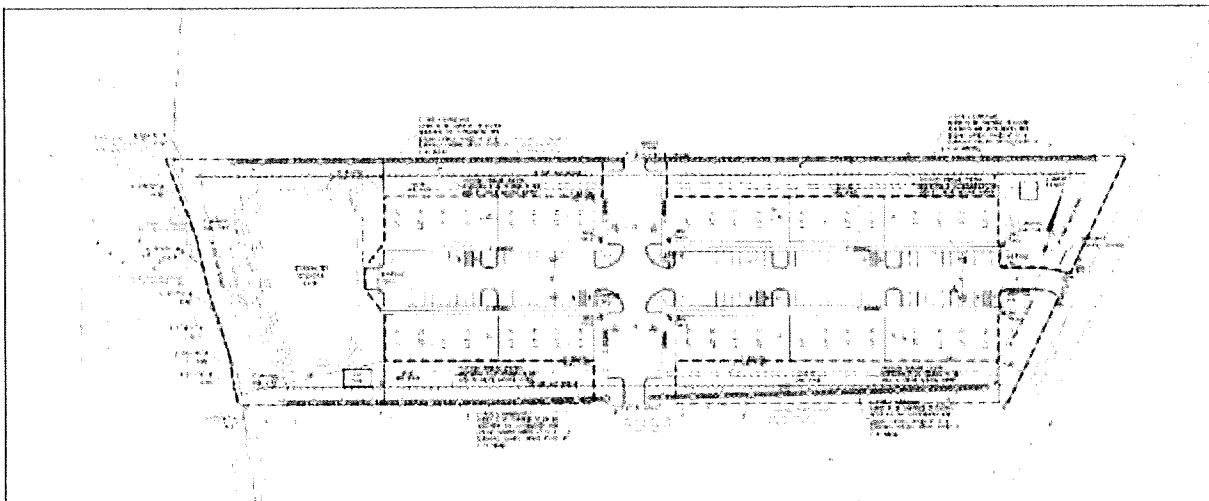


Exhibit 7.2 Front Elevation
Source (Town of Burgaw Planning Board Case Summary)



Exhibit 7.3 Perspective View From Timberly Lane
Source (Town of Burgaw Planning Board Case Summary)



Exhibit 7.4 Zoomed View From Timberly Lane
Source (Town of Burgaw Planning Board Case Summary)



Exhibit 7.5 View From Rear of Project
Source (Town of Burgaw Planning Board Case Summary)



A summary of the proposed construction areas is as follows:

Site Area	±5.71 acres
Units	40 Units
Density	7.01 Units/Acre
Parking	149 spaces 3.73 spaces/unit

SECTION 8: CASE STUDIES

8.1 Justice Farm

Sneads Ferry
Onslow County

Justice Farm Townhomes

Year Built: 2018
Levels: 2
Parking: Surface; unassigned
Price Point: \$179,900 - \$225,000
of Units: 66 on ±16.14 acres or 4.08 units per acre (septic systems required)

Exhibit 8.1 (a) Photos (Source Flex MLS)



Exhibit 8.1 (b) MLS Search Data



Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.1(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	105 Lawndale Ln	08/02/23	\$292,000	2005	1743	\$167.81
2	103 Lawndale Ln	05/09/23	\$290,000	2005	1290	\$224.81
3	119 Lawndale Ln	03/05/22	\$210,000	2005	1125	\$186.67
4	123 Lawndale Ln	08/17/22	\$260,000	2005	1268	\$205.05

Average Home Size	1,357 sf
Minimum Price per SF	\$186.67
Maximum Price per SF	\$224.81
Average Price per SF	\$196.09
Median Price per SF	\$195.86

Market Conditions Indications:

Table 8.1 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	09/10/19	\$195,650	49.50%	47	1.05%

Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.1(e) Non-Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	202 Bluebird Ct	04/21/22	\$252,000	2005	1706	\$147.72
2	210 Bluebird Ct	04/26/22	\$264,900	2005	1672	\$157.43
3	202 Vale Ct	09/02/22	\$239,900	2005	1268	\$189.20
4	205 Vale Ct	12/16/21	\$263,000	2005	1737	\$151.41
5	200 Molly Ct	05/23/22	\$247,000	2005	1268	\$194.79
6	210 Molly Ct	05/22/23	\$295,000	2006	1453	\$203.03
7	213 Molly Ct	06/16/23	\$260,000	2010	1355	\$191.88
8	100 Knotts Ct	04/21/23	\$293,000	2006	1463	\$200.27
9	102 Knotts Ct	04/21/22	\$255,000	2006	1355	\$188.19
10	104 Knotts Ct	03/25/22	\$255,000	2005	1461	\$174.54
11	118 Lawndale Ln	09/22/23	\$293,000	2005	1337	\$219.15
12	120 Lawndale Ln	07/11/22	\$267,500	2005	1268	\$210.96
13	141 Lawndale Ln	04/04/22	\$245,000	2006	1284	\$190.81
14	128 Lawndale Ln	06/30/22	\$295,000	2005	1881	\$156.83
15	132 Lawndale Ln	08/25/23	\$295,000	2005	1403	\$210.26
16	136 Lawndale Ln	05/09/22	\$305,000	2006	1909	\$159.77
17	138 Lawndale Ln	05/23/22	\$278,000	2006	1508	\$184.35
18	138 Lawndale Ln	09/19/23	\$300,000	2006	1508	\$198.94
19	142 Lawndale Ln	09/01/22	\$292,500	2006	1877	\$155.83

Average Home Size	1,511 sf
Minimum Price per SF	\$147.72
Maximum Price per SF	\$219.15
Average Price per SF	\$183.44
Median Price per SF	\$189.20

Market Conditions Indications:

Table 8.1 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	01/22/19	\$179,000	40.78%	39	1.05%
9	06/19/20	\$189,900	34.28%	22	1.56%
11	12/06/19	\$187,900	55.93%	45	1.25%
18	12/07/18	\$179,900	66.76%	57	1.17%

SUMMARY AND CONCLUSIONS FOR JUSTICE FARM

The Justice Farm Townhomes are two-level townhomes with common area surface parking. They feature vinyl siding exteriors with faux stone accents. The development was constructed in 2018 and contains 66-units. Prices have ranged from \$179,900 to \$225,000 per unit (over the past 24 months).

Four single-family home sales were discovered over the past 24 months that abutted the townhome development. They indicated a median price of \$195.86 per sf of heated living area.

This compares favorably to the median price of nineteen (19) sales of similar homes within the subdivision over the same time period that do not abutt the townhome development. They indicated a median price of \$189.20 per sf of heated living area, 3.40% less than the median home price for homes abutting the townhome development.

All homes were similar in age, construction quality and lot sizes. Slight variances occurred in the sizes of the homes. The average size of the four homes abutting the townhomes was 1,357 sf versus an average of 1,511 sf for the nineteen sales within the interior of the subdivision. (10.19% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 3.40% discrepancy in per-unit pricing.

Finally, from the single contiguous home sale from which a market conditions adjustment could be determined from prior sales activity, Comparable 1 indicated a monthly upward appreciation of 1.05%. There were four non-contiguous sales from which a monthly appreciation could be determined that ranged from 1.05% to 1.56% per month. Though the contiguous property at 1.05% falls within the lower end of the range, it does indeed indicate a similar appreciation pattern for properties lying contiguous to the townhomes as those that do not.

From this study of the Justice Farm Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

8.2 Springwater Reserve Townhomes

Castle Hayne
New Hanover County

Springwater Reserve Townhomes

Year Built: 2018 - present
Levels: 2
Parking: Concrete driveways; Garage (1-car)
Price Point: \$359,900 - \$412,900
of Units: 44 units on 6.58 acres or 6.69 units per acre

Exhibit 8.2 (a) Photos (Source Flex MLS)

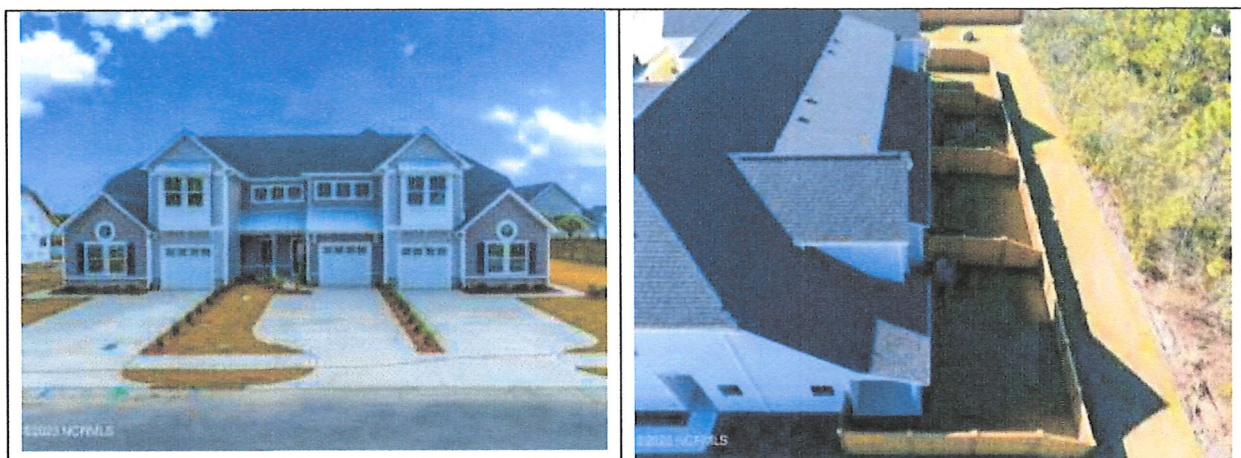


Exhibit 8.2 (b) MLS Search Data



* Home Sales in Hanover Reserve in excess of 3,000 sf HLA are excluded as they skew the price per sf HLA downward due to their significantly larger sizes.

Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.2(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	7353 Springwater Dr	02/08/23	\$515,000	2018	2574	\$200.08
2	7416 Murrayville Rd	09/02/22	\$340,000	1995	1526	\$222.80

Average Home Size **2,050 sf**
Minimum Price per SF **\$200.08**
Maximum Price per SF **\$222.80**
Average Price per SF **\$211.44**
Median Price per SF **\$211.44**

Market Conditions Indications:

Table 8.2 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	12/20/18	\$311,500	65.33%	62	1.05%

**Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23**

Table 8.2(e) Non-Contiguous Sales (excluding homes in excess of 3,000 sf)

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	1344 Goldengrove Ln	05/17/23	\$472,000	2020	2493	\$189.33
3	1451 Eastbourne Dr	04/06/22	\$485,000	2016	2400	\$202.08
4	1443 Eastbourne Dr	11/18/22	\$485,000	2015	2359	\$205.60

Average Home Size	2,417 sf
Minimum Price per SF	\$189.33
Maximum Price per SF	\$205.60
Average Price per SF	\$199.00
Median Price per SF	\$202.08

Market Conditions Indications:

Table 8.2 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	06/30/20	\$327,500	44.12%	35	1.26%

SUMMARY AND CONCLUSIONS FOR SPRINGWATER RESERVE

The Springwater Reserve Townhomes are two-level townhomes with each unit having its own concrete driveway and a one-car garage. They feature cement board siding exteriors, craftsman trim, hip roofs with asphalt shingle roof cover and metal roof accents. The development began construction in 2018 and will contain 44-units. Some buildings contain three units and some contain four. No building contains more than four units. Prices have ranged from \$359,900 - \$412,900 per unit (over the past 24 months).

Two single-family home sales were discovered over the past 24 months that abutted the townhome development. They indicated a median price of \$211.44 per sf of heated living area.

This compares favorably to the median price of three (3) sales of similar homes within the adjacent Hanover Reserve subdivision over the same time period that do not abutt the townhome development (dwellings in excess of 3,000 sf HLA excluded as they skew the price per sf downward). They indicated a median price of \$202.08 per sf of heated living area, 4.43% less than the median home price for homes abutting the townhome development.

Almost all homes were similar in age, construction quality and lot sizes. The dwelling at 7416 Murrayville Road, though constructed in 1995, had been renovated prior to sale. The average size of the two homes abutting the townhomes was 2,050 sf versus an average of 2,417 sf for the three sales within the interior of the adjacent Hanover Reserve subdivision. (15.18% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 4.43% discrepancy in per-unit pricing.

Finally, from the single contiguous home sale from which a market conditions adjustment could be determined from prior sales activity, Comparable 1 indicated a monthly upward appreciation of 1.05%. There was one non-contiguous sale from which a monthly appreciation could be determined that indicated 1.26% per month. It should be noted that the contiguous property indicating 1.05% per month, was previously sold in December 2018. The non-contiguous comparable indicating 1.26% monthly previously sold in June 2020. Market conditions from December 2018 through June 2020 were not improving as rapidly as those from June 2020 onward. For this reason, the two appreciation patterns are considered very similar for properties lying contiguous to the townhomes as those that do not.

From this study of the Springwater Reserve Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

8.3 Ibis Landing Townhomes

Leland
Brunswick County

Ibis Landing Townhomes

Year Built: 2021 - present
Levels: 2
Parking: Concrete driveways; Garage (1-car)
Price Point: \$234,840 - \$350,540
of Units: 125 units on 18.6 acres or 6.72 units per acre

Exhibit 8.3 (a) Photos (Source Flex MLS)



Exhibit 8.3 (b) MLS Search Data

8 - Multi Property

Change Search Template
Draft last saved: 11/14/2023, 11:41:43 AM

View Results for 2023

Home Data Search

Status Change Date

Sub-Type

County

City

Marketing City

Please enter 3 or more characters

Distance Search

Map

SAFT - Hatched (Priority)

Your Box

Waterfront

Waterview

Location Type

Listing/Selling Number

Listing/Selling Office

Zip Code

Delayed Marketing Date (DM)

Add + More

Additional Search Options



**Sales in Neighboring Subdivision Lying Contiguous to Townhome Project
11/12/21 – 11/12/23**

Table 8.3(c) Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	61 Carol Lynn Dr NE	05/02/22	\$295,000	1995*	1222	\$241.41

* Renovated prior to sale

Average Home Size	1,222 sf
Minimum Price per SF	\$241.41
Maximum Price per SF	\$241.41
Average Price per SF	\$241.41
Median Price per SF	\$241.41

Market Conditions Indications:

Table 8.3 (d) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
1	12/13/21*	\$160,000	84.38%	4	21.09%

* Purchased to renovate and flip

Sales in Neighboring Subdivision Not Lying Contiguous to Townhome Project
11/12/21 – 11/12/23

Table 8.3 (e) Non-Contiguous Sales

	Address	Sale Date	Sale Price	Yr. Built	HLA (SF)	Price / SF
1	8084 Rachel Wynd Rd	02/14/22	\$408,000	2000	2557	\$159.56
3	8107 Rachel Wynd Rd	08/19/22	\$320,000	1997*	1630	\$196.32
4	8136 Rachel Wynd Rd	07/08/22	\$290,000	1993*	1212	\$239.27
5	8173 Rachel Wynd Rd	09/15/22	\$316,500	1998	1785	\$177.31
6	8143 Webster Ct	10/26/23	\$280,000	1993	1225	\$228.57
7	8099 Webster Ct	06/22/22	\$311,000	2016	1220	\$254.92
8	8085 Webster Ct	12/08/22	\$349,000	2015	1397	\$249.82

* Renovated prior to sale

Average Home Size	1,378 sf
Minimum Price per SF	\$159.56
Maximum Price per SF	\$254.92
Average Price per SF	\$215.11
Median Price per SF	\$228.57

Market Conditions Indications:

Table 8.3 (f) Extrapolated Market Conditions Based on Prior Sales

Comp #	Prior Sale Date	Price	Δ%	# of months	Δ% per month
3	01/22/19	\$195,000	64.10%	19	3.37%
4	10/23/19*	\$130,000	123.08%	9	13.67%

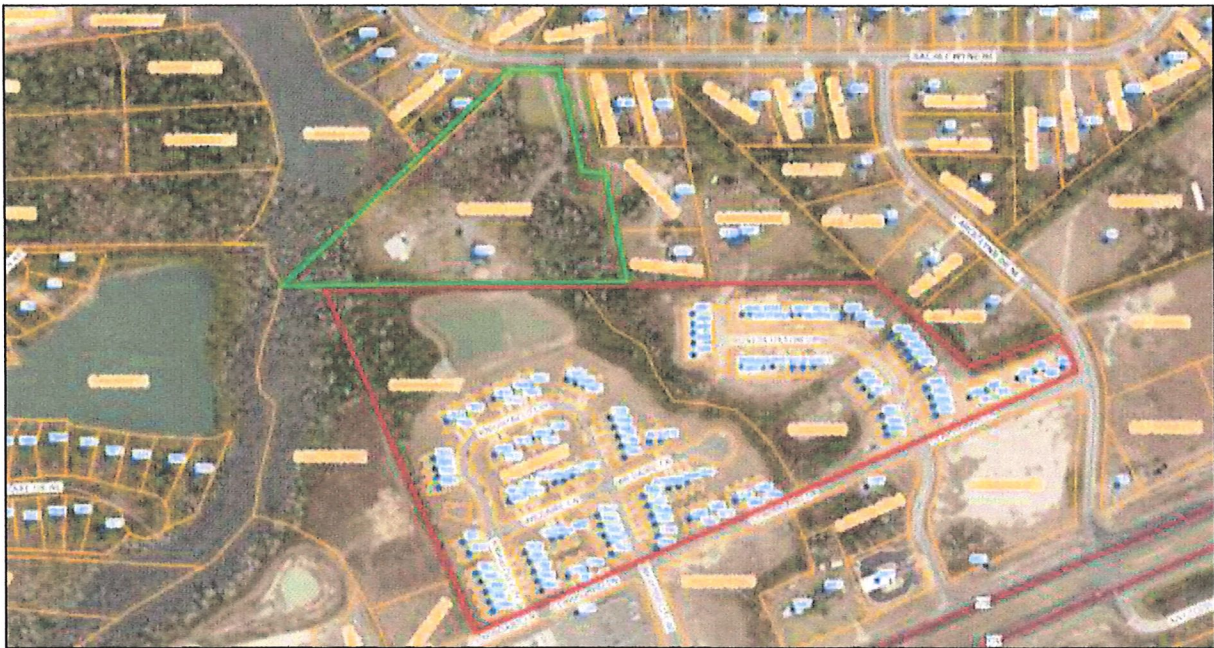
* Purchased to renovate and flip

Also considered is the sale of an abutting parcel located at **8050 Rachel Wynd Road** (Brunswick County PIN 0460004805). It is **5.38 acres**, improved with a single-family dwelling of 1,864 and associated accessory structures. The dwelling was constructed in 1998. **This property sold on 8/16/2023 for \$615,000.**

The seller had **previously acquired this property on 7/20/20 for \$365,000.** This indicates an upward change in market conditions of 68.49% over 37 months or **1.85% per month.** It was not included in the above analysis due to the significant land area.

This parcel is shown in the following exhibit. It is marked in green with the Ibis Landing Townhomes marked in red.

Exhibit 8.3 (g) Aerial Image Showing Adjacent 5.38-acre Parcel Sold



SUMMARY AND CONCLUSIONS FOR IBIS LANDING

The Ibis Landing Townhomes are two-level townhomes with each unit having its own concrete driveway and a one-car garage. They feature vinyl siding exteriors and gable roofs with asphalt shingle roof cover. The first sales within the development occurred in 2021. Prices have ranged from \$234,840 - \$350,540 per unit (over the past 24 months).

One single-family home sale was discovered over the past 24 months that abutted the townhome development. It had been purchased, renovated and flipped with the latter sale having a price of \$241.41 per sf of heated living area.

This compares favorably to the median price of eight (8) sales of similar homes within the same subdivision over the same time period that do not abutt the Ibis Landing townhome development. They indicated a median price of \$228.57 per sf of heated living area, 5.32% less than the price of the one home abutting the townhome development.

The one home abutting the townhomes was 1,222 sf versus an average of 1,378 sf for the eight sales within the interior of the subdivision. (11.32% smaller) Typically, smaller homes generally sell for higher per incremental units of value than larger homes. This could easily account for the 5.32% discrepancy in per-unit pricing.

The subdivision that lies adjacent to the Ibis Landing townhome development has been very active for home flippers. The sale that directly abutts the townhomes was such a flip that indicated an increase in value of 21.09% per month (renovation costs not considered). The same can be said for Comparable 4 that does not abutt the townhomes, but was flipped for an increase in value of 13.67% per month (exclusive of renovation costs). Though not necessarily considered a "flip" Comparable 3 indicated a 3.37% per month improvement over 19 months, though it did have slight renovations having been performed prior to the latter sale.

This makes a determination of any effects from a market conditions standpoint very difficult, if not impossible beyond the fact that there is significant demand for homes in the adjacent subdivision with many being purchased for renovation; including the property directly abutting the townhomes.

Finally, this property is unique as it has an adjacent 5.38-acre tract improved with a single-family dwelling. This is similar to the subject having a 4.765-acre tract with a single-family dwelling abutting it on the south. A matched-pair analysis of two sales of this same property, with very little having been done to the property between sales, indicates appreciation of 1.85% per month (22.20% annually). This is well supported by market data and represents some of the highest increases within this analysis.

From this study of the Ibis Landing Townhomes, it is reasonable to conclude that there is **no quantifiable effect on market value** for single-family residential properties immediately abutting a townhome development considered very similar to the proposed subject.

SECTION 9: FINAL SUMMARY AND CONCLUSIONS

Three townhome properties were analyzed. Due to insufficient data within the Town of Burgaw, the data search was expanded geographically.

The properties chosen represent townhome properties with relatively similar densities as the subject. The subject's proposed density is 40 units over ± 5.71 acres or approximately 7.00 units per acre. The projects chosen represent densities of 4.08 units per acre (utilizing septic systems), 6.69 units per acre and 6.72 units per acre, respectively.

The appraiser also placed high importance on properties immediately adjacent to lower-density, single-family residential development. Properties in high-density areas, commercial areas, or rural areas, not immediately abutting low-density single-family residential development were excluded from this analysis.

Of the three properties surveyed and analyzed, the median sales prices per square foot of properties immediately abutting the townhome developments were 3.40%, 4.43% and 5.32% higher than the median sales prices of comparable homes not abutting the townhome property. In each instance, the homes abutting the townhome projects were smaller, on average, than those that did not share the same locational characteristics. Typically, smaller dwellings generally sell for higher per incremental units of value. Therefore, the higher per-unit pricing for dwellings adjacent to townhomes is most likely due to size differences.

Nonetheless, there is no evidence to suggest that single-family residential properties immediately abutting townhome developments similar to the proposed subject, suffer any diminution in value as a result of their location, when compared to similar properties, nearly identical with the exception of locational differences.

Furthermore, there is no evidence to suggest that being located adjacent to a development similar to the one proposed, results in any future effects on value as the data has shown similar appreciation rates for single-family properties abutting townhome developments when compared to those that do not.

ADDENDA

APPRAISAL QUALIFICATIONS

G. BRAD WHITE, MAI
8718 RAMSBURY WAY
WILMINGTON, NORTH CAROLINA 28411
PHONE 910-612-2478
E-MAIL: *bwhite@gbwvaluations.com*

EDUCATION

B.S.B.A. EAST CAROLINA UNIVERSITY, 1998
Introduction to Income Property Appraisal (G-1) 3/00
Income Capitalization Procedures (G-2) 9/00
Applied Income Property Valuation (G-3) 9/00
Advanced Income Capitalization 510 5/05
Market Analysis/Highest and Best Use 520 3/06
Advanced Sales Comparison & Cost Approaches 530 6/07
Report Writing & Valuation Analysis 540 6/08
Advanced Applications 550 7/09
Certified under North Carolina Real Estate Appraisal Board
Continuing Education Program

EMPLOYMENT HISTORY

Owner, G. Brad White and Associates, LLC 2017 to present
Worsley Real Estate Company, 1998 to 2017
Worsley & Glenn, Intern 1993

PROFESSIONAL AFFILIATIONS

N. C. State Certified General Real Estate Appraiser
Certification Number A5053, (2002)
Appraisal Institute, MAI Designation (2015)
Member of the New Hanover County Board of Equalization
and Review

APPRAISAL EXPERIENCE

Private and For Fee Golf Courses
Hotel, Motels, Restaurants, Resort Developments
Single and Multi-Family Residential Projects
Apartment Complexes, Townhouses, Condominiums
Office Buildings, Shopping Centers, Day Care Centers
Warehouses, Industrial and Manufacturing Buildings
Agricultural Land, Conservation and Historical Properties,
Marinas, Tank Farms, Deep-Water Port-Related Properties
and Wetland Mitigation Banks

FINANCIAL CLIENTELE

Bank OZK
Branch Bank & Trust Company
Carolina Farm Credit
Corning Federal Credit Union
Dogwood State Bank
First Bank
First Community Bank
First National Bank
North State Bank
Old National Bank
Paragon Bank
Park Sterling Bank
PNC Bank
Red River Bank
Select Bank
South State Bank
Southern Bank
Union Bank and Trust
United Bank
Wells Fargo Bank

INSTITUTIONAL CLIENTELE

N. C. Department of Transportation
Duke Energy Progress, Inc.
Cape Fear Public Utility Authority
Telics, Inc.
Wilmington Housing Authority
Wilmington International Airport

PROFESSIONAL CLIENTELE

Osprey Lands, LLC
Crocker Brothers, LLC
Par 5 Development Group, LLC
JBS Industrial Properties, LLC
Nicholls & Crampton, P.A.
Block, Crouch, Keeter, Behm and Sayed, LLP
Marshall, Williams & Gorham, LLP
JTV Business Consultant, Inc.
The Cameron Company, Inc.
Brunswick Corporation/Hatteras Yachts



March 4, 2024

Town of Burgaw
109 N. Walker Street
Burgaw, NC 28425
c/o Gilbert Combs

Re: Ivy Grove Townhomes
Stormwater Management

This +/- 5.71 acre site is located off Timberly Lane (PIN 3229-36-9052) in the Town of Burgaw, Pender County, North Carolina. This project will drain to a stormwater detention basin that will discharge to Osgood Branch at the rear of the site. The location of this development is downstream from the Town of Burgaw and this portion of Osgood Branch discharges to Burgaw Creek to the north and away from the Town of Burgaw. This project will consist of the construction of 30 townhome units and related site appurtenances. The amount of impervious surface draining to the proposed stormwater detention basin is 32.1% and the development is proposing 66.0% of the property area as Open Space.

The primary stormwater measures for this project will consist of overland sheet flow and closed conduit systems that direct the runoff to the proposed stormwater detention basin that will be designed to treat rainfall to meet the North Carolina Department of Environmental Quality (NCDEQ) Stormwater Regulations and to control the post development peak discharge for the 10-year storm event so as not to exceed the pre-development peak runoff discharge rate to meet Water Quantity Stormwater Regulations. An emergency spillway will be provided to convey the 100-year storm event.

By treating the water quality volume as required by NCDEQ, detaining the water quantity volume for the 10-year storm event the proposed stormwater detention basin will be used in conjunction with the development preserving 66.0% of the site in a pervious/natural state and over 478 existing trees remaining on site to mitigate any potential stormwater impacts on surrounding properties.

Please contact me immediately at (910) 442-7870 or gpape@gsp-consulting.com if you have any questions or require additional information.

Sincerely,

GSP CONSULTING, PLLC.



Garry S. Pape, P.E.

RESOLUTION 2024-07

RESOLUTION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED ON NORTH TIMBERLY LANE (PARCEL ID: 3229-36-9052-0000) TO ALLOW A MULTIFAMILY PROJECT CONTAINING 30 3-BEDROOM TOWNHOMES IN THE R-7 (CZ), RESIDENTIAL DISTRICT CONDITIONAL ZONING.

PURPOSE:

THE BOARD OF COMMISSIONERS FOR THE TOWN OF BURGAW HELD A PUBLIC HEARING ON MARCH 12, 2024, TO CONSIDER THE FOLLOWING APPLICATION:

PROPERTY OWNER / APPLICANT:
ANDREW SMITH OF PENDERLINE, LLC 1711 HWY 17 NORTH
HAMPSTEAD, NC 28443

LOCATION: IVY GROVE TOWNHOMES (3229-36-9052-0000)

PROPOSAL: 30 3-BEDROOM UNIT TOWNHOME DEVELOPMENT

ZONING DISTRICT: R-7 (CZ) RESIDENTIAL DISTRICT CONDITIONAL ZONING

MEETING DATES:
NOVEMBER 14, 2023: BOARD OF COMMISSIONERS PUBLIC HEARING
DECEMBER 12, 2023: BOARD OF COMMISSIONERS PUBLIC HEARING
JANUARY 09, 2024: BOARD OF COMMISSIONERS PUBLIC HEARING
MARCH 12, 2024: BOARD OF COMMISSIONERS PUBLIC HEARING

THE BOARD OF COMMISSIONERS, HAVING HEARD ALL EVIDENCE AND ARGUMENTS PRESENTED AT THE HEARING, MAKES THE FOLLOWING FINDINGS OF FACT:

1. The site is currently vacant.
2. The project area includes approximately 5.71 acres and is zoned R-7(CZ), Residential District Conditional Zoning (if item A1 approved).
3. Multi-family development is permitted in the R-7 zoning district with the issuance of a special use permit.
4. The maximum allowable number of units per acre for multifamily per UDO is 12 units per acre. At 5.71 acres, the maximum allowable would be more than 60. The proposal is for 30 units.

BASED UPON THE FOREGOING FINDINGS OF FACT, BOARD OF COMMISSIONERS DRAWS THE FOLLOWING CONCLUSIONS:

- A. The location and character of the use, if developed according to the plan as submitted and approved, will/will not be in harmony with the area in which it is to be located.
- B. The use **is/is not** allowed pursuant to this ordinance and **meets/does not meet** all the required conditions and specifications, including without limitation, those set out in this Ordinance.
- C. The use of the property **will/will not** affect other adjoining or abutting property values.
- D. That the use **will/will not** materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- E. The increase in vehicular traffic resulting from the proposed development **would/would not** pose a danger to public safety.

Therefore, because the Board of Commissioners concludes that all general and specific conditions precedent to the approval of a SPECIAL USE PERMIT have/have not been satisfied, IT IS ORDERED that the application for the approval of the SPECIAL USE PERMIT be APPROVED/DENIED, subject to the following conditions:

- 1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
- 2. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the subdivision final plat shall be null and void.
- 3. Approval of this special use permit does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.
- 4. The use and development of the subject property shall be in substantial compliance with the site plan as submitted and accepted by the Board of Commissioners on 3/12/2024.
- 5. The elevations of each structure shall be in substantial compliance with the elevation examples as submitted and accepted by the Board of Commissioners on 3/12/2024.
- 6. A five-foot sidewalk at Timberly Lane along the entire project frontage is required.
- 7. Six, evenly dispersed, bike racks are required.
- 8. A covered bus shelter shall be located between either building 1 or 30 and the back of the proposed sidewalk.
- 9. No structure may exceed two stories in height and may not exceed the maximum allowable height of 35 feet.
- 10. No more than 30 residential units may be constructed.

Adopted this 12th day of March 2024.

G. Olivia Dawson, Mayor

Attest:

APPROVED AS TO FORM:

Kristin Wells, Town Clerk

Town Attorney

DRAFT

Board of County Commissioners
Brad George – Chair
Jacqueline A. (Jackie) Newton – Vice Chair
Wendy Fletcher-Hardee
Archibald (Fred) McCoy
Jerry Groves



County Manager
David Andrews
Assistant County Manager
Allen Vann
County Attorney
Carl W. (Trey) Thurman
Staff Attorney
Patrick Buffkin

January 5, 2024

Mr. Gilbert Combs, CZO
Town of Burgaw
109 N. Walker St.
Burgaw, NC 28425

RE: Pender County's Application for a Special Use Permit to authorize the construction of a County detention facility and Sheriff's Office

Dear Mr. Combs:

Please find enclosed herewith Pender County's Application for a Special Use Permit (SUP) to authorize the construction of a County detention facility and Sheriff's Office to be located on that certain real property located along Old Savannah Rd., north and west of downtown Burgaw and with the extraterritorial jurisdiction of the Town of Burgaw. Also included as a part of the County's application for an SUP are the documents required pursuant to the Town's Unified Development Ordinance and an application for site plan approval, along with payment by check in the amount of five hundred dollars (\$500.00) for the two application fees.

As noted in the enclosed application, the County requests that the SUP Application be scheduled for a quasi-judicial hearing at the Board's February or March meeting, as may be convenient to the Town's scheduling.

Should you have any questions or need additional information or documents in connection with these applications, please contact me at your convenience.

Sincerely,


Patrick Buffkin, Staff Attorney
Pender County, North Carolina

cc: Allen Vann, Assistant County Manager; Daniel Adams, Pender County Planning Director

**BEFORE THE BOARD OF
COMMISSIONERS OF
THE TOWN OF BURGAW**

**PENDER COUNTY, NORTH
CAROLINA'S APPLICATION FOR
A SPECIAL USE PERMIT**

Pursuant to the Unified Development Ordinance Section 4.7, PENDER COUNTY, NORTH CAROLINA, a subdivision of the State of North Carolina and a body politic ("the County"), respectfully submits to the TOWN OF BURGAW, NORTH CAROLINA, this application for a special use permit to authorize the use of that certain real property located along Old Savannah Rd. north and west of downtown Burgaw and within the Extraterritorial Jurisdiction of the Town of Burgaw as a detention facility and office for the Pender County Sheriff's Office.

In support of its application, the County respectfully submits the following:

Complete Application form	Attached
Complete Site Plan	Included in Plan Set
Survey of Property and Legal Description	Attached
Legal Documentation of Site Control	Attached
Archeological, Historic, or Natural Features	Included in notes to Plan Set
Identification of Critical Areas	Included in notes to Plan Set
Building Data and Information	Included in notes to Plan Set
UDO Appendix B Information	Included in notes to Plan Set
Traffic Impact Study	Forthcoming
Water Use Information	Included in notes to Plan Set
Identification of County Expert Witnesses	Attached



TOWN OF BURGAW APPLICATION PACKET for SPECIAL USE PERMIT

Special Use Permits are reviewed by the Town Planner, Technical Review Committee before a Public Hearing is held.

Schedule of Meetings

Technical Review Committee	As Needed
Board of Adjustments (Minor special uses)	Third Thursday of Month
Board of Commissioners(Major Special Uses)	Second Tuesday of Month

- Initial Applications for Special Use Permits must be submitted 21 days prior to the appropriate Board meeting.
- The Town will schedule the application for the appropriate board meeting as quickly as possible; however, the Town cannot guarantee a specific date or meeting at which your application will heard by the applicable Board.
- Special Use Permit minor changes may be submitted to the Town Planner at any time.

Fee Schedule

Application for Special Use Permit

General

Not requiring technical review:

Existing structure and not construction \$300

New construction non-residential \$400

Requiring technical review:

Existing structure and not construction \$350

New construction non-residential \$500

Professional Engineering Review, if needed - Direct Cost Recovery

Submittal Requirement checklist for Special Use Permits

Staff may determine that some requirements are not applicable to all applications.

- ☐ Compete Application form
- ☐ Complete Site Plan, 10 copies (see Appendix B of the UDO)
- ☐ Survey of property boundaries and legal description if multiple parcels are included
- ☐ Legal documents indicating unified control over the site, such as a deed or a contract to purchase
- ☐ Identify on the site plan any archeological, historic or natural features to be preserved or protected and note by what means
- ☐ Identify critical areas including but not limited to floodplain, easements, body of water, drainage area, historic, cemetery and topography of the property
- ☐ For each building, a list of the following information:
 - a. List of anticipated uses for each building or property (from permitted use table)
 - b. Expected number of employees
 - c. Hours of operation

- d. Phases of constructions
- e. Setbacks
- f. Impervious surface
- g. Number of parking spaces
- h. Number of signs
- i. Building height

☒ A Traffic Impact Study is required for a Special Use Permit if the estimated traffic generated exceeds 200 trips/day. A sealed letter by the design engineer will have to be submitted documenting the daily trip generation based on the ITE manual. The Traffic Impact Study will have to be reviewed by NCDOT traffic engineering and the Town of Burgaw's traffic engineer prior to the Special Use Permit being scheduled for a public hearing. Refer to Section 9.3 of the Unified Development Ordinance concerning the standards for Traffic Impact Studies.

☒ A statement as to the applicant's expected water use for the daily operations of the site upon completion.

☒ *Section 4.7.1 Purpose and Applicability; Special Uses (E) Entering of competent, material and substantial evidence to enable the record to contain sufficient evidence is part of the application and hearing process. The burden of proof is on the applicant and it is recommended that they provide testimony on the following:*

- a. The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.*
- b. The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this Ordinance.*
- c. The use of the property as proposed will not affect other adjoining or abutting property values.*
- d. The use will not materially endanger the public health or safety, if located where proposed and developed, according to the plan as submitted and approved.*
- e. The increase in vehicular traffic resulting from a proposed development would not pose a danger to public safety.*

These matters should be provided by an expert by providing evidence and testimony for the record.

☒ Reviews by Other Agencies-submit confirmation of approval or their comments

- o NCDOT
 - Traffic Study review and conditions recommended
 - Driveway permit
 - Off-site road improvements

Submittal Requirement Checklist for Special Use Permit Modification or Minor Changes

- ☐ Complete application form
- ☐ An amended to-scale site plan exhibiting the proposed changes
- ☐ A written statement outlining, in detail, the changes proposed
- ☐ To-scale building elevations exhibiting any proposed building façade changes
- ☐ Fee (if applicable) Special Use Permits are now required to be recorded in the Pender County Register of Deeds

Date: 12/4/2023Pin# - - - Project Title: Pender County Law Enforcement CenterParcels #(s) 3219-87-6937-0000**APPLICANT INFORMATION**Name: Pender CountyPhone: 910-259-2110Property Address: Old Savannah Road (No address - property currently vacant)Applicant's Address: 805 S. Walker Street, Burgaw, NC 28425Telephone: 910-259-2110Applicant's Email Address: avann@pendercountync.gov

TAKE NOTICE THAT THE UNDERSIGNED HEREBY PETITIONS THE BOARD ADJUSTMENTS OR TOWN BOARD OF COMMISSIONERS OF THE TOWN OF BURGAW FOR A SPECIAL USE PERMIT AS DESCRIBED IN THE UNIFIED DEVELOPMENT ORDINANCE:

Allen Vann on behalf of Pender County 1/5/24
 SIGNATURE DATE

PROPERTY OWNERLocation: Same as applicant**Property Owner's Signature:**

Allen Vann on behalf of Pender County 1/5/24
 SIGNATURE DATE

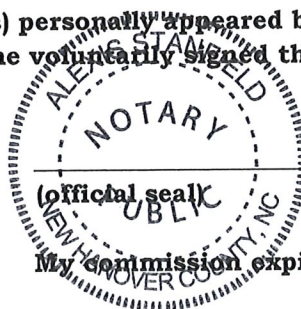
APPLICANT OR APPLICANT'S REPRESENTATIVE MUST BE PRESENT FOR AN APPLICATION TO BE HEARD. IF SOMEONE OTHER THAN THE APPLICANT WILL BE THE REPRESENTATIVE, THE FOLLOWING MUST BE COMPLETED.

I/We Pender County am/are the owner(s) of the property located at 3219-87-6937-0000. I/We herby authorize WithersRavenel to appear on my behalf in order to ask for a special use permit at this location. I/We understand that the special use permit, if granted, is permanent and runs with the land unless otherwise conditioned.

Allen Vann on behalf of Pender County 1/5/24
 Owner's Signature Date

New Hanover County, North Carolina

I certify that the above person(s) personally appeared before me this day, each acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated herein.

Date: 1/5/24

Alexis Stanfield
 Notary Public

My commission expires: 7/30/2028

PROPERTY INFORMATION ----->Current Zoning District(s): RA Total Parcel Acreage: 100.13Adjacent Zoning District(s): RAWater Service: ☒ Public Water ☐ Well Sewer Service: ☒ Public Sewer ☐ Septic Tank**Existing Structures:**

Property is currently vacant farmland

Proposed Structures:

The primary proposed structure is a combination law-enforcement office for the Pender County Sheriff's Office as well as a detention center.

Additionally, accessory structures for evidence storage and other uses relating to the Sheriff's Office may be constructed in the future.

Critical Areas:

- | | |
|---------------------------------------|--|
| ☐ Floodplain | ☐ Drainage/Stream |
| ☐ Easements | ☐ Historic |
| ☐ Pond/Lake | ☐ Cemetery |
| ☐ Steep Slopes | ☐ Other: _____ |

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE FROM PROPERTY OWNER.**

DocuSigned by:

Joseph Boyd

1/5/2024

EEA7107411AC44D...

Applicant's Signature

Date

Allen Vann on behalf of Pender County 1/5/24

Property Owner's Signature

Date

Surveyor/Engineer:

WithersRavenel, Joe Boyd, P.E.

Surveyor's/Engineer Mailing Address:

219 Station Road, Suite 101

City: Wilmington State: NC Zip: 28405Telephone: 919.256-9277Email: jboyd@withersravenel.com


12/13/2023

EEA7107411AC4AD
 Surveyor/Engineer's Signature Date

Expected Uses:	Law Enforcement offices, 911 center, and detention center	Parking Spaces:	245 provided for employees and public
Expected Employees:	To be determined based on need	Number of Signs	2
Hours of Operation:	24 hours	Height of Signs	To be determined, in accordance with Burgaw UDO
Setbacks:	Front: 50 Side: 20 Rear: 40	Building Height	35
Impervious Surface:	Onsite: 5.20 acres Offsite Roadway: 2.74 acres	Phases	1
Outdoor Seating:	0	Music/Noise:	None

Application Received by the Planning Department

Town Planner

Date

Receipt # and Fee Amount

Date

SITE PLAN AND SPECIAL USE PERMITTING FOR

PENDER COUNTY LAW ENFORCEMENT CENTER & ROADWAY EXTENSION

OLD SAVANNAH ROAD | BURGAW, NC | PENDER CO.

JANUARY 17, 2024

PARCEL DATA

PIN: 3219-87-6937-0000
OWNER: County of Pender
ADDRESS: Old Savannah Road
ZONING: RA
AREA: Burgaw
REAL ESTATE ID:

SITE DATA TABLE

BURGAW PROJECT NO.	TBD
PARCEL PIN NO.	3219-87-6937-0000
TOTAL PROJECT AREA (ACRES)	98.81
WATERSHEAD	BURGAW CREEK OF CAPE FEAR RIVER BASIN
EXISTING ZONING & LAND USE	VACANT, RURAL AGRICULTURAL
PROPOSED USE	LAW ENFORCEMENT CENTER
DETENTION CENTER STAFF	30
DETENTION CENTER INMATES	232
LAW ENFORCEMENT CENTER STAFF	163
OPEN SPACE (ACRES)	±89.67
IMPERVIOUS AREA (ACRES):	
ONSITE	±5.25
OFFSITE	±2.75
WAREHOUSE STAFF	4
SETBACKS:	
FRONT	50'
SIDE	20'
REAR	40'
CORNER	50'

STREET YARD: 12' MIN. MAX. IMP. COVERAGE: 15%

PARKING SUMMARY:
PROPOSED PUBLIC PARKING TOTAL: 81 SPACES (4 HANDICAP ACCESSIBLE)
PROPOSED STAFF PARKING TOTAL: 156 SPACES (7 HANDICAP ACCESSIBLE)
PROPOSED MAGISTRATE PARKING TOTAL: 7 SPACES (1 HANDICAP ACCESSIBLE)
TOTAL: 244 SPACES (12 HANDICAP ACCESSIBLE)

INFRASTRUCTURE DATA TABLE

TOTALS	
2" WATER MAIN [LF]	441
6" FIRE LINE [LF]	2,068
12" WATER MAIN [LF]	7,495
8" SEWER MAIN [LF]	1,906
STORM DRAINAGE [LF]	2,022
IMPERVIOUS SURFACE [SF.]	226,512
ESTIMATED SEWER FLOW [GPD]	23,595
ESTIMATED WATER DEMAND [GPD]	23,595
SIDEWALK [LF]	1,408
ROADWAY [LF]	5,671



INDEX OF SHEETS

Sheet Number	Sheet Title
C0.00	COVER
C0.01	NOTES AND LEGENDS
C1.00	OVERALL EXISTING CONDITIONS
C1.01	EXISTING CONDITIONS PLAN
C1.02	EXISTING CONDITIONS PLAN
C2.00	OVERALL SITE PLAN
C2.01	LAW ENFORCEMENT CENTER SITE PLAN
C2.02	LAW ENFORCEMENT CENTER SITE PLAN
C2.03	OFFSITE ROADWAY PLAN
C3.00	OVERALL LAW ENFORCEMENT CENTER DRAINAGE PLAN
C3.01	OVERALL OFFSITE ROADWAY DRAINAGE PLAN
C3.02	LAW ENFORCEMENT CENTER DRAINAGE PLAN
C3.03	LAW ENFORCEMENT CENTER DRAINAGE PLAN
C3.04	OFFSITE ROADWAY DRAINAGE PLAN
C4.00	GRADING PLAN
C4.01	GRADING PLAN
C4.02	OFFSITE ROADWAY GRADING PLAN
C5.00	OVERALL UTILITY PLAN
C5.01	OFFSITE OVERALL UTILITY PLAN
C5.02	DETAILED UTILITY PLAN
C5.03	DETAILED UTILITY PLAN
C6.00	EROSION CONTROL STAGE 1
C6.01	EROSION CONTROL STAGE 1
C6.03	EROSION CONTROL STAGE 2
C6.04	EROSION CONTROL STAGE 2
C6.05	EROSION CONTROL STAGE 2 OFFSITE ROADWAY

INDEX OF SHEETS

Sheet Number	Sheet Title
C6.06	EROSION CONTROL DETAILS
C8.00	SCM PLAN & PROFILE
C8.01	SCM DETAILS
C9.00	SITE DETAILS
C9.01	WATER & SEWER DETAILS
C9.02	SITE, STORMDRAIN, WATER, & SEWER DETAILS
L1.0	OVERALL LANDSCAPE PLAN
L1.1	DETAILED LANDSCAPE PLAN
L2.0	LANDSCAPE DETAILS
SL1.0	OVERALL LIGHTING PLAN
1-3	BUILDING COLORED RENDERINGS

GENERAL NOTES

- PROPERTY BOUNDARY SHOWN AS PROVIDED BY WITHERSRAVENEL, DATED APRIL 4, 2022.
- TOPOGRAPHIC SURVEY SHOWN AS PROVIDED BY WITHERSRAVENEL, DATED MARCH 14, 2022.
- PROPERTY DOES NOT FALL WITHIN FEMA FLOODPLAIN PER FEMA FIRM 3720321900I, EFFECTIVE DATE 02/16/2022.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS AND NCDOT STANDARD DETAILS AND SPECIFICATIONS, LATEST REVISIONS, AS APPLICABLE.
- WORK ON THIS PROJECT SHALL CONFORM TO THESE PLANS. THE LATEST EDITIONS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) ROAD AND BRIDGE SPECIFICATIONS, THE NCDOT ROAD AND BRIDGE STANDARDS, THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL HANDBOOK, THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL REGULATIONS, MUNICIPAL STANDARDS AND SPECIFICATIONS, ANY GEOTECHNICAL REPORTS, AND ANY OTHER APPLICABLE DESIGN STANDARDS. IN THE EVENT OF CONFLICT BETWEEN ANY OF THESE STANDARDS, SPECIFICATIONS, OR PLANS, THE MOST STRINGENT SHALL GOVERN, UNLESS OTHERWISE NOTED IN THESE PLANS.
- ANY DISCREPANCIES, INCONSISTENCIES OR AMBIGUITIES FOUND BETWEEN THE DRAWINGS, SPECIFICATIONS, AND SITE CONDITIONS SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER IN WRITING AND PRIOR TO BIDDING IF APPLICABLE. WORK DONE BY THE CONTRACTOR AFTER THE DISCOVERY OF SUCH DISCREPANCIES, INCONSISTENCIES, OR AMBIGUITIES WITHOUT WRITTEN CLARIFICATION FROM THE ENGINEER AND APPROVAL BY OWNER SHALL BE DONE AT THE CONTRACTOR'S RISK.
- THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL JOBSITE SAFETY DURING ALL PHASES OF CONSTRUCTION. ALL WORK SHALL COMPLY WITH MUNICIPAL, COUNTY AND STATE REGULATIONS, AND O.S.H.A. STANDARDS. CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS AND INTERPRETATIONS OF THE DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA).
- THE CONTRACTOR IS RESPONSIBLE FOR HORIZONTALLY AND VERTICALLY LOCATING, AND SUBSEQUENTLY PROTECTING, ALL PUBLIC OR PRIVATE UTILITIES (SHOWN OR NOT SHOWN) THAT LIE IN OR ADJACENT TO THE PROJECT SITE. THE CONTRACTOR SHALL CALL "811" FOR PROPER IDENTIFICATION OF EXISTING UTILITIES AT LEAST 48 HOURS PRIOR TO ANY DEMOLITION, GRADING, OR CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL REPAIR, AT HIS OWN EXPENSE, ANY EXISTING UTILITIES DAMAGED DURING CONSTRUCTION.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING SITE ELEMENTS, INCLUDING BUT NOT LIMITED TO SIGNS, ROADWAYS, PATHS, STRUCTURES, ELECTRICAL, COMMUNICATION, AND OTHER DRY UTILITIES, WET UTILITIES (SEWER, WATER, STORM SEWER), NATURAL VEGETATION, AND OTHER EXISTING PROPERTY ITEMS, DURING ALL CONSTRUCTION PHASES. THE CONTRACTOR SHALL REPAIR, AT HIS OWN EXPENSE, ANY EXISTING ITEMS DAMAGED DURING CONSTRUCTION.
- CONTRACTOR SHALL MAKE EVERY EFFORT TO SAVE PROPERTY IRONS, MONUMENTS, OTHER PERMANENT POINTS AND LINES OF REFERENCE AND CONSTRUCTION STAKES. A LICENSED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE SHALL REPLACE PROPERTY IRONS, MONUMENTS, AND OTHER PERMANENT POINTS OF REFERENCE DESTROYED BY THE MUNICIPALITY.
- TRAFFIC CONTROL ON PUBLIC STREETS IS THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE IN CONFORMANCE WITH THESE PLANS, THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES," AND/OR AS FURTHER DIRECTED BY THE MUNICIPALITY AND/OR NCDOT.
- CONTRACTOR SHALL PROVIDE, ERECT, AND MAINTAIN SUITABLE BARRIERS, FENCES, SIGNS, FLAGMEN, WATCHMEN, AND OTHER ADEQUATE PROTECTION AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC AND THOSE ENGAGED IN THE CONSTRUCTION WORK. ALL SAFETY MEASURES SHALL BE MAINTAINED AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK. CONSTRUCTION SIGNING SHALL BE CLEARLY LEGIBLE, PROMINENTLY DISPLAYED, AND IN ACCORDANCE WITH THE LATEST EDITION OF CONSTRUCTION AND MAINTENANCE OPERATIONS SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, UNLESS OTHERWISE NOTED ON THE PLANS.
- CONTRACTOR SHALL PLAN AND CONSTRUCT WORK IN ORDER TO CAUSE MINIMUM INCONVENIENCE TO THE OWNER AND THE PUBLIC AND SHALL COORDINATE WITH AND OBTAIN APPROVAL FROM STATE AND LOCAL REGULATORY AGENCIES ON TRAFFIC CONTROL PLANS.
- ALL MATERIAL CLEARED OR DEMOLISHED BY THE CONTRACTOR IN ORDER TO CONSTRUCT THE WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF-SITE AND IF APPLICABLE AT AN APPROVED DISPOSAL FACILITY.
- THE CONTRACTOR SHALL HAVE A COMPLETE SET OF CONTRACT DOCUMENTS AS WELL AS ALL PERMIT APPROVALS AND EASEMENTS ON THE JOB SITE AT ALL TIMES.
- WETLANDS SHOWN WILL HAVE DEED RESTRICTION PROHIBITING GRADING OR FILLING OF LOTS UNLESS SPECIFICALLY PERMITTED BY THE USACE & NCDENR-DWQ.
- DELINEATED WETLAND AREAS SHALL NOT BE CLEARED, DRAINED, OR OTHERWISE DISTURBED UNLESS SPECIFICALLY PERMITTED BY THE U.S. ARMY CORPS OF ENGINEERS AND NCDENR-DWQ.
- CONSTRUCTION STAKEOUT FOR THIS PROJECT MAY BE PERFORMED BY THE CONTRACTOR, USING A DIGITAL (CADD) FILE PROVIDED BY THE ENGINEER. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES FOUND BETWEEN THE DIGITAL FILE AND THE CRITICAL STAKING DIMENSIONS SHOWN ON THIS PLAN (I.E. PAVEMENT WIDTHS, CURB RADI, BUILDING SETBACKS, BUILDING FOOTPRINTS, ETC.). ANY MODIFICATIONS MADE BY OTHERS TO THE DIGITAL FILE PROVIDED BY THE ENGINEER SHALL RENDER IT VOID.
- CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS FOR FIRE LANES, PARKING STALLS, ACCESSIBLE PARKING SYMBOLS, AND MISCELLANEOUS STRIPING WITHIN PARKING LOT AND AROUND BUILDINGS AS SHOWN ON THE PLANS. ALL PAINT FOR PAVEMENT MARKINGS SHALL ADHERE TO NCDOT STANDARDS, UNLESS NOTED OTHERWISE.
- TESTING OF MATERIAL REQUIRED FOR THE CONSTRUCTION OF THE IMPROVEMENTS SHALL BE PERFORMED BY AN APPROVED AGENCY FOR TESTING MATERIALS. THE NOMINATION OF THE TESTING LAB AND THE PAYMENT OF EACH TESTING SERVICES SHALL BE MADE BY THE OWNER. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO SHOW BY STANDARD TESTING PROCEDURES THAT THE WORK CONSTRUCTED MEETS THE REQUIREMENT OF THE NCDOT AND MUNICIPAL SPECIFICATIONS.
- NO CHANGES TO ANY ASPECT OF THIS SITE PLAN, INCLUDING BUT NOT LIMITED TO, LANDSCAPING, GRADING, BUILDING ELEVATIONS, LIGHTING OR UTILITIES WILL BE MADE WITHOUT THE TOWN'S APPROVAL.
- THE SITE SHALL BE STABILIZED AND SEEDDED PRIOR TO THE ISSUANCE OF A CERTIFICATION OF OCCUPANCY OR GUARANTEED BY APPROVED METHODS IF APPLICABLE.
- ALL REQUIRED IMPROVEMENT SHALL COMPLY WITH THE STANDARDS OF THE UNIFIED DEVELOPMENT ORDINANCE.

CONTACT LIST:

WithersRavenel
1410 Commonwealth Drive, Suite 101
Wilmington, NC 28403
910-256-9277

Pender County
805 S. Walker St.
Burgaw, NC 28425
910-259-1200

Moseley Architects
911 N. West St. #205
Raleigh, NC 27603
919-840-0091

PREPARED BY:

WithersRavenel
Our People, Your Success

219 Station Road | Ste 101 | Wilmington, NC 28405 | t: 910.256.9277 | license #: F-1479 | www.withersravenel.com

ARCHITECT

MOSELEYARCHITECTS

6210 ARDREY KELL ROAD, THE HUB AT WAVERLY, SUITE 425 CHARLOTTE, NC 28277

PHONE (704) 540-3755 FAX (704) 540-3754

MOSELEYARCHITECTS.COM

CONSTRUCTION DOCUMENTS
PENDER COUNTY
LAW ENFORCEMENT CENTER
& ROADWAY EXTENSION
WB PROJECT NO. 190856.00
TOWN OF BURGAW
MUNI PROJ NO. 1A
DECEMBER 15, 2023

DEMOLITION NOTES

1. CONTRACTOR TO COORDINATE WITH THE OWNER TO PROPERLY MAINTAIN OR RELOCATE EXISTING SERVICE CONNECTIONS WHEN NECESSARY.
2. CONTRACTOR IS TO WALK THE SITE AND BECOME FAMILIAR WITH THE SCOPE OF DEMOLITION REQUIRED. ALL DEMOLITION WORK REQUIRED TO CONSTRUCT NEW SITE IMPROVEMENTS WILL BE PERFORMED BY THE CONTRACTOR AND WILL BE UNCLASSIFIED EXCAVATION.
3. DEMOLITION SHALL INCLUDE, BUT IS NOT LIMITED TO, THE EXCAVATION, HAULING AND OFFSITE DISPOSAL OF CONCRETE PADS, CONCRETE DITCHES, FOUNDATIONS, SLABS, STEPS, AND STRUCTURES; ABANDONED UTILITIES, BUILDINGS, PAVEMENTS AND ALL MATERIALS CLEARED AND STRIPPED TO THE EXTENT NECESSARY AS DIRECTED BY THE SOILS ENGINEER FOR THE INSTALLATION OF THE NEW IMPROVEMENTS AND WITHIN THE LIMITS OF CLEARING AND GRADING AND AS SHOWN ON THESE PLANS.
4. THE CONTRACTOR SHALL PROTECT ALL ADJACENT PROPERTY, STRUCTURES AND UTILITIES ON THE PROPERTY NOT TO BE DEMOLISHED. DAMAGE TO PROPERTIES OF OTHERS DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPLACED IN KIND BY THE CONTRACTOR AT NO COST TO OWNER.
5. ELECTRIC, TELEPHONE, SANITARY SEWER, WATER AND STORM SEWER UTILITIES THAT SERVICE OFF-SITE PROPERTIES SHALL BE MAINTAINED DURING THE CONSTRUCTION PROCESS BY THE CONTRACTOR.
6. EXISTING UTILITIES NOT INTENDED FOR DEMOLITION SHALL BE MAINTAINED, PROTECTED AND UNDISTURBED DURING DEMOLITION.
7. ALL EXISTING IMPROVEMENTS INDICATED OR REQUIRED TO BE DEMOLISHED SHALL INCLUDE REMOVAL FROM THE PROPERTY AND PROPER DISPOSAL.
8. CONTRACTOR SHALL COORDINATE RELOCATION OF ALL EXISTING OVER HEAD AND UNDERGROUND UTILITIES INCLUDING CABLE, GAS, TELEPHONE AND ELECTRIC AND ANY OTHER UTILITIES THROUGH THE SITE WITH THE RESPECTIVE COMPANIES.
9. PROVIDE SMOOTH SAW CUT OF EXISTING PAVEMENTS, CURBS AND GUTTERS AND SIDEWALKS TO BE DEMOLISHED.
10. ALL DEMOLITION WORK SHALL BE DONE IN STRICT ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS AS WELL AS OSHA REGULATIONS.
11. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS, BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATIONS OF THE MAINS BY DIGGING TEST PITS BY HAND.

STORM DRAINAGE NOTES

1. CONTRACTOR SHALL VERIFY AND COORDINATE ALL DIMENSIONS SHOWN, INCLUDING THE HORIZONTAL AND VERTICAL LOCATION OF CURB INLETS AND GRATE INLETS AND ALL UTILITIES CROSSING THE STORM SEWER.
2. CONTRACTOR SHALL PROVIDE ALL MATERIALS AND APPURTENANCES NECESSARY FOR COMPLETE INSTALLATION OF THE STORM SEWER.
3. ALL RCP STORM SEWER SHALL BE MINIMUM CLASS III REINFORCED CONCRETE PIPE, UNLESS OTHERWISE NOTED.
4. THE LOCATIONS OF STORM SEWER STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. WHERE PROPOSED STORM SEWER PIPING TIES TO EXISTING STRUCTURES, PIPES, SWALES, ETC., THE CONTRACTOR SHALL FIELD ADJUST PROPOSED STORM SEWERS TO MATCH THE LOCATIONS OF THESE EXISTING FEATURES.
5. UPON COMPLETION OF A PROJECT, AND BEFORE A CERTIFICATE OF OCCUPANCY SHALL BE GRANTED, THE APPLICANT SHALL CERTIFY THAT THE COMPLETED PROJECT IS IN ACCORDANCE WITH THE APPROVED STORMWATER MANAGEMENT PLANS AND DESIGNS, AND SHALL SUBMIT ACTUAL "AS BUILT" PLANS FOR ALL STORMWATER MANAGEMENT FACILITIES OR PRACTICES AFTER FINAL CONSTRUCTION IS COMPLETED."
6. ALL STORM DRAINAGE PIPE SHALL HAVE A MINIMUM COVER OF 2 FEET FROM FINISHED SUBGRADE TO THE PIPE CROWN IN TRAFFIC, UNLESS APPROVED BY THE TOWN.
7. ALL STORM DRAINAGE PIPE SHALL HAVE A MINIMUM COVER OF 1 FOOT TO THE PIPE CROWN IN NON-TRAFFIC AREAS.
8. STORM SEWER PIPE ENDS SHALL BE FURNISHED WITH REINFORCED CONCRETE PIPE FLARED END SECTION UNLESS OTHERWISE SPECIFIED ON PLANS.
9. EACH DRAINAGE STRUCTURE SHALL HAVE A SHAPED INVERT CONSTRUCTED FROM CONCRETE, AND A BENCH WITH A MAXIMUM MAXIMUM 5:1 SLOPE OF 5:1. SLOPE OF 5:1. HEIGHT OF ONE-HALF THE PIPE DIAMETER FOR 12 TO 24 INCH PIPE, ONE-THIRD THE PIPE DIAMETER FOR 30-48 INCH PIPE, AND ONE-FOURTH THE DIAMETER FOR PIPE GREATER THAN 48 INCHES.
10. ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES.

GRADING NOTES

1. REFER TO SITE CONSTRUCTION PLANS FOR CLEARING LIMITS AND TEMPORARY EROSION CONTROL DEVICES TO BE INSTALLED PRIOR TO COMMENCING CONSTRUCTION.
2. ALL AREAS SHALL BE GRADED FOR POSITIVE DRAINAGE, AND AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SITE DRAINAGE DURING ALL PHASES OF CONSTRUCTION. IN ADDITION TO THE MEASURES SHOWN IN THESE PLANS, THE CONTRACTOR SHALL USE INTERIM DIVERSION DITCHES, BERMS, OR OTHER METHODS AS REQUIRED TO DIRECT DRAINAGE AS SHOWN ON THESE PLANS AND TO PREVENT SILT AND CONSTRUCTION DEBRIS FROM FLOWING ONTO ADJACENT PROPERTIES, ROADWAYS, AND ENVIRONMENTALLY SENSITIVE AREAS SUCH AS BUFFERS AND WETLANDS.
3. CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANIES FOR ANY REQUIRED UTILITY ADJUSTMENTS AND/OR RELOCATIONS.
4. ALL MATERIALS USED FOR BACKFILL SHALL BE FREE OF WOOD, ROOTS, ROCKS, BOULDERS, OR ANY OTHER NON-COMPATIBLE SOIL TYPE MATERIAL. UNSATISFACTORY MATERIALS ALSO INCLUDE MAN-MADE FILLS AND REFUSE DEBRIS DERIVED FROM ANY SOURCE. REFER TO FINAL GEOTECHNICAL REPORT FOR ANY SPECIAL FILL MATERIAL REQUIRED FOR THIS PROJECT, IF ANY.
5. MATERIALS USED TO CONSTRUCT EMBANKMENTS FOR ANY PURPOSE, BACKFILL AROUND DRAINAGE STRUCTURES, OR IN UTILITY TRENCHES FOR ANY OTHER DEPRESSION REQUIRING FILL OR BACKFILL SHALL MEET THE REQUIREMENTS OF THE FINAL GEOTECHNICAL REPORT RECOMMENDATIONS, AND SHALL AT A MINIMUM BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST AS SET OUT IN ASTM STANDARD D-1557.
6. THE CONTRACTOR SHALL, PRIOR TO ANY OPERATIONS INVOLVING FILLING OR BACKFILLING, SUBMIT THE RESULTS OF THE PROCTOR TEST TOGETHER WITH A CERTIFICATION THAT THE SOIL TESTED IS REPRESENTATIVE OF THE MATERIALS TO BE USED ON THE PROJECT. TESTS SHALL BE CONDUCTED BY A CERTIFIED MATERIALS TESTING LABORATORY AND CERTIFICATIONS MADE BY A LICENSED PROFESSIONAL ENGINEER REPRESENTING THE LABORATORY.
7. RETAINING SYSTEMS PROVIDING A CUMULATIVE VERTICAL RELIEF GREATER THAN FIVE FEET IN HEIGHT WITHIN A HORIZONTAL DISTANCE OF 50 FEET OR LESS, INCLUDING RETAINING WALLS OR MECHANICALLY STABILIZED EARTH WALLS SHALL BE DESIGNED AND CONSTRUCTED UNDER THE RESPONSIBLE CHARGE OF A REGISTERED PROFESSIONAL ENGINEER AND COMPLY IN ALL ASPECTS WITH THE NC BUILDING CODE SECTION 1610. RETAINING SYSTEMS MEETING THESE CRITERIA WILL REQUIRE A SEPARATE BUILDING PERMIT PRIOR TO THE START OF WORK.
8. ALL DEMOLITION DEBRIS AND OTHER EXCESS MATERIAL SHALL BE HAULED OFF-SITE.
9. REFERENCE STRUCTURAL DRAWINGS AND SPECIFICATIONS AND GEOTECHNICAL REPORT FOR BUILDING PAD AND PAVING SUBGRADE INFORMATION.

10. PROPOSED CONTOURS AND GUTTER GRADIENTS ARE APPROXIMATE. PROPOSED SPOT ELEVATIONS ARE TO BE USED IN CASE OF DISCREPANCY.
11. CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED FOR BLASTING ROCK IF BLASTING ROCK IS ENCOUNTERED. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL BLASTING AND SAFETY REQUIREMENTS.
12. CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ANY DEWATERING NECESSARY TO CONSTRUCT THE PROJECT AS SHOWN ON THE PLANS.
13. ACCESSIBLE ROUTES AND PARKING AREAS MUST BE PROVIDED IN ACCORDANCE WITH THE CURRENT ADA REQUIREMENTS. THE RUNNING SLOPE OF WALKING SURFACES CANNOT BE STEEPER THAN 1:20 AND CROSS SLOPE OF WALKING SURFACES CANNOT BE STEEPER THAN 1:48, WHICH INCLUDES CROSSWALKS.
14. THE PLACEMENT OF ANY FILL MATERIAL MUST BE CONDUCTED UNDER THE OBSERVATION OF A QUALIFIED LICENSED GEOTECHNICAL ENGINEER AND UPON COMPLETION OF THE EARTHWORK ACTIVITIES THE TOWN MUST BE PROVIDED WITH A FINAL GRADING REPORT THAT INCLUDES THE CORRESPONDING COMPACTION TEST RESULTS AND CERTIFIES THE TYPE OF FILL MATERIAL AND ITS PROPER PLACEMENT.
15. MASS GRADING OPERATIONS SHALL BE PHASED TO LIMIT EXPOSED AREAS. PRIOR TO PROCEEDING TO ANOTHER PHASE, THE PRESENT PHASE SHALL BE STABILIZED WITH ADEQUATE GROUND COVER SUFFICIENT TO RESTRAIN EROSION AND HAVE ALL INFRASTRUCTURE INSTALLED. MASS GRADING AND CLEARING SHALL NOT EXCEED 20 ACRES PER PHASE INCLUDING GRADING NECESSARY FOR INFRASTRUCTURE, EXCEPT WHERE THE TECHNICAL REVIEW COMMITTEE APPROVES AN INCREASE SUBJECT TO REVIEW OF AN EROSION CONTROL PLAN SUBMITTED WITH THE CONSTRUCTION DRAWINGS.
16. WETLANDS SHOWN WILL HAVE DEED RESTRICTION PROHIBITING GRADING OR FILLING OF LOTS UNLESS SPECIFICALLY PERMITTED BY THE USACOE & NC DENR-DWQ.
17. DELINEATED WETLAND AREAS SHALL NOT BE CLEARED, DRAINED, OR OTHERWISE DISTURBED UNLESS SPECIFICALLY PERMITTED BY THE U.S. ARMY CORPS OF ENGINEERS AND NC DENR-DWQ.
18. CONSTRUCTION STAKEOUT FOR THIS PROJECT MAY BE PERFORMED BY THE CONTRACTOR, USING A DIGITAL (CADD) FILE PROVIDED BY THE ENGINEER. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES FOUND BETWEEN THE DIGITAL FILE AND THE CRITICAL STAKING DIMENSIONS SHOWN ON THIS PLAN (I.E. PAVEMENT WIDTHS, CURB RADII, BUILDING SETBACKS, BUILDING FOOTPRINTS, ETC.). ANY MODIFICATIONS MADE BY OTHERS TO THE DIGITAL FILE PROVIDED BY THE ENGINEER SHALL RENDER IT VOID.
19. THE FRAMES AND COVERS OF ALL EXISTING AND PROPOSED DRAINAGE, SANITARY SEWER, WATER MAIN, GAS AND WIRE UTILITY STRUCTURES SHALL BE ADJUSTED TO MATCH PROPOSED FINISHED ELEVATIONS AND SLOPES.
20. WHERE PROPOSED CURB AND GUTTER TIES TO EXISTING CURB OR CURB AND GUTTER, A TRANSITION OF 10' SHALL BE MADE TO CONFORM TO THE EXISTING HEIGHTS AND SHAPES.
21. BEFORE ANY EARTHWORK IS DONE, THE CONTRACTOR SHALL STAKE OUT AND MARK THE LIMITS OF PAVEMENT AND OTHER ITEMS ESTABLISHED IN THE PLANS. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY SURVEYING FOR LINE AND GRADE CONTROL POINTS RELATED TO EARTHWORK.
22. ALL PAVEMENT SUBGRADES SHALL BE SCARIFIED TO A DEPTH OF 8 INCHES AND COMPACTED TO A MINIMUM DENSITY OF 100 PERCENT OF ASTM D-1557 DENSITY AT OPTIMUM MOISTURE CONTENT UNLESS OTHERWISE SHOWN ON THE CONSTRUCTION PLANS OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
23. FILL SHALL BE PLACED AND COMPACTED AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
24. ALL CURB JOINTS SHALL EXTEND THROUGH THE CURB. MINIMUM LENGTH OF OFFSET JOINTS AT RADIUS POINTS IS 1.5'. ALL JOINTS SHALL BE SEALED WITH JOINT SEALANT.
25. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL SOIL TESTING IS PERFORMED AND THE RESULTS FORWARDED TO THE ENGINEER AND OWNER.
26. TREE PROTECTION FENCING SHALL BE INSTALLED AND INSPECTED PRIOR TO ISSUANCE OF A GRADING PERMIT. FENCING SHALL NOT BE REQUIRED ADJACENT TO AREAS WITHOUT WOODED VEGETATION. FENCING SHALL BE MAINTAINED ON THE SITE UNTIL ALL SITE WORK IS COMPLETED AND THE FINAL SITE INSPECTION PRIOR TO THE CERTIFICATE OF OCCUPANCY (CO) IS SCHEDULED. THE FENCING SHALL BE REMOVED PRIOR TO FINAL SITE INSPECTION FOR THE CO.
27. EROSION & SEDIMENT CONTROL NOTES:
28. CONTRACTOR SHALL CONSTRUCT DIVERSION DITCHES AS NECESSARY TO ENSURE ALL SEDIMENT IS DIRECTED INTO EROSION CONTROL MEASURES.
29. CONTRACTOR SHALL CLEAR ONLY AS REQUIRED TO INSTALL EROSION AND SEDIMENT CONTROL MEASURES. CONTRACTOR SHALL INSTALL SILT FENCE, SEDIMENT BASINS, DIVERSION DITCHES, AND THEN BEGIN GRADING ROADWAYS.
30. IF STORM CROSS DRAINAGE CAN NOT BE INSTALLED PRIOR TO GRADING, TEMPORARY HDPE SHALL BE USED TO CROSS WET WEATHER CHANNELS.
31. CONTRACTOR SHALL ENSURE GRADING OPERATION IS CONDUCTED IN A MANNER THAT DOES NOT ALLOW ANY SEDIMENT INTO CREEKS.
32. ALL STORM DRAINAGE PIPE SHALL BE PROTECTED DURING CONSTRUCTION.
33. CONTRACTOR SHALL PROVIDE RIP RAP LINED TAIL DITCHES AT THE STORM DRAINAGE PIPE DISCHARGE POINTS AS REQUIRED TO ENSURE POSITIVE DRAINAGE.
34. TO AVOID SLOPE EROSION, CONTRACTOR SHALL INSTALL TEMPORARY SLOPE DRAINS PER DETAIL AT LOCATIONS WHERE TEMPORARY DIVERSION DITCHES DISCHARGE INTO A SKIMMER BASIN.
35. SEDIMENT BASINS SHALL BE KEEP OUT OF WETLAND AREAS.
36. PERMANENT GROUND COVER SHALL BE ESTABLISHED PER NPDES LATEST REQUIREMENTS. ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES AND ALL SLOPES STEEPER THAN 3:1 SHALL BE PROVIDED GROUND COVER WITHIN 7 CALENDAR DAYS FROM THE LAST DISTURBANCE. ALL OTHER DISTURBED AREAS SHALL BE PROVIDED GROUND COVER WITHIN 14 CALENDAR DAYS FROM THE LAST DISTURBANCE. TOPSOIL SHALL BE WASTED OFFSITE OR IN FILL AREAS AS SHOWN.
37. TEMPORARY DIVERSIONS ARE TO REMAIN IN PLACE UNTIL THE STORM DRAINAGE SYSTEM IS IN PLACE AND THE UPSTREAM AREA IS STABILIZED.
38. FOREBAY WILL NOT BE REQUIRED WHILE SCM IS ACTING AS AN EROSION CONTROL DEVICE.
39. THE TREE PROTECTION FENCE SHALL BE MAINTAINED ON THE SITE UNTIL ALL SITE WORK IS COMPLETED AND THE FINAL SITE INSPECTION PRIOR TO THE CERTIFICATE OF OCCUPANCY (CO) IS SCHEDULED. THE FENCING SHALL BE REMOVED PRIOR TO FINAL SITE INSPECTION FOR THE CO.
40. A GRAVEL CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED AT EACH POINT OF CONSTRUCTION ACCESS.
41. ALL CATCH BASIN HOODS SHALL BE STAMPED "DRAINS TO RIVER" WITH 3/4" HIGH LETTERING.
42. THE CONTRACTOR SHALL MARK THE LIMITS OF THE BUFFER WITH ORANGE TREE PROTECTION FENCE WITH APPROPRIATE SIGNAGE. TREE PROTECTION FENCE SHALL BE INSTALLED ALONG THE OUTER ZONE OF ANY STREAM BUFFERS IF THERE IS ANY CONSTRUCTION WITHIN 50 FEET OF THE EDGE OF THE BUFFER. THIS MUST BE DONE PRIOR TO STARTING ANY CLEARING, AND MUST BE DONE TO OBTAIN A CERTIFICATE OF COMPLIANCE. IF THE DEVELOPER HAS RECEIVED APPROVAL TO WORK IN THE FIRST 20 FEET OF THE BUFFER, THEN THE LAST 30 FEET BOUNDARY SHALL BE MARKED IN THE AREA ADJACENT TO THIS WORK. OTHERWISE THE ENTIRE 50 FEET SHALL BE MARKED. THIS MARKING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT DISTURBED AREAS HAVE BEEN COMPLETED AND STABILIZED.

TREE PROTECTION NOTES

1. ALL TREES THAT ARE TO REMAIN, WITHIN OR DIRECTLY ADJACENT TO THE LIMITS OF WORK, MUST BE PROTECTED WITH 6" TALL CHAIN LINK FENCE TO THE EXTENT OF THE TREE BOX OR THE DRIP LINE IN A PLANTING STRIP. THE DRIP LINE IS DEFINED AS THE GROUND AREA UNDER THE CANOPY OF THE TREE. FENCING IS TO BE INSTALLED PRIOR TO CONSTRUCTION, MAINTAINED THROUGHOUT, AND REMOVED ONLY AT THE END OF THE PROJECT.
2. NONE OF THE FOLLOWING SHALL OCCUR WITHIN THE ROOT ZONE OF A TREE WITHOUT PERMISSION OF LANDSCAPE ARCHITECT OR PROJECT ARBORIST: ALTERATION OR DISTURBANCE TO EXISTING GRADE; STAGING OR STORAGE OF CONSTRUCTION MATERIALS, EQUIPMENT, SOIL OR DEBRIS; TRENCHING; OR DISPOSAL OF ANY LIQUIDS.
3. NO HEAVY EQUIPMENT SHALL BE USED WITHIN THE DRIP LINE OF AN EXISTING TREE.
4. APPROVED EXCAVATIONS WITHIN THE DRIP LINE SHALL PROCEED WITH CARE BY USE OF HAND TOOLS OR EQUIPMENT THAT WILL NOT CAUSE INJURY TO TREE TRUNKS, BRANCHES AND ROOTS.
5. NO ROOTS GREATER THAN 2 INCHES IN DIAMETER SHALL BE CUT WITHOUT PERMISSION OF LANDSCAPE ARCHITECT OR PROJECT ARBORIST. EXPOSED ROOTS 2 INCHES AND LARGER IN DIAMETER SHALL BE WRAPPED IN BURLAP OR OTHER APPROVED MATERIAL AND KEPT MOIST AT ALL TIMES.
6. IF THERE ARE ANY TREE CONFLICTS ON THIS JOB SITE, PERMIT HOLDER MUST SUSPEND ALL WORK THAT CONTRIBUTES TO THE CONFLICT AND IMMEDIATELY CONTACT LANDSCAPE ARCHITECT OR PROJECT ARBORIST FOR DIRECTION AND CLEARANCE TO CONTINUE THE CONFLICTING WORK.
7. TREES THAT ARE PROTECTED SHALL BE THOROUGHLY WATERED AS REQUIRED TO KEEP ROOT BALLS FROM DRYING OUT, ESPECIALLY BETWEEN APRIL THROUGH SEPTEMBER.

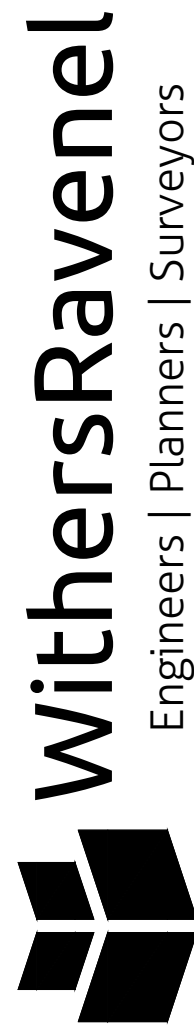
UTILITY NOTES

1. ALL FILL MATERIAL IS TO BE IN PLACE AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES.
2. ALL NECESSARY INSPECTIONS, CERTIFICATIONS, OR TESTING REQUIRED BY CODES OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO MUNICIPAL APPROVAL FOR THE FINAL CONNECTION OF SERVICE.
3. CONTRACTOR SHALL PROVIDE ALL MATERIALS AND APPURTENANCES NECESSARY FOR COMPLETE INSTALLATION OF THE IMPROVEMENTS SHOWN.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATION OF EXISTING UTILITIES IF REQUIRED DURING INSTALLATION OF NEW WORK. THERE WILL BE NO ADDITIONAL OR SEPARATE PAY ITEM FOR THIS WORK UNLESS SPECIFICALLY CALLED OUT IN THE BID FORM. ANY RELOCATION OF EXISTING UTILITIES MUST BE COORDINATED WITH THE AFFECTED UTILITY COMPANY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS AND FEES FOR THE ABANDONMENT OF WELLS AND SEPTIC SYSTEMS.
6. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE NC DEQ WELL AND SEPTIC SYSTEM STANDARDS. AN ABANDONMENT PERMIT SHALL BE OBTAINED FROM THE COUNTY ENVIRONMENTAL HEALTH DIVISION PRIOR TO COMMENCING ABANDONMENT WORK.
7. LANDSCAPING OR PARKING CANNOT BLOCK OR IMPEDE THE FDC OR FIRE HYDRANTS. A 3-FOOT (3') CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF ANY HYDRANT, FDC OR OTHER FIRE DEPARTMENT EQUIPMENT.
8. HYDRANTS MUST BE LOCATED WITHIN LOCALITY SPECIFIED LOCATIONS.
9. A MINIMUM OF 10' SHALL SEPARATE UNDERGROUND FIRE LINES OR PRIVATE WATER MAINS FROM OTHER UNDERGROUND UTILITIES.
10. NEW HYDRANTS MUST BE AVAILABLE FOR USE PRIOR TO CONSTRUCTION OF THE BUILDING(S).
11. CONTRACTOR SHALL MAINTAIN AN ALL WEATHER ACCESS FOR EMERGENCY VEHICLES AT ALL TIMES DURING CONSTRUCTION.
12. ADDITIONAL FIRE PROTECTION AND ACCESSIBILITY REQUIREMENTS MAY BE REQUIRED DUE TO ANY SPECIAL CIRCUMSTANCES CONCERNING THE PROJECT.
13. ALL ISOLATION VALVES WITHIN THE "HOT BOX" SHALL BE ELECTRICALLY SUPERVISED. PLEASE WORK WITH YOUR FIRE SPRINKLER AND ALARM INSTALLER IN REGARDS TO RUNNING WIRE FOR TAMPER SWITCH.
14. ROADWAYS AND BUILDINGS MUST BE CAPABLE OF SUPPORTING FIRE APPARATUS DURING CONSTRUCTION.
15. PLANS TO NOT PURPORT TO SHOW ALL EXISTING UTILITIES.
16. CONTRACTOR SHALL REPLACE WITH NEW ALL DRIVEWAY PIPES AND OTHER DRAINAGE PIPES/CULVERTS THAT ARE DISTURBED WHILE INSTALLING THE UTILITIES. ALL PIPE/CULVERTS SHALL MEET THE REQUIREMENTS OF NCDOT.
17. ALL ROADWAY DITCHES DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO PRE-CONSTRUCTION CONDITION OR BETTER AND CONFORM TO NCDOT REQUIREMENTS. ALL DITCHES SHALL BE LINED WITH EROSION CONTROL MATTING UNLESS OTHERWISE NOTED.
18. ALL EXCAVATED MATERIAL SHALL BE PLACED WITHIN THE LIMITS OF DISTURBANCE DURING UTILITY INSTALLATION. THE CONTRACTOR SHALL PROVIDE THE NECESSARY SEDIMENT AND EROSION CONTROL MEASURES TO CONTROL RUN-OFF. ALL EXCESS EXCAVATED MATERIAL SHALL BE REMOVED FROM THE CONSTRUCTION SITE AND DISPOSED OF LEGALLY.

LEGEND

(UNLESS OTHERWISE DENOTED)

DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED
1' CONTOUR INTERVAL			WOODS LINE		N/A
5' CONTOUR INTERVAL			WATERWAYS		N/A
PROPERTY LINE			TREE PROTECTION FENCE	N/A	— TP —
ROADWAY CENTERLINE			SILT FENCE	N/A	— SF —
RIGHT OF WAY LIMITS		N/A	SPOT ELEVATION		
EASEMENT LINE			GUY ANCHOR		N/A
CURB & GUTTER			POWER POLE		N/A
EDGE OF PAVEMENT			LIGHT POLE		N/A
SANITARY SEWER FACILITIES			PROPERTY IRON		N/A
STORM SEWER FACILITIES			CURB INLET		N/A
WATERLINE			STORM DRAIN JUNCTION BOX		N/A
FIRE HYDRANT ASSEMBLY			YARD INLET		N/A
FORCE MAIN			WATER METER		N/A
ELECTRIC		N/A	CONCRETE MONUMENT		N/A
OVERHEAD ELECTRIC		N/A	TELEPHONE PEDESTAL		N/A
GAS MAIN		N/A	MAIL BOX		N/A
TELEPHONE		N/A	WATER VALVE		
STRUCTURES			CHECK DAM	N/A	
FENCING STRUCTURE			INLET PROTECTION	N/A	
TELEVISION PEDESTAL		N/A	SILT FENCE	N/A	— SF —
WATER MANHOLE		N/A	SILT FENCE OUTLET	N/A	
TELEPHONE MANHOLE		N/A			
FLARED END SECTION		N/A			
SANITARY SEWER MANHOLE		N/A			
GAS VALVE		N/A			
UTILITY MANHOLE		N/A			
ELECTRICAL PEDESTAL		N/A			
SIGN		N/A			
FIBER OPTIC MARKER		N/A			



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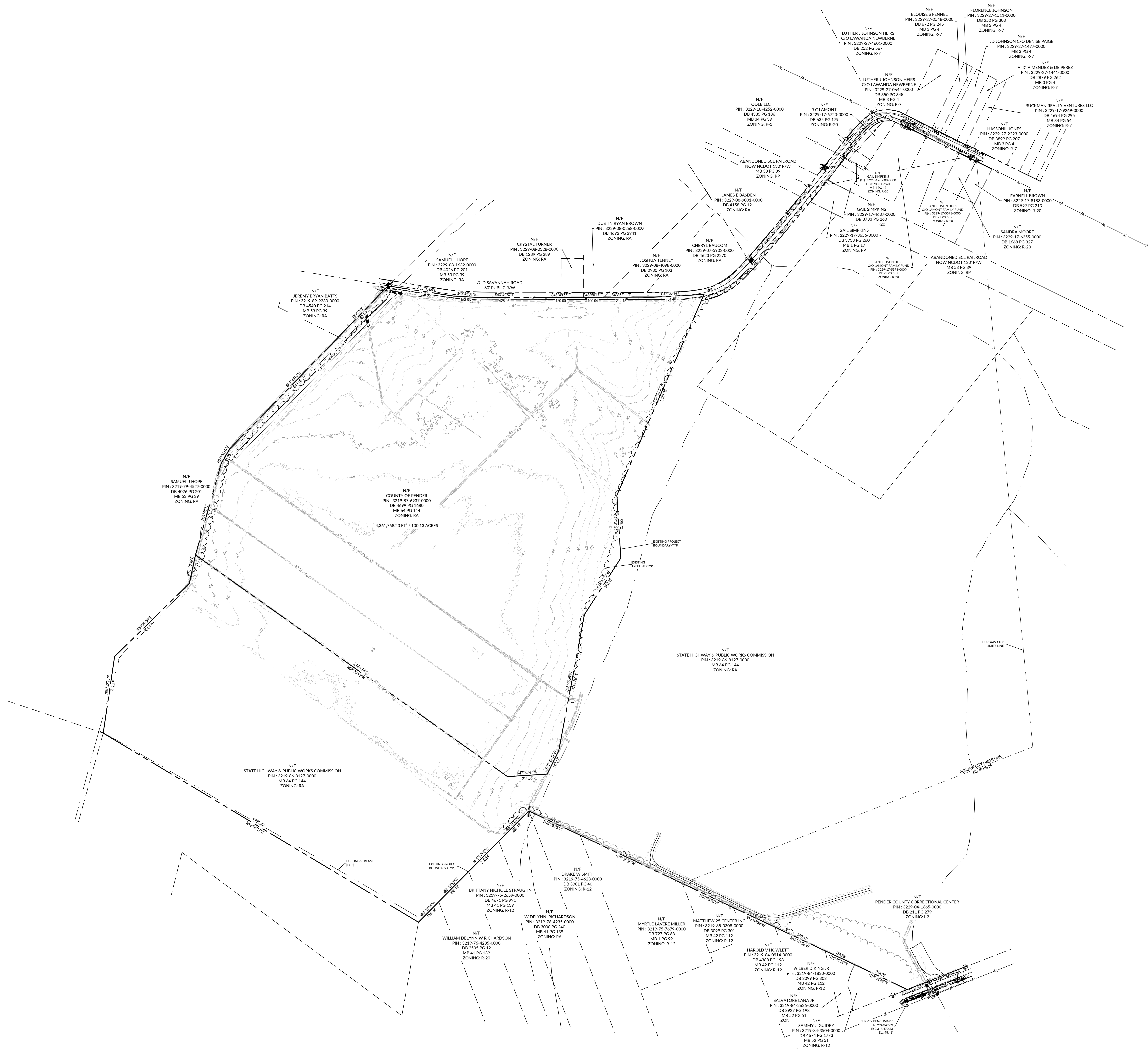
PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO:	611888
DATE:	12/15/2023
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

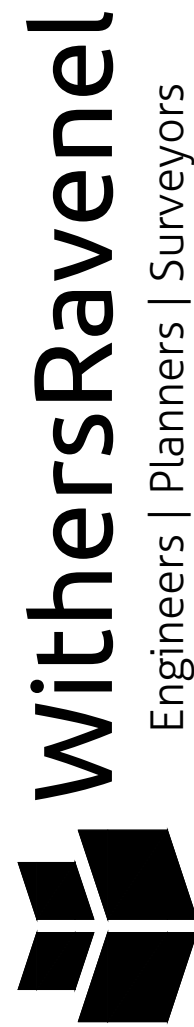
NOTES AND
LEGENDS

C0.01





MATCHLINE - SEE SHEET C1.02 FOR OFFSITE EXISTING CONDITIONS

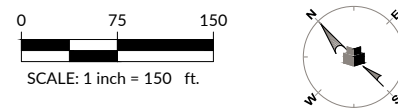


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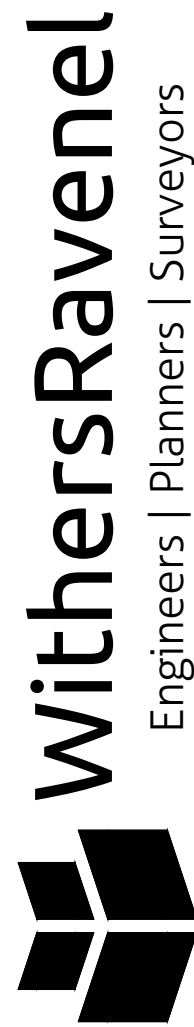
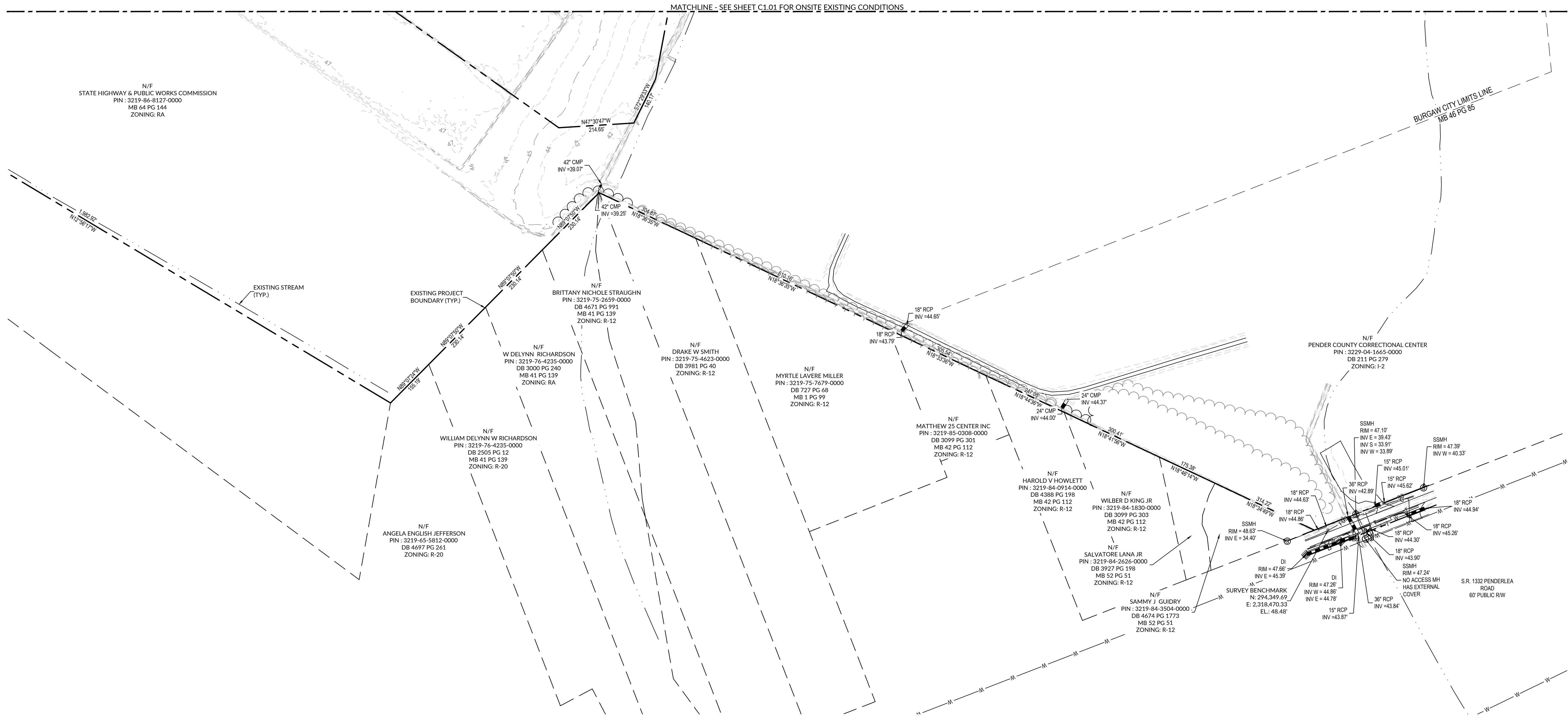
PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

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EXISTING
CONDITIONS PLAN

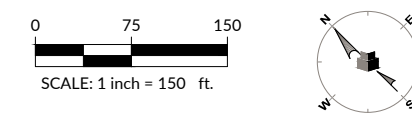
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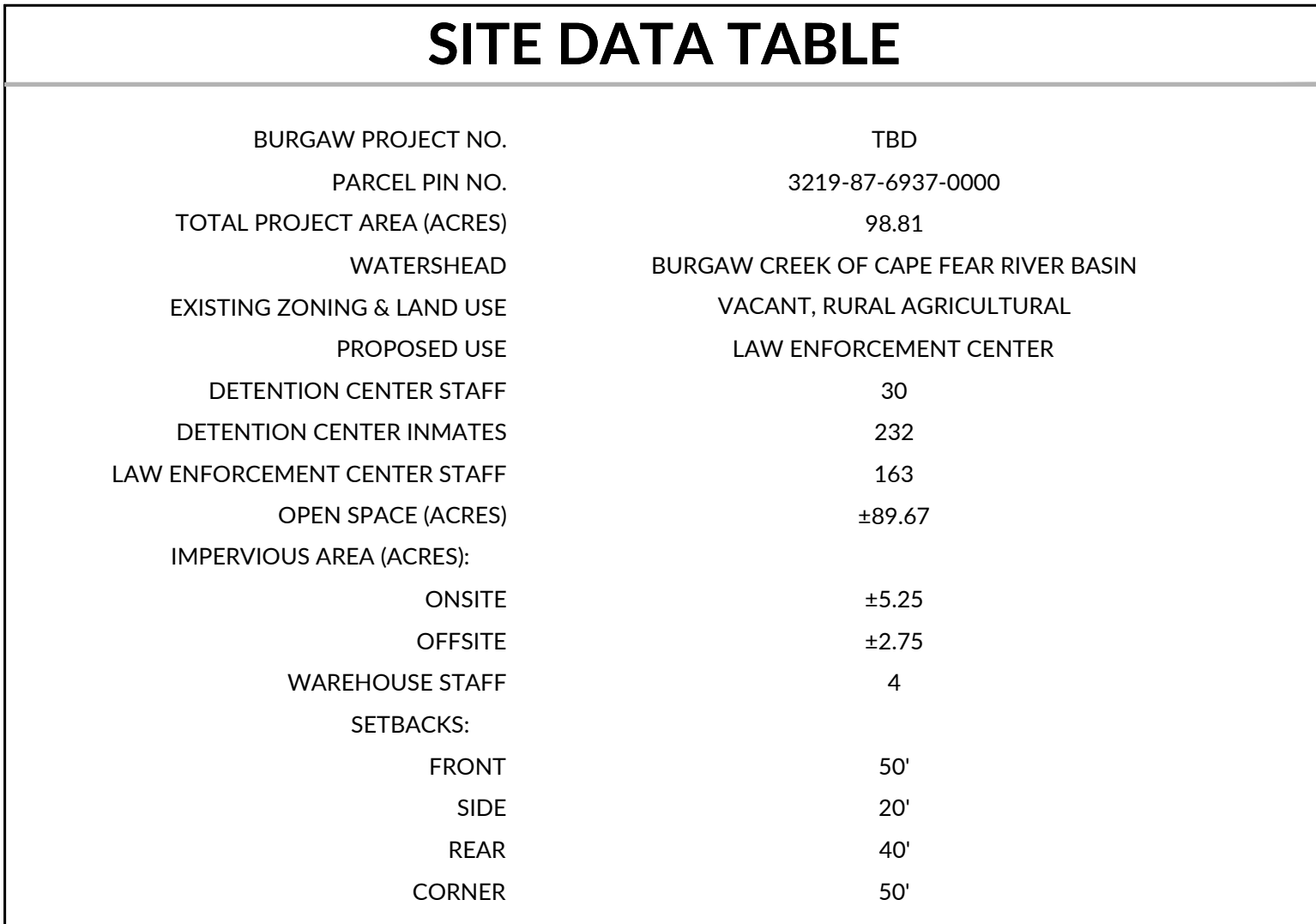
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9/14/23	50% CD SET
12/15/23	90% CD SET

EXISTING
CONDITIONS PLAN

C1.02

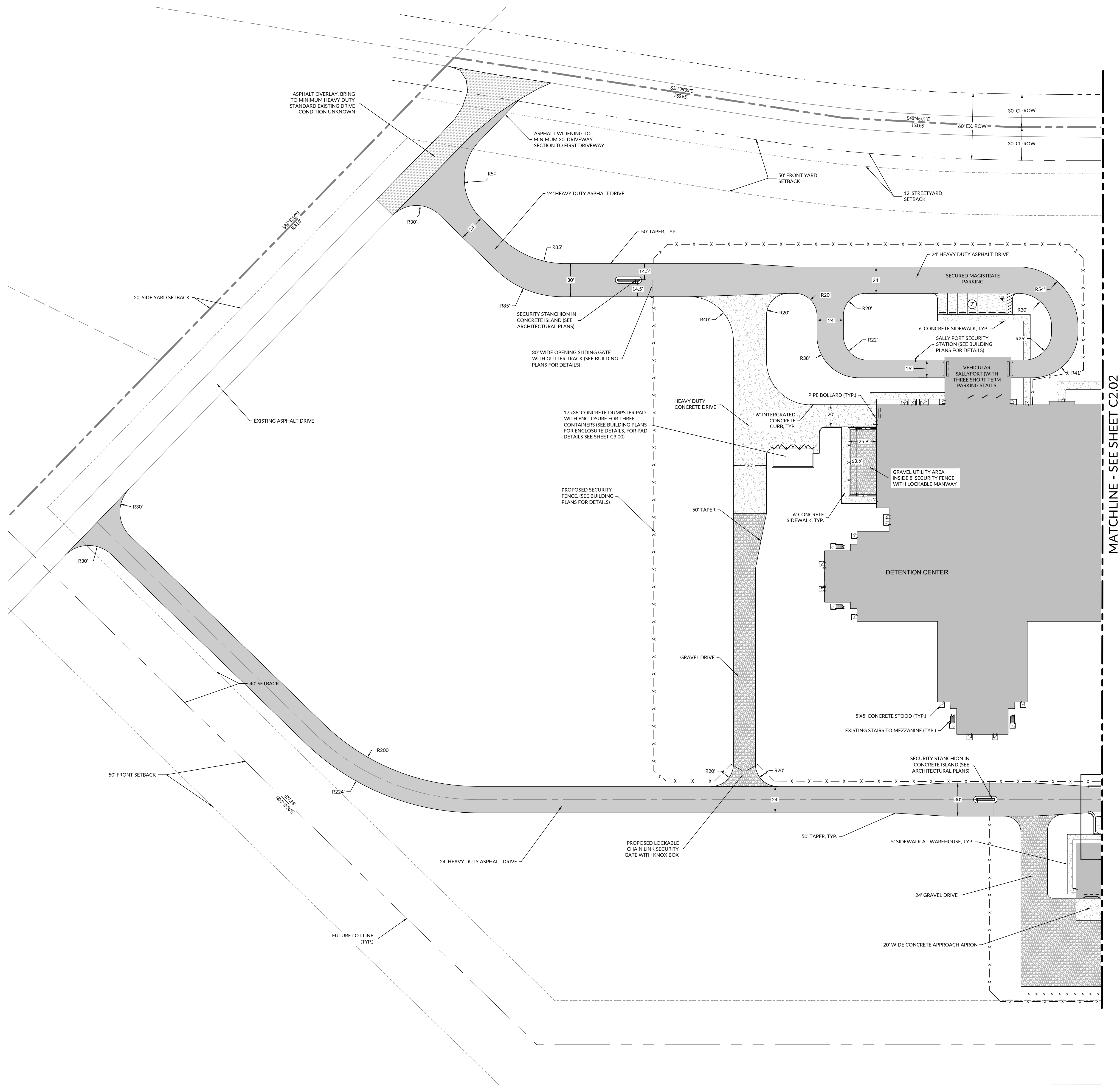
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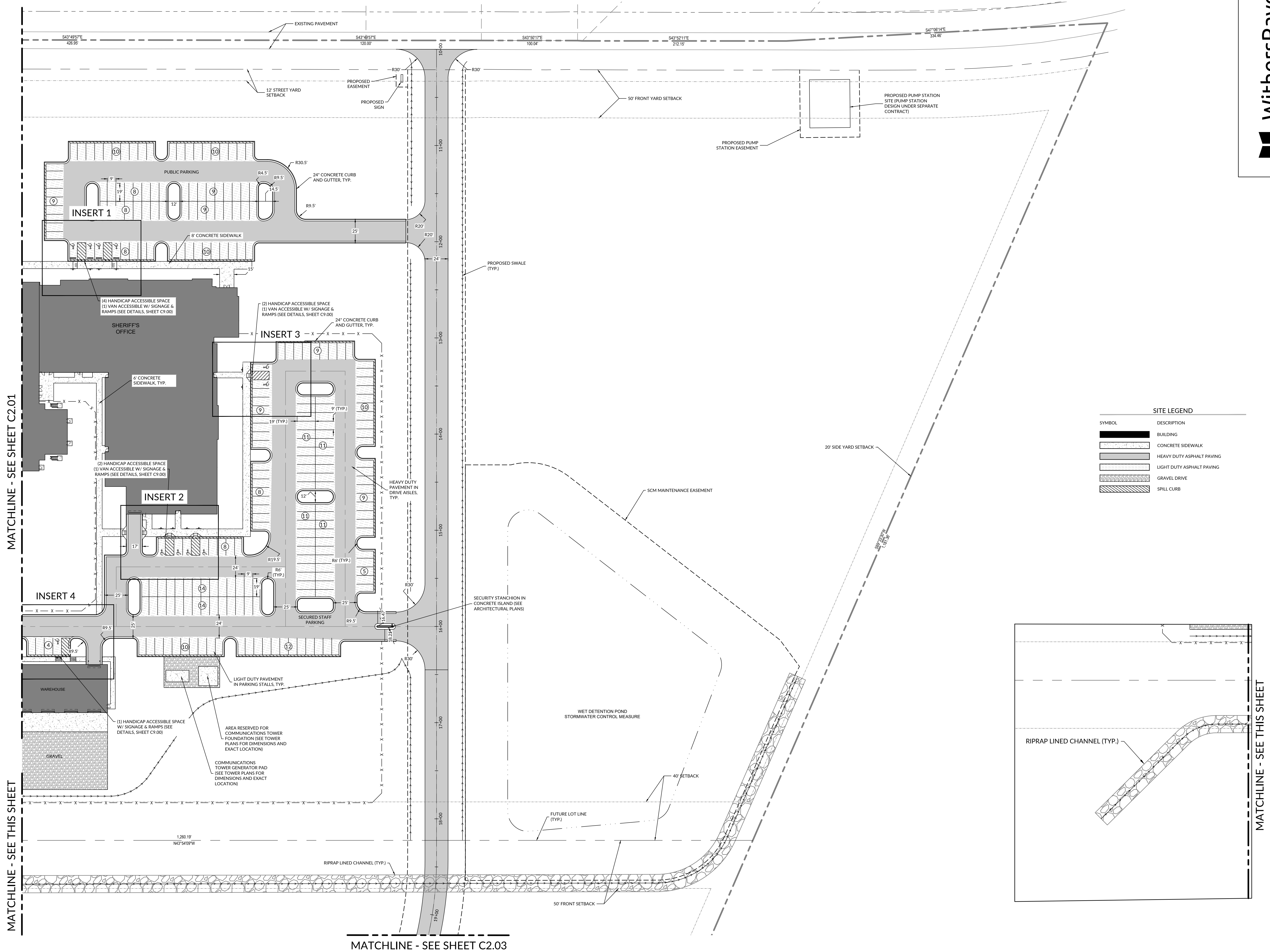
6210 ARDREY KELL ROAD, THE HUB AT WAVERLY, SUITE 425 CHARLOTTE, NC 28277
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MOSELEYARCHITECTS.COM



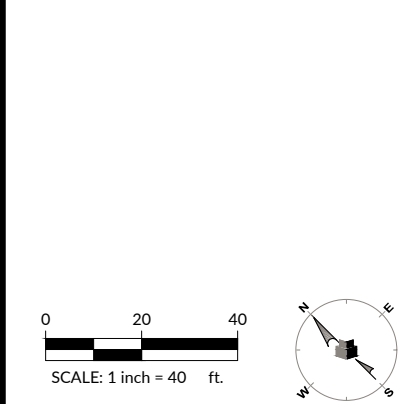
STREET YARD: 12' MIN. MAX. IMP. COVERAGE: 15%

PARKING SUMMARY:	
PROPOSED PUBLIC PARKING TOTAL:	82 SPACES (4 HANDICAP ACCESSIBLE)
PROPOSED STAFF PARKING TOTAL:	156 SPACES (8 HANDICAP ACCESSIBLE)
PROPOSED MAGISTRATE PARKING TOTAL:	7 SPACES (1 HANDICAP ACCESSIBLE)
TOTAL:	245 SPACES (10 HANDICAP ACCESSIBLE)





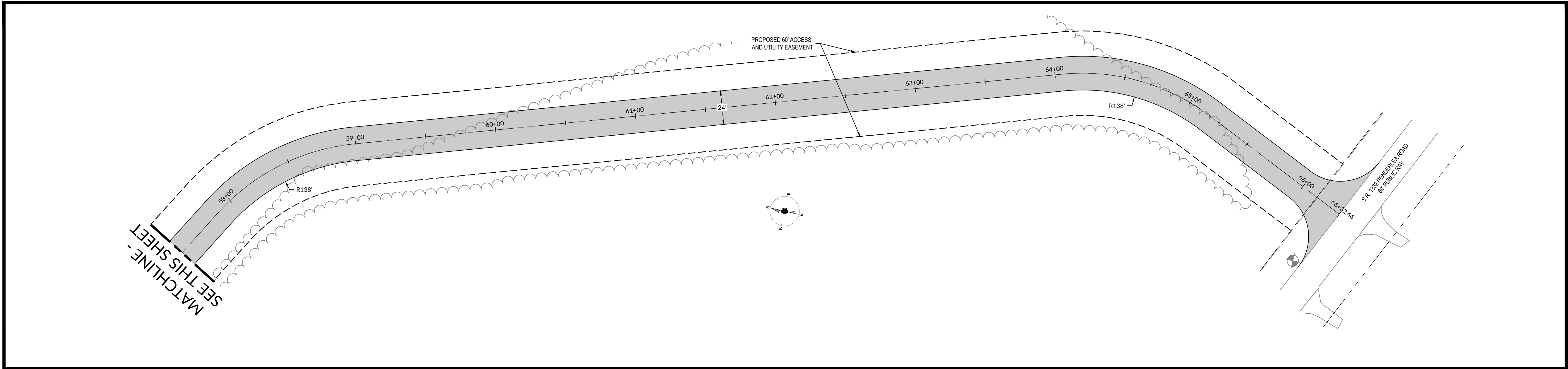
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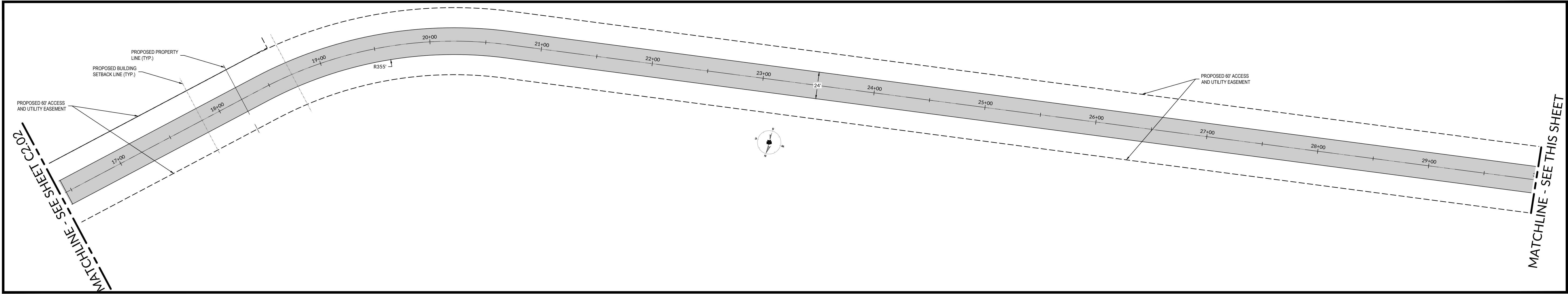
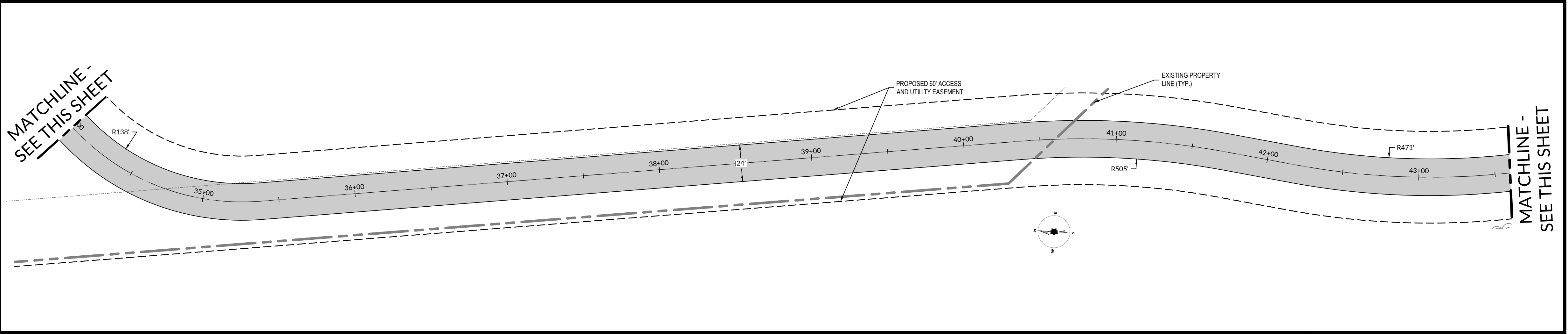
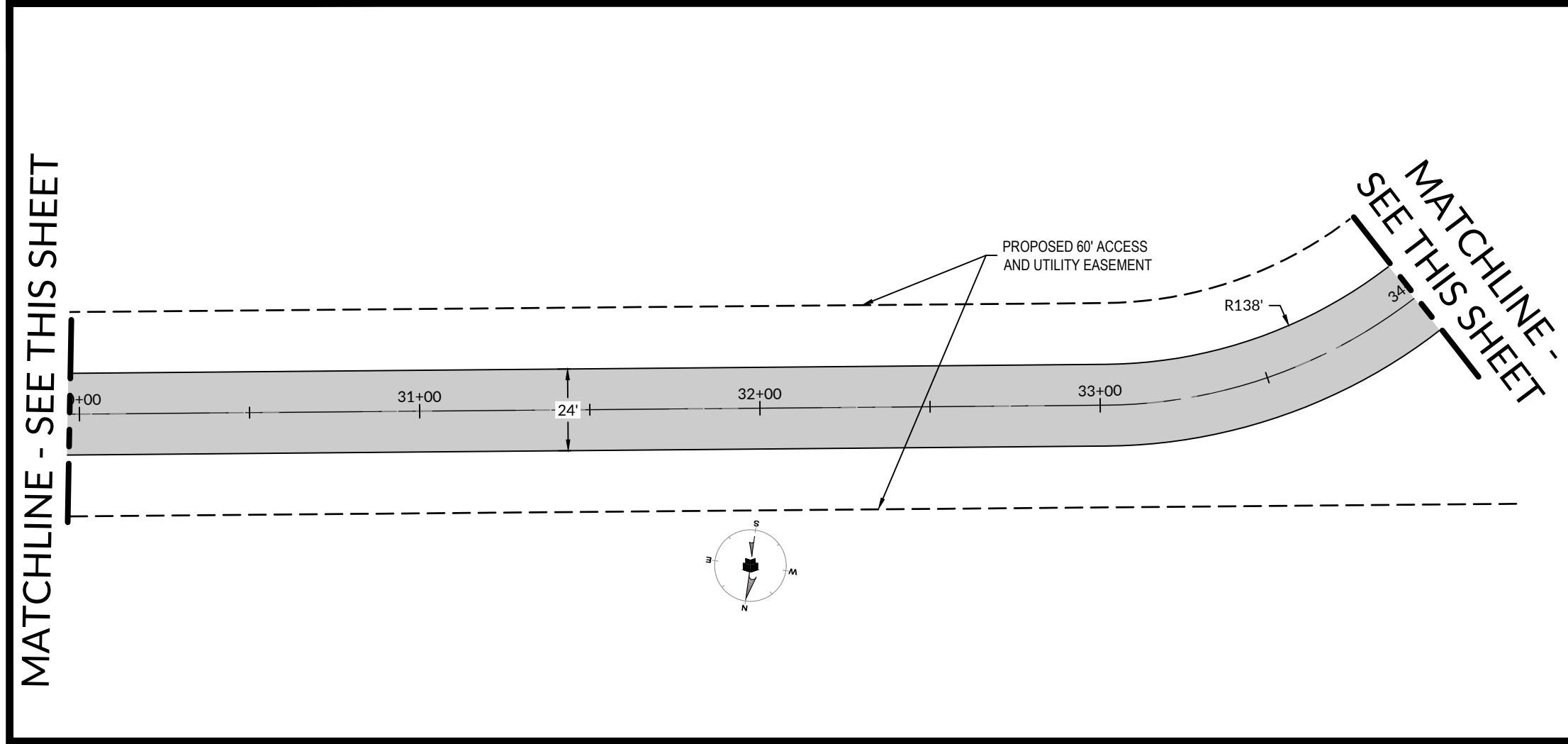
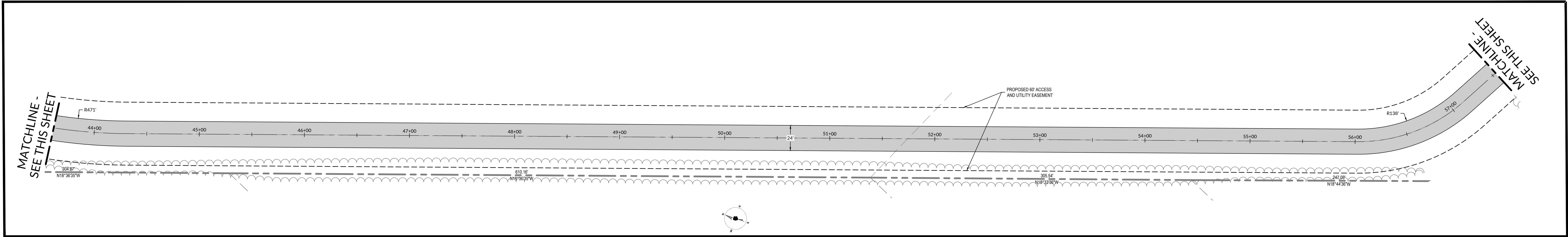
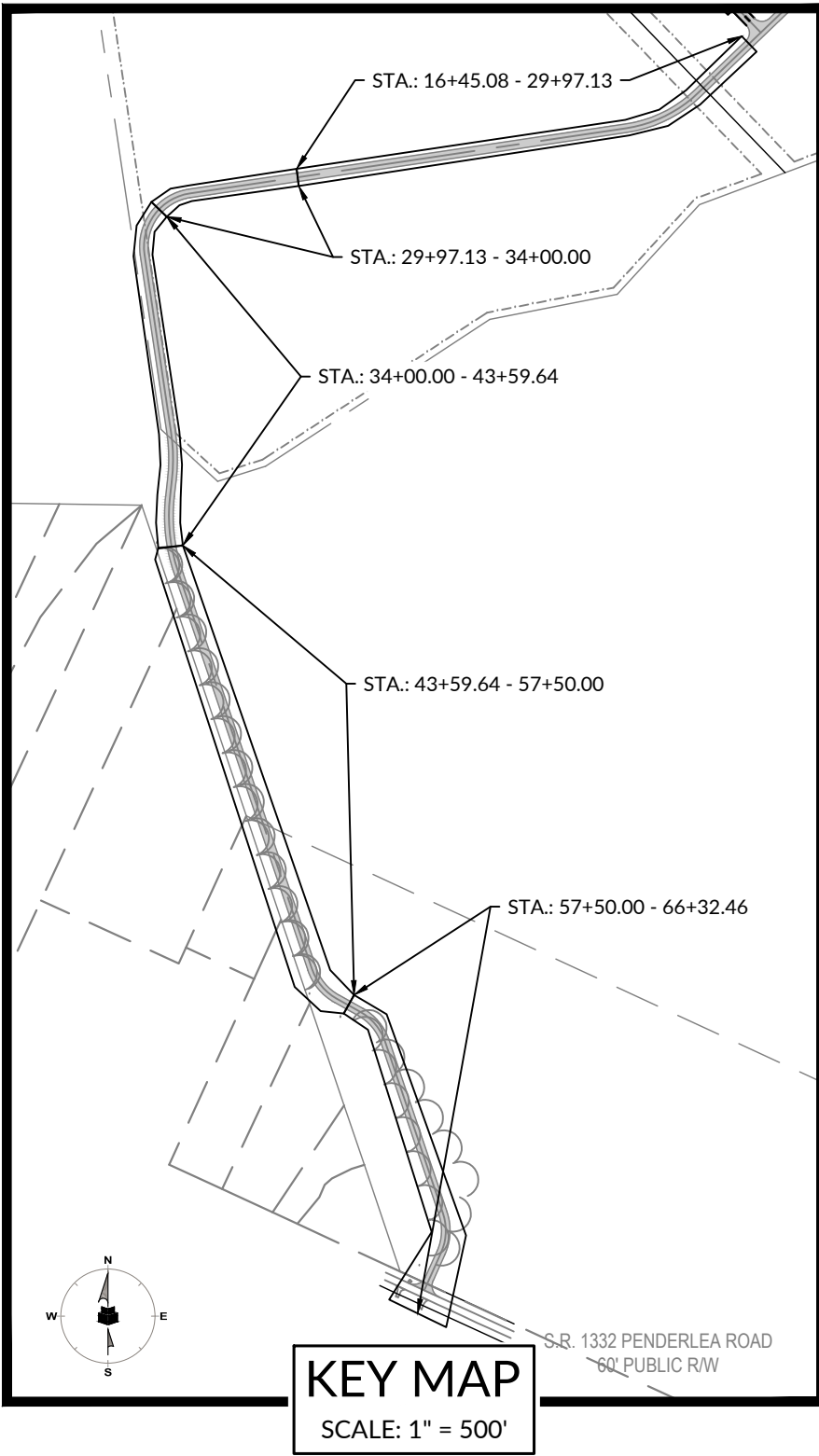
PENDER COUNTY LEC
PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

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LAW ENFORCEMENT
CENTER SITE PLAN



SITE LEGEND	
SYMBOL	DESCRIPTION
	BUILDING
	CONCRETE SIDEWALK
	HEAVY DUTY ASPHALT PAVING
	LIGHT DUTY ASPHALT PAVING
	GRAVEL DRIVE
	SPILL CURB



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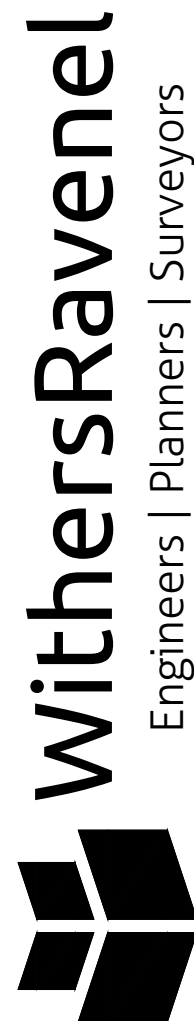
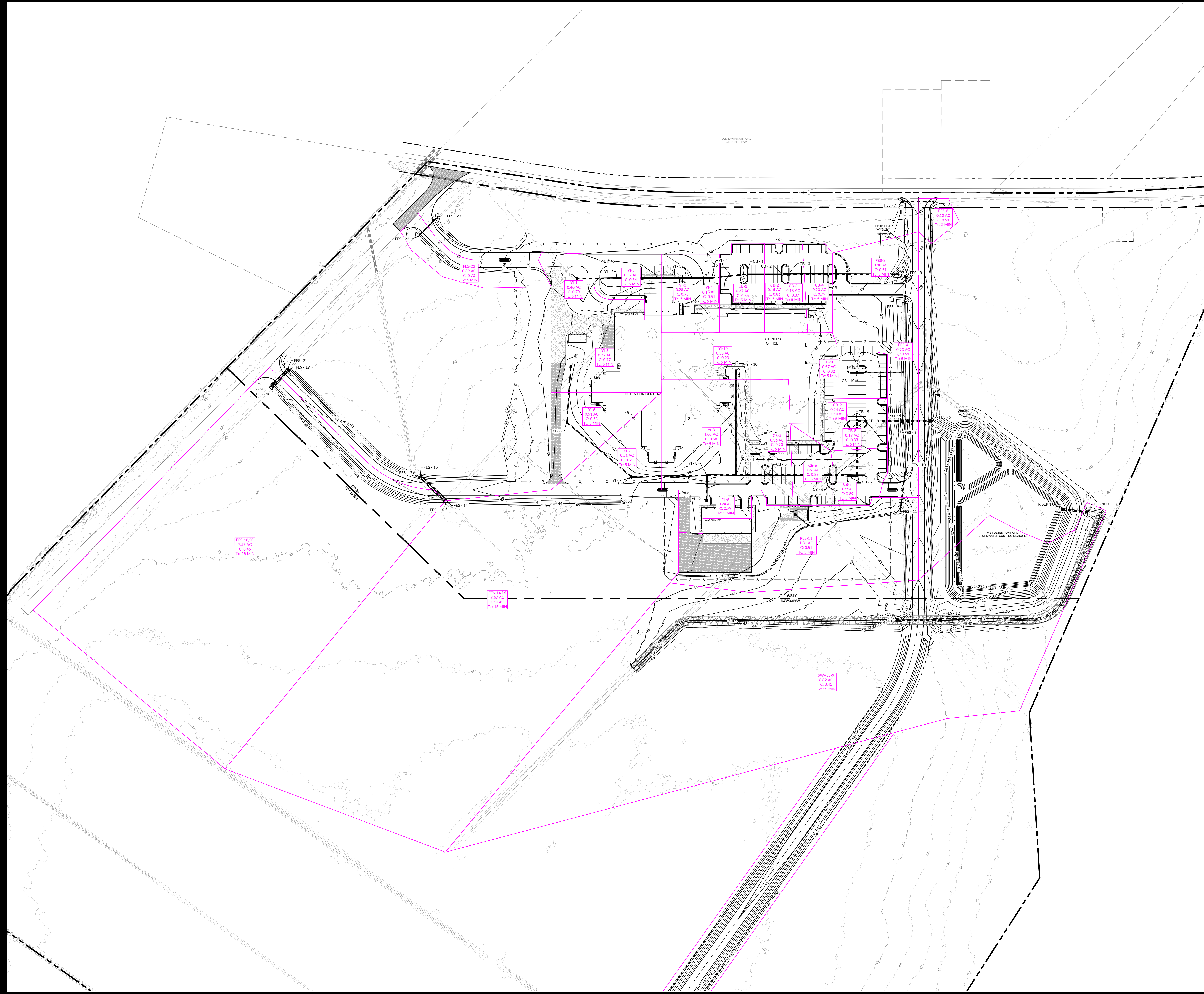
PENDER COUNTY LEC
PENDER COUNTY, NORTH CAROLINA
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PROJECT NO: 611888	
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OFFSITE ROADWAY
PLAN

C2.03

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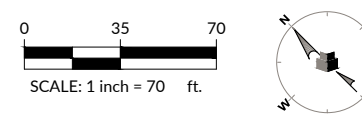


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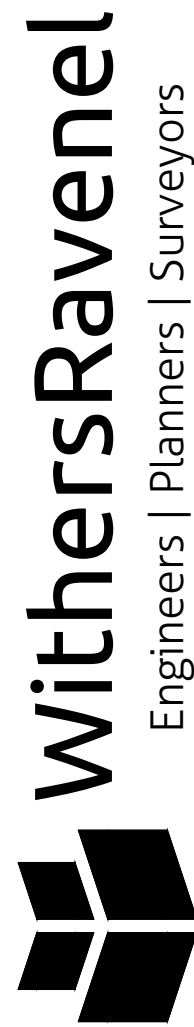
PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
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OVERALL LAW
ENFORCEMENT
CENTER DRAINAGE
PLAN

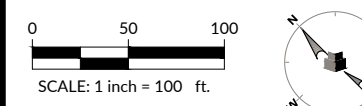
C3.00



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PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

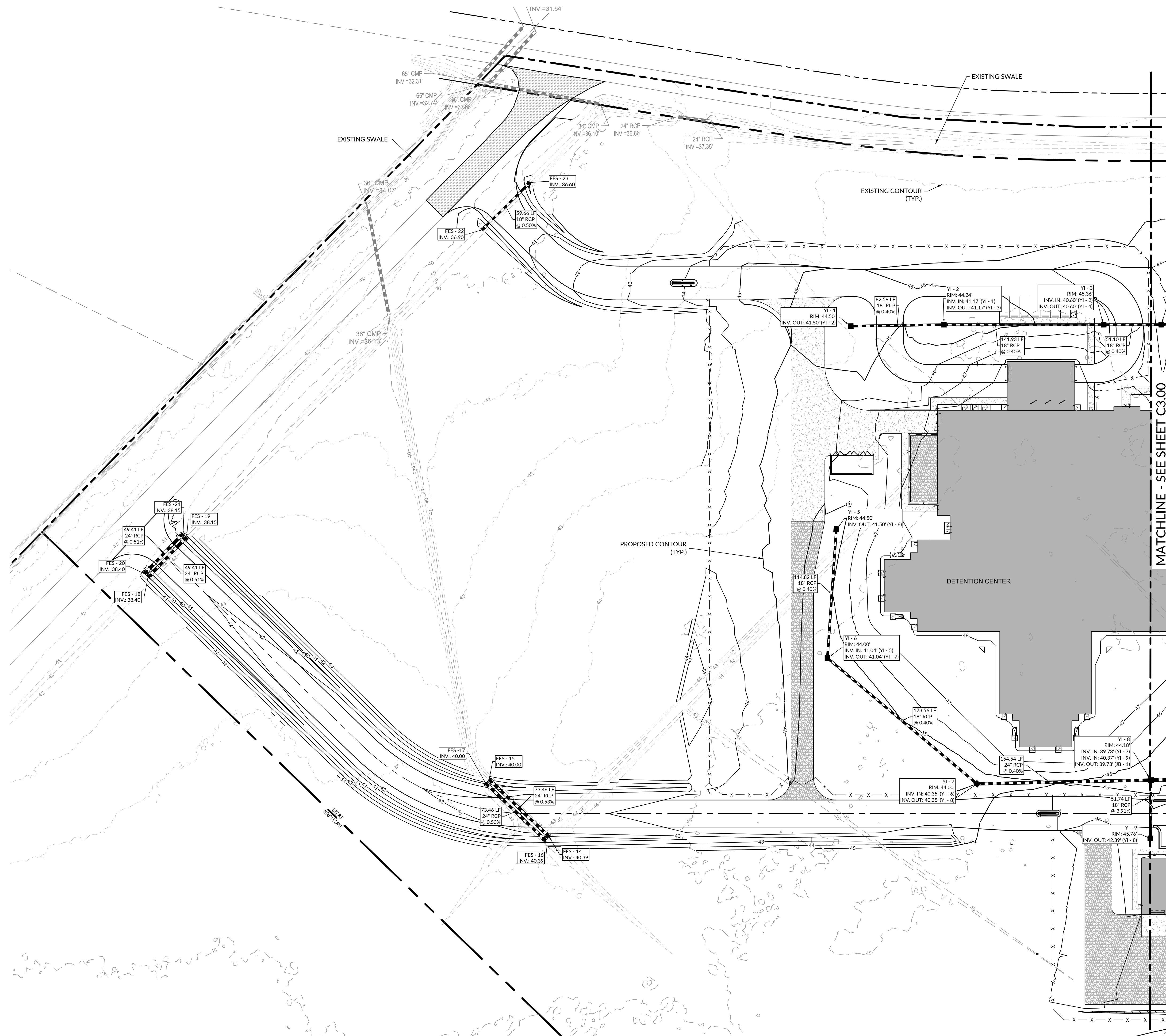
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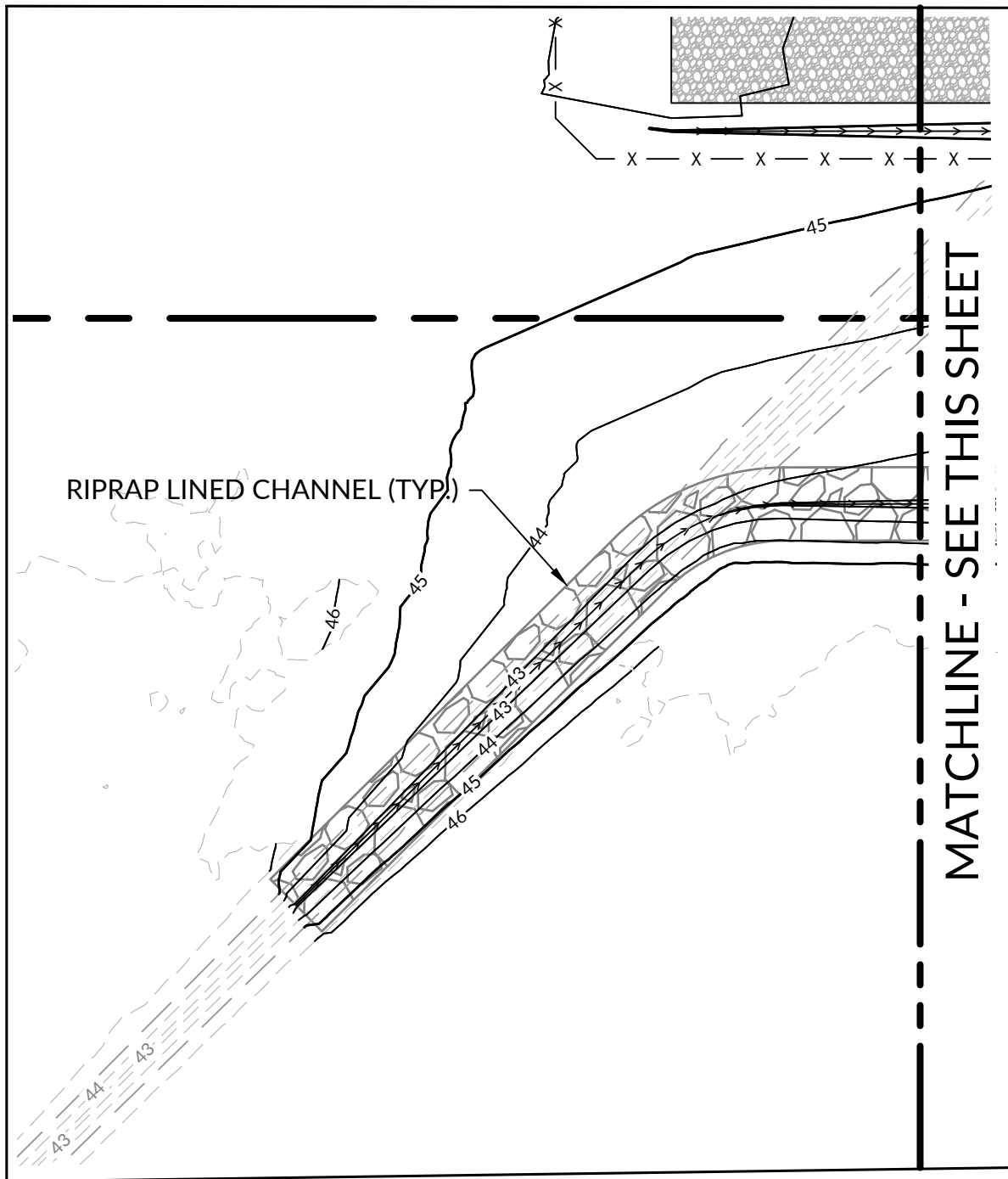
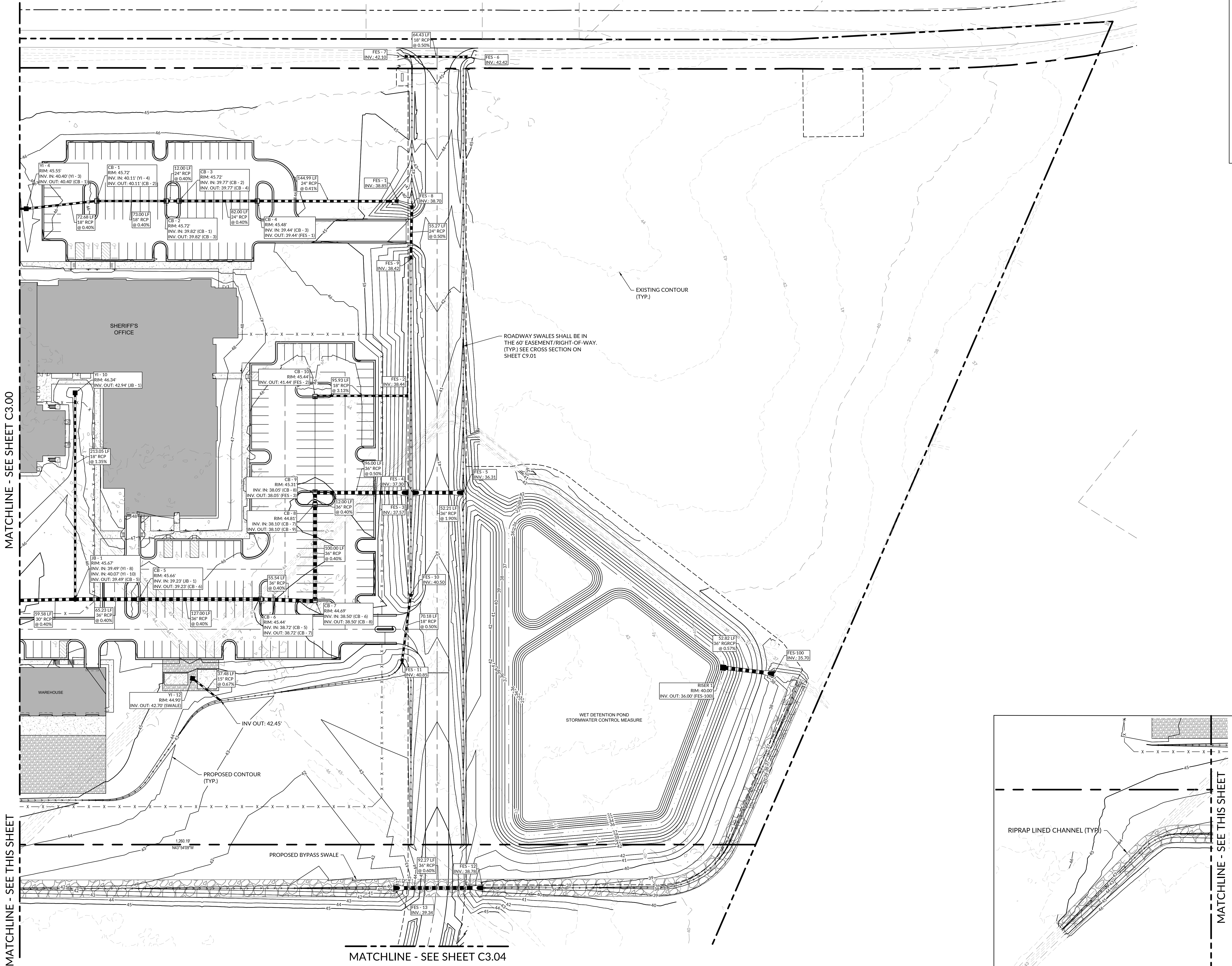
OVERALL OFFSITE
ROADWAY
DRAINAGE PLAN

C3.01

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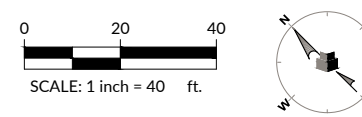
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PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION
JOSEPH S. BOYD
14799

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PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

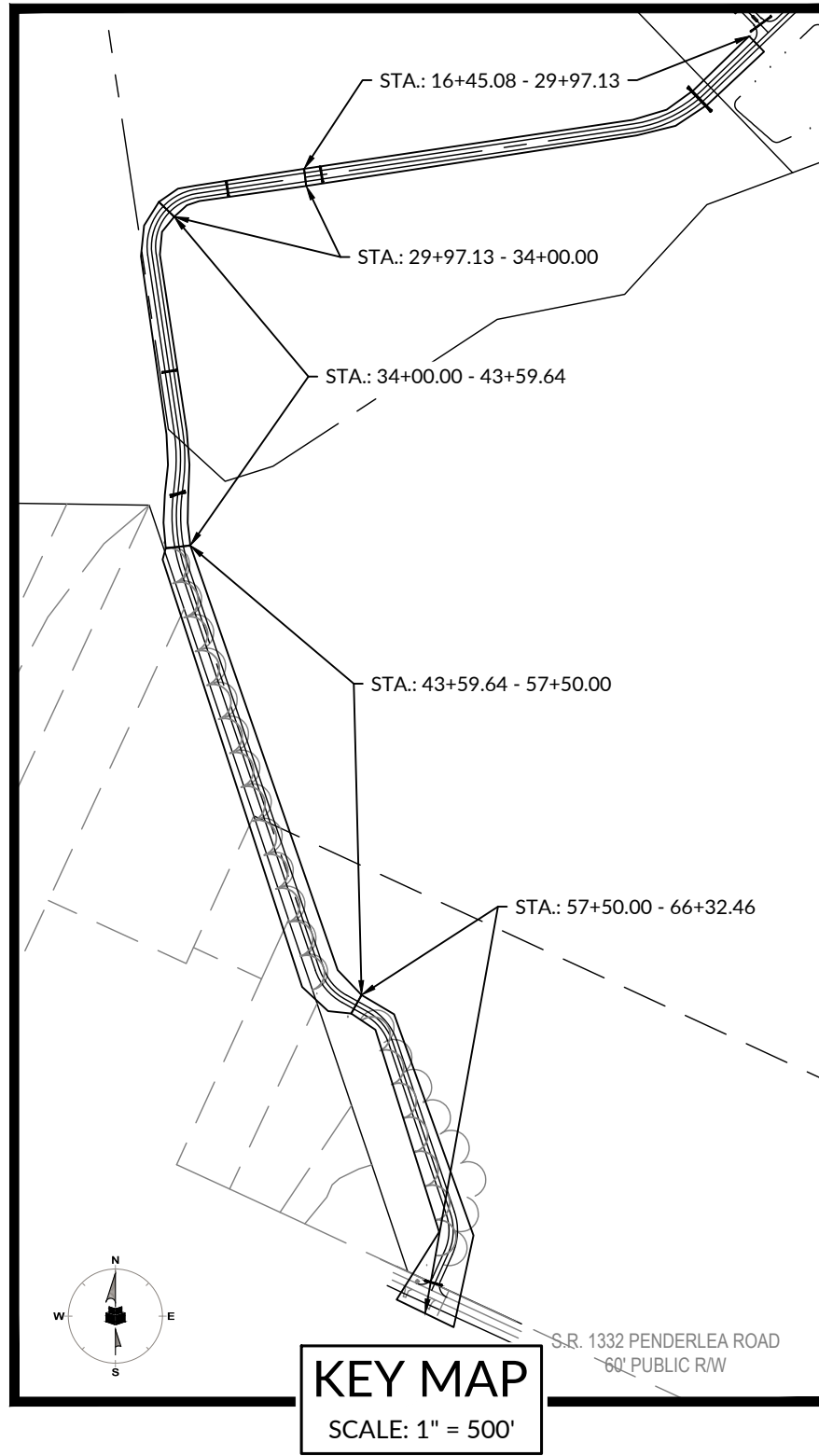
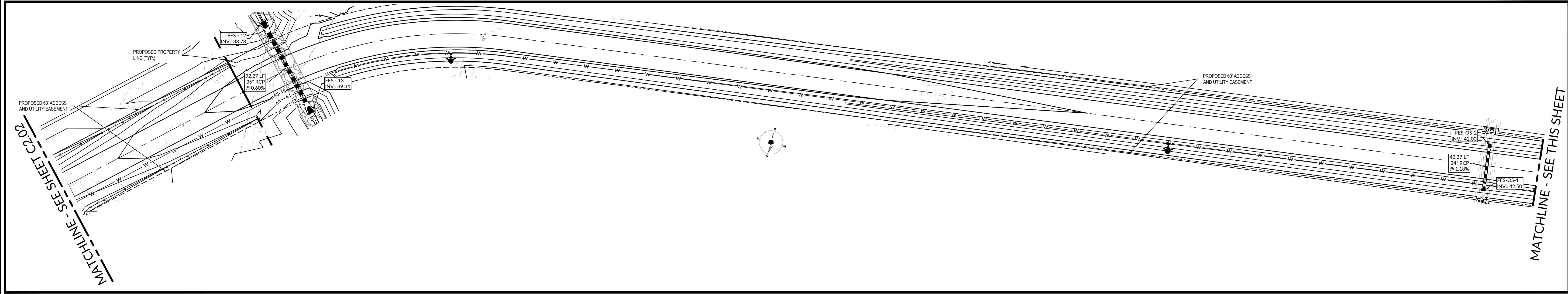
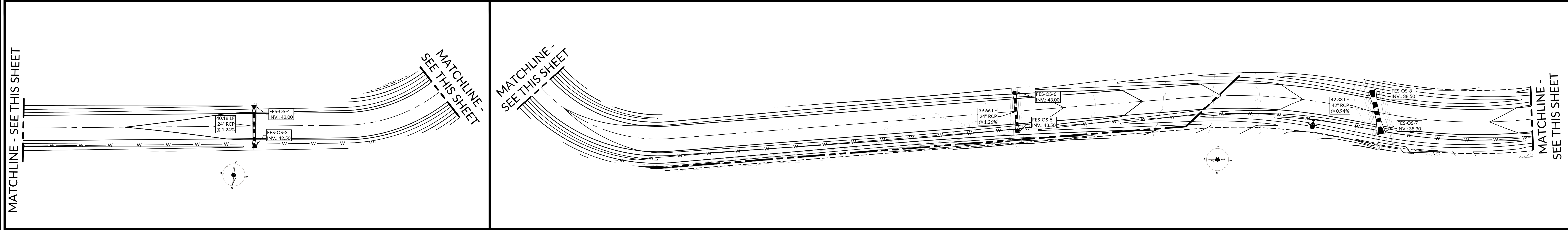
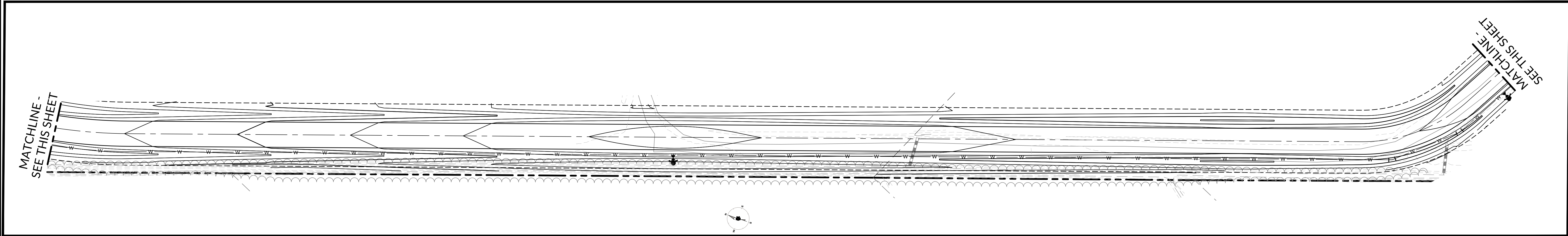
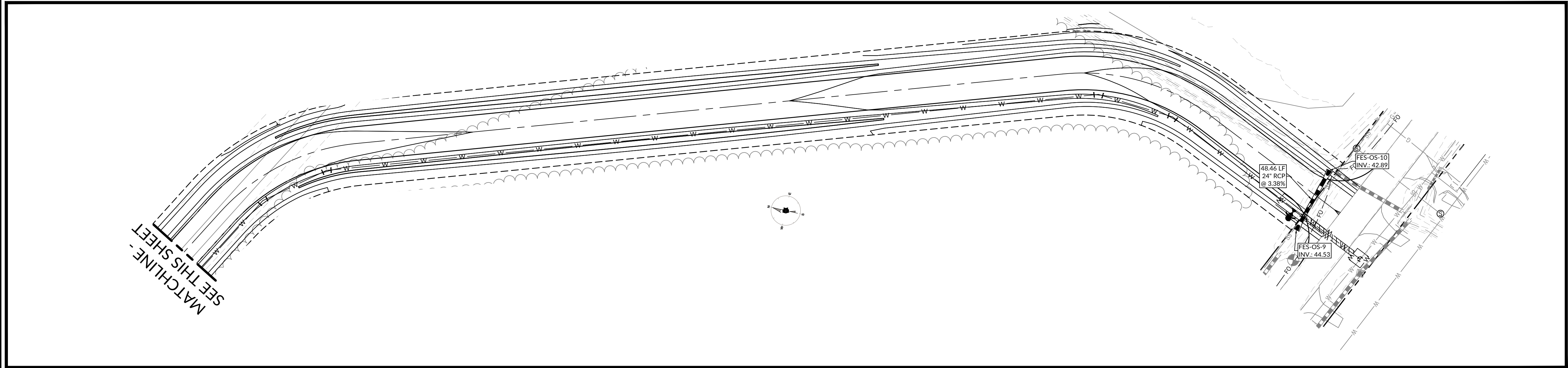
PROJECT NO:	611888
DATE:	12/15/2023
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

LAW ENFORCEMENT
CENTER DRAINAGE
PLAN

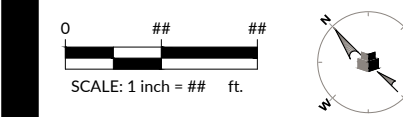
C3.03

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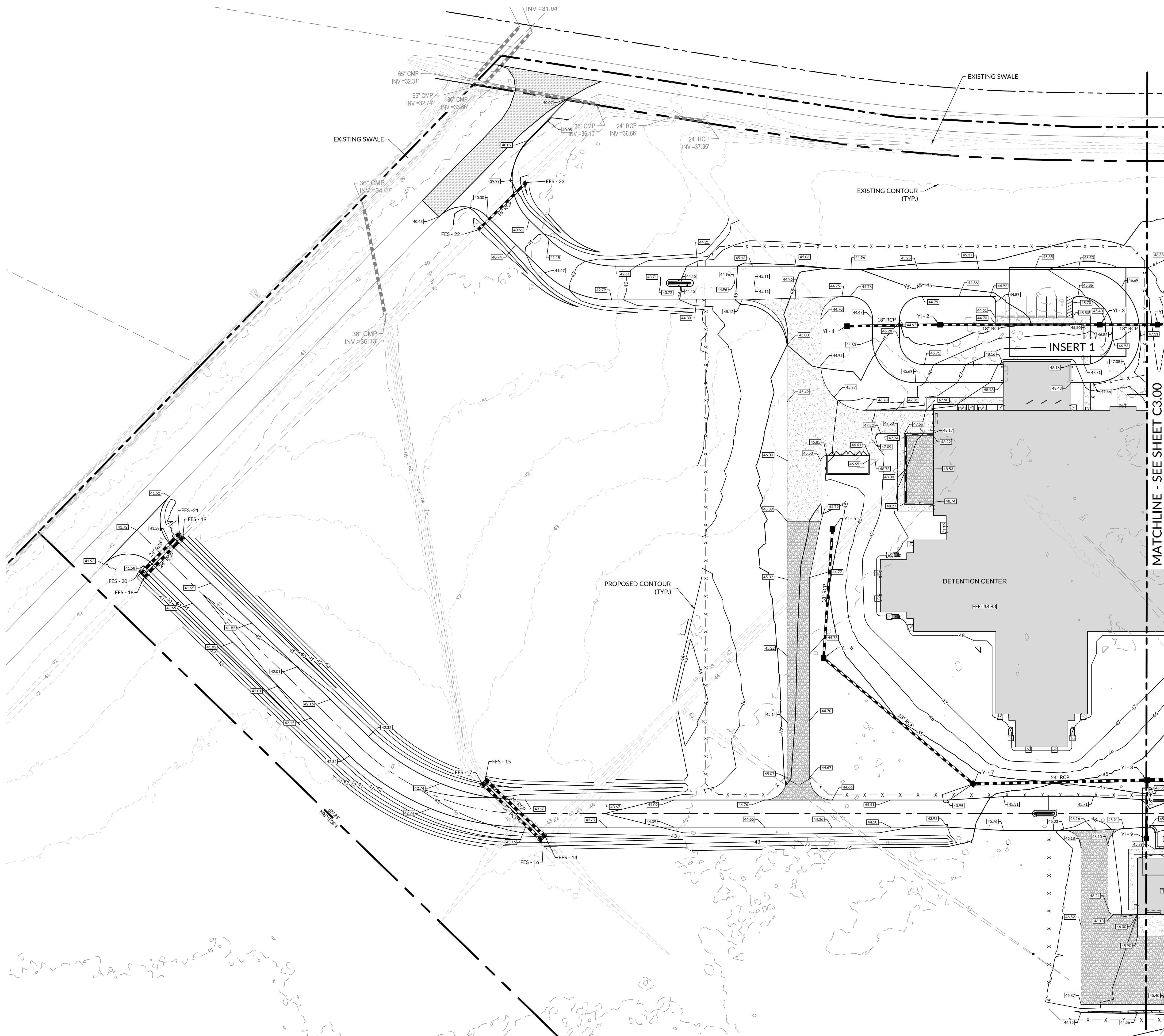
PENDER COUNTY LEC
PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	
DATE: 12/15/2023	
DATE	REVISIONS
9/14/23	50% CD SET
12/15/23	90% CD SET

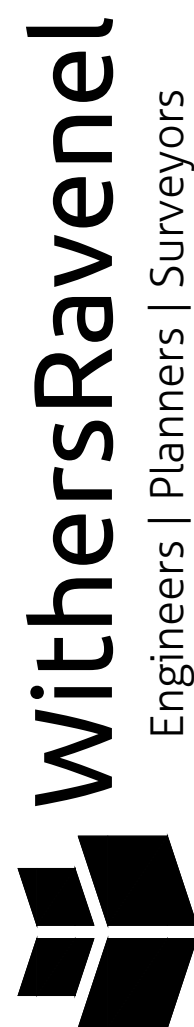
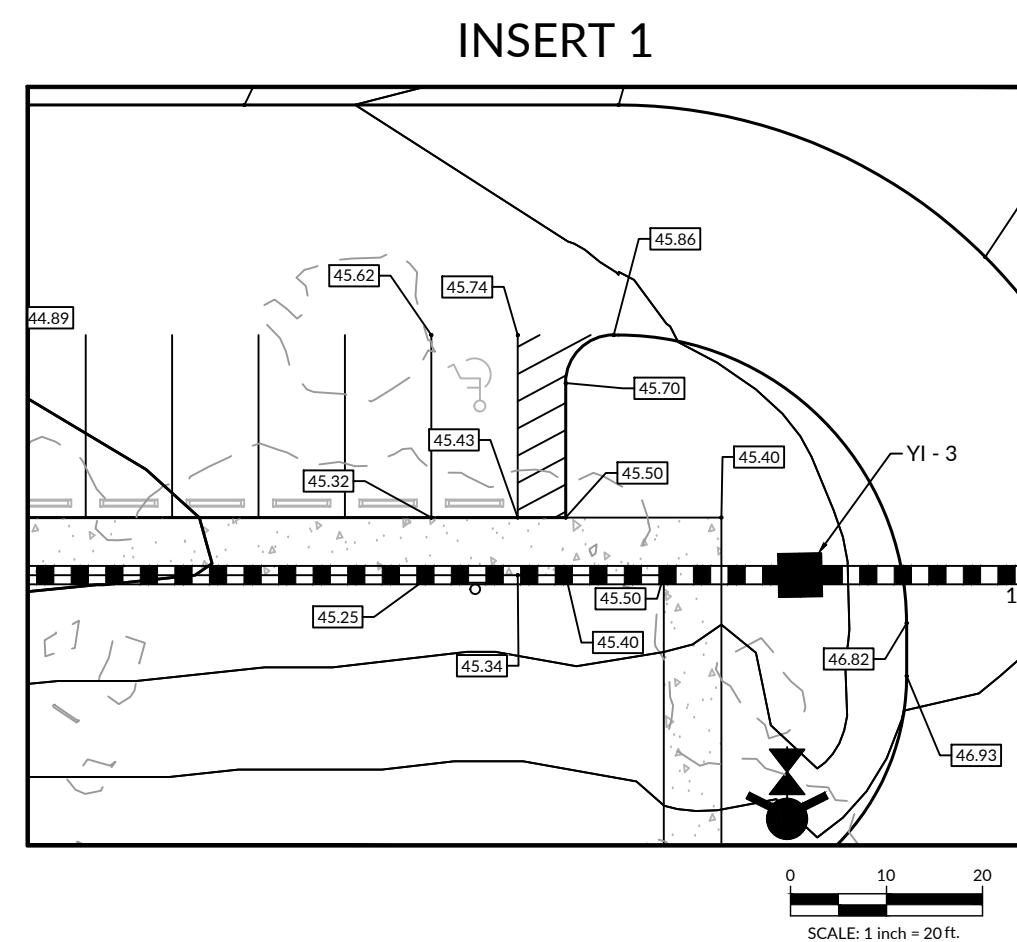
OFFSITE ROADWAY
DRAINAGE PLAN

C3.04

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PROPOSED GRADING LEGEND	
SYMBOL	DESCRIPTION
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	PROPOSED MAJOR CONTOUR
---	PROPOSED MINOR CONTOUR
---	SPILL CURB

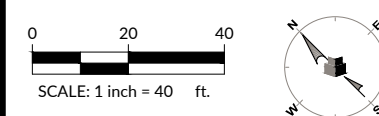


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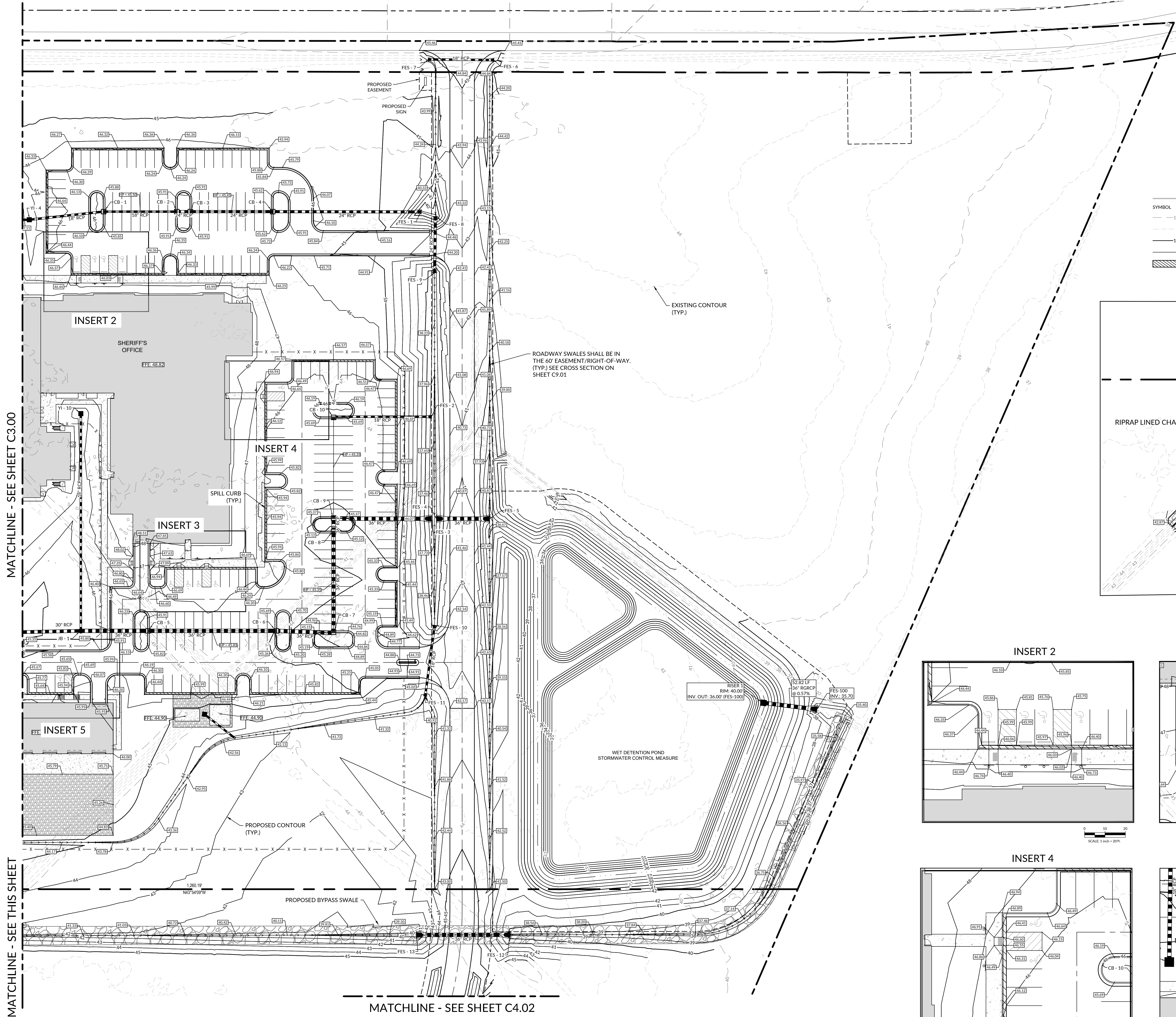
PROJECT NO: 811888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
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12/15/23	90% CD SET

GRADING PLAN

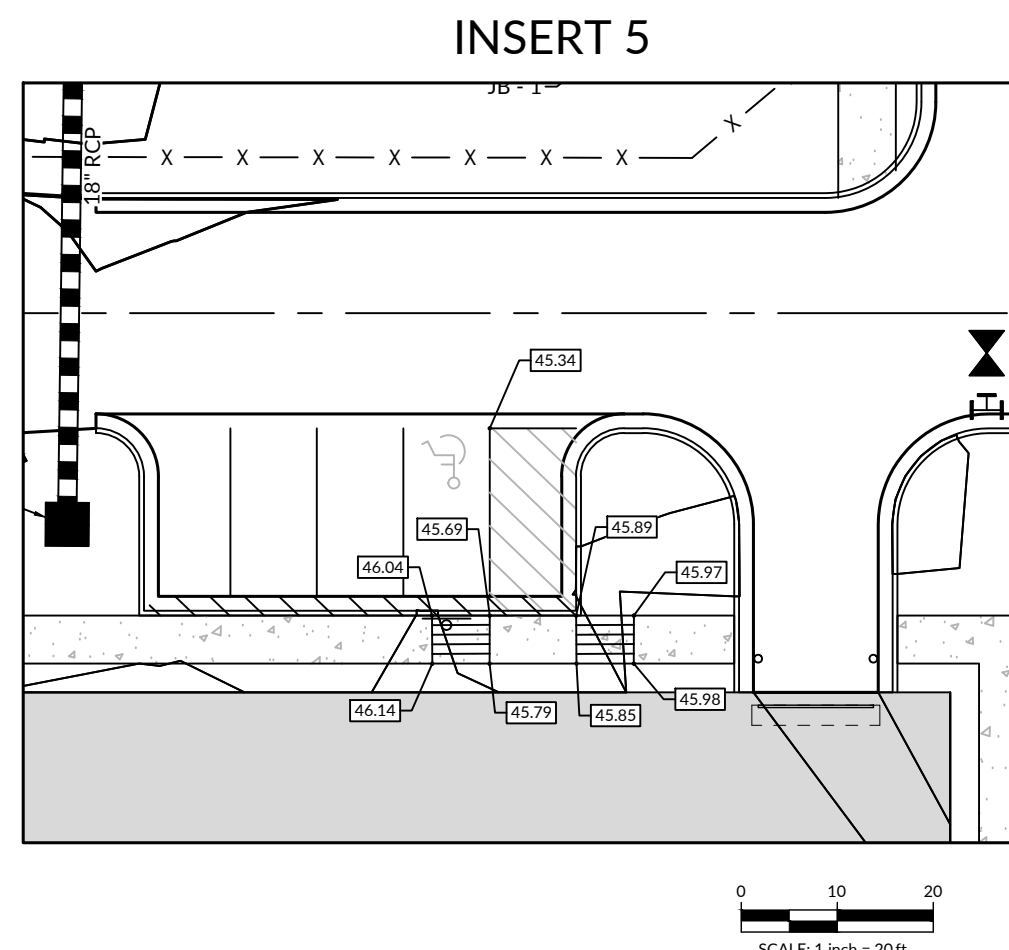
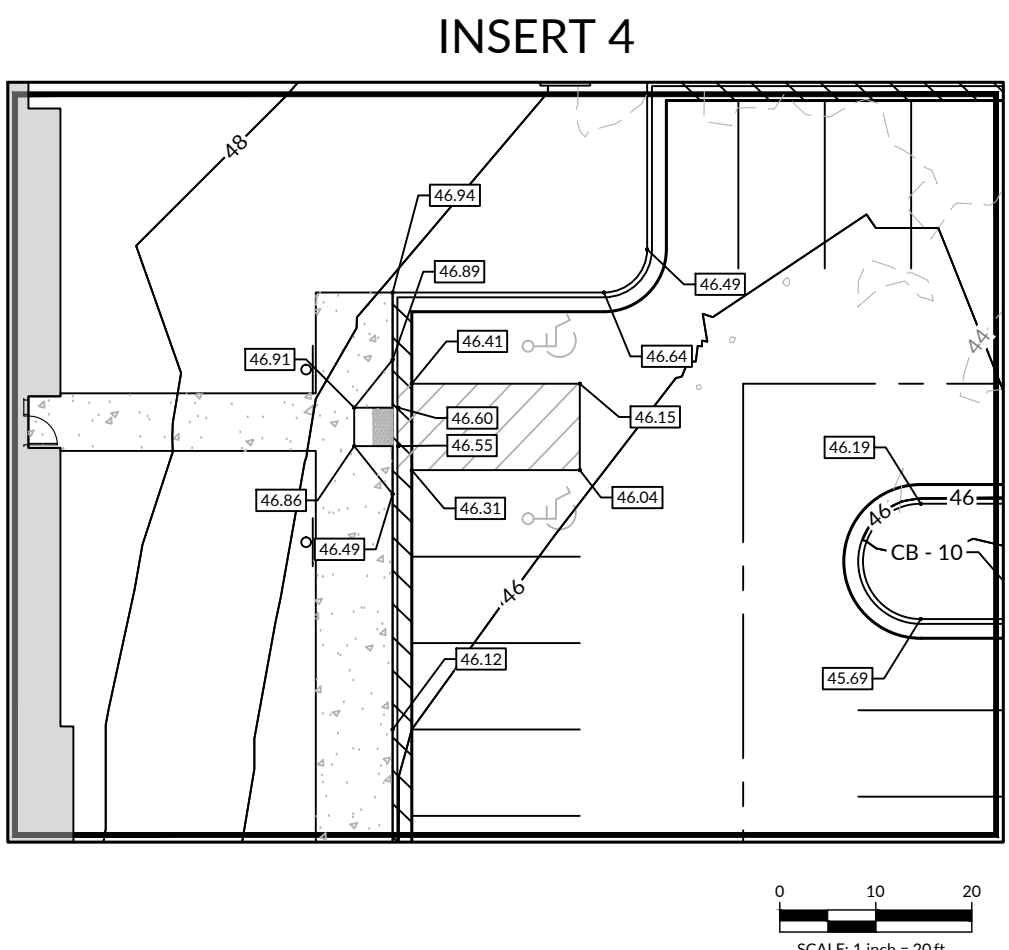
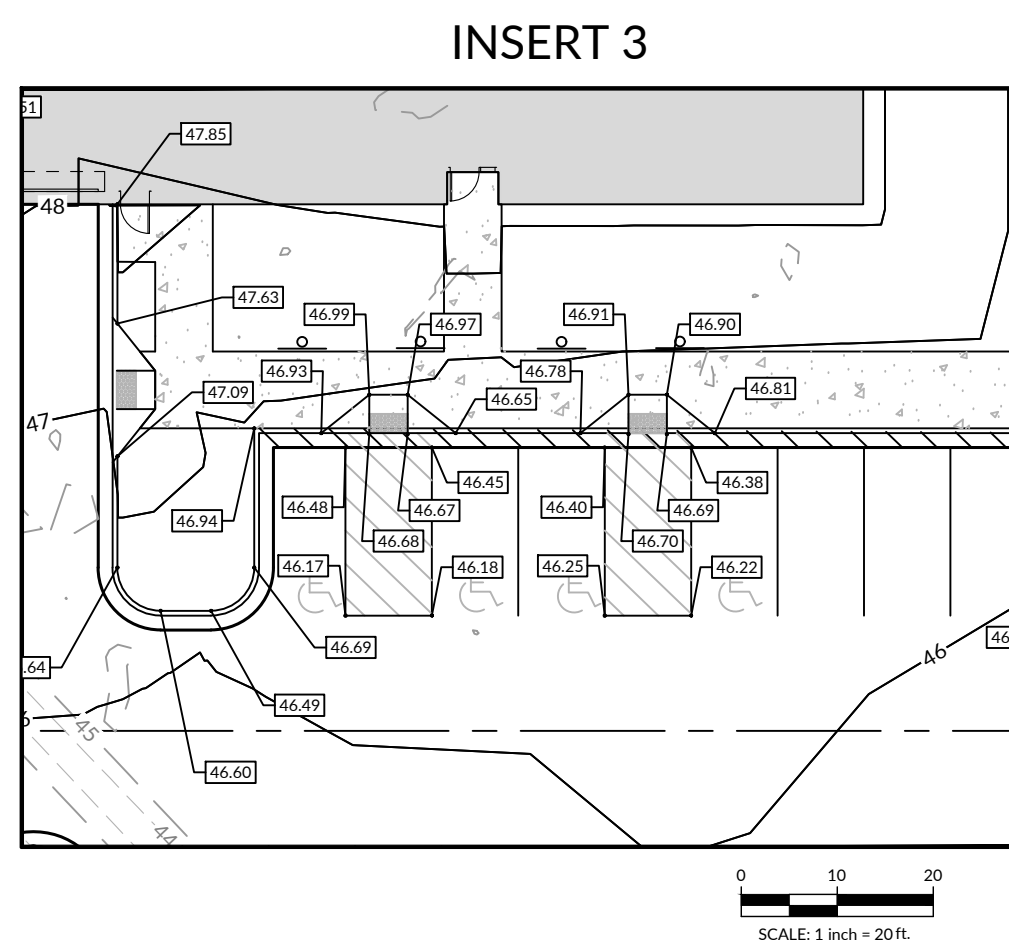
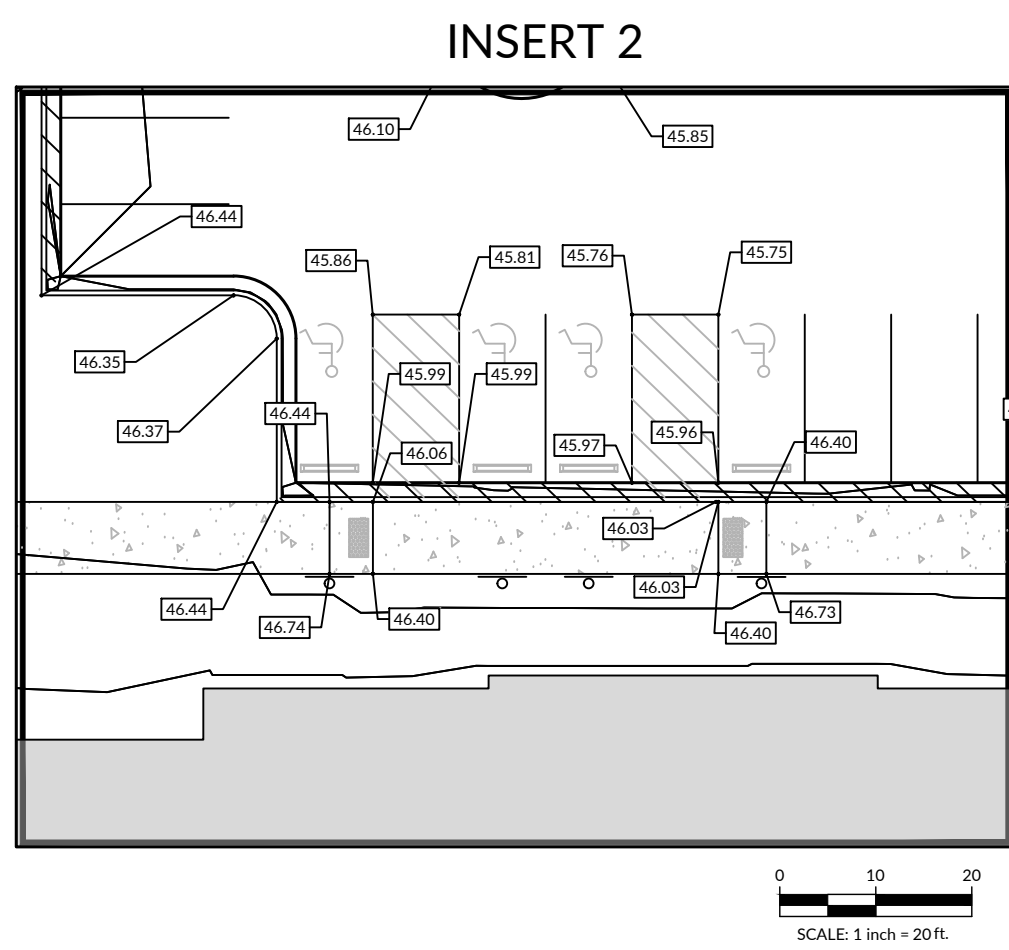
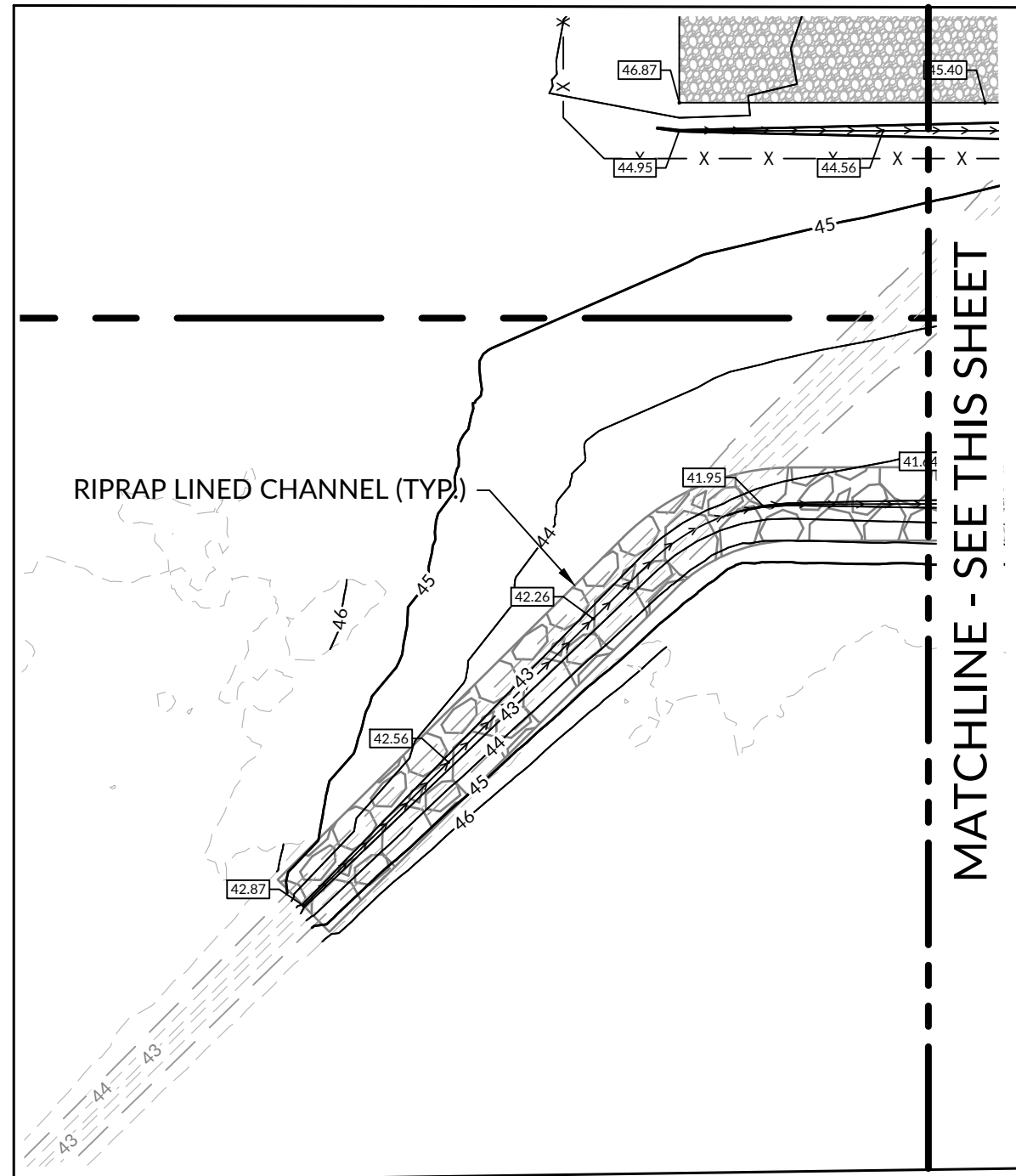
C4.00

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PROPOSED GRADING LEGEND	
SYMBOL	DESCRIPTION
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	SPILL CURB



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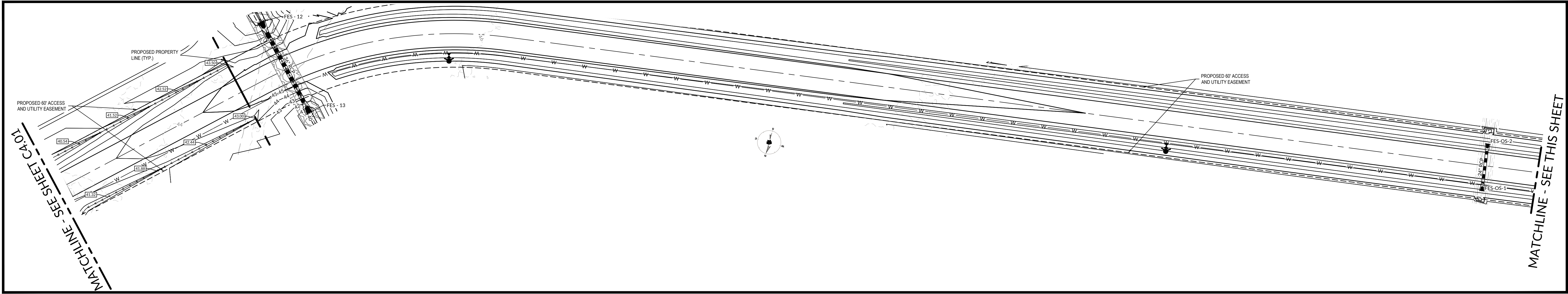
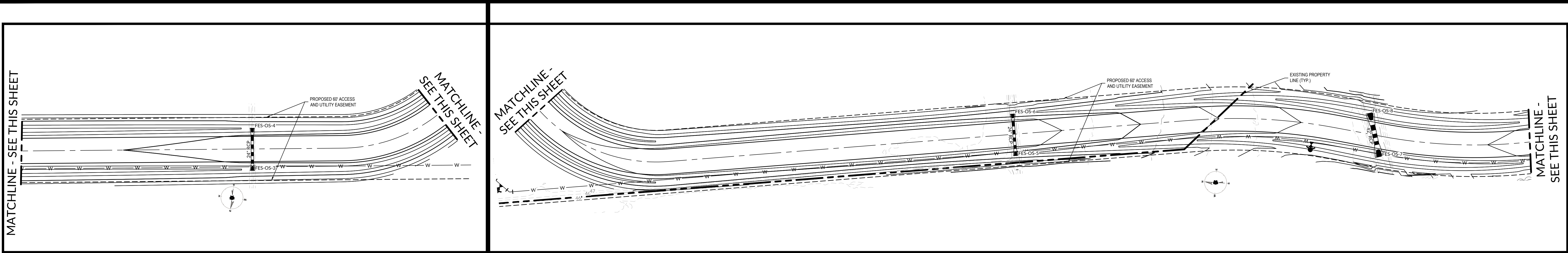
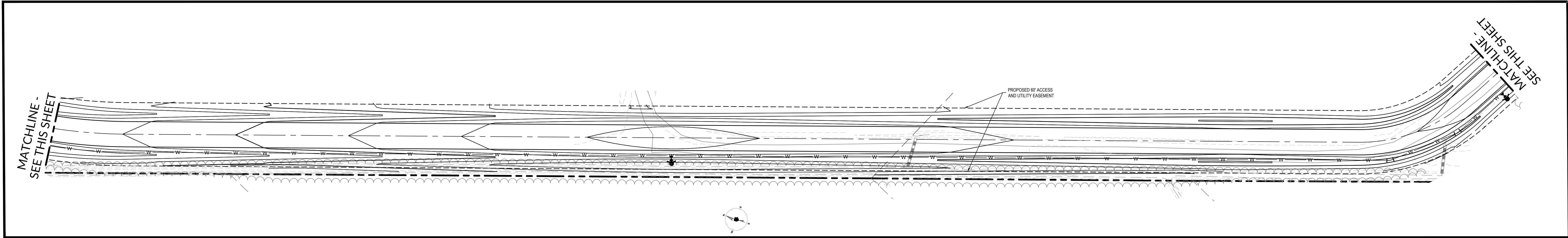
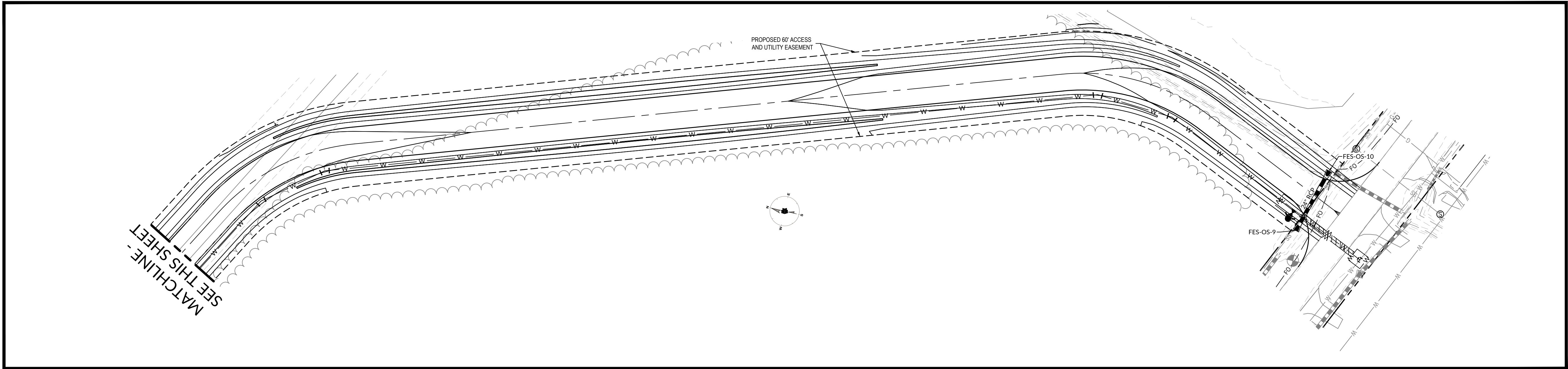
PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

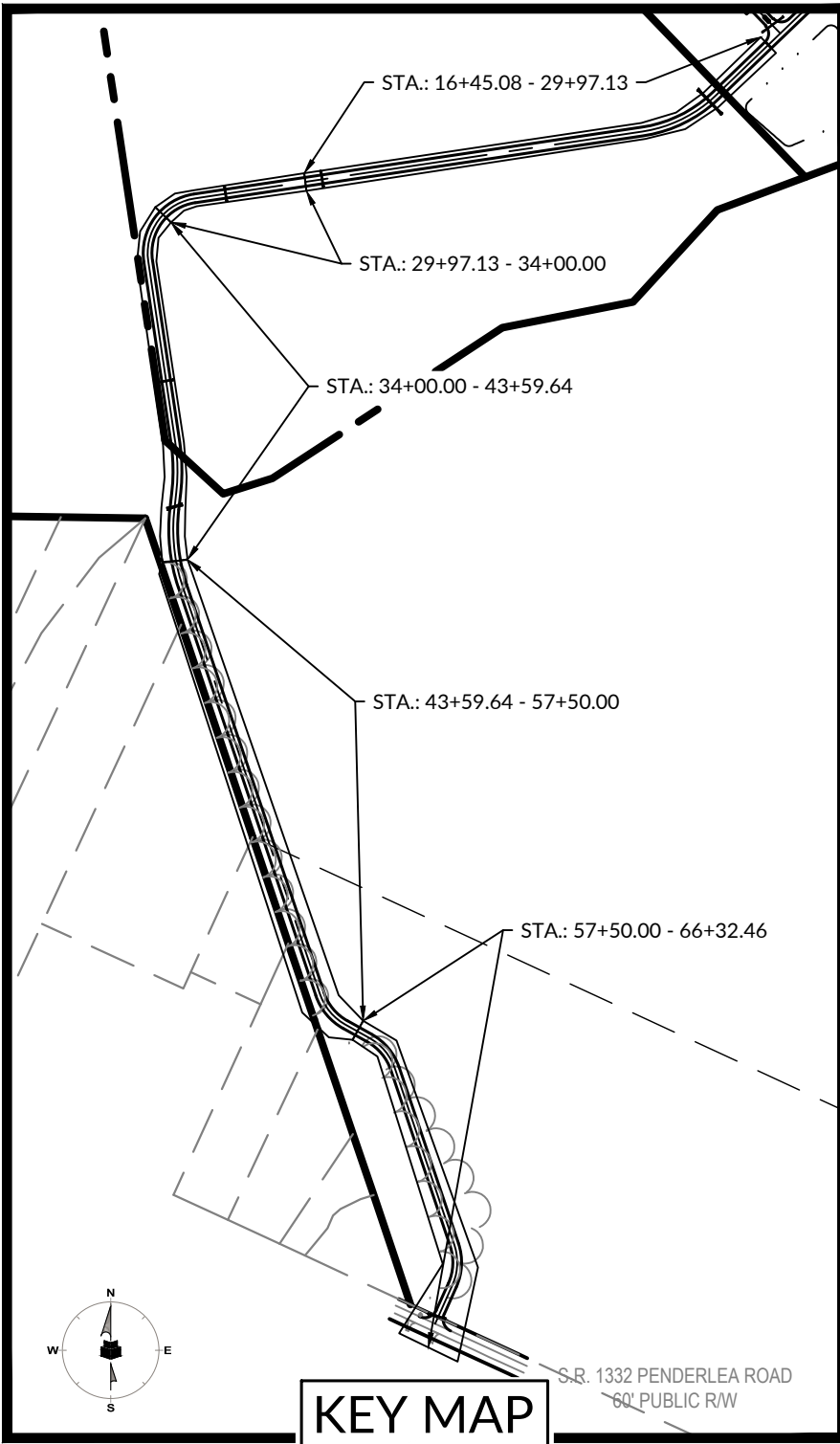
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REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

GRADING PLAN

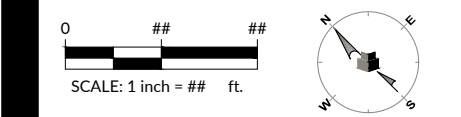
C4.01



PROPOSED GRADING LEGEND	
SYMBOL	DESCRIPTION
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—100—	EXISTING MINOR CONTOUR
—100—	PROPOSED MAJOR CONTOUR
—100—	PROPOSED MINOR CONTOUR
	SPILL CURB



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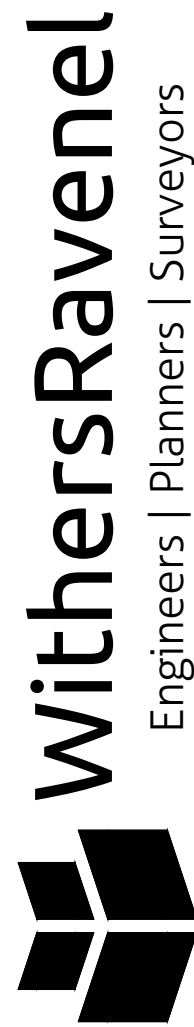
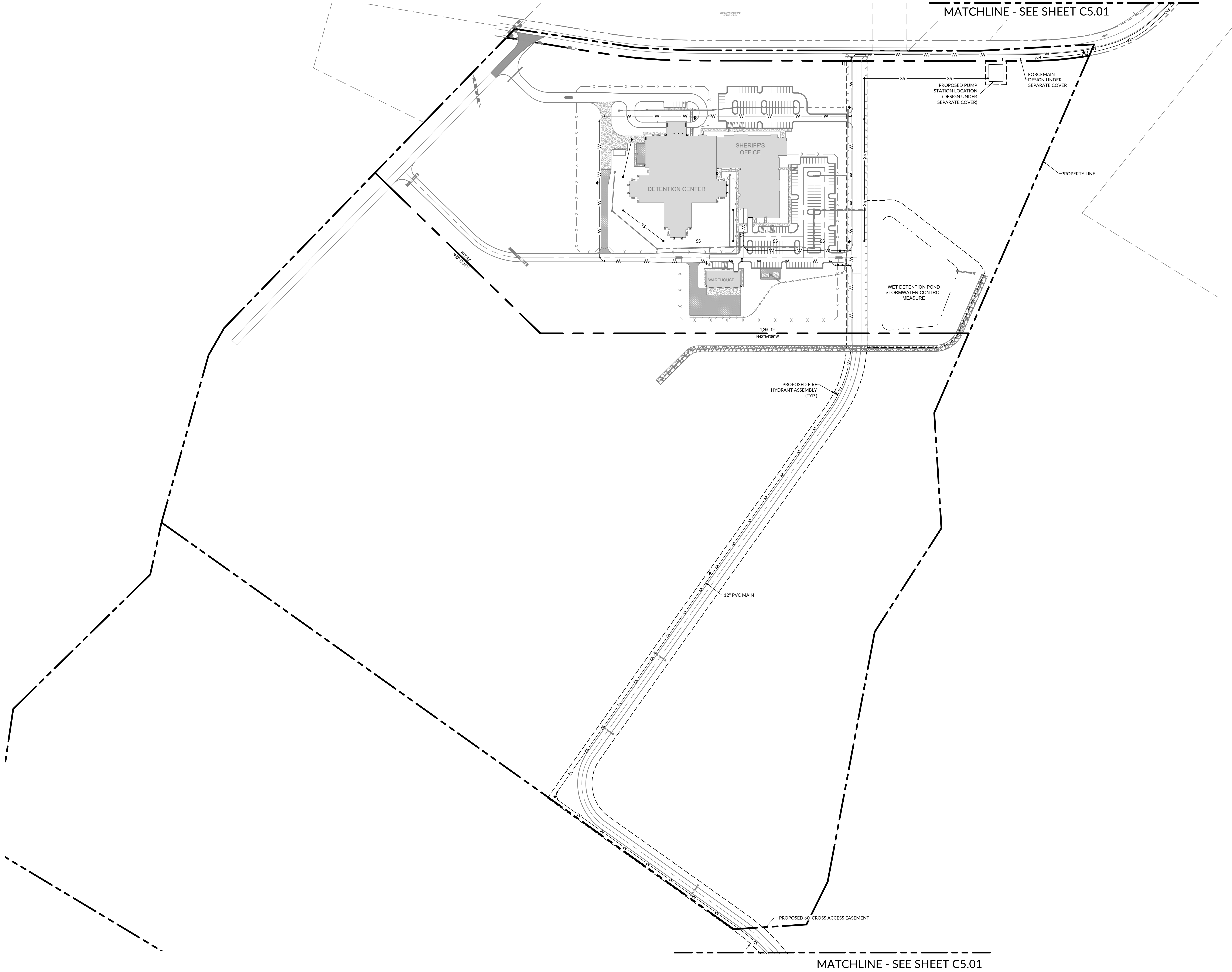
PENDER COUNTY LEC
PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

OFFSITE ROADWAY
GRADING PLAN

C4.02

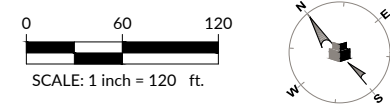
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OLD SAVANNAH ROAD BURGAW, NC

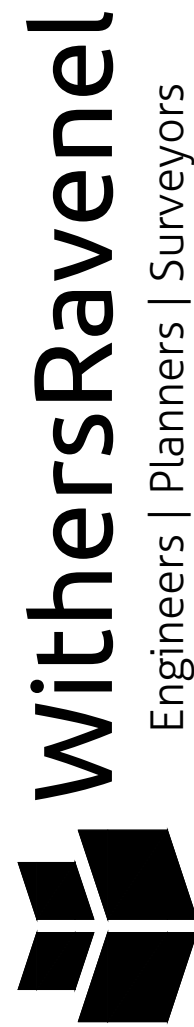
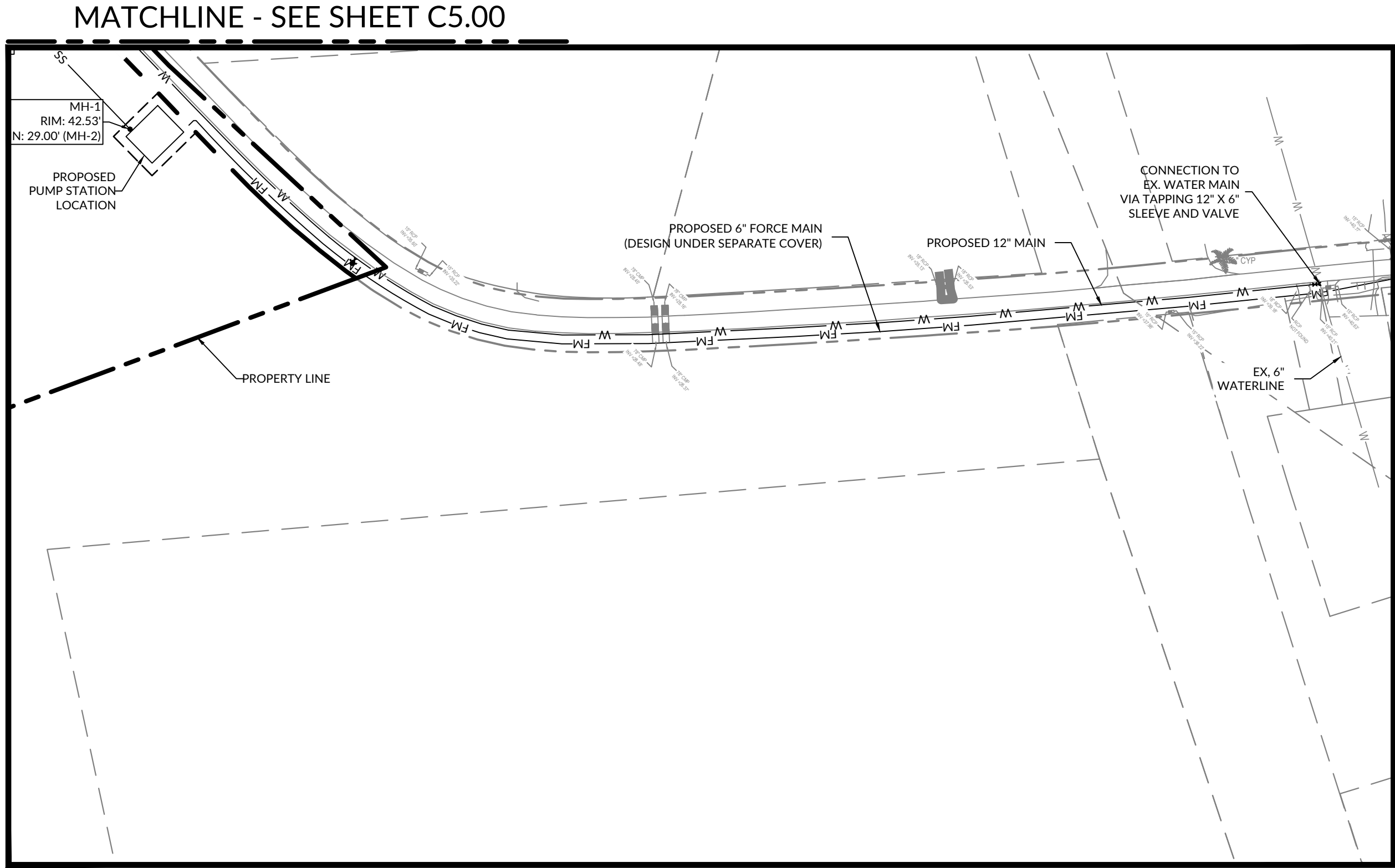
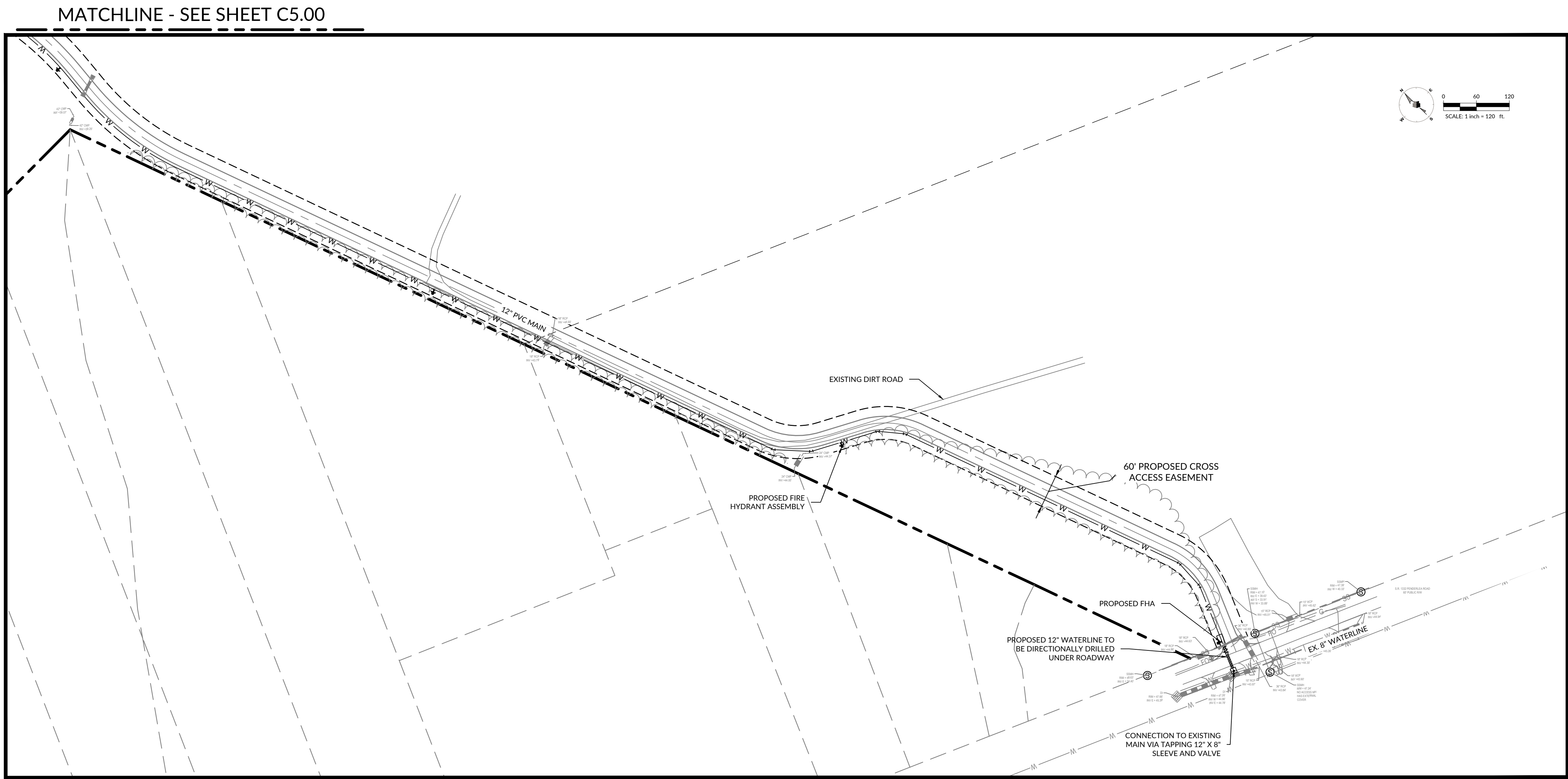
PROJECT NO: 811888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

OVERALL UTILITY
PLAN

C5.00

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PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

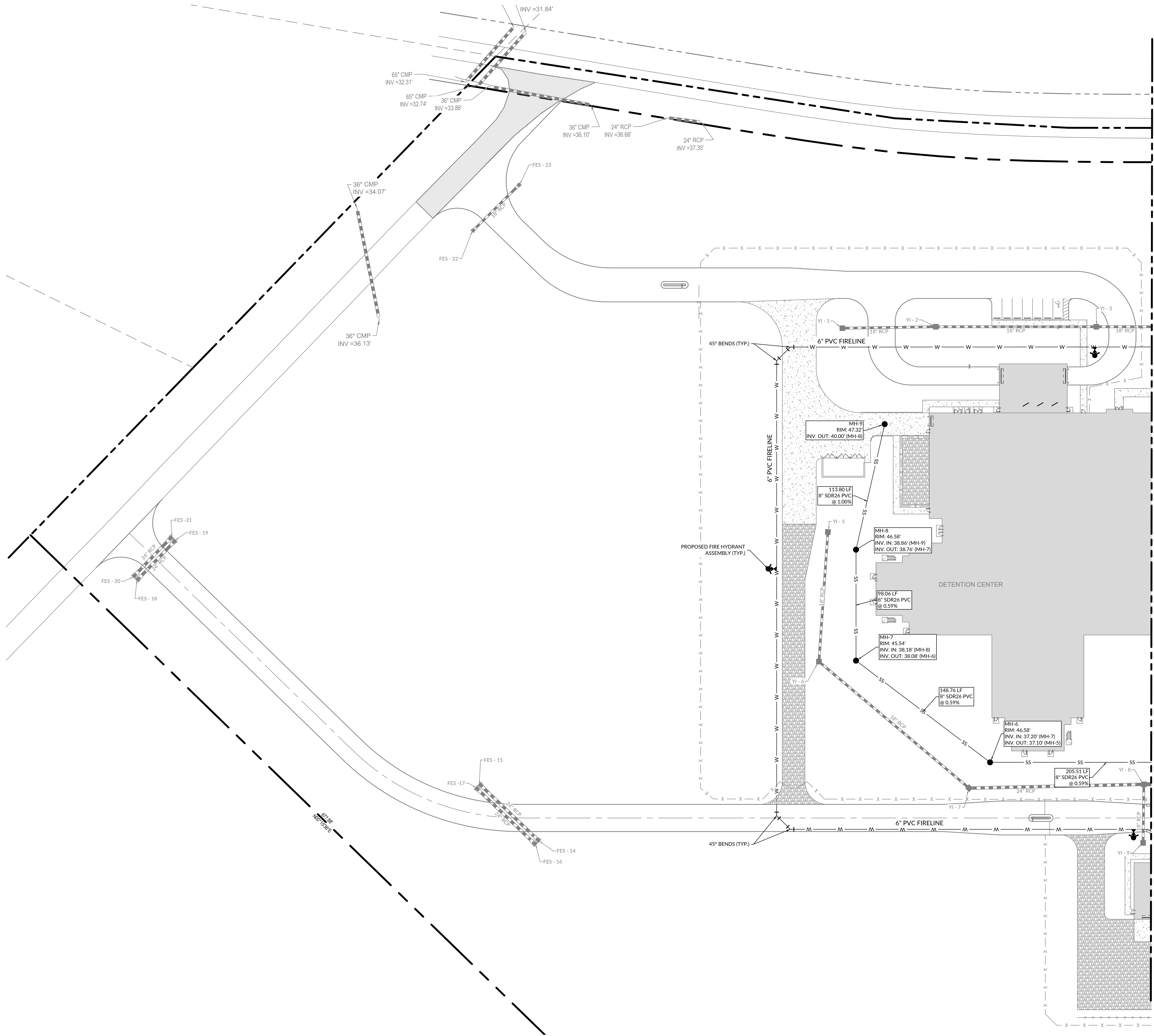
PROJECT NO:	611888
DATE:	12/15/2023
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

OFFSITE OVERALL
UTILITY PLAN

C5.01

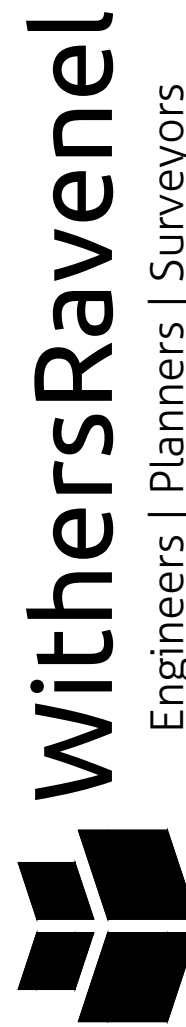
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MATCHLINE - SEE SHEET C5.02

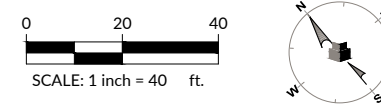
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DESCRIPTION	
EXISTING WATERLINE	— W —
PROPOSED WATERLINE	— W — W —
PROPOSED FIRE HYDRANT	Y
PROPOSED VALVE	X
PROPOSED BLOW OFF ASSEMBLY	•
EXISTING SANITARY SEWER	— SS —
PROPOSED SANITARY SEWER	— SS —
PROPOSED MANHOLE	•
EXISTING FORCE MAIN	— FM —
PROPOSED FORCE MAIN	— FM —
WATER SERVICE & METER	■
SANITARY SEWER SERVICE & CLEANOUT	+



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OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO:	611888
DATE:	12/15/2023
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

DETAILED UTILITY
PLAN

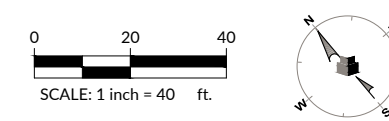
C5.02

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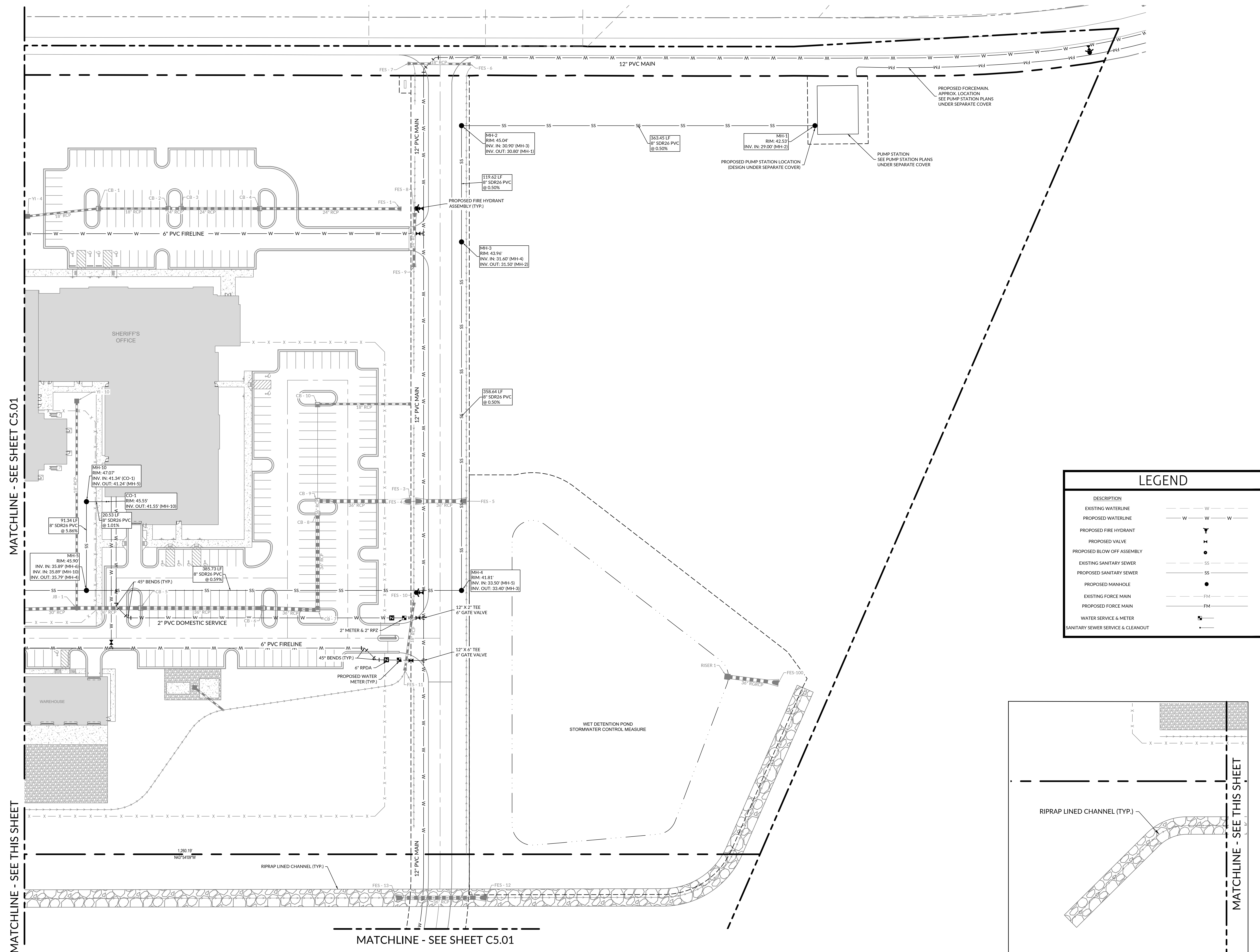
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OLD SAVANNAH ROAD BURGAW, NC

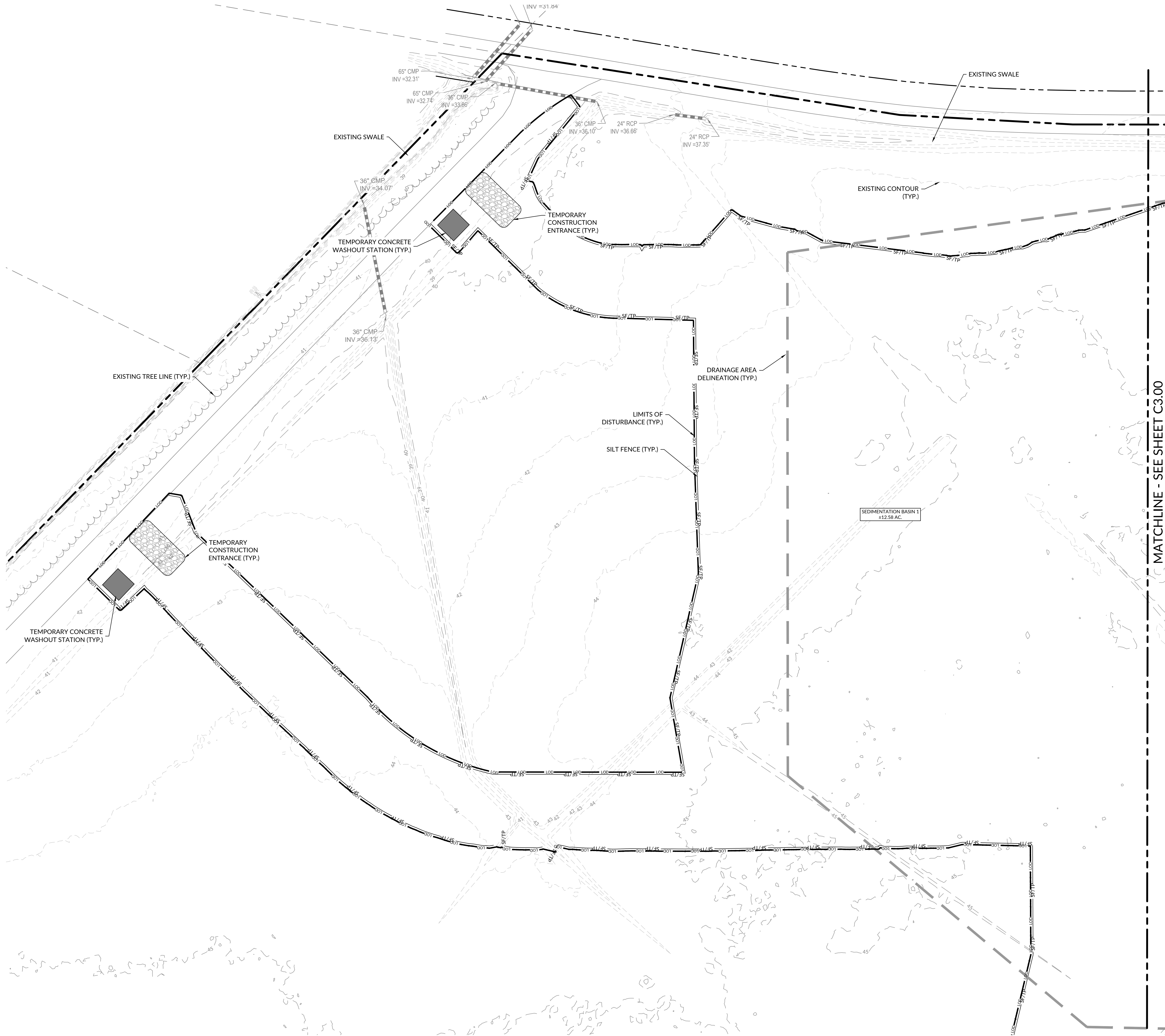
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DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
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12/15/23	90% CD SET

DETAILED UTILITY PLAN

C5.03

Page 198 of 29



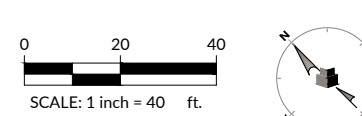


MATCHLINE - SEE SHEET C3.00

EROSION CONTROL LEGEND	
SYMBOL	DESCRIPTION
XX XX	BAFFLE
--- L00 ---	LIMITS OF DISTURBANCE
SF/TP	SILT/TREE PROTECTION FENCE
->TD	TEMPORARY DIVERSION DITCH
[Pattern]	TEMPORARY CONSTRUCTION ENTRANCE
[Symbol]	CHECK DAM
[Symbol]	TEMPORARY CONCRETE WASHOUT
[Symbol]	INLET PROTECTION
---	SWALE



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PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
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12/15/23	90% CD SET

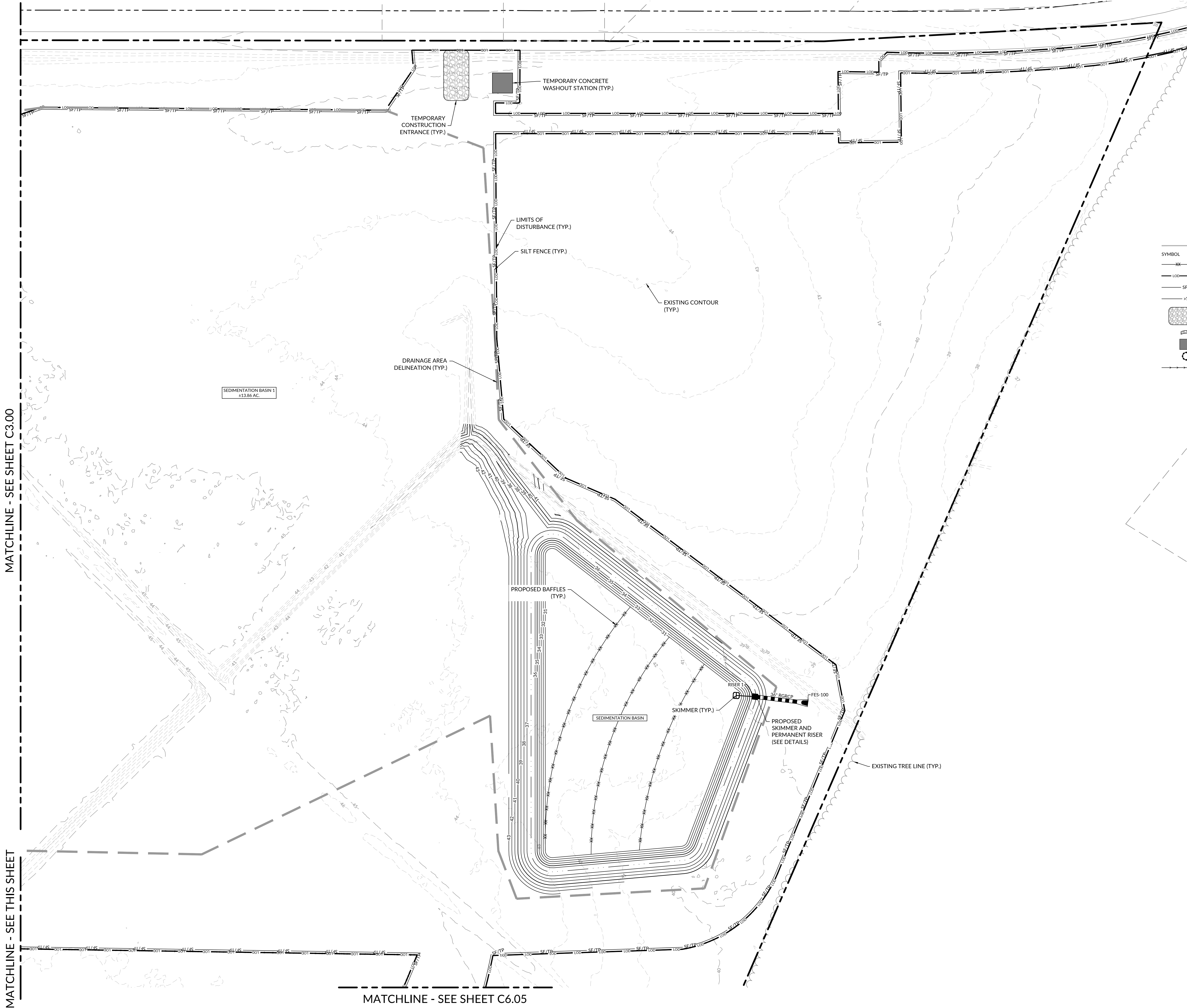
EROSION CONTROL
STAGE 1

C6.00



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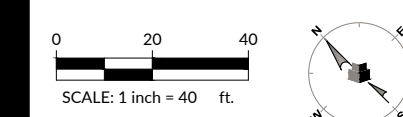
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EROSION CONTROL LEGEND	
SYMBOL	DESCRIPTION
XX XX	BAFFLE
--- ---	LIMITS OF DISTURBANCE
SF/TP	SILT/TREE PROTECTION FENCE
->TD	TEMPORARY DIVERSION DITCH
[Pattern]	TEMPORARY CONSTRUCTION ENTRANCE
[Symbol]	CHECK DAM
[Symbol]	TEMPORARY CONCRETE WASHOUT
[Symbol]	INLET PROTECTION
[Symbol]	SWALE



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OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

EROSION CONTROL
STAGE 1

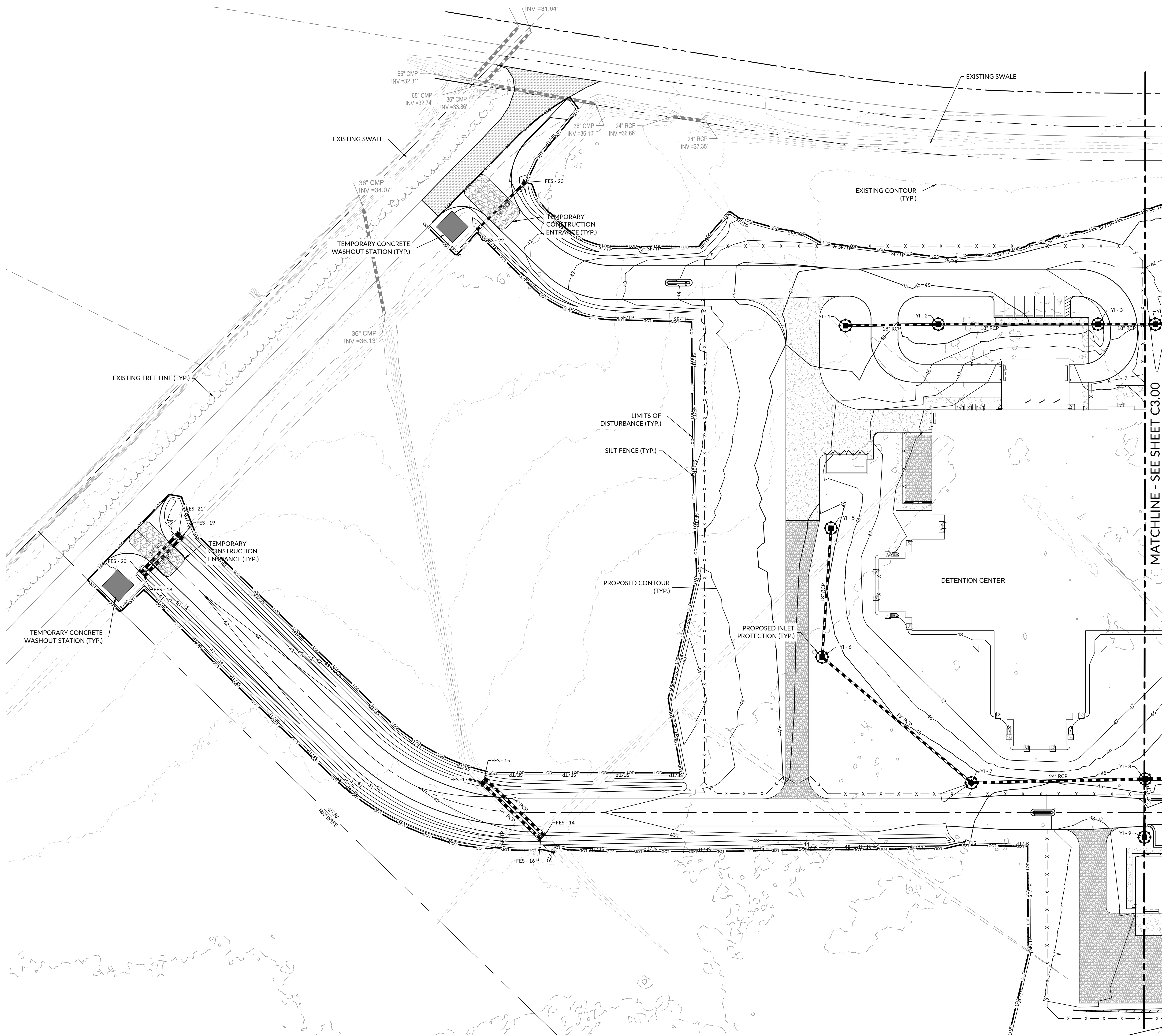
C6.01



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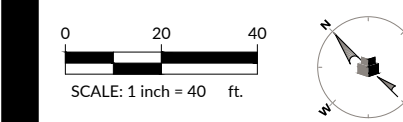
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EROSION CONTROL LEGEND	
SYMBOL	DESCRIPTION
XX XX	BAFFLE
---	LIMITS OF DISTURBANCE
5F/TP	SILT/TREE PROTECTION FENCE
[Pattern]	TEMPORARY CONSTRUCTION ENTRANCE
[Symbol]	CHECK DAM
[Symbol]	TEMPORARY CONCRETE WASHOUT
[Symbol]	INLET PROTECTION
[Symbol]	ROCK INLET PROTECTION
---	SWALE



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PROJECT NO: 611888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

EROSION CONTROL
STAGE 2

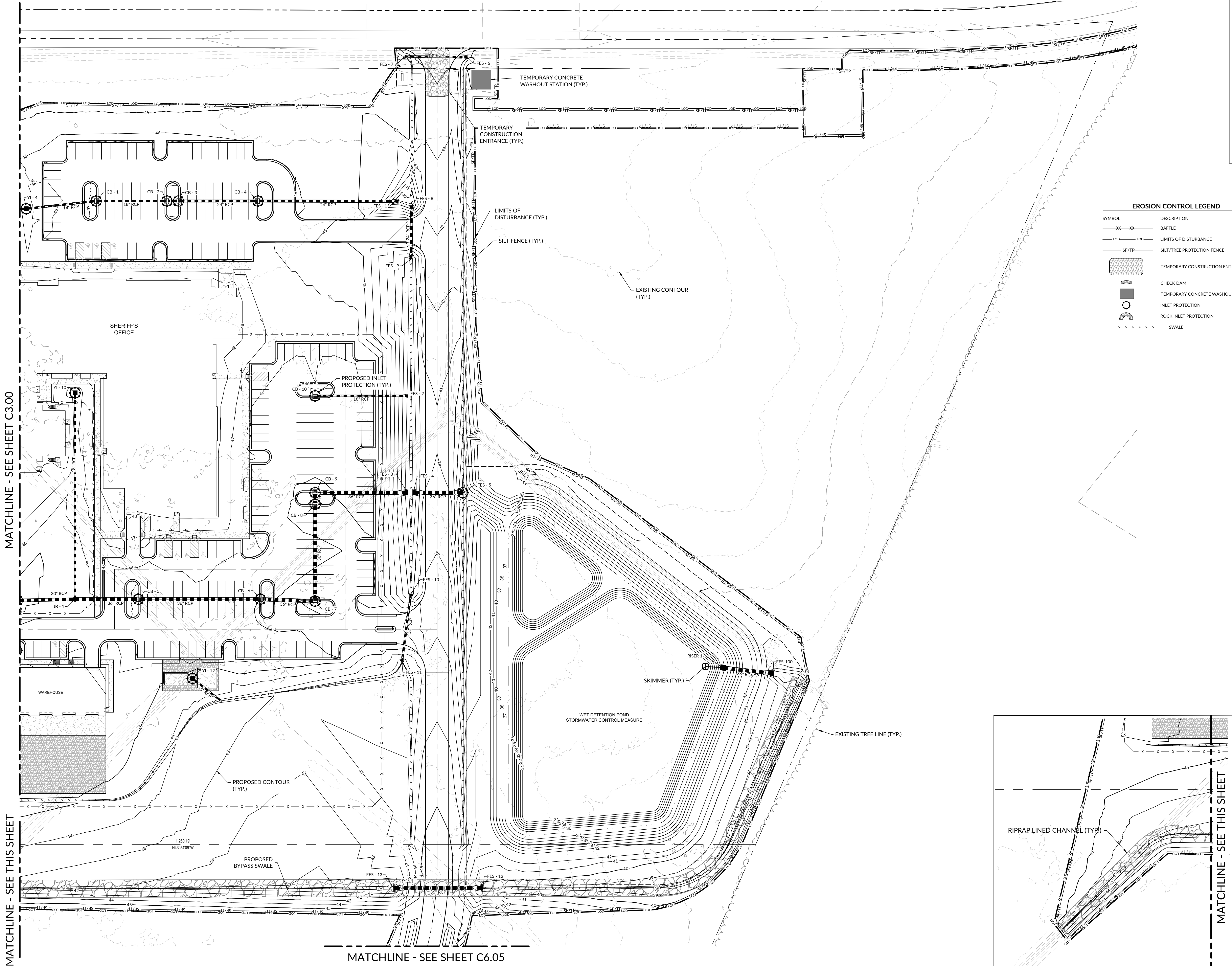
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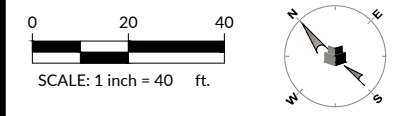
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EROSION CONTROL LEGEND	
SYMBOL	DESCRIPTION
XX XX	BAFFLE
---	LIMITS OF DISTURBANCE
SF/TP	SILT/TREE PROTECTION FENCE
[Pattern]	TEMPORARY CONSTRUCTION ENTRANCE
[Symbol]	CHECK DAM
[Symbol]	TEMPORARY CONCRETE WASHOUT
[Symbol]	INLET PROTECTION
[Symbol]	ROCK INLET PROTECTION
[Symbol]	SWALE



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PENDER COUNTY LEC
PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

EROSION CONTROL
STAGE 2

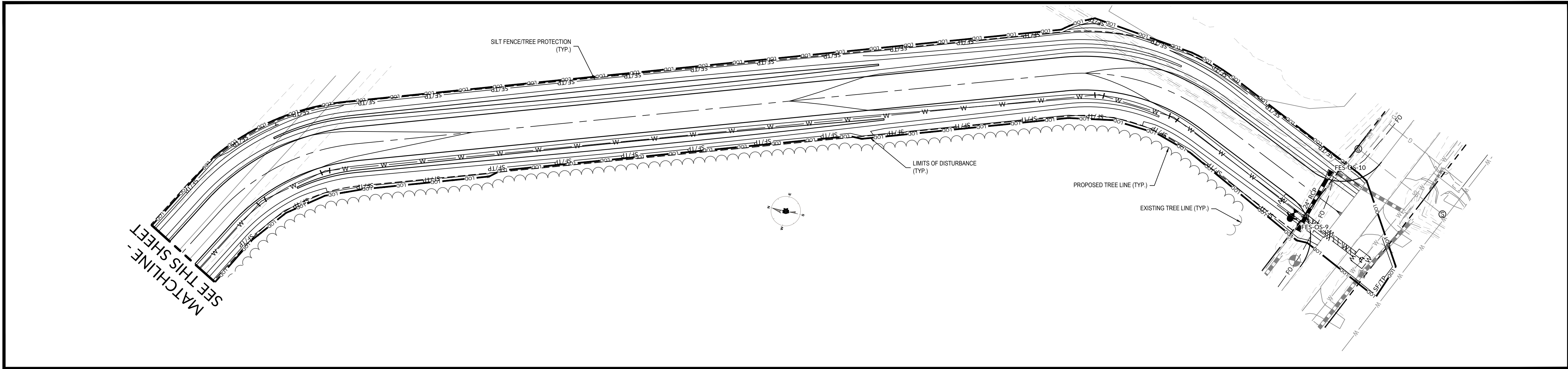
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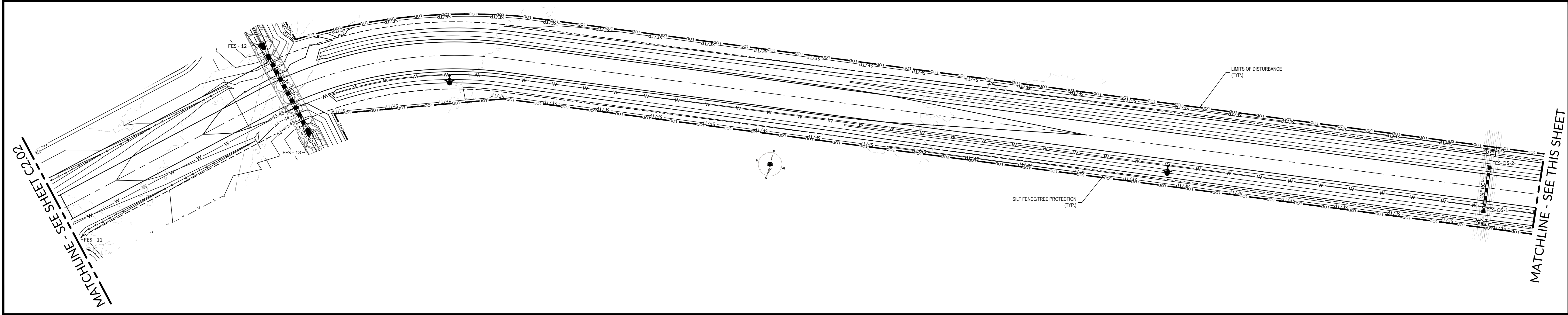
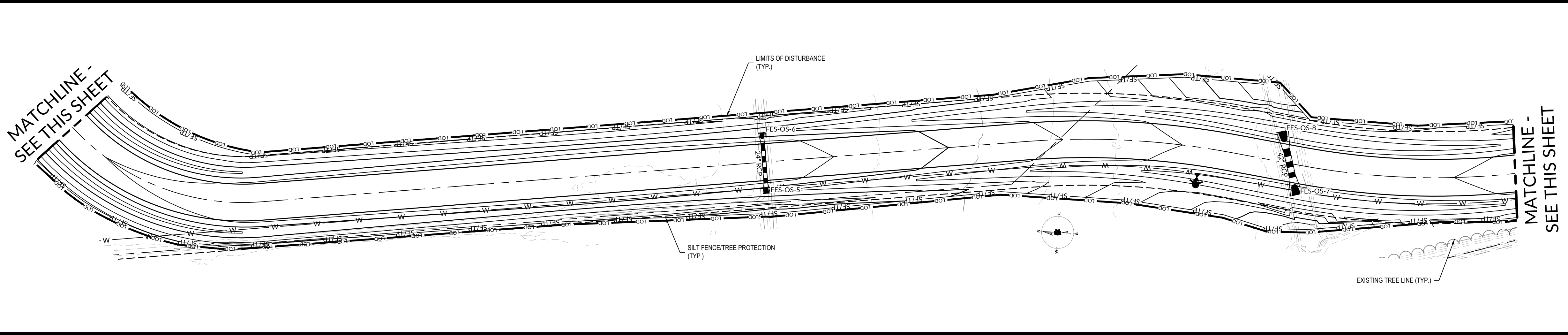
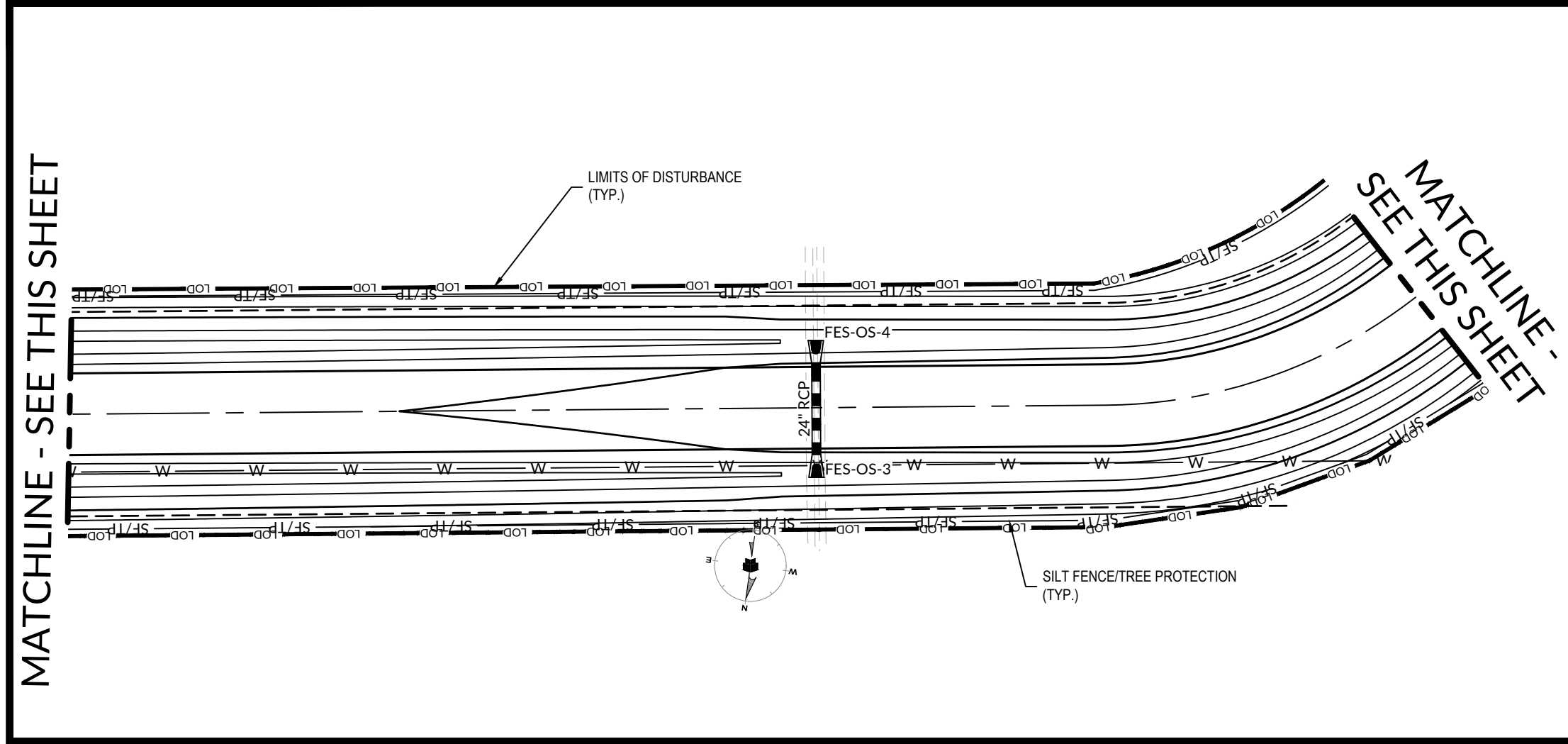
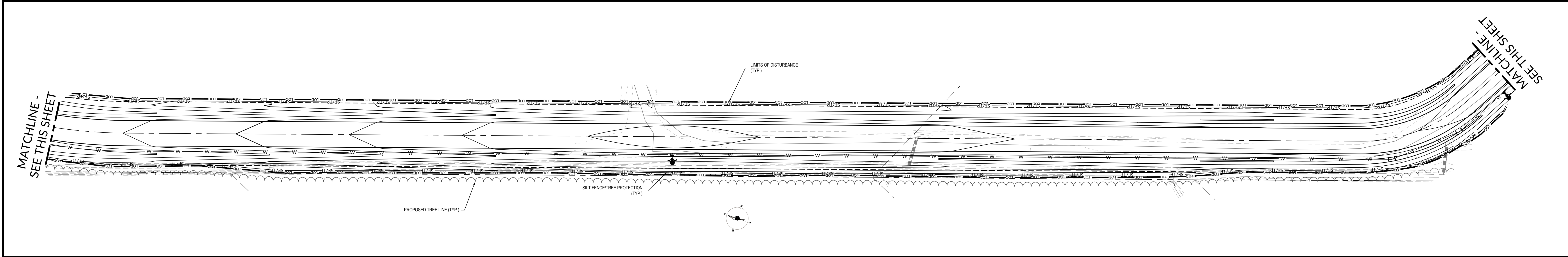
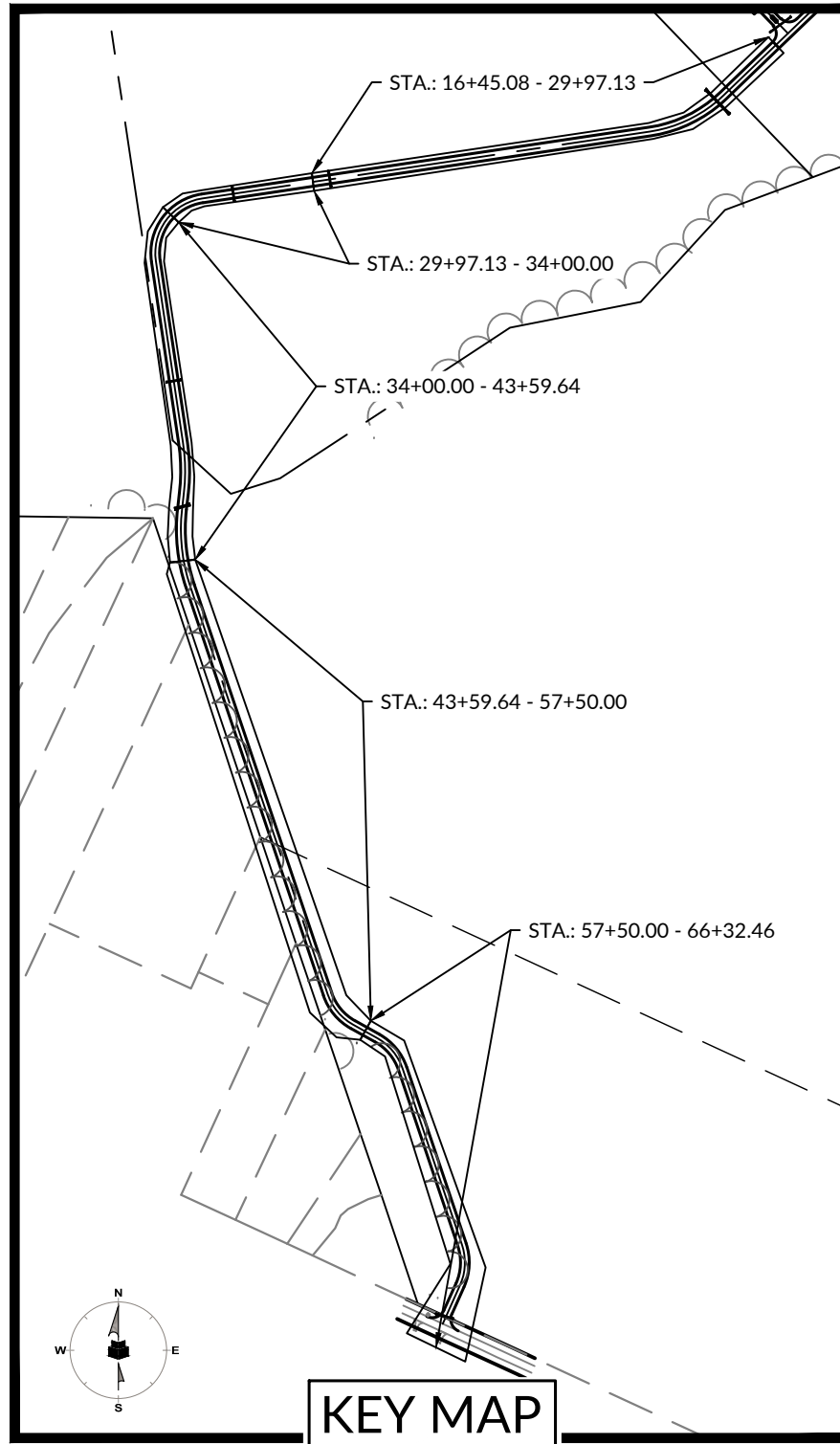
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EROSION CONTROL LEGEND	
SYMBOL	DESCRIPTION
XX-XX	BAFFLE
---	LIMITS OF DISTURBANCE
SF/TP	SILT/TREE PROTECTION FENCE
[Pattern]	TEMPORARY CONSTRUCTION ENTRANCE
[Pattern]	CHECK DAM
[Pattern]	TEMPORARY CONCRETE WASHOUT
[Pattern]	INLET PROTECTION
[Pattern]	ROCK INLET PROTECTION
[Pattern]	SWALE



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SCALE: 1 inch = 40' ft.

PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

PROJECT NO: 611888
DATE: 12/15/2023

EROSION CONTROL
STAGE 2 OFFSITE
ROADWAY

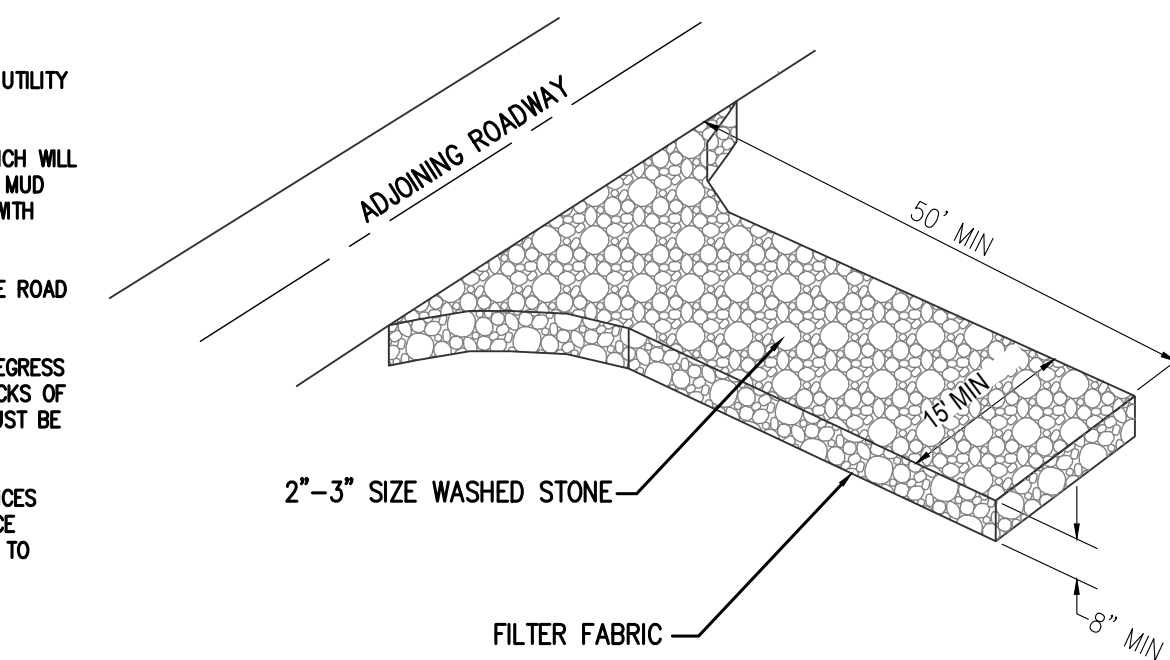
C6.05

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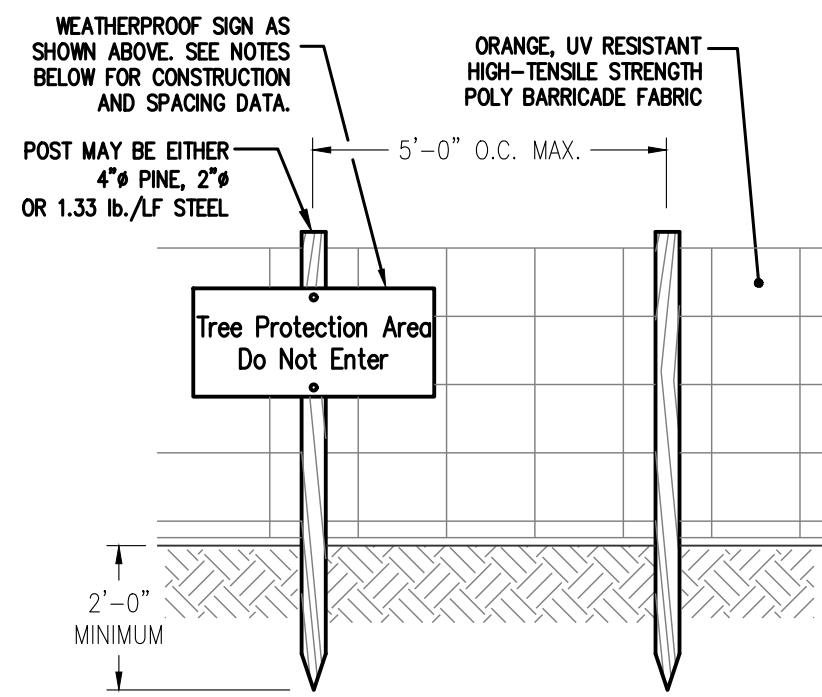
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NOTES:

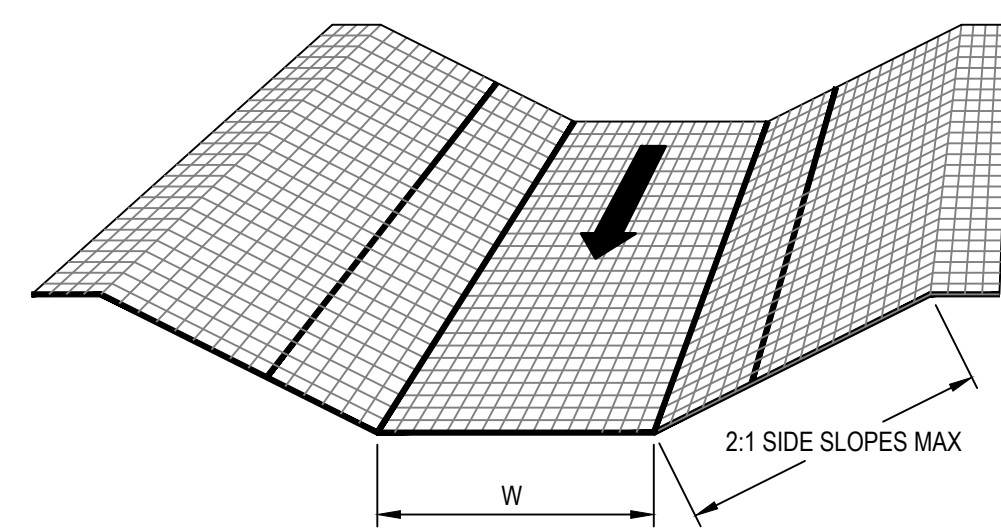
1. PROVIDE TURNING RADIUS SUFFICIENT TO ACCOMMODATE LARGE TRUCKS.
2. LOCATE ENTRANCE TO PROVIDE MAXIMUM UTILITY BY ALL CONSTRUCTION VEHICLES.
3. MUST BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING, OR DIRECT FLOW, OF MUD ONTO STREETS. PERIODIC TOPDRESSING WITH STONE WILL BE NECESSARY.
4. ANY MATERIAL WHICH MAKES IT ONTO THE ROAD MUST BE CLEANED UP IMMEDIATELY.
5. APPLICABLE AT ALL POINTS OF INGRESS/EGRESS UNTIL SITE IS STABILIZED. FREQUENT CHECKS OF THE FENCE AND TIMELY MAINTENANCE MUST BE PROVIDED.
6. WHEN TEMPORARY CONSTRUCTION ENTRANCES ARE LOCATED ON PAVED SURFACES, PLACE MINIMUM OF 2" OF SCREENING OR SAND TO HELP FACILITATE IN CLEAN-UP AND SITE RESTORATION.

**TEMPORARY CONSTRUCTION ENTRANCE**

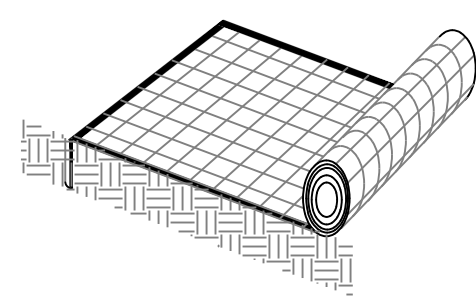
NTS

**TREE PROTECTION FENCE**

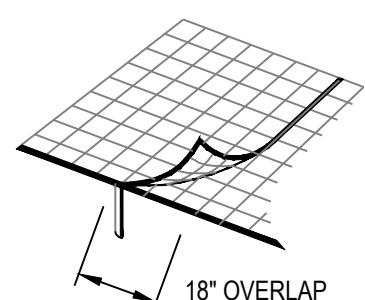
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IN CHANNELS, ROLL OUT STRIPS OF MATTING/NETTING PARALLEL TO THE DIRECTION OF FLOW & OVER THE PROTECTIVE MULCH



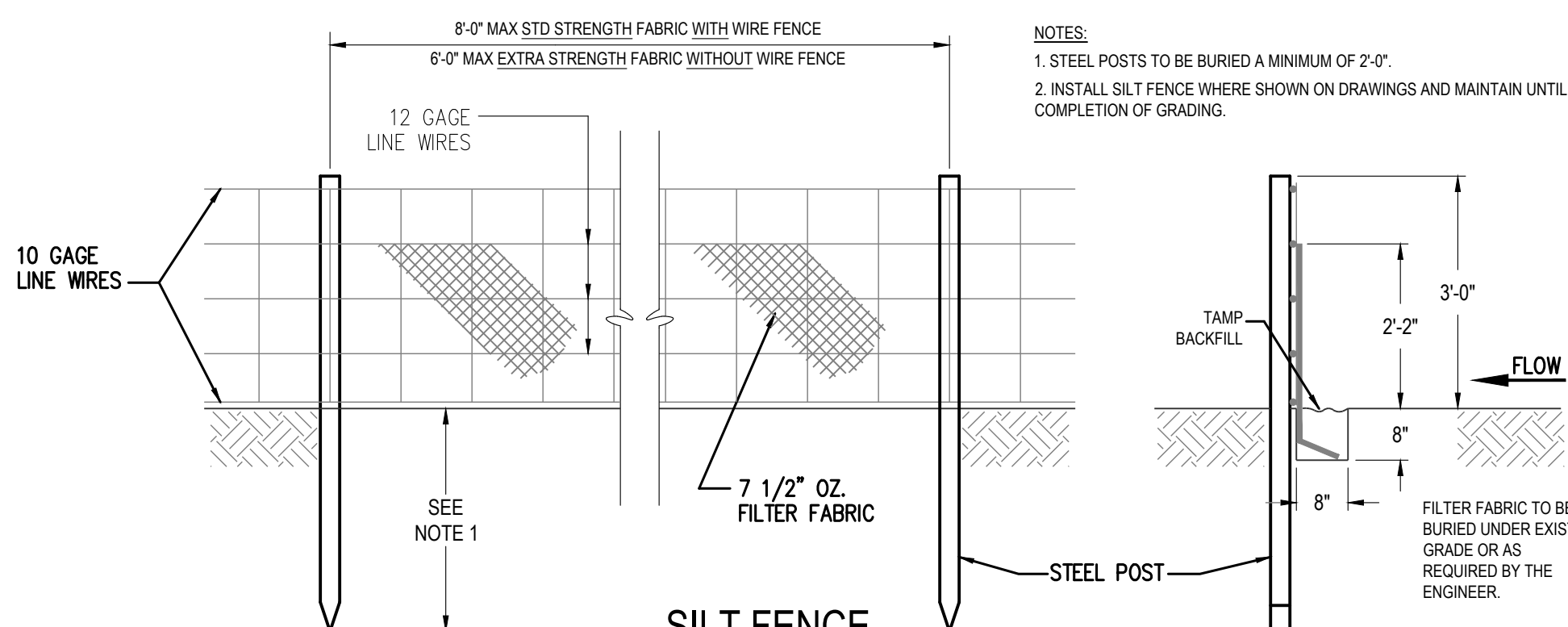
ANCHOR MATTING/NETTING IN A 6' TRENCH

**ROLLED EROSION CONTROL CHANNEL LINER**

N.T.S.

MAINTENANCE:

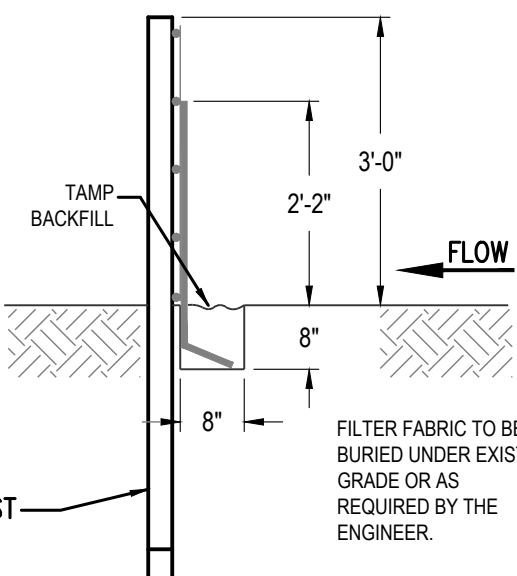
1. INSPECT SEDIMENT FENCES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. SHOULD THE FABRIC OF THE SEDIMENT FENCE COLLAPSE, TEAR, DECOMPOSE OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY.
3. REMOVE SEDIMENT DEPOSITS AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE FENCE. TAKE CARE TO AVOID UNDERMINING THE FENCE DURING CLEANOUT.
4. REMOVE ALL FENCING MATERIALS AND UNSTABLE SEDIMENT DEPOSITS AND BRING THE AREA TO GRADE AND STABILIZE IT AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

**SILT FENCE**

NTS

NOTES:

1. STEEL POSTS TO BE BURIED A MINIMUM OF 2'-0".
2. INSTALL SILT FENCE WHERE SHOWN ON DRAWINGS AND MAINTAIN UNTIL COMPLETION OF GROWING.

**ENERGY DISSIPATOR SCHEDULE**

ENERGY DISSIPATOR NO.	PIPE DIAMETER (in)	APRON THICKNESS (in)	La (ft)	WIDTH(W) (ft)	3do	RIP RAP SIZE
FES-SCM	42	18	28	10.5	9	CLASS B
FES-1	18	12	4.5	6	4.5	CLASS B
FES-2	48	18	12	16	12	CLASS 1

RIP RAP ENERGY DISSIPATER

N.T.S.

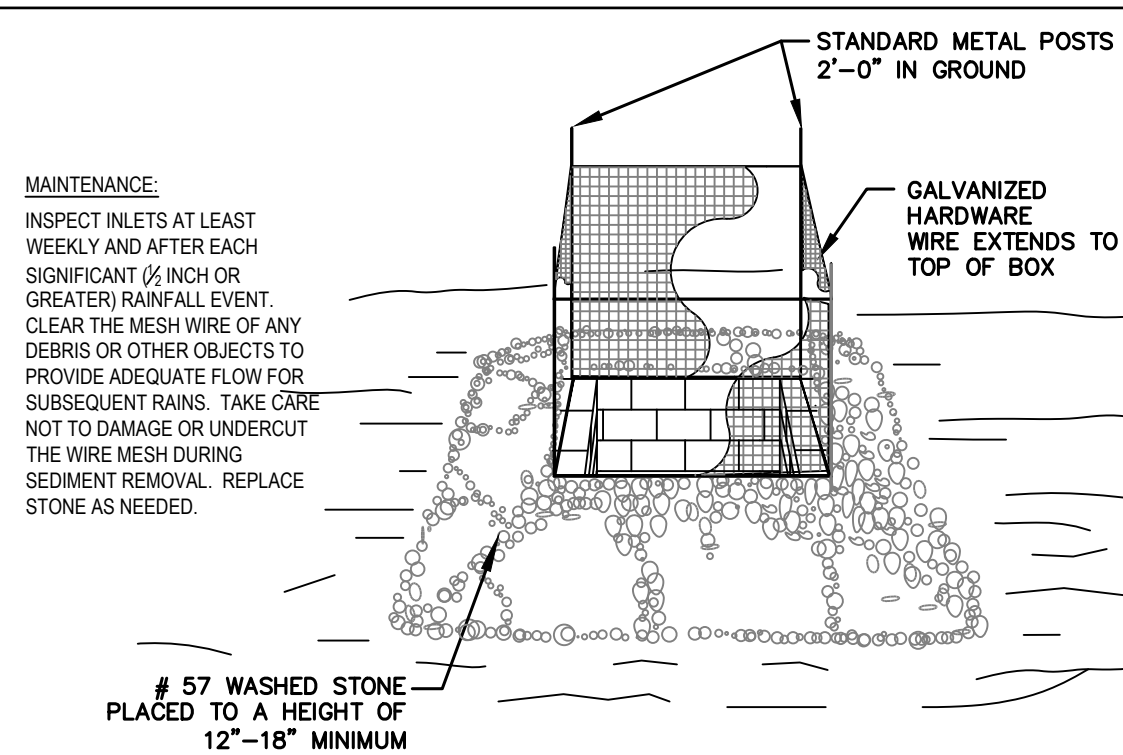
SEEDBED PREPARATION:

1. CHISEL COMPACTED AREAS AND SPREAD TOPSOIL 3 INCHES DEEP OVER ADVERSE SOIL CONDITIONS, IF AVAILABLE.
2. RIP THE ENTIRE AREA TO 6 INCHES DEPTH.
3. REMOVE ALL LOOSE ROCK, ROOTS, AND OTHER OBSTRUCTIONS LEAVING SURFACE REASONABLY SMOOTH AND UNIFORM.
4. APPLY AGRICULTURAL LIME, FERTILIZER, AND SUPERPHOSPHATE UNIFORMLY AND MIX WITH SOIL.
5. CONTINUE TILLAGE UNTIL A WELL PULVERIZED, FIRM REASONABLY UNIFORM SEEDBED IS PREPARED 4 TO 6 INCHES DEEP.
6. SEED ON A FRESHLY PREPARED SEEDBED AND COVER SEED LIGHTLY WITH SEEDING EQUIPMENT OR CULTIPACK AFTER SEEDING.
7. MULCH IMMEDIATELY AFTER SEEDING AND ANCHOR MULCH.
8. INSPECT ALL SEEDBED AREAS AND MAKE NECESSARY REPAIRS OR RE-SEEDINGS WITHIN THE PLANTING SEASON, IF POSSIBLE. IF STAND SHOULD BE OVER 80% DAMAGED, RE-ESTABLISH FOLLOWING ORIGINAL LINE FERTILIZER AND SEEDING RATES.
9. CONSULT CONSERVATION INSPECTOR ON MAINTENANCE TREATMENT AND FERTILIZATION AFTER PERMANENT COVER IS ESTABLISHED.

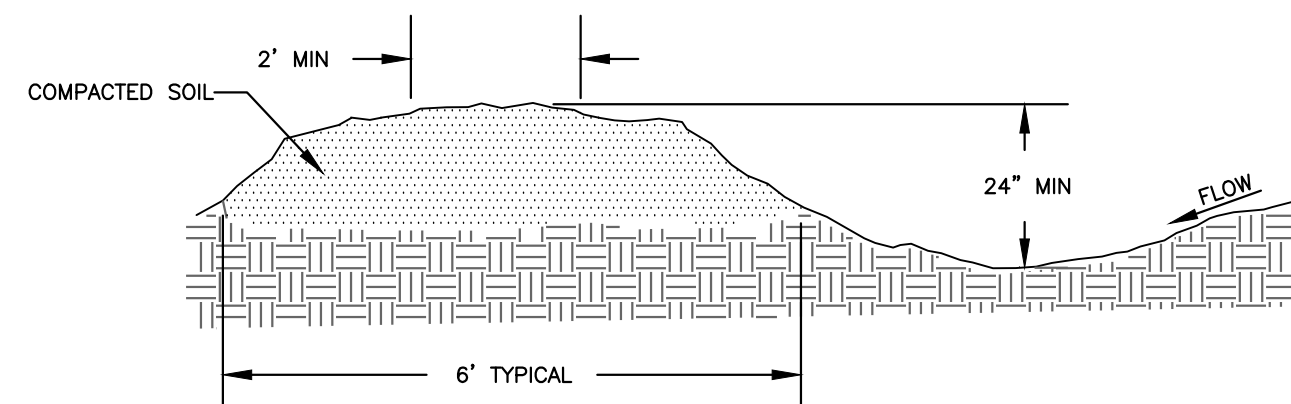
NOTES:

CONSULT CONSERVATION ENGINEER OR SOIL CONSERVATION SERVICE FOR ADDITIONAL INFORMATION CONCERNING OTHER ALTERNATIVES FOR VEGETATION OF DENUDED AREAS. THE VEGETATION RATES ARE THOSE WHICH DO WELL UNDER LOCAL CONDITIONS. OTHER SEEDING RATES COMBINATIONS ARE POSSIBLE.

* TEMPORARY RE-SEED ACCORDING TO OPTIMUM SEASON FOR DESIRED PERMANENT VEGETATION. DO NOT ALLOW TEMPORARY COVER TO GROW OVER 12" IN HEIGHT BEFORE MOWING.

**STANDARD CATCH BASIN/
YARD INLET PROTECTION**

NTS

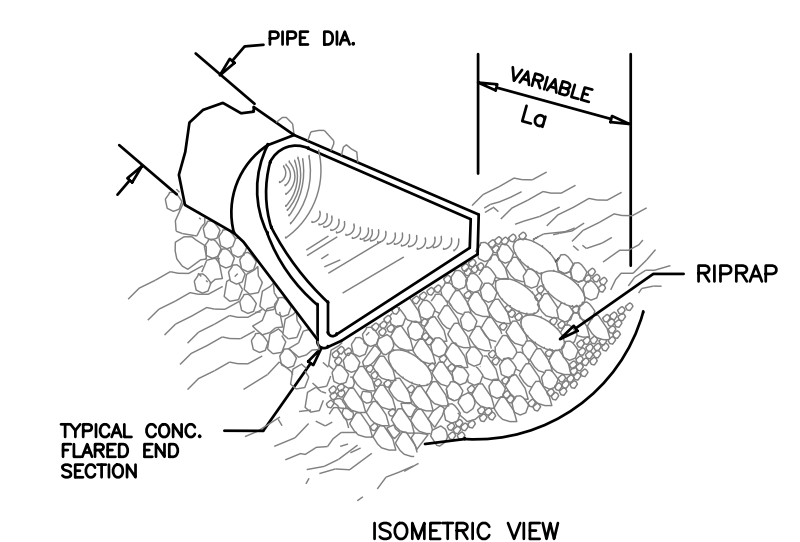
**MAINTENANCE:**

INSPECT TEMPORARY DIVERSIONS ONCE A WEEK AND AFTER EVERY RAINFALL. IMMEDIATELY REMOVE SEDIMENT FROM THE FLOW AREA AND REPAIR THE DIVERSION RIDGE. CAREFULLY CHECK OUTLETS AND MAKE TIMELY REPAIRS AS NEEDED. WHEN THE AREA PROTECTED IS PERMANENTLY STABILIZED, REMOVE THE RIDGE AND THE CHANNEL TO BLEND WITH THE NATURAL GROUND LEVEL AND APPROPRIATELY STABILIZE IT.

TEMPORARY DIVERSION BERMS						
TD#	DRAINAGE AREA (AC)	RUNOFF COEFFICIENT	SLOPE (%)	CONSTRUCTED DEPTH (FT)	NORMAL DEPTH (FT)	TOP WIDTH (FT)
##	1.57	0.5	1.40	3.0	0.75	20
##	10.16	0.5	0.50	3.0	2.19	20
##	10.25	0.5	0.55	3.0	2.16	20

TEMPORARY DIVERSION SWALE

NTS

**CONSTRUCTION SPECIFICATION:**

1. EXCAVATE BELOW CHANNEL, OUTLET AND WIDEN CHANNEL TO THE REQUIRED RIPRAP THICKNESS FOR EACH APRON. FOUNDATION TO BE CUT TO ZERO GRADE AND SMOOTHED.
2. PLACE FILTER CLOTH ON BOTTOM AND SIDES OF PREPARED FOUNDATION. ALL JOINTS TO OVERLAP A MINIMUM OF 1'-0".
3. EXERCISE CARE IN RIPRAP PLACEMENT TO AVOID DAMAGE TO FILTER FABRIC.
4. PLACE RIPRAP ON ZERO GRADE. TOP OF RIPRAP TO BE LEVEL WITH EXISTING OUTLET. NO OVERLAP AT ENDS.
5. RIPRAP TO BE HARD, ANGULAR, WELL GRADED CLASS B EROSION CONTROL STONE.
6. IMMEDIATELY AFTER CONSTRUCTION STABILIZED ALL DISTURBED AREAS WITH VEGETATION AS SHOWN IN VEGETATIVE PLAN.

MAINTENANCE:

INSPECT RIP RAP DISSIPATORS WEEKLY AND AFTER EACH SIGNIFICANT 0.5 INCH OR GREATER RAINFALL EVENT TO SEE IF ANY EROSION AROUND OR BELOW THE RIP RAP HAS TAKEN PLACE. OR IF STONES HAVE BEEN DISLOADED. IMMEDIATELY MAKE ALL NEEDED REPAIRS TO PREVENT FURTHER DAMAGE.

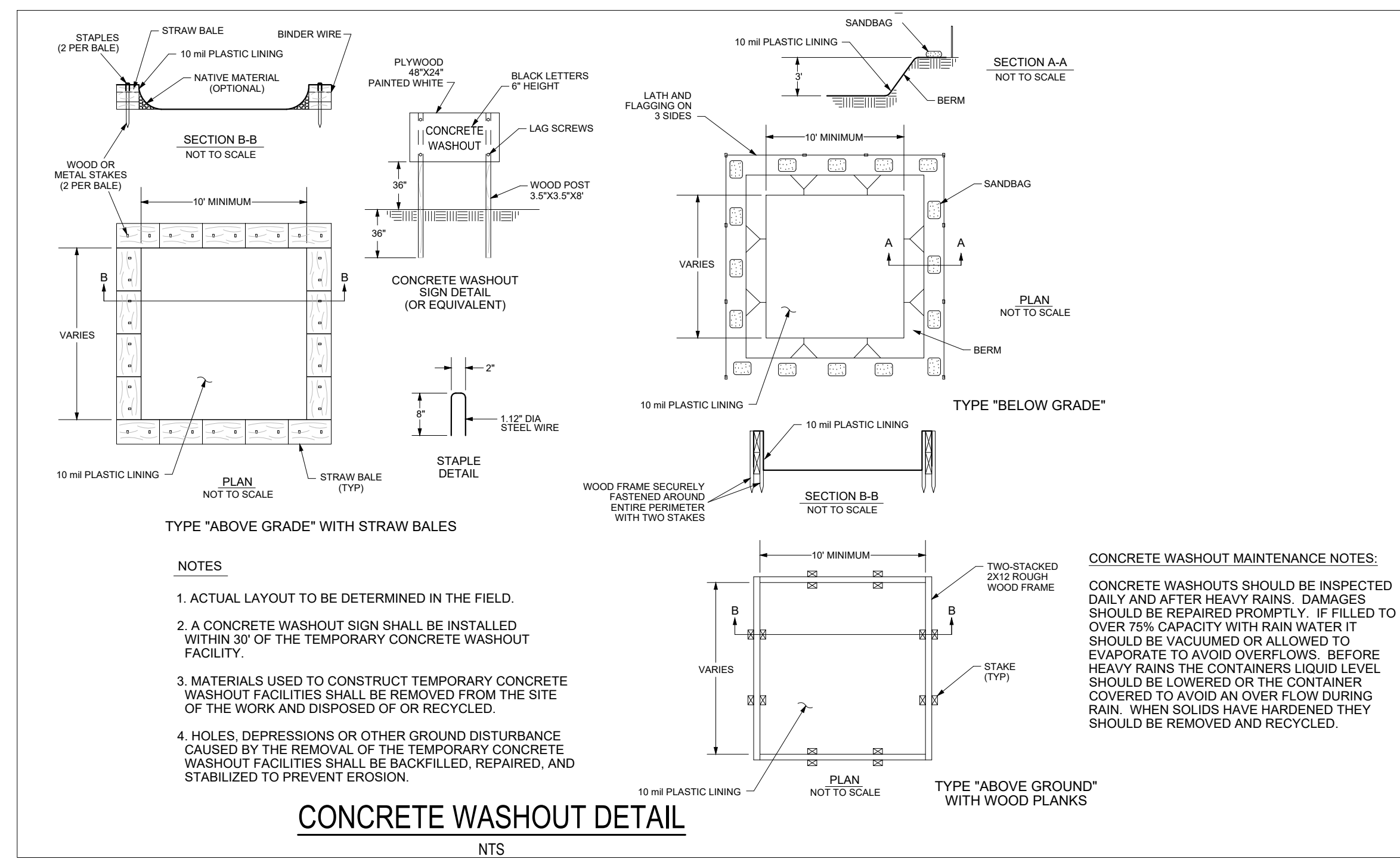
NOTES:

SEE SCHEDULE BELOW FOR DIMENSIONS

1. LA IS THE LENGTH OF THE RIPRAP APRON.

2. D+1.5 TIMES THE MAXIMUM STONE DIAMETER BUT NOT LESS THAN 3'.

A FILTER BLANKET (FILTER FABRIC) SHALL BE INSTALLED BETWEEN THE RIPRAP AND SOIL FOUNDATION.

**CONCRETE WASHOUT DETAIL**

NTS

SEDIMENT BASIN MAINTENANCE:

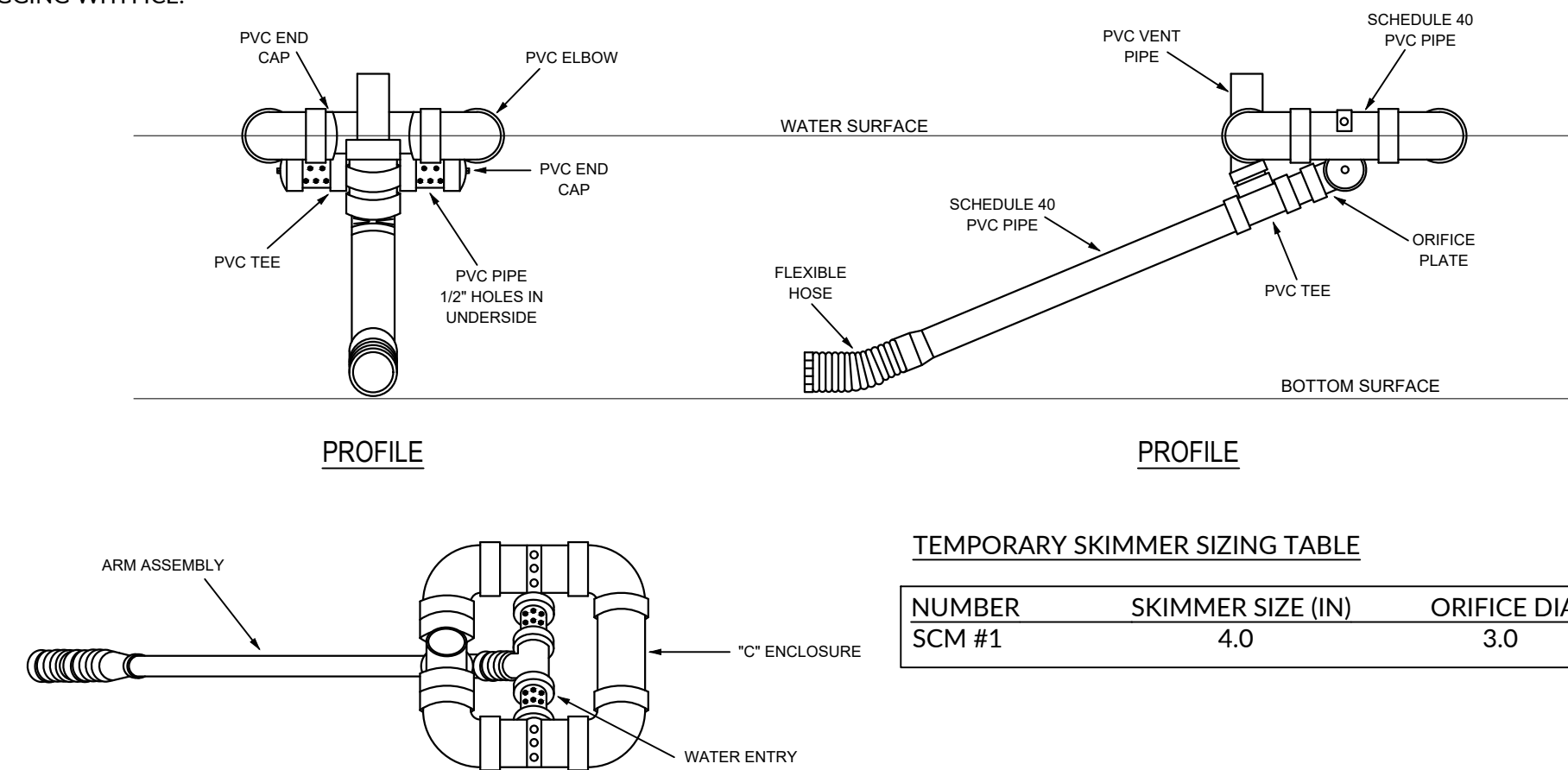
INSPECT SKIMMER SEDIMENT BASINS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-HALF INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. PULL THE SKIMMER TO ONE SIDE SO THAT THE SEDIMENT UNDERNEATH IT CAN BE EXCAVATED. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT JUST AROUND THE SKIMMER OR THE FIRST CELL. MAKE SURE VEGETATION GROWING IN THE BOTTOM OF THE BASIN DOES NOT HOLD DOWN THE SKIMMER.

IF THE SKIMMER IS CLOGGED WITH TRASH AND THERE IS WATER IN THE BASIN, USUALLY JERKING ON THE ROPE WILL MAKE THE SKIMMER BOB UP AND DOWN AND DISLODGE THE DEBRIS AND RESTORE FLOW. IF THIS DOES NOT WORK, PULL THE SKIMMER OVER TO THE SIDE OF THE BASIN AND REMOVE THE DEBRIS. ALSO CHECK THE ORIFICE INSIDE THE SKIMMER TO SEE IF IT IS CLOGGED; IF SO REMOVE THE DEBRIS.

IF THE SKIMMER ARM OR BARREL PIPE IS CLOGGED, THE ORIFICE CAN BE REMOVED AND THE OBSTRUCTION CLEARED WITH A PLUMBER'S SNAKE OR BY FLUSHING WITH WATER. BE SURE AND REPLACE THE ORIFICE BEFORE REPOSITIONING THE SKIMMER.

CHECK THE FABRIC LINED SPILLWAY FOR DAMAGE AND MAKE ANY REQUIRED REPAIRS WITH FABRIC THAT SPANS THE FULL WIDTH OF THE SPILLWAY. CHECK THE EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND OTHER DEBRIS FROM THE SKIMMER AND POOL AREAS.

FREEZING WEATHER CAN RESULT IN ICE FORMING IN THE BASIN. SOME SPECIAL PRECAUTIONS SHOULD BE TAKEN IN THE WINTER TO PREVENT THE SKIMMER FROM PLUGGING WITH ICE.

**FAIRCLOTH SKIMMER DETAIL**

NTS

MAINTENANCE NOTES:

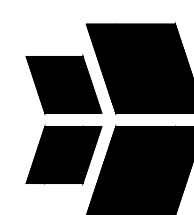
1. INSPECT CHANNELS AT REGULAR INTERVALS AS WELL AS AFTER MAJOR RAINS, AND MAKE REPAIRS PROMPTLY.
2. GIVE SPECIAL ATTENTION TO THE OUTLET AND INLET SECTIONS AND OTHER POINTS WHERE CONCENTRATED FLOW ENTERS.
3. CAREFULLY CHECK STABILITY AT ROAD CROSSINGS, AND LOOK FOR INDICATIONS OF PIPING, SCOUR HOLES, OR BANK FAILURES.
4. MAKE REPAIRS IMMEDIATELY.
5. MAINTAIN ALL VEGETATION ADJACENT TO THE CHANNEL IN A HEALTHY, VIGOROUS CONDITION TO PROTECT THE AREA FROM EROSION AND SCOUR DURING OUT-OF-BANK FLOW.

NOTE:

TO BE USED WHERE EXCESSIVE STORMWATER VELOCITIES PROHIBIT VEGETATIVE LININGS. SIZE OF STONE MUST BE DETERMINED BY APPROPRIATE DESIGN PROCEDURE.

PERMANENT SWALE INFORMATION											
CHANNEL I.D.	DRAINAGE AREA (AC)	WEIGHTED 'C' COEFFICIENT	CHANNEL FLOW (CFS)	CHANNEL SLOPE (%)	CHANNEL FLOW DEPTH (FT)	CHANNEL MINIMUM DEPTH (FT)	CHANNEL BOTTOM WIDTH (FT)	CHANNEL SIDE SLOPES	CHANNEL VELOCITY (FPS)	ALLOWABLE VELOCITY (FPS)	CHANNEL SHEAR STRESS (PSF)
SW-1	0.48	0.62	2.53	1.00	0.72	1.22	0.00	3:1	1.32	8.00	0.45
SW-2	1.53	0.85	11.00	1.00	0.59	1.09	0.00	3:1	8.18	10.00	0.37
SW-3	0.45	0.43	1.66	1.00	0.65	1.15	0.00	3:1	1.03	5.00	0.41
SW-4	0.96	0.27	2.20	1.00	0.67	1.17	0.00	3:1	1.31	5.00	0.42

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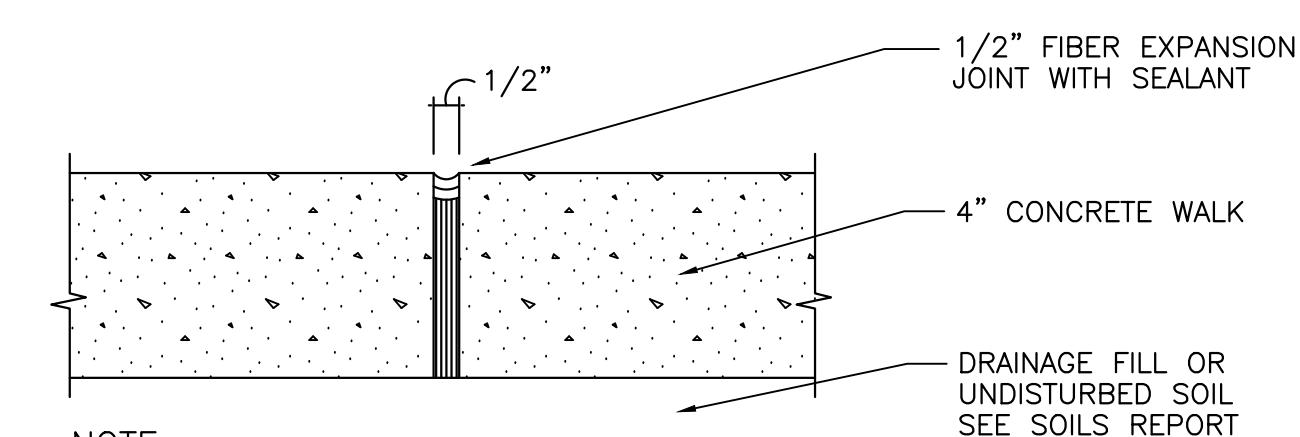
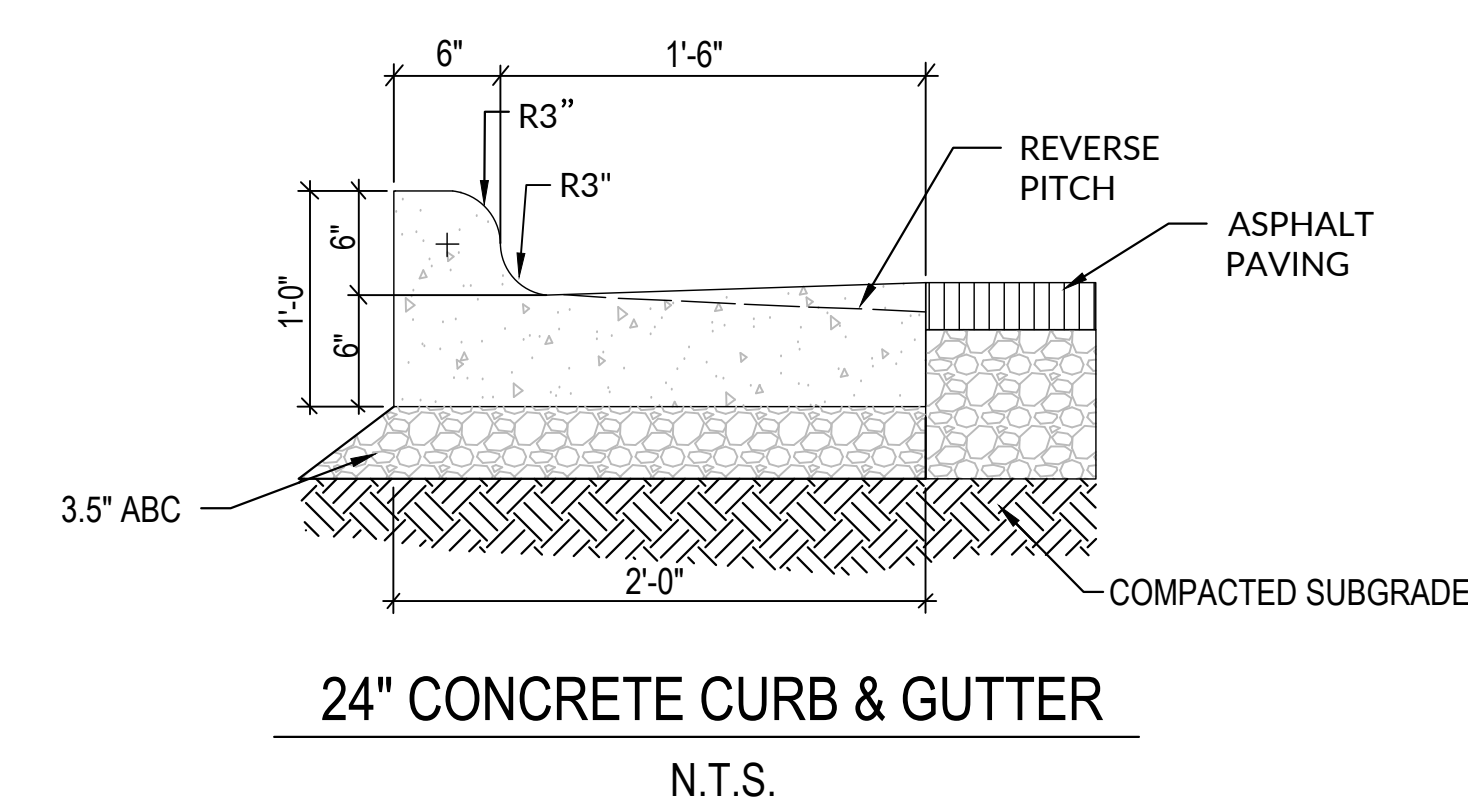
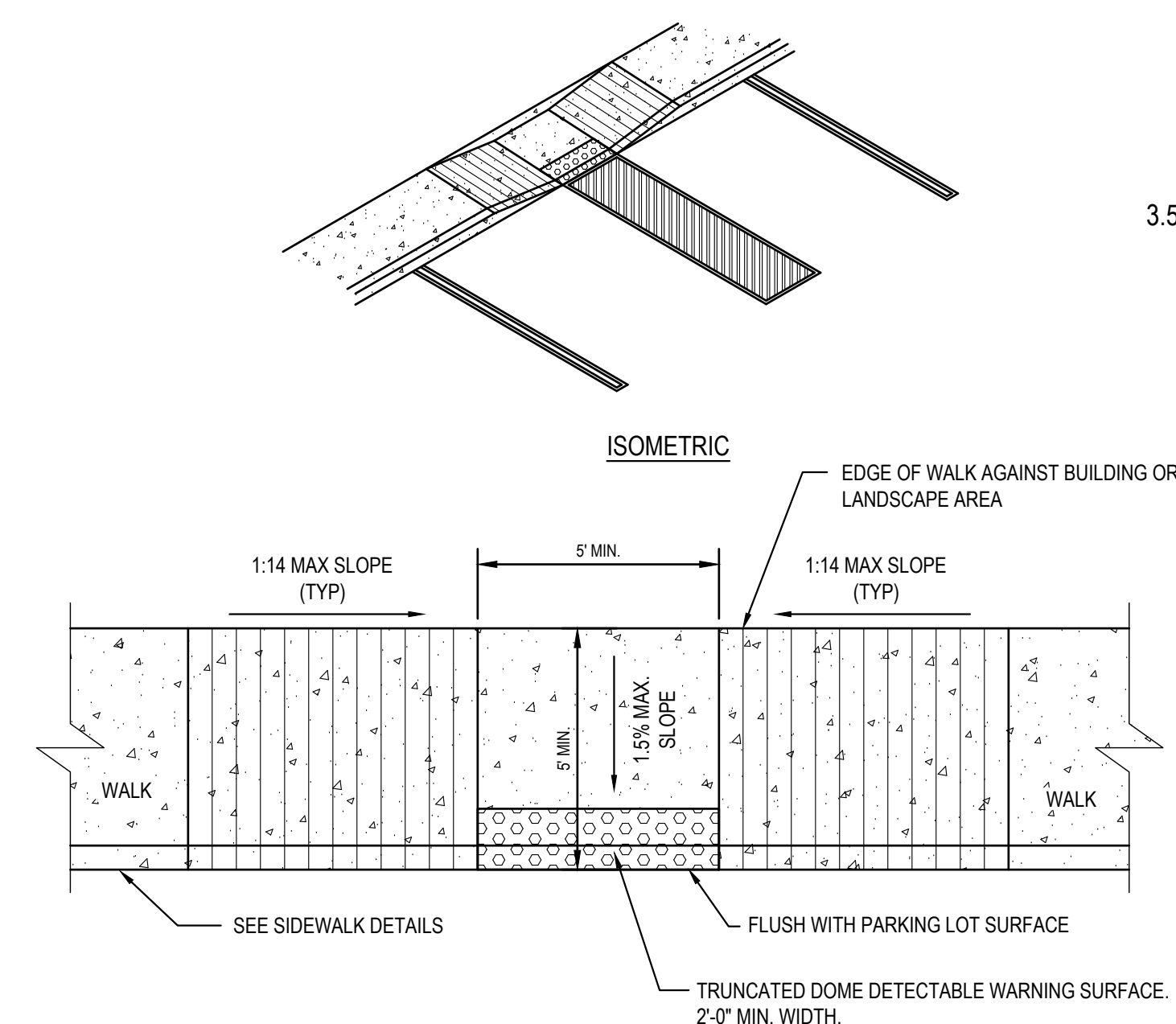
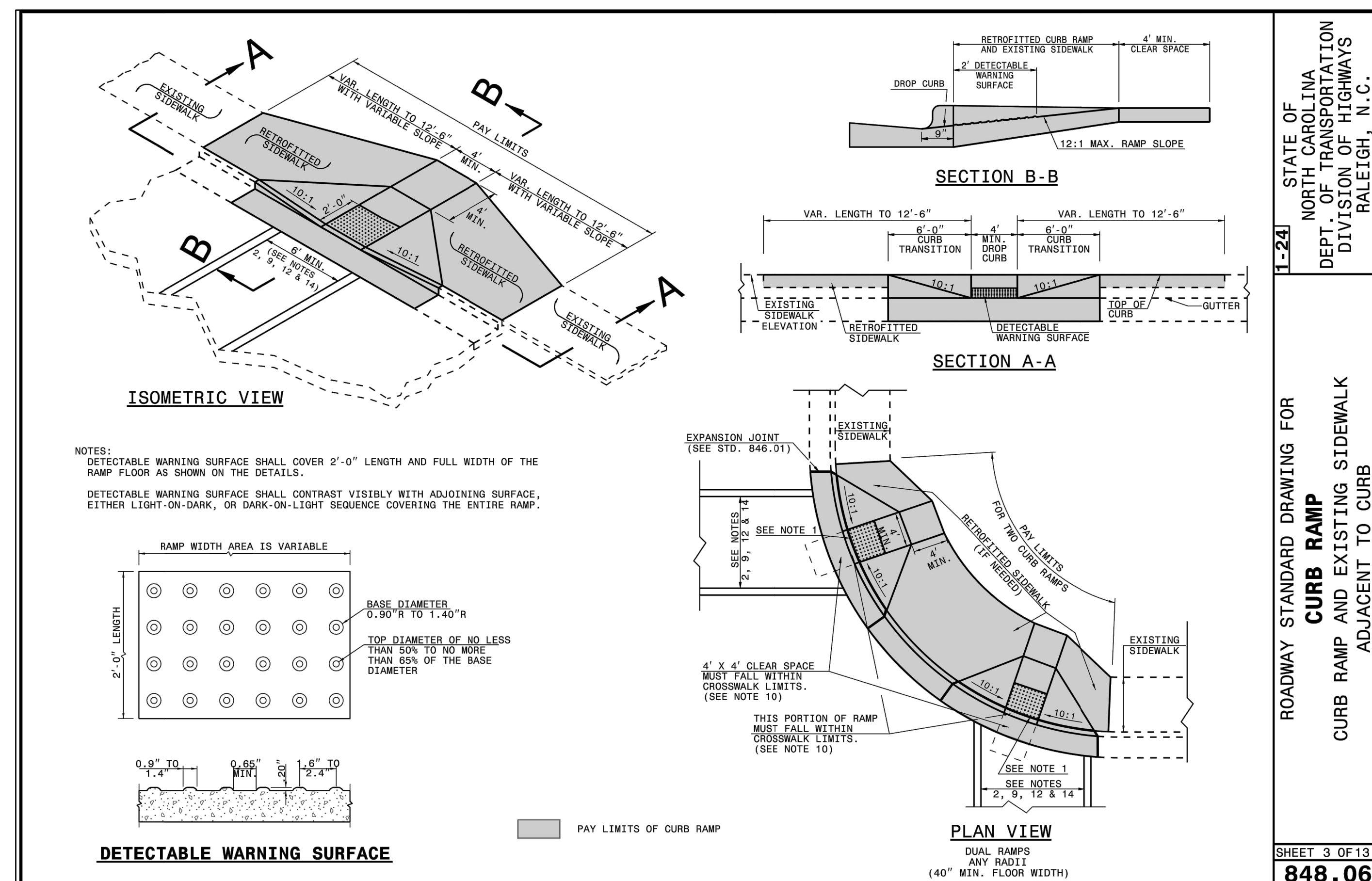
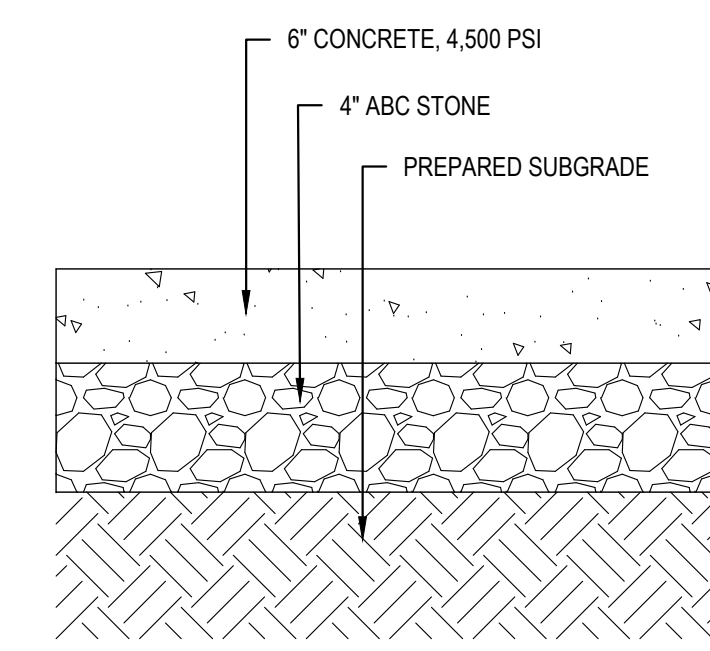
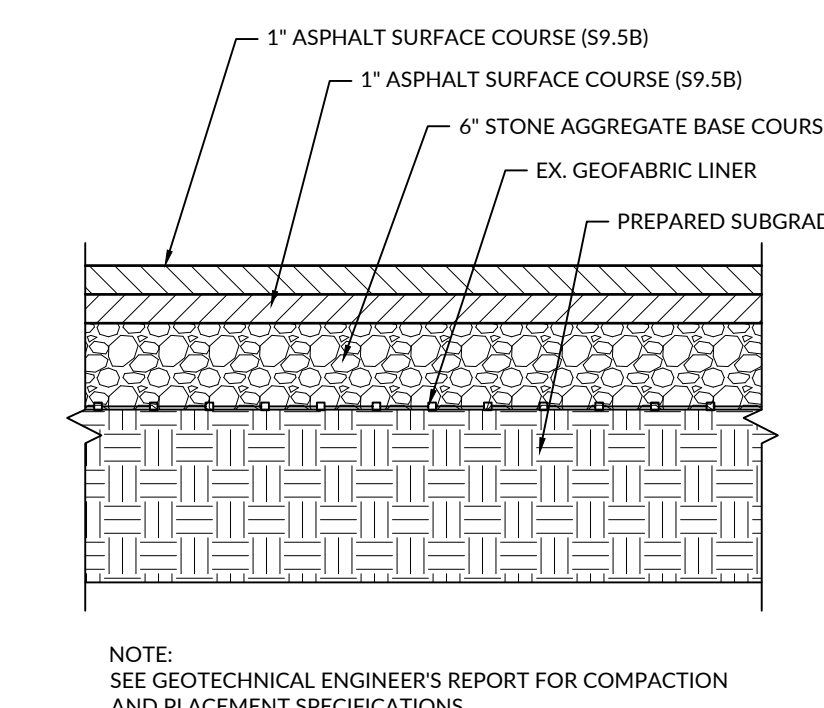
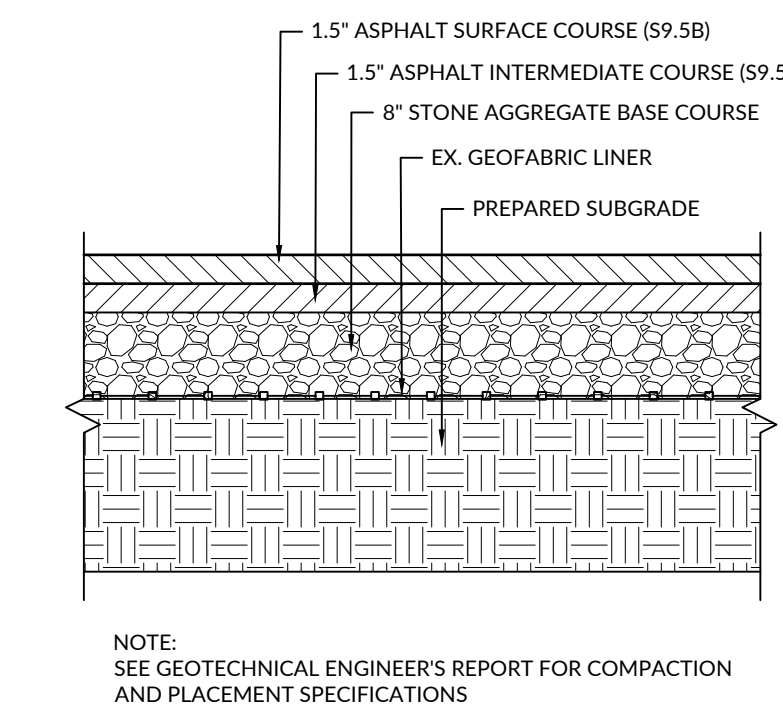
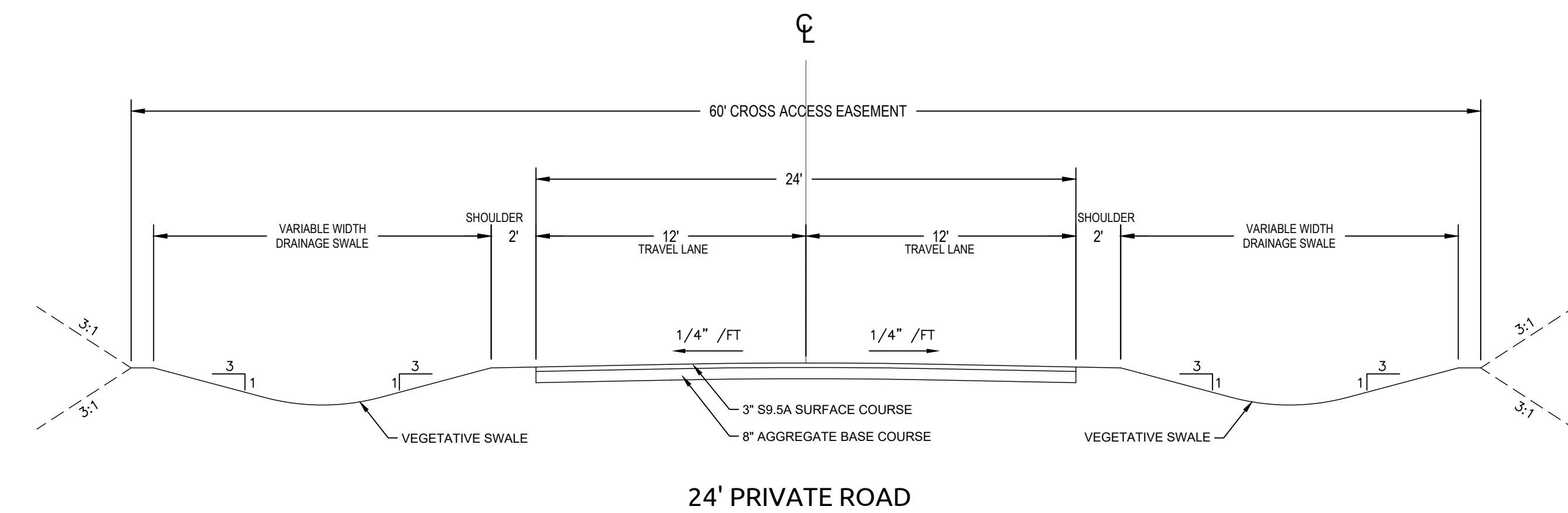
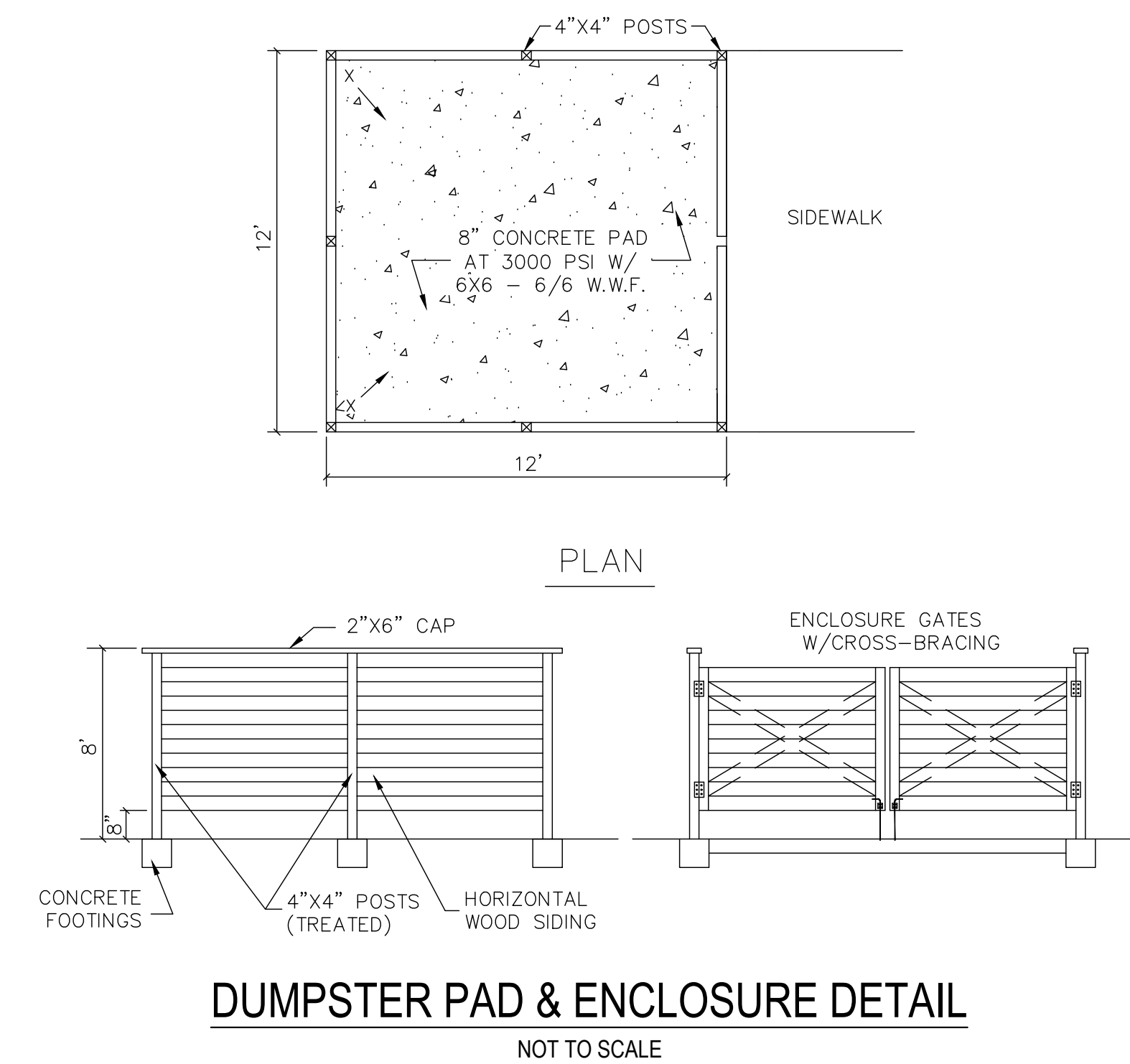
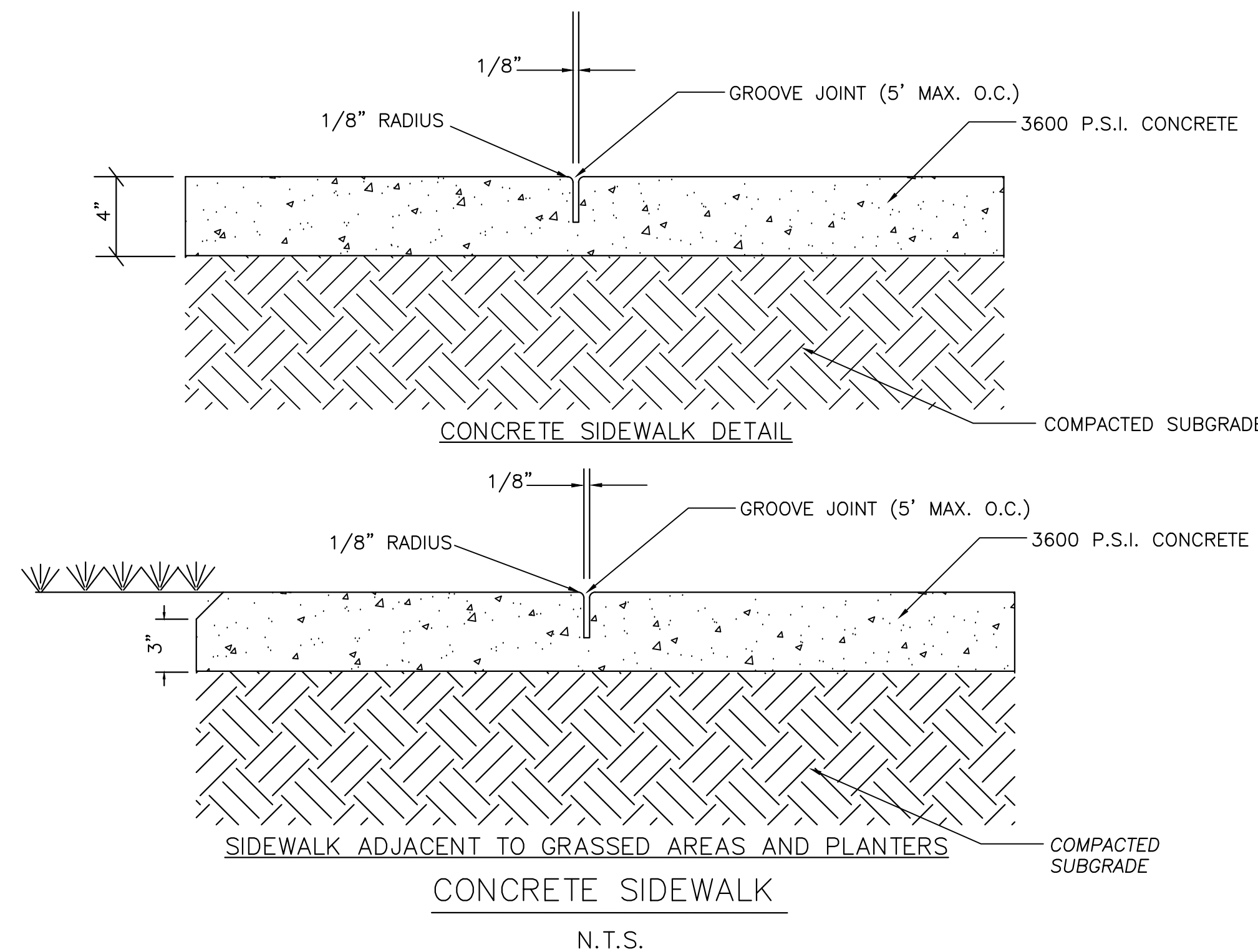
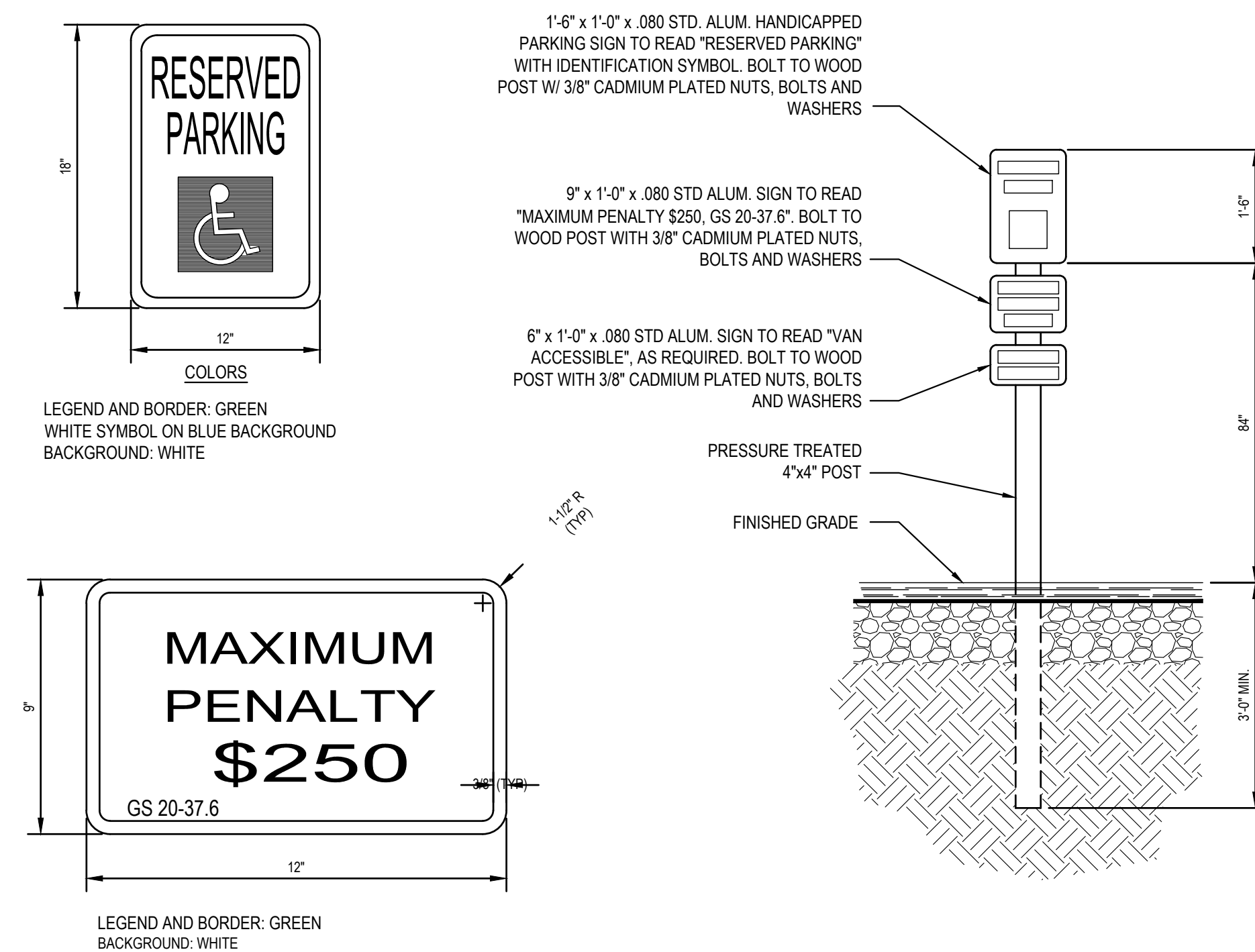
PENDER COUNTY LEC

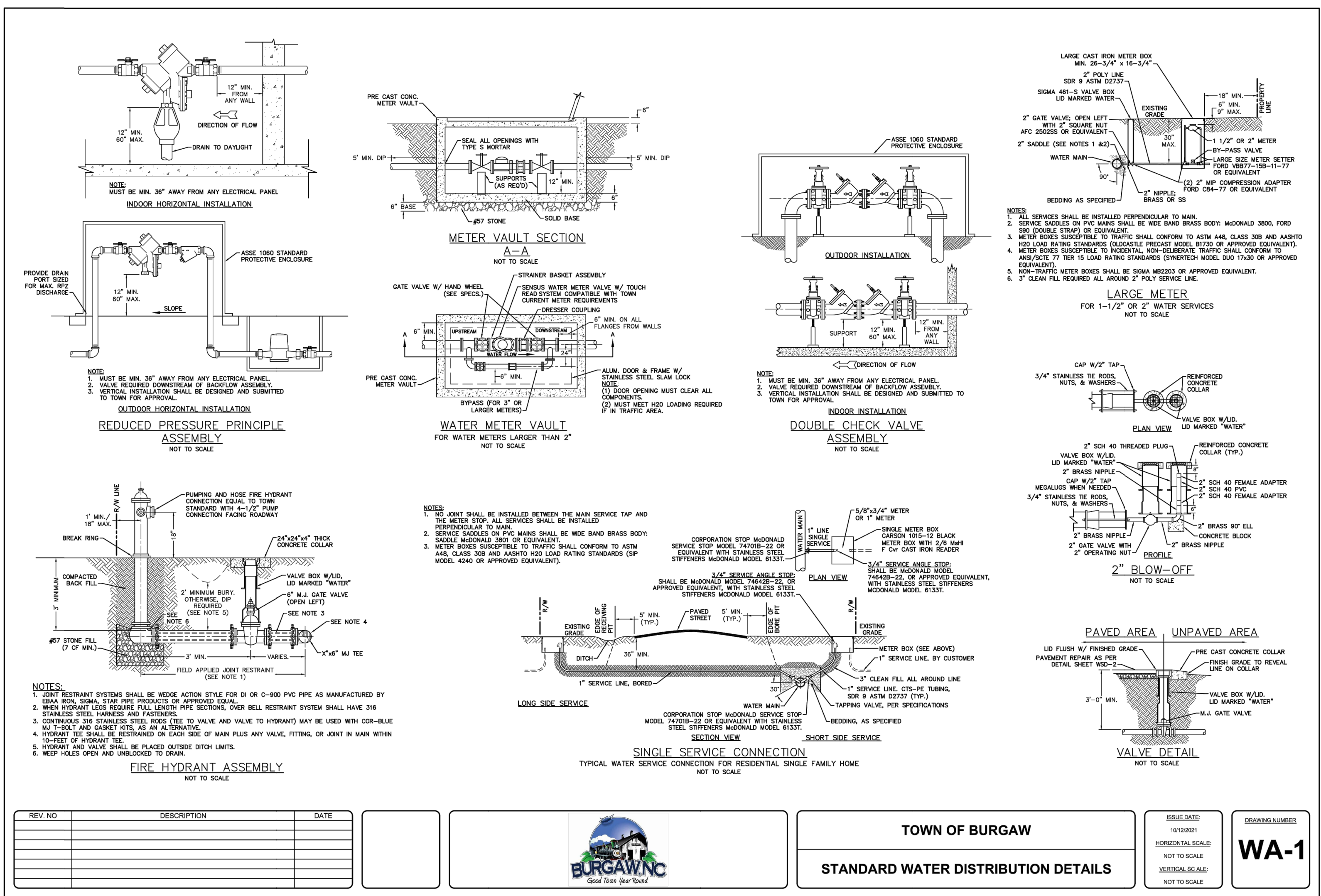
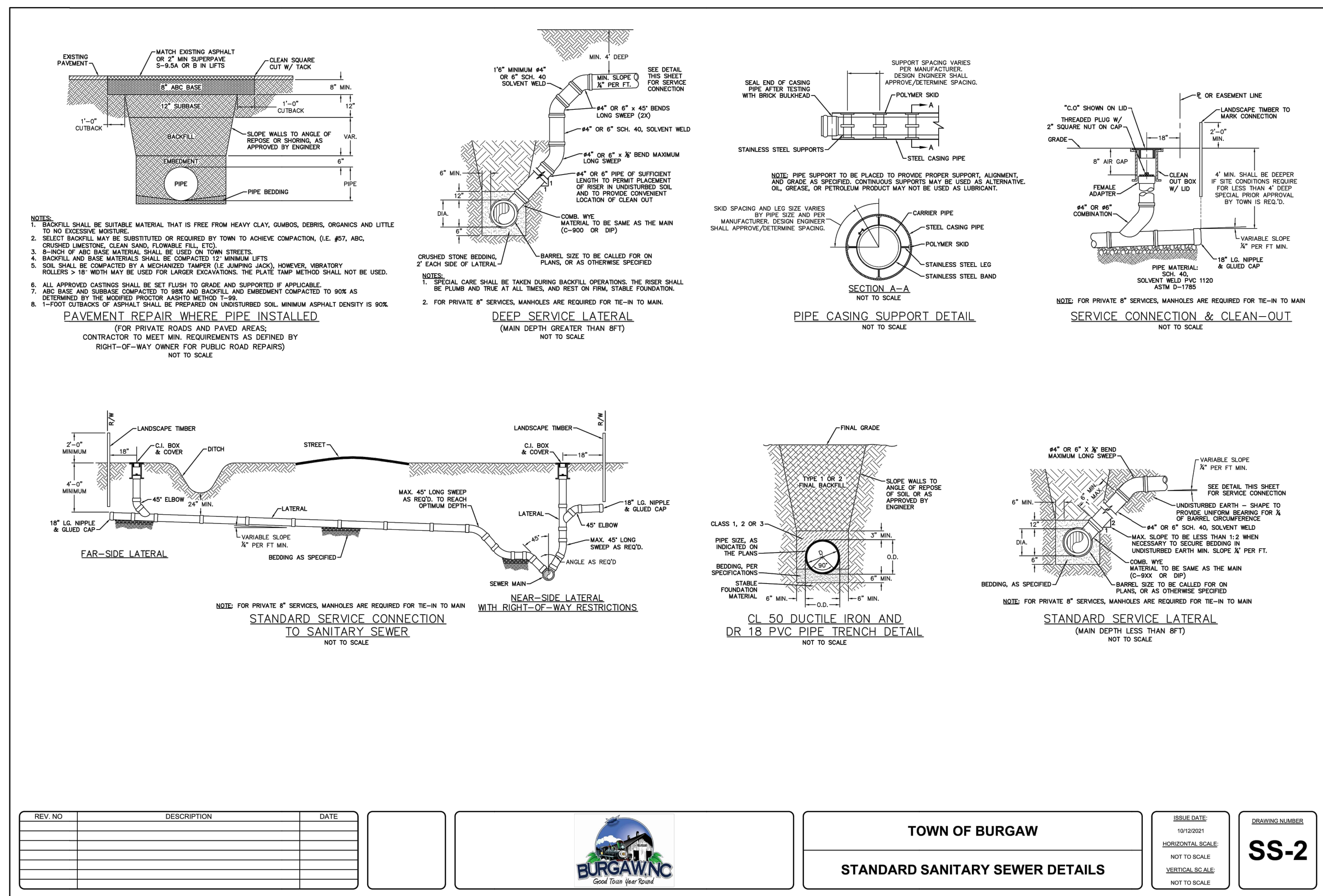
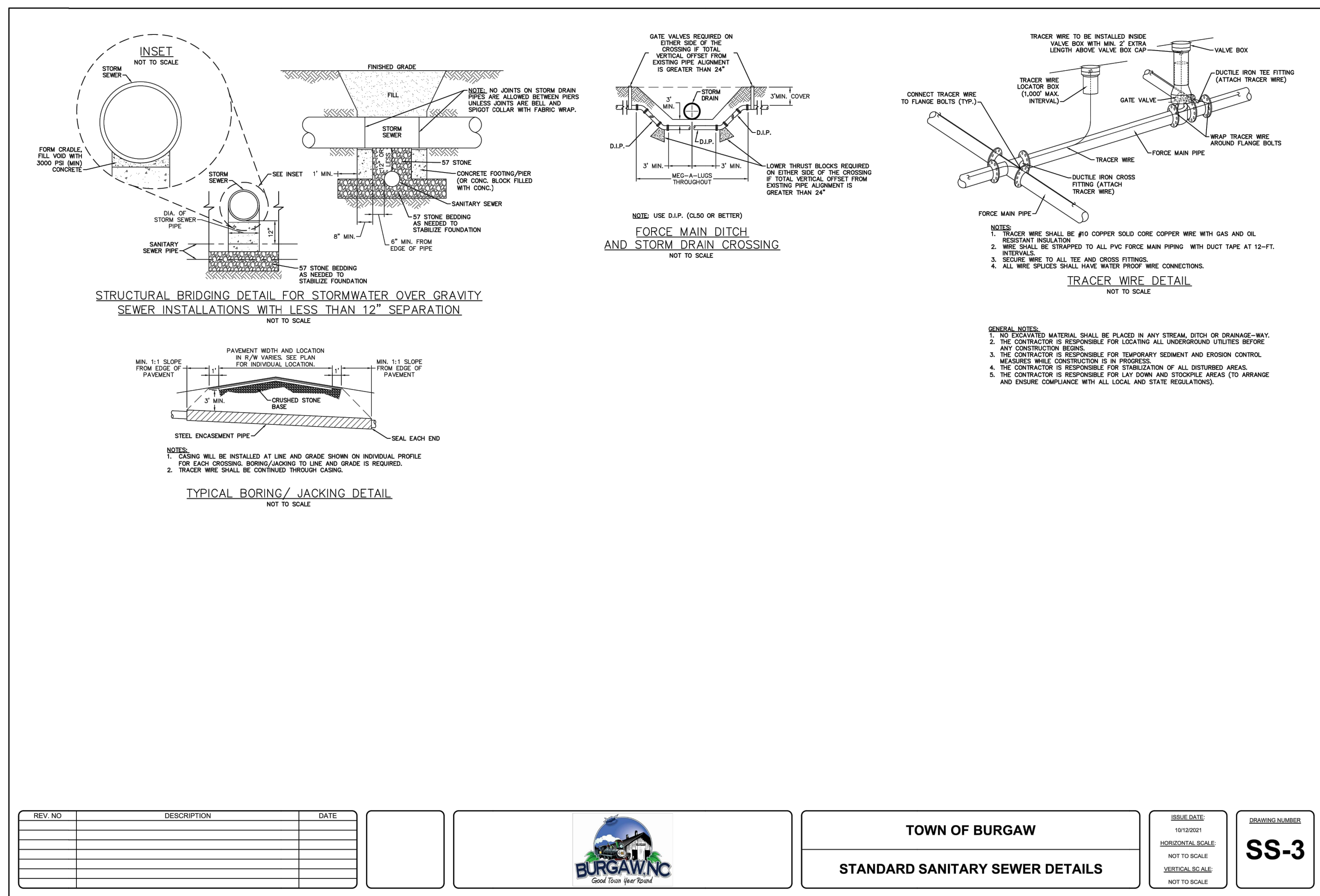
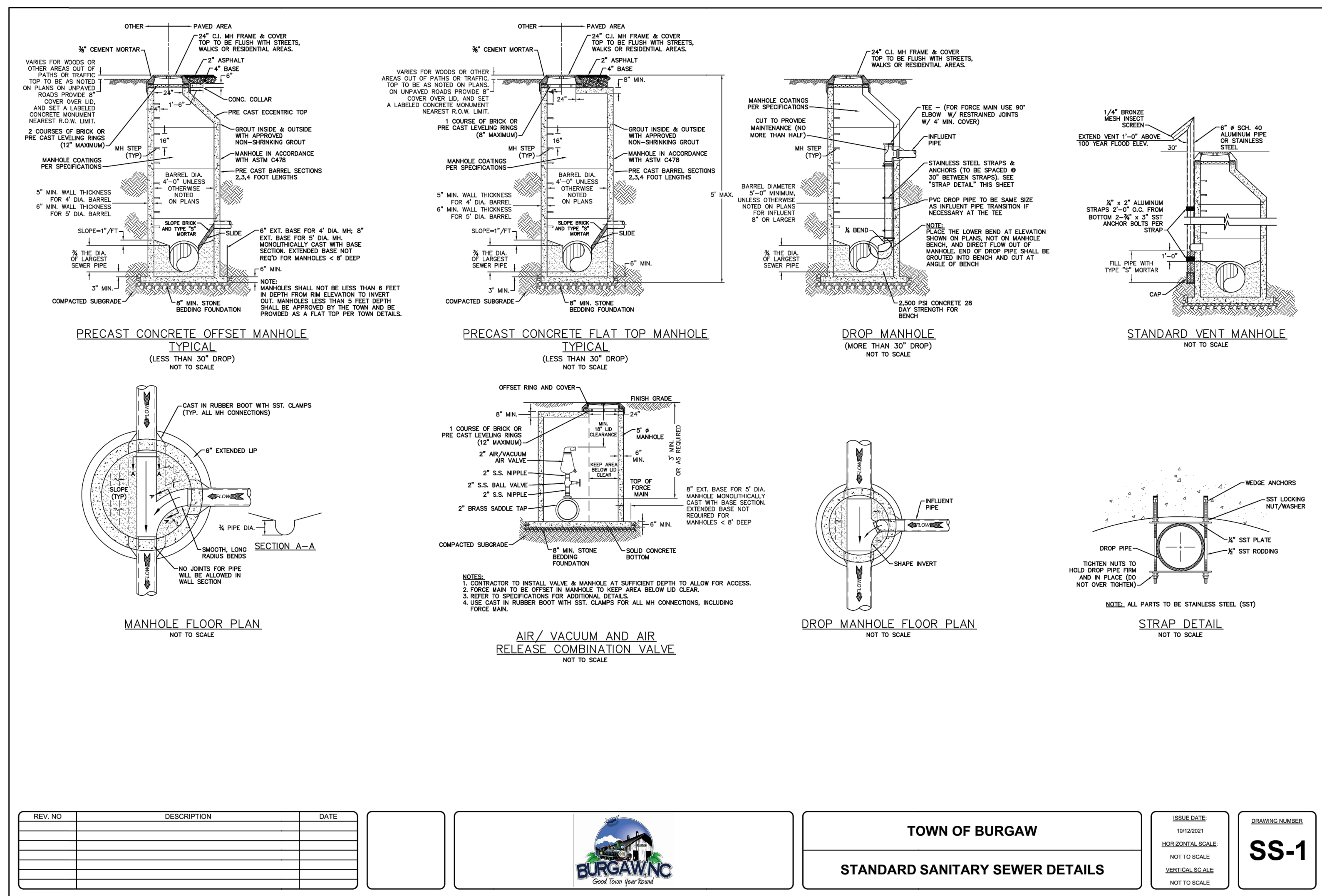
PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

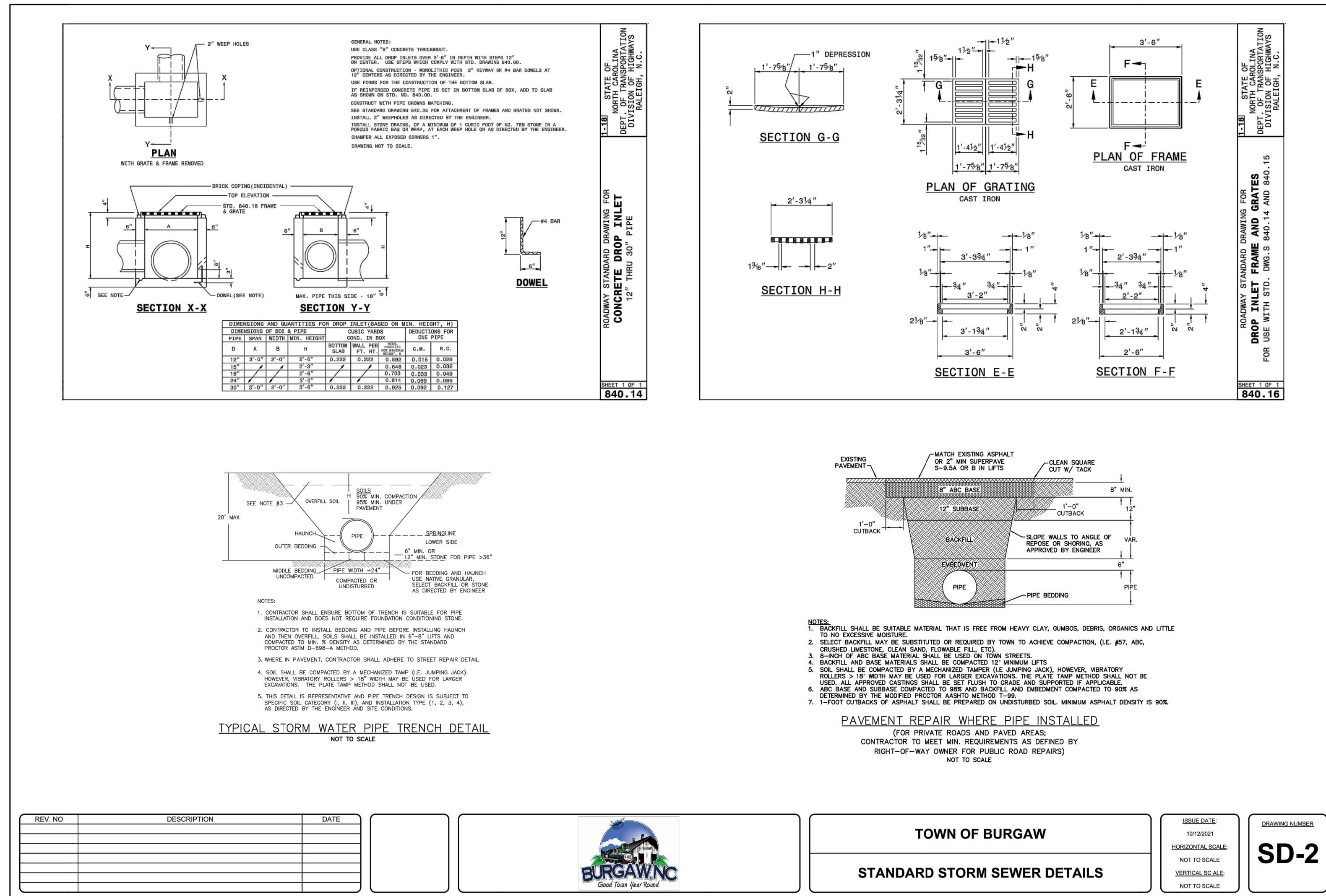
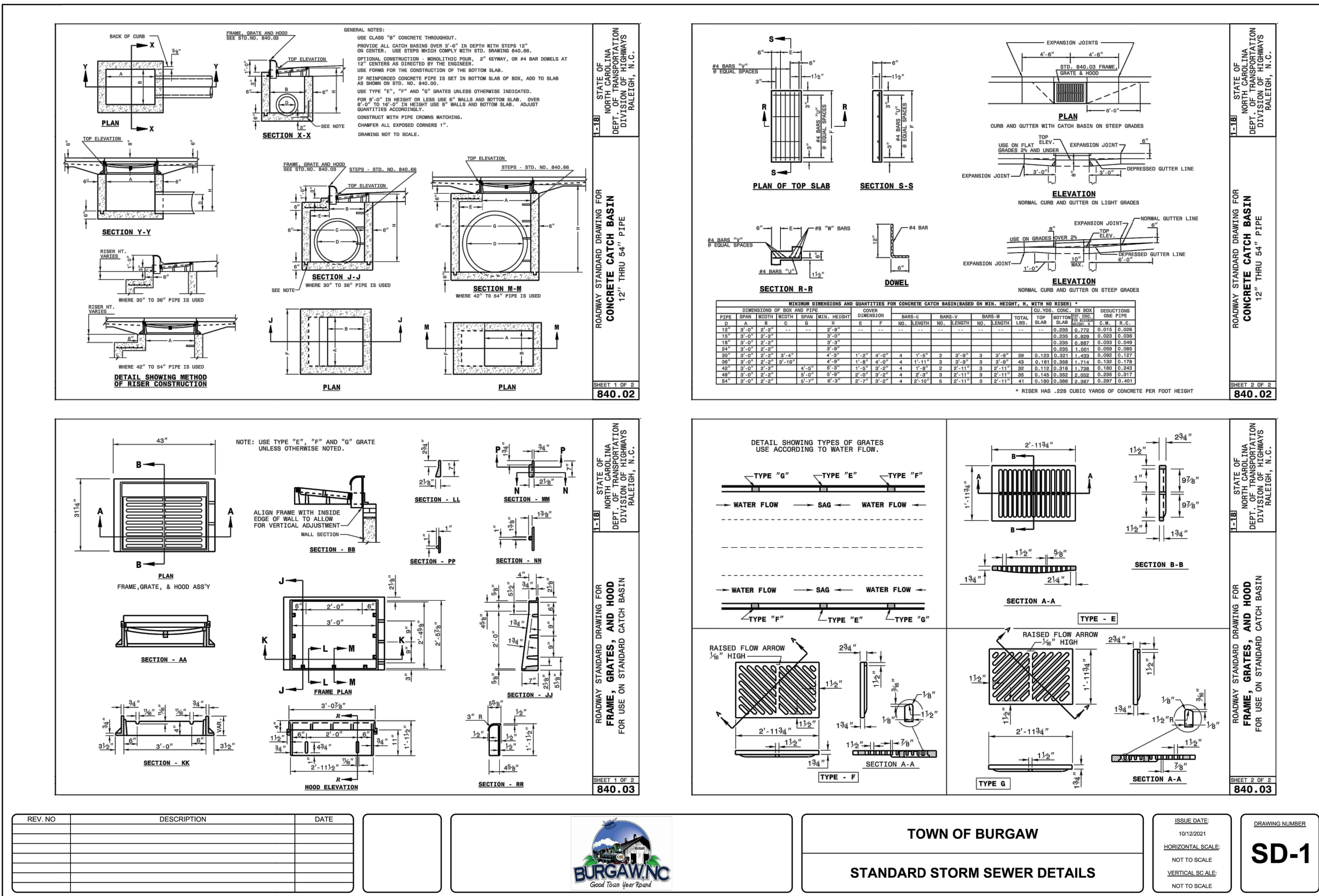
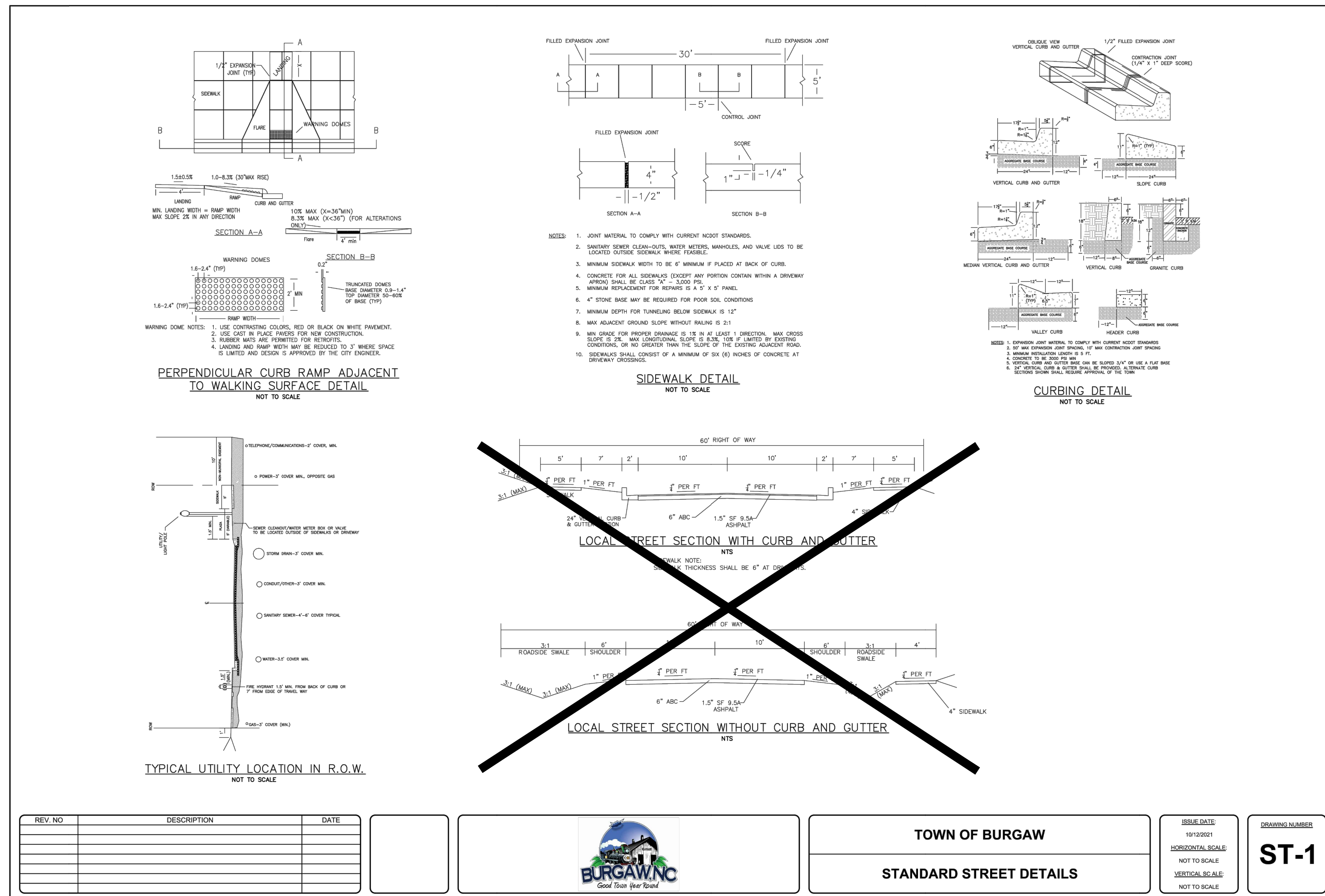
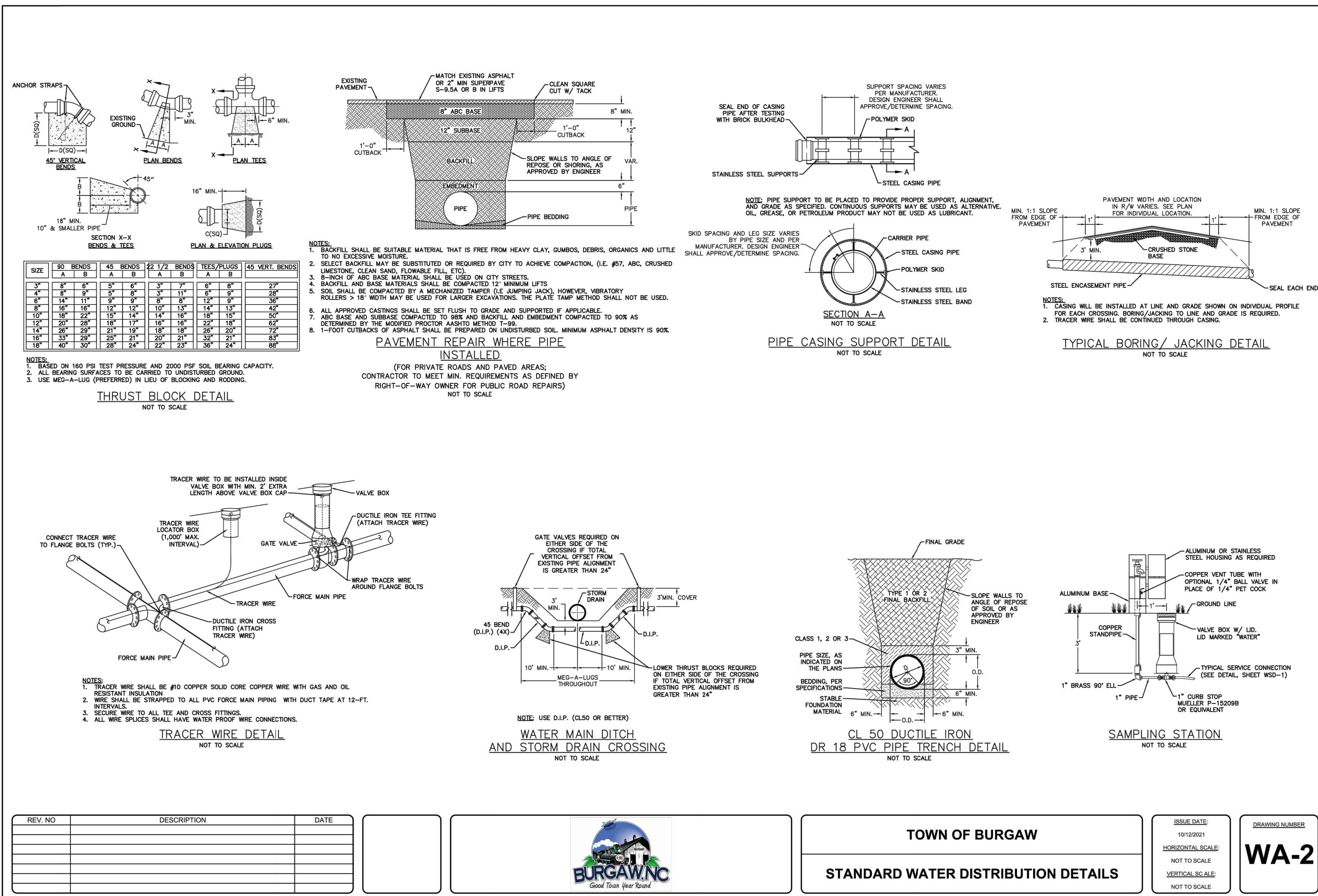
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REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

EROSION CONTROL
DETAILS

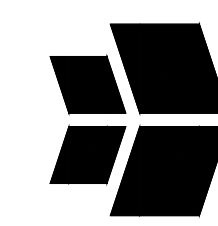
C6.06







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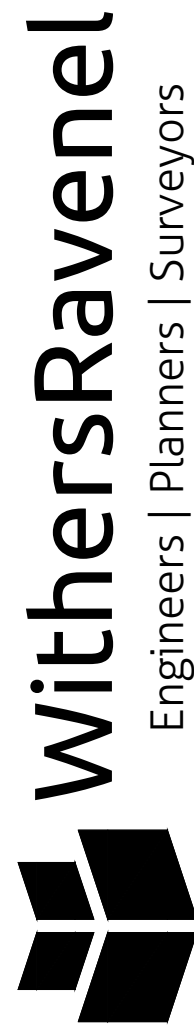
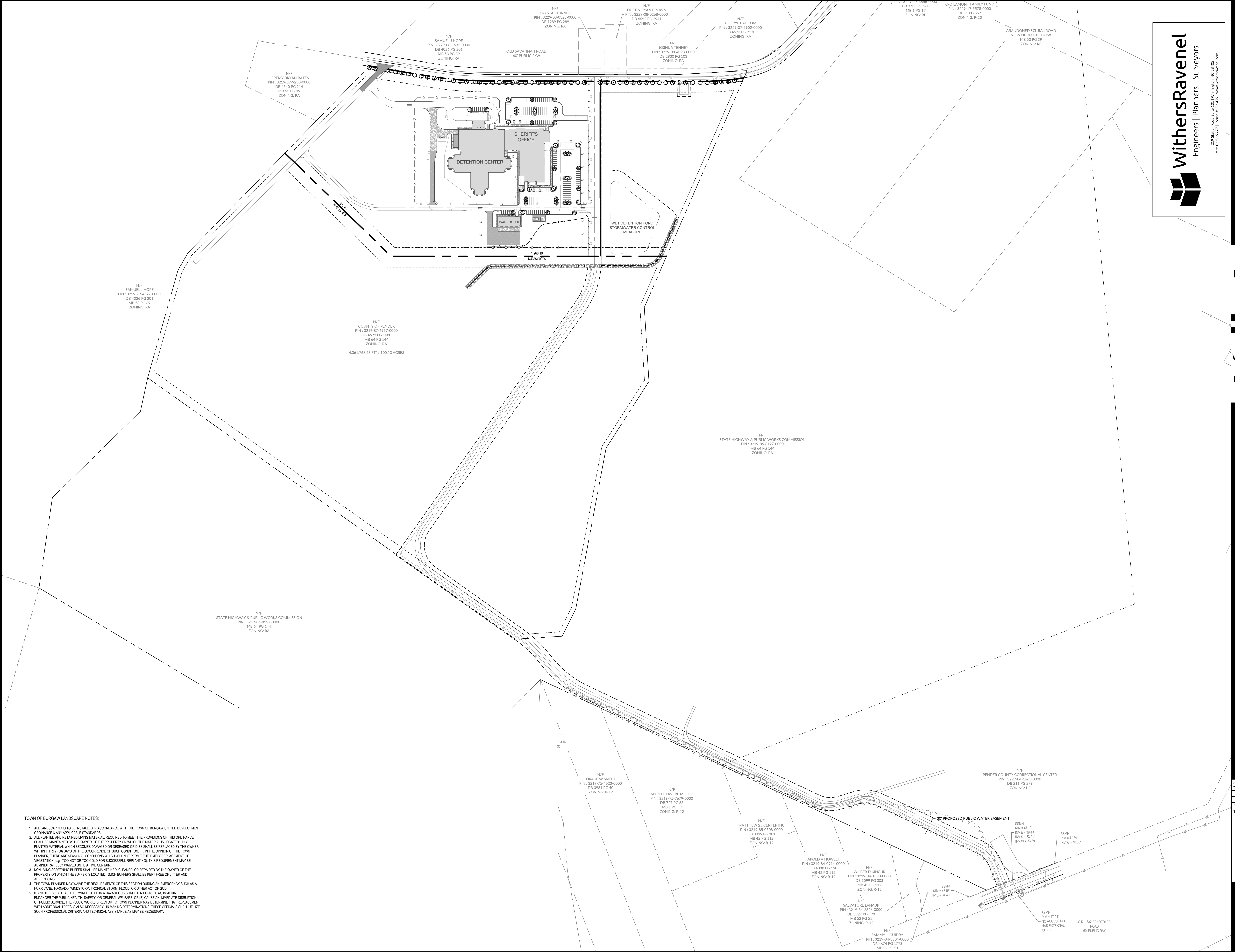
PROJECT NO: 811888
DATE: 12/15/2023
REVISIONS
DATE DESCRIPTION
9/14/23 50% CD SET
12/15/23 90% CD SET

SITE, STORMDRAIN,
WATER, & SEWER
DETAILS

C9.02

TOWN OF BURGAW LANDSCAPE NOTES:

1. ALL LANDSCAPING IS TO BE INSTALLED IN ACCORDANCE WITH THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE & ANY APPLICABLE STANDARDS.
2. ALL PLANTED AND RETAINED LIVING MATERIAL, REQUIRED TO MEET THE PROVISIONS OF THIS ORDINANCE, SHALL BE MAINTAINED BY THE OWNER OF THE PROPERTY ON WHICH THE MATERIAL IS LOCATED. ANY PLANTED MATERIAL, WHICH BECOMES DAMAGED OR DISEASED OR DIES SHALL BE REPLACED BY THE OWNER WITHIN THIRTY (30) DAYS OF THE OCCURRENCE OF SUCH CONDITION. IF, IN THE OPINION OF THE TOWN PLANNER, THERE ARE SEASONAL CONDITIONS WHICH WILL NOT PERMIT THE TIMELY REPLACEMENT OF VEGETATION (e.g., TOO HOT OR TOO COLD FOR SUCCESSFUL REPLANTING), THIS REQUIREMENT MAY BE ADMINISTRATIVELY WAIVED UNTIL A TIME CERTAIN.
3. NON-LIVING SCREENING BUFFER SHALL BE MAINTAINED, CLEANED, OR REPAIRED BY THE OWNER OF THE PROPERTY ON WHICH THE BUFFER IS LOCATED. SUCH BUFFERS SHALL BE KEPT FREE OF LITTER AND ADVERTISING.
4. THE TOWN PLANNER MAY WAIVE THE REQUIREMENTS OF THIS SECTION DURING AN EMERGENCY SUCH AS A HURRICANE, TORNADO, WINDSTORM, TROPICAL STORM, FLOOD, OR OTHER ACT OF GOD.
5. IF ANY TREE SHALL BE DETERMINED TO BE IN A HAZARDOUS CONDITION SO AS TO (A) IMMEDIATELY ENDANGER THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE, OR (B) CAUSE AN IMMEDIATE DISRUPTION OF PUBLIC SERVICE, THE PUBLIC WORKS DIRECTOR OR TOWN PLANNER MAY DETERMINE THAT REPLACEMENT WITH ADDITIONAL TREES IS ALSO NECESSARY. IN MAKING DETERMINATIONS, THESE OFFICIALS SHALL UTILIZE SUCH PROFESSIONAL CRITERIA AND TECHNICAL ASSISTANCE AS MAY BE NECESSARY.

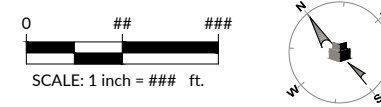


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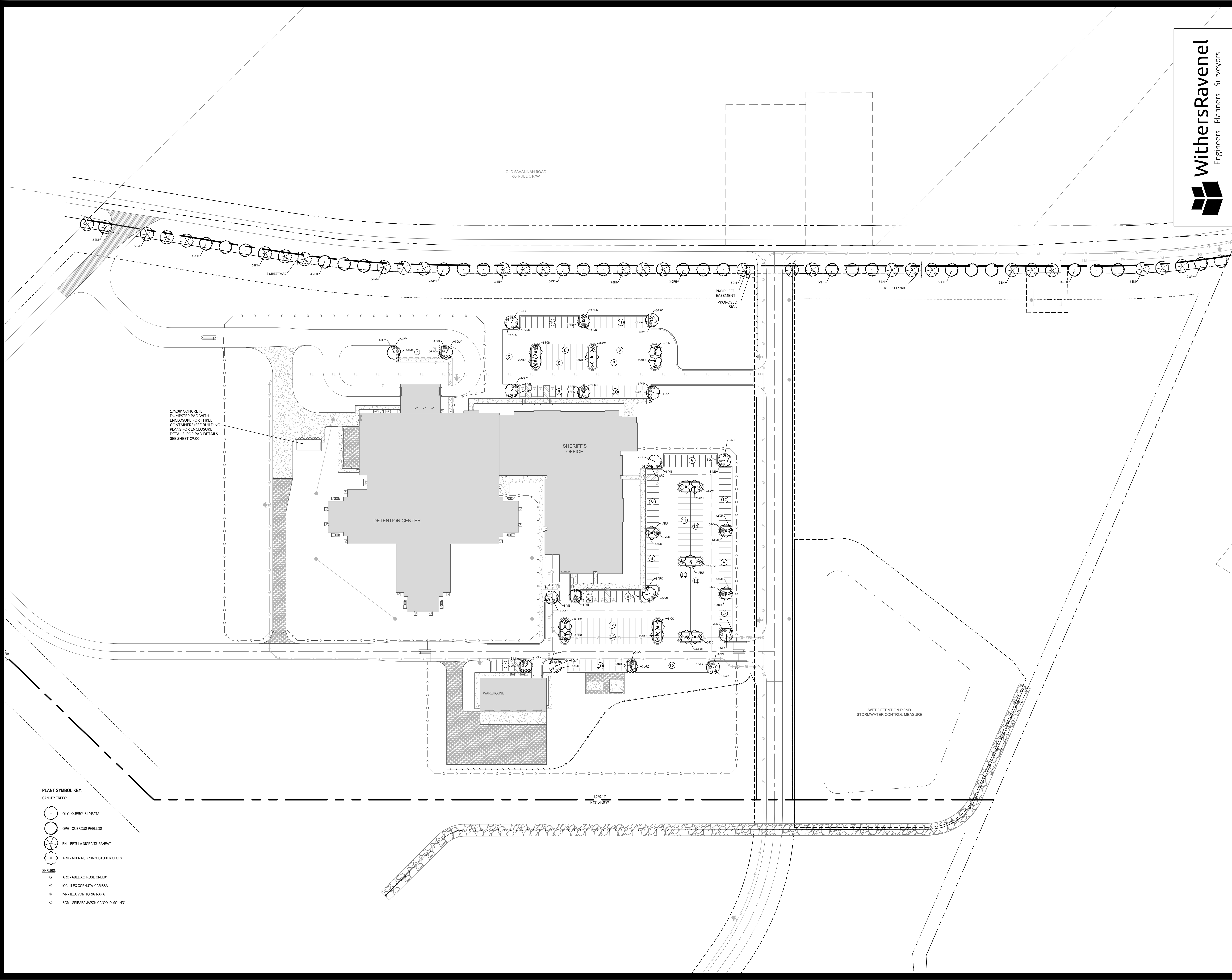
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DATE	REVISIONS
9/14/23	50% CD SET
12/15/23	90% CD SET

OVERALL
LANDSCAPE PLAN

L1.0

MOSELEYARCHITECTS

6210 ARDREY KELL ROAD, THE HUB AT WAVERLY, SUITE 425 CHARLOTTE, NC 28277
PHONE (704) 540-3755 FAX (704) 540-3754
MOSELEYARCHITECTS.COM



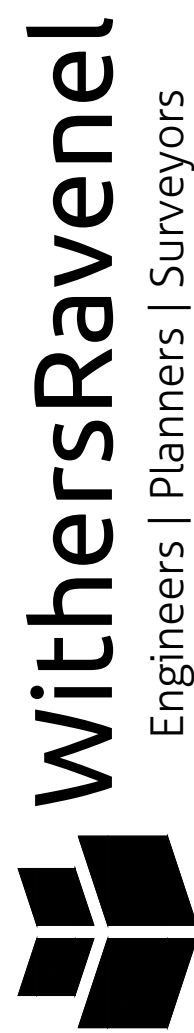
PLANT SYMBOL KEY:

CANOPY TREES:

- QLY - QUERCUS LYRATA
- QPH - QUERCUS PHELLOS
- BNI - BETULA NIGRA DURAHEAT
- ARU - ACER RUBRUM 'OCTOBER GLORY'

SHRUBS:

- ARC - ABELIA x 'ROSE CREEK'
- ICC - ILEX CORNUTA 'CARISSA'
- IVN - ILEX VOMITORIA 'NANA'
- SGM - SPIRAEA JAPONICA 'GOLD MOUND'

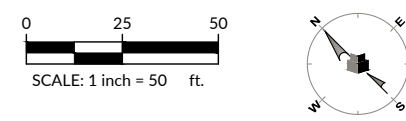


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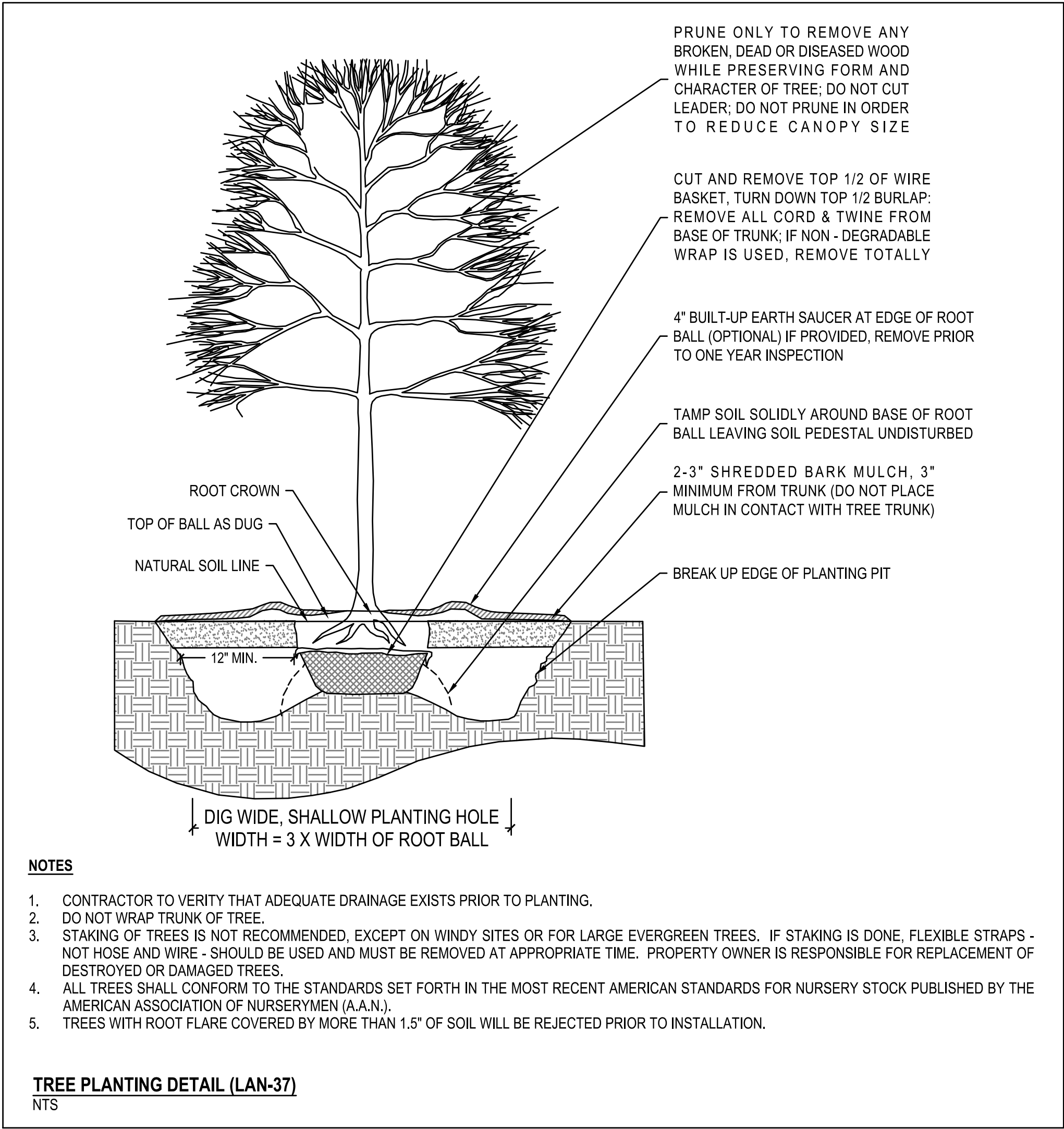
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DATE:	12/15/2023
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DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

DETAILED
LANDSCAPE PLAN

L1.1

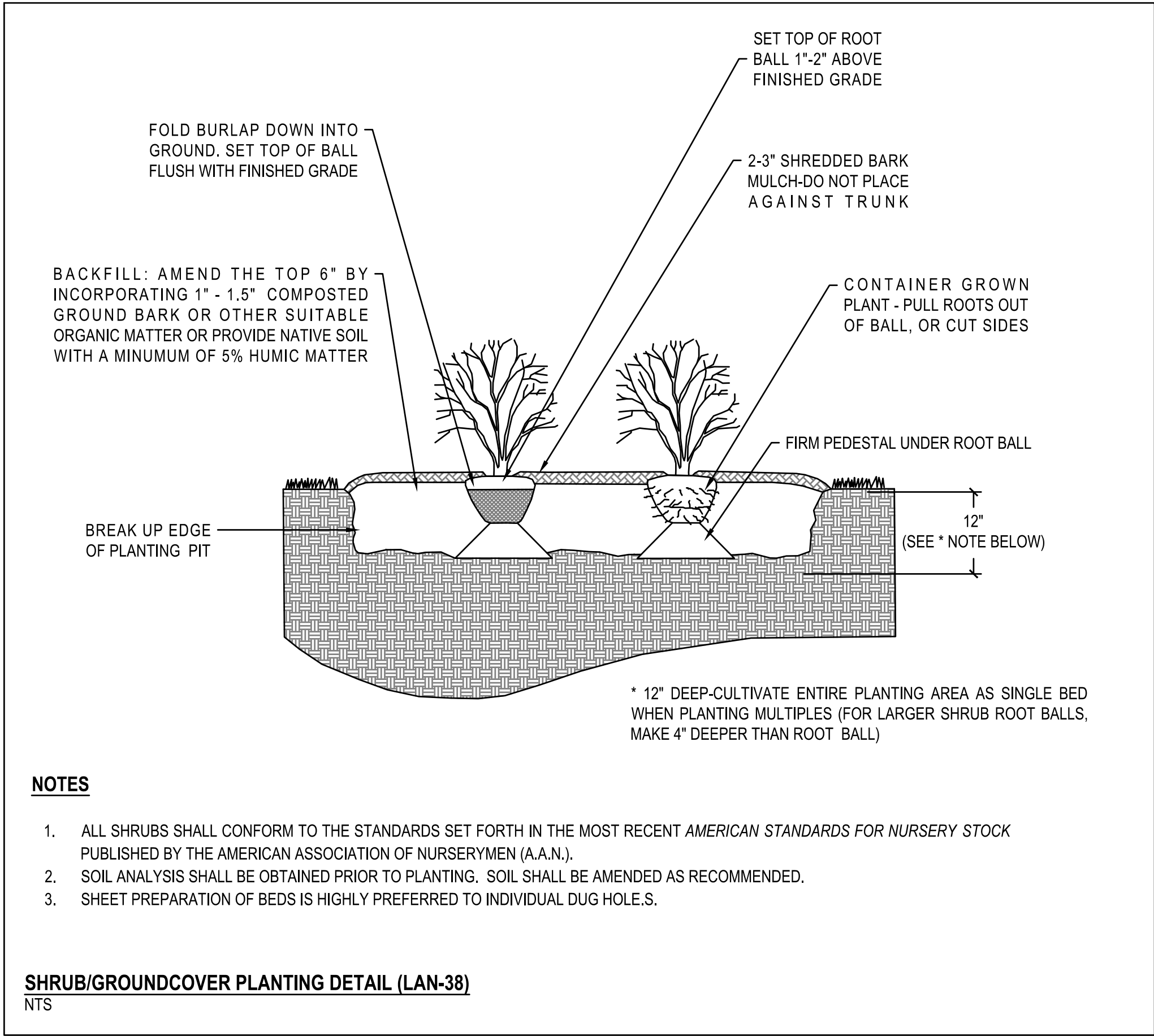
MOSELEYARCHITECTS

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PHONE (704) 540-3755 FAX (704) 540-3754
MOSELEYARCHITECTS.COM



LANDSCAPE CALCULATIONS:

SECTION 9.27.5 LANDSCAPING	
STREET YARD LANDSCAPING REQUIREMENT:	12" WIDE 1 TREE PER 30' LF
OLD SAVANNAH ROAD PROVIDED:	1,946 LF 55 TREES
PARKING FACILITIES LANDSCAPING REQUIREMENT:	8% OF PAVED PARKING AREAS SHALL BE LANDSCAPED W/ 1 TREE & 6 SHRUBS
PAVED PARKING AREAS REQUIRED:	86,782 SF
PAVED PARKING AREAS PROVIDED:	7,103 SF LANDSCAPED AREA 6,999 SF LANDSCAPED AREA
SECTION 9.27.8 BUFFER YARDS	
REQUIREMENT:	NOT APPLICABLE TO PROJECT



PLANT SCHEDULE									
KEY	QTY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER (MINIMUM)	HEIGHT (MINIMUM)	TYPE	USE	NOTES
CANOPY TREES									
PCH	15	Pistacia chinensis	Chinese Pistache	B&B	2"	8'	D	PARKING	MATCHED
ONU	14	Quercus nuttallii	Nuttall Oak	B&B	2"	8'	D	PARKING	MATCHED
OPH	26	Quercus phellos	Willow Oak	B&B	2"	8'	D	STREET YARD	MATCHED
UPB	29	Ulmus parvifolia 'Bosque'	Chinese Elm	B&B	2"	8'	D	STREET YARD	MATCHED
SHRUBS									
ARC	63	Abelia x 'Rose Creek'	Rose Creek Abelia	CONT.		18"	E	PARKING	MATCHED
ICC	24	Ilex cornuta 'Carissa'	Carissa Holly	CONT.		18"	E	PARKING	MATCHED
IVN	63	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	CONT.		18"	E	PARKING	MATCHED
SGM	24	Spiraea japonica 'Gold Mound'	Gold Mound Spiraea	CONT.		18"	D	PARKING	MATCHED
TYPE / USE LEGEND									
PLANT TYPE: E = EVERGREEN / D = DECIDUOUS / SE = SEMI-EVERGREEN / H = HERBACEOUS									
PLANT USE: PARKING = PARKING FACILITIES LANDSCAPING / STREET YARD = STREET YARD LANDSCAPING									



Engineers | Planners | Surveyors

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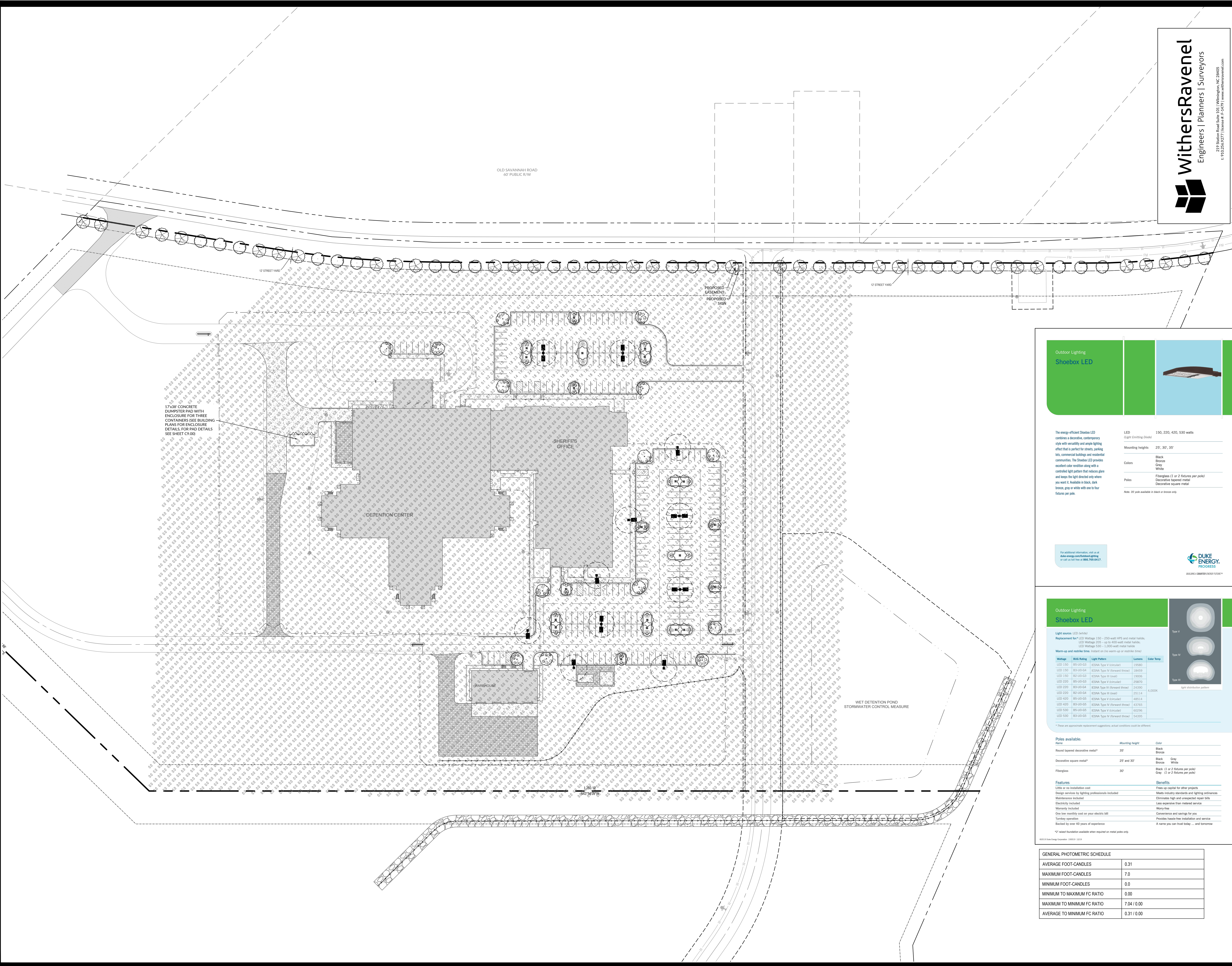
PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	
DATE: 12/15/2023	
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

LANDSCAPE
DETAILS

L2.0



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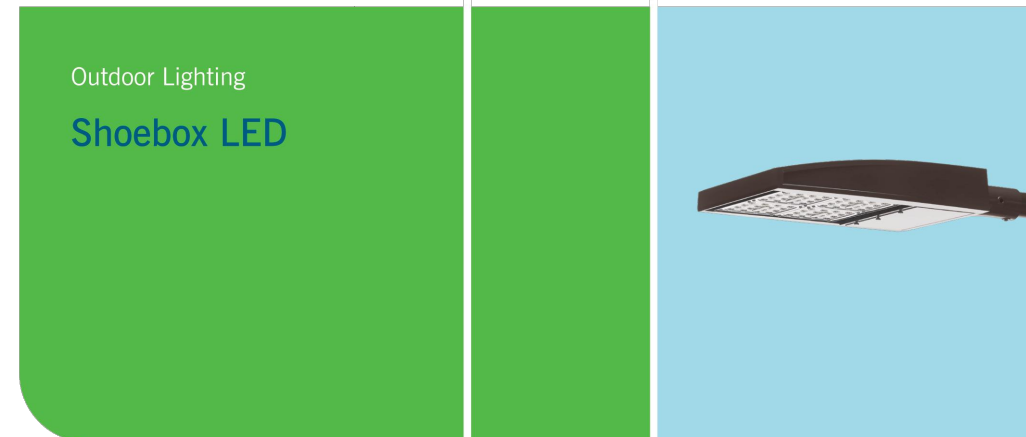
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MOSELEYARCHITECTS

6210 ARDREY KELL ROAD, THE HUB AT WAVERLY, SUITE 425 CHARLOTTE, NC 28277
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The energy-efficient Shoebox LED combines a decorative, contemporary style with versatility and ample lighting effect that is perfect for streets, parking lots, commercial buildings and residential communities. The Shoebox LED provides excellent color rendition along with a controlled light pattern that reduces glare and keeps the light directed only where you want it. Available in black, dark bronze, gray or white with one to four fixtures per pole.

LED
(Light Emitting Diode)

150, 220, 420, 530 watts

Mounting heights 25', 30', 35'

Colors Black
Bronze
Gray
White

Poles Fiberglass (1 or 2 fixtures per pole)
Decorative tapered metal
Decorative square metal

Note: 35' pole available in black or bronze only.

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Shoebox LED

Light source: LED (white)

Replacement for* LED Wattage 150 – 250-watt HPS and metal halide

LED Wattage 225 – up to 400-watt metal halide

LED Wattage 530 – 1,000-watt metal halide

Warm-up and restrike time: Instant on (no warm-up or restrike time)

Wattage	Ballast Rating	Light Pattern	Lumens	Color Temp
LED 150	R5-L40-G3	IESNA Type V (downward)	19500	4,000K
LED 150	R5-L40-G4	IESNA Type IV (forward throw)	18459	
LED 150	R5-L40-G3	IESNA Type III (down)	19006	
LED 220	R5-L40-G3	IESNA Type V (downward)	25870	
LED 220	R5-L40-G4	IESNA Type IV (forward throw)	24790	
LED 220	R5-L40-G4	IESNA Type III (down)	25114	
LED 420	R5-L40-G5	IESNA Type V (downward)	48514	
LED 420	R5-L40-G5	IESNA Type IV (forward throw)	43765	
LED 530	R5-L40-G5	IESNA Type V (downward)	60296	
LED 530	R5-L40-G5	IESNA Type IV (forward throw)	54395	

* These are approximate replacement suggestions; actual conditions could be different.

Type V

Type IV

light distribution pattern

Poles available:		
Name	Mounting height	Color
Round tapered decorative metal*	35'	Black Bronze
Decorative square metal*	25' and 30'	Black Bronze Gray White
Fiberglass	30'	Black (1 or 2 fixtures per pole) Gray (1 or 2 fixtures per pole)
Features		Benefits
Little or no installation cost		Free up capital for other projects
Design services by lighting professionals included		Meets industry standards and lighting ordinances
Maintenance included		Eliminates high and unexpected repair bills
Electricity included		Less expensive than metered service
Warranty included		Worry-free
One low monthly cost on your electric bill		Convenience and savings for you
Turnkey operation		Provides hassle-free installation and service
Backed by over 400 years of experience		A name you can trust today ... and tomorrow

*2" raised foundation available when required on metal poles only.

GENERAL PHOTOMETRIC SCHEDULE	
AVERAGE FOOT-CANDLES	0.31
MAXIMUM FOOT-CANDLES	7.0
MINIMUM FOOT-CANDLES	0.0
MINIMUM TO MAXIMUM FC RATIO	0.00
MAXIMUM TO MINIMUM FC RATIO	7.04 / 0.00
AVERAGE TO MINIMUM FC RATIO	0.31 / 0.00

PENDER COUNTY LEC

PENDER COUNTY, NORTH CAROLINA
OLD SAVANNAH ROAD BURGAW, NC

PROJECT NO: 611888	DATE: 12/15/2023
REVISIONS	
DATE	DESCRIPTION
9/14/23	50% CD SET
12/15/23	90% CD SET

LIGHTING PLAN

SL1.0







Prepared By: Attorney General's Office / Property Control Section (without benefit of title examination)
P.O. Box 629, Raleigh, North Carolina 27602
SPO File No.: 71-CU (Property Disposition) / DOJ File No.: PC-19-00165

✓ After Recording Return to: GRANTEE, Attn: County Manager, PO Box 5, Burgaw, NC 28425

Excise Tax: \$ 0.00 (exempt)

PIN: part of 3219-86-9643-0000

STATE OF NORTH CAROLINA

NON-WARRANTY DEED

COUNTY OF PENDER

THIS NON-WARRANTY DEED ("Deed"), made as of the date set forth in the notary acknowledgement below, by the STATE OF NORTH CAROLINA (including its agency the State Highway and Public Works Commission), a body politic and corporate, hereinafter referred to as "Grantor", to the COUNTY OF PENDER, a body politic of the State of North Carolina and the BOARD OF COUNTY COMMISSIONERS FOR PENDER COUNTY, NORTH CAROLINA, hereinafter referred to as "Grantee";

The designation Grantor and Grantee as used herein shall include said parties, their successors and assigns and shall include singular or plural as required by context.

WITNESSETH:

THAT, WHEREAS, the General Assembly of North Carolina enacted Session Law 2019-137 (the "Act"), pursuant to which Grantor was directed to convey that certain parcel or tract of land described in the Act to Grantee; and

WHEREAS, in furtherance of said express legislative intent, the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice has authorized the execution of this instrument.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has bargained and sold and by these presents does hereby bargain, sell and convey unto Grantee its successors and assigns, in fee simple determinable, subject to the reversionary interest reserved

by Grantor herein, all of that certain tract or parcel of land lying and being in Burgaw Township, Pender County, North Carolina, and more particularly described as follows:

BEGINNING at a found PK nail in the center of Old Savannah Road, said point being the southeast corner of the property of Jeremy Bryan Batts (D.B. 4540, Pg. 214) and the northeast corner of the property herein described; thence with the center of said Old Savannah Road the following courses:

S 35°04'59" E, 356.90 feet to a point;
S 40°44'44" E, 153.66 feet to a point;
S 43°47'35" E, 919.20 feet to a point;
S 44°51'27" E, 151.61 feet to a point;
S 51°20'38" E, 128.30 feet to a PK Nail set;

thence leaving said Old Savannah Road and with a new line through the property of the Pender County Correctional Center (D.B. 244, Pg. 452), S 69°34'12" W, 1181.54 feet to an iron pin set; thence S 42°31'45" W, 339.68 feet to an iron pin set; thence S 78°52'12" W, 362.36 feet to an iron pin set; thence S 56°45'56" W, 748.71 feet to an iron pin set; thence S 72°39'01" W, 139.78 feet to an iron pin set; thence N 47°31'10" W, 214.67 feet to an iron pin set; thence N 08°29'51" W, 2064.45 feet to an iron pin set in the center of Bay Branch, said point being on the southerly property line of Samuel J. Hope (D.B. 4026, Pg. 201); thence generally with Bay Branch and said Samuel J. Hope property (property line follows center of Bay Branch) N 61°51'33" E, 523.32 feet to a point; thence continuing with branch, N 81°25'00" E, 74.64 feet to a point, thence continuing with said branch S 89°58'55" E, 1231.45 feet to the POINT AND PLACE OF BEGINNING; containing 100.00 acres, more or less, and being identified as "New Tract 'A'" on a survey prepared by SEPI Engineering & Construction (Job No. SE18.158), dated March 25, 2019, captioned "PROJECT EXEMPT SUBDIVISION PLAT FOR PENDER COUNTY CORRECTIONAL CENTER" and "SHEET TITLE SUBDIVISION OF TAX PARCEL 3219-86-9643-0000" and recorded in Plat Book 604, Page 144, Pender County Registry, reference to which plat being hereby made for a more particular description of same (the "Property").

The Property is a portion of the land acquired by Grantor, by and through its agency, the State Highway and Public Works Commission, in a deed from R.G. Johnson and wife, Louise W. Johnson, dated February 2, 1943, recorded in the Office of the Pender County Register of Deeds in Book 244 at Page 452. See also deed from County of Pender to Grantor, by and through its agency, the State Highway and Public Works Commission, dated September 8, 1937, recorded in Book 211, Page 279, Pender County Registry.

TOGETHER WITH an easement for ingress, egress and access over and upon the lands of the Grantor situated between the southern boundary of the Property and the northerly right-of-way boundary of the Penderlea Highway. Grantor shall determine the location and width of said easement. Grantee, at its sole cost and expense, shall be responsible for the development, construction and maintenance of said access easement; except to the extent Grantor shares in the use of any portion of the easement, and, in such event, Grantor and Grantee shall apportion the responsibility and cost of maintaining the access easement by written agreement.

Pursuant to the Act, the Property is conveyed to Grantee for so long as it is utilized by Grantee as a jail and law enforcement center; provided that nothing herein shall preclude Grantee from conveying a security interest in the Property for the purpose of financing or refinancing the development, construction, renovation, repair and maintenance of the Property and improvements located thereon. If the Property ceases to be used by Grantee for a jail and law enforcement center, excluding periods when the Property or any portion thereof is subject to development, reconstruction, renovation or repair, then all interests granted herein shall automatically revert to Grantor, without any further action by Grantor or Grantee, restoring fee simple absolute title in the Property to Grantor. In such event, Grantee shall, at its sole cost and expense, remove all of its personal property from the Property and, if Grantor so directs, Grantee shall, at its sole cost and expense, restore the Property to the condition existing at the date of this Deed, and/or restore and repair the Property and any improvements and fixtures located thereon to such other condition satisfactory to Grantor. The restoration and repair of the Property may include, in Grantor's discretion, the demolition of buildings, the removal of debris, site grading and the remediation of hazardous substances.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereunto belonging to Grantee, its successors and assigns, subject to the possibility of reverter reserved herein.

Grantor makes no warranty, express or implied, as to title to the Property.

The Property and any improvements situated thereon are conveyed by Grantor "as is" "where is" without any representations or warranties of any kind from Grantor, including, without limitation, any express or implied warranties of merchantability, fitness or habitability or any representations or warranties concerning the location of boundary lines and compliance with zoning ordinances, environmental laws or health, safety and building codes.

The Property does not include the primary residence of Grantor.

[remainder of page intentionally left blank - signatures on following page]

IN TESTIMONY WHEREOF, the State of North Carolina has caused this instrument to be executed in its name by ROY COOPER, Governor, attested by ELAINE F. MARSHALL, Secretary of State, and the Great Seal of the State of North Carolina hereunto affixed, by virtue of the power and authority aforesaid, all as of the date set forth in the notary acknowledgment below.

STATE OF NORTH CAROLINA

By: *Roy Cooper*
Governor

ATTEST:

Elaine F. Marshall
Secretary of State

APPROVED AS TO FORM:

JOSHUA H. STEIN, Attorney General

By: *J. H. Stein*
Special Deputy Attorney General



STATE OF NORTH CAROLINA

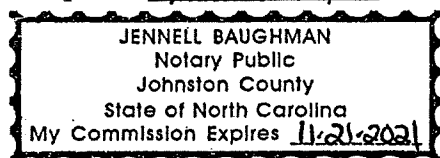
COUNTY OF WAKE

I, Jennell Baughman, a Notary Public for Johnston County, North Carolina, do certify that ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, personally came before me this day and acknowledged that she is Secretary of State of the State of North Carolina, and that by authority duly given and as the act of the State, the foregoing instrument was signed in its name by ROY COOPER, Governor of the State of North Carolina, sealed with the Great Seal of the State of North Carolina, and attested by herself as Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the 15th day of November, 2019.

My commission expires: 11.21.2021

Jennell Baughman
Notary Public
Print Name: Jennell Baughman



Page 4 of 4

PROPOSED MINOR SUBDIVISION PARCEL ($\pm 1,389,312$ square feet or ± 31.894 acres,)

All that Tract or Parcel of land situated in Burgaw Township, Pender County, North Carolina, and being a portion of the tract described in Deed Book 4699 Page 1680 of the Pender County Register of Deeds, also being a portion of the property identified as Pender County PIN 3219-87-6937-0000, and being more particularly described in Bearings and Distances in U.S. Survey Feet as follows:

Beginning at a MAG Nail in the centerline of Old Savannah Road South (S.R. 1345) and being the Northeastern corner of Pender County PIN: 3219-87-6937-0000 Deed Book 4699 Page 1680, and having NC Grid coordinates N: 299,027.8817' E: 2,319,236.5886', the **POINT OF BEGINNING**; thence along the centerline of Old Savannah Road South (S.R. 1345), S35°06'05"E 356.85 feet to a MAG Nail; thence S40°45'01"E 153.66 feet to a MAG Nail; thence S43°49'57"E 426.95 feet to a MAG Nail; thence S43°49'57"E 120.00 feet to a Railroad Spike; thence S43°50'17"E 100.04 feet to a Railroad Spike; thence S40°32'32"E 4.93 feet to a MAG Nail; thence S43°52'11"E 212.15 feet to a MAG Nail; thence S44°28'08"E 206.76 feet to a MAG Nail; thence S51°21'14"E 128.27 feet to a MAG Nail; thence along the southern line of PIN: 3219-87-6937-0000, S69°33'30"W 926.32 feet to an Iron Rebar; thence N43°54'09"W 1260.19 feet to an Iron Rebar; thence N00°15'36"E 677.88 feet to an Iron Rebar; thence along the northern line of PIN: 3219-87-6937-0000, S89°43'02"E 206.33 feet to an Iron Rebar; thence S89°43'02"E 383.60 feet to a MAG Nail, the **POINT OF BEGINNING**; containing $\pm 1,441,763$ square feet or ± 33.098 acres, according to a map prepared by WithersRavenel;

LESS AND EXCEPT that western portion of the Right of Way of Old Savannah Road South (S.R. 1345) containing $\pm 52,451$ square feet or ± 1.204 acres, creating the total net area of the minor subdivision parcel equaling $\pm 1,389,312$ square feet or ± 31.894 acres, according to a map prepared by WithersRavenel.



4 JANUARY 2024

A handwritten signature in blue ink, appearing to read "Owen D. Gidlow", written over the date stamp.



Pender County Detention Center
Traffic Impact Analysis
Burgaw, North Carolina

TRAFFIC IMPACT ANALYSIS

FOR

PENDER COUNTY DETENTION CENTER

LOCATED

IN

BURGAW, NORTH CAROLINA

Prepared For:
Pender County
805 South Walker Street
Burgaw, NC 28425

Prepared By:
Infrastructure Consulting Services, Inc.
dba
Ramey Kemp & Associates
5808 Faringdon Place, Suite 100
Raleigh, NC 27609
License #F-1489



1/04/2024
Caroline Cheeves

JANUARY 2024

RKA Project No. 22118

Prepared By: TF

Reviewed By: CC

**TRAFFIC IMPACT ANALYSIS
PENDER COUNTY DETENTION CENTER
BURGAW, NORTH CAROLINA**

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed Pender County Detention Center development in accordance with the Town of Burgaw (Town) Unified Development Ordinance (UDO) and North Carolina Department of Transportation (NCDOT) capacity analysis guidelines. The proposed development is to be located north of SR 1332 (Penderlea Highway) and south of SR 1345 (Old Savannah Road) in Burgaw, North Carolina. The proposed development is expected to consist of a 55,354 square foot (sq. ft.) adult detention center and a 35,259 sq. ft. government office building and is estimated to be built out in 2024. Site access is proposed via two (2) full movement driveways located along SR 1345 (Old Savannah Road).

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2024 Build Traffic Conditions

2. Existing Traffic Conditions

The study area for the TIA was determined through coordination with the Town and NCDOT and consists of the following proposed intersections:

- SR 1345 (Old Savannah Road) and Site Access 1
- SR 1345 (Old Savannah Road) and Site Access 2

Existing peak hour traffic volumes were determined based on tube counts conducted on the study area roadway listed below, in May of 2022 during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods:

- SR 1345 (Old Savannah Road) & Proposed Site Access 1 / 2

3. Site Trip Generation

The proposed development is expected to consist of a 55,354 sq. ft. adult detention center and a 35,259 sq. ft. government office building. It should be noted that the density assumed in this study is that of a 67,716 sq. ft. adult detention center and a 34,102 sq. ft. government office building. Though these land use densities are expected to differ, the trip generation considered in this TIA is expected to be higher than what is shown on the preliminary site plan and therefore provides a conservative analysis. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 11th Edition. Table E-1 provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Density Analyzed in TIA						
Adult Detention Center (571)	64,716 sq. ft.	265	32	12	5	26
Government Office Building (730)	34,102 sq. ft.	770	85	29	14	44
Total Trips		1,035	117	41	19	70
Density Shown on Site Plan						
Adult Detention Center (571)	55,354 sq. ft.	226	28	10	4	23
Government Office Building (730)	35,259 sq. ft.	797	88	30	14	45
Total Trips		1,023	116	40	18	68
Difference (+/-)		+12	+1	+1	+1	+2

4. Future Traffic Conditions

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 1% for SR 1345 (Old Savannah Road) would be used to generate 2024 projected weekday AM and PM peak hour traffic volumes. No adjacent developments were identified to be considered under future conditions.

5. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for 2024 build conditions. Refer to Section 7 of the TIA for the capacity analysis summary performed at each study intersection.

6. Recommendations

Based on the findings of this study, specific geometric and traffic control improvements have been identified at study intersections. The improvements are summarized below and are illustrated in Figure E-1.

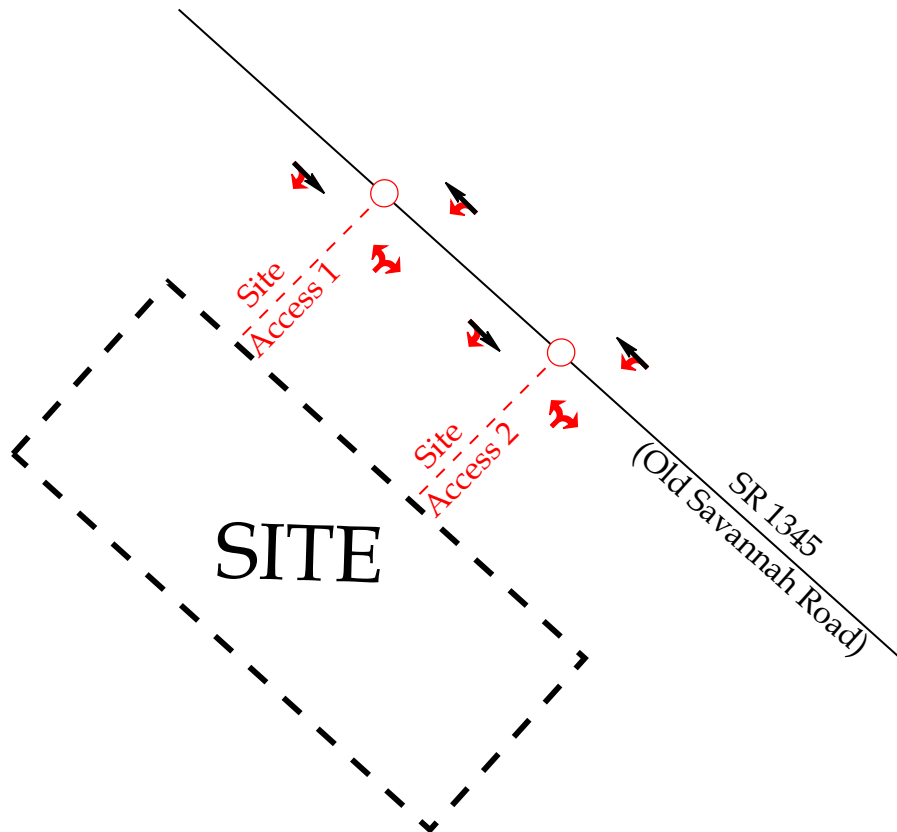
Recommended Improvements by Developer

SR 1345 (Old Savannah Road) and Site Access 1

- Construct the northbound approach (Site Access 1) with one ingress lane and one egress lane.
- Provide stop-control for the northbound approach.

SR 1345 (Old Savannah Road) and Site Access 2

- Construct the northbound approach (Site Access 2) with one ingress lane and one egress lane.
- Provide stop-control for the northbound approach.



LEGEND

- Unsignalized Intersection
- ➔ Existing Lane
- ➔ Improvement by Developer
- x' Storage (In Feet)



Pender County
Detention Center
Burgaw, NC

Recommended Lane
Configurations

Scale: Not to Scale Figure E-1

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- Appendix A: Scoping Documentation
- Appendix B: Tube Count Data
- Appendix C: Capacity Calculations – SR 1345 (Old Savannah Road) and Site Access 1
- Appendix D: Capacity Calculations – SR 1345 (Old Savannah Road) and Site Access 2
- Appendix E: SimTraffic Queueing Reports
- Appendix F: Turn Lane Warrants
- Appendix G: Crash Data Reports

TRAFFIC IMPACT ANALYSIS
PENDER COUNTY DETENTION CENTER
BURGAW, NORTH CAROLINA

1. INTRODUCTION

The contents of this report present the findings of the Traffic Impact Analysis (TIA) conducted for the proposed Pender County Detention Center to be located north of SR 1332 (Penderlea Highway) and south of SR 1345 (Old Savannah Road) in Burgaw, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development, anticipated to be completed in 2024, is assumed to consist of the following uses:

- 55,354 square feet (sq. ft.) adult detention center
- 35,259 sq. ft. government office building

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenario:

- 2024 Build Traffic Conditions

1.1. Site Location and Study Area

The development is proposed to be located north of SR 1332 (Penderlea Highway) and south of SR 1345 (Old Savannah Road) in Burgaw, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the Town of Burgaw (Town) and the North Carolina Department of Transportation (NCDOT) and consists of the following proposed intersections:

- SR 1345 (Old Savannah Road) and Site Access 1
- SR 1345 (Old Savannah Road) and Site Access 2

Refer to Appendix A for the approved scoping documentation.

1.2. Proposed Land Use and Site Access

The site is expected to be located north of SR 1332 (Penderlea Highway) and south of SR 1345 (Old Savannah Road). The proposed development, anticipated to be completed in 2024, is assumed to consist of the following uses:

- 55,354 square feet (sq. ft.) adult detention center
- 35,259 sq. ft. government office building

Site access to the development is proposed via two (2) full movement driveways located along SR 1345 (Old Savannah Road). Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

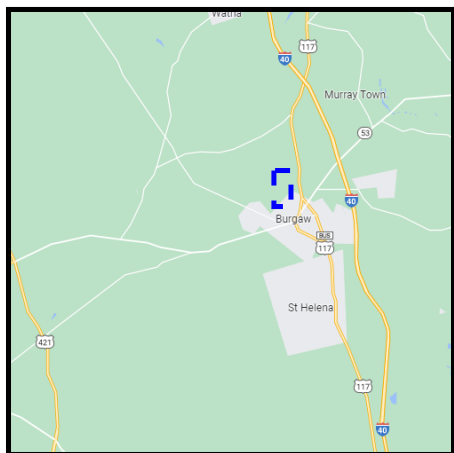
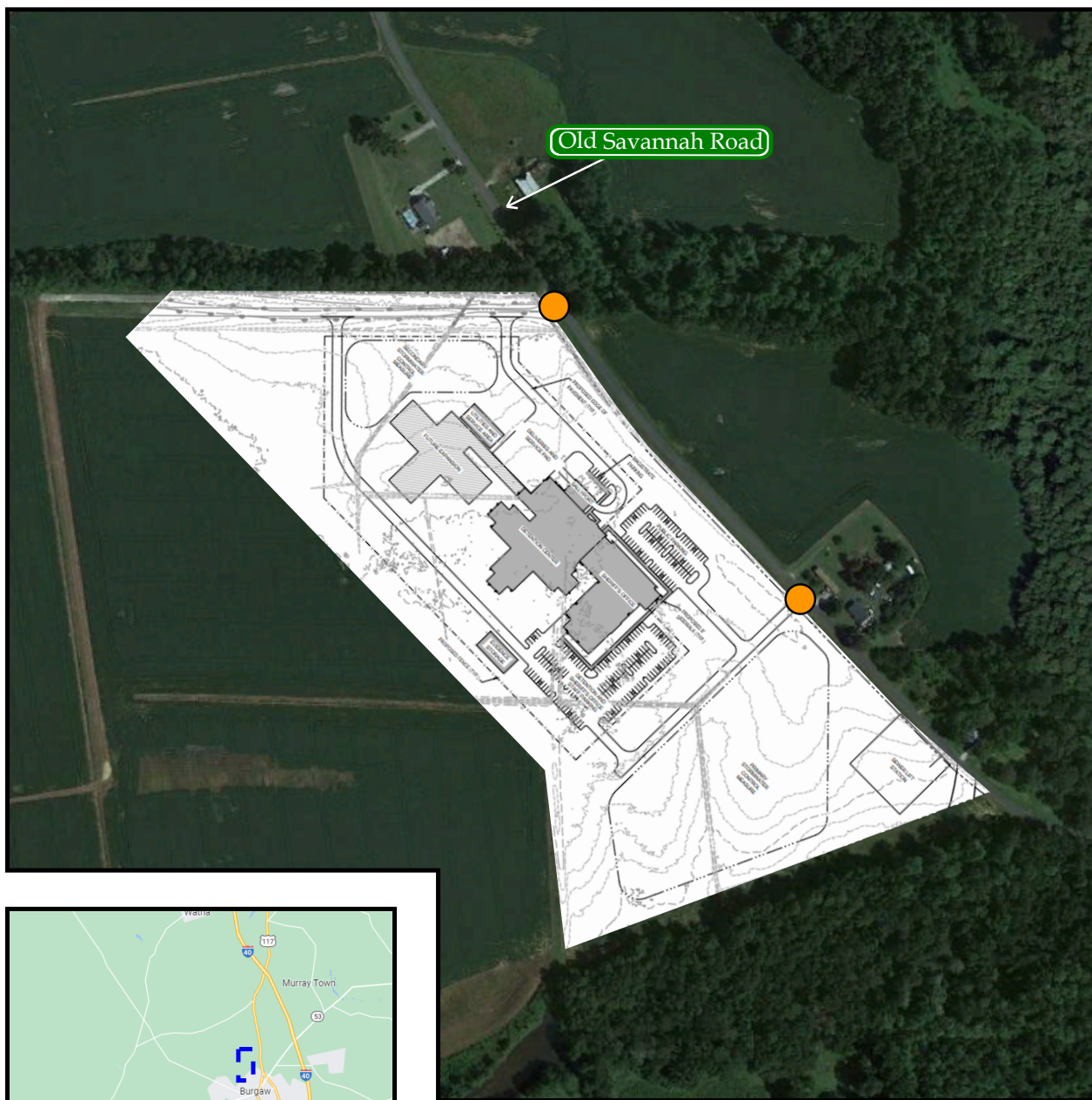
The proposed development is located in an area consisting primarily undeveloped land and residential development. Along SR 1332 (Penderlea Highway) there is a correctional institution.

1.4. Existing Roadways

Existing lane configurations (number of traffic lanes on each intersection approach), lane widths, storage capacities, and other intersection and roadway information within the study area are shown in Table 1, on the following page.

Table 1: Existing Roadway Inventory

Road Name	Route Number	Typical Cross Section	Speed Limit	Maintained By	2019 AADT (vpd)
Old Savannah Road	SR 1345	2-lane undivided	55 mph	NCDOT	500



LEGEND

- Proposed Site Driveway
- Study Area

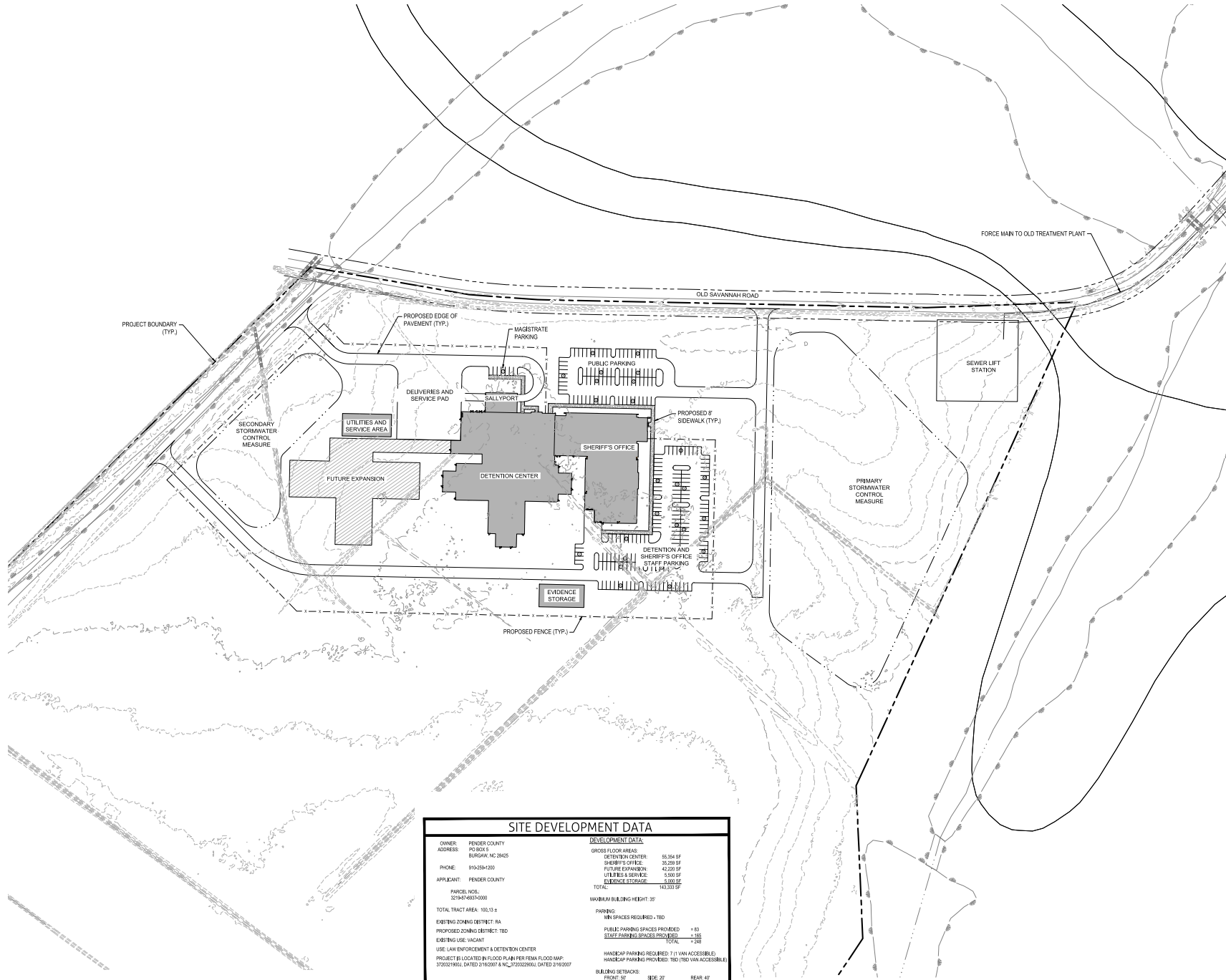


Pender County
Detention Center
Burgaw, NC

Site Location Map

Scale: Not to Scale Figure 1

SCHEMATIC DESIGN



GRAPHIC SCALE

1 inch = 80 ft.

2. 2022 EXISTING PEAK HOUR CONDITIONS

2.1. 2022 Existing Peak Hour Traffic Volumes

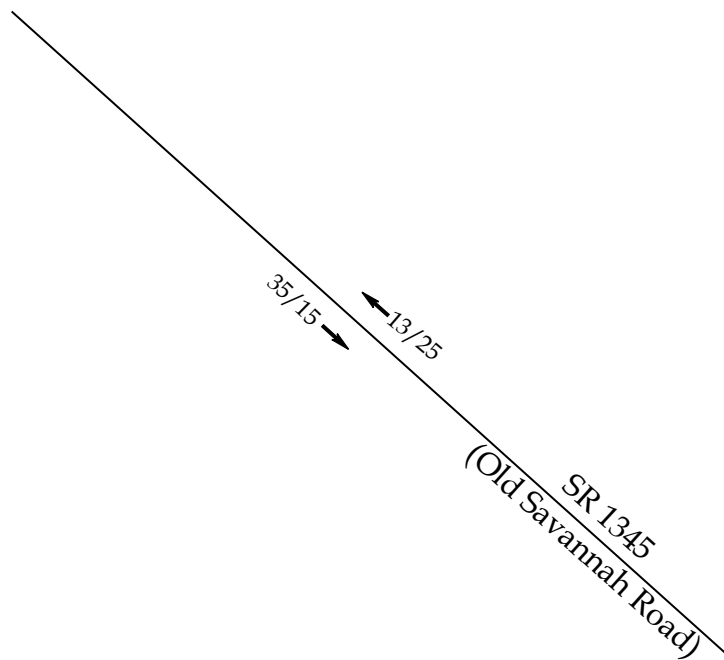
Existing peak hour traffic volumes were determined based on tube counts conducted on the study area roadway listed below, in May of 2022 during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods:

- SR 1345 (Old Savannah Road) & Proposed Site Access 1 / 2

Refer to Figure 3 for an illustration of the 2022 existing peak hour traffic volumes. A copy of the count data is located in Appendix B of this report.

LEGEND

X / Y → Weekday AM / PM Peak
Hour Traffic



Pender County
Detention Center
Burgaw, NC

2022 Existing
Peak Hour Traffic

Scale: Not to Scale Figure 3

3. 2024 NO-BUILD PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, no-build traffic projections are needed. No-build traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. No-build traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 1% for SR 1345 (Old Savannah Road) would be used to generate 2024 projected weekday AM and PM peak hour traffic volumes.

3.2. Adjacent Development Traffic

Based on coordination with the Town and NCDOT, it was determined there were no adjacent developments to consider with this study.

3.3. Future Roadway Improvements

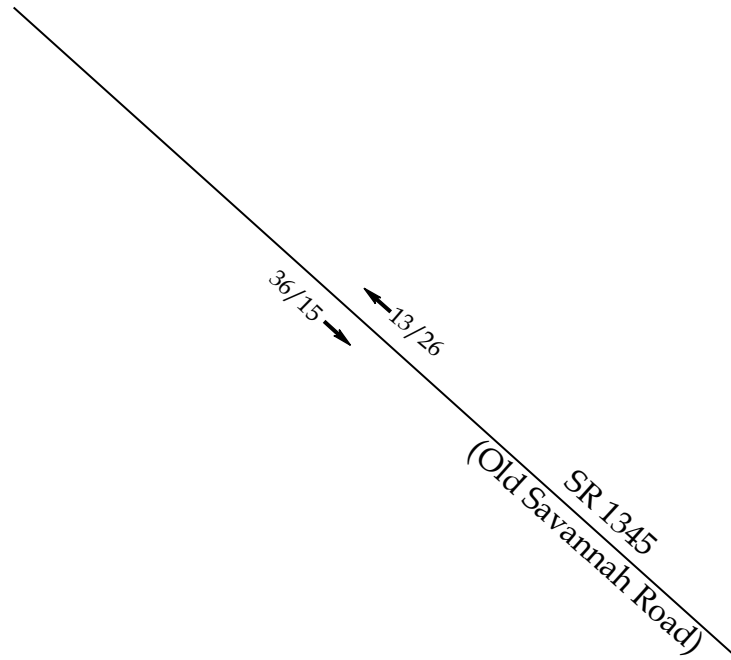
Based on coordination with the Town and NCDOT, it was determined there were no future roadway improvements to consider with this study.

3.4. 2024 No-Build Peak Hour Traffic Volumes

The 2024 no-build traffic volumes were determined by projecting the 2022 existing peak hour traffic to the year 2024. Refer to Figure 4 for an illustration of the 2024 no-build peak hour traffic volumes.

LEGEND

X / Y → Weekday AM / PM Peak
Hour Traffic



RAMEY KEMP ASSOCIATES

Pender County
Detention Center
Burgaw, NC

2024 No-Build
Peak Hour Traffic

Scale: Not to Scale

Figure 4

4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development is expected to consist of a 55,354 sq. ft. adult detention center and a 35,259 sq. ft. government office building. It should be noted that the density assumed in this study is that of a 67,716 sq. ft. adult detention center and a 34,102 sq. ft. government office building. Though these land use densities are expected to differ, the trip generation considered in this TIA is expected to be higher than what is shown on the preliminary site plan and therefore provides a conservative analysis. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the *ITE Trip Generation Manual*, 11th Edition. Table 2 provides a summary of the trip generation potential for the site.

Table 2: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Density Analyzed in TIA						
Adult Detention Center (571)	64,716 sq. ft.	265	32	12	5	26
Government Office Building (730)	34,102 sq. ft.	770	85	29	14	44
Total Trips		1,035	117	41	19	70
Density Shown on Site Plan						
Adult Detention Center (571)	55,354 sq. ft.	226	28	10	4	23
Government Office Building (730)	35,259 sq. ft.	797	88	30	14	45
Total Trips		1,023	116	40	18	68
Difference (+/-)		+12	+1	+1	+1	+2

It is estimated that the proposed development will generate approximately 1,035 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 158 trips (117 entering and 41 exiting) will occur during the

weekday AM peak hour and 89 (19 entering and 70 exiting) will occur during the weekday PM peak hour.

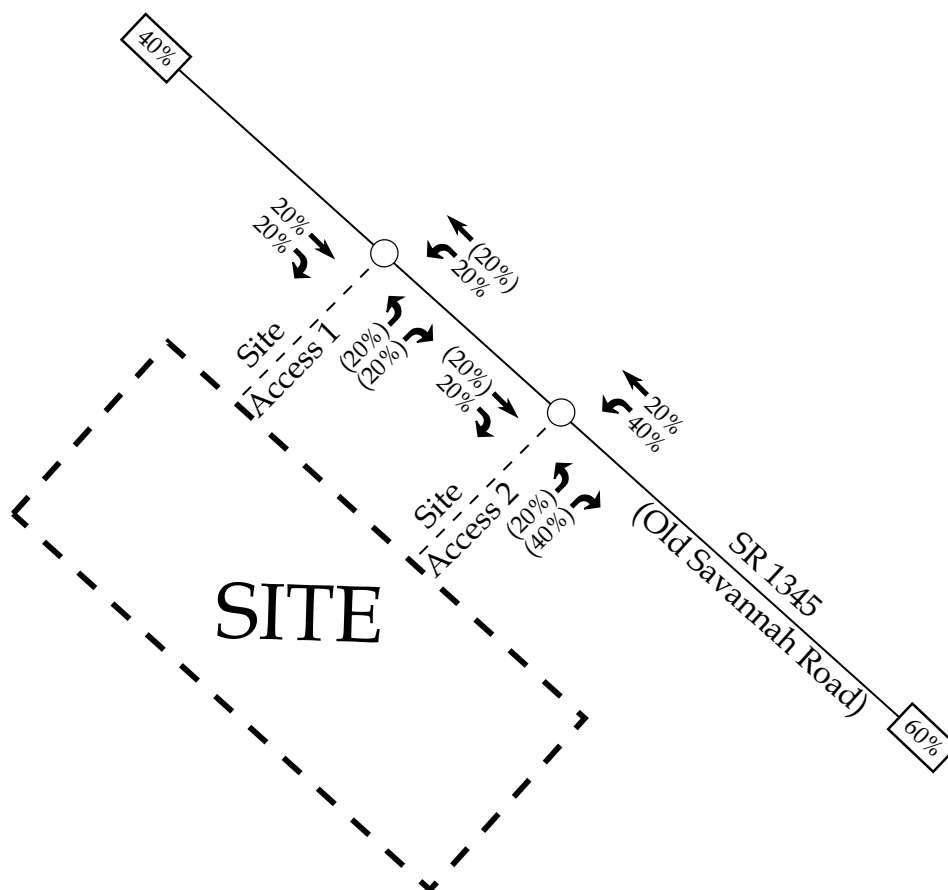
4.2. Site Trip Distribution and Assignment

Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment.

It is estimated that the site trips will be regionally distributed as follows:

- 60% to/from the east via SR 1345 (Old Savannah Road)
- 40% to/from the west via SR 1345 (Old Savannah Road)

The site trip distribution is shown in Figure 5. Refer to Figure 6 for the site trip assignment.



LEGEND

- Unsignalized Intersection
- x% → Entering Trip Distribution
- (Y%) → Exiting Trip Distribution
- XX% Regional Trip Distribution

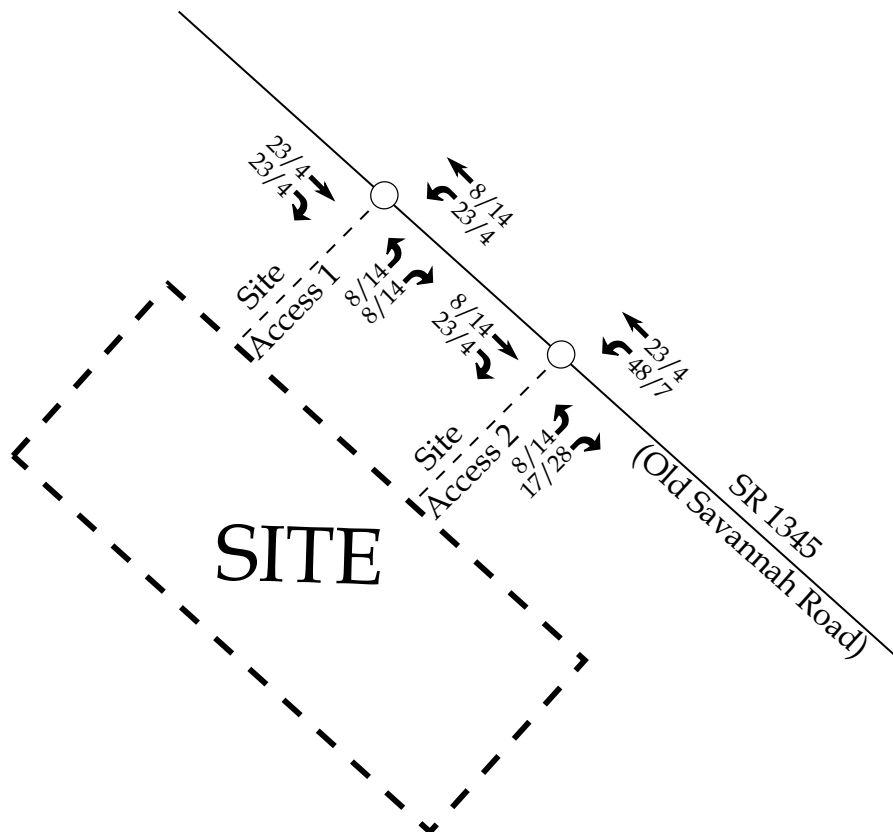


Pender County
Detention Center
Burgaw, NC

Site Trip
Distribution

Scale: Not to Scale

Figure 5



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Site Trips



Pender County
Detention Center
Burgaw, NC

Site Trip Assignment

Scale: Not to Scale Figure 6

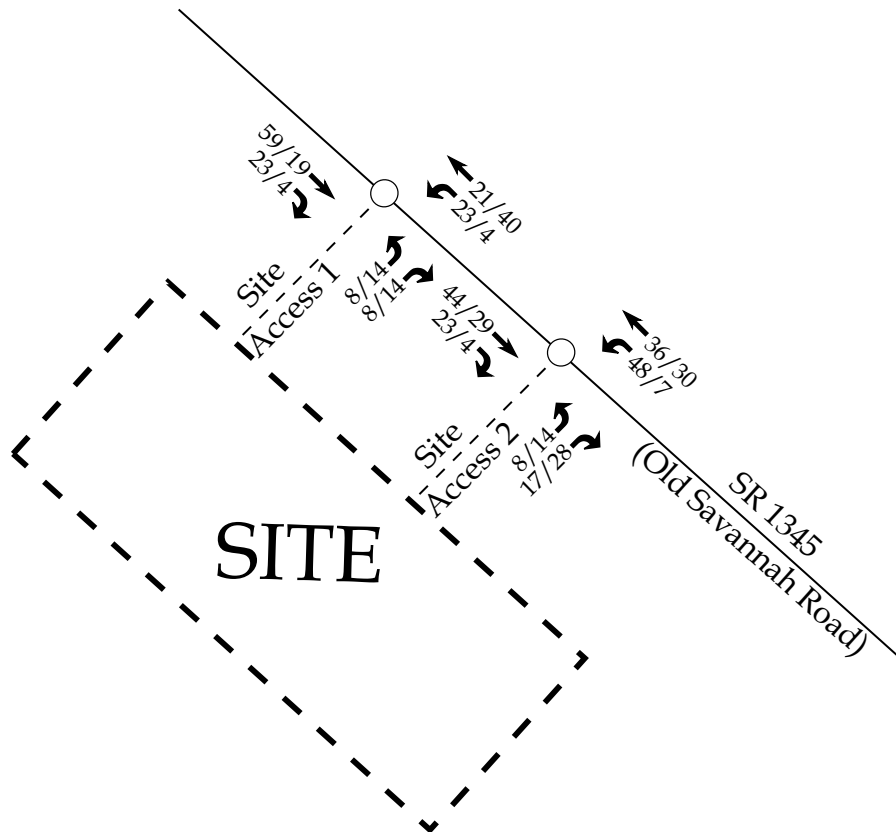
5. 2024 BUILD TRAFFIC CONDITIONS

5.1. 2024 Build Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the 2024 no-build traffic volumes to determine the 2024 build traffic volumes. Refer to Figure 7 for an illustration of the 2024 build peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of 2024 Build Peak Hour Traffic Conditions

Study intersections were analyzed with the 2024 build traffic volumes using the same methodology previously discussed for existing and no-build traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Traffic



Pender County
Detention Center
Burgaw, NC

2024 Build
Peak Hour Traffic

Scale: Not to Scale Figure 7

6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *Highway Capacity Manual* (HCM), 6th Edition published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 10.3), was used to complete the analyses for most of the study area intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions, and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 3 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

Table 3: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestion Management Guidelines.

7. CAPACITY ANALYSIS

7.1. SR 1345 (Old Savannah Road) and Site Access 1

The proposed intersection of SR 1345 (Old Savannah Road) and Site Access 1 was analyzed under 2024 build traffic conditions with the lane configurations and traffic control shown in Table 4. Refer to Table 4 for a summary of the analysis results. Refer to Appendix C for the Synchro capacity analysis reports. Copies of the SimTraffic queueing reports can be found in Appendix E.

Table 4: Analysis Summary of SR 1345 (Old Savannah Road) and Site Access 1

ANALYSIS SCENARIO	LANE GROUP	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour				
			Queue 95 th / Max (ft)	Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue 95 th / Max (ft)	Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
2024 Build Conditions	EBTR	--	0/0	--	--	N/A	N/A	0/0	--	--	N/A	N/A
	WBLT	--	3/15	A	7	A (7) ¹		0/0	A	7	A (7) ¹	
	NBLR	--	3/12	A	9	A (9) ²		3/21	A	9	A (9) ²	

Improvements and/or revised lane configurations by the developer shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of 2024 build traffic conditions indicates that the major-street left-turn movement and minor-street approach are expected to operate at LOS A during the weekday AM and PM peak hours.

Right and left-turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways*. Based on the expected low volume of turning movements into the proposed development at this intersection, exclusive turn lanes are not warranted. Additionally, volumes along SR 1345 (Old Savannah Road) are expected to be below 4,000 ADT under 2024 build traffic conditions which is below the threshold for exclusive turn-lane warrant requirements. Refer to Appendix F for a copy of the turn lane warrants.

Based on a review of SimTraffic, excessive queueing is not expected at this intersection under 2024 build traffic conditions.

7.2. SR 1345 (Old Savannah Road) and Site Access 2

The proposed intersection of SR 1345 (Old Savannah Road) and Site Access 2 was analyzed under 2024 build traffic conditions with the lane configurations and traffic control shown in Table 5. Refer to Table 5 for a summary of the analysis results. Refer to Appendix D for the Synchro capacity analysis reports. Copies of the SimTraffic queueing reports can be found in Appendix E.

Table 5: Analysis Summary of SR 1345 (Old Savannah Road and Site Access 2

ANALYSIS SCENARIO	LANE GROUP	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour				
			Queue 95 th / Max (ft)	Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue 95 th / Max (ft)	Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
2024 Build Conditions	EBTR	--	0/0	--	--	N/A	N/A	0/0	--	--	N/A	N/A
	WBLT	--	3/27	A	7	A (7) ¹		0/4	A	7	A (7) ¹	
	NBLR	--	3/36	A	10	A (10) ²		5/67	A	9	A (9) ²	

Improvements and/or revised lane configurations by the developer shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of 2024 build traffic conditions indicates that the major-street left-turn movement and minor-street approach are expected to operate at LOS A during the weekday AM and PM peak hours.

Right and left-turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways*. Based on the expected low volume of turning movements into the proposed development at this intersection, exclusive turn lanes are not warranted. Additionally, volumes along SR 1345 (Old Savannah Road) are expected to be below 4,000 ADT under 2024 build traffic conditions which is below the threshold for exclusive turn-lane warrant requirements. Refer to Appendix F for a copy of the turn lane warrants.

Based on a review of SimTraffic, excessive queueing is not expected at this intersection under 2024 build traffic conditions.

8. CRASH DATA ANALYSIS

Crash data was requested from the NCDOT for a five-year period of March 1, 2017, through February 28, 2022, along SR 1345 (Old Savannah Road) for a roadway section analysis of 150-feet on either side of the proposed site driveway locations along this stretch of roadway. A summary of the crash results is provided for the intersections in Table 6, below. Refer to Appendix G for the crash analysis reports.

Table 6: Crash Analysis Summary for Intersections

Strip Analyzed	Number of Crashes						Total Crashes
	2017 ¹	2018	2019	2020	2021 ²	2022 ²	
SR 1345 (Old Savannah Road) [approximate location of Site Access 1 & 2]	0	0	0	0	0	0	0

1 - March 1 through December 31 (9 months of data in 2017)

2 - January 1 through February 28 (2 months of data in 2022)

It should be noted that no crashes were reported along the section of SR 1345 (Old Savannah Road) in the five-year period analyzed.

Based on the review of this crash data, no additional off-site roadway improvements by the proposed development are recommended.

9. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the proposed Pender County Detention Center development to be located north of SR 1332 (Penderlea Highway) and south of SR 1345 (Old Savannah Road) in Burgaw, North Carolina. The proposed development is expected to consist of a 55,354 sq. ft. adult detention center and a 35,259 sq. ft. government office building and be built out in 2024. Site access to the development is proposed via two (2) full movement driveways located along SR 1345 (Old Savannah Road).

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2024 Build Traffic Conditions

Trip Generation

It is estimated that the proposed development will generate approximately 158 trips (117 entering and 41 exiting) during the weekday AM peak hour and 89 primary trips (19 entering and 70 exiting) during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under future year conditions.

10. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 8 for an illustration of the recommended lane configuration for the proposed development.

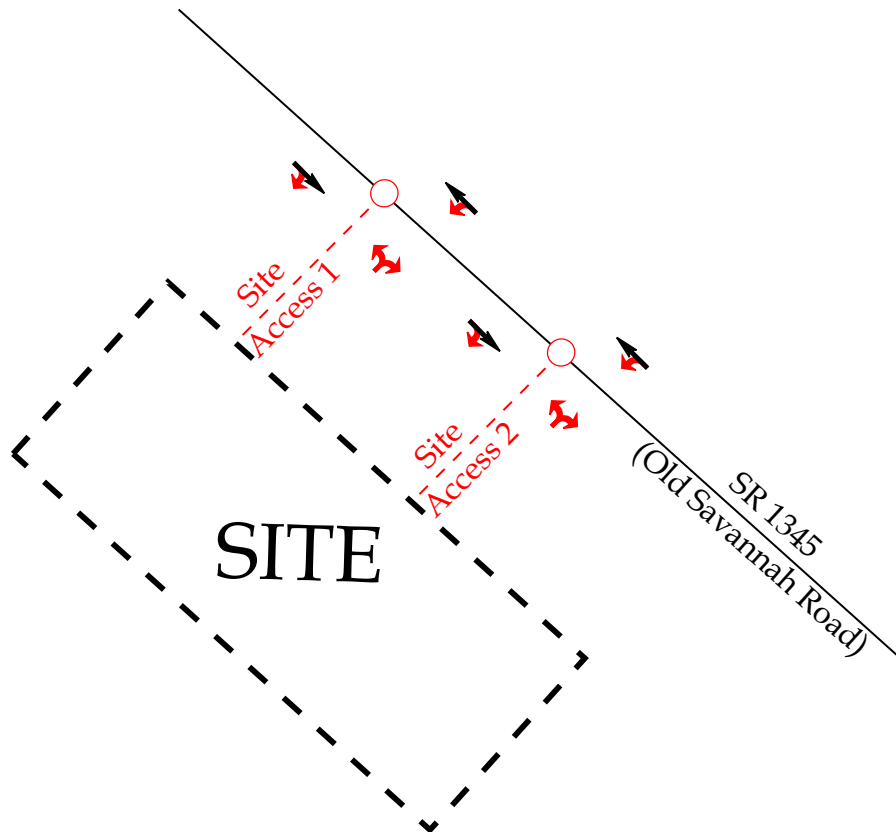
Recommended Improvements by Developer

SR 1345 (Old Savannah Road) and Site Access 1

- Construct the northbound approach (Site Access 1) with one ingress lane and one egress lane.
- Provide stop-control for the northbound approach.

SR 1345 (Old Savannah Road) and Site Access 1

- Construct the northbound approach (Site Access 2) with one ingress lane and one egress lane.
- Provide stop-control for the northbound approach.



LEGEND

- Unsignalized Intersection
- ➡ Existing Lane
- ➡ Improvement by Developer
- x' Storage (In Feet)



Pender County
Detention Center
Burgaw, NC

Recommended Lane
Configurations

Scale: Not to Scale Figure 8

From: [Sokolik-Porch, Tanya M](#)
To: [Gilbert Combs](#)
Cc: [Spirakis, Kirsten L](#)
Subject: [External] Burgaw TRC Meeting - February 23, 2024
Date: Monday, February 19, 2024 7:02:19 PM
Attachments: [image001.png](#)
[External Technical Review Committee Meeting - February 23 2024 @ 10 AM.msg](#)
[TIA Scoping Checklist - Pender County Detention Center.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gilbert,

Please see comments below from NCDOT for the Burgaw TRC meeting on February 23, 2024.

These preliminary comments are based on the plans as submitted for the proposed site and are subject to further review upon receipt of any additional information. Subsequently, additional comments and/or requirements may be necessary for this site.

- **Pender County Law Enforcement Center – Old Savannah Road, Town of Burgaw**
 - Proposed Three (3) Accesses:
 - Proposed: two full movement accesses on SR1345 (Old Savannah Road)
 - Proposed: one access on SR1332 (Penderlea Highway) as Emergency Access only.
 - Parcel ID: 3219-87-6937-0000
 - There is an approved scope for a Traffic Impact Analysis (TIA) for this development. It was scoped as *Pender County Detention Center*. The scope is attached; dated 04/14/2022. Review of the proposed site plan for this development will be performed following approval and recommendations from NCDOT, WMPO, and the local government for the required Traffic Impact Analysis (TIA).
 - A NCDOT Driveway Permit is required. Submit a plan in accordance with pages 14 and 15, of the *Policy on Street and Driveway Access to North Carolina Highways* to include access locations within 500' of the proposed access on both sides of the State road. Contact the District Engineers office with regards to submittals, telephone 910-467-0500.
 - A NCDOT Encroachment Agreement is required for any utility connections or installation within NCDOT Right-of-Way.

Tanya M. Sokolik-Porch
Assistant District Engineer
Division 3 | District 1
North Carolina Department of Transportation

Direct Line: 910-467-0508
Main Line: 910-467-0500
tmsokolik-porch@ncdot.gov

295 Wilmington Highway, Suite A
Jacksonville, NC 28540



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**BEFORE THE BOARD OF
COMMISSIONERS OF THE TOWN OF
BURGAW**

**SUPPLEMENTAL MATERIAL IN
SUPPORT OF PENDER COUNTY,
NORTH CAROLINA'S APPLICATION
FOR A SPECIAL USE PERMIT**

NOW COMES Pender County, North Carolina (the County), and provides this supplementary material in support of the County's Application for a Special Use Permit, which was submitted to the Planning Department of the Town of Burgaw (the Town) on January 5, 2024. This supplemental material is submitted to support the Application by summarizing and forecasting the competent, material, and substantial evidence that the County will submit to meet its burden of proof on the five (5) standards set forth in the Town's Unified Development Ordinance (UDO) at Section 4.7.1(E) to establish a *prima facie* case that the County has submitted a complete application and is entitled to receive a Special Use Permit for the construction of a law enforcement center on that certain parcel, more particularly identified in the Application for a Special Use Permit, consisting of a detention center and Sheriff's Office. The County's evidence as to each standard is or will be as follows:

STANDARD #1: The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.

Evidence Addressing Standard #1: Daniel Adams, Pender County Planning Director, will present testimony evidence and exhibits consisting of the Town's planning documents that demonstrate that the plan as submitted and approved will be in harmony with the area in which it is located and in conformity with the Town's Land Use Plan. Joseph Boyd, P.E., the County's consulting engineer, will present testimony evidence and exhibits consisting of detailed plan sheets

addressing technical aspects of the proposed development that demonstrate that the plan as submitted and approved will be in harmony with the area in which it is located and in conformity with the Town's Land Use Plan.

STANDARD #2: The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this Ordinance.

Evidence Addressing Standard #2: Daniel Adams, Pender County Planning Director, will present testimony evidence and exhibits consisting of the Town's planning documents that demonstrate that the use is allowed pursuant to the Town's UDO and meets all the required conditions and specifications, including, without limitation, those set out in the Town's UDO. Joseph Boyd, P.E., the County's consulting engineer, will present testimony evidence and exhibits consisting of detailed plan sheets addressing technical aspects of the proposed development that the use is allowed pursuant to the Town's UDO and meets all the required conditions and specifications, including, without limitation, those set out in the Town's UDO.

STANDARD #3: The use of the property as proposed will not affect other adjoining or abutting property values.

Evidence Addressing Standard #3: Haywood Newkirk, Executive Vice President, Valuation and Advisory Services at CBRE, will present testimony evidence and exhibits consisting of a written valuation report that demonstrates that the use of the property as proposed will not negatively affect other adjoining or abutting property values.

STANDARD #4: The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

Evidence Addressing Standard #4: Joseph Boyd, P.E., the County's consulting engineer, will present testimony evidence and exhibits consisting of detailed plan sheets addressing technical aspects of the proposed development that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

STANDARD #5: The increase in vehicular traffic resulting from a proposed development would not pose a danger to public safety.

Evidence Addressing Standard #5: Caroline Cheeves, P.E., the County's consulting traffic engineer, will present testimony evidence and exhibits consisting of a traffic impact analysis that demonstrates that the increase in vehicular traffic resulting from the proposed development would not pose a danger to public safety. In addition, the County will commit to comply with the requirements of the North Carolina Department of Transportation to implement mitigation measures that reduce the impact of increased vehicular traffic resulting from the proposed development.

This ends the County's supplementary materials.

Respectfully submitted this the 16th day of January, 2024.

By:


Patrick Buffkin, Staff Attorney
Pender County, North Carolina
Bar No.: 44262
PO Box 5
805 S. Walker St.
Burgaw, NC 28425

From: [Alan Moore](#)
To: [Gilbert Combs](#)
Cc: [Matthew Myslow](#)
Subject: Capacity
Date: Thursday, February 22, 2024 10:12:32 AM

There is adequate capacity currently for the proposed Jail/LEC project estimating GPD for water and sewer of 23,595.



CASE SUMMARY

Board of Commissioners

Special Use Permit

March 12, 2024

Gilbert Combs, 910-663-3451, gcombs@burgawnc.gov

<i>Staff recommendation</i>	Not applicable
<i>Board of Commissioners</i>	3/12/2024; Scheduled

Request

<i>Address/Location</i>	Pender County Law Enforcement Center PIN: 3219-87-6937-0000	
<i>Acreage</i>	Approximately 33 acres (project boundary)	
<i>Request</i>	To permit a detention facility (jail) component for the Pender County Law Enforcement Center project	
<i>Owner</i>	Pender County PO Box 5 Burgaw, NC 28425	Allen Vann avann@pendercountync.gov (910) 259-2110
<i>Applicant</i>	WithersRavenel 219 Station Road, Suite 101 Wilmington, NC 28405	Joseph Boyd jboyd@withersravenel.com (919) 256-9277

Property Characteristics

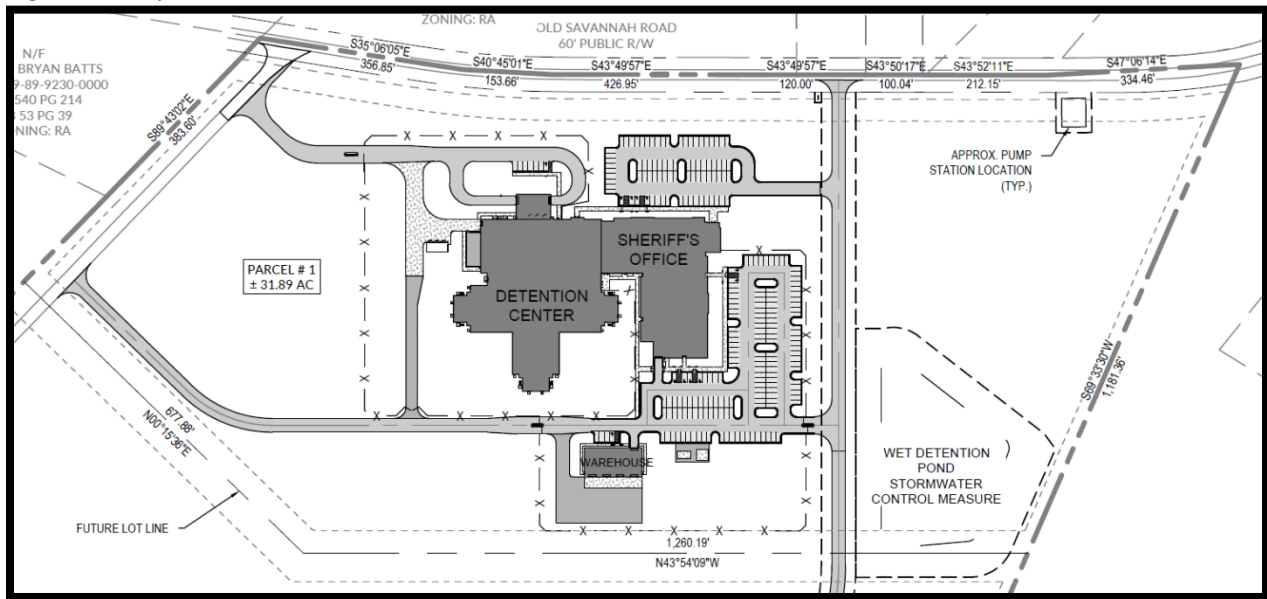
Zoning	RA, Rural Agricultural
Current Land Use	Vacant

Surrounding Area	North	South	East	West
Zoning	RA, Rural Agricultural	RA, Rural Agricultural	RA, Rural Agricultural	RA, Rural Agricultural
Current Land Use	Single-family dwelling / Vacant	Vacant	Single-family dwelling	Vacant

Findings of Fact

1. The site is currently undeveloped.
2. The project area includes approximately 33 acres and is zoned Rural Agricultural, RA.
3. Developments that include jails are permitted in the RA zoning district with the issuance of a special use permit.
4. The larger parcel will be subdivided into the description of the project area in the future.

Figure 1. Proposed Site Plan



Across Project



Looking at Project



1.0 Staff Review

- Staff has conducted a preliminary review of the proposed plan for consistency with the Burgaw Unified Development Ordinance.
- An application for site plan review was submitted and accepted to the Technical Review Committee (TRC) for a meeting that was scheduled for 2/23. Preliminary responses have been provided to the applicant. The applicant is aware that changes during the entitlement process may impact the TRC submittal.



- If approved for a Special Use Permit, the proposal must still meet all TRC requirements in compliance with all local, state, and federal requirements.
- If the project is approved by the Town of Burgaw Board of Commissioners, approval to begin site work is not granted until release is given by the Planning and Building Inspections Departments.

2.0 Public services, Facilities, and Infrastructure

2.1 Traffic and Transportation

- The site fronts Old Savannah Road South (State Road 1345)
- Two driveways are proposed off Old Savannah Road South.
- According to a sealed Traffic Improvement Analysis (TIA) by Ramey Kemp Associates the project would generate over 1,000 trips per day. This number of trips triggered the need for the Traffic Impact Study (TIS) attached.
- NCDOT Assistant District Engineer for Division 3 District 1 states the scope for the TIA is approved for this development.

2.2 Public Utilities

- There is adequate water and sewer capacity to accommodate this project.
- The county is responsible for constructing the infrastructure necessary to accommodate the project.

2.3 Public Safety

- No fire hydrant exists on Old Savannah Road South within 500 feet of the site.
- Hydrants are proposed in the following locations:
 - i. Inside the site at the southernmost driveway just before the parking lot
 - ii. Inside the site at the northernmost driveway near the detention center
 - iii. Two hydrants are located south of the immediate project along the proposed connection through the southern parcels to Penderlea Highway. This entrance would be closed to the public.

2.4 Stormwater

- The development of the site would be reviewed for compliance with the state's stormwater management regulations.

2.5 Landscaping, Buffering, Tree Protection, and Open Space

- A Type B buffer is required along all lot lines adjoining residentially zoned or used lots.
- Tree preservation and mitigation will be required. Tree protection fencing and silt fencing must be in place prior to the start of any construction activities.



Recommendation

If the Board of Commissioners elects to recommend approval of the proposed use, staff recommends the following conditions be applied:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the subdivision final plat shall be null and void.
3. The use and development of the subject property shall be in accordance with the site plan as submitted and approved by the Board of Commissioners on 3/12/2024.
4. Approval of this special use permit does not constitute technical approval of the proposed site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.

NEIGHBORHOOD CONTACT

	Board of Commissioners
<i>Signs Posted</i>	2/20/2024
<i>Property Owner Letters</i>	2/28/2024
<i>Advertisement Date(s)</i>	2/29/2024 & 3/7/2024
<i>Other – Contact(s)</i>	

ACTIONS TO DATE

<i>Board of Commissioners</i>	3/12/2024; Scheduled
-------------------------------	-----------------------------

ATTACHMENTS

1. Application
2. Proposed Site Plan in Plan Set
3. Deed
4. Legal Description
5. Sealed Traffic Impact Analysis (includes estimated trip generation)
6. NCDOT Email
7. Special Use Answers
8. Public Works Capacity Statement
9. Resolution

RESOLUTION 2024-08

RESOLUTION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED ON OLD SAVANNAH ROAD SOUTH (PARCEL ID: 3219-87-6937-0000) TO ALLOW THE PENDER COUNTY LAW ENFORCEMENT CENTER PROJECT WHICH INCLUDES A DETENTION CENTER (JAIL) IN THE RA, RURAL AGRICULTURAL ZONING DISTRICT.

PURPOSE:

THE BOARD OF COMMISSIONERS FOR THE TOWN OF BURGAW HELD A PUBLIC HEARING ON MARCH 12, 2024, TO CONSIDER THE FOLLOWING APPLICATION:

PROPERTY OWNER:

ALLEN VANN, PENDER COUNTY ASSISTANT COUNTY MANAGER
805 SOUTH WALKER STREET, BURGAW, NC, 28425

APPLICANT

JOSEPH BOYD (WITHERS RAVENEL)
219 STATION ROAD, SUITE 101, WILMINGTON, NC 28405

LOCATION: PENDER COUNTY LAW ENFORCEMENT CENTER (3219-87-6937-0000)

PROPOSAL: PENDER COUNTY LAW ENFORCEMENT CENTER (OFFICES, 911 CENTER, DETENTION CENTER)

ZONING DISTRICT: RA, RURAL AGRICULTURAL

MEETING DATES: MARCH 12, 2024: BOARD OF COMMISSIONERS PUBLIC HEARING

THE BOARD OF COMMISSIONERS, HAVING HEARD ALL EVIDENCE AND ARGUMENTS PRESENTED AT THE HEARING, MAKES THE FOLLOWING FINDINGS OF FACT:

1. The site is currently undeveloped.
2. The project area includes approximately 33 acres and is zoned RA, Rural Agricultural.
3. Developments that include jails are permitted in the RA zoning district with the issuance of a special use permit.
4. The larger parcel will be subdivided into the description of the project area in the future.

BASED UPON THE FOREGOING FINDINGS OF FACT, BOARD OF COMMISSIONERS DRAWS THE FOLLOWING CONCLUSIONS:

- A. The location and character of the use, if developed according to the plan as submitted and approved, **will/will not** be in harmony with the area in which it is to be located.
- B. The use **is/is not** allowed pursuant to this ordinance and **meets/does not** meet all the required conditions and specifications, including without limitation, those set out in this Ordinance.
- C. The use of the property **will/will not** affect other adjoining or abutting property values.

- D. That the use **will/will not** materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- E. The increase in vehicular traffic resulting from the proposed development **would/would not** pose a danger to public safety.

Therefore, because the Board of Commissioners concludes that all general and specific conditions precedent to the approval of a SPECIAL USE PERMIT **have/have not** been satisfied, IT IS ORDERED that the application for the approval of the SPECIAL USE PERMIT be **APPROVED/DENIED**, subject to the following conditions:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the special use shall be null and void.
3. The use and development of the subject property shall be in accordance with the site plan as submitted and approved by the Board of Commissioners on 3/12/2024.
4. Approval of this special use permit does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to releasing the project to the Building Inspections Department.

Adopted this 12th day of March 2024.

G. Olivia Dawson, Mayor

Attest:

APPROVED AS TO FORM:

Kristin Wells, Town Clerk

Town Attorney



CASE SUMMARY

Board of Commissioners

UDO Text Amendment

March 12, 2024

Gilbert Combs, 910-663-3451, gcombs@burgawnc.gov

Staff Recommendation	Approval
Planning Board	02/15/2024; Recommend approval 4-0
Board of Commissioners	03/12/2024; SCHEDULED

Request

<i>Code Section(s)</i>	Sections 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions	
<i>Request</i>	To modify the approval process for certain uses from special use permit to conditional zoning	
<i>Applicant</i>	Town of Burgaw Planning Department	gcombs@burgawnc.gov 910-663-3451

REQUEST

The proposed amendment to the Unified Development Ordinance (UDO) would change many existing uses that could be permitted by special use to instead require conditional zoning. This change would allow the town and its stakeholders the ability to provide more input in a legislative process rather than a quasi-judicial process under special use.

1. History/Background

Current regulations

Currently there are many uses in the UDO's table of permitted uses that require a Special Use Permit (SUP). Decisions on SUPs follow a quasi-judicial process. In this type of proceeding, applicants that can enlist the help of subject matter experts to respond to the findings of fact often find themselves with approval. Only those with standing can speak during the quasi-judicial hearing and hearsay testimony shall not be taken into consideration. Many decisions to deny a SUP, when a proposal meets all technical requirements and development standards, are easily appealed regardless of potential opposition. That is not to say that SUPs cannot be denied, but because conditional zoning opens far more opportunities for public involvement and input, in the spirit of transparency and good communication, conditional zoning is a better solution to a similar outcome. The added benefit of conditional zoning in Burgaw beyond a public hearing at both the Planning Board and Board of Commissioners is that no fewer than two community meetings must be held by the applicant. The information at this meeting is submitted with the petition and shared with both bodies of government.

Below are the uses pulled for this text amendment as they currently exist in the use table and their associated use standards.



Uses	RA	R-20	R-12	R-7	R-7 MH	PUD	O&I	B-1	B-2	I-1	I-2	C/P
ADULT BUSINESS											S major	
AIRPORT OPERATIONS, AIRCRAFT PORT, ETC	S maj										S major	
AUTOMOBILE PARKING LOT OFF STREET (allowing parking as the primary use on a lot)						X	X	X	X	X	X	
BARS, COCKTAIL LOUNGE, AND/OR NIGHTCLUBS						S major		S major	S major			
CEMETERIES	S major	S major	S major	S major	S major		S major					
CHURCHES, PLACES OF WORSHIP	S major	S major	S major	S major	S major	X US	X US	X US	X US			
COMMERCIAL OFF-STREET PARKING (as the principal use)						X US	X US		X US	X US	X US	
DWELLING, MULTI-FAMILY				S major		S major	S major					
ENTERTAINMENT ESTABLISHMENT (without outdoor use)						S major		S major	S major			
FLEA MARKET									S major	S major		
GASOLINE STATIONS WITH CONVENIENCE STORES						X US		S major	X US			
GASOLINE STATIONS WITHOUT CONVENIENCE STORES						X US		S major	X US			
HOSPITAL							S major		S major			
MANUFACTURED HOME PARK	S major				S major							
MIXED USE STRUCTURE								S				
MOTELS								S major	S major			
PARALLEL CONDITIONAL ZONING (CZ) DISTRICTS	RA - CZ	R20 - CZ	R12 - CZ	R7 - CZ	R7MH - CZ		O&I - CZ	B1 - CZ	B2 - CZ	I1- CZ	I2- CZ	
PLANNED UNIT DEVELOPMENT CD	S major	CZ				CZ						



SECTION 8.16 REGULATIONS FOR SPECIAL USES (ALSO REFER TO SECTION 8.17)

Adult Businesses. Requiring a Major special use permit heard before the Town Board of Commissioners. Refer to Section 8.17.1

Airport Operations, Aircraft Port, etc. (RA, I-2) requiring a Major special use permit heard before the Town Board of Commissioners.

Bars, Cocktail Lounge, and/or Nightclubs (PUD, B-1, B-2) requiring a Major special use permit heard before the Town Board of Commissioners.

Cemeteries (RA, R-20, R-12, R-7, R-7MH, O&I) requiring a Major special use permit heard before the Town Board of Commissioners.

Detailed Regulations

- All cemeteries exempt from state licensure requirements must make legally binding provisions for the perpetual care and maintenance of the cemetery prior to issuance of a special use permit.

Churches, Places of Worship (RA, R-20, R-12, R-7, R-7MH) requiring a Major special use permit heard before the Town Board of Commissioners.

Commercial Off-Street Parking (as the principal use). (PUD, O&I, B-2, I-1, I-2) Only parking of automobile/passenger vehicles is permitted and requiring a Major special use permit heard before the Town Board of Commissioners.

Dwelling, Multi-Family (R-7, PUD, O&I) requiring a Major special use permit heard before the Town Board of Commissioners.

Detailed Regulations

- Dwelling, multi-family uses shall include no fewer than three (3) and no more than eight (8) individual dwelling units sharing a common roofline and building structure. Developments with nine (9) or more dwelling units and/or developments with more than one (1) building structure shall be classified as Planned Building Group—Residential Attached Units and regulated as described in this ordinance.

Entertainment Establishment (with outdoor use) (PUD, B-1, B-2) requiring a Major special use permit heard before the Town Board of Commissioners.

Flea Market (B-2, I-1) requiring a Major special use permit heard before the Town Board of Commissioners.

Gasoline Stations with Convenience Stores (B-1) requiring a Major special use permit heard before the Town Board of Commissioners.

Gasoline Stations without Convenience Stores (B-1) requiring a Major special use permit heard before the Town Board of Commissioners. See Gasoline Stations with Convenience Stores.



Hospital (O&I, B-2) requiring a Major special use permit heard before the Town Board of Commissioners.

Manufactured Home Parks (RA, R-7MH) requiring a Major special use permit heard before the Town Board of Commissioners. See Chapter 9. Manufactured Home Parks.

Motels (B-1, B-2) requiring a Major special use permit heard before the Town Board of Commissioners.

Planned Unit Development District (PUD) (R-20, R-12, PUD) a conditional use rezoning is required. See Chapter 9 for supplemental standards.

2. Proposed Amendment

Following is the proposed amendment to the Unified Development Ordinance. Additions are underlined and deletions are in ~~strikethrough~~.

The table below shows the proposed changes to Section 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS. The proposal will mostly change uses permitted by special use permit to conditional zoning. Yellow highlighted CZ are instances where a requirement for SUP is proposed to switch to CZ. Some uses will see other types of change and they will be highlighted in blue.

Uses	RA	R-20	R-12	R-7	R-7MH	PUD	O&I	B-1	B-2	I-1	I-2	C/P
ADULT BUSINESS											<u>CZ</u>	
AIRPORT OPERATIONS, AIRCRAFT PORT, ETC	<u>CZ</u>										<u>CZ</u>	
AUTOMOBILE PARKING LOT OFF STREET (allowing parking as the primary use on a lot)						<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
BARS, COCKTAIL LOUNGE, AND/OR NIGHTCLUBS						<u>X</u> <u>US</u>		<u>CZ</u>	<u>CZ</u>			
CEMETERIES	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>					
CHURCHES, PLACES OF WORSHIP	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	X US	X US	X US	X US			
COMMERCIAL OFF-STREET PARKING (as the principal use)						X US	X US		X US	X US	X US	
DWELLING, MULTI-FAMILY				<u>CZ</u>		<u>X</u> <u>US</u>	<u>CZ</u>					
ENTERTAINMENT ESTABLISHMENT (without outdoor use)						<u>X</u> <u>US</u>		<u>CZ</u>	<u>CZ</u>			
FLEA MARKET									<u>CZ</u>	<u>CZ</u>		



Uses	RA	R-20	R-12	R-7	R-7MH	PUD	O&I	B-1	B-2	I-1	I-2	C/P
GASOLINE STATIONS WITH CONVENIENCE STORES						X US		<u>CZ</u>	X US			
GASOLINE STATIONS WITHOUT CONVENIENCE STORES						X US		<u>CZ</u>	X US			
HOSPITAL							<u>CZ</u>		<u>CZ</u>			
MANUFACTURED HOME PARK	<u>CZ</u>				<u>CZ</u>							
MIXED USE STRUCTURE						X		X				
MOTELS						X		<u>CZ</u>	<u>CZ</u>			
PARALLEL CONDITIONAL ZONING (CZ) DISTRICTS	<u>RA - CZ</u>	<u>R20 - CZ</u>	<u>R12 - CZ</u>	<u>R7 - CZ</u>	<u>R7MH - CZ</u>		<u>O&I - CZ</u>	<u>B1 - CZ</u>	<u>B2 - CZ</u>	<u>I1 - CZ</u>	<u>I2 - CZ</u>	
PLANNED UNIT DEVELOPMENT CD	<u>CZ</u>	<u>CZ</u>				<u>CZ</u>						

The following sections show additions or modifications to existing sections. In general, most use standards for the uses shown in the table above, in Section 8.16, will be removed and added to Section 8.15. Uses that are not currently defined have also been added to Section 17.2.

SECTION 8.15 USE STANDARDS

Adult Businesses. (I-2) Requiring conditional zoning approval.

Airport Operations, Aircraft Port, etc. (RA, I-2) requiring conditional zoning approval.

Bars, Cocktail Lounge, and/or Nightclubs

(PUD)

(B-1, B-2) requiring conditional zoning approval.

Cemeteries (RA, R-20, R-12, R-7, R-7MH, O&I) requiring conditional zoning approval.

Detailed Regulations

• All cemeteries exempt from state licensure requirements must make legally binding provisions for the perpetual care and maintenance of the cemetery prior to conditional zoning approval.

Churches, Places of Worship

(PUD, O&I, B-1, B-2,)

(RA, R-20, R-12, R-7, R-7MH) requiring conditional zoning approval.



Commercial Off-Street Parking (as the principal use). (PUD, O&I, B-2, I-1, I-2) Only parking of automobile/passenger vehicles is permitted and requires conditional zoning approval.

Dwelling, Multi-family

(PUD)

(R-7, O&I) requiring conditional zoning approval.

Detailed Regulations

• Dwelling, multi-family uses shall include no fewer than three (3) and no more than eight (8) individual dwelling units sharing a common roofline and building structure. Developments with nine (9) or more dwelling units and/or developments with more than one (1) building structure shall be classified as Planned Building Group—Residential Attached Units and regulated as described in this ordinance.

Entertainment Establishment (with outdoor use)

(PUD)

(B-1, B-2) requiring conditional zoning approval.

Flea Market (B-2, I-1) requiring conditional zoning approval.

Gasoline Stations with Convenience Stores (PUD, B-2)

Gasoline Stations without Convenience Stores (PUD, B-1, B-2) See Gasoline Stations with Convenience Stores.

Gasoline Stations

(PUD, B-2)

(B-1) requiring conditional zoning.

Detailed Regulations

- The site shall front a thoroughfare or residential collector street.
- No aboveground equipment for the vehicular service of gasoline, oil, or other petroleum product shall be closer than twenty-five (25) feet to any public right-of-way and ten (10) feet to any exterior property line.
- Pump island canopies shall not be located closer than ten (10) feet to a public right-of-way or exterior property line.
- A type B buffer shall be required along all lot lines adjoining residentially zoned or used lots.
- All accessory uses shall be subject to all ordinance requirements as stated in this ordinance and must be approved as part of a special use permit.

Additional Required Information for Application

- In addition to the general requirements, the site plan must also include the location and size of gasoline, oil, or other petroleum product tanks.
- Lighting plan
- Location, type, and dimensions of signage



- List of all proposed accessory uses for site (e.g. food service, car wash, etc.)

Hospital (O&I, B-2) requiring conditional zoning approval.

Manufactured Home Parks (RA, R-7MH) requiring conditional zoning approval.

Motels (B-1, B-2) requiring conditional zoning approval.

Planned Unit Development District (PUD) (R-20, R-12, PUD) a conditional use rezoning is required. See Chapter 9 for supplemental standards.

SECTION 8.16 REGULATIONS FOR SPECIAL USES (ALSO REFER TO SECTION 8.17)

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Planned Unit Development District (PUD) (R-20, R-12, PUD) a conditional use rezoning is required. See Chapter 9 for supplemental standards.

SECTION 17.2 DEFINITIONS

Airport operations, aircraft port, etc: Facilities for the takeoff and landing of aircraft, including runways, aircraft storage buildings, helicopter pads, air traffic control facilities, informational facilities and devices, terminal buildings, and airport auxiliary facilities, including fences, lighting and antennae systems, on premise signs, driveways, and access roads. This term includes aircraft maintenance facilities, aviation instruction facilities, and heliports when part of a larger airport facility.

Bars, cocktail lounge, and/or nightclubs: An establishment used primarily for the serving of alcoholic beverages to the public and where food or packaged alcoholic beverages may be served or sold only as accessory to the primary use.

Churches, places of worship: A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.



Commercial off-street parking: A parcel of land used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged.

Multifamily Development: A single building on a single lot or tract containing more than two (2) dwelling units. **Dwelling, multi-family:** A dwelling or group of dwellings on one lot, containing separate living units for three or more families, having separate or joint entrances, and including apartments, townhomes, and condominiums.

Gasoline station: Any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair service, if any, is incidental. May include the sale of propane or kerosene as accessory uses.

Hospital: An institution providing health services for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are integral parts of the facilities.

Motel: An establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

2.1 Summary

This, and the subsequent case summaries that are related to this overhaul in process of permitted uses, is likely the only time I will not benchmark against the regular list of communities since the overall amendment is designed to increase public input opportunities and allows the Town Board of Commissioners the ability to apply conditions that minimize impacts of development in a legislative decision-making process. Other modifications either apply unnecessary burden for a use that is encouraged in a district or follow uncommon planning practice.

CONSISTENCY WITH APPROVED PLANS

Town of Burgaw Comprehensive Land Use Plan

The proposed amendment is consistent with the policy intent of the Town of Burgaw Comprehensive Land Use Plan. Policies that are most pertinent to the proposed amendment are below. Not all policies carry equal weight and may depend on the specifics of the proposal. The following symbology is employed:



Governance	
Goal 2: To improve and streamline the delivery of services to all customers	
Maximize the use of communication technology to facilitate the exchange of information between public officials and citizens	



Invest in creating a culture of customer service at all staff levels	●
Goal 3: To increase citizen participation and involvement in the town's decision-making process	
Promote opportunities that bring people together to help them build connections to each other, their peers; and the greater community	●
Economic Development	
Goal 4: To ensure clear and efficient administrative procedures, policies, and ordinances that will attract and retain the type of enterprises necessary to achieve the town's vision	
Maintain an efficient, timely, predictable, and customer-focused permit process, conducted in a manner that integrates multiple city departments into a coordinated entity	●
Improve communication among town staff, boards, and the business community to foster greater cooperation	●

CONCLUSIONS AND RECOMMENDATION

The proposed amendment to modify the approval process for certain uses from special use permit to conditional zoning is intended to open opportunities for public input, encourage better understanding of projects, and provide opportunities for the Town Board of Commissioners to apply conditions to a project during the legislative decision-making process.

Due to the support from the Town of Burgaw Comprehensive Land Use Plan, planning staff recommends **approval** of the text amendment as proposed.

ACTIONS TO DATE

<i>Planning Board</i>	02/15/2024; Recommend approval - unanimous
<i>Board of Commissioners</i>	03/12/2024; Scheduled

Attachments

1. Consistency statement
2. Resolution
3. Ordinance



Agenda Item C

Request: To modify the approval process for certain uses from special use permit to conditional zoning

Hearing Date: 3/12/2024

Board of Commissioners Consistency Statement

(To be read into the record as a motion, seconded and voted upon)

____ Approval – this request is consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

() Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan

() Other: _____

The Board of Commissioners considers its approval to be reasonable and in the public interest because: (Please provide reasons which can be found in the staff report)

The proposal will increase citizen participation and involvement in the town's decision-making process.

____ Rejected – this request is not consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

() Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan

() Other: _____

The Board of Commissioners considers its rejection to be reasonable and in the public interest because:

The proposal will add burden to a proposed project by requiring additional meetings and additional public input in a legislative process.

Therefore, The Board of Commissioners recommends **approval/rejection** of this request.

Comments:

This report reflects the recommendation of the Town of Burgaw Board of Commissioners, this the 12th day of March 2024.

Attest:

Mayor

RESOLUTION 2024-09

ADOPTING A STATEMENT OF CONSISTENCY REGARDING TEXT AMENDMENTS OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE REQUESTED BY STAFF OF THE TOWN OF BURGAW TO AMEND SECTIONS 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS, 8.15 USE STANDARDS, 8.16 REGULATIONS FOR SPECIAL USES, AND 17.2 DEFINITIONS.

WHEREAS, the Applicant, Town of Burgaw Staff, has requested the Town amend the Town of Burgaw Unified Development Ordinance to amend Sections 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions; and

WHEREAS, Planning Staff has reviewed the proposed text change amendments for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning Board, at their February 15, 2024, meeting, recommended the adoption of the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the Staff Report and Draft Comprehensive Plan Consistency Statement at their March 12, 2024, meeting and found the proposed text change amendments to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed Unified Development Ordinance text amendments are consistent with the Town of Burgaw 2030 Comprehensive Plan by increasing citizen participation and involvement in the town's decision-making process.

Adopted this 12th day of March 2024.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2024-08

A TEXT CHANGE AMENDMENT TO THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE REQUESTED BY STAFF OF THE TOWN OF BURGAW TO AMEND SECTIONS 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS, 8.15 USE STANDARDS, 8.16 REGULATIONS FOR SPECIAL USES, AND 17.2 DEFINITIONS.

WHEREAS, applicant, Town of Burgaw Staff, has requested the Town amend the Town of Burgaw Unified Development Ordinance to amend Sections 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS, 8.15 Use Standards, 8.16 Regulations for Special Uses, and 17.2 Definitions; and

WHEREAS, the Town of Burgaw Planning Board, at their February 15, 2024, meeting, recommended the adoption of the proposed text amendments to the Board of Commissioners of the Town of Burgaw with a unanimous vote; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report, the proposed text amendments and the Draft Comprehensive Plan Consistency Statement at their March 12, 2024, meeting and found the proposed text change amendment to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, reasonable, and in the public interest; and

NOW, THEREFORE BE IT ORDAINED:

SECTION 1. The Town of Burgaw Unified Development Ordinance is amended as follows:

SECTION 8.14 TABLE OF PERMITTED USES, SPECIAL USES AND SPECIAL REQUIREMENTS

Uses	RA	R-20	R-12	R-7	R-7MH	PUD	O&I	B-1	B-2	I-1	I-2	C/P
ADULT BUSINESS											CZ	
AIRPORT OPERATIONS, AIRCRAFT PORT, ETC	CZ										CZ	
BARS, COCKTAIL LOUNGE, AND/OR NIGHTCLUBS						X US		CZ	CZ			
CEMETERIES	CZ	CZ	CZ	CZ	CZ		CZ					
CHURCHES, PLACES OF WORSHIP	CZ	CZ	CZ	CZ	CZ	X US	X US	X US	X US			
COMMERCIAL OFF-STREET PARKING (as the principal use)						X US	X US		X US	X US	X US	
DWELLING, MULTI-FAMILY				CZ		X US	CZ					

Uses	RA	R-20	R-12	R-7	R-7MH	PUD	O&I	B-1	B-2	I-1	I-2	C/P
ENTERTAINMENT ESTABLISHMENT (without outdoor use)						X US		CZ	CZ			
FLEA MARKET									CZ	CZ		
GASOLINE STATIONS WITH CONVENIENCE STORES						X US		CZ	X US			
GASOLINE STATIONS WITHOUT CONVENIENCE STORES						X US		CZ	X US			
HOSPITAL							CZ		CZ			
MANUFACTURED HOME PARK	CZ				CZ							
MIXED USE STRUCTURE						X		X				
MOTELS						X		CZ	CZ			

SECTION 8.15 USE STANDARDS

Adult Businesses. (I-2) Requiring conditional zoning approval.

Airport Operations, Aircraft Port, etc. (RA, I-2) requiring conditional zoning approval.

Bars, Cocktail Lounge, and/or Nightclubs

(PUD)

(B-1, B-2) requiring conditional zoning approval.

Cemeteries (RA, R-20, R-12, R-7, R-7MH, O&I) requiring conditional zoning approval.

Detailed Regulations

- All cemeteries exempt from state licensure requirements must make legally binding provisions for the perpetual care and maintenance of the cemetery prior to conditional zoning approval.

Churches, Places of Worship

(PUD, O&I, B-1, B-2,)

(RA, R-20, R-12, R-7, R-7MH) requiring conditional zoning approval.

Commercial Off-Street Parking (as the principal use). (PUD, O&I, B-2, I-1, I-2) Only parking of automobile/passenger vehicles is permitted and requires conditional zoning approval.

Dwelling, Multi-Family

(PUD)

(R-7, O&I) requiring conditional zoning approval.

Detailed Regulations

- Dwelling, multi-family uses shall include no fewer than three (3) individual dwelling units sharing a common roofline and building structure.

Entertainment Establishment (with outdoor use)

(PUD)

(B-1, B-2) requiring conditional zoning approval.

Flea Market (B-2, I-1) requiring conditional zoning approval.

Gasoline Stations

(PUD, B-2)

(B-1) requiring conditional zoning.

Detailed Regulations

- The site shall front a thoroughfare or residential collector street.
- No aboveground equipment for the vehicular service of gasoline, oil, or other petroleum product shall be closer than twenty-five (25) feet to any public right-of-way and ten (10) feet to any exterior property line.
- Pump island canopies shall not be located closer than ten (10) feet to a public right-of-way or exterior property line.
- A type B buffer shall be required along all lot lines adjoining residentially zoned or used lots.
- All accessory uses shall be subject to all ordinance requirements as stated in this ordinance and must be approved as part of a special use permit.

Additional Required Information for Application

- In addition to the general requirements, the site plan must also include the location and size of gasoline, oil, or other petroleum product tanks.
- Lighting plan
- Location, type, and dimensions of signage
- List of all proposed accessory uses for site (e.g. food service, car wash, etc.)

Hospital (O&I, B-2) requiring conditional zoning approval.

Manufactured Home Parks (RA, R-7MH) requiring conditional zoning approval.

Motels (B-1, B-2) requiring conditional zoning approval.

SECTION 17.2 DEFINITIONS

Airport operations, aircraft port, etc: Facilities for the takeoff and landing of aircraft, including runways, aircraft storage buildings, helicopter pads, air traffic control facilities, informational facilities and devices, terminal buildings, and airport auxiliary facilities, including fences, lighting and antennae systems, on premise signs, driveways, and access roads. This term includes aircraft maintenance facilities, aviation instruction facilities, and heliports when part of a larger airport facility.

Bars, cocktail lounge, and/or nightclubs: An establishment used primarily for the serving of alcoholic beverages to the public and where food or packaged alcoholic beverages may be served or sold only as accessory to the primary use.

Churches, places of worship: A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

Commercial off-street parking: A parcel of land used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged.

Dwelling, multi-family: A dwelling or group of dwellings on one lot, containing separate living units for three or more families, having separate or joint entrances, and including apartments, townhomes, and condominiums.

Gasoline station: Any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair service, if any, is incidental. May include the sale of propane or kerosene as accessory uses.

Hospital: An institution providing health services for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are integral parts of the facilities.

Motel: An establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

SECTION 2. These amendments become effective immediately upon adoption of this ordinance on this, the 12th day of March 2024.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

Billing Address:
PENDER COUNTY
P O BOX 1025
BURGAW, NC 28425
US

Quote Date:02/24/2024
Expiration Date:04/22/2024
Quote Created By:
Mike Cavalluzzi
mikecavalluzzi@callmc.com

End Customer:
PENDER COUNTY

Contract: 19144 - 725G NORTH
CAROLINA, STATE OF (NON-ARIBA
BASED POS)
Payment Terms:30 NET

Line #	Item Number	Description	Qty	Sale Price	Ext. Sale Price
	APX™ 6500 / Enh Series	ENHANCEDAPX6500			
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	17	\$5,470.38	\$92,996.46
1a	GA00580AA	ADD: TDMA OPERATION	17		
1b	G51AU	ENH: SMARTZONE OPERATION APX6500	17		
1c	G78AT	ENH: 3 YEAR ESSENTIAL SVC	17		
1d	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED	17		
1e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	17		
1f	G444AH	ADD: APX CONTROL HEAD SOFTWARE	17		
1g	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ	17		
1h	G806BL	ENH: ASTRO DIGITAL CAI OP APX	17		
1i	GA01670AA	ADD: APX E5 CONTROL HEAD	17		
1j	W22BA	ADD: STD PALM MICROPHONE APX	17		
1k	QA09113AB	ADD: BASELINE RELEASE SW	17		
1l	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	17		



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Sale Price	Ext. Sale Price
1m	G361AH	ENH: P25 TRUNKING SOFTWARE APX	17		
1n	G67DT	ADD: REMOTE MOUNT E5 APXM	17		
	APX™ 6500 / Enh Series	ENHANCEDAPX6500			
2	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	1	\$5,963.12	\$6,066.07
2a	GA00580AA	ADD: TDMA OPERATION	1		
2b	G628AC	ADD: REMOTE MOUNT CABLE 17 FT APX	1		
2c	G607AC	ADD: REMOTE MOUNT CABLE 75 FT APX	1		
2d	G51AU	ENH: SMARTZONE OPERATION APX6500	1		
2e	G67DT	ADD: REMOTE MOUNT E5 APXM	1		
2f	G78AT	ENH: 3 YEAR ESSENTIAL SVC	1		
2g	GA00092AU	ADD: APXM DUAL E5 CH	1		
2h	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED	1		
2i	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	2		
2j	G444AH	ADD: APX CONTROL HEAD SOFTWARE	1		
2k	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ	1		
2l	G806BL	ENH: ASTRO DIGITAL CAI OP APX	1		
2m	GA01670AA	ADD: APX E5 CONTROL HEAD	1		
2n	W22BA	ADD: STD PALM MICROPHONE APX	2		
2o	QA09113AB	ADD: BASELINE RELEASE SW	1		
2p	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	1		
2q	G361AH	ENH: P25 TRUNKING SOFTWARE APX	1		
	APX™ 6000 Series	APX6000 XE			



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Sale Price	Ext. Sale Price
3	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE	12	\$5,508.65	\$66,103.80
3a	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	12		
3b	Q361AR	ADD: P25 9600 BAUD TRUNKING	12		
3c	QA02006AA	ENH: APX6000XE RUGGED RADIO	12		
3d	QA00580AC	ADD: TDMA OPERATION	12		
3e	H38BT	ADD: SMARTZONE OPERATION	12		
3f	QA09113AB	ADD: BASELINE RELEASE SW	12		
3g	QA01427AB	ALT: IMPACT GREEN HOUSING	12		
3h	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION	12		
3i	HA00690AA	ADD: 7Y ESSENTIAL SERVICE HTP	12		
4	PMMN4099CL	AUDIO ACCESSORY-REMOTE SPEAKER MICROPHONE,IP68 REMOTE SPEAKER MICROPHONE,3.5MM,UL	4	\$101.22	\$404.88
5	NNTN8844A	CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR	2	\$1,210.69	\$2,421.38
6	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL	8	\$531.08	\$4,248.64
	APX™ Consolette				
7	L37TSS9PW1AN	ALL BAND CONSOLETTTE	2	\$9,680.62	\$19,361.24
7a	GA00580AA	ADD: TDMA OPERATION	2		
7b	CA01598AB	ADD: AC LINE CORD US	2		
7c	G51AT	ENH:SMARTZONE	2		
7d	GA05509AA	DEL: DELETE UHF BAND	2		
7e	L999AG	ADD: FULL FP W/E5/KEYPAD/ CLOCK/VU	2		
7f	G806BL	ENH: ASTRO DIGITAL CAI OP APX	2		



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Sale Price	Ext. Sale Price
7g	QA09113AB	ADD: BASELINE RELEASE SW	2		
7h	W382AM	ADD: CONTROL STATION DESK GCAI MIC	2		
7i	G361AH	ENH: P25 TRUNKING SOFTWARE APX	2		
7j	G78AR	ADD: 3Y ESSENTIAL SERVICE	2		
7k	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	2		
MCD 5000 Deskset System					
8	HKVN4865A	LICENSE,CD, MCD 5000 DOCUMENTATION*	1	\$0.00	\$0.00
9	FHN7469A	ASSY,P/S,MCD 5000 DESKSET / RGU PWR SPLY W/ USA PWR CORD	2	\$71.00	\$142.00
10	F2380A	SM,MCD 5000 DESKSET	2	\$1,615.25	\$3,230.50

Grand Total **\$194,974.97(USD)**

Notes:

- Additional information is required for one or more items on the quote for an order.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Purchase Order Checklist	
Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)	
PO Number/ Contract Number	
PO Date	
Vendor = Motorola Solutions, Inc.	
Payment (Billing) Terms/ State Contract Number	
Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name	
Bill-To Address	
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)	
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)	
PO Amount must be equal to or greater than Order Total	
Non-Editable Format (Word/ Excel templates cannot be accepted)	
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept	
Ship To Contact Name & Phone #	
Tax Exemption Status	
Signatures (As required)	

STATE OF NORTH CAROLINA	COMMUNICATIONS EQUIPMENT PURCHASE FINANCING AGREEMENT
COUNTY OF PENDER	

This Communications Equipment Purchase Financing Agreement ("this Agreement") is made by and between Pender County, North Carolina, a political subdivision of the State of North Carolina and a body politic, and the Town of Burgaw, a municipal corporation organized under the laws of the State of North Carolina.

RECITALS

WHEREAS, statewide communications equipment protocols for emergency response and law enforcement are changing and all local jurisdictions in the State of North Carolina face a need to purchase equipment and update communications software on or before _____;

WHEREAS, Pender County ("the County") is undertaking an effort to procure communications equipment and software services to cover the needs of all local jurisdictions and public safety departments within Pender County, thereby, reducing costs for each individual jurisdiction and department;

WHEREAS, the County is amenable to allowing each individual jurisdiction and department to pay back its portion of the costs of the procurement of communications equipment and software services over a reasonable time without interest; and

WHEREAS, the Town of Burgaw ("Burgaw") is a local jurisdiction or department within Pender County and is amenable to receiving the benefits of the County's consolidated procurement and to repay the County over a reasonable period of time for the procurement of communications equipment and software services.

NOW, THEREFORE, in consideration of the mutual promises and benefits, and other good and valuable consideration set forth herein, the receipt and sufficiency of which is hereby acknowledged, the County and Burgaw, and each of their heirs, successors, and assigns, with the intent to be bound, do promise, covenant, and agree as follows:

1. The County will purchase communications equipment and software services on behalf of Burgaw, for a total costs of \$194,974.97 as more particularly described below:

- a. 18 APX series mobile radios
- b. 12 APX series portable radios
- c. Required accessories to accompany the above-listed radios.

2. Burgaw will repay the County on the following terms: Burgaw will make equal monthly payments of \$2,707.99/mo. for 72 months at zero percent interest (0%). These monthly payments will be deducted from the monthly payment of fire district tax revenue that would otherwise be paid to Burgaw under that certain Agreement dated _____ by and between the County and _____.

3. Upon delivery of the communications equipment to Burgaw, the communications equipment shall be the property and responsibility of Burgaw. The County and Burgaw expressly agree that Burgaw shall be responsible for recurring equipment costs such as repairs and maintenance, any warranty claims, and any additional software services such as location services that Burgaw elects to add to its communications equipment.

4. Miscellaneous Provisions.

- a. Indemnification. Each of Burgaw and the County shall indemnify the other in the event of injury, intentionally or negligently caused, to property or persons by the others employees, agents, contractors, successors, or assigns arising out of actions relating to the design and construction of the Improvements, subject to and limited by the following conditions and requirements. In the event that any Party desires to make a claim (“Indemnified Party”) against another Party (“Indemnifying Party”) in connection with any action, suit, proceeding, or demand at any time instituted against or made upon said Indemnified Party for which said Indemnified Party may seek indemnification hereunder (“Third-Party Claim”), the Indemnified Party shall promptly provide Notice to the Indemnifying Party of such Third-Party Claim and of Indemnified Party’s claim of indemnification with respect thereto; provided, however, that the failure to provide such Notice shall not release the Indemnifying Party from any obligation under this Section except to the extent such Indemnifying Party is materially prejudiced by such failure. Upon receipt of such Notice from the Indemnified Party (absent Objection) the Indemnifying Party shall be entitled to participate in the defense of the Third-Party Claim, or assume the defense of such Third-Party Claim, and in the case of such an assumption the Indemnifying Party shall have the authority to negotiation, compromise, and settle such Third-Party Claim; provided, that:
 - i. The Indemnifying Party shall not be entitled to settle any such Third-Party Claim without the consent of the Indemnified Party unless as part of such settlement the Indemnified Party is released from all liability with respect to such Third-Party Claim;
 - ii. The Indemnified Party shall cooperate with the Indemnifying Party in connection with the defense of the Third-Party Claim, and provide all information possessed by the Indemnified Party relevant to the defense or settlement of such Third-Party Claim; and
 - iii. The Indemnified Party shall retain the right to employ its own counsel and to participate in the defense of any Third-Party Claim, the defense of which has been assumed by an Indemnifying Party pursuant hereto, but eh Indemnified Party shall bear and shall be solely responsible for its own costs and expenses in connection with such participation.
 - iv. The indemnity provided by the County under this subparagraph shall not apply to a matter covered or excluded by the provisions of paragraph __ related to warranty, guarantee, and collection period.
- b. Written Consent from County. Where this Agreement refers to written approvals or consents to be given by the County and the person or position that may give consent

is not identified, the authority to give such approvals shall be delegated to the County's County Manager. An approval required by this Agreement shall not be effective unless given in writing. Consents or approvals specifically delegated to the County's board of commissioners by this Agreement or state law are excluded from operation of this Section.

- c. Suspension for Cause/Default. The County and Burgaw shall have the right to terminate this Agreement in the event that the other Party shall default in any of the terms and conditions of this Agreement. The non-defaulting Party shall have the right to exercise any and all rights and remedies available to it under law and equity in the event that the defaulting Party shall default in any of the terms and conditions of this Agreement. No default shall be declared under this Agreement unless the Party claiming default gives the other Party Notice of any alleged default with particularity and an opportunity of at least thirty (30) days from the date of Notice to cure such default. No such failure to cure, however, will be deemed to exist if the defaulting Party has commenced to cure such default within such period and provided that such efforts are prosecuted to completion with commercially reasonable diligence. Delay in curing a default will be excused if due to causes beyond the control of the defaulting Party having exercised commercially reasonable efforts. Any Notice of default shall be provided in accordance with the Notice provisions of this Agreement and shall in addition be prominently titled "NOTICE OF DEFAULT".
- d. Notice. Any notice, demand, consent, agreement, request, or other communication required to be given, served, sent, or obtained hereunder (a "Notice") shall be in writing, and shall be (1) mailed by first-class mail, registered or certified, return-receipt requested, postage prepaid, (2) hand delivered personally or by a nationally recognized courier service, fees prepaid; or (3) transmitted by telecopier, addressed as follows:
 - i. If to Burgaw at: _____. With copy to: _____.
 - ii. If to the County at: County Manager, 805 S. Walker St. PO Box 5 Burgaw, NC 28425. With copy to: County Attorney, 805 S. Walker St. PO Box 5 Burgaw, NC 28425.
 - iii. Each Party may designate by Notice a new address to which any Notice thereafter may be given, served, or sent. Each Notice that is delivered in the manner described above will be deemed given and received for all purposes at the earlier of such time as it is delivered to the addressee (with the return-receipt, courier delivery receipt or telecopier answer-back confirmation being deemed conclusive evidence of such delivery) or such time as delivery is refused by the addressee upon presentation.
- e. Choice of Law and Forum. This Agreement shall be deemed made in Pender County, North Carolina, and shall be governed by and construed in accordance with the laws of State of North Carolina without regard to conflict of law principles. The exclusive forum and venue for all actions arising out of this Agreement shall be the

North Carolina General Court of Justice in Pender County. Each Party expressly waives objection to personal jurisdiction in the State of North Carolina and to forum in Pender County.

- f. Waiver. No action or failure to act by the Parties shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in breach thereunder, except as may be specifically agreed in writing or set forth elsewhere by this Agreement.
- g. Severability. If any provision of this Agreement shall be held to be unenforceable by a final, non-appealable order by a Court of competent jurisdiction, the remainder of this Agreement shall be enforceable to the extent permitted by law as if the unenforceable provision had not been included in this Agreement. The Parties shall work cooperatively together to draft and reach a binding agreement on a substitute provision to approximate the intent of the provision held to be unenforceable.
- h. Assignment; Successors and Assigns. The rights and obligations that arise out of this Agreement are unique to the Parties and may not be assigned without prior written consent of the County.
- i. No Third-Party Rights Created. This Agreement is intended for the benefit of the Parties and not for any other person, and no such persons shall enjoy any right, benefit, or entitlement under this Agreement.
- j. Principles of Interpretation and Definitions. In this Agreement, unless the context requires others: (1) the singular includes the plural and the plural includes the singular; the pronouns “it” and “its” include the masculine and feminine; references to statutes or regulations include all statutory or regulatory provisions consolidating amending, or replacing the statute or regulation; reference to Agreements and agreements shall be deemed to include all amendments to them. (2) References to a “Section” or “section” shall mean a section of this Agreement. (3) Titles of sections, paragraphs, and articles are for convenience only and shall not be construed to affect the meaning of this Agreement. (4) the word “duties” includes obligations. (5) The word “person” includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies, and other legal entities. (6) The words “shall” and “must” are each mandatory. (7) The word “day” means calendar day, unless preceded by a more specific description such as “business day” or “working day.”
- k. Modifications; Entire Agreement. A modification or amendment of this Agreement is not valid unless it is in writing and signed by both Parties. This Agreement contains the entire agreement between the Parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied between the Parties, other than as set forth or reference in this Agreement.
- l. Force Majeure. The Parties hereto shall not be liable for any failure to perform hereunder that was delayed, disrupted, or rendered impossible by event or events beyond their control, including without limitation, acts of the United States

government, the State of North Carolina, embargos, fire, flood, drought, hurricanes, tornadoes, explosions, acts of God or public enemy, pandemics, strikes, labor disputes, civil suits, injunctions, vandalism, or civil riots. However, if such an event or events interfere with the performance by a Party hereunder, such Party shall diligently and in good faith act to the extent within its power to remedy the circumstances affecting its performance or to complete performance in as timely a manner as is reasonably possible.

- m. Remedies. All remedies as are otherwise allowed or provided by law are available to the Parties to this Agreement, unless specifically limited as described in the provisions of this Agreement.
- n. No Partnership/Joint Venture/Agency. Nothing in this Agreement shall be construed to create a partnership or joint agency between the Parties, or to make Burgaw an agent of the County. Nothing in this Agreement shall be construed to make the County an owner or Agreementor or responsible party with regard to any Agreements entered into by Burgaw
- o. Contingent Funding/Non-Appropriations Clause. Notwithstanding anything to the contrary in this Agreement, all financial obligations of the County are dependent upon, and subject to, the continuing allocation of funds by the Pender County board of commissioners for such purpose. This Agreement shall automatically terminate if such funds cease to be allocated or available for any reason, and the County shall not be obligated to pay amounts due beyond the end of the last fiscal year for which funds were appropriated. In such event, the County will promptly notify Burgaw of the non-appropriation and this Agreement shall terminate at the end of the last fiscal year for which funds were appropriated. No act or omission by the County which is attributable to non-appropriation of funds shall constitute a breach of or default under this Agreement.
- p. Pre-Audit & Vendor Terms & Conditions Notices. Pursuant to NCGS § 159-28 no Agreement with a local government including the County requiring the payment of any public funds is valid unless properly pre-audited in the manner required by that statute. This Agreement is invalid unless the Pre-audit Certificate below the signature lines is signed by the County Finance Officer or their Deputy in substantially the following form “This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.” The County may include in any purchase order under this Agreement County’s Vendor Terms and Conditions, which are available at <https://www.pendercountync.gov/vendortermsandconditions/>, and may be revised from time to time. This Agreement shall be subject to those Vendor Terms and Conditions as amended from time to time, and in the event that any provision of this Agreement conflicts with those terms and conditions, the Vendor Terms and Conditions shall control.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.
SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF the Parties have caused this Agreement to be signed by their respective authorized representatives:

THE COUNTY:

_____(Signature)
_____(Printed Name)
_____(Title)
_____(Date)

Burgaw:

_____(Signature)
_____(Printed Name)
_____(Title)
_____(Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____(Signature)
_____(Printed Name)
_____(Title)
_____(Date)