



Land Use Plan Amendment Application

OFFICIAL USE ONLY: PB 24-05
 Case Number: _____
 Date Filed: _____
 Gate Keeper: C. Bruno
 Amount Paid: \$500.00

Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>Ashbrook Estates, LLC</u>	Name: <u>Ashbrook Estates, LLC</u>
Address: <u>PO Box 116</u>	Address: <u>PO Box 116</u>
<u>Barco, NC 27919</u>	<u>Barco, NC 27919</u>
Telephone: <u>252.619.6919</u>	Telephone: <u>252.619.6919</u>
E-Mail Address: <u>stuartinnes1@gmail.com</u>	E-Mail Address: <u>stuartinnes1@gmail.com</u>

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Property Information

Physical _____ Street _____ Address: _____

Location: West side of Maple Road (1.0 miles north of US Hwy 158)

Parcel Identification Number(s): 005200000120000

Total Parcel(s) Acreage: 130.73 Zoning District: AG

Present Land Use: Vacant - Under Cultivation

Current Land Use Plan designation: O-2 Reserved Lands

Request (attach additional sheets as necessary)

- Section of plan to be amended: Chapter 3 - Northern Mainland

- If the request is to amend the Future Land Use Map, please submit a plan showing:
 - General site survey showing lot/parcel dimension
 - Existing uses and structures
 - Zoning of site and surrounding area
 - Current and proposed future land use map designation including sub-area
 - Proposed boundaries of change
 - Location of existing streets that border parcel

- Statements of Justification – provide sufficient information to explain and justify how the Land Use Plan Amendment request satisfies the following questions:
 1. Will the proposed amendment support uses that are suitable in the view of the use and development of adjacent and nearby properties? See attached

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties? See attached

3. Will the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities? See attached

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans? See attached

5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request? See attached

6. Is there a public need for additional land space to be classified to this request? See attached

7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed? See attached

- Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare: The Land Use Plan amendment to G-1 will provide for continuity with the adjacent lands while still not exceeding the allowances of those growth designations, nor exceeding the ability of the County to provide service and facilities.

Community Meeting (Optional)

Date Meeting Held: N/A Meeting Location: N/A

I hereby authorize county officials to enter my property for purposes of determining compliance. All information submitted and required as part of this process shall become public record.

By: [Signature], Manager
Property Owner(s)

12/4/23
Date

*NOTE: Form must be signed all owner(s) of record. If there are multiple property owners, a signature is required for each.

Land Use Plan Amendment Standards Checklist

The table below depicts the standards of the Land Use Plan amendment application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

Land Use Plan Amendment Standards Checklist

Date Received: 12/15/2023

TRC Date: 2/14/2024

Project Name: Ashbrook Estates

Applicant/Property Owner: Ashbrook Estates, LLC

Land Use Plan Amendment Standards Checklist	
General	
1	Site Plan, if applicable. <i>Need</i>
Architectural Elevations	
2	Architectural drawings and/or sketches illustrating the design, character, height, and materials of the proposed buildings, if applicable. <i>N/A</i>
Justification and Statements of Conformance with Land Use Plan	
3	Statements of Justification. Provide sufficient information to explain and justify the Land Use Plan Amendment (See questions 1-7 on application) <input checked="" type="checkbox"/>
4	Statement of How the Proposed Land Use Plan Amendment Otherwise Advances Public Health, Safety, and General Welfare. The statement may address the following: Traffic: The additional traffic that could be generated under the proposed land use and its relationship to the current and projected capacity of area roads. Development Compatibility: types and intensities of development allowed under the proposed land use, focusing on compatibility with adjacent areas. (This may cover compatibility with adjacent land uses, with existing or proposed infrastructure or services, and with the environment, including surface and ground water, soils, and air, if applicable.) <input checked="" type="checkbox"/>

12/19/2023 Jennie Thron

need site plan w/ method delineation

for a complete application

Land Use Plan Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Land Use Plan Amendment Submittal Checklist

Date Received: 12/15/2023 Planning Board Date: 3/12/2024

Project Name: Ashbrook Estates

Applicant/Property Owner: Ashbrook Estates, LLC

Major Site Plan Submittal Checklist		
1	Complete Land Use Plan Amendment application	✓
2	Application fee (\$500)	✓
3	Community Meeting Summary (Optional)	N/A
4	Site plan, if applicable	Need
5	Architectural elevations, if applicable	N/A
6	2 copies of plans	N/A
7	2 hard copies of ALL documents	N/A
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	✓

For Staff Only

Pre-application Conference
Pre-application conference was held on 10/13/2023 and the following people were present:
Tammy Glare, Stuart Jans, Jason Mizelle

Comments
LUP Amend. needed for desired density of proposed residential subdivision.

Land Use Plan Amendment – Statements of Justification

1. Will the proposed amendment support uses that are suitable in the view of the use and development of adjacent and nearby properties?

The proposed amendment to G-1 for this parcel would be less than the density allowed on the north and south sides of the property (currently G-2) and less than what's currently allowed on the east side of Maple Road (G-3) and would be in keeping with the provisions of what is allowed by the UDO for a Conservation Subdivision. The property to the west is undevelopable wetlands and would remain buffered by any proposed development as in accordance with the County's UDO.

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties?

There will be no impact to the adjacent properties based on the reclassification. Any development of the property would still be subject to the AG zoning requirements per the UDO, which would protect environmentally sensitive areas and the adjacent parcels.

3. Will the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities?

The current zoning regulations limit the potential development of the property and the current UDO also provides for Adequate Public School Facilities Standards to control growth based on school capacities.

4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long-range plans?

The 2006 Land Use Plan (2009 revision) classifies this area as being within a Full-Service Area (Areas preferred for Community Centers), with a base density of 2 units per acre. The proposed amendment would revise this to 1 unit per acre and subdivision plan would be required to meet the UDO standards for Conservation Subdivision which would equate to 0.4 units per acre max. As previously stated, the proposed amendment is still less than the developed areas to the north, south and east.

5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request?

As the County continues to promote development of the nearby Maple Commerce Park, those businesses and the jobs they create will place additional demand for housing near those places of business. The proximity of the Currituck Community Park is already a draw for families wishing to be closer to those activities.

6. Is there a public need for additional land space to be classified to this request?

Much like the previous statement, the area is generally associated with growth based on the two County sponsored developments, as well as the nearby Schools. This is one of the larger, developable tracts not encumbered fully by wetlands that could be used in a residential development. Any potential development would still be limited to what's allowed by the UDO.

7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed?

The land suitability analysis in the current Land Use Plan classifies "Prime Farmland" as having on of a certain series of soil types. There is only one of those types located within the parcel boundary and it is less than 7% of the total acreage. It would seem by these criteria that the parcel is NOT prime farmland by definition.

Additionally, less than 18% of the site contains Corps jurisdictional wetlands (most of the Munden soils are within the wetlands). These areas are protected by both the U.S. Army Corps of Engineers and the County's regulations, so there is no change to impacts to these areas, no matter what the Land Use designation.

Primary Roads and Water Infrastructure are immediately adjacent to the site, placing the site in a High Suitability Rating based on the LUP's criteria. In addition to these items, the developed areas on the north, east and south are Nonvacant Lands, also falling within the High Suitability Rating.