NCDENR
North Carolina Department of Environment and Natural Resources
Division of Coastal Management
Beverly Eaves Perdue, Governor **James H. Gregson, Director** Dee Freeman, Secretary

MEMORANDUM **CRC-10-44**

To: The Coastal Resources Commission

From: Michael Christenbury, Wilmington District Planner

Date: November 2, 2010

Subject: Requested Certification of Amendment #1 of the 2009 Oak Island Core Land Use Plan

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Staff Recommendation: Certification of the Oak Island Core LUP Amendment based on the determination that the amendment has met the substantive requirements outlined within the 2002 7B Land Use Plan Guidelines and that there are no conflicts evident with either state or federal law or the State's Coastal Management Program.

Overview:

This is the first (1st) amendment to the 2009 Oak Island Core Land Use Plan (LUP), certified by the Coastal Resources Commission (CRC) on May 19, 2010. The purpose of these changes is to address compatibility between the designations on the future land use map within the plan and local zoning.

Specifically, the amendment involves three (3) changes to the Future Land Use Plan Map summarized as: (1) amend the Future Land Use Map to show approximately 224 acres of land on the tract known as the Gurkin Property, be reclassified from Medium Density Residential to Commercial.; (2) amend the Future Land Use Map to show approximately 305 acres of land on the tract known as the Aveline Young Tract, be reclassified from Low Density Residential to Medium Density Residential; and (3) amend the Future Land Use Map to show approximately 181 acres of the land known as the Keller Tract, be reclassified from Medium Density Residential to Commercial. Each of the three components will be further discussed below.

Component 1:

The first component of this amendment is to revise the Future Land Use Map covering approximately 224 acres of land on the tract known as the *Gurkin Property,* to be reclassified from **Medium Density Residential** to **Commercial**. Currently the tract is classified as Medium Density Residential which allows for residential development on the scale of approximately 6 units per acre. It is proposed that this tract be reclassified to Commercial. The Commercial classification allows for all

ranges of commercial development with a limited amount of residential. This property is located on the mainland and was voluntarily annexed (at the request of the property owner) by the Town of Oak Island in 2009. The property owner petitioned the Town to rezone the front 224 acres along NC Highway 211 to Commercial- Low Density from the initial residential zoning.

Component 2:

The second component of this amendment is to revise the Future Land Use Map involving approximately 305 acres of land on the tract known as the *Aveline Young Property,* to be reclassified from **Low Density Residential** to **Medium Density Residential**. The property is currently designated as Low Density Residential which allows for residential development at about 2 units per acre. It is proposed that this tract be reclassified to Medium Density Residential which allows residential development on the scale of approximately 6 units per acre. This property is also located on the mainland and was voluntarily annexed (at the request of the property owner) by the Town in 2009. The property owner petitioned the Town to rezone the entire parcel to allow medium density residential development.

Component 3:

The final component of this amendment is to change the Future Land Use Map involving approximately 181 acres of land on the tract known as the *Keller Property,* to be reclassified from **Medium Density Residential** to **Commercial**. Currently this property is designated as Medium Density Residential which allows residential development on the scale of approximately 6 units per acre. This tract is to be reclassified as Commercial, which will allow for all ranges of commercial uses with limited residential uses. The property is located on the mainland off NC Highway 133.

As part of this amendment, the Town has provided additional analysis (Exhibit B).

The Oak Island Town Council adopted the amendment by resolution following a public hearing that was held on October 12, 2010.

The Town of Oak Island reviewed the amendment and determined that it is not in conflict with other policies or sections of the 2009 Oak Island Land Use Plan.

The public had the opportunity to provide written comments up to fifteen (15) business days (excluding holidays) prior to the CRC meeting. No comments have been received, written or otherwise as of the date of this memorandum.

To view the full 2009 Oak Island Core Land Use Plan, go to the following link and scroll down to Oak Island LUP:

http://www.nccoastalmanagement.net/Planning/under_review.htm

Exhibit A: Future Land Use Map with illustrations of map amendments
Exhibit B: Background Analysis

PROJECTED CONDITIONS AFTER AMENDMENTS

	Aveline Young Tract	Gurkin Property	Keller Property
APPROXIMATE LEVEL OF INTENSITY AND DENSITY	The current zoning of R-7.5 allows for approximately 1800 residential units. It is likely that the property will be developed as a Planned Unit Development.	Property is approximately 224 acres of vacant land zoned C-LD. The property will likely be developed as an intense commercial center. This property is currently in a managed timber operation. The potential exists for up to 1,299 units may be allowed on this property.	Property is approximately 181 acres of vacant land zoned R-7500 by Brunswick County. This property currently has no plans on file but it is anticipated that a marina and accessory uses will be developed on this land in the future. Density will depend on the proposed development plans, however up to 1,050 units may be allowed.
WATER AND WASTEWATER INFRASTRUCTURE	Water and sewer will be provided by Brunswick County. Amounts used could reach up to 540,000 GPD*. Infrastructure will have to be installed by the developer.	Water and sewer will be provided by Brunswick County. Amounts used could reach up to 389,700 GPD*. Infrastructure will have to be installed by the developer.	Water and sewer will be provided by Brunswick County and the Southeast Brunswick Sanitary District. Amounts used could reach up to 315,000 GPD*. Infrastructure will have to be installed by the developer.
TRANSPORTATION	Property will have access to NC Highway 211 before development can begin. This is one of the major thoroughfares for Brunswick County. Impact on traffic would depend on type of development proposed.	Property has access to NC Highway 211. This is one of the the major thoroughfares for Brunswick County. Impact on traffic would depend on type of development proposed.	Property has access to the new Airport Road. This road provides access to Long Beach Road. Traffic impacts would be dependent on type of development proposed.

* Assuming 300 GPD