MEMORANDUM

TO: Mayor and Members of City Council

FROM: Montre' Freeman, City Manager
Kellen Long, Planner II, Community Development
Deborah Malenfant, Interim Director, Community Development

DATE: February 8, 2021

RE: Consideration-Call for a Public Hearing: CASE NO: RZ 01-21 filed by Woda Cooper Development, Inc. to rezone two parcels, 891311554922 and 891311551821 from GB (General Business) to (AD) Apartment District.

BACKGROUND:

The following request is for City Council to call a public hearing for Case Number RZ 01-21 filed by Woda Cooper Development, Inc. The 3.5-acre tract is comprised of two separate parcels and located north of Walker Avenue, bounded by approximately 350 feet of existing railroad running adjacent to one of the subject properties. The two parcel tract is located within the City's municipal limits. The two properties are currently zoned General Business (GB). The applicant is requesting to rezone the subject properties to Apartment District (AD). The (AD) Apartment Zoning District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, two-family dwellings, and multi-family dwellings. Maximum densities within the AD District include approximately seven (7) dwelling units per gross acre for single-family detached dwellings, nine (9) dwelling units per gross acre for two-family residences, and 20 to 22 multi-family dwelling units per gross acre.

ANALYSIS:

As you can see from the aerial maps included in the staff analysis attached as an addendum to this report, the subject properties are currently vacant properties with no existing structures or uses. The adjacent property uses include single family residential (east and west of the subject properties), multi-family residential (south of the subject

properties), manufactured home park (north of the subject properties), and a daycare facility (east of the subject properties). The adjacent zoning districts include, General Business (GB), (R-6) Residential, and Apartment District (AD).

The Joint Elizabeth City and Pasquotank County Land Use Plan (LUP) classifies both parcels as having a future land use classification of medium to high density residential. The medium to high density residential classification is intended to delineate lands where the predominant land use is higher density single family residential developments and/or multifamily developments. Land uses within the medium/high density residential designated areas are generally compatible with the residential and apartment zoning districts. Cluster development is encouraged for this land use. Incompatible land uses would include industrial and commercial uses, with the exception of neighborhood commercial uses.

When making a determination to approve or deny a rezoning, planning staff considers the area's zoning pattern, adjacent land uses, the Joint Elizabeth City and Pasquotank County Land Use Plan (LUP), as well as the impact on roads and City services such as utilities and fire protection. Planning Staff also takes into account the impact the rezoning will have on the adjacent property owners and neighbors.

The applicant intends to develop an apartment complex on-site consisting of 60 units (18 one-bedroom, 24 two-bedroom, and 18 three-bedroom), with various community amenities including a multipurpose space, and laundry and fitness rooms. Staff would like to remind Council to consider all allowable uses within the Apartment District zoning classification when considering this request. Under this application and process, Council is only considering the rezoning and not the proposed development. A complete list of uses allowed in the Apartment District category can be found at the end of this report.

The proposed apartment complex will be subject to review by the Technical Review Committee after a formal site plan is received by the Planning Department. The proposed development will have to meet the developments standards presented in the City's Unified Development Ordinance for the use of apartments. Staff does note that a landscape buffer will be required between the apartment complex (if approved) and all single-family residential uses or zoning districts, along with a buffer area between the proposed development and the adjoining daycare.

PLANNING COMMISSION RECOMMENDATION:

During the Planning Commission meeting on February 2nd, staff stated the proposed request is appropriate for the area and is consistent with the Joint Elizabeth City and Pasquotank County Land Use Plan (LUP) and future land use designation, and recommended that the Commission recommend approval of this application.

After brief discussion, the Planning Commission voted unanimously to recommend approval for the requested rezoning of the following parcels 891311554922 and 891311551821 from GB (General Business) to (AD) Apartment District.

Before the planning commission meeting on February 2nd, all property owners within 100 feet of the subject proprieties (excluding public right of ways) were notified of the case and planning commission meeting date, along with a sign posting on the subject properties, and a legal ad and advertisement through the City's channel 11. From these advertisements, one adjacent property owner emailed staff to inquire about the rezoning and proposed future use of the property. The adjacent property owner was provided with a copy of the staff analysis and application submitted by the applicant. The adjacent property did not provide any comments for the commission to consider.

STAFF RECOMMENDATION:

By motion, call for a Public Hearing to be held on Monday, February 22, 2021 at 7:00 p.m. in Council Chambers of the Gardner Municipal Building, located at 306 E. Colonial Avenue, to gather citizen input regarding RZ 01-21 filed by Woda Cooper Development, Inc.

STAFF ANALYSIS

Case No.

RZ 01-21

Description/Location

The 3.5-acre tract is comprised of two separate parcels and located north of Walker Avenue, bounded by approximately 350 feet of existing railroad running adjacent to one of the subject properties. The two parcel tract is located within the City's municipal limits.

Parcel Information

Parcel Identification Number 891311554922, Tax Map 53-C-2; Parcel Identification Number 891311551821, Tax Map 53-C-2A

Owners

Parcel ID: 891311554922
MFMM Properties LLC
407-L South Griffin Street
Elizabeth City, NC 27909

Parcel ID: 891311551821
Hannah Whitney Hull
Russell M. Hull III
Wells Chadwick Hull
1000 Rivershore Road
Elizabeth City, NC 27909

Applicant

Woda Cooper Development, Inc.
500 South Front Street
Columbus, Ohio 43215

Existing Zoning

General Business (GB)

Proposed Zoning

Apartment District (AD)

City Limits

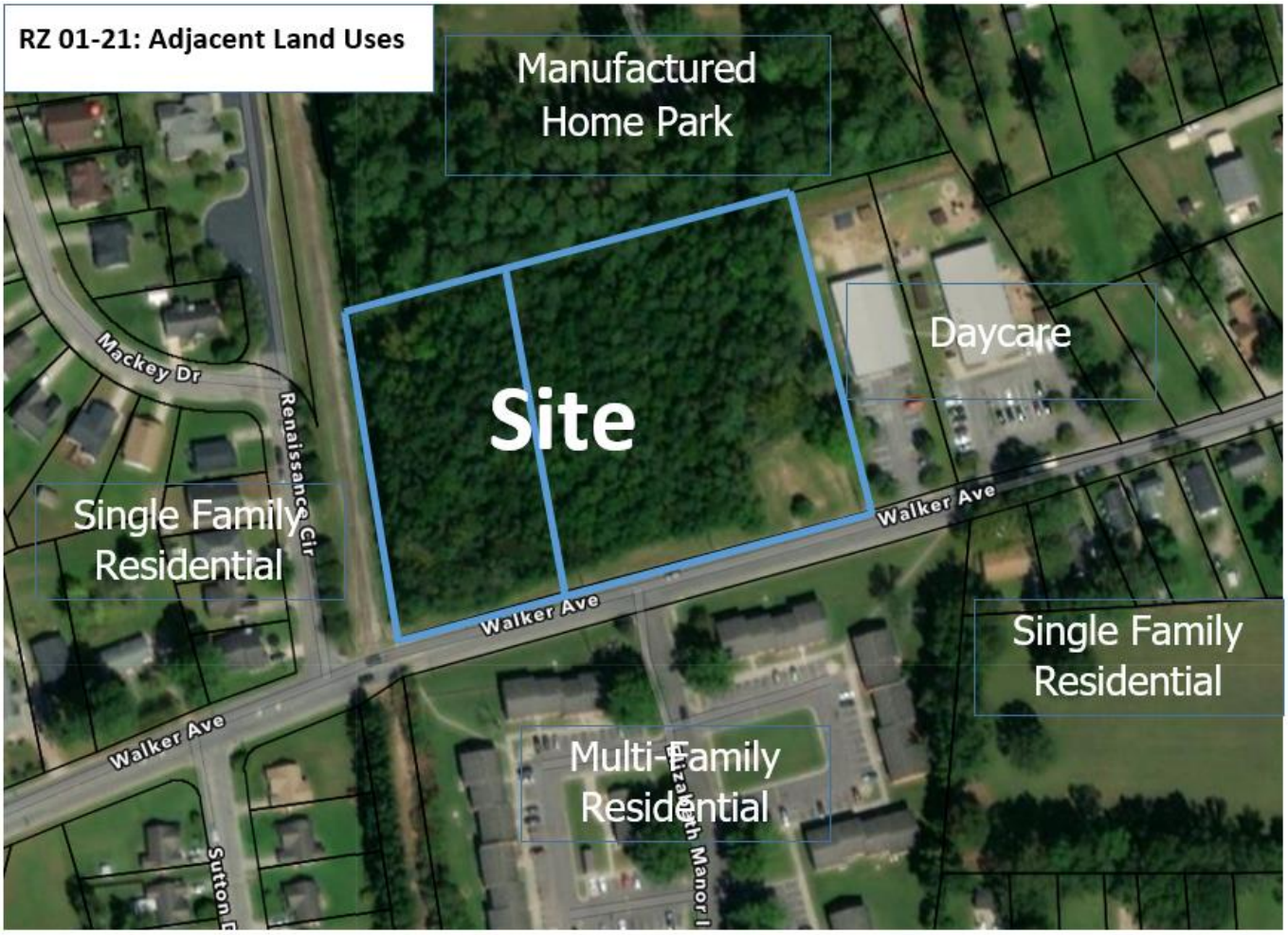
3.5 acres or 152,460 square feet

Floodplain

The site is located within unshaded zone x floodplain, meaning minimal flood risk.

Adjacent Zoning & Land Use

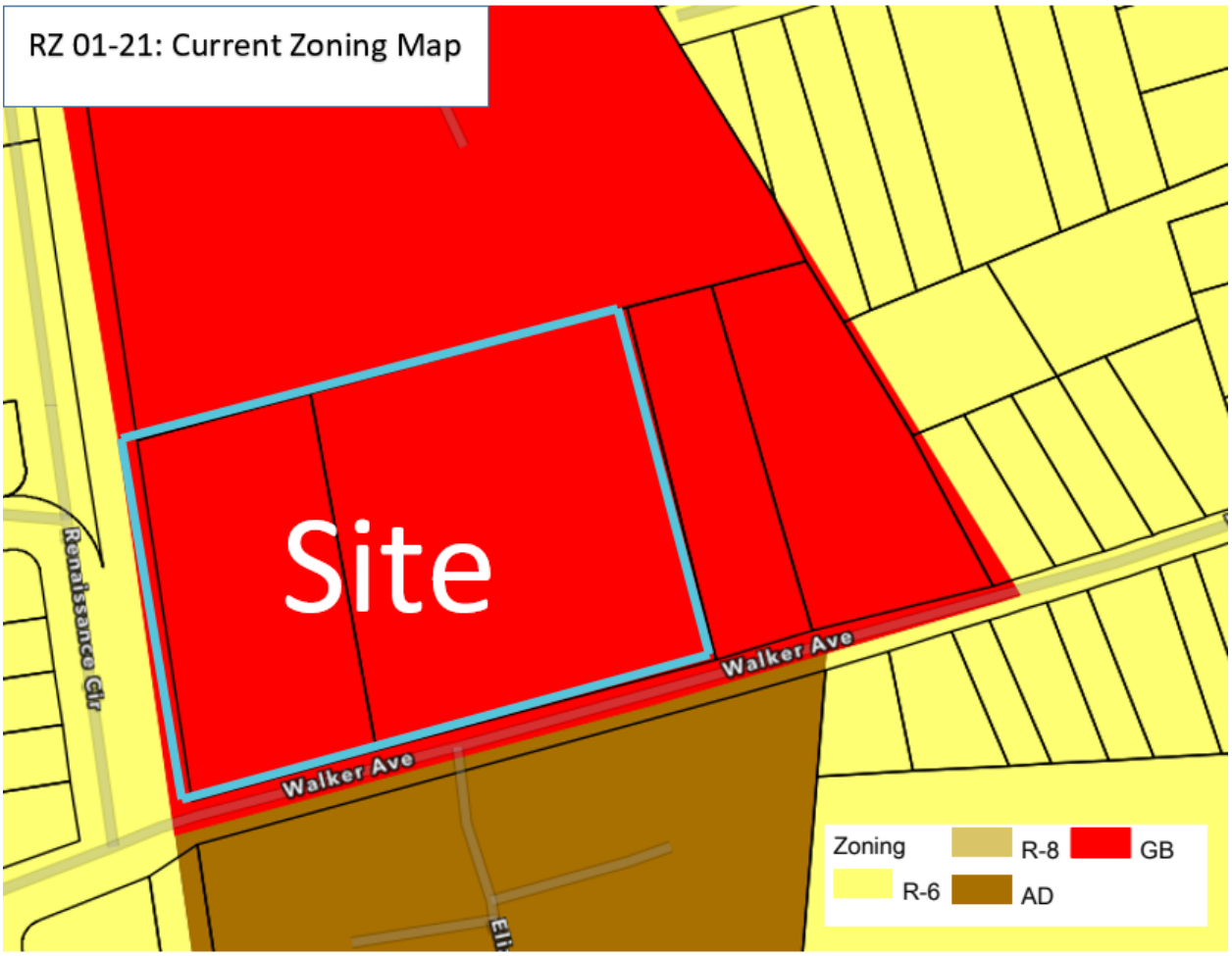
North: General Business Zoning District: Current Land Use: Older manufactured home park, with only several manufactured homes still in existence near Corsair Circle.
South: Apartment District Zoning: Current Land Use: Multi-family housing
East: General Business and (R-15) Residential: Current Land Uses: Daycare and single family housing.
West: (R-6) Residential: Current Land Uses: A mixture of single-family homes and multi-family housing.



Zoning Summary

Existing—(GB) General Business

The General Business Zoning District is established as a district in which to accommodate a wide range of retail; business, professional, and personal services; office; and limited wholesale uses. Multi-family developments are also permitted within this district. The maximum residential density allowed within the General Business Zoning District is approximately 10 to 12 multi-family dwelling units per gross acre.



Proposed—(AD) Apartment District

The (AD) Apartment District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, two-family dwellings, and multi-family dwellings. Maximum densities within the AD District include approximately seven (7) dwelling units per gross acre for single-family detached dwellings, nine (9) dwelling units per gross acre for two-family residences, and 20 to 22 multi-family dwelling units per gross acre. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the Apartment District.

Some of the permitted uses with the Apartment District zoning classification include: multifamily dwellings (subject to development standards), duplex, single-family detached dwelling, public park or recreational facility (subject to development standards), and a church (with the issuance of a special use permit). A complete list of permitted uses is included with this report.

Transportation

Access to the two subject parcels would be via Walker Avenue. Access to the property via Renaissance Circle would not be granted because the property is bounded by an existing railroad. According to the City's 2020 Powell Bill Map, Walker Avenue is owned and maintained by the City of Elizabeth City. The Pasquotank County-Elizabeth City Capital Transportation Plan (CTP) adopted in 2016 classifies Walker Ave as an existing minor thoroughfare. Walker Ave was not a part of the street study to identify volume and capacity deficiencies during the adoption of the CTP in 2016 because it is not a DOT maintained road, however, Walker Avenue was identified as needing improvements in the pedestrian map inset of the plan.

According to NC DOT a minor thoroughfare is designed to collect traffic from local access streets and carry it to the major thoroughfare system by facilitating minor through traffic movements. A third function that may be performed is that of providing access to abutting property. Minor thoroughfares are designed to serve limited areas so that their development as major thoroughfares will be prevented.

Public Utilities

The two subject parcels have a six (6) inch water line that runs adjacent to the subject properties, along with a 12-inch gravity main and City electric that are available along Walker Avenue.

Land Use Plan

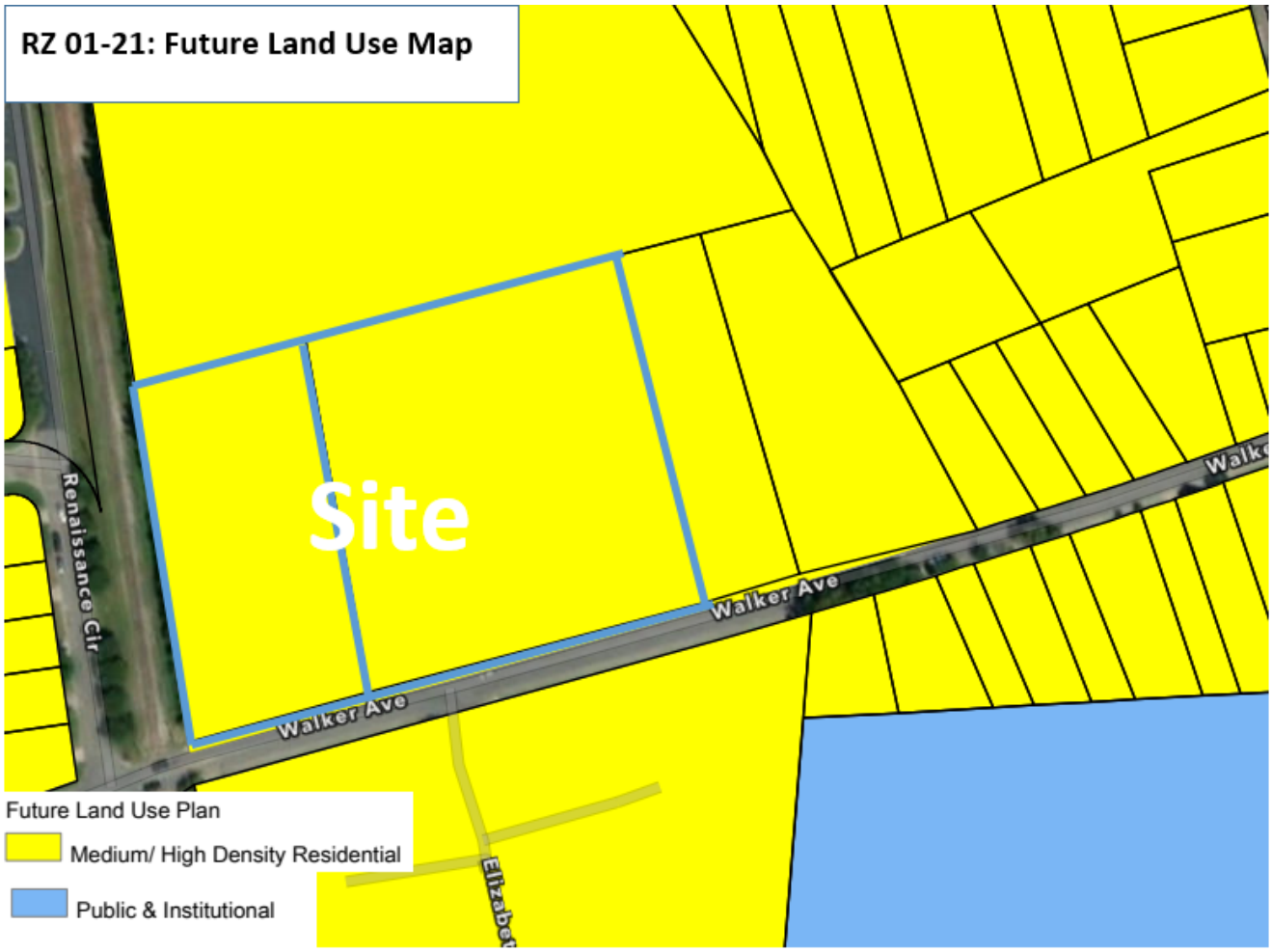
The Joint Elizabeth City and Pasquotank County Land Use Plan (LUP) classifies both parcels as having a future land use classification of medium to high density residential.

The medium to high density residential classification is intended to delineate lands where the predominant land use is higher density single family residential developments and/or multifamily developments. Some manufactured home parks are also located with this classification. The residential density in this classification ranges from approximately four (4) to seven (7) single family homes per acre with the multi-family density ranging from 12 to 25 units per acre.

Land uses within the medium/high density residential designated areas are generally compatible with the residential and apartment zoning districts. Cluster development is encouraged for this land use. Incompatible land uses would include industrial and commercial uses, with the exception of neighborhood commercial uses. Public water and sewer service are required to support the residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support medium/high density residential development.

The City's future land use classification of medium to high density residential support the proposed use and rezoning request of apartment district.

While the Future Land Use Map (FLUM) depicts the general location of projected patterns of future land uses, the LUP states that the ultimate use and development of a particular parcel of land will be determined by the property owner's desires, overall market conditions, implementation tools employed by the City to regulate land use and development, and the availability of necessary infrastructure (water, sewer, roads, etc.) to support development. Ultimately, there are many relevant factors in addition to the FLUM that come into play to determine if a projected use is appropriate.



Staff Comments & Recommendations

When making a determination to approve or deny a rezoning, planning staff considers the area's zoning pattern, adjacent land uses, the Joint Elizabeth City and Pasquotank County Land Use Plan (LUP), as well as the impact on roads and City services such as utilities and fire protection. Planning Staff also takes into account the impact the rezoning will have on the adjacent property owners and neighbors.

The site is approximately 3.5 acres. The site is currently vacant and lies adjacent to a daycare and a mixture of single-family and multi-family residential developments, along with emergency services (Station 1-ECFD) in close proximity to the subject properties. As mentioned in the report above, the site is currently zoned General Business (GB) and

the applicant is requesting to rezone the property to the Apartment District (AD). The applicant intends to develop an apartment complex on-site consisting of 60 units (18 one-bedroom, 24 two-bedroom, and 18 three-bedroom), with various community amenities including a multipurpose space, and laundry and fitness rooms. Staff would like to remind Council to consider all allowable uses within the Apartment District zoning classification when considering this request. A complete list of uses allowed in the Apartment District category can be found at the end of this report. The proposed apartment complex will be subject to additional review by the Technical Review Committee after a formal site plan is received by the Planning Department. Staff does note that a landscape buffer will be required between the apartment complex (if approved) and all single-family residential uses or zoning districts, along with a buffer area between the proposed development and the adjoining daycare.

Considering the aforementioned elements, staff is of the opinion that the proposed rezoning request is appropriate for the area and is consistent with the Joint Elizabeth City and Pasquotank County Land Use Plan (LUP) and future land use designation and recommends **APPROVAL** of this application with the following consistency statement:

"The proposed rezoning request from General Business (GB) to Apartment District (AD) for the following parcel IDs, 891311551821 and 891311551821 is found to be consistent with the medium/high density residential future land use as stated in the Pasquotank County Elizabeth City 2012 Core Land Use Plan".

Planning Commission Recommendation:

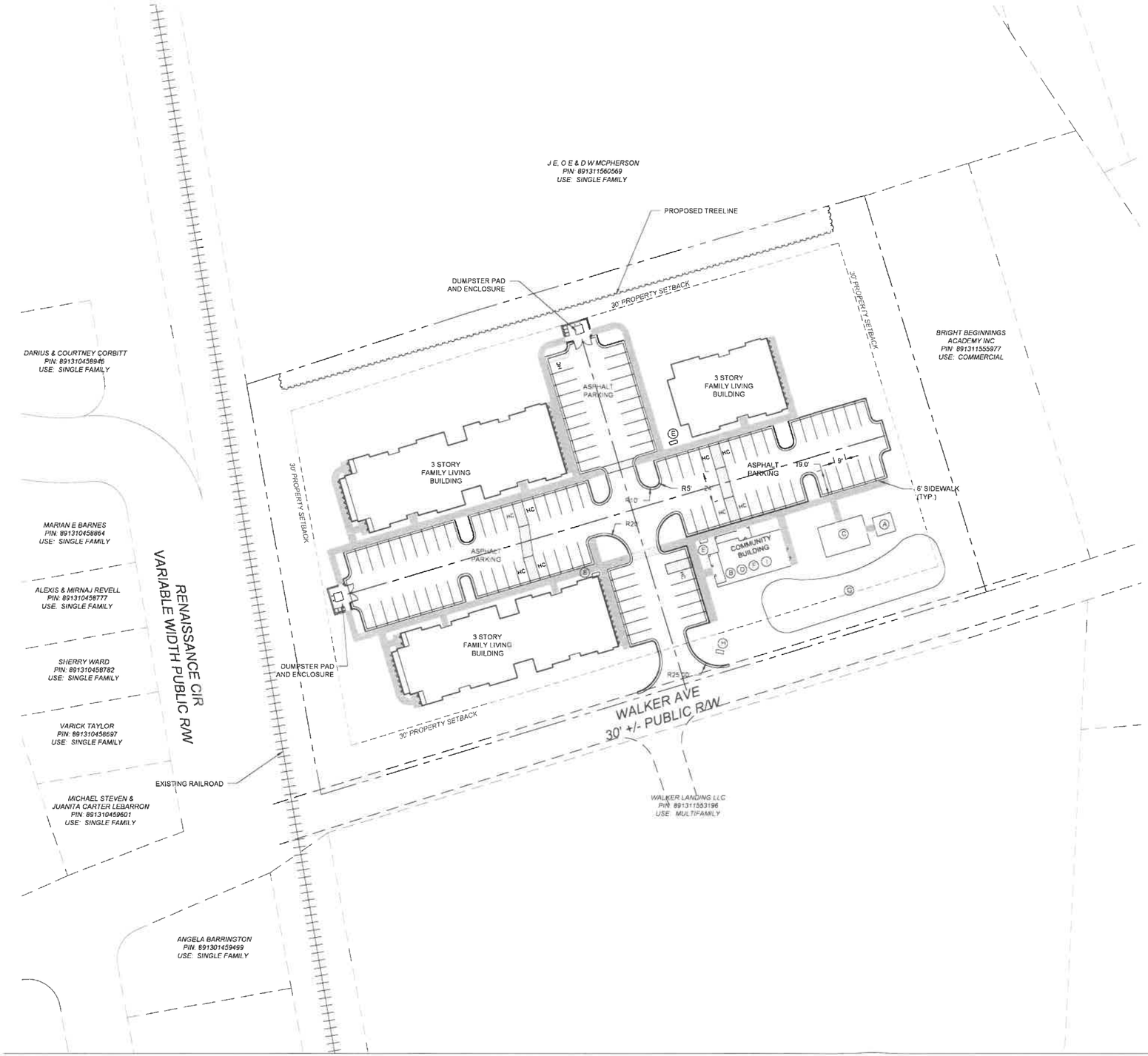
During the Planning Commission meeting on February 2nd, staff stated the proposed request is appropriate for the area and is consistent with the Joint Elizabeth City and Pasquotank County Land Use Plan (LUP) and future land use designation, and recommended that the Commission recommend approval of this application.

After brief discussion, the Planning Commission voted unanimously to recommend approval for the requested rezoning of the following parcels 891311554922 and 891311551821 from GB (General Business) to Apartment District (AD).

Use Type	SIC	GB –Current Zoning	AD-Proposed Zoning
AGRICULTURAL USES			
Agricultural Production (crops)	0100		
Agricultural Production (livestock), except Animal Feeder/Breeder Operations	0200		
Animal Aquaculture	0273		
Animal Feeder/Breeder Operation	0000		
Fish Hatchery	0920		
Forestry	0810		
MINING USES			
Mining, Quarrying, Sand Pits, and Mineral Extraction	1000		
RESIDENTIAL USES			
Bed and Breakfast	7011		D
Boarding and Rooming House	7021		S
Congregate Care Facility	0000		
Family Care Home	0000		Z
Group Care Facility	0000		S
Homeless Shelter	0000		
Manufactured Home Park	0000		
Manufactured Home, Class A	0000		
Manufactured Home, Class B	0000		
Manufactured Home, Class C	0000		
Modular Home	0000		Z
Multifamily Dwelling (including condominium)	0000	D	D
Planned Unit Development	0000		
Single-Family Detached Dwelling	0000		Z
Temporary Shelter	0000	C	C
Townhouse Dwelling	0000		D
Two-Family Conversion	0000		D
Two-Family Dwelling (duplex)	0000		Z
ACCESSORY USES AND STRUCTURES			
Accessory Dwelling Unit	0000		D
Accessory Uses and Structures (customary)	0000	Z	Z
Caretaker Dwelling	0000		D
	Ref.		
Use Type	SIC		AD
ACCESSORY USES AND STRUCTURES (cont.)			
Communication Tower Under 60' in Height	0000	D	
Emergency Shelter	0000	Z	Z
Home Occupation	0000		D

Portable On-Demand Storage Containers ("POD")	0000		Z
Satellite Dish Antenna	0000	D	D
Swimming Pool	0000	D	D
RECREATIONAL USES			
Amusement or Water Parks, Fairgrounds	7996	Z	
Athletic Fields	0000	Z	C
Auditorium, Coliseum or Stadium	0000	C	
Batting Cages	7999	S	
Billiard Parlor	7999	S	
Bingo Games	7999	S	
Bowling Center	7933	Z	
Club	8640	Z	S
Coin-Operated Amusement, except Adult Arcade	7993	Z	
Country Club with Golf Course	7997		S
Dance School, Music Instruction	7911	Z	
Fortune Tellers, Astrologers	7999	Z	
Go-Cart Raceway	7999	S	
Golf Course	7992	Z	S
Golf Course, Miniature	7999	S	
Golf Driving Range	7999	S	
Physical Fitness Center	7991	Z	
Internet Sweepstakes Café/Electronic Gaming		C	
Private Campground/RV Park	7033	D	
Private Club or Recreation Facility, Other	7997	Z	
Public Park or Recreational Facility, Other	7990	Z	D
Race Track Operation	7948		
Riding Academy	7999		
Shooting Range, Indoor	7999	D	
Shooting Range, Outdoor	7999		
Skating Rink	7999	Z	
Sports and Recreation Club, Indoor	7997	Z	
	Ref.		
Use Type	SIC		AD
RECREATIONAL USES (cont.)			
Swim and Tennis Club	7997		S
EDUCATIONAL AND INSTITUTIONAL USES			
Ambulance Service	4119	Z	
Cemetery or Mausoleum	0000	Z	
Cemetery or Mausoleum on Same Property as Church	0000	Z	S

Church or Other Place of Worship	8661	Z	S
College, University, Technical Institute	8220		
Correctional Institution	9223		
Day Care Center, Adult and Child	8322	Z	D
Fire Station/Emergency Medical Service	9224	C	C
Government Office	9000	Z	C
Hospital	8062	Z	
Library	8231	Z	D
Museum or Art Gallery	8412	Z	
National Guard /Military Reserve Center	0000	Z	
Nursing and Convalescent Home	8050	Z	S
Orphanage	8361		
Police Station	9221	Z	Z
Post Office	0000	Z	
Psychiatric Hospital	8063		
Retreat Center	0000		
School Administration Facility	9411	Z	
School, Elementary or Secondary	8211	C	C
Blacksmith	7699	Z	
Kennels or Pet Grooming	0752	D	
Landscape and Horticultural Services	0780	Z	
Pet Cemetery/Cremation	6553	Z	
Taxidermist	7699	Z	
Veterinary Clinic	0742	Z	
Animal Shelter	0752		
Horse Shows	7999		
Outdoor Fruit & Vegetable Markets	5431	Z	



LEGEND

- EXISTING PROPERTY LINE
- EXISTING ABUTTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING OVERHEAD POWER LINE
- EXISTING ABUTTING PROPERTY LINE
- EXISTING BUILDING SETBACK LINE
- EXISTING PARKING SETBACK LINE
- EXISTING EDGE OF PAVEMENT
- EXISTING SANITARY SEWER
- EXISTING TREELINE
- EXISTING CONTOUR
- PROPOSED EDGE OF PAVEMENT

ADA NOTES

1. PROPOSED ADA PARKING AND STALL STRIPING SHALL HAVE SLOPES NO STEEPER THAN 1:48 (2%)
2. PROPOSED ACCESSIBLE ROUTE TO RIGHT-OF-WAY AND PROPOSED SIDEWALKS SHALL HAVE A RUNNING SLOPE NO STEEPER THAN 1:20 (5%) AND CROSS SLOPES NO STEEPER THAN 1:48 (2%)
3. RAMPS SHALL COMPLY WITH THE REQUIREMENTS OF 2012 NCSBC SECTION 1010.
4. HANDRAILS SHALL COMPLY WITH THE REQUIREMENTS OF 2012 NCSBC SECTION 1012.

SUMMARY INFORMATION

DEVELOPMENT NAME: LYNN PLACE

SITE ADDRESS: 0 WALKER AVENUE
ELIZABETH CITY, NORTH CAROLINA 27909

PIN NUMBER: 8913-11-5518.21, 8913-11-5549.22

TOTAL ACREAGE: 3.77 ACRES

JURISDICTION: CITY OF ELIZABETH CITY
PROPOSED ZONING DISTRICT: APARTMENT DISTRICT (AD)

EXISTING USE: VACANT
PROPOSED USE: MULTIFAMILY RESIDENTIAL

BUILDING SETBACKS:
FRONT: 30'
SIDE STREET: 30'
SIDE: 30'
REAR: 30'

PARKING CALCULATIONS:
1.50 SPACE PER 1 BEDROOM UNIT=18 UNITS
1.75 SPACE PER 2 BEDROOM UNIT=24 UNITS
2.00 SPACE PER 3 BEDROOM UNIT=16 UNITS
TOTAL REQUIRED SPACES= 105 SPACES

EXISTING PARKING:
0 PARKING SPACES (0 ADA ACCESSIBLE, 0 VAN ACCESSIBLE)

PROPOSED PARKING:
105 PARKING SPACES (9 ADA ACCESSIBLE, 8 VAN ACCESSIBLE)

OWNER/DEVELOPER:
WODA COOPER DEVELOPMENT, INC
500 SOUTH FRONT STREET, 10TH FLOOR
COLUMBUS, OH 43215

ENGINEER:
CRUMPLER CONSULTING SERVICES, PLLC
CONTACT: JOSH CRUMPLER, PE
2308 RIDGE ROAD
RALEIGH, NC 27612
(919) 413-1704

NOTES:

SITE PLAN PREPARED USING HALIFAX COUNTY GIS PARCEL DATA. NOT TO BE USED FOR CONSTRUCTION AND ONLY USED FOR PLANNING PURPOSES

AMENITIES LEGEND

- (A) COVERED PICNIC AREA (WITH 2 TABLES AND GRILL)
- (B) MULTI-PURPOSE ROOM
- (C) PLAYGROUND
- (D) COMPUTER CENTER
- (E) OUTDOOR SITTING AREAS WITH BENCHES (MINIMUM OF 3 LOCATIONS)
- (F) EXERCISE ROOM
- (G) STORMWATER POND
- (H) PROJECT MONUMENT SIGN
- (I) LAUNDRY ROOM

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

40 20 0 40
SCALE: 1 INCH = 40 FEET

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creating great places to live
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919-834-3600 • www.tightlinesdesigns.com

WODA COOPER COMPANIES

CRUMPLER
Consulting Services, PLLC
2308 Ridge Road
Raleigh, North Carolina 27612
Ph. 919-413-1704
P-1533

LYNN PLACE

ELIZABETH CITY, NC

SITE PLAN C.1

To submit this application electronically please email to planneroftheday@cityofec.com.
The application will not be processed until payment is received.
Mailing Address: PO Box 347 Elizabeth City, NC 27907

PETITION/FILE NO. RZ 01-21
RECEIVED
SENT TO FILE
AMT PAID $600.00 CHECKNO. 1656

CITY OF ELIZABETH CITY
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
A.P. Midgett Municipal Building
302 Colonial Avenue
P.O. Box 347
Elizabeth City, NC 27909
(252) 337-6672

REZONING APPLICATION

Complete this application in compliance with Articles VIII and IX of the Unified Development Ordinance. In order to ensure that the proposed rezoning complies with City regulations, we recommend that the applicant review the City of Elizabeth City's Unified Ordinance; the Ordinance may be accessed at http://www.ci.elizabeth-city.nc.us/.

The Rezoning application fee is $600.00. This fee does not include the cost of site plan review, parcel subdivision, or recombination. All fees are charged per application and are non-refundable and non-transferrable once the application has been processed. Applications will not be processed unless fees have been paid in full.

All application responses must be in blue or black ink. All responses must be legible and filled out completely. Illegible and/or incomplete applications will be returned to the applicant. Applications are not accepted via facsimile or email. Submit application and supporting documents with fees to the City of Elizabeth City Planning Department via delivery or U.S. Mail. A current survey prepared and sealed by a Registered Surveyor must be attached at the time of application. A copy of the Site Plan Checklist can be supplied upon request.

Application deadlines are 21 working days prior to the hearing date. Regular Planning Commission hearings are held the first Tuesday of each month. You will be notified of your scheduled hearing date and time.

The average rezoning petition timeline is usually 65 days from date of application to Council public hearing and decision. However, hearing schedules are not guaranteed and subject to change.

PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION
INCOMPLETE APPLICATIONS WILL BE RETURNED TO APPLICANT
INDICATE 'NOT APPLICABLE' OR 'N/A' WHERE APPROPRIATE

SECTION A – APPLICANT INFORMATION

Landowner's Name: Hannah Whitney Hull, Russel M. Hull III, & Wells Chadwick Hull

Street Address: 1000 Rivershore Rd

City/State/Zip Code: Elizabeth City, North Carolina 27909

Phone Number: _____ Email Address _____

Applicant (if different from owner): Woda Cooper Development, Inc.

Street Address: 500 S Front Street

City/State/Zip Code: Columbus, Ohio 43215

Phone Number: 912-224-2169 Email Address dblackburne@wodagroup.com

Signature: _____

SECTION B – PROPERTY INFORMATION

1. Property Address: 0 Walker Avenue
2. Parcel ID No. (12-digits): 891311551821
3. Tax Map Number: 52-C-2A Block: 910 Lot: _____
4. Deed Book 835 Page 10
5. Location: This property is located on the North (direction) side of Walker Ave (street) SR# _____
6. Zoning Classification: Existing GB Proposed AD
7. Overlay District _____
8. Township/Community Elizabeth City
9. Lot/Tract Size 1.35 (acres)
10. Street Frontage/Width 183 (feet) Depth 325 (feet)
11. Flood Plain Zone X Panel _____

SECTION A – APPLICANT INFORMATION

Landowner's Name: MFMM Properties LLC

Street Address: 407-L S Griffin Street

City/State/Zip Code: Elizabeth City, North Carolina 27909

Phone Number: _____ Email Address _____

Applicant (if different from owner): Woda Cooper Development, Inc.

Street Address: 500 S Front Street

City/State/Zip Code: Columbus, Ohio 43215

Phone Number: 912-224-2169 Email Address dblackburne@wodagroup.com

Signature: _____

SECTION B – PROPERTY INFORMATION

1. Property Address: 910 Walker Avenue
2. Parcel ID No. (12-digits): 891311554922
3. Tax Map Number: 53-c-2 Block: 910 Lot: _____
4. Deed Book 1231 Page 535
5. Location: This property is located on the North (direction) side of Walker Ave (street) SR# _____
6. Zoning Classification: Existing GB Proposed AD
7. Overlay District _____
8. Township/Community Elizabeth City
9. Lot/Tract Size 2.42 (acres)
10. Street Frontage/Width 360 (feet) Depth 320 (feet)
11. Flood Plain Zone X Panel _____

SECTION C – NOTIFICATION

All property owners within 100 feet of the property being considered for rezoning must be mailed an Adjacent Property Owner Notification a minimum of 10 days prior to the Planning Commission and Council meetings. The applicant is responsible for supplying **a list** of the current names, mailing addresses and Tax Map information for these property owners, including the name and address for the president of the Property Owners/Homeowners Association. In addition, **the applicant must supply two (2) sets of stamped**, addressed #10 envelopes for each of the property owners within the 100 feet radius. The return address should read:

City of Elizabeth City
Planning Department
PO Box 347
Elizabeth City, NC 27909.

See Attached Section C
List of Adjacent Properties

The most up-to-date property owner information may be obtained from the Pasquotank County Tax Department.

SECTION D – APPLICATION REQUIREMENTS

All written materials and photographs must be a minimum of 8½" x 11" paper; maps, surveys, and plans must be a minimum size of 11"x17". For the first level of review with the Planning Commission, the applicant must supply one (1) original and ten (10) copies of the completed application, supporting documents, photographs and materials. For Clerk advertisement and Council consideration the Zoning Administrator will request additional documents as necessary. Please plan to attend all meetings to present evidence as to the congruity of your proposal; failure to attend will result in a delay or denial of your application.

1. **Legal Description & Property Survey:** Attach a complete legal description (metes and bounds) of the property. Provide an existing survey of the property, with a scale indicating dimensions.
2. **Requested Zoning Change & Use:** Indicate the current zoning classification and the proposed zoning classification being requested. Attach a written description of the proposed use for the subject properties along with any conditions requested for the proposed classification.
3. **Adjacent Property Zoning & Land Use:** Provide the current zoning and land use for parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of way when considering adjacent uses.
4. **Land Use & Future Development:** Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning is required to meet the proposed use stated above.
5. **Public Need:** Indicate the perceived public need for additional land to be zoned to the requested classification stated above.

6. **Community Impact:** Describe the impact the proposed use would generate on the adjacent properties and the surrounding neighborhoods/communities. Include in your discussion: transportation, utilities, stormwater drainage, fire, public safety, open space, topography, density, property access, and economic development. Provide in detail why or why not (and if so, how) the proposed development will affect the surrounding properties.
7. **Infrastructure Demand:** Describe the impact the proposed use would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.
8. **UDO and Land Use Plan Compliance:** Explain how the proposed use or development will be in compliance with the Unified Development Ordinance (UDO) and Land Use Plan.
9. **Project Scope & Additional Information:** Provide narrative describing the nature and scope of the project, as well as, additional comments and conditions that should be considered.

See Attached Section D
Project Information

*********APPLICATION CONTINUES ON NEXT PAGE*********

PROCEDURAL STEPS
FOR REZONING PETITION REVIEW & PUBLIC HEARING

1. Applicant files a complete Rezoning Application, following the instructions listed above, along with the requisite fee.
2. The Planning Director in conjunction with the Planning Commission Chairman schedules a review hearing for the petition.
3. Adjoining property owners will be notified and a sign will be posted on the property by the Planning Department.
4. The Planning Commission hears the proposed change taking into consideration the expressed opinions of the applicant, affected property owners, interested citizens, and the Zoning Administrator. The Planning Commission then makes recommendation to the Council concerning the proposed change.
5. The Clerk to Council will advertise and provide public notice of a Call for Public Hearing at a Regular Meeting of Council.
6. At the designated date and time, Council will hold a Public Hearing. Unless otherwise noted, immediately following the Public Hearing, Council will receive the Planning Commission and Zoning Administrator recommendations and render their decision concerning the proposed rezoning or amendment request.
7. The Zoning Administrator will provide the applicant and/or property owner with official notification of the decision and any conditions attached thereto.

CITY OF ELIZABETH CITY
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

REZONING APPLICATION

SECTION E – AUTHORIZATION

NOTE: IF THE PERSON REQUESTING THE CITY OF ELIZABETH CITY, TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY, OR UNDER CONTRACT TO PURCHASE, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM WITH HIS/HER SIGNATURE NOTARIZED. IF THE PROPERTY OWNER IS THE APPLICANT PLEASE COMPLETE THE SECTION BELOW AND SIGN AS INDICATED.

I, MFMM Properties LLC (LANDOWNER'S NAME) am the owner of the property located in the Elizabeth City planning jurisdiction at:

Street Address and/or PIN 910 Walker Avenue

I hereby authorize Woda Cooper Development, Inc. (OWNER OR APPLICANT'S NAME) to appear with my consent before the City of Elizabeth City Planning Commission and Council in order to request a rezoning for the above noted location. I authorize the City of Elizabeth City to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize City Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS rezoning, if approved, shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Elizabeth City. Any VIOLATION of the terms above stated and/or City Code regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: 407-L S Griffin Street

City/State/Zip Code Elizabeth City, North Carolina 27909

Phone Number: 252-339-9494

Email Address: lfmproperties@embarqmail.com

Owner's Signature: Frances M. Nowell

Sworn to and subscribed before me, this the 11th day of January, 2021.

Notary Public [SEAL]

My commission expires: October 15, 2025

SEAN J BEAVER
NOTARY PUBLIC
PASQUOTANK COUNTY, NC

CITY OF ELIZABETH CITY
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

REZONING APPLICATION

SECTION F – AUTHORIZATION

NOTE: IF THE PERSON REQUESTING THE CITY OF ELIZABETH CITY, TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY, OR UNDER CONTRACT TO PURCHASE, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM WITH HIS/HER SIGNATURE NOTARIZED. IF THE PROPERTY OWNER IS THE APPLICANT PLEASE COMPLETE THE SECTION BELOW AND SIGN AS INDICATED.

I, Hannah Whiteney Hull, Russel M. Hull III, & Wells Chadwick Hull (LANDOWNER'S NAME) am the owner of the property located in the Elizabeth City planning jurisdiction at:

Street Address and/or PIN 891311551821

I hereby authorize Woda Cooper Development, Inc. (OWNER OR APPLICANT'S NAME) to appear with my consent before the City of Elizabeth City Planning Commission and Council in order to request a rezoning for the above noted location. I authorize the City of Elizabeth City to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize City Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS rezoning, if approved, shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Elizabeth City. Any VIOLATION of the terms above stated and/or City Code regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: 1000 Rivershore Rd

City/State/Zip Code Elizabeth City, North Carolina 27909

Phone Number: 252-339-0608

Email Address: Rmhull30@gmail.com

Owner's Signature: Wells Chadwick Hull

Sworn to and subscribed before me, this the 12th day of January, 2021.

Notary Public

My commission expires: 7/20/21

[SEAL] ASHLIE N. MIRROTTO NOTARY PUBLIC PASQUOTANK COUNTY, N.C.

CITY OF ELIZABETH CITY
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

REZONING APPLICATION

SECTION F – AUTHORIZATION

NOTE: IF THE PERSON REQUESTING THE CITY OF ELIZABETH CITY, TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY, OR UNDER CONTRACT TO PURCHASE, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM WITH HIS/HER SIGNATURE NOTARIZED. IF THE PROPERTY OWNER IS THE APPLICANT PLEASE COMPLETE THE SECTION BELOW AND SIGN AS INDICATED.

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Street Address and/or PIN 891311551821

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Street Address: 1000 Rivershore Rd

City/State/Zip Code Elizabeth City, North Carolina 27909

Phone Number: 252-339-0608

Email Address: Rmhjr113@gmail.com

Owner's Signature: Russel M. Hull, III

Sworn to and subscribed before me, this the 12th day of January, 2021.

Notary Public

My commission expires: 7/26/21

ASHLIE N. MIRROTTO NOTARY PUBLIC PASQUOTANK COUNTY, N.C.

[SEAL]

CITY OF ELIZABETH CITY
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

REZONING APPLICATION

SECTION II – AUTHORIZATION

NOTE: IF THE PERSON REQUESTING THE CITY OF ELIZABETH CITY, TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY, OR UNDER CONTRACT TO PURCHASE, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM WITH HIS/HER SIGNATURE NOTARIZED. IF THE PROPERTY OWNER IS THE APPLICANT PLEASE COMPLETE THE SECTION BELOW AND SIGN AS INDICATED.

I, Hannah Whiteney Hull, Russel M. Hull III, & Wells Chadwick Hull (LANDOWNER'S NAME) am the owner of the property located in the Elizabeth City planning jurisdiction at:

Street Address and/or PIN 891311551821

I hereby authorize Woda Cooper Development, Inc. (OWNER OR APPLICANT'S NAME) to appear with my consent before the City of Elizabeth City Planning Commission and Council in order to request a rezoning for the above noted location. I authorize the City of Elizabeth City to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize City Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS rezoning, if approved, shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Elizabeth City. Any VIOLATION of the terms above stated and/or City Code regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: 1000 Rivershore Rd

City/State/Zip Code Elizabeth City, North Carolina 27909

Phone Number: 252-202-8928

Email Address: Rmhull13@gmail.com

Owner's Signature:

Sworn to and subscribed before me, this the 12th day of January, 2021.

Notary Public

My commission expires: 7/26/21

ASHLIE N. MIRROTTO NOTARY PUBLIC PASQUOTANK COUNTY, N.C.

Rezoning Application Request

Lynn Place, 0-910 Walker Ave, Elizabeth City, NC 27909

Section C

Addresses of Adjacent Property Owners

Within 100 Feet:

- **900 Walker Ave**-Owner: Bright Beginnings Academy Inc. Mailing Address PO Box 2912 Elizabeth City, NC 27909. Parcel ID 891311555977 mapnum- 53-C-2B deed book 1295 page 252
- **818 Walker Ave**- Owner: Bright Beginnings Academy Inc. Mailing Address PO Box 2912 Elizabeth City, NC 27909. Parcel ID 891311566061 mapnum 53-C-3 deed book 1295 page 252
- **1003 Walker Ave**- Owner: Walker Landing LLC, Mailing Address 186 Wind Chime CT# 201 Raleigh NC 27615. Parcel ID891311553196 mapnum P121-20B Deed book 922 page 764
- **821 Walker Ave**- Owner Hinton, Ronnie & Joyce B. Mailing Address- 821 Walker Ave Elizabeth City, NC 27909 Parcel Id- 891311556784 mapnum 50-N-2-A
- **00000 Corsair Cir**- Owner: Mcpherson, JE, OE&DW Mailing Address- 407- LS Griffin St, Elizabeth City, NC 27909 Parcel ID-891311560569 mapnum 53-A-2.B,C1
- **100 Sutton Dr**- Owner: Angela Barrington. Mailing address- PO Box 1561 Elizabeth City, NC 27909. Parcel ID-891301459499 mapnum- P121-78. Deed book 627 page 803
- 301 Renaissance Cir- Owner: Renaissance Commons LLC. Mailing address- 1300 Baxter St, STE 214 Raleigh, NC 28204 Parcel ID-891310467461 & Parcel ID-891310468130 mapnum 577-A-185G deed book713 page 115

Just more than 100 feet:

- **101 Renaissance Cir**- Owner: Michael & Steven Lebarron. 2nd Owner- Juanita Carter. Mailing address- 101 Renaissance Cir, Elizabeth City, NC 27909. Parcel ID-891310459601 mapnum- 53-D-1. Deed book 640 page 370

- **103 Renaissance Cir-** Owner: Varick Taylor. Mailing address- 103 Renaissance Cir, Elizabeth City, NC 27909 Parcel ID- 891310458697 mapnum- 53-D-2 deed book 1035 page 425
- **105 Renaissance Cir-** Owner: Sherry Ward. Mailing Address- 105 Renaissance Cir, Elizabeth City, NC 27909 Parcel ID- 891310458782 mapnum 53-D-3 deed book 671 page 437
- **107 Renaissance Cir-** Owner: Alexis & Mirna J. Revell. Mailing Address- 107 Renaissance Cir, Elizabeth City, NC 27909 Parcel ID- 891310458777 mapnum 53-D-4 deed book 1019 page 429
- **109 Renaissance Cir-** Owner: Marian E. Barnes. Mailing Address- 109 Renaissance Cir, Elizabeth City, NC 27909 Parcel ID- 891310458864 mapnum 53-D-5 deed book 688 page 175

Rezoning Application Request

Lynn Place, 0-910 Walker Ave, Elizabeth City, NC 27909

Section D

Project Information

1. **Legal Description & Property Survey: Attach a complete legal description (metes and bounds) of the property. Provide an existing survey of the property, with a scale indicating dimensions.**

   Please see attached deeds surveys for 0 Walker Avenue (**Exhibit A & B**) and 910 Walker Avenue (**Exhibit C & D**)

   Legal descriptions can be found in the deeds.

2. **Requested Zoning Change & Use: Indicate the current zoning classification and the proposed zoning classification being requested. Attach a written description of the proposed use for the subject properties along with any conditions requested for the proposed classification**.

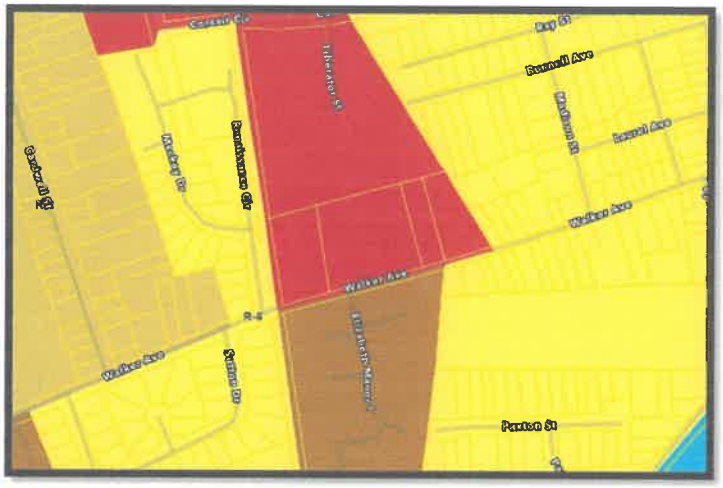
   Woda Cooper Development, Inc. is submitting the rezoning application for the properties located at 0 & 910 Walker Ave, Elizabeth City, NC 27909. These properties are located on the corner of Walker Ave and Renaissance Circle and the property on Walker Ave adjacent to Bright Beginnings Academy, Inc. The properties current zoning classification is GB and the rezoning application proposes that these properties be zoned AD.

   The proposed Lynn Place is a new construction family development in Elizabeth City (Pasquotank County). Please see Exhibit E for a copy of the site concept plan. The development will be comprised of three 3-story buildings totaling 60 units for general occupancy, including 18 1-Bedroom units, 24 2-Bedroom units and 18 3-Bedroom units. There will be a community building with the management/leasing office, multipurpose space, laundry and fitness rooms.

   The property is located on Walker Avenue which is a prominently residential neighborhood. It is near Ehrignhaus Street, a main commercial and retail corridor of Elizabeth City where residents will find numerous shopping, restaurants, banks and other services. All utilities are available at this site. The property will be visible from Walker Avenue with easy and safe ingress/egress. As the exterior facades will include brick and decorative trim, the development will convey an image of quality and regional character.

3. **Adjacent Property Zoning & Land Use: Provide the current zoning and land use for parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of way when considering adjacent uses.**

The current zoning to the North & East is GB, to the West is R-6 and to the south is AD (which is the same zoning we are requesting)



To the **east**, Parcel #900 (parcel ID- 891311555977)- East of properties proposed in zoning change. Current zoning classification- City GB. Flood zone X. The property is currently used for an educational center with a 6,000 sqft l building on the property.

To the **north**, Parcel ID- 891311560569. North of properties in proposed zoning change. Current zoning classification- City GB. Flood zone X. This property was a former trailer park. There are still some occupied trailer residences to the northern part of this parcel. There is currently a thick wooded buffer between the proposed residential development and this property to the north that will remain.

To the **west** on the other site of the abandoned railroad track are several single-family homes (Zoned R-6)

- 101 Renaissance Cir- Parcel ID- 891310459601
- 103 Renaissance Cir- Parcel ID- 891310458697
- 105 Renaissance Cir- Parcel ID- 891310458782
- 107 Renaissance Cir- Parcel ID- 891310458777
- 109 Renaissance Cir- Parcel ID- 891310458864

To the **south** is a multifamily residential development, Walker Landing Parcel ID- 891311553196. This site is currently zoned AD and that is the zoning being requested for the 2 parcels just north of Walker Landing on the other side of Walker Avenue.

4. **Land Use & Future Development: Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning is required to meet the proposed use stated above.**

   The property is currently zoned General Business District (GB) and the rezoning application proposes the properties be rezoned to Apartment District (AD). The current GB zoning classification is established to accommodate retail businesses and professional or personal services. Walker Avenue is however not a retail or commercial corridor. Multifamily developments are permitted in this classification but the maximum density allowed is approximately 10 to 12 multifamily dwelling units per gross acre. While multifamily units are allowed in this zoning classification, the proposed development on this property would not be viable under the current zoning density.

   The proposed AD zoning classification would allow for a higher density of units which is required for the future development of the property. The AD classification allows for 7 single-family detached units per acre, 9 two-family residences per acre, or 20-22 multifamily dwelling units per gross acre. Rezoning the property from GB to AD allows the property to have an additional 10-12 units per acre which will allow the development to optimize the potential to provide much needed affordable housing to the community.

5. **Public Need: Indicate the perceived public need for additional land to be zoned to the requested classification stated above.**

   The developer requesting this rezoning currently owns and operates Tooley Place on Hull Drive. Developer is therefore very aware of the need for housing in this part of town. Tolley Place is for seniors agreed 55 years and above. The proposed development for this site will be for General Occupancy (i.e. Multifamily) and will therefore complement well the demand for such affordable housing. The land requested for rezoning would create 60 new affordable housing units if rezoned to AD. The requested rezoning would allow for higher density of units and an increase of workforce housing in the community. This development is also in close proximity to existing multifamily developments. The AD rezoning would increase the amount of housing available in the Laurel Park area of Elizabeth City and help meet demand of affordable housing. 2019 census data indicates the population of Elizabeth City is 17,751. Despite a population of nearly 18,000 people there are only 16 affordable housing developments. This rezoning application would help create readily available affordable housing and advance the total number of units.

6. **Community Impact: Describe the impact the proposed use would generate on the adjacent properties and the surrounding neighborhoods/communities. Include in your discussion: transportation, utilities, stormwater drainage, fire, public safety,**

open space, topography, density, property access, and economic development. Provide in detail why or why not (and if so, how) the proposed development will affect the surrounding properties.

The proposed development that would be created with the requested zoning change would not create an unnecessary strain on the current infrastructure of the Laurel Park area of Elizabeth City. The property would include 18 1-Bedroom units, 24 2-Bedroom units and 18 3-Bedroom units. The 60 total units will not stress the public transportation system or clog the roadways in the area surrounding the proposed development. All of the utilities required to create this development are readily available. There is an existing multifamily development adjacent to the property and all utilities are available for a new development in the proposed location. There is a fire department located .6 miles from the proposed rezoning properties. The Elizabeth City Police Department is also 1.2 miles from the proposed properties. In our experience the 60 multifamily units will not burden these safety or transportation services. There are also 5 parks located within 2 miles of the properties. The high density of parks in the area will be able to absorb the increased utilization from the 60 new multifamily units. The properties are also located in an underdeveloped site of Laurel Park. 60 units will not stress the density of Elizabeth City, and the underdeveloped location allows for easy access to the site. The properties are near the commercial corridor of W Ehringhaus St. This area has an abundance of retail shopping, restaurants, financial institutions, public transportation and other amenities. The proposed properties are located near an existing multifamily development which is ideal for new developments. This type fo property does not generate a significant increase in the daily tripes to the area that would create any traffic concerns. The area is able to handle to traffic from the proposed development. Furthermore, based on the developer's experience the future residents of this development are mainly existing residents of Elizabeth City or individuals and families already moving to the city, so this development should not have any impact on the public resources, public safety or school attendance. It will however, provide a strong economic impact to the neighborhood.

7. **Infrastructure Demand: Describe the impact the proposed use would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.**

The 60 units will include 18 1-Bedroom units, 24 2-Bedroom units and 18 3-Bedroom units. This will therefore bring approx The proposed zoning change would not create an unnecessary burden on the existing infrastructure. While the physical sites are undeveloped pieces of property, the adjacent parcels are developed and provide access to all utilities. The developed nature of the surrounding area also provides ample resources that would not be strained by an additional 120-150 residents. The proposed development blend well into the surrounding area. There are several parks within 2 miles of the site, a

school and a commercial corridor which provide sufficient resources to those in the Laurel Park community. The adjacent parcel is also a child daycare center which would be very convenient for many of the residents. Furthermore, the PW Moore Elementary School is conveniently located just a short walking distance away. Given the nature of the area and how well developed it is, there would not be a need to build any additional resources to support this development.

8. **UDO and Land Use Plan Compliance: Explain how the proposed use or development will be in compliance with the Unified Development Ordinance (UDO) and Land Use Plan.**

The property is currently zoned General Business (GB) which is classified as follows:

The GB Business District is established as a district in which to accommodate a wide range of retail; business, professional, and personal services; office; and limited wholesale uses. Multi-family developments are also permitted within this district. The maximum residential density allowed within the GB District is approximately 10 to 12 multi-family dwelling units per gross acre.

The rezoning application is proposing a change to Apartment District (AD) which is classified as follows:

The AD Apartment District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, two-family dwellings, and multi-family dwellings. Maximum densities within the AD District include approximately 7 dwelling units per gross acre for single-family detached dwellings, 9 dwelling units per gross acre for two-family residences, and 20 to 22 multi-family dwelling units per gross acre. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high-density residential character of the AD District.

The proposed development complies with Elizabeth City's Land Use Plan. The current GB zoning does not allow for high enough unit density per acre and the AD zoning would provide sufficient density. The proposed rezoning already complies with the existing Land Use Plan which has these sites designated as "Medium/High Density Residential"

9. **Project Scope & Additional Information: Provide narrative describing the nature and scope of the project, as well as, additional comments and conditions that should be considered.**

   The proposed Lynn Place is a new construction family development in Elizabeth City that will be co-developed by The Woda Group, Inc. and Woda Cooper Development, Inc. part of Woda Cooper Companies. Inc. Based in Columbus, Ohio, Woda Cooper Companies, Inc. is a national leader in the development, ownership, construction and management of affordable housing. Woda Cooper Companies developed, owns and manages Tooley Place on Hull Drive, off Eringhaus Street. So very familiar with the residential market needs in this part of Elizabeth City.

   The development will be comprised of three 3-story buildings totaling 60 units for general occupancy, including 18 1-Bedroom units, 24 2-Bedroom units and 18 3-Bedroom units. There will be a community building with the management/leasing office, multipurpose space, laundry and fitness rooms.

   All utilities are available at this site. The property will be visible from Walker Avenue with easy and safe ingress/egress.

   As the exterior facades will include brick and decorative trim, the development will convey an image of quality and regional character. The development will have the appropriate number of handicapped accessible units as well as units specifically equipped for sight/hearing impaired.

   Exterior amenities will include a playground and a covered picnic area with tables and grills. Additional benches will be located throughout the property.

Each unit will offer a bright, comfortable and efficient living space. All units will have central, electric heat and air conditioning, washer/dryer closets with connections, LVT flooring, blinds, and will have a 16-sf exterior storage closet. Each unit will have pre-wired connections for cable, telephone and internet. In the kitchen, all units will feature Energy Star appliances (electric range/oven, dishwasher, refrigerator with freezer compartment and microwave). All bedrooms will feature closets.

Woda Cooper Companies' property management company (Woda Management & Real Estate, LLC) will manage the property and work with local supportive service providers enabling programs and services targeted for a multifamily development.

Special attention shall be made to the site stewardship including erosion controls, landscaping with no invasive plants and drought-tolerant plants and nontoxic pest control. As a general principle, native species will be heavily emphasized for all new plantings. The development with plenty of open green space will blend in nicely into this neighborhood.

The site is well located with good visibility and all utilities are readily available. The site is flat with an easy and safe ingress/egress. This part of the city is predominantly a residential neighborhood, including an adjacent multifamily apartment development. All the retail, commercial and cultural amenities and services are located in the vicinity, including a daycare and an elementary school.

A

FILED in Pasquotank County, NC
on Dec 23 2004 at 03:03:55 PM
by: Dollie J. Summerour
REGISTER OF DEEDS

Excise Tax: $ 0.00 Recording Time, Book and Page:

Tax Lot No. 53-C-2A Parcel Identifier No. 891311551821

Verified by County on the day of

by

Mail after recording to: **Trimpi, Nash & Harman, LLP, Attorneys at Law, 200 N. Water St., Elizabeth City, NC 27909**

This instrument was prepared by: **Thomas P. Nash, IV**

Brief Description for Index: **Walker Avenue**

NORTH CAROLINA DEED OF GIFT

This DEED, made this **22nd** day of **December** **2004** by and between

GRANTOR	GRANTEE
Camilla McPherson Hull, widow	**Hannah Whitney Hull** **Russell M. Hull, III and** **Wells Chadwick Hull,** **each a one-sixth (1/6) undivided interest as tenants in common**
PASQUOTANK COUNTY ed number 04-2034 ransfer tax $ 0 BS Pasquotank County Assessor's Office	1000 Rivershore Road Elizabeth City NC 27909

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity; e.g. corporation or partnership or limited liability company.

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 Grantor, for love and affection, paid by Grantee, the receipt of all of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the said Grantee in fee simple, all that certain lot or parcel of land situated in Elizabeth City Township, Pasquotank County, North Carolina, more particularly described as follows:

The westernmost portion of Lot 19 containing 1.255 acres as shown and delineated on that certain plat prepared by S. Elmo Williams, R.L.S., under date of June 29, 1967, entitled in part "McPherson Heirs," recorded in Map Book 3A, Page 60, Pasquotank County Registry, being more particularly described by metes and bounds as follows: BEGINNING at a point located where the East right of way line of the railroad track and the South right of way line of Ford Street intersect; thence along the South right of way of Ford Street North 80° 25' East 178.46 feet to a point; thence South 4° 54' East 298.91 feet to a point on the North right of way of Walker's Avenue; thence along the right of way of Walker's Avenue South 80° 25' West 189.33 feet to a point, being the East right of way line of said railroad; thence along the railroad North 2° 50' West 300 feet to a point, being the POINT AND PLACE OF BEGINNING.

And Grantor covenants with Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except the following exceptions or objections to title:

Easements, restrictions and rights of way of record, if any.

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Camilla McPherson Hull (SEAL)
Camilla McPherson Hull

STATE OF North Carolina
COUNTY/CITY OF Pasquotank

I, the undersigned Notary Public of the County and State aforesaid, certify that Camilla McPherson Hull personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 22 day of December, 2004.

Darrell N. Johnson
Notary Public

DARRELL N JOHNSON NOTARY PUBLIC PASQUOTANK COUNTY, NORTH CAROLINA

My commission expires: 11/15/2006

North Carolina, Pasquotank **County**

The foregoing certificate(s) of Darrell N. Johnson, a Notary Public of Pasquotank County, State of North Carolina is certified to be correct.

~~certified to be correct~~. This instrument was presented for registrations this 23rd day of December ~~is/are~~ 20 04, at 3:03:55 P.M., and duly recorded in the Office of the Register of Deeds for Pasquotank County, North Carolina, in Book 835 at Page 10.

This 23rd day of December, 200 04.

Dallie J. Summerson
Pasquotank County Register of Deeds

By: Penny S. Newsom
Deputy

I, JASON A. MIZELLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; DEED DESCRIPTION RECORDED IN DEED BOOK 835, PAGE 10; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

(F)(11)c. - THAT THE SURVEY IS OF AN EXISTING PARCEL OF LAND.

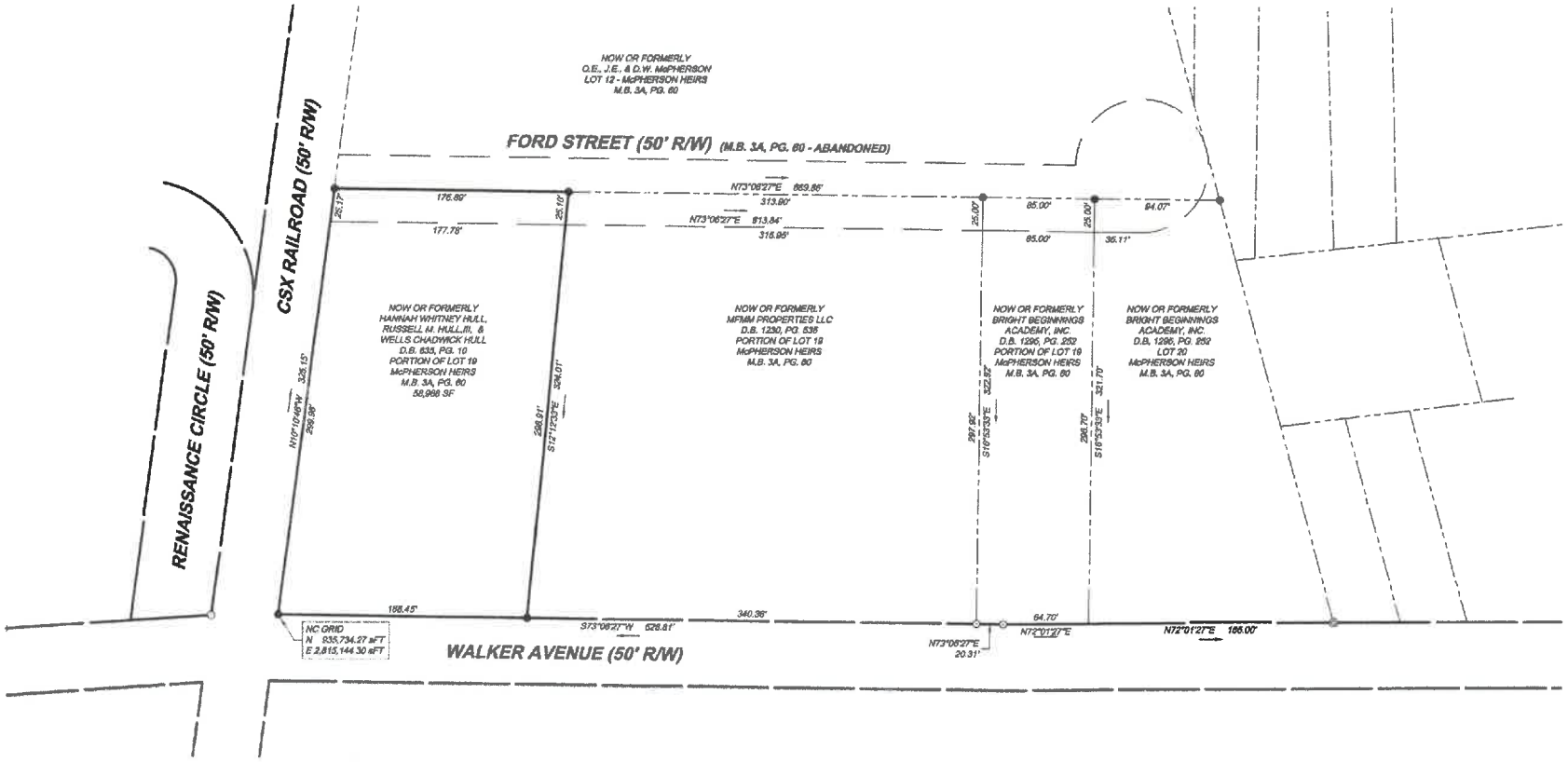
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2ND DAY OF JANUARY, 2020.

JASON A. MIZELLE, PLS L-4917

NORTH CAROLINA PROFESSIONAL SEAL L-4917 LAND SURVEYOR JASON A. MIZELLE

NOTES.
1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
2. THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON FEMA MAP PANEL 3720981300K DATED DECEMBER 21, 2018 AND SUBJECT TO CHANGE BY FEMA.
3. THERE ARE NO N.G.S. MONUMENTS WITHIN 2,000' OF THE SITE.

VICINITY MAP
(NOT TO SCALE)



LEGEND

EXISTING IRON ROD (EIR)	⊙
EXISTING IRON PIPE (EIP)	◎
SET IRON ROD (SIR)	●
PROPERTY BOUNDARY	———
PROPERTY EXTENSION	- - - -
RIGHT-OF-WAY	———
ABANDONED RIGHT-OF-WAY	———

SCALE 1"=60'
0 60' 120'

BOUNDARY SURVEY FOR

HANNAH WHITNEY HULL

BEING PROPERTY DESCRIBED IN D.B. 835, PG. 10
ELIZABETH CITY TOWNSHIP PASQUOTANK COUNTY NORTH CAROLINA

TIMMONS GROUP
1805 West City Drive, Unit E, Elizabeth City, NC 27909
TEL 252.621.5030 www.timmons.com
North Carolina License Number C-1652

SCALE:	FILE NO:	DATE OF SURVEY:	DRAFTED:	DATE:	CHECKED:
1"=60'	43050	DECEMBER 24, 2019	JHS	JANUARY 2, 2020	JAM

S:\1019\43050 - 910 Walker Avenue - Elizabeth City, NC\DWG\43050SV_ Hull Survey.dwg | Plotted on 1/2/2020 8:42 AM | by John Sawyer

C

Delinquent tax $ _____
GW
Pasquotank County Assessor's Office

This document presented and filed:
07/08/2015 02:25:22 PM
Joyce W. Pritchard
JOYCE W. PRITCHARD, Pasquotank County, NC
Excise Tax: $0.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:

Parcel Identifier No. _____ **Verified by** _____ **County on the** ____ **day of** _____, 20__
By: _____

Mail/Box to: G. E. Small, P.C., 607 E. Main Street, Elizabeth City, NC 27909

This instrument was prepared by: G. Elvin Small, III (No Title Examination Requested or Performed)

Brief description for the Index: _____

THIS DEED made this 30th **day of** June, 2015, **by and between**

GRANTOR	GRANTEE
MARCELLA FEARING MORRISETTE, Unmarried; LUCIEN O. MORRISETTE and wife, DEBBIE W. MORRISETTE; FRANCES MORRISETTE NORRELL and husband, JAMES C. NORRELL 1000 Riverside Avenue Elizabeth City, NC 27909	MFMM PROPERTIES, LLC, a North Carolina Limited Liability Company 407-L South Griffin Street Elizabeth City, NC 27909

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, all that certain lot or parcel of land situated in the City of _____, Providence **Township,** Pasquotank **County, North Carolina and more particularly described as follows:**
See Attached Exhibit A for description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ **page** _____.

A map showing the above described property is recorded in Plat Book _____ **page** _____.

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 Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: SEE EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT A.

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

J C Norrell (SEAL)
JAMES C. NORRELL

Marcella Fearing Morrisette (SEAL)
MARCELLA FEARING MORRISETTE

By: _____
Title: _____

Lucien O Morrisette (SEAL)
LUCIEN O. MORRISETTE

By: _____
Title: _____

Debbie W. Morrisette (SEAL)
DEBBIE W. MORRISETTE

By: _____
Title: _____

Frances Morrisette Norrell (SEAL)
FRANCES MORRISETTE NORRELL

State of North Carolina - County of Dare

I, the undersigned Notary Public of the County and State aforesaid, certify that MARCELLA FEARING MORRISETTE, Unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 3 day of July, 2015

My Commission Expires: Oct 27, 2018

JASON M. KRIEG
Notary Public
Dare Co., North Carolina
My Commission Expires Oct. 27, 2018

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

_____
Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

_____
Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ Register of Deeds for _____ County
By: _____ Deputy/Assistant - Register of Deeds

NORTH CAROLINA

PASQUOTANK COUNTY

I, a Notary Public of the County and State aforesaid, certify that LUCIEN O. MORRISETTE and wife, DEBBIE W. MORRISETTE, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal, this 30th day of June, 2015.

WENDY W SMALL NOTARY My Comm. Expires March 19, 2020 PUBLIC PASQUOTANK COUNTY, NC

Wendy W Small
NOTARY PUBLIC

My Commission Expires:

NORTH CAROLINA

PASQUOTANK COUNTY

I, a Notary Public of the County and State aforesaid, certify that FRANCES MORRISETTE NORRELL and husband, JAMES C. NORRELL, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal, this 30th day of June, 2015.

Wendy W Small
NOTARY PUBLIC

My Commission Expires:

WENDY W SMALL NOTARY My Comm. Expires March 19, 2020 PUBLIC PASQUOTANK COUNTY, NC

ATTACHMENT

EXHIBIT A

TRACT ONE - PIN No. 891503335047 (Map No. P142-40B)

BEING that certain tract or parcel of land shown and delineated as 7.23 acres on map entitled "SURVEY FOR MARY FRANCES MORRISETTE," dated March 14, 2005 by Godfrey & Associates Surveying, Inc., which map is recorded in Deed Book 846, Page 940, and is by reference incorporated herein and made a part of this instrument for a more complete description of said lands.

And being the same lands conveyed to Mary Frances Morrisette under deed recorded in Deed Book 846, Page 938, Pasquotank County Registry.

TRACT TWO - PIN No. 891311554922 (Map No. 53-C-2)

BEING the easternmost portion of Lot 19, as shown on map entitled "McPHERSON HEIRS," dated June 29, 1967 by S. Elmo Williams, Registered Land Surveyor, and recorded in Map Book 3A, Page 60, Pasquotank County Registry, and more particularly described as follows:

Beginning at a point located on the South right of way line of Ford Street, said point being the dividing line between Lot 19 and Lot 20 on said plat, thence along the dividing line between Lot 19 and Lot 20 South 9° 35' East 296.7 feet to a point located on the North right of way line of Walker's Avenue; thence along Walker's Avenue South 79° 20' West 64.7 feet; South 80° 25' West 360.67 feet; thence North 4° 54' West 298.91 feet to the South right of way line of Ford Street; thence along the South right of way line of Ford Street North 80° 25' East 400.94 feet to a point, being the point and place of beginning.

And being the same lands as described as Tract Two of PARCEL 2, in deed to Mary Frances Morrisette, of record in Deed Book 405, Page 117, Pasquotank County Registry.

TRACT THREE - PIN NO. 891310466777 (Map No. 57-A-198B)

BEING Lot No. 13, containing .99 acre, as shown and delineated on map entitled "McPHERSON HEIRS," dated June 29, 1967 by S. Elmo Williams, Registered Land Surveyor, which map or plat is recorded in Map Book 3A, Page 60, Pasquotank County Registry, and is by reference incorporated herein and made a part of this instrument for a more complete description of said lands.

And being a portion of the lands conveyed to Mary Frances Morrisette under deed recorded in Deed Book 296, Page 31, Pasquotank County Registry.

The aforesaid tracts of real property were devised by Mary McPherson Morrisette to Marcella Fearing Morrisette, Lucien O. Morrisette, and Frances Morrisette Norrell under the Last Will and Testament of Mary McPherson Morrisette, which was executed by her on February 24, 2015, and was duly admitted to probate on May 14, 2015 in Estate File No. 15-E-105 in the Office of the Clerk of Superior Court of Pasquotank County.

This property is conveyed subject to ad valorem taxes for the current year and subsequent years, easements and restrictions of record, and any local, county, state, or federal laws, ordinances, or regulations relating to zoning, environment, subdivision, occupancy, use, construction, or development of the subject property, including existing violations of said laws, ordinances, or regulations.

The lands hereby conveyed do not include the primary residence of any Grantor.

I, JASON A. MIZELLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; DEED DESCRIPTION RECORDED IN DEED BOOK 1230, PAGE 535; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

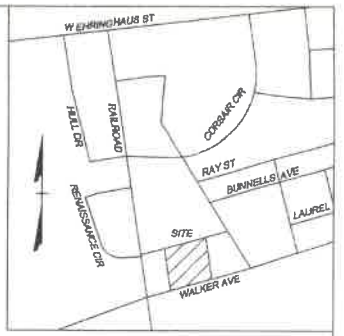
(F)(11)c. - THAT THE SURVEY IS OF AN EXISTING PARCEL OF LAND.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2ND DAY OF JANUARY, 2020

JASON A. MIZELLE, PLS L-4917

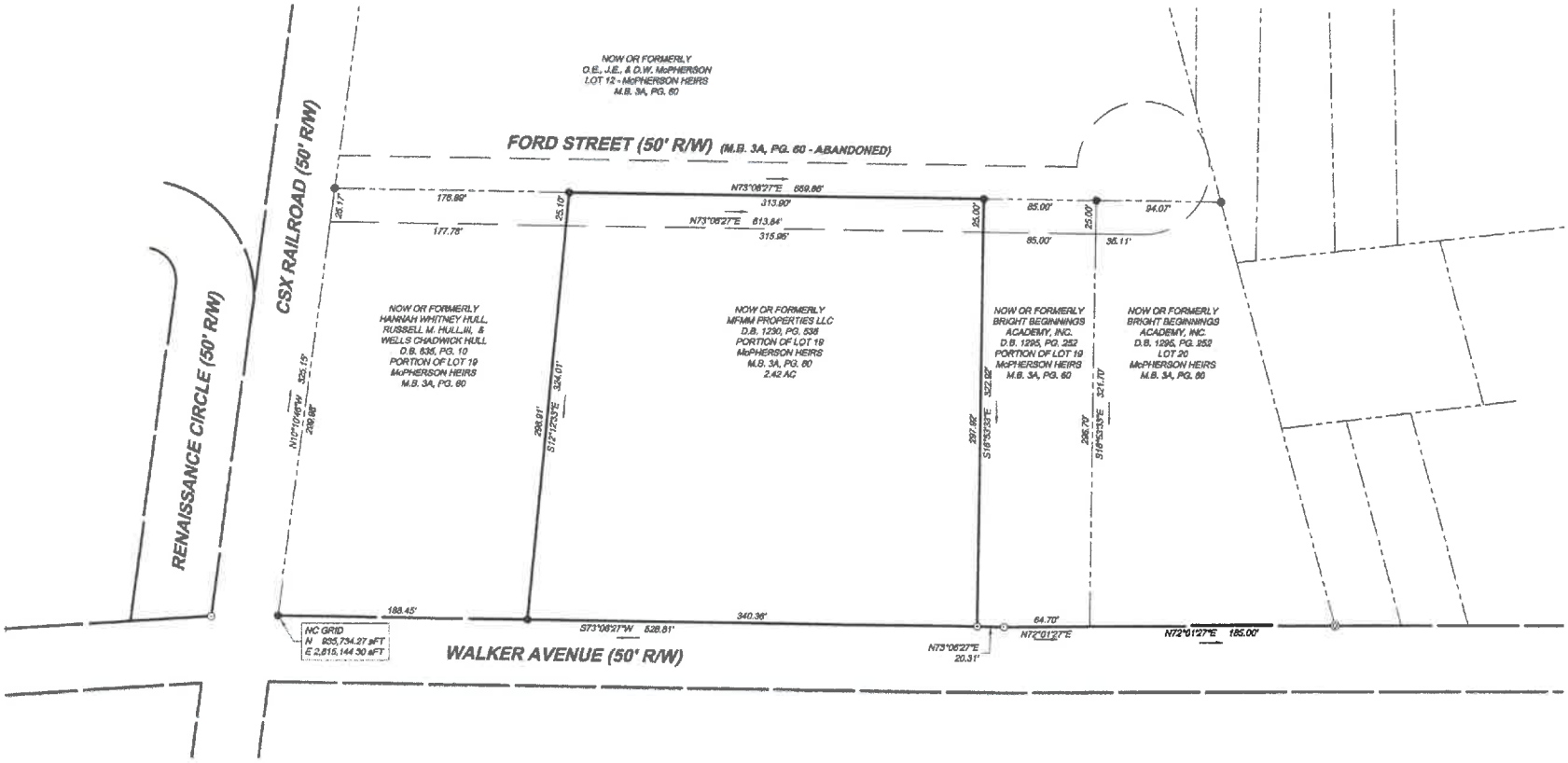
NORTH CAROLINA PROFESSIONAL SEAL L-4917 LAND SURVEYOR JASON A. MIZELLE

NOTES:
1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
2. THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON FEMA MAP PANEL 3720891300K DATED DECEMBER 21, 2018 AND SUBJECT TO CHANGE BY FEMA.
3. THERE ARE NO N.G.S. MONUMENTS WITHIN 2,000' OF THE SITE



VICINITY MAP
(NOT TO SCALE)

NC GRID NAD 83 (2011)



LEGEND

EXISTING IRON ROD (EIR)	○
EXISTING IRON PIPE (EIP)	◎
SET IRON ROD (SIR)	●
PROPERTY BOUNDARY	———
PROPERTY EXTENSION	- - - -
RIGHT-OF-WAY	——— ———
ABANDONED RIGHT-OF-WAY	——— ———

SCALE 1"=60'

0 60' 120'

BOUNDARY SURVEY FOR

MFMM PROPERTIES, LLC

BEING PROPERTY DESCRIBED IN D.B. 1230, PG. 538
ELIZABETH CITY TOWNSHIP PASQUOTANK COUNTY NORTH CAROLINA

TIMMONS GROUP
1805 West City Drive, Unit E, Elizabeth City, NC 27909
TEL 252.621.5030 www.timmons.com
North Carolina License Number C-1652

SCALE:	FILE NO:	DATE OF SURVEY:	DRAFTED:	DATE:	CHECKED:
1"=60'	45050	DECEMBER 24, 2019	JHS	JANUARY 2, 2020	JAM

S:\110\45050 - 910 Walker Avenue - Elizabeth City, NC\DWG\45050V_MFMM Survey.dwg | Plotted on 1/2/2020 8:42 AM | by John Sawyer