

APPLICATION FOR CONDITIONAL ZONING MAP AMENDMENT



City of Wilmington
Planning and Development

P. O. Box 1810, 305 Chestnut St,
Wilmington, NC 28402
Telephone: (910) 254-0900 FAX: (910)341-3264

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: Mike Harms by and through Equitas Law Partners

MAILING ADDRESS OF APPLICANT: 330 Military Cutoff Road, Suite A-2, Wilmington, NC 28405

PHONE NUMBER AND EMAIL OF APPLICANT: 910-500-1532; sam@equitaslp.com

PROPERTY OWNER INFORMATION:

Name(s) Holly Tree Racquet Club, Inc. // James R. Lee

Address: 4950 Holly Tree Road // 340 Westchester Road,
Wilmington, NC

Zip 28409

Telephone: _____ Fax: _____

Email address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: 4950 Holly Tree Road and 340 Westchester Road, Wilmington, NC 28409

NEW HANOVER CO. PROPERTY IDENTIFICATION # (PIN): R06119-004-015-000 and R06119-004-013-000

CURRENT ZONING DISTRICT(S): R-15 **PROPOSED ZONING DISTRICT(S):** C - RB

TOTAL SITE AREA: 7.56 acres

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: Private recreational facility

PRE-APPLICATION MEETING: 6/14/2024
(Date)

NEIGHBORHOOD MEETING: 6/18/2024 (report due prior to application submittal)
(Date)

DATE RECEIVED: 7/22/2024

CASE FILE #: CD-4-924

INTERNAL USE ONLY

PLANNER: Zac Smith

FEE PAID \$: \$955

It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. Please attach additional sheets if necessary.

1. **What changed or changing condition(s) justifies the passage of the amendment?** Discuss how circumstances have so changed since the property was last zoned.

Since the most recent zoning of the subject property, it has been substantially used as a private recreational facility, despite its R-15 zoning classification. The surrounding community has come to utilize this property as a space for activity, and the goal of the project is to maintain the property's status as a private recreational facility within the appropriate zoning classification.

2. **Explain how the map amendment would be consistent with the *Create Wilmington Comprehensive Plan* and adopted special area plans (e.g., corridor plans, neighborhood plans, etc.).**

The Create Wilmington Comprehensive Plan places a focus on infill development and investment in underperforming neighborhood businesses to ensure that there is an "efficient use and reuse of land within the existing city limits." This project, which would be made possible by the proposed map amendment, is consistent with that focus as it represents an investment in retrofitting an outdated building and underutilized site and transforming it to enhance the character of existing development and provide a space for a "healthy, diverse, and efficient community".

This project will also preserve existing open space and natural resources by utilizing the dense tree buffer to complement the proposed project's design, and relatedly improve the existing character of the property. Moreover, the project, made possible by the proposed map amendment will make use of existing public infrastructure and will not place significant additional burdens on the transportation network of the surrounding area.

3. **Briefly explain the expected impacts on the areas if the proposed zoning map amendment is approved.**

The expected impacts on the surrounding areas if the proposed zoning map amendment is approved are minimal considering the existing use of the property is for a private recreational facility and the proposed use under this amendment is also a private recreational facility.

4. **Describe any other circumstances that justify that the proposed amendment in the public interest.**

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Supplementary information is **REQUIRED** as part of the application. See Section C below for required information.
- (2) All applications require a pre-application meeting prior to submittal. Applications may be submitted after pre-application meetings and all applications **MUST** be reviewed by planning staff for completeness **PRIOR** to the acceptance. Please **do not** leave your application materials without speaking to a planner. Applications left this way will not be processed or scheduled for planning commission review.
- (3) A receipt for applicable fees must accompany the application.
- (4) Applications shall be submitted according to the adopted filing calendar and will be considered by the planning commission at the regular meeting noted on the official acceptance form.
- (5) The applicant or agent should appear at all hearings. Planning commission meetings are typically held at 6:00 P. M. in at City Hall, council chambers (second floor) 102 N. 3rd Street, Wilmington, North Carolina, usually on the first Wednesday of each month. Applicants will be informed of any change in date, time, or location of meetings.
- (6) A written summary of at least one neighborhood meeting (Section 18-567), for which notification was sent to property owners within 300 feet of the subject site, must be submitted to the city clerk before an application will be accepted. See Sec. 18-567. For complete information on neighborhood meetings.
- (7) Conceptual site plan review (pre-TRC consultation) by the technical review committee (TRC) is required for all conditional district map amendment applications. To avoid potential processing and scheduling delays, applicants are advised to have completed a conceptual review with the TRC prior to rezoning application submittal. If a conceptual review has not occurred at time of application, the proposed development will be scheduled for conceptual review at the next available TRC meeting.

Section C. REQUIRED SUPPLEMENTAL INFORMATION

PLEASE INCLUDE ALL OF THE FOLLOWING INFORMATION. Please check the list below carefully before you submit:

- Agent form if the applicant is not the property owner;
- Detailed project narrative describing the site, proposed rezoning, uses, and any applicable prescribed conditions;
- One digital copy (pdf) of the site plan, drawn to scale, that includes, at minimum, the site and proposed building information as indicated in Section D below;
- Legal description of property requested for rezoning, by metes and bounds;
- Receipt of application fee;
- Receipt of mailing fee;
 - An invoice will be emailed for the mailing fee at a cost of \$0.85 per notice. Note that this cost will include two mailings, one mailing notifying property owners for planning commission review and a second mailing notifying property owners of city council review. Payment must be made within 5 business days of the invoice.
- Current to-scale copy of the New Hanover County tax map delineating the subject property.

Section D. INFORMATION REQUIRED TO BE INCLUDED ON THE SITE PLAN

The following information is required to be shown on the site plan submitted with this application. If any of the required information is not included on the site plan, reasons for excluding that information must be given.

- A boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), the general location in relation to major streets, railroads, and waterways, the date and north arrow;**
- All existing easements, reservations, and rights-of-way, existing and proposed;
- Approximate location on the site of proposed buildings, structures, and other improvements;
- Approximate dimensions, including height, of proposed buildings and structures;
- Proposed use of land and buildings, including the number of residential units and the total square footage of any nonresidential development;
- All required and proposed yards, buffers, screening, and landscaping;
- All existing and proposed points of access to public streets;
- Delineation of areas within the regulatory floodplain as shown on official flood hazard boundary maps;
- Proposed phasing, if any;
- The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development;
- Approximate location of all existing and proposed infrastructure on the site including water, sewer, roads, and bicycle and pedestrian facilities;
- Generalized traffic, parking, and circulation plans;
- Tree survey; and
- Traffic impact analysis, if required.

In evaluating the proposal, staff, planning commission, and city council may request additional information from the applicant. Additional information may include the following:

- Proposed screening, buffers, and landscaping over and above that required by the land development code, as well as proposed treatment of any existing natural features;
- Scale of buildings relative to abutting property;
- Building elevations and exterior features of proposed development;
- Any other information needed to demonstrate compliance with the land development code; and
- Proposed number and locations of signs.

OWNER'S SIGNATURE*: *In filing this application for a zoning map amendment, I/we as the property owner(s), hereby certify that all information presented in this application is accurate to the best of my knowledge, information, and belief. I hereby designate _____ to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to speak for me in any public meeting regarding this application.*

Signature/Date: Corrie Faith Lee

AUTHORITY FOR APPOINTMENT OF PERSON
TO ACT ON MY BEHALF

The undersigned owner, James R. Lee, does hereby appoint Mike Harms and Equitas Law Partners to act on my behalf for the purpose of petitioning the City of Wilmington for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; and/or, e) street closing, as applicable to the property described in the attached petition.

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

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

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

Date: 7-18-24

Appointee's Name, Address & Telephone:

James R. Lee

340 Westchester Road

Wilmington, NC 28409

Telephone: 910 443 9059

Signature of Owner:

James R. Lee

AUTHORITY FOR APPOINTMENT OF PERSON
TO ACT ON MY BEHALF

The undersigned owner, Holly Tree Racquet Club, Inc., does hereby appoint Mike Harms and Equitas Law Partners to act on my behalf for the purpose of petitioning the City of Wilmington for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; and/or, e) street closing, as applicable to the property described in the attached petition.

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- (3) In the case of a special use permit, to accept conditions or recommendations made for the issuance of the special use permit on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

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

Date: 7-18-24

Appointee's Name, Address & Telephone:

Holly Tree Racquet Club, Inc.

4950 Holly Tree Road

Wilmington, NC 28409

Telephone: 910 791 2746

Signature of Owner:

James R. Lee

By: President

Legal Description of 4950 Holly Tree

Beginning at an existing iron pipe located at the Northernmost point of Lot 39 of Kingsland Woods Subdivision as shown in Map Book 28 at Page 193 (New Hanover County Registry); thence from said beginning point, North 17 degrees 28 minutes 28 seconds East, 799.25 feet to a scribe mark in the concrete sidewalk and the Southern line of Holly Tree Road, (60 foot wide right-of-way); thence, along the southern line of said Holly Tree Road, North 79 degrees 53 minutes 39 seconds East, 51.43 feet to a scribe mark, thence, South 54 degrees 34 minutes 02 seconds East, 55.26 feet to a new iron pipe in the Western line of Wallington Road, (60 foot wide right-of-way); thence, along the Westerly line of Wallington Road as extended, South 10 degrees 02 minutes 43 seconds east, 492.51 feet to an existing iron rod in the Western line of Wallington Road; thence along the Western line of Wallington Road, a curve to the left, a chord being, South 24 degrees 55 minutes 05 second East, 145.85 feet to a scribe mark located in the Western right-of-way line of Wallington Road, and a concrete curb-cut; thence South 68 degrees 34 minutes 04 seconds West 134.47 feet to an existing iron pipe; thence South 54 degrees 46 minutes 02 seconds East 16.97 feet to a new iron pipe; thence, South 36 degrees 42 minutes 58 seconds West 267.53 feet to a new iron pipe located in the Northern line of Lot 38, Kingsland Woods Subdivision, as shown in Map Book 28 at Page 193 of the New Hanover County Registry; thence North 54 degrees 27 minutes 32 seconds West, 260.23 feet to the place and point of beginning.

The same containing 5.30 acres more or less and being the same property surveyed by Stuart Y. Benson & Associates in September of 1993.

Legal Description of 340 Westchester

Beginning at a point located South 77 degrees 47 minutes 18 seconds West, 37.83 feet from a concrete monument marking the intersection of the centerline of Westchester Road with the centerline of Danbury Street, and continuing thence from said beginning point, North 49 degrees, 46 minutes 00 Seconds West 6.94 feet to a point; thence South 40 degrees 14 minutes 00 seconds West 106.70 feet to an iron pipe located in the northern boundary line of Kingsland Woods Subdivision; thence along the northern boundary line of Kingsland Woods Subdivision, North 49 degrees 27 minutes 30 seconds West 328.14 feet to an existing iron pipe; thence along the southeastern boundary line of Holly Tree Racquet Club, Inc.'s property, North 41 degrees 43 minutes 00 seconds East 267.53 feet to an existing iron pipe located in the southern line of a lot in Section 2 Westchester Subdivision; thence along the southern boundary line of said lot, South 49 degrees 46 minutes 00 seconds East, 328.15 feet to an existing iron pipe, said iron pipe marking the south eastern corner of Lot 116, Section 2, Westchester Subdivision; thence south 40 degrees 14 minutes 00 second West 162.50 feet to the place and point of BEGINNING, the same containing 2.02 acres more or less and being the same property described in a deed from Neal Realty, Co. to Dialysis Care of North Carolina, Inc. dated April 13, 1994, and recorded in Book 1769 at Page 0656 of the New Hanover County Registry and being further identified as Tax Parcel Identification Number: R06119-004-013-000 as the same appears in the tax records for the City of Wilmington, and County of New Hanover, North Carolina.

The proposed project is the redevelopment of the existing Holly Tree Racquet Club to the Midtown Club, a club that provides indoor and outdoor pickleball, outdoor tennis, a swimming pool and a miniature outdoor golf driving range, aided by virtual technology systems to simulate real life golf (the "Project"). A copy of the site plan is included in the rezoning application. The Project includes building a new club house and indoor pickleball facility. In addition, the existing tennis courts will be renovated, making some of the tennis courts appropriate for pickle ball, while others will remain tennis courts. Renovated restroom facilities are also included.

The Project contemplates an updated stormwater permit, bringing the over site into compliance with current stormwater rules and regulations. The Project also includes 1,700 square foot "pollinator garden" to encourage pollinators such as bees, butterflies and hummingbirds to frequent the property.

The Project encourages access by pedestrian and bicycle users with onsite bike racks and access to Holly Tree Road, Wallington Road and restricted access from Kirby Smith Drive, allowing nearby members to easily access the Project without the need for using automobiles.

Based on feedback from the neighborhood meeting, a fifty (50) foot vegetative buffer will be provided along the eastern and southern Project property lines surrounding the tee complex/miniature driving range and no overhead lighting is proposed for the tee complex/miniature driving range. The netted enclosure serving the tee complex/miniature driving range will not be visible from the adjacent residential properties.

In addition, the outdoor pickleball courts will be surrounded by an enclosure with sound reducing materials. Applicant will provide specifications for the sound reducing materials for consideration by the Planning Commission and City Council.

NEIGHBORHOOD MEETING FOR CONDITIONAL DISTRICT REZONING PROPOSAL

COPY

To: Penelope Spicer-Sidbury, City Clerk

Case No.: _____

Location: 4950 Holly Tree Road, Wilmington, NC 28409 and 340 Westchester Road, Wilmington, NC 28409

Proposed zoning: C - RB _____

I hereby certify that written notice of a neighborhood meeting on the above conditional district map amendment application was mailed to property owners with 300 feet, as set forth on the attached list, by first class mail on (date) June 8, 2024. A copy of the written notice is also attached.

The meeting was held at the following date, time and location: June 18, 2024 at 6:00PM at 4950 Holly Tree Road, Wilmington, NC 28409.

The persons in attendance at the meeting were: See Exhibit C. _____

The following issues were discussed at the meeting: See Exhibit D. _____

As a result of the meeting, the following changes were made to the rezoning application: None. _____

Date: June 18, 2024
Applicant: Mike Harms by and through Equitas Law Partners
By: [Signature], NC Bar # 55815

Please submit this report to the Wilmington City Clerk's office located at 102 North 3rd Street or mail it to Penelope Spicer-Sidbury, City Clerk, PO Box 1810, Wilmington, NC 28402-1810.

Exhibit A

PARID	OWN1	OWNER_NUM	OWNER STREET	OWNE	OWNER_DIR	OWNER_UNI	OWNER_UNI	OWNER_CIT	OWNER_STA	OWNER ZIP
R06119-004-002-000	HOLMES THOMAS HEIRS	330	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-004-010-000	STALLINGANNIE LORRAINE	341	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-004001-000	HUBER EMMA	334	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-005-003-000	MCLEOD GLENDA J HEIRS	321	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-011-001-000	GOOD STEVEN R EMILY T	3101	KIRBYSMITH	DR				WILMINGTON	NC	28409
R06119-004007-000	MUSSELWHITE NEIL H III ETAL	331	WALLINGTON	DR				WILMINGTON	NC	28409
R06119-013-002000	GOVE IAN ALEXANDER	3104	KIRBYSMITH	DR				WILMINGTON	NC	28409
R06119-013-001-000	ONEIL WENDY M	3100	KIRBYSMITH	DR				WILMINGTON	NC	28409
R06119-012-001000	MCKITRICK RODNEY DEAN II ETAL	3111	KIRBYSMITH	DR				WILMINGTON	NC	28409
R06119-004-008-000	LOFTON PATRICIA D WRIGHT	333	WALLINGTON	RD				WILMINGTON	NC	28409
R06120-002002-000	HAKES JOHNATHON M ETAL	322	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-004-009-000	WILSON FREDERICK DOUGLAS BRIDGET D	337	WALLINGTON	RD				WILMINGTON	NC	28409
R06120-002-001-000	JARREAU LLOYD JR TOMEKAG	326	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-012004-000	MCKITRICK RODNEY DEAN II ETAL	3112	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-011-007-000	DE JONGH MARTIN P	3117	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-003-001-000	MCINTYRE CHARLES ERVIN	329	LANCASTER	RD				WILMINGTON	NC	28409
R06119-005-004-000	C & F IV PROPERTIES LLC				PO BOX	12008		WILMINGTON	NC	28405
R06119-003-007-000	ROGERSTED LEWIS MARY ELLEN S	330	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-004-003-000	ERAZO MELVIN LORENA D C JIMENEZ	326	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-011-006-000	IANNOUN JOHN D KIMBERLYR	3113	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-004-006-000	NELSON CONSTANCE	329	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-012-002000	LOVAAS AMY N	3104	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-013-022-000	LOZIER MARC R C DIANE	3823	BLUEWING	CT				WILMINGTON	NC	28412
R06119-005-005-000	SMITH DENNIS LKAY F	329	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-004-004-000	ERAZO MELVIN LORENAD C JIMENEZ	326	WESTCHESTER	RD				WILMINGTON	NC	28409
R06119-013-004-000	MABIE WILLIAM SARAH	1001	SEMMESS AVE					RICHMOND	VA	23224
R06119-011-004-000	WALKER PATRICK T NICOLE	3105	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-003-002-000	BENNETT COREY J SR	2116	SHADOWCREEK	DR				RALEIGH	NC	27604
R06119-013-020-000	TROUTMAN NICHOLAS LALLUSON H	3815	BLUEWING	CT				WILMINGTON	NC	28409
R06119-004-005-000	ROBINSON DEBORAH M	321	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-013-021-000	LANCASTER NICOLE T ETAL	3819	BLUEWING	CT				WILMINGTON	NC	28409
R06119-002-002000	BRICE CHARLES LEE FANNIE J	342	LANCASTER	RD				WILMINGTON	NC	28409
R06119-013-025-000	ROUSE JUDY H	3822	BLUEWING	CT				WILMINGTON	NC	28409
R06119-003-004-000	LU HAI HUA				PO BOX	12307		WILMINGTON	NC	28405
R06119-011-005-000	KELLEY ROBERT STEPHANY E	3109	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-013-018-000	MURPHY ANNETTE HILL	2913	GREEN TIP	COV				WILMINGTON	NC	28409
R06119-013-003-000	MYINT HTAYH	3108	KIRBY SMITH	DR				WILMINGTON	NC	28409
R06119-013-023-000	GEORGE JEFFREY D RUBYK	3830	BLUEWING	CT				WILMINGTON	NC	28409
R06119-003-005-000	BIKOWSKI TAYLOR	338	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-013-029-000	ALAM MD SHAH ROZYNA AKTER	3806	BLUEWING	CT				WILMINGTON	NC	28409
R06119-013-019-000	GARRISON RHONDA	3811	BLUE WING	CT				WILMINGTON	NC	28409
R06119-012003-000	BROBST LAWRENCE S USA D	3108	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-002-006-000	JAF4 LLC	2345	OCEAN POINT	DR				WILMINGTON	NC	28405
R06119-013-028-000	CHEN SHI YEE ETAL	3810	BLUEWING	CT				WILMINGTON	NC	28409
R06119-013-024-000	WARD JAMES P JR CYNTHIAT	3826	BLUEWING	CT				WILMINGTON	NC	28409
R06119-003-003-000	LANE WANDALYNETTE	108	BERRY	CT				CASTLE HAY	NC	28429
R06119-011-003-000	DMYTRI W THOMAS K GAIL E	3103	BRAEMAR	LN				WILMINGTON	NC	28409
R06119-013-027-000	LAZZARI VALERIE H	3814	BLUEWING	CT				WILMINGTON	NC	28409
R06119-013-030-000	MCCLELLAN ROBERT SALOME TRUSTEES	3802	BLUE WING	CT				WILMINGTON	NC	28409
R06119-013-026-000	PRIESTTIMOTHY W CAROLYN H	3818	BLUEWING	CT				WILMINGTON	NC	28409
R06120-002-014-000	BISCHOF EMILY A	325	LANCASTER	RD				WILMINGTON	NC	28409
R06119-011-002-000	HA JABED JALILI	3105	KIRBY SMITH	DR				WILMINGTON	NC	28409
R06119-013-012-000	MCDONNELL JOELLEN M	2905	GREEN TIP	CV				WILMINGTON	NC	28409
R06119-013-017-000	DIABALICE B	2909	GREENTIP	CV				WILMINGTON	NC	28409
R06119-003-006-000	MALONE HARRISON HEIRS	334	WALLINGTON	RD				WILMINGTON	NC	28403
R06100-001-119-000	MORTON CAROLYN O	1630	PINEVIEW	DR				RALEIGH	NC	27606
R06100-001-120-000	MCNABOETHOMAS J ELIZABETH T	208	WOODLAND	AVE				RAMSEY	NJ	7448
R06119-002007-000	JAF4 LLC	2345	OCEAN POINT	DR				WILMINGTON	NC	28405
R06100-001-118-000	MPITALLC	6215	TWIN MAGNOLIAS	LN				WILMINGTON	NC	28409
R06119-002-010-000	HOLMES MARK ASHEILA J	5002	HOLLYTREE	RD				WILMINGTON	NC	28409
R06119-002-001-000	MUSSELWHITE JOSEPH RSANDRAS	213	SCOTTSDALE	DR				WILMINGTON	NC	28411
R06100-001117-000	GOULD HARRISON STEPHANIE	4923	WHITNER	DR				WILMINGTON	NC	28409
R06120-001041-000	HOLLY DOWNS HOA INC	5030	NEW CENTRE	DR				WILMINGTON	NC	28403
R06119-002-004-000	SIMPSON JAMES F JENNIFER A	5014	HOLLYTREE	RD				WILMINGTON	NC	28409
R06119-002-008-000	SLACK JUSTIN A ETAL	1804	REGISTER	LN				WILMINGTON	NC	28411
R06119-002-009-000	FAIRWIND VENTURES LLC	2026	LYNNWOOD	DR				WILMINGTON	NC	28403
R06100-001-116-000	ROCK DANIEL THOMAS	4919	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-121-000	LONGO LAWRENCE J MARY K	4931	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-122-000	HOLLY GLEN TOWNHOMES HOA INC	5710	OLEANDER	DR		210		WILMINGTON	NC	28403
R06100-001-204-000	SETTEMYRE MARY A	5005	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-077-000	HOLLY GLEN TOWNHOMES HOA INC	5710	OLEANDER	DR		210		WILMINGTON	NC	28403
R06100-001-235-000	BRANCH & BRANCH LLC	110	OLD CAMP	RD				WILMINGTON	NC	28409
R06100-001-234-000	LELAND RICHARD A BARBARAS REVTRUST	5020	WHITNER	DR				WILMINGTON	NC	28409
R06119-002-011-000	ODELL ROBERT M JR LIZAD	5006	HOLLYTREE	RD				WILMINGTON	NC	28409
R06100-001-205-000	THOMAS DAVID P DIANE N				PO BOX	521		WRIGHTSVIL	NC	28480
R06100-001-238-000	LAC TONG DIEUYUAN YUAN	5004	WHITNER	DR				WILMINGTON	NC	28411
R06100-001-237-000	KOLCUN KAREN E	5008	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-239-000	AKINS ALAN D PATRICIA S	5000	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-126-000	HOOPER HOLT W	513	WALLINGTON	RD				WILMINGTON	NC	28409
R06100-001-203-000	OLEARY JOHN F JANE M	510	WALLINGTON	RD				WILMINGTON	NC	28409
R06100-001-202-000	COBB W ALLEN JR LIVING TRUST				PO BOX	188		WRIGHTSVIL	NC	28480
R06100-001-125-000	BADDOUR MADELEINE	509	WALLINGTON	RD				WILMINGTON	NC	28409
R06100-001-236-000	WAGNER MARK MELISSA JO	5012	WHITNER	DR				WILMINGTON	NC	28409
R06100-001-123-000	HOLLY GLEN HOA INC	6740	NETHERLANDS	DR		A		WILMINGTON	NC	28405
R06100-001-124-000	OSULLIVAN GEORGE DELORES FRAY	505	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-004-016-000	STALLINGANNIE LORRAINE	341	WALLINGTON	RD				WILMINGTON	NC	28409
R06119-013-009-000	NEW HANOVER COUNTY BOARD OF EDUCATION	6410	CAROLINA BEACH	RD				WILMINGTON	NC	28412
R06119-004-013-000	LEE JAMES R	2840	COLLEGE	RD	S	#346		WILMINGTON	NC	28412
R06119-004-015-000	HOLLYTREE RACQUET CLUB INC				PO BOX	3722		WILMINGTON	NC	28406

Equitas

LAW PARTNERS

Samuel B. Potter
330 Military Cutoff Road, Suite A-2
Wilmington, NC 28405
(910) 500-1532
sam@equitaslp.com

June 8, 2024

Dear Neighbor,

Our firm is assisting Holly Tree Pickleball and Golf in the acquisition and redevelopment of Holly Tree Racquet Club (“the Project”). This letter is to give you notice that a neighborhood meeting will be June 18, 2024 at 6:00 PM. The meeting will be held at:

Holly Tree Racquet Club
4950 Holly Tree Road
Wilmington, NC 28409

The general location of the Holly Tree Racquet Club is:



The purpose of the meeting is to discuss the Project with neighbors and interested locals. The City of Wilmington requires parties interested in redeveloping property through rezoning or special use permits to solicit the opinions of nearby neighbors and provide the City with neighbor's feedback. These public meetings also allow our client to better understand the concerns of neighbors and seek to address them through modifications to the Project, if feasible.

The Project would include the existing Holly Tree Racquet Club, as well as an adjacent two-acre parcel. A preliminary site plan for the Project is attached to this letter. Representatives of Holly Tree Pickleball and Golf will be present to answer questions about the Project. We welcome your attendance and will do our best to explain the Project and answer any questions.

If you are unable to attend the meeting, you can also submit your thoughts, opinions and questions to Kate Nevins via email at kate@equitaslp.com. We will respond to emails within two business days.

Respectfully,
EQUITAS LAW PARTNERS, LLP

/s/ Samuel B. Potter

Samuel B. Potter



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Tim : Carol Priest	3815 Blue Wing Court	Timothy.priest@comcast.net
Garrett Thompson	Greenville Loop Rd	thompsonfamily87@gmail.com

Exhibit D

June 18, 2024, Neighborhood Meeting, Topics of Discussion

- Additional sound resulting from the proposed pickleball courts and golf facility
 - The applicant discussed that there will be Acoustiblock sound proofing material added to several areas of the project and that he is open to the option of maintaining portions of the heavily wooded buffer currently in existence on the property to limit the sound emanating to adjacent residences.
- Additional light spillage due to the proposed golf facility
 - The applicant expressed that the proposed golf facility will not have any additional overhead lighting resulting in light spillage when compared to the existing facility.
- Safety issues for those living on properties abutting the project as it relates to “rogue” golf balls from the proposed golf facility
 - The applicant stated that the proposed golf facility will be fully enclosed by nets to ensure that there are no “rogue” balls reaching adjacent residences.
- Tree preservation
 - The applicant expressed that he is open to the option of maintaining portions of the heavily wooded buffer currently in existence on the property.
- Stormwater discharge
 - The applicant stated that this would be addressed during the permit application process.
- Traffic infrastructure improvements
 - The applicant stated that this would be addressed during the permit application and site review process.
- Hours of operation
 - The applicant stated that the hours of operation would remain substantially the same as they are currently, with potential modifications, but that the club will not be open late into the night.
- Property value impact
 - The applicant discussed
- Walkability limitations and pedestrian access to other pathways providing connectivity
 - The applicant stated that this would be taken under advisement during the course of the project’s development.
- Positioning of buildings in relation to the existing residences
 - The applicant stated that this would be taken under advisement during the course of the project’s development.
- Status of the proposed project as a private club with a membership cap and potential exclusivity
 - The applicant discussed that there would be a membership cap, but that specifics regarding membership had not been decided, but that this would be taken under advisement during the course of the project’s development.
- Youth and community programming
 - The applicant stated that this would be taken under advisement during the course of the project’s development.
- Limitations on the ability to hold US Tennis Association tournaments if there are fewer than five (5) tennis courts in the project
 - The applicant stated that this would be taken under advisement during the course of the project’s development.