



# Zoning Map Amendment (incl. conditional zoning)

Town of St. James, North Carolina

4140A Southport-Supply Road

Phone: (910) 253-4730

**For Staff Use Only**

**PERMIT No.** \_\_\_\_\_ **FEE: \$** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Applicant's Name:** Ward and Smith, P.A.

**Mailing Address:** 127 Racine Drive **City:** Wilmington

**State:** NC **Zip Code:** 28403 **Phone:** 910-794-4800

**Email:** sbf@wardandsmith.com

**Property Owner's Name:** See Exhibit A, attached.

**Address of Owner:** See Exhibit A, attached. **City:** See Exhibit A, attached.

**State:** See Exhibit A, attached **Zip Code:** See Exhibit A, attached. **Phone:** See Exhibit A, attached.

**Email:** See Exhibit A, attached.

**Project Name:** St. James North

**Project Address and/or Description of Location:** See Exhibit B, attached.

**Parcel ID #:** See Exhibit A, attached. **Number of Lots:** See Exhibit C, attached **Site Acreage:** See Exhibit B, attached.

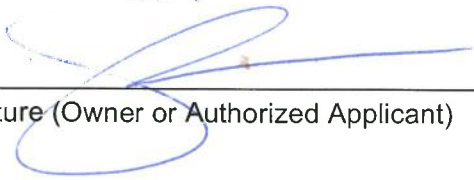
**Current Zoning District:** Brunswick County Commercial Low Density (CLD) subject to applicable PUD Plan. **Proposed Zoning District:** Creative Zoning Conditional District(CZ-CD)

A complete application for any amendment shall contain a description of the proposed zoning map amendment or conditional zoning request. Such application shall be filed with the UDO Administrator to be processed in accordance with Section 4.3 and/or 4.4 of the UDO. If the request is for a Conditional Zoning proposal then a concept plan meeting the requirements of Section 4.4.5 of the UDO shall be submitted. See Exhibit C and Exhibit D, attached.

In approving a rezoning, the Town Council shall consider the following matters: See Exhibit A, attached.

1. Consistency with any adopted land use plans, including the comprehensive plan;
2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
3. Suitability of the subject property for uses permitted by the current district versus the uses permitted in proposed district;
4. Whether the proposed change tends to improve the balance of uses permitted or satisfies a specific demand in the town;
5. The availability of adequate school, road, park, waste water treatment, water supply, and stormwater drainage facilities for the proposed use as well as the range of permitted uses for the zoning requested; and
6. The extent to which the proposed zoning map amendment is consistent with the remainder of the ordinance including, specifically, any purpose and intent statements.

**In filing this Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. If not the current owner, please include a designated agent form or proof of property interest in accordance with 160D-403(a).**



\_\_\_\_\_  
Signature (Owner or Authorized Applicant)

10/20/25  
\_\_\_\_\_  
Date

**APPLICATION RECEIVED AND DETERMINED TO BE COMPLETE:**

\_\_\_\_\_  
UDO Administrator

\_\_\_\_\_  
Date

## EXHIBIT A

### Owner Information and Description of Request

#### **1. Owner Information:**

Parcel ID Nos 20400018, 20400019, 20400020, 20400025, 20400039, 20400040, and 20400058:

Harbor Development Corp. (1/2 undivided interest)

821 Oak Ridge Drive, Eden, NC 27288

Phone: (404) 841-7464

Email: [mwrightwills@gmail.com](mailto:mwrightwills@gmail.com)

D. R. Development Corporation (1/2 undivided interest)

515 S. Kennedy Avenue, Eden, NC 27288

Phone: (336) 932-7383

Email: [posborne@osbornecompany.com](mailto:posborne@osbornecompany.com)

Parcel ID Nos 20400022, 2040002201, 20400023, and 20400024:

Canal Associates, LLC

4006 St. James Drive, Southport, NC 28461

Phone: (910) 253-3001

Email: [jatkinson@stjames-properties.com](mailto:jatkinson@stjames-properties.com)

#### **2. Description of Request:**

In connection with the request for annexation submitted to the Town of St. James ("Town") on September 24, 2025 concerning the property described on **Exhibit B**, attached hereto and incorporated herein by reference (the "Property"), the Applicant is proposing to develop a mixed-use development (the "Development") generally consistent with the proposed Concept Plan on **Exhibit C**, attached hereto and incorporated by reference (the "Concept Plan"), the proposed Conditions on **Exhibit D**, attached hereto and incorporated by reference (the "Conditions"), and any Development Agreement entered into between the Developer and the Town. Accordingly, the Applicant is requesting to apply the initial zoning category of Creative Zoning Conditional District (CZ-CD) to the Property, subject to the Concept Plan and the Conditions. As used herein, "Developer" shall mean the owners of the Property, their successors and assigns.

The proposed initial zoning is absolutely consistent with the Town of St. James Comprehensive Plan VI (dated May, 2021) ("Comprehensive Plan") and with the stated land use goals of the community. Throughout the Comprehensive Plan, the Property is generally referenced as having the potential for commercial and residential development similar this proposed initial zoning.

The Comprehensive Plan generally recognizes the benefits of the Property being entitled pursuant to the PUD Concept Plan for Canal Assoc./Harbor Development Corp. by Timothy G. Clinkscales at Paramounte Engineering dated December 27, 2017 and approved by the Brunswick County Planning Board on January 8, 2018 ("PUD Plan"), which is largely similar to the proposed Concept Plan here. The Comprehensive Plan likewise specifically contemplates the potential for the Town to expand its role in the proposed development if the owners of the Property agree to annexation. In such a case, the Comprehensive Plan predicts that "[t]he Town probably would enjoy an increase in tax revenues greater than the associated expenses for fire/EMS coverage, etc."

Similarly, the Comprehensive Plan encourages housing, retail, and restaurant uses like those proposed by the Concept Plan. Based on a study depicted in the Comprehensive Plan, residents' preferences for additional uses in the Town include restaurants, retail/convenience stores, professional services, entertainment, financial services, and personal services. Approving the proposed initial zoning requested here would allow the owners of the Property to provide such in-demand services. The Comprehensive Plan even specifically notes that the PUD Plan has the potential to respond to residents' desire to see nearby retail and restaurants, which would likewise be the case with the similar Concept Plan proposed here. The Comprehensive Plan also highlights the need for more affordable housing for the Town's workforce. The multifamily and townhouse product type proposed on the Concept Plan would provide more organically affordable housing products to help address this need.

Additionally, the proposed initial zoning is consistent with the present zoning and conforming uses of the nearby property and with the community in general. Nearby land is zoned CLD (in both Brunswick County and in the Town), CI (in both Brunswick County and in the Town), and EPUD (in the Town). All of the adjacent commercial and planned development uses are absolutely consistent with the proposed mixed-use development. The proposed Development would act as a smooth transition between the planned development uses on the southern side of NC 211 to the more commercial uses on and around the northern side of NC 211.

### **3. Proposed Uses:**

Uses shall be permitted within the Property in accordance with the following table. P = Use permitted by right; PC = Use permitted under prescribed conditions; S = Use permitted by a special use permit, with prescribed conditions; Blank = Use not allowed. Prescribed Conditions shall be subject to any relief requested elsewhere in this application (including Exhibit D).

Uses	Areas Labeled "CN" on Concept Plan	Areas Labeled "MF" on Concept Plan	Areas Labeled "R" on Concept Plan	Prescribed Conditions
<b>Residential Uses</b>				
Duplex Dwellings		P	P	

Multi-Family Dwellings		P		
Semi Attached Housing		P	P	
Single Family Zero Lot Line Dwellings		P	P	
Single-Family Detached Dwellings (Site Built & Modular)		P	P	
Townhouses		P	P	
Traditional House		P	P	
Upper Story Residential Dwellings (in Commercial Structure)	P			
<b>Accessory Uses</b>				
Accessory Dwelling Units		PC	PC	8.2
Accessory Uses & Structures (Customary)	P	P	P	
Home Occupations (Customary)	PC	PC	PC	8.49
Satellite Dishes, TV & Radio Antennas (Accessory)	PC	PC	PC	8.78
Solar or Thermal Panel Collector Roof Mounted	P	P	P	8.84
Solar or Thermal Panel Collector Ground Mounted	P	P	P	8.84
Swimming Pools	PC	PC	PC	8.88
Yard Sales (2 Per Year)	PC	PC	PC	
<b>Recreational Uses</b>				

Athletic Fields	PC	PC	PC	8.5
Coin Operated Amusements	P			
Dance Schools	P			
Fraternal Clubs & Lodges	P			
Go Cart Racetracks	PC			8.43
Golf Courses, Miniature	PC			8.45
Country Club/Golf Courses	P	P	P	
Golf Driving Ranges	P			
Sports/Martial Arts Schools/Camp	P			
Physical Fitness Center	P			
Private Clubs or Recreational Facilities	P	P	P	
Parks, Passive	PC	PC	PC	
Parks, Active (With Recreational Facilities)	PC	PC	PC	
Parks, Community Garden	PC	PC	PC	
Parks, Dog Park (also called dog runs)	PC	PC	PC	
Swim Clubs	PC			8.87
Tennis Clubs	PC			8.92
<b>Educational &amp; Institutional Uses</b>				
Ambulance Services	PC			8.3

Auditoriums/Community Centers	PC			8.10
Colleges/Universities	P			
Day Care Centers – Child (29 or less)	P			
Day Care Centers – Child (30 or more)	P			
Day Care Homes – Adult (5 or less, Home Occupation)	PC			8.29.5
Day Care Homes – Child (5 or less, Home Occupation)	PC			8.29.6
Fire/EMS Stations	PC			8.37
Government Offices	P			
Health Services/Clinics	P			
Hospitals	P			
Houses of Worship	P			
Libraries	P			
Museums & Art Galleries	P			
Police Stations	P			
Post Offices	P			
<b>Business, Professional, and Retail Services</b>				
Accounting, Auditing or Book keeping	P			
Administrative or Management Services	P			

Advertising Agencies or Representatives	P			
Appliance Repair Services	P			
ATM Machines, Freestanding	P			
Automobile Renting or Leasing	P			
Automobile & Truck Repair	P			
Banks & Credit Unions	P			
Barbor Shops	P			
Beauty Salons	P			
Business, Labor, Social & Service Organizations	P			
Business Parks	P			
Car & Truck Washes	PC			8.22
Clothing Alteration or Repair	P			
Computer Maintenance & Repair	P			
Computer Services	P			
Contractors Offices (no storage)	P			
Day Spas	P			
Employment & Personnel Agencies	P			
Engineering, Architectural or Surveying Services	P			

Equipment Rental and Leasing (no outside storage)	P			
Finance or Loan Offices	P			
Furniture Repair Shop	P			
Hotels/Motels	P			
Insurance Agency (no on-site claims inspection)	P			
Kennels	P			
Landscaping Services	PC			8.53
Laundry & Dry Cleaning Establishment	PC			8.55
Law Offices	P			
Medical & Dental Offices	P			
Office Uses not Otherwise Classified	PC			8.65
Photocopying & Duplicating Services	P			
Photography Studios	P			
Real Estate Offices	P			
Rehabilitation or Counseling Services	P			
Shoe Repair Shop	P			
Stock, Security, or Commodity Brokers	P			
Tanning Salons	P			
Theatres	P			

Travel Agencies	P			
TV, Radio, Electronic Repair	P			
Veterinary Services	PC			8.96
Watch or Jewelry Repair	P			
<b>Retail Uses</b>				
Antique Stores	P			
Appliance Stores	P			
ABC Stores	P			
Arts & Crafts Stores	P			
Auto Supply Stores	P			
Bakeries	P			
Bars	PC			8.12
Boat Sales	P			
Book Stores	P			
Building Supply Sales (no outside sales)	P			
Camera/Cellular Stores	P			
Candy Stores & Confectioners	P			
Caterers	P			
Clothing, Shoe, & Accessory Stores	P			
Coffee Shops (no drive through)	P			
Coffee Shops (with drive through)	P			

Computer Sales	P			
Convenience Stores (no gasoline)	P			
Convenience Stores (with gasoline)	P			
Department/General Stores	P			
Drug Stores (no drive through)	P			
Drug Stores (with drive through)	P			
Fabric or Piece Goods Stores	P			
Floor Coverings, Drapery, Upholstery Sales	P			
Florists	P			
Furniture Sales	P			
Garden Centers & Retail Nurseries	P			
Gift or Card Shops	P			
Grocery Stores (Supermarkets)	P			
Hardware Stores	P			
Hobby Shops	P			
Home Furnishings Stores	P			
Jewelry Stores	P			
Luggage or Leather Goods Stores	P			

Motor Vehicle Sales & Repairs	P			
Musical Instrument Sales	P			
Music Stores	P			
Newsstands	P			
Office Machine Sales	P			
Optical Goods Sales	P			
Paint & Wallpaper Sales	P			
Pet Stores	PC			8.68
Restaurants (no drive through)	P			
Restaurants (with drive through)	P			
Service Stations, Gasoline	P			
Secondary Stores	P			
Shopping Center	P			
Specialty Beverages	PC			8.8.5
Specialty Food Stores	P			
Sporting Goods Stores	P			
Stationary Stores	P			
Television, Radio, and Electronic Sales	P			
Video Rental and Sales	P			
<b>Transportation, Warehousing, and Utilities</b>				
Communications Towers	P	P	P	

Utility Lines & Related Appurtenances	P	P	P	
Utility Company Offices	P			
<b>Other Uses</b>				
Automobile Parking for a Principal Use	P	P	P	

**EXHIBIT B**

Legal Description for Initial Zoning (Annexation) Property

[Attached]

## Proposed Legal Description

Being all of that certain tracts of land lying and being situate in Lockwood Folly & Smithville Townships, Brunswick County, North Carolina, and being more particularly described as follows:

### Tract 1

Commencing at N.C.G.S. Monument "Road" having coordinates of N=80,010.80' and E=2,270,524.58' (NAD 1983/2011) U.S. Survey feet. Thence, S 77°14'01" E, 4,304.98' to the Point of Beginning for Tract 1, said point being an iron rebar set in the northern right-of-way of NC Highway 211 as shown on NC DOT Project R-5021, said iron rebar having coordinates of N=79,059.50' and E=2,274,723.23' (NAD 1983/2011) U.S. Survey feet.

Thence from said point of beginning, along the western boundary of Tract 19 as shown on Plat Book "U" Page 9, N 15°29'03" E, 1,421.23', to an iron rebar found, said iron rebar being the northwest corner of said Tract 19; thence, S 74°30'57" E, 400.00' to a point; thence, S 74°30'57" E, 800.00' to an iron rebar found, said iron rebar being the northeast corner of Tract 21 as shown on Plat Book "U", Page 9; thence, along the eastern boundary of said tract, S 15°33'43" W, 774.42' to an iron rebar set; thence, continuing along the eastern boundary of said tract, S 15°33'43" W, 646.95' to a point, said point being in the northern right-of-way of NC Highway 211; thence, along said right-of-way, N 74°30'32" W, 135.70' to a concrete monument found; thence N 74°30'32" W, 1,062.37' to the point and place of beginning, containing 39.12 acres.

### Tract 2

Commencing at N.C.G.S. Monument "Road" having coordinates of N=80,010.80' and E=2,270,524.58' (NAD 1983/2011) U.S. Survey feet. Thence, S 77°14'01" E, 4,304.98' to the Point of Beginning for Tract 1, said point being an iron rebar set in the northern right-of-way of NC Highway 211 as shown on NC DOT Project R-5021; thence, along the western boundary of Tract 19 as shown on Plat Book "U" Page 9, N 15°29'03" E, 1,421.23', to an iron rebar found, said iron rebar being the northwest corner of said Tract 19; thence, S 74°30'57" E, 400.00' to a point; thence, S 74°30'57" E, 800.00' to an iron rebar found, said iron rebar being the northeast corner of Tract 21 as shown on Plat Book "U", Page 9 and being the Point of Beginning for Tract 2, said iron rebar having coordinates of N=80,108.81' and E=2,276,259.08' (NAD 1983/2011) U.S. Survey feet.

Thence from said point of beginning, along the western boundary of Tract 70 as shown on Plat Book "U" Page 9, N 22°34' 38" E, 768.48' to an iron rebar found; thence, S 74°35' 10" E, 705.11' to an iron rebar found; thence, N 15°29' 02" E, 841.02' to an iron rebar found; thence, S 63°55' 47" E, 356.52' to a point; thence, S 38°38' 46" E, 377.66' to a point; thence, S 38°38' 46" E, 27.80' to a point; thence, S 28°01' 37" E, 562.82' to a point; thence S 08°29' 54" W a distance of 129.40' to an iron rebar found; thence, S 08°29' 54" W, 19.31' to a point; thence, S 28°35' 41" W, 185.71' to a point; thence, S 28°35' 41" W, 121.32' to a point; thence, S 18°30' 10" W, 81.58' to a point; thence, S 09°35' 37" W, 136.11' to a point; thence, S 04°32' 38" W, 233.97' to an iron rebar found; thence, S 04°32' 38" W, 194.84' to a point;


Proposed Legal Description

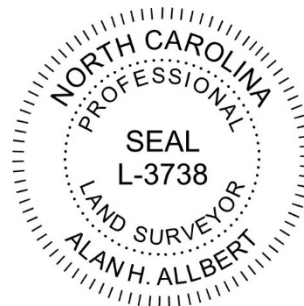
thence, S 04°32' 38" W, 224.58' to a point; thence, S 38°11' 42" E, 630.27' to a point; thence, S 51°48' 18" W, 30.00' to an iron rebar found; thence, S 78°43' 48" W, 172.25' to a point; thence, S 78°43' 48" W, 91.34' to an iron rebar set; thence, S 82°02' 51" W, 388.07' to an iron rebar set; thence, S 68°19' 37" E, 144.34' to a point; thence, S 05°24' 11" E, 170.83' to a point; thence, S 86°24'09" W, 82.66' to a point; thence, S 15°45'43" E, 175.99' to a point on the northern right-of-way of NC Highway 211; thence, continuing along said right-of-way, N 73°36' 11" W, 82.73' to a point; thence, N 74°30' 32" W, 644.70' to a point; thence, N 33°09' 39" W, 33.30' to a point; thence, N 74°30' 32" W, 450.00' to a point; thence, N 80°13' 10" W, 50.25' to a point; thence, N 74°30' 32" W, 254.84' to an iron rebar set in the southeast corner of the Town of St. James property as described in Deed Book 4310, Page 309; thence, leaving said right-of-way and along the eastern boundary of said property, N 15°29' 25" E, 172.68' to an iron rebar set; thence, N 18°20' 29" E, 200.75' to a point; thence, N 15°28' 53" E, 10.20' to a point; thence, N 15°28' 53" E, 143.18' to a point; thence, along a curve turning to the left through an angle of 89°58' 57.7", having a radius of 30.00', and whose long chord bears N 29°30' 20" W, 42.42' to a point; thence, N 74°29' 50" W, 30.51' to a point; thence, along a curve turning to the left through an angle of 21°21' 00.9", having a radius of 125.00', and whose long chord bears N 85°10' 22" W, 46.31' to a point; thence, S 84°09' 07" W, 68.14' to a point in the eastern boundary of the Town of St. James property as described in Deed Book 2670, Page 1125; thence, along the eastern boundary of said property, N 15°33' 57" E, 145.75' to a point; thence, N 15°36' 39" E, 747.47' to an iron rebar found, said iron rebar being the northwest corner of Tract 23 as shown on Plat Book "U", Page 9; thence, N 74°30' 57" W, 399.97' to the point and place of beginning, containing 98.28 acres.

All bearings being relative to N.C. Grid North (NAD 1983/2011), and all distances being horizontal field measurements.

These descriptions are for annexation purposes only and are not to be construed as a recombination of the following existing parcel numbers:

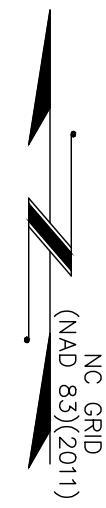
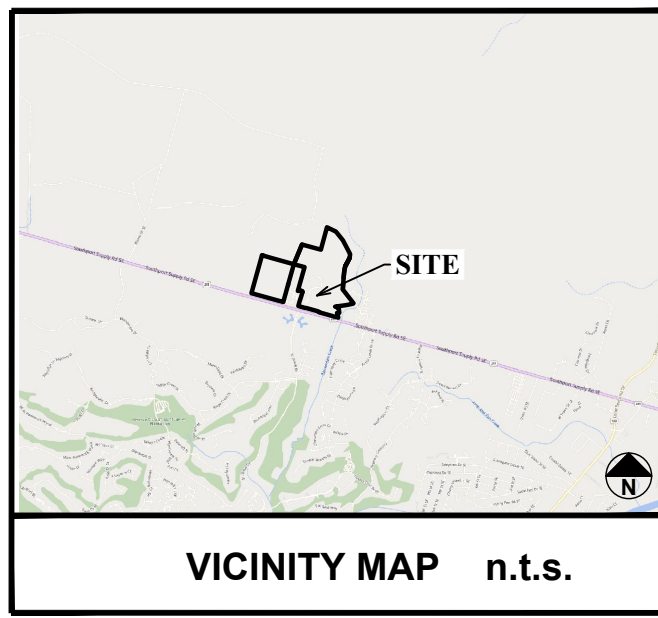
20400018, 20400019, 20400020, 2040002201, 20400022, 20400023, 20400024, 20400025, 20400039, 20400040, 20400058

Signed by:  
  
 7020255C450A4DB...



Alan H. Allbert

North Carolina PLS #L-3738



**NOTES:**  
THIS MAP IS FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION TAKEN FROM PREVIOUS SURVEY BY TC2 ENGINEERING, PLLC MAP #25-09-39



Signed by:  
*Alan Allbert*  
Alan H. Allbert  
7020295CA50A40B...

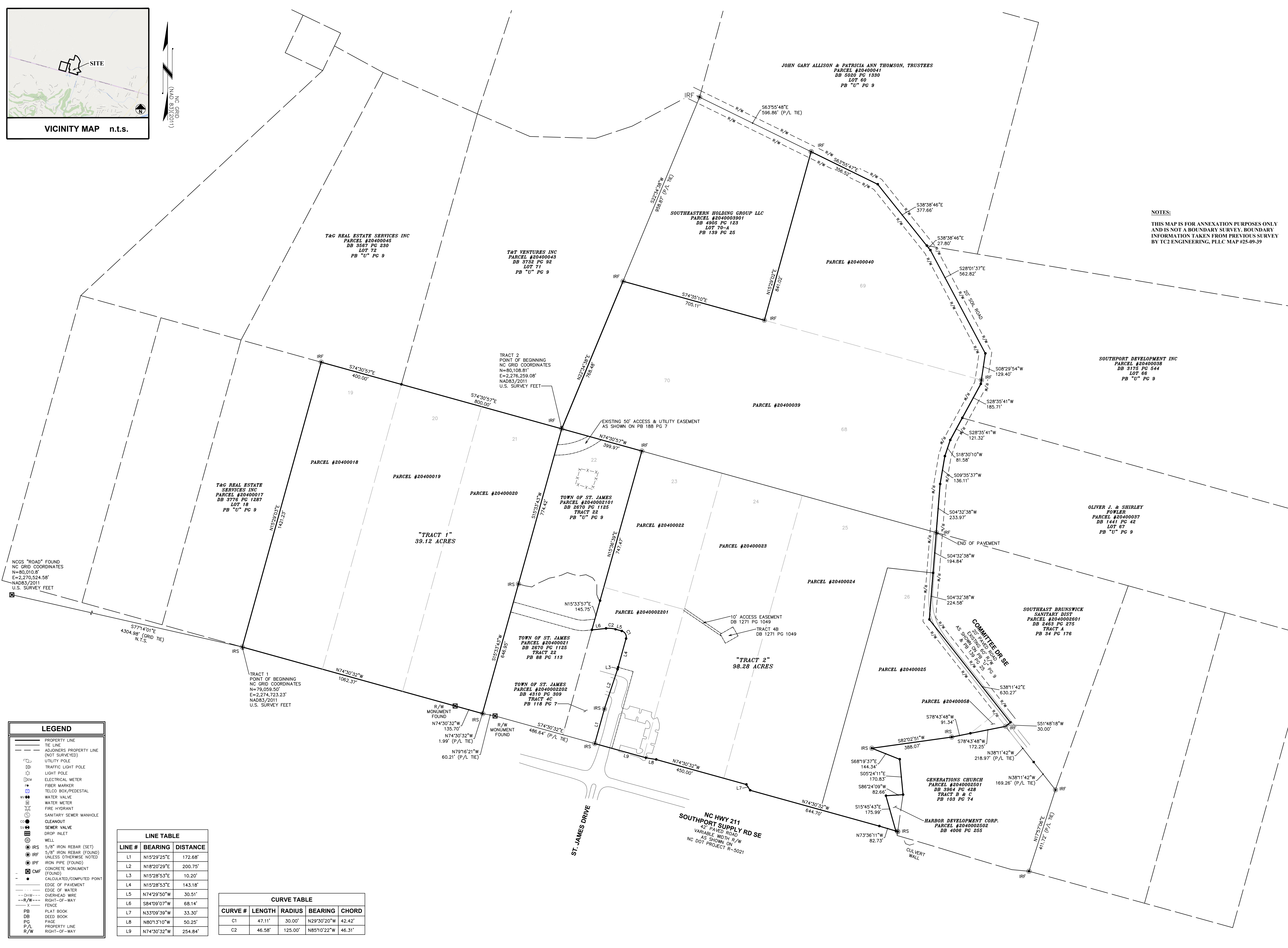
REV	DATE	ISSUED FOR	INITIALS
0	09/19/2025	PRELIMINARY	EWM
1	09/24/2025	ANNEXATION EXHIBIT	EWM

EXHIBIT MAP FOR ANNEXATION

LOCKWOOD FOLLY & SMITHVILLE TOWNSHIPS,  
BRUNSWICK COUNTY,  
NORTH CAROLINA  
SEPTEMBER 24, 2025

0' 200' 400'  
SCALE: 1 INCH = 200 FEET  
ORIGINAL MAP SIZE 24" X 36"

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS (G.S. 47-30(a))



**LEGEND**

- PROPERTY LINE
- - - TIE LINE
- - - ADJOINERS PROPERTY LINE (NOT SURVEYED)
- ⊙ UTILITY POLE
- ⊙ TRAFFIC LIGHT POLE
- ⊙ LIGHT POLE
- ⊙ ELECTRICAL METER
- ⊙ FIBER MARKER
- ⊙ TELCO BOX/PEDESTAL
- ⊙ WATER VALVE
- ⊙ WATER METER
- ⊙ FIRE HYDRANT
- ⊙ SANITARY SEWER MANHOLE
- ⊙ CLEANOUT
- ⊙ SEWER VALVE
- ⊙ DROP WILET
- ⊙ WELL
- ⊙ IRS 5/8" IRON REBAR (SET)
- ⊙ IRF 5/8" IRON REBAR (FOUND) UNLESS OTHERWISE NOTED
- ⊙ IPF IRON PIPE (FOUND)
- ⊙ CMF CONCRETE MONUMENT (FOUND)
- ⊙ CALCULATED/COMPUTED POINT
- - - EDGE OF PAVEMENT
- - - EDGE OF WATER
- - - OVERHEAD WIRE
- - - RIGHT-OF-WAY
- - - FENCE
- ⊙ PLAT BOOK
- ⊙ DEED BOOK
- ⊙ PAGE
- ⊙ PROPERTY LINE
- ⊙ P/L RIGHT-OF-WAY

**LINE TABLE**

LINE #	BEARING	DISTANCE
L1	N15°29'25"E	172.68'
L2	N18°20'29"E	200.75'
L3	N15°28'53"E	10.20'
L4	N15°28'53"E	143.18'
L5	N74°29'40"W	30.51'
L6	S84°09'07"W	68.14'
L7	N33°09'39"W	33.30'
L8	N80°13'10"W	50.25'
L9	N74°30'32"W	254.84'

**CURVE TABLE**

CURVE #	LENGTH	RADIUS	BEARING	CHORD
C1	47.11'	30.00'	N29°30'20"W	42.42'
C2	46.58'	125.00'	N85°10'22"W	46.31'

**EXHIBIT C**  
Concept Plan

[Attached]