Edenton Town Council
Special Meeting
&
Committee Meetings
October 26th, 2026
6:00 p.m.

Council Chambers, 504 S. Broad Street

Meeting will be held in the Council Chambers, 504 S. Broad Street. Remote Video Access Available via
https://us02web.zoom.us/j/2524822155?pwd=T0NFUEJ0MXlnV3B2UFA1S0R0ajgzUT09
Meeting ID: 252 482 2155 Passcode: 458434
Dial in Option: 301-715-8592 (Meeting ID & Password same)

AGENDA

I. Special Meeting

A. Consent Agenda

1. *Budget Amendment – LEO Bonus – Corey Gooden*
2. *Budget Amendment – NCLM Safety Grant – Corey Gooden*
3. *Proclamation – Arbor Day 2026 – Dewayne Whealton*

B. Council Consideration of Conditional Rezoning - CRZ 26-05 - Conditional Rezoning, Johnston Street/N. Oakum Street (*Note – Public Hearing held on October 13th 2026*)

C. Public Hearing – Case Number – TA-26-02 - Text amendment to the Town of Edenton Unified Development Ordinance to establish Data Centers as a defined land use, identify where Data Centers may be permitted, and establish supplementary development standards governing Data Center development.
   1. Presentation of Staff Reports
   2. Public Hearing: please limit comments to 3 minutes
   3. Town Council Questions/Answers & Deliberation
   4. Council Consideration of Text Amendment

D. Public Hearing – Case Number MSUP - 26-05 - An application for a Major Special Use Permit, for a minor subdivision in the Commercial Highway zoning district located at 110 Whitemon Lane (PIN 780500554610)
   1. Presentation of Staff Reports
   2. Presentation from Applicant
   3. Public Hearing: please limit comments to 3 minutes
   4. Town Council Questions/Answers & Deliberation
   5. Town Council Consideration of Major SUP Application
      i. Will not endanger the public health or safety
      ii. Will not injure the value of adjoining or abutting property
      iii. Will be in harmony with the area in which it is located
      iv. Will be in conformity with the Land Use Plan, thoroughfare plan, or other plan officially adopted by the Town Council
      v. Grant Major Special Use Permit to Applicant

E. Public Hearing - Case No. MSUP 26-06: An application for a Major Special Use Permit, for 168 multifamily units in the Medical Arts zoning district located at 212 Virginia Road Beechwood Subdivision (PIN 780500751281)
    1. Presentation of Staff Reports
    2. Presentation from Applicant
    3. Public Hearing: please limit comments to 3 minutes
    4. Town Council Questions/Answers & Deliberation
    5. Town Council Consideration of Major SUP Application
        i. Will not endanger the public health or safety
        ii. Will not injure the value of adjoining or abutting property
        iii. Will be in harmony with the area in which it is located
        iv. Will be in conformity with the Land Use Plan, thoroughfare plan, or other plan officially adopted by the Town Council
        v. Grant Major Special Use Permit to Applicant

II. Committee Meeting

A. **Administration Committee**

1. Powell Bill Mapping & Resolution of Abandonment

TOWN OF EDENTON
BUDGET AMENDMENT

Date: October 26, 2026

To: Town Council

From: Virginia Smith, *Finance Officer*

Fund: *GENERAL FUND*
Fiscal Year: *2026-2027*

Project: Record SBI LEO Bonus Program

Account #	Account Description	Expense (Inc+/Dec-)	Revenue (Inc+/Dec-)
10-352-007	Grant: PD Salaries/OT Wages		$ 31,084.02
10-510-021	Police: Salaries/Wages	$ 28,875.00	
10-510-050	Police: FICA	$ 2,209.02	
	Balanced	$ 31,084.02	$ 31,084.02
	Checkpoint	$ -	

****

Council Approval Date _____

Finance Officer _____
Entry # _____
Date _____

TOWN OF EDENTON
BUDGET AMENDMENT

Date: October 26, 2026

To: Town Council

From: Virginia Smith, *Finance Officer*

Fund: *Multiple Funds*
Fiscal Year: *2026-2027*

Project: Record NCLM Safety Grant for traffic cones

Account #	Account Description	Expense (Inc+/Dec-)	Revenue (Inc+/Dec-)
10-352-007	Grant: General Fund		$ 1,377.12
20-352-007	Grant: Electric Fund		$ 688.56
30-352-007	Grant: Water/Sewer Fund		$ 688.56
10-510-172	Police: Fleet & Equipment	$ 688.56	
10-530-172	Fire: Fleet & Equipment	$ 688.56	
20-830-172	Electric: Fleet & Equipment	$ 688.56	
30-828-172	W/S: Fleet & Equipment	$ 688.56	
	Balanced	$ 2,754.24	$ 2,754.24
	Checkpoint	$ -	

****

Council Approval Date _____

Finance Officer _____
Entry # _____
Date _____

2026 ARBOR DAY PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees are a source of joy and spiritual renewal, and

WHEREAS, Edenton has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways,

NOW. THEREFORE, I, W. Hackney High, Mayor of the Town of Edenton, do hereby proclaim October 22, 2026 as

ARBOR DAY

in the Town of Edenton, and I urge all citizens to support efforts to protect our trees and woodlands and to support our town's community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

DATED this 26th day of October, 2026

_____
Corey Gooden, Town Clerk

_____
W. Hackney High, Mayor

EDENTON PLANNING & COMMUNITY DEVELOPMENT
P.O. Box 300, Edenton, NC 27932
400 South Broad Street, Edenton, NC 27932
PHONE 252-482-2155 FAX 252-482-7377

September 22, 2026

Dear Property Owner:

You are hereby advised that the Edenton Town Council will hold a public hearing on **Tuesday, October 13, 2026 at 6:00 p.m. in Town Council Chambers located at 504 South Broad Street.**

The purpose of the meeting is to consider the following applications.

Case No. CRZ 26-05: An application for a conditional rezoning from Dwayne Long, for property located at 1001 Johnston Street, 1003 Johnston Street, 1005 Johnston Street, and 1205 N. Oakum Street from R-5, Residential to IW, Industrial Warehouse (PIN 780516838635, 780516838760, 780516838794, and 780516839896)

You are receiving this letter because one of the applications listed above is concerning property adjacent to or within one hundred feet of property owned by you.

The applications and maps are available for review at the Edenton Planning Office located at 400 South Broad Street. If you have any questions regarding this matter, please call me at (252) 482-2155 or e-mail me at dewayne.whealton@edenton.nc.gov.

Sincerely,

Dewayne Whealton

Dewayne Whealton
Assistant Town Manager/Planner
Town of Edenton

TOWN OF EDENTON
PLANNING DEPARTMENT
P.O. Box 300, Edenton, NC 27932
400 S. Broad Street, Edenton, NC 27932
PHONE 252-482-5618 FAX 252-482-5697

LEGAL NOTICE

The Town of Edenton Town Council will hold a public meeting on Tuesday, October 13, 2026 at 6:00 p.m. in Town Council Chambers to review and consider the following:

Case No. CRZ 26-05: An application for a conditional rezoning from Dwayne Long, for property located at 1001 Johnston Street, 1003 Johnston Street, 1005 Johnston Street, and 1205 N. Oakum Street from R-5, Residential to IW, Industrial Warehouse (PIN 780516838635, 780516838760, 780516838794, and 780516839896)

The application, maps, and Zoom meeting call-in information are available for review at the Edenton Planning Office located at 400 South Broad Street.

Dewayne Whealton
Assistant Town Manager/Planner
Town of Edenton

THE DAILY ADVANCE
September 30, 2026
October 7, 2026

Please bill to:
Town of Edenton Account # 100354

FOR PLANNING DEPARTMENT USE ONLY:
Rezoning Request No.: CRZ 26-04
Date Application Received: 8-26-26
Fee Paid: $300.00
Date of Planning Board Meeting to consider request: 9-14-26

CONDITIONAL REZONING APPLICATION

Town of Edenton, North Carolina

OWNERSHIP INFORMATION:

Applicant: Dwayne Long Phone No.: [redacted]

Email Address: [redacted]

Applicant's Address: 842 Chambers Ferry Rd.
Edenton, NC 27932

Property Owner: [redacted] Phone No.: [redacted]

Email Address: Same as above

Owner's Address: ↓

Tax Parcel No.: 7805168386 35, 7805168387 60, 7805168387 94, 7805168398 96

ZONING REQUEST:

Existing Zoning: R-S, Residential Requested Zoning: IW

If the requested zoning is to a Conditional Use District, explain in detail (if known) the proposed uses.

PROPERTY INFORMATION:

Size (sq. ft. or acres): 0.14 a, 0.14 a, 0.14 a, 0.15 a Street Frontage: 80' On Kum St, 150' Johnston St, 117.5' Third St.

Location of Property: North Edenton

Is the property located in the Historic District? ____ Yes X No

Current Land Use of Property: Automotive Shop

Current Land Uses on abutting properties: Residential / industrial

Statement of the Nature of the Proposed Use: Expansion to become machine shop

Legal Description (Metes & Bounds Description and survey or map):

Describe the development commitments you are willing to make as part of this Conditional Rezoning. These may include limitations on permitted uses, building size, hours of operation, buffering, landscaping, outdoor storage, lighting, access, parking, phasing, or other site-specific commitments. Planning staff may recommend additional conditions during the review process. Any conditions incorporated into the Conditional Rezoning must be approved by the Town Council and consented to in writing by the applicant.
Attach additional sheets if necessary.

A conceptual site plan shall be submitted with this application.

The site plan shall include, at a minimum:

- ☐ Property boundaries
- ☐ Existing and proposed structures
- ☐ Building setbacks
- ☐ Parking areas
- ☐ Driveways and internal circulation
- ☐ Access points
- ☐ Sidewalks (if applicable)
- ☐ Outdoor storage areas
- ☐ Loading areas
- ☐ Landscaping
- ☐ Buffer yards

☐ Lighting locations
☐ Stormwater facilities
☐ Utilities
☐ Adjacent streets
☐ Adjacent zoning and land uses
☐ North arrow and scale

Site Plan Attached:
☒ Yes
☐ No

Provide a detailed description of the proposed development.

Include:
- Proposed use(s)
- Proposed buildings and improvements
- Estimated square footage
- Number of phases (if applicable)
- Proposed completion schedule
- Description of compatibility with surrounding properties
- Explanation of how the proposal is consistent with the Comprehensive Plan

Automotive shop expansion for metal fabrication
One Phase
Already an existing use

APPLICANT: [redacted] 6-24-24 Date

State of North Carolina
Chowan County

I, Jessica Marie Slades, a Notary Public for Chowan County, North Carolina, do hereby certify that Brian L. Lore personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, the 24 day of August 2024

(Official Seal) JESSICA MARIE SLADES NOTARY PUBLIC Chowan County North Carolina My Commission Expires December 4th 2030

[redacted] Notary Public

My Commission Expires: 12/4, 2030

ADJOINING PROPERTY OWNERS
(WITHIN 100 FEET OF PROPOSED USE)

	NAME	CURRENT MAILING ADDRESS	TAX PIN #
1.	Eddie Stallings	502 W. Holly Ave Stering, VA 20164	7805168377756 7805168388801
2.	Carlos Cruz	1006 N. Broad St. Edenton, NC 27932	7805168388845
3.	Dianne Whitfield	7410 Finns Lane Lanham, MD 20706	7805168388878
4.	Michael Silverio	34 Hemlock St. North Andover, MA	7805168377557
5.	Tonya Capehart	922 N. Broad St. Edenton, NC 27932	7805168366677
6.	Tanya Lamo Scott Lamo	120 Mother Vineyard Rd. Manteo, NC 27954	7805169309954
7.	Socar Realty Company Inc.	Attn: Corp Real Estate Dept. 55 Glenlake Parkway, NE Atlanta, GA 30328	7805169327677
8.	Coogan Assets, LLC	212 S. Broad St., Apt B Edenton, NC 27932	7805169333439
9.	Edenton Boatworks	140 Midway Drive Edenton, NC 27932	7805168399924
10.			
11.			
12.			

UPS

Instructions for filing a Rezoning Application

1. A petitioner for a zoning change must complete this application in full. This application will not be processed unless all information requested is provided.

2. The completed application shall be accompanied by the $300.00 filing fee, plus $1.00 per notified property owner and any additional information as needed by the Planning Director, Building Inspector, and Town Officials.

3. The applicant, or his duly authorized agent, shall submit to the Planning & Inspections Office, the required number of copies of the petition with a list of all adjoining property owners within 100 feet of the proposed special use, with the current mailing address of each adjacent property owner and one (1) set stamped addressed envelopes of all those to whom notice of public hearing must be sent (adjacent property owners within 100 feet).

4. Completed applications must be filed with the Planning & Inspections Office located at 400 South Broad Street no later than 5:00 p.m. thirty (30) days prior to the Planning Board meeting. The Planning Board meets on the 1st Monday of the month on an as needed basis.

5. An accurate map drawn to scale indicating the location of the property in relation to existing roads, and abutting properties shall be submitted with this application. The map shall clearly indicate the location of existing structures or land uses on the property in relation to all property lines.

6. The application must be signed by the applicant and/or owner, or by authorized agent of the property in question.

7. Public meetings are held on the 1st Monday of the Month at 6:00 p.m. in the Town Council Meeting Room located at 500 South Broad Street. The Planning Board shall make a recommendation to the Town Council on all rezonings. The Town Council meets on the 2nd Tuesday of the Month at 6:00 p.m. in the Town Council Meeting Room and is the approving authority for all rezonings.

Any application submitted by someone other than the property owner must be accompanied by a notarized statement indicating that the property owner is aware of the proposed rezoning.

FOR ADDITIONAL INFORMATION
CALL THE PLANNING & INSPECTIONS OFFICE
(252) 482-2155

Filed: 11/15/2023 02:10:14 PM
Lynn C. Gilliard, Register of Deeds
Chowan County, NC
Revenue Tax: $0.00
Land Transfer Tax: $0.00

Book 576 PAGE 94 (2)

426449

PIN: # 7805-16-83-9896 Verified by Chowan County on the 15 day of November, 2023.
by CHC

Prepared by and return to: ***Dixon & Thompson Law, PLLC, 117 W. Eden Street, Edenton, NC 27932***
This document was prepared by Samuel B. Dixon, a licensed North Carolina attorney, without title search, closing or tax advice. Delinquent taxes if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.

Description for the Index: *Pt. Lot 87 North Edenton (1205 North Oakum Street)*

NORTH CAROLINA GENERAL WARRANTY DEED

NO TITLE SEARCH REQUESTED OR PERFORMED

THIS DEED made this 6th day of November, 2023 by and between

GRANTOR	GRANTEE
SUE SMITH STEVENS (fka Sue Anderson Smith), *unmarried*	**DWAYNE A. LONG, a married man** **842 Chambers Ferry Road** **Edenton, NC 27932**

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

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 **Town of Edenton**, First Township, Chowan County, North Carolina and more particularly described as follows:

The lot in North Edenton **designated as #87** beginning at an iron post 150 feet northeastwardly from Third Street; thence along Johnston Street 22 feet to Oakum Street; thence Northwardly along Oakum Street 23 feet to an alley; thence Southwestwardly along said alley 222 feet to a stake 150 feet from Third Street; thence Southeastwardly parallel with Third Street 117 ½ feet to the place of beginning. Being the same property conveyed to R.L. Woodard and wife, Thelma C. Woodard by deed dated December 6, 1947, and duly recorded in Book 7 at page 230 of the Office of Register of Deeds for Chowan County, reference to which deed is hereby made for further description and chain of title. **LESS AND EXCEPT THE FOLLOWING:** BEGINNING at an iron rod set at a point marking the intersection of the Eastern right-of-way of a 15-foot alley with the Western right-of-way of North Oakum Street, said iron rod also being located South 33 deg. 41 min. 30 sec. West 253.88 feet from a fire hydrant, and running from said beginning point thus established and along the Western right-of-way of North Oakum Street, South 21 deg. 39 min. 25 sec. West 153.38 feet to a set iron rod; thence along other

lands owned by Sue Smith Stevens, North 37 deg. 54 min. 55 sec. West 77.68 feet to a set iron rod in the Eastern right-of-way of a 15-foot alley; thence along the Eastern right-of-way of said alley, North 52 deg. 05 min. 05 sec. East 132.05 min. East 132.26 feet to the point and place of beginning, containing 5,137 sq. feet by coordinates according to a plat of survey prepared by Mark D. Pruden, PLS #L-3065, dated 10/18/21, entitled "Survey for John Lawrence Sellers" and recorded in **Plat Cabinet 3, Slide 3F**, reference to which plat is hereby made for a more particular description.

Pursuant to NCGS §105-317.2, the property herein described does not include the primary residence of the grantor.

The property hereinabove described was acquired by Grantor by deed recorded in Book 246, Page 948, Chowan County Registry.

TO HAVE AND TO HOLD the aforesaid lots or parcels 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.

Title to the property hereinabove described is subject to the following exceptions:

- Ad valorem taxes for Chowan County for 2023 and subsequent years.
- Rights of way for easements, streets, highways and public utilities.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, 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.

[redacted] (SEAL)
Sue Smith Stevens (formerly known as Sue Anderson Smith)

SEAL STAMP: LENORA A. WILLIAMS NOTARY PUBLIC CUMBERLAND COUNTY NORTH CAROLINA

STATE OF NORTH CAROLINA - COUNTY OF Cumberland

I Lenora A. Williams, a Notary Public of the County and State aforesaid, certify that **SUE SMITH STEVENS (formerly known as Sue Anderson Smith)**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 10 day of November, 2023.

My commission expires: 03/27/2027 [redacted]
Notary Public

Dixonthompsonfile: N220935

Filed 11/09/2021 03:59:27 PM
Lynn C. Gilliard, Register of Deeds
Chowan County, NC

Book 3 PAGE 3F (1)
121066

PIN: 7805-16-93-0954 one

Plat Cabinet 3, Slide 3F

Survey For
John Lawrence Sellers
1207 North Oakum Street
Edenton, Chowan County
North Carolina

Reference: Deed Book 246, Page 948

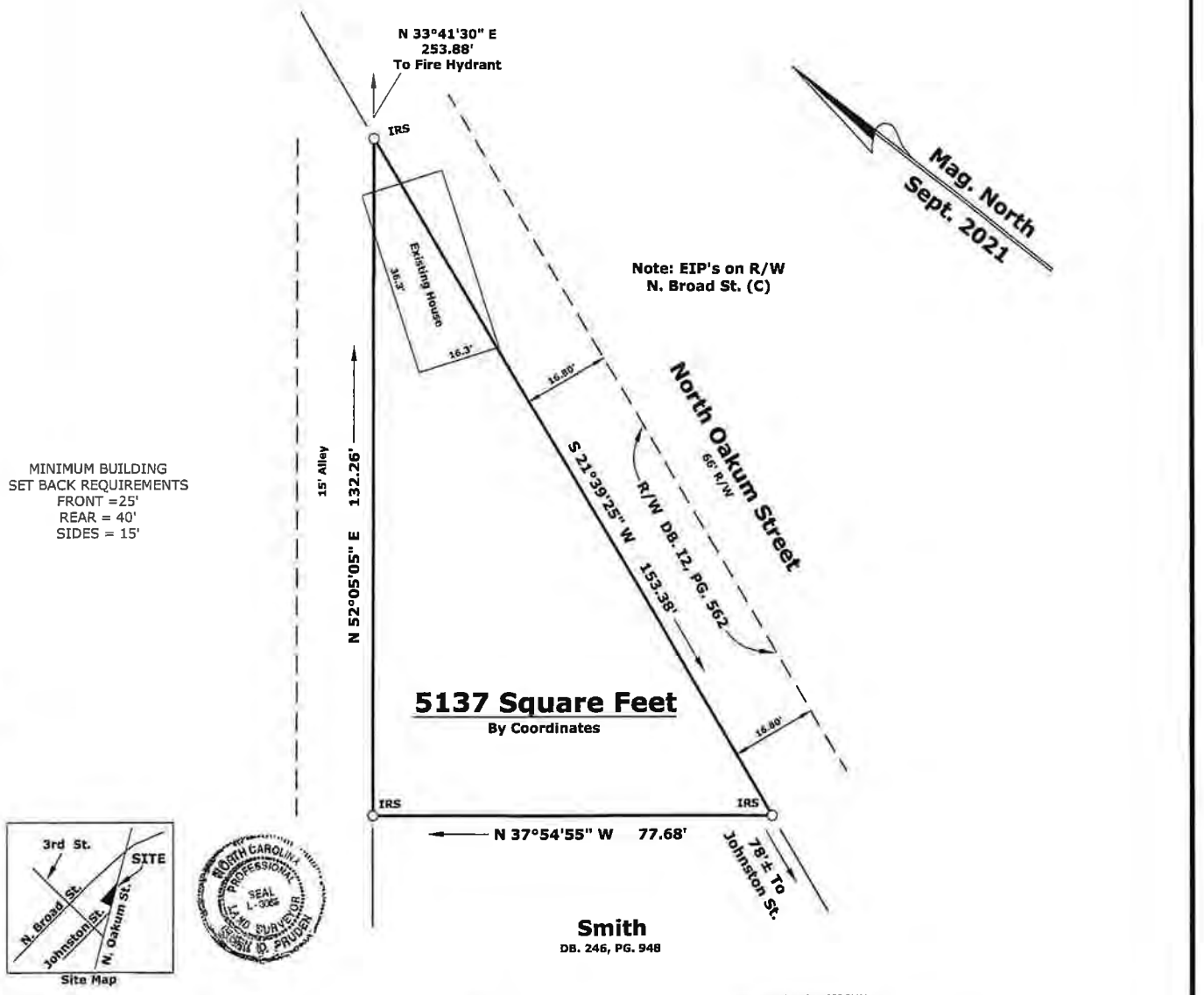
Scale 1 Inch = 15 Feet September 1 & 2, 2021

15' 0' 15' 30' 45'

Albemarle Land Surveying Inc. C-3972
Mark D. Pruden, PLS L-3065
146 Oak Grove Road, Edenton, NC 27932

This Survey Creates A Subdivision In A County Or Town Regulated By A Subdivision Ordinance. NCGS 47-30 (f)(11)

Mark D. Pruden



MINIMUM BUILDING
SET BACK REQUIREMENTS
FRONT =25'
REAR = 40'
SIDES = 15'

Site Map

NORTH CAROLINA PROFESSIONAL SEAL L-3065 LAND SURVEYOR MARK D. PRUDEN

STATE OF NORTH CAROLINA - CHOWAN COUNTY
I, MARK D. PRUDEN, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION DEED DESCRIPTON RECORDED IN DEED BOOK 246 PAGE 948 MAP BOOK _____
PAGE _____ PLAT CABINET _____ SLIDE _____
THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 5,[illegible]
THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEED BOOK _____
PAGE ___ MAP BOOK ___ PAGE ___ PLAT CABINET ___ SLIDE ___
THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G S 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 18 DAY OF October 2021

Mark D. Pruden
Surveyor L-3065 Reg. No.

LEGEND
EIP = EXISTING IRON PIPE
IRS = IRON ROD SET
(C) = CONTROL
R/W = RIGHT OF WAY

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY HOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. FURTHER, I (WE) CERTIFY THAT THE LAND AS SHOWN HEREON IS WITHIN THE SUBDIVISION REGULATIONS JURISDICTION OF THE COUNTY COMMISSIONERS OF CHOWAN COUNTY.

10/28/2021 Date Billie Smith Stalvey Owner
_____ Date _____ Owner

CERTIFICATE OF APPROVAL
I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS OR ANY CHANGE IN EXISTING PUBLIC STREETS, THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH CHAPTER 21 OF THE EDENTON TOWN CODE, AND THAT THEREFOR THIS PLAT HAS BEEN APPROVED BY THE LAND USE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CHOWAN COUNTY REGISTRY WITHIN SIXTY DAYS OF THE DATE BELOW.

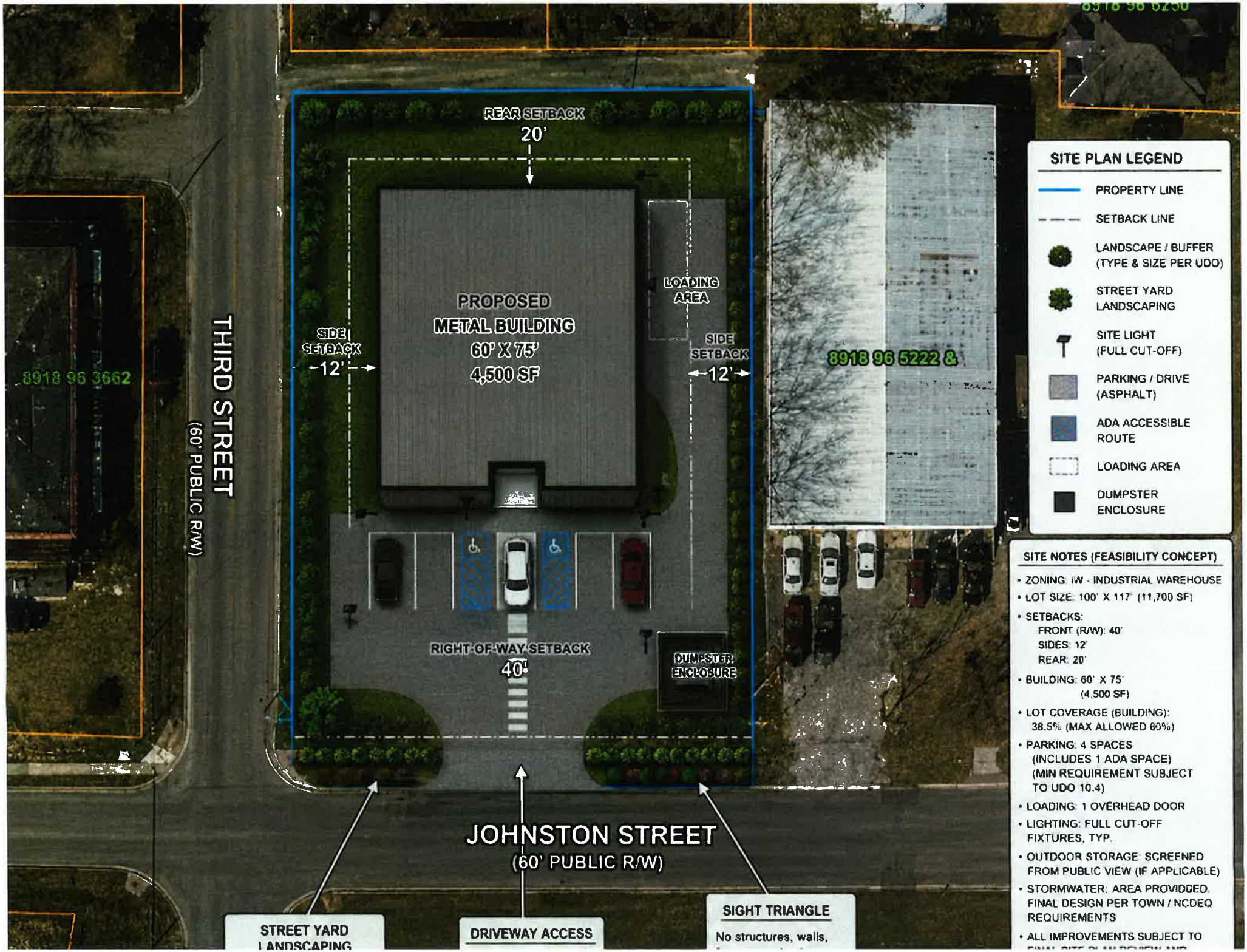
11/8/21 DATE
Elizabeth Allen Bryant LAND USE ADMINISTRATOR

REVIEW OFFICER CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF CHOWAN
I, Chris Elsbree, REVIEW OFFICER OF CHOWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Chris Elsbree REVIEW OFFICER
11/8/2021 DATE


1003 Johnston St
Edenton, North Carolina
Google Street View
Jul 2023 See more dates
Share
Johnston St
Google Maps


REAR SETBACK
20'
PROPOSED
METAL BUILDING
60' X 75'
4,500 SF
LOADING AREA
SIDE SETBACK
12'
SIDE SETBACK
12'
RIGHT-OF-WAY SETBACK
40'
DUMPSTER ENCLOSURE
THIRD STREET
(60' PUBLIC R/W)
JOHNSTON STREET
(60' PUBLIC R/W)
8918 96 3662
8918 96 5222 &
STREET YARD LANDSCAPING
DRIVEWAY ACCESS
SIGHT TRIANGLE
No structures, walls,
SITE PLAN LEGEND
PROPERTY LINE
SETBACK LINE
LANDSCAPE / BUFFER (TYPE & SIZE PER UDO)
STREET YARD LANDSCAPING
SITE LIGHT (FULL CUT-OFF)
PARKING / DRIVE (ASPHALT)
ADA ACCESSIBLE ROUTE
LOADING AREA
DUMPSTER ENCLOSURE
SITE NOTES (FEASIBILITY CONCEPT)
• ZONING: IW - INDUSTRIAL WAREHOUSE
• LOT SIZE: 100' X 117' (11,700 SF)
• SETBACKS:
FRONT (R/W): 40'
SIDES: 12'
REAR: 20'
• BUILDING: 60' X 75'
(4,500 SF)
• LOT COVERAGE (BUILDING):
38.5% (MAX ALLOWED 60%)
• PARKING: 4 SPACES
(INCLUDES 1 ADA SPACE)
(MIN REQUIREMENT SUBJECT TO UDO 10.4)
• LOADING: 1 OVERHEAD DOOR
• LIGHTING: FULL CUT-OFF FIXTURES, TYP.
• OUTDOOR STORAGE: SCREENED FROM PUBLIC VIEW (IF APPLICABLE)
• STORMWATER: AREA PROVIDED. FINAL DESIGN PER TOWN / NCDEQ REQUIREMENTS
• ALL IMPROVEMENTS SUBJECT TO

THIRD ST

See this road map of North Edenton in Plat Book #2 Page 43.

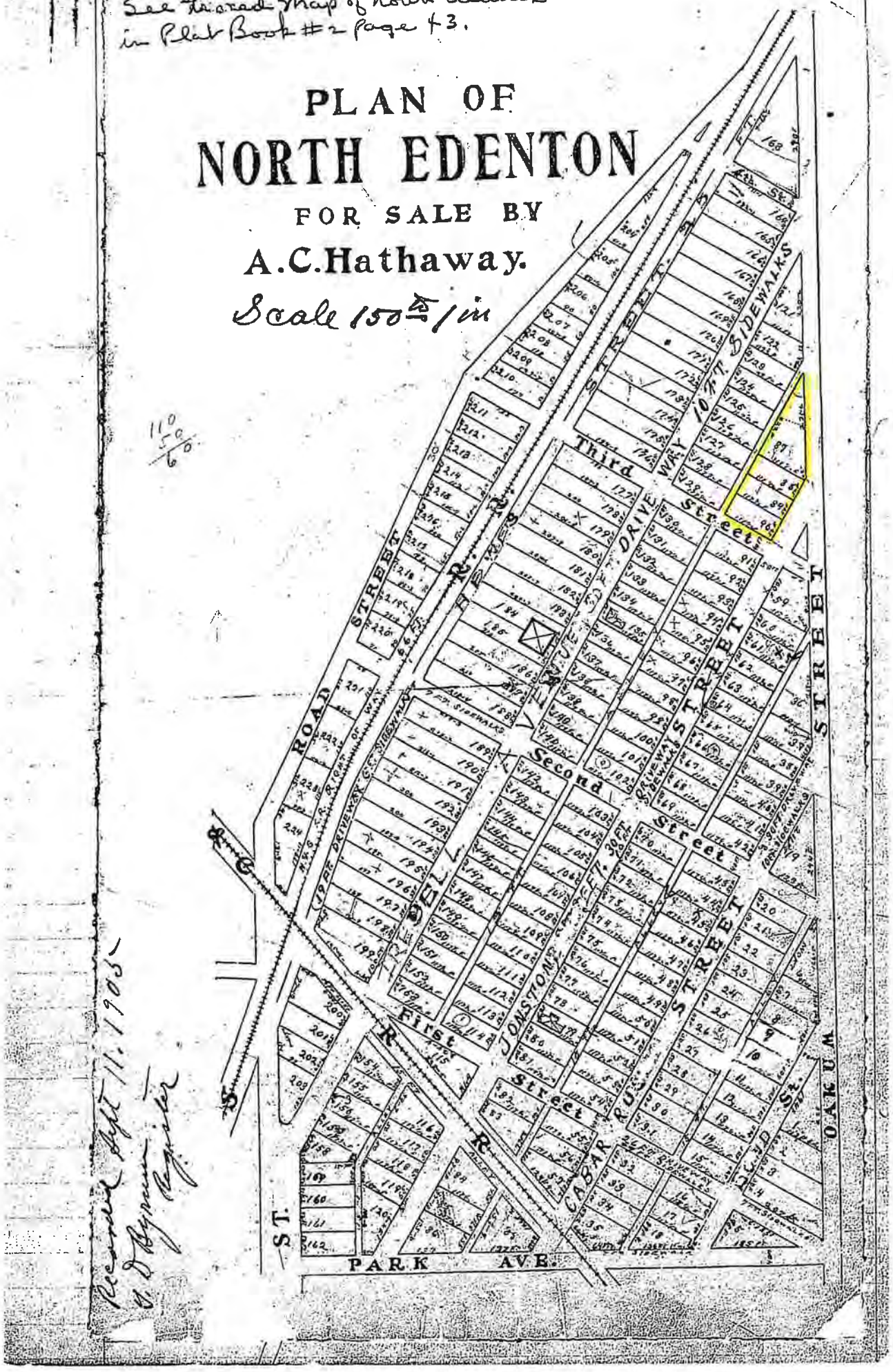
BOOK 2 Pg 568

PLAN OF NORTH EDENTON

FOR SALE BY

A. C. Hathaway.

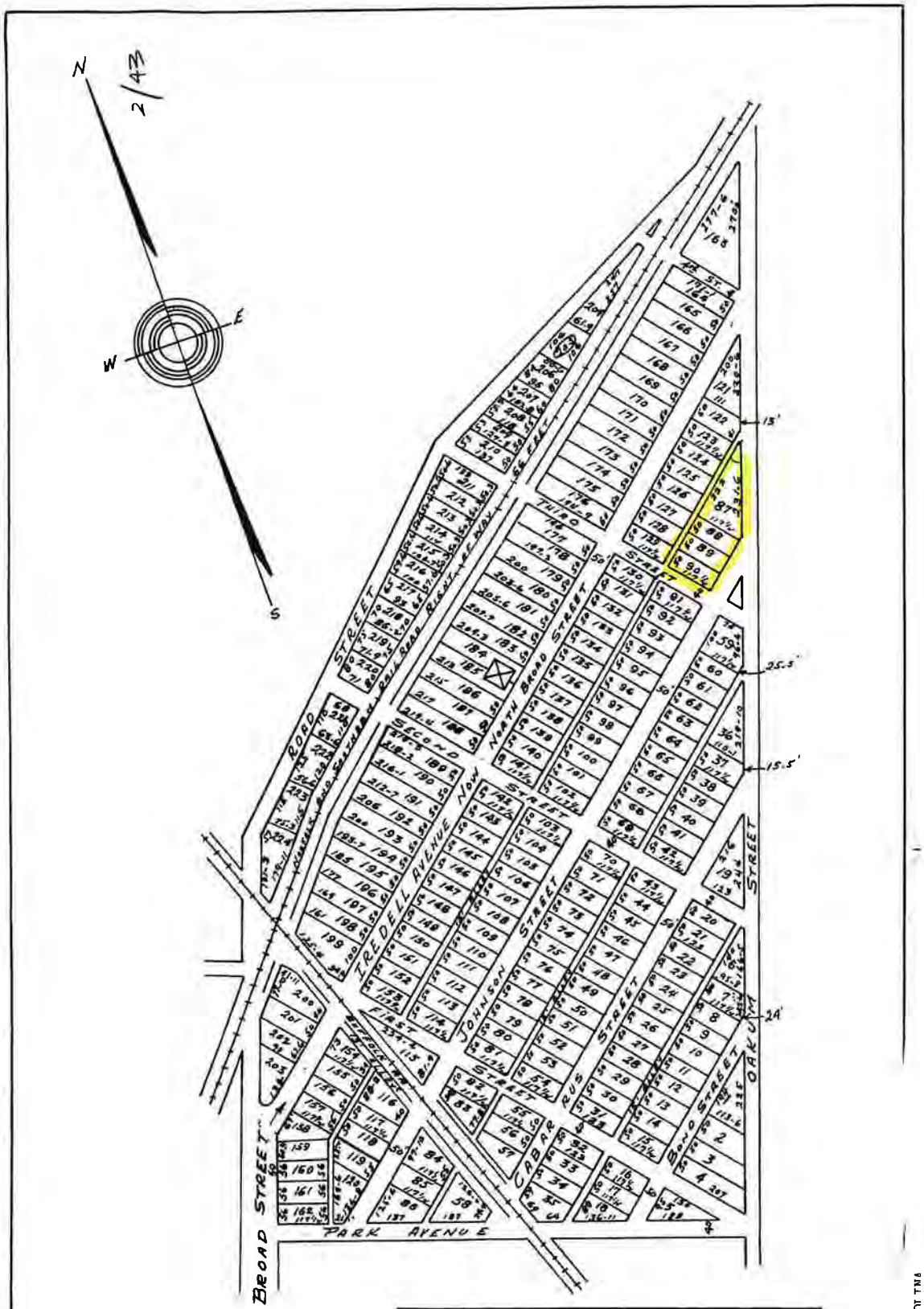
Scale 150 ft / in



110 / 50 / 6

Received Sept 11, 1905

C. D. Bynum Engineer



PLAT OF
NORTH EDENTON
SITUATED IN
CHOWAN COUNTY
NORTH CAROLINA
SCALE: 1 INCH = 150 FEET — JUNE 8, 1956
REDRAWN FROM OLD PLAT RECORDED AND
FILED IN REGISTER OF DEEDS OFFICE BOOK
I No 2. PAGE 565 — DATED: SEPT. 11, 1905
RE DRAWN BY: L. Lake Morgan SURVEYOR

NORTH CAROLINA

43

NORTH CAROLINA

CHOWAN COUNTY

Before the undersigned, Asst. Clerk Superior Court in and for the State and County aforesaid, personally appeared this day W. Leslie Morgan, who, being by me duly sworn, deposes and says that he is a licensed surveyor and that the attached plat dated the 8h day of June, 1956 was prepared by him from Plat recorded in the office of the Register of Deeds of Chowan County, North Carolina in Plat Book I, No. 2 at page 565, said plat being dated September 11, 1905. Therefore, let the instrument, with this Certificate be registered.

W. Leslie Morgan

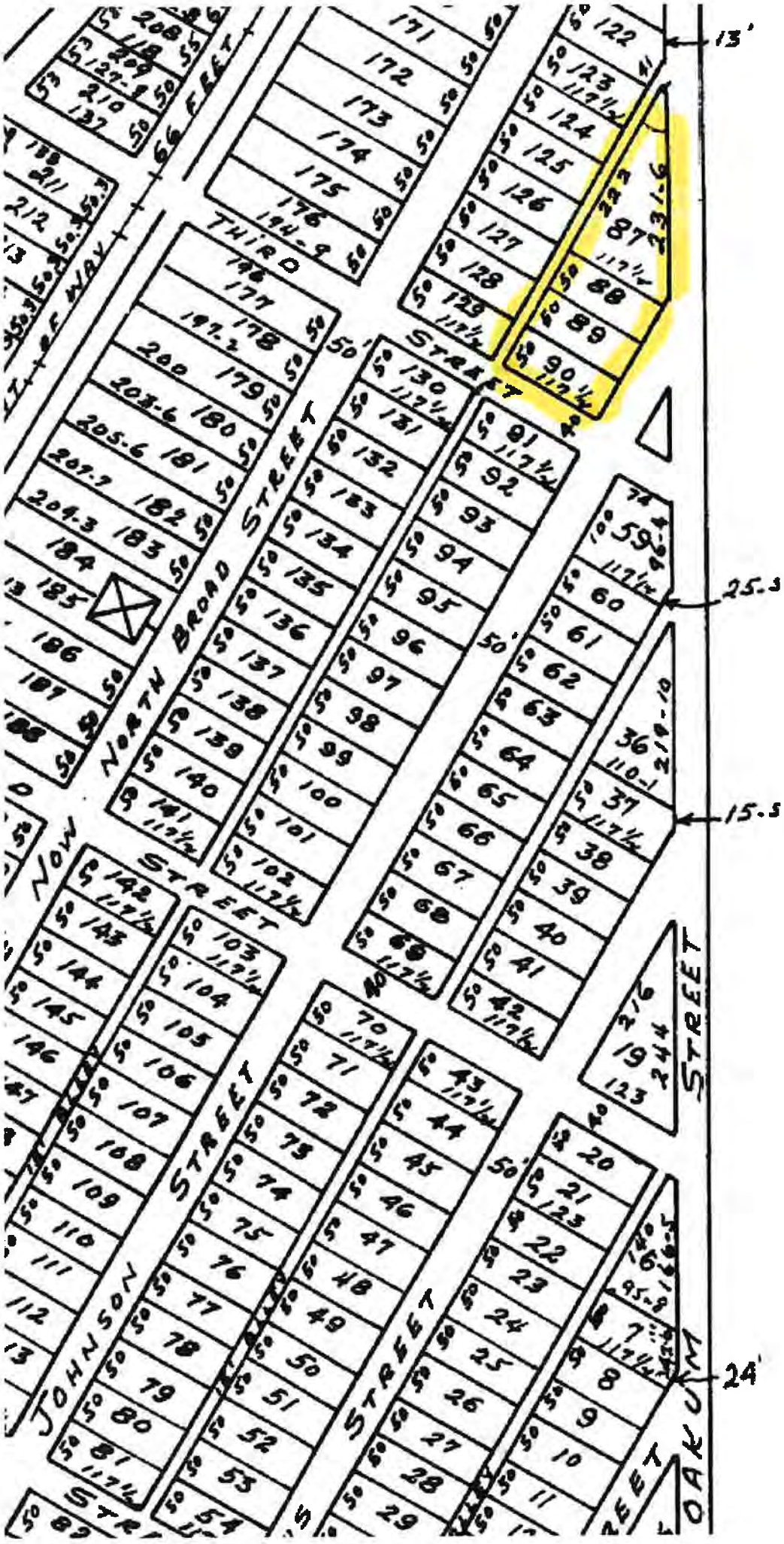
SWORN to and subscribed before me this 2d day of July, 1956.

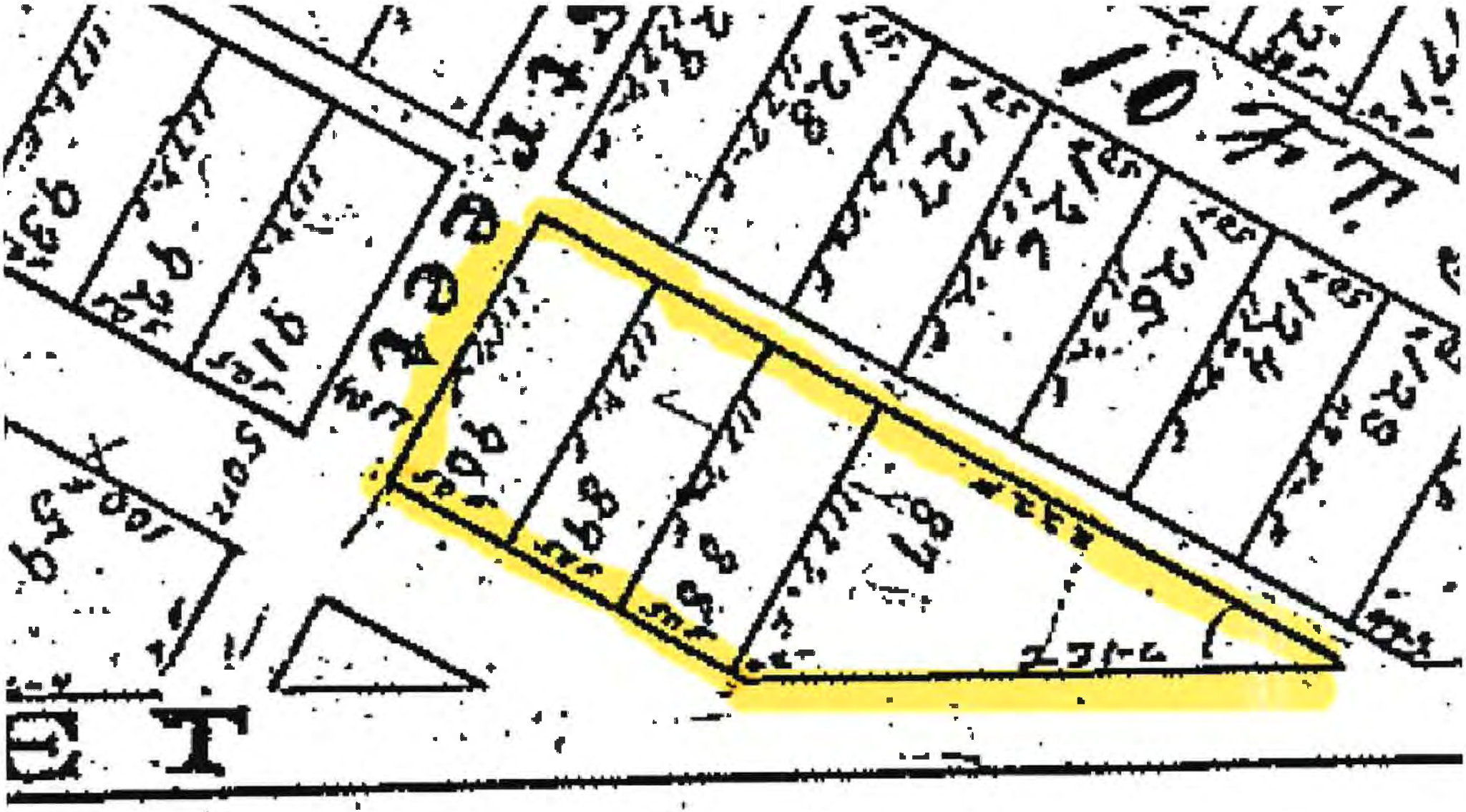
Lena M. Leary

ASST. CLERK SUPERIOR COURT

Filed & Recorded July 2d 1956
M. L. Bunch Reg. of Deeds.
By: Bertha B. Bunch asst.


Third
Second
Street
DRIVE
WAY
STREET
OAKUM
JOHNSTON
Street
Street
Street


66 FEET
THIRD STREET
NORTH BROAD STREET
NOW STREET
JOHNSON STREET
STREET
OAKLAND
13'
25.3
15.5
24'
50'
87
117½'
36
110-1
219-10
19
123
244
376
59
117½'
223
231-6



STAFF REPORT

To: Edenton Town Council
Date: October 26, 2026
Case: **C**RZ 26-05
Prepared By: Dewayne Whealton, Assistant Town Manager

GENERAL INFORMATION

Applicant: Dwayne Long/Brian Long
842 Chambers Ferry Road
Edenton, NC 27932

Property Owner: Dwayne Long
842 Chambers Ferry Road
Edenton, NC 27932

Requested Action: Rezoning from R-5 Residential to IW, Industrial Warehouse

Tax PIN #s: 78051683635, 780516838760, 780516838794, 780516839896
Location: 1001 Johnston Street, 1003 Johnston Street, 1005 Johnston Street, 1205 N. Oakum Street
Size: 0.14, 0.14, 0.14. 0.15 (0.57 acres).
Zoning: R-5 Residential
Existing Land Use: Existing Automotive Shop (planned expansion)
Surrounding Land Use & Zoning:

North- Developed, R-5, Single-family.
South- Developed R-5, Single-family and IW, Industrial Warehouse
East- Developed IW, Industrial Warehouse
West- Developed, R-5, Single-family.

Existing Zoning & Land Use Classification:

The R-5 Residential District is a higher-density residential zoning district. Under the 2018 Edenton-Chowan Land Use Plan, R-5 is identified as a zoning district compatible with the Medium/High Density Residential classification, together with R-14 and R-10.

Medium/High Density Residential

The Medium/High Density Residential classification occupies about 20 percent of the Town's planning jurisdiction and delineates lands where the predominant land use is higher-density single-family residential and multifamily development, as well as supporting public and institutional land uses. Medium density generally ranges from approximately three to seven dwelling units per acre, while high density generally ranges from approximately eight to 12 dwelling units per acre.

The Town zoning districts identified as compatible with the Medium/High Density Residential classification are R-14, R-10, and R-5. These districts allow approximately three to eight units per acre for single-family dwellings and 9 to 12 units per acre for multifamily dwellings. Public water and sewer service, or an approved private wastewater treatment system, and streets capable of accommodating higher traffic volumes are necessary to support these residential densities.

Existing Land Use Classification: "Medium/High Density Residential"

Proposed Zoning & Land Use Classification:
IW, Industrial Warehouse

The IW, Industrial Warehouse zoning district is the zoning district identified by the 2018 Edenton-Chowan Land Use Plan as compatible with the Industrial Future Land Use classification. The Industrial classification is intended to accommodate industrial and manufacturing establishments, as well as more intensive commercial uses and service businesses that support industrial land uses.

The Industrial classification occupies around ten percent of the Town's planning jurisdiction and is located primarily north of downtown and in areas around the airport. Public water and sewer service is needed to support the land uses typical of this classification.

Streets with the capacity to accommodate higher traffic volumes are necessary to support the intensity of development expected within the Industrial classification.

The Industrial classification is compatible with the IW (Industrial Warehouse) zoning district. The IW district does not have a minimum lot size standard; therefore, development intensity will vary. The Land Use Plan generally anticipates an average intensity of one industrial use per three acres, with lot coverage restricted to 60 percent and building heights limited to 50 feet.

The proposed IW zoning would permit a broader range of industrial, warehousing, service, and related uses than the existing R-5 district. Because residentially zoned and developed properties adjoin portions of the site, compatibility considerations such as buffering, screening, noise, lighting, traffic, and site design should be addressed through the applicable provisions of the Unified Development Ordinance as development or expansion occurs.

Proposed Land Use Classification: "Industrial"

Future Land Use Map Classification: Plans, Goals, and Objectives

- The 2018 Edenton-Chowan Land Use Plan explains that the Future Land Use Map depicts generalized patterns of projected land use and is intended to guide, rather than regulate, the use of individual parcels. For purposes of evaluating the requested IW zoning, the Plan's Industrial classification provides the applicable policy framework and identifies IW as the corresponding Town zoning district.

- The Industrial classification identifies land intended for industrial and manufacturing establishments. More intensive commercial uses, as well as service and businesses that support industrial land uses, are also appropriate within this classification.

- Public water and sewer service is needed to support the land uses typical of the Industrial classification, and streets with the capacity to accommodate higher traffic volumes are necessary to support the anticipated intensity of development.

- The Industrial classification is compatible with the IW (Industrial Warehouse) zoning district.

- The IW district does not have a minimum lot size standard. The Land Use Plan generally anticipates an average intensity of one industrial use per three acres.

- Lot coverage in the IW district is restricted to 60 percent and building heights are limited to 50 feet under the development characteristics summarized in the Land Use Plan.

- The requested rezoning would transition the subject properties from a residential zoning classification to an industrial zoning classification. The relationship of the site to adjoining R-5 residential properties should therefore be considered, with applicable UDO standards used to address potential impacts associated with future industrial development or expansion.

Zoning History: None on record.
Applicable Regulations: Unified Development Ordinance: Article XX, Amendments; Article IX, Zoning Districts and Zoning Map; Article XII, Density and Dimensional Regulations

SPECIAL INFORMATION

Public Utilities: Property within the Town Corporate Limits, municipal water and sewer services are available.
Public Services: The property is located within the Town Corporate Limits, protection services provided by Edenton Police Department.
Transportation: The subject properties has approximately 80' of road frontage along Oakum Street, 150' along Johnston Street, and 117' along Third Street
Physical Characteristics: Three undeveloped parcels and an existing automotive shop.

LEGAL FRAMEWORK: This is a legislative conditional zoning request, not a special use permit. The requested IW district is inconsistent with the mapped Medium/High Density Residential designation; Council must address that inconsistency directly rather than characterize the map as irrelevant. Conditional zoning conditions require the applicant's written consent and must relate to ordinance requirements, adopted plans, or reasonably expected development impacts (N.C.G.S. § 160D-703).

ANALYSIS

The request is to rezone the aforementioned parcels from R-5, Residential to IW, Industrial Warehouse. The applicant seeks the rezoning to allow the existing automotive shop to expand across the four subject parcels. The existing R-5 zoning is a residential classification and does not provide the same range of industrial and automotive-related development opportunities available in the IW district.

The subject properties are located at the transition between existing R-5 residential development and IW-zoned property. IW zoning exists immediately to the east and to the south of portions of the subject site, while R-5 residential zoning and single-family development remain to the north, west, and portions of the south. The requested rezoning would therefore extend an existing IW zoning pattern rather than establish an isolated industrial district, but compatibility with adjoining residential properties remains an important consideration.

The Future Land Use Map contained within the 2018 Edenton-Chowan Land Use Plan depicts generalized patterns of anticipated future land use. It is not intended to be used for site-specific land planning or as a regulatory zoning map. The Plan states that the map illustrates a typical pattern of use for a general area rather than the specific use of an individual parcel.

The proposed IW zoning is directly associated with the Industrial classification in the Land Use Plan. The Plan identifies IW as the Town zoning district compatible with Industrial-designated areas and describes those areas as appropriate for industrial and manufacturing establishments, more intensive commercial uses, and businesses that support industrial land uses.

The rezoning would represent a change from the residential policy framework associated with R-5 and Medium/High Density Residential to a conditional IW framework associated with the Industrial classification. The request should therefore be evaluated as a site-specific legislative zoning decision, with particular consideration given to the existing automotive repair use, the adjoining IW zoning pattern, the limited geographic extent of the request, and the proximity of established residential properties.

If approved as a conditional zoning district, the subject properties would not be available for the full range of

uses otherwise allowed in the general IW district. Development would be limited to the uses, site plan, development narrative, and conditions specifically approved as part of CRZ 26-05, together with all other applicable requirements of the Town of Edenton Unified Development Ordinance.

If granted the rezoning request, the property owners will ***continue*** to have to comply with ***all*** of the regulations included within the Town of Edenton's Unified Development Ordinance.

Under the 2018 Edenton-Chowan Land Use Plan, R-5 corresponds to the Medium/High Density Residential classification, while IW corresponds to the Industrial classification. The Future Land Use Map is a generalized policy guide and should be considered together with the existing zoning pattern and surrounding land uses when evaluating the requested amendment.

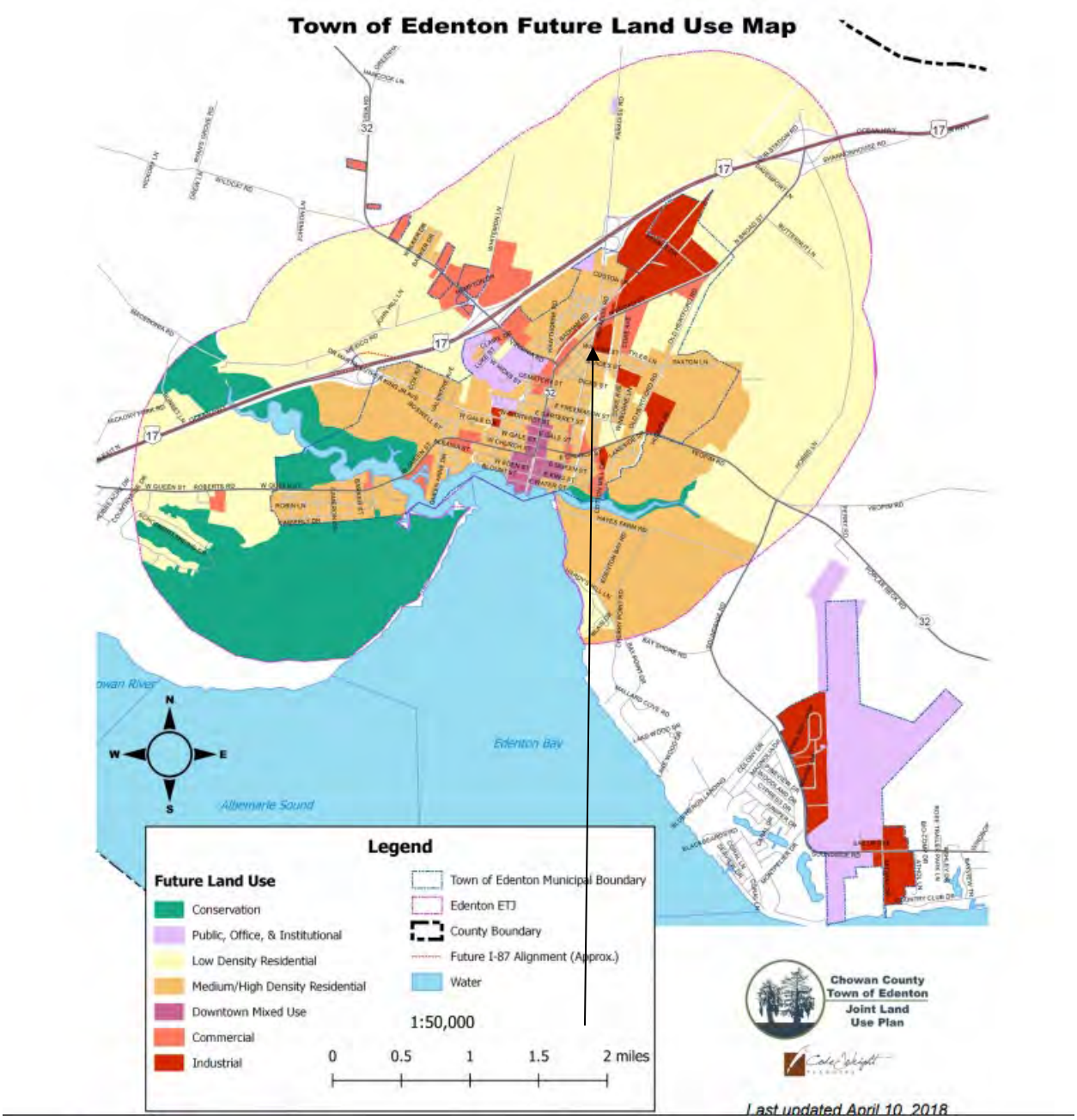
Current Zoning Map



Current Aerial Map



Future Land Use Map



The adopted 2018 Edenton-Chowan Future Land Use Map designates the subject parcels at 1001, 1003 and 1005 Johnston Street and 1205 N. Oakum Street as Medium/High Density Residential. The requested conditional IW zoning is therefore inconsistent with the mapped residential designation.

Although the Future Land Use Map provides generalized policy guidance rather than parcel-specific zoning, the Industrial classification corresponds to IW while Medium/High Density Residential corresponds to R-5. The adjacency of existing IW zoning and the existing automotive repair operation may support a site-specific legislative decision notwithstanding the inconsistency. Approval does not, by itself, establish that the application is consistent with the adopted plan. Council should also determine whether any resulting land use plan amendment requires review under applicable CAMA procedures.

CONDITIONS OF APPROVAL

If the conditional rezoning is approved, staff recommends the following site-specific conditions. Prior to Council adoption, the applicant and every required property owner must provide written consent to the final conditions in accordance with N.C.G.S. § 160D-703(b). The Town shall identify and retain the approved site

plan and development narrative as part of the zoning record.

1. Permitted Use and Geographic Limit. The conditional IW district shall be limited to the existing automotive repair/mechanic establishment and its approved expansion, together with customary accessory uses shown on the approved site plan and development narrative. The expansion shall be limited to the four subject parcels identified in CRZ 26-05: 1001 Johnston Street, 1003 Johnston Street, 1005 Johnston Street, and 1205 N. Oakum Street. No expansion of the automotive use onto additional property and no establishment of another principal IW use shall occur without approval of an amendment to the conditional zoning.

2. Approved Plans. Development and expansion shall substantially conform to the site plan and development narrative expressly approved as part of CRZ 26-05, identified by title, preparer, revision date and sheet numbers in the adopting ordinance. These documents must be supplied and reviewed before final action. Material changes to the approved principal use, access, layout, buffering, screening, outdoor storage, or other approved conditions shall be processed under the UDO, including conditional zoning amendment where required.

3. Screening and Outdoor Storage. All outdoor storage areas, including the storage of parts, tires, equipment, materials, dumpsters, and vehicles awaiting repair, shall be located in the areas shown on the approved site plan and screened from adjoining residentially zoned or residentially used property with an opaque fence, landscaping, or a combination of screening methods meeting the Unified Development Ordinance.

4. Vehicles and Salvage Activity. Junked, abandoned, or inoperable vehicles that are not actively associated with the repair operations of the business shall not be stored on the property. Vehicles awaiting repair shall be kept within designated parking or screened storage areas. The property shall not be used as a salvage yard, junkyard, vehicle dismantling yard, or similar operation.

5. Integrated Development Site. Prior to issuance of permits for the proposed expansion, the applicant shall demonstrate that the four parcels can function as one integrated development site in compliance with the Unified Development Ordinance, Building Code, fire separation requirements, access requirements, and other applicable permitting standards. Any internal lot line that prevents compliance shall be removed by an approved and recorded recombination plat before the affected permit is issued.

6. Written Consent; Binding Effect. Before adoption, the applicant and all required property owners shall execute written consent to the specific approved conditions. Approved conditions shall run with the land and bind successors and assigns as provided by law. All development remains subject to the Edenton UDO and other applicable codes. Verify the ownership and PIN for each of the four parcels before final action.

The conditions are intended to permit a controlled expansion of the existing automotive repair business while limiting the geographic extent and range of industrial uses and reducing potential impacts on adjoining residential properties.

In considering the request, staff finds that the conditions provide a direct relationship between the proposed expansion and the site-specific impacts that may reasonably result from industrial zoning at the edge of an established residential area.

RECOMMENDATION

The adopted Future Land Use Map designates the site Medium/High Density Residential; the proposed conditional IW zoning is inconsistent with that designation. Nevertheless, Council may determine that the

limited expansion of an existing automotive repair use adjacent to existing IW zoning is reasonable and in the public interest, provided the conditions adequately address neighboring residences. Council must adopt its own statement addressing plan consistency and reasonableness under N.C.G.S. § 160D-605 and assess any applicable CAMA plan-amendment requirements. The final determination rests with Town Council after consideration of the legislative record.

Reasonableness and public interest: Council finds that the conditional district, if adopted with the approved plan and written owner-consented conditions, would permit a defined expansion of an existing automotive repair establishment while restricting unrelated industrial uses and addressing outdoor storage, screening, and residential compatibility. Council finds those site-specific limitations provide a reasonable basis for approval notwithstanding the mapped residential land use designation.

Plan consistency: Council finds that CRZ 26-05 is inconsistent with the Medium/High Density Residential designation on the adopted Future Land Use Map. Council has considered the plan as a whole, the existing automotive repair operation, adjoining IW zoning, the small geographic scope, and the transition to neighboring residential uses. Any statutory effect on the Future Land Use Map and any applicable CAMA review shall be addressed as required by law.

PROPOSED COUNCIL STATEMENT — PLAN CONSISTENCY AND REASONABLENESS (FOR COUNCIL CONSIDERATION)

*SOME NOTES on PROCEDURE from Article XX, *Amendments*, Section 20.4:

> (c) Plan Consistency. When conducting a review of proposed zoning text or map amendments pursuant to this section, the Planning Board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as Town of Edenton Unified Development Ordinance, 9/14/2021 20-3 deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Town Council. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the Planning Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendations made.

TOWN OF EDENTON

PROPERTY OWNER ACKNOWLEDGMENT AND WRITTEN CONSENT

Conditional Zoning Map Amendment | Case CRZ 26-05

Applicant / Property Owner: Dwayne Long/Brian Long

Property: 1001, 1003, and 1005 Johnston Street; 1205 N. Oakum Street, Edenton, North Carolina (four parcels; approximately 0.57 acres).

Parcel identification numbers (verify against current tax records): 780516838635, 780516838760, 780516838794, 780516839596

Proposed zoning: R-5 Residential to Conditional IW (Industrial Warehouse)

Site plan and development narrative proposed for incorporation into the ordinance:

By signing below, the undersigned applicant and property owner voluntarily agree to the following site-specific conditions proposed for Case CRZ 26-05, pursuant to N.C.G.S. § 160D-703(b). The conditions become effective only if and to the extent adopted by the Edenton Town Council as part of the conditional zoning ordinance. This acknowledgment does not itself grant rezoning approval or authorize construction.

CONDITIONS ACCEPTED

1. Permitted Use and Geographic Limit. The conditional IW district shall be limited to the existing automotive repair/mechanic establishment and its approved expansion, together with customary accessory uses shown on the approved site plan and development narrative. The expansion shall be limited to the four subject parcels identified in CRZ 26-05: 1001 Johnston Street, 1003 Johnston Street, 1005 Johnston Street, and 1205 N. Oakum Street. No expansion of the automotive use onto additional property and no establishment of another principal IW use shall occur without approval of an amendment to the conditional zoning.

2. Approved Plans. Development and expansion shall substantially conform to the site plan and development narrative expressly approved as part of CRZ 26-05, identified by title, preparer, revision date and sheet numbers in the adopting ordinance. These documents must be supplied and reviewed before final action. Material changes to the approved principal use, access, layout, buffering, screening, outdoor storage, or other approved conditions shall be processed under the UDO, including conditional zoning amendment where required.

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6. Written Consent; Binding Effect. Before adoption, the applicant and all required property owners shall execute written consent to the specific approved conditions. Approved conditions shall run with the land and bind successors and assigns as provided by law. All development remains subject to the Edenton UDO and other applicable codes. Verify the ownership and PIN for each of the four parcels before final action.

OWNER ACKNOWLEDGMENT

I certify that I am the owner of, or am authorized to sign on behalf of the owner of, the property identified above. I have reviewed the conditions and understand that, if adopted, they will govern development of the subject property and will bind successors and assigns as provided by law. I consent to these conditions as written. Any material revision to these conditions before adoption must be presented for my written acceptance.

Owner / authorized signatory [redacted] Date: 10-23-2026

Printed name: Brian Long Capacity (if entity): Owner

Additional owner / signatory (if applicable): _____ Date: _____

Printed name: _____ Capacity (if entity): _____

Town receipt (administrative only) [redacted] Date: 10-23-26

Note: Confirm ownership of all four parcels and obtain the written consent of each required owner before Council adoption. Attach the final site plan and development narrative identified above.

EDENTON PLANNING & COMMUNITY DEVELOPMENT
P.O. Box 300, Edenton, NC 27932
400 South Broad Street, Edenton, NC 27932
PHONE 252-482-2155 FAX 252-482-7377

LEGAL NOTICE

The Edenton Town Council will hold a public hearing on Monday, October 26, 2026 at 6:00 p.m. in the Town Council Chambers to review and consider the following:

-Case No. TA 26-02: A text amendment to the Town of Edenton Unified Development Ordinance to establish Data Centers as a defined land use, identify where Data Centers may be permitted, and establish supplementary development standards governing Data Center development.

The material is available for review at the Edenton Planning Office located at 400 South Broad Street.

Dewayne Whealton
Assistant Town Manager
Town of Edenton

THE DAILY ADVANCE
October 14, 2026
October 21, 2026

Please bill to:
Town of Edenton Account # 100354

Media of Eastern North Carolina

-Ad Proof-

Date:	10/6/2026	***Ad ID:***	1036162
Account:	ENC100354	***Start:***	10/14/2026
File#:		***Stop:***	10/21/2026
Company Name:	TOWN OF EDENTON ADMINISTRATION	***Total Cost:***	$155.20
Contact:	TOWN TOWN	***Columns Wide:***	1.00
Address:	PO Box 300 Edenton, NC 27932-0300	***# of Inserts:***	4
		Ad Class:	1415
Telephone:	252-482-7352		
Fax:		***Amount Due:***	$155.20

Run Dates: PB Legal-October 2026

Daily Advance

10-14-26, 10-21-26

DailyAdvance.com

10-14-26, 10-21-26

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Dewayne Whealton
Assistant Town Manager
Town of Edenton
10/14, 10/21, 2026

TOWN OF EDENTON, NORTH CAROLINA

UDO TEXT AMENDMENT - DATA CENTER DEVELOPMENT

FINAL 2026 REVIEW DRAFT

Text Amendment No. _26-02___Adopted: _____, 2026

AN ORDINANCE AMENDING THE TOWN OF EDENTON UNIFIED DEVELOPMENT ORDINANCE TO DEFINE AND REGULATE DATA CENTER DEVELOPMENT AND TO ESTABLISH SUPPLEMENTARY DEVELOPMENT STANDARDS FOR DATA CENTER FACILITIES.

WHEREAS, the Town of Edenton is authorized by Chapter 160D of the North Carolina General Statutes to adopt and amend zoning and development regulations for the purposes authorized by law;

WHEREAS, data centers may create land-use impacts distinguishable from conventional office, warehouse, and industrial uses, including substantial electrical demand, mechanical equipment, emergency generators, noise, water demand, building mass, utility infrastructure, security improvements, and stormwater impacts;

WHEREAS, the Town desires to establish clear, objective, and predictable development standards applicable to data centers while protecting adjoining properties and the capacity and reliability of public infrastructure;

WHEREAS, the Planning Board has reviewed this amendment and provided its written recommendation regarding consistency with the adopted comprehensive plan as required by G.S. 160D-604;

WHEREAS, the Town Council has conducted the required public hearing and, in accordance with G.S. 160D-605, has adopted the statement set forth herein regarding plan consistency and reasonableness;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Edenton, North Carolina, that the Unified Development Ordinance is amended as follows:

SECTION 1. ARTICLE 2 - BASIC DEFINITIONS

Section 2.1, Definitions, is amended by adding the following definitions in alphabetical order:

Data Center. A building, facility, campus, or group of buildings whose principal use is the housing, operation, maintenance, management, storage, processing, transmission, or retrieval of digital data through computer servers, data-storage equipment, networking equipment, telecommunications equipment, or similar electronic infrastructure. The term includes cooling equipment, emergency or standby generators, battery systems, electrical substations, transformers, switchgear, fuel-storage facilities, and other equipment or infrastructure principally serving the data center. The term does not include a server room, computer equipment, telecommunications equipment, or information-technology facility that is accessory and incidental to another principal use of the property.

Data Center Campus. Two or more data center buildings or facilities developed as an integrated development on one or more contiguous or commonly developed parcels.

Emergency or Standby Generator. Equipment designed to generate electrical power during utility interruptions, emergencies, maintenance, testing, or other temporary conditions and that is not intended to serve as the routine primary source of electrical power for a data center.

SECTION 2. ARTICLE 10 - PERMISSIBLE USES

Section 10.1, Table of Permissible Uses, is amended to add Data Center as a principal use as follows:

Zoning District	**Data Center**
R-20, R-14, R-10, R-5	Not Permitted
CD, CN, CH and other non-industrial districts	Not Permitted
IW - Industrial Warehouse	Major Special Use Permit Required*

*Subject to the supplementary use regulations for Data Centers in Article 11. A server room or information-technology facility that is accessory and subordinate to another lawful principal use is not a Data Center for purposes of this section.

SECTION 3. ARTICLE 11 - SUPPLEMENTARY USE REGULATIONS

Article 11 is amended by adding a new section, to be numbered by the Town Clerk/Zoning Administrator upon codification, as follows:

Section 11.__ Data Centers.

(a) Purpose. The purpose of this section is to accommodate data center development in locations appropriate for the scale and intensity of the use while protecting surrounding properties and the public from adverse land-use impacts associated with building mass, noise, mechanical equipment, lighting, utility demand, water consumption, emergency generators, electrical infrastructure, stormwater runoff, traffic, security improvements, and related site characteristics.

(b) Major Special Use Permit Required. A Data Center shall be permitted only in the IW, Industrial Warehouse District, subject to approval of a Major Special Use Permit and compliance with this section and all other applicable provisions of this ordinance. The Major Special Use Permit shall be decided under the standards adopted in this ordinance and the quasi-judicial procedures required by Chapter 160D. Approval of a Major Special Use Permit shall not constitute a guarantee or commitment by the Town to provide any particular quantity of water, sewer, electrical service, or other public utility capacity.

(c) Pre-Application Conference. Before filing a Major Special Use Permit application, the applicant shall participate in a pre-application conference with Planning staff and, as applicable, representatives of Town Administration, Electric, Public Works/Utilities, Fire, Building Inspections, and other reviewing agencies. The conference is informational and shall not constitute development approval or a commitment of utility capacity.

(d) Application Materials. In addition to the application materials otherwise required for a Major Special Use Permit, the applicant shall submit a site plan and development narrative sufficient to demonstrate compliance with this section.

(1) Total acreage and property boundaries of the development site.

(2) Total existing and proposed building square footage; number, location, height, and footprint of buildings; and anticipated development phases.

(3) Location of cooling equipment, generators, transformers, substations, switchgear, battery systems, fuel storage, loading areas, parking areas, access points, security facilities, fencing, landscaping, buffers, stormwater facilities, and major utility infrastructure.

(4) Existing zoning and land uses on adjoining properties and the location of existing residential dwellings and schools within five hundred (500) feet of the data center property boundary.

(5) Estimated number of employees, hours of operation, construction schedule, and anticipated operational and construction traffic.

(6) Estimated initial and maximum electrical demand, including the estimated peak monthly demand at full buildout.

(7) Estimated average and peak water demand, wastewater generation, and a description of the proposed cooling system.

(8) Number, type, fuel source, generating capacity, location, and routine testing schedule of emergency or standby generators.

(9) Description and location of proposed fuel storage, battery systems, and other hazardous or regulated materials associated with the facility.

(10) Identification of proposed substations, transmission facilities, distribution improvements, or other major utility improvements associated with the development.

(e) Utility Capacity and Service. The applicant shall provide information sufficient for the Town and applicable utility providers to evaluate the anticipated utility demands of the development. Before issuance of final development approval, the applicant shall provide written documentation from the applicable utility provider addressing the availability of service or the improvements necessary to serve the development. Zoning approval shall not guarantee utility capacity; require the Town to construct, expand, or finance utility infrastructure; or constitute approval of a separate utility extension, substation, transmission facility, easement, rate, service agreement, or other utility approval.

(f) Water Use and Cooling. The applicant shall disclose average daily water demand, maximum daily demand, cooling-water demand, potable-water demand, wastewater generation, and anticipated water demand at full buildout. The cooling system and water demand shall be evaluated for consistency with available utility capacity and applicable State and local requirements. Nothing in this subsection shall be construed to establish a State-mandated cooling technology that has not become effective as law.

(g) Setbacks. Data center development shall comply with the dimensional requirements of the IW District except where this section establishes a more restrictive standard. A data center building shall be

located at least one hundred (100) feet from property zoned for residential purposes. Exterior generators, cooling towers, chillers, transformers, substations, and similar major mechanical or electrical equipment shall be located at least two hundred (200) feet from an existing residential dwelling. Required setbacks shall be measured from the nearest exterior face of the applicable building or equipment to the applicable property line or dwelling.

(h) Screening and Landscaping. A minimum fifty (50) foot landscaped buffer shall be provided where the development adjoins residentially zoned property or an existing residential use. Existing mature vegetation within the buffer shall be preserved to the maximum extent practicable. The buffer shall provide year-round visual screening through vegetation, fencing, walls, berms, or a combination thereof. Generators, cooling equipment, transformers, substations, loading areas, dumpsters, and fuel-storage facilities shall be screened from adjoining residential property and public streets to the maximum extent practicable.

(i) Noise and Acoustical Analysis. The applicant shall submit an acoustical analysis prepared by a qualified acoustical professional. The analysis shall evaluate normal and reasonably anticipated peak operating conditions, including cooling equipment, HVAC equipment, transformers, substations, generators, rooftop equipment, simultaneous equipment operation, and low-frequency sound. The analysis shall state anticipated sound levels at property lines and at residential dwellings and schools within five hundred (500) feet. The development shall comply with the Town noise ordinance and other applicable law. Any sound wall, enclosure, silencer, equipment placement, or other mitigation measure relied upon by the acoustical analysis to demonstrate compliance shall be shown on the approved plan and maintained while the applicable equipment remains in service.

(j) Post-Construction Noise Verification. Within ninety (90) days after the facility reaches normal operations, and after a material modification to major sound-producing equipment, the operator shall provide acoustical verification when required by the Zoning Administrator to confirm compliance with the approved acoustical analysis and applicable Town noise regulations. The Town may require additional testing when there is a documented complaint presenting reasonable grounds to believe the facility is not in compliance.

(k) Emergency and Standby Generators. Emergency and standby generators shall be located and designed to minimize impacts on adjoining residential property; incorporate appropriate sound attenuation; comply with applicable federal, State, and local air-quality, fire, building, environmental, and fuel-storage requirements; and be screened as required by this section. Routine testing shall occur between 8:00 a.m. and 6:00 p.m., Monday through Saturday, except during an emergency or when testing outside those hours is required by law, manufacturer specifications, or an applicable reliability standard. Emergency and standby generators shall not be used as the routine primary source of electrical power for the facility.

(l) Lighting. Exterior lighting shall be directed downward, utilize full-cutoff or comparable fixtures where appropriate, minimize light trespass and glare affecting adjoining property and public streets, and comply with all other applicable requirements of this ordinance. Security lighting shall be designed to provide necessary site security without unnecessary illumination of adjoining properties.

(m) Building Design. Data center buildings shall incorporate architectural and site-design techniques intended to reduce the visual impact of large building masses. A building facade exceeding two hundred

(200) feet in length shall incorporate changes in wall plane, exterior materials, architectural projections or recesses, landscaping, screening walls, changes in roofline, or comparable architectural treatment. Highly reflective exterior materials that create substantial glare affecting adjoining properties or public streets are prohibited.

(n) Electrical Substations and Major Utility Infrastructure. Any private electrical substation or similar utility facility principally serving the data center shall be shown on the approved development plan, appropriately secured, incorporated into the acoustical analysis, and screened from adjoining residential property and public streets to the maximum extent practicable. Approval of a data center shall not constitute approval of transmission lines, substations, utility extensions, or other infrastructure outside the approved development site when such facilities require separate approval.

(o) Stormwater and Environmental Protection. Development shall comply with applicable Town, State, and federal stormwater and environmental requirements. The development plan shall identify existing and proposed impervious surface, stormwater-control measures, streams and wetlands, flood hazard areas, existing tree canopy, proposed clearing limits, and areas proposed for preservation. Stormwater facilities shall be designed for the approved development in accordance with applicable law.

(p) Fire Protection and Emergency Response. Before issuance of applicable construction permits, the applicant shall coordinate with the appropriate fire, building, emergency-management, and utility officials regarding required fire flow, emergency vehicle access, hazardous materials, fuel storage, battery systems, emergency shutdown procedures, generator systems, and specialized emergency-response considerations. An emergency-response plan shall be provided before issuance of a Certificate of Occupancy.

(q) Transportation. The application shall identify anticipated construction truck traffic, worker traffic, proposed haul routes, oversized equipment deliveries, operational employee traffic, delivery and maintenance vehicles, and emergency access. A Traffic Impact Analysis shall be required when the proposed development is projected to generate 100 or more peak-hour vehicle trips, or when a Traffic Impact Analysis is otherwise required by an applicable Town or NCDOT standard. Construction traffic management measures may be required as part of an approved plan when necessary to comply with applicable street, access, or safety standards.

(r) Security. Security fencing, gates, and related improvements shall be shown on the development plan. Security gates shall provide adequate on-site stacking so vehicles do not queue within a public street or public right-of-way. Barbed wire, razor wire, or similar security measures shall be screened from adjoining residential property and public streets unless otherwise authorized by an applicable safety or security requirement.

(s) Abandonment and Decommissioning. A data center that ceases operation for twelve (12) consecutive months shall be considered abandoned unless the owner demonstrates to the Zoning Administrator, through objective evidence, a continuing lawful use or active efforts to resume operations. Upon abandonment, obsolete generators, fuel, hazardous materials, abandoned cooling equipment, battery systems, and other equipment presenting a public health, safety, or environmental hazard shall be removed in accordance with applicable law. A private substation or other infrastructure having no continuing lawful use shall be removed unless otherwise authorized.

(t) Expansion or Modification. Any expansion or modification shall be reviewed under the procedures applicable to the original approval. A material change to the approved site plan, building area, mechanical-equipment location, utility infrastructure, access, buffers, or other condition or standard shall be processed as required by the UDO and Chapter 160D.

(u) Continuing Compliance. Approval of a Data Center does not relieve the owner or operator from compliance with the Major Special Use Permit, approved development plan, Unified Development Ordinance, utility requirements, building and fire codes, State and federal environmental requirements, and other applicable laws and regulations.

SECTION 4. ARTICLE 12 - DENSITY AND DIMENSIONAL REGULATIONS

The dimensional requirements otherwise applicable to the IW District shall apply to Data Centers except where Section 11.__ establishes a more restrictive requirement.

SECTION 5. ARTICLE 19 - SCREENING AND TREES

The screening and landscaping requirements of Article 19 shall apply to Data Center development. Where Section 11.__ establishes a greater buffer, screening, landscaping, or vegetation-preservation requirement, the more restrictive requirement shall apply.

SECTION 6. 2026 STATUTORY IMPLEMENTATION

The following provisions govern administration of this amendment and are included to reflect current North Carolina law as of September 18, 2026:

(1) The Major Special Use Permit is a quasi-judicial development approval. The decision shall be based upon the standards in the UDO and competent, material, and substantial evidence presented in accordance with G.S. 160D-406 and other applicable provisions of Chapter 160D.

(2) The Town shall not impose a minimum number of off-street parking spaces for a Data Center where prohibited by G.S. 160D-702, as amended by Session Law 2026-39, when that statutory limitation is applicable. Nothing in this amendment alters federal or State accessibility requirements.

(3) Any condition imposed through a development approval must be authorized by law and related to applicable ordinance standards and impacts properly considered in the applicable approval process.

(4) Nothing in this ordinance incorporates Senate Bill 730 (Ratepayer Protection Act) as enacted law. As of September 18, 2026, Senate Bill 730 has not become law. If State data-center legislation becomes effective after adoption of this ordinance, the UDO shall be administered consistently with controlling State law and may be amended as necessary.

SECTION 7. PLANNING BOARD CONSISTENCY STATEMENT

Pursuant to G.S. 160D-604 and Article XX of the Town of Edenton Unified Development Ordinance, the Edenton Planning Board makes the following written recommendation and plan-consistency statement:

The Planning Board finds that the proposed amendment is [CONSISTENT / INCONSISTENT] with the 2018 Edenton-Chowan Land Use Plan because the amendment establishes development standards for a high-intensity technology/infrastructure use and directs that use to the IW, Industrial Warehouse District, while providing standards intended to address compatibility with surrounding land uses, infrastructure

capacity, environmental considerations, public safety, and orderly development. The amendment supports the Plan's use of zoning and development standards to guide the location and intensity of industrial development and to address transitions between industrial and residential areas.

Planning Board Recommendation: APPROVAL

SECTION 8. TOWN COUNCIL STATEMENT OF PLAN CONSISTENCY AND REASONABLENESS

Pursuant to G.S. 160D-605, the Town Council adopts the following statement:

The Town Council finds that this UDO text amendment is consistent with the 2018 Edenton-Chowan Land Use Plan because it establishes a regulatory framework for an intensive industrial/technology use within the IW District and provides standards addressing compatibility, infrastructure, utilities, noise, water demand, emergency response, building scale, screening, stormwater, and other reasonably anticipated land-use impacts. The amendment is reasonable and in the public interest because it provides predictable development standards for prospective applicants while protecting adjoining properties, public infrastructure, utility systems, and the health, safety, and welfare of the community.

SECTION 9. SEVERABILITY

If any section, subsection, sentence, clause, or provision of this ordinance is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the ordinance.

SECTION 10. EFFECTIVE DATE

This ordinance shall become effective upon adoption, except that any provision subject to a later effective date imposed by controlling State law shall be administered in accordance with that law.

TOWN COUNCIL ADOPTION

Adopted by the Town Council of the Town of Edenton, North Carolina, this ____ day of _____, 2026.

TOWN OF EDENTON

By: _____
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

STAFF REPORT

To: Edenton Town Council

Date: October 26, 2026

Case: Text Amendment TA 26-02

Prepared By: Dewayne Whealton, Assistant Town Manager

GENERAL INFORMATION

Applicant: Town of Edenton

Requested Action: Amend the Town of Edenton Unified Development Ordinance to define and regulate Data Center development and establish supplementary development standards for Data Center facilities.

Affected Articles: Article 2 - Basic Definitions; Article 10 - Permissible Uses; Article 11 - Supplementary Use Regulations; Article 12 - Density and Dimensional Regulations; and Article 19 - Screening and Trees.

Affected Zoning Districts: Data Centers would be prohibited in residential and non-industrial districts and permitted in the IW, Industrial Warehouse District only upon approval of a Major Special Use Permit.

PURPOSE OF TEXT AMENDMENT

The proposed text amendment establishes a specific regulatory framework for Data Center development within the Town of Edenton Unified Development Ordinance. The amendment recognizes that Data Centers may create land-use and infrastructure impacts that differ in scale and character from conventional office, warehouse, or industrial uses, including substantial electrical demand, mechanical equipment, emergency generators, noise, water demand, building mass, utility infrastructure, security improvements, and stormwater impacts.

The amendment is intended to provide clear and predictable standards for this emerging land use while protecting adjoining properties and maintaining separate review of public utility capacity and infrastructure commitments.

PROPOSED UDO AMENDMENTS

Article 2 - Basic Definitions: Adds definitions for Data Center, Data Center Campus, and Emergency or Standby Generator. Accessory server rooms and information-technology facilities incidental to another principal use are excluded from the Data Center definition.

Article 10 - Permissible Uses: Adds Data Center as a principal use. Data Centers would not be permitted in the R-20, R-14, R-10, R-5, CD, CN, CH, or other non-industrial districts. A Data Center would be permitted in the IW, Industrial Warehouse District only through a Major Special Use Permit.

Article 11 - Supplementary Use Regulations: Establishes development and application standards addressing utility capacity, water use and cooling, setbacks, screening and landscaping, noise, generators, lighting, building design, electrical infrastructure, stormwater, fire protection, transportation, security, abandonment, expansion, and continuing compliance.

Article 12 - Density and Dimensional Regulations: Retains the dimensional standards of the IW District except where the proposed Data Center standards establish a more restrictive requirement.

Article 19 - Screening and Trees: Applies the existing screening and landscaping requirements and provides that the more restrictive Data Center standard controls where a greater buffer, screening, landscaping, or vegetation-preservation requirement is established.

KEY DEVELOPMENT STANDARDS

Data Center development would be limited to the IW District and would require a Major Special Use Permit.

A pre-application conference would be required with Planning staff and applicable Town departments and reviewing agencies.

Applications would include detailed information concerning building area, phasing, mechanical equipment, electrical demand, water and wastewater demand, cooling systems, generators, fuel and battery systems, major utility infrastructure, traffic, and nearby residential dwellings and schools.

A Data Center building would be required to be at least 100 feet from residentially zoned property. Exterior generators, cooling towers, chillers, transformers, substations, and similar major equipment would be required to be at least 200 feet from an existing residential dwelling.

A minimum 50-foot landscaped buffer would be required where the development adjoins residentially zoned property or an existing residential use.

An acoustical analysis would be required to evaluate normal and reasonably anticipated peak operating conditions, including low-frequency sound and impacts at property lines and nearby dwellings and schools.

Routine generator testing would generally be limited to 8:00 a.m. through 6:00 p.m., Monday through Saturday, subject to stated exceptions.

Large building facades would be required to incorporate architectural or site-design techniques to reduce the visual impact of building mass.

Fire protection, emergency response, stormwater, transportation, security, and decommissioning requirements are included in the proposed standards.

Zoning approval would not guarantee water, sewer, electrical, or other utility capacity and would not obligate the Town to construct, expand, or finance utility infrastructure.

2018 EDENTON-CHOWAN LAND USE PLAN

The proposed amendment is intended to establish standards for a high-intensity technology and infrastructure use and to direct that use to the IW, Industrial Warehouse District. The amendment addresses compatibility with surrounding land uses, infrastructure capacity, environmental considerations, public safety, and orderly development.

The amendment is consistent with the Land Use Plan framework of using zoning and development standards to guide the location and intensity of industrial development and to address transitions between industrial and residential areas. Because the amendment is Town-wide and text-based, it does not change the Future Land Use Map designation of any individual parcel.

2026 STATUTORY IMPLEMENTATION

The proposed amendment contains an implementation section addressing the relationship between the Data Center standards and current North Carolina development-regulation law. The draft identifies the Major Special Use Permit as a quasi-judicial development approval and requires decisions to be based upon the UDO standards and competent, material, and substantial evidence in accordance with Chapter 160D.

The draft also addresses the 2026 statutory limitation on minimum off-street parking requirements where applicable and expressly provides that Senate Bill 730, the Ratepayer Protection Act, is not incorporated as enacted law. The draft directs that any later controlling State law be applied and that the UDO may be amended as necessary.

ANALYSIS

The current UDO does not contain a specific principal-use classification and comprehensive supplementary development standards tailored to Data Centers. The proposed amendment would distinguish a principal Data Center from an accessory server room or information-technology facility and establish where the use may occur and how it would be reviewed.

Under the proposed amendment, principal Data Centers would be concentrated in the IW District rather than residential or commercial districts. Requiring a Major Special Use Permit would allow each proposed facility to be reviewed against the objective standards in the UDO through the Town's quasi-judicial process. The amendment also preserves a distinction between land-use approval and the separate determination of whether adequate electrical, water, sewer, or other utility capacity is available.

The supplementary standards focus on impacts reasonably associated with the scale and operation of Data Centers, including proximity to residential uses, noise, mechanical and electrical equipment, utility demand, water use, stormwater, traffic, emergency response, security, and eventual abandonment. The amendment would therefore establish a more specific review framework than applying general industrial standards alone.

Staff notes that the proposed 100-foot building setback, 200-foot equipment separation, 50-foot residential buffer, 500-foot acoustical review radius, and 12-month abandonment period are local development standards contained in the proposed amendment and should be considered by the Planning Board as policy choices appropriate to Edenton.

RECOMMENDATION

Staff finds that TA 26-02 provides a defined regulatory framework for Data Center development and establishes standards intended to address the land-use, infrastructure, environmental, and public-safety impacts associated with the use. The amendment directs principal Data Center development to the IW, Industrial Warehouse District and requires Major Special Use Permit review before a facility may be approved.

Staff finds that the proposed amendment is consistent with the general purposes of the 2018 Edenton-Chowan Land Use Plan because it uses zoning and development standards to guide the location and intensity of industrial development, addresses compatibility between industrial and residential areas, and provides for consideration of infrastructure capacity and orderly development.

Staff recommends that Town Council approve Text Amendment TA 26-02, subject to consideration of public hearing comments, adoption of the final ordinance text, and approval of the required plan-consistency statement. The Planning Board recommended approval on October 5, 2026.

PLANNING BOARD PLAN CONSISTENCY STATEMENT

Pursuant to G.S. 160D-604 and Article XX of the Town of Edenton Unified Development Ordinance, the Planning Board shall advise and comment on whether the proposed action is consistent with the adopted comprehensive plan and any other officially adopted plan that is applicable.

Planning Board statement accompanying its October 5, 2026 recommendation for approval:

"The Edenton Planning Board finds that Text Amendment TA 26-02 is consistent with the 2018 Edenton-Chowan Land Use Plan because the amendment establishes development standards for a high-intensity technology and infrastructure use, directs principal Data Center development to the IW, Industrial Warehouse District, and provides standards intended to address compatibility with surrounding land uses, infrastructure capacity, environmental considerations, public safety, and orderly development. The amendment supports the Plan's use of zoning and development standards to guide the location and intensity of industrial development and to address transitions between industrial and residential areas."

PLANNING BOARD ACTION

Recommendation: APPROVAL (as recorded in the submitted staff report; confirm against adopted Planning Board minutes).

Date of Planning Board Action: October 5, 2026.

PROCEDURE - ARTICLE XX, AMENDMENTS

The Planning Board reviewed the proposed text amendment and recommended approval on October 5, 2026. Town Council must conduct the required legislative public hearing, consider the recommendation and public comments, and take final action by ordinance. Upon adoption or rejection, Council shall approve the applicable plan-consistency statement under G.S. 160D-605 and Article XX of the UDO. Confirm required public notice and the final ordinance text before action.

TOWN COUNCIL CONSIDERATION AND ACTION

The decision before Town Council is whether to adopt the proposed text amendment establishing Data Centers as a separately regulated principal use in the IW District, subject to a Major Special Use Permit and the supplementary standards summarized above. This is a legislative text amendment; approval of TA 26-02 would not authorize construction of any particular Data Center or reserve Town utility capacity.

PROPOSED TOWN COUNCIL PLAN-CONSISTENCY STATEMENT

Town Council finds that Text Amendment TA 26-02 is consistent with the general purposes of the 2018 Edenton-Chowan Land Use Plan because it directs a high-intensity technology and infrastructure use to the Industrial Warehouse zoning district and establishes supplementary standards intended to address transitions to residential areas, utility demand, environmental impacts, public safety, and orderly development. As a Town-wide text amendment, TA 26-02 does not change the Future Land Use Map designation of any individual property.

PROPOSED STATEMENT OF REASONABLENESS AND PUBLIC INTEREST

Town Council finds TA 26-02 reasonable and in the public interest because it creates a distinct use classification and an established review process for Data Centers, addresses potential impacts through measurable development standards, provides an opportunity for site-specific quasi-judicial review, and clarifies that land-use approval does not itself guarantee utility availability or require Town-funded infrastructure expansion. The standards are intended to balance potential industrial development with protection of neighboring properties and public services.

SUGGESTED COUNCIL MOTION

I move to approve Text Amendment TA 26-02, amending Articles 2, 10, 11, 12, and 19 of the Town of Edenton Unified Development Ordinance to define and regulate Data Centers, as set forth in the ordinance presented to Town Council, and to adopt the accompanying statement of plan consistency and reasonableness and public interest.

EDENTON PLANNING & COMMUNITY DEVELOPMENT
P.O. Box 300, Edenton, NC 27932
400 South Broad Street, Edenton, NC 27932
PHONE 252-482-2155 FAX 252-482-7377

October 7, 2026

Dear Property Owner:

You are hereby advised that the Edenton Town Council will hold a public hearing on **Monday, October 26, 2026 at 6:00 p.m. in Town Council Chambers located at 504 South Broad Street.**

The purpose of the meeting is to consider the following applications.

1. **Case No. MSUP 26-05: An application for a Major Special Use Permit, for a minor subdivision in the Commercial Highway zoning district located at 110 Whitemon Lane (PIN 780500554610)**

You are receiving this letter because one of the applications listed above is concerning property adjacent to or within one hundred feet of property owned by you.

The applications and maps are available for review at the Edenton Planning Office located at 400 South Broad Street. If you have any questions regarding this matter, please call me at (252) 482-2155 or e-mail me at dewayne.whealton@edenton.nc.gov.

Sincerely,

Dewayne Whealton

Dewayne Whealton
Assistant Town Manager/Planner
Town of Edenton

FOR PLANNING DEPARTMENT USE ONLY:
Conditional Use Request No.: MSUP 26-05
Date Application Received: _____
Fee Paid: $300.00
Date of Planning Board Meeting to consider request: _____

MAJOR SPECIAL USE PERMIT APPLICATION

Town of Edenton, North Carolina

OWNERSHIP INFORMATION:

Applicant: _____ Phone No.: _____

Applicant's Address: _____

Email: _____

Property Owner: Edenton Development Company II, LLC. Phone No.: [redacted]

Owner's Address: 3920 Magazine Street
New Orleans, LA 70115

Email: [redacted]

Tax Parcel No.: 780500554610

Location of Property: 110 Whitemon Lane

Is the property located in the Historic District? Yes ____ No X

Size of Property: 1.92 Acres Street Frontage: 558.10'

MAJOR SPECIAL USE REQUEST:

Existing Zoning: Shopping Center (SV)

Current Land Use of Property: _____

Current Land Uses on abutting properties: _____

Statement of the Nature of the Proposed Use: _____

Gross floor area: _____ Number of Employees: _____

Attach the following:

1. A letter explaining your intentions in detail.
2. Plot plan or survey of the property.
3. Scaled drawings showing existing situation, proposed situation, parking accommodations, landscaping/buffering, and any additional information needed by the Planning Staff according to the UDO.

The Unified Development Ordinance (UDO) defines a Major Special Use Permit as a permit issued by the Town Council that authorizes the recipient to make use of property in accordance with the requirements of the UDO as well as any additional requirements imposed by the Town Council. In order to grant a Major Special Use Permit, the Town Council must make the required findings of fact contained in Article IV, Section 9 of the UDO. The applicant shall submit the following Statement of Justification, presenting factual information supporting each and all of the required findings as they relate to the proposed conditional use.

STATEMENTS OF JUSTIFICATION:

Finding 1.

The proposed use or development will **not** materially endanger the public health, safety, or welfare:

STATEMENT BY APPLICANT: Correct. The proposed use or development will not materially endanger the public health, safety, or welfare.

Finding 2.

The proposed use or development will **not** substantially injure the value of adjoining or abutting property:

STATEMENT BY APPLICANT: Correct. The proposed use of development will not substantially injure the value of adjoining or abutting property.

Finding 3.

The proposed use or development will be in harmony with the area in which it is to be located:

STATEMENT BY APPLICANT: Correct. The proposed use or development will be in harmony with the area in which it is to be located.

Finding 4.

The proposed use or development will be in general conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the council:

STATEMENT BY APPLICANT: Correct. The proposed use or development will be in general conformity with the land use plan, thoroughfare plan, or other plan offically adopted by council.

I certify that all of the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief. I authorize the Town of Edenton to place a sign on the property in question for the purpose of altering the general public of my request, to be placed on the property no less than seven (7) days prior to the meeting. I have clearly identified my property for the location of said sign.

APPLICANT: _____ _____
Date

State of North Carolina
_____ County

I, _____, a Notary Public for _____ County, North Carolina, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument..

Witness my hand and official seal, the _____ day of _____ 20___.

(Official Seal) _____
Notary Public

My Commission Expires: _____, 20___

I am the owner of the subject property and I hereby authorize the applicant to appear with my consent before the Town of Edenton Board of Adjustment in order to ask for a Special Use Permit at the aforementioned location. I understand that if the Special Use Permit is granted it is permanent and runs with the land. I authorize the Town of Edenton to advertise and present this matter in my name as the owner of the property.

OWNER: [redacted] 09/21/2026
Date

State of ~~North Carolina~~ LOUISIANA
ORLEANS County

I, Melissa Schindler, a Notary Public for Jefferson Parish with Statewide Jurisdiction ~~County~~, ~~North Carolina~~ LOUISIANA, do hereby certify that Gordan H Kolb JR personally appeared before me this day and acknowledged the due execution of the foregoing instrument..

Witness my hand and official seal, the 21st day of September 2026

(Official Seal) [redacted]
Notary Public

My Commission Expires: upon death, 20___

NOTARY PUBLIC
MELISSA SCHINDLER
NOTARY PUBLIC
ID NO. 150587
MY COMMISSION IS FOR LIFE.

Suggested Considerations:

Finding 1.

a. Traffic conditions in the vicinity including the effect of additional traffic on streets and at intersections.

b. The effect of the proposed use on surrounding properties including possible conflicts and how these will be addressed.

c. The projected benefits of the community.

Finding 2.

a. The compatibility of the proposed use with all surrounding uses.

b. The provisions of buffering, landscaping to help protect property values.

Finding 3.

a. The compatibility of the proposed plan with the existing environment of surrounding- areas.

Finding 4.

a. Conformity with the Land Use Plan, Thoroughfare Plan, Official Zoning Map, etc.

b. Will the proposed use meet the requirements of the Unified Development Ordinance (UDO)?

c. Will the proposed use be designed to meet all existing Town Codes and Policies as well as North Carolina State Building Codes?

The following are all of the adjoining property owners adjacent to both side and rear, and the property in front of (across the street from) the property seeking a special use permit:

ADJOINING PROPERTY OWNERS
(WITHIN 100 FEET OF PROPOSED USE)

NAME	CURRENT MAILING ADDRESS	TAX PIN #
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

Instructions for filing an application for a Major Special Use Permit

1. An applicant for a conditional use must complete the application in full. This application will not be processed unless all information requested is provided.

2. The completed application shall be accompanied by the $300.00 filing fee, a plot of the property, a scaled and/or engineered or landscape architect sealed drawing showing existing situation, proposed situation, parking accommodations, and

landscaping/buffering. Any additional information as needed by the Planning Director, Building Inspector, and Town Officials.

3. The applicant, or his duly authorized agent, shall submit to the Planning Office, the required number of copies of the petition with a list of all adjoining property owners within 100 feet of the proposed special use, with the current mailing address of each adjacent property owner and one (1) set stamped addressed envelopes of all those to whom notice of public hearing must be sent (adjacent property owners within 100 feet).

4. Completed applications must be filed with the Edenton Planning Office located at the Town Hall at 400 South Broad Street no later than 5:00 p.m. thirty (30) days prior to the Planning Board Meeting.

5. The application must be signed by the applicant and owner, or by authorized agent of the property in question with owners' consent.

6. Public meetings will be held at the 1st Monday of each month at 6:00 p.m. NOTE meeting location, date, and time are subject to change.

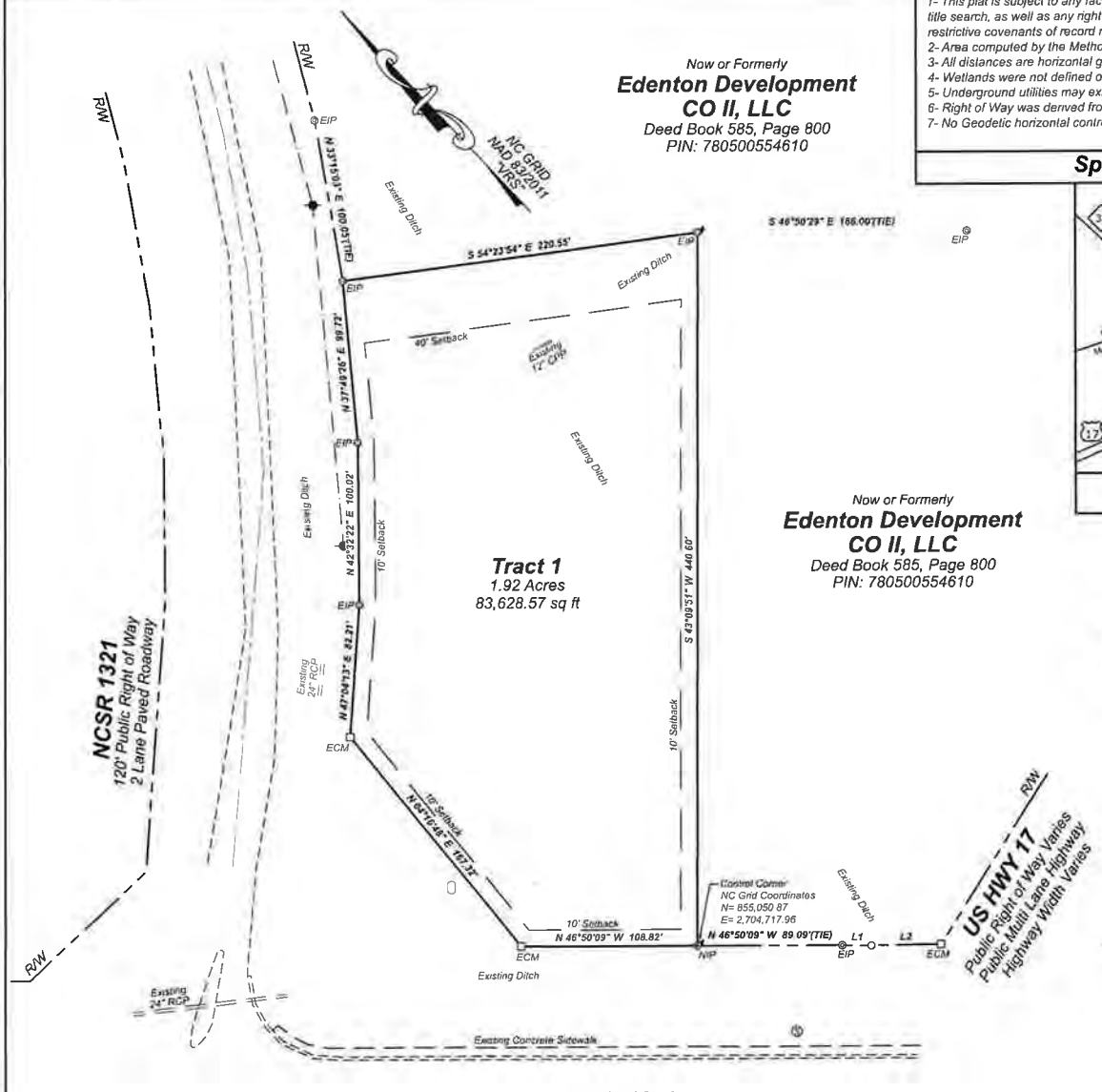
FOR ADDITIONAL INFORMATION
CALL THE TOWN HALL PLANNING OFFICE
(252) 482-2155

1- This plat is subject to any facts that maybe disclosed by a full and accurate title search, as well as any right of ways easements, zoning regulations and restrictive covenants of record not shown hereon
2- Area computed by the Method of Coordinate Geometry.
3- All distances are horizontal ground unless otherwise noted
4- Wetlands were not defined or mapped during this survey.
5- Underground utilities may exist that are not shown heron
6- Right of Way was derived from Plat Cabinet 2, Slide 44-D
7- No Geodetic horizontal control monument within 2000'.

Special Notes



VICINITY MAP - NOT TO SCALE



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 46°05'03" W	18.17'
L2	N 47°43'07" W	42.81'

Legend

- EIP = Existing Iron Pin
- NIP = New Iron Pin
- ECM = Existing Concrete Monument
- EPKN = Existing Nail or Spike
- NPS = No Point Set
- =Power Pole
- =Telephone Pedestal
- =Fire Hydrant
- =Water Meter
- =Sanitary Sewer Manhole
- = Right of Way
- = Centerline
- = Lines Surveyed
- = Lines Not Surveyed
- = Power Line
- = Curbing
- = Ditch
- = Edge of Pavement
- = Fence Line

C/L = Centerline
R/W = Right of Way
RCP = Reinforced Concrete Pipe
CMP = Corrugated Metal Pipe

All NIP's set are black iron rebar 5/8" in Diameter by 20" long with cap
Linear Units are "US SURVEY FEET"
Angluar Units are "Degrees, Minutes & Seconds"

Scale 1" = 50'

50 0 50 100 150

Certificate of Ownership

I hereby certify that I am the owner of the property described hereon, which property is within the subdivison regulation jurisdiction of the Town of Edenton and that i freely adopt this plat of subdivision

Date Owner

Surveyor's Certificate & Parcel Status

I, Stuart H. Sorrell, a Professional Land Surveyor in the State of North Caroline, certify that this plat was drawn under my supervision from an actual survey performed under my supervision. That the boundaries surveyed are defined in Deed Book 585, Page 800. That the boundaries not surveyed are clearly indicated by broken lines. That the ratio of precision as calculated is 1/ 10,000 +.

That the following information was used to perform the GPS survey.

GPS receiver used: Spectra SP 80
Class of survey : C
Positional accuracy : 0.03
Type of GPS field procedure : Virtual Receiving Station
Dates of survey : September 15, 2026
Datum/Epoch : NAD 83 / 2011 adjustment
Published / Fixed control used : "VRS"
Geoid Model : GEOID 18
Combined Gnd Factor : 0 999988713
Units : US SURVEY FEET

NORTH CAROLINA PROFESSIONAL SEAL L-5562 LAND SURVEYOR STUART H. SORRELL

That this plat was prepared in accordance with GS 47-30 as amended. That this plat meets the requirements of GS 47-30 section F-11, this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature and seal this 17 day of September , 2026

Stuart H Sorrell, Professional Land Surveyor L-5562

Certificate of Approval

I certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with Chapter 21 of the Edenton Town Code, and that therefore this plat has been approved by the land use administrator, subject to its being recorded in the Chowan County Register within sixty days of the date below.

Date Land Use Administrator

Flood Drainage Prevention Certificate of Approval for Recording

I certify that the plat shown hereon complies with the Town of Edenton Flood Drainage Prevention Ordinance requirements and is approved by Edenton for recording in the Register of Deeds office

Date Land Use Administrator

A Subdivision Survey for:

G.H.K. Development, Inc.

Of Property Standing in the Name of

G.H.K. Development, Inc.

First Township
Scale 1" = 50'

Chowan County, NC
Surveyed September 15, 2026

SORRELL
LAND SURVEYING, INC.

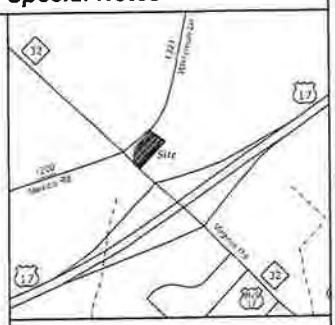
Hugh A Sorrell, L-2849 Stuart H Sorrell, L-5562
Thomas L Bohrer, L-3312
107 Union Drive, Suite 201 Washington NC
www.sorrelllandsurveying.com Office (252) 948-2464
Company License C-3508

"Serving the land surveying needs of Eastern NC"

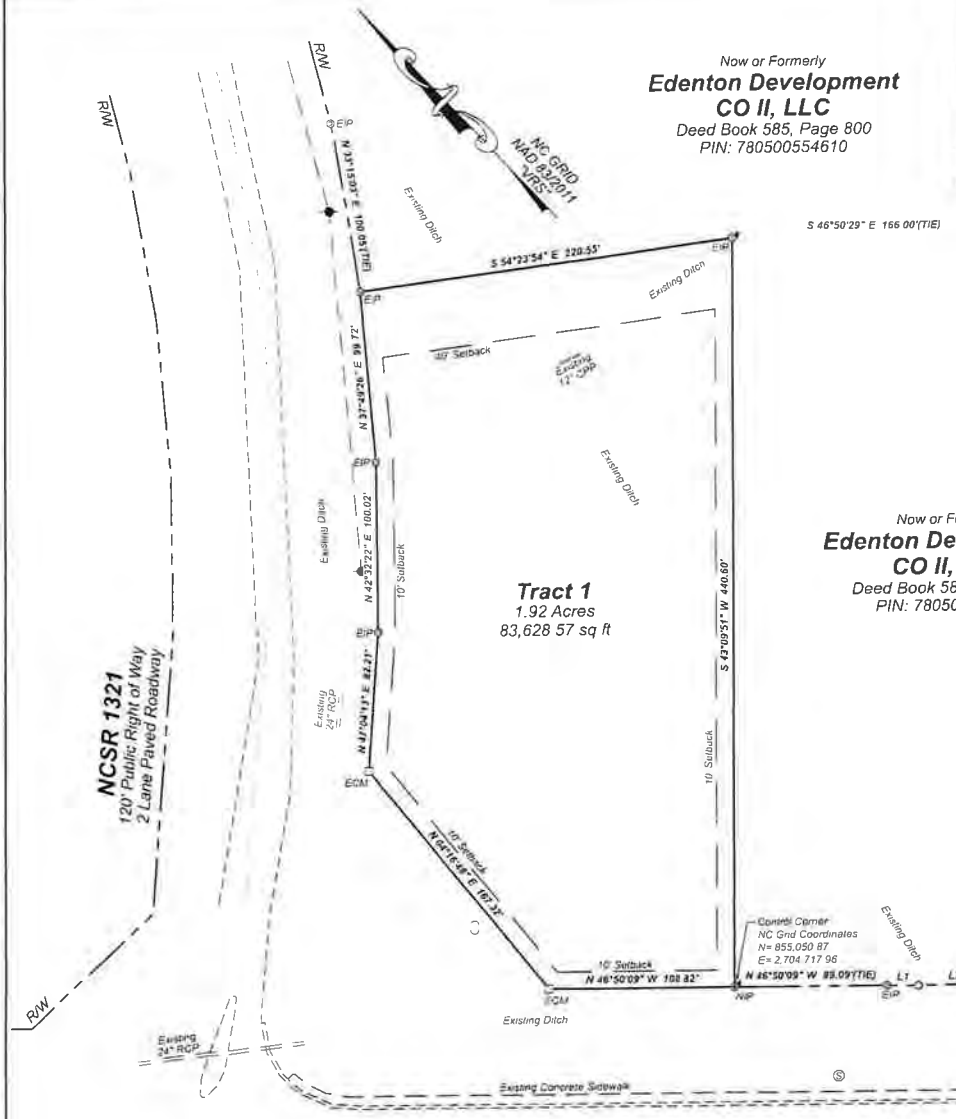
FILE NO 2026-362-041

1- This plat is subject to any facts that maybe disclosed by a full and accurate title search, as well as any right of ways easements, zoning regulations and restrictive covenants of record not shown hereon
2- Area computed by the Method of Coordinate Geometry.
3- All distances are horizontal ground unless otherwise noted
4- Wetlands were not defined or mapped during this survey.
5- Underground utilities may exist that are not shown heron
6- Right of Way was derived from Plat Cabinet 2, Slide 44-D.
7- No Geodetic horizontal control monument within 2000'

Special Notes



VICINITY MAP - NOT TO SCALE



Now or Formerly
Edenton Development
CO II, LLC
Deed Book 585, Page 800
PIN: 780500554610

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 46°05'03" W	18.17'
L2	N 47°43'07" W	42.81'

Legend

- EIP = Existing Iron Pin
- NIP = New Iron Pin
- ECM = Existing Concrete Monument
- EPKN = Existing Nail or Spike
- NPS = No Point Set
- =Power Pole
- =Telephone Pedestal
- =Fire Hydrant
- =Water Meter
- =Sanitary Sewer Manhole
- = Right of Way
- = Centerline
- = Lines Surveyed
- = Lines Not Surveyed
- = Power Line
- = Curbing
- = Ditch
- = Edge of Pavement
- = Fence Line

C/L = Centerline
R/W = Right of Way
RCP = Reinforced Concrete Pipe
CMP = Corrugated Metal Pipe

All NIP's set are black iron rebar 5/8" in Diameter by 20" long with cap
Linear Units are "US SURVEY FEET"
Angluar Units are "Degrees, Minutes & Seconds"

Scale 1" = 50'

50 0 50 100 150

Certificate of Ownership

I hereby certify that I am the owner of the property described hereon, which property is within the subdivison regulation jurisdiction of the Town of Edenton and that I freely adopt this plat of subdivision

Date Owner

Surveyor's Certificate & Parcel Status

I, Stuart H Sorrell, a Professional Land Surveyor in the State of North Carolina, certify that this plat was drawn under my supervision from an actual survey performed under my supervision. That the boundaries surveyed are defined in Deed Book 585, Page 800. That the boundaries not surveyed are clearly indicated by broken lines. That the ratio of precision as calculated is 1: 10,000 +.

That the following information was used to perform the GPS survey.
GPS receiver used: Spectra SP 80
Class of survey C
Positional accuracy 0.03
Type of GPS field procedure Virtual Receiving Station
Dates of survey September 15, 2026
Datum/Epoch NAD 83 / 2011 adjustment
Published / Fixed control used "VRS"
Geoid Model : GEOID 18
Combined Gnd Factor 0.999988713
Units US SURVEY FEET

NORTH CAROLINA PROFESSIONAL SEAL L-5562 LAND SURVEYOR STUART H SORRELL

That this plat was prepared in accordance with GS 47-30 as amended. That this plat meets the requirements of GS 47-30 section F-11; this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature and seal this 17 day of September 2026

Stuart H Sorrell, Professional Land Surveyor L-5562

Certificate of Approval

I certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with Chapter 21 of the Edenton Town Code, and that therefore this plat has been approved by the land use administrator, subject to its being recorded in the Chowan County Register within sixty days of the date below.

Date Land Use Administrator

Flood Drainage Prevention Certificate of Approval for Recording

I certify that the plat shown hereon complies with the Town of Edenton Flood Drainage Prevention Ordinance requirements and is approved by Edenton for recording in the Register of Deeds office

Date Land Use Administrator

A Subdivision Survey for:

G.H.K. Development, Inc.

Of Property Standing in the Name of

G.H.K. Development, Inc.

First Township
Scale 1" = 50'

Chowan County, NC
Surveyed September 15, 2026

SORRELL
LAND SURVEYING, INC.

Hugh A Sorrell, L 2849 Stuart H. Sorrell, L-5562
Thomas L Bohrer, L-3312
107 Union Drive Suite 201 Washington NC
www.sorrellandsurveying.com Office (252) 948-2464
Company License C-3508

"Serving the land surveying needs of Eastern NC"

FILE NO. 2026-362-041

Dwayne Andrew Long
842 Chambers Ferry Road
Edenton, NC 27932

Renee McCullers
Marcus Webster
225 E. Church Street
Edenton, NC 27932

Michael J. Silverio
34 Hemlock Street
North Andover, MA 1845

Tonya Capehart
922 N. Broad Street
Edenton, NC 27932

Eddie Ray Stallings
502 W. Holly Ave
Sterling, VA 20164

Carlos Lorenzo Cruz
1006 N. Broad Street
Edenton, NC 27932

Dianne R. Whitfield
Metrogene R. Brown
7410 Finns Lane
Lanham, MD 20706

Tanya E. Lamo
Scott A. Lamo
120 Mother Vineyard Road
Manteo, NC 27954

Edenton Boatworks LLC
140 Midway Drive
Edenton, NC 27932

United Parcel Service
Attn: Corp Real Estate Department
55 Glenlake Parkway NE
Atlanta, GA 30328

Coogan Assets, LLC
212 S. Broad Street Apt B
Edenton, NC 27932

Jerry Wayne Parrish
Dorothy B. Parrish
1205 Virginia Road
Edenton, NC 27932

Dillard-C N Griffin Est
3920 Magazine Street
New Orleans, LA 70115

Carter Lumber PTNRP
601 Tallmadge Road
Kent, OH 44240

AACE Holdings, LLC
1677 US HWY 17
Williamston, NC 27892

Americas Best Value Inn
501 Virginia Road
Edenton, NC 27932

State Employees Credit Union
119 N. Salisbury Street
Raleigh, NC 27603

Curtis M. Simons
Hubert D. Simons
PO Box 622
Edenton, NC 27932

Johnny Edward Bond
Ruby Bond
131 Whitemon Lane
Edenton, NC 27932

Parish Farms Inc.
410B Old Hertford Road
Edenton, NC 27932

Edenton Holdings
1314 S. Croatan Hwy, STE 301
Kill Devil Hills, NC 27948

STAFF REPORT

To: Edenton Planning Board
Date: October 5, 2026
Case: MSUP 26-05
Prepared By: Dewayne Whealton, Assistant Town Manager

GENERAL INFORMATION

Applicant: Edenton Development Company II, LLC
3920 Magazine Street
New Orleans, LA 70115

Property Owner: Edenton Development Company II, LLC
3920 Magazine Street
New Orleans, LA 70115

Requested Action: Minor Subdivision creating a 1.92-acre commercial tract.

Tax PIN #s: 780500554610
Location: 110 Whitemon Lane
Size: 1.92 acres (proposed Tract 1)
Zoning: CH, Commercial Highway
Existing Land Use: Vacant
Surrounding Land Use & Zoning:

North- Commercial / Highway corridor development
South- Commercial / Highway corridor development
East- Remaining property of Edenton Development Company II, LLC
West- NC Highway 32 / Highway corridor

Existing Land Use Classification: Plan Goals & Objectives.

The 2018 Edenton-Chowan Joint Land Use Plan identifies the subject area within the Town's commercial development pattern. The Commercial Future Land Use classification is concentrated along Virginia Road (NC 32), US 17, and North Broad Street and is intended to accommodate a wide variety of retail and commercial service uses where adequate public utilities and streets are available or can be upgraded to support the anticipated intensity of development.

The Commercial classification is identified as compatible with the SC (Shopping Center), CH (Highway Commercial), and CN (Neighborhood Commercial) zoning districts.

The 2018 Edenton-Chowan Land Use Plan denotes the following Town of Edenton Land Use & Development Concerns:

1. Encourage Population Growth;
2. Promote Economic Development;
3. Provide Recreation and Open Space; and
4. Foster Housing Choice.

Further, the 2018 Edenton-Chowan Land Use Plan provides the following goal applicable to commercial

development:

GOAL E-2: Promote the establishment of a broad range of new commercial uses in the Town, both in the downtown core and on the periphery near the Highway 17 (new Interstate 87) interchanges, with particular emphasis on grocery stores and restaurants.

The proposed subdivision does not approve a specific commercial use; however, creation of the proposed tract may facilitate future commercial development within an area already zoned CH, Commercial Highway. Any future development will remain subject to all applicable requirements of the Unified Development Ordinance and other permitting requirements.

Zoning History: SC, Shopping Center.
Applicable Regulations: Unified Development Ordinance: Article IV Permits and Final Plat Approval, Article IX Zoning Districts and Zoning Maps, Article X Permissible Uses and Permissible Use Table, and applicable subdivision and dimensional standards

SPECIAL INFORMATION

Public Utilities: Public utility availability and capacity shall be confirmed as required for any future development of the resulting tract.

Public Services: The property is located within the Town of Edenton planning jurisdiction and is served by applicable public safety and governmental services.

Transportation: The property is located within the NC Highway 32 / US Highway 17 commercial corridor. The submitted survey depicts the site in relation to NC Highway 32, US Highway 17, and NC Secondary Road 1321. Any future access improvements are subject to applicable Town and NCDOT requirements.

Physical Characteristics: The submitted survey creates Tract 1 containing 1.92 acres (83,628.57 square feet). The remaining acreage is retained as part of the parent parcel and is not shown as a separately created tract under this request.

Aerial Map from GIS



ANALYSIS

The application before you requests a Major Special Use Permit for a minor subdivision in the CH, Commercial Highway zoning district at 110 Whitemon Lane. The proposed subdivision creates one new tract, identified as Tract 1, containing approximately 1.92 acres. The balance of the property will remain part of the parent parcel.

The request is limited to the division of land. Approval of the subdivision does not approve a particular commercial use, building, site plan, driveway configuration, parking arrangement, signage, or other site improvements. Any future development of Tract 1 must comply with the CH zoning district and all other applicable Town, State, and federal requirements.

The proposed subdivision does not change the zoning classification of the property. The CH district is identified by the 2018 Edenton-Chowan Joint Land Use Plan as compatible with the Commercial Future Land Use classification. The Plan describes Commercial areas as being concentrated along Virginia Road (NC 32), US 17, and North Broad Street and as appropriate for a wide variety of retail and commercial service uses where adequate infrastructure is available.
A prior subdivision configuration associated with the property was not recorded. The current application and submitted survey are therefore being reviewed as the operative subdivision proposal. The current survey creates only the 1.92-acre Tract 1, with the remaining property continuing as part of the parent parcel.

RECOMMENDATION

The Major Special Use Permit process requires applicants to specify the proposed development and allows the Town Council to place reasonable requirements on the approval in addition to those otherwise required by the Unified Development Ordinance.

The Planning Board's role in the Major Special Use Permit process is to provide an initial public meeting and review of the application, and for the Board to make recommendation to the Edenton Town Council regarding its opinion of appropriate action on the application. Prior to approval, the Town Council must ensure that the development at its proposed location meets the following criteria:

1) Will not endanger the public health or safety
2) Will not injure the value of adjoining or abutting property
3) Will be in harmony with the area in which it is located; and
4) Will be in conformity with the Land Use Plan, thoroughfare plan, or other plan officially adopted by the Town Council.
5) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.



Section 10.10 Edenton UDO Table of Permitted Uses (Amended 9/14/2021)

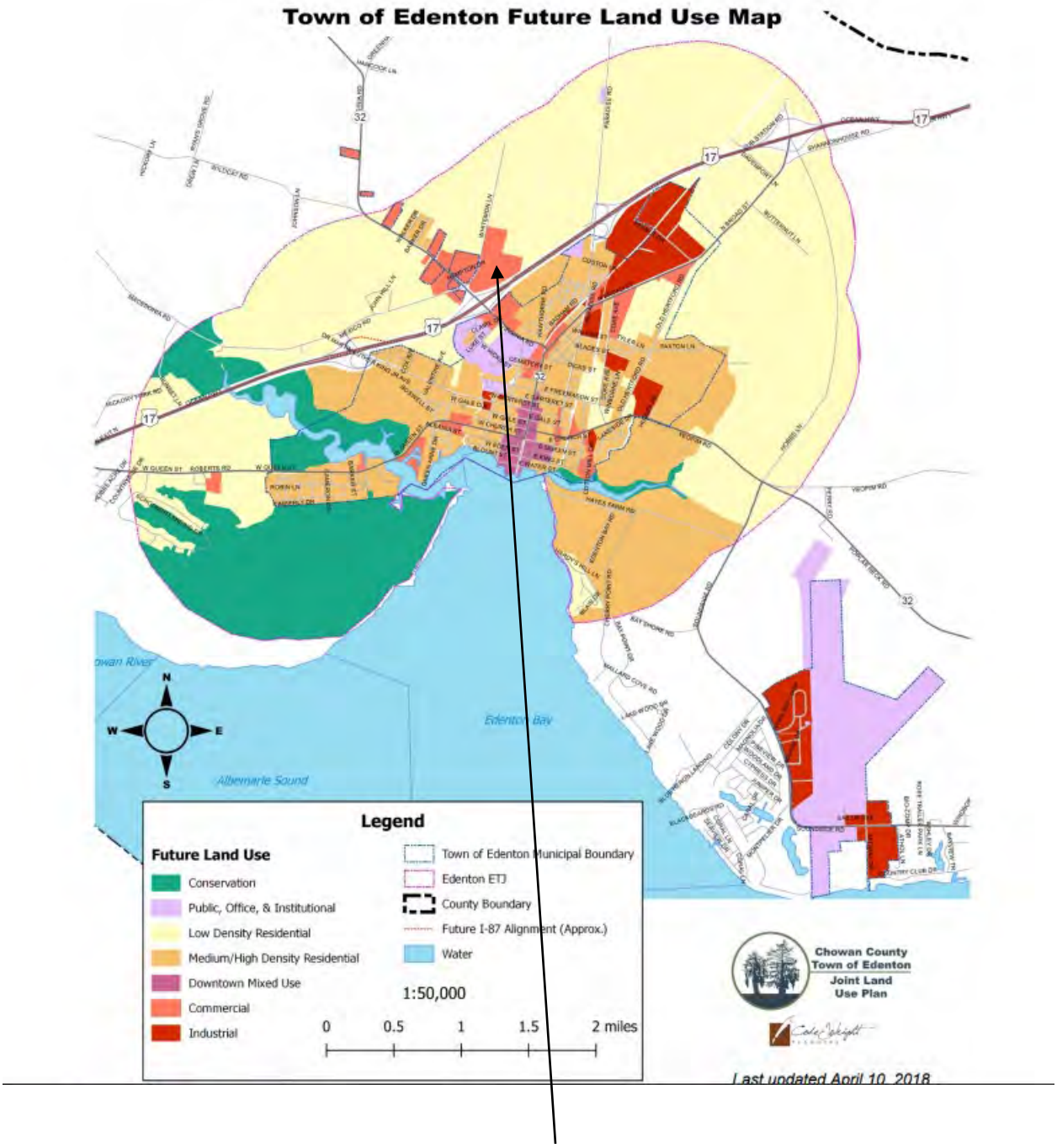
Use Type	Ref. SIC	Zoning Districts											Supplemental Regulations
		RA	R-40	R-20	R-14	R-10	R-5	CD	CH	CN	MA	IW	SC	
Special Events	7999								M				M	Section 11.4
Outdoor Fruit and Vegetable Markets	5431	Z						S	Z				Z	
Sexually-Oriented Businesses	0000								M					Section 11.30
Shopping Center, <80,000 sq.ft.	0000												Z	Section 11.32
Shopping Center, 80,000 sq.ft. or more	0000												M	Section 11.32
Subdivision, Major (Residential and Commercial)	0000	M	M	M	M	M	M	M	M	M	M	M	M	Section 11.24, 11.25
Subdivision, Minor	0000	Z	Z	Z	Z	Z	Z	M	M	M	Z	Z	M	
Temporary Uses/Sales	0000							Z	Z	Z				Section 11.5

Z = Use permitted by Zoning Administrator.
S = Minor Special Use Permit by Board of Adjustment.
M = Major Special Use Permit by Town Council.

ZC = For Multi-family and Townhouse Dwellings Only:
Within CD District : Z = 2 units or less
M = 3 units or more
All Other Districts: Z = 4 units or less
M = 5 units or more

Refer to the following sections for supplemental regulations for overlay districts:
Airport Hazard Overlay District - Section 11.14
Historic Overlay District - Section 11.15
South Broad Street Residential Overlay District - Section 11.16
Roadway Corridor Overlay District - Section 11.37

The proposed use is compatible with the Edenton Future Land Use Map (see inset map below). The Edenton Future Land Use Map identifies this parcel and the surrounding area as suitable for commercial.



The proposed subdivision is compatible with the Commercial Future Land Use classification and the existing CH, Commercial Highway zoning district. The Land Use Plan identifies CH as a zoning district compatible with Commercial-designated areas and recognizes the Highway 17/NC 32 corridor as an appropriate location for commercial development.

All applicable regulations of the Unified Development Ordinance and all staff concerns that are applicable to this subdivision should be addressed. Please consider the following conditions:

1. The subdivision shall be substantially consistent with the submitted Sorrell Land Surveying, Inc. survey depicting Tract 1 as approximately 1.92 acres.
2. The final subdivision plat shall be reviewed and approved in accordance with Article IV of the Unified Development Ordinance and shall contain all required certificates, signatures, easements, notes, and other information required for recordation.
3. Following execution of the Certificate of Approval by the Land Use Administrator, the approved plat shall be recorded in the Chowan County Registry within the period required by the Unified Development Ordinance.
4. Approval of the subdivision shall not constitute approval of a specific commercial use or site development plan. Future development of Tract 1 shall comply with the CH zoning district and all applicable Town, State, and federal requirements.
5. Any new or modified access associated with future development shall receive all applicable Town and NCDOT approvals.

Staff does find the proposed subdivision to be in conformity with the Edenton-Chowan Land Use Plan, and offers the following consistency statement for the Council's consideration:

"Whereas the Council of the Town of Edenton has considered the application for a Major Special Use Permit from Edenton Development Company II, LLC, for a minor subdivision in the CH, Commercial Highway zoning district, and finds that the Major Special Use Permit, if granted, will not endanger the public health or safety, will not injure the value of adjoining or abutting property, will be in harmony with the area in which it is located, and is warranted to achieve and consistent with the purposes of the Land Use Plan, as explained by, but not limited to, the following goal and Future Land Use policies of the Land Use Plan:

GOAL E-2: Promote the establishment of a broad range of new commercial uses in the Town, both in the downtown core and on the periphery near the Highway 17 (new Interstate 87) interchanges, with particular emphasis on grocery stores and restaurants.

The Commercial Future Land Use classification is intended to accommodate a wide variety of retail and commercial service uses where adequate public utilities and streets are available or can be upgraded to support the anticipated intensity of development. The CH, Commercial Highway zoning district is identified as compatible with this classification."

EDENTON PLANNING & COMMUNITY DEVELOPMENT
P.O. Box 300, Edenton, NC 27932
400 South Broad Street, Edenton, NC 27932
PHONE 252-482-2155 FAX 252-482-7377

October 7, 2026

Dear Property Owner:

You are hereby advised that the Edenton Town Council will hold a public hearing on **Monday, October 26, 2026 at 6:00 p.m. in Town Council Chambers located at 504 South Broad Street.**

The purpose of the meeting is to consider the following applications.

1. **Case No. MSUP 26-06: An application for a Major Special Use Permit, for 168 multifamily units in the Medical Arts zoning district located at 212 Virginia Road Beechwood Subdivision (PIN 780500751281)**

You are receiving this letter because one of the applications listed above is concerning property adjacent to or within one hundred feet of property owned by you.

The applications and maps are available for review at the Edenton Planning Office located at 400 South Broad Street. If you have any questions regarding this matter, please call me at (252) 482-2155 or e-mail me at dewayne.whealton@edenton.nc.gov.

Sincerely,

Dewayne Whealton

Dewayne Whealton
Assistant Town Manager/Planner
Town of Edenton

FOR PLANNING DEPARTMENT USE ONLY:
Conditional Use Request No.: _____
Date Application Received: _____
Fee Paid: $300.00
Date of Planning Board Meeting to consider request: _____

MAJOR SPECIAL USE PERMIT APPLICATION

Town of Edenton, North Carolina

OWNERSHIP INFORMATION:

Applicant: _____ Phone No.: [redacted]

Applicant's Address: PO Box 90

Email: [redacted]

Property Owner: _____ Phone No.: [redacted]

Owner's Address: PO Box 90
Kill Devil Hills, NC 27948

Email: edunigan@icrsaga.com

Tax Parcel No.: 780500858917

Location of Property: 212 Virginia Road

Is the property located in the Historic District? Yes ____ No X

Size of Property: 20.78 acres Street Frontage: Beechwood Ave: 1024'
US Hwy 17 Bypass: 460'

MAJOR SPECIAL USE REQUEST:

Existing Zoning: MA

Current Land Use of Property: Vacant

Current Land Uses on abutting properties: Shopping center, fast food, gas station, open farmland

Statement of the Nature of the Proposed Use: Apartments for rent marketed to workforce, young families and retirees

Gross floor area: 198,525 Number of Employees: 2

Attach the following:

1. A letter explaining your intentions in detail.
2. Plot plan or survey of the property.
3. Scaled drawings showing existing situation, proposed situation, parking accommodations, landscaping/buffering, and any additional information needed by the Planning Staff according to the UDO.

The Unified Development Ordinance (UDO) defines a Major Special Use Permit as a permit issued by the Town Council that authorizes the recipient to make use of property in accordance with the requirements of the UDO as well as any additional requirements imposed by the Town Council. In order to grant a Major Special Use Permit, the Town Council must make the required findings of fact contained in Article IV, Section 9 of the UDO. The applicant shall submit the following Statement of Justification, presenting factual information supporting each and all of the required findings as they relate to the proposed conditional use.

STATEMENTS OF JUSTIFICATION:

Finding 1.

The proposed use or development will **not** materially endanger the public health, safety, or welfare:

STATEMENT BY APPLICANT: Apartments are a much needed housing option for the area and will enhance the quality of living in the area. The development is served by Paradise Road and Virginia Road. These two roads will share traffic generated by the development.

Finding 2.

The proposed use or development will **not** substantially injure the value of adjoining or abutting property:

STATEMENT BY APPLICANT: Apartments are a much needed housing option and should increase property values of surrounding properties. The development will include landscaping, building setbacks and buffers as per the Town zoning code.

Finding 3.

The proposed use or development will be in harmony with the area in which it is to be located:

STATEMENT BY APPLICANT: The 168 unit apartment complex, designed with attention to local character and architecture, will blend with the surrounding area, providing modern living while preserving the charm and harmony of the community.

Finding 4.

The proposed use or development will be in general conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the council:

STATEMENT BY APPLICANT: The development will conform to all local zoning and land use plans.

I certify that all of the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief. I authorize the Town of Edenton to place a sign on the property in question for the purpose of altering the general public of my request, to be placed on the property no less than seven (7) days prior to the meeting. I have clearly identified my property for the location of said sign.

APPLICANT: [redacted] Date 9/23/2026

State of North Carolina
Dare County

I, Janet Forrester, a Notary Public for Dare County, North Carolina, do hereby certify that Prem Gupta personally appeared before me this day and acknowledged the due execution of the foregoing instrument..

Witness my hand and official seal, the 23rd day of September 2026

JANET FORRESTER
NOTARY PUBLIC
(Official Seal) Dare County
North Carolina
My Commission Expires 2/10/2030

[redacted]
Notary Public

My Commission Expires: 2/10, 2030

I am the owner of the subject property and I hereby authorize the applicant to appear with my consent before the Town of Edenton Board of Adjustment in order to ask for a Special Use Permit at the aforementioned location. I understand that if the Special Use Permit is granted it is permanent and runs with the land. I authorize the Town of Edenton to advertise and present this matter in my name as the owner of the property.

OWNER: [redacted] Date 9/23/2026

State of North Carolina
Dare County

I, Janet Forrester, a Notary Public for Dare County, North Carolina, do hereby certify that Prem Gupta personally appeared before me this day and acknowledged the due execution of the foregoing instrument..

Witness my hand and official seal, the 23rd day of September 2026

JANET FORRESTER
NOTARY PUBLIC
(Official Seal) Dare County
North Carolina
My Commission Expires 2/10/2030

[redacted]
Notary Public

My Commission Expires: 2/10, 2030

Suggested Considerations:

Finding 1.

a. Traffic conditions in the vicinity including the effect of additional traffic on streets and at intersections.

b. The effect of the proposed use on surrounding properties including possible conflicts and how these will be addressed.

c. The projected benefits of the community.

Finding 2.

a. The compatibility of the proposed use with all surrounding uses.

b. The provisions of buffering, landscaping to help protect property values.

Finding 3.

a. The compatibility of the proposed plan with the existing environment of surrounding- areas.

Finding 4.

a. Conformity with the Land Use Plan, Thoroughfare Plan, Official Zoning Map, etc.

b. Will the proposed use meet the requirements of the Unified Development Ordinance (UDO)?

c. Will the proposed use be designed to meet all existing Town Codes and Policies as well as North Carolina State Building Codes?

The following are all of the adjoining property owners adjacent to both side and rear, and the property in front of (across the street from) the property seeking a special use permit:

ADJOINING PROPERTY OWNERS
(WITHIN 100 FEET OF PROPOSED USE)

NAME	CURRENT MAILING ADDRESS	TAX PIN #
1. Calvin Capehart Jr.	1309 Paradise Rd, Edenton, NC 27932	780512857599
2. Britthaven of Edenton	Type text here po box 6159 Kinston, NC 28502	780512868761
3. E. Carolina Radio	po box 950 Edenton, NC 27932	780512961365
4. Cora Capehart Herman Jernigan	1309 Paradise Rd, Edenton, NC 27932	780512952639
5. Blair Lankford	232 Armistead Ave, Hampton, Va 23669	780512964068
6. Sunbury Fields	111 NC Hhighway 32 N, Sunbury, NC 27979	780512965142
7. Hung Van Nguyen	po box 70 Columbia, NC 27925	780512965035
8. Georgeann Isley	1312 Paradise Rd Edenton, NC 27932	780512954811
9. Elight Johnson	5601 Rush Springs Ct, Raleigh, NC 27617	780512954702
10. Alexander Johnson (heirs)	1013 N. Broad Street, Edenton NC	780512953692
11 Antonia Perry/ Katherine Bond	105 Coston Lane, Edenton NC	780512954941
12.		

Instructions for filing an application for a Major Special Use Permit

1. An applicant for a conditional use must complete the application in full. This application will not be processed unless all information requested is provided.

2. The completed application shall be accompanied by the $300.00 filing fee, a plot of the property, a scaled and/or engineered or landscape architect sealed drawing showing existing situation, proposed situation, parking accommodations, and

landscaping/buffering. Any additional information as needed by the Planning Director, Building Inspector, and Town Officials.

3. The applicant, or his duly authorized agent, shall submit to the Planning Office, the required number of copies of the petition with a list of all adjoining property owners within 100 feet of the proposed special use, with the current mailing address of each adjacent property owner and one (1) set stamped addressed envelopes of all those to whom notice of public hearing must be sent (adjacent property owners within 100 feet).

4. Completed applications must be filed with the Edenton Planning Office located at the Town Hall at 400 South Broad Street no later than 5:00 p.m. thirty (30) days prior to the Planning Board Meeting.

5. The application must be signed by the applicant and owner, or by authorized agent of the property in question with owners' consent.

6. Public meetings will be held at the 1st Monday of each month at 6:00 p.m. NOTE meeting location, date, and time are subject to change.

FOR ADDITIONAL INFORMATION
CALL THE TOWN HALL PLANNING OFFICE
(252)482-2155

SAGA Construction & Development
PO Box 90
Kill Devil Hills, NC 27948

September 22, 2026

Dewayne Whealton
Town of Edenton
400 South Broad Street
Edenton, NC 27932

Dear Dewayne:

Enclosed is a Major Special Use Permit Application for the multi-family apartment complex at the Beechwood development.

The project was previously approved at a location near Paradise Road for 144 apartment units on approximately 9 acres. We are requesting to amend the approval to relocate the apartment community closer to the existing shopping center and increase the total number of units to 168. The proposed development will be located on approximately 20 acres and will include a mix of 12- and 24-unit buildings. The revised location will provide future residents with convenient access to the shopping center and its existing commercial services, while also taking advantage of its proximity to an established neighborhood amenity.

The rental units will range from one to three bedrooms and will include a clubhouse and swimming pool amenity. The units will be priced and marketed to serve local workers, new families, and retirees.

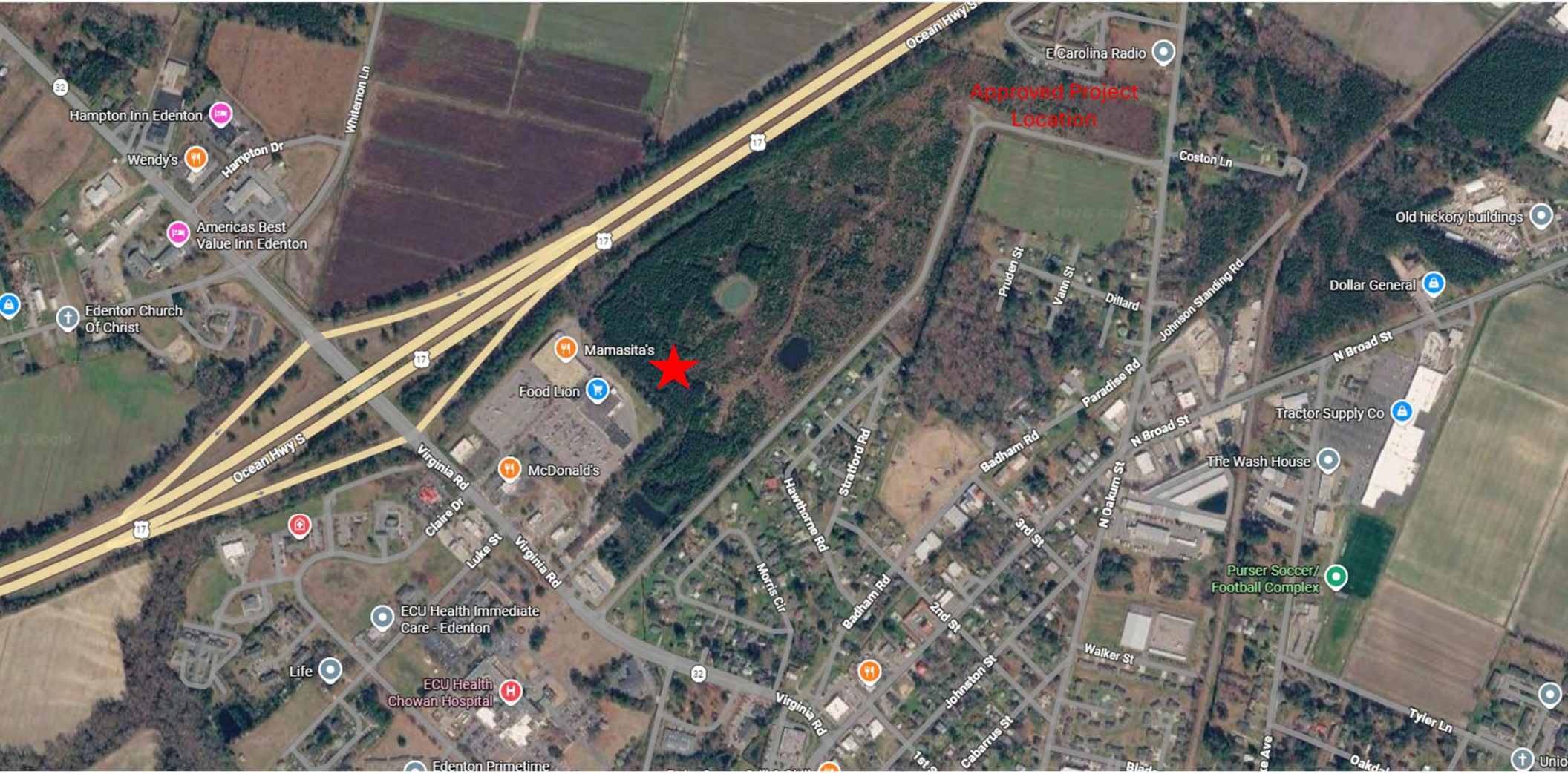
The buildings will be designed with an architectural character that is appropriate for and complementary to the Town of Edenton. Colored renderings of the buildings and site plan are included with the application to illustrate the proposed development.

We believe the revised plan represents a thoughtful approach to the development of this portion of Beechwood and will provide a desirable housing option in a convenient location. We appreciate the Town's consideration of the application and look forward to working together to advance the project.

Sincerely,

Best Regards,

Erin Dunigan
Development Coordinator


Approved Project Location
Ocean Hwy S
E Carolina Radio
Coston Ln
Old hickory buildings
Hampton Inn Edenton
Wendy's
Hampton Dr
Whitemon Ln
Americas Best Value Inn Edenton
Edenton Church Of Christ
Pruden St
Vann St
Dillard
Johnson Standing Rd
Dollar General
N Broad St
Paradise Rd
Mamasita's
Food Lion
Tractor Supply Co
Badham Rd
The Wash House
McDonald's
Virginia Rd
Claire Dr
Luke St
Hawthorne Rd
Stratford Rd
N Oakum St
3rd St
Morris Cir
Purser Soccer/ Football Complex
ECU Health Immediate Care - Edenton
Life
ECU Health Chowan Hospital
2nd St
Walker St
Johnston St
Cabarrus St
Tyler Ln
Edenton Primetime

Approved Site Plan



BEECHWOOD AVENUE APARTMENTS - SITE PLAN
1" = 40'-0"

TOTAL APARTMENTS: 144

PARKING
SPACES REQUIRED: 252
SPACES PROVIDED: 260

NOT FOR CONSTRUCTION

LIBERATOS ARCHITECTS

SAGA REALTY & CONSTRUCTION



Site Data

ACREAGE IN PROJECT LIMITS:	20.414 AC
ACREAGE IN PROPOSED R/W:	1.412 AC
TOTAL NUMBER OF UNITS:	312 UNITS
TOTAL NUMBER OF PROPOSED PARKING SPACES:	316 SPACES (INCL. 13 HC)

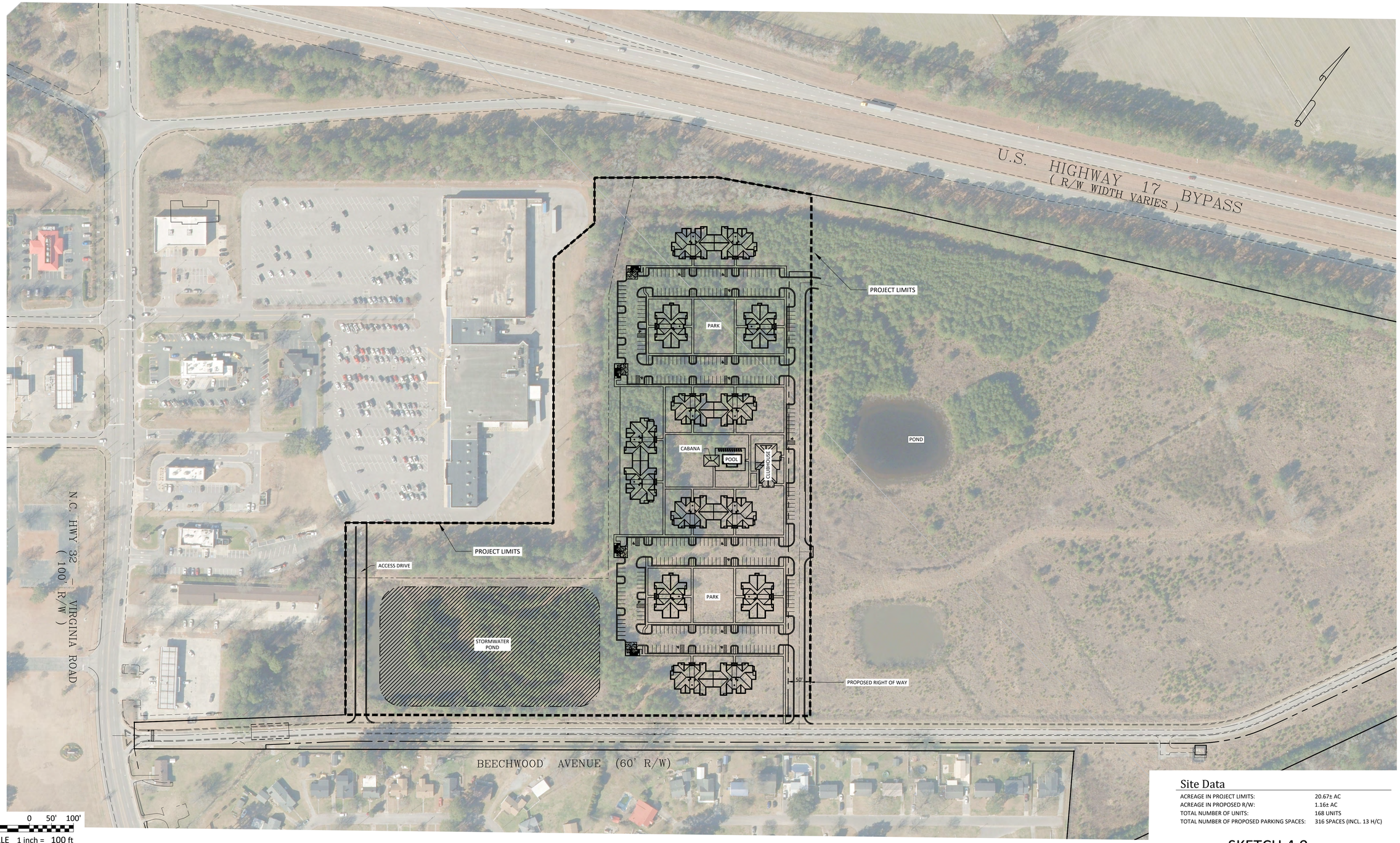
SKETCH 4.0

September 22, 2026

925-A Conference Dr.
Greenville, NC 27858
(252) 558-0668
www.arkconsultinggroup.com

ARK CONSULTING GROUP, PLLC
ENGINEERS & SURVEYORS

SAGA / Edenton Beechwood



Site Data

ACREAGE IN PROJECT LIMITS:	20.67± AC
ACREAGE IN PROPOSED R/W:	1.16± AC
TOTAL NUMBER OF UNITS:	168 UNITS
TOTAL NUMBER OF PROPOSED PARKING SPACES:	316 SPACES (INCL. 13 H/C)

SKETCH 4.0 September 22, 2026

925-A Conference Dr.
Greenville, NC 27858
(252) 558-0888
www.arkconsultinggroup.com

NC License: P-1199
ARK CONSULTING GROUP, PLLC
ENGINEERS & SURVEYORS

SAGA / Edenton Beechwood

D:\ARK DROPBOX\公司 – PROJECTS\ACTIVE\SAGA\26097 – EDENTON BEECHWOOD 2026\公司 – DWG\02 – WORKING\EDENTON BEECHWOOD – SKETCH 4.0.DWG, 4.0, Scott Anderson, Tue, Sep 22, 2026 @ 5:40 PM



LIBERATOS ARCHITECTS

Nicholas Stoyer
Amber Stoyer
245 Hawthorne Road
Edenton, NC 27932

Jocob Pierce
119 Bethany Church Road
Colerain, NC 27924

Waldo O. Winslow
Nancy B. Winslow
216 Oak Ridge Road
Edenton, NC 27932

Christopher Scott Phelps
Brenda Hollowell Phelps
239 Hawthorne Road
Edenton, NC 27932

John L. Oliver
Wanda C. Oliver
237 Hawthorne Road
Edenton, NC 27932

Thelma J TR Hasley
237 Country Club Drive
Edenton, NC 27932

The JMR Trust
233 Hawthorne Road
Edenton, NC 27932

John L. Oliver
Jessica C. Oliver
231 Hawthorne Road
Edenton, NC 27932

Shelli D. Luna
229 Hawthorne Road
Edenton, NC 27932

Jarret Devine
Ginger Sawyer Devine
1912 Ivy Road
Greenville, NC 27858

Brian Patrick Lowry
242 Salter Road
PKS, NC 28512

Annabelle L Allison
223 Hawthorne Road
Edenton, NC 27932

Debra A. Miller Brickhouse
221 Hawthorne Road
Edenton, NC 27932

Ioannis Sotiropoulos
Dorothea Sotiropoulos
219 Hawthorne Road
Edenton, NC 27932

Cynthia H. Lewis
114 Morris Circle
Edenton, NC 27932

Paul McGee
Susan McGee
1116 Morris Circle
Edenton, NC 27932

Integrity Renovation & Remodel LLC.
187 W. Queen Street
Edenton, NC 27932

Kim Mae Grant
Patrick J. Brickhouse
120 Morris Circle
Edenton, NC 27932

Raymond D. Bowling
Joyce Arlene Bowling
126 Morris Circle
Edenton, NC 27932

William Franklin Edmundson
214 Mulberry Hill Lane
Edenton, NC 27932

Leslie A. Kirsch
1709 Yardley Drive
West Chester, PA 19380

Sheila C. Lewis
128 Morris Circle
Edenton, NC 27932

David Morgan
202 Court Street
Edenton, NC 27932

Miller Colombo
Pamela Helen
132 Morris Circle
Edenton, NC 27932

John R. Poggi
Theona M M Poggi
1004 W. Queen
Edenton, NC 27932

Double L. Corp
103 E. Main Street
Elizabeth City, NC 27929

Harrell Enterprises Inc.
PO Box 688
Ahoskie, NC 27910

228 Virginia Road Owner LLC
PO Box 6969
Syracuse, NY 13217

Cameron-Edenton Company LLC
PO Box 31827
Raleigh, NC 27622

Edenton Holdings
1314 S. Croatan HWY, STE 301
Kill Devil Hills, NC 27948

STAFF REPORT

To: Edenton Town Council
Date: October 26, 2026
Case: MSUP 26-06
Prepared By: Dewayne Whealton, Assistant Town Manager

GENERAL INFORMATION

Applicant: Edenton Holding, LLC
PO Box 90
Kill Devil Hills, NC 27948

Property Owner: Edenton Holding, LLC

Requested Action: Major Special Use Permit for a multifamily apartment development; relocation of the previously approved apartment community and increase from 144 to 168 dwelling units.

Tax PIN #s: 780500858917
Location: 212 Virginia Road / Beechwood development area
Size: 20.78 acres (application); approximately 20.67 acres within project limits on the revised concept plan
Zoning: MA, Medical Arts
Existing Land Use: Vacant
Surrounding Land Use & Zoning:

North- U.S. Highway 17 Bypass / undeveloped land
South- Beechwood Avenue and established residential neighborhood
East- Undeveloped/open land
West- Shopping center and commercial development

Existing Land Use Classification: Plan Goals & Objectives.

- The existing and land use classification for 212 Virginia Road as MA, Medical Arts
- The 2018 Edenton-Chowan Land Use Plan denotes the following Town of Edenton Land Use & Development Concerns:

1. Encourage Population Growth;
2. Promote Economic Development;
3. Provide Recreation and Open Space; and
4. Foster Housing Choice.

Further, the 2018 Edenton-Chowan Land Use Plan gives a specific goal statements with regard to the Promotion of Economic Development:

GOAL E-1: Develop and implement strategies to promote “three generations of population growth” in the Town that builds on existing resources and efforts to attract a retiree population and expands these efforts to include attracting new millennial and midcareer professional residents.

POLICY E-1: The Town will encourage the location of businesses, residential development, and service providers that serve retirees while also creating jobs for younger residents.
POLICY E-14: The Town encourages the development of housing types that accommodate retirees, young

professionals, and millennials, including attached and multi-unit residential development and innovative housing configurations.

The Plan further identifies Foster Housing Choice as a key concern and directs the Town to ensure that a broad range of housing choices are allowed and encouraged in appropriate areas consistent with the Future Land Use Map.

The Medium/High Density Residential Future Land Use classification is intended to accommodate higher-density residential development, including multifamily development. The Plan recognizes that public water and sewer service and streets capable of accommodating higher traffic volumes are necessary to support development at these densities.

The proposed Beechwood development therefore relates directly to the Land Use Plan's objectives concerning population growth, housing choice, and the provision of higher-density residential development in appropriate locations. Final conformity with the Land Use Plan should also consider the proposed density, availability and capacity of public utilities, transportation access and capacity, and compatibility with surrounding development.

Zoning History: None on record.
Applicable Regulations: Unified Development Ordinance: Article XX, Amendments; Article IX, Zoning Districts and Zoning Map; Article XII, Density and Dimensional Regulations

SPECIAL INFORMATION

Public Utilities: Property is inside of the Town Corporate Limits, utility availability and required capacity should be confirmed through final Town utility review prior to construction approval.

Public Services: The property is located within the Town, protection services provided by Edenton Police Department.

Transportation: The conceptual plan shows primary project access from Beechwood Avenue and a proposed 50-foot right-of-way. Final access, circulation, and any required transportation improvements remain subject to applicable Town and NCDOT review.

Physical Characteristics: Approximately 20 acres of largely undeveloped land. The concept plan depicts an existing/proposed stormwater pond area and additional ponds/wet areas on or near the project area.

Aerial Map from GIS



ANALYSIS

The application before Town Council is a request for a Major Special Use Permit for the Beechwood multifamily apartment development. The proposal would relocate the previously approved 144-unit apartment community from the earlier site near Paradise Road to the revised project area and increase the development to 168 dwelling units. Because both the location and number of units would change, Council must evaluate the current application and revised plans on their own merits under the applicable UDO standards and the evidence admitted at the quasi-judicial hearing. Prior approvals should not be treated as approval of the revised location or unit count.

Town Council should evaluate compatibility with adjoining residential and commercial development; building scale and placement; Beechwood Avenue access and internal circulation; parking and accessible routes; landscaping and screening; stormwater facilities; utilities and capacity; fire and emergency access; and the applicable dimensional and supplementary standards. Conceptual architectural and site materials have been submitted; final engineering and construction documents remain subject to applicable Town and agency review.

ADDITIONAL STAFF ANALYSIS — PREVIOUS APPROVALS AND STORMWATER COMPLIANCE

The proposed Beechwood development has been the subject of previous development applications and approvals. Most recently, Town Council approved MSUP 25-04 on October 14, 2025, for a 144-unit multifamily development. The current application, MSUP 26-06, proposes relocating the development and increasing the number of dwelling units to 168.

Because the current proposal involves a different development location and an increase in residential density, staff recommends that Town Council evaluate the revised development based upon the submitted plans, applicable Unified Development Ordinance standards, and evidence presented during the quasi-judicial hearing.

Staff has also been advised that the previous stormwater permit associated with the development has expired. Accordingly, the applicant must establish the status of the previous permit and obtain any new, renewed, or modified stormwater authorization required for the proposed development.

Staff recommends that any approval expressly require documentation of applicable NCDEQ stormwater authorization before regulated land-disturbing activity or construction begins. Final engineering plans should also address stormwater management, drainage, utility capacity, access, fire protection, and infrastructure improvements necessary to serve the proposed 168 dwelling units.

Given the development's approval history, staff further recommends that Council establish clear requirements for construction phasing, completion of essential infrastructure, stormwater facility operation, and installation of required site improvements before occupancy.

These conditions are intended to ensure that the development proceeds in accordance with the approved plans and applicable Town and State requirements. They are not intended to penalize the applicant for previous development delays.

Staff recommends that Council consider these conditions in conjunction with the evidence presented and make separate findings on each applicable Major Special Use Permit approval standard before taking final action.

RECOMMENDATION

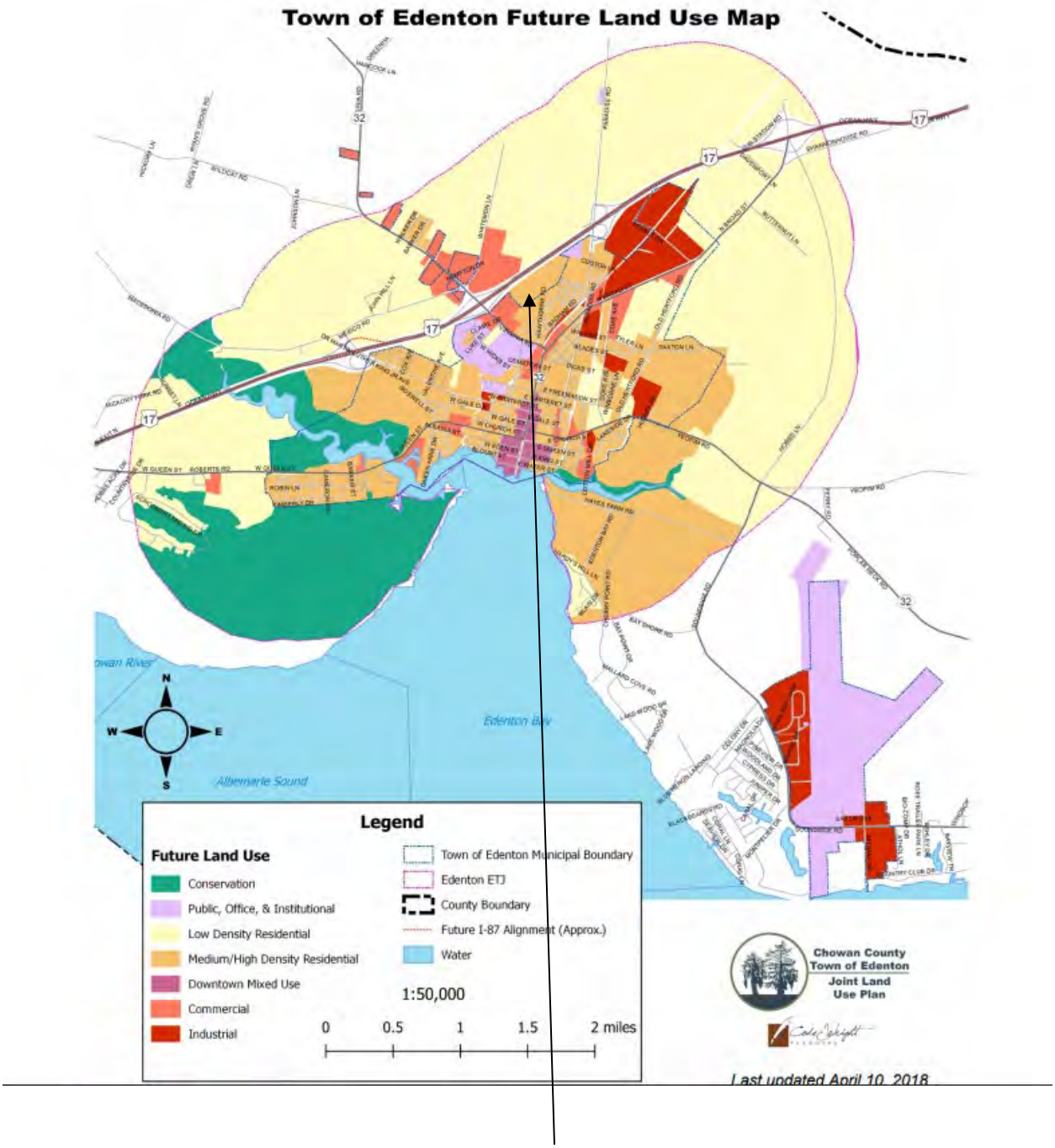
The Planning Board reviews the application and forwards its recommendation to Town Council. The Planning Board recommendation from the October 5, 2026 meeting should be entered into the Council record before action. Council is the quasi-judicial decision-maker and must determine, based on competent, material, and substantial evidence in the record, whether each required special-use permit standard is met. The five criteria below are the standards stated in the submitted staff report; Council should make an express finding on each criterion.

1) Will not materially endanger the public health, safety, or welfare.
2) Will not substantially injure the value of adjoining or abutting property.
3) Will be in harmony with the area in which it is located.
4) Will be in general conformity with the Land Use Plan, thoroughfare plan, or other plan officially adopted by the Town Council.
5) Will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the proposed special use.

Section 10.10 Edenton UDO Table of Permitted Uses (Amended 9/14/2021)

Use Type	Ref. SIC	Zoning Districts											Supplemental Regulations
		RA	R-40	R-20	R-14	R-10	R-5	CD	CH	CN	MA	IW	SC	
AGRICULTURAL USES														
Agricultural Production (crops)	0100	Z	Z	Z	Z	Z	Z		Z		Z	Z	Z	
Agricultural Production (livestock)	0200	Z	S									M		
Agritourism	0000	Z												
Bona Fide Farm	0000	Z												
Fish Hatchery	0920	Z	S	S	S	S	S	S	S	S		Z	S	
Forestry	0810	Z	S	S							S	S		
MINING USES														
Mining, Quarrying, Sand Pits, and Mineral Extraction	1000	M												
RESIDENTIAL USES														
Bed and Breakfast	7011					M	M	M		M				Section 11.6
Family Care Home	0000	Z	Z	Z	Z	Z	Z							
Granny Pods/Temporary Health Care Structures	0000	Z	Z	Z	Z	Z	Z	Z		Z				Section 11.7
Group Care Facility	0000	M	M	M	M	M	M			M	M			Section 11.10
Homeless Shelter	0000								M	M				Section 11.10
Inn								M		M				Section 11.8
Manufactured Home, Class A (Modular Home)	0000	Z	Z	Z	Z	Z	Z	Z		Z				
Manufactured Home, Class B	0000	Z		Z										
Manufactured Home, Class C	0000	S		Z										
Manufactured Home Park	0000			S										Section 11.2
Multifamily Dwelling	0000						ZM	ZM		ZM	ZM			Section 11.17
Planned Residential Developments	0000		M	M	M	M	M	M		M				Section 11.17
Rooming Houses	0000						M							
Single-Family Detached Dwelling	0000	Z	Z	Z	Z	Z	Z	Z		Z				

The proposed multifamily use relates to the Land Use Plan goals for housing choice and population growth. However, the Future Land Use Map designation for the revised project site must be verified before Council makes a finding of conformity. The map reproduced in this report is included for context and should not substitute for confirmation of the parcel-specific designation.



All applicable regulations of the Unified Development Ordinance and all staff concerns that are applicable to this development have been identified. Please consider the following conditions:

1. Approved Development Plans. The development shall substantially conform to the site plans, architectural plans, and supporting documents approved by Town Council, except for modifications subsequently authorized under the Unified Development Ordinance (UDO).
2. Maximum Number of Units. The development shall be limited to a maximum of 168 multifamily dwelling units. Any increase in units or other substantial modification shall require approval through the applicable UDO amendment process.
3. Previous Development Approvals. MSUP 26-06 shall authorize development only within the approved project boundaries and shall not independently authorize construction under previously approved site layouts. Any outstanding obligations or legally established rights associated with prior approvals shall remain subject to applicable law.

4. Stormwater Permit. Prior to commencing regulated land-disturbing activities or construction, the developer shall obtain and provide documentation of all required NCDEQ stormwater permits or authorizations applicable to the revised 168-unit development. The expired stormwater permit shall not be relied upon as authorization for construction.
5. Revised Stormwater Management Plan. The developer shall submit a revised stormwater management plan prepared by a qualified professional engineer addressing the proposed buildings, parking areas, internal streets, drainage patterns, stormwater facilities, and other applicable requirements.
6. Stormwater Construction and Certification. All required stormwater management facilities shall be constructed, inspected, and certified as required by the applicable permits before occupancy of the buildings or phases served by those facilities.
7. Stormwater Maintenance. The property owner or designated responsible entity shall maintain all stormwater facilities in accordance with applicable permits, approved operation and maintenance requirements, and any required recorded maintenance agreements.
8. Development Phasing Plan. Prior to construction approval, the developer shall submit a phasing plan identifying the sequence of building construction, infrastructure installation, stormwater improvements, access improvements, and anticipated occupancy.
9. Water and Sewer Capacity. Prior to construction approval, the developer shall obtain confirmation from the appropriate utility providers that adequate water and wastewater capacity is available or can be provided for the proposed 168-unit development.
10. Infrastructure Completion. All infrastructure necessary to serve each building or development phase, including water, sewer, stormwater, internal streets, and fire protection facilities, shall be installed and approved before occupancy of the buildings served.
11. Transportation and Access. Final access arrangements, internal circulation, driveway connections, and any required transportation improvements shall comply with applicable Town and NCDOT requirements.
12. Emergency Vehicle Access. The development shall provide adequate emergency vehicle access, fire apparatus circulation, fire hydrants, and other required fire protection improvements as approved by the appropriate fire and building officials.
13. Parking and ADA Accessibility. All parking areas, accessible parking spaces, sidewalks, pedestrian connections, and accessible routes shall comply with applicable UDO requirements and State and federal accessibility standards.
14. Landscaping and Buffering. Required landscaping, screening, and buffering shall be installed in accordance with the approved development plans and applicable UDO requirements, particularly where the development adjoins existing residential properties.
15. Lighting and Signage. Exterior lighting and signage shall comply with applicable UDO requirements. Lighting shall be designed to minimize unnecessary glare and light spillover onto adjoining residential properties.
16. Building and Site Design. Final building elevations, building locations, setbacks, building heights, and other site improvements shall substantially conform to the approved plans and applicable dimensional requirements.
17. State and Federal Permits. The developer shall obtain all applicable State and federal permits and approvals, including any required stormwater, erosion and sedimentation control, wetlands, transportation, and environmental authorizations, before undertaking activities requiring those approvals.
18. Final Engineering Review. Final construction and engineering plans shall be submitted for review and approval by the appropriate Town departments and regulatory agencies before issuance of applicable construction authorizations.
19. Completion Before Occupancy. No certificate of occupancy shall be issued for a building until the infrastructure, stormwater facilities, emergency access, utilities, and other improvements required to safely serve that building have been completed and approved, subject to any lawful phasing arrangements.
20. Permit Validity and Expiration. The Major Special Use Permit shall remain subject to all applicable commencement, expiration, discontinuance, extension, and vested-rights provisions of the Town of Edenton UDO and North Carolina law. Approval shall not automatically extend or reinstate expired permits.

LAND USE PLAN / CONSISTENCY

The application describes housing intended to serve workforce households, young families, and retirees. Goal E-1 and Policies E-1 and E-14 encourage population growth and a range of housing types, including attached and multi-unit development. Council should assess whether this particular site, proposed density, access, utility capacity, and transition to adjoining neighborhoods support the required finding of general conformity with applicable adopted plans. The Future Land Use Map designation of the revised site should be confirmed and stated in the hearing record.

COUNCIL FINDINGS AND POSSIBLE ACTION
Following the evidentiary hearing, Council should separately determine whether the proposed development (1) will not materially endanger public health, safety, or welfare; (2) will not substantially injure the value of adjoining or abutting property; (3) will be in harmony with the area; (4) will be in general conformity with applicable adopted plans; and (5) will comply with all applicable general and use-specific standards. Council may approve with lawful conditions supported by the record, deny if required findings cannot be made, or continue the hearing if additional evidence is needed. Any decision should identify the evidence supporting its findings.

PLANNING BOARD ACTION: Recommendation from October 5, 2026: unanimously approved and forwarded to council.

STAFF RECOMMENDATION: Council should act only after receiving sworn testimony and other competent evidence sufficient to make all five required findings. If Council determines the standards are satisfied, staff recommends incorporating the five proposed conditions listed above into any approval, together with the specific approved plan sheets identified by title and date in the permit decision.

SUGGESTED APPROVAL MOTION (ONLY IF FINDINGS ARE SUPPORTED): I move to approve MSUP 26-06 for the proposed 168-unit Beechwood multifamily development on PIN 780500858917, subject to the approved plans identified in the record and the five conditions set out in the staff report, based on the evidence presented and the Council’s affirmative findings on each applicable special-use permit standard. The written decision shall state the supporting evidence and findings.

If the Town Council determines from the evidence presented that the required standards are satisfied, the Council may find that the proposed Major Special Use Permit amendment will not materially endanger the public health, safety, or welfare; will not substantially injure the value of adjoining or abutting property; will be in harmony with the area in which it is located; will be in general conformity with applicable adopted plans; and will comply with applicable regulations and standards, subject to the conditions imposed as part of the approval.

GOAL E-1: Develop and implement strategies to promote “three generations of population growth” in the Town that builds on existing resources and efforts to attract a retiree population and expands these efforts to include attracting new millennial and midcareer professional residents.

POLICY E-1: The Town will encourage the location of businesses, residential development, and service providers that serve retirees while also creating jobs for younger residents.

POLICY E-14: The Town encourages the development of housing types that accommodate retirees, young professionals, and millennials, including attached and multi-unit residential development and innovative housing configurations.

Edenton 2026 Powell Bill Map

Legend

- Nonqualifying State or Federal Street
- Nonqualifying Street
- Qualifying Municipal Street
- Town of Edenton

0 600 1,200
Feet

THIS IS TO CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND THAT THE ABOVE MAP PREPARED UNDER MY DIRECTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

7.20.2026
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR

NORTH CAROLINA PROFESSIONAL SEAL L-0414 ENGINEER WILLIAM A. LARSEN 7.20.2026

WILDCAT RD
MEXICO RD
US-17
VIRGINIA RD
HAMPTON DR
COSTON LN
PRUDEN ST
VANN ST
DILLARD ST
CASON ST
JOHNSON LN
N BROAD ST
OLD HERTFORD RD
HAWTHORNE RD
STRATFORD RD
BASHAM RD
3RD ST
2ND ST
MORRIS CIR
EARNHARDT DR
CLAIRE DR
MEDICAL ARTS DR
STREET
LUKE
W HICKS ST
MARK DR
E WALKER ST
OAKUM CIR
BLADES CIR
BLADES ST
TYLER LN
OAKDALE DR
PAXTON LN
JOHNSTON ST
CABARRUS ST
BOND ST
PARK AVE
CEMETERY ST
E HICKS ST
DICKS ST
WINBORNE LN
BELVEDERE LN
MIDDLESBROUGH LN
PENDLETON TR
BAREFOOT CT
BRIDGETOWNE AVE
WINBORNE LN
W PETERSON ST
E PETERSON ST
WOODARD ST
N OAKUM ST
FREEMASON ST
E FREEMASON ST
CARTERET ST
E CARTERET STREET
ALBEMARLE ST
E ALBEMARLE ST
GALE ST
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CHURCH ST
E CHURCH ST
W QUEEN ST
EDEN ST
E EDEN ST
W KING ST
E KING ST
W WATER ST
E WATER ST
BLOUNT ST
PEMBROKE CIR
ALBANIA ST
QUEEN ANN DR
MILES BROWN ST
UNKNOWN
BORWELL ST
CHOWAN CT
CAUTHEN LN
W GALE ST EXT
TWIDDY AVE
W CHURCH ST EXT
MOSELEY ST
GRANVILLE ST
BROAD ST
JACKSON ST
PHILLIPS ST
MCMULLAN AVE
COTTON MILL CIR
ELLIOT ST
COLONIAL AVE
COURT ST
WOOD AVE
DOCK ST
SOUTH ST
VILLAGE CREEK DR
COLONY DR
OLDE DR
LAKESIDE DR
HIBLEY DR
E CHURCH ST
BUD ST
LENNY ST
GRAMBY ST
SEASHELL LN
MELONIE ST
VANCE LN
COX AVE
SHENITA LN
VALENTINE AVE
REGINAL & MARY AVE
OAK HILL DR
ROBIN LN
TERRY LANE
WILLOW WISP LN
DOUGLAS AVE
CAMERON DR
BARKER ST
HEWES ST
LEIGH ST
CYPRESS DR
IREDELL DR
KIMBERLY DR
WILLIAMSON RD
OLD FERRY HATCHERY RD

INSET CONNECTS AT ARROWS

3,000
Feet

SOUND SIDE RD
HAUGHTON RD
ANCHORS WAY DR
MIDWAY DR

From:	Sedlacek, Eric S
To:	GOODEN, COREY; Whealton, Dewayne S
Cc:	Gill, Marshall B; Sawyer, Ronald K; Otts, David B; Davidson, Jason G
Subject:	RE: Coke Ave
Date:	Tuesday, October 13, 2026 10:42:15 AM
Attachments:	image001.png

Corey,

The Division has provided me that they are not agreeable to dividing Coke Avenue at Tyler Ln. They are of the opinion that the entirety of Coke Ave to be maintained by the Town of Edenton. We understand the Towns preference for NCDOT to retain authority over approving business improvements tied to future development. However, any new development in that area will still require NCDOT's involvement, as NCDOT will continue to maintain the intersections at Coke Avenue and Broad Street (US 17 Bus), Coke Avenue and Church Street (NC 32 S), as well as any new connections to Broad Street (US 17 Bus). The shared interest in managing access to state-maintained routes should adequately address concerns regarding future development along Coke Avenue.

To summarize, given the mutual interest between NCDOT and the Town of Edenton in ensuring safe and efficient access for future development, NCDOT will require that the entirety of Coke Ave be turned over to the Town of Edenton. Please take this into consideration when discussion with other town representatives.

Thank you,

Eric S. Sedlacek, CPM
District Engineer
Division One - District Three
North Carolina Department of Transportation

252 789 6150 Office
essedlacek@ncdot.gov

19210 US Hwy 64 East
Williamston, NC 27892

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Facebook Twitter YouTube

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

TOWN OF EDENTON, NORTH CAROLINA

RESOLUTION REQUESTING THE COMPLETE TRANSFER OF OWNERSHIP, RIGHT-OF-WAY INTERESTS, JURISDICTION, CONTROL, AND MAINTENANCE RESPONSIBILITY FOR CERTAIN STATE-MAINTAINED STREETS FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO THE TOWN OF EDENTON

WHEREAS, the Town of Edenton desires to assume full municipal ownership, jurisdiction, control, operation, and maintenance of certain public streets presently included in the North Carolina State Highway System;

WHEREAS, the streets proposed for transfer are identified in Exhibit A, attached hereto and incorporated herein by reference;

WHEREAS, the Mayor and Town Council have determined that municipal ownership and control of these streets would serve the public interest by allowing the Town to coordinate roadway improvements, utility infrastructure, drainage, development, and long-term capital planning;

WHEREAS, the Town desires that NCDOT permanently relinquish all transferable ownership and property interests, roadway jurisdiction, maintenance obligations, and operational responsibilities associated with the identified street segments;

WHEREAS, the Town intends that all transferred streets remain dedicated to public transportation and municipal purposes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Edenton, North Carolina:

Section 1. Complete Transfer Request. The Town hereby requests that NCDOT approve the permanent removal of the streets identified in Exhibit A from the State Highway System and the complete transfer to the Town of Edenton of all legally transferable interests, jurisdiction, authority, control, and responsibilities associated with those streets.

Section 2. Ownership and Right-of-Way. The Town requests conveyance of all NCDOT-owned real property interests within the identified rights-of-way, including fee-simple interests, easements, and other transferable property rights, through appropriate legal instruments.

Section 3. Transfer of Responsibilities. Upon completion of the approved transfer, the Town shall assume responsibility for roadway pavement, shoulders, sidewalks where applicable, public drainage facilities, signs, pavement markings, routine maintenance, capital improvements, and other roadway infrastructure conveyed or assigned under the transfer agreement.

Section 4. Relinquishment by NCDOT. The Town requests that NCDOT be released from future maintenance, operational, and financial responsibilities for the transferred streets, except for obligations expressly retained under the final transfer agreement or applicable law.

Section 5. Public Street Designation. All transferred streets shall remain public streets under the jurisdiction and control of the Town of Edenton. This resolution does not authorize the closure or discontinuance of public travel rights.

Section 6. Transfer Documentation. The Town requests that NCDOT provide the necessary documentation, including applicable deeds, right-of-way instruments, maintenance transfer agreements, and official State Highway System revisions, to accomplish the requested transfers.

Section 7. Authorization. The Town Manager is authorized to coordinate with NCDOT, submit the proposed street inventory, obtain right-of-way documentation, negotiate proposed transfer terms, and present any final agreements or conveyances requiring Town Council approval.

Section 8. Effective Date. This resolution shall take effect upon adoption. The actual transfer of any street shall become effective only upon completion of all required state and municipal approvals and execution or recording of applicable transfer instruments.

ADOPTED this _____ day of _____, 2026.

_____

W. Hackney High Jr., Mayor

Town of Edenton

ATTEST: _____

Corey Gooden, Town Clerk

EXHIBIT A - PROPOSED STREET TRANSFERS

Street Name	SR Number	Beginning / Ending Limits	Length
Street Name	TBD	TBD	TBD
To be determined			
To be determined			
To be determined			
To be determined			
To be determined			

Each street is subject to NCDOT verification of state-maintained limits, ownership interests, and required transfer procedures.