



CC-2026-0002
Special Use Permit

City Council

Status: In Review

Apply Date: 05/22/2026

Planner: Brian Chambers

Summary Report

Location Address

4950 HOLLY TREE RD, WILMINGTON, NC 28409

Parcel Number

R06119-004-015-000

Contacts

Nicole S. Ratliff, Equitas Law Partners
 6329 Oleander Drive, Suite 200, Wilmington, NC 28403

Applicant

GRAND SLAM LLC C/O MICHAEL JOHN HARMS
 5001 WOODS EDGE DR, WILMINGTON, NC 28409
 (910) 431-3612

Owner

Description: Modification of SU-1-125

Additional Information

Proposed Use(s) and Proposed Conditions for site: Private Recreational Facility

Total Site area (Acres): 7.31

Pre-Application Meeting Date: Mar 13 2026 12:00AM

City Staff Representatives from meetings: Pat O'Mahoney

Use will not materially endanger health or safety: The property is currently used as a private recreation facility. The City Council granted the existing Special Use Permit for the relevant property on February 4, 2025 (the "Existing SUP", attached hereto as Exhibit A). This application seeks minor modifications to the Existing SUP, as described herein. The proposed modifications do not increase the intensity of the development. Rather, this proposed modification to the Existing SUP alters the existing site plan and development scheme to accommodate a variety of activities on the property.

Meet required conditions and specifications: The required conditions and specifications of the Land Development Code have been met.

Not substantially injure the value of adj property: Adjoining and abutting property values will not be substantially injured as a result of the granting of the special use permit. The proposed modification: (i) removes six (6) of the ten (10) approved outdoor pickleball courts and replaces them with three (3) padel courts; and (ii) removes unfettered public access by adding a six (6) foot tall wooden fence along the perimeter of the property with three (3) access gates with card readers in response to recent vandalism to mitigate future instances of such conduct.

Harmony and conformity with special area plans: The Create Wilmington Comprehensive Plan places a focus on infill development and investment in underperforming neighborhood business to ensure that there is an "efficient use and reuse of land within the existing city limits." This project is consistent with that focus as it represents an investment in retrofitting an outdated building, upfitting an underutilized site and revitalizing an underperforming business with the goal of enhancing exiting development and providing a space for a "healthy, diverse and efficient community." To that end, this project will make use of existing public infrastructure and will not place significant additional burdens on the transportation network or infrastructure of the surrounding area. Rather, the project will provide improvements to the transportation network and other infrastructure, where required, and proposes enhanced pedestrian and bicycle access through improvements to the related networks. Lastly, this project emphasizes preservation of open space and natural resources by utilizing the existing dense tree buffer to complement the proposed design.

Pre-TRC Case Number or N/A: N/A

Proposed Zoning(s): R-15, Moderate-density single-dwelling district

SPECIAL USE PERMIT



City of Wilmington
Planning and Development

P. O. Box 1810, 929 N. Front St, Wilmington, NC 28402
Telephone: (910) 254-0900 FAX: (910)341-3264

Section A. APPLICANT INFORMATION

Application is hereby made for a special use permit to use the property at the address below for the indicated special use.

NAME OF APPLICANT: Grand Slam, LLC, Mike Harms and Equitas Law Partners LLP

MAILING ADDRESS OF APPLICANT: 6329 Oleander Drive, Suite 200, Wilmington, NC 28403

PHONE NUMBER/E-MAIL OF APPLICANT: (910) 940-0126 / corrie@equitaslp.com

PROPERTY OWNER INFORMATION (If different from the applicant):

Name(s) Grand Slam, LLC

Address: 4950 Holly Tree Road
Wilmington, NC

ZIP 28409

Telephone: _____

FAX: _____

Email Address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the special use permit request:

ADDRESS OF PROPERTY: 4950 Holly Tree Road, Wilmington, NC 28409

NEW HANOVER CO. PROPERTY IDENTIFICATION # (PIN): R06119-004-05-000

PROPOSED SPECIAL USE: Private Recreational Facility

CURRENT ZONING DISTRICT(S): R-15

PROPOSED ZONING (if applicable): R-15

TOTAL SITE AREA: 7.31 acres

Date of pre-application meeting: 03/13/2026

Authority to grant special use permits is found in Section 18-589 of the Land Development Code, pursuant to North Carolina General Statutes 160D-705. City Council, when granting a special use permit, must find that all four of the following factors exist. In the spaces provided below, indicate the facts that you intend to show to demonstrate the four required conclusions.

- a. **That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the special use permit.**

See Exhibit A

- b. **That the use meets all required conditions and specifications** (See Article 7 of the Land Development Code for special use prerequisites that must be met before a special use permit may be granted).

See Exhibit A

- c. **That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.**

See Exhibit A

- d. **That the location and character of the use, if developed according to the plan as submitted and approved, would be in harmony with the area in which it is to be located and in general conformity with the *adopted comprehensive plans, the CAMA plan*, and adopted special area plans (e.g., corridor plans, neighborhood plans).**

See Exhibit A

Section B. *SUBMITTAL INFORMATION AND PROCEDURE*

- (1) Supplementary information is **REQUIRED** as part of the application. See Section C below for required information.
- (2) The petition **MUST** be reviewed by the planning department for completeness **PRIOR** to the acceptance of any application or petition. Please **do not leave your application** materials without speaking to a planner. If you do, your application may not be processed and your request may not be considered at the next City Council meeting.
- (3) A receipt for a fee in accordance with the approved fee schedule must accompany the application (see fee schedule on page 34).
- (4) Complete applications and supplemental information must be submitted by the deadlines established by city council to be scheduled for an evidentiary hearing (see approved schedule). Evidentiary hearings are typically scheduled on third Tuesday of each month at 6:30 p.m. in council chambers, City Hall, 102 N. 3rd Street, Wilmington, NC.
- (5) The applicant should appear to testify at the scheduled city council meeting. Meetings are usually held in Council Chambers, City Hall, 102 N. 3rd Street. Applicants will be informed of any change in date, time or location of meetings.
- (6) An affidavit certifying at least one neighborhood meeting (Sec. 18-567), for which notification was sent to property owners within 300 feet of the subject site, was held by the applicant must be submitted to the city clerk before an application will be accepted.
- (7) Conceptual site plan review by the city's technical review committee (TRC) is required for all special use permit applications. To avoid potential processing and scheduling delays, applicants are advised to have completed a conceptual review with the TRC prior to SUP application submittal. If a conceptual review has not occurred at time of application, planning staff will automatically schedule the item for conceptual review at the next available TRC meeting.

Section C. *SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION*

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

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

- ☒ The present zoning classification(s) of the tract;
- ☒ Adjoining property lines;
- ☒ The location, height, size and location of structure(s);
- ☒ Proposed uses;
- ☒ Building elevation drawings;
- ☒ Proposed planting areas, including walls and fences and the treatment of any existing natural features;
- ☒ The names and deed references of current adjoining property owners;
- ☒ All existing easements, reservations, rights-of-way and all yards required for the special use and zoning district;
- ☒ General location of on-site utilities and proposed tie-in to existing public utilities (including water, sewer, culverts, drainage, etc);
- ☒ General location and type of stormwater facilities;
- ☒ Delineation of areas along streams on which the 100-year flood has been determined by the floodplain regulations;
 - For residential uses, this shall include number of dwelling units and outline of area within which buildings and structures would be located;
 - For nonresidential uses, this shall include approximate square footage of buildings and structures and outline of area within which the buildings and structures would be located; and
 - Parking and circulation plan, showing existing and proposed location, arrangement and number of parking spaces, and ingress and egress to adjacent areas.
- ☒ Proposed dimension and number of signs and their locations;
- ☒ Proposed phasing and approximate completion time of the project;
- ☒ Survey of regulated and significant trees and the number of trees proposed for removal and reasons why those trees would be removed;

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

Signature/Date: _____

Special Use Permit Application Responses

- A. The property is currently used as a private recreation facility. The City Council granted the existing Special Use Permit for the relevant property on February 4, 2025 (the “Existing SUP”, attached hereto as Exhibit A). This application seeks minor modifications to the Existing SUP, as described herein. The proposed modifications do not increase the intensity of the development. Rather, this proposed modification to the Existing SUP alters the existing site plan and development scheme to accommodate a variety of activities on the property.
- B. The required conditions and specifications of the Land Development Code have been met.
- C. Adjoining and abutting property values will not be substantially injured as a result of the granting of the special use permit. The proposed modification: (i) removes six (6) of the ten (10) approved outdoor pickleball courts and replaces them with three (3) padel courts; and (ii) removes unfettered public access by adding a six (6) foot tall wooden fence along the perimeter of the property with three (3) access gates with card readers in response to recent vandalism to mitigate future instances of such conduct.
- D. The Create Wilmington Comprehensive Plan places a focus on infill development and investment in underperforming neighborhood business to ensure that there is an “efficient use and reuse of land within the existing city limits.” This project is consistent with that focus as it represents an investment in retrofitting an outdated building, upfitting an underutilized site and revitalizing an underperforming business with the goal of enhancing exiting development and providing a space for a “healthy, diverse and efficient community.” To that end, this project will make use of existing public infrastructure and will not place significant additional burdens on the transportation network or infrastructure of the surrounding area. Rather, the project will provide improvements to the transportation network and other infrastructure, where required, and proposes enhanced pedestrian and bicycle access through improvements to the related networks. Lastly, this project emphasizes preservation of open space and natural resources by utilizing the existing dense tree buffer to complement the proposed design.

Detailed Project Narrative

The proposed project is the redevelopment of the former Holly Tree Racquet Club to The Club at Midtown, a club that provides indoor and outdoor pickleball, outdoor padel, outdoor tennis, a swimming pool and a miniature outdoor golf driving range, aided by virtual technology systems to simulate real life golf. The applicant is requesting a modification of the Special Use Permit granted by Wilmington City Council on February 4, 2025. The proposed modification seeks to remove six (6) of the ten (10) approved outdoor pickleball courts and replaces them with three (3) padel courts. It further includes the installation of a six (6) foot tall wooden fence along the perimeter of the property with controlled access gate arms, and removal of unfettered public access to mitigate instances of vandalism on the property.

The proposed installation of the 6' wooden fence with controlled access gate arms at the club entrance is intended to enhance site safety, traffic management, operational efficiency, and overall member experience. Additionally, it aids in mitigating acts of vandalism from occurring on the property.

A redline version of the existing conditions from the February 4, 2025 Special Use Permit is attached showing the Applicant's proposed modifications.

CONDITIONS OF FEBRUARY 4, 2025
SPECIAL USE PERMIT

1. The applicant shall fully comply with all of the specific requirements stated in the Land Development Code for the proposed use, as well as any additional conditions stated below.
2. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this permit is for any reason held invalid or unconstitutional by any court of competent jurisdiction, this special use permit shall be null and void and of no effect.
3. The use and development of the subject property shall be in substantial compliance with the site plan and renderings, as submitted and accepted by City Council on ~~February 4, 2025~~July 21, 2026.
4. The use and development of the subject property shall comply with all other supplemental regulations and requirements imposed by the Land Development Code or any other applicable federal, state, or local law, ordinance, or regulation. In the event of a conflict, the more stringent requirement or higher standard shall apply.
5. The permit shall be limited to two ~~(2) existing~~ tennis courts, ~~10~~four (4) outdoor pickleball courts, three (3) padel courts, an approximately 1,985 square-foot pool house, an renovated approximately 5,776 square-foot clubhouse, and an approximately 33,375 square-foot indoor pickleball facility; provided, however, that the outdoor tennis, pickleball and padel courts may be altered to any other type of racket or other sporting court through a minor modification process so long as the footprint of such court(s) does not exceed the footprint reflected on the approved site plan, and the coverings, noise prevention materials and other applicable restrictions to each type of sport provided herein are complied with.
6. Approval of this special use permit does not constitute technical approval of the site plan. All Technical Review Committee comments shall be followed prior to issuance of a construction release or final zoning approval.
7. All conditions of Sec. 18-165 of the LDC shall be met prior to issuance of construction release, and shall maintain compliance at all times the property is operated pursuant to this permit.
8. All City, State, and Federal regulations shall be met.
9. Hours of operation for the outdoor pickleball courts and related lights shall be limited to 9:00 a.m. until 9:00 p.m., Monday through Friday, and 8:30 a.m. until 9:00 p.m. on Saturday and Sunday. Operation of the indoor facilities may begin at any time, but shall be limited to a closing time of 10 p.m., seven days a week.
10. Outdoor pickleball courts shall be bordered by sound proofing materials with a covered awning.

11. Outdoor pickle ball courts shall be limited to the use of sound-reducing paddles, and no tournament play shall be allowed on outdoor pickleball courts at any time.

12. Club membership shall be limited to no more than 800 members.

~~13. The internal walkway that will be connected to Kirby Smith Drive as part of the project shall remain as an open access walkway with no physical barriers between Kirby Smith Drive and the walkway.~~