

**PLANNING STAFF REPORT
MASTER DEVELOPMENT PLAN
THE POINT**

SUMMARY:

Hearing Date: November 12, 2013
Applicant: James and Ellen Cornette
Property Owners: James and Ellen Cornette
Case Number: 11036

Development Proposal: James and Ellen Cornette, applicants and owners, are requesting approval of a Master Development Plan for The Point, a 1-phase 16-lot residential major subdivision.

Location and Land Use: The project is located on Williams Store Road off Highway 17 in Hampstead. There is one tract associated with this requesting totaling ± 8.65 acres and property may be identified by PIN 3293-61-3723-0000.

Zoning District of Property: The property is zoned RP, Residential Performance District.

Staff Recommendation: Planning Staff recommends conditional approval of the Master Development Plan based on the provisions of the Pender County Unified Development Ordinance (UDO) § 3.5.4; as well as the Master Development Plan (MDP) contents being met as prescribed in § 6.1. Staff would also recommend the Planning Board waive the Preliminary Plat public hearing as outlined in the UDO Section 2.11, Summary of Review Authority.

History:

A Preliminary Plat for The Point subdivision was originally approved by the Pender County Planning Board on May 3, 2006. However, that Preliminary Plat approval has expired due to timing requirements. The applicants are now re-submitting a Master Development Plan.

Description of Proposal:

James and Ellen Cornette, applicants and owners, are requesting approval of a one-tract, 16 Lot Major Subdivision on 8.65 acres. The project is located on Williams Store Road off Highway 17 in Hampstead. No commercial uses are proposed for this development.

Open Space:

The applicants are proposing a total of 16 residential lots on the site with the total acreage being ± 8.65 acres. 16 residential units will require 0.48 acres of open space. Currently 36,339 sf of open space are provided in this proposal, which meets and exceeds the required open space requirements of 20,909 sf. set forth in Section 7.6.1 C of the Pender County Unified Development Ordinance. The applicants will not be required to provide recreational units since the number of dwellings does not meet the threshold defined in the UDO.

Roads and Access:

Access to the site will be provided by the construction of a 45 foot private access road elongating Williams Store Road. The interior road networks are proposed to be constructed to NCDOT standards and dedicated as private, again proposing the 45 foot private right-of-way. All road names have been

approved by the Pender County Addressing Coordinator. A stub-out is currently shown on the site plan at the terminus of the newly created E. Ryder Ct on the eastern side of the property and an access easement is proposed on the west side of the property to allow connectivity for future development.

Pender County Emergency Management noted that W. Ryder Court must have an approved NC Fire Code Turn around and that the cul-de-sac on E. Ryder Court needs to be at least 95' across to allow for emergency vehicles. Emergency Management was also concerned that the radius for turns in the subdivision were not shown on the site plan, making it impossible to see if those radii were up to code standards.

The Wilmington Metropolitan Planning Organization echoed the concerns of Pender County Emergency Management, noting that the internal road design as proposed, does not allow Fire and emergency vehicles adequate access to the subdivision because the radius is too small. Specifically, the Frazer Lane radius must be at least 30' to provide emergency vehicle access.

Utilities:

The applicants are proposing individual on-site septic for wastewater disposal and water will be provided by Pender County Utilities. This project will be subject to review and approval by Pender County Environmental Health and Pender County Utilities, respectively.

Permits and Environmental:

The subject property is not located within the Special Flood Hazard Area (SFHA) according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Numbers 3720322300J, Panel Number 3223

The application notes there are no wetlands on the property, but a wetland delineation has not been certified by the US Army Corps of Engineers.

The applicants have obtained the following permits:

- **Stormwater Permit** - SW8 060503
- **Sediment and Erosion Control Permit** – Pende-2006-396
- **Pender County Health Department on-site wastewater permits** –101436 through 101451
- **NC DOT Driveway Permit(s):** Original P-0928 (expired); currently updated Application in Process with NCDOT.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

Cape Fear Council of Governments RPO

The Cape Fear RPO has no comment since the project is in the MPO boundary

Four County Electric Company

No response

NC DENR Division of Coastal Management

I do have a concern about wetlands on the site. Has a wetland delineation been approved by the USACE?

NC DENR Division of Forestry

No response

NC DENR Division of Land Resources

The stormwater permit is low density and is still active. I would appreciate it if you would pass on a request for Mr. Cornette to submit a copy of the recorded deed restrictions before he gets too far along in the process, and to submit the Name/Ownership Change form to change his mailing address.

NC DENR Division of Waste Management

No response

NC DENR Division of Water Quality

No response

NC DOT Division of Highways

Driveway permit has been submitted and is in process. Should have approval this week.

NC DOT Transportation Planning Branch

No response

NC Office of State Archaeology

No response

NC Wildlife Resources Commission

No response

Pender County Addressing Coordinator

I have reviewed the road names and have them on reserve for the applicants. Please inform the applicants or the engineer that the directional on the road names should be "E" and "W" not spelled out as shown on the map. When creating the street centerline database it tends to be confusing as to whether to include as part of the full name or just as a directional.

Pender County Building Inspections

No response

Pender County Emergency Management

- a. All road ways need to be at least 26' wide, using roadway material.*
- b. W. Ryder Court must have an approved NC Fire Code Turn around (a cul-de-sac, T, etc.)*
- c. The cul-de-sac on E. Ryder Court needs to be at least 95' across.*
- d. The radius for all turns in the subdivision should be shown on the Site Plan.*

Pender County Environmental Health

These EH permits will expire in June 2014. If the septic systems are not installed prior to that time, the applicant will need to reapply. The fee associated with this action is \$500.00. .

Pender County Fire Marshal

No response

Pender County Parks and Recreation

Parks and Recreation has no issues with this request.

Pender County Public Library

No response

Pender County Public Utilities

No response

Pender County Schools

It does not appear the roads will accommodate school buses and they are marked as private R/W. If they are private we cannot use the roads.

Pender County Sheriff's Department

No response

Pender County Soil and Water Conservation District

S Soil & Water sees no problem with this request

Progress Energy Corporation

No response

US Army Corps of Engineers

No response

Wilmington Metropolitan Planning Organization

I have reviewed the application for the Master Development Plan for The Point, located on Williams Store Rd. The development is outside the area for the Hampstead Bypass Transportation Corridor Map. I have the following concerns for the project.

- *The development must meet minimum NCDOT Subdivision standards for residential streets.*
- *The Frazer Lane radius must be at least 30' to allow Fire and emergency vehicles adequate access to the subdivision.*

Evaluation

A) Existing Zoning in Area:

The property is located within an RP, Residential Performance District. The Residential Performance District is intended to allow a variety of residential uses and densities and also limited commercial activities as well as agritourism. Existing or new agricultural and farm uses shall be allowed on undeveloped land prior to development.

The properties to the north, south, and west of the property are zoned as RP, Residential Performance. The properties immediately east of the subject property are zoned as PD, Planned Development.

B) Existing Land Use in Area:

The properties immediately to the north, south, and west of the property of the site include low density residential uses and vacant tracts of land. The property to the east is a golf course.

D) 2010 Comprehensive Land Use Plan:

1. **Mixed Use:** The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by

physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian and transit friendly manner.

E) Summary & Staff Recommendation:

Planning Staff recommends conditional approval of the Master Development Plan based on the provisions of the Pender County Unified Development Ordinance (UDO) § 3.5.4; as well as the Master Development Plan (MDP) contents being met as prescribed in § 6.1. Staff would also recommend the Planning Board waive the Preliminary Plat public hearing as outlined in the UDO Section 2.11, Summary of Review Authority.

Board Action for Master Plan Review:

Motion: _____ **Seconded** _____

Approved: _____ **Denied:** _____ **Unanimous** _____

Boney: ___ Williams: ___ Baker: ___ Edens: ___ Marshburn: ___ McClammy: ___ Nalee: _____
