PLANNING STAFF REPORT
Master Development Plan: Han-Dee Hugo

SUMMARY:

Hearing Date: May 6, 2014
Case Number: 11149 – Master Development Plan
Applicant: John L. Pierce & Associates P.A.
Property Owner: Sampson-Bladen Oil Co, Inc.

Development Proposal: The applicant is requesting the approval of a Master Development for a two (2) phased Mixed Use Development.

Property Record Number, Acreage, and Location: There is one (1) tract associated with this request, totaling ± 2.38 acres. The proposed project is located on the southwestern corner of the intersection of US HWY 117S and NC HWY 133, in Rocky Point, NC. The parcel is currently zoned GB, General Business and may be further identified by Pender County PIN 3233-34-7536-0000.

RECOMMENDATION:

Planning Staff recommends approval of the submitted Master Development Plan based on the provisions of the Pender County Unified Development Ordinance § 3.5.4; as well as the Master Development Plan (MDP) contents as outlined in in § 6.1.4. This request is consistent with three (3) goals and six (6) policies in the 2010 Pender County Comprehensive Land Use Plan, conflicting with none.

HISTORY:

The subject tract currently houses a vacant commercial structure. In March 2014, the applicant submitted an application to develop the subject parcel as a Han-Dee Hugo gas station/convenience center. During the submittal process it was determined that the applicant was interested in potentially augmenting the development, as there was noted interest in adding a quick serve restaurant and stand-alone retail structure to be recruited and occupied at a later date.

PROJECT DESCRIPTION:

John L. Pierce & Associates P.A., applicant, is requesting the approval of a Master Development Plan for a two (2) phased Major Site Development. The request consists of developing 2.37 acres, to include approximately 7,000 sq. ft. (excluding the 2,800 sq. ft. Han-Dee Hugo) of commercial square footage. Specifically, the applicant intends on constructing a 1,500 sq. ft. quick serve restaurant (with 15 parking spaces) and a 6,000 sq. ft. auto parts store (with 27 parking spaces), and related facilities.

Phases:
The Han-Dee Hugo convenience center, 12 parking spaces, fuel pumps, parking aisles, pedestrian walkways, landscaping, constructed wetlands (stormwater) and driveways will be installed prior to Phase I.

Phase I and Phase II will consist of the installation of the respective commercial structure and associated parking and pedestrian facilities associated with the quick serve restaurant and auto parts store, respectively.

Interconnectivity:
In order to facilitate future commercial growth and circulation, the applicant has proposed a cross access corridor stub on the southern portion of the site, located within the future auto parts retail parking area. The applicant has also proposed to place a 5' wide by 52' long pedestrian walkway to connect the future retail structure to the Han-Dee Hugo convenience center walkway. Access will be provided directly onto NC HWY 133 and US HWY 117.

Lot Requirements
As outlined in the Pender County Unified Development Ordinance §4.8.1.D, the Master Development Plan outlines lot size, setbacks and building height. The applicant will comply with the General Business (GB) zoning district dimensional requirements. For this proposal, the district dimensional standards are proposed as follows;

Setback Type	Setback
Front	25 feet
Side	10 feet
Rear	10 feet
Corner	12 feet
Height	40 feet

Services (Water/Wastewater)
The applicant has submitted documentation indicating that the site will be served by PCU water/sewer. Application must be made to PCU prior to the application for building permits.

Landscaping and Buffers

All landscape and buffers will be approved in accordance with §8.2.8, *Project Boundary Buffer* of the Pender County Unified Development Ordinance.

Buffers Required for the Commercial Districts - All uses in the General Business and Office & Institutional Districts shall be required to have the following buffers:	
Location of Buffer for GB and OI Districts	Type Buffer
Along all boundaries adjacent to street right-of-ways	*Buffer A*
Along all non-street boundaries adjacent to Residential Districts and adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other boundaries	*Buffer B*

Environmental Concerns

Per the approved Major Site Development plan approval for the Han-Dee Hugo convenience center, the applicant has maintained portions of the site's existing vegetation, so as to ensure that tree removal occurs only after it is fully certain that the development is definite. The stormwater facility is planned to be installed as a constructed wetland.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

Cape Fear Council of Governments RPO
No comment

Four County Electric Company
No response

NC DENR Division of Coastal Management
No response

NC DENR Express Permitting
No response

NC DENR Division of Forestry
No response

NC DENR Division of Land Resources
No response

NC DENR Division of Waste Management
No response

NC DENR Division of Water Quality
The SW8 140102 permit approved plans show the convenience store and the Subway. The Auto Parts store and parking lot are faded into the background which denotes "future development" and are accounted for on the application as 14,935 sf of future BUA. A large open ditch is currently shown running through the middle of the auto parts store parking area. A plan revision will need to be submitted and approved before the construction of the auto parts store showing how that ditch will be filled in and piped into the permitted wetland.

No construction of BUA on the site is allowed until the constructed wetland BMP has been installed and stabilized. The planting of the wetlands plants will probably be one of the last things to occur.

NC DOT Division of Highways
As shown in additional note 6, applicant has an approved driveway permit for this site (P-1113).

Should you have any questions please contact me.

Thanks,
Daniel

Daniel Jones
NCDOT Engineering Technician
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Jacksonville, N.C. 28540
Office: 910-346-2040
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NC DOT Transportation Planning Branch
No Comment

NC Office of State Archaeology
No response

NC Wildlife Resources Commission
No response

Pender County Building Inspections
No response

Pender County Emergency Management
No response

Pender County Environmental Health
They will have to submit a restaurant plan review to the state (Kevin Dodge) and us for review.

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
Pender County Schools does not have any concerns.

Pender County Sheriff's Department
No response

Pender County Soil and Water Conservation District
Pender Soil & Water sees no problem with this request.

Progress Energy Corporation
No response

US Army Corps of Engineers
No objections from a 404 standpoint.

Wilmington Metropolitan Planning Organization
I provided comments on this project earlier in the March version of the site plan, so those comments still apply to the project. As this plan has changed the proposed usage, storage tanks, Stormwater and parking, I wanted to add a few more comments regarding the plan.

1. Han-Dee Hugo Master Plan has not adequately described traffic impact of project as required within the application project narrative. Provide trip generation number for the entire plan, to include anticipated AM Peak Volume and PM Peak Volume and Total Daily Trips. Per NCDOT requirements, if the total Average Daily Trips exceeds 3,000 vpd a TIA for the site may be required.
2. Applicant has increased the size of the amount of parking for the new buildings and usages. Landscaping islands must be installed at the end of the parking bay in front of the Convenience store to protect these vehicles.
3. Provide landscaping for islands at the convenience store.
4. Provide screening for the dumpster enclosure with landscaping or opaque fencing.
5. The future 6000 sq. ft. building footprint and sidewalk appears to encroach upon the Constructed Wetland. Provide a 10' space to allow for maintenance vehicles and ensure the slope and walls for the Constructed Wetland are not damaged by the construction of the future building or removed to install the sidewalk.
6. Provide details for changes to the Stormwater plan due to the removal of the Temporary swale and grass area adjacent to the C-Store. Unless the applicant has received a permit that allows for runoff to flow to offsite facilities, runoff for the site must be contained within the site.
7. Applicant has not correctly provided parking for the site. The site data table requires 27 spaces for Auto Parts store and the site plan shows 26 spaces. The 3rd Handicap space required for the Auto Parts store is not listed in the Site Data Table. Revise the plans and site data table.
8. The exiting traffic from the site does not have adequate taper and merge lane from the site for a 55 mph facility. The site should provide the minimum length for the merge lane based upon the MUTCD guide lines. The applicant must work with NCDOT to determine the correct type of facility. If the lane is not included, it could negatively impact the signal queuing and safety at this intersection.

If you have any questions, regarding these comments please feel free to give me a call at (910) 341-7819 or by email at bill.mcdow@wilmingtonnc.gov.

Pender County Permitting

My comments are notated in the permit.

Jaki L. Pace, Senior Permit Technician

Pender County

910-259-1518

Pender County Addressing

With the addition of the restaurant we will have to divide the building into Suites. The main number will remain the same. The addresses will read 11795 US Hwy 117 S, Suite ??. I will need for the developer to decide if they want to use numeric or alphabetical suites.

PROJECT EVALUATION:

A. **Public Notifications**: Public Notice of the Master Development Plan has been advertised in the *Pender-Topsail Post and Voice*. Adjacent property owners have been given written notice of the request, as well as a sign placed on the subject property.

B. **Existing Zoning**: The subject property is currently zoned GB, General Business zoning district. The properties directly adjacent to the subject parcel are all zoned GB, General Business as well.

GB: General Business District

This district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

C. **2010 Comprehensive Land Use Compliance**:

1. Office, Institutional, Commercial: The purpose of the OIC land use classification is to encourage more efficient and attractive development, integration of commercial uses with other land uses, and to discourage unsightly and inefficient strip commercial development. Strip and commercial development (characterized by non-related business development with numerous road-cuts and no interconnectivity) detracts from community appearance and has significant negative impacts on both road capacity and traffic safety.

2. Supporting Comprehensive Plan Policies and Goals:

a. **Growth Management Goal 1A.1**Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

i. **Policy 1A.1.1** Encourage development in and around municipal corporate limits and other developed areas within the County to yield a more compact pattern of development that will reduce suburban/rural sprawl.

ii. **Policy 1A.1.2** Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development

iii. **Policy 1A.1.5** The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.

b. **Water and Sewer Goal 2A.1** Manage the timing, location and intensity of growth by locating water and sewer improvements in accordance with the Comprehensive Land Use Plan and Water and Wastewater Master Plans.

i. **Policy 2A.1.4** Seek regional cooperation and coordination to maximize service

delivery while minimizing duplication of infrastructure and services.

Policy 2G.1.3 Pender County will consider developing policies and techniques that encourage the use of voluntary low impact development standards that can be applied to projects at the individual lot level or to major residential or commercial developments to mimic natural features and predevelopment hydrology.

c. **Rocky Point Goal 4B.1** The primary goal of the Rocky Point Small Area Plan is to accommodate higher density mixed use growth in and around the I-40 / US 117 and NC 210 intersections. Coordinating future growth with already planned projects within thearea will be of prime importance. Large scale developments should expect to besupported by public utilities and closely evaluated through coordinated development plan review. Commercial, office and mixed used infill is expected to occur along the major highway corridors, particularly close to major intersections.

   i. **Policy 4B.1.1** Encourage and enable commercial and employment-related development to occur near the intersection of Interstate 40/US 117/NC 210 and along the US 117 corridor toward New Hanover County when additional sewer and water capacity is available.

SUMMARY & STAFF RECOMMENDATION

The request is consistent with the Pender County Unified Development Ordinance and three goals and six policies in the 2010 Pender County Comprehensive Land Use Plan; therefore, staff respectfully recommends conditional approval of Master Development Plan with consideration of the Planning Staff, Technical Review Committee and Planning Board comments and conditions. Staff notes the following outstanding Pender County Unified Development Ordinance requirements which must be met in accordance with Planning Board recommendations:

VOTING AND RESOLUTION:

Motion:_____Seconded: _____

Approved: _____Denied:_____Unanimous_____

Williams:___McClammy: ____ Boney: ___ Baker: ___ Edens: __ Marshburn:__ Nalee:__