

**PLANNING STAFF REPORT
MASTER DEVELOPMENT PLAN
THE RESERVE ON ISLAND CREEK**

SUMMARY:

Hearing Date: June 4, 2014

Applicant: Parker & Associates, Inc.

Property Owner: Parks Family Forestry, LLC

Case Number: Master Development Plan 11150

Development Proposal: Parker & Associates, Inc. applicant, on behalf of Parks Family Forestry owner, is requesting Master Development Plan approval for the major subdivision the Reserve on Island Creek. This two (2) phased development will include seventy-three (73) single family homes on approximately sixty-nine (69) acres.

Property Record Number, Acreage, and Location: The Reserve on Island Creek consists of approximately sixty-nine (69) acres of the overall one hundred twenty-four (124) acres in the total parcel. The proposed development is located south and east of the New Hanover/Pender County border line, to the north of undeveloped wooded property and to the west of the residential subdivision Woodcliff Estates directly accessing on Island Creek Road (SR 1002) in Rocky Point, NC. The subject property may be further identified by Pender County PIN 3252-97-7356-0000. The property is classified with RA, Rural Agricultural and RP, Residential Performance zoning districts.

RECOMMENDATION

The request is consistent with the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance; therefore Planning Staff recommends the approval of the Master Development Plan for the Reserve on Island Creek. Any and all future phases or changes to the Master Development Plan are subject to the Planning Board review and approval.

HISTORY

The subject property was recently rezoned and amended the future land use classification to accommodate future growth on this parcel. Planning Board recommended approval of the Comprehensive Land Use Map Amendment (Case Number 1054) on December 3, 2013, and the Board of County Commissioners approved this request on January 21, 2014. On March 4, 2014 Planning Board recommended approval of the requested rezoning (Case Number 11121) of the subject parcel and on April 22, 2014 this rezoning was approved by the Board of County Commissioners.

MASTER DEVELOPMENT PLAN

In total, the Reserve at Island Creek will be developed in two (2) phases for a maximum of seventy-three (73) single family residential lots. According to the submitted narrative, Phase I density calculated to 1.2 units per acre with twenty-eight (28) lots and Phase II density calculated to 1.0 units per acre with forty-five (45) lots.

Lot Requirements

As all portions of this Master Development Plan proposal are included within the RP, Residential Performance zoning district; these standards are applicable to each lot in this project. At current all lots meet the lot size minimum of 15,000 square feet (Attachment 1). The lots proposed must meet minimum standards prior to Final Preliminary Plat approval.

As outlined in the Pender County Unified Development Ordinance, Section 4.14 the established requirements for RP, Residential Performance zoning district includes; lot size minimum of 15,000 square feet, building height requirement of thirty-five (35) feet, and yard setbacks are outlined below:

Setback	Distance
Front	30 feet
Side	10 feet
Rear	25 feet
Corner	15 feet

Services (Wastewater/Water)

The Reserve on Island Creek proposes traditional on-site septic and some off-site septic which is contingent upon a soil suitability analysis; subject to review and approval by the Pender County Environmental Health Department prior to Final Preliminary Plat approval.

Additionally, a public water connection to Pender County Utilities is proposed. The applicant outlines in the submitted narrative that this will be achieved through tying into an existing Pender County water main that runs along Island Creek road and extending the six (6) inch water main to service this development. Pender County Utilities review and approval is required prior to Final Preliminary Plat approval.

Landscaping & Buffers

Residential uses in residential districts (except mobile home parks, multi-family and planned developments) are not required to have buffers between parcels per Section 8.2.8 of the Pender County Unified Development Ordinance. The applicant’s submittal includes a Buffer A along the property adjacent to Island Creek Road (SR 1002) which is not required; in discussions with the applicant they chose to remove this prior to Final Preliminary Plat.

Open Space

Per the Pender County Unified Development Ordinance, all proposed residential subdivisions shall provide open space in the amount of 0.03 acres per dwelling unit within the subdivision; half of which must be designated active open space.

For the development proposal includes seventy-three (73) lots which would necessitate 2.19 acres of open space with at least 1.095 acres dedicated as active open space. All open space calculations are taken from within the project boundary.

The applicant meets the total open space requirement for this residential subdivision, proposing 9.4 acres of open space. However, the proposed active open space is only 0.6 acres which is under the required 1.095 acres according to Section 7.6.1 of the Pender County Unified Development Ordinance. Prior to approval of the Master Development Plan the active open space requirement of 1.095 acres must be met.

The applicant must modify the project boundary area to include adequate open space within the project bounds.

Recreational Units

With a proposed lot number of seventy-three (73), \$10,000 or 1 recreational unit is required by the Pender County Unified Development Ordinance for the Master Development Plan, Section 7.6.2. This will need to be completed prior to Final Preliminary Plat approval. The applicant is proposing a five (5) foot wide wood chip trail. An engineered certification of this recreation unit must be submitted prior to Final Preliminary Plat approval. At the time of recording Final Plat for which the wood chip trail will be recorded must be constructed and certified of completion to standards specified or guaranteed by a Performance Guarantee referenced in Appendix D (Section 6.5.A.6) of the Pender County Unified Development Ordinance.

Through technical review, Building Inspections Staff identified that the pool area would require an accessible route which may include; parking areas, access aisles, walks, ramps, and curb ramps. The route must allow a person with a disability to enter the facility. The surface of the route must allow the navigation of a wheelchair. Factors such as size, width, and slope are also considered. In addition a way must be provided for entry into and out of the pool itself such as a power lift. Additionally, ingress and egress of the walking trails, kayak launch, open air pavilion, restroom and pool facilities will need to facilitate residential traffic as well as adequate parking facilities.

The applicant has indicated that due to the environmental concerns as well as access issues to the proposed amenities, the site plan will not include a restroom and pool facilities as submitted. All amenities must be internal to the project bounds according to Section 7.6.1 of the Pender County Unified Development Plan prior to Master Development Plan approval. This deviation must comply with all Pender County Unified Development Ordinance standards and will be evaluated at the time of Preliminary Plat submittal.

Finally, the Pender County Floodplain Administrator comments indicate that any and all development proposed within the identified floodway will require a non-impact study; the applicant's submittal includes amenities in the floodway.

Connectivity & Road Design

According to the applicant's narrative the roadways are proposed as public and built to NCDOT subdivision road standards as outlined in the NCDOT Subdivision Manual published in January 2010. These roadways are subject to NCDOT review and approval through a Driveway Permit, the applicant must submit plans to the NCDOT for approval prior to Pender County approval of this Preliminary Plat submission.

The cul-de-sacs proposed in the Reserve on Island Creek must conform to the Pender County Unified Development Ordinance requirement in Section 7.5.1.F where a minimum shoulder section of fifty (50) feet and right of way paved at thirty-five (35) feet is required, all other approvals of the proposed cul-de sacs are subject to NCDOT requirements. Planning Board may require larger cul de sac radii, particularly on the terminus of Huckleberry Way (west) and the terminus of Mississippi Drive for school bus and emergency vehicle turn around.

A connection to existing Woodcliff Drive (private access easement) is proposed on the eastern boundary of the property. This interconnectivity is based on the Pender County Unified Development Ordinance Section 7.2.2 whereas lots shall be arranged to allow for the future streets and logical further subdivision of adjacent properties. Attachment 3 identifies the location of this connection at

the time of Woodcliff Drive (private) platted in January 1988 and the potential connection to future roadways.

Traffic

According to the applicant's submitted narrative the traffic impacts to adjacent properties will be minimal based on this phase of the project generating approximately 695 total daily trips with 55 in the AM peak hour and 73 in the PM peak hour based on the ITE Trip Generation Manual 9th edition.

Environmental Concerns

The subject parcel, of approximately 143 acres may contain portions of environmentally sensitive areas including wetlands and floodplains.

Wetlands

Currently, no wetland delineation or Jurisdictional Determination (J.D.) has been submitted to Pender County Planning Staff for proof of environmental concerns on the subject property. The applicant has must submit a wetlands map for the subject property. Further investigations of these documents to identify regulated wetlands would be necessary for future action on the site.

Flood

A portion of the property that is located within the identified "AEFW", a large portion of the property is located within "Approximate Zone AE" and another portion of the property located within the "Zone X" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Number 3720325200K, Panel Number 3252 and Map Number 3720326200K, Panel, Number 3262. Any development in the Special Flood Hazard Area is required to be in accordance with the Pender County Flood Damage Prevention Ordinance.

CAMA

CAMA Areas of Environmental Concern, regulated by the Division of Coastal Management may be located on the subject property as there is a potential for this property to have navigable (by canoe/kayak) inland waters. CAMA Areas of Environmental Concern are tidal and/or navigable waters within Pender County are classified as Public Trust Area up to the normal high water line or normal water level and are subject to the CAMA. The Public Trust Shoreline AEC extends 30' landward of the normal high water line or normal water level. At this time the applicant is proposing a potential open air pavilion and restroom facilities that may require a CAMA permit on this property.

Historical Context

Technical Review Committee comments from Nathan Henry, Assistant State Archaeologist and Conservator Underwater Archaeology Branch NC Office of State Archaeology indicate that there is an area of historical significance on the subject property (Attachment 2). In discussions with both the applicant and Planning Staff Mr. Henry indicated that the State of Archaeology would be amenable for the property to be surveyed and any historical findings be documented by an archeologist or he indicated the developer may preserve some portion of the historical site.

The 2010 Comprehensive Land Use Plan Goal 6B.1 states, ensure that historic and cultural resources are maintained or enhanced as development occurs. It is the Planning Board's discretion as to whether this portion of the property must be dedicated as open space and preserved or if a survey and archeological documentation are adequate for this property. It should be noted that Mr. Henry wrote; "I feel that the applicant is committed to working with SHPO to settle these issues and there is no reason to hold up the approval process as far as the Pender County Planning Board is concerned."

All of the following applicable state and federal agency permits including but not limited to; a Stormwater Management Permit, and Erosion Control Plan, wetlands impact permits, and NCDOT Driveway Permit will be required prior to the approval of the Final Preliminary Plat for each phase.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

On Monday May 19, 2014 the Pender County Technical Review Committee was sent the Reserve at Island Creek Master Development Plan application, narrative, and plats as well as the Planning Board approved Master Development Plan. The following responses were collected:

Cape Fear Council of Governments RPO

As the project is in the WMPO, the Cape Fear RPO has no comment.

Four County Electric Company

No Response.

NC DENR Division of Coastal Management

No Response.

NC DENR Division of Forestry

No Response.

NC DENR, Division of Energy, Mineral, and Land Resources - Land Quality Section

This will need an erosion and sedimentation control plan.

NC DENR Division of Waste Management

No Response.

NC DENR Division of Water Quality

As the narrative indicates, a state stormwater permit is required. They will also be required to get a 401 certification for the wetland impacts.

NC DOT Division of Highways

Submit for driveway permit and subdivision plan approval.

NC DOT Transportation Planning Branch

No Response.

NC Office of State Archaeology

*The developer should be aware that there is one documented archaeological site on the property, 31PD337**. This is a Civil War entrenchment referred to as the "Stevens Line" on an 1863 map showing the roads and fortifications in the Wilmington vicinity. An assessment of site 31PD337** to determine its National Register eligibility as well as an archaeological survey to discover unknown archaeological resources will likely be required for any USACOE permits regarding wetlands impacts. The developer should expect a letter to this effect within the next several weeks from the State Historic Preservation Office.*

I have been in communication with John Parker of Parker and Associates, Inc., concerning the Parks Family Forestry project adjacent to Island Creek (The Reserve on Island Creek). They are amenable to working with the State Historic Preservation Office (SHPO) in preserving the Civil War earthworks on the property through documentation and preservation of a portion of the earthworks as well as an archaeological survey for undiscovered archaeological resources that may be on the property. I feel that the applicant is committed to working with SHPO to settle these issues and there is no reason to hold up the approval process as far as the Pender County Planning Board is concerned. Thank you very much for your help in this matter.

NC Wildlife Resources Commission

No Response.

Pender County Addressing Coordinator

Huckleberry Way will need an E. and W. directional. They will require a cluster box. I just spoke with the Rocky Point postmaster and he prefers one large unit. Please inform the developer that he will need to reserve an area large enough for the carrier to pull off the road safely and place mail in each box within the cluster unit.

Pender County Building Inspections

The pool area would require an accessible route. Accessible routes may include parking areas, access aisles, walks, ramps, and curb ramps. The route must allow a person with a disability to enter the facility. The surface of the route must allow the navigation of a wheelchair. Factors such as size, width, and slope are also considered. In addition a way must be provided for entry into and out of the pool itself such as a power lift.

Pender County Emergency Management

No Response.

Pender County Environmental Health

All lots will need to be evaluated for on-site wastewater. Each lot will need an application.

Pender County Fire Marshal

No Response.

Pender County Flood Plain Management

The subject property is located in the SFHA. Any development within the SFHA will require a floodplain development permit and must comply with the Pender County Flood Damage Prevention Ordinance. As a reminder, ANY development in the floodway, will require a non-impact study.

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

No Response.

Pender County Sheriff's Department

No Response.

Pender County Soil and Water Conservation District

Soil & Water sees no problem with this request, as long as all wetland permits with State & ACE have or will be attained.

Progress Energy Corporation

No Response.

US Army Corps of Engineers

No Response.

Wilmington Metropolitan Planning Organization

No Response.

EVALUATION

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

B) Existing Zoning in Area: The existing zoning in the vicinity of the subject property consists of RA, Rural Agricultural to the east; PD, Planned Development to the south, and bounded by New Hanover County's I-2, Heavy Industrial District to the west and north.

C) Existing Land Use in Area: The existing land uses of the surrounding property consist of vacant/undeveloped areas in addition to moderate density single-family residential uses along the eastern boundary.

D) 2010 Comprehensive Land Use Plan: The 2010 Comprehensive Land Use Plan designates the subject property as Suburban Growth.

STAFF RECOMMENDATION

The approval is also subject to the all conditions required by the Pender County Planning Board and regulatory State and Federal Agencies. The submitted Master Development Plan for the Reserve on Island Creek must meet all Pender County Unified Development standards; particularly those outlined in Section 6.1.2 Master Development Plan Contents- Residential Subdivisions the following items are outstanding and must be finalized prior to Master Development Plan approval:

- 1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
- 2) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
- 3) The location of environmental protection land to be included in common open space.
- 4) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
- 5) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
- 6) The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.
- 7) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
- 8) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
- 9) Location and timing of construction for all amenities.
- 10) Landscaping and Buffer requirements per Article 8.
- 11) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design
- 12) Calculated open space requirements shall adhere to Section 7.6, Open Space.

Staff is asking for Pender County Planning Board deposition on the following items:

- (1) Cul de sac radii for school bus and emergency vehicle turn around after previous discussions with Pender County Emergency Management Staff, as well as, Pender County Schools; and
- (2) Preservation of Stevens Line historical site

The request is consistent with the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance; therefore Planning Staff recommends the approval of the Master Development Plan for the Reserve on Island Creek given that all aforementioned requirements are met. Any and all future development, phases and changes to this Master Development Plan are subject to the Planning Board review and approval.

Board Action for Master Development Plan The Reserve on Island Creek:

Motion: _____ **Seconded:** _____

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

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