

**PLANNING STAFF REPORT
MASTER DEVELOPMENT PLAN
KINGS RANSOM RESIDENTIAL SUBDIVISION**

SUMMARY:

Hearing Date: August 5, 2014

Applicant: Gairy Canady

Property Owner: Lisa L. Salemi-Haves

Case Number: 11209 - Master Development Plan

Development Proposal: Gairy Canady, applicant, on behalf of Lisa L. Salemi-Haves, owner, is requesting the approval of a Master Development Plan which includes twenty-four (24) single-family residential homes on approximately 15.51 acres.

Property Record Number, Acreage, and Location: The proposed project is located on the north side of Kings Landing Road (SR 1567) approximately one (1) mile from the intersection of Country Club Drive (SR 1565) and Kings Landing Road (SR 1567); north of Bellowing Doe Road and Seven Pines Residential Subdivision, west of Crestwood Residential Subdivision, east of undeveloped land and to the south of Hideaway Shores and Windy Point (private roadway). The property is zoned RP, Residential Performance Zoning District and may be identified by Pender County PIN 4203-51-7342-0000.

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 for Kings Ransom residential subdivision.

As the submittal for Master Development Plan is adequate to address many of the conditions as outlined in § 6.4 of the Unified Development Ordinance for Preliminary Plat, Staff recommends that the Planning Board waive the Preliminary Plat public hearing as outlined in the § 2.11, Summary of Review Authority; given that all applicable conditions are met as prescribed in § 6.1.4.

HISTORY

Prior to the 2010 Pender County comprehensive re-zoning, the parcel was zoned R20C Residential District (Conventional Housing). This zoning district was established for the principle use of land for moderate density single-family residential purposes. The regulations for this district were to permit development compatible with moderate density standards while providing limited growth. It was designed to accommodate residential opportunities for those who desired a moderate density lifestyle and were willing to assume the cost of providing many of their own services and amenities while maximizing the protection of resources and the conservation of open space. The R-20C does not allow for Manufactured Homes on the property, whereas the current zoning RP, Residential Performance zoning district allows single family dwellings and duplexes.

MASTER DEVELOPMENT PLAN DETAILS

As outlined in the Unified Development Ordinance, Section 4.14 establishes the required lot size, yard setbacks, and building height for the RP, Residential Performance zoning district. The applicant must comply with lot size at a minimum of 15,000 sq. ft., a maximum building height of thirty-eight (35) feet and the dimensions outlined below for setbacks:

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

All lots submitted comply with the RP, Residential Performance zoning district standards per § 6.1.2.22.

Services (Wastewater/Water)

The applicant is proposing traditional on-site septic which is contingent upon their submitted 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 must submit all necessary items to Pender County Utilities for review and approval.

Landscaping & Buffers

Residential uses in Residential Districts are not required to have buffers except as required for mobile home parks, multi-family and planned developments in accordance with Section 8.2.8, *Project Boundary Buffer* of the Pender County Unified Development Ordinance. This project is not required to include any buffers.

Open Space & Rec Units

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. The applicant meets the required open space requirements with 0.72 acres proposed. As there are twenty-four (24) lots proposed, 0.72 acres is required as open space with 0.36 acres which must be active. The applicant is providing 0.59 acres active and 0.13 passive open space.

In the active open space the applicant will work with the Hampstead Post Master and NCDOT to develop a clusterbox location which is in compliance with recent Postal Service policies. Any improvements in the open space are at the developers’ discretion and must be included on the Final Plat for recording.

With a proposed lot number of twenty-four (24) residential units there are no recreational units required per § 7.6.2 of the Unified Development Ordinance.

Connectivity & Road Design

According to the applicant's narrative the roadways are proposed as public and will be 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 Master Development and the Preliminary Plat submission.

The two cul-de-sacs proposed in Kings Ransom residential subdivision conform to the Pender County Unified Development Ordinance requirement in Section 7.5.1.F. and are proposed at fifty-one (51) foot radius exceeding minimum right of way paved at thirty-five (35) feet per the Ordinance, all other approvals of this cul-de sac are subject to NCDOT requirements. The hatched area on the plat (Attachment 1) will allow for future right of way connections at the time which adjacent parcels develop, per NCDOT and Staff's recommendation. This connection is based on Section 7.2.2 of the Pender County Unified Development Ordinance; lots shall be arranged for the opening of future streets and logical further subdivision of adjacent properties.

The Pender County Comprehensive Land Use Plan encourages vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining development (Policy 2B.1.4). It also recommends that these streets be dedicated public to promote interconnectivity. Per Policy 2B.1.9 of the Plan, "all new streets that have the potential to connect to adjacent developments should be constructed to NCDOT secondary road standards and accepted for public maintenance to ensure future connectivity."

Traffic

According to the applicant's submitted narrative the traffic impacts to adjacent properties will be minimal based on the project generating approximately 275 total daily trips with 25 in the AM peak hour and 29 in the PM peak hour based on the ITE Trip Generation Manual 8th Edition. Any deceleration or turning lanes required on Kings Landing Road (SR 1567) due to traffic impacts from the proposed residential development will be based on NCDOT requirements.

Kings Landing Road (SR 1567) is classified by the Wilmington Metropolitan Planning Organization as a minor collector roadway. According to the Unified Development Ordinance Section 7.2.7 Lots on Collector Streets; Major subdivisions shall not be approved that provide for individual residential lots to access Minor Collector roads or streets as shown in the Coastal Pender Collector Street Plan, Pender County Transportation Plan or other approved State or Federal Transportation Improvement Plan. To address this, the applicant notes on the submitted site plan; "lots 1-7 and 24 shall have no direct access on Kings Landing Road."

Environmental Concerns

After a preliminary analysis of the subject parcel, of approximately 15.51 acres, there does not appear to be any CAMA Areas of Environmental Concern or floodplains.

Based on preliminary discussions with the applicant there may be wetlands located on the subject property. Any wetlands on the subject property are subject to wetland delineation submitted to the Army Corps of Engineers, subject to review and approval. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

All applicable state and federal agency permits including 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 June 23, 2014 the Pender County Technical Review Committee was sent the Kings Ransom residential subdivision application, narrative, and plat. The following responses were collected:

Cape Fear Council of Governments RPO

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

No Response

NC DENR Division of Waste Management

No Response

NC DENR Division of Water Quality

If they disturb >1 acre, or need a CAMA Major permit, or if they are constructing >10000 sf of new BUA, they'll need a stormwater permit.

NC DOT Division of Highways

They will need Driveway Permit and Plan Approval submittal. Doug Racine is the contact, 346-2040.

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 placed the names on the Master Road List.

Pender County Building Inspections

No Response

Pender County Emergency Management

No Response

Pender County Environmental Health

Applicant will need to apply for septic permits with the HD.

Pender County Fire Marshal

The TRC from Fire Marshal Office approved this plan.

Thank you for the 51' R turnarounds!!

Pender County Flood Plain Management

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

The development will have 51' radius for cul de sacs – will allow for bus/emergency vehicle turn around.

Pender County Sheriff's Department

No Response

Pender County Soil and Water Conservation District

Soil & Water sees no problem with this request.

Progress Energy Corporation

No Response

US Army Corps of Engineers

No Response

Wilmington Metropolitan Planning Organization

No written response, collaborated with staff via telephone

EVALUATION

A) Public Notifications: Public Notice of the proposal for map change 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 property is located within a RP, Residential Performance zoning district.

C) Existing Land Use in Area: This proposal is located on undeveloped land in the Topsail Township. The subject parcel is located on the north side of Kings Landing Road (SR 1567) approximately one (1) mile from the intersection of Country Club Drive (SR 1565) and Kings Landing Road (SR 1567); north of Bellowing Doe Road and Seven Pines Residential Subdivision, west of Crestwood Residential Subdivision, east of undeveloped land and to the south of Hideaway Shores and Windy Point (private roadway).

D) 2010 Comprehensive Land Use Plan: The future land use classification of this parcel is Mixed Use. The Mixed Use land 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.

1. 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 the 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.1.3.** The County shall actively direct growth towards suitable land areas and away from fragile natural resource areas, conservation areas, and hazardous areas.

iv. **Policy 1A.1.5.** The County supports 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. **Transportation Goal 2B.1** Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.

i. **Policy 2B.1.4** Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

ii. **Policy 2B.1.7.** Ensure that the Coastal Pender Collector Street Plan, adopted on May 21, 2007, is used consistently when reviewing and approving new development proposals within the Hampstead and Scotts Hill areas of the County. Consider applying Plan recommendations for roadway connectivity to all new developments Countywide.

iii. **Policy 2B.1.9** As recommended in the Coastal Pender Collector Street Plan, all new streets that have the potential to connect to adjacent developments should be constructed to NCDOT secondary road standards and accepted for public maintenance to ensure future connectivity.

2. Conflicting Comprehensive Plan Policies and Goals: none.

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 must meet all Pender County Unified Development standards, particularly those outlined in § 6.1.4. The following items are outstanding and must be finalized prior to Master Development Plan approval:

1. Topography shall be shown at 2 foot contour intervals.
2. 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 (Arrangement of clusterboxes and ingress/egress points for open space needed).
3. The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities (Pender County Utilities Approval Required).
4. Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association requirements (needed before Final Preliminary Plat).

Planning Staff recommends that the Planning Board waive the Preliminary Plat public hearing as outlined in the § 2.11, Summary of Review Authority; given that all applicable conditions in § 6.4 Preliminary Plat Contents are met. The following items are outstanding and must be finalized prior to Final Preliminary Plat approval:

1. Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association requirements (needed before Final Preliminary Plat)
2. The location and design of parking areas and pedestrian and vehicular access points (Arrangement of clusterboxes and ingress/egress points for open space needed).
3. That the design of traffic patterns, traffic control measures and street pavement areas, including plan profiles and cross section views, and with provisions for maintaining traffic flows for both public use as well as emergency management services are consistent with the requirements of this Ordinance (in accordance with NCDOT approvals for Driveway Permit and Subdivision Plans).
4. Soil suitability analysis indicating the suitability of the property for individual septic tanks of an Improvement Authorization Permit for each lot unless a community sewer is available and a conditioned approval for connection is submitted. The soil suitability analysis of the property shall also indicate the suitability of the soil for the type of structures proposed.
5. Verification of receipt of the preliminary plat of the development by the Pender County Health Department.
6. Verification of receipt of the preliminary plat of the development by the NCDOT District Engineer of his designee.

7. Approval by NCDOT of the connection of subdivision roads with DOT maintained roads (Driveway Permit).
8. Street construction & street drainage plans as approved by DOT District Engineer with letter of approval (for public streets).
9. Acceptance of operation and maintenance of the system by a Public or Community Water system as defined in this Ordinance (Pender County Public Utilities approval).
10. Sediment & Erosion Control Plans as approved by Land Quality (with letter of approval).
11. Stormwater Management Plan as approved by the Water Quality Division (with letter of approval).
12. Approval of Wetlands Delineation by the Army Corps of Engineers (USACE) if wetlands development.
13. Wetlands fill authorization or permit if construction in wetlands is involved.

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 Kings Ransom given that all aforementioned requirements are met. As this proposal is a by-right subdivision in the RP, Residential Performance zoning district the applicant must meet all Ordinance and adopted plan requirements for the subdivision for acceptance.

BOARD ACTION FOR MASTER DEVELOPMENT PLAN:

Motion: _____ **Seconded:** _____

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

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