

**PLANNING STAFF REPORT
PRELIMINARY PLAT
THE RESERVE ON ISLAND CREEK**

SUMMARY:

Hearing Date: February 3, 2015

Applicant: Parker & Associates, Inc.

Property Owner: IC3 Partners, LLC.

Case Number: Preliminary Plat 11150

Development Proposal: Parker & Associates, Inc., applicant, on behalf of IC3 Partners, LLC, owner, is requesting Preliminary Plat approval for the major subdivision known as the Reserve on Island Creek. This two (2) phased development will include seventy-three (73) single family homes on ± seventy-acres (70) acres.

Property Record Number, Acreage, and Location: The Reserve on Island Creek consists of ± seventy acres (70) 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, 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 zoned as 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 conditional approval of the Preliminary Plat for the Reserve on Island Creek. Any and all future phases or changes to the project are subject to the Planning Board review and approval.

HISTORY

The subject property was recently has undergone a Comprehensive Land Use Map Amendment to amend 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. On June 3, 2014 the Planning Board conditionally approved the Master Development Plan known as the Reserve on Island Creek (Case Number 11150).

APPROVED MASTER DEVELOPMENT PLAN

In total, the Reserve at Island Creek was conditionally approved to include two (2) phases for a maximum of seventy-three (73) single family residential lots. Phase I was approved with a density

calculated to 1.2 units per acre with twenty-eight (28) lots and Phase II approved to have density calculated to 1.0 units per acre with forty-five (45) lots.

The Preliminary Plat submittal is consistent with the approved Master Development Plan with the only submitted changes including; the second entrance of the subdivision was shifted to the east due to sight distance needs on the curve of Island Creek Road (SR 1002) and the applicant is working toward approval with NCDOT for the realignment, as well as, a submitted archeological survey and adequate documentation to satisfy the State Historic Preservation Office TRC review comments identifying Civil War earthworks on the property. In a letter dated October 27, 2014 from the NC Department of Cultural Resources State Historic Preservation Office to the applicant the recommendation is that no further archaeological work be required in conjunction with the development project and it is unlikely that this site will provide for significant research potential beyond what information is already produced.

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. 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 the 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.

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. The development proposal includes seventy-three (73) lots which will 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 10.06 acres of active open space and 1.45 acres of passive open space. The applicant must modify the project boundary area to include adequate open space details for recreation units 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. Further identification of the amenities site including proposed use, location and all approvals per TRC members is required prior to any Preliminary Plat approvals can be granted.

If the developer chooses not to install the recreation unit in the subdivision prior to recording the Final Plat, 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 amenities 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.

Concerns voiced with a potential amenity site at the TRC meeting on Monday January 13, 2015 can be resolved through further review and submittal by the applicant. A walking trail and kayak launch was discussed for the Open Space Common Area #1 at the TRC meeting; however ingress and egress of the walking trails, kayak launch, and other facilities will need to facilitate residential traffic as well as adequate parking facilities as well as emergency access. There are limitations on the property due to areas of environmental concern such as CAMA AEC and floodplain areas. Staff will ensure compliance with the recreational units for The Reserve on Island Creek in open space but at current this must be proposed and approved before any further approvals can be issued for the project.

Connectivity & Road Design

According to the applicant's narrative the roadways are proposed as public and be built to NCDOT subdivision road standards as outlined in the NCDOT Subdivision Manual published in January 2010. Access to Island Creek Road (SR 1002) is 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 conform to the Pender County Unified Development Ordinance requirement in Section 7.5.1.F with 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. Cul de sac widths discussed at the previous Planning Board hearing for the Master Development Plan are adequate for schools, emergency management as well as the NCDOT to be designed as the submittal for consideration.

A connection to existing Woodcliff Drive (private access easement) as previously approved and shown on the eastern boundary of the property from the Master Development Plan approval on June 3, 2014. 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 1 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 based on 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. This project does not meet Pender County's threshold of requiring a Transportation Impact Analysis which requires a development with more than 100 peak hour trips in either the AM or PM per the Coastal Pender Collector Street Plan, which this project does not meet. Any improvements required to existing roadways will be per NCDOT requirements.

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 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 is located within the identified "AEFW", a large portion of the property is located within "Approximate Zone AE" and another portion of the property is 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 on Island Creek. 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.

Historical Context

Technical Review Committee comments from Nathan Henry, Assistant State Archaeologist and Conservator Underwater Archaeology Branch NC Office of State Archaeology indicated that there are areas of historical significance on the subject property as determined during the Master Development Plan TRC review, since that previous submittal the applicant has supplied an archeological survey and sufficient documentation to address concerns raised (Attachment 2).

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) MEETING:

On Tuesday January 13, 2015 the Pender County Technical Review Committee convened to review the Reserve at Island Creek Preliminary Plat application, narrative, and plats as well as a review of the previous Planning Board approved Master Development Plan. The following comments are a compilation of both email responses and notes from the TRC meeting:

Cape Fear Council of Governments RPO

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

Duke Energy

It seems a lot of development going on around area of Island Creek Road. I have not yet received any formal request to do anything where Duke Energy transmission line ROW corridors are located. It appears from the "The Reserve on Island Creek" site map attached they are not where our transmission line corridors are located. Those corridors are shown in general area of green and red lines on the map below their site map. Please help to keep a watch of where our transmission corridors are located with others who may be developing in this area not to assume they are submitting plans separately for Duke Energy (Transmission) to review and approve in writing as required.

NC DENR Division of Coastal Management

In regards to this project-if the applicant is proposing any land disturbing activity in or within 30' of a tidal and/or navigable (including by canoe or kayak) waterbody, or if any other direct or indirect impacts would occur within a CAMA Area of Environmental Concern (AEC), then a CAMA major permit and/or a Dredge & Fill permit will be required. The applicant should contact me to set up a site visit if there is any question as to whether a permit may be required or if I can assist with understanding the rules of the Coastal Resources Commission and State's Dredge & Fill law.

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

We have had office and on site meetings with the Engineering firm concerning this site. We have recently received the driveway permit for review.

NC DOT Transportation Planning Branch

No Response.

NC Office of State Archaeology

Requirements: Perform survey to identify and assess archaeological resources on the property.

Recommendations: No further work in terms of archaeological resources.

Comments: The applicant has fulfilled obligations to identify, assess, and report on archaeological resources occurring on the property. No further work is recommended.

Information Requested: N/A

Please Follow Up Prior to Meeting: No

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.

Pender County Building Inspections

If applicable: 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

All plans are in compliance

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

All plans are in compliance

Pender County Flood Plain Management

I will not be in attendance at the TRC meeting today. Flood requirements will apply to any development in the SFHA as I originally commented. Whomever is the surveyor for the property should indicate the flood line, flood designation, and BFEs for those areas subject to flooding.

Pender County Parks and Recreation

Parks and Recreation would like to see further identification of amenity site details including facilities

Pender County Public Library

No response

Pender County Public Utilities

Plan review and permitting is required at this time. They will be connected to public water.

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.

US Army Corps of Engineers

They will be required to get a 401 for their proposed wetland impacts

Wilmington Metropolitan Planning Organization

Requirements:

- 1. Site plan does not have street cross sections for the subdivision streets.*
- 2. Show dimensions for proposed Streets. Street Cross sections shall have pavement width, curb width (if curb and gutter is used), shoulder width and ditch width.*
- 3. Label intersection street corner radii. Street corner radii must meet minimum NCDOT 30' radii at ROW for each intersection.*
- 4. Show sewer and water utility locations per minimum Pender County UDO requirements for master development plans.*

Recommendations:

- 1. Label dimensions for Sight Distance Triangles. Sight Distance Triangles should meet NCDOT requirements of 10'X70'.*
- 2. Show cross section of pavement structure including the thickness of the asphalt and subgrade.*
- 3. Provide 35' Radius of the paved area for proposed Cul-De-Sac bulbs per NCDOT Subdivision Design.*
- 4. Lot # 72 shall not have direct driveway access to Island Creek Rd per NCDOT driveway requirements. Site plans refer to lot # 74 instead of Lot # 72.*

Outstanding items of note from the meeting for Planning Staff items include the amenity site ingress and egress and specific development plans for this area to be counted as recreational units for the subdivision. Additionally, the rear parcel which is not part of the Master Development Plan will need a specific access point and cannot be left landlocked.

EVALUATION

A) Public Notifications: Public Notice of the proposal for Preliminary Plat 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 Preliminary Plat is in compliance with the previously approved Master Development Plan and the following information is required in addition to all applicable permits for the project in the aforementioned report from the applicant prior to any Preliminary Plat approvals:

1. Detail recreational unit for the residential subdivision in the Open Space Area One
2. Include adequate ingress and egress for the rear of the parcel which is not within the project bounds.

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 Preliminary Plat for the Reserve on Island Creek given that all aforementioned requirements are met. Any and all future development, phases and changes to this project are subject to the Planning Board review and approval.

Board Action for Preliminary Plat The Reserve on Island Creek:

Motion: _____ **Seconded:** _____

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

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