

**PLANNING STAFF REPORT**  
**Conditional Zoning Map Amendment**

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**SUMMARY:**

**Hearing Date:** October 13, 2015 Planning Board  
November 23, 2015 Board of Commissioners  
**Applicant:** Grey Bull Inc.  
**Property Owner:** Linda Kaye Howard Taylor et al  
**Case Number:** 11458

**Rezoning Proposal:** Grey Bull Inc., applicant, on behalf of Linda Kaye Howard Taylor et al, owner, is requesting approval of a Zoning Map Amendment for a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district.

**Property Record Numbers, Acreage, and Location:** The subject property is located to the east of US HWY 17, to the south and west of the residential subdivision Forest Sound, and to north of the residential subdivision Hampstead on the Sound in Hampstead and may be further identified by Pender County PIN 3292-27-2690-0000.

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**RECOMMENDATION**

The application consists of a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. As submitted, the request complies with all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is not in conflict with the 2010 Comprehensive Land Use Plan. The application is consistent with three (3) goals and thirteen (13) policies of the 2010 Pender County Comprehensive Land Use Plan and potentially conflicts with one (1) policy.

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**HISTORY**

The subject property currently contains a 195 foot monopole style telecommunication tower (SUP 10965) unanimously approved on June 17, 2013 by the Board of County Commissioners. The existing telecommunication tower has access directly on US HWY 17 in Hampstead through an access and utility easement thirty (30) feet in width (Attachment 1). The remainder of the property is vacant and wooded.

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**DESCRIPTION**

This application consists of a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district.

**Proposed Uses**

The proposed uses within the RM-CD1, Residential Mixed conditional zoning district are; telecommunication tower, single family dwelling conventional detached and other typical neighborhood amenities or project infrastructure according to the Applicant's narrative. All other uses will be prohibited unless an alteration is made to the approval. Any changes to the requested petition shall be processed in

accordance with amendments to the zoning map and in accordance with Section 3.4 of the Pender County Unified Development Ordinance (Attachment 2). It is the applicant's intention to develop the site for a single family residential subdivision. There are 106 proposed residential units on the subject parcel.

### **Proposed Lot Sizes**

According to the submitted site plan; the minimum lot size proposed is 6,800 sq. ft. and a proposed maximum height of forty (40) feet. The RP, Residential Performance zoning district has a minimum of 15,000 sq. ft. lots with height limited at 35 feet. Setbacks of this conditional rezoning are proposed below:

	<b>Proposed Setbacks (in feet)</b>	<b>RP Zoning District Setbacks (in feet)</b>
Front Yard	5	30
Side Yard	5	10
Corner Yard	5	15
Rear Yard	10	25
Chord Length	40	30

The Fire Marshal noted that Pender EMS and Fire District 14, the second response unit is from Fire District 16 and has a ladder truck to allow for the requested forty (40) feet height. Approval is recommended for the height as requested.

### **Services (Wastewater/Water)**

The Applicant is proposing a public water connection to Pender County Utilities and all review and approvals for the public water service are per Pender County Utilities Department.

An intent to service letter was provided by the applicant on behalf of Old North State Water Company LLC. to service 110 single family residential units (Attachment 3). The applicant shall work directly with Old North State Water Company LLC. and Pender County for wastewater approval for service to each phase of the development prior to final approval. Old North State Water Company LLC. currently operates the Majestic Oaks wastewater package plant and the subject parcel is proposing connection into the same plant for wastewater services.

### **Open Space**

All new residential subdivisions shall provide open space in the amount of 0.03 acres per dwelling unit within the subdivision. The applicant is required to provide 3.18 acres of open space with at least 1.59 acres of active open space. Active open space is defined as areas such as a park for village commons providing space for outdoor recreation activities according to Section 7.6.1.B. of the Pender County Unified Development Ordinance. The Applicant has provided 5.73 acres, with 3.26 acres as active open space sufficiently meeting Open Space requirements for the 106 proposed lots.

### **Recreational Units**

All developments containing thirty-four (34) units or more are required to provide recreational units per Section 7.6.2 of the Pender County Unified Development Ordinance. With 106 lots proposed the applicant is required to provide 1.5 recreational units, which equates to \$15,000. This can be installed on the property, approved in conjunction with the Parks and Recreation Master Development Plan or a payment in lieu of dedication can be made as the Board deems appropriate.

The Applicant intentions to develop the recreation facilities within the subject property. The 2010 Parks and Recreation Comprehensive Master Plan does not recommend a specific facility however, it is recommended from the Parks and Recreation Division to install commercial outdoor fitness equipment

for the residents to utilize while they are walking throughout the subdivision. There are also “senior playgrounds” where unit has component that are geared toward increasing the balance, coordination and agility of the adult users.

### **Roadways and Traffic**

The Applicant is proposing both public and private roadways in the conditional rezoning request.

#### *Public Roadway*

A public collector roadway will connect Forest Sound Road (private) to Second Street (SR 1616). According to Section 7.5.1 of the Pender County Unified Development Ordinance the layout of streets as to arrangement, width, grade, character and location shall conform to the 2007 Coastal Pender Collector Street Plan or any other approved Transportation Improvement Plan. This roadway is recommended in the 2007 Coastal Pender Collector Street Plan in Figure 4.1 as a priority new collector with bicycle facilities (Attachment 4). As submitted this is a sixty (60) foot wide right of way in compliance with the 2007 Coastal Pender Collector Street Plan recommendation.

#### *Private Roadways*

Private roadways shall be designed and constructed in compliance with current NCDOT Subdivision Roads Minimum Construction Standards according to the Pender County Unified Development Ordinance Section 7.5.3. The private roadways internal to the development as submitted are designated as fifty (50) foot right of ways.

According to Section 7.5.3.B; any private roadway must make provision for immediate access for the Pender County Emergency Service (Law Enforcement, Fire & Rescue) vehicles and employees to the development and shall provide for an easement for such services and an easement shall be provided to Pender County and its employees for the administration of Pender County Ordinances. This will be examined at the development plan submittal and the Technical Review Committee.

#### *Forest Sound Road*

The Applicant has provided evidence of legal rights for ingress and egress through Forest Sound Road (private) from the subject property. These documents may be found in Attachment 5. The access point and use of Forest Sound Road (private) shall be in accordance with the current HOA of Forest Sound and their road maintenance agreement on this private roadway.

Forest Sound Road (private) from US HWY 17 to the site access shall be designed and constructed in compliance with current NCDOT Subdivision Roads Minimum Construction Standards per Section 7.5.3 of the Pender County Unified Development Ordinance. The Applicant may provide such certification through the Private Road Certification and Defects Guarantee both found in Appendix D of the Unified Development Ordinance; typical Forms and Surveyor Notes. These improvements are required at the time development approval for each Phase as submitted. Policy 2B.1.9 of the 2010 Comprehensive Land Use Plan States; as recommended in the Coastal Pender Collector Streets Plan, all new streets that have the potential to connect adjacent developments should be constructed to NCDOT secondary road standards and accepted for public maintenance to ensure future connectivity.

According to the Applicant this roadway was constructed in the early 1990s to NCDOT standards, therefore the upgrades necessary to the roadway may only be surfacing changes. Any upgrades to the roadways shall be in accordance with NCDOT standards for surfacing and construction and certified in accordance with Appendix D.

The driveway connection between Forest Sound Road (private) and US HWY 17 shall be approved through a NCDOT Driveway Permit and the approved Traffic Impact Analysis.

### *Adjacent Connections*

According to Section 7.5.1.A.6 of the Pender County Unified Development Ordinance; the layout of the streets as to arrangement, width, grade, character, and location shall conform to...the adjoining street system, as well as, existing, planned and proposed streets. Reasonable access will be provided to adjacent properties for development. According to the 2010 Comprehensive Land Use Plan Section II page nine (9); a lack of interconnectivity forces vehicular traffic to public collector streets and major thoroughfares which increases traffic volumes and decreases traffic carrying capacities of public streets. Pender County's interconnectivity standards are based on reasonableness and adequacy.

The submitted site plan makes connection from the public collector roadway to Second Street (SR 1616). This right of way is through the platted subdivision Section 5 Hampstead on the Sound recorded at the Register of Deeds on Map Book 8 Page 27 (Attachment 6). The developer will incur the costs of completing the connection to Second Street (SR 1616) and Lea Drive (SR 1614) across the platted and reserved sixty (60) foot right of way.

The second connection is the proposed public collector roadway to existing Forest Sound Road (private). The applicant has provided evidence of their legal right to utilize Forest Sound Road, these documents can be found in Attachment 5.

There is one final connection identified on Map Book 33 Page 107 as Davis Drive, identified as a sixty (60) foot public right of way to connect from the subject property to Lea Drive Extension (SR 1614) (Attachment 7). This is a dedicated right of way identified on the plat, which is not built at this time. Additionally, Lea Drive Extension (SR 1614) is not built at this time and a connection to Davis Drive would also require roadway improvements along Lea Drive Extension, shown on Map Book 7 Page 23 (Attachment 8).

Planning Staff had previously brought this connection to the attention of the Applicant in order to facilitate reasonable access to adjacent properties to conform to the adjoining street system through the planned street Davis Drive. The developer provided a traffic evaluation as to the necessity of this connection and asserts that reasonable access is provided in the current site layout without the Davis Drive and Lea Drive Extension (SR 1614) connection (Attachment 9). Due to the identified environmental impacts and the proposed twenty-five (25) percent of the site traffic to utilize this additional connection, the traffic engineer did not recommend this connection. Staff would recommend that if the site plan changes or if additional single family residential structures are proposed within the subject property that this connection be re-evaluated at that time.

### *Traffic Impact Analysis*

According to the Coastal Pender Collector Street Plan, any development proposal which is in the identified Wilmington Metropolitan Planning Organization's planning bounds and proposes to generate more than 100 trips during the peak hours, based on the latest version of the Institute of Transportation Engineers Trip Generation Manual shall require a Traffic Impact Analysis (TIA) report. A TIA is a submitted traffic analysis document which includes, but is not limited to: a summary of the analysis and results, site plans, traffic counts and forecasts, volume generation, any assumptions used in the analysis, and any variations from these guidelines. This conditional rezoning request meets the threshold to require a TIA.

The TIA Scoping Document was submitted by the Applicant's traffic engineer and approved by the WMPO (Attachment 10). The TIA shall examine existing conditions traffic from 6:30AM-8:30AM and from 4PM-6PM at five (5) key locations;

1. US 17 and Peanut Road/Factory Road
2. US 17 and Forest Sound Road (proposed signal warrant analysis)
3. Lea Drive and Second Street/ Site Driveway
4. Lea Drive and Factory Road
5. Forest Sound Road and Site Driveway

The TIA will consider existing conditions, background traffic, build out traffic conditions, approved roadway improvements and potential signal warrants. Counts will be taken while school is in session and will meet NCDOT Congestion Management Guidelines. A three (3) percent growth rate calculated per year for Pender County shall be used with a projected buildout of 2017 for this specific project. The completed TIA is required prior to development approval.

A current State Transportation Improvement Project to be considered is U-5732 US HWY 17 Superstreet from Washington Acres Road (SR 1582) to Sloop Point Loop Road (SR 1563). This project is scheduled to begin right of way acquisition in 2019 with potential construction in 2021. A preliminary design of this portion of the Superstreet project can be viewed in Attachment 11.

Within the NCDOT's U-5732 project, a connection proposed as Dan Owen Drive (private) to Factory Road (SR 1570) is recommended and shown in the US 17/ NC 210 Corridor Study (pg. 21). This roadway connection would reduce safety concerns at adjacent intersections such as Factory Road (SR 1570) and US HWY 17. According to NCDOT there is no corridor reserved of engineering completed on this potential project. There is potential for this portion of the overall Superstreet project to be accelerated based on development proposals in close vicinity, namely this conditional rezoning request. The Applicant and Staff have been in communication with NCDOT about accelerating this project to ensure the safety of citizens and traveling in Hampstead.

### **Environmental Concerns**

The subject parcel, of ±120.87 acres does contain portions of environmentally sensitive areas including wetlands and floodplains.

#### *Wetlands*

There are wetlands located throughout the property and the Applicant is in process of delineating these potential areas. At current there is no Jurisdictional Delineation (JD) to support the identified wetlands provided by the private environmental consultant. A JD is required at the time of development plan submittal. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

#### *Flood*

A portion of the subject property located on northeast side of the subject property nearest to Corcus Ferry Road (private) is located within the "Approximate Zone AE" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Number 3720329200J, Panel Number 3292. The AE floodzone is an area subject to inundation by the 1% annual chance shallow flooding where average depths are 1-3 feet with identified Base Flood Elevations; the established BFE is ten (10) feet on this small portion of the property. Any development within the Special Flood Hazard Area would be required to comply with the Pender County Flood Damage Prevention Ordinance.

However, with the new FIRMs released this year, to serve as the best available data it appears that the amount of the parcel in the “Approximate Zone AE” was increased on Panel 3292 to a BFE of twelve (12) feet and the addition of some Shaded X zone. The Shaded X zone is a moderate risk area with 0.2% annual chance floodplain where the average flooding depths are less than one (1) foot.

All development in these areas will require re-examination at the time of development plan submittal in accordance with the best available flood data. At this time the applicant proposes that these areas be incorporated into open space and the rear of some single family residential lots.

#### *CAMA*

After a preliminary analysis, it appears there are no CAMA Areas of Environmental Concern located on the project site. CAMA Areas of Environmental Concern are tidal and/or navigable waters within Pender County that are classified as Public Trust Area up to the normal high water line or normal water level and are subject to the regulations of the Divisions of Coastal Management.

#### **Public Input Meeting**

On September 2, 2015 the Applicant held a Community Meeting at the Auditorium of the Hampstead Annex at 4:30PM in accordance with Section 3.4.3 of the Pender County Unified Development Ordinance. Approximately sixty (60) citizens were present at the meeting; the meeting report can be found in Attachment 12. Concerns raised at this community meeting include but were not limited to;

1. type of product and the projected price point
2. timeframe for construction build out
3. impact on schools
4. planned roadway improvements and the coordination of the U-5732 Hampstead Superstreet
5. traffic and safety at Forest Sound Rd. (private) driveway with US HWY 17
6. maintenance of Forest Sound Rd. (private)
7. construction traffic
8. wetlands, drainage and other environmental impacts
9. safety of neighborhood and the private boat ramp
10. the unknown potential of the stub connection shown on the southwestern portion of the proposal
11. future land use and growth patterns of the County
12. appropriate buffers
13. buildout if the conditional rezoning proposal is not approved
14. utilities connections.

Following the Community Meeting, the Applicant has met with Forest Sound HOA Representatives to devise a list of mutually established conditions to further expand upon on the concerns. These potential conditions have been included in the report for the Board’s consideration.

### Technical Review Committee

On September 8, 2014 the Pender County Technical Review Committee reviewed the Applicant's submittal; the responses were collected in Attachment 13.

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### 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 subject property is located to the east of US HWY 17 properties which are zoned GB, General Business zoning district, to the south and west of the residential subdivision Forest Sound which is zoned RP, Residential Performance zoning district, and to north of the residential subdivision Hampstead on the Sound in Hampstead which is also zoned RP, Residential Performance zoning district.
- C) **Existing Land Use in Area:** The subject property is located to the east of the Hampstead Annex Building, Hampstead Medical Center, and two (2) restaurants. The property is located to the south and west of the residential subdivision Forest Sound with single family residential uses, and to north of the residential subdivision Hampstead on the Sound also with single family residential uses.
- D) **2010 Comprehensive Land Use Plan Compliance:** The 2010 Comprehensive Land Use Plan designates the subject property as 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.

The following goals and policies within this plan which may support the rezoning request:

**Growth Management Goal 1.A.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.

**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.

**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.

**Policy 1A.1.4** The County should develop and utilize innovative and flexible land planning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

**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.

**Policy 1A.1.6** Use conditional zoning process to enable developers to contribute to addressing the impact of developments on capital facilities and other resources; incorporate regulations into new Unified Development Ordinance to enable a small project to address specific impacts to an existing adjacent community.

**Water and Sewer Policy 2A.1.3** Encourage systems to be designed and located such that expansion to serve future development is feasible.

**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.

**Policy 2B.1.2** Ensure that Pender County's transportation needs are adequately addressed through the Wilmington MPO and Cape Fear RPO Transportation Improvement Program requests.

**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 the Plan recommendations for roadway connectivity to all new developments countywide.

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

**Emergency Services Policy 2E.1.2** Ensure that streets and parking lots within new developments are designed and constructed to accommodate the turning radius and load bearing requirements for emergency services vehicles and equipment.

**Preferred Development Patterns Policy 3A.1.3** Support the inclusion in the UDO of conditional zoning which provides more flexibility for the land owner/developer and the County to mutually agree upon specific development conditions and requirements. (Conditional zoning is a method that incorporates all the site-specific standards directly into the zoning district regulation and then applies that zoning district only to the property that is the subject of the rezoning petition.

**Community Design and Appearance Goal 3C.2** Improve community appearance by using cluster development options to preserve roadside views and open space.

**Coastal Pender Small Area Plan Policy 4A1.2** Establish flexible development regulations which encourage a variety of mixed use infill and re-development along the US HWY 17 corridor.

The following policy within this plan may not support the rezoning request:

**Growth Management 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.

**E) Unified Development Ordinance Compliance:** Article 3.3.8 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for rezoning can be made.

#### **3.4.4 Review Criteria for Rezoning**

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| <p>A.</p> <p>1)</p> <p>2)</p> <p>3)</p> | <p>When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:</p> <p>The application's consistency to the general policies and objectives all adopted Land Use Plans and Unified Development Ordinance.</p> <p>The potential impacts and/or benefits on the surrounding area, adjoining properties.</p> <p>The report of results from the public input meeting.</p> |
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**F) Conditions for Approval of Petition**

1. Housing type allowed shall be limited to Single Family Detached – Conventional as defined. A “single-family detached residence” shall be a dwelling unit located on a single lot with private yards on all four sides.
2. A Jurisdictional Determination and Wetlands Impact Permit are required prior to Preliminary Plat approval for the identified wetlands outlined on the submitted site plan by the private environmental consultant. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.
3. The Applicant shall submit an approved Traffic Impact Analysis (TIA) prior to the approval of any phases of the development proposal.
4. Buffers
  - a. Applicant will provide a twenty (20) foot buffer along Forest Sound Road (private) with additional plantings to preserve community cohesiveness with the adjacent Forest Sound neighborhood. Buffer plantings shall be in addition to existing natural growth on the property. The plantings shall consist of indigenous trees and shrubs such as but not limited; to wax myrtles, red cedars, oak species, maples and other similar species as available. The specific plantings shall be a minimum of two (2) inch caliper and planted thirty (30) feet on center or as a mature canopy tree may dictate. This shall establish a natural buffer screening to create a landscape berm and natural screen. All buffers shall be maintained by Applicant.
  - b. Applicant shall install a landscaped area of ten (10) feet in depth between the identified right of way Second Street (SR 1616) and the adjacent residential structures in coordination with the adjacent property owners on their private property, subject to private agreement between landowners. The plantings shall consist of indigenous trees and shrubs such as but not limited; to wax myrtles, red cedars, oak species, maples and other similar species as available. The specific plantings shall be a minimum of two (2) inch caliper. All buffers shall be maintained by Applicant. The developer shall work with NCDOT in the installation of driveway access and culverts to allow for existing rear yard structures.
  - c. The Applicant will provide a twenty (20) foot landscaped easement in the rear of the lots on the eastern property bounds (Grovediere Lane). This shall serve as a perpetual vegetative buffer between adjacent properties.
5. Roadways
  - a. In order to mitigate possible road damage on Forest Sound Road (private) the applicant shall maintain all heavy vehicles and construction traffic during the infrastructure and site work to access the site from existing public right of ways. Language shall be included in construction contracts while letting the work to reflect this requirement.
  - b. The Applicant shall work with NCDOT through the Driveway Permitting process to provide adequate outbound traffic safety from Forest Sound Road (private) to US HWY 17.
  - c. The Applicant shall collaborate with the Forest Sound Homeowners Association to devise a Road Maintenance Agreement specifically to address improvements and the long term maintenance of Forest Sound Road (private) from the site entrance to US HWY 17, to be designed and constructed in compliance with current NCDOT Subdivision Roads Minimum Construction Standards according to the Pender County Unified Development Ordinance Section 7.5.3.
  - d. If there are any changes to the approved site plan or if additional single family residential structures are proposed within the subject property the connection to Davis Road and Lea Drive Extension (SR 1614) shall be re-evaluated for feasibility of interconnection. This

location is identified as “stub out for potential future connection to US HWY 17” on the submitted site plan.

- 6. The Applicant shall collaborate with the Forest Sound Homeowners Association regarding the privacy of their existing neighborhood, roadways and marina. This agreement is strictly private between the Forest Sound HOA and the Applicant.
  - a. The Applicant has agreed to work with the FS HOA to design and acquire signage that can be prominently placed at the entrance (or where deemed necessary) to adequately warn the public to trespass etc. This may be in the form of a gate or a sign along Forest Sound Road (private) but will be a private agreement between the FS HOA and the Applicant.
  - b. The Applicant agreed to formally educate each future homeowner of the new Project through a written document outlining the same and having homeowner acknowledge the same as having been received and reviewed.
  - c. Additionally, the Applicant has agreed to set aside in Escrow a sum for the future acquisition of a gate or security device to help monitor and/or gate or fence areas that may become encroached upon over time. After four (4) years, the approximate time of build out and sales of subject property, if such proceeds in Escrow have not been remitted to the FS HOA Applicant will be entitled to their return.

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**RECOMMENDATION**

The application consists of a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. As submitted, the request complies with all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is not in conflict with the 2010 Comprehensive Land Use Plan. The application is consistent with three (3) goals and thirteen (13) policies of the 2010 Pender County Comprehensive Land Use Plan and conflicts with one (1) policy.

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**BOARD ACTION FOR REZONING REQUEST**

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** \_\_\_\_\_

**Williams:** \_\_ **McClammy:** \_\_ **Fullerton:** \_\_ **Baker:** \_\_ **Edens:** \_\_ **Marshburn:** \_\_ **Nalee:** \_

**Attachments**

1. SUP 10965
2. Unified Development Ordinance Requirements
3. Intent to Service Wastewater Letter
4. 2007 Coastal Pender Collector Street Plan Figure 4.1
5. Legal Rights to Forest Sound Road (private)
6. Hampstead on the Sound Map Book 8 Page 27
7. Davis Drive Map Book 33 Page 107
8. Hampstead on the Sound Map Book 7 Page 23
9. Traffic Evaluation Letter
10. Approved TIA Scope
11. U- 5732 Project
12. Community Meeting Report
13. TRC Comments
14. RP Zoning District Proposal