

**PLANNING STAFF REPORT  
MASTER DEVELOPMENT PLAN  
& MAJOR SITE DEVELOPMENT PLAN  
DOLLAR GENERAL**

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**SUMMARY:**

**Hearing Date:** November 4, 2015  
**Applicant:** Norris and Tunstall Engineering  
**Property Owner:** PH Lanco, Inc.  
**Case Number:** MDP 000023-2015

**Development Proposal:** Norris and Tunstall Engineering, applicant, on behalf of PH Lanco, Inc., owner, is requesting approval of a Master Development Plan and Major Site Development Plan approval for Phase One (1) of a mixed use development known as Dollar General at Hampstead.

**Property Record Number, Acreage, and Location:** The proposed project is located along the west side of US HWY 17 on the corner of Pinnacle Parkway (private) and US HWY 17 in the Topsail Township. The property is zoned PD, Planned Development zoning district and may be further identified by Pender County PIN 4204-65-8579-0000. The site is currently vacant and is immediately surrounded by single-family residential and commercial uses, bound by a vacant tract to the north, Pinnacle Parkway (private) to the south, US HWY 17 to the east, and single-family residential to the west.

**Zoning District of Property:** The property is approximately ±4.73 acres and is zoned PD, Planned Development zoning district

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**RECOMMENDATION**

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with three (3) policies and conflict with no policies included in the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance, as well as, other approved planning documents. Therefore, Planning Staff recommends the approval of the Master Development Plan and Major Site Plan for the Phase I request as detailed in the report for the development known as Dollar General at Hampstead.

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**DEVELOPMENT PROPOSAL**

Norris and Tunstall Engineering, applicant, on behalf of PH Lanco, Inc., owner, is requesting approval of a Master Development Plan and Major Site Development Plan approval for Phase One (1) of a mixed use development known as Dollar General at Hampstead. The project is proposed to be constructed in phases, with one (1) lot dedicated to retail development. According to the application and submitted site plan, the project consists of two (2) phases on the ±4.73 acres. Phase I consists of 10,640 square feet of retail space and associated parking and landscaping. Phase II consists of 1,200 square feet of office space.

Phase	Proposal	Size (sq. ft.)
1	Retail Space (Dollar General)	10,640
2	Future Office Space	1,200

Proposed uses for the Master Development Plan area include; a retail store (NAICS 453 Miscellaneous Retail Trade) and an office (NAICS 54 Professional, Scientific, and Technical Services).

**Buffers**

All landscape and buffers are to be approved in accordance with Section 8.2.8, Project Boundary Buffer of the Pender County Unified Development Ordinance. In the PD, Planned Development zoning district the following

buffers are required per Section 8.2.8 of the Pender County Unified Development Ordinance (Attachment 1); a Buffer A along all boundaries adjacent to a street, a Buffer B along all other boundaries, and a Buffer C is required along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than one (1) acre and when a single family structure is within fifty (50) feet of the boundary of the development.

These designations are required per Section 6.1.4.11 prior to the approval of a Master Development Plan in a mixed-use district. Buffers are required around the exterior of the parcel, not between phases or development types in the mixed-use district. If any portions of the project shall be subdivided a re-examination of the buffers must occur in accordance with the Pender County Unified Development Ordinance. The applicant shows a Buffer A-1 on the property boundaries facing a street and a Buffer B-4 on all other property boundaries which are in compliance with ordinance standards.

### **Utilities**

The project has proposed water connection to Pender County Utilities (PCU); subject to review and approval by PCU. The development is proposed to be serviced by a County water service line that runs along US HWY 17. Wastewater service to the proposed development is proposed through an on-site septic system. All review and approvals for the wastewater services are subject to review and approval of Pender County Environmental Health Department.

### **Street Connectivity and Access**

Ingress and egress to Phase I is being shown as coming directly on Pinnacle Parkway (private), with a single driveway. Cross access corridors are required for all nonresidential adjacent properties. All cross access corridors must meet the requirements found in Section 7.4.4 Cross Access Corridors of the Pender County Unified Development Ordinance. The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels is required for Master Development Plan submittals according to Section 6.1.4 of the Pender County Unified Development Ordinance. Cross access corridors are shown on the submitted site plan extending from the proposed development and the neighboring parcel to the east, complying with the standards of the ordinance.

According to Section 4.8.1.E of the Pender County Unified Development Ordinance, the on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments shall be designed to ensure that adjacent residential areas, internal and external to the project, have direct access to any non-residential portions of the planned development in lieu of entering and exiting through thoroughfares and/or collector streets. The submitted plan proposes connections to Pinnacle Parkway (private) to the west as well as future connectivity to the parcel to the east. This allows connectivity to residential communities north of the property, in an attempt to limit the usage of the major thoroughfare for access to the property.

### **Traffic**

A Traffic Impact Analysis (TIA) will not be required based on the total number of trips for the entire development. The applicant has provided trip generation information for both Phases of the development. A total of 142 trips per day was submitted by the applicant and does not meet the one hundred (100) trips at peak AM and PM hours necessary to require a TIA. The data submitted shows 10 trips at both the AM and PM peak hours.

### **Parking**

According to the applicant's provided site plans, forty-eight (48) parking spaces will be provided for Phase I. According to Section 7.10 of the Pender County Unified Development Ordinance, one (1) parking space for every 225 square feet of floor area is required for retail uses. For Phase I, a minimum of forty-seven (47) spaces are required. Phase II will require four (4) additional spaces based on the proposed 1,200 square feet of office spaces, as shown on the submitted site plan. The applicant satisfies the parking requirements set forth in Section 7.10 of the Pender County Unified Development Ordinance.

### **Pedestrian Access**

Phase I shows a five (5) foot pedestrian sidewalk and easement on the front property line parallel to US HWY 17, as well as along Pinnacle Parkway (private), connecting into the Pinnacle Ridge subdivision. According to Section 4.8.1.E.2 of the Pender County Unified Development Ordinance, the Master Development Plan requires pedestrian-oriented communities to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. According to Section 4.8.1.A.2 of the Pender County Unified Development Ordinance, the purpose of Planned Development zoning district is to promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses.

Pedestrian enhancements consistent with the Planned Development zoning district include pocket parks, walking trails, and benches to promote the interconnectivity of each parcel and use. Such uses and amenities shall be shown on the submitted Master Development Plan, along with sidewalks on the perimeter of the property.

The proposed plan is consistent with the pedestrian access requirements of the PD, Planned Development zoning district described above. Sidewalks promote and enhance the community lifestyle for nearby residents in adjacent subdivisions. The proposed sidewalk along US HWY 17 also provides the possibly of future pedestrian connections along that corridor. Providing these types of amenities is consistent with the spirit and intent of the PD, Planned Development zoning district.

### **Environmental Concerns**

Stormwater produced by the development will be treated via sheet flow or one-hundred (100) foot treatment swale, dependent upon review and approval from the North Carolina Division of Environmental Quality (NCDEQ). A low density stormwater permit through NCDEQ is required before final zoning approval of this project.

#### *Wetlands*

There are wetlands located northwest corner of the proposed development. No impacts to these wetlands are shown on this Master Development Plan. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

#### *Flood*

The property is not located within a Special Flood Hazard Area.

#### *Tree Survey*

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval; the applicant has not provided this documentation to Planning Staff. Where any significant tree shown on the significant tree survey is proposed to be removed such removal shall be mitigated by the planting on site of two (2) trees of the same species with a minimum caliper of 2" or greater. This shall be required prior to Master Development Plan approval.

### **Permits**

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 each phase as applicable.

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### **TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES**

Pender County's Technical Review Committee meeting was held on Tuesday October 13, 2015 at 2p.m. in Board of County Commissioners meeting room, in the Pender County Government Administration Building at 805 S. Walker Street, to review the proposal. Comments received are located in Attachment 2 incorporated within this report.

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## EVALUATION

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

**B) Existing Zoning in Area:** The property lies within a PD, Planned Development zoning district. The properties surrounding the proposed project are zoned PD, Planned Development zoning district in all directions.

**C) Existing Land Use in Area:** The site is currently vacant and is immediately surrounded commercial uses to the east, vacant properties to the north and south, and residential uses to the west. The Pinnacle Ridge subdivision is located to the north and west of the proposed development. Freedom Lawns USA is located to the east of the proposed development across US HWY 17.

**D) 2010 Comprehensive Land Use Plan:** Rural Growth: The Rural Growth land use classification defines those areas of Pender County where urban services, i.e., public water and sewer services, are not expected to be extended within the planning horizon. Rural Growth areas are where preservation of agricultural operations is a primary concern and where conflicts between agricultural and non-agricultural uses are to be discouraged.

Rural Growth areas are intended to protect agricultural and forestry operations that are a major part of the County's economic base and that are key to preservation of the County's rural landscape. Major job-creating activities that are compatible with farms, forestry and very low-density development are appropriate. Development within Rural Growth areas should be limited to only those types of land uses and development intensities that can be accommodated by services typical in non-urban areas, e.g., private on-site water supply (or public water, as available) and on-site septic systems. Development with private package sewage treatment plants or premature extension of public sewer systems into these areas is discouraged.

Uses that would typically be allowed in Rural Growth areas include very low-density residential development (single-family site-built, modular, and manufactured homes) on one acre or greater size lots; agriculture, forestry, churches; very limited nonresidential uses - commercial, office, or public/institutional - meeting locational criteria. Locational criteria for non-residential uses in Rural Growth areas include frontage and access to a major State highway or secondary road, location at a major rural intersection, proximity to similar existing non-residential uses, and spatial separation from non-compatible uses such as existing residential development.

The proposed project, located along US HWY 17, is compatible with the Rural Growth land use classification as well as the PD, Planned Development zoning district. As mentioned above, the project fronts a major highway. There are nearby, limited non-residential uses in the area. Freedom Lawns, a lawn care service provider, is located approximately two-hundred (200) feet to the south. Additional commercial uses are found at the intersection of Sloop Point Loop Road (SR 1563) and US HWY 17, approximately 1,100 feet to the southwest. These uses include the Palmetto Brick Company and a BP gas station and convenience store at the corner of US HWY 17 and Sloop Point Loop Road (SR 1563). The site proposes on-site septic, with no package plant, as well as proposed water connection to a Pender County Utilities service line that runs along US HWY 17.

The following goals and policies support this request:

1. **Growth Management 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.
2. **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.
3. **Growth Management 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.

The proposed project is consistent with three (3) goals and policies from the 2010 Pender County Comprehensive Land Use Plan.

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**RECOMMENDATION**

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with three (3) policies and conflicts with no policies included in the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance, as well as, other approved planning documents. Therefore Planning Staff recommends the approval of the Master Development Plan request as detailed in the report for the development known as Dollar General at Hampstead.

**Potential Conditions**

1. Provide pedestrian access to future commercial development and to existing neighboring developments through sidewalks on the interior and exterior of the development along Pinnacle Parkway (private) and US HWY 17. According to Section 4.8.1.A.2 of the Pender County Unified Development Ordinance, the purpose of Planned Development zoning district is to promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses.

All items from Pender County Unified Development Ordinance, Section 6.1.4 Master Development Plan Contents, and mixed-use districts must be met prior to the approval of the Master Development Plan. The following items are outstanding from the Master Development Plan approval and shall be revised prior to approval;

1. A significant tree survey shall be required for any commercial or industrial zoned property and all mixed use districts. The significant tree survey shall show the general location, species and size of any significant tree as described in Section 8.1.3 of the Pender County Unified Development Ordinance.

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**BOARD ACTION FOR MASTER DEVELOPMENT PLAN:**

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

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

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