

## **STAFF REVIEW FOR PLANNING BOARD APPROVAL CROWN POINTE FKA TIDE WATER SHORES, MASTER PLAN / PRELIMINARY PLAT**

### **BACKGROUND:**

At the January 3, 2006 Planning Board Meeting residents of Pelican Reef and Bay Harbor objected to proposed street connections with High Bluff Drive and East & West Sanderling and Grist Mill Roads in Pelican Reef and Shop Branch Lane in Bay Harbor. Connections were recommended by Planning to ensure community inter-connectivity and to provide emergency vehicle access between three subdivisions. Testimony during the public hearing revealed that both communities opposed the "connectivity" for the following reasons: Pelican Reef residents said their roads cannot sustain additional traffic and it is a gated community where traffic would need to have twenty-four hour access through a gated entrance. Bay Harbor residents testified that its plat's interior roads are dirt/gravel that can not sustain daily traffic unless the developer of Crown Pointe paves the roads. Testimony revealed that the named Pelican Reef roads were not constructed to the property lines. And, Grist Mill was not constructed to within 100 feet or so from the property line. Subsequent to that meeting, Planning inspected the Pelican Reef roads in question. Photos in your packages confirm that the stub roads were never constructed. Further concerns raised by the Planning Board included multiple driveways for ingress and egress to Sloop Point Road and the interior road network.

Planning Board member, Mr. Leslie Green, made a motion to table the hearing for thirty days in order to address these issues. Mr. Rick Garret seconded the motion and it carried unanimously.

### **DEVELOPER 'S AMMENDED PLAN:**

The Planning Board packet for this case includes a revised Master Plan/Preliminary Plat for Crown Pointe. This plan includes constructing interior Roads East Sanderling and Crown Pointe Drive to the property line and installing remote accessible Emergency Access Gates only at these two locations for fire, ambulance and police response. Pender County accepted the Pelican Reef Streets construction years ago and the developer can not be responsible for additional infrastructure improvements of private roads. West Whitehorn Way (formerly Grist Mill Road) and Stonefield Lane (formerly West Sanderling Circle) have been redesigned to be cul-de-sacs.

All interior roads have been laid out using generally accepted traffic calming techniques with sufficient site lines for visibility and to encourage the slowing of vehicular traffic. The driveway entrance remains as one (Crown Pointe Road) connecting the subdivision to Sloop Point Road. While two points of access could have been designed with Six Gables Lane continued to connect with Sloop Point Road, the result would have been six subdivision driveways emptying onto Sloop Point Road over approximately 1000 feet of road with an average of less than 200 feet separation. This was not considered good practice. Planning reviewed NCDOT Average Annual Daily Trip (AADT) counts at Sloop Point Road just north of Sloop Point Loop Road for the years 2002 and 2004. The map reports indicate an AADT 2002 count of 1100 vehicles and a 2004 count of 1200. Prior development limits options available to the interior lots that form this subdivision.

The developer is also proposing to preserve a heavily treed line adjacent to Pelican Reef that will serve as a natural buffer that will be protected through plat covenants and restrictions. A second buffer yet

to be designed of natural and man made elements will also be included along the property line with Bay Harbor.

**STAFF RECOMMENDATION FEBRUARY 7, 2006:**

In addition to staff recommendations made January 3, Planning is recommending the following mandatory provisions:

- C1. That the East Sanderling and Crown Pointe stubs include constructed "T" turns on both sides of the roads that are sufficient to turn buses and emergency equipment;
- C2. That the developer submit, in addition to other ordinance requirements, a Landscape Buffer plan in compliance with Section 14, Landscape Buffers of the Pender County Zoning Ordinance as a condition of final Preliminary Plat approval incorporating the proposals above;
- C3. Design and specifications of the emergency access gates to be reviewed and approved by Pender County Sherriff's and Fire Departments prior to final preliminary Plat approval.

**DEVELOPER'S ORIGINAL PROPOSAL:**

The applicant is requesting approval for the Master Plan and Preliminary Plat of Crown Pointe FKA Tide Water Shores Subdivision. The applicant is proposing a total of 171 residential building lots on 134.46 acres off of Sloop Point Road that is approximately .5 mile from Hwy 17. This plat is being planned as a single phase. Individual well and septic are proposed to initially serve the development. Pender County is presently constructing a community water supply line that will, in the near future, pass in front of the proposed entrance. As part of the plat's infrastructure, the Developer will install water lines and taps for each building site. Public water will enhance fire safety and provide some long term relief to the ground water recharge system. With an on site septic system and public water, a maximum of 2.9 dwelling units per acre (15,000 square foot minimum lot size) may be permitted. The lot range in area from 17,000 + to nearly 40,000 square feet size with most running between 20,000 and 30,000 square feet. Net density is approximately 1.5 units per acre. Upon Planning Board approval, the PD classification allows for a total net density of 12 units per acre if both public water and sewer are available. This proposed development contains approximately 20.19 acres of open space where 15% or 20.17 acres is required. The 20.19 acres of open space will be dedicated and reserved for the residents of the development and ownership transferred to the Homeowners Association. House lots will comprise 100.54 acres with 13.11 acres in road easements. Drainage easements will include 6.07 acres

A Soil Suitability Report has been submitted that indicates possible areas of water tables within 12 inches of the surface. Improvement and Construction Permits issued in the same immediate area have confirmed more satisfactory soils. The Developer plans on-site septic systems for all suitable lots. In those cases where on-site drain fields are not permitted, community drain fields located in common areas are planned. Lots (if any) found to be unsuitable for septic systems will be labeled as unbuildable on the final plat.

The Developer is proposing private roads on a 40 foot right-of-way with 24 foot paved surface and 2 foot valley gutters and 50 foot cul-de-sacs with travel radii of 37 feet. Sidewalks on both sides of the roads will be located inside the easement lines. Care will be given to preserve existing species trees

and shrubbery wherever possible. None of the planned cul-de-sacs exceeds 1,000 feet. Crown Pointe Drive will intersect with High Bluff Drive. Shop Branch Lane in Bay Harbor will connect to East Sanderling Circle, an interior road, with East Sanderling Circle in Pelican Reef.

#### **STAFF RECOMMENDATION:**

Planning Staff is submitting the preliminary plat layout for Planning Board approval. Given that the Planning Board will also review all subsequent final plats for approval, Planning Staff recommends approval. Final Preliminary Approval will not be effective until all requirements of preliminary submission as prescribed in the subdivision ordinance are complete, the submission shows compliance with all subdivision requirements and the Director has signed a copy of the Preliminary Plat. The approval is also subject to the following conditions:

#### **Mandatory Items:**

1. All requirements of the Pender County Subdivision Ordinance for Preliminary Plats, including items 1 thru 13 pages 22, 23 & 24 have been submitted to and approved by the Director.
2. The submission and plat complies with all requirements of the Pender County Subdivision Ordinance, Zoning Ordinance, other Pender County Ordinances and State Regulations.
3. The following item will be required for any development with any lot sizes less than 20,000 sq. ft. or net densities of 2.1 units per acre or less:

#### **Public Water System**

- (1) Construction plans sealed by a registered engineer, as approved by DENR and Pender County Utilities Department;
- (2) Acceptance of operation and maintenance of the system by Pender County;
- (3) Certification that the system will be dedicated to Pender County.
4. Off-site septic drain fields require construction plans sealed by a registered engineer, as approved by DENR. Covenants and Restrictions that ensure ownership, operation, maintenance and replacement of drain fields and system lines located on common open space held in trust by the duly established Homeowner's Association as established under the provisions of this ordinance.
5. The applicant shall submit notarized documentation from the Pelican Reef and Bay Harbor Homeowners Association approving the connection to existing private streets.
6. No construction traffic may utilize existing private streets in the Pelican Reef and Bay Harbor subdivisions.
7. Location of existing monuments and control points must be shown on the property.
8. The plat should clearly designate **Wetlands, Areas of Environmental Concern, CAMA Setbacks, Flood Prone Areas** (as shown on current FEMA maps), marshes, swamps, ponds, lakes, streams, and any other natural features on or affecting the site. If no Wetlands, AEC's or Flood Prone Areas exist on the site a note to that effect shall appear on the plat.
9. The plat must clearly designate Hydric Soils (Bohicket Silty Clay Loam, Carteret Fine Sand, Chewacla Loam, Croatan Muck, Dorovan Muck and Muckalee Loam) as shown on the NRCS county soil survey maps or from a Soil Suitability Analysis prepared by a licensed Soil Scientist. If no hydric soils exist on the site a note to that effect shall appear on the plat.
10. Drainage easements shall be clearly designated.

11. The plat must indicate the location and dimensions of existing and proposed right-of-ways & easements for utility, drainage or other facilities or structures. Easements with a width of 20' from center or 10' from the edge of all drainage facilities included on required drainage plans shall be shown for any such facilities not in public street right-of-way.
12. Anticipated typical architectural housing styles should be submitted.
13. Sketch plans for refuse disposal such as compactors and waste disposal dumpsters must be submitted.
14. A Construction Authorization Permit must be issued for each lot not considered suitable for traditional onsite septic as shown on the applicant's soil suitability analysis.
15. A detailed description of any proposed off-site septic drainage fields and system operation, maintenance and replacement procedures and processes to serve all lots that are not suitable for traditional on site drain fields, along with a map showing the proposed location of the off site components of the system, including lines must be submitted.
16. The location of street signs should be provided for all proposed streets.
17. When any development proposes private streets a description of the method to provide Pender County Emergency Service personnel and vehicles immediate access shall be submitted.
18. An approved NCDOT driveway permit for connection to Sloop Point Road shall be submitted.
19. A drainage plan that will include all portions of the development shall be submitted. This plan shall be prepared and sealed by a registered surveyor or engineer. The plan and facilities shall provide for a drainage system for these areas that will accommodate the ten-year storm event without flooding or substantial ponding of water in the areas included in the plan. The plan must also accommodate any discharge from properties in upland portions of the drainage basin that flows through the property for the same storm event for the type development for which that property is zoned. The boundary of any drainage area on a portion of the site and/or upland from the site and drainage areas between storm water discharge points from the site to the recipient perennial stream shall be shown on a map (copy of 7.5 min. USGS Quad or similar map). Any drainage facility receiving storm water discharge from the development shall have the capacity to carry the anticipated storm water flow from areas that discharge through them for the 10 year storm event from the point of discharge at the development to the recipient perennial stream without overflowing their banks. The location, size and/or capacity of all structures included in the drainage system and receiving discharge from the development to the recipient perennial stream shall be shown on the plan and calculations used in designing the drainage system shall be submitted in a legible format. This plan may be included in the street and drainage plan, storm water management plan or on the preliminary plat, as long as the design professional certifies that the specific drainage plan submitted complies with these requirements and the information required is shown or submitted as noted.
20. Approval from the Division of Coastal Management for all areas of the development located in an Area of Environmental Concern with a copy to Pender County Planning.
21. Sediment & Erosion Control Plans as approved by Land Quality (with letter of approval) with a copy to Pender County planning.
22. Storm water management plan as approved by the Water Quality Division with a letter of approval sent to Pender County Planning.
23. Approval of Wetlands Delineation by USACE with a copy provided to Pender County Planning.
24. Wetlands fill authorization or permit if construction or fill in wetlands is involved with a copy to Pender County Planning.
25. Subdivision roads will be named and approved by an EMC representative within 30 days of Planning Board approval and prior to Planning department approval of the Preliminary Plan.

26. A copy of the restrictive or protective covenants applicable to the Planned Development shall be submitted to the Planning Board before final plat approval.
27. Unless waived by the Planning Board, the developer shall submit the proposed plans for vegetation preservation and land clearance in the Planned Development.
28. The buffer and landscape plan must be submitted to Planning Department prior to final approval of the Preliminary Plan. A Type "A" buffer shall be provided for the entire perimeter of the property. The multi-family portion of the subdivision shall be separated from single-family development by the same type "A" buffer.
29. A restrictive easement with a note for individual maintenance of buffers shall be provided on the plat and recorded in the homeowners' association documents.
30. The revised plat for this development should be resubmitted within 30 days of approval by the Planning Board with all map and plan changes for approval by the Director.

#### **Items To Be Considered By The Planning Board**

1. When any portion of the development is in a Special Flood Hazard Area, as defined in the Pender County Flood Ordinance, as amended, and set out in the FEMA Rate Index Maps, one (1) permanent monument in each subdivision is required to have its elevation recorded on the final plat. **\*\*PLEASE NOTE\*\*** - New Pender County FIRMS are now available for review and are required to be used as best available data.
2. Base Flood Elevation(s) shall be determined and shown along with the SFHA boundary on the plat. **\*\*PLEASE NOTE\*\*** - New Pender County FIRMS are now available for review and are required to be used as best available data.
3. The subdivision shall not block or obstruct the natural drainage of any adjoining area.
4. Private streets must meet the following conditions:
  - a. The streets meet the NCDOT Secondary Road Construction Standards or Private Street Standards, Pender County, and
  - b. A Homeowners Association has been established for the development under the provisions for Homeowners Associations contained in this ordinance, and
  - c. The final recorded plat contains a clear and specific note as follows: "Ownership and maintenance of all streets designated as private in this development will be the responsibility of the Homeowners Association."
5. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets shall be no longer than 1,000 ft. unless it is demonstrated by the developer that the configuration of the property prevents its development without longer streets to provide access to the lots and common area to be subdivided. Temporary dead end or stub streets shall provide turn around capabilities to meet NCDOT requirements. The Cul-de-sac end shall be a bulb type with minimum radii as follows: RW = 50', Pavement = 37' to pavement edge.
6. Sight easements as required in the NCDOT Secondary Roads Standards shall be provided at all street intersections.
7. All utility lines located in a public or private street shall meet NCDOT requirements for encroachment of such lines.

#### **Informational Notes for Developer:**

1. A copy of the preliminary plat signed by EMC representative approving the street names will be required to be submitted within 30 days of preliminary plat approval by the Planning Board and before final Preliminary Plan approval by Planning Department.
2. Any reduction in open space will require planning board approval.
3. The applicant should be aware of certifications required for roads, drainage plans, facilities and other improvements in the development. The certification forms are found on the Pender County Website. All documented certifications must be delivered to Planning Department prior to Final Plat Approval.
4. Any changes in the development name or road names after approval by the planning board will require an additional review fee with lot assessments to be paid in full.