

**PLANNING STAFF REPORT  
MASTER DEVELOPMENT PLAN  
& MAJOR SITE DEVELOPMENT PLAN  
HEADWATERS TOWN CENTER**

---

**SUMMARY:**

**Hearing Date:** January 4, 2017  
**Applicant:** Headwaters Properties, LLC  
**Property Owners:** Lanwillo Development Company; Headwaters Properties, LLC; Raymond E. Hughes  
**Case Number:** MDP 436-2016 and Major Site Plan 405-2016

**Development Proposal:** Headwaters Properties, LLC, applicant, on behalf of Lanwillo Development Company, Raymond E. Hughes, and Headwaters Properties, LLC, owners, is requesting approval of a Master Development Plan and Major Site Development Plan approval for four (4) tracts totaling approximately ±24.26 acres for Phase One (1) of a mixed use development known as Headwaters Town Center. Specifically, the request is to allow for; Electronic & Appliance Stores (443), Food & Beverage Stores (445), Heath & Personal Care Stores (446), Gasoline Station (447), Clothing & Clothing Accessories Stores (448), Sporting Goods, Hobby, Book & Music Stores (451), Miscellaneous Store Retailers (453), Non Store Retailers (454), Postal Services (491110), Finance & Insurance (52), Real Estate & Rental & Leasing (53), Professional, Scientific & Technical Services (54), Management of Companies & Enterprises (55), Administrative & Support Services (561), Educational Services (611), Business Schools, Commuter & Management Training (6114), Technical & Trade Schools (6115), Other School & Instruction (6116), Hospitals (622), Performing Arts Companies (7111), Agents & Managers for Artists, Athletes, Entertainers & Other Public Figures (7114), Museums, Historical Sites & Similar Institutions (712), Fitness & Recreational Sports Centers (713940), Bowling Centers (71395), Hotels & Motels (72111), Full Service Restaurants (7221), Limited Service Eating Places (7222), Special Food Services (7223), Drinking Places (7224), Personal & Household Goods, Repair & Maintenance (8114), Personal Care Services (8121), Coin Operated Laundries & Dry Cleaners (812310), Dry Cleaning & Laundry Services (812320), Other Personal Services (8129), Religious Organizations (8131), Business Professional, Labor, Political & Similar Organizations (8139), and Public Administration (92).

**Property Record Number, Acreage, and Location:** The subject properties for the proposed development are located on the east side of US HWY 17, between Hughes Road (SR 1618) and Deerfield Drive (SR 1673) in the Topsail Township and may be further identified by Pender County PINs: 3282-74-3515-0000, 3282-74-6231-0000, 3282-74-1001-0000, 3282-74-8862-0000. The site is currently vacant and is immediately surrounded by single-family residential and commercial uses to the north and east, bound by a vacant tract to the west, Hughes Road (SR 1618) to the south, Deerfield Drive (SR 1673) to the north, US HWY 17 to the east, and single-family residential to the northwest and southwest.

**Zoning District of Property:** The properties are approximately ±24.26 acres and are zoned PD, Planned Development zoning district.

---

**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. Planning Staff recommends the conditional approval of the Master Development Plan for Headwaters Town Center. However, Planning Staff recommends the Board table the request for Major Site Development Plan approval for Phase I, based on incomplete items listed below:

1. The extension of sidewalks along Hughes Road (SR 1618) and Deerfield Drive (SR 1673) to the extent of the project bounds to enhance pedestrian connectivity to adjacent residential developments to meet the requirements of Section 4.8.1.D of the Pender County Unified Development Ordinance in accordance with Figure 1.
2. A drainage plan in accordance with Section 7.9.1 of the Pender County Unified Development Ordinance.
3. An outdoor lighting plan in accordance with Section 7.11 of the Pender County Unified Development Ordinance.
4. Provide a stub-out to the property east of the development to allow for future connectivity to Creekview Drive (SR 1674) as required per Sections 4.8.1.E and 7.4.4 of the Pender County Unified Development Ordinance.
5. Significant tree survey mitigation as required per Section 8.1.3.A.4 of the Pender County Unified Development Ordinance.
6. A completed Traffic Impact Analysis (TIA) shall be submitted to Planning Staff pending review and approval by NCDOT as required per Section 6.3 of the Pender County Unified Development Ordinance.
7. Parking spaces provided in excess of the minimum shall be constructed to low impact design standards according to Section 7.10.5.C of the Pender County Unified Development Ordinance.

#### **PROJECT HISTORY**

Headwaters Town Center was originally submitted as a Conditional Zoning Map Amendment (CZMA) on October 20, 2016. The proposal included the development proposal outlined within this report, along with two (2) additional parcels containing multi-family residential labeled as “future development”. A community meeting was held, as required by the Pender County Unified Development Ordinance for CZMAs, on November 3, 2016 at the Hampstead Annex. Based on feedback from the community at that meeting, as well as an additional meeting on November 29, 2016, the applicant indicated to staff they wished to remove the multi-family portion of the development and withdraw their application for a CZMA. Staff worked with the applicant to revise the submittal for Planning Board to review a Master Development Plan and Major Site Plan for Phase I of Headwaters Town Center.

#### **DEVELOPMENT PROPOSAL**

Headwaters Properties, LLC, applicant, on behalf of Lanwillo Development Company, Raymond E. Hughes, and Headwaters Properties, LLC, owners, is requesting approval of a Master Development Plan and Major Site Development Plan approval for a mixed use development known as Headwaters Town Center. The project is proposed to be constructed in phases, with the first phase proposing a ±53,000 square feet grocery store with ±22,000 square feet of adjoining retail development. According to the application and submitted site plan, the project consists of the Phase One proposal as well as five (5) additional outparcels reserved for future development as well as a required Collector Street on the east side of the development.

<b>Phase</b>	<b>Proposal</b>	<b>Size</b>
1	Grocery Store and Retail	75,000 sq. ft.
2	Five (5) Outparcels	5.21 acres

The grocery-anchored development proposes access from three points. Along US HWY 17 via a new driveway entrance, along a proposed Collector Street that connects Hughes Road (SR 1618) and Deerfield Drive (SR 1673), and through a direct access along Hughes Road. Signage is located on the south side of the US HWY 17 entrance to the development. There are multiple pedestrian facilities located in the development that promote inter-connectivity. Proposed setbacks and building height allowances for the development are shown below.

Side Yard	Setback
Front	5'
Side	5'
Rear	5'
Corner	5'
Max. Height	45'

Proposed uses for the Master Development Plan area are included in the applicant's submitted narrative, as shown below:

Proposed Allowable Uses in PD District	
NAICS Code	Use
443	Electronic & Appliance Stores
445	Food & Beverage Stores
446	Health & Personal Care Stores
447	Gasoline Station
448	Clothing & Clothing Accessories Stores
451	Sporting Goods, Hobby, Book & Music Stores
453	Miscellaneous Store Retailers
454	Non Store Retailers
491110	Postal Services
52	Finance & Insurance
53	Real Estate & Rental & Leasing
54	Professional, Scientific & Technical Services
55	Management of Companies & Enterprises
561	Administrative & Support Services
611	Educational Services
6114	Business Schools, Commuter & Management Training
6115	Technical & Trade Schools
6116	Other School & Instruction
622	Hospitals
7111	Performing Arts Companies
7114	Agents & Managers for Artists, Athletes, Entertainers & Other Public Figures
712	Museums, Historical Sites & Similar Institutions
713940	Fitness & Recreational Sports Centers
71395	Bowling Centers
72111	Hotels & Motels
7221	Full Service Restaurants
7222	Limited Service Eating Places
7223	Special Food Services
7224	Drinking Places
8114	Personal & Household Goods, Repair & Maintenance
8121	Personal Care Services
812310	Coin Operated Laundries & Dry Cleaners
812320	Dry Cleaning & Laundry Services
8129	Other Personal Services
8131	Religious Organizations
8139	Business Professional, Labor, Political & Similar Organizations
92	Public Administration

### **Street Connectivity and Access**

Ingress and egress to the proposed development is shown through multiple entrances. A direct entrance to the facility is proposed via a newly designed intersection between US HWY 17 and "Road A". A stoplight is anticipated at this intersection and will be finalized based on the Traffic Impact Analysis (TIA) and coordination with the U-5732 Hampstead median project. A Collector Street is identified by the Pender County Collector Street Plan on the proposed site, connecting Hughes Road (SR 1618) and Deerfield Drive (SR 1673), providing an additional access to the development. Additionally, "Road A" connects "Collector Road B" to the entrance of the development at US HWY 17 and provides internal access to the shopping center. A second direct entrance is proposed along Hughes Road (SR 1618), subject to review and approval by NCDOT.

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 will be required when site specific development plans are submitted for each outparcel, as these are currently shown as future development. Additionally, staff is recommending that all outparcels be accessed internally, with no direct access to US HWY 17, which is consistent with the PD, Planned Development zoning district standards found in Section 4.8.1.E of the Pender County Unified Development Ordinance.

A required cross access connection is not shown on the plans connecting the proposed Collector Street to Creekview Drive (SR 1674) for future development. This connection is required per Section 7.4.4 of the Pender County Unified Development Ordinance and shall be constructed to the eastern adjacent property line and shown on the submitted site plan.

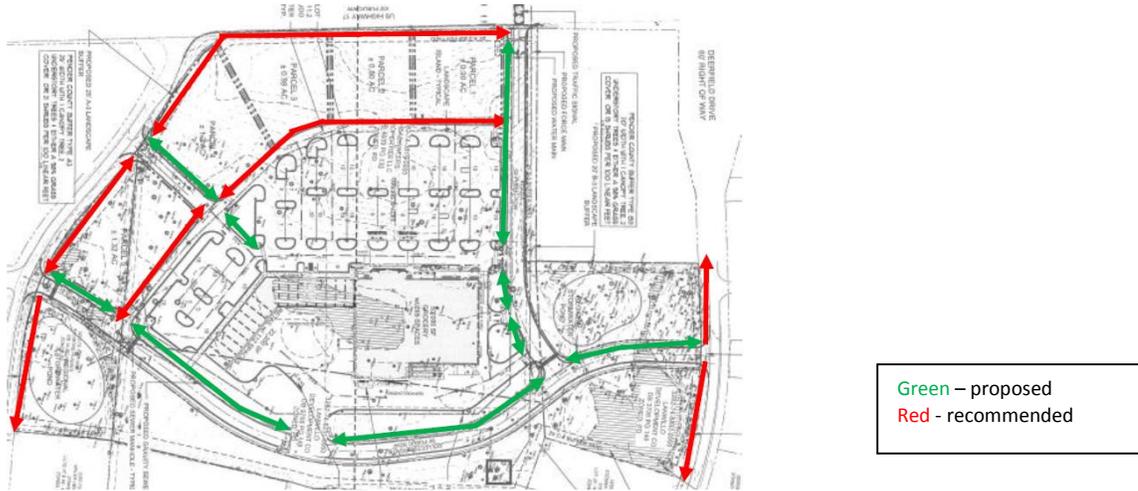
According to Section 4.8.1.E of the Pender County Unified Development Ordinance, the on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments shall be designed to ensure that adjacent residential 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 Hughes Road (SR 1618) and Deerfield Drive (SR 1673) through a required Collector Street per the Pender County Collector Street Plan. This allows connectivity to residential communities to the north and south of the subject properties, as well as additional connections along US HWY 17. The proposed Collector Street extends existing Center Drive (SR 1684) to help create a backage road parallel to US HWY 17 designed to reduce traffic congestion, as well as providing a connection to future development through Creekview Drive (SR 1674). The construction of the Collector Street is required prior to any final zoning approval.

### **Pedestrian Access**

Phase I shows pedestrian sidewalks throughout the development. According the applicant's submitted narrative, they have agreed to place an eight (8') feet wide multi-use path on the west side of the proposed Collector Street, exceeding Pender County Collector Street Plan standards. A sidewalk is also shown on the Hughes Road (SR 1618) entrance to the development. Crosswalks are provided at various intersections within the development to ensure pedestrian safety, including on the proposed Collector Street. Staff recommends additional crosswalks and pedestrian facilities within the proposed development to enhance pedestrian access and meet the requirements of the PD, Planned

Development zoning district. These include additional sidewalks along the interior of outparcels, as shown in Figure 1, with staff’s recommendations in red.

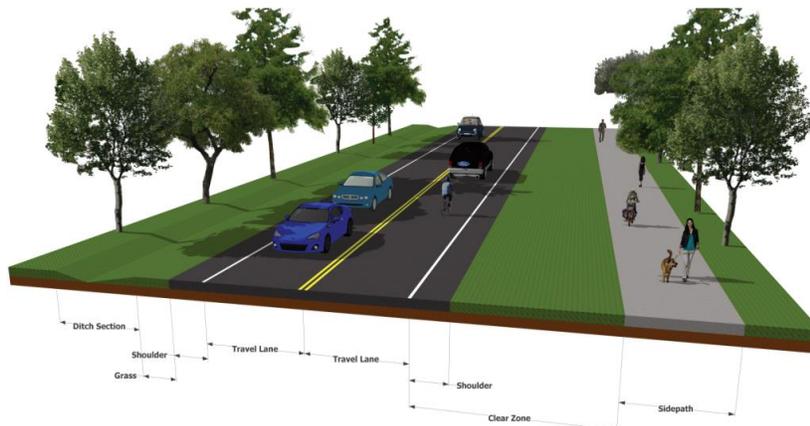
**Figure 1**



Staff is recommending a payment in lieu of sidewalk construction along US HWY 17 if an outparcel is to be developed prior to the construction of the U-5732 Hampstead median project. The latest design of that project, revised on October 18, 2016 by NCDOT, is shown in Attachment 2. The proposed plans provide grading and space for future pedestrian facilities along US HWY 17. According to the applicant’s submitted narrative, the applicant intends to construct pedestrian facilities along US HWY 17 as each outparcel is developed. The construction of the median would possibly damage any new pedestrian facilities, therefore, staff is recommending payment for future construction once the median project is complete.

In the applicant’s proposal, a cross section of “Collector Road B” is shown on the submitted site plans. The proposed “Collector Road B” is located on the east side of the grocery store and adjoining retail. The Collector Street is identified as a “Group 1” Collector Street and shall contain one five (5’) foot wide sidewalk along the Collector Street. The applicant has agreed to construct one eight (8) foot wide multi-use path on the west side of Collector Street, which is found among the “Group 2” type of Collector Streets found in the Pender County Collector Street Plan, exceeding the requirements of the plan (Figure 2). This option is compliant with the Pender County Collector Street Plan.

**Figure 2**



Staff is also recommending the extension of sidewalks along Hughes Road (SR 1618) and Deerfield Drive (SR 1673) to the extent of the project bounds to enhance pedestrian connectivity to adjacent residential developments. Staff also received Technical Review Committee (TRC) comments from the Wilmington Metropolitan Planning Organization recommending pedestrian facilities along Hughes Road (SR 1618) and US HWY 17. According to Section 4.8.1.E.2 of the Pender County Unified Development Ordinance, a Master Development Plans in the Planned Development zoning district 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. These recommendations are intended to create a walkable, pedestrian-friendly development that enhances the quality of life for those accessing the subject property.

The proposed plan as submitted is not 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 sidewalks, as well as the plans for the inclusion of pedestrian features on US HWY 17, provide the possibility of future pedestrian connections along that corridor. The additional improvements and conditions described above shall be met to provide a walkable and pedestrian friendly development. Providing these additional facilities is consistent with the spirit and intent of the PD, Planned Development zoning district.

All pedestrian facilities along site entrances, Collector Streets, and located within the interior of grocery and retail development shall be constructed during Phase I. Sidewalks proposed along the exterior and interior of all outparcels shall be constructed as previously discussed. Proposed staff recommendations for pedestrian facilities are shown in Figure 1, with green being already proposed pedestrian facilities, to be constructed during Phase I.

### **Traffic**

A Traffic Impact Analysis (TIA) is required and has been submitted based on the total number of trips for the entire development. The applicant has provided trip generation information for the development. A total of 135 AM peak hour trips and 347 PM peak hour trips were submitted by the applicant. Roadway improvements were studied for the following intersections:

- US HWY 17 & NC HWY 210
- US HWY 17 & Deerfield Drive
- US HWY 17 & Washington Acres Road
- US HWY 17 & Site Entrance
- US HWY 17 & Hughes Road
- Hughes Road & Site Access
- Hughes Road & Collector Street
- Deerfield Drive & Collector Street
- Deerfield Drive & Creekview Drive

The TIA scoping document from the Wilmington Metropolitan Planning Organization is found in Attachment 3. Additionally, a traffic light is proposed at the site entrance along US HWY 17 and will be part of the driveway permitting process when warranted by trip volume numbers outlined in the applicant's TIA.

## 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; 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 an A-3 Buffer along US HWY 17 and Hughes Road (SR 1618), an A-1 Buffer along Deerfield Drive (SR 1673), a B-3 Buffer bordering the commercial use to the northeast, and a C-4 Buffer along the entire southern border of the property. Additionally, a Type C-3 Buffer shall be recommended around the perimeter of the proposed pump station to provide a visual barrier for any adjacent residential properties due to comments received during the community meetings, which the applicant has agreed to in their submitted narrative. All required project buffers are in compliance with Ordinance standards.

## Parking

According to the applicant's submitted site plan, three hundred and seventy-seven (377) parking spaces will be provided for the proposed grocery store and adjoining retail. According to Section 7.10 of the Pender County Unified Development Ordinance, one (1) parking space for every 225 square feet for the first 50,000 square feet of floor area is required for retail uses, with one (1) space required for every 250 square feet thereafter. For the proposed grocery store and adjoining retail, a minimum of three hundred and thirty-three (333) spaces are required. Parking spaces provided in excess of the minimum shall be constructed to low impact design standards according to Section 7.10.5.C of the Pender County Unified Development Ordinance. A total of forty-three (43) low impact design spaces will be required based on the applicant's proposed site plans. Parking for each outparcel will be determined on a site-specific basis at the time of submittal. The applicant satisfies the parking requirements set forth in Section 7.10 of the Pender County Unified Development Ordinance. Shared parking may be utilized based on outparcel development to reduce the number of additional parking surfaces and to promote pedestrian access to multiple sites.

PARKING CALCULATIONS			
Use & Size	Calculation	Required Parking Spaces	Spaces Provided
Grocery (53,000 sf)	1 space/225 sf for first 50,000 sf + 1 space/250 sf thereafter	234	264
Retail (23,000 sf)	1 space/225 sf	99	112
<b>TOTAL</b>		333	376

## 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 development is proposed through Pluris Hampstead, LLC.,

a private wastewater utility located along US HWY 17 (Attachment 1). All review and approvals for the wastewater services are subject to review and approval of the private wastewater entity and the State of North Carolina, in conjunction with Pender County. Additionally, a Type C-3 Buffer shall be located around the perimeter of the proposed pump station to act as an enhanced buffer to nearby residential properties.

### **Environmental Concerns**

Stormwater produced by the development will be treated via two (2) regional stormwater ponds, dependent upon review and approval from the North Carolina Division of Environmental Quality (NCDEQ). A stormwater permit through NCDEQ is required before final zoning approval of this project. According to Section 7.9.1 of the Pender County Unified Development Ordinance, any drainage facility receiving stormwater discharge from the development shall have the capacity to carry the anticipated stormwater 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 over flowing their banks. A drainage plan meeting the requirements of Section 7.9.1 is outstanding and is required prior to any zoning approval. Additional capacity was discussed with the applicant based on comments received at the community meetings. The County recommends that the applicant provide capacity for a 25-year storm event. According to NOAA's Precipitation Frequency Data Server, the 25-year storm event accounts for 8.97 inches of rain over twenty-four (24) hours. The 25-year storm event is the next observable interval after the 10-year storm event.

### *Wetlands*

There are wetlands located on the proposed development as shown on the submitted site plans. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act under review and approval of the US Army Corps of Engineers. A wetlands Notification of Jurisdictional Determination by the US Army Corps of Engineers has been submitted by the applicant (Attachment 4).

### *Flood*

The subject properties are not located within a designated 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. According to Section 8.1.3.a.4 of the Pender County Unified Development Ordinance, 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 plan has been submitted by the applicant and does not show the required significant tree mitigation. Ordinance compliance will be required prior to zoning approval.

### **Permits**

All applicable local, state, and federal agency permits including a Stormwater Management Permit, Sedimentation and Erosion Control permit, wetlands impact permits, and NCDOT Driveway Permit will be required prior to the approval of each phase as applicable.

---

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

Pender County's Technical Review Committee meeting was held on Tuesday November 1, 2016 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 5 incorporated within this report.

---

### **COMMUNITY MEETING SUMMARY**

A community meeting was held on November 3, 2016, stipulation required by the Conditional Rezoning process found in Section 3.3.4 of the Pender County Unified Development Ordinance. Due to issues with the meeting location, a second meeting was held on November 29, 2016 in the Hampstead Annex auditorium. During this meeting, the developer presented plans for removing the residential portion of the project and re-submitting an application for Master Development Plan review. Numerous citizens attended the meeting to hear from the applicant and to voice their concerns about the project. Concerns generally ranged from traffic issues to drainage and stormwater management. Others expressed their desire to see low impact development (LID) practices and an aesthetically pleasing project. Based on those concerns, staff formulated certain conditions for the applicant listed at the end of this report.

Concerns:

1. Traffic
2. Stormwater/drainage
3. Aesthetics
4. Noise
5. Future development
6. Schools

---

### **EVALUATION**

**A) Public Notifications:** Public Notice of the proposal for the Master Development Plan and Major Site Plan has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500' of the proposed development 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 to the south and east are zoned GB, General Business zoning district. An O&I, Office and Institutional zoning district property is located to the northeast, while the remainder of the property to the east and southeast is zoned RP, Residential Performance zoning district.

**C) Existing Land Use in Area:** The site is currently vacant and is immediately surrounded commercial uses to the northeast, including The Church of Jesus Christ of Latter Day Saints, vacant land directly south, and residential uses to the east, including the Deerfield and Washington Acres subdivisions. The Beacon Building, vacant land (Spot Festival tract), and other commercial uses are located to the west across US HWY 17.

**D) 2010 Comprehensive Land Use Plan:** 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.

Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of the goods and services needed by residents in a coordinated, concentrated manner. Mixed Use areas are intended to reduce the number and length of auto trips by placing higher-density housing close to shopping and employment center. They also should function to improve the quality of life for residents living in higher density housing by placing daily conveniences, shops, and employment within walking distance.

The road network within Mixed Use areas should be designed to ensure that adjacent residential areas will have direct access to the non-residential portions of the mixed use center in lieu of entering and exiting through thoroughfares and/or collector streets. Developments should provide or contribute to a pedestrian and road network that connects nonresidential and existing residential uses (multi-family and single-family) developments.

The proposed project, located along US HWY 17, is incompatible with the Mixed Use land use classification as well as the PD, Planned Development zoning district. Additional standards and conditions are recommended to ensure compatibility with the PD, Planned Development zoning district. As previously mentioned, the project fronts a major highway. There are nearby, non-residential uses in the area. The Beacon Building, a medical office building, is located directly across US HWY 17 from the proposed development. The proposal provides a required Collector Road connecting Hughes Road (SR 1618) and Deerfield Drive (SR 1673), as well as entrances along Hughes Road (SR 1618) and US HWY 17. Sidewalks are provided, allowing residents in the nearby residential community to access the development. Also, crosswalks are provided on the Collector Street and within the proposed development. Additionally, a sidewalk is provided along "Road A". Pedestrian and vehicle connectivity is achieved through both sidewalks and roadway connections. Additional pedestrian facilities are recommended to bring the site into compliance with the zoning district. The site proposes to use a private regional wastewater service, as well as proposed water connection to a Pender County Utilities service line that runs along US HWY 17.

The following goals and policies may 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.1.5:** 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.
3. **Transportation Goal 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.

The proposed project is consistent with three (3) goals and policies from the 2010 Pender County Comprehensive Land Use Plan. The proposed project does not conflict with any goals or policies found within the 2010 Pender County Comprehensive Land Use Plan.

---

## 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. Planning Staff recommends the conditional approval of the Master Development Plan for Headwaters Town Center. However, Planning Staff recommends the Board table the request for Major Site Development Plan approval for Phase I, based on incomplete items listed below:

#### **Recommended Conditions**

1. Unless outparcel development occurs prior the construction of the U-5732 Hampstead median project, pedestrian facilities shall be constructed parallel to US HWY 17 as each outparcel is developed, along with interior pedestrian facilities to connect each outparcel and to the shopping center in order to meet the requirements of Section 4.8.1.D of the Pender County Unified Development Ordinance. If an outparcel is developed prior to the completion of the U-5732 Hampstead median project, a payment in lieu of construction shall be required for sidewalk construction on the exterior sidewalk parallel to US HWY 17. All sidewalks and multi-use paths shall be maintained by the development, unless such facilities are located in an NCDOT right-of-way. A tri-party agreement be required if such facilities are located within an NCDOT right-of-way.
2. All pedestrian facilities along site entrances, Collector Streets, and located within the interior of grocery and retail development shall be constructed during Phase I.
3. The required Collector Street shall be constructed during Phase I and completed prior to any final zoning approvals.
4. Enhanced stormwater capacity to treat the 25-year storm event.
5. A Type C-3 Buffer shall be located around the perimeter of the proposed pump station.
6. Parcels 1-5 shall be accessed internally to the development with no direct driveway access to US HWY 17.

All items from Pender County Unified Development Ordinance, Section 6.1.4 Master Development Plan Contents and Section 6.3 Major Site Development Plan Contents, and mixed-use districts must be met prior to the approval of the Master Development Plan and Major Site Development Plan. The following items are outstanding from the Master Development Plan and Major Site Development Plan approval and shall be revised prior to approval;

1. The extension of sidewalks along Hughes Road (SR 1618) and Deerfield Drive (SR 1673) to the extent of the project bounds to enhance pedestrian connectivity to adjacent residential developments to meet the requirements of Section 4.8.1.D of the Pender County Unified Development Ordinance in accordance with Figure 1.
2. A drainage plan in accordance with Section 7.9.1 of the Pender County Unified Development Ordinance.
3. An outdoor lighting plan in accordance with Section 7.11 of the Pender County Unified Development Ordinance.
4. Provide a stub-out to the property east of the development to allow for future connectivity to Creekview Drive (SR 1674) as required per Sections 4.8.1.E and 7.4.4 of the Pender County Unified Development Ordinance.
5. Significant tree survey mitigation as required per Section 8.1.3.A.4 of the Pender County Unified Development Ordinance.
6. A completed Traffic Impact Analysis (TIA) shall be submitted to Planning Staff pending review and approval by NCDOT as required per Section 6.3 of the Pender County Unified Development Ordinance.
7. Parking spaces provided in excess of the minimum shall be constructed to low impact design standards according to Section 7.10.5.C of the Pender County Unified Development Ordinance.

---

**BOARD ACTION FOR MASTER DEVELOPMENT PLAN AND MAJOR SITE DEVELOPMENT PLAN:**

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

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

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