

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 24.

Date of Request: August 6, 2007

Date Request Received: August 6, 2007

Board Meeting Date Requested: August 20, 2007

Board Meeting Date Assigned: August 20, 2007

Short Title: Olde Point Village Planned Development Master Plan

- Request Status:**
- Request is proceeding to Board of Commissioners
 - More information is needed – see attached
 - Request on hold – no further information needed
 - Other:

Background: This PD Master Plan was tabled by the Planning Board at the May 1, 2007 meeting. It was subsequently denied at the June 5, 2007 Planning Board meeting. The applicant has since appealed this decision to the Board of Commissioners pursuant to Section 3.5 C of the Pender County Zoning Ordinance.

(Administrative Use Only)

Specific Action Requested: The Board of Commissioners is requested to hear the appeal based on the facts presented at the May 1, 2007 and June 5, 2007 Planning Board meetings.

CONTRACT TYPE

Requested by: Planning Staff
Department: Planning
Title: N/A
Contact Phone: 910.259.1202
Contact Fax: 910.259.3735

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
 - Federal Grantor
 - State Grantor
 - Grant or
- County as Grantor
 - County Funds
 - Other Funds:
- Revision
- For Equipment

PURCHASING Budgeted Item: Yes No
Date Rec'd: Reviewed and Approved
 Comments on Reverse

Date Sent:

Signed:

ATTORNEY Reviewed and Approved
Date Rec'd: Legal Problem(s)
 Comments on Reverse

Date Sent:

Signed:

FINANCE Sufficient Funds Available
Date Rec'd Not Available
 Budget Amendment Necessary
 Budgeted Amendment is Attached
 Comments on Reverse

Date Sent:

Signed:

CLERK Signature(s) Required:
 Board Chairman/County Manager
 Other:

Date Rec'd Approved by Board: Yes No
At meeting on

June 12, 2007

Ms. Lori Brill – County Manager &
Clerk to the Pender County Board of Commissioners
805 South Walker Street
Burgaw, North Carolina 28425

Re: Olde Point Village – A Clustered Patio Home Development
(off Country Club Road, Hampstead)

Dear Ms. Brill:

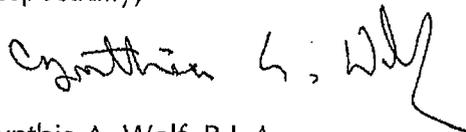
A petition for approval of a Masterplan & Preliminary Plat for the referenced project was presented to the Planning Board, at their June 5, 2007 meeting. The request included plans that were in conformance with the Pender County Zoning Ordinance and Subdivision Regulations. It was further supported by documentation that the project met the policies and guidelines identified in the Pender County CAMA Land Use Plan.

We believe that the Planning Board's denial of the petition was arbitrary and capricious. The residential plan does provide an appropriate relationship with the adjacent land uses. Buffering and visual screening provisions were included as conditions on the plan to insure that no property would be adversely affected.

As authorized agent, on behalf of the owner/developer of the subject property, I am notifying you of our wish to appeal the decision to the County Commissioners, as provided for in Section 3.5 C. of the Ordinance.

We look forward to presenting this appeal to the Board of Commissioners on their next available agenda. Please do not hesitate to contact me if you have any questions or need additional information.

Respectfully,



Cynthia A. Wolf, R.L.A.

cc: Joey Raczkowski – Planning Director
Trey Thurman – County Attorney
Mark Walton – Planning Board Chair
Ron Bryant – Property Owner/Developer

Olde Point Village Minutes from May 1, 2007 and June 5, 2007 Planning Board Meetings

MINUTES
(Amendment – Page 4)
Pender County Planning Board Meeting
May 1, 2007
7:00 p.m.

VIII. Public Hearing

Chairman Walton recused himself from this case. The board has some serious problems with items listed into the proposal.

Vice-Chairman Kevin Reynolds motioned to table Olde Point Village case until the June 5, 2007 Planning Board Meeting.

- 2. Olde Point Village, PD Master Plan and Preliminary Plat Review – Withers & Ravenel**, applicant, on behalf of TP Inc., owner, is requesting approval of a PD Master Plan and Preliminary Plat for Olde Point Village. The plan consists of 96 lots on 45.87 acres. The property is zoned PD, Planned Development District and is located off Country Club Road, across Captain Beam Boulevard, in Hampstead, NC.

TABLED UNTIL
JUNE 5, 2007

MINUTES
Pender County Planning Board Meeting
June 5, 2007
7:00 p.m.

VI. Public Hearing

Planning Director Joey Raczkowski reviewed the Staff Review with the board and public. Explaining this will be 18 acres of open space. Pender County will supply water as it is available and roads will be public.

- 3. Olde Point Village, PD Master Plan and Preliminary Plat Review – Withers & Ravenel**, applicant, on behalf of TP Inc., owner, is requesting approval of a PD Master Plan and Preliminary Plat for Olde Point Village. The plan consists of 96 lots on 45.87 acres. The property is zoned PD, Planned Development District and is located off Country Club Road, across Captain Beam Boulevard, in Hampstead, NC. **Item tabled from the May 1, 2007 meeting**

Cindee Wolf representative stated that she used the Pender Zoning Ordinance and CAMA Land Use Plan for her guidelines.

Emerald Ridge is adjacent and has septic systems which call for the need of larger lots. She believes this plan follows the guidelines and policies of the CAMA Land Use Plan. Cluster development possibly will be coming before the board more often.

Kevin Reynolds asked where the access points were located.

She stated that the pipes will lay on the surface of the ground.

Karen Gonzales asked what the ratio of the turnaround was for emergency vehicles in the cul-de-sac.

Ms. Wolf stated that NCDOT requires a 31 ft radius.

A concerned citizen stated that the property runs parallel with Emerald Ridge. There is open land which mostly has filtration ponds because the land does not drain well. He hopes it will be made an extension of Emerald Ridge rather than something that is bolted onto the side.

With a development of this size the traffic will increase approximately another 150 – 180 cars onto Country Club Road. This road is approximately 18' wide and already carries over 6000 cars a day. This is another Mayfair fiasco.

Chairman Walton closed the public comment section:

Cindee Wolf stated that her client is proposing to develop the same types of homes that are in Emerald Ridge. The homes don't need to be on a large lot because of the lack of a need for septic systems. There will be a fence and a buffer between the developments.

Karen Gonzales made a motion that all lot sizes be complementary to the surround subdivision of 14000 square feet. The motion died for the lack of a second.

The board had much discussion on the topic.

Christopher Smith made a motion that the request be denied because the development did not provide appropriate relations between uses around the boundary and uses within the Planned Development so as to insure that no property would be adversely affected. Karen Gonzales seconded the motion. The votes in favor of the motion were 4-0.

Vice-Chairman Reynolds closed the public hearing.

Chairman Walton rejoined the board.

**STAFF REVIEW FOR PLANNING BOARD APPROVAL
OLDE POINT VILLAGE PD MASTER PLAN REVIEW**

PROJECT HISTORY:

The Pender County Planning Board approved a motion to table this item at the May 1, 2007 meeting.

DEVELOPER'S PROPOSAL:

Withers & Ravenel, applicant, on behalf of TP Inc., owner, is requesting approval for Olde Point Village, located off County Club Road, across from Captain Beam Boulevard, in Hampstead, NC. Olde Point Village is located on 45.87 acres and zoned PD, Planned Development District. The PINs are 4203-14-3306-0000 and 4203-05-8711-0000. The applicant is proposing both a master and preliminary plan.

The applicant proposes 96 single-family lots in the development. The minimum lot size will be 6,000 square feet. Average lot size will be 7,128 square feet. Gross density consists of 2.1 units per acre. Net density consists of 3.2 units per acre by the definition of "usable land" under the 2005 CAMA Land Use Plan.

Olde Point Village will have 18 acres of open space, well in excess of the County's requirement. Open space and all common space will be controlled and maintained by a homeowners association. Streetlights and trees will be placed along the road network. A 6-foot high solid wood fence will along the common boundary with the Emerald Ridge residential lots.

The developer proposes a community wastewater system to serve all lots in Olde Point Village. Pender County will provide water, when water becomes available. Community wastewater system will have a gravity flow collection system, treatment plant, and infiltration fields. A Special Use Permit will be required prior to construction of community wastewater system.

All roads will be constructed to NCDOT standards and be dedicated as public. Southtowne Drive will have fifty (50) feet right of way and all other roads will have a forty (40) feet right of way. The entrance will be aligned with the existing intersection of Captain Beam Boulevard. The development will have a road connection to Emerald Ridge and stubbed roads to adjacent vacant properties.

The majority of open space consists of wetland areas, which total 11.12 acres. These areas will be dedicated as permanent conservation areas. There are no FEMA Special Flood Hazard Areas within the development.

STAFF CONCLUSION:

Planning Staff is submitting the preliminary plat layout for Planning Board review. The submission as presented tonight is sufficient for Planning Board disposition. Planning Staff recommends a review of the net density of the proposed development with the 2005 CAMA Land Use Plan for high net density for Urban Growth areas. High Net Density defined as five (5) residential units per usable acre on project land, based on service available. 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 for Final Preliminary Plat Approval:

All requirements of the Pender County Subdivision Ordinance for Preliminary Plats, including items 1 thru 13 pages 22, 23 & 24 must be submitted to and approved by the Director.

1. Soil suitability analysis indicating the suitability of the property for individual septic tanks or an Improvement Authorization Permit for each lot unless community sewer is available and a conditioned approval for connection is submitted. The soil suitability analysis of the property shall also indicate the suitability of the soil for the type structure proposed.
2. Sufficient information shall be provided so that a corner of the property can be located on the ground and found with a measurement from the intersection of two state maintained roads.
3. A copy of the Preliminary Map with the street names as approved by the Pender County Emergency Management Co-coordinator (EMC) or his designee. The plat shall be signed by the EMC representative indicating approval of the road names indicated on the plat. The copy of this plat must be submitted no later than 30 days after approval of the preliminary plat of the development by the Pender County Health Department.
4. Verification of receipt of the preliminary plat of the development by the Pender County Health Department.
5. Verification of receipt of the preliminary plat of the development by the NCDOT District Engineer or his designee.
6. General description and map of the proposed drainage for the subdivision shall include the following:
 - a. The boundaries of all drainage basins that flow through the property from upstream.
 - b. All drainage facilities that flow through the property and receive any storm water discharge from upstream.
 - c. The boundaries of all drainage basins that receive discharge from the property that is located from the discharge point on the property to the recipient perennial stream.
 - d. All drainage facilities that receive storm water discharge from the property from the discharge point to the recipient perennial stream.
 - e. This information can be described in a narrative submission and shown on a copy of a USGS 7.5 Minute Quad or other similar topographical map (11 X 17 map submission).
7. Detailed description of any proposed waste water system and system maintenance arrangements and procedures to serve lots that are not suitable for traditional on site septic systems, along with a map showing the proposed location of the off site components of the system, including lines.
8. 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.
9. When any street layout or geometric design does not specifically meet the NCDOT Secondary Road Standards or the adopted Pender County Private Street Standards, a narrative explanation, justification detailed drawing of the design shall be submitted for review.
10. When the subdivision entrance does not connect to a NCDOT maintained road, recorded documents shall be submitted that confirm the property and the proposed lots have access to a NCDOT maintained road by a public or private street that meets the standards of this ordinance.
11. The Director or the Planning Board may request additional information be submitted that is pertinent to review of the proposed subdivision for compliance with the provisions of this ordinance or other Pender County ordinances.

The Following Material May Be Submitted As A Condition Of Approval Of The Preliminary Plat, When Approved By The Planning Board Or Director:

All requirements of the Pender County Subdivision Ordinance for Preliminary Plats, including items 1 thru 11 pages 23 & 24.

1. Approval by NCDOT of connection of subdivision roads with DOT maintained roads (Driveway
2. ~~Street~~ construction & street drainage plans as approved by DOT District Engineer with letter of approval (for public streets).
3. Street construction & street drainage plans in accord with DOT submittal requirements, design and construction standards or in accord with Private Street Standards, Pender County. The plans must be signed and sealed by a registered surveyor or engineer. A letter from the design professional will accompany the plans certifying that they meet the NCDOT submittal requirements, design and construction standards or Private Street Standards, Pender County (for private streets).
4. One of the following items 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 more and both items will be required when any lot sizes are less than 15,000 sq. ft. or net densities of 2.9 units per acre or more:
 - a. Water System
 - (1) Construction plans sealed by a registered engineer, as approved by DENR,
 - (2) Acceptance of operation and maintenance of the system by a Public or Community Water system as defined in this ordinance,
 - (3) Certification that the system will be owned by a Public or Community Water system as defined in this ordinance with conditional acceptance of ownership or certification that the system will be owned by a homeowners association established under the provisions of this ordinance.
 - b. Wastewater system
 - (1) Construction plans sealed by a registered engineer, as approved by DENR,
 - (2) Acceptance of operation and maintenance of the system by a Public or Community Water system as defined in this ordinance,
 - (3) Certification that the system will be owned by a Public or Community Water system as defined in this ordinance with conditional acceptance of ownership or certification that the system will be owned by a homeowners association established under the provisions of this ordinance.
5. Approval from the Division of Coastal Management when the development is located in an Area of Environmental Concern.
6. Sediment & Erosion Control Plans as approved by Land Quality (with letter of approval).
7. Storm water management plan as approved by the Water Quality Division (with letter of approval).
8. Approval of Wetlands Delineation by Corp. of Eng. (if wetlands in development).
9. Wetlands fill authorization or permit if construction in wetlands is involved.
10. 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 (See Required Drainage Certification in development Manual).

11. When any proposed subdivision of land with lots or areas other than open space where structures are prohibited is located in a "Designated Floodway," a "No Rise Certification" prepared by a Registered Engineer shall be submitted for the development.
12. When a proposed subdivision is located in a SFHA the Base Flood Elevation (BFE) shall be determined and shown along with the SFHA boundary on the Preliminary Plat. In SFHA's where the BFE has not been previously determined, the Developer shall be responsible for providing the BFE as determined by a Registered Professional in the manner prescribed by FEMA Regulations.
13. When a proposed subdivision is located within a SFHA and any water or sewer systems are not located on the site of the structure served, a statement from the Registered Professional responsible for design of the off site system shall be provided that "all public or community (off site) sewer and water systems and drainage facilities are designed to minimize flood damage and reduce exposure to flood hazards in accord with FEMA Guidelines."

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, if applicable to this subdivision, will require Planning Board approval.
3. The applicant should be fully aware of the certification and guarantee requirements 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.

Mandatory Items For Final Plat Approval:

1. The final plat shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 20 working days of completed submission. When the final plat is approved the signed original will be provided to the applicant and a signed copy placed in the Record File for the ~~Final Submission~~ submission.
2. ~~Final Submission~~ – the final plat must be submitted in digital format to the Director. The digital submission of the plat will be considered proprietary information. The digital layout will be made available to the Tax Supervisor for parcel update and the digital submission may be returned to the person submitting it. A copy on mylar suitable for recording shall be submitted for signing upon review & approval of the final map. The final plat shall be reviewed, approved and signed by the Director, upon approval.
3. ~~Director, upon approval~~ preliminary plat approval must have been met before any final plat will be considered for review. Confirmation of compliance with all provisions of Preliminary Plat must be submitted at least 10 days before the final plat is accepted for review.
4. All lots shown on the final plat other than open space or other specially approved lots shall meet either a., b., c., d. or e. as follows:
 - a. Be served by an on site waste water system, which is located on the site where the unit served is located, and the system has received an "Improvement Authorization Permit" from Environmental Health,
 - b. Be served by a Community Sewer System as defined in this ordinance and approval for connection to the system is provided,
 - c. Be served by a waste water system that meets the requirements of the "Water And Sewer System Requirements In Streets, Access Easements Or Other Locations Off The Site Of The Unit Served," of this ordinance,

- d. The soil suitability analysis as required by this ordinance and submitted with the preliminary plat shows that each lot contains at least 5,000 sq. ft. of area that is "suitable" for traditional on site waste disposal and the required 5,000 sq. ft. is not within 10 ft of any lot boundary,
 - e. Lots not meeting a., b., c. or d. provisions of this paragraph shall be labeled with a bold note as follows: **"The Parcels So Noted Cannot Be Used For Sale Or Building Development, Unless A New Plat Is Approved And Recorded As Required Under The Pender County Subdivision Ordinance"**
 - f. ~~Ordinance~~ alternative, see Design Requirements, Lots Section of this ordinance for "Special Purpose Lots."
5. All improvements proposed in the development must have been constructed and certifications of completion to standards specified provided or their construction guaranteed by a Performance Guarantee.
 6. ~~All public~~ streets must have been constructed, inspected and approved in writing by the NCDOT District Engineer or a Performance Guarantee provided.
 7. Minimum Number of Lots Required on a Final Plat – the minimum lots included on the final plat shall be as follows:
 - a. Approved Preliminary Subdivision Plat contains less than 100 lots or units – final plat shall contain at least 30 lots or units or the remainder of the lots or units in the subdivision,
 - b. Approved Preliminary Subdivision Plat contains more than 100 lots or units – final plat shall contain at least 50 lots or units or the remainder of the lots or units in the subdivision.
 8. The completed final plat must be submitted within 24 months of approval of the preliminary plat or within 24 months of approval of a previously recorded final plat.
 9. The final plat must be prepared by a licensed surveyor.
 10. The final plat must conform generally to the preliminary plat and specifically to all conditions of approval of the preliminary plat.
 11. Upon initial approval of the final plat parcel layout the Director shall immediately notify the Tax Assessor so that parcel identifiers can be issued. The Tax Assessor shall establish parcel identifiers for the parcels on the plat within 10 working days of receipt of notice.
 12. The final plat, approved covenants, restrictions and homeowners association documents must be recorded in the Register of Deeds within 60 days after approval by the Planning Board and prior to any sale of lots in the development.
 13. The Director must take action on the final plat within 20 days of completed submission and installation of improvements or security for improvements.
 14. A final plat will not be accepted for review that is incomplete or for which has not been submitted the documents necessary for verification of the conditions of Preliminary Plat approval.

Additional Materials To Be Submitted With Final Plat.

1. Certification by District Engineer of completion of construction of all public streets or all of the following:
 - a. Estimate of the cost to complete construction of the streets and all other improvements required or proposed in the development that are not complete, prepared, signed and sealed by a licensed engineer,
 - b. Performance Guarantee for the cost of all improvements not certified as complete (see Security Documents Section in the Pender County Development Manual for requirements).
2. Certification by a licensed engineer of the completion of construction of all private streets and other required improvements, or all of the following:
 - a. Estimate of the cost to complete construction of the streets and all other improvements required or proposed in the development that are not complete, prepared, signed and sealed by a licensed engineer,
 - b. Performance Guarantee for the cost of all improvements not certified as complete (see Security Documents Section in the Pender County Development Manual for forms and requirements).

3. Certification by a professional land surveyor of installation of all required monuments and
4. ~~Two~~ copies of Articles of Incorporation of Homeowner's Association and related documents for any development that contains private streets or other non-public facilities, including drainage systems outside public street right of-ways, water systems and sewer systems and open space.
5. Two copies of the restrictive covenants to be recorded on the property.
6. The Defect Guarantee when a Performance Guarantee has not been provided for improvements.
7. Draft document transferring ownership of all common area and facilities to the Homeowners Association as shown on the final plat of the portion of the subdivision to be recorded. A recorded copy of this document must be submitted to the Director within 20 days of recording of the final plat (see "Homeowners Association Requirements" Section).

Certificates Required On Final Plat.

1. Certificate of Ownership, Dedication and Jurisdiction (org. signed)
2. Certificate of Approval Subdivision Public Road Construction by NCDOT District Engineer (must be signed before Map Review Officer signs off on plat)
3. Surveyor Certificate I
4. Surveyor Certificate II
5. Surveyor Certificate II
6. Parcel Identifier Certificate
7. Certificate of Registration by Register of Deeds (unsigned)
8. Certificate of Final Plat Approval

SECT. 17 PD REQ.

SECTION 17 -PD PLANNED DEVELOPMENT DISTRICT REQUIREMENTS

17.2 Planned Developments, Generally

- B. The Planning Board shall review the Master Land Use Plan Preliminary and Final Site Plans for the proposed planned development for conformity with all Pender County Land Use Regulations and plans and policies adopted by the Pender County Board of Commissioners. The Planned Development shall provide appropriate relationships between uses around the boundaries and uses within the Planned Development so as to insure that no property shall be adversely affected.

Pender County Planning Department

805 South Walker Street
Burgaw, North Carolina 28425



Phone (910) 259-1202
Fax (910) 259-1295

PLANNING BOARD APPLICATION FOR PLANNED DEVELOPMENT MASTER PLAN REVIEW

Date: 3.30.07 Application #: _____ Application Fee: \$460.00 Receipt #: 067724

I. PROPERTY INFORMATION:

PIN #(S): 4203-14-3306-0000 / 4203-05-8711-0000
Property Location: Country Club Rd.
Hampstead, NC - Olde Point
Subdivision Name: Olde Pt. Village Phase: ONE
Review Type: Master Preliminary Final

II. REQUIRED NAMES:

Applicant Withers & Ravenel Owner JP, Inc. (Ron Bryant)
Address: 7040 Wrightsville Ave. Address P.O. Box 2658
Wilmington, NC Suite 101 28403 Surf City, NC 28445
Phone 910-256-9277 Fax 910-256-2584 Phone 910-545-4254 Fax 910-328-9795
Email tlowe@withersravenel.com Email _____

Legal Relationship of Applicant to Property Owner: Agent

Authorized Project Contact (check one): Applicant Owner

III. SIGNATURE OF OWNER/APPLICANT:

Agent for Owner

Cynthia G. Willy, RLA

*****SEE PENDER COUNTY ZONING ORDINANCE SECTION 17 - PD PLANNED DEVELOPMENT DISTRICT REQUIREMENTS FOR MASTER PLAN SUBMISSION REQUIREMENTS*****

*****SEE SUBDIVISION Preliminary Plat Checklist 04 FOR PRELIMINARY PLAT SUBMISSION REQUIREMENTS*****

Project Narrative for
Olde Point Village
A Clustered Patio Home Development

The subject tract is located in the Urban Growth Land Classification on the Pender County Future Land Use Plan. This class is intended for more intensive community development where public services, particularly water & sanitary sewer services, are available. Because of its proximity to Hwy 17, via Country Club Road, it is an area planned for "high net density" residential development, as described by the County's 2005 CAMA Plan.

The term "high-net density" is suggested at five (5) residential units per usable acre of project land. "Usable land" refers to all project land that is not considered Conservation (wetlands), and not included in street rights-of-way. This concept of residential subdivision is also known as cluster development, a planning design principal that has become popular because it allows development to occur in a smaller land areas, thereby promoting greater quantities of open space and avoiding environmental impacts.

Residential development, in general, has seen a trend towards smaller lots. A large demographic in our community is people advancing into retirement. These folks still want the privacy and character of detached housing, but not the hassles of maintaining large yards.

Olde Point Village covers over 45.87 acres of land. The proposed 96 lots translate into a gross density of only 2.1 units per acre. Calculated by the definition of "usable land," the net density is 3.2 units per acre.

The technical aspects of the plan follow all of the Subdivision Regulations. We have aligned the entrance with the existing intersection of Captain Beam Boulevard. Permits by NCDOT will guarantee any improvements that are needed for Country Club Road. They will no doubt require a right-turn lane from the North approach, and perhaps a center left-turn lane from the South approach. Proposed streets will be designed and constructed to NCDOT standards, dedicated for public use, and petitioned for adoption into the State road system as soon as residency requirements are met. Providing inter-connect between developments is a hot item in today's good planning. We have provided road connection to the existing stub in Emerald Ridge and stubbed roads to the adjacent vacant properties for extension.

County water exists in Country Club Road, and will be looped for good water flow & quality throughout the project. Sanitary sewer service will be provided by a community system. Wastewater will flow from the houses into a gravity flow collection system, and then to a treatment plant. The effluent will be treated to meet a "reclaimed" water standard, pumped to the infiltration fields, and applied to the soils through drip irrigation.

Storm water management will meet both the State and aquifer recharge requirements for water quality and the County's requirements for pre/post development runoff control. All runoff water must be directed to the pond for treatment. All lots will be graded to drain towards the streets. The requirement for roof gutters will be included in the Homeowners' Declaration. The gutters will be attached to downspouts, and underground piping that will outlet to the street curb lines. The street drainage system pipes the stormwater to the ponds.

The 6.88 acres, or 15%, of open space provided is entirely in upland land. When added with the 11.12 acres of wetlands to be dedicated as permanent conservation space, 39.2% of the total tract area is being preserved.

An attractive entryway will be provided at the intersection with Country Club Road. No other vehicular access will be permitted along the frontage, and an earthen berm with plantings will act as a visual screen. Bufferyards have been designated along the boundaries with the adjacent neighborhoods. Existing vegetation will be left undisturbed within those areas, and a 6' high, solid wood fence will be installed along the common boundary with the Emerald Ridge residential lots. Street trees and street lighting for safety will line the proposed project streets.

A Homeowners' Association will be created for control & maintenance of the common areas. Standards & requirements will be included in the Declaration to address architectural styles, size & coverage restrictions, landscaping, and many other provisions that will assure a quality project.

In conclusion the plan meets the criteria of the subdivision regulations and provides a residential home style that is in demand. If the lots were developed with individual septic fields, the lots would be larger, but the beneficial aspects of the higher quality of treatment would be lost. The overall effect of cluster development is more open space, and lesser environmental impact.

Olde Point Village, if approved and developed according to the proposed plan, would be an attractive neighborhood, and asset to both the local community, and to the County.

The following excerpts from the Pender County CAMA Land Use Plan are pertinent to the plan petition:

LAND USE POLICIES –

I. CAMA Required Topics

E. Water Quality Policies

- 1) Pender County recognizes the importance of water quality to preserving the lifestyle and economic well-being of its residents and property owners. The County will implement measures within its authority to address activities that are known to diminish water quality, including development in known wetlands.
 - d) The County strongly encourages "cluster" and "green space" development and other techniques to reduce the impervious surface associated with new development of significant redevelopment. County development regulations will provide incentives to encourage this type development.
- 5) The County will encourage regulated wetlands that are delineated and known to the County to be preserved as open space or for open space related activities, including recreation.

II. Local Concerns

B. General Development Patterns

- 4) County development policy and regulations shall provide for flexibility in development.

C. Residential Development Patterns

- 1) Pender County seeks to accommodate the development and appropriate placement of a variety of housing types.

I. Access

- 1) All new development shall provide adequate access and internal street systems to ensure the convenience and safety of all residents. Adequate access shall include the following:
 - c) All new development shall provide for "connectivity" to adjacent developments and property for continuity of streets, parks, drainage facilities, pedestrian trails, access ways and other common areas of public facilities.

J. Site Development

- 1) County development policies and regulations shall encourage and provide incentives for the following:
 - a) Residential development that provides substantial recreation or open space.

Definitions

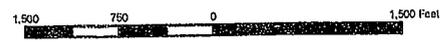
- 15) *Net Development Density*: is defined as the number of units per acre of "usable land" applicable to the type development.
- 16) *"Usable Land" for Single Family Detached Residential Development*: may include all project land area that is not classified as Conservation and not included as public or private streets.
- 18) *High Net Density*: five (5) residential units per usable acre of project land, based on services available.

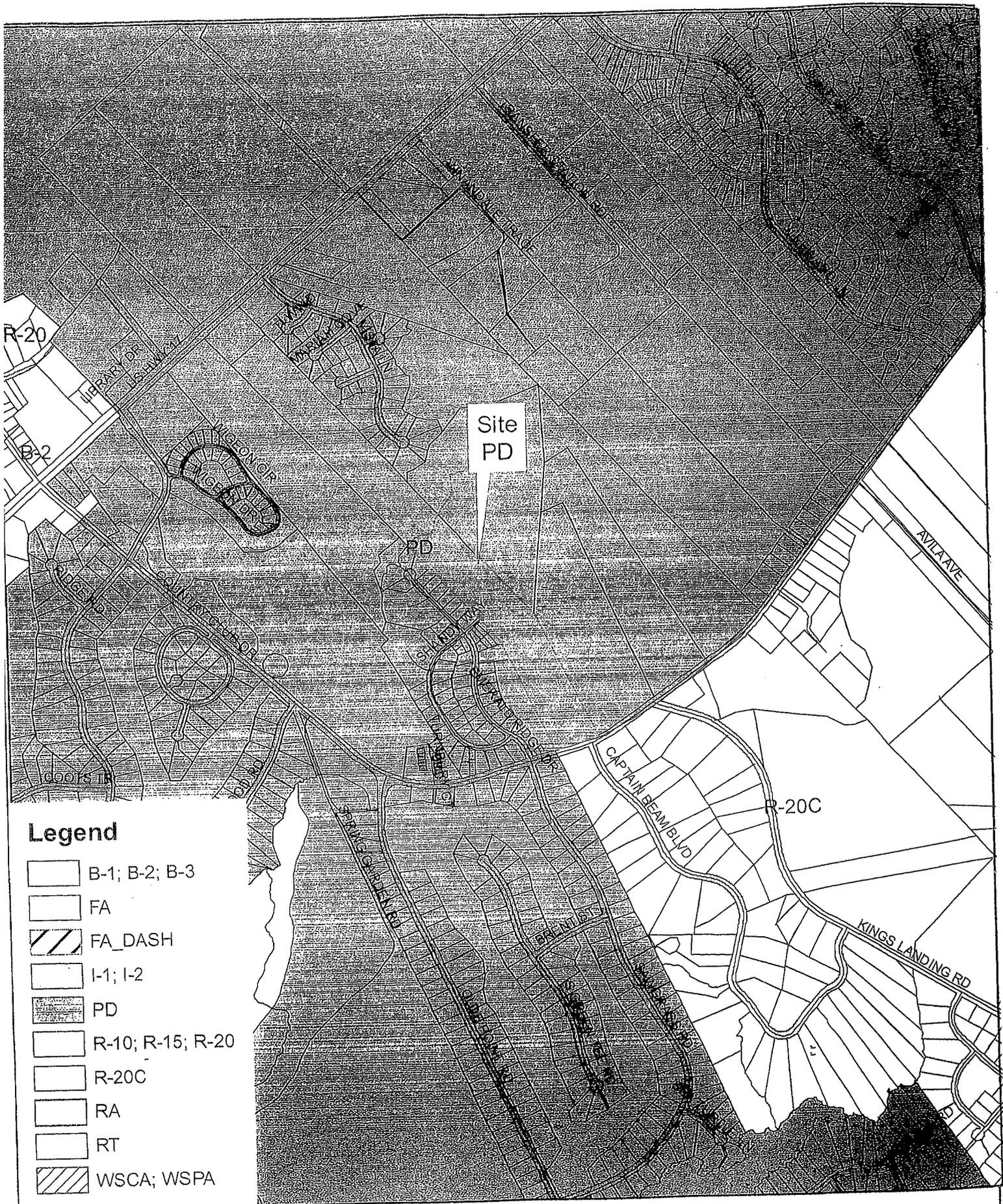


Site

Olde Pointe Village Vicinity

1 inch equals 1,500 feet

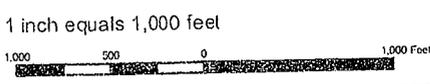


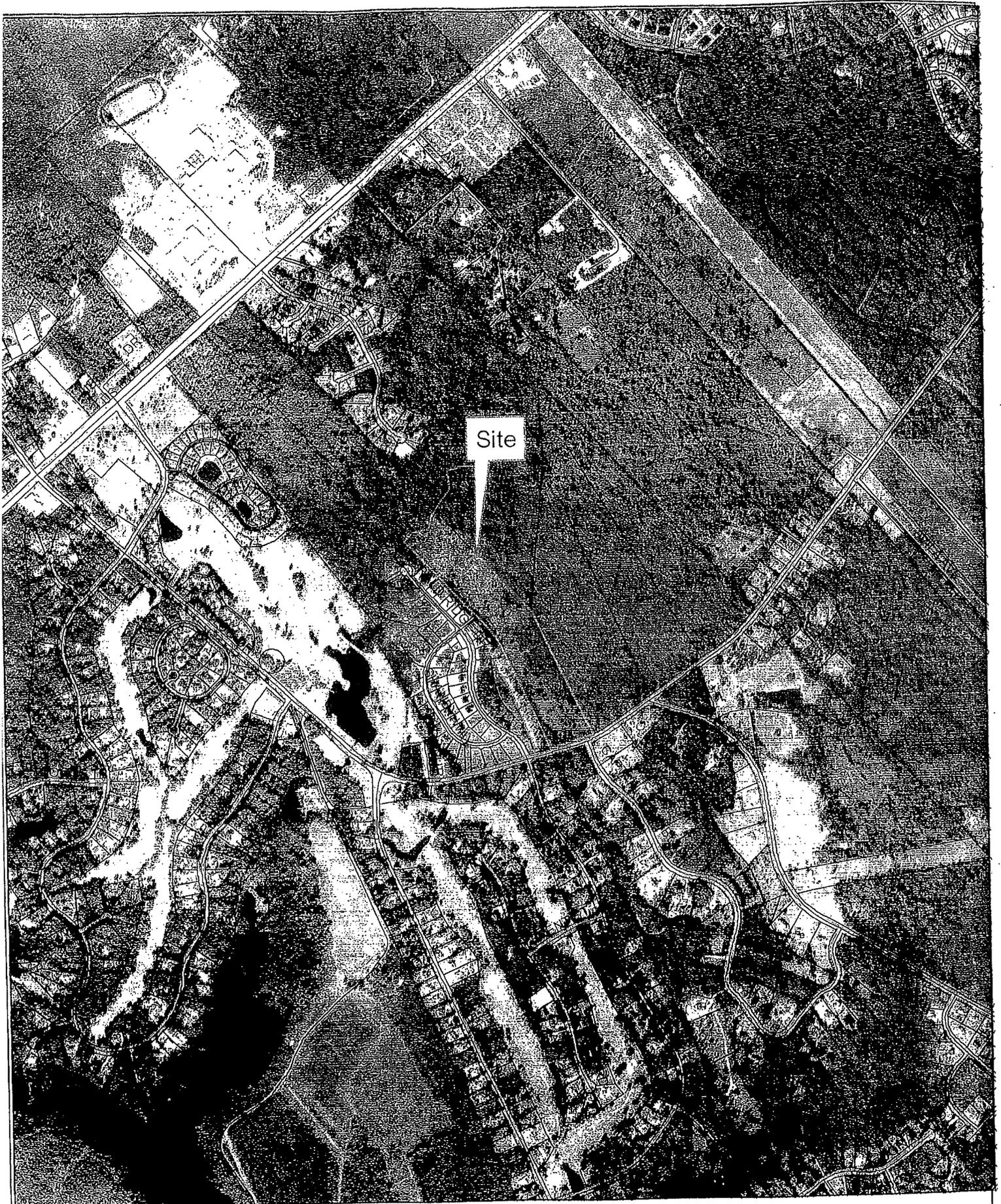


Legend

-  B-1; B-2; B-3
-  FA
-  FA_DASH
-  I-1; I-2
-  PD
-  R-10; R-15; R-20
-  R-20C
-  RA
-  RT
-  WSCA; WSPA

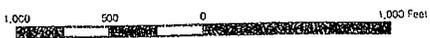
Olde Pointe Village
Zoning





Site

1 inch equals 1,000 feet



Olde Pointe Village
Orthos (2003)