

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 10.

Date of Request: September 21, 2007

Date Request Received: September 21, 2007

Board Meeting Date Requested: October 1, 2007

Board Meeting Date Assigned: October 1, 2007

Short Title: Generation Development Is Requesting Eight Tracts Totaling 376 Acres Be Rezoned From R-20c, Residential Conventional Housing District, To Pd, Planned Development District.

Background: Applicant, Generation Development is requesting eight tracts totaling 376 acres be rezoned from R-20C, Residential Conventional Housing District to PD, Planned Development District.

Specific Action Requested: The Board of Commissioners is requested to hold a public hearing for a rezoning.

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

Request Status:

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

(Administrative Use Only)

CONTRACT TYPE

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
 - Federal Grantor
 - State Grantor
 - Grantor
- 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 Not Available
Date Rec'd: 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

INTRODUCED BY: Planning Staff **DATE:** October 1, 2007 **ITEM NO:** _____

TITLE: Zoning Map Amendment, Generation Development (376 acres off Country Club Road)

SUBJECT: PROPERTY PARCEL ID NOs: 4203-74-3682-0000, 4203-64-4531-0000, 4203-53-8561-0000, 4203-53-9769-0000, 4203-54-0572-0000, 4203-45-4049-0000, 4203-45-2425-0000, 4203-43-7857-0000.

APPLICANT: Generation Development

OWNERS: Country Club Road Assemblage, LLC

ACTION REQUESTED: Applicant is requesting eight tracts totaling 376 acres be rezoned from R-20C, Residential Conventional Housing District to PD, Planned Development District.

HISTORY/BACKGROUND:

Location of Property: The property is located on the south of Country Club Road and extends southeast to the Intracoastal Waterway in Hampstead, NC. It is roughly bounded to the northeast by South Belvedere Drive and to the southwest by Avila Drive. A 55-acre tract is located on the southwestern side of Avila Drive. (See attached vicinity map).

Description of Proposal: The proposal consists of rezoning eight tracts totaling 376 acres from R-20C, Residential Conventional Housing District to PD, Planned Development District. This rezoning will allow planned development consistent with requirements in the PD zoning district. This request was previously submitted to Pender County in May 2007. On May 1, 2007, the Pender County Planning Board voted 4-2 to pass a motion recommending approval of the request. The Pender County Board of Commissioners voted 4-1 to pass a motion to deny the rezoning request at the May 21, 2007 meeting. At the August 6, 2007 meeting, the Pender County Board of Commissioners voted unanimously to pass a motion to allow the applicant to resubmit the rezoning application prior to the 6 month waiting period as described in Section 5.2 D of the Pender County Zoning Ordinance (See attached zoning map and applicant's narrative).

EVALUATION:

- A) Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender Post and Topsail Voice and adjacent property owners have been given written notice of the request.
- B) Existing Zoning in Area:** The property is bounded immediately by PD zoned land on the northeastern and northwestern sides. The property is bordered along the southwestern side by R20 C zones.
- C) Existing Land Use in Area:** The property is bounded on all sides by single-family development. Belvedere subdivision lies to the north and east, while the Avila and Hideaway Shores subdivisions lie along the southwestern boundaries.
- D) 2005 Land Use Plan Compliance:** The 2005 Land Use Plan classifies this property as an Urban Growth Area. This rezoning request is consistent with the 2005 Land Use Plan (See attached CAMA Land Use map).
- E) Zoning Ordinance Compliance:** Section 5.3 of the Zoning Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for rezoning can be made. The proposed rezoning does meet the standards of Section 5.3 of the Zoning Ordinance (See Section 5.3 attached).
- F) Summary & Staff Recommendation:** The proposal consists of rezoning 376 acres of land from R-20C, Residential Conventional Housing District to PD, Planned Development District. The request complies with the criteria set forth in Section 5.3 of the Zoning Ordinance. The request is also consistent with the 2005 CAMA Land Use Plan. Therefore, staff recommends that the request be approved.

G) Pender County Planning Board Recommendation: The Pender County Planning Board, at its September 11, 2007 meeting, voted unanimously to pass a motion to recommend approval of the rezoning request. The Board of Commissioners voted unanimously to pass a resolution to allow this request to be heard at the October 1, 2007 meeting due an advertising oversight that did not allow the Board of Commissioners to hear it at the September 17, 2007 meeting.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on September 17, 2007, the Pender County Board of Commissioners (approved, modified, denied) a rezoning request for eight tracts totaling 376 acres for Southwind Surveying & Engineering, as described herein and F.D. Rivenbark, Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

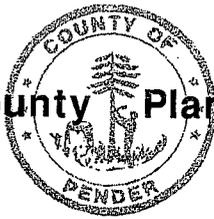
MOVED _____ **SECONDED** _____

APPROVED _____ **DENIED** _____ **UNANIMOUS** _____

YEA VOTES: Blanchard _____ Brown _____ Rivenbark _____ Tate _____ Williams _____

F. D. Rivenbark,
Chairman 9-17-07
Date

ATTEST 9-17-07
DATE



Pender County Planning Department

805 South Walker Street
Burgaw, North Carolina 28425

Phone (910) 259-1202
Fax (910) 259-1295
Email: planning1@pender-county.com

PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

Date <u>August 14, 2007</u>	Application Fee <u>\$ 3,760.00</u>	Receipt No. <u>072213</u>
Application No. _____	Postage Fee _____	Receipt No. _____

I. PROPERTY INFORMATION:

Record #: See Attached Current Zoning District: R20C

Tax Map #: See Attached Requested Zoning District: PD

Lot #: See Attached Acreage to Be Rezoned: 376

Total Acreage of Tract: 376

Property Location: Country Club Road Hampstead, NC

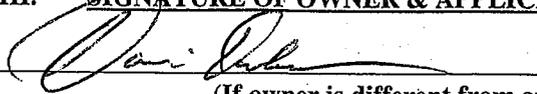
Reason for Rezoning: See Attached

II. REQUIRED NAMES:

Applicant <u>Generation Development</u>	Owner <u>Davis Orebaugh - Member Manager</u>
Address <u>5932 Tarleton Drive</u>	Address <u>Country Club Road Assemblage LLC</u>
<u>Oak Ridge, NC 27310</u>	<u>101 Regal Pine Court</u>
Phone <u>336-643-0856</u> Fax <u>336-644-0125</u>	Phone <u>Cary, NC 27511</u>
Email <u>dorchaugh@generationbuilders.biz</u>	Phone <u>919-740-7449</u> Fax _____
	Email <u>dorchaugh@generationbuilders.biz</u>

Legal Relationship of Applicant to Property Owner: Same

III. SIGNATURE OF OWNER & APPLICANT:



(If owner is different from applicant, both signatures are required)

PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

SUBMITTED BY GENERATION DEVELOPMENT

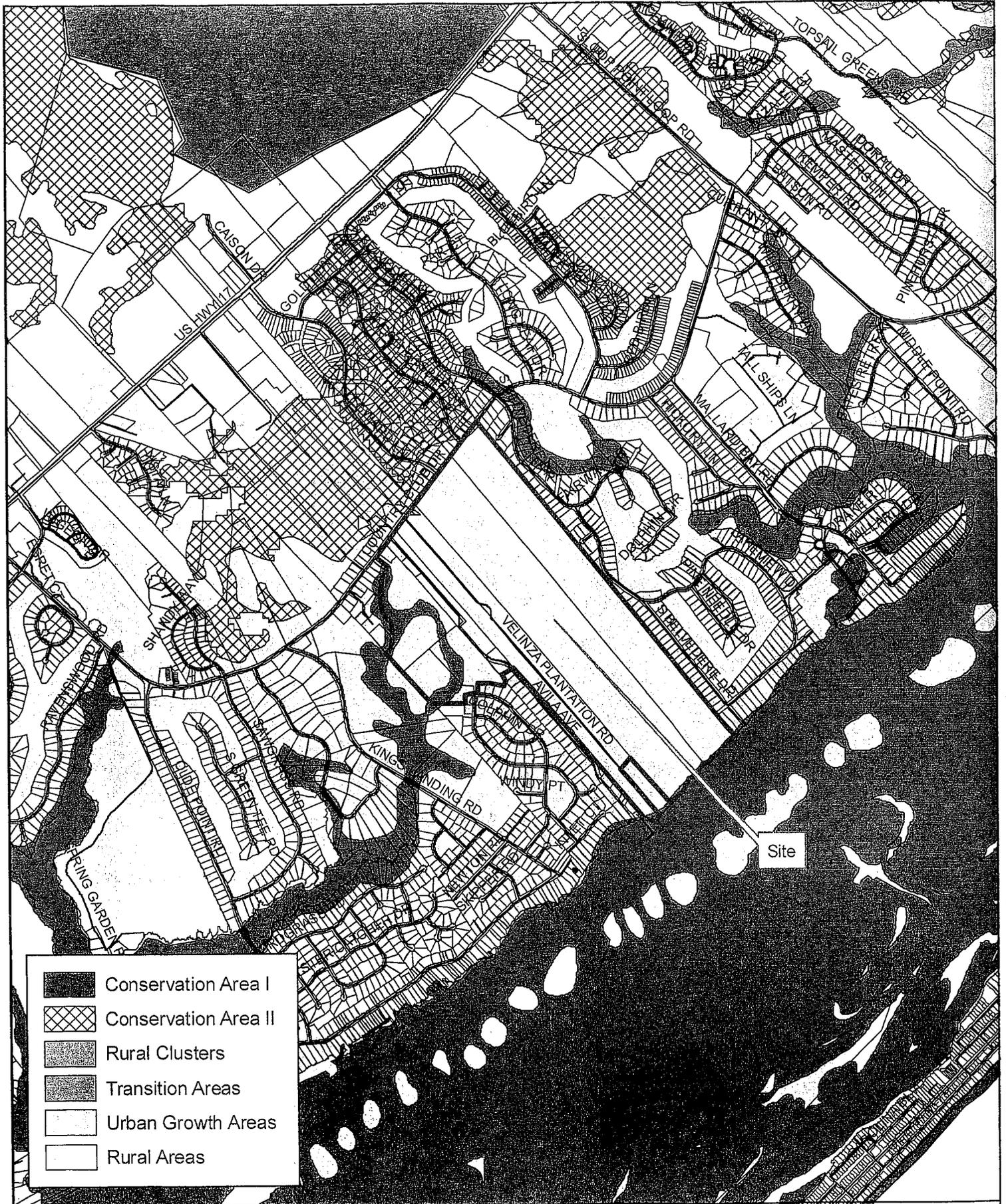
We are asking to rezone the 376-acre parcel on Country Club Road in Hampstead, NC from zoning R20C to PD. PD zoning allows for the flexibility of increased open space, such as community parks, rain gardens, and walking trails, creating a more sustainable community for present and future generations.



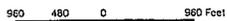
1 inch equals 2,000 feet



Rezoning - Generation Development Vicinity Map



1 inch equals 2,000 feet



Rezoning - Generation Development CAMA Land Use Map



	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

1 inch equals 2,000 feet
 930 465 0 930 Feet

Rezoning - Generation Development Zoning Map