

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 26

Date of Request: November 5, 2007

Date Request Received:

Board Meeting Date Requested: November 19, 2007

Board Meeting Date Assigned:

Short Title: Special Use Permit For A Wastewater Treatment Plant.

Request Status:

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

Background: The applicant is requesting the approval of a Special Use Permit for a wastewater treatment facility. The property is zoned PD, Planned Development and is located at the northeast intersection of Ravenswood Drive and US Highway 17, Hampstead, NC.

(Administrative Use Only)

Specific Action Requested: The Board of Commissioners is requested to hold a public hearing for the submitted Special Use Permit.

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
 - 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
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

Special Use Permit for Wastewater Treatment Plant

SUBJECT: CASE NO: 07-11-19-30
PROPERTY RECORD NO: 3293-86-5490-0000; 3293-95-5740-0000
APPLICANT: The John R. McAdams Company, Inc
OWNER: Hampstead Commercial Properties, LLC

ACTION REQUESTED: Approval of a Special Use Permit for a wastewater treatment plant.

HISTORY/BACKGROUND:

Project Location: Northeast corner at the intersection of US Highway 17 and Ravenswood Drive, Hampstead.

Project Description: The applicant is requesting a special use permit to construct and operate a wastewater treatment plant on the property located at the northeast corner of US Highway 17 and Ravenswood Drive. The plant will provide wastewater service to a planned commercial development on the surrounding 32.46 acres of land, which is currently zoned PD, Planned Development District. The developer anticipates about 81,900 square feet of commercial development. A Planned Development master and preliminary plan approval has been obtained by the Pender County Planning Board on May 1, 2007.

The facility will be located on approximately 5.51 acres of uplands towards the road side of 'Tract C' which totals 18.34 acres. It will consist of a treatment plant and surface drip system for 14,700 gallons per day (gpd) quality effluent. The site has been designed so that this facility will be screened from the public right of way by the proposed anchor tenant and adjacent retail shops.

Activities onsite will include the continuous receipt and processing of wastewater as well as monitoring, cleaning, sampling, and maintenance as necessary. Operations personnel will be onsite as required for such systems. All operations will be regulated by the appropriate agencies.

Construction activities onsite will include clearing and grubbing, earthwork (cut and fill to establish grades), installation of utilities and stormwater management devices, vertical construction of the proposed buildings, offsite construction of the necessary highway improvements, and installation of buffers and landscaping consistent with the Pender County Zoning Ordinance.

In addition to a commercial site plan review by county planning staff, all applicable local, state, and federal permits must be obtained prior to operation of the facility.

EVALUATION:

- A) Public Notifications:** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail.
- B) Basis for Granting SUP:** See attachment A for approval procedures (15.3 of Zoning Ord.) and revocation procedures (15.4b of Zoning Ord.).
- C) Zoning Ordinance Compliance:** This property is zoned PD, Planned Development District and a wastewater treatment plant is permitted via a special use permit.
- D) 2005 Land Use Plan Compliance:** The project area is classified as an Urban Growth, the project is consistent with the 2005 Land Use Plan.
- E) Existing Land Use In Area:** The surrounding property is primarily vacant with single family dwellings to the southwest of the proposed tract.
- F) Site Access Conditions:** The project site will be accessed from Ravenswood Road.
- G) Conditions To Consider In Issuing A Special Use Permit For This Project:**
 - 1. No junk, debris trash or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.

2. No project activity shall commence on the site including clearing and grading until a Final Zoning Permit has been issued.
3. No permanent personnel occupancy on-site will be allowed.
4. All operations must follow federal, state, and local standards, regulations, ordinances, permits, statutes, and/or laws.
5. The project must have commercial site plan review for a zoning permit.
6. Type C buffer requirements must be met with either existing vegetative cover or landscaping if existing vegetative cover is insufficient.
7. The project shall be developed in accord with the provisions of the Pender County Zoning Ordinance and the applicant's final revised site plan as approved by the Zoning Administrator and the conditions contained in this permit.
8. Any physical relocation and/or improvements after completion the original wastewater treatment plant will require a Special Use Permit.
9. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in this permit becoming void, if not corrected within 30 days of receipt of the notice of violation with a scheduling of a public hearing with the Board of Commissioners at the next available meeting the 31st day of receipt of the notice of violation for a revocation.
10. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect until all conditions of this permit and other permits have been complied with and the Pender County Planning Department has made a final inspection of the site and provided a written certification that the site is in compliance.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on November 19, 2007 the Pender County Board of Commissioners (approved, modified, denied) a special use permit for the operation of a wastewater treatment plant for John R. McAdams Company, Inc. 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: Rivenbark ____ Blanchard ____ Brown ____ Tate ____ Williams ____

F.D. Rivenbark,
Chairman

11/19/2007
Date

ATTEST

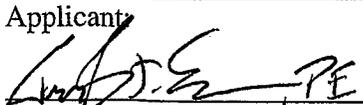
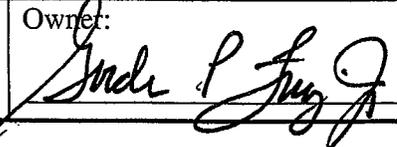
11/19/2007
Date

**PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

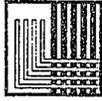
THIS SECTION FOR OFFICE USE			
Application No.	07-11-19-30	Date	10/19/2007
Permit Fee	\$200.00	Receipt No.	077064

APPLICANT INFORMATION	
Applicant Name: Timothy J. Same, PE	Owner Name: Gordon Frieze
Address: The John R. McAdams Company, Inc 2905 Meridian Parkway; Durham, NC 27713	Address: Hampstead Commercial Properties, LLC POB 1328;Wrightsville Beach, NC 28480
Phone No: 919-361-5000	Phone No: 910-256-2514
Legal relationship of applicant to owner: consultant	

PROJECT INFORMATION	
Property tax record No. 3293865490,3293955740	Total acreage
Zoning Designation: PD	In property: 32.46 acres
Acreage to be used for project: 32.46 acres	Acreage to be disturbed: 15 acres
Project location and address: Northeast Corner of Intersection of US Highway 17 and Ravenswood Drive	
Describe activities to be undertaken on project site: Construction of an onsite wastewater treatment facility in conjunction with the previously approved Hampstead Town Center	

SIGNATURES			
Applicant:  PE	Date: 10/12/07	Owner: 	Date: 10/19/07

NOTICE TO APPLICANT
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on page two of this form. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing. 4. Applicant may wish to review the required findings for approval of a Special Use Permit (p. 3).

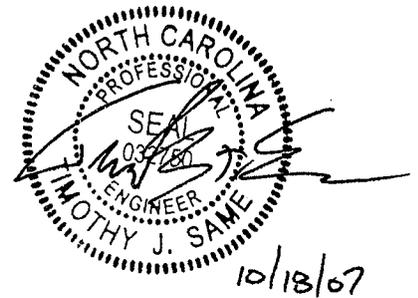


Since 1979
THE JOHN R. McADAMS COMPANY, INC.

HAMPSTEAD TOWN CENTER

TOPSAIL TOWNSHIP
PENDER COUNTY
NORTH CAROLINA

SPECIAL USE PERMIT
PROJECT NARRATIVE



PROJECT NUMBER:
WRITTEN BY:

FRE-06000
TIMOTHY J. SAME, PE
PROJECT MANAGER

DATE:

OCTOBER 18, 2007

Research Triangle Park, NC
Post Office Box 14005
Research Triangle Park,
North Carolina 27709
2905 Meridian Parkway
Durham, North Carolina 27713
800-733-5646
919-361-5000
919-361-2269 Fax

Charlotte, NC
5311 Seventy-Seven Center Drive,
Suite 66
Charlotte, North Carolina 28217
800-733-5646
704-527-0800
704-527-2003 Fax

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HAMPSTEAD TOWN CENTER
TOPSAIL TOWNSHIP
PENDER COUNTY
NORTH CAROLINA

SPECIAL USE PERMIT
PROJECT NARRATIVE

1.0 PROJECT LOCATION AND ACCESS

The Hampstead Town Center is located east of the intersection of Highway 17 and Ravenswood Road and is east of Olde Point Golf Club. 11.83 acres of the 32.46 acre site of Hampstead Town Center is currently being developed as a shopping center. The shopping center will be comprised of a +/-42,000 SF anchor tenant (grocery) and an additional 39,900 SF retail stores. A future parcel of 2.29 acres will be developed as additional outparcels in the future.

Currently, there are three points of access being proposed to the site. The primary site driveway will be from Highway 17 and will be centrally located along the project's frontage. The two other drives will be located off of Ravenswood Road, which is currently a private road.

2.0 DESCRIPTION OF ACTIVITIES/USES

As previously stated, the principal use of the site will consist of approximately 82,000 SF of a commercial/retail shopping center. The hours of operation will likely be from 6am until 10pm with an employee estimation of 75 people per day. However, the developer would like to reserve the right to negotiate those hours and determine the actual number of employees once the tenants have been established.

An accessory use of an onsite waste water treatment facility is necessary considering the lack of available sanitary sewer to the site. The facility will consist of a treatment and surface drip system for a 14,700 gpd quality effluent. It is this facility that requires the special use permit being sought. The site has been designed so that this facility will be screened from the public right-of-way by the proposed anchor tenant and adjacent retail shops.

3.0 CONSTRUCTION ACTIVITIES

The proposed construction activity will consist of the installation of the necessary erosion control measures, clearing and grubbing, earthwork (cut and fill to establish grades), installation of utilities and stormwater management devices, vertical construction of the proposed buildings, offsite construction of the necessary highway improvements, paving and landscaping (all as shown on the construction drawings).

4.0 STATE AND FEDERAL PERMITS

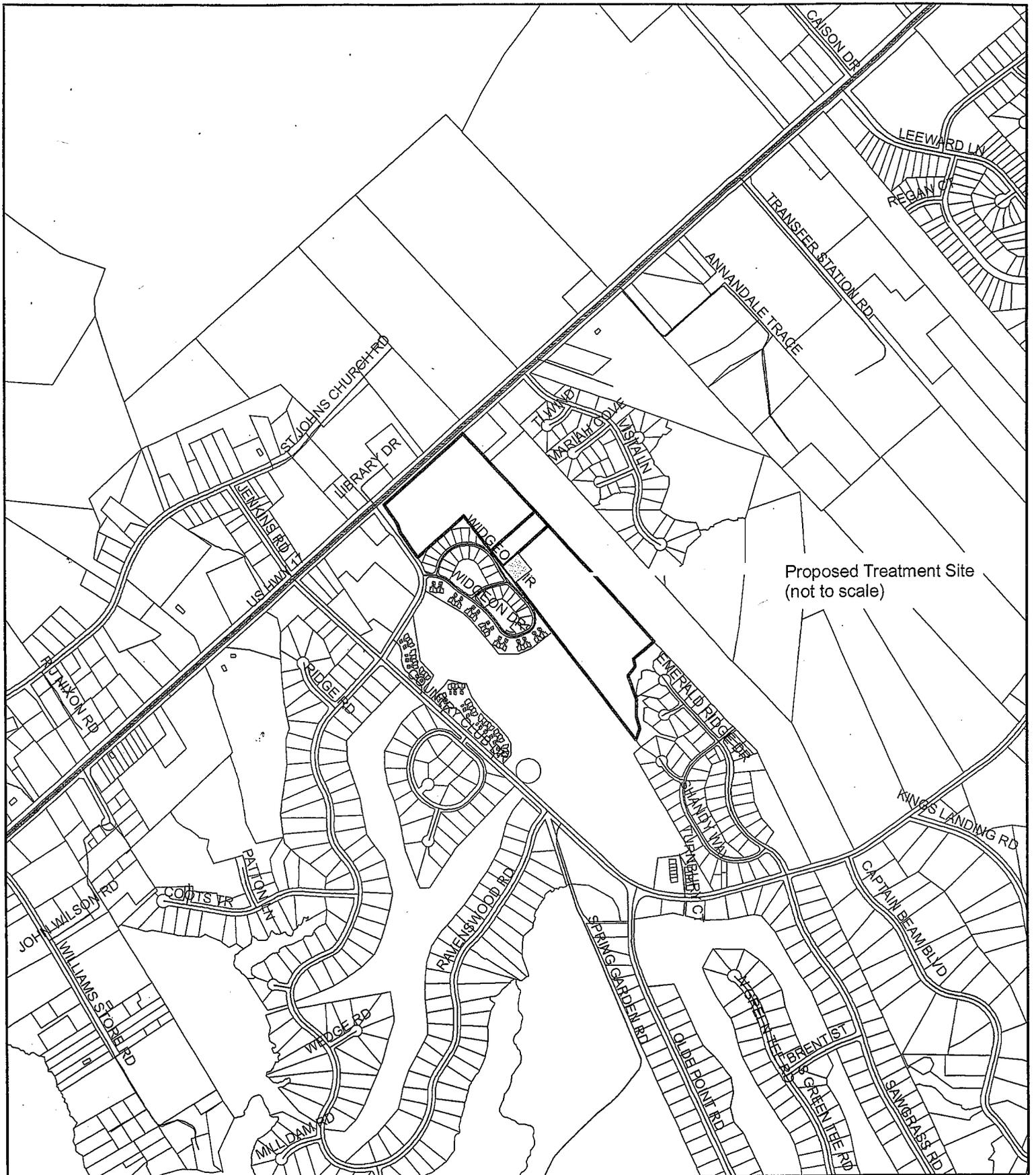
The following is a list of the required state and federal permits for this project:

- Federal – US Army Corps of Engineers – General Permit NW-39 in accordance with Section 404 of the Clean Water Act to allow the proposed wetland impact. (Issued 7/5/07)
- State – North Carolina Department of Environment and Natural Resources Division of Water Quality – 401 Water Quality Certification to allow the proposed wetland impact. (Issued 3/16/07)
- State – North Carolina Department of Environment and Natural Resources Division of Water Quality – State Stormwater Management Permit for High Density Development (Issued 7/5/07)
- State – North Carolina Department of Environment and Natural Resources Division of Environmental Health – Permit for Construction of Water Supply System (Pending)
- State – North Carolina Department of Environment and Natural Resources Division of Land Resources – Erosion Control Permit (Pending)
- State – North Carolina Department of Environment and Natural Resources Division of Water Quality – Permit for Construction of a Wastewater Irrigation System (Pending)
- State – North Carolina Department of Transportation – Driveway Permits and Encroachment Agreements for utility and road widening work within the Right-of-way (Pending)

5.0 POTENTIAL IMPACTS

Potential adverse impacts to the community could include an increase of traffic, stormwater runoff and an increased potential for erosion onto neighboring properties. However, in working closely with the reviewing agencies described above and implementing the required devices and practices, the construction drawings show that all of these potential adverse impacts will be greatly reduced.

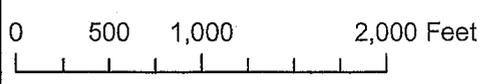
The construction of the shopping center will provide for additional tax dollars for the community as well as a convenient location for goods and services to the neighboring properties.

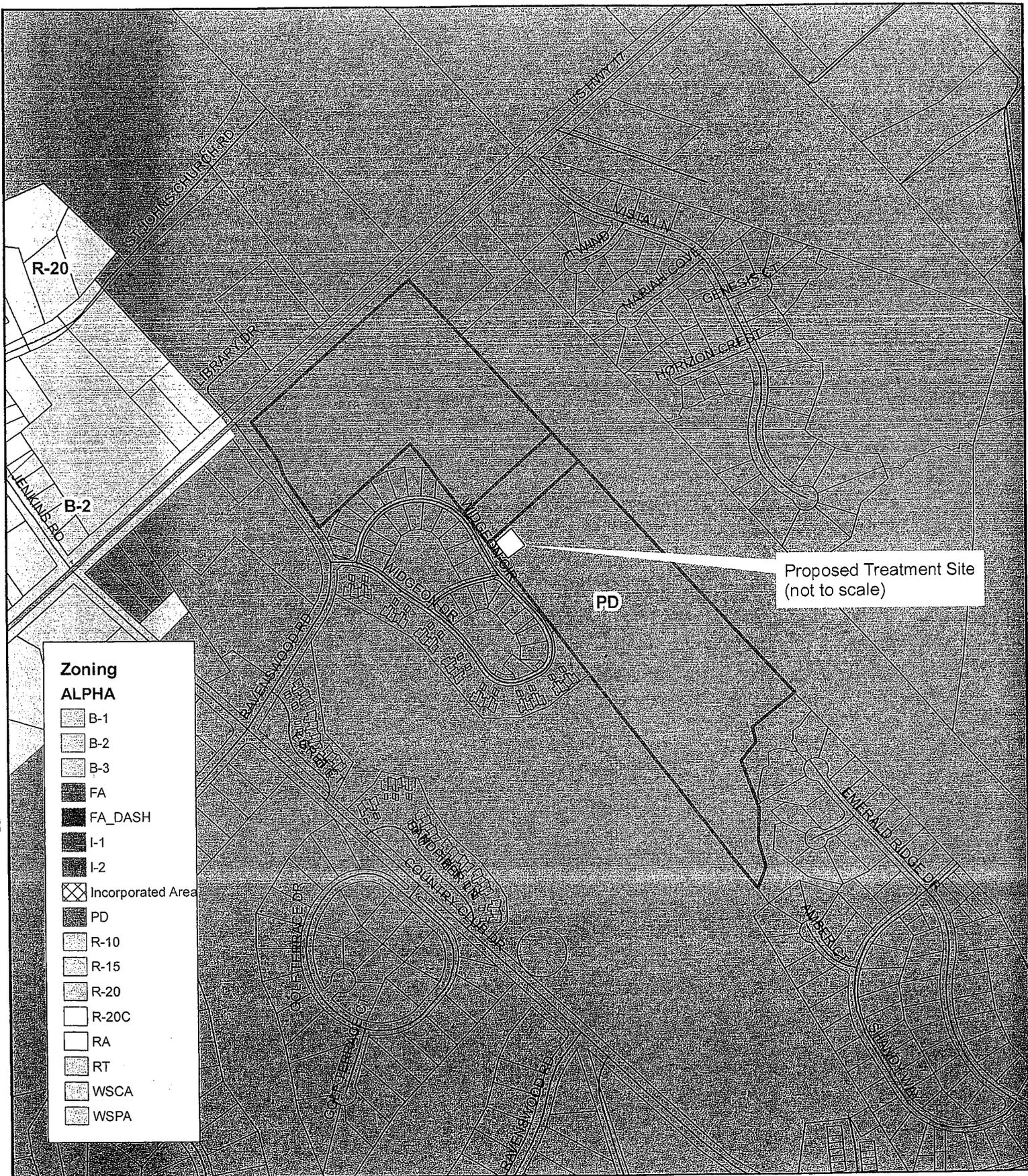


Proposed Treatment Site
(not to scale)

Hampstead Town Center
 WWTP-SUP
 Vicinity Map

1 inch equals 1,000 feet





Proposed Treatment Site
(not to scale)

Zoning

ALPHA

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

1 inch equals 500 feet

0 250 500 1,000 Feet

Hampstead Town Center
WWTP-SUP
Zoning Map



