

INTRODUCED BY: Planning Staff **DATE:** September 11, 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,

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>919-740-7049</u> Fax _____
Email <u>dorchaugh@generationbuilders.biz</u>	Email <u>dorchaugh@generationbuilders.biz</u>

Legal Relationship of Applicant to Property Owner: Same

III. SIGNATURE OF OWNER & APPLICANT:

[Signature] _____

(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

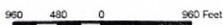


Rezoning - Generation Development Vicinity Map

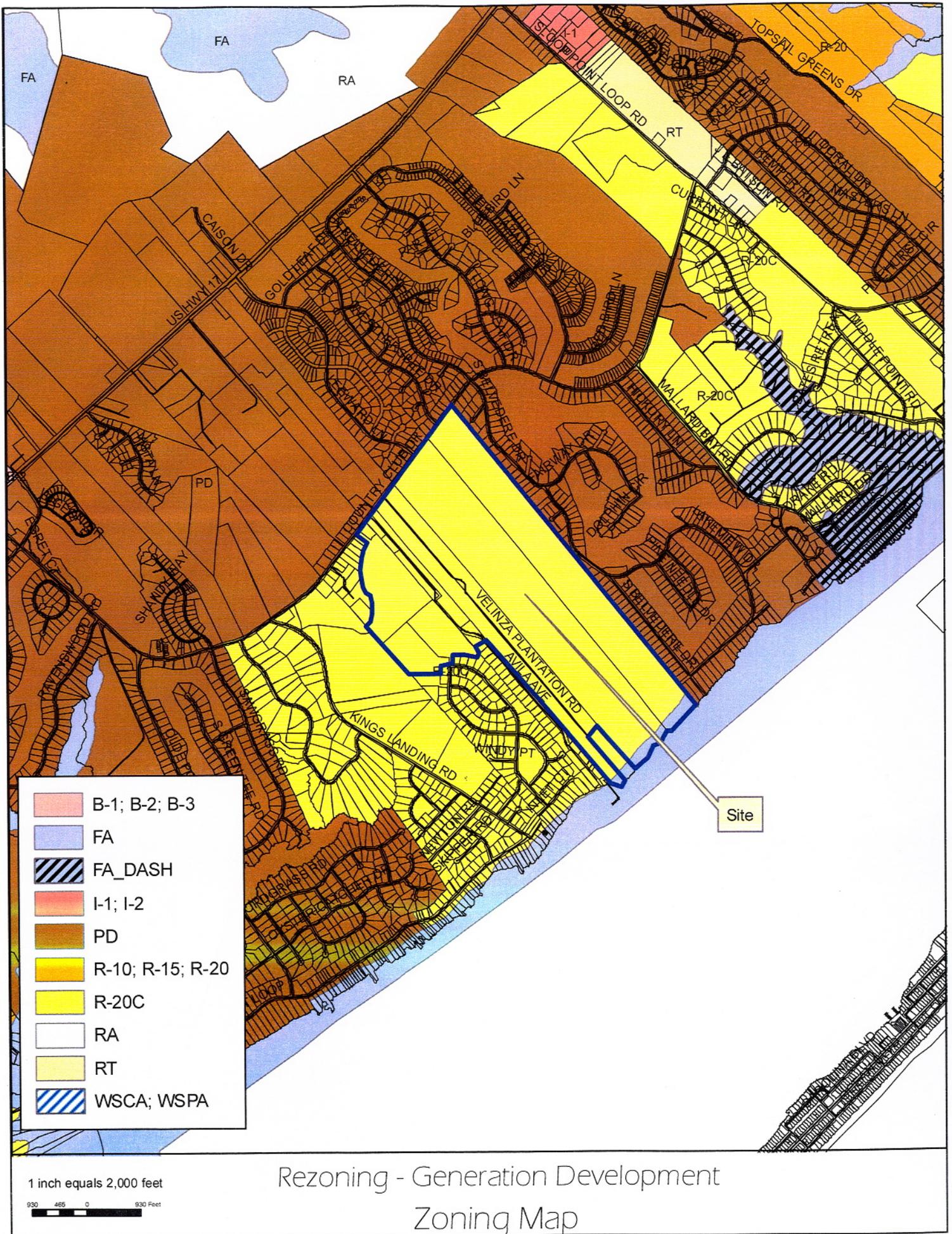


- Conservation Area I
- Conservation Area II
- Rural Clusters
- Transition Areas
- Urban Growth Areas
- Rural Areas

1 inch equals 2,000 feet



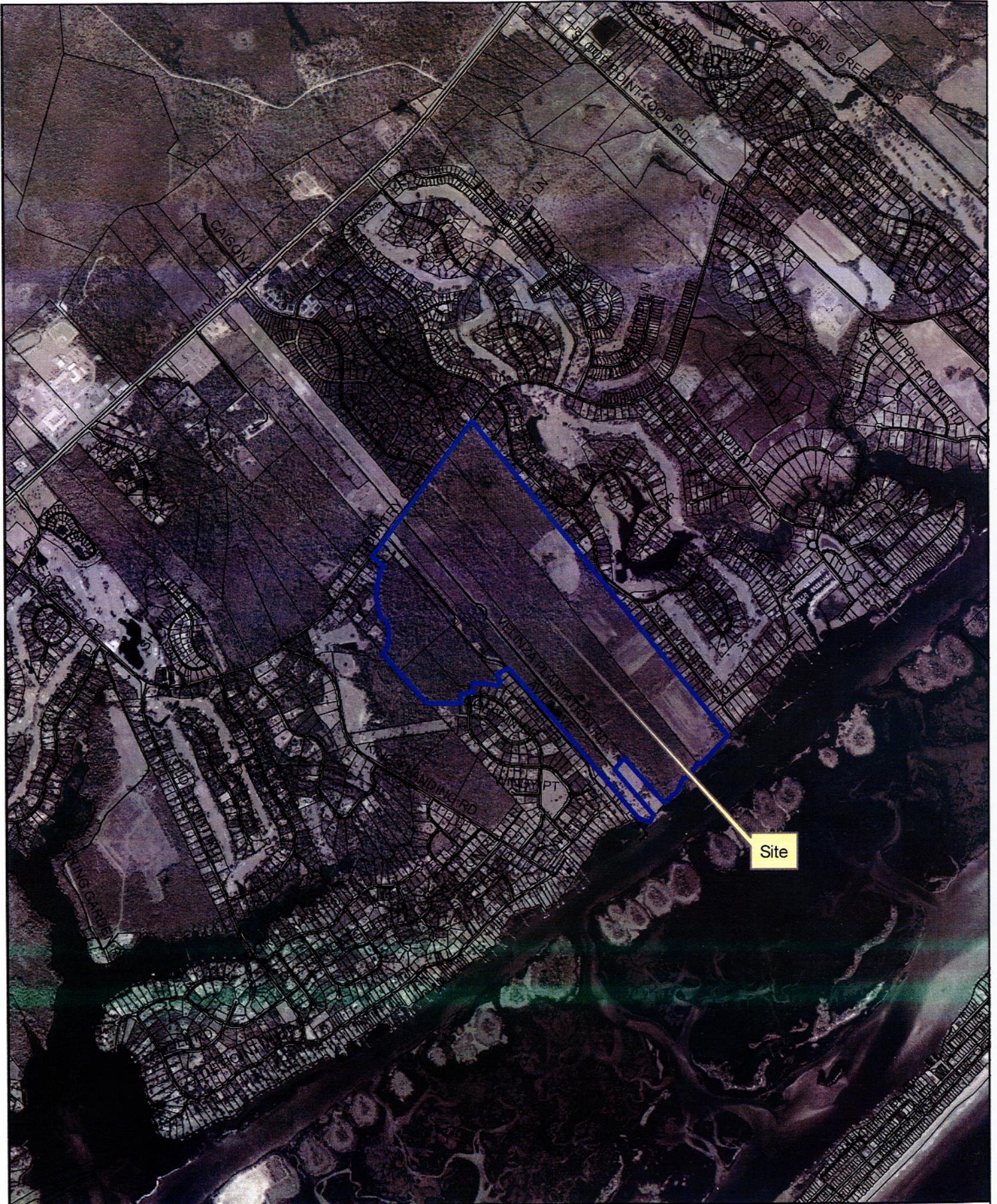
Rezoning - Generation Development CAMA Land Use Map



	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

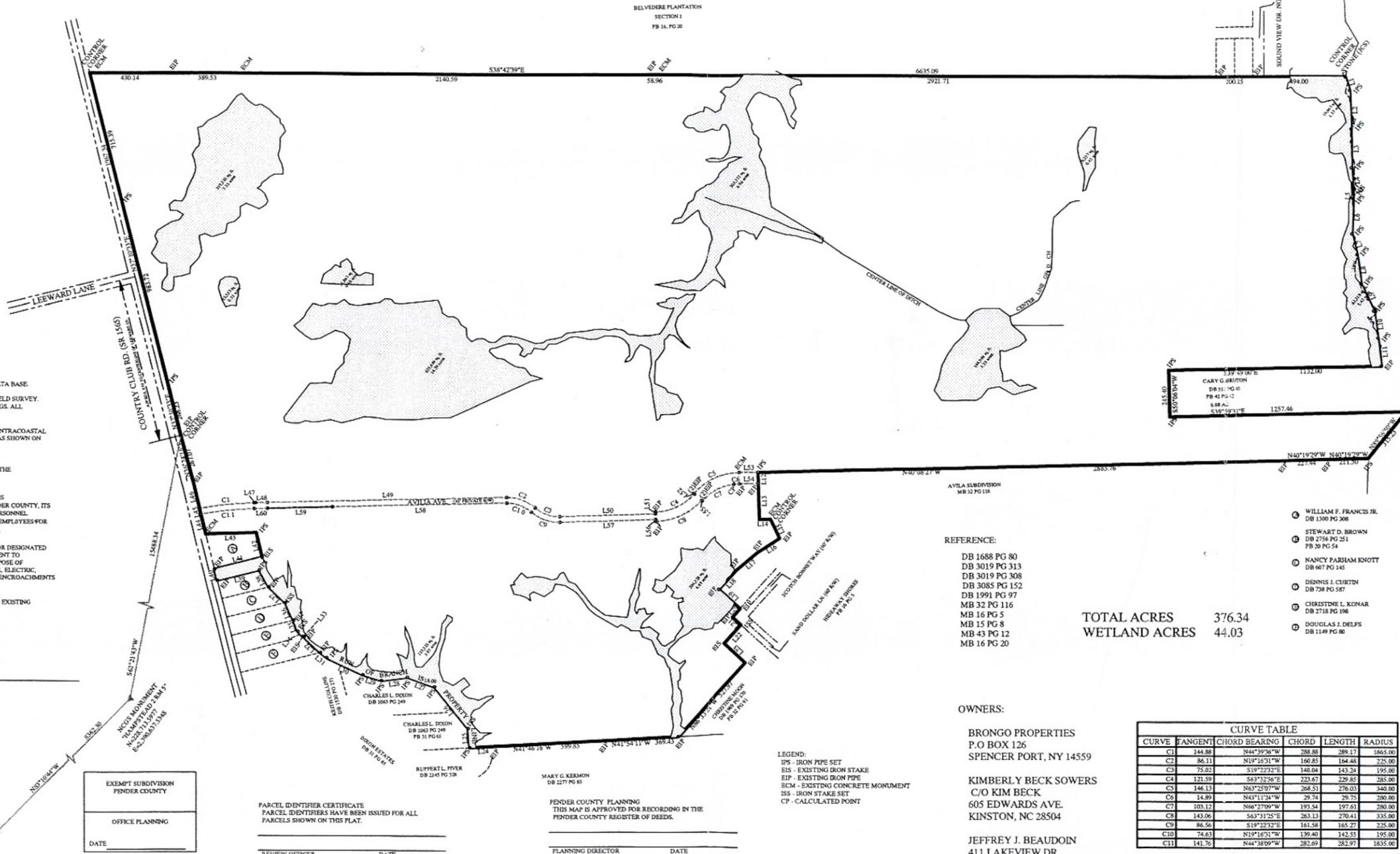
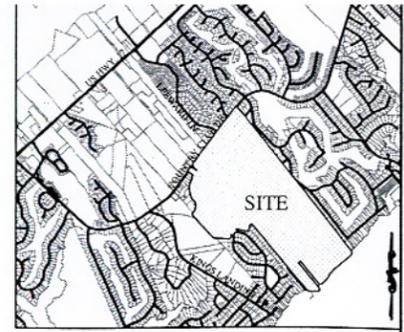
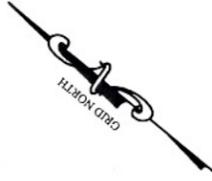


1 inch equals 2,000 feet

960 480 0 960 Feet

Rezoning - Generation Development Orthos (2003)

SURVEYOR'S STATEMENT TO WHOM IT MAY CONCERN:
 THIS PLAT IS A CORRECT REPRESENTATION OF LAND SURVEYED; HOWEVER A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF EASEMENTS, ANY CEMETERIES OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN, SUCH AS: CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, WETLANDS, AND OR FLOOD AREA, ETC.



NOTES:
 PROPERTY OWNER AND DEED REFERENCES SHOWN ON THIS PLAT WERE TAKEN FROM THE FENDER COUNTY DATA BASE.
 BOUNDARY INFORMATION TAKEN FROM AN ACTUAL FIELD SURVEY. ALL BEARINGS SHOWN ON THIS PLAT ARE GRID BEARINGS. ALL DISTANCES ARE FIELD MEASUREMENTS.
 A PORTION OF THIS PROPERTY LOCATED ALONG THE INTRACOASTAL WATERWAY IS LOCATED IN A 100 YEAR FLOOD ZONE AS SHOWN ON FEMA FLOOD RATE INSURANCE MAP, COMMUNITY PANEL #370548094B.
 BUILDING SETBACKS REQUIRED TO BE IN ACCORD WITH THE FENDER COUNTY ZONING ORDINANCE.
 ALL ACCESS EASEMENTS SHOWN OR DESIGNATED ON THIS PLAT INCLUDE THE TRANSFER OF AN EASEMENT TO FENDER COUNTY, ITS EMPLOYEES & AGENTS FOR ACCESS FOR EMERGENCY PERSONNEL (POLICE, FIRE & RESCUE) AND FENDER COUNTY AND ITS EMPLOYEES FOR ADMINISTRATION OF ALL FENDER COUNTY ORDINANCES.
 ALL NEW STREETS AND ACCESS EASEMENTS SHOWN OR DESIGNATED ON THIS PLAT, INCLUDE THE TRANSFER OF AN EASEMENT TO PUBLIC UTILITIES AND PUBLIC UTILITIES FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF WATER, SEWER, ELECTRIC, AND COMMUNICATION LINES, SUBJECT TO REQUIRED ENCROACHMENTS FROM NCDOT.
 THE SUBDIVISION SHOWN ON THIS PLAT INCLUDES AN EXISTING PUBLIC R/W. (COUNTRY CLUB RD. SR 1565)
 THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

REFERENCE:
 DB 1688 PG 80
 DB 3019 PG 313
 DB 3019 PG 308
 DB 3085 PG 152
 DB 1991 PG 97
 MB 32 PG 116
 MB 16 PG 5
 MB 15 PG 8
 MB 43 PG 12
 MB 16 PG 20

TOTAL ACRES 376.34
WETLAND ACRES 44.03

OWNERS:
 BRONGO PROPERTIES
 P.O BOX 126
 SPENCER PORT, NY 14559
 KIMBERLY BECK SOWERS
 C/O KIM BECK
 605 EDWARDS AVE.
 KINSTON, NC 28504
 JEFFREY J. BEAUDOIN
 411 LAKEVIEW DR.
 HAMPSTEAD, NC 28443

LINE TABLE		
LINE	LENGTH	BEARING
L1	74.89	S33°27'58"W
L2	202.74	S49°10'28"W
L3	204.90	S50°56'11"W
L4	138.66	S47°25'35"W
L5	23.62	S33°03'08"W
L6	136.78	S33°03'07"W
L7	111.71	S37°34'26"W
L8	155.50	S44°01'32"W
L9	157.27	S25°52'46"W
L10	144.59	S42°47'39"W
L11	149.83	S44°46'08"W
L12	60.02	S49°47'01"W
L13	189.04	S49°47'01"W
L14	58.75	S40°25'51"E
L15	112.09	S25°30'06"W
L16	141.55	N72°20'07"W
L17	144.15	N78°07'14"W
L18	139.19	N36°40'10"W
L19	150.08	S03°16'46"W
L20	59.79	N07°59'01"W
L21	59.96	S03°05'13"W
L22	133.53	N06°53'25"W
L23	149.57	S03°18'58"W
L24	133.98	N41°49'19"W
L25	101.52	N46°22'15"E
L26	282.99	N11°52'42"E
L27	153.70	N10°39'01"W
L28	138.91	N46°41'51"W
L29	103.17	N31°02'52"W
L30	210.47	N14°02'44"W
L31	43.27	N00°06'49"W
L32	118.98	N04°39'48"E
L33	6.45	N06°16'44"W
L34	36.54	N06°13'02"E
L35	44.71	N20°56'29"E
L36	101.99	N26°30'45"E
L37	118.99	N04°35'37"E
L38	103.54	N22°16'12"E
L39	228.06	N52°44'18"W
L40	59.82	N37°32'24"E
L41	258.38	S22°25'44"E
L42	134.61	N37°49'15"E
L43	265.95	N40°25'56"W
L44	108.15	N37°55'51"E
L45	30.04	N37°55'51"E
L46	130.58	N37°55'51"E
L47	7.75	S40°13'02"E
L48	62.04	S40°13'02"E
L49	1269.82	S40°13'02"E
L50	501.62	S40°25'07"E
L51	10.22	N49°50'42"E
L52	5.02	N02°44'24"E
L53	100.20	S40°08'27"E
L54	100.20	N40°08'27"E
L55	6.45	N03°10'24"E
L56	10.00	N40°08'27"E
L57	501.48	N40°25'07"E
L58	928.55	N40°13'05"W
L59	341.27	N40°13'05"W
L60	69.79	N40°13'05"W

CURVE TABLE					
CURVE	TANGENT	CHORD BEARING	CHORD	LENGTH	RADIUS
C1	144.88	N44°39'36"W	288.88	288.17	1865.00
C2	86.11	N19°16'51"W	169.85	164.48	725.00
C3	75.02	S19°22'32"E	148.04	143.24	195.00
C4	121.97	S63°32'56"E	223.67	229.85	285.00
C5	146.13	N63°25'07"W	288.51	276.03	340.00
C6	14.89	N63°11'24"W	29.78	29.79	290.00
C7	103.11	N60°27'09"W	193.54	192.41	280.00
C8	143.06	S63°31'25"E	283.13	270.41	335.00
C9	86.56	S19°22'32"E	161.58	165.27	225.00
C10	74.63	N19°16'51"W	139.40	142.55	195.00
C11	141.76	N44°38'09"W	282.69	282.97	1835.00



EXEMPT SUBDIVISION
 FENDER COUNTY
 OFFICE PLANNING
 DATE

PARCEL IDENTIFIER CERTIFICATE
 PARCEL IDENTIFIERS HAVE BEEN ISSUED FOR ALL PARCELS SHOWN ON THIS PLAT.
 REVIEW OFFICER: _____ DATE: _____

FENDER COUNTY PLANNING
 THIS MAP IS APPROVED FOR RECORDING IN THE FENDER COUNTY REGISTER OF DEEDS.
 PLANNING DIRECTOR: _____ DATE: _____

LEGEND:
 IPS - IRON PIPE SET
 EIS - EXISTING IRON STAKE
 EIP - EXISTING IRON PIPE
 ECM - EXISTING CONCRETE MONTUMENT
 ISS - IRON STAKE SET
 CP - CALCULATED POINT

REV	DESCRIPTION	DATE

DESIGNED	DRAWN	CHECKED	PROJECT ENGINEER
DWH	JH	ROB NELSON, PE	ROB NELSON, PE
DATE			

SOUTHWIND
 201 GLEN RD GARNER, NC 27529 14888 HWY 17N HAMPSTEAD, NC 28443
 919-773-0183 910-270-8617
 919-773-0148 (FAX) 910-270-8619 (FAX)
 SURVEYING • ENGINEERING • LAND DEVELOPMENT

ST. GEORGE'S REACH
HAMPSTEAD, NC

SITE PLAN
 SCALE 1" = 300'

DATE	02/05/07	SHEET NO. 1
PROJ. NO.	H05-5112	
OF 1		