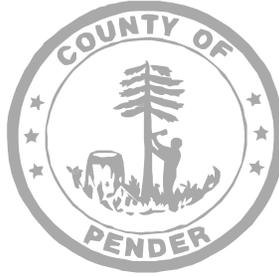


Pender County Planning Department

Joey Raczkowski, Planning Director

Mark Walton
Kevin Reynolds, Chairman
Rick Garrett
Karen Gonzales, Vice-Chairman
William Marshburn
Burt Millette
Christopher Smith
Charles Newman, Fire Commission



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MINUTES Pender County Planning Board Meeting January 8, 2008 7:00 p.m.

Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Vice-Chairman Kevin Reynolds

Roll Call: Vice-Chairman Kevin Reynolds

Pender County Planning Board Members:

Walton x Reynolds Smith Garrett Millette x Gonzales Marshburn Newman x

1. Election of Officers by Attorney Trey Thurman

Chairman: Kevin Reynolds

Motion Karen Gonzales **Seconded** NA **Vote** 5-0

Vice-Chairman: Karen Gonzales

Motion: Kevin Reynolds Seconded: NA Vote: Unanimous 4-1

2. Approval of Minutes: November 7, 2007

Motion: Karen Gonzales Seconded Rick Garrett Vote: 5-0

3. Planning Priorities Update

Planning Director Joey Raczkowski stated that:

- 1) Hampstead and Hwy 17 Overlay – the BOCC will consider appointing a committee on 1/22/08;
- 2) Stormwater Project – the committee has reviewed three responses. He will now score the firms and hope to have an answer in February; and
- 3) UPO – seven proposals were received from interested firms and this will lengthen the review process. He will form a staff level committee and hopeful this process will be ready at some point in February

Old Business

4. Zoning Text Amendment – Craig Wilson, applicant, is requesting an amendment to Section 8.9, Table of Permitted Uses of the Pender County Zoning Ordinance.

This item tabled from the December 4, 2007 meeting

Jeff Jowett, Planner presented the case. This had been postponed from the previous month. The amendment request is to allow drive-up ice vending machines as an accessory use to all commercial uses. The ordinance at present does not allow vending machines in any commercial districts.

Two conditions that were added by the board in December were (1) shall conform with surrounding commercial architectural and landscaping and (2) signage shall be permitted on one side of the structure. Signage would be 1 square foot of each square foot of lineal wall.

Vice-Chairman Karen Gonzales asked if the machine would be powered by electricity and if there would be a backup generator if the electricity should fail.

Jeff Jowett stated he was not aware if there would be a back-up generator.

Craig Wilson, applicant stated that the ice is in a large block and the machine has 4 inch walls. If there is a power outage he does not know how long it would take for the ice to melt. He reviewed the types of roofs with the board.

Chuck Wilson, President of the GHHA thanked the staff for the work put in for the cases and information make available to the public. His comments were 1) all need to oppose the ice machine; 2) more marketable in Surf City, and 3) care for the shrubs. He stated that the appearance of the machine is not conducive with the Hwy 17 corridor.

Bob Constaine, Hampstead Subdivision, stated that if there is anyway for it to be taken out of PD because the PD District is already stretched The old PD cannot take anymore hits and the new PD is going to be so condensed that they'll probably have them.

Chris Smith made the motion for the Planning Staff to look at the amendment again in light of the comment that there is an overlay district being considered for the Hampstead area. The board also wanted to add the distance from right-of-way and number of units per given distance. They would like to have this information at the next board meeting in February. The motion was seconded by Karen Gonzales. The vote was 5-0.

Subdivision Review

Ashley Frank presented the next case to the Planning Board.

- 5. Majestic Oaks, Final Plat Revision – Southwind Surveying & Engineering**, applicant, on behalf of Deuce Investments, Inc., owner, is requesting approval of a revision to final plat for Majestic Oaks. The revision consists of the addition of 12 new lots and a recombination of two recorded lots. The property is zoned R-20, Residential District and is located off Dan Owen Drive in Hampstead, NC.

The board asked for clarification on the newly combined lots.

Vice-Chairman Karen Gonzales made the motion to approve; Chris Smith seconded the motions. The vote was unanimous 5-0.

Public Hearing

- 6. Zoning Text Amendment – Pender County**, applicant, is requesting amendments to the Pender County Zoning and Subdivision Ordinances to amend project review processes as requested by the Pender County Board of Commissioners on November 17, 2007.

After several citizens comments on the amendments the motion was made to table this item, send it back to the Planning Staff to continue to work on more clarification. The motion was made by Rick Garrett, seconded by Karen Gonzales and the vote was unanimous 5-0.

Jeff Jowett introduced the next case to the Planning Board.

- 7. Planned Development Master Plan and Preliminary Plat** – Oaks Construction, applicant, on behalf of RAME Properties, LLC, owner, is requesting master plan and preliminary plat approval for a commercial office building located at Lot 12, Hampstead Village. The property is zoned PD, Planned Development District and is located within the Hampstead Village in Hampstead, NC.

Rick Garrett asked if the site for septic approval was going to be sufficient for the project.

Charles Williams, citizen asked to review the site plan. He owns a business and wanted to make sure of what was planned there.

Rick Garrett made the motion to approve the request. Seconded by Karen Gonzales, the vote was 5-0 unanimously.

Kenneth Vafier introduced the next Zoning Map Amendment case to the Planning Board.

- 8. Zoning Map Amendment – Pender County**, applicant and owner, is requesting a rezoning of a portion of a 9.5-acre lot from R-20C, Residential Conventional Housing District to B-2, Highway Business District. The property is located on US Highway 17, across from the intersection with Hoover Road in Hampstead, NC.

As a result of the 2003 rezoning, the old Topsail High School property ended up in a split zoning situation. The tax office would like for the entire lot to be rezoned to B2.

There were no questions from the Board for Staff.

Rick Garrett motioned to approve the request for the rezoning; seconded by William Marshburn. The vote was unanimous 5-0.

Chairman Kevin Reynolds called for a short recess.

The meeting was called back into session.

Kyle Breuer presented the Duplin Land Development zoning map amendment case to the Planning Board.

- 9. Zoning Map Amendment – Duplin Land Development, LLC**, applicant, on behalf of Pender Properties, LLC, owner, is requesting a rezoning of 362.44 acres from RA, Rural Agricultural District to PD, Planned Development District. The property is located on Blueberry Road, approximately 1 mile west of the intersection with US Highway 421 in southwestern Pender County.

Attorney Rick v. Biberstein spokesman for the applicant gave a short presentation stating what the applicant had in mind. The applicant held a meeting for which notices were mailed to the landowners in the area. The project was outlined on what the intentions of the developers were. The landowners were given the opportunity to voice their concerns. The discussion of the LUP has put an interesting spin on things. The LUP map and the Zoning Ordinance map are inconsistent with what is presently on the ground.

Kevin Hines, Vice-President of Duplin Land Development stated that River Landing is a low impact high quality development in Duplin County. There has been a positive impact on the surrounding neighbors. They are not seeking approval for a River Landing II. Approximate 140 notices were mailed but only about 40 persons showed up for the meeting. The school board mentioned that the new development would not have a significant impact on the schools situation in the area.

Mark Ashness, Technical Engineer for the Sea Group that Duplin Development is about high quality, high class communities with significant infrastructure, large open space and etc. PD is the only zoning designation that will allow them to get the type of project they are seeking.

Citizens voiced their opinion that if the zoning is changed it opens the door for any type of development to come in. They moved to the area because of the peace and quite. They were not able to attend the meeting because of work. They are concerned about taxes going up. Changing the zoning will attract commercial cliental. Property will be surrounded on three sides by some type of buffer. This will affect the marketability of citizen's property. There is no water and sewer available which is one of the criteria's required by the land use plan. Some concerns about traffic and the density. They would like the rural atmosphere protected.

After comments from the Planning Board, Christopher Smith made the motion to approve the rezoning; seconded by William Marshburn. The vote was two(2) for three(3) against.

Attorney Thurman stated that the board had not passed a motion. A motion to recommend approval has been denied. The board has denied a motion and the matter still needs to be resolved.

Karen Gonzales made a motion to deny the request, seconded by Rick Garrett. The vote was three in favor of the motion and two against.

Director Raczkowski introduced the last case by stating that this is a case that has been submitted outside of Staff level. Steven Carpenter has submitted it on behalf of the applicant. He would like to get some direction from the board as to what steps to take before delving into research with more information than what is provided tonight.

Stephen Carpenter made his case before the board.

10. Zoning Text Amendment – Glen Lewis, applicant, is requesting amendments to Section 2 (19), Definition of Building Height, Section 9.16, Maximum Building Height, and Section 8.10, Schedule of District Requirements of the Pender County Zoning Ordinance.

He stated that his solution might not be the best one but something needs to be done concerning the height restriction so that it would draw more commercial enterprise. He offered several suggestions as to how the measurements could be taken and passed out a sheet showing what other counties are higher than Pender.

There was discussion among the board concerning the pros and cons of changing the text amendment at this time. It can always be bought before the board at a later date.

Christopher Smith made the motion to deny the text amendment. Karen Gonzales seconded the motion and the vote carried 5-0.

11. Discussion Items

- **No Discussion Items by Planning Board Members**
- **No Discussion Items by Planning Staff**
- **No Items for Discussion by Members of The Public**

12. Adjournment

Planning Board action for January 8, 2008 Minutes:

Motion: _____ Seconded _____

Approved: _____ Denied: _____ Unanimous _____

Gonzales ___ Garrett ___ Marshburn ___ Millette_Smith _____ Walton ___ Williams _____