

PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



APPLICATIONS COVER SHEET

Date Application Filed: 10/20/08

I. REQUIRED NAMES:

Applicant CHAD RIVERS - ESP ASSOCIATES, P.A. Owner DAVE HOOVER

Address 211 RACINE DRIVE Address CAROLINA COASTAL PROPERTIES
WILMINGTON, NC 28411 PO BOX 679
HAMPSTEAD, NC 28413

Phone 910-313-6648 Fax 313-6823 Phone 910-270-4444 Fax 910-270-3054

Email CRIVERS@ESPASSOCIATES.COM Email CCPROP1@AOL.COM

Legal Relationship of Applicant to Property Owner: ENGINEER

Consultant Name/Company ESP ASSOCIATES, P.A.

Address 211 RACINE DRIVE

Phone (910) - 313-6648 Fax (910) - 313 - 6823

Email CRIVERS@ESPASSOCIATES.COM

Chad E. Rivers (Signature of Applicant) Dave Hoover (Signature of Owner)

If owner is different from applicant, both signatures are required.

II. TYPE OF APPLICATION:
(Please check one)

Board of Adjustment:	Zoning:	Plans:
<input type="checkbox"/> Variance	<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Planned Development
<input type="checkbox"/> Appeal	<input type="checkbox"/> Map Amendment	<input checked="" type="checkbox"/> Subdivision Preliminary Plat
	<input type="checkbox"/> Special Use Permit	

PLANNING AND COMMUNITY DEVELOPMENT

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PLANNED DEVELOPMENT APPLICATION

Date: 10/20/08 Application Fee: _____

I. PROPERTY INFORMATION:

Parcel ID #(S): 4204-57-2049-0000

Property Location: PINNACLE PARKWAY
HAMPSTEAD, NC 28443

Subdivision Name: PINNACLE RIDGE Phase: —

Review Type: Master Preliminary Final
PLAT

II. A presubmittal meeting is required 60 days prior to submission, A complete submission must be in the Planning and Community Development Department office 45 days prior to the scheduled Planning Board public hearing date. All of the information listed below must be included for the submission to be considered complete:

- Application Fee
- One addressed legal size (4 1/2 x 9) envelope must be received for the for each of the adjacent property owners with first class postage or check payable to Pender County Planning for current postage fees
- 18 (11x17) map copies for the Planning Board
- 2 full size map copies
- CD containing maps and/or document files in .pdf format

**Please see Planned Development Requirements Checklist for further requirements.*

III. SIGNATURE OF OWNER/APPLICANT: [Handwritten Signature]

Additional Information:

According to Section 17.1 of the Pender County Zoning Ordinance, the Planning Board may approve Planned Developments in accordance with the procedures and developments standards specified in this Section and the Pender County Subdivision Ordinance. Any applicant may appeal a denial from the Planning Board to the Board of County Commissioners. Such appeal must be filed in the Planning Office within thirty (30) days of the Planning Board's written decision. The Planning Board may waive any requirements of this section that it deems necessary.

Recording of the Final Plat:

The subdivider shall file the approved final plat with the Register of Deeds of Pender County for recording within sixty (60) days after the date of approval. Otherwise, such approval shall be null and void.

FEE SCHEDULE FOR BOARD HEARINGS

Board of Adjustment:	Applicable Fees:	Fee Calculation:
Variance	\$125.00	
Appeal	\$150.00	
Zoning:		
Text Amendment	\$200.00	
Map Amendment	\$200.00 & \$10.00 per acre over 5 acres	
Special Use Permit	\$200.00 & \$10.00 per acre over 5 acres	
SUP, Part of AEC	\$300.00 & \$10.00 per acre over 5 acres	
SUP, Tower over 75 ft.	\$400.00 & \$3.00 per acre over 200 ft.	
SUP, Mining Borrow Pit	\$400.00 & \$10.00 per acre over 5 acres	
SUP, Mining other	\$800.00 & \$10.00 per acre over 5 acres	
Plans:		
Planned Development Master Plan	\$10.00 per acre with a min. of \$50.00	
Preliminary Plat	\$10.00 per lot/parcel with a min. of \$125.00	
Final Plat	\$5.00 per lot/parcel with a min. of \$50.00	
Total Fees Due:		

Attachments Included with Application:
(Please include # of copies)

CD Plan Sets Other Documents/Reports

Please list documents included: ALREADY SUBMITTED WITH FEE

Method of Payment: N/A Cash
 Credit Card, We accept VISA and MasterCard only.
 Check, Ck. # ()

For Office Use Only:	
Receipt # _____	
Received By: _____	Date: _____

PLANNING STAFF REPORT

Pinnacle Ridge Planning Board Hearing

SUMMARY:

Hearing Date: December 2, 2008

Applicant: ESP & Associates

Property Owner: Dave Hoover

Development Proposal: An amendment to the Pinnacle Ridge Master Plan and Final Plat. The amendment consists of 7 additional lots to be subdivided out of the parcel identified as 4204-66-4733-0000, giving the development a total of 75 single family residential lots. The total acreage of the development is 129.34.

Location and Land Use: Pinnacle Ridge is located off US Highway 17, on Pinnacle Parkway, southwest of Quarter Horse Lane, north of Sloop Point Loop Rd and Topsail Green Drive. Pinnacle Ridge is surrounded to the north and west by the Holly Shelter Game Lands, east by low density single family residential and to the south by single family residential (Topsail Greens Subdivision).

Zoning District of Property: The 129.34 acres is zoned PD, Planned Development.

Staff Recommendation: Planning Staff is submitting an amendment to the Master Plan and Final Plat for Pinnacle Ridge for Planning Board review. Planning staff has the following comments:

1. The original master plan shows this area as open space, not future development
 2. This could be considered infill development
 3. This development must complete a flood study PRIOR to the approval of the preliminary plat
-

Project History:

Pinnacle Ridge was first introduced on September 12, 2006, as a 68-lot, single family residential master planned community. Final Plat approval was given January 24, 2008 (please see graphic 1a).

Detailed Proposal Discussion:

ESP & Associates, applicant, on behalf of Dave Hoover, owner, is requesting an amendment to the Pinnacle Ridge Master Plan and Final Plat. The amendment consists of 7 additional lots to be subdivided out of the parcel identified as 4204-66-4733-0000. This parcel was shown on the original plat approved by the Planning Board in September 2006 as open space (please see graphic 2).

The 129.34 acres is zoned PD, Planned Development. The proposal to amend the current master plan will require Pinnacle Ridge to record a new final plat by meeting all the conditions set forth in the Pender County Zoning Ordinance, Subdivision Ordinance and Flood Damage Prevention Ordinance.

With the additional seven (7) lots, Pinnacle Ridge will total 75 single family home sites. The proposed lots will vary in size from 28,323 square feet (sqft) to 58,107 sqft, which is slightly larger than the lots in Phase 1 and Phase 2 of Pinnacle Ridge.

The new division will remove 5.65 acres from the 81.66 acres of open space, leaving 75.68 acres of Open Space. This far exceeds the county's 15% open space requirement, with approximately 58% of Pinnacle Ridge being preserved as open space.

The Pender County Subdivision Ordinance defines:

Net Density: shall be calculated as the total number of lots or units proposed for the development divided by the acreage in the development excluding the following areas:

1. *Public and private streets*
2. *Required open space*
3. *Parking areas and their access, on non single family developments*
4. *Wetlands, Floodways, and Areas of Environmental Concern (AEC's) as defined*
5. *Utility easements adjacent to streets*

The updated net density, which includes the 7 additional lots, is calculated as follows:

Net Density	Acres
Public & Private Streets	8.1
Required Open Space (15%)	19.35
Parking	0
Wetlands, Floodways & AEC's	68.12
Additional Utility Easements	0
TOTAL	95.57

NET DENSITY = 75/(129.43-(8.1+19.35+0+68.12+0))

NET DENSITY: 2.22=75/ (129.43-95.57)

NET DENSITY =2.22 units per acre

The total net density for Pinnacle Ridge is 2.22 units per acre, with a gross density of 0.57 units per acres. The original submission in September 2006 was approved with 1.13 and 0.53 units per acre respectively.

The Homeowners Association will be amended to include the new lots; an amended copy of the restrictive covenants will be submitted prior to final plat approval.

The proposed additional lots will front on Pinnacle Parkway, which is a fifty (50) foot private right-of-way. This was approved in the Master Plan from September 2006 as a sixty (60) foot public right-of-way.

As in Phases 1 & 2 of Pinnacle Ridge, all new lots are proposed to be served by individual on-site septic systems, subject to review and approval from Pender County Environmental Health. Community water will be provided by Carolina Water Service.

All jurisdictional permits for stormwater, sediment and erosion control will need to be amended to include the newly proposed lots. The property does contain federal jurisdictional wetlands, which are subject to federal regulation.

The property also contains FEMA Special Flood Hazard Areas as shown on the effective Flood Insurance Rate Map (FIRM) dated February 16, 2007. Pinnacle Ridge is located in the SFHA "A Zone" where the Base Flood Elevation (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. Any development

within the SFHA's must comply with FEMA regulations. This must be submitted to staff prior to approval of the Preliminary Plat.

Staff Recommendation:

Planning Staff is submitting the preliminary plat layout for Planning Board approval. The submission as presented tonight is sufficient for Planning Board disposition. Planning staff has the following comments:

1. The original master plan show this area as open space not future development
2. This could be considered infill development
3. This development must complete a flood study PRIOR to the approval of the preliminary plat

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 and zoning 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 have been submitted to and approved by the Director.

1. The submission and plat complies with all requirements of the Pender County Subdivision Ordinance, Zoning Ordinance, other Pender County Ordinances and State Regulations.
2. Total and usable lot areas and required set back lines must be shown for each lot.
3. Public Water Systems
 - (1) Constructions plans sealed by a registered engineer, as approved by DENR and Pender County Utilities Department;
 - (2) Acceptance of operation and maintenance of the system by Pender County;
 - (3) Certification that the system will be dedicated to Pender County.
4. Covenants and Restrictions that ensure ownership, operation, maintenance and replacement of drain fields and system lines located on common open space held in trust by the duly established Homeowner's Association as established under the provisions of this ordinance.
5. Location of existing monuments and control points must be shown on the property.
6. The plat should clearly designate **Wetlands, Areas of Environmental Concern, CAMA Setbacks, Flood Prone Areas** (as shown on current FEMA maps), marshes, swamps, ponds, lakes, streams, and any other natural features on or affecting the site. If no Wetlands, AEC's or Flood Prone Areas exist on the site a note to that affect shall appear on the plat.
7. The plat must clearly designate Hydric Soils (Bohicket Silty Clay Loam, Carteret Fine Sand, Chewacla Loam, Croatan Muck, Dorovan Muck and Muckalee Loam) as shown on the NRCS county soil survey maps or from a Soil Suitability Analysis (required and received) prepared by a licensed Soil Scientist. If no hydric soils exist on the site a note to that affect shall appear on the plat.
8. Storm water management features must show all proposed storm water retention facilities including drainage easements, piping, culverts, swales, ditches, etc.
9. The plat must indicate the location and dimensions of existing and proposed right-of-ways & easements for utility, drainage or other facilities or structures. Easements with a width of 20' from center or 10' from the edge of all drainage facilities included on required drainage plans shall be shown for any such facilities not in public street right-of-way.
10. 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.
11. An approved NCDOT driveway permit for connection to Washington Acres Road (SR 1582) shall be submitted to Planning.

12. 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.
13. Sediment & Erosion Control Plans as approved by Land Quality (with letter of approval) with a copy to Pender County planning.
14. Storm water management plan as approved by the Water Quality Division with a letter of approval sent to Pender County Planning.
15. Approval of Wetlands Delineation by USACE with a copy provided to Pender County Planning as required.
16. Wetlands fill authorization or permit if construction or fill in wetlands is involved with a copy to Pender County Planning as required.
17. Subdivision roads will be named and approved by an EMC representative within 30 days of Planning Board approval and prior to Planning department approval of the Preliminary Plan.
18. A draft copy of the restrictive or protective covenants applicable to the Planned Development shall be submitted to the Planning Board before final plat approval.
19. Unless waived by the Planning Board, the developer shall submit the proposed plans for vegetation preservation and land clearance in the Planned Development.
20. A restrictive easement with a note for individual maintenance of buffers shall be provided on the plat and recorded in the homeowners' association documents.
21. The revised plat for this development should be resubmitted within 30 days of approval by the Planning Board with all map and plan changes for approval by the Director.
22. Upon approval of the Final Preliminary Plat, the development may obtain a zoning determination in order to conduct environmental testing and to obtain Environmental Improvement/Construction Permits.
23. Except for clearing and grubbing associated with surveying and testing required to obtain Preliminary Plat approval, site disturbance and construction can not begin prior to obtaining Final Preliminary Plat approval.
24. Upon approval of the Final Preliminary Plat, the development may obtain a zoning determination in order to conduct environmental testing and to obtain Environmental Improvement/Construction Permits.
25. Except for clearing and grubbing associated with surveying and testing required to obtain Preliminary Plat approval, site disturbance and construction can not begin prior to obtaining Final Preliminary Plat approval.
26. Lots (if any) found to be unsuitable for septic systems will be labeled as unbuildable in accordance with Pender County subdivision requirements on the Final Plat.

Additional Items Recommended For Inclusion By The Planning Board:

1. When any portion of the development is in a Special Flood Hazard Area, as defined in the Pender County Flood Ordinance, as amended, and set out in the FEMA Rate Index Maps, one (1) permanent monument in each subdivision is required to have its elevation recorded on the final plat. ****PLEASE NOTE**** - New Pender County FIRMS are now available for review and are required to be used as best available data.
2. Base Flood Elevation(s) shall be determined and shown along with the SFHA boundary on the plat. ****PLEASE NOTE**** - New Pender County FIRMS are now available for review and are required to be used as best available data.
3. The subdivision shall not block or obstruct the natural drainage of any adjoining area.
4. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets shall be no longer than 1,000 ft. unless it is demonstrated by the developer that the configuration of the property prevents its development without longer streets to provide access to the lots and common area to be subdivided. Temporary dead end or stub streets shall provide turn around capabilities to meet NCDOT requirements. The Cul-de-sac end shall be a bulb type with minimum radii as follows: RW = 50', Pavement = 37' to pavement edge.
5. Sight easements as required in the NCDOT Secondary Roads Standards shall be provided at all street intersections.
6. All utility lines located in a public or private street shall meet NCDOT requirements for encroachment of such lines.
7. All utility lines including water and sewer lines that are located in any public or private street shall be owned, operated and maintained by a public utility or a public entity.

Informational Notes for Developer:

- a. 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.
- b. Any reduction in open space, if applicable to this subdivision, will require planning board approval.
- c. 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.
- d. 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. For the public road, one of the following items shall be submitted:
 - a. Verification of acceptance to the NCDOT maintained state road system or;
 - b. A current certification by the NCDOT District Engineer that said subdivision road system has been completed, inspected, is in compliance with relevant NCDOT residential road standard requirements and will be accepted as a state maintained road under specified qualifying conditions acceptable to Pender County or;
 - c. The following shall be submitted:
 1. A certified estimate of the cost to construct the entire road system as well as a certified estimate of the cost to complete construction of the streets to NCDOT standards, prepared, signed and sealed by a licensed engineer,

2. Performance guarantee (performance bond, letter of credit or all cash escrow) for the cost of completion of all streets not certified as complete and acceptable as state maintained roads by the NCDOT District Engineer.
2. A Defects Guarantee (performance bond, letter of credit or all cash escrow) will be provided for all streets in the entire development that have not been accepted for maintenance by NCDOT. The Defects Guarantee will be in the form of the same instruments as permitted for the Performance Guarantee and will be provided in an amount equal to at least 50% of the original construction cost estimate for the streets in question. The Guarantee shall provide a written warranty against defects in the streets until such time they are accepted for maintenance by NDOT
3. The Defects Guarantee shall be in affect until all streets meet NCDOT's residency requirements and have been accepted for maintenance by NCDOT.
4. All requirements of the Pender County Subdivision Ordinance for Preliminary Plats, including items 1 thru 13 pages 22, 23 & 24 have been submitted to and approved by the Director.
5. The submission and plat complies with all requirements of the Pender County Subdivision Ordinance, Zoning Ordinance, other Pender County Ordinances and State Regulations.
6. Improvement Permits must be issued for each lot to be developed with a traditional onsite septic as shown on the applicant's soil suitability analysis/improvement permit.
7. Off-site septic drain fields require construction plans sealed by a registered engineer, as approved by DENR. A detailed description of any proposed off-site septic drainage fields and system operation, maintenance and replacement procedures and processes to serve all lots that are not suitable for traditional on site drain fields, along with a map showing the proposed location of the off site components of the system, including lines must be submitted.
8. Water System Requirements:
 - i. Construction plans sealed by a registered engineer, as approved by DENR,
 - ii. Approval and acceptance of construction, operation and maintenance of the system by Pender County,
 - iii. Certification that the system will be owned by Pender County with conditional acceptance of ownership.
9. Sewer System Requirements:
 - i. No final preliminary plat will be approved unless waste water treatment is sufficient in size and capacity to service every approved site and use.
 - ii. Construction plans sealed by a registered engineer, as approved by DENR, for a system that provides tertiary treatment with advanced treatment capabilities that can be integrated into a regional wastewater treatment system in the future,
 - iii. Approval by Pender County Utilities and Environmental Health,
 - iv. Acceptance of operation and maintenance of the system by a licensed Public Utility,
 - v. Certification that the system will be owned by a Public Utility with conditional acceptance of ownership.
10. The location of street signs should be provided for all proposed streets.
11. Certifications and guarantees for roads, drainage plans, facilities and other improvements in the development are requirements of Final Plat approval. Planning staff will assist in this process. All documented certifications and guarantees must be delivered to Planning Department prior to Final Plat Approval.
12. No Final Plat will be approved unless and until all infrastructure and site improvements are constructed and installed in a workmanlike manner consistent with generally accepted industry standards and perform the function for which they were permitted, designed and constructed.

Board Action for Master Plan Review:

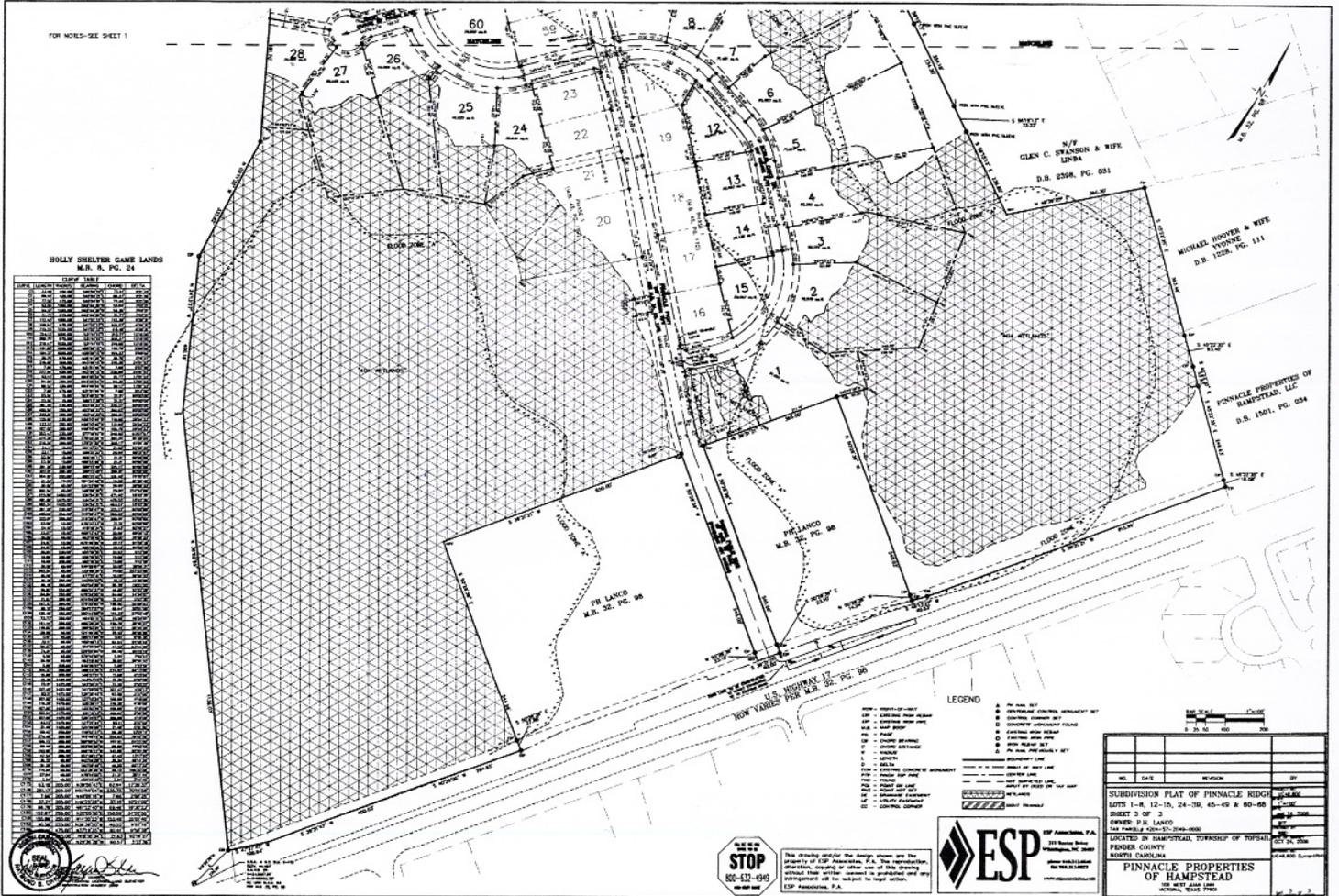
Pinnacle Ridge Master Plan

Motion: _____ Seconded _____

Approved: _____ Denied: _____ Unanimous _____

Gonzales ____ Garrett ____ Marshburn ____ Millette ____ Reynolds ____ Smith ____ Williams ____

Graphic 1C

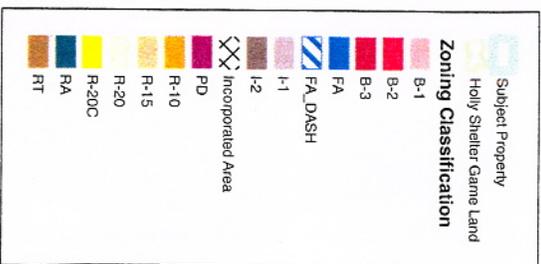


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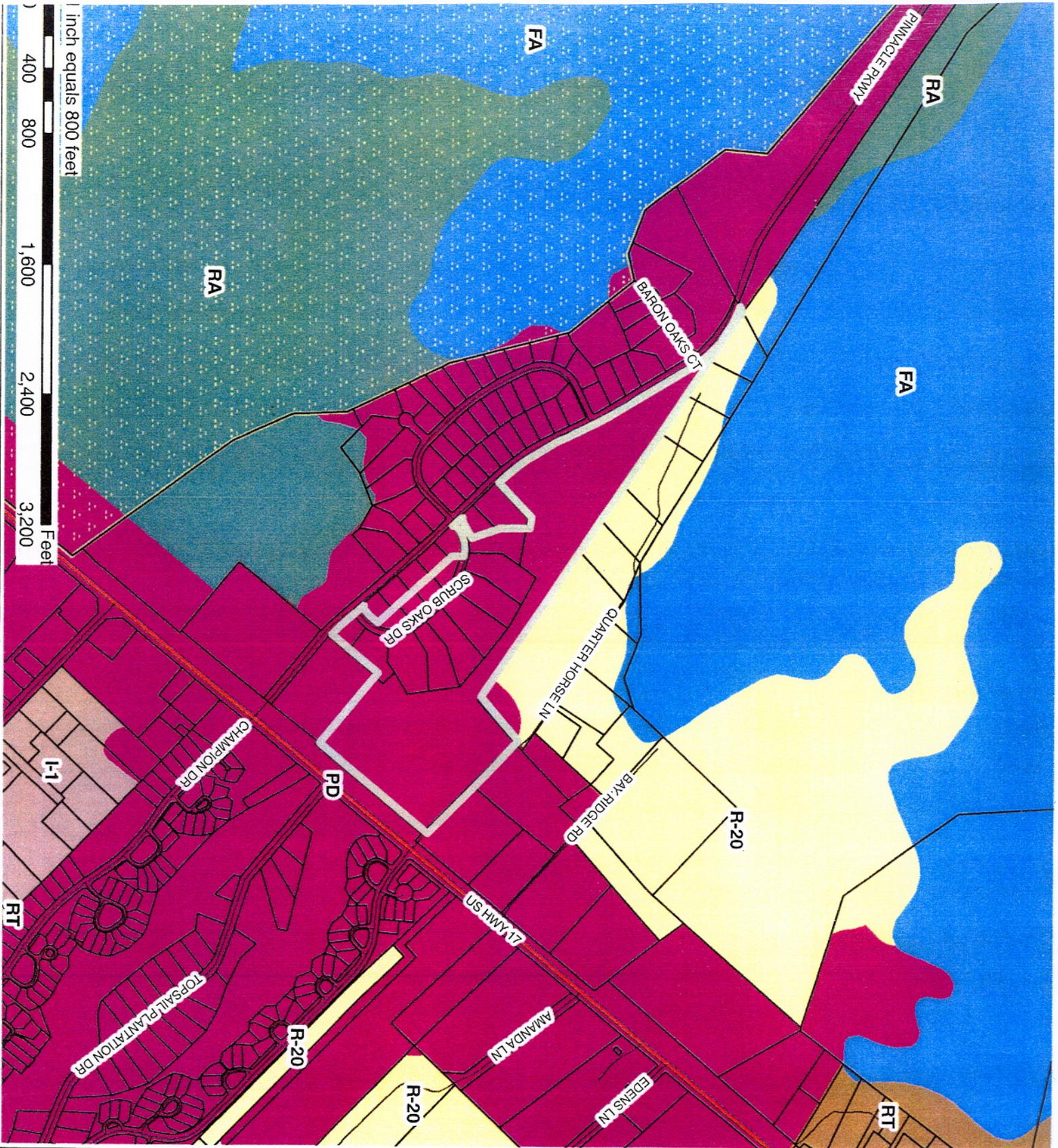


Applicant
ESP & Associates

**Amendment to
 Master Plan &
 Final Plat**



ZONING MAP



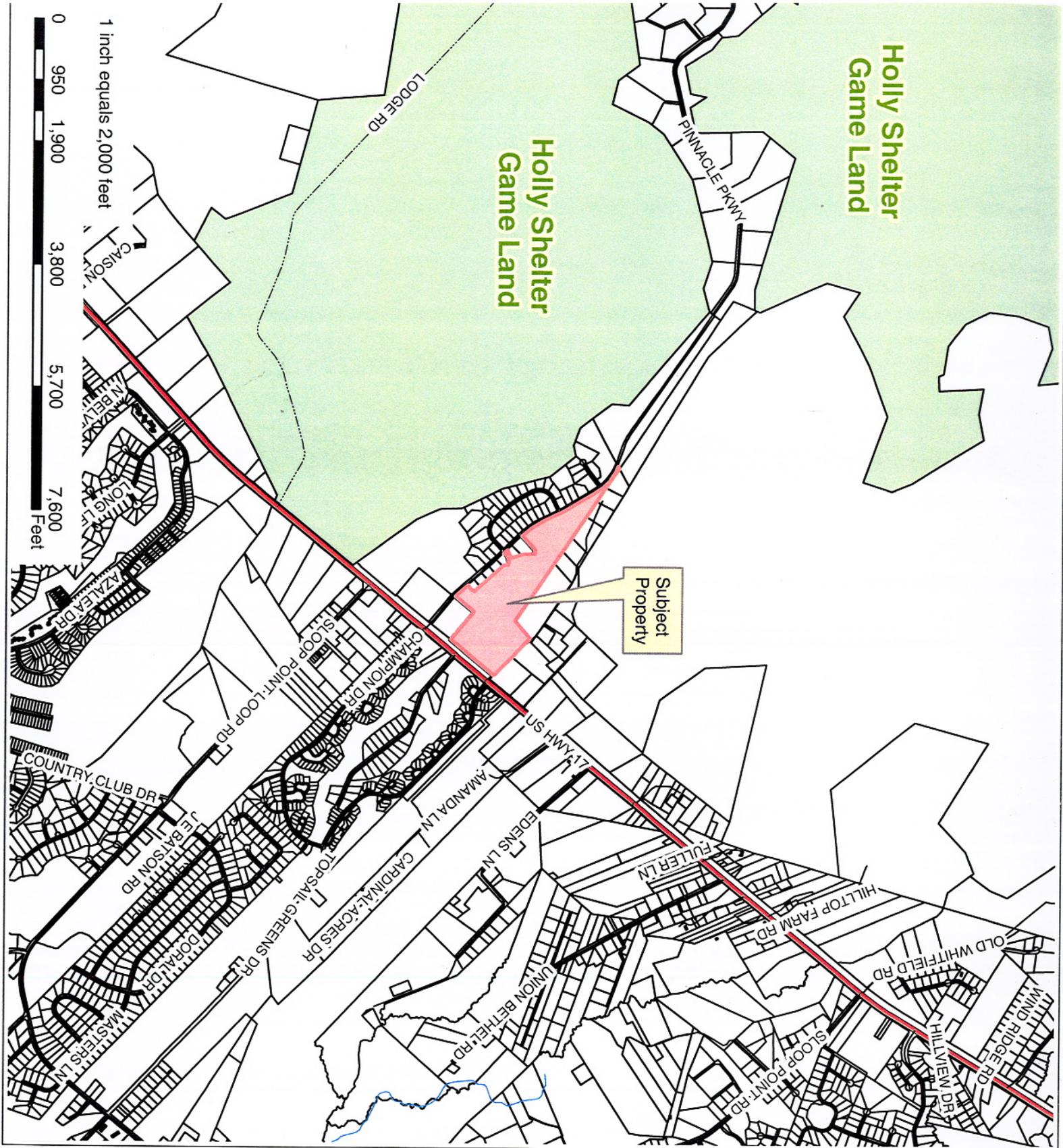


Applicant
ESP & Associates

Amendment to
Master Plan &
Final Plat



VICINITY MAP





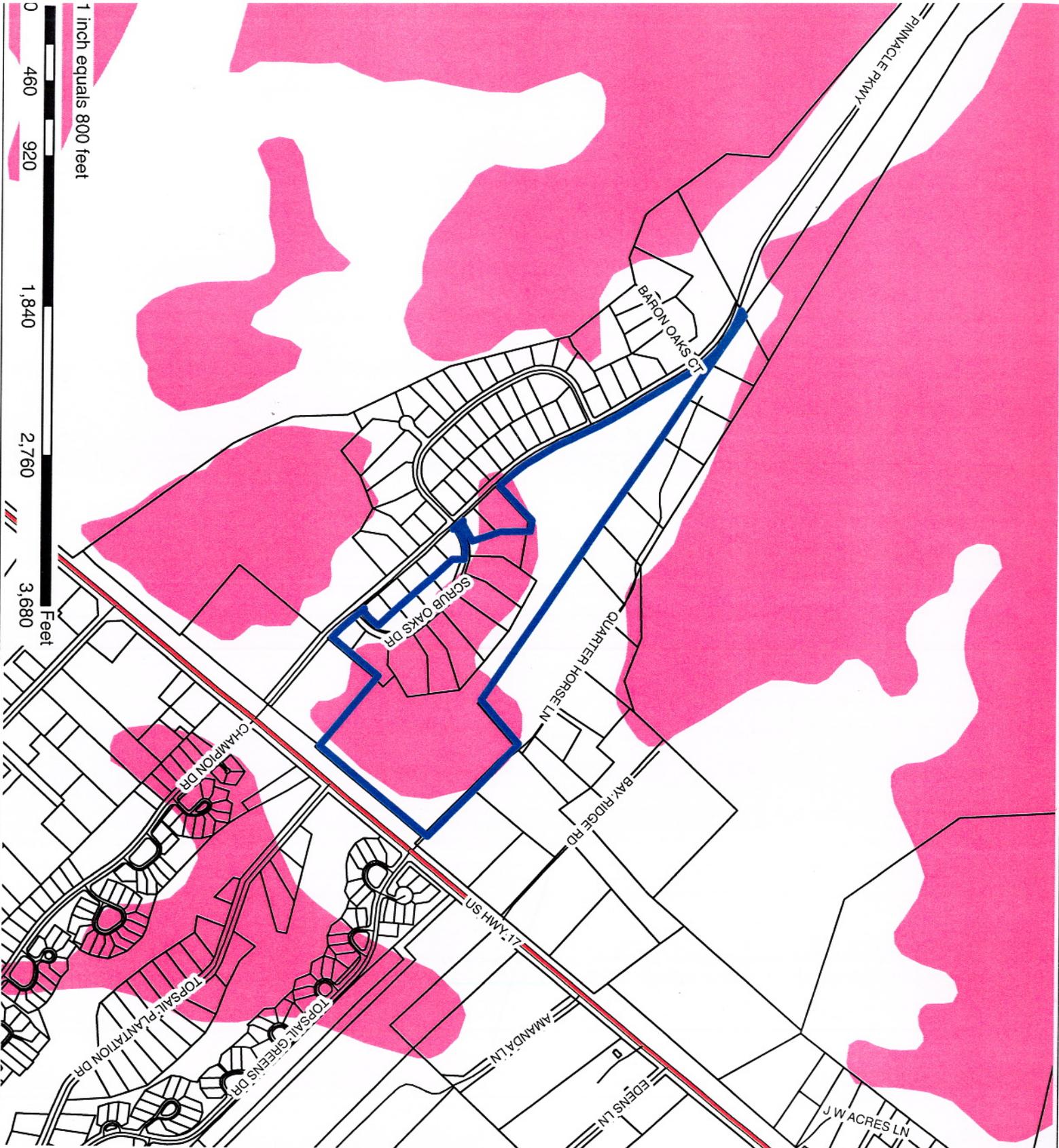
Applicant
ESP & Associates

**Amendment to
Master Plan &
Final Plat**

	Subject Property
Flood Hazard Area	
	A
	AE
	AEFW
	SHADED X
	VE



Flood Hazard Areas





Applicant
ESP & Associates

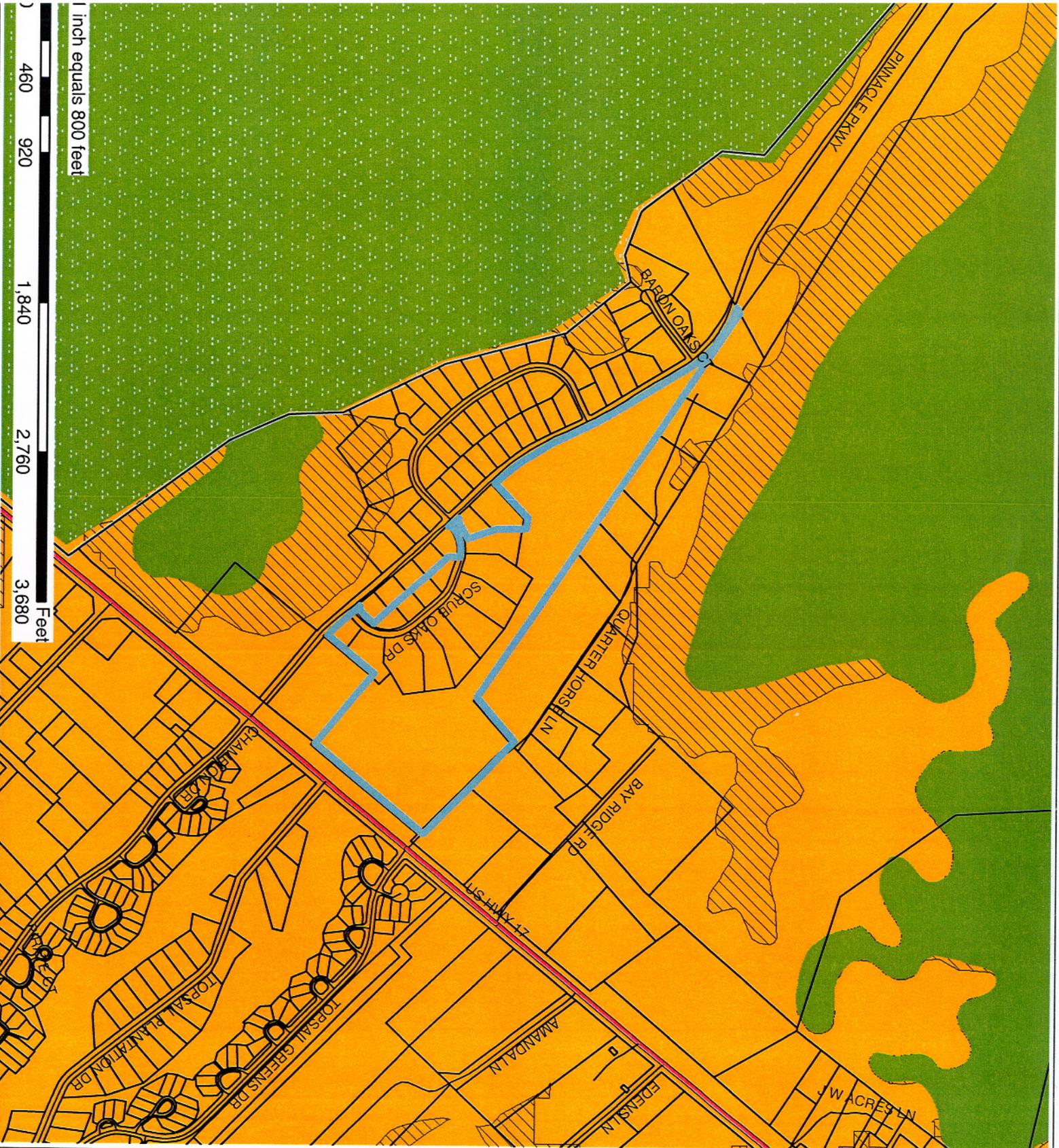
**Amendment to
Master Plan &
Final Plat**

Legend

-  Subject Property
-  Holly Shelter Game Land
-  Future Land Use (CAMA)
-  Conservation Area I
-  Conservation Area II
-  Transition Areas
-  Urban Growth Areas
-  Rural Clusters
-  Rural Areas



CAMA Land Use





**Applicant
ESP & Associates**

**Amendment to
Master Plan &
Final Plat**



Aerial Map

