

# **PLANNING AND COMMUNITY DEVELOPMENT**

Planning · Code enforcement · building inspections · Central permitting



## **MINUTES**

**Pender County Planning Board Meeting  
September 3, 2008  
7:00 p.m.**

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

**Call to Order:** Chairman Reynolds

**Roll Call:** Chairman Reynolds

Pender County Planning Board Members:

Reynolds \_\_\_ Gonzales \_\_\_ Garrett \_\_\_ Marshburn \_\_\_ Millette \_\_\_ Smith \_\_\_ Williams \_\_\_ Newman X

**1. Approval of Minutes:** August 5, 2008

**Motion:** Karen Gonzales; **Seconded:** Burt Millette; **Vote:** unanimous 6-0

Chairman Reynolds introduced the County Manager Rick Benton.

### ***Public Hearing***

#### ***Old Business***

Kenneth Vafier presented the case to the board and introduced Attorney Ken Shanklen representative for Country Club Road Assemblage, LLC.

Ryan David, representative, did a power point presentation.

- 2. Planned Development Preliminary Plat – Country Club Road Assemblage, LLC**, applicant and owner, is requesting approval for 1,054 unit planned development on 376.34 acres. The property is zoned PD, Planned Development District and is located on the south side of Country Club Drive extending southeast to the Intracoastal Waterway in Hampstead, NC.

In his presentation he stated that the natural drain would be directed toward the waterway; 2)future option (the marina) can be removed from the application; 4)open space combined to show true percentage; 5)marina is bubbled out of proposed plan to designate a future phase; and 6) maintain commercial and residential.

Board Member Hiram Williams stated that it would be good to mention the marina in disclosure.

Mr. David stated that there would be no lifter for a marina.

Karen Gonzales asked if there was a private access to the water.

Mr. David replied that there is to be no access to the water at this time.

Attorney Trey Thurman stated that the wording should say “potential” instead of future.

Mr. Williams asked if there would be a rain garden and how would the 404 be handled.

Ryan David replied that the seasonal high water table is too high for a rain garden. The 404 will be handled on site if possible and left natural.

Rick Garrett asked what kind of structures will be elevated. Would parking be off the north for all of the buildings?

Burt Millette asked to reaffirm that the developer complete the connector road before any construction is done off Country Club Road. He asked that the binder base be used to limit the dust.

There was a question on the status of the Development Agreement, having sewage addressed and keeping the commercial near the water and place larger buffers on the waterway. Soundview Drive has no natural buffer.

Chairman Kevin Reynolds closed the public hearing.

Hiram Williams made a motion to approve the Preliminary Plat for Country Club Assembly LLC request as presented tonight with the wording "potential marina" being added to the site plan, incorporate items by Planning Staff, paving of the road will be with a binder asphalt base over rock prior to any construction south of Country Club Road. The marina item that was deleted will require them to come back before the board for acceptance of another phase. This was seconded by Burt Millette. The vote was unanimous 7-0.

### ***New Business***

Ken Vafier presented the case for revision of a connector road between US Hwy 17 and Country Club Drive in Hampstead. He reminded the board that they will be approving the location of the road not approving the lots.

- 3. Planned Development Preliminary Plat Revision – Country Club Road Assemblage, LLC**, applicant, on behalf of Cary Bruton, owner, is requesting approval for revisions to the previously approved connector road phase for St. George's Reach. The project consists of the construction of a connector road between US Highway 17 and Country Club Drive in Hampstead, NC.

Ryan David, representative, stated that the connection to Highway 17 was for a better planned signal that will be three (3) lanes. The largest difference in this plan would be the connection to Hwy 17. The revision was pushed north to accommodate greater spacing between the next planned signal that is further south on Hwy 17. The median has been removed from the majority of the roadway to allow the road to be made narrower. It will increase the buffering between the adjacent property owners and allow for cross over spacing throughout the project.

Chairman Reynolds stated that the board liked the idea of the median in the beginning. Most of the board members preferred the median and do realize that it doesn't have to be eighteen feet wide.

The owner would like to have the medians as well. NCDOT Standards do not allow plantings in the medians.

Burt Millette asked Robert Vause what would prevent the developer from having 600 feet of median and 150 feet of free lane or something in this nature.

Jenna Morgan asked who maintains the buffers, preserves them and is it possible in the future that a buffered zone could be turned into a parking lot.

Chairman Reynolds stated that all common areas are turned over to the HOA and they are required to maintain them.

Marge Ulcickas had concerns about the sewers.

Chairman Reynolds informed Ms. Ulcickas that the developer would have to come back to the board for a SUP in order to add a waste water treatment system. There would be a public hearing and the public would be notified through the newspapers and it would be posted on the Pender County website.

Robert Vause stated that 1200 ft is the standard based on the projected speed limit for the roadway. Any request for a deviation from the standard median location has to go through the state traffic engineer in Raleigh. A signal light option depends on the amount of traffic generated.

Ryan David stated that there were two purposes for the revision request: 1) to push the entrance on Hwy 17 north and 2) they have chosen to remove the median. Since Pender County does not have any requirements in their ordinances they felt that they could remove the median.

There was discussion among the board members concerning the design of the curve cuts, turn around length of medians and if trees could be planted. Public comment was then closed.

**Attorney Thurman worded the motion:** That the revision showing the change alignment with Highway 17 be approved and that the road alignment that has to change as a result of the change connection point be approved subject to the existing requirements of a median as is but if the applicant is able to reach an agreement with NCDOT which would allow for a reduced median down to 18 feet and additional curb cut that they may be shown on the plan and recorded. Burt Millette seconded the motion and the vote was 7-0.

Ashley Frank presenting Case 4 stated that it was exactly the same plan that the board reviewed in June and July. She just mentioned the highlights of the case along with the fact that Mark Walton has presented new information. On June 10, 2008 the Planning Board tabled this item until July 1, 2008. At that meeting the Planning Board voted unanimously to deny the request. On August 18 on appeal the case went to the BOCC, they remanded the case back to the Planning Board because of the introduction of new information about the 2005 CAMA Land Use Map.

4. **Planned Development Master Plan and Preliminary Plat - Withers & Ravenel, Inc.**, applicant, on behalf of TP, Inc., owner, is requesting approval for a 96-lot subdivision. The property is zoned PD, Planned Development District and is located near the intersection of Country Club Drive and Captain Beam Blvd., Hampstead, NC. On September 18, 2008, the Board of County Commissioners remanded this case back to the Pender County Planning Board, due to the introduction of new information.

Mark Walton stated that the new found information the future Land Use Map for Pender County was created using a land suitability analysis. The scale that was used in the request does not apply. The CAMA Land Use Map protruded the wetlands in the wrong location. The lots have been aligned to match Emerald Ridge. The lots are not as deep and a buffer has been added. There was a discrepancy in the TIA number count. The density has not been changed. Thirty-nine percent will be dedicated to conservation.

Citizens are concerned with the extra traffic and stated that the density of Emerald Ridge is neither a cluster development nor patio homes. The average lot size is 14,600 sq ft. The new proposed development is under 7200 square feet. They would like to see the new development as an extension of Emerald Ridge.

Hiram Williams asked to be excused from this case. The motion was made by Karen Gonzales to accept the request from Mr. Williams; seconded by Kevin Reynolds.

Karen Gonzales motioned to approve the request for a 96-lot subdivision; seconded by Rick Garrett. The vote 6-1; with Christopher Smith opposing the motion.

Chairman Reynolds turned the discussion items over to Director Patrick Davenport.

**5. Discussion Items**

- **Discussion Items by Planning Board Members**
  - No discussion
- **Discussion Items by Planning Staff**
  - Zoning Ordinance revisions: Outdoor off-premise sign regulations
    - *Continued discussion at next meeting*
  - Zoning Ordinance revisions: Conditional
    - *Motion to move ahead on wording for Conditional Zoning*
  - Applicant selections for Comprehensive Plan and UDO Committees
    - *There were questions on how the decisions were made each board.*
  - UDO and Comp Plan committee applicants and workshop October 14, 15 2008
  - - Training section for Planning Board and new committee applicants for the UDO and
  - - Comprehensive Plan Committee
- **Discussion Items by Members of the Public**
  - No discussion from members of the public.

**6. Adjournment**

**Board Action for September 3, 2008 Minutes:**

Motion: \_\_\_\_\_ Seconded \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous \_\_\_\_\_

Reynolds \_\_\_\_\_ Gonzales \_\_\_\_\_ Garrett \_\_\_\_\_ Marshburn \_\_\_\_\_ Millette \_\_\_\_\_ Smith \_\_\_\_\_ Williams \_\_\_\_\_