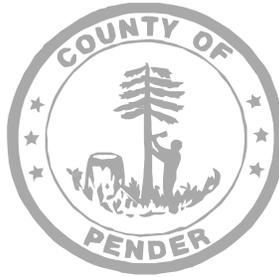


Pender County Planning Department

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



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MINUTES
Pender County Planning Board Meeting
July 1, 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 x Marshburn ___ Millette ___ Smith ___ Williams ___ Newman x

1. Approval of Minutes: June 3, 2008

The motion was made by Karen Gonzales to approve; seconded by Hiram Williams and the vote 6-0.

Public Hearing

Chairman Reynolds informed the Planning Board that Withers & Ravenel, Inc. on behalf of Jack Broadbridge had withdrawn his request.

- 2. Planned Development Master Plan and Preliminary Plat - Withers & Ravenel, Inc.,** applicant, on behalf of Jack Broadbridge, owner, is requesting approval for a two lot subdivision. The property is zoned PD, Planned Development District and is located off Fairway Drive in Belvedere Subdivision, Hampstead, NC.

Hirman Williams asked to be excused from Case 3 because of a conflict of interest.

Attorney Thurman asked the board to put it in the form of a motion to excuse Mr. Williams.

Motion to excuse Hiram Williams was made by Christopher Smith. The motion was seconded by Karen Gonzales. The vote was unanimous 5-0.

Ashley Frank presented the case to the board. She reiterated that everything on the case is the same; it had been tabled until the County Attorney could be present.

- 3. 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.

There were no questions for staff.

Brian Pierce representative for Thomas Johnson reviewed the case for the board. He stated that they were trying to obtain a Master Plan for Olde Point Village approval which is on a 48.5 acre parcel currently zoned PD. It is a cluster development which as proposed will include 96 residential lots. The developer is proposing to set aside 25.67 acres as common area. The dense development for the area will be 2.6 units per acre. The 2.1 units per acre is similar to the density in Emerald Ridge.

Cndee Wolf, designer of the project for Withers & Ravenel., explained the proposal with some of the issues addressing the Master Plan. The CAMA Land Use Plan describes the site location as Urban Growth Land Classification. Because of its proximity to Hwy 17 it has been identified for high net density residential development. A traffic engineer has done a partial TIA. Country Club Road carried about 3,000 trips a day with a design capacity of 10,000 trips a day. The homes won't be any different from the homes in the Olde Point or Emerald Ridge communities. The county strongly encourages clusters and green space development and that is what Olde Point Village represents. The county also encourages regulated wetlands that are delineated and known to the county to be preserved. These are single family lots that are similar to the adjacent subdivision. Connectivity has been provided and adequate open space. They believe that Olde Point Village fits perfectly into the vision, policies and guidelines of the county, the CAMA Land Use Plan and the Subdivision regulations. The issue that needed to be addressed from before was the size of lots adjacent to Emerald Ridge Subdivision. The response to this situation was to make all the adjacent lots to the community the same width of the lots that will require the same setback they will be using community sewer system.

Karen Gonzales questioned the fence as a buffer.

Cindee Wolf stated that a 15' wide buffer with a six foot high solid wood fence would be provided. They are opened to the setting of the buffer for the residence.

Brian Pierce stated that the sewer system where the water treatment plant is being placed in the area won't adjoin any of the Emerald Ridge lots. It will only touch the Olde Points lots.

Bert Millette asked if there would be a padding lane for Country Club Lane.

Todd Brodhour concerned citizen that when he addressed the board last year concerning the density has not changed. He lives in Phase II of Emerald Ridge which the average lot size is 14000 square feet. The property does not drain well and open space (which is mostly wetlands) will not solve the problem. He would like for this to be an extension of Emerald Ridge.

Nicklos Prior stated that he has to use Country Club Drive to get to Hwy. 17. This road is only 18' wide. There are too many cars trying to get onto Hwy 17 and with the addition on St. George's Reach and the Pavilion it will be a great overload.

Mark Walton stated that he is designing the stormwater system for the project. All the water from the lots and from the road will be collected in the storm sewer system and taken to the east end of the project and deposited in an infiltration pond. Excess stormwater from the pond will drain through gutters which will drain into the branch. None of the stormwater will be going to Emerald Ridge or to the other adjacent properties.

Attorney Thurman stated that the pending litigation should have no factor on the board's consideration. There has been a plan submitted and it should rise and fall on its own merit.

Burt Millette stated that he had concerns about density and asked if someone could answer questions.

Planner Ashley Frank stated that the zoning ordinance from 1988 has a definition for net density as does the 2005 CAMA Land Use Plan. There are two definitions. The Staff is using the definition from the zoning ordinance. A spreadsheet was included in the board's packet.

Karen Gonzales made a motion to deny the request for Master Plan and Preliminary Plat approval; seconded by Burt Millette. The vote was unanimous 6-0.

Planner Kyle Breuer presented the next case to the Planning Board.

4. **Zoning Map Amendment - Thomas H. Johnson, Jr.**, applicant, on behalf of Linda Rivere, owner, is requesting to rezone 3.58 acres from RT, (Rural Transitional District) to B-1, (Business District) (Neighborhood). The properties are located on the east side of US Hwy 17, between Hardison Drive and Demps Road and are identified as 24754 and 24770 US Hwy 17 N.

Representative Brian Pearce is requesting to rezone 3.58 acres to B1 to provide convenient shopping area by switching to commercial. Access will be on Hwy 17 and there will be more flexibility in the development of this tract.

Concerned citizens wanted to know what the applicant would be putting on the property or if there was going to be any particular type of business. There is a concern with poor drainage.

Chairman Reynolds closed the public hearing.

Hiram Williams made a motion to approve the applicant's request. This was seconded by William Marshburn. The vote was unanimous 6-0.

Kyle Bruer presented the case to the board. This rezoning is consistent with the 2005 Land Use Plan.

5. **Zoning Map Amendment - Thomas H. Johnson, Jr.**, applicant, on behalf of Jacquelyn Miley Kelly, Dan Kelly, and Trista A. Nelson, owners, are requesting to rezone 8.7 acres from RT, Rural Transitional District to B-2, Business District (Highway). The property is located on the northeast corner of US Hwy 17 and Buccaneer Blvd., and is identified as PIN 4215-56-2770-0000.

The applicant is requesting to rezone an 8.7 acre tract from RT to B2. The purpose is to provide proper grouping and development of roadside business uses that will best accommodate the needs of the motoring public and businesses demanding a high volume of traffic. The property owner doesn't know what they are going to do with the property they just want to have more leeway in the future.

Burt Millette moved to approve the request to rezone the 8.7 acres from RT to B2. Seconded by William Marshburn. The vote was unanimous 6-0.

Chairman Reynolds introduced the next case to the board.

Planner Ashley Frank presented the case for Zoning Map Amendment to the board.

6. **Zoning Map Amendment - Michael Nadeau**, applicant, on behalf of Dollar Properties, LLC, owner, is requesting to rezone 1.78 acres from R-20, Residential District, to B-2, Business District (Highway). The property is located on Avery Road, near the intersection of US Hwy 17, Hampstead. The property is identified as PIN #3293-33-7283-0000.

Michael Nadeau, applicant, stated that the property was once used for the Peanut Store and was split zoned. It would make more business sense if all the property was zoned the same. Property was previously used as part of Carolina Peanut Production. Mike Nadeau explained that the split zoning occurred in 2003. This is a general use rezoning. It is compliance with the 2005 Land Use Plan.

Karen Gonzales made the motion to approve the request for the rezoning. Christopher Smith seconded the motion and the vote was unanimous 6-0.

Planner Ashley Frank presented the Zoning Map Amendment case for Charles Clark owner and applicant for RT to I1. which consist of 7.161 acres. Rezoning is consistent with the 2005 CAMA Land Use Plan.

- 7. **Zoning Map Amendment - Charles Henry Clark III**, applicant and owner, is requesting to rezone 3.09 acres from RT, Rural Transitional District, to I-1, Industrial District (Light). The property is located between NC Hwy 210 W and NC Hwy 133, Rocky Point, NC. It can be identified as PIN #3214-37-8902-0000.

Attorney Robert Kenan representing Charles Henry Clark III, stated that the applicant has been in business for 82 years. The property is split zoned and the have it all rezoned the same would make for more flexibility.

There were concerns from the neighbors about the smell and flies. The property value has declined.

Hiram Williams made the motions to approve the rezoning of the 3.09 acre tract. Burt Millette seconded the motion and the vote was 5-1. Williams, Millette, Reynolds, Smith and Marshburn in favor of the vote and Gonzales opposed.

Ashley Frank stated that the applicant Vaughn King was not present. She reviewed the case with the board. The property is FA and R20. All three flood zoning classifications are represented on this track of land.

- 8. **Zoning Map Amendment - Vaughn King**, applicant, on behalf of Wesley M. Williams, owner, is requesting to rezone 36.26 acres from R-20, Residential District, and FA, Flood Hazard Area to PD, Planned Development District. The property is located on the south side of NC Hwy 210, east of the Northeast Cape Fear River, Rocky Point, NC. It can be identified as PIN #3255-24-7200-0000.

Larry and Dianne Moore, citizens own property facing the site. They would like to know how it will impact their property because it is mostly flood area.

Chairman Reynolds reinforced the point that this is just a rezoning and no one can say what is going to be put there.

Burt Millette made the motion to deny the request for rezoning. Hiram Williams seconded the motion and the vote was unanimous 6-0.

9. Discussion Items

- **Discussion Items by Planning Board Members**
- **Discussion Items by Planning Staff**
 - Establishing committees for Comprehensive Plan and Unified Development Ordinance
 - Establishing a Technical Review Committee (TRC)
- **Items for Discussion by Members of the Public**

10. Adjournment

Board Action for July 1, 2008 Minutes:

Motion: _____ Gonzales _____ Seconded _____ Marshburn _____

Approved: _____ x _____ Denied: _____ Unanimous _____

Reynolds _____ Gonzales _____ Garrett _____ Marshburn _____ Millette _____ Smith _____ Williams _____