Pender County
Planning and Community Development

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MINUTES

Pender County Planning Board Meeting
January 10, 2012 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Boney called meeting to order at 7:00 pm.

Roll Call: Chairman Boney
Pender County Planning Board Members:
Boney: X Edens: X Garrett: X Marshburn: X Millette: _ Smith: _ Williams: X

1. **Election of Officers (Chairman/ Vice-Chairman):** Chairman Boney opened the floor for Vice-Chairman Nominations; Board member Williams nominated Board member Garrett for Vice-Chairman; Board member Garrett stated that he would not mind, but requested to nominate Board member Smith to serve as Vice- Chairman; Board member Williams withdrew his nomination. Board member Garrett made the motion to nominate Board member Smith to serve as the Pender County Planning Board Vice-Chairman. The vote was unanimous. Trey Thurman, County Attorney, opened the floor for Chairman nominations; Board member Marshburn made the motion to nominate Board member Boney to serve as the Pender County Planning Board Chairman. The vote was unanimous.

2. **Adoption of the Agenda:** Board member Williams made the motion to approve the agenda excluding Agenda Item 5 since it was withdrawn by applicant; seconded by Board member Garrett. The vote was unanimous.

3. **Approval of Minutes:** Board member Garrett made the motion to approve the minutes from the December 6, 2011 meeting; seconded by Board member Marshburn. The vote was unanimous.

4. **Public Comment:** Chairman Boney opened the floor to public comment; Trey Thurman, County Attorney, stated that there was one signed up, William Bostic. However, he wished to hold his comments until staff held their discussion regarding Minor Subdivision Road Standards. Chairman Boney closed the floor to public comments.

5. **Master Plan Review: (THIS ITEM WAS WITHDRAWN)**
Jamestown Pender Residential, LP, and Jamestown Pender Commercial, LP, applicant and owners, are requesting approval of a Master Development Plan for The Preserve; a mixed use planned development community. The development proposal includes: 346 single family lots, 244 multi-family units, ±484,000 ft² of commercial space and seven (7) outparcels. The project will be located on the north side of US Highway 17, between Jenkins Road and Caison Drive in Hampstead. There are seven (7) tracts associated with this request totaling ±684 acres and are zoned PD, Planned Development District. The tracts may be identified by PIN(s): 3293-77-2170-0000; 4203-09-0309-0000; 3294-60-6544-0000; 3293-66-7790-0000; 3293-76-9844-0000; 3293-67-5211-0000; 3293-66-2594-0000.

6. **Discussion Items:**
   a. **Planning Staff:**
      i. **Thoroughfare Setbacks:** Director Breuer provided Board members a "Thoroughfare Setbacks Fact Sheet" which highlighted the pros and cons of using Thoroughfare Setbacks along roadways within Pender County and requested the Board's feedback. Board members felt that the corridors would need to be protected for future growth however, expressed their concerns with property owner's rights being taken. Director Breuer stated that staff was not rushing the Board to make any decisions at this time. Director Breuer asked the Board if there was any further information staff could provide; Board members requested to see properties that would be affected with the various mentioned setbacks.

      ii. **Minor Subdivision Road Standards:** William Bostic, Pender County merchant, stated to the Board that he had eleven acres of land that he would like to subdivide into seven or eight lots but found out through talking with staff that according to the Pender County Unified Development Ordinance, Minor Subdivision Roads would have to be built in according to NC Department of Transportation standards; Mr. Bostic stated that he had since spoke to the NC Department of Transportation and was advised that a road to their standards would only be required if the road was intended for public use, Mr. Bostic said the road would be intended for private use. Director Breuer responded that under the Unified Development Ordinance Minor Subdivisions were required to follow the same standards of major subdivisions regardless of the roads being public or private and that the reason for NC Department of Transportation standard roads is to insure long lasting roads. Board member Williams stated that in his time serving on the Board he had found that the responsibility of maintaining subdivision roads had always been an issue to protect property owners and the Board felt those standards needed to be required. Trey Thurman, County Attorney, also stated that the road requirements insured access for emergency vehicles. Mr. Bostic stated that there was obviously a big distinction between minor and major subdivisions, but his issue was not the required width of a road, but the material used. He stated that he polled the surrounding counties to find out what they required and found that New Hanover County's requirements were identical to Pender County and Brunswick County required that subdivisions with five to ten lots constructs roads with six inches of ABC Stone, which was different from NC Department of Transportation's requirement of eight inches of stone and two inches of pavement. He stated that he felt Pender County road requirements for minor subdivisions was a little restrictive. Board member Williams stated that Mr. Bostic had brought up some good points regarding the requirements of minor subdivisions and that maybe staff could review the requirements and suggest revisions, all other Board members also agreed to have staff move forward with reviewing possible changes to the requirements of minor subdivisions.

      iii. **Planned Development Requirements:** Director Breuer stated that it was relayed to him that at the Board's last meeting there were some concerns about mixes uses being required in Planned Development zoning districts, so therefore, staff had developed a map of properties that did not have an approve Master Plan and would like to reach out to those property owners and educate them on how their property was zoned and what the requirements were. Board member Garrett asked how the properties became zoned as Planned Development; Planner Frank responded that

they were rezone during the 2003 mass rezoning. Board members advise staff to move forward.

iv. **Permitted Uses within the GB, General Business District:** Director Breuer suggested that due to concerns over the permitted uses within the General Business Districts an evaluation of uses could be done to develop some additional standards that would reduce the amount of Special Use Permits requests being presented to the Board of Commissioners. Board member Williams stated that other jurisdictions had general uses that were by right in the General Business District then Pender County should have the same. Director Breuer stated that staff would prepare a list of permitted uses by right and present to the Board for further discussion and recommendations at the next meeting.

v. **Temporary Sign Enforcement Program:** Director Breuer gave an overview of the Temporary Sign Program that staff and the IT Department has created and asked if the Board had any recommendations before staff presented a draft text amendment at the next meeting. Board member Williams asked if the size of the sign be required in the description section or could there be text stating the maximum size allowed; Director Breuer responded that there would be a link users could access to find out all requirements and standards. Board members liked the program and advise staff to move forward with drafting a text amendment.

vi. **Currie Small Area Plan Updates:** Director Breuer stated that staff would like for a Planning Board member to sit on the steering committee; Board member Williams stated that he would volunteer. Director Breuer also invited Board members to attend the public kickoff meeting scheduled for Saturday January 28, 2012 from 10 am to 12 pm at the Moore's Creek National Battlefield in Currie, NC.

vii. **Items not on Agenda:**
Integra – Director Breuer stated that since Integra has become a private venture there is an issue with projects that have been proposed to utilize Integra and staff needed guidance on how the Board would like to proceed with those projects. Board member Williams suggested that that the Planning Board and staff would need to look back through those projects and notify the applicants of the issue and advice that the plans would have to be modified and brought back before the Board.

Hampstead By-Pass – Director Breuer stated since the Board is reviewing projects that may never happen due to the Hampstead By-Pass, staff was suggesting following the procedure of other jurisdiction and forwarding those projects to the NC Department of Transportation. If the applicant received a variance for their project, it would then be presented to the Board for consideration. Board member Edens requested that Board members have notification of proposed projects within the Hampstead By-pass; Planner Frank responded that she would add Board members to the TRC contact list.

b. **Planning Board Members:** NONE

7. **Adjournment:** Meeting adjourned at 9:30 pm.