

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

AGENDA

**Pender County Planning Board
Tuesday, October 2, 2012 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Call to Order: Chairman Boney

Roll Call: Chairman Boney

Pender County Planning Board Members:

Boney: ____ Williams: ____ Edens: ____ Garrett: ____ Marshburn: ____ Millette: ____ Nalee: ____

1. Adoption of the Agenda:

2. Approval of Minutes: (September 11 2012)

3. Public Comment:

(Public Hearings)

4. Planned Development – Preliminary Plan Revision:

Hampstead Properties, LLC, applicant and owner, is requesting approval for a revision to a previously approved preliminary plan for Hawksbill Cove consisting of the redesign of housing areas affecting approximately 13 acres to accommodate the relocation of the connector road. The proposal consists of 1,023 total residential units, 23,200 square feet of commercial, office and retail space, and 28,000 square feet of civic and recreational space. The property is zoned PD, Planned Development District and is located on the south side of Country Club Road and extends southeast to the Intracoastal Waterway in Hampstead, NC.

5. Zoning Text Amendment

Pender County, applicant, is requesting approval of an amendment to the Pender County Unified Development Ordinance. The proposal consists of amending Sections 1.11.2 and 8.3.2.C-E to allow a project extension approval process for previously approved master plans as well as revising language regarding parking lot landscaping for clarity purposes. A detailed description of each amendment is available in the Planning Department offices for review.

Anyone wishing to address the **Pender County Planning Board** shall make a request on the "Public Comment" sign-up sheet. **Please provide the information requested.**

If you wish to speak on **a specific public hearing item**, please sign-in on the appropriate "Public Hearing" sign-up sheet. Speakers will be allowed to speak *prior* to any action/vote taken by the Board.

*A time limit of **two** minutes per speaker or up to **ten** minutes for groups of five or more, with a designated speaker will be imposed.

6. Zoning Map Amendment

Pender County, applicant, is requesting approval of a Zoning Map Amendment to adopt zoning on two (2) tracts located at the terminus of McClammy Road, Hampstead, NC. The properties are both owned by Larry Batson and may be identified by Pender County PINs 4225-03-5033-0000; 4225-12-0236-0000. The requested zoning district to be applied to the tracts is RP, Residential Performance District.

7. Discussion Items:

a. Planning Staff

b. Planning Board Members

8. Adjournment:

PLANNING STAFF REPORT
Hawksbill Cove – Preliminary Plat Revision
Planning Board Hearing

SUMMARY:

Hearing Date: October 2, 2012
Applicant: Hampstead Properties, LLC
Property Owner: Hampstead Properties, LLC
Case Number: 10771

Development Proposal: The applicant is proposing a revision to a previously approved preliminary plat, then named St. George's Reach, which contained 1,150 residential units and 250,000 square feet of commercial and office space on 413 acres. This revision consists of the redesign of housing areas affecting approximately 13 acres to accommodate the relocation of the connector road. A Master Plan revision showing the relocation of the road was approved by the Pender County Planning Board on December 7, 2010. With the revision, there are 1,023 proposed housing units and 23,200 square feet of commercial, office and retail space.

Location and Land Use: The main portion of the proposed development is located south of Country Club Drive in Hampstead, running south to the Atlantic Intracoastal Waterway and is bounded by Belvedere Plantation to the northeast and Hideaway Shores to the southeast.

Zoning District of Property: The property is currently zoned PD, Planned Development District.

Staff Recommendation: Staff recommends conditional approval of the request as it is consistent with the approved Master Plan revision from December 7, 2010.

Project History:

In May 2007, the applicant's request to rezone 376 acres from R-20C, Residential Conventional Housing District to PD, Planned Development District was denied by the Pender County Board of Commissioners. The rezoning request was re-submitted and a motion to recommend approval of the request was unanimously approved at the September 11, 2007 Planning Board meeting. The Board of Commissioners voted 3-2 to pass a motion to approve this rezoning request at the October 1, 2007 meeting.

The Pender County Planning Board was presented the Master Plan for St. George's Reach on October 2, 2007 where it was continued to a separate meeting on October 9, 2007. At this meeting, the proposal was again tabled to the November 7, 2007 meeting.

The Planning Board voted 5-1 to pass a motion to approve the Master Plan for the project on November 7, 2007. At the September 4, 2008 Planning Board meeting, a motion to approve a conditional preliminary plat was passed unanimously.

At the December 7, 2010 meeting, the Planning Board voted unanimously to pass a motion approving a revision to the initial master plan. This revision consisted of the relocation location for the "connector road" from the main development, off Country Club Drive, out to US Highway 17. The revised location is approximately 700 feet south from where initially approved; it is now located along the southwestern boundary of the Morgan property and connects Transfer Station Road, which intersects US Highway 17. A recombination plat for the

road connector right-of-way was approved and recorded in the Pender County Register of Deeds on February 10, 2011.

The preliminary plat corresponding with the initial master plan approval was approved by the Planning Board on September 3, 2008. In accordance with the provisions of Section 17 of the 1988-2010 Pender County Zoning Ordinance, a revision is necessary to the previously approved preliminary plat to comply with the Master Plan revision of December 2010.

Detailed Proposal Discussion:

The preliminary plat revision proposes 475 single family lots, 335 multi-family units, 161 townhome units, and 52 duplex units for a total of 1,023 units. 23,000 square feet of commercial, office and retail space and 28,000 square feet of civic and recreational space is also proposed. The residential units are distributed in a mixed use pattern among three development areas: North Village, South Village, and East Village. An amenities area is proposed in the central area of the property and will include a fitness building, community building, and pool facilities. All commercial, office, and retail space is located in the North Village area, near Country Club Drive. Parks, greenways, open space areas, wetlands, and other preserved lands are located throughout the development to provide recreational space and encourage a pedestrian community.

Lot sizes range from 500 square feet to 3,500 square feet for multi-family units and 5,000 square feet to 16,585 square feet for single family lots. For specific data on each neighborhood, please refer to the site data table located on the cover page of the preliminary site plan. Proposed gross density is calculated at 2.72 units per acre while net density, as defined in the 2004-2010 Subdivision Ordinance, is calculated at 5.06 units per acre.

Access to the development is to be provided via three points off of Country Club Drive: Kemps Ridley Lane, Oliver Ridley Drive, and Leatherback Lane, which will serve as the main thoroughfare of the development. In addition to these points of ingress and egress, an extensive network of local streets is proposed to provide interconnectivity, traffic circulation, and emergency access within the development. Connections to adjacent development at Soundview Drive and Scotch Bonnett Way are also proposed, in compliance with the Master Plan approval and the Coastal Pender Collector Street Plan. The road network is proposed to be designated as public and will be constructed to applicable NCDOT specifications. The applicant has prepared a Traffic Impact Analysis and upon review and approval by NCDOT, will address required road improvements that may be necessary due to projected traffic demands.

The development team proposes wastewater treatment for the entire development to be served by an on-site wastewater treatment facility, located in the North Village at the intersection of Cobia Drive and Oliver Ridley Drive. Water service is to be provided by Pender County Utilities.

Hawksbill Cove proposes 120.89 acres of open space, which far exceeds the 1988-2010 Zoning Ordinance requirement of 15% of total tract area which is calculated at 56.45 acres. There will be 43.26 acres of preserved wetlands, with minimal development impacts to wetlands. The open space areas include neighborhood parks, lakes, greenways, and buffers to adjacent neighborhoods. A property owners association will maintain all open space areas, common areas, and amenities.

The property does contain Coastal Area Management Act (CAMA) Areas of Environmental Concern (AEC's) along the Atlantic Intracoastal Waterway. Any proposed development in these areas must comply with CAMA regulations. The property also contains FEMA Special Flood Hazard Areas along the Intracoastal Waterway as shown on the effective Flood Insurance Rate Map (FIRM) dated February 16, 2007. Any development within the SFHA's must comply with FEMA regulations.

Technical Review Committee (TRC) comments:

NC DENR Division of Land Resources

This will need an erosion and sedimentation control plan.

NC DOT Division of Highways

Our group is working with the Engineering Firm on the Transfer Station Road Ext., the Driveway Permit on Country Club Road and a water encroachment. Appears all permits are moving forward.

NC Office of State Archaeology

Please see correspondence attached.

Pender County Parks and Recreation

No comment.

Pender County Soil and Water Conservation District

Soil & Water see no problem if all environmental partners are okay.

All other TRC agencies did not provide comment on this request; however, TRC comments and the applicant's response from the Master Plan revision hearing are attached to this report.

Staff Recommendation: Staff recommends conditional approval of the request as it is consistent with the approved Master Plan revision from December 7, 2010.

The approval is also subject to all conditions prescribed in the Pender County Zoning and Subdivision Ordinances as well as the Master Plan approval letter.



North Carolina Department of Cultural Resources State Historic Preservation Office

Ramona M. Bartos, Administrator

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

September 10, 2012

Kenneth Vafier
Pender County Planning and Community Development
PO Box 1519
Burgaw, NC 28425

Re: Preliminary Site Plan for Development called Hawksbill Cove, Hampstead, Pender County,
ER 07-1842

Dear Mr. Vafier:

Thank you for the opportunity to comment on the proposed preliminary site plan for Hawksbill Cove.

This 300 acre tract contains the Belvidere Plantation National Register of Historic Places (NRHP) district. This district is a narrow strip of land on the northern side of the property and is encompassed by sheets 5, 6, 7, and 8 of the preliminary site plan. Although the district included several archaeological sites, architecture was the only area of significance cited in the nomination documentation. Since the time the property was listed in the NRHP, the Belvidere Plantation house was moved off the property and subsequently burned by the local fire department.

In 2007 the former developers of the site, Generation Builders, Inc., contracted with Coastal Carolina Research, Inc (CCR) to perform an archaeological survey of the entire tract. During the course of the survey 10 archaeological sites were identified as well as one historic cemetery. Two of the sites, 31PD15 and 31PD88, were found to have retained substantial subsurface integrity and were recommended for additional testing to determine if full mitigation is warranted. The results of archaeological survey were submitted in a report to the North Carolina State Historic Preservation Office (SHPO) in 2007 (Office of State Archaeology bibliography 6024). The SHPO concurred with CCR's recommendations.

Archaeological site 31PD15 is located within the "East Village Block" as indicated on the proposed preliminary plan. It is thought to be the original Belvidere Plantation House site. The house was built adjacent to the sound but was later moved to higher ground within the NRHP district. The CCR report stated, "Site 31PD15 has both historic and pre-contact components that may contain important archaeological data relative to the region's early rural settlement and Native American lifeways".

Archaeological site 31PD88 is located within "Village Block 1" as indicated on the proposed preliminary plan. This was the final Belvidere Plantation House site, prior to its removal from the NRHP district. The CCR report stated "Shovel testing of 31PD88 indicates that a subsurface deposit may still be intact, despite the historic house having been removed...and the foundation area graded". The historic cemetery is associated with this site but appears to be adequately avoided on the preliminary site plan.

We recommend that the developer contact an archaeological consulting firm to complete the assessment of the two archaeological sites. If it is determined that one or both of the sites retain integrity and have the potential to yield information important in prehistory or history, additional mitigation may be recommended. This can take the form of avoidance through the creative use of green space or by additional data collection. The associated archaeological report should be reviewed by the Office of State Archaeology prior to any construction activity within the sites perimeters that involves soil disturbance. The developer should note that failure to comply with this recommendation could affect the timely issuance of future state or federal permits associated with the development.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

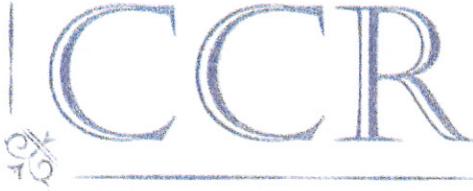
Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,



for Ramona M. Bartos

cc: Hampstead Properties, LLC



Coastal Carolina Research
P.O. BOX 1198, Tarboro, North Carolina 27886
(252) 641-1444 | (252) 641-1235 fax
www.ccrtarboro.com

September 21, 2012

Renee Gledhill-Earley, Environmental Review Coordinator
State Historic Preservation Office
109 East Jones Street, Room 258
Raleigh, NC 27601

RE: Preliminary Site Plan for Hawksbill Cove Development, Hampstead, Pender County,
ER 07-1842

Dear Ms. Gledhill-Early:

CCR has been contacted by Capital Associates, the developer associated with the project referenced project, as part of their response to SHPO comments in a letter dated September 10, 2012 (see attached). The SHPO comments, made pursuant to Section 106 compliance, include the recommendation that the developer contact an archaeological consulting firm to complete the assessment of Sites 31PD15 and 31PD88 for National Register of Historic Places eligibility.

Previously, in 2008, CCR had been contracted by the developer's organization to conduct the evaluation of these sites, and a report (*Archaeological Evaluation of Sites 31PD15 and 31PD88, Proposed St. Georges Reach Development, Pender County, North Carolina, ER 07-1842*) was submitted. The report recommends that Site 31PD88 is not eligible for the National Register and that Site 31PD15 is recommended eligible. The portion of Site 31PD15 that contributes to the site's eligibility recommendation is confined to one area defined as Locus A. Although the developer's agent did not submit this report for environmental review, CCR is currently in the process of assisting the developer to do so. We anticipate that you will receive a request for review and comment within the next 30 days.

In addition to assisting the developer with the current coordination on the eligibility of Sites 31PD15 and 31PD88, CCR has been engaged to begin planning for potential data recovery for Locus A of Site 31PD15. Although there might be potential to avoid this portion of the site, for long-term planning it is likely that the most prudent course of action will be to recover important information from the site in the context of a research design developed in consultation with the SHPO and the Office of State Archaeology. As part of the submission of the evaluation report referenced above, the developer will seek comment on how best to proceed with planning for potential data recovery.

Please contact me (SusanBamann@ccrtarboro.com) or Mr. Frank Baird, Capital Associates, 1255 Crescent Green, Suite 300, Cary, NC 27518, fbaird@casso.com, if you have any questions or comments prior to the pending submittal.

Yours truly,

A handwritten signature in blue ink that reads "Susan E. Bamann".

Susan E. Bamann, Ph.D., RPA
Director

cc: Kenneth Vafier, Pender County Planning and Community Development
Frank Baird, Capital Associates

CCR is a Wholly Owned Subsidiary of CCRG

The logo for Commonwealth Cultural Resources Group, Inc. (CCRG) features the letters 'ccrg' in a stylized, lowercase, sans-serif font. To the right of the logo is the text 'COMMONWEALTH CULTURAL RESOURCES GROUP, INC.' and the website 'www.ccrainc.com'.
COMMONWEALTH CULTURAL
RESOURCES GROUP, INC.
www.ccrainc.com

C.

QUESTIONS/COMMENTS FROM JUNE 4, 2010 E-MAIL FROM TRC and OUR RESPONSES

Pender County Planning Staff
Preliminary Review Comments
Hawksbill Cove
June 4, 2010
Street Issues:

C1. Are streets proposed to be public or private, or a mix as was previously approved?

RESPONSE: A mix, as previously approved. All roads will be designed to NCDOT standards. Currently, we have shown on the Master Plan in "yellow" the public roads.

If a mix, what roads are to be dedicated as public?

RESPONSE: At a minimum, the public access road (spine road) and Transfer Station Road will be public. Market conditions will dictate private / public; however all roads are designed to NCDOT standards as required by the Pender County Zoning Ordinance, therefore, any roadway could be dedicated as public if necessary.

If private, are ROW widths sufficient to meet NCDOT standards?

RESPONSE: Yes.

We recommend (again) connections to Soundview Lane and Scotch Bonnett/Sand Dollar Lane. Such connections are supported by appropriate ordinance sections and plans.

RESPONSE: Connection to Scotch Bonnet & Soundview Drives has been provided.

C2. Are any bicycle/pedestrian facilities proposed?

RESPONSE: Yes, trails and sidewalks will be provided throughout the development east of Country Club Drive.

A bike/ped facility is recommended along the connector road, including along any required improvements from Transfer Station Road to Hwy 17.

RESPONSE: Due to the inability of the Developer to construct the bike lane along the existing portion of Transfer Station Road, because of stormwater permitting issues and lack of ownership of land, the Developer will offer a "payment in lieu of construction" to the County in the amount of \$62,500 (estimated to be \$25 per square yard for concrete: 4,500 feet x 5 feet = 22,500 sq. ft. = 2,500 sq. yd.).

Does the area incorporate required buffers to adjacent developed areas?

RESPONSE: Yes. See attached Exhibit A.

C7. Please add a note that a separate SUP will be required for the WWTP.

RESPONSE: See Note #8 under Development Notes.

C8. Clarify note "waste collection will be by private contractor through the HOA if public sewer not available." Is this a typo in reference to garbage collection or wastewater collection?

RESPONSE: Yes, this is a typo. See Note #8 under Development Notes.

C9. Is water service still to be provided solely by developer as indicated on the plan?

RESPONSE: No, developer intends to use County water. Discussions are underway with Pender County regarding availability and availability timing. See attached Exhibit F: letter from Michael Mack dated September 9, 2010.

Has any preliminary engineering or design been done on this? N/A
Where on the site will this be located? N/A

Open Space/Amenities:

C10. How much of the 76 acres of open space acres are wetlands, stormwater ponds, lakes, etc. and how much of this area is "usable" open space (or areas not in wetlands or stormwater ponds)?

RESPONSE: Open space provided has been revised from 76 acres to 120 acres. The approximate active and passive open space areas are 28 and 92 acres respectively.

C11. Are there any major recreation amenities proposed, such as a neighborhood park, athletic fields, pavilion, etc?

RESPONSE: An area has been identified on the master plan. See Note #4 under Development Notes.

What will those amenities be?

RESPONSE: At a minimum, a pool, clubhouse and multi-purpose court.

C12. When will the amenities be constructed (phasing)?

RESPONSE: Phase 1. See Note #10 under Development Notes.

- C18. What is the status regarding any agreement with Pender County on movement of the scales on Transfer Station Road and any other issues regarding this connection?

RESPONSE: The transfer station will be heard as an action item at the BOCC meeting on September 20, 2010. See attached Exhibit B dated August 11, 2010 and Exhibit D: Traffic Assessment prepared by Ramey Kemp & Associates dated August 23, 2010.

- C19. Is there a phasing plan/buildout schedule for the project?

RESPONSE: See Note #10 under the Development Notes.

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

SITE DEVELOPMENT APPLICATION

THIS SECTION FOR OFFICE USE					
Date: 9/17/12	Permit Number: N/A	Permit Fee: N/A	Receipt Number: N/A		
*Zoning Approval ONLY: YES / NO			Final Zoning Compliance Approved: YES / NO / <u>N/A</u>		
Type of Site Development Plan	<input type="checkbox"/> Major	<input type="checkbox"/> Minor	<input type="checkbox"/> Up-Fit	<input type="checkbox"/> Name Change	
Change of Current Use:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Does Not Apply	Previous Use:		
SECTION 1: GENERAL INFORMATION					
Applicant's Name:	Hampstead Properties, LLC	Owner's Name:	same as applicant		
Applicant's Address:	4721 Emperor Blvd., Suite 300	Owner's Address:			
City, State, & Zip	Durham, NC 27703	City, State, & Zip			
Phone Number:	919-757-2830	Phone Number:			
Legal relationship of applicant to land owner:	same				
SECTION 2: PROJECT INFORMATION					
PIN (Property Id #):	see Attachment A	Total property acreage:	+/- 376		
Zoning :	PD	Acreage to be disturbed:	not known at this time		
Directions to Site:	approx. 1.7 east from the intersection of US Hwy 17 and Country Club Drive (SR 1565) to Velinza Plantation Road to project site				
Lot Size:	Sq Ft of Building:	Building Height:			
Setbacks	Front : 25 feet	Side : 10 feet	Rear: 15 feet		
NAICS Code/Use:					
Business Name:					
Describe activities to be undertaken on project site:					
Ownership:	Number of Employees:	Number of Members:	Seating Capacity:		
<input type="checkbox"/> Private <input type="checkbox"/> Public					

** If the applicant is not the owner of the property, a notarized letter from the property owner may be required.*

**Zoning approval is for the use being proposed ONLY, other department approvals may be required i.e. Fire Marshal, Environmental Health, Permitting, etc...*

SECTION 3: CONDITIONS OF PERMIT (STAFF ONLY) Check all that apply

<input checked="" type="checkbox"/>	Subject to compliance with all local, state and federal regulations		
<input checked="" type="checkbox"/>	Compliance with the site plan and application submitted for this permit		
<input checked="" type="checkbox"/>	Compliance with setbacks		
<input checked="" type="checkbox"/>	Located within the Special Flood Hazard Area (SFHA):	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
<input checked="" type="checkbox"/>	SFHA Zone: <u>(AE, A)</u> , VE, AEFW (circle one) <input type="checkbox"/> Flood-proofing Certification Required <input type="checkbox"/> Elevation certificate required <input type="checkbox"/> No-Rise Certification Required <input type="checkbox"/> Electrical and Mechanical to be Elevated <input type="checkbox"/> Hydrostatic Openings Required <i>(AS applicable)</i>		
	Foundation survey required		
	Pender County Environmental Health Approval <input type="checkbox"/> Septic Permit <input type="checkbox"/> Well Permit		
<input checked="" type="checkbox"/>	Community Water System Approval <input checked="" type="checkbox"/> Pender County Utilities (PCU) Water <input type="checkbox"/> Private Water		
<input checked="" type="checkbox"/>	Community Wastewater Approval <input type="checkbox"/> Pender County Utilities (PCU) Sewer <input checked="" type="checkbox"/> Private Wastewater		
<input checked="" type="checkbox"/>	Sediment and Erosion Control Permit (if required)		
<input checked="" type="checkbox"/>	Storm Water Permit (if required)		
<input checked="" type="checkbox"/>	NC DOT Driveway Permit		
<input checked="" type="checkbox"/>	Army Corp Engineers Wetland Permit		
	CAMA permit required		
<input checked="" type="checkbox"/>	Landscape, buffer, parking compliance required		
	Compliance w/ Special Use Permit (Case Number : _____ if already issued)		
	Variance approval		
	Sign Permit		
	Additional Use Plot Plan		
	Additional Conditions (staff or TRC):		
	Additional Conditions (staff or TRC):		
	Additional Conditions (staff or TRC):		

SECTION 4: ADDITIONAL COMMENTS

SECTION 5: SIGNATURES		
Applicant:	<i>Cynthia M. Roberts</i>	Date: <i>8/6/12</i>
Owner:	<i>Cynthia M. Roberts</i>	Date: <i>8/6/12</i>
Planning Staff:		Date:
Permit Technician:		Date:
Final Zoning Compliance Approved By:		Date:



PLANNERS
ENGINEERS
LANDSCAPE
ARCHITECTS
LAND
SURVEYORS

August 17, 2012

Mr. Kyle Breuer, Planning Director
Pender County Planning Department
805 S. Walker Street
Burgaw, NC 28425

RE: Hawksbill Cove

Dear Mr. Breuer;

On behalf of the developer and in conjunction with the tender of this Preliminary Site Plan, we have prepared this narrative to address and demonstrate conformance with the previously approved Hawksbill Cove Master Development Plan (MP 10-07-06-02R, approved on December 7, 2010). The Preliminary Site Plan is Step II of the Planned Development District requirements per the 1988-2010 Pender County Zoning Ordinance. The following addresses the nine (9) approval conditions:

1. When a signal is warranted at US Hwy 17 and Transfer Station Road per NC Department of Transportation requirements, the developer will incur all reasonable costs for the installation of the traffic signal. A signal is not currently warranted.
2. A trail will be constructed to the proposed Community Aquatic Lifestyle Center, MP 09-09-04-03R as shown on this Preliminary Site Plan. A payment in lieu of \$62,500 shall be furnished to Pender County prior to the recordation of the first final plat or road dedication plat for a sidewalk, trail, or multi-use path on the remainder of Transfer Station Road.
3. Connections to Soundview Drive and Scotch Bonnet Lane are provided for interconnectivity as shown on this Preliminary Site Plan.
4. Pedestrian accommodations along the length of the public access road in the main development are provided as shown on this Preliminary Site Plan. See typical road sections provided with this Preliminary Site Plan.
5. Water re-use and recycling areas are provided as shown on this Preliminary Site Plan and subject to final design and special use permit.
6. If permitting cannot be obtained in area identified as "Proposed Inland Lake or Marina" no additional development other than open space will be accommodated. This Preliminary Site Plan has identified this area as "Future Phase" and will be subject to a future Preliminary Site Plan.
7. The developer/owner is responsible for costs associated with the relocation of the Pender County Transfer Station scales and entrance.
8. An on-site waste water treatment facility is provided. It has been shown in a location on this Preliminary Site Plan consistent with the approved Master Plan. We note that the treatment facility and plan are subject to a special use permit to be applied for in the near future.
9. Construction of Transfer Station Road extension will be completed prior to any construction or land disturbing activity on the main development site. We note that construction plans for the road have been submitted to NCDOT and permits are currently being acquired.

If you have any question please do not hesitate to contact me at 910-395-1655, or via email at mloughlin@urban-ltd.com.

Sincerely,
URBAN, LTD.

Monica V. Loughlin, EI
Enclosure: MP 10-07-06-02R Approval Letter

ATTACHMENT A

PIN#'S;

4203-43-7857-0000

4203-45-1389-0000

4203-45-4049-0000

4203-44-8578-0000

4203-53-9319-0000

4203-45-2563-0000

4203-54-1453-0000

4203-53-8614-0000

4203-53-9769-0000

4203-64-1002-0000

4203-64-4531-0000

4203-74-3682-0000



Applicant and Owner:
Hampstead Properties, LLC

**Hawksbill Cove
Preliminary Plat Revision
Case # 10771**

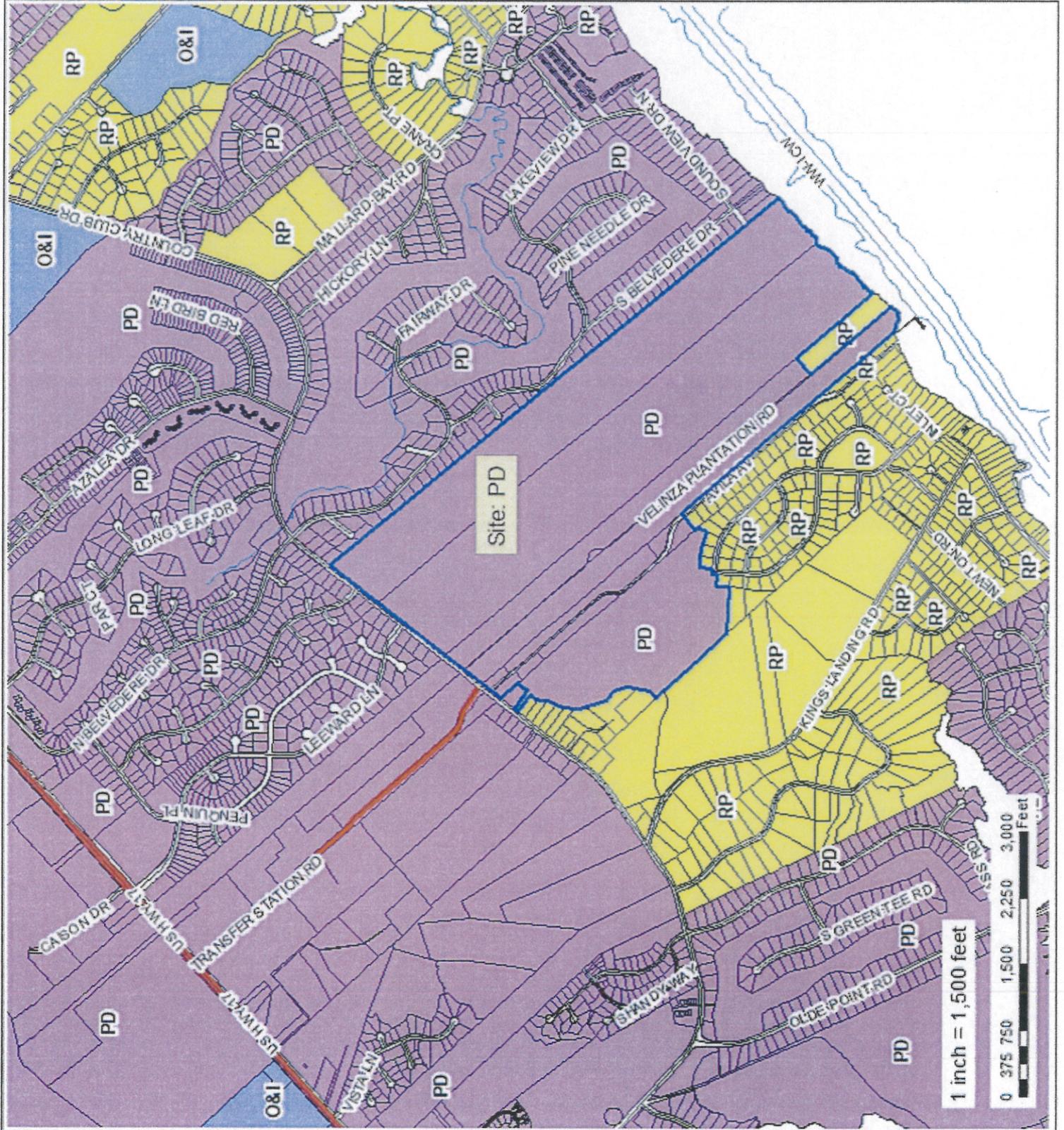
Zoning Classification

UDO Zoning

- General Business (GB)
- General Industrial (GI)
- Industrial Transition (IT)
- Office & Institutional (OI)
- Rural Agricultural (RA)
- Planned Development (PD)
- Residential Performance (RP)
- Environmental Conservation (EC)
- Incorporated Areas (INCO RP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)



Zoning Map





Applicant and Owner:
Hampstead Properties, LLC

Hawksbill Cove
Preliminary Plat Revision
Case # 10771

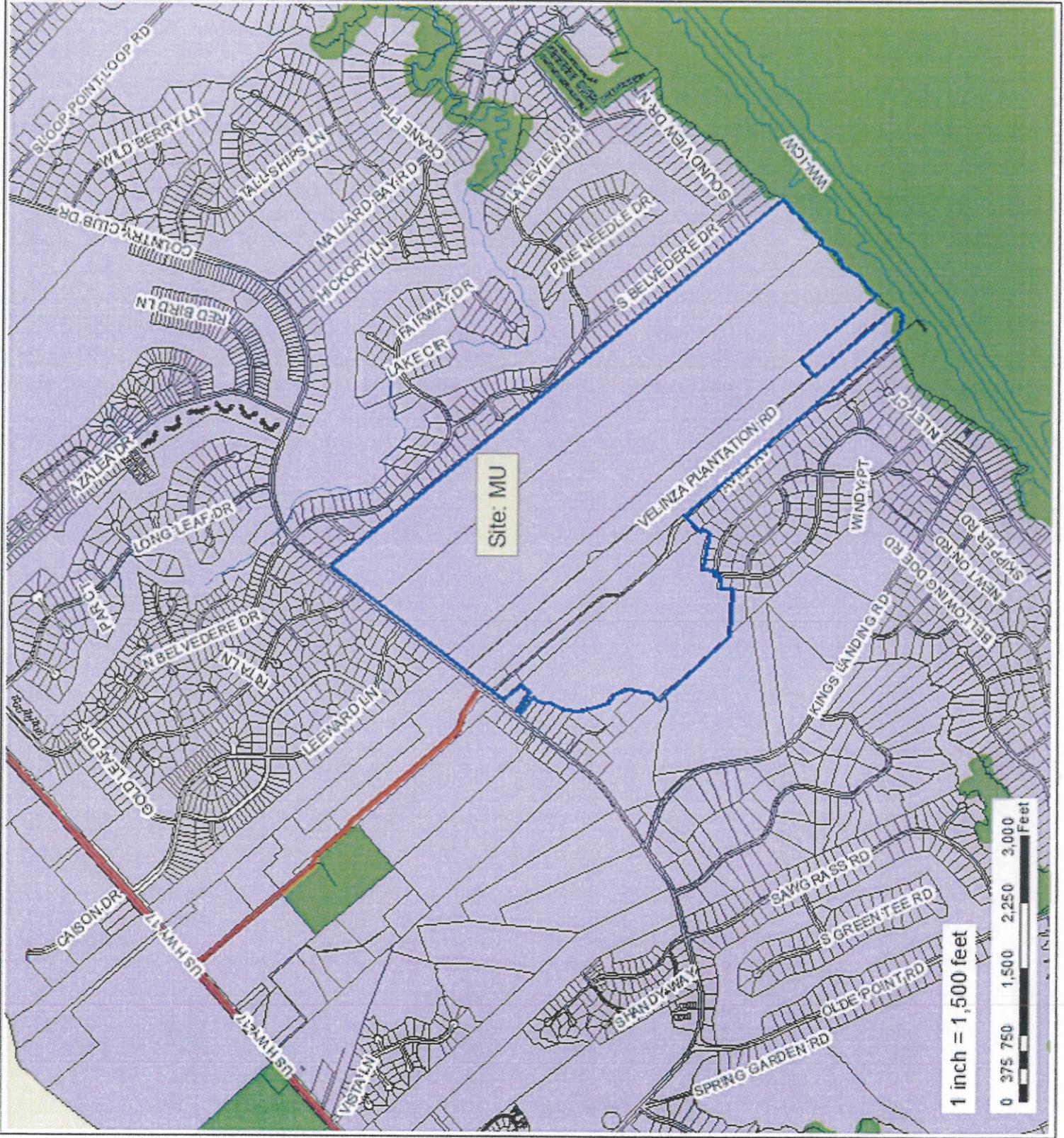
Coastal Pender

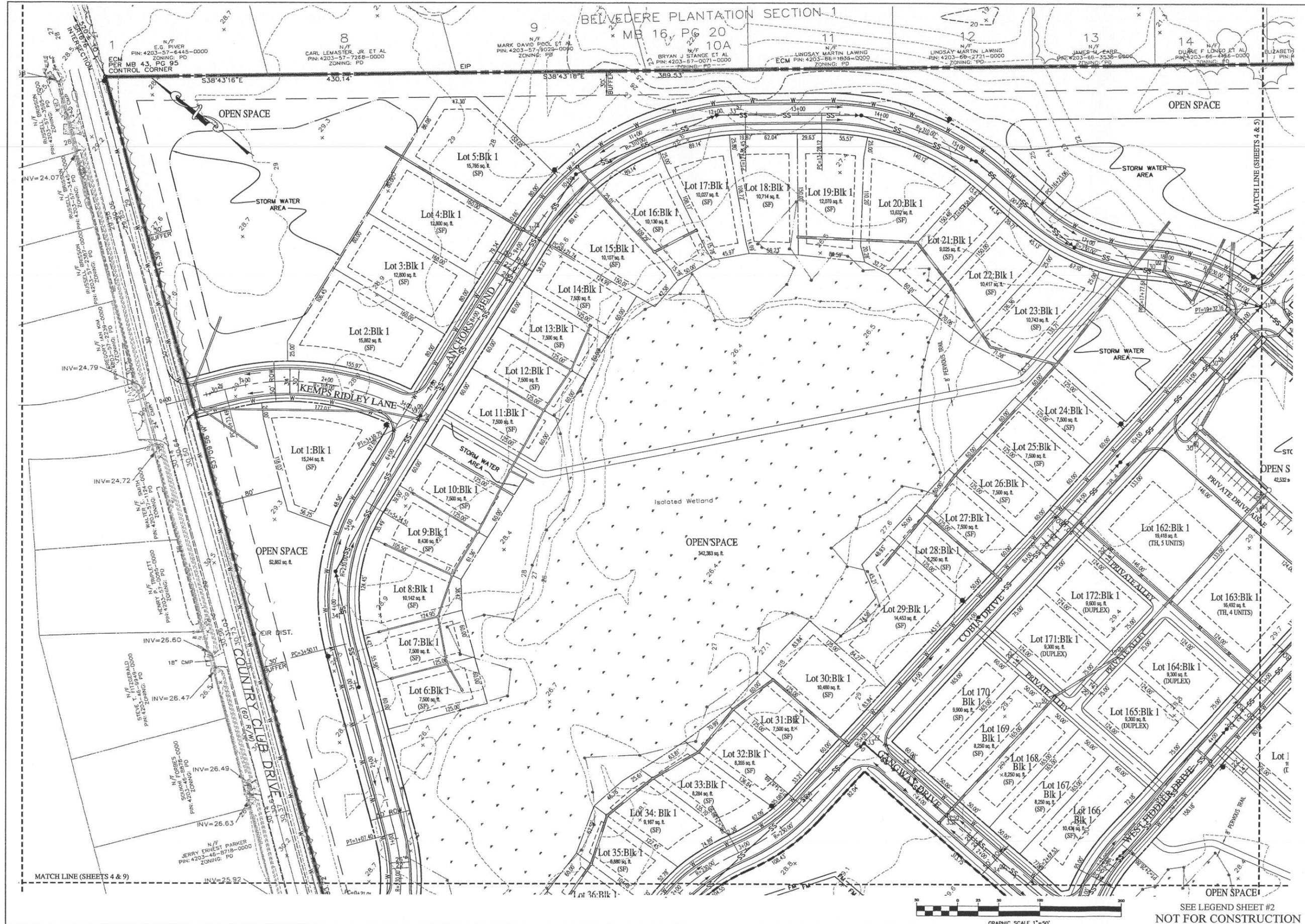
LU_Name

- Conservation
- Mixed Use
- Suburban Growth



2010
Comprehensive
Future Land Use





PRELIMINARY SITE PLAN	
HAWKSBILL COVE	
TOPSAIL TOWNSHIP	
PENDER COUNTY, NORTH CAROLINA	
SCALE: 1"=50'	DATE: July, 2012
SHEET 4 OF 17	FILE No. PRE-08-263

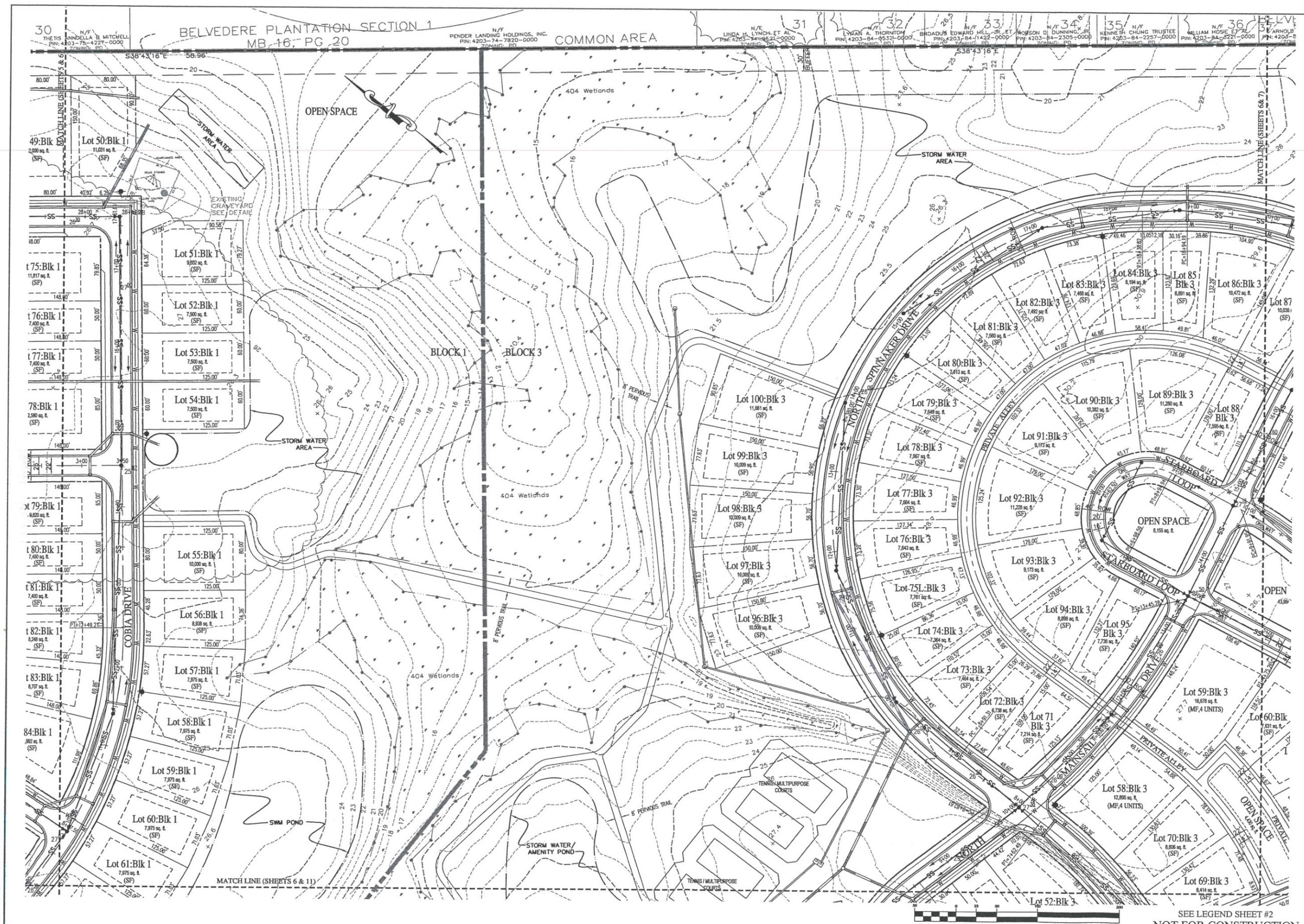
PLAN DATE	08-17-12
PLAN No.	
DATE	
DESCRIPTION	
REVISIONS	

Urban, Ltd.
 108 North Kern Avenue
 Winston-Salem, NC 27103
 Tel. 910.393.6555
 Fax 910.393.1451
 www.urban-llc.com

urban.
 Planners Engineers Landscape Architects Land Surveyors

Professional Seal: CAROLINA ARCHITECTS & ENGINEERS BOARD, No. 031733, EXPIRES 08/31/2012

SEE LEGEND SHEET #2
 NOT FOR CONSTRUCTION



30 BELVEDERE PLANTATION SECTION 1 MB-16, PG 20 COMMON AREA 31 32 33 34 35 36

No.	DATE	DESCRIPTION

PLANDATE
08-17-12

Urban, Ltd.
108 North Kerr Avenue
Suite 101
Raleigh, NC 27605
Tel: 919.996.1655
Fax: 919.996.1451
www.urban-llc.com



PRELIMINARY SITE PLAN
HAWKSBILL COVE
TOPSAIL TOWNSHIP
PENDER COUNTY, NORTH CAROLINA

SCALE: 1"=50'
DATE: July, 2012

SHEET
6
OF
17
FILE No.
PRE-08-263



SEE LEGEND SHEET #2
NOT FOR CONSTRUCTION



PLANDATE	08-17-12
DATE	
DESCRIPTION	
REVISIONS	
<p>Urban, Ltd. 108 North Kerr Avenue Suite 101 Raleigh, NC 27605 Tel: 919.996.1555 Fax: 919.996.1451 www.urban-llc.com</p>	
<p>urban Premier Engineers Landscape Architects Land Surveyors</p>	
<p>PLANNING DIVISION COUNTY OF PENDER 26/17/2012 08173</p>	
<p>PRELIMINARY SITE PLAN HAWKSBILL COVE TOPSAIL TOWNSHIP PENDER COUNTY, NORTH CAROLINA</p>	
DATE:	July, 2012
SCALE:	1"=50'
SHEET	7
OF	17
FILE No.	PRE-08-263

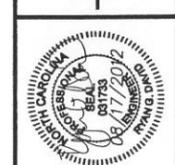
SEE LEGEND SHEET #2
NOT FOR CONSTRUCTION
GRAPHIC SCALE 1"=50'



No.	DATE	DESCRIPTION

PLAN DATE
08-17-12

Urban, Ltd.
 1000 Wilkerson Avenue
 Suite 101
 Wilmington, NC 28405
 Tel: 910.395.1555
 Fax: 910.395.1451
 www.urban-llc.com



PRELIMINARY SITE PLAN
HAWKSBILL COVE
 TOPSAIL TOWNSHIP
 PENDER COUNTY, NORTH CAROLINA

SCALE: 1"=50'
 DATE: July, 2012

SHEET
8
OF
17

FILE No.
PRE-08-263

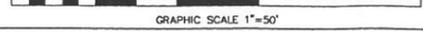
SEE LEGEND SHEET #2
 NOT FOR CONSTRUCTION



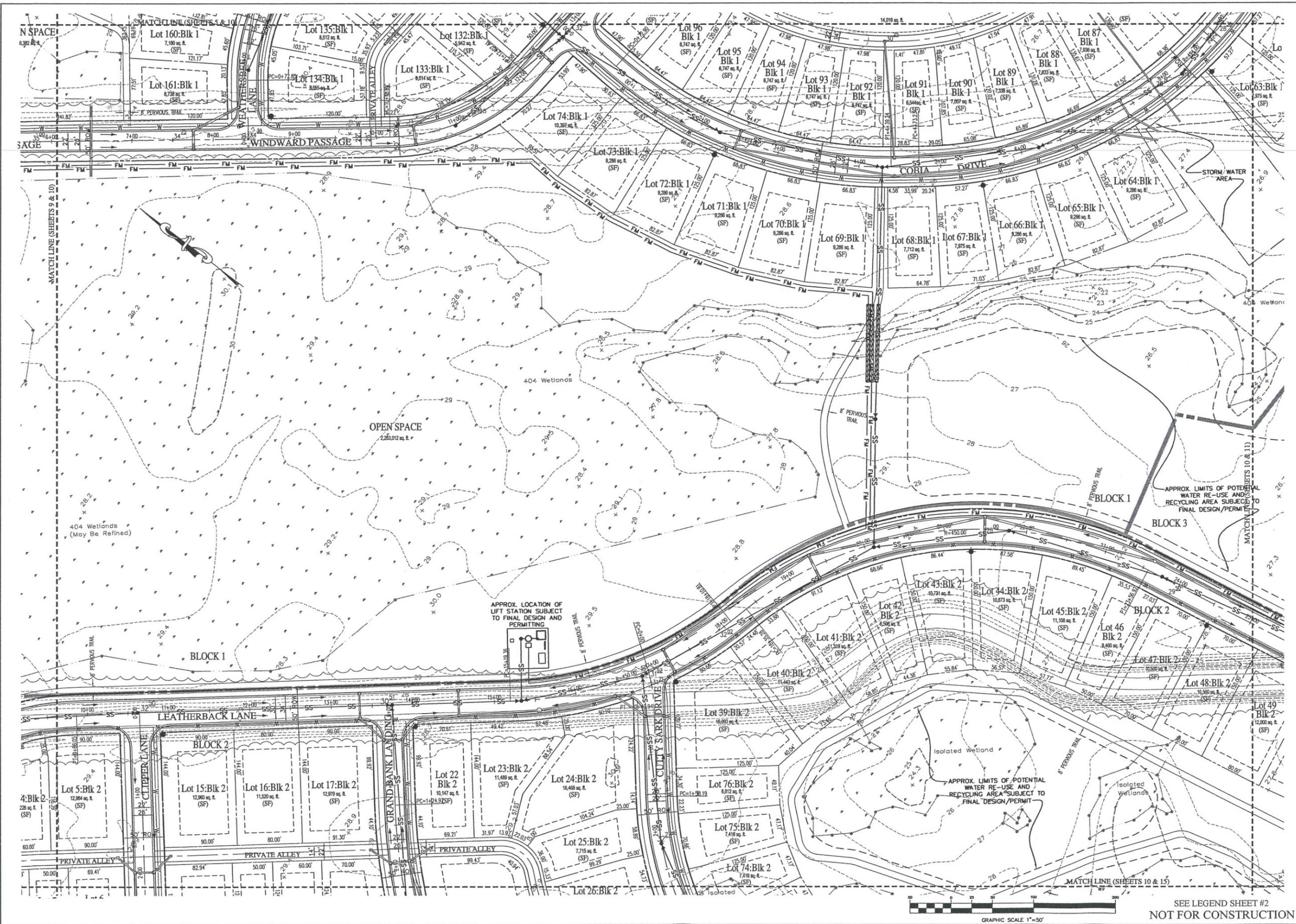
MATCH LINE (SHEETS 4 & 9)

MATCH LINE (SHEET 9 & 14)

<p>PLAN DATE 08-17-12</p>										
<p>Urban, Ltd. 108 Kern Kern Avenue Wilmington, NC 28405 Tel. 910.395.1055 Fax 910.395.1451 www.urban-llc.com</p>										
<p>urban. Planners, Engineers, Landscape Architects, Land Surveyors</p>										
<p>PRELIMINARY SITE PLAN HAWKSBILL COVE TOPSAIL TOWNSHIP PENDER COUNTY, NORTH CAROLINA</p>										
<p>SCALE: 1"=50'</p>	<p>DATE: July, 2012</p>									
<p>SHEET 9 OF 17</p>	<p>FILE No. PRE-08-263</p>									
<p>SEE LEGEND SHEET #2 NOT FOR CONSTRUCTION</p>										
<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		No.	DATE	DESCRIPTION						
No.	DATE	DESCRIPTION								

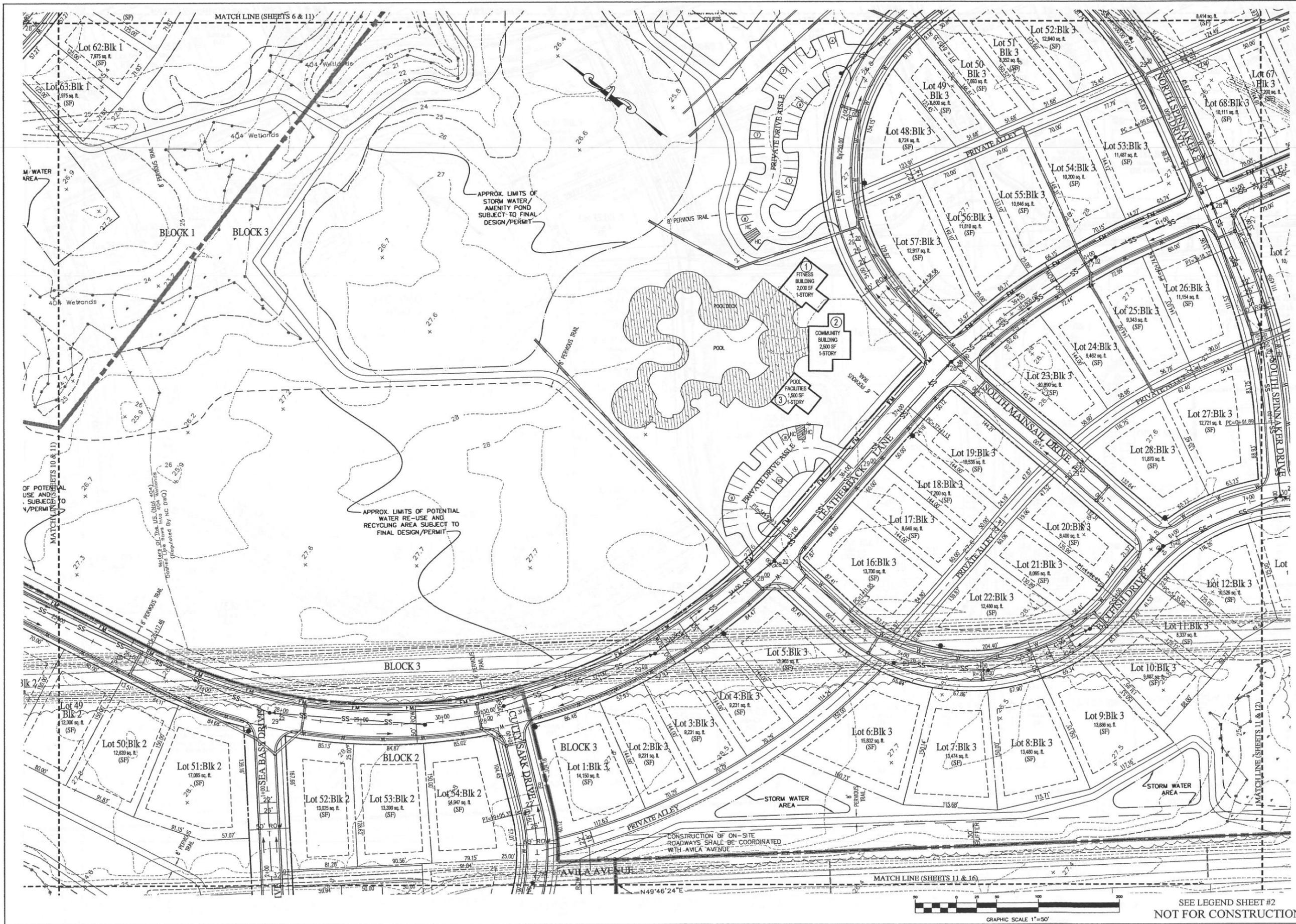


SEE LEGEND SHEET #2
NOT FOR CONSTRUCTION

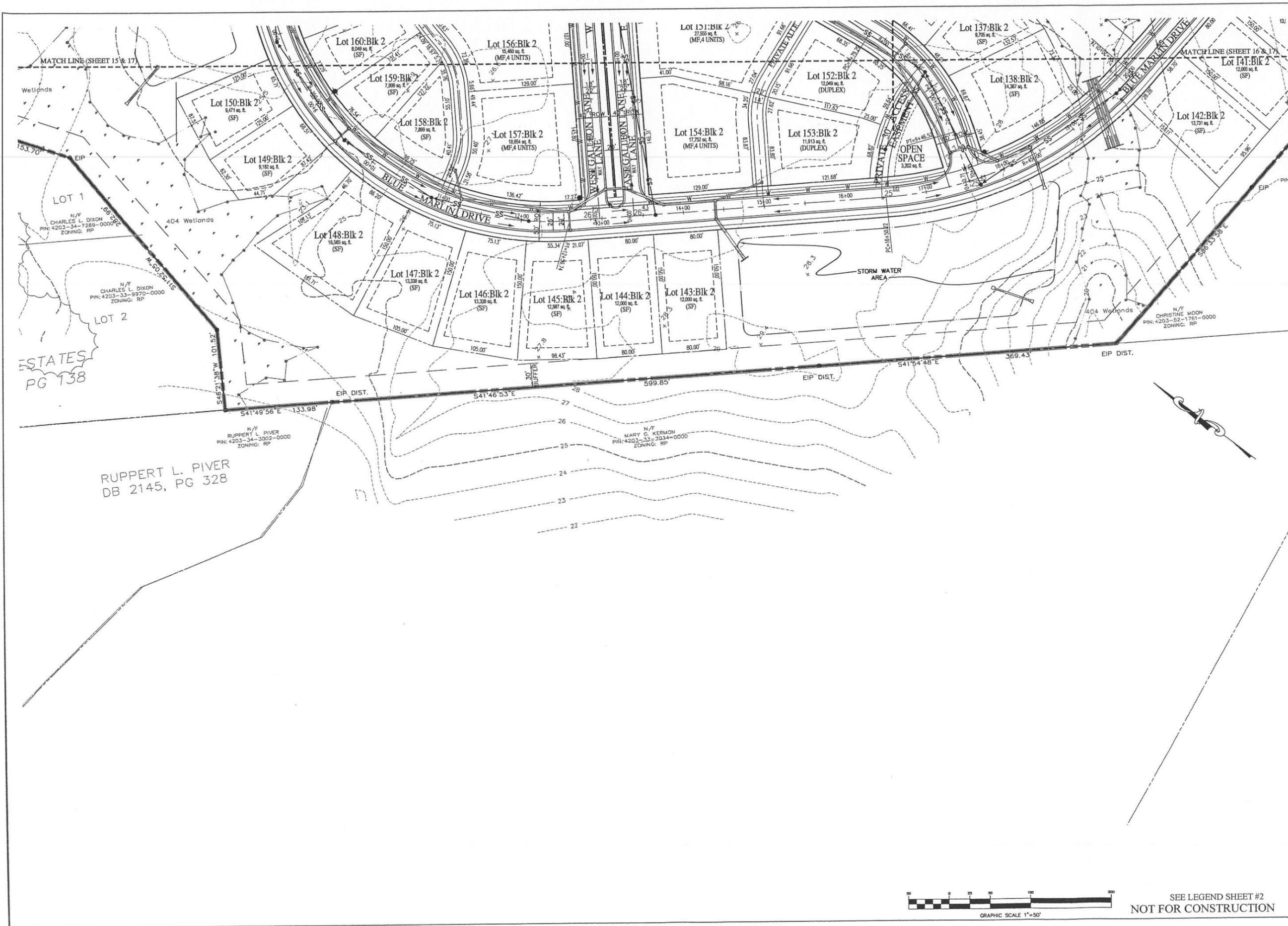


PRELIMINARY SITE PLAN HAWKSBILL COVE TOPSAIL TOWNSHIP PENDER COUNTY, NORTH CAROLINA	
SHEET 10 OF 17	FILE No. PRE-08-263
SCALE: 1"=50' DATE: July, 2012 CL: 1"	
Urban, LLC 100 North Kern Avenue Suite 200 Wilmington, NC 28405 Tel: 910.375.1655 Fax: 910.375.1651 www.urban-llc.com	
PLAN DATE 08-17-12	REVISIONS No. DATE DESCRIPTION

SEE LEGEND SHEET #2
 NOT FOR CONSTRUCTION



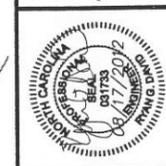
PRELIMINARY SITE PLAN HAWKSBILL COVE TOPSAIL TOWNSHIP PENDER COUNTY, NORTH CAROLINA	
SHEET 11 OF 17 FILE No. PRE-08-263	SCALE: 1"=50' DATE: July, 2012 CL: 1"
SEE LEGEND SHEET #2 NOT FOR CONSTRUCTION	
URBAN PLANNING ENGINEERS LANDSCAPE ARCHITECTS LEAD DESIGNERS 1100 N. 10th Street Suite 101 Wilmington, NC 28405 Tel: 910.359.1655 Fax: 910.359.1651 www.urban-nc.com	
PLAN DATE 08-17-12	
REVISIONS No. DATE DESCRIPTION	



No.	DATE	DESCRIPTION	REVISIONS

PLAN DATE
08-17-12

Urban, Ltd.
108 North Kerr Avenue
Suite K-1
Wilmington, NC 28405
Tel: 910.395.1635
Fax: 910.395.1401
www.urban-llc.com



PRELIMINARY SITE PLAN
HAWKSBILL COVE
TOPSAIL TOWNSHIP
PENDER COUNTY, NORTH CAROLINA
DATE: July, 2012
SCALE: 1"=50'
CL=1'

SHEET
17
OF
17
FILE No.
PRE-08-263



SEE LEGEND SHEET #2
NOT FOR CONSTRUCTION

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202

Fax: 910-259-1295

www.pendercountync.gov

TEXT AMENDMENT

A request to amend the text of this Ordinance may be initiated by the County Commissioners, Board of Adjustment, Planning Board, Administrator, or a citizen of Pender County.

Approval Criteria (*Section 3.18.5*)

In evaluating any proposed ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- a. The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- b. The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- c. Whether or not the proposed text amendment corrects an error in the Ordinance; and
- d. Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.
- e. In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

Action by the Planning Board

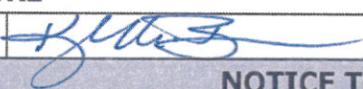
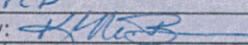
1. Before making any recommendation on a text amendment, the Planning Board shall consider any recommendations from the Administrator and shall conduct a public hearing where interested parties may be heard.
2. The Planning Board shall make a recommendation based on the approval criteria.
3. The Planning Board shall make its recommendation following the initial public hearing.

Action by County Commissioners

1. Before taking action on a text amendment, the County Commissioners shall consider the recommendations of the Planning Board and Administrator and shall conduct a public hearing.
2. The County Commissioners shall make a decision based on the approval criteria.
3. Following the public hearing, the County Commissioners may approve the text amendment, deny the amendment, or send the amendment back to the Planning Board or a committee of the County Commissioners for additional consideration.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 10774	Date	9/13/2012
Application Fee	\$ —	Receipt No.	—
Pre-Application Conference	—	Hearing Date	10/2/12 (PB) 10/15/12 (BOC)
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Pender County		
Applicant's Address:	805 S. Walker Street		
City, State, & Zip	Burgaw, NC 28443		
Phone Number:	(910)259-1202		
SECTION 2: UDO TEXT TO BE AMENDED			
Current Text to be Amended (Please site accurate Article number referenced):			
Section(s): 1.11.2; 8.3.2.C-E			
Proposed Text to be added:			
Proposal to allow a prescribed extension for previously approved Master Plans governed under the Zoning Ordinance as well as clarifying language regarding parking lot landscaping standards.			
SECTION 3: SIGNATURE			
Applicant's Signature			Date: 9/13/2012
NOTICE TO APPLICANT			
If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.			
TEXT AMENDMENT CHECKLIST			
<input checked="" type="checkbox"/>	Signed application form		
N/A <input checked="" type="checkbox"/>	Application fee		
N/A <input checked="" type="checkbox"/>	A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application)		
Office Use Only			
<input type="checkbox"/> ZTA Fees: \$250		Total Fee Calculation:	
Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input type="checkbox"/> Check # _____
Application Received By:	PCD	Date:	
Application completeness approved by:		Date:	
Dates Scheduled for Public Hearings:	<input checked="" type="checkbox"/> Planning Board: 10/2/12	<input type="checkbox"/> BOC: 10/15/12	

Print Form

PLANNING STAFF REPORT
Zoning Text Amendment

SUMMARY:

Hearing Date: Planning Board – October 2, 2012
Board of County Commissioners – October 15, 2012
Applicant: Administrator, Division of Planning
Application Number: ZTA 10774 Pender County

Text Amendment Proposal: The request consists of amending Sections 1.11.2 and 8.3.2.C-E within the Pender County Unified Development Ordinance.

Background: The following text amendments are the result of various administrative discussions and situational circumstances that have been brought to Staff's attention since the approval of the previous amendment.

Administrator Recommendation: Administrator respectfully recommends **amending** the Unified Development Ordinance as described in the staff report:

The following outline describes the proposed amendments by topic. The amendment proposes a prescribed extension for previously approved master plans and clarifies existing language regarding parking lot landscaping requirements. The following is a description, by topic, of the changes that are proposed. A detailed packet of all the changes is included in the informational packet which has been distributed to accompany this report.

Master Plan Approval Extension

A request for a project extension for an approved master plan governed by the Zoning Ordinance (governance for projects approved up to June, 2010) was submitted to the Planning & Community Development office. The current provisions within neither the Unified Development Ordinance (UDO) or the Zoning Ordinance provides for another level of project approval extensions. The request was brought to the Planning Board for their review at their September 11, 2012 work session in which direction was given to staff to prepare an amendment to the UDO for review and consideration.

The language developed by staff addresses previously approved master plans that have a current approval status and were approved prior to the adoption of the UDO (June, 2010). These projects must have encompassed more than 350 acres and have an approved master plan within the Planned Development District. This criterion is aimed at larger, more complex projects. Also, objective criteria in which the Administrator may provide for the extension has been established for an applicant to provide burden of proof that they are moving forward with permitting through a local, state, or federal permitting agency. Currently there are five (5) projects meeting the prescribed criteria that could potentially utilize the proposed extension process, they are included in the following table:

<u>Project Name</u>	<u>Acres Approved</u>
East Haven	1848
The Preserve (Bayberry)	712
Hawksbill Cove	413
Moore's Landing	362
Lane's Ferry	963

Interior Parking Lot Landscaping

Staff is proposing a revision to the existing standards outlined in Section 8.3.2, Interior Parking Areas concerning required interior parking lot landscaping. The proposed amendment revises existing language for clarity purposes without proposing any new language.

Evaluation:

As prescribed in the Pender County Unified Development Ordinance (UDO) Article 3.18.5 in evaluating any proposed ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- 1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- 2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- 3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
- 4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

Comprehensive Land Use Plan Compliance:

There are no conflicting policies within any adopted land use documents.

Staff Recommendation:

The proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements; therefore, staff is recommending approval of the amendments as presented.

Planning Board

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Boney: ___ Edens: ___ Garrett: ___ Marshburn: ___ Millette: ___ Nalee: ___ Williams: ___

1.11 TRANSITIONAL PROVISIONS

1.11.1 Construction in Progress

The adoption of this Ordinance does not require a change in the plans, construction, or designated use of any structure for which actual construction was lawfully begun before the effective date of this Ordinance on which actual construction has been diligently pursued. For the purpose of this provision, "actual construction" includes the erection of construction materials in permanent position and fastened in a permanent manner; and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work must be diligently pursued until completion of the structure.

1.11.2 Approvals Granted Before Effective Date

Building permits, variances, special use permits, subdivision plans, site plan approvals, and other similar development approvals that are valid the day before the effective date of this Ordinance will remain valid until their expiration date. Development may be completed in accordance with such approvals even if such building, development or structure does not fully comply with provisions of this Ordinance. If building is not commenced and diligently pursued in the time allowed under the original approval or any extension granted, then the building, development or structure must meet the standards of this Ordinance in effect at the time of re-application.

- A. Projects which are currently valid under the provisions of the previously approved development ordinance(s) may be eligible for one extension for a period of time not to exceed twelve (12) months. The extension request shall be submitted to the Administrator within ten (10) calendar days of expiration of the original approval time frame.
- 1) The following criteria must be met prior to the consideration of an extension under the provisions of this Ordinance:
 - a) The project must be classified within the PD, Planned Development District as shown on the Pender County Zoning Map at time of original approval.
 - b) The project must have a valid, approved Master Plan and/or Preliminary Plat.
 - c) The overall project area must contain at least 350 acres.
- 2) Projects meeting the standards outlined in 1.11.2 A.1 must submit the following items for the Administrator's review and approval. The Administrator may have up to 10 business to provide comment and/or disposition:
 - a) Proof of permitting application and fees paid to a local, state, or federal permitting agency
 - b) Narrative explaining the request, adequately demonstrating that a good faith effort has been made to comply with the original time allotment, including an outline of steps to be taken for project advancement within the time expansion.

1.11.3 Applications in Progress before Effective Date

Applications for building permits, variances, special use permits and other similar development approvals that were submitted in complete form and are pending approval before the effective date of this Ordinance must be reviewed wholly under the terms of the previous Ordinance. Any re-application for an expired approval must meet the standards of this Ordinance in effect at the time of re-application.

1.11.4 Violations Continue

Violations of the previous Ordinances will continue to be a violation under this Ordinance and be subject to penalties and enforcement under Article 12. The adoption of this Ordinance does not affect nor prevent any pending or future action to abate violations of previous Ordinances.

1.11.5 Nonconformities

Nonconformities under the previous Ordinance may continue under this Ordinance, as defined in Article 11.

8.3.2 Interior Parking Areas

- C. Single row terminal landscape island **requirements** ~~Each single row terminal landscape island shall contain at least one (1) canopy tree.~~
- 1) **Single row parking terminals cannot extend more than ten (10) contiguous parking spaces or more than one-hundred and twenty (120) feet, whichever is more restrictive.** ~~More than ten (10) contiguous parking spaces or extend more than one-hundred and twenty (120) feet, whichever is more restrictive.~~
 - 2) **Each terminal island must include** ~~One single row terminal landscape island, with a minimum pervious area of three hundred (300) square feet and~~ **with** a minimum width of twelve (12) feet. ~~shall be provided at each end of a single row parking bay.~~
 - 3) **Each single row terminal landscape island shall contain at least one (1) canopy tree.**
 - 4) Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances.
- D. Double row terminal landscape island **requirements** ~~A double row parking bay with head-to-head parking shall not contain more than twenty (20) contiguous parking spaces in a 2 rows x 10 spaces configuration or extend more than one-hundred and twenty (120) feet, whichever is more restrictive.~~
- 1) **Double row parking terminals bay with head-to-head parking shall not contain cannot extend more than twenty (20) contiguous parking spaces, ten spaces by two rows (10 x 2), or extend more than one-hundred and twenty (120) feet, whichever is more restrictive.**
 - 2) **Each terminal island must include** ~~One double row terminal landscape island, with a minimum pervious area of six hundred (600) square feet and a minimum width of twelve (12) feet. shall be provided at each end of a double row parking bay.~~
 - 3) Each double-row terminal landscape island shall contain at least two (2) canopy trees.
 - 4) Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances.
- E. Intermediate landscape islands **requirements** ~~Intermediate landscape islands shall be provided for any parking lot with eighty (80) or more parking spaces, and an additional intermediate landscape island shall be provided for every additional twenty (20) parking spaces in excess of eighty (80).~~
- 1) **Intermediate landscape islands shall be provided for any parking lot with eighty (80) or more parking spaces. Additional intermediate landscape islands shall be provided for every additional twenty (20) parking spaces in excess of eighty (80).**
 - 2) Each intermediate landscape island shall have a minimum pervious area of three hundred (300) square feet and a minimum width of twelve (12) feet, and
 - 3) Each intermediate landscape island shall contain at least one (1) canopy tree.

PLANNING STAFF REPORT
Zoning Map Amendment

SUMMARY:

Hearing Date: October 2, 2012 – Planning Board
October 15, 2012 – Board of Commissioners

Case Number: 10768 – Batson

Applicant: Pender County

Property Owner: Batson, Larry et al

Zoning Proposal: Pender County, applicant, is requesting approval of a Zoning Map Amendment to adopt zoning on two (2) tracts located at the terminus of McClammy Road, Hampstead, NC. The properties are both owned by Larry Batson and may be identified by Pender County PINs 4225-03-5033-0000; 4225-12-0236-0000. The requested zoning district to be applied to the tracts is RP, Residential Performance District.

Property Record Numbers, Acreage, and Location: The request contains two (2) tracts totaling approximately 49.02 acres located at the terminus of McClammy Road, Hampstead, NC. The Pender County PIN's are 4225-03-5033-0000; 4225-12-0236-0000.

Planning Board Recommendation: On October 2, 2012, the Pender County Planning Board voted [VOTE] in favor of passing a motion to recommend [APPROVAL/DENIAL] of the aforementioned zoning request.

Staff Recommendation: The request complies with the criteria set forth in Article 3.3.8 of the Unified Development Ordinance. The request is consistent with the Comprehensive Land Use Plan. Therefore, staff respectfully recommends that the request be approved.

DESCRIPTION:

Pender County, applicant, is requesting approval of a Zoning Map Amendment to adopt county zoning on approximately 49.02 acres located at the terminus of McClammy Road, Hampstead, NC. During the past legislative session, Senate Bill 900 (SB 900) titled "AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY" was approved by the House and Senate providing for approximately 49.02 acres of property to be removed from the Town of Surf City's municipal limits. Subsequently, the property does not have county zoning.

On August 8, 2012, staff met with the property owner, along with the Town of Surf City to discuss the procedures and review the criteria for adopting county zoning classifications on the tracts. The property was currently zoned R-15 according to Surf City records, providing for a residential zoning district with a 15,000 sq. ft. minimum lot size. The requested zoning classification of RP, Residential

Performance District has a minimum lot size of 15,000 sq. ft., consistent with the previous Surf City zoning district.

The property is currently accessed via McClammy Road, a 30' dirt access easement off of Watt's Landing Road (SR 1560). According to Pender County tax records, the tracts are both vacant of structures. According to National Flood Insurance Rate Map (2/16/2007), panel 4225J, there is Special Flood Hazard Areas located on the property with an AE Zone (subject to inundation by the 1-percent-annual-chance flood event) designation. The base flood elevation has been established at 8'.

The proposed zoning district will encompass all uses permitted-by-right in the RP, Residential Performance District, as shown on the Permitted Use Table 5.2.3 of the Pender County Unified Development Ordinance. The Residential Performance District is intended to allow a variety of residential uses and densities and also limited commercial activities as well as agritourism. Existing or new agricultural and farm uses shall be allowed on undeveloped land prior to development.

EVALUATION:

- A) Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners have been given written notice of the request, as well as a sign placed on the subject property.
- B) Existing Zoning in Area:** The adjoining and adjacent properties are zoned RP, Residential Performance District.
- C) Existing Land Use in Area:** The existing land use in the area includes low density residential and vacant tracts to the north. Along the eastern and southern boundary is an existing travel trailer park and to the west is low density residential (*Virginia Creek Forest subdivision*). The subject properties border the Virginia Creek to the south.
- E) 2010 Comprehensive Land Use Plan Compliance:** This property is located in the Mixed Use land classification which is a land use classification designating locations where a mixture of higher density/intensity uses are to be encouraged. The adjacent and surrounding properties are all classified as Mixed Use. The RP, Residential Performance District is supported by this land use classification.
 - a) Policy 1A.1.5:** *The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.*
- F) Unified Development Ordinance Compliance:** Article 3.3.8 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for rezoning can be made. The proposed rezoning meets the standards of Article 3.3.8 of the Unified Development Ordinance.

Review Criteria for Rezoning

The Planning Board and Board of Commissioners shall consider the following matters in considering a rezoning request:

- A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
- B. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;
- C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
- D. Whether the proposed amendment is reasonable as it relates to the public interest.

G) Summary & Staff Recommendation: This proposal consists of a Zoning Map Amendment to apply RP, Residential Performance District zoning to two (2) tracts totaling 49.07 acres. The request complies with the criteria set forth in Article 3.3.8 of the Unified Development Ordinance. The request is consistent with the 2010 Comprehensive Land Use Plan. The Pender County Planning Board is recommending approval of this request. Therefore, staff respectfully recommends that the request be approved.

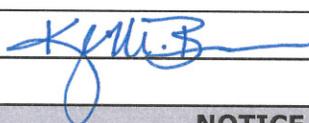
Planning Board

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Boney: ___ Williams: ___ Edens: ___ Garrett: ___ Marshburn: ___ Millette: ___ Nalee: ___

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 10768	Date	8/3/2012
Application Fee	\$ —	Receipt No.	—
Pre-Application Conference	—	Hearing Date	9/11 - PB 9/17 BOC
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Pender County	Owner's Name:	Batson, Larry Et al
Applicant's Address:	805 S. Walker Street	Owner's Address:	590 Belt Road
City, State, & Zip	Burgaw, NC 28425	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-259-1202	Phone Number:	910-
Legal relationship of applicant to land owner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4225-03-5033-0000; 4225-12-02	Total property acreage:	49.02
Current Zoning District:	N/A	Proposed Zoning District:	RP, Residential Performance
Project Address :			
Description of Project Location: End of McClammy Road, Off Watts Landing Road, Hampstead			
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	8/3/2012
Owner's Signature		Date:	
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda 			



Applicant:
Pender County

Owner:
Larry Batson

Zoning
Map Amendment

RP, Residential
Performance

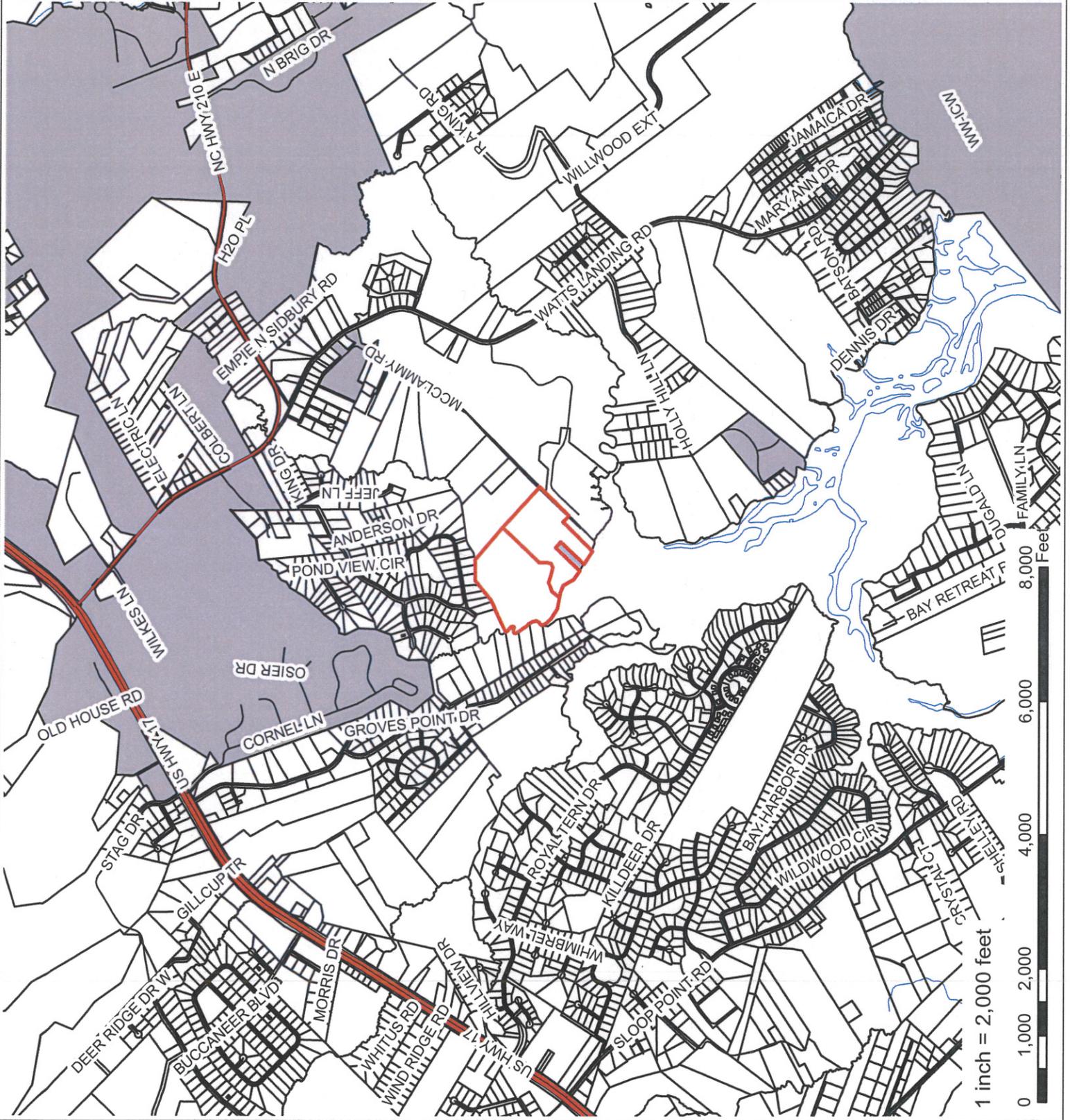
Case # 10768

Legend

-  Subject Property
-  Surf City Municipal Limits



VICINITY MAP



1 inch = 2,000 feet





Applicant:
Pender County

Owner:
Larry Batson

Zoning
Map Amendment

RP, Residential
Performance

Case # 10768

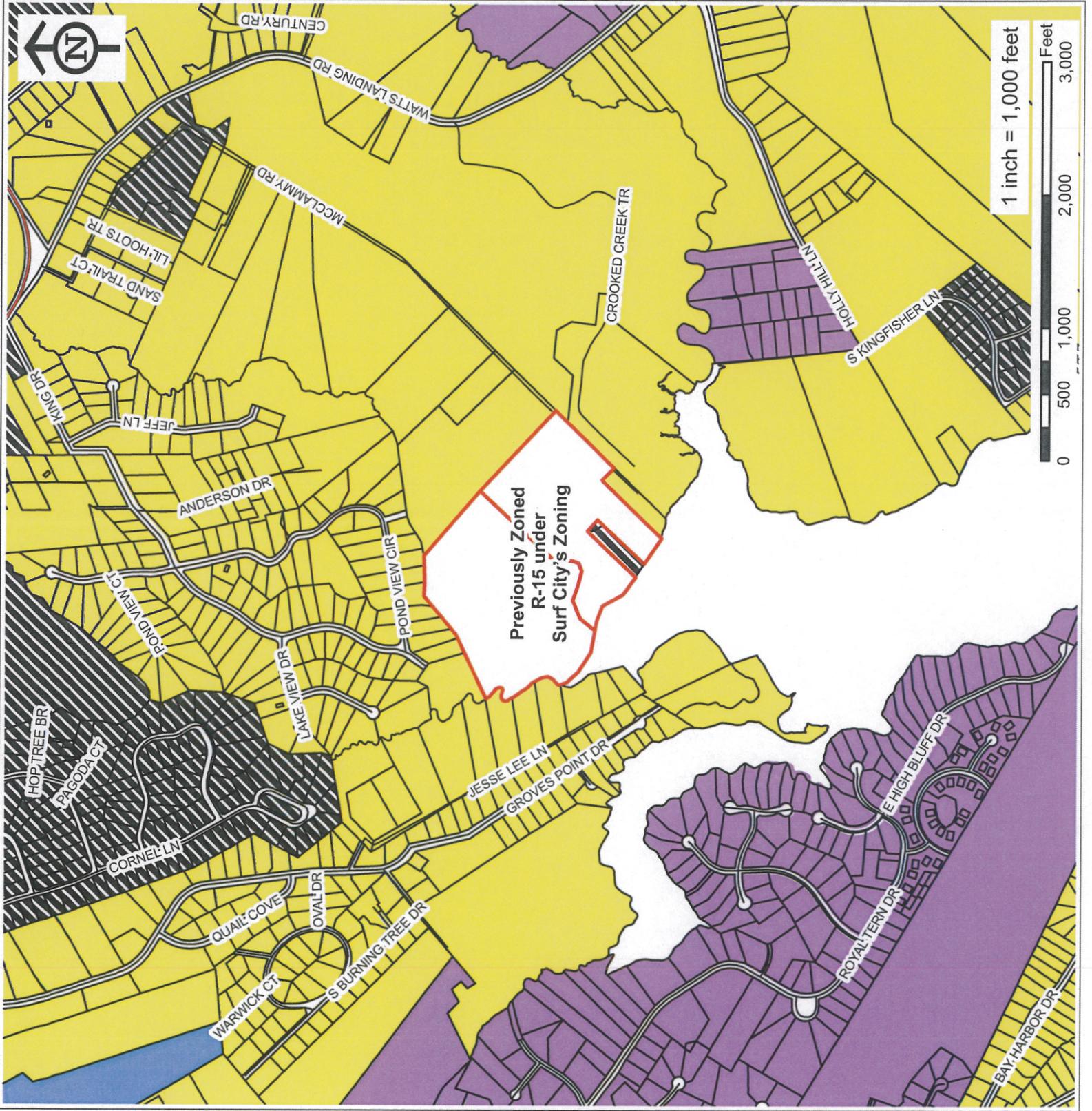
Legend

Subject Property

Zoning Classification

- General Business (GB)
- General Industrial (GI)
- Industrial Transition (IT)
- Office & Institutional (OI)
- Rural Agricultural (RA)
- Planned Development (PD)
- Residential Performance (RP)
- Environmental Conservation (EC)
- Incorporated Areas (INCORP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)

ZONING MAP





Applicant:
Pender County

Owner:
Larry Batson
Zoning
Map Amendment

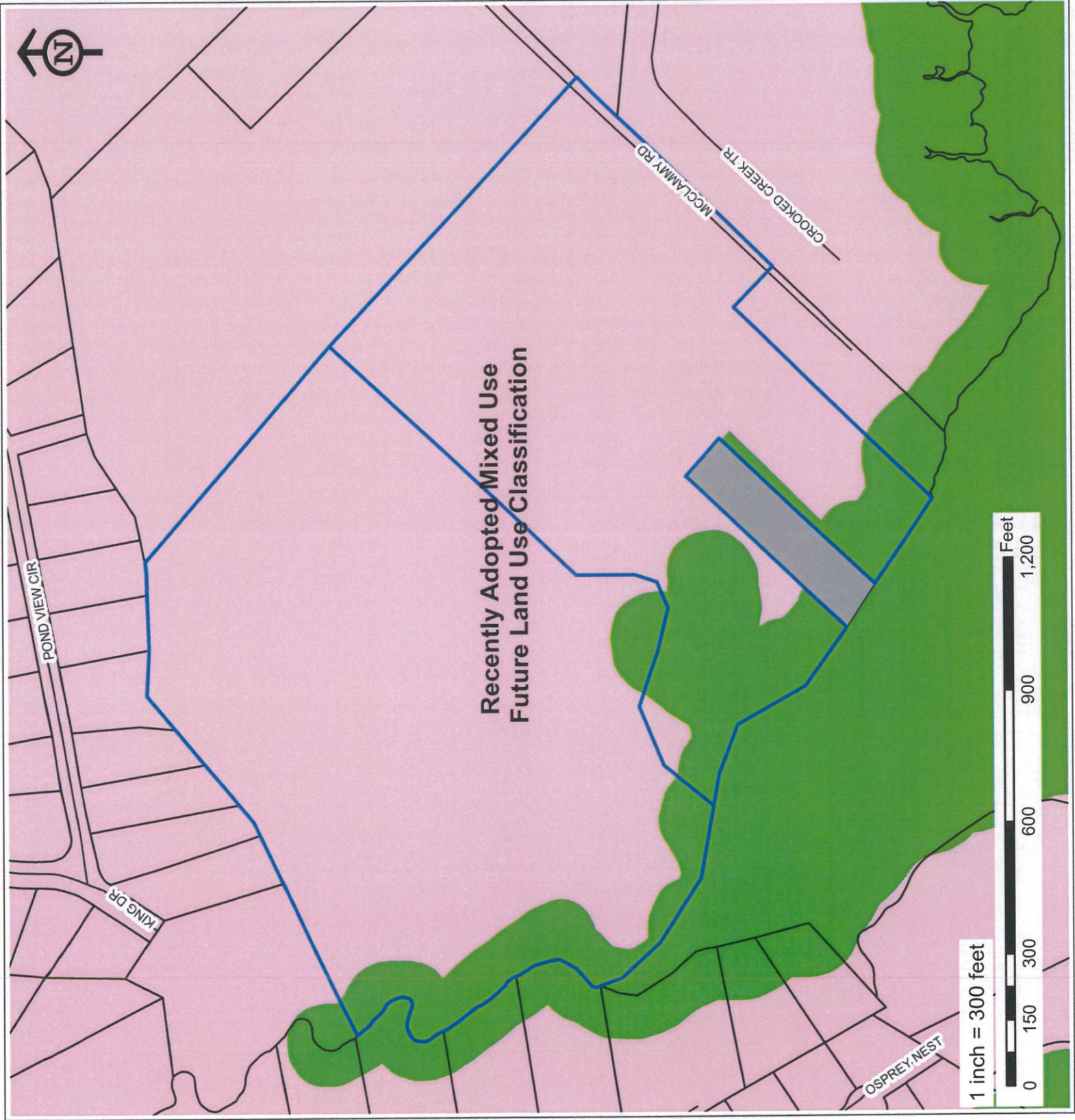
RP, Residential
Performance

Case # 10768

Legend

-  Subject Property
-  Surf City Municipal Limits
- Future Land Use**
-  Conservation
-  Industrial
-  Mixed Use
-  Rural Growth
-  Suburban Growth

2010
Comprehensive
Future Land Use





Applicant:
Pender County

Owner:
Larry Batson

Zoning
Map Amendment

RP, Residential
Performance

Case # 10768

Legend

 Subject Property



Aerial Map





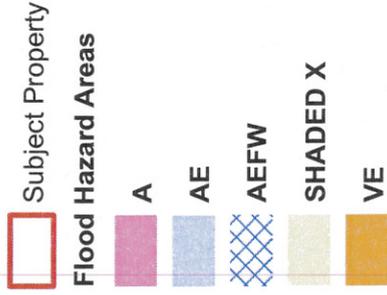
Applicant:
Pender County

Owner:
Larry Batson

Zoning
Map Amendment

RP, Residential
Performance

Case # 10768



Flood Hazard Areas

