Pender County
Planning and Community Development

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MINUTES

Pender County Planning Board Meeting
February 4, 2014 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Williams called the meeting to order at 7:02 pm.

Roll Call: Chairman Williams
Pender County Planning Board Members:
Williams: X McClammy: X Baker: X Boney: __ Edens: X Marshburn: _ Nalee: _

1. **Adoption of the Agenda:** Vice-Chairman McClammy made the motion to adopt the agenda; seconded by Board member Edens. The vote was unanimous.

2. **Adoption of the Minutes: (January 7, 2014)** Board member Baker made the motion to adopt the minutes; seconded by Vice-Chairman McClammy. The vote was 3 in favor of adoption and 1 recuse.

3. **Public Comment:** Chairman Williams asked if there were any signups for public comment; due to no signups, Chairman Williams closed the floor to public comments and opened the floor for the public hearings.

4. **FOCUS:**
Mr. Al Sharp, Project Director, provided the Board an update as to the progress of the HUD Sustainable Communities Grant (FOCUS). Mr. Sharp stated that the program was at the midterm of its three year term and he felt it was important to review with the Board where the project stands and its timeline. Mr. Sharp stated that over the past year they had been collecting data from Pender, New Hanover, and Brunswick counties for population projections; which showed a population increase of 300,000 moving into the three counties by the year 2040. Mr. Sharp explained that it was important for the counties to work together in the efforts to prepare for the projected population increase. Mr. Sharp stated that the program has also looked at health and housing issues and that the idea of looking at the future; is to plan for population growth, and manage it for the good of jobs, income, health, and transportation; in addition to regional planning, the decision was made to work on four demonstration projects, one in each of the major jurisdictions, which he gave examples of. Mr. Sharp concluded his update, announced an upcoming event in April that the Board would receive notifications to attend and asked if the Board had any questions. Chairman Williams thanked Mr. Sharp for his time and held a brief discussion regarding the projected population increase. Vice-Chairman McClammy asked if the demo project for the Pender coast would be from Scott's Hill to Topsail Beach and in regards to the population estimates, is the majority of that estimate anticipated for New Hanover County and what might the percentages be for Brunswick and Pender Counties; Mr. Sharp answered that he did not have those percentages at this time but, they would be available at the event in April; in reference to the Coastal Pender project, it is based on an area in Hampstead

that an individual property owner is proposing a water/sewer treatment facility on a large tract of land. Director Breuer thanked Mr. Sharp for coming to the meeting and further explained the opportunity of a large private investment for sewer in the eastern side of the County. Director Breuer stated that staff would appreciate feedback from the Board regarding the regional plan, that it is a great opportunity for the Board to be actively involved.

(Public Hearings Opened)

5. **Adoption of the Maple Hill Small Area Plan:**
The Pender County Planning Board planned to hold a public hearing for the adoption of the Maple Hill Small Area Plan however, Chairman Williams stated that there were two members of the Board who served on the Maple Hill Small Area Plan Steering Committee, and due to their absence and no sign ups for comments from the public, would the Board agree to postpone agenda item 5 to the next scheduled meeting. Vice-Chairman McClammy asked Director Breuer to update the Board on any comments received from Board members Boney and Marshburn or public; Director Breuer answered that the public comment session was formally opened in December, a public input meeting was held at the Maple Hill Resource Center and that only one comment had been received. Director Breuer stated that he had not received any comments from Board members Boney and Marshburn. Board member Baker stated that if there was no urgency, he recommended tabling the item until Board members Boney and Marshburn were present. Vice-Chairman McClammy asked how the Board's decision would affect the upcoming Board of Commissioners' meeting; Director Breuer answered that the item would be pulled from their agenda.

Vice-Chairman made a motion to table agenda item 5; seconded by Board member Edens. The vote was unanimous.

6. **Master Development Plan:**
OPV Development, LLC, applicant and owner, requested the approval of a Master Development Plan for a 2-phased Mixed Use Subdivision. The request consisted of developing 95-98 single family residential units and commercial square footage to be located on approximately ±45.87 acres. The proposed project is located on the north side of Country Club Drive (SR 1565) approximately one (1) mile from the intersection of US Highway 17 and Country Club Drive; north of Captain Beam Boulevard and west of Emerald Ridge Drive in Hampstead. The property is zoned PD, Planned Development Zoning District and may be identified by Pender County PIN(s) 4203-14-3306-0000; 4203-05-8711-0000. Planner O'Hare presented and gave background information for agenda item 6. Planner O'Hare stated that staff recommends approval and recommended that the Planning Board waive the Preliminary Plat hearing given that all conditions were met. Vice-Chairman McClammy asked in regards to the certificate of approval required by the Pender County Addressing Coordinator, has the requirement of the project's name been addressed or is the applicant planning to move forward with the original name; Planner O'Hare stated that she would defer to the applicant to answer. Director Breuer stated for further clarification that the Addressing Coordinator did not have any regulatory authority in the County Ordinances to require that the applicant change the projects name, but the applicant has agreed to address the concern. Mark Walton, Walton Engineering, stated that he was the engineer for the project and that the applicant prefers to keep the original project name but, if it is a sticking point for the Board they might be willing to look at a different name, that the applicant understands the Addressing Coordinator and Emergency Management's concerns however, 911 calls respond to street addresses not subdivisions. With no discussion from that Board, Chairman Williams stated that it appeared the Board agreed to the leave the project name as presented. Board member Baker asked that if DOT required any modifications to Country Club Drive, who would be responsible for making those changes; Director Breuer answered that it would be the applicant's responsibility. Board member Edens asked what would be the radii of the proposed cul-de-sacs; Mr. Walton answered that they would be designed and built to DOT's standards for subdivisions, which would be a 37 foot radius. Board member Edens asked for clarification if DOT's standard were such that a school bus couldn't comfortably turn around; Mr.

Walton answered that he really couldn't speak on how DOT came up with their specifications regarding school buses because he didn't know the answer. Board member Edens asked what was the applicant's stance on if DOT's standards are 37 feet, but the County's school system is requiring 45 feet so that school buses can come into the development and be able to turn around; Mr. Walton stated that he and the applicant were discussing that prior to the meeting and would prefer to defer that question to the applicant. Chairman Williams asked if the Board would have any more authority than what the Ordinance allowed; Director Breuer answered that with a Planned Development the Board would have the authority to apply conditions. Tammy Spivey, OPV Development, LLC, answered that they would be more than willing to increase the radius of the last cul-de-sac to 45 feet that the intent of the developer would be to accommodate the school system's request. Board member Baker asked if there was a specific date for when the MBR plant would be online; Director Breuer stated that to his knowledge it was about 15 to 18 months, but would defer to the applicant to answer. Mike Gallant, Consulting Engineer for Pluris Hampstead, LLC, stated that they were currently in the design stage, would be going to permitting in the late spring/early summer, and hopefully start construction in late summer/early fall of 2014, that the construction is usually a 10 to 12 month period so the projected online date is somewhere in late summer/early fall of 2015. Board member Edens asked staff for clarification regarding the request to waive the preliminary plat hearing, would all requirements be met prior to staff signing off; Director Breuer answered that all requirements would be met that essentially if there was a hearing the Board would review the same plan presented tonight. Chairman Williams asked to hear from anyone who had signed up to speak. Todd Brohaugh, 274 Emerald Ridge Dr. Hampstead, NC, gave a brief history of the project history and stated that he still had a concern with the density of the project, that the project could be viewed as an extension of Emerald Ridge and that the average lot size in Emerald Ridge is one third of an acre; Mr. Brohaugh commented that he was pleased to see that the buffer had changed from what it was in the previous plan; Mr. Brohaugh concluded that he wanted to see a smooth transition from Emerald Ridge to the new project in regards to the lot size of the lots butting up against the Emerald Ridge lots. Mr. Walton responded to Mr. Brohaugh's concern stating that the lots in his project that adjoin the lots in Emerald Ridge are actually smaller, with less density then the lots in other phases of the project. Vice-Chairman McClammy asked staff to describe what type, if any, of feedback was received regarding the project; Planner O'Hare answered that there were some telephone calls and emails received that were general inquries, and some received in reference to traffic concerns.

Board member Edens made a motion to approve the presented Master Development Plan as presented, that if all requirements where met the preliminary plat hearing would be waived, and to include the agreement stated during the hearing that the applicant would design the radius of the last cul-de-sac to 45 feet; seconded by Vice-Chairman McClammy. The vote was unanimous.

7. Zoning Text Amendment:

Pender County, applicant, requested an amendment to the Pender County Unified Development Ordinance. The request consists of creating an Appendix E titled Conditional Rezoning Districts; as well as administrative updates to references throughout the document associated with Conditional Zoning Districts. Planner O'Hare presented and gave background information for agenda item 7. Board member Edens asked if the appendix would be a running document; staff answered yes. The Board held a brief discussion with staff regarding what the appendix would entail and the process for which it would be managed. Chairman Williams asked if there were any other questions and if not did anyone wish to make a motion.

Board member Edens made a motion to approve the presented Zoning Text Amendment; seconded by Vice-Chairman McClammy. The vote was unanimous.
(Public Hearings Closed)

8. **Discussion Items:**

   a. **Planning Staff Items:**

      i. Collector Street Plan update for revised WMPO boundary
      Director Breuer stated that the Pender County Collector Street Plan was adopted in 2007, since that date there has been a lot of development changes such as the expansion of the MPO boundary. Director Breuer explained that with the expansion the lower half of the County would now be included within the Metropolitan Planning Organizations jurisdiction. Director Breuer stated that with the Planning Board's concurrence he would be requesting that the Pender County Board of Commissioners adopt a resolution requesting that the MPO update the Pender County Collector Street Plan to include the boundary expansion, key environmental data, and a Bike and Ped plan. Director Breuer explained that benefits of a County having a Bike and Ped plan in terms of applying for grants. Board members recommended that staff move forward with requesting the adoption of discussed resolution.

   b. **Planning Board Members Items:**

      i. Chairman Williams asked if there were any items from the Board members. Chairman Williams stated that he had a question; that he hears from the Surf City area that situations occur for existing business that want to grow have a hard time implementing everything that the new Ordinance requires, could there be a time frame implemented to allow business owners time to become compliant with the Ordinance while completing their plans. Director Breuer explained that the cases that staff typically see are based on parking and landscaping requirements, storm water permits have to go through state permitting and there is nothing staff could do in reference to those permit requirements but, staff does look at issues case by case and try to assist the applicant to achieve their request.

9. **Next Meeting:** Scheduled for March 4, 2014.

10. **Adjournment:** The meeting adjourned at 9:05 pm.