Pender County
Planning and Community Development

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AGENDA
Pender County Planning Board
Wednesday, November 4, 2015 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Williams

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

1. **Adoption of the Agenda:**

2. **Adoption of the Minutes: (October 13, 2015)**

3. **Public Comment:**

(Public Hearings Open)

4. **Master Development Plan and Major Site Plan:**
Norris and Tunstall Engineering, applicant, on behalf of PH Lanco, Inc., owner, is requesting approval of a Master Development Plan and Major Site Development Plan approval for Phase One (1) of a mixed use commercial retail (NAICS 453 Miscellaneous Store Retailers) and office development. The subject property is zoned PD, Planned Development zoning district. The proposed project is located to the west of US HWY 17 on the corner of Pinnacle Parkway (private) and US HWY 17 in the Topsail Township and may be further identified by Pender County PIN 4204-65-8579-0000.

5. **Preliminary Plat Revision:**
Signature Top Sail NC, LTD, applicant, and owner, is requesting the approval of a Preliminary Plat revision for Phase II of the mixed-use development proposal known as Wyndwater. Specifically, the request for Phase II approval includes the addition of twenty-seven (27) single-family lots to the previously recorded fifty-six (56) single-family lots. The subject properties are zoned PD, Planned Development zoning district. The properties are located to the north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south of the conditionally approved Master Development Plan known as Cardinal Pointe and east of US HWY 17 in the Topsail Township and may be further identified by Pender County PINs; 4214-31-1640-0000 and 4214-22-2361-0000.

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:**
   Michael Pollak, applicant, on behalf of Capstone Ventures and Clair Reid Kalmar, owners, is requesting approval of a Zoning Map Amendment of two (2) tracts totaling approximately 45.4 acres from RP, Residential Performance zoning district to PD, Planned Development zoning district. The subject properties are located to the west of Sloop Point Loop Road (SR 1563) to the north and west of Friendly Lane (private) in the Topsail Township and may be further identified by Pender County PINs; 4214-22-7567-0000 and a portion of 4214-50-8387-0000.

7. **Zoning Text Amendment:**
   Dallas Harris, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. The request is to amend Section 5.2.3 to add Other Nonhazardous Waste Treatment and Disposal as a permitted use in the RA, Rural Agricultural zoning district.
   (Public Hearings Closed)

8. **Discussion Items:**
   a. **Planning Staff Items:**
      i. Collector Street and Comprehensive Land Use Plans Update:

   b. **Planning Board Members Items:**

9. **Next Meeting:** December 1, 2015; No cases; Work session at 6:00 pm

10. **Adjournment:**

PLANNING STAFF REPORT
MASTER DEVELOPMENT PLAN
& MAJOR SITE DEVELOPMENT PLAN
DOLLAR GENERAL

SUMMARY:

Hearing Date:	November 4, 2015
Applicant:	Norris and Tunstall Engineering
Property Owner:	PH Lanco, Inc.
Case Number:	MDP 000023-2015

Development Proposal: Norris and Tunstall Engineering, applicant, on behalf of PH Lanco, Inc., owner, is requesting approval of a Master Development Plan and Major Site Development Plan approval for Phase One (1) of a mixed use development known as Dollar General at Hampstead.

Property Record Number, Acreage, and Location: The proposed project is located along the west side of US HWY 17 on the corner of Pinnacle Parkway (private) and US HWY 17 in the Topsail Township. The property is zoned PD, Planned Development zoning district and may be further identified by Pender County PIN 4204-65-8579-0000. The site is currently vacant and is immediately surrounded by single-family residential and commercial uses, bound by a vacant tract to the north, Pinnacle Parkway (private) to the south, US HWY 17 to the east, and single-family residential to the west.

Zoning District of Property: The property is approximately ±4.73 acres and is zoned PD, Planned Development zoning district

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RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with three (3) policies and conflict with no policies included in the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance, as well as, other approved planning documents. Therefore, Planning Staff recommends the approval of the Master Development Plan and Major Site Plan for the Phase I request as detailed in the report for the development known as Dollar General at Hampstead.

DEVELOPMENT PROPOSAL

Norris and Tunstall Engineering, applicant, on behalf of PH Lanco, Inc., owner, is requesting approval of a Master Development Plan and Major Site Development Plan approval for Phase One (1) of a mixed use development known as Dollar General at Hampstead. The project is proposed to be constructed in phases, with one (1) lot dedicated to retail development. According to the application and submitted site plan, the project consists of two (2) phases on the ±4.73 acres. Phase I consists of 10,640 square feet of retail space and associated parking and landscaping. Phase II consists of 1,200 square feet of office space.

Phase	Proposal	Size (sq. ft.)
1	Retail Space (Dollar General)	10,640
2	Future Office Space	1,200

Proposed uses for the Master Development Plan area include; a retail store (NAICS 453 Miscellaneous Retail Trade) and an office (NAICS 54 Professional, Scientific, and Technical Services).

Buffers

All landscape and buffers are to be approved in accordance with Section 8.2.8, Project Boundary Buffer of the Pender County Unified Development Ordinance. In the PD, Planned Development zoning district the following

buffers are required per Section 8.2.8 of the Pender County Unified Development Ordinance (Attachment 1); a Buffer A along all boundaries adjacent to a street, a Buffer B along all other boundaries, and a Buffer C is required along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than one (1) acre and when a single family structure is within fifty (50) feet of the boundary of the development.

These designations are required per Section 6.1.4.11 prior to the approval of a Master Development Plan in a mixed-use district. Buffers are required around the exterior of the parcel, not between phases or development types in the mixed-use district. If any portions of the project shall be subdivided a re-examination of the buffers must occur in accordance with the Pender County Unified Development Ordinance. The applicant shows a Buffer A-1 on the property boundaries facing a street and a Buffer B-4 on all other property boundaries which are in compliance with ordinance standards.

Utilities

The project has proposed water connection to Pender County Utilities (PCU); subject to review and approval by PCU. The development is proposed to be serviced by a County water service line that runs along US HWY 17. Wastewater service to the proposed development is proposed through an on-site septic system. All review and approvals for the wastewater services are subject to review and approval of Pender County Environmental Health Department.

Street Connectivity and Access

Ingress and egress to Phase I is being shown as coming directly on Pinnacle Parkway (private), with a single driveway. Cross access corridors are required for all nonresidential adjacent properties. All cross access corridors must meet the requirements found in Section 7.4.4 Cross Access Corridors of the Pender County Unified Development Ordinance. The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels is required for Master Development Plan submittals according to Section 6.1.4 of the Pender County Unified Development Ordinance. Cross access corridors are shown on the submitted site plan extending from the proposed development and the neighboring parcel to the east, complying with the standards of the ordinance.

According to Section 4.8.1.E of the Pender County Unified Development Ordinance, the on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments shall be designed to ensure that adjacent residential areas, internal and external to the project, have direct access to any non-residential portions of the planned development in lieu of entering and exiting through thoroughfares and/or collector streets. The submitted plan proposes connections to Pinnacle Parkway (private) to the west as well as future connectivity to the parcel to the east. This allows connectivity to residential communities north of the property, in an attempt to limit the usage of the major thoroughfare for access to the property.

Traffic

A Traffic Impact Analysis (TIA) will not be required based on the total number of trips for the entire development. The applicant has provided trip generation information for both Phases of the development. A total of 142 trips per day was submitted by the applicant and does not meet the one hundred (100) trips at peak AM and PM hours necessary to require a TIA. The data submitted shows 10 trips at both the AM and PM peak hours.

Parking

According to the applicant's provided site plans, forty-eight (48) parking spaces will be provided for Phase I. According to Section 7.10 of the Pender County Unified Development Ordinance, one (1) parking space for every 225 square feet of floor area is required for retail uses. For Phase I, a minimum of forty-seven (47) spaces are required. Phase II will require four (4) additional spaces based on the proposed 1,200 square feet of office spaces, as shown on the submitted site plan. The applicant satisfies the parking requirements set forth in Section 7.10 of the Pender County Unified Development Ordinance.

Pedestrian Access
Phase I shows a five (5) foot pedestrian sidewalk and easement on the front property line parallel to US HWY 17, as well as along Pinnacle Parkway (private), connecting into the Pinnacle Ridge subdivision. According to Section 4.8.1.E.2 of the Pender County Unified Development Ordinance, the Master Development Plan requires pedestrian-oriented communities to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. According to Section 4.8.1.A.2 of the Pender County Unified Development Ordinance, the purpose of Planned Development zoning district is to promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses.

Pedestrian enhancements consistent with the Planned Development zoning district include pocket parks, walking trails, and benches to promote the interconnectivity of each parcel and use. Such uses and amenities shall be shown on the submitted Master Development Plan, along with sidewalks on the perimeter of the property.

The proposed plan is consistent with the pedestrian access requirements of the PD, Planned Development zoning district described above. Sidewalks promote and enhance the community lifestyle for nearby residents in adjacent subdivisions. The proposed sidewalk along US HWY 17 also provides the possibly of future pedestrian connections along that corridor. Providing these types of amenities is consistent with the spirit and intent of the PD, Planned Development zoning district.

Environmental Concerns
Stormwater produced by the development will be treated via sheet flow or one-hundred (100) foot treatment swale, dependent upon review and approval from the North Carolina Division of Environmental Quality (NCDEQ). A low density stormwater permit through NCDEQ is required before final zoning approval of this project.

Wetlands
There are wetlands located northwest corner of the proposed development. No impacts to these wetlands are shown on this Master Development Plan. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

Flood
The property is not located within a Special Flood Hazard Area.

Tree Survey
The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval; the applicant has not provided this documentation to Planning Staff. Where any significant tree shown on the significant tree survey is proposed to be removed such removal shall be mitigated by the planting on site of two (2) trees of the same species with a minimum caliper of 2" or greater. This shall be required prior to Master Development Plan approval.

Permits
All applicable state and federal agency permits including a Stormwater Management Permit, and Erosion Control Plan, wetlands impact permits, and NCDOT Driveway Permit will be required prior to the approval of each phase as applicable.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES
Pender County's Technical Review Committee meeting was held on Tuesday October 13, 2015 at 2p.m. in Board of County Commissioners meeting room, in the Pender County Government Administration Building at 805 S. Walker Street, to review the proposal. Comments received are located in Attachment 2 incorporated within this report.

EVALUATION

A) Public Notifications: Public Notice of the proposal for the Master Development Plan has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners have been given written notice of the request, and a public notification sign has been placed on the property.
B) Existing Zoning in Area: The property lies within a PD, Planned Development zoning district. The properties surrounding the proposed project are zoned PD, Planned Development zoning district in all directions.
C) Existing Land Use in Area: The site is currently vacant and is immediately surrounded commercial uses to the east, vacant properties to the north and south, and residential uses to the west. The Pinnacle Ridge subdivision is located to the north and west of the proposed development. Freedom Lawns USA is located to the east of the proposed development across US HWY 17.
D) 2010 Comprehensive Land Use Plan: Rural Growth: The Rural Growth land use classification defines those areas of Pender County where urban services, i.e., public water and sewer services, are not expected to be extended within the planning horizon. Rural Growth areas are where preservation of agricultural operations is a primary concern and where conflicts between agricultural and non-agricultural uses are to be discouraged.

Rural Growth areas are intended to protect agricultural and forestry operations that are a major part of the County's economic base and that are key to preservation of the County's rural landscape. Major job-creating activities that are compatible with farms, forestry and very low-density development are appropriate. Development within Rural Growth areas should be limited to only those types of land uses and development intensities that can be accommodated by services typical in non-urban areas, e.g., private on-site water supply (or public water, as available) and on-site septic systems. Development with private package sewage treatment plants or premature extension of public sewer systems into these areas is discouraged.

Uses that would typically be allowed in Rural Growth areas include very low-density residential development (single-family site-built, modular, and manufactured homes) on one acre or greater size lots; agriculture, forestry, churches; very limited nonresidential uses - commercial, office, or public/institutional - meeting locational criteria. Locational criteria for non-residential uses in Rural Growth areas include frontage and access to a major State highway or secondary road, location at a major rural intersection, proximity to similar existing non-residential uses, and spatial separation from non-compatible uses such as existing residential development.

The proposed project, located along US HWY 17, is compatible with the Rural Growth land use classification as well as the PD, Planned Development zoning district. As mentioned above, the project fronts a major highway. There are nearby, limited non-residential uses in the area. Freedom Lawns, a lawn care service provider, is located approximately two-hundred (200) feet to the south. Additional commercial uses are found at the intersection of Sloop Point Loop Road (SR 1563) and US HWY 17, approximately 1,100 feet to the southwest. These uses include the Palmetto Brick Company and a BP gas station and convenience store at the corner of US HWY 17 and Sloop Point Loop Road (SR 1563). The site proposes on-site septic, with no package plant, as well as proposed water connection to a Pender County Utilities service line that runs along US HWY 17.

The following goals and policies support this request:

1. **Growth Management Policy 1A.1.2**: Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development.
2. **Growth Management Policy 1A.1.3**: The County shall actively direct growth towards suitable land areas and away from fragile natural resource areas, conservation areas, and hazardous areas.
3. **Growth Management 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.

The proposed project is consistent with three (3) goals and policies from the 2010 Pender County Comprehensive Land Use Plan.

RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with three (3) policies and conflicts with no policies included in the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance, as well as, other approved planning documents. Therefore Planning Staff recommends the approval of the Master Development Plan request as detailed in the report for the development known as Dollar General at Hampstead.

Potential Conditions

1. Provide pedestrian access to future commercial development and to existing neighboring developments through sidewalks on the interior and exterior of the development along Pinnacle Parkway (private) and US HWY 17. According to Section 4.8.1.A.2 of the Pender County Unified Development Ordinance, the purpose of Planned Development zoning district is to promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses.

All items from Pender County Unified Development Ordinance, Section 6.1.4 Master Development Plan Contents, and mixed-use districts must be met prior to the approval of the Master Development Plan. The following items are outstanding from the Master Development Plan approval and shall be revised prior to approval;

1. A significant tree survey shall be required for any commercial or industrial zoned property and all mixed use districts. The significant tree survey shall show the general location, species and size of any significant tree as described in Section 8.1.3 of the Pender County Unified Development Ordinance.

BOARD ACTION FOR MASTER DEVELOPMENT PLAN:

Motion:_____**Seconded**_____

Approved:_____**Denied:**_____**Unanimous**_____

Williams: ____McClammy:____Baker:____Fullerton: ____Edens: _____ Marshburn: ____ Nalee: _____

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP 11461	Date	8-18-15
Application Fee	$ 550.00	Receipt No.	152207
Pre-Application Conference	7-30-15	Hearing Date	10-13-15 TRC, 11-4-15 PB

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Joseph K. Bland, P.E. / Norris & Tunstall	**Owner's Name:**	Par 5 Development Group, LLC, PH Lanco Inc.
Applicant's Address:	902 Market Street	**Owner's Address:**	2860-B NC Hwy 5
City, State, & Zip	Wilmington, NC 28401	**City, State, & Zip**	Aberdeen, NC 28315
Phone Number:	910-287-5900	**Phone Number:**	910-944-0881

Legal relationship of applicant to land owner: Project Engineer

SECTION 2: PROJECT INFORMATION

Type of Master Development Plan	☐ **Residential** *RP, PD, RM MH District*	☐ **Commercial** *GB, OI, IT, GI District*	☑ **Mixed Use** *PD*	☐ **Exempt**

Property Identification Number (PIN):	4204-65-8579-0000	**Total property acreage:**	4.73
Zoning Classification:	PD	**Acreage to be disturbed:**	4.0 +/-
Project Address :	No Address Assigned		
Description of Project Location:	Property Resides at the corner of US 17 and Pinnacle Parkway		
Describe activities to be undertaken on project site:	Phase I development consists of construction of a 9100 SF Retail Store. Phase II will be for the construction of a future 1200 SF Office Space.		

SECTION 3: SIGNATURES

Applicant's Signature		**Date:**	8/18/15
Owner's Signature		**Date:**	8/14/2015

NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. 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.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

Office Use Only

☒	**MDP Fees:** *($500.00 plus $10/acre for the first 100 acres $5/acre thereafter)*	**Total Fee Calculation: $** 550.00

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☒ Y ☐ N	Plan Sets	# of large 2	# of 11X17	Other documents/Reports	☐ Y ☐ N

Payment Method:	**Cash :** ☐ $_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☐ Check # _____

Application received by:	Rick Olmos	Date: 8-19-15
Application completeness approved by:	Rick Olmos	Date: 9-15-15
Date scheduled for public hearing: 11-4-15 PB		

MASTER DEVELOPMENT PLAN CHECKLIST

✓	Signed Application Form (Both Applicant and Owner)
✓	Application fee
✓	Legible list of all property owners adjacent to the property upon which the use is to be located. The list shall include the mailing address & physical address of these property owners (The application will not be advertised for public hearing until the list is accurate & complete)
✓	One business size envelope legibly addressed with first class postage for each of the adjacent property owners on the above list.
✓	Project Narrative--Written description of the project (max of 3 pages) including the following: ☑ Location of the project and type of access to project site ☑ Detailed description of the activities to be undertaken on the site, including hrs. of operation,# of employees, etc. ☑ Description of all construction activities to be undertaken on the site ☑ Describe type of utilities that will serve project and status of approval from applicable providers ☑ List of all state and federal permits that will be required for the project ☑ Describe any potential impacts the project will have on the community or adjacent properties such as traffic, noise, etc. and explain efforts to mitigate these impacts (this item must be addressed by the applicant). The applicant may also wish to describe any positive benefits the project will provide for the community &/or neighbors of the project.

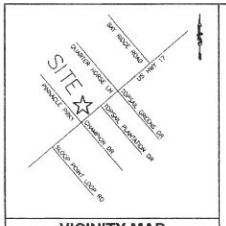
	Master Development Plan Contents **All** MDP's shall be prepared in accordance with the following specifications:
✓	The scale shall be one inch equals 100 feet or larger (the ratio of feet to inches shall be no more than one hundred feet to one inch) or at a scale acceptable to the Director. The scale shall be sufficient so that all features are discernible.
✓	No sheet shall be smaller than 24"x36" in size unless approved by the Administrator. If the MDP is prepared on more than one sheet, match lines shall clearly indicate where the sheets join.
✓	North arrow, a scale of 1:100 or larger and a legend describing all symbols.
✓	A boundary survey of the entire property related to true meridian & certified by a registered surveyor with all dimensions in ft & decimals of ft. A vicinity map at a suitable scale shall be provided showing the location of the project along with the location of all existing or approved public roads, streets or rights-of-way within 2,000 ft of the boundaries of the project.
✓	The total area of the property shall be specified.
✓	The topography shall be shown at 2 foot contour intervals.
✓	The title of the proposed project; the date, month, year the plan was prepared or revised; the name of the applicant(s), owner(s) and contract owner(s); and the names of the individuals or firms preparing the plan shall be clearly specified.
✓	A schedule of phases, with the approximate location of phase boundaries & the order in which the phases are to be developed, shall be provided.

	and land uses, including the following information:
✓	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
N/A	The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
N/A	The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
✓	The location and approximate boundaries of existing environmental features as defined.
N/A	The location of environmental protection land to be included in common open space.
N/A	The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
N/A	The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
N/A	The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.
✓	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
N/A	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
✓	The location and arrangement of street entrances, driveways and parking areas.
✓	The use of adjoining parcels and the location of adjoining streets and utilities.
✓	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
✓	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
N/A	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
✓	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
✓	A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot.
N/A	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
N/A	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
N/A	Location and timing of construction for all amenities.
✓	Landscaping and Buffer requirements per Article 8.
N/A	All subdivided land and parcels shall comply with Section 7.2, Lot Design.
N/A	Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
N/A	Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design
N/A	Calculated open space requirements shall adhere to Section 7.6, Open Space.

	Contents of a Preliminary Master Development Plan – Commercial and Industrial Districts
	The site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses, including the following:
	A conceptual plan, showing the location and arrangement of proposed uses.
	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or identified on any historical survey for Pender County.
	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided. The location and approximate boundaries of existing environmental features as defined.
	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
	The proposed location of entrances to the development from existing public streets and proposed parking areas.
	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
	Landscaping and Buffer requirements per Article 8.
	The use of adjoining parcels and the location of adjoining streets and utilities.
	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.

	Contents of a Preliminary Master Development Plan – Mixed Use Districts Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:
✓	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
✓	The location and approximate boundaries of existing environmental features as defined.
✓	The proposed location of entrances to the development from existing public streets and proposed parking areas.
N/A	The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
N/A	The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
N/A	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
✓	The use of adjoining parcels and the location of adjoining streets and utilities.
✓	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
✓	A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.
✓	The proposed location and arrangement of all streets and utility systems.
✓	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
N/A	The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
N/A	The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development
✓	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
✓	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
N/A	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
✓	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
N/A	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
N/A	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
N/A	Location and timing of construction for all amenities.
✓	Landscaping and Buffer requirements per Article 8.
N/A	All subdivided land and parcels shall comply with Section 7.2, Lot Design.
N/A	Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
✓	Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
N/A	Calculated open space requirements shall adhere to Section 7.6, Open Space.

Print Form



VICINITY MAP

N.T.S.

SITE DATA

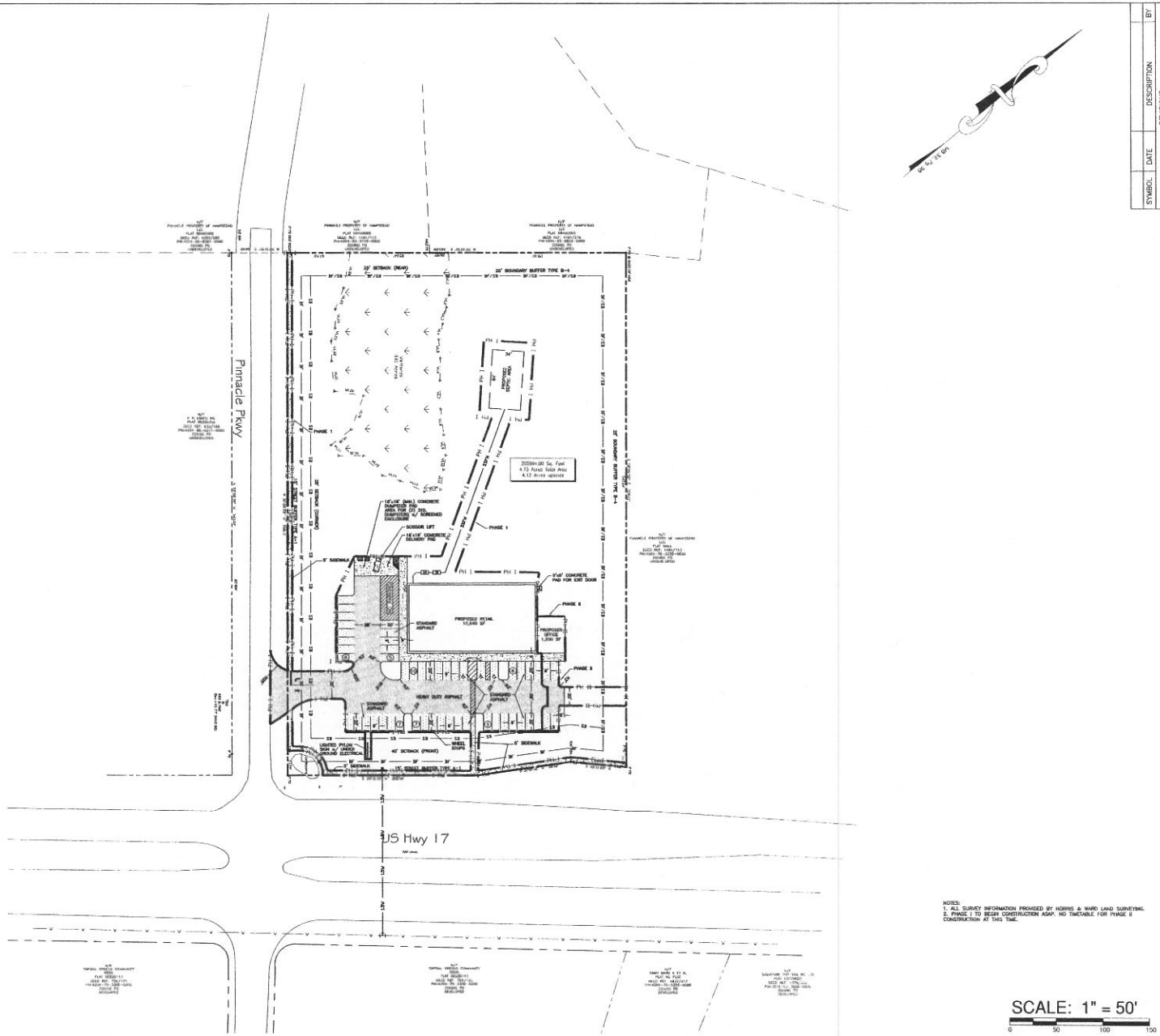
PARCELL NUMBER:	00320098
ZONING:	
PENDER COUNTY:	PD
TOTAL SITE AREA:	205,808.62 SF / 4.72 AC
PERPETUAL OPEN SPACE:	146,516 SF / 3.36 AC
(PERPETUAL OPEN SPACE IS SPACE LOCATED OUTSIDE PHASE LINES)	
BUILDING USE:	RETAIL
BUILDING HEIGHT:	18'
STREET BUFFER:	15'
PROJECT BOUNDARY BUFFER:	25'
BUILDING SETBACKS:	
FRONT:	40'
REAR:	25'
SIDE:	25'
SIDE CORNER:	25'
IMPERVIOUS AREAS: (ON SITE NOT IN R/W)	
BUILDING RETAIL:	10,640 SF
BUILDING OFFICE:	1,200 SF
DRIVE ISLE / PARKING:	25,573 SF
WALKS / CONCRETE:	8,425 SF
TOTAL IMPERVIOUS AREA: (ON SITE NOT IN R/W)	46,555 SF /1.05 AC
% IMPERVIOUS:	22.26%
PARKING REQUIRED:	
TOTAL REQUIRED:	
RETAIL: 10,640 GROSS SF x 1 SP/225 SF= 47.29 SP	
OFFICE: 1,200 GROSS SF x 1 SP/300 SF= 4 SP	
PARKING PROVIDED:	
SPACES PROVIDED:	49 SPACES
HANDICAP SPACES PROVIDED:	3 SPACES
TOTAL SPACES PROV'D. =	52 SPACES
LOADING SPACE (12'x55')	1

STORMWATER NARRATIVE:
THE PROPOSED BUILD OUT OF THIS PROJECT IS LESS THAN 24% IMPERVIOUS COVERAGE THEREFORE THIS SITE QUALIFIES FOR A NODENR LOW DENSITY STORMWATER PERMIT. ALL STORMWATER WILL EITHER SHEET FLOW OVERLAND OR BE ROUTED THROUGH A MINIMUM 100 FT TREATMENT SWALE PRIOR TO ANY STORMWATER EXITING THE SITE.

DOLLAR GENERAL TRIP INFO PROVIDED BY DG CORPORATE OFFICE.
142 TRIPS / DAY BY VEHICLE
10 TRIPS / HR (14 HR WORKDAY.

LEGEND

	PROPERTY LINE
	RIGHT OF WAY
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
SB SB	SETBACK
SB SB	BUFFER
PH I PH I	PHASE 1
PH II PH II	PHASE 2
	HEAVY DUTY ASPHALT
	STANDARD DUTY ASPHALT
	CONCRETE
	LANDSCAPED AREAS



NOTES:
1. ALL SURVEY INFORMATION PROVIDED BY NORRIS & WARD LAND SURVEYING.
2. PHASE I TO BEGIN CONSTRUCTION ASAP. NO TIMETABLE FOR PHASE II CONSTRUCTION AT THIS TIME.

SYMBOL	DATE	DESCRIPTION	BY
		REVISIONS	

©2015 NORRIS & TUNSTALL

MASTER PLAN
DOLLAR GENERAL HAMPSTEAD
HWY 17 @ PINNACLE PARKWAY
PENDER COUNTY, NORTH CAROLINA

DEVELOPER:
PARTSON COMPANIES, INC.
DOLLAR GENERAL PARTNERS GROUP, LLC
TRIJETECTA GROUP, LLC
2860 E NC 5 HWY
ASHEBORO, NC 28115

NORRIS & TUNSTALL
CONSULTING ENGINEERS, P.C.
902 MARKET STREET
WILMINGTON, NC 28401
PHONE (910) 343-8853
1429 ASH-LITTLE RIVER RD. NW
DUNN, NC 28334
PHONE (910) 287-5920
licence #C-3841

15061

DES. JKB
CKD. JPN
DRWN. EDB
DATE 10/21/15

NORTH CAROLINA PROFESSIONAL SEAL 041620 ENGINEER JOSEPH N. PIPPIN JR. 10/21/15

Project Narrative

Dollar General – Pinnacle Parkway

Hampstead, North Carolina

For

Par 5 Development Group, LLC
2860-B NC Hwy 5
Aberdeen, NC 28315

(910) 944-0881

NORTH CAROLINA PROFESSIONAL SEAL 041620 ENGINEER JOSEPH K. BLAND
8/18/15

August 2015

Prepared by:

NORRIS & TUNSTALL CONSULTING ENGINEERS, P.C.

902 Market Street
Wilmington, North Carolina 28401

(910) 343-9653
(910) 343-9604 (Fax)

License # C-3641
N&T Project No. 15061

Location: The project is identified as PIN # 4204-65-8579-0000. It is a 4.73 acre site located at the corner of US 17 and Pinnace Parkway. The project site contains approximately 365 LF of road frontage along US 17. Access to the site will be from Pinnacle Parkway an existing private roadway. Turn lanes already exist on both the North and South bound lanes of US 17 to service the site.

Project Description: The property will support dual uses which are to be constructed at different phases. The first phase will consist of 10,600± SF Dollar General Retail store. Typical hours of operation are from 9 am to 10 pm. The store will be typically staffed with 3 to 4 employees per shift.

The second phase will be a small office lease space. Since the office will be a lease, there is no available information regarding office hours or the proposed number of employees.

Description of Construction Activities: Phase I construction at the site will consist of erection of the previously mentioned Dollar General Store. Associated clearing and grading will be performed to install the building, parking and loading facilities, septic area, and stormwater retention area. Phase II construction will consist of adjacent building and parking expansion. The stormwater retention area will be designed and constructed in Phase I to accommodate all phases.

Description of Utilities: Water Service will be extended to the site by a far side tap from the existing water main along the Top Sail Greens side of Hwy 17. In speaking with Mr. Forand, this service can be installed by Pender County. In speaking with Mr. Randy Hoffer with Pluris, sewer extension to this area and its design are in conceptual discussions/planning phases. A septic system is proposed until the extension is complete and available for service.

Required State and Federal Permits: The following permits are required:
NCDENR Stormwater
NCDENR Erosion Control

Potential Impacts: No adverse impacts are anticipated with the development of this site. The proposed uses will provide needed services to the surrounding communities. The proposed location of development provides for natural buffers in excess of the required buffers to the adjacent properties.

Traffic generation and demands have been provided as specified by Dollar General. Typical operation causes minimal effect to peak hour demands

due to consistent trip generation and hours of operation. Minimal impact can be expected to morning peak hour due to hours of operation and afternoon and evening peaks can expect 10 to 15 additional trips added to existing service levels. If this 4.73 acre site were to be subdivided into single family residential or some form of multifamily development then traffic impacts would be expected to be higher. The effect of the proposed development will be minimal on traffic.

We have contacted both NCDOT and Wilmington MPO regarding this proposed development during our due diligence investigation. NCDOT indicated that a NCDOT driveway permit will not be required since our proposed driveway connection is not to a road in the NCDOT system. The MPO's only comment was that a pedestrian easement may be required along the property frontage. They were not exactly sure where a proposed bike/MUP was to terminate in relation to our site but did indicate that it was in this Sloop Point Road area.

8.2.4 Prohibited Use of Buffer Area

A buffer area shall not be used for any building or use, accessory building or use, parking or loading area, storage area, or other principal or accessory uses except as specifically permitted in this Ordinance.

8.2.5 Planting in Easements

A. Where required plantings are located in easements, the property owner shall be responsible for replacement of such required vegetation if maintenance or other utility requirements require their removal.

B. No trees shall be planted in wet retention ponds, drainage maintenance easement, or any utility maintenance easements.

C. Shrubs may be planted within easements, provided they are only within the outer three feet of the easement. No new trees may be planted in an easement.

D. Existing trees may remain in dry retention ponds provided that the natural grade is undisturbed to the tree line, they are a species adapted to seasonal flooding and the pond is adequately maintained.

8.2.6 Buffer Descriptions and Options

The following descriptions list the specifications of each buffer. The requirements reflect the minimum and the developer may increase the buffer at his/her option. Buffer requirements are stated in terms of width of the buffer and the number of plant units required per one hundred (100) linear feet of buffer. The requirements of a buffer may be satisfied by any of the options under each letter designation or existing equivalent vegetation. All mathematical rounding shall be upward and shall be applied to the total amount of plant material required in the buffer, not to each one hundred (100) foot length. The required canopy and understory trees shall generally be spread uniformly along the buffer. Shrubs may be clustered when a 98% grass cover is provided in all areas of the buffer other than within 4 ft. of the base of any tree or shrub.

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:
A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or
A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or
A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or
A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

Buffer B

Buffer "B" This buffer is a medium density planting area to be used primarily along non street boundary lines to provide spatial separation between similar types of uses. The requirements for buffer "B" shall be met by any one of the following:
B-1) 10 foot wide strip with 3 canopy trees, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-2) 15 foot wide strip with 3 canopy tree, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-3) 20 foot wide strip with 1 canopy tree, 2 understory tree and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 15 shrubs per 100 linear feet, or
B-4) 25 foot wide strip with 0 canopy trees, 5 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet.

Buffer C

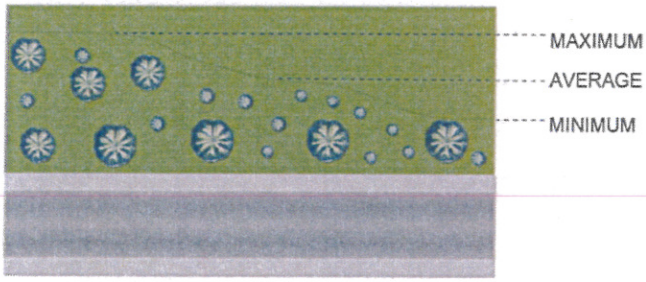
Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met be any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Buffer D

Buffer "D" This buffer is a low density planting area to be used along boundary lines in rural areas between large lots or tracts with substantial buffer width and setbacks to provide spatial separation between uses that are developed at very low density. The requirements for buffer "D" shall be met by any one of the following:
D-1) 15 foot wide strip with 3 canopy trees and a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree) per 100 linear feet, or
D-2) 20 foot wide strip with 2 canopy trees, 2 understory trees and a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree) per 100 linear feet, or
D-3) 25 foot wide strip with 1 canopy tree, 3 understory trees and a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree) per 100 linear feet.

8.2.7 Buffer Depth Averaging

While the buffer depth is normally calculated as parallel to the property line, design variations are allowed and are calculated on the average depth of the buffer per 100 feet of linear width measured along the property line. Minimum depth of buffer in any case shall not be less than 50% the required depth of the buffer chosen. Maximum depth shall not be more than 150% the required depth of the buffer chosen.



8.2.8 Project Boundary Buffer

The following are the buffering requirements of listed permitted uses in each district and certain special types of development. Special uses may be required to meet additional buffer requirements, but shall in all cases be required to have at a minimum the same buffer as permitted uses. Existing vegetation that meets or exceeds the requirements of the specific buffer is desired and allowed instead of any required new plantings.

Buffers Required for Mobile Home Parks - Mobile home parks shall be required to have the following buffers:	
Location of Buffer for Mobile Home Parks	Type Buffer
Along all boundaries adjacent to a street	Buffer A
Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the park	Buffer C
Along all other boundaries	Buffer B

Buffers Required for Multifamily and Planned Developments - Multifamily and Planned Developments shall be required to have the following buffers:	
Location of Buffer for Multi-family & Planned Developments	Type Buffer
Along all boundaries adjacent to a street	Buffer A
Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other boundaries	Buffer B

Buffers Required for Shopping Centers - Shopping centers shall be required to have the following buffers:	
Location of Buffer for Shopping Centers	Type Buffer
Along all boundaries adjacent to a street	Buffer A
Along all boundaries adjacent to Residential Districts or uses and adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other boundaries	Buffer B

Buffers Required for All Non-residential Uses (Excludes Industrial Uses) in All Residential Districts, (RA, RP, RM, MH) - Residential uses in Residential Districts are not required to have buffers, except as required for mobile home parks, Multifamily and Planned Developments. All commercial or uses other than residential uses (excluding industrial uses) in the Residential Districts shall provide the following buffers: Uses in these districts that require a special use permit will in addition, provide other buffers as specified in the special use permit.	
Location of Buffer for Non-residential Uses in the Residential Districts	Type Buffer
Along all street boundaries of the Development	Buffer A
Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other non-street boundaries	Buffer B

Buffers Required for the Commercial Districts - All uses in the General Business and Office & Institutional Districts shall be required to have the following buffers:	
Location of Buffer for GB and OI Districts	Type Buffer
Along all boundaries adjacent to street right-of-ways	Buffer A
Along all non-street boundaries adjacent to Residential Districts and adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other boundaries	Buffer B

Buffers Required For The Industrial Districts And Industrial Uses In Any Other Districts	
Location of Buffer for Industrial Districts	Type Buffer
Along all street boundaries	Buffer D
Along all non-street boundaries adjacent to Residential Districts when adjacent to single family residential structures within 50' of the project boundary	Buffer C
Along all other boundaries	Buffer D

Buffers Required in the Watershed Overlays (WS-PA & WS-CA).	
Type Use	Buffer Requirement Watershed Districts
Bona fide Farms	Bona fide Farms in the Watershed Critical Area District (WSCA) shall maintain a 10 foot permanently vegetated buffer adjacent to all perennial waters as shown on the most recent edition of the USGS 1:24000 (7.5 minute) topographic map. The buffer shall remain vegetated and shall be used only for access and utilities.
Silviculture Activities	Silviculture activities shall maintain buffers (Streamside Management Zones) as described in the Division of Forest Resources Rules and Best Management Practices Manual.
All activities, other than bona fide farms and silviculture activities	All activities, other than bona fide farms and silviculture activities shall maintain a 30 foot vegetated buffer adjacent to all perennial waters as shown on the most recent edition of the USGS 1:24000 (7.5 minute) topographic map. The buffer shall remain vegetated and shall be used only for access and utilities.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

Cape Fear Council of Governments RPO
No response

Four County Electric Company
No response

NC DENR Division of Coastal Management
No comment

NC DENR Division of Forestry
No response

NC DENR Division of Land Resources
No response

NC DENR Division of Waste Management
No response

NC DENR Division of Water Quality
Storm water permit required.

NC DOT Division of Highways
No proposed connection to US17, no permit required. Driveway entrance must have 50' spacing from US HWY 17.

NC DOT Transportation Planning Branch
No comments.

NC Office of State Archaeology
No response

NC Wildlife Resources Commission
No response

Pender County Building Inspections
No response

Pender County Emergency Management
If connecting to an 8" water line, please add a fire hydrant.

Pender County Environmental Health
Application for septic received, approval subject to review and approval.

Pender County Fire Marshal
Locate hydrant near development if connecting to 8" water line.

Pender County Parks and Recreation
No comment.

Pender County Public Library
No response.

Pender County Public Utilities
There will be minimal water flow, no issues foreseen. Apply for review and approval with PCU.

Pender County Schools
No comment.

Pender County Sheriff's Department
No response.

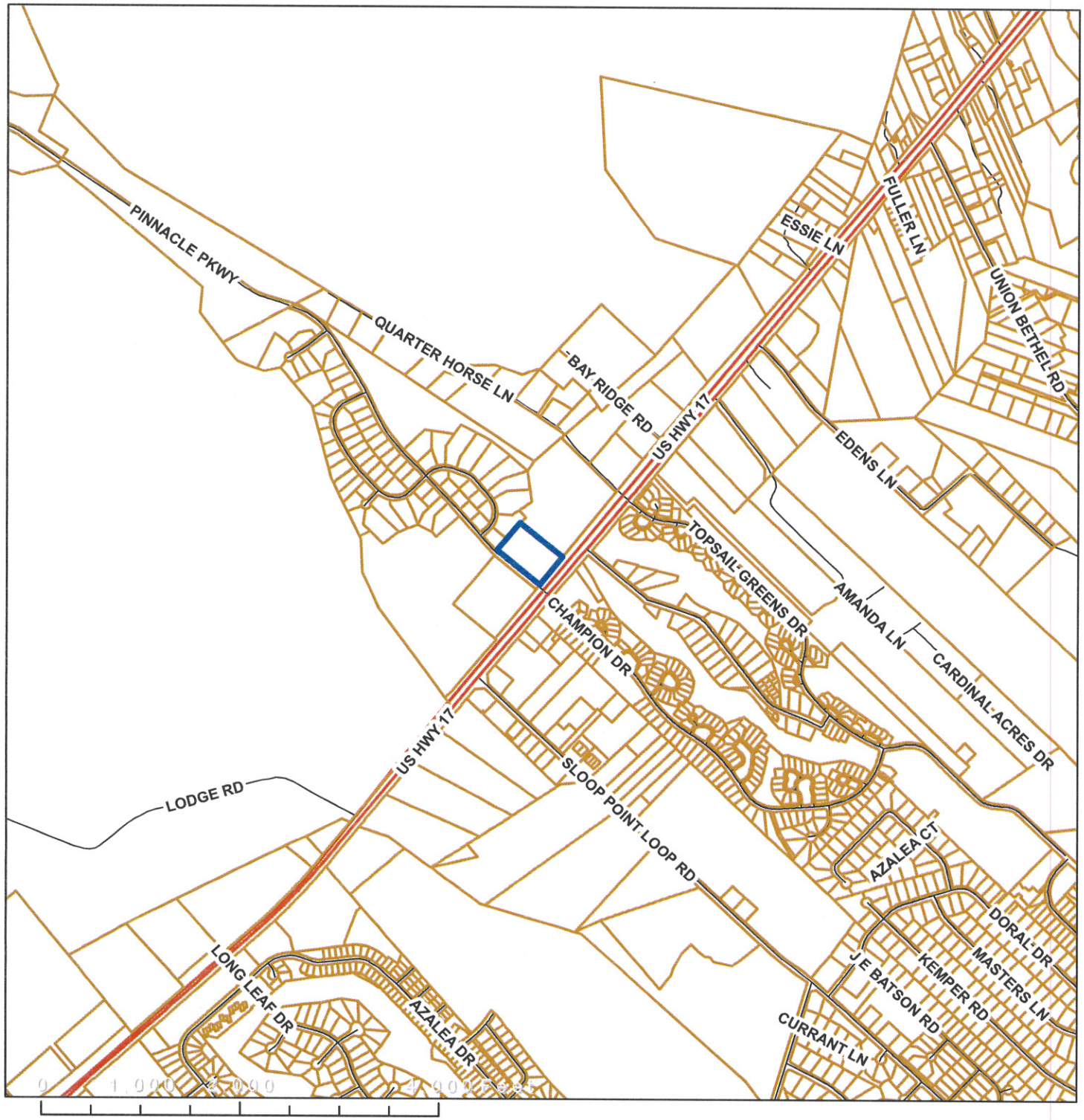
Pender County Soil and Water Conservation District
Soil & Water sees no problem with this request.

Progress Energy Corporation
No response.

US Army Corps of Engineers
No response.

Wilmington Metropolitan Planning Organization

1. *Show the driveway dimensions at property lines, including width and tapers.*
2. *Show proposed loading zone at the rear of the building.*
3. *Show 10'X70' Sight distance triangles at each intersection on the site plan.*
4. *The site proposed connections to Lots #3 and #2. If these access points are paved, please note it on the site plans.*
5. *Show the location of any turn lanes on the site plans.*
6. *Show the location of handicap signs on the site plan.*



Applicant:
Norris & Tunstall Engineering

Owner:
PH Lanco, Inc.

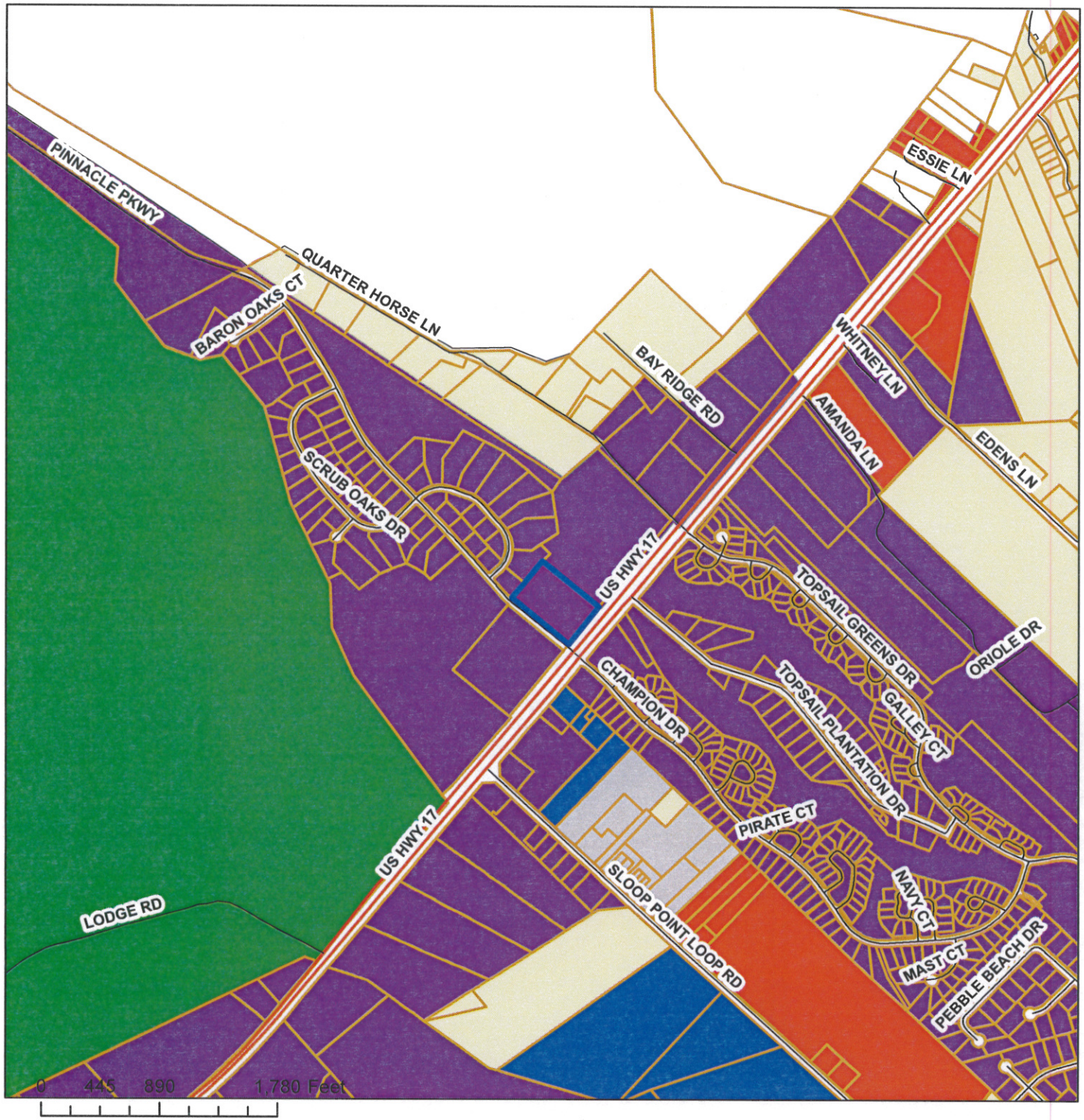
Master Development Plan:
#000023-2015

Legend

Subject Property

N

Vicinity



Applicant:
Norris & Tunstall Engineering

Owner:
PH Lanco, Inc.

Master Development Plan:
#000023-2015

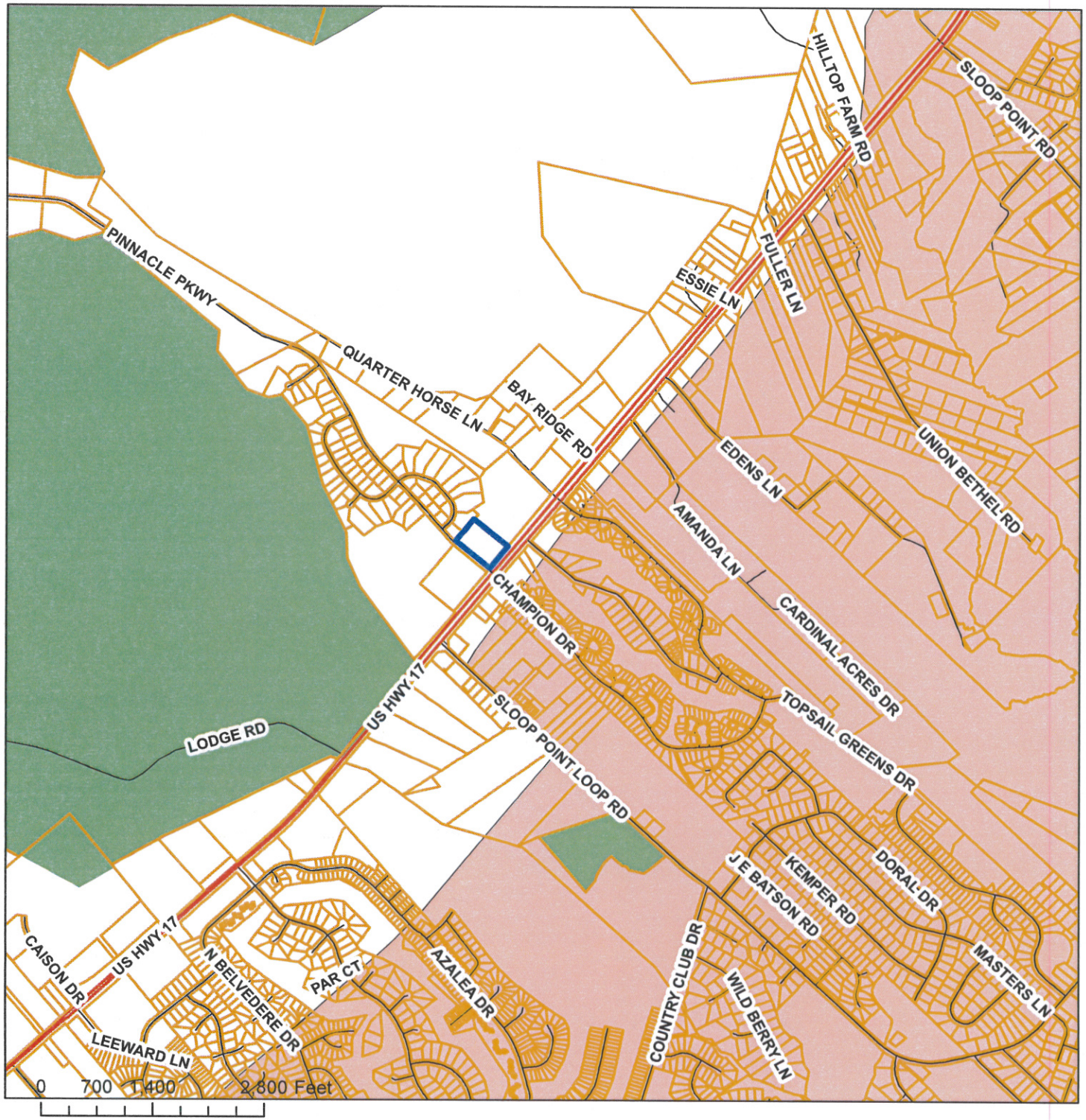
Legend

UDO Zoning

- EC, Environmental Conservation
- GB, General Business
- GI, General Industrial
- Incorporated
- IT, Industrial Transition
- MH, Manufactured Housing
- O&I, Office & Institutional
- PD, Planned Development
- RA, Rural Agricultural
- RA-Conditional Zoning 1
- RP, Residential Performance
- Subject Property

N

Current Zoning



Applicant:
Norris & Tunstall Engineering

Owner:
PH Lanco, Inc.

Master Development Plan:
#000023-2015

Legend

Future Land Use

- Conservation
- Industrial
- Mixed Use
- Office, Institutional, Commercial
- Rural Growth
- Suburban Growth
- Subject Property

N

Future Land Use

Applicant:
Norris & Tunstall Engineering

Owner:
PH Lanco, Inc.

Master Development Plan:
#000023-2015

Legend

Subject Property

N

2012 Aerial

PLANNING STAFF REPORT
PRELIMINARY PLAT PHASE II Revision
WYNDWATER

SUMMARY:

Hearing Date: November 4, 2015
Applicant: Signature Top Sail NC, Ltd.
Property Owner: Signature Top Sail NC, Ltd.
Case Number: 11035

Wyndwater Phase II Preliminary Plat Revision Development Proposal: Signature Top Sail NC, LTD, applicant, and owner, is requesting the approval of a Preliminary Plat revision for Phase II of the mixed-use development proposal known as Wyndwater. Specifically, the request for Phase II approval includes the addition of twenty-seven (27) single-family lots to the previously recorded fifty-six (56) single-family lots. The subject properties are zoned PD, Planned Development zoning district.

Property Record Number, Acreage, and Location: Phase II consists of approximately 28.35 acres of the ±150.78 acres in the entire Master Development Plan located on the former Topsail Greens Golf Course; to the north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south of the conditionally approved Cardinal Pointe Master Development Plan (Case 11067), east of US HWY 17 in Hampstead, and west of the previously recorded Phases I. The properties may be further identified by Pender County PINs; 4214-31-1640-0000 and 4214-22-2361-0000.

RECOMMENDATION

The request is consistent with the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance; therefore Planning Staff recommends the approval of the Phase II Preliminary Plat Revision for Wyndwater. Any and all future development, phases or changes to the projects are subject to the Planning Board review and approval.

HISTORY

The subject property was previously known as the Topsail Greens Golf Course as recorded in the Pender County Register of Deeds on August 21, 1975 (Map Book 16, Page 73). The property was zoned PD, Planned Development zoning district from the adoption of zoning in Pender County (Pender County Zoning Ordinance 1988).

On November 12, 2013 the Pender County Planning Board conditionally approved the Master Development Plan then known as The Oaks at Sloop Point, now known as Wyndwater. Conditions for the Master Development Plan included;

1. Provide connection to adjacent property to future development to the northwest (documented under case #11067 submitted for the December Planning Board meeting);
2. Provide connection to identified "Capstone Property;"
3. Allow for "alternative" design for alleyway;
4. Allow for emergency access along the connection to Doral Drive.

Phase I containing forty-two (42) single family lots was recorded on November 4, 2014 at the Pender County Register of Deeds Map Book 57, Page 14 (Attachment 1). Phase II containing sixty-two (56) single family lots was recorded on July 7, 2015 at the Pender County Register of Deeds Map Book 57, Page 145 (Attachment 2).

At their January 6, 2015 meeting, the Planning Board voted unanimously to pass a motion to approve the Master Development Plan revision for Wyndwater with the proposed revision; of a zero lot line side yard setback as well as a C-1 Type buffer along the Northern and Southern property bounds with flexibility to allow for a C-4 type buffer.

At their July 8, 2015 meeting, the Planning Board voted unanimously to pass a motion to conditionally approve the Master Development Plan for Wyndwater to include three hundred fifty (350) units with future development and commercial development to be determined at a later date the revisions included (Attachment 3);

1. Increase the overall project area to include approximately ±6.2 acres from the adjacent parcel to the northeast (Pender County PIN 4204-94-9912-0000);
2. Increase the overall project density from 2.72 to 3.1 units per acre;
3. Add attached duplex housing type;
4. Reduce the lot size from originally approved 12,000 sq. ft. to 5,000 sq. ft. for lots to be serviced by regional sewer;
5. Change location of Emergency Access to Doral Drive from Phase II to Phase III.

At their September 1, 2015 meeting for Phase III the Planning Board then voted unanimously to table the Preliminary Plat in order for the outstanding items to be addressed by the applicant. At their October 13, 2015 meeting, the Planning Board voted unanimously to pass a motion to approve the Phase III Preliminary Plat containing one-hundred-nine (109) single-family residential detached lots. Currently the Phase III Preliminary Plat has not been signed.

Phase II Preliminary Plat

Non-Residential

Currently there are not any non-residential areas identified in Phase II. The non-residential will be in a future phase and is identified as "Commercial" on the previously approved Master Development Plan. The commercial area will be located on the western side of the subject property near US HWY 17.

Residential

Density

In total, Wyndwater Master Development Plan was conditionally approved with a net density of ±3.1 units per acre. Phase I was approved with ±1.6 units per acre, Phase II was approved with ±1.98 units per acre and Phase III was approved with ±4.80 units per acre. The current revision to Phase II shows density of ±3.29 units per acre. Net density takes in account that certain phases may have a higher density and certain phases may have a lower density all within the overall project density.

According to Section 4.8.1.C the net density in the PD, Planned Development zoning district shall be a maximum of five (5) units per acre. All density calculations shall be in accordance with the Pender County Unified Development Ordinance requirements and examined further if any changes are proposed to the approved project.

	MDP Approved Density	Phase 1-3 combined Density	Phase II Revision
Total Acreage	150.78	150.78	22.65
Non-Residential	4.50	4.50	0
Wetlands Acreage	6.46	2.51	0
Right-of-Way Acreage	20.35	13.58	2.89
Open Space Acreage	10.50	13.14	1.96
Active	5.25	6.11	0.98
Passive	5.25	7.03	0.98
Total Units	350	214	65
Developable Land	113.01	128.6	19.77
Net Density Number of units/developable land = density	3.1	1.66	3.29

Total Requested Lots

Phase II Preliminary Plat revision submittal request includes an additional twenty-seven (27) single-family detached lots where the original Phase IIA had identified as future development. This will be added to the previously approved fifty-six (56) single-family detached lots. The additional lots are proposed along North Lamplighters Way and on the north western side of West Craftsman Way.

Lot Requirements

There is no change to the previously approved lots requirements. As outlined in the Unified Development Ordinance, Section 4.8.1.D the Master Development Plan established the required lots sizes, yard setbacks, and building heights. The applicant was approved for a minimum lot size of 12,000 square feet for septic lots utilizing traditional septic methods of wastewater disposal and minimum lot size of 5,000 square feet for lots utilizing the private regional treatment plant, Pluris LLC.

The following are the approved yard setbacks:

Setback	Distance
Front	20'
Side	Zero Lot Line (8-10'maintenance easement between structures)
Rear	20'
Corner	15'

Landscaping& Buffers

All landscape and buffers are to be approved in accordance with Section 8.2.8 of the Pender County Unified Development Ordinance. In multi-family and Planned Developments a Buffer A is required along all boundaries adjacent to a street. Buffer C is required along all boundaries adjacent to single-family residential uses or residential lots with a parcel size of less than one (1) acre and when a single-

family structure is within fifty (50) feet of the boundary of the development. The submitted Buffer Plan adequately addresses the buffer standards set forth by the Pender County Unified Development Ordinance (Attachment 4).

Open Space

Per the Pender County Unified Development Ordinance Section 7.6, all proposed residential subdivisions shall provide open space in the amount of ±0.03 acres per dwelling unit within the subdivision; half of which must be designated active open space.

The required open space for the Phase II Preliminary Plat revision totals ±1.95 acres. Currently ±1.96 acres of open space will be provided in this proposal with ±0.98 acres to be dedicated as passive open space and ±0.98 acres to be dedicated as active open space. The submittal meets the open space requirements set forth in Section 7.6.1.C of the Pender County Unified Development Ordinance.

The open space provided is easily accessible to future residents and is located throughout multiple areas in Phase II. The proposed pedestrian easements and multi-use trails provide access for pedestrian traffic.

Recreational Units

Recreational facilities shall be in a configuration and location that is easily accessible to the dwelling units that they are designed to serve and may be placed within active or passive open space required areas. Currently, the Phase II is proposed to have sixty-five (65) single-family lots. According to Section 7.6.2 the one recreation unit for Phase II will total financial amount of $10,000.

Although there are a number of pedestrian friendly areas in portions of Phase II, North Lamplighters Walk, the portion for approval, is not proposed to have any pedestrian facilities.

Roadways

Public Roadways

Public roadways must be built to NCDOT standards as outlined in the NCDOT Subdivision Manual published in January 2010.

Currently there is one (1) public roadway identified on the Phase II Preliminary Plat Revision. The public roadway named West Craftsman Way and is running southeast to northwest connecting to the Cardinal Pointe Master Development Plan (Case #11067). The proposed public roadway has a fifty (50) foot right of way with two (2) foot valley gutters.

Private Roadways

According to Section 7.5.3 all designated private streets shall be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards. The proposed private roadway named North Lamplighters Walk and runs southeast to northwest as well. The proposed private right-of-ways are identified on the Phase II Preliminary Plat Revision as forty (40) feet in width with two (2) foot valley gutters; which will meet the NCDOT standards as outlined in the 2010 Subdivision Manual.

Traffic

A TIA assesses the effects of specific developments traffic on the community. An examination of traffic impact on the existing road network surrounding the subject properties must be updated. The examination of traffic impact will require coordination with NCDOT and the Wilmington Metropolitan Planning Organization (WMPO). At this time a Traffic Impact Analysis is required; the developer must submit this document prior to Pender County Planning Staff signing approvals for this project. Currently the TIA is outstanding. The TIA will determine what improvements are necessary to the existing roadway network. Listed below are the approved study intersections for the TIA. Currently the WMPO has approved the scoping document, but the approved TIA is outstanding at the time of submittal. Listed below are the approved study intersections:

1. Sloop Point Loop Road at Site Access 1 (northeast of Masters Lane)
2. Sloop Point Loop Road at Site Access 2 (northeast of Friendly Lane)
3. US 17 at Edens Lane
4. US 17 at Future Connection Access
5. US 17 at Topsail Greens Drive
6. US 17 at Topsail Plantation Drive
7. US 17 at Sloop Point Road
8. US 17 at Sloop Point Loop Road
9. US 17 at Champion Drive

Pedestrian Access

The Coastal Pender Collector Street Plan recommends five (5) foot sidewalks on both sides of the collector streets which are well connected to all sidewalks and walkways to internal and adjacent developments. The applicant has proposed five (5) foot sidewalks on the north side of West Craftsman Way, the main public collector roadway in Phase II, however not on North Lamplighters Walk, the private right of way as part of the revision request.

Services (Wastewater/Water)

The previous approval for Phase II Preliminary plat was serviced by offsite septic. Now the applicant proposes wastewater which will be treated by Pluris LLC, a private regional treatment facility. An intent to service letter was provided by the applicant on behalf of Pluris LLC (Attachment 5). The applicant shall work directly with Pluris LLC and the County for each Phase approval.

The Pender County Utilities Department is working closely with the applicant to satisfy applicable requirements for the Phase II water approvals.

Environmental Concerns

The Phase II Preliminary Plat Revision does not contain wetlands, Special Flood Hazard areas, or CAMA Areas of Environmental Concern areas.

Tree Survey

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval which the applicant has provided.

Permits

At this time state and federal permits have been obtained. Any revision to permits or amendments to reflect the additional lots must be submitted before the Phase II Preliminary Plat Revision can be approved.

Technical Review Committee (TRC) Responses:

On Tuesday October 13, 2015 the Pender County Technical Review Committee reviewed the Phase II Preliminary Plat Revision of Wyndwater. The responses collected can be seen in Attachment 6.

EVALUATION

A) Public Notifications: Public Notice of the proposal for map change has been advertised in the *Pender-Topsail Post and Voice* and a public notification sign has been placed on the property.

B) Existing Zoning in Area: The properties are located within a PD, Planned Development zoning district. The intent of the PD, Planned Development zoning district is to provide an alternative to a conventional development. The PD district allows projects of innovative design and layout that would not otherwise be permitted under this Ordinance because of the strict application of zoning district or general development standards. The PD district encourages progressive land planning and design concepts. The properties to the north and east are zoned RP, Residential Performance zoning district and the properties to the south and west are zoned PD, Planned Development zoning district.

C) Existing Land Use in Area: This proposal is located within the area previously known as the Topsail Greens Golf Course, west of the property is the existing Topsail Greens Community. The properties immediately north are low density residential housing communities, Sloop Point South and Cardinal Acres Manufactured Home Park. Along the immediate southern boundary is a low density residential subdivision called Greenway Plantation and moderate density multifamily (Vista Cove). Along the immediate east boundary is the previously recorded Phase IIA of Wyndwater.

D) 2010 Comprehensive Land Use Plan:

Mixed Use: The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit friendly manner.

Supporting Comprehensive Plan Policies and Goals:

a. **Growth Management Goal 1A.1** Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.
    i. **Policy 1A.1.2** Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development.
b. **Transportation Goal 2B.1** Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.
    i. **Policy 2B.1.4** Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.
    ii. **Policy 2B.1.9** As recommended in the Coastal Pender Collector Street Plan, all new streets that have the potential to connect to adjacent developments should be

constructed to NCDOT secondary road standards and accepted for public maintenance to ensure future connectivity.

c. **Water and Sewer Goal 2A.1** manage the timing, location and intensity of growth by locating water and sewer improvements in accordance with the Comprehensive Land Use Plan and Water and Wastewater Master Plans.
   i. **Policy 2B.1.4** Allow the use of package treatment plants only in areas where development is desirable but public sewer service is not feasible. If package treatment plants are use they should be designed to enable, at minimum public cost, the conversion of the system to public ownership, operation and maintenance in the future when public sewer service is viable, and cost effective.

d. **Emergency Services Goal 2E.1** Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.
   i. **Policy 2E.1.2** Ensure that streets and parking lots within new developments are designed and constructed to accommodate the turning radius and load bearing requirements for emergency services vehicles and equipment.

The request is consistent with nine (9) policies from the 2010 Pender County Comprehensive Land Use Plan and conflicts with none.

Previous Conditions

1. Provide connection to adjacent property for future development to the northwest of the subject property (documented under case #11067 Cardinal Pointe, as submitted to Planning Board in December 2013); **Satisfied in Phase III**
   Provide connection to identified "Capstone Property" identified by Pender County PIN 4214-22-7567-0000; **Satisfied in Phase IIA**
2. Allow for "alternative" design for alleyway as shown on Master Development Plan Submittal Page C-3.4; **Satisfied in Phase I**
3. Allow for emergency access along the connection to Doral Drive (SR 1693) in Phase III; **Satisfied in Phase III**
4. The temporary cul de sac shown on the western portion of the Master Development Plan (PG C-3.2 of Site Plan and C-3.1) of the pending Preliminary Plat) shall be converted to a through roadway at the time of the adjacent parcel development; the roadway connecting the Wyndwater and Cardinal Pointe shall be built to collector street standards as outlined in Section 7.5.3.C. Coordination between the applicant and the adjacent property owner shall be necessary to ensure interconnectivity; **Satisfied in Phase III**
5. Additional to the condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000 and identified as the Cardinal Pointe Master Development Plan Case # 11067). These connections shall be further delineated in each Phase submittal for review and approval. **Satisfied in Phase III**

Ordinance Items Outstanding

1. A completed TIA will be required to be submitted before the Preliminary Plat can be approved.
2. Any revisions or amendments to any applicable permits including:

   A. NCDEMLR Sediment Erosion Control Permit;
   B. NCDOT Plan Approval;
   C. NCDOT Driveway Permit;
   D. NCDOT Hydraulics Approval;

E. NCDEMLR Water Approval;
F. NCDEMLR Sanitary Sewer;
G. PCU Water Approval ;
H. NCDENR Clear and Grade Approval;
I. NCDEMLR Stormwater Permit;
J. USACE Jurisdictional Determination.

STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with nine (9) policies and conflict with no policies included in the 2010 Pender County Comprehensive Land Use Plan and Pender County Unified Development Ordinance, as well as, other approved planning documents. Therefore Planning Staff recommends the approval of the Phase II Preliminary Plat Revision requests as detailed in the report with the applicable conditions for the development known as Wyndwater. Any and all future development, phases or changes to the development proposal are subject to the Planning Board review and approval.

BOARD ACTION FOR PHASE III PRELIMINARY PLAT:

Motion: _____Seconded: _____
Approved: _____Denied:____ Unanimous: ____
Williams: __ McClammy: ____ Baker: ___ Edens: __ Fullerton: ___ Marshburn: ___ Nalee: __

Attachment 5

PLURIS

MAURICE W. GALLARDA, PE
Managing Member

May 15, 2015

Mike Pollak
Manager
Signature Topsail NC LTD
6450 Shinnwood Road
Wilmington NC 28409

Re: Pluris Hampstead, LLC's Intent to Serve Signature Topsail NC LTD, Pender County

Dear Mr. Pollak,

This letter serves as confirmation of Pluris Hampstead, LLC's ("Pluris") intent to serve the above referenced development with wastewater treatment in accordance with the requirements of the North Carolina Department of Environmental Management ("DENR"), and the North Carolina Utilities Commission ("NCUC") to whom Pluris will be subject to for environmental and rate regulation respectively. In addition Pluris will be subject to the provisions of the County of Pender approved Special Use Permit.

It is our understanding that the initial phase of construction for the development will consist of forty (40) single family residences, requiring wastewater treatment in the initial phase for a maximum flow of 14,400 gallons per day. Subsequent development phases may include up to two-hundred ten (210) single family residences.

Pluris is currently in the construction phase of the new membrane bio-reactor ("MBR") wastewater treatment plant and related force main that will service Signature Topsail NC LTD. Operation of the MBR plant is currently estimated to begin at the end of December, 2015. Pluris has its first of two environmental permits from the DENR, which will allow sufficient treatment flow to include the initial phase of Signature Topsail NC LTD. The second permit will be completed prior to the MBR plant start up and address the total design flow for the regional plant. The DENR will allow the pumping and hauling of any wastewater for an interim period should any homes be completed prior to the start-up of the MBR plant. Wastewater would be treated at the existing Pluris MBR plant in Onslow County.

Please note that this letter of intent to provide wastewater service to the development is contingent upon the execution of a Developer Agreement between Signature Topsail NC LTD and Pluris Hampstead, LLC.

Should you have any questions please feel free to contact me directly at my office at 214.220.3412 or on my cell phone at 714.624.8670.

Sincerely,

Maurice W. Gallarda, PE
Managing Member

Cc: Randy Hoffer, Regional Manager, Pluris

APPLICATION FOR SUBDIVISION

THIS SECTION FOR OFFICE USE			
Application No.	PP 11035-000007-2015	Date	9-21-15
Application Fee	$ Revision - $250	Receipt No.	152416
Master Plan Hearing Date	July 7, 2015	Preliminary Plat Hearing Date	11-4-2015

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, Ltd	Owner's Name:	Signature Top Sail NC, Ltd
Applicant's Address:	9337B Katy Freeway #377	Owner's Address:	9337B Katy Freeway #377
City, State, & Zip	Houston, Texas 77024	City, State, & Zip	Houston, Texas 77024
Phone Number:	713-822-3891	Phone Number:	
Legal relationship of applicant to land owner:			

SECTION 2: PROJECT INFORMATION			
Preliminary Plat	Residential *RP, PD, RM, MH District*	✓ Mixed Use *PD*	Exempt
Subdivision Type	☒ Major (11 lots or more)	☐ Minor (10 lots or less)	☐ Other
Property Identification Number (PIN):	4214-12-8251-0000	Total property acreage:	28.35
Zoning Classification:	PD	Acreage to be disturbed:	28.35
Additional Information:	Preliminary Plat Revision increasing the Phase 2 lot total from 56 lots to 63 lots		

SECTION 3: SIGNATURES			
Applicant's Signature	[signature]	Date:	9-16-15
Owner's Signature	[signature]	Date:	9-16-15

NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. 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.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

Office Use Only

☐	**Subdivision Fees:** *$500 + $10/lot-unit for the first 100 lots/units; $5.00/lot-unit thereafter*	**Total Fee Calculation: $**

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☑ Y ☐ N	Plan Sets	# of large 2	# of 11X17 15	Other documents/Reports ☑ Y ☐ N

Payment Method:	**Cash :** ☐ $_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☑ Check # 9124 $250
Application received by:	Ron Meredith		Date: 9-21-15
Application completeness approved by:	Ron Meredith		Date: 10-16-15
Date scheduled for public hearing:	11-4-2015		

GSP CONSULTING

September 18, 2015

Pender County
Planning and Community Development
805 S. Walker Street
Burgaw, NC 28425

Re: Wyndwater – Phase 2B
Project Narrative

Dear Mr. Meredith:

This phase of the Wyndwater project is a revision to the previously approved Phase 2. This phase of the project will increase the total unit count of Phase 2 from 56 lots to 63 lots. This phase of the project will also include a Public waterline extension and a sewer main extension that will be owned and maintained by Pluris, LLC. The primary stormwater measures for this site will be a closed conduit system that will direct the runoff to a proposed wet detention basin that will be designed to control the peak runoff from the 10-year storm event and will be analyzed for the 100-year storm event to prevent flooding of the proposed development. This project will require approvals from DENR-Public Water Supply Section for the water line extension, NCDOT for the subdivision street, NCDENR-Division of Water Resources for the sewer extension & NCDENR-Division of Energy, Mineral and Land Resources for Stormwater & Erosion & Sediment Control. The traffic for this phase of the development are estimated to be approximately 603 total daily trips with 47 in the AM peak hour and 64 in the PM peak hour based on the ITE Trip Generation Manual 8th edition using ITE Code 210 for single family homes.

Please contact me immediately at (910) 442-7870 or gpape@gsp-consulting.com if you have any questions or require additional information.

Sincerely,
GSP CONSULTING, PLLC.

Garry S. Pape, P.E.

6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

CERTIFICATE OF ACCURACY & MAPPING – SURVEYOR CERTIFICATE I

I, THE UNDERSIGNED, CERTIFY THAT THIS SURVEY WAS DRAWN BY ME OR DRAWN UNDER MY SUPERVISION FROM THE ACTUAL SURVEY MADE BY ME OR MADE UNDER MY SUPERVISION DESCRIPTION RECORDED IN BOOK BOOK 4329, PAGE 2402 THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE INFORMATION SHOWN; THAT THE RATIO OF PRECISION, AS CALCULATED, IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 23 DAY OF OCT. A.D. 2014.

DAVID W. MICHAEL, II – PROFESSIONAL LAND SURVEYOR (L-3618)

SURVEYOR CERTIFICATE II

THE SUBDIVISION SHOWN ON THIS PLAT DOES NOT CONTAIN SPECIAL FLOOD HAZARD AREAS AND IS NOT LOCATED IN A FLOODMAP AS DEMARKED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THE SUBDIVISION SHOWN ON THE PLAT DOES NOT CONTAIN AREAS OF ENVIRONMENTAL CONCERN AS DEMARKED BY THE NORTH CAROLINA COASTAL RESOURCES COMMISSION.

G.S. 47-30 (f) (11) (a) – SURVEYOR CERTIFICATE III

I HEREBY CERTIFY THAT THIS SURVEY CREATED A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 23 DAY OF OCT. A.D. 2014

DAVID W. MICHAEL, II – PROFESSIONAL LAND SURVEYOR (L-3618)

STATE OF NORTH CAROLINA
PENDER COUNTY

I, Amy Everett, A NOTARY OFFICER OF PENDER COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

11/4/14 Amy Everett
DATE NOTARY OFFICER

PARCEL IDENTIFIER CERTIFICATE

PARCEL IDENTIFIERS HAVE BEEN ISSUED FOR ALL PARCELS SHOWN ON THIS PLAT.
4214-12-9251-0000

Amy Everett 11/4/14
PARCEL IDENTIFIER DATE

GENERAL NOTES

1. THIS IS "PHASE 1" OF A MAJOR SUBDIVISION PLAT. IT CONSISTS OF 48 LOTS.
2. PARCEL (SHAD) SHAD PARCEL ID: 4214-12-8251-0000.
3. PROPERTY IS CURRENTLY ZONED: PLANNED DEVELOPMENT (PD).
4. BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD83(2011)
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
6. UNITS ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
7. AREA BY COORDINATE GEOMETRY.
8. THERE ARE NO ACCESS AND MONUMENTS FOUND within 200' OF SITE.
9. THIS SURVEY WAS PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
10. FLOOD NOTE: AS DETERMINED BY GRAPHIC PLOTTING, THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD ZONE, PER FEMA FLOOD INSURANCE RATE MAP (3720410400J) EFFECTIVE DATE 2/16/2006.
11. MAP & DATA REFERENCES (PER PENDER COUNTY REGISTRY): DB 4329, PG 330; MB 48, PG 148 (AND OTHERS THAT MAY BE SHOWN ON THIS MAP)
12. THERE ARE NO WETLANDS WITHIN THE LIMITS OF THIS SUBDIVISION.
13. SETBACKS FOR THIS DEVELOPMENT: FRONT: 30', REAR: 30', SIDE: 10', CORNER SIDE: 15'.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF A SUBDIVISION WITH MY (OUR) OWN FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINE, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SITES TO PUBLIC OR PRIVATE USE AS NOTED. FURTHER, I (WE) CERTIFY THE LAND SHOWN HEREON IS WITHIN THE SUBDIVISION JURISDICTION OF PENDER COUNTY, NORTH CAROLINA.

SIGNATURE TOP SAIL NC LTD
BY: Michael Pollard MGR. 10/24/14
OWNER SIGNATURE DATE
MICHAEL H. POLLARD
OWNER NAME (PRINT)

CERTIFICATE OF APPROVAL OF PUBLIC STREET PLANS BY NCDOT

I CERTIFY THAT THE PLANS FOR THE PUBLIC STREETS SHOWN ON THIS PLAT HAVE BEEN APPROVED BY NCDOT AND ARE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF THE BOARD OF TRANSPORTATION FOR ACCEPTANCE OF THE SUBDIVISION STREETS ON THE STATE HIGHWAY SYSTEM FOR MAINTENANCE.

R. A. VANGE DISTRICT ENGR.
PRINTED NAME DISTRICT ENGINEER TITLE
R A Vange 11/4/14
SIGNATURE DISTRICT ENGINEER DATE

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	414.46'	310.00'	S10°37'26"E	384.38'
C2	401.85'	310.00'	N8°28'26"E	374.14'
C3	159.76'	310.00'	N61°18'26"W	158.03'
C4	166.84'	230.00'	N10°28'11"W	163.07'
C5	242.73'	230.00'	S16°18'26"E	231.82'
C6	276.35'	280.00'	S10°37'26"E	267.06'
C7	404.57'	340.00'	S10°37'26"E	381.46'
C8	440.52'	340.00'	N8°28'26"W	410.34'
C9	362.76'	280.00'	N8°28'26"W	337.63'
C10	175.26'	340.00'	N61°18'26"W	173.32'
C11	144.33'	280.00'	N61°18'26"W	142.74'
C12	36.37'	25.00'	N58°34'06"E	33.36'
C13	28.27'	25.00'	N31°25'54"W	25.36'
C14	43.69'	25.00'	N57°34'06"E	38.47'
C15	35.86'	25.00'	N35°00'09"W	33.06'
C16	104.75'	230.00'	N14°04'00"W	103.74'
C17	134.24'	230.00'	N15°28'33"W	131.05'
C18	209.11'	230.00'	S14°19'26"E	206.79'
C19	212.34'	280.00'	S14°19'26"E	206.44'
C20	21.03'	25.00'	N70°26'16"W	20.41'
C21	21.03'	25.00'	S22°33'44"W	20.41'
C22	241.19'	50.00'	N42°26'03"E	68.87'
C23	75.37'	340.00'	S7°42'16"E	75.22'
C24	76.30'	340.00'	S4°36'25"W	76.15'
C25	76.22'	340.00'	S17°40'23"W	76.07'
C26	21.74'	340.00'	S25°30'33"W	21.73'
C27	54.35'	280.00'	S22°12'46"W	53.30'
C28	135.58'	280.00'	S8°58'46"W	134.26'
C29	143.03'	280.00'	S26°37'37"E	141.46'
C30	38.76'	280.00'	S47°24'26"E	38.73'
C31	30.10'	340.00'	N73°26'06"W	30.08'
C32	70.12'	340.00'	N11°51'40"W	70.00'
C33	70.12'	340.00'	N23°40'13"W	70.00'

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C34	70.12'	340.00'	N35°28'48"W	70.00'
C35	30.38'	340.00'	N43°36'36"W	30.38'
C36	64.80'	340.00'	N52°00'12"W	64.80'
C37	70.12'	340.00'	N62°21'48"W	70.00'
C38	40.34'	340.00'	N72°40'44"W	40.31'
C39	75.01'	280.00'	S69°25'13"E	74.78'
C40	60.32'	280.00'	S57°36'13"E	60.12'
C41	36.50'	255.00'	N70°06'44"E	36.46'
C42	88.56'	255.00'	N10°55'00"W	88.30'
C43	83.77'	255.00'	S8°31'00"W	83.39'
C44	66.30'	255.00'	S21°16'13"E	66.14'
C45	66.30'	255.00'	S37°13'00"E	66.11'
C46	66.18'	255.00'	S50°05'46"E	66.00'
C47	4.60'	255.00'	S40°02'37"E	4.60'
C48	48.56'	255.00'	S46°03'15"E	48.48'
C49	140.70'	280.00'	N24°49'17"W	139.27'
C50	24.88'	80.00'	S12°37'44"E	24.83'
C51	43.88'	80.00'	S27°50'01"E	43.30'
C52	30.47'	80.00'	S40°10'36"E	30.28'
C53	30.47'	80.00'	S50°41'30"E	30.28'
C54	30.47'	80.00'	N60°46'06"E	30.28'
C55	53.87'	80.00'	N35°35'06"W	53.38'
C56	27.34'	80.00'	N75°04'38"W	27.21'
C57	58.27'	255.00'	N20°40'46"W	58.14'
C58	134.34'	255.00'	N13°26'33"W	133.88'
C59	31.18'	255.00'	N38°33'33"W	31.16'
C60	446.12'	215.00'	N39°09'39"W	371.20'
C61	386.69'	180.00'	N39°09'39"W	318.48'
C62	172.34'	215.00'	N73°41'48"W	167.76'
C63	187.46'	215.00'	N42°39'36"W	181.57'
C64	58.28'	215.00'	N13°06'53"E	58.09'
C65	198.49'	340.00'	N13°23'42"E	197.70'
C66	14.61'	25.00'	N30°24'30"E	14.39'
C67	28.88'	25.00'	N70°41'41"E	27.36'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N21°28'41"E	27.00'
L2	N68°31'19"W	50.00'
L3	N68°31'19"W	50.00'
L4	N21°28'41"E	27.00'
L5	N68°31'19"W	57.24'
L6	S71°13'34"W	27.24'
L7	N68°31'19"W	12.83'
L8	N68°31'19"W	110.33'
L9	S68°28'33"E	121.04'
L10	N68°28'33"W	33.00'
L11	S68°28'33"E	121.04'
L12	N68°28'33"W	33.00'
L13	N68°28'33"W	33.00'
L14	S68°28'33"E	60.00'
L15	N68°28'33"W	33.00'
L16	S68°28'33"E	60.00'
L17	N68°28'33"W	33.00'
L18	N68°28'33"W	15.00'
L19	S68°28'33"E	60.00'
L20	N68°28'33"W	71.00'
L21	S68°28'33"E	60.00'
L22	N68°28'33"W	71.00'
L137	S68°28'33"E	60.00'
L138	N68°28'33"W	15.00'
L139	S68°28'33"E	60.00'
L140	N68°28'33"W	33.00'
L141	N68°28'33"W	15.00'

CERTIFICATE OF FINAL PLAT APPROVAL

FINAL PLAT APPROVED UNDER THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE.

Morgan D'Hare 11/4/2014
AUTHORIZED PERSON DATE

CERTIFICATE OF REGISTRATION BY THE REGISTER OF DEEDS PENDER COUNTY NORTH CAROLINA

FILED FOR REGISTRATION ON THE _____ DAY OF _____ AT _____

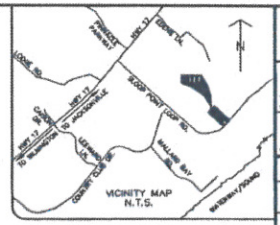
MAPS/PLATS 11-06-2014 3:31:06 pm
Pender County, NC Registered at Book 100 Page 47 & 48
REGISTER OF DEEDS DATE

SPECIAL NOTE

LOTS SHOWN HEREON CANNOT BE USED FOR BUILDING DEVELOPMENT UNLESS A APPROVED WASTEWATER DISPOSAL METHOD HAS BEEN APPROVED, AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT, OR APPROPRIATE STATE AGENCY.

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.



SYMBOL LEGEND:

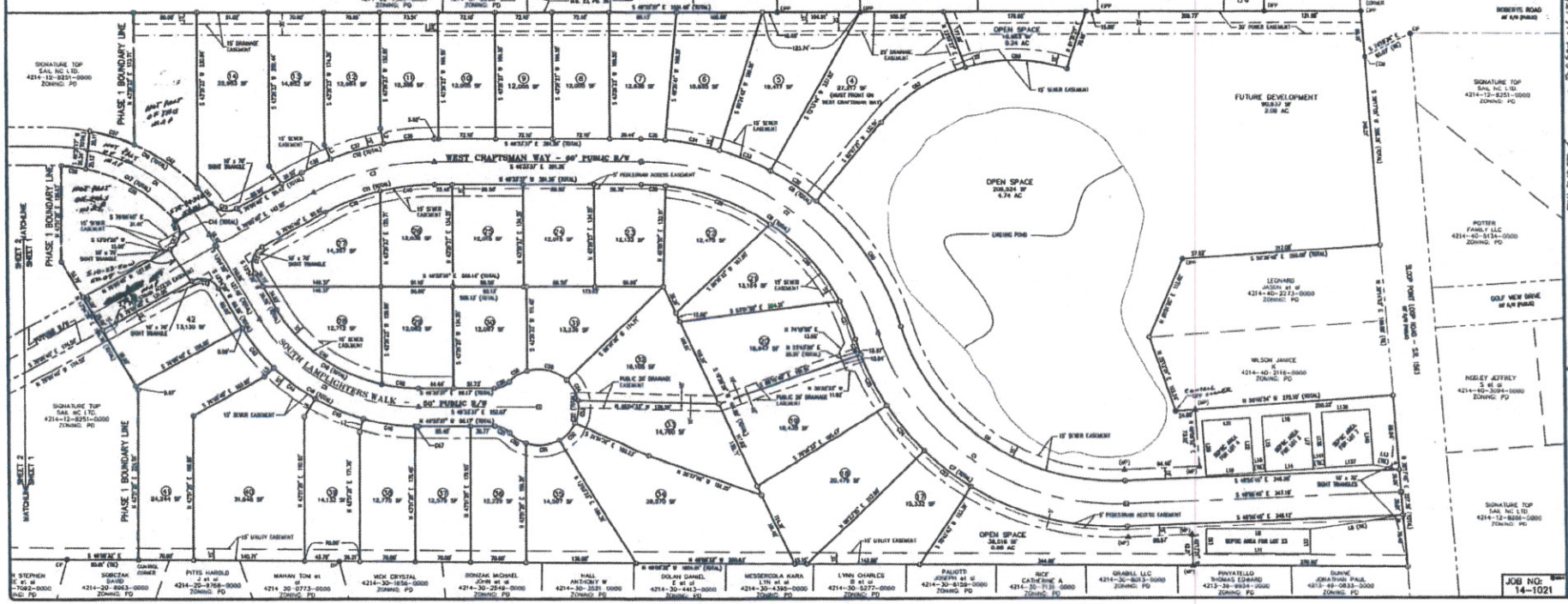
- EXISTING IRON PIPE/PINCH PIPE/NAIL
- IRON SET
- EXISTING CONCRETE MONUMENT
- NEW CONCRETE MONUMENT
- EXISTING RIGHT-OF-WAY MONUMENT
- MAG NAIL SET
- MAP/CALCULATED POINT (UNLESS OTHERWISE NOTED)
- EXISTING NAIL MONUMENT
- LOT NUMBER

LINETYPE LEGEND:

- SURVEYED LINES (BOUNDARY)
- LINES NOT SURVEYED (ADJACENT)
- RIGHT-OF-WAY LINE
- STREAM/TRIBUTARY
- WETLAND LINE
- STORM EASEMENT LINE
- SEWER EASEMENT LINE
- CENTER-LINE OF ROAD
- BUILDING
- BUILDING SETBACK LINE

ABBREVIATIONS:

(EIM)	EXISTING CONCRETE MONUMENT
(NCM)	NEW CONCRETE MONUMENT
(MNS)	MAG NAIL SET
(EIP)	EXISTING IRON PIPE
(EIR)	EXISTING IRON ROD
(MP)	MAP/CALCULATED POINT (UNLESS OTHERWISE NOTED)
(PK)	PK NAIL (1 SHOWN AS NOTED)
NCGS	NORTH CAROLINA GEODETIC SURVEY
N/F	NOW OR FORMERLY
MB	MAP BOOK / CABINET
DB	DEED BOOK
PG	PAGE
SF	SQUARE FEET



No.	Revision	Date	By

PREPARED FOR:
SIGNATURE PENDER COUNTY NC, LP
4307 PEBBLE DRIVE
WILMINGTON, NC 28402
PH: 713-922-3091

FINAL PLAT FOR: SIGNATURE RDF SPE, NC LTD

WYNDWATER – PHASE I

MAJOR SUBDIVISION PLAT ON A NCDOT ROAD

Topsail Township Pender County North Carolina

ATLANTIC COAST SURVEY, PLLC
F-0822
PO Box 12246 Wilmington, NC 28405
(910) 392-4888 www.atlanticcoastsurvey.com

JOB NO: 14-1021

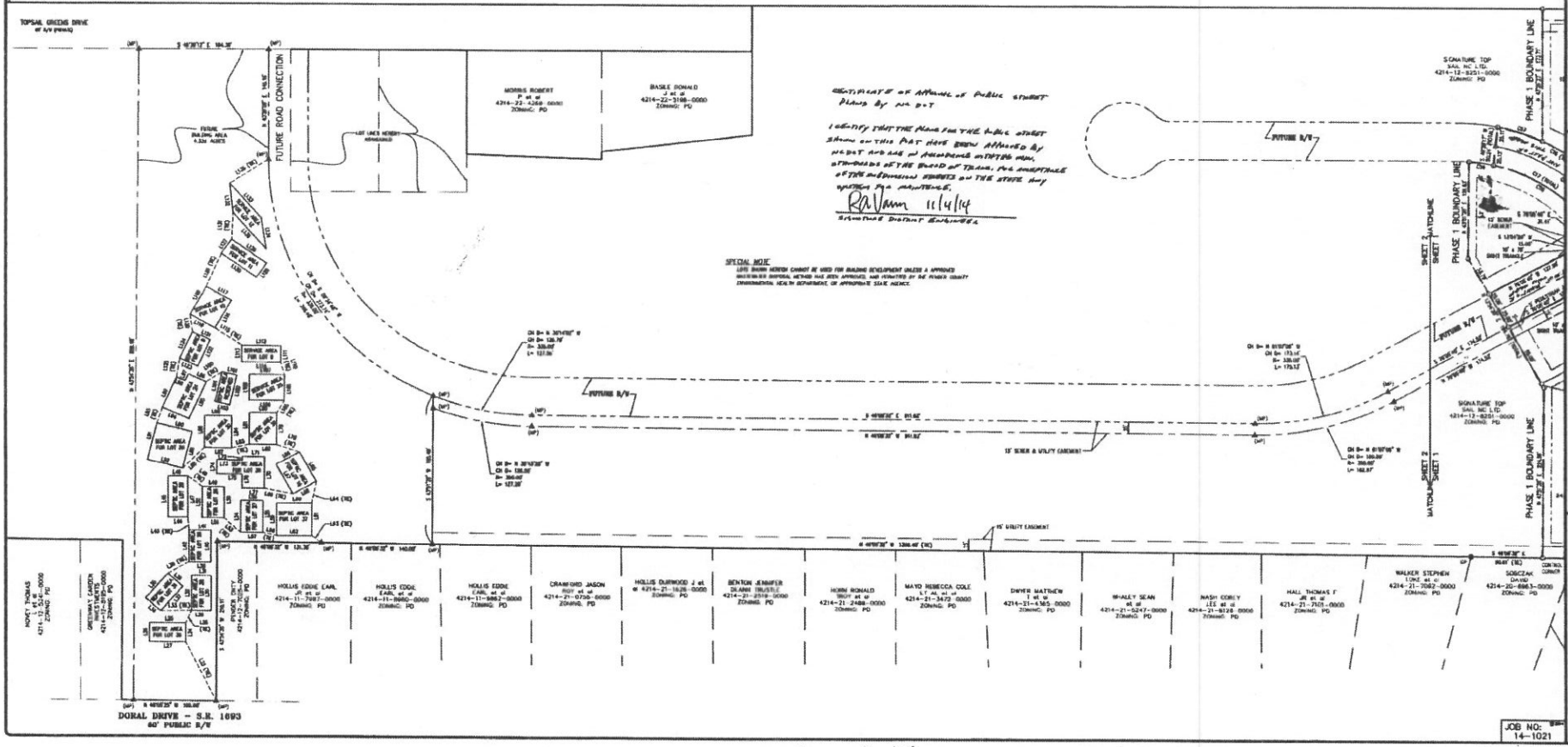
Sheet No. 1 of 2
Scale 1" = 60'
Drawn By AB
Date 11-14
Checked By DWM
Job No. 14-1021

MB 57 Pg 14

1 of 2

Attachment 1

LINE TABLE																			
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L23	N17°14'26"E	57.01'	L42	S88°22'34"W	16.72'	L63	N10°00'37"E	10.25'	L83	N88°50'11"W	22.57'	L103	S33°37'08"E	10.05'	L123	S01°58'18"E	20.10'
L24	N42°57'26"W	24.01'	L43	S46°37'37"E	20.17'	L64	N84°00'00"E	20.41'	L84	N47°51'30"E	42.00'	L104	N88°22'53"E	65.00'	L124	N88°57'01"E	30.11'
L25	S46°00'34"E	50.00'	L44	N42°22'37"E	54.62'	L65	N14°37'56"W	43.00'	L85	N41°00'30"E	24.07'	L105	N77°35'40"E	10.04'	L125	N88°44'00"E	30.10'
L26	N42°57'26"W	24.01'	L45	S46°37'37"E	20.17'	L66	N75°32'01"W	33.70'	L86	N47°51'30"E	52.00'	L106	N42°57'26"E	30.21'	L126	N88°41'10"E	40.00'
L27	S46°00'34"E	40.00'	L47	N42°22'37"E	54.62'	L67	N14°37'56"W	43.00'	L87	N48°00'30"E	24.07'	L107	N46°00'34"E	44.24'	L127	N70°41'10"E	30.00'
L28	N87°23'01"E	13.71'	L48	N70°41'10"W	30.02'	L68	N75°32'01"W	33.70'	L88	N88°39'38"W	35.77'	L108	N42°57'26"E	30.21'	L128	S11°17'50"E	34.21'
L29	S46°14'50"E	20.10'	L49	S46°14'50"E	20.00'	L69	N20°00'00"W	30.01'	L89	N07°39'00"E	40.44'	L109	S46°00'34"E	44.24'	L129	N70°41'10"E	30.00'
L30	N42°57'26"W	49.00'	L50	S42°45'01"E	41.00'	L70	S42°00'40"W	41.01'	L90	S32°31'00"E	40.00'	L110	N46°00'34"E	17.00'	L130	S11°17'50"E	34.21'
L31	S46°14'50"E	20.10'	L51	S46°14'50"E	20.00'	L71	S42°00'40"W	20.03'	L91	N07°39'00"E	40.44'	L111	N42°57'26"E	21.00'	L131	S46°00'34"W	20.30'
L32	N42°57'26"W	40.00'	L52	N42°45'01"W	41.00'	L72	S42°00'40"W	4.62'	L92	S32°31'00"E	40.00'	L112	S46°00'34"E	40.14'	L132	N42°57'26"E	20.07'
L33	N46°00'34"W	20.00'	L53	S46°14'50"E	20.00'	L73	S42°00'40"W	32.14'	L93	N07°39'00"E	20.00'	L113	N42°57'26"E	21.00'	L133	S01°58'18"E	20.00'
L34	N87°14'50"W	20.00'	L54	N42°57'26"E	41.00'	L74	S42°00'40"W	10.03'	L94	S32°31'00"E	20.00'	L114	S46°00'34"E	40.14'	L134	N88°57'01"E	41.42'
L35	S87°14'50"E	40.00'	L55	S46°00'34"E	20.00'	L75	S42°00'40"W	32.14'	L95	N42°57'26"E	23.00'	L115	N42°57'26"E	40.00'	L135	S01°58'18"E	43.01'
L36	N87°14'50"W	20.00'	L56	N42°57'26"E	41.00'	L76	S42°00'40"W	10.00'	L96	S32°31'00"E	24.00'	L116	N42°57'26"E	40.00'	L136	S01°58'18"E	30.01'
L37	S87°14'50"W	40.00'	L57	S46°00'34"E	20.00'	L77	S42°00'40"W	20.03'	L97	N42°57'26"E	8.01'	L117	N17°16'26"W	20.00'			
L38	S42°57'26"E	20.07'	L58	S42°45'01"E	17.00'	L78	N87°14'50"W	20.00'	L98	S32°31'00"E	11.00'	L118	S42°45'01"W	40.00'			
L39	S46°14'50"E	20.00'	L59	N42°22'37"E	42.00'	L79	S47°51'30"W	42.10'	L99	N42°57'26"E	43.04'	L119	N17°16'26"W	20.00'			
L40	N42°57'26"E	41.00'	L60	S46°22'37"E	44.53'	L80	N48°00'30"W	24.07'	L100	S02°17'46"E	24.00'	L120	N42°45'01"E	20.00'			
L41	S46°14'50"E	20.00'	L61	S42°22'37"E	42.00'	L81	S47°51'30"W	42.10'	L101	S32°31'00"E	10.00'	L121	S01°58'18"E	20.00'			
L42	N42°57'26"E	41.00'	L62	S46°22'37"E	44.53'	L82	N48°00'30"W	24.07'	L102	N42°57'26"E	10.00'	L122	N88°57'01"E	20.11'			



CERTIFICATE OF APPROVAL OF PUBLIC STREET PLANS BY NC DOT

I CERTIFY THAT THE PLANS FOR THE PUBLIC STREET SHOWN ON THIS PLAT HAVE BEEN APPROVED BY NCDOT AND ARE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF THE BOARD OF TRANS. FOR ACCEPTANCE OF THE SUBDIVISION STREETS ON THE STATE HWY SYSTEM FOR MAINTENANCE.

RA Vann 11/4/14
SIGNATURE DISTRICT ENGINEER

APPROVED FOR GENERAL USE
INITIALS
Pender County Planning Dept.

PREPARED FOR:
SIGNATURE PENDER COUNTY NC, LP
4307 PEBBLE DRIVE
WILMINGTON, NC 28402
PH: 713-522-3891

FINAL PLAT FOR:
WYNDWATER – PHASE I
MAJOR SUBDIVISION PLAT ON A NCDOT ROAD
Rocky Point Township Pender County North Carolina

ATLANTIC COAST SURVEY, PLLC
P-0622
PO Box 12348 Wilmington, NC 28405
(910) 392-4888 www.atlanticcoastsurvey.com

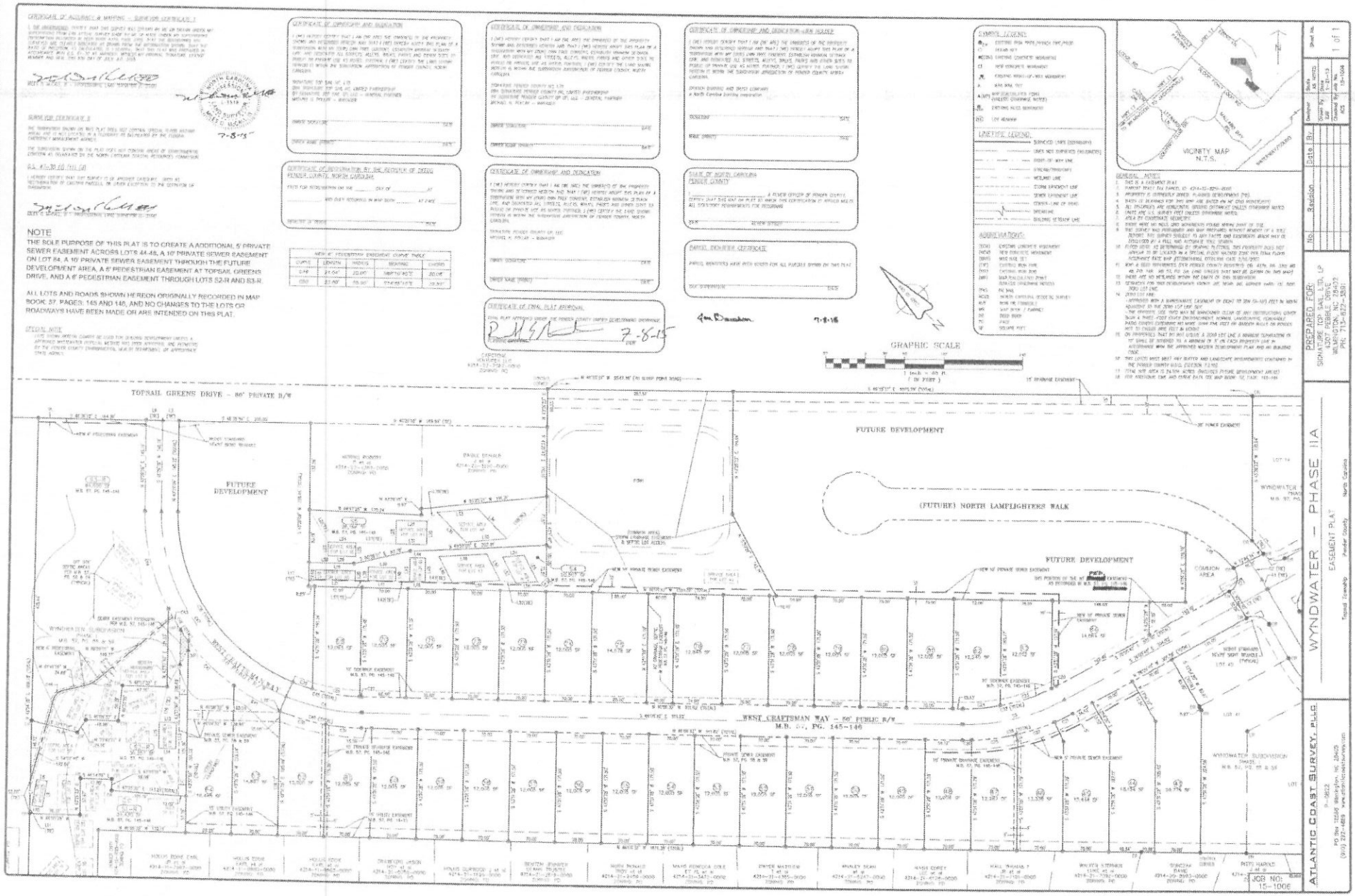
No.	Revision	Date	By

Sheet No. 2 of 2
Date 10-30-14
Scale 1" = 60'
Drawn By EJB
Checked By JCS
Job No. 14-1021
Designer EJB

MB 57 Pg 15

2 of 2

Attachment 2



Attachment 3

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

July 8, 2015

Signature Top Sail NC, Ltd.
9937 B #377
Houston Texas 77024

Re: 11035 Wyndwater Master Development Plan Revision (PINs: 4214-12-4590-0000, 4204-94-9912-0000)

Dear Signature Top Sail NC, Ltd,

The Pender County Planning Board, at the July 8, 2015 meeting, voted unanimously to pass a motion to approve the Master Development Plan for Wyndwater with the proposed revision; increasing the overall project area to include approximately ±6.2 acres from the adjacent parcel to the northeast (Pender County PIN:4204-94-9912-0000), increasing the overall project density from 2.72 to 3.1 units per acre, adding attached duplex housing type, reducing the lot size from originally approved 12,000 sq. ft. to 5,000 sq. ft. for lots to be serviced by regional sewer, and changing the location of Emergency Access to Doral Drive from Phase II to Phase III. All other approvals and conditions from previous Planning Board hearings remain applicable at this time. Planning Board approval from included the conditions;

1. Provide connection to adjacent property to future development to the northwest (documented under case #11067 submitted for the December Planning Board meeting).
2. Provide connection to identified "Capstone Property"
3. Allow for "alternative" design for alleyway as shown on sheet C-3.4
4. Allow for emergency access along the connection to Doral Drive (SR 1693).
5. The temporary cul de sac shown on the western portion of the Master Development Plan (PG C-3.2 of Site Plan) shall be converted to a through roadway at the time of the adjacent parcel development; the roadway connecting the Wyndwater and Cardinal Pointe shall be built to collector street standards as outlined in Section 7.5.3.C. Coordination between the applicant and the adjacent property owner shall be necessary to ensure interconnectivity.
6. Additional to the condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000 and identified as the Cardinal Pointe Master Development Plan Case # 11067). These connections shall be further delineated in each phase submittal for review and approval.

The Master Development Plan is valid for two years based on the Unified Development Ordinance.

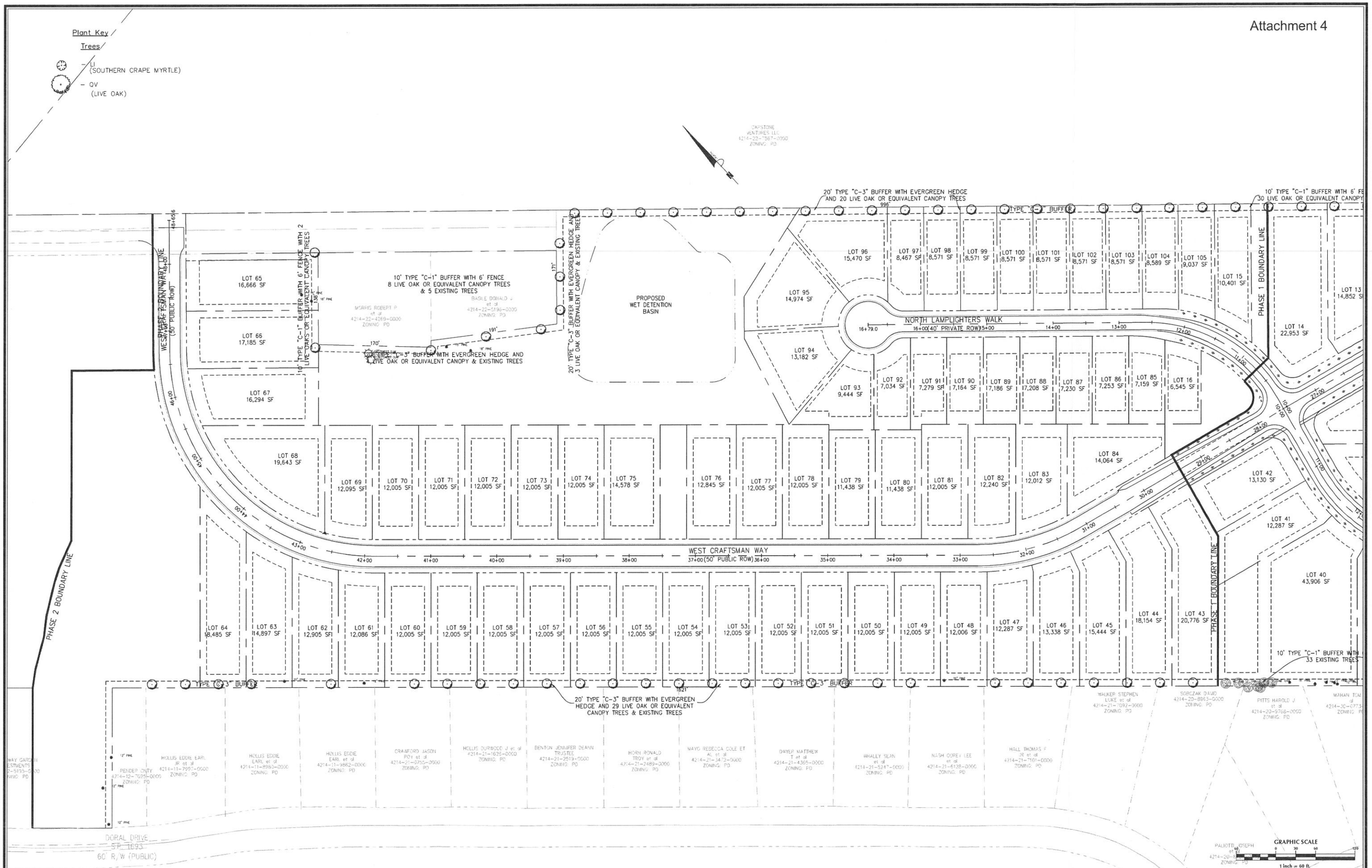
As detailed in the Unified Development Ordinance requirements for Master Development Plans, these items shall be addressed on the final Master Development Plan in order to be signed and approved by the Planning and Community Development Department. Please do not hesitate to contact me at (910) 259-1274 if you have any further questions.

Please see attached document for issues to be addressed before MDP can be signed

Respectfully,

Ron Meredith, Current Planner
Pender County Planning and Community Development

Attachment 4



No.	Revision	Date	By

Designer GSP	Scale 1" = 60'
Drawn By GSP	Date May 2014
License # P-0718	Job No. 2014-0002

WYNDWATER - PHASE 2

Topsail Township Pender County North Carolina

BUFFER LANDSCAPE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, Ltd.
4307 PEEBLE DRIVE
WILMINGTON, NC 28412
713-822-3891

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. L-1

Attachment 6

Technical Review Committee Review and Response

Date: _10/13/15_____
Name: __Wyndwater Phase 2B Revision_____ Agency: ___NCDOT_____
Phone: _910-346-2040_____ Email: __dracine@ncdot.gov_____

Requirements:

Recommendations:

Comments: No comments on revision North Lamplighters Walk is private.

Information Requested:

Please Follow Up Prior to Meeting: Yes/No

Pender County Emergency Management

Occupancy: **Wyndwater Phase II**
Address: **Wyndwater**
Hampstead NC 28443

Inspection Type: **TRC**
Inspection Date: **10/12/2015** By: Batson, Tommy (2342)
Time In: **12:30** Time Out: **13:04**
Authorized Date: **10/12/2015** By: Batson, Tommy (2342)

Form: TRC Form-2015

Inspection Topics:

Requirements

Street frontage

Every lot shall abut a public street or private street approved that is at least 20â€™ in width and to with stand an emergency vehicle of 80,000 lbs.

Status: N/A

Notes:

Dead Ends

Any dead ends 150 ft or more shall have an approved Fire Department turnaround

Status: N/A

Notes:

Cul-De-Sacs

Shall have a min. of 40ft radius (DOT Approved)

Status: FAIL

Notes: 40ft radius for all Cul-De-Sacs need. Plans show only 35' of pavement

Hammer heads

Hammer head shall be a min of 60' in both direction from the center of the end of the roadway with a min. of 120' total. Alternate Hammer head will be required to be 70' deep counting the roadway.

Status: N/A

Notes:

Median Strips

Where a sub divider elects to construct a street divided with a median strip, the one way roadway shall not be less than 10 ft width.

Status: N/A

Notes:

Street signs

Shall be installed as soon as roadways are accessible by vehicle traffic to include during construction and meet the Pender County Street Sign Specifications

Status: INFORMATION

Notes: Need to have signs up when vehicle access is completed

Alleys

Shall be a min. of 12â€™ ft. wide

Status: N/A

Notes:

Fire Hydrants

Fire Hydrants are required when a sub division or other development with four or more proposed lots/units derived from the same parent tract as of the date of his ordinance and when subject to the provisions of this ordinance or the County Zoning Ordinance is to be served by extension of extension of a public water system where the provider is capable of supplying sufficient water pressure to operate the hydrants. The following are the minimum standards for hydrant installation: 1. Fire Hydrants shall be located no more than 1,000 feet apart and at a maximum of 500 feet from any lot or unit: 2. Each fire hydrant shall have a minimum main supply line as required by the provider to adequately provide the appropriate amount of pressure to the hydrant; 3. Fire hydrants shall be maintained by the entity supplying water thereto; and 4. Standard hydrant design (Nation Standards Thread, 4 2 Â½-inch steamer, (2) 2 Â½ inch discharge connections, etc.) and proper maintenance shall be utilized.

Status: INFORMATION

Notes: Hydrant no more than 1000 ft apart

Dry Hydrant

In developments with natural or manmade water sources such as ponds and/or bodies of water a dry hydrant may be required to assist in fire protection for fire services.

Status: N/A

Notes:

Gates

Gates for any private roads shall be installed to a siren activated opener.

Status: INFORMATION

Notes: No Gates noted

Building Heights

Building heights shall be limited to 35 ft. unless the fire districts has the proper equipment to access anything over 35 ft.

Status: INFORMATION

Notes: No Limit

Set Backs

Setback preferred to be 5 ft from the property line and if 3 ft or closer see NC Building Code Requires

Status: INFORMATION

Notes: Noted on plans to be 10' between structures

Note

.

Status: N/A

Notes:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time

Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 34 minutes

Total Time: 34 minutes

Summary:

Overall Result: Pending

Inspector Notes:

Inspector:

Name: Batson, Tommy
Rank: Fire Marshal
Mobile Phone(s): [redacted]
Email(s): tbatson@pendercountync.gov

Signature *Date*

- Wyhdwater Ph. II Revision
    - PCU project details will need to be updated to include the new PCU details, inclusive of the dual meter setting which includes an irrigation service and a water service. All current PCU details will be e-mailed to the project engineer under separate cover.

(Bryan – jump in if I misspoke on anything! MAG)

Margaret Gray
Project Manager – Pender County Utilities
605 E. Fremont St.
Burgaw, NC 28425
Office 910-259-1521 Cell 910-604-3123
mgray@pendercountync.gov

Technical Review Committee Review and Response

Date: October 12, 2015

Name: Bill McDow Agency: WMPO

Phone: (910) 341-7819 Email: bill.mcdow@wilmingtonnc.gov

Requirements: Wyndwater Phase 2 Plan Revision

1. The phase 2B narrative mentions an increase in the number of lots for this phase. Please state whether the overall number of lots listed in the TIA has increased for the proposed development and any changes to other proposed phases.
2. Show a proposed ROW for the section of West Craftsman Way with the sidewalk, to show the location of the sidewalk.
3. The proposed Cul-De-Sac on North Lamplighters Walk has a R35' radius. Increase the radius to R40 to accommodate Fire, School Bus and Rescue vehicles.
4. The proposed drop-off and pick-up area appears to be one-way. Please provide notes, pavement markings and signs to clarify the use of this drop-off area on the site plan.
5. Previous comments for Phase 2 are still in place.

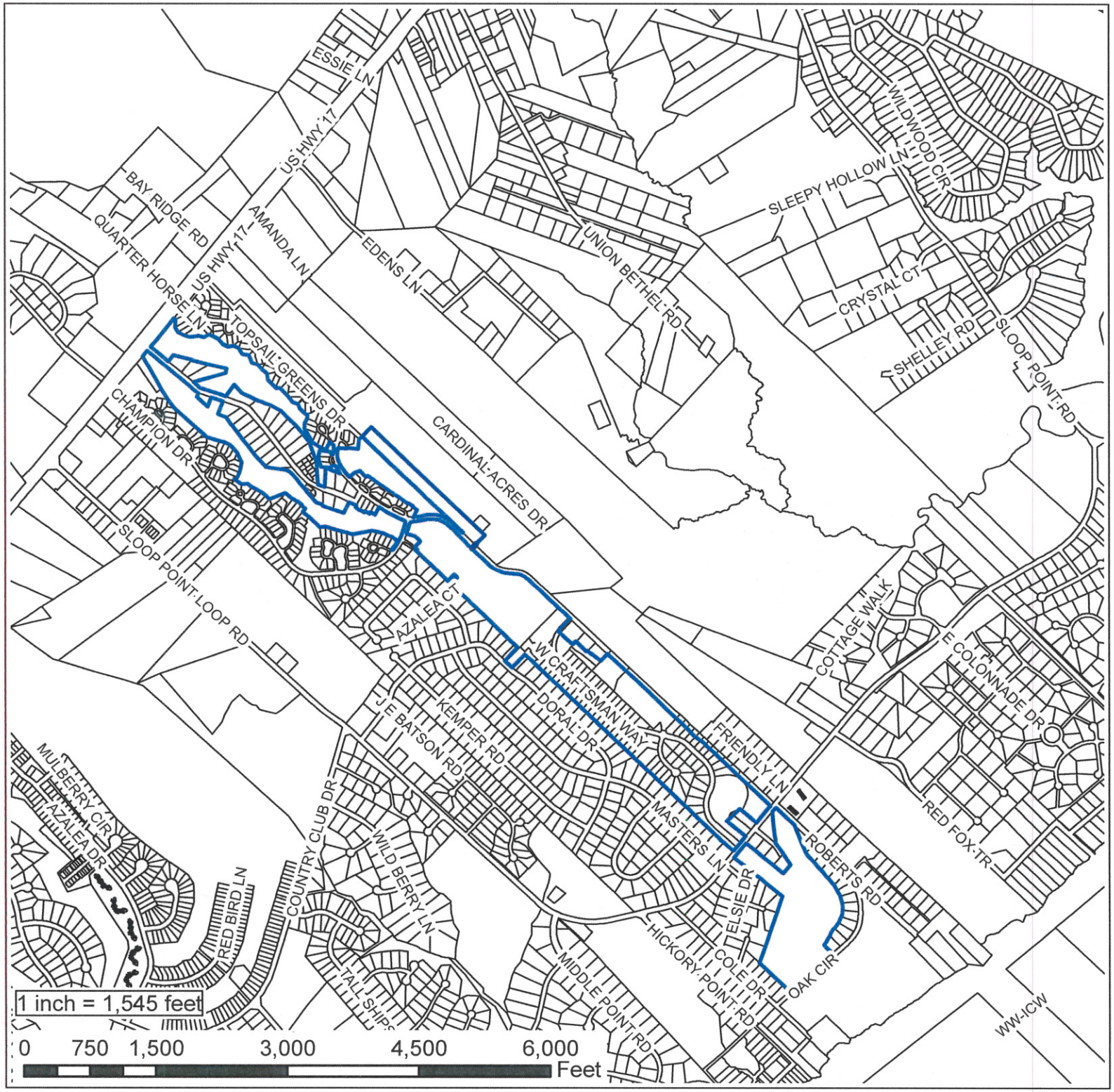
Recommendations:

1. Provide an all-weather surface from the subdivision streets to the proposed lift station and wet detention basin.
2. The site plan, C-3, shows a curb transition detail. Is this detail designed to give additional details for the pavement transition from ribbon pavement to curb and gutter pavement?
3. Please provide a standard driveway detail on the site plan.
4. Access to the sidewalk and 5' Mulch Multi-use path will require connection points. Please ensure the ditch and adjacent to the 6' grass shoulder do not prevent access to these pedestrian facilities. If pedestrian bridges or walkways are used to cross the ditch or shoulder, please provide details on these connection points.
5. Show proposed signs, including Stop Signs, Yield Signs and other regulatory signs.

Comments:

Information Requested: No

Please Follow Up Prior to Meeting: Yes/ **No**



Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

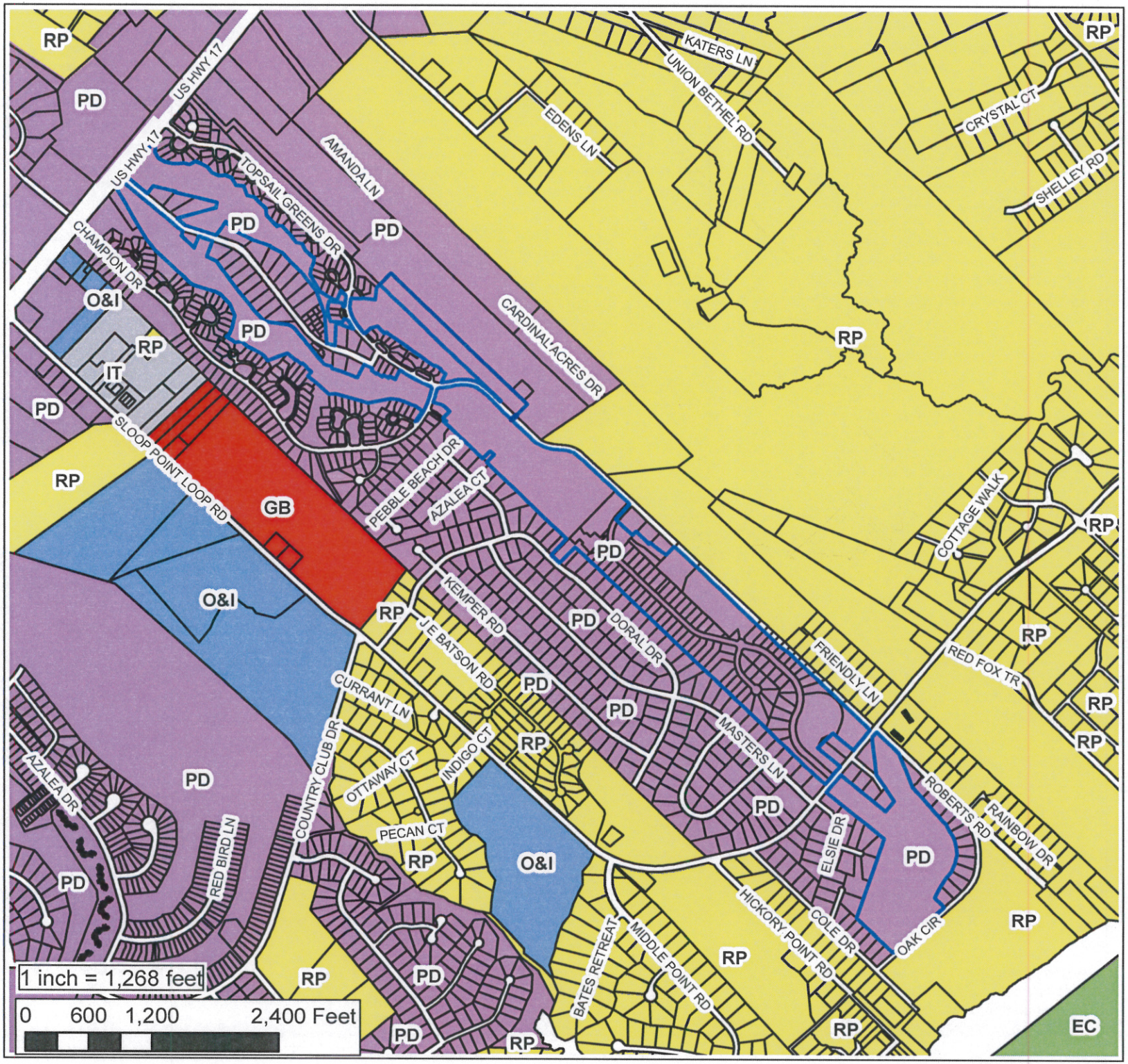
Case Number:
11035

Wyndwater

Subject Property

N

Vicinity



Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

Case Number:
11035

Wyndwater

Legend

Subject Property

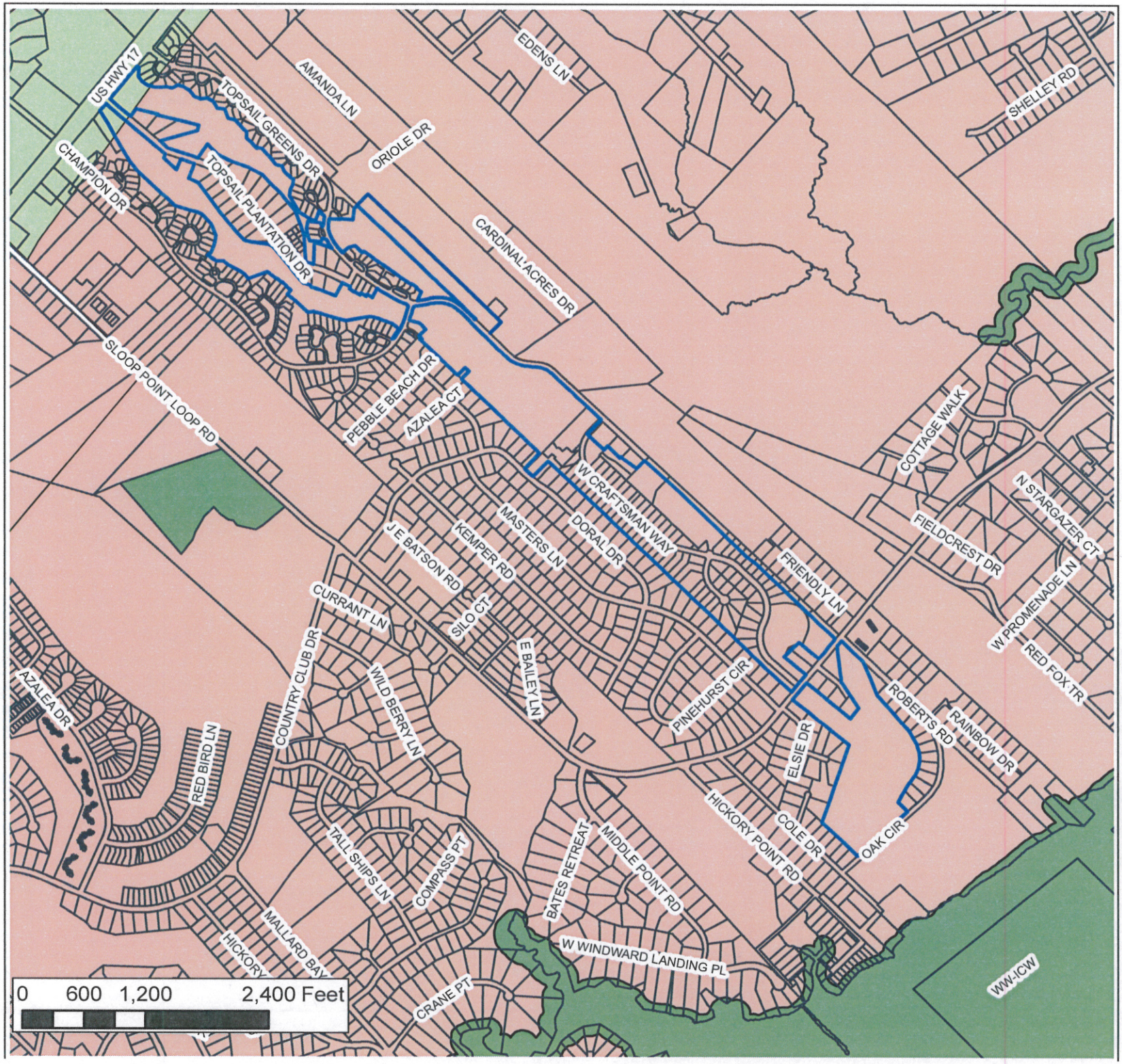
Zoning Classification

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 (INCORP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)

N

Current Zoning



Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

Case Number:
11035

Wyndwater

Legend

- Subject Property
- Conservation
- Industrial
- Mixed Use
- Office, Institutional, Business
- Rural Growth
- Suburban Growth

N

Future Land Use

Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

Case Number:
11035

Wyndwater

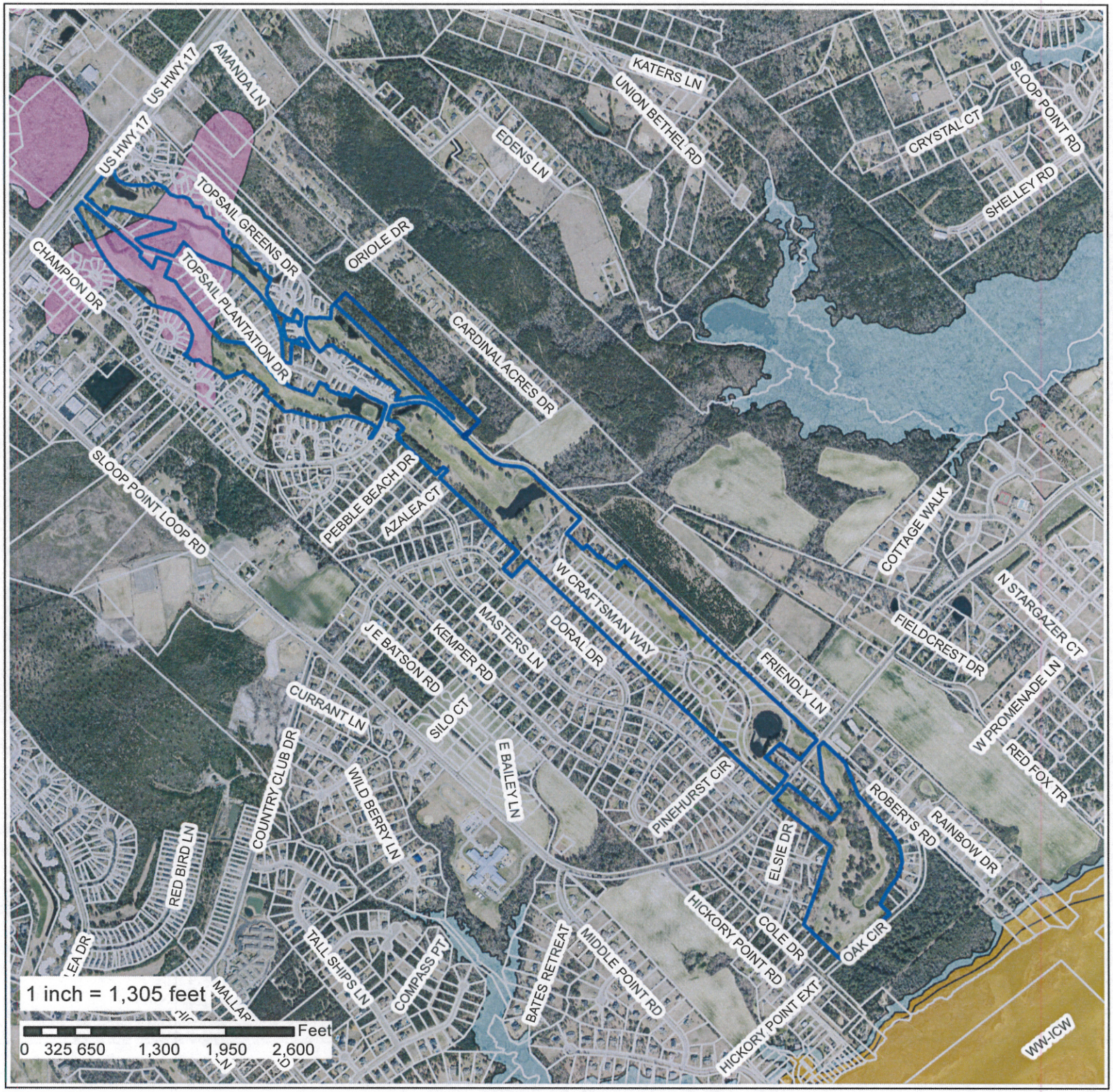
Legend

Morris property additio

Wyndwater outline

N

2012 AERIAL



Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

Case Number:
11035

Wyndwater

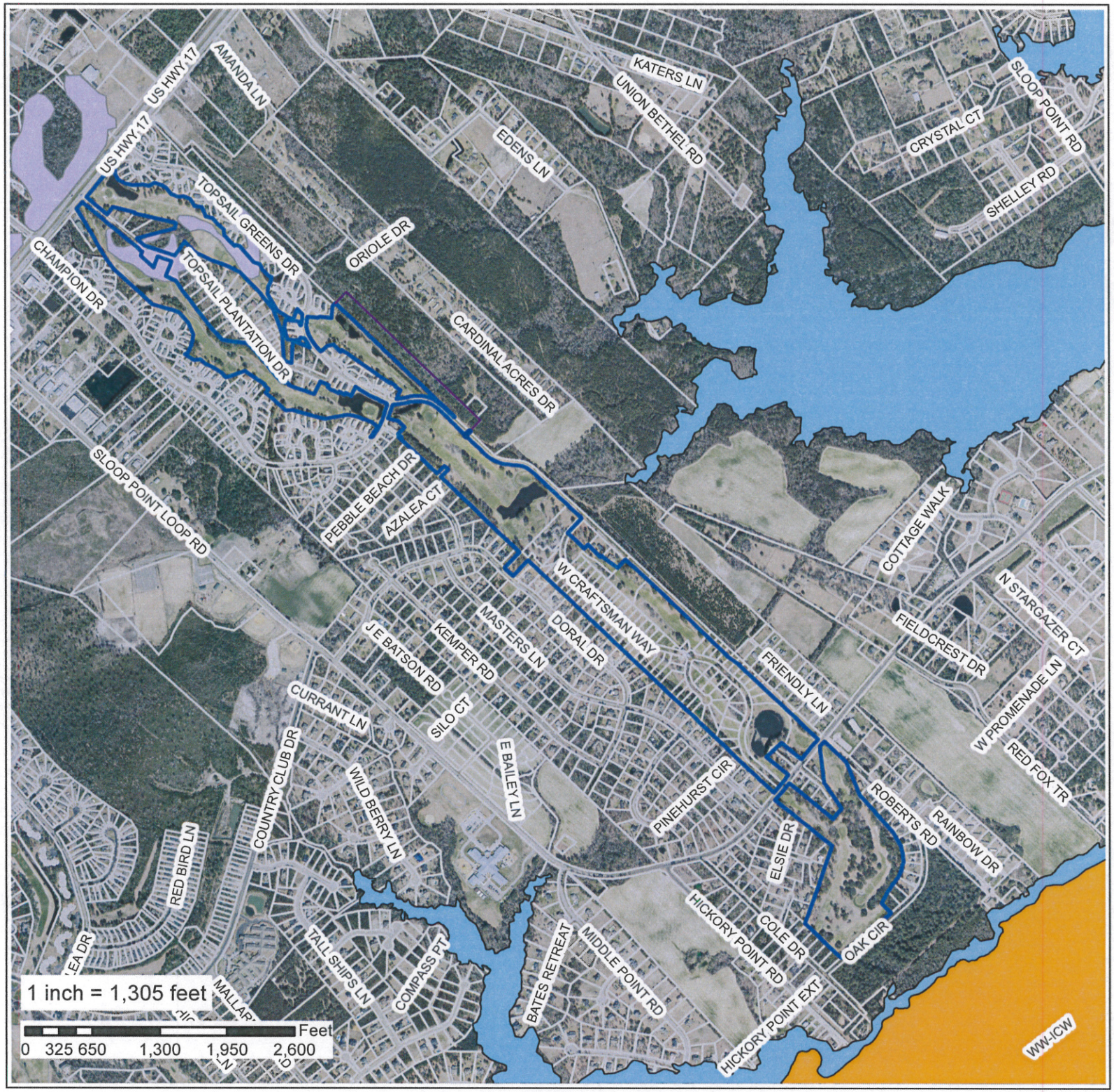
Subject Property

Flood Hazard Areas

- A
- AE
- AEFW
- SHADED X
- VE

N

Flood Zones



Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

Case Number:
11035

Wyndwater

Preliminary Flood Zones

- A
- AE
- AO
- VE
- Subject Property

N

Preliminary Flood Zones

Applicant:
Signature Top Sail NC, LTD

Owner:
Signature Top Sail NC, LTD

Phase II
Preliminary Plat Revision

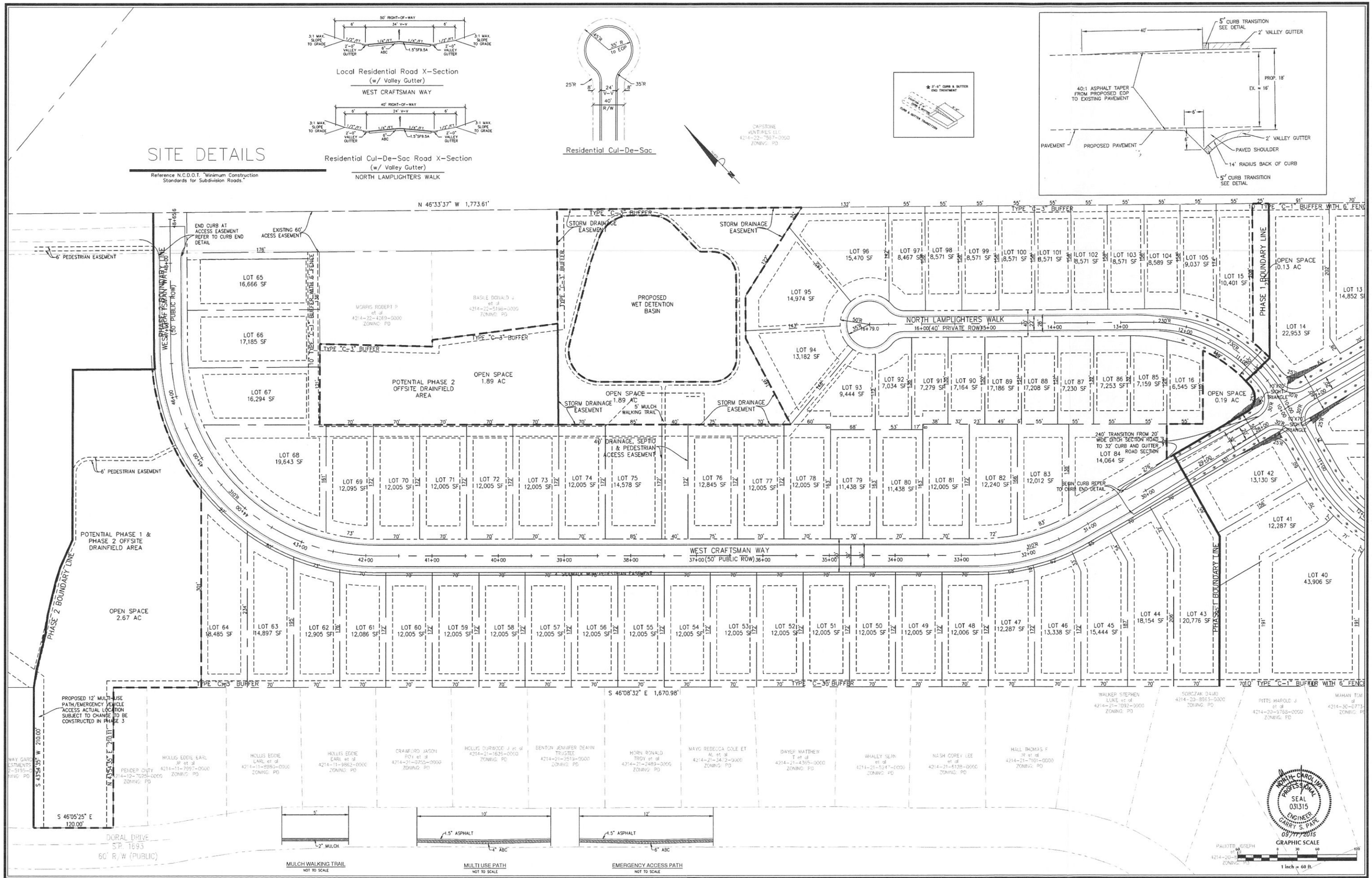
Case Number:
11035

Wyndwater

Legend

- Wyndwater MDP Project Area
- Wyndwater Proposed Roadways
- Cardinal Pointe Proposed Roadways

Adjacent Connections



No.	Revision	Date	By

Designer GSP	Scale 1" = 60'
Drawn By GSP	Date May 2014
License # P-0718	Job No. 2014-0002

WYNDWATER - PHASE 2

Topsail Township — Pender County — North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, Ltd.
4307 PEEBLE DRIVE
WILMINGTON, NC 28412
713-822-3891

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-3

PLANNING STAFF REPORT
ZONING MAP AMENDMENT

SUMMARY:

Hearing Date:	November 4, 2015 Planning Board December 14, 2015 Board of Commissioners
Applicant:	Michael Pollak
Property Owner:	Capstone Ventures and Ruth C. Kalmar Lewis et al
Case Number:	000016-2015

Rezoning Proposal: Michael Pollak, applicant, on behalf of Capstone Ventures and Ruth C. Kalmar Lewis, owners, is requesting approval of a Zoning Map Amendment of two (2) tracts totaling approximately 45.4 acres from RP, Residential Performance zoning district to PD, Planned Development zoning district.

Property Record Number, Acreage, and Location: The subject properties recorded on Register of Deeds Map Book 23 Page 26 and Map Book 1 Page 44 (Attachment 1), are located to the west of Sloop Point Loop Road (SR 1563) to the north and west of Friendly Lane (private) in the Topsail Township and may be further identified by Pender County PINs; 4214-22-7567-0000 and a portion of 4214-50-8387-0000.

RECOMMENDATION

The application consists of a general use rezoning of two (2) tracts totaling approximately 45.4 acres from RP, Residential Performance zoning district to PD, Planned Development zoning district. As submitted, the request complies with all criteria set forth in Section 3.3.8 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. Therefore, the Administrator is respectfully recommending approval of the request as described.

HISTORY

The subject properties are currently vacant and undeveloped.

DESCRIPTION

Michael Pollak, applicant, on behalf of Capstone Ventures and Ruth C. Kalmar Lewis, owners, is requesting approval of a Zoning Map Amendment of two (2) tracts totaling approximately 45.4 acres from RP, Residential Performance zoning district to PD, Planned Development zoning district. The subject properties, recorded on Map Book 23 Page 26 and Map Book 1 Page 44 are located to the west of Sloop Point Loop Road (SR 1563) to the north and west of Friendly Lane (private) in the Topsail Township and may be further identified by Pender County PINs; 4214-22-7567-0000 and a portion of 4214-50-8387-0000.

The minimum acreage to rezone to PD, Planned Development, zoning district is five (5) acres. As these parcels are in an assemblage comprising of approximately 45.4 acres the request meets the minimum acreage for rezoning per Section 4.14 Zoning District Dimensional Requirements of the Pender County Unified Development Ordinance, for the PD, Planned Development zoning district.

The PD, Planned Development zoning district is a mixed use district. The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general

development standards. The PD District shall not be used as a means of circumventing the County's adopted land development regulations.

Utilities
The properties have access to Pender County public water along Sloop Point Loop Road (SR 1563) eight (8) inch water line and a six (6) inch line along Friendly Lane (private). It is the applicant's intention to connect to the regional sewer provider Pluris LLC. on the subject properties. Both properties cannot be used for building development, unless an approved waste water disposal method has been approved and permitted by the Pender County Environmental Health Department or the appropriate State Agency.

EVALUATION

This Zoning Map Amendment request has been evaluated for compliance with the Pender County Unified Development Ordinance and the 2010 Pender County Comprehensive Land Use Plan, as well as the existing land uses and zoning classifications in the surrounding area. The Zoning Map Amendment does not conflict with any existing policies, land uses, or zoning classifications.

3.3.8 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.*

2010 Comprehensive Land Use Compliance
The 2010 Comprehensive Land Use Plan designates the subject properties as "Mixed Growth." The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit friendly manner. As this is a general use rezoning to a mixed use PD, Planned Development zoning district, this request is compliant with the 2010 Comprehensive Land Use Plan future land use designation.

This Zoning Map Amendment request is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. The following goals and policies within this plan may be relevant to support the proposed Zoning Map Amendment:

> **Policy A.1.2** Encourage development in areas where the necessary infrastructure- roads, water, sewer and schools- are available, planned or can be most cost effectively provided and extended to serve existing and future development.
> **Policy 1A.1.3** The County shall actively direct growth towards suitable land areas and away from fragile resource areas, conservation areas, and hazardous areas.

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.
Water and Sewer Goal 2A.1.3 Seek regional cooperation and coordination to maximize service delivery while minimizing duplication of infrastructure and services.

Unified Development Ordinance Compliance
This request is a general use rezoning to the PD, Planned Development zoning district. All uses permitted in the PD, Planned Development zoning district would be permissible on the subject properties, however the PD zoning district requires Planning Board review and approval of all development plans as outlined in Section 4.8.1 of the Pender County Unified Development Ordinance.

Specifically, the PD, Planned Development zoned property which is less than one hundred (100) acres in area and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall be required. However, a mix of residential and non-residential uses shall not be required. The Planning Board shall review the proposed use(s) and the overall design to determine if the Master Development Plan is in accordance within the standards of the Pender County Unified Development Ordinance and any other adopted plans according to Section 4.8.1.B.2.C. Uses allowed in the PD District shall be consistent with the Table of Permitted Uses in Section 5.2.3, the Comprehensive Land Use Plan, and shall be in accordance with a Master Development Plan as prescribed in Section 3.5 and Section 4.8.1.2.B.

Existing Zoning and Land Use
The subject properties are located to the north and west of the residential subdivision known as Sloop Point South along Friendly Lane (private) as shown in Attachment 1. To the south of the subject parcels is the Phase II of the approved residential subdivision known as Wyndwater (Case 11035). To the north is low density residential and undeveloped land.

The existing zoning in the proximity of the requested Zoning Map Amendment is RP, Residential Performance zoning district and PD, Planned Development zoning district to the south for the aforementioned residential subdivisions; Sloop Point South and Wyndwater.

Environmental Concerns
There are currently no areas of the properties located within any Special Flood Hazard Area (SFHA). There may be a small portion of the Kalmar subject property that contains wetlands. Any impact or disturbance to the wetlands requires a JD, Jurisdictional Determination from the Army Corps of Engineers as well as a wetlands impact permit. Any areas of the subject properties which may contain wetlands and would need to be verified before any land disturbing activities take place.

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, and a sign has been placed on the subject properties. Prior to any development on the subject properties, all necessary local, state, and federal permits would be required.

RECOMMENDATION

The application consists of a general use rezoning of two (2) tracts totaling approximately 45.4 acres from RP, Residential Performance zoning district to PD, Planned Development zoning district. As submitted, the request complies with all criteria set forth in Section 3.3.8 Review Criteria for Rezoning of the Pender County Unified

Development Ordinance and is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. Therefore, the Administrator is respectfully recommending approval of the request as described.

BOARD ACTION FOR REZONING REQUEST

Motion: _____ Seconded: _____

Approved: _____Denied: _____Unanimous: _____

Williams: __ McClammy: __ Fullerton: __ Baker: __ Edens: __ Marshburn: __ Nalee: __

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 11464	Date	9/10/2015
Application Fee	$954 (w/kalmar property)	Receipt No.	152317
Pre-Application Conference		Hearing Date	PB 11/4 BOC 12/14

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Michael Pollok	Owner's Name:	Capstone Ventures
Applicant's Address:	6450 Shinnwood Rd	Owner's Address:	129 Timberhill Place
City, State, & Zip	Wilmington N.C. 28409	City, State, & Zip	Chapel Hill, NC 27514
Phone Number:	713-822-3891	Phone Number:	(919) 932-2600
Legal relationship of applicant to land owner:			

SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4214-22-7567-0000	Total property acreage:	22.4 AC
Current Zoning District:	RP	Proposed Zoning District:	PD - Wynonoter
Project Address :			
Description of Project Location:	Adjacent to property formerly known as Topsail Greens now known as Wyndwater		

SECTION 3: SIGNATURES			
Applicant's Signature		Date:	
Owner's Signature		Date:	8/24/15

NOTICE TO APPLICANT

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

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	11464	Date	9/10/2015
Application Fee	$951 (w/capstone property)	Receipt No.	152317
Pre-Application Conference		Hearing Date	PB 11/4 BOC 12/14

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	MICHAEL POLLOK	Owner's Name:	Claire Reid Kalmar
Applicant's Address:	6450 SHINNWOOD Rd	Owner's Address:	409 Cole Dr.
City, State, & Zip	WILMINGTON N.C. 28409	City, State, & Zip	Hampstead, NC 28443
Phone Number:	713-822-3891	Phone Number:	
Legal relationship of applicant to land owner:	AGENT		

SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4214-50-8387-0000	Total property acreage:	23 ACRES
Current Zoning District:	~~R-15~~ RP	Proposed Zoning District:	LYNNWATER PD
Project Address :	Sloop Point Lp. Rd.		
Description of Project Location:	ADJACENT TO FRIENDLY LANE, OFF SLOOP POINT RD		

SECTION 3: SIGNATURES			
Applicant's Signature	[signature]	Date:	3 SEPT 15
Owner's Signature	[signature]	Date:	3 SEPT 15

NOTICE TO APPLICANT

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

Rezoning/Zoning Map Amendment Checklist

☑	Signed application form
☑	Application fee
☑	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.
☐	Two (2) business size envelopes legibly addressed with **first class** postage for each of the adjacent and abutting property owners on the above list.
☐	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
☐	18 (11"x17") map copies to be distributed to the Planning Board
☐	20 (11"x17") map copies to be distributed to the Board of Commissioners >12 Total
☐	Digital (.pdf) submission of all application materials
☐	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.

Office Use Only

☒	**ZMA Fees:** (*$500.00 for first 5 acres; $10/acre thereafter up to 1,000 acres; $5/acre thereafter*)	**Total Fee Calculation: $** 954

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☐ Y ☐ N	Plan Sets	# of large	# of 11X17	Other documents/Reports	☐ Y ☐ N

Payment Method:	**Cash :** ☐ $_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☐ Check # _____

Application received by:	Megan Ottare	**Date**	9/10/2015
Application completeness approved by:		**Date:**	

Dates scheduled for public hearing:
- ☑ **Planning Board:** 11/14
- ☑ **Board of Commissioners:** 12/14

RETURN COMPLETED APPLICATION TO:
Pender County Planning & Community Development
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

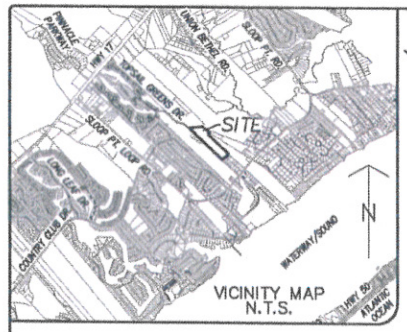
processing Both Capstone & Kalmar properties together in rezoning

Print Form

TO PENDER COUNTY PLANNING BOARD

WE ARE REQUESTING THE REZONING OF THESE 2 PROPERTIES TO INCLUDE THEM INTO THE WINDWATER PD. THEY WILL BE DEVELOPED AS SINGLE FAMILY RESIDENTIAL LOTS SIMILAR TO WHAT IS CURRENTLY BEING DEVELOPED.

ENVELOPES



P.O. Box 280 Hampstead, NC 28443

J.L. MORRIS ENTERPRISES OF HAMPSTEAD
DEED BOOK: 3362, PAGE: 68

SEE SHEET 2 FOR DETAILED WETLAND DATA

P.O. Box 54 La Grange, NC 28551

JAMES DONALD WESTBROOK (ETAL)
DEED BOOK: 788, PAGE: 001

NAD 83 (2011)

N

N83°15'20"E 683.56'

S48°34'49"E 437.03'

N46°33'55"W 330.02'

S42°30'14"W 111.72'

TOPSAIL GREENS DRIVE
50' R/W (PUBLIC)

JEAN STRAHAN
DEED BOOK: 3692, PAGE: 158

2229 Sloop Point Loop Rd.
Hampstead, NC 28443

Jean Strahan

409 Bolz Dr.
Hampstead NC
28443

TOTAL TRACT SIZE: 21.95 ACRES
WETLAND AREA: 0.32 ACRES
UPLAND AREA: 21.63 ACRES

S48°34'18"E 1428.62'

CLAIRE REID KALMER
DEED BOOK: 586, PAGE: 171

N46°34'31"W 1953.76'

SIGNATURE TOPSAIL NC LTD
DEED BOOK: 4379, PAGE: 330

4337 B Katy Fwy #377
Houston, TX 77024

GERROLD LOU KAPIKO JR.
DEED BOOK: 2142, PAGE: 184

118 Friendly Ln
Hampstead

N46°33'33"W 19.00'

S43°29'05"W 235.17'

S 43°25'15" W 193.41'

N 48°33'37" W 419.99' (TIE)

WINDWATER PHASE 1
MAP BOOK: 57, PAGE: 14

FRIENDLY LANE

DALTON RONALD TOMLINSON JR.
DEED BOOK: 2476, PAGE: 139

117 Friendly Ln
Hampstead

JOB NO: 14-1040

© 2015

CERTIFICATE OF ACCURACY & MAPPING

I, THE UNDERSIGNED, CERTIFY THAT THIS SURVEY WAS DRAWN UNDER MY SUPERVISION ((DEED DESCRIPTION RECORDED IN BOOK 2955, PAGE 10); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS LABELED; THAT THE RATIO OF PRECISION, AS CALCULATED, IS 1:10,000+; AND THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (TITLE 21, CH. 56, SEC. 1600). WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 30TH DAY OF APRIL, 2015.

MILES O. MCCALL – PROFESSIONAL LAND SURVEYOR (L-3518)

NORTH CAROLINA PROFESSIONAL SEAL L-3518 LAND SURVEYOR MILES O. McCALL III

APRIL 30TH, 2015

GENERAL NOTES

1. THIS IS A BOUNDARY SURVEY.
2. BASIS OF BEARINGS FOR THIS MAP ARE BASED ON NAD 83 (2011)
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. UNITS ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
5. AREA BY COORDINATE GEOMETRY.
6. NO GRID MONUMENTS FOUND WITHIN 2000' OF SITE.
7. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
8. FLOOD NOTE: AS DETERMINED BY GRAPHIC PLOTTING, THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP #3720421400J, EFFECTIVE DATE FEBRUARY 16, 2007.
9. COUNTY PARCEL PIN #4214-22-7567-0000.
10. TOTAL SITE AREA: 21.95± ACRES
11. MAP & DEED REFERENCES (PER PENDER COUNTY REGISTRY): DEED BOOK: 2955, PAGE: 10 AND MAP BOOK: 23, PAGE: 26. (AND OTHERS THAT MAY BE SHOWN ON THIS MAP)

GRAPHIC SCALE

200 0 100 200 400

(IN FEET)
1 inch = 200 ft.

SYMBOL LEGEND:

- ○ BOUNDARY MARKER (AS NOTED)
- △ WETFLAG

LINETYPE LEGEND:

- SURVEYED LINES (BOUNDARY)
- WETLAND LINE
- LINES NOT SURVEYED (ADJOINERS)
- RIGHT-OF-WAY
- TIE LINE

ABBREVIATIONS:

- EIR EXISTING IRON ROD
- EIPP EXISTING IRON PIPE (PINCHED TOP)
- EIR EXISTING REBAR

NO.	REVISION	DATE	BY

PREPARED FOR:

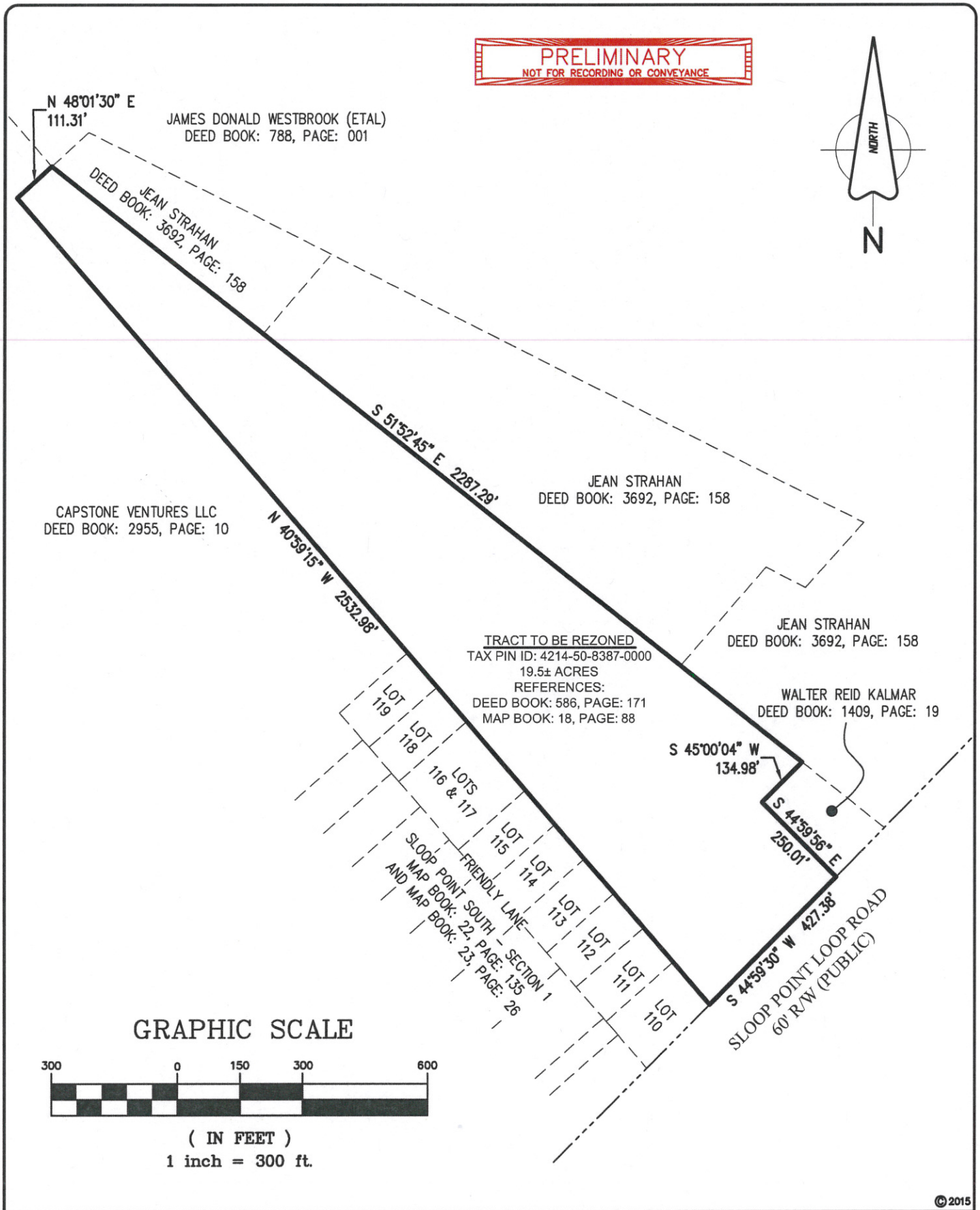
BOUNDARY SURVEY

CAPSTONE TRACT

TOPSAIL TOWNSHIP PENDER COUNTY NORTH CAROLINA

ATLANTIC COAST SURVEY, PLLC.
PO Box 12868 Wilmington, NC 28405
(910) 232-4889 www.atlanticcoastsurvey.com

SHEET 1/2



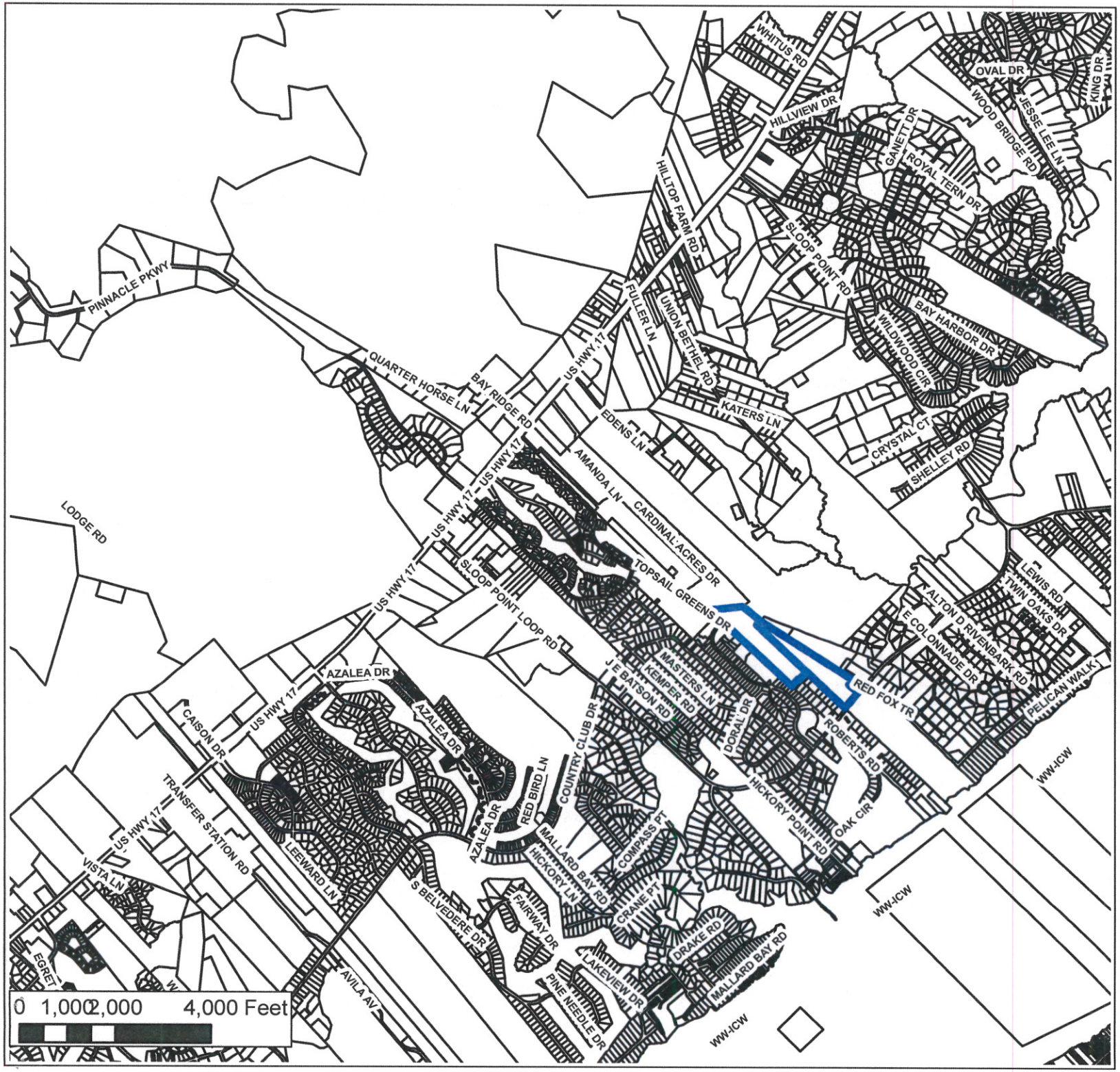
©2015

KALMAR TRACT

Topsail Township Pender County North Carolina

EXHIBIT MAP DEPICTING TRACT TO BE REZONED

ATLANTIC COAST SURVEY, PLLC
LICENSE P-0622
PO Box 12588, Wilmington, NC 28405
(910) 292-4889 www.atlanticcoastsurvey.com



Applicant:
Michael Pollak

Owner:
Capstone Ventures
&
Ruth C. Kalmar Lewis

General Use Rezoning

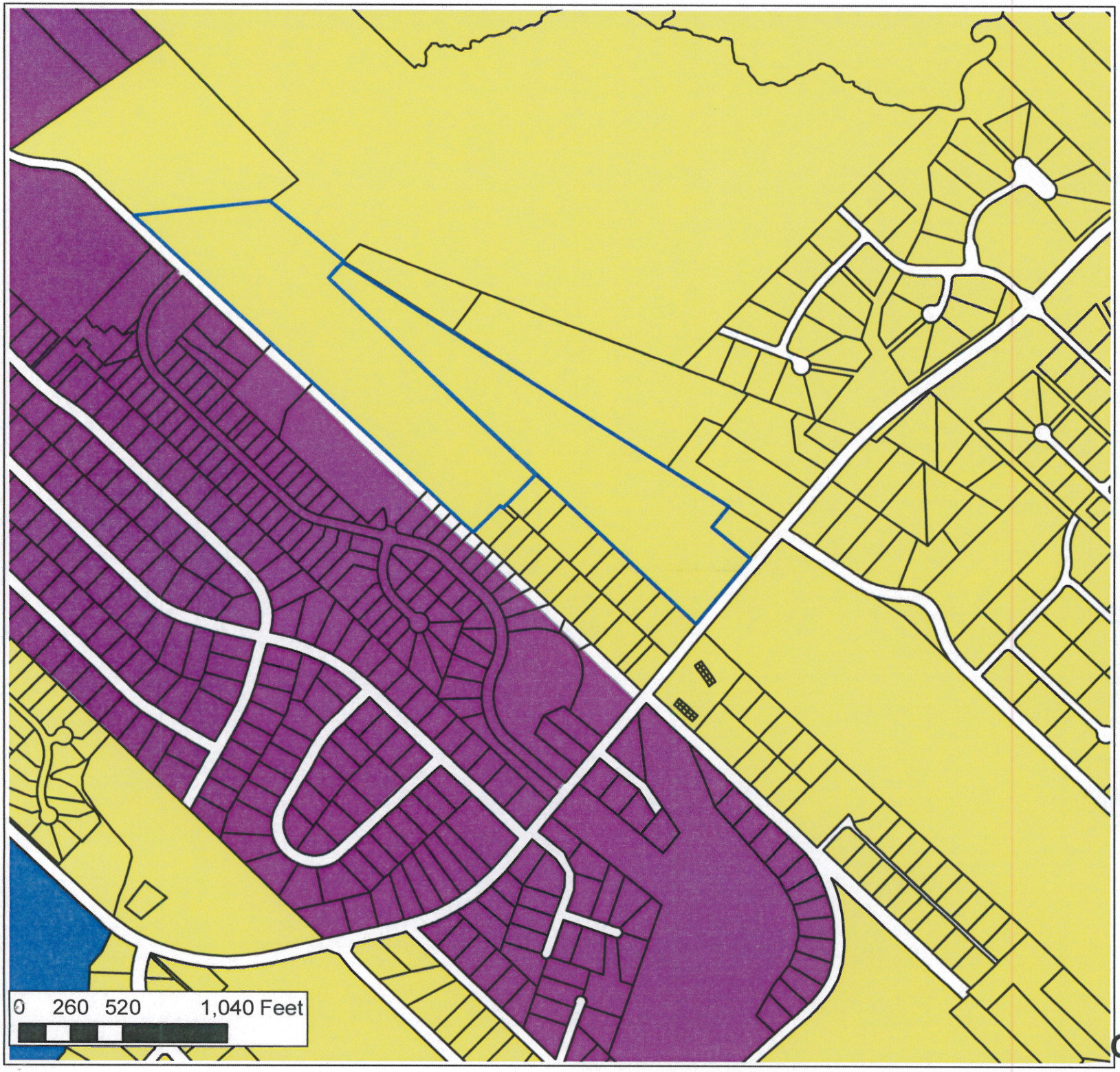
Case Number:
000016-2015

Legend

Subject Properties

N

VICINITY



Applicant:
Michael Pollak

Owner:
Capstone Ventures
&
Ruth C. Kalmar Lewis

General Use Rezoning

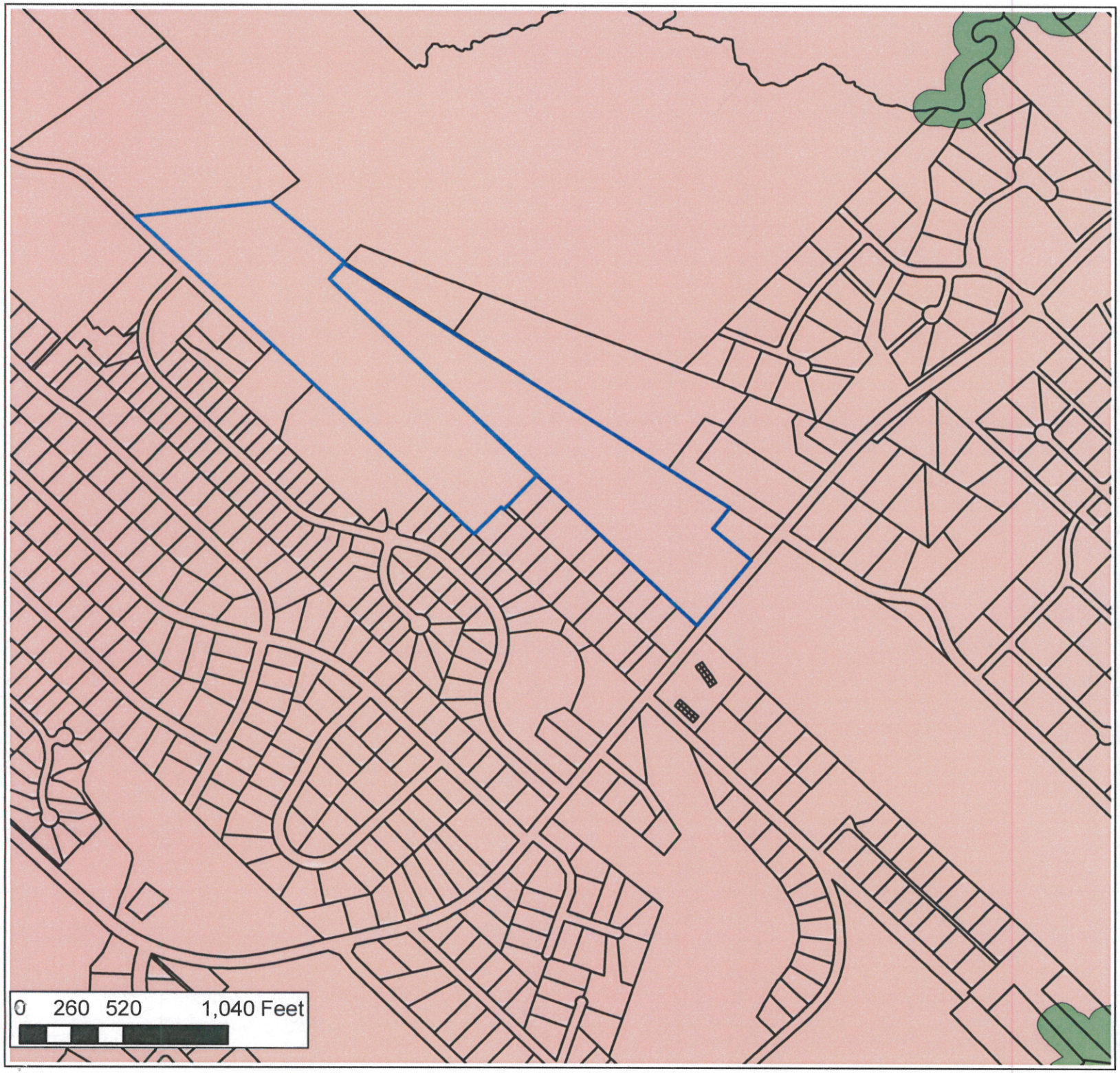
Case Number:
000016-2015

Legend

- Subject Properties
- EC, Environmental Conservation
- GB, General Business
- GI, General Industrial
- INCORP
- IT, Industrial Transition
- MH, Manufactured Housing Community
- O&I, Office and Institutional
- PD, Planned Development
- RA, Rural Agricultural
- RP, Residential Performance

N

CURRENT ZONING



Applicant:
Michael Pollak

Owner:
Capstone Ventures
&
Ruth C. Kalmar Lewis

General Use Rezoning

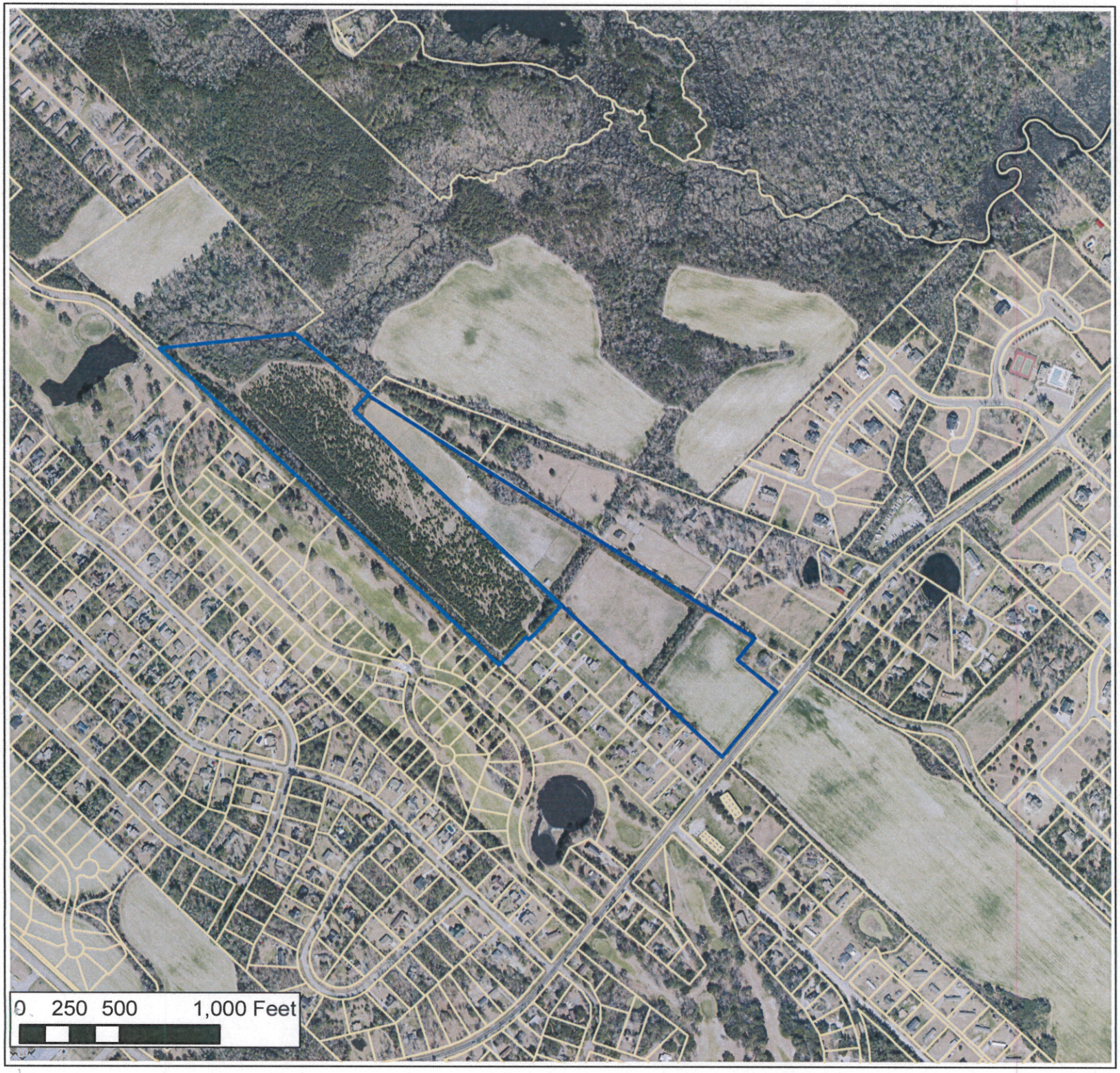
Case Number:
000016-2015

Legend

- Subject Properties
- Conservation
- Industrial
- Mixed Use
- Rural Growth
- Suburban Growth

N

FUTURE LAND USE



Applicant:
Michael Pollak

Owner:
Capstone Ventures
&
Ruth C. Kalmar Lewis

General Use Rezoning

Case Number:
ZMA 000016-2015

Legend

Subject Properties

N

2012 AERIAL

PLANNING STAFF REPORT
ZONING TEXT AMENDMENT

SUMMARY:

Hearing Date:	November 4, 2015 Planning Board December 14, 2015 Board of Commissioners
Applicant:	Dallas Harris
Case Number:	ZTA 000015-2015

Text Amendment Proposal: Dallas Harris, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. The request is to amend Section 5.2.3 to add Other Nonhazardous Waste Treatment and Disposal as a permitted use in the RA, Rural Agricultural zoning district.

Background: The following text amendment is the result of the absence of compost facilities as a by-right use in the RA, Rural Agricultural zoning district which shall be classified as NAICS, North American Industry Classification System Number 562219 for Other Nonhazardous Waste Treatment and Disposal in the Pender County Unified Development Ordinance.

In March of this year, a similar Zoning Text Amendment was proposed and approved to allow for Other Nonhazardous Waste Treatment and Disposal (NAICS 562219) as a permitted use by-right in the GB, General Business zoning district.

Planning Staff recommended the addition of this specific use to be permitted in the RA, Rural Agricultural zoning district via Special Use Permit as well as to include permitted via Special Use Permit in the IT, Industrial Transitional zoning district. These recommendations were not included in the previous approval therefore, the applicant is requesting a re-examination of this specific use.

RECOMMENDATION

The proposed text amendment is consistent with two (2) goals and policies and potentially not consistent with two (2) policies of the 2010 Pender County Comprehensive Land Use Plan. Therefore, Administrator respectfully recommends denial of the specific request or a change of the proposed amendment to the Unified Development Ordinance as described in the following report.

This amendment specifically addresses the addition of NAICS 562219 "Other Nonhazardous Waste Treatment and Disposal" as a permitted right in the RA, Rural Agricultural zoning district. Planning Staff's recommendation to be added to the zoning districts as follows; RA, Rural Agricultural zoning district permitted via Special Use Permit rather than permitted by-right, and add in the IT, Industrial Transitional zoning district permitted via Special Use Permit.

Further, with the special use permit requirement in the RA, Rural Agricultural zoning district additional standards could be placed on such facilities to allow for locations throughout the County for yard debris. By including this use as permitted via Special Use Permit in the IT, Industrial Transition zoning district this allows for three (3) different zoning districts to include Other Nonhazardous Waste Treatment and Disposal which has been identified as deficiency in sites for yard waste in Pender County, especially for large storm event debris.

The table excerpt from the Table of Permitted Uses Section 5.2.3 below depicts the request for this Zoning Text Amendment request.

		Zoning Districts									
Use Type	**Ref NAICS**	**RA**	**RP**	**RM**	**MH**	**PD**	**GB**	**OI**	**IT**	**GI**	**EC**
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111									S	
Solid Waste Landfill	562212									S	
Solid Waste Combustors and Incinerators	562213									S	
Other Nonhazardous Waste Treatment and Disposal	562219	P					P			S	
Remediation Services	562910									S	
Materials Recovery Facilities	562920									S	
All Other Waste Management Facilities	56299									S	

The table excerpt from the Table of Permitted Uses Section 5.2.3 below depicts the Planning Staff recommendation on this Zoning Text Amendment request.

		Zoning Districts									
Use Type	**Ref NAICS**	**RA**	**RP**	**RM**	**MH**	**PD**	**GB**	**OI**	**IT**	**GI**	**EC**
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111									S	
Solid Waste Landfill	562212									S	
Solid Waste Combustors and Incinerators	562213									S	
Other Nonhazardous Waste Treatment and Disposal	562219	S					P		S	S	
Remediation Services	562910									S	
Materials Recovery Facilities	562920									S	
All Other Waste Management Facilities	56299									S	

AMENDMENT DESCRIPTION

The requested text amendment is to amend Section 5.2.3 of the Pender County Unified Development Ordinance to amend "Other Nonhazardous Waste Treatment and Disposal" which is classified as NAICS, North American Industry Classification System Number 562219 as a by-right use in the RA, Rural Agricultural zoning district.

According to the NAICS classification, this U.S. industry comprises establishments primarily engaged in:
(1) operating nonhazardous waste treatment and disposal facilities (except landfills, combustors, incinerators and sewer systems or sewage treatment facilities); or
(2) the combined activity of collecting and/or hauling of nonhazardous waste materials within a local area and operating waste treatment or disposal facilities (except landfills, combustors, incinerators and sewer systems, or sewage treatment facilities). Compost dumps are included in this industry.

According to the applicants narrative; "this request would advance the public health, safety and welfare of the citizens of Pender County by providing more sites to dispose of non-hazardous materials (trees, limbs, stumps, sod, grass, brush and other vegetative debris). This request would create more competition which would reduce the cost of disposal and provide shorter transportation costs and dangers."

Current Practice for Yard Debris

According to Pender County's website under Pender Solid Waste; State law prohibits the disposal of yard waste and vegetative debris in sanitary landfills. Alternative Disposal Options: backyard composting, controlled burning, contract with a private hauler, or Wilmington Materials on Highway 421 will accept yard wastes for a fee. Wilmington Materials will also accept tree stumps for a fee. The convenience centers in Pender County do not accept yard debris.

EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 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 Planning Board and 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 and the specific intent of this Ordinance.

Unified Development Ordinance Compliance

The applicant's request to amend an identified use type termed as "Nonhazardous Waste Treatment and Disposal" which is classified as NAICS, North American Industry Classification System Number 562219 to amend the RA, Rural Agricultural zoning district as a by-right use. Planning Staff recommends RA, Rural Agricultural zoning district permitted via Special Use Permit rather than permitted by-right, and add in the IT, Industrial Transitional zoning district permitted via Special Use Permit.

RA, Rural Agricultural Zoning District

The RA, Rural Agricultural zoning district is considered a residential district per Section 4.4 of the Pender County Unified Development Ordinance. According to Section 4.7.1 the RA, Rural Agricultural zoning district is intended to accommodate non-residential agricultural uses and very low density residential development

(minimum of 1 du/ac), as well as limited non-residential uses, in rural areas adjacent to agricultural operations. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal. This zoning district as defined may not be suitable for a by-right use of Nonhazardous Waste Treatment and Disposal. As there is a need for these facilities, location in the RA, Rural Agricultural zoning district may be best approved via Special Use Permit.

All buffer requirements for specific projects and parcels are based on use type and the zoning for the parcel. Within the RA, Rural Agricultural zoning district the use of a Solid Waste Compost facility may require additional buffering similar to an industrial zoning district as the RA, Rural Agricultural District is established as a Residential Zoning District; according to the Pender County Unified Development Ordinance Section 8.2.8. In residential districts a buffer is required between non-residential uses and residential uses. Buffers specifically protect adjacent properties from potential by-products of a specific use.

IT, Industrial Transition Zoning District

Section 4.10.1 details the intent of the IT, Industrial Transition zoning district is specified as; The intent of this district is to provide for heavy commercial activities, involving larger scale marketing or wholesaling, where production and assembly occur onsite and retail sales of those products can be sold on premise where produced. In some cases, such areas may be transitional, located between business and industrial areas. In these areas, there will be a mixture of automobile and truck traffic. Flex space (as defined in Appendix A, Definitions) and technical uses are allowed. Some of the uses in this district will require large areas of land and may have outdoor storage and display. The uses in this district shall not be sources of excessive noise, dust, smoke or other industrial nuisances, as defined in Appendix A. Such industrial transition areas shall be provided with safe and sufficient access.

A. Development Standards / Applicability - The following standards shall apply to all development within the Industrial Transitional zoning district. In addition to the standards contained in this Article, all other provisions in this Ordinance and all other applicable laws shall apply, except those that are incompatible with the provisions contained herein.

1) Additional building height is allowed at a rate of one additional foot of height for every one foot of additional yard depth (front and sides).

Planning Staff recommends that the amendment include IT, Industrial Transition zoning district for this particular use via Special Use Permit.

Special Use Permit

A Nonhazardous Waste Treatment and Disposal facility may require additional conditions and review to determine the impact on the area. Section 3.12.1 of the Pender County Ordinance notes that there are some land uses which are basically in keeping with the intent and purposes of the district where permitted, but which may have an impact on the area around them which can only be determined by review of the specific proposal. These uses may be established, under certain conditions and with proper controls, in such a manner as to minimize any adverse effects. In order to insure that these uses, in their proposed locations, would be compatible with surrounding development and in keeping with the purposes of the district in which they are located, their establishment shall not be as a matter of right, but only after review and approval of a Special Use Permit.

2010 Comprehensive Land Use Plan Compliance
There are conflicting policies within the 2010 Comprehensive Land Use Plan for the proposed text amendment. The proposed zoning text amendment is in compliance with the following goals and policies in the 2010 Pender County Comprehensive Land Use Plan:

> **Policy 1A1.5** 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.
> **Solid Waste Management Goal 2F.1** Ensure adequate capacity and proper management of solid waste, including reducing, reusing and recycling materials.

The proposed zoning text amendment may be conflicting with the following two (2) policies:

> **Policy 3A.1.4** Consistently use the Comprehensive Land Use Plan, as well as other plans and studies to determine if a rezoning request is appropriate and consistent with local policies.
> **Policy 2F.1.4** When siting collection centers, consider surrounding land uses, traffic and aesthetics.

RECOMMENDATION
The proposed text amendment is consistent with two (2) goals and policies and potentially not consistent with two (2) policies of the 2010 Pender County Comprehensive Land Use Plan. Therefore, Administrator respectfully recommends denial of the specific request or a change of the proposed amendment to the Unified Development Ordinance as described in the report.

This amendment specifically addresses the addition of NAICS 562219 "Other Nonhazardous Waste Treatment and Disposal" as a permitted right in the RA, Rural Agricultural zoning district. Planning Staff's recommendation is to add this specific use to the zoning districts as follows; RA, Rural Agricultural zoning district as a Special Use Permit, and in the IT, Industrial Transitional zoning district permitted via Special Use Permit. Further, with the Special Use Permit requirements would allow for additional site specific standards to be placed on such facilities to allow for locations throughout the County for yard debris. The table excerpt from the Table of Permitted Uses Section 5.2.3 below depicts the Planning Staff recommendation on this Zoning Text Amendment request.

		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
Other Nonhazardous Waste Treatment and Disposal	562219	S					P		S	S	

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ Seconded: _____

Approved: _____Denied: _____Unanimous: _____

Williams: __ McClammy: __ Fullerton: __ Baker: __ Edens: __ Marshburn: __ Nalee: __

case data: n/a

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 000015-2015	Date	9/17/2015
Application Fee	$ 250.00	Receipt No.	152377
Pre-Application Conference	9/11/2015	Hearing Date	PB 11/4/2015 BOC 12/14/2015

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Dallas Harris
Applicant's Address:	5385 Hwy 210
City, State, & Zip	Rocky Point, NC 28457
Phone Number:	772-579-1023

SECTION 2: UDO TEXT TO BE AMENDED

Current Text to be Amended (Please site accurate Article number referenced):

Section 5.2.3 — Sector 56 Administrative and Support & Waste management & remediation Services NAICS # 562219 - Zoning District RA

Proposed Text to be added: P= Permitted

SECTION 3: SIGNATURE

Applicant's Signature	Dallas H	Date:	Sept 17/15

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

☑	Signed application form
☑	Application fee
☑	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

☒ ZTA Fees: $250		Total Fee Calculation:	
Payment Method:	Cash: ☐ $_____	Credit Card: ☐ Master Card ☐ Visa	Check: ☒ Check # _____
Application Received By:	Meagan Ofiare		Date: 9/17/2015
Application completeness approved by:	Meagan Ofiare		Date: 9/17/2015
Dates Scheduled for Public Hearings:	☒ Planning Board: 11/4/2015	☒ BOC: 12/14/2015	

REQUEST TO CHANGE NAICS # 562219 SECTOR 56 – SECTION 5.2.3 – DISTRICT RA OF THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE FROM NOT ALLOWED TO PERMITTED.

This request would advance the public health, safety and welfare of the citizens of Pender County by providing more sites to dispose of non-hazardous material (trees, limbs, stumps, sod, grass, brush and other vegetative debris). This request would create more competition which would reduce the cost of disposal and provide shorter transportation costs and dangers.

This request is policed and regulated by NCDENR Division of Waste Management Solid Waste Section Raleigh North Carolina. You have to apply for a solid waste LCID form which is insured by NCDENER Division of Waste Management. NCDENER will determine the site location and size with buffer requirements, depth of ground water, floodplains, wetlands, archeological and historical sites, etc.