

# Pender County Planning and Community Development

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## AGENDA

**Pender County Planning Board  
Wednesday, September 7, 2016 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: \_\_\_ Fullerton \_\_\_ Baker: \_\_\_ Carter: \_\_\_ Edens: \_\_\_ McClammy: \_\_\_ Nalee: \_\_\_

**1. Adoption of the Agenda:**

**2. Adoption of the Minutes: (August 2, 2016)**

**3. Public Comment:**

*\*(Public Hearings Open)\**

**4. Conditional Zoning Map Amendment:**

DRC Hampstead, LLC., applicant, on behalf of Jesse F. Lea SR et al, owner, is requesting approval of a Conditional Zoning Map Amendment for three (3) tracts totaling approximately 78.39 acres from RP, Residential Performance zoning district to RM- CD 2, Residential Mixed Conditional zoning district 2. The request is to allow only the following NAICS uses: Single Family Detached Homes (NAICS 236117) and Multi-Family Housing (NAICS 236116) in a proposed residential mixed subdivision project to be called Sparrows Bend. The project proposal consists of 264 apartment units and 135 single family homes with associated neighborhood amenities. The subject property is located on the north side of US HWY 17 and may also be accessed off of the east side of Hoover Road (SR 1569). The subject property is in the Topsail Township and may be further identified by Pender County PINs: 3293-01-5693-0000, 3293-11-0659-0000 and 3293-01-9640-0000.

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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.

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**5. Master Development Plan Revision:**

Signature Top Sail NC, Ltd. applicant, on behalf of Capstone Ventures LLC., Ruth C. Kalmar Lewis et al, J L Morris Enterprises of Hampstead Inc., and Morris Jeffrey et al, owners, are requesting a revision to the previously approved Master Development Plan for the mixed use development known as Wyndwater. Specifically this request is to; increase the overall project area from ± 204.07 acres to ± 221.42 acres and increase the total units from 500 units to 529 units. The subject properties are zoned PD, Planned Development zoning district. The properties are located to the east of US HWY 17 north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south and east of the Cardinal Acres Lane (private) in the Topsail Township. The properties may be further identified by Pender County PINs; 4213-59-0181-0000, 4214-04-6027-0000, 4214-12-3906-0000, 4214-22-7567-0000, and a portion of 4214-50-8387-0000.

**6. Comprehensive Land Use Plan Amendment:**

Creative Commercial Properties, applicant, on behalf of P.H. LANCO, Inc., owner, is requesting approval of an amendment to the 2010 Pender County Comprehensive Plan Future Land Use Map for one (1) tract totaling approximately 8.42 acres from Rural Growth to Mixed Use future land use designation. The subject property is located along the west side of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township and may be further identified by Pender County PIN: 4204-65-5211-0000.

**7. Zoning Map Amendment:**

Creative Commercial Properties, applicant, on behalf of P.H. LANCO Inc., owner, is requesting approval of zoning map amendment to the Pender County Unified Development Ordinance for one (1) tract totaling approximately 8.42 acres from the PD, Planned Development zoning district to the GB, General Business zoning district. The subject property is located along the west side of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township and may be further identified by Pender County PIN: 4204-65-5211-0000.

**8. Zoning Text Amendment:**

Marsh Creek Investments, LLC, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 5.2.3 Table of Permitted Uses. Specifically, the proposal is to amend the Miscellaneous Use section to allow dry stacks and boat storage in the GB, General Business zoning district and to add these definitions to Appendix A.

**9. Zoning Text Amendment:**

Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 7.5 Street Design. Specifically, the proposal is to amend requirements for permanent and temporary dead end streets.

**10. Zoning Text Amendment:**

Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 7.5.1 Street Design. Specifically, the proposal is to add objective criteria for administrative flexibility for the roadway design requirements.

*\*(Public Hearings Closed)\**

**11. Discussion Items:**

**a. Planning Staff Items:**

- i. TRC Update
- ii. Comprehensive Plan

**b. Planning Board Members Items:**

**12. Next Meeting:** October 4, 2016

**13. Adjournment:**

**PLANNING STAFF REPORT**  
**Conditional Zoning Map Amendment**

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**SUMMARY:**

**Hearing Date:** August 2, 2016 Planning Board (1<sup>st</sup> hearing)  
September 7, 2016 (2<sup>nd</sup> hearing)  
October 17, 2016 BOCC

**Applicant:** DRC Hampstead, LLC

**Property Owner:** Jesse F. Lea SR et al

**Case Number:** CZMA 305-2016

**Rezoning Proposal:** DRC Hampstead, LLC., applicant, on behalf of Jesse F. Lea SR et al, owner, is requesting approval of a Conditional Zoning Map Amendment for three (3) tracts totaling approximately 78.39 acres from RP, Residential Performance zoning district to RM-CD 2, Residential Mixed conditional zoning district 2. The request is to allow the following NAICS uses only: conventional single family detached homes, multifamily and associated neighborhood amenities in a proposed residential mixed use development known as Sparrows Bend. The project proposal consists of 137 conventional single family detached homes and 228 multifamily units.

**Property Record Numbers, Acreage, and Location:** The subject properties are located to the west of US HWY 17 and along the east side of Hoover Road (SR 1569). The subject properties are in the Topsail Township and may be further identified by Pender County PINs 3293-01-5693-0000, 3293-11-0659-0000 and 3293-01-9640-0000.

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**RECOMMENDATION**

The application consists of a conditional rezoning of three (3) tracts totaling approximately 78.39 acres from RP, Residential Performance zoning district to RM-CD 2, Residential Mixed conditional zoning district. As submitted, the request appears to meet all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance. The application is supported by one (1) goal and eight (8) policies of the 2010 Pender County Comprehensive Land Use Plan and conflicts with none. The application supports the Pender County Collector Street Plan. The Administrator respectfully recommends approval of this Conditional Use Rezoning request.

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**HISTORY**

The property is currently undeveloped except for a dirt access way that has been recently cleared. Noteworthy, there are two parcels existing as an island within the parcel proposed for development. Pender County PIN 3293-11-0659-0000 is approximately 0.35 acres and Pender County PIN 3293-01-9640-0000 is approximately 1.26 acres and are currently listed on Pender County GIS as a former septic easement for the commercial development known as the Bailey Shoppes, located to the southeast. These parcels are included in the acreage for development on the proposed project.

The Planning Board reviewed a different version of this plan on August 2, 2016. The review of the project was tabled due to several concerns. Specific concerns that were cited were that the density bonus being requested exceeded 50% of allowable density, and that a collector street represented on the Pender County Collector Street Plan was not included in the project design. The Applicant has submitted a revised plan that addresses both of these concerns.

The first version of the plan had a density of 8 units per acre and featured 135 single family homes and 264 apartment units in 12 buildings. The new version of the plan has density of 7.1 units per acre and features 137 single family homes and 228 apartment units in 10 buildings. The new plan also features specific areas where exceptional design will be utilized, as was requested at the August 2, 2016 Planning Board meeting. These areas have been incorporated into the plan, which if approved will serve as a binding contract with the developer.

The earlier version of the plan did not include a collector road parallel to US HWY 17, and therefore was not compliant with Section 7.5.1 of the Pender County Unified Development Ordinance, which requires that the layout of streets as to arrangement, width, grade, character and location shall conform to the Pender County Collector Street Plan or any other approved Transportation Improvement Plan. Road C on the plan has been upgraded to a collector street, featuring shared driveways, eliminating individual lot access and stubbing out on the north end for a future connection.

**DESCRIPTION**

This application consists of a conditional rezoning of three (3) tracts totaling approximately 78.39 acres from RP, Residential Performance zoning district to RM-CD 2, Residential Mixed conditional zoning district 2. The density proposed on the entire tract is 7.1 units per acre.

**Proposed Uses**

The proposed uses within the RM-CD 2, Residential Mixed conditional zoning district 2 are only to include; single family dwelling conventional detached (NAICS 236117), multifamily housing (NAICS 236116) and other typical neighborhood amenities or project infrastructure as described in the Applicant's narrative and demonstrated on the Applicant's site plan. All other uses will be prohibited unless an alteration is made to the approval. Any changes to the requested petition shall be processed in accordance with amendments to the zoning map and in accordance with Section 3.4 of the Pender County Unified Development Ordinance.

It is the Applicant's intention to develop the site for a single family residential subdivision and a multifamily housing complex. There are 137 proposed residential units on single family lots and 228 multifamily units in 10 (ten) apartment buildings on the subject parcel. The multifamily units will range between 1 (one) and 3 (three) bedrooms according to the Applicant.

**Proposed Lot Sizes**

According to the submitted site plan; the minimum lot size proposed is 6,000 sq. ft. and the maximum lot size proposed is 12,000 sq. ft. As proposed, the maximum height of the single family units is requested at 35 feet. The maximum height of the multifamily buildings is requested at 45-feet according to the Applicant, consistent with RM, Residential Mixed regulations. Setbacks of this conditional rezoning are proposed below:

	<b>Residential Mixed (RM) Proposed Setbacks (in feet)</b>	<b>Residential Performance (RP) Existing Zoning District Setbacks (in feet)</b>
Front Yard	5	30
Side Yard	5	10
Corner Yard	5	15
Rear Yard	10	25
Chord Length	40	30

**Services (Wastewater/Water)**

The Applicant is proposing a public water connection to Pender County Utilities and all review and approvals for the public water service are per Pender County Utilities Department. As indicated at the Technical Review Committee meeting on July 6, a water main connection between Hoover Road (SR 1569) and the existing 8-inch water main at the Bailey Shoppes will be required. A letter to confirm capacity to serve has been provided by Pender County Utilities and is included as Attachment 7 in this application.

An intent to service letter was provided by the applicant on behalf of the private wastewater provider Pluris Hampstead LLC to service the entire project (Attachment 5). The Applicant shall work directly with Pluris Hampstead LLC and Pender County for wastewater approval for service to each phase of the development prior to final approval.

### Density

The proposed density is 7.1 units per acre. The RM, Residential Mixed zoning district allowable density is calculated similar to the PD, Planned Development zoning district. Section 4.8.1.C (1) of the Pender County Unified Development Ordinance is the section that defines the standards for the density calculation and allows a density of 5 units per acre. This project is requesting a density bonus above the typically allowable five (5) units per acre in accordance with Section 4.8.1C. (2) under environmentally sensitive design. This section states that an effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or the provision of additional amenities such as public and/or private open space.

The Applicant's intent is to utilize Low Impact Design (LID) measures to the greatest extent possible and to preserve mature existing vegetation, according to the submitted site plan and their narrative. Exceptional design locations have been identified on the site plan. The Planning Board will make a determination on whether the density is appropriate for the design provided.

The Applicant has listed on the site plan types of exceptional design that may be included in this development. These include bio-retention systems/rain gardens, the use of permeable pavement, water harvesting systems, swales and infiltration basins. These activities are all supported in the NC State Low Impact Development Guidebook.

DENSITY CALCULATIONS	
Total Apartment Units: 228	
Total Single Family Units: 137	
Grand Total Units: <b>365</b>	
Total Acreage	<b>78.39</b>
Total Non-Residential Acreage (ROW, parking, sidewalks)	<b>10.14</b>
Total Wetlands Acreage (11.65) – Total Passive Open Space (5.45)	<b>5.59</b>
Total Open Space (.03 acres/unit)	<b>10.95</b>
Active Open Space	6.43
Passive Open Space	6.06
Total Developable Land Acreage	<b>51.53</b>
Maximum Allowable Density Units/Acre (max. 5du/ac allowed)	<b>257.66</b>
Total Proposed Density Units/Acre using 399 units	<b>7.1</b>

### Open Space

All new residential subdivisions shall provide open space in the amount of 0.03 acres per dwelling unit within the subdivision. The Applicant is required to provide 11.97 acres of open space with at least 5.985 acres of active open space. Active open space is defined as areas such as a park for village commons providing space for outdoor recreation activities according to Section 7.6.1.B. of the Pender County Unified Development Ordinance. The Applicant has provided 10.95 acres, with 6.43 acres as active open space, sufficiently meeting Open Space requirements for the proposed development.

### Buffers

The buffers provided are consistent with the buffer requirements in the Pender County Unified Development Ordinance Section 8.2.8, Project Boundary Buffer. The south project border is proposed to be a B-3 Buffer. The north project border is proposed to be a B-4 Vegetative Buffer. The east project border is proposed to be a C-4 Buffer. The western project border is proposed to be a B-4 Vegetative Buffer, as well as undisturbed project area.

The applicant has initiated a property transfer with property owners that abut Old Marsh Road (private). Although not finalized, the density calculations were performed without the acreage proposed to be involved in this transfer. The purpose of this transfer is to give the property owners the land they have historically utilized for access to their properties, which currently belongs to the Applicant. Additionally, there is still a 10-foot buffer with a fence proposed in this area.

**Recreational Units**

All developments containing thirty-four (34) units or more are required to provide recreational units per Section 7.6.2 of the Pender County Unified Development Ordinance. With 365 units proposed the applicant is required to provide 4 (four) recreational units, which equates to \$40,000. This can be installed on the property, approved in conjunction with the Parks and Recreation Master Development Plan or a payment in lieu of dedication can be made as the Board deems appropriate. The Applicant intends to develop the recreation facilities within the subject property. The Parks and Recreation Supervisor stated in her TRC report that a playground should be installed for children ages 2-12 (See Attachment 8). The Applicant has agreed to provide this amenity as requested, and has demonstrated it on the site plan. Recreation amenity estimates are provided in Attachment 10.

**Roadways**

The Applicant is proposing public roadways in the single family detached dwelling area of this conditional rezoning request and private driveways and parking lots in the multifamily portion of the conditional rezoning request.

The plan as presented provides two required collector roads. One collector road is demonstrated going east/west (Road A), and one is demonstrated going north/south (Road C). The required collector roadways are demonstrated in Figure 1.

Figure 1:



According to Section 7.5.1 of the Pender County Unified Development Ordinance the layout of streets as to arrangement, width, grade, character and location shall conform to the Pender County Collector Street Plan or any other approved Transportation Improvement Plan. This roadway is demonstrated in the Pender County Collector Street Plan in Appendix A, Maps 9 and 10, Proposed Collector Street Alignments. It is also demonstrated in Appendix C, Map One "Illustrations Showing Preferred Access Plan" of the 2012 US 17/NC 210 Corridor Study. Compliance with these requirements is fulfilled by Roads A and C.

**Ingress and Egress Opportunities**

The Applicant has provided evidence of legal rights for ingress and egress from US HWY 17. Presently there is a full-movement intersection in this location. Plans have been proposed as a part of the NCDOT Highway 17 Median Project (TIP Project U5732) to alter the intersection, however at this time the intent is to leave it as a fully functioning interstation.

This project is located within the U-5732 project bounds. Any full access or signal requests are reviewed and approved through NCDOT.

Road A will intersect with Hoover Road (SR 1569) and provide ingress and egress opportunities to the development as well.

**Roads**

There are six (6) roads proposed as a part of the Sparrows Bend project. They have not been given formal names at this point in time and are referred to as Roads A-F. Road A connects US HWY 17 with Hoover Road (SR 1569) and is proposed as a 60' public right of way and the notes indicate there will be sidewalks on both sides, demonstrating compliance with the Pender County Collector Street Plan. Road C will also be constructed as a 60' public right of way with dual sidewalks, demonstrating compliance with the Pender County Collector Street Plan. The remaining roads are proposed as 50-foot public right of ways. Road cross section compliance is demonstrated on the site plan provided. The Addressing Coordinator has requested that road names be submitted at the earliest opportunity. The proposed cul de sac has a radius of 40-feet. This is in compliance with Section 7.5 and has been approved by the Fire Marshal.

ROAD NAME & DIRECTION	DESCRIPTION
Road A – COLLECTOR (generally east-west)	60' Public ROW with dual sidewalks with 24' pavement
Road B (connects A & C)	50' Public ROW with sidewalk with 24' pavement
Road C – COLLECTOR (generally north-south)	60' Public ROW with dual sidewalks with 24' pavement
Road D (south of road A, generally east-west)	50' Public ROW with sidewalk with 24' pavement
Road E (connects F & A, generally north-south)	50' Public ROW with sidewalk with 24' pavement
Road F (connects B & C & intersects E, generally north-west)	50' Public ROW with sidewalk with 24' pavement
Apartment Road	Traffic will be two-way, 24' wide and require a street name

For road cross section requirements, refer to Section 5, Design Requirements, of the Pender County Collector Street Plan. They have been included as Attachment 13. The roads as proposed appear to be compliant with the Pender County Collector Street Plan.

**Traffic**

*Traffic Impact Analysis*

According to Section 6.1.4 (A) 16 of the Pender County Unified Development Ordinance, any Master Development Plan proposal in a mixed use district that proposes to generate more than 100 trips during the peak morning or evening hours, or 1,000 trips per day requires a Traffic Impact Analysis. Trip estimates must be based on the latest version of the Institute of Transportation Engineers Trip Generation Manual per Section 6.1.4 (A) 14. A Traffic Impact Analysis has been initiated and the traffic impact has been scoped by the WMPO and is included as Attachment Three (3). A full draft of the Traffic Impact Analysis has been provided as Attachment 12. It is notable that the project includes 34 less units than originally were proposed.

**Environmental Concerns**

The subject parcels, of ±78.39 acres does contain portions of environmentally sensitive areas including wetlands and floodplains.

*Wetlands*

There are wetlands located throughout the property. These areas have been delineated and a Notification of Jurisdictional Determination has been provided (Attachment Four). Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

*Flood*

A portion of the subject property is within designated Flood Zone X according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Number 3720329200J, Panel Number 3292. The Shaded X zone is a moderate risk area with 0.2% annual chance floodplain where the average flooding depths are less than one (1) foot. The preliminary FIRMs released last year show a portion of this property to be located in an A Flood Zone. This area is proposed for stormwater retention on the site plan. Any development within the Special Flood Hazard Area would be required to comply with the Pender County Flood Damage Prevention Ordinance.

#### CAMA

After a preliminary analysis, it appears there are no CAMA Areas of Environmental Concern located on the project site.

#### Public Input Meeting

On July 12, 2016 the Applicant held a Community Meeting at the Hampstead Annex Auditorium from 4:00 PM until 5:30 PM in accordance with Section 3.4.3 of the Pender County Unified Development Ordinance. Approximately 13 citizens were present at the meeting; the roster can be found in Attachment 6. A report of the community meeting can be found in Attachment 9. Concerns raised at this community meeting include but were not limited to:

1. Adequate buffers between existing uses and the proposed project are necessary (fence or berm suggested)
2. Motorists are traveling too fast on Hoover Road (SR 1569). This may be exacerbated with a new development.
3. There is an existing drainage problem around the Kingsport residential subdivision.
4. Peak traffic hour congestion is present at the Hoover Road (SR 1569) and US HWY 17 intersection.
5. Multi-family housing may decrease single family home values.

Following the Community Meeting, the Director of Planning and Community Development contacted the NCDOT regarding the perceived speeding on Hoover Road (SR 1569). He requested information on a previously completed study that considered lowering the speed limit from 45 miles per hour to 35 miles per hour. A written response was provided stating that the conditions observed in the area did not warrant a reduction in speed.

#### Technical Review Committee

On July 6, 2016 the Pender County Technical Review Committee reviewed the Applicant's submittal; the responses were collected as Attachment 8.

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#### EVALUATION

- A) Public Notifications:** Public Notice of the proposal for map change has been advertised in the *Pender-Topsail Post and Voice*. Adjacent property owners have been given written notice of the request, and a public notification sign has been placed on the property.
- B) Existing Zoning in Area:** The subject property is located on the north side of US HWY 17 and is currently zoned RP, Residential Performance zoning district. The seven (7) properties to the south of this parcel are zoned GB, General Business. The property located to the southwest is zoned OI, Office and Industrial zoning district. All other surrounding properties to the north, east and west are zoned RP, Residential Performance zoning district.
- C) Existing Land Use in Area:** The subject property is located to the north of a shopping center. There is a gas station located to the south of the property as well. The property to the north and the east is undeveloped. The Hampstead United Methodist Church is located to the southwest. The Kingsport residential subdivision is located to the north. Low density residential and vacant land surrounds the remainder of the project.
- D) 2010 Comprehensive Land Use Plan Compliance:** The 2010 Comprehensive Land Use Plan designates the subject property as Suburban Growth. The Suburban Growth land use classification identifies those areas of Pender County where significant residential growth is expected to occur within the planning horizon. Areas designated as Suburban Growth are located primarily adjacent to municipal planning jurisdictions and within or near high growth, unincorporated areas of the County, i.e., Hampstead/Scotts Hill, Rocky Point, and portions of US 421 South. Suburban

Growth designates areas where public water and public sewer are available or are planned in the near future. The project request is consistent with this description, as there is both public sewer and water available.

The following goals and policies within this plan which may support the rezoning request:

**Growth Management Goal 1.A.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.

**Policy 1A.1.1** Encourage development in and around municipal corporate limits and other developed areas within the County to yield a more compact pattern of development that will reduce suburban/rural sprawl.

**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.

**Policy 1A.1.4** The County should develop and utilize innovative and flexible land planning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

**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.

**Policy 1A.1.6** Use conditional zoning process to enable developers to contribute to addressing the impact of developments on capital facilities and other resources; incorporate regulations into new Unified Development Ordinance to enable a small project to address specific impacts to an existing adjacent community.

**Emergency Services 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.

**Preferred Development Patterns Policy 3A.1.3** Support the inclusion in the UDO of conditional zoning which provides more flexibility for the land owner/developer and the County to mutually agree upon specific development conditions and requirements. (Conditional zoning is a method that incorporates all the site-specific standards directly into the zoning district regulation and then applies that zoning district only to the property that is the subject of the rezoning petition.

**Coastal Pender Small Area Plan Policy 4A1.2** Establish flexible development regulations which encourage a variety of mixed use infill and re-development along the US HWY 17 corridor.

**E) Unified Development Ordinance Compliance:** Article 3.3.8 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for rezoning can be made.

#### **3.4.4 Review Criteria for Rezoning**

- A. When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:
- 1) The application's consistency to the general policies and objectives all adopted Land Use Plans and Unified Development Ordinance.
  - 2) The potential impacts and/or benefits on the surrounding area, adjoining properties.
  - 3) The report of results from the public input meeting.

**F) Conditions for Approval of Petition**

Section 3.4.5 Conditions of Approval of Petition gives the Pender County Planning Board the ability to add reasonable and appropriate conditions. Potential conditions include:

1. Specific approval of density bonus, not to exceed 8 units per acre.
2. Finalization of property exchange along Old Marsh Road.
3. Installation of 10-foot fence on western property boundary.

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**RECOMMENDATION**

The application consists of a conditional rezoning of three (3) tracts totaling approximately 78.39 acres from RP, Residential Performance zoning district to RM-CD 2, Residential Mixed conditional zoning district 2. As submitted, the request appears to meet all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance. The project is supported by the 2010 Comprehensive Land Use Plan, as it is consistent with one (1) goal and eight (8) policies of the 2010 Pender County Comprehensive Land Use Plan. The plan application supports the Pender County Collector Street Plan. The Administrator respectfully recommends approval of this Conditional Rezoning.

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**BOARD ACTION FOR REZONING REQUEST**

Motion: \_\_\_\_\_ Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous: \_\_\_\_\_

Williams: \_\_\_\_\_ Fullerton: \_\_\_\_\_ Baker: \_\_\_\_\_ Carter: \_\_\_\_\_ Edens: \_\_\_\_\_ McClammy: \_\_\_\_\_ Nalee: \_\_\_\_\_

**Attachments:**

1. **Wetlands Location Map (1 page)**
2. **Southern Environmental Evaluation (2 pages)**
3. **WMPO Scoping for TIA (5 pages)**
4. **US Army Corps Jurisdictional Determination (5 pages)**
5. **Utilities Commission Pluris Letter (2 pages)**
6. **Community Meeting Attendance (1 page)**
7. **PCU Water Availability Letter (1 page)**
8. **TRC Attendance Form and Comments (12 pages)**
9. **Report from Community Meeting (2 pages)**
10. **Recreation Estimates (1 page)**
11. **US 17/NC 210 Corridor Study Excerpt (1 page)**
12. **Draft Traffic Impact Analysis for Lea Tract (42 pages)**
13. **Street Cross Sections (2 pages)**

RECEIVED

JUN 21 2016

FENDER PLANNING DEPT.

### APPLICATION FOR CONDITIONAL REZONING

#### THIS SECTION FOR OFFICE USE

Application No.:	FINA-20-#305	Date:	6/21/2016
Application Fee	\$ 123300	Receipt No.	
Pre-Application Conference	6/14 & 6/15	Hearing Date	8/2 & 9/15

#### SECTION 1: APPLICANT INFORMATION

Applicant's Name:	DRC Hampstead, D. Logan AS LLE (REPRESENTATIVE)	Owner's Name:	JESSE LEA SR.
Applicant's Address:	610 GREGORY RD. SUITE 1	Owner's Address:	802 BAYSHIRE DR.
City, State, & Zip	BEWELIE, NC 28451	City, State, & Zip	WILMINGTON, NC 28405
Phone Number:	800.761.4707	Phone Number:	

Legal relationship of applicant to land owner: DEVELOPER INTENDING TO PURCHASE PROPERTY

#### SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	3293-01-5693-0000	Total property acreage:	78.39AC
Current Zoning District:	RP	Proposed Zoning District:	RM-CD
Project Address or Location:	US HWY 17 & HOOVER RD. AREA LOCATED BEHIND BAILEY STAGES		

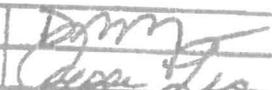
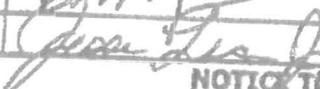
Proposed Uses to be Considered (Include NAICS Code):

SINGLE FAMILY DETACHED HOMES AND APARTMENTS (CODE 236116) & (CODE 236117, 236115) - SOME USES WILL HAVE PRIVATE AGENTIES ASSOCIATED WITH THE USES & FOR RESIDENTS OF THE NEW COMMUNITY ONLY

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):

NO COMMERCIAL OR INDUSTRIAL USES ARE PROPOSED. ALL USES OTHER THAN DESIGN, BUILDING, & MANAGEMENT OF SINGLE FAMILY DETACHED HOMES & MULTI-FAMILY APARTMENTS ARE ELIMINATED FROM CONSIDERATION.

#### SECTION 3: SIGNATURES

Applicant's Signature		D. LOGAN	Date:	6-20-16
Owner's Signature		JESSE LEA	Date:	6-20-16

#### 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.

## Conditional (Zoning Map) Amendment Checklist

<input checked="" type="checkbox"/>	Signed application form
<input checked="" type="checkbox"/>	Application fee
<input checked="" type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings & tax abstract, all adjacent property owners, including property owners directly across any road or road easement, & owners of the property under consideration for rezoning.
<input checked="" type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list.
<input checked="" type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
<input checked="" type="checkbox"/>	12 (11"x17") map copies to be distributed to the Planning Board
<input type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners
<input checked="" type="checkbox"/>	Digital (.pdf) submission of all application materials
<input type="checkbox"/>	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application
<input checked="" type="checkbox"/>	<p>A generalized site development plan shall include the following items:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways &amp; public facilities.</li> <li><input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed.</li> <li><input type="checkbox"/> All existing easements, reservations and rights of way.</li> <li><input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands.</li> <li><input type="checkbox"/> For residential uses, the number of units, heights and a generalized location. For non-residential uses, the height, approximate footprint and location of all structures.</li> <li><input type="checkbox"/> If a known use is proposed: Traffic Impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections.</li> <li><input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping.</li> <li><input type="checkbox"/> Phasing.</li> <li><input type="checkbox"/> Signage.</li> <li><input type="checkbox"/> Outdoor lighting.</li> <li><input type="checkbox"/> Current zoning district designation and current land use status.</li> <li><input type="checkbox"/> Other information deemed necessary by the Administrator, Planning Board, or Board of Commissioners, including but not limited to a Traffic Impact Analysis or other report from a subject matter expert.</li> </ul>

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Office Use Only			
ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$		
Attachments Included with Application: (Please include # of copies)			
CD /other digital version	<input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N	Plan Sets	# of large
			# of 11x17
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Other documents/Reports: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
		Check: <input checked="" type="checkbox"/> Check # _____	
Application received by:	Jessica Fiester		Date: 6/21/16
Application completeness approved by:	Jessica Fiester		Date: 6/21/16
Dates scheduled for public hearing:	<input checked="" type="checkbox"/> Planning Board: 8/2	<input type="checkbox"/> Board of Commissioners: 9/15	

Print Form

Sparrows Bend Narrative Update – 17 August 2016:

This narrative and associated plan reflect changes per Planning Board comments from meeting August 2, 2016. We heard the comments of the planning board regarding density, collector roads and exceptional (or superior) design criteria. We present our response in written form by this narrative and in visual and written form on the revised plan submitted for staff and board reviews.

- A. We revised the density for the overall project. Previously we presented 399 units (135 single family and 264 apartments). We now present a lower density at 365 units (137 single family lots and 228 apartments). This density change represents an 18% reduction in density. It was discussed in the previous board meeting that the previous density of 399 units, or a 60% density bonus request through the exceptional design for environmentally sensitive design, seemed unreasonable; however, something less than 50% density bonus may be more realistic. The plan now requests a 42% density bonus for exceptional design for environmentally sensitive design complying with the opinion discussed in the August 2<sup>nd</sup> planning board meeting.
- B. We also bring a plan with approximately 0.2 acres less land allocated to the Sparrows Bend development. The proposed project density has been adjusted to reflect the pending property transfer along the Old White Marsh access easement. The easement area currently located on the Sparrows Bend property has been removed from the overall site acreage and the subsequent calculations have been adjusted per the Pender County UDO. The developer is in investigating the legal rights and working with adjacent homeowners to understand how the adjacent owners are using the existing easement to access their property. The developer intends to continue conversations and potentially transfer this easement property to the adjacent owners if all parties are willing. Therefore, this plan removes that easement land from this density calculation and adjusts the buffer along Old White Marsh road to a 10' buffer with a fence at the edge of the Sparrows Bend adjusted property line.
- C. Road C has been changed to a collector road from its original layout to be compliant with the existing UDO & adopted county wide plans. Revisions to its layout include:
1. New alignment, providing a stub out for potential future connection to the adjacent parcel and providing 5' sidewalks on both sides of the road, compliant with Group 1 of Pender County Collector Street Plan
  2. Shared driveways have been indicated to allow for a reduction in individual residential lot access per Pender County UDO 7.2.7: *"Lots on Collector Streets of Major Subdivisions shall not be approved that provide for individual residential lots to access Minor Collector roads or streets as shown on the Coastal Pender Collector."*

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*Street Plan, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan”*

- D. Superior Design strategies have been included and highlighted on the plan to qualify the project for the proposed density increase. These efforts include:
1. This revised plan outlines the Implementation of LID measures (to the extent possible) in accordance with Pender County UDO 7.14, NC State Statutes and *Chapter 4: LID Stormwater BMPs of North Carolina State University’s Low Impact Development: A Guidebook for North Carolina*. These measures include the stormwater management and runoff treatment requirements therein and also include the implementation of the following:
    - i. Compliance with requirements for stormwater management as set forth in NC State 15A NCAC 02h.1005 (storm water ponds will be sized with final soils reports)
    - ii. Utilization of a combination of engineered, structural LID BMPs as defined in *Chapter 4: LID Stormwater BMPs of North Carolina State University’s Low Impact Development: A Guidebook for North Carolina* and designed in accordance with NC State 15A NCAC 02h.1008 to treat runoff from all surfaces generated by one and one-half inches of rainfall, or the difference in the stormwater runoff from all surfaces from the predevelopment and post-development conditions for a one-year, 24-hour storm, whichever is greater, in order to achieve average annual 85% Total Suspended Solids (TSS) removal for the developed area of the site
    - iii. Utilization of a combination of engineered structural LID BMPs as defined in *Chapter 4: LID Stormwater BMPs of North Carolina State University’s Low Impact Development: A Guidebook for North Carolina* to control and treat the increase in storm water runoff volume associated with post-construction conditions as compared with pre-construction (existing) conditions for the 1-year frequency, 24-hour duration storm event in order to achieve a storage volume discharge rate equal to or less than the predevelopment discharge rate for the 1-year, 24-hour storm event. This may be achieved by hydraulic abstraction, recycling or reuse, or the other accepted management practices as described in the North Carolina Department of Water Quality’s *Stormwater Best Management Practices Manual*, and in consultation with North Carolina State University’s *Low Impact Development: A Guidebook for North Carolina*, which includes:
      1. bio retention / rain gardens
      2. permeable pavement
      3. water harvesting / rain barrels
-

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4. swales
  5. infiltration strips and basins
  2. Preservation of majority ( $\pm 11.15$  ac out of  $\pm 11.65$  ac) of wetlands on site, intended wetland impact is less than 0.5 ac
  3. Preservation of significant trees on site per UDO Section 8.1.3.A.2
  4. Preservation of substantial natural site features such as the existing ridge separating the single family and multi-family areas, as well as other clusters of old growth trees and vegetation
  5. Preservation of existing natural landforms and drainage patterns, reducing the amount of required grading
  6. Use of native and adaptive plants well suited to our southeastern North Carolina climate
  7. Creation of a walkable community with sidewalks on every street & throughout the apartment community
  8. Implementation of pervious paving at amenity area patios
  9. Provision of multi-purpose outdoor recreation spaces
  10. Installation of an accessible 2-12 year old playground at the multifamily active open space
  11. Creation of courtyards at the apartment area, serving as gathering spaces and promoting social interaction
- E. In addition to the Superior Design measures proposed that fall under the Pender County UDO and as defined in *Chapter 4: LID Stormwater BMPs of North Carolina State University's Low Impact Development: A Guidebook for North Carolina*, the project strives to implement strategies found in neighboring municipalities which result in density increases, such as:
1. use of LID techniques as described in Section C of this narrative
  2. wetland preservation
  3. inclusion of porous pavement to minimize stormwater runoff
  4. preserving undeveloped open space and existing vegetation
  5. xeriscaping to minimize water use
- F. DRC Hampstead, LLC, not only seeking to satisfy Pender County's requirements for a Superior Design project, but has investigated other leading exceptionally designed project standards and requirements and is including the following strategies integral in those projects:
1. Preservation of wetlands
  2. Managing storm water on site
  3. Using storm water management and treatment features as amenities
  4. Minimizing site disturbance
  5. Use of native and adaptive plants
-





## Southern Environmental Group, Inc.

5315 South College Road, Suite E Wilmington, NC 28412  
Phone: 910.452.2711 Fax: 910.452.2899 E-mail: office@segi.us

20 June 2016

Mr. D Logan  
Logan Homes  
60 Gregory Rd  
Suite 1  
Belville, NC 28451

**Re: Lea Tract  
Access Road Wetlands and Permitting**

Dear Mr. Logan:

Southern Environmental Group, Inc. (SEGi) reviewed the feasibility of constructing an access road along the eastern property line of your Lea Tract Subdivision in Hampstead, Pender County, North Carolina. Specifically in regard to the constraints you may encounter due to wetlands (on-site and adjacent) and subsequent wetland permitting.

SEGi previously delineated the wetlands within the Lea Tract and obtained US Army Corps of Engineers (USACE) concurrence. This included the delineation of a cypress – gum swamp or bottomland system along the northern property line. This wetland system extends north onto the adjacent property and also runs east-west along the length of the property line. (see Exhibit)

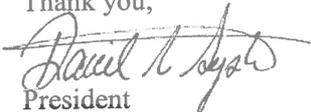
Based on the Pender County Collector Street Plan (CSP) the access road will require a USACE wetland permit or the construction of a pile supported bridge. It is my understanding that the size and construction of a bridge in this location is not economically practical and a traditional earthen filled wetland crossing would be more suitable. The wetland impact area for the roadway would be approximately 2.0 acres which is a significant impact for a road crossing and would require adequate justification. (see Exhibit)

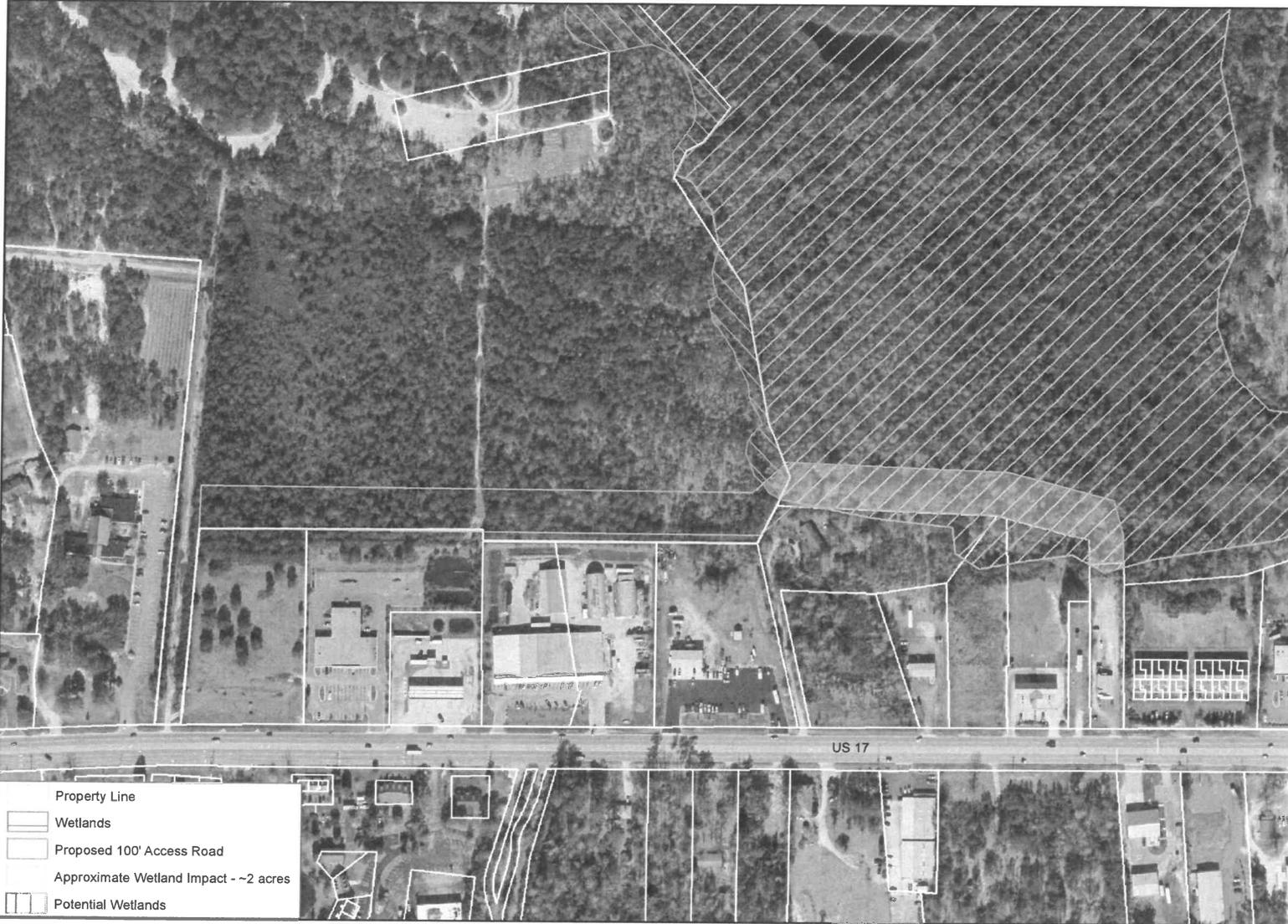
The USACE requirements for this type of road crossing require a purpose and need for the impact that is clearly definable and defensible. After reviewing the Pender Street Collector Plan the proposed access road would provide access to residents and businesses which are already accessed from Highway 17, which questions the need for additional access. Future development within the wetlands to the west of the proposed road (adjacent to the impact area) is also unlikely as both construction restrains and significant wetland impacts would be required. This also limits the need for the access road and therefore the purpose of the proposed wetland impact.

In summary, due to the significant size of the proposed impact and unclear need for additional access to existing and future residents and businesses; it is my opinion that the USACE would not issue a permit for the access road as proposed.

It is SEGi's hope the information found within and attached are adequate to address your questions regarding the access road feasibility. However, should you have questions or need additional information, please feel free to contact me at 910.452.2711.

Thank you,

  
President



- Property Line
- Wetlands
- Proposed 100' Access Road
- Approximate Wetland Impact - ~2 acres
- Potential Wetlands

0 55 110 220 330 440 Feet  
 1 inch = 279 feet

Map source: NCOneMap Orthoimagery

**Lea Tract Access Road**  
**Jesse Lea Property**  
**Hampstead, Pender County, NC**  
**6/20/2016 Project #: 012-035.01**





305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402  
Ph: (910) 341-3258  
Fax: (910) 341-7801  
www.wmpo.org

June 8, 2016

**Rynal Stephenson, PE**  
5805 Farringdon Place, Suite 100  
Raleigh, NC 27609

**RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed  
Lea Tract Development  
Pender County, NC**

Dear Mr. Stephenson:

Based on the information provided, and conversations held to date, it is our understanding that the proposed development will consist of 130 single family homes and 264 apartments. This development is located west of Us 17 with frontage on Hoover Road and an access to US 17 via Arrow Wood Road in Pender County, North Carolina.

The site plan provided proposes access at the following points:

- US 17 and Arrow Wood Road
- Hoover Road and Neighborhood Access

Below please find the scope to be used for the Traffic Impact Analysis:

**1. Data Collection - Analysis Parameters:**

a. Existing Conditions

- i. Turning movement counts weekday AM (6:30 AM – 8:30 AM) and PM (4:00 PM – 6:00 PM) peak periods, Signal Timing (if applicable) and Lane Geometry;
  - US 17 and Hoover Road
  - US 17 and Arrow Wood Road
  - Hoover Road and Neighborhood Access

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach  
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick  
County of Pender • Cape Fear Public Transportation Authority • North Carolina Department of Transportation

- 
- ii. Signal plans may be acquired by sending an email request to NCDOT Traffic Services: Ross Kimbro, rkimbrot@ncdot.gov or by calling (910) 341-0300
  - b. Site Trip Generation, Site Trip Distribution and Background Traffic Assumptions
    - i. Site Trip Generation Estimate
      - See attached (provided by Ramey Kemp & Associates)
    - ii. Site Trip Distribution
      - To be determined based on collected traffic count data. Trip distribution MUST be approved prior to use in the TIA.
    - iii. Adjacent Development (approved (but as of yet to be built)) development including but limited to;
      - N/A
    - iv. Planned Roadway Improvements
      - U-5732
    - v. Background Traffic Assumptions
      - Horizon year – 2019
      - Growth rate – 1% per year
    - vi. Other Information
2. **Capacity Analysis: Week day AM & PM Peak Hour (as listed and for locations per 1.a.i)**
- a. Existing – 2016
  - b. 2019 Future No-Build Conditions  
[existing +1% background growth]
  - c. 2019 Full Build Conditions  
[existing +1% background growth + site trips]
  - d. 2019 Future No-Build Conditions (with TIP)  
[existing +1% background growth]
  - e. 2019 Full Build Conditions (with TIP)  
[existing +1% background growth + site trips]
3. **Final Report Submittal:**
- a. Completed TIA Application
-

- 
- b. Signed and sealed by a Professional Engineer
  - c. Four bound copies
  - d. Four Electronic copies to include PDF of TIA and Synchro files and Synchro analysis files in digital format

4. Notes:

- i. TIA's shall be prepared according to NCDOT Congestion Management Guidelines. Any deviations from such shall be approved prior to preparation of the TIA.
- ii. This scope shall remain valid for three months from the date of this letter.
- iii. Please note that if any changes occur (including but not limited to; land use, intensity, phasing, and/or site access) additional analysis may be required.
- iv.

Please contact me at 910-473-5130 with any questions regarding this scope.

Sincerely,



Amy Kimes, PE  
Project Manager  
Wilmington Metropolitan Planning Organization

Attachments: Trip Generation Summary (provided by Ramey Kemp & Associates)  
Site Map (provided by Ramey Kemp & Associates)

Cc: Robert Vause, PE, Division Maintenance Engineer, NCDOT  
Allen Hancock, Assistant Traffic Engineer, NCDOT  
Kyle Breuer, Planning Director, Pender County  
Megan O'Hare, Senior Planner, Pender County  
Bill McDow, Transportation Planner, WMPO  
Mike Kozlosky, Executive Director, WMPO



Summary of Multi-Use Trip Generation  
Average Weekday Driveway Volumes (Unadjusted for Internal Trips)

Project:  
Phase:

Open Date:  
Analysis Date:

Description:

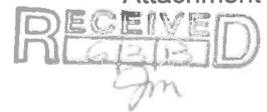
---

ITE: Land Use	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
210: Single Family Detached Housing 130 Dwelling Units [E]	1337	25	76	84	49
220: Apartments 264 Dwelling Units [E]	1723	27	106	106	57
<hr/>					
Total Driveway Volume	3060	52	182	190	106
Total Peak Hour Pass-By Trips		0	0	0	0
Total Peak Hour Vol. Added to Adjacent Streets		52	182	190	106

---

Note: A zero indicates no data available.  
Source: Institute of Transportation Engineers  
Trip Generation Manual, 9th Edition, 2012

TRIP GENERATION 2013, TRAFFICWARE, LLC



**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action Id. SAW-2005-00300 County: Pender U.S.G.S. Quad: NC-TOPSAIL

**NOTIFICATION OF JURISDICTIONAL DETERMINATION**

**Property Owner:**

Jesse Lea

**Address:**

PO Box 335

Hampstead, NC, 28443

**Telephone Number:**

910-520-4381

Size (acres) 79

Nearest Waterway Old Topsail Creek

USGS HUC 3030007

Nearest Town Hampstead

River Basin Northeast Cape Fear, North Carolina.

Coordinates Latitude: 34.3791430344578

Longitude: -77.705571029516

Location description: The site is located approximately 0.4 miles north of the intersection of Hoover Road with NC Hwy 210 in Hampstead, North Carolina (PIN# 3293-01-5484).

**Indicate Which of the Following Apply:**

**A. Preliminary Determination**

- Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

**B. Approved Determination**

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are wetlands on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.

The wetlands on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

The waters of the U.S. including wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on \_\_\_\_\_. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are no waters of the U.S., to include wetlands, present on the above described project area which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- X** The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Wilmington, NC, at (910) 796-7215 to determine their requirements.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Crystal Amschler at 910-251-4170 or Crystal.C.Amschler@usace.army.mil.

**C. Basis For Determination:** Determination was based on review of aerial photography, USGS, soils and Lidar maps and from observations made during the site visit. Wetlands met criteria set forth in the Corps 1987 delineation manual and the Atlantic and Gulf Coastal Plain Region Supplement and are adjacent to a tributary of Godfrey Creek, which flows northwest, then southwest into Harrisons Creek, which flows northwest until it becomes a Section 10 Navigable water.

**D. Remarks:**

**E. Attention USDA Program Participants**

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

**F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)**

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers  
South Atlantic Division  
Attn: Jason Steele, Review Officer  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 7/29/2013.

**\*\*It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.\*\***

Corps Regulatory Official: 

Date: May 30, 2013

Expiration Date: May 30, 2018

*The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the attached customer Satisfaction Survey or visit <http://per2.nwp.usace.army.mil/survey.html> to complete the survey online.*

Copy furnished:  
Southern Environmental Group, Inc  
Attn: David Scibetta  
5315 South College Rd, Suite E  
Wilmington, NC 28412

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: <b>Jesse Lea</b>		File Number: <b>SAW-2005-00300</b>	Date: <b>May 30, 2013</b>
Attached is:		See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT: You may accept or appeal the permit**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
**District Engineer, Wilmington Regulatory Division,  
Attn: Crystal Amschler**

If you only have questions regarding the appeal process you may also contact:  
**Mr. Jason Steele, Administrative Appeal Review Officer  
CESAD-PDO  
U.S. Army Corps of Engineers, South Atlantic Division  
60 Forsyth Street, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<hr/> Signature of appellant or agent.	Date:	Telephone number:
-------------------------------------------	-------	-------------------

**For appeals on Initial Proffered Permits send this form to:**

**District Engineer, Wilmington Regulatory Division, Attn: Crystal Amschler, 69 Darlington Avenue, Wilmington, North Carolina 28403**

**For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:**

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137**



Soils Map  
 Jesse Lea Property  
 Hampstead, Pender County, NC  
 10/2/2012 Project #: 012-035.01

- Property Line
- Wetlands
- Pender Soils

- AnB - Alpin fine sand
- BaB - Baymeade fine sand
- KuB - Kureb fine sand
- Mu - Murville muck

Map source: Bing Maps  
 Soil Survey of Pender County

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

APPENDIX A

DOCKET NO. W-1305, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

BLAKE FARMS, OLDE POINTE VILLAGE, TOPSAIL HIGH SCHOOL, TOPSAIL  
MIDDLE SCHOOL, TOPSAIL ELEMENTARY SCHOOL, AND HARDISON  
DEVELOPMENT

Pender County, North Carolina,

subject to any orders, rules, regulations,  
and conditions now or hereafter lawfully made  
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 5<sup>th</sup> day of November, 2015.

NORTH CAROLINA UTILITIES COMMISSION



Jackie Cox, Deputy Clerk



Date: July 12, 2016

Re: Certificate of Public Convenience and Necessity

To Whom It May Concern:

Please be advised that Pluris Hampstead, LLC will accept the wastewater generated by the development or address listed below, as it is connected to our collection system.

Location: 78.39 acre tract; north side of US HWY 17 behind the Bailey Shops, also access off of east side of Hoover Rd.

Connected:  Not Connected:

All fees will need to be paid for additions of bedrooms or habitable rooms.

If you have any questions concerning this matter, please feel free to call upon me at anytime at (910) 327-2880.

With kind regards,

A handwritten signature in black ink, appearing to read "Kearin M. Williams".

Kearin M. Williams

## Sparrows Bend - Hampstead Community Meeting

July 12, 2016

	Name	Address	Phone	Email
1	Skip Williams	15395 Hwy 17N HNE 28443	910-270-4648	S.Williams@Hamsteadunc.org
2	Brenda Chellum	15395 Hwy 17N HNE 28443	910-264-3044	theresizellers@gmail.com
3	Joe Bridger	" " " "	910-515-3779	prattdd17@aol.com
4	Judy Leiner	82 Daffodil DR 28443	910-617-3387	judyleiner@yahoo.com
5	Kyle Brauer	805 S. Walker St. Buraw 28425	259-1202	kbrauer@pendencountycar.gov
6	Jim Cobb	181 POW-MIA Trail	270-3236	
7	Jessica Fiester	805 S. Walker St. Buraw 28425	252-412-3094	Jfiester@pendencountycar.gov
8	STEVE RICE	106 KINGSFORD DR	910-604-2501	srice@nhcgou.com
9	Joe Murphy	105 Kingsford D	910-270-6030	N/A
10	Duane Bradshaw	1777 Kings Landing Rd	204-2320 910-270-2639	
11	MIKE BUTT-HA	104 Kingsford DR	910-471-2857	
12	TED FREDERIKSEN	202 CONTRAIL RD.	910-319-0706	
13	Van Parich	181 Old white road	910-775-7745	N/A
14				
15				
16				



**PENDER COUNTY UTILITIES**

P.O. BOX 995  
605 E. FREMONT STREET  
BURGAW, NC 28425

June 15, 2016

Mr. D. Logan  
Representative DRC Hampstead, LLC  
60 Gregory Road, Suite 1  
Belville, NC 28451

**RE: Water Capacity  
Sparrows Bend Development**

Mr. Logan:

Please find this letter as written confirmation that, at this time, Pender County Utilities has sufficient water capacity to provide water service to the proposed Sparrows Bend Development, including up to 135 Single Family Residences, and up to 264 Apartment. Please note that capacity is allocated on a first come, first serve basis.

PCU must review preliminary design plans for the proposed waterline extensions required to serve this development, when they are complete and submitted for our review.

Please feel free to contact me should you have any questions pertaining to this matter.

Thank you,

Bryan McCabe, PE, Project Engineer  
Pender County Utilities

PENDER COUNTY UTILITIES  
PHONE: (910) 259-1570  
FAX: (910) 259-1579

TRC COVER PAGE

Attachment 8

**Cape Fear Council of Governments RPO**  
No Attendance.

**Four County Electric Company**  
No Attendance.

**NC DENR Division of Coastal Management**  
No Attendance.

**NC DENR Division of Forestry**  
No Attendance.

**NC DENR, Division of Energy, Mineral, and Land Resources - Land Quality Section**  
No Attendance.

**NC DENR Division of Waste Management**  
No Attendance.

**NC DEQ Division of Water Quality**  
No Attendance.

**NC DOT Division of Highways**  
No Attendance.

**NC DOT Transportation Planning Branch**  
No Attendance.

**NC Office of State Archaeology**  
No Attendance.

**NC Wildlife Resources Commission**  
No Attendance.

**Pender County Addressing Coordinator**  
No Attendance. See Comments.

**Pender County Building Inspections**  
No Attendance. See Comments.

**Pender County Emergency Management**  
No Attendance.

**Pender County Environmental Health**  
Attended. No Comments Provided.

**Pender County Fire Marshal**  
*Attended. See Comments.*

**Pender County Flood Plain Management**  
*Attended. Comments Provided.*

**Pender County Parks and Recreation**  
*See Comments.*

**Pender County Public Library**  
No Attendance

**Pender County Public Utilities**  
*Attended. See Comments.*

**Pender County Schools**  
No Attendance.

**Pender County Sheriff's Department**  
No Attendance.

**Pender County Soil and Water Conservation District**  
*Attended. No Comments.*

**Progress Energy Corporation**  
No Attendance.

**Pluris**  
No Attendance.

**US Army Corps of Engineers**  
No Attendance.

**Wilmington Metropolitan Planning Organization**  
*Attended. See Comments.*



# Pender County Emergency Management

Occupancy: **Sparrows Bend**  
Address: **US Hwy 17 Building #US Hwy 17**  
**Hampstead NC 284432844**

Inspection Type: **Tent**

Inspection Date: **7/6/2016**

Time In: **14:45**

Authorized Date: **07/06/2016**

By: **Batson, Tommy (2342)**

Time Out: **15:30**

By: **Batson, Tommy (2342)**

Form: TRC

## Inspection Topics:

### Requirements

#### Street frontage

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

**Status:** INFORMATION

**Notes:** Prefer 26 foot roadway in front of the apartment building to allow setup and fire protection with the first in aerial fire apparatus truck

#### Dead Ends

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

**Status:** INFORMATION

**Notes:** Cul-de-sac in place

#### Cul-De-Sacs

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

**Status:** INFORMATION

**Notes:** Cul-de-sac at the end of C-street is recommended to be 40 foot radius.

Curb radius into the cul-de-sac needs to minimum of 28 foot radius

#### 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:**

#### Alleys

Shall be a min. of 12'± 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 1/2-inch steamer, (2) 2 1/2 inch discharge connections, etc.) and proper maintenance shall be utilized.

**Status:** INFORMATION

**Notes:** Additional hydrants may be required for the FDC's on sprinkler systems to meet NFPA sprinkler code.

**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:** INFORMATION

**Notes:** Dry hydrant at the end of C-street in the pond will assistance in fire protection for the development.

**Gates**

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

**Status:** N/A

**Notes:**

**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:** 105' Aerial Fire apparatus from Pender EMS & Fire responses first to this site.

**Set Backs**

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

**Status:** N/A

**Notes:**

**Note**

**Status:** NOT OBSERVED

**Notes:** Addressing of the apartments complex is unknown but meeting with Jan Dawson (Addressing Coordination) will complete this.

Add an additional ingress and egress to support the 260 apartment units. The best location would be in the south east corner of the property.

**Additional Time Spent on Inspection:**

Category	Start Date / Time	End Date / Time
<b>Notes:</b> No Additional time recorded		

**Total Additional Time: 0 minutes**

**Inspection Time: 45 minutes**

**Total Time: 45 minutes**

**Summary:**

**Overall Result:** Passed with Comments

**Inspector Notes:**

**Inspector:**

Name: Batson, Tommy  
Rank: Fire Marshal  
Mobile Phone(s): 910-470-4721  
Email(s): tbatson@pendercountync.gov

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*



## Technical Review Committee Review and Response

Date: 06/27/2016  
Name: Josh Norwood  
Phone: 910-259-0129

Case Name: Sparrows Bend/Nest  
Agency: GIS & Addressing  
Email: jnorwood@pendercountync.gov

### Requirements:

Please submit a list of road names that you would like to reserve. You will also need to submit alternate names as well. Duplicate or phonetically similar street names are not permitted. Please contact Jan Dawson, E911 Addressing Coordinator, to submit these street names as well as any other questions you may have. Her number is 910-259-1442.

### Recommendations:

### Comments:

Please refer to the Pender County UDO and review our addressing and display regulations as well as our street sign requirements. They can be found in Article 11 of the UDO. These regulations shall be followed as they are not just suggestions. Once all requirements are met we can then approve the necessary documents.

### Information Requested:

Need to know where the main entrance is going to be. You have access on HWY 17 and Hoover Rd.

Please Follow Up Prior to Meeting: Yes/No



**Technical Review Committee Review and Response**

Date: 06 22 16

Name: Tommy Garriss

Agency: Building inspection

Phone: 259-1275

Email: \_\_\_\_\_

Requirements:

Recommendations:

Comments:

I have no comments on the items listed for the July 6 TRC meeting

Information Requested:

Please Follow Up Prior to Meeting: Yes/No



## Technical Review Committee Review and Response

Date: 7/6/16

Name: Dee Turner

Phone: 910-259-1330

Agency: Pender County Parks and Recreation

Email: dturner@pendercountync.gov

Project: Sparrows Nest

Requirements:

Meets the open space requirements

Recommendations:

Install a playground unit for ages 2-12

Comments:

Information Requested:

Please Follow Up Prior to Meeting: Yes/No

No



## Technical Review Committee Review and Response

Date: TRC 07/06/16

Name: Margaret/Bryan

Phone: 259-1521

Agency: PCU

Email: mgray@pendercountync.gov

### Case 305 – 2016 Major Site Plan – Conditional Zoning Map Amendment Sparrows Bend

- Final utility plans are not required at this stage of design but please be advised that a watermain interconnection between Hoover Rd. and the existing 8" water main located at the rear of Bailey Shoppes will be required.
- Formal Public Water Supply submittal documents must be submitted to PCU for review/approval.
- PCU standard specifications and details can be found on the PCU web page.



## Technical Review Committee Review and Response

Date: July 1, 2016

Name: Bill McDow

Agency: WMPO

Phone: (910) 341-7819

Email: Bill.mcdow@wilmingtonnc.gov

### Requirements: **Sparrows Bend**

1. The Sparrows Bend Subdivision has started a TIA for this development project.
  2. A project scope for this project listed 130 Single Family Houses and 264 Apartment, which is different from the 135 SF homes shown in this submission. Please contact Amy Kimes, PE at (910) 473-5130 [amy.kimes@wilmingtonnc.gov](mailto:amy.kimes@wilmingtonnc.gov) to discuss these changes and provide an updated Trip Generation for the project.
  3. The proposed site plan does not show approved street names for this development.
  4. Increase the pavement cross section of the proposed streets. The proposed Road A appears to be operating as a Collector Street for the Site and the Pender County Collector Street Plan. Greater thickness of asphalt and base stone is required for collector streets.
  5. Provide a Cul-De-Sac cross section for the end of proposed Road C Cul-de Sac.
  6. Add typical roadway geometry dimensions to the plans, such as Horizontal Centerline Radius, Street Corner Radius, etc.
  7. Provide sidewalk for the missing section of Road B, from the intersection of Road D to Road A.
  8. Provide Sidewalk along Road A from Road D to the entrance to the subdivision.
  9. Provide a public street into the apartments for Phase 4. The current design has a single driveway entrance and an internal parking lot network. There is over 1330' from the Road A intersection to the last two apartment buildings in the phase.
  10. Provide the sidewalk and pedestrian access to the active recreation areas.
  11. Provide pedestrian amenities in the subdivision and wheel chair ramps at each street intersection, where sidewalk is shown.
  12. Show internal sidewalk network for the Apartments, along with Handicap spaces, handicap ramps, wheel chair ramps, and Tactile Mats and ADA accommodations.
  13. Does the site have a Pool and Pool House?
  14. Please show the Parking configuration for the proposed Amenity Building in Phase 1 and the Amenity building in Phase 4.
  15. Show parking for the apartments and garages.
- Recommendations:
1. Please increase intersection spacing between subdivision streets, numerous streets have centerline spacing of less than 300' between streets.

2. Provide Sidewalk along property frontage on Hoover Road. Coordinate sidewalk with Pender County Planning Pedestrian plans.
3. Show the location of Fire Hydrants and Street Lights for each phase.
4. Show the location of any proposed Lift Stations.
5. Show the location of required Regulatory signs and pavement markings, (Stop Signs, Yield Signs, Stop Bars, Cross Walks, Handicap Parking Signs, etc).
6. Show the landscape plan and street light plans for the site.

Comments:

Information Requested: No

Please Follow Up Prior to Meeting: Yes/ No



## Technical Review Committee Review and Response

Date: 7/6/2016

Name: Megan O'Hare

Phone: 910 259 2110

Agency: Floodplain Administrator

Email: mohare@pendercountync.gov

### **Sparrows Nest**

#### Comments:

The subject property is not located within a regulatory Special Flood Hazard Area, according to the FIRM 3720329300J effective February 16, 2007. The Preliminary DFIRMS show the subject property to contain a portion of AO, with a depth of 2ft. All development within the Special Flood Hazard Areas requires compliance with the Flood Damage Prevention Ordinance

Sparrows Bend Community Meeting  
 Location: Pender County Hampstead Annex  
 Date: July 12, 2016 Time: 4:00-5:30 PM

Paramounte Engineering and applicant held an open house with five boards showing aerials, image boards, and the site plan for public viewing and comment. Comments and discussions from the open house are as follows:

- Pastor Skip Williams of Hampstead Methodist Church stated his support for the project and shared his church's plans for future building on the tract abutting our proposed project.
  - Fellowship hall to be built on the church tract closest to our proposed project. Possible Fall construction beginning
  - Two adjacent property owners discussed the churches plans and access to the adjacent properties through the church's land. Just to be sure, Paramounte and applicant will search records/deeds to be sure no easements or access issues affect the Sparrows Bend property.
- Nearly every attendee asked the price range of the single family homes. The applicant stated that he intended to provide homes in the \$275,000-\$325-350,000 range.
- Very few questions were asked about the apartments, but those that did ask wanted to know if they were for rent or for sale. They will be for rent.
  - Some discussion about schools and that children/families would likely be in the apartments – there was concern about school overcrowding. We pointed out the recent \$75 million school bond was in place to address school concerns.
- Bypass discussion – Several open house attendees asked about the bypass location as it relates to this property, and then stated that that bypass would help traffic concerns along 17 and Hoover Rd.
- One pair of adjacent neighbors prefer fence or berm on Sparrows Bend property to prevent kids from walking onto their property. It was explained that lots will now be backing up to the property line with at least a 20' vegetated buffer along that property line. Applicant stated that he had not made up his mind on the type of buffer he would construct, but he assured the neighbors that the buffer would be county compliant. Applicant offered to share the cost of a fence at that location, but the adjacent owners did not want to share the cost.
- There were questions about traffic movements into and around the site. Recent NCDOT superstreet plans along Hwy 17 were discussed, anticipated construction to begin in 2019. There were concerns about amount of traffic on Hoover Rd. and turning movements on Hwy 17. Traffic concerns about left turn onto 17 from Hoover Rd. One attendee requested that the County planning staff reach out to DOT for speed study to lower the speed to 35mph on Hoover Rd. The project TIA is underway and will determine the necessary traffic improvements.
- The adjacent neighbor to the northeast of the property asked questions about development and determined the existing wetlands provided good buffer between the proposed development and his property. However, when told the county wanted to impose a collector street connection across Sparrows Bend and connect to his property, the adjacent owner was unwilling

to comply and expressed a willingness to voice his concern about collector street connection at the board meeting.

- Adjacent neighbor to the north discussed his property being largely wetland except a dirt road that he is working on. He expressed no problems with proposed development.
- Adjacent neighbors in Kingsport expressed concern about drainage, but it was determined that the wetlands adjacent to their site would not be disturbed. No construction will occur on this piece of Sparrows Bend property. It is suspected that their neighborhood HOA is responsible for maintaining a ditch on their properties. It does not appear that ditches they referred to are on Sparrows Bend property, but Sparrows Bend applicant will comply with all applicable laws.

Date: July 13, 2016

## Sparrows Bend Pender County Recreation Units Preliminary Order of Magnitude Phasing Cost Estimate

This estimate is based on the conditional rezoning site plan as submitted for Planning Board review July 14, 2016 and is provided to prove the project will comply with **the required 4 recreation units totaling at least \$40,000.** This estimate reflects our current understanding of construction cost and is the result of prices included in recent bids received by this office and in discussions with contractors and product representatives. Prices may vary somewhat from this estimate at the time the bids are let due to design development and revision of the design, material availability, contractor workload and site conditions. Actual quantities shown below may vary upon completion of construction documentation. This estimate is based on current 2015-2016 dollars and recent construction costs received or researched in this office and does not take into account the cost of financing and/or interest expense. All quantities are preliminary. If necessary, plans should be reviewed by the any boards or regulatory authorities for approval and/or permitting prior to bidding.

### Apartment Amenity Site

Item	Qty.	Unit	Unit Price	Total
2-12 year playground with site preparation, play equipment, and surfacing; installed		ls	\$16,000.00	\$16,000.00
Seeded multi-use area	20,000	sf	\$0.11	\$2,200.00
<b>Apartment Amenity Site</b>				<b>\$18,200.00</b>

### Single Family Amenity Site

Item	Qty.	Unit	Unit Price	Total
Pervious paver patio for active recreation; group gatherings	1350	sf	\$15.00	\$20,250.00
Seeded multi-use area	15,000	sf	\$0.11	\$1,650.00
<b>Single Family Amenity Site</b>				<b>\$21,900.00</b>

<b>Grand Total</b>	<b>\$40,100</b>
--------------------	-----------------

**General Notes:**

1. Unless otherwise noted, no plans have been completed for these areas beyond conditional rezoning plans. Developer and builder may change components of recreation units, but cost of provided recreation units will not be less than the Pender County required recreation units.

- **Factory Road/Peanut Road** — full median would be constructed restricting all left-turn movements. Only right-turns to and from side streets would be allowed. A paved U-turn bulb would be built 600 feet to the north to accommodate vehicles wishing to go south from Factory Road. A southbound right-turn would be constructed.
- **Atlantic Seafood** — a U-turn bulb is recommended in the vicinity of a platted, but unpaved, road adjacent to the Atlantic Seafood site.
- **Hoover Road** — full median opening maintaining existing traffic signal.
- **Forest Sound Road** — full median would be constructed restricting all left-turn movements. U-turn bulbs are recommended approximately 250 feet north of Forest Sound Road to serve northbound and southbound U-turns from the paired left-turn median opening located just north of this intersection.
- **Hampstead United Methodist Church** — a future collector street is planned just north of Hampstead United Methodist Church. The street could serve one parcel, in which case it would intersect US 17 with a right-in / right-out only configuration. The collector street could however be extended by private property owners to serve multiple parcels; by doing so, sufficient traffic volume may be served such that a traffic signal on US 17 or a superstreet type median opening may be warranted. If approved by NCDOT, then the collector street, median opening and/or traffic signal would be funded by private sources.
- **Loblolly Trail** — U-turn bulbs are recommended approximately 800 to 1,000 feet north of the intersection of US 17 and Loblolly Trail. A bulb would be built on both sides of US 17, to serve northbound and southbound U-turns.
- **Grandview Drive** — a leftover type median opening that provides southbound left-turn movements from US 17, but does not serve left-turns from Grandview Drive onto southbound US 17.
- **William Store Road** — full median would be constructed restricting all left-turn movements. U-turn bulbs are recommended approximately 700 feet north of the intersection of US 17 and William Store Road to serve northbound and southbound U-turns from the paired left-turn median opening located just north of this intersection.
- **Country Club Drive/Jenkins Road** — full median opening maintaining existing traffic signal. No widening for u-turns. U-turn bulbs are recommended approximately 1,300 feet north of the intersection of US 17 and Country Club Drive/Jenkins Road to serve northbound and southbound U-turns from the paired left-turn median opening located north of this intersection. Topsail Middle/Topsail Elementary Schools — full median opening maintaining existing traffic signal. No widening for U-turns.
- **Transfer Station Road** — a leftover type median opening that provides southbound left-turn movements from US 17. Superstreet or full median opening and traffic signal if warranted and approved by NCDOT, to be funded by private sources.
- **Leeward Lane** — full median would be constructed restricting all left-turn movements. U-turn bulbs are recommended approximately 1,000 feet north of the intersection to serve northbound and southbound U-turns from the paired left-turn median opening located north of this intersection.
- **Long Leaf Drive** — leftover median opening for southbound left turns. Only right-turn movements would be allowed to and from Long Leaf Drive.
- **Sloop Point Loop Road** — full median opening maintaining existing traffic signal. No widening for U-turns.

It should be noted that in addition to the specific median openings listed above, median crossings and openings for emergency services such as fire stations and EMS stations will be considered during the design phase of the project. Coordination with people such as the fire chief will be important during this phase of the process.

# **TRAFFIC IMPACT ANALYSIS**

**FOR**

## **LEA TRACT**

**LOCATED**

**IN**

## **HAMPSTEAD, NC**

Prepared For:  
Paramounte Engineering, Inc  
122 Cinema Drive  
Wilmington, NC

Prepared By:  
Ramey Kemp & Associates, Inc.  
Address  
City, State Zip Code  
License #C-0910

July 2016

RKA Project No. 16132

Prepared By: CB

Reviewed By: JR

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- Appendix C: TIP U-5732 Roadway Improvements
- Appendix D: Capacity Calculations – US 17 and Hoover Road
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**TRAFFIC IMPACT ANALYSIS  
LEA TRACT  
HAMPSTEAD, NORTH CAROLINA**

**1. INTRODUCTION**

The contents of this report present the findings of the Traffic Impact Analysis (TIA) conducted for the proposed Lea Tract to be located north of US 17 and west of Hoover Road in Hampstead, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development, anticipated to be completed in 2019, is expected to consist of 135 single-family homes and 264 apartments.

Site access is proposed via one full movement site access on Hoover Road, and one full movement site access to Arrow Wood Road that connects to US 17. The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2016) Traffic Conditions
- Background (2019) Traffic Conditions with TIP U-5732
- Background (2019) Traffic Conditions without TIP U-5732
- Combined (2019) Traffic Conditions with TIP U-5732
- Combined (2019) Traffic Conditions without TIP U-5732

**1.1. Site Location and Study Area**

The development is proposed to be located north of US 17 and west of Hoover Road in Hampstead, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Wilmington Metropolitan Planning Organization (WMPO) and consists of the following existing intersections:

- US 17 and Hoover Road
- US 17 and Arrow Wood Road

Scoping for the project was coordinated with the WMPO. It should be noted that the existing section of US 17 within the study area is planned to become a superstreet with the completion of the NCDOT State Transportation Improvement Program (STIP or TIP) U-5732. To analyze the future roadway geometry of US 17, the background and combined conditions consider US 17 both with and without the TIP U-5732 project. In addition to analyzing the main intersection, the subsequent U-turn locations are also analyzed.

### **1.2. Proposed Land Use and Site Access**

The proposed development, anticipated to be completed in 2019, is expected to consist of 135 single-family homes and 264 apartments.

Site access is proposed via one full movement site access on Hoover Road, and one full movement site access to Arrow Wood Road that connects to US 17. Refer to Figure 2 for a copy of the preliminary site plan.

### **1.3. Adjacent Land Uses**

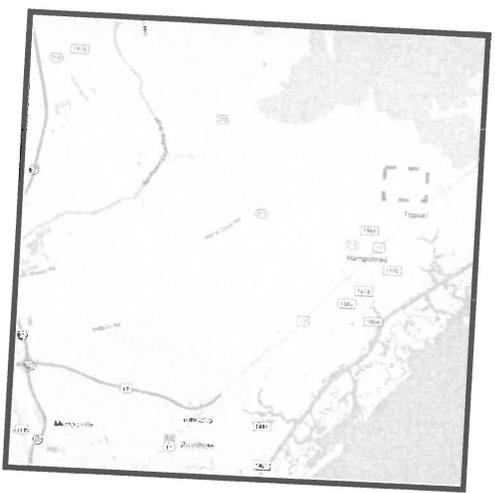
Based on coordination with the NCDOT and the WMPO, there are no adjacent land uses to consider for the proposed development.

### **1.4. Existing Roadways**

NC 17 is a four-lane roadway running in an east-west direction with a posted speed limit of 45 miles per hour (mph) within the study area. Based on the most recent data (2013) from the NCDOT, US 17 had an AADT volume of 37,000 vehicles per day (vpd) within the study area.

Hoover Road is a two-lane roadway running in a north-south direction with a posted speed limit of 45 mph within the study area. Based on the most recent data (2013) from the NCDOT, Hoover Road had an AADT volume of 3,700 vpd within the study area.

Arrow Wood Road is a two-lane roadway running in a north-south direction with no posted speed limit in the study area. For the purpose of this study, it was analyzed to have a speed limit of 35 mph. Based on the current traffic counts from 2016, and assuming that the peak hour volume is 10% of the average daily traffic, Arrow Wood Road has a daily volume of approximately 1,200 vpd within the study area.



**LEGEND**

-  Proposed Site Location
-  Study Intersection
-  Study Area



**RAMEY KEMP  
&  
ASSOCIATES**  
TRANSPORTATION ENGINEERS

Lea Tract  
Hampstead, NC

Site Location Map

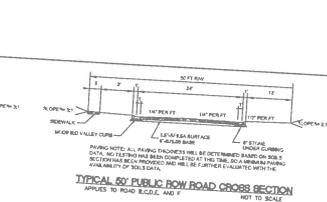
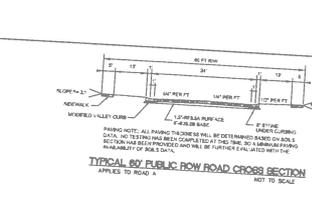
Scale: Not to Scale      Figure 1

**SITE INFORMATION**  
 COUNTY: HAMPSTEAD  
 ZONING: R-10  
 PROPOSED ZONING: R-10  
 PROPOSED LOTS: 135  
 PROPOSED UNITS: 244  
 SINGLE FAMILY DETACHED & APARTMENTS  
 TOTAL SITE AREA: 10.0 ACRES  
 APPLICANT INFORMATION: DRC HAMPSTEAD, LLC  
 DESIGNER: DRC HAMPSTEAD, LLC

**OPEN SPACE REQUIREMENTS**  
 PROVIDED: 25% OF THE TOTAL SITE AREA SHALL BE MAINTAINED AS OPEN SPACE. THIS OPEN SPACE SHALL BE MAINTAINED AS PASTURE OR OPEN SPACE. THE OPEN SPACE SHALL BE MAINTAINED AS PASTURE OR OPEN SPACE. THE OPEN SPACE SHALL BE MAINTAINED AS PASTURE OR OPEN SPACE.

**UTILITIES**  
 1. WATER UTILITIES SHALL BE COORDINATED WITH HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE WATER MAINS AND SERVICE LINES.  
 2. SANITARY UTILITIES SHALL BE COORDINATED WITH HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE SANITARY MAINS AND SERVICE LINES.  
 3. STORMWATER UTILITIES SHALL BE COORDINATED WITH HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE STORMWATER MAINS AND SERVICE LINES.

**PROJECT ROAD NOTES**  
 1. ALL RIGHTS OF WAY SHALL BE CONVEYED TO HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE RIGHTS OF WAY.  
 2. ALL RIGHTS OF WAY SHALL BE CONVEYED TO HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE RIGHTS OF WAY.  
 3. ALL RIGHTS OF WAY SHALL BE CONVEYED TO HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE RIGHTS OF WAY.



**UNIT TOTALS**

SINGLE FAMILY	135 UNITS
APARTMENTS	244 UNITS
TOTAL UNITS	379 UNITS

**PROPOSED DEVELOPMENT AREA PER ACRE**

Single Family	1.00
Apartment	1.00
Open Space	1.00
Other	1.00

**Density Calculations**

Single Family	135
Apartment	244
Total	379

**EXCEPTIONAL DESIGN**  
 1. THE PROJECT DESIGNER SHALL SUBMIT AN EXCEPTIONAL DESIGN REPORT TO THE HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE EXCEPTIONAL DESIGN REPORT.  
 2. THE EXCEPTIONAL DESIGN REPORT SHALL BE SUBMITTED TO THE HAMPSTEAD COUNTY ENGINEER AND BEHOLDERS OF THE PROJECT SHALL BE RESPONSIBLE FOR THE COST OF THE EXCEPTIONAL DESIGN REPORT.

**WETLANDS DELINEATION NOTES**  
 1. WETLANDS DELINEATION WAS PERFORMED BY [NAME] ON [DATE].  
 2. WETLANDS DELINEATION WAS PERFORMED BY [NAME] ON [DATE].  
 3. WETLANDS DELINEATION WAS PERFORMED BY [NAME] ON [DATE].

**EXISTING 10' DEPTH PAVEMENT & ASSOCIATED DRIVE TO REMAIN**  
 1. EXISTING 10' DEPTH PAVEMENT & ASSOCIATED DRIVE TO REMAIN.  
 2. EXISTING 10' DEPTH PAVEMENT & ASSOCIATED DRIVE TO REMAIN.  
 3. EXISTING 10' DEPTH PAVEMENT & ASSOCIATED DRIVE TO REMAIN.



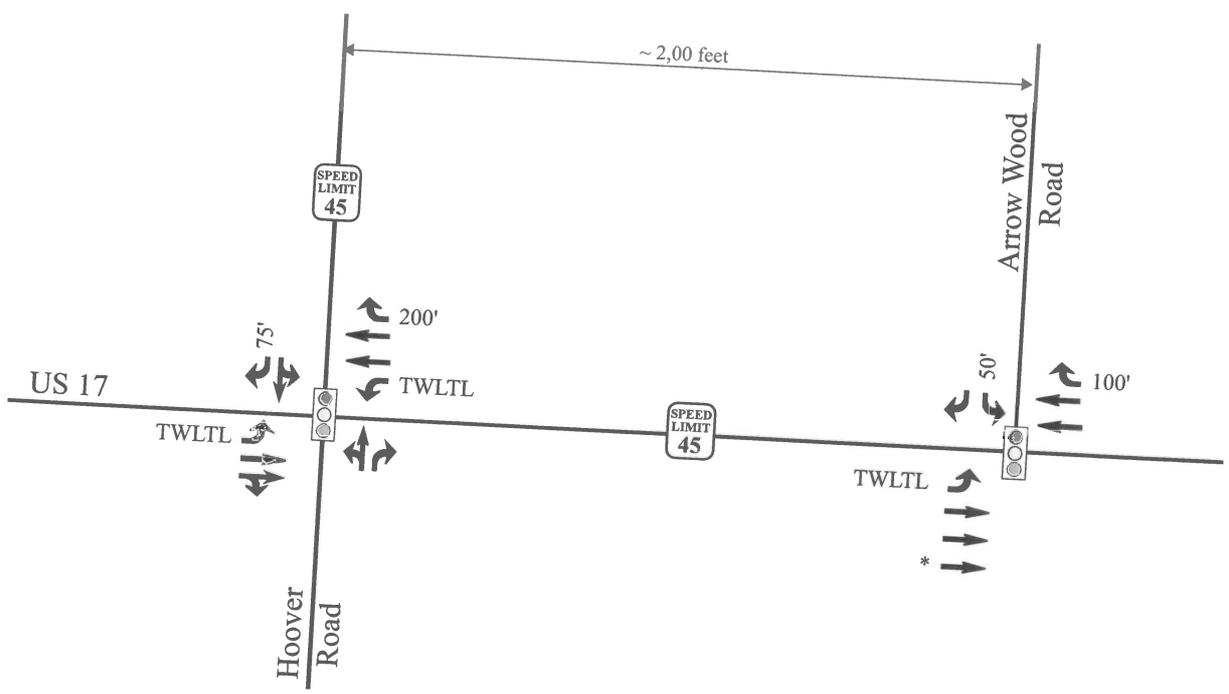
**PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION**  
 CONDITIONAL REZONING  
 SITE PLAN  
 US HWY 101 S BEND  
 HAMPSTEAD  
 NORTH CAROLINA  
 DRC HAMPSTEAD, LLC  
 60 CREGORY RD., SUITE 101  
 HAMPSTEAD, NC 27536  
 919.724.1111  
 SCALE: 1"=100'  
 DATE: 11/17/20

**LEGEND**

-  Signalized Intersection
-  Existing Lane
-  Storage (In Feet)
- TWLTL Two Way Left Turn Lane
-  Posted Speed Limit



\* Right-turn lane that extends ~900 feet past study intersection is analyzed as an additional through lane



Lea Tract  
Hampstead, NC

Existing (2016)  
Lane Configurations

Scale: Not to Scale

Figure 3

## **2. EXISTING (2016) PEAK HOUR CONDITIONS**

### **2.1 Existing (2016) Peak Hour**

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections listed below, in June of 2016 by RKA during a typical weekday AM (6:30 AM – 8:30 AM) and PM (4:00 PM – 6:00 PM) peak periods:

- US 17 and Hoover Road
- US 17 and Arrow Wood Road

Traffic volumes were balanced between intersections, where appropriate. Refer to Figure 4 for existing (2016) weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix A of this report.

### **2.1. Analysis of Existing (2016) Peak Hour Traffic**

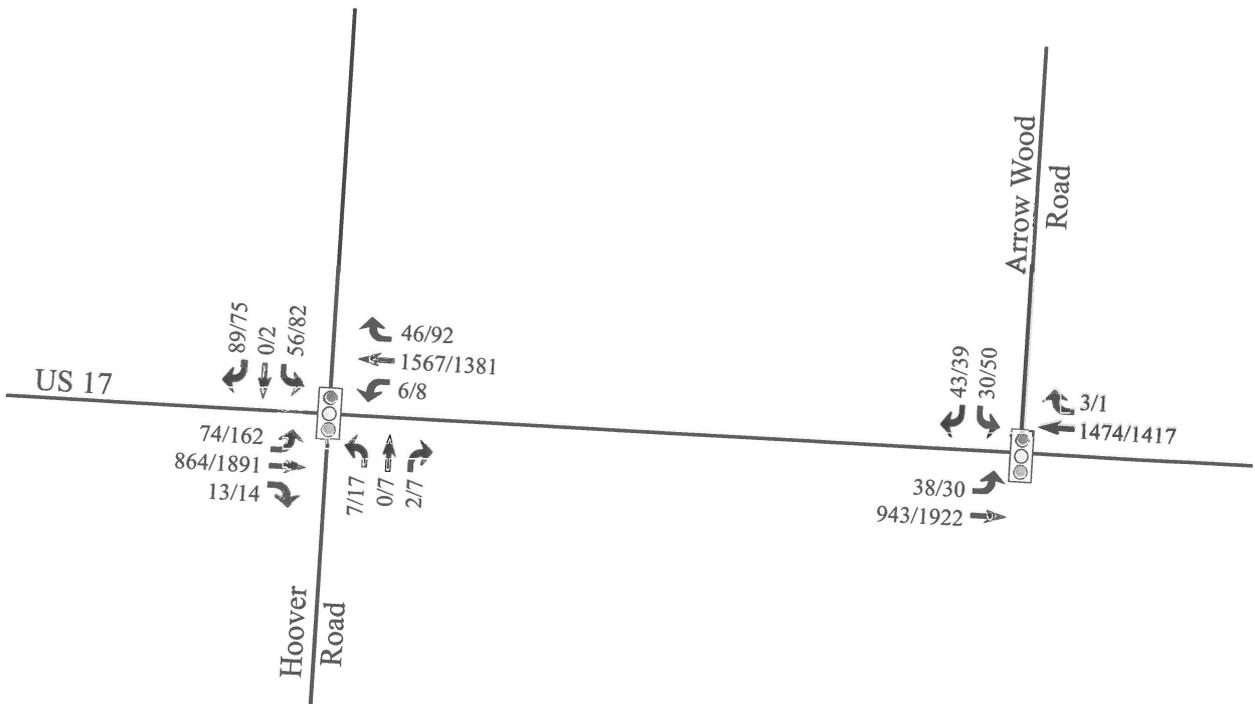
The existing (2016) weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix B. The results of the analysis are presented in Section 7 of this report.

**LEGEND**



Signalized Intersection

X / Y → AM / PM Peak Hour Traffic



**RAMEY KEMP & ASSOCIATES**  
TRANSPORTATION ENGINEERS

Lea Tract  
Hampstead, NC

Existing (2016)  
Peak Hour Traffic

Scale: Not to Scale

Figure 4

### **3. BACKGROUND (2019) PEAK HOUR CONDITIONS**

In order to account for growth of traffic and subsequent traffic conditions at a future year, background traffic projections are needed. Background traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. Background traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

#### **3.1. Ambient Traffic Growth**

Through coordination with the WMPO and NCDOT, it was determined that an annual growth rate of 1% would be used to generate projected (2019) weekday AM and PM peak hour traffic volumes.

#### **3.2. Adjacent Development Traffic**

Through coordination with the WMPO, it was determined that no adjacent developments are to be considered in the study.

#### **3.3. Future Roadway Improvements**

Based on coordination with the NCDOT and the WMPO, the NCDOT TIP U-5732 project is to be considered as a future roadway improvement. TIP U-5732 is planned to convert US 17 to a superstreet from Washington Acres Road to Sloop Point Loop Road, adding a median along US 17 through the study area and providing corresponding U-turns for left-turn movements. Refer to Appendix C for the current concept plans for TIP U-5732.

#### **3.4. Background (2019) Peak Hour Traffic Volumes**

Background traffic conditions consider two scenarios. The first background scenario considers the TIP U-5732 project, which is expected to be completed at the same time as Lea Tract. The second scenario does not consider the TIP U-5732 project. The same analysis year was used for both scenarios.

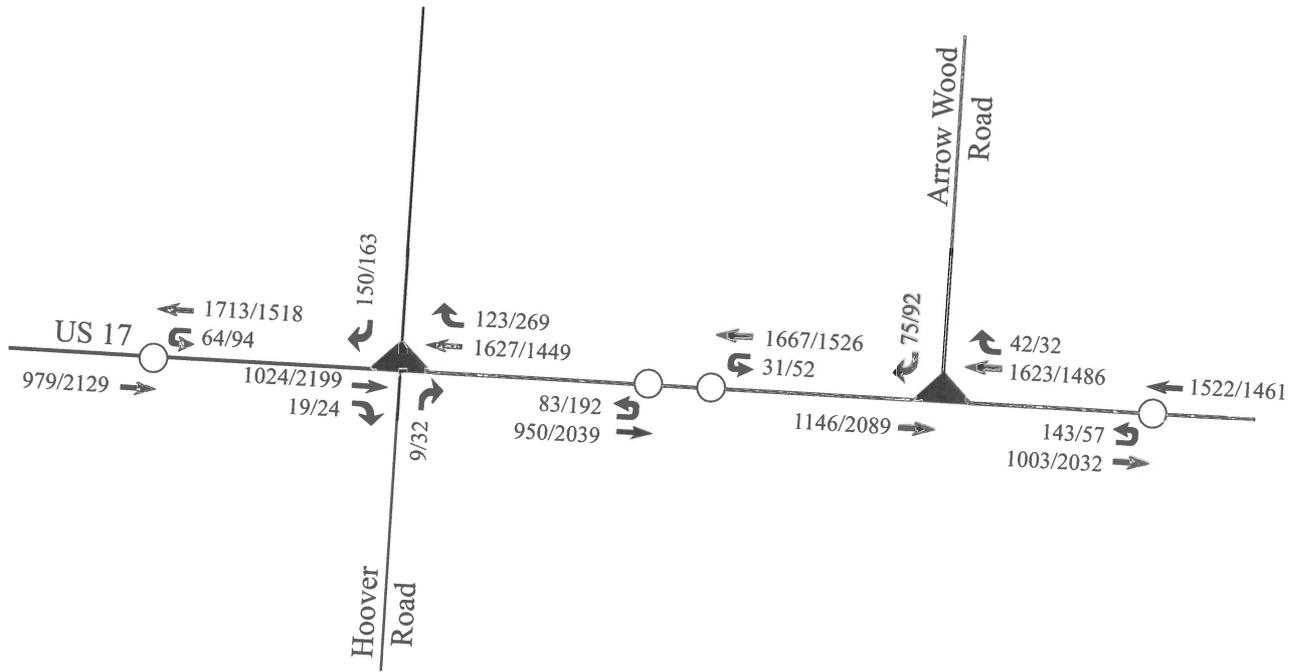
The background (2019) traffic volumes were determined by projecting the existing (2016) peak hour traffic to the year 2019. Refer to Figures 5 (with TIP U-5732) and 6 (without TIP U-5732) for an illustration of the background (2019) peak hour traffic volumes at the study intersections.

**3.5. Analysis of Background (2019) Peak Hour Traffic Conditions**

The background (2019) weekday AM and PM peak hour traffic volumes at the study intersections were analyzed both with and without signal, lane, and volume changes associated with the TIP U-5732 project. The analysis results are presented in Section 7 of this report.

**LEGEND**

- Unsignalized Intersection
- ▲ Right-In/Right-Out Intersection
- X/Y → AM / PM Peak Hour Traffic



**RAMEY KEMP & ASSOCIATES**  
TRANSPORTATION ENGINEERS

Lea Tract  
Hampstead, NC

Background (2019)  
Peak Hour Traffic  
with TIP U-5732

Scale: Not to Scale

Figure 5

**LEGEND**



Signalized Intersection

X / Y → AM / PM Peak Hour Traffic



**RAMEY KEMP & ASSOCIATES**  
TRANSPORTATION ENGINEERS

Lea Tract  
Hampstead, NC

Background (2019)  
Peak Hour Traffic  
without TIP U-5732

Scale: Not to Scale

Figure 6

**4. SITE TRIP GENERATION AND DISTRIBUTION**

**4.1. Trip Generation**

The proposed development is expected to consist of approximately 135 single-family detached homes and 264 apartment units. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 9th Edition. Table 1 provide a summary of the trip generation potential for the sites.

**Table 1: Trip Generation Summary**

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single Family Homes (210)	135 dwellings	1,290	25	76	85	50
Apartments (220)	264 dwellings	1,730	27	106	106	57
<b>Total Trips</b>		<b>3,020</b>	<b>52</b>	<b>182</b>	<b>191</b>	<b>107</b>

It is estimated that the proposed development will generate 3,020 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 234 trips (52 entering and 182 exiting) will occur during the AM peak hour and 298 (191 entering and 107 exiting) will occur during the PM peak hour.

**4.2. Diverted Traffic**

Diverted traffic volumes must be considered to better estimate the future traffic volumes. The current concept plans for TIP U-5732 project show the intersections of US 17 and Hoover Road, and US 17 and Arrow Wood Road as restricted unsignalized right-in / right-out intersections. A median will be installed with two eastbound and two westbound unsignalized U-turn intersections within the study area. Background traffic volumes will be diverted to use the U-turn intersections where appropriate. Refer to Figure 5 for an illustration of the background (2019) peak hour traffic with TIP U-5732. Refer to Appendix C for the current concept plans of TIP U-5732.

#### 4.3. Site Trip Distribution and Assignment

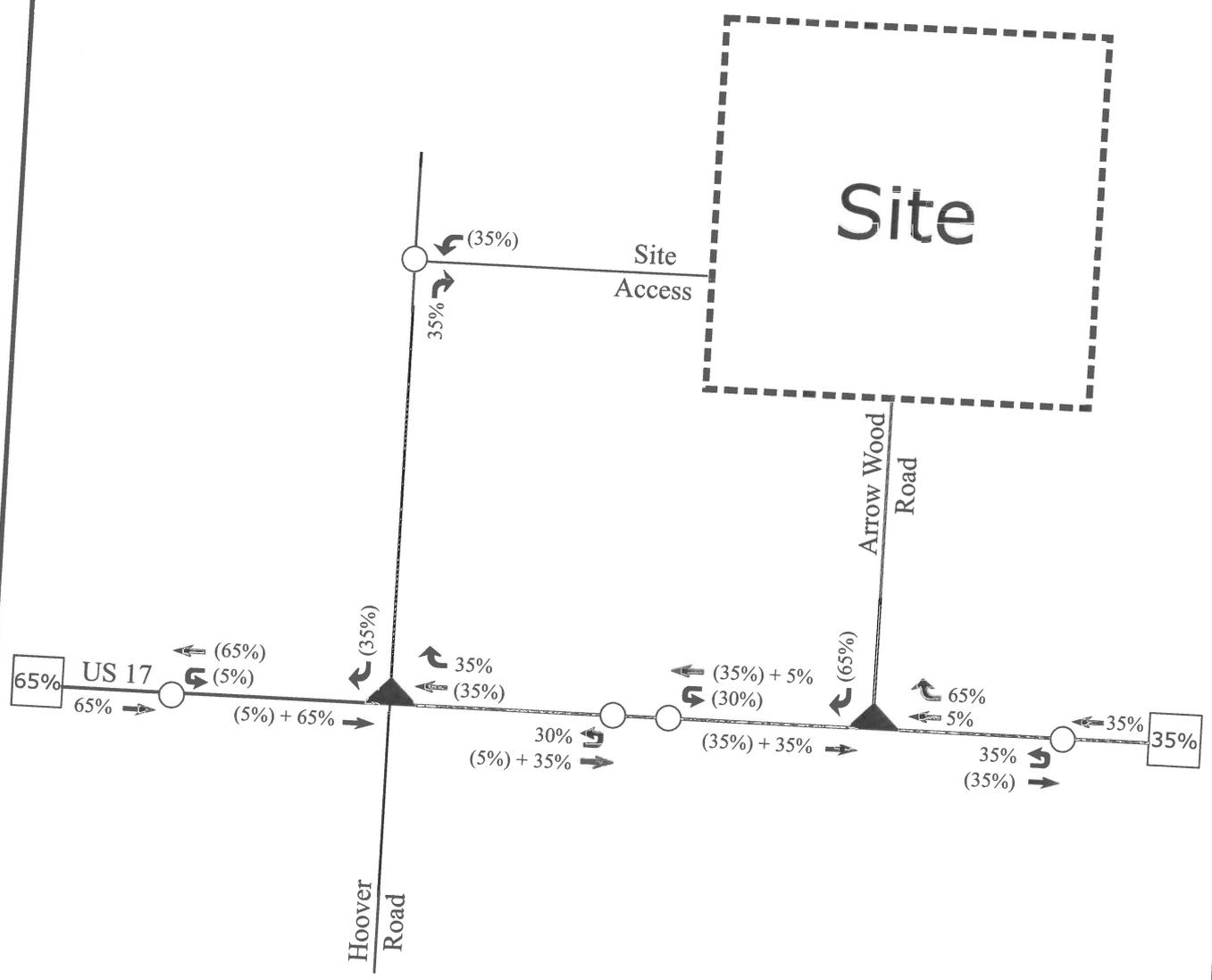
Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment. It is estimated that residential trips will be distributed as follows:

- 65% to/from the west via US 17
- 35% to/from the west via US 17

The site trip distributions are shown in Figure 7 (with TIP U-5732) and Figure 8 (without TIP U-5732). Refer to Figure 9 (with TIP U-5732) and Figure 10 (without Tip U-5732) for the site trip assignments.

**LEGEND**

- Unsignalized Intersection
- ▲ Right-In/Right-Out Intersection
- X% → Entering Trip Distribution
- (Y%) → Exiting Trip Distribution
- XX% Regional Trip Distribution



Lea Tract  
Hampstead, NC

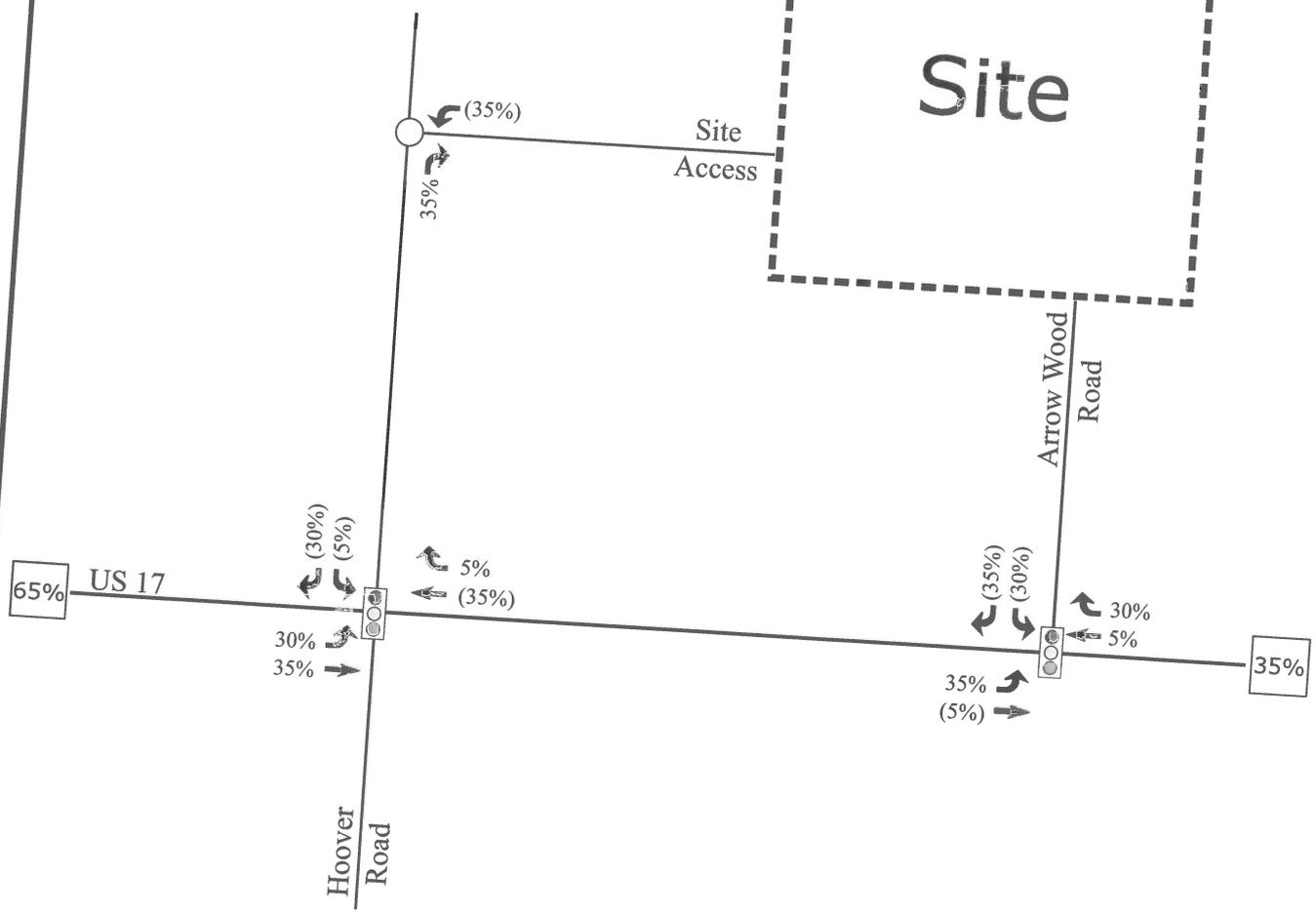
Site Trip Distribution  
with TIP U-5732

Scale: Not to Scale

Figure 7

**LEGEND**

- Unsignalized Intersection
- ◫ Signalized Intersection
- X% → Entering Trip Distribution
- (Y%) → Exiting Trip Distribution
- ◻ XX% Regional Trip Distribution



**RAMEY KEMP & ASSOCIATES**  
TRANSPORTATION ENGINEERS

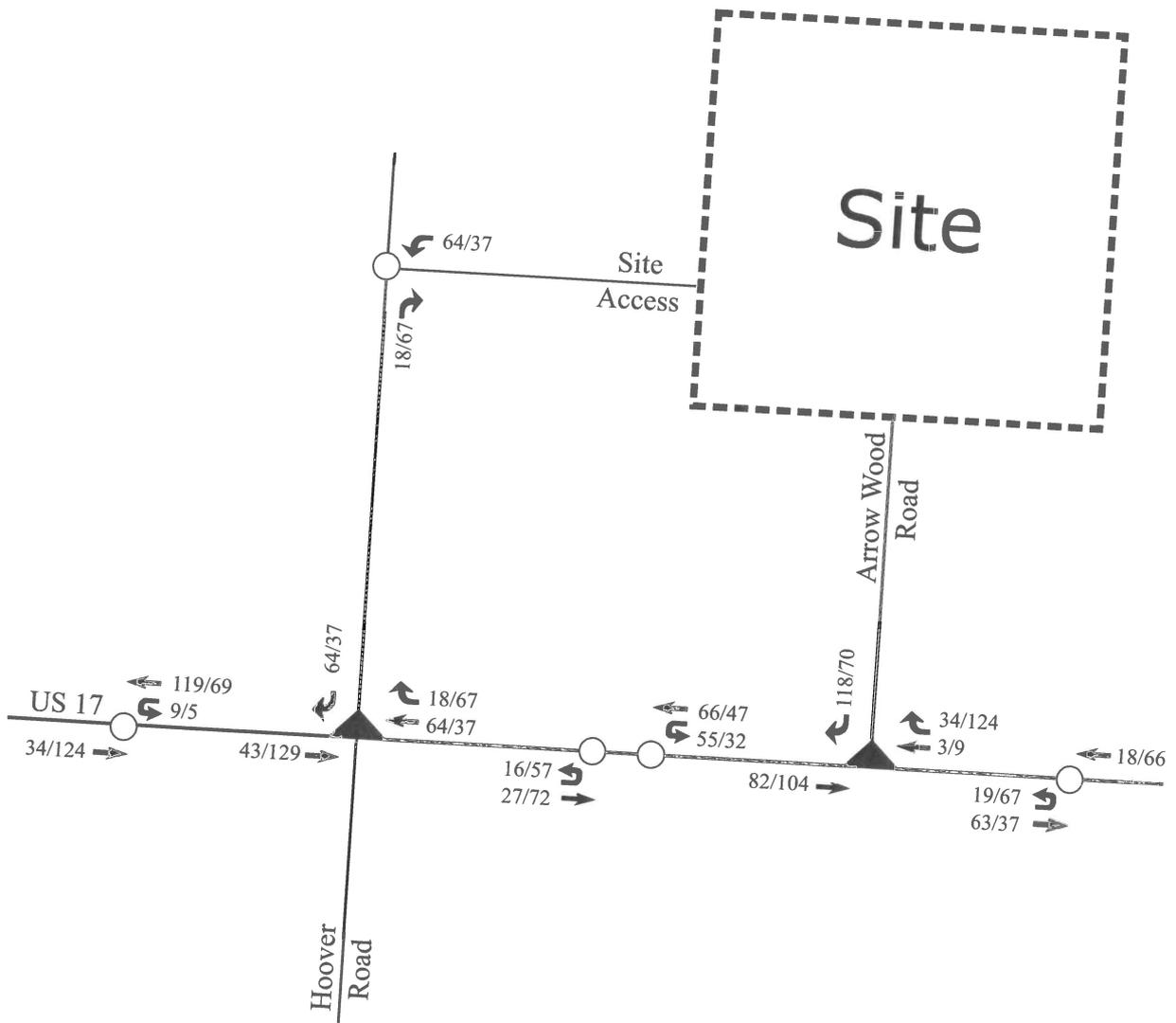
Lea Tract  
Hampstead, NC

Site Trip Distribution  
without TIP U-5732

Scale: Not to Scale      Figure 8

**LEGEND**

- Unsignalized Intersection
- ▲ Right-In/Right-Out Intersection
- X/Y → AM / PM Site Trips



Lea Tract  
Hampstead, NC

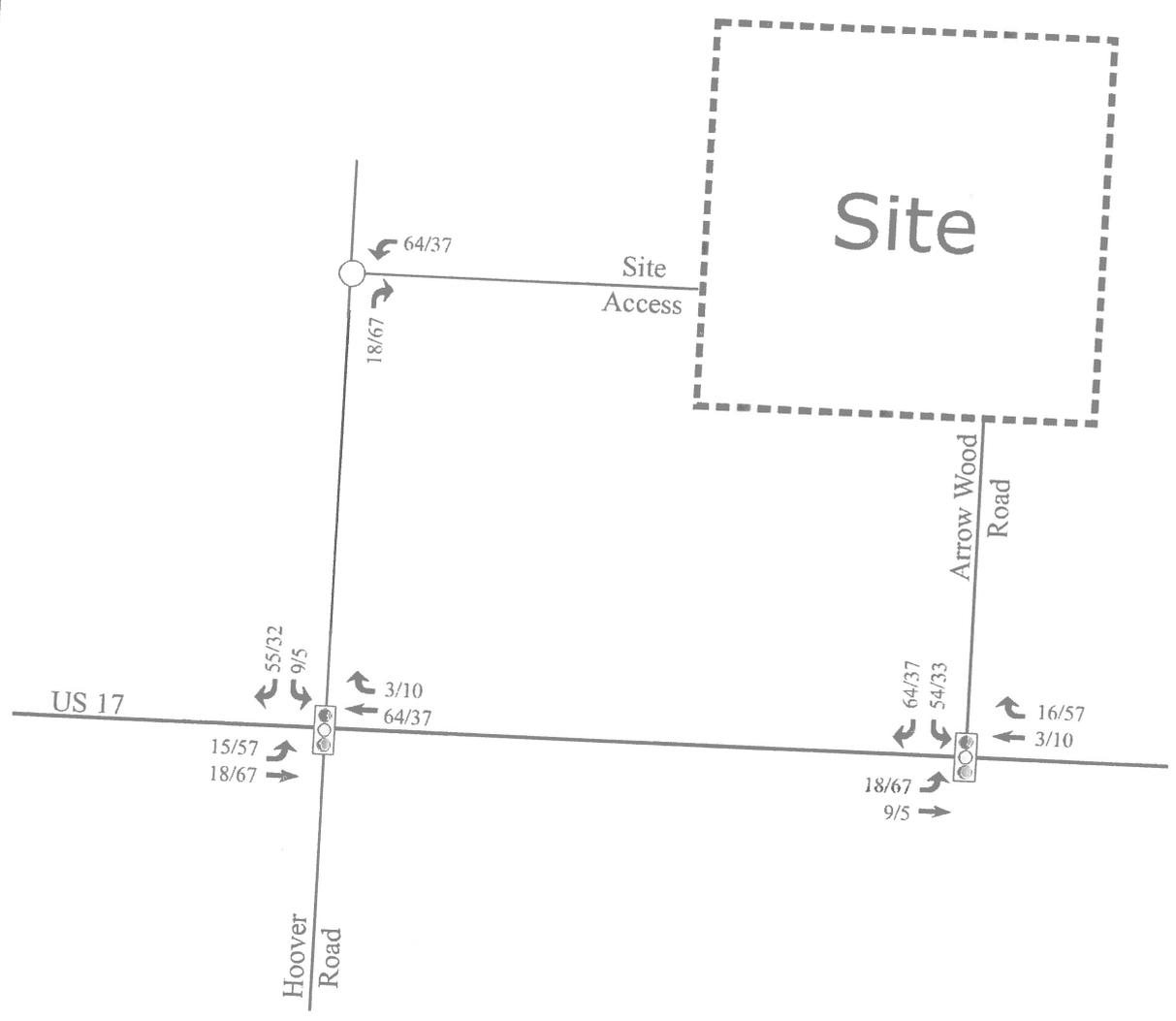
Site Trip Assignment  
with TIP U-5732

Scale: Not to Scale

Figure 9

**LEGEND**

- Unsignalized Intersection
- ◫ Signalized Intersection
- X/Y → AM / PM Site Trips



Lea Tract  
Hampstead, NC

Site Trip Assignment  
without TIP U-5732

Scale: Not to Scale      Figure 10

**5. COMBINED (2019) TRAFFIC CONDITIONS**

**5.1. Combined (2019) Peak Hour Traffic Volumes**

To estimate traffic conditions with the site developed and with the TIP U-5732 project completed, the total site trips were added to the background (2019) traffic volumes with the TIP U-5732 project to determine the combined (2019) traffic volumes with the TIP U-5732 project. Refer to Figure 11 for an illustration of the combined (2019) peak hour traffic volumes with the TIP U-5732 project.

To estimate traffic conditions with the site developed without the TIP U-5732, the total site trips were added to the background (2019) traffic volumes without the TIP U-5732 project to determine the combined (2019) traffic volumes without the TIP U-5732 project. Refer to Figure 12 for an illustration of the combined (2019) peak hour traffic volumes without the TIP U-5732 project.

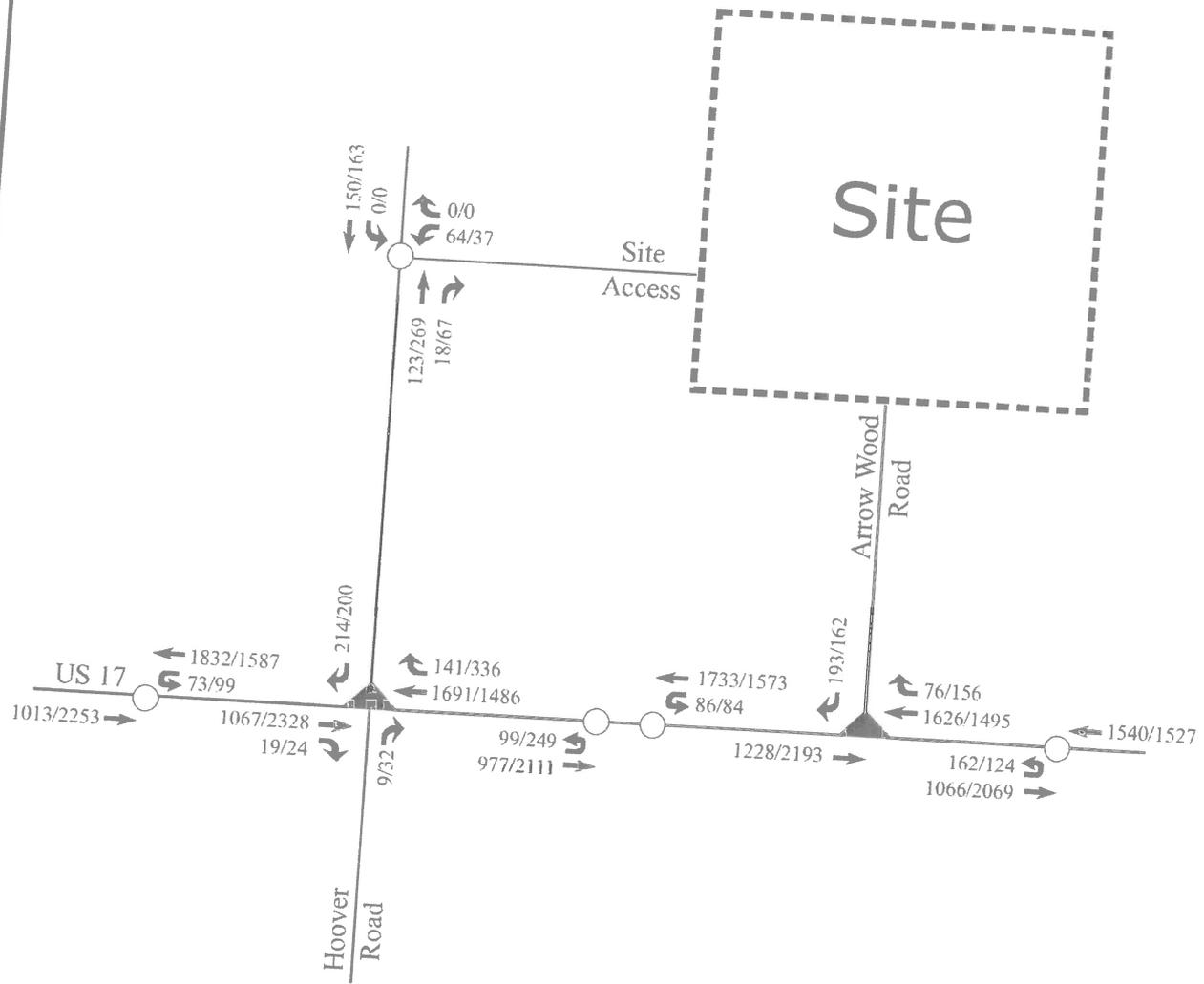
**5.2. Analysis of Combined (2019) Peak Hour Traffic**

Study intersections were analyzed with both the combined (2019) traffic volumes with and without the TIP U-5732 project using the same methodology previously discussed for existing and background traffic conditions.

The analysis results are presented in Section 7 of this report. Refer to Appendices E-I for the detailed capacity results at each intersection.

**LEGEND**

- Unsignalized Intersection
- ▲ Right-In/Right-Out Intersection
- X/Y → AM / PM Peak Hour Traffic



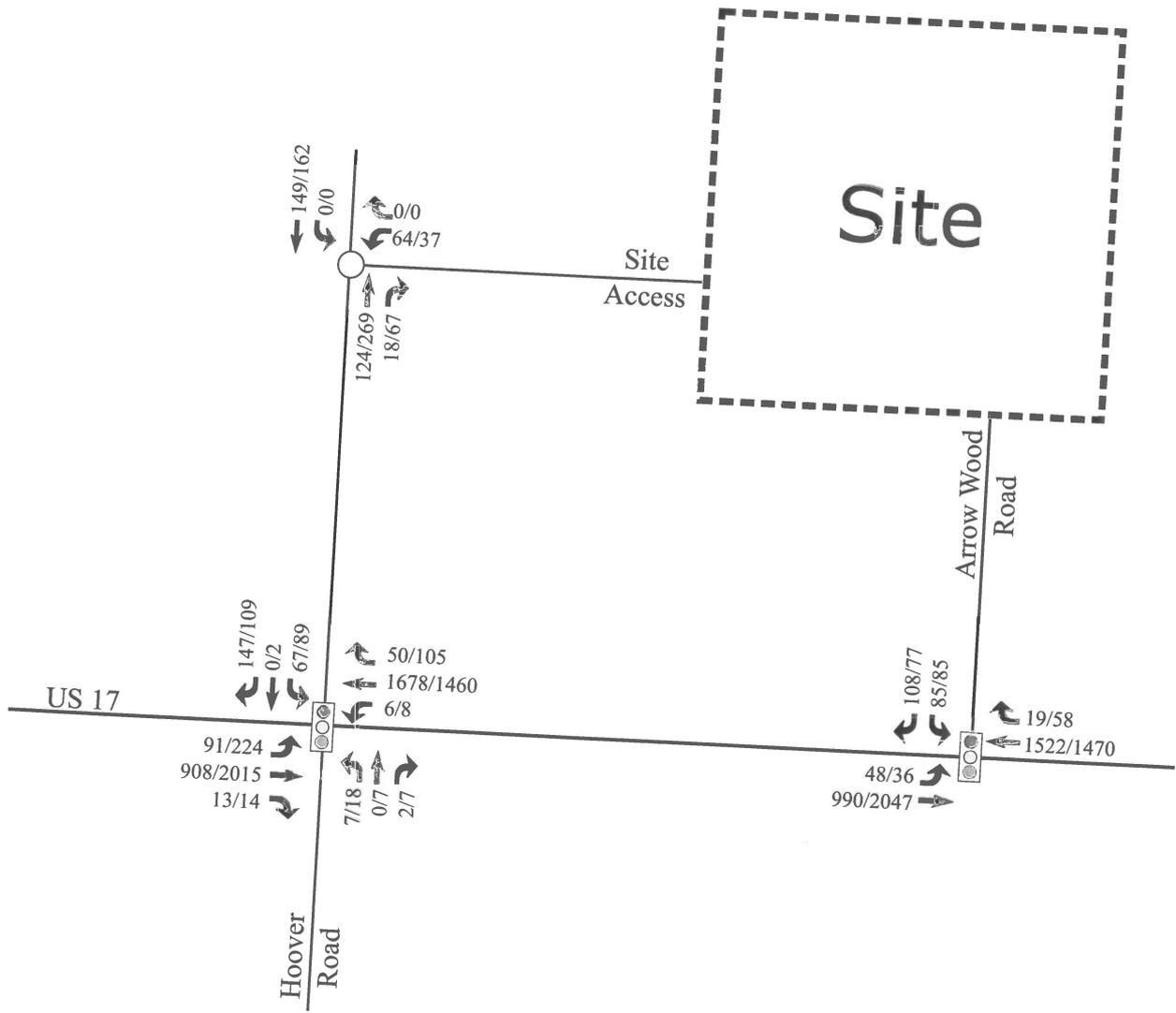
Lea Tract  
Hampstead, NC

Combined (2019)  
Peak Hour Traffic  
with TIP U-5732

Scale: Not to Scale | Figure 11

**LEGEND**

- Unsignalized Intersection
- ◫ Signalized Intersection
- X / Y → AM / PM Peak Hour Traffic



Lea Tract  
Hampstead, NC

Combined (2019)  
Peak Hour Traffic  
without TIP U-5732

Scale: Not to Scale | Figure 12

## 6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the 2010 Highway Capacity Manual (HCM) published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 9.1), was used to complete the analyses for most of the study area intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions, and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 3 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

**Table 2: Highway Capacity Manual – Levels-of-Service and Delay**

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

### 6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestions Management Guidelines.

7. CAPACITY ANALYSIS

7.1. US 17 and Hoover Road

The signalized intersection of US 17 and Hoover Road was analyzed under existing (2016) traffic conditions with existing (2016) lane configurations and traffic control. Background (2019) and combined (2019) traffic conditions were analyzed both with and without signal, lane, and volume changes associated with the TIP U-5732 project. Refer to Table 3 for a summary of the analysis results. Refer to Appendix D for the Synchro capacity analysis reports.

Table 3: Analysis Summary of US 17 and Hoover Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (sec)	Approach	Overall (sec)
Existing (2016) Conditions	EB WB NB SB	1 LT, 1 TH, 1 TH-RT 1 LT, 2 TH, 1 RT 1 LT-TH, 1 RT 1 LT-TH, 1RT	A B D D	B (16)	B B D D	B (16)
Background (2019) Conditions (without TIP U-5732)	EB WB NB SB	1 LT, 1 TH, 1 TH-RT 1 LT, 2 TH, 1 RT 1 LT-TH, 1 RT 1 LT-TH, 1RT	A B D D	B (16)	B B D D	B (17)
Combined (2019) Conditions (without TIP U-5732)	EB WB NB SB	1 LT, 1 TH, 1 TH-RT 1 LT, 2 TH, 1 RT 1 LT-TH, 1 RT 1 LT-TH, 1RT	A C D D	B (18)	B B D D	B (20)
Background (2019) Conditions (with TIP U-5732)	EB WB NB SB	1 TH, 1 TH-RT 2 TH, 1 RT 1 RT 1 RT	-- -- B <sup>1</sup> E <sup>1</sup>	N/A	-- -- D <sup>1</sup> D <sup>1</sup>	N/A
Combined (2019) Conditions (with TIP U-5732)	EB WB NB SB	1 TH, 1 TH-RT 2 TH, 1 RT 1 RT 1 RT	-- -- B <sup>1</sup> F <sup>1</sup>	N/A	-- -- E <sup>1</sup> E <sup>1</sup>	N/A
Combined (2019) Conditions with Signalization (with TIP U-5732)	EB WB NB SB	1 TH, 1 TH-RT 2 TH, 1 RT 1 RT 1 RT	-- B -- D	B (15)	-- B -- C	B (13)

1. Level of service for minor-street approach  
TIP U-5732 improvements to lane configurations and recommended signalizations are shown in bold.

Capacity analysis of existing (2016) conditions indicates the intersection of US 17 and Hoover Road currently operates at an overall LOS B in both the weekday AM and PM peak hours. Under background (2019) and combined (2019) conditions (without TIP U-5732) the intersection is expected to continue operating at an overall LOS B during both weekday peak hours.

Under background (2019) conditions (with TIP U-5732) the southbound approach is expected to operate at LOS E during the weekday AM peak hour and LOS D during the PM peak hour. Under combined (2019) conditions (with TIP U-5732) the southbound approach is expected to drop to LOS F during the AM peak hour and LOS E during the PM peak hour. With the addition of a signal, the intersection is expected to operate at an overall LOS B during the weekday AM peak hour, under combined (2019) conditions (with TIP U-5732).

The current TIP U-5732 plans show the intersection of US 17 and Hoover Road to be an unsignalized right-in / right-out intersection. Due to the delays expected under these conditions, signalization was considered and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). Under combined (2019) traffic volumes, both weekday AM and PM peak hours warrant a signal. It should be noted that under background (2019) traffic volumes both weekday peak hours warrant a signal. The intersection should be monitored with the completion of TIP U-5732 and a signal should be installed when warranted.

**7.2. US 17 and Arrow Wood Road**

The signalized intersection of US 17 and Arrow Wood Road was analyzed under existing (2016) traffic conditions with the existing lane configurations and traffic control. Background (2019) and combined (2019) traffic conditions were analyzed both with and without signal, lane, and volume changes associated with the TIP U-5732 project. Refer to Table 4 for a summary of the analysis results. Refer to Appendix E for the Synchro capacity analysis reports.

**Table 4: Analysis Summary of US 17 and Arrow Wood Road**

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (sec)	Approach	Overall (sec)
Existing (2016) Conditions	EB WB SB	1 LT, 3 TH* 2 TH, 1 RT 1 LT, 1 RT	A B D	A (10)	A B D	A (10)
Background (2019) Conditions (without TIP U-5732)	EB WB SB	1 LT, 3 TH* 2 TH, 1 RT 1 LT, 1 RT	A B D	A (10)	A B D	A (10)
Combined (2019) Conditions (without TIP U-5732)	EB WB SB	1 LT, 3 TH* 2 TH, 1 RT 1 LT, 1 RT	A B E	B (12)	A B D	B (11)
Background (2019) Conditions (with TIP U-5732)	EB WB SB	2 TH 1 TH, 1 TH-RT 1 RT	-- -- C <sup>1</sup>	N/A	-- -- C <sup>1</sup>	N/A
Combined (2019) Conditions (with TIP U-5732)	EB WB SB	2 TH 1 TH, 1 TH-RT 1 RT	-- -- F <sup>1</sup>	N/A	-- -- E <sup>1</sup>	N/A
Combined (2019) Conditions with Signalization (with TIP U-5732)	EB WB SB	1 TH, 1 TH-RT 2 TH 1 RT	-- C D	C (23)	-- C C	C (23)

1. Level of service for minor-street approach.

\* A right-turn lane extends ~900 feet past study intersection and is analyzed as an additional through lane. TIP U-5732 improvements to lane configurations and recommended signalizations are shown in bold.

Capacity analysis of existing (2016) conditions indicates the intersection of US 17 and Arrow Wood Road currently operates at an overall LOS A in both the weekday AM and PM peak hours. Under background (2019) and combined (2019) conditions (without TIP U-5732) intersection LOS is expected to operate at an overall LOS B or better during both weekday peak hours. Under background (2019) conditions (with TIP U-5732) the southbound approach is expected to operate at LOS C during both weekday peak hours.

Under combined conditions (with TIP U-5732) the southbound approach is expected to operate at LOS F during the AM peak hour and LOS E during the PM peak hour. With the addition of a signal, the intersection is expected to operate at an overall LOS C during both weekday peak hours under combined (2019) conditions (with TIP U-5732).

The current TIP U-5732 plans show the intersection of US 17 and Arrow Wood Road to be an unsignalized right-in / right-out intersection. Due to the delays expected under these conditions, signalization was considered and combined (2019) traffic volumes were analyzed utilizing the criteria contained in the Manual on Uniform Traffic Control Devices (MUTCD). Under combined (2019) traffic volumes, both weekday AM and PM peak hours warrant a signal. It should be noted that under background (2019) traffic volumes both weekday peak hours warrant a signal. The intersection should be monitored with the completion of TIP U-5732 and a signal should be installed when warranted.

**7.3. Hoover Road and Site Drive 1**

The proposed full movement site access on Hoover Road was analyzed under combined (2019) conditions with the proposed lane configuration and traffic control. Refer to Table 5 for a summary of the analysis results. Refer to Appendix F for the Synchro capacity analysis reports.

**Table 5: Analysis Summary of Hoover Road and Site Drive 1**

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (sec)	Approach	Overall (sec)
Combined (2019) Conditions (with TIP U-5732)	WB NB SB	1 LT-RT 1 TH-RT 1 TH-LT	B <sup>1</sup> -- --	N/A	B <sup>1</sup> -- --	N/A
Combined (2019) Conditions (without TIP U-5732)	WB NB SB	1 LT-RT 1 TH-RT 1 TH-LT	B <sup>1</sup> -- --	N/A	B <sup>1</sup> -- --	N/A

1. Level of service for minor-street approach.

Capacity analysis of combined (2019) conditions indicates the westbound approach of the intersection of Hoover Road and Site Drive 1 is expected to operate at LOS B during the weekday AM and PM peak hours both with and without TIP-5732.

**7.4. U-Turn Intersections for Hoover Road**

The proposed U-turn locations for Hoover Road were analyzed under background (2019) and combined (2019) traffic conditions with the lane configurations and volume changes associated with the TIP U-5732 project. Refer to Table 6 for a summary of the analysis results. Refer to Appendix G for the Synchro capacity analysis reports.

**Table 6: Analysis Summary of U-Turns for Hoover Road**

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (sec)	Approach	Overall (sec)
Westbound U-Turn Background (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- B <sup>1</sup>	N/A	-- E <sup>1</sup>	N/A
Westbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- B <sup>1</sup>	N/A	-- F <sup>1</sup>	N/A
Eastbound U-Turn Background (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	C <sup>1</sup> --	N/A	E <sup>1</sup> --	N/A
Eastbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D <sup>1</sup> --	N/A	F <sup>1</sup> --	N/A

\*Westbound U-turn was analyzed as a southbound left-turn in the synchro analysis

\*\*Eastbound U-turn was analyzed as a northbound left-turn in the synchro analysis

1. Level of service for minor-street approach

**TIP U-5732 improvements to lane configurations are shown in bold.**

Under background (2019) conditions (with TIP U-5732) the westbound U-turn approach from Hoover Road is expected to operate at LOS B during the weekday AM peak hour and LOS E during the weekday PM peak hour. Under combined (2019) conditions (with TIP U-5732) the westbound U-turn approach is expected to operate at LOS B during the AM peak hour and LOS F during the weekday PM peak hour.

Under background (2019) conditions (with TIP U-5732) the eastbound U-turn approach for Hoover Road is expected to operate at LOS C during the weekday AM peak hour and LOS E during the weekday PM peak hour. Under combined (2019) conditions (with TIP U-5732) the eastbound U-turn approach is expected to operate at LOS D during the weekday AM peak hour and LOS F during the weekday PM peak hour.

It should be noted that with completion of the TIP U-5732 project the SimTraffic simulation displays significant queuing at the westbound U-turn under background (2019) and combined (2019) traffic conditions during weekday PM peak hour. The proposed development is expected to add fewer than 10 vehicles to the westbound U-turn during either weekday peak hour, and is not expected to have a significant contribution to the queuing. In order to mitigate queuing at the westbound U-turn location, a signal may need to be installed with the completion of the TIP U-5732 project, when warranted. It should be noted if a signal is installed at this intersection, it would alleviate the need for a signal at the intersection of US 17 and Hoover Road from a capacity standpoint.

**7.5. U-Turn Intersections for Arrow Wood Road**

The proposed U-turn locations for Arrow Wood Road were analyzed under background (2019) and combined (2019) traffic conditions were analyzed with the lane and volume changes associated with the TIP U-5732 project. Refer to Table 7 for a summary of the analysis results. Refer to Appendix H for the Synchro capacity analysis reports.

**Table 7: Analysis Summary of Westbound U-Turn for Arrow Wood Road**

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (sec)	Approach	Overall (sec)
Westbound U-Turn Background (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- B <sup>1</sup>	N/A	-- D <sup>1</sup>	N/A
Westbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- C <sup>1</sup>	N/A	-- E <sup>1</sup>	N/A
Eastbound U-Turn Background (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D <sup>1</sup> --	N/A	C <sup>1</sup> --	N/A
Eastbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D <sup>1</sup> --	N/A	C <sup>1</sup> --	N/A

\*Westbound U-turn was analyzed as a southbound left-turn in the synchro analysis  
 \*\*Eastbound U-turn was analyzed as a northbound left-turn in the synchro analysis

1. Level of service for minor-street approach  
**TIP U-5732 improvements to lane configurations are shown in bold.**

Under background (2019) conditions (with TIP U-5732) the westbound U-turn approach for Arrow Wood Road is expected to operate at LOS B during the weekday AM peak hour and LOS D during the weekday PM peak hour. Under combined (2019) conditions (with TIP U-5732) the westbound U-turn approach is expected to operate at LOS C during the weekday AM peak hour and LOS E during the weekday PM peak hour.

Under background (2019) and combined (2019) conditions (with TIP U-5732) the eastbound U-turn approach is expected to operate at LOS D or better during both weekday peak hours.

It should be noted that with completion of the TIP U-5732 project the SimTraffic simulation displays significant queuing at the westbound U-turn under background (2019) and combined (2019) traffic conditions during weekday PM peak hour. In order to mitigate queuing at the westbound U-turn location, a signal may need to be installed with the completion of the TIP U-5732 project, when warranted. It should be noted if a signal is installed at this intersection, it would alleviate the need for a signal at the intersection of US 17 and Arrow Wood Road from a capacity standpoint.

## 8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the proposed Lea Tract, located north of US 17, and east of Hoover Road in Hampstead, North Carolina. The proposed development is expected to have residential development and be built out in 2019.

Site access is proposed via one full movement site access on Hoover Road, and one full movement site access to Arrow Wood Road that connects to US 17.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2016) Traffic Conditions
- Background (2019) Traffic Conditions with TIP U-5732
- Background (2019) Traffic Conditions without TIP U-5732
- Combined (2019) Traffic Conditions with TIP U-5732
- Combined (2019) Traffic Conditions without TIP U-5732

It is estimated that the proposed development will generate 3,020 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 234 trips (52 entering and 182 exiting) will occur during the AM peak hour and 298 (191 entering and 107 exiting) will occur during the PM peak hour.

The TIA report indicates the Lea Tract development could cause minor impacts to the adjacent roadway network in comparison to the impacts anticipated by the background growth. Under the scenario with the current planned TIP U-5732 project, it is recommended that the following intersections are monitored for signalization:

- US 17 and Hoover Road
- US 17 and Arrow Wood Road
- US 17 and westbound U-Turn for Hoover Road
- US 17 and westbound U-turn for Arrow Wood Road

## 9. RECOMMENDATIONS

Based on the findings of this study, specific geometric roadway improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figures 13 and 14 for illustrations of the recommended lane configuration.

### Background Improvements:

Improvements at the Westbound U-turn from Hoover Road intersection are recommended in background (2019) conditions (with TIP U-5732), regardless if whether the proposed site is built or not.

#### US 17 and Westbound U-Turn from Hoover Road

- Monitor the intersection for signalization. Install a traffic signal when warranted and coordinate the signal timings with the signal at the intersection of US 17 and NC 210.

### Improvements by NCDOT TIP U-5732:

#### US 17 and Hoover Road

- Restrict intersection to right-in / right-out with stop sign control.
- Construct an unsignalized U-turn location roughly 700 ft west of the intersection of US 17 and Hoover Road. Provide an exclusive U-turn lane on the westbound approach of US 17 with 500 ft of storage and appropriate taper.
- Construct an unsignalized U-turn location roughly 700 ft east of the intersection of US 17 and Hoover Road with stop sign control. Provide an exclusive U-turn lane on the eastbound approach of US 17 with 900 ft of storage and appropriate taper.

#### US 17 and Arrow Wood Road

- Restrict intersection to right-in / right-out with stop-sign control.
- Construct an unsignalized U-turn location roughly 800 ft west of the intersection of US 17 and Arrow Wood Road. Provide an exclusive U-turn lane on the westbound approach of US 17 with 500 ft of storage and appropriate taper.

- Construct an unsignalized U-turn location roughly 1,500 ft east of the intersection of US 17 and Arrow Wood Road. Provide an exclusive U-turn lane on the eastbound approach of US 17 with 500 ft of storage and appropriate taper.

**Recommended Improvements by Lea Tract with TIP U-5732:**

Hoover Road and Site Drive 1

- Construct a westbound approach to provide site access with one ingress lane and one egress lane.
- Provide stop-sign control on the westbound approach of Site Drive 1.

US 17 and Hoover Road

- Monitor the intersection for signalization. Install a traffic signal when warranted and coordinate the signal timings with the signal at the intersection of US 17 and NC 210. \*

\* This signal will no longer be necessary from a capacity standpoint if the US 17 and westbound U-turn from Hoover Road intersection is signalized.

US 17 and Arrow Wood Road

- Provide site access by tying into existing Arrow Wood Road providing one ingress lane and one egress lane.
- Monitor the intersection for signalization. Install a traffic signal when warranted and coordinate the signal timings with the signal at the intersection of US 17 and NC 210. \*\*

\*\* This signal will no longer be necessary from a capacity standpoint if the US 17 and westbound U-turn from Arrow Wood Road intersection is signalized.

US 17 and Westbound U-Turn from Arrow Wood Road

- Monitor the intersection for signalization. Install a traffic signal when warranted and coordinate the signal timings with the signal at the intersection of US 17 and NC 210.

**Recommended Improvements by Lea Tract without TIP U-5732:**

Hoover Road and Site Drive 1

- Construct a westbound approach to provide site access with one ingress lane and one egress lane.
- Provide stop-sign control on the westbound approach of Site Drive 1.

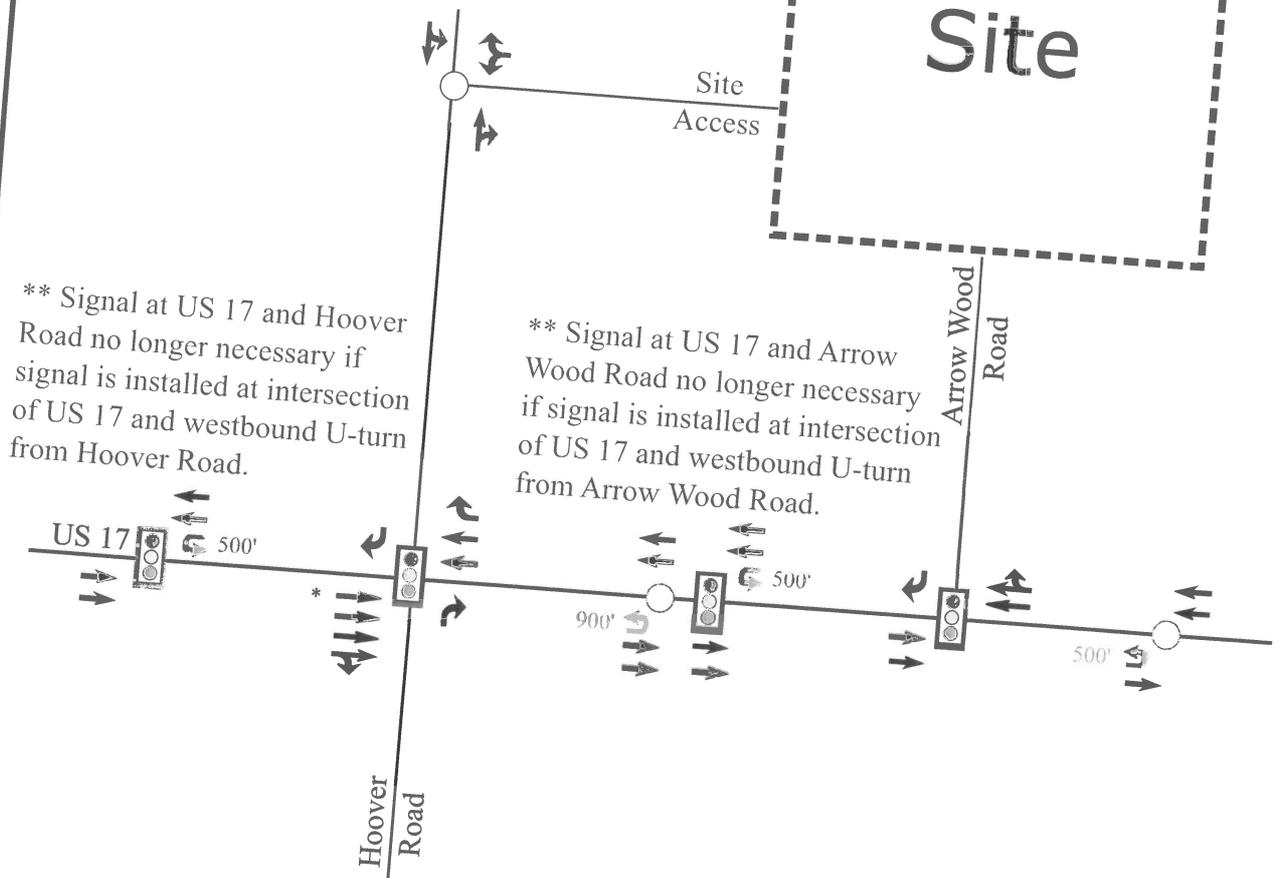
US 17 and Arrow Wood Road

- Provide site access by tying into existing Arrow Wood Road providing one ingress lane and two egress lanes. It should be noted that the pavement provided for the left-turn lane has adequate storage for the expected traffic volumes and the second egress lane can be tapered.

**LEGEND**

- Unsignalized Intersection
- ◫ Signalized Intersection
- ▲ Right-In/Right-Out Intersection
- Existing Lane
- Improvements by NCDOT STIP U-5732
- Background Improvements
- Improvements by Developer
- X' Storage (In Feet)

\* U-turn storage that extends ~200 feet past intersection is illustrated as through lane



Lea Tract  
Hampstead, NC

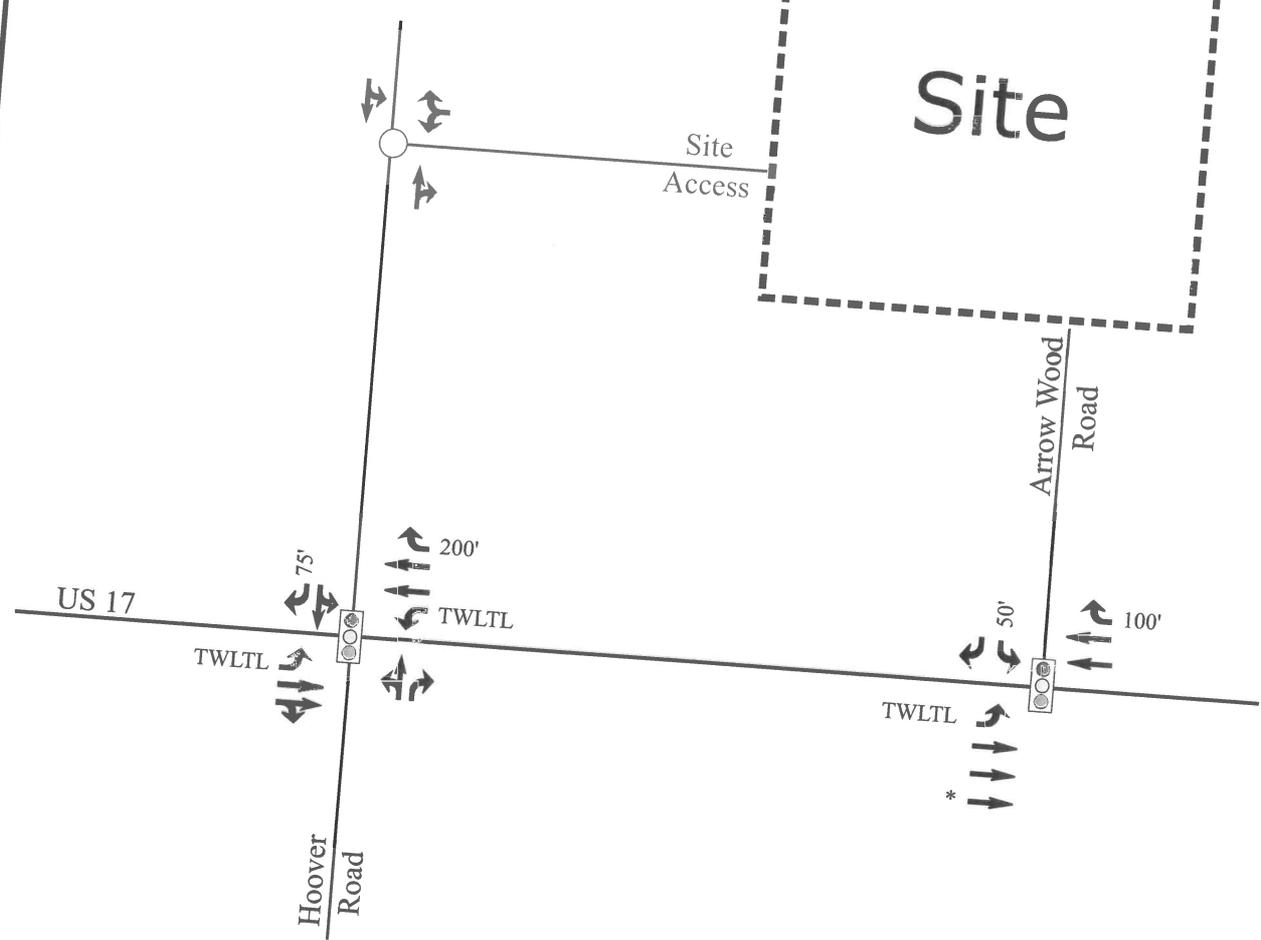
Recommended Lane  
Configurations  
with TIP U-5732

Scale: Not to Scale | Figure 13

**LEGEND**

- Unsignalized Intersection
- ⬮ Signalized Intersection
- ➔ Existing Lane
- X' Storage (In Feet)
- ➔ Improvements by Developer

\* Right-turn lane that extends ~900 feet past study intersection is analyzed as an additional through lane



Lea Tract  
Hampstead, NC

Recommended Lane Configuration without TIP U-5732

Scale: Not to Scale	Figure 14
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Figure 20: Baseline with Sidepath



Figure 25: Residential with Sidepath (one side) or Sidewalks (both sides)

Group 3

<b>Residential with Sidepath (one side) or Sidewalk (both sides)</b>	This facility will include: <ul style="list-style-type: none"><li>• two travel lanes and</li><li>• either a sidepath on one side or</li><li>• sidewalks on both sides.</li></ul>
<b>Baseline with Sidepath</b>	This facility will include: <ul style="list-style-type: none"><li>• two travel lanes and</li><li>• one separated sidepath.</li></ul>



**Applicant:**  
DRC Hampstead, LLC

**Owner:**  
Jesse F. Lea SR, et al

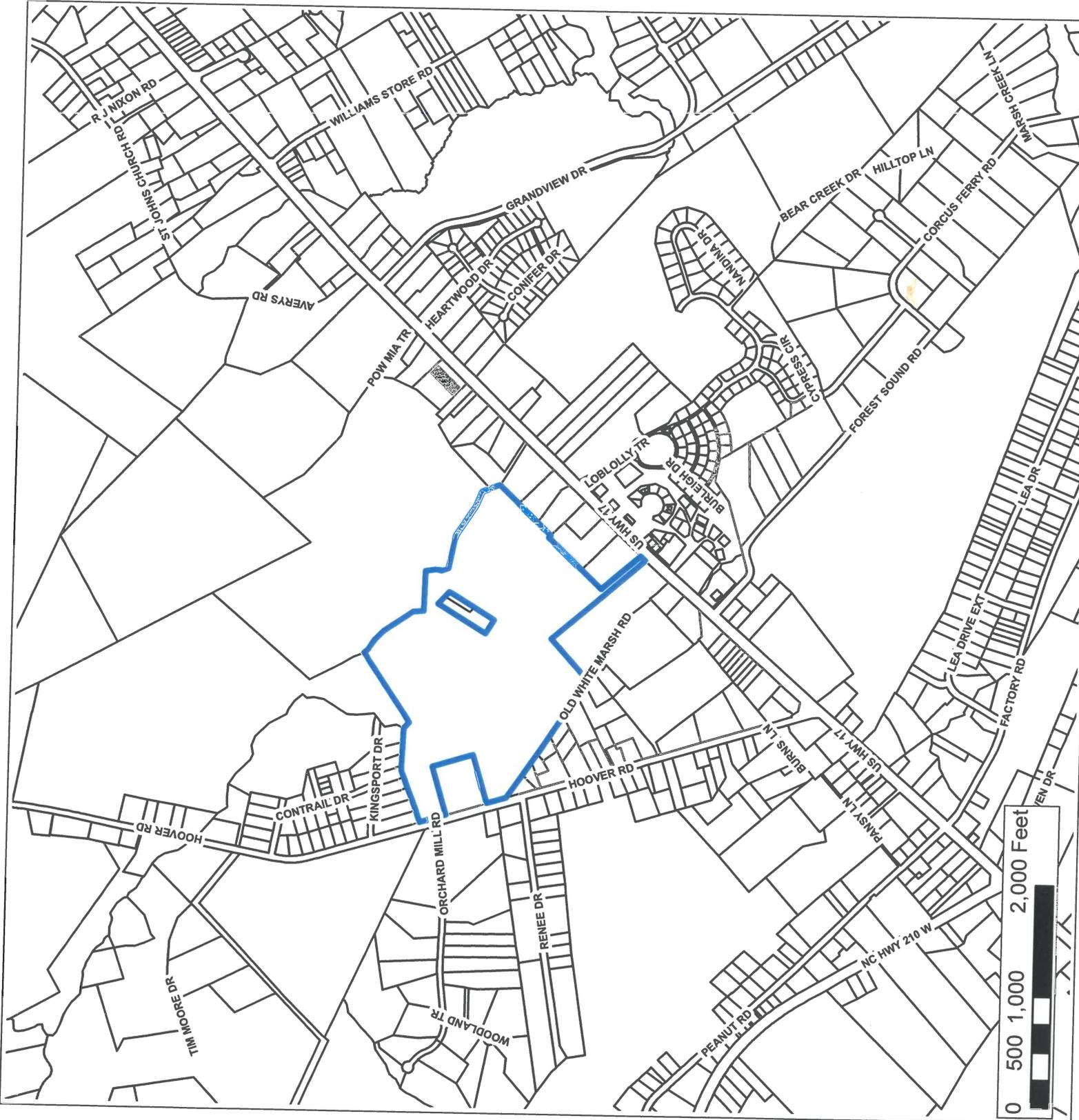
**Conditional  
Map Amendment**

**Case Number:**  
305-2016

**Legend**



**VICINITY**





**Applicant:**  
DRC Hampstead, LLC

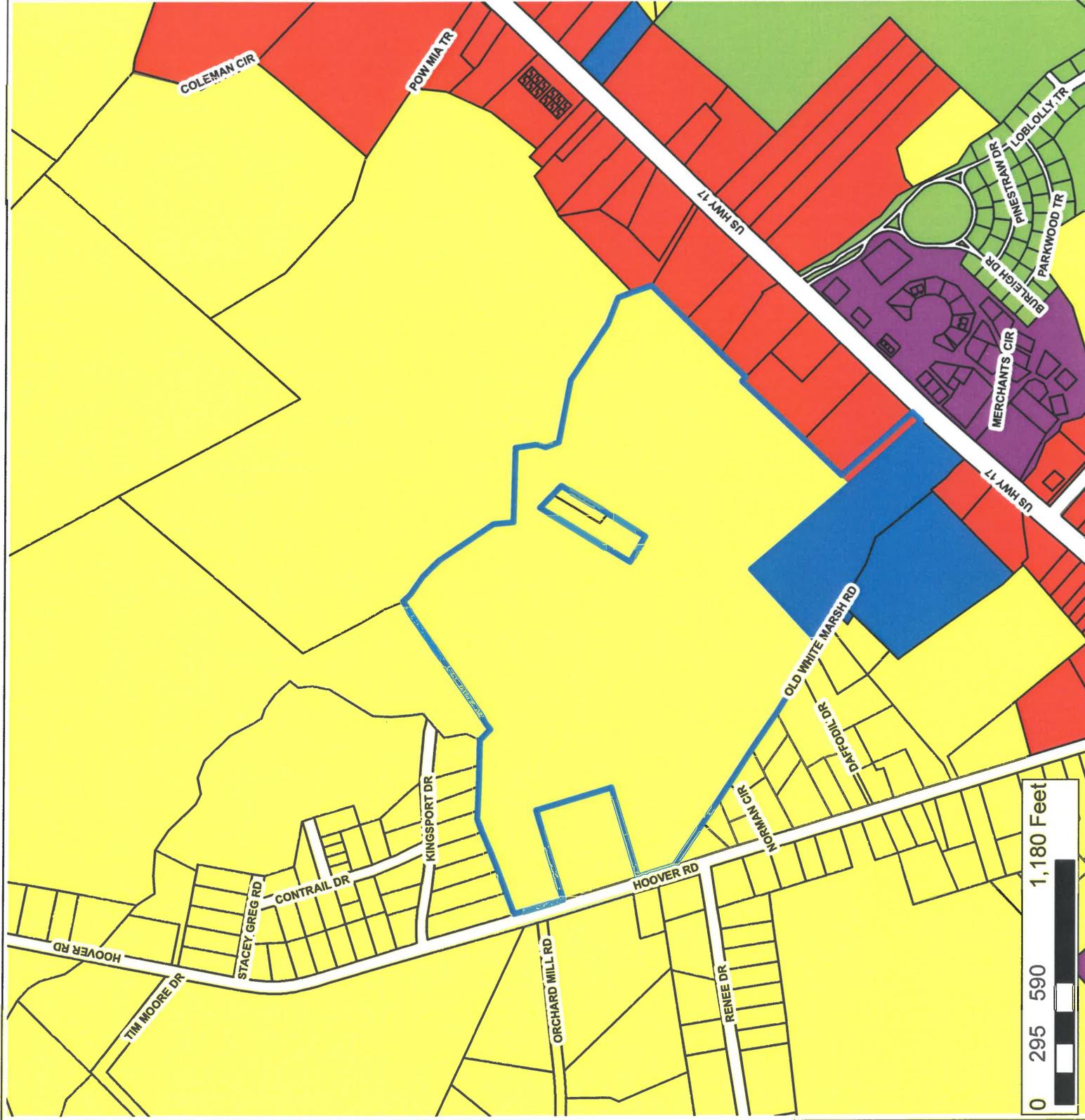
**Owner:**  
Jesse F. Lea SR, et al

**Conditional Zoning  
Map Amendment**

**Case Number:**  
305-2016

**Legend**

-  Subject Property
-  GB
-  MH
-  O&I, Office & Institutional
-  PD, Planned Development
-  RP, Residential Performance





**Applicant:**  
DRC Hampstead, LLC

**Owner:**  
Jesse F. Lea SR, et al

**Conditional  
Map Amendment**

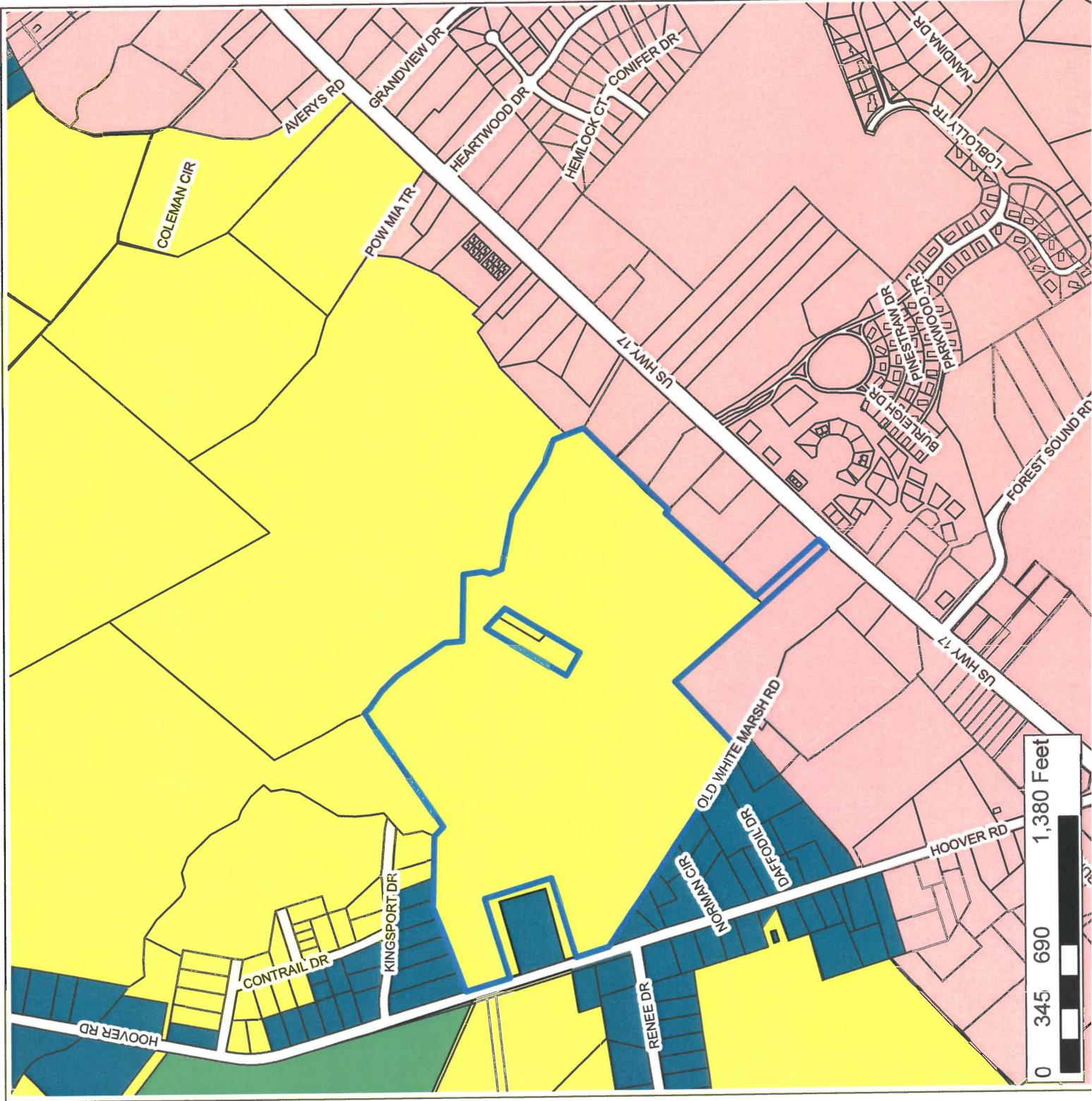
**Case Number:**  
305-2016

**Legend**

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



**Future Land Use**





**Applicant:**  
DRC Hampstead, LLC

**Owner:**  
Jesse F. Lea SR, et al

**Conditional Zoning  
Map Amendment**

**Case Number:**  
305--2016

## Legend



Subject Parcel



**2012 AERIAL**



**PLANNING STAFF REPORT  
MASTER DEVELOPMENT PLAN REVISION  
WYNDWATER**

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**SUMMARY:**

**Hearing Date:** September 7, 2016  
**Applicant:** Signature Top Sail NC, Ltd.  
**Property Owners:** Signature Top Sail NC, LTD Capstone Ventures LLC., Ruth C. Kalmar Lewis et al, J L Morris Enterprises of Hampstead Inc., and Jeffrey Morris et al  
**Case Number:** 334-2016

**Development Proposal:**

Signature Top Sail NC, Ltd. applicant, on behalf of Capstone Ventures LLC., Ruth C. Kalmar Lewis et al, J L Morris Enterprises of Hampstead Inc., and Jeffrey Morris et al, owners, is requesting a revision to the previously approved Master Development Plan known as Wyndwater. Specifically this request is to:

1. Increase the overall project area from  $\pm 204.07$  acres to  $\pm 221.42$  acres,
2. Increase the overall project density from 3.14 units per acre to 3.29 units per acre,
3. Allow for "alternative" design of a hammerhead in Phase VI as shown on Master Development Plan submittal page C-3.6.; and
4. The addition of fifty-seven (57) Single Family Dwelling - Attached Duplex housing types.

Wyndwater is proposed to have eight (8) residential phases to include the addition of two (2) new phases (Phase VI and Phase VII) and areas identified as future development on the  $\pm 221.42$  acre project area. Phase VI is proposed to be located to the north of Phase III on additional acreage being acquired. Access to Phase VI will be through a future roadway connection which will be stubbed out to the north. Phase VII is located to the east of US HWY 17 south of the existing Topsail Plantation Drive (private) and to the north of the existing Champion Drive (private). Access to Phase VII will be gained through the existing Topsail Plantation Drive (private). All elements and phases, both recorded and future development, are included in this Master Development Plan Revision.

**Property Record Number, Acreage, and Location:**

The subject properties are zoned PD, Planned Development zoning district. The properties are located to the east of US HWY 17 north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south and east of the Cardinal Acres Lane (private) in the Topsail Township. The properties may be further identified by Pender County PINs; 4213-59-0181-0000, 4214-04-6027-0000, 4214-12-3906-0000, 4214-22-7567-0000, and a portion of 4214-50-8387-0000.

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**RECOMMENDATION**

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with four (4) policies and conflicting with no policies in the 2010 Pender County Comprehensive Land Use Plan. The request is consistent with other approved planning documents; therefore Planning Staff conditionally recommends the approval of the Master Development Plan Revision request as detailed in the report for the development known as Wyndwater. Any and all future development, phases or

changes to the Master Development Plan is subject to the Planning Board review and conditional approval.

## HISTORY

Please see Attachment 1.

## MASTER DEVELOPMENT PLAN

### Non-Residential

Currently the non-residential portion of the project is identified as "Commercial" and contains ± 4.75 acres isolated on the western side of the subject property adjacent to US HWY 17. Any non-residential uses and phasing must be approved by the Planning Board as applicable.

### Residential

#### Density

The latest Wyndwater Master Development Plan was approved at the March 1, 2016 Planning Board meeting with a net density of 3.14 units per acre. The request is to revise the density to 3.29 units per acre. The proposed Master Development Plan revision is to add twenty-nine (29) units within the ± 221.42 acres of development area. 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 Ordinance requirements and examined further if any variables of the project change from the Master Development Plan submittal. This request is in compliance with the Pender County Unified Development Ordinance.

#### Overall Density

	Current Request
<b>Total Acreage</b>	<b>221.42</b>
Non-Residential Acreage	4.75
Wetlands Acreage	7.36
Right-of-Way Acreage	28.07
Open Space Acreage	20.69
	Active 11.63
	Passive 9.06
Total Units	529
	<i>Developable Land</i> 160.55
	<i>Net Density</i> 3.29

### Total Requested Lots

The original Wyndwater Master Development Plan approval included 185 lots with future development. The current request is to increase the unit count to five 529 total (Attachment 2).

Phase	Single Family Dwelling - Detached Conventional	Single Family Dwelling - Attached Townhouse
Phase I	42	0
Phase II	63	0
Phase III	117	0
Phase IV	54	0
Phase V	63	0
Phase VI	52	0
Phase VII	40	37
Phase VIII	41	20
Total	529	

### Lot Requirements

As outlined in the Unified Development Ordinance, Section 4.8.1.D the Master Development Plan establishes the required lots sizes, yard setbacks, and building height. Building height was previously approved at thirty-eight (38) feet; there is no requested change to height. Minimum lot size was approved at 5,000 sq. feet and there is no requested change in minimum lot size. The setbacks listed below are for the following housing types: Single-family detached, single-family attached duplex, and single family - attached townhouse. The applicant is currently not requesting setback changes:

Setback	Distance
Front	15 Feet
Side	Zero Lot Line
Rear	20 Feet
Corner	15 Feet

### Landscaping & Buffers

The applicant is proposing a Buffer C along the portions of the subject property bordering parcels with existing residential uses. The applicant is proposing a Buffer A along the portion of the property adjacent to the US HWY 17, Topsail Greens Drive (Private), and Champion Drive (Private). The buffers provided are consistent with the buffer requirements stated in Section 8.2.8 of the Pender County Unified Development Ordinance, however must be more clearly defined and specific. The buffers can be seen on the attached Master Development Plan revision.

The specific type of the buffer will be determined during the Master Development Plan Planning Board hearing. Per Section 6.1.4.A.11 the location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable. Currently the proposal is not consistent with Section 6.1.4.A.11. The applicant is required to specifically state what type of buffer is being proposed on the proposed Master Development Plan i.e. A-1, A-2, A-3, C-1, C-2 or C-3.

### 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 open space is in compliance with the Pender County Unified Development Ordinance requirements.

Open Space	Acreage
Required	15.87
Proposed	20.69
Active	11.63
Passive	9.06

The open spaces proposed are located in a usable shape for active recreation. The location of the proposed open spaces is in easily accessible areas for the future residents of the subdivision. The residents of the proposed subdivision will have suitable, safe, and convenient ingress and egress to the proposed active open space areas through sidewalks, roadways, and easements. Per Section 7.6.1.B.1 providing space for outdoor recreation activities which may include, but not be limited to; cluster boxes, tennis courts, ball fields, swimming pools, and tot lots with play equipment. The applicant has provided a pool facility and has started construction. The pool facility is located in the previously approved Phase III.

The Open Space in Phase VI proposes only passive open space to include a stormwater management basin. The open space in Phase VII proposes a pedestrian connection between the two private roadway's cul de sacs.

The open space is not unified within the overall Master Development Planned area however the proposed Master Development Plan shows unity of open space in Phase VII. Per Section 7.6.1.E.1 the dedicated land shall form a single parcel of land, whether or not the subdivision is developed in phases or sections, except where it is determined by the appropriate governing body, that 2 or more parcels would be in the best interests of the residents of the subdivision and the public; and in such case, the appropriate governing body, may require that such parcels be connected. Currently with the irregular shaped parcel and the acquisition of adjacent tracts the applicant is attempting their best effort to accommodate the Master Development Planned area with substantially more than the required open space.

### Recreational Units

Per Section 7.6.2 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. Recreational units are assigned a financial unit to be achieved via installation on the subject property or through a payment in lieu of in conjunction with the approved Pender County Parks & Recreation Master Plan. The timing of the installation shall be confirmed on the Master Development Plan per Section 7.6.2 of the Pender County Unified Development Ordinance. The applicant been issued Zoning Approval and has started constructing a pool facility in Phase III. The submittal meets the recreation unit requirements set forth in Section 7.6.1.C of the Pender County Unified Development Ordinance.

**Roadways**

The Applicant is proposing public and private roadways within the Master Development Plan revision which are identified in Attachment 2.

*Public Roadways*

Public roadways must be built to NCDOT subdivision road standards as outlined in the NCDOT Subdivision Manual published in January 2010. These roadways are subject to NCDOT review and approval through a Driveway Permit, the applicant must submit plans to the NCDOT for approval prior to Pender County approval of this Master Development Plan submission.

*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 right-of-ways are identified on the Master Development Plan at forty (40) feet in width; which will meet the NCDOT standards as outlined in the 2010 Subdivision Manual with a curb and gutter section.

The applicant is also requesting the approval of an alternative turn around of a hammerhead design for Phase V. This alternative Turn around request has the Fires Marshal's approval. The Planning Board must approve the current deviation from the Unified Development Ordinance specified turn around, the applicant will still be required to design and construct to NCDOT standards.

The proposed Phase VI which is an addition to this Master Development Plan revision to currently has three (3) private roads. There are currently two (2) cul de sacs located on the private roads which are proposed to have forty (40) foot edge of pavement radii.

The proposed Phase VII which is an addition to this Master Development Plan revision currently has four (4) private roads proposed within the Master Development Plan revision proposal. There are currently three (3) cul de sacs located on the private roads which are proposed to have forty (40) foot edge of pavement radii.

**Street Connectivity and Access**

The PD, Planned Development zoning district per Section 4.8.1.E district requires reasonable access to be provided to adjacent properties for development. Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5 these roadways are required to be designated as public when connected to adjacent parcels. The proposed private roadways show interconnectivity to the parcels to the north.

The current Phase VI is located to the north of the previously approved Phase III and shows one (1) connection to the north. At current the applicant has provided a connection to the parcel located to the north identified by PIN 4204-95-5947-000L. It is recommended that the proposed roadway connection to the existing Amanda Lane (private).

**Traffic**

At this time an examination of traffic impact on the existing road network surrounding the subject properties has been conducted through a Traffic Impact Analysis (TIA). This required the coordination with NCDOT and the Wilmington Metropolitan Planning Organization (WMPO). The TIA determined what improvements are necessary to the existing roadway network. Any change in land uses or densities requires a revision of the TIA to meet the changes made to the proposed plan. The TIA required

improvements are accomplished through the driveway permit which is approved during the Preliminary Plat process of each phase (Attachment 4).

#### **Pedestrian Access**

The previously approved Doral Drive (SR 1693) emergency access connection and pedestrian facility is in the process of being constructed and is to be included in Phase III. The internal pedestrian connectivity will eventually connect into the awarded North Carolina Safe Routes to School pedestrian path connecting North Topsail Elementary and Hampstead Kiwanis Park.

The PD zoning district encourages creative design per Section 4.8.1.A.2 to promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian, and transit friendly development by allowing developments to take advantage of special site characteristics, locations, and land uses. Phase VII shows a pedestrian friendly open space connection between the two (2) private proposed cul de sacs through an access easement. However, there are no sidewalks located on the proposed private roadways within the proposed new Phases VI or VII. This is not consistent with the characteristics of the PD zoning district.

#### **Services (Wastewater/Water)**

An Intent to Service Letter was provided by the applicant on behalf of Pluris Hampstead, LLC (Attachment 5). The wastewater approval is for up to four hundred seventy-one (471) single family residences as Pluris Hampstead, LLC accepts future capacity. The applicant shall work directly with Pluris and the County for wastewater approvals to service future development phases. A new letter of intent was submitted stating that Pluris is permitting more capacity for the latest revision of the Wyndwater Master Development Plan.

Phase	Total Lot Count	Wastewater treatment method
I	37	septic
IB	3	septic
II	38	18 septic/20 private sewer
IIB	27	private sewer

Public water connection to Pender County Utilities was previously approved for Phase I and Phase II. The Pender County Utilities Department is working closely with the applicant to satisfy applicable requirements. Currently the existing water service extends from Sloop Point Loop Road (SR 1563). An extension from the existing water service located on US HWY 17 will be required for the remainder of the lots to be developed within the Master Development Planned area. This extension will be required before Phase III can be recorded.

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#### **Environmental Concerns**

The Master Development Plan area does contain portions of environmentally sensitive areas including wetlands and floodplains.

##### *Wetlands*

There are ± 7.36 acres of wetlands on the Master Development Plan area, as shown on wetland delineation. The National Wetlands Inventory identifies wetlands in the area the Proposed Phase VII. The proposed Phase VII located east of US HWY 17 has wetlands located between the two proposed cul

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de sacs. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act. A Jurisdictional Determination of the Wetlands has been conducted by the Army Corps of Engineers and submitted for review. At current the applicant has avoided the placement of lots within the designated wetlands.

#### *Flood*

A portion of the subject property located directly east of US 17 that is located within the "Approximate Zone A" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Numbers 3720420400J and 3720421400J, Panel Numbers 4204 and 4214. This was the established flood zone at the time of the original Master Development Plan approval. However, with the preliminary FIRMs released, to serve as the best available data it appears that the amount of the parcel in the "Approximate Zone A" was reduced and the subject property contains "Zone AO" with an established depth of two (2) feet on Panel 4204 and contains "Zone AO" on Panel 4214. All development in these areas will require re-examination at the time of development submittal in accordance with the best available flood data. At current the applicant has avoided the placement of lots within the designated Special Flood Hazard Areas.

#### *CAMA*

After a preliminary analysis, it appears there are no CAMA Areas of Environmental Concern located on the project site. CAMA Areas of Environmental Concern are tidal and/or navigable waters within Pender County that are classified as Public Trust Area up to the normal high water line or normal water level and are subject to the CAMA.

#### *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 submitted this updated required documentation. This request is in compliance with the Pender County Unified Development Ordinance.

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

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#### **Technical Review Committee (TRC) Responses:**

On Tuesday August 2, 2016 the Pender County Technical Review Committee reviewed the Master Development Plan known as Wyndwater. The responses collected can be seen in Attachment 6.

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#### **EVALUATION**

**A) Public Notifications:** Public Notice of the proposal for the Master Development Plan Revision 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 properties are located within a PD, Planned Development zoning district. 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:** The properties are located to the north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south east of the Cardinal Acres Lane (private), and east of US HWY 17 in the Topsail Township. Wyndwater is located to the North of the low density subdivision known as

Greenway Plantation, to the south of the low density residential subdivision known as Cardinal Acres, surrounding low density subdivision known as Topsail Greens, to west of low density residential subdivision known as Pecan Grove, and to the north and northeast of Topsail Plantation.

**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.
- 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.

The request is consistent with four (4) policies from the 2010 Pender County Comprehensive Land Use Plan and conflicts with none.

### Previous Conditions

The following conditions are required of all phases of the development:

*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);*

The applicant has provided connections to adjacent property Cardinal Pointe Master Development Plan (Case # 11067). As a portion of the original Cardinal Pointe Master Development Plan is now included in the Wyndwater Master Development Plan revision, the connections shall be re-examined. Coordination between the applicant and the adjacent property owner shall be necessary to ensure interconnectivity.

The Wyndwater road network, as shown on attached Mast Development Plan revision provides two (2) connections to the adjacent property to the northwest. One connection is a stub for future development, and the second is a temporary cul de sac.

2. Provide connection to identified "Capstone Property" identified by Pender County PIN 4214-22-7567-0000;

Phase II identifies an adjacent right of way connection satisfying this criteria. The proposed connections can be seen on the attached Master Development Plan revision showing the connections to the "Capstone Property."

3. "Alternative" design for alleyway as shown on Master Development Plan submittal page C-3.4; and the alternative design was recorded on Map Book 57, Page 14 at the Register of Deeds as an access easement in Phase I.

4. Emergency access along the connection to Doral Drive (SR 1693).

The applicant has provided the emergency access in Phase III as required.

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.

At current the applicant is still working towards the permitting of Phase III which has been shown in detail on the proposed Master Development Plan revision.

6. 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 applicant has provided this connection in Phase III which can be seen on page C-3.8.

7. Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook tract).

The applicant has provided this connection in Phase IV which can be seen on page C-3.6.

8. Provide connection to Oak Circle (private).

The applicant has provided this connection in Phase VIII which can be seen on page C-3.5.

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#### **Proposed Conditions for Master Development Plan Revision**

9. Provide a connection to Amanda Lane (Private) in Phase VI.

10. Provide sidewalks on private roadways located within Phases VI and VII.

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#### **Requested Revisions**

The request before the Board is for the Master Development Plan revision to include:

1. Increase the overall project area from ± 204.07 acres to ± 221.42 acres,
2. Increase the overall project density 3.14 units per to 3.29 units per acre,
3. Allow for "alternative" design of a hammerhead in Phase VI as shown on Master Development Plan submittal page C-3.6.,
4. and the addition of fifty-seven (57) the single family dwelling-attached.

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#### **STAFF RECOMMENDATION**

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with four (4) 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 conditionally recommends the approval of the Master Development Plan Revision requests as detailed in the report for the development known as Wyndwater. Any and all future development, phases or changes to the Master Development Plan is subject to the Planning Board review and conditional approval.

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**BOARD ACTION FOR Master Development Plan Revision:**

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** \_\_\_\_\_

**Williams:** \_\_\_ **Fullerton:** \_\_\_ **Baker:** \_\_\_ **Carter:** \_\_\_ **Edens:** \_\_\_ **McClammy:** \_\_\_ **Nalee:** \_\_\_

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## APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP Revision 334-2016	Date	7-19-16
Application Fee	\$ 250	Receipt No.	Inv 204
Pre-Application Conference	7-13-16	Hearing Date	9-7-16

### SECTION 1: APPLICANT INFORMATION

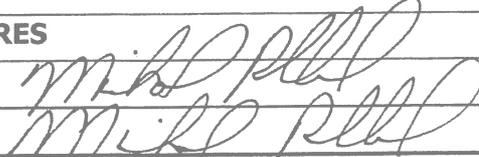
Applicant's Name:	Signature Top Sail NC, LP	Owner's Name:	Signature Top Sail NC, LP
Applicant's Address:	9337B Katy Freeway #377	Owner's Address:	9337B Katy Freeway #377
City, State, & Zip	Houston, Texas 77024	City, State, & Zip	Houston, Texas 77024
Phone Number:	713-822-3891	Phone Number:	713-822-3891

Legal relationship of applicant to land owner: Owner

### SECTION 2: PROJECT INFORMATION

Type of Master Development Plan	<input type="checkbox"/> Residential <i>RP, PD, RM MH District</i>	<input type="checkbox"/> Commercial <i>GB, OI, IT, GI District</i>	<input checked="" type="checkbox"/> Mixed Use <i>PD</i>	<input type="checkbox"/> Exempt
Property Identification Number (PIN):	4214-12-8251-0000	Total property acreage:	237.15	
Zoning Classification:	PD	Acreage to be disturbed:		
Project Address :	1040 Topsail Greens Drive			
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road			
Describe activities to be undertaken on project site:	Development of Residential Lots & Future Commercial Sites			

### SECTION 3: SIGNATURES

Applicant's Signature		Date:	7/18/16
Owner's Signature		Date:	7/18/16

## APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	NDP 334-2016	Date	6-17-16
Application Fee	\$ 250	Receipt No.	June 2016
Pre-Application Conference	7-16-16	Hearing Date	9-7-16

### SECTION 1: APPLICANT INFORMATION

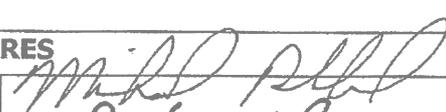
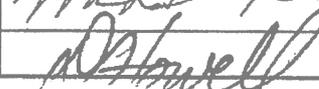
Applicant's Name:	Signature Top Sail NC, LP	Owner's Name:	CAPSTONE VENTURES LLC
Applicant's Address:	9337B Katy Freeway #377	Owner's Address:	129 Timber Hill Place
City, State, & Zip	Houston, Texas 77024	City, State, & Zip	Chapel Hill, NC 27514
Phone Number:	713-822-3891	Phone Number:	

Legal relationship of applicant to land owner: Owner

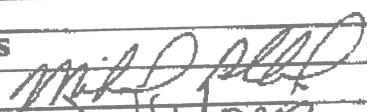
### SECTION 2: PROJECT INFORMATION

Type of Master Development Plan	<input type="checkbox"/> Residential <i>RP, PD, RM MH District</i>	<input type="checkbox"/> Commercial <i>GB, OI, IT, GI District</i>	<input checked="" type="checkbox"/> Mixed Use <i>PD</i>	<input type="checkbox"/> Exempt
Property Identification Number (PIN):	4214-22-7567-0000		Total property acreage:	22.4
Zoning Classification:	PD	Acreage to be disturbed:		
Project Address :	1040 Topsail Greens Drive			
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road			
Describe activities to be undertaken on project site:	Development of Residential Lots & Future Commercial Sites			

### SECTION 3: SIGNATURES

Applicant's Signature		Date:	7/18/16
Owner's Signature		Date:	8/4/16

### APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MMP 334-2016	Date	8-17-16
Application Fee	\$ 250	Receipt No.	Inu 204
Pre-Application Conference	7-13-16	Hearing Date	9-7-16
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	Signature Top Sail NC, LP	Owner's Name:	Jeffrey Morris
Applicant's Address:	9337B Katy Freeway #377	Owner's Address:	P O BOX 280
City, State, & Zip	Houston, Texas 77024	City, State, & Zip	Hampstead, NC 28443
Phone Number:	713-822-3881	Phone Number:	
Legal relationship of applicant to land owner: <i>Owner</i>			
<b>SECTION 2: PROJECT INFORMATION</b>			
Type of Master Development Plan	<input type="checkbox"/> Residential <i>RP, PD, RM MH District</i>	<input type="checkbox"/> Commercial <i>GB, CI, IT, GI District</i>	<input type="checkbox"/> Mixed Use <i>PD</i> <input type="checkbox"/> Exempt
Property Identification Number (PIN):	4214-04-9162-0000	Total property acreage:	28.08
Zoning Classification:	PD	Acreage to be disturbed:	
Project Address :	1040 Topsail Greens Drive		
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road		
Describe activities to be undertaken on project site:	Development of Residential Lots & Future Commercial Sites		
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature		Date:	7/13/16
Owner's Signature		Date:	7-18-16

## APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP 334-2016	Date	8-17-16
Application Fee	\$ 250	Receipt No.	IWD 204
Pre-Application Conference	7-13-16	Hearing Date	9-7-16
<b>SECTION 1: APPLICANT INFORMATION</b>		<i>(For trust, SPECIAL) LEWIS RUTH CALAINE KALMA</i>	
Applicant's Name:	Signature Top Sail NC, LP	Owner's Name:	Lewis Ruth Kalmar et al
Applicant's Address:	9337B Katy Freeway #377	Owner's Address:	C/O Ruth C Kalmar Lewis 2257
City, State, & Zip	Houston, Texas 77024	City, State, & Zip	Queens Rd, Charlotte, NC 2820
Phone Number:	713-822-3891	Phone Number:	
Legal relationship of applicant to land owner: <u>Owner</u>			
<b>SECTION 2: PROJECT INFORMATION</b>			
Type of Master Development Plan	<input type="checkbox"/> Residential <i>RP, PD, RM, MH District</i>	<input type="checkbox"/> Commercial <i>CB, CI, IT, GI District</i>	<input type="checkbox"/> Mixed Use <i>MU</i>
Property Identification Number (PIN):		Total property acreage:	137.83
Zoning Classification:	PD	Acreage to be disturbed:	
Project Address:	1040 Topsail Greens Drive		
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road		
Describe activities to be undertaken on project site:	Development of Residential Lots & Future Commercial Sites		
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature	<i>[Signature]</i>	Date:	7/16/16
Owner's Signature	<i>[Signature]</i> (For trust, SPECIAL, KALMAR trust)	Date:	7/21/16

### 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) 250 Revised **Total Fee Calculation: \$** 250

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

CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large <span style="margin-left: 20px;">1</span>	# of 11X17 <span style="margin-left: 20px;">15</span>	Other documents/Reports	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
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<b>Payment Method:</b>	<b>Cash :</b> <input type="checkbox"/> \$ _____	<b>Credit Card:</b> <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	<b>Check:</b> <input checked="" type="checkbox"/> Check # <span style="margin-left: 20px;">6164</span>
------------------------	----------------------------------------------------	----------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------

Application received by:		Date: <span style="margin-left: 20px;">7-19-16</span>
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Application completeness approved by:		Date: <span style="margin-left: 20px;">8-17-16</span>
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Date scheduled for public hearing:

### 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.
	<b>Project Narrative--Written description of the project (max of 3 pages) including the following:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Location of the project and type of access to project site</li> <li><input type="checkbox"/> Detailed description of the activities to be undertaken on the site, including hrs. of operation, # of employees, etc.</li> <li><input type="checkbox"/> Description of all construction activities to be undertaken on the site</li> <li><input type="checkbox"/> Describe type of utilities that will serve project and status of approval from applicable providers</li> <li><input type="checkbox"/> List of all state and federal permits that will be required for the project</li> <li><input type="checkbox"/> 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 (<u>this item must be addressed by the applicant</u>). The applicant may also wish to describe any positive benefits the project will provide for the community &amp;/or neighbors of the project.</li> </ul>

#### 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.
	The use of all adjoining properties by zoning, parcel identification number (PTN) and current property owner(s).

**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.
✓	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.
✓	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.
✓	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.
✓	The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
✓	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.
✓	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.
✓	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
✓	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.
✓	Location and timing of construction for all amenities.
✓	Landscaping and Buffer requirements per Article 8.
✓	All subdivided land and parcels shall comply with Section 7.2, Lot Design.
✓	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.
✓	Calculated open space requirements shall adhere to Section 7.6, Open Space.

**Print Form**

# GSP CONSULTING

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August 9, 2016

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

Re: Wyndwater  
Master Development Plan Project Narrative

This project is located off and has direct access to Sloop Point Loop Road (SR 1563) in Hampstead, Pender County, North Carolina. This project will be developed in Phases. Completed Phase 1 contains 42 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 1 sewer will be treated by the use of septic systems. Completed Phase 2 contains 63 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 2 sewer will be treated by the use of septic systems owned by the individual lot owners & gravity sewer owned and operated by Pluris. Phase 3 contains approximately 117 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 3 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Phases 4 & 5 contain approximately 115 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phases 4 & 5 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Phase 6 contains approximately 52 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 6 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 7 contains approximately 42 single family lots & 37 townhome units to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 7 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 8 contains approximately 41 single family lots & 20 townhome units to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 8 sewer will be treated by the use of either septic systems owned by the individual lot owners or gravity sewer owned and operated by Pluris. The primary stormwater measures for the development will be closed conduit systems, road side ditches and overland sheet flow that will direct the runoff to proposed wet detention basins 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 development will require approvals from the USACOE for onsite wetlands, NCDEQ-Public Water Supply Section for the water line extension, NCDOT for the driveway connection to SR 1563 and the subdivision streets, NCDEQ-Division of Water Resources for the sewer & NCDEQ-Division of Mineral, Energy and Land Resources for the stormwater systems. The development will generate approximately 4,848 total daily trips based on the ITE Trip Generation Manual 8<sup>th</sup> edition using ITE Code 210 for single family homes & Code 230 for the townhome units. A TIA has been completed for the development and all recommended improvements are being reviewed by NCDOT.

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

Sincerely,

**GSP CONSULTING, PLLC.**



Garry S. Pape, P.E.

# GSP CONSULTING

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August 9, 2016

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

Re: Wyndwater  
Master Development Plan Project Narrative

This project is located off and has direct access to Sloop Point Loop Road (SR 1563) in Hampstead, Pender County, North Carolina. This project will be developed in Phases. Completed Phase 1 contains 42 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 1 sewer will be treated by the use of septic systems. Completed Phase 2 contains 63 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 2 sewer will be treated by the use of septic systems owned by the individual lot owners & gravity sewer owned and operated by Pluris. Phase 3 contains approximately 117 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 3 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Phases 4 & 5 contain approximately 115 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phases 4 & 5 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Phase 6 contains approximately 52 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 6 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 7 contains approximately 42 single family lots & 37 townhome units to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 7 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 8 contains approximately 41 single family lots & 20 townhome units to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 8 sewer will be treated by the use of either septic systems owned by the individual lot owners or gravity sewer owned and operated by Pluris. The primary stormwater measures for the development will be closed conduit systems, road side ditches and overland sheet flow that will direct the runoff to proposed wet detention basins 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 development will require approvals from the USACOE for onsite wetlands, NCDEQ-Public Water Supply Section for the water line extension, NCDOT for the driveway connection to SR 1563 and the subdivision streets, NCDEQ-Division of Water Resources for the sewer & NCDEQ-Division of Mineral, Energy and Land Resources for the stormwater systems. The development will generate approximately 4,848 total daily trips based on the ITE Trip Generation Manual 8<sup>th</sup> edition using ITE Code 210 for single family homes & Code 230 for the townhome units. A TIA has been completed for the development and all recommended improvements are being reviewed by NCDOT.

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

Sincerely,

**GSP CONSULTING, PLLC.**

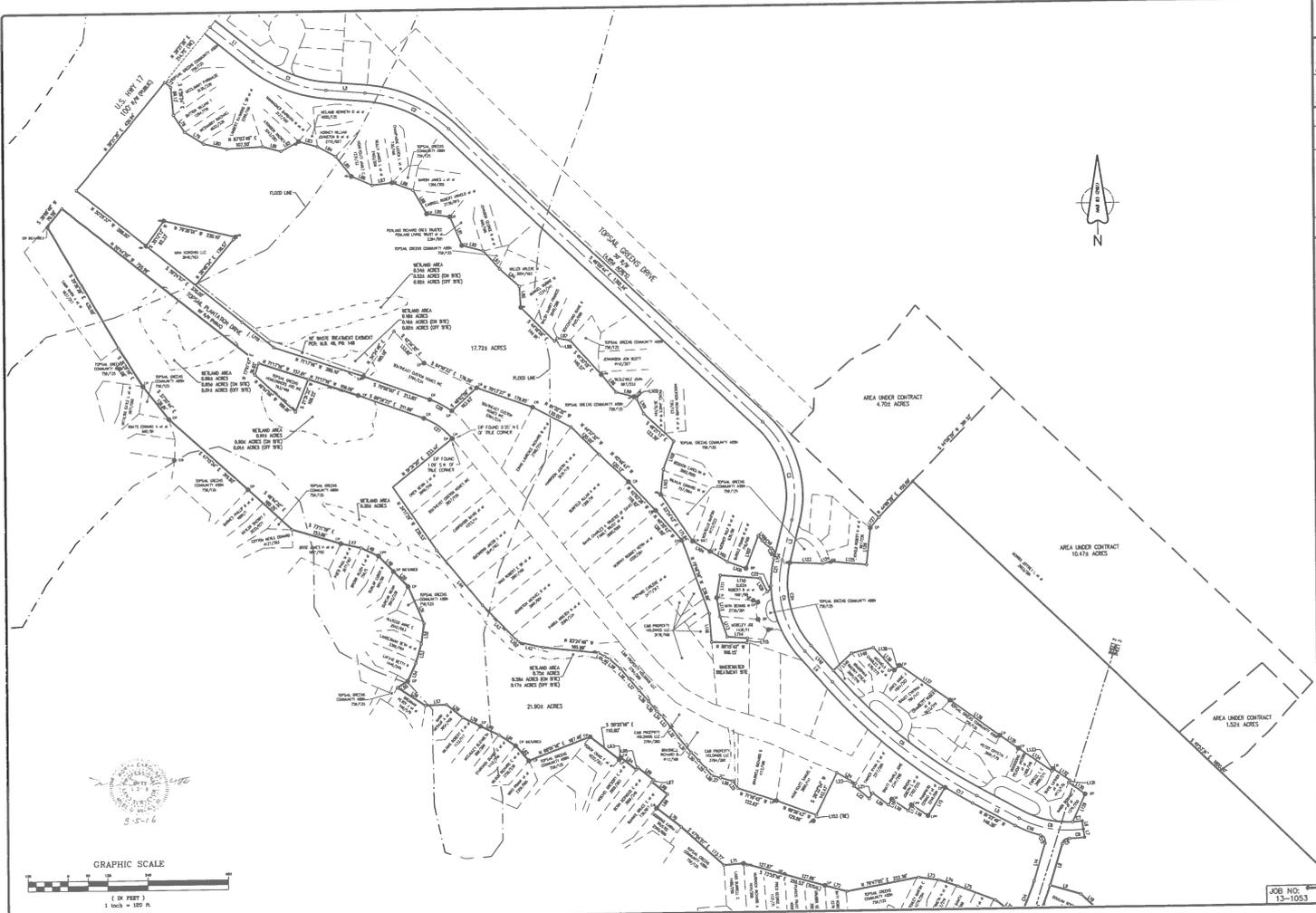


Garry S. Pape, P.E.



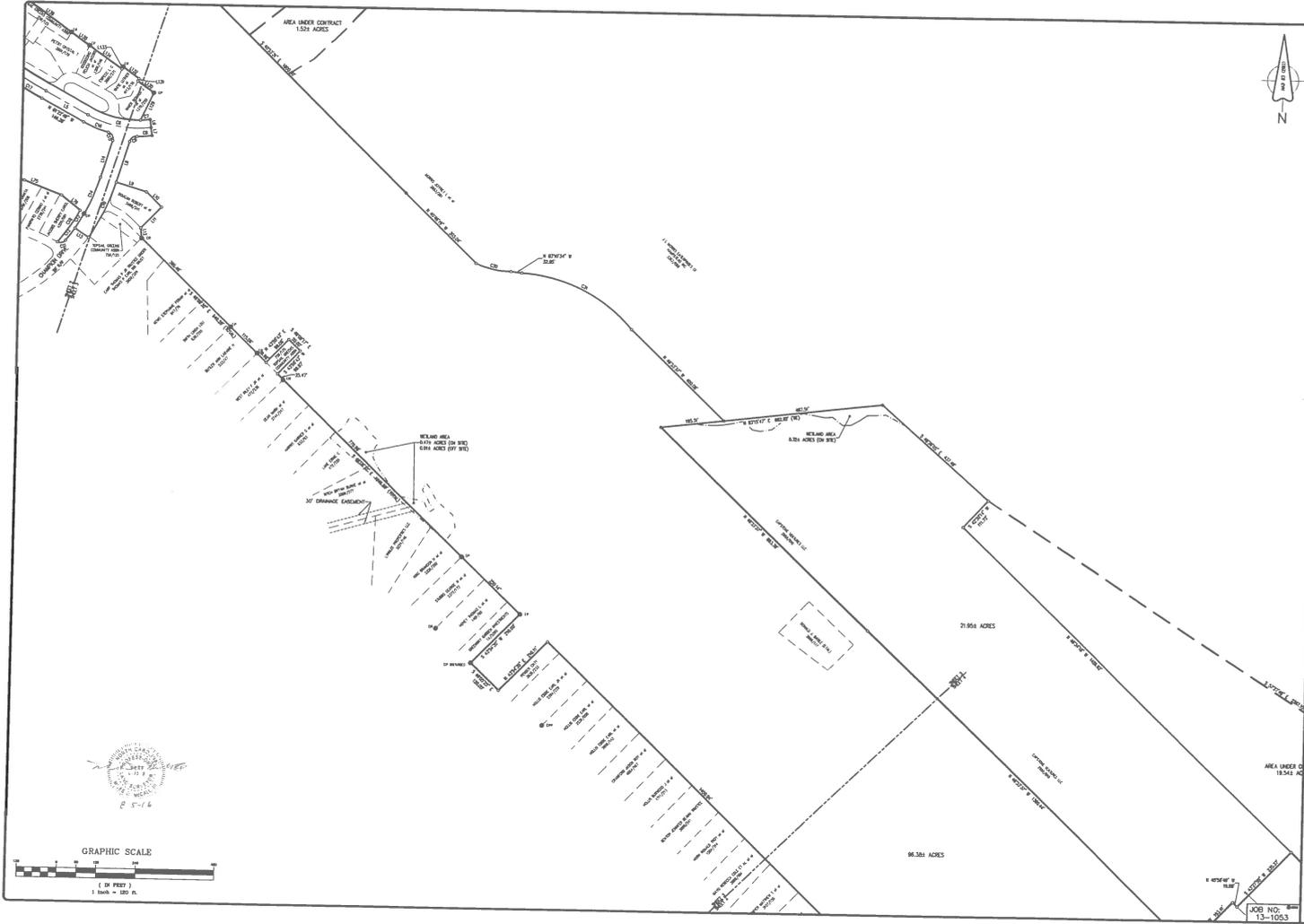






ATLANTIC COAST SURVEY, P.L.L.C. P.O. BOX 122, NC 28540 (919) 737-0300 www.atlanticcoastsurvey.com	TOPSAIL PLANTATION GOLF COURSE (Maped Parcel)	BOUNDARY SURVEY	PREPARED FOR:	<table border="1"> <tr> <th>No.</th> <th>Revision</th> <th>Date (M/D/Y)</th> <th>By</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	No.	Revision	Date (M/D/Y)	By													Sheet No. C-22
No.	Revision	Date (M/D/Y)	By																		

JOB NO.  
13-1053

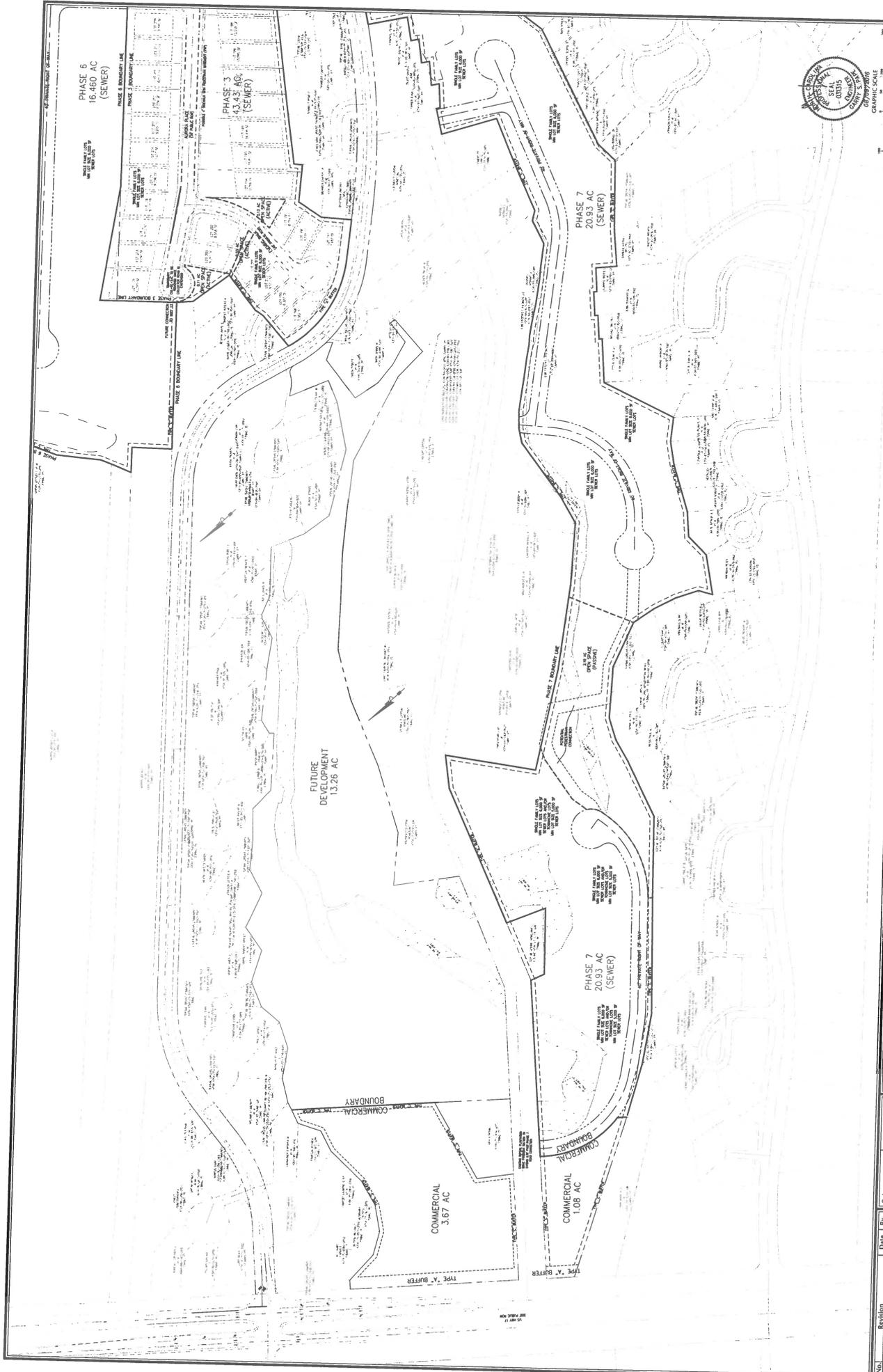


ATLANTIC COAST SURVEY, P.L.C. P-0022 1010 20th Avenue, Suite 100 Jacksonville, Florida 32216 (904) 231-1800	TOPSAIL PLANTATION GOLF COURSE (Partial Survey) North Carolina	BOUNDARY SURVEY	PREPARED FOR:	SHEET NO.	TOTAL SHEETS
			AREA UNDER CONTRACT: 1.521 ACRES	DATE:	JOB NO.: 13-1053



GRAPHIC SCALE  
 1 inch = 100 feet





GRAPHIC SCALE  
1 inch = 100 ft.

Sheet No. **C-3.1**  
**GSP CONSULTING, PLLC**  
 ENGINEERING  
 6026 Gordon Road, Suite C, Wilmington, North Carolina 28411 | 910-944-2370 | Fax: 910-794-6659

PREPARED FOR:  
 MARY FREEMAN  
 95378 BAY FREEMAN RD  
 HOUSTON, TX 77024  
 281-292-0600

**SITE PLAN**

**WYNDWATER**  
 Pender County  
 North Carolina

Topsail Township

No.	Revision	Date	By

Designer	GSP	Scale	1" = 100'
Drawn By	GSP	Date	July 2016
Checked By	GSP	Job No.	2016-0001





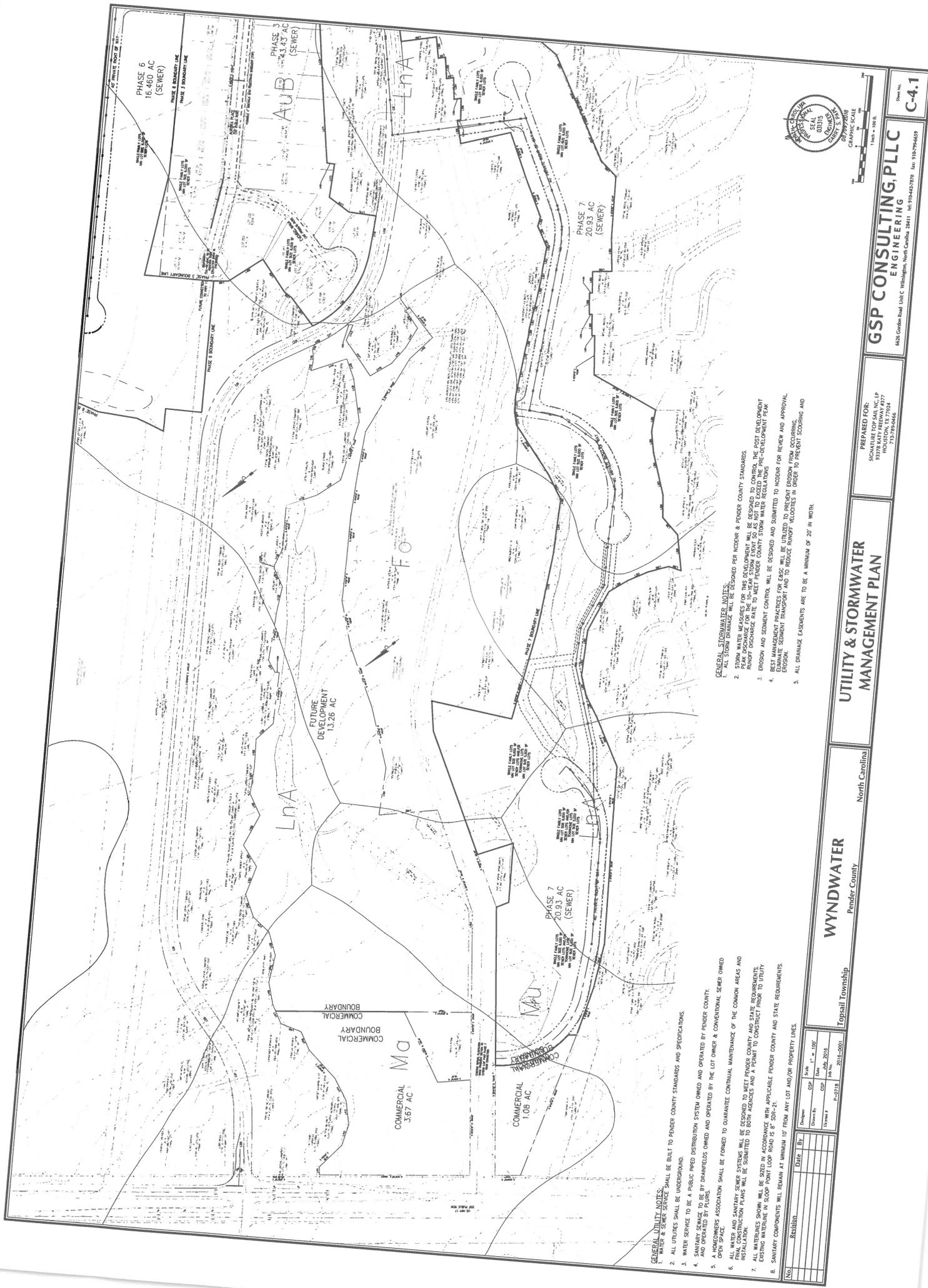












Sheet No. **C-4.1**

**GSP CONSULTING, PLLC**  
ENGINEERING  
6628 Gordon Road, Suite C, Wilmington, North Carolina, 28411 | Tel: 910-442-7270 | Fax: 910-799-9659

PREPARED FOR:  
SICMATEP, INC. (L.P.)  
93278 MAY FREEMAN, L.P.  
HOUSTON, TX 77024  
1-281-293-9666

**UTILITY & STORMWATER  
MANAGEMENT PLAN**

WYNDWATER  
Pender County  
North Carolina

Topsail Township

- GENERAL UTILITY NOTES:**
1. ALL STORM DRAINAGE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
  2. ALL UTILITIES SHALL BE UNDERGROUND.
  3. WATER SERVICE SHALL BE A PUBLIC Piped DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
  4. SANITARY SEWERAGE SHALL BE BY GRAVITY OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURS.
  5. OPEN SPRAWLERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND FINIAL CONSTRUCTION SHALL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
  6. ALL WATER AND SANITARY SEWER SYSTEMS SHALL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. EXISTING UTILITIES IN SLOOP POINT LOOP ROAD IS 30"-24".
  7. WATERMANS SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS.
  8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

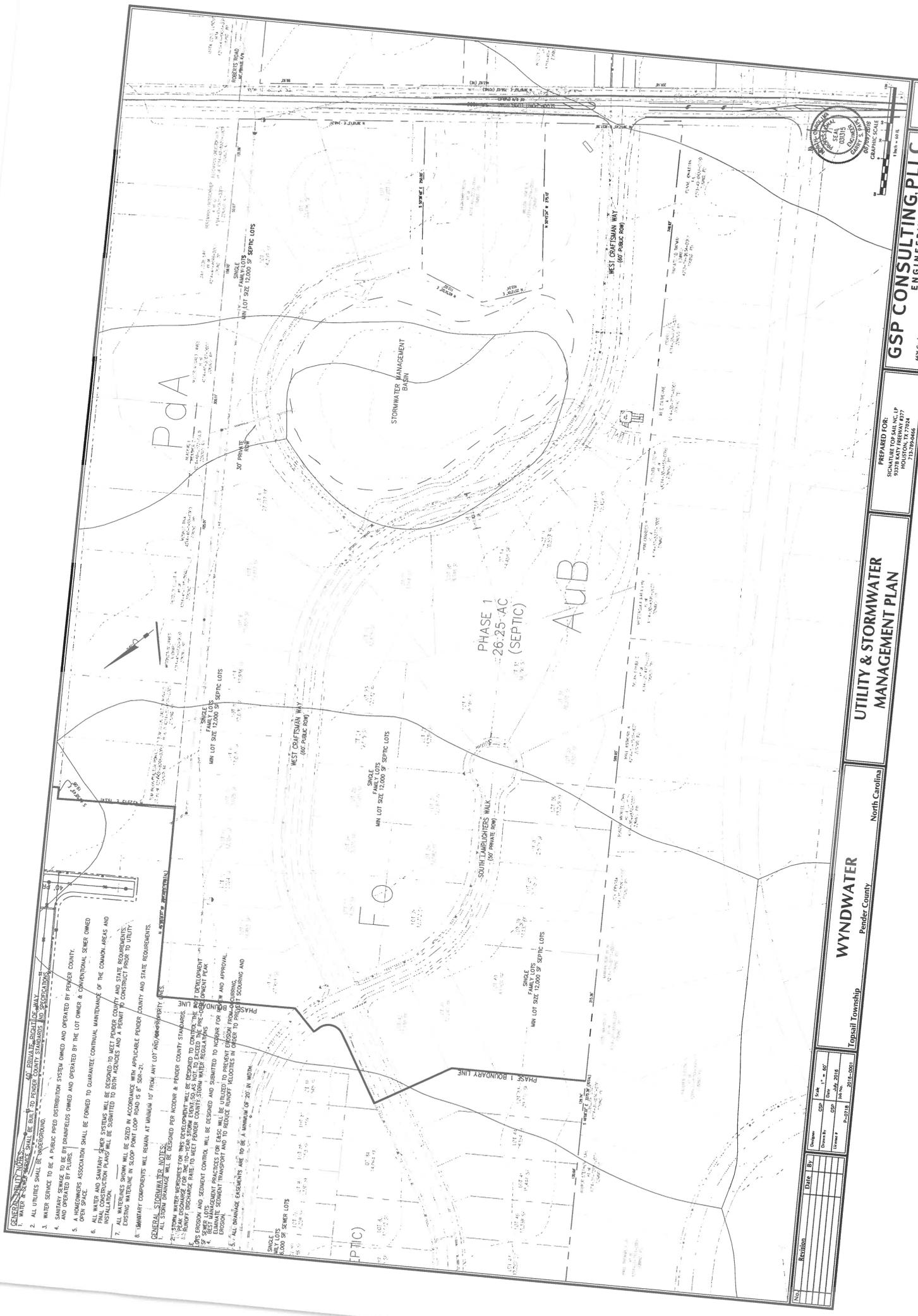
- GENERAL STORMWATER NOTES:**
1. ALL STORM DRAINAGE SHALL BE DESIGNED PER MICHIGAN & PENDER COUNTY STANDARDS.
  2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL POST DEVELOPMENT RUNOFF DOMAINS FOR THE 10-YEAR STORM. STORM RUNOFF SHALL NOT EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF RATE TO MEET PENDER COUNTY STORMWATER REGULATIONS.
  3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO MICHIGAN FOR REVIEW AND APPROVAL.
  4. BEST MANAGEMENT PRACTICES FOR EACH WILL BE LISTED TO PREVENT EROSION FROM OCCURRING. ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VOLUMES IN ORDER TO PREVENT SCOURING AND EROSION.
  5. ALL DRAINAGE EXPOSURES ARE TO BE A MINIMUM OF 20" IN WIDTH.

No.	Revision	Date	By

Scale	1" = 100'
Drawn by	GSP
Checked by	GSP
Issue #	2016-0001
Project #	2016-0001







**GSP CONSULTING, PLLC**  
ENGINEERING

6626 Condon Road, Suite C, Wilmington, North Carolina, 28411 | Tel: 910-442-8789 | Fax: 910-799-4655

PREPARED FOR:  
SIGNATURE SERVICE, PLLC  
9339 KATY FREEMAN BLVD  
WILMINGTON, NC 28409  
713-279-2616

**UTILITY & STORMWATER  
MANAGEMENT PLAN**

**WYNDWATER**  
Pender County

Topsail Township

North Carolina

Sheet No. **C-4.4**

- GENERAL NOTES:**
1. ALL UTILITIES SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
  2. ALL UTILITIES SHALL BE UNDERGROUND.
  3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
  4. SANITARY SEWER SERVICE TO BE BY TRAMPOLINE OWNED AND OPERATED BY PENDER COUNTY.
  5. OPEN SPANNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPANNERS.
  6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
  7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. DESIGN WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
  8. TEMPORARY COMPONENTS WILL REMAIN AT A MINIMUM 10' FROM ANY LOT AND NEIGHBORHOOD PROPERTY LINES.
- GENERAL STORMWATER NOTES:**
1. ALL STORMWATER MANAGEMENT WILL BE DESIGNED PER NCDEMR & PENDER COUNTY STANDARDS.
  2. STORMWATER MANAGEMENT FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE RATE OF RUNOFF AND DISCHARGE RATE TO MEET PENDER COUNTY STANDARDS AS NOTED ON THE PLAN.
  3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NEIGHBOR FOR REVIEW AND APPROVAL.
  4. BEST MANAGEMENT PRACTICES FOR EROSION WILL BE UTILIZED TO PREVENT CHANNELING, EROSION, SEDIMENT TRANSPORT AND TO AVOIDER RUNOFF VELOCITIES IN ORDER TO PREVENT CHANNELING AND EROSION.
  5. ALL BRAMMAGE ELEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

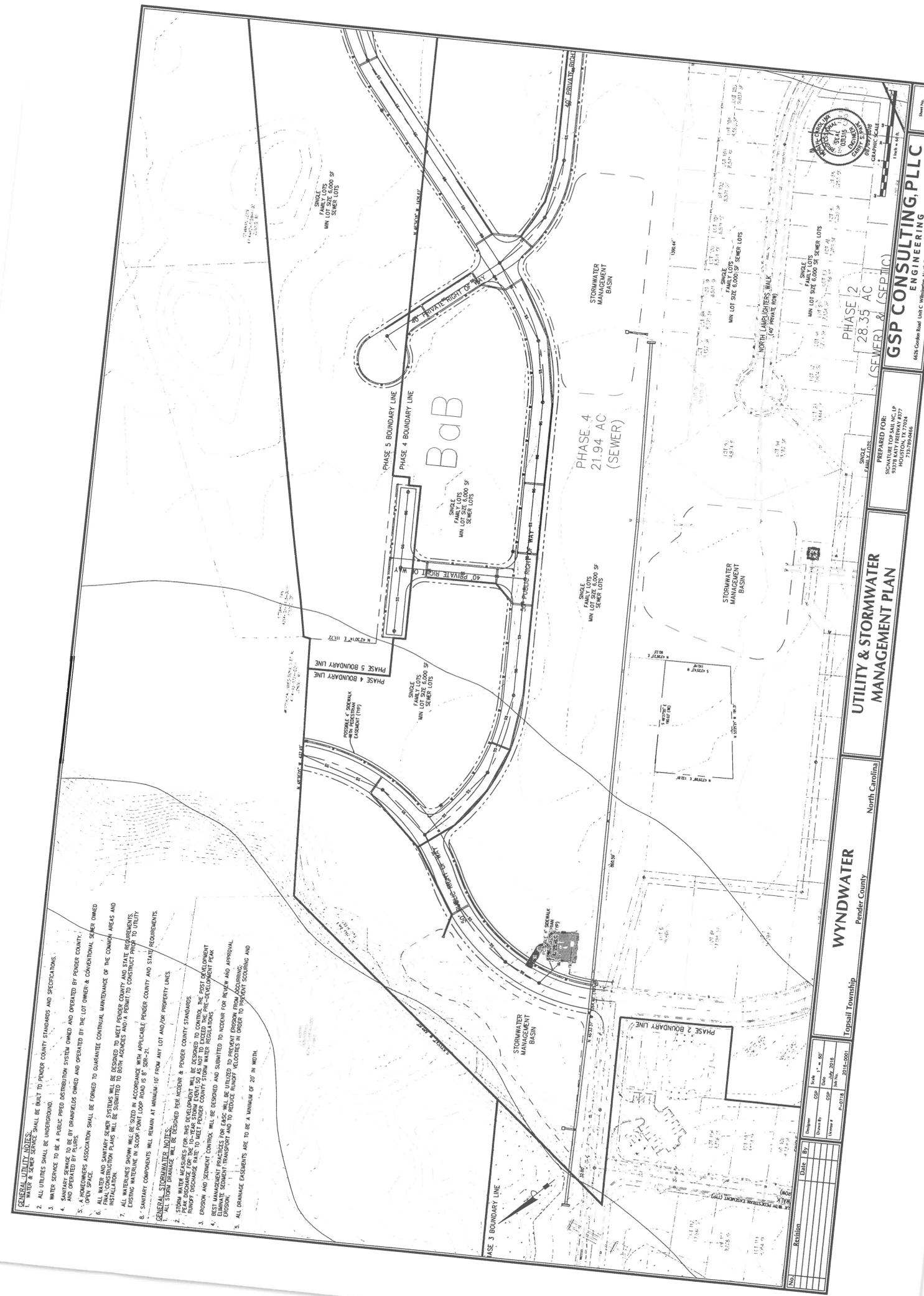
No.	Revision	Date	By

Scale	1" = 60'
Program	GSP
Drawn By	
Checked By	
Issue #	
Issue Date	
Project #	
Revision #	



- GENERAL UTILITY NOTES:**
1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
  2. ALL UTILITIES SHALL BE UNDERGROUND.
  3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
  4. SANITARY SERVICE TO BE BY GRAMPELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PENDER COUNTY.
  5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
  6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS, INSTALLATION AND OPERATING STANDARDS.
  7. ALL WATER LINES SHALL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATER LINES IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
  8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.
- GENERAL STORMWATER NOTES:**
1. ALL STORM DRAINAGE WILL BE DESIGNED PER PENDER COUNTY STANDARDS.
  2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT RUNOFF DISCHARGE FOR THE 10-YEAR DEVELOPMENT PEAK FLOW RATE TO MEET PENDER COUNTY AND STATE REQUIREMENTS. THE DESIGN PEAK FLOW RATE SHALL BE BASED ON THE 10-YEAR DEVELOPMENT PEAK FLOW RATE TO MEET PENDER COUNTY AND STATE REQUIREMENTS.
  3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED AND SUBMITTED TO NOCDWR FOR REVIEW AND APPROVAL.
  4. BEST MANAGEMENT PRACTICES FOR EACH PHASE SHALL BE UTILIZED TO PREVENT EROSION, SLOTTING, SCOURING, ELUVIATION, TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SLOTTING, SCOURING AND ELUVIATION.
  5. ALL DRAINAGE EXPOSURES ARE TO BE A MINIMUM OF 20" IN WIDTH.



No.	Revision	Date	By	Checked	Scale	Sheet
					1" = 50'	01
						02
						03
						04
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						10
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						17
						18
						19
						20

**WYNDWATER**  
Pender County

**UTILITY & STORMWATER  
MANAGEMENT PLAN**

North Carolina

PREPARED FOR:  
SOMMERVILLE, INC.  
9378 Katy Freeway, Suite 100  
Houston, TX 77054  
713-299-8468

**GSP CONSULTING, PLLC**  
ENGINEERING

4628 Gordon Road, Unit C, Wilmington, North Carolina 28401  
910-799-6659

Sheet No. **C-4.6**



- GENERAL UTILITY NOTES:**
1. WATER & SEWER SERVICES SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
  2. ALL UTILITIES SHALL BE UNDERGROUND.
  3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
  4. SANITARY SERVICE TO BE BY DRAINAGE/SEWER OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PENDER COUNTY.
  5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND INSTALLATION.
  6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
  7. ALL MAIN LINES SHALL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING MAINS IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
  8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.
- GENERAL STORMWATER NOTES:**
1. ALL STORM DRAINAGE SHALL BE DESIGNED PER NCDCR & PENDER COUNTY STANDARDS.
  2. STORM WATER MEASURES FOR DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT RUNOFF DRAINAGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS (PRE-DEVELOPMENT PERMITS).
  3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDCR FOR REVIEW AND APPROVAL.
  4. BEST MANAGEMENT PRACTICES FOR EROSION CONTROL WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING. EROSION CONTROL MEASURES SHALL BE DESIGNED TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
  5. ALL DRAINAGE ELEMENTS ARE TO BE A MINIMUM OF 20" IN WIDTH.

PHASE 5  
19.96 AC  
(SEWER)



**GSP CONSULTING, PLLC**  
ENGINEERING  
605 Gordon Road Unit C, Winterville, North Carolina 28411 | Tel: 910-442-2700 | Fax: 910-799-6689

PREPARED FOR:  
SIGNATURE TOP SAN INC LP  
11515 HUNTERBURY WAY #377  
HOUSTON, TEXAS 77054  
713-986-6466

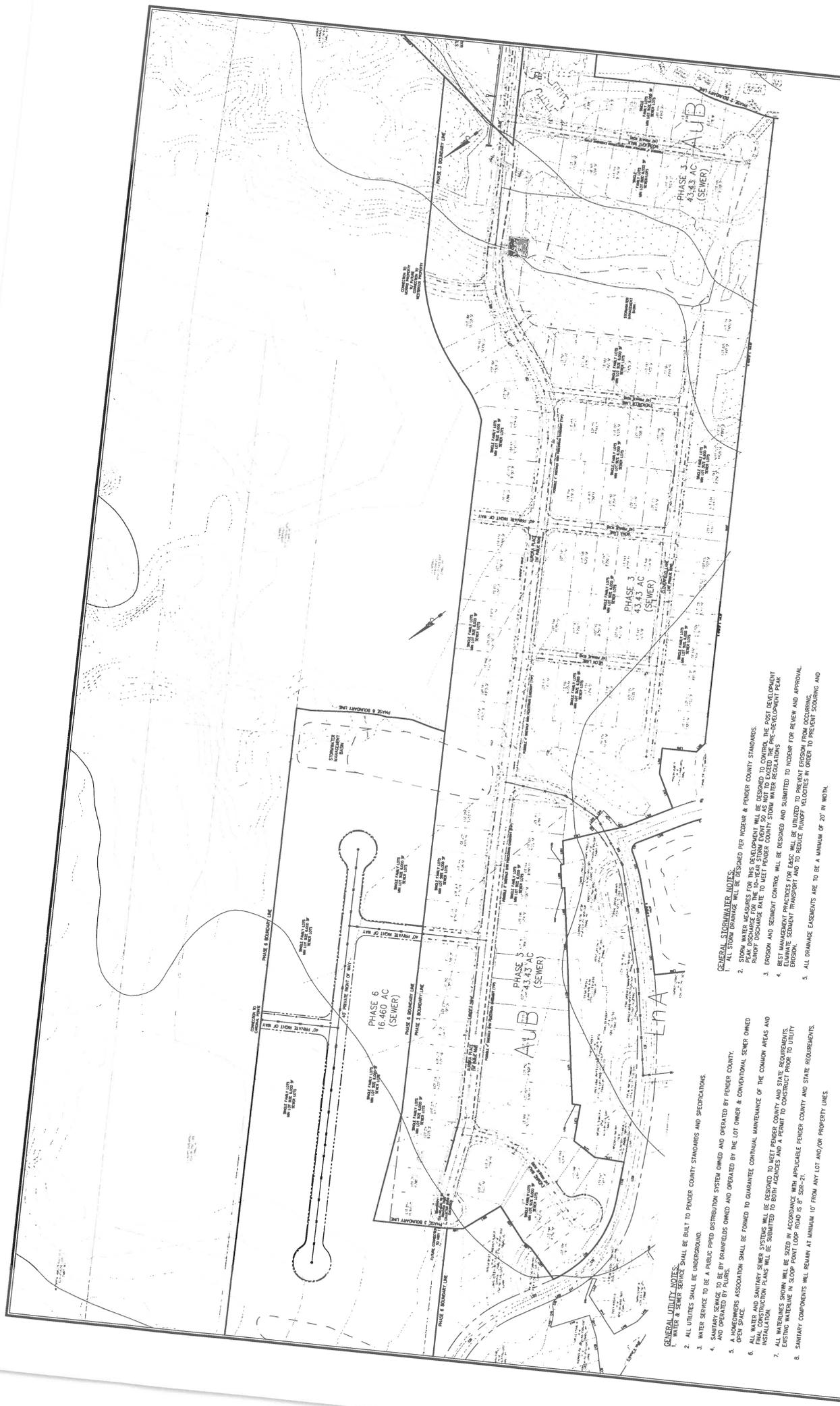
**UTILITY & STORMWATER  
MANAGEMENT PLAN**

**WYNDWATER**  
Pender County

Topsett Township  
North Carolina

NO.	REVISION	DATE	BY

Author	CSB	Scale	1" = 40'
Checker	CSB	Date	08/20/2018
Updater	CSB	Project No.	18-0218
			2018-0011



- GENERAL UTILITY NOTES:**
1. WATER & SEWER SERVICE SHALL BE BUILT TO FENDER COUNTY STANDARDS AND SPECIFICATIONS.
  2. ALL UTILITIES SHALL BE UNDERGROUND.
  3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY FENDER COUNTY.
  4. SANITARY SEWERAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED OPERATED BY FURBER.
  5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
  6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET FENDER COUNTY AND STATE REQUIREMENTS EXCEPT WHERE SHOWN OTHERWISE IN SLOPE POINT LOGS. ROAD IS 8' SFR-21.
  7. EROSION CONTROL MEASURES SHALL BE DESIGNED AND SUBMITTED TO AGENCIES FOR REVIEW AND APPROVAL.
  8. BEST MANAGEMENT PRACTICES FOR EACH WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING.
  9. ALL DRAINAGE FACILITIES ARE TO BE A MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

- GENERAL STORMWATER NOTES:**
1. ALL STORM DRAINAGE WILL BE DESIGNED PER MCDUR & FENDER COUNTY STANDARDS.
  2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT PEAK DISCHARGE RATE TO MEET FENDER COUNTY STORM WATER REQUIREMENTS.
  3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO AGENCIES FOR REVIEW AND APPROVAL.
  4. BEST MANAGEMENT PRACTICES FOR EACH WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING.
  5. ALL DRAINAGE FACILITIES ARE TO BE A MINIMUM OF 20' IN WIDTH.

NO.	REVISION	DATE	BY	DESIGNED	CSP	DATE	SCALE
				CHUCK HAY	CSP	JAN 2018	1" = 100'
				USER #	P-2018	2018-0001	

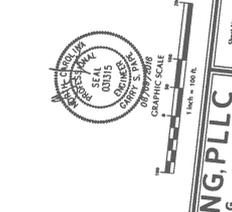
Topsoil Township  
**WYNDWATER**  
 Fender County  
 North Carolina

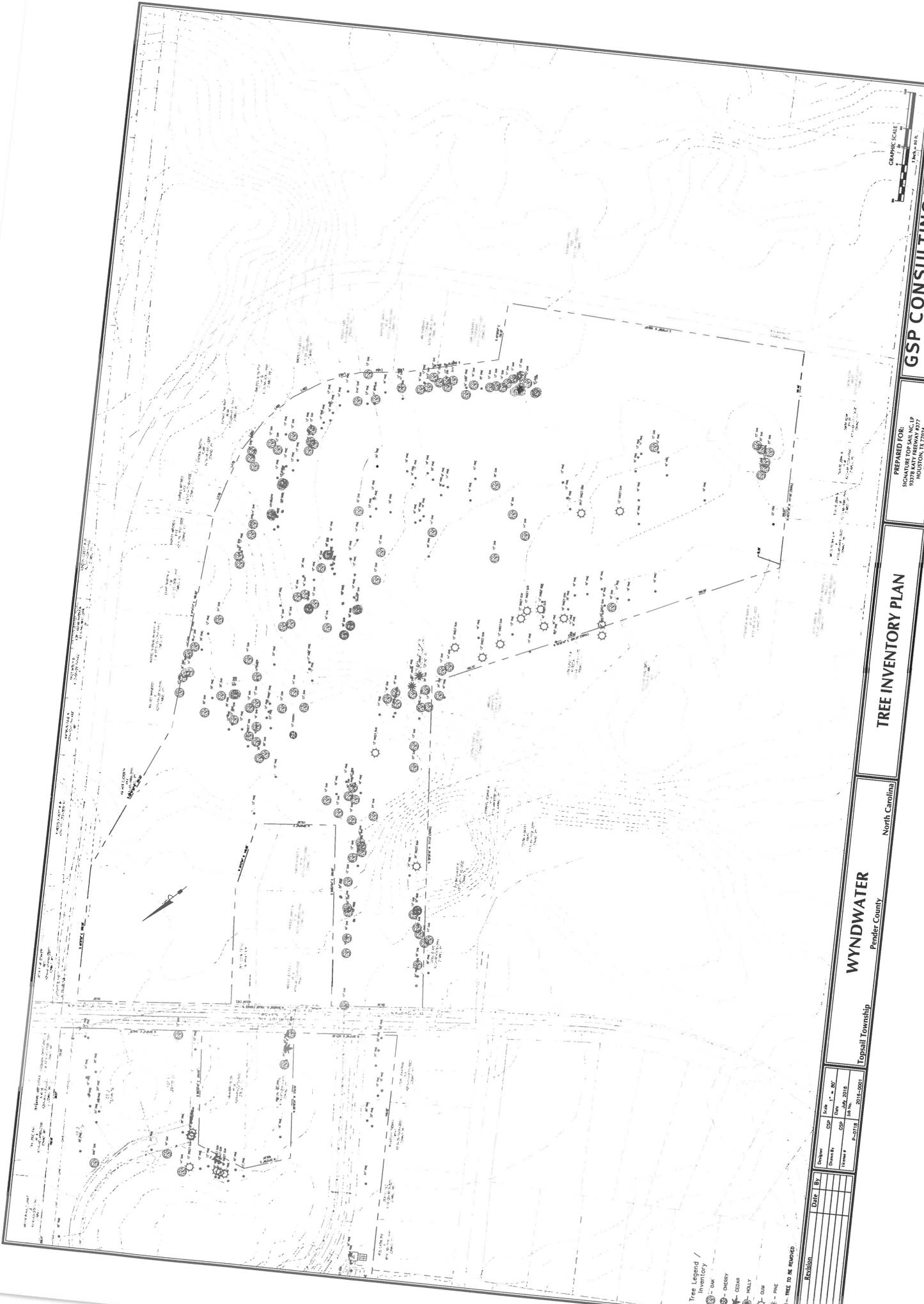
**UTILITY & STORMWATER  
 MANAGEMENT PLAN**

PREPARED FOR:  
 GSP CONSULTING, PLLC  
 9378 WALK TOP-SALE INC. LP  
 HOUSTON, TX 77024  
 713-799-8466

GSP CONSULTING, PLLC  
 ENGINEERING  
 6306 Gordin Road Unit C, Wilmington, North Carolina 28411 PH: 919-442-2970 FAX: 919-799-8465

Sheet No.  
**C-4.8**





- Tree Legend / Inventory
- - Oak
  - - Cherry
  - ✱ - Cedar
  - ✱ - Holly
  - - Elm
  - ✱ - Pine
  - ✱ - Tree to be removed

Date	By

Customer	GSP	Scale	1" = 20'
Drawn By	GSP	Drawn	2015
Checked By	GSP	Check	2015
Version #	2-0118	Project #	2011-0001

Iopsail Township

**WYNDWATER**  
Penler County

North Carolina

**TREE INVENTORY PLAN**

PREPARED FOR:  
SUSANNE TOPAL, INC./P  
9320 W. WYNDWATER  
HOUSTON, TEXAS 77056  
713-785-0465

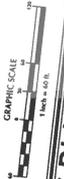
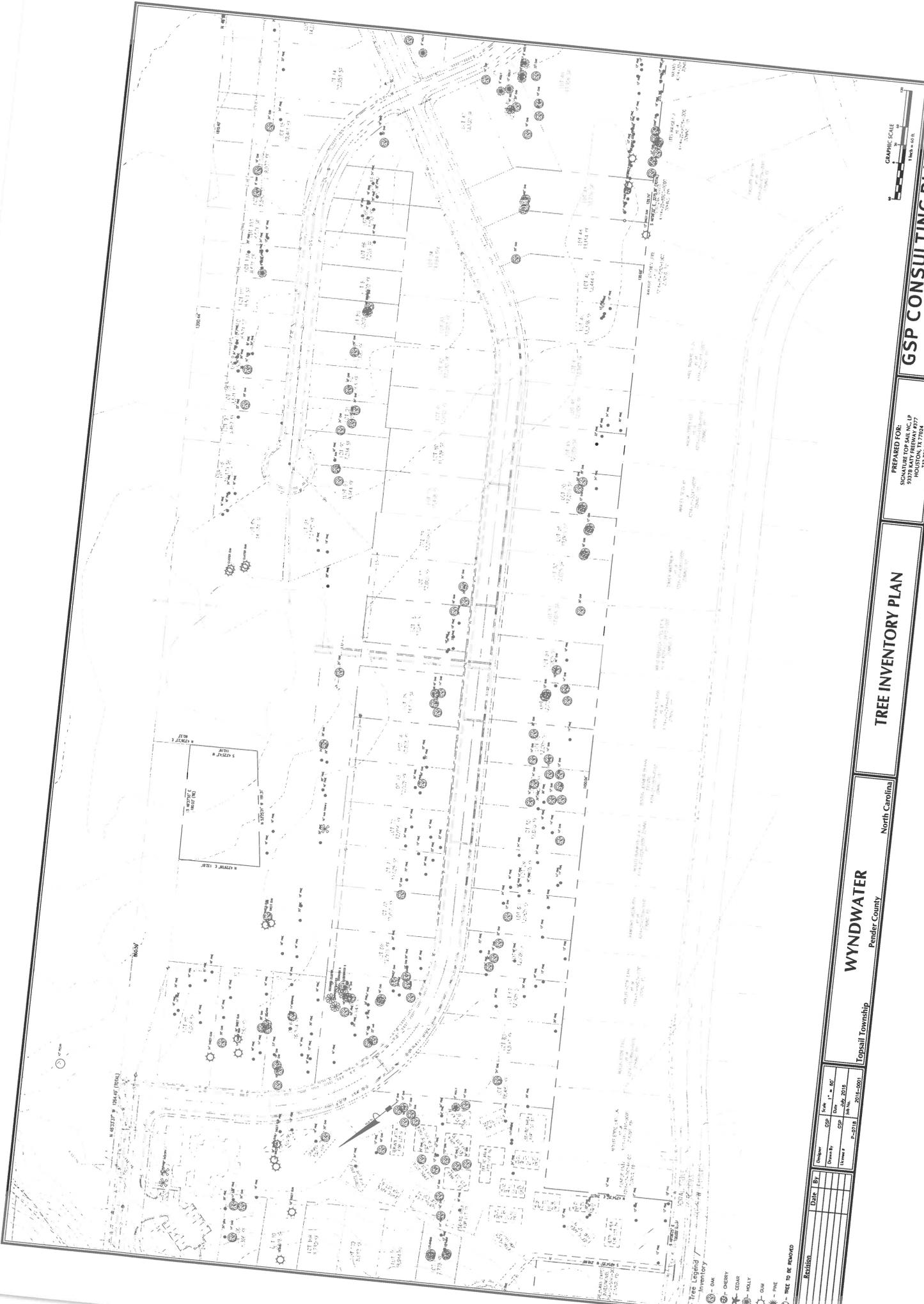
**GSP CONSULTING, PLLC**  
ENGINEERING

6426 Gordon Road, Unit C, Wilmington, North Carolina 28411  
Tel: 910-442-7870 Fax: 910-794-6699

Sheet No.  
**C-5.1**







GRAPHIC SCALE  
1" = 40'

PREPARED FOR:  
SICOP SAH INC, LP  
33378 KATY, TX 77024  
7135944666

**GSP CONSULTING, PLLC**  
ENGINEERING

6628 Grande Road, Unit C, Wilmington, North Carolina, 28411  
910-442-7878 Fax: 910-794-6659

Sheet No.  
**C-5.3**

**TREE INVENTORY PLAN**

**WYNDWATER**  
Pender County  
North Carolina

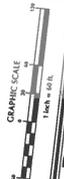
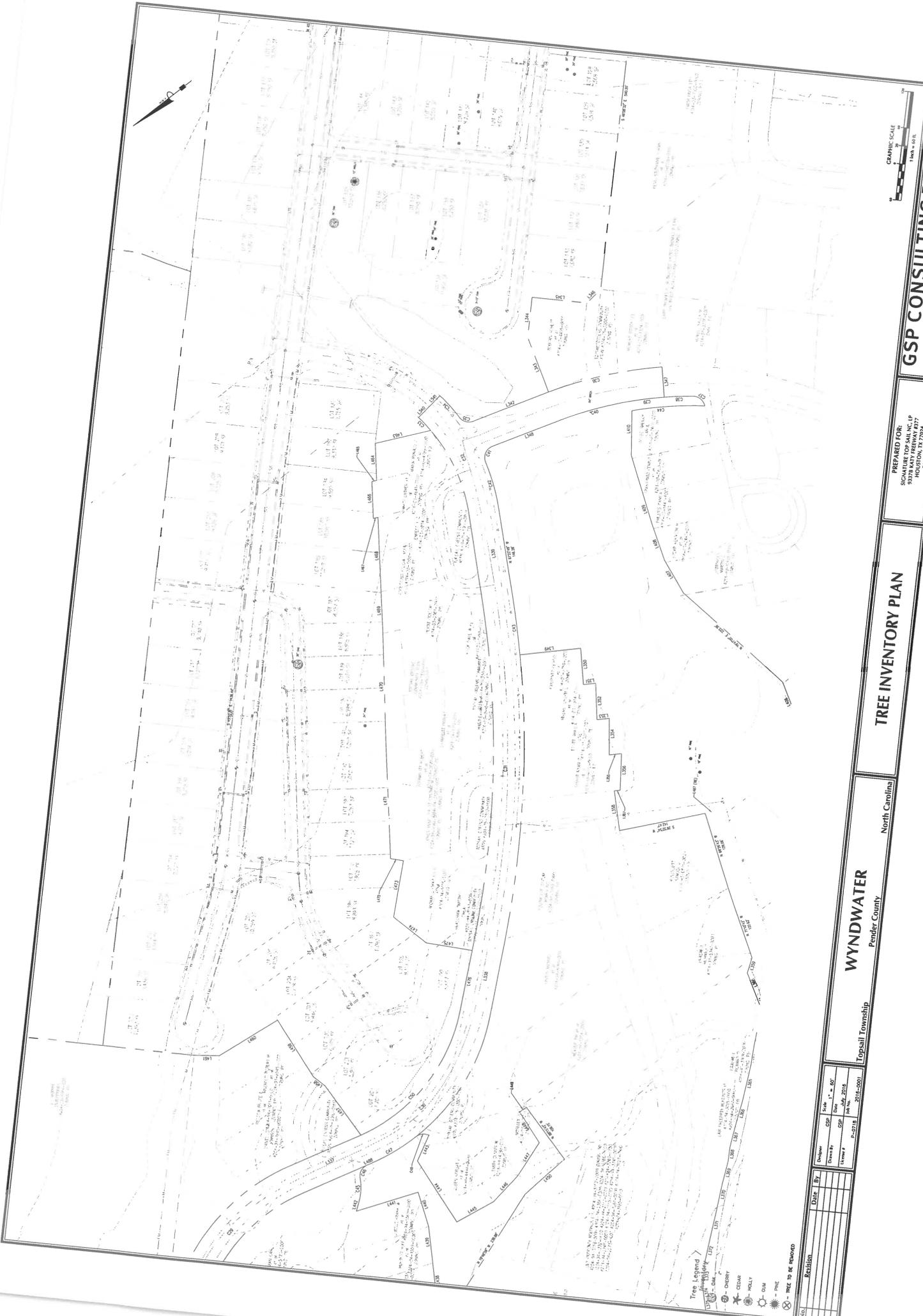
**Topsoil Township**

Project	W-100
Drawn By	GSP
Checked By	GSP
Issue 1	2-2018
Issue 2	2018-0001

Date	By

- Tree Legend / Inventory**
- - OAK
  - ⊙ - CHERRY
  - ⊗ - CEDAR
  - ⊕ - HOLLY
  - ⊘ - GUM
  - ⊙ - PINE
  - ⊗ - TREE TO BE REMOVED





Sheet No. C-5.5

**GSP CONSULTING, PLLC**  
ENGINEERING  
669 Gordon Road, Unit C, Wilmington, North Carolina 28411 | 910-344-7970 | Fax: 910-396-6699

PREPARED FOR:  
SUSAN R. TOPAL, INC./P.L.L.C.  
3030A WILSON ROAD, SUITE 207  
HOUSTON, TEXAS 77054  
713-796-0466

# TREE INVENTORY PLAN

**WYNDWATER**  
Pender County  
North Carolina

Topsail Township

Date	By	Checked By	Scale	Sheet
2-27-18	GSP	GSP	1" = 40'	407
2-27-18	GSP	GSP	1" = 40'	407
2-27-18	GSP	GSP	1" = 40'	407

**Tree Legend**

Symbol	Tree Type
Circle with dot	CEDEAR
Circle with cross	CEDEAR
Circle with horizontal lines	HOLLY
Circle with vertical lines	HOLLY
Circle with diagonal lines	DOGWOOD
Circle with asterisk	PINE
Circle with X	TREE TO BE REMOVED



- Tree Legend / Inventory:
- - Oak
  - - CHERRY
  - ⊗ - CEDAR
  - ⊕ - HOLLY
  - ⊙ - GUM
  - ⊖ - PINE
  - ⊗ - TREE TO BE REMOVED

No.	Location	Date	By

Drawn by	GSP	Scale	1" = 100'
Checked by	GSP	Date	2016

Topsail Township

**WYNDWATER**  
Pender County

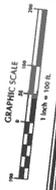
North Carolina

**TREE INVENTORY PLAN**

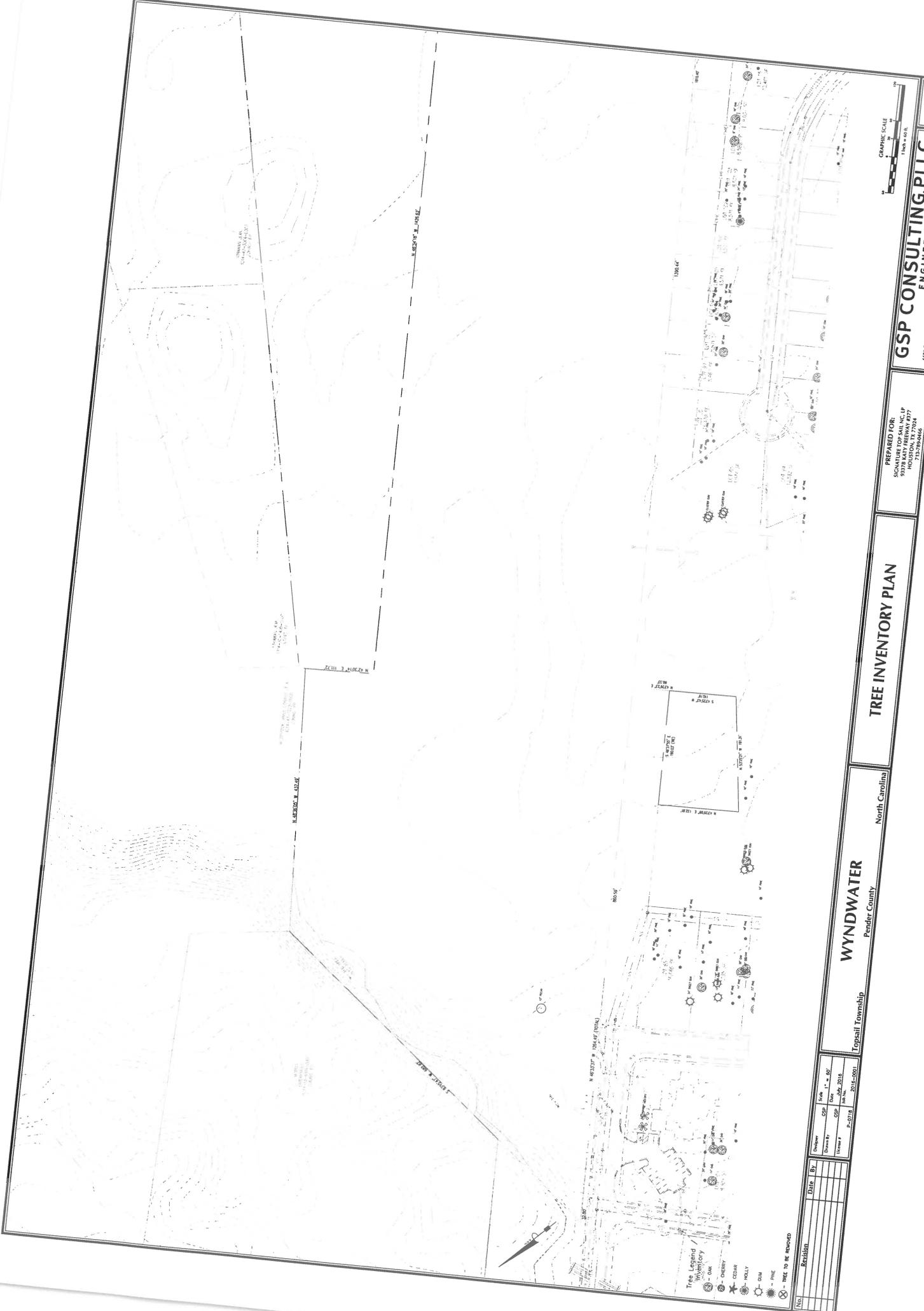
PREPARED FOR:  
SUCKER TOPSAIL, INC./LP  
9378 KATY  
HOUSTON, TX 77024  
713-779-9465

**GSP CONSULTING PLLC**  
ENGINEERING

668 Cedar Road Unit C Wilmington, North Carolina 28411 MS-9184432879 Fax: 910-796-6635



Sheet No.  
**C-5.6**



Sheet No. **C-5.7**

**GSP CONSULTING, PLLC**  
ENGINEERING  
6635 Condon Road, Unit C, Wilmington, North Carolina 28411  
Tel: 910-799-6539

PREPARED FOR:  
SIGNATURES, INC./LP  
93378 KATY FREEMAN, P.E.  
14075 HAYWOOD, TN 37024  
731-222-9965

**TREE INVENTORY PLAN**

**WYNDWATER**  
Pender County  
North Carolina

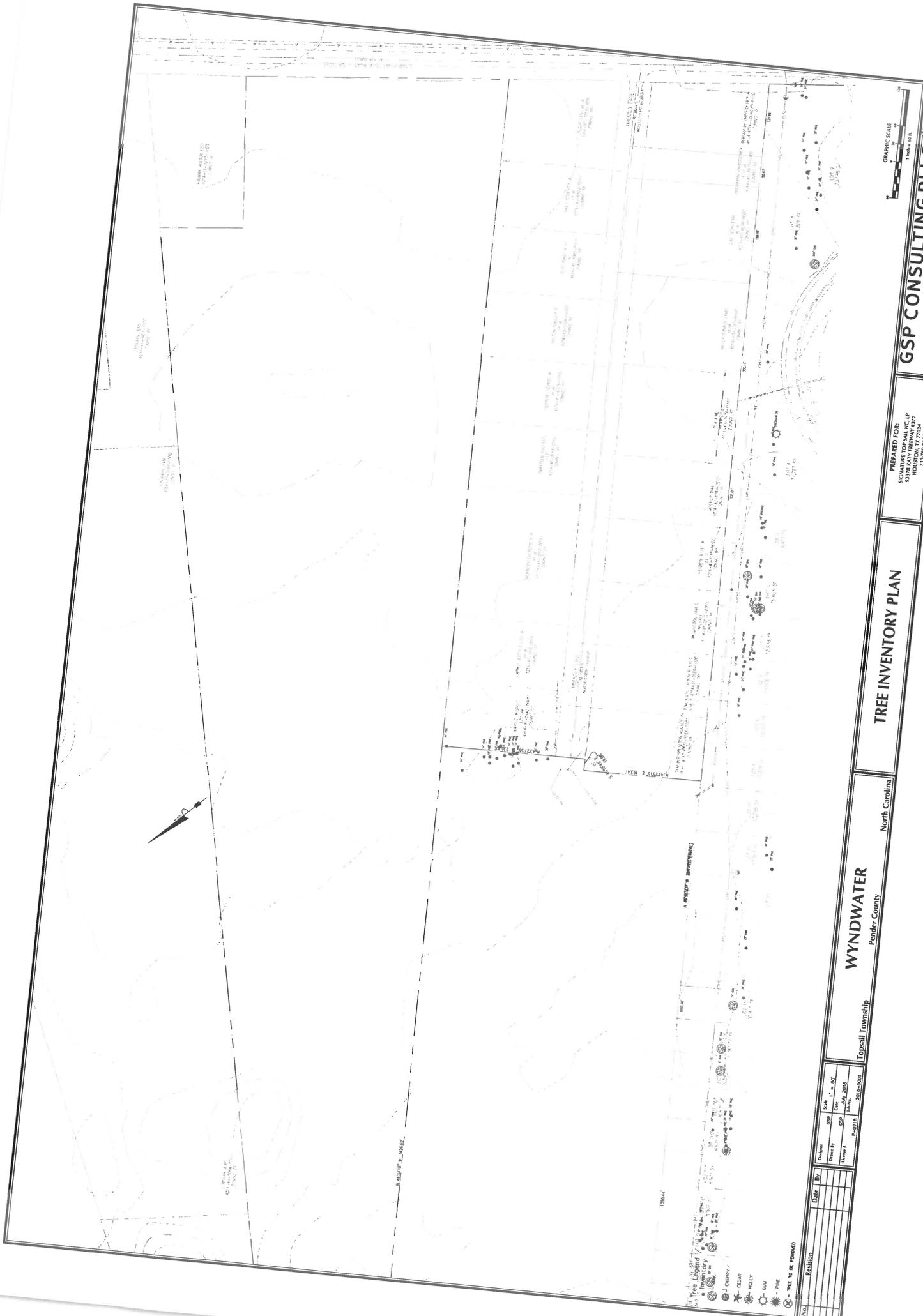
**Ipsfall Township**

Client	WYNDWATER	Scale	1" = 40'
Drawn by	GSP	Date	2016
Checked by	GSP	Job No.	2016-0001
Version #	2-0718		

No.	Location	Date	By

Tree Legend / Inventory

- - OAK
- - CHERRY
- - CEDAR
- - HICKORY
- - PINE
- - GUM
- - TREE TO BE REMOVED



- Tree Legend**
- Inventory
  - Cedar
  - Holly
  - Oak
  - Pine
  - ⊗ Tree to be removed

No.	REVISION	DATE	BY

Scale 1" = 40'  
 Date Jan 2018  
 Project # 2018-001

**WYNDWATER**  
 Pender County  
 North Carolina

**TREE INVENTORY PLAN**

PREPARED FOR:  
 SICKMAY FARM, INC. LP  
 9378 KATY FREEMAN, LP  
 HOUSTON, TX 77024  
 281-295-8466

**GSP CONSULTING, PLLC**  
 ENGINEERING  
 6435 Gordon Road, Suite C, Wilmington, North Carolina, 28411  
 Tel: 910-794-6639  
 Fax: 910-794-6639

Sheet No.

**C-5.8**



GRAPHIC SCALE  
1 inch = 100 ft.

**GSP CONSULTING, PLLC**  
ENGINEERING

Sheet No. **C-5.9**

6488 Conder Road Unit C Wilmington, North Carolina 28411 910-442-9750 fax 910-791-6605

PREPARED FOR:  
SONOMA COUNTY OF REAL ESTATE LP  
9379 BAYVIEW DRIVE  
HOUSTON, TX 77054  
713-297-0465

**TREE INVENTORY PLAN**

**WYNDWATER**  
Pender County  
North Carolina

Topsail Township

Division	GSP	Date	11-1-10
Drawn By	GSP	Scale	1" = 100'
Version #	001	Drawn On	10/20/10
	P-0716	Job No.	2010-001

No.	Location	Date	By

- - CHERRY
- - CEDAR
- - HOLLY
- - OAK
- - PINE
- ⊗ - TREE TO BE REMOVED

Case Type	Planning Board Date	Approved/Changes	Conditions
MDP	11/12/2013	Conditionally Approved for of ± 185 single family residential units and ± 58,370 square footage of commercial space to be located on approximately ± 143 acres	<ol style="list-style-type: none"> <li>1. Provide connection to adjacent property to future development to the north (documented under case #11067 submitted for the December Planning Board meeting).</li> <li>2. Provide connection to identified "Capstone Property"</li> <li>3. Allow for "alternative" design for alleyway as shown on sheet C-3.4</li> <li>4. Allow for emergency access along the connection to Doral Drive (SR 1693)</li> </ol>
Phase I Preliminary Plat	3/4/2014	Approval issued for Phase One (1) includes forty-two (42) single family homes on approximately 25.58 acres.	All Master Development Plan conditions apply
Phase II Preliminary Plat	5/6/2014	Approval issued for Phase II includes fifty-five (55) single family homes on approximately 28.35 acres. On November 12, 2013 the Planning Board conditionally approved a Master Development Plan for the Oaks at Sloop Point, now known as Wyndwater.	All Master Development Plan conditions apply
MDP revision	1/6/2015	Approved for of ± 185 single family residential units and ± 58,370 square footage of commercial space to be located on approximately ± 143 acres with the addition of the Zero Lot line.	<ol style="list-style-type: none"> <li>1. Provide connection to adjacent property to future development to the north (documented under case #11067 submitted for the December Planning Board meeting).</li> <li>2. Provide connection to identified "Capstone Property"</li> <li>3. Allow for "alternative" design for alleyway as shown on sheet C-3.4</li> <li>4. Allow for emergency access along the connection to Doral Drive (SR 1693).</li> </ol>
MDP revision	7/7/2015	Conditionally Approved for the increase of 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. Increasing to ± 350 single family residential units	<ol style="list-style-type: none"> <li>1. Provide connection to adjacent property to future development to the northwest (documented under case #11067 submitted for the December Planning Board meeting).</li> <li>2. Provide connection to identified "Capstone Property"</li> <li>3. Allow for "alternative" design for alleyway as shown on sheet C-3.4</li> <li>4. Allow for emergency access along the connection to Doral Drive (SR 1693).</li> <li>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</li> </ol>
Phase III	9/1/2015	Tabled the request for Phase III approval includes sixty-nine (69) single-family conventional lots and forty (40) single-family attached duplex lots. The subject properties are zoned PD, Planned Development zoning district.	All Master Development Plan conditions apply
Phase IIB Preliminary Plat	11/4/2015	Approval was issued for Phase IIB to include 27 lots to be placed on North Lamplighter Walk and 4 lots to be placed on West Craftsmen Way.	All Master Development Plan conditions apply
Phase III	10/13/2015	Approval was issued for sixty-nine (69) single-family conventional lots and forty (40) single-family attached duplex lots. The subject properties are zoned PD, Planned Development zoning district.	All Master Development Plan conditions apply
MDP revision	3/1/2016	<ol style="list-style-type: none"> <li>1. Increase the overall project area from ± 150.78 acres to ± 204.07 acres</li> <li>2. Increase the overall project density 3.10 units per acre to 3.14 units per acre;</li> <li>3. Change the front yard setbacks from twenty (20) feet to fifteen (15) feet for Phases I-VI;</li> <li>4. Allow for "alternative" design for alleyway located in Phase III as shown on Master Development Plan submittal page C-2.3. Originally</li> </ol>	<ol style="list-style-type: none"> <li>7. Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook tract).</li> <li>8. Provide connection to Oak Circle (private).</li> <li>9 Allow for "alternative" design for alleyway located in Phase III as shown on Master Development Plan submittal page C-2.3</li> <li>10 Allow for "alternative" design of a hammerhead in Phase IV as shown on Master Development Plan submittal page C-3.7</li> </ol>

Phase	Map book/page	Date
I	57/14	11/4/2014
IB	58/72	10/27/2015
II	57/145	7/2/2015
IIB	58/127	2/10/2016



Wyndwater

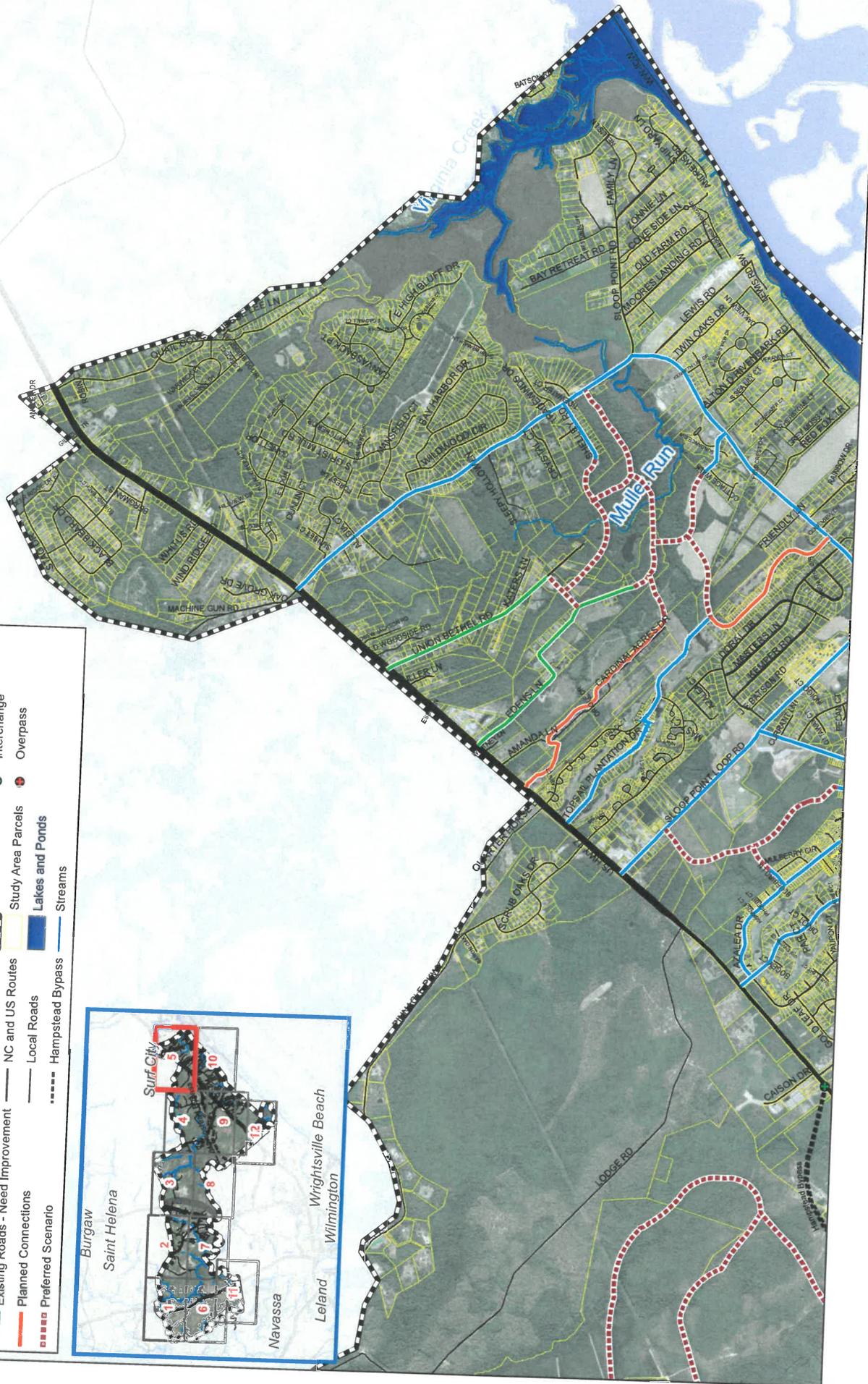
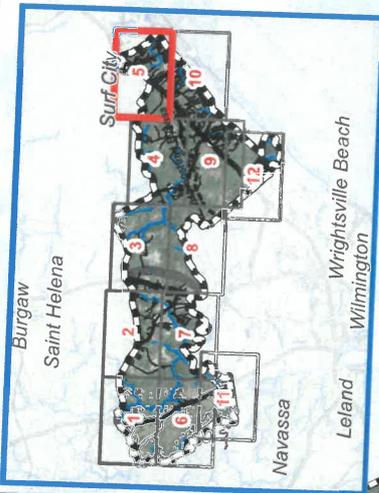
Legend

- Public Right of Way
- Private Right of Way
- Future Development
- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6
- Phase 7
- Phase 8



**Legend**

<b>Proposed Collectors</b>	<b>Roadways</b>	<b>Other Symbols</b>	<b>Proposed Structure Type</b>
Existing Collector Standards	Interstate	Study Area	Interchange
Existing Roads - Need Improvement	NC and US Routes	Study Area Parcels	Overpass
Planned Connections	Local Roads	Lakes and Ponds	
Preferred Scenario	Hampstead Bypass	Streams	





305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402  
Ph: (910) 341-3258  
Fax: (910) 341-7801  
www.wmpo.org

February 17, 2016

**Dan Cumbo, PE**

Davenport

3722 Shipyard Boulevard, Suite E

Wilmington, NC 28403

RE: Revised Approval of the Traffic Impact Analysis (TIA) associated with the proposed  
**Wyndwater Development**  
Pender County, NC

The WMPO, NCDOT, and Pender County staffs have reviewed the Wyndwater Development TIA dated October 15, 2015 with updated Synchro files dated December 3, 2015. The approved document consists of the following phases:

**Phase 1**

- 110 Single Family Homes

**Phase 2 (including phase1)**

- 254 Single Family Homes
- 55 Townhomes

**Phase 3 (including phases 1 and 2)**

- 329 Single Family Homes
- 135 Townhomes
- 60,000 square ft. of Mini Storage

**Phase 4/Full Build (including phases 1, 2, and 3)**

- 379 Single Family Homes
- 155 Townhomes
- 60,000 square ft. of Mini Storage
- 100 Senior Adult Housing Dwelling units

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach  
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick  
County of Pender • Cape Fear Public Transportation Authority • North Carolina Department of Transportation

---

We concur with the recommendations of the TIA as stated below with modifications shown in red:

**Phase 1**

Sloop Point Loop Road at Site Access 1 (northeast of Masters Lane)

- No improvements are recommended

Sloop Point Loop Road at Site Access 2 (northeast of Friendly Lane)

- This access will not be installed in this phase

US 17 at Topsail Greens Drive

- No improvements are recommended

US 17 at Topsail Plantation Drive

- No improvements are recommended

US 17 at Champion Drive

- No improvements are recommended

US 17 at Sloop Point Road

- No improvements are recommended

US 17 at Sloop Loop Point Road

- No improvements are recommended

**Phase 2**

Sloop Point Loop Road at Site Access 1 (northeast of Masters Lane)

- Provide a northbound left turn lane with 100 feet of storage and appropriate taper

Sloop Point Loop Road at Site Access 2 (northeast of Friendly Lane)

- This access will not be installed in this phase

US 17 at Topsail Greens Drive

- Three-lane cross-section: One Ingress, Two Egress
  - Egress
    - Shared left and through
    - Dedicated right turn

US 17 at Topsail Plantation Drive

- No improvements are recommended

---

#### US 17 at Champion Drive

- Three-lane cross-section: One Ingress, Two Egress
  - Egress
    - Shared left and through
    - Dedicated right turn

#### US 17 at Sloop Point Road

- No improvements are recommended

#### US 17 at Sloop Loop Point Road

- Restripe the existing pavement to provide a three-lane cross-section: One Ingress, Two Egress
  - Egress
    - Shared left and right
    - Dedicated left turn
- Provide signal modifications to facilitate striping changes

### Phase 3

#### Sloop Point Loop Road at Site Access 1 (northeast of Masters Lane)

- Provide a southbound left-turn lane with 100 feet of storage and appropriate taper (once the east side access is installed)

#### Sloop Point Loop Road at Site Access 2 (northeast of Friendly Lane)

- No improvements are recommended

#### US 17 at Topsail Greens Drive

- No additional improvements are recommended

#### US 17 at Topsail Plantation Drive

- No additional improvements are recommended

#### US 17 at Champion Drive

- No additional improvements are recommended

#### US 17 at Sloop Point Road

- No improvements are recommended

#### US 17 at Sloop Loop Point Road

- No improvements are recommended

---

If changes are made to the proposed site driveways and/or use, the current trip distribution may need to be modified and would require a revised Traffic Impact Analysis to be submitted for review by the NCDOT, WMPO, and Pender County. This approval would become null and void.

The applicant is required to obtain all applicable Pender County and NCDOT permits for access to the road network. All applicable NCDOT and Pender County technical standards and policies shall apply.

Please contact me at 910-473-5130 with any questions regarding this approval.

Sincerely,

Amy Kimes, PE  
Project Manager  
Wilmington Metropolitan Planning Organization

Cc: Robert Vause, PE, District Engineer, NCDOT  
Katie Hite, PE, Division Traffic Engineer, NCDOT  
Kyle Breuer, Planning Director, Pender County  
Megan O'Hare, Senior Planner, Pender County  
Bill McDow, Transportation Planner, WMPO  
Mike Kozlosky, Executive Director, WMPO

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

APPENDIX A

DOCKET NO. W-1305, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

WYNDWATER DEVELOPMENT

Pender County, North Carolina,

subject to any orders, rules, regulations,  
and conditions now or hereafter lawfully made  
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 27<sup>th</sup> day of January, 2016.

NORTH CAROLINA UTILITIES COMMISSION

*Gail L. Mount*

Gail L. Mount, Chief Clerk



Date: July 19, 2016

Re: Certificate of Public Convenience and Necessity

To Whom It May Concern:

Please be advised that Pluris Hampstead, LLC will accept the wastewater generated by the development or address listed below, as it is connected to our collection system.

Location: Wyndwater Community, Hampstead, NC 28443; adding an additional 321 single  
family homes and townhomes to the existing developer agreement of 150 homes.

Connected:  Not Connected:

All fees will need to be paid for additions of bedrooms or habitable rooms.

If you have any questions concerning this matter, please feel free to call upon me at anytime at (910) 327-2880.

With kind regards,



Kaarin M. Williams

**TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:**

On Tuesday August 2, 2016 the Pender County Technical Review Committee reviewed the proposed Wyndwater Master Development Plan Revision:

**Cape Fear Council of Governments RPO**

*No Response.*

**Four County Electric Company**

*No Response.*

**NC DENR Division of Coastal Management**

*No Response.*

**NC DENR Division of Forestry**

*No Response.*

**NC DENR, Division of Energy, Mineral, and Land Resources - Land Quality Section**

*No Response.*

**NC DENR Division of Waste Management**

*No Response.*

**NC DENR Division of Water Quality**

*No Response.*

**NC DOT Division of Highways**

*No Response.*

**NC DOT Transportation Planning Branch**

Driveway Permit for roadway improvements. Plans have been submitted for the Roadway Improvements that were recommended. We are reviewing them for comments now. Phase III plan has been submitted, and approved. The only road in Phase III that has plan approval is Aurora Place. **NC Office of State Archaeology** *No Response.* **NC Wildlife Resources Commission** *No Response.* **Pender County Addressing Coordinator** *With the addition of new roads, please make sure whomever is in charge of road naming is submitting those new proposed names to Jan Dawson, E911 Addressing Coordinator. They have to be approved before they can be used.*

*Jan Dawson can be reached at (910)259-1442.*

**Pender County Building Inspections/Permitting**

*No comments at this time.*

**Pender County Emergency Management**

*No Response.*

**Pender County Environmental Health**

*All lots using septic require an IP/CA*

**Pender County Fire Marshal****Street frontage**

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

**Dead Ends**

Any dead ends 150 ft or more shall have an approved Fire Department turnaround **Cul-De-Sacs** Shall have a min. of 40ft radius (DOT Approved)

**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.

**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

**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 ½-inch steamer, (2) 2 ½ inch discharge connections, etc.) and proper maintenance shall be utilized.

**Building Heights**

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

**Set Backs**

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

**Pender County Flood Plain Management**

*No response*

**Pender County Parks and Recreation**

Parks and Recreation does not have any issues with Wyndwater's latest phase that was discussed at the August 2, 2016 TRC meeting. I like the walking trail connecting the two cul da sacs.

**Pender County Public Library**

*No Response.*

**Pender County Public Utilities**

*No Response.*

**Pender County Schools**

*No Response.*

**Pender County Sheriff's Department**

*No Response.*

**Pender County Soil and Water Conservation District**

*No Response.*

**Progress Energy Corporation**

*No Response.*

**US Army Corps of Engineers**

*No Response.*

**Pender County Fire Marshal**

*No response*

**Pender County Flood Plain Management**

*No response*

**Pender County Parks and Recreation**

*No response*

**Pender County Public Library**

*No response*

**Pender County Public Utilities**

*No response*

**Pender County Sheriff's Department**

*No response*

**Pender County Soil and Water Conservation District**

*No response*

**Progress Energy Corporation**

*No response*

**US Army Corps of Engineers**

*No response*

**Wilmington Metropolitan Planning Organization** 1. Maple Hill Scotchman is outside the WMPO boundary area, therefore, I will not be providing formal comments on the site. I did notice that the backing area from the final parking space adjacent to the dumpster enclosure appears to be inadequate. Typically, I request a 10'X15' backing stub, which corresponds to what the City uses for its TRC. 2. Shelter Creek LLC, Mining Operation is also outside the WMPO boundary area, however, I would like to know the destination of some of those trucks once they leave HWY 53 and HWY 50. If it is on other roads, it may cause them to develop maintenance problems earlier than programmed. The mine appeared to be expanding from 65 acres to over 240 acres, so some increase in traffic and trips may occur. The other two items, Hampstead Self Storage and Wyndwater will have standard comments.



**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC.,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTD

**Master  
Development Plan  
Revision**

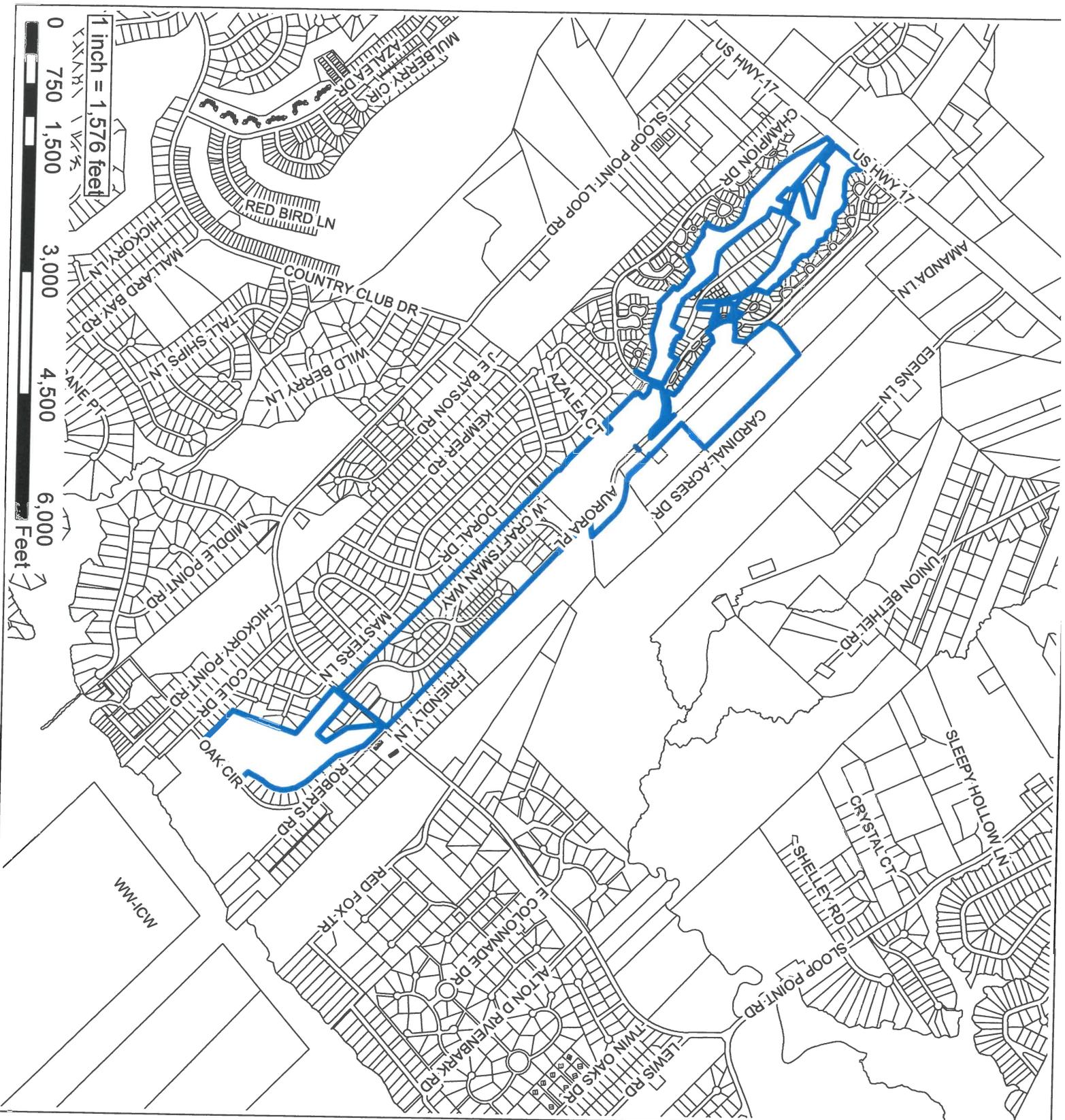
**Case Number:**  
334-2016

**Wyndwater**

 **Subject Property**



**Vicinity**





**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC.,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTD

**Master**  
Development Plan  
Revision

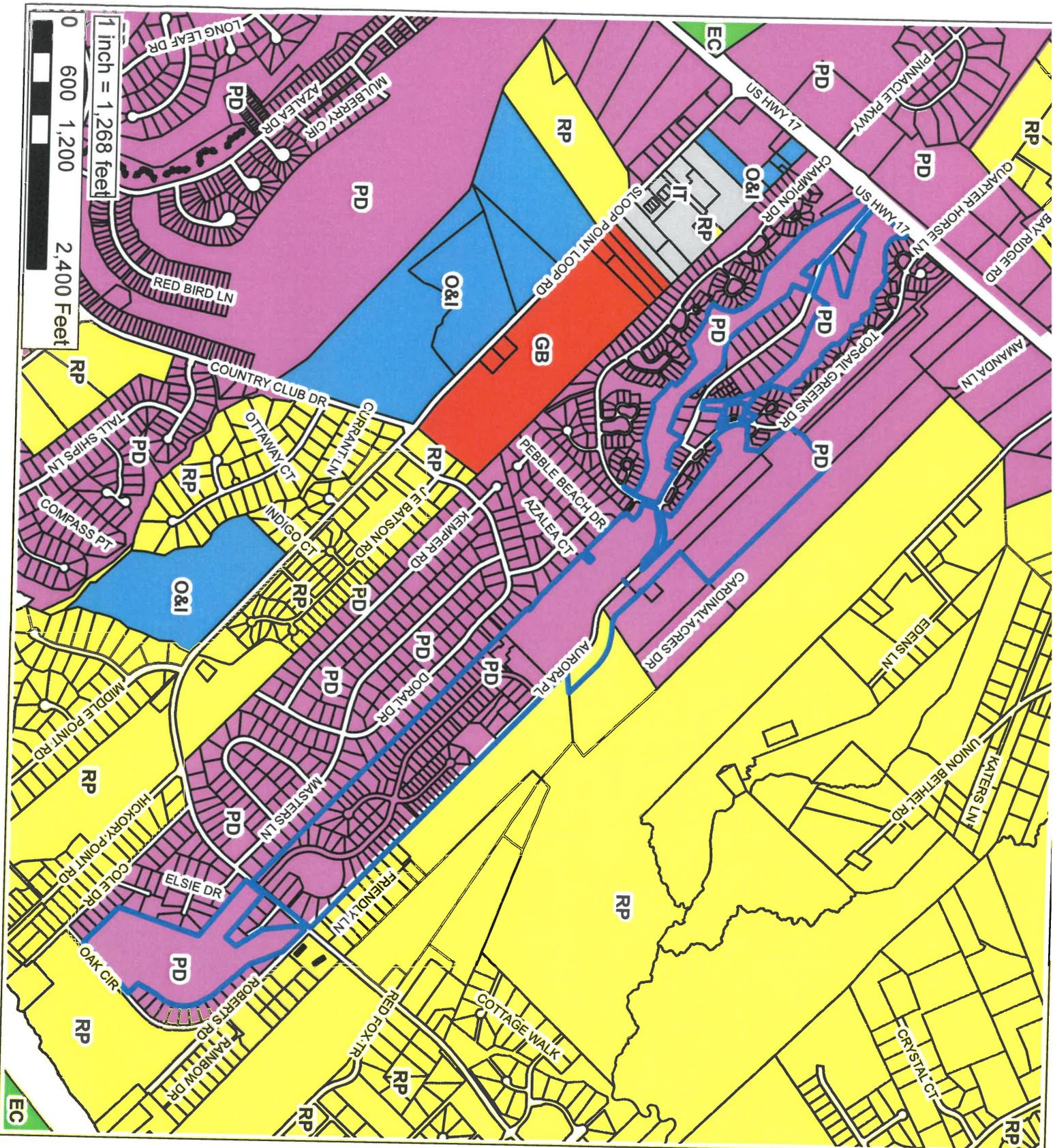
**Case Number:**  
334-2016

**Wyndwater**

- Legend**
- Subject Parcel
  - 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)



**Current Zoning**





**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTD

**Master  
Development Plan  
Revision**

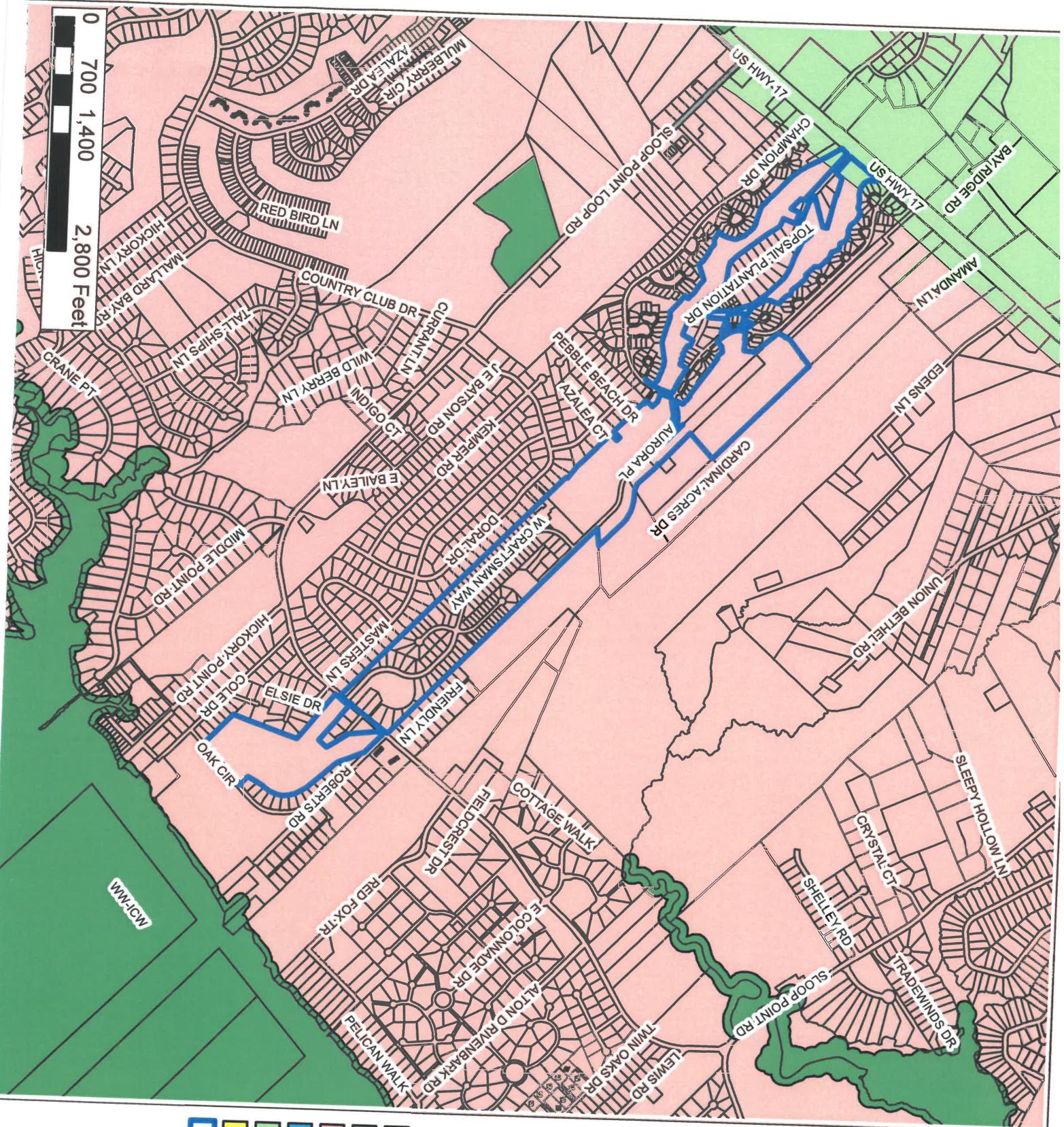
**Case Number:**  
334-2016

**Wyndwater**

- Legend**
- Conservation
  - Industrial
  - Mixed Use
  - Office, Institutional, Business
  - Rural Growth
  - Suburban Growth
  - Subject Parcel



**Future Land Use**





**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC.,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTI

**Master  
Development Plan  
Revision**

**Case Number:**  
334-2016

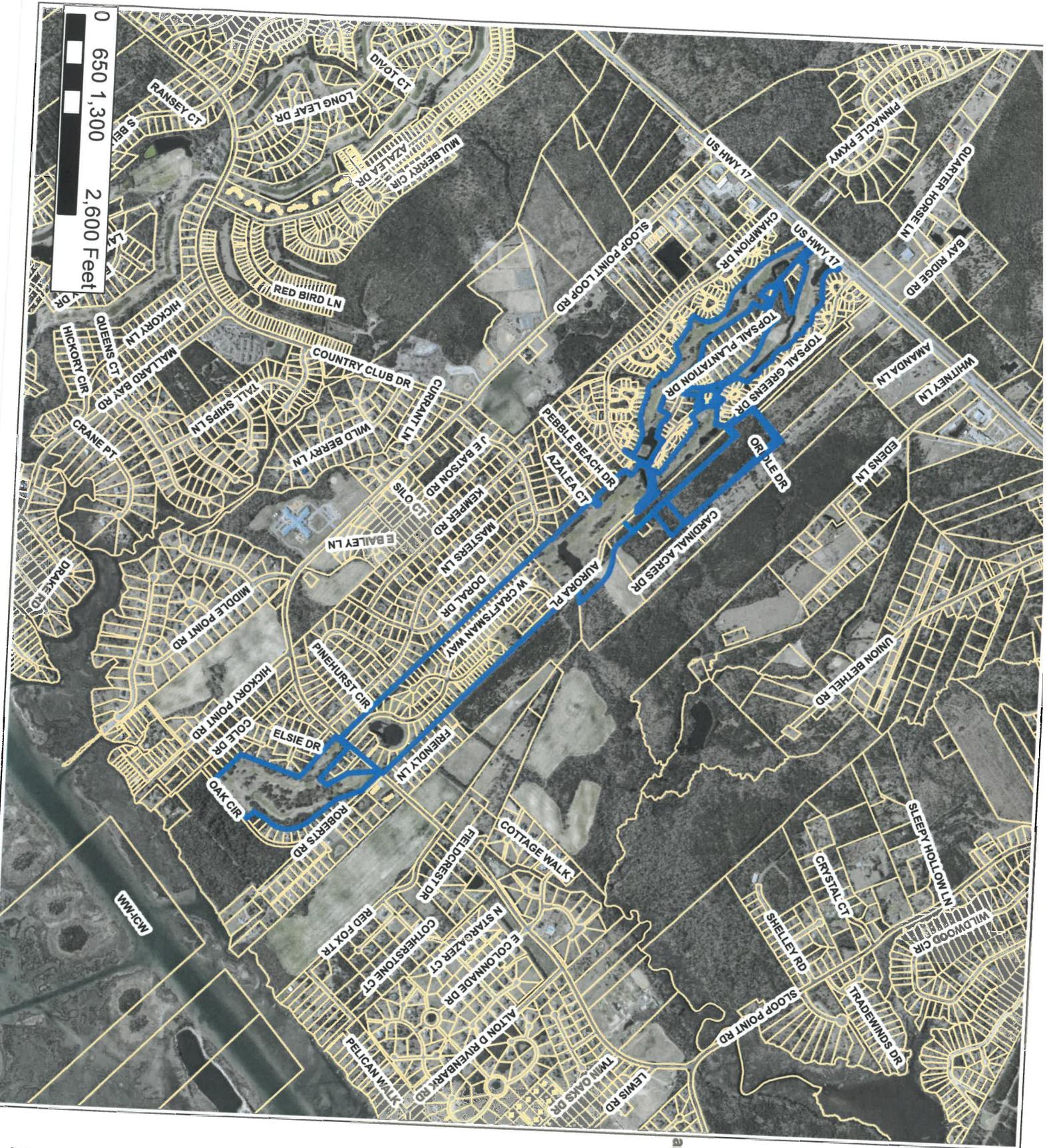
Wyndwater



Subject Parcel



2012 AERIAL





**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTI

**Master Development Plan**  
Revision

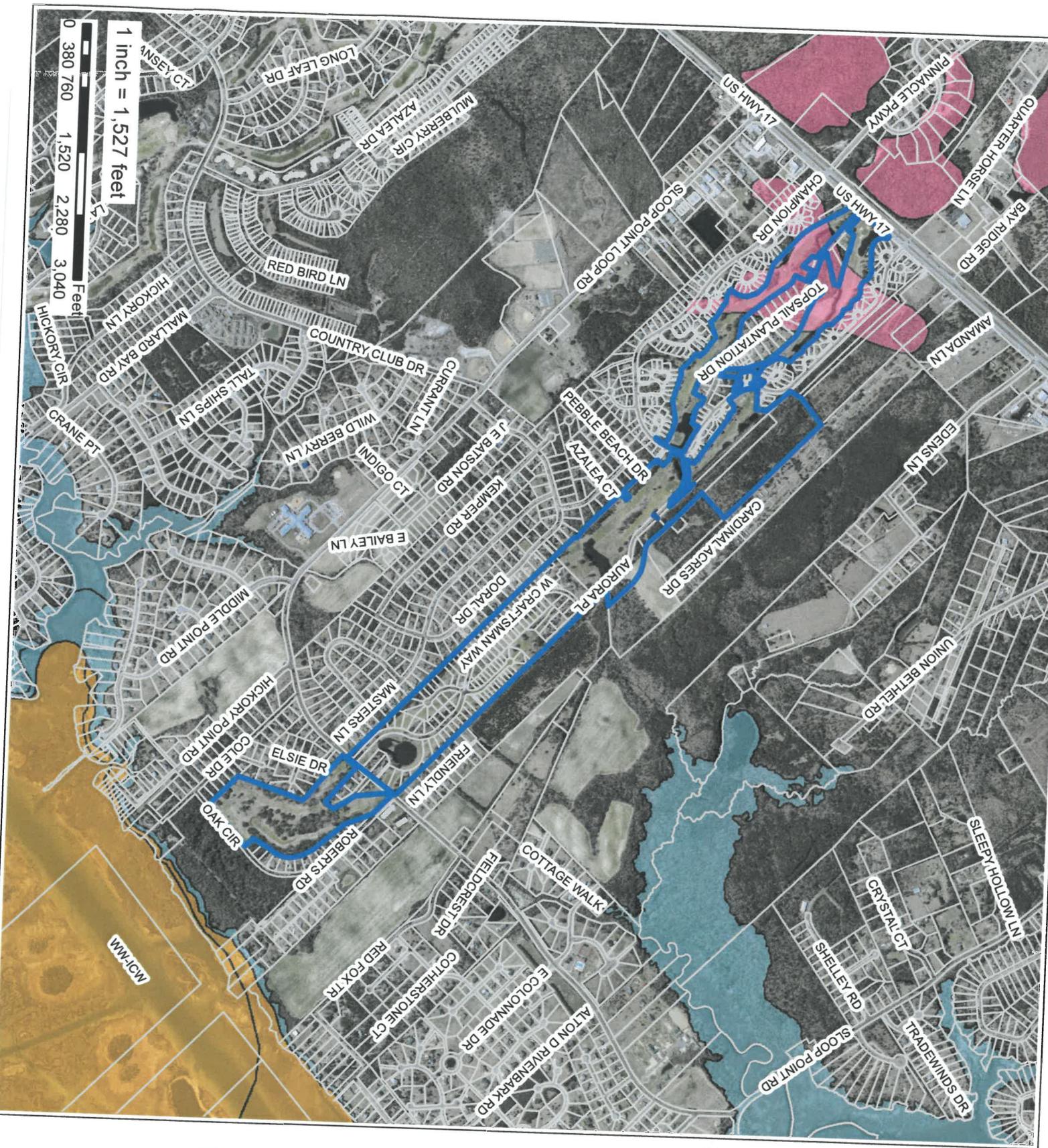
**Case Number:**  
334-2016

Wyndwater

-  Subject Parcel
-  Flood Hazard Areas
-  A
-  AEFW
-  SHADED X
-  VE



**Flood Zones**





**Applicant:**  
Signature Top Sail NC, LTD

**Owners:**  
Capstone Ventures LLC,  
Ruth C. Kalmar Lewis et al,  
Morris Jeffrey L et al,  
and Signature Top Sail NC, LTD

**Master  
Development Plan  
Revision**

**Case Number:**  
334-2016

**Wyndwater**

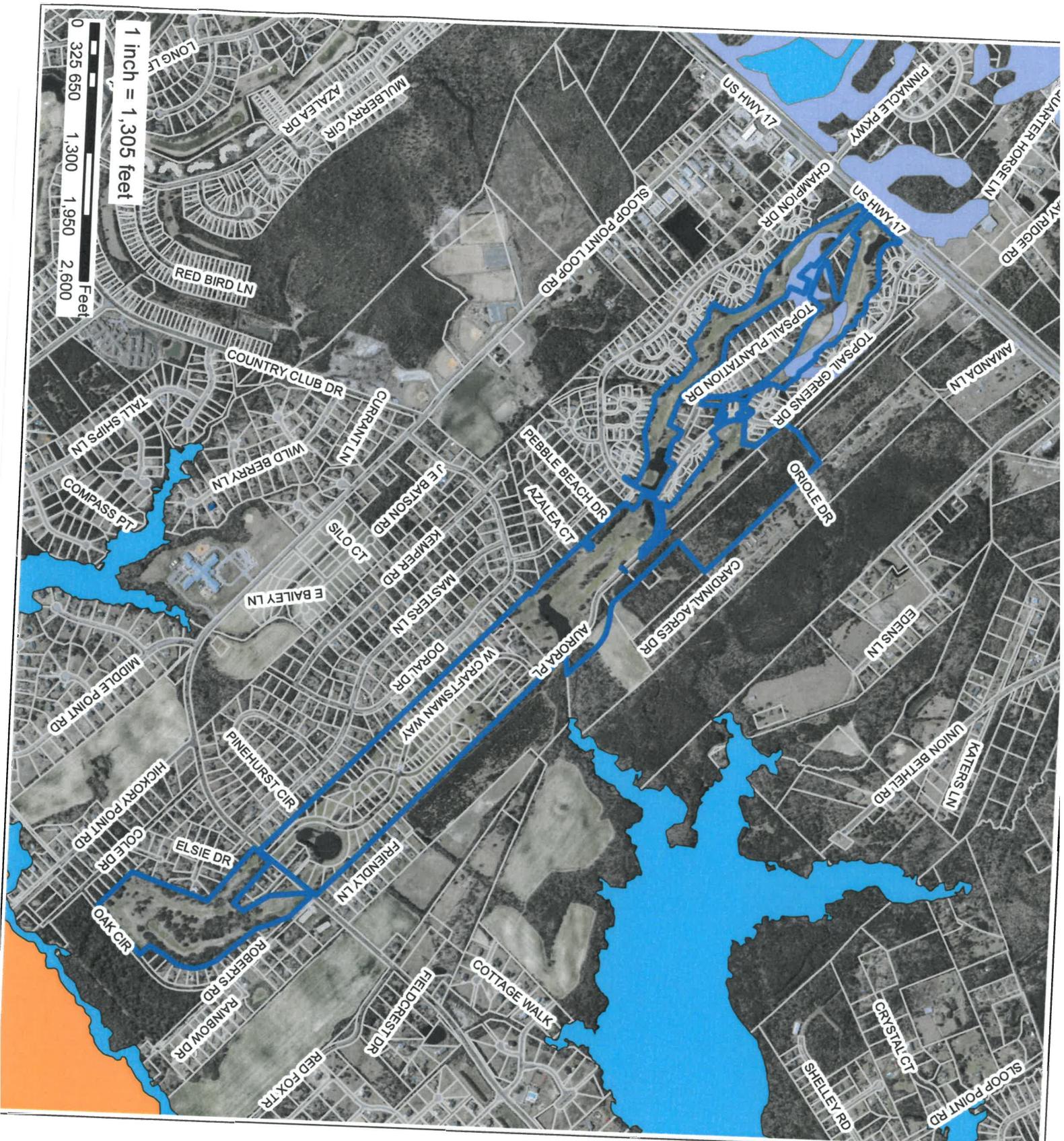
### Legend

#### Preliminary Flood Zone

- A
- AE
- AO
- VE
- Subject Parcel



### Preliminary Flood Zones



1 inch = 1,305 feet



**PLANNING STAFF REPORT**  
**Zoning Map Amendment**

---

**SUMMARY:**

**Hearing Date:** September 7, 2016 Planning Board  
 October 17, 2016 Board of Commissioners  
**Case Number:** ZMA FLUMA 323-2016  
**Applicant:** Creative Commercial Properties  
**Property Owner:** P.H. LANCO, Inc.

**Map Amendment Proposal:** Creative Commercial Properties, applicant, on behalf of P.H. LANCO, Inc. owner, is requesting approval of an amendment to the 2010 Pender County Comprehensive Plan Future Land Use Map for one (1) tract totaling approximately 8.42 acres from Rural Growth to Mixed Use future land use designation.

**Property Record Numbers, Acreage, and Location:** The subject property is located along the west side of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township and may be further identified by Pender County PIN: 4204-65-5211-0000.

**Comprehensive Plans and Policies Committee (CPPC) Consensus:** The Pender County CPPC was e-mailed for comments on this proposal on July 18, 2016. No comments were received on the proposal.

---

**RECOMMENDATION:**

This proposal consists of changing one (1) tract totaling ±8.42 acres from the Rural Growth Land Use Classification to the Mixed Use Land Use Classification as shown on the 2010 Comprehensive Plan Future Land Use Map. The property is near the border of Future Land Use designations where Rural Growth abuts Mixed Use. The majority of the parcels to the east are classified Mixed Use, which is in line with the development patterns being realized in this area due to the availability of water, sewer and highway access. The parcel directly to the north is also designated Rural Growth, however it is zoned PD, Planned Development zoning district and has an approved Major Site Plan for a retail use issued on January 20, 2016. Due to availability of water, sewer and the proximity to business uses, Staff respectfully recommends that the request for Mixed Use land use classification be approved.

---

**PROJECT HISTORY:** This parcel is recorded in Map Book 633, Page 186. The parcel is a result from a subdivision north of it called The Pinnacle. Proof of legal access to Pinnacle Parkway has been included as attachment one.

**DESCRIPTION:**

As outlined in the 2010 Comprehensive Plan; Policy 11A.1.4 any request to amend either the written text and/or the maps within the Plan shall follow the same process as a text or map amendment as described in the Unified Development Ordinance. The applicant is requesting approval of an amendment to the 2010 Comprehensive Plan Future Land Use Map. The proposed amendment would change one (1) tract totaling ±8.42 acres Future Land Use Classification from Rural Growth to Mixed Use.

---

The subject property is located along the west side of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township. There is direct access to the property off of US HWY 17 and Pinnacle Parkway (private).

The adoption of the 2010 Comprehensive Land Use Plan Future Land Use Map placed the subject property into the Rural Growth land use classification. The Rural Growth Land Use Classification is described in the 2010 Comprehensive Land Use Plan, as 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.

The applicant asserts that the property no longer aligns with the Rural Growth Land Use Classification because there is now access to sewer and water and the development trends in this area are no longer agricultural in nature. It was likely assigned this designation due to the fact there were no plans for such an extension in this area when the plan was drafted and subsequently adopted, as well as the proximity to conservation areas (Holly Shelter Game Lands).

The landscape of the US HWY 17 corridor is changing rapidly. In January of 2016, a Master Development Plan was approved to construct a Dollar General directly north of the subject property, making the request for a new designation warrant a close examination. The area is deviating from agricultural tendencies and forming characteristics more appropriate for alignment with the Mixed Use Future Land Use Designation.

The applicant is requesting the Mixed Use Future Land Use Classification. This designation would be consistent with properties to the east across US HWY 17 and to the development directly to the north across Pinnacle Parkway (private).

The Mixed Use Land Use Classification is described in the 2010 Comprehensive Land Use Plan as designating 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, and pedestrian and transit friendly manner. Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of the goods and services needed by residents in a coordinated, concentrated manner.

A portion of this property does appear to be in the A Flood Zone as demonstrated on the effective Flood Insurance Map #3720421500J (FIRM) dated February 16, 2007. In preliminary flood maps released last year, the parcel appears to be in both A and AE flood zones.

---

#### EVALUATION:

- A. **Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender Post and Topsail Voice. Adjacent property owners have been given written notice of the request, as well as a sign placed on the subject property.
- B. **Existing Zoning in Area:** The existing zoning on the subject parcel is PD, Planned Development zoning district. All parcels adjacent to this property are also zoned PD, Planned Development zoning district, with the exception of one parcel to the east across HWY 17 zoned O&I, Office and Institutional zoning district.

- C. **Existing Land Use in Area:** The parcel is currently undeveloped. There is a Dollar General retail store to the north. The property to the southwest is wooded and undeveloped. The property to the northeast is the Pinnacle Ridge residential subdivision. The property to the south is owned by J.L. Anderson Construction.
- D. **2010 Comprehensive Land Use Plan:** The 2010 Comprehensive Land Use Plan classifies the subject property as Rural Growth. It classifies all adjacent parcels to the north and west Rural Growth as well. Parcels to the south are split between Mixed Use and Rural Growth.

**3.3.8 Review Criteria for Rezoning/Comprehensive LUP Map Amendments**

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.

**RECCOMENDATION:**

This proposal consists of changing one (1) tract totaling ±8.42 acres from the Rural Growth Land Use classification to the Mixed Use Land Use classification as shown on the 2010 Comprehensive Plan Future Land Use Map. The Pender County Comprehensive Plans and Policies Committee (CPPC) have no objection with this proposal. The land use trends in this area are no longer of an agricultural nature, and the property has access to HWY 17 and to water and sewer utilities, which is consistent with the Mixed Use land use classification. Therefore, staff respectfully recommends that the request be approved.

**VOTING AND RESOLUTION:**

Planning Board

Motion: \_\_\_\_\_ Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous: \_\_\_\_\_

Williams: \_\_\_ Fullerton: \_\_\_ Baker: \_\_\_ Carter: \_\_\_ Edens: \_\_\_ McClammy: \_\_\_ Nalee: \_\_\_

FLUPA-ZMA 323-2016

**Comprehensive Plan Future Land Use (FLU) Map Amendment**

THIS SECTION FOR OFFICE USE			
Application No.	CPMA	Date	7/14/2016
Application Fee	\$540-	Receipt No.	NA/Kelly entered
Pre-Application Conference	June 17, 2016	Hearing Date	September 7, 2016
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	HENRY NADEAU	Owner's Name:	P.H. LANCO
Applicant's Address:	P.O. Box 56	Owner's Address:	1210 ESSEX DR.
City, State, & Zip	HAMPSTEAD NC 28443	City, State, & Zip	WILMINGTON NC 28403
Phone Number:	910 524 1784	Phone Number:	617 9182
Legal relationship of applicant to land owner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4204-65-5211	Total property acreage:	8.4
Current FLU Classification	RURAL GROWTH	Proposed FLU Classification:	MIXED USE
Project Address:	SOUTHWEST CORNER OF Hwy 17 AND PINNACLE PARKWAY		
Description of Project Location:	1/4 MILE NORTH OF SLOOP POINT LOOP ROAD		
SECTION 3: SIGNATURES			
Applicant's Signature	<i>[Signature]</i>	Date:	7/14/16
Owner's Signature	Mary P. Holladay	Date:	7/14/16
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>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.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol>			

RECEIVED

JUL 14 2016

PENDER PLANNING DEPT.

**NARRATIVE**  
**Parcel 4204-65-5211**

RECEIVED

11/14/2016

PENDER PLANNING DEPT.

We are requesting an amendment to the comprehensive land use plan that changes the designation on our tract from Rural Growth to Mixed Use.

This site is located on Highway 17 in Hampstead at the southwest corner of Pinnacle Parkway. This parcel is just north of the Sloop Point Loop Road intersection. All of the nearby existing uses on Highway 17 are commercial.

The Rural Growth classification is designed to protect "existing agricultural uses" and targets areas without available water and sewer utilities. With water and sewer available and nearby agricultural uses non-existent, the designation does not fit this site or this area at all.

By contrast, Mixed Use will accommodate commercial uses that serve the fast growing residential population, clearly a close fit for Hampstead's highway commercial district.

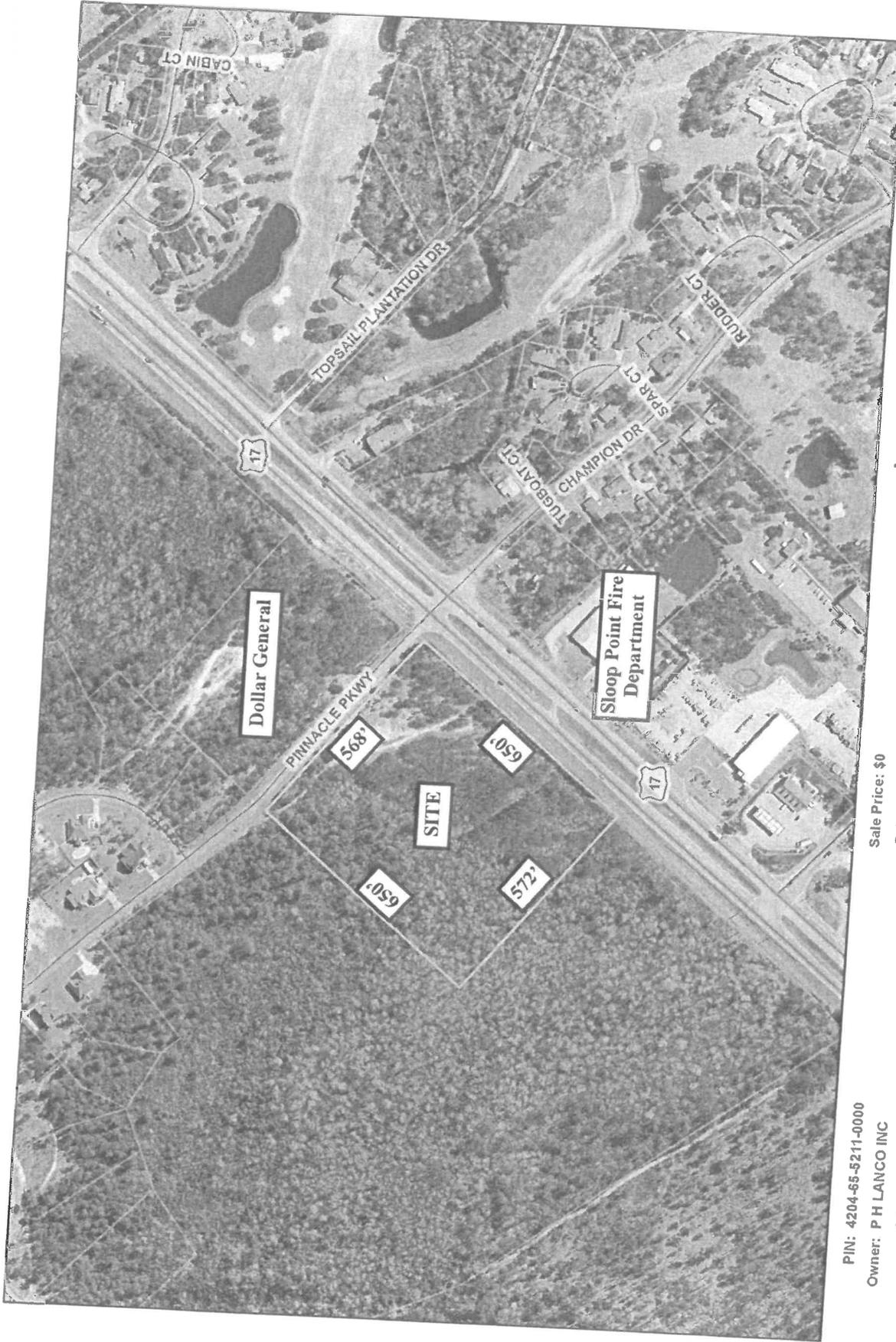
*Henry Nicks*  
Applicant

P. H. Lanco  
Owner

By: *Mary P. Holladay*

JUL 14 2016

RECEIVED



PIN: 4204-65-5211-0000

Owner: P H LANCO INC

4 FOREST HILLS DR

WILMINGTON, NC 28403

Deed Ref: 633/186

Property Address: 17 HWY OFF

Description: PB 32/98 TR 6H 6I 8E

Sale Price: \$0

Sale Date:

Plat: 00320098

Account No: 17415

Township: TOPSAIL

Subdivision: PINNACLE (THE)

Tax Codes: G01 F22 R40

Acres: 8.42

Land Value: \$184,903

Building Value: \$0

Total value: \$184,903

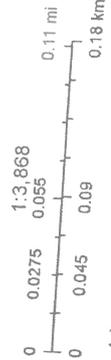
Deferred Value: \$0

Exempt Amount:

PCL Class: R

Heated Sq Feet:

# Pender County



June 17, 2016



**Applicant:**  
Creative Commercial  
Properties

**Owner:**  
PH LANCO, Inc

**Future Land Use  
Map Amendment**

**Case Number:**  
323-2016

Subject Parcel



Vicinity





**Legend**

**Applicant:**  
Creative Commercial  
Proeprties

**Owner:**  
PH LANCO, Inc

**Future Land Use  
Map Amendment**

**Case Number:**  
323-2016

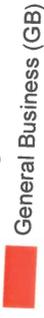
**Legend**



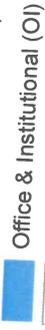
Subject Parcel

**Zoning Classification**

**UDO Zoning**



General Business (GB)



Office & Institutional (OI)



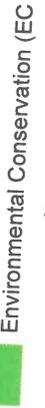
Rural Agricultural (RA)



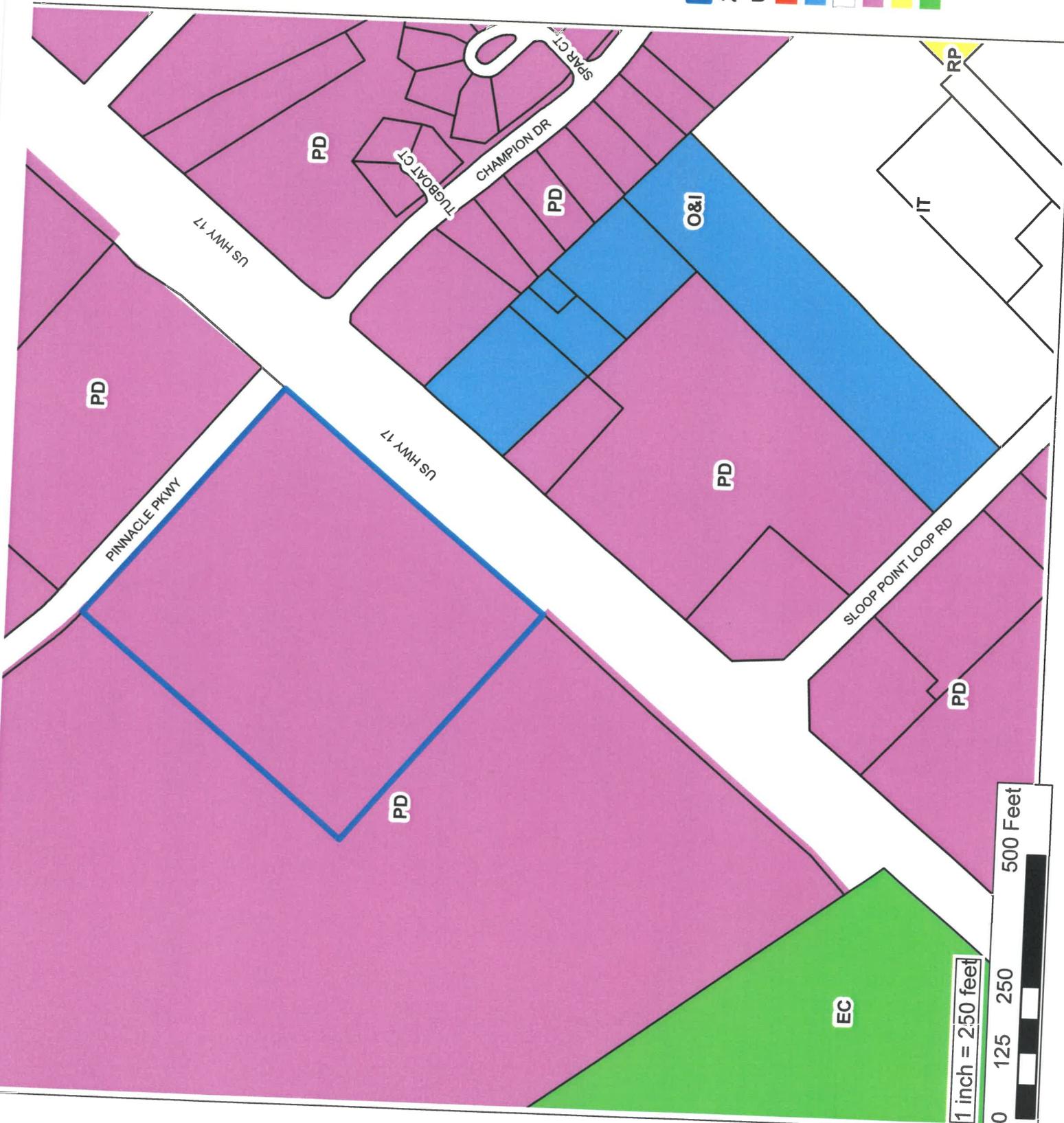
Planned Development (PD)



Residential Performance (RP)



Environmental Conservation (EC)





**Applicant:**  
Creative Commercial  
Properties

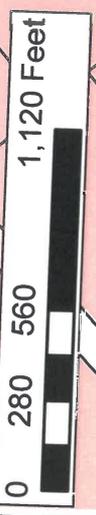
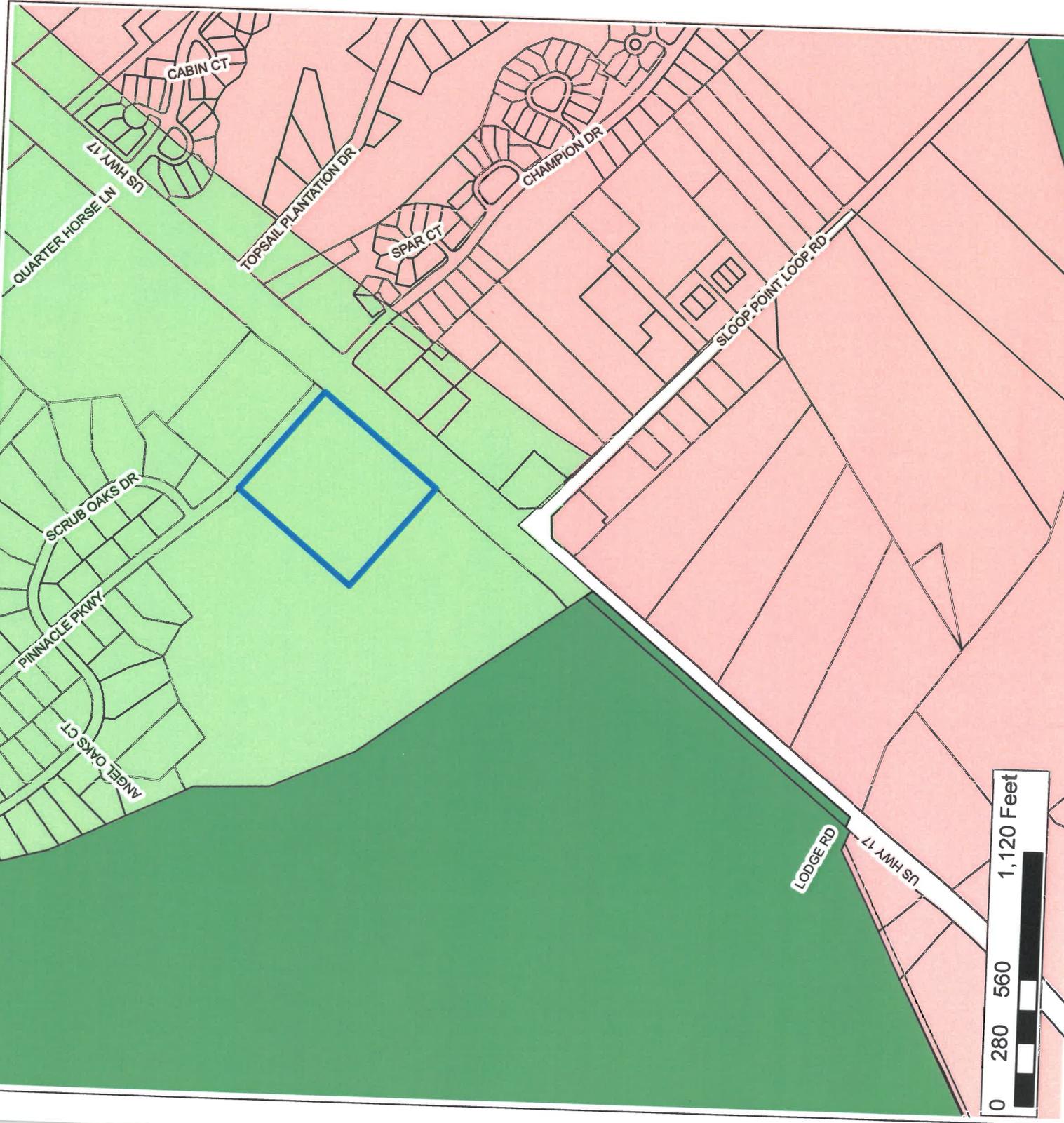
**Owner:**  
PH LANCO, Inc

**Future Land Use  
Map Amendment**

**Case Number:**  
323-2016

**Legend**

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





**Applicant:**  
Creative Commerical  
Properties

**Owner:**  
PH LANCO, Inc.

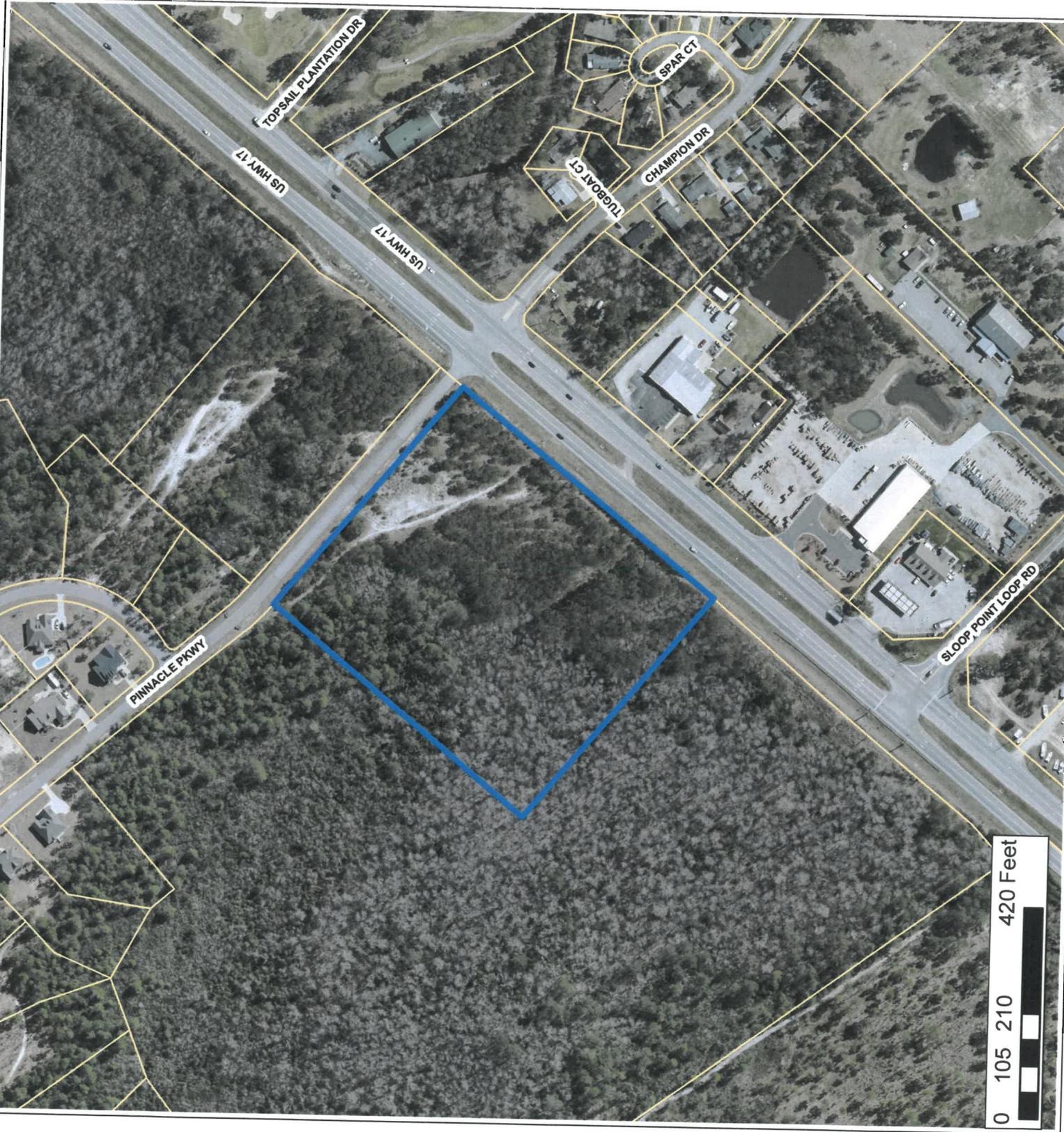
**Future Land Use  
Map Amendment**

**Case Number:**  
323-2016

**Legend**



Subject Property



ST AC

FILED

Record 1483-172  
BK1481PG116

#2

99 JUN 16 PM 4:23  
STATE OF NORTH CAROLINA  
JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
COUNTY OF PENDER  
PENDER COUNTY, NC

FILED

99 JUN 11 AM 11:49  
JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC

THIS DEED OF EASEMENT, made and entered into this 11 day of June 1999, by and between **PINNACLE PROPERTY OF HAMPSTEAD, LLC**, a North Carolina limited liability company, party of the first part; and **P H LANCO, INC.**, a North Carolina corporation, party of the second part;

WITNESSETH:

Whereas, the parties hereto own adjoining tracts of land, the land of the party of the first part being included in the deed recorded in Book 1481, Page 113 of the Pender County Registry, and the lands of the parties of the second part being included in deeds recorded in Book 644, Page 186 of the Pender County Registry; and

Whereas, the party of the first part has agreed to grant the parties of the second part a non-exclusive easement for ingress, egress, drainage, and construction, installation and maintenance of utility lines, and drainage facilities, upon the terms and conditions hereinafter set forth.

Now, therefor, the said party of the first part, in consideration of the foregoing matters and ONE (\$1.00) DOLLAR and other good and valuable considerations to it in hand paid, the receipt of which is hereby acknowledged, has given, granted, bargained and sold, and by these presents does give, grant, bargain, sell and convey unto the said parties of the second part, their successors and assigns, in common with the party of the first part, its successors and assigns, a perpetual right and easement over, under and across the hereinafter described tract of land, for ingress, egress, drainage, and to install, construct, operate, maintain, repair and replace a street or road, underground pipes and lines for electric, water, sewer and other utilities, and other facilities necessary therefor, and drainage ditches and underground drainage lines and facilities, and to go upon the said land with men,

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

equipment, and materials whenever necessary to fully utilize all rights herein granted.

Being Lots 6B, 6D, and 8B as set out on the map entitled "Map of Survey for P.H. Lanco, Inc." as recorded in Map Book 32, Page 98 of the Pender County Registry.

Except for the easement rights specifically granted by this deed, the party of the first part retains all rights to the above described tract of land:

Each of the parties hereto, their successors and assigns, shall install all utility lines and facilities, and/or drainage lines and facilities, in such manner as to not unreasonably interfere with the road, street, utilities lines and facilities, and/or drainage lines and facilities, installed by the other. Utilities lines and facilities, and/or drainage lines and facilities, shall be installed under any street or road insofar as is practical, and the parties hereto shall adopt a mutually agreeable pattern for said utilities. It is the intent that the roadway constructed by Pinnacle shall not be damaged or destroyed by the installation of utilities and/or drainage, and, insofar as reasonably practical the utilities shall be install underground so as not to interfere with the use of adjacent property, Pinnacle shall maintain the road until such time as it shall become part of the public road system. Pinnacle shall have the right to transfer ownership and/or maintenance responsibility to the NCDOT, at which time this easement shall be subject to the rules and regulations of the NCDOT.

The party of the first part, its successors and assigns, may tap onto and utilize any utility lines and facilities, and/or drainage lines and facilities, installed on or under the above tract of land by the party of the second part, their successors or assigns, and the utility and/or drainage services provided thereby, upon payment of such tap, impact, and/or user fees as are charged or will be charged to any other party tapping onto and utilizing such utility lines and facilities, and/or drainage lines and facilities.

TO HAVE AND TO HOLD, the aforesaid right and easement to the said parties of the

second part, their successors and assigns, forever, it being agreed that said right and easement is appurtenant to and runs with the above referred to land of the parties of the second part, and may be transferred to one or more successors in title to said land of the parties of the second part, and is in common with the party of the first part, its successors and assigns.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

PINNACLE PROPERTY OF HAMPSTEAD, LLC

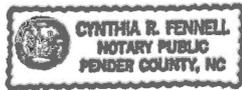
By: [Signature], Member Manager

NORTH CAROLINA

PENDER COUNTY

I, CYNTHIA R. FENNELL, a Notary Public, hereby certify that RALPH R. GILSTER, Jr personally came before me this day and acknowledged that (s)he is Manager of PINNACLE PROPERTY OF HAMPSTEAD, LLC, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in its name by its Manager for the purposes therein set out.

Witness my hand and official seal, this the 11<sup>th</sup> day of June, 1999.



[Signature]  
Notary Public

My Commission Expires: 11-20-99

1483-175  
BK 1481 PG 119

STATE OF NORTH CAROLINA

COUNTY OF PENDER

The foregoing certificate of Cynthia R. Fennell, Notary Public of Pender County, North Carolina is certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Pender County, North Carolina in Book 1481, Page 116.

This 11 day of June, 1999, at 11:49 o'clock A.M.

**JOYCE M. SWICEGOOD**  
Register of Deeds

BY: Joyce M. Swicegood  
Deputy/Assistant Register of Deeds

Recorded and verified:

North Carolina - Pender County

The foregoing (or annexed) certificate of

Cynthia R. Fennell

is certified to be correct

This 16 day of June, A.D. 1999?

JOYCE M. SWICEGOOD - Register of Deeds

By: Patricia A. Harwood  
Deputy/Assistant Register of Deeds

EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE  
IN AN INSTRUMENT AS ORIGINALLY RECORDED

BR 1483 PG 176

RE: BOOK 1481

PAGE 116

RECORDED IN THE Pender COUNTY REGISTRY

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

GRANTORS: P H LANCO, INC.

GRANTEES: PINNACLE PROPERTY OF HAMPSTEAD, LLC

STATE OF NORTH CAROLINA  
COUNTY OF PENDER

I/WE, The Undersigned, hereby certify that the following  
corrections are made in the above named recorded instrument in  
accordance with the provisions of G.S. 47-36.1 ratified June 30,  
1986.

DESCRIPTION OF CORRECTION(S): Rerecorded to add Deed Book  
and page reference.

THIS, THE 16th DAY OF June, 19 99

Patricia A. Damewood (SEAL)  
\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(SEAL)

This explanation statement together with the attached instrument  
duly rerecorded at 4:23 o'clock P M this the 16 day  
of June, 19 99 in the Book and page shown on the  
first page hereof.

JOYCE M. SWICEGOOD

Register of Deeds

By Patricia A. Damewood  
Deputy/Assistant Register of Deeds

**PLANNING STAFF REPORT  
ZONING MAP AMENDMENT**

---

**SUMMARY:**

**Hearing Date:** September 7, 2016 Planning Board  
October 17, 2016 Board of Commissioners  
**Applicant:** Creative Commercial Properties  
**Property Owner:** P.H. LANCO, Inc.  
**Case Number:** ZMA 324-2016

**Rezoning Proposal:** Creative Commercial Properties, applicant, on behalf of P.H. LANCO, Inc. owner, is requesting the approval of a Zoning Map Amendment for one (1) tract approximately 8.42 acres from the PD, Planned Development zoning district to the GB, General Business zoning district.

**Property Record Number, Acreage, and Location:** The subject property is located along the west side of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township and may be further identified by Pender County PIN: 4204-65-5211-0000.

---

**RECOMMENDATION**

The application is for a zoning map amendment of one (1) tract totaling approximately 8.42 acres from PD, Planned Development zoning district to GB, General Business zoning district. As submitted, the request complies with all but one of the criteria set forth in Section 3.3 Review Criteria for Rezoning of the Pender County Unified Development Ordinance. The portion of the Unified Development Ordinance this request is inconsistent with is 3.3.1 (E), which states that the request must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan. The Future Land Use Map in the 2010 Comprehensive Land Use Plan has this parcel designated as Rural Growth. General Business is not compatible with Rural Growth due to its definition. It is notable that a request for an amendment to this plan to reclassify the property to Mixed Use land use designation is pending in conjunction with this request for rezoning.

There are no other known conflicts with any adopted plans. If an amendment to the 2010 Comprehensive Land Use Plan is approved designating the Future Land Use designation to Mixed Use, Staff will support the request for this rezoning, due to the fact that the Mixed Use land use designation supports the expansion of water and sewer, and land uses associated with the GB, General Business zoning district.

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**HISTORY**

The property is wooded, vacant and undeveloped. This parcel is recorded in Map Book 633, Page 186. The parcel is a result from a subdivision north of it called The Pinnacle. Proof of legal access to Pinnacle Parkway has been included as attachment one.

---

**DESCRIPTION**

Creative Commercial Properties, applicant, on behalf of P.H. LANCO, Inc., owner, is requesting approval of a Zoning Map Amendment of one (1) tract totaling approximately 8.42 acres from the PD, Planned Development zoning district to the GB, General Business zoning district. The subject property is located along the west side

of US HWY 17 and to the south of Pinnacle Parkway (private), directly northwest of the US HWY 17 intersection with Champion Drive (private) in the Topsail Township.

The minimum acreage to rezone to GB, General Business zoning district is one (1) acre according to Section 4.14 of the Pender County Unified Development Ordinance. This request is in compliance in this regard, as there are approximately 8.42 acres requested for this general use rezoning.

#### **Access**

The property has direct access from US HWY 17 and from Pinnacle Parkway (private). Any improvements are subject to approval from NCDOT. Proof of legal rights to access from Pinnacle Parkway have been provided as Attachment One. Staff has requested that NCDOT studies the median in this area.

#### **Utilities**

According to the GIS records it is in the Rocky Top Water and Sewer District and there is access to water through Pender County Utilities. Any final zoning approvals are contingent upon review and approval by Pender County Utilities. There is access to wastewater provided by Pluris of Hampstead LLC, although no intent to serve letter has been provided. Any changes or approvals will be evaluated at the time of site development.

#### **Environmental Concerns**

A portion of this property does appear to be in the A Flood Zone as demonstrated on the effective Flood Insurance Map #3720421500J (FIRM) dated February 16, 2007. In preliminary flood maps released last year, the parcel appears to be in both A and AE flood zones. All development must be done in accordance with the Pender County Flood Damage Prevention Ordinance.

All applicable state, federal and local agency permits are required prior to the issuance of final zoning.

#### **EVALUATION**

**A) Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners have been given written notice of the request, and a public notification sign has been placed on the property.

**B) Existing Zoning in Area:** The existing zoning on the subject parcel is PD, Planned Development zoning district. All other adjacent properties are also zoned PD, Planned Development zoning district, with the exception of one parcel across US HWY 17 to the east zoned O&I, Office and Institutional zoning district.

**C) Existing Land Use in Area:** The parcel is currently undeveloped. There is a Dollar General Retail store to the north. The property to the southwest is wooded and undeveloped. The property to the northeast is the Pinnacle Ridge residential subdivision. The property to the south is vacant and undeveloped. The property is across from Pender EMS and Fire.

**D) 2010 Comprehensive Land Use Plan:** The 2010 Comprehensive Land Use Plan designates the subject property as 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.

The parcel has a pending request to be changed to 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, and pedestrian and transit friendly manner. Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of

the goods and services needed by residents in a coordinated, concentrated manner. Mixed Use areas are intended to reduce the number and length of auto trips by placing higher-density housing close to shopping and employment center. They also should function to improve the quality of life for residents living in higher density housing by placing daily conveniences, shops, and employment within walking distance

**E) Unified Development Ordinance Compliance:** Article 3.3 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for a rezoning can be made.

### **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 and in the public interest.

This General Use Rezoning is inconsistent with the 2010 Comprehensive Land Use Plan because there are conflicts between the requested new zoning designation of GB, General Business, and the Rural Growth Future Land Use designation.

The 2010 Comprehensive Land Use Plan describes Rural Growth: 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. Public sewer should not be extended except to the extent necessary to protect public health when existing community wastewater systems fail or a pattern of failure of on-site systems occurs in a specific area. 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. Areas designated as Rural Growth are located primarily in the western portion of the County with other Rural Growth areas designated surrounding the Holly Shelter Game Land and Angola Bay Game Land in eastern Pender County. Agricultural/farming operations and very low residential development intensities.

In Section 4.9.1 The Unified Development Ordinance describes General Business zoning district in the following way: This district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

The parcel is located on US HWY 17 and is located directly adjacent to a parcel approved to be used for a business use. This parcel meets the criteria for water, sewer and proximity to a major highway for the rezoning to warrant consideration.

Policy 3A.1.4 of the 2010 Land Use Plan states the County must consistently use the 2010 Comprehensive Land Use Plan to determine if a rezoning request is appropriate and consistent with local policies. The plan should be used as a guide in developing and approving land development proposals and for setting capital improvement plans and priorities. Effective January 1, 2006, the State of North Carolina amended planning statutes to strengthen the role of adopted plans in the consideration of zoning amendments. A statement from the planning board that the proposed amendment is inconsistent with a plan; however, does not preclude the governing board from adopting the amendment. The board decision does not have to be consistent with the comprehensive plan, but any inconsistency must be identified and explained. The comprehensive plan recommends that if a proposed zoning amendment is not in compliance with the plan, that a plan amendment be submitted and considered prior to or concurrent with consideration of the rezoning request

**RECOMMENDATION**

The application consists of a zoning map amendment request for approximately 8.42 acres from PD, Planned Development zoning district to GB, General Business zoning district. Because the 2010 Comprehensive Land Use Plan recommends that if a proposed zoning amendment is not in compliance with the plan, that a plan amendment be submitted and considered prior to or concurrent with consideration of the rezoning request, the Administrator respectfully requests that the Planning Board consider taking this action. If an amendment to 2010 Comprehensive Plan Future Land Use Map is made to make the parcel designation Mixed Use, staff will recommend this rezoning request.

---

**BOARD ACTION FOR CONTIDTIONAL REZONING REQUEST**

Motion: \_\_\_\_\_ Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous: \_\_\_\_\_

Williams: \_\_ Fullerton: \_ Baker: \_\_ Carter: \_\_\_\_\_ Edens: \_\_\_\_\_ McClammy: \_\_\_\_\_ Nalee: \_\_\_\_\_

RECEIVED

ZMA 324-2016

JUL 14 2016

# APPLICATION FOR REZONING (Zoning Map Amendment)

PENDER PLANNING DEPT.

## THIS SECTION FOR OFFICE USE

Application No.	ZMA 324	Date	7/14/2016
Application Fee	\$ 540 <sup>00</sup>	Receipt No.	NO Receipt - processed by GC
Pre-Application Conference	7/14/16	Hearing Date	10/17/16 BOCC

## SECTION 1: APPLICANT INFORMATION

Applicant's Name:	HENRY NADEAU	CREATIVE COMMERCIAL PROPERTIES	Owner's Name:	PH LANCO, INC
Applicant's Address:	P.O. BOX 56		Owner's Address:	1210 ESSEX DR.
City, State, & Zip	HAMPSTEAD NC	28443	City, State, & Zip	WILMINGTON NC
Phone Number:	910 524 7184		Phone Number:	910 617 9182
Legal relationship of applicant to land owner:	AGENT			

## SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	4204 6552 1100	Total property acreage:	8.42
Current Zoning District:	PD	Proposed Zoning District:	GB
Project Address:	HIGHWAY 17 HAMPSTEAD (S.W. CORNER AT PINNACLE PKWY) ONE QUARTER MILE NORTH OF SLOOP POINT LOOP ROAD		
Description of Project Location:			

## SECTION 3: SIGNATURES

Applicant's Signature	<i>Henry Nadou</i>	Date:	6/7/16
Owner's Signature	<i>Jim Holladay</i>	Date:	6/16/16

### 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.

Current Flood A  
Prelim A & AE



HAMPSTEAD, NC 28443  
910/270-5100 FAX: 910/270-5110

359 N. FRONT STREET  
P.O. BOX 215  
WILMINGTON, NC 28402  
910/251-2211 FAX: 910/251-2218

REZONING NARRATIVE

This highway 17 frontage site closely conforms with the purpose of the General Business (GB) zone: "to provide convenient locations for businesses which serve the needs of surrounding residents". In contrast, the Planned Development (PD) zoning is designed explicitly to accommodate large multi-phase projects by allowing "a mix of housing types, housing prices, lot sizes and non-residential uses".

*Therese Nader*  
Applicant

*Gary P. Holladay*  
Owner



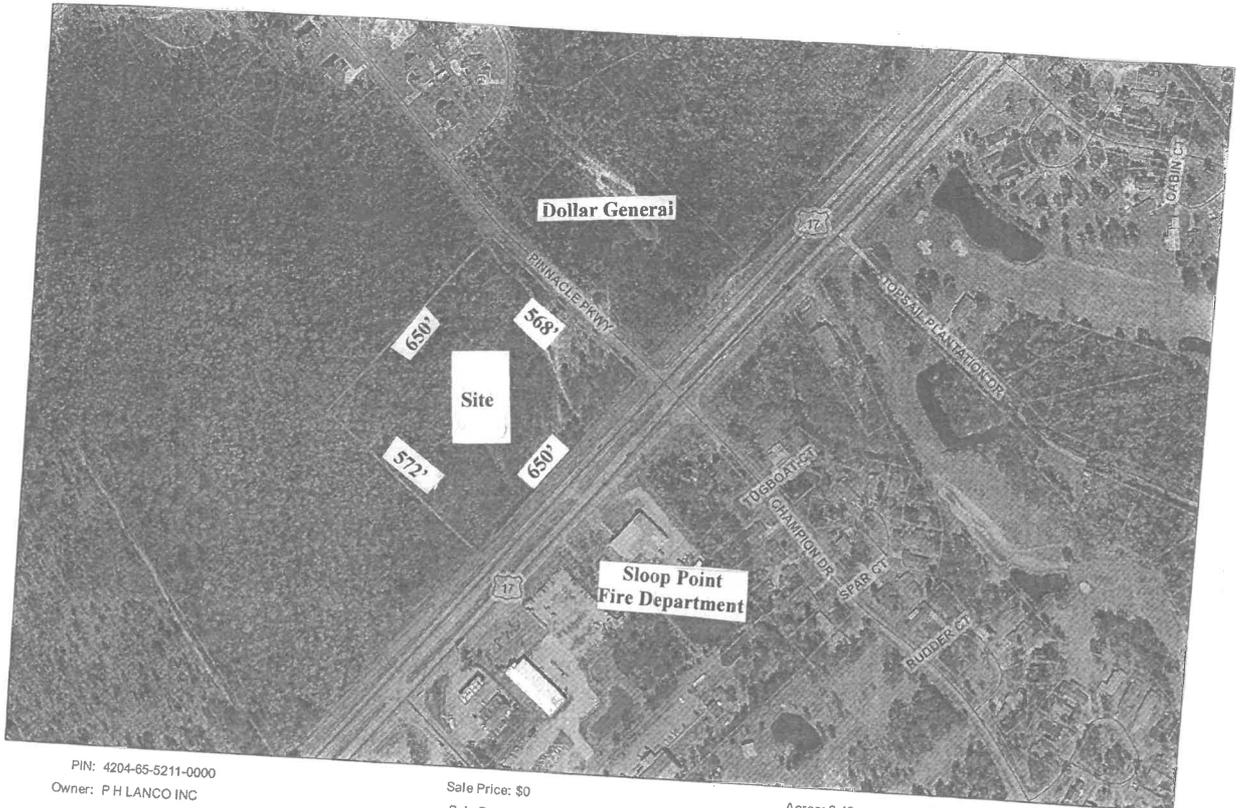
**Commercial & Investment Real Estate Specialists**  
email: [info@creativecommercial.biz](mailto:info@creativecommercial.biz)  
[www.creativecommercial.biz](http://www.creativecommercial.biz)



RECEIVED

JUL 14 2016

PENDER PLANNING DEPT.



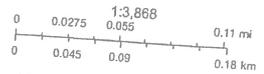
PIN: 4204-65-5211-0000  
 Owner: P H LANCO INC  
 4 FOREST HILLS DR  
 WILMINGTON, NC 28403  
 Deed Ref: 633/186

Property  
 Address: 17 HWY OFF

Sale Price: \$0  
 Sale Date:  
 Plat: 00320098  
 Account No: 17415  
 Township: TOPSAIL  
 Subdivision: PINNACLE (THE)  
 Tax Codes: G01 F22 R40

Acres: 8.42  
 Land Value: \$184,903  
 Building Value: \$0  
 Total value: \$184,903  
 Deferred Value: \$0  
 Exempt Amount:  
 PCL Class: R  
 Heated Sq Feet:

Pender County



1 inch = 322 feet

June 17, 2016





**Applicant:**  
Creative Commercial  
Properties

**Owner:**  
PH LANCO, Inc

**General Use  
Rezoning**

**Case Number:**  
324-2016

Subject Parcel



Vicinity



0 190 380 760 1,140 Feet



**Legend**  
**Applicant:**  
Creative Commercial  
Proeprties

**Owner:**  
PH LANCO, Inc

**General Use  
Rezoning**

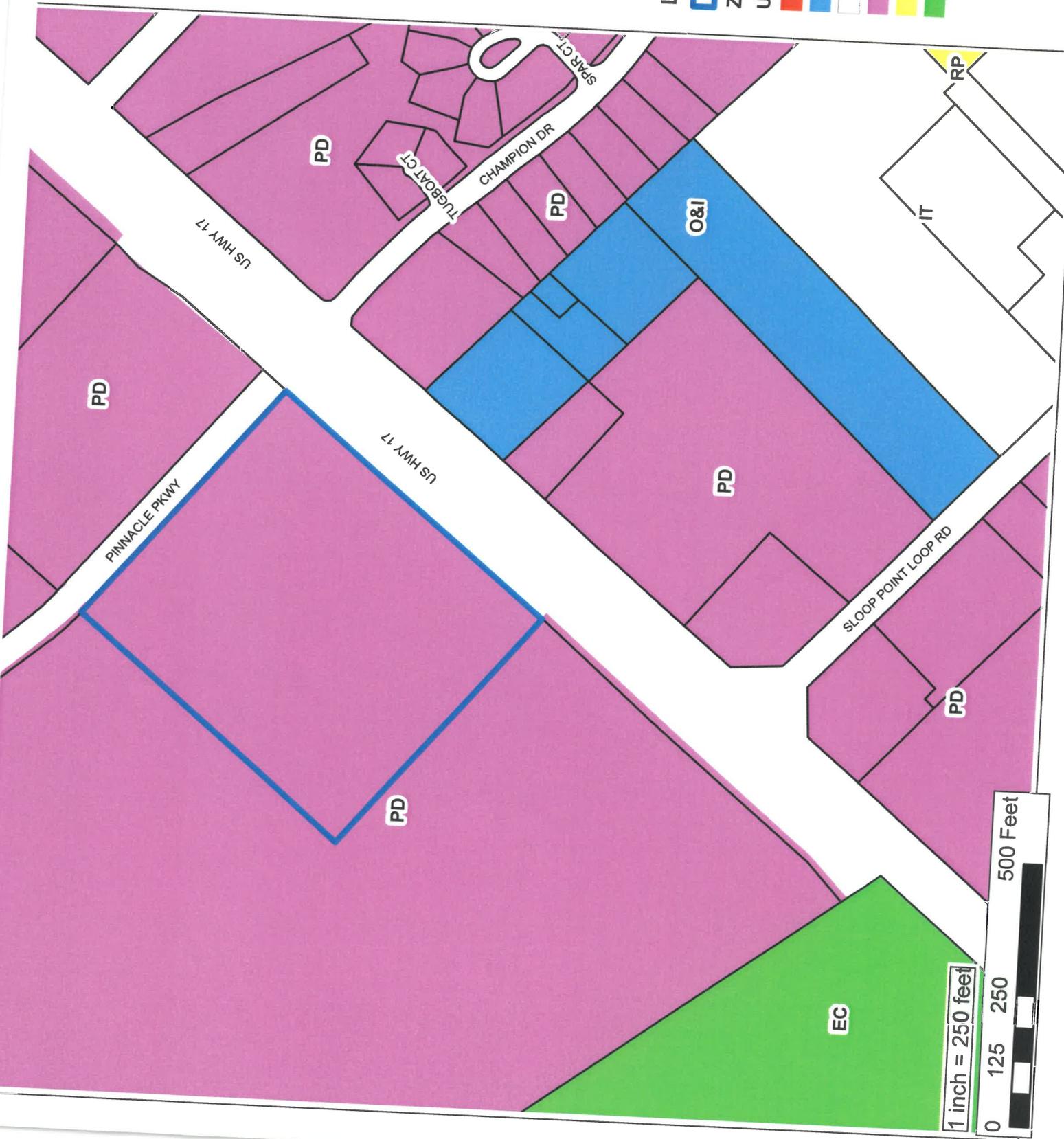
**Case Number:**  
324-2016

**Legend**  
Subject Parcel

**Zoning Classification**

**UDO Zoning**

- General Business (GB)
- Office & Institutional (OI)
- Rural Agricultural (RA)
- Planned Development (PD)
- Residential Performance (RP)
- Environmental Conservation (EC)





**Applicant:**  
Creative Commercial  
Properties

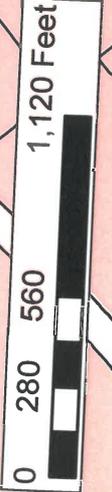
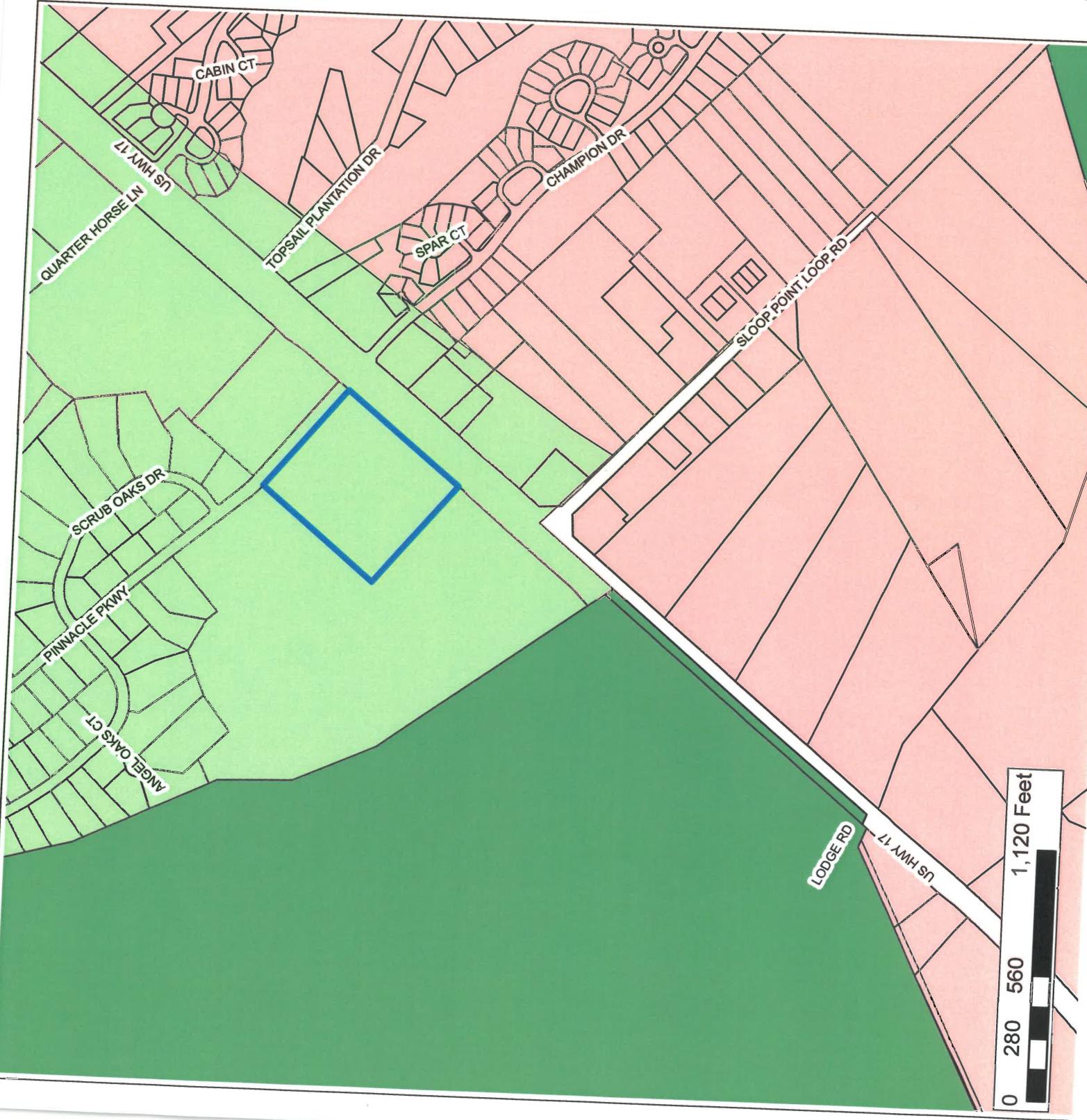
**Owner:**  
PH LANCO, Inc

**General Use  
Rezoning**

**Case Number:**  
324-2016

**Legend**

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





**Applicant:**  
Creative Commerical  
Properties

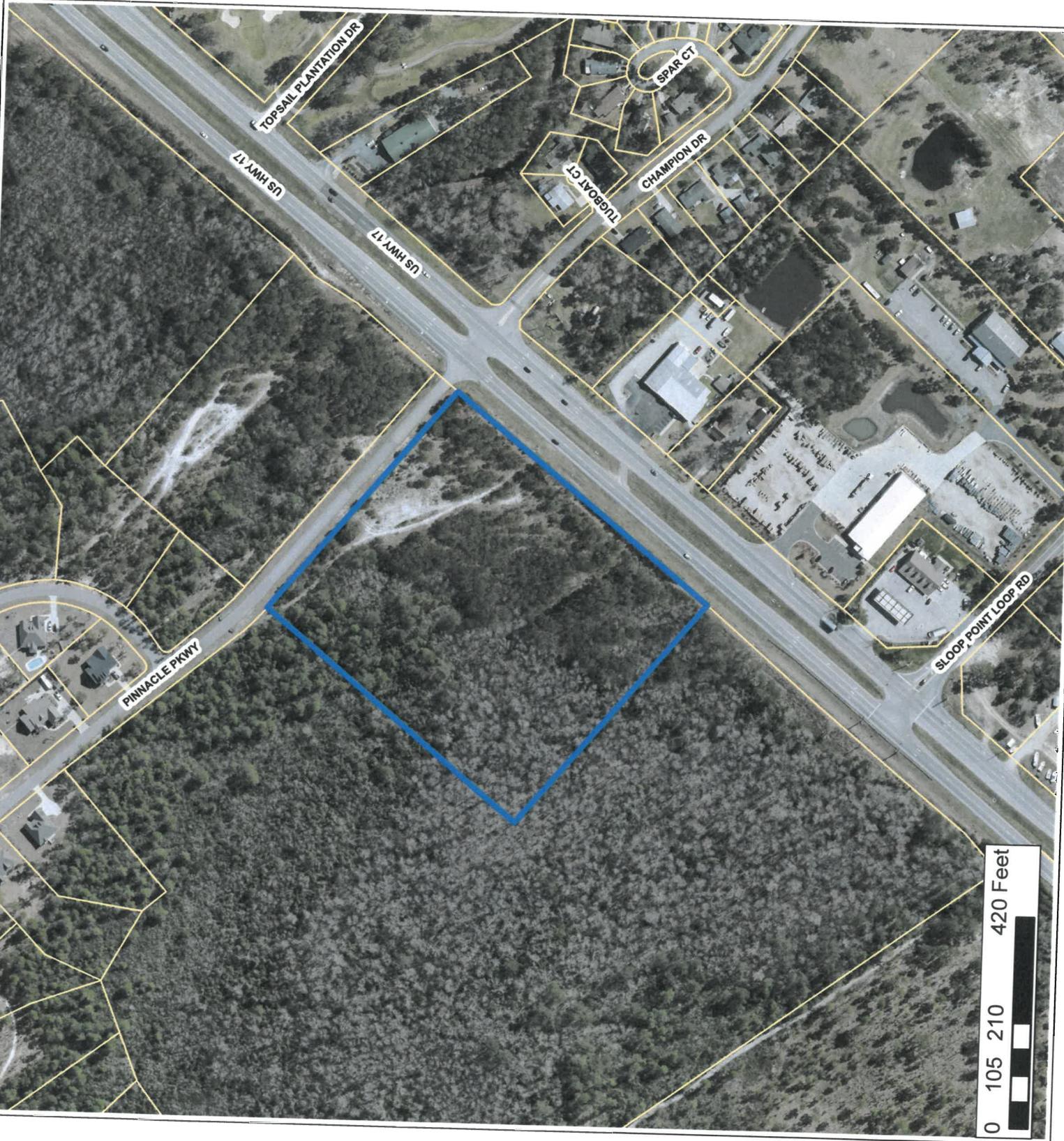
**Owner:**  
PH LANCO, Inc.

**General Use  
Rezoning**

**Case Number:**  
324-2016

**Legend**

 Subject Property



ST  
AC

FILED

Record 1483-~~172~~  
BK 1481 PG 116

#2

99 JUN 16 PM 4:23  
STATE OF NORTH CAROLINA  
JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC  
99 JUN 11 AM 11:49  
JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC

FILED

THIS DEED OF EASEMENT made and entered into this 11 day of June, 1999, by and between **PINNACLE PROPERTY OF HAMPSTEAD, LLC**, a North Carolina limited liability company, party of the first part; and **P H LANCO, INC.**, a North Carolina corporation, party of the second part;

WITNESSETH:

Whereas, the parties hereto own adjoining tracts of land, the land of the party of the first part being included in the deed recorded in Book 1481, Page 113 of the Pender County Registry, and the lands of the parties of the second part being included in deeds recorded in Book 644, Page 186 of the Pender County Registry; and

Whereas, the party of the first part has agreed to grant the parties of the second part a non-exclusive easement for ingress, egress, drainage, and construction, installation and maintenance of utility lines, and drainage facilities, upon the terms and conditions hereinafter set forth.

Now, therefor, the said party of the first part, in consideration of the foregoing matters and ONE (\$1.00) DOLLAR and other good and valuable considerations to it in hand paid, the receipt of which is hereby acknowledged, has given, granted, bargained and sold, and by these presents does give, grant, bargain, sell and convey unto the said parties of the second part, their successors and assigns, in common with the party of the first part, its successors and assigns, a perpetual right and easement over, under and across the hereinafter described tract of land, for ingress, egress, drainage, and to install, construct, operate, maintain, repair and replace a street or road, underground pipes and lines for electric, water, sewer and other utilities, and other facilities necessary therefor, and drainage ditches and underground drainage lines and facilities, and to go upon the said land with men,

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

equipment, and materials whenever necessary to fully utilize all rights herein granted.

Being Lots 6B, 6D, and 8B as set out on the map entitled "Map of Survey for P.H. Lanco, Inc." as recorded in Map Book 32, Page 98 of the Pender County Registry.

Except for the easement rights specifically granted by this deed, the party of the first part retains all rights to the above described tract of land:

Each of the parties hereto, their successors and assigns, shall install all utility lines and facilities, and/or drainage lines and facilities, in such manner as to not unreasonably interfere with the road, street, utilities lines and facilities, and/or drainage lines and facilities, installed by the other. Utilities lines and facilities, and/or drainage lines and facilities, shall be installed under any street or road insofar as is practical, and the parties hereto shall adopt a mutually agreeable pattern for said utilities. It is the intent that the roadway constructed by Pinnacle shall not be damaged or destroyed by the installation of utilities and/or drainage, and, insofar as reasonably practical the utilities shall be install underground so as not to interfere with the use of adjacent property, Pinnacle shall maintain the road until such time as it shall become part of the public road system. Pinnacle shall have the right to transfer ownership and/or maintenance responsibility to the NCDOT, at which time this easement shall be subject to the rules and regulations of the NCDOT.

The party of the first part, its successors and assigns, may tap onto and utilize any utility lines and facilities, and/or drainage lines and facilities, installed on or under the above tract of land by the party of the second part, their successors or assigns, and the utility and/or drainage services provided thereby, upon payment of such tap, impact, and/or user fees as are charged or will be charged to any other party tapping onto and utilizing such utility lines and facilities, and/or drainage lines and facilities.

TO HAVE AND TO HOLD, the aforesaid right and easement to the said parties of the

second part, their successors and assigns, forever, it being agreed that said right and easement is appurtenant to and runs with the above referred to land of the parties of the second part, and may be transferred to one or more successors in title to said land of the parties of the second part, and is in common with the party of the first part, its successors and assigns.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

PINNACLE PROPERTY OF HAMPSTEAD, LLC

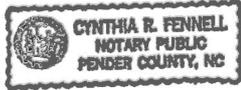
By: [Signature], Member Manager

NORTH CAROLINA

PENDER COUNTY

I, CYNTHIA R. FENNELL, a Notary Public, hereby certify that RALPH R. GILSTER, II personally came before me this day and acknowledged that (s)he is Manager of PINNACLE PROPERTY OF HAMPSTEAD, LLC, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in its name by its Manager for the purposes therein set out.

Witness my hand and official seal, this the 11<sup>th</sup> day of June, 1999.



[Signature]  
Notary Public

My Commission Expires: 11-20-99

1483-175

BK 1481 PG 119

STATE OF NORTH CAROLINA

COUNTY OF PENDER

The foregoing certificate of Cynthia R. Fennell, Notary Public of Pender County, North Carolina is certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Pender County, North Carolina in Book /491, Page 116.

This 11 day of June, 1999, at 11:49 o'clock A.M.

JOYCE M. SWICEGOOD  
Register of Deeds

BY: Joyce M. Swicegood  
Deputy/Assistant Register of Deeds

Recorded and verified:

North Carolina - Pender County  
The foregoing (or annexed) certificate of  
Cynthia R. Fennell  
is certified to be correct.  
This 16 day of June, A.D. 1999.  
JOYCE M. SWICEGOOD - Register of Deeds  
By: Patricia A. Hamwood  
Deputy/Assistant Register of Deeds

EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE  
IN AN INSTRUMENT AS ORIGINALLY RECORDED

BK 1483 PG 176

RE: BOOK 1481

PAGE 116

RECORDED IN THE Pender COUNTY REGISTRY

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

GRANTORS: P H LANCO, INC.

GRANTEES: PINNACLE PROPERTY OF HAMPSTEAD, LLC

STATE OF NORTH CAROLINA  
COUNTY OF PENDER

I/WE, The Undersigned, hereby certify that the following corrections are made in the above named recorded instrument in accordance with the provisions of G.S. 47-36.1 ratified June 30, 1986.

DESCRIPTION OF CORRECTION(S): Rerecorded to add Deed Book  
and page reference.

THIS, THE 16th DAY OF June, 19 99

[Signature] (SEAL)  
\_\_\_\_ (SEAL)  
\_\_\_\_ (SEAL)  
\_\_\_\_ (SEAL)

This explanation statement together with the attached instrument duly rerecorded at 4:23 o'clock P M this the 16 day of June, 19 99 in the Book and page shown on the first page hereof.

JOYCE M. SWICEGOOD

Register of Deeds

By [Signature]  
Deputy/Assistant Register of Deeds

**PLANNING STAFF REPORT  
ZONING TEXT AMENDMENT**

---

**SUMMARY:**

**Hearing Date:** September 7, 2016 Planning Board  
October 17, 2016 Board of Commissioners  
**Applicant:** Marsh Creek Investments, LLC  
**Case Number:** ZTA 331-2016

**Text Amendment Proposal:** Marsh Creek Investments, LLC, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 5.2.3 Table of Permitted Uses. Specifically, the proposal is to amend the Miscellaneous Use section to allow dry stacks and boat storage in the GB, General Business zoning district and to define Dry Stack Storage within Appendix A, Definitions.

---

**RECOMMENDATION**

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as it is consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans.

---

**AMENDMENT DESCRIPTION**

The amendment is displayed in Attachment One. It specifically requests that the "Storage of boats and watercraft outdoors or on dry stack structures" be added and listed as "P" (for permitted) under the Miscellaneous Uses section of Article 5, Section 5.2.3 Table of Permitted Uses. The request would also add a definition of Dry Stack Storage. No additional changes have been requested. A dry stack is a facility where a boat is raised with a forklift or similar device so the boat may be stored in a covered structure.

---

**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.

---

Boat storage is a common use in coastal areas, and even more so in areas with a high volume of neighborhoods with Homeowner Associations that prohibit boat storage in residential yards and driveways.

Many times the use of dry stacks is incidental to other uses such as marinas or boat yards. Boat storage and dry stacks being proposed in GB, General Business zoning district, are currently allowable when they are associated with a marina as is explained in Section 5.3.12 Miscellaneous Uses Section F. Commercial Marinas are allowed with a Special Use Permit in the RA, Rural Agricultural zoning district and are permitted in conjunction with a Master Development Plan in RP, Residential Performance and PD, Planned Development zoning districts. These areas already allow these types of uses in a residential environment.

Many coastal areas regulate boat storage by imposing height, coverage and buffering requirements. It is not necessary to do this however, given the underlying zoning district has regulations of its own that are applied. The amendment as proposed treats boat storage similar to other storage uses, leaving these standards to be dictated by the underlying zoning district. The minimum front yard setback would be 25-feet and the maximum height would be 40-feet.

Staff examined regulations of Carteret County, Morehead City, Atlantic Beach and Onslow County. All of these areas allow boat storage in the general business type zoning districts.

#### **2010 Comprehensive Land Use Plan Compliance**

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with one (1) goal and one (1) policy of the 2010 Comprehensive Land Use Plan and conflicts with none.

The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

**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.

**Economic Development Goal 10A.1** Promote economic development which meets the needs of the County for expanding the non-residential tax base and providing well-paying jobs.

There are no identified conflicting policies in the 2010 Comprehensive Land Use Plan. There are no known conflicts with environmental policies or other adopted plans.

---

#### **RECOMMENDATION**

The proposed text amendment is consistent with one (1) goal and one (1) policy within the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment potentially creates an economic benefit. There are no known additional negative environmental consequences. The amendment provides for the legal implementation of a logical use for an area with natural water resources and access as are found in Pender County. Therefore, the Administrator respectfully recommends approval of this zoning text amendment to the Unified Development Ordinance as described in this report.

---

**BOARD ACTION FOR ZONING TEXT AMENDMENT**

**Motion:**            **Seconded:**

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** \_\_\_\_\_

**Williams:** \_\_\_ **Fullerton:** \_\_\_ **Baker:** \_\_\_ **Carter:** \_\_\_\_\_ **Edens:** \_\_\_ **McClammy:** \_\_\_ **Nalee:** \_\_\_

## APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 331	Date	7/18/2016
Application Fee	\$ 250.00	Receipt No.	#201
Pre-Application Conference	7/18/2016	Hearing Date	9/7/16 & 10/17/16
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	MARSH CREEK INVESTMENTS LLC		
Applicant's Address:	PO Box 396		
City, State, & Zip	HAMPSHIRE, NC 28443		
Phone Number:	910-232-2085 (CEO) 910-270-4410 (office)		
<b>SECTION 2: UDO TEXT TO BE AMENDED</b>			
Current Text to be Amended (Please site accurate Article number referenced):			
Section 5.2.3 TABLE OF PERMITTED USES			
Proposed Text to be added: ALLOW DRY STACK AND BOAT STORAGE IN THE GENERAL BUSINESS ZONING DISTRICT BY RIGHT			
<b>SECTION 3: SIGNATURE</b>			
Applicant's Signature			Date: 7/18/16
<b>NOTICE TO APPLICANT</b>			
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.			
<b>TEXT AMENDMENT CHECKLIST</b>			
<input checked="" type="checkbox"/>	Signed application form 		
<input checked="" type="checkbox"/>	Application fee 		
<input checked="" type="checkbox"/>	A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application) 		
<b>Office Use Only</b>			
<input checked="" type="checkbox"/> ZTA Fees: \$250		Total Fee Calculation: 250.00	
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input checked="" type="checkbox"/> Check # 1029
Application Received By:	Jessica Fiestler	Date:	7/18/16
Application completeness approved by:	Jessica Fiestler	Date:	7/18/16
Dates Scheduled for Public Hearings:	<input checked="" type="checkbox"/> Planning Board: 9/7/16	<input type="checkbox"/> BOC:	10/17/16

Print Form

July 18, 2016

To whom it may concern,

Marsh Creek Investments LLC is asking Pender County to make a text amendment to our zoning to allow boat storage. We currently have a boat service facility and a storage system would allow us to accommodate a broader clientele base. This storage use is common in coastal communities where winter storage is needed. This storage benefits the county by creating a substantial tax revenue stream from customers outside the county.

Sincerely,

Jeb Bradshaw

---

**Appendix A:**

**ATTACHMENT 1**

**Dry-Stack Storage**

A structure designed to shelve boats temporarily from weather, water and other things that can cause damage. Dry-stack storage is designed so a boat is raised by a high-capacity forklift and stashed on a rack in a covered building, ready for quick retrieval. (Definition based on other local ordinances)

**To be amended in Article 5, Section 5.2.3 Table of Permitted Uses:**

Use Type	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>MISCELLANEOUS USES</b>											
Industrial Park										SD	
Marina (Commercial)		S	PM			PM					
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
<b>Storage of boats and watercraft outdoors or on dry stack structures</b>							P				
Portable Storage Containers		D	D	D	D	D	D	D	D	D	
Private Cemetery less than 6,000 sq. ft.		D	D				D	D	D		
Private Cemetery 6,000 sq. ft. and larger		S	S				S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P	
Private Residential Boating Facility		D	D	D	D	D					
Salvage Operations		S								D	
Sweepstakes Center							SD		SD	SD	
Swine Farming		SD									
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD	
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD	

**PLANNING STAFF REPORT  
ZONING TEXT AMENDMENT**

---

**SUMMARY:**

**Hearing Date:** September 7, 2016 Planning Board  
September 19, 2016 Board of Commissioners  
**Applicant:** Pender County  
**Case Number:** ZTA 242-2016

**Text Amendment Proposal:** Pender County, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance, Article 7 Design Standards. Specifically, the request is to amend: Section 7.5 Street Design regarding temporary, dead end and stub street requirements.

---

**RECOMMENDATION**

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as it is consistent with other areas of the Pender County Unified Development Ordinance and with two (2) goals and five (5) policies in the 2010 Pender County Comprehensive Land Use Plan and conflicts with none. There are no known conflicts with any other approved plans.

---

**AMENDMENT DESCRIPTION**

The proposed amendment to the Unified Development Ordinance is to Article 7, specifically Section 7.5.1 on street design. The purpose of amending this section is to modernize requirements on temporary, dead end and stub streets. The amendment was drafted from input generated after multiple conversations at the Planning Board and numerous field exercises performed by the Fire Department with planning staff.

On June 29, 2016 site visits were performed with live demonstrations of emergencies at three distinct locations with varying conditions. After viewing conditions with 60-feet, 70-feet and 80-feet of pavement, it became obvious that emergency equipment necessitates at least 80-feet of pavement to effectively function. Without the ability to assemble multiple pieces of apparatus at correct angles and in the proper order, response time and service delivery is compromised.

This amendment is also necessary for increased efficiency in the review process. Currently there are varying standards between NCDOT, the Fire Code and the Pender County Unified Development Ordinance. This creates an environment where standards are unclear, which has been leading to spending a great deal of time debating issues at the Technical Review Committee. When standards are inconsistent, regulations become ineffective. This leads to projects having to be re-designed, which is a lengthy and expensive process for applicants.

The amendment proposes that the County requires 80-feet of pavement and 90-feet of right of way on cul de sacs constructed in the future. It also provides illustrated alternative options for developers that may not want to install cul de sacs, including a Y intersection, a hammerhead style intersection and a T intersection. These options provide development standards acceptable for utilization of modern emergency equipment, while not requiring 96-feet of pavement as is required in Appendix D of the Fire Code. The alternatives provide flexibility to the development community, and potentially reduce cost, reduce maintenance, and reduce or eliminate environmental impacts in some cases.

---

The Planning Board discussed adding into the text of the Unified Development Ordinance a requirement that any new subdivisions with over thirty (30) lots be required to provide two (2) means of ingress and egress. After discussion on this requirement, it was requested that language be added in to clarify this could be fulfilled by providing a future connection, and not two (2) fully functional ingress/egress points immediately. Consideration should be given to making the fire marshal a signatory on final plats because of these new safety-related regulations.

---

## 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.

### 2010 Comprehensive Land Use Plan Compliance

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with two (2) goals and five (5) policies of the 2010 Comprehensive Land Use Plan and conflicts with none.

The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

**Policy 1A.1.4** The County should develop and utilize innovative and flexible land planning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

**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.

**Policy 2B.1.3** The County should utilize and promote a hierarchical, functional transportation system that prioritizes needed improvements, and promotes the proper arrangement of land use patterns to ensure and determine the proper levels of service (LOS) to reduce any associated negative impacts to the overall transportation network.

**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.

**Policy 2B.1.11** Allow and encourage flexible road design standards, incorporating low impact development and smart growth principles.

---

**Emergency Services Goal 2E.1** Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

**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.

There are no conflicting policies in the 2010 Comprehensive Land Use Plan.

---

**RECOMMENDATION**

The proposed text amendment is consistent with two (2) goals and five (5) policies within the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment will provide better customer service by eliminating debates regarding the size of cul de sacs required. It will allow Emergency Services adequate space to provide services and contribute to a safer community. For these reasons, staff recommends approval of this zoning text amendment to the Unified Development Ordinance as described in this report.

---

**BOARD ACTION FOR ZONING TEXT AMENDMENT**

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** \_\_\_\_\_

**Williams:** \_\_\_ **Fullerton:** \_\_\_ **Baker:** \_\_\_ **Carter:** \_\_\_\_\_ **Edens:** \_\_\_ **McClammy:** \_\_\_ **Nalee:** \_\_\_\_\_

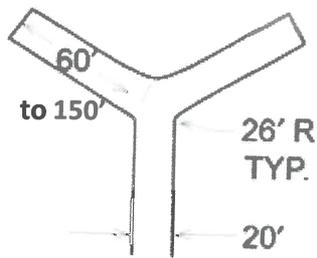
## 7.5 STREET DESIGN

## Attachment One

### 7.5.1 Public and Private Street Design

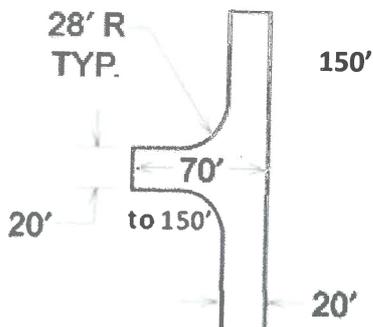
- A. Layout of streets as to arrangement, width, grade, character, and location shall conform to the following:
- 1) Pender County Collector Street Plan, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan.
  - 2) Adjoining street systems,
  - 3) Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
  - 4) To provide for continuity in existing streets and proposed streets,
  - 5) Provide adequate right-of-way for collector streets,
  - 6) Reasonable access will be provided to adjacent properties for development.
- B. Spite strips along development boundaries preventing access to streets from adjacent properties are prohibited.
- C. Street Alignment – local residential street intersections should be directly aligned if possible.
- D. When such intersections cannot be aligned, they shall be offset centerline to centerline by not less than 125 ft. Intersections of Collector streets as defined herein or shown on the Pender County Collector Street Plan, Pender County Transportation Plan or other approved State Transportation Improvement Plan.
- E. Streets should intersect as nearly as possible at right angles.
- F. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets shall be no longer than 1,000 ft. unless it is demonstrated by the developer that the configuration of the property prevents its development without longer streets to provide access to the lots and common area to be subdivided.
- G. Temporary, dead end, or stub streets **between 150 and 1,000 feet in length** shall provide turn around capabilities to meet **one of the following requirements: NCDOT requirements. The Cul-de-sac end shall be a bulb type with minimum radii as follows: Curb & Gutter Section: RW = 45', Pavement = 37' to gutter edge, Shoulder Section: RW = 50', Pavement = 35'.**
- 1) A cul de sac with at least 90-feet of right of way including 80-feet of pavement.
  - 2) A Y intersection (See Figure G1)
  - 3) A T Intersection (See Figure G2)
  - 4) A T/Hammerhead intersection (see Figure G3)

FIGURE G1



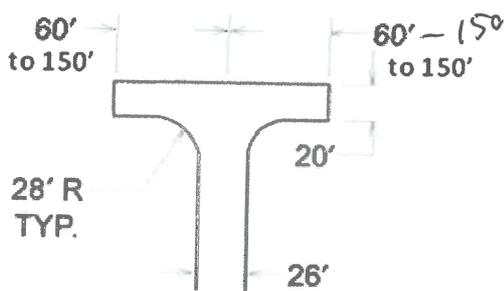
60-FOOT "Y"

FIGURE G2



ACCEPTABLE ALTERNATIVE  
TO 120-FOOT HAMMERHEAD

FIGURE G3



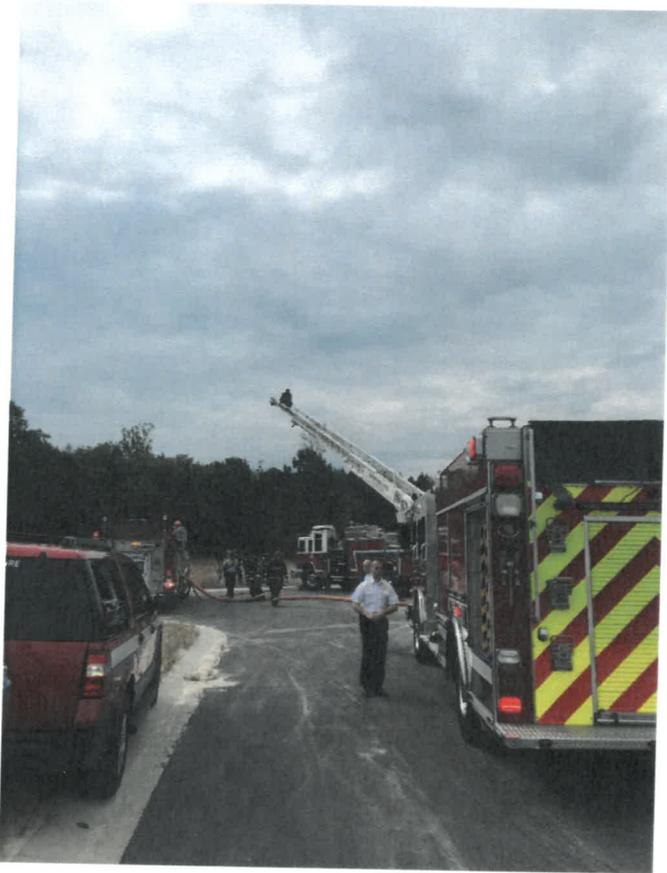
120-FOOT HAMMERHEAD

H. For new subdivisions exceeding 30 lots, more than one method of ingress and egress must be provided. The turning radius must be 28-feet. This requirement may be met by providing a connection to future development as outlined in Section 7.5.1 (A).

G. I. Applicants for subdivision approval shall obtain approval for street names from the Pender County Addressing Coordinator. A copy of the approved preliminary plat with approved street names must be submitted to the Administrator within 30 days of approval of the preliminary plat and prior to final plat submission.

H. J. Sight triangles as required in the NCDOT Secondary Roads Standards shall be provided at all street intersections.

**Avendale Fire Scene – Typical Response Vehicles and Setup with a 60-foot cul de sac**



**Wyndwater Fire Scene – Typical Response Vehicles and Setup with a 70-foot cul de sac**



**Wyndwater Fire Scene – Typical Vehicles and Setup with a Y Intersection**



**Kings Landing Fire Scene – Typical Setup with a 80-foot cul de sac**





**PLANNING STAFF REPORT  
ZONING TEXT AMENDMENT**

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**SUMMARY:**

**Hearing Date:** September 7, 2016 Planning Board  
September 19, 2016 Board of Commissioners  
**Applicant:** Pender County  
**Case Number:** ZTA 358-2015

**Text Amendment Proposal:** Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 7.5.1 Street Design. Specifically, the proposal is to add objective criteria for administrative flexibility for the roadway design requirements.

**Background:** The Zoning Text Amendment proposal is the result of the implementation of the Pender County Collector Street Plan. The Collector Street Plan was adopted in March 2016; the policy recommendations included in the document must become Ordinance text in order to be enforceable. There have been a several meetings with the stakeholders regarding the proposed zoning text amendment. Specifically, the amendment proposed would allow for greater flexibility and administrative criteria for which Staff could work with applicants regarding the construction of collector streets within Pender County.

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**RECOMMENDATION**

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as it is consistent with the Unified Development Ordinance, the Pender County Collector Street Plan and three (3) goals and ten (10) policies within the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any adopted plan.

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**AMENDMENT DESCRIPTION**

The Collector Street Plan was devised in order to preserve and support the existing roadway network. As development continues, the infrastructure must also expand to service the increased population. Collector streets provide alternative routes to travel rather than main arterial roadways, such as US 17 and NC 210.

The Collector Street Plan contains maps which designate locations of recommended collector streets within the planning bounds of the Wilmington Metropolitan Planning Organization (WMPO). These roadways are recommended based on specific spacing standards which are tied directly to future land use classifications in the Comprehensive Plan and underlying zoning districts. This methodology assures that areas of the county that promote maximum density contain a tighter roadway network to support the increase in traffic and can disperse the traffic amongst the arterial road network. For example, maximum density zoning districts of PD, Planned Development, and RM, Residential Mixed, contain a higher number of collector street designated roadways, this is illustrated in Table 1 below:

Zoning District	Intensity	Approximate Street Spacing
Environmental Conservation	Little to no development	N/A
Rural Agricultural	Less than 2 dwelling units per acre	3,000 to 6,000 feet apart
General Business, General Industrial, Industrial Transition, Manufactured Housing Community, Residential Performance	2-4 dwelling units per acre	1,500 to 3,000 feet apart
Residential Mixed, Office & Institutional, Planned Development	More than 4 dwelling units per acre/activity nodes	750 to 1,500 feet apart

**Table 1: Spacing Standards for Collector Streets**

Currently, Section 7.5.1 of the Pender County Unified Development Ordinance details public and private street design standards. Specifically stated in Section 7.5.1.A; Layout of streets as to arrangement, width, grade, character, and location shall conform to the following:

- 1) Pender County Collector Street Plan, Pender County Transportation Plan or other approved State or Federal Transportation Improvement Plan.

As recommended in the adopted Collector Street Plan, the first portion of the amendment is to allow for flexibility in moving the location of a collector street within the bounds of a development submittal. There is no flexibility or guidance within the Unified Development Ordinance in order to move a collector roadway from the designated location on the Collector Street Plan maps. By adding the aforementioned table (Table 1), applicants may then submit development plans with collector roadways deviating from the designated locations on the adopted plan and still maintain the spirit and intent of the Collector Street Plan.

Allowing applicants to deviate from the specific arrangement and location of the roadways in the plan is critical as there are conditions which may warrant moving a roadway. Conditions may include; avoidance of wetlands, flood zones, existing structures, significant topographical changes or preservation of significant trees. When the Collector Street Plan was devised, each individual parcel could not be site surveyed to identify potential factors influencing the location of the collector streets. Site surveying occurs when the applicant is performing due diligence on a specific tract or parcel and the identifying features to avoid become more apparent.

In order to achieve the goals of the Collector Street Plan, It is recommended that allowing adjustments of the collector streets within the spacing standards as identified in Table 1 will accommodate the implementation goals of the Collector Street Plan, specifically those outlined in *Table 4* of the document. By adding Table 1 to the Unified Development Ordinance applicants may adjust the arrangement and location of collector streets while still providing the necessary mobility of collector streets in Pender County to support future development.

The second portion of the zoning text amendment addresses items which could not be achieved by moving the roadway within the given spacing standards per Table 1. The criteria in which Staff makes an administrative approval of not building a collector roadway or modifying the type of collector street (group or otherwise) as identified in the Collector Street Plan. The criteria must be objective and provide clear guidance for applicants regarding the information necessary to make a decision. Maximization of the number of lots or parcels in a land division is not a reason to allow a waiver or modification.

Staff has been working with several stakeholder groups to identify objective criteria in which could be used to make a determination regarding the removal or re-design of a recommended collector roadway on a subject property. Stakeholder groups include the Homebuilders Association and the Army Corps of Engineers. As criteria were vetted between stakeholders, staff and the Planning Board zoning text amendment committee discussed the potential language updates to the Ordinance. The amendment proposal for the requirement of collector streets is the result of balance between transportation planning and environmental preservation.

### Wetlands

One of the largest concerns regarding the building of collector streets is wetlands and the practicality of developing streets where wetlands could potentially exist. As the Army Corps of Engineers is the only agency in which can determine the wetlands, working with the Corps proved valuable. Essentially, there are two types of wetlands impacts permits. One is a nationwide general permit (GP), which gives allowance for impacts up to 0.5 acres. For larger projects (over 0.5 acres) impacting wetlands an individual permit (IP) is required. The GP timeframe is typically only 45 days for review, whereas the IP could be upwards of 120 days with a public notice. The IP provides a more in depth and lengthy process involving other agencies for NEPA concurrence in permitting. The concern from the development community was that by the County requiring collector streets on a particular site, this could increase the wetlands permitting into an IP for a project; which in turn, increases the timeline for permitting, scope of work and environmental impacts. With wetlands, the first and desired approach is to move the roadway which could be taken care of with the first portion of the amendment. If there is no way to avoid the wetlands, essentially the question is: how much impact is too much wetlands impact?

The exception to avoid wetlands as originally considered:

1. *401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Evidence shall be presented that the written or map form verification has been submitted to USACE for wetland concurrence at the time of permitting;*
  - a. *Wetlands impacted in excess of 0.5 acres on site that are directly caused by the required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.*
  - b. *Off-site wetland impacts in excess of 0.5 acres based on a desktop review/assessment (by wetland consultant or professional wetlands scientist) that are directly caused by the County's required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.*

Upon further vetting this criteria, it is deemed inappropriate to include 1b regarding the wetland impact on an adjacent property as there is no way that a professional could make this determination using a desktop assessment with any sort of certainty. Desktop assessments of wetlands take into consideration; soil types, vegetation and LIDAR data. As the professional cannot go to the site and make a wetlands determination on a

property which they may not have permission for, the desktop survey is a best estimate using the available data. The information considered for a project proposal must be specific to the subject property and cannot be speculative regarding an adjacent property and the potential for wetlands present. Therefore, the following is recommended regarding the impacts to wetlands based on collector street spacing;

*401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Evidence shall be presented that the written or map form verification has been submitted to USACE for wetland concurrence at the time of permitting;*

*Wetlands impacted in excess of 0.5 acres on site that are directly caused by the required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.*

This exemption includes consideration for the type of permitting through the Army Corps of Engineers based on acreage, permits an independent analysis of the property rather than waiting for an official wetlands delineation from the Army Corps of Engineers and also provides the administrative flexibility to design the collector street and value the environmental conservation.

#### Areas of Environmental Concern

The second objective criteria devised is related to Areas of Environmental Concern (AECs). Areas of Environmental Concern are governed by the Division of Coastal Management, through the CAMA legislation. This includes development in relation to all navigable natural water bodies and the lands underneath, to the normal high watermark on shore. In continuing to preserve natural features of Pender County there should be no impact proposed to AECs and therefore, this exception is warranted and proposed as;

*Identified Areas of Environmental Concern (AEC) that lie within the identified path of the collector street;*

#### Slopes

Existing topography is a consideration for how a site is developed, and the feasibility of design and construction of a collector street. A 4:1 or greater slope is recommended as the exception language, allowing no collector street to be built or a modification of collector streets based on the NCDOT guidance. This existing condition may not be necessary, as typically when site work is done on the parcel there is grading of the land in preparation for infrastructure and structures. This grading may reduce the slopes existing on the site and should be taken into consideration. It should be noted that roadways can be built in the most mountainous of terrains. As Pender County is a low lying area, there are not a lot of topographic changes which may warrant this exception;

*An adjacent property connection cannot be made due to existing conditions that would create a street slope greater than a 4:1 ratio;*

### Existing Structures or Corridors

The collector street plan alignments were not intended to stub or interfere with existing structures, railroad crossings, conservation easements or other barriers which may impede the development. In some cases there may not be another arrangement of the roadways possible based on these features. If there is a barrier within the intended alignment of the collector street and no other arrangement can be made, evidence must be presented regarding the impossibility of aligning the roadway in that manner. The exception as proposed is;

*Existing railroad crossings, structures, conservation easements or buildings that are not part of the development plan located on the subject property or adjacent property that create a barrier in the identified path of the Collector Street and no other arrangement can be made. Evidence shall be presented from the appropriate agency showing that the crossing(s) cannot be made;*

### Significant Trees

As written the Ordinance gives a definition to significant trees in Section 8.1.3.A.2; *For purposes of this Ordinance, a significant tree shall be defined as follows:*

- a) *An American holly with a trunk caliper measurement of 6" or greater measured at 4.5 feet above ground;*
- b) *A flowering dogwood with a trunk caliper measurement of 4" or greater measured at 4.5 feet above ground;*
- c) *A water oak with a trunk caliper measurement of 8" or greater measured at 4.5 feet above ground;*
- d) *A live oak with a trunk caliper measurement of 8" or greater measured at 4.5 feet above ground; and*
- e) *Any tree species included in the planting table, except a "loblolly pine" (see Appendix C) with a trunk caliper measurement of 12" or greater measured at 4.5 feet above ground.*

It is important to preserve the natural landscape and flora of the subject parcel. Significant trees, as defined, located on the subject property should be avoided in the design of the collector street. In the case where the tree may line the entire property bounds or other factors the following exception is recommended;

*Significant Trees, as defined (Section 8.1.3.A.2), are located on the subject property and alternative location for collector street construction cannot be made. A significant tree survey shall be submitted demonstrating the general location, species and size.*

### Existing Roadway Network

The final exception proposed is necessary to consider when implementing the roadways as proposed in the Collector Street Plan is how these new roadways will fit into the existing roadway network. Roadways cannot transition in a lineal manner from one type (collector street for example) to another (local road for example) without an intersection or other transition point. In the case where perhaps one type of roadway is existing, the flexibility to design the collector street to connect in must be possible to make the roadway system work as a whole. If staff is given this administrative criteria, it works closely with the hierarchy of classification of the collector streets in the Collector Street Plan. The recommended exception is;

*The identified Collector Street will lineally connect into an existing roadway network that is, an existing private street, was not constructed to NCDOT standards, or would create conditions inconsistent with the collector street classification. Alternative roadway design shall be submitted to make connections with the existing or planned roadway network to the Administrator for review and approval.*

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The second half of the zoning text amendment is proposed to include the deviation of the spacing standards given objective criteria. Below is the amendment to Ordinance Section 7.5.1.A as detailed previously;

*Any deviation from the required spacing standards, width, grade, or character of the streets may be granted based on the approval of the Administrator. Maximization of the number of lots or parcels in a land division is not a reason to allow a waiver or modification. Criteria for approval may include;*

1. *401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Evidence shall be presented that the written or map form verification has been submitted to USACE for wetland concurrence at the time of permitting;*

*Wetlands impacted in excess of 0.5 acres on site that are directly caused by the required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.*

2. *Identified Areas of Environmental Concern (AEC) that lie within the identified path of the collector street;*
3. *An adjacent property connection cannot be made due to existing conditions that would create a street slope greater than a 4:1 ratio.*
4. *Existing railroad crossings, structures, conservation easements or buildings that are not part of the development plan located on the subject property or adjacent property that create a barrier in the identified path of the Collector Street and no other arrangement can be made. Evidence shall be presented from the appropriate agency showing that the crossing(s) cannot be made;*
5. *Significant Trees, as defined (Section 8.1.3.A.2), are located on the subject property and alternative location for collector street construction cannot be made. A significant tree survey shall be submitted demonstrating the general location, species and size.*
6. *The identified Collector Street will lineally connect into an existing roadway network that is, an existing private street, was not constructed to NCDOT standards, or would create conditions inconsistent with the collector street classification. Alternative roadway design shall be submitted to make connections with the existing or planned roadway network to the Administrator for review and approval.*

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By providing Administrative criteria for alternate spacing standards, this would assist to focus land development in suitable areas and promote conservation of natural areas. Additionally, it would not require an applicant or land owner to obtain a variance for the specific spacing standards or collector street proposal.

*The goal of the Collector Street Plan is to guide investment in new collector streets with the ultimate intention of improving connectivity, focusing land development in suitable areas, encouraging all modes of transportation, maintaining level of service on existing roadways, promoting safety, ensuring that significant natural areas are conserved and providing a safe and high-quality transportation system for existing and future residents, businesses and visitors.*

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## 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.

### 2010 Comprehensive Land Use Plan Compliance

This Zoning Text Amendment request is consistent with three (3) goals and ten (10) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

**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.

**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.

**Policy 1A.1.3:** The County shall actively direct growth towards suitable land areas and away from fragile natural resources 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.

**Policy 1B.1.1:** Continue participation in the Wilmington MPO and Cape Fear RPO.

**Policy 1B.1.2:** Create regular forums for local government officials to promote intergovernmental cooperation within Pender County and with surrounding counties on topics of mutual interest.

**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.

**Policy 2B.1.3:** The County should utilize and promote a hierarchical, functional transportation system, that prioritizes needed improvements, and promotes the proper arrangement of land use patterns to ensure and determine the proper levels of service (LOS) to reduce any associated negative impacts to the overall transportation network.

**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.

**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.

**Policy 2B.1.10:** Allow and encourage flexible road design standards, incorporating low impact development and smart growth principles.

**Emergency Services Goal 2E.1:** Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

**Policy 3C.1.2:** Require existing significant vegetation (mature hardwood tree species) to remain undisturbed, where possible and encourage development to incorporate significant tree preservation.

**Collector Street Plan Compliance**

There are no conflicting policies within the Collector Street Plan regarding this zoning text amendment. Specifically, the Plan has four (4) overall guiding principles and objectives for which this amendment addresses;

1. Develop a realistic and feasible network of collector streets that support the local street and arterial system;
2. Work with the development community to ensure proper connectivity and collector street design;
3. Be sensitive to environmental issues and build in context sensitive design approaches where applicable;
4. Integrate multimodal design features into the street design that support walkability and bikability.

Section 6 of the Plan is the recommended Policy Strategies for implementation. Specifically, this zoning text amendment is in compliance with Table 4: Street Spacing and Access Standards. This policy creates street spacing standards for collector streets to ensure adequate cross access between land uses. The benefits of establishing a maximum distance between collector streets include; traffic relief on major roadways, equitable distribution of traffic, improving emergency response access/ reliability, increasing bicycling/ walking propensity in an area by shortening the distance between destinations and creating efficiencies for service vehicles to do their jobs in less time.

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**RECOMMENDATION**

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as it is consistent with the Unified Development Ordinance, the Pender County Collector Street Plan and three (3) goals and ten (10) policies within the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any adopted plan.

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**BOARD ACTION FOR ZONING TEXT AMENDMENT**

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** \_\_\_\_\_

Williams: \_\_\_ McClammy: \_\_\_ Baker: \_\_\_ Carter: \_\_\_ Fullerton: \_\_\_ Edens: \_\_\_ Nalee: \_\_\_

**7.5 STREET DESIGN**

**7.5.1 Public and Private Street Design**

A. Layout of streets as to arrangement, width, grade, character, and location shall conform to the following:

- 1) Pender County Collector Street Plan, Pender County Transportation Plan or other approved State or Federal Transportation Improvement Plan.
  - a.) In any instance that a site plan or development plan layout does not conform to the specific layout of roadways as proposed in an adopted County plan as referred above, then the applicant must demonstrate the conformance with the spacing standards and move the roadway as detailed below;

Zoning District	Intensity	Approximate Street Spacing
Environmental Conservation	Little to no development	N/A
Rural Agricultural	Less than 2 dwelling units per acre	3,000 to 6,000 feet apart
General Business, General Industrial, Industrial Transition, Manufactured Housing Community, Residential Performance	2-4 dwelling units per acre	1,500 to 3,000 feet apart
Residential Mixed, Office & Institutional, Planned Development	More than 4 dwelling units per acre/activity nodes	750 to 1,500 feet apart

b.) Any deviation from the required spacing standards, width, grade, or character of the streets may be granted based on the approval of the Administrator. Maximization of the number of lots or parcels in a land division is not a reason to allow a waiver or modification. Criteria for approval may include;

- 1. 401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Evidence shall be presented that the written or map form verification has been submitted to USACE for wetland concurrence at the time of permitting;
  - a. Wetlands impacted in excess of 0.5 acres on site that are directly caused by the required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.

2. Identified Areas of Environmental Concern (AEC) that lie within the identified path of the collector street;
  3. An adjacent property connection cannot be made due to existing conditions that would create a street slope greater than a 4:1 ratio.
  4. Existing railroad crossings, structures, conservation easements or buildings that are not part of the development plan located on the subject property or adjacent property that create a barrier in the identified path of the Collector Street and no other arrangement can be made. Evidence shall be presented from the appropriate agency showing that the crossing(s) cannot be made;
  5. Significant Trees, as defined (Section 8.1.3.A.2), are located on the subject property and alternative location for collector street construction cannot be made. A significant tree survey shall be submitted demonstrating the general location, species and size.
  6. The identified Collector Street will lineally connect into an existing roadway network that is, an existing private street, was not constructed to NCDOT standards, or would create conditions inconsistent with the collector street classification. Alternative roadway design shall be submitted to make connections with the existing or planned roadway network to the Administrator for review and approval!
- 2) Adjoining street systems,
  - 3) Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
  - 4) To provide for continuity in existing streets and proposed streets,
  - 5) Provide adequate right-of-way for collector streets,
  - 6) Reasonable access will be provided to adjacent properties for development.
- B. Spite strips along development boundaries preventing access to streets from adjacent properties are prohibited.
- C. Street Alignment – local residential street intersections should be directly aligned if possible.
- D. When such intersections cannot be aligned, they shall be offset centerline to centerline by not less than 125 ft. Intersections of Collector streets as defined herein or shown on the Pender County Collector Street Plan, Pender County Transportation Plan or other approved State Transportation Improvement Plan.
- E. Streets should intersect as nearly as possible at right angles.
- F. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets shall be no longer than 1,000 ft. unless it is demonstrated by the developer that the configuration of the property prevents its development without longer streets to provide access to the lots and common area to be subdivided. Temporary dead end or stub streets shall provide turn around capabilities to meet NCDOT requirements. The Cul-de-sac end shall be a bulb type with minimum radii as follows: Curb & Gutter Section: RW = 45', Pavement = 37' to gutter edge, Shoulder Section: RW = 50', Pavement = 35'.
- G. Applicants for subdivision approval shall obtain approval for street names from the Pender County Addressing Coordinator. A copy of the approved preliminary plat with approved street names must be submitted to the Administrator within 30 days of approval of the preliminary plat and prior to final plat submission.

- H. Sight triangles as required in the NCDOT Secondary Roads Standards shall be provided at all street intersections.

DRAFT

# Pender County Planning and Community Development

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## MEMORANDUM

To: Pender County Planning Board

From: Planning Staff

Date: September 7, 2016

RE: TRC and Comprehensive Land Use Plan

### TRC Update

Technical Review Committee Update					
Meeting Date					
July 6, 2016					
Case Name	Case Type	Case Number	Staff Contact	Description	Location
Maple Hill Scotchman	Major Site Plan	304-2016	Patrick O'Mahony		Intersection 53/50
Hampstead Self Storage	Major Site Plan	310-2016	Patrick O'Mahony	Self Storage - 9 buildings in total	West of US HWY 17 in Hampstead
Shelter Creek Lime & Stone	Major Site Plan	332-2016	Patrick O'Mahony	Addition of 10,000 sq. ft. structure	12421 NC HWY 53 E
Wyndwater	Master Development Plan Revision	334-2016	Ronald Meredith	Additional land and total lots now requested at 529	Former Topsail Greens Golf Course

### Comprehensive Land Use Plan Update

Staff continues to work on projects that will assist in the update to the Comprehensive Plan. An existing land use survey and goals and policy matrix are well underway and are anticipated to be completed prior to project kick-off. The existing land use survey will demonstrate current land use patterns and will help guide designations of future land use categories. The goals and policy matrix will help provide an understanding of the implementation of all adopted goals and policies from the 2010 Comprehensive Land Use Plan and other adopted documents from Planning Department or otherwise. This will help guide future policy development in providing an assessment of what has been accomplished through various topic areas and what needs to continue to be worked on and who the responsible party should be.

The update is anticipated to be led by the Cape Fear Council of Governments and final contract negotiations are being worked on. The contract will be presented to the Board of Commissioners at their September 15<sup>th</sup> meeting for consideration. If approved, Staff will be working diligently to form a Steering Committee for project kick-off. It's still anticipated that this project will be completed in approximately one year.