

Pender County Planning and Community Development

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AGENDA Pender County Planning Board Tuesday, October 4, 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: (September 7, 2016 Work Session and Meeting)

3. Public Comment:

4. WMPO Presentation:

Josh Lopez, (Associate Transportation Planner) with the Wilmington Urban Area Metropolitan Planning Organization will provide the Board with an update on the Cape Fear Transportation 2040 Metropolitan Transportation Plan implementation since adoption on November 18, 2015 and the role of the WMPO in Pender County's transportation planning.

(Public Hearings Open)

5. 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.

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

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

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

6. Master Development Plan and Preliminary Plat:

Stroud Engineering, P.A., applicant, on behalf of Pender Land Holdings, Inc., owner, is requesting approval of a Master Development Plan and Preliminary Plat of Phase I for a mixed-use development proposal on four (4) tracts totaling approximately 163.5 acres. Phase I includes; one hundred twenty-one (121) single family residential lots. Future development includes; sixteen (16) townhouse units, one hundred sixty (160) multifamily units, ± thirty-two (32) acres of future residential development, ± nineteen (19) acres future commercial development, and ± (forty-two) 42.2 acres of park land for dedication to the County. The subject properties are located along the west side of Country Club Drive (SR 1565), along the south east side of US HWY 17, south of Hampstead Kiwanis Park and north of the residential subdivision known as Belvedere Plantation. The subject properties are in the Topsail Township and may be further identified by Pender County PINs; 4204-61-5445-0000, 4204-51-3743-0000, 4204-41-7997-0000 and 4204-52-2665-0000.

7. Zoning Map Amendment:

Bill Clark Homes, applicant, on behalf of LaBrenda Hurst Haynes et al, owner, is requesting approval of a Zoning Map Amendment for 4.03 acres of a portion of one (1) tract totaling approximately 7.36 acres from GB, General Business zoning district to RP, Residential Performance zoning district. The subject properties are located to the west of US HWY 17 and approximately 920 feet to the north of the intersection of US HWY 17 and Williams Store Road (SR 1568). The subject property is located in the Topsail Township and may be further identified by Pender County PIN: 3293-43-3901-0000.

8. Conditional Zoning Map Amendment:

Rocky Point Holdings, LLC., applicant, on behalf of Jack Stocks and Rocky Point Holdings, LLC, owners, is requesting approval of a Conditional Zoning Map Amendment for a portion of one (1) tract and the entirety of an additional tract totaling approximately 18.11 acres from PD, Planned Development zoning district to IT-CD1, Industrial Transitional conditional zoning district one. The request is to allow the following use only: Warehousing (NAICS 493110). The subject properties are located along Carver Road (SR 1437) approximately 3,000 feet to the west of the intersection with NC 133 and Carver Road. The subject properties are located in the Rocky Point Township and may be further identified by Pender County PINs; 3223-53-8360-0000 and 3223-55-9108-0000.

9. Zoning Text Amendment:

Laura Rivenbark, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 5.2.3 Table of Permitted Uses to allow Artisan Manufacturing as a permitted use in the RA, Rural Agricultural, GB, General Business, PD, Planned Development, IT, Industrial Transitional, GI General Industrial zoning districts and via Special Use Permit in the RP, Residential Performance zoning district. The requested amendment also includes adding a definition of Artisan Manufacturing to Appendix A, Definitions.

10. Zoning Text Amendment:

Coastal Horizons Center, Inc., applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section

5.2.3 Table of Permitted Uses, in order to allow Outpatient Mental Health and Substance Abuse Centers (NAICS 621420) in the GB, General Business zoning district as a permitted use.

11. Zoning Text Amendment:

Pender County, applicant, is requesting the approval of Zoning Text Amendments to the Pender County Unified Development Ordinance: Article 2 Decision Making and Administrative Bodies, Article 3 Review Procedures, Article 4 Zoning Districts, Article 5 Permitted Uses, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Road Naming and Addressing and Appendix A Definitions. Specifically the request is to amend: the Summary of Review Authority (Section 2.11), Review Procedures for Minor Site Plans (Section 3.6), Notification Policies (Sections 3.3.3, 3.3.4, 3.4.3, 3.7.3, 3.9.3, 3.10.3, 3.12.2, 3.14.5, and 4.13.4), Review Procedures for General Use Rezoning (Section 3.3.5), Uses Not Specifically Listed (Section 5.2.1A), Easement Requirements (Article 6), Preliminary Plat Requirements (Section 6.4), Final Plat Requirements (Section 6.5), Easement Standards (Section 7.5.4), Road Naming (Section 11.1.2), Addressing (Section 11.6) and various definitions (Appendix A).

(Public Hearings Closed)

12. Discussion Items:

a. Planning Staff Items:

- i. TRC Update
- ii. Comprehensive Plan
- iii. Hierarchy CSP

b. Planning Board Members Items:

13. Next Meeting: November 1, 2016

14. Adjournment:

PLANNING STAFF REPORT
Conditional Zoning Map Amendment

SUMMARY:

Hearing Date: August 2, 2016 Planning Board (1st hearing)
September 7, 2016 (2nd hearing)
October 4, 2016 (3rd hearing)
November 21, 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.

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.

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 at the August meeting 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, and eliminating individual lot access and stubbing out on the north end for a future connection.

The Planning Board reviewed this plan a second time at their meeting on September 7, 2016. After a public hearing, Planning Board member Nalee made a motion to deny the plan. There was no second to the motion, therefore the motion died. The County attorney requested that the Planning Board table the issue if they were not going to make a motion and vote, and the Chairman tabled the issue.

The Planning Board will be reviewing this project for the third time on October 4, 2016. The Pender County Unified Development Ordinance, Section 3.4 describes the procedures for a Conditional Rezoning, and indicates that rezoning standards are followed. Section 3.3.6 D states that if the Planning Board fails to make a recommendation within 75 days following the date of the first hearing, the County Commissioners may process the request without a recommendation. The first public hearing on this project took place on August 2. After October 15, this project is eligible to be heard without a recommendation from the Planning Board.

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:

	Residential Mixed (RM) Proposed Setbacks (in feet)	Residential Performance (RP) Existing Zoning District Setbacks (in feet)
Front Yard	5	30
Side Yard	5	10
Corner Yard	5	15
Rear Yard	10	25

Chord Length	40	30
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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: 365	
Total Acreage	78.39
Total Non-Residential Acreage (ROW,parking,sidewalks)	10.14
Total Wetlands Acreage (11.65) –Total Passive Open Space (5.45)	5.59
Total Open Space (.03 acres/unit)	10.95
Active Open Space	6.43
Passive Open Space	6.06
Total Developable Land Acreage	51.53
Maximum Allowable Density Units/Acre (max. 5du/ac allowed)	257.66
Total Proposed Density Units/Acre using 399 units	7.1

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

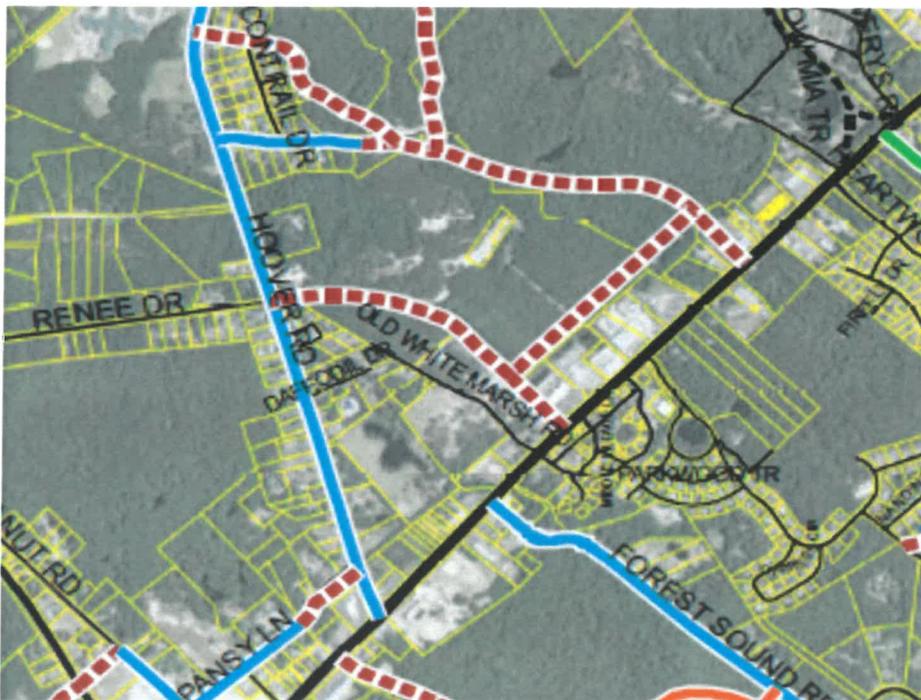
All developments containing thirty-four (34) units or more are required to provide recreational units per Section 7.6.2 of the Pender County Unified Development Ordinance. With 365 units proposed the applicant is required to provide 4 (four) recreational units, which equates to \$40,000. This can be 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.

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.

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.

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

PENDER PLANNING DEPT.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.:	FRM A + D # 305	Date:	6/21/2016
Application Fee	\$ 1233.00	Receipt No.	_____ Kelly
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 LLC (REPRESENTATIVE)	Owner's Name:	JESSE LEA SR.
Applicant's Address:	100 GREGORY RD. SUITE 1	Owner's Address:	802 BAISTRE DR.
City, State, & Zip	BEVILLE, 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:	78.39 AC
Current Zoning District:	RP	Proposed Zoning District:	RM-CD
Project Address or Location:	US HWY 17 & HOOVER RD. AREA LOCATED BEHIND BAISTRE SITES		
Proposed Uses to be Considered (Include NAICS Code):			
SINGLE FAMILY DETACHED HOMES AND APARTMENTS (CODE 236116) & (CODE 236117, 236115) - BOTH USES WILL HAVE PRIVATE AMENITIES 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			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable. 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda. 			

Conditional (Zoning Map) Amendment Checklist

<input checked="" type="checkbox"/>	Signed application form					
<input 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"> <input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. <input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. <input type="checkbox"/> All existing easements, reservations and rights of way. <input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. <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. <input type="checkbox"/> If a known use is proposed: Traffic Impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. <input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping. <input type="checkbox"/> Phasing. <input type="checkbox"/> Signage. <input type="checkbox"/> Outdoor lighting. <input type="checkbox"/> Current zoning district designation and current land use status. <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. 					
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)						
<input type="checkbox"/> /other digital version	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card:	<input type="checkbox"/> Master Card <input type="checkbox"/> Visa		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 type="checkbox"/> Planning Board: 8/2		<input type="checkbox"/> Board of Commissioners: 9/15			

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JUN 21 2016
PLANNING DEPT.

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 2nd 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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AUG 17 2016

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

PENDER PLANNING DEPT.

- 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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PENDER PLANNING DEPT.

4. swales
 5. infiltration strips and basins
2. Preservation of majority (± 11.15 ac out of ± 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)

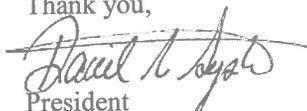
Based on the Pender County Collector Street Plan (CSP) the access road will require a USACE wetland permit or the construction of a pile supported bridge. It is my understanding that the size and construction of a bridge in this location is not economically practical and a traditional earthen filled 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



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

-
- 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

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Jm

**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:

Address: Jesse Lea
PO Box 335
Hampstead, NC, 28443

Telephone Number: 910-520-4381

Size (acres)	<u>79</u>	Nearest Town	<u>Hampstead</u>
Nearest Waterway	<u>Old Topsail Creek</u>	River Basin	<u>Northeast Cape Fear. North Carolina.</u>
USGS HUC	<u>3030007</u>	Coordinates	Latitude: <u>34.3791430344578</u> Longitude: <u>-77.705571029516</u>

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: Jesse Lea		File Number: SAW-2005-00300	Date: May 30, 2013
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.

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**



Property Line
 Wetlands
 Pender Soils

ANB - Alpin fine sand
 BAB - Baymeade fine sand
 Kub - Kureb fine sand
 Mu - Murville muck

0 65 130 260 390 520
 Feet
 1 inch = 333 feet

Map source: Bing Maps

Soils Map
 Jesse Lea Property
 Hampstead, Pender County, NC
 10/7/2017 Printout # 017-035.01



**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 5th 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: X

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 "Kaarin M. Williams".

Kaarin M. Williams

Sparrows Bend - Hampstead Community Meeting

July 12, 2016

	Name	Address	Phone	Email
1	Steph Williams	15325 Hwy 17N HWY 28413	910-270-4648	S.williams@hampsteadnc.org
2	Brenda Dellen	15325 Hwy 17N HWY 28413	910-264-804	xbrendasellers@gmail.com
3	Joe Brigger	" " " " " "	910-515-5114	prattshd17@aol.com
4	Judy Leiner	82 Daffodil Dr 28413	910-617-3388	judy.leiner@jphoa.com
5	Kyle Brewer	805 S. Walker St. Burgaw 28425	259-1202	kbrewer@penderecountyparc.gov
6	Jim Cogger	181 GO W-MEN TRAIL	270-32236	
7	Jessica Fiester	805 S. Walker St. Burgaw 28425	252-412-3094	jfiester@penderecountyparc.gov
8	STEVE RICE	106 KINGSBART DR	910-604-2501	srice@meqan.com
9	Joe Murphy	105 Kingsport D	910-270-6030	N/A
10	Sumner Goodhouse	1797 Kings Landing Rd	200-2330 910-270-2639	
11	Mike Butth	104 Kingsport DR	918-471-2857	
12	TED HAINDEAKEN	202 CONTRAIL RD.	910-319-0706	
13	Tom Powell	181 Old Whitehurst Rd	910-995-9945	WA
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,

A handwritten signature in cursive script that reads 'Bryan McCabe'.

Bryan McCabe, PE, Project Engineer
Pender County Utilities

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

TRC COVER PAGE

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** By: **Batson, Tommy (2342)**
Time In: **14:45** Time Out: **15:30**
Authorized Date: **07/06/2016** 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 recommenced 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 12³™ 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 ½-inch steamer, (2) 2 ½ 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
Notes: 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

Agency: Pender County Parks and Recreation

Phone: 910-259-1330

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

Agency: PCU

Phone: 259-1521

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 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
Apartment Amenity Site				\$18,200.00

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
Single Family Amenity Site				\$21,900.00
Grand Total				\$40,100

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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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

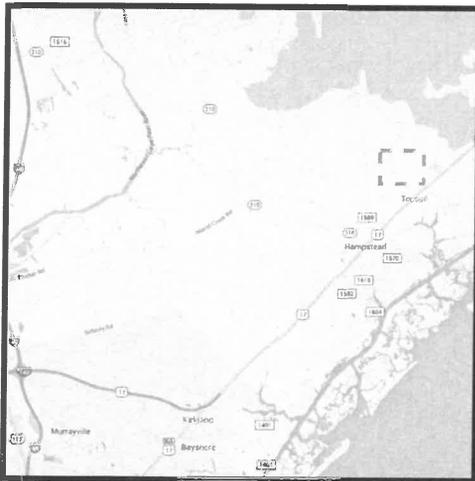
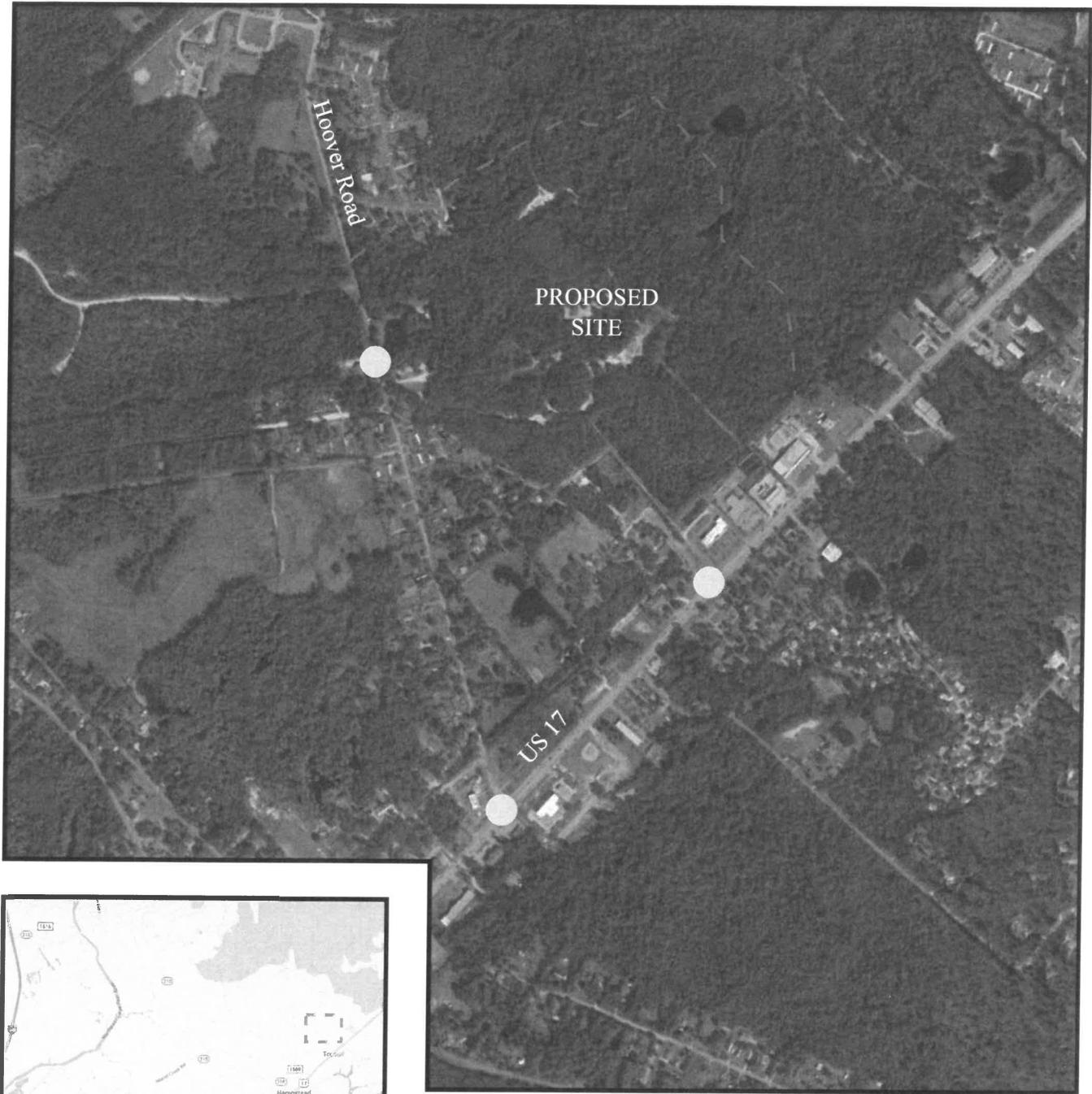
Based on coordination with the NCDOT and the WMPO, there are no adjacent land uses to consider for the proposed development.

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



Lea Tract
Hampstead, NC

Site Location Map

Scale: Not to Scale

Figure 1

SITE INFORMATION

CURRENT LAND USE: VACANT LAND
 ZONING: RP
 PROPOSED ZONING: RM-CD
 PIN: 3293-01-5693-0000
 PROPOSED USE: RESIDENTIAL,
 SINGLE FAMILY DETACHED &
 MULTI-FAMILY
 TOTAL SITE AREA: 78.39 ACRES
 APPLICANT INFORMATION: DRC HAMPSTEAD, LLC

OPEN SPACE REQUIREMEN

REQUIRED: 0.03 ACRI
 (NO MOR
 PROVIDED: 12.42 ACF
 ACTIVE S
 PASSIVE

SINGLE FAMILY DIMENSION REQUIREMENTS

MINIMUM LOT SIZE: 6,000 SF
 MAXIMUM LOT SIZE: 12,000 SF
 FRONTYARD SETBACK: 5' MINIMUM
 SIDEYARD SETBACK: 5' MINIMUM
 CORNER SIDEYARD SETBACK: 5' MINIMUM
 REAR SETBACK: 10' MINIMUM
 ZERO LOT LINE: ALLOWED IF 10' MIN. BETWEEN
 HOMES
 CHORD: 40' MINIMUM
 MAXIMUM HEIGHT: 35'

UTILITIES

1. ALL WATER UTILITIES WILL ENGINEERING; AND SEWER
2. WATER PROVIDED BY PENI
3. SANITARY SEWER TO BE PF
4. STORMWATER WILL BE HAN STORMWATER STANDARDS

BUFFER NOTES

ALL SURROUNDING ADJACENT F OF THE CHURCH TO THE SOUTH CORRIDOR

RECREATION UNIT NOTES

1. 399 LOTS REQUIRE 4 RECRI INSTALLATION OF THE PROPOSE THE \$40,000, 4 UNIT REQUIREME

UNIT TOTALS

SINGLE FAMILY: 135 UNITS
 APARTMENTS: 264 UNITS
 TOTAL UNITS: 399 UNITS

PHASING

1. THE NEIGHBORHOOD IS PLA PHASE, PHASE 4, MAY BE C PHASE 2 DEPENDING ON M,
2. ALL AMENITIES WILL BE COI WHICH THEY ARE PLANNEE PHASE 1 INITIAL PHASE OF

NUMBER OF DWELLING UNITS (DENSITY)

FROM PENDER COUNTY DEVELOPABLE AREA FORMULA PER SECTION 4.8.1(C)

Density Calculations

Total Apartment Units	264
Total Single Family Units	135
Grand Unit Total	399
Total Acreage	78.39
Total Non-Residential Acreage (includes ROW, Parking, Sidewalks)	9.94
Total Wetlands Acreage (11.65) - Total Passive Open Space (5.45)	6.20
Total Open space (.03 ac / unit)	12.42
Active Open Space	6.97
Passive Open Space	5.45
Total Developable Land Acreage	49.83
Developable land calculated as follows: Total Acreage Subtract the following: (Non-Residential, Wetlands (removing passive open space), Active and Passive Open Space)= Developable Land Area	
Max. Allowable Density Units/ Acre (max. 5du/ac allowed)	249.15
Total Proposed Density Units/ Acre using 399 units	8.0

EXCEPTIONAL DESIGN

1. THIS PROJECT REQUES WITH SECTION 4.8.1.C.2 UNI DESIGN .
2. LID MEASURES WILL BE E POSSIBLE PENDING SOIL TE ADDITIONAL ANALYSIS OF S SENSITIVE DESIGN.
3. SOME LID MEASURES TO LIMITED TO: INFILTRATION E RAIN BARRELS TO HANDLE ! BE KEPT AS MINIMAL AS PO: OAK TREES.

WETLAND DELINEATIO

1. THIS PROPERTY HAS A C DETERMINATION DATED MA

VEC

LEGEND



Signalized Intersection



Existing Lane

X'

Storage (In Feet)

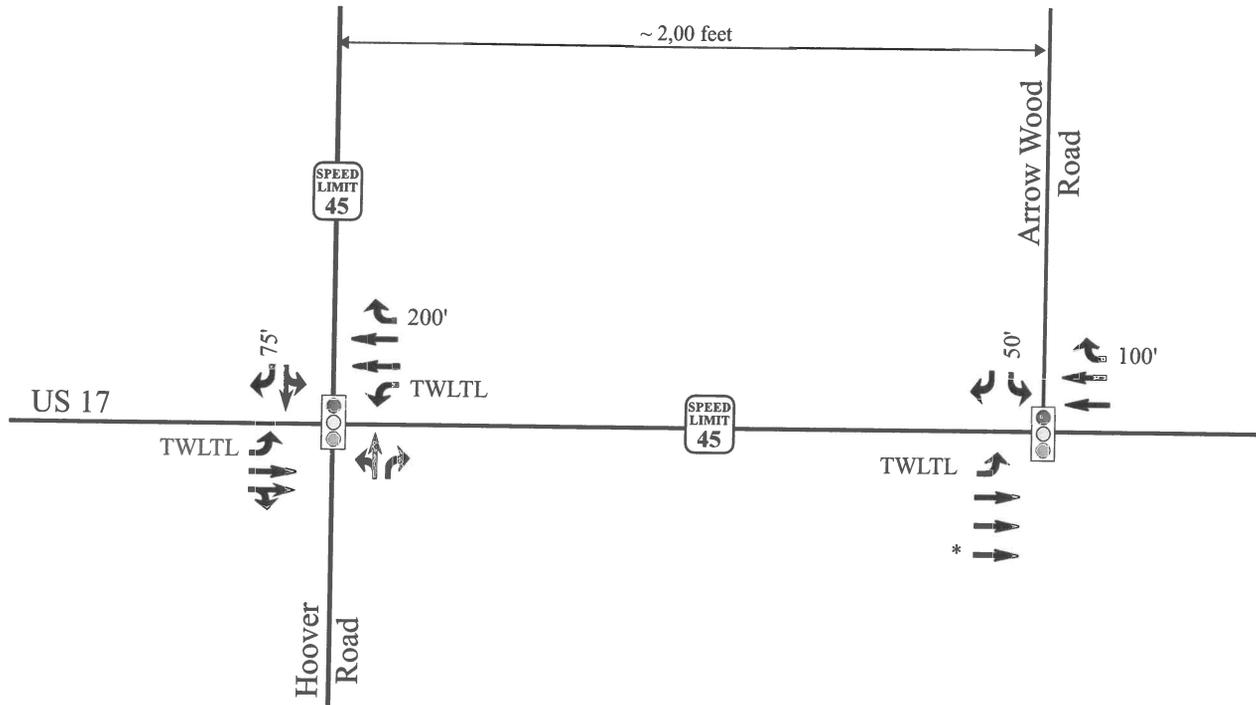
TWLTL Two Way Left Turn Lane



Posted Speed Limit



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



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TRANSPORTATION ENGINEERS

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

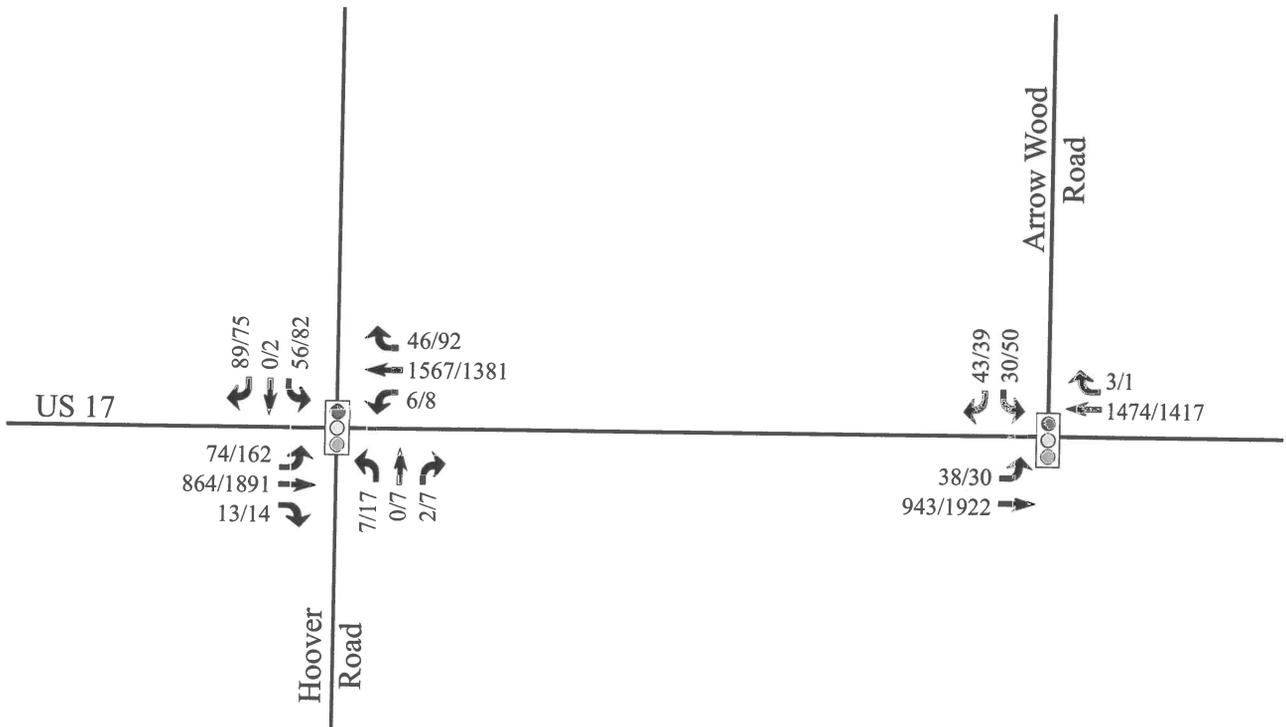
The existing (2016) weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix B. The results of the analysis are presented in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

LEGEND



Signalized Intersection

X / Y → AM / PM Peak Hour Traffic



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&
ASSOCIATES**
TRANSPORTATION ENGINEERS

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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

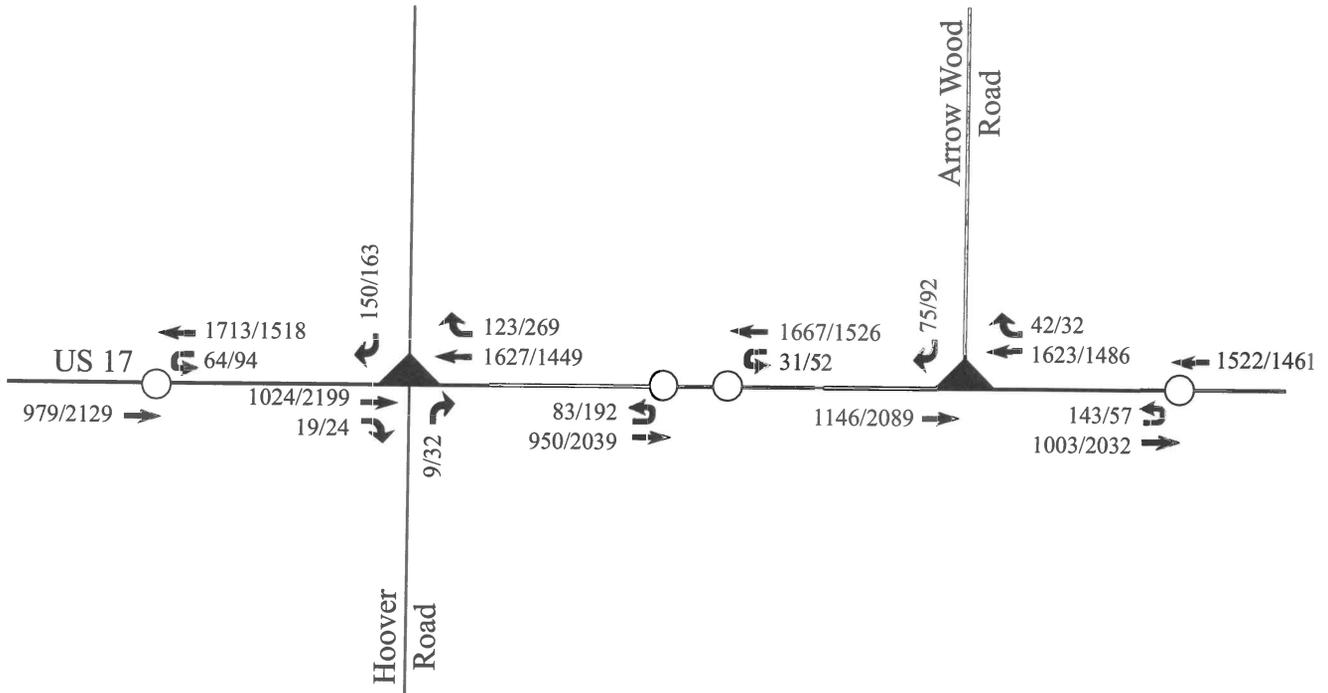
The background (2019) weekday AM and PM peak hour traffic volumes at the study intersections were analyzed both with and without signal, lane, and volume changes associated with the TIP U-5732 project. The analysis results are presented in Section 7 of this report.

LEGEND

○ Unsignalized Intersection

▲ Right-In/Right-Out Intersection

X/Y → AM / PM Peak Hour Traffic



Lea Tract
Hampstead, NC

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

Scale: Not to Scale

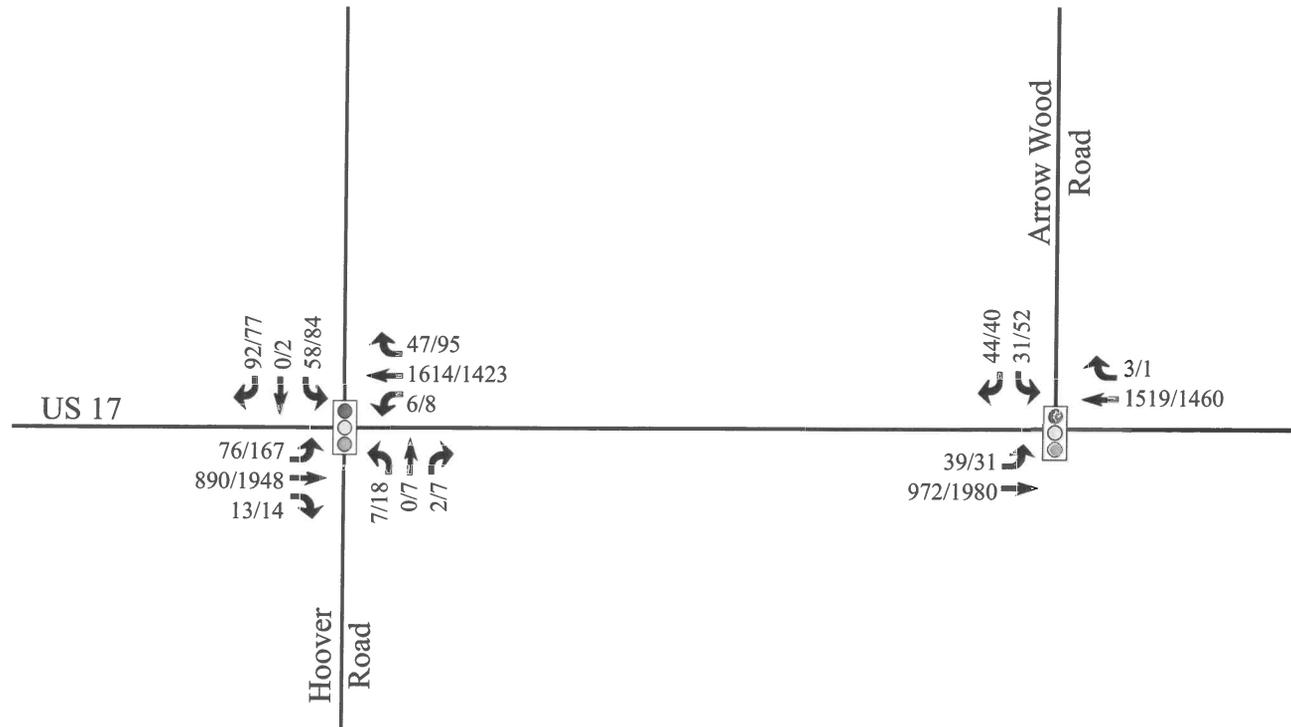
Figure 5

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
Total Trips		3,020	52	182	191	107

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

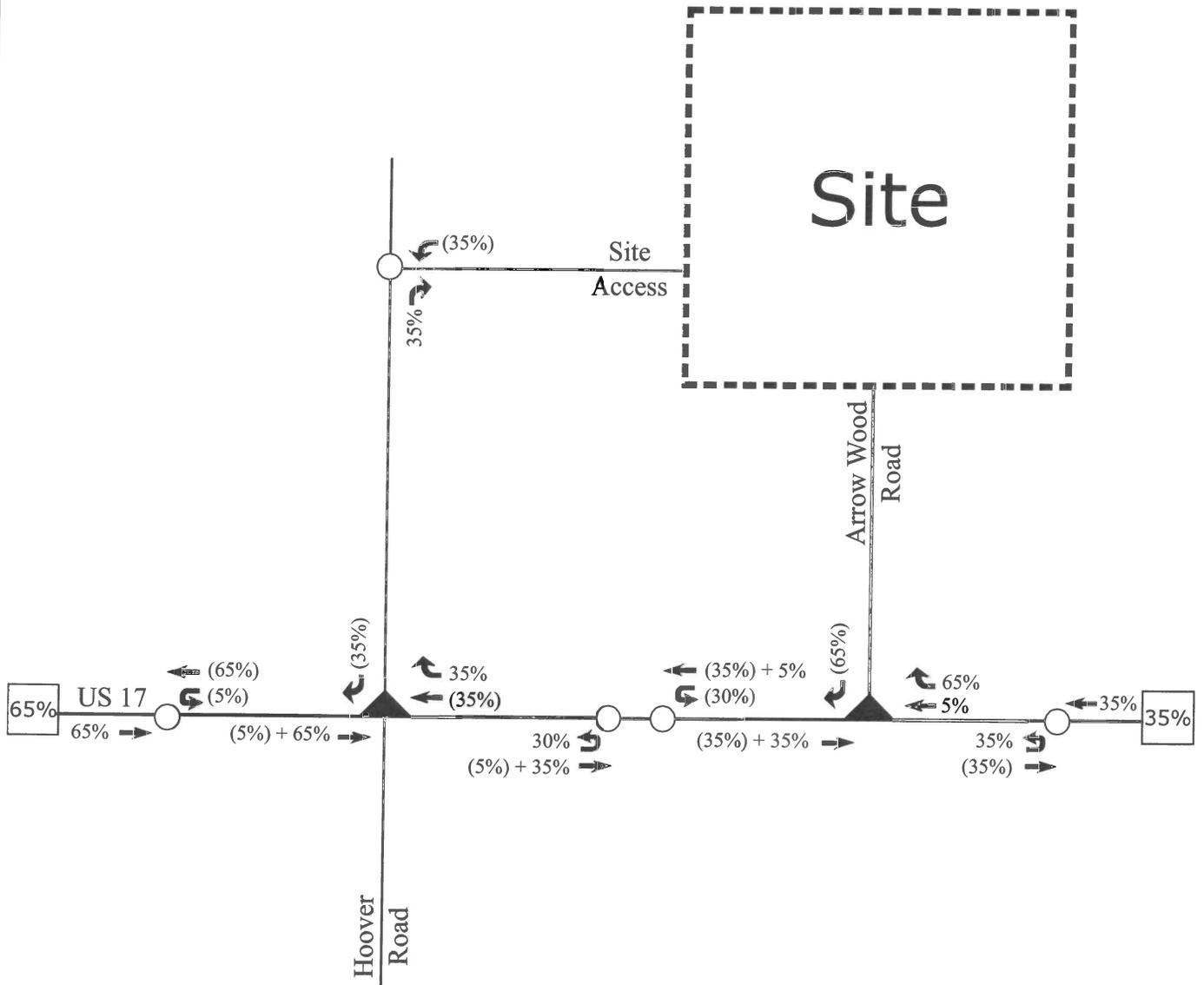
Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment. It is estimated that residential trips will be distributed as follows:

- 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

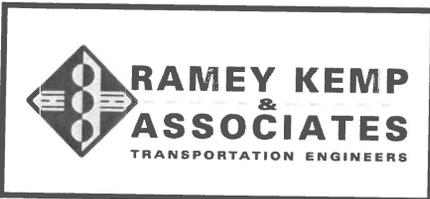
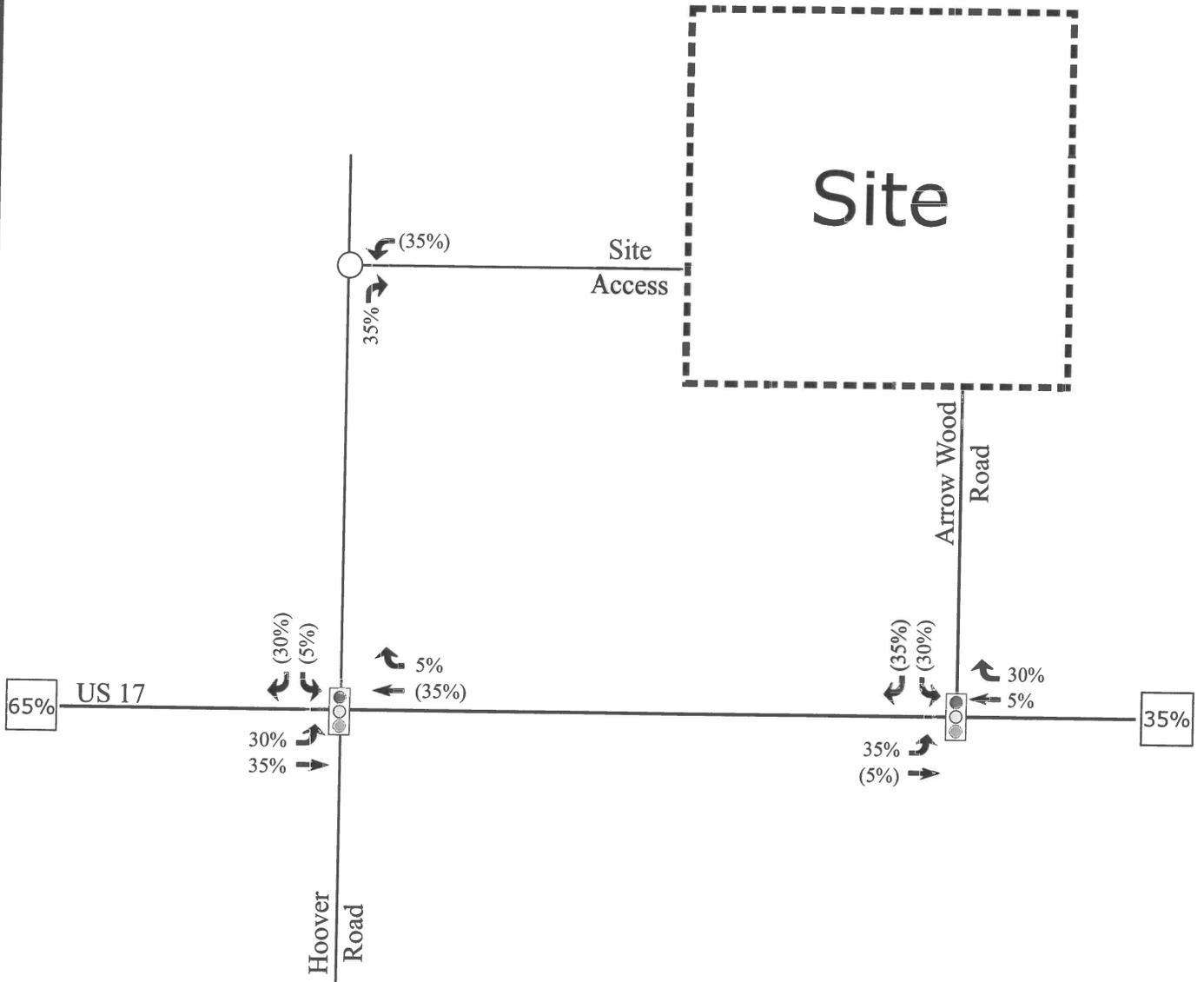
○ Unsignalized Intersection

◫ Signalized Intersection

X% → Entering Trip Distribution

(Y%) → Exiting Trip Distribution

XX% Regional Trip Distribution



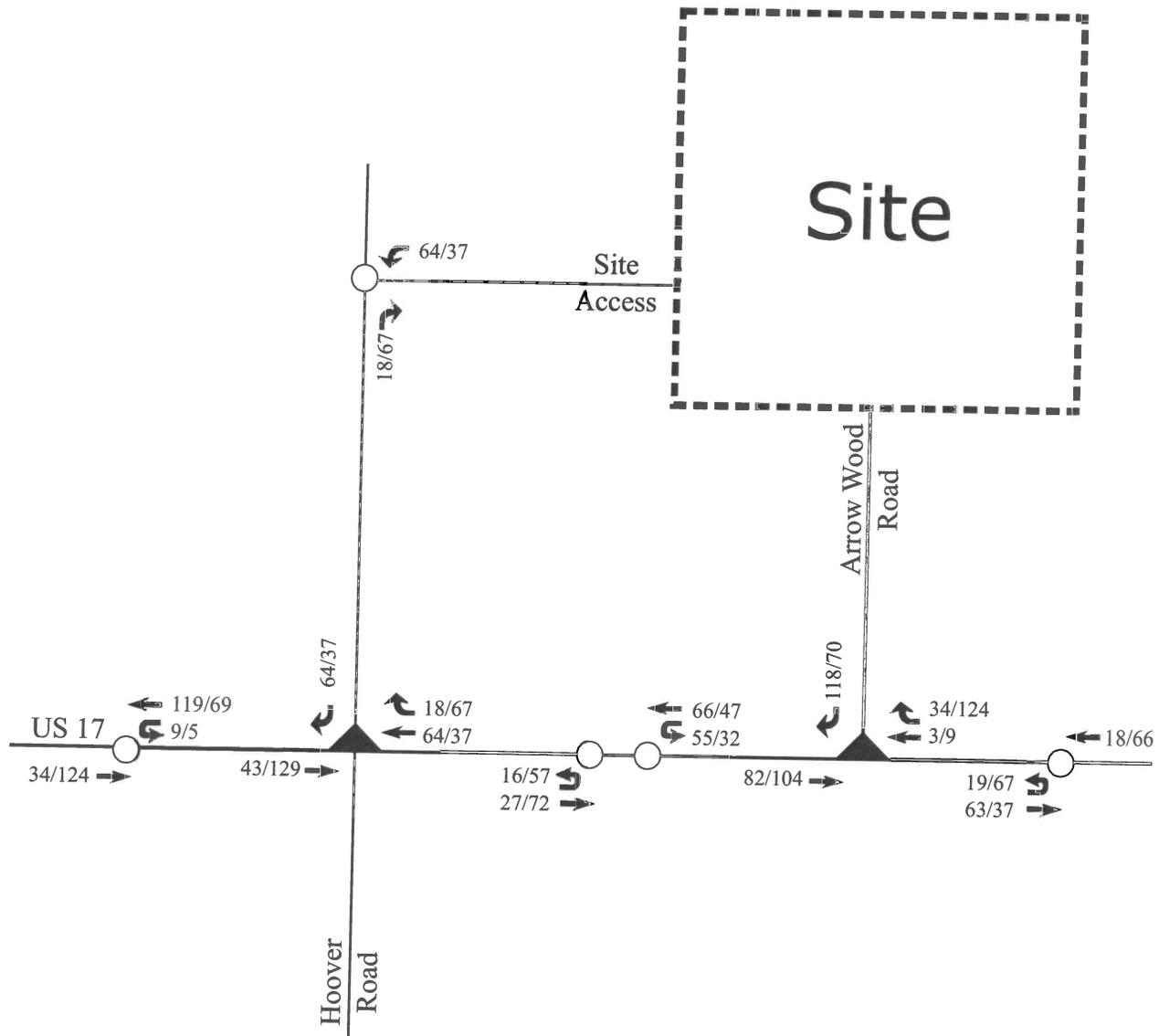
Lea Tract
Hampstead, NC

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



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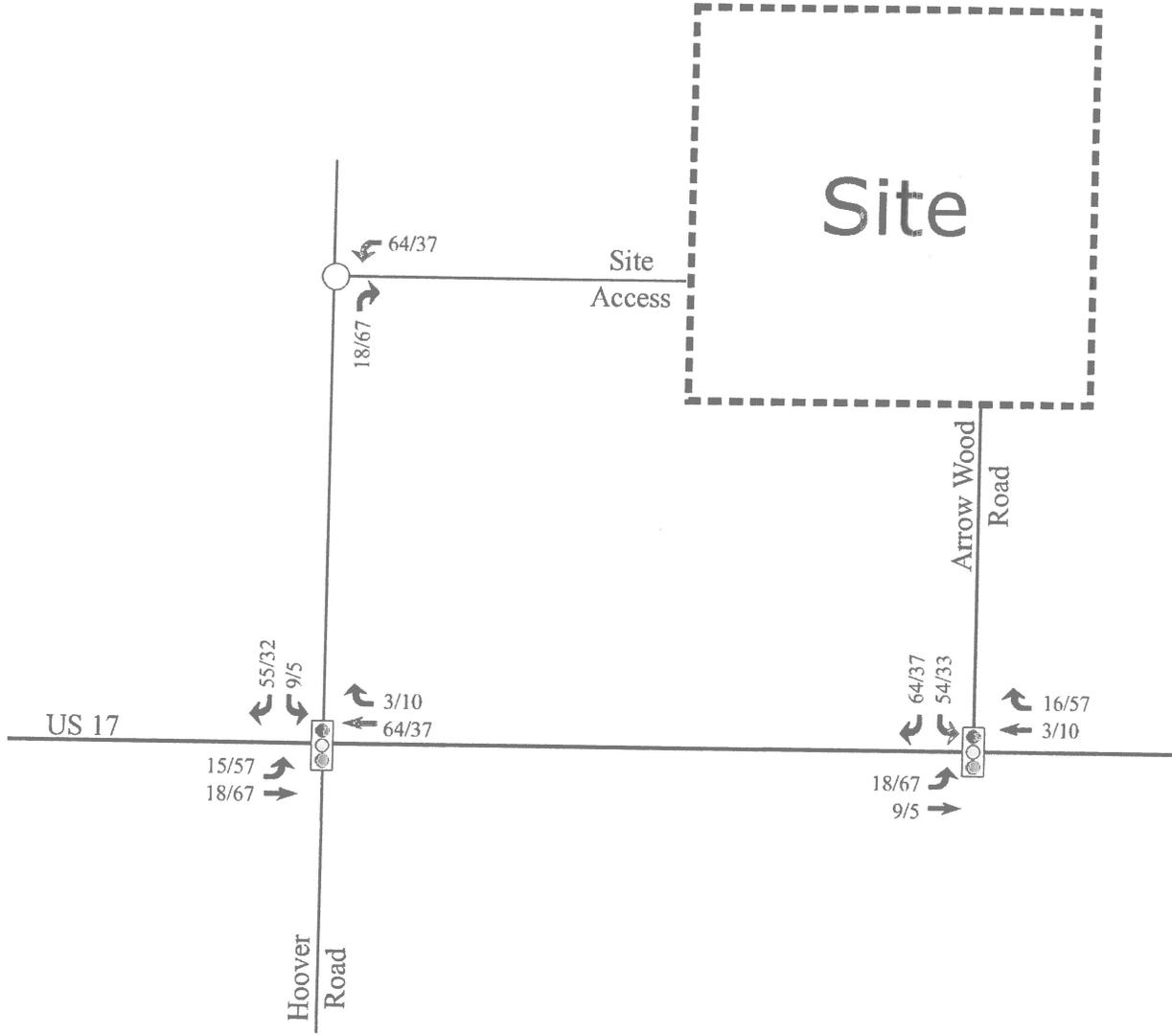
Lea Tract
Hampstead, NC

Site Trip Assignment
with TIP U-5732

Scale: Not to Scale	Figure 9
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LEGEND

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



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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.

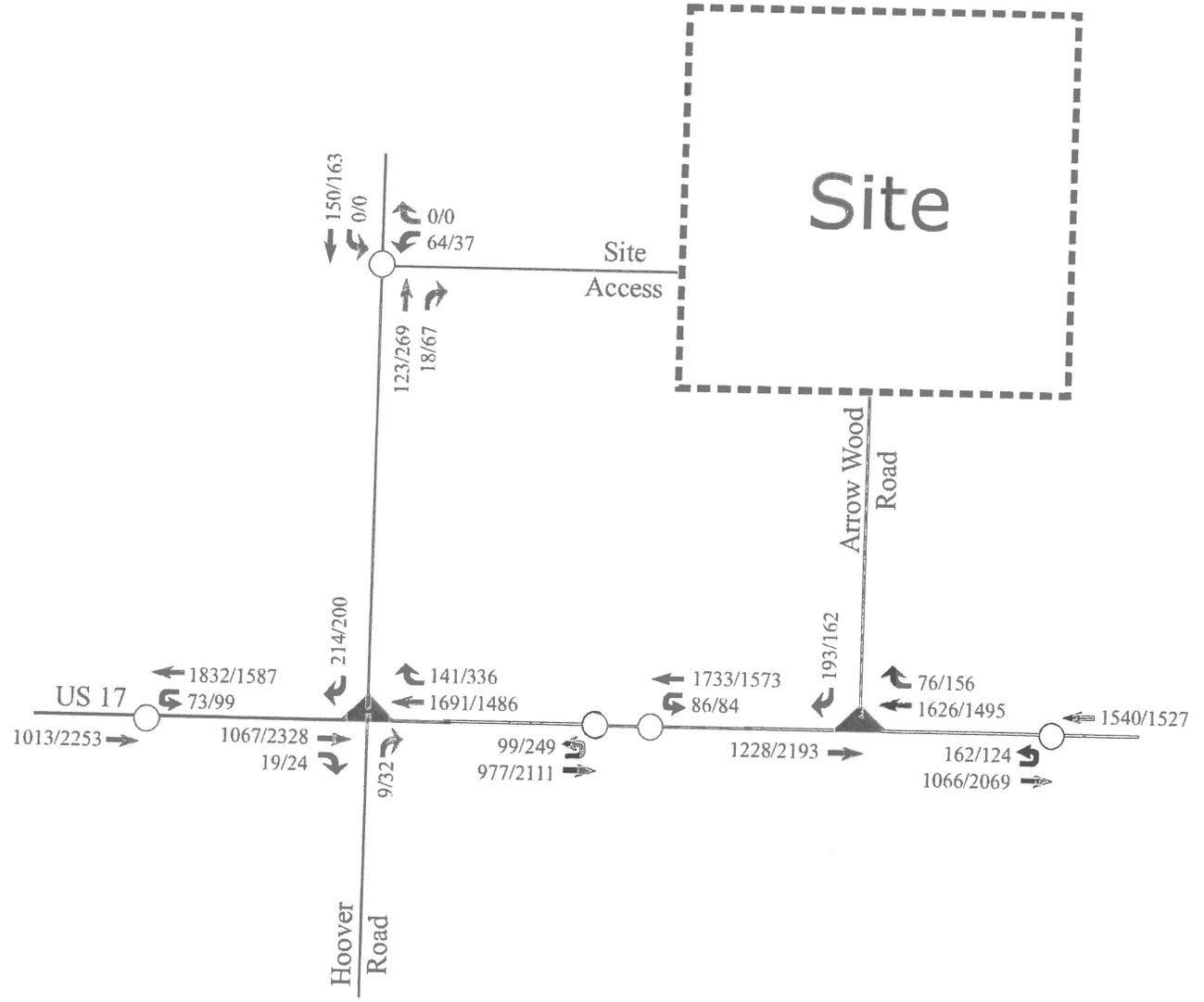
5.2. Analysis of Combined (2019) Peak Hour Traffic

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



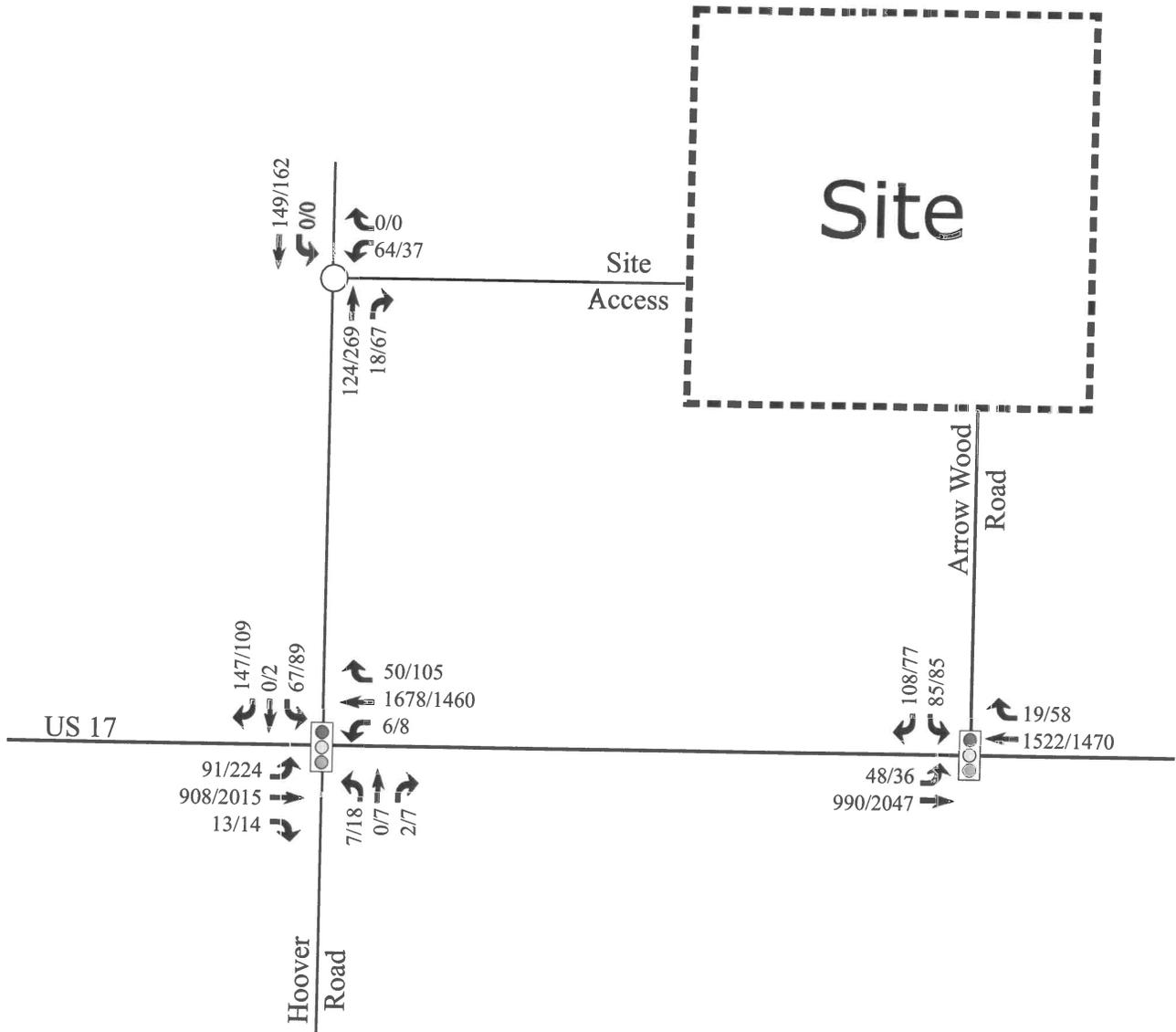
Lea Tract
Hampstead, NC

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



 RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	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	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 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 ¹ E ¹	N/A	-- -- D ¹ D ¹	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 ¹ F ¹	N/A	-- -- E ¹ E ¹	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 ¹	N/A	-- -- C ¹	N/A
Combined (2019) Conditions (with TIP U-5732)	EB WB SB	2 TH 1 TH, 1 TH-RT 1 RT	-- -- F ¹	N/A	-- -- E ¹	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 ¹ -- --	N/A	B ¹ -- --	N/A
Combined (2019) Conditions (without TIP U-5732)	WB NB SB	1 LT-RT 1 TH-RT 1 TH-LT	B ¹ -- --	N/A	B ¹ -- --	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*	-- B¹	N/A	-- E¹	N/A
Westbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- B¹	N/A	-- F¹	N/A
Eastbound U-Turn Background (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	C ¹ --	N/A	E ¹ --	N/A
Eastbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D ¹ --	N/A	F ¹ --	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 ¹	N/A	-- D ¹	N/A
Westbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EB WBU	2 TH 1 U, 2 TH*	-- C ¹	N/A	-- E ¹	N/A
Eastbound U-Turn Background (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D ¹ --	N/A	C ¹ --	N/A
Eastbound U-Turn Combined (2019) Conditions (with TIP U-5732)	EBU WB	1 U, 2 TH** 2 TH	D ¹ --	N/A	C ¹ --	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

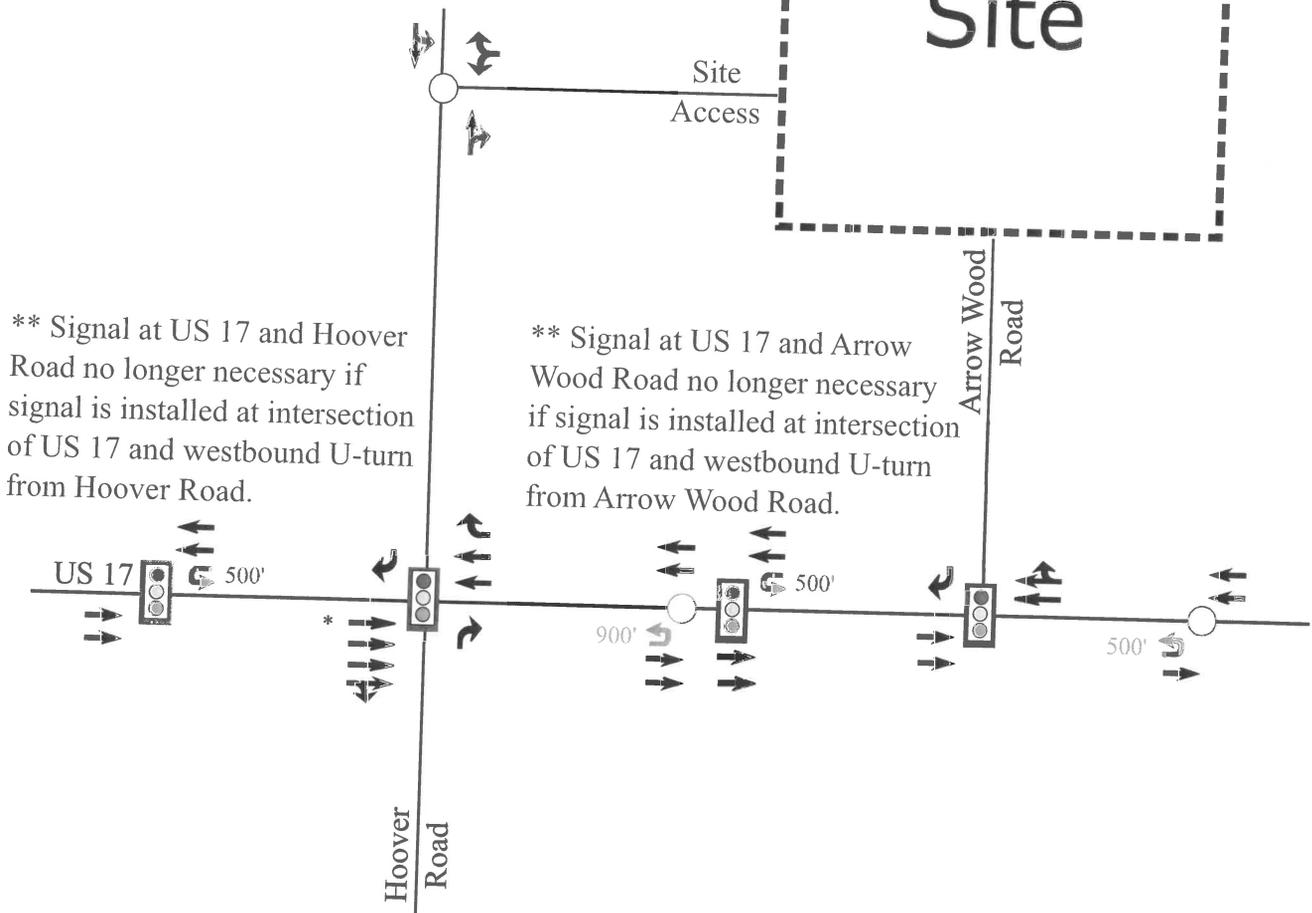
- Provide site access by tying into existing Arrow Wood Road providing one ingress lane and two egress lanes. It should be noted that the pavement provided for the left-turn lane has adequate storage for the expected traffic volumes and the second egress lane can be tapered.

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



** Signal at US 17 and Hoover Road no longer necessary if signal is installed at intersection of US 17 and westbound U-turn from Hoover Road.

** Signal at US 17 and Arrow Wood Road no longer necessary if signal is installed at intersection of US 17 and westbound U-turn from Arrow Wood Road.



Lea Tract
Hampstead, NC

Recommended Lane
Configurations
with TIP U-5732

Scale: Not to Scale

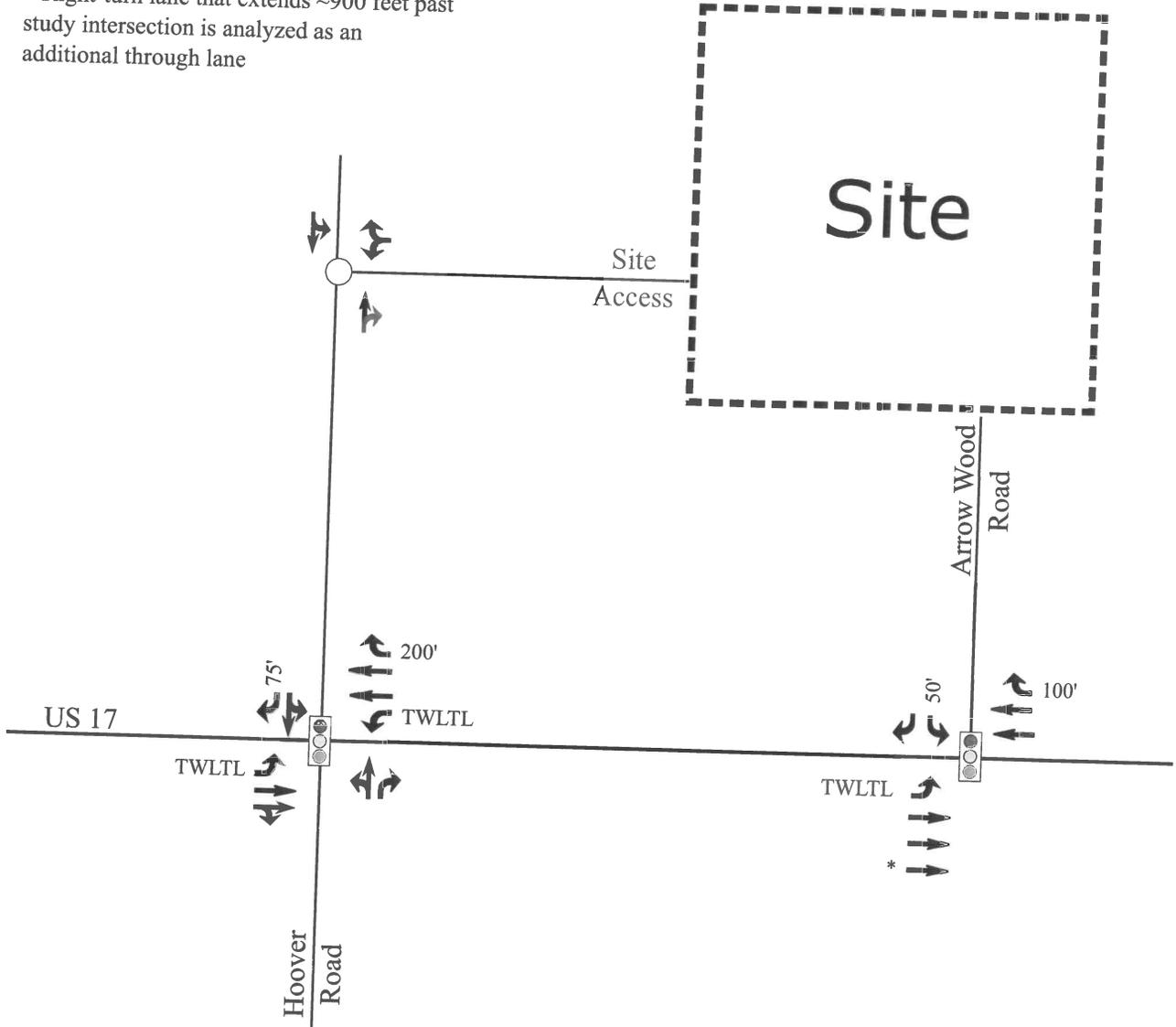
Figure 13

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

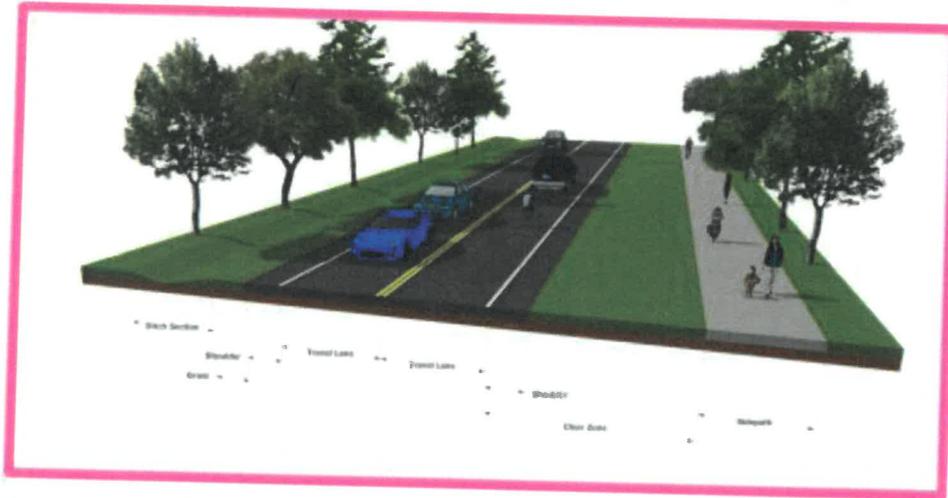


Figure 20: Baseline with Sidepath

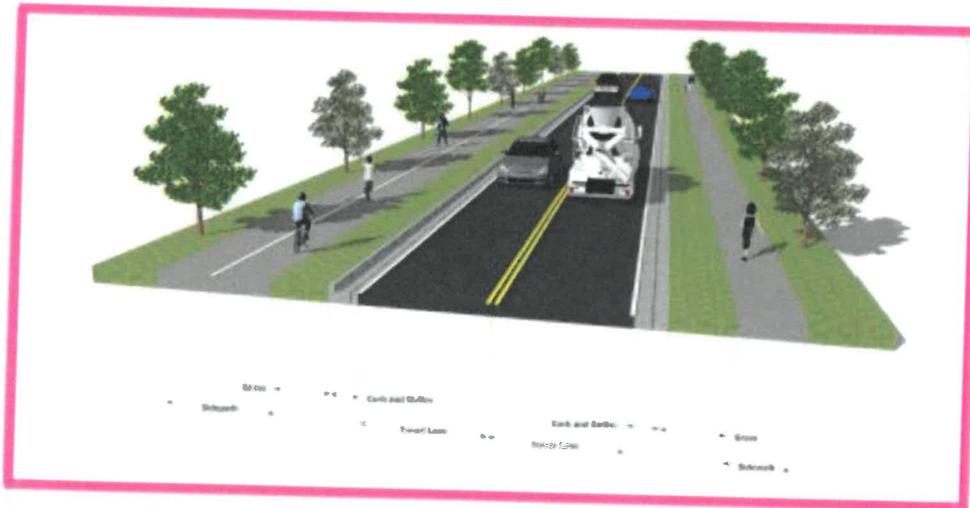


Figure 25: Residential with Sidepath (one side) or Sidewalks (both sides)

Group 3

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



Applicant:
DRC Hampstead, LLC

Owner:
Jesse F. Lea SR, et al

**Conditional Zoning
Map Amendment**

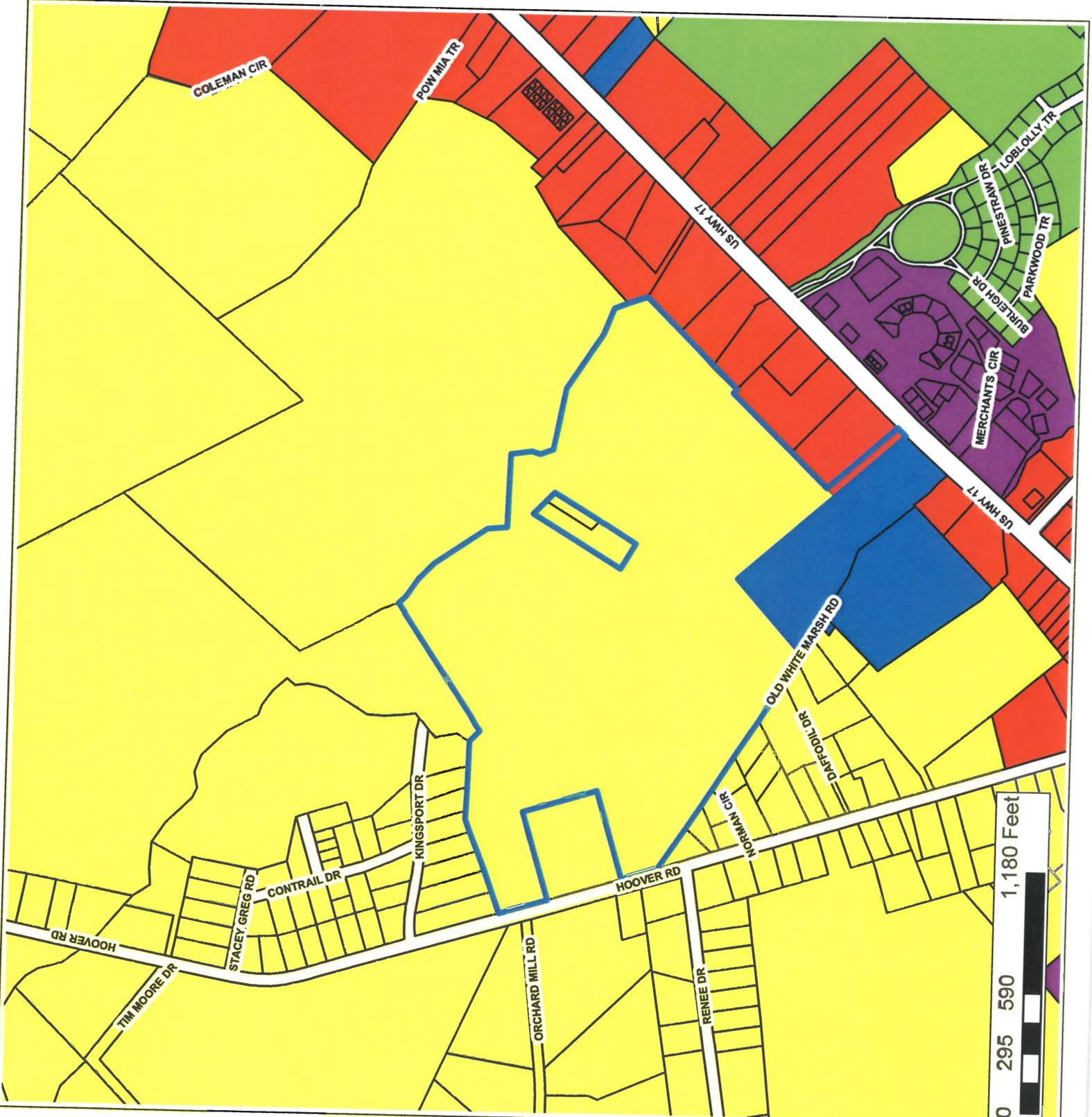
Case Number:
305-2016

Legend

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



CURRENT ZONING





Applicant:
DRC Hampstead, LLC

Owner:
Jesse F. Lea SR, et al

**Conditional
Map Amendment**

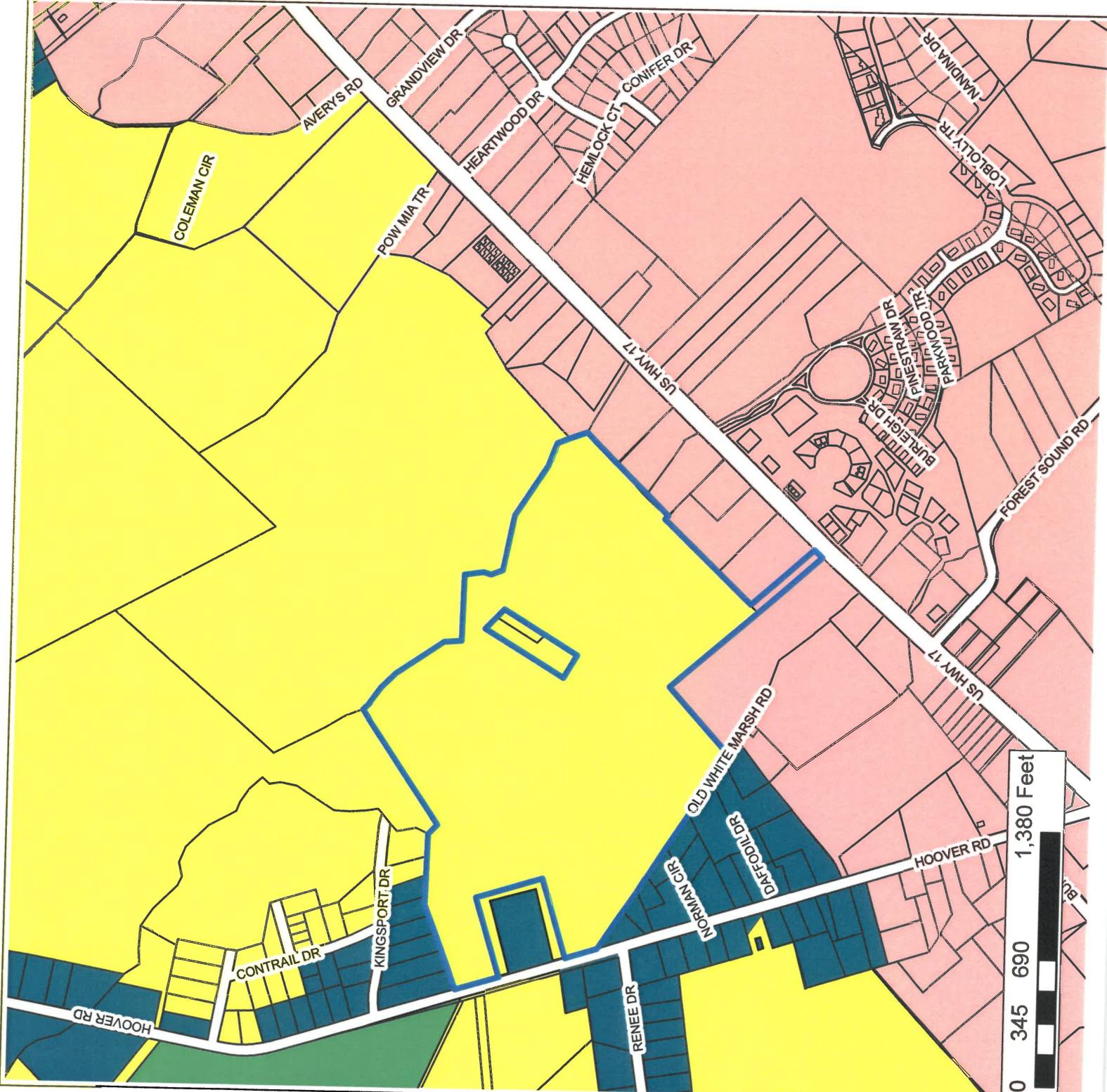
Case Number:
305-2016

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



0 212.5 425 850 Feet

**PLANNING STAFF REPORT
 MASTER DEVELOPMENT PLAN AND PRELIMINARY PLAT
 PENDER LAND GREENWAY PARK**

SUMMARY:

Hearing Date: October 4, 2016
Applicant: Stroud Engineering P.A.
Property Owner: Pender Land Holdings Inc.
Case Number: Master Development Plan 279-2016
 Preliminary Plat 295-2016

Development Proposal: Stroud Engineering, P.A., applicant, on behalf of Pender Land Holdings, Inc., owner, is requesting approval of a Master Development Plan and Preliminary Plat of Phase I for a mixed-use development proposal on four (4) tracts totaling approximately 163.5 acres. Phase I includes; one hundred twenty-one (121) single family residential lots. Future development includes; sixteen (16) townhouse units, one hundred sixty (160) multifamily units, ± thirty- two (32) acres of future residential development, ± nineteen (19) acres future commercial development, and ± (forty-two) 42.2 acres of park land for dedication to the County.

Property Record Number, Acreage, and Location: The subject properties are zoned PD, Planned Development zoning district. The subject properties are located along the west side of Country Club Drive (SR 1565), along the south east side of US HWY 17, south of Hampstead Kiwanis Park and north of the residential subdivision known as Belvedere Plantation. The subject properties are in the Topsail Township and may be further identified by Pender County PINs; 4204-61-5445-0000, 4204-51-3743-0000, 4204-41-7997-0000 and 4204-52-2665-0000.

RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with eleven (11) 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 recommends the conditional approval of the Master Development Plan and Preliminary Plat request as detailed in the report. Any and all future development, as well as all phases or changes to the Master Development Plan and Preliminary Plat are subject to Planning Board review and approval.

Non-Residential

Approximately ±19 acres of non-residential development are proposed in the Master Development Plan per the PD, Planned Development zoning district requirements. Any non-residential uses and phasing must be approved by the Planning Board as applicable. Currently the non-residential portion of the project is identified as "Future Commercial" shown in the Maser Development Plan and adjacent to US HWY 17

Residential

In total, the Master Development Plan and Preliminary Plat is proposed in multiple residential phases; Phase I Sections I and II have been included for Planning Board review.

Phase I includes; one hundred twenty-one (121) single family residential lots.

Proposed future development includes; sixteen (16) townhouse units to be located between Red Bird Lane (Private) and Country Club Road (SR 1565). Additional future development is to be located on the western side

of the proposed Master Development Plan and east of US HWY 17 to include one hundred sixty (160) multifamily units.

Phasing

Phase	Type	Unit total	Acreage
Phase I Section I Phase I Section II	Single Family Dwelling - Detached Conventional	121	57 Acres
Future Development	Multifamily	160	32 Acres
Future Development	Single Family Dwelling - Attached Townhouse	16	14 Acres
Future Development	Commercial	undefined	19 acres

At current the net density of the proposed project is at ± 4.44 units per acre including the park. The net density of the proposed project excluding the park is at ± 4.55 units per acre. 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 Unified Development Ordinance requirements and examined further if open space or lot size changes from the original Master Development Plan approval. The density is in compliance with the Unified Development Ordinance.

Density Calculation including the park

Total Acreage	163.5
Non-Residential Acreage	19
Wetlands Acreage	50.62
Right-of-Way Acreage	12.32
Open Space Acreage	
Active	14.6
Passive	50.62
Total Units	297
Developable Land	66.96
Net Density	4.44

Density Calculation excluding the park

Total Acreage	121.3
Non-Residential Acreage	19
Wetlands Acreage	20.22
Right-of-Way Acreage	12.32
Open Space Acreage	
Active	4.5
Passive	20.22
Total Units	297
Developable Land	65.26
Net Density	4.55

Residential

As outlined in the Unified Development Ordinance, Section 4.8.1.D outlines that the minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan and may be modified by the Planning Board. Requested as follows:

Residential

Setback Type	Requested Setback (Feet)
Front	25
Rear	15
Side	10
Corner	15
Min. Chord	30
Max. Building Height	35
Min. lot width	65
Min lot size	10,000 sq. ft.

Commercial

Setback Type	Requested Setback (Feet)
Front	30
Rear	20
Side	15
Corner	15
Min. Chord	50
Max. Building Height	35
Min. lot width	100
Min lot size	20,000 sq. ft.

Landscaping and Buffers

Currently the buffers are in compliance with the Unified Development Ordinance. All landscape and buffers are to be approved in accordance, with Section 8.2.8, project boundary buffer of the Pender County Unified Development Ordinance. The applicant has provided an A Buffer along all boundaries adjacent to a street. The applicant has provided a C Buffer along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development. The applicant has provided a B Buffer along all other boundaries. This is compliant with the Unified Development Ordinance requirements for a multi-family and Planned Development, PD zoning district.

The applicant would also be in compliance if they were to choose to place the buffering around the limits of disturbance only and to not include the proposed area of dedication to the park. This method of buffering would only include the buffering of the future development areas and the proposed Phase I. Per Section 8.2.2 when a site is five (5) acres or larger, the required buffer may be located within the outer perimeter of the limit of disturbance of the project area on the lot or parcel. If the limit of disturbance is expanded, the buffer shall be adjusted accordingly.

The buffers as presented is how the Planning Board shall consider the proposed Master Development Plan and Preliminary Plat. All buffers shall be in accordance with Unified Development Ordinance requirements and examined further if the applicant proposes any changes from the original Master Development Plan approval.

Open Space

Approximately 42.2 acres of the open space has been proposed by the applicant to be dedicated to the County for the Kiwanis Park Facility. The applicant's proposal currently meets the requirements for open space and is in compliance with Section 7.6.1.C with or without the park land dedication.

The applicant has provided open space located adjacent to Country Club Road (SR 1565) and adjacent to the proposed Road 1 (public) this open space is easily accessible for the future residents. Currently the open space provided has not formed a single parcel of land. The applicant has provided one (1) parcel for Phase I section I, one (1) parcel for Phase I Section II, and the area of proposed dedication totaling three (3) parcels. Currently the applicant's proposal conflicts with Section 7.6.1.E.1 of Pender County Unified Development Ordinance. 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.

Open Space including the park

Open Space Type	Required Open Space (in acres)	Proposed Open Space (in acres)
Passive	4.46	50.62
Active	4.46	14.6
Total	8.91	65.22

Open Space excluding the park

Open Space Type	Required Open Space (in acres)	Proposed Open Space (in acres)
Passive	4.46	20.22
Active	4.46	4.5
Total	8.91	24.72

Recreational Units

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 or payment in lieu of installation shall be confirmed on the Master Development Plan per Section 7.6.2 of the Pender County Unified Development Ordinance.

Developments falling between 251-300 proposed dwelling units are responsible for a Recreational Unit of 3.0 and a Financial Unit of \$30,000. At this time the applicant is working with the Pender County Parks and Recreation Division to coordinate the donation of land for addition to Kiwanis Park (Attachment 1). The applicant has submitted a cost estimate to show the improvement represents the financial unit requirement. This can be seen as part of the narrative.

The proposal of land for addition to Kiwanis Park will help alleviate existing deficiencies for the park facilities due to population increase. The addition of acreage to the existing Kiwanis Park facility will make it possible to expand walkways and promote interconnectivity for the adjacent subdivisions (Attachment 2).

Per Section 7.6.3.C the Tax Department shall determine the average fair market value of the land based on the value of the land for property tax purposes, the information submitted by the Subdivider and other relevant information. At current the tax department has been notified of the proposed dedication of land to Pender County.

The applicant is also proposing that the financial unit shown on the cost estimate which can be seen attached to the narrative be paid in lieu of building out the recreational units. Therefore the county would be responsible for the completion of the improvements on the proposed land dedication.

The proposed parks area to be dedicated to the County may include:

1. Walking Trail;
2. Boardwalk Trail through wetlands areas;
3. Community Garden Area;
4. Nine (9) hole disk golf course; and
5. A small parking area

Approval from the Pender County Parks and Recreation Advisory Board and approval from Pender County Board of County Commissioners must be obtained in order to accept the dedication of land and Potential Improvements.

Recreational facilities shall be in a configuration and location that is easily accessible to the dwelling units that they are designed to serve and may be placed within active or passive open space required areas. Currently the proposal includes easily usable open space in an accessible area for both residents and neighboring County

citizens. This proposal is consistent with the Unified Development Ordinance. Currently the applicant has provided access to the proposed walking paths through an access easement. To reassure accessibility to the proposed walking paths Staff has established a condition for the access points to be designed to ADA standards for the three (3) pedestrian access locations and to have pedestrian easements recorded for the access points. The access to the proposed walking path is at the end of Road 1 (Private) located in Phase I Section I. The future residents of the proposed subdivision can also gain access to the existing Kiwanis Park through cul de sac one in Phase I Section I and cul de sac one in Phase I Section II. This can be seen in Attachment 1.

Roadways

The proposed Master Development plan shows collector streets with pedestrian access connecting the commercial and future development to Phase I Section II. The cross section chosen from the Pender County Collector Street Plan is cross section Figure 23 of Group 1. This cross section indicates a sidewalk on both sides however the applicant may pick only one side to place the sidewalk on. This will provide the commercial use with pedestrian connectivity for the proposed subject area and the adjacent subdivision.

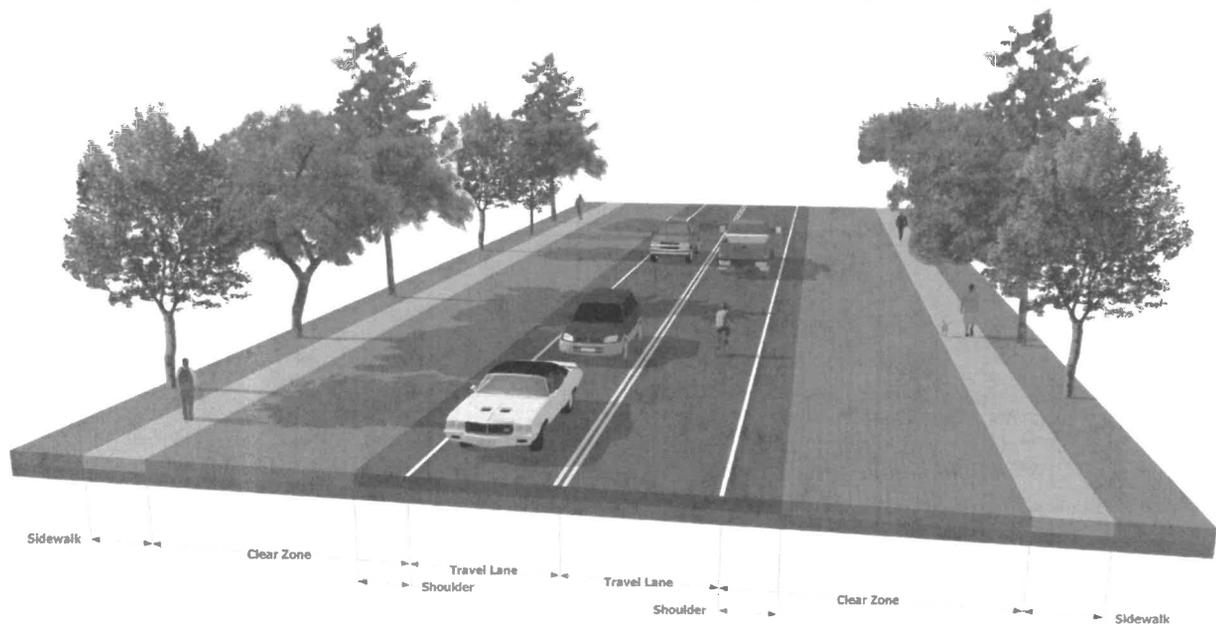


Figure 23: Baseline with Sidewalk (only required on one side)

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 subdivision approval.

The Pender County Collector Street Plan currently shows two (2) proposed collector streets through the subject property, however the collector streets have been modified to meet environmental restrictions of the subject property (Attachment 3). The two (2) proposed roadways are located within the cross section designation for Group One (1). Group One (1) is designed to accommodate automobiles, pedestrians, and bicyclists in more densely populated areas per page 53 of the Pender County Collector Street Plan. The Master Development Plan is currently in compliance with the Collector Street Plan.

The proposed collector streets will provide a necessary means of transportation to areas within the proposed Master Development Plan area as well as to adjacent parcels for future residents of the proposed subdivision and for neighboring residents utilizing the collector streets for pedestrians and vehicular use.

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 fifty (50) feet in width; which will meet the NCDOT standards as outlined in the 2010 Subdivision Manual with a curb and gutter section.

At current all other roadways are proposed to be dedicated as private other than the collector streets and the adjacent property connections. This is in compliance with the Collector Street Plan and the Unified Development Ordinance.

The applicant has proposed two (2) alleyways for access to lots 1-8 located in Phase I Section II. The alleyways will make it possible to have lots on collector streets without individual lot access. Per Section 7.2.7 major subdivisions shall not be approved that provide for individual residential lots access to Minor Collector roads or streets as shown on the Pender Collector Street Plan. The alleyways are required to be built to NCDOT standards. At current the applicant has proposed a reduced width. Per section 7.5.3.A variations to right-of-way widths and geometric design may be permitted upon Planning Board review and approval where certain features such as topography, environmental features, low impact development design or unique needs of a development exist at the Master Development Plan approval. Staff supports this design based on the collector street designation and standards.

Street Connectivity and Access

The PD, Planned Development zoning district per Section 4.8.1.E 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. Attachment three (3) shows the proposed roadways and the connections to the existing stub streets for future development and interconnectivity. Per Transportation Policy 3.7: The County shall encourage street connections between adjoining residential neighborhoods, as well as connections between parking lots of adjoining commercial developments.

The collector streets and the connections to Blue Bird LN (Private), Kiskadee CT (Private), and Phoebe Ct (Private) are all required to be public roadways dedicated to the NCDOT. The applicant has submitted documents proving legal access which can be seen in Attachment 4. This is in compliance with the Collector Street Plan and the Unified Development Ordinance.

Phase I Section II, the applicant has proposed a connection to Blue Bird Lane (private) which this will serve as the primary means of ingress and egress until future phases have been constructed and a connection to US HWY 17 established through the proposed collector street shown on the Master Development Plan. Legal access to the private roadways has been provided as shown in Attachment 4.

The applicant has also designed a collector street to extend from the future multifamily units to stub to the adjacent parcel identified by PIN 4204-52-6897-0000 for future connectivity. The proposed collector extends from Blue Bird Lane (private) to US HWY 17, and the future commercial designated area on the proposed Master Development Plan and Preliminary Plat (Attachment 3).

Phase I Section I, the applicant has proposed direct access to Country Club Road (SR 1565); this will serve as primary means of ingress egress for this phase. Red Bird LN (private) was previously stubbed out to the north

into one of the four subject parcels. The applicant has proposed to not connect to Red Bird LN (Private). Per Section 7.4.1 of the Unified Development Ordinance required access must provide a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Per Section 7.5.1.A.2 layout of streets as to arrangement, width, grade, character, and location shall conform to the adjoining street systems. Per Section 7.5.1.A.4 to provide for continuity in existing streets and proposed streets. Currently the applicant is not in compliance with the Unified Development Ordinance with the proposal of no connection Red Bird LN (private). Staff has included this connection as part of the recommendations for approval.

In the future commercial and multifamily, the applicant has provided connections to Kiskadee Court (private), Phoebe Court (private), and Blue Bird Lane (private) through a public collector street.

At current the applicant has proposed two (2) connections to NCDOT on-system roads for the subject parcel's roadway access to include Country Club Road (SR 1565) from the south and US HWY 17 from the north. Per Section 4.8.1.E.3 where the development is bound by two (2) or more NCDOT on-system roads, access to each road shall be provided at minimum. This is in compliance with the Pender County Unified Development Ordinance.

Traffic

At this time an examination of the traffic impact on the existing road network surrounding the subject properties is required (Attachment 5). This requires the coordination with NCDOT and the Wilmington Metropolitan Planning Organization (WMPO). A scoping document has been submitted to the WMPO. Currently the proposed Master Development Plan including the existing commercial use has a combined daily trip total of 2150. Per Section 6.1.2.A.15 a Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.

The TIA determines 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 revised during the Preliminary Plat process of each phase (Attachment 5). Turning movement counts are required on weekdays from (6:30 AM – 8:30 AM) and (4:00 PM – 6:00 PM). Study intersections will include the following:

1. US HWY 17 at Long Leaf Drive (SR1675);
2. US HWY 17 at Sloop Point Loop Road (SR 1563);
3. US HWY 17 at Site Access One (Right-in/ Right-out only);
4. Sloop Point Loop Road (SR 1563) and Country Club (SR 1565);
5. Country Club (SR 1565) Azalea Drive (SR 1750); and
6. Country Club (SR 1565) Site Access Two.

Pedestrian Access

Per Section 4.8.1.E.2 pedestrian-oriented communities are encouraged to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. The applicant has proposed sidewalks on the roadways internal to the subdivision and the proposed collector streets chosen will require a sidewalk to be placed on one side per the cross section that the applicant has chosen from the Pender County Collector Street Plan. Per the Pender County Collector Street Plan figure 23 shows a cross section which represents the main collector streets containing at least one (1) sidewalk within the proposed subdivision. This sidewalk will create an opportunity for increased pedestrian activity. This is in compliance with the Unified Development Ordinance.

The open space proposed for donation to the Pender County Parks and Recreation Division will have one connection internal to Phase I Section I and two others located out of the proposed subdivisions boundary. Currently the applicant has proposed two other pedestrian connections to the Kiwanis Park Facility and can be seen in cul de sac one of both Phase I Section I and II. Currently these are shown as easements, however Staff is recommending as a condition of approval that the easement be surfaced to meet ADA standards.

The current proposal demonstrates pedestrian access throughout the subdivision and demonstrates pedestrian access to the existing commercial use. The applicant is proposing a multi-use path within the proposed park area which has been placed in a centralized area of the subject property. The Master Development Plan request consists of viable pedestrian connections and meets the Pender Collector Street Plan requirements. The pedestrian elements are consistent with the Pender County approved plans.

Utilities (Wastewater/ Water)

At current the proposed Master Development Plan and Preliminary Plat has received a letter of intent from the wastewater and water service provider Utilities Inc. stating that capacity will be reserved for the proposed lots for one year (Attachment 6). Currently the utility facility has been approved for a Special Use Permit under Carolina Water Service, Inc. of NC.

Environmental Concerns

The subject parcel, of approximately ± 163.5 acres contains portions of environmentally sensitive areas including wetlands.

Wetlands

Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act. At current the National Wetlands Inventory does indicate that wetlands are located within the subject properties. A Jurisdictional Determination of the Wetlands has not been conducted by the Army Corps of Engineers and is required to be submitted for Planning Staff review for Preliminary Plat approval.

Tree Survey

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the staff approval of the Master Development Plan. At current the applicant has not provided this documentation to Planning Staff.

Permits

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.

Technical Review Committee (TRC) Responses:

On Tuesday June 7, 2016 the Pender County Technical Review Committee reviewed the Master Development Plan and Preliminary Plat known as Pender Land Greenway Park. The responses collected can be seen in Attachment 7.

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 property is located within a PD, Planned Development District. The intent of The PD, Planned Development zoning district is to provide an alternative to a conventional development. The PD, Planned Development District allows projects of innovative design and layout that would not otherwise be permitted under this Unified Development Ordinance because of the strict application of zoning district or general development standards. The PD, planned development zoning encourages progressive land planning and design concepts.

C) Existing Land Use in Area:

The Kiwanis Park is adjacent to this tract to the east and north. Along the immediate southern and western boundary of the property is a moderately dens residential subdivision (Belvedere Planation) and to the east is the existing moderately dens subdivision (Bent Tree).

D) 2010 Comprehensive Land Use Plan:

1. **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.

2. **Supporting Comprehensive Plan Policies and Goals:**

a. **Growth Management Goal 1A.1** Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

i. **Policy 1A.1.2** Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development

b. **Transportation Goal 2B.1** Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.

i. **Policy 2B.1.4** Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

ii. **Policy 2B.1.9** as recommended in the Coastal Pender Collector Street Plan, all new streets that have the potential to connect to adjacent developments should be constructed to NCDOT secondary road standards and accepted for public maintenance to ensure future connectivity.

c. **Water and Sewer Goal 2A.1** manage the timing, location and intensity of growth by locating water and sewer improvements in accordance with the Comprehensive Land Use Plan and Water and Wastewater Master Plans.

d. **Parks, Recreation, Open Space and Waterway Access Goal 7B.1** Increase the amount of land available and the funding for parks, recreation and open spaces to serve Pender County residents and visitors.

i. **Policy 7B.1.2** Encourage the use of conservation subdivision development to preserve open amenities within new development.

ii. **Policy 7B.1.3** If practical, require development plans to arrange open space/amenities adjacent to other open space areas, county parks and recreation facilities, or state, federal, or other protected lands.

- iii. **Policy 7B.1.4** If adjacency is not possible, require development plans to enable pedestrian and wildlife corridor connections to nearby open spaces.
- iv. **Policy 7B.1.5** Ensure that park and recreation set asides include usable upland

The request is consistent with eleven (11) policies included in the 2010 Pender County Comprehensive Land Use Plan.

Proposed Conditions for Master Development Plan and Preliminary Plat Phase I Section I and II

1. Provide roadway connection to adjacent and existing Red Bird Lane (Private).
 2. Provide ADA accessible areas for the three (3) pedestrian access locations in the proposed Master Development Plan into the existing park system and the proposed walking paths. Provide extension of the sidewalk within the cul de sacs as shown to connect to the three pedestrian access locations into the existing park and proposed walking paths.
 3. Continue to work with the Parks and Recreation Advisory Board and approval from Board of County Commissioners for park dedication and improvements.
-

STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with eleven (11) 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 and Preliminary Plat request as detailed in the report for the development known as Pender Land Greenway Park. Any and all future development, phases or changes to the Master Development Plan are subject to the Planning Board review and conditional approval.

BOARD ACTION FOR Master Development Plan Revision:

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Williams: _____ Fullerton: _____ Baker: _____ Carter: _____ Edens: _____ McClammy: _____ Nalee: _____

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE

Application No.	MDP	Date	6-16-16
Application Fee	\$ 1660.25	Receipt No.	Inv # 179
Plan Application Conference	3-31-16	Hearing Date	7-6-2016

SECTION 1: APPLICANT INFORMATION

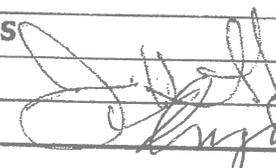
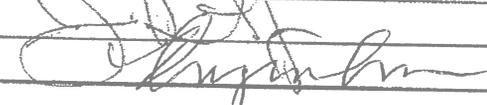
Applicant's Name:	STROUD ENGINEERING, P.A.	Owner's Name:	PENDER LAND HOLDINGS, INC
Applicant's Address:	102 - D CINEMA DR.	Owner's Address:	PO BOX 987 176 HAMPSTEAD DRIVE
City, State, & Zip	WILMINGTON, NC 28403	City, State, & Zip	HAMPSTEAD, NC 28443
Phone Number:	901-815-0775	Phone Number:	910-270-4017

Legal relationship of applicant to land owner: ENGINEER

SECTION 2: PROJECT INFORMATION

Type of Master Development Plan	<input checked="" type="checkbox"/> Residential <i>RP, PD, RM MH District</i>	<input type="checkbox"/> Commercial <i>GB, OI, IT, GI District</i>	<input type="checkbox"/> Mixed Use <i>PD</i>	<input type="checkbox"/> Exempt
Property Identification Number (PIN):	4204-61-5445-0000 4204-41-7997-0000 4204-52-2665-0000 4204-51-3743-0000	Total property acreage:	132.05 AC.	
Zoning Classification:	PD	Acreage to be disturbed:	132.05 AC.	
Project Address :	COUNTRY CLUB DRIVE, AZAELE DRIVE & HWY 17			
Description of Project Location:	NORTH OF HAMPSTEAD OFF HWY 17 BETWEEN SLOOP POINT LOOP RD. AND AZALEA DR. AND COUNTRY CLUB RD. ADJACENT TO EXISTING KAWANIS PARK.			
Describe activities to be undertaken on project site:	PUBLIC PARK DEDICATION, MULTI FAMILY, RESIDENTIAL LOTS & COMMERCIAL ALONG HWY 17			

SECTION 3: SIGNATURES

Applicant's Signature		Date:	5/11/2016
Owner's Signature		Date:	5/12/2016



STROUD ENGINEERING, P.A.

CONSULTING ENGINEERS
102-D CINEMA DRIVE
WILMINGTON, NORTH CAROLINA 28403
(910) 815-0775

Pender County Planning Dept.
Attn. Ron Meredith
PO Box 1519
Burgaw, NC 28425

RE: MDP 2nd submittal for Pender Land Greenway Park
Cover letter list of completed requested items as per your comments August 2016

Mr. Ron Meredith

This cover letter is intended to address the comments received by email sent to Jimmy Fentress, Jr. P.E. on (8/24/16) in addition to your meeting with Tracy Lowe and myself on 8/31/2016 regarding requested items outstanding on the current plan for Pender Land Greenway Park MDP.

- 1.) Proposed Buffers: **Buffering Descriptions** are noted on MDP (Sheet 1 of 3) as per Pender County UDO Article 8.2.6, (A-1, B-1, & C-1)
- 2.) Chord Distance for lots 26, 28 & 30: **Now revised to 30'** on cover sheet
- 3.) Phases Final Plat Contents: **Understood however not pertinent to this submittal. Phases are compliant as shown.**
- 4.) Road Names: **Stroud is currently working with one of the owners on a Theme Name and all will be submitted to Jan Dawson and coordinated with 911 addressing.**
- 5.) Open Space Calculation: **Open Space is addressed and shown on sheet 1 of 3.**
- 6.) Tree Survey: **To be provided as a condition of approval and prior to staff sign off.**
- 7.) Sidewalk Location: **All sidewalks are shown on one side of the street within Phase 1, Sec. 1 & 2, Single Family Detached areas.**
Pedestrian Access: **There are 3 Cul-De-Sacs within Phase 1, Sec. 1 & Sec. 2 that require a Pedestrian Access to the proposed Park Area. Please see all three sheets with a 60' Access.**
Alleyways: **Are noted as a 30' Alleyway in Phase 1, Sec. 2, (lots 1-8).**
- 8.) Stormwater Plans: **Grading direction and general storm water infrastructure are now shown on sheets 2 & 3.**
- 9.) Permits for preliminary Plan: **Understood as not necessary for this submittal given we are soliciting Board review and conditional approval and not yet staff sign off on the Preliminary Plan.**
- 10.) Roadway Info as per NCDOT: **Details shown on Preliminary Plan (sheets 2 of 3 & 3 of 3).**

107 COMMERCE ST.
SUITE B
GREENVILLE, NC 27858
(252) 756-9352

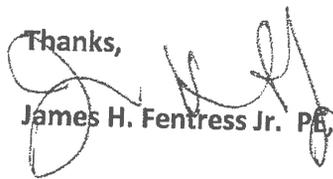
102-D CINEMA DRIVE
WILMINGTON, NC 28403
(910) 815-0775

HESTRON PLAZA TWO
151-A HWY. 24
MOREHEAD CITY, NC 28557
(252) 247-7479

- 11.) Recreational Unit Cost Estimate: It is the intent of the developer to provide a public park and that the cost of the dedicated improvements shall be credited toward meeting the recreational unit requirement. Please find the attached cost estimate to be considered in lieu of Recreational units provided within the subdivisions proper.**
- 12.) Lot Square Footage: All Single Family Detached lots show requested areas**
- 13.) Housing Type: Shown on MDP, as per Pender County UDO Article 4.15**
Single Family Detached Housing: Shown on Sheet 1 of 3 as per Pender County UDO (Article 4.14)
- 14.) Data Density: Attached on MDP**
Number of dwelling units: Shown on MDP with Calculations addressed
Non Residential Development: Addressed on MDP
Wetland Calculation: Addressed on MDP
Rights of way: Addressed
Active & Passive areas & Calculations: Addressed on MDP
- 15.) Structural Separation: Is shown under Single Family Detached Housing (Article: 4.1.4)**

I hope that this adequately addresses your concerns and secures us on the October Planning Board agenda. Please feel free to contact us with any additional items or revisions that you may need in this regard.

Thanks,


James H. Fentress Jr. PE, PLS

Cc Eugene Smith

Attachments

JHF/tj

File W:\master\PW-169\MDP Cover Letter to Ron Meredith for 2nd submittal.doc

**ENGINEER'S PRELIMINARY COST ESTIMATE
PROJECT: PENDER LAND GREENWAY PARK**

PARKLAND RECREATIONAL UNIT DEDICATION

DEVELOPER: PENDER LAND HOLDINGS, INC.
ENGINEER: STROUD ENGINEERING, P.A.
DATE: SEPTEMBER 7, 2016

<u>NO. DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
<u>GENERAL WORK</u>				
1 BUSHOG	14	ACRE	\$550.00	\$7,700.00
2 CLEARING AND GRUBBING	2.3	ACRE	\$8,500.00	\$19,656.54
3 STRIPPING ROUTE	1889	CY	\$5.00	\$9,444.44
4 8' WIDE PAVED FOOT PATH	3,358	LF	\$30.00	\$100,734.00
5 BOARDWALK	700	LF	\$65.00	\$45,500.00
6 LAND GRANT (PCTD ASSESSED VALUE)	42	ACRE	\$1,820.00	\$76,804.00
		SUBTOTAL		\$259,838.99
<u>CONTINGENCY</u>				
10% CONTINGENCY				\$25,983.90
		SUBTOTAL		\$25,983.90
<u>DESIGN SERVICES</u>				
PARK PLANNING	1	LS	\$14,000.00	\$14,000.00
ENGINEERING	1	LS	\$8,000.00	\$8,000.00
SURVEYING	1	LS	\$6,000.00	\$6,000.00
		SUBTOTAL		\$28,000.00
TOTAL ESTIMATED CONSTRUCTION COST				\$313,822.89



9/7/2016
[Handwritten Signature]



STROUD ENGINEERING, P.A.

CONSULTING ENGINEERS
102-D CINEMA DRIVE
WILMINGTON, NORTH CAROLINA 28403
(910) 815-0775

September 7, 2016

Pender County Planning Department
Attn: Ron Meredith
P.O. Box 1519
Burgaw, NC 28425

Re: Master Development Plan Narrative
163.5 Acres shown at Map Book 46, Page 70
PIN's 4204-61-5445-0000, 4204-41-7997-0000,
4204-52-2665-0000 & 4204-51-3743-0000

Mr. Meredith:

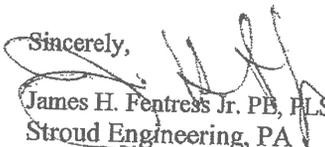
On behalf of Gene Smith, President of Pender Land Holdings, Inc., I respectfully request consideration of the attached Master Development Plan application. This plan proposes mixed use development per the Pender County Unified Development Ordinance's PD requirements. The initial phase will include two residential subdivisions and a Public Park dedication intended to extend the Hampstead Kiwanis Park. The first subdivision will have larger lots and be accessed off of Country Club Road. The second subdivision will form lots more consistent with those existing in adjacent Belvedere Plantation and be accessed by extension of its road network. The public park dedication is intended to connect Azalea Drive to the existing Hampstead Kiwanis Park with a proposed greenway pedestrian trail meandering through prior planned fairway and wetland areas to connect into the existing and planned park path network. The developer has engaged the park planner of record to create this public amenity. The pedestrian trail will be developed with the first phase of this development. Mr. Smith envisions other passive activities for the park. Public garden plot leases, cultural and environmental orientation as well as exercise stations are proposed. We are currently working with the park planner in this ambition. The developer will realize reasonable expense in the development of this public park. It is our intention to get credit for this expense to offset the Recreational Units required for the proposed subdivisions. The cost of the park will far exceed the cost of the required recreational units.

Public water and sewer service exists for the single family residential development. The future multi-family and commercial uses will primarily access the realigned US Highway 17 corridor north of the planned controlled access leading onto the Hampstead Bypass. In as much as these plans are not finalized, our planning for these uses is limited at this time to conceptually designated areas and related densities.

The fifty eight single family lot subdivision fronting Country Club Road along with the Park Dedication will be Phase 1A followed by the sixty three lot subdivision created by extending Bluebird Lane will be a subsequent Phase 1B. Conditional Preliminary Plan approval is requested for these first phases coincidental to the Master Development Plan process.

The attached development plan is proposed on these merits. Please accept this application and its pertinent submittals as satisfying the ordinance requirements. We are eager to provide any additional information that may be necessary.

Sincerely,


James H. Pentress Jr. PE, PLS
Stroud Engineering, PA

Attachments

JHF/jf

W:\MasterPW-169\Wpd\Master Development Plan Cover 090716.doc

107 COMMERCE ST.
SUITE B
GREENVILLE, NC 27858
(252) 756-9352

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WILMINGTON, NC 28403
(910) 815-0775

HESTRON PLAZA TWO
151-A HWY. 24
MOREHEAD CITY, NC 28557
(252) 247-7479



PARKING LOT (15 CARS)
TRAIL HEAD
FENCED COMMUNITY GARDEN

MULCH PATH

25' BUFFER

BIRD HOUSE GARDEN
BRIDGE

REFORESTATION AREA



10' PAVED TRAIL



BOARDWALK WITH OVERLOOK
BRIDGE

EXISTING WETLAND

10' PAVED TRAIL CONNECTING TO EXISTING WALKWAY

TRAIL HEAD

APPROXIMATE SCALE: 1"=300'

0' 150' 300'



NORTH

EXISTING CONDITIONS AND AUTOCAD FILE DID NOT ALIGN. IMAGE TO BE USED FOR CONCEPTUAL PARK PLANNING ONLY.

CONCEPTUAL TRAIL LAYOUT
JUNE 16, 2016

PENDER LAND GREENWAY PARK





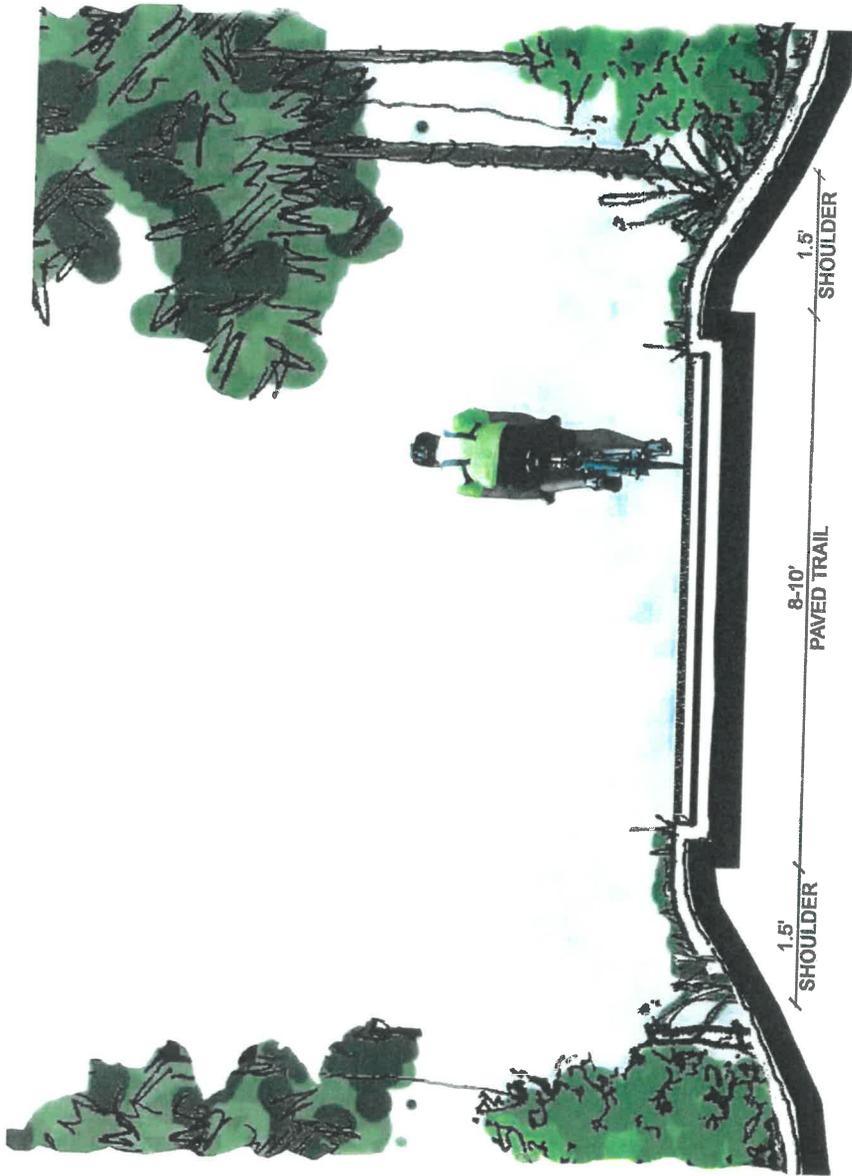
TYPICAL BOARDWALK THROUGH WETLAND

SageDesign



JUNE 16, 2016

PENDER LAND GREENWAY PARK



TYPICAL MULTI-USE TRAIL

SageDesign



JUNE 16, 2016

PENDER LAND GREENWAY PARK

Pender County Planning and Community Development

Parks and Recreation Division

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



Phone: 910-259-1330
Fax: 910-259-1295
www.pendercountync.gov

MEMORANDUM

DATE: September 27, 2016
TO: Ron Meredith, Current Planner
FROM: Dee Turner, Parks and Recreation Supervisor
RE: Pender Land Greenway Park

The proposed donation of property to Pender County from the Pender Land Greenway Park subdivision (Property PIN 4204-61-5445-0000) will help alleviate park acreage and facilities deficiencies and promote interconnectivity to Hampstead Kiwanis Park with surrounding neighborhoods.

According to Table 2.2 in the 2010 Pender County Comprehensive Parks and Recreation Master Plan (Parks Plan), the population in the 28443 zip code, which incorporates the Hampstead area, was 11,594¹. The current population of that zip code area, according to zip-codes.com, is now 19,861². Pender County is already deficient in total park acreage and most recreation facilities using the National Recreation and Park Association recommended levels of service guidelines in regards to the 2000 Census numbers. Park improvements have been made since then but have not compared to the growth rate realized in this area.

This property appears to contain environmental restrictions which would prevent typical active recreational facilities such as football/soccer fields to be constructed. However, a walking trail, which was the number one activity requested per the Public Input Survey Results for the Parks Plan, could be constructed on the donated land.

The existing walking trail within Hampstead Kiwanis Park could be extended into the donated land as well as connected to the proposed pedestrian access paths within the Pender Land Greenway Park master plan and back to Azalea Drive. This connectivity will make it possible and hopefully encourage residents of adjacent communities to walk or bike to the park rather than driving.

If the land is ultimately dedicated to the County, the Parks and Recreation Division, alongside the Parks and Recreation Advisory Board will work with the landowner to obtain necessary approvals and agreements with the Pender County Board of Commissioners prior to improvements being made.

¹ NC HomeTownLocator (<http://northcarolina.hometownlocator.com/nc/pender/>) (2000)

² NC HomeTownLocator (<http://northcarolina.hometownlocator.com/zip-codes/data/zipcode,28443.cfm>) (July 1, 2016)

BOOK 843 PAGE 293

Mail to and Prepared by: Mark C. Kirby
Law Offices of Mark C. Kirby
Post Office Box 12213
Raleigh, North Carolina 27619-8425

FILED
JUN 23 AM 10 00

Jh

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

JOYCE H. TWICEGOOD
REGISTER OF DEEDS
PENDER COUNTY, N.C.
QUITCLAIM DEED

THIS DEED made this 29th day of June, 1992, between Belevedere
Plantation Development Corporation, Grantor,
and Pender Land Holdings, Inc.,
Grantee.

W I T N E S S E T H :

That Grantor, by virtue of the power and authority given by
the United States Bankruptcy Court and pursuant to the terms and
conditions of the Joint Plan of Reorganization dated November 19,
1991, and confirmed by Order filed February 21, 1992, does hereby
grant, convey and release unto the Grantee, its heirs and assigns
forever, all that certain parcel or tract of land described as
follows below:

SEE "EXHIBIT A" ATTACHED HERETO

Together with the appurtenances and also all the estate which
Belevedere Plantation Development Corporation had at the time of
the filing of the Petition in Bankruptcy in the United States
Bankruptcy Court for the Eastern District of North Carolina, in
said premises, and also all the estate therein which Grantor, has
or has power to convey or dispose of.

TO HAVE AND TO HOLD the premises herein granted to the
Grantee, its heirs and assigns forever.

This conveyance is made ^{free and clear of} ~~subject to~~ all liens and encumbrances
of record, all property and ad valorem taxes, ^{subject to} ~~all~~ applicable

Recorded and Verified
Joyce H. Twicegood
Register of Deeds
Pender County, NC

assessments, and all recorded easements, restrictions and all existing rights of way for highway, railroads and public utilities.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this the day and year first above written.

BELVEDERE PLANTATION DEVELOPMENT CORPORATION

By: [Signature]
Name: Terrence M. Domnick
Title: President

ATTEST:

BY: [Signature]
Name: [Signature]
Title: Asst Secretary
[CORPORATE SEAL]
STATE OF NORTH CAROLINA
COUNTY OF WAKE

North Carolina Wake County
The foregoing (or annexed) certificate of [Signature]
[Signature] is certified to be correct.
This 13 day of July, A.D. 1992
Joyce M. Swicegood
Register of Deeds

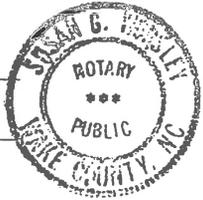
By: [Signature] Deputy

I, Susan G. Worsley, a Notary Public of the County and State aforesaid, certify that David D. Domnick personally came before me this day and acknowledged that ~~he~~ she is the Asst. Secretary of Belvedere Plantation Development Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by Terrence M. Domnick, its President.

WITNESS my hand and official seal, this the 29th day of June, 1992.

[Signature]
Notary Public

My Commission Expires: 8/7/96



MCK\sgw
DOCS\USDC-BEL.14
10117.01

EXHIBIT A

BOOK 843 PAGE 295

Lying and being in Topsail Township, Pender County, North Carolina, and more particularly described as follows:

Parcel No. 1

BEING all of Lot 1 in Section II, Belvedere Plantation, according to the map of Section II, Phase I, Belvedere Plantation recorded in Map Book 15 at Pages 45 and 46 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 520 at Page 137 of the Pender County Registry.

Parcel No. 2

BEING all of Lot 9 in Section VI-A, Belvedere Plantation, according to the map of Section VI-A, Belvedere Plantation, recorded in Map Book 20 at Page 12 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 606 at Page 148 of the Pender County Registry.

Parcel No. 3

BEING all of Lot 229 in Section III, Belvedere Plantation according to the map of Section III, Belvedere Plantation recorded in Map Book 18 at Page 42 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 578 at Page 107, as amended by an instrument recorded in Book 591 at Page 216, all of the Pender County Registry.

Parcel No. 4

BEING all of Lots 256, 314 and 315 in Section IV, Belvedere Plantation, according to the map of Section IV, Belvedere Plantation, recorded in Map Book 18 at Page 64 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 583 at Page 271 of the Pender County Registry.

BPDC3 EXHIBITB:1

Parcel No. 5

BOOK 843 PAGE 296

BEING all of Lot 1 in Section II, Belvedere Plantation, according to the map of Section II, Phase I, Belvedere Plantation recorded in Map Book 15 at Pages 45 and 46 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 520 at Page 137 of the Pender County Registry.

Parcel No. 6

BEING all of Lot 9 in Section VI-A, Belvedere Plantation, according to the map of Section VI-A, Belvedere Plantation, recorded in Map Book 20 at Page 12 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 606 at Page 148 of the Pender County Registry.

Parcel No. 7

BEING all of Lot 229 in Section III, Belvedere Plantation according to the map of Section III, Belvedere Plantation recorded in Map Book 18 at Page 42 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 578 at Page 107, as amended by an instrument recorded in Book 591 at Page 216, all of the Pender County Registry.

Parcel No. 8

BEING all of Lots 256, 314 and 315 in Section IV, Belvedere Plantation, according to the map of Section IV, Belvedere Plantation, recorded in Map Book 18 at Page 64 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 583 at Page 271 of the Pender County Registry.

Parcel No. 9

BEING all of Lots 445 and 455 in Section V, Belvedere Plantation, according to the map of Section V-A, Belvedere Plantation, recorded in Map Book 19 at Page 50 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 598 at Page 230 in the Pender County Registry.

Parcel No. 10

BEING all of Lot 473 in Section V, Belvedere Plantation according to the map of Section V-B, Belvedere Plantation, recorded in Map Book 19 at Page 63 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 600 at Page 126 of the Pender County Registry.

Parcel No. 11

BEING all of Lot 303, Section I, Belvedere Plantation, according to the map of Revision of Section I, Belvedere Plantation recorded in Map Book 16 at Page 20 of the Pender County Registry, reference to which is hereby made for a more particular description.

SUBJECT to the restrictive covenants recorded in Book 459 at Page 74 of the Pender County Registry, as amended by instruments recorded in Book 507 at Page 96, Book 510 at Page 90 and Book 535 at Page 22, all of the Pender County Registry.

Parcel No. 12

BEING all of Lots 201 and 210 in Section III, Belvedere Plantation according to the map of Section III, Belvedere Plantation recorded in Map Book 18 at Page 42 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 578 at Page 107, as amended by an instrument recorded in Book 591 at Page 216; all of the Pender County Registry.

Parcel No. 13

BEING all of Lot 443 in Section V, Belvedere Plantation, according to the map of Section V-A, Belvedere Plantation, recorded in Map Book 19 at Page 50 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 598 at Page 230 in the Pender County Registry.

Parcel No. 14

BEING all of Lot 479 in Section V, Belvedere Plantation according to the map of Section V-B, Belvedere Plantation, recorded in Map Book 19 at Page 63 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 600 at Page 126 of the Pender County Registry.

Parcel No. 15

BEING all of Lot 368 in Section V, Belvedere Plantation according to the Map of Section V-C, Belvedere Plantation, recorded in Map Book 20 at Page 2 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 605 at Page 116 in the Pender County Registry.

Parcel No. 16

BEING all of Lots 378-B, 380-B, 381-A, 381-B, 383-B, 384-A, 384-B, 385-B, 386-A, 386-B, 388-A, 388-B, 389-A, 389-B, 420-A, 421-A, 421-B, 422-A, 422-B, 423-A, 423-B, 489-A, 490-A, 490-B, 492-A, and 493-A, all in Section V-D, Belvedere Plantation, according to the map of Section V-D, Belvedere Plantation, recorded in Map Book 20 at Page 60 in the Office of the Register of Deeds of Pender County, North Carolina reference to which said map is hereby made for a more particular description.

SUBJECT to restrictions recorded in Book 615 at Page 287 in the Pender County Registry.

Parcel No. 17

BEING all of Lots 50C and 80, Section VI-D, Belvedere Plantation according to the map of Section VI-D, Belvedere Plantation recorded in Map Book 22 at Page 117 in the office of the Register of Deeds of Pender County, North Carolina; reference to which is hereby made for a more particular description.

TOGETHER WITH AND SUBJECT TO all the rights, easements, privileges and obligations made appurtenant thereto by the Declaration of Covenants, Conditions and Restrictions recorded in Book 708 at Page 35 of the Pender County Registry.

Parcel No. 18

BEING all of Lots 366 and 367 in Section V, Belvedere Plantation, according to the map of Section V-C, Belvedere Plantation, recorded in Map Book 20 at Page 2 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 605 at Page 116 in the Pender County Registry.

Parcel No. 19

BEING all of Lots 426-A, 427-B, 433-B and 434-B in Section V, Belvedere Plantation, according to the map of Section V-C, Belvedere Plantation, recorded in Map Book 20 at Page 37 in the Office of the Register of Deeds of Pender County, North Carolina, reference to which said map is hereby made for a more particular description.

SUBJECT to the restrictions recorded in Book 605 at Page 116 in the Pender County Registry, as amended by instrument recorded in Book 609 at Page 240 of said Registry.

Parcel No. 20

BEING all of Canal Path Lots E-2, E-3, E-4, E-5, E-6, E-7, and E-8 located along Pintail Road as shown on plat recorded in Map Book 18 at Page 12 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

SUBJECT to an easement on Canal Path Lot E-7 as said easement is described in instrument recorded in Book 737 at Page 257 of the Pender County Registry.

Parcel No. 21

BEING all of Lots 5 and 6 in Section I of Mallard Bay Subdivision as shown on plat recorded in Map Book 18 at Page 12 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

BPDC3 EXHIBITB:1

Parcel No. 22

Being all that certain parcel of land adjoining and lying to the southeast of Canal Path Lot E-1, as said Canal Path Lot E-1 is shown on plat recorded in Map Book 18 at Page 12 of the Pender County Registry, and more particularly described as follows: Bounded on the northwest by the southeastern line of said Canal Path Lot E-1, bounded on the northeast by the southwestern right of way line of Pintail Road, and bounded on the southwest and the southeast by the high water line of the Canal, and being approximately 50 feet by 50 feet in size and as shown on plat recorded in Map Book 18 at Page 12 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

BPDC3EXHIBITD:1

Parcel No. 23

BOOK 843 PAGE 302

BEING All of Tract 3, Tract 4, Tract 5 and Tract 6 as shown on that certain map of the Marina Site at Belvedere Plantation and Adjacent Land as recorded in Map Book 24 at Page 74 of the Pender County Registry.

TOGETHER WITH AND SUBJECT TO all easements and rights of way as shown on said map.

And also the following described property:

Beginning at the Northwesternmost corner of Tract 6 according to Map Book 24 at Page 74 of the Pender County Registry, said beginning point also shown as point "x" on said map, and running thence from said beginning point North 42 degrees 48 minutes 45 seconds West 84.92 feet to a new iron pipe, running thence North 42 degrees 47 minutes 45 seconds West 299.58 feet to an old iron pipe, running thence South 75 degrees 35 minutes 15 seconds East 480.57 feet to a new iron pipe in the Northwestern line of said Tract 6; running thence with the Northwestern line of said Tract 6 South 51 degrees 29 minutes 15 seconds West 260.98 feet to the point of beginning.

BPDC3 EXHIBIT:1

Parcel No. 24

Beginning at a concrete monument which marks the southeasternmost corner of Tract 4 as shown on plat recorded in Map Book 24 at Page 74 of the Pender County Registry, said concrete monument also being at the intersection of the western right of way line of S. R. 1566 and the northern right of way line of a 20 foot wide private access road as shown on said map, running thence from said beginning point so located, South 52 degrees 42 minutes 01 seconds West 530.00 feet to a concrete monument in the southernmost corner of said Tract 4, running thence South 34 degrees 27 minutes 06 seconds East 20 feet, more or less, to the southern right of way line of said 20 foot wide private road, said point also being the northwestern corner of Lot 6, Section I of Mallard Bay as shown on plat recorded in Map Book 18 at Page 12 of the Pender County Registry, running thence along and with the southern right of way line of said 20 foot wide private road and the northernmost lines of Lots 6, 5, 4, 3, 2 and 1 of Section I of Mallard Bay, North 52 degrees 42 minutes 01 seconds East 530 feet, more or less, to the Western right of way line of S. R. 1566, running thence along and with the western right of way line of S. R. 1566 North 35 degrees 76 minutes 56 seconds 20 feet, more or less, to the point of beginning.

BPDC3EXHIBITD:1

Parcel No. 25

Beginning at a concrete monument located in the western right of way line of S. R. 1566, said concrete monument marking the Northernmost corner of Tract 4 as shown on plat recorded in Map Book 24 at Page 74 of the Pender County Registry; running thence from said beginning point so located South 7 degrees 2 minutes 54 seconds West 158.80 feet to a concrete monument that marks a common corner between said Tract 4 and Tract 3 of the Belvedere Golf Course as described in deed recorded in Book 709 at Page 103 of the Pender County Registry; running thence along and with the lines of said Tract 3 of the Belvedere Golf Course North 33 degrees 30 minutes 45 seconds West 493.49 feet and South 33 degrees 32 minutes 15 seconds West 64.18 feet to the Easternmost corner of Lot 318 of Section I, Belvedere Plantation as shown on plat recorded in Map Book 16 at Page 20 of the Pender County Registry; running thence along and with the northeastern line of said Lot 318 North 32 degrees 40 minutes 15 seconds West 167.5 feet to the southern right of way of Hickory Lane, running thence along and with the southern right of way of said Hickory Lane and as it curves to the north to a point that marks the intersection of said right of way line of Hickory Lane with the western right of way line of S. R. 1566, running thence along and with the western right of way line of S. R. 1566 and in a southerly direction to the point of beginning.

Parcel No. 26

Beginning at a point in the Western right of way of South Belvedere Drive, the Easternmost corner of Lot 30, Section I of Belvedere Plantation as shown on plat recorded in Map Book 16 at Page 20 of the Pender County Registry; running thence from said beginning point so located South 57 degrees 20 minutes West 135.35 feet to the Southern corner of said Lot 30, running thence South 32 degrees 40 minutes East 58.82 feet to a concrete monument, running thence South 32 degrees 41 minutes East 634.34 feet to the Westernmost corner of Lot 31, Section I of Belvedere Plantation, running thence North 57 degrees 19 minutes East 103.48 feet to the Northern corner of said Lot 31 in the western right of way of South Belvedere Drive, running thence in a northerly direction along and with the western right of way line of South Belvedere Drive to the point of beginning.

Parcel No. 27

Beginning at a point in the northern right of way line of Fairway Drive, the Southwesternmost corner of Lot 233 of Section I, Belvedere Plantation, as shown on plat recorded in Map Book 16 at Page 20 of the Pender County Registry, running thence from said beginning point so located North 51 degrees 4 minutes 30 seconds West 132.30 feet to the westernmost corner of said Lot 233, running thence along and with the Western lines of Lots 233, 234, 235, 236 and 237 of Section I, Belvedere Plantation, North 38 degrees 55 minutes 30 seconds East 417.04 feet to a corner in the line of Tract 3 of Belvedere Golf Course as described in deed recorded in Book 709 at Page 103 of the Pender County Registry, running thence along and with the lines of said Tract 3 of the Belvedere Golf Course North 81 degrees 49 minutes 30 seconds West 511.71 feet, South 58 degrees 48 minutes 30 seconds West 170.0 feet, South 18 degrees 50 minutes 45 seconds East 177.96 feet, South 13 degrees 50 minutes 45 seconds East 136.75 feet and South 20 degrees 07 minutes 45 seconds East 251.40 feet to a point in the Northern right of way line of Fairway Drive, running thence with the Northern right of way line of Fairway Drive in an easterly direction and as it curves to the South to the point and place of beginning.

Less and except that portion of the hereinabove described property conveyed to Belvedere Utility Company by deed recorded in Book 697 at Page 288 of the Pender County Registry.

BPDC3 EXHIBITE:1

PARCEL NO. 28

BEGINNING at an iron pipe in the Northeastern line of the tract conveyed to United States Development Corporation by deed recorded in Book 564 at Page 90 of the Pender County Registry, said pipe being South 33 degrees 39 minutes East along said line 400.0 feet from a stone marked "JCS" in the Southaastern line of U. S. Highway No. 17 (100 foot right of way), said stone being South 46 degrees 43 minutes West along said line of said highway 1172.32 feet from a point that bears South 43 degrees 17 minutes East from the mile post marked "W21" on the Newbern Branch of the S.C.L.R.R.; running thence from said beginning point North 56 degrees 21 minutes East along a new line 701.27 feet to an iron pipe in a Southwestern line of the property shown on the map of the Mary Catherine Northrop Estate, dated 1980, by Johnie C. Garrason, R. L. S., recorded in Map Book 19 at Page 19 of said Registry; thence South 46 degrees 15 minutes East along said Southwestern line 314.53 feet to a concrete monument, the southernmost corner of said Northrop property and the westernmost corner of the Harold H. Bate land as shown on the map recorded in Map Book 11 at Page 29 of said Registry; thence South 49 degrees 40 minutes East along a Southwestern line of said Bate land 660.1 feet to a concrete monument; thence South 65 degrees 37 1/2 minutes East along another Southwestern line of said Bate Land 1055.95 feet to a concrete monument; thence South 39 degrees 53 1/2 minutes East along another Southwestern line of said Bate land 2194.68 feet to a concrete monument; thence South 27 degrees 45 minutes East along another Southwestern line of said Bate land 372.35 feet to an iron pipe in the western line of S. R. No. 1565 (60.0 foot right of way); thence South 23 degrees 59 minutes West along the Western line of said road 1469.68 feet to an iron pipe at the beginning of a curve; thence Southwardly along said line of said road as it curves to the West to a concrete monument that is South 36 degrees 04 minutes West 477.99 feet from the preceding point, said monument being in said Northeastern line of said United States Development Corporation tract; thence North 33 degrees 39 minutes West along said Northeastern line 5357.6 feet to the point of beginning; the same containing 160.40 acres and being a portion of the land conveyed to Jack M. Lea by deed recorded in Book 388 at Page 456 of the said Registry; and being also portions of Tract 1, Tract 1B and Tract 2 of the David James Nixon Estate as shown on the map recorded in Map Book 1 at Page 102 of the Pender County Registry.

Less and except those portions of the hereinabove described property shown as Lots and streets on plats recorded in Map Book 20 at Page 12, Map Book 20 at Page 59, Map Book 20 at Page 41 and map Book 23 at Page 90; all of the Pender County Registry, reference to which said plats are hereby made for a more particular description.

Parcel No. 29

Beginning at a point in the northern right of way line of S. R. 1565 and a corner of Tract 2 of the Belvedere Golf Course as described in Deed recorded in Book 709 at Page 103 of the Pender County Registry, said beginning point being South 79 degrees 23 minutes 45 seconds West 190.32 feet and South 76 degrees 16 minutes West 31.08 feet from the Southwesternmost corner of Lot 74 of Section II, Belvedere Plantation as shown on plat recorded in Map Book 15 at Pages 45 and 46 of the Pender County Registry; running thence from said beginning point so located and with the lines of the Belvedere Golf Course North 28 degrees 54 minutes West 166.57 feet, North 46 degrees 37 minutes West 149.11 feet, North 53 degrees 09 minutes West 135.70 feet and South 44 degrees 53 minutes West 130.62 feet, running thence South 51 degrees 33 minutes East 66.86 feet, South 35 degrees 10 minutes East 68.82 feet, South 27 degrees 22 minutes East 122.80 feet and South 40 degrees 09 minutes East 120.44 feet to a point in the northern right of way line of S. R. 1565, running thence along and with the northern right of way line of S. R. 1565 as it curves to the South to the beginning point.

BPDC3EXHIBITE:1

Parcel No. 30

Beginning at a point in the Western right of way line of Oak Lane and in the Northeastern line of the tract conveyed to United States Development Corporation by deed recorded in Book 564 at Page 90 of the Pender County Registry, said point being South 33 degrees 39 minutes East along said line 550 feet from a stone marked "JCS" in the Southeastern line of U. S. Highway 17 (100 foot right of way); running thence along said line South 33 degrees 39 minutes East 1680 feet, more or less, to a point in the northern right of way line of Bluebird Lane as said Bluebird Lane is shown on plat recorded in Map Book 23 at Page 90 of the Pender County Registry, running thence with the northern right of way line of Bluebird Lane and in a southwesterly direction approximately 50 feet to the easternmost corner of Lot 20, Section VI-F, Belvedere Plantation as shown on plat recorded in Map Book 23 at Page 90 of the Pender County Registry, running thence along a line of said Section VI-F North 34 degrees 49 minutes West 1065.33 feet to the northernmost corner of Lot 27B, running thence with the lines of said Lot 27B South 55 degrees 11 minutes West 20.0 feet, South 25 degrees 11 minutes West 103.92 feet and South 55 degrees 11 minutes West 40.0 feet to the westernmost corner of said Lot 27B running thence South 55 degrees 11 minutes West 60.0 feet to the northernmost corner of Lot 38B in the western right of way of Azalea Drive as shown on said map recorded in Map Book 23 at Page 90 of the Pender County Registry; running thence with the western right of way line of Azalea Drive in a westerly direction and along the line of a tract of land conveyed to Carolina Savings Bank to the northernmost corner of Lot 2, Section II, of Belvedere Plantation as shown on plat recorded in Map Book 15 at Pages 45 and 46 of the Pender County Registry, running thence North 35 degrees 59 minutes 45 seconds East 60.0 feet to a point in the northern right of way line of Azalea Drive (Elizabeth Ave.) and in the line of a tract of land conveyed to Carolina Savings Bank and Pender Land Holdings, Inc. running thence with said line and along the northern right of way line of Azalea Drive as it curves to the South to its point of intersection with the western right of way line of Oak Lane, running thence along and with the western right of way line of Oak Lane, the same being another line of the Carolina Savings Bank and Pender Land Holdings, Inc. tract, to the point of beginning.

BPDC3EXHBITE:1

Parcel No. 31

Being all of that certain 30 foot right of way lying between Lot 8 and Lot 9 of Section VI-A, Belvedere Plantation, as shown on plat of same recorded in Map Book 20 at Page 12 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

Parcel No. 32

Being all of that certain 30 foot right of way adjoining and lying on the east side of Lot 32 of Section VI-B, Belvedere Plantation, as shown on plat of same recorded in Map Book 20 at Page 13 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

Parcel No. 33

Being all of that certain 30 foot right of way lying between Lot 57B and Lot 58A and all of that certain 30 foot right of way lying between Lot 76B and Lot 75A, Section VI-C, Belvedere Plantation, as shown on plat of same recorded in Map Book 20 at Page 59 of the Pender County Registry; reference to which said plat is hereby made for a more particular description.

Parcel No. 34

Being all that certain tract of land bounded as follows:

1. On the East by the Northeastern line of the tract conveyed to United States Development Corporation by deed recorded in Book 564 at Page 90 of the Pender County Registry.
2. On the West by the Eastern right of way line of Azalea Drive as said Azalea Drive is shown on map recorded in Map Book 20 at Page 100 of the Pender County Registry.
3. On the North by the Southern line of the lots in Section VI-E of Belvedere Plantation commencing at the Southwesternmost corner of Lot 131B and running South 89 degrees 26 minutes East and North 33 degrees 04 minutes East, and as shown on plat recorded in Map Book 20 at Page 41 of the Pender County Registry.
4. On the South by the rear lot lines of the lots on the North side of Red Bird Lane in Section VI-C and Section VI-D of Belvedere Plantation as shown on plats recorded in map Book 20 at Page 59 and in Map Book 22 at Page 117; both of the Pender County Registry.

Parcel No. 35

BOOK 843 PAGE 310

Being all that certain tract of land bounded as follows:

1. On the East by the Northeastern line of the tract conveyed to United States Development Corporation by deed recorded in Book 564 at Page 90 of the Pender County Registry.
2. On the West by the Eastern right of way of Azalea Drive as said Azalea Drive is shown on map recorded in Map Book 20 at Page 100 of the Pender County Registry.
3. On the North by the rear lot lines of the Lots on the South side of Red Bird Lane in Section VI-C and Section VI-D of Belvedere Plantation as shown on plats recorded in Map Book 20 at Page 59 and Map Book 22 at Page 117; both of the Pender County Registry.
4. On the South by the rear lot lines of the Lots in Section VI-B of Belvedere Plantation as shown on plat recorded in Map Book 20 at Page 13 of the Pender County Registry; and by a line running from the Northwest corner of Lot 50 in Section VI-B as shown on the above described plat North 65 degrees 13 minutes 30 seconds West 241.74 feet to a point in the right of way of said Azalea Drive.

BPDC3EXHIBITE:1

Parcel No. 36

BEGINNING at a point in the Northern right of way line of Secondary Road #1565, said point being the Southwest corner of lot 50, Section 6B, Belvedere Plantation and shown on map recorded in Map Book 20 at Page 13 of the Pender County Registry; running thence from said beginning point with the Northern right of way line of Secondary Road #1565 as it curves to the North to a point that is located North 66 degrees 54 minutes 15 seconds West 214.97 feet from the point of beginning; thence continuing with the Northern right of way line of Secondary Road #1565, North 60 degrees 13 minutes 30 seconds West 303.56 feet to a point in the Eastern right of way line of Azalea Drive; running thence with the Eastern right of way line of Azalea Drive, North 48 degrees 55 minutes East 190.22 feet to a point; running thence South 58 degrees 26 minutes 15 seconds East 164.08 feet to a point; running thence South 65 degrees 13 minutes 30 seconds East 241.74 feet to a point; the same being the Northwest corner of said lot 50; running thence with the Western line of lot 50, South 13 degrees 29 minutes West 177.79 feet to the point of beginning. Containing 1.9 acres more or less.



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

June 23, 2016

Dan Cumbo, PE
Davenport
3722 Shipyard Boulevard, Suite E
Wilmington, NC 28403

RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed
Pender Land Greenway Park Development
Pender County, NC

Dear Mr. Cumbo:

Based on the information provided, and conversations held to date, it is our understanding that the proposed development will consist of:

Phase 1

- 121 Single Family Homes

Phase 2

- 16 Townhomes
- 160 Apartments
- 18,000 SF of Office
- 22,000 SF of Retail

This development is located between US Highway 17 and Country Club Road south of Sloop Point Loop Road in Pender County, North Carolina.

The site plan provided proposes access at the following points:

- US 17 and Site Access 1 (Right-in/Right-out only)
- Country Club Road and Site Access 2
- Azalea Lane and Site Access 3

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

-
- Azalea Lane and Site Access 4
 - Bluebird Lane and Site Access 5

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 at Long Leaf Drive
 - US 17 at Sloop Point Loop Road
 - US 17 at Site Access 1 (Right-in/Right-out only)
 - Sloop Point Loop Road at Country Club Road
 - Country Club Road at Azalea Drive
 - Country Club Road at Site Access 2
- 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 Davenport)
- ii. Site Trip Distribution
 - To be determined based on collected traffic count data. 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;
 - Wyndwater
 - Hawksbill Cove
- iv. Planned Roadway Improvements
 - U-5732
- v. Background Traffic Assumptions
 - Horizon year – Phase 1 – 2024: Phase 2 – 2026
 - 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. 2024 Phase 1 Future No-Build Conditions
[Existing +1% background growth]
- c. 2024 Phase 1 Future Build Conditions
[Existing +1% background growth + site trips]
- d. 2026 Full Build Future No-Build Conditions
[Existing (including Phase 1) +1% background growth]
- e. 2026 Full Build Future Build Conditions
[Existing (including Phase 1) +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 Davenport)

Site Map (provided by Davenport)

Cc: Robert Vause, PE, Division Maintenance Engineer, NCDOT
Patrick Riddle, District Engineer, NCDOT
Allen Hancock, Assistant 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

ITE Trip Generation									
Pender Land Greenway Park									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way	Enter	Exit	Enter	Exit
Land Use	ITE Land Code	Size	Method - Type		Volume	Enter	Exit	Enter	Exit
Phase 1									
Single Family Homes	210	121	Dwelling Units	Rate - Adjacent	1152	23	68	76	45
Phase 1 Total Trips					1152	23	68	76	45
Phase 2									
Townhomes	230	16	Dwelling Units	Rate - Adjacent	93	1	6	5	3
Apartments	220	160	Dwelling Units	Equation - Adjacent	1093	16	66	69	37
Office	710	18.0	Th.Sq.Ft. GFA	Equation - Adjacent	357	43	6	17	82
Shopping Center	820	22.0	Th.Sq.Ft. GLA	Equation - Adjacent	2,538	38	24	104	113
Phase 2 Total Unadjusted Trips					4,081	98	102	195	286
Full Build Unadjusted Trips					5,233	121	170	271	280
Internal Capture Overall %					12.38%	N/A		10.89%	
Residential					-258	0	0	-16	-9
Office					-70	0	0	-3	-4
Retail					-320	0	0	-11	-17
Total Internal Full Build Trips Reduction					-648	0	0	-30	-30
Residential					2,080	40	140	134	76
Office					287	43	6	14	78
Shopping Center					2,218	38	24	93	96
Total External Full Build Trips					4,585	121	170	241	250
Pass-by Shopping Center		34% PM			-377	0	0	-32	-33
Total Pass-by Reduction					-377	0	0	-32	-33
Total Adjusted Full Build Trips					4,208	121	170	209	217



August 4, 2016

Mr. Jimmy Fentress
Stroud Engineering
102-D Cinema Drive
Wilmington, NC 28403

Re: Pender Land Holdings, Inc., "Greenway Park" Residential Subdivision (125 lots)
Domestic Water and Sanitary Sewer Utility Service,
Willingness to Serve, Capacity Commitment letter

Dear Mr. Fentress,

Carolina Water Service, Inc. of North Carolina ("CWSNC") provides domestic water and sanitary sewer utility service to The Belvedere Plantation development in Hampstead NC and of which the proposed new project is within our service area. CWSNC is a franchised and regulated investor owned public utility company in the state of North Carolina and is regulated through the North Carolina Utilities Commission ("NCUC").

CWSNC is willing and able to accommodate the domestic water and sanitary sewer utility needs for the proposed project referenced above. Standard connection fees and rates as approved from time to time by the NCUC shall apply.

Capacity will be reserved for these lots for one year from the date of this letter pending execution of a mutually acceptable Agreement for service.

Should you have any questions, please do not hesitate to contact me directly in our Charlotte Office at 1-800-525-7990 or by email at MJLashua@uiwater.com. Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin Lashua", written in a cursive style.

Martin Lashua
Vice President of Operations

Cc: Danny Lassiter
Eddie Baldwin

a Utilities, Inc. company Carolina Water Service, Inc. of North Carolina

P.O. Box 240908 • Charlotte, NC 28224 • P: 714-525-7990 • F: 714-525-8174
5701 Westpark Dr., Suite 201 • Charlotte, NC 28217 • www.uiwater.com

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

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 DEQ

No Attendance

NC DENR Division of Waste Management

No Attendance.

NC DENR Division of Water Quality

No Attendance.

NC DOT Division of Highways

- 1) Submit for driveway permit.

Possible roadway improvements on Country Club Road

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

Pender County Building Inspections

No Attendance.

Pender County Emergency Management

No Attendance.

Pender County Environmental Health

IP/CA required for each lot.

Pender County Fire Marshal

No Attendance

Pender County Flood Plain Management

The subject property is not located within a regulatory Special Flood Hazard Area according to the FIRM 3720420400J effective February 16, 2007. There are no flood development regulations with regard to this development.

Pender County Parks and Recreation

The proposed pedestrian access paths to Hampstead Kiwanis Park are applauded. Both pedestrian accesses provide a point for the walking trail within the park to expand. This connectivity will make it possible and hopefully encourage residents of adjacent communities to walk or bike to the park facilities rather than driving.

Pender County Public Library

No response.

Pender County Public Utilities

Case 270 – 2016 Master Development Plan – Pender Land Greenway Park

- Final utility plans are not required at this stage of design but please be advised that Formal Public Water Supply submittal documents must be submitted to PCU for review/approval if applicable.
- PCU standard specifications and details can be found on the PCU web page.

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.

Wilmington Metropolitan Planning Organization

1. The proposed Master Plan does not match the Collector Streets identified in the Pender County Collector Street Plan, including the connector from Red Bird Ln to Sloop Point Loop Road. The identified alignment for this collector will traverse this project area.
2. The proposed Pender Land Greenway Park mentions Trip Generation Numbers and a TIA for the project. If the TIA has been completed, provide a copy of the TIA. If it has not been started, please contact Megan O'Hare, mohare@pendercountync.gov, at Pender County planning, Amy Kimes, PE, amy.kimes@wilmingtonnc.gov at (910) 473-5130 to start the TIA scoping process.
3. Coordinate with NCDOT to determine if a Driveway permit will be required for this site.
4. The site plans proposes private streets for this subdivision. Please ensure the streets are constructed to public streets standards. (per NCDOT
5. Provide street names for all private streets, including the extension of Bluebird Lane, Red Bird Lane and other connecting streets.
6. Show the proposed street connections for the Future Townhouses, Multi Family and Commercial developments on this Master Plan.
7. The proposed Phase 1A subdivision for 58 lots and 63 lots for Phase 1B only has one access point to each subdivision. Add a second ingress and egress route to each section.
8. Provide street connections to stub streets at the south and north of this property for all phases of the project, including Kiskadee Ct, and Phoebe Ct.
9. Provide pedestrian and emergency connections to the public Park and greenway.
10. The streets for Phase 1A and Phase 1B do not have typical geometric dimensions shown, such as horizontal centerline radius, tangent distance between horizontal curves, and street corner radius. Minimum horizon centerline radius of R230' and minimum tangent distance of 100' between horizontal curves should be provided.
11. Ensure a minimum street corner radius of R30' is constructed at each intersection.
12. Provide cross section details for the proposed Standard Cul-De-Sac and Offset Cul-De-Sac, including radius, location of any proposed sidewalk and circular islands.
13. The proposed pavement type for the street cross section for asphalt and base materials may not meet the requirements for streets built on poor soils. Provide soils data on the streets and increase the pavement cross section of the proposed streets. Additional asphalt and base stone will be required if the soils data does not show excellent soils.

Recommendations:

1. Show proposed street lighting plans.
2. Show the location of proposed pedestrian facilities, such as crosswalks, Wheel Chair Ramps, bike lanes, etc. on the site plans.



Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

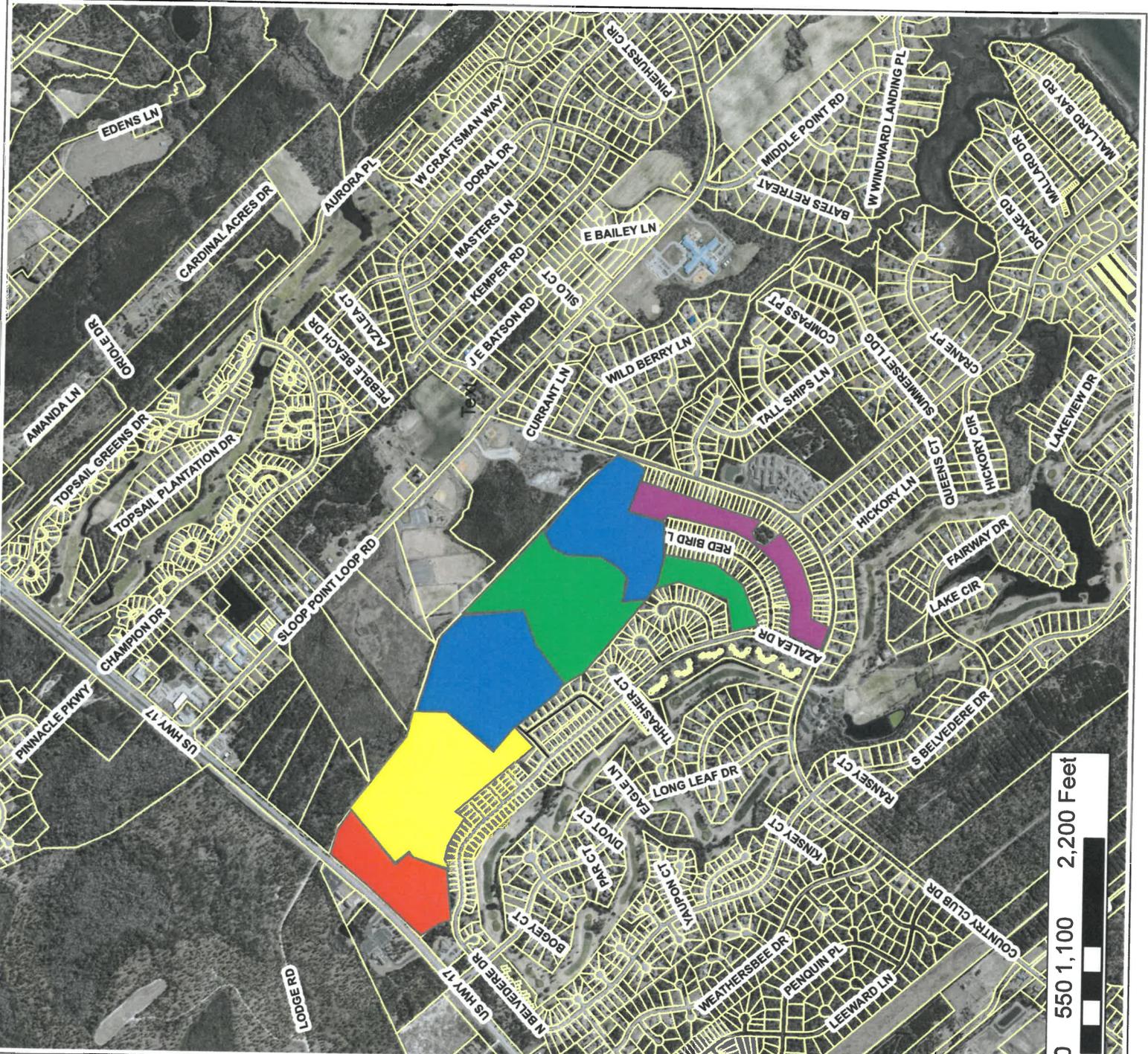
Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan 270-20'
Preliminary Plat 293-2016

Pender Land Greenway Park

Legend

- Proposed Area Of Park Dedication
- Proposed Single Family (121 units total)
- Proposed Commercial
- Proposed Multifamily (160 units)
- Proposed Townhouses (16 units)





Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan
270-2016
Preliminary Plat
293-2016

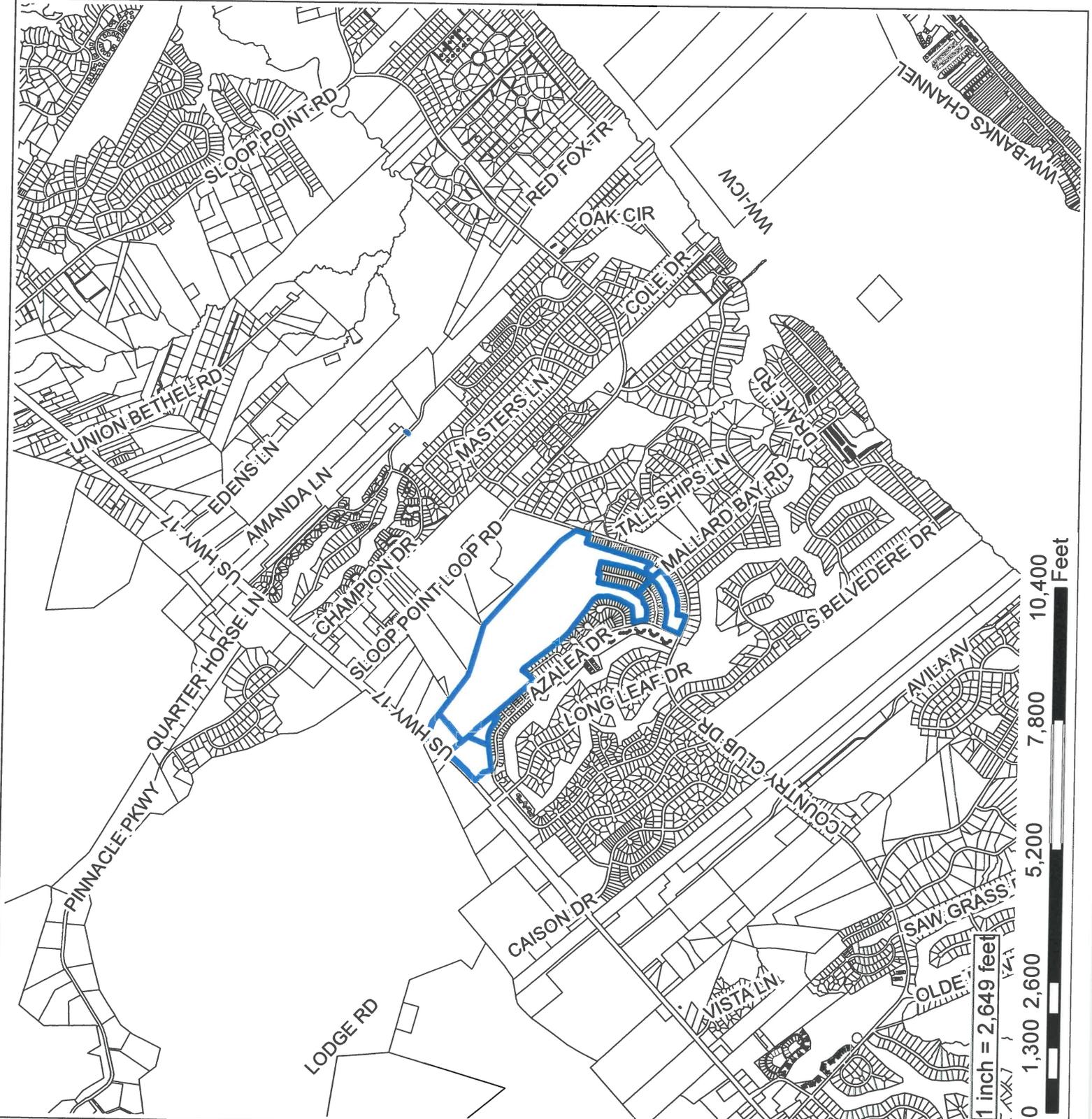
Pender Land Greenway Par



Subject Property



Vicinity





Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan
270-2016

Preliminary Plat
293-2016

Pender Land Greenway Part

Legend

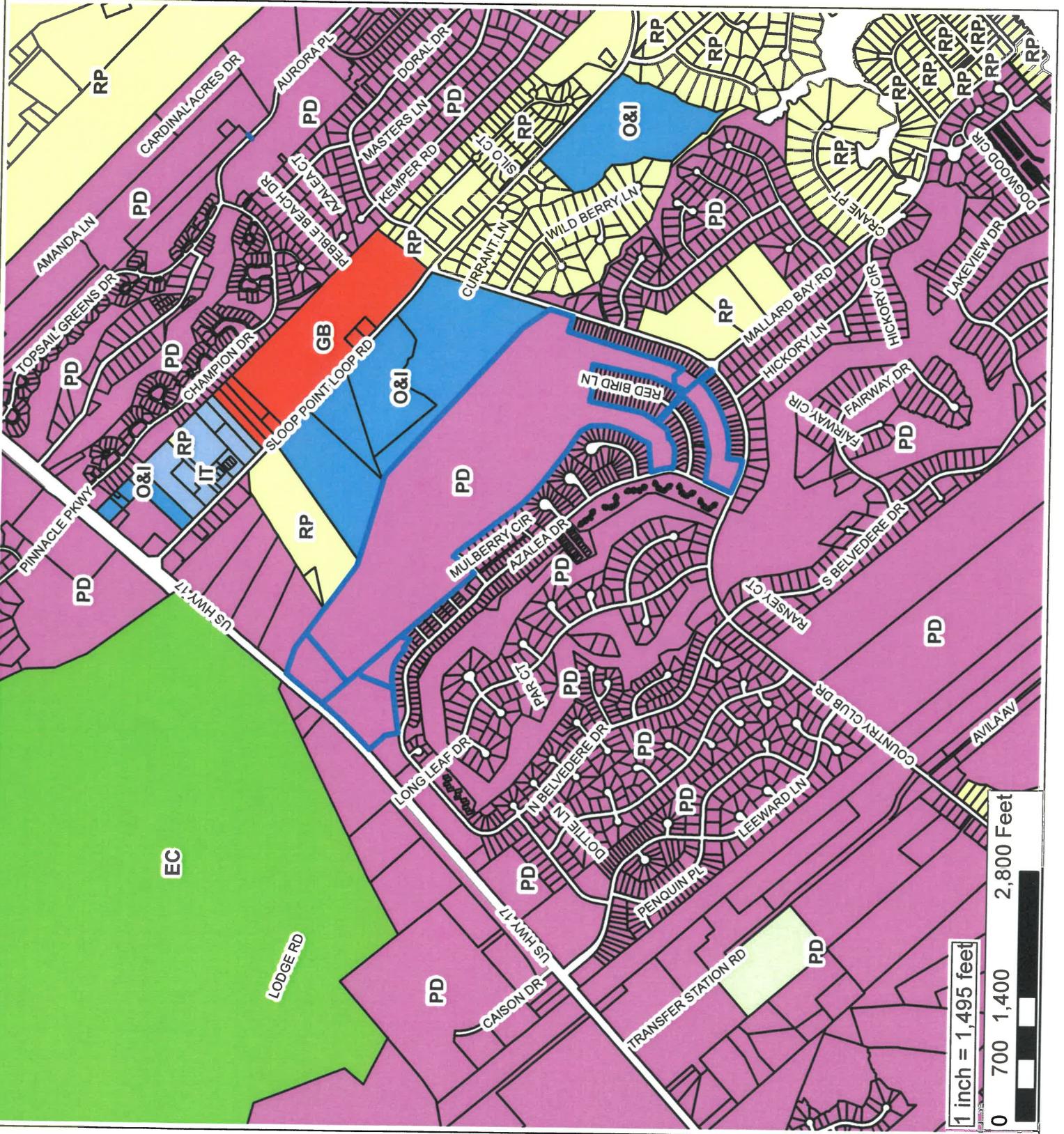
Zoning Classification

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)
- Subject Parcel



Current Zoning





Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan
270-2016

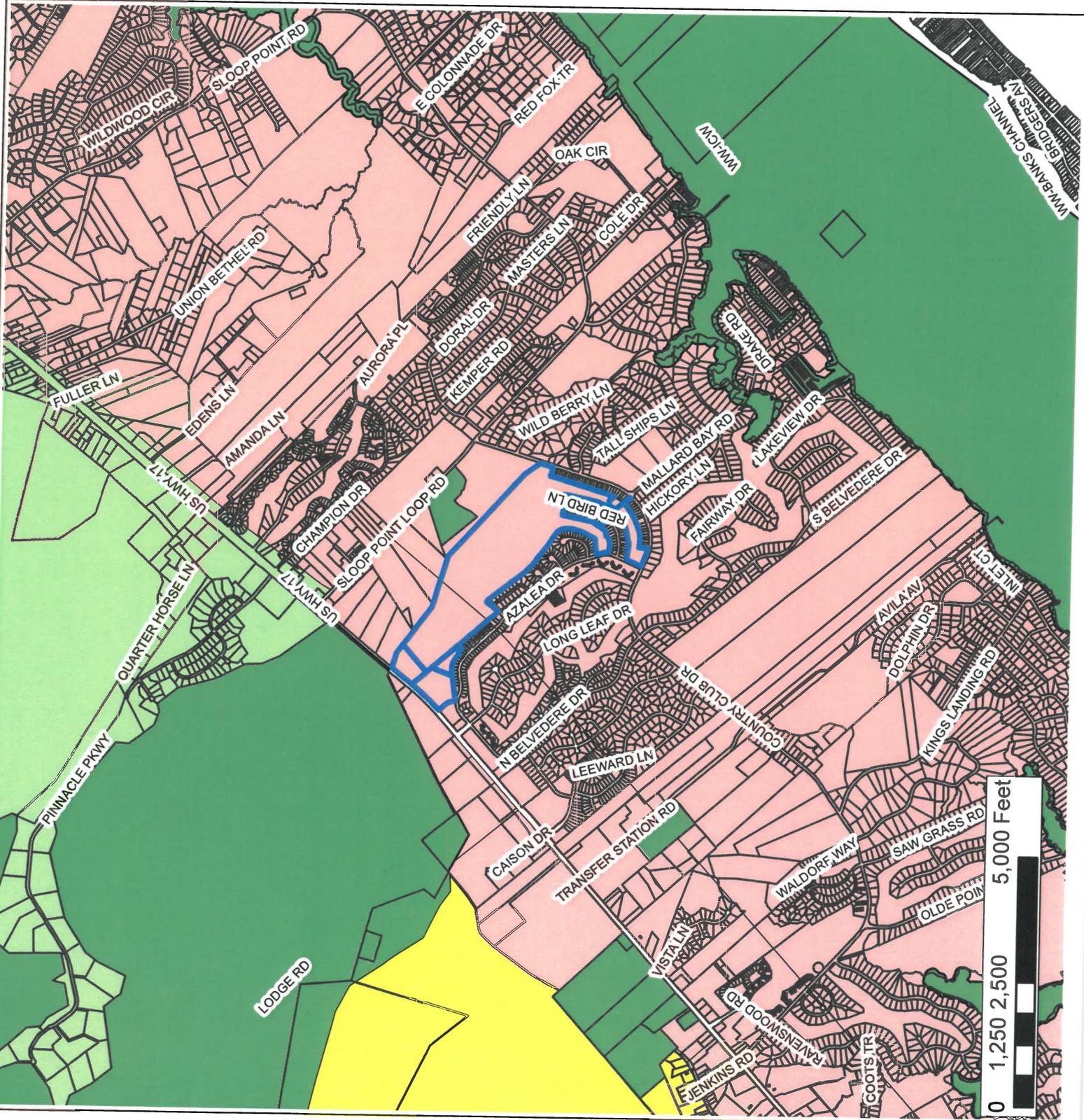
Preliminary Plat
293-2016

Pender Land Greenway Park

Legend



Future Land
Use





Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

**Master Development Plan
Preliminary Plat**

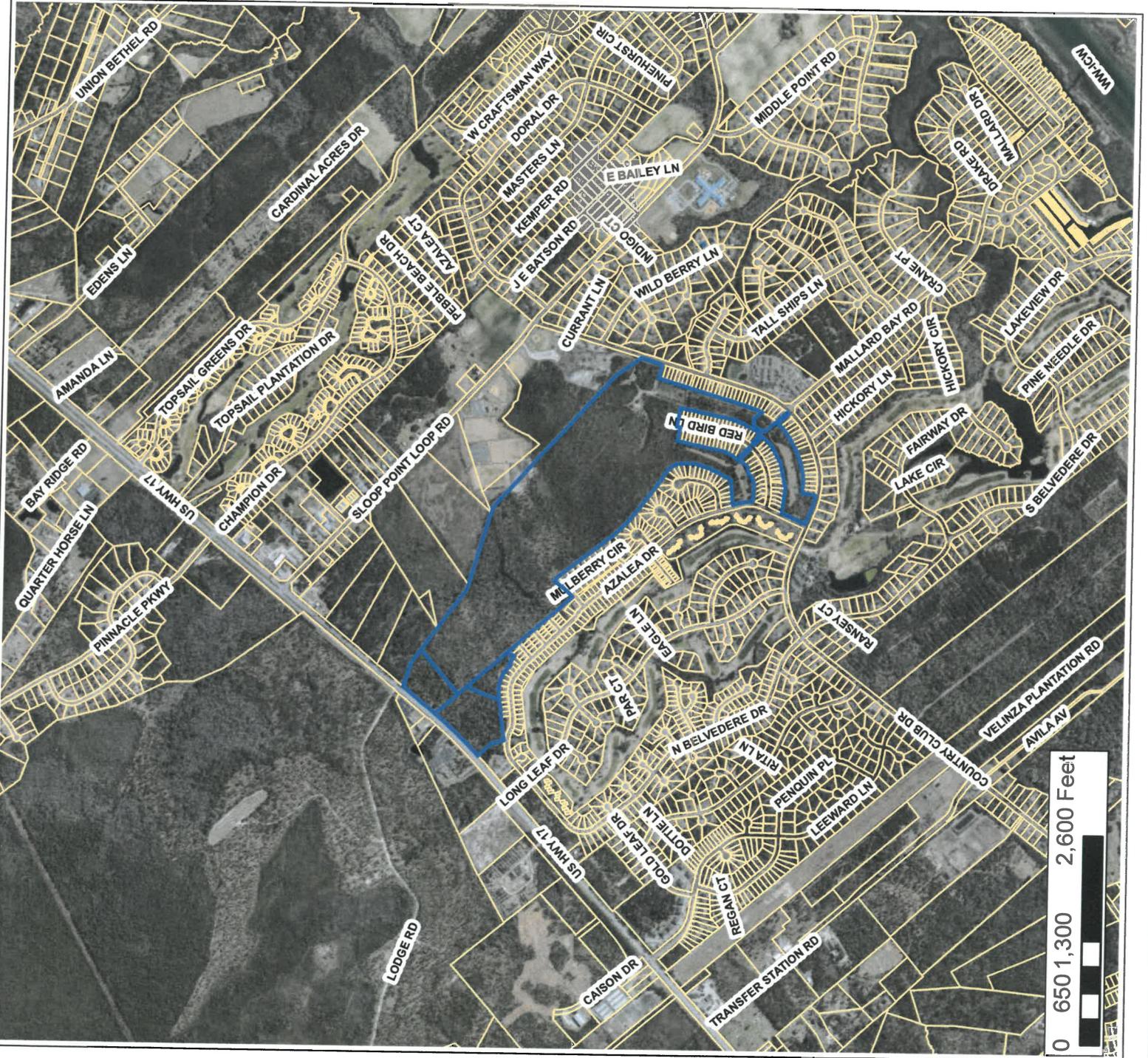
Case Number:
Master Development Plan 270-201
Preliminary Plat 293-2016

Pender Land Greenway Park

Legend



2012 AERIAL





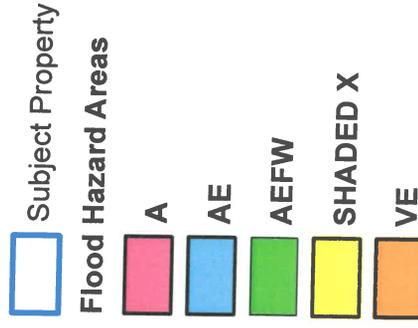
Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

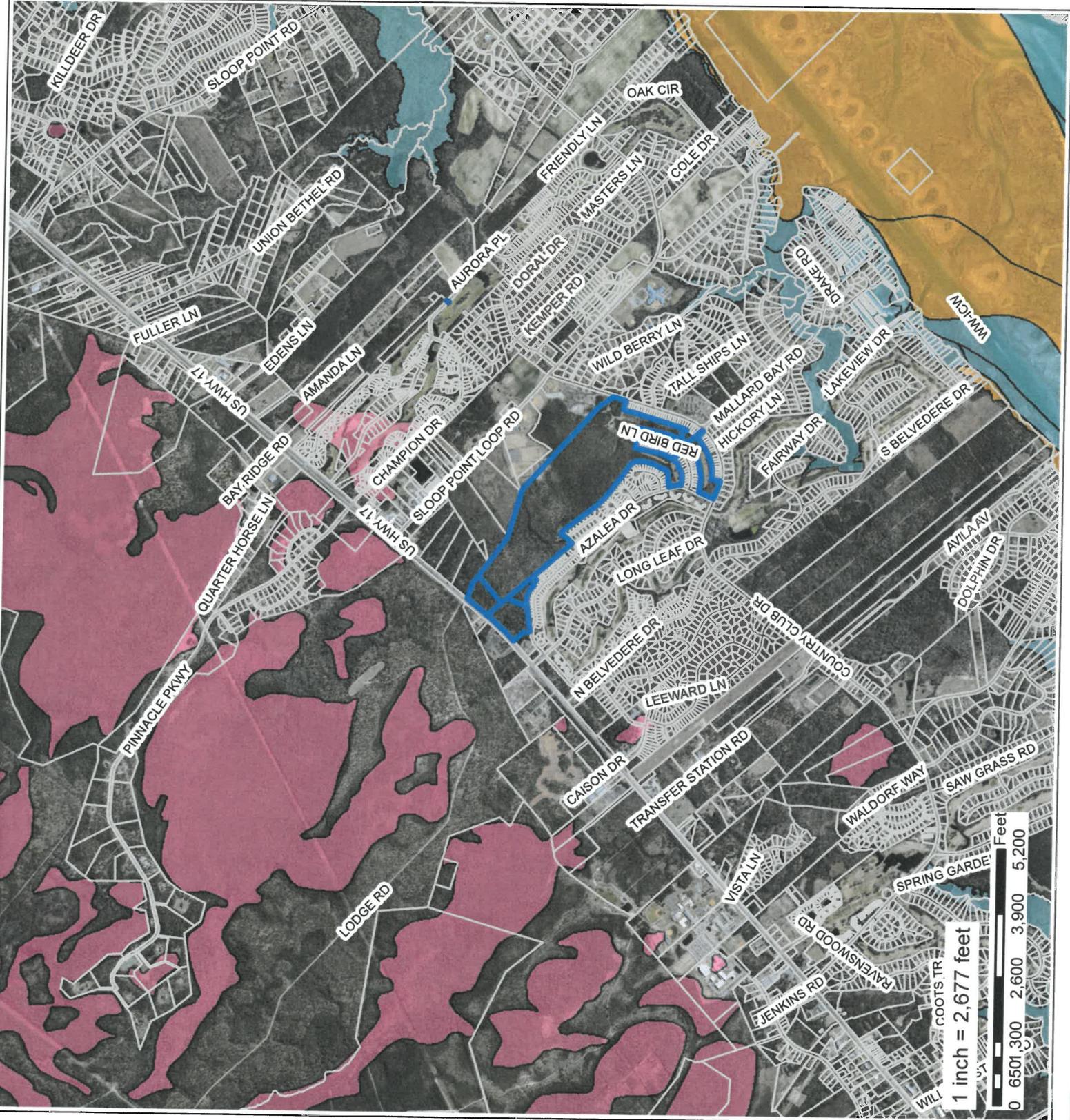
Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan
270-2016
Preliminary Plat
293-2016

Pender Land Greenway Park



Flood Zones





Applicant:
Stroud Engineering, P.A.

Owner:
Pender Land Holdings, Inc

Master Development Plan
Preliminary Plat

Case Number:
Master Development Plan

270-2016
Preliminary Plat
293-2016

Pender Land Greenway Park

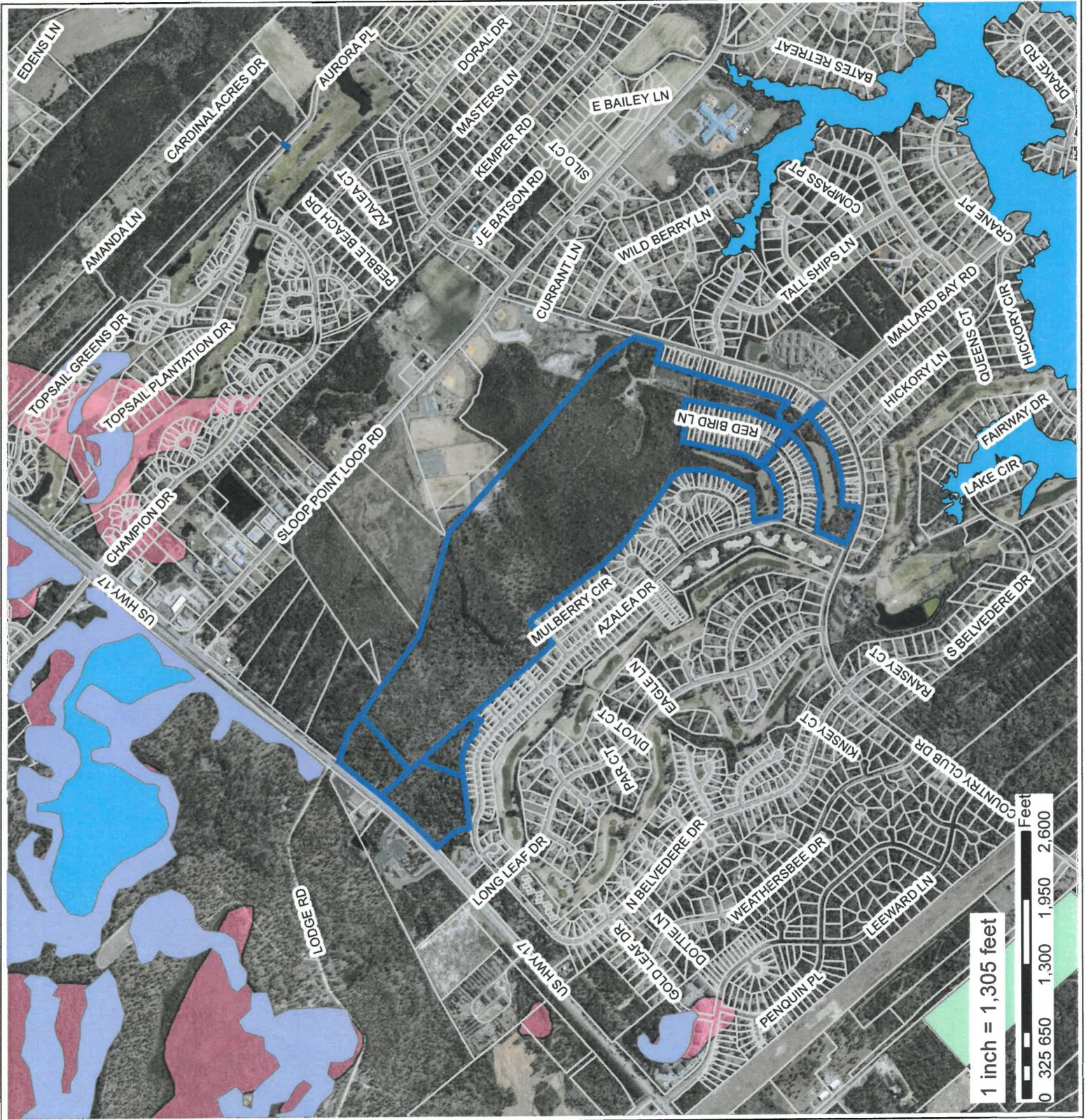
Legend



Subject Property



Preliminary Flood Zones



**PLANNING STAFF REPORT
ZONING MAP AMENDMENT**

SUMMARY:

Hearing Date: October 4, 2016, Planning Board
November 21, 2016, Board of Commissioners

Applicant: Bill Clark Homes

Property Owner: LaBrenda Hurst Haynes, et al

Case Number: ZMA 363-2016

Rezoning Proposal: Bill Clark Homes, applicant, on behalf of LaBrenda Hurst Haynes et al, owner, is requesting approval of a Zoning Map Amendment for a portion of 4.03 acres of one (1) tract totaling approximately 7.36 acres from the GB, General Business zoning district to the RP, Residential Performance zoning district.

Property Record Number, Acreage, and Location: The subject property is located in the Topsail Township west of US HWY 17, approximately 920 feet north of the intersection of US HWY 17 and William's Store Road (SR 1568) and may be further identified by Pender County PIN: 3293-43-3901-0000.

RECOMMENDATION

The application is for a zoning map amendment for 4.03 acres of one (1) tract totaling approximately 7.36 acres from GB, General Business zoning district to RP, Residential Performance zoning district. As submitted, the request complies with the criteria set forth in Section 3.3 Review Criteria for Rezoning of the Pender County Unified Development Ordinance. This request is consistent with one (1) goal and five (5) policies of the 2010 Comprehensive Land Use Plan and conflicts with none, therefore the Administrator is respectfully recommending the approval of this rezoning request.

HISTORY

The parcel is currently wooded and undeveloped.

DESCRIPTION

Bill Clark Homes, applicant, on behalf of LaBrenda Hurst Haynes et al, owner, is requesting approval of a Zoning Map Amendment for 4.03 acres of one (1) tract totaling approximately 7.36 acres from the GB, General Business zoning district to the RP, Residential Performance zoning district. The subject property is located on US HWY 17, approximately 920 feet north of William's Store Road (SR 1568) and may be further identified by Pender County PIN: 3293-43-3901-0000. The property is located in the Topsail Township.

The minimum acreage to rezone to RP, Residential Performance zoning district is five (5) acres according to Section 4.14 of the Pender County Unified Development Ordinance, however note 3 in the same section states that if a parcel adjoins an established zoning district that is identical to the district that is applying for a rezoning then it is exempt from meeting the minimum area requirements for rezoning into that district. The definition of "adjacent or adjoining lot or land" in Appendix A, Definitions of the UDO defines this as a lot or parcel of land which shares all or part of a common lot line with another lot or parcel or land which is immediately across a street or road from said parcel or lot. The five parcels adjacent to the north and east of this property are currently zoned RP, Residential Performance zoning district, therefore qualifying this property to be eligible for rezoning.

The Applicant asserts that the northern portion of this tract is better suited for residential development than the southern portion of the tract. There is no rezoning proposal for the 3.33 acres of the lot that are currently fronting US HWY 17 and zoned GB, General Business zoning district, therefore there would be little impact to the commercial corridor.

Access

The property has direct access to US HWY 17, however there is no improved method of ingress and egress at this point in time. Any improvements are subject to review and approval by NCDOT at the time of an development application.

Utilities

Public water is available at the subject property through Pender County Utilities along US HWY 17. No plans for wastewater have been submitted at this time. Any final zoning approvals are contingent upon review and approval by Pender County Utilities and appropriate state agencies. Private wastewater does run parallel to US HWY 17 at this location, however an intent to serve notification has not been provided.

Environmental Concerns

There are no Areas of Environmental Concern (AEC) located on the property, nor any regulated Special Flood Hazard Area (SFHA) according to FEMA Flood Insurance Rate Map Number 3720321400J, adopted February 16, 2007. There may be wetlands on the property.

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 GB, General Business zoning district. The properties to the north and east are zoned RP, Residential Performance zoning district. The property directly to the east is zoned GB, General Business. The property to the south is zoned O&I, Office and Institutional. There are two (2) properties to the northeast of this parcel that appear on the map to have split zoning designations between GB, General Business zoning district and RP, Residential Performance zoning district, although it appears the intent was for the zoning to be RP, Residential Performance zoning district.

C) Existing Land Use in Area: The parcel is currently wooded and undeveloped.

D) 2010 Comprehensive Land Use Plan: The 2010 Comprehensive Land Use Plan designates the subject property as 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. The GB, General Business zoning district is consistent with the Mixed Use future land use categorization.

This General Use Rezoning is consistent with one (1) goal and five (5) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. The following goals and policies within this plan may be relevant to support the proposed Conditional Zoning map amendment;

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.1.1 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.1.3 The County shall actively direct growth towards suitable land areas and away from fragile natural resources areas, conservation areas, and hazardous areas.

Policy 1A.1.4 The County shall actively direct growth towards suitable land areas and away from fragile natural resource areas, conservation areas and hazardous areas.

Policy 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

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 as it relates to the public interest.

RECOMMENDATION

The application consists of a zoning map amendment request for 4.03 acres of one (1) tract totaling approximately 7.36 acres from the GB, General Business zoning district to the RP, Residential Performance zoning district. As submitted, the request complies with the criteria set forth in Section 3.3.8 of the Pender County Unified Development Ordinance and is consistent with one (1) goal and five (5) policies in the 2010 Comprehensive Land Use Plan. Therefore, the Administrator respectfully recommends the approval of the rezoning request as described in this report.

BOARD ACTION FOR CONTIDTIONAL REZONING REQUEST

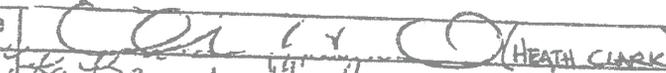
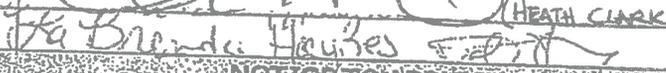
Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Williams: __ Fullerton: _____ Baker: _____ Carter: _____ Edens: _____ McClammy: _____ Nalee: _____

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 AUG 19 2016
 PENDER PLANNING DEPT.

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 363	Date	8/19/2016
Application Fee	\$ 524.10	Receipt No.	#227
Pre-Application Conference	8/12/2016	Hearing Date	10/4 & 11/2/16
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	BILL CLARK HOMES REP: EDWARD H. CLARK	Owner's Name:	Jacob & LaBrenda Hayne
Applicant's Address:	127 RACINE DR, SUITE 201	Owner's Address:	5319 SENTRY LANE
City, State, & Zip	WILMINGTON, NC 28403	City, State, & Zip	Woodbridge VA 22193
Phone Number:	910.350.1744	Phone Number:	703-398-984
Legal relationship of applicant to land owner: APPLICANT IS BUYING LAND FROM OWNER			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3293-43-3901-0000	Total property acreage:	7.41 AC
Current Zoning District:	GB	Proposed Zoning District:	GB TO REMAIN ALONG HWY 17 RP PROPOSED IN REAR
Project Address:	HWY 17 NEAR 16307 HWY 17 PROPERTY		
Description of Project Location:	UNDEVELOPED TRACT OF LAND NORTH OF TOPSAIL PRESBYTERIAN CHURCH AND SOUTH OF TOPSAIL ANIMAL HOSPITAL ON HWY. 17.		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	8/17/2016
Owner's Signature		Date:	8-15-2016
NOTICE TO APPLICANT			
1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable. 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda.			

Rezoning/Zoning Map Amendment Checklist

<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 and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.		
<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 to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.		
<input checked="" type="checkbox"/>	18 (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 checked="" 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.		
Office Use Only			
<input type="checkbox"/>	ZMA Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$	524.10
Attachments Included with Application: (Please include # of copies)			
CD /other digital version	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Plan Sets	# of large
			# of 11X17
			Other documents/Reports
			<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> MasterCard <input type="checkbox"/> Visa	Check: <input checked="" type="checkbox"/> Check # 9592
Application received by:	Jessica Fiester		Date: 8/19/16
Application completeness approved by:	Jessica Fiester		Date: 8/19/16
Dates scheduled for public hearing:			
<input type="checkbox"/> Planning Board: 10/4			
<input type="checkbox"/> Board of Commissioners: 11/27			

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

Print Form



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Date: 19 August 2016

Haynes Property General Rezoning

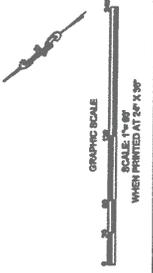
The requested rezoning is submitted by Paramounte Engineering, Inc. on behalf of the applicant, Bill Clark Homes. Bill Clark Homes is under contract to purchase the ± 7.41 acre parcel of land with parcel id 3293-443-3901-0000 and *General Business* (GB) zoning from Jacob and LaBrenda Haynes.

This parcel is located on the Hwy 17 corridor near Averys Rd. This corridor is largely comprised of business and retail establishments abutting Hwy 17 with residential uses behind the commercial frontage. The applicant understands that the commercial corridor of Hwy 17 should remain intact; therefore, Bill Clark Homes is proposing to leave the front ± 3.33 acres of the parcel in the existing GB zoning. The remaining ± 4.03 acres behind this commercial frontage land is the area requested for rezoning from GB to RP (residential performance). This rezoning will be consistent with the surrounding parcels' RP zoning and allow the applicant to construct single family homes on the rear rezoned portion of the tract.

In addition to matching the surrounding land use characteristics, this parcel is also in keeping with the designation of "mixed use" on the *Future Land Use Plan* in the *Pender County Comprehensive Land Use Plan*. The general business portion of the tract. Commercial services would be offered in close proximity to the residential and thus would be in keeping with the goals of the "mixed use" designation. The proposed rezoning is in keeping with surrounding built residential land uses.

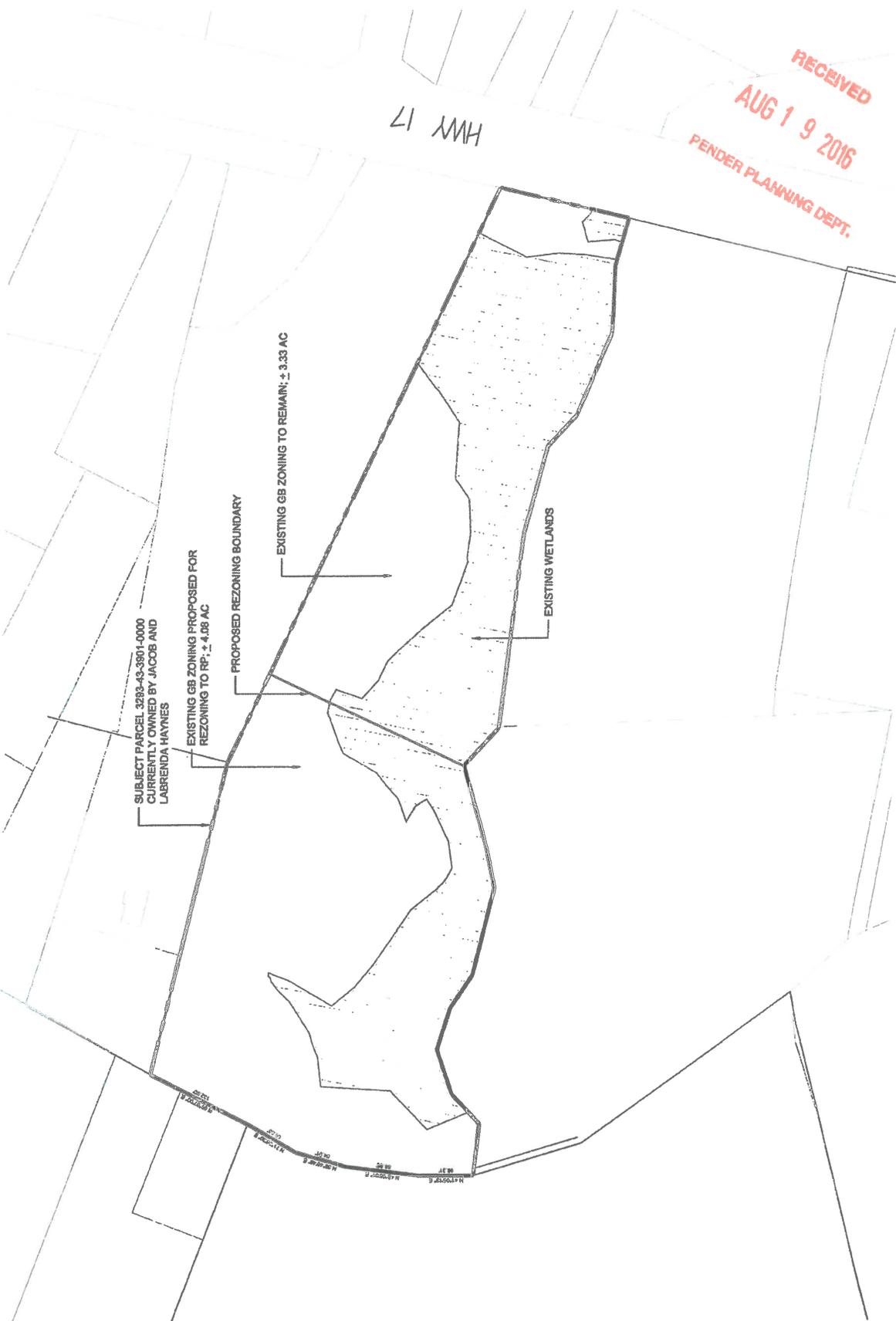
The proposed rezoning will follow the intention of the zoning ordinance in providing a GB zoned area suitable for providing business, retail, and/or office that is suitable for providing uses that serve the proposed residential use abutting the property.

As this project is in keeping with the ordinance intention and adopted Pender County guiding planning documents, the applicant respectfully requests consideration of the rezoning of the rear portion of this subject tract from GB to RP.



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MMH 17



SUBJECT PARCEL 3283-43-3801-0000
CURRENTLY OWNED BY JACOB AND
LARENDA HAYNES

EXISTING GB ZONING PROPOSED FOR
REZONING TO RP: ± 4.08 AC

PROPOSED REZONING BOUNDARY

EXISTING GB ZONING TO REMAIN: ± 3.33 AC

EXISTING WETLANDS

PARAMOUNT ENGINEERING, INC.



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August 16, 2016
16300.PE
AUG 19 2016

PENDER PLANNING DEPT.

Lands of Labrenda Haynes et al

Rezoning Parcel
Portion of Deed Book 860, Page 160
And Plat Book 27, Page 141
Hampstead
Pender County, NC

A portion of a certain tract or parcel of land located in Hampstead, Pender County, State of North Carolina and being a portion of deed book 860, page 160 as shown on plat book 27, page 141 being of record in the Pender County Register of Deeds; Said parcel being more particularly described as follows:

Beginning at a point the east side of the aforementioned parcel being the following course from a point on the northern right of way line of U.S. 17 and 210;

North 23°45'00" West a Distance of 46.84' to an iron pipe;
North 23°45'00" West a Distance of 63.65' to an iron pipe;
North 23°45'00" West a Distance of 539.97' to the true point of beginning;

Thence with a new line South 66°15'00" West a Distance of 263.36' to an point in Betty Maready Branch;

Thence with centerline of Betty Maready Branch as traversed on plat book 27, page 241 the following ten (10) courses;

North 06°03'45" West a Distance of 62.76' to an Point;
North 65°03'15" West a Distance of 105.31' to an Point;
North 60°32'45" West a Distance of 48.36' to an Point;
North 35°18'45" West a Distance of 108.31' to an Point;
North 15°01'30" West a Distance of 49.20' to an Point;
North 31°34'15" West a Distance of 52.48' to an Point;
North 67°42'10" West a Distance of 57.04' to an Point;
South 87°38'55" West a Distance of 49.62' to an Point;
North 42°31'10" West a Distance of 54.79' to a concrete monument;
North 45°17'45" West a Distance of 8.52' to an Point;

Thence with the centerline of the old Wilmington to New Bern stage coach road the following five (5) courses as shown on plat book 27, page 124 and plat book 27, page 141;

North 41°05'13" East a Distance of 66.31' to a point;
North 48°06'01" East a Distance of 88.86' to a point;
North 56°40'46" East a Distance of 64.91' to a point;
North 71°06'39" East a Distance of 69.03' to a point;
North 68°07'00" East a Distance of 132.90' to an iron pipe;

Thence leaving said road centerline South $35^{\circ}32'30''$ East a Distance of 390.00' to an iron pipe;

Thence South $23^{\circ}45'00''$ East a Distance of 118.26' to a point which is the Point of Beginning,

Having an Area of 177,853 Sq. Ft. or 4.083 Acres

The above description is not based upon a field survey and a title report has not been supplied as part of the description. This legal description is based upon the record documents of the parcels mentioned above.

PENDER PLANNING

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AUG 19 2016

PENDER PLANNING DEPT.





Applicant:
Bill Clark Homes

Owner:
LaBrenda Hurst
Haynes, et al

**General Use
Rezoning**

Case Number:
363-2016

Legend

Subject Parcel



Vicinity





Legend

Applicant:
Bill Clark Homes

Owner:
LaBrenda Hurst
Haynes, et al

**General Use
Rezoning**

Case Number:
363-2016

Legend

— Subject Parcel

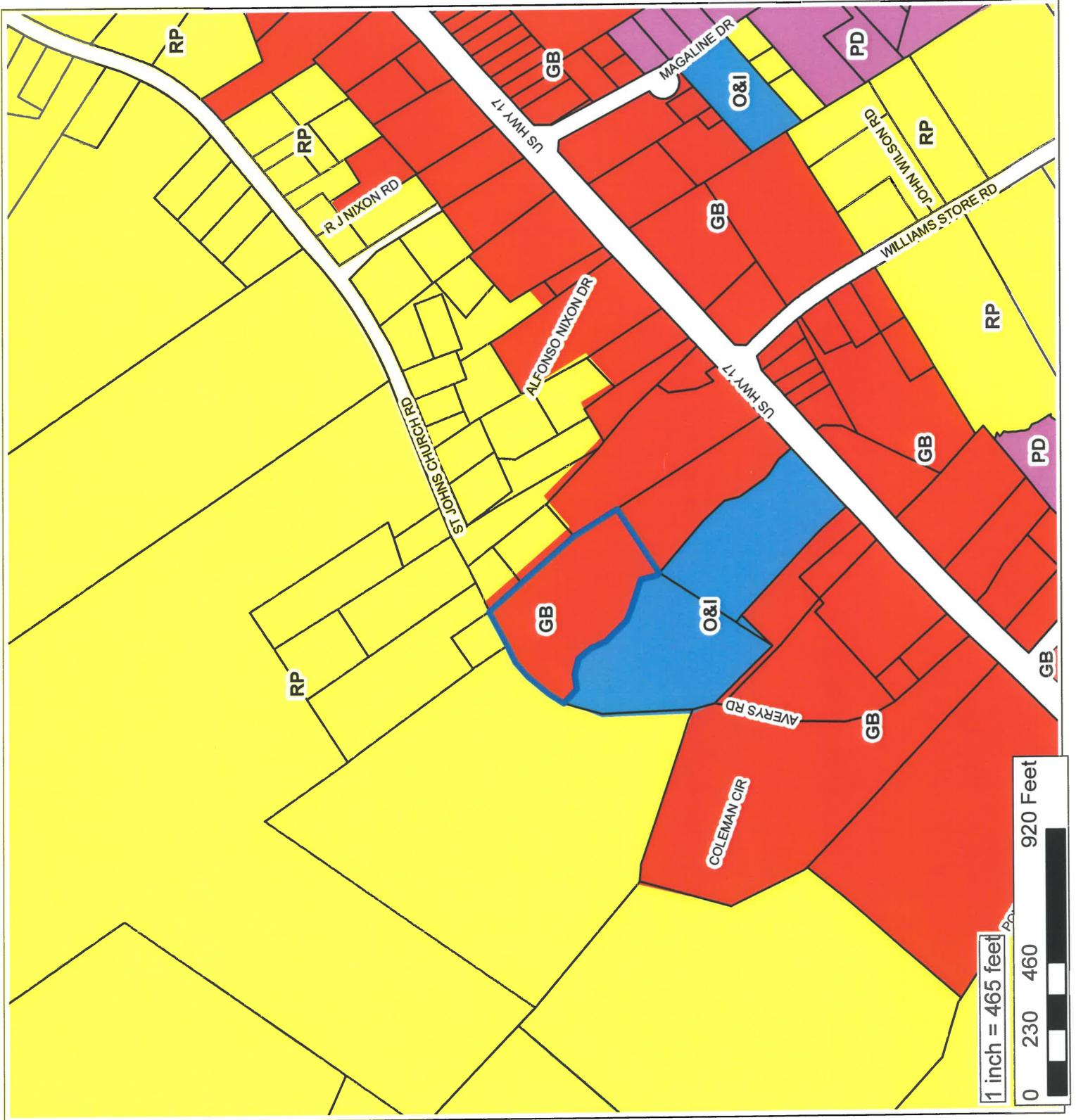
Zoning Classification

UDO Zoning

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



Current Zoning





Applicant:
Bill Clark Homes

Owner:
LaBrenda Hurst
Haynes, et al

**General Use
Rezoning**

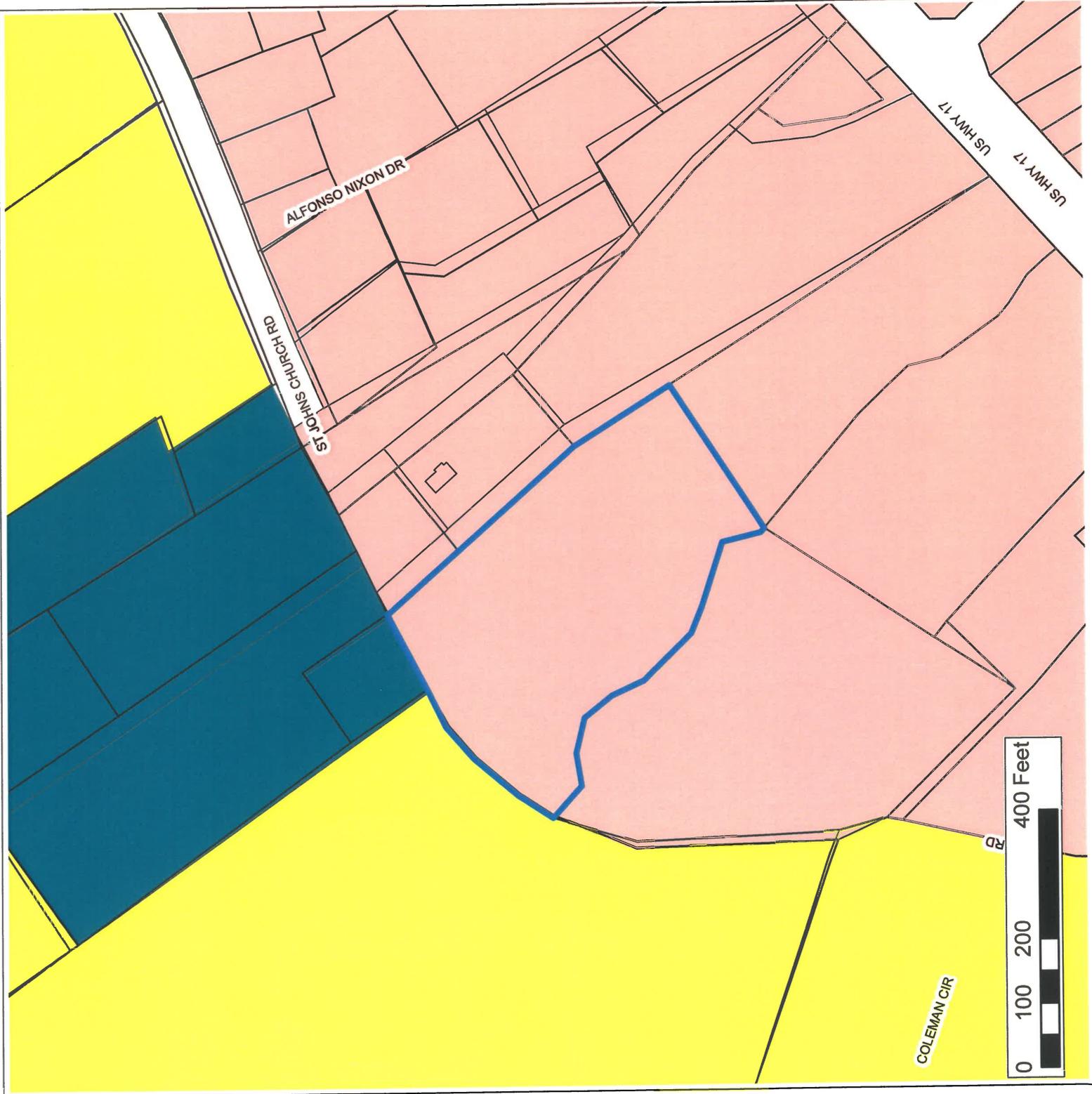
Case Number:
363-2016

Legend

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



Future Land Use





Applicant:
Bill Clark Homes

Owner:
LaBrenda Hurst
Haynes, et al

**General Use
Rezoning**

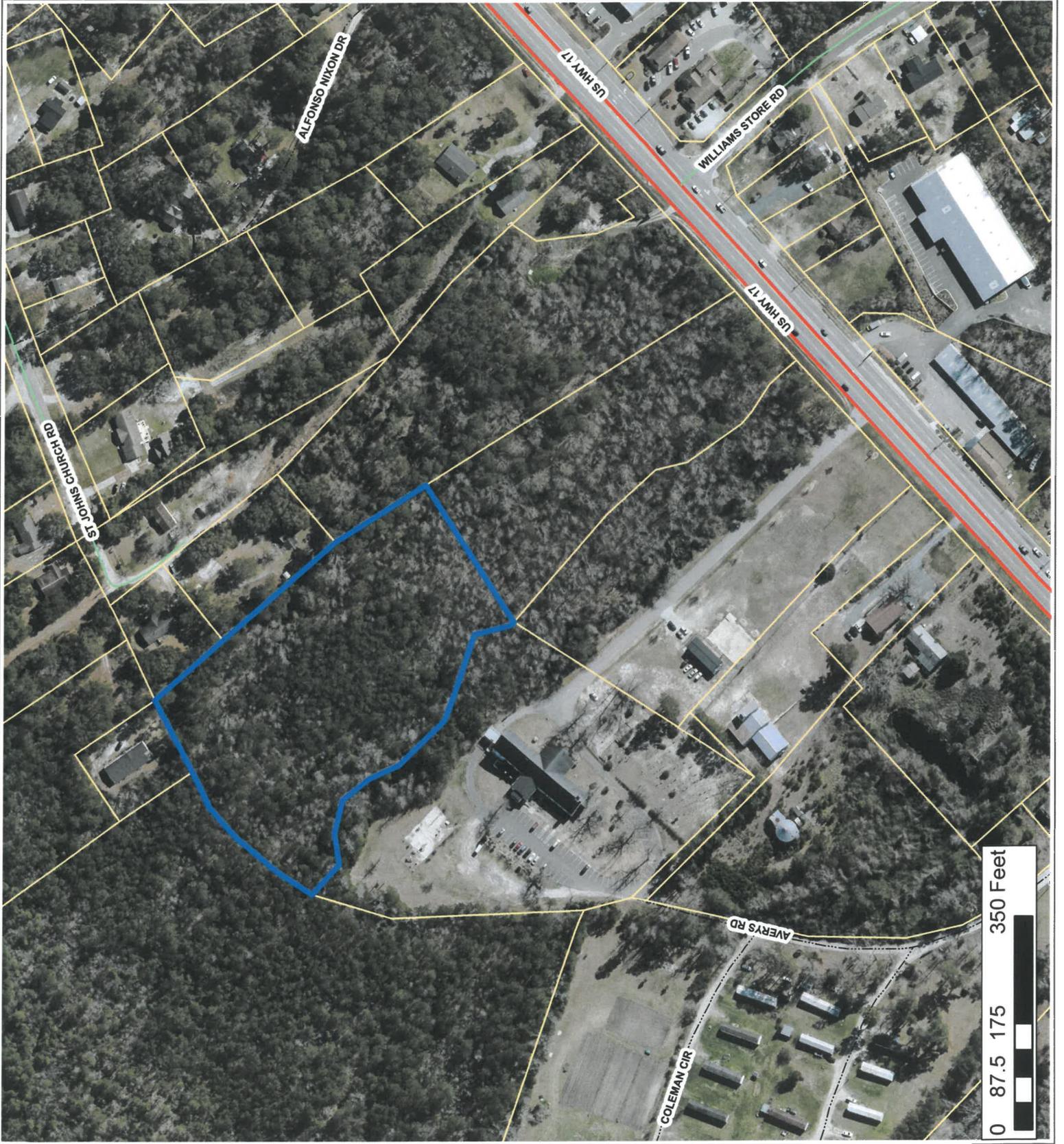
Case Number:
363--2016

Legend

 Subject Parcel



2012 AERIAL



PLANNING STAFF REPORT
Conditional Zoning Map Amendment

SUMMARY:

Hearing Date: October 4, 2016 Planning Board
November 21, 2016 BOCC
Applicant: Rocky Point Holdings, LLC
Property Owners: Jack Stocks & Rocky Point Holdings, LLC
Case Number: CZMA 367-2016

Rezoning Proposal: Rocky Point Holdings, LLC., applicant, on behalf of Jack Stocks and Rocky Point Holdings, LLC, owners, is requesting approval of a Conditional Zoning Map Amendment for a portion of one (1) tract and the entirety of another tract totaling approximately 18.11 acres from PD, Planned Development zoning district to IT-CD 1, Industrial Transitional conditional zoning district 1. The request is to allow Warehousing (NAICS 493110).

Property Record Numbers, Acreage, and Location: The subject properties are located along Carver Road (SR 1437) approximately 3,000 feet west of the intersection with NC 133 and Carver Road (SR 1437) in the Rocky Point Township and may be further identified by Pender County PINs: 3223-53-8360-0000 and 3223-55-9108-0000.

RECOMMENDATION

The application consists of a Conditional Zoning Map Amendment for a portion of one (1) tract and the entirety of another tract totaling approximately 18.11 acres from PD, Planned Development zoning district to IT-CD 1, Industrial Transitional conditional zoning district 1. 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 four (4) policies of the 2010 Pender County Comprehensive Land Use Plan and conflicts with none. The Administrator respectfully recommends approval of this Conditional Use Rezoning request.

HISTORY

The project as proposed will be composed of two (2) parcels. The first parcel is made up of approximately 4.51 acres and currently houses a Filmwerks facility that was permitted through the Master Development Plan process (See Attachment Two). There are no changes proposed to the existing development on this portion of the site. The second part of this project includes a 13.6 acre portion of a 162.7 acre parcel owned by Jack Stocks. This portion is proposed to be split off from the parent track if the Conditional Rezoning request is approved.

DESCRIPTION

The 13.6 acre portion of this project is currently undeveloped. The 4.51 acre parcel of this project contains an existing business that was permitted approved through Master Development Plan #10833 on April 9, 2013. The current project proposal consists primarily of adding 100,000 square feet of warehouse space and truck storage to the existing business. This application in totality consists of a conditional rezoning of approximately 18.11 acres from PD, Planned Development zoning district to IT-CD 1, Industrial Transitional conditional zoning district 1. The IT, Industrial Transitional zoning district is designed to provide for heavy commercial activities, involving larger scale marketing or wholesaling, where production and assembly occur onsite and retail sales of those products can be sold on premise where produced. In some cases, such areas may be transitional, located between business and industrial areas. In these areas, there will be a mixture of automobile and truck traffic.

Proposed Uses

The proposed uses within the IT-CD, Industrial Transitional conditional zoning district are only to include NAICS 493110: General Warehousing and Storage. By definition, this industry comprises establishments primarily engaged in

operating merchandise warehousing and storage facilities. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks. They are not specialized in handling bulk products of any particular type, size, or quantity of goods or products.

It is the Applicant's intention to develop the site for a 100,000 square foot metal warehouse structure to be used both for storage and construction of items associated with Filmwerks. Filmwerks produces stages for broadcasting and products associated with backup power sources. The Applicant proposes to construct a new access onto the southwest side of Carver Road (SR 1437) that will range between 28-feet and 30-feet wide and will require approval by NCDOT. The Applicant has also proposed two (2) wet detention basins, a 15-20 foot vegetated buffer, an exterior parking and storage area, and 20 additional parking spaces. A rendering of the site has been included as Attachment Four.

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.

Proposed Height:

As proposed, the building height will be forty (40) feet high, consistent with IT, Industrial Transitional regulations listed in Section 4.14 of the Unified Development Ordinance Zoning District Dimensional Requirements. The maximum height in this district is fifty (50) feet.

Setbacks:

As proposed, the setbacks are in compliance with the IT, Industrial Transitional zoning district as required in the Pender County Unified Development Ordinance.

LOCATION	REQUIRED	PROPOSED
Front	40'	399.4'
Side	25'	50.1' Left 300.2' Right
Rear	25'	48.6'

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. The Applicant intends on utilizing private wastewater. Wastewater approval is subject to the Pender County Environmental Health Department, although sewer is available if the Applicant elects that option.

Safety Features

Because the commercial building proposed will exceed 12,000 square feet, a sprinkler system will need to be installed, as well as a fire alarm system. The Pender County Fire Marshal shared these comments with the Applicant at the Technical Review Committee Meeting on September 7, 2016.

Coverage Calculations & Stormwater

The total proposed impervious surface coverage including a potential future expansion is approximately 428,149 square feet or approximately 80.8% of the proposed 13.6 acre new tract (The existing 4.51 acres were already permitted and are not included in these calculations).

Parking

The applicant has demonstrated twenty (20) additional parking spaces on the submitted site plan. This is consistent with Section 7.10 of the Pender County Unified Development Ordinance, Off-Street Parking and Loading Requirements. This section requires one space per 5,000 square feet of floor area for warehouses.

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 northern buffer is a 20-foot Type C Buffer and will include a fence and vegetation, exceeding requirements. The remaining buffers will be 15-foot Type C Buffers and include vegetation.

Roadways

The Applicant is proposing a second private asphalt driveway that will intersect Carver Road across from Belhammon Drive (private). This will range from 28-30 feet in width and will connect to the existing driveway on the current Filmwerks tract. The Applicant has indicated that the ingress and egress will occur primarily from the existing driveway on the northeast side of Carver Road (SR 1437). Any new driveway access may require additional NCDOT permits. The WMPO has noted that a 20-foot all weather drive aisle is required for fire access on site and that the driveway curb radius needs to be 30-feet to accommodate trucks with trailers and other large vehicles during ingress and egress. This has been fulfilled on the site plan.

Traffic

Traffic Impact Analysis

According to Section 6.1.3 (A) 7 of the Pender County Unified Development Ordinance, any Master Development Plan proposal in Commercial and Industrial districts 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 6.1.3 (A) 14. A Traffic Impact Analysis will not be required for this proposal, as the maximum number of trips per day is estimated to be 80 according to the Applicant.

Environmental Concerns

The subject parcels, of ±18.11 acres does contain portions of environmentally sensitive areas including wetlands. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act. It does not appear any portion of the proposed project is located within a flood zone.

Public Input Meeting

On September 20, 2016, the Applicant held a Community Meeting at the existing Filmwerks facility at 589 Carver Road in Rocky Point at 5:30 pm in accordance with Section 3.4.3 of the Pender County Unified Development Ordinance. Letters inviting adjacent property owners were mailed to the community on September 9, 2016 (See Attachment Three). No representatives from the public attended this meeting or called for further information on the project.

Technical Review Committee

On September 7, 2016 the Pender County Technical Review Committee reviewed the Applicant's submittal; the responses were collected as Attachment One.

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 south and east sides of Carver Road (SR 1437) and is currently zoned PD, Planned Development zoning district. The property to the east is zoned GI, General Industrial zoning district. The property to the north and east across Carver Road (SR 1437) is also zoned PD, Planned Development zoning district, as is the property across Carver Road (SR 1437) to the west. The property to the north and west across Carver Road is zoned RP, Residential Performance zoning district.

C) Existing Land Use in Area: The subject property is located to the north of the River Landing residential subdivision. Between this subdivision and the proposed development there is wooded, undeveloped land. The property to the east is undeveloped and low density residential. The properties to the north and west are residential.

D) 2010 Comprehensive Land Use Plan Compliance: The 2010 Comprehensive Land Use Plan designates the subject property as Office, Institutional and Business. The purpose of the OIC land use classification is to encourage more efficient and attractive development, integration of commercial uses with other land uses, and to discourage unsightly and inefficient strip commercial development. Strip commercial development (characterized by non-related business development with numerous road-cuts and no interconnectivity) detracts from community appearance and has significant negative impacts on both road capacity and traffic safety. OIC areas should be planned to accommodate a range of land uses including small and large scale commercial uses possibly transitioning to office/institutional uses or higher density residential uses that would buffer and transition to surrounding lower density residential areas. These areas should be served by both public water and sewer.

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.1.4 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.

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.

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

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 based on mutually established goals with the Applicant and adjacent property owners. Potential conditions include:

1. Painting the building green to blend in with the trees and match the existing building.
-

RECOMMENDATION

The application consists of a Conditional Zoning Map Amendment for a portion of one (1) tract and the entirety of another tract totaling approximately 18.11 acres from PD, Planned Development zoning district to IT-CD 1, Industrial Transitional conditional zoning district 1. 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 four (4) policies of the 2010 Pender County Comprehensive Land Use Plan and conflicts with none. The Administrator respectfully recommends approval of this Conditional Rezoning request.

BOARD ACTION FOR REZONING REQUEST

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Williams: _____ Fullerton: _____ Baker: _____ Carter: _____ Edens: _____ McClammy: _____ Nalee: _____

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AUG 22 2016

PENDER PLANNING DEPT.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD 367	Date	8/22/2016
Application Fee	\$ 565.55	Receipt No.	
Pre-Application Conference	8/12/2016	Hearing Date	10/4/2016 & 11/21/2016

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Rocky Point Holdings LLC (Michael Satra	Owner's Name:	JACK STOCKS
Applicant's Address:	P.O. Box 12348	Owner's Address:	2245 PAGE RD
City, State, & Zip	Wilmington, NC 28405	City, State, & Zip	BURGAW, NC 28425
Phone Number:	910-675-1145	Phone Number:	

Legal relationship of applicant to land owner:

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	3223-53-8360-0000	Total property acreage:	13.6 (18.11)
Current Zoning District:	PD	Proposed Zoning District:	IT
Project Address or Location:	CARVER RD. Rocky Point, NC 28457		

Proposed Uses to be Considered (Include NAICS Code):

WAREHOUSING NAICS Code 493110

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

Site is currently vacant.

SECTION 3: SIGNATURES

Applicant's Signature	<i>Jan W. Mc</i>	Date:	8-19-16
Owner's Signature	<i>Jack C. Steads</i>	Date:	8-19-16

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

*This application is being processed congruently w/ the adjacent 4.51 acres. Jf per MC

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AUG 22 2016

Conditional (Zoning Map) Amendment Checklist

PENDER PLANNING DEPT.

<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 checked="" type="checkbox"/>	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
<input checked="" 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"/>	A generalized site development plan shall include the following items: <ul style="list-style-type: none"> <input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. <input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. <input type="checkbox"/> All existing easements, reservations and rights of way. <input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. <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. <input type="checkbox"/> If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. <input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping. <input type="checkbox"/> Phasing. <input type="checkbox"/> Signage. <input type="checkbox"/> Outdoor lighting. <input type="checkbox"/> Current zoning district designation and current land use status. <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.
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 type="checkbox"/> Y <input checked="" type="checkbox"/> N
Plan Sets	# of large <u>12</u>
	# of 11X17 <u> </u>
Other documents/Reports	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Payment Method:	Cash : <input type="checkbox"/> \$ _____
	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa
	Check: <input checked="" type="checkbox"/> Check # <u>11943</u>
Application received by:	<u>Jessica Fiester</u>
Date:	<u>8/22/16</u>
Application completeness approved by:	<u>Jessica Fiester</u>
Date:	<u>8/22/16</u>
Dates scheduled for public hearing:	<input type="checkbox"/> Planning Board: <u>10/4/2016</u>
	<input type="checkbox"/> Board of Commissioners: <u>11/21/2016</u>

Print Form

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AUG 22 2016

PENDER PLANNING DEPT.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

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Applicant's Address:	P.O. Box 12348	Owner's Address:	P.O. Box 12348
City, State, & Zip	Wilmington, NC 28405	City, State, & Zip	Wilmington, NC 28405
Phone Number:	910-675-1145	Phone Number:	910-675-1145

Legal relationship of applicant to land owner: Applicant and owner are the same.

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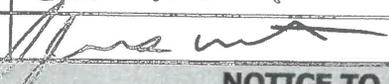
Property Identification Number (PIN):	3223-55-9108-0000	Total property acreage:	4.51 (18.11)
Current Zoning District:	PD	Proposed Zoning District:	IT
Project Address or Location:	598 Carver Road, Rocky Point, NC 28457		

Proposed Uses to be Considered (Include NAICS Code):

WAREHOUSING NAICS Code 493110

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

SECTION 3: SIGNATURES

Applicant's Signature		Date:	8-22-16
Owner's Signature		Date:	8-22-16

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This application is being processed congruently w/ the adjacent 13.6 acres JfpermC

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AUG 22 2016

PENDER PLANNING DEPT.

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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 type="checkbox"/> Y <input checked="" type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
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Payment Method: Cash: \$ _____ Credit Card: Master Card Visa

Check: Check # 11943

Application received by: Jessica Fiestler Date: 8/22/16

Application completeness approved by: Jessica Fiestler Date: 8/22/16

Dates scheduled for public hearing: Planning Board: 10/4/16 Board of Commissioners: 11/2/16

08/22/16

PN 2016-025

Project Narrative

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Filmwerks Expansion
589 Carver Road, Rocky Point
Pender County, NC

PENDER PLANNING DEPT.

Filmwerks International Inc. is an existing business located on an adjacent parcel that provides power, stages, and temperature control to major production entities in the US and South America. Filmwerks Expansion project will occupy a proposed 13.6 Acre lot on an existing vacant 162.7 Acre Parcel (PIN 3223-53-8360-0000) located in southern Pender County, NC. Being an expansion of an existing business, no new address is proposed. Primary access will be provided from the existing access located on Carver Rd. with a new secondary access proposed on Carver Rd.

Activities at the site will include warehousing and facility truck storage. The use of the property will not be changed, nor the number of employees or hours of operation. Filmwerks currently rents 100,000 sf of space at the Carver Boatworks Facility. All use will be moved to the proposed site. Traffic generated on Carver Rd. will not increase except with normal growth.

Proposed construction at the site will include a 100,000sf warehouse building, new access on Carver Rd., interior drives, parking, outdoor storage, and required stormwater facilities.

Permits required will be NCDOT driveway, NCDENR Stormwater, and NCDENR Sedimentation and Erosion Control.

Filmwerks has been operating on the adjacent parcel for many years without any negative impact on the surrounding community or environment. With no increase in traffic proposed, any impacts to the surrounding area should remain minimal. The construction of a new stormwater collection system will treat runoff in efforts to maintain the integrity of the surrounding waterways and environment as a whole.

Ref: 13.86 acres -- Carver Road

Beginning at a point in the Eastern Right of Way line of Carver Road, said point being located North 86 degrees 13 minutes 05 seconds East 30.69 feet from a point in the centerline of Carver Road, said point in the centerline of Carver Road being located North 05 degrees 52 minutes 37 seconds West 273.32 feet as measured along the centerline of Carver Road from its point of intersection with the centerline of Belhammon Drive; running thence, from said beginning point, with the Southern lines of The Pines subdivision as recorded in Map Book 31, Page 3 of the Pender County Registry North 86 degrees 11 minutes 09 seconds East 225.64 feet, North 86 degrees 12 minutes 26 seconds East 144.37 feet, North 86 degrees 12 minutes 15 seconds East 165.26 feet, North 86 degrees 15 minutes 20 seconds East 166.93 feet and North 19 degrees 30 minutes 57 seconds East 44.81 feet; running thence, South 70 degrees 33 minutes 44 seconds East 424.81 feet to a point; thence, South 70 degrees, 35 minutes 19 seconds East 20.0 feet to a point; running thence, South 20 degrees 34 minutes 26 seconds West 511.11 feet to a point; running thence, South 86 degrees 13 minutes 29 seconds West 898.22 feet to a point in the Eastern Right of Way line of Carver Road; running thence, with the Eastern Right of Way line of Carver Road North 05 degrees 43 minutes 13 seconds West 600.35 feet to the point of Beginning, containing 13.86 acres more or less.

TRC COVER PAGE

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

Attended. No Comments.

Pender County Building Inspections

No Attendance.

Pender County Emergency Management

No Attendance.

Pender County Environmental Health

No Attendance.

Pender County Fire Marshal

Attended.

Pender County Flood Plain Management

Attended.

Pender County Parks and Recreation

No Attendance.

Pender County Public Library

No Attendance

Pender County Public Utilities

No Attendance. See Comments.

Pender County Schools

No Attendance.

Pender County Sheriff's Department

No Attendance.

Pender County Soil and Water Conservation District

No Attendance.

Progress Energy Corporation

No Attendance.

Pluris

No Attendance.

US Army Corps of Engineers

No Attendance.

Wilmington Metropolitan Planning Organization

No Attendance. See Comments.



Technical Review Committee Review and Response

Date: TRC 09/07/16

Name: Margaret/Bryan

Phone: 259-1521

Agency: PCU

Email: mgray@pendercountync.gov

Case 316-2016 Dallas Harris Mine & Vegetative Recycling Major Site Development Plan

- No water service is proposed, no PCU comments.

Case 364-2016 Guiding Light Ministries Major Site Development Plan

- Application for water service and payment of appropriate fees will be required by PCU.
- PCU standard specifications and details can be found on the PCU web page.
- Submit the appropriate number of original NCDOT Encroachment forms for PCU execution if owner will have a utility contractor install the service. If not PCU can install the water service under our NCDOT Blanket Encroachment Agreement once the appropriate fees have been paid.
- Wet tap will be required on the existing 8" watermain.
- Sewer is available via force main if property will not perc.

Case 367-2016 Filmwerks Expansion Conditional Zoning Map Amendment

- Utility plans are not required at this stage of design but please be advised that subsequent formal Public Water Supply submittal documents must be submitted to PCU for review/approval if water service is proposed for this warehouse.
- PCU standard specifications and details can be found on the PCU web page.



Technical Review Committee Review and Response

Date: September 6, 2016

Name: Bill McDow Agency: WMPO

Phone: (910) 34-7819 Email: bill.mcdow@wilmingtonnc.gov

Filmwerks Expansion

Requirements:

1. The site plan shows a new connection to Carver Road across from Belhammon Drive. A new NCDOT driveway permit may be required.
2. Please show the dimensions for the existing driveway and drive aisle from Carver Rd to the north side of the property. A 20' all weather drive aisle is needed for Fire Access.
3. Provide estimated Trip Generation numbers for this development.
4. Ensure the site increases the driveway curb radius to R30' to accommodate trucks with trailers and other large vehicles attempting to enter and exit this site. The increased radius will enhance safety of vehicles attempting ingress and egress from the site.
5. Provide dimensions for the proposed parking spaces.
6. Please ensure the Handicap Parking spaces have the Van Accessible Aisle on the passenger side of the designated spaces.
7. Show the NCDOT 10'X70' sight distance triangle at the driveway entrance.
8. Show the proposed location of the dumpster for this site.
9. Show Stop Signs, Stop Bars and pavement markings for the site.
10. The site plan does not show any internal sidewalk.
11. Provide an Accessible path from the existing 4.51 acre site to the new 13.6 acre site. Show the location of access gates.

Recommendations:

- Ensure the ADA Accessible route has elevations and a FFE for the building entrance.
- Please add a bike rack to the site plan.
- Show the location of proposed site lighting for the site.
- Show the location of the fire hydrants and FDC on the proposed building.

Comments:

Information Requested:

Please Follow Up Prior to Meeting: Yes/ No

ATTACHMENT THREE

Community Meeting Notice Filmwerks International

September 9, 2016

Date: Tuesday, September 20, 2016

Location: Filmwerks International, 589 Carver Drive

To: Adjacent Property Owners

This letter is to provide notice of a community meeting as a requirement for the pending rezoning application for the 14 acres of land along Carver Drive. Notification to all adjacent property owners is required by the Pender County Unified Development Ordinance.

The property owner is interested developing the property in a manner consistent with the existing Filmwerks International facility. Both parcels are zoned PD – Planned Development.

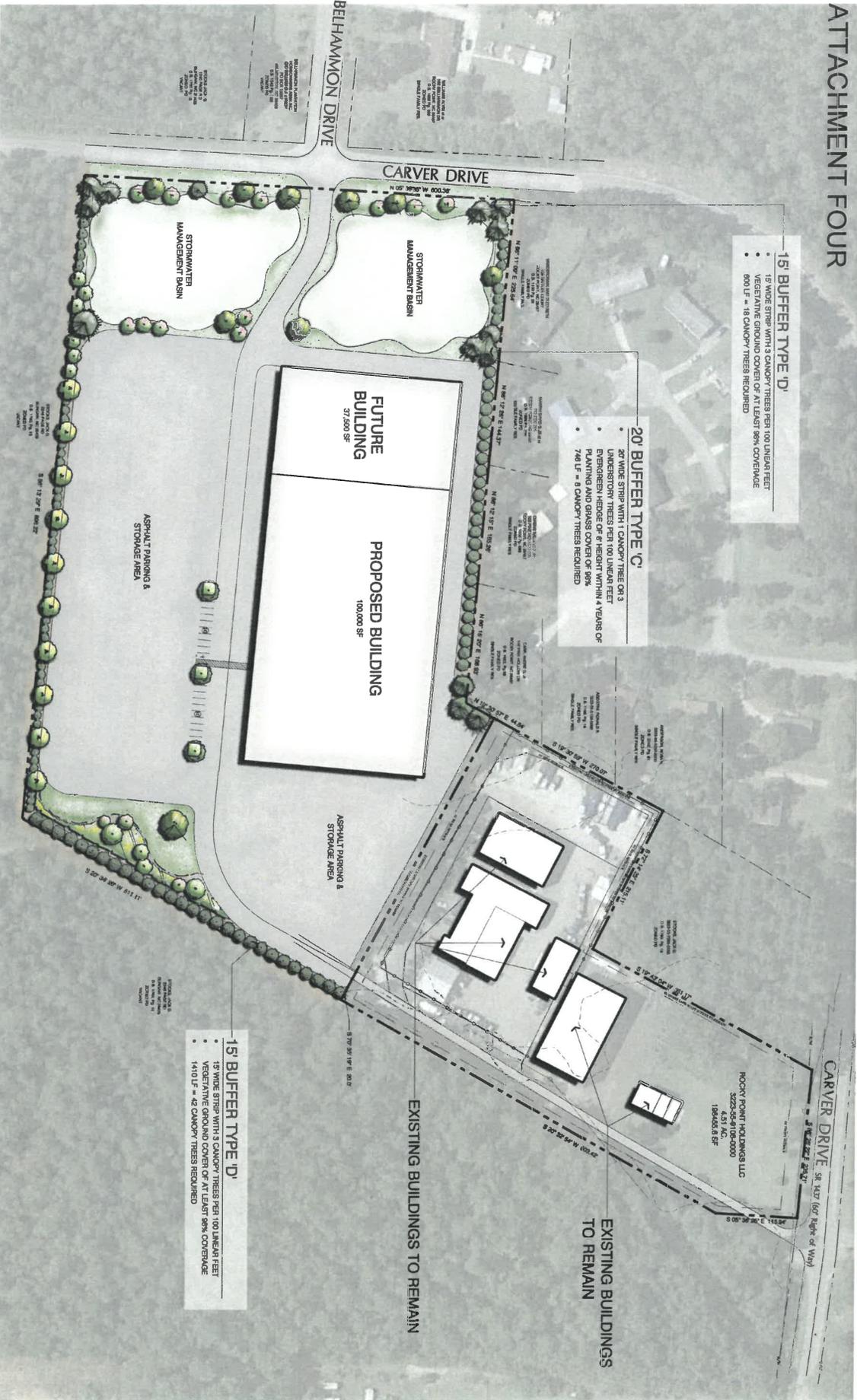
To review the proposed application and preliminary site plan, please join the design team for a community meeting. The meeting will be held on **Tuesday, September 20, 2016 at 5:30pm**, at the Filmwerks International facility (589 Carver Drive). We appreciate your interest in the project and look forward to discussing further.

If you have any questions or concerns, please contact:

James Martin, Project Supervisor
mrtjms@aol.com
910-443-4456

Charlie Cazier, Project Engineer
Charlie@intracoastalengineering.com
910-859-8983

ATTACHMENT FOUR



15' BUFFER TYPE 'D'

- 15' WIDE STRIP WITH 3 CANOPY TREES PER 100 LINEAR FEET
- VEGETATIVE GROUND COVER OF AT LEAST 95% COVERAGE
- 600 LF = 18 CANOPY TREES REQUIRED

20' BUFFER TYPE 'C'

- 20' WIDE STRIP WITH 1 CANOPY TREE PER 100 LINEAR FEET
- 100' WIDE STRIP WITH 1 CANOPY TREE PER 100 LINEAR FEET
- EMERGENCY HOGE OF 8' HEIGHT WITHIN 4 YEARS OF PLANTING AND GRASS COVER OF 95%
- 748 LF = 8 CANOPY TREES REQUIRED

15' BUFFER TYPE 'D'

- 15' WIDE STRIP WITH 3 CANOPY TREES PER 100 LINEAR FEET
- VEGETATIVE GROUND COVER OF AT LEAST 95% COVERAGE
- 1410 LF = 42 CANOPY TREES REQUIRED

FILMWERKS MASTER PLAN

PENDER COUNTY, NC



September 8, 2016

THIS PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE



Applicant:
Rocky Point Holdings, LLC

Owners:
Jack Stocks & Rocky
Point Holdings, LLC

**Conditional
Rezoning**

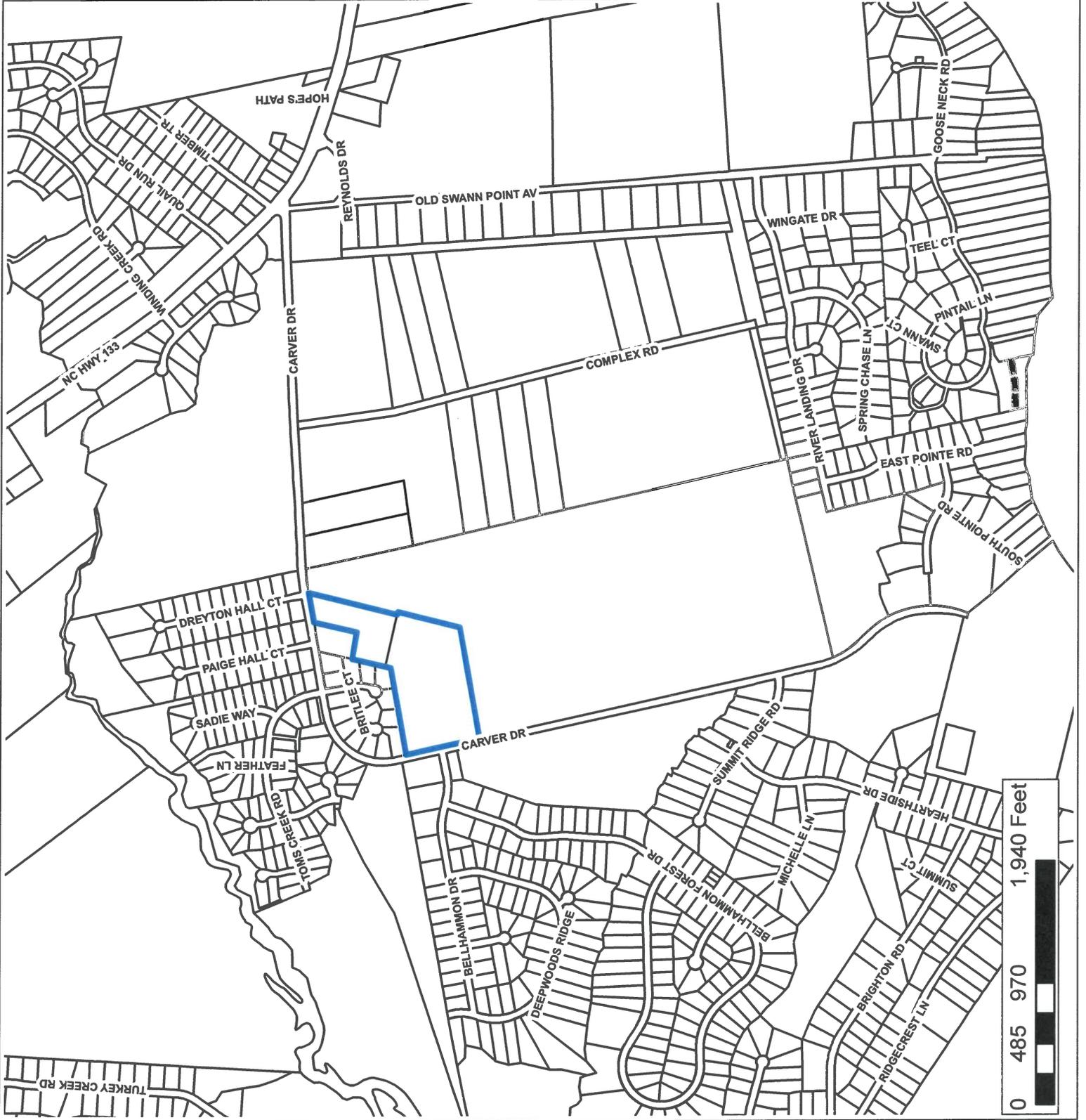
Case Number:
367-2016

Legend

— Subject Parcel



VICINITY





Applicant:
Rocky Point Holdings, LLC

Owner:
Jack Stocks & Rocky
Point Holdings, LLC

Conditional Rezoning

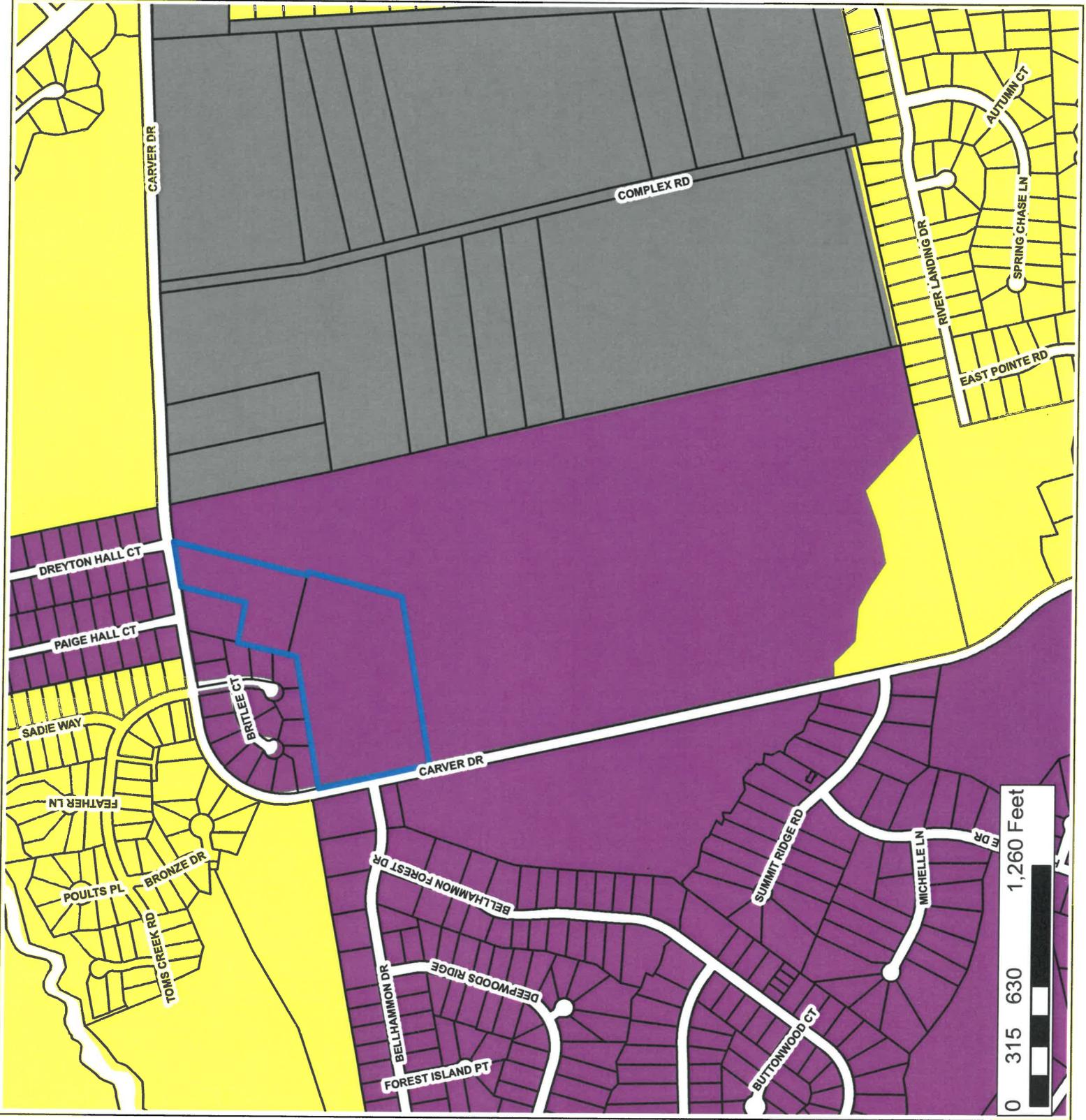
Case Number:
367-2016

Legend

-  Subject Parcel
-  GI, General Industrial
-  O&I, Office & Institutional
-  PD, Planned Development
-  RP, Residential Performanc



CURRENT ZONING





Applicant:
Rocky Point Holdings, LLC

Owner:
Jack Stocks & Rocky
Point Holdings, LLC

Conditional Rezoning

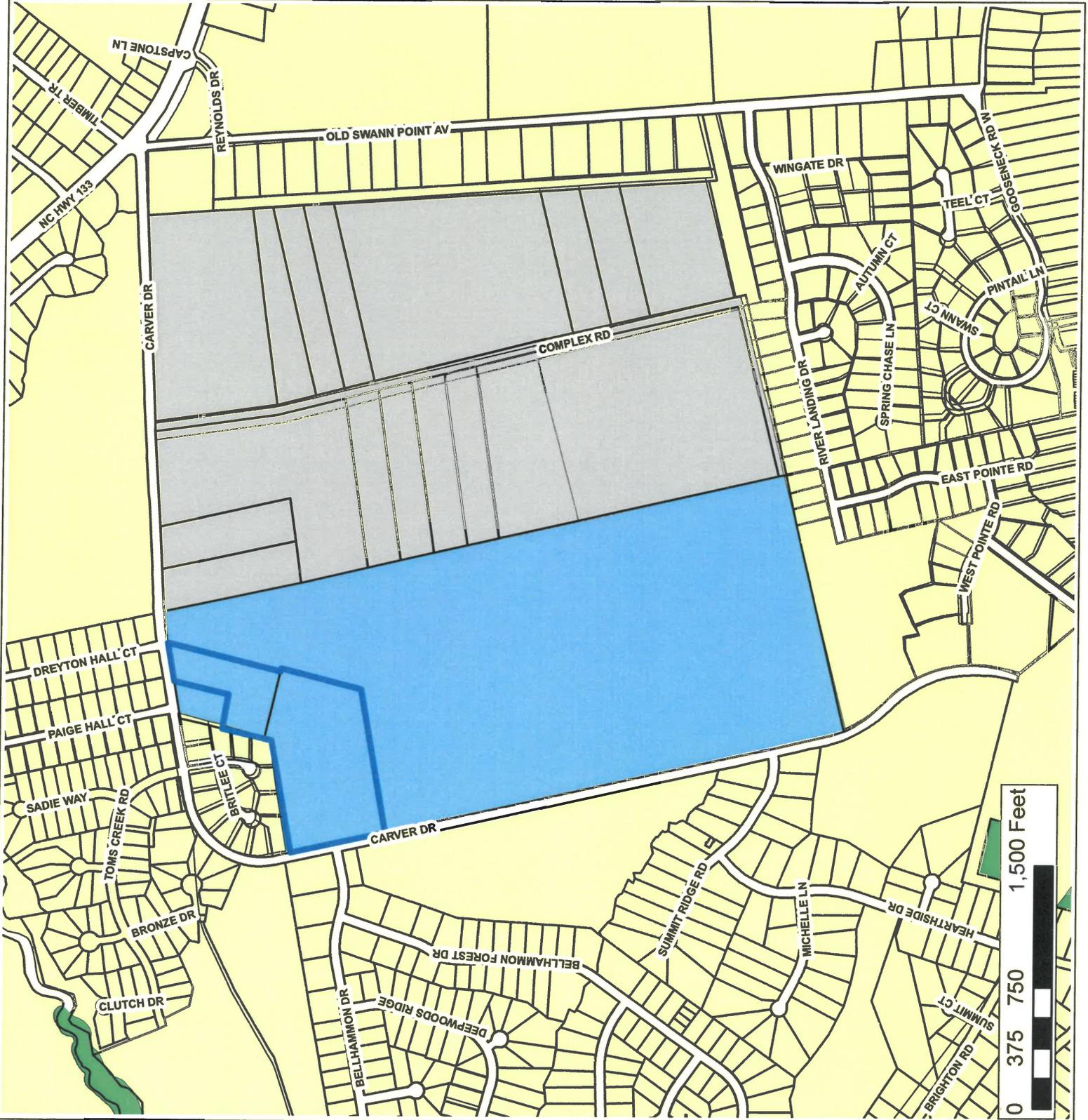
Case Number:
367-2016

Legend

- █ Subject Parcel
- Future Land Use**
- █ Conservation
- █ Industrial
- █ Mixed Use
- █ Office, Institutional, Business
- █ Rural Growth
- █ Suburban Growth



FUTURE LAND USE





Applicant:
Rocky Point
Holdings, LLC

Owner:
Jack Stocks & Rocky
Point Holdings, LLC

Conditional Rezoning

Case Number:
367--2016

Legend

 Subject Parcel



2012 AERIAL



**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT**

SUMMARY:

Hearing Date: October 4, 2016 Planning Board
November 21, 2016 Board of Commissioners
Applicant: Laura Rivenbark
Case Number: ZTA 357-2016

Text Amendment Proposal:

Laura Rivenbark, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 5.2.3 Table of Permitted Uses to allow Artisan Manufacturing as a permitted use in the RA, Rural Agricultural, GB, General Business, IT, Industrial Transitional, GI, General Industrial zoning districts and via Special Use Permit in the RP, Residential Performance zoning district.

RECOMMENDATION

The Administrator respectfully recommends approval of the requested Zoning Text Amendment to the Unified Development Ordinance as modified and described in this report, as it increases opportunities for small businesses to operate in Pender County and it is consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. The amendment, as modified, is supported by one (1) goal and four (4) policies in the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans.

Staff has recommended adding a clear definition of Artisan Manufacturing in Appendix A, and is also recommending making the use permitted in the PD, Planned Development, GB, General Business and IT, Industrial Transitional zoning districts and via special use in the RA, Rural Agricultural and RP, Residential Performance zoning districts. Additionally, staff is recommending several additional limitations in the RP zoning district in order to protect adjacent properties.

Staff feels the aforementioned modifications are beneficial to an expanded population, and that the modified zoning districts are appropriate places to locate Artisan Manufacturing uses. Expanding the amendment to include these areas would be beneficial to a number of businesses that potentially fall into the category as newly defined.

AMENDMENT DESCRIPTION

Artisan Manufacturing will be added as a use and defined as follows: On-site production of goods by hand manufacturing involving the use of hand tools and small-scale light mechanical equipment. Artisan Manufacturing businesses may not exceed 2,500 square feet. Typical uses include woodworking and cabinet shops, electronic goods, food and bakery products, printmaking, leather products, clothing and apparel, glass products, paper crafts, ceramic studios, jewelry manufacturing and similar types of arts and crafts or small-scale manufacturing uses that have limited, if any, negative external impacts on surrounding properties, water resource, air quality and/or public health. Artisan manufacturing in the RP, Residential Performance zoning district may not include direct retail, loading areas or outdoor storage of products or materials.

The 2,500 square foot limitation was included because larger businesses would be classified with larger scale operations associated with more industrial zoning classifications. Larger operations are better suited to these types of districts as has always been allowed.

Currently, a number of small artisan businesses are classified with larger scale operations and fall within those zoning regulations. Many of these businesses create products that are allowed to be mass produced in industrial districts such as Industrial Transitional and General Industrial, but not in the General Business or mixed use districts because they are zoned under large-scale production regulations. A good example of this would be a custom woodworking studio. Currently the Unified Development Ordinance only allows this to happen under Wood Product Manufacturing in Industrial Transitional and General Industrial, but not in General Business or Planned Development. Many of these businesses are a natural fit in these zoning districts, and may even be appropriate in RA, Rural Agricultural or RP, Residential Performance zoning districts when special conditions are imposed. The goal of this amendment is to increase the opportunity for small businesses to locate in more locations.

Staff has researched language and policies from various cities and counties regarding the zoning of similar businesses and adapted language from their ordinances to suit the current climate in Pender County. The language is presented for your review in Attachment One.

Conversations amongst staff focused around the limitation's that are associated when all related businesses, regardless of size, are classified together. This limits suitable locations for many businesses to operate and the intent of the modified amendment is to expand

As proposed, opportunities are expanded for businesses while still offering built-in protection in residential areas via the Special Use Permit process. This allows for further review, neighborhood cohesiveness and other protections where they may be appropriate.

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 one (1) goal and four (4) 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.1.4 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 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

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

RECOMMENDATION

The proposed text amendment, as modified by staff, is consistent with one (1) goal and four (4) policies within the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment as modified creates additional opportunities for small businesses to locate 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: ___ Edens: ___ McClammy: ___ Nalee: ___

RECEIVED

AUG 16 2016

d/rivenbark@yahoo.com

PENDER PLANNING DEPT.

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE

Table with 4 columns: Application No., Application Fee, Pre-Application Conference, Date, Receipt No., Hearing Date. Handwritten entries include ZTA 357, \$250.00, 8/16/16, 8/16/2016, invoice #221, 10/4/16.

SECTION 1: APPLICANT INFORMATION

Table with 2 columns: Field Name, Value. Fields include Applicant's Name (Laura W. Rivenbark), Applicant's Address (390 Knollwood Drive), City, State, & Zip (Nampstead NC 28443), Phone Number (910 612-5357).

SECTION 2: UDO TEXT TO BE AMENDED

Table with 2 columns: Field Name, Value. Fields include Current Text to be Amended (5.2.3 Table of Permitted uses), Proposed Text to be added (Artisan Manufacturing to Misc. Uses - P = RA, GB, IT, GI, RP(Sup)).

SECTION 3: SIGNATURE

Table with 2 columns: Applicant's Signature (Laura W. Rivenbark), Date (8/16/16).

NOTICE TO APPLICANT

If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.

TEXT AMENDMENT CHECKLIST

Table with 2 columns: Checkmark, Description. Items include Signed application form (checked), Application fee (checked), A letter describing the intent and purpose of the amendment (unchecked).

Office Use Only

Table with 4 columns: Payment Method, Cash, Credit Card, Check. Includes ZTA Fees: \$250, Total Fee Calculation, Payment Method (Cash, Credit Card, Check), Application Received By (Jessica Fjester), Application completeness approved by (Jesse Foster), Dates Scheduled for Public Hearings (10/4/16).

To whom it may concern:

August 16, 2016

I am applying for a text Amendment for Artisan Manufacturing. Under your current Zoning Regulations my husband's business, woodworking, is considered an Industrial Business. I feel his particular business is far from "industrial" as it is a very small business of one owner and one worker in a small building.

I would like to see a change to the current ordinance to take into consideration different degrees of Industrial manufacturing. I would like you to look more closely to the "little guy" and not lump them into one classification.

Under the current ordinance it is creating a hardship for my husband as a sole provider for our family through his sole ability of woodworking to generate an income. He is currently renting (the build does not even have air-condition) and instead of giving money to a landlord he would like to invest in a property he would own. You are telling him he has to buy or rent in an industrial zone which monetarily does not make sense for us. He does not have employees nor the need for commercial road frontage as he has no use for store front, customers do not come to him. My husband needs a building to build his product in. He would like to invest in some land to build a moderate building to meet his needs and be comfortable building in. It is an investment in our family's future. Please give us more zones to build in as we have exhausted the current areas and we cannot afford them.

Sincerely

Laura Rivenbark

Laura Rivenbark

drivenbark@yahoo.com
910-612-5357

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AUG 16 2016

PENDER PLANNING DEPT.

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 31-33 MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	
Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating and Adhesive Manufacturing	3255									P	
Soap, Cleaning Compound and Toilet Preparation Manufacturing	3256									P	
Other Chemical Product and Preparation Manufacturing										P	
Except: 32592 Explosive Manufacturing											
Plastics and Rubber Products Manufacturing	326									P	
Clay Product and Refractory Manufacturing	3271									P	
Ready-Mix Concrete Manufacturing	32732									P	
Concrete Pipe, Brick, & Block Manufacturing	32733									P	

To Be Added to Appendix A:

Artisan Manufacturing – On-site production of goods by hand manufacturing involving the use of hand tools and small-scale light mechanical equipment. Artisan Manufacturing businesses may not exceed 2,500 square feet. Typical uses

include woodworking and cabinet shops, electronic goods, food and bakery products, printmaking, leather products, clothing and apparel, glass products, paper crafts, ceramic studios, jewelry manufacturing and similar types of arts and crafts or small-scale manufacturing uses that have limited, if any, negative external impacts on surrounding properties, water resource, air quality and/or public health. Artisan manufacturing in the RP, Residential Performance zoning district may not include direct retail, loading areas or outdoor storage of products or materials.

PLANNING STAFF REPORT ZONING TEXT AMENDMENT

SUMMARY:

Hearing Date: October 4, 2015 Planning Board
November 21, 2016 Board of Commissioners
Applicant: Coastal Horizons Center, Inc.
Case Number: ZTA 366-2016

Text Amendment Proposal: Coastal Horizons Center, Inc., applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 5.2.3 Table of Permitted Uses, in order to allow Outpatient Mental Health and Substance Abuse Centers (NAICS 621420) in the GB, General Business zoning district as a permitted use.

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 Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. The request is supported by one (1) goal and three (3) policies in this plan. There are no known conflicts with any other approved plans. The text amendment request is supported by the Pender County Health Department 2016-2020 Strategic Plan and the Community Health Assessment.

AMENDMENT DESCRIPTION

As pointed out by the Applicant, there is an increasing need for rehabilitation services in Pender County and the surrounding community. Currently NAICS 621420 is allowed in Pender County with a Special Use Permit in the OI, Office Institutional zoning district. This request would allow this use to be permitted by right in the GB, General Business zoning district. The proposed change is demonstrated in Attachment One. The NAICS description is attached as Attachment Two.

The attachments adds a P (for Permitted Use) in the Outpatient Mental Health and Substance Abuse Center category that already exists in the permitted use chart.

The GB, General Business zoning district is described in the Unified Development Ordinance Section 4.9.1. It states: 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 request is congruent with the description of this district.

This amendment allows for increased opportunities to provide healthcare services for patients closer to home, and for existing facilities to expand the services they are already providing. All specific reviews will be per site plan and final zoning. This request is supported in the Public Health Goals and Objectives in the 2016-2020 Pender County Health Department Strategic Plan, which recognizes the expanded access for mental health care services, as well as the Community Health Assessment recommendations for Action, which states there is an overall need for more providers and services offered in community for mental health and substance use. The top priority in the 2014 Community Health Assessment was mental health and substance abuse.

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 one (1) goal and three (3) 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.1.5 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 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

Policy 4A.1.3 Establish flexible development regulations which encourage a variety of mixed use and infill and re-development along US Highway 17 corridor.

There are no known conflicting policies in the 2010 Comprehensive Land Use Plan or any other adopted plans.

RECOMMENDATION

The proposed text amendment is consistent with one (1) goal and three (3) policies within the 2010 Pender County Comprehensive Land Use Plan and is consistent with other areas of the Unified Development Ordinance.

The text amendment is supported by the Pender County Health Department 2016-2020 Strategic Plan and the Community Health Assessment. Therefore, the Administrator is recommending 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:** ___ **Edens:** ___ **McClammy:** ___ **Nalee:** ___

RECEIVED

AUG 22 2016

APPLICATION FOR TEXT AMENDMENT

PENDER PLANNING DEPT.

THIS SECTION FOR OFFICE USE

Application No.	ZTA 366-2016	Date	8/19/16
Application Fee	\$250.00	Receipt No.	#230
Pre-Application Conference		Hearing Date	10/4 & 11/21

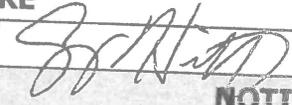
SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Coastal Horizons Center, Inc.
Applicant's Address:	803 S. Walker Street, Box 550
City, State, & Zip	Burgaw, NC 28425
Phone Number:	910-259-0668
Email Address:	ghilger + @coastalhorizons.org

SECTION 2: UDO TEXT TO BE AMENDED

Current Text to be Amended (Please site accurate Article number referenced):	UDO section 5.2.3 Table of permitted uses
Proposed Text to be added:	Allow NAICS 62142 as a permitted use in the GB Zoning district

SECTION 3: SIGNATURE

Applicant's Signature	 <u>Greg Hilgert, LPC,</u>	Date:	8/23/16
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NOTICE TO APPLICANT

If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.

TEXT AMENDMENT CHECKLIST

<input checked="" type="checkbox"/>	Signed application form
<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)

Office Use Only

<input checked="" type="checkbox"/> ZTA Fees: \$250		Total Fee Calculation:	
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input checked="" type="checkbox"/> Master Card <input checked="" type="checkbox"/> Visa	Check: <input type="checkbox"/> Check # _____
Application Received By:	Jessica Frierster	Date:	
Application completeness approved by:	Jessica Frierster	Date:	
Dates Scheduled for Public Hearings:	<input checked="" type="checkbox"/> Planning Board: 10/4	<input type="checkbox"/> BOC:	1/2/16



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AUG 22 2016

PENDER PLANNING DEPT.

Margaret Weller-Stargell,
President and CEO

Corporate Headquarters
Willie Stargell Office Park
615 Shipyard Blvd.
Wilmington, NC 28412

Administration
910.790.0187
910.790.0187 Fax

Open House Youth Shelter
& Residential Services
800-672-2903
(910) 392-6936

Rape Crisis Center,
New Hanover
(910) 392-7185

New Hanover Office
Outpatient Treatment
(910) 343-0145

Brunswick Office
Outpatient Treatment
(910) 754-4515

Rape Crisis Center,
Brunswick
(910) 754-7949

Pender Office
Outpatient Treatment
(910) 259-0668

Community Based
Family Services
(910) 202-3155

Horizons Health Services
(910) 202-3860

Continuum of Care
(910) 216-6080

Prevention Services
(910) 202-0840

Outdoor Adventure
(910) 392-7306

TASC, New Hanover
(910) 762-5333

TASC RCE Region 1
(252) 638-3909

TASC RCE Region 2
(910) 321-6793

NC TASC Training Institute
(910) 202-5500

Coastal Horizons Center has a long history (over 45 years) providing a robust array of mental health and substance abuse treatment services to our community. For years, we have been providing these services through our office in Burgaw, NC. Currently we are working to address the dramatically increasing mental health and substance abuse needs of Pender County residents. A June 2016 WWAY news article highlighted this need as well as Coastal Horizons' efforts to address it. In the article, Pender County Sheriff Carson Smith is quoted as saying, "heroin use is on the rise in the county and [we] do not have enough resources for users to get help." He went on to explain that there has been, "a dramatic increase over just the past year or two in heroin use." Later in the article, Kenny House (Coastal Horizons' Clinical Director) explained that, "In Pender County, we pretty much provide a full array of outpatient services, but there are limited services related to treating addiction specific to opioids."

In light of the needs highlighted above, Coastal Horizons hopes to open a satellite office in Hampstead, NC in order to meet the community's growing clinical needs. This office would be utilized to provide both mental health and substance abuse outpatient treatment services. Beyond just adding additional office space for treatment, this new office would address a common barrier to treatment for clients in eastern Pender County; difficulty accessing reliable transportation to services at our Burgaw, NC location.



CARF - International Accreditation for Quality
CABHA - Critical Access Behavioral Health Agency

www.coastalhorizons.org

ATTACHMENT ONE

Use Type	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	

2007 NAICS Definition

621420 Outpatient Mental Health and Substance Abuse Centers

This industry comprises establishments with medical staff primarily engaged in providing outpatient services related to the diagnosis and treatment of mental health disorders and alcohol and other substance abuse. These establishments generally treat patients who do not require inpatient treatment. They may provide a counseling staff and information regarding a wide range of mental health and substance abuse issues and/or refer patients to more extensive treatment programs, if necessary.

Cross-References. Establishments primarily engaged in--

- Establishments known and licensed as hospitals primarily engaged in the inpatient treatment of mental health and substance abuse illnesses with an emphasis on medical treatment and monitoring are classified in Industry 622210, Psychiatric and Substance Abuse Hospitals; and
- Establishments primarily engaged in the inpatient treatment of mental health and substance abuse illness with an emphasis on residential care and counseling rather than medical treatment are classified in Industry 623220, Residential Mental Health and Substance Abuse Facilities.

2002 NAICS	2007 NAICS	2012 NAICS	Corresponding Index Entries
621420	621420	621420	Alcoholism treatment centers and clinics (except hospitals), outpatient
621420	621420	621420	Detoxification centers and clinics (except hospitals), outpatient
621420	621420	621420	Drug addiction treatment centers and clinics (except hospitals), outpatient
621420	621420	621420	Mental health centers and clinics (except hospitals), outpatient
621420	621420	621420	Outpatient mental health centers and clinics (except hospitals)
621420	621420	621420	Outpatient treatment centers and clinics (except hospitals) for substance abuse (i.e., alcoholism, drug addiction)

621420	621420	621420	Outpatient treatment centers and clinics for alcoholism
621420	621420	621420	Outpatient treatment centers and clinics for drug addiction
621420	621420	621420	Psychiatric centers and clinics (except hospitals), outpatient
621420	621420	621420	Substance abuse treatment centers and clinics (except hospitals), outpatient

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT**

SUMMARY:

Hearing Date: October 4, 2016 Planning Board
October 17, 2016 Board of Commissioners

Applicant: Pender County

Case Number: ZTA 243-2016

Text Amendment Proposal: Pender County, applicant, is requesting the approval of Zoning Text Amendments to the Pender County Unified Development Ordinance: Article 2 Decision Making and Administrative Bodies, Article 3 Review Procedures, Article 4 Zoning Districts, Article 5 Permitted Uses, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Road Naming and Addressing and Appendix A Definitions. Specifically the request is to amend: the Summary of Review Authority (Section 2.11), Review Procedures for Minor Site Plans (Section 3.6), Notification Policies (Sections 3.3.3, 3.3.4, 3.4.3, 3.7.3, 3.9.3, 3.10.3, 3.12.2, 3.14.5, and 4.13.4), Review Procedures for General Use Rezoning (Section 3.3.5), Policies on Unlisted Uses (Section 5.2.1A), Easement Policies (Article 6), Preliminary Plat Requirements (Section 6.4), Final Plat Requirements (Section 6.5), Easement Standards (Section 7.5.4), Road Naming (Section 11.1.2), Addressing (Section 11.6) and various definitions (Appendix A).

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendments to the Unified Development Ordinance as described in this report, as they have been vetted by the Text Amendment Subcommittee of the Planning Board and they are consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment will provide better customer service with more clear and organized standards. It will update the Unified Development Ordinance to reflect updated legislation regarding land use categories. It will increase efficiency by eliminating unnecessary processes, will provide increased notifications to impacted citizens, and will simplify processes for certain new businesses. There are no known conflicts with any other approved plans. The amendments are supported by three (3) goal and three (3) policies in the 2010 Pender County Comprehensive Land Use Plan.

AMENDMENT DESCRIPTION

The proposed amendment to the Unified Development Ordinance can be simplified by reviewing it as if they are eight separate policy amendments to the document. The amendments will be described in that manner for simplicity. The exact amendments are included as Attachments 1-8.

Items One & Two

In an effort to increase clarity and further define the Ordinance standards for the subdivision of land, Staff is working on re-organizing Sections 6.4 Preliminary Plat Requirements and 6.5 Final Plat Requirements for Minor and Major Subdivisions. There are minimal substantive changes to the requirements, and mainly administrative and modernization changes.

The modernization and substantive change includes additional language regarding the Engineered Option Permit offered through the Environmental Health Department which is an option rather than an Improvement

Permit for a particular lot to be recorded on the Final Plat. Additionally, the requirements for private sewer operations have been further clarified as private sewer is now available on the East side of the County. And the final change is for the signatory block on the Final Plat to include; Pender County Utilities, Pender County Environmental Health and the Addressing Coordinator rather than solely the Addressing Coordinator and Planning Staff. This addition allows for greater clarity in approvals granted from other County Departments.

Also, included within items One and Two is an option to amend the number of lots recorded on a Final Plat. Staff continues to hear requests to be able to record less than the requirement, which is the following:

- 1) *Minimum Number of Lots Required on a Final Plat – the minimum lots included on the final plat shall be as follows:*
 - a) *Up to 10 lots – 100%*
 - b) *11 – 34 lots – 50% upon initial recordation, remainder thereafter*
 - c) *35 – 100 lots – minimum of 25 lots/units upon initial recordation, minimum increments of 10 lots thereafter*
 - d) *100 or more lots – minimum of 50 lots/units upon initial recordation, minimum increments of 10 lots thereafter.*

Specifically, Staff is seeing that the standards for development of projects over 100 lots are having difficulty recording the initial 50 lots as development patterns are showing the desire to record smaller phases within the overall project, perhaps encompassing a single road within a project. Final plat infrastructure requirements may be driving this as additional liability must be taken on by the developer to record more lots than are being requested to be taken down by a builder. As written Ordinance text reflects the need to record lots within a subdivision in increments of no less than 10 lots to relieve Administrative burdens and to ensure development phasing.

The recommendation is to include minimum lots for recordation to be in increments of fifteen (15) as this is typically the amount of lots requested to be recorded at a time. Recommended language is below;

- 1) *Minimum Number of Lots Required on a Final Plat – the minimum lots included on the final plat shall be as follows:*
 - a) *Up to 10 lots – 100%*
 - b) *10 or more lots- minimum increments of 15 lots thereafter.*

Item Three

In order to further simplify the application process for new business in an existing structure, a new category of permit is recommended to be added which is a *Change of Use Permit*. This will create a more efficient method of issuing zoning permits for certain non-residential uses seeking to locate in an existing structure. This would be applicable when the change of use is less than 1,200 sq. ft., or within the same NAICS sector as the previous use within 180 days, or a renovation is proposed with less than 10% of the square footage of the structure.

The basis for this proposal is that frequently, when a new business wants to open and use an existing structure there are limited requirements which may be needed for zoning approval. In some cases, the layers of requirements new business owners face are discouraging, time consuming and frustrating, particularly when the business locating in the existing structure is similar to the previous use. Staff has consulted with internal (Addressing/Environmental/Building/Fire Marshal) and external agencies (NCDOT) that regularly review these types of applications and have found agreeance in the new process. Also, staff reviewed this process with

other regional partners and has found this to be consistent in and around our area; therefore, staff is recommending approval of this new process.

The proposal included in the Attachment (Item 3) is a creation of a new type of approval and new review criteria for the Change of Use Permit. Related to a Change of Use Permit, an amendment is proposed to add a definition of *Principle Structure* to the Unified Development Ordinance Definitions Section. This addition will assist in the administration of commercial and residential zoning permits.

Item Four

Currently, the access easement standards are scattered throughout the Ordinance in various subdivision regulations (Limited Subdivision, Major Subdivision and Minor Subdivision). Staff is advising the removal of these references in various Sections and re-organizing all access easement standards in one place of the Ordinance. This amendment will allow for greater clarity in Administration of subdivision regulations and increase efficiency with the community of surveyors to have clear and succinct requirements.

Item Five

In working with the ZTA committee and hearing the Planning Board's concerns regarding notification policies to adjacent property owners at public hearings; it has been suggested that the requirements for notification should be expanded further than the direct, adjacent property owners as outlined in NC GS § 153A-343.(a) Method of procedure. After examining illustrations of various buffers, the subcommittee is recommending expanding the notification procedures to properties within 500-feet. The Statute requires notification for zoning map amendments, however Pender County follows the same process for Master Development Plan, Major Subdivisions, Variances and Special Use Permits and the Technical Review Committee.

Item Six

Section 3.3 outlines the procedure for General Use Rezoning. Section 3.3.5, Action by the Administrator, lists in Section B that the request is reviewed by the Technical Review Committee. While this step is logical for Conditional Use Rezoning, General Use Rezoning typically do not contain a level of detail to warrant review by the Technical Review Committee. Each subject property which is rezoned is required to have final zoning approval on the specific request when the applicant comes in with a development Plan. At the time of General Use Rezoning there is no specific development plan for the TRC to review.

Item Seven

Following the combination of the Road Naming and Addressing Ordinances into the Unified Development, Staff has identified criteria which may necessitate amendment. Specifically, references to General Statutes are proposed as additions at this time which may have been inadvertently left off. These additions are to Section 11.1.2 Naming (A-121 153A-239.1) and Section 11.6 Addressing (Overview GS 62).

Item Eight

Zoning Ordinances must be clear in the land use regulations including what uses are permitted within which zoning district. The UDO outlines all uses in Section 5. With recent court of appeal cases, and in consultation with the Attorney, it is recommended that the language of Section 5.2.1.A be updated to reflect that unlisted uses shall be treated similarly to another use most similar, and that the uses not listed must be included in the Ordinance as part of another use. Specific criteria regarding the determination of a similar use is proposed in the amendment. These include; environmental effects, traffic impacts, noise, odor or other applicable criteria as determined by the Administrator.

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 one (1) goal and one (1) policy of the 2010 Comprehensive Land Use Plan and conflicts with none.

There are three (3) goals and three (3) 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.1.5 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.

Growth Management Goal 1B.1 Continue existing and develop new partnerships among Pender County local governments and with surrounding communities to better address growth management in a coordinated manner.

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

Policy 3A.1.1 Use the creation of the Unified Development Ordinance as an opportunity to allow more development flexibility while setting higher standards for sustainable development.

Policy 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

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

RECOMMENDATION

The proposed text amendment is consistent with three (3) goals and three (3) policies within the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment will provide better customer service by providing more clear and organized standards. It will update the Unified Development Ordinance to reflect updated legislation regarding land use categories. It will increase efficiency by eliminating unnecessary processes and will provide increased notifications to impacted citizens. It will simplify processes for certain new businesses. 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:** _____

6.4 PRELIMINARY PLAT CONTENTS

ITEM ONE

Preliminary plats not illustrating or containing the data from Section A shall be returned to the developer or his the authorized agent for completion and resubmission.

A. The preliminary plat shall be prepared in accordance with the following specifications:

1) **Plat Requirements**

- a) The plat must be prepared by an authorized Licensed Professional.
- ~~b) The name of the subdivision.~~
- c) The name(s), address(es), and telephone number(s) of the owner(s), registered land surveyor(s), land planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision and the registration number(s) and seal(s) of the registered land surveyor(s).
- d) A sketch vicinity map at an appropriate scale, showing the relationship between the subdivision and the surrounding area.
- e) The date of the survey and the plan preparation; with spaces per subsequent revision.
- f) The name of the township, county, and state in which the subdivision is located.
- g) Deed book and reference of ownership acquisition.
- h) The names of current owners of adjacent landowners along with PIN, current uses, other legal reference where applicable, shall be shown.
- i) The exact boundary lines of the tract to be developed fully dimensioned by bearings and distances, and the location of intersecting boundary lines of adjoining lands.
- j) Scale at 1" = 50' or larger, denoted both graphically and numerically.
- k) North arrow in accordance with the Standards of Practice for Land Surveyors.
- l) The location, purpose, and dimensions of areas to be used for purposes other than residential;
- m) The blocks lettered alphabetically throughout the entire subdivision and the lots numbered consecutively throughout each block.
- n) ~~The location and measurements of all~~ proposed minimum building setback lines and density calculations.
- o) The location and dimensions of all proposed and existing rights-of-way, utility or other easements, riding trails, pedestrian or bicycle paths, natural buffers, and areas if any to be dedicated to public use with the purpose of each stated.
- p) Property lines, buildings or other structures, water courses, railroads, bridges, culverts, storm drains, and corporate limits, township boundaries, and county lines.
- q) Sufficient survey to determine readily and reproduce on the ground every straight or curved boundary line, road line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distances for the center line of curved roads and curved property lines that are not the boundary of curved roads. All dimensions shall be in accordance with the Standards and Practices of Land Surveyors.
- r) The accurate locations and descriptions of all monuments, markers, and control points.

- s) Sufficient information shall be provided so that a corner of the property can be located on the ground and found with a measurement from the intersection of two state maintained roads.

2) Design Standards

- a) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
- ~~b) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and any other dedicated land as stated in Section 7.3, Homeowners Association Requirements.~~
- c) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
- d) Calculated open space requirements must adhere to Section 7.6, Open Space.
- e) Landscaping and Buffers shall be shown on the site plan and adhere to the landscaping standards set forth in Article 8, Landscaping and Buffers.

3) Road Layout

- a) Right-of-way lines and pavement widths of all roads and the location and width of all adjacent roads and easements.
- b) The location and design of parking areas and pedestrian and vehicular access points. That the design of traffic patterns, traffic control measures and street pavement areas, including plan profiles and cross section views, and with provisions for maintaining traffic flows for both public use as well as emergency management services are consistent with the requirements of this Ordinance and any other adopted plan.
- c) When the subdivision entrance does not connect to a NCDOT maintained road, recorded documents shall be submitted that confirm the property and the proposed lots have access to a NCDOT maintained road by a public or private street that meets the standards of this Ordinance.
- d) For non-residential and multifamily projects, the location of trash handling, recycling, grease bins, and other waste-related facilities employed in the normal operation of the use.
- e) When any development proposes private streets a description of the method to provide Pender County Emergency Service personnel and vehicles immediate access shall be submitted.
- f) Stormwater facilities, water supply, sanitary sewer service, fire protection and hydrants, street signs, and street lighting designed in conformance with department standards, specifications and guidelines;
- g) Plan profile and cross section of drainage and utility services and other proposed easements or dedications as required.

4) Traffic Impacts

- a) Existing traffic counts for road(s) and intersection(s) studied and dates/times counts were conducted.
 - b) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
 - c) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
- ~~5) Certificate of approval by the Pender County Addressing Coordinator for proposed road names.~~

5) Adopted Plan Compliance

- a) Compliance with all applicable requirements of this Ordinance and any other County adopted plan, policy document or approved Master Development Plan conditions.
 - b) ~~Agreement~~ Demonstrate compliance with the most recent Comprehensive Land Use Plan ~~most recently adopted CAMA Land Use Plan~~ and any other applicable adopted land use document(s). ~~Reference of recently approved MDP.~~
 - c) Compliance with site construction specifications.
 - d) The Administrator, **Technical Review Committee**, or the Planning Board may request additional information be submitted that is pertinent to review of the proposed subdivision for compliance with the provisions of this Ordinance or other Pender County Ordinances.
- B. **Upon completion of Section A**, the following additional materials or permits are required with the submitted with the preliminary plat for final approval in accordance with Section 3.10.3.K.:
- 1) ~~Soil suitability analysis indicating the suitability of the property for individual septic tanks or an Improvement Authorization Permit for each lot unless community sewer is available and a conditioned approval for connection is submitted. The soil suitability analysis of the property shall also indicate the suitability of the soil for the type structures proposed.~~ **Wastewater (either; a or b, as applicable)**
 - a) **On-Site or Off-Site Wastewater Disposal System**
 - a) ~~Verification of receipt of the preliminary plat of the development by the Pender County Health Department.~~
 - b) Soil suitability analysis indicating the suitability of the property for individual septic tanks**
 - c) Detailed description of any proposed waste water system and system maintenance arrangements and procedures to serve lots that are not suitable for traditional onsite septic systems, along with a map showing the proposed location of the offsite components of the system, including lines.
 - b) **Community Wastewater Systems**
 - a) **Authorization to Construct, as approved by the appropriate State Agency**
 - b) **Wastewater line extensions based upon previous approval of wastewater system**
 - c) ~~Construction plans sealed by a registered engineer, as approved by NC DEQ, acceptance of operation and maintenance of the system~~
 - d) Construction plans sealed by a registered engineer, as approved by **the appropriate State Agency NC DEQ,**
 - e) If applicable, Certification that the system will be owned by a Public or Community Water System as defined in this Ordinance with conditional acceptance of ownership or certification that the system will be owned by a homeowners association established under the provisions of this Ordinance.
 - 2) ~~A copy of the Preliminary Plat with the street names as approved by the Pender County Addressing Coordinator or his/her designee.~~
- 2) **Water (either a or b, as applicable)**
 - a) **Public Water System**
 - i. **Authorization to Construct, as approved by the appropriate State Agency**
 - ii. Construction plans sealed by a registered engineer, as approved by **the appropriate State Agency NC DEQ,**

- v. This information can be described in a narrative submission and shown on a copy of a USGS 7.5 Minute Quad or other similar topographical map (11 X 17 map submission)
- vi. A drainage plan that will include all portions of the development shall be submitted. This plan shall be prepared and sealed by a registered engineer. The plan and facilities shall provide for a drainage system for these areas that will accommodate the ten-year storm event without flooding or substantial ponding of water in the areas included in the plan. The plan must also accommodate any discharge from properties in upland portions of the drainage basin that flows through the property for the same storm event for the type development for which that property is zoned. The boundary of any drainage area on a portion of the site and/or upland from the site and drainage areas between stormwater discharge points from the site to the recipient perennial stream shall be shown on a map (copy of 7.5 min. USGS Quad or similar map). Any drainage facility receiving stormwater discharge from the development shall have the capacity to carry the anticipated stormwater flow from areas that discharge through them for the 10 year storm event from the point of discharge at the development to the recipient perennial stream without overflowing their banks. The location, size and/or capacity of all structures included in the drainage system and receiving discharge from the development to the recipient perennial stream shall be shown on the plan and calculations used in designing the drainage system shall be submitted in a legible format. This plan may be included in the street and drainage plan, stormwater management plan or on the preliminary plat, as long as the design professional certifies that the specific drainage plan submitted complies with these requirements and the information required is shown or submitted.

~~C. The Following Material May Be Submitted As a Condition of Approval of the Preliminary Plat, When Approved By the Planning Board or Administrator~~

- 4) Approval from the Division of Coastal Management when the development is located in an Area of Environmental Concern.
- 5) Sediment & Erosion Control Plans as approved by **the appropriate State Agency Land Quality** (with letter of approval).
- 7) **Wetlands**
 - a) Approval of Wetlands Delineation by the Army Corps of Engineers (USACE) (if wetlands in development).
 - b) Wetlands fill authorization or permit if construction in wetlands is involved.
- 8) **Flood Requirements in accordance with the Flood Damage Prevention Ordinance**
- 9) **Any other local, State or Federal permit as required for the specific project.**

Appendix A Definitions:

Wastewater System: a system of wastewater collection, treatment and disposal in single or multiple components, including a privy, septic tank system, public or community wastewater system, wastewater reuse or recycle system, mechanical or biological wastewater treatment system , any other similar system, and any chemical toilet used only for human waste.

6.5 FINAL PLAT CONTENTS

ITEM TWO

A. Submission Requirements and General Provisions

- 1) A final plat will not be accepted for review that is incomplete or for which has not been submitted the documents necessary for verification of the conditions of Preliminary Plat approval.
- 2) The final plat shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 30 working days of completed submission. When the final plat is approved the signed original will be provided to the applicant and a signed copy placed in the Record File for the subdivision.
- 3) The completed final plat must be submitted within **2 years** ~~24 months~~ of approval of the preliminary plat or within **2 years** ~~24 months~~ of approval of a previously recorded final plat.
- 4) ~~The Administrator must take action on the final plat within 15 working days of completed submission and installation of improvements or security for improvements.~~
- 5) The final plat must conform ~~generally~~ to the preliminary plat and specifically to all conditions of approval of the preliminary plat. **The Administrator may approve minor variations from the approved preliminary plat layout including minor lot line adjustments. Major changes such as; a reduction in individual lot acreage, an increase in total lot number or density, significant roadway changes or any other major alterations will require re-submittal of Preliminary Plat.**
- 6) All conditions of preliminary plat approval must have been met before any final plat will be considered for review. ~~Confirmation of compliance with all provisions of Preliminary Plat must be submitted at least 10 days before the final plat is accepted for review. Likely can remove the 10 day timeframe, not sure what the basis is on this one.~~ **A final plat will not be scheduled for review which is incomplete or does not have the required documents submitted with it**
- 7) Plat Submission – the final plat must be submitted in digital format to the Administrator. The digital submission of the plat will be considered proprietary information. The digital layout will be made available to the Tax Supervisor for parcel update and the digital submission may be returned to the person submitting it. A copy on mylar suitable for recording shall be submitted for signing upon review & approval of the final map. The final plat shall be reviewed, approved and signed by the Administrator.
- 8) Upon approval of the final plat by the Administrator, the Subdivider shall record the final plat with the County Register, as provided for by that office, within ninety (90) days after the approval. Otherwise the approval of the final plat shall be considered void.
- 9) Upon initial approval of the final plat parcel layout the Administrator shall immediately notify the Tax Assessor so that parcel identifiers can be issued.
- 10) Minimum Number of Lots Required on a Final Plat – the minimum lots included on the final plat shall be as follows:
 - a) **Up to 10 lots – 100%**
 -  b) **10 or more lots- minimum increments of 15 lots thereafter**

- 11) The final plat, approved covenants, restrictions and homeowners' association documents must be recorded in the Register of Deeds within 60 days after approval by the Administrator and prior to any sale of lots in the development.
- 12) The final plat must be prepared by a licensed surveyor.

B. Additional Materials or Permits

- 1) All lots shown on the final plat other than open space or other specially approved lots shall meet any one of the following **approved wastewater methods** as follows:
 - a) ~~Be served by an onsite waste water system, which is located on the site where the unit served is located, and the system has received an "Improvement Authorization Permit" from Environmental Health,~~
 - b) ~~Be served by a Community Sewer System as defined in this Ordinance and approval for connection to the system is provided,~~
 - c) ~~Be served by a waste water system that meets the requirements of the "Water And Sewer System Requirements In Streets, Access Easements Or Other Locations Off The Site Of The Unit Served," of this Ordinance,~~
 - d) ~~The soil suitability analysis as required by this Ordinance and submitted with the preliminary plat shows that each lot contains at least 5,000 sq. ft. of area that is "suitable" for traditional on-site waste disposal and the required 5,000 sq. ft. is not within 10 ft of any lot boundary,~~
 - e) ~~Lots not meeting a., b., c., or d. of this paragraph shall be labeled with a bold note as follows: "THE PARCELS SO NOTED CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE."~~
 - f) ~~For alternative, see Design Requirements, Lots Section of this Ordinance for "Special Purpose Lots."~~
- a) **On-Site or Off-Site Wastewater Disposal System (i, ii, or iii, as applicable)**
 - i.) **Improvement Permits for each lot to be served by an on or off-site waste water system, and the system has received an "Improvement Permit" from the Environmental Health Department**
 - ii.) **Engineered Option Permits for each lot: provided to the Environmental Health Department**
 - iii.) **Independent Soil Suitability Analysis: The soil suitability analysis as required by this Ordinance and submitted with the preliminary plat shows that each lot contains at least 5,000 sq. ft. of area that is "suitable" for septic traditional on-site waste disposal and the required 5,000 sq. ft. is not within 10 ft of any lot boundary,**
- b) **Community Wastewater Systems**
 - i.) **Engineered Certification of Installation**
 - ii.) **Certifications of State Acceptance by the appropriate State Agency**
 - iii.) **If applicable, Certification that the system will be owned by a Public or Community Wastewater system as defined in this Ordinance with conditional acceptance of**

ownership or certification that the system will be owned by a homeowners association established under the provisions of this Ordinance.

c) Lots not meeting *a.*, *or b.*, of this paragraph shall be labeled with a bold note as follows: "THE PARCELS SO NOTED CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE."

2) Water: All lots shown on the final plat other than open space or other specially approved lots shall meet the following approved Community water system acceptance water methods as follows:

a.) Community Water System

i.) Engineered Certifications of Installation

ii.) Acceptance of System by the appropriate State Agency

b.) Private Water Certifications (Well) from Environmental Health

3) All improvements for the subdivision including but not limited to; recreation areas, infrastructure, roadways and street signs of the proposed in the development must have been constructed and certifications of completion to standards specified provided or their construction guaranteed by a Performance Guarantee referenced in Appendix D.

4) Roadways

a.) Public Roadways

i.) All public streets must have been constructed, inspected and approved in writing **or via signature on the plat** by the NCDOT District Engineer or a Performance Guarantee provided, **or all of the following**;

ii.) Estimate of the cost to complete construction of the streets and all other improvements required or proposed in the development that are not complete, prepared, signed and sealed by a licensed engineer,

iii.) Performance Guarantee for the cost of all improvements not certified as complete.

b.) Private Roadways (i. or ii and iii)

i.) Certification by a licensed engineer of the completion of construction of all private streets and other required improvements, or all of the following:

ii.) Estimate of the cost to complete construction of the streets and all other improvements required or proposed in the development that are not complete, prepared, signed and sealed by a licensed engineer,

iii.) Certification by a professional land surveyor of installation of all required monuments and markers.

C. Supplemental Documentation

- 1) ~~Two copies~~ **One copy** of Articles of Incorporation of Homeowner's Association and related documents for any development that contains private streets or other non-public facilities, including drainage systems outside public street right of-ways, water systems and sewer systems and open space.
- 2) ~~Two copies~~ **One copy** of the restrictive covenants to be recorded on the property.

- 3) If all required improvements are not complete a Performance Guarantee utilizing the form from Appendix D must be provided for all improvements
- 4) If and when all required improvements are complete the Defect Guarantee utilizing the form from Appendix D must be provided for all improvements ~~when a Performance Guarantee has not been provided for~~
- 5) ~~Deeds for all open space parcels transferring ownership to a Homeowners Association. Draft document transferring ownership of all common area and facilities to the Homeowners Association as shown on the final plat of the portion of the subdivision to be recorded.~~ A recorded copy of this document must be submitted to the Administrator within 30 calendar days of recording of the final plat or the subdivision may be in violation of this Ordinance (see Section 7.3, Homeowners Association Requirements).
- 6) Improvement Certification, form found in Appendix D
- 7) Street Certification (if private), form found in Appendix D

B. Certificates Required on Final Plat

The following Certificates can be found in Appendix D.

- 1) Certificate of Ownership, Dedication and Jurisdiction
- 2) Certificate of Approval Subdivision Public Road Construction by NCDOT District Engineer as applicable
- 3) Certification from the Pender County Addressing Coordinator or appropriate designee
- 4) Certification from Environmental Health
- 5) Surveyor Certificate I
- 6) Surveyor Certificate II
- 7) Surveyor Certificate III
- 8) Parcel Identifier Certificate
- 9) Certificate of Registration by Register of Deeds (unsigned)
- 10) Certificate of Final Plat Approval

Add to Appendix D

<p>Reviewed and Approved by the Addressing Coordinator</p> <p>Addressing Coordinator: _____ Date: _____</p> <p>Reviewed and Approved by Environmental Health</p> <p>Environmental Health: _____ Date: _____</p> <p>Reviewed and Approved by Pender County Utilities</p> <p>Pender County Utilities: _____ Date: _____</p>
--

3.6 MINOR SITE DEVELOPMENT PLANS

ITEM THREE

3.6.1 Intent

The intent of the minor site development plan is to enable a non-residential project to be illustrated at sufficient scale with less design and engineering efforts than a major site development plan. This type of plan is suitable for the following uses: small building additions, ~~new accessory buildings added to an existing site,~~ permanent or seasonal operations, ~~or~~ small scale vendors added to existing business sites, ~~or~~ and certain changes of use. Change of uses that require a minor site development plan are; any change from a residential use to a non-residential use, any change from office to commercial or industrial use, and any change to a food and beverage services industry.

3.6.2 Activities Requiring Minor Site Development Plans

- A. Any project including building additions of less than a 10% increase to the floor area of the existing structure or;
- B. Any use proposing to occupy or renovate an existing building, structure, or unit that does not qualify for a change of use permit per Section 3.21 ~~or any new use proposing construction within an existing building, structure, or unit~~
- C. Any new structure(s) up to 2,500 square feet in area excluding those defined as an accessory structure.
- D. Any new structure that will not increase the impervious surface area to produce additional runoff creating the need for additional stormwater management practices or facilities.
- E. ~~No subdivision of new parcels are proposed~~

_____TEXT TO BE ADDED AS SECTION 3.21_____

3.21 Change of Use Permit

3.21.1 Intent

The intent of a Change of Use Permit is to enable non-residential projects of a smaller degree of change and impact to the property than minor site development plan.

3.21.2 Activities Requiring Change of Use Permits

A project will qualify for a change of use permit when the following conditions are met:

- A. The project includes a building addition or renovation of less than 10% of the floor area of the existing structure or;
- B. The project includes the addition of an accessory structure up to 1,200 square feet;
- C. The proposed use is the same NAICS sector as the previous use operated in the same location within 180 days.

3.21.3 Review

- A. The Change of Use Permit shall conform to Section 6.9, Change of Use Permit Contents.
- B. The Administrator shall forward the site plan to: Environmental Health, Building Inspections, the Fire Marshal, Addressing Coordinator and NCDOT for review.
- C. Approvals for the site plan shall expire within one year of the approval date unless building permits have been obtained for construction.

- D. The Administrator shall determine and provide comments to the applicant whether the site plan is in conformance with the applicable sections of this Ordinance.

6.9 CHANGE OF USE PERMIT

6.9.1 CHANGE OF USE PERMIT CONTENTS

- A. The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Administrator but not less than 1:50 on a paper size not less than 11"X17". If no changes are being made to the existing building this shall not be required.
- B. The following requirements should be submitted for a Change of Use Site Development Plan. Some may not be applicable to all projects depending upon the scope of the project. Staff may request more or less information according to the needs of the particular case.
 - 1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.
 - 2) The name, address, and phone number of the landowner, developer, and designer.
 - 3) The Pender County Property Identification Number (PIN) of all lots included on the site plan.
 - 4) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.
 - 5) A reference to any other site plan or Master Development Plan approved by the County for the site.
 - 6) Calculations showing the total number of required and proposed parking spaces, including the total number of existing and proposed spaces.
 - 7) The location of all adjoining lots with the owner's name, specific use, zoning, and zoning boundaries shown.
 - 8) All nearby entrances that are within 200 feet of any existing or proposed entrances to the site. Existing or proposed interconnections to adjoining sites as applicable.
 - 9) All existing and proposed driveways, parking and loading spaces, parking lots and a description of surfacing material and construction details to be used. The size and angle of parking spaces, aisles, maneuvering areas, and loading spaces shall be shown.
 - 10) The present zoning of all portions of the site, with the location of zoning boundaries.
 - 11) The location of all existing and proposed outdoor uses, with the height, specific use, and land area labeled.
 - 12) The location of outdoor trash receptacles.
 - 13) Signage requirements per Article 10.

2.11 SUMMARY OF REVIEW AUTHORITY

The following table summarizes review and approval authority under this Ordinance.

	Technical Review Committee	UDO Administrator	Zoning Board of Adjustment	Planning Board	Board of County Commissioners
Master Development Plan – PD					
Master Development Plan – PD	R	R		<D>	
Major Site Development Plan and/or Preliminary Plat	R	R/D		<D>(w)	
Final Plat		R D			
Master Development Plan - Residential					
Master Development Plan	R	R D			
Preliminary Plat	R	R D			
Final Plat		R D			
Master Development Plan – Non Residential					
Master Development Plan	R	R D			
Major Site Development Plan	R	R D			
Subdivision					
Minor Subdivision – Preliminary Plat	R	R D			
Minor Subdivision – Final Plat		R D			
Major Subdivision (RA Districts) – Preliminary Plat	R	R D			
Major Subdivision (RA Districts) – Final Plat		R D			
Sketch Development Plan		R D			
Family Divisions/Three Lot Divisions		R D			
Non Residential					
Major Site Development Plan	R	R D			
Minor Site Development Plan	R	R D			
Miscellaneous					
Rezoning		R		<R>	<D>
Conditional Rezoning	R	R		<R>	<D>
Ordinance Text Amendment		R		<R>	<D>
Special Use Permits		R			<D>
Appeal of Zoning Vested Right		R D	<D>		
Variance			<D>		
Administrative Adjustment		D			
Appeal of Administrative Decision		R	D		
Written Interpretation		D			
Telecommunications Tower					<D>
Zoning Approval/Permits		D			
Change of Use Permit	R	R D			

KEY:

R= Review or recommendation authority

D = Decision authority
R/D= Review and decision authority when waived by Planning Board
< > = Public Hearing required
(w) = Unless waived at the MDP Hearing

Appendix A Definitions:

Principal Structure: A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a principal structure.

5.6.1 Limitations

- A. Family subdivisions are permitted on parcels that have been created and recorded in the Registry before March 29, 2004.
- B. A total of three parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance) per qualified resident household will be allowed to be created under the family subdivision provisions.
- C. The division does not create a new public or private street.

5.6.2 Requirements

- A. The plat shall be clearly designated "Family Subdivision" in bold letters,
- B. Grantor and Grantee statement, located in Appendix D, shall appear on the plat and be signed by the Grantor(s) and Grantee(s) prior to approval.
- C. Certification by the Licensed Professional preparing the plat that each lot is adjacent to a natural drainage way or perennial stream or a 20 ft. drainage easement is recorded from each lot toward a natural drainage way or a perennial stream or if the lot or lots front on a NCDOT maintained road, approval from NCDOT for such lots to drain to the public road,
- D. The plat shows any designated Special Flood Hazard Areas located within the subdivision,
- E. The plat shows any designated Areas of Environmental Concern located within the subdivision
- F. An Improvement Authorization Permit from Environmental Health for each lot to be created, a soil suitability analysis for each lot to be created or approval to connect to existing public sewer
- G. The lots, other than those restricted for building development, shown on the plat meet the requirements of this Ordinance.
- H. ~~The lots created have access to an access easement as defined in this Ordinance.~~ All access easements shall be in conformance with Access Easement Requirements, Section 7.5.4
- ~~I. The access easement must provide access to a public street.~~
- J. Waste water disposal requirements – One of the following must be met:
 - 1) An Improvement Authorization Permit has been issued for each of the parcels,
 - 2) The soil suitability analysis shows that at least 5,000 sq. ft. of each lot is suitable for traditional on site waste disposal and the required 5000 sq. ft. is not within 10 ft of any lot boundary,
 - 3) Approval has been granted to connect to public sewer or community sewer or
 - 4) Lots not meeting the requirements of 1, 2, or 3 are indicated by the following note:
"THIS PARCEL CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE."

a) For alternative, see Design Requirements, Lots Section of this Ordinance for "Special Purpose Lots"

- ~~K. The lots created have either direct access to a public street, private street or private access easement as defined in this Ordinance.~~
- ~~L. A minimum passable travel way 20 feet wide shall be provided within a forty five (45') foot easement at time of zoning approval.~~
- M. Clearing and grubbing shall be completed five feet of each edge of the travel way;
- N. Maintenance. Upon determination by the Administrator that such travel way as approved are not passable, the Administrator may, in addition to other remedies, prevent issuance of any further development approvals until such travel ways are in a proper state of maintenance as determined by the Administrator.
- O. The Administrator shall review the subdivision to insure that the development will not block future access to properties that are adjacent to the lots.
- ~~P. The plat contains the following note: "All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines."~~
- ~~Q. The plat must contain the following note: "All new access easements shown or designated on this plat include the transfer of an easement to Pender County, its employees and agents for access for emergency personnel (police, fire & rescue) and Pender County and its employees for administration of all Pender County Ordinances."~~

THREE LOT DIVISION - NCDOT ROAD

5.7.1 Limitations – The following limitations will apply to three lot subdivisions:

- A. Three lot subdivisions located on an existing NCDOT maintained or other public road will be limited to no more than three such parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance) being created from any parcel that had been created and recorded in the Registry before March 29, 2004.
- B. The division does not create a new public or private street.

5.7.2 Requirements

The following shall be submitted to the Administrator with each proposal for a division of up to three lots fronting on an existing NCDOT maintained public road:

- A. Plat prepared as required by NCGS §47-30, The plat shall be clearly designated "Three Lot Subdivision on NCDOT Road" in bold letters,
- B. Certification by the Licensed Professional preparing the plat that each lot is adjacent to a natural drainage way or perennial stream or a 20 ft. drainage easement is recorded from each lot toward a natural drainage way or a perennial stream or if the lot or lots front on a NCDOT maintained road, approval from NCDOT for such lots to drain to the public road,
- C. The plat shows any designated Special Flood Hazard Areas located within the subdivision
- D. The plat shows any designated Areas of Environmental Concern located within the subdivision,
- E. An Improvement Authorization Permit from Environmental Health for each lot to be created, a soil suitability analysis for each lot to be created or approval to connect to existing public sewer.

- F. The lots, other than those restricted for building development, shown on the plat meet the requirements of this Ordinance,
- G. Waste water disposal requirements – One of the following must be met:
 - 1) An Improvement Authorization Permit has been issued for each of the parcels,
 - 2) The soil suitability analysis shows that at least 5,000 sq. ft. of each lot is suitable for traditional on site waste disposal and the required 5,000 sq. ft. is not within 10 ft of any lot boundary,
 - 3) Approval has been granted to connect to public sewer or community sewer or
 - 4) Lots not meeting the requirements of 1, 2, or 3 are indicated by the following note:

“THIS PARCEL CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE.”

 - a) For alternative, see Design Requirements, Lots Section of this Ordinance for “Special Purpose Lots.”
- H. The lots created have access to a NCDOT maintained public street.
- I. The Administrator determines that the subdivision complies with the limitations on Three Lot Subdivisions contained in the General Provisions Section of this Ordinance.
- J. The Administrator shall review the subdivision to insure that the development will not block future access to properties that are adjacent to the lots.
- K. The plat contains an ownership and dedication statement signed by the owner or owners in the format provided by this Ordinance.
- L. ~~The plat contains the following note: “All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines~~ All access easements shall be in conformance with Access Easement Requirements, Section 7.5.4

THREE LOT DIVISION – PRIVATE ROAD/ACCESS EASEMENT

5.8.1 Limitations - The following limitations will apply to three lot subdivisions:

- A. Three lot subdivisions located on an access easement will be limited to no more than three such parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance) being created from any parcel that had been created and recorded in the Registry before March 29, 2004.
- B. Three lot subdivisions located on an access easement as defined in this Ordinance will be limited to three such parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance being created from any parcel that had been created and recorded in the Registry before March 29, 2004 or any parcel that has been created and approved by the Administrator under the provisions of this Ordinance.
- C. The division does not create a new public or private street.

5.8.2 Requirements

The following shall be submitted to the Administrator with each proposal for a division of up to three lots fronting on an access easement that provides access to an existing NCDOT maintained public road:

- A. Plat prepared as required by NCGS §47-30,
- B. The plat shall be clearly designated “Three Lot Subdivision on Access Easement” in bold letters,
- C. Certification by the Licensed Professional preparing the plat that each lot is adjacent to a natural drainage way or perennial stream or a 20 ft. drainage easement is recorded from each lot to a natural drainage way or a perennial stream or if the lot or lots front on a NCDOT maintained road, approval from NCDOT for such lots to drain to the public road,
- D. The plat shows any designated Special Flood Hazard Areas located within the subdivision,
- E. The plat shows any designated Areas of Environmental Concern located within the subdivision,
- F. An Improvement Authorization Permit from Environmental Health for each lot to be created, a soil suitability analysis for each lot to be created or approval to connect to existing public sewer.
- G. The lots, other than those restricted for building development or designated and reserved for open space, shown on the plat meet the requirements of this Ordinance
- H. Waste water disposal requirements – One of the following must be met:
 - 1) An Improvement Authorization Permit has been issued for each of the parcels,
 - 2) The soil suitability analysis shows that at least 5,000 sq. ft. of each lot is suitable for traditional on site waste disposal and the required 5,000 sq ft. is not within 10 ft of any lot boundary,
 - 3) Approval has been granted to connect to public sewer or community sewer,
 - 4) or Lots not meeting the requirements of 1, 2, or 3 are indicated by the following note:
 “THIS PARCEL CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE.”
 - a) For alternative, see Design Requirements, Lots Section of this Ordinance for “Special Purpose Lots.”
- ~~I. The lots created have access to an access easement as defined in this Ordinance, All access easements shall be in conformance with Access Easement Requirements, Section 7.5.4~~
- ~~J. The access easement that provides access to a public street is no longer than 500 ft.~~
- ~~K. A minimum passable travel way 20 feet wide shall be provided within a forty five (45') foot easement at time of zoning approval.~~
- L. Clearing and grubbing shall be completed five feet of each edge of the travel way;
- M. Maintenance. Upon determination by the Administrator that such travel way as approved are not passable, the Administrator may, in addition to other remedies, prevent issuance of any further development approvals until such travel ways are in a proper state of maintenance as determined by the Administrator.
- N. The Administrator determines that the subdivision complies with the limitations on Three Lot Subdivisions contained in the General Provisions Section of this Ordinance.
- O. The plat contains an ownership and dedication statement signed by the owner or owners.
- ~~P. The plat contains the following note: “All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the~~

~~purpose of installation and maintenance of water, sewer, electric and communication lines.”~~

- ~~Q. The plat must contain the following note: “All new access easements shown or designated on this plat include the transfer of an easement to Pender County, its employees and agents for access for emergency personnel (police, fire & rescue) and Pender County and its employees for administration of all Pender County Ordinances.”~~

7.5.4 Access Easement Requirements

- A. Access easements must provide access to a public street
- B. Lots created have either direct access to a public street, private street or private access easement as defined by this ordinance.
- C. A minimum passable travel way 20 feet wide shall be provided within a forty five (45') foot easement at time of zoning approval.
- D. The plat contains the following note: “All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines.”
- E. The plat must contain the following note: “All new access easements shown or designated on this plat include the transfer of an easement to Pender County, its employees and administration of all Pender County Ordinances”
- F. No more than four parcels may be approved to utilize one access easement.

Adjacent Property Owner Notifications

The following Ordinance Sections will be updated to remove the policy on notification of adjoining/adjacent owners and replace it with a notification requirement for properties within 500-feet of the perimeter of the project bounds. Specifically:

REZONING

3.3.3 Public Notice

- A. When a change in the zoning classification of a parcel of property is requested, the applicant shall provide to the Administrator, a list of names and addresses, as obtained from the county tax listings and tax abstract, **of the owners of all properties located within 500-feet of the perimeter of the project bounds** ~~adjacent property owners, including property owners directly across any road or road easement,~~ and owners of the property under consideration for rezoning, in accordance with N.C.G.S. §153A-343.

3.3.4 Public Hearing

- A. The Planning Board shall hold a public hearing for all rezonings, at which the Board of Commissioners may sit concurrently with the Planning Board, if the Board of Commissioners so desire. If not held concurrently, a separate rezoning public hearing before the Board of Commissioners is required for each project after being heard by the Planning Board.
- B. Notice of the public hearing shall be published in a newspaper of general circulation in the county at least once each week for two successive weeks prior to the hearing according to General Statutes and by mailing notices to **owners of all properties located within 500-feet of the perimeter of the project bounds** ~~adjoining property owners~~ in the envelope provided by the applicant, if required by General Statute.
- C. The Administrator shall post a sign on the subject property with visual information related to the request.

CONDITIONAL REZONING

3.4.3 Public Input Meeting

- B. Prior to scheduling a public hearing on the rezoning application, the applicant must conduct one public input meeting and file a report of the results with the Administrator.
- C. The report for the public hearing will include a summary of the public input meeting.
- D. The applicant shall mail a notice for the public input meeting **to the owners of all properties located within 500-feet of the of the perimeter of the project bounds** ~~adjoining property owners~~ not less than ten (10) days prior to the scheduled meeting.
- E. The notice shall include the time, date and location of the meeting as well as a description of the proposal.

MAJOR SITE DEVELOPMENT PLAN

3.7.3 Review

- F. Applicants shall submit two copies of the site plan to the Administrator for review, along with applicable applications and completed materials. Final approval of the site plan shall be issued by the Administrator.
- G. Major Site Development Plans located in the PD, Planned Development district must include a Master Development Plan as prescribed in Section 3.5, Master Development Plan.
- H. Major Site Development Plans will be required to follow the MDP process outlined in Section 3.5 or if specifically waived in accordance with Section 3.5.2.D.
- I. The site plan must meet all the requirements prescribed in Section 6.3, Major Site Development Plan Contents.
- J. The applicant shall provide to the Administrator a list of names and addresses of the owners of all properties located within 500 feet along with (1) set of #10 envelopes stamped with typed addresses to each person on the list. These addressed envelopes and the list shall be submitted prior to the TRC meeting. The Administrator shall then mail a copy of notification to each property owner not less than ten (10) days prior to the scheduled meeting.
- K. The Administrator shall post a sign on the subject property with visual information related to the request for a total of 10 business days.
- L. The Administrator shall forward the site plan to the Technical Review Committee for review. The Committee shall make recommendations to the Administrator concerning whether the plan meets the requirements of any Pender County codes or Ordinances and other State or Federal regulations as appropriate.
- M. The Administrator shall determine and provide comments to the applicant whether the site plan is in conformance with a previously approved Master Development Plan or if an MDP is not required, the site plan is in conformance with applicable sections of this Ordinance.
- N. For projects in the PD zoning district, the Planning Board may request that the site plan be presented to the Planning Board for its review and make recommendations to the Administrator concerning the site plan. The Administrator shall incorporate such recommendations into the review of the site plan.
- O. Upon approval of the Master Development Plan as required in accordance with Section 3.5.2, applicant may proceed with the preparation of a Major Site Development Plan.
- P. Approval of the site plan shall expire within two years of the approval date unless building permits have been obtained for construction.
- Q. The Administrator shall periodically inspect the site during construction to ensure that the site plan requirements are met.
- R. Final Zoning Approval shall not be issued for any use or site requiring a site plan until all requirements shown on the approved site plan have been met and all improvements shown on the site plan have been provided. If structures and improvements have been provided sufficient to guarantee public health and safety but if all site plan improvements have not been completed, a certificate of occupancy shall only be issued if a bond with surety or other acceptable guarantees have been provided to insure that all approved improvements will be provided. Such guarantees shall be for a limited time period acceptable to the Administrator, during which time said improvements shall be completed.

MINOR SUBDIVISION

3.9.3 Review

- A. Application form must be completed and fee paid at the time of submission.
- B. Minor subdivision plans must meet all the requirements prescribed in Section 6.4, Preliminary Plat Contents and Section 6.5, Final Plat Contents.
- C. The applicant shall provide to the Administrator a list of names and addresses of the owners of all properties located within 500 feet along with (1) set of #10 envelopes stamped with typed addresses to each person on the list. These addressed envelopes and the list shall be submitted prior to the TRC meeting. The Administrator shall then mail a copy of notification to each property owner not less than ten (10) days prior to the scheduled meeting.
- D. The Administrator shall post a sign on the subject property with visual information related to the request for a total of 10 business days.
- E. The Administrator will forward the Minor Subdivision application and site plan to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and/or plans of their particular state agency, county department or utility authority within five (5) business days.
- F. For projects in the PD zoning district, the administrator may request that the site plan be presented to the Planning Board for its review.
 - 1) The Planning Board may make recommendations to the Administrator concerning the site plan.
 - 2) The Administrator shall incorporate such recommendations into the review of the site plan.
- G. When required submission material is submitted, the Administrator shall review and provide comments or approval to the applicant within fifteen (15) working days.
- H. The plat will be reviewed for compliance with this Ordinance.
- I. Plat approval constitutes approval of the layout and authorizes the developer to proceed with construction of the subdivision and improvements in accord with the approved plat and any conditions attached to the approval.
- J. If a plat is not approved, the reasons for disapproval must be specified and provided to the applicants in writing. Disapproval of a plat may be appealed to the Pender County Zoning Board of Adjustment.
- K. Approval of the preliminary plat shall be valid for two (2) years of the approval date unless building permits have been obtained for construction.

MAJOR SUBDIVISION

3.10.3 REVIEW

- A. Completed plats, application, fees and other required data must be submitted 45 days before a scheduled Planning Board meeting, if applicable in accordance with Section 2.3.2.B.
- B. When required submission material is submitted as noted above, it shall be placed on the next scheduled Planning Board agenda, if applicable.
- C. Planning Board review and approval shall not be required for a Major Subdivision in a by-right development zoning district in accordance with Section 2.5.2.B.
- D. The applicant shall provide to the Administrator a list of names and addresses of the owners of all properties located within 500 feet along with (1) set of #10 envelopes stamped with typed addresses to each person on the list. These addressed envelopes and the list shall be submitted prior to the TRC meeting. The Administrator shall then mail a copy of notification to each property owner not less than ten (10) days prior to the scheduled meeting.
- E. The Administrator shall post a sign on the subject property with visual information related to the request for a total of 10 business days.
- F. The Administrator will forward the Major Subdivision application and site plan to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority
- G. Major subdivision plans must meet all the requirements prescribed in Section 6.4, Preliminary Plat Contents and Section 6.5, Final Plat Contents.
- H. The preliminary plat must be submitted in digital format to the Administrator within the time frame indicated above. The digital submission of the plat will be considered proprietary information. The digital layout will be made available to the Tax Supervisor for parcel update and the digital submission may be returned to the person submitting it.
- I. The plat will be reviewed for compliance with this Ordinance.
- J. Due to the subdivision of land for residential purposes a portion of land must be dedicated to open space by means of providing recreational area to the residents or payments in lieu of dedication to the County. Open space requirements may be referenced in Section 7.6, Open Space.
- K. Planning Board, if applicable in accordance with Section 2.3.2.B, will take action on the plat submission within 65 days after completed submission.
- L. Master Development Plan approval shall be valid for two years. If all conditions of preliminary plat are met and a phase of the final plat is recorded, the preliminary plat status shall remain valid perpetually for all remaining phases.
- M. Preliminary plat approval constitutes approval of the layout and authorizes the developer to proceed with construction of the subdivision and improvements in accord with the approved plat, conditions attached to the approval, and submittal of required permits.
- N. All conditions of preliminary plat approval must be completed and submitted within two (2) years of the approval date.
- O. If a preliminary plat is not approved, the reasons for disapproval must be specified and provided to the developer in writing. Disapproval of a preliminary plat may be appealed to the Pender County Board of Adjustment.
- P. A preliminary plat will not be scheduled for review that is incomplete or does not have the required documents submitted with it.

SPECIAL USE PERMIT

3.12.2 Application and Fees

- A. Applications for Special Use Permits, signed by the applicant, shall be approved or denied by the Board of Commissioners and shall follow the general requirements of Section 3.1.1 and 3.1.2.
- B. Each application shall contain the following as stipulated by the County Commissioners and Administrator:
 1. Structures. Location of all structures within fifty (50) feet of the property; location and depth, if known, of any existing utility lines in the property or along any adjacent road.
 2. Other Requirements. Location of property boundaries, location of any easements for utility lines or passage which cross or occupy any portion of the property for proposed lines;
 3. The applicant shall provide to the Administrator a list of names and addresses of ~~all adjacent property owners~~ **the owners of all properties located within 500-feet of the perimeter of the project bounds** along with one (1) set of #10 envelopes stamped and with typed addresses to each person on the list. These addressed envelopes and the list shall be submitted at least thirty (30) days prior to the public hearing. The Administrator shall then mail a copy of the legal notice to each property owner;

VARIANCE

3.14.5 Notice and Public Hearings

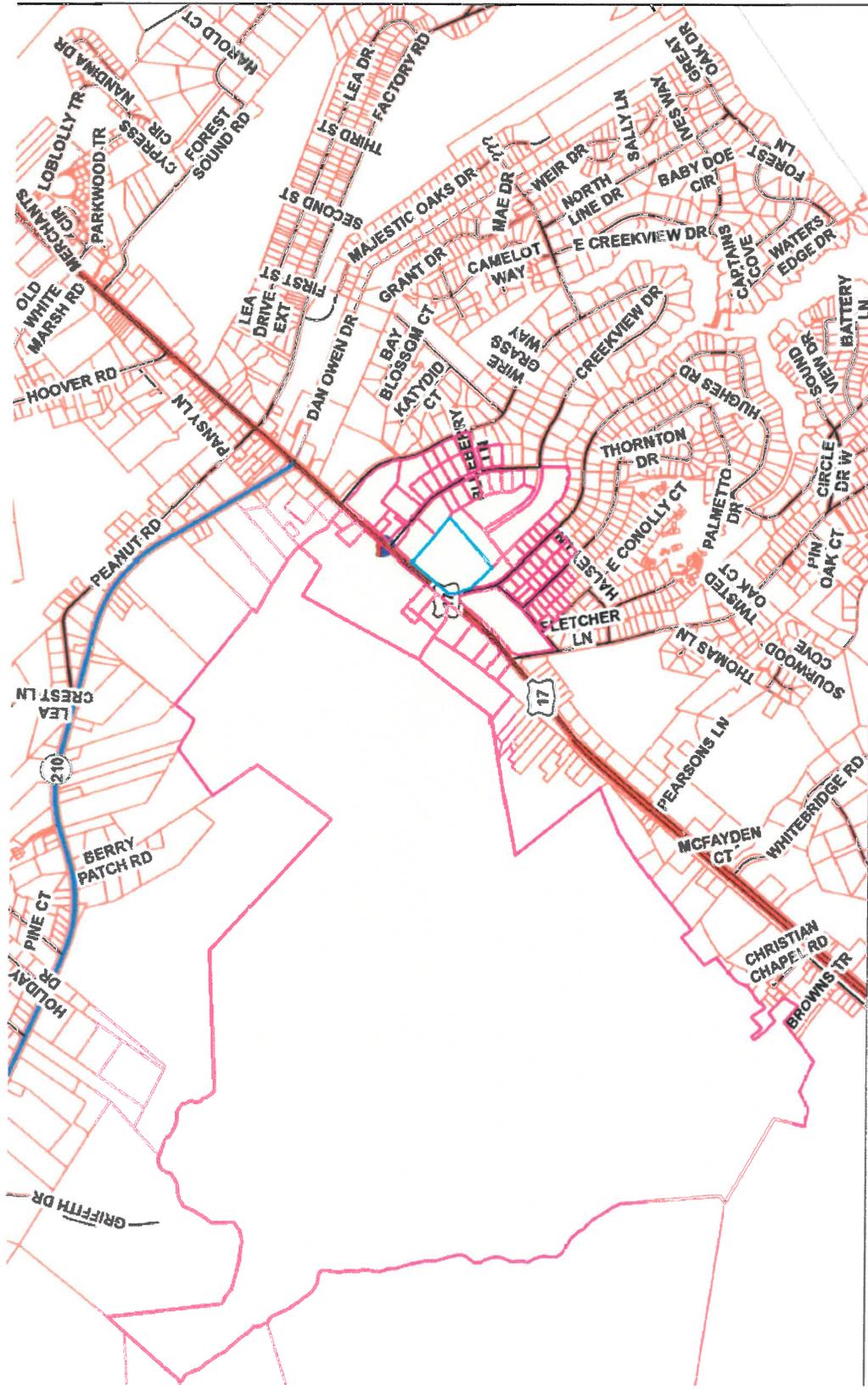
Once the application has been determined complete, the Administrator shall schedule a public hearing and give notice to **the owners of all properties located within 500-feet of the perimeter of the project bounds** ~~adjoining/abutting property owners~~ and aggrieved parties in the form of applicant supplied #10 envelopes with paid first class postage.

CONDITIONAL ZONING DISTRICTS

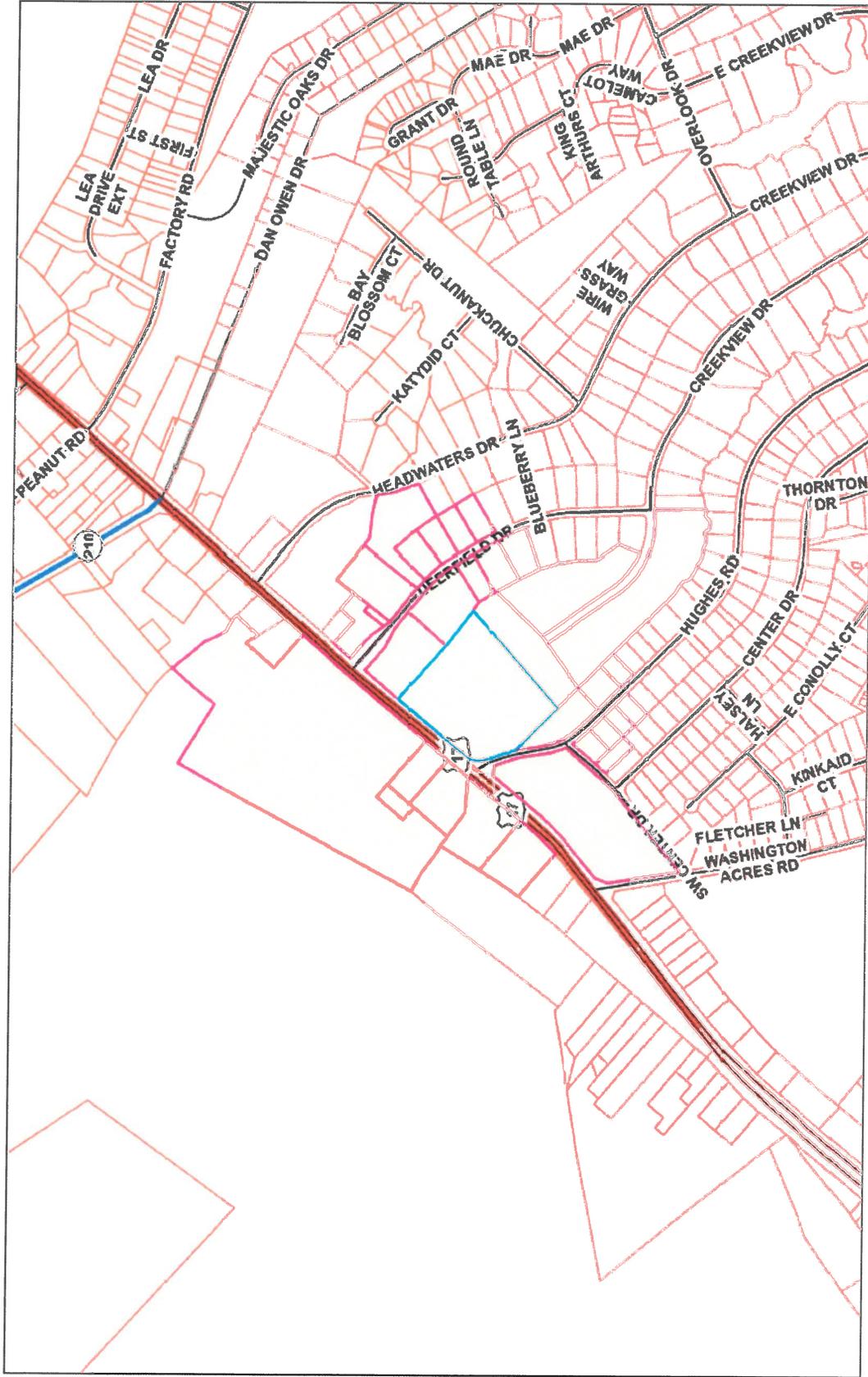
4.13.4 Public Input Meeting

Prior to scheduling a public hearing on the rezoning application, the applicant must conduct one public input meeting and file a report of the results with the Administrator. The report for the public hearing will include a summary of the public input meeting. The applicant shall mail a notice for the public input meeting to **the owners of all properties located within 500-feet of the perimeter of the project bounds** ~~adjoining property owners~~ not less than ten (10) days prior to the scheduled meeting. The notice shall include the time, date and location of the meeting as well as a description of the proposal. The applicant's report of the meeting shall include:

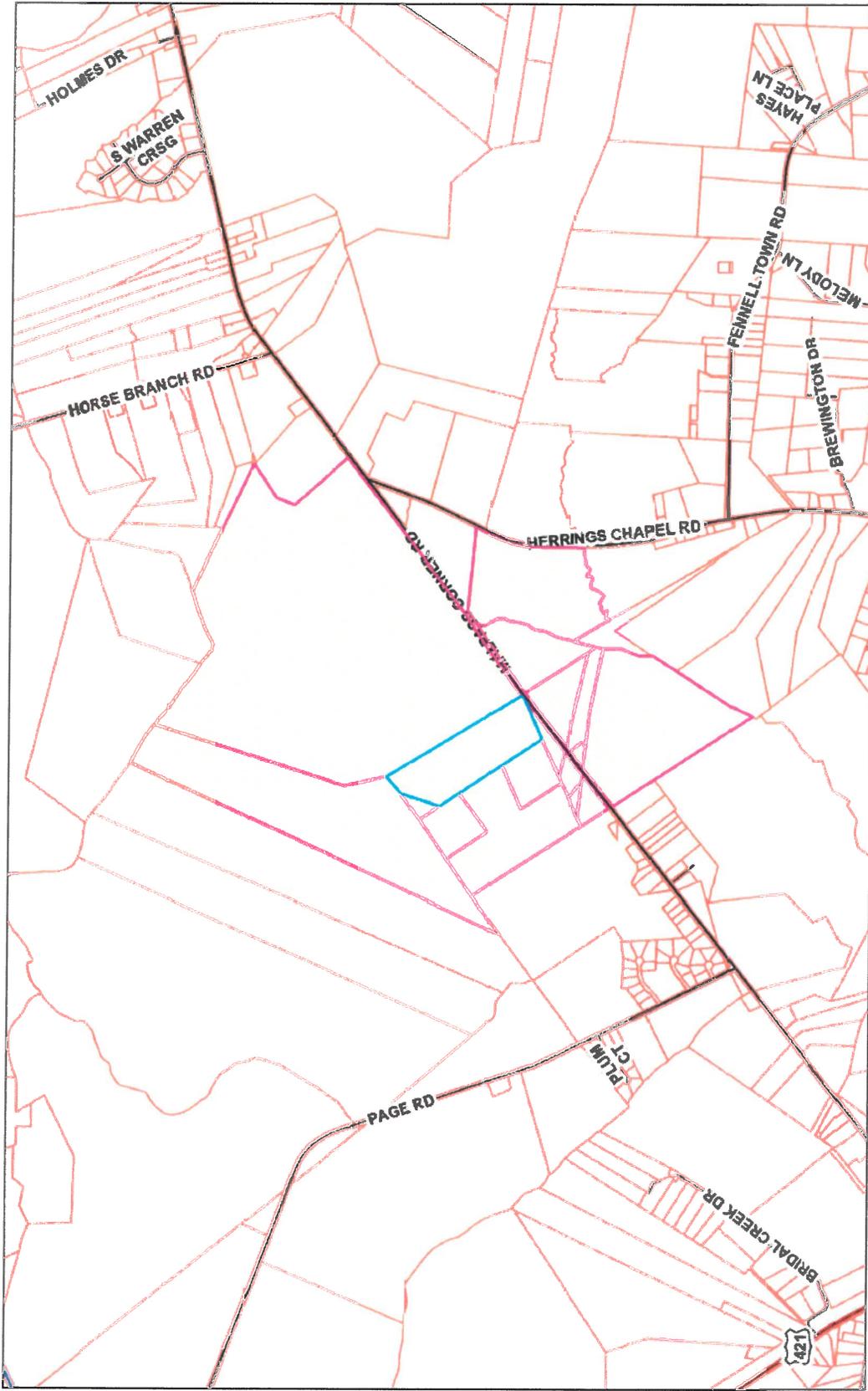
- A. A copy of the letter announcing the meeting
- B. A list of adjoining property owners contacted
- C. An attendance roster
- D. A summary of the issues discussed
- E. The results of the meeting including changes to the project's proposal, if any



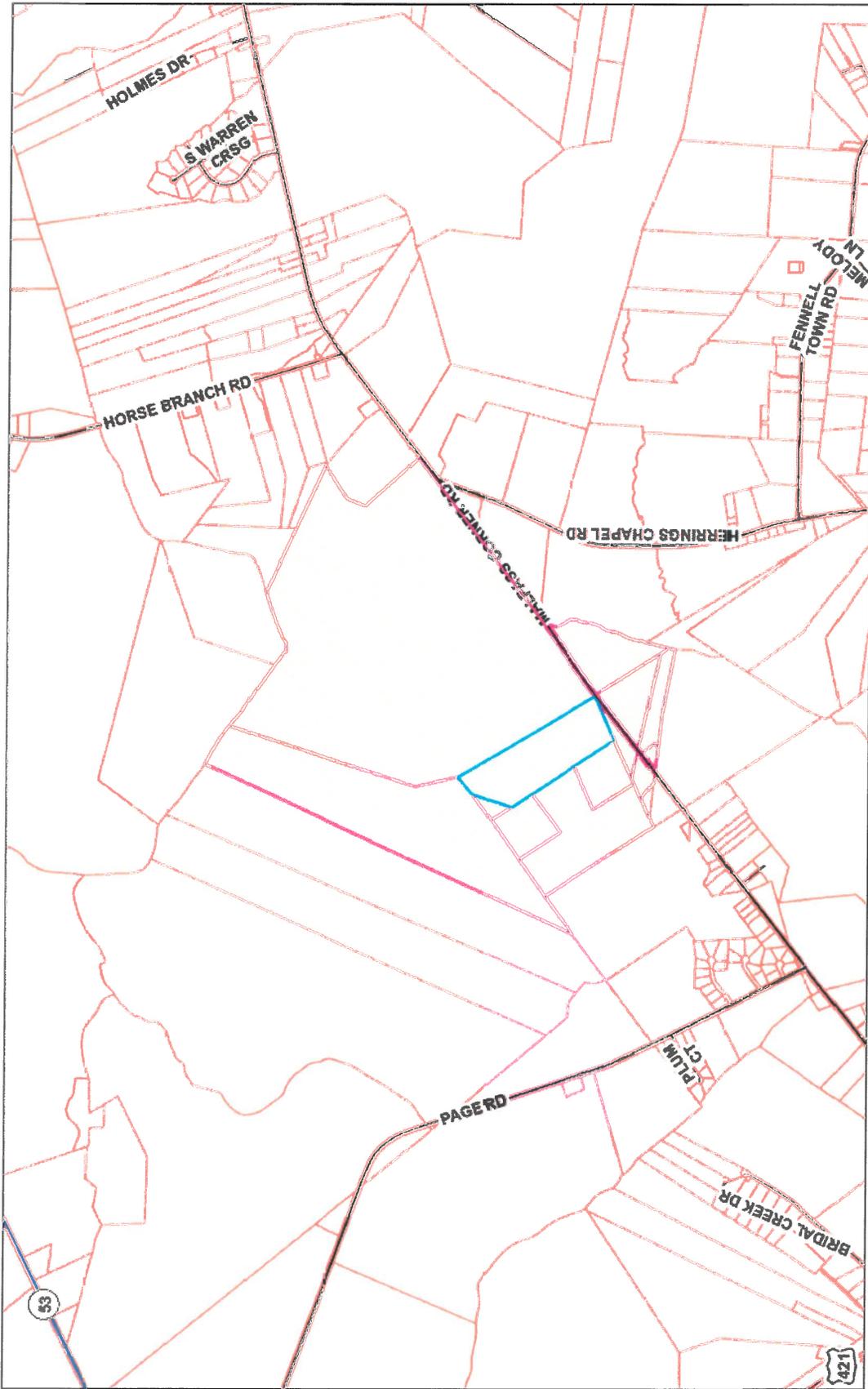
1,000 ft. buffer: Urbanizing area along US HWY 17



500 ft. buffer: Urbanizing area along US HWY 17



1,000 ft. buffer: Rural area along Malpass Corner Road



500 ft. buffer: Rural area along Malpass Corner Road

General Use Rezoning

ITEM SIX

3.3.5 Action by Administrator

- A. The Administrator shall prepare a staff report that reviews the rezoning request in light of any applicable plans and the general requirements of this Ordinance. The staff report shall consider the entire range of permitted uses in the requested classification regardless of any representations made that the use will be limited.
- ~~B. The Administrator will forward the rezoning request to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.~~
- C. Following completion of the review by staff, the Administrator shall forward the completed request, staff recommendation, and any related materials to the Planning Board for a hearing and recommendation in accordance with the adopted meeting schedule.
- D. Following Planning Board review and recommendation, the Administrator shall forward the completed rezoning request and any related materials, including the Planning Board recommendation, to the County Commissioners for hearing and final action.

ARTICLE 11 ROAD NAMING AND ADDRESSING

~~11.1~~ ~~GENERAL AUTHORITY~~

~~Under the authority and provisions of the General Statutes of North Carolina, Chapter 153A-121, 239.1., and local modifications thereto, a county may by ordinance, name or rename any road within the county and not within a city, and may assign or reassign street numbers for use on such a road. In naming or renaming a road, a county may not:~~

- ~~1. Change the name, if any, given to the road by the Board of Transportation unless the Board of Transportation agrees;~~
- ~~2. Change the number assigned to the road by the Board of Transportation, but may give the road a name in addition to its number; or~~
- ~~3. Give the road a name that is deceptively similar to the name of any other public road in the vicinity.~~

~~A county shall not name or rename a road or assign or reassign street numbers on a road until it has held a public hearing on the matter. At least 10 days before the day of the hearing the Board of Commissioners shall cause notice of the time, place, and subject matter of the hearing to be prominently posted at the county courthouse, in at least two public places in the township or townships where the road is located, and shall publish a notice of such hearing in a newspaper of general circulation published in the county. After naming or renaming a road, or assigning or reassigning street numbers on a road, a county shall cause notice of its action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.~~

~~Overview~~

~~A. Under the authority and provisions of the General Statutes of North Carolina, Chapter 153A-121, 239.1., and local modifications thereto, a county may by ordinance, name or rename any road within the county and not within a city, and may assign or reassign street numbers for use on such a road~~

~~11.1.1~~ ~~JURISDICTION~~

~~These regulations shall apply to and govern each and every public or private road within the County of Pender outside of the jurisdiction of any incorporated municipality.~~

~~11.1.2~~ ~~RESPONSIBILITY~~

~~The Addressing Coordinator, or their assigned agent, shall be responsible for assigning a number for each addressable structure in Pender County, including the municipalities of St. Helena and Watha, and for the naming of public and private roads as directed by the provisions of this article. As conditions merit, such official numbers may be changed upon proper official notice to the property owner and public agencies.~~

~~11.1.3~~ ~~Naming~~

~~A. In naming or renaming a road, a county may not:~~

- ~~1. Change the name, if any, given to the road by the Board of Transportation unless the Board of Transportation agrees;~~
- ~~2. Change the name, if any, given to the road by the Board of Transportation unless the Board of Transportation agrees;~~
- ~~3. Change the number assigned to the road by the Board of Transportation, but may give the road a name in addition to its number; or~~
- ~~4. Give the road a name that is deceptively similar to the name of any other public road in the vicinity.~~

- ~~B. After naming or renaming a road, or assigning or reassigning street numbers on a road, a county shall cause notice of its action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.~~

11.2 PURPOSE

11.2.1 Providing a Uniform Naming System

- A. The purpose of this article is to provide a uniform system of road naming and addressing along both public and private roads in order to facilitate the provision of adequate public safety and emergency response services.
- B. This article is designed to:
1. Establish the procedures by which a road may be named and addressed or by which an existing name may be changed and readdressed.
 2. Establish and maintain an official map and listing of all roads in Pender County.
 3. Eliminate duplicate or phonetically similar road names in accordance with the National Emergency Number Association (NENA) road naming standards.
 4. Provide for the uniform marking of roads.
 5. Implement a systematic numbering system for all addressable structures within the geographic limits of Pender County as related to the Emergency 911 Telephone System.
 6. Establish procedures through which the implementation of Chapter 62A of the North Carolina General Statutes may be carried out.

11.3 ROAD NAMING

11.3.1 New Road Names

- A. The Pender County Addressing Coordinator or their designated agent is authorized to determine the need for new road names or road name changes within jurisdiction of Pender County for both private and public roads outside the corporate limits of any municipality within the county.
- B. When a public or private road provides access to more than three (3) addressable structures or combinations thereof, regardless of the length of such road, a road name shall be assigned.
- C. The property owners along such road shall provide a petition with the proposed road name to the Pender County Addressing Coordinator within thirty (30) days of written notice.
- D. The proposed road name will be subject to review pursuant to the criteria set forth in this article.
- E. If there is a unanimous decision among the property owners as to the name of the road and the submitted name satisfies the criteria established by this article, the Addressing Coordinator or their designated agent shall review the petition and approve the submitted name.
- F. If a consensus among the property owners cannot be met, the Addressing Coordinator or their designated agent shall submit the name recommended by the majority of the property owners to the Pender County Board of Commissioners.

11.4 ROAD NAME CHANGES

11.4.1 Petition for Road Names

- A. Any road officially named by the Pender County Board of Commissioners shall not be petitioned for a road name change unless:

1. Evidence shows a mistake was made in the naming of the road in the form of deeds, plats, or maps.
 2. The road has been physically altered.
 3. By special direction from the Addressing Coordinator for a unique circumstance.
- B. If a petition is made for a road name change, the petition must be signed by a majority of the property owners along the road in question with each such person's mailing address and telephone number listed. The petition shall identify one of the signatories as spokesman for the applicants. Because of the cost involved and the confusion generated during this process, the county will follow a basic policy of discouraging petitioned road name changes.
- C. The following criteria shall be used to formulate recommendations for road names or changes:
1. When appropriate and feasible, commonly known informal road names shall be retained.
 2. The Addressing Coordinator or their designated agent should consider geographical, physical and historically significant factors regarding the road.
 3. U.S. and N.C. highways shall retain their numbers as their road names throughout the county.
 4. Offensive or distasteful road names shall not be used.
 5. Family names for road identification shall be permitted when there is a well-established non-conflicting history as to the particular family being the majority of the residents of the road.
 6. Roads with continuous alignments should have only one name.
 7. New road segments that are an extension or a continuous alignment of an existing road shall maintain the existing road name.
 8. Road names and/or numbers should only change when there is a substantial intersection, or at municipal boundaries.

11.4.2 Renaming

- A. When renaming a road the following should be considered;
1. The road with a name of historical significance should have its name retained.
 2. The road with the most properties on it should retain its name.
 3. The road that has been named for the longest period of time shall retain its name.
- B. A directional must be placed ahead of the road name and cannot be used as a suffix. If a "North" directional is used there must be a "South" directional. If an "East" directional is used there must be a "West" directional. The prefix "N" shall be used for North, the prefix "S" shall be used for South, the prefix "E" shall be used for East and the prefix "W" shall be used for West.
- C. In the case of a double ended road, two different road names may be assigned or a directional prefix may be utilized indicating which direction that portion extends from the road of origin. A cardinal direction is recommended in the naming of a T intersection.

11.4.3 Prohibited Road Names

- A. The Pender County Addressing Coordinator shall not recommend newly proposed road names which fall under the following categories:
1. Numbers used as part of the name, unless the name is well known and there is a general acceptance.
 2. Names which are difficult to pronounce.

3. Names which are less than 3 characters in total length or over 20 characters in total length, including spaces, but not including street type.
4. Names which are duplicated in neighboring counties if the roads are in the same postal district, fire department/rescue district, or telephone exchange.
5. Names which are similar to the name of an existing subdivision or landmark unless the road lies within that same subdivision.
6. Duplicate, near duplicate (Ex. Apple Road and Apple Hill Road) or phonetically similar road names.
7. Streets having the same name but different street types are considered duplicate names.
8. Streets having the same name but different directionals are considered duplicate names unless they are in continuous alignment and are intersected by another road.
9. Names that contain a street type or directional within the road name field.
10. "EXT" is not to be used as a suffix when a road is extended. Instead, the name shall remain the same and the address range extended to accommodate the new section.

11.4.4 Street Suffixes

Alley = Aly	Lane = Ln
Avenue = Av	Loop = Loop
Bay = Bay	Parkway = Pkwy
Bend = Bend	Path = Path
Boulevard = Blvd	Place = Pl
Branch = Br	Point = Pt
Cay = Cay	Ridge = Rdg
Center = Ctr	Road = Rd
Circle = Cir	Run = Run
Court = Ct	Spur = Spur
Cove = Cove	Station = Sta
Crest = Crst	Street = St
Crossing = Crsg	Terrace = Ter
Drive = Dr	Trace = Trc
Highway = Hwy	Trail = Tr
Hollow = Holw	Walk = Wk
Landing = Ldg	Way = Way

11.5 SUBDIVISIONS

11.5.1 New Road Proposals

- A. For all subdivisions in which new roads are proposed, the following items must be submitted by the developer to the Pender County Addressing Coordinator at the preliminary review phase:
 1. A scaled map of the road layout with the proposed name identified on each road.
 2. An alphabetical list of the proposed road names and subdivision name. An alternate for each road name and subdivision name should also be submitted for review should the proposed name not comply with this article.
 3. A signature line labeled "Reviewed and Approved by the Addressing Coordinator."

- B. The new subdivision name shall not duplicate or be phonetically similar to an existing road name or existing subdivision name.
- C. The Addressing Coordinator will review the proposed road names for overall compliance with the Pender County Unified Development Ordinance. If a submitted road name(s) does not comply with this article, the Addressing Coordinator will contact the developer, explain the reasons for non-compliance, and request new names be submitted. Road names and subdivision names for new developments may be reserved for up to two years or through validation of the preliminary plat.
- D. After preliminary approval, any road configuration change or any request to change an approved road name will require resubmission of the map and the road name list for review. The approved road names/subdivision name shall be identified on the final approved plan with a signature line labeled "Reviewed and Approved by the Addressing Coordinator" and a copy submitted by the developer to the Addressing Coordinator.

11.6 NUMERICAL ADDRESSING SYSTEM

11.6.1 Numerical Addressing Requirements

- A. Numerical addressing will be assigned using the federal standard scale of 1000 numbers per mile, which calculates to an available number every 5.28 feet.
- B. The range of addresses shall begin with the lowest number in the range being closest to the road of origin. As the numbers are increasing, even numbers will be assigned to structures located on the right side of the road and odd numbers will be assigned to structures located on the left side of the road.
- C. All addresses should numerically balance on both sides of the road.
- D. It is the policy of Pender County to assign addresses when the footing inspection has been approved or when there is a final site plan approval. The only deviation of this policy is when the structure is located in an approved subdivision where addresses have previously been assigned.
- E. Subdivisions and/or individual lots with up to 100 feet of road frontage may be assigned preliminary addresses following **final** map recordation. Final addresses will not be assigned until compliance **with Section 11.6.1.D** has been demonstrated.
- F. Addresses will be assigned to the front door of the structure. Structures that are situated more than two hundred (200) feet from a named road will be addressed where the driveway intersects the road. If the structure is not visible **or accessible** from any distance off the road the address will be assigned at the driveway.
- G. Structures using the same driveway shall be addressed with the structure nearest the road of origin having the lower digit.
- H. Structures whose vehicular access is via an alley **may** be assigned addresses from the alley side of the structure.
- I. In the event a portion of a roadway that has been addressed using the 5.28 numbering scheme is spot annexed into a municipality, the current numbering scheme shall be maintained.
- J. Corner lots will be assigned an address from the road on which the structure faces. An address can be assigned from the side road location in situations where the front of the building is obscured or difficult to distinguish.
- K. Addresses should not be assigned to structures that are simply accessory to the principal building.
- L. Garage apartments shall be given a new address. If there are no addresses available then a unit letter may be assigned (ex. 503A) as a last resort.

- M. Duplexes and apartments will be assigned structure numbers as well as unit numbers for secondary locators. For multi-story development the number will reflect the floor number and unit number.
- N. Townhouses/Condominiums shall be assigned individual addresses for each unit.
- O. Commercial development will be assigned one address per building as well as suite numbers for secondary location indicators. Each individual building shall have a separate address. For multi-story development the number will reflect the floor number and suite number.
- P. Each mobile home within a mobile home park shall be assigned a primary 911 address. A mobile home park owner may assign lot numbers but the lot numbers shall not be used as the physical address.

11.7 COMPLIANCE

11.7.1 Certificate Issuance

The Building Inspector shall not issue a Certificate of Compliance or a Certificate of Occupancy until the new structure complies in full with the requirements of this article.

11.7.2 Owners Compliance

The owner of any existing structure, mobile home park, or complex shall be required to comply with this article within thirty (30) days of written notification by the Pender County Addressing Coordinator, or their agent.

11.8 SIZE, COLOR, MAINTENANCE & LOCATION

11.8.1 Size

- A. The standard minimum size of a number for a typical residential or nonresidential structure shall be three (3) inches in height.
- B. The standard minimum size of a number for a large residential or nonresidential structure such as an apartment, townhouse, condominium complex or a commercial or industrial complex shall be six (6) inches in height. Minimum sizes larger than the standard shall be required in any situation where the standard size would not provide necessary identification deemed appropriate by the 911 Addressing Coordinator or their assigned agent.

11.8.2 Color

- A. The color of the numbers placed on a structure or pedestal shall be in contrast to the color scheme of the structure or pedestal so that the number is clearly visible. Reflective numbers for nighttime identification are encouraged.

11.8.3 Display of Numbering

- A. Every structure shall be posted with the official assigned number in at least one location in conformance with this article and as follows:
 - 1. The location of the numbers shall be maintained within a three (3) foot perimeter of the structure entrance. For apartment, townhouse, condominium, commercial or industrial complexes, the numbers shall be located in the approximate center of the building or on the end of the building so that they are clearly visible from the road. Each individual unit must also be posted with the assigned unit number/suite number,

- letter or combination thereof. In the event the structure is located in such a manner that the assigned number is not visible, additional posting of the numbers shall be required at the driveway entrance or access to the structure.
2. All commercial or industrial buildings that have a rear or side door that is used for deliveries, public entry purposes, or as a required exit, shall be posted with the official assigned number at such doors.
 3. In a "pocket neighborhood" the numbers shall be displayed on the rear of the structure and the front of the structure facing the common green space.
- B. The Addressing Coordinator will have the right to authorize and approve alternate methods of displaying property numbers which meet the intent of this article when strict adherence to the standards herein set forth cannot reasonably be met.

11.8.4 Maintenance

Following the posting of the assigned number, as required, the owner or occupant shall at all times maintain such house or building number in compliance with the above standards. Building numbers shall not be obstructed from view.

11.9 SUBDIVISIONS

11.9.1 Addresses

- A. The address shall be displayed on the structure in such a way that is clearly visible from the roadway. Additional requirements are as follows:
1. If the structure is less than 75 feet from the roadway the address shall be composed of numbers no less than three (3) inches in height.
 2. If the structure is more than 75 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height.
 3. If the structure is more than 150 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height and displayed at the driveway entrance with a decorative post or placard.
 4. According to the U S Postal Service Reform Act a cluster box is required when there are eight (8) or more lots in a subdivision.
 5. When the structure is accessed by an alleyway the address **may** be assigned from that access.

11.10 OFFICIAL LIST, OFFICIAL MAP, AND IDENTIFICATION

11.10.1 Road Name List and Map

The Pender County Planning and Community Development Department shall maintain a listing of all official road names in Pender County as well as maintain an official street centerline database exhibiting the approved names and location of all roads in Pender County.

11.10.2 Identification

A sign showing the official name and state road number shall identify all public roads in the unincorporated areas of Pender County. These road signs shall be placed at all intersections.

- A. Every road sign shall comply with the following criteria:
1. The sign blade shall be constructed of aluminum with green sheeting, 6 inches in width, and extruded edges.
 2. The lettering shall be upper case, 4 inches in height, at least ½ inch in stroke, and shall be made of white reflective material.

3. The street type and state road lettering shall be upper case, 2 inches in height, at least ¼ inch in stroke, and shall be made of white reflective material.
 4. The post shall be constructed of U-shaped galvanized steel measuring 12 feet in height.
 5. The post shall be firmly anchored with the sign blade approximately 8 feet above ground.
- B. Developers of subdivisions shall be responsible for the initial street signs. The sign blade must meet the criteria as set forth in this article.
 - C. Developers of subdivisions may utilize decorative posts and brackets only if the road will not be petitioned for addition to the state highway system. In the event the sign is stolen or damaged, the developer or Homeowners Association shall be responsible for replacing the posts and brackets.
 - D. Sign installers shall work with the North Carolina Department of Transportation and the various utility companies as to the particular location of the sign. If the road is private in nature, the sign must be installed within the right-of-way or easement of said road and be clearly visible.

11.11 INSTALLATION AND MAINTENANCE

11.11.1 Installation

The Pender County Public Works Department shall be responsible for the provisions of installation of road signs, except in the case of subdivisions with proposed new roads wherein the developer in that case shall be responsible for the installation of said signs.

11.11.2 Maintenance

The Pender County Public Works Department shall be responsible for repair and replacement of road signs.

11.12 VIOLATIONS, PENALTIES & ENFORCEMENT

11.12.1 Violations

- A. It shall be unlawful for any person(s) to:
 1. Erect any road sign with an unofficial name or a name that is substantially similar to any public road or private road in the unincorporated areas in Pender County.
 2. Remove, deface, damage, or obscure a road sign in the jurisdiction of this article.
 3. Erect any road sign that does not meet the Pender County sign specifications.
 4. Number or assign a number to any structure without the written approval of Pender County.
 5. Fail to post the official assigned number in accordance with this article.

11.12.2 Penalties

- A. Any person who does not comply with this article will be notified, by certified mail, to meet the requirements within 30 days from the date of notification.
- B. Any person violating provisions in this article shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars (\$50) dollars or imprisonment of not more than thirty (30) days as provided by North Carolina General Statute 14-4. Each day shall constitute a separate violation and shall be punishable as a separate offense.
- C. Any person who does not comply with this article will be notified, by certified mail, and required to come into compliance within 30 days from the date of notification.

- D. Any violation of this article may be subject to civil remedies as set forth in North Carolina General Statute 153A-123C.

11.12.3 Enforcement

This article shall be enforceable by citation, injunction and restraining order. Any person violating the provisions of this article shall be subject to a civil penalty for each violation in the amount of fifty dollars (\$50). Each day of violation shall constitute a separate and distinct offense.

ITEM EIGHT

5.2 Uses Not Specifically Listed

Any use not specifically listed in this Article is ~~expressly~~ prohibited, unless the Administrator determines, in accordance with Section 3.17, Written Interpretation that the use is similar to a permitted individual use or permitted group of uses as listed in this Article. Where such similar permitted individual use or permitted group of uses is subject to a limited use standard contained in this Article or special exception review, the proposed use shall also be subject to such standard or approval. The Administrator shall not amend this chapter by adding to or eliminating any use standard for the proposed use. **In the event a proposed use is similar to a listed use, the Administrator shall use the following criteria to evaluate the admissibility of the use before permitting: type of use, environmental effects, traffic impacts, noise, odor or other applicable criteria as determined by the Administrator.**

Pender County Planning and Community Development

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



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

MEMORANDUM

To: Pender County Planning Board

From: Planning Staff

Date: October 4, 2016

RE: TRC and Comprehensive Land Use Plan

TRC Update

Technical Review Committee Update

Meeting Date	September 7, 2016				
Case Name	Case Type	Case Number	Staff Contact	Description	Location
Dallas Harris Mine & Vegetative Debris Site	Major Site Plan	316-2016	Pat O'Mahony	Operation of a sand borrow pit mine conditioned with an additional minable area of ± 11.3 acres (NAICS 2123) and vegetative recycling facility (NAICS 562219).	Along the west side of Shaw Highway (SR 1520) in the Holly Township and may be identified by Pender County PIN: 3258-41-9186-0000.
Guiding Light Ministries	Major Site Plan	364-2016	Pat O'Mahony	9,000 sq. ft. structure with associated parking, landscaping, stormwater features, with additional 4,000 sq. ft. space reserved for a future addition.	Located on the north side of US HWY 133, approximately 0.3 miles from the intersection of US HWY 133 and US HWY 117 with a direct access shown through a proposed driveway to US HWY 133 and may be further identified by Pender County PIN: 3233-25-4559-0000.
Filmwerks Expansion	Conditional Rezoning	367-2016	Jessica Fiester	Warehousing (NAICS 493110) in order to expand the existing development known as Filmwerks. The project proposal consists of adding 100,000 square feet of warehouse space and truck storage to the existing business.	Along the south and east sides of Carver Drive with direct access through an existing driveway on Carver Drive and may be further identified by Pender County PINs: 3223-53-8360-0000 and 3223-55-9108-0000.

Comprehensive Land Use Plan Update

The contract with the Cape Fear Council of Governments was approved by the Pender County Board of Commissioners at their September 19, 2016 meeting. Currently, Staff is working diligently to form a Steering Committee for project kick-off. The appointments to the Steering Committee are anticipated at the October 17, 2016 Board of County Commissioners meeting. It's still anticipated that this project will be completed in approximately one year.

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.