

PLANNING STAFF REPORT

MASTER DEVELOPMENT PLAN/PRELIMINARY PLAN BLAKE FARM

SUMMARY:

Hearing Date: July 1, 2014

Applicants: Pender Farm Development, LLC/Pender Farm Commercial, LLC

Property Owners: Pender 1164, LLC

Case Number: 11166

Development Proposal: The applicant is requesting approval of a Master Development Plan and Preliminary Plan approval for Phase I (SF-1) for the mixed use multi-phase development, Blake Farm.

Location and Land Use: There are four tracts associated with this request totaling approximately ± 1344.5 acres. The proposed project is located on the west side of US Highway 17; 1/8th of a mile north of Sidbury Road (SR 1572) in Scotts Hill. The properties may be identified by Pender County PIN(s) 3271-04-4167-0000; 3271-25-1909-0000; 3262-72-5914-0000; 3262-54-5164-0000.

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

HISTORY:

On June 19, 2006 the Pender County Board of Commissioners approved a general use rezoning of the subject tracts from the RA district to the PD, Planned Development District. In August of 2006 the Pender County Planning Board approved the East Haven Master Plan; a mixed use master development plan with a total of 4,096 residential units comprised of single-family, multi-family, and apartments. The approval also includes future commercial development, public facilities including a school site and fire station, and an onsite wastewater treatment facility. The Pender County Planning Board approved Phase I of East Haven in November of 2006. Phase I consists of the development of 6 separate residential areas: SF 1, SF 7, SF8, SF 10, SF 11, and MF 4; totaling 708 single family units and 70 multi-family units. Access would be provided by 2 major points of ingress and egress via Huggins Road. Huggins Road will serve as the major thoroughfare for the subdivision and will eventually be a 4-lane public thoroughfare. The East Haven Master Plan and Preliminary Plat have subsequently expired.

DESCRIPTION OF PROPOSAL AND EVALUATION:

Pender Farm Development, LLC, and Pender Farm Commercial, LLC, applicants, on behalf of Pender 1164, LLC, owner, are requesting approval of a 5 phase Master Development Plan known as Blake Farm, consisting of 2,998 residential units and 250,000 sq. ft. of non-residential space. The applicant is also requesting the Planning Board waive the public hearing for Phase I (SF-1) which consists of 278 single-family residential units. According to the applicant, the 5 phase MDP will consist of 25 “pods” of development which are broken out within the overall MDP and are labeled A-Z, excluding the amenity area as a “pod”.

Project Density: The Pender County Unified Development Ordinance §4.8.1 calculates residential density by subtracting areas reserved as non-residential development, wetlands, rights of way and parking areas, and active and passive open space (if different from wetlands) from the total acreage of the tract. By this calculation, the *net density* for Blake Farm is 4.59.

Blake Farm Project Density	
Total Acreage	1268.92
Non-Residential Acreage	146.21
Wetlands Acreage	370.76
Right-of-Way Acreage	53.90
Open Space Acreage	88.94
Active	(44.97)
Passive	(44.97)
Total Developable Land	653.08
Total Units	2998.00
Net Density	4.59

The table to the right outlines the proposed acreage and density calculations.

STAFF COMMENT: With a net density of 4.59 units per acre, Blake Farm, as proposed, meets the UDO density limit of 5.0 as set forth in UDO §4.8.1, *Planned Development District*. However, specific calculations for each item to calculate density will need to be provided at time of each phase at preliminary plat to assure that overall project density does not exceed 5.0 units per acre.

Lot Requirements: As outlined in UDO §4.8.1.D, the MDP establishes the required lots sizes, yard setbacks, and building height. At time of MDP submission, the applicant is unaware of exact lot sizes due to the unknown of exact product type. The applicant has provided a range for single family housing types to range from 5,000 ft² – 1 acre. The applicant has demonstrated the desire to provide details as to the specific lot sizes and product type to each phase and to be presented at preliminary plan approval. The applicant has provided the number of units to be associated with each phase or pod and would request to be able to exercise the flexibility based off of market demand. SF-1 is proposed to contain all single family housing types with varying lot sizes. The table to the right outlines the requested setbacks for SF-1 only. Like housing type and lot sizes, the applicant seeks to make that determination based on future phasing (Exhibit 1).

Setback Type	Setback Feet (SF-1)
Front	10 feet
Side	*0 feet
Rear	10 feet
<i>*Minimum 6' separation between structures. To comply with Building Code standards.</i>	

Water/Waste Water: The Blake Farm project will utilize water service from Pender County Utilities. This project lies within the Rocky Point/Topsail Water District and PCU has indicated that they will serve this project (Exhibit 2). Wastewater will be treated by the recently approved regional treatment facility. The Pender County Board of Commissioners granted a Special Use Permit for the construction and operation of an up to 3 million gallon per day (gpd) wastewater treatment facility that will be located adjacent to this site. The operator, Pluris Hampstead, LLC, will service the project (Exhibit 3).

Open Space: Based off of proposed unit count, the applicant will have to provide approximately 90 acres of open space. Of

Dwelling Units	Recreational Unit(s)	Financial Unit
+1,000	10.0	\$100,000

which, 45 acres will have to be dedicated as *Passive* and 45 acres dedicated as *Active*. The project, as presented will meet and exceed the minimum requirements set forth in UDO § 7.6.1 C, *Open Space Requirements*. SF-1, which consists of 278 units, is shown as providing 43.5 acres in which will contain a working farm on approximately 30 acres within the identified *Amenity Area*. Based off of the number of dwelling units within the Blake Farm MDP, 10.0 recreational units or \$100,000 will need to be dedicated to physical construction of amenities. This fee may be paid to the County as an option shall the active open space areas not containing open

space facilities. Based on discussions with the applicant, this unit amount will be met or exceeded through on-site amenities.

STAFF COMMENT: The MDP correctly reflects the number of recreational units required, but the design and amount of facilities are to be approved by the Planning Board, Administrator, and Parks and Recreation representative to the TRC at the time of Master Plan approval (§7.6.2, *Recreational Units.*) In this case, the MDP does not provide this information.

Further, while the MDP dedicates enough acreage to meet the open space requirement, it does not differentiate between active and passive open space on the provided maps. Calculated open space requirements should be provided with the MDP (§6.1.4, *MDP Contents*). Along with their delineation, the provided active open space should also demonstrate compliance with the standards set forth in §7.6.1.E, *Standards for Park, Recreation, and Open Space Areas*, with respect to unity, location, and accessibility (§7.6.1.E).

Road Layout and Construction: All roads within the Blake Farm are proposed to be dedicated as public. The exception to this will be the proposed alleyways as depicted within the SF-1 Preliminary Plan. The alleyways and internal street networks within the pods will be designed utilizing the Traditional Neighborhood Design (TND) criteria established by the NCDOT. TND designs typically provide for reduced right of ways and pavement widths to allow for a more compact street design as well as providing community character. The proposed road network has been planned utilizing the past MDP on this property as well as taking in to consideration the recommendations and general layout of the Coastal Pender Collector Street Plan. Blake Farm is proposing seven types road cross sections throughout the first phase of the community.

- Main Entry Road Section: The main access will be located at the existing signal at Scott’s Hill Loop Road and US Highway 17. This will be constructed as a 100 foot right-of-way, 4 lane median divided road with sidewalk on one side and a multi-use trail along the other.
- Main Entry Road Transition Section: The transition section will have a 80 foot right-of-way, 2 lane median divided road with sidewalk on one side and a multi-use trail along the other.
- Main Development Street/ US 17 Connector Road: This road network will have an 80 foot right-of-way with a 2 traveling lanes no median. The multi-use trail will continue throughout this road section.
- North/ South Collector: Similar to the transition section, the North/South Collector will utilize a 80 foot right-of-way, 2 lane median divided road with a sidewalk.
- Residential Collector Road: Residential Streets will have 50 foot right-of-way dedication with no median. A sidewalk facility will be provided.
- Residential Local: The residential local will provide for a 50 foot right-of-way dedication with a 2 lane road. At this type sidewalks or multi-use trails are not proposed.
- Alley Section: The alley section is proposing a 14 foot private right of way. Allowing individual home site private access to each lot.

With the exception of the alley section the additional roads will be dedicated public. The applicant is currently working with the North Carolina Department of Transportation on the proposed cross section approvals. Detailed cross sections and identified collector streets have been provided within the applicant's submitted materials (Exhibit 4). The overall estimated number of daily trips for Blake Farm is 35,361 with Phase 1 producing approximately 9,000 trips (Exhibit 5). A detailed Traffic Impact Analysis (TIA) is being produced by the applicant to determine the impact to the current road network. The scope of the TIA has been developed through the applicant's traffic engineer as well as Technical Review Members representing the Wilmington MPO.

STAFF COMMENT: Street Layout and access within an MDP shall conform to Section 7.4, Access and Section 7.5, Street Design, as provided in the UDO (§ 6.1.4.A.24). The proposed Blake Farm MDP generally meets the standards provided within the UDO.

The recommendations developed through the TIA should be considered as conditions of the Blake Farm project. The timing of any improvements outlined in the TIA will be based on the increased traffic in which the project will produce.

Street Connectivity and Access: Access to the development is proposed off of US Highway 17 in two locations, with the main access to Blake Farm to be located at the existing signal at Scott's Hill Loop Road and US Highway 17. The project falls within the Wilmington Metropolitan Planning Organization's jurisdiction and is governed by the goals and policies contained within the adopted Pender County Collector Street Plan. The Collector Street Plan provides recommendations for new roadways and classifications. According to the adopted plan, *Figure 4.1: New Roadways*, a series of new collectors and priority collector streets are recommended for this site. Where the priority new collectors are recommended, it is also recommended that they provide for bicycle facilities. This will be accomplished by providing a 10' multi-use path to run parallel to the main access road (Collector A) for Blake Farm as well as the "North/South Collector" and "Collector B". The multi-use path will also traverse throughout the development and serve as an amenity to the community.

Connectivity is being proposed along the southern boundary of the property in two locations: Huggins Road, which is a 100' access easement traversing through the adjacent property and accessing Sidbury Road (SR 1572). The second connection along the southern boundary of the project is being proposed as a stub street to adjacent properties to eventually connect back to Sidbury Road at time of future development. The northern property boundary also provides for two future connections: "Corbett Road" and the "North/South Collector", both of which are shown as future connections to adjacent properties.

Unlike the previously approved East Haven project, Blake Farm does not encompass property that is affected by the planned Hampstead Bypass (R-3300); therefore, a variance is not required for this request. In preliminary discussions with Wilmington Urban Area Metropolitan Planning Organization (WMPO) and North Carolina Department of Transportation (NCDOT), no dedicated access will be granted for the Blake Farm development from the bypass.

STAFF COMMENT: Along with demonstrating a safe and adequate transportation system, MDPs are to demonstrate that the "on-site transportation system will be integrated with the off-site transportation circulation system of the County (§4.8.1.D.8, *Transportation and Circulation System*). Moreover, the layout of the streets as to arrangement, width, grade, character, and location is to conform to the adjoining

street systems, as well as existing, planned and proposed streets (§7.5.1.A). Reasonable access will be provided to adjacent property for development (§7.5.1.A).

The Pender County Comprehensive Land Use Plan encourages vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining development (Policy 2B.1.4). It also recommends that these streets be dedicated public to promote interconnectivity. Per Policy 2B.1.9 of the 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.”

Landscaping and Buffers: Buffer type B will be provided along all project boundaries. In locations where a road network is provided, a Buffer A will be utilized, this typically adjacent to the collector streets and boundary along US HWY 17. A Buffer C will be utilized adjacent to single family development along Sidbury Road. The C type buffer provides the most screening to offset visual impacts from adjacent development.

Environmental Issues: Preliminary analysis of the property shows portions of the project contain environmentally sensitive areas including wetlands and floodplains.

A wetland declination for the SF-1 Phase of Blake Farm has been submitted and approved to the Army Corps of Engineers. Any development within these areas will be subject to the permit requirements of Section 404 of the Clean Water Act (Exhibit 6). Subsequent phases will require a wetland declination submitted to the Army Corps of Engineers for review and approval; all wetlands must be delineated by the Army Corps of Engineers prior to development. Any development within these areas may be subject to the permit requirements of Section 404 of the Clean Water Act.

A portion of the subject property is located within the Special Flood Hazard Area (SFHA) Zone AE, areas subject to inundation by the 1-percent-annual-chance flood event determined; according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Number 3720326200K. Any development located within the SFHAs will be required to meet the meeting the prescribed standards as outlined in the Pender County Unified Development Flood Damage Prevention Ordinance.

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

The PD, Planned Development District requires a tree survey to be submitted prior to the Final Preliminary Plat approval.

PROJECT COMPLIANCE

A. Zoning Compliance:

These tracts are all zoned PD, Planned Development district. Per §4.8.1 of the Pender County UDO:

“The intent of the Planned Development (PD) District is to provide an alternative to a conventional development. The PD zoning districts allow projects of innovative design and layout that would not otherwise be permitted under this Ordinance because of the strict application of zoning district or general development standards. The PD District encourages progressive land planning and design concepts.”

“In return for greater flexibility in site design requirements, planned developments are expected to deliver exceptional quality community designs that preserve critical environmental resources, provide above-average open space amenities, incorporate creative design in the layout of buildings, open space and circulation; assure compatibility with surrounding land uses and neighborhood character; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.”

“The PD District shall not be used as a means of circumventing the county’s adopted land development regulations for routine developments.”

STAFF COMMENT: The Blake Farm development is compatible with the surrounding land uses and neighborhood character; however, more adequate connectivity would be desirable.

B. 2010 Comprehensive Land Use Compliance:

These tracts are all designated as Mixed Use. The Mixed Use classification is intended for higher density/intensity uses, as well as a “mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian and transit friendly manner.” Specific policies addressing interconnectivity include.

Policy 2B.1.7 Ensure that the Coastal Pender Collector Street Plan, adopted on May 21, 2007, is used consistently when reviewing and approving new development proposals within the Hampstead and Scotts Hill areas of the County. Consider applying Plan recommendations for roadway connectivity to all new developments countywide.

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. Surrounding Land Uses:

The property to the west and north are zoned PD and RA. The properties to the East is zoned RA and the is bound by US HWY 17 to the south.

There are a few commercially utilized tracts along US HWY 17, Office & Institutional uses along the corner of Sidbury Road and US HWY 17 along with other residential uses.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

Cape Fear Council of Governments RPO

No response

Four County Electric Company

No response

NC DENR Division of Coastal Management

No response

NC DENR Express Permitting

No response

NC DENR Division of Forestry

No response

NC DENR Division of Land Resources

No response

NC DENR Division of Waste Management

No response

NC DENR Division of Water Quality

They will need a stormwater permit. This project will require a 401 wetland certification

NC DOT Division of Highways

Submit for Driveway Permit and Subdivision Plan Approval. Driveway comments will be based on TIA information.

NC DOT Transportation Planning Branch

No response

NC Office of State Archaeology

No response

NC Wildlife Resources Commission

No response

Pender County Building Inspections

No response

Pender County Emergency Management

No response

Pender County Environmental Health

*The project is supplied with public water and public sewer. EH will not be involved in this project.
Thanks*

Pender County Fire Marshal

No response

Pender County Parks and Recreation

No response

Pender County Public Library

No response

Pender County Public Utilities

No response

Pender County Schools

No response

Pender County Sheriff's Department

No response

Pender County Soil and Water Conservation District

Pender Soil & Water sees no problem with this request.

Progress Energy Corporation

No response

US Army Corps of Engineers

No response

Wilmington Metropolitan Planning Organization

Bill and I were looking at the master plan this week and he pointed out three additional future access points. Our current TIA scope only has the two road access points. If the development is proposing 3 driveways (which the DOT may not allow) then our TIA scope will need to be updated.

Pender County Permitting

No Response

Pender County Addressing

The name Huggins Road, the third access to which they are referring, has not been officially approved by Pender County. This is a forestry road that they named "Huggins". The good news...this is not a duplicate road name so if they would like to keep Huggins Road I will place it on the reserve list.

STAFF RECOMMENDATION:

Planning Staff is submitting this proposal for Planning Board disposition. The Master Development Plan and Preliminary Plan generally conform to the adopted Unified Development Ordinance and Comprehensive Plan. There are outstanding detail items within the MDP submittal that have been requested to provide the detail at later submittals. Consideration should be taken on requiring a Development Agreement as a condition to MDP approval. The Development Agreement should be focused on timing of public infrastructure including school

resources, vesting of development ordinances applicable to the project, and expectations from the developer and the County. Staff recommends approval of the request as well as recommending approval of SF-1.

APPENDIX:

4.8.1 PD: Planned Development District

Intent - The intent of the Planned Development (PD) District is to provide an alternative to a conventional development. The PD zoning districts allow projects of innovative design and layout that would not otherwise be permitted under this Ordinance because of the strict application of zoning district or general development standards. The PD District encourages progressive land planning and design concepts. Some of these techniques and concepts include but are not limited to:

- 1) To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- 2) To protect prime agricultural land and preserve farming as an economic activity.
- 3) To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- 4) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- 5) To protect scenic views.
- 6) To promote interconnected greenways and corridors throughout the County.
- 7) To create contiguous green space within and adjoining the development site.
- 8) To preserve important historic and archaeological sites.

A. General Intent/Purposes of the PD District

- 1) Allowing greater freedom in providing a mix of land uses in the same development, including a mix of housing types, housing prices, lot sizes, densities, and non-residential uses in a planned development;
- 2) Promoting quality urban design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses;
- 3) Encouraging quality urban design and environmentally sensitive development by allowing increases in base densities when such increases can be justified by superior design or the provision of additional amenities such as public and/or private open space.
- 4) In return for greater flexibility in site design requirements, planned developments are expected to deliver exceptional quality community designs that preserve critical environmental resources, provide above-average open space amenities, incorporate creative design in the layout of buildings, open space and circulation; assure compatibility with surrounding land uses and neighborhood character; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.
- 5) The PD District shall not be used as a means of circumventing the county's adopted land development regulations for routine developments.

B. General Use

- 1) Uses Allowed and Size - A planned development may contain any or all of the uses specified in the table of uses and in accordance with a master plan, provided such uses are consistent with the Table of Uses in Section 5.2 and the Comprehensive Plan. In order to develop under the PD District a minimum of two types of uses will be required. This must be a mix of residential and non-residential uses. Mixed use development may occur by having two or more principal uses located in the same building (e.g., retail on ground floor, office space above) or by having two or more principal uses located in different buildings sited on the same lot or parcel (e.g., freestanding child day care center located on the same parcel as an office building).

C. Number of Dwelling Units (Density)

- 1) Determination - The number of dwelling units in a project utilizing the PD development standards shall be a maximum of 5 units per net density. The density is calculated as total tract acreage subtracting the following:

- a) Areas reserved as non-residential development
- b) Total wetland calculations
- c) Rights of way and parking areas
- d) Active and Passive open space
 - i) Passive open space may be subtracted out of the total wetland delineation at time of Master Plan if calculated to be less than total wetland area.

D. Development Standards - Development in a PD District shall be subject to all applicable regulations unless otherwise waived or modified by the County in the terms of the approved master land use plan. In no case shall the decision-making body waive or modify the following standards for a proposed PD District:

- 1) Stream buffers required by the State of NC
- 2) Ownership requirements for any open space, buffers, or streetscapes unless otherwise permitted within this Ordinance;
- 3) Preservation of existing vegetation in streetscapes, floodplains, and/or buffers;
- 4) The minimum lot width and minimum yard requirements are established with the Master Plan may be modified by the Planning Board through the PD process however; the minimum distance between structures shall be as required by NC Building Code.
- 5) Street connectivity requirements;
- 6) Sidewalk and greenway requirements;
- 7) Stormwater control or LID requirements;
- 8) Transportation and Circulation System. The planned development's master plan shall demonstrate a safe and adequate on-site transportation system that addresses vehicular, bicycle, transit and pedestrian circulation. The on-site transportation system shall be integrated with the off-site transportation circulation system of the County.
 - a) Creative design of circulation routes and traffic ways is encouraged. A base characteristic of a PD is that the internal circulation routes or streets do not follow fixed linear geometric lines as do most streets. Instead, circulation routes are curvilinear and of meandering character, to preserve tree and landscape features. Slower-paced traffic movements and private restrictions for extremely low speed limits.
 - b) Pedestrian-oriented communities also are encouraged to enhance the quantity of pedestrian activity and to improve the quality of the pedestrian experience. Planned subdivisions must adhere to the design standards for drainage and paving in this Ordinance.
 - c) Where the development is bound by two (2) or more NC DOT on-system roads, at minimum access to each road shall be provided.
 - d) Adequately constructed and maintained bike and/or hiking trails shall be counted toward the open space requirement. Bicycle lanes and multi-use pathways that extend the minimum right-of-way width shall be designed in accordance with the North Carolina Bicycle Facilities Planning and Design Guidelines Manual.