

**PLANNING STAFF REPORT
MASTER DEVELOPMENT PLAN REVISION AND PRELIMINARY PLAT
HAMPSTEAD COMMONS**

SUMMARY:

Hearing Date: July 6, 2016
Applicant: Ksade Ventures LLC
Property Owner: Jeffery Beaudoin
Case Number: Master Development Plan Revision 279-2016 Preliminary Plat 282-2016

Development Proposal:

Ksade Ventures LLC, applicant, on behalf of Jeffery Beaudoin, owner, is requesting a revision to the previously approved Master Development Plan (Case 10017) and Preliminary Plat for Phase II of the mixed-use development proposal known as Hampstead Commons. Specifically, this request for Phase II is to add seventy-two (72) single-family residential lots on \pm 24.00 acres to the existing Master Development Plan with the approved commercial use located on \pm 4.55 acres.

Property Record Number, Acreage, and Location: The Master Development Plan Revision and Preliminary Plat request consists of \pm 28.55 acres. The subject properties are zoned PD, Planned Development zoning district. The properties are located to the north east of the residential subdivision known as Villages at Olde Point, south east of Transfer Station Road (SR 1695), south of the residential subdivision known as Belvedere, and west of Country Club Drive (SR 1565) in the Topsail Township. The subject property may be further identified by Pender County PINs: 4203-35-3583-0000 and 4203-26-9269-0000.

RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with four (4) policies and conflicting with one (1) policy 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 Revision and Preliminary Plat request with conditions as detailed in the report. Any and all future development, as well as, all phases or changes to the Master Development Plan Revision and Preliminary Plat are subject to Planning Board review and approval.

HISTORY

On August 4, 2009 Jeff Beaudoin, applicant and owner, requested approval of a Master Development Plan for an Indoor & Outdoor Recreation Establishment, privately operated (Case 10017) (NAICS 713940).

The applicant proposed a minor subdivision for the creation of five separate tracts. Tracts 1 and 5 were proposed to be utilized by the community center and common area, climbing tower, and ropes course while the remainder of the property will be reserved for future development requiring approval at a

future date. The property was never subdivided, the climbing tower, and ropes course were never constructed (Attachment 1).

On August 3, 2010 Jeff Beaudoin, applicant and owner, requested a revision to the previously approved Master Development Plan for the Community Aquatic Lifestyle Center (Case 10017). The applicant had requested a site layout change with additional structures and specific phasing of the project dependent on the availability of sewer services for the area (Attachment 2).

On September 14, 2011 The Pender County Planning Board, voted to pass a motion to approve the Major Site Plan for the Community Aquatic Lifestyle Center Phase I and II as presented (Case 10017) (Attachment 3).

At current the commercial use of the property is an indoor and outdoor Recreation Establishment and Educational Facility. This current use of the property is in compliance with the August 4, 2009 Master Development Plan Approval.

The applicant has subdivided the property on May 23, 2016 using division method of a Three Lot Division on an Access Easement per Section 6.8. The division can be found on Map Book 59 Pages 48 with the Pender County Register of Deeds (Attachment 4). This division is compliant with the approved Master Development Plan Revision from August 3, 2010.

MASTER DEVELOPMENT PLAN

Non-Residential

Currently the existing non-residential portion of the proposed Master Development Plan Revision is identified as "Commercial" and contains \pm 4.55 acres of the total \pm 28.55 acre subject property. The existing commercial use is located on the eastern side of the subject property and the western side of Country Club Road (SR 1565). The existing commercial use contains the Community Aquatic Lifestyle Center which was the purpose for the previous Master Development Plan Revision originally submitted to the Planning Board on August 4, 2009 revision.

Residential

Density

Net density of the proposed project is calculated by Planning Staff at 4.02 units per acre overall. Per Section 4.8.1.C the net density in the PD, Planned Development zoning district shall be a maximum of five (5) units per acre.

All density calculations shall be in accordance with Ordinance requirements and examined further if any variables of the project change from the original Master Development Plan Revision submittal. An approved project density per Section 4.8.1.C is required at the time of Master Development Plan approval. At current the Master Development Plan Revision and Preliminary Plat is consistent with the density requirements of the Ordinance.

Overall Density

	Current Request
Total Acreage	28.55
Non-Residential Acreage	4.55
Wetlands Acreage	0
Right-of-Way Acreage	3.50
Open Space Acreage	
Active	1.53
Passive	1.08
Total Units	72
Developable Land	18.97
Net Density	4.02

Total Requested Lots

The original Master Development Plan (Case 10017) only consisted of a commercial use located on the eastern portion of the subject property defined under Sector 71 per Section 5.2.3 of Ordinance Table of Permitted Uses as a Fitness & Recreational Sports Centers (NAICS 713940). At current the applicant is proposing the ± 24.00 acres west of the ± 4.55 acres of existing commercial area for the location of the proposed single family detached homes. The submittal includes Phase II of the Master Development Plan Revision to include seventy-two (72) proposed single family residential lots.

Lot Requirements

As outlined in the Unified Development Ordinance, Section 4.8.1.D the Master Development Plan established the required lots sizes, yard setbacks, and building height. Building height is proposed at thirty five (35) feet and minimum lot size is proposed at 6,600 sq. feet. Currently the applicant is requesting both zero lot lines and five (5) foot side yard setbacks. The applicant is required to pick one proposed setback distance or state specifically what lots the applicant will be requesting to be approved with the specified setbacks.

Single-Family Detached

Setback	Proposed Distance (in feet)
Front	5'
Side	5' and zero lot line (8'-10' maintenance easement is required)
Corner	5'
Rear	10'

Landscaping & Buffers

All landscaping and buffers are to be approved in accordance with Section 8.2.8, Project Boundary Buffer of the Pender County Unified Development Ordinance. In multifamily and planned developments the following buffers are required; Buffer A along all boundaries adjacent to a street, Buffer B along all other boundaries, Buffer C is required along all boundaries adjacent to single family residential uses, or residential lots with a parcel size of less than one (1) acre and when a single family structure is within fifty (50) feet of the boundary of the development.

The applicant is proposing a Buffer C-2 along the western portion of the subject property bordering the parcel identified by PIN: 4203-17-8616-0000. The applicant is proposing a Buffer A-2 along the northern portion of the property adjacent to the proposed Transfer Station Road (SR 1695) extension. A Buffer B-2 is proposed along the southern boundary of the subject parcel. The buffers provided are consistent with the buffer requirements stated in the Pender County Unified Development Ordinance Section 8.2.8 (attachment 5).

Specific buffer types have been defined on the submittal and are in compliance at this time. These designations are required per Section 6.1.4.11 prior to the approval of a Master Development Plan Revision in a mixed-use district.

Open Space

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

The required open space for the Master Development Plan Revision area is ± 2.16 acres. Currently ± 2.61 acres of open space is provided in this proposal with ± 1.53 acres to be dedicated as active open space and ± 1.08 acres to be dedicated as passive open space. The open space is consistent with the Pender County Unified Development Ordinance requirements.

Open Space	Required	Proposed
Total	2.16	2.61
Active	1.08	1.53
Passive	1.08	1.08

The open spaces proposed are located in a usable shape for active recreation. The locations of the proposed open spaces are in easily accessible areas for the future residents of the subdivision. The residents of the proposed subdivision will have suitable, safe, and convenient ingress and egress to the proposed active open space areas through sidewalks, roadways, and easements. Pedestrian connection is provided to the existing commercial use of the subject property. Pedestrian access is provided in the proposed Master Development Plan Revision through sidewalks and a multi-use path. A sidewalk is proposed in the cross section for the (fifty) 50' right of way. The sidewalk will be located within the area represented by the cross section to include roads A, B, and C.

Cluster Boxes are located east of lot fifty-eight (58) and north of lot fifty-nine (59) in the open space provided.

The open space provided is consistent with the buffer requirements stated in the Pender County Unified Development Ordinance Section 7.6.

Recreational Units

At this time the applicant is proposing a multi-use path to be located east of lots twenty-four (24), twenty-five (25), and twenty-six (26). The applicant shall be required to submit an engineered cost estimate to show the improvement represents the Financial Unit requirement as identified in the Ordinance. The applicant has not provided this documentation at this time.

Recreational facilities shall be in a configuration and location that is easily accessible to the dwelling units that they are designed to serve and may be placed within active or passive open space required areas. Recreational units are assigned a financial unit to be achieved via installation on the subject property or through a payment in lieu of in conjunction with the approved Pender County Parks & Recreation Master Plan. The timing of the installation 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 34-99 proposed dwelling units are responsible for a Recreational Unit of 1.0 and a Financial Unit of \$10,000. 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. At current the applicant is choosing to install the Recreation Unit.

Roadways

Public Roadways

The Pender County Collector Street Plan currently does not show any proposed collector roadways through the subject property, however a collector roadway has been bonded to the north of the subject property for the proposed Hawksbill Cove (Case # 10771) subdivision. This bonded roadway is to include the extension of the existing Transfer Station Road (SR 1695). The applicant has proposed a connection to this collector roadway identified as Transfer Station Road Extension (Attachment 6). This connection is proposed to be the applicant's primary ingress egress for the subdivision. The required date to complete Transfer Station Road Extension is September 14, 2017.

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

Currently the subject parcel's roadway access on Country Club Road (SR 1565) is through the narrow portion of an existing flag lot. This access point is the proposed Master Development Plan Revision and Preliminary Plat secondary access point and the primary access point for the existing commercial use. 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. The adjacent flag lot lying to the south of the property identified by PIN: 4203-25-9409-0000 will be required to be utilized by the applicant for reasonable access to obtain the right of way needed for the connection. The NCDOT will require both parcels' owner signatures on the NCDOT Driveway Permit. A deed has been provided by the applicant stating that the applicant has the rights to utilize the adjacent property which adjoins the proposed secondary access point for the proposed Master Development Plan Revision and Preliminary Plat and the primary access point for the existing commercial use (Attachment 7).

Private Roadways

Currently all the roadways located within the subject property are proposed to be private and dedicated for public use.

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 and forty (40) feet width with a modified valley curb.

Street Connectivity and Access

The PD, Planned Development zoning district per Section 4.8.1.E district requires reasonable access to be provided to adjacent properties for development. Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5 these roadways are required to be designated as public when connected to adjacent parcels. The applicant has designed private roadways to be dedicated for public use. This is in compliance with the Ordinance.

Per Section 4.8.1.D.5 the applicant is showing connections to the parcel located south to create interconnectivity for future adjoining street systems. The adjacent parcel currently does not have any existing street systems. Per Section 7.5.1.B spite strips along development boundaries preventing access to streets from adjacent properties are prohibited and requires the pavement to the edge of the parcel in order to prevent spite strips. The applicant is required to provide a bulb turn around for the stub streets. The proposed Master Development Plan Revision and Preliminary Plat is currently in compliance with the Ordinance.

Traffic

Per Section 6.1.2.A.15 a Traffic Impact Analysis is required when the development generates 100 trips in the AM or PM hours or 1,000 trips per day. The TIA determines what improvements are necessary to the existing roadway network. The Traffic Impact Analysis must state the dates and times the counts were conducted. At this time an examination of traffic impact on the existing road network surrounding the subject properties is required. A scoping document has been submitted to the WMPO (Attachment 8). A request for a waiver has been submitted to the County from the applicant's consultant and is currently being reviewed and taken into consideration.

This requires the coordination with NCDOT and the Wilmington Metropolitan Planning Organization (WMPO). Currently the proposed Master Plan including the existing commercial use has a combined daily trip total of 946, peak AM trips of 97, and peak PM trips of 117.

Currently two site access points are required to be studied in the Traffic Impact Analysis.

Study intersections

1. Country Club / New Transfer Station extension
2. Country Club / Site Access

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 designed sidewalks on one side of the typical cross section for the proposed roadways. This cross section represents roadways A, B, and C. The proposed sidewalk will create an opportunity for increased pedestrian activity.

The current proposal demonstrates pedestrian access throughout the subdivision and demonstrates pedestrian access to the existing commercial use. The applicant has proposed a multi-use path within the open space located to the west of the existing commercial use. The multi-use path will be connected to the proposed sidewalks within the subdivision to add to the pedestrian experience that the PD, Planned Development zoning district requires.

The Master development Plan Revision request consists of viable pedestrian connections and meets the Pender Collector Street Plans requirements. The commercial elements of the proposed Master Development Plan Revision and Preliminary Plat are consistent with the Ordinance and the Pender County Collector street Plan.

Utilities and Services

Wastewater

Currently The private wastewater service provider (Pluris) has capacity for the proposed seventy-two (72) single family homes included in the Master Development Plan Revision and Preliminary Plan and has provided a letter of intent to serve (Attachment 9).

Water

The project has proposed connection to a Pender County Utilities water line; subject to review and approval by Pender County Utilities (PCU) (Attachment 10). Currently one water service terminates at Country Club Road (SR 1695) and Kings Landing Road (SR 1567). The other water service is located on US HWY 17. Currently there is a Developer agreement in place for the installation of the proposed water line (DEH Serial No: 14-00329) with the Hawksbill Cove Subdivision. This extension of the water line will extend from US HWY 17 east on Transfer Station Road Extension (SR 1695).

Environmental Concerns

The Master Development Plan area does not contain portions of environmentally sensitive areas.

Tree Survey

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval. Currently this is outstanding and is not consistent with the Ordinance.

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 known as Hampstead Commons. The responses collected can be seen in Attachment 11.

EVALUATION

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

B) Existing Zoning in Area: The properties are located within a PD, Planned Development zoning district. The intent of the PD, Planned Development zoning district is to provide an alternative to a conventional development. The PD district allows projects of innovative design and layout that would not otherwise be permitted under this Ordinance because of the strict application of zoning district or general development standards. The PD district encourages progressive land planning and design concepts. The properties to the north east and south west east are zoned PD, Planned Development zoning district, the properties to the south on the opposite side of Country Club Drive (SR 1565) are RP, Residential Performance zoning district and the property to the north west is zoning O&I-CD1, Office and Institutional zoning district.

C) Existing Land Use in Area: The subject property is zoned PD, Planned Development zoning district. The proposed development is located to the north east of the residential subdivision known as Villages at Olde Point, south east of Transfer Station Road (SR 1695), south of the residential subdivision known as Belvedere, and west of Country Club Drive (SR 1565) in the Topsail Township

D) 2010 Comprehensive Land Use Plan: Mixed Use: The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit friendly manner.

Supporting Comprehensive Plan Policies and Goals:

- a. **Growth Management Goal 1A.1** Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.
 - i. **Policy 1A.1.2**
Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development
- b. **Transportation Goal 2B.1** Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the 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.

Conflicting Comprehensive Plan Policies and Goals:

- a. **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 Pender Collector Street Plan.

The timing of transportation improvements is inconsistent with the proposed Master Development Plan and Preliminary Plat. Currently the Hawks Bill Cove Extension has not been completed and the applicant is proposing the primary ingress egress for the proposed subdivision to this proposed incomplete roadway.

The request is consistent with four (4) policies and conflicting with one (1) policy in the 2010 Pender County Comprehensive Land Use Plan.

Proposed Conditions for Master Development Plan

1. Completion of the proposed Transfer Station Road extension is required before the Master Development Plan revision and Preliminary Plat can be signed.
2. Completion of the water line extending from US HWY 17 to Hawks Bill Cove has been completed (DEH Serial No: 14-00329).

STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with four (4) policies and conflicting with one (1) policy 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 Revision and Preliminary Plat request with conditions as detailed in the report. Any and all future development, as well as, all phases or changes to the Master Development Plan Revision and Preliminary Plat are subject to Planning Board review and approval.

BOARD ACTION FOR MASTER DEVELOPMENT PLAN REVISION AND PRELIMINARY PLAT:

Planning Board

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

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