PLANNING STAFF REPORT
CONDITIONAL ZONING MAP AMENDMENT
HARDISON NC HWY 210 TRACT

SUMMARY:

Hearing Date:	August 1, 2017 Planning Board, tabled September 6, 2017 Planning Board October 16, 2017 Board of Commissioners
Applicant:	Hardison Building Company
Property Owners:	Gerald D. Hardison
Case Number:	CZMA 585-2017

Rezoning Proposal: Hardison Building Company, applicant, on behalf of Gerald D. Hardison, owner, is requesting the approval of a Conditional Zoning Map Amendment for one (1) tract totaling approximately ±326.15 acres from RA, Rural Agricultural zoning district to RM-CD3, Residential Mixed Conditional zoning district 3, and an additional three (3) tracts as part an overall Master Development Plan for a total of ±347.23 acres. This request is to allow for single family and single family townhome residential units.

Property Record Number, Acreage, and Location: The subject properties are located along the south side of NC HWY 210 approximately ± 2,100 feet to the east of the intersection of NC HWY 210 and Island Creek Road (SR 1002) in the Topsail Township and may be further identified by Pender County PINs: 3273-50-0693-0000, 3273-71-1319-0000, 3273-61-9426-0000, and 3273-32-7562-0000.

RECOMMENDATION

Hardison Building Company, applicant, on behalf of Gerald D. Hardison, owner, is requesting the approval of a Conditional Zoning Map Amendment for one (1) tract totaling approximately ±326.15 acres from RA, Rural Agricultural zoning district to RM-CD3, Residential Mixed Conditional zoning district 3. This request is to allow for single family and single family townhome residential units. 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 proposed development is consistent with the 2010 Pender County Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance. Therefore, the administrator respectfully recommends approval of the development as proposed with conditions.

DESCRIPTION

The proposed development consists of 157 single family residential lots and 405 townhomes, for a total of 562 single family residential units on ±326.15 acres of land. Access to the subject parcel is granted from NC HWY 210 through property under the same ownership submitted as part of the Master Development Plan submittal. The properties through which access is granted from NC HWY 210 are reserved for future development on the submitted Master Development Plan.

Proposed Uses

		Zoning Districts									
Use Type	**Ref NAICS**	**RA**	**RP**	**RM**	**MH**	**PD**	**GB**	**OI**	**IT**	**GI**	**EC**
MISCELLANEOUS USES											
SFD: Detached – Conventional		P	P	**P**	P	P					
SFD – Townhouse (5+ attached)				**P**		P					

The proposed uses within the RM, Residential Mixed conditional zoning district 3 are to include the use of single family residential detached conventional housing, as well as, single family townhomes. Both uses are permitted by-right in the RM, Residential Mixed zoning district.

All other uses or expansions 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.

Density

The approved net density of the Master Development Plan is shown below. According to Section 4.8.1.D.1 the net density in the RM, Residential Mixed zoning district shall be a maximum of five (5) units per acre and is in compliance with the required density of the Unified Development Ordinance. This proposal is compliant with the Pender County Unified Development Ordinance.

Table 1

Total Acreage	347.23
Non-Residential Acreage	0
Wetlands Acreage	142
Right-of-Way Acreage	35.07
Open Space Acreage	54.79
Active	10.13
Passive	44.66
Total Units	562
Developable Land	204.69
Net Density	2.74

Setbacks

Per Section 4.14, Zoning District Dimensional Requirements, the setback requirements for the RM, Residential Mixed zoning district are to be specified on the Master Development Plan and subject to review and approval. The applicant has proposed the following dimensional requirements:

Table 2

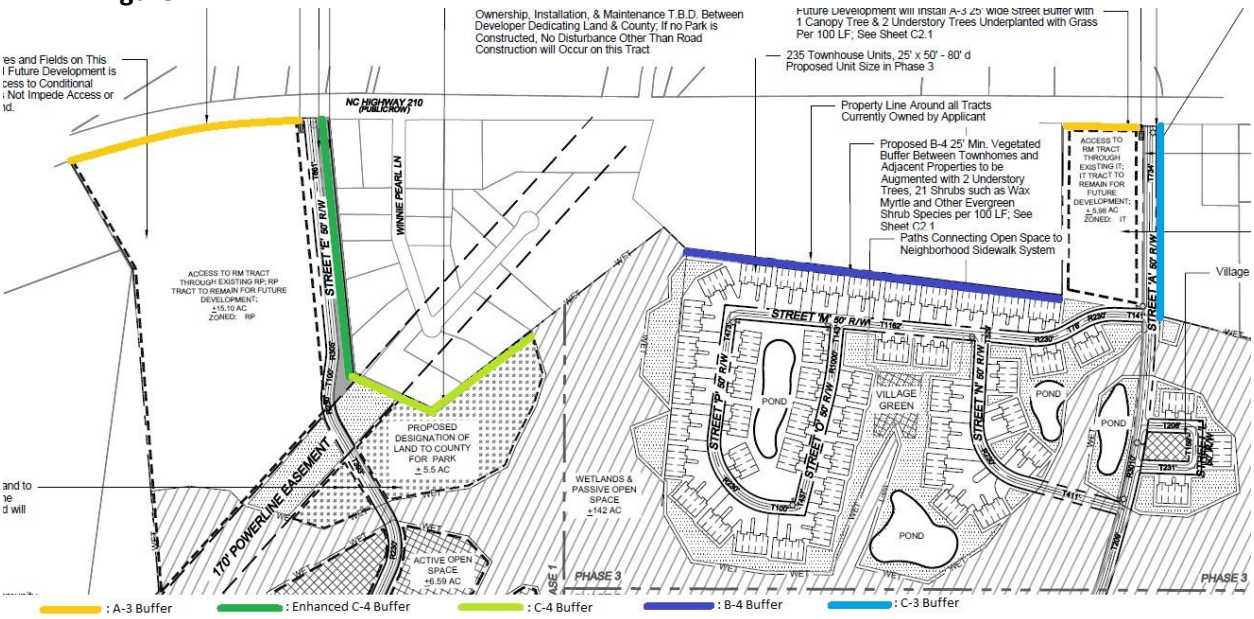
Proposed Dimensional Standards for RM-CD3 Zoning District	**Single Family Conventional Lots**	**Single Family Townhomes**
Minimum Lot Size (in sq. ft.)	5,000	1,250
Minimum Lot Width	20’	20’
Minimum Front Yard	5’	10’
Minimum Side Yard	5’	10’

Minimum Corner Yard	5’	10’
Minimum Rear Yard	10’	10’
Chord	15’	15’
Maximum Building Height	35’	35’

Landscaping and Buffers

The applicant has proposed a 25’ wide Type A-3 buffering on all road frontages on the exterior of the development. An enhanced 50’ Type C-4 buffering is provided along the eastern entrance of Street “E” adjacent to the residents living along Winnie Pearl Lane (private) based on comments received at the community meeting from adjacent property owners. The augmented 50’ Type C-4 Buffer will include a 6’ high wood opaque fence. A 25’ Type C-4 Buffer is provided along the southern and eastern boundaries of the residential lots along Winnie Pearl Lane (private). The neighborhood park shall remain undisturbed in its natural state until the County develops the property. A 20’ Type C-3 Buffer is provided along the entrance to Street “A” adjacent to the existing residential houses to the east of the entrance. A 25’ Type B-4 vegetated buffer is also provided along the townhomes and the properties along NC HWY 210. Buffering within the Duke Energy powerline easement is subject to review and approval by the utility. No additional buffering is required according to Section 8 of the Pender County Unified Development Ordinance. The applicant met with adjacent residents to discuss buffering concerns on August 25, 2017 and agreed upon the conditions outlined in this report. The applicant shall remove all trees along NC HWY 210 to the west of Street E’s access to the development prior to preliminary plat approval for Phase I.

Figure 1



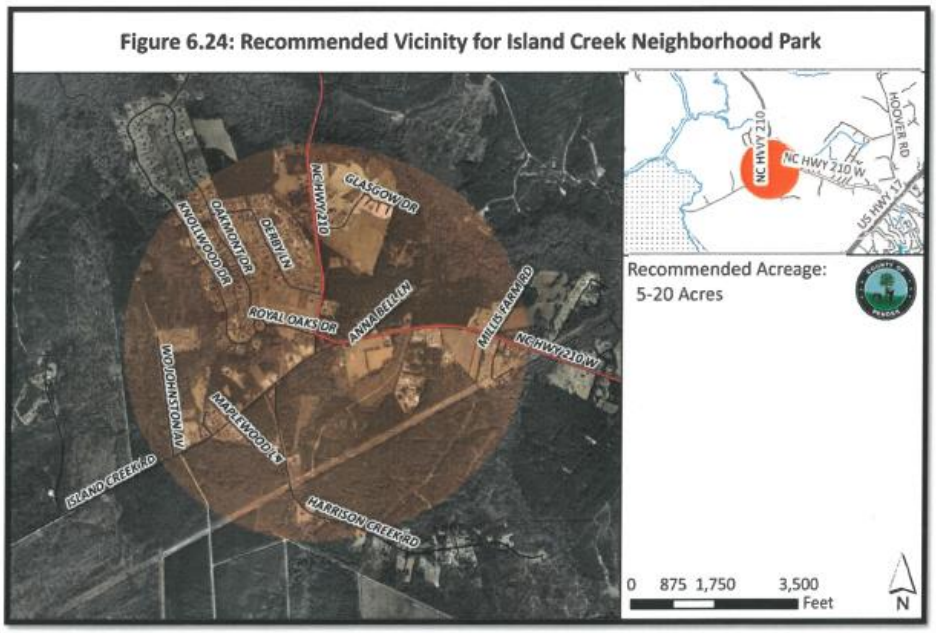
Recreational Units

According to the Pender County Comprehensive Parks and Recreation Master Plan, the site is located in an area identified for a recommended county-managed neighborhood park. A neighborhood park is suited for intense development, with easy access for bicycle, pedestrian, and neighborhood access. The desirable acreage is between 5-20 acres and facilities could include field games, court games, playground apparatus

areas, and picnicking. According to N.C.G.S. 153A-331, a subdivision control ordinance may provide for the orderly growth and development of the county for the dedication or reservation of recreation areas serving residents of the immediate neighborhood within the subdivision.

The applicant has reserved ±5.5 acres for this neighborhood park on the submitted site plan. Consistency with Pender County Parks and Recreation Comprehensive Master Plan is required in Section 7.6.1.E.9 of the Unified Development Ordinance. If any portion of any subdivision proposed for residential development lies within an area designated on the officially adopted Plan as a park, such area shall be included as part of the area set aside to satisfy the requirements of this Article up to the maximum requirement of open space calculations. This area shall be reserved for public use. The park is located along Street "E" which includes an 8' feet wide multi-use path connecting the park to NC HWY 210. Dedication of land shall be required prior to the zoning approval of any phase in the development. If the County does not accept the property, then the property will remain as community open space. The neighborhood park shall remain undisturbed in its natural state until the County develops the property at which time the County shall install and maintain specific buffers working with the community.

Figure 2



Source: Pender County Comprehensive Parks and Recreation Master Plan

For 562 single family lots, the applicant is required six (6) recreation units totaling a minimum of $60,000. The applicant has provided an amenity site featuring a clubhouse exceeding the required amount and has submitted the required documentation (Attachment 1).

Open Space

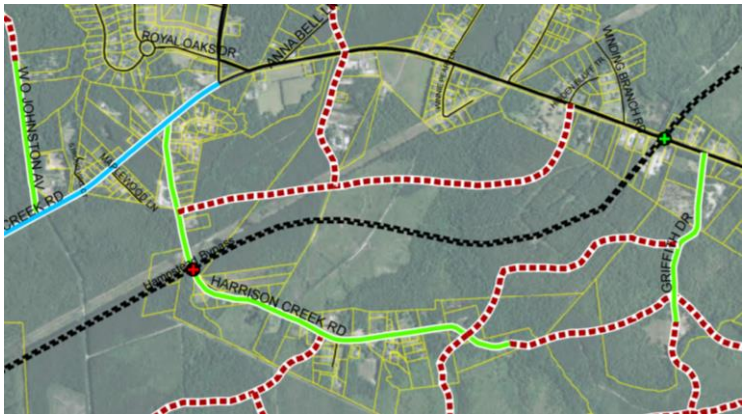
Based on 562 residential lots, 16.68 acres of open space is required. The applicant has provided 44.66 acres of passive open space and 10.13 acres of active open space, meeting Ordinance requirements. The applicant has provided unified open space to the extent possible, as required in Section 7.6.1.E.1 of the Unified Development Ordinance. Much of the passive open space is not accessible or is classified as wetlands. Active open space is provided near the recommended neighborhood park area in a unified and cohesive manner. Access to active open space is provided via Streets "A" and "E" which also provide sidewalk connections to the proposed active open space.

Roadways

Public Roadways

The applicant has submitted the following information regarding planned Collector Streets and public rights-of-ways. Streets “A”, “B”, “E”, “F”, and “I” are designated as public and are to be dedicated to NCDOT. All streets are in conformance with the County’s Collector Street Plan.

Figure 3

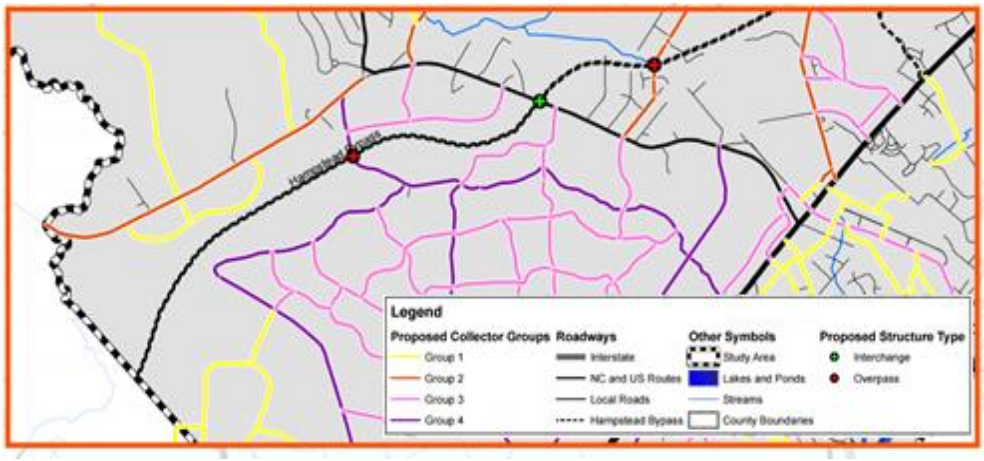


Source: Pender County Collector Street Plan

Three access points are provided for the development proposal. Two access points are to the north from NC HWY 210. Streets “A” and “E” provide a direct connection to NC HWY 210. Streets “E” and “I” provide a connection from US HWY 17 to Harrison Creek Road (SR 1573). Connections to adjacent parcels are provided through Streets “F” and “B”. Based on comments received from the Fire Marshal at the Technical Review Committee (TRC) meeting, connectivity for fire access is required across the property from east to west. Two Collector Streets are identified on the subject parcel per the Pender County Collector Street Plan to provide connections to Harrison Creek Road (SR 1573) and Griffith Drive (private).

The required Collector Streets groupings are shown in Figure 2 below. All Collector Streets are identified as ‘Group 3’ roadways.

Figure 4



The applicant has not provided an additional connection towards Griffith Drive (private). According to Section 7.5.1.B, any deviation from the required spacing standards, width, grade, or character of the

streets may be granted based on the approval of the Administrator. Maximization of the number of lots or parcels in a land division is not a reason to allow a waiver or modification. Criteria for approval may include 401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Supplemental information has been provided (Attachment 2) exempting the eastern connection to Griffith Drive (private) as show above.

However, according to Section 7.5.3.C, private streets are required to built to public collector street standards when any of the following criteria are met:

1) When the subdivision contains streets that have any dimension of more than 5280 ft.,
2) When any street in the subdivision has the potential to serve more than 200 residential or commercial units,
3) When access to any lot or unit in the subdivision is more than 5280 ft. by a private street to a public street,
4) When existing public streets have been dedicated or constructed to the property line of the subdivision,
5) When access to adjacent properties will be hindered as a result of private streets being allowed in the subdivision.

All proposed public and private streets meet ordinance standards. Additional street information is shown below.

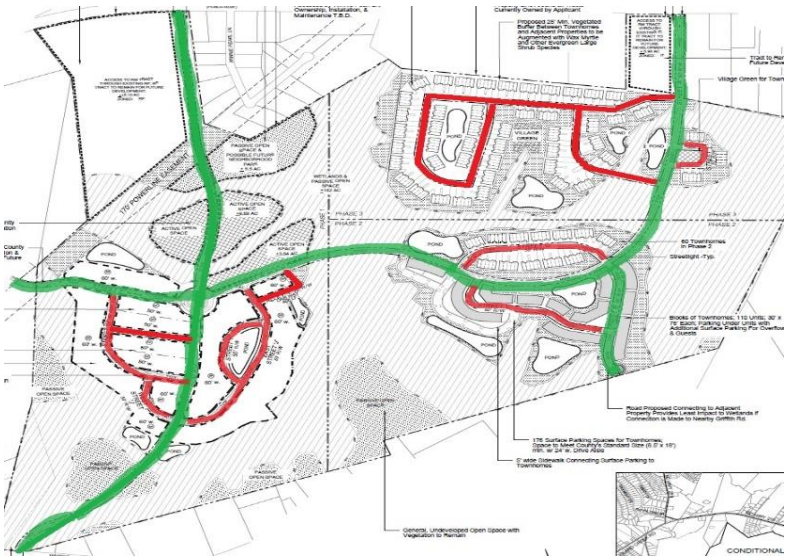
Figure 5

ROAD DESIGNATIONS

STREET	DESIGNATION	LENGTH	COLLECTOR RD.	COLLECTOR RD. TYPE	SIDEWALK/PATH
A	PUBLIC	5,098'	YES	LOCAL,GROUP 3	(1) 8' WIDE SIDEPATH
B	PUBLIC	1,028'	YES	LOCAL,GROUP 3	(2) 5' WIDE SIDEWALKS
C	PRIVATE	1,194'	NO		
D	PRIVATE	1,090'	NO		
E	PUBLIC	2,550'	NO		
F	PUBLIC	988'	YES		(1) 8' WIDE SIDEPATH
G	PRIVATE	1,165'	NO		
H	PRIVATE	582'	NO		
I	PUBLIC	2,607'	YES	LOCAL,GROUP 3	(1) 8' WIDE SIDEPATH
EAST J	PRIVATE	1,507'	NO		
WEST J	PRIVATE	502'	NO		
K	PRIVATE	732'	NO		
L	PRIVATE	598'	NO		
M	PRIVATE	1,645'	NO		
N	PRIVATE	1,054'	NO		
O	PRIVATE	735'	NO		
P	PRIVATE	976'	NO		

ALLEY	DESIGNATION	LENGTH	
1	PRIVATE	466'	NO

Figure 6



Public Streets
Private Streets

Private Roadways

Streets "A" and "F" are 50' right-of-way's with an eight (8') foot side path. Streets "C", "E", "G", "H", "I", and "J" are shown as 50' right-of-way's with a five (5') foot sidewalk on one side of each roadway. Street "B" provides a 5' sidewalk on each side of the roadway. Streets "D", "L", "M", "N", "O", and "P" are designated as private roadways in the townhome portion of the development. The applicant proposes an additional 20' wide alleyway that meets ordinance requirements.

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. The applicant has proposed sidewalks be constructed throughout the community on the public and private roadways.

Figure 7

These sidewalks will create an opportunity for increased pedestrian activity. Proposed sidewalks provide pedestrian flow to each of the active open space areas providing a safe and usable pedestrian route. The applicant's submitted site plan shows Streets "A", "B", "E", "F" and "I" with an 8' wide multi-use path. Streets "C", "G", "H", "J", and "K" provide a 5' wide sidewalk on one side of the road. The submitted sidewalks are in compliance with the Unified Development Ordinance requirements.

Traffic

A Traffic Impact Analysis (TIA) scoping letter was approved by the Wilmington Metropolitan Planning Organization (WMPO) on June 18, 2017. The TIA scoping letter is available as Attachment 3. The following intersections were recommended for study in the TIA:

- NC HWY 210 and US HWY 17
- NC HWY 210 and Island Creek Road
- Island Creek Road and Dallie Futch Road
- NC HWY 210 and Royal Oak Drive
- Island Creek Road and Harrison Creek Road
- Island Creek Road and Site Access 2
- Island Creek Road and Site Access 3
- Harrison Creek Road and Access 1

Based on comments received from the Technical Review Committee (TRC), driveway permits will be required from NCDOT, along with possible roadway improvements. Public roads will need to be reviewed through the state's Hydro office for compliance.

Hampstead Bypass

The subject properties are located within the corridor for the NCDOT's R-3300A Hampstead Bypass project which is currently the unfunded segment of the roadway. Section 17(a) of HB 959 states that all restrictions imposed under Article 2E of the North Carolina General Statutes, "Transportation Corridor Official Map Act," are no longer applicable to properties designated under the rescinded maps. This would include prohibitions on the issuance of building permits and subdivisions of property. The local government cannot restrict the application for either activity, but can advise applicants of future planned transportation projects.

Utilities

According to the applicant's submitted narrative, the applicant intends to utilize an existing Pender County Utilities (PCU) water line along NC HWY 210. The applicant also intends to utilize a private regional wastewater system, Pluris Hampstead, LLC., for wastewater disposal and treatment (Attachment 4). The extension of the private wastewater utility, Pluris LLC., along NC HWY 210, allows for the density and type of development requested within this proposal. Without the extension of the wastewater line to the subject parcels, the densities requested may not be supported by the Comprehensive Land Use Plan.

Environmental Concerns

The subject parcel not located within a CAMA Area of Environmental Concern (AEC). The property is not located in the Special Flood Hazard Area and therefore no flood standards are required. According to the applicant's submitted site plan, wetlands are impacted by development on the subject parcel. No Jurisdictional Delineation has been submitted by the applicant and will be required prior to any approvals.

Any disturbance within these wetlands as proposed subject to review and approval by the U.S. Army Corps of Engineers.

Stormwater
The applicant proposes stormwater retention facilities to be located throughout the development. Each lot will be dedicated a maximum of 5,500 square feet of impervious surface coverage. The applicant is required to accommodate a ten year storm event according to Section 7.9.1 of the Pender County Unified Development Ordinance. All stormwater and drainage approvals are required prior to any zoning approvals.

Outdoor Lighting
Outdoor lighting is shown on the submitted site plans and is in compliance with Section 7.11 of the Pender County Unified Development Ordinance. The applicant met with adjacent residents to discuss lighting concerns on August 25, 2017 and agreed to minimize lighting impacts, especially near the Duke Energy transmission lines and has agreed to omit lighting within the powerline easement.

Signage
Proposed neighborhood signage is located along the entrances to the development along streets "E" and A". All signage shall meet the requirements of Section 9 of the Pender County Unified Development Ordinance.

Public Input Meeting
The public meeting was held on July 13, 2017 from 6pm-7pm in the Hampstead Annex auditorium. Approximately 15 to 20 residents of the surrounding community came to the open house style meeting to speak with the project engineer and developer. Concerns from citizens included schools, traffic, wetlands and drainage, buffering, the location of the Hampstead Bypass and the subject parcels, and the curve of NC HWY 210 at this location. A report from that meeting can be found in Attachment 5. The applicant met onsite with adjacent residents to discuss various concerns on August 25, 2017 and agreed upon the conditions outlined in this report. A report from that meeting can be found in Attachment 6. The comments received from that meeting are incorporated into the potential conditions seen below.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES
Pender County's Technical Review Committee meeting was held on Tuesday, June 7, 2017 at 9 A.M. in the Board of County Commissioners meeting room, to review the proposal. The comments can be found in Attachment 7.

EVALUATION:

A. **Public Notifications:** Advertisements for the proposal have been placed in the Pender-Topsail Post & Voice. Adjacent property owners within five hundred feet (500') of the subject parcel were notified by first class mail; and a sign advertising the public hearing was placed on the subject properties.

B. **Existing Zoning in Area:** The subject property is currently zoned RA, Rural Agricultural zoning district. The subject properties are bordered by RP, Residential Performance zoning district properties to the west and south, with additional RP tracts located to the north along NS HWY 210. To the east and west are additional RA, Rural Agricultural zoning district tracts. IT, Industrial Transitional zoning district properties are located to the north of the subject properties along NC HWY 210, with a GB, General Business zoning district property to the northwest.

C. **Existing Land Use in Area:** The subject parcels are surrounded by low density residential to the north and south, with vacant land to the east. Adjacent to the western side of the site is the recently approved Harrison Cove residential subdivision. Light industrial and commercial uses are located to the north along NC HWY 210. Additional single-family residential subdivisions are located within the general vicinity of the subject parcels.

D. **2010 Comprehensive Land Use Plan Compliance:** The subject parcel is designated 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. Achievable residential densities would be dependent on the type and level of public services that are available. Higher density residential development would be supported where both public water and sewer are available, provided adequate buffers and design features can minimize impacts on neighboring lower density residential properties. The extension of the private wastewater utility, Pluris LLC., along NC HWY 210, allows for the density and type of development requested within this proposal. Without the extension of the wastewater line to the subject parcels, the densities requested may not be supported by the Comprehensive Land Use Plan. Based on the submitted documentation of public water and the proposed wastewater extension, the proposed development meets the requirements of the Comprehensive Land Use Plan.

Uses that would typically be allowed in Suburban Growth areas include medium-high density residential (single-family site-built and modular homes); limited non-residential uses - commercial, office, or public/institutional - meeting locational criteria. Locational criteria for non-residential uses include frontage and access to a major State highway or secondary road, location at a major intersection, proximity to similar uses, and spatial separation from non-compatible uses such as existing residential development.

The Conditional Zoning Map Amendment request is supported by seven (7) policies within the 2010 Comprehensive Land Use Plan and is in compliance with the Suburban Growth Land Use Classification:

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

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

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

Policy 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.

Policy 4A.1.2 - The preference is for larger-scale developments that plan for and provide public utilities that serve on a regional basis or that can be expanded to serve a regional purpose. Individual on-site well and septic systems and small package plants that provide water or sewer service on a small scale should not be permitted.

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.

The request utilizes the Conditional Rezoning process to address concerns of the neighbors surrounding the development. Connectivity is provided to adjacent state maintained roads and with adjacent developments. These roads are to be dedicated public and turned over to NCDOT for maintenance. The proposed roads incorporate comments from the fire marshal regarding safety and access. The extension of the private wastewater utility, Pluris LLC., is required for approval of this development. The area is not intended to be served by on-site septic systems or private well water. Additionally, requirements of the Parks and Recreation Master Plan have been met, and the parks have been arranged in a way that allow for connectivity with open spaces and other bicycle and pedestrian facilities, allowing for ease of access and use.

The Conditional Zoning Map Amendment request conflicts with one (1) policy within the 2010 Comprehensive Land Use Plan.

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.

The proposal impacts a large number of wetlands and could disturb fragile natural resources that have been identified on the subject parcel.

E. Unified Development Ordinance Compliance: Section 3.3 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. The RM, Residential Mixed zoning district is designed to allow for a variety of conventional built and multifamily housing types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure.

Utilities

Public water services are available for the subject properties through Pender County Utilities. Additionally, there are no public wastewater utilities located near the subject parcels. The applicant proposes to extend the private wastewater utility, Pluris Hampstead, LLC., to the subject parcel to service the development. Without the extension of the wastewater line to the subject parcels, the densities requested may not be supported by the Comprehensive Land Use Plan. Based on the submitted documentation of public water and the proposed wastewater extension, the proposed development meets the requirements of the Comprehensive Land Use Plan. Any final zoning approvals are contingent upon review and approval by Pender County Utilities, Environmental Health, and appropriate local and state agencies.

Traffic & Roadways

According to Section 6.1.3.A.7 of the Pender County Unified Development Ordinance, any Master Development Plan proposal in a Commercial 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, or TIA. 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. The applicant submitted an approved scoping letter from the Wilmington Metropolitan Planning Organization (WMPO) for 296 peak AM trips and 368 peak PM trips, with a total weekday trip number of 3,848 (Attachment 2). A Traffic Impact Analysis will be required for the proposed project. The project is located within the NCDOT's R-3300A Hampstead Bypass project corridor which is currently the unfunded segment of the Hampstead Bypass project.

Schools
With an additional 562 residential units, an impact to the school system should be anticipated. Pender County Schools attended the TRC meeting on June 7, 2017, but did not provide comments on the potential impacts of the proposed development to the school system and did not demonstrate future plans to accommodate the possible increase in school age children due to the size of the proposed development.

3.4.4 Review Criteria for Conditional 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 and the Board of County Commissioners the ability to add reasonable and appropriate conditions based on mutually established goals with the Applicant and adjacent property owners. Potential conditions include:

1. The applicant shall dedicate the designated ±5.5 acre neighborhood park land to County for the future parks and recreation facilities as delineated on the master development plan along Street E. Dedication of land shall be required prior to the zoning approval of any phase in the development. If the County does not accept the property, then the property will remain as community open space.
2. A Type B-4 buffer shall be required along the project between the Phase II townhomes adjoining Street M.
3. An enhanced Type C-4 buffer to contain a 50' foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet shall be required along the east side Street "E" to the existing powerline easement adjacent to the rear of the properties accessing Winnie Pearl Lane (private). This also includes a 6' tall opaque fence.
4. The neighborhood park shall remain undisturbed in its natural state until the County develops the property at which time the County shall install and maintain specific buffers working with the community.
5. Prior to any issuance of final zoning approval in Phase I the completed road network as shown on the submitted master development plan within Phase I must be constructed. This includes all adjacent roadway connections to Harrison Creek Road (SR 1573) and the connection of proposed Street F to the adjacent property to the west (to the approved residential subdivision known as Harrison Cove).
6. The applicant shall remove all trees along NC HWY 210 to the west of Street E's access to the development prior to preliminary plat approval for Phase I.

7. The applicant shall repair and regrade the existing ditch running north to south within the powerline easement prior to any final approvals for Phase I.
8. The applicant shall not place any street lighting within the powerline easement adjacent to Street E based on concerns from neighboring property owners.

RECOMMENDATION

Hardison Building Company, applicant, on behalf of Gerald D. Hardison, owner, is requesting the approval of a Conditional Zoning Map Amendment for one (1) tract totaling approximately ±326.15 acres from RA, Rural Agricultural zoning district to RM-CD3, Residential Mixed Conditional zoning district 3. This request is to allow for single family and single family townhome residential units. 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 proposed development is consistent with the 2010 Pender County Comprehensive Land Use Plan and the Pender County Unified Development Ordinance. Therefore, the administrator respectfully recommends approval of the development as proposed with conditions.

BOARD ACTION FOR CONDITIONAL ZONING MAP AMENDMENT REQUEST

Motion:_____ Seconded: _____

Approved: _____Denied: _____Unanimous: _____

Williams: ___ Fullerton: ____ Baker: ____ Carter: ____ Jordan: ___ McClammy: ___ Nalee: ____