

Pender County Planning and Community Development

Planning Division

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MINUTES

Pender County Planning Board Meeting Tuesday, October 3, 2017 7:00 p.m. Pender County Public Assembly Room 805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Williams called the meeting to order at 7:06 pm.

Roll Call: Chairman Williams

Pender County Planning Board Members:

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

- 1. Adoption of the Agenda:** Board member Carter made the motion to approve the agenda as presented; seconded by Board member Baker. The vote was unanimous. The motion carried.
- 2. Adoption of the Minutes: (September 6, 2017 Work Session and Regular Meeting)** Board member Jordan made the motion to adopt the September 6, 2017 Work Session and Regular Meeting minutes as presented; seconded by Board member Carter. The vote was three (3) in favor with Board members McClammy and Baker abstaining due to their absence. The motion carried.

Chairman Williams commented that with so much going on in the world he would like to have a moment of silence.

- 3. Public Comment:** None

(Public Hearings Open)

- 4. Master Development Plan Revision and Major Site Development:**

Headwaters Properties, LLC, applicant, on behalf of Lanwillo Development Company and Headwaters Properties, LLC, owners, requested approval for a revision to the previously approved Master Development Plan to amend phasing of the project as well as a Major Site Development Plan for the proposed phase 1. The total project area contains four (4) tracts totaling approximately ± 24 acres and is approved for a mixed-use development known as Headwaters Town Center. The Major Site Development Plan is for the development of an outparcel (outparcel 3) to accommodate the following potential uses: Electronic & Appliance Stores (443), Food & Beverage Stores (445), Heath & Personal Care Stores (446), Clothing & Clothing Accessories Stores (448), Sporting Goods, Hobby, Book & Music Stores (451), Miscellaneous Store Retailers (453), Postal Services (491110), Full Service Restaurants (7221), Limited Service Eating Places (7222), Special Food Services (7223), Drinking Places (7224), Personal & Household Goods, Repair & Maintenance (8114), Personal Care Services (8121), and Dry Cleaning & Laundry Services (812320) within a single structure on approximately 1.06 acres. The applicant is also proposing to construct the overall stormwater system and wastewater pump station. The subject property for the proposed development is located on the east side of US HWY 17, between Hughes Road (SR 1618) and Deerfield Drive (SR 1673) in the Topsail Township and may be further identified by Pender County PINs: 3282-74-3515-0000, 3282-74-6231-0000, 3282-74-1001-0000, 3282-74-8862-0000. Planner Sutton presented and gave background

information for agenda item four (4). Director Breuer stated for clarification the requested change to the Master Development Plan was to allow the outparcel to move forward with development prior to the development of the anchor tenant, no changes to the location of anything, all previously approved conditions would still apply, and the internal access to the outparcels would be serviced through the main point of ingress and egress on US HWY 17 that is being proposed, at this point there would be no direct access to either roadway (Hughes and Deerfield) that is straddling the project. Planner Sutton explained that a traffic light would be designated as needed by the NCDOT once they see that the traffic counts have generated the need, but at this point NCDOT has said that a right turn lane into the project would be required. Brief discussion ensued regarding the location of the ingress and egress and the location of a traffic light. Board member Baker stated there would be an increased risk of accidents with a left and right out of the development.

Clay Matthews, applicant, stated that he felt Planner Sutton explained the changes well and had nothing further to add other than to have the flexibility to develop the outparcel first. Chairman Williams asked if the stormwater, retention ponds, pumps, and wastewater system be installed, Mr. Matthews answered yes. Chairman Williams asked how would the stormwater be directed to the stormwater ponds? Tim Clinkscales, Paramounte Engineering, stated that the water would be piped to the ponds.

Deborah Musolino, 313 Center Drive, Hampstead, asked what would be the timeframe for the start of construction, the impact it would have on the traffic on US HWY 17, and when would construction be finished, the timeline for this portion being discussed?

David Swain, owner, gave background information on why they were requesting the revisions and explained the intentions of the project. Mr. Swain stated that there would be no impact on traffic and was not sure of a timeframe it would depend on who the tenants would be. Director Breuer asked if the request was approved what would be the estimated timeframe for the construction of outparcel three (3), Mr. Swain answered that once they break ground it should be built in nine (9) months.

Doug Holdstein, 313 Creekview Drive, Hampstead, commented that he walks his dogs and has noticed that the property is being improved and asked what was going on? Mr. Swain answered that he had no idea that if anyone is doing anything it is without permission. Mr. Holdstein commented that he was still worried that they would build apartments. Director Breuer stated that there were zero (0) applications submitted for apartments.

Scott Suhrland, 311 Center Drive, Hampstead, commented that there were conversations about a pump station, but he didn't know of any sewer system so where would the wastewater be pumped to? Director Breuer explained that there was a force main along the west side of US HWY 17 and he would assume that the developer would connect to it. Mr. Clinkscales explained the location of the treatment plant and force main and confirmed that the development would connect to it. Mr. Suhrland asked if there would be future sewer for the current residents, Director Breuer stated that typically existing developments are unable to connect, but they could talk outside of the meeting.

Anthony Musolino, 313 Center Drive, Hampstead, commented that it was stated the development would not affect traffic, but it would impact the traffic on US HWY 17 and asked that the applicant explain how it wouldn't. Mr. Clinkscales stated that the proper studies have been done with the NC DOT, would be building the Collector road to alleviate traffic on US HWY 17, and that Mr. Swain was referring to the completion of outparcel three (3) having minimal impact on traffic. Discussion ensued regarding traffic, Director Breuer encouraged everyone to attend the NC DOT Public Bypass meeting on October 19, 2017, that he will have all the information posted on the website.

Board member Baker asked Mr. Swain for his best estimate on how much traffic would be generated by the development of the grocery store and when it might be developed. Mr. Swain answered that it would certainly be a guess, he gave an example of a similar development that took nine (9) years, one was built within eighteen months, and one built within nine (9) months, they have presented to different grocery stores, processes have changed over the years and it is difficult to give a timeframe. Board member Baker stated that his concern was that the installation of the traffic light was going to be based on the traffic count, and that would not increase until the grocery store was built, so a traffic light may not be installed prior to the median project.

Mary Suhrland, 311 Center Drive, asked how many parking spaces would there be for outparcel three (3), Director Breuer answered that there would be a total of forty-nine (49) and explained the parking space requirements.

Board member McClammy made the motion to approve the requested Master Development Plan Revision and Major Site Development Plan as presented; seconded by Board member Carter. The vote was unanimous. The motion carried.

5. Zoning Text Amendment:

Pender County, applicant, requested the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance: Sections 3.3.9 Plan Consistency Statements, 3.4.9 Plan Consistency Statements, 3.8.1 Exempt Subdivisions, 5.2.3 Table of Permitted Uses, 5.3.3.D Agritourism Activities on Active Farms, 6.6 Limited Subdivisions, and 13.4.11 Statute of Limitations to update the Unified Development Ordinance based on legislative changes. Planner O'Mahony presented and gave background information for agenda item five (5). Brief discussion ensued regarding the changes, the County no longer having authority over Bona Fide Farms and the Code Enforcement Statute of Limitations. Board member Baker asked what if there was a Trust instead of a Will? Director Breuer stated that he would pose the question to legal counsel and respond to the Board via email.

Board member Jordan made the motion to approve the requested Zoning Text Amendment as presented; seconded by Board member Carter. The vote was unanimous. The motion carried.
(Public Hearings Closed)

6. Discussion Items:

a. Planning Staff Items:

- i. Comprehensive Plan Update: - Planner O'Mahony gave an overview of the memo provided to the Board.
- ii. TRC Update: Director Breuer gave an overview of the memo provided to the Board.
- iii. Announcements: Director Breuer announced that NC DOT would be holding a public meeting regarding the Bypass and Median projects on October 19th, and the Board should have received an invitation to attend the Public Officials meeting.

b. Planning Board Members Items: None

7. Next Meeting: November 7, 2017

8. Adjournment: Board member McClammy made the motion to adjourn the meeting at 8:33 pm; seconded by Board member Carter. The vote was unanimous. The motion carried.

The entire recording of the Planning Board meeting is on file with the permanent records in the Planning Department office.