Pender County

Agenda

Planning Board Meeting
Tuesday, August 7, 2018 @ 7:00 PM
Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC

		Presenter	Page
1.	CALL TO ORDER		
2.	ROLL CALL Chairman, Fullerton Vice Chairperson, Elaine Nalee Wally Baker Andrea Carter Theo McClammy Delva Jordan Suzann Rhodes		
3.	INVOCATION		
4.	PLEDGE OF ALLEGIANCE		
5.	ADOPTION OF AGENDA		
6.	ADOPTION OF MINUTES		
7.	PRESENTATIONS		
8.	PUBLIC HEARINGS		
8.1	ZMA 2018-04 ZMA 2018-04		3 - 19
8.2	CZMA 2018-05 CZMA 2018-05		21 - 50
8.3	ZMA 2018-06 ZMA 2018-06		51 - 67
8.4	ZTA 2018-03 ZTA 2018-03		69 - 75
9.	DISCUSSION		
9.1	BPIOD BPIOD Memo		77 - 83
9.2	Schools Planning Schools Planning Memo		85 - 87
10.	NEXT MEETING DATE September 5, 2018 at 7:00 PM Quarterly Work Session at 6:00 PM		
11.	ADJOURNMENT		

Anyone wishing to address the **Pender County Planning Board** shall make a request on the

"Public Comment"**sign-up sheet. Please provide the information requested.**

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

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

PENDER
COUNTY NC

Pender County
Public Hearing

TO:	Planning Board
FROM:	Pat O'Mahony
DATE:	August 7, 2018
SUBJECT:	ZMA 2018-04

SUMMARY:
Dominion Land Corp., applicant, on behalf of BSH-17, LLC and T. Farnell Shingleton, owners, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately ±15.28 acres from RA, Rural Agricultural zoning district to GB, General Business zoning district and IT, Industrial Transitional zoning district. The subject properties are located at 13011 US HWY 17, in the Topsail Township, along the west side of US HWY 17 across from Whitebridge Road and McFayden Court and may be further identified by Pender County PINs: 3282-20-8811-0000; 3282-21-6106-0000; 3282-21-8289-0000; and 3282-21-0015-0000.

ACTION REQUESTED:
To hold a Public Hearing and consider the Zoning Map Amendment.

PLANNING STAFF REPORT
ZONING MAP AMENDMENT

SUMMARY:

Hearing Date:	August 7, 2018, Planning Board August 20, 2018, Board of County Commissioners
Applicant:	Dominion Land Corp.
Property Owner:	BSH-17, LLC and T. Farnell Shingleton
Case Number:	REZONE 2018-04

Rezoning Proposal: Dominion Land Corp., applicant, on behalf of BSH-17, LLC and T. Farnell Shingleton, owners, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately ±15.28 acres from RA, Rural Agricultural zoning district to GB, General Business zoning district and IT, Industrial Transitional zoning district.

Property Record Number, Acreage, and Location: The subject properties are located in the Topsail Township, along the west side of US HWY 17 and across from Whitebridge Road and McFayden Court and may be further identified by Pender County PINs: 3282-20-8811-0000; 3282-21-6106-0000; 3282-21-8289-0000; and 3282-21-0015-0000.

RECOMMENDATION

The application is for four (4) tracts totaling approximately ±15.28 acres from RA, Rural Agricultural zoning district to GB, General Business zoning district and IT, Industrial Transitional zoning district. The request is consistent with two (2) policies and the Future Land Use Map in the 2010 Comprehensive Land Use Plan, and does not conflict with any policies in that plan. Therefore, the administrator respectfully recommends approval of the rezoning request as described in this report.

DESCRIPTION

According to the applicant's submitted narrative, the subject parcel property lines will be realigned and propose two parcels with direct frontage on US HWY 17 to be rezoned to the GB, General Business zoning district. These parcels will extend from the existing property line along US HWY 17 to a new property line 285' to the west. The remaining land within the subject parcels is proposed to be rezoned to the IT, Industrial Transitional zoning district. These parcels will not have direct frontage on US HWY 17. PIN 3282-20-8811-0000 is currently occupied by a single-family residence (13011 US HWY 17), while the remaining parcels are vacant. The property at 13047 US HWY 17, further identified by PIN 3282-20-8999-0000, is also owned by BSH-17, LLC and is currently zoned as GB, General Business zoning district. This property is not part of the rezoning request.

A map displaying the proposed zoning classifications and approximate location of new parcel boundaries is shown in Figure 1 on the following page, and a metes and bounds description of the property is provided as Attachment 1:

Figure 1: Proposed Zoning Districts and Approximate Parcel Boundaries

Access
Two of the proposed parcels will have direct frontage to US HWY 17, while the remaining parcels will not have direct frontage to any current roads but could potentially access US HWY 17 via connectivity with the adjacent parcels. Any future development or improvements are subject to review and approval by NCDOT at the time of a site development application. Any future development on the proposed parcels without direct access to US HWY 17 or another future roadway is required to demonstrate that legal access has been granted.

Utilities
Public water and private wastewater services are currently available to the subject properties. Any final zoning approvals are contingent upon review and approval by Pender County Environmental Health and appropriate local and state agencies based on future uses.

Environmental Conditions
There are no Special Flood Hazard Areas (SFHA) located on the subject parcels according to FEMA Flood Insurance Rate Map Number 3720329300J, adopted February 16, 2007. Preliminary wetlands are identified on the subject properties according to the National Wetlands Inventory (NWI), along the western property lines of the subject parcels. Preliminary wetlands have also been identified by the Division of Coastal Management (DCM) throughout much of the western portion of the subject parcels.

EVALUATION

A. **Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500 feet of the proposal have been given written notice of the request, and a public notification sign has been placed on the property.

B. **Existing Zoning in Area:** The existing zoning on the subject parcels is RA, Rural Agricultural zoning district. The subject properties are bordered by an approximately 1,200-acre parcel zoned RA, Rural Agricultural to the west. The subject properties are also surrounded by one PD, Planned Development zoning district parcel to the south, RP, Residential Performance zoning district parcels to the north, south, and east, and GB, General Business zoning district parcels to the east, including one parcel that is surrounded by the subject properties and multiple parcels across US HWY 17. Though not adjacent, there is one parcel in the IT, Industrial Transitional zoning district to the south on the west side of US HWY 17, and additional properties to the south on the east side of US HWY 17 in the PD, Planned Development zoning district.

C. **Existing Land Use in Area:** One subject parcel is currently occupied by a single-family residence, while the other parcels are currently vacant. To the north along the west side of US HWY 17 are additional single-family residences, while to the south are multiple commercial and industrial uses, including a mulch and stone business as well as a vendor of sheds and garages. Directly across US HWY 17 are additional commercial and industrial land uses, such as a marine sales and repair operation, and to the south is the Topsail Montessori School. The subject properties are located across from the intersection of US HWY 17 and Whitebridge Road, which provides access to the Whitebridge residential subdivision.

D. **2010 Comprehensive Land Use Plan:** The 2010 Comprehensive Land Use Plan designates the subject property as Mixed Use. The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian and transit friendly manner. Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of the goods and services needed by residents in a coordinated, concentrated manner. Mixed Use areas are intended to reduce the number and length of auto trips by placing higher-density housing close to shopping and employment centers. They also should function to improve the quality of life for residents living in higher density housing by placing daily conveniences, shops, and employment within walking distance.

   The GB, General Business and IT, Industrial Transitional zoning districts are consistent with the Mixed Use future land use categorization. Both districts are primarily intended to accommodate uses which require close access to major highways. The GB, General Business zoning district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses. The IT, Industrial Transitional zoning district is established to provide locations for industrial and commercial businesses that serve the needs of surrounding residents and that are not

sources of excessive noise, dust, smoke, or other industrial nuisances. The general use rezoning may also be consistent with Sections 3.3.8.A and 3.3.8.D of the UDO, as the services typically provided within the GB, General Business and IT, Industrial Transitional zoning districts require access to major roadways and are both consistent with the Future Land Use designation of the area.

This General Use Rezoning is consistent with two (2) policies found within the 2010 Comprehensive Land Use Plan and conflicts with none. The following policies within this plan may be relevant to support the proposed Zoning Map Amendment:

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 3A.1.4: Consistently use the Comprehensive Land Use Plan, as well as other plans and studies, to determine if a rezoning request is appropriate and consistent with local policies.

This General Use Rezoning request does not conflict with any policies of the 2010 Comprehensive Land Use Plan.

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. Section 3.3.8 states the Board must consider the availability of public water, wastewater, and roads for the subject parcel.

Utilities
Public water and private sewer services are available to the subject properties. Any final zoning approvals are contingent upon review and approval by Pender County Environmental Health and appropriate local and state agencies.

Traffic & Roadways
Two proposed parcels have direct access to US HWY 17, an arterial street, while the remaining subject parcels would require access to US HWY 17 through the front parcels or other nearby parcels. The property at PIN 3282-20-8811-0000 has frontage to the intersection of US HWY 17 and Whitebridge Road. Average Annual Daily Trips (AADT) and capacity of US HWY 17 in this area are 43,000/20,000 (V/C), which represent a V/C ratio of 2.13:1. A development proposal is not required for a general use rezoning. Therefore, no impact to the roadway system can be anticipated at this time.

Schools
There is no development proposal associated with this general use rezoning. A general use rezoning from the RA, Rural Agricultural zoning district to the GB, General Business zoning district and IT, Industrial Transitional zoning district would likely not result in any measurable impact to Pender County Schools.

The purpose of GB, General Business zoning district is to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses. Allowable uses in the GB, General Business zoning district include, but are not limited to:

- information services
- finance services
- educational services
- professional services
- scientific services
- technical services
- ambulatory health care services
- recreational services
- medical services
- fitness and recreation centers
- restaurants
- religious organizations
- electronic and household goods repair
- civic and social organizations
- child care centers
- hotels and motels

The purpose of IT, Industrial Transitional zoning district is to provide for heavy commercial activities, including larger scale marketing or wholesaling, where production and assembly occur onsite and retail sales of those products can be sold on premise where produced. The uses in this zoning district shall not be sources of excessive noise, dust, smoke, or other industrial nuisances as defined in Appendix A of the Unified Development Ordinance. Allowable uses in the IT, Industrial Transitional zoning district include, but are not limited to:

- Non-fossil fuel electric power generation
- Electric bulk power transmission and control
- Artisan manufacturing
- Wood product manufacturing
- Printing and related support activities
- Pharmaceutical manufacturing
- Computer and electronic product manufacturing
- Fitness and recreation centers
- wholesale trade
- motor vehicle and parts dealers
- electronics and appliance stores
- food and beverage stores
- transportation-related uses
- restaurants
- automotive repair and maintenance
- professional, scientific, and technical services

The proposed rezoning is consistent with the Mixed Use future land use classification because the services and uses typically provided in the GB, General Business zoning district and IT, Industrial Transitional zoning district are those that are compatible with the surrounding area by providing increased connectivity to job centers and services of the community.

3.3.8 Review Criteria for Rezoning

The Planning Board and Board of Commissioners shall consider the following matters in considering a rezoning request:

A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);

B. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;

C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.

D. Whether the proposed amendment is reasonable as it relates to the public interest.

RECOMMENDATION

The application is for four (4) tracts totaling approximately ±15.28 acres from RA, Rural Agricultural zoning district to GB, General Business zoning district and IT, Industrial Transitional zoning district. The request is consistent with two (2) policies and the Future Land Use Map in the 2010 Comprehensive Land Use Plan, and does not conflict with any policies in that plan. The request is consistent with the Pender County Unified Development Ordinance. Therefore, the administrator respectfully recommends approval of the rezoning request described in this report.

PLANNING BOARD ACTION NEEDED:

TO APPROVE: Motion to recommend approval of the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies in the 2010 Comprehensive Land Use Plan:

- **Policy 1A.1.2;**
- **Policy 3A.1.4;**

The proposed rezoning is consistent with the Mixed Use future land use classification in the 2010 Comprehensive Land Use Plan because the services and uses typically provided in the GB, General Business zoning district and IT, Industrial Transitional zoning district require close access to major highways which serve the needs of surrounding residents.

TO DENY: Motion to deny the Zoning Map Amendment and to make a finding of denial because although the proposal is consistent with the 2010 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the 2010 Comprehensive Land Use Plan because [INSERT REASONING] ...

BOARD ACTION FOR ZONING MAP AMENDMENT REQUEST

Motion: _____Seconded: _____

Approved: _____Denied: _____Unanimous: _____

Fullerton: _____Nalee: _____ Baker: _____ Carter:_____ Jordan_____ McClammy: _____ Rhodes: ____

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2018-04	Date	5/18/18
Application Fee	$ 602.50	Receipt No.	001018
Pre-Application Conference	4/18/18	Hearing Date	PB 7/3/18 BOCC 8/20/18

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	DOMINION LAND CORP.	Owner's Name:	BSH-17, LLC AND FARNELL SHINGLETON
Applicant's Address:	P.O. Box 3167	Owner's Address:	12919 Hwy 17
City, State, & Zip	Wilmington NC 28403	City, State, & Zip	HAMPSTEAD NC 28443
Phone Number:	910-262-7392	Phone Number:	619-7104
Email Address:	NATHAN@SANCOHOMES.COM	Email Address:	FARNELL@SHINGLETONFARMS.COM
Legal relationship of applicant to land owner:	CONTRACTUAL INTEREST		

SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3282-21-0015 3282-21-6106 3282-21-8289 3282-20-8911	Total property acreage:	15.28
Current Zoning District:	RA	Proposed Zoning District:	GB & IT
Project Address:	13047 Hwy 17 HAMPSTEAD NC		
Description of Project Location:	DIRECTLY ACROSS FROM WHITERIDGE		

SECTION 3: SIGNATURES			
Applicant's Signature	X Nathan [signature]	Date:	5/16/18
Owner's Signature	Farnell Shingleton	Date:	5/16/18

NOTICE TO APPLICANT

1. Applicant must also submit the information described on the Rezoning Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
4. All fees are non-refundable
5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

RECEIVED
MAY 18 2018
By PCD

Rezoning Narrative

13047 Hwy 17

Hampstead, NC

We request that 15.28 acres fronting Highway 17 in Hampstead be rezoned away from the current designation of "Rural Agricultural" (RA) and be rezoned to the more appropriate "General Business" (GB) and "Industrial Transition" (IT) categories per the attached map.

"Rural Agricultural" is a residential zoning designation specifically targeted to accommodate farming and "very low density" housing, in areas which rely on individual wells and septic systems. We maintain this zone is inappropriate for the fastest growing section of the county and an area served by municipal water and private sewer service.

Our petition proposes the property fronting Highway 17, to a depth of 285', be rezoned to "General Business." As a one-acre lot surrounded by the land to be rezoned is currently zoned GB, this request will serve to extend GB to both the north and south along the highway. We believe this designation is most appropriate as GB was "established to provide convenient locations for businesses which serve the needs of residents, including office, retail, and personal service use."

Further, we ask that the land in the rear be rezoned to "Industrial Transition." The IT zone is designated to provide for heavy commercial activities such as large-scale marketing, wholesaling, production, light assembly, contractors, and technical uses. Further, the code provides uses in this district "Shall not be sources of excessive noise, dust, smoke or other industrial nuisances."

Currently, only three areas in East Pender are zoned IT. Two areas are built out with no land available, and the third area will be eliminated by the Hampstead Bypass. There is currently a significant need to allow businesses such as these in East Pender. Many local residents who own light industrial type operations are now forced to locate their facility and their jobs in Onslow or New Hanover County. Designating a new IT zone will create a hub of new small business activity.

Farnell Shingleton

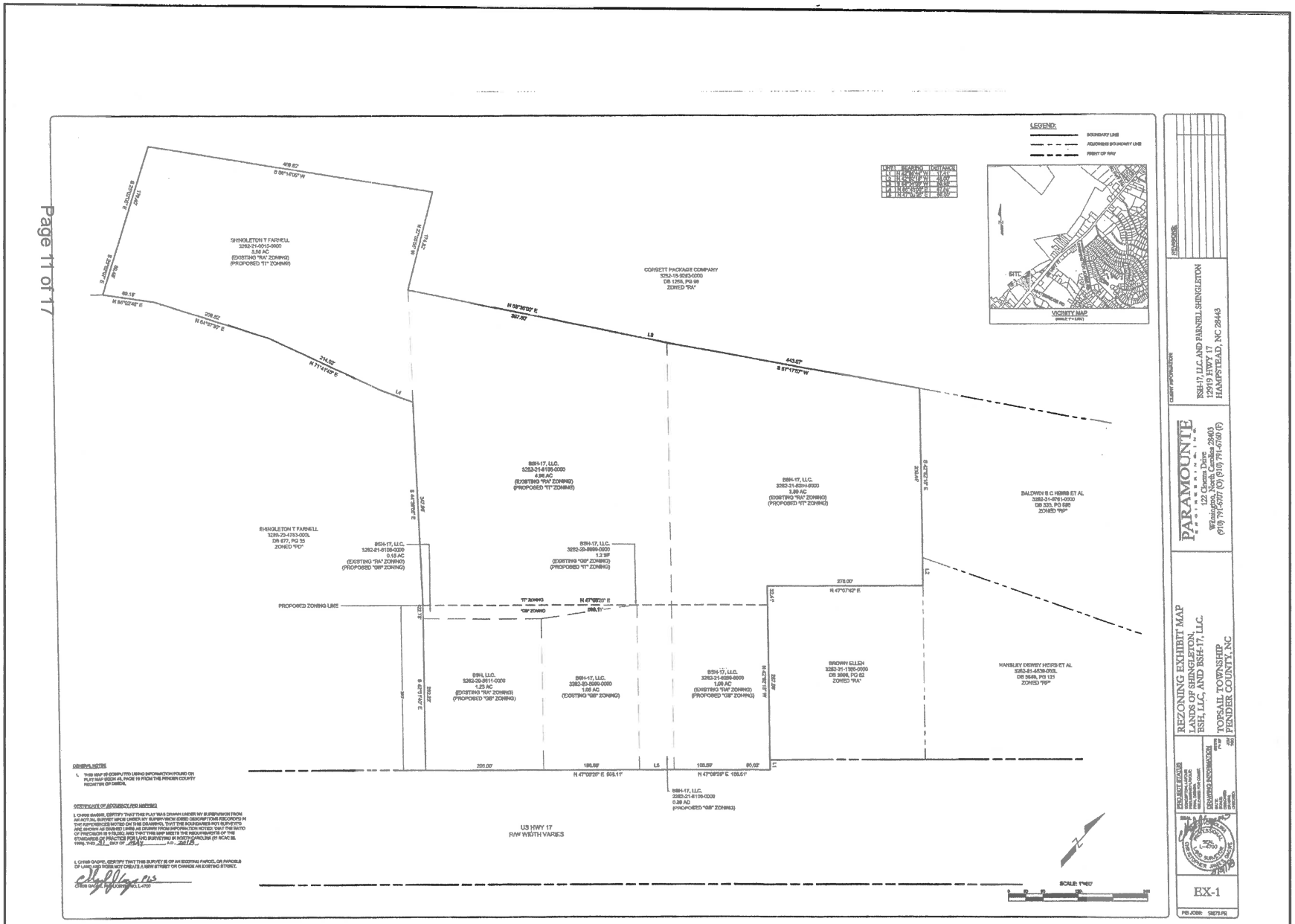
Owner

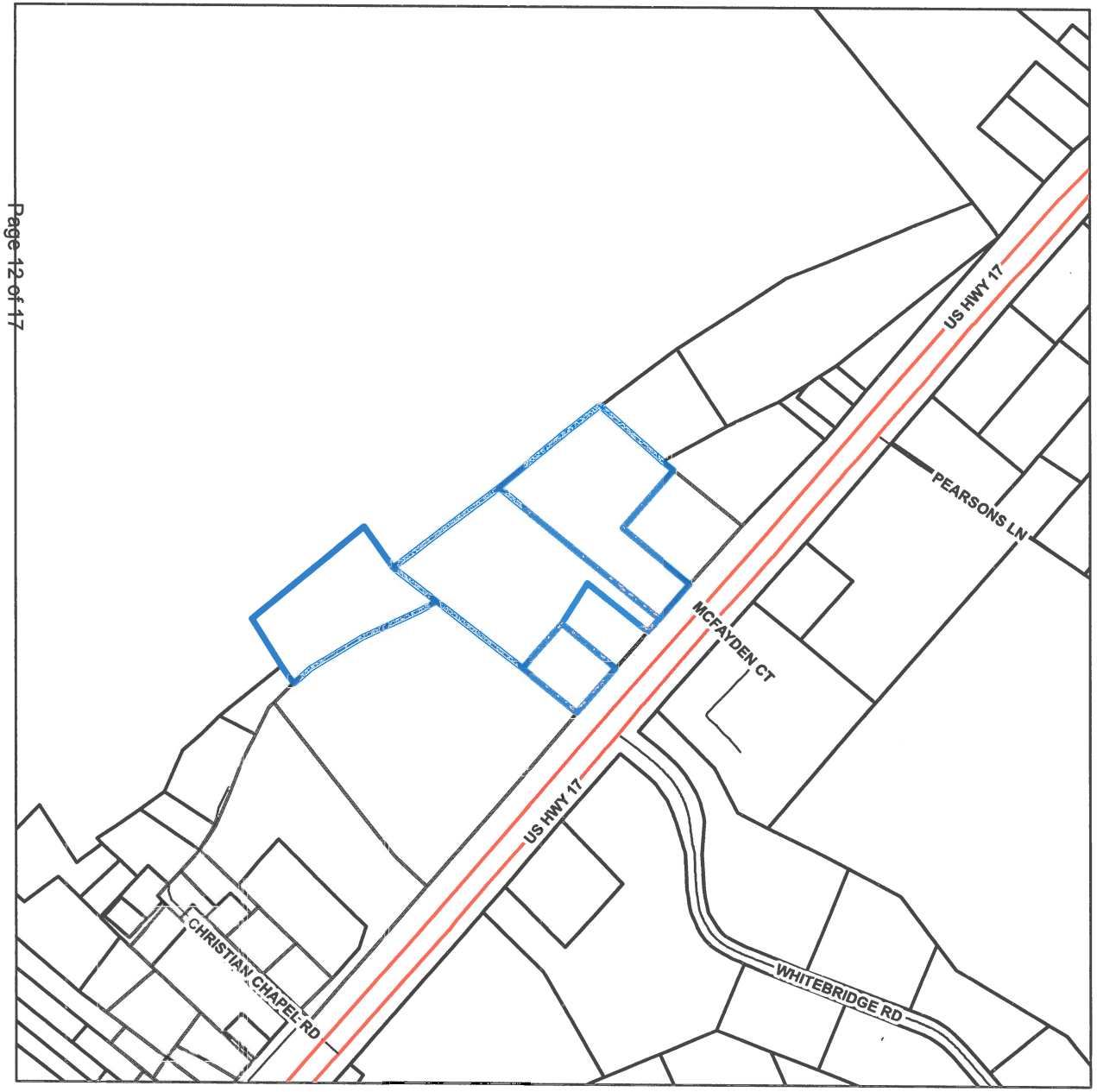
Manager – BSH-17,LLC

Nathan S. Sanders, Pres.

Dominion Land Corp

Applicant


LEGEND:
BOUNDARY LINE
ADJOINING BOUNDARY LINE
RIGHT OF WAY
LINE BEARING DISTANCE
L1 N 64°02'48" W 49.19'
L2 N 64°07'30" E 208.82'
L3 N 59°36'07" E 367.30'
L4 N 71°41'42" E 214.03'
L5 N 47°09'28" E 505.11'
L6 N 47°09'28" E 166.51'
L7 N 47°07'42" E 278.07'
L8 S 87°17'07" W 443.07'
SHINGLETON T FARNELL
3282-21-0013-0000
3.56 AC
(EXISTING "RA" ZONING)
(PROPOSED "I1" ZONING)
CORBETT PACKAGE COMPANY
3282-15-9383-0000
DB 1255, PG 99
ZONED "RA"
BSH-17, LLC.
3282-21-6195-0000
4.96 AC
(EXISTING "RA" ZONING)
(PROPOSED "I1" ZONING)
BSH-17, LLC.
3282-31-6394-0000
3.89 AC
(EXISTING "RA" ZONING)
(PROPOSED "I1" ZONING)
BALDWIN B C HEIRS ET AL
3282-31-0761-0000
DB 335, PG 689
ZONED "RP"
SHINGLETON T FARNELL
3282-20-4783-0000
DB 677, PG 33
ZONED "PD"
BSH-17, LLC.
3282-21-6106-0000
0.13 AC
(EXISTING "RA" ZONING)
(PROPOSED "I2B" ZONING)
BSH-17, LLC.
3282-20-8689-0000
1.2 SF
(EXISTING "I2B" ZONING)
(PROPOSED "I1" ZONING)
PROPOSED ZONING LINE
"I1" ZONING
"I2B" ZONING
BSH, LLC.
3282-20-8611-0000
1.25 AC
(EXISTING "RA" ZONING)
(PROPOSED "I2B" ZONING)
BSH-17, LLC.
3282-20-8689-0000
1.05 AC
(EXISTING "I2B" ZONING)
BSH-17, LLC.
3282-21-6289-0000
1.08 AC
(EXISTING "RA" ZONING)
(PROPOSED "I2B" ZONING)
BROWN ELLEN
3282-31-1395-0000
DB 3686, PG 62
ZONED "RA"
HANSLEY DRIVEY HEIRS ET AL
3282-31-4538-0000
DB 3649, PG 121
ZONED "RP"
BSH-17, LLC.
3282-21-6106-0000
0.39 AC
(PROPOSED "I2B" ZONING)
US HWY 17
R/W WIDTH VARIES
VICINITY MAP
(SCALE 1" = 1,000')
SCALE: 1"=60'
ORIGINAL NOTES:
1. THIS MAP IS COMPUTED USING INFORMATION FOUND ON PLAT MAP BOOK 49, PAGE 19 FROM THE PENDER COUNTY REGISTER OF DEEDS.
CERTIFICATE OF ACCURACY AND AUTHENTICITY
I, CHRIS GAGNE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN THE REFERENCES NOTED ON THIS DRAWING). THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS DASHED LINES AS DRAWN FROM INFORMATION NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 1606). THIS 31 DAY OF JULY, A.D., 2015.
I, CHRIS GAGNE, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
Chris Gagne, Professional Surveyor, L-4700
SEAL L-4700
CHRIS GAGNE
PROFESSIONAL LAND SURVEYOR
NORTH CAROLINA
REVISIONS:
CLIENT INFORMATION:
BSH-17, LLC. AND FARNELL SHINGLETON
12919 HWY 17
HAMPSTEAD, NC 28443
PARAMOUNTE
SURVEYING, P.L.L.C.
122 Cinema Drive
Wilmington, North Carolina 28403
(910) 791-5707 (O) (910) 791-6760 (F)
REZONING EXHIBIT MAP
LANDS OF SHINGLETON,
BSH, LLC, AND BSH-17, LLC.
TOPSAIL TOWNSHIP
PENDER COUNTY, NC
PROJECT STATUS
PRELIMINARY
PRELIMINARY NOT FOR CONSTRUCTION
RECORDED FOR COURT
DRAWING INFORMATION
DRAWN BY: PWP
SCALE: 1"=60'
DATE: 7/31/15
COURSE: 1
PB JOB#: 15075.PB
EX-1



Applicant:
Dominion Land Corp.

Owners:
BSH-17, LLC and
T. Farnell Shingleton

General Use Rezoning:
#2018-04

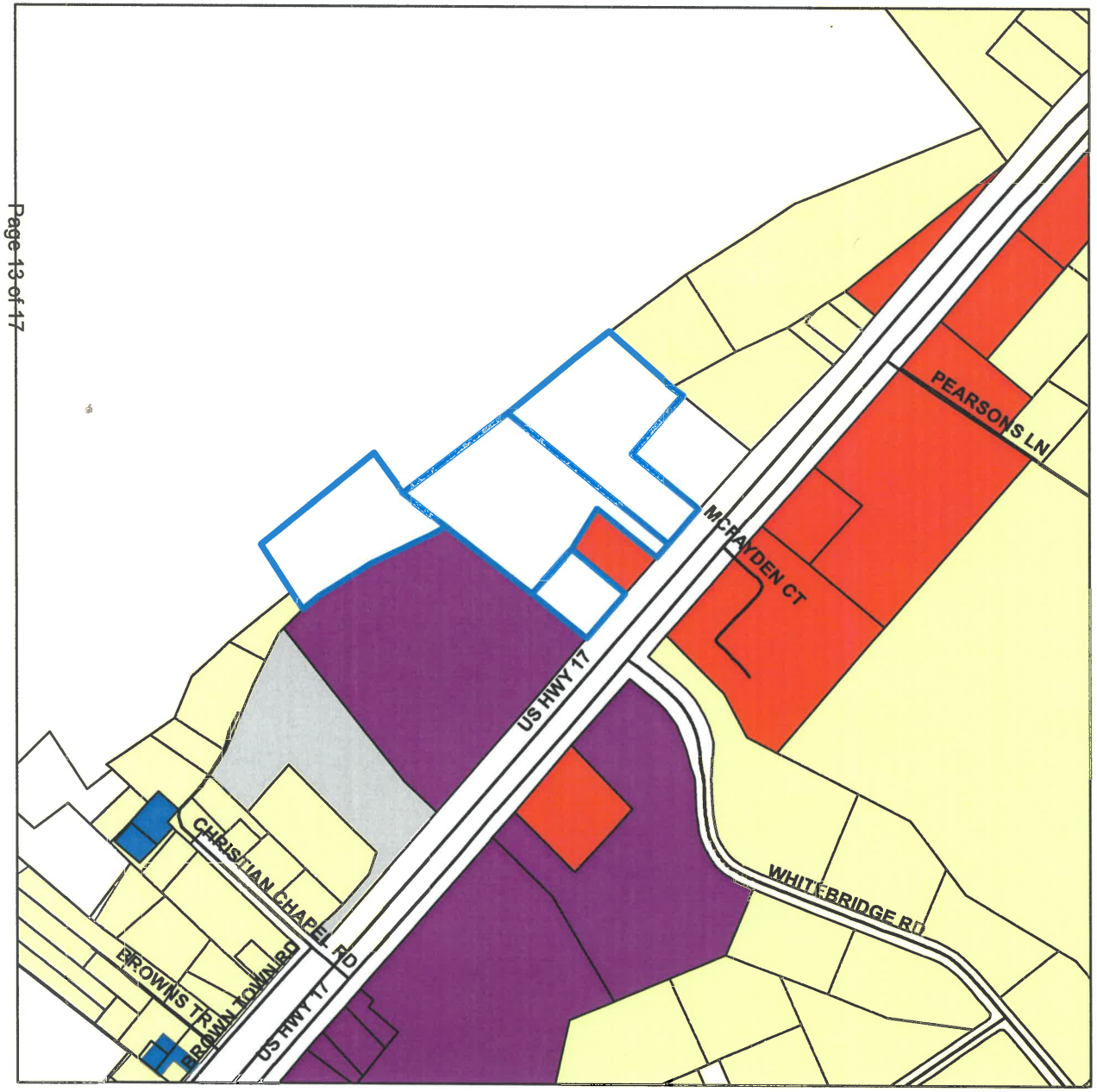
Legend

Subject Property

0 0.05 0.1 Miles

N

Vicinity



Applicant:
Dominion Land Corp.

Owners:
BSH-17, LLC and
T. Farnell Shingleton

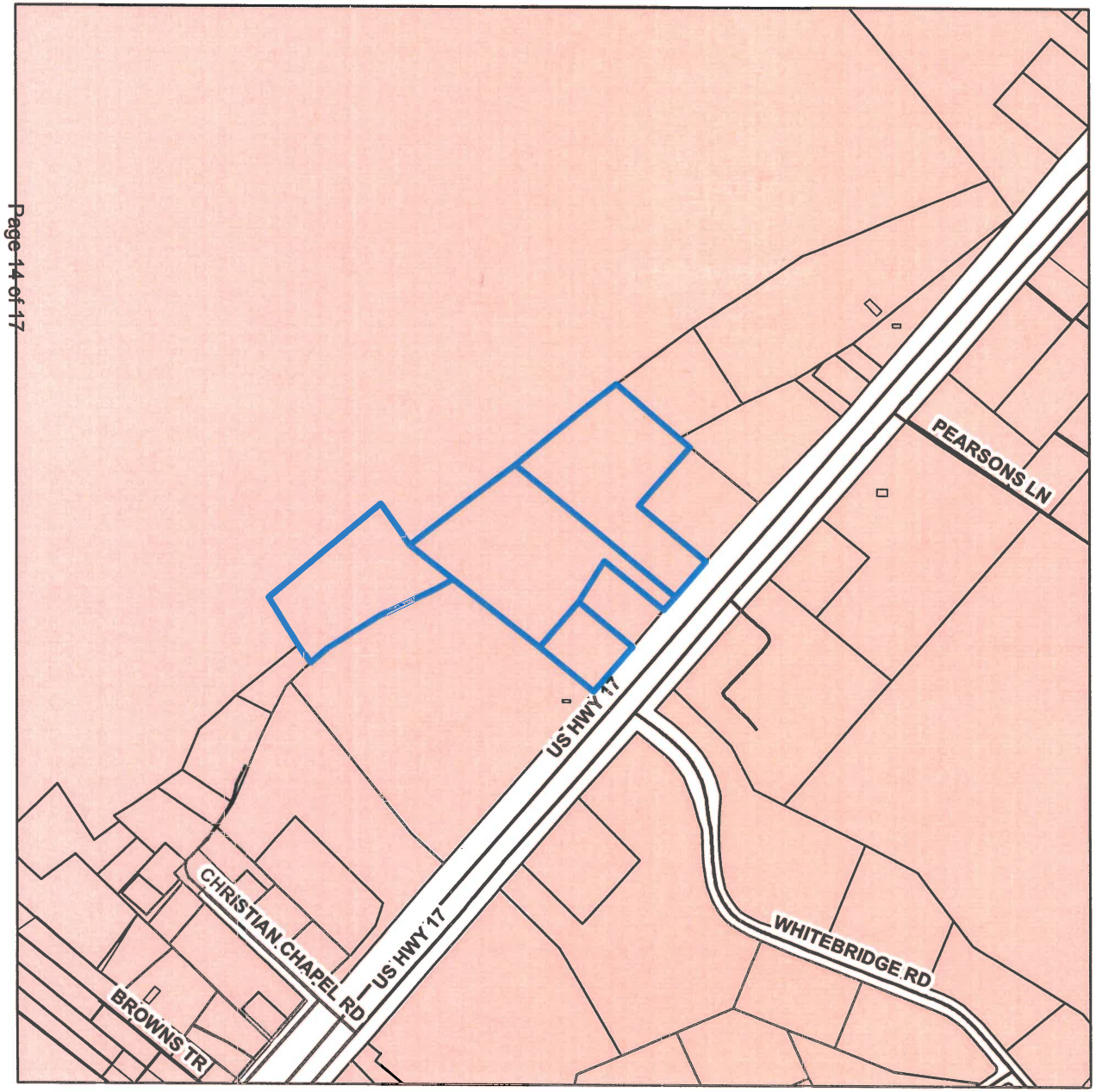
General Use Rezoning:
#2018-04

Zoning Districts
- GB, General Business
- IT, Industrial Transition
- O&I, Office & Institutional
- PD, Planned Development
- RA, Rural Agricultural
- RP, Residential Performance
- Subject Property

0 0.05 0.1 Miles

N

Current Zoning



Applicant:
Dominion Land Corp.

Owners:
BSH-17, LLC and
T. Farnell Shingleton

General Use Rezoning:
#2018-04

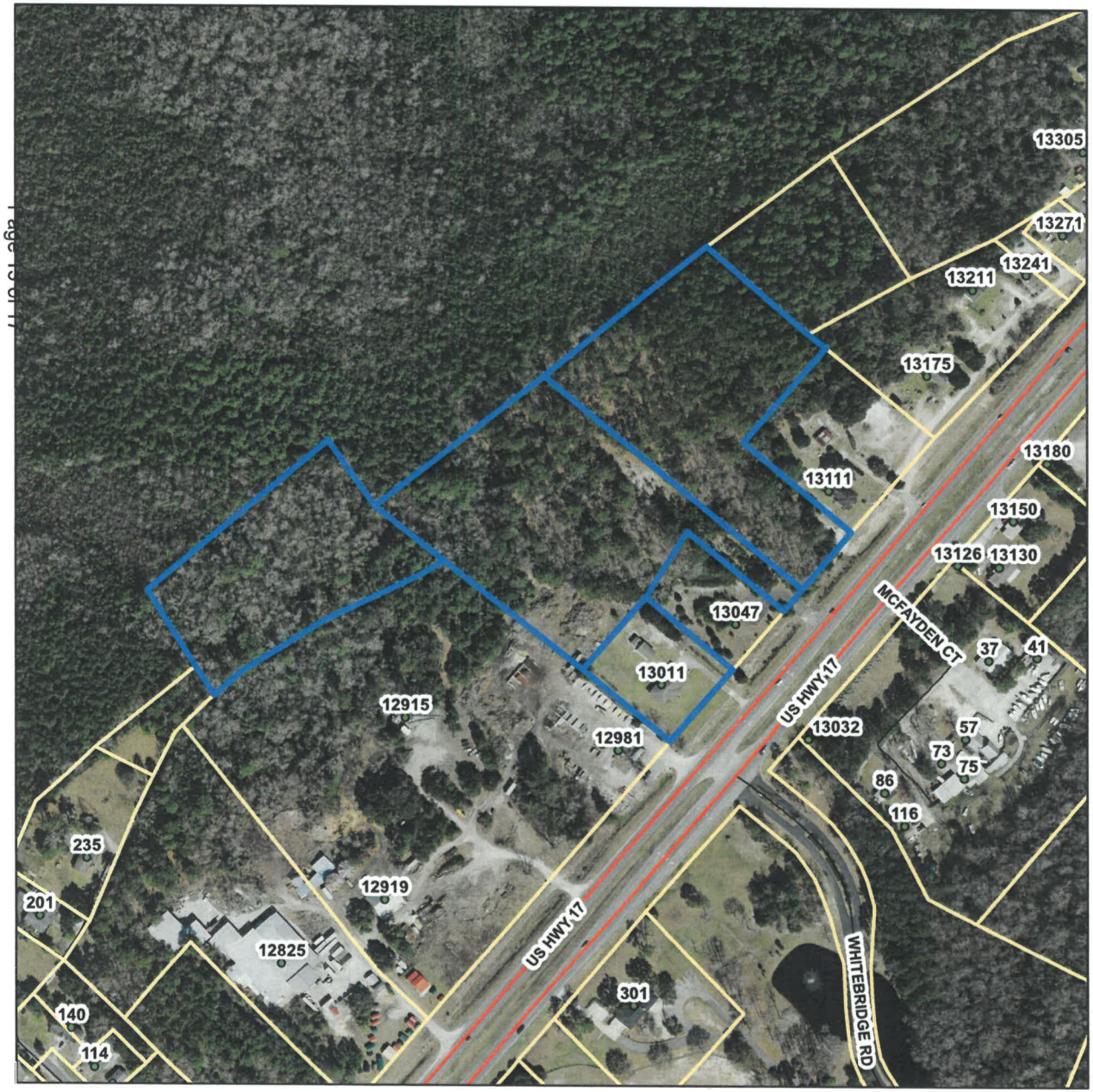
Future Land Use

- Conservation
- Industrial
- Mixed Use
- Office, Institutional, Commercial
- Rural Growth
- Suburban Growth
- Subject Property

0 0.05 0.1 Miles

N

Future Land Use



COUNTY OF PENDER

Applicant:
Dominion Land Corp.

Owners:
BSH-17, LLC and
T. Farnell Shingleton

General Use Rezoning:
#2018-04

Subject Property

0 250 500 Feet

N

2016 Aerial

PARAMOUNTE
ENGINEERING, INC.

18273.PE
05/18/18

Lands of Shingleton, BSH, LLC,
and BSH-17, LLC
Topsail Township
Pender County, NC

All that tract or parcel of land located in Topsail Township, Pender County. State of North Carolina, as recorded in map book 43, page 19 of the Pender County Register of Deeds; said parcel being more particularly described as follows:

Beginning at the most southwest corner of U.S. Highway 17, map book 43, page 19, thence a varying right of way, along the southwest boundary of BSH, LLC., deed book 3275 page 57, and Shingleton T Farnell, deed book 1192, page 164 the following two (2) courses
S 42°51'40" E a distance of 262.22' to a point;
S 42°51'40" E a distance of 22.78' to a point;

Thence along the southwest boundary of BSH-17, LLC., deed book 3406, page 340 and Shingleton T Farnell, deed book 1192, page 164, S 44°38'56 E a distance of 347.96' to a point;

Thence along the boundary of Shingleton T Farnell, deed book 1192, page 164, the following eight (8) courses
N 66°43'00" E a distance of 57.69' to a point;
N 71°41'45" E a distance of 214.03' to a point;
N 64°37'30" E a distance of 208.82' to a point;
N 55°02'45" E a distance of 89.18' to a point;
S 25°02'07" E a distance of 89.48' to a point;
S 25°02'05" E a distance of 179.40' to a point;
S 56°14'05" W a distance of 499.82' to a point;
N 27°56'55" W a distance of 147.82' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3406, page 340 and Corbett Package Company, deed book 1265, page 96, the following two (2) courses
N 58°36'00" E a distance of 397.80' to a point;
S 58°36'00" W a distance of 59.92' to a point;

Thence along the boundaries of BSH-17, LLC., deed book 3276, page 248 and Corbett Package Company, deed book 1265, page 96, Baldwin Cheirs Et Al, deed book 333, page

122 CINEMA DRIVE, WILMINGTON, NC 28403
PH: (910) 791-6707 FAX: (910) 791-6760

588, Hansley Dewey Heirs Et Al, deed book 3546, and page 121, and Brown Ellen, deed book 2806, page 82, the following five (5) courses
S 57°17'57" W a distance of 443.57' to a point;
S 42°52'18" E a distance of 289.44' to a point;
N 42°52'18" W a distance of 17.41' to a point;
N 47°07'42" E a distance of 270.00' to a point;
N 42°52'18" W a distance of 32.41' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3276, page 3248 and Brown Ellen, deed book 2806, page 82, N 42°52'18" W a distance of 267.59' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3406, page 340 and U.S. Highway 17, map book 43, page 19, thence a varying right of way, the following three (3) courses
N 42°52'44" W a distance of 17.41' to a point;
N 47°08'25" E a distance of 60.02' to a point;
N 47°08'25" E a distance of 106.59' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3406, page 340 and U.S. Highway 17, map book 43, page 19, thence a varying right of way, N 47°08'25" E a distance of 60.00' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3275, page 55 and U.S. Highway 17, map book 43, page 19, thence a varying right of way, N 47°08'25" E a distance of 166.50' to a point;

Thence along the boundary of BSH-17, LLC., deed book 3275, page 57 and U.S. Highway 17, map book 43, page 19, thence a varying right of way, N 47°08'25" E a distance of 205.00' to a point;

Which is the point of beginning, having an area of 711,847 Sq. Ft. or 16.342 Acres more or less.

PENDER
COUNTY NC

Pender County
Public Hearing

TO:	Planning Board
FROM:	Pat O'Mahony
DATE:	August 7, 2018
SUBJECT:	CZMA 2018-05

SUMMARY:
RHH Land Investors, applicant, on behalf of Lanwillo Development Co., owner, is requesting the approval of a Zoning Map Amendment for a conditional rezoning of two (2) tracts totaling approximately ±18.00 acres from RP, Residential Performance zoning district to RM-CD3, Residential Mixed Conditional zoning district 3, as part of a Master Development Plan that also totals ±18.00 acres. This request is to allow for 51 single family, detached residential dwellings. The subject properties are located approximately 1,000 feet to the east of US HWY 17 and west of, and adjacent to, the intersection of Deerfield Drive (SR 1673) and Creekview Drive (SR 1674), in the Topsail Township and may be further identified by Pender County PINs: 3282-73-8614-0000; and 3282-83-0888-0000.

ACTION REQUESTED:
To hold a Public Hearing and consider the Conditional Zoning Map Amendment.

PLANNING STAFF REPORT
CONDITIONAL ZONING MAP AMENDMENT
HEADWATERS RESIDENTIAL

SUMMARY:

Hearing Date:	August 7, 2018 Planning Board August 20, 2018 Board of Commissioners
Applicant:	RHH Land Investors, LLC
Property Owners:	Lanwillo Development Co.
Case Number:	REZONE 2018-05

Rezoning Proposal: RHH Land Investors, applicant, on behalf of Lanwillo Development Co., owner, is requesting the approval of a Conditional Zoning Map Amendment for two (2) tracts totaling approximately ±18.00 acres from RP, Residential Performance zoning district to RM-CD3, Residential Mixed Conditional zoning district 3, as part of a Master Development Plan that also totals ±18.00 acres. This request is to allow for a Major Subdivision containing 51 single-family detached residential units with varying lot sizes.

Property Record Number, Acreage, and Location: The subject properties are located to the east of US HWY 17 and west of, and adjacent to, the intersection of Deerfield Drive (SR 1673) and Creekview Drive (SR 1674), in the Topsail Township and may be further identified by Pender County PINs: 3282-73-8614-0000; and 3282-83-0888-0000.

RECOMMENDATION

RHH Land Investors, LLC, applicant, on behalf of Lanwillo Development Co., owner, is requesting the approval of a Conditional Zoning Map Amendment for two (2) tracts totaling approximately ±18.00 acres from RP, Residential Performance zoning district to RM-CD3, Residential Mixed Conditional zoning district 3. This request is to allow for single family detached residential units. As submitted, the request appears to meet all criteria set forth in Section 3.4 Review Criteria for Conditional Rezoning of the Pender County Unified Development Ordinance. The proposed development is consistent with (5) policies and the Future Land Use Map in the 2010 Pender County Comprehensive Land Use Plan, and conflicts with one (1) policy. The proposed development is consistent with the Pender County Unified Development Ordinance. Staff is recommending conditional approval based on the conditions outlined in this report and results from the Community Meeting.

DESCRIPTION

The subject properties are located approximately 1,000 feet to the east of US HWY 17 and west of, and adjacent to, the intersection of Deerfield Drive (SR 1673) and Creekview Drive (SR 1674), in the Topsail Township and may be further identified by Pender County PINs: 3282-73-8614-0000 and 3282-83-0888-0000.

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					

The proposed uses within the RM, Residential Mixed conditional zoning district 3 are to include the use of single family residential detached conventional housing, a use permitted in the RM, Residential Mixed zoning district. Per Section 4.7.3 A variety of housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. This includes all associated secondary uses that could occur within a residential subdivision, such as recreational and natural areas (see attached narrative).

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.

Conditional Rezoning Process

The Conditional Rezoning process is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, on small and large-scale projects. A conditional rezoning is designed to provide more certainty for Pender County and for nearby residents as to which uses can be expected in a development proposal and which uses will not be present.

The Conditional Rezoning process differs from a General Use Rezoning in its inclusion of requirements to go before the Technical Review Committee (TRC) for specific site plan review and its requirement of the applicant to hold a public meeting to address any community concerns. Reports from both TRC and the public meeting shall be submitted to Pender County. These comments are provided as attachments to this report and are also discussed in the "Public Input Meeting" and "Technical Review Committee Comments" sections in this report.

Density

The proposed net density of the Master Development Plan is shown in Table 1 below, totaling 3.72 units per acre. Per Section 4.7.3 of the Pender County Unified Development Ordinance, the density development standards shall be calculated in the same manner as calculated in the PD, Planned Development zoning district (see also Section 4.8.1.D.1). 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. This development proposal is thus in compliance with the density allowance in the RM district.

Table 1: Density

Total Acreage	18.00
Non-Residential Acreage	0
Wetlands Acreage	1.92
Right-of-Way Acreage	2.36
Required Open Space Acreage	1.53
Required Active	0.77
Required Passive	0.77
Total Units	51
Developable Land	13.72
Net Density	3.72

Dimensional Requirements

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 which are in compliance with the Unified Development Ordinance and the RM, Residential Mixed zoning district:

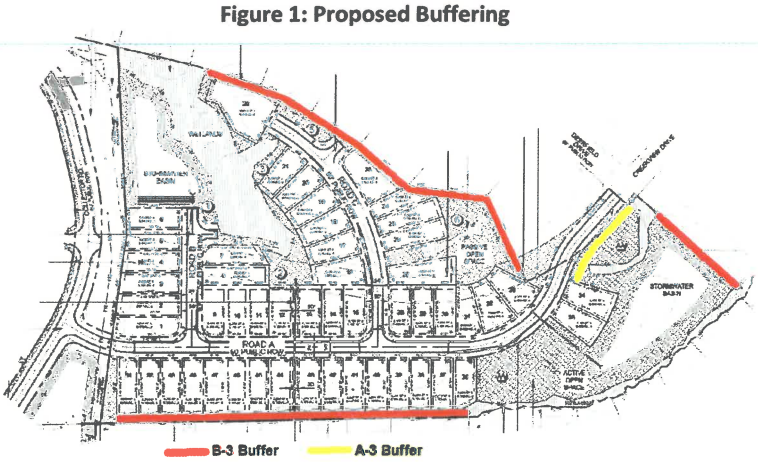
Table 2: Requested Dimensional Standards

Proposed Dimensional Standards for RM-CD3 Zoning District	Single Family Conventional Lots
Minimum Lot Size (in sq. ft.)	**5,000 sf**
Maximum Lot Size (in sq. ft.)	**20,000 sf**
Minimum Lot Width	27'
Minimum Front Yard	5'
Minimum Side Yard	5'
Minimum Corner Yard	5'
Minimum Rear Yard	10'
Chord	25'
Maximum Building Height	35'
Structure Separation	10'

Landscaping and Buffers

The applicant has proposed a 25' wide type A-3 buffer along proposed Road "A." This buffer shall provide screening to the proposed stormwater pond and the active open space parcel. A 20' B-3 buffer is proposed to the north, south, and east of the subject properties. The proposed B-3 buffers are between the proposed development and already existing residential neighborhoods located to the north, south, and east.

Figure 1: Proposed Buffering



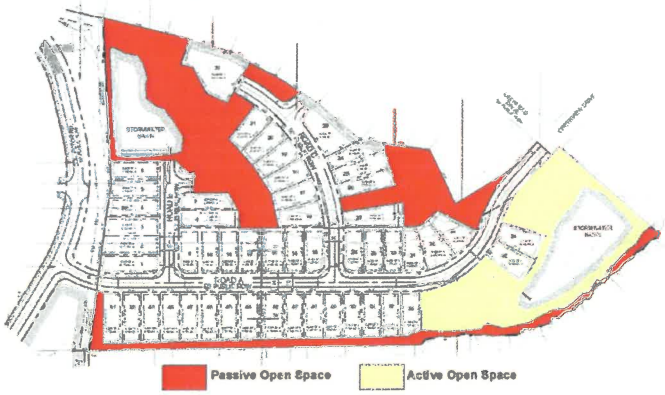
Per Section 8.2.7 of the Pender County Unified Development Ordinance, residential uses in residential zoning districts are not required to provide buffers, except as required for manufactured home parks, multi-family residential and Planned Developments. The applicant is in compliance with the Unified Development Ordinance.

Open Space

Per Section 7.6.1.C: Required Open Space of the Pender County Unified Development Ordinance: All new residential subdivisions shall provide open space in the amount of 0.03 acres per dwelling unit within the subdivision. No more than 50% of the required open space shall be designated as passive open space. 50% or more of the required open space shall be designated as active open space. The applicant has provided 100% of the required open space as active open space. The applicant is in compliance with the open spaces provided.

Per Section 7.6.1.E.1 of the Unified Development Ordinance, the dedicated open space shall form a single parcel of land, whether the subdivision is developed in phases or sections, except where it is determined by the appropriate governing body, that two (2) or more parcels would be in the best interests of the residents of the subdivision and the public; and in such case, the appropriate governing body, may require that such parcels be connected. The applicant has provided a single parcel of the required open space, shown in Figure 2 below as Active Open Space. There are two (2) additional parcels of passive open space located throughout the proposed subdivision. These extra parcels of open spaces are above and beyond the Pender County Unified Development Ordinance requirements. The provided active open space includes ±1.53 ac of active open space when only ±.77 ac of active and ±.77 ac of passive open space is required. Figure 2 below displays all provided open space on the subject parcels, and Table 3 on the following page displays open space acreage.

Figure 2: Proposed Open spaces



Active open spaces identified on the proposed Master Development Plan and Preliminary Plat are located within areas easily accessible by potential residents. Planning Staff has conditioned sidewalks to be included in the development; however, the applicant has not agreed to this condition.

Table 3: Required Open Space

Open Space Type	Open Space Required (acres)	Open Space Proposed (acres)
Passive	0.77	3.85
Active	0.77	1.85
Total	1.53	5.70

Recreational Units

Per Section 7.6.2 of the Pender County Unified Development Ordinance, developments are required to provide recreational units equivalent to financial credits based on the total proposed dwelling units as established in Table 4 below. The applicant has proposed 51 single family lots and is therefore required to provide one (1) recreation units totaling a minimum of $10,000. The applicant has proposed a gazebo in the active open space as the amenity to satisfy this requirement and bring the proposal into compliance with Section 7.6.2 of the Unified Development Ordinance.

Table 4: Required Recreation Units

Dwelling Units	Recreational Unit(s)	Financial Unit
34-99	1.0	$10,000
100-150	1.5	$15,000
151-200	2.0	$20,000
201-250	2.5	$25,000
251-300	3.0	$30,000
301-350	3.5	$35,000
351-400	4.0	$40,000

Roadways
The applicant has proposed that all roadways be dedicated as public roads. Per Section 7.5.1.C.4 and 7.5.1.C.5 when existing public streets have been dedicated or constructed to the property line of the subdivision and when access to adjacent properties will be hindered as a result of private streets being allowed in the subdivision. The applicant is in compliance with the Unified Development Ordinance based on the roadways submitted.

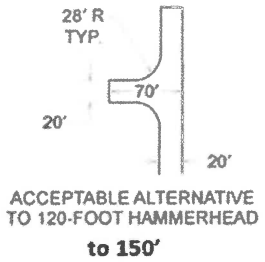
The applicant has submitted the following information regarding planned Collector Streets and public rights-of-ways. All streets ("A", "B", and "C") are designated as public and shall be dedicated to NCDOT. Two access points are provided for the development proposal. The main entrance to the development proposal will be via a planned collector street located on the adjacent parcel to the northwest. Furthermore, the applicant has also proposed a second access to the intersection of Deerfield Drive (SR 1673) and Creekview Drive (SR 1674), providing access to US HWY 17 via Deerfield Drive. Both accesses are provided via Street "A."

Street Connectivity and Access
Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5 of the Pender County Unified Development Ordinance, these roadways are required to be designated as public when connected to adjacent parcels.

The applicant's proposed subdivision is located to the east of the approved Headwater's Commercial development (Case # MDP 436-2016 and Major Site Plan 405-2016). The collector street will connect to Deerfield Drive (SR 1673), Hughes Road (SR 1618), and Washington Acres Road (SR 1582), all of which provide access to US HWY 17. This proposed collector street is planned to parallel US HWY 17 to the east through much of the Hampstead area, providing additional north-south mobility and connectivity to residents. The applicant is required to connect to the required collector street shown above in figure 4. Staff has conditioned that the proposed collector street between Hughes Road (SR 1618) and Deerfield Drive (SR 1673) be constructed before the proposal can receive an approved preliminary plat to allow for the start of infrastructure installation.

The applicant has chosen to not provide the typical cul de sac, however, has provided a 120' turnaround similar to that which is depicted in Figure 3 below. This approved turnaround shall provide future residents and emergency management vehicles with enough space to turn around should it be needed.

Figure 3: UDO-approved Turnaround



Pedestrian Access
The applicant has chosen to not provide pedestrian access along the roadways. Staff has concluded that sidewalks are a necessity in a subdivision so closely located to proposed commercial development and through which pedestrian connectivity between that proposed development and existing residential neighborhoods to the east could be established. Sidewalks would provide the appropriate connections to the three open space parcels as well. Based on Section 4.13.6 of Pender County's Unified Development Ordinance, pedestrian and vehicular circulation systems appear to be appropriate in this community, aside from the lack of sidewalks. Staff have thus added the condition of a five (5) foot sidewalk to be placed on one side of all proposed roadways within the subdivision.

These sidewalks will create an opportunity for increased pedestrian activity. Proposed sidewalks provide pedestrian access to each of the active open space areas, reducing the need for vehicular transportation to those areas. Sidewalks shall also provide a safe. walkable community for all residents and provide for pedestrian circulations throughout the community. By linking with the previously-approved Headwaters commercial development, connectivity will be established with the sidewalks constructed as part of the Hampstead Median Project (U-5732) as well, which will be constructed along US HWY 17 from Washington Acres Road (SR 1582) to Sloop Point Loop Road (SR 1563).

Traffic
The completion of a Traffic Impact Analysis (TIA) is not be required for the proposed development. Per Section 6.1.2.B.15 of Pender County's Unified Development Ordinance, a Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. Any traffic requirements will be required by the NCDOT and will be required to be compliant with the NCDOT's Driveway Manual.

The previously approved Headwaters planned development project included proposed multi-family residential development on the subject parcels and conducted a Traffic Impact Analysis based on that proposal. The TIA was approved by the Wilmington Metropolitan Planning Organization (WMPO); however, no change was required to the TIA regarding the applicant's submittal based on the less intense land use of single-family residential dwellings.

Based on comments received from the Technical Review Committee (TRC) (see Attachment 3), driveway permits will be required from NCDOT, along with possible roadway improvements. All roadway improvements will be tracked through the driveway permit process and coordinated with the NCDOT and Staff.

Utilities
According to the applicant's submitted narrative, the applicant intends to utilize an existing Pender County Utilities (PCU) water line along US HWY 17. The applicant also intends to utilize a private regional wastewater system, Pluris Hampstead, LLC., for wastewater disposal and treatment, and has provided letters of intent to serve from both entities provided as Attachments 1 and 2.

Environmental Concerns
The subject parcel is not located within a CAMA Area of Environmental Concern (AEC). The property is not located in the Special Flood Hazard Area based on Map #3720328200J effective 2/16/2007 and therefore no flood standards are required. Preliminary flood maps that are expected to be adopted in 2019 (Map #3720328200K) indicate a very small portion of the property located in the southeastern corner will be in AE flood zone. The proposed site plan indicates that this will be the location of a stormwater retention

pond. According to the applicant's submitted site plan, no impact to the site's existing wetlands is anticipated at this time. No Jurisdictional Delineation has been submitted by the applicant and will be required to submit wetland delineations prior to any plat approvals. Any disturbance within these wetlands as proposed are subject to review and approval by the U.S. Army Corps of Engineers.

Stormwater
The applicant proposes stormwater conveyances and retention facilities to be located throughout the development. The applicant is required to accommodate a twenty-five-year storm event according to Section 7.9 of the Pender County Unified Development Ordinance. All stormwater and drainage improvements are required prior to any zoning approvals. All projects shall be designed so that the post development runoff from the project be no more than ten (10) percent more than the pre- development runoff. Low density projects shall meet this requirement for the 1 year 24-hour event or demonstrate that stormwater discharge is through multiple outlets with each not exceeding a flow of over 50% of the total predevelopment flow. High density projects shall meet this requirement for the 10 and 25-year return period events and be analyzed for the 50-year event.

Signage
All subdivision signage shall be reviewed and approved per Section 9 of the Pender County Unified Development Ordinance. The applicant is required to work with Staff to assure that the signage has been designed per Section 9.6.1.

PUBLIC INPUT MEETING
The public meeting was held on June 19, 2018 from 6pm-7pm in the Hampstead Annex auditorium. Notices of the meeting being held were mailed to all residents within 1,000 feet of the subject property on June 5, 2018. The meeting was conducted as an "open-house" in which attendees were given the opportunity to see proposed site plans and renderings and ask questions. Most attendees were residents of the Deerfield and Washington Acres communities. Community concerns included the density proposed for the subject property, the type of homes being built, traffic, and stormwater run-off. Attendees expressed those concerns to Pender County Staff in attendance as well. The applicant has provided a report from the public input meeting and is included as Attachment 4.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES
Pender County's Technical Review Committee meeting was held on Wednesday, June 6, 2018 at 9 A.M. in the Board of County Commissioners meeting room, to review the proposal. The comments can be found in Attachment 3.

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 RP, Residential Performance zoning district. The subject properties are bordered by RP, Residential Performance zoning district properties to the north, east, and south. The subject properties are bordered to the west by PD, Planned Development zoning district properties.

C. **Existing Land Use in Area:** The subject parcels are currently vacant and are surrounded by low density residential to the east and south. Vacant land to the north and west is slated for commercial land uses as part of the previously approved Headwaters development in the future.

D. **2010 Comprehensive Land Use Plan Compliance:** The 2010 Comprehensive Land Use Plan designates the subject property as Mixed Use. The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, and pedestrian and transit friendly manner. Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of the goods and services needed by residents in a coordinated, concentrated manner. Mixed Use areas are intended to reduce the number and length of auto trips by placing higher-density housing close to shopping and employment center. They also should function to improve the quality of life for residents living in higher density housing by placing daily conveniences, shops, and employment within walking distance.

The RM, Residential Mixed zoning district is consistent with the Mixed-Use land use classification in this location due to its provision of more dense, concentrated residential development in an area directly adjacent to planned commercial development, with which it will directly connect. This increased connectivity is a benefit not only to residents of the proposed development, but also enjoyed by other residents along Creekview Drive and other nearby streets.

The Conditional Zoning Map Amendment request is supported by five (5) policies within the 2010 Comprehensive Land Use Plan and is in compliance with the Mixed-Use Land Use Classification:

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

Policy 1A.1.6 - 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 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.

The request utilizes the Conditional Rezoning process to address concerns of the neighbors surrounding the development as well as staff and elected and appointed officials. The conditional

rezoning process allowed the creation of potential conditions of approval that are presented later in this report. The proposal ensures that connectivity is provided to adjacent state-maintained roads, such as Creekview Drive (SR 1674), and with adjacent developments. Connectivity is also provided, via the proposed main entrance, to a planned collector street to the west between the subject parcels and US HWY 17 and parallel to US HWY 17. These roads are to be dedicated public and turned over to NCDOT for maintenance and incorporate comments from the Fire Marshal regarding safety and access.

Public water service through Pender County Utilities and private wastewater service through Pluris, LLC. is available in this area and supports the level of density proposed in this application. 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 could potentially impact a large number of wetlands and could disturb fragile natural resources that have been identified on the subject parcels. Though stormwater control mechanisms are proposed to be provided on-site, the proposal could potentially negatively impact adjoining property owners due to an increase in impervious surfaces. Furthermore, increased runoff could potentially negatively impact water quality in the area. The subject properties border a tributary of Old Topsail Creek, which flows in a southeasterly direction toward the Intracoastal Waterway through a largely residential area.

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. Private sewer services are available through Pluris Hampstead, LLC. The applicant has proposed connecting to both systems and has received confirmation of availability from both agencies. The availability of these services supports the densities proposed by this application.

Traffic & Roadways
A previously approved Traffic Impact Analysis (TIA) was approved for the site as part of the larger Headwaters planned development, which had included multi-family residential development on the subject parcels. That TIA was certified by the Wilmington Urban Area Metropolitan Planning Organization (WMPO) and does not require a revision based on the less-intense residential use of the subject parcels proposed in this application. According to the applicant, the proposed

development will not generate enough daily or peak-hour trips to require the submittal of a new TIA. Calculations provided by the applicant estimate that between 40 and 60 peak-hour trips can be expected, with a daily expected vehicle trip count of roughly 560 vehicles.

Based on comments received from the Technical Review Committee (TRC), driveway permits will be required from NCDOT, along with possible roadway improvements. All roadway improvements will be tracked through the driveway permit process and coordinated with the NCDOT and Staff.

Schools
51 residential units are proposed in this application. Therefore, an impact to the school system should be anticipated. Pender County Schools attended the TRC meeting on June 6, 2018, 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 in 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.

CONDITIONS FOR APPROVAL OF PETITION
Per Section 3.4.5 - Conditions of Approval of Petition of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners have the ability to add reasonable and appropriate conditions based on mutually established goals with the Applicant and adjacent property owners. Further, per Section 4.13.6 of the Pender County Unified Development Ordinance, facilities which support a proposed subdivision may be conditioned. The facilities may consist of as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the participants in the public input meeting, staff, Planning Board and County Commission find appropriate or the petitioner may propose. Potential conditions include:

1. All external buffers shall be 25 feet wide with a 6-foot high stockade, basket weave, or other solid wood fence, and a minimum of two canopy trees and a grass cover of at least 98% coverage (except within 4 feet of the base of any tree), per 100 linear feet. Natural vegetation within external buffers shall be preserved to the greatest extent possible.
2. All perimeter lots adjacent to properties zoned RP, Residential Performance shall a minimum of 12,000 SF in size.
3. The proposed collector street to the west of the project, between Hughes Road and Deerfield Drive, and included as part of the previously-approved Headwaters Commercial development (Case #: MDP 436-2016), shall be constructed and accessible prior to final plat approval.
4. Sidewalks shall be constructed along one side of "Road A" throughout the entire length of the roadway.

5. Stormwater control mechanisms shall ensure all stormwater runoff flows to internal streets and collection system.
6. Use of proposed active open space shall not be restricted to members of the Homeowners Association for this particular development.
7. 10 ft. wetlands easements shall be recorded on preliminary and final plats with deed restrictions prohibiting development.
8. A significant tree survey shall be conducted as per Section 8.1.3 of the Pender County Unified Development Ordinance, and any significant tree proposed to be removed shall be mitigated as per requirements in Section 8.1.3.A.4 of the Unified Development Ordinance.

PLANNING BOARD ACTION NEEDED:

TO APPROVE:

Motion to recommend approval of the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies in the 2010 Comprehensive Land Use Plan:

- **Policy 1A.1.2;**
- **Policy 1A.1.6;**
- **Policy 2B.1.4;**
- **Policy 2B.1.9;**
- **Policy 2E.1.2;**

The proposed rezoning is consistent with the Mixed Use future land use classification in the 2010 Comprehensive Land Use Plan because the proposed residential development is concentrated in an area directly adjacent to planned commercial development and increases connectivity between the proposed development and existing residential neighborhoods and planned commercial development and the US HWY 17 corridor.

TO DENY:

Motion to deny the Zoning Map Amendment and to make a finding of denial because the proposal is inconsistent with the following policy in the 2010 Comprehensive Land Use Plan:

- **Policy 1A.1.3;**

And said denial is reasonable and in the public interest and does not further the goals of the 2010 Comprehensive Land Use Plan because [INSERT REASONING] ...

RECOMMENDATION

RHH Land Investors, LLC, applicant, on behalf of Lanwillo Development Co., owner, is requesting the approval of a Conditional Zoning Map Amendment for two (2) tracts totaling approximately ±18.00 acres from RP, Residential Performance zoning district to RM-CD3, Residential Mixed Conditional zoning district 3. This request is to allow for single family detached residential units. As submitted, the request appears to meet all criteria set forth in Section 3.4 Review Criteria for Conditional Rezoning of the Pender County Unified Development Ordinance. The proposed development is consistent with (5) policies and the Future Land Use Map in the 2010 Pender County Comprehensive Land Use Plan, and conflicts with one (1) policy. The proposed development is consistent with the Pender County Unified Development Ordinance. Staff is recommending conditional approval based on the conditions outlined in this report and results from the Community Meeting.

BOARD ACTION FOR CONDITIONAL ZONING MAP AMENDMENT REQUEST

Motion:_____ **Seconded:** _____

Approved: _____**Denied:** _____**Unanimous:** _____

Fullerton: ____ Baker: ____ Carter: ____ Jordan: ____ McClammy: ____ Nalee: ____ Rhodes: _____

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	~~REZONE~~ 2018-05	Date	5/18/18
Application Fee	$630.00	Receipt No.	001017
Pre-Application Conference	4/13/18	Hearing Date	PB: 7/3/18 BoCC: 8/20/18

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	President - Kerry Avant RHH LAND INVESTORS, LLC	Owner's Name:	President - Lonnie Williams, Jr. LANWILLO DEVELOPMENT CO
Applicant's Address:	2919 BREEZEWOOD AVE, STE 400	Owner's Address:	14 S. 5TH STREET
City, State, & Zip	FAYETTEVILLE, NC 28303	City, State, & Zip	WILMINGTON, NC 28401
Phone Number:	910.486.4864	Phone Number:	910.763.9891
Email Address: Project Rep:	kerryavant@hhhomes.com aengebretson@paramounte-eng.com	Email Address:	lwj@mwglaw.com
Legal relationship of applicant to land owner:	potential developer of property		

SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	1) 3282-83-0888-0000 2) 3282-73-8614-0000	Total property acreage:	~~1) 8.40~~ ~~2) 10.39~~ TOTAL ~~18.79~~ AC. ± 18.0 AC
Current Zoning District:	RP	Proposed Zoning District:	RM
Project Address or Location:	CREEKVIEW DR. & I7 HWY		

Proposed Uses to be Considered (Include NAICS Code):

236115, 23611, 236117, 713940, 712190
(~~SEE~~ NARRATIVE)

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

—

SECTION 3: SIGNATURES			
Applicant's Signature	Kerry C. Avant	Date:	5/18/18
Owner's Signature	Lonnie Williams Jr. - Pres.	Date:	05/18/18

NOTICE TO APPLICANT

1. Applicant must also submit the information described on the Rezoning Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
4. All fees are non-refundable
5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

RECEIVED
MAY 18 2018
By PCD

PARAMOUNTE
ENGINEERING, INC.

Headwaters Residential Project Narrative (date: 5/18/18), revised per TRC comments 6/19/18:
RHH Land Investors, LLC proposes a single-family residential development on Pender County parcels # 3282-83-0888-0000 and 3282-73-8614-000 located behind the PD zoned commercial development on Hwy 17 and behind single-family residences along Hughes Road and Deerfield Drive. The proposed development encompasses two parcels and one previously platted right of way, formerly called Creekview Drive which are currently zoned RP. The applicant requests a conditional rezoning of the property to RM to allow development of the proposed 51 single family, detached conventional homes with an associated open space & neighborhood recreation areas. The proposed homes are the same proposed use as the adjacent single-family neighborhoods, but the proposed development features smaller lots sizes than are allowed in the existing RP zoning. The neighborhood will have access to the approved collector road on the adjacent commercial property. Access to this road will allow this neighborhood to easily access the proposed mixed-use commercial center without accessing existing adjacent roads and neighborhoods. This collector street access will also allow access to Hwy. 17 at a proposed traffic light without using the existing road infrastructure.

The proposed development will employ multiple stormwater facilities to capture runoff from the proposed impervious area and address drainage on site. The design of these facilities as well as erosion control measures is on-going and will be reviewed by the County and State agencies during the permitting process.

A pre-submittal meeting was held with County planning staff on April 13, 2018. The project has an approved TIA, but the traffic will now be lower than originally indicated in the TIA since the land behind the commercial center is now proposed as single family residential instead of multi-family.

The sewer will be provided by Pluris Hampstead, LLC, and will connect to the adjacent commercial pump station. The design of that pump station and sewer is under design and accounts for the capacity required to serve the proposed residential development. Water will be provided by Pender County Utilities, and the capacity letters for both water and sewer is attached to the application.

The following is a list of NAICS codes/uses that may occur on this site (this list is generalized to establish types of uses that may occur on the project site in association with the development of a single-family neighborhood).

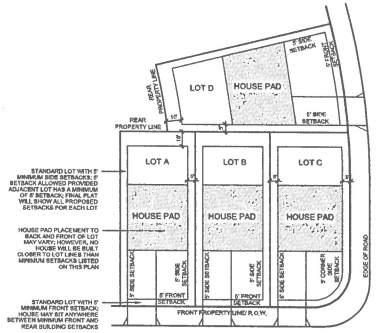
NAICS Code	Use
(no code)	SFD: Detached-Conventional and all uses associated with construction and sales of homes, temporary buildings for construction or development, amenities, etc.

Open space
The open space provided on these plans is in excess of the required open space. The applicant proposes providing ±5.57 acres of open space including the wetlands, passive, and active open space areas. The total required open space is only 1.53 acres. UDO Section 7.6 Open Space requires that all open space be provided in one parcel with no more than 50% of that open space being passive. Therefore, this project proposes ±1.85 acres dedicated as open space in one parcel and provided as all active recreation. This is noted as area "AA" on the plans. This area alone exceeds the required open space for the project. Active recreation area AA includes all areas around

122 CINEMA DRIVE WILMINGTON, NC 28403-
PH: (910) 791-6707 FAX: (910) 791-6760

the pond, but not the area of the stormwater pond. There is a gazebo and trail proposed inside the active open space accessible to all residents of this proposed community and accessed from Road A.. Because the site has wetlands and other areas not proposed for disturbance, these areas will be left as passive open space and are included in the overall open space (±5.57 acres); however, due to the fact that the wetlands are not contiguous, and planning staff has directed us to include wetlands and all undisturbed areas as open space, it is not possible to provide every part of the open space in one contiguous parcel of land. We respectfully ask the boards to review our proposal to create one parcel large enough to comply with the open space requirements and allow additional open space to be located throughout the development as shown.

122 CINEMA DRIVE WILMINGTON, NC 28403
PH: (910) 791-6707 FAX: (910) 791-6760



TYPICAL SINGLE FAMILY SETBACKS

NOT TO SCALE

NOTE: TO BE DETERMINTED FOR EACH LOT PRIOR TO FINAL PLAT

STORMWATER

1. STORMWATER DESIGN SHALL BE COMPLIANT WITH PENDER COUNTY UDO
2. FULL PERMIT APPROVALS TO BE PROVIDED TO COUNTY WHEN RECEIVED
3. STORMWATER WILL BE HANDLED ON SITE IN COMPLIANCE WITH ALL STATE AND COUNTY STORMWATER STANDARDS
4. PER PENDER COUNTY UDO, SECTION 7.8.1:
   A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SITE MUST HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10-YEAR STORM EVENT. FLOWS FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVERFLOWING THE BANKS OF THE STREAM, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A USABLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.

STREETLIGHT NOTES

1. STREETLIGHT LOCATIONS SHOWN ON PLAN ARE PRELIMINARY, AND BASED ON PENDER UDO SPECIFICATIONS. FINAL DESIGN, LOCATIONS, AND CALCULATIONS WILL BE PROVIDED BY DUKE ENERGY.

HISTORICAL & ARCHAEOLOGY NOTES

1. NO KNOWN HISTORIC OR ARCHEOLOGICAL SITES EXIST ON ANY OF THE SUBJECT PARCELS.

FLOODPLAIN NOTES

1. THIS PARCEL IS IN FLOOD ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, ACCORDING TO FEMA FLOOD PANEL 3720326200J WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2007.

UTILITIES

1. ALL WATER UTILITIES WILL BE COORDINATED WITH PENDER COUNTY ENGINEERING & UTILITIES; AND SEWER UTILITIES WILL BE COORDINATED WITH PLURUS.

SIGNS

1. ALL PROPOSED SIGNS SHALL CONFORM TO PENDER COUNTY UDO 9.9.1 FOR PERMANENT SIGNS FOR SUBDIVISIONS AND RESIDENTIAL DEVELOPMENTS AND SHALL BE SUBMITTED UNDER SEPARATE PERMIT AS OUTLINED IN ARTICLE 9, SECTION 9.2.

BUFFER NOTES

1. ALL SURROUNDING ADJACENT PROPERTIES ARE ZONED RP AND PD - SEE PLANS FOR SPECIFIC BUFFER TYPES AND LOCATIONS.

WETLAND NOTES

1. THERE ARE WETLANDS ON THE PROPERTY.
2. THE 401 WATER QUALITY CERTIFICATIONS HAVE BEEN APPROVED BY NCDEQ - WATER RESOURCES FOR DWR PROJECT # 2017-1328.
3. THE 404 NWP 39 & 18 HAVE BEEN APPROVED BY USACE FOR USACE ACTION ID# SAW 2016-00123.

WETLAND PRESERVATION NOTES

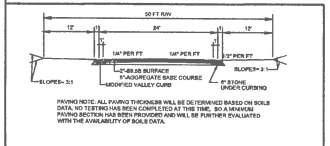
1. THE DEVELOPER IS COMMITTED TO PROTECTING THE SITE'S EXISTING WETLANDS.
2. THE PROPOSED DESIGN DOES NOT ANTICIPATE IMPACTS TO ANY OF THE SITE'S EXISTING WETLANDS.
3. IN ADDITION TO PROVIDING AN ENVIRONMENTALLY SENSITIVE DESIGN, THE DEVELOPER WILL PROVIDE (1) SIGN AT THE REAR PROPERTY LINE OF EACH LOT THAT BORDERS WETLANDS TO INFORM THE HOMEOWNERS OF THE WETLAND BOUNDARY

PHASING

1. THE NEIGHBORHOOD IS PLANNED TO HAVE 2 PHASES, SEE PRELIMINARY PLAT PLANS.
2. ALL AMENITIES WILL BE CONSTRUCTED IN PHASE 1.

TRAFFIC IMPACTS

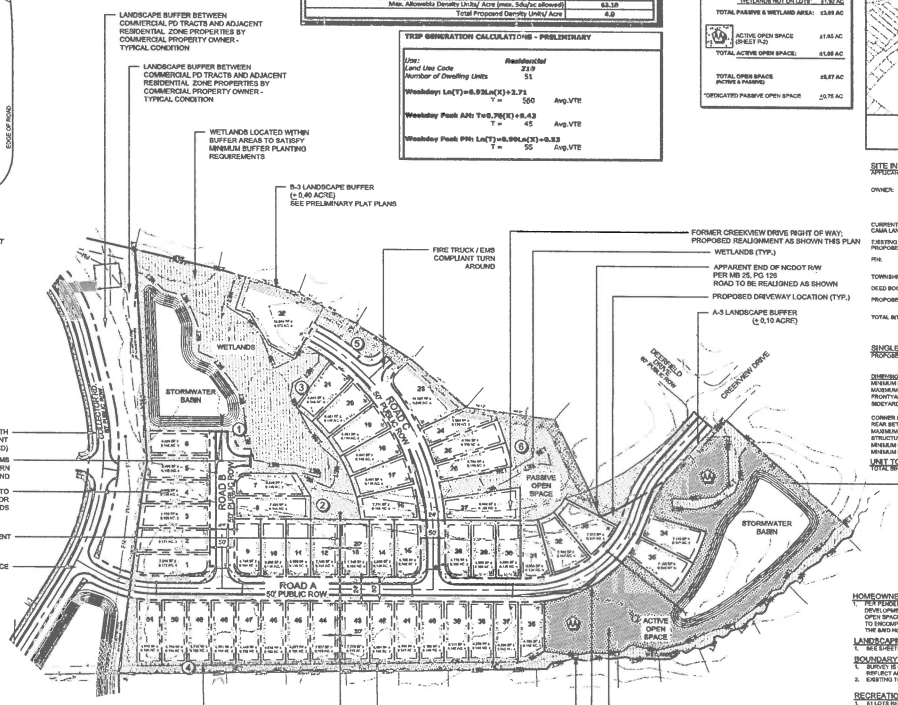
1. REFER TO TRAFFIC IMPACT ANALYSIS PREPARED BY WETHERILL ENGINEERING, INC., DATED NOVEMBER 2016



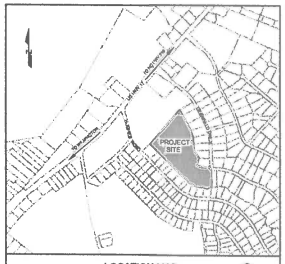
PAVING NOTE: ALL PAVING THICKNESS WILL BE DETERMINED BASED ON SOILS DATA. NO TESTING HAS BEEN COMPLETED AT THIS TIME. SO A MINIMUM PAVING SECTION HAS BEEN PROVIDED AND WILL BE FURTHER EVALUATED WITH THE AVAILABILITY OF SOILS DATA.

Density Calculations for Conditional Rezoning Parcel	
Grand Unit Total	51
Total Single Family Detached Units	51
Total Site Acreage (approx.)	18.00
Total Open Space Acreage Required (Number of Lots x 0.03)	1.53
Areas to Subtract From Site Acreage	
Non-Residential/ Commercial Area	0.00
ROW and Parking	2.36
Wetlands in Lots	0.00
1.52 ac Wetlands Outside of Lots - 0.75 ac dedicated passive open space	1.17
Total Active Open Space	1.88
Adjusted Density Calculations	
Total Developable Land Acreage	12.57
Max. Allowable Density Units/ Acre (max. 5du/ac allowed)	63.15
Total Proposed Density Units/ Acre	4.0

TRIP GENERATION CALCULATIONS - PRELIMINARY		
Use:	*Residential*	
Land Use Code	210	
Number of Dwelling Units	51	
Weekday: Ln(T)=0.92Ln(X)+2.71		
T =	560	Avg.VTE
Weekday Peak AM: T=0.70(X)+8.43		
T =	45	Avg.VTE
Weekday Peak PM: Ln(T)=0.90Ln(X)+0.53		
T =	50	Avg.VTE



OPEN SPACE KEY		
1	PASSIVE OPEN SPACE (SHEET P-1)	±0.27 AC
2	PASSIVE OPEN SPACE (SHEET P-1)	±0.29 AC
3	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.13 AC
4	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.29 AC
5	PASSIVE OPEN SPACE (SHEET P-2)	±0.17 AC
6	PASSIVE OPEN SPACE (SHEET P-2)	±0.74 AC
	TOTAL PASSIVE OPEN SPACE :	±1.93 AC*
	WETLANDS NOT ON LOTS :	±1.32 AC
	TOTAL PASSIVE & WETLAND AREA:	±3.09 AC
A	ACTIVE OPEN SPACE (SHEET P-2)	±1.65 AC
	TOTAL ACTIVE OPEN SPACE:	±1.88 AC
	TOTAL OPEN SPACE (ACTIVE & PASSIVE)	±5.07 AC
	*DEDICATED PASSIVE OPEN SPACE	±0.75 AC



LOCATION MAP
SCALE: 1"=1,000'

SITE INFORMATION

APPLICANT INFORMATION:	RHH LAND INVESTORS, LLC 2919 BREEZEWOOD AVE, STE 400 FAYETTEVILLE, NC 28303
OWNER:	LANWILLO DEVELOPMENT CO. 14 S. 5TH STREET WILMINGTON, NC 28401
CURRENT LAND USE:	VACANT LAND
CAMA LAND USE PLAN DESIGNATION:	MIXED USE
EXISTING ZONING:	RP - RESIDENTIAL PERFORMANCE
PROPOSED ZONING:	RM - RESIDENTIAL MIXED USE
PIN:	3262-63-0885-0000 (8.68 ACRES) 3263-73-8614-0000 (10.99 ACRES)
TOWNSHIP:	TOPSAIL
DEED BOOK/ PAGE:	PB 25/126A
PROPOSED USE:	SFD- SINGLE FAMILY DWELLING DETACHED CONVENTIONAL (SEC. 4, 15.1)
TOTAL SITE AREA:	± 19.3 ACRES
SITE UPLANDS AREA:	± 18.05 ACRES
SITE WETLANDS AREA:	± 1.25 ACRES
SITE TOTAL AREA:	± 19.3 ACRES

SINGLE FAMILY DIMENSION REQUIREMENTS

PROPOSED HOUSING TYPE:	ALL UNITS ARE SINGLE FAMILY DWELLING DETACHED CONVENTIONAL (SEC. 4, 15.1)
DIMENSION:	
MINIMUM LOT SIZE:	6,000 SF
MAXIMUM LOT SIZE:	20,000 SF
FRONT YARD SETBACK:	5' MINIMUM
REAR YARD SETBACK:	5' MINIMUM
CORNER SIDEYARD SETBACK:	5' MINIMUM
REAR SETBACK:	10' MINIMUM
MAXIMUM BUILDING HEIGHT:	35'
STRUCTURE SEPARATION:	10' MINIMUM
MINIMUM CURB DISTANCE:	22'
MINIMUM LOT WIDTH:	27'

UNIT TOTALS & SITE YIELD

TOTAL SINGLE FAMILY	51 UNITS

HOMEOWNERS ASSOCIATION

1. PER PENDER COUNTY UDO 7.3, HOMEOWNERS ASSOCIATIONS SHALL BE REQUIRED FOR ALL DEVELOPMENTS WITH DEDICATED IMPROVEMENTS SUCH AS PRIVATELY MAINTAINED STREETS AND/OR OPEN SPACE DEDICATIONS AND MUST BE RECORDED ALONG WITH THE FIRST PHASE OF A FINAL PLAT TO ENCOMPASS THE ENTIRE DEVELOPMENT WITH AN OUTLINE OF AMENITIES AND TRANSFERRED TO THE SAID HOA AT OR BEFORE 85% OF ALL UNITS ARE CONSTRUCTED.

LANDSCAPING

1. SEE SHEETS P-1 THROUGH P-2 FOR LANDSCAPE PLANS

BOUNDARY

1. SURVEY IS COMPLETE & TITLE SEARCH FOR EXISTING EASEMENTS IS UNDERWAY. FINAL PLAT WILL REFLECT ANY EASEMENT. SURVEY COMPLETED ON MAY 17, 2018.
2. EXISTING TOPOGRAPHY REFERENCED FROM PENDER COUNTY GIS.

RECREATION UNIT NOTES

1. 51 LOTS REQUIRE 1.5 RECREATION UNIT TOTALING $10,000.00 MORE. INSTALLATION OF THE PROPOSED ACTIVE RECREATION AREAS WILL FAR EXCEED THE $10,000. 1.5 UNIT REQUIREMENT. FOR FULL DETAILS OF PROPOSED ACTIVE RECREATION AREAS, REFER TO COST ESTIMATE PROVIDED WITH SUBMITTAL TO PENDER COUNTY.

PROJECT ROAD NOTES

1. ALL COLLECTOR ROADS WILL BE PUBLIC RIGHT OF WAYS CONSTRUCTED TO NCDOT SUBDIVISION ROADS MINIMUM CONSTRUCTION STANDARDS.
2. ALL PROPOSED INTERNAL ROADWAY INTERSECTIONS AND CONNECTIONS TO EXISTING ROADWAYS & THE PROJECT COLLECTOR ROAD WILL HAVE A 30' RADIUS MINIMUM.
3. STREET NAME SIGNS SHALL BE INSTALLED AS SOON AS ROADWAYS ARE ACCESSIBLE BY VEHICLE TRAFFIC TO INCLUDE DURING CONSTRUCTION AND MEET PENDER COUNTY STREET SIGN SPECIFICATIONS.
4. ADDRESSING WILL COMPLY WITH PENDER COUNTY UDO ARTICLE 11.
5. NO PROPOSED ROAD EXCEEDS 1 MILE IN LENGTH OR ACCESSES MORE THAN 200 LOTS. ALL ROADS WILL COMPLY WITH SECTION 7.2.3 OF THE PENDER COUNTY UDO.

NAICS

CODE	USE
236115	SINGLE FAMILY HOUSING
236116	RESIDENTIAL BUILDING CONSTRUCTION
236117	NEW HOUSING FOR SALE BUILDERS
712190	NATURE PARK
713940	COMMUNITY CENTER, POOL HOUSE, RECREATION AND SPORTS, ACTIVE RECREATION

Certification of Submission
A copy of this plat has been submitted, approved or subject to review; this date not penalties on approval.
Pender County Utilities _____ Date _____
Pender County Environmental Health _____ Date _____
Pender County Addressing Coordinator _____ Date _____

Certificate of Preliminary Plat Approval
Preliminary Plat Approved by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.
Planning Staff _____ Date _____

APPROVED BY PENDER COUNTY UNIFIED DEVELOPMENT ADMINISTRATOR.
SIGNATURE: _____
DATE: _____
SITE PLAN VALID FOR TWO YEARS FROM APPROVAL DATE.

GRAPHIC SCALE
0 50 100 200 300
SCALE: 1"=100'

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

REVISIONS:

CLIENT INFORMATION:
RHH Land Investors, LLC
2919 Breezewood Ave., Ste. 400
Fayetteville, NC 28303

PARAMOUNTE ENGINEERING, INC.
122 Cinema Drive
Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6760 (F)
NC License #: C-0845

SITE PLAN
CONDITIONAL REZONING / MDP
HEADWATERS RESIDENTIAL
PENDER COUNTY, NORTH CAROLINA

PROJECT STATUS
CONCEPTUAL LAYOUT:
PRELIMINARY PLAT:
FINAL DESIGN:
PERMIT SUBMITTAL:

DRAWING INFORMATION:
DATE: 09/10/18
SCALE: 1"=100'
DRAWN BY: AJB
CHECKED:

SEAL: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 028847 JAMES A. CUMBAA III
I-17-18

MDP-1

PEI JOB#: 18238.PE

STORMWATER
1. STORMWATER DESIGN SHALL BE COMPLIANT WITH PENDER COUNTY UDO
2. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THOSE AREAS THAT WILL ACCOMMODATE THE 10YR-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN.
3. FULL PERMIT APPROVALS TO BE PROVIDED TO COUNTY WHEN RECEIVED
4. STORMWATER WILL BE HANDLED ON SITE IN COMPLIANCE WITH ALL STATE AND COUNTY STORMWATER STANDARDS.
5. PER PENDER COUNTY UDO, SECTION 7.9.1.
   A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THOSE AREAS THAT WILL ACCOMMODATE THE 10YR-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF THE DRAINAGE BASIN FOR THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR) AND ALL PROPERTIES RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED PEAK WATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED TO BE SHOWN OR SUBMITTED.

STREETLIGHT NOTES
1. STREETLIGHT LOCATIONS SHOWN ON PLAN ARE PRELIMINARY, AND BASED ON PENDER UDO SPECIFICATIONS. FINAL DESIGN, LOCATIONS, AND CALCULATIONS WILL BE PROVIDED BY DUKE ENERGY.

HISTORICAL & ARCHAEOLOGY NOTES
1. NO KNOWN HISTORIC OR ARCHEOLOGICAL SITES EXIST ON ANY OF THE SUBJECT PARCELS.

FLOODPLAIN NOTES
1. THIS PARCEL IS IN FLOOD ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, ACCORDING TO FEMA FLOOD PANEL 3720326200J WITH AN EFFECTIVE DATE OF FEBRUARY 16, 2007.

UTILITIES
1. ALL WATER UTILITIES WILL BE COORDINATED WITH PENDER COUNTY ENGINEERING & UTILITIES; AND SEWER UTILITIES WILL BE COORDINATED WITH PLANS.

SIGNS
1. ALL PROPOSED SIGNS SHALL CONFORM TO PENDER COUNTY UDO 8.6.1 FOR PERMANENT SIGNS FOR SUBDIVISIONS AND RESIDENTIAL DEVELOPMENTS AND SHALL BE SUBMITTED UNDER SEPARATE PERMIT AS OUTLINED IN ARTICLE 8, SECTION 8.2.

WETLAND NOTES
1. THERE ARE WETLANDS ON THE PROPERTY.
2. THE 401 WATER QUALITY CERTIFICATIONS HAVE BEEN APPROVED BY NCDEQ - WATER RESOURCES PER DWR PROJECT # 2017-1276.
3. THE 404 NWP 39 & 18 HAVE BEEN APPROVED BY USACE PER USACE ACTION ID# SAW 2016-00123.

WETLAND PRESERVATION NOTES
1. THE DEVELOPER IS COMMITTED TO PROTECTING THE SITE'S EXISTING WETLANDS.
2. THE PROPOSED DESIGN DOES NOT ANTICIPATE IMPACTS TO ANY OF THE SITE'S EXISTING WETLANDS.
3. IN ADDITION TO PROVIDING AN ENVIRONMENTALLY SENSITIVE DESIGN, THE DEVELOPER WILL PROVIDE (1) ROW AT THE REAR PROPERTY LINE OF EACH LOT THAT BORDERS WETLANDS TO INFORM THE HOMEOWNERS OF THE WETLAND BOUNDARY.

TRAFFIC IMPACTS
1. REFER TO TRAFFIC IMPACT ANALYSIS PREPARED BY WETHERILL ENGINEERING, INC., DATED NOVEMBER 2016

BUFFER NOTES
1. ALL SURROUNDING ADJACENT PROPERTIES ARE ZONED RP AND PD - SEE PLANS FOR SPECIFIC BUFFER TYPES AND LOCATIONS.

PHASING
1. THE NEIGHBORHOOD IS PLANNED TO HAVE 2 PHASES.
2. ALL AMENITIES WILL BE CONSTRUCTED IN PHASE 1.

OPEN SPACE KEY

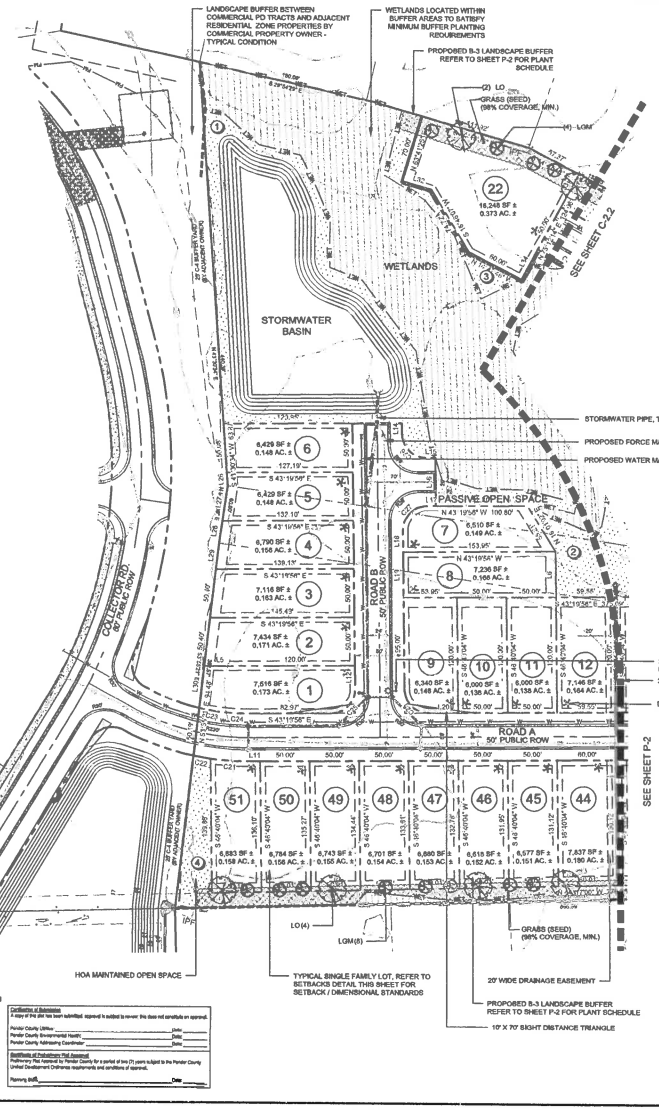
1	PASSIVE OPEN SPACE (SHEET P-1)	±0.27 AC
2	PASSIVE OPEN SPACE (SHEET P-1)	±0.29 AC
3	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.15 AC
4	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.29 AC
5	PASSIVE OPEN SPACE (SHEET P-2)	±0.17 AC
6	PASSIVE OPEN SPACE (SHEET P-2)	±0.78 AC
	TOTAL PASSIVE OPEN SPACE : WETLANDS NOT ON LOTS	±3.93 AC* ±1.38 AC
	TOTAL PASSIVE & WETLAND AREA:	±5.88 AC
A	ACTIVE OPEN SPACE (SHEET P-2)	±1.56 AC
	TOTAL ACTIVE OPEN SPACE:	±1.56 AC
	TOTAL OPEN SPACE (ACTIVE & PASSIVE)	±5.57 AC
	*DEDICATED PASSIVE OPEN SPACE	±5.75 AC

TRIP GENERATION CALCULATIONS - PRELIMINARY

Use:	Residential
Land Use Code	210
Number of Dwelling Units	51
Weekdays Ln(T)=0.93Ln(X)+2.71	
T = 360	Avg.VTE
Weekday Peak AM: T=0.70(X)+9.43	
T = 45	Avg.VTE
Weekday Peak PM: Ln(T)=0.90Ln(X)+0.51	
T = 56	Avg.VTE

Density Calculations for Conditional Rezoning Parcel

Gross Land Area	12
Total Single Family Detached Units	51
Total Site Density	4.25
Total Open Space Acreage Required (Number of Lots x 0.075)	3.83
Areas to Subtract from Site Acreage	
Net Developable Commercial Area	0.00
ROW and Parking	2.30
Wetlands in Lots	0.00
Lot acreage in excess of lots - 0.75 ac maximum permitted open space	1.37
Total Area Open Space	3.68
Total Developable Land Acreage	7.32
Max. Allowable Density Under Base Zoning Districts	36.59
Max. Allowable Density Under Base Zoning Districts	5.0
Total Allowed Density Under Base Zoning	36.59



SITE INFORMATION

APPLICANT INFORMATION:	RHH LAND INVESTORS, LLC 2919 BREEZEWOOD AVE, STE 400 FAYETTEVILLE, NC 28303
OWNER:	LANWILO DEVELOPMENT CO. 14 S. 5TH STREET WILMINGTON, NC 28401
CURRENT LAND USE:	VACANT LAND
CAMA LAND USE PLAN DESIGNATION:	MIXED USE
EXISTING ZONING:	RP - RESIDENTIAL PERFORMANCE
PROPOSED ZONING:	RM - RESIDENTIAL MIXED USE
PIN:	3262-43-0665-0000 (5.59 ACRES) 3263-73-8614-0000 (10.59 ACRES)
TOWNSHIP:	TOPSAIL
DEED BOOK/ PAGE:	PB 35/136A
PROPOSED USE:	SFD- SINGLE FAMILY DWELLING DETACHED CONVENTIONAL (SEC. 4.15.1)
TOTAL SITE AREA:	± 16.8 ACRES
SITE UPLANDS AREA:	± 15.06 ACRES
SITE WETLANDS AREA:	± 1.82 ACRES
SITE TOTAL AREA:	± 16.9 ACRES

SINGLE FAMILY DIMENSION REQUIREMENTS

PROPOSED HOUSING TYPE:	ALL UNITS ARE SINGLE FAMILY DWELLING DETACHED CONVENTIONAL (SEC. 4.15.1)

DIMENSION

MINIMUM LOT SIZE:	5,000 SF
MAXIMUM LOT SIZE:	20,000 SF
FRONTYARD SETBACK:	5' MINIMUM
BACKYARD SETBACK:	
CORNER SIDEYARD SETBACK	5' MINIMUM
REAR SETBACK:	10' MINIMUM
MAXIMUM BUILDING HEIGHT:	40'
STRUCTURE SEPARATION:	10' MINIMUM
MINIMUM CORD DISTANCE:	20'
MINIMUM LOT WIDTH:	27'

UNIT TOTALS & SITE YIELD

TOTAL SINGLE FAMILY:	51 UNITS

HOMEOWNERS ASSOCIATION
1. PER PENDER COUNTY UDO 7.11.10(B) HOMEOWNERS ASSOCIATIONS SHALL BE REQUIRED FOR ALL DEVELOPMENTS WITH DEDICATED IMPROVEMENTS SUCH AS PRIVATELY MAINTAINED STREETS AND/OR OPEN SPACE DEDICATIONS AND MUST BE RECORDED ALONG WITH THE FIRST PHASE OF A FINAL PLAT TO ENCOMPASS THE ENTIRE DEVELOPMENT WITH AN OUTLINE OF AMENITIES AND TRANSFERRED TO THE SAID HOA AT OR BEFORE 25% OF ALL UNITS ARE CONSTRUCTED.

LANDSCAPING
1. SEE SHEETS P-1 THROUGH P-2 FOR LANDSCAPE PLANS

BOUNDARY
1. SUBJECT TO COMPLETE & TITLE SEARCH FOR EXISTING EASEMENTS IS UNDERWAY. FINAL PLAT WILL REFLECT ANY EASEMENT. SURVEY COMPLETED ON MAY 17, 2016.
2. EXISTING TOPOGRAPHY REFERENCED FROM PENDER COUNTY GIS.

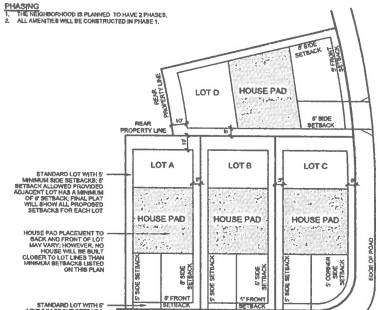
RECREATION UNIT NOTES
1. 51 LOTS REQUIRE 1.0 RECREATION UNIT TOTALING $15,000 OR MORE. INSTALLATION OF THE PROPOSED ACTIVE RECREATION AREAS WILL FAR EXCEED THE $10,000, 1.0 UNIT REQUIREMENT. FOR FULL DETAILS OF PROPOSED ACTIVE RECREATION AREAS, REFER TO COST ESTIMATE PROVIDED WITH SUBMITTAL TO PENDER COUNTY.

PROJECT ROAD NOTES
1. ALL COLLECTOR ROADS WILL BE PUBLIC RIGHT OF WAYS CONSTRUCTED TO NCDOT SUBDIVISION ROADS MINIMUM CONSTRUCTION STANDARDS.
2. ALL PROPOSED INTERNAL ROADWAY INTERSECTIONS AND CONNECTIONS TO EXISTING ROADWAYS & THE PROJECT COLLECTOR ROAD WILL HAVE A 30' RADIUS MINIMUM.
3. STREET NAME SIGNS SHALL BE INSTALLED AS SOON AS ROADWAYS ARE ACCESSIBLE BY VEHICLE TRAFFIC TO INCLUDE DURING CONSTRUCTION AND MEET PENDER COUNTY STREET SIGN SPECIFICATIONS.
4. ADDRESSING WILL COMPLY WITH PENDER COUNTY UDO ARTICLE 11.
5. NO PROPOSED ROAD EXCEEDS 1 MILE IN LENGTH OR ACCESSES MORE THAN 200 LOTS. ALL ROADS WILL COMPLY WITH SECTION 7.6.3 OF THE PENDER COUNTY UDO.

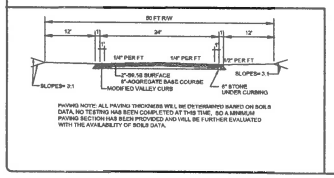
STANDARD LOT WITH 5' MINIMUM SIDE SETBACK; 8' SETBACK ALLOWED PROVIDED ADJACENT LOT HAS A MINIMUM OF 8' SETBACK; FINAL PLAT WILL SHOW ALL PROPOSED SETBACKS FOR EACH LOT

HOUSE PAD PLACEMENT TO BACK AND FRONT OF LOT MAY VARY; HOWEVER, NO HOUSE WILL BE BUILT CLOSER TO LOT LINES THAN MINIMUM SETBACKS LISTED ON THIS PLAN

STANDARD LOT WITH 5' MINIMUM FRONT SETBACK; HOUSE MAY SIT ANYWHERE BETWEEN MINIMUM FRONT AND REAR BUILDING SETBACKS



TYPICAL SINGLE FAMILY SETBACKS
NOT TO SCALE
*NOTE: TO BE DETERMINED FOR EACH LOT PRIOR TO FINAL PLAT



PAVING NOTE: ALL PAVING THICKNESS WILL BE DETERMINED BASED ON SOILS DATA. NO TESTING HAS BEEN COMPLETED AT THIS TIME. NO A MINIMUM PAVING SECTION HAS BEEN PROVIDED AND WILL BE FURTHER EVALUATED WITH THE AVAILABILITY OF SOILS DATA.

LEGEND
- = PROPERTY LINE
- = PROPOSED WATER MAIN AND VALVE
- = PROPOSED SANITARY SEWER MAIN
- = SEWER MANHOLE
- = PROPOSED STORM PIPE AND STRUCTURE
- = CATCH BASIN
- = FIRE HYDRANT
- = STREETLIGHT
- = DRIVEWAY LOCATION

Certification of Submission
A copy of this plat has been submitted: approval is audited to recover this date not constitute an approval.
Pender County Utilities _____ Date _____
Pender County Environmental Health _____ Date _____
Pender County Addressing Coordinator _____ Date _____

Certificate of Preliminary Plat Approval
Preliminary Plat Approval by Pender County for a period of two (2) years subject to the Pender County Unified Development Ordinance requirements and conditions of approval.
Planning Staff _____ Date _____

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

REVISIONS:

CLIENT INFORMATION:
RHH Land Investors, LLC
2919 Breezewood Ave., Ste. 400
Fayetteville, NC 28303

PARAMOUNTE ENGINEERING, INC.
122 Cinema Drive
Wilmington, North Carolina 28403
(910) 791-4707 (O) (910) 791-4700 (F)
NC License #: C-2646

SITE PLAN
PRELIMINARY PLAT
HEADWATERS RESIDENTIAL
PENDER COUNTY, NORTH CAROLINA

PROJECT STATUS
CONCEPTUAL LAYOUT:
PRELIMINARY PLAT:
FINAL PLAT:
CONSTRUCTION PLAN:

DRAWING INFORMATION
DATE: 07/14/16
DRAWN BY: TM
DESIGNED: MH
CHECKED: AVE

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 31647 ENGINEER
M. ELIMELECH
07/18/14

P-1

PEI JOB#: 16238.PE

PLANT SCHEDULE			
CANOPY TREES	QTY	BOTANICAL NAME	SIZE
LO	23	Quercus virginiana Southern Live Oak	10' - 12' H
UNDERSTORY TREES	QTY	BOTANICAL NAME	SIZE
LGM	45	Magnolia g. 'Little Gem' Dwarf Southern Magnolia	15 gal - 4'-5' H
GROUNDCOVER	QTY / COVERAGE		SIZE
GRASS (SPECIES TBD)	AS REQUIRED TO ACHIEVE 95% (MIN.) COVERAGE		SEED

BUFFER PLANTING NOTE:
PROPOSED PLANTING ILLUSTRATED ON PLANS AND PLANT SCHEDULE SHOWN ABOVE INDICATE THE MINIMUM QUANTITY OF SHADE TREES, UNDERSTORY TREES AND GROUNDCOVER (GRASS) NECESSARY TO MEET THE BUFFER PLANTING REQUIREMENT. CONTRACTOR SHALL FIELD VERIFY EXISTING TREES IN FIELD AND MAY REDUCE THE NUMBER OF TREES TO BE PLANTED AT A ONE-TO-ONE RATIO WITH EXISTING THAT SATISFY THE REQUIREMENTS, PER PENDER COUNTY UDO 8.1.5(B)

LANDSCAPE BUFFER CALCULATIONS:

BUFFER B-3
(1 CANOPY TREE AND 2 UNDERSTORY TREES PER 100 LF, PLUS GRASS COVERAGE AT 95% MIN.)

LANDSCAPE BUFFER	1,961 LF
EXISTING WETLANDS TO MEET BUFFER REQUIREMENTS*	1,009 LF

TREES REQUIRED / PROVIDED:
CANOPY TREES 19.6 / 20
UNDERSTORY TREES 39.22 / 40

BUFFER A-3
(1 CANOPY TREE AND 2 UNDERSTORY TREES PER 100 LF, PLUS GRASS COVERAGE AT 95% MIN.)

LANDSCAPE BUFFER	217 LF
EXISTING WETLANDS TO MEET BUFFER REQUIREMENTS*	0 LF

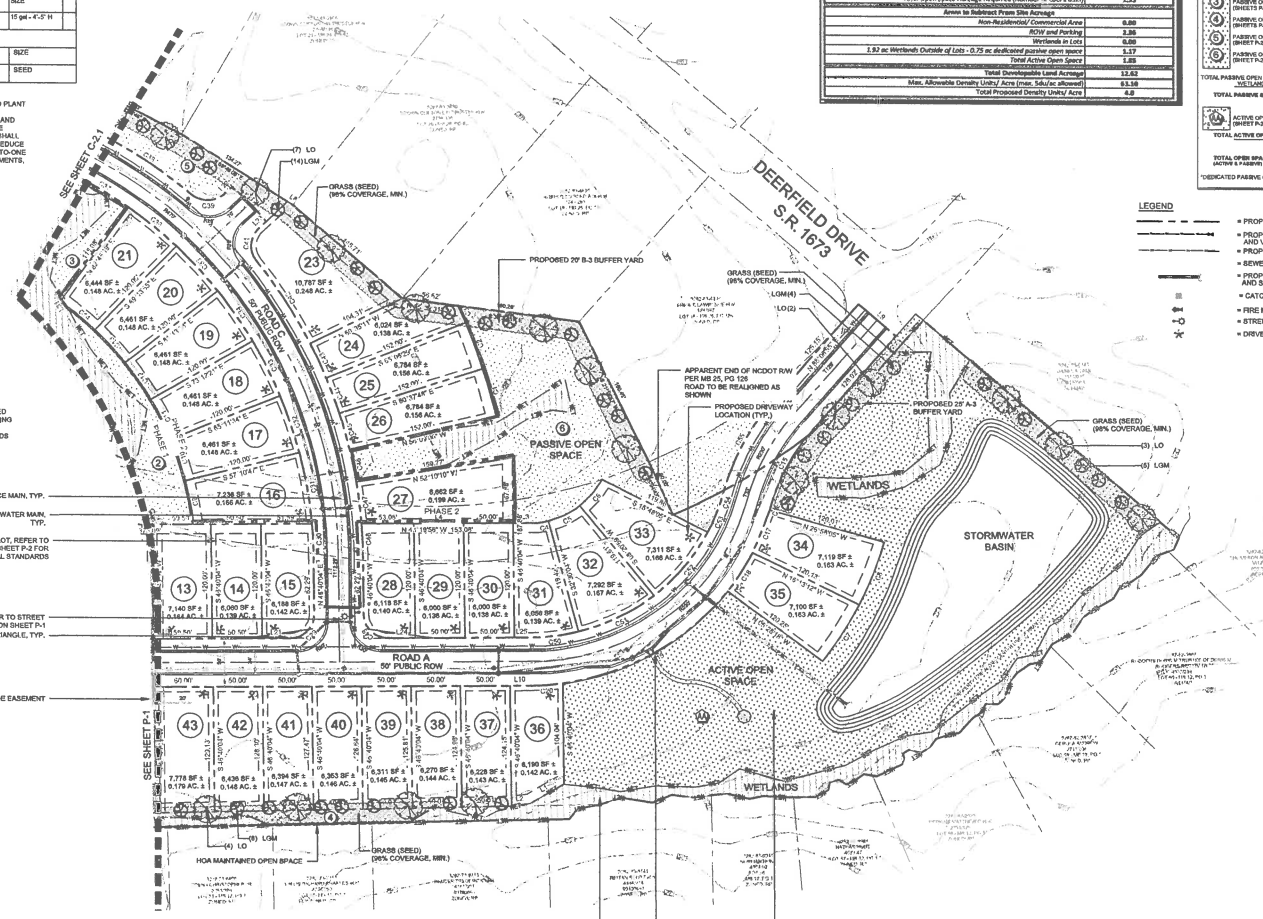
TREES REQUIRED / PROVIDED:
CANOPY TREES 2.17 / 3
UNDERSTORY TREES 4.34 / 6

* WHERE WETLANDS ARE LOCATED WITHIN A REQUIRED BUFFER AREAS TO SATISFY MINIMUM BUFFER PLANTING REQUIREMENTS, ADDITIONAL PLANTING SHALL BE PROVIDED IF REQUIRED TO MEET COUNTY STANDARDS

Density Calculations for Conditional Rezoning Parcel	
Grand Unit Total	51
Total Single Family Detached Units	51
Total Site Acreage (approx.)	18.89
Total Open Space Acreage Required (Number of Lots x 0.01)	1.53
Areas to Subtract From Site Acreage	
Non-Residential/ Commercial Acre	0.00
ROW and Parking	3.36
Wetlands in Lots	0.00
3.92 ac Wetlands Outside of Lots - 0.75 ac dedicated passive open space	3.17
Total Active Open Space	1.65
Total Developable Land Acreage	12.62
Max. Allowable Density Units/ Acre (max. 5du/ac allowed)	63.10
Total Proposed Density Units/ Acre	4.0

OPEN SPACE KEY		
1	PASSIVE OPEN SPACE (SHEET P-1)	±0.27 AC
2	PASSIVE OPEN SPACE (SHEET P-1)	±0.39 AC
3	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.13 AC
4	PASSIVE OPEN SPACE (SHEETS P-1 & P-2)	±0.29 AC
5	PASSIVE OPEN SPACE (SHEET P-2)	±0.17 AC
6	PASSIVE OPEN SPACE (SHEET P-2)	±0.76 AC
	TOTAL PASSIVE OPEN SPACE - WETLANDS NOT ON LOTS:	±1.93 AC*
	TOTAL PASSIVE & WETLAND AREA:	±3.66 AC
A	ACTIVE OPEN SPACE (SHEET P-2)	±1.65 AC
	TOTAL ACTIVE OPEN SPACE:	±1.65 AC
	TOTAL OPEN SPACE (ACTIVE & PASSIVE)	±5.57 AC
	*DEDICATED PASSIVE OPEN SPACE	±0.75 AC

LEGEND
- PROPERTY LINE
- PROPOSED WATER MAIN AND VALVE
- PROPOSED SANITARY SEWER MAIN
- SEWER MANHOLE
- PROPOSED STORM PIPE AND STRUCTURE
- CATCH BASIN
- FIRE HYDRANT
- STREETLIGHT
- DRIVEWAY LOCATION



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

REVISIONS:

CLIENT INFORMATION:
RHH Land Investors, LLC
2919 Breezewood Ave., Ste. 400
Fayetteville, NC 28303

PARAMOUNTE ENGINEERING
122 Greens Drive
Wilmington, North Carolina 28403
(910) 791-0707 (O) (910) 791-0760 (F)
NC License #: C-2846

SITE PLAN
PRELIMINARY PLAT
HEADWATERS RESIDENTIAL
PENDER COUNTY, NORTH CAROLINA

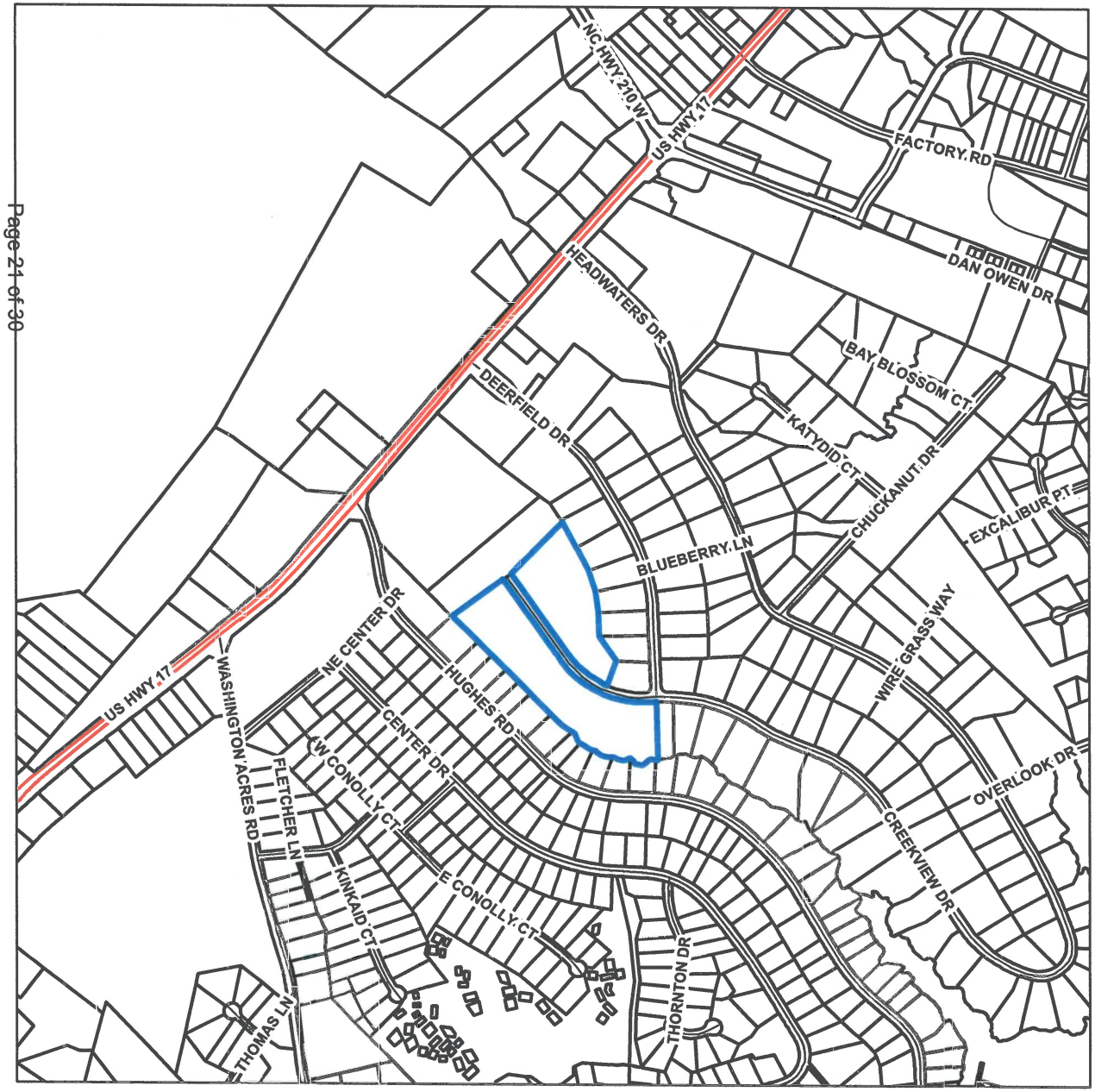
PROJECT STATUS
CONCEPTUAL LAYOUT:
PRELIMINARY PLAT:
FINAL DESIGN:
CONSTRUCTION SET:

DRAWING INFORMATION
DATE: 05/14/21
DRAWN: FT
DESIGNED: MR
CHECKED: AHC

SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 031847 ENGINEER
THOMAS D. CLINGMAN, III
7/8/21

P-2

PEI JOB#: 18236.PE



Applicant:
RHH Land Investors, LLC

Owner:
Lanwillo Development Co.

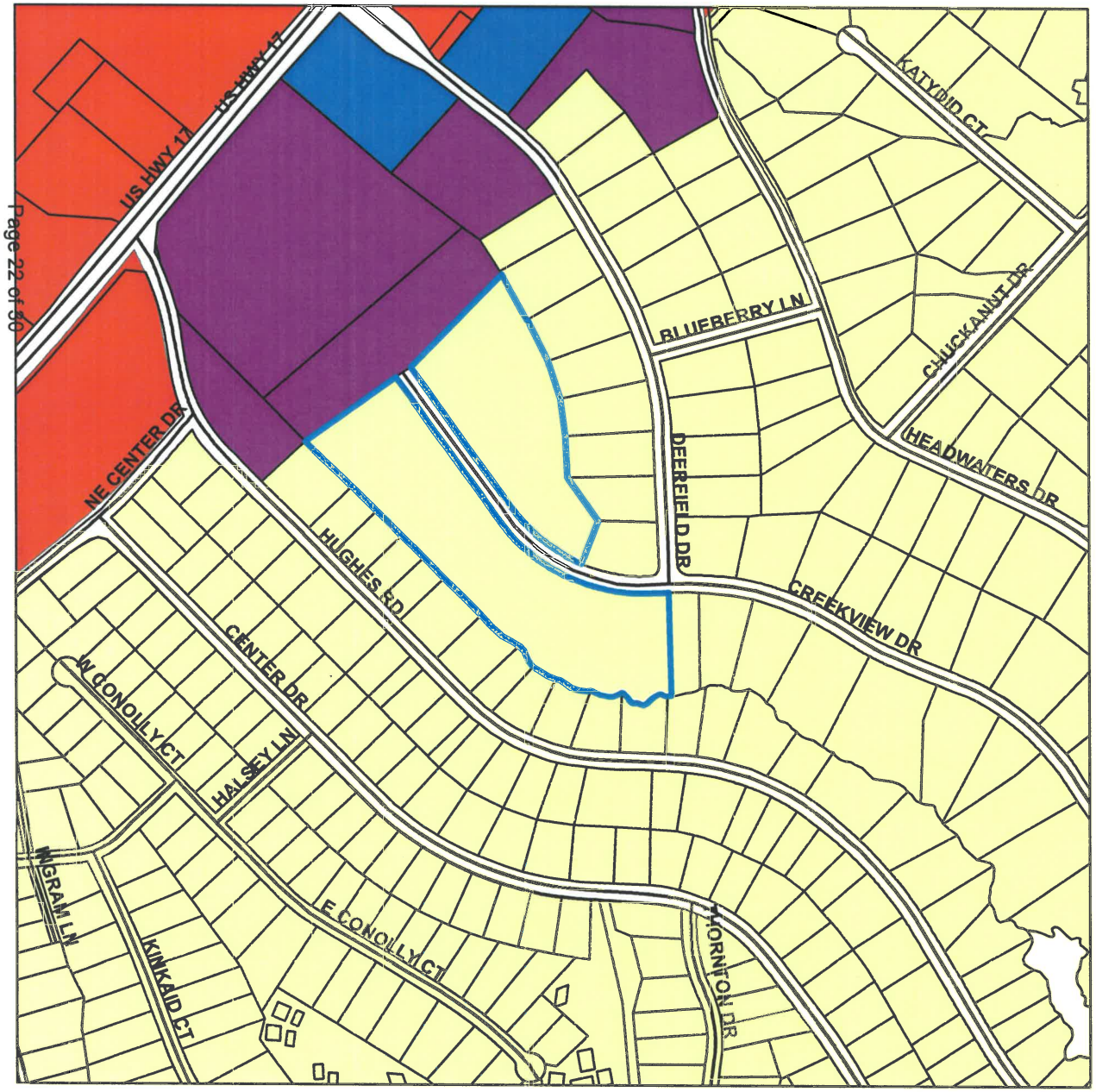
Conditional Rezoning:
#2018-05

Legend

Subject Property

0 0.1 0.2 Miles

Vicinity



Applicant:
RHH Land Investors, LLC

Owner:
Lanwillo Development Co.

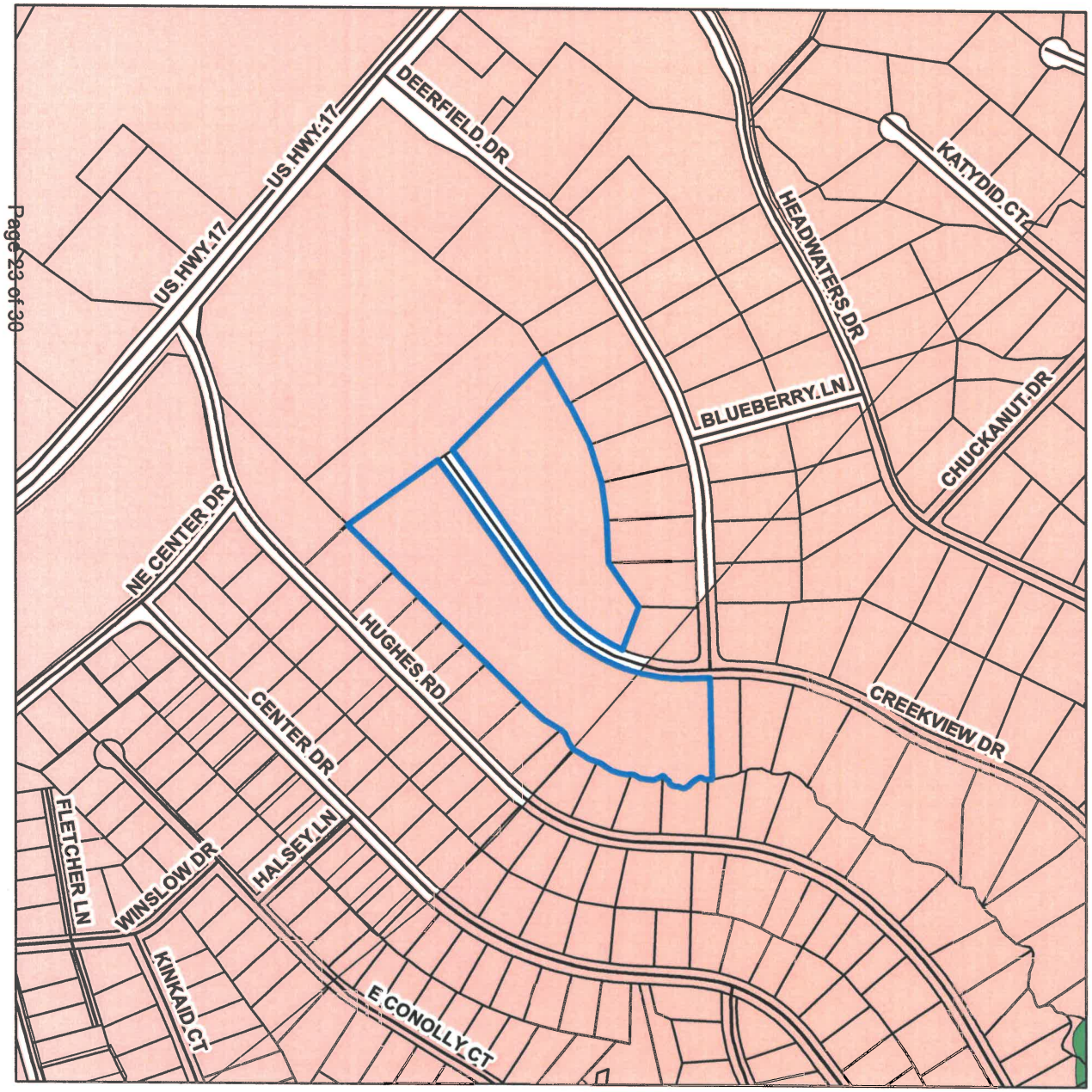
Conditional Rezoning:
#2018-05

Zoning Districts
- GB, General Business
- O&I, Office & Institutional
- PD, Planned Development
- RP, Residential Performance
- Subject Property

0 0.05 0.1 Miles

N

Current Zoning



Applicant:
RHH Land Investors, LLC

Owner:
Lanwillo Development Co.

Conditional Rezoning:
#2018-05

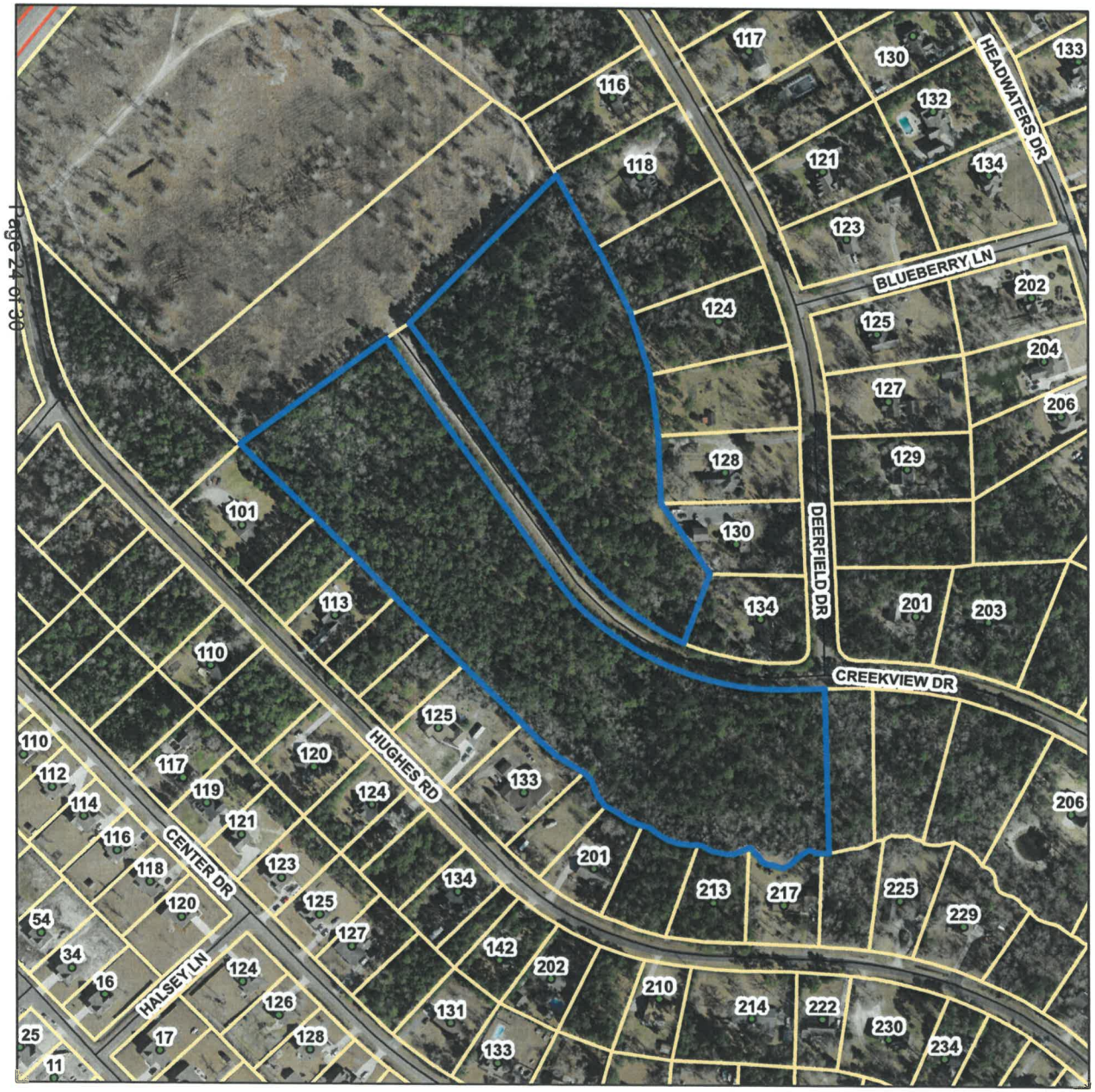
Future Land Use

- Conservation
- Industrial
- Mixed Use
- Office, Institutional, Commercial
- Rural Growth
- Suburban Growth
- Subject Property

0 0.05 0.1 Miles

N

Future Land Use



Applicant:
RHH Land Investors, LLC

Owner:
Lanwillo Development Co.

Conditional Rezoning:
#2018-05

Subject Property

0 250 500 Feet

2016 Aerial

PENDER COUNTY UTILITIES
P.O. BOX 995
605 E. FREMONT STREET
BURGAW, NC 28425

May 17, 2018

Headwaters Properties, LLC
1131-B Military Cutoff Road
Wilmington, NC 28405

RE: Water Capacity
Headwaters SF Residential

To Whom it May Concern:

Please find this letter as written confirmation that, at this time, Pender County Utilities has sufficient water capacity to provide water service to the proposed 51 single family residential homesites within the Headwaters Development. Please note that capacity is allocated on a first come, first serve basis.

PCU must review preliminary design plans for the proposed waterline extensions required to serve this development, when they are complete and submitted for our review.

Please feel free to contact me should you have any questions pertaining to this matter.

Thank you,

Margaret Gray, Interim Director
Pender County Utilities

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

PLURIS

Date: November 8, 2016

Re: Certificate of Public Convenience and Necessity

To Whom It May Concern:

Please be advised that Pluris Hampstead, LLC will accept the wastewater generated by the development or address listed below, as it is connected to our collection system.

Location: Headwaters Town Center abutting NC Hwy 17 between Hughes Rd and Deerfield Dr, Hampstead, NC

Connected:____ Not Connected: X

All fees will need to be paid for additions of bedrooms or habitable rooms.

If you have any questions concerning this matter, please feel free to call upon me at anytime at (910) 327-2880.

With kind regards,

Kaarin M. Williams

1095 HWY 210 Sneads Ferry, NC 28460 | T: 1.888.758.7471 | F: 910.327.0374 | www.plurisusa.com

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:
On Tuesday June 6, 2018 the Pender County Technical Review Committee reviewed the proposed Wyndwater Master Development Plan Revision:

Cape Fear Council of Governments RPO
No Response.
Four County Electric Company
No Response.
NC DENR Division of Coastal Management
No Response.
NC DENR Division of Forestry
No Response.
NCDENR, Division of Energy, Mineral, and Land Resources - Land Quality Section
No Response.
NC DENR Division of Waste Management
No Response.
NC DENR Division of Water Quality
No Response.
NC DOT Division of Highways
No Response.
NC DOT Transportation Planning Branch
No Response.
NC Office of State Archaeology
No Response.
NC Wildlife Resources Commission
No Response.
Pender County Addressing Coordinator
No Response.
Pender County Emergency Management
No Response.
Pender County Environmental Health
All projects are on sewer and public water. There are no comments from EH for this agenda.
Pender County Fire Marshal
No Response.
Pender County Flood Plain Management
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
No Response.
Progress Energy Corporation
No Response.

US Army Corps of Engineers
No Response.
Pender County Fire Marshal
No Response.
Pender County Flood Plain Management
No response
Pender County Parks and Recreation
No response
Pender County Public Library
No response
Pender County Public Utilities
Letter of intent has been provided.
Pender County Schools
No response
Pender County Sheriff's Department
No response
Pender County Soil and Water Conservation District
No Response.
Progress Energy Corporation
No response
US Army Corps of Engineers
No response
Wilmington Metropolitan Planning Organization

1. ***The Headwaters Residential project has proposed 51 SF houses. A TIA is not required for the 51 SF homes.***
2. ***The project narrative for the Headwaters Masterplan and Town Center project discussed Townhouses and SF homes that would be part of future phases of development.***
3. ***Please submit an update to the Headwaters Masterplan to show the 51 SF homes in this phase of development.***
4. ***Provide approved street names for the Collector Road, Road A, Road B and Road C.***
5. ***Road A is a connecting street from Deerfield Drive to the Headwaters Commercial Collector Road, and appears to be acting as residential collector street. Please add a sidewalk to this street or increase the width of the roadway from 24' Travelway to 26' Travelway to Road A to accommodate pedestrian and bicycle traffic, per Pender County Collector Street Plan and NCDOT Complete Streets plan.***
6. ***The 70' connection, which is adjacent to Lot #23 and located off Road C, appears to terminate at the two Clifton Brown tracts to the NE of this property. Please reposition the Live Oak Tree at the end of this turnaround/ connection and extend the connection to the property line.***
7. ***Provide a parking space for the Mail Kiosk on Road A.***
8. ***Please ensure the proposed driveway locations are not in conflict with the storm water drainage structures shown on the site plan.***
9. ***Show 10'X70' Sight Distance Triangles for street intersections.***

Recommendations:

1. ***Show the location of wheel chair ramps at each street intersection, where sidewalk is shown.***
2. ***Show the location of required Regulatory signs and pavement markings, (Stop Signs, Yield Signs, Stop Bars, Cross Walks, etc.).***

PARAMOUNTE
ENGINEERING, INC.

Community Meeting Summary
for Conditional Rezoning Request by RHH Land, LLC
Meeting Date & Time: June 19, 6:00 PM -7:00 PM
Meeting Location: Hampstead Annex Auditorium

Paramounte Engineering, Inc. (PEI) and RHH Land hosted a meeting for the Headwaters Residential proposed development. As required by Pender County, all owners of properties within 1000 feet of the subject project were notified of the community meeting by mail. Mailers were sent out on June 5, 2018. The meeting sign-in sheets are provided with this meeting summary. Most of the community members attending the meeting live or own property in Deerfield or Washington Acres neighborhoods.

The open-house style meeting allowed people to view a context aerial for general site location purposes, a concept of the overall proposed master development plan, and ask questions to the three PEI and RHH Land representatives. A summary of those questions and comments are as follows:

- Attendees wanted to know why the site was proposed for rezoning.
    - Answer: RHH land would like to build approximately 50' x 120' lots, 6000 sf lots. This is smaller than the existing RP zoning allows.
- Many people asked about open space. We explained that we are required to provide 1.53 acres of open space, and we far exceed that, we provide 5.57 acres of open space
- Many people asked about wetland location and impact.
    - We explained we are preserving all wetlands with no impact to wetlands.
- Attendees were most concerned about the traffic increasing and the route cars would use to access site. Attendees were also concerned about timing of the adjacent Collector Road, the number of homesites, and where and how stormwater would be handled.
    - Discussions about all of these items were had multiple times.
        - PEI explained the traffic patterns and pending improvements required by the traffic impact analysis. The collector road and the proposed traffic light at Hwy 17 will provide improved access to this project site and keep the majority of new cars of surrounding neighborhood roads due to the proposed restricted movements when the HWY 17 median project is constructed
        - Many people were glad there were not apartments on this site, but they still felt there were too many homes.
            - When asked what they thought should go here instead of the proposed project, answers ranged from condos to 7 or 8 houses to nothing at all. Residents were reminded that the site is currently zoned RP, meaning the density allowable under the current zoning would allow approximately 38-45 lots.

122 CINEMA DRIVE
WILMINGTON, NC 28403
PH: (910) 791-6707
FAX: (910) 791 – 6760

- Neighbors expressed concern that their lots were much larger then these lots and postulated that their property values would be diminished by this project.
- There were general concerns about the type of homes that would be built…if trailers were allowed and would be constructed. RHH Land representative showed elevations of the proposed homes for the project to allay any fears of trailers.
- Many attendees asked about the treatment of stormwater. We explained the stormwater will be treated to the newly updated County and to state standards.
    - Many people complained about flooding along Deerfield Drive due to undersized pipes (or perception thereof) and neighbors blaming other neighbors for putting things in the right of way to block water, etc).. We explained this is an NCDOT road and not part of this project's boundary. We advised them to contact NCDOT maintenance division directly.
- One neighbor's driveway is currently accessed off of the unimproved, platted Creekview Drive extension within the RHH Land boundary. This homeowner wanted to know what would happen to his access. He was advised to work out access with the developer. It is not the developer's intent to limit access to this homeowner's property.
    - The same homeowner discussed the intended buffers around his rear and side property line. He was told that required buffers will be installed or existing vegetation maintained or supplemented as necessary to meet county requirements, but it is very likely we do not need to disturb the existing vegetation in most of the rear and side buffer, so existing vegetation will remain to the greatest extent possible.

PENDER
COUNTY NC

Pender County
Public Hearing

TO:	Planning Board
FROM:	Pat O'Mahony
DATE:	August 7, 2018
SUBJECT:	ZMA 2018-06

SUMMARY:
Garry Gentry, applicant, on behalf of Whitebridge Development LLC, owner, is requesting approval of a Zoning Map Amendment for a general use rezoning of one (1) tract totaling approximately ±1.00 acres from RP, Residential Performance zoning district to O&I, Office and Institutional zoning district. The subject property is located in the Topsail Township at the intersection of US HWY 17 and Whitebridge Road, to the east of US HWY 17 and to the north of Whitebridge Road, and may be further identified by Pender County PIN: 3282-30-4135-0000.

ACTION REQUESTED:
To hold a Public Hearing and consider the Zoning Map Amendment.

PLANNING STAFF REPORT
ZONING MAP AMENDMENT

SUMMARY:

Hearing Date:	August 7, 2018, Planning Board September 17, 2018, Board of County Commissioners
Applicant:	Garry Gentry
Property Owner:	Whitebridge Development LLC
Case Number:	REZONE 2018-06

Rezoning Proposal: Garry Gentry, applicant, on behalf of Whitebridge Development LLC, owner, is requesting approval of a Zoning Map Amendment for one (1) proposed tract totaling approximately ±1.00 acres from RP, Residential Performance zoning district to O&I, Office and Institutional zoning district.

Property Record Number, Acreage, and Location: The subject property is located in the Topsail Township at the intersection of US HWY 17 and Whitebridge Road, to the east of US HWY 17 and to the north of Whitebridge Road, and may be further identified by Pender County PIN: 3282-30-4135-0000.

RECOMMENDATION

The application is for one (1) tract totaling approximately ±1.00 acres from RP, Residential Performance zoning district to O&I, Office and Institutional zoning district. This request is consistent with two (2) policies in the 2010 Comprehensive Land Use Plan and three (3) policies in the Pender 2.0 Comprehensive Land Use Plan. The request does not conflict with any policies found in either plan. Therefore, the Administrator respectfully recommends the approval of the rezoning request as described in this report.

DESCRIPTION

The existing parcel (PIN 3282-30-4135-0000) totals ±5.03 acres and has direct frontage on US HWY 17 and Whitebridge Road. The applicant proposes subdividing this parcel into two (2) new parcels. This zoning map amendment request is for the westernmost proposed parcel, totaling ±1.00 acres. This proposed parcel also has direct frontage on US HWY 17 and Whitebridge Road (private). This proposed parcel is currently vacant. The easternmost proposed parcel is to remain under the RP, Residential Performance zoning district and is not part of this zoning map amendment request.

Access

The subject property has direct frontage along US HWY 17 and Whitebridge Road. Any future development or improvements are subject to review and approval by NCDOT at the time of a site development application. Due to the proximity of the property to the intersection of US HWY 17 and Whitebridge Road and limited linear frontage along US HWY 17, it is expected that access to any potential development of the parcel would occur solely via Whitebridge Road.

Utilities

Public water services through Pender County Utilities and private wastewater services through Pluris Hampstead, LLC are currently available to the subject properties. Any final zoning approvals are contingent upon review and approval by all appropriate local and state agencies based on future uses.

Environmental Conditions
There are no Special Flood Hazard Areas (SFHA) located on the subject parcel according to FEMA Flood Insurance Rate Map Number 3720329300J, adopted February 16, 2007, nor are there Special Flood Hazard Areas (SFHA) on the subject parcels in preliminary flood maps scheduled for adoption in 2019. Both the National Wetland Inventory (NWI) and North Carolina Division of Coastal Management (DCM) have identified preliminary wetlands on the eastern portion of the proposed parcel to be rezoned.

EVALUATION

A. **Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners within 500 feet of the proposal have been given written notice of the request, and a public notification sign has been placed on the property.

B. **Existing Zoning in Area:** The existing zoning on the subject parcel is RP, Residential Performance zoning district. The subject parcel is bordered by additional RP, Residential performance zoning districts to the east, north, and south. PD, Planned Development zoning districts are located to the south across Whitebridge Road and west across US HWY 17. GB, General Business zoning districts are located to the north and also to the west across US HWY 17.

   REZONE 2018-04, currently pending, is located directly across US HWY 17 from the subject parcel. This zoning map amendment request proposes two (2) parcels with frontage on US HWY 17 to be zoned GB, General Business, and three (3) parcels to the west of that to be zoned IT, Industrial Transitional. This rezoning is currently pending with the Board of Commissioners scheduled to hold a public hearing on this case at their August 20, 2018 meeting.

C. **Existing Land Use in Area:** The subject property is currently vacant aside from landscaping associated with the entrance to the Whitebridge subdivision, which borders the subject property to the east along with vacant land. Single-family housing also exists to the north along both sides of US HWY 17. Commercial and Industrial uses border the property to the north (boat maintenance and repair) and west across US HWY 17 (mulch and stone sales and accessory structure sales). Topsail Montessori school is located to the south, along the east side of US HWY 17 along with additional vacant land.

D. **2010 Comprehensive Land Use Plan:** The 2010 Comprehensive Land Use Plan designates the subject property as Mixed Use. The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian and transit friendly manner. Mixed Use areas are intended to help reduce sprawl by concentrating a mix of uses in convenient locations; by promoting an efficient sustainable pattern of land uses, and by providing most of the goods and services needed by residents in a coordinated, concentrated manner. Mixed Use areas are intended to reduce the number and length of auto trips by placing higher-density housing close to shopping and employment center. They also should function to improve the quality of life for residents living in higher density housing by placing daily conveniences, shops, and employment within walking distance.

   The O&I, Office and Institutional zoning district is consistent with the Mixed Use future land use categorization. This district is primarily intended to provide for institutional and offices areas for government, professional and medical purposes. The uses permitted by-right in this zoning district are compatible with and support adjacent residential and business uses. The district also allows for multi-family

residential uses above non-residential uses. This general use rezoning is also consistent with Sections 3.3.8.A and 3.3.8.D of the UDO, as the uses typically found within the O&I, Office and Institutional zoning district are compatible with residential and commercial development and are consistent with the Future Land Use designation of the area.

This General Use Rezoning is consistent with two (2) policies found within the 2010 Comprehensive Land Use Plan and conflicts with none. The following policies within this plan may be relevant to support the proposed Zoning Map Amendment:

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 3A.1.4: Consistently use the Comprehensive Land Use Plan, as well as other plans and studies, to determine if a rezoning request is appropriate and consistent with local policies.

This General Use Rezoning request does not conflict with any policies of the 2010 Comprehensive Land Use Plan.

E. **Pender 2.0 Comprehensive Land Use Plan Compliance:** The Pender 2.0 Comprehensive Land Use Plan designates the subject property as Neighborhood Mixed Use. The Neighborhood Mixed Use future land use category is established to provide a transition between more intense residential and commercial development and low density, single-family residential development. This future land use category is intended to provide primarily non-residential uses, including amenities, services, and offices, that serve local residents within a three-mile radius. While a mix of uses within a development proposal is encouraged within this future land use category, single-use developments that contribute toward an integrated land use pattern of appropriate commercial, office, civic, and medium density residential uses are encouraged as well.

Appropriate uses within the Neighborhood Mixed Use future land use category include neighborhood-scale retail, restaurant, and office establishments, along with religious and educational institutions. The O&I, Office and Institutional zoning district is consistent with the Neighborhood Mixed Use future land use category due to its allowance of office, educational, religious, civic, and other similar types of uses that can exist harmoniously with nearby residential uses. The O&I, Office and Institutional zoning district also contributes to a mixed land use pattern in the vicinity of the intersection of US HWY 17 and Whitebridge Road.

In addition to being consistent with the Future Land Use Map, the proposed zoning map amendment is also consistent with the following policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.D: Focused Growth and Development: The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.

Policy 5.1.E: Compatible Development: The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

The O&I, Office and Institution zoning district is compatible with the surrounding zoning and land uses along the US HWY 17 corridor, and this zoning district allows for by-right uses that are much more compatible with nearby low-density residential development than as would be allowable by-right in the GB, General Business zoning district. Many by-right uses allowed in the O&I, Office and Institutional zoning district provide services and employment opportunities for residents of Pender County, which is also the intended goal of the Neighborhood Mixed Use future land use category.

F. **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. Section 3.3.8 states the Board must consider the availability of public water, wastewater, and roads for the subject parcel.

Utilities
Public water and private sewer services are available to the subject properties. Any final zoning approvals are contingent upon review and approval by appropriate local and state agencies.

Traffic & Roadways
The subject property has direct frontage on US HWY 17, an arterial street, and Whitebridge Road, a private street that serves as the only entrance to the Whitebridge subdivision. Any improvements are subject to review and approval by NCDOT at the time of a site development application. Average Annual Daily Trips (AADT) and capacity of US HWY 17 in this area are 43,000/20,200 (V/C), which represents a V/C ratio of 2.13:1. A development proposal is not required for a general use rezoning. Therefore, no impact to the roadway system can be anticipated at this time.

Schools
There is no development proposal associated with this general use rezoning. A general use rezoning from the RP, Residential Performance zoning district to the O&I, Office and Institutional zoning district would likely not result in any measurable impact to Pender County Schools.

The purpose of the O&I, Office and Institutional zoning district is to accommodate governmental, professional and medical uses that are compatible with residential and business development. Allowable uses in the O&I, Office and Institutional zoning district include, but are not limited to:

- Health and Personal Care Stores
- Couriers and Messengers
- Finance and Insurance
- Professional, Scientific, and Technical Services
- Administrative and Support Services
- Health Care Services
- Museums
- Civic and Social Organizations
- Postal Services
- Information
- Real Estate, Rental, and Leasing
- Management of Companies, Enterprises
- Educational Services
- Social Assistance
- Fitness and Recreational Sports Centers
- Religious Organizations

The proposed rezoning is consistent with the Mixed Use and Neighborhood Mixed Use future land use classifications because the services and uses typically provided in the O&I, Office and Institutional zoning district are those that are compatible with the surrounding area by providing convenient access to employers and to services needed by the community.

3.3.8 Review Criteria for Rezoning

The Planning Board and Board of Commissioners shall consider the following matters in considering a rezoning request:

A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);

B. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;

C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.

D. Whether the proposed amendment is reasonable as it relates to the public interest.

RECOMMENDATION

The application is for one (1) tract totaling ±1.00 acres from RP, Residential Performance zoning district to O&I, Office and Institutional zoning district. The request is consistent with two (2) policies in the 2010 Comprehensive Land Use Plan and three (3) policies in the Pender 2.0 Comprehensive Land Use Plan. The request does not conflict with any policies found in either plan. Therefore, the Administrator respectfully recommends the approval of the rezoning request as described in this report.

PLANNING BOARD ACTION NEEDED:

TO APPROVE:

Motion to recommend approval of the Zoning Map Amendment and to make a finding that the approval is consistent with the 2010 Comprehensive Land Use Plan and Pender 2.0 Comprehensive Land Use Plan. The proposal is consistent with the following policies in the 2010 Comprehensive Land Use Plan:

- **Policy 1A.1.2**
- **Policy 3A.1.4**

The proposal is also consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.D**
- **Policy 5.1.E**
- **Policy 5.1.K**

The proposed rezoning is consistent with the Mixed Use future land use classification in the 2010 Comprehensive Land Use Plan, and the Neighborhood Mixed Use future land use classification in the Pender 2.0 Comprehensive Land Use Plan, because the services and uses typically provided in the O&I, Office and Institutional zoning district are compatible with nearby residential and commercial uses and contributes to an integrated mix of uses in the area of US HWY 17 and Whitebridge Road.

TO DENY:

Motion to deny the Zoning Map Amendment and to make a finding that though the denial is inconsistent with the 2010 Comprehensive Land Use Plan and Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the 2010 Comprehensive Land Use Plan and/or the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING] ...

BOARD ACTION FOR ZONING MAP AMENDMENT REQUEST

Motion: _____Seconded: _____

Approved: _____Denied: _____Unanimous: _____

Fullerton: _____Nalee: _____ Baker: _____ Carter:_____ Jordan_____ McClammy: _____ Rhodes: ____

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2018-06	Date	6/22/18
Application Fee	$ 560.00	Receipt No.	001137
Pre-Application Conference	5/11/18	Hearing Date	PB: 8/7/18 BOCC: 9/17/18

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Garry W. Gentry	Owner's Name:	Kenneth G. Lloyd
Applicant's Address:	1002 Clyde Drive	Owner's Address:	PO Box 10720
City, State, & Zip	Jacksonville, NC 28540	City, State, & Zip	Wilmington, NC 28404
Phone Number:	910 333-4663	Phone Number:	919 971-4265
Email Address:	gentrycommercialproperties@gmail.com	Email Address:	Kenlloydjr@aol.com
Legal relationship of applicant to land owner:	Agent		

SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3282-30-4135-0000	Total property acreage:	5.03/1.00 (Subdivision)
Current Zoning District:	~~R-20S~~ RP ~~Sub~~	Proposed Zoning District:	O&I (1 acre)
Project Address :	Whitebridge Road		
Description of Project Location:	Future Dev PB 23/140 Whitebridge SUBD PB 23/141 PB 50/37		

SECTION 3: SIGNATURES			
Applicant's Signature	Garry W. Gentry (DocuSigned by:)	Date:	15 June 18
Owner's Signature	Kenneth Lloyd (299F90B0339F4A9...)	Date:	6/21/2018 4:13:00 PM PDT

NOTICE TO APPLICANT

1. Applicant must also submit the information described on the Rezoning Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
4. All fees are non-refundable
5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

RECEIVED
JUN 22 2018
By PLD

To: Pender County Planning, Zoning, Commissioners, et al

From: Garry W. Gentry (Agent) Representing Kenneth Lloyd (Landowner)

Regarding: Rezoning Request for One Acre of Whitebridge Entryway Property 3282-30-4135-000 from Current RP (Residential Performance) to OI (Office/Institutional) Use

Rezoning Narrative

My name is Garry Gentry. I am a Commercial Broker with Gentry Commercial Properties in Jacksonville, North Carolina. I represent Kenneth Lloyd, who owns the above stated property as an agent. We are asking for a 1 (one) Acre subdivision and consequent rezoning of the 1 (one) Acre of subdivided property from RP to OI along Hwy 17 at the entrance to the Whitebridge subdivision. We have named this the "Whitebridge Project".

The "Parent Property" (as it sets) contains 5.03 (five and three one hundredths) Acres. The 1 Acre that touches Hwy 17 is the desired development site. We are seeking permission to subdivide this 1 Acre from the parent property (as indicated on the Survey Map) for future development. The Development Property is somewhat narrow, therefore the setbacks designated by the zoning classification and their relationship to the project design are important. Because of this we are seeking to Rezone the 1 Acre "Development Property" from the current RP (Residential Performance) to an OI (Office/Institutional) development site.

Currently, the land is only being used as a pass-thru entrance to Whitebridge. It contains landscaping to beautify and enhance the entrance appearance. We are very aware of the importance of maintaining this in a manner suitable to such an impressive neighborhood. In fact, the beauty and setting of the location was a major attraction for us to seek development of this particular site. It is our intention to augment and in no way detract from this.

From the Development Property Site along Hwy 17 toward downtown Hampstead, nearly every property is currently zoned or in the process of being rezoned as GB (General Business) or some other commercial designation. In addition, all properties across Hwy 17 are also in the process of rezoning to a commercial designation, predominantly GB. We chose OI over GB to demonstrate our commitment to the Whitebridge Subdivision property owners and other interested parties that, if permitted, we are committed to developing this into a beautiful and inviting project that will enhance the community and protect their property values.

Our preliminary investigations indicate that we have sufficient site space, with OI setbacks, to develop our project without disturbing the nearby wetlands, traffic flow or the environment of the neighborhood.

We ask for your positive support of our request. We believe it is in accord with both current and future land use development plans as stated by Pender County Zoning Ordinances and Plans.

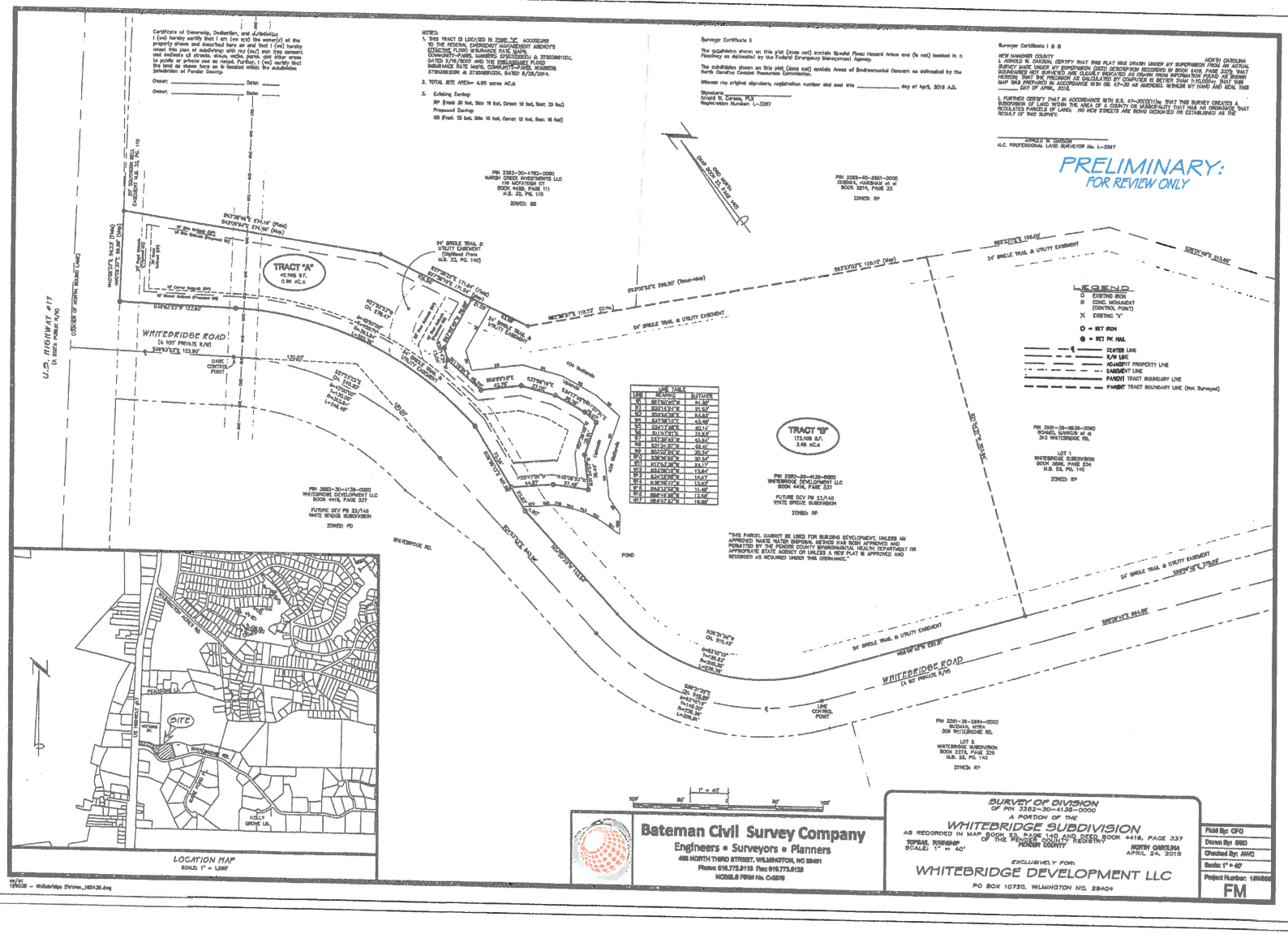
If more information is needed, please contact me directly through the information below.

Sincerely,

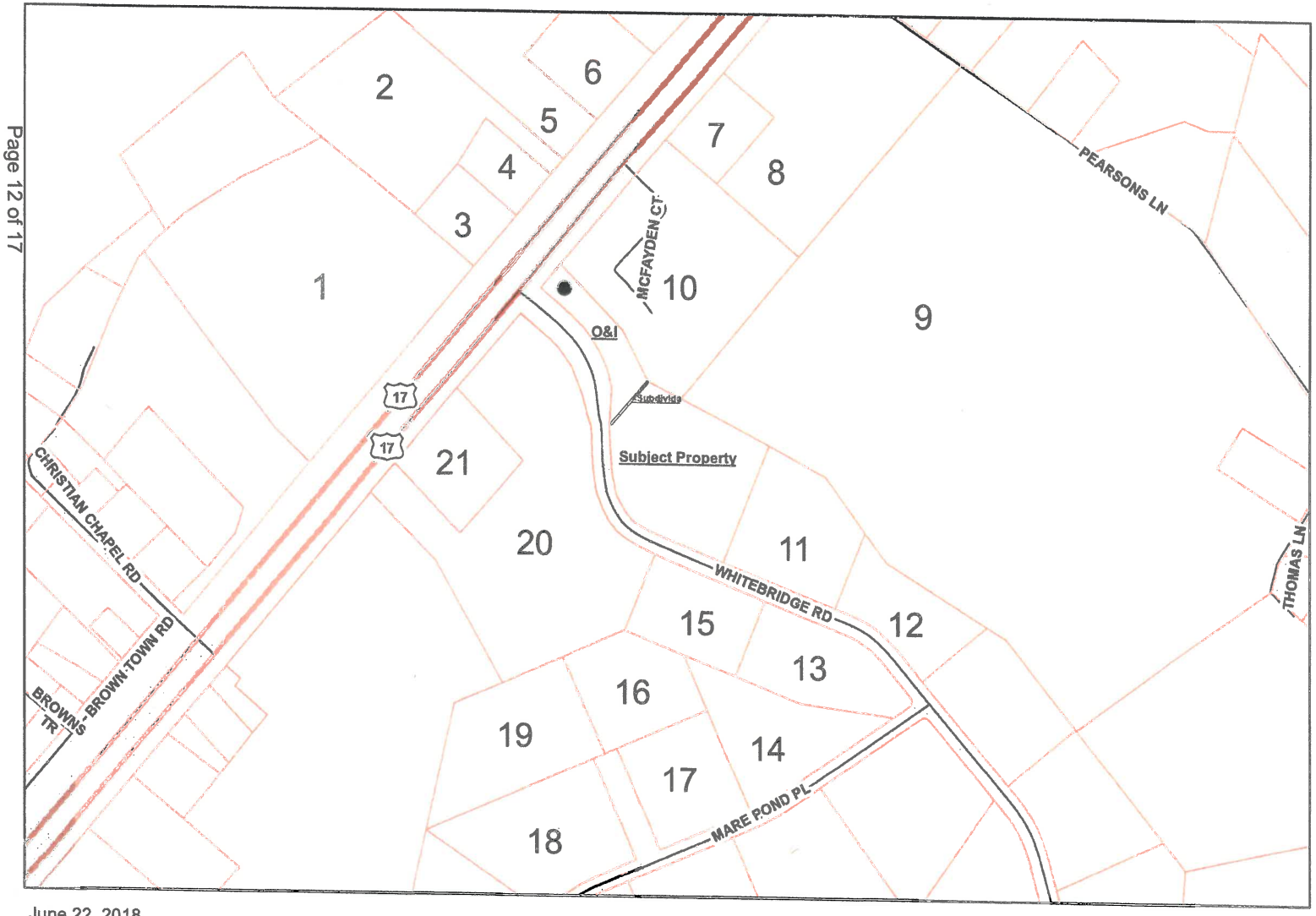
Garry W. Gentry

Garry W. Gentry (Agent/Petitioner)
1002 Clyde Drive
Jacksonville, NC 28540
910.333.4663
gentrycommercialproperties@gmail.com

Kenneth G. Lloyd (Property Owner)
PO BOX 10720
Wilmington, NC 28404
910.971.4265
kenlloydjr@aol.com


PRELIMINARY:
FOR REVIEW ONLY
TRACT "A"
TRACT "B"
WHITEBRIDGE ROAD
(A 107' PRIVATE R/W)
U.S. HIGHWAY #17
(VARIES 100' R/W)
LEGEND
EXISTING IRON
CONC. MONUMENT (CONTROL POINT)
EXISTING "X"
SET IRON
SET PK NAIL
CENTER LINE
R/W LINE
ADJACENT PROPERTY LINE
EASEMENT LINE
PARENT TRACT BOUNDARY LINE
PARENT TRACT BOUNDARY LINE (Not Surveyed)
LOCATION MAP
SCALE: 1" = 1,000'
SITE
Bateman Civil Survey Company
Engineers • Surveyors • Planners
408 NORTH THIRD STREET, WILMINGTON, NC 28401
Phone: 910.772.9110 Fax: 910.772.9120
MOBILE FIRM No. C-0878
SURVEY OF DIVISION
OF PIN: 3362-20-4138-0000
A PORTION OF THE
WHITEBRIDGE SUBDIVISION
AS RECORDED IN MAP BOOK 53, PAGE 140 AND DEED BOOK 4418, PAGE 337
OF THE PENDER COUNTY REGISTRY
TOPSAIL TOWNSHIP
PENDER COUNTY
NORTH CAROLINA
SCALE: 1" = 40'
APRIL 24, 2018
EXCLUSIVELY FOR:
WHITEBRIDGE DEVELOPMENT LLC
PO BOX 10720, WILMINGTON NC, 28404
Field By: CFO
Drawn By: SMD
Checked By: AWG
Scale: 1" = 40'
Project Number: 1890
FM

Whitebridge Project Adjacent Property Map



June 22, 2018

1:4,800

0 0.04 0.08 0.16 mi

0 0.05 0.1 0.2 km

Applicant:
Garry Gentry

Owner:
Whitebridge Development, LLC

General Use Rezoning:
#2018-06

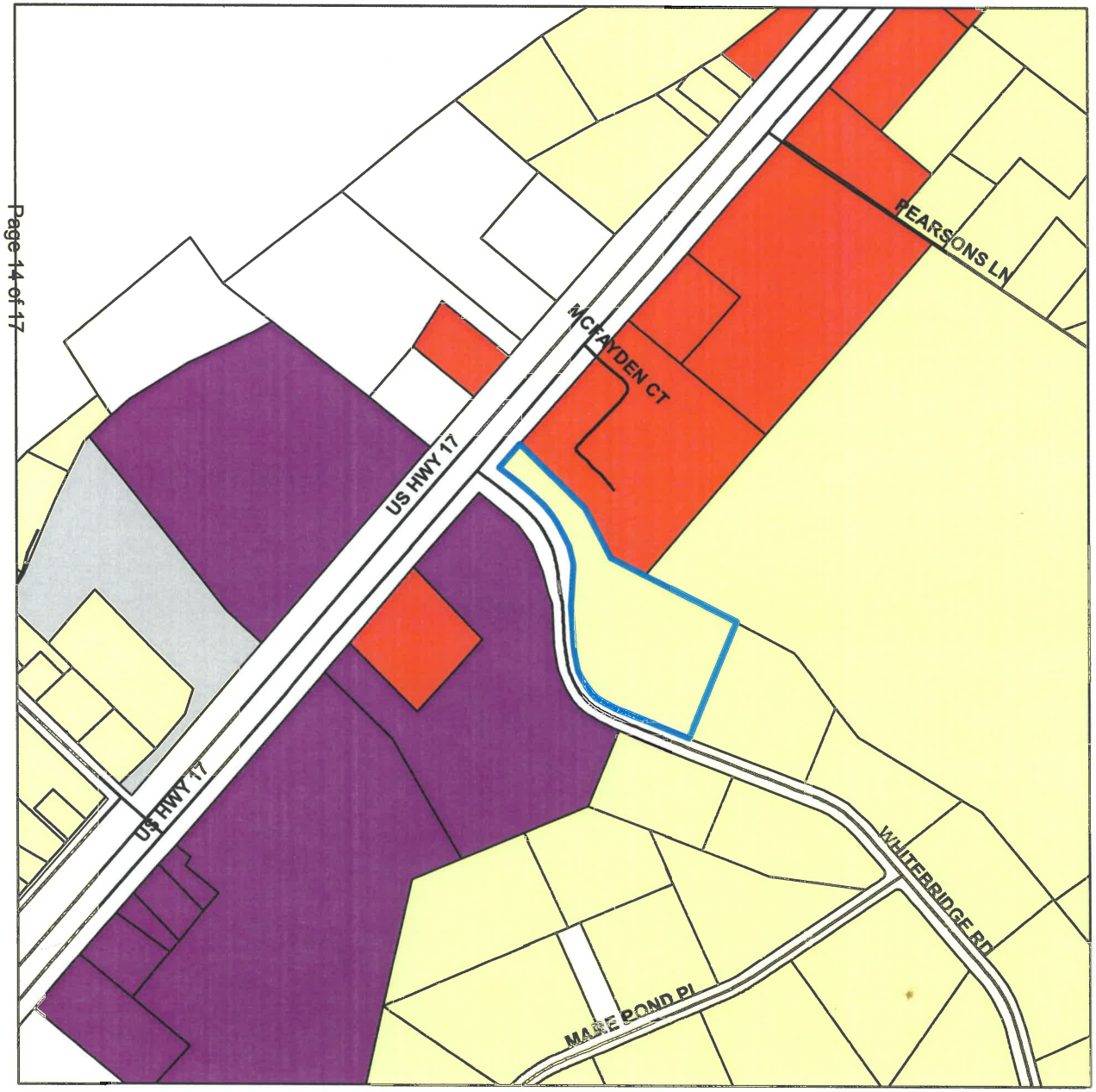
Legend

Subject Property

0 0.075 0.15 Miles

N

Vicinity



Applicant:
Garry Gentry

Owners:
Whitebridge Development, LLC

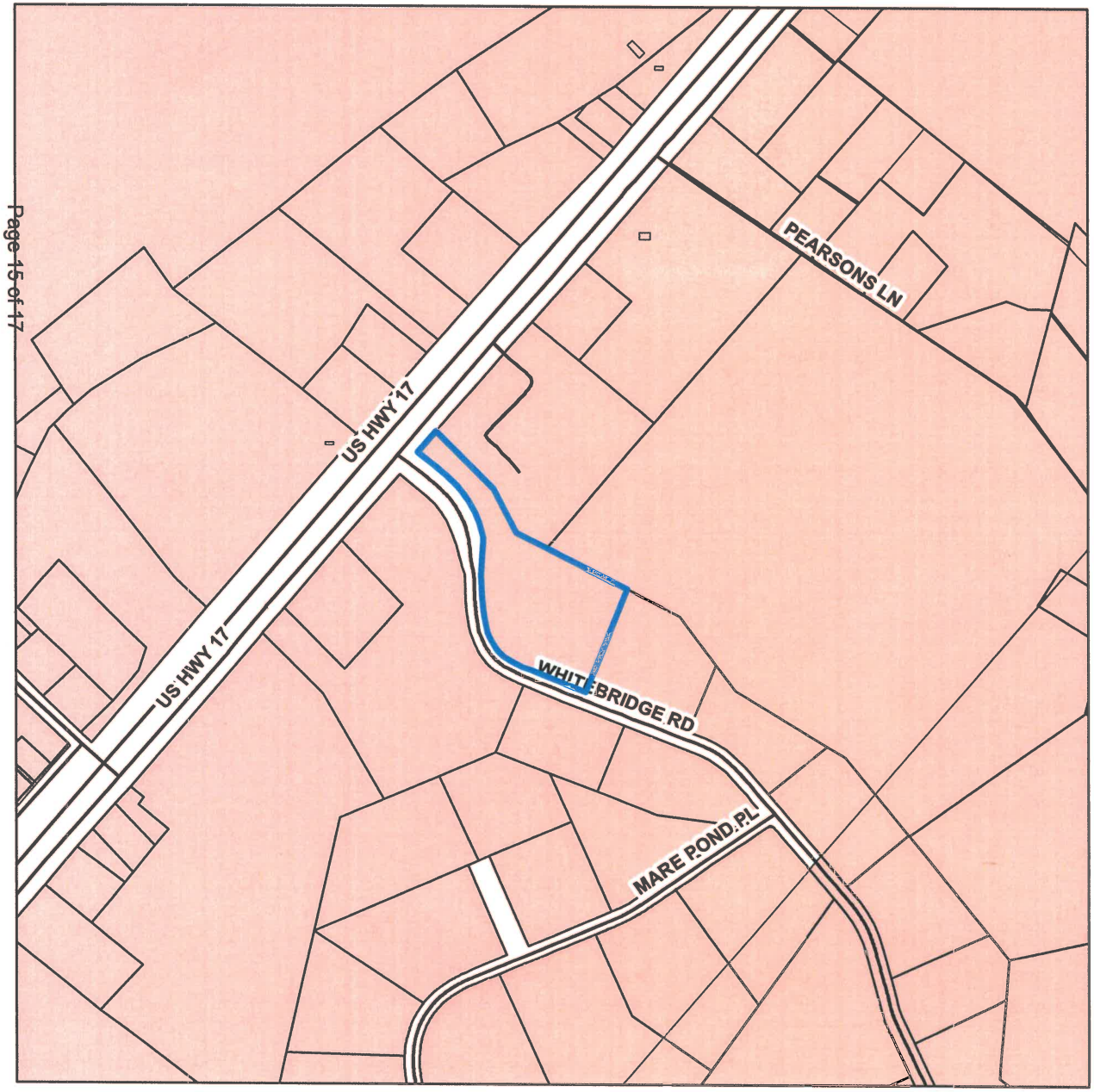
General Use Rezoning:
#2018-06

Zoning Districts
- GB, General Business
- IT, Industrial Transition
- PD, Planned Development
- RA, Rural Agricultural
- RP, Residential Performance
- Subject Property

0 0.05 0.1 Miles

N

Current Zoning



Applicant:
Garry Gentry

Owner:
Whitebridge Development, LLC

General Use Rezoning:
#2018-06

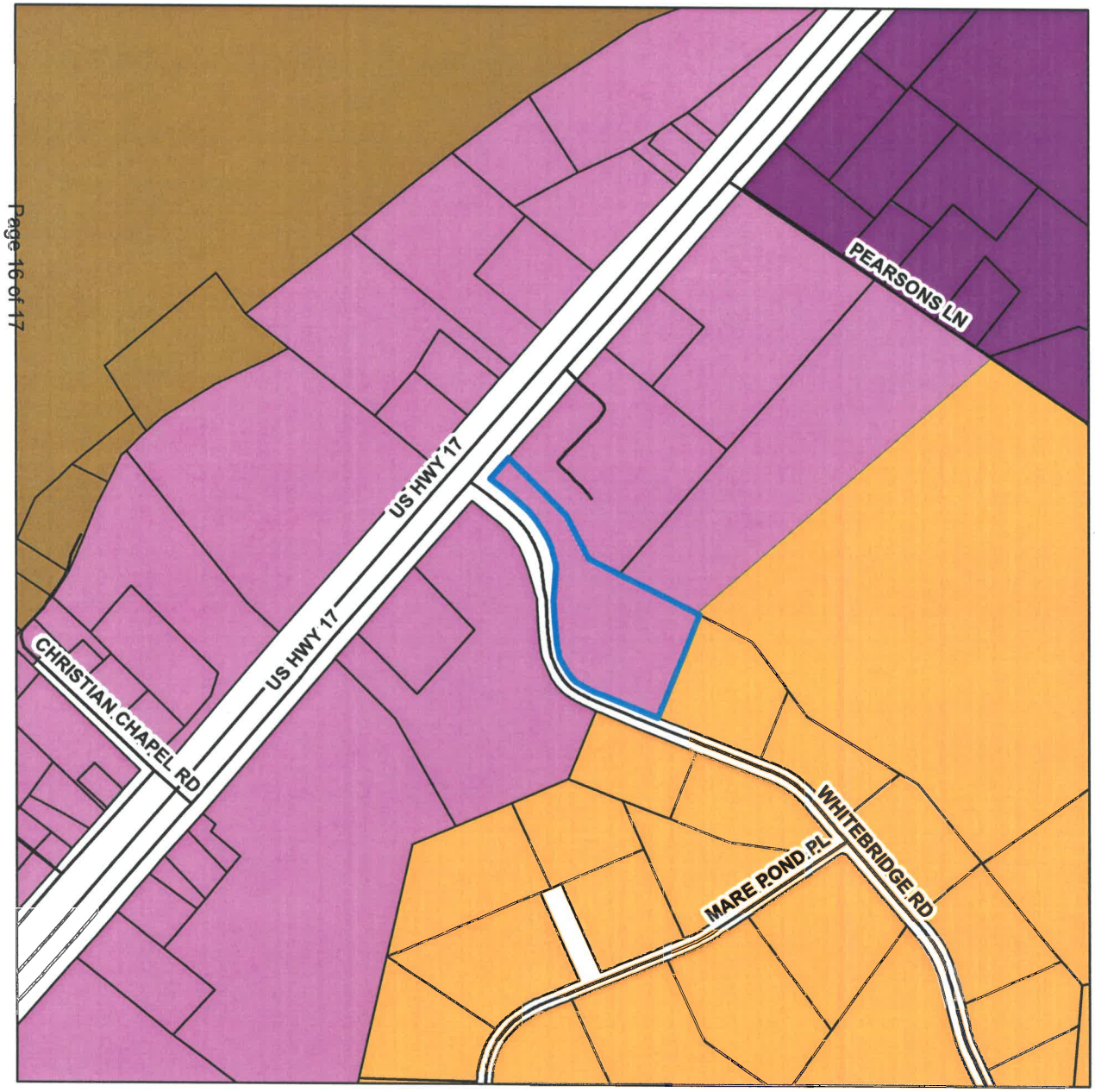
Future Land Use

- Conservation
- Industrial
- Mixed Use
- Office, Institutional, Commercial
- Rural Growth
- Suburban Growth
- Subject Property

0 0.05 0.1 Miles

N

Future Land Use



Applicant:
Garry Gentry

Owner:
Whitebridge Development, LLC

General Use Rezoning:
#2018-06

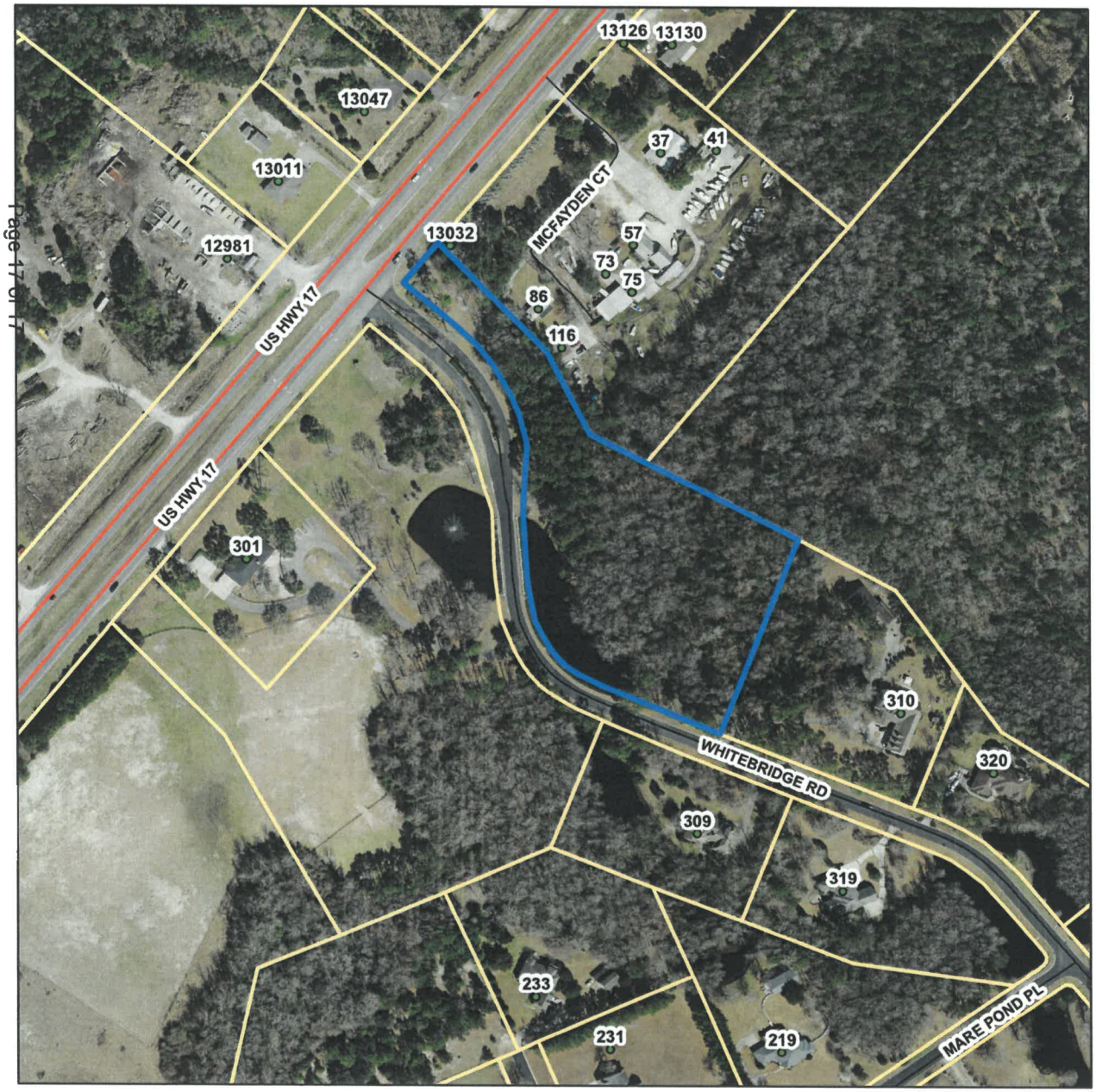
Future Land Use Category

- Low-Density Residential
- Medium-Density Residential
- Neighborhood Mixed-Use
- Regional Mixed-Use
- Subject Property

0 0.05 0.1 Miles

N

Pender 2.0
Future Land Use



Applicant:
Garry Gentry

Owner:
Whitebridge Development, LLC

General Use Rezoning:
#2018-06

Subject Property

0 200 400 Feet

N

2016 Aerial

PENDER
COUNTY, NC

Pender County
Public Hearing

TO:	Planning Board
FROM:	Pat O'Mahony
DATE:	August 7, 2018
SUBJECT:	ZTA 2018-03

SUMMARY:
Pender County, applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Chapter 11 'Road Naming and Addressing,' Section 11.8 'Size, Color, Maintenance, and Location' and Section 11.9 'Subdivisions,' to revise addressing standards to provide additional clarity and to bring those standards into compliance with the North Carolina State Building Code. A detailed description of the proposed changes is available in the Pender County Planning and Community Development Department Offices.

ACTION REQUESTED:
To hold a Public Hearing and consider the Zoning Text Amendment.

PLANNING STAFF REPORT
ZONING TEXT AMENDMENT

SUMMARY:

Hearing Date:	August 7, 2018 Planning Board August 20, 2018 Board of Commissioners
Applicant:	Pender County
Case Number:	ZTA 2018-03

Text Amendment Proposal: Pender County, applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Chapter 11 'Road Naming and Addressing,' Section 11.8 'Size, Color, Maintenance, and Location' and Section 11.9 'Subdivisions,' to revise addressing standards to provide additional clarity and to bring those standards into compliance with the North Carolina State Building Code. A detailed description of the proposed changes is available in the Pender County Planning and Community Development Department Offices.

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as the amendment is consistent with the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan.

AMENDMENT DESCRIPTION

Pender County, applicant, has requested this text amendment to the Unified Development Ordinance to provide additional clarification in its addressing standards and to bring its standards into consistency with state codes. The proposed changes to the ordinance include eliminating set standards for address number size and stroke width and instead simply referencing the NC State Building Code. In practice, this text amendment would change the minimum height of address numbers from three to four inches, and set stroke width at ½ inch in order to increase their visibility. Similarly, instead of requiring that addressing numbers be located within a three-foot perimeter of the entrance of a given structure, the proposed language simply requires that the address is legible and visible from the road fronting the property.

Addressing standards within subdivisions are similarly modified to remove all standards for addressing dependent upon the distance a structure sits from a roadway. Instead, address numbers shall follow standards set in the NC State Building Code.

Existing language from Sections 11.8 and 11.9 of the Pender County Unified Development Ordinance is found in Attachment 1, along with the proposed Ordinance language developed by County staff.

EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 3.18.5, in evaluating any proposed Ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the Planning Board and County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents and the specific intent of this Ordinance.

2010 Comprehensive Land Use Plan Compliance

The addressing of structures in Pender County is of vital importance to emergency response, the delivery of mail, and to allow residents and visitors to easily find their destinations. The proposed zoning text amendment revises the Unified Development Ordinance to bring it into compliance with the North Carolina State Building Code and ensures that Pender County's Unified Development Ordinance will remain in compliance in the future and not require further ordinance text amendments should the requirements at the state level change. These changes also clarify addressing standards to make them easier to understand for homeowners, business-owners, and developers, and ensure that the Unified Development Ordinance will no longer conflict with state codes in this area. The proposed amendment is consistent with the following goal in the 2010 Comprehensive Land Use Plan:

> **Goal 2.E1:** Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

The proposed amendment seeks to clarify addressing standards in a way that make structure addresses more visible from the road, aiding in emergency response efforts. The proposed amendment does not conflict with any goal or policy within the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

PLANNING BOARD CONSISTENCY STATEMENT:

TO APPROVE: Motion to approve the Zoning Text Amendment and to make a finding that the approval is consistent with the 2010 Comprehensive Land Use Plan. Generally, the 2010 Comprehensive Land Use Plan supports efforts to aid in emergency response and efforts towards increasing the clarity of the Unified Development Ordinance. The proposed amendment is consistent with the following goal in the 2010 Comprehensive Land Use Plan:

- **Goal 2.E1**

There are no specific goals or policies that conflict with the proposal. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the 2010 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance.

TO DENY: Motion to deny the Zoning Text Amendment and to make a finding that although the proposal is consistent with the 2010 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the 2010 Comprehensive Land Use [INSERT REASONING].

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as the amendment is consistent with the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan.

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ **Seconded:** _____

Approved: _____**Denied:** _____**Unanimous:** _____

Fullerton: ____ Nalee: _____Baker: ____ Carter:_____Jordan: _____ McClammy: _____ Rhodes: ____

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 2018-03	Date	5/24/18
Application Fee	$ —	Receipt No.	—
Pre-Application Conference	—	Hearing Date	PB: 8/7/18 BOC: 8/20/18

SECTION 1: APPLICANT INFORMATION	
Applicant's Name:	Pender County
Applicant's Address:	805 S. Walker St.
City, State, & Zip	Burgaw, NC 28425
Phone Number:	910-259-1202
Email Address:	—

SECTION 2: UDO TEXT TO BE AMENDED

Current Text to be Amended (Please site accurate Article number referenced):

UDO Sections 11.8.1, 11.8.3, 11.9.1

Proposed Text to be added:

See Attachment 1

SECTION 3: SIGNATURE

Applicant's Signature		Date:	5/24/18

NOTICE TO APPLICANT

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

TEXT AMENDMENT CHECKLIST

☑	Signed application form
☐	Application fee N/A
☑	A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application

Office Use Only

☒ ZTA Fees: $250 N/A		Total Fee Calculation:	
Payment Method:	Cash : ☐ $_____	Credit Card: ☐ Master Card ☐ Visa	Check: ☐ Check # _____
Application Received By:		Date:	
Application completeness approved by:		Date:	5/24/18
Dates Scheduled for Public Hearings:	☒ Planning Board: 8/7/18	☒ BOC: 8/20/18	

11.8 SIZE, COLOR, MAINTENANCE & LOCATION

11.8.1 Size

A. The standard minimum size of a number for a typical residential or nonresidential structure ~~shall be three (3) inches in height~~ shall be in accordance with Section R319 of the North Carolina Residential Code.

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

11.8.2 Color

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

11.8.3 Display of Numbering

A. Every structure shall be posted with the official assigned number in at least one location in conformance with this article and Section R319 of the North Carolina Residential Code and as follows:

1) ~~The location of the numbers shall be maintained within a three (3) foot perimeter of the structure entrance.~~ The numbers shall be placed in a position that is plainly legible and visible from the road fronting the property. For apartment, townhouse, condominium, commercial or industrial complexes, the numbers shall be located in the approximate center of the building or on the end of the building so that they are clearly visible from the road. Each individual unit must also be posted with the assigned unit number/suite number, letter or combination thereof. In the event the structure is located in such a manner that the assigned number is not visible, additional posting of the numbers shall be required at the driveway entrance or access to the structure.
2) All commercial or industrial buildings that have a rear or side door that is used for deliveries, public entry purposes, or as a required exit, shall be posted with the official assigned number at such doors.
3) In a "pocket neighborhood" the numbers shall be displayed on the rear of the structure and the front of the structure facing the common green space.

B. The Addressing Coordinator will have the right to authorize and approve alternate methods of displaying property numbers which meet the intent of this article when strict adherence to the standards herein set forth cannot reasonably be met.

11.8.4 Maintenance

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

11.9 SUBDIVISIONS

11.9.1 Addresses

A. The address shall be displayed on the structure in such a way that is clearly visible from the roadway. Additional requirements are as follows:

~~1) If the structure is less than 75 feet from the roadway the address shall be composed of numbers no less than three (3) inches in height.~~

~~2) If the structure is more than 75 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height.~~

~~3) If the structure is more than 150 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height and displayed at the driveway entrance with a decorative post or placard.~~

1) These numbers shall contrast with their background.
2) Address numbers shall be sized in accordance with Section R319 of the North Carolina Residential Code.
3) According to the U S Postal Service Reform Act a cluster box is required when there are eight (8) or more lots in a subdivision.
4) When the structure is accessed by an alleyway the address may be assigned from that access.

PENDER
COUNTY NC

Pender County
Planning Staff Item

TO:	Planning Board
FROM:	Pat O'Mahony
DATE:	August 7, 2018
SUBJECT:	BPIOD

SUMMARY:
Draft Language for the Bicycle and Pedestrian Improvement Overlay District (BPIOD)

Pender County
Planning and Community Development

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

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

MEMORANDUM

TO: Pender County Planning Board
FROM: Planning Staff
DATE: August 7, 2018
RE: Draft Language for the Bicycle and Pedestrian Improvement Overlay District (BPIOD)

At the June 5, 2018 meeting of the Pender County Planning Board, Planning Staff presented a memorandum (Attachment 1) detailing the pedestrian improvements that are to be included in the Hampstead Median Project (U-5732). Said memorandum also outlined the benefits of pedestrian infrastructure, potential funding mechanisms for that infrastructure, and future tasks to be completed to implement a funding mechanism to aid Pender County in funding their portion of the costs of that pedestrian infrastructure. After receiving comments from the Planning Board and conducting further research and more communication between staff and Planning Board members, it has been determined that a new overlay zoning district is the most appropriate and effective means of providing active transportation-oriented facilities and development in specific, targeted areas throughout the County.

Attached is a draft of Unified Development Ordinance language that would create the "Bicycle and Pedestrian Improvement Overlay District." This language establishes the overlay district as a tool that can be utilized by Pender County as a means of establishing and improving opportunities for active transportation. Establishing a specific instance of the overlay district along the length of US HWY 17 within the Hampstead Median Project, or other such corridors or areas, would require separate requests from Staff and resolutions from the Pender County Board of Commissioners. Also attached is a map of currently designated arterial and collector streets per NCDOT's Functional Classification Map (Attachment 2), to show potential areas in Pender County where this overlay district could be implemented were it adopted.

We have provided this draft language to garner comments and recommendations from members of the Planning Board in reference to the draft language and to the future of active transportation infrastructure in Pender County more broadly. Staff are available to answer any and all questions that may arise.

4.12.6 Bicycle and Pedestrian Improvement Overlay District (DRAFT LANGUAGE)

A. Intent – The Bicycle and Pedestrian Improvement Overlay District is established to promote increased non-vehicular transportation in Pender County through bicycle and pedestrian infrastructure and bicycle and pedestrian-oriented site design standards. It is the intent of the Pender County Board of Commissioners to provide opportunities for citizens to utilize active transportation methods where feasible, such as walking and biking, due to its benefits in reducing congestion, reducing environmental impacts, increasing public health, and increasing the community character of targeted areas within Pender County.

B. Basis of Districts – The areas included in the Bicycle and Pedestrian Improvement Overlay District shall be determined via a resolution from the Pender County Board of Commissioners in consultation with Planning staff, members of the Pender County Planning Board, and the public, as well as the North Carolina Department of Transportation and other relevant stakeholders on a case-by-case basis. The creation of these districts will be informed by development activity, current and future roadway improvement projects, current and future bicycle and pedestrian usage and demand, and all relevant adopted plans, such as comprehensive land use plans, bicycle and pedestrian plans, and Comprehensive and Metropolitan Transportation Plans.

C. Overlay Concepts

1) The Bicycle and Pedestrian Improvement Overlay Districts, as established and described above, shall be overlaid to the existing underlying zoning districts as shown on the Official Zoning Maps, and as such, the provisions for the Bicycle and Pedestrian Improvement Overlay Districts shall serve as a supplement to the underlying district provisions.
2) Where there happens to be any conflict between the provisions or requirements of any of the Bicycle and Pedestrian Improvement Overlay Districts and those of any underlying district, those pertaining to the Bicycle and Pedestrian Improvement Overlay Districts shall apply.
3) In the event that any provision concerning a Bicycle and Pedestrian Improvement Overlay District is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying district provisions shall remain applicable.

D. District Requirements

1) Provision of Facilities and Infrastructure
   a) Bicycle and pedestrian infrastructure shall be constructed as part of a development proposal within an adopted Bicycle and Pedestrian Improvement Overlay District if one or more of the following conditions are met:
      i) The proposed development is located within the jurisdiction of the Wilmington Metropolitan Planning Organization (WMPO) and is located along an existing or planned principal or minor arterial and/or major or minor collector street as defined by the WMPO Functional Classification Map, or;
      ii) The proposed development is located outside the jurisdiction of the Wilmington Metropolitan Planning Organization and is located along an existing or planned principal or minor arterial and/or major or minor collector street as defined by the NCDOT Functional Classification Map.
      iii) The proposed development is located along a road or street where bicycle and/or pedestrian improvements have been identified and included in an adopted bicycle and pedestrian plan or another adopted plan.

b) The type of facility provided shall be in accordance with adopted local and regional bicycle and pedestrian, transportation, and other plans. If a proposed development has road frontage on an existing or planned arterial or collector street as defined by the WMPO or NCDOT and is not listed on any adopted bicycle or pedestrian plan, then the required construction of bicycle and pedestrian infrastructure shall not be applied.

2) Facility Location, Design, and Construction

a) Where possible, bicycle and pedestrian infrastructure shall be constructed within the public right-of-way in consultation with NCDOT.

i) If off-road bicycle and pedestrian infrastructure (sidewalks, multi-use paths, and similar) cannot be constructed in the public right-of-way, the improvement shall be constructed within a dedicated public easement and shall be along the entire length of road frontage for the appropriate facility constructed or to-be-constructed.

b) Sidewalks shall be constructed as concrete or other like-material to minimum dimensions of 5' wide and 4" thick along the entire length of road frontage of a subject parcel not including driveways as described by AASHTO standards.

c) Multi-use paths shall be constructed as asphalt or other like-material to minimum dimensions of 10' wide and 4" thick along the entire length of road frontage of a subject parcel not including driveways as described by AASHTO standards.

d) Bike lanes and other on-road bicycle and pedestrian infrastructure shall be designed and constructed in accordance with AASHTO standards and in consultation with NCDOT.

e) Off-road bicycle and pedestrian infrastructure shall generally be constructed parallel to the adjacent street. Curves and meanders shall be kept to a minimum.

i) Deviations and meanders from the proposed route are permitted if the proposed route impacts wetlands, significant trees, creeks and streams, and/or other environmentally sensitive features or areas.

ii) Boardwalks may also be constructed where meanders are not appropriate with required state and federal permits, should they be required.

iii) Boardwalks shall maintain facility minimum width and design standards as described in this section and AASHTO standards and be in compliance with the Americans with Disabilities Act and as described in the United States Forest Service's *Wetland Trail Design and Construction.*

3) Payment-in-Lieu: A payment-in-lieu of bicycle and pedestrian facility construction shall be provided as an option to all applicants if construction is impractical or if genuine hardships caused by the construction requirement can be shown.

a) If one or more of the following conditions are met, developers must utilize this option instead of constructing a sidewalk:

i) The road or street on which a parcel has frontage is included in the NCDOT State Transportation Improvement Program or other transportation improvement plan for widening within the next five years;

ii) The road or street on which a parcel has frontage is scheduled to receive bicycle or pedestrian infrastructure as part of another project.

iii) If deviations from a proposed route are required as described in Section 4.12.6.D.1.D above.

b) Payments-in-lieu of bicycle and pedestrian facility construction shall be calculated by determining a linear foot amount of facility responsibility for a parcel.

i) The type of facility required shall be determined by locally-adopted bicycle and pedestrian plans.
ii) The linear foot length of sidewalk responsibility shall be the subject parcel's frontage along an arterial or collector street as defined by the NCDOT Functional Classification Map, minus proposed driveways widths as approved by NCDOT.
iii) The dollar amount per linear foot of facility responsibility for each type of facility shall be determined by the Board of Commissioners, subject to change.
iv) Total payment-in-lieu contribution shall be calculated by multiplying the linear feet of facility responsibility for a subject parcel by the price per linear foot of appropriate facility as set by the Pender County Board of Commissioners.

c) Those individuals utilizing the payment-in-lieu option shall still be required to dedicate public easements for facility construction and use if the facility cannot be entirely located within the public right-of-way.

4) Site Design

a) Access

i) Pedestrians and bicyclists shall be provided with dedicated facilities to reach a building or structure from the location or point of the bicycle or pedestrian facility.
ii) If pedestrian access is provided via a parking lot, said parking lot shall include islands and/or crosswalk striping to provide pedestrians with a safe corridor in which to move between sidewalk and front entrance.
iii) Any bicycle or pedestrian infrastructure that crosses a driveway or curb cut shall include cross-walk striping or other similar for of markings to denote the path of the facility and to alert motorists.
iv) If required facility to be constructed is a bike lane or multi-use path, bike racks shall be provided.

b) Building Design

i) All commercial structures within the Bicycle and Pedestrian Improvement Overlay District shall have at least one (1) public entrance that directly faces the public street.

c) Amenities

i) Pedestrian amenities, such as benches and seating areas, are encouraged in all scenarios and shall be required to be included in site designs when distance between front property line and main structure entrance is greater than 50 feet.
ii) Other amenities, such as those providing shade and lighting, are encouraged. Any provided shade trees shall be in accordance with Article 8 'Landscaping and Buffering' of this ordinance.
iii) In accordance with standards in approved bicycle and pedestrian plans, amenities such as pet waste stations and bike repair stations shall be provided at regular intervals depending upon type of facility constructed.
iv) Any provided amenities shall not be placed in the public right-of-way unless those amenities can be placed in such a way that does not obstruct the minimum facility width. Provided amenities placed in public rights-of-way shall be done so in consultation with NCDOT.
v) Any provided amenities shall complement the design of other bicycle and pedestrian elements, nearby buildings and structures, and the character of the community.
vi) Any provided amenities shall be constructed of durable, high-quality materials. Such materials include treated wood, metal and steel, and hardened plastics. Amenities shall

be designed specifically for outdoor use. Indoor furniture shall not satisfy the requirements of this ordinance.

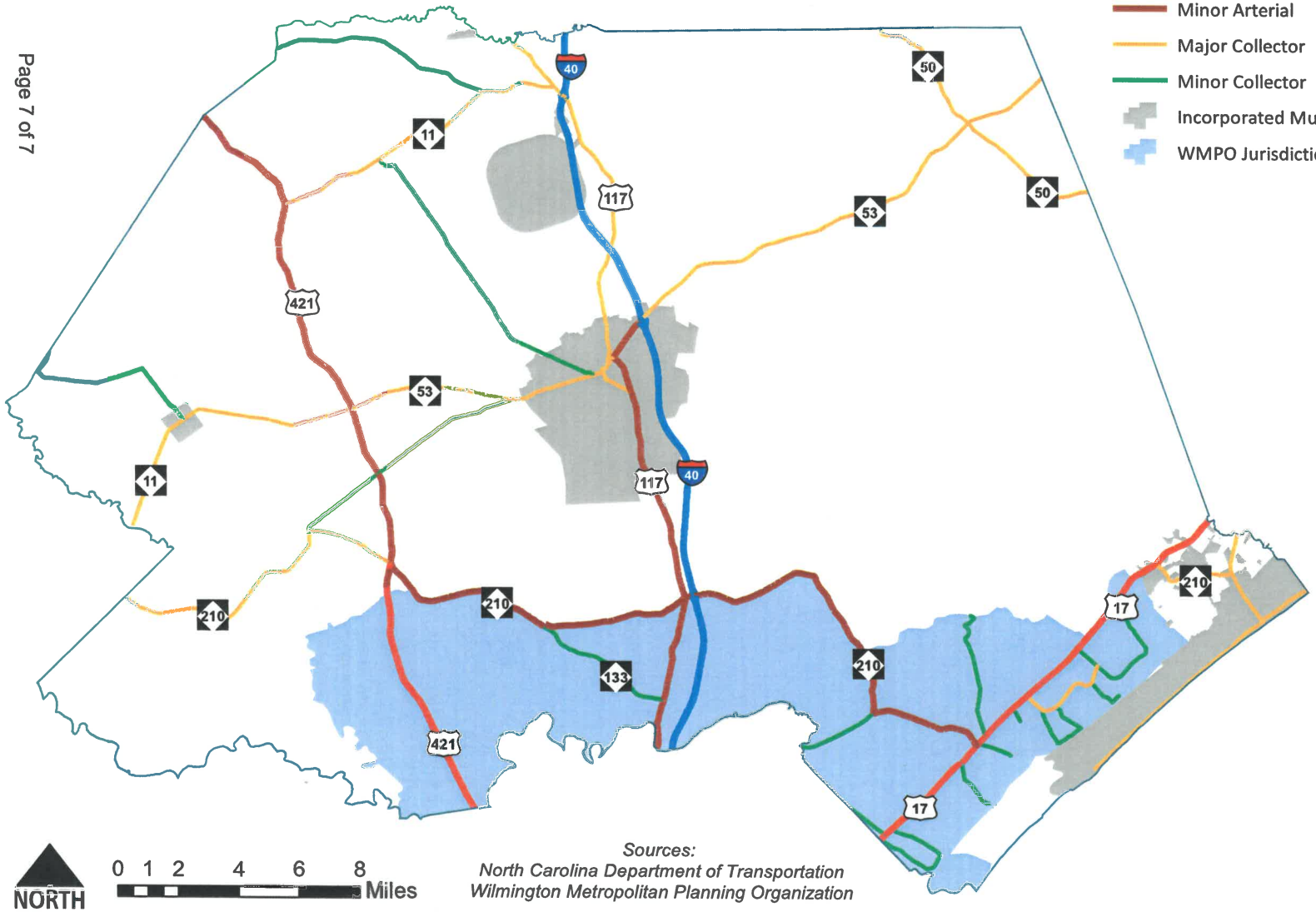
vii) The property owner assumes all liability and all maintenance and upkeep responsibility for all provided amenities.

viii) Any proposed amenities shall be clearly shown and labeled on all submitted site plans.

d) Any bicycle and pedestrian improvements made to a site shall be in compliance with the Americans with Disabilities Act and all other applicable federal, state, and local legislation.

DRAFT

NCDOT and WMPO Functional Classification Map
Pender County, North Carolina



Sources:
North Carolina Department of Transportation
Wilmington Metropolitan Planning Organization

PENDER
COUNTY NC

Pender County Discussion

TO:	Planning Board
FROM:	Kyle Breuer
DATE:	August 7, 2018
SUBJECT:	Schools Planning

SUMMARY:
Staff will review the attached memo and provide a brief update to the Board concerning future actions towards schools planning.

Pender County
Planning and Community Development

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

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

MEMORANDUM

TO: Pender County Planning Board
FROM: Planning Staff
DATE: August 7, 2018
RE: Update on Future Schools Planning

Over the next several months, Planning staff, in conjunction with Pender County Schools staff will be putting together a set of policies and figures to help aid in determining school needs and potential planning for joint use facilities. The premise behind the study will be to determine future population growth and how that relates to school demands. The goal of the study will be to assign a pupil per household (PPH) for each school district (elementary/middle/high) based on Future Land Use classifications and anticipated future households on those Land Use categories and potential zoning districts.

To initiate the study, a PPH will need to be established based on current enrollment figures for each school and current household figures within that district. This calculation will establish the estimated PPH to use for future development proposals to gauge the impact of new development and assist the policy makers in planning for new school capital investments.

Staff will review the methodology with the Board and will provide updates as the project progresses.

Supporting Policies/Action Items from Pender 2.0:
Goal: 4.6: Provide exceptional schooling and award-winning service to Pender County's growing school-age population.
Objective 4.6: Ensure adequate student space in Pender County Public Schools and encourage co-location of community facilities.
Policy 4.6.A: Regional Cooperation: The County supports regional cooperation and a process for all local governments, including the Technical Review Committee, to advise public school officials of pending large developments and population growth in general so that they may adequately plan to increase capacity.
Policy 4.6.B: Long-Range Plan: The County supports long-range planning for the school system to establish future enrollment figures, capital improvement needs, and funding constraints.
Recommended Action 4.6.B.1: Establish and continually update a twenty-year plan for the Pender County School System which provides enrollment figures, capital improvement needs, and funding constraints.

Recommended Action 4.6.B.3: Establish an estimated number of students per each development type (single-family, multi-family, etc.) to identify short-term impacts of development approval.
Recommended Action 4.6.B.5: Consider establishing school capacity thresholds (80/90%) whereby active capital improvement measures will be initiated to alleviate future overcrowding.
Policy 4.6.C: Land Acquisition: The County encourages local government participation in land acquisition for new schools, in order to co-locate other public facilities, such as parks and libraries, on or near school sites.
Policy 4.6.D: School Site Reservation: The County supports legislation to allow for reservation of school sites in the development approval process in accordance with, the requirements of NCGS 153A-331.
Recommended Action 4.6.D.1: In accordance with the Board of Education, establish and adopt an appendix to this land use plan which clearly identifies the specific location and size of each school site to be reserved for future use. When siting new school locations, especially in the eastern portion of the County, it will be important to assure Smoke Awareness Areas are evaluated to optimize the use of controlled burning for wildfire reduction and habitat management.
Policy 4.6.E: Shared-use Facilities: The County shall continue to support the shared-use of school facilities for recreational opportunities and community activities.

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