



Vance County Planning & Development
156 Church St. Suite 003
Henderson, NC 27536
Ph: 252-738-2080 Fax: 252-738-2089



Agenda - Vance County Planning Board 10/26/2017

SPECIAL MEETING

- I. Review minutes of the June 29, 2017 meeting.
- II. Agenda items for review, consideration, and/or action:
 - A. **Approval – Final Plat – Huntstone Subdivision – Phase V –**
Major Subdivision (residential use): For Old Oxford Road Partners (John Hamme Civil Engineer). Final plat approval involves the creation of 14 additional lots (Lot #'s 70 & 71, 122 – 131 and 217 & 218. Preliminary plat and Construction plans were previously approved on June 29, 2017.
Exhibit 1 – Duke Energy Agreement
Exhibit 2 – Letter of approval for sewer & water installation
Exhibit 3 – NC DOT requirements for plat recordation
- III. Closing comments and/or new business from Board Members or Staff.
- IV. Adjournment.



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

156 Church Street, Suite 003
Henderson, NC 27536-5574
Phone: 252-738-2080
Fax: 252-738-2089

TO: Vance County Planning Board

FROM: Sam Hobgood

SUBJECT: Minutes of the June 29, 2017 Planning Board Meeting. Special Meeting

DATE: July 25, 2017

Board Members: Thomas Shaw, Blake Haley, Alvin Johnson, Logan Darrensburg

County Staff: Sam Hobgood

◆ Mr. Shaw opened up the meeting and asked for a review of the minutes from the 05/11/17 meeting.

a. The minutes were approved as presented; 4-0.

◆ Mr. Shaw introduced the first agenda item.

A. Review and approval – Preliminary plat and construction Plans for Phase V, Huntstone Subdivision

➤ Mr. Hobgood introduced the first agenda item with a correction from the original submittal. Original submittal consisted of 13 lots and the applicant changed the request to 14 lots. Lots #122 thru #131, lots #70 & #71 and lots #217 & #218.

➤ Mr. Hobgood informed the board that a master plan of Huntstone subdivision was approved in the early 2000's, approximately around 2002. This request for plat approval was for Phase V.

➤ Mr. Hobgood stated the Planning staff had reviewed all lots in Phase V for compliance with the Vance County Zoning Ordinance and no issues were evident.

➤ Mr. Hobgood introduced Mr. David Parham, the developer, to the board for any questions.

➤ Mr. Haley asked Mr. Parham about the grass filter strip casement beside lot #131. Mr. Haley wanted to know if this would remain and Mr. Parham stated it would remain.

Motion made by Mr. Haley to recommend approval of Preliminary plat and construction plans as submitted

Second was made by Mr. Darrensburg

Motion passed 4-0.

B. Rezoning Request (Case R21706-01) – Billy and Elsie Stanton (applicant) – Request to rezone two separate parcels from R20 and R30 (Residential Low and Medium Density to HC (Highway Commercial)).

➤ Mr. Hobgood addressed the Board and explained the existing parcels and their current classifications in accordance to the zoning ordinance. He explained that combining the two parcels would total 1.44 acres and be allowed to meet the minimum lot size of the proposed category – Highway Commercial (HC). Rezoning to HC would allow uses of the property compatible with highway frontage for the convenience of nearby residential areas.

➤ Mr. Hobgood introduced the following factors for the board to consider in deciding this case:

A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.

B. There is convincing demonstration that all uses permitted under the proposed zone classification would be in the general public interest and not merely in the interest of an individual or small group.

C. There is convincing demonstration that all uses permitted under the proposed zone classification would be appropriate in the area included in the proposed change. (When a new zone designation is

assigned, any use permitted in the zone is allowable, so long as it meets zone requirements, and not merely uses which applicants state that they intend to make of the property involved.)

D. There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change.

E. The proposed change is in accordance with the County Land Use Plan and sound planning principles.

- Mr. Hobgood introduced Ms. Elsie Stanton (applicant) to the board for any questions.
- No questions were asked.

Motion made by Mr. Haley to approve the rezoning request as submitted

Second was made by Mr. Johnson.

Motion passed 4-0.

◆ **Adjournment.**

- A. With no further agenda items, the board adjourned the meeting.

Effective Date of Agreement: June 19, 2017

David Parham
Old Oxford Road Partners, LLC
129 W. Belle Street
Henderson, NC 27536

Re: Huntstone Phase 5
West Boulder Road, Henderson, NC
Residential Subdivision
14 lots
Lot Numbers: 70-72, 122-130, 217-218

Pursuant to your request, Duke Energy Progress, Inc. (hereinafter referred to as Company) is pleased to make this Agreement with Old Oxford Road Partners, LLC (hereafter referred to as Owner). Company will install an underground primary distribution system within Huntstone Phase 5 located on West Boulder Road, near Henderson, NC (the Development) under the provisions of Company's Line Extension Plan E-66. A copy of Plan E-66 is attached.

Company shall install, own, and maintain the distribution system in accordance with its specifications and as shown on the attached Company Drawing No. PDN7700, dated June 5, 2017. The primary electric distribution system shall be used to provide electrical service to residential dwellings. However, this Agreement does not provide for the installation of secondary service lateral facilities and service connections to the individual residential dwellings within the Development. Secondary service laterals and service connections will be negotiated on an individual basis as necessary for providing electric service to those individual customers.

Owner shall furnish, without cost, the necessary easements and rights of way so that Company can use normal methods of installing distribution facilities. In addition, Owner will have the rights of way and street crossings at final grade and lot lines established before construction of the system. The Company shall not be responsible for the repair or replacement of underground facilities damaged during the installation of the Company's facilities, unless prior to the Company's construction, Owner clearly identifies the location of such facilities.

Since Owner's project is to be developed in phases, Company agrees to install its facilities necessary to serve Phase 5, lots 70-72, 122-130, 217-218 at this time.

Street lighting within the residential subdivision will be provided under Street Lighting Service Schedule SLR-42A. Each of the residential customers in this subdivision will be billed the applicable amount under said Schedule or any superseding schedule. Owner has requested the Company to install one 9500 lumen, sodium vapor lighting unit on a fiberglass post for every 3 customers; therefore, the Company will install nine lighting units in this part of the development. The lighting units supplied by a particular transformer will be energized when the transformer is needed for permanent residential service. The locations of the lighting units are shown on attached Company Drawing No. PDN7700, dated June 5, 2017.

The Street Lighting Service Schedule SLR-42A does require a continuing monthly charge from the individual customers, and it is Owner's responsibility to notify the purchaser of each building lot in writing of said charge. Such notification shall include, but is not limited to, the insertion of the following provision in the restrictive covenants of this subdivision:

"The developer reserves the right to subject the real property in this subdivision to a contract with Duke Energy Progress, Inc. for the installation of street lighting, which requires a continuing monthly payment to Duke Energy Progress, Inc. by each residential customer."

A copy of the restrictive covenants or other adequate proof that the covenant includes this provision must be provided to Company before any installation of electrical facilities takes place.

If changes are made in this Development requiring Company to redesign, relocate, or abandon any of its installed facilities an additional contribution may be required.

The parties hereto agree that irreparable damage would occur in the event that any of the provisions of this Agreement were not performed in accordance with their specific terms or were otherwise breached. It is accordingly agreed that the parties shall be entitled to an injunction or injunctions to prevent breaches of this Agreement and to enforce specifically the terms and provisions hereof in any court of the United States or any state having jurisdiction, this being in addition to any other remedy to which they are entitled at law or in equity.

We are pleased to be able to make this offer and trust that you will find these arrangements satisfactory to your needs. Please execute and return the original of this Agreement to us. You may retain the duplicate original for your files.

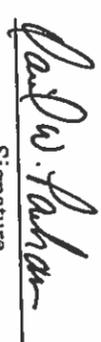
Yours truly,

Duke Energy Progress, Inc.

By: 
Manager Design Engineering

ACCEPTED AND AGREED TO:

By: **David Parham**


Signature


Title

Huntstone

Paynter, Donald <Donald.Paynter@duke-energy.com>

Tue 9/26/2017 11:04 AM

To: Sam Hobgood <SHobgood@vancecounty.org>;

cc: Jordan McMillen <JMcMillen@vancecounty.org>;

Sam, Per our conversation earlier today. David Parham called us and ask if we can rush the underground power. They want to record their plat and it is my understanding that they cannot get a release until the paving and the power is in. With the storms and high volume work we are behind with our construction. Huntstone has met the requirements and fees that Duke Energy has required. The Work Order has been release and it is in our schedule to provide power and street lights to all of their lots as they have requested. It would be OK with Duke Energy to move forward and have you consider allowing this developer permission to record their plat. Thanks



EXHIBIT 2

Office of the City Manager

134 Rose Avenue, P. O. Box 1434, Henderson, NC 27536

Phone 252.430.5701 : Fax 252.492.7935 : E-mail ffrazier@ci.henderson.nc.us

www.ci.henderson.nc.us

20 October 2017

Mr. Eddie Ferguson
2495 Barker Road
Oxford, NC 27565

Re: 14 Additional Lots- Huntstone Subdivision

Dear Eddie:

I am writing to confirm that the City has completed its review of the water and sewer for the additional lots. These utilities were constructed during the initial phase of the construction of Huntstone; however, the road was not built at that time. There were corrective actions to be taken and according to the City's utility inspector, these items have been completed.

If you need any further information from the City, please advise. We look forward to serving this subdivision with utilities.

Sincerely,

Frank Frazier, Manager

City of Henderson

cc: Clark Thomas P.E., City Engineer
Sam Hobgood, Vance County Planning & Development Director
David Parham, Huntstone HOA Manager



EXHIBIT 3

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

October 24th, 2017

David W. Parham
Old Oxford Road Partners
129 West Belle Street
Henderson, NC 27536

SUBJECT: Hunstone Subdivision—Phase 5 (Lots #70-71, Lots #122-131, and Lots #217-218)

COUNTY: Vance

Dear Sir or Madam:

This is to advise that the roads in Hunstone Subdivision, Phase-5, located in Vance County, have been constructed to meet North Carolina Department of Transportation's Minimum Subdivision Construction Standards except for the items listed below.

Items for correction:

1. The asphalt densities for the S9.5B asphalt placed failed to meet the minimum density requirement for this type mix. The asphalt will be left in place and evaluated when this roadway is petitioned for addition in the future. Pavement mitigation will be determined at that time based on the pavement condition, and could include possible patching, patching and overlay, and/or removal/replacement.
2. All bare areas of shoulder, ditches and back slopes, within the right of way, need have adequate vegetative cover established.

Once the minimum housing requirement has been met, the roadway and right of way will be re-inspected. If found to be in an acceptable state of maintenance at the time of our inspection, the developer/property owners may petition the state for addition. Sections of Roadway that are petitioned for addition must connect to the existing State Maintained system.

Plastic pipe, shrubbery, or other structures are not allowed within the right of way. Property frontages cannot be piped without review and approval by NCDOT Division 5, District 3

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 5 DISTRICT 3 OFFICE
321 GILLBURG ROAD
HENDERSON, NC 27537
CS# 07-15-01

Telephone: (252) 598-5100
Fax: (252) 492-0123
Customer Service: 1-877-568-4968

Website: www.ncdot.gov

Location:
321 GILLBURG ROAD
HENDERSON, NC 27537

staff. Placement of these items within the right of way may result in the road being ineligible for the State Maintenance System.

The developer shall contact the local United States Postal Service to coordinate where mail kiosks shall be located.

If you have any questions or need further assistance, please feel free to contact Mike Goodwin, or myself at (252) 598-5100.

Sincerely,

T. R. Elmore

Digitally signed by T. R. Elmore
DN: cn=T. R. Elmore, o=Vance County
District Office, email=t.elmore@vancecountync.gov, c=US
Date: 2017.10.24 08:41:48-07

T. R. Elmore
District Supervisor

TRE

Cc: Sam Hobgood, Vance County
Vance County Maintenance Engineer
File

Plat Requirements

- Public RW denoted on every street
- All drainage easements must be labeled (Public)
- Sight distance triangles must be shown at all stop conditions

DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS

PROPOSED SUBDIVISION ROAD
DESIGN STANDARDS CERTIFICATION

APPROVED _____
DISTRICT SUPERVISOR

DATE _____

Notes

- Only NCDOT approved structures can be placed within the right- of- way
- All lots must be served internally (if applicable)
- Sight distance triangles take precedence over all other easements
- Maintenance of the Public Drainage Easement is the responsibility of the underlying property owner(s). The easement allows the NCDOT the right to access the drainage easement and perform work it deems necessary or prudent to alleviate any issues jeopardizing the integrity of the roadway. It is the responsibility of the underlying property owner(s) to maintain the easement to allow positive conveyance of storm water.
- Property frontage shall not be piped without an approved encroachment from NCDOT

