

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
April 10, 2017

Commissioners Chambers
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Chris Stanley
Troy Price
Tom Simmons
Randy Ward

MEMBERS ABSENT

None

STAFF PRESENT

Kirstie Dixon, Planning Manager
Helen Bunch, Zoning Administrator
Connie Marlowe, Admin. Asst.
Marc Pages, Land Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins
Matthew Haley

William Bittenbender
Brian Slattery, Brunswick Beacon

I. CALL TO ORDER.

The Chair called the meeting to order at 6:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 13-MAR-17 MEETING.

Mr. Leary made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Ms. Dixon addressed the Board. She stated that staff is adding Z-750CZ for further discussion at the request of the Board of Commissioners under Other Business, Item C. Mr. Stanley made a motion to move the item under Old Business as Item A and move the current Item A under Old Business to Item C under Other Business. The motion was unanimously carried.

VI. PUBLIC COMMENT.

There were none.

VII. OLD BUSINESS.

A. Conditional Zoning Z-750CZ.

Ms. Dixon addressed the Board. She provided a revised plan that has been agreed upon by the applicant and adjacent property owners since the Planning Board's 13-Mar-17 meeting and prior to the Board of Commissioners' 03-Apr-17 meeting. As a result, the Board of Commissioners remanded the matter back to the Planning Board for reconsideration and another recommendation in light of the agreement reached between the applicant and adjacent property owners. Ms. Dixon stated that the applicant and adjacent property owners have agreed upon revised buffers on the site that will require a 50' undisturbed buffer along Old Shallotte Road NW (SR 1316) and maintain at least an 80% opacity; a 50' undisturbed buffer along the eastern boundary of the property and maintain at least a 60% opacity; and a 40' buffer along the western boundary and maintain at least an 80% opacity. She stated that in the event the existing vegetation within the undisturbed buffer is removed or destroyed, the buffer must be replaced with applicable plantings.

With no further discussion, Mr. Price made a motion to approve the revised buffer changes and the motion was unanimously carried.

VIII. PUBLIC HEARINGS.

A. Planned Development Conceptual Plan Approval – PD10

Name: Spring Hill Planned Development
Applicant: Crosswind Development – Bill Wynn Homes
Tax Parcels: 0460001101, 0460001102, 0460001307, 0460001309, 0460001316, and 05700150
Location: Located off Goodman Road SW (SR 1414) near Leland, NC

Description: This is a proposed Planned Development which will consist of 99 townhome lots on a gross site of 28.74 acres creating an overall density of 3.44 units per acre.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). Mr. Pages identified the proposed area on a visual map. Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance; and
- Correct the following in the site plan notes:
 - Required open space is 20% or 5.7 acres,
 - Required recreation space is 0.86 acres,
 - Existing zoning should state, “R-7500” not “SBR-7500, and
 - Amend Note #16 to state there will be a 20’ street buffer.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Matt Haley, Cape Fear Engineering, addressed the Board on behalf of the applicant. Mr. Haley said the project was previously approved for 85 single family lots in 2008, but they are adding 14 additional lots.

Mr. Dunham asked Mr. Haley if there were any concerns from the property owners at the neighborhood meeting? Mr. Haley said the adjacent property owners were concerned with potential increase in traffic, utility connections and the proposed housing types including size and price range.

Mr. Joe Bryant, owner of Tax Parcel 05700076, addressed the Board. Mr. Bryant was concerned with the potential stormwater runoff that will be generated from the proposed development. Mr. Haley said stormwater runoff will be collected on site and discharged in the Middle Mill Branch. Mr. Bryant was concerned with stormwater runoff coming across Goodman Road NE (SR 1414) and potentially creating flooding on his property. Mr. Bryant was also concerned with the additional traffic that will be generated by the proposed development.

Mr. Dunham asked Mr. Bryant how much of his property is wetlands?. Mr. Bryant said approximately 3 acres of his property is in a floodplain, but he hopes to market the property and stormwater runoff from the proposed development could be detrimental to his endeavors. Mr. Pages added that there are substantial wetlands in the area, but the applicant has to maintain stormwater runoff on his property.

Mr. Pages said, with regards to the potential traffic issue, the North Carolina Department of Transportation (NCDOT) reviewed the proposed development and no road improvements are required by NCDOT at this time. Mr. Dunham said the proposed retention pond should assist in reducing stormwater runoff.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Price made a motion to approve the Planned Development with the noted conditions by staff and the motion was unanimously carried.

IX. OTHER BUSINESS.

A. Census Population Estimates Summary

Ms. Dixon addressed the Board. She provided the Board (attached) with up-to-date census information.

B. Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that the Board of Commissioners, at their Monday 03-Apr-17 meeting, remanded conditional zoning case Z-750CZ back to the Planning Board as new information was received and agreed upon by the applicant and adjacent property owners post Planning Board's Monday 10-Apr-17 meeting. Ms. Dixon said Planning Board's earlier recommendation will be forwarded to the Board of Commissioners for consideration at their next meeting.

C. Proposed Revisions to Various Provisions of the Brunswick County Unified Development Ordinance.

Ms. Dixon addressed the Board. She stated that there are 12 UDO Refinements for consideration. She proceeded to discuss each item.

Mr. Pages discussed the Business Parks and Industrial Parks proposed text amendments. Attorney Batton asked Mr. Pages when the developer will be aware which specific use(s) will be permitted or prohibited? Mr. Pages said any proposed use(s) should be disclosed upfront by the applicant and reviewed by staff. Ms. Easley said this is discretionary approval for the Board. She expressed concern regarding industrial uses in a residential planned development. Mr. Hargett interjected that planned developments are conceptual plans and the developer would not spend excessively upfront until specific uses are confirmed. He further stated that the business park addition to planned developments, specifically, exclude objectionable industrial uses.

Mr. Leary asked when a potential homeowner will be made aware of industrial use(s) within their neighborhood? Mr. Hargett said it would be disclosed in the conceptual plan and in the case of a proposed change, a neighborhood meeting would be required to ensure residential homeowners are aware of the business park activity that will be nearby.

Attorney Batton asked staff if there is a notation on the plat indicating that industrial uses will be located in the planned development? Mr. Pages replied, no. He stated that a land owner would have to do their due diligence to be informed of what is forthcoming. Mr. Dunham asked if current landowners will be notified of a change? Mr. Pages said significant changes requires Board approval and a neighborhood meeting would be required. Attorney Batton suggested that the approval stamp indicate that a business park is part of the approval.

Ms. Dixon provided slides of existing and/or proposed industrial use(s) within residential communities (Leland Industrial Park, Pine Forest Plantation, and River Bend in the Town of Navassa) in the County.

Ms. Dixon continued discussing the other UDO Refinements. Ms. Easley asked if someone will verify the elevation level for the additional elevation certificate required within 7 calendar days after the reference level has been established? Ms. Dixon said Code Administration inspects the structure for compliance. Mr. Stanley suggested that this section reference North American Vertical Datum (NAVD) of 1988 rather than mean sea level. Ms. Dixon said she will relay that information to Code Administration for consideration.

Mr. Stanley made a motion to open the Public Hearing and the motion was unanimously carried.

With no further comments, Ms. Easley made a motion to close the Public Hearing and the motion was unanimously carried.

Ms. Easley made a motion to recommend to the Board of Commissioners to approve the proposed text amendments to the Brunswick County Unified Development Ordinance excluding industrial uses in a residential planned development. The motion was unanimously carried.

D. ADJOURNMENT.

With no further business, Ms. Easley made a motion to adjourn and the motion was unanimously carried.