

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
January 10, 2022

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

MEMBERS PRESENT

Eric Dunham, Chair
William Bittenbender
Clifton Cheek
Richard Leary
Christopher Wood
Brett Riggs, Alternate

MEMBERS ABSENT

Joy Easley, Vice Chair
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Principal Planner
Connie Marlowe, Admin. Asst. II
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins
Terry Wethington
Gwen Waters

Sheila McLamb
Michael House
Donna Fullwood

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:02 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.

Ms. Joy Easley and Mr. Medlin were absent.

IV. CONSIDERATION OF MINUTES OF THE 13-DEC-21 MEETING.

Mr. Leary made a motion to approve the 13-Dec-21 minutes as presented and the motion as unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Pages informed the public that PD-71 (Holden Beach Landing) was pulled from the agenda because additional information was needed for the item to move forward, but it will likely be on the 14-Feb-22 agenda for consideration.

VI. PUBLIC COMMENT.

There were none.

VII. OLD BUSINESS.

A. Rezoning Z-827 – New Purpose LLC (%Shelia McLamb).

Request rezoning of approximately 1.41 acres located at 5561, 5567 and 5573 Old Georgetown Road SW (SR 1163) near Shallotte from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 2130000113, 2130000103 and 21309000105.

LAND USE PLAN MAP AMENDMENT LUM-827:

Request to amend Tax Parcels 2130000113, 2130000103 and 2130000105 located at 5561, 5567 and 5573 Old Georgetown Road SW (SR 1163) near Shallotte from LDR (Low Density Residential) to Commercial.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached) He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 2130000113, 2130000103 and 2130000105 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan from LDR (Low Density Residential) to Commercial for Tax Parcels 2130000113, 2130000103 and 2130000105 located at 5561, 5567 and 5573 Old Georgetown Road SW (SR 1163).

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

Ms. Sheila McLamb addressed the Board. Ms. McLamb stated that this area has been in transition since the Brunswick County Unified Development (UDO) was adopted in May 2007. Ms. McLamb said there is a community across the street that will benefit from commercial

activity in the area. She further stated that there is commercial nearby and commercial zoning is the best and highest use for this property.

Mr. Terry Wethington addressed the Board. Mr. Wethington, representative for Ample Storage, spoke in favor of the zoning change.

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

Mr. Riggs made a motion to approve Tax Parcels 2130000113, 2130000103 and 2130000105 from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan to Commercial for Tax Parcels 2130000113, 2130000103 and 2130000105.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential). However, a CAMA Land Use Plan amendment has been requested to Commercial.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

There is NC (Neighborhood Commercial) zoning in close proximity to the subject property.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

There is commercial zoning in the immediate area.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

VIII. NEW BUSINESS.

A. Rezoning Z-830 – Gwen Waters (%Brenda Swankey).

Request rezoning of approximately 57.17 acres located off Deer Trot Road SE near Supply from SBR-6000 (High Density Site Built Residential) to R-6000 (High Density Residential) for Tax Parcels 1850001008, 1850001010, 1850001011, 1850001012, 1850001013, 1850001014, 1850001015, 1800001016, 1850001020, 1850001021, 1850001022, 1850001023, 1850001024, 1850001025 and 1850001027.

LAND USE PLAN MAP AMENDMENT LUM-830:

Request to amend Tax Parcels 1850001008, 1850001010, 1850001011, 1850001012, 1850001013, 1850001014, 1850001015, 1800001016, 1850001020, 1850001021, 1850001022, 1850001023, 1850001024, 1850001025 and 1850001027 located off Deer Trot Road SE near Supply from LDR (Low Density Residential) to MDR (Medium Density Residential).

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached) He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from SBR-6000 (High Density Site Built Residential) to R-6000 (High Density Residential) for Tax Parcels 1850001008, 1850001010, 1850001011, 1850001012, 1850001013, 1850001014, 1850001015, 1800001016, 1850001020, 1850001021, 1850001022, 1850001023, 1850001024, 1850001025 and 1850001027 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan from LDR (Low Density Residential) to MDR (Medium Density Residential).

Mr. Bittenbender asked staff where the subject properties are located? Mr. Pages identified the area on a visual map.

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

Ms. Gwen Waters addressed the Board. Ms. Waters stated that her family owns approximately 35 acres of the properties proposed for a zoning change. She stated that her family currently lives in New York and they want the ability to place other types of homes (mobile homes) on their property rather than being restricted to only stick built homes.

Ms. Donna Fullwood addressed the Board. Ms. Fullwood was in favor of the zoning change because she, too, felt that mobile homes should be allowed as a permitted use.

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

Mr. Leary made a motion to approve Tax Parcels 1850001008, 1850001010, 1850001011, 1850001012, 1850001013, 1850001014, 1850001015, 1800001016, 1850001020, 1850001021, 1850001022, 1850001023, 1850001024, 1850001025 and 1850001027 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan from LDR (Low Density Residential) to MDR (Medium Density Residential).

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

☒ APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential). However, a CAMA Land Use Plan amendment has been requested to MDR (Medium Density Residential).

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

There is a need to allow for a variety of housing rather than only stick-built homes as addressed by the public.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

There were concerns expressed by public citizens to allow more than stick built homes on the subject properties.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

B. Planned Development – PD-64.

Name: Saltgrass Landing
Applicant: H&W Design
Tax Parcel(s): 0980002005 and 09800070
Location: George II Highway (NC 87)
Description: Saltgrass Landing is a proposed planned development consisting of 264 single family lots on 134.90 acres creating an overall density of 1.90 dwelling units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties 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;

- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities and Fire Marshal requirements; and
- All structures shall be elevated above the 500-year flood elevation.

Ms. Dixon interjected that staff worked with the developer on this project to ensure all pertinent information was addressed prior to scheduling the public hearing and there are significant changes from the initial submittal.

Mr. Cheek asked if the wetlands are included in the calculated space and Mr. Pages replied, yes.

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

Mr. Michael House addressed the Board. Mr. House discussed a PowerPoint presentation (attached) outlining the site overview, conservations design considerations, open space/buffers, potential downstream impacts, and flood concerns. He further stated that they will be providing vegetation to specifically improve air quality, visual, noise and odor screening from the adjacent livestock farm.

Mr. Wood stated that the Technical Review Committee Letter (TRC) had several items that needed to be addressed. Mr. Pages said the TRC letter was sent regarding the initial submittal, but those items have been addressed. Mr. Wood said the TRC letter stated that stormwater plan must be designed to a higher standard than the 25-year storm event. Mr. Pages said the proposed stormwater ponds will be built to a 100-year storm event and the floodplain administrator was satisfied with the stormwater ponds being built to the 100-year storm event. Mr. Pages added that staff spoke with adjacent property owners and there were no objections to the proposed project.

Mr. Dunham asked if the subject property has any runoff to the adjacent livestock farm? Mr. House said the property near the hog farm is uplands.

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

Mr. Leary made a motion to approve Saltgrass Landing Planned Development (PD-64) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

IX. OTHER BUSINESS.

- Planning and Development Resource Development.

Mr. Pages addressed the Board regarding the planning and development resource development process. He briefly discussed the concept plan stage for major subdivisions and planned developments (see attached) on a PowerPoint presentation.

- Planning Board Cases Update

Mr. Pages addressed the Board. He stated that Zoning Cases Z-826, Z-827, Z-828 and Z-829 were approved at the 13-Dec-21 meeting and there were no appeals, so the Board's decision

stands. Mr. Pages further stated that there were concerns expressed from some Board members regarding mining activity occurring on the site for Zoning Case Z-800CZ. As a result, staff had community enforcement to investigate the matter and a community enforcement officer witnessed fill material being brought to the site, but there was no evidence of a violation. He stated that community enforcement will make periodic visits to the site to ensure no violation is occurring.

- Blueprint Brunswick Update

Ms. Dixon stated that the consultants are currently working with municipalities that are participating in the plan and there will be likely be a draft available in the mid-spring for the Board to review.

- Flood Resiliency Update

Ms. Dixon addressed the Board. Ms. Dixon stated that staff is looking at growth impacts; especially, transportation, stormwater and flooding. She stated that staff held a roundtable discussion with other departments regarding flooding issues and staff intends to educate the public, staff and the Board about stormwater issues as well as solicit the Engineering Department to make changes to the Brunswick County Stormwater Ordinance. She suggested that a resolution be drafted stating that the Board endorses potential changes to the Brunswick County Stormwater Ordinance requiring projects be designed, at minimum, to a 25-year storm event and the Board concurred.

Ms. Dixon introduced Mr. Robert Lewis as the new Project Planner and the Board welcomed Mr. Lewis to staff.

X. ADJOURNMENT.

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