

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
June 8, 2015

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Cynthia Henry
Chris Stanley
Randy Ward

MEMBERS ABSENT

Troy Price
Michael Polychrones
Joe Johnson, Alternate

STAFF PRESENT

Michael Hargett, Director
Helen Bunch, Zoning Administrator
Connie Marlowe, Admin. Asst.
Marc Pages, Land Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins
Terry Pope, State Port Pilot
Dan Weeks
Pete Mace
Bill Bittenbender

Lewis Dozier
Alan Lewis
Robert Amato
Stephanie Rivers

I. CALL TO ORDER.

The Chair called the meeting to order at 6:02 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Troy Price, Mr. Joe Johnson, and Mr. Michael Polychrones were absent.

IV. CONSIDERATION OF MINUTES OF THE 11-MAY-15 MEETING.

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

V. AGENDA AMENDMENTS.

There were no agenda amendments.

VI. PUBLIC COMMENT.

There were none.

VII. PRELIMINARY MAJOR SUBDIVISION APPROVAL (SS-259)

Name: The Reserve at Sunset Harbor Major Subdivision
Applicant: The Reserve at Sunset Harbor, LLC (%Alan Lewis)
Tax Parcel(s): 2010002057
Location: Located on Zion Hill Road SE (SR 1114) near Bolivia, NC
Description: The proposed The Reserve at Sunset Harbor Major Subdivision consists of 99 single-family lots on a gross site of 58.26 acres creating an overall density of 1.7 units per acre.

Mr. Chris Stanley asked to be recused citing a potential conflict of interest. Mrs. Henry made a motion to excuse Mr. Stanley and the motion was unanimously carried.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages said all lots will be served internally and no lots will directly front off Zion Hill Road SE (SR 1114). He further stated that the subject parcel is part of Grand Palms PUD that was denied in August 2009 due to concerns with the commercial portion of that particular project. Mr. Pages stated that commercial development is not included within this major subdivision request. He provided a map of Grand Palms on an overhead projector indicating the subject.

Mr. Pages said staff recommends approval with 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
- Provide a permanent design for a turn-around/cul-de-sac at the future clubhouse site.

The Chair opened the Public Hearing for discussion.

Mr. Pete Mace, member of The Reserve at Sunset Harbor, LLC, addressed the Board. Mr. Mace reiterated that they presented a project in 2009 that was denied by the Brunswick County

Planning Board. He stated that they have revised and designed a plan to fit the neighborhood. Mr. Mace made himself available for questions.

Mrs. Henry asked staff if the Technical Review Committee (TRC) has representation from the Planning Board? Mr. Pages said the previous Chair (Steve Candler) represented the Planning Board at the TRC meeting, but a new member has to be appointed by the Board. Mr. Hargett added that the TRC meetings are held by the Planning Department and Mr. Pages conducts those meetings. Mrs. Henry asked staff if the plan submitted to the Board reflect the requested revisions outlined in the TRC letter. Mr. Page replied, yes. He further stated that there may be some requests that will have to be addressed at a later date.

Mr. Alan Lewis addressed the Board on behalf of the applicant. Mr. Lewis said the proposed project will be in compliance with the Brunswick County Stormwater Ordinance and State Stormwater minimum requirements. He reiterated that public water and sewer will be available to the site as well as fire protection. Mr. Lewis said there is a pristine wetland in the center of the project and necessary precautions will be taken to preserve the area. Mr. Lewis said they have been coordinating with the North Carolina Department of Transportation (NCDOT) to locate the driveways along Zion Hill Road SE (SR 1114) as indicated on the plan. He further stated that the project has been designed to have a minimal impact to the surrounding neighborhood and community to coincide with what is already there. Mr. Lewis said construction drawings will be submitted to the appropriate County and State agencies for final approval prior to construction.

The Chair asked if public water and sewer is currently along Zion Hill Road SE (SR 1114)? Mr. Lewis said there is public sewer on Sunset Harbor Road SE (SR 1112) and both public water and sewer are available on Zion Hill Road SE (SR 1114) and Sunset Harbor Road SE (SR 1112). Mr. Lewis said they will be providing public sewer to Brookstone Major Subdivision through coordination with the Brunswick County Engineering Department.

Mrs. Henry asked Mr. Lewis what are buildable wetlands? Mr. Lewis said isolated basin wetlands, which can be filled up to one acre with prior notification/approval from the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Water Resources (via Chad Coburn). He further stated that they are proposing an elevated walkway through the pristine wetland for a habitat viewing area and it has been linked to a trail system as part of the open space (passive and recreational). He stated that they have other active recreational facilities throughout the project including a clubhouse.

Mr. Robert Amato, 2337 Zion Hill Road SE, addressed the Board. Mr. Amato expressed concerned with traffic traveling at a high speed in this area. He felt a reduction in the speed limit and/or a stop sign should be erected in close proximity to his property. The Chair said that would have to be addressed by NCDOT. Mr. Lewis said there will be internal stop signs for traffic exiting the development. Mr. Lewis said they met the criteria for safe site stopping distance for 55 mph speed zone. He said they would support a reduction in the speed limit to 45 mph in this area if the County (Board of Commissioners) requested such to NCDOT. Mr. Amato asked what he can do to make such happen. Attorney Batton said the Board of Commissioners will be having a regular meeting on Monday June 15, 2015 at 6:30 p.m. and there is a public comment section to address the Board on any items not on the agenda for consideration. Mr. Lewis added that there is a reduction in the speed zone within Winding River and Mr. Amato concurred.

Mr. Amato asked the minimum home size and price? Mr. Mace replied that the builder will determine the minimum home size. Mr. Mace said the price and size will be market driven, but he anticipates approximately \$240k - \$290k and 1800 square feet or larger. Mr. Amato asked when construction will begin? Mr. Lewis said approximately 6 to 9 months. Mr. Amato asked

about sewer availability to other properties in the area? Mr. Lewis said such would have to be determined by the County.

Ms. Stephanie Rivers, 2392 Zion Hill Road SE, addressed the Board. Ms. Rivers asked how her property will be impacted by the proposed project? Mr. Pages said the lots in close proximity to her property are not included in this project. Ms. Rivers asked where sewer will be in relation to her property and Mr. Lewis identified the location of sewer in relation to Ms. Rivers' property on a map on an overhead projector. Ms. Rivers said she does not want her property to be affected by the proposed development. Mr. Pages said the proposed development does not abut Ms. Rivers' property.

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

Mrs. Henry asked staff if buffers are required? Mr. Pages said perimeter buffers are not required. However, there is a 20' street buffer imposed along Zion Hill Road SE (SR 1114).

Mr. Ward made a motion to approve The Reserve at Sunset Harbor Major Subdivision with the noted conditions by staff and the motion was unanimously carried.

Ms. Easley made a motion for Mr. Stanley to rejoin the Board and the motion was unanimously carried.

VIII. PLANNED DEVELOPMENT CONCEPTUAL PLAN APPROVAL (PD-1).

Name: Mirasol Planned Development
Applicant: Jones Holdings NC, LLC (%Dan Weeks)
Tax Parcel(s): 20400009, 20400010, 20400011, 20400012, 20400013, 20400014, and 20400048
Location: Located on Southport-Supply Road SE (NC 211) near St. James, NC.
Description: The proposed Mirasol Planned Development consists of 200 single-family lots, 415 multi-family units and 28.33 acres of commercial. The project is on a gross site of 138 acres creating an overall density of 4.4 units per acre.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He added that the 16.4 acres of recreational open space includes the pond in the center of the proposed project, which was dug for NCDOT purposes to excavate dirt for use in conjunction with the Long Beach Road Extension project. He further stated that the pond area will be converted into an amenity with small pocket parks and a larger amenity area is proposed at the south end of the project. Mr. Pages said staff recommends approval with 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance (UDO).

The Chair opened the Public Hearing for discussion.

Mr. Dan Weeks addressed the Board on behalf of the developer. Mr. Weeks said the geometry of pond provided the design elements for this project. Mr. Weeks said the proposed project has 2,400 linear feet along Southport-Supply Road SE (NC 211) with 28.3 acres of commercial area.

Mr. Weeks said they have worked with NCDOT through scoping meetings to identify the 3 access points that are on NC 211. There is 1 central main entry, which is a full service as well as 2 right-ins and 2 right-outs that lead into the project. He stated that they envisioned several different uses functioning within the proposed project that includes pedestrian plazas spilling out from the indoor to outdoor cafes, assisted living within the front core piece, 6 outparcels equating to 9 acres directly on NC 211, and multi-family transitioning from the commercial to single family residential. Mr. Weeks said the ponds have been sized to accommodate the impervious allocation for the project. The pond is a central feature of the development and it will provide an amenity for the community with access for pedestrians along streetscapes and sidewalks to promote connectivity. He further stated that they tried to design to the adjacent parcels to further enhance connectivity opportunities. Mr. Weeks emphasized that this project is market driven and the framework for the actual project will likely be dependent upon the market. He felt that the main entrance would be developed, infrastructure will be installed, ponds will be dug, and then the residential component will likely be the first phase of the project.

The Chair asked about the pedestrian activity in relation to the pond? Mr. Weeks said the park nodes around the pond are provided rather than a trail behind lots for safety purposes to control pedestrian access. Mr. Weeks said a pedestrian path is proposed along the eastern portion of the project. Mrs. Henry asked if the gray area on the plan is a road or sidewalk? Mr. Weeks said the gray area in the center of the project represents a central amenity for the residential development and the perimeter gray areas are sidewalks. Mr. Stanley asked about the County's well site to the northeast of the project. Mr. Pages said Brunswick County Utilities attended the TRC meeting and they provided information stating that "Uses on Tract C may be impacted by NCDENR well head protection regulations." Mrs. Henry asked if stop lights will be in place where the 3 entrances are proposed? Mr. Weeks said they will have to get a driveway permit from NCDOT prior to moving forward. He said it is intended for Central Drive to integrate a stop light, but NCDOT will make that determination.

Mr. Bill Bittenbender, resident of St. James, addressed the Board. Mr. Bittenbender indicated that he supported the project, but he expressed concern with the additional traffic that will be generated from the proposed development. He felt that there should be a reduction in speed imposed to curtail potential accidents. Mr. Bittenbender said he is aware that this matter has to be addressed by NCDOT, but he felt it was noteworthy to mention it.

The Chair asked the number of residential lots proposed for this project? Mr. Weeks said there is a total of 615 units (200 single-family, 240 multi-family, 125 assisted living, and 50 flats over retail), which equates to 4.4 units per acre. He further stated that they are allowed 7.3 units per acre, which equates to 1,007 units. Mr. Stanley asked if the proposed project is consistent with the CAMA Land Use Plan? Mr. Pages replied, yes. Mrs. Henry asked if there is a buffer at the front entrance from NC 211? Mr. Pages said there is a 20' street buffer required. The Chair asked if the proposed project allows for the proposed expansion of NC 211? Mr. Pages replied, yes. He further stated that the project indicates the future NCDOT right-of-way area.

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 approve Mirasol Planned Development with the noted conditions by staff and the motion was unanimously carried.

IX. OTHER BUSINESS.

Mr. Hargett addressed the Board. He stated that Mirasol Planned Development is the first planned development since the UDO was revised to accommodate the proposed design features to improve the quality of development in the County. He further stated that the major subdivision (The Reserve at Sunset Harbor) approval was based on the new UDO revisions as well and it exhibits exceptional design features by protecting the natural features on the site and utilizing trails for pedestrian accessibility.

The Chair thanked staff for their work on revising the UDO and making the process smoother for the citizens of Brunswick County.

X. ADJOURNMENT.

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

**BRUNSWICK COUNTY
MAJOR SUBDIVISION
STAFF REPORT AND RECOMMENDATION**

Application No. SS-259

Applicant: The Reserve at Sunset Harbor, LLC

Project Name: The Reserve at Sunset Harbor Major Subdivision

Property Location: Zion Hill Road (SR 1114)

Parcel Number: 2010002057

Zoning District: R-7500 (Medium Density Residential)

Surrounding Zoning: **North** R-7500 **South** RR (Rural Residential) **East** R-7500
West SBR-6000 (Site Built High Density Residential)

Submittal Date: May 5, 2015

TRC Date: May 14, 2015

Proposed Use: Major Subdivision consisting of 99 single-family lots on a gross site of 58.26 acres creating an overall density of 1.7 units per acre.

Approval Criteria

- The majority of the surrounding uses consist of undeveloped land, low density manufactured and site built houses. The proposed development is consistent with the 2007 Future Land Use Map which denotes this area as Low Density Residential.
- Parking will be off-street and the proposed project meets minimum vehicular access point requirements.
- The minimum residential lot size in the R-7500 zone is 7,500 square feet. The smallest proposed lot within the proposed subdivision is 9,921 square feet and the average lot size is 13,812 square feet.
- The proposed project meets all street design requirements regarding construction and emergency service standards. The proposed development has a link/node ratio of 1.2 which does not meet the minimum UDO requirement of a 1.3 ratio. Site conditions, however, prohibit the project from meeting the UDO minimum ratio.
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- **Open Space** is required at 5% of the total project area. The developer is proposing **25.02** acres of open space of which **2.91** acres are required. Of the required open space, 15% is required to be useable recreation area. The

developer is proposing 2.52 acres of recreational open space of which 0.44 acres is required.

- Adjacent property owners were notified via US mail.
- According to NCDOT's Average Annual Daily Traffic Counts, there are no capacity deficiencies on Zion Hill Road. The approximate trip generation of this project at build out is 947 trips per 24 hour two-way volume.

If approved, this major subdivision shall have a vested right for a period of three years. A two year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. 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.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Provide a permanent design for a turnaround/cul-de-sac at the future clubhouse site.

**BRUNSWICK COUNTY
PLANNED DEVELOPMENT
STAFF REPORT AND RECOMMENDATION**

Application No. PD-1

Applicant: Jones Holdings NC, LLC

Project Name: Mirasol Planned Development

Property Location: Southport-Supply Road (NC 211)

Parcel Number: 20400009, 20400010, 20400011, 20400012, 20400013, 20400014, and 20400048

Zoning District: CLD (Commercial Low Density)

Surrounding Zoning: **North** CLD and OK-CLD (Oak Island Jurisdiction)
South SJ-EPUD (St. James Jurisdiction) **East** CI (Commercial Intensive) **West** CLD and CI

Submittal Date: May 4, 2015

TRC Date: May 14, 2015

Proposed Use: Mixed Use Planned Development consisting of 200 single-family family lots, 415 multi-family units and 28.33 acres of commercial use on a gross site of 138 acres creating an overall density of 4.4 units per acre

Approval Criteria

- The majority of the surrounding uses consist of undeveloped land. The proposed development is consistent with the 2007 Future Land Use Map which denotes this area as Commercial.
- Parking will be off-street and the proposed project meets minimum vehicular access point requirements.
- The proposed project meets all street design requirements regarding construction and emergency service standards. The proposed development has a link/node ratio of 2.2 which exceeds the requirement set forth in Section 6.11.3.B. of the UDO (Unified Development Ordinance).
- A 0.6 opacity buffer is proposed along the periphery of the development with a 20 foot street buffer fronting NC 211.
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick County.
 2. **Roads** will be private.
- **Open Space** is required at 25% of the total project area. The developer is proposing **37.8** acres of open space of which **34.5** acres are required. Of the required open space, 15% is required to be useable recreation area. The

developer is proposing 16.4 acres of recreational open space of which 5.18 acres is required.

- Adjacent property owners were notified via US mail. The Commander of the Sunny Point Military Terminal was also notified via certified mail as this development lies within a 5 mile radius of the terminal.
- **TRC** was held on May 14, 2015 in which all comments were addressed.
- According to NCDOT's Average Annual Daily Traffic Counts, this section of NC 211 is near capacity. Widening of NC 211 in this area is on NCDOT's TIP (Transportation Improvement Program) and is currently in the planning and design phase with construction scheduled to begin in 2019. The approximate trip generation of this project at build out is 22,440 trips per 24 hour two-way volume.

If approved, this development shall have a vested right for a period of three years. A two year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. 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.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.