

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
October 12, 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
Michael Polychrones
Troy Price
Chris Stanley
Randy Ward

MEMBERS ABSENT

None

STAFF PRESENT

Michael Hargett, Director
Connie Marlowe, Admin. Asst.
Marc Pages, Land Planner
Bryan Batton, Interim County Attorney

OTHERS PRESENT

John Hankins
Lewis Dozier

Brad Sedgwick
Steve Shuttleworth

I. CALL TO ORDER.

The Chair called the meeting to order at 6:03 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

The Chair 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 14-SEP-15 MEETING.

Mr. Polychrones 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. PUBLIC HEARINGS.

A. PLANNED DEVELOPMENT CONCEPTUAL PLAN APPROVAL (PD-4).

Name: Sunset Horizon Planned Development
Applicant: TRS Holdings, LLC (%Brad Sedgwick)
Tax Parcel(s): 029KA001 and 029Ka007
Location: Located on Village Road NE near Leland, NC
Description: The proposed Sunset Horizon Planned Development consists of 90 single family lots on a gross site of 24.8 acres creating an overall density of 3.6 units per acre.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He stated that the Town of Leland (Town) was contacted as Tax Parcel 029KA007 is within the Town's zoning and planning jurisdiction, but they had no opposition to the proposed planned development. He further stated that the application is proposing a small pump station (to be permitted by the Town) on that particular parcel and the access road. Mr. Pages proceeded to identify the proposed areas 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance;

The Chair asked about access to the proposed project. Mr. Pages said there is an existing 60 foot access easement across Tax Parcel 029KA003.

Mrs. Henry asked if the periphery buffers are not being required because the adjacent property is vacant? Mr. Pages said there is like zoning adjacent to the subject property and it is highly unlikely that buffers will be required even if the vacant properties in the unincorporated areas are developed. He further stated that there is single-family development patterns in the area. Mr. Pages concluded that the development pattern and density of the project was single family. Mrs. Henry asked why street names were not allowed and Mr. Pages said the original street names

were duplicates, but that matter has been resolved with GIS. Mrs. Henry asked about the preservation of trees and Mr. Pages said the applicant is required to do a heritage tree survey, but tree preservation is recommended for heritage trees. Mr. Pages said it was suggested in the Technical Review Committee (TRC) to preserve as many trees as possible along the project boundary and interval property lines and the applicant was receptive to the idea.

Mr. Stanley asked if a turn lane has been discussed with the North Carolina Department of Transportation (NCDOT)? Mr. Pages said John Roan with NCDOT did not feel a right turn lane will be required because the majority of the traffic will be coming from Leland.

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

Mr. Steve Shuttleworth addressed the Board. Mr. Shuttleworth said they agree with staff's recommendation and made himself available for any questions.

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

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

B. CONSIDERATION OF THE ESTABLISHMENT OF VESTED RIGHTS –
SAUCEPAN BAY ESTATES (SS-237)

Mr. Pages addressed the Board. He stated that Saucepan Bay Estates was approved by the Brunswick County Planning Board 26-Mar-07. Mr. Pages said the originally approved master plan consisted of 203 single family lots on a gross site of 74.86 acres. He further stated that no lots have been recorded, but the majority of the necessary project permits have been acquired or they are in the final stages of permitting (see attached letter). The development approval period is scheduled to expire 15-Oct-15. Ms. Amie Drucker, applicant, submitted a request per Section 9.5 of the Brunswick County Unified Development (UDO) to establish vested rights. Mr. Pages said staff recommends approval for the establishment of vested rights.

The Chair asked staff if vested rights are three years? Mr. Pages replied yes with an option of a two year extension. Mr. Pages said there have been previous extensions granted on this project as well as the Permit Extension Act, which provided the applicant with some relief during the economic turn. Mr. Pages said this project approval expires 15-Oct-15. He further stated that the applicant has acquired State permits (North Carolina Department of Environment and Natural Resources [NCDENR]) permit was issued March 2015) within the past year. Mr. Pages said the applicant is working with NCDOT to finalize the Driveway Permit, which will include a traffic circle at Bricklanding Road SW and Beach Drive. The Chair asked if there is a limit to the number of extensions that can be granted? Attorney Batton replied no as long as the permit has not expired and/or lots have not been recorded. Mr. Pages said it appears that the applicant intends to begin construction on the project in the near future.

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

Mrs. Henry made a motion to approve the extension of vested rights for 3 years with an option for 2 additional years for Saucepan Bay Estates and the motion was unanimously carried.

VIII. OTHER BUSINESS.

Mr. Hargett addressed the Board with a project update. He stated that the County, led by Board of Commissioners, have begun the process of developing a new strategic vision and a survey is available on the County's website for input. He stated that there will also be a series of meetings (dates and locations are listed on the County's website) throughout the County to discuss the strategic vision.

Mr. Hargett stated that the County received a \$7,000 grant from the State for the Greenway/Blueway Plan and several towns have agreed to contribute financially and be a part of the project. Ms. Dixon visited several towns to solicit their participation in the plan. Mr. Hargett said 13 towns, to date, will be providing financial contributions to the plan. He further stated that there will be 3 community meetings (dates and times to be determined) held throughout the County on the project.

IX. ADJOURNMENT.

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

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

Application No. PD-4

Applicant: TRS Holdings, LLC

Project Name: Sunset Horizon

Property Location: Village Road (SR 1472)

Parcel Numbers: 029KA001 and 029KA007

Zoning District: R-7500 and LE-C-1

Surrounding Zoning **North** LE-C-1 and LE-R-15 **South** R-7500 **East** R-7500 **West** R-7500 and LE-R-15

Submittal Date: September 7, 2015

TRC Date: September 17, 2015

Proposed Use: Planned Development consisting of 90 single-family lots on a gross site of 24.8 acres creating an overall density of 3.6 units per acre.

Approval Criteria

- Tax Parcel 029KA007, which is to contain the project's access to Village Road is currently within the Town of Leland's jurisdiction. No lots or residences are proposed to be located within this portion of the project.
- The majority of the surrounding uses consists of single family residential, light commercial and undeveloped land. The proposed development is consistent with the 2007 Future Land Use Map which denotes this area as Medium Density Residential.
- A periphery buffer is not recommended due to the low density and land use intensity of the proposed project.
- 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 that exceeds the requirement of 1.3 set forth in Section 6.11.3.B. of the UDO (Unified Development Ordinance).
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick Regional Water and Sewer (H2GO).
 2. **Roads** will be private.

- **Open Space** is required at 20% of the total project area. The developer is proposing **5.0** acres of open space of which **4.96** acres are required. Of the required open space, 15% is required to be useable recreation area. The developer is proposing 3.3 acres of recreational open space of which 0.75 acres is required.
- Adjacent property owners were notified via US mail.
- **TRC** was held on September 17, 2015 in which all comments were addressed.
- According to NCDOT's Average Annual Daily Traffic Counts, there are no capacity deficiencies for this section of Village Road. An approved NCDOT driveway permit shall be required prior to recording of the individual lots.

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.



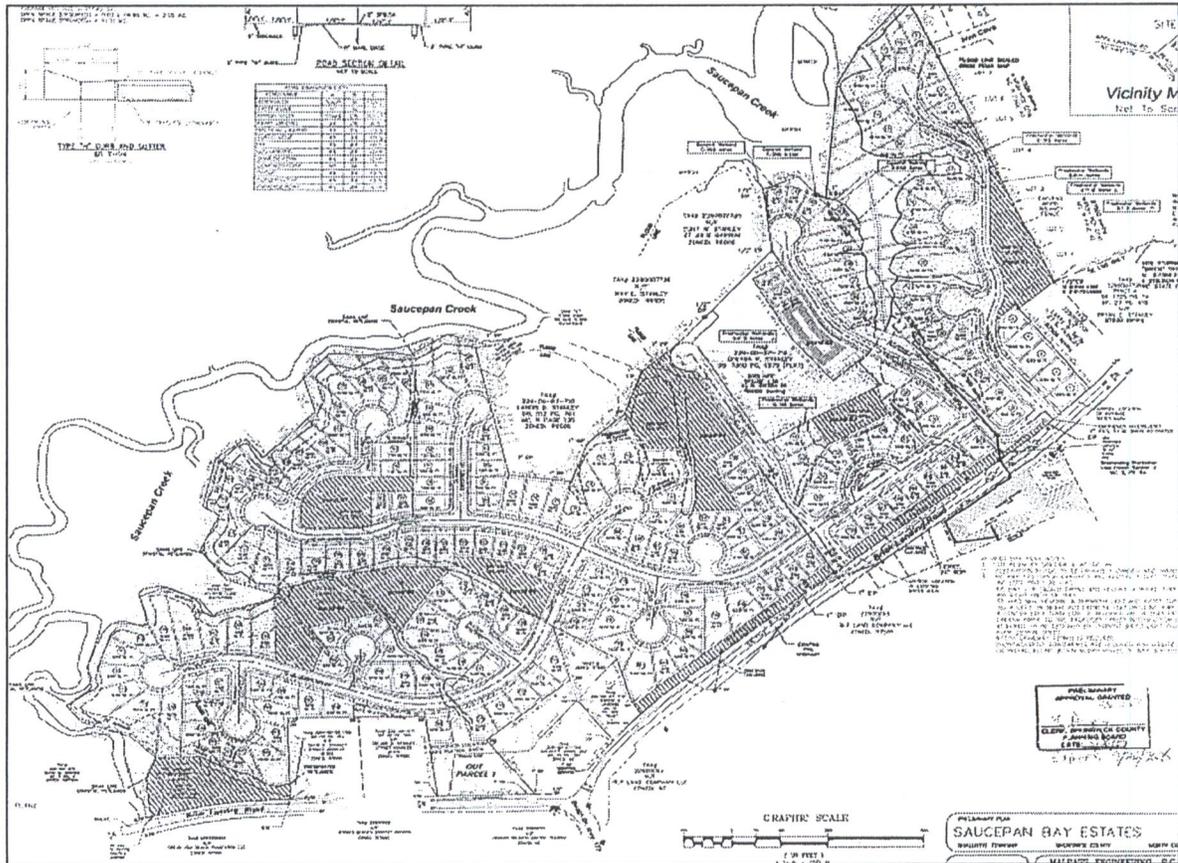
**Brunswick County Planning and
Community Development**
P.O. Box 249
75 Courthouse Drive N.E., Bldg I
Bolivia NC 28422

DATE: October 12, 2015
TO: Brunswick County Planning Board Members
FROM: Marc A. Pages, Land Planner
RE: **Vested Rights - Saucepan Bay Estates Major Subdivision - SS-237**

Background:

Saucepan Bay Estates is a Major Subdivision that was approved by the Brunswick County Planning Board on March 26, 2007. The original approved master plan consisted of 203 single family lots on a gross site of 74.86 acres. Since its approval no lots have been recorded but the majority of the necessary project permits have been acquired or are in the final stages of permitting (see attached letter). The development's approval period will expire on October 15, 2015.

The applicant, Amie Drucker, has submitted a request per Section 9.5. of the Brunswick County Unified Development Ordinance to establish Vested Rights for Saucepan Bay Estates Major Subdivision.



CAROLINA
SITE DESIGN, INC.
ENGINEERING ♦ PLANNING

September 24, 2015

Mr. Marc Pages
Planner I
Brunswick County Planning Department
PO Box 249
Bolivia, NC 28422

Sent via e-mail: Marc.Pages@Brunswickcountync.gov
Hard Copy to Follow

Re: Saucepan Bay Estates Major Subdivision
SS-237

Dear Marc:

Subdivision approval for this project will expire on October 15, 2015. Delays in obtaining a NCDOT encroachment permit for the proposed turn lanes have prohibited the property owner from initiating construction of the project.

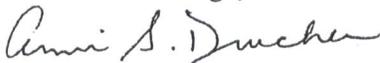
To this date the property owner has spent over \$600,000 for design fees and permitting fees associated with this project. Multiple redesigns of the project have been prepared to meet the requirements of the various regulatory agencies and due to the soil and groundwater conditions. The following is a brief summary of the services that have been performed for the project:

- A traffic study has been prepared and updated.
- The wetlands have been delineated, certified and a fill permit has been obtained for the proposed construction. See Attached
- The NCDENR land disturbance permit has been obtained. See Attached
- The NCDENR permit has been obtained for the stormwater management system. See Attached
- The NCDENR Division of Water Quality permit for the water distribution system, gravity sewer collection system and proposed pump station has been obtained. See Attached
- Design for proposed turn lanes in accordance with the traffic study have been submitted to NCDOT. NCDOT has requested the turn lanes be replaced with a roundabout. This is the design we are currently working with NCDOT to obtain the permit to construct a roundabout.

Given the above, the owner would like to establish vested rights in the Saucepan Bay Estates project.

Please call if you have any questions or require additional information.

Sincerely,
Carolina Site Design, Inc.



Amie S. Drucker, PE

Cc: Mr. Tom Sinclair, Sinclair & Associates

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