

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
April 8, 2024

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Ron Medlin
Richard Leary
Clifton Cheek
Jason Gaver

MEMBERS ABSENT

Harry Richard Ishler, Alternate
William Bittenbender

STAFF PRESENT

Kirstie Dixon, Planning Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Deputy Planning Director
Ron Meredith, Planner II
Garrett Huckins, Planning Tech.
Bryan Batton, County Attorney

OTHERS PRESENT

JoAnn Chase
Debbie Smith
Samuel B. Franck, Attorney at Law
Mickey Smith
Phyllis Booth
Jody Bland, Norris & Tunstall Engineering
David Summerlin
John Hankins
Dylan Phillips, Brunswick Beacon

Jim Board
Robert Dieck
Jay Oglesby
Brian Booth
Cat Blankenhorn
Alan Holden
Dana Burrows
Jamey Cross, Star News

I. **CALL TO ORDER.**

Mr. Dunham called the meeting to order at 6:04 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Harry 'Richard' Ishler and Mr. William Bittenbender were absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 11-MAR-24 MEETING.

Mr. Leary made a motion to approve the 11-Mar-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

Ms. JoAnn Chase, 1579 Gate Hill Road SE, addressed the Board. She read a letter (attached) regarding her property being sloped and unsafe for her and her sick husband to enjoy while outside. She felt that the property should be leveled so stormwater will flow appropriately to the ditch in the area. Ms. Dixon asked Ms. Chase to leave her contact information with staff so the matter can be researched in an effort to provide a resolution to the Chases dilemma.

Mr. Jim Board, 3803 Worthington Place, addressed the Board. He read a statement (attached) regarding the Wellhead Protection Overlay District (Wellhead Overlay) that was previously approved without performance standards. He stated that the performance standards provide the teeth to the Wellhead Overlay's authority for managing the types of businesses that can be developed within the overlay district. He further stated that the mean objective was to prevent danger to the Castle Hayne Aquifer (Aquifer) underneath. The Aquifer supplies fresh water to several southeast North Carolina communities such as St. James, Oak Island, Caswell Beach and Southport. Mr. Board felt that water is rapidly becoming a key issue due to the excessive amount of development in the County. As such, he urged the Board to review the performance standards and move forward with a recommendation to the Board of Commissioners to adopt the performance standards. Ms. Dixon interjected that staff anticipates holding a community public meeting 13-May-24 regarding this matter.

Ms. Debbie Smith and Mr. Mickey Smith addressed the Board. Mr. Smith said they have questions regarding Liberty Health Care. Mr. Dunham said this item is on the agenda for consideration and he asked the Smiths to hold their questions and/or comments until this item is up for discussion.

Mr. Robert Dieck addressed the Board. He too was present to discuss Liberty Health Care regarding wetlands adjacent to the project that was previously approved. Mr. Dunham asked Mr. Dieck to hold his comments and/or questions until this matter is up for discussion.

VII. PUBLIC HEARING.

A. Parking Reduction Request – Liberty Health Multifamily at St. James

Request by Liberty Healthcare to reduce the required parking for an age restricted multifamily proposal by 17% from 357 to 305 parking spaces.

Mr. Ron Meredith addressed the Board. Mr. Meredith read the Staff Report (attached). He stated that the Planning Board may reduce the required number of spaces by up to 20% if for reasons of topography, mixes of uses, ride sharing programs, availability of transit, or other conditions specific to the site, provided that the reduction in the required number of parking spaces satisfies the intent of the Brunswick County Unified Development Ordinance (UDO), specifically, Section 6.12.6.C.

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

Mr. Samuel Franck, Attorney at Law with Ward and Smith, PA, addressed the Board on behalf of Liberty Healthcare Nursing Properties of Brunswick County, LLC. Mr. Franck stated that Liberty Senior Living is currently situated in several communities throughout the State. The subject property is located between the Town of St. James and the Town of Oak Island. Mr. Franck said the project was originally planned for up to 800 senior living multifamily homes and it was reduced to a less intense use (204 multifamily and 117 cottages as displayed on the visual map). Mr. Franck discussed a PowerPoint presentation (attached) regarding alternative parking as addressed in the UDO under Section 6.12.7. He further stated that it is not desirable, attractive or a benefit to anyone to have excessive parking because it is not an effective use of the property to have asphalt that sits unused. He stated that his client was advised that a parking ratio of 1:1.2 parking spaces per unit is the right fit to ensure there are enough spaces at the highest demand for the multifamily section of this project. Mr. Franck said the parking standards in the UDO do not accurately apply to this specific development because they address regular multifamily without age restrictions. Mr. Franck reiterated that this parking reduction request only applies to the multifamily and not the cottages because they have individual parking spaces. Mr. Franck proceeded to discuss the PowerPoint presentation that addressed ITE Trip Generation Comparison as well as parking standard examples in comparable developments such as Inspire Briar Chapel (Chatham County), Inspire Futch Creek (New Hanover County), Inspire Brunswick Forest (Leland, NC), and Inspire Royal Park (Matthews, NC).

Mr. Leary asked Mr. Franck if he was aware of the occupancy rate at Inspire Brunswick Forest (Leland, NC)? Mr. Jay Oglesby, Director of Development at Liberty Senior Living, addressed the Board. Mr. Oglesby said Inspire Brunswick Forest (Leland, NC) is 36% occupied. Mr. Franck asked Mr. Oglesby the typical time to achieve balanced occupancy? Mr. Oglesby said, typically, construction will take approximately 20 months and stabilization usually takes approximately 24 months, which equates to approximately 4 years to achieve 96% stabilized occupancy. Mr. Franck reiterated that they are proposing an alternative parking plan and nothing else will be changed on the site plan displayed on the visual map that was initially approved in 2004. Ms. Easley clarified that the cottages will have 2 parking spaces per unit

with an attached garage and this request is only for the non-cottage units (multifamily units) and Mr. Frink concurred.

Mr. Mickey and Debbie Smith, residents of Summerdale Court in the Town of St. James, addressed the Board. Mr. Smith said he and his wife purchased their property in 2008 with the understanding from the realtor and True Homes that this property was unbuildable because there are wetlands on the site. Mr. Smith asked how they are able to develop the subject property if there are wetlands on site? He asked what the minimum buffer will be from the rear of his home, which is currently wooded, and this development? Mr. Smith was also concerned with potential noise associated with developing the property as well as traffic within the project. Mr. Meredith said there is a 30' boundary buffer required for the planned development. Mr. Meredith said this section of the planned development is internal. However, there are a large number of wetlands that create a natural buffer between this development and adjacent properties.

Ms. Smith expressed concern with noise as a result of ambulances and fire trucks because they live within 1½ miles from an assisted living home as well as the potential noises that will be generated from the facility. She further stated that the other facilities constructed by Liberty Healthcare are in commercial areas and not residentially established neighborhoods. Mr. Meredith added that the existing wetlands on the site are approximately 500' from the Smith's home. He said noise abatement is not addressed in the UDO, but there is a lighting plan requirement.

Mr. Smith asked about the minimum buffer requirements. Mr. Meredith said a vegetative buffer is typically required and existing trees are preserved, wherever possible. Mr. Meredith said the applicant shifted the major density and larger structures out toward the main roads to keep them separated from the existing single-family structures. Mr. Smith asked if those structures are 2 stories and Mr. Meredith replied that they are 2 story townhomes.

Mr. Robert Dieck addressed the Board. He wanted assurance that the wetlands remain wetlands and they don't clear-cut the property and plant grass as a substitute for the existing natural vegetation.

Mr. Brian and Phyllis Booth, residents of Summerdale Court in the Town of St. James, addressed the Board. Mr. Booth said the building (4 stories) is directly behind his home. He asked the number of units that will be in the building? Mr. Franck said there will be 204 multifamily units. Mr. Booth asked if there will be activity buses on site? Ms. Easley interjected that the multifamily units will be age restricted. Mr. Batton reminded the Board that this planned development was approved in 2004 and they are entitled to the plan that was approved. Mr. Batton said the only matter before the Board is a request to reduce parking spaces from 357 to 305 parking spaces in the multifamily age restricted area of the planned development. Mr. Booth was concerned with the potential of having wider roads to potentially accommodate public transportation (buses) for the residents as well as emergency vehicles. Mr. Dunham said there was no discussion from the applicant regarding buses. Mr. Booth said the residents will have to leave the facility for whatever reason and they will need some type of transportation. Mr. Dunham said the applicant did not mention widening roads. Mr. Booth felt that, if parking is reduced, the roads will likely be narrower. Mr. Meredith said there is no proposal to change the roads. Ms. Easley added that the roads have been approved and the only change to the plan is a reduction in parking spaces in the multifamily area.

Ms. Booth was concerned with water pressure because there is an existing problem and the proposed project will only increase the water pressure issues. She asked what their recourse is to get their concerns addressed and/or resolved? Ms. Easley said Mr. Meredith indicated that this planned development was approved in 2004. Mr. Meredith said the plan that has been submitted to the Board was modified in 2007. Mr. Meredith said nothing has been approved from the site-specific plan, so the applicant has to know whether or not the parking spaces can be reduced prior to finalizing their comments. Mr. Meredith reiterated that there are no changes to the road(s). Ms. Booth asked about the Town of St. James providing fire services for the 4-story building. Mr. Meredith said the Town of St. James can better address fire service issues because they were involved in the review process of this project. Ms. Booth was concerned with the residents of the Town of St. James being responsible for a fire truck to service this area. Mr. Meredith said there have been no discussions to his knowledge that a new fire truck will be purchased to service this area. Ms. Easley added that fire fees cover fire equipment costs and fire station needs. Mr. Pages reiterated that this project was initially approved for 814 multifamily units. Mr. Booth asked about parking for the building. Mr. Franck said the project is for 55+ years old and there will be surface parking for the multifamily.

Ms. Kat Blankenhorn addressed the Board. She asked how the excessive space will be utilized if the parking spaces are reduced by 17%? Mr. Meredith said this is the proposed parking area, but there was a concept plan approved showing infrastructure, general single-family detached development, and this area was identified as a pod with the number of units and density. Ms. Blankenhorn asked the reasoning to reduce the number of required parking spaces if such was not displayed on the approved plan? Mr. Meredith said the County's parking code requires a minimum of 1.75 spaces per unit, so the applicant is requesting a reduction in parking spaces. Ms. Blankenhorn asked if they will be allowed to have more space later for additional phases? Mr. Meredith said probably not, but impervious coverage will be reduced on the site. Ms. Blankenhorn asked if there will be overflow parking to accommodate holiday visitors when the project reaches 96% buildout? Mr. Meredith said they have no overflow parking indicated on the plan, but there are parking pods throughout the development.

Mr. Franck readdressed the Board. He stated that the villas are designed to be 1 story with a maximum height of 22'. Mr. Franck said there will be no clear-cutting of wetlands. He said the traffic engineers said they need 0.67 parking spaces per home and they are proposing to almost double that number to ensure there is adequate parking to accommodate visitors during holidays or special events (birthdays, anniversaries, etc.). He reiterated they are only asking for a reduction in parking spaces from 357 to 305 parking spaces. Mr. Franck said what they designed for this project is less than initially approved (814 multifamily units) for the planned development.

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

Ms. Easley made a motion to approve the reduction in parking spaces from 357 parking spaces to 305 parking spaces (approximately 17% parking space reduction) and the motion was unanimously carried.

B. Rezoning Z-882 – Douglas Whittington (%J. Phillip Norris – Norris & Tunstall Consulting Engineers).

Request rezoning of approximately 1.49 acres located east of 1116 Sea Way Street SW near Supply, NC from R-6000 (High Density Residential) to RR (Rural Low Density Residential) for Tax Parcel 2160009107.

LAND USE PLAN MAP AMENDMENT (LUM-882):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from MDR-M (Medium Density Residential-Mixed Use) to LDR (Low Density Residential) for Tax Parcel 2160009107 located east of 1116 Sea Way Street SW near Supply, NC. This Land Use Plan Amendment totals approximately 1.49 acres.

Mr. Ron Meredith addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Meredith proceeded to staff's recommendation and consistency and reasonableness determination statement (attached).

Mr. Meredith said staff recommends approval from R-6000 (High Density Residential) to RR (Rural Low Density Residential) for Tax Parcel 2160009107 located east of 1116 Sea Way Street SW near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to LDR (Low Density Residential).

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

Mr. Jody Bland, Norris and Tunstall Consulting Engineering, addressed the Board. Mr. Bland said the applicant has no specific use of the property at this time, but he felt the proposed zoning change will be the highest and best use for the property and there is RR (Rural Low Density Residential) zoning contiguous to the subject property.

Mr. Alan Holden, adjacent property owner on the west side of the subject property, addressed the Board with no objections to the zoning change.

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

Mr. Cheek made a motion to approve Tax Parcel 2160009107 to RR (Rural Low Density Residential) located east of 1116 Sea Way Street SW near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to LDR (Low Density Residential) and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is NOT CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - The Residential Suitability Map identifies the subject parcel as generally suitable for residential development.
 - Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 1 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Mr. Dunham 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.

C. Rezoning Z-883 – James Carlisle (%David Summerlin - South Brunswick Development LLC).

Request rezoning of approximately 3.97 acres located at 150 Green Swamp Road (NC 211) near Supply, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680007101.

Mr. Ron Meredith addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Meredith proceeded to staff's recommendation and consistency and reasonableness determination statement (attached).

Mr. Meredith said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680007101.

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

Mr. David Summerlin addressed the Board on behalf of the owner. He stated that Tax Parcel 16800071, which is adjacent to the subject property, has been rezoned to C-LD (Commercial Low Density). Mr. Summerlin said there are no particular plans for the property at this time.

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

Mr. Cheek made a motion to approve Tax Parcel 1680007101 to C-LD (Commercial Low Density) located at 150 Green Swamp Road (NC 211) and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of plans adopted by Brunswick County (listed below) and is REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - LU-3 – Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
 - ED-1 – Maintain and expand job opportunities in the county.
 - The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential and commercial development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i>
<input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	<input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i>
<input type="checkbox"/> <i>Brunswick County Trail Plan</i>	<input type="checkbox"/> <i>Airport Height Control Ordinance</i>
<input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Other: _____</i>

Mr. Dunham 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.

D. Rezoning Z-884 – The Galloway 4 LLC – George Galloway (South Brunswick Development LLC (%David Summerlin)).

Request rezoning of approximately 12.17 acres located at 90 Big Macedonia Road NW (SR 1342) near Supply, NC from RR (Rural Low Density Residential) to NC (Neighborhood Commercial) for Tax Parcels 1520000401 and 1520000406.

Mr. Ron Meredith addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Meredith proceeded to staff's recommendation and consistency and reasonableness determination (attached).

Mr. Meredith said staff recommends approval from RR (Rural Low Density Residential) to NC (Neighborhood Commercial) for Tax Parcels 1520000401 and 1520000406.

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

Mr. David Summerlin addressed the Board on behalf of the owner. Mr. Summerlin said they initially applied for these parcels to be rezoned to C-LD in February 2024 along with Tax Parcel 1680007103, but staff asked if they would reconsider requesting the subject properties be rezoned to NC (Neighborhood Commercial) to provide for a smoother transition to the residential dwelling nearby.

Mr. Dana Burrows addressed the Board. Mr. Burrows asked about Big Macedonia Road NW (SR 1342) having adequate capacity. Mr. Meredith said road capacity data is received from the North Carolina Department of Transportation (NCDOT). Mr. Burrows asked how often the data is updated? Mr. Pages said road capacity data is updated annually by NCDOT. Mr. Burrows said traffic is very intense and vehicles tend to exceed the posted speed limit on this road. Mr. Meredith said this is a rezoning request and any development will require approval from NCDOT, which will likely require a driveway permit and possibly a traffic study. Mr. Burrows asked about the septic issue and Mr. Meredith said there is a high-pressure force main in the area and they will be responsible for connecting to public sewer if it is made available to the site or on-site wastewater systems will have to be approved by the Brunswick County Environmental Health when the property is developed. Mr. Meredith reiterated that this is a rezoning request. Mr. Burrows asked about the biodiversity numbers and Ms. Dixon stated that the biodiversity information is submitted by North Carolina Wildlife and it identifies areas of high biodiversity, wildlife and specific plants. Mr. Burrows was concerned with what can be developed in this area if the property is rezoned to NC (Neighborhood Commercial). Mr. Pages read some of the uses in the RR zone versus NC. He stated that there are similar uses allowed in both zoning districts. Mr. Burrows was opposed to the zoning change without knowing what will be placed on the property.

Mr. Cheek asked what will be the minimum buffer requirements if the property is rezoned to NC (Neighborhood Commercial)? Mr. Meredith said 0.4 opaque buffer if the adjacent property is vacant and 0.6 opaque buffer adjacent to the RR (Rural Low Density Residential) zoning district or a residential use. Mr. Pages elaborated by saying that the applicant will have to provide a 20' or 30' buffer that will include existing vegetation and possibly additional landscaping to meet the minimum buffer requirements.

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

Mr. Leary made a motion to approve Tax Parcels 1520000401 and 1520000406 to NC (Neighborhood Commercial) located at 90 Big Macedonia Road NW (SR 1342) and adopt the consistency and reasonableness determination statement and the motion carried 5 to 1 with Mr. Cheek opposing.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of plans adopted by Brunswick County (listed below) and is REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - LU-3 – Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
 - ED-1 – Maintain and expand job opportunities in the county.
 - The Commercial and Residential Suitability Maps identify the subject parcels as more suitable for residential and commercial development.
 - Identified as a Community Center.
 - Not in a significant heritage natural area.
- The NC (Neighborhood Commercial) zoning district will serve as a transition between existing RR (Rural Low Density Residential) zoning districts and the previously approved rezoning Z-880 to the C-LD (Commercial Low Density) zoning districts, allowing a transition in intensity as you move closer to the node.
- Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i>
<input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	<input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i>
<input type="checkbox"/> <i>Brunswick County Trail Plan</i>	<input type="checkbox"/> <i>Airport Height Control Ordinance</i>
<input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Other: _____</i>

Mr. Dunham 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.

E. Planned Development – PD-125

Name: Holden Beach Landing (Revision)
 Applicant: Lennar Carolina LLC
 Tax Parcel(s): 21500060, 21600112, 2160011604, 2160011802.
 Location: Holden Beach Road SW (NC 130)
 Description: Holden Beach Landing is a proposed planned development that was approved in March 2022 for 186 single-family lots on a gross site of 109.29 acres creating an overall density of 1.70 units per acre. The applicant is proposing to modify the planned development by adding 109 single family lots for a total of 295 single family lots on 109.29 acres creating an overall density of 2.70 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.

Mr. Cheek asked if the commercial area was noted on the previously approved plan and Mr. Pages replied, yes. Mr. Cheek asked about the Letter of Map Revision (LOMR). Mr. Pages said FEMA (Federal Emergency Management Agency) has to approve the removal of the lots in the flood zone via a LOMR and the applicant has to prove that there will not be a negative impact or create any additional flooding on any properties downstream.

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

Mr. Nathan Pound addressed the Board. He stated that the eastern portion of the project was listed as future development on the previously approved planned development. Ms. Easley asked if the LOMR request will include fill? Mr. Pound said the area will be filled and there will be no net lost. Mr. Cheek asked about the rear pocket and Mr. Pound said it will remain as open space.

Mr. Gerald Kirby, 1443 Stanbury Road SW (SR 1124), addressed the Board. He stated that the proposed development abuts his property 3 places on the north side and 2 places on the south side. Mr. Kirby said stormwater runoff and drainage is a major concern of his and his neighbors because of the current drainage issues on Stanbury Road SW (SR 1124). Mr. Kirby said he previously presented some of his concerns to the Board regarding the initial planned development (PD-71) in March 2022. He stated that the plans were approved for 186 homes with some noted conditions, which stated, "The existing ditches in the project area will not be dead headed and/or closed; rather, the existing ditches will be rerouted through permitting with the US Army Corps of Engineers". Mr. Kirby said they are asking that the same condition(s) be added to PD-125 so the ditches can drain properly. Mr. Kirby said there are concerns about Bell Run that flows through his property and his brother's property on the south side toward Holden Beach. He further stated that the stormwater from the ponds have to go somewhere when there are major storms in the area. Mr. Dunham added that the applicant is building 4 stormwater ponds and the project is designed to a 100-year storm event. Mr. Kirby said the last stormwater runoff plan from the US Army Corps of Engineers was in April 2023 that allowed for 186 lots. Mr. Kirby concluded that there are a lot of wetlands on the property and he wanted assurance that these concerns are kept in mind when the project is developed.

Mr. Web White, 1529 Stanbury Road SW (SR 1124), addressed the Board regarding potential stormwater drainage issues on the north and south side of the subject property. He was concerned with stormwater from the Cedar Grove area that will be flowing from their parcels through the subject property. Mr. White wanted a public hearing to be required for that portion that will be set aside for a county facility as stated in the staff report. Mr. Pages said permitted uses do not require a public hearing, but buffers (potentially 30') may be imposed.

Ms. Ash Ramos addressed the Board. She asked if the overall footprint will change with the additional 109 units requested? Ms. Ramos asked what are the implications of adding the additional units? Mr. Pages said the original plan had this area labeled as future use, but not specified. He further stated that the lot sizes have been reduced and density increased, wetland delineation is the same and the growth is in the eastern area. Ms. Ramos said stormwater runoff will be increased and Mr. Pages said their stormwater plan will have to be approved by Brunswick County Engineering and information can be obtained from the Stormwater Engineer (Brigit Flora or Richard Christensen). Mr. Pages said the Board can include the condition regarding the ditches in the area as was imposed on the original planned development.

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

Mr. Cheek made a motion to approve PD-125 (Holden Beach Landing Revision Planned Development) with the noted conditions in the Staff Report as well as a fourth condition stating the existing ditches in the project area will not be dead headed and/or closed; rather, the existing ditches will be rerouted through permitting with the US Army Corps of Engineers and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- UDO Rewrite

Ms. Dixon addressed the Board. She stated that staff is in the process of selecting a consulting firm to assist in rewriting the Brunswick County Unified Development Ordinance. Staff anticipates having a contract for approval to the Board of Commissioners either April 15, 2024 or May 4, 2024.

- Trees and Greenspace Unified Development Ordinance Text Amendments

Ms. Dixon addressed the Board. She discussed a PowerPoint presentation (attached) of the overview of the proposed UDO text amendments related to trees and greenspace. She briefly discussed some terminology of opacity, buffers and the zoning overlay districts. Ms. Dixon proceeded to address the proposed tree and landscaping text amendments. Mr. Cheek asked if there is any consideration to exclude wetlands as open space as part of open space calculations. Ms. Dixon said wetlands are considered open space because it is natural space that must be preserved. She further stated that staff is proposing to increase the percentage of open space requirements in the proposed text amendments. Ms. Dixon stated that usable recreation space does not include stormwater ponds or wetlands. Ms. Dixon proceeded to discuss the proposed changes to the UDO that include incentives to meet the recreation area requirements, adding a Transportation Overlay Zone (TOZ), and updating the approved landscaping species recommended by the North Carolina Cooperative Extension. Ms. Dixon encouraged the Board to provide feedback to staff. She concluded that staff anticipates scheduling a public hearing for consideration of the proposed text amendments at the May Planning Board meeting.

- Traffic Impact Analysis (TIA)

Ms. Dixon addressed the Board. She stated that the Board of Commissioners determined that TIA's should be required for projects that have 200 peak hour trips or more per day prior to consideration for approval at the Planning Board meeting. As a result, staff will be presenting a text amendment for consideration at the May 2024 Board meeting regarding this matter.

- Planning Board Case Update.

Ms. Dixon addressed the Board. She stated that there were no appeals submitted for the previously approved cases (4 planned developments and a major subdivision) at the 11-Mar-24 Planning Board meeting, so the Board's decision stands.

IX. ADJOURNMENT.

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