

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
October 14, 2024

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

MEMBERS PRESENT

Jason Gaver
Ron Medlin
Harry Richard Ishler, Alternate
William Bittenbender, At-Large
Clifton Cheek
Allen Brittain, At-Large
James (Jim) Board

MEMBERS ABSENT

Richard Leary

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Deputy Director
Connie Marlowe, Admin. Asst. II
Tyler Connor, Planner I
Phillip Coates, Planner I
Ryan King, Asst. County Attorney

OTHERS PRESENT

Josh Crooks
Savanna Tenenoff, Star News
Herman Hill

John Hankins
Dylan Phillips, Brunswick Beacon

I. CALL TO ORDER.

Mr. Jason Gaver addressed the audience. Mr. Gaver stated that it has been brought to his attention by the Asst. County Attorney and staff that there was a procedural issue with proper notification of this meeting. As a result, the Board cannot begin the meeting until 6:00 p.m.

Mr. Gaver called the meeting to order at 6:01 p.m. He read a brief statement saying that members of the Planning Board are appointed by and serve at the pleasure of the Board of Commissioners. The Board reviews and considers planned items relating to zoning, major subdivisions, planned developments, ordinance amendments and land use planning.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Richard (Rich) Leary was absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 09-SEP-24 MEETING.

Mr. Bittenbender made a motion to approve the 09-Sep-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Marc Pages asked the Board to table Item G (Accessory Dwelling Units Text Amendment) because the applicant requesting the text amendment was unable to attend the meeting. He asked that Election of Officers be added under Other Business as Item C.

Mr. Cheek asked that the agenda reflect that the actual meeting time is 6:00 p.m. rather than 4:00 p.m.

VI. PUBLIC COMMENTS.

Mr. Gaver read a brief statement saying that this is an opportunity for the public to discuss items that are not on the agenda for a public hearing. He further stated that there is a public comment policy available if anyone is interested in a copy.

Mr. Cheek made a motion to open the public comments session and the motion was unanimously carried.

Mr. Josh Crooks, 119 SW 24th Street and 270 Green Ridge Trail SE, addressed the Board on behalf of the Brunswick County Conservation Partnership as well as himself. He read a statement (attached) regarding flooding issues throughout the County due to hurricanes and newly approved developments that potentially create stormwater runoff. Mr. Crooks suggested that staff (Planning and/or Stormwater) contact Mr. Ron Bucci, Stormwater Development Manager for the City of Charleston, about the city's 2020 Stormwater Design Manual that classifies certain areas as Special Protection Areas (SPAs). He felt that the rewrite of the Brunswick County Unified Development Ordinance (UDO) is a perfect opportunity to implement similar practices for our future neighbors, children and grandchildren.

Mr. Herman Hill, 844 McMilly Road NW, addressed the Board. Mr. Hill expressed concern with the affect a new road near NC 130 (Whiteville Road) will have on his property off of McMilly Road NW (SR 1320). Mr. Gaver said he is not familiar that particular area, but he suggested that staff research the matter and make contact with Mr. Hill regarding staff's findings. Mr. Pages asked Mr. Hill to come by the Planning department so staff can better assist him.

With no further comments, Mr. Ishler made a motion to close the public comment session and the motion was unanimously carried.

VII. PUBLIC HEARINGS.

Mr. Cheek made a motion to open the public hearings and the motion was unanimously carried.

Mr. Gaver read a statement (attached) into the record regarding the current flooding issues in the County and Potential Tropical Cyclone #8 (PTC8) that dropped over 20” of precipitation in a very short time. As a result of the impacts experienced with PTC8, he recommended tabling any approvals of land use policies/plans, major subdivisions or planned developments that are on the agenda until November 12, 2024 Planning Board meeting to allow the County to fully recover from and address impacts associated with PTC8. He further stated that he is recommending the Planning Board not recommend any significant changes to the development ordinance to include the Traffic Impact Analysis (TIA), Transportation Overlay Zone (TOZ) and Tree and Landscaping amendments and instead place these items back in the overall UDO rewrite process. He stated that his recommendation has one goal – to make sure we, the citizens, leave this place a little better than we found (a quote by the founder of Boy Scouts - Robert Baden-Powell).

Mr. Jim Board addressed the Board. Mr. Board said the UDO rewrite will take approximately 1 year, but the proposed text amendments can move forward now and they can be added to the UDO rewrite and Mr. Allen Brittain concurred. Mr. Brittain said staff and 3 Board members have been working on the proposed text amendments for an extended amount of time. Mr. Ishler also agreed that the text amendments should move forward. Mr. Cheek said he sat on the subcommittee with Mr. Gaver and Mr. Leary that involved revising the proposed text amendments. He felt that the text amendments could be tweaked, but not necessarily delayed until the UDO rewrite. Mr. Ishler asked how long the subcommittee worked on the text amendments? Mr. Cheek said the subcommittee worked on tweaking the proposed text amendments for approximately 2 months. Mr. Brittain reiterated that the proposed changes should not be put on hold for 12 months. Mr. Gaver said he is concerned that the consultants may change the language in the proposed text amendments during the rewrite of the UDO and moving forward with the current language could potentially be very costly for the County. Mr. Ishler felt that the matter should be put to a vote.

Mr. Ryan King recommended that the Board vote on each item individually to determine if they should be tabled or move forward with the public hearing(s) process.

A. Major Subdivision – SS-284

Name: Maco Commons Major Subdivision
Applicant: 2 Tracts Development, LLC
Tax Parcel(s): 0350004513 and 0350004514
Location: Maco Road NE (NC 87)
Description: Maco Commons is a proposed Major Subdivision consisting of 25 single-family units on 27.10 acres creating an overall density of 0.92 dwelling units per acre.

Mr. Ishler made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

B. Major Subdivision – SS-288

Name: Parker Tract Major Subdivision
Applicant: Norris & Bland Consulting Engineers P.C.
Tax Parcel(s): 21400016
Location: Shell Point Road SW (SR 1132)
Description: Parker Tract is a proposed Major Subdivision consisting of 154 single-family units on 91.41 acres creating an overall density of 1.68 dwelling units per acre.

Mr. Cheek made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

C. Major Subdivision – SS-289

Name: Harper Acres Major Subdivision
Applicant: Headwaters Engineering of the Cape Fear, PLLC
Tax Parcel(s): 2210002704
Location: Robert Ruark Drive SE (SR 1852)
Description: Harper Acres is a proposed Major Subdivision consisting of 15 single-family units on 7.96 acres creating an overall density of 1.88 dwelling units per acre.

Mr. Bittenbender made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

D. Planned Development – PD-132

Name: Sterling Oaks Planned Development Expansion
Applicant: Norris & Bland Consulting Engineers, PC
Tax Parcel(s): 20900056
Location: Ash-Little River Road NW (SR 1300)
Description: Sterling Oaks is a previously approved planned development consisting of 208 single-family units on 45.78 acres with an overall density of 4.54 units per acre. The applicant is proposing an expansion to the approved development. The proposed expansion consists of adding 130 single-family units and 30.34 acres. With the expansion, the overall development will consist of 338 single-family units on 76.12 acres creating and overall density of 4.44 dwelling units per acre.

Mr. Board made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

E. Planned Development – PD-134

Name: Watson Tract Planned Development
Applicant: Norris & Bland Consulting Engineers, P.C.
Tax Parcel(s): 0080006806
Location: Northwest Road (SR 1419)

Description: Watson Tract is a previously approved planned development consisting of 95 single family units and 76 duplex units on 59.17 acres creating an overall density of 2.89 units per acre.

Mr. Ishler made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

F. Rezoning Z-901 – Jody Clemmons (%David Summerlin III)

Request rezoning of approximately 14.84 acres located at 195 Green Swamp Road (NC 211) near Supply, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680006508.

Mr. Tyler Connor addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Connor read the consistency and reasonableness determination statement (attached).

Mr. Connor said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1680006508 located at 195 Green Swamp Road (NC 211) near Supply, NC.

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

Mr. David Summerlin, 1251 Mandeville Drive, addressed the Board on behalf of the applicant. Mr. Summerlin said this is a NC 211 commercial parcel and it is consistent with the 2040 Blueprint Brunswick Plan.

Mr. John Hankins, 215 Big Macedonia Road NW, addressed the Board with concerns of excessive traffic at the curb of Big Macedonia Road NW (S.R. 1342) as well as an existing development (approximately 117 units) near the sewerage plant. He further stated that Richmond Hills is close to build out and there is a lot of traffic generated from that development. He said there is traffic congestion on NC 211 past the fire station during the summer months, which poses a major problem to travelers coming off Big Macedonia Road. Mr. Hankins asked if the overpass for NC 211 is going over US 17 or under US 17? Mr. Pages said the overpass will be over US 17. Mr. Gaver reminded Mr. Hankins that this a zoning change request. Mr. Gaver said if the property is developed, a traffic study will likely be required. Mr. Pages concurred that a Traffic Impact Analysis (TIA) will likely be required and the North Carolina Department of Transportation (NCDOT) will be studying this area for potential road improvements. Mr. Cheek suggested that Mr. Hankins contact NCDOT with his traffic concerns in the area. Ms. Dixon stated that the overpass project has been placed on hold due to funding issues.

Mr. Carl Parker, 1034 Parkwood Drive NE, addressed the Board. He stated that he is the President of the NAACP and he asked if there are any plans for public water and sewer for the surrounding area? Mr. Gaver reminded Mr. Parker that this is a zoning change request and any other items will be addressed if and when a project is submitted to the Board for approval.

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

Mr. Cheek made a motion to approve Tax Parcel 1680006508 to C-LD (Commercial Low Density) located at 195 Green Swamp Road (NC 211) near Supply, NC 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 the 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 support the rezoning:
 - Consistent with the 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.
- 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 checked="" 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. Gaver stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. 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.

G. Accessory Dwelling Units Text Amendment.

Mr. Cheek made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion was unanimously carried.

H. Tree and Landscaping Text Amendment.

Mr. Bittenbender made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion carried with Mr. Ishler, Mr. Board and Mr. Brittain opposing.

I. Transportation Overlay Zone (TOZ) Text Amendment.

Mr. Cheek made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion carried with Mr. Ishler, Mr. Board and Mr. Brittain opposing.

J. Traffic Impact Analysis (TIA) Text Amendment.

Mr. Cheek made a motion to table this item until November 12, 2024 at 6:00 p.m. and the motion carried with Mr. Ishler, Mr. Board and Mr. Brittain opposing.

VIII. OTHER BUSINESS.

- UDO Modernization Project Update.

Ms. Dixon addressed the Board. She stated that this an ongoing project and the Board's Subcommittee met with the consultant and focus groups. The Subcommittee will be meeting with the Commissioners for the next few weeks regarding their expectations for how they want the County to grow. Ms. Dixon said there will be opportunities for public input and a potential Planning Board session. Mr. Gaver added that this document will dictate what Brunswick County looks like in the future and it is important that we get it right.

- Planning Board Case Update.

Ms. Dixon addressed the Board. The parcel denied by the Board in Zoning Case Z-895 was appealed by the applicant and it will be heard de novo by the Board of Commissioners on October 21, 2024. Zoning Case Z-898 was also appealed and it, too, will be heard de novo by the Board of Commissioners on October 21, 2024. Ms. Dixon stated that there were no appeals submitted for the previously approved rezoning case Z-900 at the 09-Sep-24 Planning Board meeting, so the Board's decision stands.

- Election of Officers.

Mr. Gaver made a motion to nominate Mr. Cheek as Chair. With no other nominations, the Board voted unanimously for Mr. Cheek to be Chair.

Mr. Cheek made a motion to nominate Mr. Gaver as Vice Chair. With no other nominations, the Board voted unanimously for Mr. Gaver to be Vice Chair.

XI. ADJOURNMENT.

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