

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
August 12, 2019

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
William Bittenbender
Richard Leary
Ron Medlin
Alvin Nobles
Tom Simmons

MEMBERS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

Frank Braxton
John Hankins

Wayne Hickerson
Ryan Kaiser

I. CALL TO ORDER.

The Chair called the meeting to order at 6:01 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.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 08-JUL-19 MEETING.

Mr. Leary made a motion to approve the 08-Jul-19 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-781 – Frank Braxton, Coastal Land Design

Request rezoning of approximately 30.24 acres located west of the intersection of Heartwood Loop Road NE and Old Forest Road NE from C-I (Commercial Intensive) to SBR-6000 (High Density Site Built Residential) for Tax Parcel 04600006004.

Mr. Pages addressed the Board. He read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map. Mr. Pages said the Town of Leland (Town) is attempting to annex Lanvale Forest, which is anticipated to be considered in November 2019 by the Town. Mr. Pages further stated that there have been some concerns about the proximity of the zoning change to the Military Installation and railroad, but options for development will be discussed once a plan is submitted for consideration. Mr. Pages further stated that a road maintenance agreement from Lanvale Forest Homeowners Association will be required should this property remain in the unincorporated area of Brunswick County. Mr. Pages said Malcolm Charles, Installation Manager, with the Military Ocean Terminal – Sunny Point (MOTSU), initially, had concerns with the proposed zoning change, but after review, they have no issues with the proposed zoning change. He stated that MOTSU prefers residential zoning adjacent to their site rather than heavy commercial zoning.

Mr. Pages said staff recommends approval from C-I (Commercial Intensive) to SBR-6000 (High Density Site Built Residential) for Tax Parcel 0460006004.

Mr. Dunham asked staff the depth of the southern strip of the subject property? Mr. Pages said the narrow strip is 100' wide. He further stated that all the development of the property will be in the northern portion of the property.

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

Mr. Frank Braxton, Coastal Land Design, addressed the Board on behalf of the applicant. Mr. Braxton stated that the proposed zoning is a continuation of what is existing in the area with regards to lot sizes and housing types. He stated that the existing zoning district is not appropriate for the area. Mr. Braxton said they have spoken with MOTSU and they are satisfied with the intended use of the property. Mr. Braxton further stated that they are aware that a private road maintenance agreement will have to be in place unless the Town of Leland annexes this area. At such time, Mr. Braxton said they will petition the Town to maintain the roads.

Mr. Wayne Hickerson, 1232 Springvale Terrace Court, addressed the Board in opposition to the zoning change. Mr. Hickerson read a letter (attached) expressing concerns with potential public safety issues in case of an emergency situation. Mr. Hickerson asked that the Board deny the zoning change. If approved, he suggested that future sellers provide potential buyers with a copy of the Joint Land Use Study, no further zoning requests allowing public access or development be approved within the study area, and the County adopt all applicable recommendations of the Joint Land Use Study.

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

Mr. Leary asked staff about the Joint Land Use Study (LU-1) from MOTSU. Mr. Pages reiterated that representatives from MOTSU were initially opposed to residential development, but after further study, they felt that residential zoning was better suited for the area than the current zoning designation.

Ms. Easley asked staff who was involved in the Joint Land Use Study (Study)? Ms. Dixon said nearby municipalities, Brunswick and New Hanover Counties. Commissioner Williams and Helen Bunch were representatives for Brunswick County. Ms. Dixon further stated that the Study has not been adopted and/or approved by the entities involved. Mr. Pages interjected that the Study was finalized last month. Ms. Easley asked if this area is a switch yard or terminal storage area? Ms. Dixon replied, that this area is a switch yard.

Mr. Dunham asked if the property is developed for residential purposes, will it be presented to the Board for consideration? Mr. Pages replied, yes. Mr. Pages added that residential development is permitted in the current zoning district, but the minimum lot sizes are 10,000 square feet as opposed to 6,000 square feet in the proposed zoning district.

Mr. Leary made a motion to recommend to the Board of Commissioners to approve Tax Parcel 0460006004 to SBR-6000 (High Density Site Built Residential) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is consistent with the Comprehensive Plan (CAMA Land Use Plan) and residential uses are permitted in the current zoning district.

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

The proposed zoning amendment is preferred by the Military Ocean Terminal – Sunny Point adjacent to the corridor surrounding the switching yard and there is similar zoning nearby.

B. Rezoning Z-782 – Beckington Land Group

Request rezoning of approximately 16.64 acres located on Old Fayetteville Road NE (SR 1437) across from Clancy Drive NE from R-6000 (High Density Residential) to MR-3200 (Multifamily Residential) for Tax Parcel 02900087.

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 from C-I (Commercial Intensive) to SBR-6000 (High Density Site Built Residential) for Tax Parcel 02900087.

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

Mr. Ryan Kaiser addressed the Board. Mr. Kaiser made himself available for questions from the Board.

Mr. Dunham asked if the proposed use will be a major subdivision? Mr. Pages said the property will likely be developed for multifamily use, which is approved by staff.

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

Ms. Easley made a motion to recommend to the Board of Commissioners to approve Tax Parcel 02900087 to MR-3200 (Multifamily Residential) and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning amendment is consistent with the Comprehensive Plan (CAMA Land Use Plan) and it is consistent with surrounding properties.

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

The proposed zoning amendment was previously zoned MR-3200 in October 2012 and multifamily housing is needed in the County.

VIII. OTHER BUSINESS.

- Planning Board Cases Update

Mr. Pages addressed the Board. He stated that Zoning Case Z-780 was approved at the Board of Commissioners' Monday 17-Jun-19 meeting and the UDO Refinements will be presented at the Board of Commissioners' Monday 19-Aug-19 meeting for approval.

IX. ADJOURNMENT.

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