

**MINUTES**  
**PLANNING BOARD**  
**BRUNSWICK COUNTY, NC**

**6:00 P.M. Tuesday**  
**November 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  
Alvin Nobles  
Ron Medlin  
Tom Simmons

MEMBERS ABSENT

Richard Leary  
Brett Riggs, Alternate

STAFF PRESENT

Helen Bunch, Zoning Administrator  
Marc Pages, Senior Planner  
Connie Marlowe, Admin. Asst. II  
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Tim Farmer  
Edward Ingram

Constance Padgett Reeves

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:01 p.m. He asked for a moment of silence in remembrance of Mr. Bobby Long, former Planning Board member.

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.

Mr. Richard Leary and Mr. Brett Riggs were absent.

IV. CONSIDERATION OF MINUTES OF THE 14-OCT-19 MEETING.

Mr. Bittenbender made a motion to approve the 14-Oct-19 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. OLD BUSINESS.

A. Rezoning Z-782 – Beckington Land Group, LLC

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

Mr. Pages addressed the Board. He stated that the Planning Board held a Public Hearing on this zoning change on 12-Aug-19 and recommended for approval to the Board of Commissioners. He stated that the Board of Commissioners held a Public Hearing on 21-Oct-19 and they remanded the matter to the Planning Board citing concerns regarding traffic, buffers, stormwater, and building heights. Mr. Pages re-read the Staff Report (attached) that was presented at the 12-Aug-19 Planning Board meeting. He proceeded to read supplemental information (attached) addressing site conditions discussed at the Board of Commissioners' meeting.

Ms. Bunch addressed the Board. She stated that the applicant must apply to North Carolina Department of Transportation (NCDOT) for a driveway permit and other road improvements such as a turn lane may be required. Ms. Bunch said there are concerns at the intersection of Old Fayetteville Road NE (SR 1437) and Lanvale Road NE (SR 1438). She further stated that there are several schools in the area that has caused an increase in traffic. As a result, NCDOT has planned for intersection improvements including full traffic signalization with additional lanes. However, funding has been delayed by NCDOT due to Hurricane Florence and Matthew's impacts on the NCDOT budget and the projected date of completion is uncertain at this time. Mr. Pages proceeded to address stormwater, building heights in MR-3200 zoning, zoning history of the subject property, and other developments that have been approved in the area. He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from R-6000 (High Density Residential) to MR-3200 (Multifamily Residential) for Tax Parcel 02900087.

Ms. Easley clarified that there are no known capacity deficiencies for Old Fayetteville Road NE (SR 1437) and Mr. Pages concurred.

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

Ms. Constance Padgett Reeves, 1314 Old Fayetteville Road NE, addressed the Board. Ms. Reeves said she has spoken with Mr. Stonewall Mathis, NCDOT Deputy Division Traffic Engineer, regarding traffic concerns on Old Fayetteville Road NE (SR 1437) and in the immediate area. She stated Mr. Mathis acknowledged that funding has been delayed, but a traffic accident study was completed between February 1, 2012 and January 2017 and that study confirmed 23 wrecks at the intersection of Lanvale Road NE (SR 1438) and Old Fayetteville Road NE (SR 1437) during that time. Ms. Reeves said she asked that a new traffic study be conducted for Old Fayetteville Road NE (SR 1437) from North Brunswick High School to the stop sign at Lanvale Road NE (SR 1438). Ms. Reeves also expressed concerns with excessive speeding and motorists passing vehicles illegally (on marked solid line) in the area and she intends to address these issues with the Sheriff's Office. Ms. Reeves was also concerned with excessive traffic in the area as well as current flooding conditions. She suggested that a meeting be held between the neighbors of Old Fayetteville Road NE (SR 1437), the developer and staff to discuss their concerns prior to a decision being made on the zoning change.

Mr. Dunham reminded Ms. Reeves that NCDOT has plans to improve the intersection of Old Fayetteville Road NE (SR 1437) and Lanvale Road NE (SR 1438). Ms. Reeves interjected that the installation of a stop light and turn lane have been in NCDOT's road improvement plan for this intersection for a decade and neither has been installed. Ms. Reeves felt that Old Fayetteville Road NE (SR 1437) cannot handle the potential traffic (approximately 300 cars per day) that will be generated by the proposed development (136 multifamily units). Ms. Reeves proceeded to read a letter presented at the Board of Commissioners' 21-Oct-19 meeting requesting road improvements be in place prior to the approval of this zoning change. She also expressed concern with wildlife being forced out of their environment as a result of the proposed zoning change should the property be developed.

Mr. Edward Ray Ingram, owner of Tax Parcel 02900090, addressed the Board. Mr. Ingram said he has a farm on his property. He concurred with Ms. Reeves regarding several accidents in the area as a result of the excessive traffic in this area for several years. Mr. Ingram said there is a high school in the area and more young drivers in the area that have added to traffic congestion. Mr. Ingram felt that more people on Old Fayetteville Road NE (SR 1437) should be made aware of the proposed development to the community.

Mr. Dunham asked staff about NCDOT funding for the intersection of Lanvale Road NE (SR 1438) and Old Fayetteville Road NE (SR 1437). Ms. Bunch said funding for this project has been delayed due to hurricanes and the financial demands for other projects to be completed. Ms. Bunch reiterated that a driveway permit will have to be issued by NCDOT and a traffic analysis study will be conducted to determine if any road improvements need to be made by the developer prior to developing the subject property. Mr. Dunham asked if staff has any knowledge regarding the intended use of the property? Ms. Bunch stated that it would be inappropriate for the Board to discuss the intended use at the zoning approval phase because the Board has to consider all uses in the MR-3200 zoning district. Mr. Dunham clarified that such will occur post the zoning change and Ms. Bunch concurred.

Mr. Ingram re-addressed the Board. He reiterated that there are flooding issues in the area when there is a major rain event. Mr. Dunham stated that stormwater issues are addressed by the County's Stormwater Engineer (Brigit Flora) and the State, if applicable.

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 (Medium Density Residential) based on additional information from NCDOT regarding future improvements to the intersection of Lanvale Road NE (SR 1438) and Old Fayetteville Road NE (SR 1437) that will be addressed at a later date due to unavailability of funding at the current time. She further stated that NCDOT will have to issue a driveway permit for development of the subject property 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 property is currently classified as MDR (Medium Density Residential).

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

Multifamily housing is needed in the area. There is public water and sewer available and there are no known capacity deficiencies for Old Fayetteville Road (SR 1437) in the immediate area.

VIII. PUBLIC HEARINGS.

A. Rezoning Z-786 – Tim Farmer

Request rezoning of approximately 1.54 acres located at 8551 Ocean Hwy W (US 17) from C-LD (Commercial Low Density) to R-7500 (Medium Density Residential) for a portion of Tax Parcel 21000010.

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-LD (Commercial Low Density) to R-7500 (Medium Density Residential) for Tax Parcel 21000010.

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

Mr. Tim Farmer addressed the Board. Mr. Farmer said he owns the property south (Tax Parcel 2100001004) of the subject property. He stated that he intends to use a portion of Tax Parcel 21000010 for residential purposes, but he do not want the entire parcel to be zoned residential. Mr. Farmer further stated that he is in the process of subdividing that portion of the property that is considered for a zoning change to R-7500 out of the subject parcel.

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

Mr. Bittenbender made a motion to recommend to the Board of Commissioners to approve a portion of Tax Parcel 21000010 to R-7500 (Medium Density 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 property is currently classified as Commercial.

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

There is commercial zoning remaining as the residential portion of the property will be subdivided out of the larger parcel and there were no objections to the zoning change.

IX. OTHER BUSINESS.

- Planning Board Cases Update

Mr. Pages addressed the Board. He stated that Zoning Case Z-781 was tabled at the 21-Oct-19 Board of Commissioners meeting because they want a written statement from the Department of Defense stating they have no objections to the zoning change and the matter will be considered at the Board of Commissioners 18-Nov-19 meeting. Mr. Pages further stated that Zoning Case Z-783, Z-784 and Z-785 were approved at the 21-Oct-19 Board of Commissioners' meeting.

- Planning Projects Update

Ms. Bunch addressed the Board. She stated that the County is holding a public transportation forum on 20-Nov-19 at the Cooperative Ext. Training Room regarding transportation needs and funding for upcoming projects. Ms. Bunch said Mr. Chad Kimes, NCDOT Division 3 Engineer, will speak at the meeting with a question and answer period. Mr. Bunch further stated that the Holden Beach Causeway Study has been delayed and staff will let the Board know when that project will begin when more information becomes available.

X. ADJOURNMENT.

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