

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
April 12, 2021

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Brett Riggs, Alternate
William Bittenbender
Christopher Wood

MEMBERS ABSENT

Eileene Shake
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Justin Brantley, Project Planner
Brandon Hackney, Project Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins
Lewis Dozier
Christopher Jordan

J. Phillip Norris, Norris & Tunstall Engineering
John Kinlaw
Gary Pethe, State Port Pilot

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:02 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.

Mr. Ron Medlin and Ms. Eileene Shake were absent.

IV. CONSIDERATION OF MINUTES OF THE 08-MAR-21 AND 16-MAR-21 MEETINGS.

Mr. Bittenbender made a motion to approve the 08-Mar-21 minutes as presented and the motion was unanimously carried. Ms. Easley made a motion to approve the 16-Mar-21 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Pages addressed the Board. He stated that the applicant has requested a continuance for Zoning Case Z-800CZ due to concerns of adjacent County wells in the area.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Planned Development – PD-41

Name: Norris Farm Planned Development
Applicant: Norris and Tunstall Consulting Engineers, PC
Tax Parcel(s): 2090003406, 2090003501, 2090003503, 2090003505 and a Portion of 2090003502
Location: 1420 Ash-Little River Road NW (SR 1300)
Description: Norris Farm is a proposed Planned Development consisting of 304 single family lots on a gross site of 108.57 acres creating an overall density of 2.8 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance

Mr. Dunham clarified that the developer is proposing 2.8 dwelling units per acre, but the average lot size is 6,000 square feet. Mr. Pages said they are proposing a lot of open space and the AE flood zone encompasses a great deal of the property as well as the buffers and stormwater ponds.

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

Mr. J. Phillip Norris, Norris and Tunstall Engineering, addressed the Board. Mr. Norris said they are in agreement with the Staff Report. Mr. Norris said the 2.8 dwelling units per acre was done to ensure development was outside the 100 year storm event and to provide open space associated with the project. He further stated that they designed stormwater features to the 100 year storm event as suggested by the County Stormwater Engineer in the Technical Review Committee (TRC) meeting.

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

Mr. Leary made a motion to approve PD-41 (Norris Farm Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

B. Planned Development – PD-42

Name:	Hardee Tract Planned Development
Applicant:	Norris and Tunstall Consulting Engineers, PC
Tax Parcel(s):	2250011105, 22500113 and 22500112
Location:	544 Calabash Road NW (SR 1300)
Description:	Hardee Tract is a proposed Planned Development consisting of 197 single family lots on a gross site of 49.61 acres creating an overall density of 3.97 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance

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

Mr. J. Phillip Norris, Norris and Tunstall Engineering, addressed the Board. Mr. Norris said they are in agreement with the Staff Report. Mr. Norris reiterated that they had a neighborhood meeting and there were concerns regarding stormwater drainage and traffic. He stated that the North Carolina Department of Transportation (NCDOT) is not requiring a Traffic Impact Analysis (TIA), but they have hired an independent company to conduct a TIA and it will be a part of their Driveway Permit application. He further stated that drainage from the subject property will not affect the subdivision on Calabash Road NW (SR 1300). Mr. Norris said they are designing the stormwater system for 100 year storm event as opposed to the 10 year storm event. He stated that they are proposing less density to allow for lakes and ponds that can be used as stormwater measures and for aesthetic purposes.

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 PD-42 (Hardee Tract Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

C. Rezoning Z-812 – Christopher Jordan.

Request rezoning of approximately 11.40 acres located off Green Lewis Road SE (SR 1512) near Bolivia from R-7500 (Medium Density Residential) to RR (Rural Low Density Residential) for Tax Parcel 1550000801.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) to RR (Rural Low Density Residential).

Mr. Dunham asked staff what is located on the property that has a land classification of Conservation? Mr. Pages said those properties are privately-owned and appears to be vacant.

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

Mr. Christopher Jordan addressed the Board. Mr. Jordan said they own property adjoining the property where their home is currently located and they want to build a barn on the subject property.

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

Mr. Leary made a motion to approve Tax Parcel 1550000801 from R-7500 (Medium Density Residential) to RR (Rural Low 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

APPROVED – 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 is consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential).

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

There were no objections from the public. The property was zoned Rural prior to 2007 and there are other parcels nearby being used for rural purposes.

The Chairman 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-813 – William Roach.

Request rezoning of approximately 1.37 acres located at 1580, 1586, 1590 and 1594 Sykes Street SW near Holden Beach from SBR-6000 (Site Built High Density Residential) to R-6000 (High Density Residential) for Tax Parcels 232AC001, 232AC002, 232AC003 and 232AC004.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from SBR-6000 (Site Built High Density Residential) to R-6000 (High Density Residential) for Tax Parcels 232AC001, 232AC002, 232AC003 and 232AC004.

Ms. Easley asked if the subject parcels are part of Holiday Pines Subdivision as suggested on the application submitted by property owner? Mr. Pages replied, no.

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

Mr. Dunham asked if the applicant is present and Mr. Pages replied, no.

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

Mr. Bittenbender said the Board previously deferred their decision until the applicant and/or a designee is present for the meeting and Ms. Easley concurred.

Mr. Leary made a motion to table the matter until 10-May-21 and the motion was unanimously carried.

E. Unified Development Ordinance 2021 Refinements.

- North Carolina General Statutes Chapter 160D Mandatory Updates

Ms. Dixon addressed the Board. She provided an overview addressing why the proposed revisions have been submitted for approval as well as the timeline for approval of the North Carolina General Statutes Chapter 160D (Chapter 160D) Mandatory Updates. She also stated that refinements to the UDO are included for consideration. She further stated that those items (e.g., RV & Trailer Storage, Lighting Plan requirements, Food Truck standards and Home Occupations) that the Board suggested additional research be done are not included, but they will be resubmitted to the Board in the near future for consideration.

Mr. Brantley provided a brief overview via a PowerPoint presentation (attached) of Chapter 160D and UDO Refinements.

Mr. Bittenbender asked staff if repair of vehicles will be visible from the street? Mr. Brantley said the repairs (excluding oil and tire changes) will have to be conducted on the side or rear yard and behind the front wall of the structure. However, visibility from the street will not be eliminated.

Mr. Dunham asked staff how a septic system can be incorporated within a required vegetative buffer. Mr. Pages said vegetation can be sporadically placed on the site. Mr. Brantley added that Environmental Health will have to approve the location of the septic area.

Ms. Easley asked staff how existing bona fide farms will be affected that were approved with a farm number? Ms. Dixon said existing bona fide farms are grandfathered, but documentation will have to be provided if another permit is sought.

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

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

Mr. Riggs made a motion to recommend to the Board of Commissioners to approve the proposed text amendments and the motion was unanimously carried.

APPROVED – 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 text amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) as it has no effect on the CAMA Land Use Plan (Comprehensive Plan). The proposed updates are mandatory requirements per the North Carolina General Statutes and the housekeeping changes will better clarify the UDO.

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

The proposed text amendments are clarifications to the UDO and will be in keeping with the spirit of the CAMA Land Use Plan (Comprehensive Plan).

VIII. OTHER BUSINESS.

- Brunswick Blueprint 2040 Update

Ms. Dixon addressed the Board. She stated that the project is in the Plan Development Phase and/or Phase 3. Ms. Dixon said staff will be meeting with the consultants later this week and updates are forthcoming. She further stated that the deadline for submitted exhibits for the Art Contest is complete and staff will provide exhibits to the Board at the next meeting.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Zoning Cases Z-809, Z-810, and Z-811 were approved at the previous meeting and no rezoning appeals were received so the Planning Board's decision stands for these rezoning cases.

Mr. Pages addressed the Board. He stated that Z-800 was continued at the applicant's request due to a concern from the Director of Public Utilities regarding the well heads in close proximity to the parcel(s). He further stated that the Well Head Protection Plan adopted in 2012 specifies land uses that can potentially risk well contamination. Mr. Pages said the applicant is seeking some expert hydrology information. Attorney Batton said the County wants additional information from the applicant regarding potential impacts to surrounding wells.

Ms. Dixon informed the Board that there are potentially 8 planned developments for consideration at the 10-May-21 meeting.

IX. ADJOURNMENT.

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