

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
July 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
Ron Medlin
William Bittenbender

MEMBERS ABSENT

Eileene Shake
Christopher Wood
Brett Riggs, Alternate

STAFF PRESENT

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

OTHERS PRESENT

John Hankins
Frank Braxton, Coastal Land Design
Michael Norton, McGill & Associates
Edmund Proctor
Linda Thomas
Barnes Sutton

Thomas Scheetz, Norris & Tunstall Eng.
Joseph Bland, Norris & Tunstall Eng.
James McGarry
Nelson Thomas
John Jenks
Candance Alexander

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:00 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.

Ms. Eileene Shake, Mr. Christopher Wood and Mr. Brett Riggs were absent.

IV. CONSIDERATION OF MINUTES OF THE 14-JUN-21 MEETING.

Mr. Bittenbender made a motion to approve the 14-Jun-21 minutes as presented and the motion as unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-817 – Leslie Robinson.

Request rezoning of approximately 3.44 acres located off Ocean Highway West (US 17) near Supply from MR-3200 (Multifamily Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcel 16800056.

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 MR-3200 (Multifamily Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcel 16800056.

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

The Chair asked if the property owner and/or applicant was present to address the Board and no one came forward. As a result, Ms. Easley made a motion to table the matter until the next meeting and the motion was unanimously carried.

B. Major Subdivision – SS-277

Name:	Allston Park Major Subdivision
Applicant:	Coastal Land Design (%Frank Braxton)
Tax Parcel(s):	2250003205, 2250008903 and 2250003911
Location:	Shingletree Road NW (SR 1302)

Description: Allston Park is a proposed Major Subdivision consisting of 132 single family homes on a gross site of 63.32 acres creating an overall density of 2.1 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 Major Subdivision 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; and
- Major Subdivision 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. Leary made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Frank Braxton, representative for Coastal Land Design, addressed the Board on behalf of the developer. Mr. Braxton stated that the proposed 132 lot major subdivision will have 7,500 square feet or larger lots, with 2.1 density per acre. Mr. Braxton said the proposed project will be a continuation of a single-family development that is similar to the adjacent residential community. He stated that there were more than 50 people in attendance to the neighborhood meeting that expressed concerns with flooding near the Shingletree Swamp, which carries a lot of water. Mr. Braxton said they have reviewed the flooding issues through their stormwater program and they are addressing stormwater based on the 100-year storm event. Mr. Braxton said they will be installing a berm ditch along the property line that abuts Meadowlands Subdivision to intercept water from the back of the lots, carry the water to the stormwater pond for collection and it will be released into another ditch that will connect over to the Shingletree Swamp. Mr. Braxton further stated that the ditch will be built at the beginning of construction as part of the sedimentation and erosion control plan. Mr. Braxton said they will be diverting the off-site water to the Shingletree Swamp to alleviate flooding to the adjacent residential ditch that will run parallel to their ditch. Mr. Braxton said there were concerns regarding a pedestrian connection from this development to Meadowlands property and that pedestrian link has been eliminated. He stated that they are doing some revegetation (e.g., Wax Myrtles) along the rear of the property where the ditch and berm will be constructed.

Ms. Easley clarified that Mr. Braxton said there is off-site water coming on the subject property and they have planned for removal of that water as well as the water that will generated from this project. Mr. Braxton concurred that they will handle the off-site water and any water generated from this project.

Mr. James McGarry, 662 Meadowbrook Lane NW, addressed the Board. Mr. McGarry was concerned with potential traffic congestion in the area as there are several future developments that have been approved in area. He asked about the proposed pedestrian connection between the subject property and Meadowlands Golf community. Mr. Dunham said Mr. Braxton stated earlier that the pedestrian easement has been eliminated. Mr. McGarry asked about the common area easement. Mr. Braxton said the common area easement is a utility easement and they intend to

connect the water system at that area. Mr. Braxton said they will run a waterline the length of their property along Shingletree Road NW (SR 1302), through the property and tie back into Meadowlands, which will improve the water system. Mr. McGarry asked how maintenance will be handled and will the homeowners of Meadowlands be compensated for any damages? Mr. Braxton said the easement is a Brunswick County waterline easement. Mr. McGarry asked if the mail kiosk will be a drive-up service? Mr. Pages said the mail kiosk will be located in the amenity parking lot that it is intended to be an off-street mail kiosk area, but the design will be at the discretion of the postmaster. Mr. McGarry asked if a silt fence will be instated to separate the communities while the project is under construction? Mr. Dunham said such will be determined by the appropriate agency.

Mr. Edmund Proctor, President of Meadowlands POA, addressed the Board. Mr. Proctor reiterated that they met with Mr. Braxton regarding the proposed development. He stated that the swales behind Meadowbrook Lane NW and Willow Walk NW, which abuts Allston Park are privately owned and they are a part of Meadowlands stormwater system. Mr. Proctor said those swales have to be maintained by the residents of Meadowlands. He asked that all the grading be completed prior to digging the infrastructure to protect the existing swales. If not, he wanted to know how the residents that live on those streets will be compensated for any potential damage to the swales. Mr. Proctor was also concerned with potential accidents from Shingletree Road NW (SR 1302) onto Hickman Road NW (SR 1303). He stated that there is a sign on Hickman Road NW (SR 1303) that impedes vision from traffic turning off Shingletree Road NW (SR 1301). Mr. Pages said any signage that blocks an entrance and/or is located in the right-of-way will likely have to be removed. Mr. Pages said staff will investigate the matter.

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 Allston Park Major Subdivision (SS-277) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

C. Planned Development – PD-50

Name:	Hickmans Crossing Planned Development Revision
Applicant:	Norris and Tunstall (%Phil Norris)
Tax Parcel(s):	22500136 and portions of 2250132 and 2250013206
Location:	1025 Calabash Road NW (SR 1300)
Description:	Hickmans Crossing is a proposed Planned Development consisting of 68 single family homes on a gross site of 16.84 acres creating an overall density of 4.09 units per acre. The site was previously approved in November 2020 for 65 single family homes on a gross site of 16.84 acres with a density of 3.86 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; and
- 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. Bittenbender made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Dunham asked about the width of the easement to the cemetery and whether or not it is a paved road. Mr. Pages said the easement to the cemetery is an unimproved road.

Mr. Thomas Scheetz, Norris and Tunstall Eng., addressed the Board. Mr. Scheetz said there is a 20' access easement to the cemetery. He stated that they have added 3 lots to this previously approved planned development. Mr. Scheetz said stormwater is a concern in this area so the retention pond has been designed to accommodate the 100-year storm event. Mr. Scheetz said they had a neighborhood meeting with community members in attendance.

Mr. Dunham asked where the new lots were added? Mr. Scheetz said the street layout was reconfigured, which allowed for an increase of 3 lots from the previously approved planned development from 65 to 68 lots.

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 approve PD-50 (Hickmans Crossing Planned Development Revision) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

D. Planned Development – PD-51

Name:	Gore Tract Planned Development
Applicant:	Norris and Tunstall (%Phil Norris)
Tax Parcel(s):	24400006
Location:	Beach Drive SW (NC 179) and Goose Creek Road SW (SR 1155)
Description:	Gore Tract is a proposed Planned Development consisting of 91 single family homes on a gross site of 23.29 acres creating an overall density of 3.91 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; and

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

Mr. Joseph Bland, Norris and Tunstall, addressed the Board. Mr. Bland said they had a neighborhood meeting and there were concerns with stormwater, traffic and buffers. He stated that the Lancasters, Tax Parcel 2440000609, have concerns with the proposed retention pond abutting their property that has been shifted and a 30' buffer will be maintained along the Lancaster's property line with a 10' maintenance area between the retention pond. Mr. Bland said they have added an access easement along the driveway stem that will serve this project as well as provide access to the 5 lots along Estermae Gore Way SW. He further stated that those properties will not have to participate in the homeowner's association, but they will have access to a paved road. Mr. Bland said the pump station was moved away from the Lancaster's property and the retention pond has been slightly reduced because there is a large oak tree that the adjoining property owners wanted saved. He stated that they do not anticipate a traffic impact analysis will be required, but that will be determined by NCDOT once they submit a driveway permit application.

Mr. Nelson Thomas, resident of Bent Tree Plantation, addressed the Board. Mr. Thomas said there are 4 homes on the far corner that abuts the proposed project. Mr. Thomas asked if the proposed 30' buffer include existing vegetation and Mr. Pages replied, yes. Mr. Pages existing vegetation has to be maintained and supplemental landscaping maybe required where there is not sufficient buffering for the required 0.6 opacity. Mr. Thomas asked how stormwater runoff will be handled and Mr. Pages said the developer has designed the project to the 100-year storm event. Mr. Thomas asked when the developer plan to begin construction? Mr. Bland said they are probably 12 months out before breaking ground because they have to get the necessary approvals from all appropriate agencies.

Mr. John Jenks, 1578 Moorings Circle SW, addressed the Board. Mr. Jenks asked that the existing trees remain to provide protection. Mr. Bland said they will maintain a 30' undisturbed buffer. Mr. Jenks said they currently have stormwater issues and he wanted assurance that the proposed development will not compound the situation. Mr. Dunham said the developer is proposing 2 stormwater ponds on their site that will grade away from Mr. Jenks' property and Mr. Bland concurred.

Ms. Linda Thomas addressed the Board. Ms. Thomas said she did not receive notification of the neighborhood meeting, but they did receive notification of this Board meeting. She reiterated that they currently receive stormwater on their property during normal rainstorms. Mr. Dunham reiterated that the developer is proposing 2 stormwater ponds on the proposed project. Mr. Dunham suggested that Ms. Thomas speak with Mr. Pages so he can put her in touch with the Brunswick County Stormwater Engineer, Brigit Flora, to further discuss this matter.

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-51 (Gore Tract Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

E. Planned Development – PD-55

Name: Coastal Haven Planned Development
Applicant: Norris and Tunstall (%Phil Norris)
Tax Parcel(s): 01600062
Location: Mt. Misery Road SE (SR 1426)
Description: Coastal Haven is a proposed Planned Development consisting of 112 single family homes and 123 townhome units on a gross site of 40.33 acres creating an overall density of 5.80 units per acre.

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

Mr. Hackney 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; and
- 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. Dunham asked where the recreation space is located on the project and Mr. Pages said there is open space along the bottom loop of the project and there is a walking trail around the stormwater pond.

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

Mr. Thomas Scheetz, Norris and Tunstall, addressed the Board. Mr. Scheetz said they are putting together a traffic impact analysis for this project. He further stated that open space will be a pocket park and he reiterated that there will be a walking trail around the stormwater pond. Mr. Bittenbender asked if the townhomes were moved to the front of the development as stated at TRC meeting? Mr. Pages said there was a recommendation to move the townhomes, but it is not required.

Mr. Barnes Sutton addressed the Board. Mr. Sutton said the proposed project is in close proximity to the Old Rosenwald School that was in the Phoenix community and he asked if signage will be placed around the walking trail to acknowledge the Old Rosenwald School? Ms. Candance Alexander addressed the Board. She said she would like some history on the school so they can address signage or add a street name referencing the Old Rosenwald School. Mr. Sutton said he will put Ms. Alexander in touch with people in the Phoenix community that will be more familiar with the area.

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 approve PD-55 (Coastal Haven Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

F. Planned Development – PD-53.

Name: The Courtyards by Carrell Planned Development
Applicant: McGill and Associates (%Michael Norton)
Tax Parcel(s): 2110000606, and portions of 21100006, 21100007 and 21100008
Location: 7040 Ocean Hwy West (US 17)
Description: The Courtyards by Carrell is a proposed Planned Development consisting of 66 single family lots on a gross site of 21.69 acres creating an overall density of 3.04 dwelling units per acre.

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 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; and
- 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.

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

Mr. Michael Norton, representative for McGill and Associates, addressed the Board on behalf of the developer. Mr. Norton stated that they held a neighborhood meeting and most of the citizens wanted to know where the Carolina Bays Parkway will enter US 17, but they were unable to provide any information on that matter. Mr. Norton said they discussed the superstreet configuration around NC 904 and US 17 intersection. He further stated that they have been consulting with NCDOT on this project and there is a proposed deceleration turn lane into the property. Mr. Norton said there were questions regarding the housing product type that were addressed by Mr. Bruce Carrell at the neighborhood meeting.

Mr. Dunham asked about the project not being designed to the 100-year storm event. Mr. Norton said due to the location of the project and its close proximity to the Shallotte River, the current drainage features and their project manager, Mr. Tom Mannino, has been conferring with the County Stormwater Engineer, Brigit Flora, to address stormwater design. Mr. Norton further stated that the project is currently exceeding the minimum Brunswick County Stormwater Ordinance requirements.

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 PD-53 (The Courtyards by Carrell Planned Development) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- Planning and Development Resource Information

Ms. Dixon addressed the Board. She briefly discussed key projects, plans and initiatives (attached) in the Planning Department. She also provided information regarding the approved Capital Improvement Plan for the County. Ms. Dixon said she will continue to update this information and it will be available for the Board to review.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Zoning Case Z-800CZ is still in a holding process as we are waiting for the consultant to provide the results of the water testing to determine if any contamination occurred to the wells in the immediate area and the Brunswick County Public Utilities Director will provide a recommendation once the outcome has been received. She stated that Zoning Cases Z-815 and Z-816 were approved at the 14-Jun-21 meeting and there were no written objections within the 15-day requirement so these zoning cases are approved. She further stated that the UDO Text Amendments proposed by staff will go back to the Board of Commissioners for consideration in the near future.

IX. ADJOURNMENT.

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