



MEETING MINUTES

BRUNSWICK COUNTY PLANNING BOARD REGULAR MEETING OFFICIAL MINUTES

April 13, 2026
4:00 PM

The Brunswick County Planning Board met in Regular Session on April 13, 2026 at 4:00 p.m. in the Commissioners' Chambers of the David R. Sandifer Administration Building, located at the Brunswick County Government Center, 30 Government Center Drive, Bolivia, North Carolina.

MEMBERS PRESENT

Clifton Cheek, Chair
Richard Leary
William Bittenbender, At-Large
Howard Stocks, At-Large
Cecelia Herman, Alternate

MEMBERS ABSENT

Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Deputy Director
Connie Marlowe, Admin. Asst. II/CAMA LPO
Tyler Connor, Planner I
Phillip Coates, Planner I
Garrett Huckins, GIS Planning Analyst
Jeff Walton, Planner II
Ryan King, Asst. County Attorney

OTHERS PRESENT

Matt Nichols
Glenn Kye
Travis Mercer
Shannon Curcio
Kristin Anthony
Katherine Norfleet
John Shirk, Floodplain Administrator
Charles Suggs
Jessica Milligan
John Hyman

Jennifer Gates
Clark Oates
Rynal Stevenson
Cindy Henry
Cameron Parker
Joe Smith, Jr.
Sam Franck
Alan Lewis
Brett Milligan
Jenna Lubeck

I. CALL TO ORDER

Chair Cheek called the meeting to order at 4:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Chair 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. Ron Medlin was absent.

IV. APPROVAL OF MINUTES

Mr. Leary made a motion to approve the 09-Mar-26 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS

There were none.

Mr. Pages reminded applicants and property owners to beware of scam/fraudulent emails instructing recipients to pay a fee to complete their zoning or planned development or major subdivision approval. She urged anyone that receives such an email to contact the Brunswick County Planning Department immediately to verify its authenticity before sending any money. He further stated that Brunswick County does not charge post-board meeting settlement fees and will never request payment via wire transfer or gift cards.

VI. PUBLIC COMMENT

Mr. Glenn Kye, 888 Cherrytree Road NE, addressed the Board and he asked the Board how the meetings are conducted. Chair Cheek said the Planning Board is run by Roberts Rules of Order. Mr. Kye asked where the water go and how are adjacent property owners affected when the 100-year retention ponds overflow. Chair Cheek said the 100-year flood ponds are built to attenuate or hold the 100-year flooding event and release the water slowly at a normal rate of flow. Mr. Kye was concerned that buyers are not made aware of the potential flooding issues when homes are built on a concrete slab.

Ms. Jennifer Gates addressed the Board about the Board's charge to enforce the Brunswick County Unified Development Ordinance (UDO) as well as develop, recommend and fix what is not working. She further stated that Board has the authority to initiate changes, recommend amendments to the Board of Commissioners and advise the Board of Commissioners when something is broken. Ms. Gates expressed concerns with the Board using the UDO as an excuse not to make smart growth decisions. She said conflicts of interest addresses Board members avoiding even the appearance of a conflict, including situations where there is a perceived perception of a benefit or where impartiality can be reasonably

questioned. She proceeded to say that any Board member's action on a matter that may be perceived as a conflict of interest should recuse themselves from the voting process. She felt that the Board should be more proactive in their decision-making process and not ignore their duties as an appointed member of the Planning Board.

Mr. Clark Oates addressed the Board regarding infrastructure not supporting new development. He, too, felt that there appears to be a conflict of interest for some Board members when voting on matters for consideration. Mr. Oates thanked the Board for serving on the public's behalf. He reminded the Board of developments that have been denied in the past and no changes have occurred since the denial of a project to warrant a different decision. Mr. Oates felt that an approval should not be given if the project has not addressed concerns expressed or substantial changes have occurred in the area when the project was initially denied.

VII. PRESENTATIONS

There were none.

VIII. OLD BUSINESS

A. Planned Development - PD-161

Name: Green Hill Planned Development
Applicant: CLD Engineering
Tax Parcel(s): 06800017 and 0680001707
Location: Located off Green Hill Road NE (SR 1410)
Description: Green Hill is a proposed planned development consisting of 1,340 single-family units on approximately 784.59 acres, creating an overall density of 1.71 dwelling units per acre.

Mr. Marc Pages addressed the Board with an abbreviated Staff Report (attached) and he identified the subject property and surrounding properties on a visual map. He stated that staff and the developer's team met with Mr. Travis Mercer, Winnabow Fire Chief and the developer agreed to remove the landscape islands in the cul-de-sacs as well as creating an intermediate turnaround at the dead-end road where cul-de-sacs and dead-end roads are more than 750' in length. Mr. Pages said the TIA (Traffic Impact Analysis) has extensive road improvements such as turning lanes on US 17 and Green Hill Road (SR 1410), an RCI (Reduced Conflict Intersection), and 2 signalizations. NCDOT is proposing an RCI at this intersection, but the plans have not been released because NCDOT is still in the planning stage of the superstreet design in this area. He provided the Board with school capacity charts data (attached) for nearby schools.

Mr. Pages said staff recommends approval based on the project meeting and/or exceeding minimum requirements and 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.

- 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.
- Planned Development approval does not constitute or guarantee the allocation of water or sewer capacity. The applicant proceeds at their own risk with respect to future water and sewer system connections. The ability to modify existing permits, connect unpermitted structures, and construct new water and sewer infrastructure connected or tributary to the County's water and/or sewer system permit is dependent upon receipt of valid water and wastewater line extension permits from the state of North Carolina; the application for which requires final plan approval and signed documentation authorizing connection to the county water and/or wastewater system. Water and wastewater available capacity will change over time.
- Revise the TIA to reflect the proposed reduction in lots.

Mr. Leary asked if the Winnabow Fire Chief's concerns about 2 signal lights on US 17 were discussed at the meeting and Mr. Pages said there will be a traffic light at Green Hill Road NE (SR 1410), but the southern turnaround has not been divulged by NCDOT at the current time. He further stated that there is a possibility of a triple right turn lane coming off Green Hill Road NE (SR 1410) onto US 17 and NCDOT may have to acquire property from the Winnabow Fire Station to achieve this road improvement. However, the applicant is hoping to get approval from NCDOT for a double right turn lane, but the actual design is up to NCDOT. Mr. Pages said he asked NCDOT if they are willing to allow for a direct access for fire trucks to cross the median and NCDOT would not provide comments at this time. Chair Cheek asked staff if NCDOT indicated the location of the RCI and Mr. Pages said NCDOT said the RCI will be located at Green Hill Road NE (SR 1410), but they are still conducting survey work and plans cannot be shared at the current time.

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

Mr. Matt Nichols, Attorney for the applicant, addressed the Board. Mr. Nichols reminded the Board that this project meets or exceeds the minimum requirements of the UDO as outlined in the Staff Report and all of the minimum requirements must be met before any development occurs on the site. He reiterated that this project will be designed to the 100-year storm event; they are extending public water and sewer to the site; a drainage assessment study was done for Green Hill Road NE; they are unsure what road improvements will be required and/or approved by NCDOT at the current time, but the developer will be responsible for the roadway improvements and infrastructure to the project; they have provided a threatened and endangered species report as well as a cultural and historic resources evaluation. He proceeded to say there is a perimeter buffer, increased open space (active open space), and lower density than is allowed by right in the current zoning district (RR – Rural Low Density Residential). He further stated that this is a cohesive comprehensive project. He reiterated that they had a productive meeting on March 24, 2026 to address the Board's concerns as well as the Winnabow Fire Chief's concerns. He said the revised plan clarifies points of discussion at that meeting such as the removal of landscape islands in the cul-de-sacs (notes added to the plan to reflect this change) as requested by the Winnabow Fire Chief. He stated that they have additional diagrams of US 17 and Green Hill Road NE (SR 1410) showing potential road improvements. Mr. Nichols said there will be 45 new fire hydrants installed along Green Hill Road NE (SR 1410) at the developer's expense. He stated that there will be an opportunity for current and future property owners along the path of the water and sewer lines to connect if they choose to do so.

Ms. Herman said she received a complaint from people living in the area regarding current flooding/drainage issues in the area. She expressed concern with the surrounding area being put in harm's way as a result of the proposed project. Ms. Herman said the UDO update is taken far too long

to implement for several different reasons. She further stated that a community can be destroyed in days and take forever to be rebuilt. She proceeded to say that the County and State must consider what is around the proposed development and the potential impact from the proposed development. Mr. Nichols said they have heard the people's concerns at the community meeting and public hearings and they have taken the initiative to hire an environmental group (Southern Environmental Group) to address some of the drainage/flooding issues in the area. He stated that they submitted information to the County at the previous meeting indicating that there are beaver dams and log jams that contributed to drainage and flooding issues in this area. He felt that the proposed plan is a benefit to the area as opposed to a piecemeal project. He further stated that the proposed project will take time to complete.

Chair Cheek asked Mr. Mercer to address the Board. Mr. Travis Mercer, Winnabow Fire Chief, said he cannot support the project at this time because no road improvements to the intersection of US 17 will occur until the developer builds 300 homes; the current infrastructure will remain unchanged while traffic and population increases; the drainage system is currently inadequate and there are major challenges during heavy rainfalls for existing residents and emergency responders; and access to Green Hill Road NE, Town Creek Road NE, and Rock Creek Road NE is difficult due to flooding and drainage issues. He reiterated that the project should not be approved until concerns regarding infrastructure, drainage, and emergency access are properly addressed. Chair Cheek asked Mr. Mercer about the meeting he attended on March 24, 2026. Mr. Mercer said the meeting went well and he mirrored his comments at that meeting.

Ms. Shannon Curcio, 1317 Quail Ridge Loop NE, addressed the Board about her daughter's future regarding safety, traffic congestion, overcrowded schools, and emergency response time. She said there are road issues and adding excessive traffic by approving 1,340 homes will only compound existing issues.

Mr. Glenn Kye, 888 Cherrytree Road NE, addressed the Board regarding the air quality being ruined by removing trees and not replanting indigenous trees. Mr. Kye said wildlife is being displaced with excessive development. Mr. Kye felt that a traffic light can be placed at the Winnabow intersection and continue straight across the road with arrows pointing in either direction. He did not agree with the proposed road improvements because the cost will be passed on to the taxpayers. Mr. Kye said flooding will continue (Russell's Branch and Redwater Bay) and the proposed retention ponds will not be adequate to capture the water. He asked the Board to deny this project.

Ms. Cindy Henry, 310 Green Hill Road NE, addressed the Board. She stated that she has lived on her farm for 45 years and she concurred with the previous speakers (Jennifer Gates and Glenn Kye). Ms. Henry felt the intersection of Green Hill Road NE (SR 1410) and US 17 will have to be 4-laned once this development comes to fruition because there will be added traffic from this development and other surrounding developments such as Cherrytree Planned Development. She reminded the Board that the last time Green Hill Road NE (SR 1410) flooded (not during a hurricane, but a major rainstorm) Rock Creek Road and Town Creek Road were impassable and residents used boats (canoe) to travel over US 17. Ms. Henry said when the UDO was written, it was not envisioned that large corporations and out-of-town developers would purchase large tracts of land and build thousands of housing units and change the dynamics of entire neighborhoods and the County as a whole. She said the Board should consider this project and other projects (Cherrytree Planned Development) in the nearby area that will have a negative impact such as traffic, crime, pollution, and infrastructure on the existing communities. Ms. Henry felt that there will be a decline and the existing communities will become another urban community because farming and forestry will be gone.

Ms. Jennifer Gates, 800 Block of Cherrytree Road, addressed the Board regarding the developer not really committing to anything. She said a reduction in housing units will not reduce the excessive traffic that will be generated by this development. Ms. Gates said the project was previously denied because of flood risk, overcrowded schools, and unsafe traffic conditions at the intersection of US 17 and Green Hill Road NE (SR 1410). It was mentioned that some of the Winnabow Fire Station's property may be purchased to accommodate road improvements, which will create parking issues for volunteer fire fighters parking at the fire station when they respond to an emergency (flooding or fire situation). She felt that there are no significant changes to the project to warrant an approval. Ms. Gates mentioned that the County is currently under a NCDEQ pause regarding sewer permit approvals.

Ms. Kristin Anthony, Town Creek Road NE, addressed the Board in opposition to the proposed development. Ms. Anthony read a statement (attached) of her concerns with the proposed project and existing conditions in the area. Mr. Pages reminded the Board of the 3 emails (Kristin Walsh, Tom Walsh, and Josh Kirby) staff received regarding their opposition to the development.

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

Chair Cheek clarified that the 2.9 dwelling units are allowed with both public water and sewer and 2.2 dwelling units are allowed without both public water and sewer and Mr. Pages concurred. Mr. Pages said the project could be developed as a major subdivision with no buffer requirements and 3% open space, but the lot sizes would be larger (20,000 square feet in area and 75' wide) without both public water and sewer availability.

Mr. Leary said this is a difficult project because the Board has tabled the project on 2 separate occasions. He felt that planned developments are a great tool to guide development. However, the Winnabow Fire Chief's concerns (no road improvements to the intersection of US 17 occurring until the developer builds 300 homes; the current infrastructure remains unchanged while traffic and population is increased; the drainage system is currently inadequate and there are major challenges during heavy rainfalls for existing residents and emergency responders; access to Green Hill Road NE, Town Creek Road NE, and Rock Creek Road NE is difficult due to flooding and drainage issues) weighs heavily on his decision-making. As a result, Mr. Leary made a motion to deny PD-161 (Green Hill Planned Development) and the motion carried 4 to 1 with Mr. Stocks voting no.

Chair Cheek said any person with standing may appeal the decision of the Planning Board to Superior Court.

IX. PUBLIC HEARINGS

A. Planned Development - PD-171

Name: Remuda Run Planned Development Modification
Applicant: DRG Group
Tax Parcel(s): 2120001910
Location: Located off Ocean Isle Beach Road SW (SR 1184)
Description: Remuda Run is a modification consisting of 140 single-family lots on approximately 45.02 acres, creating an overall density of 3.11 dwelling units per acre.

Mr. Marc Pages addressed the Board. Mr. Pages read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. The applicant has modified the plan consisting of 140 single-family units and the open space is being reduced from 20.34 acres to 12.44 acres due to the reduction in wetland acreage. He provided the Board with school capacity charts data (attached) for nearby schools.

Mr. Pages said staff recommends approval based on the project meeting and/or exceeding minimum requirements and 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.
- 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.
- Planned Development approval does not constitute or guarantee the allocation of water or sewer capacity. The applicant proceeds at their own risk with respect to future water and sewer system connections. The ability to modify existing permits, connect unpermitted structures, and construct new water and sewer infrastructure connected or tributary to the County's water and/or sewer system permit is dependent upon receipt of valid water and wastewater line extension permits from the state of North Carolina; the application for which requires final plan approval and signed documentation authorizing connection to the county water and/or wastewater system. Water and wastewater available capacity will change over time.

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

Mr. Cameron Parker, Development Resource Group (DRG), addressed the Board. He stated that the preliminary assessment of the wetlands were done in October 2024 and the plan was submitted for consideration in April 2025 and a delineation concurrence was prepared that qualified the wetlands as upland wetlands in September 20225 when DRG Group redesigned the plan to fully utilize the upland acreage. He reiterated that density has been reduced at the developer's request to strictly focus on the single-family component of the developments. The amenities have been split into pocket parks with a primary amenity at the main entrance.

Chair Cheek asked the buffer off Ocean Isle Beach Road SW and Mr. Parker said there is a buffer area in addition to a BEMC easement (transmission line along Ocean Isle Beach Road SW) totaling 100'. Chair Cheek asked the lot width and Mr. Parker said the minimum lot width is 50' (previous plan was 40') and the average lot size is 6,000 square feet.

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

Mr. Stocks made a motion to approve PD-171 (Remuda Run Planned Development Modification) with the noted conditions in the Staff Report and the motion was unanimously carried.

Chair Cheek said any person with standing may appeal the decision of the Planning Board to Superior Court.

B. Planned Development - PD-174

Name: Jinny's Creek Planned Development
Applicant: Paramounte Engineering
Tax Parcel(s): 2290001002
Location: Located off Hale Swamp Road SW (SR 1154) and Goose Creek Road SW (SR 1155)
Description: Jinny's Creek is a proposed planned development consisting of 129 single-family units on approximately 37.03 acres, creating an overall density of 3.48 dwelling units per acre.

Mr. Marc Pages addressed the Board. Mr. Pages read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. He provided the Board with school capacity charts data (attached) for nearby schools. He stated that the parcel was previously approved as Glen Kirk Major Subdivision for 86 single-family lots on 37.03 acres in January 2007 and expired in January 2010 due to inactivity on the site.

Mr. Pages said staff recommends approval based on the project meeting and/or exceeding minimum requirements and 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.
- 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.
- Planned Development approval does not constitute or guarantee the allocation of water or sewer capacity. The applicant proceeds at their own risk with respect to future water and sewer system connections. The ability to modify existing permits, connect unpermitted structures, and construct new water and sewer infrastructure connected or tributary to the County's water and/or sewer system permit is dependent upon receipt of valid water and wastewater line extension permits from the state of North Carolina; the application for which requires final plan approval and signed documentation authorizing connection to the county water and/or wastewater system. Water and wastewater available capacity will change over time.
- The pumping station, if remaining in the same location, shall be constructed and elevated above the regulatory flood protection elevation. No dry flood proofing is permitted. This is because the pumping station is near the potential floodway area that is not being studied.
- Redesign or obtain a CLOMR-F (Conditional Letter of Map Revision with Fill) for lots 1,3,5,6,9,10, and 11 to move them out of the AE Flood Zone.

Chair Cheek asked what is considered dry flood proofing and Mr. Shirk said flood vents are not installed and structures are designed to withstand the hydraulic forces coming into and pushing on the structure. Chair Cheek asked if there have been discussions of school redistricting to alleviate overcrowding of schools and Mr. Pages said the school representatives (Larry Smith) indicated school redistricting is a future possibility.

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

Mr. Jim Cirello, Paramounte Engineering, addressed the Board. He reiterated that they are proposing 129 single-family lots; there are 4.06 acres of wetlands on site; 30% of the site will be set aside for open space; there will be 50' private rights-of-way with ingress and egress on Goose Creek Road SW (SR 1155) and Hale Swamp Road SW (SR 1154) with an additional stub connection to the adjacent property southeast of the subject property; property is consistent with the low density residential per the Blueprint Brunswick Future Land Use Map; water and sewer will be provided by Brunswick County and the roads will be private; and lots 1,3,5,6,9,10, and 11 are in the floodplain and the developer is agreeable to providing a CLOMR-F or redesigning the lots outside the floodplain.

Mr. Steven Freeman, Blue River Development, addressed the Board. He stated that the elementary school was noted as Jessie Mae Monroe in the TRC comments from Larry Smith with Brunswick County Schools. Mr. Pages clarified that the elementary school for this area is Union Elementary.

Katherine Norfleet, 1270 Goose Creek Road SW, addressed the Board. She stated that she lives adjacent to the proposed development. Ms. Norfleet asked that the project be denied or delayed until traffic and safety are addressed because the proposed number of homes will significantly increase traffic on strained roads in the area. On March 31, 2025, it was stated that a traffic study was completed for this project when it was presented to adjacent property owners, but the last traffic study (to Ms. Norfleet's knowledge) was approximately 3 years ago when the project near Arbor Landing was approved by this Board. Ms. Norfleet said there are current drainage and flooding issues in the immediate area, which will only exacerbate with additional impervious coverage (homes and driveways) generated by this development. Ms. Norfleet felt a thorough and transparent drainage plan should be required and independently reviewed prior to approval of this project. She further stated that a protective species study was not mentioned by the development team because there are bald eagles, osprey and red tail hawks nesting in the proposed area. She proceeded to say more homes in the area will result in an increase demand on water, sewer, schools and emergency services. The Shallotte Point Fire Chief expressed concerns to Ms. Norfleet of the need for more staff without the budget to hire more staff members. There is no ladder truck at the fire station so they work with Ocean Isle Beach and Shallotte Fire Stations to utilize their equipment. Ms. Norfleet felt that the proposed development will not be compatible with the surrounding properties and adjacent property values can be negatively impacted by this project. Ms. Norfleet concluded that she is not opposed to responsible growth, but adjacent property owners want protection from potential irresponsible growth.

Mr. Joe Smith, Jr., 1263 Goose Creek Road SW, asked that the proposed project be denied. He, too, was unsure if a road study was done. Mr. Smith said the Board has approved approximately 4 developments in the area and there are flooding issues in the area during hurricanes or major rainstorms. He felt that the proposed retention ponds will not alleviate flooding issues during torrential rain events. Mr. Smith said the Board should consider what is at stake during their decision-making process because schools and emergency facilities cannot accommodate the housing increase.

Mr. Rynal Stephenson, DRMP, addressed the Board regarding the completed TIA (prepared in coordination with the County and NCDOT) in December 2025 that was approved by NCDOT (letter dated March 25, 2026). Chair Cheek said the report does not show a lot of road improvements other than egress and ingress lanes on Hale Swamp Road SW (SR 1154) and Goose Creek Road SW (SR 1155) and Mr. Stephenson concurred. Mr. Stephenson stated that the 2 roads are not near capacity so there is no need for additional road improvements at this time.

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-174 (Jinny's Creek Planned Development) with the noted conditions in the Staff Report and the motion was unanimously carried.

Chair Cheek said any person with standing may appeal the decision of the Planning Board to Superior Court.

C. Planned Development - PD-175

Name: Willow Haven Planned Development Modification
Applicant: G3 Engineering & Surveying
Tax Parcel(s): 11100008 and 1110000910
Location: Located off Ocean Hwy East (US 17)
Description: Willow Haven is a modification consisting of 234 single-family units on approximately 81.87 acres, creating an overall density of 2.86 dwelling units per acre.

Mr. Marc Pages addressed the Board. Mr. Pages read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. He provided the Board with school capacity charts data (attached) for nearby schools.

Mr. Pages said staff recommends approval based on the project meeting and/or exceeding minimum requirements and 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.
- 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.
- Planned Development approval does not constitute or guarantee the allocation of water or sewer capacity. The applicant proceeds at their own risk with respect to future water and sewer system connections. The ability to modify existing permits, connect unpermitted structures, and construct new water and sewer infrastructure connected or tributary to the County's water and/or sewer system permit is dependent upon receipt of valid water and wastewater line extension permits from the state of North Carolina; the application for which requires final plan approval and signed documentation authorizing connection to the county water and/or wastewater system. Water and wastewater available capacity will change over time.

Chair Cheek asked if any portions of the development is in flood zone and Mr. Pages said the developer will have to conduct a study to establish the flood zones and Mr. Shirk concurred.

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

Mr. Sam Franck addressed the Board on behalf of the applicant. He stated that Phases I and II have been approved and the remainder 21 acres is Phase III, which is what is being considered for approval. The approved density includes 151 single-family lots with an additional 83 single-family lots in Phase III with a total of 234 single-family lots. Mr. Franck said some of the property is located in the C-LD

(Commercial Low Density) zoning district and the blended density by right is higher than the proposed density. A TIA was not completed in the initial approval because the project was not over the trip generation threshold to warrant a TIA, but Phase III triggered the TIA requirement by NCDOT. He stated that the necessary road improvements have been established by NCDOT. He discussed traffic improvements such as adding turn lanes in each direction and establishing a concrete median to direct traffic in and out of the project site; there is an RCI (reduced conflict intersection) that they anticipate being completed by others if this project is not developed before such occurs or they will be responsible for completing the RCI; the project is consistent with the Blueprint Brunswick CAMA Land Use Plan; and the property is not located in a FEMA designated flood hazard area, but a flood study is being completed.

Chair Cheek asked if any of the lots are discovered in the AE Flood Zone, will the developer seek a CLOMR from FEMA (Federal Emergency Management Agency)? Mr. Charles Suggs said they will be reviewing the flood plain study and any lot(s) in a flood area will be removed or a CLOMR will be sought from FEMA.

With no further comments, Mr. Leary made a motion to close the public hearing and the motion was unanimously carried. Mr. Pages said staff received a letter of opposition from Josh Kirby that was previously provided to the Board.

Mr. Leary made a motion to approve PD-175 (Willow Haven Planned Development Modification) with the noted conditions in the Staff Report and the motion was unanimously carried.

Chair Cheek said any person with standing may appeal the decision of the Planning Board to Superior Court.

D. Rezoning Z-933CZ – Brett and Jessica Milligan

Request rezoning of approximately 7.77 acres located at both 9 Robinson Road NE and 2311 Old Ocean Hwy near Bolivia, NC from R-7500 (Medium Density Residential) to RR-CZ (Rural Low Density Residential Conditional Zoning) for Tax Parcels 1540005101 and 15400052.

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

Mr. Walton said staff recommends approval from R-7500 (Medium Density Residential) to RR-CZ (Rural Low Density Residential Conditional Zoning) for Tax Parcels 1540005101 and 15400052 located at both 9 Robinson Road NE and 2311 Old Ocean Hwy near Bolivia, NC based on the permitted use(s) and conditions outlined in the Staff Report and adopt the consistency and reasonableness determination statement.

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

Mr. Alan Lewis addressed the Board on behalf of the applicants (Jessica and Brett Milligan). Mr. Lewis said they have been working on the project for quite some time and he thanked staff for their efforts in making this project possible. The property is open field and a low impact project.

Ms. Jessica Milligan and Brett Milligan, 119 Robinson Road NE, addressed the Board. Ms. Milligan said her husband and father-in-law grew up on the subject property and his grandfather farmed the property.

Ms. Milligan said they started this project approximately 2 years ago, but her father-in-law passed and they put the project on hold. She stated that they discovered that there is a huge need for outdoor storage in this area due to the housing increase and tourists in the County. She provided letters (A. Michelle Reynolds and Jordan Jones) of support from nearby community members.

Mr. Milligan reiterated that he was born and raised on the subject property. He stated that his father ran a produce stand on the property for many years and they talked about putting an outdoor storage yard on the property before his father's demise. Mr. Milligan felt that the intended use will help the community and provide a legacy for his family.

Mr. John Hyman, 151 Robinson Road NE, addressed the Board regarding flooding on Robinson Road NE, but he said the subject property is one of the highest and well-drained properties on Robinson Road NE. He felt that the said the subject property will not negatively impact adjacent properties with the proposed use and he was in support of the applicant's intended use of the property. Mr. Hyman reiterated that there is a need for an outdoor storage facility in the area.

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

Ms. Herman made a motion to approve Tax Parcels 1540005101 and 15400052 to RR-CZ (Rural Low Density Residential Conditional Zoning) located at both 9 Robinson Road NE and 2311 Old Ocean Hwy near Bolivia, 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:
 - LU-4. Conserve viable agriculture while facilitating the transition of some existing working lands affected by urbanization. Recognize the need to transition agricultural land where fragmentation (due to new roads and urbanization) and other threats reduce the viability.
- The request is consistent with the characteristics of the area, existing zoning in the area, existing structures on site, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment for the proposed request scores of 0 out of 10.

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| ☐ <i>Agricultural Development Plan</i> | ☒ <i>Unified Development Ordinance</i> |
| ☐ <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> | ☐ <i>Southeastern North Carolina Hazard Mitigation Plan</i> |
| ☐ <i>Brunswick County Trail Plan</i> | ☐ <i>Airport Height Control Ordinance</i> |
| ☒ <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i> | ☐ <i>Other: _____</i> |

Chair Cheek 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.

E. Rezoning Z-934 – Jenna Lubeck

Request rezoning of approximately 7.79 acres located at 390 McMilly Road NW (SR 1320) near Shallotte, NC from RR (Rural Low Density Residential) and R-7500 (Medium Density Residential) to RR (Rural Low Density Residential) for Tax Parcel 1970001110.

Mr. Tyler Connor addressed the Board. Mr. Connor summarized the Staff Report (attached) and the consistency and reasonableness determination statement (attached). He identified the subject property and surrounding properties on a visual map. Mr. Connor provided the Board with school capacity charts data (attached) for nearby schools.

Mr. Connor said staff recommends approval from RR (Rural Low Density Residential) and R-7500 (Medium Density Residential) to RR (Rural Low Density Residential) for Tax Parcel 1970001110 located at 390 McMilly Road NW (SR 1320) near Shallotte, NC and adopt the consistency and reasonableness determination statement.

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

Ms. Jenna Lubeck, property owner, addressed the Board. Ms. Lubeck said the split-zoning of the property limits what can be done on the property and they want the zoning designation consistent. Mr. Lubeck said they intend to place horses on the property, but the setbacks in the R-7500 (Medium Density Residential) zoning district requires a larger setback that limits the use of the property and the intended use of the property is permitted by right in the requested zoning change.

Ms. Twanda Williams addressed the Board on behalf of several family members (1 family member is out of town, 3 family members are deceased, and 1 family member had a stroke and that family member currently resides in a rehabilitation facility) that are not in attendance. She felt that the notification process is flawed because adjacent property owners are sometimes not properly made aware of the proposed zoning change. Ms. Williams said her mind was put at ease knowing that the property owners are not placing several homes on their property because there were rumors in the community of such occurring. She reiterated her concern with the notification process to adjacent property owners. Ms. Williams said there have been flooding issues in the area and McMilly Road NW (SR 1320) was paved 3 years ago and the strips were put on the road this year. She further stated that a traffic study is being

conducted on the road at the current time. Mr. Connor clarified that notices are sent to adjacent property owners based on the Brunswick County Tax Records. Ms. Dixon added that any change of ownership must be provided to the Tax Office accompanied with a valid mailing address.

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 Tax Parcel 1970001110 to RR (Rural Low Density Residential) located at 390 McMilly Road NW (SR 1320) near Shallotte, 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
 - HN-1. Expand housing choices within Brunswick County to respond to changing preferences and to increase housing affordability in the County.
 - HN-2. Minimize impacts to and invest in established residential areas.
- The Residential Suitability Map indicate the parcel is suitable for residential.
- This rezoning will correct the current split zoning of this parcel.

- | | |
|---|---|
| ☐ Agricultural Development Plan | ☒ Unified Development Ordinance |
| ☐ Brunswick County Comprehensive Transportation Plan (CTP) | ☐ Southeastern North Carolina Hazard Mitigation Plan |
| ☐ Brunswick County Trail Plan | ☐ Airport Height Control Ordinance |
| ☒ Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) | ☐ Other: _____ |

Chair Cheek 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.

X. OTHER BUSINESS.

A. Clemmons Tract Extension Request (PD-98)

Mr. Pages addressed the Board. He said staff received a request from Norris and Bland Consulting Engineers (attached) for a 2-year extension. Mr. Pages said the planned development is 69 lots on 24.17 acres. He stated that planned developments that are 25 acres or greater normally receive a 7-year approval period per the NC General Statutes, but this project is just shy of the 25-acre rule that allows for a 7-year approval period.

Mr. Jody Bland, Norris and Bland Consulting Engineers, said the original developer proposed this development using gravity sewer and a pump station. The planned development was approved with a schematic plan that was a no go due to the cost associated with installing gravity sewer. Mr. Bland said they worked with County Engineering to install a low-pressure system that goes under US 17 and connects to the south of the Carmel Village development. Subsequently, the original developer sold the development to Carmel Village development so it will become Phase 8 of the Carmel Village development.

With no further comments, Mr. Leary made a motion to grant a 2-year extension to PD-98 (Clemmons Tract) and the motion was unanimously carried.

B. Planning Board Case Update.

Ms. Dixon addressed the Board and she stated that a lawsuit (members of the community and not the developer) was filed for PD-163 (Cherrytree Planned Development). Attorney King added that the County has not been served at the current time. However, PD-164 (Mirasol Planned Development), PD-167 (Canopy Planned Development), and Zoning Case Z-932 were not appealed so the Board's decision stands.

Ms. Dixon said the Board will have to elect a Vice Chair once there is a full Board due to the resignation of Jason Gaver and James Board.

XI. ADJOURNMENT.

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