



**Planning Board Meeting Minutes
Southport Community Building
223 E. Bay Street
February 17, 2022
6:00 P.M.**

Members Present: Tish Hatem, Will Hewett, Scott Jones, Christopher Jones, Dick Sloan, Gustavo Mibelli, Maureen Meehan, Donnie Joyner, Sue Hodgins, and Fred Fiss

Members Absent: None

Staff Present: Thomas Lloyd, Development Services Director
Tanya Shannon, Deputy City Clerk
Grace Vaughn, Fire Department, Administrative Assistant
Gordon Hargrove, City Manager
Dorothy Dutton, City Clerk

Board of Aldermen Liaisons: Karen Mosteller and John Allen

Others Present: Mayor Joseph P. Hatem, Mike Nichols with Paramounte Engineering, and Andrew Laing Developer of Live Oak Landing Subdivision.

1. Chair Tish Hatem called the meeting to order at 6:00 p.m.
2. The Invocation was given by Mr. Donnie Joyner.
3. The Pledge of Allegiance was led by Chair Hatem.
4. Motion to approve January 20, 2022, regular meeting minutes by Mr. Will Hewett, and second by Mr. Richard Sloan. ***Unanimous vote; motion carried.***
5. Motion to approve the agenda by Mr. Donnie Joyner, and second by Mr. Will Hewett. ***Unanimous vote; motion carried.***
6. Public Comment:

A motion was made by Mr. Will Hewett to enter public comment, and second by Mr. Donnie Joyner. ***Unanimous vote; motion carried.***

- 1) Ms. Marjorie Jones, 136 Stuart Avenue, has concerns about the proposed access road to the "Oakton" development between Stuart and Fodale Avenue. She said the proposed access is located directly across the street from her driveway, and she feels like that this will hinder her ability to safely enter and exist her property onto an already busy Stuart Avenue. She asked the Board to please consider the effect of this access to the adjacent property owners before a decision is made.

There being no further comments from the public a motion was made by Mr. Donnie Joyner to go out of public comment, and second by Mr. Will Hewett. ***Unanimous vote; motion carried.***

7. Old Business:

A. Southport Crossings Coffee Shop & Retail Shops Major Site Plan

Development Services Director Mr. Thomas Lloyd gave an overview of the Major Site Plan located at 5010 Southport Crossings Way. The site plan application was submitted by Paramount Engineering on behalf of Primax Properties. The outparcel is directly adjacent to the CVS Pharmacy and will have access from Southport Crossings Way and from across the access easement at CVS. The proposed site plan shows a 6,000 sf building consisting of 3 units, which includes two 1,750 sf retail units and one 2,500 sf Coffee Shop. The Coffee Shop includes a drive thru with 13 stacking spaces for vehicles. The two retail units would be classified as Retail Sales and defined as Minor in the UDO. They both will be less than 3,000 sf in floor area. The Coffee Shop is classified as a Carry Out Restaurant with a drive thru. The parking requirements for the plan is to provide 36 spaces, and the plan shows that 40 parking spaces will be provided. The proposed impervious area shows 37,182 sf. for the 45,000 sf. maximum limit, and the stormwater plan for the outparcel will be to connect to the master developments stormwater pond. The project's lighting plan is being submitted and the project engineer is aware of the City's 3,000 degree maximum kelvin limit. It was recommended at the January meeting for the Landscape Architect to substitute the non-native vegetation for native vegetation for the Landscape Plan.

Mr. Dick Sloan, Ms. Sue Hodgkin, and Mr. Will Hewett volunteered for the Review Committee and met on February 2nd to discuss the plan in more detail with the Project Manager Mr. Mike Nichols. Members of the Committee wanted to know if the non-native vegetation would be replaced with native species. Mr. Nichols agreed to substitute the Japanese Holly and Yew Pine for the native Dwarf Yaupon and Wax Myrtle shrubs. There was also discussion on the queuing for the drive thru and the amount of vehicles that can be stacked. The drive thru queue exceeds the requirements with 13 spaces. Mr. Nichols explained that the developer would like to utilize the space for as many vehicles as possible for the drive thru area. The Committee also questioned what would happen if the two additional units developed as something other than a retail shop such as a restaurant. Staff explained that the parking requirement would be the same for both types of uses. Both Minor Retail and Restaurants require 1 space per 200 sf. It was the consensus of the Review Committee to recommend approval of the Major Site plan.

A motion was made by Ms. Maureen Meehan to approve the Major Site Plan, and second by Mr. Will Hewett. ***Unanimous vote; motion carried.***

8. Special Recognition

Mr. Donnie Joyner presented Chair Tish Hatem with a Certificate of Appreciation for her dedication and years of service on the Planning Board.

Chair Hatem thanked the citizens, Members of the Board, and City Staff for their support and commitment to helping protect and preserve the values of Southport.

9. Swearing in New Members

Tanya Shannon, Deputy Clerk issued the Oaths of Service to the newly-appointed members of the Planning Board. 1) Ms. Sue Hodgkin 2) Mr. Dick Sloan 3) Mr. Fred Fiss

Vice-Chair Mr. Donnie Joyner conducted agenda item #10 until a new Chair was selected.

10. Nominations and Selection for Chair and Vice-Chair

A motion was made by Mr. Dick Sloan to open the floor for nominations and selections for Chair and Vice-Chair, and second by Mr. Scott Jones.

Unanimous vote; motion carried.

1. Chairman

Mr. Dick Sloan nominated Mr. Will Hewett for Chair, and Mr. Donnie Joyner nominated Ms. Sue Hodgkin. A vote was taken for nominee Mr. Will Hewett. Aye: Mr. Dick Sloan, and Mr. Will Hewett. Nay: Mr. Donnie Joyner, Mr. Scott Jones, Ms. Maureen Meehan, Ms. Sue Hodgkin, and Mr. Gustavo Mibelli. (2-5).

A vote was taken for nominee Ms. Sue Hodgkin. Aye: Mr. Gustavo Mibelli, Ms. Sue Hodgkin, Ms. Maureen Meehan, Mr. Scott Jones, and Mr. Donnie Joyner. Nay: Mr. Will Hewett and Mr. Dick Sloan. (5-2).

Ms. Sue Hodgkin elected new Chair of the Planning Board and assumed leadership of the meeting.

2. Vice-Chair

Ms. Sue Hodgkin nominated Mr. Donnie Joyner for reappointment as Vice Chair. Mr. Joyner appreciated the nomination but respectfully declined. He stated that he will continue serving on the Board, but he has numerous other commitments.

Mr. Dick Sloan nominated Mr. Will Hewett as Vice-Chair. Aye :Mr. Dick Sloan, Mr. Scott Jones, Ms. Maureen Meehan, Ms. Sue Hodgkin, Mr. Donnie Joyner, Mr. Will Hewett, and Mr. Gustavo Mibelli. Nay: 0. (7-0).

By unanimous vote Mr. Will Hewett was selected as new Vice-Chair of the Planning Board.

A motion was made to close the nominations and selections for the Chairman and Vice Chairman by Mr. Dick Sloan, and second by Mr. Gustavo Mibelli.

Unanimous vote; motion carried.

Chair Hodgkin thanked the Board, on behalf of herself and Vice-Chair Hewett, for its confidence and thanked Former Chair Hatem and Former Vice-Chair Joyner for their longtime service.

11. New Business

A. Southport Crossing Major Subdivision

Mr. Lloyd gave an overview of the Preliminary Plat application. He explained that MDI Management has submitted an application for approval of a preliminary plat for 3 outparcels at the Southport Crossings Shopping Center. The total parcel is located on 54 acres. The parcels will be subdivided into 3 additional lots; a 3.51 acre tract, a 0.84 acre tract, and a 0.88 acre tract. The remaining parcel after dedication of the right of way will be 47.54 acres. The site is now in the Highway Commercial Zoning District. The proposed subdivision qualifies as a Major Subdivision because it will have the dedication of a new right of way. A 40 ft right of way is proposed as an access road for parcel 10, parcel 11, and parcel 12. The

UDO will allow the right of way to be less than 60 ft. because it is compliant with NCDOT's Subdivision Roads Minimum Construction Manual and with the Fire Code regulations.

The proposed plan will not require any open space because it will be developed as a non-residential subdivision. The water and sewer for the outparcels will be approved and served by Brunswick County. The stormwater for the subdivision will connect to the existing stormwater pond that is designed to retain the excess capacity.

Mr. Mike Nichols with Paramount Engineering was present to answer any questions. Mr. Fred Fiss would like to get more details on the development of Lot 10. Mr. Nichols said that he would like to discuss that at next month's meeting.

It was the consensus of the Board to establish a Review Committee to discuss the plan in more detail.

After a request from Chair Sue Hodgins for Committee volunteers Mr. Christopher Jones, Mr. Will Hewett, and Mr. Scott Jones were named to the Committee.

B. Lot 7 Major Site Plan Live Oak Landing

Mr. Lloyd gave the background of the Major Site Plan, Live Oak Landing that was submitted by Ron Greger, Charles Hunter, and Andrew Laing. The property is in the City's ETJ at 5521 Rob Gandy Blvd. The proposed site plan shows a 5,000 sf building that will consist of leasable units for tenants. The developer sees this as a building that contractors and other trade services can lease out for office space. The property is zoned in Highway Commercial and would fit in with that zoning district. The parking for this type of use exceeds the required amount by providing 14 spaces. Since the property is in the ETJ a septic tank will be installed for the sewer system. There is 18,413 sf of impervious area proposed on the site, and the stormwater will connect to an existing stormwater pond for the master development adjacent to the property that has excess capacity for this location. There is a valid stormwater permit for this pond and each lot in the Live Oak Landing development has access to it. The Landscape Plan shows a planting of a variety of shrubs, and there will be a required street yard buffer to Rob Gandy Blvd.

Mr. Andrew Laing, the Developer was present and said that the construction will be similar to his other business The Southport Coffee Co. that is adjacent to the property of the proposed site plan. He is encouraged about the need for more office spaces and roll-up storage. He welcomed any questions or concerns.

Mr. Fred Fiss questioned if there were any Live Oaks planted on the property in reference to the name of the development "Live Oak Landing". Mr. Laing said that the name of the development was already established by the previous property owner. Mr. Laing said that there were no Live Oaks planted currently, but he would look into incorporating them into the Landscape Plan.

Ms. Maureen Meehan asked what kind of storage would be stored in the roll-up storage. Mr. Laing said that it would be used for contractors and other type trade services for small equipment and tools. Ms. Meehan asked if the front of the building would be a flat façade. Mr. Laing said that it would be a flat façade with perhaps an overhang.

There were no other questions or comments. After a request from Chair Sue Hodgins for Committee volunteers, Ms. Maureen Meehan, Mr. Fred Fiss, and Mr. Dick Sloan were named to the Committee.

12. Other Business:

In preparation for the proposed Indigo Plantation Development, Mr. Lloyd gave the following overview of the project and the process as followed:

- Bald Head Limited, in partnership with East-West partners has submitted a Planned Unit Development Site Plan and Rezoning application that would rezone 346.57 acres of undeveloped property adjacent to Smithville Woods, Cades Cove, and Indigo Plantation from R-20 to PUD. All of the property is either in our Corporate limits or ETJ. All of it is within our zoning jurisdiction.
- Currently, we are still waiting on a complete Traffic Impact Analysis approval by NCDOT prior to moving the application to the Planning Board. Once we receive that completed TIA and review it, the application will be moved to the next available Planning Board agenda. The City and the Developer are also planning on holding additional community meetings for this project outside of the Planning Board and Board of Aldermen meetings.
- It is important for everyone to understand that the PUD Master Site Plan and Rezoning application are legislative decisions. Because legislative decisions have such an important impact on landowners, neighbors, and the public, state law mandates broad public notice and hearing requirements for these decisions. Broad public discussion and careful deliberation are encouraged, and **substantial discretion** is allowed. These final decisions are generally made by the local government body, which “legislates” or sets policy decisions based on public input.
- You as the Planning Board will be tasked with making a recommendation on these decisions. Pursuant to NC GS 160D-604, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other officially adopted plans that are applicable. The Planning Board shall provide an advisory recommendation on any properly filed petition within 90 days after the introduction of it at a regularly scheduled meeting to the Board of Aldermen. The public will be encouraged to attend the Planning Board meetings to provide their feedback.
- Once a recommendation is provided, the PUD Master Site Plan and Rezoning application will then proceed to the Board of Aldermen for their review. The Board of Aldermen will also take ample time to review this project in detail. Citizens will have numerous opportunities to provide public input along the way since it is a legislative decision finalized by the Board of Aldermen as the local Governing Board after an advisory recommendation by the Planning Board.

Ms. Maureen Meehan asked if the Site Plan and the Rezoning request would be reviewed at the same time. Mr. Lloyd said that the Site Plan would be reviewed first before the rezoning (zoning map amendment) request would be considered.

Mr. Gustavo Mibelli thanked Mr. Lloyd for providing an update on the Development process. He asked what district the entire property is zoned in currently, and what is the developer is proposing. Mr. Lloyd said the majority of the property is zoned R-20 currently, but there is an area where the former marina was that is zoned PUD. Mr. Lloyd said that approximately 1500 units including single family homes, cottage homes, townhouses, and apartments are being proposed.

Mr. Christopher Jones questioned the rezoning procedure and if the Site Plan could be considered before knowing if the property would be approved to be rezoned. Mr. Lloyd explained that the Site Plan for the PUD is a bubble diagram that shows the density, open

space, road widths etc. This will give the Board a view of what is being proposed for the development before any action is taken to potentially rezone the property.

13. Announcements:

Mr. Donnie Joyner announced that the 2022 Black History Symposium will be held Live on Zoom February 25-27. He said more information can be found on the Southport Historical website. Mr. Joyner thanked Ms. Hatem for her longtime service to the Planning Board. He welcomed new member Mr. Fiss and thanked everyone for attending.

Adjourn:

There being no further business a motion was made by Mr. Donnie Joyner to adjourn, and second by Mr. Gustavo Mibelli. ***Unanimous vote; motion carried.***

Meeting was adjourned by Chair Hodgin at 7:00 P.M.

Sue Hodgin, Chair

Tanya Shannon, Deputy Clerk