



MINUTES
Planning Board Meeting
Wednesday, September 4, 2024
Pender County Hampstead Annex
7:00 PM

MEMBERS PRESENT:

Delva Jordan, Chairman
Damien Buchanan, Vice-Chairman
Jeffrey Pitts
Margaret Mosca
Norman “Ken” Teachey

MEMBERS ABSENT:

John Gruntfest
Jeff Beaudoin

OTHERS PRESENT:

Daniel Adams, Planning Director
Justin Brantley, Deputy Planning Director
Tucker Cherry, Current Planner
Taylor Davis, Current Planner
Tracy Sholders, Administrative Specialist
Trey Thurman, County Attorney
Members of the Public

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 7:02 pm.

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Mr. Buchanan made a motion to amend the agenda to move item 8.5, REZONE 2024-69, to the top of the agenda. Motion to approve revised agenda made by Ms. Mosca, seconded by Mr. Buchanan.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

6 ADOPTION OF MINUTES

Ms. Mosca made a motion to approve the August 13, 2024, minutes, seconded by Mr. Buchanan.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

7 PUBLIC COMMENT

Susan Christie, 367 Olde Point Loop. There are 3 points I would like the committee to consider. Article 3 section 160D-301B, one of the general statutes states, the Planning Board is to conduct on going related research, data collection, mapping and analysis. The first one is the Planning Department needs to research and analyze evacuation routes for Hampstead. Second, in the statute referenced earlier, Planning Department needs to send notices to all within a school area, not just those within 500 ft. Lastly, large communities have been approved with one egress.

Judith Madison, 178 Champion Drive. You stated you follow the Comprehensive Use Plan and the Unified Development Ordinance. The first objective is to protect the health, safety and general welfare of the residents of Pender County and we do not feel this is being done in Hampstead. Had the Unified Development Ordinance been followed, a lot of the problems and complaints could have been avoided.

8 PUBLIC HEARINGS

a) REZONE 2024-72

Daniel Adams, Planning and Community Development Director advised the case had been withdrawn.

b) REZONE 2024-69

Branch Smith, 205 Sierra Drive. Represented the applicant and requested a continuance for this case until the October 1, 2024, meeting.

Mr. Buchanan asked if this was the case regarding the boat storage on 17 outside of the Whitebridge Community.

Mr. Smith replied yes.

Mr. Buchanan made a motion to continue the case and Mr. Pitts seconded.

Motion to continue

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X

Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

c) REZONE 2024-75

Daniel Adams, Planning and Community Development Director, presented the staff report.

Equitas Law Partners, LLP, applicant on behalf of Hawthorne Headwaters Apartments, LLC, owner, is requesting approval of a conditional zoning map amendment to add 84 apartment units to the Hawthorne at Headwaters development, bringing the total number of apartment units to 258. The proposal also unifies the apartment development with the single-family home development located further east on the site so that the apartment development and single-family home development will be viewed as one project. The subject site is located east of US Highway 17 between Deerfield Drive and Hughes Road in the Topsail Township.

Mr. Buchanan asked Mr. Adams if the reason to include the single-family portion within the overall project is for the trees only or to also increase density calculation. Samuel Potter, the attorney representing Hawthorne at Headwaters stated the project met the requirements of the Unified Development Ordinance and the Comprehensive Land Use Plan. The project transitions from commercial to apartments to multi-family. The 2021 application was denied primarily due to school overcrowding which is the same issue tonight. As for the traffic, there are proposed improvements, both new collector streets and a lighted traffic signal on Hwy 17. The School Board's resolution makes a blanket statement that for every dwelling unit there is .3 children. This is what they are basing their calculation off of.

Michael Buckland with Evolve, the developer for the project. For the schools, there are 3 properties currently under management within 10-15 minutes of the property. These are Stevens Point with 192 units with less than 10 children under 18, Hawthorne at the Bend with 228 units with less than 10 children under 18, and Hawthorne at Smith Creek with 318 units with less than 5 children under 18. Based on this math, an additional 84 units would add no more than 3-5 children to the school system.

Rynal Stephenson with DRMP Inc., 5808 Farrington Place. There were some traffic studies done showing an increase of about 1 additional trip every 2 minutes in the a.m. and 1 additional trip every minute and a half for the p.m. There were some improvements with this. One is a traffic signal at US Hwy 17. However, Department of Transportation will not allow the signal to be installed until the development generates the appropriate amount of traffic. There are also turn lane improvements that are required to get traffic safely into the project site.

Mr. Potter stated that both sites as they currently exist have extra density available, so the proposal is not to combine density it is to redistribute the trees from the island across the site.

Mr. Thurman asked if the trees would be moved into the single-family area with Mr. Potter replying not all of them. They would be spread throughout the site. Mr. Thurman followed up with who would own the land where the trees are to be relocated. Mr. Potter replied, the applicant or their successors. Mr. Thurman inquired if the trees would be sold to single-family homes. Mr. Potter replied that is not the plan right now.

Mr. Buchanan inquired if the project would all be under one legal description with Mr. Potter replying he believed it was a subdivision map for the single-family. It is not one parcel with multiply single-family homes. Technically it is single lots that are subdivided. The single-family and apartments are intended to be rental properties. Mr. Thurman noted that if the trees were owned by the homeowners, they could be cut down. Mr. Potter said that the single-family trees could be addressed within the covenants and restrictions. Mr. Teachey stated the ability for homeowners to remove the trees would be of concern. Mr. Buchland advised Mr. Potter that the trees would be in open space not on individual lots.

Jim Cerillo, Landscape Architect with Paramount Engineering, 122 Cinema Drive. Mr. Cerillo stated that the trees would be moved to common areas in the single-family section. There is no concern with individuals removing trees for two reasons. The first being the property is to be rental property. The second is due to the location of the trees. The idea is to bring as many trees as possible back to revegetate some of the remaining forest area along the remaining natural areas. Along the buffers, these would be in addition to those required.

Mr. Jordan asked Mr. Cerillo to clarify if the trees would be used in the buffers. Mr. Cerillo yes but could not be counted toward the buffer requirement.

Mr. Jordan asked if there was any concern with too much congestion for the tree growth. Mr. Cerillo stated the trees would be spaced no less than 13 ft apart. Mr. Jordan inquired about a proposed layout and Mr. Cerillo stated that it is a conceptual one but was a reference to show that it was possible to move the trees. Mr. Jordan asked if there was a specific proposal for this evening. Mr. Cerillo replied, no.

Mr. Pitts inquired how many trees out of the 172 proposed would be moved. Mr. Cerillo stated 120-140

PUBLIC COMMENT

Doug Holdstein, 313 Creekview Drive, representing the Deerfield HOA. Requested the denial of this application. When Tropical Storm Debbie came through it went through the wetlands and created runoff. It damaged the intersection of Breakwater Way,

Creekview Drive, and Deerfield Drive. The other information that was given was regarding a traffic light and turn lanes however, they do not intend to install them until after the project is completed. This is going to create more traffic on neighborhood roads which are already difficult to exit. We are asking you to deny this request.

Pat Brandenburg, 201 Creekview Drive. The 2021 request for rezoning was denied due to a conflict with an objective and 2 policies which is the same today. People are moving to Hampstead due to better schools. In the 2023 Pender County school report it stated that we are expecting K12 students in 5 years to be over 13,000 students, with an annual increase of 460 students. For 2024-2025, the forecast is 427 student increase. The report states that Topsail schools are currently at 118 percent capacity and in 5 years anticipate it to be at 150 percent capacity. The addition of the new K8 school in 2027 will help with the crowding but that further relief is needed according to the report. The new school will house 750 students, if it opens in 2026-2027 there will be 893 students. If it opens in 2027-2028 the need would be for 1003 students.

Daniel Meehan, 230 Camelot Way. If you move 173 trees to open space, what we get is more flooding and rainwater runoff. Please deny the application.

Brett Weaver, 505 Center Drive. Due to Tropical Storm Debbie in July, my yard is still wet and contains stagnant water. Another issue is that Pender County currently has bus issues. The 3 schools to be affected by this project are already over capacity. The North Carolina Department of Education says that the recommended class size for a 6th grade class is 24 students. Topsail Middle School is currently at 36 students per 6th grade. The high school is over 550 students as of last year. The Topsail school system has a high rate of turnover and lost about 20 percent of staff over the summer.

John Peacock, 123 Deerfield Drive. Just want to remind everyone that there were several conditions to the East side of this project. Some of these were, leaving natural buffers, a tree study and construction traffic was not to use Deerfield Drive. These do not seem to be met. Are they a condition of zoning or getting everything built, should the conditions be met up front or later. Also, water from Tropical Storm Debbie came down Breakwater Way exiting the collector drain causing some erosion at the intersection of Deerfield and Creekview Drive. I am in denial of this rezoning.

Micki Tanbouz, 531 North Line Drive. As a teacher with 33 years of experience and I try to do my best but studies have shown that overcrowding of students has a detrimental effect to student achievement. The schools are still trying to catch up from Covid. Due to the overcrowding, students are not getting the quality education they deserve.

Shehla Korff, 116 Center Drive, read several emails regarding Topsail school buses being late or having no driver. My recommendation is to deny this zoning request because they can change their density proposal, and we cannot support what we already have.

Brian Lynch, 442 E. Creekview Drive. The only thing I have heard tonight that the proposal includes the movement of 120 some trees to a different location. One of the original conditions was the extension of Boardwalk way to US Hwy 17. We have now learned that will not take place until the complete buildout so this application should be denied.

Kris Fox, 118 Circle Drive. I think the biggest issue is the quality of life. Schools are already overcrowded, and buses are a huge issue. We want to make this community a great place to live. To do that we need more green space and infrastructure to handle the people already here. This way we can welcome newcomers and have a good community for them.

Laura Labrea, 527 North Line Drive. This will bring more traffic issues to the area. The pressure on the schools will be mainly K-12 Schools and we are already over capacity. Busses are an hour or 2 late with children sitting in the aisles. We will have more water drainage issues. The development is not complete, and the system cannot handle what it has. Please deny this current request for additional apartments and parking until the infrastructure catches up to the growth.

Erin Schmidt, 403 Majestic Oaks Drive. The small town experience this town use to offer it no more. Schools and extra curriculum activities already have a lack of funding. Not only are the students getting a lack of education due to overcrowding, but they are also lacking the athletic or supplemental experience they deserve. I request that you deny the proposal.

Jean Felix, 126 Dogwood Lane, stated she moved here from NY for the quality of life. The traffic is bad now. We need more roads to support what we have without adding more. We hope you support the denial.

Larry Brew, 134 Deerfield Drive. The stormwater system at Breakwater Drive is not working. It is still half full of runoff from Tropical Storm Debbie. There was a lot of noise, construction traffic and burning for the current section. Mr. Brew asked if there is a time frame for the infrastructure process if it is not already in place.

Bob Jerabek, 118 Deerfield Drive stated that the applicant has no regard for the community. The company did not adhere to the things they agreed to do. This proposal should be denied.

Mr. Buchana asked Mr. Adams if there was a condition for stormwater. Mr. Adams responded the stormwater was covered under several conditions in the previous approval.

Mr. Teachey asked Mr. Adams if there were any stats on the number of residential units already approved in this area that have not been built. Mr. Adams replied, the ballpark figure is in the multiple thousands. Mr. Teachey asked for clarification that the numbers

currently showing overcrowding do not include the ones not built. Mr. Adams replied correct. So, if we had those numbers to what we currently have which already overcrowded, we are talking about 200-300 percent overcrowding on the infrastructure. Mr. Adams responded yes.

Tim Clinkscale, Paramount Engineering. At the community meeting, it was stated that the stormwater was based on a 50-year event. We are currently using the 100-year event. The flow rate for the 100-year event is currently 15% below for this site. We are also in SA high quality water, so we have to retain greater stormwater than you do across Hwy 17. There is currently around 600,000 thousand sq ft of impervious and it would be going to around 700,000 thousand creating an 8% increase in impervious. Based on the open space, the whole space would be filled with trees. The 174-tree number was based on a tree survey provided at the initial approval. The applicant is not holding back on the commercial space they have not come to an agreement for a lease. Boardwalk Way, the main access to Hwy 17, would be connected to the site. The applicant only needs to construction commercial business on one of the out parcels for the DOT to install the stop light, not all three parcels. The increase in traffic is 4% based on the numbers in the Planning report. The Corps of Engineers nor Department of Environment and Natural Resources has stated that a wetlands violation has taken place. Permits will need to be pulled and would take around 9 months and construction would be started after that. We do have the infrastructure for the sewer pump station, and it has the capacity to handle the additional units. The pressure tests meet the requirements as well as the stormwater ponds.

Mr. Jordan asked if they were currently looking at 60060 thousand sq ft of impervious. Mr. Clinkscale responded that is what is on the 174 multi-family units and 49 single-family, and the 3 commercial parcels. Mr. Jordans said, and you are looking to increase the impervious surface. Mr. Clinkscale stated it would be a little over 700,000 sq ft.

Mr. Jordan inquired about the total acreage of the site. Mr. Adams replied based on the application it is around 42.26 acres.

Ms. Mosca inquired how predevelopment stormwater runoff was measured. Mr. Clinkscale stated the factors are the tree coverage before clearing, soil conditions, slope of the land, and any existing impervious on the site. Ms. Mosca so it's all done on factors out of a book. Mr. Clinkscale responded yes; it is mathematical. Ms. Mosca asked if it was the same with post stormwater with Mr. Clinkscales answering yes. Ms. Mosca stated in the stormwater certification, it states low impact density. What items are being used to satisfy biofiltration, bioretention, preserving open spaces. What is being used for the LID. Mr. Clinkscales stated there are level spreaders on the downstream side of the stormwater ponds that defuse the flow and allow the flow to come out of the pond at a wider angle which makes the velocity going into the wetland lower. Ms. Mosca inquired if that was being considered biofiltration. Mr. Clinkscale yes. Mr. Clinkscale clarified that the one-year storm is the amount of water quality that must be handled, outside of LID they are holding to the 100-year event.

Ms. Mosca asked what the water table average was for the area. Mr. Clinkscale responded that on the multi-family site it is multiple feet and the residential is probably 2-3 feet.

Mr. Buchanan inquired if the stormwater system for the project was complete up to the permit issued. Mr. Clinkscale replied, the final certification had not been done but that up to that point, it is very close to being certified. Mr. Buchanan inquired if there was something wrong with the system due to the public input received. Mr. Clinkscale replied he felt confident that the calculations done meets the requirements for the 100-year event. Overtime, I feel it will regulate itself back to what it was designed to do. We had a discussion with Department of Transportation regarding their system being undersized and were not allowed to upgrade the system. Mr. Buchanan inquired who held the permit for the stormwater system. Mr. Clinkscale advised the applicant. Mr. Buchanan inquired if there was a failure in the system, who would be called with concerns. Mr. Clinkscale responded the Department of Quality if they felt not all the stormwater was getting into the system.

Mr. Teachey noted that the system if felt to be working, yet pictures exist showing water standing and the project is not built out yet. The system does not seem to be working itself out and it is going to get worse when adding more to it. Mr. Clinkscale state there are erosion control measures on ponds and inlet protection in storm drains along roads that hinder water from getting into basins. Mr. Teachey noted pipes with standing water. Mr. Clinkscale stated the system is designed to have water in the pipes. Ms. Mosca replied it is like statistics it is based on book data. If they can show they did the calculations based on the standards in the industry, they have no other responsibility.

Ms. Mosca asked when you chose specific tree coverage, you did not note how many of each type of tree. Mr. Clinkscale replied it is a percentage of the cover, not a specific tree. Ms. Mosca inquired if there were assumptions made for that area and if those numbers go in the calculations. Mr. Clinkscale responded yes.

Mr. Buchman stated that after view several of the flooding pictures, they have done some survey work and are in coordination with Department of Transportation with that. There were a couple of areas they needed to see fixed in terms of how that driveway was connected. About 90% of the issues with the photos received are currently being resolved. Until the topcoat of asphalt and the grading work, fix the driveway, the current system is not where it is going to be when the stormwater system is certified.

Mr. Buchanan inquired if the sewer infrastructure was installed. Mr. Buchman responded yes. Mr. Buchanan asked if the pump house was installed. Mr. Buchman replied yes. Mr. Buchanan asked the capacity of the pump station. Mr. Clinkscale believes it was 60 additional units beyond the previous number, about 20 units less than years ago, so about plus or minus 80 units. The pumps could be upgraded to get more capacity as well. Mr. Buchanan asked if it was currently installed designed specifically for the current project but could be expanded. Mr. Clinkscale responded yes. It does have some additional capacity, but it would have to be pumped to a gravity manhole.

This would be a public system owned by Pluris. Mr. Buchanan asked if Pluris would own and operate the pump stations and own the lines. Mr. Clinkscales replied yes. Mr. Buchana inquired if Pluris would have the right to expand those lines. Mr. Clinkscale responded yes; they have all the easements in place.

Mr. Potter highlighted a few things. Mr. Adams mentioned the Future Land Use Plan and the Comprehensive Plan would allow up to 408 units on this site. The proposal is for 307 units, 101 less than what the policy states. The open space requirement for this site is 9.21 acres which at least half of which must be active.

Mr. Buchanan stated the public is frustrated with development next to them with conditions that are not being met. The question is whether an expansion of this development is appropriate. The original project and by-right project were denied previously, so twice the Planning Board has denied this project. The community is in pain with traffic, schools and growth. The question is whether there is a community benefit to this project and the expansion. Mr. Potter replied that he believes the numbers and statistics regarding the number of students are correct. These tenants are not normally families, and if they are they are transitional. This type of project has a reduced impact on the school system. It is projects that are not going to add a material amount onto the infrastructure cost but are going to add a material amount to the tax base to pay for future infrastructure.

Mr. Teachey wanted to know if the density is lower than the County allowed, why they were asking for a rezoning. Mr. Potter responded the PD zoning density requirement is based on the future land use plan; this is not a by right project. Mr. Teachey questioned if they could build the other 84 units without coming before the board. Mr. Potter responded no they could not.

Mr. Jordan asked Mr. Adams to explain the process for the proposal on the agenda tonight. Mr. Adams explained the Planning Board is a recommending body and the Board of County Commissioners makes the final decision.

Mr. Teachey felt the proposal should be denied until schools and infrastructure in the Hampstead area are improved. He stated he would not vote for an increase in density for any project until these were improved.

Mr. Teachey made a motion to deny the proposal. The motion was seconded by Ms. Mosca.

Motion to deny

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			

Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

DENIED.

d) REZONE 2024-73

Justin Brantley, Planning and Community Development, presented the staff report.

Equitas Law Partners, LLP, applicant, on behalf of CKBuff Enterprises, LLC, owner, is requesting the approval of a conditional zoning map amendment for the development of 240 apartment units and approximately 12,500 sq ft of commercial building space across approximately 20.35 acres.

The subject properties are located on the east side of US Highway 17 northeast of Edens Lane and southwest of Union Bethel Road in the Topsail Township and may be further identified by Pender County PINs 4214-07-4802-0000 and 4214-08-0545-0000.

Mr. Pitts asked for clarification on the number of students with the by right single-family count. Mr. Brantley responded with 21 students. Mr. Pitts questioned if there were different calculations between the types of housing. Mr. Brantley stated it is the same calculation that Pender County schools provide, .3 students per unit. There is a differentiation between the single or multi-family housing.

Mr. Jordan questioned if this was based on water and sewer being available. Based on my calculations with water and sewer available, they could go up to 9000 sq ft making it 4.7 units per acre. Mr. Jordan inquired if the number was based on the 4.7 units per acre or 2 units per acre. Mr. Brantley replied the 2 units per acre is the future land use intention. The by right zoning allows a greater density. It is based on what they could do today. Mr. Jordan stated the calculations are going by the by right. Mr. Brantley responded yes. They are proposing to develop about 4 times what they could develop currently without asking the Board.

Sam Potter, Equise Law, representing CK Buff LLC. Mr. Potter stated that If a project is approved that does not comply with the Future Land Use Plan, that approval automatically amends the Future Land Use Plan. The Future Land Use Plan for this county for this section of Pender County is outdated and does not consider the bypass that is being built to the south of this property. Areas along Hwy 17 are mostly commercial and then as you move off Hwy 17 it becomes more dense and then further back to single-family. This project does not have under designed roads and would not exceed Hwy 17 available capacity.

Mr. Clinkscales, Paramount Engineering. The project has Pender County Utilities for water and a capacity letter from Pluris saying they will serve the site. There will be a lift station on site. As for stormwater, we agreed to that condition.

Mr. Potter stated the community meeting for this project had 4 neighbors show up. The community neighbors at the community meeting were supportive of the project at that time.

Mr. Stevenson with DRMP Inc., 5808 Farrington Place. There are a couple of points I would like to make. The first is we are in the process of doing a traffic impact analysis – we consider higher than normal rates. Half of the traffic will be coming from the commercial, small area of the property. The other point is the traffic table notes about 3000 trips a day. This included traffic going both ways, not just one direction.

Mr. Teachey stated the traffic study says between Eden Lane and Union Bethel with half going each way. The roads are already at 100% so traffic will be added going both ways not just between these two roads. Mr. Brantley replied yes, the burden is in both directions.

Mr. Stevenson responded that the commercial area of the project is not directly on US Hwy 17, that it was a little off the road. This is setting up to capture local traffic rather than regional traffic. The area is meant to serve the local neighbors.

Mr. Jordan inquired what month in 2023 the traffic study was done. Mr. Stevenson replied the AADT stands for Annualize Average Daily Traffic. It takes the average over a year. Mr. Jordan clarified that there is no way to determine the traffic per day because it is going by the average for the year. Traffic could be heavier now at 9 months later with all the construction. Is this being taken into consideration? Mr. Stevenson replied yes, there has to be growth taken into account. Mr. Jordan stated the traffic could be different on school days. Restaurants and the delivery services that service those should be taken into consideration for traffic. Mr. Stevenson responded that when those are taken into consideration the numbers go down. The table does not show the full picture as some of the patrons will walk over. Retail uses typically have 25% to 50% of their traffic come from traffic already on Hwy 17. Mr. Clinkscales stated the 38,000 figure came from the Wilmington MPO and with the counts on the traffic study we have to use the worst-case scenarios.

Mr. Teachey questioned if right now by right they could put in 37 units. Mr. Brantley responded that by right they could do 70. Mr. Teachey clarified that by right was 70 and they are talking about 240. Mr. Brantley replied correct.

Mr. Jordan asked Mr. Adams to clarify the statement Mr. Potter made regarding the changing of zoning and it automatically changing the Comprehensive Land Use Plan. Mr. Adams explained that state statute provides that if a rezoning is approved and it is inconsistent with the Future Land Use Plan, the Future Land Use Plan is automatically

updated. Mr. Teachey inquired if it was just that property or the adjacent property also. Mr. Adams confirmed just that property. Mr. Jordan stated that the adjoining properties would not be changed. Mr. Adams responded yes.

PUBLIC COMMENT

Robert Freeman, 20400 US Hwy 17 N. Adjacent property owner wanted clarification on if this affected his property. Staff agreed to call him the next morning to explain.

Shehla Korff, 116 Center Drive. Asking for the builder and property be held to the by right and the rezoning be denied. Regardless of the studies, school buses are late, no drivers available, and the schools are overcrowded.

Steve Edens, 438 Edens Lane. Lived all my life her and this area is quickly becoming less desirable to live in. There is already too much traffic. There is one bus that comes to Bridgewater Way and with 1/3 of the dwellings you are talking about an unloads all but 3 children.

Ms. Mosca stated that 3.5 times the amount of development in that one area was too much and not in the best interest.

Ms. Mosca made a motion to deny the proposal. The motion was seconded by Mr. Teachey.

Motion to deny

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

DENIED.

e) REZONE 2024-74

Taylor Davis, Planning and Community Development, presented the staff report.

Wanda B. Mills, applicant, on behalf of Carlos Moore, Tonya Moore, and Darnell Bradley, owners, are requesting the approval of a General Use Zoning Map Amendment

to rezone two parcels of land totaling approximately 1.28 acres from the RP, Residential Performance, zoning district to the GB, General Business, zoning district.

The subject properties are located on Cristian Chapel Road approximately 150 feet north of the intersection of US Highway 17 and Christian Chapel Road in the Topsail Township. The properties may be further identified by Pender County PIN(s) 3281-19-8786-0000 and 3281-19-7859-0000.

Mr. Thurman clarified that adult business are not allowed within 1500 ft of churches, schools or daycares. Mr. Jordan wanted to clarify that this was covered, and Mr. Thurman replied yes.

Mr. Buchanan requested to know what was in the GB zoning area. Ms. Davis replied the property was vacant. Mr. Buchanan stated if the property was rezoned to allow business to take advantage of the area, he was in favor of it.

Taylor Davis read the applicant's statement.

Mr. Buchanan made a motion to approve the rezoning and Mr. Pitts seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

10 NEXT MEETING DATE

Mr. Adams advised that next meeting would be September 9 in Burgaw. The meeting for October will be on 10/1 in Burgaw with potentially two cases. Mr. Buchanan made a motion for the October meeting to be 10/1 with a workshop at 6 p.m. and the meeting starting at 7 p.m. Mr. Teachey seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
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Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

September 9, 2024, at 7:00 p.m.
Burgaw Board of Commissioners Room
805 S. Walker Street,
Burgaw, NC 28425

11 ADJOURNMENT

Mr. Pitts made a motion to adjourn with Mr. Teachey seconding the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman (Ken) Teachey	X			
	5	0	0	2

CARRIED.

Adjourned at 10:19 p.m.