

# **TOWN OF BURGAW PLANNING AND ZONING BOARD**

## **REGULAR MEETING**

**DATE:** October 27, 2022  
**TIME:** 5:30 PM  
**PLACE:** Burgaw Historic Train Depot  
**BOARD MEMBERS PRESENT:** Jennifer Hansen, Frederick Lewis, Sam Guidry, Tiffanie Boswell

**STAFF PRESENT:** Gilbert Combs, Planning Director  
Jessica Gray, Permitting Technician  
Zachary Rivenbark, Attorney

**MEDIA PRESENT:** None  
**PUBLIC PRESENT:** Andrew Smith, Rebecca Jordan, Graham Jordan

**CALL TO ORDER:** 5:30 PM  
**INVOCATION:** Jennifer Hansen

The meeting was called to order by Jennifer Hansen at 5:35 PM.

### **Approval of the Agenda**

A motion to accept the agenda with one item struck was made by Mr. Sam Guidry to approve the agenda. The motion was seconded by Ms. Tiffanie Boswell. The motion was unanimous.

### **Approval of Minutes of the Previous Meeting**

Mrs. Hansen asked if there were any additions or deletions to the minutes of the September 15th, 2022, meeting. A motion was made by Mr. Frederick Lewis to approve the minutes as presented. The motion was seconded by Mr. Sam Guidry. The vote was unanimous.

### **Public Input**

None.

### **New Business**

#### **1. Consideration of Façade Grant Applications**

##### **a. 111 West Fremont Street**

Ms. Gray presented the façade grant application for 111 West Fremont Street. The project would update the cedar shingles on the awning and replace with metal awning. After deliberation, Mr. Sam Guidry made the motion to approve. The motion was seconded by Ms. Tiffanie Boswell. The board voted to unanimously to approve the request.

##### **b. 114 South Dickerson Street**

Ms. Gray presented the façade grant application for 114 South Dickerson Street. The project will clean and repaint the structure. After staff's presentation, the applicant came forward to further describe the proposal. After deliberation, Mr. Sam Guidry made the motion to approve. The motion was seconded by Mr. Frederick Lewis. The board voted to unanimously to approve the request.

**2. Consideration of a Major Subdivision Final Plat application for Coastline Station Subdivision located on a 2.47-acre containing seven lots, located on 818 W. Bridgers Street Extension being developed under the R-7 standards of the Burgaw Unified Development Ordinance. The property is further identified as tax reference number 3219-83-9783-0000**

[Mr. Combs gave a presentation describing the request for approval for the Coastline Station Subdivision]

Mr. Combs:

Mr. Andrew Smith is seeking a final plat approval for a major subdivision located at 818 West Bridgers Street Extension

The lot is 2.47 acres in size and is zoned O&I which permits residential development that follows R-7 residential standards. Adjacent property to the north is zoned industrial and office and institutional, to the south across west Bridgers Road extension is r-12 residential, to the west is institutional and to the east is industrial and office and institutional zoning. The adjacent land uses are agricultural, institutional, and vacant.

Here are photos of the subject property and across from the subject property on West Bridgers Street extension.

The proposal is to subdivide the parent lot into seven smaller lots, all with road frontage on West Bridgers Street Extension. Water and sewer infrastructure are already in place in the right of way fronting the project.

It is important to note that consideration of this item should be based on the applicant's ability to adequately respond to the four findings of fact. This is going to be a quasi-judicial proceeding so we have to address the four findings of fact towards the end of this presentation and the applicant will answer those. One of those findings coincide with staff's responsibility to ensure conformity with the unified development ordinance. This table shows that residential use designed to R-7 residential standards are permitted in the O&I office and institutional zoning district. The minimum lot size permitted is 7,000 square feet and the proposed lots range from over 12,000 square feet to nearly 19,000 square feet lots. The minimum required road frontage is 60 feet and the proposed lot frontages range from 60 feet to nearly 68 feet. The front side and rear yard setbacks are identified on the final plat and meet the applicable yard setbacks.

This item is a quasi-judicial as I mentioned. I am here for any questions and the applicant is here to respond to the four findings.

Mr. Rivenbark: I'm going to go ahead and swear you both in. So if you would I and state your name.

Mr. Combs: I, Gilbert Combs.

Mr. Smith: I, Andrew Smith.

Mr. Rivenbark:

Do you both solemnly swear or affirm as we are doing today that the testimony that you will give and you have given in this matter is the truth, the whole truth, and nothing but the truth.

Mr. Smith:

So, obviously this is a little different as we have been through this process before for the preliminary. It's a little different in the sense that I'm not doing any infrastructure on this project. They say it was 2.4 acres as Mr. Combs said. Were doing road frontage lots here so the O&I reverts back to R7 zoning. Were gonna change basically instead of doing 7000 SF lots like Mr. Combs said were proposing 12,000 to roughly 19,000 SF lots so they'll be much larger than what is required by the zoning that is here. Working with Doug Racing with DOT we have come up with shared driveways so there's less impact with cars going

back out to the road there. I think that would actually be really helpful as well. And then just in regards to the project itself there is a small portion of flood on the right side, there is a dotted line there. All the house boxes that we are proposing here nothing will be in a flood zone which is really good. There are open ditches in the front so were actually all the water on the property is being pushed to the front of the street which is where the ditches are so well flow naturally. And then just in regards to the questions do you need to read those questions and then let me answer them or do you want me to just kinda go through them.

They need to be read, by someone

I can read them for you then you can respond to them. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.

Yes so the location and character of the use, obviously were doing residential here its going to be developed according to the R7 zoning which again the O&I is what its currently and it reverts back to the R7 zoning. We are going back here, and it will be in harmony with the residential use.

The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this Ordinance

So there's a 2030 land use plan for Pender county. I've got a couple other projects that were working on. This definitely does fall within the 2030 future land use plan. Around this property there is again there is residential R12 across the street its mostly all farmland today. There is one gentleman that has a residential house if you're looking at this to the right. So, it does again it does fall again the area of what is proposed now and in the future.

The use of the property as proposed will not affect other adjoining or abutting property values.

So, whenever I purchased the property it was mostly woods. You could see two driveway culverts that went into the property. There was an old home that was hidden in there behind all the trees, there was a concrete structure that I guess maybe was a garage, there was a manufactured home and kind of like a little shed so obviously at one time it was residential and then it was basically no one was living there. So what we did was we went in and pulled off all the old structures that were there, we kinda cleaned up that area, and then were gonna come back with residential that will be brand new construction and new housing so ultimately it will definitely bring up values to the surrounding area

Yeah, I think and I mean endangering of the public health I think that was one of the main things, I have some projects in other parts of Pender County and working again with Doug Racine he was the head guy at DOT. I was the one that actually proposed the shared driveways and I know this is a state-maintained road, he has and many times in other areas he actually likes that idea and proposal. It's a little different from a design standpoint but it actually lays out really well. This does not show that but what we've actually done with the shared driveways is that the engineer actually made them a little bit wider so when you pull up to the houses you'll be able to actually there will be a concrete pad that you can back on the property back up on your own lot and then pull out as opposed to this backing out onto the highway which ultimately I think will be much better for people that live there and will be safer for people going in and out.

Mr. Guidry: Yeah, you don't wanna back out on that highway

Mr. Smith: I've pulled in there a couple times and tried to back out and cars going by

Mr. Guidry: You might spend more on concrete but

Mr. Smith: It will be but I think it will be a better use at the end of the day. Do you guys have any questions for me?

Ms. Hansen: I know maybe this has. What style homes do you plan on putting there.

Mr. Smith:

Good question. There's a gentleman Mr. Pat you guys may have seen some houses he's building by the ballfield over here. They'll be roughly 1200 our goal is to try to keep the pricing below 300,000 he's kinda selling things obviously I'm in real estate so I pay attention to what other people are doing. Hes selling 1200 SF homes for around 250. Well, kinda be kinda mostly around that same price point. I have two homes that are being built on west Fremont now which are 1200 square feet. Were about to just start those lots have just been cleared. I'm gonna be comparable to those. They'll mostly be one level I think we do have one or two Lot seven will have two story plan. Lot seven is the only lot that has an individual driveway just because obviously the odd units. But to answer your question 1200 to 1500 max 1600.

Ms. Hansen: Single story?

Mr. Smith: Single story. I think lot 7 will be a two-story plan but mostly well probably try to keep it to one story

Mr. Guidry: So you'll be changing...

Mr. Smith: The elevations? Yeah

Mr. Guidry: I mean we can't tell you what to do

Mr. Smith:

The gentleman that I've partnered with on this in terms of the building he has one when you first come in I should know the name of that street its kinda by you guys its that off-white house it's a two story house with the garage kinda set to the side

Ms. Gray: The one on Bridgers?

Mr. Smith:

Bridgers that exactly right. That's the gentleman I'm working with. That's the floor plan. The garage was added. That's the same floor plan built in downtown Wilmington. That floor plan without the garage and the bonus room is 1300 SF. It's a two-story plan. Something of that magnitude probably will be what is proposed over here

Mr. Guidry: Are they gonna paint different colors?

Mr. Smith: Absolutely

Ms. Hansen: Were getting some concern about the ones on...

Mr. Guidry:

Yeah, were getting hit at the grocery store. "oh they're building those and they all look alike". It would be nice that you put. You know we just have to make sure you're following the zoning. We can't tell you how to be an architect. This is just our personal view

Mr. Smith:

I respect that. I mean. And I think being in the real estate business I don't think most people in this day and age want their houses to be identical to their neighbor. Maybe if you're in town homes or apartments or something. Here you're gonna own your own land, your own house so the goal is to try to. These will be built as spec homes but ultimately if someone comes in while house is under construction, they'll be able to pick their own color. But otherwise, the greys and whites and blues and things of that nature

Mr. Guidry:

It sounds like you'll be mixing the architecture a little bit. The ones you mention they're kinda nice, but they sit back kinda far.

Mr. Smith:

Yes, Pats sit back kinda far. These sit about 50 feet. The one on the right will definitely sit back probably about 70 feet, I mean these are very deep lots. Another thing is were gonna try to leave as many trees. All the trees you see at the back of the property that you see there today for the most part will absolutely remain. The roughly three lots on the right, maybe that fourth lot kinda, the road frontage trees will be cleared on those. So once the builder pulls the building permit that's when they will work with public works, and they'll clear some of that frontage to be able to tie in to the sewer and water taps. But ultimately, they'll clear just maybe 20 max 30 feet behind the house and then they're gonna try to leave it mostly wooded

Ms. Hansen: Because the Pender County school system is right behind them

Mr. Smith: Yes ma'am

Ms. Hansen: So, when do you anticipate getting this started

Mr. Smith:

As soon we can get this plat recorded. And I've already got a contract with a builder were gonna go ahead and start right away.

Mr. Guidry: Are you septic?

Mr. Smith: Sewer. All tie in with the city

Ms. Hansen: So, by Christmas you'll be going...

Mr. Smith:

Oh yes that's the goal. And probably what will happen is I think they'll probably start two to three and then kinda get those going and get them sold and then kinda keep going. I know they're not starting all six at once so it'll kinda be a phased-out process. Realistically it'll probably be built out over the course of 15 months I would assume

Ms. Hansen: Do you guys have any more questions?

Mr. Rivenbark:

So, this is a quasi-judicial, so we have to go through each standard and individually answer yes or no that it meets the standard.

Ms. Hansen: Do you want me to read them?

Mr. Rivenbark:

We can identify them because we are going to enter into the evidence the PowerPoint Mr. manager.

Mr. Combs: Yes

Mr. Rivenbark: Then I'm okay to number the boxes so we can call box 1 2 3 and 4. So we can do this today.

Ms. Hansen: Okay so I can do that and then do I need to ask everyone?

Mr. Rivenbark:

Ask everyone and they need to answer aloud yes or no that it meets box one standards that was read by the applicant.

Ms. Hansen: Okay box number one. Tiffanie.

Ms. Boswell: yes

Ms. Hansen: Sam

Mr. Guidry: yes

Mr. Lewis: yes

Ms. Hansen: Do I need to vote?

Mr. Rivenbark: Yes.

Ms. Hansen: Yes. Box two

Ms. Boswell: yes

Ms. Hansen: yes

Mr. Guidry: yes

Mr. Lewis: yes

Ms. Hansen: Box number three

Ms. Boswell: yes

Ms. Hansen: yes

Mr. Guidry: yes

Mr. Lewis: yes

Ms. Hansen: and box number four

Ms. Boswell: yes

Ms. Hansen: yes

Mr. Guidry: yes

Mr. Lewis: yes

3. **Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Section 9.3 Traffic Impact Study subsection 9.3.3 Applicability. This amendment will modify the number of trips a development generates per day that would require a traffic impact study.**

Ms. Gray presented a staff-initiated text amendment to modify the trip generation threshold to require a traffic impact study. Mr. Lewis made a motion to recommend approval and included the staff-provided consistency statement. The motion was seconded by Ms. Tiffanie Boswell. The board voted to unanimously to approve the request.

#### **Adjournment**

The meeting was adjourned at 6:30 PM. A motion was made by Mr. Guidry to adjourn the Planning Board meeting. The motion was seconded by Ms. Boswell. The vote was unanimous.

Respectfully submitted,

Gilbert Combs  
Planning Director

  
Planning Board Chair Signature