

SHALLOTTE BOARD OF ALDERMEN

REGULAR MEETING

January 7, 2025

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on January 7, 2025 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Walt Eccard presiding.

Aldermen present: Larry Harrelson, Gene Vasile, Karmen Custer, Jimmy Bellamy and Bobby Williamson

Staff present: Mimi Gaither, Robert Waring, Brandon Eaton, Natalie Goins, Isaac Norris, Adam Stanley, Justin Ward, and Attorney Laura Thompson.

I. CALL TO ORDER

Mayor Eccard called the meeting to order. A motion was made by Bobby Williamson seconded by Gene Vasile to open the meeting. Motion carried 5 yes 0 no.

II. INVOCATION & PLEDGE

Father Mark Betti gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.

III. CONFLICT OF INTEREST

Mayor Eccard asked if any member of the Board had a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda. None stated.

IV. AGENDA AMENDMENTS & APPROVAL OF AGENDA

A motion was made by Gene Vasile seconded by Bobby Williamson to approve the agenda as submitted. Motion carried 5 yes 0 no.

V. PUBLIC COMMENTS

VI. DEPARTMENT REPORTS

1. Police

A. Presentation – Officer of the Year

Police Chief Adam Stanley presented Officer Hunter Whaley with the “Officer of the Year” award.

2. Fire

3. Planning

A. Board Appointments/Board Size

A motion was made by Gene Vasile seconded by Larry Harrelson to approve reappointing

Ron Johnson, Rich Gannaway and Melodie Bryant, and to appoint Amanda Dunn as the ETJ representative. Motion carried 5 yes 0 no. A motion was made by Jimmy Bellamy seconded by Karmen

Custer to approve reducing the Planning Board and Zoning Board of Adjustment to 7 members. Planning Board – 6 in town and 1 ETJ. Zoning Board of Adjustment – 5 primary and 2 alternates. Motion carried 5 yes 0 no.

4. Public Utilities

A. Little Church

The Board agreed to postpone the discussion on the Little Church due to the absence of Dan Formyduval, Director of Public Works.

5. Finance

6. Media & Events

A. Market Vendor Fees

A motion was made by Gene Vasile seconded by Karmen Custer to approve increasing vendor fees for the 2025 season from \$10 per market to \$15 per market. Motion carried 5 yes 0 no.

7. Administration

Town Manager Mimi Gaither provided the Board with an updated job report and project schedule for Price Landing.

8. Mayors Monthly Activities

A. 2024 Review

VII. CONSENT AGENDA

A motion was made by Gene Vasile seconded by Karmen Custer to make the following amendments and approve the following consent agenda items:

A. December 3, 2024 Regular Meeting minutes

(Amendment to VI. Public Comments: Holly H. Long, Shallotte Point resident, expressed concerns with how the 1295 Village Point Road project is going to affect "the swash".)

B. Direct the Clerk to "Investigate the Sufficiency Thereof and to Certify the Result of the Investigation" for the Following Annexation Request:

Annexation Petition: ANX 24-26

Parcel ID: 197JB003

Maverick Pate

0.47 Acres +/-

C. Direct the Clerk to "Investigate the Sufficiency Thereof and to Certify the Result of the Investigation" for the Following Annexation Request:

Annexation Petition: ANX 24-17

Parcel ID: 19800002

Solserra (San Rio)

Stars & Stripes 21, LLC

304.66 Acres +/-

D. Budget Adjustment: BA-24-25-7 (JP Russ & Son contract – Mulberry St. Roadway & Sidewalk Improvements \$697,319.00)

Motion carried 5 yes 0 no.

VIII. PUBLIC HEARINGS

1) REZONING PETITION (RZ 24-12): 250 Holden Beach Rd.

Mr. Michael Wayne Milligan has submitted a request for consideration of a rezoning petition for the property located at 250 Holden Beach Rd (1.6 Acres +/-). Parcel ID #'s 1980001205, 1980001202, & 1980001204. The property is currently zoned Residential Agricultural Manufactured Home (RAM-15) and has been requested to rezone into the Business-2 (B-2) zoning district.

1. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the Public Hearing.
Motion carried 5 yes 0 no.

Town Planner Brandon Eaton gave a brief overview of the request.

2. Public Comments/Questions.

3. A motion was made by Jimmy Bellamy seconded by Bobby Williamson to close Public Hearing.
Motion carried 5 yes 0 no.

4. Board Comments/Questions

Alderman Gene Vasile asked if the properties were in town limits. Planner Brandon Eaton replied the properties are in the ETJ and have expressed no desire to annex at this time.

5. A motion was made by Larry Harrelson seconded by Karmen Custer to approve the Zoning Amendment Statement of Consistency. Motion carried 5 yes 0 no.

6. A motion was made by Jimmy Bellamy seconded by Gene Vasile to approve rezoning Parcel ID #'s 1980001205, 1980001202, & 1980001204 from RAM-15 to B-2. Motion carried 5 yes 0 no.

2) SPECIAL USE PERMIT (SUP 24-10) PARCEL ID # 1810005807 (3680 Express Dr.) *(Quasi-judicial)*

Grady Watkins, on behalf of Brunswick County Schools, has submitted a request for consideration of a Special Use Permit (SUP) so as to develop a school operations center with an included warehouse and print facility at the parcel/address listed above. The property is zoned Highway Business (HB).

1. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the Public Hearing. Motion carried 5 yes 0 no.
2. Town Clerk Natalie Goins administered the oath to Town Planner, Brandon Eaton and Grady Watkins, Brunswick County Schools' Project Manager.

Town Planner Brandon Eaton gave a brief overview of the request.

Attorney Troy Cronk, representing the applicant, Brunswick County Schools, directed questions regarding the proposed use for the former furniture store located at 3680 Express Drive to Brunswick County Schools' Senior Project Manager, Grady Watkins.

The building will be used for a warehouse facility, mainly for storing classroom furniture, forms and records. The in-house print shop, including machinery will also be moved to this location. This will include copiers and binding machines. There will be one full time employee and one part time

employee. Changes to the building will include installing some interior walls and a mini split heating and air system. Exterior changes would be limited to clean-up, painting, signage and front lettering. There will be no hazardous or toxic materials stored or used at the facility.

Attorney Troy Cronk also reviewed the six special use application standards, with Mr. Grady Watkins providing responses.

- 1) That the use will not materially endanger the public health and safety.
No, no hazardous materials stored or used at the facility.
- 2) That the use will not substantially injure the value of adjoining or abutting property.
No. Brunswick County Schools owns the building next door. Other buildings in the area include a hotel, senior center and office spaces.
- 3) That the use will be in harmony with the area in which it is located.
Yes.
- 4) That the use will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen.
Yes.
- 5) That the use will have adequate facilities to provide ingress and egress designed to minimize traffic congestion on public streets and also have adequate utilities, access roads, drainage, sanitation, or other necessary infrastructure.
Yes. The building is not actually on Hwy. 17, but rather the access road, Express Drive, which runs parallel to Hwy. 17. With only two employees at this location, and only occasional deliveries and pickups, no major traffic impact is expected.
- 6) That the use meets all required conditions and specifications established by the Board of Aldermen.
Yes.

A copy of the special use application standards with responses from Brunswick County Schools was entered into evidence.

3. Public Comments/Questions.
4. A motion was made by Jimmy Bellamy seconded by Karmen Custer to close Public Hearing. Motion carried 5 yes 0 no.
5. Board Comments/Questions
6. A motion was made by Bobby Williamson seconded by Larry Harrelson to approve the Specific Findings of Fact. Motion carried 5 yes 0 no.
7. A motion was made by Jimmy Bellamy seconded by Karmen Custer to approve SUP 24-10. Motion carried 5 yes 0 no.

3) SPECIAL USE PERMIT (SUP 24-13) PARCEL ID # 1970002005 (4636 East Coast Ln.) (Quasi-judicial)

Christopher Stanley, on behalf of Stanley Investments, LLC, has submitted a request for consideration of a Special Use Permit (SUP) so as to develop a leasable office facility with included warehouse space at the parcel/address listed above. Warehouses require a special use permit in the current zoning district. The property is zoned Highway Business (HB).

1. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the public hearing. Motion carried 5 yes 0 no.
2. Town Clerk Natalie Goins administered the oath to Town Planner, Brandon Eaton and Chris Stanley, Stanley Investment 1, LLC.

Attorney Ryan Smithwick, representing the applicant, Stanley Investment 1 LLC, reviewed the special use application standards, with Mr. Chris Stanley providing responses.

- 1) That the use will not materially endanger the public health and safety.
The use will be a commercial office space with no harm to the public.
- 2) That the use will not substantially injure the value of adjoining or abutting property.
No, the proposed use is compatible to others on East Coast Lane; former Chance's restaurant, Smithfield's Chicken 'N BBQ, realty office, hotel, and Colonial Materials. There is already a nearly 50 ft. existing buffer between Wildwood Village and this location. An additional 10 ft. buffer will also be added.
- 3) That the use will be in harmony with the area in which it is located.
Yes, it is Highway Business.
- 4) That the use will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen.
Yes, it conforms with light commercial.
- 5) That the use will have adequate facilities to provide ingress and egress designed to minimize traffic congestion on public streets and also have adequate utilities, access roads, drainage, sanitation, or other necessary infrastructure.
Yes, it is served by Town sewer and County water. There are no foreseen problems with traffic circulation.
- 6) That the use meets all required conditions and specifications established by the Board of Aldermen.
Yes.

3. Public Comments/Questions

4. A motion was made by Jimmy Bellamy seconded by Gene Vasile to close Public Hearing. Motion carried 5 yes 0 no.

5. Board Comments/Questions

Alderman Jimmy Bellamy asked about the size to which Mr. Stanley responded that the total building is 11,700 sq. ft. with varying unit sizes. Alderman Bellamy also inquired about the sewer capacity to which staff replied that it had been assessed by Town Engineer, Dave Bowman.

Alderman Gene Vasile asked for clarification of "leasable office facility with included warehouse space".

Mr. Stanley stated the units are tailored to small businesses and referred to it as "commercial flex space," explaining that there would be a small office/lobby area up front with storage space in the back.

6. A motion was made by Gene Vasile seconded by Jimmy Bellamy to approve the Specific Findings of Fact. The applicant was also in agreement with the following special conditions:

- 1) All required fees shall be paid prior to final zoning approval; and
- 2) Per Sec. 12-12, all required site improvements shall commence within 12 months of SUP approval date or applicant shall request an extension of up to six months from the Shallotte Board of Aldermen; and
- 3) All required local, state, and federal permits shall be obtained and copies provided prior to final zoning approval; and
- 4) The site be maintained in accordance with the approved site plans.

Motion carried 5 yes 0 no.

7. A motion was made by Larry Harrelson seconded by Karmen Custer to approve SUP 24-10. Motion carried 5 yes 0 no.

4) REZONING PETITION (REZ 24-29): 570 Forest St. Ext.

Mr. Michael Norton & Carolina Strand Properties, LLC., has submitted a request for consideration of a rezoning petition for the property located at 570 Forest St. Ext. Parcel ID # 18200177 (15.6 Acres +/-). The property is currently zoned Light Industrial (LI) and has been requested to rezone into the Multi Family-14 (MF-14) zoning district.

1. A motion was made by Jimmy Bellamy seconded by Larry Harrelson to open the Public Hearing. Motion carried 5 yes 0 no.

Town Planning Director Robert Waring gave an overview of the request and explained the rezoning process.

Michael Norton, property owner, stated the intent was to transition from what is an industrial zone. Mr. Norton pointed out that MF-14 zoning is consistent with the Town's UDO statement that it can serve as a transition zone between higher intense uses and lesser intense uses.

2. Public Comments/Questions.

- Larry Long, 3023 Bay Village Street, expressed concerns about water runoff, noting that heavy rains already cause water to encroach upon homes. He believes the multi-family zoning will negatively impact traffic and road conditions.

- Bob Fraser, 2983 Bay Village Street, expressed opposition to the MF-14 zoning due to the number of allowable units and setbacks, stating he preferred commercial to multi-family.

- Andrew Glazebrook, 511 Oakwest Street, expressed concerns about the damage that increased traffic will cause to the narrow, two lane road and how it could negatively affect property values.

- Tom Darby, 2978 Hardsmith Street, noted the poor condition of the one way in, one way out road.

- Dora Kotema, 3039 Bay Village Street, urged the Board not to approve the MF-14 rezoning stating that area is going to be overwhelmed with vehicles.

- Thomas Horton, 549 Pinecrest Street, has serious concerns about emergency vehicles possibly being delayed in traffic, particularly at the intersection.

- Carmen Viggiano, 3013 Hardsmith Street, raised concerns for the safety of children using the school buses.

- Bruce Hampton, 2925 Hardsmith Street, stated the road condition is terrible and unsafe. He also expressed discontent with not knowing exactly what the proposed project will be for this location.
 - Charles Ordonez, 2868 Bay Village Street, fears the possibility of affordable or Section 8 housing, which he feels could negatively impact property values.
 - Kirk Hutzell, 525 Oakwest Street, acknowledges the concerns expressed by his neighbors but emphasized that his primary worry is the potential crime associated with Section 8 housing.
 - Lisa Morosky, 579 Pinecrest Street expressed that the allowable uses for MF-14 zoning are alarming, and rezoning to R-10 instead may alleviate some residents' concerns.
 - Nayra Bernacki, 519 Oakwest Street, believes light industrial projects would be less disruptive than the number of units allowed under MF-14.
3. A motion was made by Gene Vasile seconded by Karmen Custer to close Public Hearing. Motion carried 5 yes 0 no.

4. Board Comments/Questions

- Alderman Gene Vasile reviewed the table of permitted uses for the proposed MF-14 zoning, along with current permitted uses, stating that it is essentially a tradeoff. He shares the concerns about traffic in that area, noting it's a constant issue irrespective of the zoning.
- Alderman Larry Harrelson noted his biggest concerns are the amount of traffic, road conditions and safety. He emphasized the need for improvements to the intersection, including a possible secondary access onto the bypass with a right in and right out option.
- Mayor Walt Eccard echoed the importance of the road conditions. He expressed that public involvement is very important and thanked the citizens for their well-founded concerns.

5. The Board reviewed the Zoning Map Amendment Statement of Consistency finding that:

- The size of the area to be rezoned, which is ± 15.6 acres, is compatible with the proposed rezoning to MF-14. The Board was in agreement 5-0.
- All permitted uses in Article 10 Table of Permitted Uses of the Shallotte Unified Development Ordinance have been considered in this decision. The Board was in agreement 5-0.
- The proposed rezoning to MF-14 is compatible with the Town of Shallotte Land Use Plan. The Board made no finding on this item.
- The benefits of rezoning the tract to MF-14 outweigh any detriments.
Agreed: Jimmy Bellamy, Gene Vasile, Bobby Williamson. Disagreed: Karmen Custer, Larry Harrelson.
- The relationship between the uses of the proposed zoning of MF-14 and the surrounding area are either identical or compatible. The Board was in agreement 5-0.
- This new zoning promotes the public health, safety, and general welfare of the community. The Board was in agreement 5-0.

A motion was made by Bobby Williamson seconded by Gene Vasile to approve the Zoning Statement of Consistency. Motion carried 5 yes 0 no.

6. A motion was made by Jimmy Bellamy seconded by Gene Vasile to approve rezoning PID 18200177 from LI to MF-14.

Yes: Jimmy Bellamy, Gene Vasile, Bobby Williamson

No: Karmen Custer, Larry Harrelson

Motion carried 3 yes 2 no.

5) UDO TEXT AMENDMENT, ORDINANCE 24-26: ARTICLE 10, SECTION 10-4

(Tabled from December 3, 2024)

A staff initiated zoning text amendment to Section 10-4 of the Town's UDO, updating ordinance language regarding the permitted use of barbed wire fencing related to institutions such as prisons, jails, and other involuntary commitment facilities.

1. A motion was made by Jimmy Bellamy seconded by Karmen Custer to open the public hearing. Motion carried 5 yes 0 no.
2. Public Comments/Questions
3. A motion was made by Gene Vasile seconded by Karmen Custer to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments/Questions
5. A motion was made by Gene Vasile seconded by Karmen Custer to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.
6. A motion was made by Karmen Custer seconded by Larry Harrelson to approve Ordinance 24-26 amending the Town of Shallotte Unified Development Ordinance, specifically Article 10, Section 10-4. Motion carried 5 yes 0 no.

IX. DISCUSSION

Reminder: Next Work Session meeting January 21, 2025

X. ADJOURN

A motion was made by Jimmy Bellamy seconded by Karmen Custer to adjourn the meeting at 7:23 p.m. Motion carried 5 yes 0 no.

Respectfully submitted,

Natalie Goins
Town Clerk