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## **TOWN OF HOLLY RIDGE PLANNING BOARD SPECIAL MEETING CONTINUED MEETING MINUTES September 2nd, 2021 8:30 A.M.**

### **Call to Order**

The meeting was called to order at 8:30 AM. Members present were John McIver, Toni Hardin, Nicholas Tripp, and Dave Mosey. Also, present were Nathan Rhue, and Marsha-Gray Kircher from the Community Development Department.

### **Old Business**

#### **Joint Workshop with Town Council – Discussion and Possible Recommendation regarding Planning Unit Developments – Continuation**

Nathan Rhue presented the Board with updated copies of the Town's amended Ordinance – 160D and other supplemental items.

Presented by Nathan Rhue. Nathan Rhue explained to the Board that the only comment suggested from the Planning Board was Toni Hardin's comment – Section 7-4-17 Supplemental Planned Unit Development Section 2 c) updated the verbiage: Ownership: Prior to **final approval** of the development land, evidence of the unified control of the entire site must be submitted and to include: etc.

Nathan Rhue explained that based on the comments received from Town Council that if an applicant was going to use this particularly along Hwy 17 and Hwy 50, the requirement would be that commercial uses be included. Under Section 2 d) Density; Number 1 (Low density district) and 2 (Medium density district) primarily, the verbiage was added at the end; **Property along Hwy 17 and 50 must include commercial uses along highway frontage.** Nathan Rhue explained that it was also added to Section 2 d) Density; Number 3 (Commercial district); The commercial density district shall include commercial development along road frontage at **no less than 10% of the gross acreage** and can include single-family stick built or modular dwellings and multi-family units.

Nathan Rhue stated to the Board that they were the only changes made based on the comments made at the previous special workshop meeting. Nicholas Tripp if there were any of these developments pending or see any of these coming down the road. Nathan Rhue responded that he sees them coming down the road, just because of some particular developers have larger acreage and they may want more for density for multi-family. Nicholas Tripp asked if this would be something that would be advertised to developers, to say that the Town now does this. Nathan Rhue responded no, unless it is asked for - it would be an option for developers.

Nathan Rhue gave an example; in the Town's commercial district we allow Townhomes by Special Use Permit, which is generally 10 units per acre, and a developer may request they want more than that, then an option could be presented to them is that they could do it as a PUD and be allotted up to 16 units per acre, but they have to have that commercial frontage along the highways. Nathan Rhue explained that is the whole purpose of a PUD is the give and take – you want more density, then give us the commercial use at the front of the road.

Dave Mosey asked if everyone was good with going through the PUD document. All agreed. Dave Mosey stated that he was kind of confused by the first paragraph – encouraging flexibility and creativity while achieving the purposes of other districts – it seems odd in that context as it is intended to be more versatile, a little less restrictive and by default a little more unique. Dave Mosey stated that by saying achieving the purposes of other districts could be counter intuitive. Toni Hardin explained that it is saying that you could have multiple districts on the same property and still comply and allow the spirit of what the Town wants there, which is commercial; an applicant could get a Special Use permit and be loaded up with residential, but this would allow the residential and the commercial come together.

Nathan Rhue mentioned the flexibility and creativity which would be based on the developer, yet achieving that purpose of the other districts, even though it may be a residential R-20 along Hwy 17 or 50, the other district would be commercial, which is where the Town is concentrating on. Toni Hardin mentioned that some residential is allowed in commercial now with a Special Use Permit. Nathan Rhue responded that is correct for Townhomes, but not single-family development. Toni Hardin stated that her point is that the town is catering to the other district of residential in commercial already, this would give the Town a little more flexibility and control in how it is designed, because it is particular to each site.

Dave Mosey stated that it was the same thing in the second portion of the paragraph where is states under certain conditions; is that something that should be better defined? Toni Hardin stated that she believes that it was the Town would impose, every single plan comes to the Planning Board and then onto Town Council – conditions can be added. Nathan Rhue explained that in some instances,

reasonable conditions can be placed on request that are not truly defined within the Town's ordinances. With the PUD, yes more conditions could be added, but some are already included for instance a R-20 into a PUD along Hwy 17 – one of the conditions is that 10% of the acreage has to be commercial, or R-20 is 20,000 sq ft lots, one of the conditions could be to allow 15,000 sq ft per lot, or standard setbacks could be changed as a condition.

Dave Mosey stated that the third bullet in the second paragraph; provide for an efficient use of land resulting in smaller networks of utilities and streets and therefore lower housing costs; there is no predefined definition of that, it is merely as a result of the 10-acre maximum there is a smaller concomitance of utility requirements, is that right? Nicholas Tripp stated it is a 10-acre minimum, not maximum.

Dave Mosey stated that in the Low density district section (a); 25%, should that include an absolute minimum, or just 25% of whatever it is. Nathan Rhue responded that the thought behind that is that for the encouragement of clusters - the developer to keep the lots together in a cluster, the lots sizes could be reduced by 25%. Nathan Rhue mentioned that in low density the lots can be no less than 15,000 sq ft because the low density is R-20 and R-15, so if a developer was to do a PUD, then it could be 15,000 sq lots, or a condition could be imposed by Town Council and Planning Board with a recommendation for smaller depending on what they were going to do.

Dave Mosey stated that in section 3 Commercial district section (a) 5, 2&3 – Article IX and Article VII in section 4, they are not referenced, but this would be incorporated with the planning ordinance. Nathan Rhue responded that Article IX in the Town's ordinance is pertaining to parking and lots and what they are required to be. Dave Mosey stated section 4 (c) 2 and suggested that the wording is flipped to say **adversely affect**, and to add the word **and/or** so it is compounded and will cover all those involved. Dave Mosey stated section 4 (c) 3 and suggested adding accomplish **development** objectives.

Dave Mosey stated section 5-2; access and circulation systems; Dave Mosey asked for clarification of that term circulation system. Nathan Rhue responded that would be the roads within the development, the circulation of the roads, to allow for firefighting equipment and bigger vehicles; the circulation would be the traffic and the means of going around the development. Dave Mosey asked if there was a reason that terms was used rather than something like road access as he did not understand that term, it seems oblique. Nathan Rhue asked Dave Mosey for any suggestions. Nicholas Tripp suggested traffic pattern. Toni Hardin said using the word access would get it done. Nathan Rhue responded that could be argued that it is just the access to the development, the circulation is throughout the whole development., which is the point of having it as circulation; not only do you have to have the access, but also the whole circulation of the roads. Toni Hardin asked if that was a common term, if someone was reading the ordinance that is familiar with development, would they know. Nathan Rhue responded yes, anytime you are talking about roads and things of that sort, it is known, and there are several other municipalities around here that use the same term.

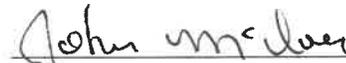
Dave Mosey stated section 5-3; in the past the Town has required street lights, should that be defined somewhere in this? Nathan Rhue responded that it was Staff's opinion that in that same section, number 1; streets, access, buffering, sidewalks, etc. shall be required in accordance with all applicable Town ordinances and/or policies – the Town's street lighting policy would be included. Nathan Rhue explained that this could have been a multi-page document to include every specific quote from the other ordinances, but we already have numerous policies that would be referenced at the review stage before the Planning Board would receive the PUD proposal.

John McIver asked if there were any additional questions or comments. There were none.

A motion was made by *Nicholas Tripp* and seconded by *Toni Hardin* to recommend approval of Town Ordinance amendment Section 7-3-20 Planned Unit Development District as submitted with changes made in today's meeting. *All Agreed.*

**Adjourn**

A motion was made by *Dave Mosey* and seconded by *Nicholas Tripp* to adjourn the meeting at 9:00 AM. *All Agreed.*

  
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John McIver  
Chairman

  
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Marsha-Gray Kircher  
Community Development Department