

Bermuda Run Planning Board/Board of Adjustment Regular Meeting

Minutes

Wednesday, January 19, 2022

3:00 PM

Bermuda Run Town Hall

I. Call to Order

Attendee Name	Title	Status
Tom Brady	Board Member	Absent
Bryan Thompson	Alternate Member	Absent
Lynn Senger	Vice Chairman	Present
Rod Guthrie	Chairman	Present
David Strand	Board Member	Present
Erin Shea	Regular Member	Present

II. Recognition of Quorum

The Chairman recognized that a quorum was met with four members present.

III. Approval of Planning Board Agenda

RESULT: APPROVED [UNANIMOUS]
MOVER: Lynn Senger
SECONDER: David Strand
AYES: Shea, Guthrie, Strand, Senger
ABSENT: Brady, Thompson

IV. Approval of Planning Board Minutes—November 17, 2021

RESULT: APPROVED [UNANIMOUS]
MOVER: Lynn Senger
SECONDER: David Strand
AYES: Shea, Guthrie, Strand, Senger
ABSENT: Brady, Thompson

V. Citizen Comments

There were none.

VI. Permit Reports & Zoning Administrator's Update

Permit reports & zoning update were included in the agenda packet for reference and discussion.

VII. Town Manager's Update

Lee Rollins updated the Board with agenda items for the February 8th Town Council meeting.

VIII. Planning Board Cases

a. Zoning Map Amendment 2022-01. Michael Kelley of Kelley Properties applied to rezone six tracts of land totaling approximately 6.54 acres from Commercial Mixed (CM), Club Residential (CR), Gateway Corridor Overlay (GC-O) and WS-IV Yadkin River Watershed to Village Mixed (VM), WS-IV Yadkin River Watershed. The subject properties are located east of NC HWY 801 S and west of Ivy Cir and is further described as parcels of the Davie County Tax Map D8080D001401, D8080D0013, D8080C0008, D8080C0007, D8080D0010, D8080C0005.

Chairman Guthrie opened the public comment period.

1. Michael Kelley, applicant, outlined the request and answered Board questions.
2. Scott Miller, engineer for the applicant, outlined the stormwater and traffic details of the request and answered Board questions.
3. Gary Leblanc, 168 Warwicke Place, spoke in opposition outlining existing traffic and flooding problems.
4. Mike Capone, 106 Hamilton Court, spoke in opposition highlighting flooding problems, traffic issues, noise, quality of life and property values.
5. Kendall Chaffin, 125 Boxwood Circle, spoke in opposition citing existing traffic and concerns for growth at the requested location.
6. Jesse Gellrich, 299 Ivy Circle, spoke in opposition due to the change in density and a cultural change to the town.
7. Ken Babb, 116 Warwicke Place, spoke in opposition to a change in density citing current traffic and flooding problems.
8. Greg Morris, 148 Town Park Drive, spoke in favor of the request.
9. Lindsay Tedder, 133 River Hill Drive, spoke in opposition due to existing traffic along NC HWY 801 N.
10. Michelle Jones, 167 Warwicke Place, spoke in opposition due to concerns about water runoff and traffic.
11. Joseph Freer, 105 Pembroke Ridge Court, spoke in opposition and supported the concerns raised regarding water runoff.
12. Bobbie Thacker, 133 Bermuda Run Drive North, spoke in opposition due to traffic concerns.
13. Ginger Baldwin, 121 Pembroke Ridge Court, spoke in opposition to the change in density near the NC HWY 801 and US HWY 158 intersection.
14. Beth Kelley, 145 St. George Place, spoke in opposition to the request citing traffic and flooding problems.
15. Billy Ingram, 138 Spyglass Drive, spoke in opposition to the request and the change in town culture.

Chairman Guthrie closed the public comment period.

The Board held discussion on the request.

Erin Shea made a motion to deny citing managing growth with existing infrastructure and existing problems.

RESULT: DENIED [3-1]
MOVER: Erin Shea
SECONDER: Lynn Senger
AYES: Shea, Strand, Senger
NAYS: Guthrie
ABSENT: Brady, Thompson

b. Design Waiver 2022-01. The Board reviewed a design waiver request by Chick-fil-A, Inc in accordance with 11.11 of the Zoning Ordinance. The applicant requests to waive portions of 4.2.3 Design Standards Non-residential & Mixed-Use Buildings, 4.4.4 Sidewalks for the site addressed as 260 NC HWY 801 N and further identified as parcel of the Davie County Tax Map C8020A0004.

Chairman Guthrie opened the public comment period.

1. Mark Campbell, applicant, outlined the two requests and answered Board questions.

RESULT: CANOPY LOCATION WAIVER APPROVED [UNANIMOUS]
MOVER: Lynn Senger
SECONDER: Erin Shea
AYES: Shea, Guthrie, Strand, Senger
ABSENT: Brady, Thompson

RESULT: SIDEWALK INSTALLATION WAIVER APPROVED [UNANIMOUS]
MOVER: Lynn Senger
SECONDER: Erin Shea
AYES: Shea, Guthrie, Strand, Senger
ABSENT: Brady, Thompson

IX. Other Business

There was none.

X. Board Member Comments

There was none.

XI. Adjournment

RESULT: ADJOURNMENT [UNANIMOUS]
MOVER: Lynn Senger
SECONDER: David Strand
AYES: Guthrie, Strand, Senger, Shea