

Surf City Planning Board
Regular Meeting
April 9, 2020 at 3:00 P.M.
Virtual Meeting Platform

Members Present:

Larry Bartholomew, Chairman
Steven Pasquantonio, Vice-Chairman
Rick Benton
Randy Cox
Sally Edens
Renee Rhodes
Gary Cavanaugh
David Ward
Derek Arthur

Council Liaison: Dwight Torres

Town Staff:

Kyle Breuer, Town Manager
Amy Kimes, Planner
Steve Padgett, Building Inspector
David Price, Collections & Distribution Supervisor
Jeff Johnson, Police Captain
Jonathan Burton, Fire Marshall
Stephanie Hobbs, Town Clerk

A. Call to Order – Chairman Bartholomew

B. Approval of Minutes – March 12, 2020

Motion by: Rick Benton and seconded by Steven Pasquantonio. The motion carried unanimously.

Chairman Bartholomew yielded to Mrs. Kimes

Mrs. Kimes announced the Town Council has invited the Planning Board to participate in an educational opportunity with the Cape Fear Council of Government. Wes MacLeod will host a Comprehensive Land Use update presentation on Thurs., April 16th at noon. A call in conference line will be provided for each PB member. There will be a Q & A session at the end of the meeting.

Mrs. Kimes stated there will be a Comprehensive Plan update during the Town's next budget cycle, which will be followed by an Ordinance update.

C. Continued Discussion regarding the Text Amendment associated with Appendix A. Section 6.19 Signs containing light emitting diode (LEDs)

Mrs. Kimes requested discussion of provided text amendment proposals for consideration and then forward to Town Council for their approval of the ordinance.

Mrs. Kimes noted the official mark up of illustrated changes, which were discussed during the March 12th P.B. meeting. Mrs. Kimes welcomed questions and comments on the recommended definitions or the ordinance.

Mr. Ward asked if Mrs. Kimes had found a way to convert NITs to a more measurable tool. Mrs. Kimes stated staff pulled the sign measurement guidelines and referenced letter h), from enforcement aspect, staff recommends illumination be 0.3 foot candles above ambient light. This is less difficult to measure and is less expensive than a NIT gun. The NIT was removed and foot candles were recommended instead, which seems to be the preference of other municipalities too.

Chairman Bartholomew remarked that Mrs. Kimes had furnished an outstanding proposed presentation of the Board's thoughts and concepts and thanked her.

Mr. Ward made a motion to approve the amendment as presented and to recommend to Town Council. Mr. Cavanaugh seconded the motion. The vote carried unanimously.

Mr. Benton recalled that areas of the C-1 District were discussed during the March meeting as possibly better rezoned to C-3. Mrs. Kimes responded this would have to be further researched as there are some differences between setbacks of the two districts. She added the updating of the Comprehensive Plan may entail zoning changes. If these areas are not currently creating a problem, she would like to reconsider a different district than C-3 during the Comprehensive Plan process. She added to date she has not had a request from the C-1 district for the signage. Plus the C-3 district requires larger setbacks and could negatively impact some of the existing business into a non-conforming use.

D. Rezoning Request for Waterside Development

Mrs. Kimes referenced the Cape Fear Engineering map on behalf of D.R. Horton for the rezoning request for Phase 3 of a Planned Use Development (PUD) to Multi Family Cluster (MFC). They would like for their Phase 3 development to match previous approved Phase 1 and 2 setbacks and open active space area. This former Sullivan property was zoned Rural Ag and was rezoned on Dec. 1, 2015 to a PUD. It consisted of tracks one, four, five and six thus totaling 158.39 acres. The rezoning allowed for a total of 3,242 residential units, plus allowance of four acres for commercial development. Former tracks one and four, presently Phase 1 and 2 were rezoned to MFC on Dec. 6, 2016. These phases are allowed approximately 170 single family homes. The final plat approval has been received for the first 60 lots and 10 building permits have been released.

Phase 3 which was formerly tracks two and six involve 93.27 acres and is zoned PUD. The Developer is requesting that the remainder of the property be rezoned to MFC. The 2005 S.C. Land Use Plan Future Land Use Classification map shows this area as mainland transitional residential. This rezoning is consistent with the Land Use Plan and will result in a lower density than permitted by the approved PUD Plan.

Mrs. Kimes shared that Michael House with Cape Fear Engineering was attending the virtual meeting and available for questions.

Mrs. Kimes stated there are 253 single family homes proposed for Phase 3 and possibly 60 townhomes. Mr. Benton asked what is allowed in the MFC district. Mrs. Kimes defined the district to allow for single family homes, patio homes, duplexes, townhomes and even a hotel. However, the PUD will allow for more density. The original PUD allowed for 3200 units.

Mr. Pasquantonio asked if MFC would allow for fewer homes and Mrs. Kimes confirmed it would. She noted between the townhomes and single family homes the maximum allowable units would be 500.

Chairman Bartholomew mentioned the Zoning book list three different levels of density for PUD. He asked what density level was approved for the existing PUD. Mrs. Kimes responded she was able to research the total number of homes that were allowed for this PUD. The density level was not listed in the records she located.

Mr. Benton asked Mrs. Kimes if she had a recommendation for this rezoning request. Mrs. Kimes expressed that MFC would be more accurate zoning than a PUD due to the lack of mixed uses throughout the subdivision.

Mr. Torres asked on behalf of Teresa Batts, if a PUD allowed hotels. Mrs. Kimes declared a PUD does not allow for a hotel. She noted MFC allows motels and hotels with a condition.

Chairman Bartholomew mentioned retails are allowed in a PUD. Mrs. Kimes confirmed and reported grocery stores, health clubs, professional offices, home occupations, and laundry mats are allowed.

Mr. Cavanaugh asked what exactly was proposed parallel with Belt road and over by the creek area. Mrs. Kimes noted that parallel with Belt road the proposal is for townhomes and the other areas single family homes. Once again, a MFC would not allow business, however if this district remains as a PUD, it would allow for businesses.

Mr. Ward inquired what was on the opposite of Belt road and was it within the Town limits. Mr. Cox noted it was farm land. Mrs. Edens responded mostly the Carter property and it is not within Town limits.

Mr. Benton made a motion based on recommendation of the staff to recommend to Town Council to consider approval of the rezoning request from PUD to MFC for Phase 3 of the Waterside development. Mr. Cox seconded the motion. The vote carried unanimously.

Updates

Mrs. Kimes reported updates on former Brass Pelican, Loggerhead hotel and Jersey Mikes. Magnolia Reserves received final plat approval for their first 20 lots during the Town Council meeting earlier in the week. They will be working on their next 25 lots for approval.

Mr. Pasquantonio inquired about Loggerhead hotel surpassing 50 percent rule and not having to meet building standards, plus the sidewalks and landscaping for the Loggerhead project. Mrs. Kimes noted per Chapter 7, non-conformance, a rebuild is not required to come into conformance. Mr. Padgett added they would have to submit new plans, plus meet all current building codes for new structure. For zoning they are not required to provide a full site plan. They will have to submit complete engineered plans for the building aspect and meet current building codes. The building would have to be elevated to meet flood zone requirements.

Mr. Pasquantonio asked if they would have to bring up the ground floor. Mr. Padgett stated the existing building is only nine inches below what is required. Therefore they will have to elevate the existing by approximately a foot.

Mr. Ward made a motion to adjourn which was seconded by Mr. Pasquantonio. The meeting was adjourned by unanimous vote at 3:41 p.m.

Larry Bartholomew, Chairman

Respectfully Submitted,

Shelia Cox