



## **Town of Beaufort, NC**

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### **Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, July 18, 2022 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Minutes**

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#### **Call to Order**

Chair Neve called the July 18, 2022 Planning Board meeting to order at 6:00 p.m.

#### **Roll Call**

Chair Neve asked Secretary Anderson to conduct a roll call.

In attendance: Chair Neve, Vice Chair Merrill, Member Meelheim, Member Willis

Secretary Anderson declared a quorum present.

Also present for the meeting were Kyle Garner, Town Attorney Arey Grady, and Laurel Anderson.

#### **Agenda Approval**

Chair Neve asked if there were any changes to the Agenda and hearing none, he asked for a motion.

*Vice-Chair Merrill made the motion to approve the agenda as presented and Member Meelheim made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

#### **Minutes Approval**

1. PB Draft Minutes for 6.20.22

Chair Neve asked if there were any changes to the Minutes from the June 20, 2022 meeting and hearing none, he asked for a motion.

*Vice-Chair Merrill made the motion to approve the minutes and Member Willis made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

## Public Comment

Chair Neve opened public comments asked if anyone would like to speak.

There were no requests to speak.

## Old Business

1. Case # 22-13 Preliminary/Final Plat – 1791 Live Oak

Chair Neve introduced Case #22-13 and Mr. Garner explained that the applicant had returned to provide a letter of agreement to provide vehicular cross access with the property next door, and regarding the Special Use Permit, the Board of Commissioners (BOC) had placed a condition for the property line agreement to be resolved before a site plan could be submitted to the Planning Board.

Josh Johnson of Stroud Engineering, representing the applicant, stated that the property line agreement would be in place before the final plat went before the Board of Commissioners.

Member Meelheim expressed concern that the access letter seemed very informal. Town Attorney Arey Grady agreed but stated that when the final plat went before the BOC all necessary documents would have been submitted. After further discussion Mr. Johnson stated that there was access through the ABC store parking lot and the Board had requested auxiliary access that is still being worked out. Vice-Chair Merrill stated that it had been felt that access through the ABC parking lot was not appropriate. The Board then discussed the order in which the issues needed to be resolved, including the property line agreement, driveway access, and subdividing the property. Mr. Grady explained that there were protections to ensure that everything would be resolved before the final plat was signed.

*Member Willis made a motion to approve Case# 22-13 with the following conditions:*

1. *Provide a shared access agreement with Beaufort Spring Apartments.*
2. *Provide a boundary line agreement*

*Chair Neve made the second and took a vote that did not pass.*

*Voting yea: Chair Neve, Member Willis*

*Voting nay: Vice-Chair Merrill, Member Meelheim*

*Vice-Chair Merrill made the motion to table the application until the shared access agreement and boundary line agreements had been worked out, and Member Meelheim made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

## Public Hearing

1. Case #22-14: To recommend approval or denial to the Board of Commissioners for the rezoning of 312 Pollock Street from R-8 to TCA.

Chair Neve introduced the public hearing for Pollock Street rezoning and Mr. Garner explained that the applicant had originally proposed CS-MU (Cedar Street Multi-Use) zoning but after hearing concerns from the neighbors, had brought the application back as proposed TCA (Townhomes, Condominiums, and Apartments) zoning. Based on the acreage of .345 a total of 4 multi-family units would be allowed per the TCA density.

Doug Brady, 805 Front Steet, represented the applicant and explained that after hearing concerns about the application for CS-MU, he pulled his application and re-submitted the request as TCA. He felt that it would serve a need in the community for providing more affordable housing than R-8 zoning.

Chair Neve opened the floor for public discussion.

Phyllis Parker, 305 Pollock Street, stated that one concern was parking and the neighborhood is residential; they want it to stay that way and do not want commercial buildings. She also asked about the height of the proposed townhomes.

Kathleen Meredith, 315 Pollock Street Unit 2, asked about her residence being in CS-MU zoning, and Chair Neve explained that the TCA zoning was more restrictive and only residential building would be allowed.

Mr. Brady answered Ms. Parker's concern regarding parking for townhome residents and explained that parking will be provided at the rear of the townhomes and off the street. He also explained that residential building height was not to exceed 35' regardless of zoning.

Richard LeSesne, 323 Sea Hawk Street, encouraged the Board to ensure that stormwater drainage, water, sewer, and electrical demand would be considered. He also asked that emergency personnel would be able to access the area.

Chair Neve closed the public discussion and opened Board discussion. Vice-Chair Merrill pointed out that for CS-MU zoning, 1.5 parking spaces were required per unit, and TCA required 2 spaces. Chair Neve looked up and verified the requirements. Vice-Chair Merrill addressed Mr. Lesesne's concern regarding stormwater, explaining that the Planning and Engineering departments fully review and approve proposed site plans.

*Vice-Chair Merrill made a motion to approve the rezoning from R-8 to TCA and Member Willis made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

Mr. Garner reminded the audience that there would be another public hearing regarding the rezoning with the Board of Commissioners, and the public would have another opportunity to speak at that meeting. Chair Neve explained that the Planning Board had approved the recommendation to the BOC for their final vote.

2. Case # 22-17: To recommend approval or denial to the Board of Commissioners for the rezoning of 1809 Live Oak from PUD to TCA.

Chair Neve introduced Case# 22-17 and Mr. Garner gave a summary of the application request to rezone 1809 Live Oak from PUD to TCA. In July 2019 the Board of Commissioners approved a CAMA Map amendment to Mixed Use as well as a Rezoning to a PUD with Master Plan. That plan consisted of 54 total residential units with a proposed 12,000 square foot daycare center. A breakdown of the residential units were 17 Townhomes and 37 single-family residential lots. At 15.04 acres the total number of units could be up to 180 units based on the maximum density of 12 units per acre in the TCA Zone. A CAMA Map Amendment is not needed since the classification was changed to Mixed Use in 2019 which allows high density residential. He further stated that as part of the original purchase by the Town in 2009, the Town is responsible for providing water and sewer and road access to the property.

Chase Cullipher of The Cullipher Group spoke for the applicant Britt Development, and stated that the CAMA Land Use Plan has already approved high density, that TCA zoning is transitional zoning, and their proposed use would meet the ordinance. There would be cross connectivity with Food Lion considered, and the development would create a great opportunity for building workforce housing.

Chair Neve opened the floor for public discussion.

Dale Britt, Morehead City, Britt Development, explained that the development would consist of fee simple townhomes with a common area and stormwater pond, and the townhomes would provide more affordable housing than is otherwise currently available in Beaufort.

Richard LeSesne, 323 Sea Hawk Street, spoke in favor of the development and asked that emergency personnel be able to access the area easily.

Chair Neve closed public discussion and opened Board discussion. Vice-Chair Merrill asked about the connectivity with Food Lion and Member Meelheim expressed her excitement about the project and the opportunity for more affordable housing. There was discussion about a buffer between the new development

and existing developments, and Mr. Garner stated that there is at least a 25-foot ditch between them. Vice-Chair Merrill and Chair Neve discussed open space and the need for a public park in that section of town.

*Member Meelheim made a motion to approve the rezoning from PUC to TCA and Member Willis made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

### **Commission / Board Comments**

Member Meelheim thanked the staff for the additional historical information provided to the Board to support the meeting's packet. Vice-Chair Merrill asked about paving Cedar Street and Mr. Garner said the Town is working with DOT who will be installing 13 stormwater features along the street, and the final paving should be completed by next summer. He also stated that the Town engineer, Greg Meshaw, had applied for a grant for pervious parking areas along Cedar St which will provide better permeability and cleaner water. Member Willis thanked the staff and Chair Neve pointed out that in the current LDO the Cedar Street Mixed Use zoning setbacks are confusing.

### **Staff Comments**

Mr. Garner showed a map the Board had requested designating a buffer of 500 feet from the centerline of Live Oak Street for future mini-storage businesses.

### **Adjourn**

*Member Willis made the motion to adjourn and Member Meelheim made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Meelheim, Member Willis*

Chair Neve then declared the meeting adjourned.

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Ryan Neve, Chair

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Laurel Anderson, Board Secretary