



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, September 18, 2023 - Train Depot, 614 Broad Street, Beaufort, NC 28516
Minutes

Call to Order

Chair Merrill called the September 18, 2023 Planning Board meeting to order at 6:00 p.m.

Roll Call

Members Present: Chair Merrill, Vice Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

Members Absent: Member Vreugdenhil, Member Willis

A quorum was declared with five members present.

Staff Present: Kyle Garner, Town Planner Michelle Eitner, Town Attorney Arey Grady, and Laurel Anderson

Minutes Approval

1. PB Draft Minutes for 8.21.23

Member Stanziale made the motion to approve the minutes and Vice-Chair Meelheim made the second. Chair Merrill took a vote that was approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

Abstain: Member Bowler

Agenda Approval

Vice-Chair Meelheim made the motion to approve the agenda as presented and Member Bowler made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

Public Comment

Chair Merrill opened public comments and asked if anyone would like to speak regarding any other topic besides the upcoming Public Hearing. There were no public comments.

Public Hearing

1. Case #23-08, 101 Ann Street Zoning Map Rezoning B-W to TCA

Ms. Eitner gave an overview of the rezoning request for 101 Ann Street including property and public notice information, and current and requested zoning requirements. She stated that if approved, the requested rezoning would require an amendment to the CAMA Land Use Plan's Future Land Use Map because the TCA zoning district is not consistent with the Medium Density Residential classification and upon adoption, the Future Land Use Map would be amended to show this property as High Density Residential.

Jay Horton of Filter Design Studio represented the applicant and stated that the existing hotel would be torn down. He explained that the owners would lose the rights to the adjacent docks but keep the ones directly behind the hotel and the parking lot usage agreement would immediately expire and revert back to the Town of Beaufort as soon as the property was rezoned.

Chair Merrill asked for a motion to open the Public Hearing. Member Stanziale made the motion to open the Public Hearing and Member LoPiccolo made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

Vic Moore, 112 Gallants Lane, explained that the original plan for the hotel property was to build townhomes and that was the reason for the current Business Waterfront (B-W) zoning. He stated that he was sorry to see the hotel go and had no concerns with the new homes going in.

Eric Lindstrom, 125 Ann Street, stated the Ann Street neighbors were excited that the Town had voted to keep the end of Ann Street public with access to the water, and that there was informal fundraising for amenities on that site.

Will Zigler, 117 Ann Street, asked that the Town consider creativity in rezoning, possibly rezoning the whole area as residential, and to be aware of the flooding situation in the area and ensure that the flooding isn't made worse.

Robert Harper, 1020 Broad Street, stated the Town should vary from the guidelines as little as possible and if the property were rezoned R-8 the CAMA Land Use Map would not need to be updated, and the precedent would be set for TCA zoning in that area. He urged denying TCA zoning and to suggest to the builder that they should request R-8 zoning.

Mr. Horton asked for clarification on the zoning request as the property would not meet the R-8 setbacks and TCA zoning would meet their purpose, noting that the request modeled the homes to the north of that property, and he had been working on three units to go on the lot.

Chair Merrill asked for a motion to close the Public Hearing. Member Stanziale made the motion to close the Public Hearing and Member Bowler made the second. Chair Merrill took a vote that was approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

The Board discussed possibly continuing the item until the developer discussed the item with town staff, Gallants Lane zoning, the cul-de-sac at the end of Ann Street reverting back to the Town and public and private access points, spot zoning, and possibly creating a precedent or expectations with zoning decisions.

Member Stanziale asked about access and Town Attorney Grady stated that there would be no issue with access to the rezoned property and the property owners had reasonable access from the cul-de-sac at the end of Ann Street.

Member LoPiccolo stated that the parcel was a special situation and it was in the best interest of the town to rezone and have the parcel redeveloped. When the property ceased being a hotel the area at the end of Front Street will revert back to the town and can become park area. He stated that we do not want a dilapidated hotel sitting waiting for the owners to figure out what they'll do with it, and it is a great opportunity to turn this into a park area. The hotel currently has around 38 units and that will downsize to three units.

Chair Merrill agreed and said that we did not want a similar situation like the old Beaufort Elementary School with the building being abandoned.

Member LoPiccolo made the motion to recommend approval of Case #23-08 from B-W to TCA as presented.

Member Stanziale expressed his concern about not knowing the number of units that may possibly be built on the site. Member Bowler stated she wanted to be fair to all property owners and developers, and even without setting precedent she didn't want to create an expectation the board would consider TCA or other zoning requests.

Member Stanziale asked if owners were allowed to show conceptual drawings with this type of zoning and Ms. Eitner stated that the board would be agreeing to the entire zoning district and all permitted rights and uses. Member Stanziale clarified his question and asked if the developer had the ability to show conceptual plans as they would in a Planned Unit Development (PUD). Ms. Eitner further explained that a PUD would be different as it would be zoned for its own use and legally it is not advised to make a zoning decision based on conceptual plans as a developer would not be locked into that design.

Vice-Chair Meelheim asked if the plans would be reviewed by the Historical Preservation Commission and Mr. Grady stated that they would.

Chair Merrill stated that he felt the rezoning request was reasonable considering the existing use and it was not against the public interest.

Chair Merrill made the second and took a vote that was approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member LoPiccolo, Member Stanziale

Voting nay: Member Bowler

Member LoPiccolo made the motion to amend the Future Land Use Map based on the request's reasonableness and that it was not against the public's interest, and Vice-Chair Meelheim made the second.

Chair Merrill took a vote that was approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member LoPiccolo, Member Stanziale

Voting nay: Member Bowler

Presentations

1. 160-D Presentation by the Town Attorney

Town Attorney Grady gave a presentation for the board's review on the ordinance changes to Chapter 160D Local Planning and Development Regulation updates as required by state law.

Commission / Board Comments

The Members thanked the staff and town attorney for the complete agenda items, staff report, and the 160D presentation.

Staff Comments

Mr. Garner stated that the updated CAMA Land Use Plan was on target to be approved and signed by the CAMA director before the end of 2023.

Cedar Street paving is scheduled to be completed within 60 days, and Mr. Garner noted that the pervious paving already in place had been tested and had rated at 300-400 units which was much higher than the expected 100 units.

He requested the Planning Board research contract zoning and recommended training on the different types of zoning and reminded the Board that he and Ms. Eitner were always available to answer questions.

He noted that the Subdivision Ordinance would also be reviewed as well as the Land Development Ordinance for Chapter 160D updates.

Adjourn

Member Stanziale made the motion to adjourn and Vice-Chair Meelheim made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Stanziale

Chair Merrill then declared the meeting adjourned.

Ralph Merrill, Chair

Laurel Anderson, Board Secretary

