



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, March 18, 2024 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

- [1.](#) PB Draft Minutes 021924

Election of Officers

Public Comment

New Business

- [1.](#) To recommend approval or denial to the Board of Commissioners for the proposed airport runway extension subdivision (624 Hwy 101) preliminary/final plat
- [2.](#) Zoning Text Amendment – Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District

Commission / Board Comments

Staff Comments

Adjourn



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Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, February 19, 2024 - Train Depot, 614 Broad Street, Beaufort, NC 28516
Minutes

Call to Order

Acting Chair Meelheim called the February 19, 2024 Planning Board meeting to order at 6:02 p.m.

Roll Call

Members Present: Vice Chair Diane Meelheim, Vic Fasolino, George Stanziale, and Jeff Vreugdenhil

A quorum was declared with four members present.

Staff Present: Kyle Garner, Michelle Eitner, Town Attorney Arey Grady, Fire Marshal Robert Smith, and Laurel Anderson

Agenda Approval

Acting Chair Meelheim asked if there were any changes to the Agenda and hearing none, she asked for a motion.

Member Stanziale made the motion to approve the agenda and Member Fasolino made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, and Member Vreugdenhil

Minutes Approval

- 1. PB Draft Minutes for 011624

Member Stanziale made the motion to approve the Minutes and Member Fasolino made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, and Member Vreugdenhil

Election of Officers

Member Vreugdenhil made a motion to table the Election of 2 ers until more members were present and Member Stanziale made the second.

Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, and Member Vreugdenhil

Public Comment

Acting Chair Meelheim opened public comments and asked if anyone would like to speak. There were no public comments.

Old Business

1. To recommend approval or denial to the Board of Commissioners for the proposed M&H Storage Site Plan

Ms. Eitner gave the Staff Report and explained that this site currently is an undeveloped tract separated from the ABC Store at the frontage of the property. A Special Use Permit for Mini-Storage Facility was issued in 2022. This administrative site plan review is the next step in the process. The Planning Board tabled this item pending additional information regarding the timeline of past approvals.

Member Vreugdenhil asked why the application had been tabled and Acting Chair Meelheim explained there were questions regarding the entrance and exit using the ABC parking lot. Member Vreugdenhil asked if any adjoining property owners had any objections and there were none.

Member Vreugdenhil made the motion to submit to the Board of Commissioners and recommend adoption.

Member Stanziale made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, Member Vreugdenhil

New Business

1. To recommend approval or denial to the Board of Commissioners for the proposed Maritime Museum Education Center Site Plan

Member Stanziale requested to be recused as he is associated with the project.

Member Vreugdenhil made the motion to recuse Member Stanziale and Member Fasolino made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Vreugdenhil

Mrs. Eitner gave the Staff Report and explained the Planning Board was requested to recommend approval or denial to the Board of Commissioners for the proposed Maritime Education Center site plan. This project is the first anticipated phase of development on these sites. The second phase will include a new Maritime Museum; this phase is anticipated for proposal in five to ten years, but this first phase sets the stage and provides some of the infrastructure for the next phase. The developer is working with the Town and NCDOT to coordinate sidewalks under the bridge and along the south side of Highway 70 to connect to the existing sidewalks at the west side of Turner St. Connection between this project and the existing sidewalk network is preferred to sidewalks along West Beaufort Road Extension with no connections. These improvements are proposed as part of the second phase of development for this site. The Town of Beaufort Planning Staff, the Staff Engineer, Public Utilities Director, and Fire Marshal have reviewed the plans for compliance.

Member Fasolino asked if the current site plan would be executed even if the future Maritime Museum is not built on the property, and Mrs. Eitner stated that it would. Member Fasolino further asked about connectivity for golf carts and pedestrians over Highway 70 and Mrs. Eitner explained that there may be possible connectivity under the bridge.

Mr. Joe Boyd, of WithersRavenel, then further explained the Phase 1 map and site plan.

Member Fasolino stated that he supported the site plan and 3 and there was plenty of parking.

Member Vreugdenhil asked what the approval process would be if the intended gravel parking lot was changed to non-pervious and Mr. Boyd stated that a compliance permit would be obtained.

Member Vreugdenhil made the motion to approve the Minutes and Member Fasolino made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, and Member Vreugdenhil

Member Fasolino made the motion to return Member Stanziale to the Board and Member Vreugdenhil made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, and Member Vreugdenhil

2. Case #24-04 - Rezone the two parcels of Beaufort Village Condominiums on Lennoxville Road from R-8 to TCA.

Mrs. Eitner gave the Staff Report and explained the application for rezoning the following addresses: 1605 A-D, 1701 A-D, 1703 A-D, 1705 A-D, 1707 A-D, and 1709 A-D Lennoxville Road, with 24 units on 3 acres for a total of 8 units per acre, and 1711, 1713, 1715, and 1717 Lennoxville Road with 4 units on 0.57 acres for a total of 7 units per acre. The existing multi-family use of the parcels is nonconforming in the current R-8 zoning district, but the properties would be rendered conforming if rezoned to TCA. The Future Land Use Map of the current CAMA Core Land Use Plan classifies this property as Compact/Multi-family Neighborhood, which is consistent with the requested zoning of TCA Townhouses, Condominiums, and Apartments. No CAMA Plan amendment is required.

The applicant, Kate Allen of Mary Cheatham King Realty, further explained that currently there was no plan to build more units and the rezoning would remove the 50% limitation on improvements.

Member Fasolino asked about the units and Ms. Allen stated that they were currently rentals owned by the company but were individually deeded. He then asked if more units would be built on the sites and Ms. Allen explained that currently no more would be built but at most four could be built.

Member Vreugdenhil asked if more units were built the Planning Board would only see a site plan for recommendation and Mrs. Eitner concurred.

Member Stanziale made the motion to recommend approval and Member Vreugdenhil made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, Member Vreugdenhil

Commission / Board Comments

Member Vreugdenhil welcomed new member Vic Fasolino to the board. He also noted that Mr. Ralph Merrill would be missed and Mr. Merrill was to be commended for his great service.

Acting Chair Meelheim thanked the Staff for putting together an excellent packet.

Staff Comments

Mr. Garner notified the Board that Mr. Ryan Neve had been appointed as a member.

He gave a Unified Development Ordinance update and stated that the consultant would be meeting with the community.

He commended Mrs. Eitner for all of her research and putting together the packet, and thanked Fire Marshal Robert Smith for attending the meeting.

Adjourn

Member Vreugdenhil made the motion to adjourn and Member Stanziale made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Fasolino, Member Stanziale, Member Vreugdenhil

Acting Chair Meelheim then declared the meeting adjourned.

Diane Meelheim, Acting Chair

Laurel Anderson, Board Secretary



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**Beaufort Planning Board Regular Meeting
6:00 PM Monday, March 18, 2024 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: New Business

SUBJECT: To recommend approval or denial to the Board of Commissioners for the proposed airport runway extension subdivision (624 Hwy 101) preliminary/final plat

BRIEF SUMMARY:

The Beaufort MHC Airport Authority has requested to subdivide 624 Hwy 101 for the purposes of extending the runway protection zone in accordance with their runway extension plan.

REQUESTED ACTION:

Discussion on Proposed Plat

Recommendation to Board of Commissioners for Preliminary/Final Plat

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



STAFF REPORT



To: Planning Board Members
From: Michelle Eitner, Town Planner
Date: March 18, 2024
Case No. 24-05 Airport Runway Extension Subdivision (624 Hwy 101) – Preliminary/Final Plat

THE REQUEST: Subdivide a 32.7 acre parcel (PIN 730607685717000) into two lots.

BACKGROUND: There are no proposed improvements for this land subdivision, so both the preliminary and final plats are reviewed simultaneously. The purpose of this subdivision is to carve out 25 acres that the airport will buy to use for their additional runway protection zone for the runway extension. The remaining 7.7 acre tract will remain with the owner (Wright family).

Location: 624 Highway 101
 Owner: David Wright
 Requested Action: Subdivide a parcel (PIN 730607685717000) into two lots (25 acres and 7.7 acres).
 Existing Zoning: R-20
 Size: 32.7 acres
 Open Space: 0 Acres
 Existing Land Use: Agricultural
 Proposed Land Use: Agricultural (no proposed improvements/development)

SPECIAL INFORMATION:

Public Utilities:

Water: Town Of Beaufort
 Sanitary Sewer: Town Of Beaufort

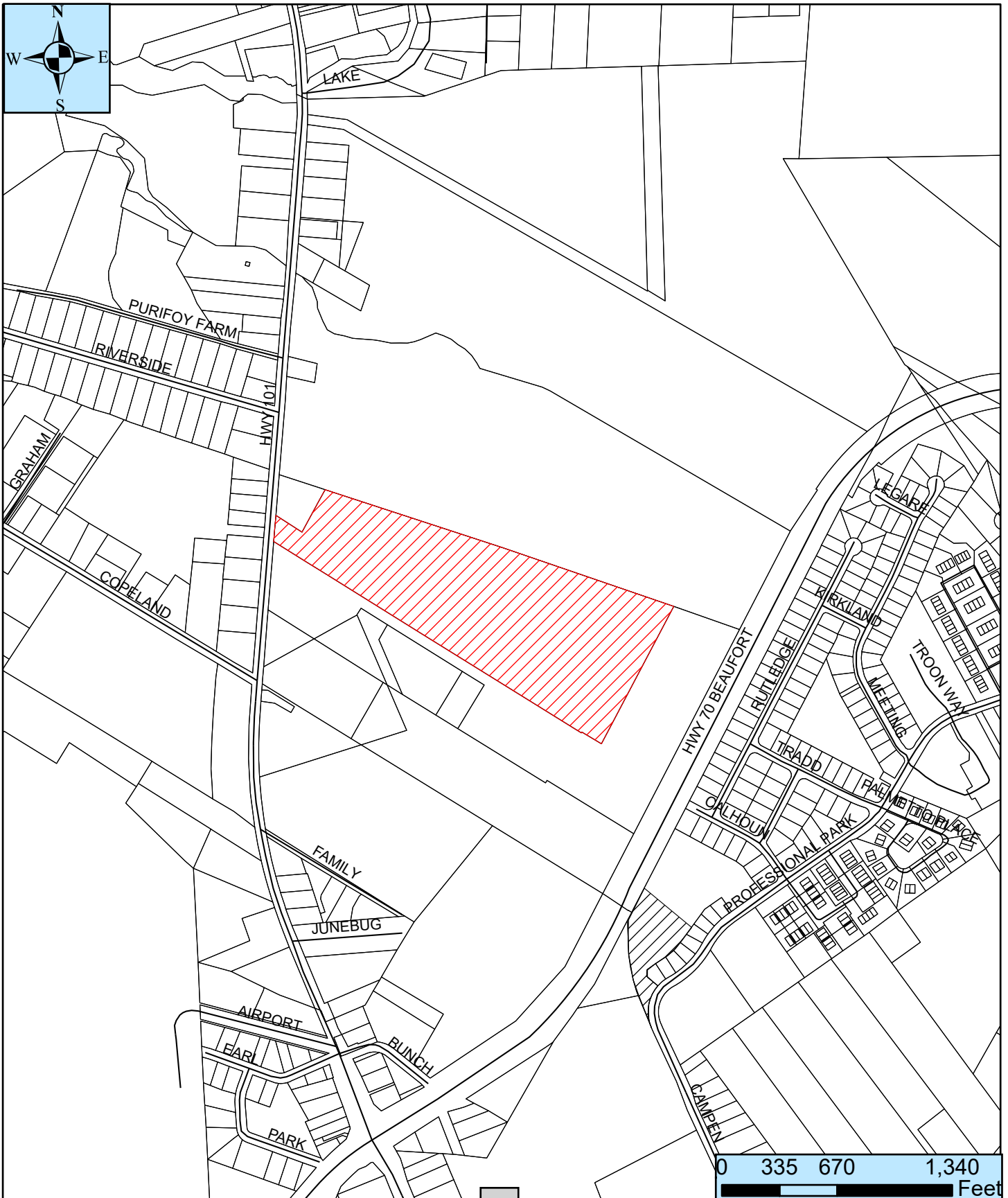
OPTIONS:

1. Recommend approval to the Board of Commissioners of the Preliminary and Final Plat for 624 Highway 101
2. Recommend denial of the request

Attachments:

- Attachment B – Vicinity Map
- Attachment C – Preliminary and Final Plat for Beaufort MHC Airport Authority
- Attachment D – Airport Runway Extension Plan

Case # 24-05 - 624 Highway 101
Preliminary/Final Plat Subdivision



SURVEY DATA:

HORIZONTAL DATUM - BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD83, US SURVEY FEET. SAID BEARINGS ORIGINATED FROM SAID COORDINATE SYSTEM BY GPS OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE NATIONAL GEODETIC SURVEY CONTINUOUSLY OPERATING REFERENCE STATION (NGS CORS) NETWORK. VERTICAL DATUM - NAVD 88

REFERENCES

*ALL REFERENCES SHOWN HEREON REFER TO THE CARTERET COUNTY REGISTER OF DEEDS

- PIN: 730607685717000
- D.B. 468 PG. 412
- B.M. 33 PG. 155

OWNER INFORMATION

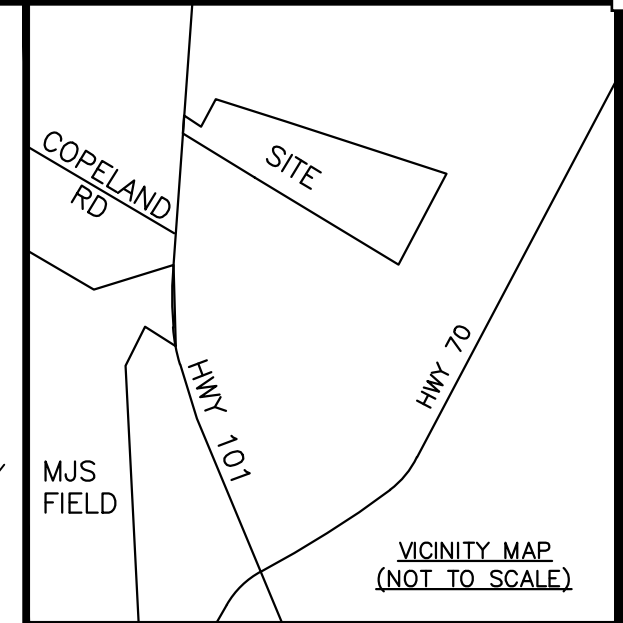
OWNER: DAVID W. WRIGHT
ADDRESS: 624 HIGHWAY 101 BEAUFORT, NC 28516

SURVEY NOTES:

- ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND AND EXPRESSED IN FEET AND DECIMAL OF FEET.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- PROPERTY CORNERS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED HEREIN.
- OTHER THAN AS SHOWN AND LABELED ON THE SURVEY FROM TITLE REPORT, ROAD RIGHT OF WAY SHOWN IS APPARENT BASED ON THE PHYSICAL FIELD LOCATION OF THE ROAD.
- ALL PARCEL AREAS MATHEMATICALLY CLOSE GREATER THAN 1:10,000.
- NO NGS MONUMENTS FOUND WITHIN 2000'.
- AREA CALCULATED BY COORDINATE METHOD.
- LAND USAGE IS AGRICULTURAL.
- THERE ARE NO PROPOSED IMPROVEMENTS

LEGEND AND ABBREVIATIONS:

●	IRON PIPE FOUND (IPF)	---	SUBJECT PROPERTY LINE
⊗	5/8" REBAR SET (RBS)	---	ADJOINER PROPERTY LINE
●	IRON ROD FOUND (IRF)	---	EXISTING APPARENT RIGHT-OF-WAY
■	DISK MONUMENT FOUND (AS NOTED)	---	TIE LINE
PIN	PARCEL IDENTIFICATION		
PG.	PAGE		
D.B.	DEED BOOK		
B.M.	BOOK MAP		
N/F	NOW OR FORMERLY		



CERTIFICATE OF APPROVAL BY THE PLANNING BOARD

THE BEAUFORT PLANNING BOARD HEREBY APPROVES THE FINAL PLAT FOR THE SUBDIVISION.

DATE _____ CHAIRMAN, BEAUFORT PLANNING BOARD

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR BEAUFORT, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED BY THE BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF CARTERET COUNTY.

DATE _____ TOWN CLERK, BEAUFORT

CERTIFICATE OF OWNERSHIP AND DEDICATION

CERTIFICATE OF OWNERSHIP AND DEDICATION. I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISHED MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL SANITARY SEWER, STORM SEWER AND WATER LINES TO THE TOWN.

DATE _____ OWNER(S) _____

STATE OF NORTH CAROLINA

I, _____ REVIEW OFFICER OF CARTERET COUNTY CERTIFY THAT MAP OR PLAT WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

CERTIFICATION:

THIS PLAT WAS PREPARED FOR RECORDING IN ACCORDANCE WITH GS 47-30, AS AMENDED

GS 47-30 F(11)A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

I, JOHN E. KAUKOLA, JR. DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 OR GREATER; THAT THIS SURVEY WAS PERFORMED USING GNSS AND CONVENTIONAL SURVEY, THAT THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:

CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.10FT + 50PPM
TYPE OF GPS FIELD PROCEDURE: VRS RTK, RAPID STATIC
DATES OF SURVEY: NOVEMBER, DECEMBER 2023
DATUM/EPOCH: NAD 83 (2011) / 2010.00
PUBLISHED/FIXED-CONTROL USE: NCBE CORS ARP
GEOID MODEL: 18
UNITS: US SURVEY FEET
SITE SCALE FACTOR: 1.0000824307

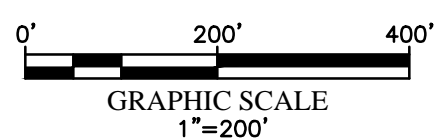
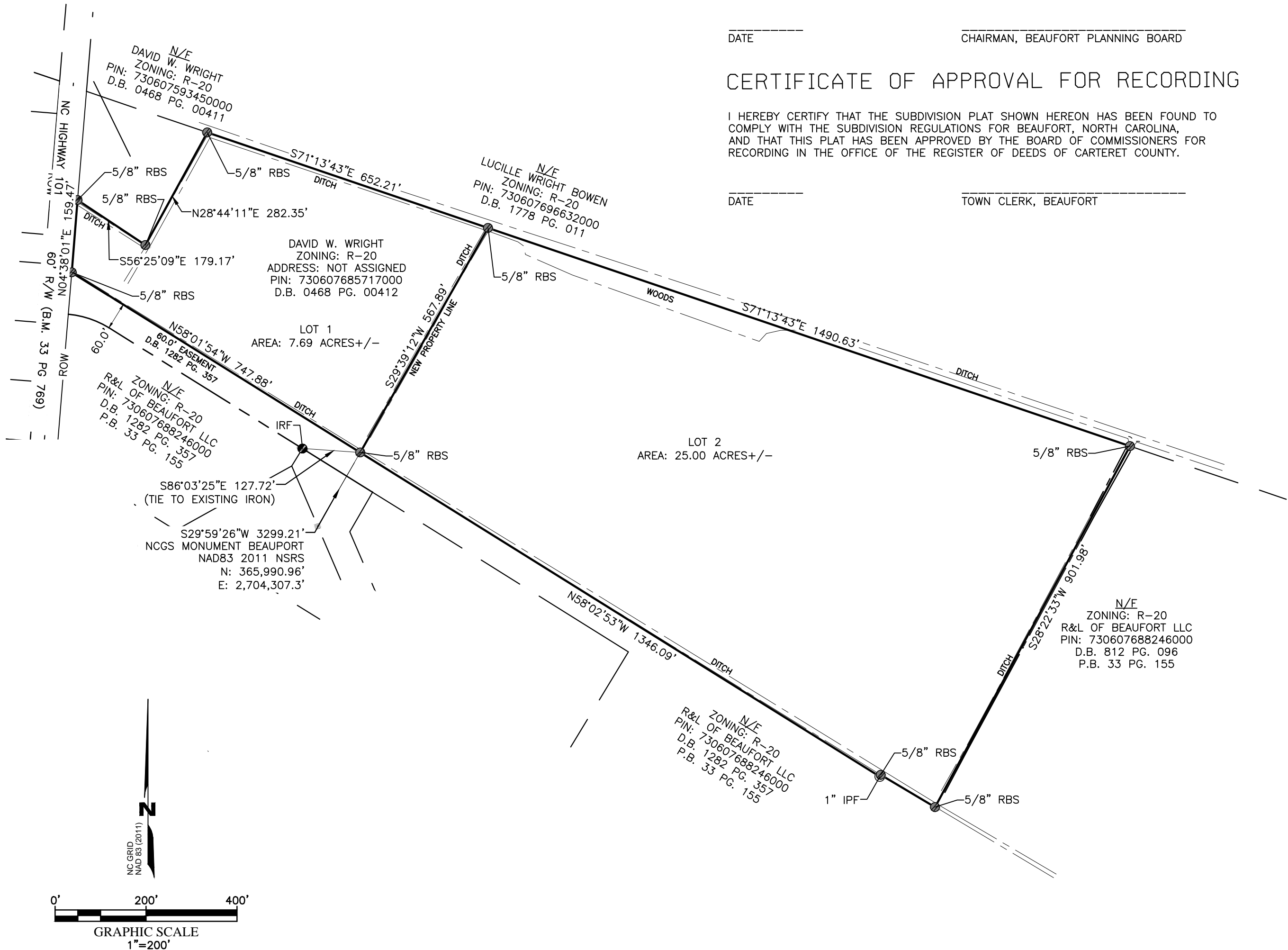
John E. Kaukola, Jr.
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-3999
john.kaukola@sam.biz
(919) 752-8765

03/07/2024

SURVEYING AND MAPPING, LLC
F-1442



John E. Kaukola, Jr.



2548-B Fayetteville Road
Lumberton, NC 28358
Ofc: 910-827-8355
info@sam.biz
F-1442

PROJECT:	TALBERT & BRIGHT, INC MRH PARCEL K BOUNDARY SURVEY
JOB NUMBER:	1023081549
DATE:	01/10/24
SCALE:	1"=200'
SURVEYOR:	JEK
TECHNICIAN:	TJH
DRAWING:	MRH PARCEL K SUB
TRACT ID:	AS SHOWN
PARTYCHIEF:	RAD
FIELDBOOKS:	N/A

SUBDIVISION SURVEY FOR
BEAUFORT MHC AIRPORT AUTHORITY
SITUATED IN THE TOWNSHIP OF BEAUFORT
COUNTY OF CARTERET
STATE OF NORTH CAROLINA

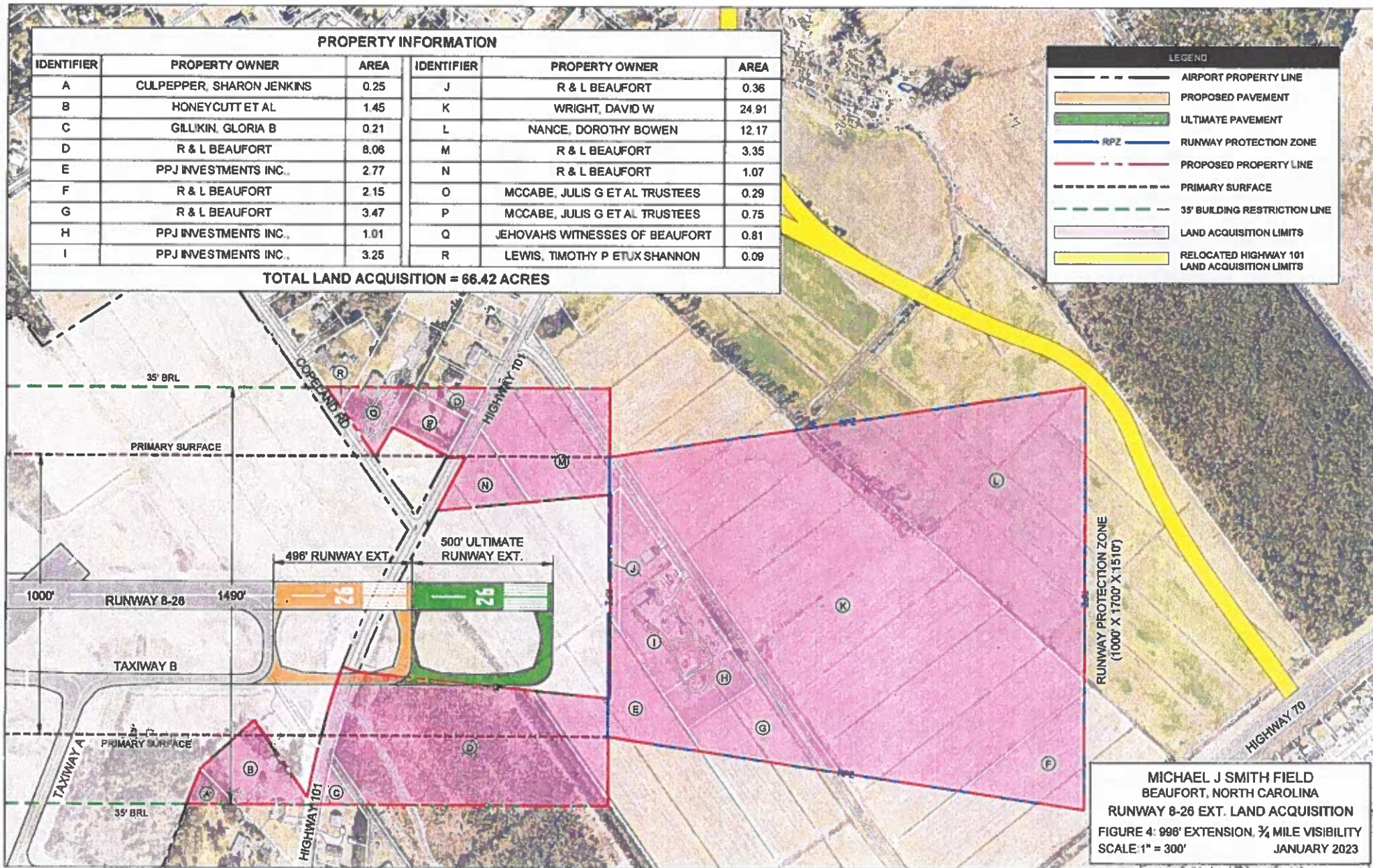
SHEET 1
OF 1

PROPERTY INFORMATION

IDENTIFIER	PROPERTY OWNER	AREA	IDENTIFIER	PROPERTY OWNER	AREA
A	CULPEPPER, SHARON JENKINS	0.25	J	R & L BEAUFORT	0.36
B	HONEYCUTT ET AL	1.45	K	WRIGHT, DAVID W	24.91
C	GILLKIN, GLORIA B	0.21	L	NANCE, DOROTHY BOWEN	12.17
D	R & L BEAUFORT	8.06	M	R & L BEAUFORT	3.35
E	PPJ INVESTMENTS INC.	2.77	N	R & L BEAUFORT	1.07
F	R & L BEAUFORT	2.15	O	MCCABE, JULIS G ET AL TRUSTEES	0.29
G	R & L BEAUFORT	3.47	P	MCCABE, JULIS G ET AL TRUSTEES	0.75
H	PPJ INVESTMENTS INC.	1.01	Q	JEHOVAHS WITNESSES OF BEAUFORT	0.81
I	PPJ INVESTMENTS INC.	3.25	R	LEWIS, TIMOTHY P ETUX SHANNON	0.09

TOTAL LAND ACQUISITION = 66.42 ACRES

LEGEND	
	AIRPORT PROPERTY LINE
	PROPOSED PAVEMENT
	ULTIMATE PAVEMENT
	RPZ RUNWAY PROTECTION ZONE
	PROPOSED PROPERTY LINE
	PRIMARY SURFACE
	35' BUILDING RESTRICTION LINE
	LAND ACQUISITION LIMITS
	RELOCATED HIGHWAY 101 LAND ACQUISITION LIMITS



MICHAEL J SMITH FIELD
 BEAUFORT, NORTH CAROLINA
 RUNWAY 8-26 EXT. LAND ACQUISITION
 FIGURE 4: 996' EXTENSION, 3/4 MILE VISIBILITY
 SCALE: 1" = 300'
 JANUARY 2023

FAA ALP



Town of Beaufort, NC

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**Town of Beaufort Planning Board Regular Meeting
5:00 PM Monday, March 18, 2024 – 614 Broad Street**

AGENDA CATEGORY: New Business
SUBJECT: Zoning Text Amendment – Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District

BRIEF SUMMARY:

Town staff has submitted a Text Amendment request to modify Section 8D & Table 8-8 of the Land Development Ordinance to allow Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District. This use would be similar to other commercial use districts.

REQUESTED ACTION:

Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

PLANNING BOARD STAFF REPORT

BOARD ACTION REQUEST

Case No.: 24-07

TO: Planning Board
FROM: Kyle Garner, Planning Director
DATE: March 7, 2024
RE: LDO Text Amendment Modifying Section 8D (Cedar Street Mixed Use District) & Table 8-8 (CS-MU Zoning Table of Uses) to allow Tavern/Bar/Pub with Outdoor Operations as a Special Use

Background

In 2019 when the CS-MU District was created it was understood that like other districts amendments would possibly be submitted in the future. Now, almost five years later Staff is proposing a text amendment that would allow a **Tavern/Bar/Pub with Outdoor Operations as a Special Use**. This amendment would be consistent with other zoning districts such as the Historic Waterfront Business District, Historic Business District, B-1, BW (Business Waterfront), LI (Light Industrial), IW (Industrial Warehouse), TCA (Townhomes Condominiums & Apartment) which all allow outside operations as a Special Use. (See Attached Map).

Prior to the zoning change in 2019 to CS-MU several properties were zoned B-1 and allowed outdoor operations with a special use permit. Also, staff researched the Planning Board minutes from the May and June 2019 meetings when uses were discussed as part of the creation of the CS-MU District and could not find any comments that would conflict with the amendment. Staff have included copies of those meetings in your packet for reference.

Additionally, Staff has included a map showing the previous zoning before the CS-MU District was adopted thus providing a history.

Staff has included “Draft” text language which shows text to be added as **bold highlighted**.

Action Needed:

- Discussion on the proposed text amendment.
- To make a recommendation to the Board of Commissioners to modify the Ordinance as requested; to change the modification to other language; or to deny changing the Ordinance

Attachments:

- Section 8D & Table 8-8 of the LDO
- Draft Ordinance
- Draft Written Consistency Statement

Agenda Item Prepared By:
Kyle Garner, Planning Director

Board Action: Motion by _____ 2nd by _____

Section 8 Transitional Zoning Districts

D) Cedar Street Mixed-Use Zoning District (CS-MU)

1) Purpose.

The purpose of this zoning district is to protect, enhance and guide the redevelopment of the Cedar Street corridor by reducing visual clutter through the implementation of commercial design standards and selecting the appropriate type of uses for this district. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the Town.

2) Adoption.

The Cedar Street Mixed Use Zoning District (CS-MU) for the Town, as set forth on a map so entitled and dated 07/08/2019, is hereby adopted and incorporated by reference as part of this Ordinance, and the Official Zoning Map of the Town.

3) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

Convenience Store	Park, Public
Dwelling, Single-family	Personal Service Establishment
Dwelling, Multi-family	Produce Stand/Farmers' Market
Financial Institution	Public Utility Facility
Hotel or Motel	Religious Institution
Mixed Use	Restaurant with Indoor & Outdoor
Office, Business, Professional, or	Operations
Medical*	Retail Store
Outdoor Retail Display/Sales	Utility Minor

*Includes Government Offices

4) Special Uses (*Special Use Requirements* may be found in Section 20 of the *LDO*).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

Microbrewery

Tavern/Bar/Pub with Indoor Operation

Tavern/Bar/Pub with Outdoor Operation

5) Prohibited Uses.

Any use not listed in Sections 8(D)(3) or 8(D) (4) of this Ordinance is prohibited.

6) Development Standards.

a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of

human scale and related to the street. All design criteria will be reviewed and approved by the Zoning Administrator.

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	S
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

DRAFT ORDINANCE 24-0

AN ORDINANCE TO MODIFY THE Town of Beaufort *Land Development Ordinance (LDO)*, specifically Section 8D (Cedar Street Mixed Use District) & Table 8-8 (Transitional Zoning Table of Uses)

WHEREAS, the Beaufort Land Development Ordinance contains regulations which establish the development of land within the Town of Beaufort and its Extraterritorial Jurisdiction; and

WHEREAS, the Beaufort Planning Board has reviewed these ordinance text amendments and unanimously recommended its adoption; and

WHEREAS, the Board of Commissioners determines that the public interest will be served by adopting the following text amendments to modify text as it relates to these items.

NOW THEREFORE be it ordained by the Board of Commissioners of the Town of Beaufort as follows:

The Town of Beaufort LDO is amended as follows:

Section 8 Transitional Zoning Districts

D) Cedar Street Mixed-Use Zoning District (CS-MU)

2) Purpose.

The purpose of this zoning district is to protect, enhance and guide the redevelopment of the Cedar Street corridor by reducing visual clutter through the implementation of commercial design standards and selecting the appropriate type of uses for this district. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the Town.

6) Adoption.

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7) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

Convenience Store	Park, Public
Dwelling, Single-family	Personal Service Establishment
Dwelling, Multi-family	Produce Stand/Farmers' Market
Financial Institution	Public Utility Facility
Hotel or Motel	Religious Institution
Mixed Use	Restaurant with Indoor & Outdoor
Office, Business, Professional, or	Operations
Medical*	Retail Store
Outdoor Retail Display/Sales	Utility Minor

*Includes Government Offices

8) Special Uses (*Special Use Requirements* may be found in Section 20 of the *LDO*).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

- Microbrewery
- Tavern/Bar/Pub with Indoor Operation
- Tavern/Bar/Pub with Outdoor Operation**

9) Prohibited Uses.

Any use not listed in Sections 8(D)(3) or 8(D) (4) of this Ordinance is prohibited.

6) Development Standards.

b) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of

human scale and related to the street. All design criteria will be reviewed and approved by the Zoning Administrator.

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	S
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

Enacted on motion of Commissioner ---- and carried on a vote of _____ in favor and 0 against.

This, the _____th day of 2024.

TOWN OF BEAUFORT

By: _____
Mayor

Attest:

_____ Town Clerk

**TOWN OF BEAUFORT
PLANNING BOARD**

**A STATEMENT OF CONSISTENCY ADVISING THAT PROPOSED AMENDMENTS
TO THE LAND DEVELOPMENT ORDINANCE ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
CORE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting the health, safety, morals, and general welfare of its citizens.

WHEREAS, N.C.G.S. §160A-383 requires the Town of Beaufort Planning Board (“Board”) to advise the Town of Beaufort Board of Commissioners by written statement describing whether the proposed amendments to the Town’s Land Development Ordinance (“Ordinance”) are consistent with all officially adopted plans, including the comprehensive land use plan.

WHEREAS, the Board has in fact met to consider and evaluate the proposed amendments to the Ordinance.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance are in accordance with all officially adopted Town plans, including sections 1.4.3.2 (Land Use Compatibility Implementation Actions) of the Core Land Use Plan, and therefore recommends adoption by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendments are in furtherance of the Town plans, ordinances and regulations, including the comprehensive land use plan; and better clarify all the Ordinance regulations.

This Resolution is effective upon its adoption this _18th_ day of March_, 2024.

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

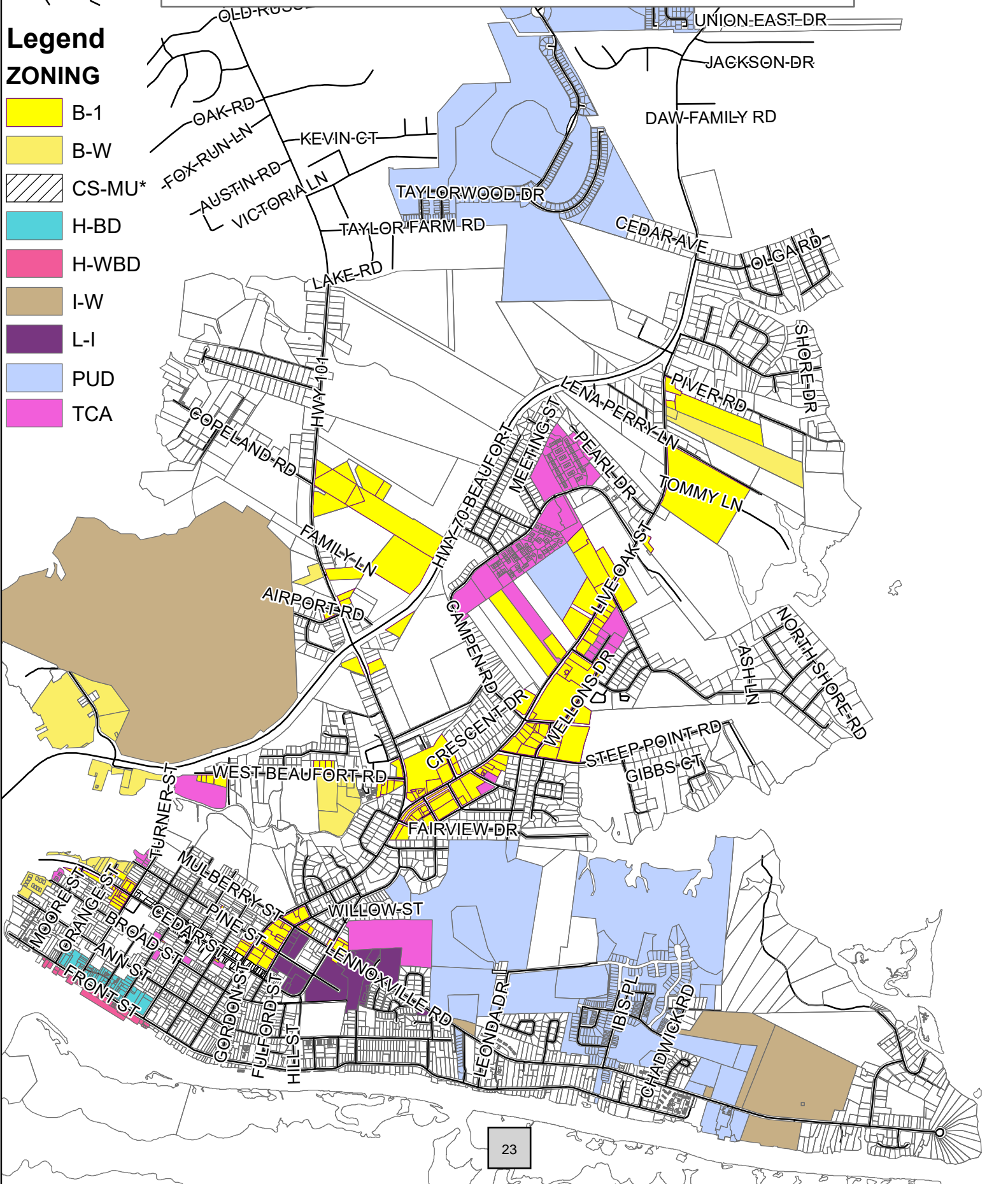
Zoning Districts That Allow Tavern Bar Pub With Outdoor Operation as a Special Use

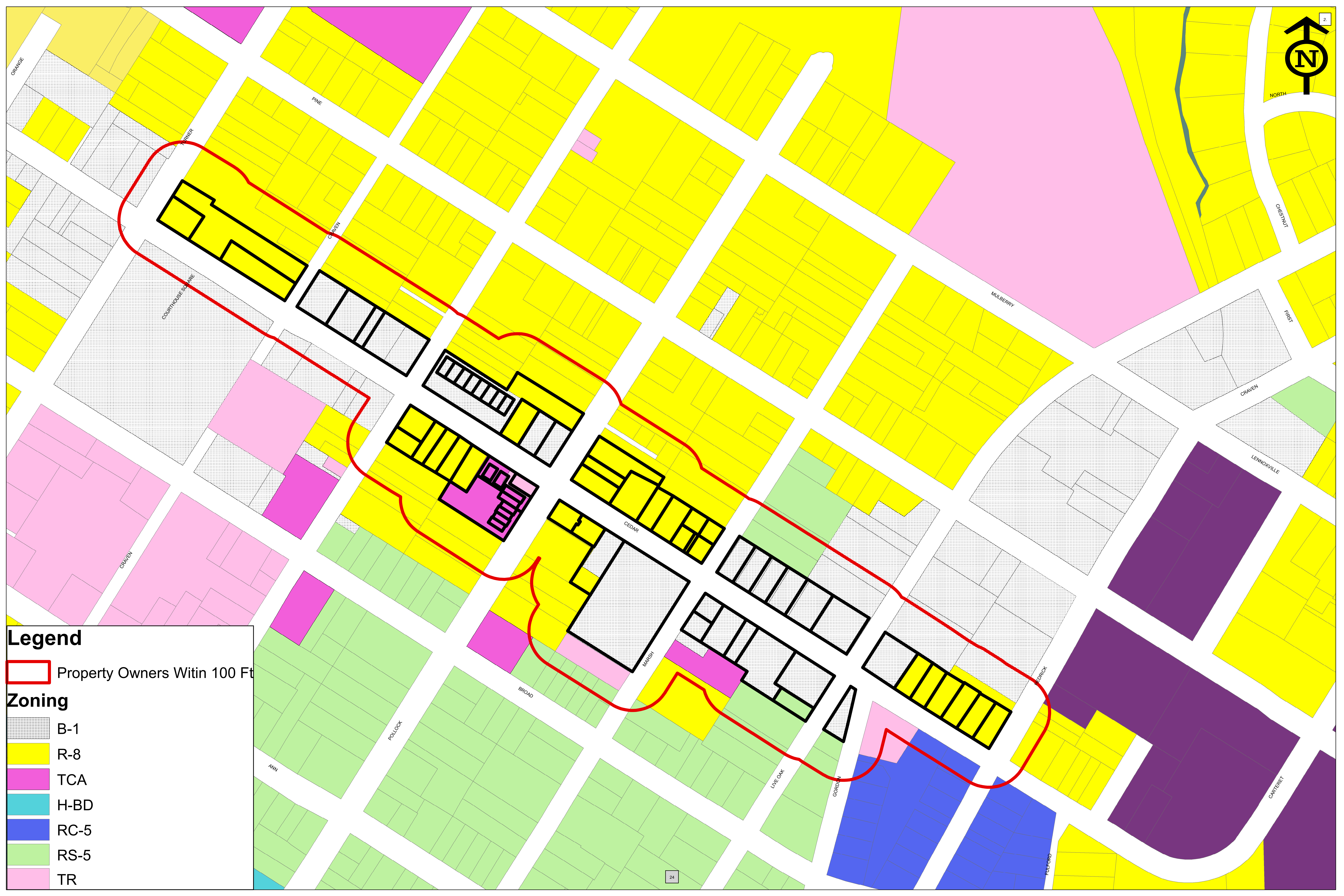
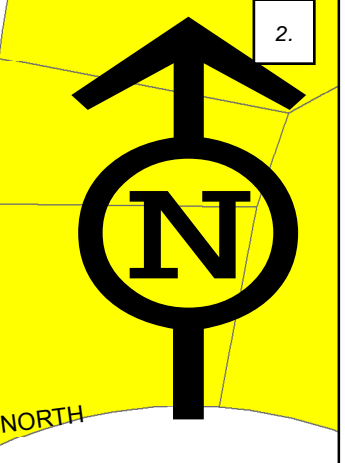
* CS-MU Excluded

Legend

ZONING

- B-1
- B-W
- CS-MU*
- H-BD
- H-WBD
- I-W
- L-I
- PUD
- TCA





Legend

 Property Owners Witin 100 Ft

Zoning

-  B-1
-  R-8
-  TCA
-  H-BD
-  RC-5
-  RS-5
-  TR

Vice Chair Cartner felt that this plan was a well thought out use for the property and for the Town. He added that there are already residential uses of land on Live Oak Street and felt that this is a good fit for this piece of property.

Member Merrill stated that commercial utilization of the asset is an important approach and we have the development of a commercial overlay district along Live Oak Street also before us tonight. His thought is that we need residential development for the Town and feels this is appropriate for the area.

Chair Neve stated that this is one of the better plans that he has seen in a while. He added that this property is close to 2 elementary schools and 1 middle school and with the infrastructure improvements proposed, it would be easy for children in this neighborhood to walk to one of three schools.

Member Vreugdenhil made a motion to approve the rezoning as requested. Vice Chair Cartner seconded the motion and the vote was unanimous in favor of the motion.

Vice Chair Cartner made a motion to amend the CAMA LUP with a consistency statement as read by Chair Neve which was that the approval of the zoning amendment is not consistent with the LUP and describing its consistency with the CAMA LUP and a statement recommending denial of the zoning amendment and describing its inconsistency with the CAMA Land Use Declaration that the approval is also deemed an amendment to the CAMA LUP. Member Merrill seconded the motion with the vote 4-0 in favor of the motion.

Lastly Mr. Garner added that now this project goes to the Coastal Management office for a 30 day notification process and then it will go before the Town Commissioners and notices will be sent to the same people for that future meeting. He said he hopes to have answers on the issues raised on this project by that time.

*May
P.B.
Minutes
2019*

C. 19-09 - Text Amendment – Creation of Cedar Street Mixed Use Zoning District

Planning Director Kyle Garner indicated that he would like to speak on items C and D as one item. He said that the text amendment application does not have any General Statute requirements however the rezoning of the properties does have them.

Mr. Garner said that the idea for a mixed use zoning district was first formed in the Small Area Plan when they worked with Stantec in 2018. In that plan, he added, was a proposal for the redevelopment of Cedar Street as a mixed use zoning district. He stated some of the permitted uses and pointed out some of the uses that are not permitted. He then said the purpose of creating this zoning district was to protect, enhance and guide the redevelopment of Cedar Street by reducing visual clutter and through implementing commercial design standards and selecting the appropriate type of uses for the district.

Mr. Garner stated that this Board has been talking about design standards for

commercial structures for some time, roughly since 2010 and 2011. He said design standards include exterior building materials such as brick, natural stone, granite, fiber cement siding or hardie board/plank siding, and treated wood, signage, roof forms, exterior elevation drawings, and setbacks. However, he added, that design standards for exterior building materials do not apply to residential single family structures as per State Law.

Mr. Garner said in looking at setbacks for single family structures, there was a minimum and maximum setback and the goal was to bring the structures closer to the street on the south side of Cedar Street to give this area more of a neighborhood feel. He added there was some flexibility for commercial and mixed use structures in that the side, rear, and designated side setbacks are zero feet which was supported by the commercial property on the waterfront and North side of Front Street which also have similar zero feet setbacks.

Mr. Garner listed the following information and project facts:

- 75 parcels/16.25 acres to rezone
- Starts at Turner and Cedar Street on the North and South side until Live Oak Street and continues on just on the north side until Hedrick Street
- 106 letters mailed; signs posted on April 30th; Legal ad in newspaper on April 28th & May 5
- Rezoning developed through the Small Area Plan
- Rezoning is consistent with the 2006 CAMA Land Use Plan (LUP)
- Town has been working with NCDOT to improve infrastructure under Cedar Street to include the desintegrating stormwater line system, the water and sewer lines and the removal of lead connections in existence
- 13 stormwater bio-retention chambers will be placed along Cedar Street to improve water quality and water quantity as well as add aesthetic value with plantings incorporated as a part of the NCDOT project looking at pedestrian safety and making the intersections smaller with bulbouts
- Some nonconforming situations could become conforming with new zoning district and he pointed out that the Crowe Law Office is on an R-8 lot and is nonconforming now but will become conforming with new zoning district
- Nothing changes for single family residences at this time - they would remain conforming

Mr. Garner talked about some of the improvements already completed on Cedar Street to make it more of a neighborhood in that the four lane road had been reduced to a two lane road and there was parallel parking along Cedar Street which was all included in the Small Area Plan. He stated that in the next 2-3 years there will be more changes coming to Cedar Street from data entered into the Small Area Plan. Mr. Garner added that in the CAMA LUP, this area was designated for these same mixed uses. He has checked with the CAMA office to make certain a consistency statement wa still needed and a Future Land Use Map amendment/consistency statement was not needed.

Mr. Garner provided an information table showing the list of the 75 properties to be rezoned. He said the chart gives such criteria as if they are now conforming uses (3 of 75 are not); if they now have conforming structures (54 of 75 are not); and if the lot is a conforming lot (32 of 75 are not). Mr. Garner added that while the rezoning

does not make all 75 lots, uses, and structures totally conforming, it does improve the number of nonconformities significantly. Lastly he added that there has never been a better time to apply a new zoning district to shape the future. He said that the 2006 LUP was spot on for this area in that it recommended taking this area back to more of a small neighborhood feel.

At this time, the Chair called for a five minute recess of the meeting.

Chair Neve called the meeting back to order. He stated that there will be two parts to this - one was the creation of the zoning district and the other was actual rezoning of the property. He asked if anyone in attendance had any comment about the creation of the zoning district only.

Town Clerk Michele Davis said that there was a gentleman in attendance who wanted to make a statement but had to leave. She added that they spoke with Mr. Garner and Mr. Garner agreed that his statement could be read. Mrs. Davis said that the individual was Steve Wigington, Pollock Street, and she read the following: "Thank you to the Town Manager, the Town Planning Director and all of the Town Staff for the willing and polite manner in which they address all issues brought to them. He has just a few concerns for the proposed change and the resulting new construction and uses:

- The potential property devaluation especially for those properties contiguous with the new development;
- Noises, nuisances and trespassing violations;
- Traffic and parking excesses encroaching onto surrounding streets.

"He continued by indicating that tax revenues generated by these new establishments will be greater than or equal to the citizens cost of owning and maintaining Cedar Street. He questioned that this proposed change will enhance and maintain the small town ambiance (the reason a lot of us live here) and will not impose detrimental effects to the surrounding community, its streets, or citizens."

Howard Paul, Ann Street, was aware that Beaufort has a serious parking problem. He recalled coming into Town one Sunday not too long ago and there was no available spaces. He felt that if new businesses are added to Cedar Street, then parking for those businesses should be created at the same time. He thought that having the business below a residential apartment space created a double use of the parking area. He added that we need to think of a cohesive plan for parking.

Edna Johnson member of a Church on Cedar Street, voiced her concern about one of the uses allowed, a microbrewery and the potential noise level that could come from such establishment and the potential damage to property that could be created because alcohol is served in such a facility.

Tipper Davis, Live Oak Street, specified concerns about the proposed zero lot line abutting residential property. He feels that commercial property should have some kind of setback when it abuts residential property.

Vic Fasolino, owner of two properties on Cedar Street, supported this new district. He envisioned Cedar Street as becoming the next commercial development area

with storefronts lining the street. The major concern, he stated, is parking. He said ideally there would be parking in the rear but if they are allowed to cover the lot entirely with building, there was no room for parking in the rear so perhaps a rear setback should be added. He said the front setback given in the text is between 10 and 20 feet and he feels that if allowed to have 20 feet in the front, one could put parking in the front (up to 5 spaces) and he thinks making the requirement 15 feet would eliminate all front parking.

Fred McCune, Ann Street, believed this was a wonderful idea and exactly the right location for mixed use zoning. He felt that with the traffic reduction due to the new bypass, offices could go along Cedar Street to make it more pleasant. He shared concern about the zero lot line abutting residential lots and thought that aspect should be looked at again. Regarding the issue about property destruction, he felt that by changing the zoning district, you improve the livability along Cedar Street by removing less desirable uses that could be here now on most of the existing properties.

As there were no further comments from the public on the creation of the zoning district, Chair Neve closed this part of the meeting and turned to the Board for comments and discussion.

Member Merrill asked if there had been other comments regarding the new zoning district. Mr. Garner said he thought he received about 20 phone calls regarding the new district and he encouraged all the callers to be present to express their comments and some of them did come tonight. He said that no one was really in opposition to the concept but had concerns about certain types of uses allowed, setbacks, and of course parking. He felt that the comments were to fine tune certain aspects of the new district plan.

Member Merrill asked about new parking spaces on Cedar Street and felt with the proposed changes to the actual street, that the number of spaces (100) would be reduced by half (50). Mr. Garner said that there will be a slight reduction but when this plan was initiated it was 90-100 new spaces. He felt that a conservative estimate would now be 70-75 new parking spaces. He also wanted to point out that the text does allow for on-street parking and he really liked the idea of side or rear parking if there was enough room.

Member Vreugdenhil had a concern about the signage. He stated that the text reads that wall signage should not be more than 10% of any side of the structure and he felt that it could be stated that it should not exceed 75% of the total structure's area or something similar. Mr. Garner thought that was certainly applicable.

Vice Chair Cartner asked if this overlay district was adjacent to or overlapped the historic district. Mr. Garner said it does overlap portions of the National Historic District but does not overlap any portion of the Local Historic District. The Vice Chair asked about the implications to both historic districts. Mr. Garner said the list of building material types are ones predominately used in the local district. However, he added, this would protect Cedar Street from having a metal "dollar general type building" installed which was something that has been rebuffed many

times in the past. Vice Chair Cartner felt that this area would be an extension of the downtown business district.

Chair Neve was very excited about this however he added that he has a long list of items to discuss and thinks that perhaps this should be tabled to discuss in detail at another meeting. He did have some things to contribute:

- Make it just a Mixed Use District so that it would be possible to use it in other parts of Town as needed (remove the "Cedar Street" part);
- The building materials list included cement board which he felt also included cement panels which doesn't really fit into what we want;
- Thought the implications of zero lot line should be reviewed especially when it was abutting residential property;
- Liked the idea about having no front parking however thought that should be extended to include no parking between the building and the road;
- On Front Street, the lots with a zero lot line have a parapet roof line which is not allowed in this district and may need to be re-looked at for this district;
- The concept on how to measure the building height with a peaked roof - right now we go from the ground to the highest point on the roof - he thought there was a better way to do this

Vice Chair Cartner stated that a building height change should be made for all districts and to take flood property issues into consideration when looking at this. Mr. Garner wanted the building height issue to be looked at separately and not be tied to this item.

Mr. Garner asked if those were all the issues the Chair had with the text. Chair Neve said that some of his concerns require minimum adjustments in the wording and further discussion in other areas. Chair Neve stated one additional item was total glass area. Mr. Garner said that he was not opposed to fine tuning this but there are other considerations for total glass area such as wind speeds.

Member Vreugdenhil said that all of this information was new to him and he made a motion to table this item to a special meeting/work session meeting in the next couple of weeks. Vice Chair Cartner seconded the motion. The vote was unanimous to approve the motion.

D. 19-10 - Rezoning Request - 16.25 Acres Along Cedar Street

Chair Neve said that a motion needs to be made to table this item as well. Member Vreugdenhil made a motion to table this item until a special meeting/work session can be held on the text amendment. Vice Chair Cartner seconded and the vote unanimous to table this item.

E. 19-13 - Text Amendment - Creation of Live Oak Street Corridor Overlay District

Planning Director Kyle Garner said he would like to speak on items E and F together as he did with the Cedar Street Mixed Use District and the rezoning proposal. Mr. Garner added that this plan is a part of the Small Area Plan endorsed



Town of Beaufort NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Town Of Beaufort Planning Board Special Meeting
MINUTES
6:00 PM Thursday, June 6, 2019 - 701 Front Street, Beaufort, NC**

1. Call to Order/Pledge of Allegiance

Chair Neve called the meeting to order and asked everyone to join in the Pledge of Allegiance.

2. Oath of Office

The Oath of Office was given to newly appointed member DIANE MEELHEIM who was recently appointed by the Town's Board of Commissioners to serve a 3-year term.

3. Roll Call

The secretary called roll and declared a quorum present. In attendance was board members Cartner, Gillikin, Meelheim, Merrill, Neve and Vreugdenhil.

Also in attendance was Planning Director Kyle Garner, Planner Kate Allen, Board Secretary Debbie Graham, Town Commissioner Ann Carter, Town Commissioner John Hagle and Town Commissioner Marianna Hollinshead.

4. Agenda Approval

Chair Neve stated that this meeting is not a "regular" meeting even though the agenda states that it is. The secretary said that it does stated that it is a Special Meeting below the date and the "regular" meeting title could not be changed in Novus Agenda.

Member Gillikin made a motion to approve the agenda as presented. Member Meelheim seconded the motion and the vote was unanimous in favor of the motion.

5. Public Comment

None

6. Items for Discussion and Consideration

A. Case 19-09 Text Amendment - Cedar Street as Mixed Use District

The reason for this special meeting was to hash out and fine tune the new text amendment for the Cedar Street Mixed Use District that was considered and tabled during the May regular meeting. The changes discussed during this meeting are below and are highlighted in yellow.

This item will go before the Planning Board again at their June 13th meeting and if approved, will then go to the Town Commissioners for a formal public hearing.

D) Cedar Street Mixed-Use Zoning District (CS-MU)

1) Purpose.

The purpose of this district is to protect, enhance and guide the redevelopment of the Cedar Street corridor by reducing visual clutter through the implementation of commercial design standards and selecting the appropriate type of uses for this district. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

2) The **Cedar Street Mixed Use Zoning District** for the Town of Beaufort, as set forth on a map so entitled and dated ~~00-00-0000~~, is hereby adopted by reference as an element of the *Land Development Ordinance* hereafter known as the *LDO*, and the Official Zoning Map of the Town of Beaufort.

3) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

- Convenience Store
- Dwelling, Single family
- Dwelling, Multi-family
- Financial Institution
- Hotel or Motel
- ~~Microbrewery~~
- Mixed Use
- Office, Business, Professional, or Medical*
- Outdoor Retail Display/Sales
- Park, Public
- Personal Service Establishment
- Produce Stand/Farmers' Market
- Public Utility Facility
- Religious Institution
- Restaurant with Indoor & Outdoor Operations
- Retail Store
- Utility Minor

*Includes Government Offices

4) Special Uses (*Special Use Requirements* may be found in Section 20 of the *LDO*).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

Microbrewery

Tavern/Bar/Pub with Indoor Operations

5) Prohibited Uses.

Any use not listed in subsections ~~C and D~~ 3 & 4 of this section is prohibited.

6) Development Standards.

a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of human scale and related to the street. All design criteria will be reviewed and approved by Town Staff.

It is not the intent for new structures to closely duplicate existing historic structures. The intent is for new structures to include elements in ways which achieve a design compatible with and complementary to the historic character of the Town.

b) Site Plan Submission.

A detailed site plan, meeting all N.C. State Building Codes and Town Ordinances, shall be required for all commercial and mixed-use development within this zoning district.

c) Signage. Whenever the regulations made under the authority of this section are in conflict with any other provisions of this ordinance, the restrictions of this section shall supersede.

i) Only attached wall or projecting type signs made of wood or substitute materials which have the appearance of wood are permitted. ~~Wall signage shall not exceed 10% of any side of a structure and shall not be greater than eight feet (8') in height.~~

ii) The use of internally lit, flashing or free-standing signs of any kind is prohibited.

iii) ~~The total square footage of wall signage allowed shall not exceed seventy five percent (75%) of the total lot frontage.~~ Subject to the provisions of this section, the maximum sign surface area permitted in this district shall not be more than 0.75 square feet per linear foot of total lot frontage.

d) Landscaping.

Any new commercial site plan with on-site parking shall provide a detailed landscape plan identifying all shrub and tree types as well as the number of such trees and shrubs as per section 14 and 19 of the *LDO*. Additionally if developing adjacent to a different type of land use, a screening and buffering plan shall also be required.

e) Exterior Building Materials (Commercial & Mixed-Use Structures Only).

The primary building material constituting a minimum of eighty percent (80%) of the ~~facade~~ exterior shall be one or a combination of two of the following materials:

i) Brick;

ii) Stone: Natural, Limestone or Granite;

- iii) Fiber Cement (Lap or Board and Batten Siding); and/or,
 - iv) Treated Wood excluding plywood (Bead Board and Batten or Clapboard Design only)
 - v) Cedar Shake
 - vi) Other materials or combinations thereof can be submitted to the Planning Board and Board of Commissioners for consideration. Detailed elevation drawings and product specifications shall be required.
- f) Outside Walls (Commercial & Mixed-Use Structures Only).
- i) The total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed twenty percent (20%) of the surface area for such side of the building, and must be positioned uniformly along the face of the structure. This percentage may be increased if it needs to meet the state fire code.
 - ii) Each exterior wall of a building viewable from any public or private right-of-way shall incorporate architectural design features to create a visual break at least every one hundred feet (100') along the exterior wall in order to avoid a box like appearance. All plans for exterior walls shall be approved by the Board of Commissioners as part of the site plan approval process.
- g) Roof Forms. (Commercial & Mixed-Use Structures Only)
- i) The dominant shape of roof forms shall be gabled, hipped or parapet. If pitched, the minimum pitch shall be five over twelve (5/12). ~~Gable ends shall face the street.~~ Mansard roofs are prohibited.
 - ii) All roof top mounted equipment shall be fully screened from view and the method of screening shall be integrated into the overall building design, for example within or behind pitched roofs. Hipped or gabled roofs with a mechanical element will not be considered mansard roofs when the roof appears to be a true hipped or gabled roof design.
- h) Driveway Limitations. (Commercial & Mixed-Use Structures With On-site Parking Only)
- i) Two driveways entering the same street from a single lot shall only be permitted if the minimum distance between the closest edges of the driveways equals to or exceeds one hundred feet (100').
 - ii) In no case shall the total width of all driveways exceed fifty percent (50%) of the total property frontage.
 - iii) No driveway shall be located within ten feet (10') of an adjacent property except in the case of a shared driveway utilized by two or more lots.
 - iv) No driveway shall be located within a hundred feet (100') of an intersection except in cases where no other access to a public street is available.
- i) Parking. (Commercial & Mixed-Use Structures With On-site Parking Only)
Parking and vehicle accommodation areas (VAAs) shall meet the requirements set forth in Section 15 of the *LDO*.
- j) Exterior Elevation Drawings. (Commercial & Mixed-Use Structures Only)
Exterior elevation drawings shall be submitted to determine the visual break of exterior walls for the structure or structures.

7) Minimum Lot Size.

The Cedar Street Mixed-Use Zoning District will not have a minimum lot size.

8) Minimum Lot Width.

No minimum lot width is required in the Cedar Street Mixed-Use Zoning District at the minimum building line.

9) **Building Setback and Building Height Requirements and Limitations.**

Subject to the exemptions of this Ordinance, each structure on said lot in this zoning district shall be set back from the boundary line of the lot at least the distance provided in the tables set forth in this section. The building height limitation in this district is also provided in the tables of this section.

Table 8-6 Single Family Detached Setback Requirements

<i>District</i>	<i>Cedar Street Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
	15 feet minimum	25 feet	8 feet	40 feet
	20 feet maximum	25 feet	8 feet	40 feet

Table 8-7 Corner Lot and Interior Lot Requirements for Commercial and Mixed Use

<i>District</i>	<i>Cedar Street Front Setback (Right-of-Way)</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
	10 feet minimum	0 feet	20 feet**	0 feet	40 feet
	20 feet maximum	0 feet	20 feet**	0 feet	40 feet

** These setbacks were added as before they were both 0 feet. The highlighting was removed when this was transferred to this file.

NOTE: If the Cedar Street Mixed-Use Zoning District is added to the Transitional Zoning District, the Table of Uses (currently on page 103 of the LDO) will be relabeled to Table 8-8. This will take place likely after the BOC review.

7. Commission/Board Comments

None

8. Staff Comments

None

9. Adjourn

A motion was made by Vice Chair Cartner to adjourn the meeting. The second was made by several members and the vote was unanimous to adjourn.



Town of Beaufort NC
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**Town Of Beaufort Board of Commissioners Regular Meeting
MINUTES**

6:00 PM Monday, July 8, 2019 - Train Depot, 614 Broad Street, Beaufort, NC 28516

1. Call to Order/Roll Call

Mayor Newton called the meeting to order and asked all those in attendance to please join him in the Pledge of Allegiance. Town Clerk Davis called roll and declared a quorum present for the meeting.

2. Agenda Approval

Commissioner Hagle made a motion to approve the agenda as presented. The vote was 5 to 0 in favor of the motion.

3. Resolution

Mayor Newton read a resolution honoring Former Mayor R. Hunter Chadwick who recently passed away.

- A. Resolution Honoring Former Mayor R. Hunter Chadwick

4. Calendar

Town Clerk Davis reviewed the calendars for July and August.

- A. July 2019 and August 2019 Calendars

5. Public Comment

No public comments were made.

6. Manager Report

Town Manager Day indicated he had received notification from NCDOT they were not responsible for the signage for the Gallants Channel Annex or the street signs. Town Manager Day indicated he would work with representatives of the Maritime Museum and Bonehenge to get signage in the area. Commissioner Harker asked if the Bonehenge project would have a different sign than Gallants Channel. Mr. Day informed the

members those representing Bonehenge had requested the signage be combined all in one.

Mr. Day reported that HB 204 extending the corporate limits of the Town of Beaufort had been ratified to include navigable waters and the unincorporated part of the Rachel Carson Reserve.

7. Items of Consent

Commissioner Hagle made a motion to approve the Items of Consent as presented. The vote was 5 to 0 in favor of the motion.

- A. Resolution Directing the Clerk To Investigate a Petition Received Under G.S. 160A-31
- B. Personnel Policy Change/Compensation During States of Emergency

8. Public Hearing

- A. Case 19-08 1809 Live Oak - Rezoning from B-1 to PUD

Planning Director Kyle Garner indicated this request was to rezone 15.03 acres at 1809 Live Oak Street from B-1 (Commercial) to PUD (Planned Unit Development). The applicants are Craig Souza and the Town of Beaufort. The town purchased the property in 2009 for the purpose of using the site to install a water well. Currently there is a well site on the property. The property has been for sale since 2015 and Mr. Souza approached the town about purchasing the property to use for a PUD. Town staff believes the concept of the development will meet many needs of the community.

The plans include a total of 54 units with 17 of them townhouses and 37 of them as single family units. In addition, there is a planned day care center for the development.

There are some variations that are being requested at the early stages of the approval process. Those variations are:

1. Minimum front yard setback for all lots within the TCA District. To accomplish the envisioned appearance of the project, it will be necessary to have a reduced front yard setback for the Townhomes. The smaller front yard setback is desired to create an aesthetically pleasing boulevard along the proposed road extending from the adjacent property to the northeast. Therefore, variations from the required front setbacks for all lot types in the TCA District are requested for approval at this time. This front yard setback variation will facilitate a better design without harming the public interest.
2. Maximum overall density within the TCA District. The vision for this project is provide the community of Beaufort with a variety of residential housing options. The site designer’s intention is to have multi-family housing as a transition from the commercial area along the southeastern side of the parcel into the single family residential on the northern part of the development. Based on the site restraints with trying to accomplish this ideal transition, the Applicant is requesting a variation in maximum overall density within only the TCA District at this time to be able to provide a consistent design approach to the Townhomes and to facilitate better circulation on the site. The Applicant

is proposing a maximum overall density in the TCA sub-zoning district of 12 dwelling units per 0.9-acre. The Land Development Ordinance requires at maximum 12 dwelling units per 1.0-acre. All other lots within the RS-5 District will meet their maximum overall density. This variation will facilitate a better overall design and would not harm the public interest.

3. Commercial Development. Section 9.3.5 of the Zoning Ordinance in part states that: “No commercial construction may be commenced until at least 50 percent of the proposed dwelling units within the PUD or 500 dwelling units, whichever is smaller are completed and ready for occupancy.” This development, as envisioned in the proposed master plan, will contain a small daycare center. Based on information from Town, this use is of high importance and therefore needs to be constructed early in the project to serve the needs of the community. For this reason, a variation from Section 9.3.5 of the Zoning Ordinance is requested to allow the daycare commercial construction to begin prior to, or subsequent to commencement of residential unit construction. Approval for this variation is requested at this time. This variation will not harm the public interest.

4. Special Use Permit. Section 2.01 in the Subdivision Ordinance in part states that: “the owner may also simultaneously apply for any special use needed to permit proposed development.” At this stage in the project, the Owner wishes to obtain Master Plan Approval and Rezoning Approval prior to moving forward with the engineering and site design of the development. Once the approvals are made, the Owner will later submit for Special Use Permit and Preliminary Plat Approval. Therefore, a variation from Section 2.01 of the Subdivision Ordinance is requested to allow the delay of submission of Special Use Permit until approval is made of the Master/ Site Plan and Rezoning to PUD. Approval for this variation is requested at this time. This variation will increase the economic vitality of this development and will not harm the public interest.

Planning Director Garner also reported a proposed ingress/egress is a connection with the Food Lion parking lot directly adjacent to the property.

Mr. Garner indicated the requested rezoning is not consistent with the CAMA Core Land Use Plan so an amendment to the plan must be requested.

Commissioner Harker asked if the surrounding land owners had expressed any concerns over the amount of possible increase in traffic. Mr. Garner indicated no one had expressed any concerns and the buyer was in the process of speaking with land owners regarding the proposal.

Commissioner Hagle asked if any concerns had been expressed over the rezoning from commercial. Mr. Garner indicated some citizens had asked during the Planning Board meeting why it was not remaining at B-1 Commercial. Mr. Garner indicated he stood behind the need for rezoning. In response to a question asked by Commissioner Hagle regarding frontage property, Mr. Garner indicated there is still some frontage property that is available for development.

Mayor Newton asked Planning Director Garner to please consider looking at the Safe Routes to School to see how it can work with this development.

Commissioner Hollinshed made a motion to open the Public Hearing. The vote was 5 to 0 in favor.

Gary Barger, asked for Mr. Garner to please identify the Food Lion property.

Being no further questions or comments, Commissioner Hagle made a motion to close the Public Hearing. The vote was unanimous.

Commissioner Hagle made a motion to approve the rezoning and the master plan and variations as described in the table of set backs and the overall maximum dwelling density and permission to move ahead with the commercial construction before the 50% rule is applied and also the delay of the special use until a later date and also the approval of the resolution to amend the CAMA Land Use Plan and the consistency statement. The vote was 5 to 0 in favor of the motion.

B. Case No. 19-07: Request to Rezone 3 Parcels on Live Oak Street and Loftin Lane

Town Planner Kate Allen indicated the request was for three parcels located on Loftin Lane and Live Oak Street for R-8 to RS-5. The three subject properties are existing conforming lots of record, totaling 1.28 acres or 55,785 square feet. Lots 1 and 3 have approximately 147.67' of road frontage on Loftin Lane, with lots 1 and 2 totaling 200' of frontage on Live Oak Street. Subject properties are located within an AE-6 Special Flood Hazard Area. Lots 2 and 3 are undeveloped parcels. Lot 1 includes an existing single family dwelling which, according to the listing, has zero value and will need to be demolished. Surrounding properties are primarily zoned R-8, with two parcels to the southeast zoned RS-5 Residential. These parcels are identified in the Future Land Use Plan as Medium Density Residential. This zoning request, if approved, will require a simultaneous Future Land Use Map Amendment.

The Small Area Plan, completed last year, helped create the vision for the Live Oak & Cedar Street Corridors. Compact Building Designs have a multitude of benefits. Notably, as mentioned earlier in this presentation, the subject properties are located in an AE 6 SFHA. The requested zoning district has a maximum impervious surface coverage of 50% which would further assist with the reduction in stormwater runoff. As a part of the Small Area Plan, the consultants conducted a ripe and firm analysis at the individual parcel level. The three parcels included in this request were identified as ripe opportunities for redevelopment. The Preferred Access Plan identified the need for a high quality intersection at Live Oak and Loftin Lane. This is further highlighted in the Concept Designs for Live Oak Street, which includes a high visibility crosswalk at Live Oak Street and Loftin Lane

The Planning Board found that although inconsistent with the CAMA Future Land Use Plan, the request is consistent with the overall development patterns of the area and recommends approval.

Commissioner Hagle asked if there had been any flooding issues on the property. Ms. Allen indicated there had not been any issues. Commissioner Hollinshed asked about the drainage ditch on the property. Ms. Allen indicated that would be addressed further down the line prior to development.

Commissioner Harker asked about the crosswalk and whether or not it was going across Live Oak Street. Ms. Allen indicated it was going across Live Oak Street.

Commissioner Harker made a motion to open the Public Hearing. The vote was 5 to 0 in favor. Being no questions or comments, Commissioner Hagle made a motion to close the public hearing. The vote was unanimous.

Commissioner Carter made a motion to approve the request. The vote was unanimous.

C. Case No. 19-11: Request to Rezone +/- 0.91 Acres on Lennoxville Road

Town Planner Kate Allen indicated the request was to rezone 2455 Lennoxville Road from B-W Business Waterfront to R-20 Residential. Ms. Allen indicated it was an existing flag lot with a sixteen slip marina onsite. The current CAMA Land Use Plan recommends low density residential so an amendment to the plan will not be needed for this rezoning request.

Ms. Allen indicated the current marina was a non-conforming use and would continue to be so with the rezoning. Additionally, the marina would not be able to expand.

Commissioner Harker asked about the marina and the need for a special use permit. Ms. Allen indicated the marina should have a special use permit but it was existing prior to the current land development ordinance not requiring a special use permit.

Commissioner Carter asked if there was a current septic tank on the site. Ms. Allen indicated there was not at this time. Commissioner Carter asked if any discussion had been held regarding future annexation. Ms. Allen indicated there had not been any discussions particular to that topic.

Commissioner Harker made a motion to open the public hearing. The vote was 5 to 0 in favor.

Being no questions or comments, Commissioner Hollinshed made a motion to close the public hearing. The vote was unanimous.

Commissioner Hagle made a motion to approve the rezoning from B-W to R-20. Commissioner McDonald asked if there could be a condition placed on the approval requesting annexation in the future. Town Manager Day indicated the town did not have the right to require annexation but the owners could voluntarily asked for annexation. The vote was 5 to 0 in favor of the motion.

D. ZTA -Cedar Street Mixed Use District_ Revised PB

Planning Director Garner indicated this item creates the Cedar Street Mixed Use District. Mr. Garner indicated this started out as an overlay district but turned into the creation of the mixed use district. He notified the board members the Planning Board met three times to review the proposed text and heard from citizens during the meetings and were able to incorporate comments and suggestions into the overall text. Mr. Garner did bring to the commissioner's attention Carteret County Government had asked to be exempted from meeting the requirements of the district. Staff recommends all properties be required with the exception of residential.

This text amendment started with the approval of the Stantec plan by this board last fall. The proposed district starts at the corner of Turner Street and Cedar Street and goes all the way to Hedrick Street. Mr. Garner indicated nothing happens with the text until the board approves and applies the text. Additionally, Mr. Garner indicated the goal was to take these design standards and apply them to other areas.

Commissioner Hollinshed asked for Section 6(g)(i) to please omit the statement 'Mansard roofs are prohibited'.

Commissioner Harker asked about the zero piece setbacks as to whether or not the Planning Board had any concerns with having frontage or building right on the sidewalk and is there any wiggle room to consider. Mr. Garner indicated this would be Table 8-7 and indicated there was some room to make adjustment. Mr. Garner indicated the Planning Board did not have a heavy position one way or the other on the side setback and left the decision up to the board for consideration. Commissioner Hagle asked if that applied to interior and corner lots. Mr. Garner confirmed the statement and indicated another column was needed to address the corner setback and interior setback.

Commissioner McDonald asked if there would be a such thing as a non-conforming lot on Cedar Street with this new mixed use district. Mr. Garner indicated as far as lot standards there would not be one that is non-conforming, but the use of the lot could be non-conforming. Planning Director Garner indicated the ultimate goal would be to have something built on the piece of property.

Commissioner Hollinshed made a motion to open the public hearing. The vote was unanimous.

Thomas Johnson of Mt. Pleasant, SC (511 Marsh Street, Beaufort) is concerned about the proposal since he has rental properties along Cedar Street. He indicated he felt the process had been rushed through and did not feel enough notice had been given to get here to attend the meetings. He indicated he did not fully object but felt more time was needed to study the information before a decision being made.

Gary Barger, asked for a clarification that if it was used for commercial could it also be used for residential. Mr. Garner confirmed yes.

Henry Everett, Beaufort, he spoke about the zero setbacks and the safety issue coming out of a residential neighborhood. He asked for consideration to be given on a case by case basis for each parcel.

Anna DeButts, 320 Orange Street, asked about the parking requirements and why it was changed from those required by B-1. Mr. Garner indicated parking was another item heavily discussed. Mr. Garner reported staff recommended not having any parking requirements since there would be parking along Cedar Street, but the Planning Board wanted parking provided for commercial/residential units as well as other on site parking requirements for other commercial properties.

Dick DeButts, 320 Orange Street, spoke about the buffer between commercial buildings and residential building to help mitigate the overcast by the neighbor. Mr. DeButts recommended really tall trees be installed.

Margaret Powell, asked the commissioners to please get some more input from the community on what they want to happen to Cedar Street and the development. She indicated she felt a committee needed to be put together to get the community input.

Mayor Newton asked Planning Director Garner to please give some background on how the town got to the point of the Small Area Plan. Mr. Garner outlined the process of the community meetings held by Stantec in January, February and March 2018.

Commissioner Hollinshed made a motion to close the public hearing. The vote was 5 to 0 in favor.

Commissioner Harker spoke about the interaction with Stantec and how letters were sent out to citizens in the Cedar, Mulberry, Pine, Craven and Queen Streets. She continued by saying it was about citizen engagement and how to revision Cedar Street. She further indicated it is already mixed use. She continued by saying the thing about this is the setting of requirements for Special Uses to have less desirable businesses in the area.

Commissioner Hagle asked Planning Director Garner to speak more to how the Planning Board came about to the setbacks between commercial buildings and residential buildings and the height versus setbacks. Mr. Garner indicated there was not any discussion on the height which in B-1 currently allows structures of 40 feet. He indicated one of the comments on the rear setbacks was that a zero setback was not good for a commercial adjacent to a residential unit. Commissioner Hollinshed indicated the topic was discussed in depth during the Planning Board meetings.

Commissioner Hollinshed spoke about the overlay plan did have bulb outs which would be beneficial to help with safety.

Commissioner Hagle asked for Mr. Garner to please describe the distance between a commercial lot and a residential lot. Mr. Garner indicated the residential lot will have a side lot set back of eight feet with a commercial building having the minimum setback of zero feet. So the distance would be at a minimum would be eight feet. To further answer Commissioner Hagle's questions, Mr. Garner indicated the Planning Board considered the bulb outs identified in the Small Area Plan. Commissioner Harker indicated the bulb outs were for vehicular traffic but she was also concerned about pedestrian traffic and the setbacks. She indicated she liked the overall plan but would like to see at least a five foot setback in the plan.

Mr. Garner indicated this Mixed Use District is the start of appearance standards that have been needed for a while.

Mayor Newton asked for a consensus of the board members. Commissioner Carter indicated she was in favor of adoption. Commissioner McDonald indicated change was coming and it should be adopted. Commissioner Harker indicated the setback was her concern but it was not a deal breaker. Commissioner Hollinshed indicated she supported the text and would like to make sure the information regarding the Mansford roof was included as an option. Commissioner Hagle also expressed concern about the setback but indicated it was also not a deal breaker.

Commissioner Hollinshed made a motion to approve as presented with the amendment to Section 6(g)(i) Mansford roofs are prohibited be removed. The vote was 5 to 0 in favor of the motion.

E. Case 19-10 Rezoning from R-8, TR, TCA & B-1 to CS-MU

Town Planning Director Garner indicated the request was for the rezoning of 16.25 acres from B-1, R-8, TCA & TR to CS-MU. The rezoning starts at the intersection of Turner & Cedar on the north and south side until Live Oak and then continues on just the north side until Hedrick Street. There are 75 properties in the area for rezoning. Mr. Garner reported the rezoning is supported by the elements of the Small Area Plan adopted by the Board of Commissioners in 2018. The rezoning is also consistent with the CAMA Land Use Plan. Mr. Garner indicated this was the first section of town proposed for this type of zoning with other sections to be considered in the future.

Commissioner Hagle made a motion to open the public hearing. The vote was 5 to 0 in favor of the motion. Being no comments or questions, Commissioner Hagle made a motion to close the public hearing. The vote was unanimous.

Commissioner Hagle made a motion to approve the rezoning request from B-1, R-8, TCA & TR to CS-MU from the intersection of Turner Street and Cedar on the north and south side until Live Oak and then continuing to the north side of Hedrick Street. The vote was 5 to 0 in favor of the motion.

F. Case 19-15 - PUD Zoning Amendment - Beau Coast

Commissioner Carter asked to be recused from Items 8F, 9A, 9B and 9C on the agenda. Commissioner Harker made a motion to recuse Commissioner Carter. The vote was 4 to 0 in favor.

Planning Director Garner indicated this item was actually a Planned Unit Development (PUD) amendment to create a "Type B2" type lot that would have a minimum lot width of 32' for rear loaded lots for Beau Coast within Beaufort East Village. The PUD was originally proposed in 2008 with only two modifications since then both occurring in 2016. The creation of Beaufort East Village and Beau Coast in 2016 and in 2016 the creation of a Type B2 type lot that has a reduced front and side yard setbacks to 5' and a side yard setback of 5' for a front loaded "Type C" lot and a 0' side setback with a non-habitable garage.

Mr. Garner indicated the Planning Board recommended unanimously this amendment to the PUD.

Commissioner Harker made a motion to open the public hearing. The vote was 4 to 0 in favor.

Don Mizzelle of Withers and Ravenel, 219 Station Road, Wilmington, NC gave a brief description of the process of the design for the B2 lot configurations. He indicated there may be additional changes in the future with a project of this size and this detail.

Mayor Newton asked about approximate price points based on the need for affordable housing in the Beaufort Area. Project owner, Karl Blackley, indicated the project costs

have increased since the inception so the price range will begin around \$298,000.

Being no further questions or comments, Commissioner Hagle made a motion to close the public hearing. The vote was 4 to 0 in favor.

Commissioner Hollinshed made a motion to approve the lot type B2 as presented for Beau Coast within Beaufort East Village. The vote was unanimous.

9. Items for Discussion and Consideration

A. Beau Coast Phase I Revised Preliminary Plat

Planning Director Garner reported based on the revision just approved for the PUD the Preliminary Plat for Beau Coast Phase I needed to be revised. The request is to revise Lots 91-109 A & B of the existing Preliminary Plat for Phase I of Beau Coast showing lot sizes of 3,000 square feet (Lots 91-100) which was greater than the previously approved Multi-family Lots at 32' wide and allow for Lots 101-109 A & B to go from 6,000 square feet lots to 3,000 square feet lots. He indicated the total acreage was 42.23.

Mr. Garner also indicated there would need to be some adjustments made for the sewer connections with these changes.

Commissioner Hagle made a motion for approval as presented for lots 91-109 A & B. The vote was unanimous.

B. Case 19-18 - Revised Final Plat - Beau Coast Phase I-B

Planning Director Garner indicated since the preliminary plat had been revised the final plat for the project also needed to be revised and updated. The request is to subdivide a 10.087 acre tract into 57 single family residential lots.

Commissioner Hagle made a motion for the approval of the revised Final Plat for Beau Coast Phase I-B. The vote was 4 to 0 in favor.

C. Case 19-17 - Final Plat - Beau Coast Phase II-A

Planning Director Garner reported this was a new final plat for Phase II-A of Beau Coast. The request is to incorporate a bond amount of \$1,570,964 for the cost of improvements and to subdivide 31.335 acres tract into 88 single family residential lots. Mr. Garner indicated these lots are larger than what had already been seen. Additionally, the connection into the development from Chadwick Road will be made in August.

Mayor Newton asked Mr. Garner to please talk about stormwater and the plan for capturing since it is located in close proximity to marsh area. Mr. Garner indicated since this was a low density project the use of the current ponds will be used and everything will be treated on site. Don Mizzelle indicated this phase had already been approved and permitted by the State of North Carolina Stormwater Division. He further indicated when the development occurred north of this location the treatment will be done with the use of swales.

Commissioner Hollinshed asked about the concerns of additional ingress/egress. Mr.

Blackley and Mr. Mizzelle indicated the connection for Chadwick Road will be made in August of this year. Mr. Blackley indicated the second connection at Freedom Park will be coming later in the development of the project.

Commissioner Hollinshed made a motion of approve the Final Plat for Beaufort Coast Phase II-A. The vote was 4 to 0 in favor of the motion.

Commissioner Harker made a motion to allow Commissioner Carter to rejoin the meeting. The vote was unanimous.

D. Final Plat - Palmetto Plantation @ Olde Beaufort Village Phase 2

Planning Director Garner reported the board approved in August 2019 the Preliminary Plat for Palmetto Plantation @ Olde Beaufort Village, Phase 2. The applicant has submitted an estimate to complete cost of improvements of \$12,320 for incomplete sidewalks, which the Board will need to approve. In addition, this subdivision will also require the payment in lieu of recreation land in the amount of \$4,112.64. the request is to subdivide a 3.63 acre tract of land into nine single family residential lots.

Mr. Garner asked the project engineer Ron Cullipher who would be responsible for the maintenance of the stormwater retention pond. Mr. Cullipher responded it would be the responsibility of the Homeowners Association (HOA). Mr. Garner questioned whether or not an HOA had been set up and if the residents were aware they would be held responsible.

Mayor Newton asked how the town would know an HOA has been established since it seems to have been an internal operation previously. Town Attorney Grady indicated any approval could be conditioned on the filing of the Articles of Incorporation with the State and restrictive covenants that places the responsibility of the pond on the HOA.

Mayor Newton asked if the stormwater pond would be supporting off of the road as well as other properties. Mr. Garner indicated it supported the road and other remaining lots.

Commissioner Carter asked if the deeds would reflect the responsibility of the ownership of the pond. Town Attorney Grady indicated if the restrictive covenants are recorded then the owners will be made aware of their responsibility of maintenance by the HOA.

Town Manager Day referenced establishing a town ordinance addressing the maintenance of storm water ponds by HOAs/planned communities. Town Attorney Grady indicated he believed it would also be a good idea.

Commissioner Hagle made a motion to approve the Final Plat of Palmetto Plantation @ Olde Beaufort Village Phase II conditional with the formation of a Homeowners Association identified as responsible for the stormwater pond. The vote was 5 to 0 in favor.

E. Triathlon 2020

Parks and Events Coordinator, Rachel Johnson reported the request was to hold the 2020 half triathlon on April 26, 2020. She reminded the board members this was the

same weekend as the annual Beaufort Wine and Food event. She indicated the request was also for the closure of the west parking lot, closure of Front Street near the finish line at the west parking lot, the use of John Newton Park for all day on the day of the event and a waiver of alcohol for John Newton Park and the west parking lot.

Mayor Newton indicated he felt the question at hand was whether or not the commissioners were agreeable to having two major functions on the same day. Commissioners Carter and Harker were concerned there was too much activity for the weekend and a small town could only handle so much. Commissioner Harker also commented she was hearing a preferred date but was not hearing and possible alternate dates for consideration by the event organizers. Ms. Johnson commented that as of the afternoon before the meeting, there was not an consideration of alternate dates.

Mayor Newton asked for there to be continuation of negotiation of alternate dates so both events could take place. Commissioner Hagle asked about Beaufort Wine and Food organizer concerns. Ms. Johnson indicated Ms. Parker expressed concern over the limited parking and limited hotel space available for such two large events.

Commissioner Harker asked what was the largest event ever held in Beaufort. Members of the board indicated it was Pepsi America's Sail.

Steve Tulevech, owner of Town Creek Marina, and board member of the triathlon indicated he believed the events could both occur in concert since there was ample hotel space throughout the county and surrounding counties. He indicated the triathlon board members also shared the concerns about parking and hotels. Additionally, he indicated the board was concerned about having the event too much later due to the weather heat issues that are a concern for participants. Mr. Tulevech indicated there was also grant monies available for events being held before a specific date and they would like to be able to make use of grant funding. He also commented on the issue of looking at the calendar there is something occurring in Beaufort every weekend beginning in April through May and this was the time frame needed for the triathlon. He indicated their board had promised not to hold the triathlon on Mother's Day again so that date had not been giving any consideration. Additionally, he indicated the board was not in favor of having it on Easter weekend due to the possibility of lack of participation. Mr. Tulevech indicated they would like to lock into a weekend they could call home here in Beaufort.

Nelson Owens, President of Wine and Food spoke about the concerns the organization had with another event being held the same weekend. He indicated the events could not be changed. Commissioner Hagle asked if the event being held on April 26th would be held downtown. Mr. Owens indicated all of the events were generally held at The Boathouse with smaller events held all through the town.

Commissioner Harker indicated she saw the biggest conflict is the logistics of having enough lodging for all participants for both events. Mayor Newton asked about the demands on staff with having two events occurring simultaneously. Ms. Johnson indicated the triathlon took all of the safety staff plus some from other agencies and the wine and food events use for hire officers.

Ms. Johnson informed the board members staff had recommended other days for

consideration by the triathlon organizers such as the Saturday before Mother's Day. After much discussion of other possible dates, the board asked for the triathlon organizers to please consider May 9th or May 17th as possible dates and let Ms. Johnson know.

F. Beaufort's Brewin' Craft Beer Festival

Ms. Johnson reported the request was for the closure of the West Parking lot from Sept. 27, 2019 until 12 p.m. Sept. 30, 2019 an alcohol waiver for the West Parking Lot and John Newton Park -Sept. 28 during the event hours of 3-7 p.m and the use of John Newton Park Sept. 27-30.

Commissioner Hagle made a motion to approve the request for the closure of the west parking lot, the alcohol waiver and the use of John Newton Park. The vote was 5 to 0 in favor.

10. Mayor and Commissioner Comments

Commissioner Hollinshed thanked staff for their work on all of the planning items.

Commissioner Hagle sent condolences to the Chadwick family. He thanked Chief Tony Ray for the planning he is doing on the hurricane response plan. He thanked staff for the parade and preparations for the July 4th holiday. The thanked all members of the volunteer planning boards.

Commissioner Hollinshed also expressed concerned about the gas station closing several times during the week without citizens being able to get gas. She asked if this happened and the town needed gas for vehicles was there a back up plan? Town Manager Day indicated another company was considering coming to town, but he was not able to discuss at this time.

Commissioner Harker thanked the BDA for hosting the parade and the fireworks display. She thanked the Beaufort Fireman's Association, Chief Ray and his staff for raising the flag over Front Street and the bagpipes were a nice ceremonious touch. She thanked the Police Department for letting them use the boat as a float for the parade and thanked the staff for coming in on their day off to help with the logistics for the parade and giving out ice cream. She encouraged everyone to be prepared for the hot weather. She spoke about marine debris and asked everyone to please keep trash contained.

Commissioner McDonald had no comments.

Commissioner Carter thanked Captain Edwards for driving the commissioners in the parade and for allowing the use of the boat. She also thanked Chief Ray for having the Fire Department out with the flag.

Mayor Newton congratulated the folks in charge of the Old Homes Tour for a successful event, a successful parade and successful fireworks show and Chief Ray for the awesome flag. He congratulated Town Manager Day and the staff, Representative McElraft and Representative Sanderson for their support of HB 204. He also spoke about marine debris issues. He also recognized the loss of members of the community Pop Harker, Robby Wheatley, Hunter Chadwick and Sylvester Johnson and indicated

they will be greatly missed. In closing, he stated there are a lot of moving parts with events and changes in town but we were making positive movement forward.

11. Adjourn

Commissioner Hagle made a motion to adjourn the meeting. The vote was 5 to 0 in favor. The meeting adjourned at 8:31 p.m.

Everette S. (Rett) Newton, Mayor

Michele Davis, Town Clerk