



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, December 20, 2021 - Remote Via Zoom Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

- [1.](#) Planning Board Draft Minutes for 11.15.21

New Business

- [1.](#) 806 Cedar St Mixed Use - Site Plan

Public Comment

Commission / Board Comments

Staff Comments

Adjourn



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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, November 15, 2021 - Held Virtually Via Zoom due to the COVID-19
Pandemic
Minutes**

Call to Order

Chair Neve called the November 15, 2021 Planning Board meeting to order at 6:00pm.

Roll Call

Chair Neve asked Secretary Anderson to conduct a roll call.

In attendance: Chairman Neve, Vice Chair Merrill, Member Bowen, Member LoPiccolo, Member Meelheim

Jeff Vreugdenhill was present but due to computer issues was unable to comment and vote until later in the meeting. Member Willis was absent.

Secretary Anderson declared a quorum present.

Also present for the meeting were Kyle Garner, Laurel Anderson, Rachel Johnson, Samantha Burdick, Commissioner Marianna Hollinshed, Commissioner Ann Carter & Commissioner John Hagle.

Agenda Approval

Vice Chair Merrill made the motion to approve the agenda as presented and Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim

Minutes Approval

Member Bowler made the motion to approve the minutes as presented and Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim

New Business

1. Case No. 21-25 Staff Initiated Rezoning Eastern Avenue from TCA to B-1

Chair Neve opened Case No. 21-25 and Kyle Garner presented on behalf of staff.

Mr. Garner referenced the applicable packet given to board members and stated that it contained information regarding Eastern Avenue dating back to 1998. He stated that in 1998 the eastern portion of Eastern Avenue was zoned TCA and the western section was zoned B1, but currently the entire area is zoned TCA. Mr. Garner stated that this was a town-originated housekeeping issue to update the zoning properly and that it needs to move through the system and be approved by the Planning Board and Board of Commissioners. Mr. Garner then presented a slideshow showing old and current zoning maps. The total area involved is five lots at 1.78 acres and a portion of another lot at 1.87 acres. Mr. Garner credited the property owners for having the original zoning maps. Chair Neve then asked if there were any questions from the board or public, and there being none, asked for a motion.

Vice Chair Merrill made the motion to approve the rezoning and Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim

2. Case No. 21-26 Rezone 2158 Live Oak St totaling 0.579 acres from R-20 to B-1

Chair Neve opened Case No. 21-26 and Kyle Garner presented on behalf of staff.

Mr. Garner explained that the applicant applying for the rezoning is the Cullipher Group for Rosemyr Corporation. They are requesting rezoning from R-20 to B-1 for one lot to conform to the surrounding area. Mr. Garner then began a slideshow presentation. He stated that in 2019 the Town of Beaufort had rezoned the surrounding property from R-20 to B-1 and had amended the CAMA land use map to be congruous with surrounding commercial property. The applicant is requesting the lot be rezoned to be consistent with the adjoining property. Mr. Garner stated that this was a rezoning and land use map update amendment. He then showed a vicinity map and zoning map which showed the small R-20 lot surrounded on the north, south, and west by the B-1 zoned adjoining property which had been rezoned as B-1 based on the 2019 decision by the Board of Commissioners. Mr. Garner then showed a current CAMA land use plan slide which also clearly showed the small R-20 lot surrounded by property zoned as commercial. He then concluded his presentation and stated that Mr. Cullipher may have information to add.

Chair Neve then asked if the applicant had anything to add at that time.

Mr. Cullipher stated that he had a slideshow presentation that duplicated some of the information that Mr. Garner had just shared. He showed a current Town of Beaufort zoning map, and existing and future CAMA land use plans which showed commercial zoning on the Live Oak St. corridor. He pointed out a number of other current and past businesses in that area, and stated that the Rosemyr Corporation had bought the land in order to develop it.

Chair Neve asked the Board if they had any questions. Member Vreudgenhill stated that he had been at the meeting since the beginning but had been having computer issues, which Chair Neve acknowledged. Chair Neve then asked if there were any questions or comments from the public, and there being none, asked for a motion.

Vice Chair Merrill made the motion to approve the rezoning and Member Vreugdenhill made the second. Secretary Anderson took a roll call that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreudgenhill

3. 2022 Planning Board Meeting and Submittal Calendar

Chair Neve introduced the proposed calendar and asked for comments. He pointed out that the April 18, 2022 date is the first day of school spring break, Easter Monday, and tax day. He asked for any flexibility on moving the meeting to another date. Mr. Garner stated that we could keep the calendar as is but reschedule the April meeting as needed, and Chair Neve agreed.

Member Bowler then stated that all dates looked good except January 18, 2022. She will be in a time zone 5 hours ahead that date will be nearly impossible for her. Chair Neve said that the staff would reach out to the board to ensure a quorum is reached for that meeting.

Mr. Garner stated that after the calendar is approved Secretary Anderson will post it to the Town of Beaufort website.

Member Meelheim made the motion to approve the submittal calendar and Member Bowler seconded the motion. Secretary Anderson took a roll call that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreudgenhill

Public Comments

Chair Neve then asked for any public comments for the planning board.

Joyce McCune, 608 Ann St., introduced herself and asked for guidance. She stated that she and her husband Fred had started building townhouses at Beaufort Walk in 2004 and had stopped in 2009, but they still have six more duplexes to build. When they started building ONI permitted townhouses but in 2013 that was changed to transitional. Duplexes are now only allowed as a special use permit. She and her husband do not know how to move forward at this point and do not think it is fair they have to go through rezoning when townhomes were allowed when they started building. She asked if it is possible to approach the issue as a text amendment or if a special use permit is required.

Mr. Garner explained that when transitional use was called Office and Institution, duplexes were allowed by right but now they require special use permits. He believes her dilemma is: should she request a text amendment or ask for a rezoning to TCA which would allow for multi-use family, as she does not want to ask for a special use permit for each townhome. Chair Neve asked if she could ask for the six permits at one time and Mr. Garner stated that if Ms. McCune knew all dimensions at that time it was possible. Chair Neve asked if there was a time limit on special use permits and Mr. Garner clarified that Boards of Commission can put a time limit but if not, they run in perpetuity. Mr. Garner then stated that the area recently had a special use permit denied.

Ms. McCune stated that when they started the project they had one thing, but in 2013 it was changed. She said the future CAMA land use plan is good with medium density and they can build duplexes according to that, but according to the LDO they cannot.

She stated that when starting the project their goal had been to provide affordable housing for Beaufort and that is still their goal.

Chair Neve summarized by saying that her choices are to request an LDO change but he would be least likely to support that as it would affect the whole town. Going forward they could request special use permits or a request for a zoning change.

Commission / Board Comments

None.

Staff Comments

Mr. Garner welcomed the new support specialist, Laurel Anderson, and notified those members whose terms will be up in 2022 that Ms. Anderson would ask if they want to reapply for another term. He then gave a CAMA land use plan update and said a draft will be out very soon for the planning board and public to review, and it should be on the agenda in January 2022. Mr. Garner said we were still waiting to see if there would be any agenda items for the December 20, 2021 meeting and asked if anyone would not be available for that meeting. Chair Neve stated he would be fine with that but that date is the first day of his kids' winter break.

Adjourn

Member LoPiccolo made the motion to adjourn and Member Meelheim seconded the motion. Secretary Anderson took a roll call that was unanimous.

Voting yea: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreudgenhill

Vice Chair Merrill stated he had been having computer problems, and asked when the board would resume in-person meetings. Mr. Garner said he did not have an answer but three sitting commissioners had heard his request. Vice Chair Merrill then voted to adjourn.

Chair

Board Secretary



Town of Beaufort, NC

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**Town of Beaufort Planning Board Regular Meeting
6:00 P.M. December 20, 2021 – Virtual Via Zoom**

AGENDA CATEGORY: New Business
SUBJECT: 806 Cedar St Mixed Use - Site Plan

BRIEF SUMMARY:

Mr. Vic Fasolino has submitted a site plan for a Mixed-Use project for 806 Cedar Street. This project was original approved in December 2019 and was good for a period of 18 months (Expired in July 2021). Now Mr. Fasolino is resubmitting the same exact plan for re-approval for another 18 month period. This will still be the first new project developed in the Cedar Street – Mixed Use District if constructed within the new 18 month timeline.

REQUESTED ACTION:

Discussion
Recommendation to Approve and send to the Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

STAFF REPORT



To: Planning Board Members
From: Kyle Garner, AICP, Town Planner
Date: December 7, 2021
Project 806 Cedar Street – Mixed Use Project

THE QUESTION: To recommend approval or denial to the Board of Commissioners for the Mixed-Use project for 806 Cedar Street site plan that expired in July 2021.

BACKGROUND: This site currently is a vacant lot and will be the first to apply the new zoning standards of the Cedar Street Overlay District. It was originally approved in December of 2019 by the Board of Commissioners with an expiration of 18 months if work had not begun. (July 2021)

Location:	806 Cedar Street
Owners:	Sound Shore Construction (Vic Fasolino)
Requested Action:	To recommend approval or denial to the Board of Commissioners
Existing Zoning	CS-MU (Cedar Street Mixed-Use)
Pin #:	730618306414000
Size:	.176 acres (7,700 sq. ft.)
Amount of Open Space:	N/A
Existing Land Use:	Vacant Lot

PUBLIC UTILITIES & WORKS:

Water:	Town of Beaufort
Sanitary Sewer:	Town of Beaufort

OPTIONS:

1. Recommend approval of the Site Plan.
2. Recommend approval of the Site Plan with conditions.
3. Recommend denial of the Site Plan based on specific failures to meet requirements of the LDO

ATTACHMENTS:

1. Vicinity & Zoning Map
2. Aerial Map
3. Site Plans

Staff Comments:

As stated earlier this project was approved in December of 2019 right before the beginning of the pandemic. At that time the only issue to be resolved that was discussed at the Commissioners Meeting was for the applicant to work out an agreement with the adjacent property owner so that they would have ingress/egress to the rear of 808 Cedar. Per the applicant that issue has now been resolved and the request for a site plan extension/re-approval is being requested for another 18 month period.

This site plan was reviewed and approved by the Town’s Technical Review Committee in 2019 and since the plans have not changed, still support the proposed mixed-use project.

Project Information:

This mixed-use project is permitted by right in Cedar Street Mixed Use District. The Cedar Street Mixed Use District does have specific design criteria which must be applied to Mixed Use & Commercial projects which the applicant has addressed as follows:

- Exterior Siding Material – *The Site Plan identifies that the exterior building material shall be fiber cement which is an approved material per Section 8-D-5-e of the LDO.*
- Outside Walls - Section 8-D-5-f of the LDO allows for a “total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five percent (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. *The Site Plan identifies that the ratio of glazed to total area = 32% which meets the requirement of being less than 35%.*
- Roof Forms – Section 8-D-5-g “The dominant shape of the roof shall be gabled, hipped or parapet.” *The Site Plan identifies that the roof as a parapet on the front and a hipped on the sides and rear.*
- Parking – A parking table is provided below providing a clearer picture of what is required and provided.

PARKING TABLE	Required Spaces	Provided Spaces
Mixed Use *	3	6

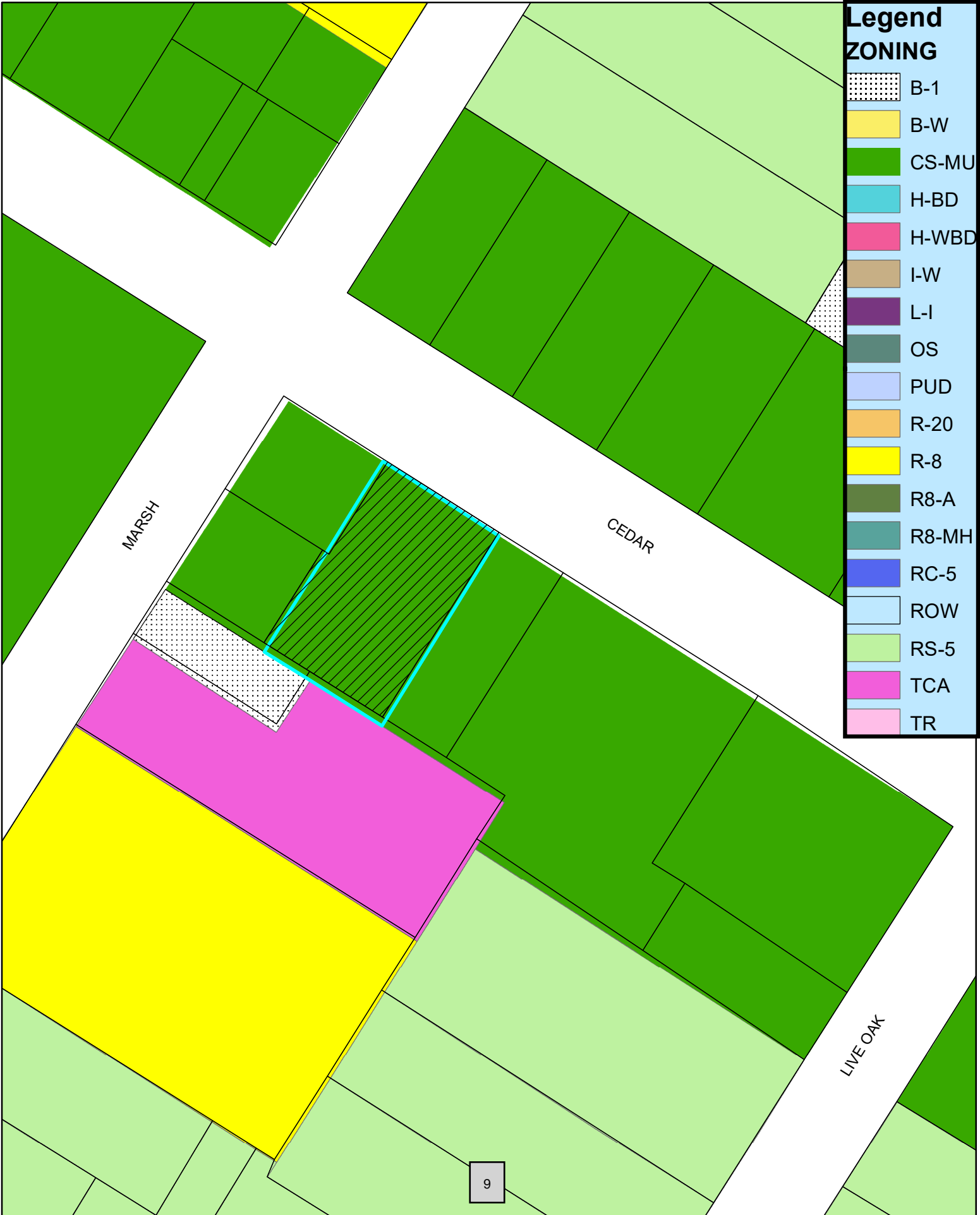
*Mixed Use shall provide 1.5 onsite parking spaces/unit. There are two (2) residential units so a total of three (3) spaces are required.

Conclusion:

This project meets the design criteria required in the LDO for mixed use projects in the Cedar Street Overlay District and staff recommends approval.

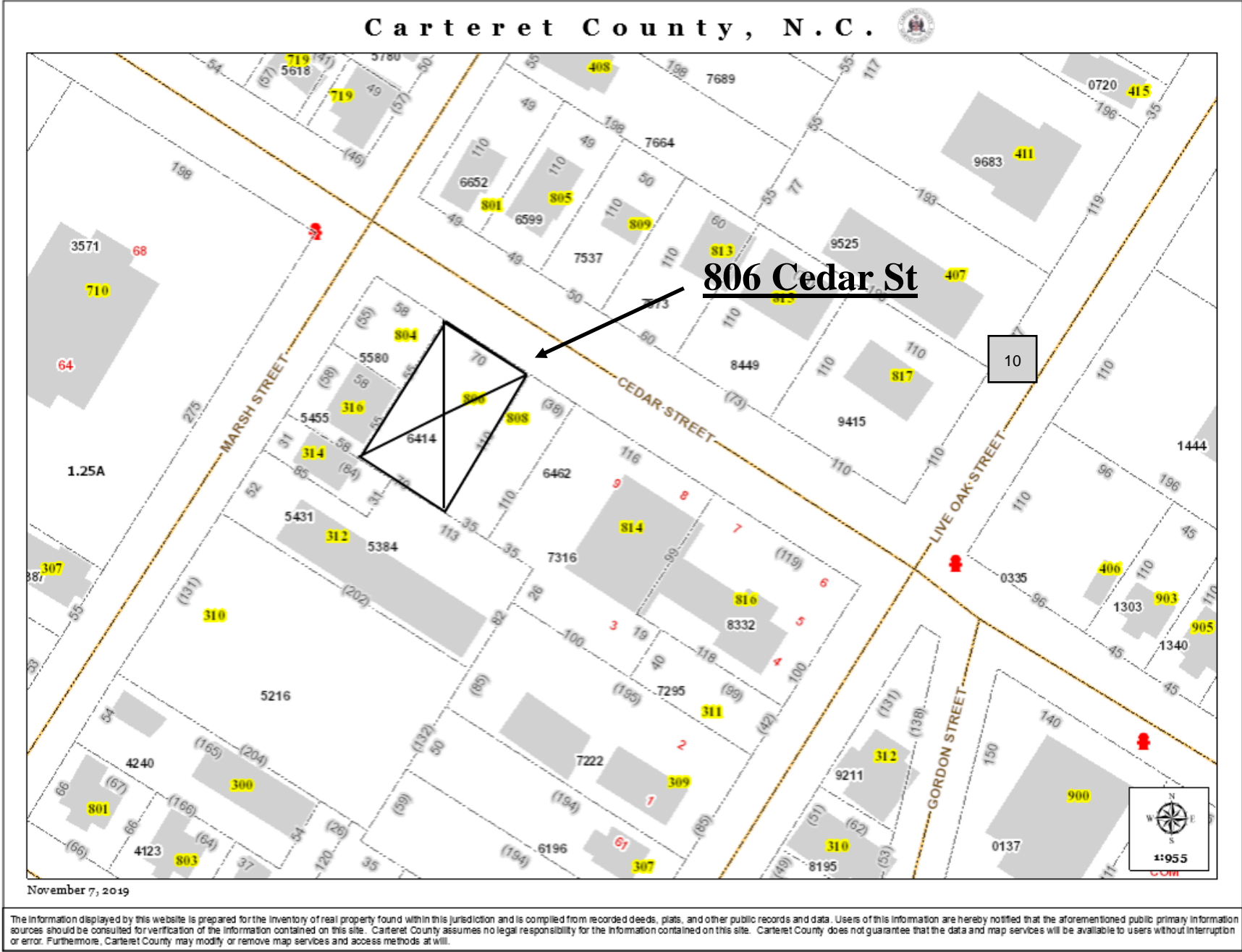
Vicinity & Zoning Map - Case 22-01 -806 Cedar Street
Site Plan Approval Extension - Mixed Use

1.



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806 Cedar St
Proposed 4-Unit Mixed Use Building
 Sound Shore Construction, 1913 Front St., Beaufort, NC 28516, 252-269-3415
 Tax Pin# 730618306414000 Vacant Lot, Area 7700 sq ft
 Current Zoning- CS-MU
 Proposed Two-story Building, Total Area- 4606 sq ft
First Floor, 2303 sq ft, 2- B-1 Business Units, 1151 sq ft each
Second Floor, 2303 sq ft, 2 R-3 Residential Units, 1151 sq ft each
 Ownership Type: 4 units under single ownership



VICINITY MAP



NC GRID MVD 1983 (2011)

MARSH STREET 50 FT PUBLIC RIW

MAIL IN THE SIDEWALK AT THE RIW
INTERSECTION OF MARSH AND CEDAR
STREETS
N:360614.9834 NC GRID
E:2703659.3624 NC GRID

FASOLINO, VICTOR P
38 FT

CEDAR STREET 60 FT PUBLIC RIW

MCDONALD, PHEON ROYCHELLA

N32°18'22"E 110 FT

CAPANNA, PALOMA

N57°41'38"W 70 FT

7700.00 SQ. FT.
0.18 ACRES

MARSH STREET LLC

35 FT

FRED JACKSON
REF. DB 124 PG 329

S32°18'22"W 110 FT

APPROXIMATE LOCATION OF PARCALLY USED
DRIVEWAY
EYES ROUGHLY ALONG PROPERTY LINE

EIP BENT

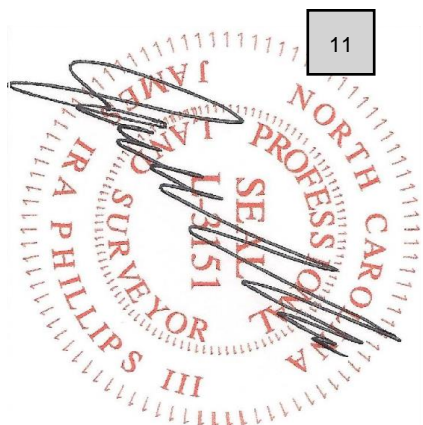
35 FT

SURVEYORS CERTIFICATION

I, JAMES I. PHILLIPS III, CERTIFY THAT THIS
PLAT WAS DRAWN BY ME (X), DRAWN UNDER
MY SUPERVISION (), FROM AN ACTUAL SURVEY
MADE BY ME (X), MADE UNDER MY
SUPERVISION (), THAT THE RATIO OF
PRECISION AS CALCULATED BY COORDINATE
METHOD IS 1:10,000+; REGISTRATION NUMBER,
AND SEAL THIS 1ST DAY OF NOVEMBER,
A.D. 2019.

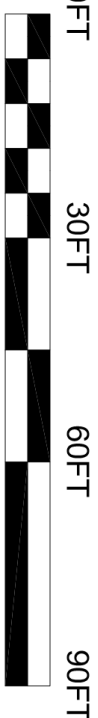
JAMES I. PHILLIPS III RLS NO. L-3151

THIS IS AN EXISTING PARCEL OF LAND



11

- LEGEND**
- EIP-EXISTING IRON PIPE
 - ER-EXISTING IRON ROD
 - ECM-EXISTING CONCRETE MONUMENT
 - EA-EXISTING AXLE
 - EN-EXISTING NAIL
 - EPK-EXISTING PK NAIL
 - POINT-NOTHING EXISTING OR SET
 - NCSS-NORTH CAROLINA GEODETIC SURVEY
 - NCS-NATIONAL GEODETIC SURVEY
 - RWM-MONUMENT MONUMENT
 - SIP-SET IRON PIPE
 - SIR-SET IRON PIPE
 - SCM-SET CONCRETE MONUMENT
 - EA-SET AXLE
 - SN-SET NAIL
 - SPK-SET PK NAIL
 - OP-OVERHEAD POWER
 - NOT HELD-NOT CONSIDERED PART OF SURVEY
 - NHWL-NORMAL HIGH WATER LINE
 - AEC-AREA OF ENVIRONMENTAL CONCERN
 - NAVJ-NORTH AMERICAN VERTICAL DATUM
 - MAD-NORTH AMERICAN HORIZONTAL DATUM
 - PP-POWER POLE
 - UT-UNDERGROUND TELEPHONE
 - UP-UNDERGROUND POWER
 - UWL-UNDERGROUND WATER
 - DL-DRILL HOLE



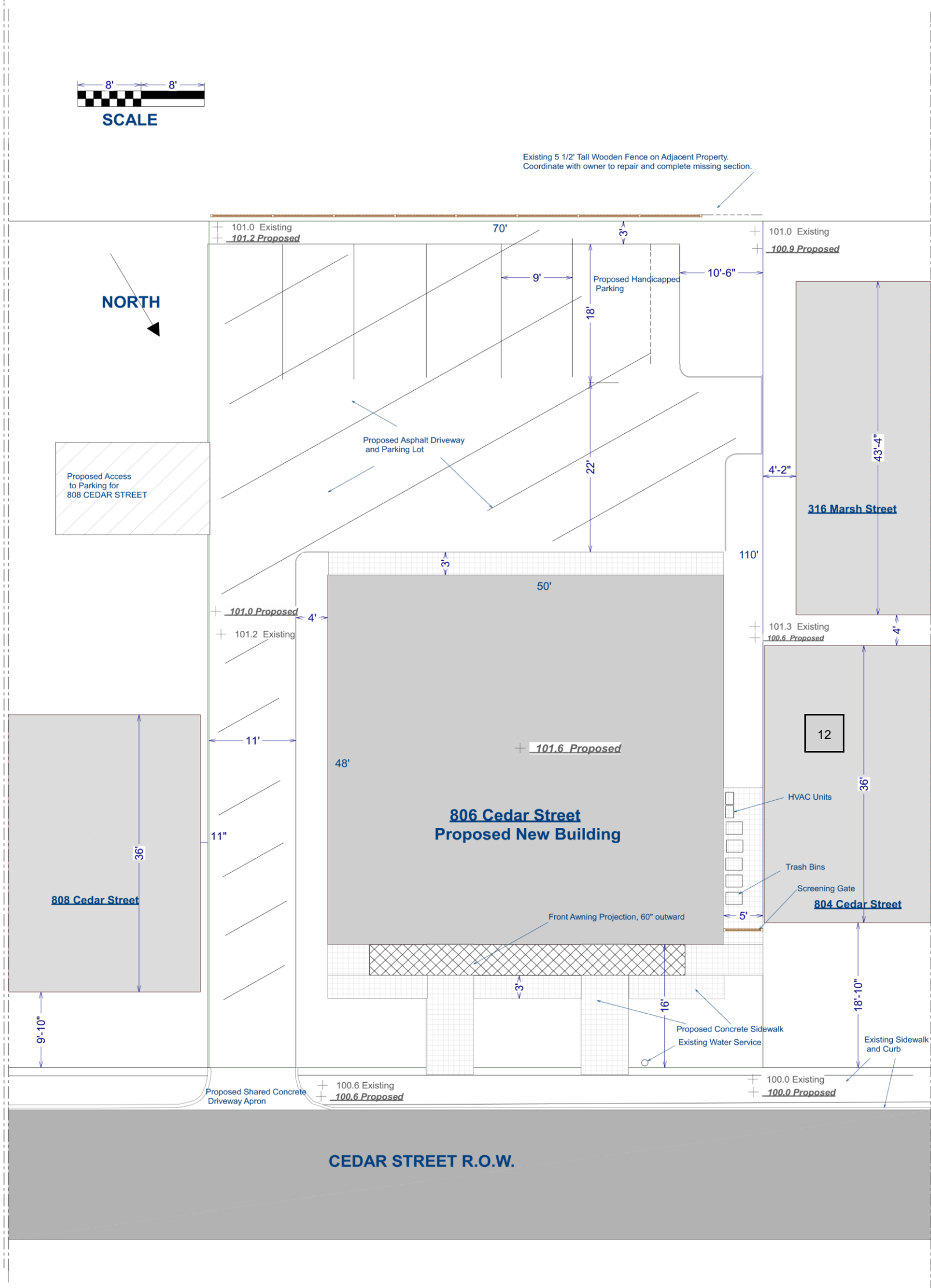
**BOUNDARY RETRACEMENT
VICTOR P. FASOLINO**
806 CEDAR ST
TOWN OF BEAUFORT, BEAUFORT TOWNSHIP
CARTERET COUNTY, N.C.
SCALE 1"=30'

PRESENT OWNER: SAME		REVISIONS	
DEED REF: BOOK PAGE 1575/282 MAP REF: BOOK PAGE NONE PIN: 730618306414000 SHEET: 1 OF 1 JOB #: 19-145			
DATE OF FIELD SURVEY: 10-31-2019		DATE OF MAPPING: 11-1-2019	
SURVEY BY: JIP	DRAWN BY: JIP	CHECKED BY: JIP	
JAMES I. PHILLIPS LAND SURVEYING PO BOX 2103, 379 Arrington Rd., Beaufort, N.C. 28516 252-728-5848 phone jip3@coastalnet.com			

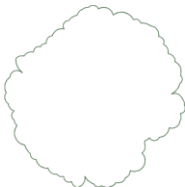





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806 Cedar Street- Proposed New Mixed Use Building

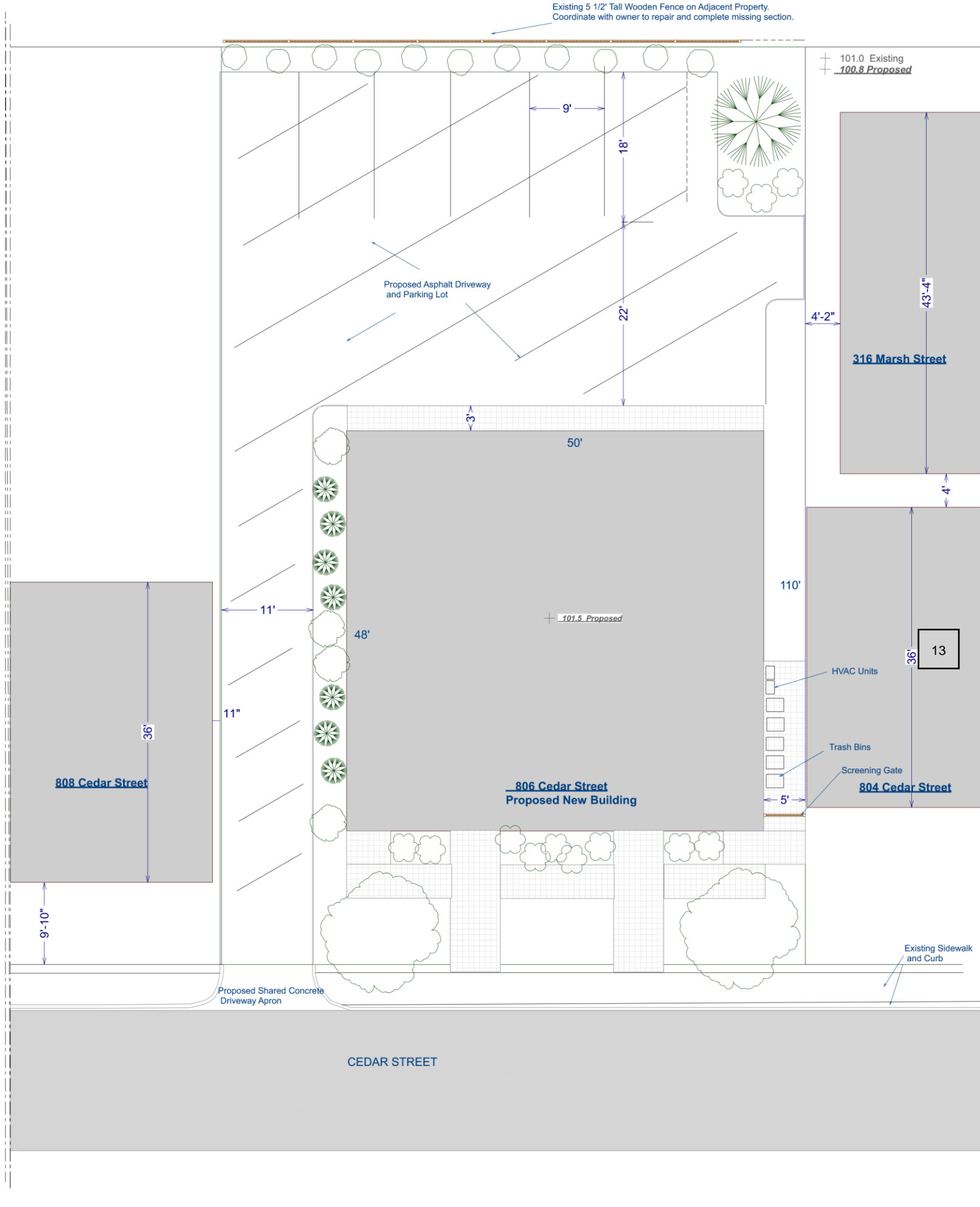
Parking: Section 8, C), 6), i)- Mixed use: 1.5 spaces per unit; 1.5x4=6
 Signage: 2 signs, mounted of lower frieze board, not to exceed 28 sq ft each
 Exterior Building Material shall be fiber cement siding, painted
 Front Fascade Area=1100 Sq Ft, Front glazed area=351 sq ft
 Ratio of glazed to total area= 32%
 All other exterior walls shall have less than 15% glazed area
 Roof- "Parapet" front / hip roof, sides and rear
 Driveway area: 3287 sq ft, Building roof Area: 2499 sq ft, Concrete walkway are: 386 sq ft
 Nearest Fire Hydrant: 140' at corner of Marsh and Cedar Sts



SITE PLAN

Plant Legend	
	Crepe Myrtle 1 1/2"-2" DBH
	Tree Holly 1"-1 1/2" DBH
	Euonymus 24"-30"
	Azalea 24"-30"
	"Knock Out" Rose 18"-24"
	Needlepoint Holly 18"-24"

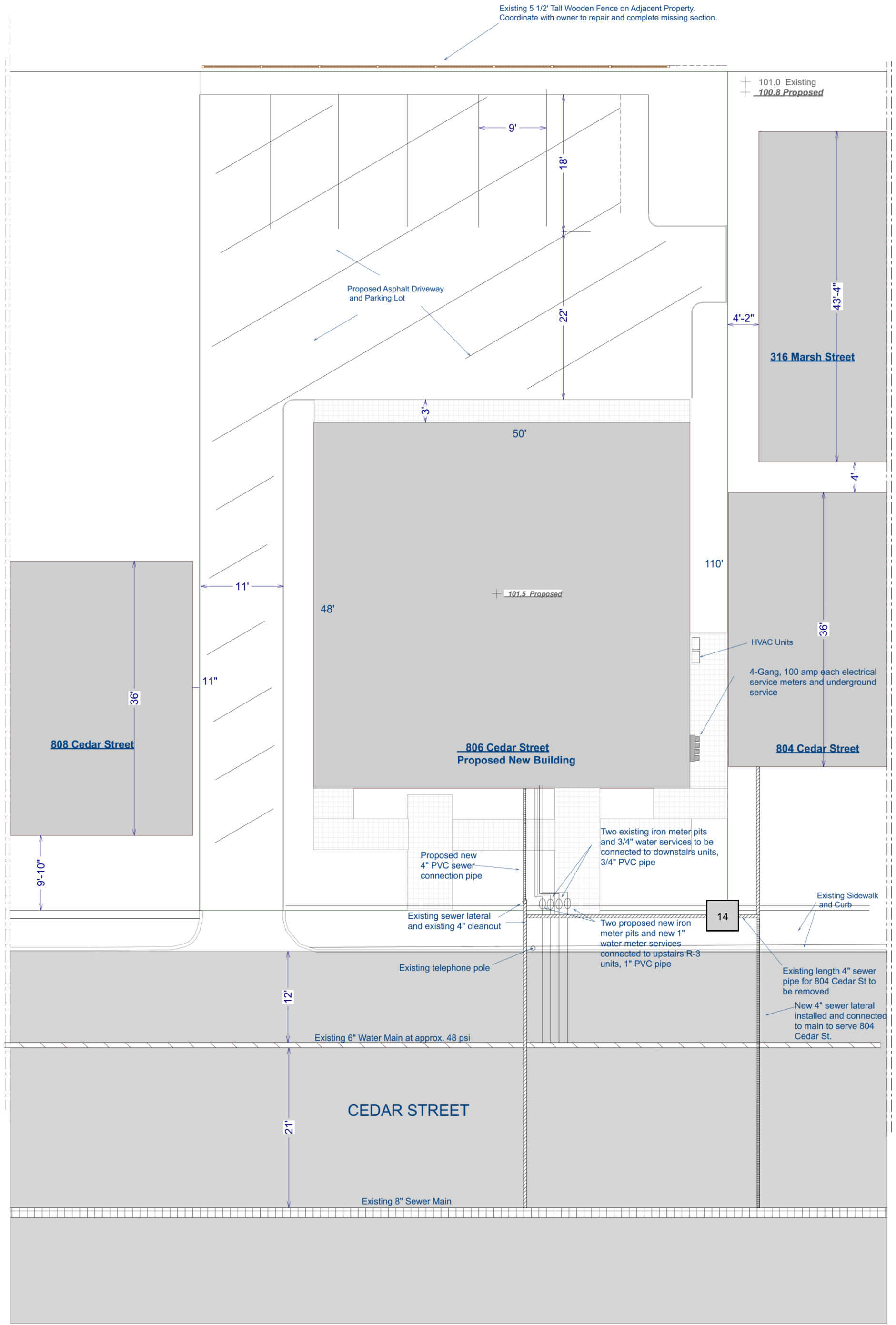
Existing 5 1/2' Tall Wooden Fence on Adjacent Property.
Coordinate with owner to repair and complete missing section.



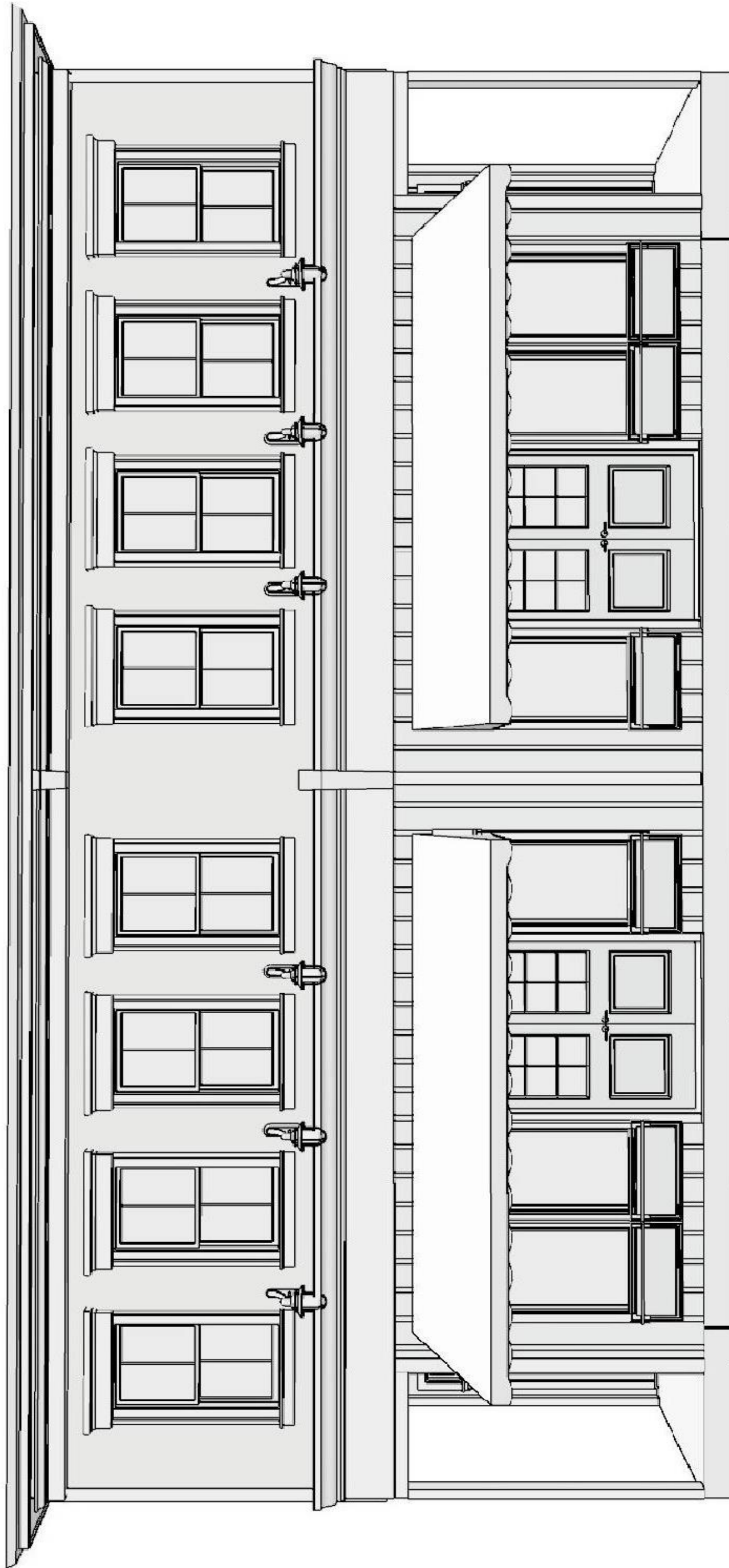
LANDSCAPE PLAN

Existing 5 1/2' Tall Wooden Fence on Adjacent Property.
Coordinate with owner to repair and complete missing section.

101.0 Existing
100.8 Proposed



UTILITY PLAN



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FRONT FASCADA