

CAROLINA BEACH

Planning and Zoning Commission Meeting

Thursday, November 10, 2022 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



MINUTES

CALL TO ORDER

Chairman Rouse called the meeting to order at 6:00 PM.

PRESENT

Chairman Wayne Rouse

Vice Chairman Jeff Hogan

Commissioner Melanie Boswell

Commissioner Ethan Crouch

Commissioner Todd Piper

Commissioner Bill Carew

ABSENT

Commissioner Lynn Conto

ALSO PRESENT

Planning Director Jeremy Hardison

Senior Planner Gloria Abbotts

APPROVAL OF MINUTES

1. October 13, 2022 – P&Z minutes

ACTION: Motion to approve the minutes

Motion made by Vice Chairman Hogan, seconded by Chairman Rouse

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew

Motion passed 6-0

STAFF REPORT ON RECENT DEVELOPMENTS

Ms. Abbotts reported the following statistics for the past month:

Permitting

- 23 permits (renovation, repair, grading, additions, fence)
- 6 residential new construction
- 13 certificates of occupancy

Code Enforcement

- 13 complaints received
- 19 resolved (including complaints from previous months and staff-driven issues)

Demos

- 1416 Swordfish Lane
- 1507 Snapper Lane
- 1211 Bonito Lane

New Businesses

- O'Reilly Auto Parts – 1401 North Lake Park Boulevard, Suite 58
- Subway – 700 North Lake Park Boulevard (new owner)

Town Council and Other Updates

- Shagri-La application to change 604 North Lake Park Boulevard from restaurant to bar – approved with recommended conditions
- Golf cart regulations – approved
- 101 North 5th Street – fire training

PUBLIC COMMENT

None

PUBLIC HEARING

2. Conditional Zoning to consider a Planned Unit Development consisting of 22 townhome units located at 205 and 211 Spartanburg in the Residential (R-1) zoning district
Applicant: WB Coastal Development LLC

Applicant WB Coastal Development LLC applied for a Conditional Zoning (CZ) application for a Planned Unit Development (PUD) project in the Residential R-1 district. The proposal includes 22 townhome units. PUDs greater than four units are allowed through the approval of CZ in R-1. CZ allows a particular use to be established only in accordance with specific standards and conditions pertaining to each individual development project.

The applicant is proposing to construct 22 townhomes located on the properties at 205 and 211 Spartanburg Avenue. The project will include 10 two-unit buildings and two single-family buildings with three to four bedrooms each. There is currently one single-family home on the entirety of the property, a cottage built in 1951. A pool, pool house with bathrooms, pickleball court, and walking trail are also proposed on the site.

The purpose of the Residential (R-1) district is to provide for moderate-density single-family and two-family residential use. The regulations of this district are intended to discourage any use which,

because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of this district.

Setbacks in R-1 are 20 feet (front), 10 feet (rear), and 7.5 feet (sides). The applicant is requesting a 10-foot front setback from Greenville Avenue, 2nd Street, and Spartanburg Avenue. A setback of 10 feet shall be the minimum allowed for a PUD. A written request was made and submitted along with the CZ application, and it must be recommended for approval or denial by the Commission and formally approved or denied by Council.

As part of the application process, a community meeting is required. The applicant held the required meeting on September 6, 2022, and 14 people attended. Concerns mentioned during the meeting included:

- Stormwater
- Pickleball court location
- Sidewalks
- Setbacks

Proposed conditions

- All stormwater must meet state standards for containment on site
- Install new fire hydrant on the corner of Spartanburg Avenue and 2nd Street
- Recombination plat required prior to issuance of a building permit
- Outdoor lighting not to disturb neighboring properties
- Type B landscape buffer required
- Two-year expiration date from Council approval

The project is in general conformity with the 2020 Land Use Plan for medium-density residential. Staff recommends approval as proposed.

Ms. Abbotts presented the details. She showed aerial photos, the site plan, and floor plans and reviewed surrounding uses, 12 of which are single-family residences and nine of which are two-family residences.

Richard Collier of McKim & Creed at 243 North Front Street in Wilmington, representing the applicant, said all the buildings other than the pool house are three elevated stories. He said the project will include putting sidewalks on both Spartanburg Avenue and Greenville Avenue and a ditch along Spartanburg Avenue. Mr. Collier said stormwater runoff will be handled on site. He said while the project is asking for a 10-foot front setback, all parking will be under the buildings so cars won't be hanging out into the right-of-way.

ACTION: Motion to open the public hearing

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch,

Commissioner Piper, Commissioner Carew
Motion passed 6-0

Bruce McCallon of 203 Greenville Avenue said with a 10-foot setback, he thinks squeezing in the sidewalk will be an issue. He said the sidewalk should be on the other side of Spartanburg Avenue, not on the side being developed, because there is no ditch on the other side and the setbacks are bigger.

No one else requested to speak.

ACTION: Motion to close the public hearing

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew

Motion passed 6-0

Mr. Collier said the applicant prefers the sidewalk on the same side of the street as the project. He said work will be done to close in the ditch in the sidewalk areas, and the sidewalk will have plenty of room. Mr. Collier said the project is providing more than 50% of the site as open space, well beyond the required 25%.

Commissioner Crouch asked if there is a way to avoid cutting Spartanburg Avenue multiple times for water lines. Mr. Collier said he thinks it's possible to extend a smaller water line along Spartanburg Avenue to keep from making those cuts. Commissioner Crouch said reducing the number of cuts would save money and be easier to build and better for the road.

Commissioner Boswell asked Mr. Collier to explain to the public what he meant when he previously said the project was giving up rights on 2nd Street. Mr. Collier said the development won't be able to access frontage on 2nd Street with driveways. He said the Town asked for drainage to remain open, so the project will build its own road within the property behind 2nd Street. Mr. Collier said the developers are willing to work with the Town as much as possible in exchange for the setback reduction they are seeking.

Commissioner Boswell asked if any of the trees will remain on the property. Mr. Collier said no. He said there was some discussion about relocating a large oak, but this would be expensive and difficult and offer a slim chance for the tree's survival. Mr. Collier said developers may entertain similar types of trees as they replant.

Chairman Rouse asked for details about plans to beautify the ditch. Mr. Collier said developers are talking with the Town to work out how to screen the stormwater pump. He said they will build a wooden fence and have gates for access on each side. Mr. Collier said the property will incorporate live oaks, palms, and other native materials.

Commissioner Hogan asked about concerns regarding the pickleball court. Mr. Collier said one neighbor was worried that the original location of the pickleball court right behind his home would create unwanted noise, so developers shifted it away from his home and everybody seems happy now.

ACTION: Motion to close the public hearing

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew

Motion passed 6-0

Commissioner Carew asked if stormwater upgrades will happen in the area of 2nd Street and Spartanburg Avenue. Mr. Hardison said yes, the Town will start a stormwater project for that area this winter. Commissioner Carew asked how it will affect the ditch. Mr. Hardison said the project will improve the ditch, but he doesn't have specific details yet. He said it's a high-performance ditch with a lot of flow.

Commissioner Piper asked how many two-family houses could be built on the property by right if it was broken into lots. Mr. Hardison said if the house there now is moved, it could be divided into 10 lots with a maximum density of two units per lot. Commissioner Piper said he wants the public to understand that the developers are not proposing to significantly increase density.

Chairman Rouse said having one person do 10 lots at a time is a favorable option because the Town can put conditions on the project, especially when it comes to stormwater and sidewalks. He said this is a win for residents in that area.

Commissioner Boswell said it looks like the developers have done everything asked of them and then some. She said the Town can't ask the applicant to put sidewalks on the other side of the street. Commissioner Boswell said she has no objections to the setback reduction request.

Commissioner Crouch said he appreciates the applicant's efforts in making upgrades to stormwater and sidewalks. He suggested making it a specific condition that the project must minimize roadway cuts and just do one cut across the road.

Chairman Rouse asked if it's mechanically possible to do one cut across the road. Mr. Hardison said it's possible, but whether it's feasible would be an engineering question.

Mr. Collier said he would accept the condition about minimizing cuts if it's allowed by the Utilities Director. He said if the answer is no, he'd like some flexibility and not be required to come back with another request.

Commissioner Carew asked how much fill will be brought onto the property. Mr. Collier said a 12-inch lift of fill will help grade it.

ACTION: Motion that whereas in accordance with the provisions of the North Carolina General Statutes, the Commission does hereby find and determine that the adoption of the Conditional Use District to allow for a townhome project consisting of 22 townhome units located at 205 and 211 Spartanburg Avenue is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area are mitigated by the approved conditions with the addition of having one utility cut on Spartanburg Avenue as long as it's found to be feasible by the Utilities Director

Motion made by Vice Chairman Hogan, seconded by Commissioner Boswell

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew

Motion passed 6-0

NON-AGENDA ITEMS

Chairman Rouse said the Commission will have another Unified Development Ordinance (UDO) meeting on November 16.

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew

Motion passed 6-0

The meeting adjourned at 6:45 PM.