

CAROLINA BEACH

Planning and Zoning Commission Meeting

Thursday, February 13, 2025 - 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

Commissioner Lynn Conto

ALSO PRESENT

Community Development Director Jeremy Hardison

Senior Planner Gloria Abbotts

Planner Haley Moccia

CONFLICT OF INTEREST

Members of Planning and Zoning shall not vote on recommendations, permits, approvals, or other issues where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member or a member has a close familial, business, or other associational relationship. No member shall be excused from voting except upon those matters as noted, above, or upon those others involving the consideration of his own financial interest or official conduct. (160D-109)

APPROVAL OF MINUTES

1. January 9, 2025 – P&Z Minutes

ACTION: Motion to approve the minutes

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, Commissioner Conto

Motion passed unanimously

STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Hardison reported the following:

February 11 Council actions

- Council approved a text amendment to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations.
- Council approved a resolution to close the 15-foot alleyway on Glenn Avenue between Lots 17-23.
- Council approved the draft Beach Management Plan.

Project updates

- **Ocean Boulevard sidewalk:** This project is on schedule and making progress.
- **Centennial:** The kickoff celebration is March 6 at Centennial Park.
- **Parking lot paving Marina:** In addition to paving, improvements include installing a sign, sod, and flagpole.
- **1810 Canal Drive paving/beach crossover:** The street before Freeman Park will be paved, and the Town will install a beach access crossing over to get to the rocks.
- **Lake Park pump house:** A bid has been awarded to a contractor, and work should start soon.
- **Boardwalk bathroom:** Demolition was Monday, and portable restroom facilities hooked up to water and sewer will go up soon a little further to the north.

Permitting

- 51 permits (renovation, repair, grading, additions, fences)
- 10 residential new construction
- 8 certificates of occupancy

Demos

- 1203 South Lake Park Boulevard (pool building at Golden Sands)
- 1300 Carolina Beach Avenue North

Upcoming

- Mini golf: Work has begun at the property behind Walgreens.
- Duke Energy substation: The existing structure will be demolished and reconstructed further back from the road.
- 2 minor Planned Units Developments (PUDs): The Technical Review Committee (TRC) has reviewed plans for 2 single-family homes on each lot.
 - 308 Lewis Drive
 - 1109 Swordfish Lane

Chairman Rouse asked if there was already a beach access in the 1810 Canal Drive area. Mr. Hardison said no. Chairman Rouse asked if the access will be straight out from the middle or go to the north. Mr. Hardison said it will be to the north because there is an existing easement to access the beach on the pier property, so that will be used.

Commissioner Piper asked when beach renourishment starts. Mr. Hardison said winter 2026.

PUBLIC COMMENT

None

PUBLIC HEARING

2. Zoning Map Amendment to Consider a Request to Rezone 204 Harper Avenue from Mixed Use (MX) to Central Business District (CBD)
Applicant: STLNC, LLC

This item was removed from the agenda.

3. Consider a Preliminary Plat for a 9-Lot Subdivision Located at 1215 Saint Joseph Street
Applicant: Wescott Butler

Wescott Butler has submitted a request for a preliminary plat approval for Phase 1 of the Fisher's Reserve subdivision at 1215 Saint Joseph Street. This is considered a major subdivision preliminary plat because there are more than 6 lots to be subdivided. Due to recent changes in the Unified Development Ordinance (UDO), the Planning and Zoning Commission shall review and take final action.

The property is 5.05 acres. This subdivision will consist of 9 lots with a minimum lot size of 7,000 square feet. The existing single-family home on the property will be demolished. The proposed 9 lots comply with the minimum standards for R-2. Single-family dwellings are permitted by right in the R-2 zoning district, which has a minimum lot size of 7,000 square feet. Setbacks for structures in this district are 25 feet from the front, 10 feet from the rear, 7.5 feet from the side yards, and 12.5 feet required on corner lots. The maximum height for structures is 45 feet, with a maximum lot coverage of 40% and a maximum impervious coverage of 65% per lot. A portion of the subdivision is in an AE 11 flood zone. Those lots will have a finished floor elevation of 13 feet to meet the base flood elevation (BFE) + 2 feet of freeboard requirement.

The applicant proposes installing a 50-foot right-of-way, Hooks Road. The design of the road will be in accordance with N.C. Department of Transportation (DOT) minimum design and construction criteria and guidelines. Per UDO section 4.12, in no case shall right-of-way widths be less than 40 feet and pavement widths less than 26 feet, unless approved by the Fire Marshal. The applicant proposes a 24-foot pavement width, which was approved by the Fire Marshal at the December 2024 TRC meeting. A fire hydrant will be installed at the compliant hammerhead turnaround at the end of the road.

A dedicated 5-foot pedestrian easement is proposed at the rear of the property for future connectivity. All subdivisions of 6 or more lots shall be required to install sidewalks along the street. The proposed sidewalk will be 4 feet wide and meet all Americans with Disabilities Act (ADA) requirements. The proposed 8-foot Saint Joseph Street multi-use path will be in the right-of-way in front of the subdivision. The subdivider will also install streetlamps in accordance with Ch. 34, Art. 5. The subdivider will also be responsible for installing street signs, stop signs, cluster mailbox units, and street trees. The subdivider shall plant at least 1 understory tree for each 50 feet of frontage; existing vegetation can be used and is encouraged.

It is the policy of the U.S. Postal Service that mail delivery to all new subdivisions is centralized through use of a cluster box unit (CBU). The location of the CBU has been approved by TRC. N.C. Building Code requires a handicap space for the CBU, which has been provided by the applicant.

The applicant shall obtain a State stormwater permit. There is a proposed stormwater infiltration basin to be installed at the front of the property. Utilities will be located within the right-of-way, and power lines will be buried. Each lot will be serviced with a 3-quarter-inch water service and meter, a 1-inch irrigation service and meter, and 6 inches of PVC sewer lateral and cleanout at the public right-of-way.

The applicant has provided a report completed by Tidewater Atlantic Research, Inc., which has concluded that the proposed development will not have an impact on any preserved Confederate earthworks or any other potentially significant archaeological features.

Ms. Abbotts presented details. She said the subdivider shall, within 24 months of the date of minor or major subdivision preliminary plat approval or approval with conditions, submit to the UDO administrator a complete application for approval of a final plat. She also reviewed required improvements and permits:

- Streets within the subdivision: Improvements to existing streets/road network are required for safe and adequate access to subdivision
- Traffic control devices, street name signs, and cluster mailbox units
- Pedestrian facilities
- Street trees
- Water and sewer systems
- State stormwater drainage approval and erosion control facilities
- Underground utilities
- Any other improvement required as a condition for preliminary plat approval

Ms. Abbotts said the applicant has addressed TRC comments, and staff recommends approval of the preliminary plat.

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, Commissioner Conto

Motion passed unanimously

Richard Collier, representing the applicant, reviewed project highlights. He said there is a Phase 2 planned on the rear of the property if building on wetlands is permitted there in the future: Phase 1 is 9 lots on 2.85 acres, and Phase 2 would be 10 lots on 2.2 acres.

Mr. Collier said a tree survey is complete for the property and found 174 trees, including 90 oaks ranging from 8 to 36 inches in diameter and the remainder made up of pine, bay, gum and magnolia trees from 3 to 28 inches in diameter.

Chairman Rouse asked if anyone from the public wanted to speak.

Steve Corriher of Forest by the Sea said he has concerns about the potential impact of the development and the limited amount of time the public had to review the plan, which he said was 2 days. He asked the Commission to delay a decision until there has been a chance to listen to all concerns, address neighbors' recommendations, and ensure this has been done in a way that will impact the community in a positive manner.

Benn Vennesland, President of the Homeowners Association at Forest by the Sea, said he is representing his neighborhood's Board of Directors. Among the concerns he mentioned were flooding and runoff, decreased water supply, and the location of the stormwater infiltration basin at the front of the property. Mr. Vennesland suggested using water-pervious surfaces, such as permeable concrete, wherever possible to minimize flooding and moving the basin to the back of the property instead of streetside. He said neighbors do not want the area to become another Canal Drive.

Steve Sikorski of Forest by the Sea said in addition to the concerns of his neighbors, he is also worried about traffic on Saint Joseph Street and motorists not following the speed limit. He also asked how the development would impact what is supposed to be phase two of the Joseph Ryder Lewis Jr. Civil War Park.

Robin Toone of 106 Summer Salt Lane said his main concern is flooding and rainfall having nowhere to go except into his neighborhood's yards.

Natalie Evans of 1205 Saint Joseph Street said her concerns include the location of the stormwater infiltration basin and whether there will be a fence around it. She said there are a lot of kids in the neighborhood. Ms. Evans asked that the developer respect nature and keep in mind that there are beautiful trees on the property, including lots of natives.

Chairman Rouse asked if the applicant would like to speak again.

Wescott Butler of 206 Texas Avenue said his company, WB Coastal Development, and Big Bird Land Development are partners in the proposed subdivision.

Mr. Collier said they have worked with the Town on water supply issues and have some ideas about what can be done if the project is able to move to Phase 2. He said they like pervious concrete but are not sure if it is allowed on public streets. Mr. Collier said the current proposed location of the stormwater infiltration basin is due to the project trying to accommodate the site and its grades as best as possible. He said whether the subdivision has 9 or 19 lots, it wouldn't meet any of the standards for a traffic study. Mr. Collier said they are working with the Town regarding sidewalks and the stormwater plan, and the goal is to leave as many trees as possible along the street so the basin would be screened. He said they can put a small fence around the basin, but water will infiltrate it and it will be dry the majority of the time.

Commissioner Carew asked about the amount of rain the overall site is designed to contain. Mr. Collier said 3.8 inches, which is in the 90th percentile. Commissioner Carew asked where the water will go when the site crests 3.8 inches. Mr. Collier said it would go into the ditch system along Saint Joseph Street.

Commissioner Piper asked if there are contingency plans if the applicant is able to move to Phase 2. Mr. Collier said if Phase 2 happens, there will be a stormwater basin on that end of the property that accommodates the 10 additional lots.

Commissioner Piper said his bigger concern would be where the water goes from additional lots and maintenance of streetside ditches, but that is more of a Town concern. He asked if the Town would take care of ditches, including regrading and cleaning. Mr. Hardison said yes, and the Town has increased the pipe size in some areas for flow, and when the multi-use path is done the Town will be improving stormwater along Saint Joseph Street.

Commissioner Piper asked when the project would break ground. Mr. Collier said late spring/early summer if all permits come through.

Commissioner Piper said his questions about Phase 1 have been addressed, and the remaining questions he has are about Phase 2. He said this plan is much more developed than some other plans they have seen.

Commissioner Boswell asked about trees on the property, not just those along the street. Mr. Collier said due to work that must be done on the site, there will not be many left.

Commissioner Boswell asked why adjacent neighbors had only 2 days to review plans. Mr. Hardison said notifications about the public hearing went out earlier than that, but plans were not mailed with those letters. Vice Chairman Hogan said it's not customary to send plans with public hearing notices. Mr. Hardison said information was also published on the Town's website on Friday.

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, Commissioner Conto

Motion passed unanimously

Chairman Rouse said if this is approved, he strongly encourages the applicant to meet with neighbors so everyone is happy. He said it is not required, but everyone would get along a lot better.

Commissioner Carew said he is in favor of the proposal. He said stormwater is a big concern, but the applicant is doing the design requirements and the resulting issue lies with the Town, so the Town has to figure out how to deal with stormwater.

Commissioner Conto said she is in favor of the project in general, but she would like the applicant to consider mitigating safety concerns about the basin.

Commissioner Crouch said this is a unique project for the Town, as this is the first time he's heard a true subdivision application. He said it is a benefit to the community that this was submitted as a

subdivision as opposed to individual lots because the applicant is taking on more stringent obligations by doing a subdivision.

Commissioner Piper said the applicant could have purchased the land and developed it house by house without meeting all of the requirements he's met, and he added that all the proposed lots exceed 7,000 square feet. He said everyone on the island is dealing with stormwater issues, but the applicant has gone far and above what is required and is trying to do everything possible in good faith. Commissioner Piper said he would like to see a minimum of 5-inch caliper trees planted and a fence around the basin, but otherwise he is in favor of the proposal.

Commissioner Boswell said she feels for the adjacent neighbors, but this could have been split up one by one. She said the subdivision guidelines put into the UDO are intense and require more from the developer than just doing a regular PUD. Commissioner Boswell said she hopes the applicant will work with neighbors and take input into consideration. She said she is in favor of Phase 1.

Vice Chairman Hogan said he is glad this was brought in as a subdivision, but as a nearby resident, he does understand flooding concerns. He said property owners have rights, and it's up to the Town to figure out how to help residents with stormwater issues. Vice Chairman Hogan said the applicant has gone above what is required, does a good job, and cares about the community. He said he would like to see as much permeable surface as possible in the subdivision, but he is generally in favor of the project.

Chairman Rouse said he understands flooding concerns but thinks this could have been a mess if not developed as a subdivision, so he is in favor of it.

Commissioner Conto asked if they can place conditions for a minimum of 5-inch caliper trees, a fence for the basin, and permeable street surface.

Vice Chairman Hogan said he's not sure if the State or Town will approve a public road using permeable concrete. Mr. Hardison said it will be a Town-maintained road and therefore must be asphalt, but there could be opportunities to use permeable concrete for driveways and sidewalks.

ACTION: Motion to approve the preliminary plat for Fisher's Reserve with the stipulations that at least 5-inch caliper trees are added, a fence or some sort of safety precaution goes around the retention pond, and permeable concrete as much as can be approved be used on the property

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, Commissioner Conto

Motion passed unanimously

NON-AGENDA ITEMS

None

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, Commissioner Conto

Motion passed unanimously

Chairman Rouse adjourned the meeting at 7:10 PM.