

CAROLINA BEACH

Planning and Zoning Commission Meeting

Thursday, June 08, 2023 – 6:00 PM

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



AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

STAFF REPORT ON RECENT COUNCIL MEETINGS

STAFF REPORT ON RECENT DEVELOPMENTS

PUBLIC DISCUSSION

DISCUSSION ITEMS

- 1. Map Amendment** to rezone 601 Augusta Ave from Conservation (C) to Residential (R-1) zoning district.

Applicant: Parris Stratton

- 2. Text Amendment** to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.

Applicant: Town of Carolina Beach

- 3. Conditional Zoning** to consider an Event Venue / Bar at 205 Charlotte Avenue in the Central Business District (CBD).

Applicant: Kindred Carolina Beach, LLC

NON-AGENDA ITEMS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planning Director **DEPARTMENT:** Planning & Development

MEETING: Planning & Zoning Commission – June 8, 2023

SUBJECT: **Map Amendment to** rezone 601 Augusta Ave from Conservation (C) to Residential (R-1) zoning district.
Applicant: Parris Stratton

BACKGROUND:

The owner of 601 Augusta Ave is requesting a rezoning of the property from Conservation (C) to the Residential (R-1) zoning district. The property was voluntarily annexed in December 2022. The size of the property according to the attached survey is 20,661 sq. ft. The legal description is LOT 1 PT LTS 2/4/5 BLK 152. This tract of land is the only private property that is zoned Conservation. All other property is owned by the state or federal government. In 2000 there was a town wide rezoning that designated all areas outside the town limit line as Conservation. The Conservation district is a zoning designation that allows for single-family residential development in an environmentally compatible setting that is appropriately designed and located.

SURROUNDING LAND USES

The property is currently vacant.

The adjacent zoning district to the north and east is R-1 that is across the street from Augusta Ave and 6th St. The property to the north adjacent to Carolina Sands is R-1B.

ZONING CLASSIFICATIONS

The applicant is requesting the property to be rezoned to R-1, but for the zoning analysis staff included all adjacent zoning districts. As prescribed below the Conservation, R-1B, and R-1 districts all allow for single-family homes. The R-1 also allows for two-family dwellings. Currently with the Conservation zoning one unit can be developed on the property. If the property is rezoned from Conservation to R-1 or R-1B the property would have to meet the minimum lot size of 5,000 sq. f.t and minimum lot width of 50'. These lots could be developed single-family only in R-1B and either single-family or two-family dwellings in R-1.

Sec. 40-70. - Zoning districts described.

R-1, Residential District (Single- and Two-Family Dwellings).

Purpose. The R-1 district is established to provide for moderate to high-density single-family and two-family residential use.

Intent. 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 the district.

R-1B, Residential District (Single-Family Dwellings).

Purpose. The R-1B district is established to provide for moderate density, single-family residential use.

Intent. 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 the district.

C, Natural Resources Conservation District.

Purpose. This district is established to preserve the economic, aesthetic, and unique and irreplaceable natural resource assets of the land, vegetation, surface waters, and underground waters of this district, while also providing for an environmentally compatible setting for appropriately designed and located single-family residential development. In doing so, the public health and safety and welfare shall be preserved.

Density.

For one single-family home: 80,000 square feet minimum lot size.

Sec. 40-72. - Table of permissible uses.

P = Permitted.

USES OF LAND	R-1	R-1B	C
Residential Uses			
Two-family dwellings	P		
Single-family detached	P	P	P
Planned unit development, residential 4 units or less	P		

Sec. 40-74. - Dimensional standards for lots and principal structures.

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width ⁶	Min. Front Yard	Min. Rear Yard	Min. Side Yards* (Corner Lot—Min. 12.5 ft.) ⁴	Residential Max. Density	Max. Height	Max. Lot Coverage
R-1	Single-Family Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	50 ft. ¹	40%
R-1B	Single-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	8.7 units/acre	50 ft. ¹	40%
C	Conservation District Single-Family	80,000 sq. ft.	200 ft.	30 ft.	20 ft.	20 ft.	0.5 units/acre	50 ft. ¹	15%

If the property is rezoned then all of the uses and requirements would apply to the area.

LAND USE PLAN ANALYSIS

The future land use and classification map in the 2020 Land Use Plan (LUP) has the area Classified medium density residential with primarily single family detached residence with two-family homes and townhomes allowed occasionally if contextually compatible.

ACTION REQUESTED:

Staff recommends this parcel to be rezoned that would be consistent with the 2020 Land Use Plan.

MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the rezoning of 601 Augusta Ave from Conservation to R-1 is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.

Attachments:

1. Rezoning application
2. LUP Land Classification Map
3. Rezoning map

4. Rezoning Ord.



Amendment Number: R23-02



PETITION FOR A ZONING MAP AMENDMENT

IMPORTANT: Supplementary information required as part of petition to be included:

Completed rezoning petition. For general use requests: The petition must be signed by the petitioner. Proof of compliance with GS 160A-383 regarding third party notification is required.

Adjacent Property Owners Map. A copy of the area as depicted on the Zoning Map which shows subject property (outlined in bold) and other surrounding properties within 100 feet of the subject property. Please label the names of the property owners directly affected by the zoning map amendment and those adjacent to or within 100 feet (excluding right-of-way) of the request.

This petition will be scheduled for the next possible meetings with the following boards: (1) Technical Review Committee, (2) Planning and Zoning Commission and (3) Town Council. The petitioner or representative should be present at all meetings to answer any questions. Contact the Department of Planning and Development for the schedule of meeting times and submittal deadlines. All meetings are held at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Petitioners will be informed of any changes in date, time, or location of meetings.

- Minor Rezoning (\$350) Rezoning of property less than 1 acre in size.
- Major Rezoning (\$625) Rezoning of property one acre or greater in size.

Petitioner

Petitioner's Full Name: PARRES STRATTON Phone #: (251)-599-4822
 Street Address: 8759 WEST TELFAIR CTR
 City: WILMINGTON State: NC Zip: 28412
 Email: PSTRATTON@GMAIL.COM

Requested Zoning Map Change

Address(s) of Requested Site: 601 AUGUSTA CB 28428
 Property Identification Numbers (PIN) 3130-12-6484.0000
 Acreage/Sq. Ft: .466 / 20300 Existing Zone: C Requested Zone: R1
 Signature of Petitioner: [Signature] Date: 3 APR 2023

PURPOSE OF ZONING DISTRICTS

The petitioner seeks to show that the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are: (1) to lessen congestion in the streets; (2) to provide adequate light and air; (3) to prevent the overcrowding of land; (4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; (5) to regulate in accordance with a comprehensive plan; (6) to avoid spot zoning; and (7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the Town.

PETITION FOR A ZONING MAP AMENDMENT

1. Please state the consistency of the proposed zoning map amendment with the Town's Land Use Plan and any other applicable Town-adopted plan(s).

On September 8th, 2020, Resolution No. 20-2232 formally adopted the 2020 Land Use Plan. Whereas, "the Town Council determined that the policies and future land use map in the CAMA Land Use Plan represent the Town's desired vision for the future". This was after "significant public input, including a citizen steering committee, a series of public meetings and workshops, a Town Survey, and more".

Rezoning 601 Augusta Avenue to R1 is consistent with the Town's 2020 Land Use Plan ("LUP") for the following reasons:

- A. LUP Slide #48 & 49 (Page 43 & 44) identifies 601 Augusta Avenue as "**Medium Density Residential**". This classification is described as "mostly medium-sized lots (min. 5,000 sq ft) with primarily single family detached residences. Smaller-scale, attached residences (two-family homes and townhomes) allowed occasionally if contextually compatible. Some small-scale commercial, restaurants, or offices are encouraged at select locations with good access. Low- to medium-traffic streets with pedestrian facilities." (Exhibit A)
- B. LUP Slide # 100 & 101 (Page 95 & 96) rates the development suitability of property in the Town on an eight-level scale ranging from High Suitability to Not Suitable. 601 Augusta Avenue is valued at the **second highest level of suitability - between moderate and high suitability**. This is the **same** value given to surrounding properties that are currently zoned R1 and R1B. (Exhibit B)
- C. LUP Slide # 100 & 101 (Page 95 & 96) describes the physical, economic, and environmental factors considered in the Land Suitability Analysis for the values assigned. Using this Land Suitability Analysis, the Town has determined that 601 Augusta Avenue is **moderately to highly suitable for development**. (Exhibit B)

The proposed rezoning is one hundred percent consistent with the Town's current LUP and is warranted in order to bring the property in line with the development potential promoted in the Town's LUP.

2. Please describe the compatibility of the proposed rezoning with the property and surrounding area.

The proposed rezoning of 601 Augusta Avenue to R1 is compatible with the property and surrounding area because it is bordered by R1 zoning to the north and east (approximately 287'), R1B to the south (approximately 234' along the Carolina Sands community), and by C to the west (approximately 122' along the government owned MOTSU land). **Nearly 80% of 601 Augusta Avenue is bordered by medium density residential zoning with a 5,000 square foot minimum.**

Allowing the proposed rezoning will create a harmonious land-use pattern with the surrounding area and will allow the most appropriate use of the property.

3. Please discuss the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

The proposed rezoning benefits the landowner by allowing development of the property in a manner that is consistent with the LUP and compatible with the surrounding area.

The immediate neighbors will benefit from the chance to welcome new families to the Town of Carolina Beach.

The surrounding community will benefit from the addition of land zoned for single family homes because developable land for residential use is in low supply in the Town of Carolina Beach, while the demand is high.

The proposed rezoning benefits the surrounding community, and all residents and property owners in the Town by giving them confidence that their elected officials are committed to following the policies established by the LUP.

There is no evidence that the proposed rezoning of the property to R1 will cause the character of the existing neighborhood – which is zoned R1 and R1B - to be harmed. Because there will be no disparity between zones- only consistency -, there will be no change of character and no disturbance of the tenor of the existing neighborhood.

4. Please explain the public need for additional land to be zoned to the classification requested.

Carolina Beach is a family-oriented community and land available for development with single-family homes is becoming increasingly scarce. The proposed rezoning of 601 Augusta Avenue will help provide additional housing for new residents. In areas like the Town of Carolina Beach where demand for housing exceeds supply, existing limits make it difficult to correct the imbalance and thus contribute to higher rents and home purchase prices. As discussed below, the Town has a rare opportunity to help correct this imbalance without any investment in infrastructure and without changing the character of the neighborhood.

5. Please discuss the impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

Public services, facilities and infrastructure are already in place for the proposed rezoning of this property, including public water and sewer services (with a tap already in place), and access to fire and safety services via existing infrastructure. The proposed rezoning will allow development that

will add to the Town's tax base to help pay for these services. The LUP, Slide # 100-101 (page 95 & 96), indicates zero environmental deterrents for development of 601 Augusta Avenue. (Exhibit B)

6. Please include a description of the existing zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards).

The surrounding properties to the north, east and south are developed with single family homes built in zoning districts R1 and R1B. Densities, building heights, setbacks and tree cover all conform with R1 and R1B zoning. A small portion to the west borders Government owned MOTSU land that is zoned C and outside of the ETJ. Since MOTSU is a Federal institution, they would not have to conform to any Town of Carolina Beach Zoning Ordinances including densities, building heights, setbacks, tree cover etc...

7. Include any additional arguments on behalf of the map amendment requested.

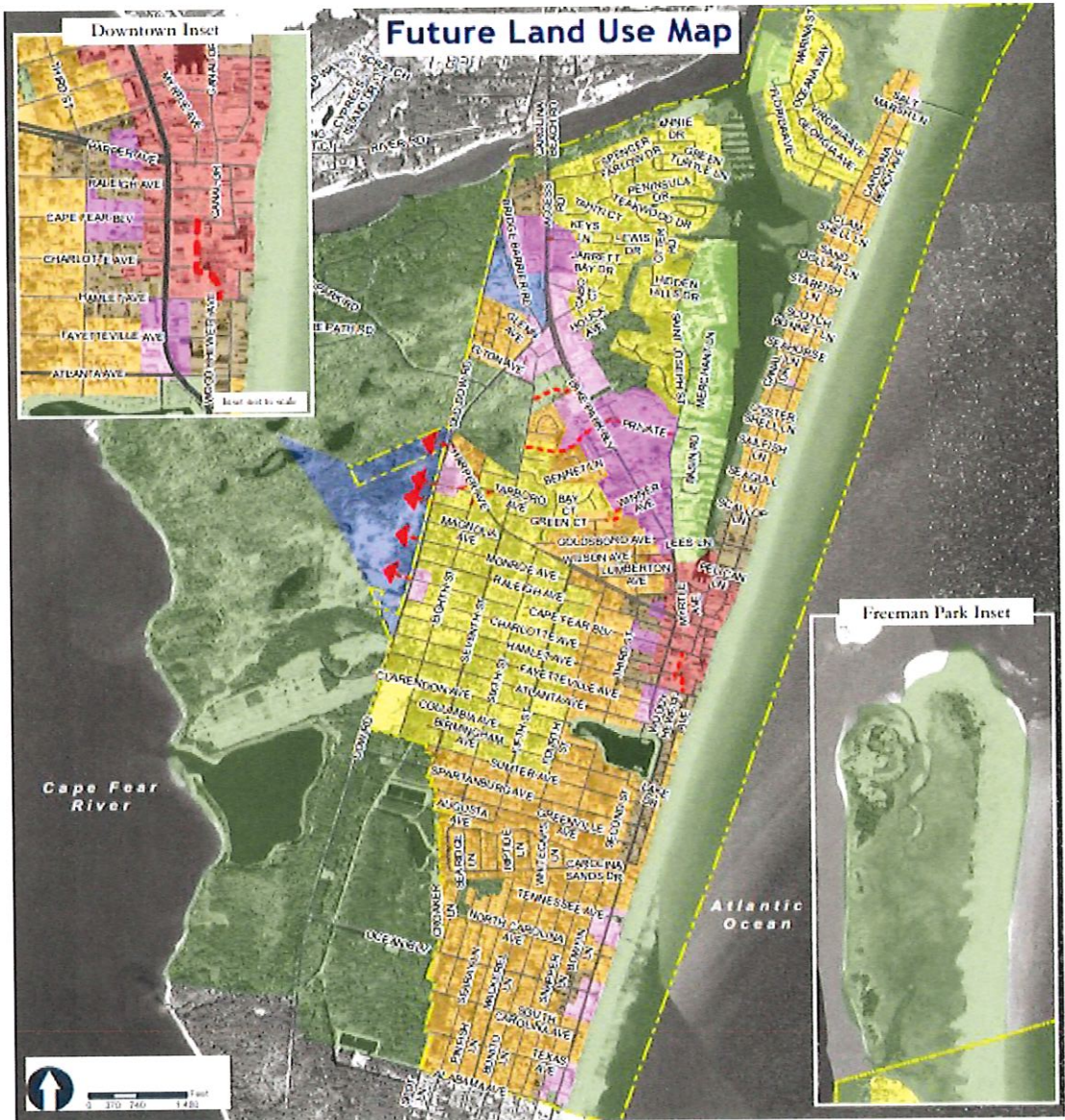
It is a well-established principle of property law that zoning ordinances are strictly construed in favor of the free use of real property. Where there is ambiguity, the law requires the interpretation that allows the most unrestricted use of land.

The applicant believes 601 Augusta Avenue was improperly designated "C" Conservation and agrees with the Town Staff assessment that "it was an oversight". According to the LUP, Conservation zoning is intended for government-held land, dunes, or marsh. 601 Augusta Ave. is the only piece of privately-owned land currently zoned C that does not fit the definition of C zoning.

LUP Slide #51 (page 46) describes "recreation, civic and conservation" as "areas not likely to be developed due to location, risk of flooding, environmental resources, or recreational importance. Prevents development in unsuitable areas. Potential uses include boating and related infrastructure (boat houses, docks, lifts, etc.), recreational and commercial water access, parks, beachfront, trails, parking, etc." Examples of current zoning district "C" properties are Carolina Beach Lake, MOTSU land, Carolina Beach State Park and Freeman Park. 601 Augusta Ave. does **NOT** fit any of the uses described for C zoning and is **privately owned**. (Exhibit C)

While the adjacent property voluntarily requested to be rezoned from R1 to R1B, the applicant would consider R1B zoning although the LUP/FLUM clearly indicates that 601 Augusta Ave. is intended to be zoned R1.

Future Land Use Map and Character Areas



The Town of Carolina Beach Future Land Use Map.

Certified: November 18, 2020

Exhibit A



Future Land Use Character Area Descriptions



Low Density Residential

Primarily large-lot, single family detached residential such as many of the town's established neighborhoods. Lots are larger than in other areas; usually ~9,000 sq ft and larger. Generally characterized by low traffic, local streets and pedestrian-scale structures. Smaller lots on occasion. Note: Existing, by-right, entitled, higher intensity uses will continue to be supported in LDR areas, including allowances for rebuilding structures.



Medium Density Residential

Mostly medium-sized lots (min. 5,000 sq ft) with primarily single family detached residences. Smaller-scale, attached residences (two-family homes and townhomes) allowed occasionally if contextually compatible. Some small-scale commercial, restaurants, or offices are encouraged at select locations with good access. Low- to medium-traffic streets with pedestrian facilities.



High Density Residential / Light Commercial

Primarily attached, multi-story residential units (up to four stories) located within walking distance of activity centers and/or the waterfront. Structures are condominiums and apartments, and are often used as vacation and rental units. Streets move automobiles and pedestrians efficiently. Limited commercial may also be acceptable at select locations if the surrounding context is appropriate. Some single family structures may also persist.



Part A: Appendix

Land Suitability Analysis

A suitability analysis quantifies the factors of land that contribute to its economic and physical suitability. These factors, both constraints and attractors, work together and against each other to help inform land use decisions. This type of analysis does not judge the willingness of owners to sell or develop property, but speaks more to the investments in and near land that make it suitable for development, as well as the environmental constraints that deter development or make it more costly to develop. Taken together, these physical, economic, and environmental factors create an overall suitability map. This information, along with many other data points and perspectives, contributed to the creation of the future land use map. A summary of factors is shown to the right, as well as the composite land use suitability map.

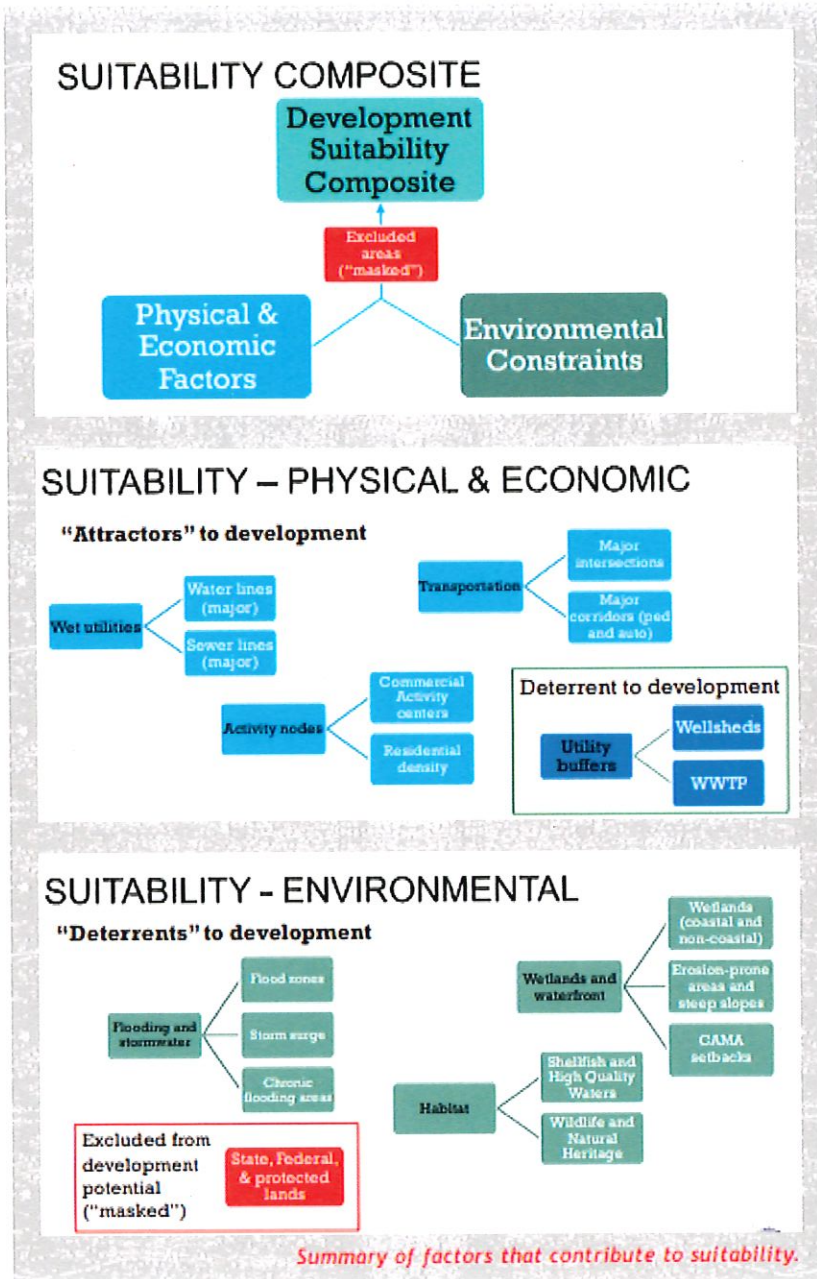
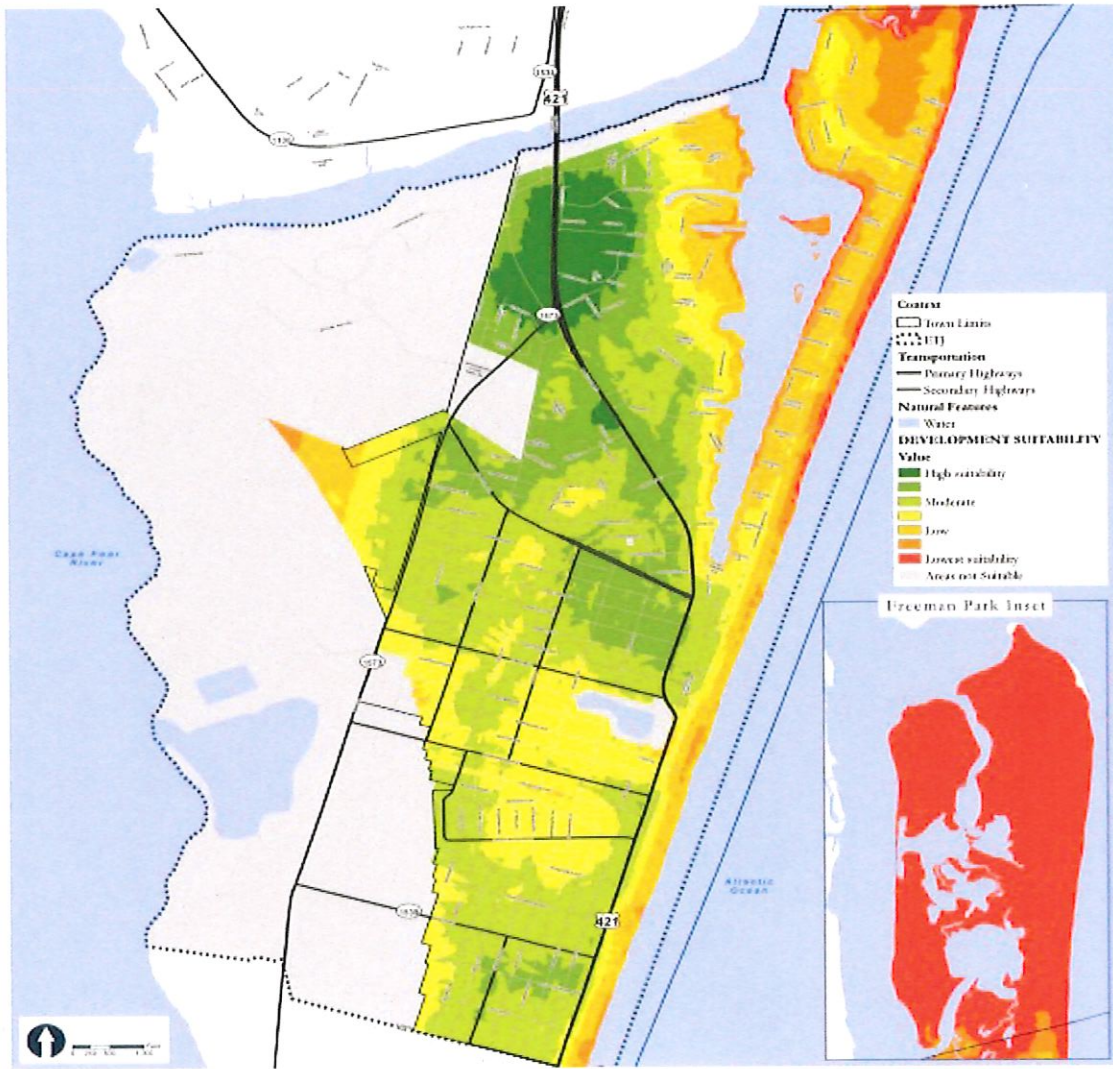


Exhibit B



Land Use Suitability composite map.

Exhibit B



Office, Industrial, & Employment

Mix of office, commercial, light industrial, and employment-generating uses. Typical uses include higher intensity offices, workspaces, indoor manufacturing/fabrication, microbrewery, and freight/transport. 3-4 story purpose-built structures. Streets accommodate truck traffic and balance the needs of pedestrians and automobiles.



Recreation, Civic, & Conservation

Areas not likely to be developed due to location, risk of flooding, environmental resources, or recreational importance. Prevents development in unsuitable areas. Potential uses include boating and related infrastructure (boat houses, docks, lifts, etc.), recreational and commercial water access, parks, beachfront, trails, parking, etc.



Proposed Connections

These proposed connections serve to link areas of town that have limited pedestrian, bicycle, golf cart, or vehicular connectivity in areas without established right-of-way. Most often, these are simply sidewalks. Exact alignments have not yet been determined, and the intent on this map is only to show a general connection desired between two areas.

Future Land Use Map and Character Areas



ATTACHMENT

ORDINANCE NO. _____

The Town Council of the Town of Carolina Beach hereby amends the Zoning Ordinance, *Article 2 Zoning Districts and Map* to modify the zoning map as follows:

Rezone 601 Augusta Ave (20,853 sq. ft.) PIN 3130-12-6484.000 from Conservation to R-1.

Adopted this 8th day of June, 2023.

Lynn Barbee, Mayor

Attest: _____
Kim Ward, Town Clerk





AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning &
Development

MEETING: Planning & Zoning Commission – June 8th, 2023

SUBJECT: **Text Amendment** to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.
Applicant: Town of Carolina Beach

BACKGROUND:

The Town Council directed staff to reexamine the ordinance requirements for event venues that were approved in February of this year. Specifically, the ABC standards that were set forth in the development standards. Originally, the language required event venues to comply with the standards of the ABC Limited Special Occasion Permit. This caused a discrepancy with the applicant's business plan. The ABC Limited Special Occasion Permit does not allow owners of the establishment to apply for the permit to perform on-premises sales. The Limited Special Occasion Permit is valid only for outside parties, two weeks prior to the event.

The ABC Commission defines the Limited Special Occasion Permit as follows: A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, wedding, party, or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.

In order for the owners of the event venue to sell alcohol on premises, they must be permitted as a mixed beverage bar by the ABC Commission.

Proposal:

The text amendment consists of reorganizing the use under eating and drinking establishments, renaming the use as Event Venue / Bar, and creating standards that all point of sale shall be indoors or in an outdoor area located a minimum of 20' from any property line. Outdoor areas

that are proposed must be shown on the site plan for approval via conditional zoning. Any changes to the outdoor areas shall be considered a major modification of the conditional zoning approval. Additionally, the 200' separation requirement may be waived by Town Council for event venue / bar uses adjacent to T-1 and MX Zoning districts. Moving the use underneath the category of eating and drinking establishments creates clarity that event venues must comply with all ABC and/or ALE requirements as well as other provisions in the town ordinances, i.e. noise ordinance, fire code, etc.

Land Use Plan

The text amendment is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. One of the goals of the Land Use Plan was to continue to support the central business district as a destination downtown with activities for families, residents, and visitors. Expanding opportunities for public activities, including events, should be pursued.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

Staff recommends approval of the text amendment as proposed.

MOTION:

Approval – to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.

Denial – to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.

Ordinance 23-1205

Town of Carolina Beach
Town Council



AN ORDINANCE TO AMEND THE DEVELOPMENT STANDARDS AND DEFINITION OF EVENT VENUE / BAR

Sec. 40-72. Table of permissible uses.

P = Permitted.

CZ = May be permitted with conditional zoning

S = May be permitted by special use permit

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Eating and/or drinking establishments (See section 40-261)														
Event Venue / Bar									CZ		CZ			

Sec. 40-261. – Development standards for particular uses.

(o) *Eating and/or drinking establishments.* Eating and/or drinking establishments are businesses that cater to the public and are strongly encouraged by the Town due to their support of a resort market niche and yearround residency. Despite this, some eating and/or drinking establishments may have adverse secondary impacts. To address possible adverse impacts and in order to ensure the health, safety, and well-being of the citizens of the Town, as well as that of the tourists and visitors to the Town, all persons requesting to open an eating and/or drinking establishment shall sign a statement of agreement to abide by the following regulations. Failure to comply with these regulations shall constitute a violation of this chapter subject to the enforcement procedures as outlined in article XV of this chapter.

(1) Standards for all eating and/or drinking establishments:

- a. Shall not provide any material misrepresentation, misstatement or omission, concerning information required to be provided for approval;
- b. Shall comply with all provisions of the ABC Commission and/or ALE requirements, if applicable. Any eating and/or drinking establishment that receives a permit from the ABC Commission as a private club shall be considered a bar/tavern and shall meet all requirements for that use.

Ordinance 23-1205

Town of Carolina Beach
Town Council

- c. Shall adhere to standards and regulations of the Town's noise ordinance. Offenses shall be subject to the regulations as listed in section 18-140, violations. If applicable, all violations shall be submitted to the North Carolina Alcohol Beverage Control (ABC) Commission by the Town to ensure all operators stay in compliance with all provisions of the ABC Commission.
 - d. Shall meet fire codes and limit occupancy to the maximum number allowed for the establishment.
 - e. At the time of application and excluding bar/taverns, all eating and/or drinking establishments shall provide the Town with a menu having a food and/or non-alcoholic beverage as the primary business.
 - f. Outdoor areas.
 - 1. Proposed temporary outdoor entertainment areas that are not identified on the approved site plan shall be reviewed in accordance with chapter 14, article IX, outdoor performances and events [special events].
 - 2. Outdoor artificial lighting fixtures shall not be designed and positioned so that the point source of light (light bulb) is directly visible from adjacent properties, rights-of-way or ocean and sound front areas.
- (2) A conditional zoning shall be required if an eating and/or drinking establishment meets any of the following:
- a. Meets the criteria for a bar/tavern; or
 - b. Any establishment other than a standard restaurant that proposes to serve alcohol for on-premises consumption.
- (3) Standards for bars/taverns:
- a. Bars/taverns which because of their nature may have serious adverse secondary impacts, and are therefore required to meet the minimum separation requirements of subsection (1)(3)b of this section.
 - b. No new bars/taverns shall be permitted within:
 - 1. 200 feet of an established church or school;
 - 2. 200 feet of any residential district.
- (4) Standards for Wine Shops (On-premise):
- a. All Wine Shops shall meet all requirements of the ABC Permit.
- (5) Standards for Beer Shops (On-premise):
- a. All Beer Shops shall meet all requirements of the ABC Permit.

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Town of Carolina Beach
Town Council

- b. Any indoor or outdoor areas shall be located three times the minimum setback yard for the district from any lot line and/or any residential use. The additional setbacks shall not apply to property lines adjacent to the right-of-way.

~~(p)~~ (6) Standards for Event Venue / Bar

~~(1) a.~~ On-premises alcohol sales are limited to the duration of the event ~~and are subject to all requirements of the ABC Limited Special Occasion permit.~~

b. Alcohol point of sale shall be:

1. Indoors or

2. Outdoor area located a minimum of 20' from any property line.

c. Outdoor areas designated for point of sales and consumption shall be designated on the site plan and shall have a barrier that is 4' to 6' in height. Any changes to the outdoor areas shall be considered a major modification of the conditional zoning approval.

d. 200' requirements for separation may be waived by Town Council for event venue / bars located adjacent to T-1 and MX zoning districts.

- ~~(6)~~(7) Provisions construed as consistent with state law. The provisions of this section are:
- a. Not to be construed as regulating any activity which the Town is forbidden by state law to regulate;
 - b. Not to be construed as applying to any activity the Town is prohibited from regulating because the North Carolina General Assembly has so clearly expressed its intent in the course of providing a complete and integrated regulatory scheme that municipalities are prohibited from enacting provisions concerning matters covered by the regulatory scheme;
 - c. Not to be interpreted or construed as imposing requirements different from those that are imposed by the state;
 - d. To be interpreted so that they are consistent with any requirements and regulations imposed by the state.

Sec. 40-548. Definitions.

~~Event Venue A commercial establishment, either indoors or outdoors, with the primary purpose of providing space for meetings, gatherings, reunions, weddings, conventions, private parties, and other similar gatherings. Includes convention centers, wedding and event venues, and other uses not included as part of meeting facilities.~~

Eating and/or drinking establishment means an establishment whose principal business is the sale of foods, frozen desserts, and/or both alcoholic and nonalcoholic beverages to a customer in a ready-to-

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Town of Carolina Beach
Town Council

consume state, and whose design and principal method of operation determines its classification as follows:

- *Bars and taverns* means establishments primarily engaged in the sale and service of alcoholic beverages for on-premises consumption during any period of the day as permitted by law. The incidental sale or provision of food or snacks shall not entitle such a use to be considered a restaurant under other provisions of this Code. Synonyms: Private club as defined by the ABC commission, tavern, saloon, barroom, inn, pub, watering hole, drinking hole, gin mill, tap room.
- *Drive-in/drive-thru restaurant* means establishments serving from edible containers or in paper, plastic, or other disposable containers at a drive-in window. Consumption shall be off-premises, within the principal building, or at other facilities on the premises outside the principal building.
- *Eatery* means establishments serving by delivery; pick-up; from an inside; outside; and/or a walk up ordering counter. These eateries cater to the sale of baked goods, sandwiches, salads, ice, cream, donuts, beverages and/or other similar foods.
- [Event Venue / Bar means a commercial establishment, either indoors or outdoors, with the primary purpose of providing space for meetings, gatherings, reunions, weddings, conventions, private parties, and other similar gatherings. Includes convention centers, wedding and event venues, and other uses not included as part of meeting facilities.](#)
- *Standard restaurant* means establishments substantially engaged in preparing and serving meals. Standard restaurants shall have an inside dining area, and may include outside dining. To qualify as a standard restaurant, the establishment shall meet all criteria of the ABC commission for a restaurant designation as defined by G.S. 18B-1000.

Adopted this 11th day of July, 2023.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning &
Development

MEETING: Planning and Zoning Commission – June 8th, 2023

SUBJECT: **Conditional Zoning** to consider an Event Venue / Bar at 205 Charlotte Avenue in the Central Business District (CBD).
Applicant: Kindred Carolina Beach, LLC

BACKGROUND:

The applicant, Kindred Carolina Beach, LLC, is proposing an event venue / bar at 205 Charlotte Avenue as a use in the Central Business District. Event venues / bars are allowed through the approval of conditional zoning in the Central Business District.

The Conditional Zoning District allows a particular use to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, the review process provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use and enjoyment of neighboring properties.

All applications shall include a site plan and any development standards to be approved concurrently with the rezoning application. Development standards may include such things as parking, landscaping, design guidelines, and buffers. When evaluating an application for the creation of a conditional zoning district, the Commission shall consider the following:

1. The application's consistency to the general policies and objectives of the Town's CAMA Land Use Plan, any other officially adopted plan that is applicable, and the Zoning Ordinance.
2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
3. The report of the results from the public input meeting.

Prior to scheduling a public hearing on the rezoning application, the applicant shall conduct one (1) public input meeting and file a report of the results with the Zoning Administrator. In

approving a petition for the reclassification of property to a conditional zoning district, the Planning and Zoning Commission may recommend, that the applicant add reasonable and appropriate conditions to the approval of the petition. Any such conditions should relate to the relationship of the proposed use to the impact on the following:

1. Town services
2. Surrounding property
3. Proposed support facilities such as parking areas and driveways
4. Pedestrian and vehicular circulation systems
5. Screening and buffer areas
6. Timing of development
7. Street and right-of-way improvements
8. Infrastructure improvements (i.e. water)
9. Provision of open space
10. Other matters that the participants in the public input meeting, staff, Planning & Zoning Commission, and Town Council find appropriate or the petitioner may propose

If the applicant does not agree with the Planning & Zoning Commission or staff's recommendations of additional conditions, the Town Council shall have the authority to accept none, any, or all of the conditions forwarded from the review process.

No permit shall be issued for any development activity within a conditional zoning district except in accordance with the approved petition and applicable site plan, subdivision plat, and/or permit for the district.

Proposal:

The applicant is proposing to renovate the existing Deck House Restaurant located at 205 Charlotte Avenue for the use of an event venue / bar. The purpose of the Central Business District is to accommodate, protect, rehabilitate, and maintain the traditional central business district and boardwalk area of the Town. This area accommodates a wide variety of pedestrian oriented, commercial and service activities, including retail, business, office, professional financial, entertainment, and tourism.

The parking requirement for event venues is 1 per 110 square feet of indoor gross floor area. No parking shall be required for outdoor gross floor area if the establishment is located within 500 feet of public parking spaces. A 50% reduction in the parking requirement shall apply to outdoor gross floor area if the establishment is not within 500 feet of public parking spaces. The total indoor gross floor area of the building is 6,990 square feet. The total number of required spaces for the project is 64. There are 148 total spaces within 500 feet. No outdoor space is proposed currently. If any outdoor space for alcohol point of sale is proposed, it shall be considered a major modification of the conditional zoning approval.

The applicant is requesting a waiver to the landscaping requirement as stated in the narrative in the application packet. Landscaping requirements may be waived at the discretion of the

Planning and Zoning Commission and/or Town Council on projects requiring conditional zoning. There is an existing 6' fence between the building and the neighboring properties in the MX district.

Event venues must comply with all ABC and/or ALE standards. The use will be permitted through the ABC as a mixed beverage bar. On-premise alcohol sales are limited to the duration of the event.

Conditional Zoning Process

As part of the application process a community meeting is required. The applicant held the required meeting on December 5, 2022. The applicant has provided summary comments from the meeting. Based off the comments from the meeting the applicant can place conditions on the project to help mitigate the impacts and concerns from neighboring properties. Outdoor space was discussed at the public input meeting but is no longer part of the scope of this project.

Proposed Conditions

1. The proposed use shall be limited to an indoor event venue / bar.
2. The use and development of the subject property shall comply with all regulations and requirements of any other federal, state or local law, ordinance or regulations.
3. Approval of this conditional district rezoning does not constitute technical approval of the site plan.
4. A Type B landscape buffer shall be provided and delineated along the perimeter of the property except in areas waived by Planning and Zoning and Town Council.

Land Use Plan

The conditional zoning is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. One of the goals of the Land Use Plan was to continue to support the central business district as a destination downtown with activities for families, residents, and visitors. Expanding opportunities for public activities, including events, should be pursued. The project is in conformity with the Downtown Business Area Future Land Use Map Character Area. This is the boardwalk commercial area and central recreation district of town. 3-4 story buildings maintain a pedestrian-scaled environment with active ground floor uses; residential and other uses permitted above. Highly walkable with limited on-street parking.

ACTION REQUESTED:

Consider recommending approval or denial of a conditional zoning to approve an event venue / bar located at 205 Charlotte Avenue.

Staff recommend approval of the project with the proposed conditions.

MOTION:

Approval – whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the Conditional Use District to allow for an event venue

/ bar located at 205 Charlotte Avenue is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial – based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.

1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
permits@carolinabeach.org
Phone (910) 458-2999



Permit # _____

TOWN OF CAROLINA BEACH Conditional Zoning Application

The Conditional Zoning process for the Town of Carolina Beach may be found in the ordinance (Sec. 40-527).

Prior to the application submission, the applicant must conduct a Public Input Meeting. The following are the public meeting requirements:

- The applicant must mail notice of said meeting to all property owners within 500 feet of the perimeter of the project bounds no less than 10 days prior to the meeting.
- The notice must include time, date, location, and project description.
- The applicant must maintain and submit to with their application a:
 - o A copy of the letter announcing the meeting
 - o A list of property owners contacted
 - o An attendance roster from the meeting
 - o A summary of the issues discussed
 - o The results and any changes related to the proposal based on meeting discussions

Each application submitted to staff must be legible, contain the public scoping meeting required information, and provide all other required materials to be accepted as a completed application. Supplemental application materials may include, but not be limited to, site plans, building designs, engineered drawings, stormwater designs, landscaping plans, project narratives, Federal and/or State permits/permissions, and Traffic Impact Analyses. **It is strongly suggested that the applicant set up a meeting with Planning Staff prior to the submission deadline, to ensure the application is complete.**

The Planning Department, Technical Review Committee, Planning and Zoning Commission and/or Town Council reserve the right to require additional information if needed to assure that the use in its proposed location will meet be developed in accordance with the Code of Ordinances of the Town of Carolina Beach.

Application fees. The owner or owners, or their duly authorized agent, of the property included in the application for Conditional Zoning shall submit a complete application and supplemental information to the Planning Department. A fee in accordance with the Town’s adopted schedule of fees, payable to the Town of Carolina Beach, must accompany each application. For the purposes of determining the fee, the Zoning Administrator shall categorize each such Conditional Zoning Permit Application as either “major” or “minor”, depending upon the complexity of review. Generally, Planned Residential (over 3 units), Mixed Uses, Business Developments, and similarly complex projects shall be categorized as “major”, while projects such as bed and breakfast inns, small day care services, etc. shall be categorized as “minor”.

Major Conditional Zoning Permit	=	\$ 800.00
Minor Conditional Zoning Permit	=	\$ 350.00

This permit will be scheduled for the next possible Technical Review Committee, provided the public scoping meeting has taken place and the application is otherwise complete.



2023 Submission Deadlines & Meeting Dates

Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Jan 2	Jan 17	Dec 29	Jan 12	Dec 27	Jan 10
Feb 6	Feb 21	Jan 26	Feb 9	Jan 31	Feb 14
Mar 6	Mar 21	Feb 23	Mar 9	Feb 28	Mar 14
Apr 3	Apr 17	Mar 30	Apr 13	Mar 28	Apr 11
May 1	May 15	Apr 27	May 11	Apr 25	May 9
June 5	June 19	May 25	June 8	May 30	June 13
July 3	July 17	June 29	Jul 13	June 27	July 11
Aug 7	Aug 21	July 27	Aug 10	July 25	Aug 8
Sept 1	Sept 18	Aug 31	Sept 14	Aug 29	Sept 12
Oct 2	Oct 16	Sept 28	Oct 12	Sept 26	Oct 10
Nov 6	Nov 20	Oct 26	Nov 9	Oct 31	Nov 14
Dec 4	Dec 18	Nov 30	Dec 14	Nov 28	Dec 12
Jan 2024	Jan 2024	Jan 2024	Jan 2024	Jan 2024	Jan 2024
Board	# Copies Full Size	# Copies Electronic	Recipients		
TRC	9	1	1 Manager, 3 Planning, 1 Fire, 1 Police, 2 Operations, 1 Admin		
P&Z	9	1	7 P&Z, 1 Manager, 2 Planning, 1 Secretary, 1 Island Gazette		
Town Council	9	1	5 Town Council, 1 Manager, 1 Planning, 1 Clerk, 1 Island Gazette		

PURPOSE

Conditional zoning allows flexibility with regard to the zoning regulations. Subject to high standards of planning and design, certain uses may be allowed in certain districts or on properties provided they can be developed to minimize any adverse effects they might have on surrounding properties. Conditional Zoning allows for public and governing board input to help any proposed project meet its goals while also contributing to the positive development of Carolina Beach.

Please complete all sections of the application.

A. Property Information

Address(es): 205 Charlotte Avenue, Carolina Beach, NC 28428

PIN(s): R09006-032-014-000

Project Name: Kindred @ Common Ground

Size of lot(s): 18,750 sqft

B. Application for Conditional Zoning

Application is hereby made for a Conditional Use Permit for use of the property described above as a (please provide a brief description of the use):

Event Venue for Weddings and Events with a Bar ABC License as we will operate the alcohol beverage component of the event space.

C. Applicant Contact Information

Kindred Carolina Beach LLC

Michael Urti

513 Monroe Avenue Carolina Beach, NC 28428

910-530-0843

michael.urti@nestrealty.com

D. Owner Contact Information (if different)

Common Ground Holdings LLC

Owner's Name

1414 Snapper Lane; Unit 2

Mailing Address

Carolina Beach, NC 28428

City, State, and Zip Code

910-530-0843

Telephone

michael.urti@nestrealty.com

Email



Check the box beside each item verifying that the item has been submitted with this application

I. Site Plan Criteria

For new construction all boxes in this section shall be marked yes by the applicant to be considered a complete application.

Yes No N/A

- X The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant.
- X An appropriate scaled plan
- X Title block or brief description of project including all proposed uses
- X Date
- X North arrow
- X Property and zoning boundaries
- X The square footage of the site
- X Lot coverage (buildings, decks, steps)
- X Location of all existing and proposed *structures* and the setbacks from property lines of all affected structures to remain on-site
- X Design of driveways and parking
- X Adjacent right-of-ways labeled with the street name and right of way width
- X Location of all existing and/or proposed easements

Additional information or data as determined necessary by town staff and/or other reviewing agencies including but not limited to the following may be required:

Yes No N/A

- Location and design of refuse facilities
 - Approximate locations and sizes of all existing and proposed *utilities*
 - Existing and/or proposed fire hydrants (showing distances)
 - Adjacent properties with owners' information and approximate location of structures
 - Distances between all *buildings*
 - Number of *stories* and height of all *structures*
 - Locations of all entrances and exits to all *structures*
 - Calculate the *gross floor area* with each room labeled (i.e. kitchen, bedroom, bathroom)
 - Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use
 - Location of flood zones and finished floor elevations
 - CAMA Areas of Environmental Concern (AEC) and CAMA setbacks
 - Delineation of *natural features* and wetlands with existing and proposed topography with a maximum of two-foot contour intervals
 - Proposed landscaping including percentages of *open space*
 - Stormwater management systems
 - Cross-sectional details of all streets, roads, ditches, and *parking lot* improvements
 - Building* construction and occupancy type(s) per the building code
 - Location of fire department connection(s) for standpipes
 - Turning radii, turnarounds, access grades, height of overhead obstructions
 - Dimensions and locations of all *signs*
 - A vicinity map drawn with north indicated
 - Submit the total daily water flow usage and sewer design flow by a design professional
- I have provided two hard-copies and one scaled electronic version of each required drawing
 - I am prepared to pay the application fee today

SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

1. Detailed project narrative describing the proposed site and request.
2. Agent form if the applicant is not the property owner
3. Request for site specific vesting plan shall be submitted in accordance with Chapter 40 Article XIII

OWNER'S SIGNATURE: In filing this application for a conditional zoning, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief.

Michael Urti

04/19/2023

Signature

Date

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned owner, Common Ground Holdings LLC, does hereby appoint Kindred Carolina Beach LLC to act on my behalf for the purpose of petitioning the Town of Carolina Beach for: a) an amendment to the text regulations; b) a change to the zoning map; and/or c) street closing, as applicable to the property described in the attached petition. The owner does hereby covenant and agree with the Town of Carolina Beach that said person has the authority to do the following acts for and on behalf of the owner: (1) To submit a proper petition and the required supplemental materials: (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and (3) In the case of conditional zoning, to accept conditions or recommendations made for the conditional zoning on the owner’s property. (4) To act on the owner’s behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition. This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 04/19/2023

Appointee’s Name, Address & Telephone:

Kindred Carolina Beach LLC
Michael Urti
513 Monroe Avenue
Carolina Beach, NC 28428

Signature of Owner: Michael Urti 04/19/2023

Town of Carolina Beach,

The owners of Kindred Carolina Beach LLC, Michael and Katie Urti and David and Lara Hamlet, are applying for a Conditional Zoning Permit for an Event Venue located at 205 Charlotte Avenue, the former Deckhouse Restaurant. Our goal is to renovate the interior of the property to host weddings, local and regional music, comedic acts, culinary experiences, philanthropic events, birthday parties, and a range other community related events.

Fire hydrant locations can be found on an included ancillary diagram.

The landscape buffer can be found in green on the primary layout diagram. Since this is not new construction and the property has existed since 1945, the back of the building does not have 10 feet to accommodate a buffer zone. There is approximately five feet between the back of the building and property line. We are asking for an exception to the buffer zone at the back of the building. Congesting this area with vegetation would impede access to or make it impassable in case of an emergency or maintenance concern. The back of the building currently houses HVAC and natural gas equipment.

Within 500ft of the property there are 148 public spaces. A diagram and space allocation by street can be found on a included ancillary diagram.

Trash receptacle location is indicated on the primary layout diagram. This is a shared dumpster with Kate's Pancake House.

Lastly, during our Public Input Meeting held on 12/5/2022 at 9:00am, we spoke about potential outdoor space as part of the project. At this time, creating outdoor space is not part of the scope of this project.

Thank you

Kindred Carolina Beach LLC

November 25, 2022 at 1:20:20 PM

10,239 of 11,401

Item 3.



Dear Carolina Beach Resident,

You are invited to a Public Input Meeting for a Conditional Zoning Application regarding the parcels located at 205 and 209 Charlotte Avenue...the former Deckhouse Restaurant.

The Conditional Zoning Applicant will be requesting the following.

- Combining the two parcels into one larger parcel of land and absorbing the Central Business District Zoning. Currently, 205 Charlotte Ave is C.B.D. and 209 is Mixed Used Zoning.
- Creation of an "Event Venue" Permissible Land Use for the former Deckhouse building. The applicant intends to make this into a Wedding and Event Venue.
- Commercial Planned Unit Development of 10 retail and/or restaurants constructed out of Shipping Containers on the section of land that is currently a parking lot. (209 Charlotte Ave) See attached preliminary site plan.
- Conditional Zoning Application will also ask for the applicant to be able to operate a Privately Owned paid parking lot which is allowed within the CBD Zoning with conditional zoning approval.

Public Input Meeting Details

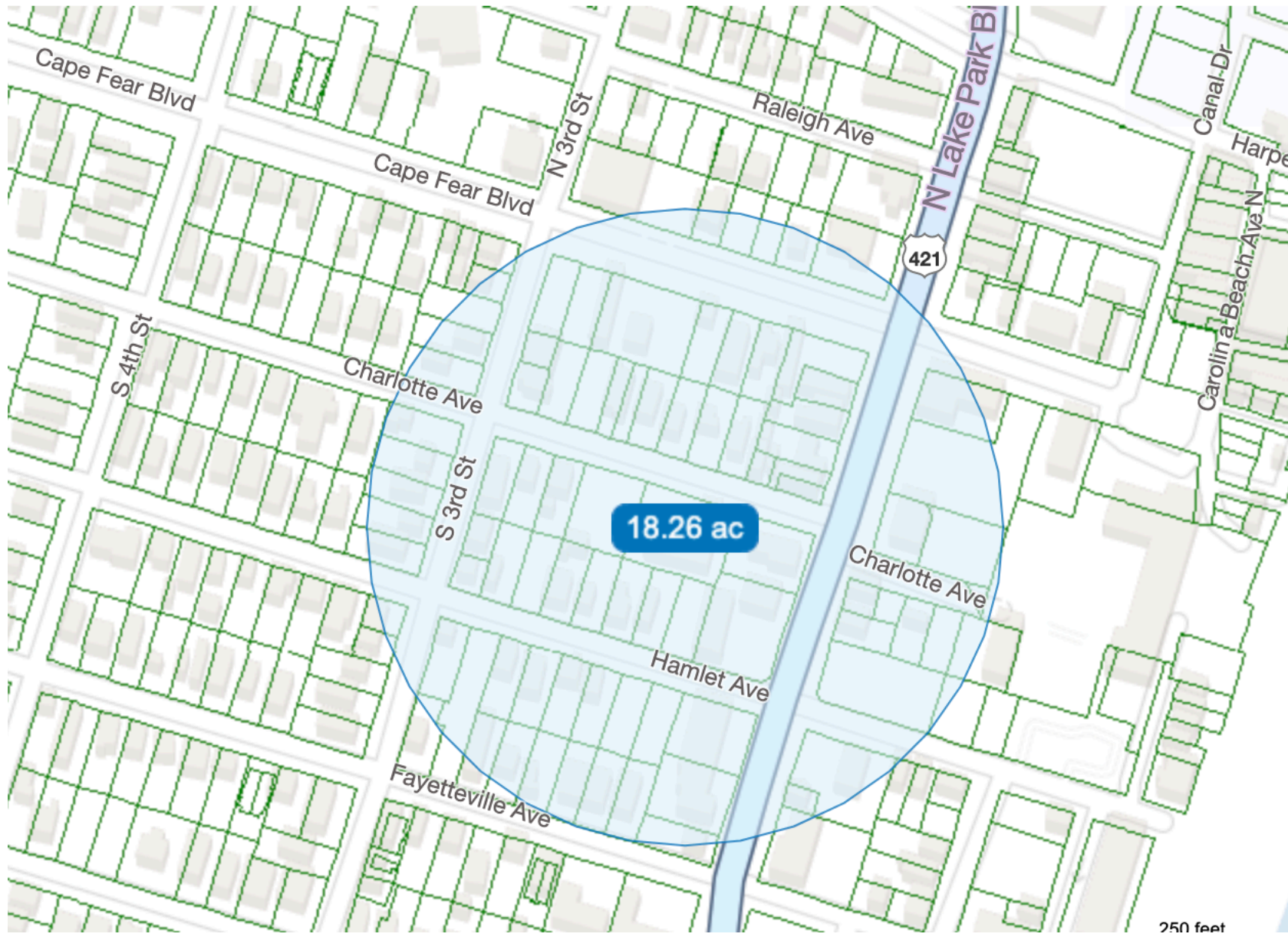
Monday, December 5th, 2022

9:00am

The Deckhouse
205 Charlotte Avenue
Carolina Beach, NC 28428

Michael Urti
Broker/Realtor
Nest Realty
910.460.6890
Michael.urti@nestrealty.com





Property Owners within 500ft Radius of 205 Charlotte Ave

Owner Name 1	First Name 1	Last Name 1	First Name 2	Last Name 2	Owner Address	Owner City	Owner State	Owner Zip	Property Address	Property City	Property Zip	Property Type
Mfp Properties LLC					Po Box 271	Carolina Beach	NC	28428-0271	10 Lake Park Blvd S	Carolina Beach	28428-5131	Commercial
Island Kite Surf Complex LLC					Po Box 1427	Carolina Beach	NC	28428-1427	209 Lake Park Blvd S	Carolina Beach	28428-5136	Commercial
Robert J Russo Jr	Robert	Russo			Po Box 1675	Carolina Beach	NC	28428-1675	213 Cape Fear Blvd	Carolina Beach	28428-5128	Commercial
On The Beach Inc					Po Box 2289	Carolina Beach	NC	28428-2289	109 Cape Fear Blvd	Carolina Beach	28428	Commercial
On The Beach Inc					Po Box 2289	Carolina Beach	NC	28428-2289	104 Charlotte Ave	Carolina Beach	28428	Commercial
On The Beach Inc					Po Box 2289	Carolina Beach	NC	28428-2289	5 Lake Park Blvd S	Carolina Beach	28428	Commercial
Tony Silvagni Holdings LLC					107 Charlotte Ave	Carolina Beach	NC	28428-5120	107 Charlotte Ave	Carolina Beach	28428-5120	Commercial
Roof Emma Trust					221 Lochview Dr	Cary	NC	27518-9620	8 Lake Park Blvd S	Carolina Beach	28428-5131	Commercial
Lazzara Pizza Inc					105 Dover Ln	Jacksonville	NC	28540-4584	9 Lake Park Blvd S	Carolina Beach	28428-5184	Commercial
Cbkb LLC					224 Seawatch Way	Kure Beach	NC	28449-4808	109 Charlotte Ave	Carolina Beach	28428	Commercial
107 Lake Park LLC					224 Seawatch Way	Kure Beach	NC	28449-4808	104 Hamlet Ave	Carolina Beach	28428	Commercial
Cbkb LLC					224 Seawatch Way	Kure Beach	NC	28449-4808	103 Lake Park Blvd S	Carolina Beach	28428-5134	Commercial
107 Lake Park LLC					224 Seawatch Way	Kure Beach	NC	28449-4808	107 Lake Park Blvd S	Carolina Beach	28428	Commercial
Rizk Realty Co					Po Box 1786	Laurinburg	NC	28353-1786	214 Cape Fear Blvd	Carolina Beach	28428-5127	Commercial
Apple Eight Spe Carolina Beach Lp					814 E Main St	Richmond	VA	23219-3306	100 Charlotte Ave	Carolina Beach	28428-5119	Commercial
Beach House Partners III LLC					1525 S Front St	Wilmington	NC	28401-6119	201 Cape Fear Blvd	Carolina Beach	28428-5128	Commercial
Frederick D Crouch	Frederick	Crouch	Margaret	Crouch	3148 Casa Ct	Wilmington	NC	28409-2788	1 Lake Park Blvd N	Carolina Beach	28428-4926	Commercial
Weiss K LLC					510 Seaview Rd E	Wilmington	NC	28409-4927	102 Lake Park Blvd S	Carolina Beach	28428-5133	Commercial
Zions Purple Star LLC					7601 Scout Camp Hatila Rd	Wilmington	NC	28409-5028	207 Hamlet Ave	Carolina Beach	28428	Commercial
Coen Joseph C & Trustee Coen Ann M Trustee					616 Sea Castle Ct	Wilmington	NC	28412-3277	208 Lake Park Blvd S	Carolina Beach	28428-5135	Commercial
Susan M Ywaskevich	Susan	Ywaskevich			100 River Ct	Wilmington	NC	28412-3560	205 Lake Park Blvd S	Carolina Beach	28428	Commercial
Carolina Beach Town Of					1121 Lake Park Blvd N	Carolina Beach	NC	28428-4130	219 Hamlet Ave	Carolina Beach	28428	County Exempt
Carolina Beach Town Of					1121 N Lake Park Blvd	Wrightsville Beach	NC	28480	5 Lake Park Blvd S	Carolina Beach	28428	County Exempt
Bellsouth Telecommunications Inc					1155 NE Peachtree St # 14H02	Atlanta	GA	30309	220 Charlotte Ave	Carolina Beach	28428	Open Space
Bellsouth Telecommunications Inc					1155 NE Peachtree St # 14H02	Atlanta	GA	30309	222 Charlotte Ave	Carolina Beach	28428	Open Space
Bellsouth Telecommunications Inc					1155 NE Peachtree St # 14H02	Atlanta	GA	30309	3 S Third St	Carolina Beach	28428	Open Space
Bellsouth Telecommunications Inc					1155 NE Peachtree St # 14H02	Atlanta	GA	30309	5 S Third St	Carolina Beach	28428	Open Space
Bellsouth Telecommunications Inc					1155 NE Peachtree St # 14H02	Atlanta	GA	30309	217 Cape Fear Blvd	Carolina Beach	28428	Residential
Ashley Gabrielle Nicole Parks	Ashley	Parks			Po Box 428	Carolina Beach	NC	28428-0428	101 Lake Park Blvd S	Carolina Beach	28428	Residential
Russell J Cook	Russell	Cook	Sharon	Cook	Po Box 978	Carolina Beach	NC	28428-0978	207 S Third St	Carolina Beach	28428	Residential
Russo Rentals LLC					Po Box 1675	Carolina Beach	NC	28428-1675	218 Charlotte Ave	Carolina Beach	28428-5121	Residential
Paula Stephen Lee	Paula	Lee	Alice	Lee	403 Peninsula Dr	Carolina Beach	NC	28428-4013	106 S Third St	Carolina Beach	28428-5153	Residential
Cori L McQueen	Cori	McQueen	Daniel	McQueen	601 Rocky Mount Ave	Carolina Beach	NC	28428-4322	205 Cape Fear Blvd	Carolina Beach	28428-5128	Residential
Raul Sabra Florez	Raul	Florez			208 Fayetteville Ave	Carolina Beach	NC	28428-5109	208 Fayetteville Ave	Carolina Beach	28428-5109	Residential
Patrick Smith Jewell	Patrick	Jewell	Diana	Jewell	209 Fayetteville Ave	Carolina Beach	NC	28428-5110	212 Fayetteville Ave	Carolina Beach	28428-5109	Residential
Kieu Loan Thi Tang	Kieu	Tang	Nguyen	Tiec	109 Hamlet Ave	Carolina Beach	NC	28428-5114	109 Hamlet Ave	Carolina Beach	28428-5114	Residential
Matthew William Ward	Matthew	Ward			209 Hamlet Ave	Carolina Beach	NC	28428-5116	209 Hamlet Ave	Carolina Beach	28428-5116	Residential
Patrick M Lahner	Patrick	Lahner	Harrell	Cathy	211 Hamlet Ave	Carolina Beach	NC	28428-5116	211 Hamlet Ave	Carolina Beach	28428-5116	Residential
Rhiannon L Harrell	Rhiannon	Harrell			211 Hamlet Ave	Carolina Beach	NC	28428-5116	213 Hamlet Ave	Carolina Beach	28428-5116	Residential
Tony Mirasol Sabetti	Tony	Sabetti			217 Charlotte Ave	Carolina Beach	NC	28428-5122	217 Charlotte Ave	Carolina Beach	28428-5122	Residential
1210 Fhd LLC					300 Charlotte Ave	Carolina Beach	NC	28428-5123	300 Charlotte Ave	Carolina Beach	28428-5123	Residential
Mach 2 Lih LLC					209 Cape Fear Blvd	Carolina Beach	NC	28428-5128	209 Cape Fear Blvd	Carolina Beach	28428-5128	Residential
Page Jason R & Rev Liv Trust Page Amity H Rev Liv Trust					102 Third St S	Carolina Beach	NC	28428-5153	102 S Third St	Carolina Beach	28428-5153	Residential
William M Knott	William	Knott	Patricia	Knott	104 Third St S	Carolina Beach	NC	28428-5153	104 S Third St	Carolina Beach	28428-5153	Residential
Young S Kim	Young	Kim	Wendy	Kim	101 Third St S	Carolina Beach	NC	28428-5154	101 S Third St	Carolina Beach	28428-5154	Residential

Laura Lookingbill	Laura	Lookingbill			105 Third St S	Carolina Beach	NC	28428-5154	105 S Third St	Carolina Beach	28428-5154	Residential
Darrel Allen Christina M Pershing	Darrel	Pershing			200 Third St S Unit 1	Carolina Beach	NC	28428-5155	200 S Third St	Carolina Beach	28428-5155	Residential
Timothy Brewington	Timothy	Brewington			212 Hamlet Ave	Carolina Beach	NC	28428-5159	212 Hamlet Ave	Carolina Beach	28428-5159	Residential
Adrian Olga Rodriguez	Adrian	Rodriguez			210 Charlotte Ave	Carolina Beach	NC	28428-5186	210 Charlotte Ave	Carolina Beach	28428-5186	Residential
Coa Laluna	Coa	Laluna			103 Charlotte Ave	Carolina Beach	NC	28428-5193	103 Charlotte Ave	Carolina Beach	28428-5193	Residential
J&M Enterprises LLC Of Wilmington					1316 Mackerel Ln	Carolina Beach	NC	28428-5505	214 Fayetteville Ave	Carolina Beach	28428-5188	Residential
Vicky L Evans	Vicky	Evans			1211 Swordfish Ln	Carolina Beach	NC	28428-5510	206 Charlotte Ave	Carolina Beach	28428-5121	Residential
Common Ground Holdings LLC					1414 Snapper Ln # 2	Carolina Beach	NC	28428-5713	205 Charlotte Ave	Carolina Beach	28428-5121	Residential
Common Ground Holdings LLC					1414 Snapper Ln # 2	Carolina Beach	NC	28428-5713	209 Charlotte Ave	Carolina Beach	28428	Residential
Pats Holdings LLC					1005 Carolina Beach Ave N Apt 3	Carolina Beach	NC	28428-6262	201 S Third St	Carolina Beach	28428-5156	Residential
Eric Chanh	Eric	Chanh			106 Hidden Rock Ct	Cary	NC	27513-8309	208 Hamlet Ave	Carolina Beach	28428-5115	Residential
Roof Emma Trust					221 Lochview Dr	Cary	NC	27518-9620	12 Lake Park Blvd S	Carolina Beach	28428-5183	Residential
Steve K West	Steve	West	Sandra	West	140 Delieesseline Dr	Cayce	SC	29033-4312	210 Hamlet Ave	Carolina Beach	28428-5115	Residential
Walter R Kiser	Walter	Kiser	Wylie	Kiser	5210 Hoover Dr	Charlotte	NC	28269-2935	216 Hamlet Ave	Carolina Beach	28428-5115	Residential
J Dean Carpenter	J	Carpenter			3613 Dallas Cherryville Hwy	Dallas	NC	28034-8763	214 Hamlet Ave	Carolina Beach	28428	Residential
J Dean Jacqueline H Carpenter	J	Carpenter			3613 Dallas Cherryville Hwy	Dallas	NC	28034-8763	218 Hamlet Ave	Carolina Beach	28428	Residential
Robert T Newcomer	Robert	Newcomer	Janet	Newcomer	42030 State Highway 10	Delhi	NY	13753-2300	210 Fayetteville Ave	Carolina Beach	28428	Residential
Jacqueline M McCarter	Jacqueline	McCarter			3855 Broadwater Ct	Gastonia	NC	28056	215 Charlotte Ave	Carolina Beach	28428	Residential
Grayson R Clinard	Grayson	Clinard			266 Seawatch Way	Kure Beach	NC	28449-4808	208 Charlotte Ave	Carolina Beach	28428-5121	Residential
Beachwalk Development LLC					Po Box 1086	Pinebluff	NC	28373-1086	214 Charlotte Ave	Carolina Beach	28428-5121	Residential
Ocean Pearl Properties LLC					Po Box 1086	Pinebluff	NC	28373-1086	216 Charlotte Ave Unit	Carolina Beach	28428-5121	Residential
Brian Jamie Mountain	Brian	Mountain			313 Sherwee Dr	Raleigh	NC	27603-3521	2 S Third St	Carolina Beach	28428-5151	Residential
Jamie Brian Mountain	Jamie	Mountain			313 Sherwee Dr	Raleigh	NC	27603-3521	4 S Third St	Carolina Beach	28428-5151	Residential
Jamie Brian Mountain	Jamie	Mountain			313 Sherwee Dr	Raleigh	NC	27603-3521	6 S Third St	Carolina Beach	28428-5151	Residential
William Mooney	William	Mooney	Jennifer	Godbold	209 W Park Dr	Raleigh	NC	27605-1739	105 Hamlet Ave	Carolina Beach	28428-5114	Residential
Brian Jamie Peeler Mountain	Brian	Mountain			208 Ashe Ave	Raleigh	NC	27605-1815	8 S Third St	Carolina Beach	28428-5151	Residential
Melissa Griffin	Melissa	Griffin			14 Daisy St	Raleigh	NC	27607-7039	301 Charlotte Ave	Carolina Beach	28428-5124	Residential
David Sonya Rhiver	David	Rhiver	Devin	Rohan	12449 Richmond Run Dr	Raleigh	NC	27614-6415	200 S Third St	Carolina Beach	28428-5155	Residential
Nicholas C Lentz	Nicholas	Lentz	Mariah	Lentz	976 Gregory Fork Rd	Richlands	NC	28574-7214	217 Hamlet Ave	Carolina Beach	28428-5116	Residential
John R Doeller	John	Doeller	Amy	Doeller	6336 Willingham Dr	Roanoke	VA	24018-5399	216 Charlotte Ave Unit	Carolina Beach	28428-5121	Residential
James Jennifer Peeler	James	Peeler			110 Nobska Light Ct	Simpsonville	SC	29681-5783	204 Charlotte Ave	Carolina Beach	28428-5121	Residential
David Blackstock	David	Blackstock			6269 Solomons Island Rd	Tracys Landing	MD	20779-9705	204 Hamlet Ave	Carolina Beach	28428	Residential
Glenn S Hechler	Glenn	Hechler	Sherry	Hechler	9655 E Vicks Pl	Tucson	AZ	85748-3355	203 Hamlet Ave	Carolina Beach	28428-5116	Residential
Brian P Fodrey	Brian	Fodrey	Elizabeth	Fodrey	608 Fairgate Dr	Wexford	PA	15090-1528	206 Hamlet Ave	Carolina Beach	28428-5115	Residential
Beach House Partners Iv LLC					1525 S Front St	Wilmington	NC	28401-6119	6 Lake Park Blvd S	Carolina Beach	28428-5131	Residential
Driftwood Villas Hoa Inc					Po Box 1537	Wilmington	NC	28402-1537	108 Lake Park Blvd S	Carolina Beach	28428-5161	Residential
Driftwood Villas Hoa Inc					Po Box 1537	Wilmington	NC	28402-1537	200 Lake Park Blvd S	Carolina Beach	28428-5160	Residential
Coastal Retreat LLC					1121 Military Cutoff Rd Ste C267	Wilmington	NC	28405-3968	204 Fayetteville Ave	Carolina Beach	28428	Residential
Salty Bay Properties LLC					1529 Salty Bay Lndg	Wilmington	NC	28409	204 Cape Fear Blvd	Carolina Beach	28428-5127	Residential
Fred Margaret Crouch	Fred	Crouch			3148 Casa Ct	Wilmington	NC	28409-2788	206 Cape Fear Blvd	Carolina Beach	28428-5127	Residential
Meeks Living Trust					7601 Scout Camp Hatila Rd	Wilmington	NC	28409-5028	105 Charlotte Ave	Carolina Beach	28428	Residential
Zions Purple Star LLC					7601 Scout Camp Hatila Rd	Wilmington	NC	28409-5028	206 Fayetteville Ave	Carolina Beach	28428-5109	Residential
Panorama Properties LLC					5307 S College Rd	Wilmington	NC	28412-2292	208 Cape Fear Blvd	Carolina Beach	28428-5127	Residential
Panorama Properties LLC					5307 S College Rd	Wilmington	NC	28412-2292	210 Cape Fear Blvd	Carolina Beach	28428-5127	Residential
Richard D Longnecker	Richard	Longnecker	Gail	Longnecker	8603 Shipwatch Dr	Wilmington	NC	28412-3535	300 Hamlet Ave	Carolina Beach	28428-5117	Residential
Mbkw LLC Kirkland Family Holdings LLC					Po Box 3283	Wilson	NC	27895-3283	207 Cape Fear Blvd	Carolina Beach	28428-5128	Residential

12/05/2022 9:00am Meeting Minutes

Attendees:

- Deb Regentin, 512 Goldsboro Ave, Carolina Beach
- Meg Butler, 206 Texas Ave, Carolina Beach
- Tom and Jan Newcomer, 210 Fayetteville Ave, Carolina Beach
- Ralph Rood, 105 Tennessee Ave #101, Carolina Beach
- Jim B, 1103 St Joseph, Carolina Beach
- Steve West, 210 Hamlet Ave, Carolina Beach
- Cat Lahner, 211 Hamlet Ave, Carolina Beach
- Kate Weiss, 102 S Lake Park Blvd, Carolina Beach
- Jeannette Morales, 207 Atlanta Ave, Carolina Beach
- Steven Wright, 1224 Spot Ln, Carolina Beach
- Brittney Roseberry, 1112 Snapper Ln, Carolina Beach
- Sara Maielle, 403 Wilson Ave
- Robin Toone, 106 Summer Salt Lane, Carolina Beach
- Rich Jones, 811 Harper Ave, Carolina Beach
- Michelle Brass, 508 N 8th St, Carolina Beach
- Zach Brass, 508 N 8Th St, Carolina Beach
- Dave Blackstock, 204 Hamlet Ave, Carolina Beach
- Glenn Hechler, 203 Hamlet Ave, Carolina Beach
- Robin Cooksley, 705 Charlotte Ave, Carolina Beach
- Jay Healy, 701 Charlotte Ave, Carolina Beach
- LeeAnn Tiuchowski, 606 Monroe Ave, Carolina Beach
- Kevin Walsh, 304 North Carolina Ave, Carolina Beach
- Billy Cooley, 464 Atlanta Ave, Carolina Beach
- Terry Espel, 103 S Front St, Wilmington
- Alexis Smith, 400 Virginia Ave, Apt 305D, Carolina Beach
- Wescott Butler, 206 Texas Ave, Carolina Beach

Meeting Notes:

Common Ground operating partners, Michael and Katie Urti and David and Lara Hamlet, started the meeting with introductions and then delivered a high-level overview of the business concept, site plan, goals for the community and their philosophy on the project.

After speaking with the neighbors, the following were the recurring concerns voiced during the meeting. Concerns for resident and business owners were as follows.

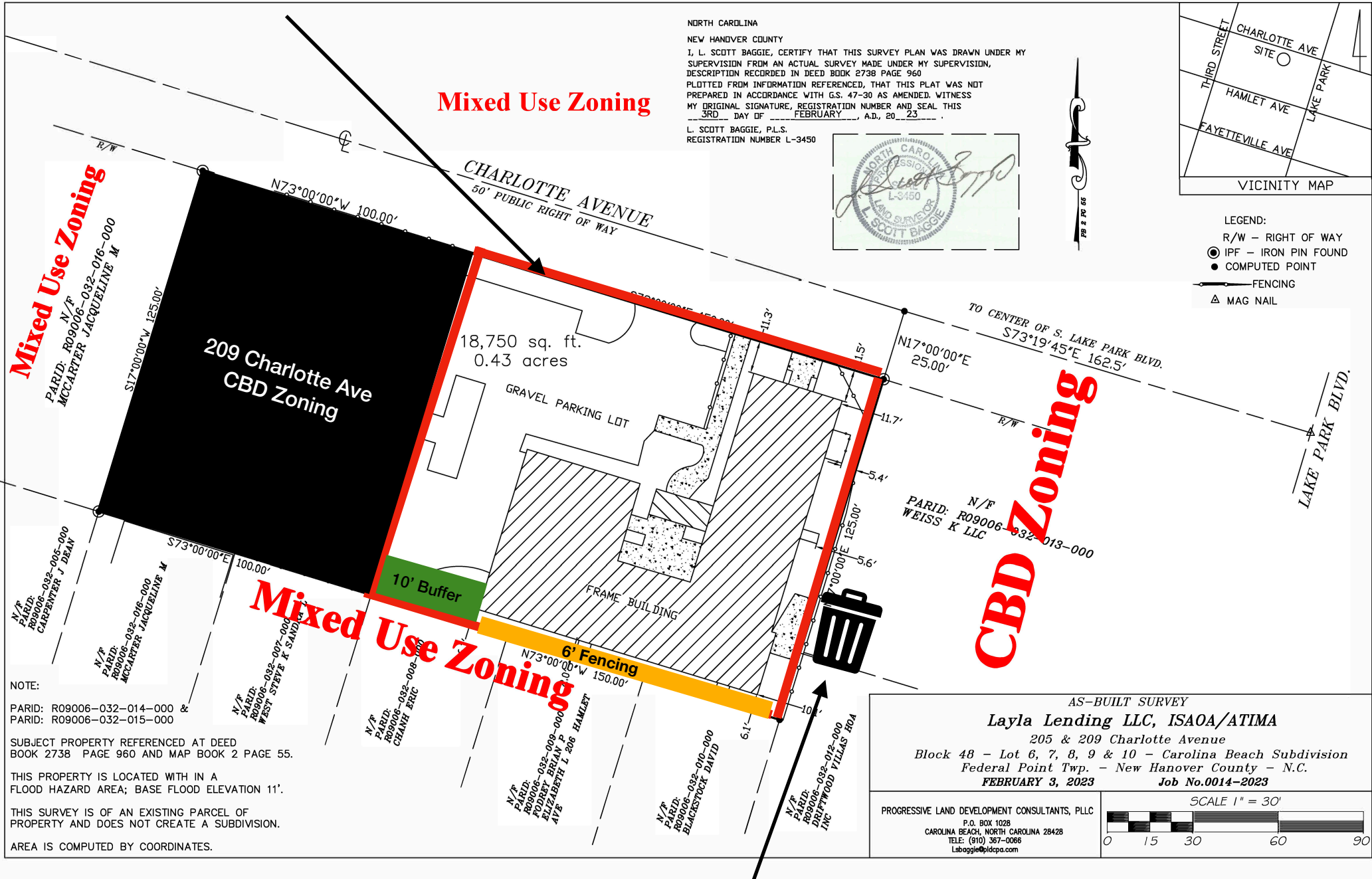
- Brittney Rosenberry- Suggested we ask what the community would like to see. Loves the idea and says parking is available all over. Happy that it is not condos.

- Jeanette Morales- Asked about the style of containers and plans for types of business that will lease them. She expressed concerns about the venue's hours of operation for closing in the evening. She shared with the attendees and operating partners that she arrived at the meeting skeptical, but is leaving excited.
- Steve Wright- Asked capacity of wedding venue and how we planned to accommodate parking for customers of the venue
- Dave Blackstock- Inquired if additional restrooms would be added to serve the container portion of the property
- Steve West- Shared concerns regarding noise pollution and wished to know if fencing would be constructed to keep people from entering his property
- Tom and Jan Newcomer- Shared concerns over noise and light pollution, parking, and privacy due to second level units being elevated.
- Terry Espy (developer) - Owns a wedding venue and is familiar with the cargo container concept. Expressed her positivity towards the venue and concept.
- Glenn Hlechler- Ask if we believed we could host enough event within the wedding/event venue to make a viable business.
- Ralph Roody- Inquired about the size and safety of containers. Also, asked if second level would be ADA compliant.
- Debbie Regentin - She has seen Mike and Katie grow as business owners and is excited that they are going to help others do the same with this concept.
- Leeann Trichousky- Expressed excitement that the original Deckhouse building would remain and that this venture would be investing back into the community.

205 Charlotte Avenue
 Lot Sqft = 18,750 sq.ft.
 Building Footprint = 6,990 sq.ft.
 Building Lot Coverage = 37.28%

Gross Floor Area = 6,990 sq.ft.
 Parking Spaces Needed = 64
 Public Parking Spaces within 500' = 148

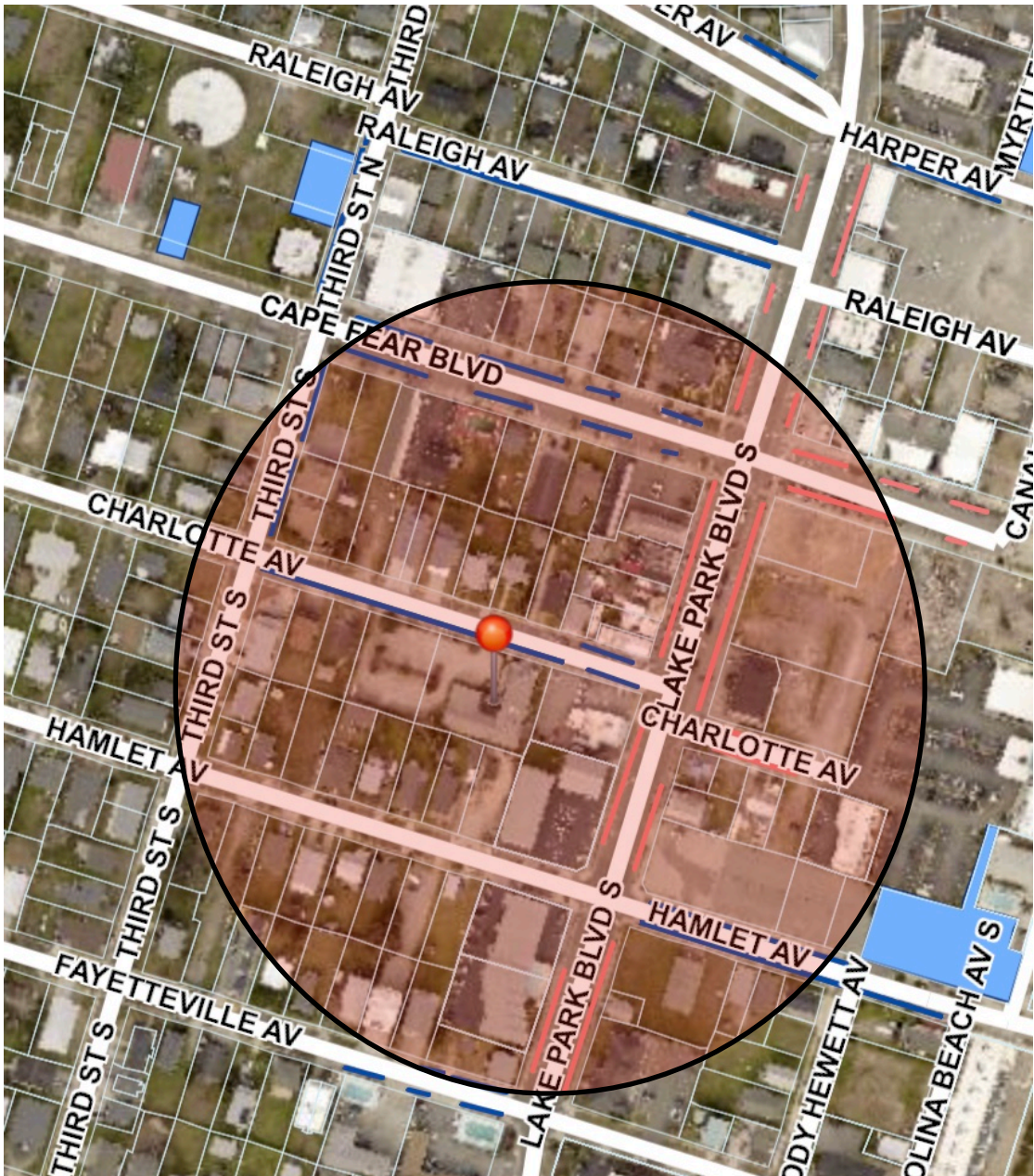
Item 3.



Shared Dumpster with Kate's Pancake House

Parking Spaces within 500' of 205 Charlotte Avenue

Street	Public Spots
Charlotte Ave	14
Lake Park Blvd	54
Hamlet Ave	14
Cape Fear	66
Total	148



Fire Hydrant Locations

