

CAROLINA BEACH

Planning and Zoning Meeting

Thursday, October 13, 2022 – 6:00 PM

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



AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. August 11th, 2022 – P&Z Minutes

STAFF REPORT ON RECENT COUNCIL MEETINGS

STAFF REPORT ON RECENT DEVELOPMENTS

PUBLIC DISCUSSION

2. **Conditional Zoning** to consider a Planned Unit Development consisting of 26 townhome units located at 205, 211, and 215 Spartanburg in the Residential (R-1) zoning district.

Applicant: WB Coastal Development LLC

3. **Conditional Zoning** to consider a drinking and eating establishment classified as a bar to serve on-premise alcohol located at 604 N. Lake Park Blvd.

Applicant: Shagri-La LLC

DISCUSSION ITEMS

4. Schedule P&Z Special Meeting on November 16th, 2022 to discuss the Unified Development Ordinance Update

NON-AGENDA ITEMS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Senior Planner

DEPARTMENT: Planning &
Development

MEETING: Planning & Zoning Commission – October 13th, 2022

SUBJECT: August 11th, 2022 – P&Z Minutes

Action:

Approve the August 11th, 2022 Minutes

CAROLINA BEACH

Planning and Zoning Commission Meeting

Thursday, August 11, 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
- Commissioner Lynn Conto

ALSO PRESENT

- Planning Director Jeremy Hardison
- Senior Planner Gloria Abbotts

APPROVAL OF MINUTES

1. July 14, 2022 – P&Z Minutes

ACTION: Motion to approve the minutes

Motion made by Chairman Rouse

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

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

Permitting

- 33 permits (renovation, repair, grading, additions, fence)
- 8 residential new construction
- 8 certificates of occupancy

Code Enforcement

- 47 complaints received
- 47 resolved

Demos

- 213 Wilson Avenue
- 1407 Searay Lane
- 1605 Searay Lane

New Businesses

- Neapolitan (retail) – 800 Saint Joseph Street
- Cherry Blossom Takeout Sushi – 8 Pavilion Avenue
- The Starlite Motel – 201 Cape Fear Boulevard (name change)
- The Beach House Motel – 412 Carolina Beach Avenue North (new ownership)
- Island Bagels – 1328 North Lake Park Boulevard (name change)

Town Council and Other Updates

- Stop sign petition – four-way stops in Seagrove (Council will hear in September)
- Text amendment – no commercial through-traffic in Ocean Heights neighborhood (Council will hear in September)
- Ocean Boulevard Sidewalk Project open house (held August 10)
- Risk Rating 2.0 information meeting held (held August 10)

PUBLIC DISCUSSION

None

DISCUSSION ITEMS

2. Conditional Zoning to Consider a Hotel with a Restaurant and Bar Located at 205, 207, and 209 North Lake Park Boulevard and 204 Harper Avenue in the Central Business District
Applicant: Jefferson C. Woodall, Architect

On behalf of the owners, Architect Jefferson C. Woodall has applied for a Conditional Zoning (CZ) application for a four-story hotel with a rooftop bar, restaurant, and retail located at 205, 207, and 209 North Lake Park Boulevard and 204 Harper Avenue in the Central Business District (CBD). Hotels and bars are permitted by CZ in the CBD; restaurants and retail are permitted by right. Therefore, the entire project must be approved by CZ.

The proposed project would have 42 hotel units in a locally owned and operated boutique property by the same developers of The Hive in Wilmington. The subject property consists of a single-family home and the former site of Welcome Inn. The ground floor would consist of a covered parking structure, hotel entrance, and commercial space. The second floor would have 12 sleeping rooms, a pool, a pool bar, and green space. The third and fourth floors would each have 15 sleeping rooms. The rooftop would consist of a café/bar. The commercial spaces would be open to both hotel guests and the public.

Ms. Abbotts presented the details, including displaying photos showing existing conditions of the property and surrounding uses. She said the property owners received a Conditional Use Permit in

2016 for renovation, but due to health issues they could not continue with the improvements. Ms. Abbotts went over CZ guidelines and shared information about the required public meeting on July 1, when the developers met with adjacent property owners and stakeholders and noted concerns; the developers accommodated a neighbor's concern with an easement for access.

Ms. Abbotts said stormwater retention will be on site. She reviewed criteria the Commission must consider when voting and conditions of the project. Ms. Abbotts said staff recommends approval of the project.

ACTION: Motion to open the public hearing

Motion made by Chairman Rouse

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

Motion passed unanimously

Wilmington Attorney Matt Nichols, who is assisting the applicant in representing the developers, highlighted a few details of the proposal and introduced Kaylie O'Connor and Robert Rosenberg, principals of Wilmington Development Group. He said Ms. O'Connor has lived in the Town since 2008.

Ms. O'Connor of 414 Charlotte Avenue said she and Mr. Rosenberg developed the locally owned and operated property The Hive, which has 15 suites and opened in 2019 in downtown Wilmington. She said The Hive has a 4.7 rating on Google, has 83% direct bookings, and is the preferred lodging for film and TV productions. Ms. O'Connor said with the newly proposed property in the Town, they hope to convey a surf vibe while using design elements and materials to impart old beach town nostalgia.

Mr. Woodall reviewed floor plans and other details of the proposal.

Mr. Nichols said the proposal is consistent with the Town's Master Development Plan and the Town's 2020 Coastal Area Management Act (CAMA) Land Use Plan. He said granting CZ approval would offer the following benefits:

- Revitalization of an outdated property
- Significant improvement to streetscape along a portion of North Lake Park Boulevard
- Offers high-quality accommodations for guests and visitors
- Provides retail and restaurant options for Town residents and visitors
- Promotes economic development, tourism, and job creation within the CBD

Commissioner Crouch asked how the project will be able to pull off on-site stormwater retention. Charlie Cazier, civil engineer for the project, said soil testing was done on the site and it all turned out very well for underground infiltration. He said the plan is to go under the parking areas.

Commissioner Crouch asked how the hotel will control public access to the pool if the public is able to come through to the rooftop bar. Ms. O'Connor said there will likely be coded gates as well as controlled access to certain floors via the elevator.

Commissioner Crouch and Vice Chairman Hogan brought up concerns about the creation of a corridor that might invite people to wander off North Lake Park Boulevard. Mr. Woodall said the current design would remedy this.

Commissioner Crouch asked if there are plans to put new sidewalks to tie into the existing ones. Mr. Woodall said they are not sure how the Town's plans for Harper Avenue will affect sidewalks.

Commissioner Crouch asked what the size of the rooftop bathroom is. Mr. Woodall said 8x20.

Commissioner Boswell asked if employee parking would be available on site. Ms. O'Connor said the hotel would have the option to rent spots in public lots for employees, and there would also be a few overflow spots as well as bicycle and golf cart parking for employees on site.

Commissioner Boswell asked if the bathrooms would exceed the height of the elevator or roof. Mr. Woodall said they are about the same size.

Commissioner Piper said he likes the glass railings on top because they don't create mass. He brought up public input regarding concerns about garbage. Mr. Woodall said that area would be fenced with gates around it.

Commissioner Boswell asked about the property's plan for trees. Mr. Woodall said they think they can move one, but another is big and not in good shape, although they can try to work around it. He suggested the possibility of eliminating the loading area.

No one from the public requested to speak.

ACTION: Motion to close the public hearing

Motion made by Chairman Rouse

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

Motion passed unanimously

Commissioner Conto said it's phenomenal that the Town would have a boutique hotel, and there is a need for it. She said she is highly in favor of the project.

Commissioner Crouch said it's a unique project that would bring a lot of value to the Town. He said he's sensitive to adjacent property owners' concerns and was glad to hear the applicant was amenable to add some additional landscaping to the south side. Commissioner Crouch said they are making a good effort to save and relocate as many trees on the parcel as possible. He asked staff if the application for this project included water usage and consumption rates, a recent requirement the Town implemented. Commissioner Crouch said he didn't see it in the agenda packet. Mr. Hardison said

yes, the Town received design flow for the numbers on this project and gallons per day that the project would add to the system, and this information was evaluated by the Utilities Director.

Commissioner Crouch said he has concerns about the rooftop bathrooms being enclosed, occupied space going above the 50-foot height limit. He also said the conditions staff recommended were not included in the agenda packet. Commissioner Crouch said all the other information he's heard is positive, and he thinks those involved with the proposal have been receptive to concerns expressed by the community. He said concerns about storm drainage are a very important component because the property is currently all pervious surface.

Commissioner Boswell said she thinks the project is a great addition because sometimes historic buildings are beyond repair or renovation. She said capping the height needs to be part of the conditions and thanked the developers for saving as many trees as possible.

Commissioner Carew said he thinks the project is going to be a nice addition to the Town and is a great redevelopment opportunity for the properties. Regarding the request to approve something that goes above the 50-foot height limit in parts of the structure, he said this is a component the Town should be flexible on in the CBD to encourage more development. Commissioner Carew said this is a small give to bring in a project like this.

Commissioner Piper said this is a nice project. He said his big concern is to ensure the applicant has met the goals of the neighbors, which seems like the case. Commissioner Piper said if the Town is going to allow flexibility with the height limit, there should be a hard stop of 50 feet on standing and walking surfaces because going too high may stand out among neighboring structures. Mr. Hardison said design guidelines may be implemented as a condition of approval, but the applicant would need to agree to them.

Vice Chairman Hogan said he likes everything about the project but worries about ingress and egress on Harper Avenue, although he said this is a better option than Lake Park Boulevard. He said he thinks everything the Town has asked is in the plan, and he likes it a lot.

Chairman Rouse said he likes the concept in general, and developers seems to be showing themselves as good neighbors. He said the project has his support with the conditions that are laid out.

Commissioner Crouch said the Town should probably take a look at the stoplight on Harper Avenue because of the demand on the intersection. Mr. Hardison said the Town will need to coordinate with the N.C. Department of Transportation (DOT).

Commissioners discussed making height, transparent railing, and landscaping on the south side part of the conditions.

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 is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts of the surrounding area are mitigated by the approved and recommended conditions

Motion made by Vice Chairman Hogan, seconded by Commissioner Carew

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

Motion passed unanimously

NON-AGENDA ITEMS

Commissioner Boswell said a review and assessment of water capacity for the hotel project was not included in the agenda packet and asked for that information to be part of the agenda packet in the future. Mr. Hardison said it was included as part of the memo.

Commissioner Boswell said she has seen new construction in the Town without gutters and asked if this stormwater measure was not required or not being enforced. Mr. Hardison said new construction must have a stormwater design but does not necessarily require gutter installation. Commissioner Boswell said she sees gutters showing up on plans but not being installed. Mr. Hardison said he can look into this. Commissioner Boswell asked what the recourse is once that happens. She said in some cases adjacent properties are being flooded because the stormwater plan being presented to the Town is not being followed. Mr. Hardison said he will have to follow up with the Stormwater Inspector.

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Chairman Rouse

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

Motion passed unanimously

The meeting adjourned at 7:20 PM.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning &
Development

MEETING: Planning & Zoning Commission – October 13th, 2022

SUBJECT: **Conditional Zoning** to consider a Planned Unit Development consisting of 26 townhome units located at 205, 211, 215 Spartanburg in the Residential (R-1) zoning district.
Applicant: WB Coastal Development LLC

MOTION:

Table the proposal until the next P&Z meeting November 10th, 2022.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning & Development

MEETING: Planning & Zoning Commission – October 13, 2022

SUBJECT: **Conditional Zoning** to consider a drinking and eating establishment classified as a bar to serve on-premises alcohol located at 604 N. Lake Park Blvd.
Applicant: Shagri-La LLC

BACKGROUND:

The applicant, Shagri-La LLC, applied for a Conditional Zoning application for a bar/tavern in the Highway Business District. The proposal includes providing on-premise wine, beer, and liquor. When on-premise alcohol is being served and the use is not classified as a standard restaurant, the ordinance defines the use as a bar. The ABC requires restaurants to have food comprise at least 30 percent of their sales, or it is classified as a bar. A bar is allowed through the approval of a conditional zoning district in the Highway 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 a nature or scale that they have significant impacts on both the immediately 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 with 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 Planning & Zoning 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 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 & 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 details:

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 change the use of the business from a restaurant to a bar at 604 N. Lake Park Blvd. No new bars/taverns shall be permitted within 200 feet of an established church or school or 200 feet of any residential district. This location meets that separation requirement.

The purpose of the Highway Business (HB) district is to accommodate businesses oriented toward the motoring public and which require a high volume of traffic. In many cases, businesses in the HB district serve the entire community and beyond. For the most part, they are located on major thoroughfares so that they can be conveniently reached by automobile and to avoid sending heavy automobile traffic through smaller streets or residential areas.

The existing building is a two-unit commercial building built in 1998. It meets the current lot coverage and setbacks requirements. No additions are proposed outside of the current footprint. The applicant is providing 11 on-site parking spaces and 4 off-site parking spaces across Lake Park Blvd, in the Winner RV Park on property adjacent to the public right-of-way. The parking space amount and location was approved in the original Conditional Use Permit approved on December 9, 1997.

The building consists of 3,200 Sq. ft. of indoor area. The most recent previous use was an eating and drinking establishment, which has the same parking calculation as bars and taverns. At the time of the approval of the existing building, the 1984 Zoning Ordinance did not require pedestrian access between off-site parking and the building. Staff recommends pedestrian access improvements are installed that consists of a 5' sidewalk adjacent to N Lake Park in front of the property.

CUP 97-2 Conditions:

1. Make findings for approval of the Conditional Use Permit required by Zoning Ordinance Section 602.5. (1984)
 - a. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
 - b. That the use meets all required conditions and specifications;
 - c. That the Use will not substantially injure the value of adjoining or abutting property;
 - d. That the location and character of the of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Carolina Beach and its environs;
2. All Federal, State, and Local requirements;
3. Landscaping pursuant to the Landscape Ordinance; Planning & Zoning Commission recommends in lieu of landscaping along 421 applicant may pour sidewalk in public right-of-way.
4. Six (6) foot high buffer, or combination landscaping, consistent with Section 704. Buffers of the Zoning Ordinance. (1984)

Proposed Conditions

1. 5' Sidewalk must be installed per Sec. 40-150(5) to provide safe pedestrian access between off-site parking and the building.
2. The 4 off-site parking spaces at 605 N Lake Park Blvd shall be designated with signage, wheel stops, and an approved parking surface.

Conditional Zoning Process

As part of the application process a community meeting is required. The applicant held the required meeting on August 26, 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 the neighboring properties.

Land Use Plan

The project is in general conformity with the 2020 Land Use Plan it supports to sustain a healthy and vibrant locally-oriented economy. This area is recognized as a higher density area with a mix of uses, within the district and individual buildings.

ACTION REQUESTED:

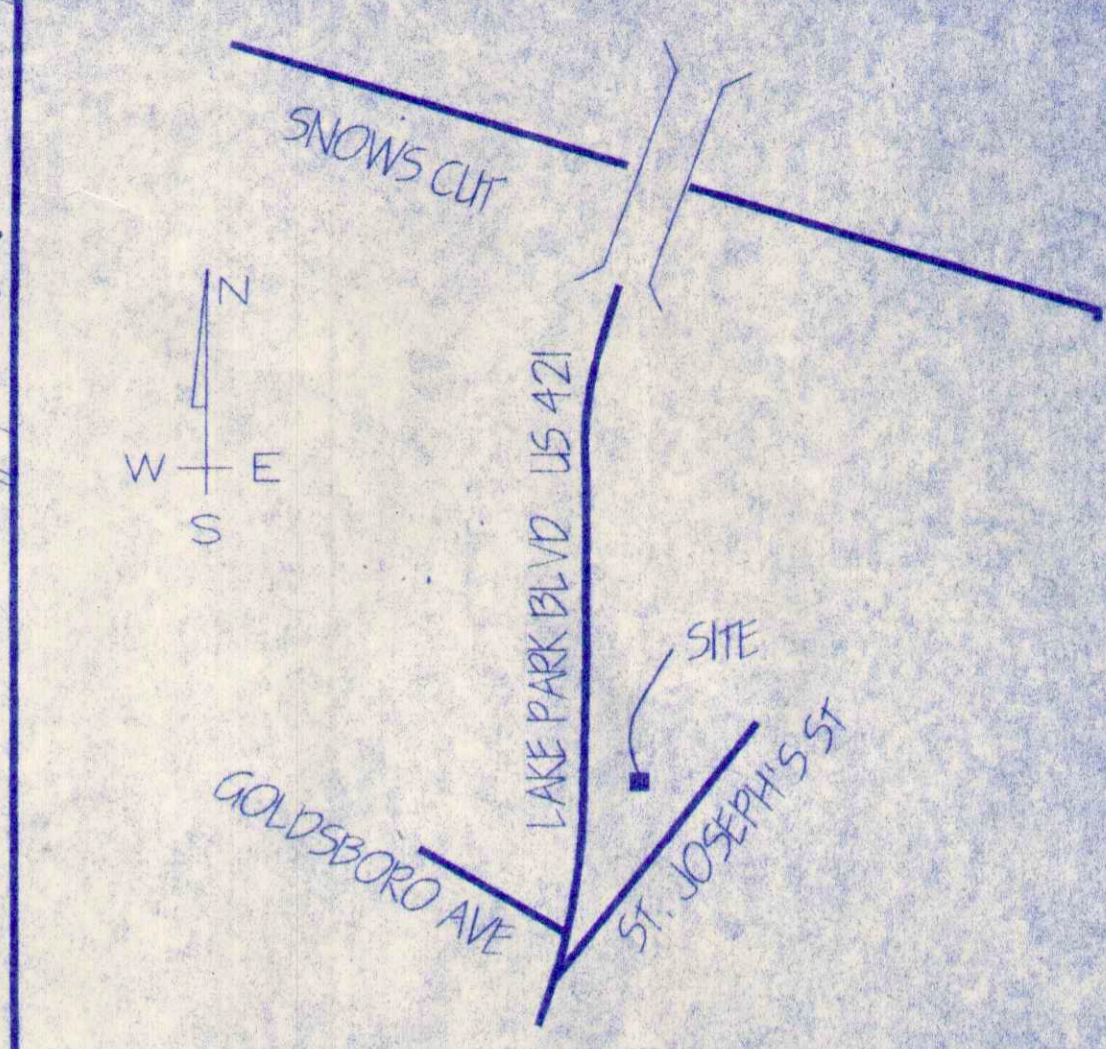
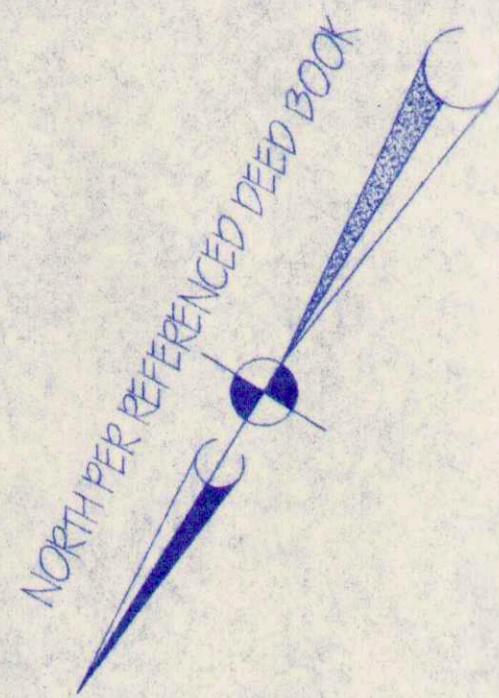
Consider recommending approval or denial of a conditional zoning to approve a bar located at 604 N. Lake Park Blvd.

Staff recommends approval of the project as proposed.

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 a bar located at 604 N. Lake Park Blvd. 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.



SITE SUMMARY

ZONING: B1, REQUESTING CONDITIONAL USE FOR PLANNED BUSINESS USE
 AREA: 0.27 AC.

BUILDINGS = (3,200 SF)
 PARKING = (3,734 SF)
 WALKS AND PADS = (774 SF)

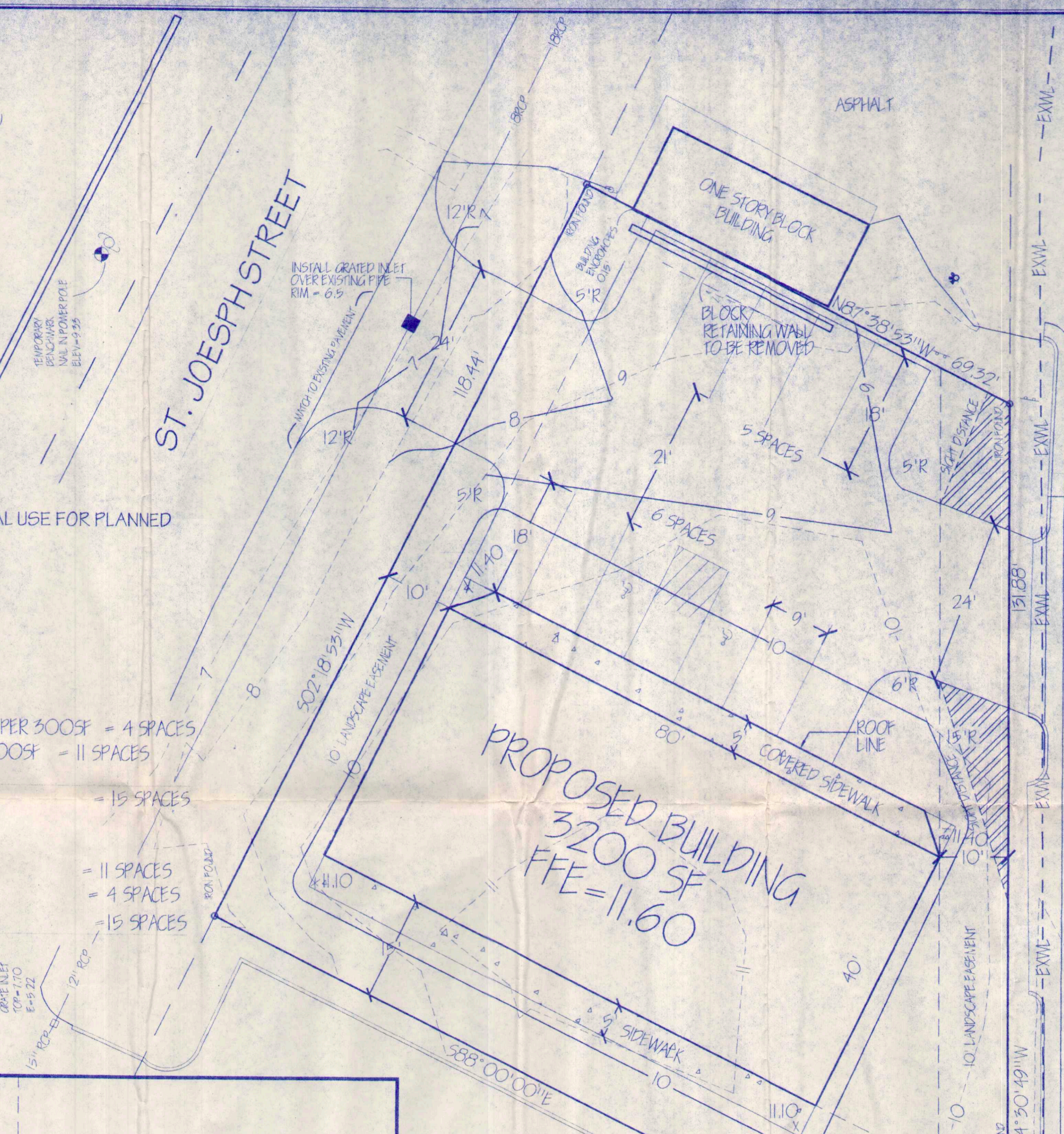
PARKING:
 OFFICE SPACE = 1000 SF @ 1 SPACE PER 300SF = 4 SPACES
 RETAIL = 2,200 SF @ 1 SPACE PER 200SF = 11 SPACES
TOTAL REQUIRED = 15 SPACES

TOTAL PARKING
 ONSITE = 11 SPACES
 OFFSITE = 4 SPACES
TOTAL PARKING PROVIDED = 15 SPACES

ST. JOSEPH STREET

GOLDSBORO AVE.

LAKE PARK BLVD US HWY 421



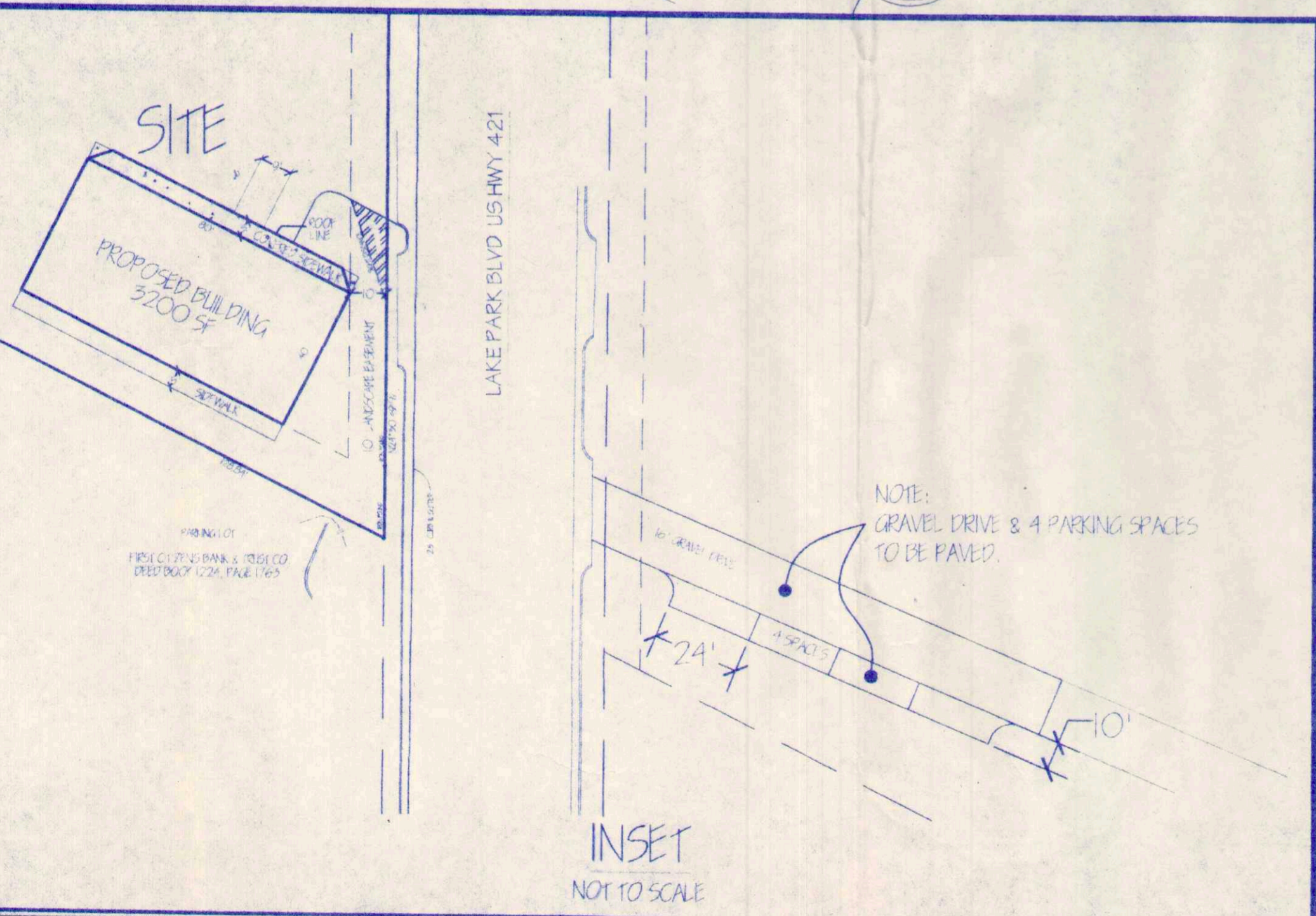
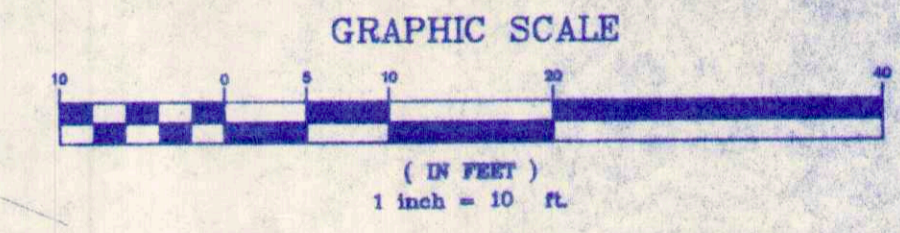
PROPOSED BUILDING
 3200 SF
 FFE=11.60

FIRST CITIZENS BANK & TRUST CO.
 DEED BOOK 1224, PAGE 1763

GENERAL NOTES

1. SURVEY INFORMATION BY ATLANTIC COAST DESIGNS.
2. ENGINEER TO PROVIDE CONTRACTOR AN ELECTRONIC DRAWING FILE FOR FIELD STAKEOUT PURPOSES.
3. FOR SPECIFIC LOCATION OF SIDEWALK AND SERVICE ENTRANCE TO BUILDINGS SEE ARCHITECTURAL PLANS.
4. ALL IMPROVEMENTS SHALL CONFORM TO THE TOWN OF CAROLINA BEACH STANDARDS.
5. ALL STAKEOUT DIMENSIONS ARE REFERENCED TO EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED.
6. SITE LIGHTING, ELECTRICAL, AND UTILITIES BY OTHERS.
7. NO WETLANDS ON PROPERTY.

NOTE: THIS PLAN IS RELEASED FOR LOCAL GOVERNMENT REVIEW. NOT RELEASED FOR CONSTRUCTION.



INSET
 NOT TO SCALE

REV. NO.	REVISIONS	DATE

SITE PLAN for WINNER PLAZA

CAROLINA BEACH FEDERAL POINT TOWNSHIP
 NEW HANOVER COUNTY NORTH CAROLINA

CAPE FEAR Engineering, Inc.
 3963 Market Street
 Wilmington, N.C. 28403 (910) 772-9600

Date: NOV., 1997
 Scale: 1" = 10'
 Drawn: HEK
 Checked: MPA
 Project No: 210-04
 Sheet No: C1 of C4



Permit # 22-02

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

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.

2021 Submission Deadlines & Meeting Dates					
Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Jan 4	Jan 19	Jan 28	Feb 11	Feb 23	Mar 9
Feb 1	Feb 16	Feb 25	Mar 11	Mar 30	Apr 13
Mar 1	Mar 15	Mar 25	Apr 8	April 27	May 11
Apr 5	Apr 19	Apr 29	May 13	May 25	June 8
May 3	May 17	May 27	June 10	June 29	July 13
June 7	June 21	June 24	July 8	July 27	Aug 10
July 6	July 19	July 29	Aug 12	Aug 31	Sept 14
Aug 2	Aug 16	Aug 26	Sept 9	Sept 28	Oct 12
Sept 7	Sept 20	Sept 30	Oct 14	Oct 26	Nov 9
Oct 4	Oct 18	Oct 28	Nov 10	Nov 30	Dec 14
Nov 1	Nov 15	Nov 24	Dec 9		
Dec 6	Dec 20				
Board	# Copies Full Size	# Copies Electronic	Recipients		
TRC	2	1	All submissions are public information and will be shared with appropriate Federal, Local, and State agencies, news outlets, stakeholders, and citizens upon necessity or request		
P&Z	2	1			
Town Council	2	1			

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): 604 N Lake Park Blvd Carolina Beach, NC 28428

PIN(s):

Project Name Shagri-La Island Bar

Size of lot(s): 100 x 110 x 107 x 66

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):

I would like to change my zoning from a "restaurant" to a "bar." This will provide me with more freedom with my menus & I'm also unsure that I will reach 30% in food sales on a regular basis.

C. Applicant Contact Information

Shagri-La, LLC
Company/corporate Name (if applicable):

Nicole Adkins
Applicant's Name

209 3rd Ave N
Mailing Address

Kure Beach, NC 28449
City, State, and Zip Code

910-617-1871
Telephone

nicolemarieadkins25@gmail
Email

D. Owner Contact Information (if different)

Winner Enterprises
Owner's Name

P.O. Box 321
Mailing Address

Carolina Beach, NC 28428
City, State, and Zip Code

910-763-1109
Telephone

tslaughter@slaughterlawyers.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.

- | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|-------------------------------------|--------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | An appropriate scaled plan |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Title block or brief description of project including all proposed uses |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Date |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | North arrow |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Property and zoning boundaries |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The square footage of the site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Lot coverage (buildings, decks, steps) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location of all existing and proposed structures and the setbacks from property lines of all affected structures to remain on-site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Design of driveways and parking |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Adjacent right-of-ways labeled with the street name and right of way width |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 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:

- | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location and design of refuse facilities |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Approximate locations and sizes of all existing and proposed utilities |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Existing and/or proposed fire hydrants (showing distances) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Adjacent properties with owners' information and approximate location of structures |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Distances between all buildings |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Number of stories and height of all structures |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Locations of all entrances and exits to all structures |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Calculate the gross floor area with each room labeled (i.e. kitchen, bedroom, bathroom) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location of flood zones and finished floor elevations |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | CAMA Areas of Environmental Concern (AEC) and CAMA setbacks |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Delineation of natural features and wetlands with existing and proposed topography with a maximum of two-foot contour intervals |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed landscaping including percentages of open space |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Stormwater management systems |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Cross-sectional details of all streets, roads, ditches, and parking lot improvements |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Building construction and occupancy type(s) per the building code |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location of fire department connection(s) for standpipes |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Turning radii, turnarounds, access grades, height of overhead obstructions |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Dimensions and locations of all signs |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A vicinity map drawn with north indicated |

- I have provided two hard-copies and one scaled electronic version of each required drawing
- I am prepared to pay the application fee today

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

WINNER ENTERPRISES OF CAROLINA BEACH, LLC
 The undersigned owner, M. TROY SLAUGHTER, does hereby appoint
NICOLE ADKINS 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: 9-1-2022

Appointee's Name, Address & Telephone:

Nicole Adkins
209 3rd Ave N
Kure Beach, NC 28449
910-617-1871

Signature of Owner:

M. Troy Slaughter
 FOR WINNER ENTERPRISES
 OF CAROLINA BEACH, LLC

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.

Mr. Jay Hawagte
Signature

9/11/2022
Date

To whom it may concern:

Notice of Public Input Meeting-

August 26, 2022 at 2pm

Shagri-La Island Bar
604 N Lake Park Blvd
Carolina Beach, NC 28428

Hello.

My name is Nicole, I am the owner of the newly opened upscale neighborhood Craft Cocktail Bar & Restaurant, Shagri-La Island Bar in Carolina Beach, NC.

The purpose of this letter is that I would like to change the zoning of my business to a "Bar" instead of a "Restaurant" per NHC and Town of Carolina Beach ordinance.

The main factors about the business will remain the same as it is now. The hours will remain Wednesday-Saturday 4-10pm and Sundays 11am-4pm for the foreseeable future.

Because my main focus of the business is my cocktail program, the change of zoning would simply relieve me of having to ensure that my food sales exceed 30 percent of total sales.

It would also allow more flexibility within my menus and space to bring delicious food and beverages to Carolina Beach.

Please come to the meeting if you have any questions or concerns.

Thank you,

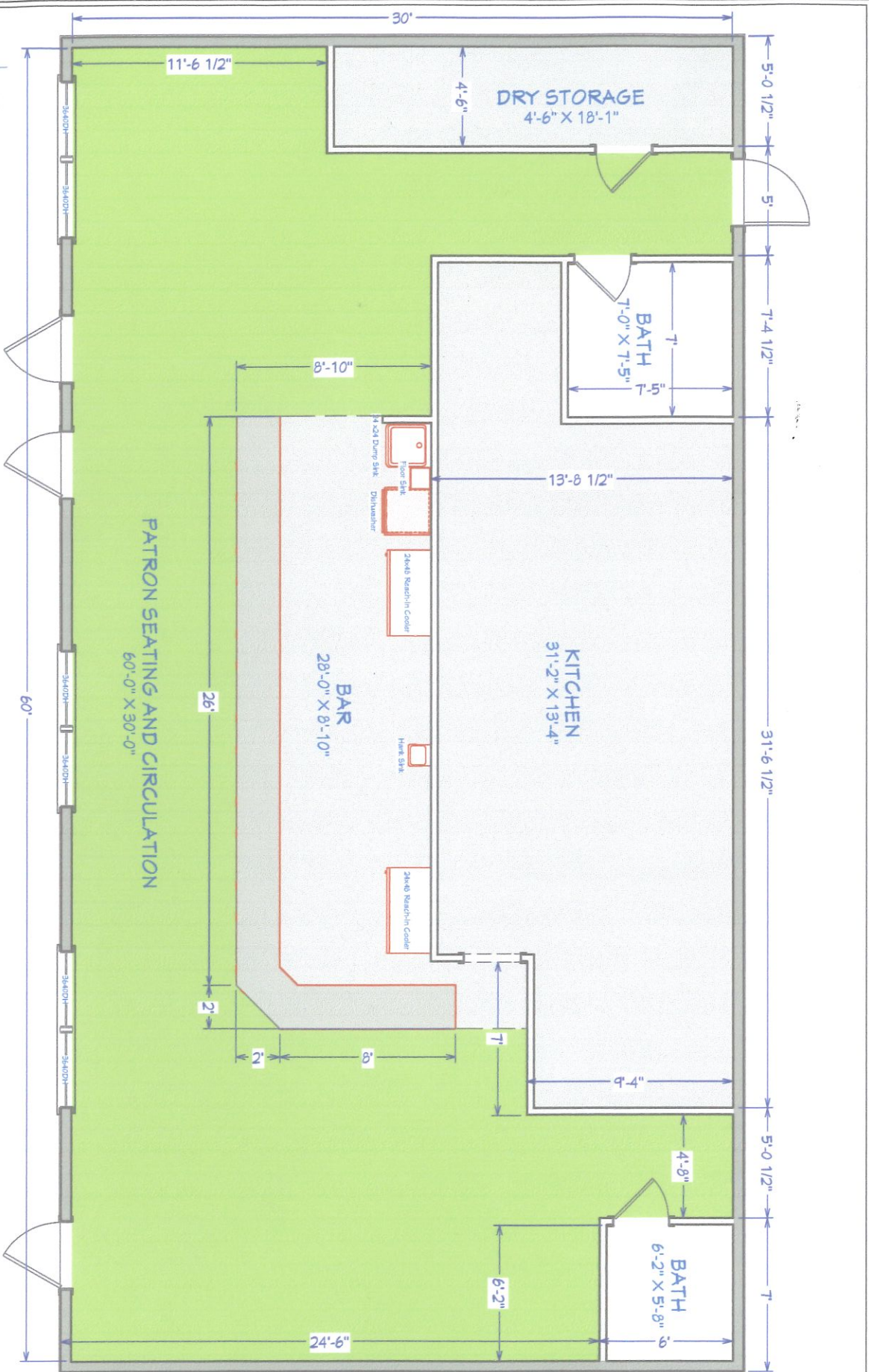
Nicole Adkins
Shagri-La, LLC

OK WITH ME
[Signature]
MANAGING MEMBER
402 NLAB - C.BCH
910 538 6999
GOOD LUCK!

SIGN IN FOR -
Shagri-La Public Input Meeting
8/26/22 @ 2pm

(Nobody came to meeting)

First Floor Plan
Scale: 1/4" = 1'-0"



SHEET: A-1	SCALE: 1/4" = 1'-0"	DATE: 8/30/2022	DRAWINGS PROVIDED BY: Blair Bush (703) 445-2776 blairbush@gmail.com	Shagri-La 604 Lake Park Blvd N Carolina Beach, NC 28426	<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>CHECKED</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY	CHECKED										
	NO.	DESCRIPTION	DATE			BY	CHECKED													



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Moccia, Planner

DEPARTMENT: Planning &
Development

MEETING: Planning & Zoning Commission – October 13th, 2022

SUBJECT: Schedule P&Z Special Meeting on November 16th, 2022 to discuss the Unified Development Ordinance Update

Action Requested:

Schedule P&Z Special Meeting on November 16th, 2022 from 4 to 6 pm to discuss the Unified Development Ordinance Update.