

CAROLINA BEACH

Planning and Zoning Minutes
Thursday, December 12, 2019 @ 6:30 PM
Council Chambers
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Planning and Zoning was held on Thursday, December 12, 2019 at 6:30 PM at Council Chambers.

PRESENT: Keith Bloemendaal, Mike Hoffer, Wayne Rouse, and Melanie Boswell

ABSENT: Deb LeCompte and John Ittu

ALSO PRESENT: Director of Planning & Development Jeremy Hardison

. CALL TO ORDER

The meeting was called to order at 6:27 p.m. by Chairman Bloemendaal.

. APPROVAL OF MINUTES

Planning & Zoning - October 10, 2019 Meeting Minutes. (There was no November P&Z Meeting held).

- a. Chairman Bloemendaal made a motion to approve the minutes.
Commissioner Rouse seconded, all were in favor (4-0).

. STAFF REPORT ON RECENT COUNCIL MEETINGS

Mr. Hardison reported on the recent Town Council Meeting and Development.
Staff Update - December 12, 2019

. STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Hardison reported on the recent Town Council Meeting and recent Developments.
Staff Update - December 12, 2019

Town Council -

- 504 Keys Ln - 2 unit PUD - approved
- 406 Harper Ave – 2 unit PUD - approved
- 1012 LPBS – Business Planned Unit Development – denied

(Commissioner Hoffer mentioned that P&Z turned this down but when presented to Council it was altered. Mr. Hardison replied if they were trying to address the concern of P&Z by adding some landscaping then that could move forward. If it was a substantial plan alteration like parking or ingress/egress or drive aisles or building had changed then it would need to come back for review.

- 401 Marina St – Carolina Beach Marina & Yacht Club - January 14th

Permitting (for the past 2 months)

- 69 Permits (renovation, repair, grading, additions, fence)
- 18 Residential New Construction
- 18 Certificates of Occupancy
- 4 Demolition -
 - Cape Fear Blvd
 - Cape Fear & 6th St. which was used for Fire training. Which the property will be sub-divided into 4 lots
- 2 Commercial development have been final
 - The addition for St. Paul's Church
 - Nails Spa located in the Public's Shopping Center
- Commercial Permits Applied
 - In the Public's Shopping Center - Seacoast Rentals Up-fit located beside SaltyChic
 - Coffee Shop on Cape Fear Blvd next to Fork-N-Cork
 - Roof top bar on top of Hurricane Alley's

Code Enforcement

- 31 Complaints Received
- 25 Resolved

Coming Up -

- Application submitted for Bojangles on the corner of Dow and Bridge Barrier Rd
- CUP applied for - Bryant Real Estate - they want to add 3 Units
- Council to appoint P&Z members in January
- The next P&Z will be on January 9, 2020 as a joint meeting with Town Council along with the Steering Committee to discuss the Land Use Plan. The main goal is to get feedback and Planning and Zoning does have the option if they are ready to make a motion to vote on it. We do plan on posting this meeting in multiple places and times

Questions for Mr. Hardison -

Commissioner Rouse asked if there was a permit for property next to Fork-N-Cork, Mr. Hardison replied that there is not but it is in the design phase, it's possible they will be waiting until after the summer season because there has been talk of the rides maybe returning or not or maybe parking. Also wanted an update on the property on Cape Fear and Lake Park if they are still planning on demolishing that. Mr. Hardison explained they will not be able to reopen because of damages and they are coming up with a design but they haven't officially submitted an application, he needs to talk with them to come up with a time line, and the plan is to redevelop the property. Commissioner also asked regarding the blue building east of the hotel. Mr. Hardison replied the residential units had severe damage to those as well. The building inspector allowed them to occupy the retail space for one year. The owners have put it up for sale and no plans for the property yet. The property will need to be demolished but there is not a time restriction yet but would like to see this before the 2020 season.

Commissioner Hoffer asked about Publix putting in a crosswalk. Mr. Hardison replied that DOT is ok with it, they submitted a cost estimate to Publix which they are reviewing. This would be either the developer or the Towns responsibility and we haven't heard a final determination from Publix yet but

will try to get an answer for the next meeting.

DISCUSSION ITEMS

- a. Amend Article III Sec. 40-72. & Article IX Section 40-261. To consider removing the allowance for permanent commercial parking lots.

Mr. Murphy reported on removing allowance for permanent as well as temporary commercial parking lots. The town owns and operates some parking lots and there are four lots that are leased and they are 1808 Canal, 312 Canal, and two lots on 104 Hamlet. There were two temporary commercial lots this past summer one at 110 Harper and at 235 Carolina Beach Ave North.

Parking Background-

- Parking lots not owned by the Town
- 4 Leased - Located at 104 Hamlet (two lots), 1808 Canal, and 312 Canal
- 2 Temporary – Located at 110 Harper and 235 CBAN
- Permits applied for Temporary and Permanent Parking Lots
- 2 Temporary in Summer of 2019
- 1 Permanent in Fall of 2019
- No other permanent or temporary lots have been permitted
- The permanent parking lot applied for in the fall of 2019 would have vested rights to be permitted and must follow the original standards which were in place at the time the application was received.
- **A two foot by two foot sign posted at all entrances and pay stations stating that town decals are not accepted. **

Proposed Ordinance-

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

~~(t) Parking facility design requirements.~~

~~(1) Parking lot purpose. The purpose of allowing freestanding parking lots is to augment central business district (CBD) businesses that have limited or no parking due to the layout of the CBD and boardwalk area, to relieve traffic congestion in the streets, to minimize any detrimental effects of off-street parking areas on adjacent properties, and to increase public access to beach and sound front areas.~~

~~(2) Parking lots are permitted to accommodate two axle vehicle parking. Parking lot design shall meet all minimum requirements of article V of this chapter, off-street parking and loading requirements, and building code requirements including ADA requirements for handicap spaces.~~

~~a. Permanent commercial parking lot requirements:~~

~~1. Landscaping shall be installed in accordance with article VI of this chapter, landscaping and development specification standards.~~

~~2. Trash receptacles shall be located on-site equivalent to the number of handicap spaces. Trash shall be emptied daily.~~

~~3. Concrete or asphalt aprons shall be installed from the property line to the connecting street.~~

~~4. Signage required.~~

~~(i) Towing signage shall be posted in accordance with chapter 16, article VII.~~

~~(ii) A two foot by two foot sign posted at all entrances and pay stations stating that town decals are not accepted.~~

~~5. Additional allowed signage A-frame signage and off-premises directional signage in accordance with article VIII of this chapter.~~

~~b. Temporary commercial parking lot requirements:~~

~~1. Landscaping is not required.~~

~~2. Time frame allowed: 5:00 p.m. Friday week prior to Memorial Day—Sunday week after Labor Day.~~

~~c. Town parking lot requirements. Town parking lot areas shall be exempt from commercial parking lot requirements.~~

Staff Recommendation -

Staff recommends the approval of the text amendment.

Chairman Bloemandaal made a motion to open the public hearing, all were in favor.

No one signed up to speak.

Chairman Bloemandaal made a motion to close the public hearing, all were in favor.

Chairman Bloemandaal shared that he had received a few calls from previous lot renters and two of those are not planning to renew their lease with the town. Since the 2015 ordinance was added regarding the signage there hasn't been near as much problems since then. He has a few concerns he said that he's been told the lots are poorly managed. So the ordinance will read if you have a private property lot you can't control your own parking lot but the town can lease it and control it - is that correct. Mr. Murphy responded it would offer the allow meant for a leased parking lot that the town could operate which a private party could not. Management is a concern for him and he knows of two property owners going to attorneys with issues. He asked have we consulted our attorney regarding taking away the right for somebody to have a parking lot on their property and creating a town monopoly. Mr. Hardison explained the use is only allowed in the CBD so there are other areas that the town can have parking. For 13 years the allowance wasn't in affect and property owner wanted to make use of their land for temporary purposes and parking was a solution and has remained in the ordinance. He asked where did this come from and Mr. Murphy explained a lot of interested parties, varies committees, the public and staff and decided to bring back an ordinance that will remove it. Mr. Murphy added this is not regarding the leased parking lots, this is for all private commercial lots.

Commissioner Rouse asked how does this affect the private parking lot on Carolina Beach Ave North. Mr. Murphy explained there are multiple lots in the area of 200 to 400 blocks of Carolina Beach Ave North. He said the only lot that will be affected by this is the 235 CBAN (temporary lot).

Commissioner Boswell feels that this would be creating a monopoly for the town. Mr. Murphy explained that is not something they want to encourage but it would create a circumstance where all the parking would be effective under the same rules that the town has. She feels that we should discuss putting different regulations on the private owned lots before taking it away. Mr. Murphy explained this past summer we dealt with issues regarding the two temporary lots like lack of signage, some citizens with decals were being ticketed or towed and complaining about the different rates. We wanted to eliminate the allowance and see what kind of feedback we get. We can also look into the approach for more regulation if removing the allowance is not something the committee is in favor of.

Chairman Bloemandaal mentioned that this hasn't been utilized that much but since the past three to four years since we did this there was one lot on Canal that was private that had caused this problem because there were signs. He agrees with Commissioner Boswell on the enforcement issue and possibly regulate what these lots can and can not do.

Commissioner Rouse feels that we are losing parking lots and now the town wants to be partners in this it may make some people queasy.

Commissioner Hoffer disagrees feels it's private property and the town shouldn't be telling them they can't rent their property. Doesn't feel the town should be involved in telling people how much they should charge and he's not a fan of towing and feels this can be addressed with proper signage.

Mr. Murphy commented that with time the people adapted and we didn't have as many issues as we did in the beginning of the season. We do require postage about towing, decals and pricing and the education aspect is written in the ordinance and the signage is required to be four by four foot square sign.

Commissioner Rouse stated in his opinion he agrees with Commissioner Hoffer regarding not taking away the property rights. This is only affecting locals and feels we need to educate the town residents that have parking stickers. Mr. Murphy added possibly adding a map that identifies the parking lots.

Chairman Bloemandaal asked what are the options do we have to vote or can we give direction and ask staff to bring something back. He feels they would like to see this come back with staff recommendations and without removing the ability for private property owners to have a parking lot. Mr. Hardison added we can prohibit towing but we can regulate it if that is what they choose is part of their enforcement. For example if private property and you want to tow a car that's illegally parked you can and regarding signage for towing needs to be appropriate on how it's handled and where it will be located.

ACTION: Direction from the Commissioners -

Mr. Murphy to clarify staff will come back and will abandon the elimination and will examine both operations and the parking authority and come up with a map to identify the different parking lots either with the sale of the decals or in a water bill. Also to increase the size of signage in private parking lots to emphasize not just town decals but also the potential hazards and examine what we can and cannot regulate and what can be enforced. Chairman Bloemandaal added the signs need to be identified as separate with different colors and town logo if it's a town lot.

Vote: UNANIMOUS

NON-AGENDA ITEMS

Commissioner Rouse commented about the parking and the fact we are loosing some of that, the town own the property at the Help Center on the corner of 3rd and Cape Fear back to behind Katie's to Raleigh, correct. Mr. Hardison agreed. He asked has anyone investigated using that property for a parking lot. If we already own it and it has great access to the beach with sidewalks and crosswalk in place why can't we look into it and provide more parking.

Mr. Hardison stated if we relocate the well that would open up that property but with that being a live well we are limited on what we can and cannot do. We can look at that parcel with the existing situation and see if we can create more space.

Commissioner Hoffer added in January the Bike and Pedestrian Committee is going to vote to proceed with a project that will take seven spots away on Lake Park Blvd on the west side to extend bike lanes from Carolina Sands to the lake. We have also pushed to redesign the Spartanburg beach access to go

from one parking spot to eleven golf cart parking spots. He feels that the lot on the corner of Atlanta and Lake Park can hold more cars than it does and encourage more golf cart spots. Chairman Bloemandaal feels we can doubling up on the golf cart spots, have more education when it comes to parking, have golf cart routes and get off of Lake Park Blvd as much as possible.

. **ADJOURNMENT**

chairman Bloemandaal made a motion to adjourn at 7:12, all were in favor (4-0).