

# CAROLINA BEACH

Planning and Zoning Minutes  
Thursday, April 11, 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, April 11, 2019 at 6:30 PM at Council Chambers.

PRESENT: Keith Bloemendaal, Deb LeCompte, Mike Hoffer, Wayne Rouse, Melanie Boswell, and John Ittu

ABSENT:

ALSO PRESENT: Director of Planning & Development Jeremy Hardison  
Interim Town Manager Ed Parvin

### . CALL TO ORDER

Meeting was called to order at 6:30 p.m. by Chairman Bloemendaal.

### . APPROVAL OF MINUTES

Planning & Zoning - March 14, 2019 Meeting Minutes.

- a. Commissioner Rouse made a motion to accept the minutes as submitted.  
Commissioner LeCompte seconded, all were in favor (7-0).

### . STAFF REPORT ON RECENT COUNCIL MEETINGS

Mr. Murphy reported on recent Council Meeting from April 8, 2019.

Wake N Bake CUP - was Approved with P&Z recommendation.

Text Amendment: Pigs – No Action - they are content with the ordinance at this time but may have to look into this in the future if there are other complaints.

### . STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Murphy reported on the recent activities in the Planning and Development Department.

#### **Staff Updates -**

#### **Permitting**

- 41 Permits (renovation, repair, grading, additions)
- 10 Residential New Construction
- 5 Demolition Permits
- 19 Certificates of Occupancy

#### **Code Enforcement**

- 14 Complaints Received

### **New Businesses Permits**

Publix - Making Progress

Demolition - 508 Jarrett Bay - 414 Canal

Nest Realty - 112 Cape Fear

Stoked on the Water

### **LUP Steering Committee**

•Public Open House: July 16th

•Town Council Chambers

•Website: [www.carolinabeachcamaupdate.com](http://www.carolinabeachcamaupdate.com)

### **Regional Board Workshops for Planning and Development Regulation -**

May 16, 2019 The School of Government - workshop for boards making quasi-judicial development decisions.

Northeast Regional New Hanover County Library

1241 Military Cutoff Rd.

Wilmington, NC 28405

(Parking-Complimentary)

### **Project Updates -**

**Cape Fear Blvd. MUP:** All construction is now complete for the last 3 blocks of the MUP from 6th St. to Dow. Rd

**Island Greenway: All construction completed this week.** Ribbon cutting scheduled for Saturday, April 20 at Mike Chappelle Park.

**Town & NCDOT Safety Coordination:** Coordinating efforts with DOT for pedestrian and bicycle safety, particularly at intersections. Meeting occurred Monday, April 1 to review recent fatal accident at Lake Park and Cape Fear Blvd. and other intersections. DOT discussed potential innovative ideas to improve pedestrian and bicycle safety.

**Clarendon Ave. MUP:** Received approval by the Wilmington MPO Board TASA Grant for \$546,000 for development of .5 mile multi-use path along Clarendon Ave from 4th St. CB Elementary Mike Chappelle Park/Dow Rd.

### **Special Events -**

•April 1st – Parking

•April 13 & 14 Annual Pleasure Island Seafood Blues and Jazz Festival – Ft Fisher

•April 21st – Community Sunrise Easter Service

•April 27th– Surf Dog Experience

•April 28th – Lifeguard Try Outs

•May 18th – Beach Wrestling

### **PUBLIC DISCUSSION**

No one signed up for Public Discussion.

- a. Conditional Use Permit - Consider a Conditional Use Permit for Superior Automotive to add three automotive bays located at 107 Sumter Ave. Applicant: Maltba Inc, Mike Maltba

Mr. Hardison reported on the CUP for 107 Sumter Ave.

**Conditional Use Permit** - Consider a Conditional Use Permit for Superior Auto to add three automotive bays located at 109 Sumter Ave, 107 Sumter Ave and 105 S. Second St.

**Existing**

4 bays with an office = 1,860 sq. ft.

Built in 1988

**Adjacent Uses**

West- vacant lots

North – vacant lots and a single-family home

South – Multi-family complex

East – A&G BBQ, Single-family

- Rezoned from HB to NB in 2006
- NB did not allow for Auto repair garages
- Ordinance changed in 2017 to allow with a CUP

**NB - Neighborhood Business**

- Uses - Single-family, Retail, Offices, Restaurants Laundromats, Automobile repair
- Accommodate service activities providing necessity goods and personal services to the immediate neighborhood.

**USES OF LAND** - Automobile repair garages, including engine overhauls, boy and paint shops and similar operations in enclosed buildings.

**Expansion** - Three service bays and tool room = 2,025sq. ft.

***Specific standards***

(1) Ingress and egress to property two existing access points for the site 1) Second St and 2) Sumter Ave. to accommodate for two way traffic the applicant is bringing the drive aisle up to code by widening the access to 24 ft.

(2) Off-street parking - automobile service station/2 per station & 4 per service bay

- 2 spaces per station + 4 per 7 bays = 30 spaces.
- The applicant is 8 existing spaces maneuvering off of Sumter Ave.
- 5 parking spaces designated as compact.
- For safety and security, the applicant is proposing to fence in a portion of the parking lot to accommodate vehicles waiting to be picked up and serviced.

(3) Refuse and service area, with particular reference to the items in (1) and (2) above;

The applicant is proposing to keep the existing roll-away trash containers.

(4) Utilities, with reference to locations, availability, and compatibility;

No upgrades in water, sewer or power are required for the addition.

(5) Screening and buffering with reference to type, dimensions, and character;

- The applicant would like to ask for a waiver from a Type B landscaping requirement.
- The proposed enclosure are of the parking lot will be a 6' chain-link fence.
- A portion of the fence will be located in the 20' front setback area. Fences can be located on the property lines, but are limited to 4 ft. in height.

(6) Signs - No new signs are proposed

(7) Required yards and other open space and preservation of existing trees and other attractive

natural features of the land;

- The existing building and the addition will meet the required setbacks and lot coverage.

Questions for Mr. Hardison -

Commissioner Hoffer asked about the landscaping, Mr. Hardison replied they are purposing this in the front for streetscaping. They are restricted in some areas and they want to dress up the front of the building.

Commissioner Rouse asked did we look at this before, Mr. Hardison stated yes in 2017 there was a rezoning request to allow for automobile repair garages, in 2006 they were zoned out.

Chairman Bloemandaal asked about the fence height, Mr. Hardison responded commercial can exceed the 4' height regulation.

Commissioner Ittu needed clarification on the 30 parking spots, Mr. Hardison replied there is existing on Sumter and current that are numbered and on the south side there will be additional parking.

Chairman Bloemandaal would like to open the public hearing.

Ned Barnes resides at 814 Carolina Beach Ave North. Is here on behave of the applicant, due to the quality of work they are overloaded and they are in need of more space. Regarding the ingress and egress this will be the same of Sumter and 2nd Ave, there will be no changes in utilities. The main issue as far as the CUP there are no sidewalks and haven't been since 1988 when this was built. The fencing is to help protect the vehicles over night and will do the landscaping. As far as the 4 general conditions and 7 specific standards these will be met. They are asking for the waiver regarding the sidewalk and the buffer. Mr. Reynolds the architect is present as well as the owner, Mike Maltba if there are any questions.

Mr. Hardison for clarification TRC/staff did not recommend a sidewalk, this board if so choose could recommend this if they feel it would be beneficial but it was not recognized in our current pedestrian plan.

Bob Stewart resides at 104 Sumter Ave. he is in support of this request feels they are very good neighbors and a family owned business and very respectful. The property is well cared for and they are constantly up grading the look of the property, the employees are friendly and polite and knowledgeable. He also appreciated the police that patrol the area. He would like this business to continue and continue successfully.

Chairman Bloemandaal made a motion to close the public hearing.

Commissioner LeCompte seconded, all were in favor (7-0).

Commissioner Hoffer as chairman of the bike and pedestrian committee is in favor of sidewalks but feels having sidewalks at this business would not contribute to that.

Commissioners discussion - there has not been any complaints in over 20 years regarding this property. They discussed the 2 requests which are the landscape buffer and the 6' fence. The

landscape would be surrounding the addition and feel the 6' fence would be beneficial.

**ACTION:** Commissioner LeCompe I recommend approval of the Conditional Use Permit – for a 2,025 sq. ft. expansion to the existing auto repair use to include 3 additional bays and a tool room. The use meets all required conditions and specifications. The location and character 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 town Land Use Plan and policies.

The project is located in the Mixed Use 1 district area of the Land Use Plan. The proposed project is consistent with the 2007 Land Use Plan. The desired Future Land Use of the Mixed Use 1 area includes commercial services.

Commissioner Kennedy seconded, all were in favor (7-0).

Vote: UNANIMOUS

#### **DISCUSSION ITEMS**

##### Planning & Zoning Commission Reappointments

Chairman Bloemandaal opened the discussion for the Planning and Zoning Commission Reappointments. There are 2 people up for re-appointment, Commissioner Kennedy has made a full term and Commissioner Ittu who took over the term for Nan Toppin. He would like to see if we could stagger the voting/terms so that there aren't too many commissioners terms up all at the same time. Mr. Hardison replied he will look into that and come up with some options.

Commissioner Kennedy feels there is a lot ahead and is interested in perusing that and added she enjoys the board and the people.

Commissioner Ittu expressed that in the brief time that he's been on the board he's learned a lot and still has a lot to learn and would like the opportunity to be re-appointed.

Mr. Hardison will inform Town Council of P&Z intentions. They will be making those appointments for all the committees at their June meeting. July the new appointed members will take effect. At our July meeting we will need to appoint a Chairman and a Co-Chair positions.

#### **NON-AGENDA ITEMS**

Commissioner Kennedy would like to pass on to our representative of the Steering Committee for the new LUP, when reviewing to look at the areas and what are being effected when making the decision. Would like for us to be pro-active when making decisions.

Mr. Murphy added that with the future LUP, the CAMA update is not zoning it's a guiding document that will not be dictating literal uses it's designed to give an overall perspective. So when reading the approval statements it is talking about the future vision for the area and not going to change the literal usage that you would if making a text amendment to the zoning ordinances. Can encourage to allow for a general use and general admission in the area on the LUP but will not be changing the literal zoning ordinance. These are 2 different things that people get confused.

Commissioner Ittu stated that at the March Operations Advisory Committee meeting he shared the material that Tracy Skrabal from the North Carolina Coastal Federation presented to P&Z at our February meeting. We are listed as a supporter and they will provide a link for us to put on our website. They are checking into the possibility to provide a workshop for the public to educate them about what they are all about.

Commissioners expressed they enjoyed Ms. Skrabal's presentation and feel it would be beneficial to have them come in and provide the education to the Town of Carolina Beach.

Commissioner Hoffer informed the board of the updates on the Greenway Project. The Greenway is done and the ribbon cutting will be June 20th at 11:30. The town has purchased two pedestrian flashing lights at Spartanburg and Ocean. Spartanburg light has a motion censor. They are looking into setting up a pedestrian route system. Ideas were brought up in the meeting to make things safer like artwork in the cross walks, flashing lights in pavement, as well as painting of bike lanes. The BE A LOOKER PROGRAM comes from the MPO which focuses on education, it's an education program to make people more aware. Added that Stoked on the Water will be opening Tuesday April 16th invite only but not advertising. Publix is on schedule and looking at July 2nd.

Commissioner LeCompte made a comment but was INAUDIBLE.

Mr. Hardison replied their plans are to take advantage of the current location and refurbish the sign.

Chairman Bloemandaal shared there is a fund raiser for Baby Cora on April 20th at 2pm which starts at the Last Resort and moves to the Lazy Pirate at 5:30pm.

Commissioner Hoffer added Carolina Sands is having their yard sale on Saturday.

**ADJOURNMENT**

Chairman Bloemandaal made a motion to adjourn at 7:19 p.m.

Commissioner Rouse seconded, all were in favor (7-0).