



CAROLINA BEACH

PLANNING AND ZONING MEETING

MINUTES • MARCH 9, 2017

Council Chambers
Regular Meeting
6:30 PM

**1121 N. LAKE PARK BLVD.
CAROLINA BEACH, NC 28428**

1. CALL MEETING TO ORDER

Attendee Name	Title	Status	Arrived
Mary Grady		Present	
Greg Reynolds		Present	
Keith Bloemendaal		Present	
Ked Cottrell		Present	
Johnie Davis		Present	
Jerry Kennedy		Present	
Nan Toppin		Present	

2. APPROVAL OF MINUTES

- a. Planning and Zoning - Regular Meeting - Feb 9, 2017 6:30 PM

Commissioner Cottrell made a motion to approve the minutes. It was seconded by Commissioner Bloemendaal. All in favor (7-0).

3. STAFF REPORT ON RECENT COUNCIL MEETING(S)

Council approved the changes to the Itinerant Merchant Ordinance. Town Council tabled the amendment for Animal Care Facilities. Revisions to that Text Amendment will be heard by P&Z in this meeting.

4. STAFF DEPARTMENT REPORT

Mr. Hardison presented a report on permitting and event activities in the Planning and Development Department since the last Planning and Zoning Commission Meeting.

5. PUBLIC DISCUSSION

There was no one signed up for Public Discussion.

6. DISCUSSION ITEMS

- a. Conditional Use Permit Modification: Harris Teeter Grocery Shopping Center/Big Box Store that will be located at 1000 & 1010 N Lake Park Blvd. Applicant: BBM Associates Inc. – Alan Maness

(Requested by Jeremy Hardison, Planning and Zoning)

Commissioner Cottrell asked for clarification on the reduction of sidewalk. Mr. Hardison responded that it would not be required

Michael Lee, 1929 Norwood Road, Wilmington. Mr. Lee gave a presentation for the modification for the proposed Harris Teeter.

Mary Garthess, 5654 Woodduck Circle, Wilmington. Represents Wings. Objects to the installation of the fuel station and the decrease the landscape buffer from 10' to 4'.

Commissioner Bloemendaal made a motion to close the public hearing. All in favor (7-0).

The Commissioners discussed the proposed buffer yard waivers for the modification by the applicant.

Commissioner Kennedy asked Mr. Hardison if the access road at Federal Point Shopping Center will be improved. Mr. Hardison explained that it is private property that Federal Point would be responsible for maintaining it. Mr. Hardison suggested making it a condition of the permit.

Michael Lee stated that there would be a cross access easement agreement with Federal Point Shopping Center. Commissioner Kennedy asked if the terms to the access had been met. Mr. Lee responded yes but will not be written until approval.

Commissioner Toppin asked for clarification of all access points to Harris Teeter. Mr. Hardison relayed these location on the site plan. Commissioner Toppin expressed concerns for the lack of left turn lane into the shopping center from Lake Park. Mr. Hardison explained that the traffic signal would be reevaluated for the higher traffic demand brought on by the development.

Commissioner Kennedy asked if the Town was okay with the missing left turn lane. This will be the decision of Town Council. Mr. Hardison reiterated that the traffic signal will more than likely have a protected left turn phase.

Commissioner Bloemendaal expressed his concerns with the lack of interconnectivity to the parcel south of the proposed site.

Commissioner Toppin asked what would prevent a left hand turn at the right in and right out. Mr. Hardison responded that there will be a raised median at that entrance to deter vehicles from making an illegal traffic movement.

Chairman Reynolds made a motion to approve the modification to the Conditional Use Permit as recommended by Staff and finds that the modification meets the required seven specific standards and four general conditions. The modification is in general conformity of the Town's 2007 Land Use Plan and Policies. The motion was seconded by Commissioner Kennedy. All were in favor (7-0).

- b. Consider amending Chapter 40 Sec. 40-72. to allow for Animal Care Facilities In the Highway Business (HB) zoning district by Conditional Use Permit. Applicant: Susan Bondy

(Requested by Jeremy Hardison, Planning and Zoning)

Commissioner Kennedy was concerned that any animal care facility would be considered an animal care facility. Mr. Hardison explained that they would still be permitted by right, only if outdoor area was proposed would a conditional use permit be required.

Commissioner Bloemendaal clarified that the proposed text amendment was the same as heard by the Commission in January except for the CUP requirement.

Chairman Reynolds opened the Public Hearing.

Susan Bondy, 109 Maypop Court, Wilmington. Spoke in support of the proposed text amendment.

Commissioner Bloemendaal asked if Ms. Bondy had any comments about the proposed conditions proposed by the CUP requirement. Ms. Bondy responded she would comply.

Commissioner Bloemendaal made a motion to close the public hearing. Commissioner Cottrell seconded. All in favor (7-0).

Commissioner Kennedy feels that the proposed amendment does not address the direction of Council. Mr. Hardison reiterated that the only changes to the original proposed amendment was the requirement for a CUP in certain situations.

Commissioner Cottrell made a motion to close the Public Hearing.

Commissioner Bloemendaal made a motion to approve the amendment to Chapter 40 Sec. 40-72 Table of Permitted Uses, Sec. 40-150. - Off-street parking standards, Sec. 40-261 Development Standards for Particular Uses, and Sec. 23.3 Definitions to allow for Animal Care Facilities in the Highway Business (HB) zoning district by Conditional Use Permit as recommended by Staff. Whereas in accordance with the provisions of the NCGS 160A-383, the Planning and Zoning Commission does hereby find and determine that the adoption of the following ordinance amendment is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans. The motion was seconded by Chairman Reynolds. All in favor (7-0).

- c. Conditional Use Permit: For an animal care facility with outdoor area located 1140 N. Lake Park Blvd unit C. Applicant: Susan Bondy

(Requested by Abby Lorenzo, Planning and Zoning)

Commissioner Cottrell disclosed that he was the property owner for the location of the proposed CUP.

Chairman Reynolds made a motion for Commissioner Cottrell to recuse himself from the hearing. Commissioner Bloemendaal seconded the motion. All were in favor (6-0).

Secretary Lorenzo swore in those wishing to speak during the hearing.

Mr. Hardison presented his report.

Commissioner Bloemendaal asked if the required buffer could be within the fence. Mr. Hardison explained that it is unlike a landscaping buffer and is measured from property line to fenced in area.

Commissioner Bloemendaal made a motion to open the public hearing. All in favor (6-0).

Susan Bondy, 109 Maypop Court, Wilmington. Explained that she is proposing a 6' wooden fence with a 3' wire buffer above.

Chairman Reynolds asked the exact address for the CUP and if it should include phase two. Mr. Hardison requested that a condition of the CUP be to include all possible units for the business: C, D, and E.

Commissioner Grady asked Mr. Hardison if fences could be greater than 8'. Mr. Hardison confirmed that fences can be higher for commercial properties with a CUP.

Chairman Reynolds asked Ms. Bondy for further clarification of the top 3' wire. Ms. Bondy responded it would be similar to chicken wire.

Commissioner Bloemendaal made a motion to close the public hearing. All in favor (6-0).

Commissioner Bloemendaal made a motion to approve the Conditional Use Permit for an Animal Care Facility with Outdoor Facilities to be located at 1140 N. Lake Park Blvd., Units C, D, E. The recommended fence height is 6' with a 3' screen. The Commission finds that the Conditional Use Permit meets the seven specific standards and four general conditions and conforms to the Town's Land Use Plan. Commissioner Grady seconded the motion. All in favor (6-0).

7. NON-AGENDA ITEMS

Commissioner Bloemendaal requested Staff readdress residential accessory structure requirements. All commissioners in agreement to discuss the ordinance at the next meeting.

8. ADJOURNMENT

Commissioner Cottrell made a motion to adjourn. Seconded by Commissioner Bloemendaal. All in favor (7-0).

Kimberlee Ward, Town Clerk

Date Approved