

SURF CITY PLANNING BOARD MINUTES

January 12, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Oliver "Al" Alphin
Andy Cavender
Sally Edens
Frank Camps-Campins

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilmen Doug Medlin, Planning Board Liaison
Mike Gallant, Engineer
Paul Connor, Connor Drafting

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and gave the invocation.

II. APPROVAL OF NOVEMBER 10, 2005 PLANNING BOARD MINUTES

Mr. Cavender motioned that the November 10, 2005 Planning Board minutes be approved as amended. Mr. Williams seconded the motion. The motion was carried.

III. SUBDIVISION

1. Palms at Boca Bay Preliminary

The applicants are requesting the approval of a preliminary subdivision plan of an 18-lot subdivision off of S. Boca Bay Lane. This was the former location of the Great Oaks Mobile Home Park. The property is zoned R-5 and allows for the construction of single-family homes on 5,000 square foot lots and duplexes on 8,500 square foot lots. A private road will access these lots. Mr. Rademacher stated that the plans meets all the requirements from the Fire Department and Public Works and is also in compliance with the town's engineer. This subdivision will require a Major CAMA permit to be approved prior to any work being done on site.

Mr. Cavender asked about amenities. Mr. Gallant stated that there is going to be a pool and pool house. Mrs. Ryce asked if this was Phase II. Mr. Rademacher stated that this was Phase II and that Phase I has already been approved by the board.

Mrs. Ryce motioned to approve this Subdivision. Mr. Camps-Campins seconded the motion. The motion was carried.

IV. SITE PLANS

1. Tiffany's Motel Phase II

The applicants are seeking approval of a 14-unit, three story motel/mini-unit building. This property is zoned C-1 commercial, which allows for the construction of motels/mini-units. There will be two driveway accesses from N. New River and Easy Street. The N. New River access will need approval from NCDOT. Currently the property is wrapped in concrete and asphalt along the roadway, but this site plan calls for the removal of most of this impervious surface on the right-of-ways.

Mr. Rademacher stated that the storm water would be handled by an underground system to be located under the proposed parking. He stated that the plan has been reviewed by all appropriate town departments for ordinance compliance. Mrs. Ryce asked about the signage on this site plan and asked if the calculations on size were correct. Mr. Rademacher stated that the sign would be permitted separately. Mr. Connor stated that he is aware that it has to comply with the zoning ordinance. Mr. Connor also stated that he would like to go ahead and start designing the building and begin construction around March or April. Chairman Newsome asked about the removal of the existing building. Mr. Connor stated that the existing building and pool would be removed and the new building built in the place of it.

Mr. Alphin asked about the parking for the units. Mr. Connor explained the parking situation and Mr. Alphin stated that it still leaves only one parking space for each unit and he feels that is not enough. Mr. Alphin stated that he does understand why the Planning Board cannot require more parking and he suggested to staff that we should always require more parking. Mr. Rademacher stated that we require what the Planning Board approved for the ordinance to require. Mr. Medlin stated that maybe look at changing the parking to 1 & ¼ for each unit. Mr. Gallant stated that their probably will be not more than two more units, because there is not enough space. Mr. Medlin stated that he thinks it would be better to tie the parking to the # of bedrooms instead of the # of units. Chairman Newsome stated that he thinks this should be something we discuss at a workshop and not at the meeting tonight.

Mr. Camps-Campins motioned to approve this site plan. Mr. Cavender seconded the motion. The motion was carried.

V. PLANNED UNIT DEVELOPMENTS

1. The Villages of Turtle Creek

Mr. Rademacher stated that the applicants are requesting the approval of a rezoning and a PUD site plan. This tract is approximately 248 acres in size and is located on Hwy 210 near the intersection of Atkinson Loop Road on the mainland. There will be single-family and multi-family dwelling homes and also includes a clubhouse and pool facility. There will be a total of 422 residential units. The water & sewer plans have been designed in accordance with the ordinance and have been reviewed by the appropriate town departments. All state permits would need to be obtained for the construction of this project.

Mr. Rademacher stated that staff recommends the re-zoning of this property for PUD, but to table this site plan until more information is added and because it is such a large development. Mr. Rademacher stated that staff does recommend that the Planning Board give the developer the blessing on the layout for this proposed subdivision. Chairman Newsome asked about the phases and what phase would start first. The developer stated that the phase they would start with would be the single-family dwelling homes directly off of Hwy. 210. He stated that the amenities would be completed when 50% of the development is done. The developer stated to the Planning Board that he just needed some guidance that he is going in the right direction with this development before he proceeds.

Mrs. Ryce motioned to re-zone the property of The Villages of Turtle Creek to PUD. Mr. Camps-Campins seconded the motion. The motion was carried. Mrs. Ryce stated that she feels like the board needs more time and more details to review this site plan before approving it. Mrs. Ryce motioned to table this site plan. Mr. Camps-Campins seconded the motion. The motion was carried.

Mrs. Ryce stated that her opinion on the setup of the streets, the planning board is please with. Chairman Newsome stated that everything that Dilsheimer Communities has presented to the Planning Board on this development looks good.

Mr. Camps-Campins stated that it is very important that we hold a public hearing on the presentation that the developer presented to the Planning Board on this project so that the public can see and review this. Mr. Minor, asked about the public hearing, because he wasn't aware he needed to have one. Mr. Rademahcer stated that this PUD project would go to public hearing at the Town Council Meeting. Mr. Camps-Campins stated that thinks this presentation on The Villages of Turtle Creek should be available to the public for them to review and look at, so they can see what a great project it is going to be and because it is such a large project and will affect so many people.

Mr. Rademacher stated that the public is always welcome to come to the meetings and to speak at them as well. Mr. Alphin stated that by law you couldn't show pretty pictures to the public to convince them to pass or vote on some kind of project or whatever it may be.

VI. PUBLIC FORUM

Barbara Morrow – 1217 N. Topsail Drive

Mrs. Morrow stated that she wanted to applaud the board on letting the public being a part of the subdivision review on The Villages of Turtle Creek.

Jack Solak – Realtor

Mr. Solak asked how many acres The Villages of Turtle Creek was. Mr. Rademacher stated that it is 248 acres. He stated also that he wanted to applaud the Planning Board on letting the public speak and that this PUD project sounds good. Mr. Rademacher stated that the public is always welcome to look at any plans that we have at Town Hall.

VII. ZONING ANNEXATIONS

Mr. Rademacher presented the Planning Board with a map showing property owned by Lisa Thompson located off Hwy 210 to be annexed per the Town Councils request. The property is 2.3 acres and is located across from Salt Water Landing Subdivision and near the Dilsheimer property.

Mr. Rademacher stated that staff recommends that this property be annexed into Surf City and be zoned R-10 Residential.

Mr. Alphin motioned to annex this property into Surf City and it be zoned R-10 Residential. Mr. Camps-Campins seconded the motion. The motion was carried.

VIII. ADJOURN

Mr. Rademacher stated that he thinks the board needs to discuss Motelminums more and he is looking at getting a definition for it. He stated that he thinks the board should have a workshop to discuss this.

Chairman Newsome set a workshop on Tuesday, January 24, 2206 at 5:30 P. M. Mr. Rademacher stated that at the workshop the board would also discuss parking and verbiage for Conditional Use Permits related to height.

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Mr. Camps-Campins motioned that the Planning Board meeting adjourn. Mr. Alphin seconded the motion. The motion was carried and the Planning Board meeting adjourned at 7:30 P.M.

Barry H. Meunier
Planning Board Chairman

Wendy H. Davis
Attest

Jan 13, 2005
Date

January 13, 2005
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

January 24, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Frank Camps-Campins - Alternate
Andy Cavender
Sally Edens – Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison

I. MEETING CALLED TO ORDER

The workshop began at 5:30 P.M. Mr. Rademacher stated that at tonight's workshop would be going over height regulations, motelminiums and open space.

II. HEIGHT REGULATIONS

Mr. Rademacher presented the Planning Board with a hand out on height regulations. The Planning Board discussed the following on this:

- Add "**No portion of a building may exceed 60-feet in height**" under 4.3 Building Height of the Zoning Ordinance.
- 5.4 Exceptions to Height Regulations (**The exceptions do not apply to those properties applying for a conditional use permit to exceed 48-feet in height**).
- Grande Meridian Resort pre-sales

III. MOTELMINIUMS

Mr. Rademacher presented the Planning Board with a hand out on motelminiums. The Planning Board discussed the following on this:

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- Add definition of motelminium to the zoning ordinance, which is, "a **condominium project, with individual unit ownership, developed for short-term or transient occupancy that has rental or registration desks, on-site management services, daily cleaning services, telephone services and other convenience services to residents and guest typical of a commercially operated facility. A motelminium is operated as a commercial hotel even though the units are individually owned.**
- Do we want to specify the square foot for each unit, do they have kitchens, how many bedrooms and parking.
- Tie # of bedrooms to # of parking spaces
- Tie # of people you can sleep to # of parking spaces.
- Condominium vs. Motelminium
- Less parking required for motels/hotels than condominiums
- Do we want to increase amount of parking required.
- Planning Board agreed that parking needs to be tied to the # of bedrooms.
- Motelminiums can go in any zone where commercial is allowed.
- Condominiums are allowed only in PUD (Planned Unit Development) and MFC (Multi-family Cluster).
- Section 5.1.4(4) change (a) Each parking space shall be a minimum of nine feet by eighteen (9' x 18') **with a minimum drive aisle of twenty-two (22) feet for two-way traffic. Where one-way traffic is allowed and the angle of parking stalls is forty-five degrees or less the drive aisle may be reduce to no less than fourteen (14) feet.**

Parking

Square feet of room

- | | | |
|----------------------|---|----------------|
| • 1.5 parking spaces | - | 250 or less |
| • 2 parking spaces | - | 251 – 500 |
| • 2.5 parking spaces | - | 501 – 750 |
| • 3 parking spaces | - | 751 or greater |

IV. OPEN SPACE

Mr. Rademacher presented the Planning Board with a hand out on open space. The Planning Board discussed the following on this:

- Look at creating more open space for subdivisions.
- Make sure that our neighborhoods are protected.
- Section 2.1 change to (Every person who subdivides land for residential purposes **including subdivisions for town homes or condominiums may-shall** at the time of final approval of the subdivision plat agree to dedicate a portion of such land, as set forth in this ordinance for the purpose of providing recreation areas or parks to serve the future residents of the neighborhood within which the subdivision is located.

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purpose of providing recreation areas or parks to serve the future residents of the neighborhood within which the subdivision is located.

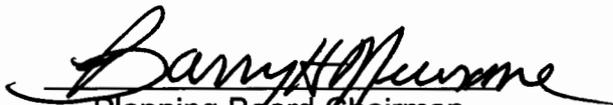
- Section 2.10 delete last sentence and it shall read, "**The determination of the board of commissioners as to whether land shall be dedicated, or whether a fee shall be charged or a combination of both, shall be final and conclusive.**"

V. MEMBER DISCUSSION

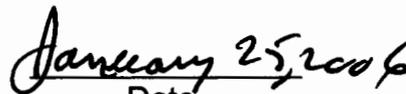
- Mr. Rademacher mentioned new annexations, water and sewer issues and the new water tanks.
- Planning Board asked about ocean front setback from 7 ½ to 10 feet.
- Should the size for signs be reduced?
- Recommended reducing the height of signs from 24-feet to 16-feet.
- Recommended a maximum of 64 square feet for signs and there be various shapes and styles.
- Landscaping at Lowes Home Improvement store.
- Post office parking and ingress and egress problems.

VI. ADJOURN

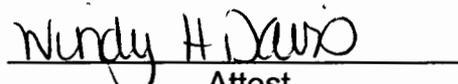
Chairman Newsome motioned that the Planning Board workshop adjourn. The motion was carried and the meeting adjourned at 7:30 P.M.



Planning Board Chairman



Date



Attest



Date

SURF CITY PLANNING BOARD MINUTES

February 9, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Oliver "Al" Alphin
Andy Cavender
Frank Camps-Campins
Sidney Williams

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilmen Doug Medlin, Planning Board Liaison
Gus Simmons, Cavanaugh & Associates
Tom Miner, Dilsheimer Communities
Ricky & Dorothy Royal, Royal Builders
Gil Reece, Engineer
Hiram Williams, Builder
Mike Gallant, Engineer
Steven Pasquantonio, Citizen
Nat Smith, Citizen
Tom Golden, Developer for Dogwood Lakes
Will Jernigan, Cavanaugh & Associates

- I. MEETING CALLED TO ORDER**
Chairman Newsome called the meeting to order at 5:30 P.M. and gave the invocation.
- II. APPROVAL OF JANUARY 12, 2006 PLANNING BOARD MINUTES**
Mr. Camps-Campins motioned that the January 12, 2006 Planning Board minutes be approved. Mr. Alphin seconded the motion. The motion was carried.
- III. APPROVAL OF FEBRUARY 24, 2006 WORKSHOP MINUTES**
Mr. Camps-Campins motioned that the February 24, 2006 Planning Board workshop minutes be approved. Mr. Alphin seconded the motion.

IV. PLANNED UNIT DEVELOPMENTS

1. The Villages of Turtle Creek

Mr. Miner with Dilsheimer Communities gave the board and the public a detailed Power Point presentation on this project including how everything will look. Mr. Rademacher stated the NCDOT is pleased with this project. The water and sewer lines will all be designed by the town's engineer Cavanaugh & Associates. The fire department approves of everything as well on the project. Mr. Rademacher stated that staff does recommend approval of this Planned Unit Development.

After lengthy discussion on this project Mr. Williams motioned to approve this Planned Unit Development. Mr. Camps-Campins seconded the motion. The motion was carried.

V. SUBDIVISIONS

1. Dogwood Lakes – Preliminary Plan (Strickland Property)

Mr. Rademacher stated that the applicants are requesting the approval of a preliminary plan of a 141-lot subdivision located off of Hwy. 17 south of Lowes. This is a 92 acre tract of land and is zoned R-15, allowing for construction of single-family homes. The property has several wetlands and a pond on it and also a 100' power and light easement that cuts through the property.

NCDOT will need to issue a permit for construction of the entrance along Hwy. 17 and the developer also stubbed out the roads for future connectivity to adjoining properties. The fire department has reviewed the hydrants and street system for compliance with the Town's ordinances. The water and sewer system have been reviewed by the Public works department as well as the Town's engineers and is found to be in compliance.

Mr. Rademacher stated that he did not know if the developer has decided what to do as far as selling the project or not. He stated that staff does recommend approval of this subdivision and that the only change was a decrease in the amount of open space that was previously shown on the site plan before.

Chairman Newsome stated that it is very important to have open space and amenities for the communities and such. Mr. Will Jernigan with Cavanaugh and Associates and Tom Golden, developer are in charge of this project. Mr. Jernigan stated that there are some other amenities that were not shown on the plan and that a smaller community center, gazebo and walking trails have been added. The developer is trying to keep the project as natural as they can.

Mr. Camps-Campins stated that he is concerned about the storm water drainage problems and that hopes the developer will have a stormwater plan that will contain this problem. Mr. Camps-Campins also mentioned the safety concerns with the entrances off Hwy. 17 and that maybe there could be some type of connection with Grovespoint Subdivision entrance. Mr. Alphin agreed and also stated that he does not see any open space for recreation and stated that he does not feel the board should approve this subdivision unless it has this. Mr. Williams stated that he does not think that the Planning Board can stop the process of this subdivision because of not having enough open space, because it meets all of the requirements of the town ordinance.

Chairman Newsome stated that he does agree with Mr. Alphin, but stated that right now the board does not have any teeth on this subject of allowing more open space.

Mr. Williams motioned to approve this preliminary plan. There was not second, therefore the motion was dropped. Mr. Alphin motioned to defer this project for 30-days, so that the board can discuss with Mr. Rademacher more information on requiring open space. Mr. Camps-Campins seconded the motion. The motion was carried.

2. Sound Point – Preliminary Plan (Linda & Larry Batson)

This subdivision is located off Sea Manor Drive and consists of a 4-lot subdivision. Water and sewer design has been submitted to meet the town's requirements.

Mr. Rademacher stated that the following needs to be done:

- Sound Pointe Court may not be used as a road name.
- Street trees must be provided along all road frontages.
- Review fee of \$108 has not been submitted.
- Topographic contours of the project have not been submitted.

Mr. Rademacher stated that staff does recommend approval. Mr. Williams asked if this was preliminary. Mr. Rademacher stated that it was.

Mr. Williams motioned to approve this preliminary plan. Mr. Cavender seconded the motion. The motion was carried.

VI. SITE PLANS

1. Royal Palms Motelminium/Retail Space

The applicants are requesting the approval of a commercial site plan for a 24-unit motelminium with 8,000 additional space for retail/office units on the bottom floor. The property is located off of Hwy 50/210 and is zoned C-3. The parking lot connectivity has been shown to the adjoining properties as is required in the ordinance. The sidewalks are shown in the ROW and will need to be approved by NCDOT with the applicant being required to construct a deceleration lane.

All town departments have reviewed these plans for compliance with the ordinances. The fire department is pleased with the changes made that will allow for proper ingress/egress of the ladder truck. Also the fire department has requested the developer install an 8-inch water line; These will be on either side of the driveway for future connectivity with water looping as development continues on this side of Hwy. 50.

Mr. Rademacher stated that staff recommends approval of this site plan. Chairman Newsome commends the developer on having 3 accesses. Mr. Royal presented the board with elevations and a drawing of what the project will look like and he discussed the detail of the building.

Mr. Williams motioned that this site plan be approved. Mr. Camps-Campins seconded the motion. The motion was carried.

2. Beach Care Office

The applicants are requesting approval of 5724 square foot medical facility to be located on Hwy. 50/210. The property is zoned C-3 Commercial and does allow for this type of use to be constructed. The project is adjacent to Thomas Seafood and consists of .595 acres with a mix of uplands and wetlands on the site. The parking requirements meet the requirements of the ordinance and landscaping has been designed to meet the codes. Mr. Rademacher stated that it will be a 2-unit building and that the occupant is looking at getting another medical office to go in there. Ambulance parking has also been provided.

Mr. Rademacher stated that staff does recommend approval of this site plan. Mr. Alphin motioned to approve this site plan. Mr. Williams seconded the motion. The motion was carried.

VII. TEXT AMENDMENTS

1. Height Regulations (Zoning Ordinance) Clarify ordinance

Mr. Rademacher stated that the following have been added/changed to the height regulations:

- **Add the following items in bold to the zoning ordinance:**
- **4.3 Building Height - No portion of a building may exceed 60-feet in height.**
- **5.4 Exceptions to Height Regulations -The exceptions do not apply to those properties applying for a conditional use permit to exceed 48-feet in height.**

Chairman Newsome stated that the board discussed height regulations at the January workshop.

Mr. Camps-Campins motioned to approve this text amendment. Mr. Cavender seconded the motion. The motion was carried.

2. Motelminiums (Zoning Ordinance) Add Definition/Parking Regulation

Mr. Rademacher stated that the following definition of motelminium needs to be added to the zoning ordinance.

Section 3.4 Definitions:

Motelminium: A condominium project, with individual unit ownership, developed for a short-term or transient occupancy that has rental or registration desks, on-site management services, daily cleaning services, telephone services and other convenience services to residents and guest typical of a commercially operated facility. A motelminium is operated as a commercial hotel even though the units are individually owned.

Add the following to the parking chart in Section 5.1.3 Off Street Parking Schedule:

USE	Maximum	Minimum
Motelminium		1.5 per unit up to 250 square feet 2 per unit between 251-500 square feet 2.5 per unit between 501-750 square feet 3.0 per unit over 750 square feet, plus one (1) space for each three (300) square feet of floor area utilized for guest services (i.e. Meeting rooms, banquet halls, restaurants etc.)

Change the following in Section 5.1.4(4):

- a. Each parking space shall be a minimum of nine feet by eighteen (9' x 18') with a minimum drive aisle of **twenty-two (22) feet for two-way traffic. Where one-way traffic is allowed and the angle of parking stalls is forty-five (45) or less the drive aisle may be reduced to no less than fourteen (14) feet.**

Chairman Newsome stated that the board discussed motel minimums and parking at the January 24th workshop also.

Mr. Camps-Campins motioned to approve this text amendment. Mr. Cavender seconded the motion. The motion was carried.

3. Sign Regulations (Zoning Ordinance) Reduce max. size and height

Mr. Rademacher stated that we are changing the height and allowed for freestanding signs and the maximum square footage allowed for a single sign.

Staff recommends changing the following to the sign ordinance:

Change the following to Section 6.9.6 Prohibited signs:

- 6) No single sign exceeding ~~one hundred (100)~~ **sixty-four (64)** square feet is permitted.

Change the following 6.8 Off-site signs:

Off site signs are prohibited. Off-site signs which existed at the time of this ordinance's adoption . . . Off site signs which become subject to this ordinance, through annexation or planning jurisdiction changes, after its adoption shall be brought into compliance with the ~~one hundred (100)~~ **sixty-four (64)** square foot maximum size within thirty-six months. Off site . . .

Change the following in Section 6.16 Height:

The height of any sign shall be limited to ~~twenty-four (24)~~ sixteen (16) feet.

Mr. Cavender motioned that this text amendment be approved. Mr. Camps-Campins seconded the motion. The motion was carried.

4. Open Space (Subdivision Ordinance) Require for all subdivisions

Mr. Rademacher stated to change the following to open space:

Change the following in Article IX Section 2:

2.1 Every person who subdivides land for residential purposes **including subdivisions for town homes or condominiums** ~~may~~ **shall** at the time of final approval of the subdivision plat agree to dedicate a portion of such land etc.

2.10 The determination of the board of commissioners as to whether land shall be dedicated, or whether a fee shall be charged or a combination of both, shall be final and conclusive. ~~On subdivision involving fifty (50) dwelling units or lots or less, only the payment of fees shall be required.~~

Mr. Rademacher stated that he thinks we need to hear from the developer's side and the community on this topic. Mr. Gallant stated that he was glad to see this being adopted and he thinks with larger developments we should require more property for open space.

Mr. Hiram Williams stated that he thinks it will be a lot to have to pay or lose in reference to land on the island because of the value of land and thinks that it would be too big of an impact on cost for the developer. He also asked the Planning Board what types of open space there was. Mr. Alphin explained the different types of amenities for open space. Mr. Hiram Williams stated that he does not think it would be a problem requiring this on the mainland.

Mr. Sidney Williams discussed issues as well for requiring open space on the island and the costs for the developers. Chairman Newsome stated that no matter what comes of this the word "**may**" shall be taken out of the ordinance on open space, but stated that the board should table this discussion on open space and bring it back for discussion at a workshop.

Chairman Newsome stated that his main concern is that as a board they should look out for families and children and requiring open space.

After lengthy discussion this text amendment on open space was tabled.

Chairman Newsome asked Mr. Rademacher to get back with the board on a date for a workshop.

VIII. ZONING MAP AMENDMENTS

1. 1503 Easy Street, R-5 Residential to C-1 Commercial

Mr. Rademacher stated that the applicant is requesting that the property located adjacent to Tiffany's Motel, which is currently zoned C-1 and a large residential neighborhood, zoned R-5. A re-zoning of this property to C-1 would allow for all uses permitted in this zoning district today and in the future, which currently include single-family homes, motels/motelminium, restaurants and other types of commercial uses.

Mr. Rademacher stated that staff does not recommend approval of this property as the area has developed in a residential nature as well as not being consistent with keeping our commercial development within the center of the town along 50/210 corridor and as well as along Hwy. 17.

Mr. Steven Pasquantonio presented the board with and a letter and a petition from the surrounding neighbors requesting that this request be denied.

Mr. Williams motioned to deny this re-zoning request. Mr. Cavender seconded the motion. The motion was carried.

VIII. ANNEXATION ZONING

- 1. Dilsheimer Communities (Recommended R-10)**
- 2. Nat Smith (Recommend R-15)**

Mr. Rademacher stated that the Town Council has requested that these annexation requests be reviewed by the Planning Board in regards to zoning.

Mr. Cavender motioned to zone Dilsheimer Communities to PUD and to zone Mr. Smith's property to R-15. Mr. Williams seconded the motion. The motion was carried. The motion was carried.

X. ADJOURN

Frank Camps-Campins

He stated that he is delighted that the public came to the meeting.

Sidney Willams

No comment

Any Cavender

No comment

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Oliver "Al" Alphin

He stated that he is concerned about all these vacant lots left in existing subdivisions and if someone could try to build duplexes. Mr. Rademacher stated that there is a Single Family (SF) zoning district that was created for this very reason.

The Planning Board meeting adjourned at 7:45 P.M.

Barry H. Meunier
Planning Board Chairman

Nurdy H. Davis
Attest

Feb 10, 2006
Date

February 10, 2006
Date

**SURF CITY PLANNING BOARD
MINUTES**

March 9, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Oliver "Al" Alphin
Andy Cavender
Frank Camps-Campins
Sidney Williams

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilmen Doug Medlin, Planning Board Liaison
Brian Odom, Cavanaugh & Associates
Tom Golden, Developer for Dogwood Lakes

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF FEBRUARY 9, 2006 PLANNING BOARD MINUTES

Mr. Camps-Campins motioned that the Planning Board minutes be approved as amended. Mr. Williams seconded the motion. The motion was carried.

III. SUBDIVISIONS

1. Dogwood Lakes – Preliminary – Highway 50

Mr. Rademacher stated that this subdivision plat was tabled at the Planning Board's last meeting and that nothing has changed on the site since then and that staff does recommend approval. Also, he stated that the developers were here to better represent open space in the project.

Mr. Odom, with Cavanaugh & Associates presented this plat and stated that Mr. Golden, the developer with Old Blue II would be here to represent this project. Mr. Odom stated that there is a lake on the property that will be used as part of the open space as well as walking trails, picnic areas, playground areas and a small boat dock to access the lake. He also stated that there will also be clubhouse and pool at the common area and that there is 9400' linear feet of fitness trail.

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The Planning Board discussed the safety concerns of the access off Hwy 17. Mr. Odom stated that NCDOT had reviewed and discussed this right-of-way off Hwy 17 that was presented to them and that they approved this. The stormwater is not an issue and the developer stated that they see no potential problems.

Mr. Alphin asked who owned the lake on the property. Mr. Odom stated that Dogwood Lakes owns the lake and Virginia Creek Subdivision who will maintain the dam have rights to the lake. Mr. Odom stated that the island on the lake would be used for storage of the boats and canoes. The lots will be sold to developers.

Mr. Camps-Campins asked if the roads would be turned over to the state. Mr. Odom stated that the roads would be turned over to NCDOT then the town. He also stated that Progress Energy will maintain the 100-foot power and light easement that is located on the property.

Mr. Williams motioned to approve this subdivision plat. Mr. Camps-Campins seconded the motion. The motion was carried.

IV. ANNEXATION ZONING

1. Juniper Trail Property – Highway 50

Mr. Rademacher stated that the Town Council has requested that the 4-Lot's requesting annexation is reviewed by the Planning Board in regards to zoning. These parcels are located at the intersection of Juniper Trail and Hwy. 50 are slightly over 4 acres in size. Mr. Rademacher stated that staff recommends these lots be zoned Multi-family Cluster (MFC) for this zoning because of the parcels have access to a private residential road that provides access to a residential neighborhood. Multi-family cluster will allow for 10 units to the acre with reservation of 30% open/recreational space required.

Mr. Williams stated that the town would be loosing more commercial property if the board zones this property MFC. Mr. Rademacher stated that the developer is looking at building patio homes on this property. Mr. Camps-Campins also stated that he thought the board was looking at keeping Hwy50/210 Commercial. Mr. Williams stated that he just hates that we are loosing the town's commercial on the island and thinks that the board needs to set goals of what they would like to see on Hwy 50/210 in our high traffic commercial area.

PLANNING BOARD MINUTES

MARCH 9, 2006

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The Planning Board discussed why they wouldn't want residential along Hwy 50/210. Mr. Alphin stated that he thinks the board needs to have the developers present a plan requirement first so that the board can see what the intent of the project will be. The board stated that they need to set a precedence on what they would like to see developed. Mr. Rademacher stated that the board still has to make recommendations, even if they do not like the project.

Mr. Williams recommended that this property be zoned C-3 Commercial and not MFC. Mr. Camps-Campins seconded the motion. The motion was carried.

V. LAND USE PLAN

1. Amendments to the adopted Land Use Plan

Mr. Rademacher stated that he had spoke with Penny with the CRC on the Land Use Plan amendments. He stated that no one was able to attend tonight's meeting and asked Chairman Newsome if he and the board would continue this meeting till Tuesday, March 14^h at 6:00 P.M. so that the board could vote on this and so that someone would be present from the CRC.

Mr. Williams motioned to approve that the Planning Board meeting be continued till March 14th at 6:00 P.M. Mr. Camps-Campins seconded the motion. The motion was carried.

Mr. Williams asked if the board had a copy of these amendments. Mr. Rademacher stated that he might be able to get a copy of them before the March 14th continuation meeting. Mr. Rademacher stated that the reason for the meeting with the CRC is that the State wants the town to bring back all of the properties that were zoned and annexed into the town and have them added into the Land Use Plan. Chairman Newsome stated that he is just got away with on how long it has taken the State on the adoption of this Land Use Plan. He stated that someone had dragged their feet on this. Mr. Rademacher stated that the State has said that the town had just had so many mass annexations are the reason for the amendment.

Mr. Rademacher presented the Planning Board with changes done by the Town Council on the sign ordinance, so the board could look at these changes before next Tuesday's meeting. He stated that the board also needs to discuss open space at the April Planning Board meeting. Mr. Alphin asked about the ocean front setbacks and asked if the Town Council has discussed this issue.

Chairman Newsome stated that he would see everyone on Tuesday at 6:00 P.M.

SURF CITY PLANNING BOARD
Continuance of March 9, 2006 meeting

March 14, 2006
6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Oliver "Al" Alphin
Andy Cavender
Frank Camps-Campins
Sidney Williams

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Christina Watkins, Permitting Officer

OTHER INDIVIDUALS PRESENT WERE:

Penny Tysinger, Planning Director, Cape Fear Council of Government
Scott Logel, GIS - Regional Planner
Mike Christianberry, District Planner, Division of Coastal Management

VI. MEETING RECONVENED

Chairman Newsome reconvened the meeting at 6:00 P.M.

VII. Discussion of Land Use Plan

Penny Tysinger introduced Mr. Logel and Mr. Christianberry to the Board. Mrs. Tysinger said we had submitted the proposed Land Use Plan to the State and received two sets of written comments back. Haskel Rhett has addressed the first set of comments and CFCOG has addressed the second. Mrs. Tysinger stated those comments is what will be discussed tonight. She said the comments were just clarifications to the plan. The plan has not been changed nor have any policies been changed.

Mrs. Tysinger stated that this plan is on a fast track. The Public Hearing held before the Council is scheduled for May 2, 2006. This will need to take place before we can be added to the agenda for the Coastal Resource Commission (CRC) meeting scheduled for June 22-23, 2006. She added that she anticipates no problem getting the plan approved. Mr. Camps-Campins asked if the May 2 public hearing would just be to address the changes or the whole plan. Mrs. Tysinger stated that even though the plan has already been approved and technically the only thing that would need to be addressed at the hearing would be the changes, she recommends presenting the plan to the Council as a whole once again. She said this would take care of anything that was not covered back in August when the Plan was adopted. Mr. Camps-Campins felt the public hearing should just address the changes and not the whole plan.

He stated that the Council agenda is usually full and if we could limit it to just the changes it would help to not overwhelm the agenda. Mrs. Tysinger asked if a joint workshop with the Planning Board and the Council would be beneficial. Mr. Rademacher felt the Board could be informed by simply providing the Council with the information ahead of time and answering any questions they have individually.

Scott Logel spoke regarding the comments with the Board. He said given the new annexation, we had to clarify the types of land use development patterns that the Town desires for that area. The only new document is the density and development characteristics. This chart spells out the different development characteristics of each land use category. Mr. Rademacher noted an error on the chart regarding the Mainland Business Corridor, Existing zoning C-3 and PUD. He stated that the chart reads 48' is the maximum height. That is correct for PUD but in C-3 the maximum height allowed is 55'. The remainder of the items was analyses of projected future growth.

Chairman Newsome asked Mr. Rademacher if he was comfortable with the proposed plan. Mr. Rademacher said he feels this is a good plan and very easy for the average person to understand and see that the Town is planning for the future.

Mr. Williams stated that the density chart for the Island Business District shows a range of 8-10 units per acre maximum. He would like to see a single number so that is clear that either 8 are the maximum or 10 is the maximum. Mr. Logel stated the reason it is worded like that is because that area has two different zoning districts. One allows 8 units per acre and the other allows 10.

Mrs. Tysinger said with all the annexation we have to decide where we stop with the Plan. She stated that before we could reach agreement on staff level the plan was outdated because of more annexation. Not many coastal communities are experiencing that so we are trying to come up with the best way to keep the plan updated with all the growth. Mr. Camps-Campins questioned, with all the growth are we or should we be addressing transportation issues. Mrs. Tysinger said transportation is being addressed in the advanced core plan.

Mrs. Tysinger thanked the Board for their hard work and dedication individually and as a group. She asked the Board for their recommendation to forward the plan to Council for approval.

Mr. Camps-Campins moved, seconded by Mr. Alphin to forward the revisions to the previously adopted Land Use Plan to Council. The motion passed unanimously.

The Board commended Mr. Rademacher for his hard work on the Plan.

PLANNING BOARD MINUTES

MARCH 9, 2006

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VIII. Review of Sign Ordinance

Mr. Rademacher stated that Council approved the ordinance at their last meeting to reduce the size to 64 square feet and the height to 16 feet. The Council had some concerns regarding multi-tenant signs. He stated that the Council suggested rewarding the owners who have a multi-tenant sign not exceeding 6 feet in height, by allowing them 96 square feet instead of the 64 square feet. Mr. Rademacher said this would encourage them to stay low with the sign but allow adequate space for advertisement.

Mr. Williams made motion, seconded by Mr. Camps-Campins to adopt the amendment to the sign ordinance. The motion passed unanimously.

IX. Discussion

Discussion took place regarding the importance of open space. The Board directed staff to gather information on open space requirements to present at the next Board meeting.

X. Adjournment

Mr. Williams made motion, seconded by Mr. Camps-Campins to adjourn. The Planning Board meeting adjourned at 7:10 P.M.

Barry H. Meunier
Planning Board Chairman

Mar 10, 2006
Date

Nancy H. Sawp
Attest

March 10, 2006
Date

**SURF CITY PLANNING BOARD
MINUTES**

April 13, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Andy Cavender
Sally Edens
Carol Ryce
Don Hamilton

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

John Pierce, Surveyor

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF MARCH 9, 2006 PLANNING BOARD MINUTES

Chairman Newsome stated that this meeting was a continuation meeting that was held on March 9th and March 14th, 2006. Mr. Cavender motioned that the minutes be approved. Mr. Hamilton seconded the motion. The motion was carried.

III. SUBDIVISIONS

1. Sea Oaks Plaza (Final Plat) Jimmy Pierce

The applicant is requesting final approval of a 15-lot commercial subdivision. The property is located on the mainland just before JH Batts Road. The property is zoned C-3 commercial, which requires a minimum 10,000 square foot lots. The developers have installed the sewer lines in accordance with the preliminary plan. The water lines and water hydrants within the subdivision have been present for some time as the town installed them for access to two town properties located off this road. The storm water plan has been installed in compliance with the state regulations.

Paving of the streets should be completed shortly. Mr. Rademacher stated that staff does recommend approval of this subdivision plat. Mrs. Ryce asked Mr. Rademacher about the concept of a commercial subdivision. Mr. Rademacher stated that each individual unit would have to submit site plans. She also asked if it will have a uniform look, and Mr. Pierce stated that it would. Mr. Hamilton asked about the setback lines between the buildings. Mr. Rademacher stated that there would be 10-feet between each building. Mrs. Ryce stated so each lot would have to provide parking for each business. Mr. Pierce stated that is correct. Mr. Pierce stated that there will be shared parking lots and shared driveways also.

The Planning Board questioned some of the lots being less than 10,000 square feet. Mr. Pierce stated that the town owns the road and some lots and Mr. Jimmy Pierce was granted an easement over the lot. Mr. Pierce stated that 5-feet was taken away from lots for easement and that is why some of the lots are smaller than 10,000 square feet. Mr. Rademacher stated that the road going through this subdivision is public, but Mr. Jimmy Pierce has an easement and in order for him to develop, the town is making him do all the improvements to the road. Mr. Hamilton stated that lot 6 & 7 still comes up short of having 10,000 square feet and that lot 8 is where the storm water basin sits on, therefore lot 8 is not buildable.

Mr. Cavender asked if Mr. Jimmy Pierce is going to sell the lots. Mr. John Pierce stated that the lots, if sold, would have their own parking, landscaping, etc. The Planning Board asked about the landscaping on each for the site plan approvals. Mr. Pierce stated that lot 8 would be used for storm water and that once the easement line is moved the lots would all be 10,000 square feet each. The Planning Board is concerned that the final plat needs to show what it is actually going to be. Mr. Rademacher stated that the board could table this plat or approve it provided any items are addressed prior to council approval. Mr. Rademacher stated that this plat would come back to be signed off on before it is finalized and recorded.

Mr. Cavender motioned to accept this final plat for Sea Oaks Plaza with recommendation that all lots show a minimum of 10,000 square feet with addition of lot 8 being recorded as a common non-saleable lot for storm water run-off purposes. Mr. Hamilton seconded the motion. The motion was carried.

IV. SITE PLAN

1. Lattier Landing – Mike Cole

Mr. Rademacher stated that the applicant, Mike Cole is requesting the approval of the second phase of a town home project located off Little Kinston Road. This new phase consist of twenty additional units and a clubhouse and will interconnect with the first phase of the project. The property has been rezoned to MU mixed use and allows for the development of town homes. The town's engineers, Cavanaugh and Associates, have reviewed the plans and have found them to be in compliance. Access will be provided through a private road, Waterway Lane, which will be paved. An engineered storm water plan has been designed and is in compliance with the town ordinances.

Mr. Rademacher stated that staff recommends approval of the site plan. Mrs. Ryce motioned to approve this site plan. Mr. Hamilton seconded the motion. The motion was carried.

V. ZONING MAP AMENDMENTS

1. Rezone Property on Highway 50 from PUD to C-3

Mr. Afify has requested that an out parcel at Gateway Plaza that is split zoned C-3 and PUD be rezoned completely to C-3 Commercial. The out parcel was originally part of the Gateway Plaza project and the developer wishes to have the entire piece zoned C-3 so there will be no issues with any commercial development that may wish to locate on that property.

Mr. Rademacher stated that Mr. Afify must have a pump station temporarily until mainland lift station is finished. Mr. Rademacher stated that staff recommends approving this rezoning as the property is a portion of the Gateway commercial project. After lengthily discussion on the area to be rezoned the Planning Board recommended rezoning the parcel. The Planning Board motioned to zone all of Out-parcel D including the pump-station to C-3. Mrs. Edens seconded the motion. The motion was carried.

VI. ANNEXATION ZONING

1. McClammy/Clark Tract – 48 Acres

Mr. Rademacher stated that the town council has requested that two annexations be reviewed by the Planning Board in regards to zoning. This tract is a 48-acre parcel along Virginia Creek. The developers have the intentions of developing this property into a single-family home subdivision. The property is located at the end of McClammy Road.

PLANNING BOARD MINUTES

APRIL 13, 2006

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Mr. Rademacher stated that staff recommends setting the zoning for the property to R-15, as they are residential neighborhoods and would fit into the character of the surrounding communities. Mr. Hamilton asked to be excused from voting on this. Mr. Cavender motioned to excuse Mr. Hamilton from voting. Mrs. Edens seconded the motion.

Mr. Cavender motioned to accept the zoning request and that the parcel be zoned R-15. Mrs. Ryce seconded the motion. The motion was carried.

2. Ken Watkins Tract – 7.58 Acres

This is the second request from the town council on an annexation request. The owner, Ken Watkins, is requesting annexation of 7.5 acres of property located off of Scuba Drive and Cordts Lane.

Mr. Rademacher stated that staff does recommend approval of zoning this property to R-15.

Mr. Cavender motioned to accept the zoning request and that the parcel be zoned R-15. Mrs. Edens seconded the motion. The motion was carried.

VII. Adjourn

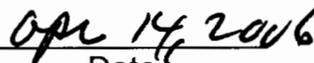
Chairman Newsome thanked Mr. Rademacher for the information that he put together for the workshop on open space. He stated that the board needed to look over this information before we schedule another workshop. Mr. Rademacher stated that he liked Southport's open space information.

The Planning Board set a date for the next workshop to be May 23rd at 6:00 P.M. Mr. Rademacher stated that he had contacted Penny, with the State and that the town is looking at having some workshops coming up to discuss revising the Subdivision Ordinance.

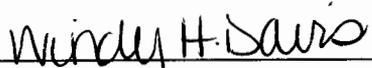
Chairman Newsome motioned that the Planning Board meeting adjourn. Mr. Hamilton seconded the motion. The Planning Board meeting adjourned at 6:45 P.M.



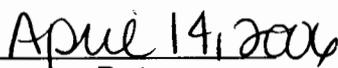
Planning Board Chairman



Date



Attest



Date

**SURF CITY PLANNING BOARD
MINUTES**

May 11, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Andy Cavender
Sidney Williams
Carol Ryce
Don Hamilton
Frank Camps-Campins – Alternate
Sally Edens - Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Alena Smith, Realtor
Donna Mitchell, Developer
D.C. Lanier, Developer
Mike Gallant, Engineer
Richard Gugleman, Citizen

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and gave the invocation.

II. APPROVAL OF April 13, 2006 PLANNING BOARD MINUTES

Mrs. Ryce motioned to approve the April 13, 2006 Planning Board minutes as amended. Mr. Cavender seconded the motion. The motion was carried and the minutes were approved.

III. SUBDIVISIONS

1. Saltwater Landing – Section One Phase One/Section One Phase II

Mr. Rademacher asked Chairman Newsome if the board could review both Phases at one time and the board agreed to. The applicant, D. C. Lanier, is requesting approval of Saltwater Landing. The sites are zoned R-10 and will allow for single-family homes or duplexes. Access to the project will be provided off Hwy 210 with the design being approved by NCDOT.

Mr. Rademacher addressed the issues that are missing from the final plan and stated that they have been corrected and he presented the board with new maps.

The developer has installed the water/sewer system, streets, landscaping and storm water controls. Mr. Hamilton asked about the guidelines for playgrounds. Mrs. Smith stated that a company will be designing the playgrounds and installing them. Mrs. Smith also stated that Donna Reece, with the town, has approved the 911 addresses and all of the street signs have been ordered. Mr. Rademacher stated that the 911 addresses were sent to the surveyor so that they are recorded on the final plat and he also stated that the sidewalks are being poured at this time.

Mr. Cavender and Mr. Williams, both asked to be excused from voting. Mr. Ryce motioned to excuse them both from voting. Mr. Hamilton seconded the motion. The motion was carried.

Mrs. Ryce motioned to approve both Phase One and Phase II of Saltwater Landing final plats. Mr. Camps-Campins seconded the motion. The motion was carried.

Mr. Camps-Campins asked Mr. Gallant about the transition from private to city water. Mr. Lanier stated that the waterlines are already put in at Surf City Resorts and will be feed over to Saltwater Landing. Mr. Gallant stated that the water would be provided by the developers private well until the town can provide water. The lines would be capped off and the water used from the private well will be used for irrigation at the golf course.

IV. ZONING MAP AMENDMENT

1. Juniper Trail Property C-3 to PUD

Mr. Rademacher stated that the applicants are requesting that their property located at the intersection of Juniper Trail and Hwy 50 be zoned from C-3 Commercial to PUD Planned Unit Development to construct 40 residential units. The basic layout meets the needs for a rezoning petition and the developer is aware that a full site plan must be submitted. Mr. Rademacher stated that staff recommends approval of rezoning and that the developer move forward with his final development plans to the planning board within 6 months as required by the ordinance.

Mr. Rademacher stated that there was no one at the meeting to represent this rezoning request.

Several members of the planning board felt that the property along Hwy 50 should be zoned for commercial and not residential. Mr. Cavender and Mr. Williams both stated that they would like to see commercial and mixed use there instead. Mr. Camps-Campins stated that the commercial should be located on the road frontage of Hwy. 50 and not the backside of homes, like Gateway Plaza is set up for example. The planning board all agreed that they would like to see a true commercial mixed use project.

Mr. Williams motioned to deny the request to zone the property from C-3 to PUD zoning. Mrs. Ryce seconded the motion. The motion was carried.

V. ANNEXATION ZONING

1. Newman & Register Property 28.12 Acres Hwy 210

Mr. Rademacher stated that this property is located behind the Lowes Home Improvement Store. The intent of the property is to build a shopping center with at grocery store. He stated that staff does recommend approval for zoning this property annexed to C-3. Mr. Camps-Campins asked if there would be interconnectivity with the Lowes and this property. Mr. Rademacher stated that interconnectivity between developments is a requirement of the ordinance, and the developer has stated that it would be interconnected.

Mr. Camps-Campins motioned to zone this annexed property to C-3. Mr. Hamilton seconded the motion. The motion was carried.

PLANNING BOARD MINUTES
MAY 11, 2006
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VI. Adjourn

Mr. Camps-Campins motioned that the Planning Board meeting adjourn. Mr. Williams seconded the motion. The Planning Board meeting adjourned at 6:05 P.M.

Barry Messine
Planning Board Chairman

May 12, 2006
Date

Windy H. Davis
Attest

May 12, 2006
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

May 23, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Frank Camps-Campins - Alternate
Andy Cavender
Don Hamilton
Sidney Williams
Oliver "Al" Alphin

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant
Christina Watkins, Permitting Officer
Penny Tysinger, CFCOG

I. MEETING CALLED TO ORDER

The workshop began at 5:30 P.M. Mr. Rademacher stated that at tonight's workshop we would be going over height regulations, motel minimums and open space.

II. SUBDIVISION ORDINANCE DISCUSSION

Mrs. Tysinger talked with the planning board on the rewrite of the subdivision ordinance. Mr. Rademacher mentioned to the board that he had presented them with handouts at the last meeting on open space in surrounding areas and towns. Mr. Rademacher stated that the Southport Ordinance on open space seems to work the best. The following was discussed on open space:

- ❖ Mainland vs. Island for open space
- ❖ Other island towns are not using open space as much as the counties.
- ❖ Not many subdivisions left on the island for open space, therefore they pay a fee per unit.
- ❖ Are we looking for recreation for open space?
- ❖ Town needs more parking so that people can come to the beach.
- ❖ Need to define what open, recreation, green and natural space is.
- ❖ Parking requirements will all tie into the beach renourishment program?
- ❖ All agree that the Town would rather not take fees or monies on the island, but would rather have the open space.
- ❖ Board does not have a problem with setting up fees for open space on the mainland.

PLANNING BOARD WORKSHOP MINUTES

MAY 23, 2006

PAGE 2

- ❖ Town of Knightdale discussed fees on thresholds for implementing open space.
- ❖ Mrs. Tysinger discussed passive and active recreation.
- ❖ Upper scale and nicer neighborhoods are putting in amenities and the people in these areas will pay to keep them up through a homeowners association.
- ❖ Current subdivision ordinance has loopholes to get around requiring open space.
- ❖ Amenities on island include the sidewalk and bike paths.
- ❖ Need a map showing all the Towns beach accesses and parks.
- ❖ Need to decide whether the Town is going to finance the recreations by impact fees each person pays when they install or create a unit.
- ❖ Need to tie open space to any development not just subdivisions.
- ❖ Mrs. Tysinger felt that the board seems to be more concerned about recreation space instead of open space.
- ❖ Definition for open space.
- ❖ We created a visual of open space or are we looking at providing recreation space.
- ❖ Open space vs. Recreation space.
- ❖ Mrs. Tysinger stated that you could put a requirement on a percentage of open space, and then the developers will take percentages and use things like wetlands or undevelopable areas for that.
- ❖ As a Town are we active or passive regarding open space.
- ❖ Needs to be a maximum for active space set.
- ❖ Looks like the Town is looking at ways to obtain green and open space and undeveloped space.
- ❖ Maybe tie open space into the # of units you have.
- ❖ Commercial subdivisions.
- ❖ Would the landscape ordinance be open space?
- ❖ Example of a commercial subdivision would be Sea Oaks Plaza done by Jimmy Pierce.
- ❖ Maybe do residential subdivisions, then go back and do commercial subdivisions later on when we have a good base to stand on.
- ❖ Mrs. Tysinger stated that you usually do both residential and commercial subdivisions at the same time.
- ❖ It will be hard to find a compromise for the island and the mainland on requiring open space.

III. MEMBER DISCUSSION

Mrs. Tysinger discussed the approval process for subdivision ordinance and that it is really like a rubber stamp issue. She stated that the staff and governing board really make the approvals. She stated that if a subdivision meets the requirements of an ordinance, then you have to rubber stamp it or approve it. She stated that a subdivision is a process by right. Mr. Rademacher stated that is why we have to make it what we want it. Mrs. Tysinger stated that you have to look at the approval process by looking at exemptions and defining what a major and minor permit is.

PLANNING BOARD WORKSHOP MINUTES

MAY 23, 2006

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How far do we want to let a developer go before amenities are provided, and what process will there be for collecting fees. Mrs. Tysinger stated that you can be staff intensive, for example do you want sidewalks in before or after construction. She said would you want electronic copies of final plats? Would the town allow private streets on the island and would we have gated subdivisions?

Mrs. Tysinger asked is there a TRC approval? Mr. Rademacher stated that there was. She asked if there were different standards between the different county Register of Deeds. She discussed signs in residential neighborhoods and right-of-ways. NCDOT has restrictions on signs in right-of-ways. She asked if we would require connectivity in subdivisions. Mr. Rademacher stated that yes we would want to require connectivity. Mrs. Tysinger talked about allocation of land for schools. Mr. Hamilton mentioned that towns don't have schools, the county does. Mr. Camps-Campins asked about linking the subdivision ordinance with the Land Use Plan. Mrs. Tysinger stated that they should be linked hand in hand. Mrs. Tysinger stated that she would get back with Mr. Rademacher on the revision of the subdivision ordinance.

VI. ADJOURN

Mr. Williams motioned that the Planning Board workshop adjourn. Mr. Hamilton seconded the motion. The motion was carried and the meeting adjourned at 8:00 P.M.

Planning Board Chairman

Date

Attest

Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

JUNE 8, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Frank Camps-Campins - Alternate
Sidney Williams
Sally Edens

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liason
Mike Gallant, Engineer
Nat Smith, Developer

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation

II. APPROVAL OF MAY 11, 2006 PLANNING BOARD MINUTES

Mr. Williams motioned to approve the May 11, 2006 Planning Board minutes. Mr. Camps-Campins seconded the motion. The motion was carried.

III. APPROVAL OF MAY 23, 2006 PLANNING BOARD WORKSHOP MINUTES

Mr. Williams motioned to approve the May 23, 2006 minutes. Mr. Williams seconded the motion. The motion was carried.

IV. SUBDIVISIONS

1. Tidewater Landing – Sketch Plan

Mr. Rademacher stated that the developer has submitted a sketch plan for the development of a single-family home subdivision. The project is located on Virginia Creek off of Watts Landing Road. The property was recently annexed into Surf City and zoned R-15 residential. The R-15 will allow for the development of single-family homes on lots that have a minimum of 15,000 square feet. The developer is proposing 21-lots in this subdivision.

PLANNING BOARD WORKSHOP MINUTES

JUNE 8, 2006

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Mr. Rademacher stated that the developer will be required to install water and sewer lines for future connectivity to the Town of Surf City system. Mr. Williams asked about the offsite septic area. Mr. Gallant stated that the 3 or 4 lots that will not perk will be pumped offsite through separate lines and not the sewer lines. The wells will then be turned over as irrigation once the town's water and sewer is available. Chairman Newsome asked would water and sewer impacts have to be paid upfront. Mr. Rademacher stated that yes they should have to but he would check with Cavanaugh & Associates, the town's engineer. Mr. Camps-Campins stated that at the town council meeting for the annexation several concerns were brought up by the neighbors. Mr. Smith stated that he has spoke with those concerned citizens and that everything is okay now. Mr. Gallant stated that one of the concerns was the road being paved and that has been done now.

Mr. Williams motioned to approve this subdivision. Mr. Camps-Campins seconded the motion. The motion was carried.

V. ANNEXATION ZONING

1. David Penny 9.56 acres off of McClammy Road

Mr. Rademacher stated that the Town Council has requested that the Planning Board make a recommendation on the new zoning for this annexation. Mr. Penny has requested that the town annex 9.56 acres on McClammy Road and Watts Landing Road. The developer has plans to build a single-family home subdivision.

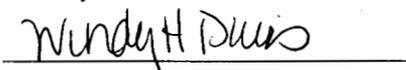
Mr. Rademacher stated that staff recommends that this piece of property be zoned R-15 residential as this is consistent with the town's plan for the development.

VI. ADJOURN

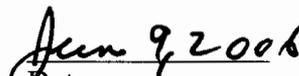
Chairman Newsome asked if there were any questions or concern in the audience, and there were none. Mr. Camps-Campins motioned that the Planning Board meeting adjourn. Mr. Williams seconded the motion. The motion was carried and the Planning Board adjourned at 5:45 P.M.



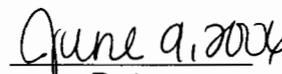
Planning Board Chairman



Attest



Date



Date

SURF CITY PLANNING BOARD MINUTES MINUTES

July 13, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Carl Johnson
Andy Cavender
Frank Camps-Campins - Alternate
Sidney Williams
Sally Edens-Alternate
Oliver "Al" Alphin
Don Hamilton

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Windy Davis, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
John Acres, Cavanaugh & Associates
Mike Gallant, Engineer
Anita Afify, Access Realty
Mike Loveday, Daily News
Mr. Kampschroeder, Developer
Jeff Baran, Developer
Rand Burchfield, Realtor
David Penny, Citizen

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF JUNE 8, 2006 PLANNING BOARD MINUTES

Chairman noted that the meeting adjourned at 5:45 P.M. and not 5:30 P.M. Mr. Williams motioned that the Planning Board minutes be approved as amended. Mrs. Ryce seconded the motion. The motion was carried and the minutes were approved.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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III. PUD

1. Kampschroeder Development – Highway 50 & Juniper Tr. (C3 to PUD)

Mr. Rademacher stated that this applicant is requesting the approval of a rezoning from C-3 Commercial to PUD Planned Unit Development. The applicants are requesting this rezoning from C-3 to PUD for the construction of a mixed-used project located at the intersection of Hwy. 50 and Juniper Trail. This property has come before the Planning Board previously as a residential project by a different developer. The recommendation from that meeting on this property was to maintain a commercial presence on Hwy. 50.

Mr. Rademacher stated that the sketch submitted has 5 buildings with 3 floors of residential and a bottom floor of commercial space. The remainder of the structures will be residential buildings for a total of 60 residential units and 13, 500 square feet of commercial space. The sketch plan is in compliance with the PUD rezoning request. The tract of land is over 4 acres in size and will be required to obtain state storm water, sedimentation/erosion control as well as a NCDOT permit. Mr. Rademacher stated that staff does recommend approval of this rezoning request as this submittal meets the commercial and residential needs of the developing Hwy. 50 corridor. With a recommendation for approval from the planning board and the Town Council the developer will have 6 months to proceed with a final set of plans showing the site engineering for storm water, water connections and sewer connections.

The Planning Board questioned what types of business would be in the commercial space. Mr. Kampschroeder stated that would like to have professional type offices. Mr. Williams stated that the board would like the developer to have some type of open space. Mr. Kampschroeder asked the board what type of open space they would like to see. The board suggested maybe some type of playground. Mr. Cavender asked the developer what type of construction he envisions for the condo/apartment units. Mr. Kampschroeder stated that they have not gotten that far yet and stated that he didn't know at this time. Mr. Cavender questioned whether they would be pile supported, so that there could be parking underneath. He stated that it seems like it is going to be a tight fit to get all the parking in. Chairman Newsome asked where the trash dumpsters would be located. Mr. Acres, the engineer, stated that they would most likely be located on the rear of the commercial, but he stated that he was not sure yet. Chairman Newsome stated that what he is concerned about is the backside of the buildings facing Hwy 50. He stated that the board does not want the first thing you see to be trash dumpsters and trash all behind the building. Mr. Kampschroeder stated that they are looking at maybe having a homeowners association for the commercial and the residential units, so that this situation will not occur or become an eye sore. Mr. Alphin asked what side does the commercial face. Chairman Newsome stated that the back side of the commercial faces Hwy 50. Mr. Alphin stated that basically all we will see is the back side of buildings with HVAC and Electrical units and such. Mr. Acres stated that they may be able to move those type units on the sides of the building. Mr. Alphin stated that assuming you hide those units, what will make the back of this building attractive.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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Mr. Rademacher stated that what he thinks the Planning Board is looking for is the architect to come up with maybe a double-faced building, with such as false windows or display windows. Mr. Alphin stated that we don't know if that is going to be done like that, because the board can not require the applicant to do this. Mr. Alphin stated that why should the board be allowed to turn the developer loose on what they think would look attractive. Mr. Williams stated, but the board has to approve the PUD plan. Mr. Alphin stated that when you approve a PUD plan all you are approving is a footprint of a building. Mr. Rademacher stated that was correct. Mr. Alphin stated that he can't see the board allowing the main drag into this town be messed up with this type of development. Mr. Williams stated that he thought the Planning Board had a little bit more control than that. Mr. Rademacher stated that the developer just needs to submit a plan with elevations.

Mr. Hamilton stated that this is just a preliminary, and doesn't this come back to the board in phases. Mr. Williams stated that the developer though is asking the Planning Board to rezone this property. Mr. Rademacher stated that this is just a sketch plan and it still has to come back with a full engineered and architect set of drawings. Mr. Alphin stated that you know that you reach a point in this process, where the developer has a legal right to proceed further and there is not a thing the board can do. Mr. Hamilton stated that his understanding is that the developer comes back with the next stage. Mr. Rademacher stated Mr. Alphin is correct the developer would have to come back to the Planning Board and go back to the Town Council for approvals. He stated that there are no specific architectural requirements that the Planning Board can require. Mr. Alphin stated that we do not have an ordinance to provide to the board that degree of control, the only control the board has at this point in the PUD is the permitting process. Mr. Hamilton stated that even if this property was zoned commercial as it is right now, the board does not have that capability to require restrictions.

Mr. Williams made a motion to table this PUD Planned Unit Development until the board receives some better plans. Mr. Alphin seconded the motion and stated that the applicant is here and can understand where we are coming from, but I don't think that there is a single one on this planning board that wants to see the back side of a bunch of buildings. Chairman Newsome said the reason he brought this up and the board is making so much noise about this, is so that when the developer does come back they will have an idea of what the board would like to see. Chairman Newsome stated that he is not happy with the plan itself and it could be redrawn and brought back before the board. Mr. Rademacher stated that he does not think the plan itself is going to change, he thinks what the board wants to see is architectural views of the buildings, which we don't have. Mr. Rademacher stated that all you have is assurance from the developer. Mr. Cavender stated aren't elevations a requirement. Mr. Rademacher stated that elevations are a requirement and a general conceptual plan of what the developer wants to build is what we require, but that does not mean the developer is held to that plan. Mr. Rademacher stated that from the ordinance standpoint, the developer can bring in plans, but it does not mean he has to build to look like those plans, he stated that it is not a conditional use permit. Mr. Rademacher stated that you are basically going on a good faith effort, that what plan he does bring to you is the plans he is going to build. He stated that he feels this is what Mr. Alphin is trying to get across to the planning board.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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Mr. Camps-Campins stated that he would like to mention that many times our applicants have professional consultants providing narratives for the board which accompany drawings, which in many times will discuss how specifically how a certain phase or a certain architectural will be handled of what the general outlook of a project will be. The fact is that we have had in the past more descriptive information from a professional, rather than having it on the plans, the narrative that goes with the plan can address and answer those questions that we are asking.

Mr. Kampschroeder stated that the reason why they designed the plan the way they did is so that the traffic comes directly off of Hwy. 50. Mr. Camps-Campins stated that the board does not have a problem with the traffic or access problems. Mr. Williams stated that the look and the appeal off of Hwy. 50 is what they are concerned with. Mr. Kampschroeder stated that he would like to satisfy all of the boards concerns. Mr. Acres asked the board if they were more concerned with the architectural details on the double fronted building or would you like the developer to come back with the building having the parking along Hwy. 50 side of the building, so that there is a definite store front. Mr. Rademacher stated that from a planning perspective, you definitely do not want the parking upfront. Mr. Johnson stated that he thinks the parking situation is perfect.

Mr. Rademacher stated that he thinks the board is treading on an area where they do not have the legal authority to go into. Mr. Alphin stated that we have as long as the board does not approve the rezoning to PUD initially. Mr. Rademacher stated that he still feels that this is a grey area that the board is trying to enter into. Mr. Alphin stated that in his opinion it is clear, you do not let the developer cross a certain line until you know what type of controls you have. Mr. Hamilton stated that if this was all commercial and no residents were in there, then the developer could put the store front wherever he wants and the board does not have any rules or regulations that keep the developer from doing that. He stated that he does not want to see an unattractive back side of a building from Hwy. 50, and he does not think that is the intent of the developer. Mr. Hamilton stated the board is putting a zoning issue up front, because we do not like the way that the project looks. Mr. Alphin asked what the property is zoned right now. Mr. Rademacher stated that it is zoned C-3 Commercial.

Mr. Rademacher stated that it is required that they submit some type of architectural detail, and he believes that is in the ordinance to give the board a level of comfort for the approval of a rezoning request. He stated a detail plan does not lock the developer in and if the board does choose to table this, he recommends that the board give the developer a thumbs up or down on his overall site plan and specify their interest in seeing a double fronted layout. He stated that he believes the board likes the site plan, but just wish that it was a double faced building. Chairman Newsome stated that he feels the developer has heard enough on what the board would like to see and feels that the developer understands their concerns with wanting a little bit of amenities on the backside of the building facing Hwy 50. Mr. Kampschroeder stated that he wanted the project to be done right, because he would like to develop again in Surf City.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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Mr. Alphin stated that he has a problem with the parking. He thinks that there is not going to be enough for all of the units and commercial. Mr. Williams stated there is enough parking required per the ordinance. Mr. Acres stated that there are 4 residential units per building and there are 34 total spaces for the commercial and he believes that for the types of uses that they are talking about that is a typical retail use. He stated that also for professional uses they require less parking. He stated that the numbers for the residential units are based on the ordinance requirements, which are 2.25 spaces per residential unit. Mr. Alphin asked Mr. Rademacher to figure out the calculations for parking. Mr. Rademacher stated that we are dealing with individual condominiums here which the development requires 2.25 for parking, which is typically more than we require for any other use, so he can not imagine going any higher than 2.25 parking spaces for residential single-family residence in a project like this.

Mrs. Ryce asked weren't the units 2 and 3 bedroom. Mr. Rademacher stated that was correct. Mr. Hamilton stated yet again, all we the board can require are what's in the ordinance. Mr. Williams is trying to see how the developer is going to get 2 cars under the buildings, but the engineers and developers will be the ones to decide that. Mr. Alphin also mentioned recreation and if the developer was going to provide any. Mr. Williams stated that he had already mentioned that earlier. Mr. Acres stated that they have open space and recreation areas addressed and he believes that they could be made available for recreation.

Mrs. Ryce asked about professional offices and if the developer is locked into just doing professional offices. Mr. Rademacher stated that no, the lot is zoned for office and for retail, so he could do either. He stated that if a restaurant were to go in there than the parking would need to increase and be more restrictive.

Chairman asked if the board would restate the motion. Mr. Williams stated that he makes the motion that the board tables this project pending that the board receives more information. Mr. Alphin stated that the developer needs to show more recreation on this project. Mr. Williams agreed that when you have 60 residential units there does need to be some type of recreation. Mr. Hamilton asked Chairman Newsome that within the motion can the board help the developer out in regards to what the board wants to see when he brings this plat back. Chairman Newsome stated that you can not spell it out in the motion on what you would like to see. Mr. Williams stated that he was not going to include this in his motion. Chairman Newsome stated that he feels the board has spelled it out in all of the discussion.

Chairman Newsome stated that what the planning board is concerned about it when people come on the island and build these tremendous areas and people come and families and then there is nothing for the families to do, they then look for the town and they get criticized for not have something for them to do. That is why the board is trying to put some of the responsibility on the developers to put in these recreational and open space areas for people.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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Mr. Acres stated that they can address the recreation on this development, with maybe some playground, swings or slides. Mr. Alphin stated that you have to put in recreation that the parents and kids want, because you have a product to sell and if you sell it naked, then he is not sure the developer is going to compete with the projects with the projects that are done the correct way in his opinion. Mr. Kampschroeder asked Mr. Alphin what he meant by doing his project the correct way. Mr. Alphin stated that he means having a project that has some attractions. He stated to the developer that he is in a market bigger than Topsail Island and he knows that the more amenities you have the better. Mr. Kampschroeder stated that they are trying to do the development pricey for one thing. Mr. Alphin stated that you can do everything on a price point theory.

Chairman Newsome stated that he had a second to the motion; therefore he was closing the discussion. The motion was carried and PUD was tabled.

IV. SITE PLAN

1. Surf City Crossing Shopping Center

Mr. Rademacher stated that the applicant is requesting the approval of a commercial site plan. The developers are requesting the approval of a shopping center as well as 4-outparcels. The property is located on Hwy. 210 adjacent to the Lowe's Home Improvement Center. The developers have worked previously with the town to bring the Lowe's Home Improvement center to Surf City. This project is for the construction of a 51,000 square foot food store with a future 7,375 square foot expansion also shown. The shopping center will also consist of 9 shops and a second independent building consisting of 9 shops of 1200 square feet each.

The developer has shown compliance with the parking, landscaping and sidewalk ordinances. Water lines and hydrants have been reviewed by staff and meet the requirements of the ordinance. Sewer plans will need to be submitted to the town's engineer for their approval. Mr. Rademacher stated that several items to note on this plan are the interconnectivity to the Lowe's site and the pedestrian access through the interior of the site. Also note the new public road being created (Alston Blvd.). This road is being designed to handle heavier loads of traffic to accommodate connectivity to the large parcels located behind the shopping center and to eventually connect to the previously approved Dogwood Lakes subdivision. Mr. Rademacher stated that staff recommends approval of this site plan as it meets and exceeds the requirements of the ordinance.

Mr. Gallant, the engineer stated that he was here to represent this project as the engineer and asked the board if they had any questions. Mr. Jeff Baran with Hughes/Barron Development stated that he developed the Lowe's Home Improvement Center as well. The board asked what type of schedule he saw on this project. Mr. Baran stated that right now the schedule is uncertain. He stated that they are working with a food center and looking at having residential on the back side of the development. He stated that the residential will probably begin construction before the food center.

PLANNING BOARD WORKSHOP MINUTES

JULY 13, 2006

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Mr. Alphin stated that this development is a good use for this property. Mr. Williams asked about the zoning. Mr. Rademacher stated that the developer is just looking at the front portion of this time.

Mr. Williams motioned to approve this site plan. Mr. Alphin seconded the motion. The motion was carried.

Mr. Camps-Campins asked about the parking in the handicap area and stated that he was concerned since that is such a busy area. Mr. Gallant stated that those parking spaces were placed in the area that they were, because the optional location would have meant that you would have to cross a thoroughfare.

V. ADJOURN

Chairman Newsome asked if there were any questions or concern in the audience, and there were none. Chairman Newsome motioned to adjourn the meeting. The motion was carried and the planning board meeting adjourned at 6:30 P.M.

Planning Board Chairman

Date

Attest

Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

August 10, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Carl Johnson
Andy Cavender
Frank Camps-Campins - Alternate
Sally Edens-Alternate
Oliver "Al" Alphin
Don Hamilton

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Windy Davis, Administrative Assistant
Donna Reece, Ordinance Compliance Liaison

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
John Akers, Cavanaugh & Associates
Gus Simmons, Cavanaugh & Associates
Rand Burchfield, Realtor
Thomas M. Minor, The Villages of Turtle Creek
Dick Dilsheimer, The Villages of Turtle Creek
Bill Comninaki, The Villages of Turtle Creek
Bob Dilsheimer, The Villages of Turtle Creek
J.B. Dilsheimer, The Villages of Turtle Creek
Randy Cox, Realtor

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF JULY 13, 2006 PLANNING BOARD MINUTES

Mrs. Ryce motioned that the Planning Board minutes be approved as written. Mr. Cavender seconded the motion. The motion was carried and the minutes were approved.

Chairman Newsome wanted to mention that we have a new individual taking the minutes. He wanted to take a few minutes to thank Windy Davis for the wonderful job of taking minutes and to welcome Donna Reece to the board.

PLANNING BOARD MEETING MINUTES

August 10, 2006

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III. PUD

1. THE VILLAGES OF TURTLE CREEK, DILSHEIMER COMMUNITIES

Mr. Rademacher stated that they are asking for an approval to a revision of an existing Planned Unit Development and they have an update more than anything else. They have been moving forward with the development and they have received most of the permits with one exception of a permit for the crossing, the main road that would lead between Hwy 210 and Hwy 17. Their concern is the timing of the permit, whether or not they will get this permit, and being the nature of the possibility of not getting this permit, the major impact that it could have to the overall plan of not having the main connector at the main street running from Hwy 210 to Hwy 17 being there. They are asking that this portion of development be removed if they can not get the permit for wetlands fill knowing that they would resubmit a new development plan for the multi-family portion that is affected by not being able to access from Hwy 210. Fortunately, their original plan did have a secondary connector to Hwy 17 via Edgecomb Estates and Manhollow Church Road so there still would be the availability of flow of traffic through that area to the Hwy 17 corridor. They felt just because of the potential impacts of this change to the plan, if they did not get the Army Corp. of Engineers to grant their permit, that it was necessary to come before the Planning Board and Town Council and present this possibility so they can still move forward with their project. That being said, they are, regardless of the outcome of this permit, moving forward with the front portion on Hwy 210 and the development of the infrastructure, streets and the construction of homes over the upcoming months while they do try to obtain those permits. It is my understanding that those Corp. permits have been submitted or are on their way to being submitted and hopes to hear something within the next 120 days or so. They are just trying to keep you up to date, stay ahead of the game and make sure that all the development is on the same page of the Town and everything is on the up and up and move forward. We do recommend approval of this and obviously the Dilsheimer Community people are here tonight and their engineering staff with Cavanaugh if you have any questions of them or if they have anything they would like to comment on this portion of the plan.

Chairman Newsome stated that he feels that we all express disappointment in the possibility that this will not be as originally planned. He would like to know what the main problem with it is and why the permit is so hard to get.

Mr. Simmons with Cavanaugh stated that he would like to address this question.

Mr. Simmons stated that they appreciate the opportunity of coming back before the board and bringing this item up for consideration. They welcome our input and thoughts. First of all, the intention of the project is to connect to Hwy 17 and every effort is being extended to make sure that those permits were received by the Army Corp. of Engineers and are processed so they can continue on with the plan that was originally approved.

PLANNING BOARD MEETING MINUTES

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The issue is the crossing to get to Hwy 17. There is one area of wetlands that is a pretty significant crossing. It's significant not necessarily in the expanse or the distance but significant from the standpoint in that it is a braided creek network that is really the headwaters of Becky's Creek. It is a bit more complicated of a permit than they might typically pursue to get that connection. These facts came out through the design engineering and enhancement of the plans for the project. Certainly had that information been available when the project was initially approved they would have been discussing it at that point in time. They feel, as well as the environmental consultants that are working on the project in pursuit of that Corp. permit, that they have a very strong opinion that there will be a resolution that is presentable that allows for that connection to Hwy. 17. However there is a little bit of a variable. The variable being the methods that they are required to take to be able to accommodate that connection. The reason they wanted to come back before the board tonight is that they wanted to give an update on where the issue stands. They actually have two permit actions that are in pursuit with the Army Corp. of Engineers. Only one of those deals with the ability to connect to Hwy 17 as demonstrated on the plan. That permit application is in progress they hope to hear something in the next few months.

Mrs. Edens asked if it had been submitted.

Mr. Simmons stated there are two permitting actions, the first of which has been submitted. The second part of the permit action, which is an individual permit, has to be provided by the Corp. on a Federal level. That application has a lot of components in it. Based on what he understands and with talking to the environmental consultant earlier in the week, they expect to submit that permit very quickly, in a matter of days to a couple weeks not a few months from now.

Mrs. Edens asked if this is the initial application.

Mr. Simmons stated that is the second permit action that deals solely with the ability to connect the highways.

Mrs. Edens asked if it was denied one time.

Mr. Simmons stated: No, not at all. Let me clarify the second permit action. There is a permit that is a nationwide permit associated with all the other wetland impacts on the property. There is a second separate permit application that solely deals with the ability to access Hwy 17 so there has been no denial whatsoever.

Mr. Cavender asked if the affected area is everything that is highlighted within the plan that was presented.

Mr. Simmons stated if you are looking at the plan, it has the bubble around it. The crossing that they are speaking of is the hatched area immediately into the whole network itself. That is one of those braided networks of Becky's Creek.

Mr. Cavender asked if it is affecting the entire end of the project.

PLANNING BOARD MEETING MINUTES

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Mr. Simmons stated it was but there are several strategies that can be implemented to accommodate the ability to connect to Hwy 17.

Mr. Cavender asked if there are issues with the other crossings in the same bubble area, the crossing that is between 17 and the first set of houses.

Mr. Simmons stated that those are crossings of lesser significance. They are wetland areas but do not have stream systems or other ecologically significant items associated with them.

Mr. Cavender asked if they are part of the action of the permit for the 17 crossing.

Mr. Simmons stated it was.

Chairman Newsom asked if they would use a bridge if they do to get the permit.

Mr. Simmons stated that there are a couple of options between potential bridge spans and uses of culverts and filling mechanisms to generate portions of the road. There is actually a pretty good menu of options of technology that could be put in place to get to 17. It is just a matter of working with the Corp. and the state and what they would deem as the most appropriate option for us to implement.

Mr. Camps-Campins stated that in effect, what would happen is all of the multi-family high density would have to go through the adjacent subdivision.

Mr. Simmons stated a portion of that tract would be able to use the connection through Edgecomb Estates and also a second access to Hwy 210. One of the nice things about this particular project is the ability to connect in a couple of different places.

Chairman Newsome stated he would like to know what kind of road is Edgecomb Road, dirt road or improved.

Mr. Simmons stated at this point in time it is an unimproved roadway. The plans for the project, if they go through the connection process and are able to continue with the plans for development there would be improvements made to that road structure. The plan would be to provide a paved road surface all the way up to Hwy 17.

Mr. Camps-Campins asked how many houses are in there.

Mr. Simmons stated in Edgecomb Estates, there are 38 lots and five or six houses.

Mr. Camps-Campins stated that he wonders about the impact if you turn multi-family traffic into a single-family subdivision.

PLANNING BOARD MEETING MINUTES

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Mr. Simmons stated that there is a crossing on Hwy 17 for Manhollow Church Road. The traffic impact analysis that was submitted for the first approval included this crossing.

Mr. Camps-Campins stated he thinks there should be an investment made to improve Edgecomb and Manhollow Church Road and add a turning lane and he would like to see some improvement to visibility since the area is currently very dark. He would like to see more lighting for public safety.

Mr. Simmons stated that the project interest is to connect to Hwy 17. If that does not permit itself as the most viable solution we would take improvements into consideration.

Mr. Rademacher stated that would change the DOT permit and would put the impact on Manhollow Church Road and DOT would review Manhollow Church Road separately. This is where a crossing currently exists on Hwy 17.

Mr. Camps-Campins stated that he would like to see continued communication with any success or failure of the permit process to the Town so we are aware of any changes that need to be made.

Mr. Simmons stated that they would and are demonstrating that by being there tonight.

Mr. Rademacher asked what the time frame is before starting the multi-family.

Mr. Miner stated 18 months and they should have a good handle on the Hwy 17 access before they start the townhouse project.

Mrs. Ryce stated that they are asking to remove the bubble part at this time. If they do get the permits do we go through the whole process again or can they revert back to the original plan?

Mr. Rademacher stated if they do not get the crossing they would have to resubmit but if they do it would continue as it was presented.

Mr. Miner stated that they would need to know that the Town is ok with the plan if they are unable to connect because the budget for the amenities center is based on a certain number of lots.

Mr. Camps-Campins asked in what way can they assure us that if you can not go out to Hwy 17 that this would be a reasonable way in the other direction.

Mr. Miner stated that if they can't connect to Hwy 17 then they would have to get a traffic impact study to assess the capability of using Manhollow Church Road and any improvements needed for Manhollow Church Road would be dictated by that study and that would be a NC DOT comment to them that they would need to make the improvements or to the intersection to route 17.

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Mr. Simmons stated that NC DOT would be the assurance since they would have to have a review and permit process.

Mr. Rademacher stated that he feels this would be acceptable and that area is set up to be a major area in the future.

Mr. Cavender stated that he would like to make a motion to accept the revisions to the existing PUD plan with the stipulation that if the permit is issued then the plan reverts back to the original. Mrs. Edens seconded the motion. The motion was carried.

J.B. Dilsheimer stated that they made a commitment to the turtle hospital to make a donation for every house they sell.

2. Kampschroeder Development – Highway 50 & Juniper Trail (C3 to PUD)

Mr. Rademacher stated the next item is the Kampschroeder rezoning application. The same site-plan as last time with some minor changes. They have resubmitted based on comments from the last meeting. They have included some elevations of the structures to be developed. They were working on some changes with some addition elevation options. This is a rezoning request from C3 to PUD. This is a mix of residential and commercial. Mr. Akers is here with Cavanaugh & Assoc. and Rand Birchfield is also here to represent Kampschroeder Development. We would like to have some discussion on this and see if we can't move forward with this project.

Mr. Akers stated they show the common area and potential for water infiltration system. Depending on what type of system, that area may also open up into a large recreation area with playground and they added dumpster pads off of the turnaround. They are also showing the turn lane into the entrance to the development. They updated the elevations to give it a storefront look. They plan on the utility connections, heating and air units and dumpster pads going on the side of the buildings with screening to protect the appearance of the building.

Chairman Newsome stated that they are headed in the right direction for what we had in mind.

Mr. Alphin stated that he recalled the corridor down Hwy 50 would be commercial and a portion of Hwy 210 would be residential. He also recalled there was to be a 300 ft. depth along Hwy 50 to the county line for commercial. He also thinks that 2000 sq. ft. for recreation is not enough. He does not think this is the type of project that the Town is looking for. He is not happy with the dumpster areas.

Mr. Rademacher stated there is no ordinance as to how far the dumpster has to be from the property line.

Mr. Alphin stated he would like to know what the landscaping buffer is.

PLANNING BOARD MEETING MINUTES

August 10, 2006

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Mr. Rademacher stated there is no specified landscape buffer.

Mr. Akers stated there is a 30 ft. landscape buffer along the back, which could be adjusted.

Mr. Alphin stated that he is bothered by the project and feels it violates the guidelines.

Chairman Newsome asked how much commercial is involved.

Mr. Akers stated 13,500 sq. ft. in the bottom story. The idea was for a live/work unit with commercial below and residential above it.

Mrs. Ryce stated she recalled the direction they gave was commercial in the front and residential in the back due to the odd shape of the parcel.

Mr. Akers stated that the general direction was to incorporate residential and commercial with the commercial in front and the residential to the rear.

Mr. Hamilton stated that he likes the concept. He compares this to Mayfaire. This creates a community involvement and highly recommends this blend of residential and commercial. He feels this is a step in the right direction and made to motion to accept this as outlined.

Mr. Johnson stated that he has a few more questions so Mr. Hamilton withdrew the motion to allow for further questions.

Mr. Johnson stated that in regard to the residential units, the residents would have to drive to the dumpster.

Mr. Akers stated that they are looking into different areas for the dumpsters.

Mrs. Ryce stated that residential should have their own trash cart. It is the retail commercial that would need something more. The commercial does need to be looked at.

Mr. Akers stated that there are a number of solutions for that. They could manufacture larger carts or move smaller dumpsters to other locations.

Mr. Johnson stated that his other question is in regard to the residential with the 18 parking spaces under the building. He feels it will be hard to get in and out of each one. Is there going to be concrete and steel or wood pilings?

Mr. Akers stated that they have not gotten into the structural specifics yet but they understand when they go over it with an architect that they would need to address getting an adequate number of spaces under the building. The center isle would be the largest span at 24 feet.

PLANNING BOARD MEETING MINUTES

August 10, 2006

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Mr. Cavender asked if there would be a provision in the PUD that would allow for parking under there.

Mr. Rademacher stated that he spoke with Mr. Akers and if they could not get the parking shown with piling construction then the plan is shot. There would be no reduction in the size of parking spaces it is 9 ft. x 18 ft. If concrete and steel is the only way to get the number of spaces under the building, they will need to come back and revise the site plan. The ordinance is very specific for parking.

Mr. Akers stated that this is a tight fit as laid out now. Worst case they may need to adjust the size of the building two feet in either direction.

Mr. Cavender stated that if they give approval for the rezoning to PUD it is based on the site plan as submitted now.

Mr. Rademacher stated this would be a preliminary approval. They would need to come back within the next six months with a full-blown site plan with engineering and design. They would also need to show detail for the dumpsters. This is also preliminary architectural design as well. They have given four elevations to choose from. The 300 ft. is a legitimate comment and may need to be addressed by the board. Staff is making a recommendation to approve the site plan.

Chairman Newsome stated that he likes the option with no doors facing the back. Option D.

Mrs. Ryce asked what if they approve the site plan tonight and then they come back with the full-blown site plan but it is totally different?

Mr. Rademacher stated that he is tied to these footprints.

Mr. Hamilton stated they might want to look at geo thermal heat systems.

Mr. Alphin stated that he feels that Hwy 50 may eventually become a four-lane highway. Is there any consideration for the land along there?

Mr. Akers stated he thought that Hwy 50 has a 100 ft. right of way.

Mr. Hamilton made the motion to approve. Mr. Cavender seconded the motion. The motion was carried with seven in favor and Mr. Alphin opposing. The board also stated that Option D is the preference for the elevation options.

IV. REZONING

1. 101 Kinston Ave. (C-1 to G-1), 102 North Shore Dr. (MU to G-1) & 305 N. New River Dr. (C-1 to G-1). All owned by the Town of Surf City.

Mr. Rademacher stated this is a rezoning of three Town owned properties. Over the past few years the Town has acquired properties for the development of infrastructure needs, beach access and new buildings. In order to keep the zoning map current and to ensure that there are no developmental issues. Staff is requesting the properties be rezoned from their various districts to G-1. The three properties are 101 Kinston Ave., which is the location of the water tower on the island, 305 N. New River Dr., which is the location of the EMS building and future site of the Surf City Police Dept. which is right across the street as well as 102 N. Shore Dr. which is the location of Cindy's Oceanside restaurant. All these properties are in the center of the island, commercial district. All but one has an existing governmental use. The rezoning would be consistent with the policies adopted under the Land Use Plan and are in the public interest for the development of the infrastructure needs of the Town of Surf City.

Mr. Cavender asked if the existing gazebo and parking area are zoned anything or is it just an end street.

Mr. Rademacher stated it was an end street. There is a map included here with all three properties highlighted and numbered so you can see their general location.

Mr. Cavender asked if the rezoning of Cindy's Oceanside restaurant area to governmental would cause any beach access restrictions.

Mr. Rademacher stated that it would not. The governmental zoning gives us the flexibility to be able to development water towers, police stations, beach accesses with parking lots and other operational needs of the Town.

Mr. Cavender asked if it would give the Town the right to deny access to the ocean via that piece of property.

Mr. Rademacher stated that it would not and that the property was purchased with the intention of increasing the existing beach access. That property is going to tie in greatly to the needs of parking and access as it relates to beach nourishment projects.

Mr. Alphin made the motion to approve. Mr. Cavender seconded the motion. Mrs. Edens stated she would like to be excused since she sold one of the properties to the Town. The Board stated that in a case like this she no longer has anything to do with it so there is no issue and she would need to vote. The motion was carried.

PLANNING BOARD MEETING MINUTES

August 10, 2006

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V. Annexation

1. Raymond Madden (.76 acres) Shepards Road

Mr. Rademacher stated that the Town Council has requested the annexation request be reviewed by the Planning Board in regard to the zoning. These parcels are on Shepards Road and the property is owned by Raymond Madden and is .76 acres in size and is for the construction of single-family homes. This is the first annexation in this area and the staff feels that R15 residential would be the appropriate recommendation.

Mr. Alphin motioned to approve. Mr. Johnson seconded the motion. The motion was carried.

VI. ADJOURN

Chairman Newsome asked if there was a motion to adjourn. Mr. Hamilton motioned to adjourn. Mr. Cavender seconded the motion and the planning board meeting adjourned at 6:30 P.M.

Planning Board Chairman

Date

Attest

Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

September 14, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Carl Johnson
Andy Cavender
Frank Camps-Campins - Alternate
Sally Edens-Alternate
Don Hamilton
Sidney Williams

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Ordinance Compliance

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Annette Emy
Alena Smith, Saltwater Landing
Mike Gallant, Engineer
Howard Penton, Developer
Randy Cox, Realtor
Lindell Cay, Press
Nat Smith, Developer
Terry Blowers, Developer
Donna Mitchell, Saltwater Landing
John Bergandahl, Resident

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:34 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF August 10, 2006 PLANNING BOARD MINUTES

Mrs. Ryce stated that there was a discrepancy in form where Mr. Cavender was referred to as Andy. Mr. Cavender motioned to approve the minutes with the discrepancy corrected. Mrs. Ryce seconded the motion. The motion was carried and the minutes were approved.

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III. SUBDIVISION

1. Preliminary/Final Saltwater Landing Phase III

Mr. Rademacher stated that the applicants are seeking final approval. This phase is utilizing the previously approved and existing infrastructure that was installed during phases 1 and 2. This phase of development does show the location for the future clubhouse/amenity center between lots 64 and 65. There are also several road stubs shown for connectivity to future developments. The proposed road system meets the requirements of the ordinances and consists of public streets with sidewalks with street trees. In accordance with the subdivision ordinance the developer has submitted a guarantee bond for the infrastructure that has been installed as part of the earlier phases of development. Staff will not be able to sign off on the final plat until the final lift station certification has been received from the state. Staff recommends approval of this final plat.

Mr. Cavender asked Chairman Newsome to be excused from participating in the vote do to a contractual obligation.

Chairman Newsome stated that he recognizes that he has an obligation with landscaping and that he also understands that he does not own any property and is in no way involved with buying or selling property in this development.

Mr. Cavender stated that was correct.

Chairman Newsome stated that he is not sure that he has a problem with it but asked if there is any gray area what so ever and we will excuse him.

Mr. Rademacher stated that he thought it would be best to excuse him.

Chairman Newsome asked for a motion to excuse Mr. Cavender.

Mr. Camps-Campins motioned to excuse.

Mr. Johnson seconded the motion and Mr. Cavender was excused.

Mr. Williams asked to be excused due he owns the adjoining property and Mr. Lanier currently has a contract to purchase on the property.

Chairman Newsome asked for a motion to excuse Mr. Williams.

Mr. Camps-Campins motioned to excuse.

Mrs. Edens seconded the motion and Mr. Williams was excused.

Mrs. Ryce stated made the motion to approve. Mr. Camps-Campins seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

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2. Tidewater Landing Preliminary

Mr. Rademacher stated the applicants are requesting approval of a 23-lot subdivision. The property is located on Virginia Creek at the end of Holly Hill Road. The property has been satellite annexed into Surf City and is zoned R-15 residential. This zoning only allows for the development of single-family homes on minimum lots of 15,000 square feet. The proposed road system is being constructed within previously recorded right of ways and meets the requirements of the ordinances and will consist of public streets with sidewalks and street trees. Streetlights have also been shown on this plan in compliance with the subdivision ordinance. The developer has extended Crabcatcher Court for connectivity to any future developments per staff comments. The developer is proposing the development of a dock system for the neighborhood as well as the construction of a gazebo and a tot lot. The plans call for .47 acres being set aside for green space. The water and sewer system is being put in as a dry system as there is no connection to Surf City water and sewer at this time. They are also delineating a space for the lift station for future development. Until the water and sewer is available, this development will utilize septic systems and wells for service. Note that lots 22 & 23 will currently be used as off site septic areas. When sewer is available, these lots will be available for future development. The developer will be responsible for paying the \$7,000 per lot impact fees even though service is not yet available. All applicable state and federal permits, including a major CAMA, will need to be obtained prior to the construction. Staff recommends approval of this preliminary plat as it meets the requirements of the ordinance but would like to see the lift station site shown on all pages of the plans.

Mr. Smith stated that the major CAMA has been filed and they should have a response in October.

Mr. Hamilton stated that he would like to be excused from the vote due to he works for South Winds Surveying who did the survey for this development.

Mr. Williams made the motion to excuse Mr. Hamilton.

Mr. Johnson seconded the motion and Mr. Hamilton was excused.

Mr. Camps-Campins stated that he would like to get clarification on the issue of the impact fees. He would like to know when they would be paid and how it will be handled. This will take years for completion. His concern is that as the property is developed, what means does the city have to ensure that these fees are collected, the homeowners are not affected, and there is some agreement or bond posted to protect the city from these expenses.

Mr. Rademacher stated that the developer is required to install the lines, in order to install they have to get their state permits. Those permits have to be signed by the Town and recently the Town changed their water and sewer ordinance to require the impact fees be paid prior to the issuance of a state permit.

PLANNING BOARD MEETING MINUTES

September 14, 2006

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They will have to pay the \$7,000 per lot fee prior to the manager putting his signature on them and sending them to the state.

Mr. Williams made the motion to approve. Mr. Camps-Campins seconded the motion and the motion was carried.

IV. Site Plan

1. Dolphin Plaza Shopping Center

Mr. Rademacher stated that the applicants are seeking approval of a 7954.25 square foot shopping center on North Topsail Drive. The property is located behind the existing M&M Plaza Shopping Center, which is the former location of Triangle Hardware. This property is zoned MU, mixed use, and allows for the development of commercial buildings as well as residential developments. The developers are proposing the construction of nine individual units as part of this project. A stormwater plan has been submitted and the site plan is showing compliance with the landscaping, parking and sidewalk ordinances. All lighting at the site must comply with the Towns lighting ordinance. This plan has been reviewed by all Town departments and is found to be in compliance with the Town ordinances. The fire department would like to see the driveways at 14' each to allow for fire access. When the building plans are submitted to the Town the fire codes will have to be met. Staff recommends approval of this site plan.

Mr. Williams asked if it would be two commercial buildings.

Mr. Rademacher stated that is was two buildings and the developer, Terry Blowers, may be able to elaborate on the building itself.

Mr. Blowers handed out a color brochure to the board showing more information regarding the building.

Mr. Cavender asked if the breezeway would connect to the existing commercial structure.

Mr. Blowers stated that it will be a community walk through and will not be connected.

Mr. Williams made the motion to approve. Mr. Camps-Campins seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

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V. Zoning Text Amendment

1. Temporary Signs

Mr. Rademacher stated that due to the increasing number of businesses and properties for sale/lease, staff has been spending a large amount of time enforcing the Town sign ordinance. Numerous requests are coming in for regulation and permitting of temporary signs. The current ordinance allows for as many, sixteen square foot signs/banners, as an owner wants to have and only limits the location to be on the property. The banner may also be up for a period of 30 days. The proposed ordinance increases the allowed signage to 32 square feet but limits the location and size of the advertisement. Signs must also be removed in a timelier manner. Staff feels that this regulation change will help protect the business owners/realtors as well as the appearance of the Town of Surf City for its residents and visitors. Enforcement of the regulation will also be made easier by placing specific regulations as opposed to the more vague regulation currently in the ordinance. The recommendation is as follows:

Change section 6.7.6(a) to the following:

- a) Temporary real estate signs advertising a specific property for sale, lease, rent or development shall be located as follows:
 - 1) One sign per street frontage advertising real estate not greater than ten (10) square feet in a residential district (R5, R10, R15, MHS, MFC, SF, RA) and thirty-two (32) square feet in a nonresidential district (C-1, MU, C3, OI, NB, PUD, R5M) may be located on the property being advertised so long as said sign is located behind the street right-of-way line. If the property being advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred (100) feet apart as measured by the shortest straight line.
 - 2) No such banner/sign shall be attached to a roof structure or above a second floor level.
 - 3) All signs shall be removed within two (2) weeks of a sale, rental or lease of a property. Short-term rentals (90 days or less) are exempt from this rule.
- b) Banners and flags for special events, advertisements, grand openings and the like, used in conjunction with a commercial building, project or enterprise are permitted for a period not to exceed fourteen (14) days provided that:
 - 1) All banners/flags shall be attached to a wall of the principal structure of the business being advertised.
 - 2) No such banner shall be attached to a roof structure or above a second floor level.

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September 14, 2006

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- 3) No such banner shall be attached to any existing signs, placed within a right of way, attached to any fences, strung between posts, or in any other method except for as outlined in (1).
 - 4) Fourteen (14) days must pass between banners/flags being removed and banners/flags being installed.
- c) Temporary special events signs and banners for religious, charitable, civic, fraternal or similar non-profit or not-for-profit organizations provided that:
- 1) Signs shall be erected no sooner than seven (7) days prior and removed no later than two days after the event.
 - 2) No such sign shall exceed thirty-two (32) square feet.
 - 3) No such sign shall be illuminated.
 - 4) All such signs shall be located off the street right-of-way.

Chairman Newsome stated that in regards to temporary special signs, he has been chairman of quite a few events where you advertise with people coming in on the weekend. He would like to see ten days instead of seven to allow for a full weekend before the event.

Mr. Williams would like to see longer than 10 days. He would like to see at least 14 days.

Mr. Rademacher stated that would not be a problem. Most events typically go for two weeks.

Mr. Hamilton asked if there was any reference to political signs.

Mr. Rademacher stated that there are no specifics on political signs. We let the political season run its course and clean up afterwards.

Mr. Camps-Campins stated he would like to discuss real estate signs. He feels that the signs in the right of way clutter the roads and would like to require the signs to be on the property itself. There are a lot of these temporary signs at entrances to subdivisions.

Mr. Rademacher stated that real estate signs are currently not allowed in the right of way. If we get a call with a complaint we will go and remove them.

Mr. Gallant asked if he could put up a sign advertising that he is the engineer at a project he is working on.

Mr. Rademacher stated that as long as it is not in the right of way and no larger than sixteen square feet. The sign can stay until the project is complete.

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September 14, 2006

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Mr. Williams stated that he would like to see a month instead of 14 days under section b. for announcements or grand openings.

Mr. Camps-Campins stated that we should use 30 days.

Mr. Cavender stated that he has a question on a. 3, exempted signs, does this refer to signs that are attached to houses.

Mr. Rademacher stated that it does not specify. Some people use yard signs.

Mr. Cavender asked if yard signs were exempted.

Mr. Rademacher stated that we do not specify either way.

Mr. Williams stated that when you have a house that sits off of the road, it is hard to identify houses that are for rent if you do not have a yard sign.

Mr. Cavender is concerned with it becoming a trend with every house having a sign out front.

Mr. Medlin asked if you could have a rental sign in the yard.

Mr. Rademacher stated that yes you can as long as it is on the property. You can have one sign per street frontage, either one sign on the house or one house in the yard, either or.

Mrs. Ryce stated that regarding special events and advertisements is there any way to address signs in the store, such as banners in the windows.

Mr. Rademacher stated that he thinks there may be something you can do but he will check on it.

Mr. Johnson stated that signs in the windows might cause a safety issue since the police cannot see in.

Mr. Rademacher stated that the board can make a recommendation on the other changes and he will check on the signs in the windows.

Mr. Medlin asked is there was anything regarding rental signs on the oceanfront.

Mr. Rademacher stated that the way it is listed now is one sign per street frontage. He understands why people would want to advertise on the oceanfront due to the high traffic volume. He would recommend placing the sign on the structure itself, not the walkway.

Mr. Edens stated that she would not want the sign on the dune.

Mr. Hamilton stated that on the sound, you would want the sign on the dock since in some cases; you would not be able to see the house.

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The board agreed that signs on the oceanfront or sound should be attached to a permanent structure.

Chairman Newsome stated that the board would like to see the suggested changes written up and presented at the next meeting before giving approval.

VI. Annexation Zoning

Mr. Rademacher stated that the Town Council has requested that the four annexation requests be reviewed by the Planning Board in regards to zoning. The first tract is a parcel located between the Dogwood Lakes subdivision and the property for the new grocery store shopping center. The property is owned by Gladys Orr and is 28.42 acres in size. The second tract is a location on Hwy 210 East and is owned by Nancy D'Alio and is 4.64 acres in size. This request consists of two separate properties. The third tract is 21.72 acres in size and owned by Harry Cordts. The property is located directly behind the D'Alio property and has access from Highway 210. The fourth tract is owned by Kevin Harrington and is located on Highway 210 east across from the Town of Surf City 500,000 gallon water tower. The property is three acres in size. He then stated that we should discuss them individually. Staff recommends zoning the Orr property R-15 residential, as this zoning will fit into the development in the area and allow for the residential development behind the commercial center.

Mr. Williams asked if R-15 would allow for townhouses.

Mr. Rademacher stated that he thinks that they are working on a Planned Unit Development plan to do patio homes. He has met with the Dogwood Lakes/Strickland Property people as well as D'Alio and Cordts. They are working together to do one street system and one sewer system and hopefully we will someday have one road that comes in Dogwood Lakes and goes all the way to Manhollow Church Road.

Mr. Cavender made the motion to zone the Orr property R-15. Mr. Williams seconded the motion and the motion was carried.

Mr. Rademacher stated that item two is the D'Alio property. Staff recommends zoning this property C-3.

Mr. Williams motioned to zone the D'Alio property C-3. Mr. Cavender seconded the motion and the motion was carried.

Mr. Rademacher stated that item three is the Cordts property. Staff recommends to zone C-3 but the developer would like to ask us to set the zoning at Multi-Family Cluster setting a line 600 feet back from Highway 210 as a commercial corridor. His name is Howard Penton.

Mr. Penton stated that he is working with Cordts and D'Alio and is asking to place the zoning line back 600 feet from Highway 210. He passed out pictures and a site plan of what he is proposing to give a visual reference of the look they are

PLANNING BOARD MEETING MINUTES

September 14, 2006

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going for. There is also a wetland that gives a natural buffer between commercial and residential.

Mr. Cavender stated that he thinks that 600 feet is a good buffer.

Mr. Hamilton stated that he likes the concept of people being able to walk to stores.

Mr. Rademacher stated that we have never had a Multi-Family cluster before and it does have a required open space component which allows the developer the density he is looking for.

Mr. Williams asked how many residential units they were proposing.

Mr. Penton stated that he shows around 100 units.

Mr. Hamilton asked Mr. Rademacher what the difference is between Multi-Family Cluster and PUD.

Mr. Rademacher stated that the difference is that he brings in the site plan with engineering showing that he meets the requirements and stormwater and he moves on. No rezoning and only one trip to planning board and council. He does not feel that this zoning is inappropriate.

Mr. Hamilton asked if there is a tot lot or amenity requirement.

Mr. Penton stated that on the plan he does not show it but they do plan on doing an active parkland.

Mr. Rademacher stated that there is a 30% open space requirement whether it is active or passive as a standard to meet for Multi-Family Cluster. In this district we leave it up to the developer to determine whether they want active or passive open space.

Mr. Cavender asked what else the board would get to see if they do zone this Multi-Family Cluster.

Mr. Rademacher stated that the board would get a full-blown site plan with details. This meeting is conceptual. He would need to get his engineering done, site work, survey and come back before the planning board and council.

Chairman Newsome asked what the time frame would be for this development.

Mr. Penton stated 3-4 months for permitting. He feels the market is ready and hopes to have construction complete within 14-16 months of getting all permits.

Mr. Hamilton made the motion to approve as presented to C-3 for 600 feet from Hwy. 210 and then Multi-Family Cluster. Mr. Camps-Campins seconded the motion the motion was carried.

PLANNING BOARD MEETING MINUTES

September 14, 2006

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Mr. Rademacher stated that item four is the Harrington property located on Hwy 210 across from the 500,000 gallon water tower and staff recommends R-10 to allow for single family homes as well as duplex homes. This is the same zoning as Saltwater Landing.

Mr. Williams motioned to approve zoning to R-10. Mrs. Edens seconded the motion and the motion was carried.

Public Comments

Mr. Smith asked what the open space requirement is for Multi-Family Cluster.

Mr. Rademacher stated 30% open space and the developer can do up to ten units per acre.

Mr. Camps-Campins asked if we heard from Penny Tysinger regarding the subdivision regulations.

Mr. Rademacher stated that spoke with her and has been working with her on what was discussed in the workshop. He has also been talking to fire department and the water/sewer engineers to see what they would want in the ordinance and he is also working on incorporating GIS technology.

Mr. Camps-Campins asked about the requirements to upgrade the Land Use Plan. Is there an open file or do we have to go through everything again.

Mr. Rademacher stated that we would have to do everything again and the biggest concern is the amount of annexations and finding the best time to update the Land Use Plan.

VI. ADJOURN

Chairman Newsome asked if there was a motion to adjourn. Mr. Williams motioned to adjourn. Mr. Hamilton seconded the motion and the planning board meeting adjourned at 6:36 P.M.

Barry Newsome
Planning Board Chairman

Wanna Reece
Attest

Sept 15, 2006
Date

09-15-06
Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

October 12, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carl Johnson
Andy Cavender
Sally Edens - Alternate
Don Hamilton

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Administrative Assistant
Christina Watkins, Permitting Officer

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Jean Brown, Realtor
Richard Gugelman, resident
Randy Cox, Realtor
Donna Lanier, Saltwater Landing
Shelia Rummell, Realtor
Lindell Cay, Press
Chris Rackley, Realtor
Patsy Jordan, Realtor
Peggy Lewis, Realtor
Carolyn Stanley, Realtor

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:38 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF SEPTEMBER 13, 2006 PLANNING BOARD MINUTES

Mr. Cavender motioned to approve the September 13, 2006 minutes. Mrs. Edens seconded the motion. The motion was carried.

III. ZONING TEXT AMENDMENTS

1. Temporary Signs

Mr. Rademacher stated that this is old business from last months meeting where the Planning Board wanted to make some changes and lengthen some amounts of time for temporary signs and to address signs on the sound front and the beach front. He will go over this again since there are a lot of people in the audience interested in this ordinance.

PLANNING BOARD MEETING MINUTES

OCTOBER 12, 2006

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Mr. Rademacher stated that there is a correction in number three. It should state: face the ocean and/or sound front. The first thing that we are doing with the temporary sign ordinance is addressing real estate signs.

a) Temporary real estate signs advertising a specific property for sale, lease, rent or development shall be located as follows:

- 1) One sign per street frontage not greater than ten square feet in a residential district, R5, R10, R15, MHS, MFC, SF and RA, and thirty-two square feet in a nonresidential district, C-1, MU, C3, OI, NB, PUD and R5M. They may be located on the property being advertised so long as said sign is located behind the street right-of-way line. If the property being advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred feet apart as measured by the shortest straight line.

Mr. Rademacher stated that we have had comments regarding the lots that are 50 feet by 100 feet. Something to consider, you can reduce it to 75 feet and it should work easily on a double frontage lot.

- 2) No such banner/sign shall be attached to a roof structure or above a second floor level.
- 3) In addition to the signs in section one, a single sign shall be allowed to face the ocean and/or sound front provided that the sign is affixed to a permanent structure such as house, pier or crossover.

Mr. Rademacher stated that this is due to wind loads on the beach front and people destroying the dunes.

- 4) All signs shall be removed within two weeks of a sale, rental or lease of a property. Short term rentals, ninety days or less, are exempt from this rule.

b) Banners and flags for special events, advertisements, grand openings and the like, used in conjunction with a commercial building, project or enterprise are permitted for a period not to exceed thirty days provided that:

- 1) All banners/flags shall be attached to a wall of the principal structure of the business being advertised.
- 2) No such banner shall be attached to a roof structure or above a second floor level.
- 3) No such banner shall be attached to any existing signs, placed within a right of way, attached to any fences, strung between posts, or in any other method except for as outlined in (1).
- 4) Fourteen (14) days must pass between banners/flags being removed and banners/flags being installed.

PLANNING BOARD MEETING MINUTES

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c) Temporary special event signs and banners for religious, charitable, civic, fraternal or similar non-profit or not-for-profit organizations provided that:

- 1) Signs shall be erected no sooner than fourteen (14) days prior and removed no later than two (2) days after the event.
- 2) No such sign shall exceed thirty-two square feet.
- 3) No such sign shall be illuminated.
- 4) All such signs shall be located off the street right-of-way.

Mr. Rademacher stated that Mr. Camps-Campins was not able to attend but did submit some comments. His concern was if fourteen days was long enough and would like the board to consider twenty-one days. The reason for these changes is to stay ahead of the curve with all the large-scale businesses coming in. A community that is growing the way we are needs to look down the road to a faster pace growth pattern.

Chairman Newsome stated that he is not going to ask for a motion on each change. The board will discuss the changes and make a motion at the end.

The board discussed making the following changes: The first change is in item number a) 1, changing from 100 feet to 75 feet. The second change is the correction in item a) 3 to read ocean and/or sound front. The third change is under c) 1 changing from 14 days to 21 days.

Mr. Cavender asked how the sign ordinance is enforced.

Mr. Rademacher stated that some are violations are obvious but staff resources are limited when it comes to something of this scale, if we receive a complaint we get it taken care of.

Mr. Cavender asked about in window signs on businesses that the board discussed in the last meeting.

Mr. Rademacher stated that he did some research and you can regulate them due to public safety issues. Many communities limit the coverage to 20-25% of the window with 25% being the average. We do not have anything in our ordinance now that limits sticker signs in the window.

Mr. Cavender asked if this would fall under temporary signage.

Mr. Rademacher stated that it would need to be it's own separate category. He would not consider them temporary signs.

Mr. Hamilton stated that it would be nice for Mr. Rademacher to do more research and work on an ordinance for the in window signs.

Chairman Newsome asked if there were any comments from the audience before the Board goes to a vote.

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Mr. Rackley stated that he is the president of the Topsail Island Association of Realtors and was a past member of Surf City Young Development Committee, he applauds the work that has been done on the ordinance but they do have a few small items that they are concerned with. In item a) 3 where it states that a single sign shall be allowed to face the ocean and/or sound front as long as the sign is affixed to a permanent structure. What if there is no permanent structure? Will they not be able to advertise if there is no house or pier?

Mr. Rademacher stated that on the oceanfront, it would lend to the dune preservation issue that was brought up at the last meeting.

Mr. Cavender stated that there are wind issues also but he sees his point.

Mr. Rackley also stated that he would also like some clarification on item a) 1, real estate signs not greater than 10 square feet in residential districts. Many of our developments fall into PUD these days but what if the development falls into one of residential zones and the developer goes in to develop, are we going to hinder the developer from putting up signs?

Mr. Rademacher stated that this would fall into a different section of the ordinance. There is temporary development sign ordinance. If you are under 25 lots, you have 32 square feet to work with for your coming soon signs or under development signs. If you are over 25 lots, you have 64 square feet to work with.

Chairman Newsome stated that he would like the board to discuss the beach situation referring to vacant lots.

Mr. Rademacher stated that it is not an issue with the sound front. He feels it would be ok to put the sign in the ground. It is more of issue on the beach front with the dunes. There are not that many vacant lots anymore. The board may want to put something as simple as vacant lots are exempt.

Chairman Newsome asked Mr. Rackley if exempting vacant lots would satisfy his concerns.

Mr. Rackley stated that it would.

Mr. Hamilton motioned to approve the changes with the additional issue of vacant lots. The changes are 100 ft. to 75 ft. in a) 1, correcting item a) 3, beach front to sound front, changing c) 1 from 14 to 21 days and vacant lots exempt.

Mr. Johnson seconded the motion. The motion was carried.

2. Lighting Ordinance

Mr. Rademacher stated that in 2003, the Town updated its lighting ordinance to ensure the protection that lighting within the Town would be handled responsibly. This lighting ordinance was mainly designed to handle issues surrounding the beach, turtles and the family atmosphere of the town. Since then a large boom has taken place off the island with large-scale commercial sites and large residential neighborhoods, which bring a different set of issues. The biggest concern is the large amount of lighting that is used on commercial sites and the need to know what is being placed to ensure the lighting is not intruding on neighboring residential properties. Also, the Town is beginning to see developers mixing residential and commercial development together making lighting a much more important aspect of site planning.

Staff has met with Jones-Onslow and has worked out a permit process where lights will not be installed without a lighting permit. This will help ensure that the lighting is meeting the Town ordinances. During our conversations it was brought to our attention that pole heights required in the ordinance were not of a standard height for JOEMC. Staff researched this issue and recommends a change to the lighting ordinance in regard to pole height. Staff is interested in having the developers provide a lighting plan to the Town showing fixture height and type as well as lighting plans showing all lighting remaining on site within a specified foot-candle measurement. These changes will allow better enforcement of the lighting ordinance. The current pattern is that lighting has to be maintained on site. Which means that if it doesn't work. We are going back after the fact and asking them to make changes. Staff feels that this is not an efficient way to do it. We need to fix it on paper.

The changes are to section 5.10.1 of the Outdoor Lighting Standards.

The first change is to the 24 foot height limit to read the maximum fixture height shall be 30 feet for full cutoff fixtures, which are the lights that drop light straight down, and 20 feet for non cutoff fixtures which are more decorative style lighting. These are recommended heights by Jones-Onslow. The next change is to add a mathematical calculation of a foot candle which would be that all outdoor lighting shall be designed and located such that the maximum illumination measured in foot candles at the property line shall not exceed .3 for non cutoff lights and 1.5 for cutoff lights. The current ordinance says to keep it on your site and is very vague.

Mr. Rademacher held up an example of a lighting plan that was submitted by Lowe's for the audience. All board members have a copy of the lighting plan that helps explain foot candle.

Mr. Rademacher stated that the next change has more to do with residential neighborhoods, apartment complexes and amenity areas and would read: Active recreation areas, because of their unique requirements for nighttime visibility and limited hours of operation (i.e. the lighting of ball fields and tennis courts) are not considered in this Chapter. However, lighting fixtures for such uses shall be mounted and aimed so that the illuminations falls within the primary playing area and immediate surroundings and so that no direct light illumination is directed off site. Under all circumstances, lighting used for active recreational purposes shall

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not go beyond 11:00 p.m. We will also be adding a definition of foot candle. A foot candle is a unit of luminance or illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

Mr. Cavender stated that number 5 says that all site plans submitted must have a lighting plan, does that apply to subdivisions. Does it refer to street lighting and landscaping?

Mr. Rademacher stated that this ordinance is for commercial parking lot lighting, walkway lights and wall packs on sides and rear of buildings.

Mr. Cavender asked if we should specify that in this ordinance. He does not want every homeowner to feel like they have to submit a lighting plan for landscaping.

Mr. Rademacher stated that they talked with Jones-Onslow regarding individual permits. They are working with us on what is needed for those permits. At this time he does not feel that we need to address street lighting. Number 9 states that outdoor lighting shall be minimized after close of business. Only lights for security, parking areas and walkways shall be left on. Number 1 would cover landscaping. It states outdoor lighting shall use shielding to prevent light from illuminating the nighttime sky from spilling onto adjoining property. He feels Number 1 would actually cover both issues.

Chairman Newsome asked if there were any comments from the audience.

Mrs. Brown asked what would happen if you had a bottom lighted sign now and this ordinance is passed, how long would you have to correct it.

Mr. Rademacher stated that if she has a non-conforming light, it could stay until she wanted to put a new sign in.

Mr. Hamilton made the motion to approve the outdoor lighting ordinance as amended.

Mr. Johnson seconded the motion and the motion was carried.

3. Big Box Ordinance

Mr. Rademacher stated that Surf City has seen a change in its landscape with the beginning of large retail centers and large shopping centers coming into the region. With Surf City becoming the regional hub of the area, it is important for the Town to plan on how to maintain the feel of a small beach community while providing the services of a regional hub. This ordinance is designed to be a first step in helping to maintain the feel of the Town of Surf City that people have come to enjoy as well as to ensure that Surf City remains a viable community through good development practices. Goals of this ordinance are to create pedestrian friendly shopping centers and big box buildings in scale as well as for walk ability. Also, the hope is to be proactive by asking the developer to create a

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building that can easily and readily be adapted to individual shops as not to have a vacant big box anywhere within the Town limits of Surf City.

Chairman Newsome stated that we are trying to make the big box buildings as attractive as we can, to make them eye appealing.

Mr. Rademacher passed out pictures to the audience showing the differences in large big box buildings to show the Boards intent.

Mr. Rademacher stated that the staff recommends the following:

1. Add the following definitions:

Approved Architectural Material – The structural or applied surface component of a façade including brick, rock, stucco, wood plank, shakes, split faced block, marble or simulated substitute. Vinyl & metal siding may be used as a minor element of the building façade.

Architectural Element – A façade module feature that is applied, inserted, incorporated or constructed into or upon the primary or secondary façade including real or faux, windows, real or faux doors, awnings, gables, parapets, porticos, arcades, arches, cupolas, columns, roof lines, material projections, recesses, cornices, etc.

Big Box Development – A single structure containing at least 50,000 square feet of gross floor area that is constructed for the purpose of retail or wholesale occupancy.

Façade – The visible exterior portion of a building wall which extends from the ground to the top of the wall or roofline.

Façade, Primary – The façade containing the highest number of customer entrances.

Façade, Secondary – A façade which is designed to be viewed from a public street but it not the Primary Façade.

Facade, Other – Any façade which is not considered a Primary or Secondary Facade.

Facade Module – A 60 foot or shorter horizontal section of façade containing a minimum of five (5) unique architectural elements.

Shopping Center – Mercantile establishment consisting of a carefully landscaped complex of shops representing leading merchandisers; usually includes restaurants and a convenient parking area; a modern version of the traditional marketplace. Also referred to as a mall or plaza.

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2. Add Shopping Centers, Malls & Big Boxes exceeding 75,000 square feet as a conditional use in the C-3 Commercial District and to section 4.19 entitled Table of Uses of the Zoning Ordinance for the Town of Surf City.

Mr. Rademacher stated that this will give the Town and public the opportunity to come together, discuss it, put in the proper conditions and the developer can work within those boundaries if they choose to. For example: In the City of Asheville, Wal-Mart gave them a 12 acre park with a 3 mile green way, that was in their conditional use permit.

3. Add Shopping Centers, Malls & Big Boxes less than 75,000 square feet as a use by right in C-1 Commercial, MU Mixed Use, NB Neighborhood Business and the C-3 Commercial District to section 4.19 entitled Table of Uses of the Zoning Ordinance for the Town of Surf City.

Mr. Rademacher stated that under 75,000 does not have to have a conditional use permit but would still need to follow the architectural standards set forth in this ordinance. Next, we get into specific access requirements. We are going to require a traffic impact analysis even if DOT does not. This is to make sure traffic is handled properly. They will have to submit it to the Town and to DOT even if DOT does not require it. More than likely they will require one for something of this scale. This is to make sure that the traffic that is being put on the streets and the designs are appropriate and safe for everyone involved.

Mr. Cavender asked if there is a cutoff size for submitting DOT plans.

Mr. Rademacher stated that as far as doing a traffic impact analysis, if you are on a state road, you have to submit one.

Mr. Cavender asked if there is a difference between a traffic impact study and a DOT driveway permit.

Mr. Rademacher stated that there was. A driveway permit is for the driveway cut, no impact analysis. The impact study analyzes the average daily traffic count, right turn in, left turn in, acceleration lanes, deceleration lanes, upgrades if near a stop light, off site traffic improvements, any possible aspect.

Mr. Cavender asked if Saltwater Landing had to do one.

Mrs. Lanier stated that they did not. DOT told them what they needed to do but they did not have to do a study.

Mr. Cavender asked if the traffic impact studies are initiated by DOT.

Mr. Rademacher stated that it is strictly DOT.

Mr. Cavender stated that this would give the Town some control on Town roads to say when they need to have a traffic impact study done.

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Mr. Rademacher stated that as far as access we are asking for cross easements or other means of internal access to adjoining properties or out parcels and internal circulation for traffic re-entering the public street to access adjacent commercial parcels. If there are any conflicts, stricter rules apply. Something else we want to do is require public bike storage facilities on site at the vicinity of the main entrance of any building over 25,000 square feet.

Mr. Cavender asked if we could use bicycle instead of bike.

Mr. Rademacher stated he would correct it. We want to encourage people to walk and ride their bikes. We then go into the design guidelines. We specify that we want architectural guidelines that are historically found in an upscale coastal community. Each façade module shall contain a least five (5) architectural elements which are arches, porticos etc.

Mr. Cavender asked if doors and windows are included in architectural elements.

Mr. Rademacher stated that they are two different architectural elements. They would then need three more. At least two of the architectural elements shall be unique. They cannot be replicated along the remaining length of the primary façade. Each façade module shall contain at least two (2) approved architectural materials such as brick, stucco, etc. No single approved architectural material may cover more than 60% of the façade module area. Only one approved architectural material may be reused on any immediately adjacent façade module. You have to break it up.

Mr. Cavender stated that at the same time, you want to adhere to some sort of stylistic theme, you don't want the individual modules to get too far flung in their architectural render.

Mr. Rademacher stated that there are only two architectural elements that cannot be replicated out of the five. The other three can be carried along the front of the building.

Mr. Cavender asked if this gives the board some say if someone comes in with a plan that looks like six random facades that would adhere to the ordinance but may not look good.

Mr. Rademacher stated that the Board would have a say under the conditional use permit. A picture is worth a thousand words and if we get to a point where we have an architectural code, staff plans on putting together a design guidebook so people can get ideas of what we are looking for.

Mr. Rademacher stated that shopping carts shall be located inside the building or shall be screened from the public view. Shopping cart return areas for public use are allowed in the parking lot areas. Then we go into landscaping. We are asking for more canopy trees and shrubs to be put inside the landscape islands. We also added a maintenance policy. You have 90 days to replace your trees if they die.

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Mr. Cavender stated that under maintenance, trees planted next to sidewalks tend to buckle the sidewalks. Should we have something in the ordinance to address this for public sidewalks? There are root control materials that can be put in the ground to prevent the roots from going under the sidewalks. This would be for public sidewalks, not sidewalks on personal property.

Mr. Rademacher stated that he could check on it since he is not familiar with the products.

Mr. Cavender stated that it could be phrased vaguely enough that the Town is covered enough if the sidewalks begin to heave without stating a specific product.

Chairman Newsome stated that we could request it be done but not specify how to do it.

Mr. Cavender stated we could say to use best management practices to minimize future damage to the sidewalks.

Mr. Johnson stated that he thought that if someone got hurt on the sidewalk in front of his property that he would be responsible.

Mr. Rademacher stated that he would double-check but if the sidewalk were on your property then you would be responsible, if it is in the right of way then you would not be.

Mr. Medlin stated that we couldn't make someone put a sidewalk in the right of way but tell the property owner that they would be responsible if someone got hurt. If the Town accepts the right of way then the Town would be responsible.

Mr. Cavender stated to take Saltwater Landing for example. The sidewalks are in the right of way. The trees that will be planted will be in the right of way. The road will eventually be turned over to the Town so the Town will be responsible but the Town is not in the business of planting trees and installing sidewalks.

Mr. Rademacher stated that is not 100% true. We installed bike paths and sidewalks and would be responsible if someone was hurt.

Mr. Cavender stated that by adding to the ordinance to use best management practices to prevent future damage to sidewalks would protect the Town.

The Board agreed and Mr. Rademacher made a note to add that to the ordinance.

Mr. Rademacher stated that the next big item in landscaping is that large retail establishments shall provide at least one outdoor space or site amenity to beautify the site and to enhance the vehicular and pedestrian entryways to the site and any other buildings on the site. A preferred option (although other options may be considered and approved) include a public plaza or courtyard

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that contains "furniture" items such as seating walls, benches, drinking and/or decorative fountains, clock towers and other features that are designed to external aesthetics of the site. We are looking for public spaces for people to congregate and treat it like a neighborhood environment.

Mr. Cavender asked if we could state that the areas need to be permanent. We do not want a business to state this is their outdoor area and then put their seasonal furniture or lawnmowers out there.

Mr. Rademacher stated that we could say to provide at least one permanent outdoor space. We are looking for the fountain area with seating wall in front of the cinema at Mayfaire.

Mr. Rademacher stated that the next item is signage. Shall provide attractive, functional and coordinated signage designs. Under parking, it would provide pedestrian friendly parking lots. A good example is the Harris Teeter at Mayfaire, there is a pedestrian walkway thru the center of the parking lot so you can get out of your car and have to walk where the cars are driving. Under setbacks, there is a different setback standard. They need to maintain the minimum setback for the district that they are in unless they are along property lines adjoining residential districts. Where it joins a residential district we are asking for a 30' buffer setback to be maintained and a screening device consisting of landscaping and a wall or fence that is complementary to the architectural design of the site.

Mr. Cavender asked if the setback was for adjoining properties that are zoned residential or for properties that are existing residential right now.

Mr. Rademacher stated it is for properties zoned residential.

Mr. Hamilton stated that what if you have a commercial box with the adjoining property in Pender County with a residence on it which may be zoned RA or something non residential. They may say that since it is not residential they can build right up with no buffer.

Mr. Cavender stated that the house may get sold and commercial property put on it. He likes the idea of a buffer but we may need some clarification.

Mr. Rademacher stated that this might be tricky with all the satellite annexations.

Mr. Cavender stated that if we go with zoning, all you can do is add the other to the current zoning.

Mr. Rademacher stated that we could specify residential districts in Surf City. The satellite annexations throw a curve in this. We could make it part of the conditional use permit. We could add, "Unless otherwise specified in a conditional use permit" at the end of section (G) Setbacks.

Mr. Cavender asked if this would cover 75,000 square feet.

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Mr. Rademacher stated that this takes care of the big stuff. The smaller ones could be stuck but if there is a hardship and they can't meet it, then they can go to the Board of Adjustment. We do have some unique situations. And finally, Reuse/compartmentalization, this is for the big stuff. As part of the conditional use permit review process, any large establishment constructed after the adoption of these regulations shall be designed to include specific elements for adaptation to multi tenant re-use. Such elements may include but are not limited to the following:

- 1) Compartmentalized constructions including plumbing, electrical service, heating, ventilation, and air conditioning.
- 2) Building design shall allow for the interior subdivision of the structure into separate tenancies.
- 3) Facades shall be readily adaptable to multiple entrances.
- 4) Parking lot schemes shall be designed to enable users of any future tenants to readily walk from their vehicles to the storefront.
- 5) Other design elements that facilitate the multi-tenant re-use of the building.

Chairman Newsome stated that he would like to compliment Mr. Rademacher on the record for the hard work that he did putting this together. There is a lot of detail.

Mr. Cavender stated that this might need to be reworked before we do a motion.

Chairman Newsome stated that we could go one more meeting.

Mr. Rademacher stated that this is a big ordinance; let him get an architectural code written up that everyone is happy with.

Chairman Newsome stated that we will send this back to staff for further review and bring it back to the next meeting.

Mr. Gugelman stated that this is great for big boxes but what about strip malls.

Mr. Rademacher stated that shopping centers, malls and big boxes are all covered under this ordinance.

Mr. Gugelman stated that we might need to re-title it.

Mr. Rademacher stated that he will bring this back as Design Standards to cover everything.

Mr. Rademacher stated that Penny Tysinger sent him an email regarding the work she is doing on the ordinance for residential subdivisions. She would like to meet with us on Monday, November 20 or Tuesday, November 21.

The Board decided on Tuesday, November 21 at 6:00 pm, here at Town Hall.

Mr. Rademacher stated that he will send a letter and we will call to remind.

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Chairman Newsome asked if there were any public comments. There were none.

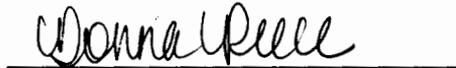
VI. ADJOURN

Chairman Newsome asked if there was a motion to adjourn. Mr. Cavender motioned to adjourn. Mr. Johnson seconded the motion and the planning board meeting adjourned at 7:10 P.M.



Planning Board Chairman

Oct 13, 2006
Date



Attest

10-13-06
Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

November 9, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carl Johnson
Andy Cavender
Don Hamilton
Sidney Williams
Frank Camps-Campins – Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Administrative Assistant
Christina Watkins, Permitting Officer

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Richard Gugelman, Resident
Randy Cox, Realtor
Gary Wethy, Gallant Engineering
Will Jernigan, Cavanaugh & Assoc.
Tom Golden, The Arbors at Dogwood Lakes
Scott Miller, Landscape Architect for The Arbors at Dogwood Lakes

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:33 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF OCTOBER 12, 2006 PLANNING BOARD MINUTES

Mr. Cavender motioned to approve the October 12, 2006 minutes. Mr. Johnson seconded the motion. The motion was carried.

III. SUBDIVISIONS

1. Boca Bay – Sketch Plan

Mr. Rademacher stated that the Yow's have submitted a sketch plan to extend their single-family home subdivision. This project is the final phase of the Boca Bay subdivision located behind Tiffany's Motel, off of Pender Avenue. The developer is proposing the development of 9 additional lots. The property being zoned R-5 residential allows for the construction of single-family homes on 5000 square foot lots and duplexes on 8500 square foot lots. This phase of development is continuing on the existing road known as South Boca Bay.

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Sidewalks and street trees will be provided along all road frontages. An amenity center is planned at the entrance to the neighborhood and was approved under previous plans. The water and sewer system is still under development and has not been completed for the existing phases of development. This phase will be extending the existing system with engineered plans being approved at the preliminary approval phase. This development will be required to have Major CAMA approval. Staff is recommending approval of the sketch plan but wants to make note that the previous improvements that were necessary for the water and sewer line extensions have yet to be completed on the original phases that were approved some time ago.

Chairman Newsome asked how long it has been.

Mr. Rademacher stated at least a year ago.

Mr. Cavender asked what improvements are still needed on the original phase.

Mr. Rademacher stated that on the original phase the road needs to be improved, the sidewalks need to be installed, the street trees need to be installed, the water lines need to be upgraded from 4 inch lines to 8 inch lines and the sewer lines need to be installed.

Mr. Camps-Campins asked if this would be a private street.

Mr. Rademacher stated that it would be private.

Mr. Camps-Campins stated that even though they will have to have a homeowners association he has concerns about settling issues with the road they are putting in with the water/sewer lines. He is concerned with the liability of the town. There may be potential problems in the future.

Mr. Hamilton stated that final engineering plans for the stormwater and for the water/sewer have to be submitted and approved. The homeowners association will have to maintain it.

Mr. Camps-Campins stated that prior to final approval he would like to see the whole project put together and what we are ending up with so the Town can see exactly what it will be taking over.

Mr. Wethy stated that Gallant Engineering took over the first phase of the project from another engineering firm. The Yow's hired them to do so. Coastal Carolina Construction is installing the water lines. The work is being done.

Mr. Cavender asked that since they can't sell lots until the work is done, is the intention of the developer to sell the lots or to build out?

Mr. Wethy stated that he is under the impression that they are selling lots but he is not positive.

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Mr. Rademacher stated that they can't get permits until the infrastructure is done.

Mr. Wethy stated that the original phase has the sewer lines in but they have not certified it yet. They are going to start running the lines at the Residences at Boca next week. He also stated their intent is to lift the end of the road a little since it is a gravity fed sewer. They also regulate the compaction of the soils and use good rock, the 57 stone, and good fill. They will be onsite to make sure the road is put in correctly.

Mr. Williams stated that there does not appear to be a cul-de-sac at the end of the road or an emergency turn around for emergency vehicles.

Mr. Wethy stated that between lots 24 and 25 there is an easement with a turn around. They ran this by Asst. Chief Bogan with the fire department and he is happy with it. It is a "Y" configuration.

Mr. Williams made the motion to adopt. Mr. Johnson seconded the motion. The motion carried.

IV. ZONING MAP AMENDMENT

1. The Arbors at Dogwood Lakes (R-15 to PUD)

Mr. Rademacher stated that the applicants are requesting approval of a rezoning from R-15 residential to PUD, planned unit development, for the construction of a multi-family project to be developed in conjunction with the previously approved Dogwood Lakes subdivision. The property is located between Dogwood Lakes and the property that is going to be utilized for the Surf City Crossing shopping center adjacent to Lowe's off of 210. Access to the property will currently be provided through the Dogwood Lakes subdivision with a road stub out for a future connection to highway 210 when the shopping center is developed. Access will eventually allow for traffic to move from Highway 210 to Highway 17 via this new road system. Water looping will also be provided through these connections. The property is 28.42 acres and the developer is proposing the development of approximately 192 multi-family units. These units will be a mix of town homes and condominiums. The developer is proposing the development of an extensive amenity package with chipping greens, pool, clubhouse, playground and open spaces. The total amenity package is 150,000 square feet. The developer is showing a project design that allows for excellent movement of traffic while controlling the speeds for safety. Sidewalks and landscaping will need to be designed to show compliance with the ordinances during a formal site plan review of the project if the rezoning passes. Permits will need to be received from NCDOT, storm water, sedimentation erosion control as well as other applicable local, state and federal permits. Staff recommends approval of this rezoning, as it is consistent with the adopted land use plans of the Town and will not adversely affect the health and safety of the residents and workers in the area. This rezoning is also in the public interest, as a rezoning will provide diversity of housing options in this portion of Surf City.

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Staff also feels that this plan is appropriate for the development patterns in the highway 17 and 210 area on the mainland. Staff also sees this project enhancing the commercial corridor by providing customer base and the availability of walking/biking to commercial centers.

Chairman Newsome complimented Mr. Jernigan regarding the package that was submitted.

Mr. Jernigan with Cavanaugh & Associates gave a presentation followed by the landscape architect Mr. Scott Miller. (See attached package submitted by the developer and engineers)

Mr. Camps-Campins asked if the plan is to have the bulk of the traffic coming into the main entrance through the shopping center site.

Mr. Jernigan stated that was correct. The main entrance will be off of Alston Blvd. at the Harris Teeter.

Mr. Williams made a motion to rezone to planned unit development. Mr. Hamilton seconded the motion and the motion was carried.

V. Zoning Text Amendments

1. Encroachments for roof overhangs.

Mr. Rademacher stated that these are staff initiated text amendments. Staff gets asked all the time about allowed encroachments for gutters and roof overhangs. The current ordinance does not address this issue leaving staff to make a determination. In order to maintain consistency with staff interpretation and to allow architectural items to be placed on buildings, staff recommends adopting a standard for encroachments that are typically found near the roofline. The changes recommended are consistent with other municipalities across the state. We are asking to change section 4.17, changing the title from Side Yard Setback Requirement to Allowed Setback Encroachments. Also, to add sills, cornices, eaves, gutters, ornamental features, and similar items may not project into any setback more than thirty (30) inches.

Mr. Cavender made the motion to accept the rewording of the allowed setback encroachment. Mr. Camps-Campins seconded the motion and the motion was carried.

2. Final surveys for residential structures.

Mr. Rademacher stated that this request is to help staff track the final product submitted by developers for single-family homes and multi-family developments. Currently surveys are required when a building application is applied for and when the foundation has been installed. No survey is required for a certificate of occupancy.

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The Town currently requires as built surveys for commercial construction. This has led to challenges with staff not being aware of changes made at the completion of a building. The developers/home owners tend to make changes to the project during the construction phase. This final survey would ensure compliance with the ordinances, ensuring that there is an accurate survey on file showing what has been built on the site and a comparison of what was permitted versus what has been built. Staff is asking to change section 5.8 changing the title from Foundation Surveys to Required Surveys. Also adding: In all districts, a final survey must be submitted prior to a final inspection and before a certificate of occupancy can be issued. Final Surveys must include the name and address of owner, physical address of the property, exact boundary lines and minimum setback lines and percentage of lot covered by roofed structure(s). All buildings and other structures on the lot must be shown including eaves, utility platforms, decks and stairs. Driveways and walkways must denote materials used. Decks must be labeled as roofed or open.

Mr. Camps-Campins asked if the stormwater plan is submitted at the time of building permit issuance.

Mr. Rademacher stated that is. Before a certificate of occupancy can be issued, we have to have a letter from the engineer stating that it was installed correctly.

Mr. Hamilton asked if we should add documentation regarding underground utilities.

Mr. Rademacher stated that there is no reason not to list it. We are asking for an as built and it should be included.

Mr. Hamilton motioned to approve the text amendment adding underground utilities. Mr. Williams seconded the motion and the motion was carried.

Mr. Camps-Campins motioned to approve as amended. Mr. Cavender seconded the motion and the motion was carried.

**3. Non-Residential Façade and Site Design Standards
(See attached copy of the ordinance)**

Mr. Rademacher stated that this was carried over from the last meeting. This is on façade and design standards for large-scale retail projects. We are doing this to ensure that Surf City stays a destination as we continue to grow. In the definitions, we added a notation to Approved Architectural Material stating that all materials shall be of a high quality. We also added the definition Minor Material that states an architectural material that is described as being lesser, as in size, extent, or importance. A minor material may not exceed 15% of a façade module. Under (A) Approval, we added: Individual lots that are developed and are not out parcels of a development are encouraged to follow these design guidelines. We also changed bike to bicycle in number 5 Access requirements. In section (C) Design Guidelines, we added: Architectural plans shall be submitted with a site plan. This is to be sure there are no gray areas.

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In number 4, we added reference to refuse containers stating: Refuse containers, recycling facilities, trash compactors and the like shall be enclosed in a building material that matches the structure or is visually compatible with the structure. Public views of these areas should be limited. Number 5 now states: All accessory buildings shall be of materials that are visually compatible in appearance with the principle structure. Number 6 reads: All rooftop mechanical equipment shall be screened from the line of sight of public and private right of ways, private roads and public sidewalks. Number 4 under landscaping we added one permanent outdoor space and number 5 under landscaping reads: Best management practices shall be utilized to ensure that damage to sidewalks and other paved surfaces is minimized from the landscaping planted.

Mr. Williams asked how many sides of the building does this apply to.

Mr. Rademacher stated that the primary façade and the secondary façade or any façade visible from the street. An example of existing buildings that this ordinance would have applied to is M&M Plaza and Wings. Any building 75,000 square feet or larger requires a Conditional Use Permit approved by Town Council. Less than 75,000 square feet has to meet the requirements and guidelines but would not require a Conditional Use Permit.

Mr. Medlin asked how small a building has to be to not have to follow this ordinance.

Mr. Rademacher stated that any single use building smaller than 50,000 square feet is not considered a big box and would not have to follow this ordinance.

Mr. Cavender asked if there is a limit to the number of units.

Mr. Rademacher stated that there is no unit cutoff. If the board wants to limit the units, he would use three or more or you could also put a square footage limit on it.

Mr. Cavender stated that he thinks there should be a combination of the two.

Mr. Hamilton asked if 15,000 square feet and three units would work.

Mr. Cavender stated that we should say between 15,000 square feet to 74,999 square feet and/or three or more units.

Mr. Williams stated that he would like to see four or more units.

The Board agreed to use four or more units.

Mr. Williams motioned to adopt as refined. Mr. Hamilton seconded the motion and the motion was carried.

VII. Annexation Requests

- 1. Reitzel Property 23.26 acres (Zone C3)**
- 2. DCNC, LLC Property .512 acres (Zone PUD)**
- 3. Sullivan Property 232.555 acres (Zone RA)**

Mr. Rademacher stated that the Town Council has requested that three annexation requests be reviewed by the Planning Board in regard to zoning. The first tract is a parcel along Highway 210 owned by the Reitzel family. The developer has the intentions of creating a commercial center at this location. The second tract is a small parcel located near Lodge Hall Road and is owned by Dilsheimer Communities and will be utilized as a road right of way in the Turtle Creek Subdivision. The third tract of land is owned by the Sullivan family and is partially in the Town ETJ. This property runs from Belt Road all the way to Topsail Sound. The current discussions on development are to create a neighborhood with a mixture of residential types along with some commercial development. Staff recommends zoning the Reitzel property C3 commercial, as this property is located on Highway 210 near the Highway 210 and 17 intersections, zoning the Dilsheimer property to PUD for the continued development of their project and zoning the portion of the Sullivan property RA residential to match the existing zoning on the property.

Mr. Cavender asked what they are planning to do with the Sullivan Property.

Mr. Rademacher stated 400-600 houses with a little bit of everything.

Mr. Williams asked where the power lines cross the Reitzel property.

Mr. Rademacher stated at Electric Lane.

Mr. Williams stated he hoped we would stop commercial at the power lines and transition to residential.

Mr. Rademacher stated that once beyond this property, the transition to more residential would start. This is a large tract that backs up to existing C3 property.

Mr. Williams motioned to rezone the three properties as recommended by staff. Mr. Cavender seconded the motion and the motion was carried.

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VIII. ADJOURN

Chairman Newsome asked if there was a motion to adjourn. Mr. Camps-Campins motioned to adjourn. The board was in favor and the planning board meeting adjourned at 7:05 P.M.

Camps-Campins
Planning Board Chairman

Nov 10, 2006
Date

Donna Peelle
Attest

11-09-06
Date

**SURF CITY PLANNING BOARD
WORKSHOP MINUTES**

December 7, 2006

4:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Frank Camps-Campins
Andy Cavender
Don Hamilton
Carl Johnson
Doug Medlin, Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planner
Donna Reece, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Dennis Sullivan, Developer
Andrew Sandman, Developer
Michael Horowitz, Developer
Perry Davis, Engineer with Cape Fear Engineering

I. MEETING CALLED TO ORDER

The presentation began at 4:00 P.M. Mr. Rademacher stated that the developers who have the Sullivan property under contract are here today to present their concepts to the Planning Board and get an understanding of what we are looking for.

II. THE SULLIVAN TRACT - 232.555 ACRES

Mr. Sullivan stated that they wanted to start a dialogue early on. This is an important piece as far as the future of the Town of Surf City being the flagship tract on the mainland side as far as a growth corridor. They hope to get feed back from the Planning Board to get an idea of what Surf City is looking for.

Mr. Sandman stated that they are very early on in this process. This is a mixed-use project with an incredible amenities package.

Mr. Sandman stated they would get started early 2008 once all permits are issued.

This is an introduction to the type of community they have planned. Nothing is set in stone. They are not looking to do a cookie cutter neighborhood of high-end homes. They are trying to make the price points vary within the project.

Mr. Perry went over the following proposed items:

- ❖ Main frontage on Belt Road. They are currently looking for access to Highway 50/210. If able to get access they plan to have a retail office village at that entrance.
- ❖ Commercial out parcels on Belt Road.
- ❖ Hotel behind the commercial out parcels near Gateway Condos.
- ❖ Condos, town homes and single-family homes.
- ❖ Amenities: pool, tennis courts, fitness center, lifestyle center, amphitheater, lawn area, shuttle to beach with bus stops, walking trails.
- ❖ Preserve as much wetlands and trees as possible as well as having natural and man made ponds.
- ❖ Split median boulevard with street trees, nice street lighting and sidewalks.
- ❖ Mixed-use project. Approximately 1000-1200 units / 5 to an acre.
- ❖ Public roads with nice signs at entrance. Would like a gated or manned entrance.
- ❖ Prices in the \$300,000's.

III. MEMBER DISCUSSION

Mr. Rademacher stated that there is a lot of vacant land on Highway 50/210 for a possible access but he likes the area that they noted. He would also like to see a connection at the right side of the property over towards Mill Creek. This is critical to bringing water and sewer to that section of the Surf City ETJ all the way to Mill Creek Mobile Home Park.

Mr. Hamilton stated that they might have problems with DOT if they get an entrance at Highway 50/210.

Mrs. Ryce stated that she is concerned with an entrance at Highway 50/210 due to the traffic issues with the bridge and the Community Center.

Mr. Camps-Campins stated that he would like to see some connection with Gateway Plaza if possible. He also feels that the multi-family section is too dense. There are no parks or recreation areas. There was a discussion about adding pocket parks in the multi-family sections. He would also like to see some conceptual designs or architectural design standards so the board can get a feel of what these units would look like.

Mr. Rademacher stated that he would like to see the multi-family reworked to have as few cul-de-sacs as possible. He would like to see interconnectivity in the neighborhoods. The roads should flow better with not as many turnarounds. He would also like to see squares with green space.

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Mr. Cavender stated that he likes the split median boulevard. It lends itself to an upscale feel even with the mixed price range. He also thinks that 5 units per acre is too much. He would like to see 3 to 4 units per acre. Also, he would like to see a transition between the multi-family and single-family.

Mr. Rademacher stated that if the streets are going to be public, the entrance couldn't be gated. They can't stop the public from going into the development. They can have a manned entrance. He also went over the sign ordinance.

Chairman Newsome stated that he likes the price range.

The board likes the mix of units however the multi-family is too dense. They would also like to see development in phases. They feel that this is a good beginning.

VI. ADJOURN

Chairman Newsome stated that the meeting was adjourned as 5:13 p.m.

Barry H. Newsome
Planning Board Chairman

Nov 8, 2006
Date

Donna Rice
Attest

11/08/06
Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

December 14, 2006

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairperson Carol Ryce
Carl Johnson
Andy Cavender
Al Alphin
Sally Edens - Alternate
Frank Camps-Campins – Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Richard Gugelman, Resident
Michael Gallant, Gallant Engineering
Eric Litvak, Developer
Jeff Lucas, Developer
Josh Mihally, Developer
Jason Dorazio, Developer
Brian Warren, Property Owner
Preston Warren, Property Owner
Preston Warren, Jr., Property Owner
Martha Terry, Property Owner

I. MEETING CALLED TO ORDER

Chairperson Ryce called the meeting to order at 5:30 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF NOVEMBER 9, 2006 PLANNING BOARD MINUTES

Mr. Camps-Campins motioned to approve the November 9, 2006 minutes. Mr. Cavender seconded the motion. The motion was carried.

III. SUBDIVISIONS

1. Boca Bay – Preliminary Plan

Mr. Rademacher stated that the Yow's have submitted a preliminary plan for the continuation of their single-family home subdivision. This project is the final phase of the Boca Bay subdivision located behind Tiffany's Motel off of Pender Avenue. The developer is proposing the development of 9 additional lots. The property is zoned R-5 residential and allows for the development of lots provided they are a minimum of 5000 square feet. Duplexes will be allowed on lots that have a minimum of 8500 square feet. This phase of development is continuing the exiting road known as South Boca Bay. Sidewalks and street trees will be provided along all road frontages. An amenity center is planned at the entrance of the neighborhood and was approved under previous plans. The water and sewer system will be extended from the existing system with engineered plans being approved at the preliminary approval phase. The developers have already submitted their application for a Major CAMA permit. All departments have reviewed these plans for compliance with the ordinances. Staff recommends approval of the preliminary plan.

Mr. Alphin asked where they came up with the design for the emergency vehicle turnaround. He has never seen anything like it.

Mr. Rademacher stated that the Fire Marshall and the engineers worked together. It is not your standard turnaround but it is a turnaround approved by the Department Of Insurance and the State Fire Marshall under appendix D.

Mr. Gallant stated that there are several approved turnarounds in the DOT manual, hammerheads and cul-de-sacs. There are also spurs like on this project. The dimensions are given in the DOT specs and the Fire Marshall has specifications from Appendix D. Ken Bogan has reviewed it. There is also an intermediate turnaround.

Mr. Alphin stated that backing up is not a good option for emergency vehicles because they never come in one vehicle. They are always in clusters. He just does not like it and feels that it is poor planning.

Mr. Gallant stated that it is a tight site due to the nature of the property.

Mr. Alphin stated that it is not due to the nature of the property but because they are trying to maximize the economic value.

Chairperson Ryce asked if the Fire Department has signed off on this.

Mr. Rademacher stated yes, because it is an approved turnaround per the fire code.

**PLANNING BOARD MEETING MINUTES
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Mr. Alphin stated that what the state minimum is and what is good planning is not always consistent.

Chairperson Ryce asked if the Fire Marshall was comfortable with this.

Mr. Rademacher stated he is and that they have been working on this for a while. He asked the engineer to discuss this with Asst. Chief Bogan since it is his call, he would have to make those turns.

Mr. Cavender asked if the entrance to those lots would be off of the spur.

Mr. Rademacher stated potentially yes.

Mr. Cavender asked if the sidewalk and street trees would have to be extended around the spur.

Mr. Rademacher stated yes.

Mr. Cavender asked if they would have to go back in the portion of the spur that extends into lots 24 and 25.

Mr. Rademacher stated no, not that portion. It will be treated as an emergency vehicle easement. It will be paved like a road but will not be part of the private road system.

Mr. Gallant stated that the sidewalk would run and stop at the pavement then continue again on the other side. It will not be run all the way around.

Mr. Cavender asked if that creates right of way or is the spur considered right of way and is there an easement on either side.

Mr. Gallant stated that there is a building setback from it.

Mr. Camps-Campins stated that it does not enhance lots 24 and 25 having a section removed from their property.

Mr. Gallant stated that they would be glad it was there if they had a fire. He also worked on this with Ken Bogan and made sure he was comfortable with it.

Mr. Alphin asked if you have five vehicles there for an emergency and there is another emergency up the road, how would they get around? Why not use a cul-de-sac.

Mr. Rademacher stated that the fire department prefers the hammerhead design over the cul-de-sacs. The reason is because they have a ladder truck. The cul-de-sac would have to be a 120-foot radius. It would be bigger than any cul-de-sac that we have in Surf City. The hammerhead allows them to turn around.

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Chairperson Ryce asked if she was correct in saying that this is a DOT standard and it has been signed off of by the fire department.

Mr. Gallant stated that she is correct. They discussed it at length as well as the placement of the hydrants.

Mr. Johnson stated that even if you did have a cul-de-sac at the end of the road they would still have to do a three-point turn.

Mr. Alphin stated that at least we are not shifting all the vehicles around. If there is a fire on lot 25, you would still be blocking those that have to go out.

Mr. Cavender stated that with his fire fighting experience, if there is a fire on lot 25 and resources are committed to fighting the fire on lot 25, other resources would be called in from other departments to fight another fire. The idea behind the spur is that it is easier to execute a turn then to try to navigate a cul-de-sac in a fire truck.

Mr. Rademacher stated that there is also the environmental argument of dropping a 120 foot radius cul-de-sac full of asphalt on an island.

Mr. Alphin asked what the difference is between a cul-de-sac and another house. You are talking about building another house versus an adequate cul-de-sac.

Chairperson Ryce stated that we have had answers from fire officials and from someone who is in the know of driving a fire truck. It meets DOT and Town standards.

Mrs. Edens asked what choice we have.

Mr. Alphin stated that he is talking about good planning and asked if the Planning Director supports good planning.

Mr. Rademacher stated that he recommends that developers not use a cul-de-sac design. Most plans on the mainland utilize the "Y" configuration or the hammerhead configuration. He would defer to the Fire Marshall for choices like this.

Mr. Alphin stated that for one development the fire department stated that they did not have to get the fire trucks up to where the houses were, they would drag their hoses. This was near Channel Bend.

Mr. Rademacher stated that in this case there was an issue over the fall zone. You can't pull a truck in front of a structure that is on fire in a fall zone. The bridge to this development is also not rated for a truck to cross.

Mr. Camps-Campins motioned to approve the preliminary plan design on Boca Bay. Mr. Cavender seconded the motion. Mr. Alphin opposed the motion. The motion carried five to one.

IV. ZONING MAP AMENDMENT REQUEST

1. One Stop Property (C-1 to MU)

Mr. Rademacher stated that Mr. Warren has requested that the commercial property currently being utilized as the One Stop restaurant be rezoned from C-1 Commercial to MU Mixed Use for the proposed purpose of constructing town homes on the property. The subject property is .62 acres and is located on the waterway just before you arrive at the swing bridge on the mainland. The current uses would be allowed to stay as conforming uses under the MU zoning classification. Adjacent properties are zoned C-1 and Mixed Use with town homes, office space, a restaurant and single-family homes in the vicinity of this parcel. Any redevelopment would require landscaping, NC DOT permits for access, storm water controls and CAMA permits. Staff recommends approving this rezoning. The rezoning would be consistent with the Towns Land Use Plans to allow both residential and commercial use in this area.

Mr. Camps-Campins stated that with the development across the street and Sears Landing adjacent to it, there will be a glut of cars at meal time. He is concerned with putting on the table the type of uses and the limited parking spaces available under the Mixed Use.

Mr. Gallant stated that if you were to redevelop this area with commercial development you would not be able to fit much on it because of the setbacks and parking requirements. This is a very narrow lot. He passed out a concept plan to the board showing what they would like to put on the lot. The plan calls for six town homes.

Chairperson Ryce stated that the plan is excellent but reminded the board that they can't rule on the rezoning by a specific site.

Mr. Rademacher stated that the board would be rezoning it for all the uses allowed in the rezoning. There is not much difference in the allowed uses between Mixed Use commercial and C-1 commercial. The main difference is the multi-family option with Mixed Use and the setbacks with C-1.

Chairperson Ryce asked if the parking is currently adequate for the One Stop.

Mr. Rademacher stated that it is not because the ordinance now requires backing motions be done out of the DOT or Town right of way. Also, the entire length of the property is open for traffic flow without one central access point.

Mr. Alphin stated that this property should stand on its own. If it meets the requirements, more power to it.

Mrs. Edens asked if the wetland delineations have been done.

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Mr. Gallant stated that it has been done. CAMA has been to the site. They have also had an environmental assessment study done by a private consultant and they also have a recorded map signed by the Army Corp. of Engineers. CAMA allows them to replace the footprint of what was there but they can not do more than that. They will have a net gain of 6% green space, which means there will be less impervious surfaces. They will also have to account for their stormwater runoff where now they do not have to do that. Due to some fuel tanks on the property from years ago, if they continue commercial use on the property this will remain open, if they switch to residential then it will close the case since there will be no more commercial use on the property.

Mr. Litvak stated that the board has touched on the differences between MU and C-1 and if he understands correctly the impervious surface in Mixed Use is limited by 50% where the C-1 is unlimited.

Mr. Rademacher stated that was correct except that Mixed Use is limited to 50% impervious by roofed structures which means that you can pave the rest of it.

Mr. Litvak stated that this property is a prominent gateway to the city. To use commercial on this site is an economic infeasibility. You can't afford to do it. There is an open action from the Department of Environmental Resources. If the property is rezoned, the state will issue a no action letter subject to a deed restriction limiting the use of the ground water to public water supply rather than wells which would not be required if the property is used for commercial. So by rezoning and getting a residential approval in the future it will preclude any use of ground water by the state for any purpose. If it was commercial you would still be able to use the ground water. The Town can close the site from a state action and force a greater protection upon the site for the general public. They are aiming for the greater flexibility of the mixed use zoning.

Mr. Cavender motioned to approve the rezoning to Mixed Use. Mrs. Edens seconded the motion and the motion was carried.

2. Well Site #4 (R5M to G-1)

Mr. Rademacher stated that the Town purchased a 1.07 acre piece of property from the Lanier family last year for the development of a well site. This well has been developed and is in service. The Town is requesting that this property be rezoned from its current zoning district which allows for campgrounds and manufactured home parks to G-1 governmental to be consistent with the land use constructed. The property can only be used for this well. Environmental regulations require that you have a 100 foot circle around the well. The Staff recommends approval of this rezoning. A rezoning would be consistent with the Town Land Use Plan.

Mr. Cavender motioned to rezone from R5M to G-1. Mrs. Edens seconded the motion and the motion was carried.

V. ZONING TEXT AMENDMENT

1. Temporary Signs

Mr. Rademacher stated that at the October Planning Board meeting recommendations to changes in the sign ordinance were made and adopted by the Town Council in November. Since that time, staff has been working on informing businesses and citizens of the new regulations. During this process, several business owners have sited concerns over the regulations complete ban on freestanding flags as a form of advertisement. Staff has looked at the ordinance and feels that an opportunity exists to change wording in this portion of the ordinance to accommodate those needs. After listening to several of the business owners, the idea of allowing two freestanding flags to be posted on a business property appears to be a reasonable compromise.

See attached text showing the changes discussed and recommended by staff. The new text is underlined.

Mr. Alphin motioned to approve. Mr. Camps-Campins seconded the motion.

Mr. Johnson asked about the wording "attached to any fence or strung between posts", what is the definition of a post and what about a banner attached between posts on the front of the building?

Mr. Rademacher stated that that would be attached to the principle structure of the building and would be allowed. A post would be a metal or wooden 2 x 4.

The Board was all in favor and the zoning text amendment was carried.

VI. ANNEXATION REQUESTS

- 1. Burke Property 50.29 acres (Zone C-3)**
- 2. Whitley Property 7.6 acres (Zone C-3)**
- 3. Coston Property 3.81 acres (Zone NB)**
- 4. Terra Co. Property 1.18 acres (Zone NB)**
- 5. Well Site #4 1.07 acres (Zone G-1)**

Mr. Rademacher stated that the Town Council has requested that 5 annexation requests be reviewed by the Planning Board in regards to zoning. The first tract is a parcel along Highway 17 and is approximately 50 acres in size. This parcel is located directly behind the Lowes Home Improvement site. Alston Burke is the owner. Staff recommends zoning the property C-3 Commercial.

Mr. Alphin motioned to approve zoning to C-3. Mr. Camps-Campins seconded the motion and the motion was carried.

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Mr. Rademacher stated that the second tract is adjacent to the first tract and is also fronting on Highway 17. The property is approximately 7.6 acres in size. The Whitley family owns the property. Staff recommends zoning the property C-3 Commercial.

Mr. Alphin motioned to approve zoning to C-3. Mr. Johnson seconded the motion and the motion was carried.

Mr. Rademacher stated that the third tract of land fronts on Highway 210 and is approximately 3.81 acres. The Coston family currently owns the property. Staff recommends zoning the property NB Neighborhood Business as it is in the areas identified by the Planning Board as beginning to transition into more residential and less intense commercial use areas.

Chairperson Ryce asked if Neighborhood Business would allow for gas stations.

Mr. Rademacher stated yes it would but most of the uses in Neighborhood Business are medical offices, banks or offices that close down.

Chairperson Ryce asked what the difference is between Office and Institutional and Neighborhood Business.

Mr. Rademacher stated that Office and Institutional does not allow gas stations. It is a step down in intensity. It is more business parks and medical offices.

Mr. Cavender asked if the applicant asked for Neighborhood Business.

Mr. Rademacher stated that they only asked to be annexed.

Mr. Cavender asked if it would be wiser to zone this residential and let the person who is going to use it come and request what zone they want since this is a transitional area.

Mr. Alphin stated that he did not see a problem with it and he would use R-10.

Mr. Rademacher stated that if you are going to zone it residential he would recommend R-15 but in this area he thinks we should start encouraging business opportunities. Put the more restrictive commercial zoning on it.

Mr. Alphin stated that he does not see this as residential but does not want a gas station in this area. He asked Mr. Rademacher if he would be comfortable with Office and Institutional.

Mr. Rademacher stated that he would be.

Mr. Alphin motioned to zone the property Office and Institutional. Mrs. Edens seconded the motion and the motion was carried.

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Mr. Rademacher stated that tract four is also located at the corner of Highway 210 and Deer Run Road. The property is approximately 1.18 acres in size. This is currently the location of Terra Co. landscaping business owned by the Perozzi family. Staff recommends zoning the property Neighborhood Business as it also lies in an area along the 210 corridor that is a residential service area not requiring high intensity commercial zoning.

Mr. Alphin asked if he will be keeping the business there.

Mr. Rademacher stated that he will be moving his business to Onslow County.

Chairperson Ryce asked if he was asking for annexation for resale value.

Mr. Rademacher stated that was his understanding.

Mr. Alphin stated that the board should look at the large property next to it and zone this property whatever they would want to zone that large tract.

Mr. Rademacher stated the front half of the property is being billed as a prime commercial piece by the owner. He has seen conceptual plans for a grocery store, shopping center, national pharmaceutical companies and things like that. The back half has a 4 acre portion that was donated to the turtle hospital. The whole property will be a mixed use plan at some point.

Mr. Cavender asked if we see the front portion as C-1 commercial.

Mr. Rademacher stated C-3.

Mr. Cavender asked if the board should zone this property Neighborhood Business or Office and Institutional.

Mr. Rademacher stated that Neighborhood Business would give you a little more flexibility with the fire department being on the corner and the likelihood of the larger retail business taking place next door.

Mr. Alphin motioned to zone the property Neighborhood Business as recommended. Mr. Johnson seconded the motion and the motion was carried.

Mr. Rademacher stated that the fifth tract of land is located on Spot Lane and is approximately 1.07 acres. The property is owned by the Town of Surf City and is the site of water well #4. Staff recommends zoning the property G-1 Governmental since it is owned by the Town and will be used for a well site.

Mr. Cavender motioned to zone the property G-1. Mrs. Edens seconded the motion and the motion was carried.

BOARD DISCUSSION

Mr. Rademacher reminded the board of the upcoming subdivision workshops. They will also need to take a look at the zoning map and discuss the transitional areas since we are expanding and also look at the upcoming annexations.

Mr. Cavender stated that Pender County is running water lines in Deer Run. Is it possible that as areas are annexed that Surf City would buy the lines and not have to run new lines?

Mr. Rademacher stated the county is running 2 inch and 4 inch lines. If they were 6 inches or above the Town would potentially be interested but they would have to be 6 inches minimum. Water will be available. We are in good shape.

PUBLIC COMMENTS

Mr. Gugelman asked with all the development going on, how will the roads hold up? Is there room for Highway 210 to be four lanes?

Mr. Rademacher stated that there is room for four lanes but there is no benefit for four lanes. The bridge is a factor.

Mr. Gugelman asked what the plans are for a bridge.

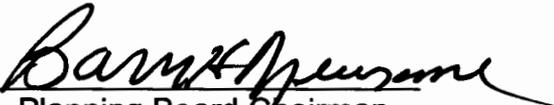
Mr. Rademacher stated that you may see a bridge on the planning books in 2011 with a bridge in 2030 but it is hard to say.

Mr. Gugelman asked if the current bridge is holding up.

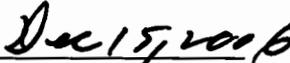
Mr. Rademacher stated that is holding up and they are doing maintenance on it now. DOT is also looking at doing road improvements.

VIII. ADJOURN

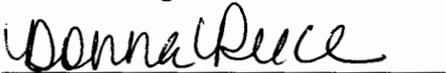
Chairperson Ryce asked if there was a motion to adjourn. Mr. Cavender motioned to adjourn. The board was in favor and the planning board meeting adjourned at 6:52 P.M.



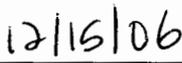
Planning Board Chairman



Date



Attest



Date