

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

January 10, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

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

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Parrish Sasser, Realtor
Gordon Smith
Frank Sheffield, Attorney
Charles Riggs, Surveyor
Jim Gregson, CAMA
Howard Batts, Resident
Mr. & Mrs. Ted Compton, Residents
Mr. & Mrs. Bob Hopkins, Residents
Carl Richter, Resident
Bill Horstmann, Resident
Jeff James, Resident

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:35 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF PLANNING BOARD MINUTES

1) December 7, 2006 Workshop Minutes

Mr. Cavender motioned to approve the December 7, 2006 workshop minutes. Mrs. Ryce seconded the motion and the motion was carried.

2) December 14, 2006 Planning Board Meeting Minutes

Mrs. Ryce stated that there was a discrepancy in the "Meeting Called to Order" section of the December 14, 2006 minutes. It referenced Chairman Newsome who was not present and needs to be corrected to read Chairperson Ryce.

Mr. Johnson motioned to approve the minutes as corrected.
Mr. Hamilton seconded the motion and the motion was carried.

III. SUBDIVISIONS

1. The Peninsula – Preliminary Plan Revision – Red Apple Group, LLC

Mr. Rademacher stated that the Red Apple Group is seeking approval of a revision of the preliminary plan approved by the Town in 2005. This new plan is being brought back for review because the plan submitted for the Major CAMA permit differed from the plans that were previously approved by the Town. The original plan called for 37 lots on both sides of the road with the road running down the center of the property. This plan created a situation of bridges and large amounts of wetland fill that would need to be approved by the Army Corps of Engineers. Since the last approval the developers have removed the old road beds in compliance with the Corps wishes and have resubmitted plans. The new plans call for the road to be shifted to the south and the majority of the north facing lots to be removed from the plans which will reduce the amount of impacts to the wetlands on the property. The removal of these lots as well as changes to the location of the lift station has caused the amount of lots created to be reduced to 27 from the original 37 lots. The developer is also proposing the creation of wetlands to the north which will increase the amount of wetlands on the site. Also, in this new review the NCDOT has required the construction of a deceleration lane on S. Shore Drive due to the increase in traffic and the adoption of new road access requirements. The development has received a State Stormwater Permit and is still undergoing a Major CAMA Permit review. The Army Corps of Engineers is still reviewing this project for the proposed fill and wetlands creation. CAMA has delineated and has approved coastal wetland delineation as of July 20, 2005. The proposed development revisions meet the requirements of the subdivision and zoning ordinance by showing compliance with sidewalks, street trees, ROW widths and lot sizes. All homes constructed on this site will be required to submit individual engineered stormwater plans to meet the Towns requirements of containing 1.5 inches of rainfall in a 24 hour period. Staff recommends approving this revision to the preliminary plan as it meets the requirements of the ordinance. Staff also recommends that all impervious allotments allowed in a state permit be placed on the final plat and that all protected wetland areas that are to be maintained as undeveloped land be denoted on the final plat.

Mr. Camps-Campins stated that the map of the subdivision should be posted on the board for the public.

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Mr. Charles Riggs of 202 Warlick Street, Jacksonville, NC and surveyor for the Red Apple Group stated that the revisions they have submitted are the result of numerous meetings with the US Army Corps of Engineers, Division of Coastal Management, Division of Water Quality and Division of Land Quality. They met with all the agencies to discuss their desires and needs and to be sure that this project will be in compliance with the State and Federal Government. As a result, they have reduced the number of lots from 37 to 27. They have also taken the area on the northeast side of the road and are reserving it for a conservation area. With this design, the Division of Water Quality has allowed them to use a low density approach for the stormwater. All the stormwater for the developed areas for the project will flow into the wetland area and will filter through the wetlands. They are also taking the existing uplands on the northeast side of the project, adjacent to the canal, and lowering them and restoring them to the original elevation. This will increase the amount of wetlands on the project. When the project is completed there will be more wetlands on the property than there is today. They are requesting from the Federal Government a filling of wetlands of 0.399 acres which includes a portion of the road, a portion of sidewalks, several square feet of area for homes and a few driveways. That request matches an existing federal permit that was granted to a previous land owner 8 years ago. They also moved the lift station adjacent to the five foot and ten foot easements to the sound. In the covenants, they are restricting each lot to one boat slip even though they are allowed to have two per lot. The water and sewer system was designed by Jeremy Blair with Paramount Engineering and has been submitted.

Mr. Rademacher stated that the Town engineers, Cavanaugh & Assoc. have reviewed those plans.

Mr. Riggs stated that they have submitted the Major CAMA Application and it is in review. They have the State Stormwater Permit. The Sedimentation and Erosion Control Permit is in process. The US Army Corp. of Engineers Permit is being processed for fill. It already had one public notice and will be going out for a second public notice. They feel that they have addressed the concerns of the citizens as well as the state and federal government.

Mr. Johnson stated that if he understands correctly they do not have the blessing of all agencies at this point.

Mr. Riggs stated that was correct.

Mr. Williams stated that since they will be covering up some wetlands and creating new ones, what is the net gain?

Mr. Riggs stated 0.698 acres or just under half an acre gain. The homeowners association and the restrictive covenants will control the conservation area and there will be no development of any kind.

Chairman Newsome asked if the project will be moot if they are unable to get the Major CAMA Permit.

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Mr. Riggs stated that is correct.

Mr. Cavender asked if the Fire Department has signed off on the hydrants, roads and cul-de-sacs.

Mr. Rademacher stated that they have.

Mr. Williams asked for confirmation that it meets our ordinance.

Mr. Rademacher stated that it does.

Mr. Camps-Campins stated that considering the quality of the soil he is concerned with stormwater and the ability to keep it on site. He is concerned with adding any more to an area that is so fragile.

Mr. Riggs stated that with their stormwater permit, they are allowed to go up to 25% impervious surface but they only requested 21.8%. In addition to their low density stormwater permit which collects the water in the conservation area, the Town of Surf City also requires an individual stormwater plan per lot.

Mr. Hamilton stated that there are bladder systems and other systems that are available for stormwater.

Mr. Camps-Campins stated that it is a tidal area and rains exacerbate the problem and he is worried about where the stormwater is going to go.

Mr. Riggs stated that the percentage of impervious surface for the entire site is less than 20%. They were allowed to use only the wetlands that they are utilizing. They are also are raising the sites on the lots a couple feet to accommodate sheet flow into the conservation area.

Mr. Williams asked if they would use soil that was hauled in.

Mr. Riggs stated yes, they would bring in compatible soils.

Mr. Williams asked if the individual stormwater plans were designed for an inch and a half.

Mr. Rademacher stated that it is. There is the State Stormwater Permit and also the Town stormwater permit.

Mr. Williams stated that is a total of 3 inches in an hour.

Mr. Alphin asked if they were going to use pervious paving for the streets.

Mr. Riggs stated that the driveways will be pervious but they have not discussed using pervious for the streets.

Mr. Cavender asked if the lots will be sold individually.

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Mr. Riggs stated that was correct.

Mr. Cavender asked if there are any structures in place to enforce the stormwater plan to be sure that additional fill is not brought in on each lot that creates runoff to areas we don't want.

Mr. Rademacher stated that this is no different than other development in Surf City. We enforce the impervious coverage on the Town permit but we don't have enforcement authority on state permits.

Mr. Cavender asked if the State Stormwater Permit determines the building envelope.

Mr. Rademacher stated that the State Stormwater Permit determines the total amount of impervious coverage allowed on the lot. The state permit also includes the accessory structures, walkway, driveway, eaves, gravel, pervious concrete etc. The Town does not count pervious surfaces against you, the state does.

Mr. Ryce asked if all the checks and balances happen at the building permit time.

Mr. Rademacher stated that is the when it is checked the heaviest. We now require an as built survey before a certificate of occupancy is issued.

Mr. Cavender asked if the canals were navigable.

Mr. Riggs stated that they are.

Mr. Cavender asked if they will require dredging.

Mr. Riggs stated that they do no plan to dredge. You can get a boat thru there.

Mr. Cavender asked what would determine how many boats are parked in each dock. There will only be one boat slip but who would enforce how many boats are parked there.

Mr. Riggs stated that it would be no different than any other state permit. He is not sure how the state would enforce it. He is open to suggestions. Maybe the homeowners will enforce themselves.

Mr. Hamilton stated that the chances are slim that a boat would be parked in each slip at the same time.

Mr. Williams stated that it would be in the deed restrictions but it still may or may not be enforced.

Mr. Sheffield with Ward and Smith Law firm, 1001 College Court, New Bern, NC stated that one slip per lot would be a condition on the Major CAMA Permit and would be enforced by them.

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Mrs. Edens asked if the boat dock permits have been applied for.

Mr. Sheffield stated that that would be up to the individual homeowner.

Mr. Riggs stated that the conditions would be on the Major CAMA Permit for the project.

Mr. Rademacher read a letter from Laurel Kolodij from the North Carolina Coastal Federation. (see attached letter)

Mr. Williams stated that the infiltration coverage listed on the plans is 29.9%.

Mr. Riggs stated that that is on the highlands not the wetlands. Those calculations do not apply to the low density calculations.

Chairman Newsome asked Mr. Rademacher to explain the evacuation procedures and the liability of the Town in the event of a storm.

Mr. Rademacher stated he did not want to comment on legality but that during a storm, if resources are removed from the island, the individual residents have a responsibility to protect their life and leave the island. We will be unable to come back during the storm to get them. In regards to the flood maps, this area is designated as an A Zone and they will have to raise the homes to a certain level. This subdivision will have a private street. The Town will hold no maintenance of the street. The water and sewer line will be our maintenance concern and the lift station will be designed so the proper mechanisms will be above base flood.

Chairman Newsome invited the public to speak.

Mr. Ted Compton of 121 Driftwood Lane, Surf City, NC stated that he sent a letter to each member of the Planning Board and read the letter out loud. (see attached letter)

Mr. Carl Richter of 109 Driftwood Lane, Surf City, NC asked the board if they have visited the site. (All members stated that they have.) He stated that he has seen the site in all weather conditions and in high tides there is a lot of flooding. There were two ditches that go a quarter mile out into the salt marsh. This is not the typical subdivision. He is concerned with shell fish waters and the water quality of the whole area. He knows that aesthetics do not apply but the view will be destroyed. He hopes that the board will turn this project down.

Mr. Jeff James of 130 Atkinson Road, Surf City, NC stated that he is a builder on the island. He stated that he lives right beside the project. They allowed them to start digging years ago, so let them finish it. Yes it will block his view but it was for sale and they purchased the property.

Mr. Richter responded that he has lived on the island for 23 years and he understood there was questionable legality and that is why they stopped digging.

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Mr. Williams stated that the person quit paying the man for digging and he stopped. It was legal at the time to dig but he quit since he wasn't being paid. This was 30 years ago.

Mr. Howard Batts of 129 Shae's Landing Drive, Surf City, NC stated that he lives next to the development. He owns half the canal. He has lived there seven years and has tried several times to get a boat out but gave up because it was tearing up lower units. It is not navigable unless it is a lunar tide or a very high tide. If you do get out it is hard to navigate to the Intracoastal Waterway. The person who owned the property before tried to develop it years ago and took it all the way to the Supreme Court and was turned down. He would like to board to think very hard before making a decision.

Chairman Newsome asked if there were any other comments from the public or from the board.

Mr. Alphin stated that the board is limited to what it can and can't do. When the Planning Director tells them that it meets the requirements of the Town of Surf City, there are legal cases that say that they are entitled to move forward since they are people with property and other people had the opportunity to buy that property for conservation if they wanted to. This buyer bought the property for development. They came to the Town with a proposal that met the rules and regulations. We may not like it but our job is to see if it complies and unless there is an overriding health and welfare issue then there is nothing we can do.

Mr. Hamilton motioned to approve as submitted. Mr. Williams seconded the motion and the motion was carried.

IV. ZONING MAP AMENDMENT

1. Town Property (R-5 to CON Conservation) Located on North New River behind Egret Landing development.

Mr. Rademacher stated that the Town of Surf City recently had 11.96 acres of property donated by the developers of the Egret Landing Subdivision. This property extends from the back of the Egret Landing development to the Intracoastal Waterway. This rezoning will act as an extra layer of environmental protection in an area that consists of coastal wetlands, maritime forest and some upland area. A rezoning to CON Conservation will allow for very low intense uses that are consistent with conservation. Allowed uses in this area are piers and boat docks as well as eco-campgrounds with a conditional use. Subdivisions and the like are not permitted in this district. Staff recommends approving this rezoning to Conservation. A rezoning would be consistent with the Towns Land Use Plan which denotes this area as conservation land.

Mrs. Ryce motioned to approve to CON as recommended. Mr. Hamilton seconded the motion and the motion carried.

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V. ANNEXATION REQUESTS

- 1. Cave Property 8.51 acres (Zone RA)**
- 2. Hardee Property .9552 acres (Zone OI)**
- 3. Smith Property 24.132 acres (Zone C-3)**
- 4. Capps Property 3.082 acres (Zone C-3)**
- 5. Polk Property 3.07 acres (Zone C-3)**
- 6. Shepard Property 2.336 acres (Zone C-3)**
- 7. Rochelle Property 28.15 acres (Zone R-A)**

Mr. Rademacher stated that the Town Council has requested that 6 annexation requests be reviewed by the Planning Board in regards to zoning. The first tract is located behind JE Registers garage on Highway 17. The property is surrounded mainly by Holly Shelter and is approximately 8.51 acres in size. The property is owned by the Cave Family. Staff recommends that the property be zoned RA as the property is not in a high density commercial area and is surrounded by Holly Shelter.

Mrs. Ryce asked if they submitted plans.

Mr. Rademacher stated no, this is just for annexation.

Mr. Williams motioned to approve to RA. Mrs. Ryce seconded the motion and the motion was carried.

Mr. Rademacher stated that the second tract is a parcel along Highway 210 and is approximately 1 acre in size. This parcel is located at the intersection of King Drive and Highway 210 and is owned by the Hardee Family. Staff recommends that the property be zoned O&I Commercial as it lies on the main commercial corridor near Lowes and is in an area that is appropriate for a less intense commercial use that can service the residential development in the area.

Mr. Williams stated that he is not sure about Office and Institutional. We have to stop commercial somewhere and across the street is all residential.

Mr. Rademacher stated that there is a garage across the street. He feels that this is an appropriate place to stop commercial. The intersection at King Drive, where the creek area is, would be a good place to start residential. The intersection at Watts Landing Road and Highway 210 will be a major intersection in the future.

Mr. Cavender motioned to approve to OI. Mr. Johnson seconded the motion and the motion was carried.

Mr. Rademacher stated that the third tract is approximately 24 acres in size and is owned by David Smith. This property is located across from the main entrance to Lowes on Highway 210. Staff recommends that the property be zoned C-3 Commercial as it also on the main commercial corridor fronting Highway 210. The Lane Use Plan identifies this area as suitable for heavier commercial uses.

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Mr. Rademacher stated that plans for that property are commercial development. Tract number 3, 4, 5 and 6 along with the Sidbury property are all being brought together.

Mr. Williams motioned to approve number 3 thru 6 as recommended to C-3. Mr. Cavender seconded the motion and the motion was carried.

Mr. Rademacher stated that the seventh tract of land is owned by the Rochelle family and is located on J.H. Batts Road. The property is actually on both sides of this road and is currently zoned RA and is located in the Surf City ETJ. Staff recommends keeping the property RA.

Mr. Williams motioned to approve Zone RA. Mrs. Ryce seconded the motion and the motion was carried.

Mr. Rademacher reminded the board of the upcoming subdivision workshop Tuesday, January 16 at 6:00pm.

VIII. ADJOURN

Chairman Newsome adjourned the meeting at 6:52 P.M.

Barry Newsome
Planning Board Chairman

Donna Pece
Attest

Jan 11, 2007
Date

01/11/07
Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

February 8, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Carl Johnson
Andy Cavender
Don Hamilton
Sidney Williams

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Richard Gugelmann, Resident

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:32 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF JANUARY 10, 2007 PLANNING BOARD MINUTES

Mrs. Ryce stated that there was a spelling error of the word mute, it should read moot.

Mr. Johnson stated that he would like to confirm, on the recording, what he stated on page 3.

Mr. Cavender motioned to approve the minutes with the spelling correction and with Mr. Johnson's comments checked for accuracy. Mr. Johnson seconded the motion and the motion was carried.

III. ZONING TEXT AMENDMENT

1. PUD Commercial Allowance

Mr. Rademacher stated that staff is requesting the addition of a commercial allowance within the PUD zoning district. It has always been the interpretation of the Town to allow commercial within this district but no specific guidelines have been in place. Staff is receiving more and more requests for this type of development and feels that it is important to add this option with guidelines to the ordinance.

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Also, by allowing this commercial area as a portion of a residential development we are encouraging less vehicular miles traveled and increasing the walk ability of our neighborhoods. This allowance has been designed to limit the amount of commercial space in predominantly residential areas by making it a minor feature of a neighborhood if a developer chooses to use this option. Also, the uses proposed to be allowed in the table of uses are limited to those that are more commonly found near residential areas and not intrusive to the health and safety of a neighborhood. See the attached recommendation to add section 4.1.9.3.d.4 Commercial Density District to the zoning ordinance.

Mr. Cavender asked how much leeway we have in determining the types of commercial development allowed. Do we have to stick to the list or can we add some? He would like to add ambulance services and rescue squads. He wouldn't want someone to feel that it is particularly excluded.

Mr. Rademacher stated that this typically falls under government and are pretty much allowed in all districts but we could change the table to show that.

Mr. Hamilton stated that commercial boathouses and boat docks are permitted but residential are not and also boat docks, piers, wharves and moorings are not.

Mr. Rademacher stated that they should all be permitted.

Mr. Cavender asked about carwashes.

Mr. Rademacher stated that he feels it would cause more traffic than you would want to have in these types of neighborhoods along with noise and lighting issues. We may want to limit this to businesses that close early without nuisance to the neighborhood.

Mr. Cavender asked about contractor, general – office only, no outside storage of equipment. He agrees with not permitting with outside storage.

Chairman Newsome feels that we should leave this as is.

Mr. Hamilton asked about educational such as a marina.

Mr. Rademacher stated that this is not designed to be commercial. We have to be cautious. It does allow schools, trade, business and technical.

Mr. Hamilton stated that back under section a. Setbacks, we show highways 50, 210 and 17. Do we also need to include Belt Road?

Mr. Rademacher stated that the reason for the extra setback is due to any future road widening and the ones listed are the major highways.

Mrs. Ryce asked about hospitals and why it would fit into a PUD.

The board feels that hospitals should not be permitted.

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Mrs. Ryce asked the board what they felt about museums. Should we make it conditional?

The board decided to allow it as conditional instead of permitted.

Mr. Cavender motioned to approve as amended. Mr. Hamilton seconded the motion.

Mr. Gugelmann asked why nursing homes are only permitted in RA.

The board discussed the issue and decided to allow it under PUD as conditional.

The motion to approve as amended was carried.

VIII. ADJOURN

Chairman Newsome adjourned the meeting at 5:55 P.M.

Barry Newsome
Planning Board Chairman

Feb 9, 2007
Date

Donna Reece
Attest

02/09/07
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

February 13, 2007

6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Frank Camps-Campins, Alternate
Carl Johnson
Don Hamilton
Sidney Williams
Doug Medlin, Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Penny Tysinger, CFCOG

I. MEETING CALLED TO ORDER

Chairman Newsome called the workshop to order at 6:15 P.M.

II. THE SUBDIVISION ORDINANCE

The following items are up for discussion:

- ❖ Processes – Types of Reviews
- ❖ Set up of formal TRC
- ❖ Standards

Ms. Tysinger handed out a document titled "Path of Review for the 3 Different Types of Subdivisions".

Ms. Tysinger stated that tonight we are going to talk about the processes that we go through and the TRC. This is a review from the last meeting where we changed the responsibility of the board. On the Minor, the sketch is optional with staff review, preliminary to TRC and final to TRC with reporting to Planning Board and Council. On the Major the sketch goes to TRC, the preliminary back to TRC then to the Planning Board and Council, the final to the Council.

III. MEMBER DISCUSSION

Mr. Camps-Campins asked if minutes are taken at the TRC meetings.

Ms. Tysinger stated that typically minutes are not done but comments are listed.

Mr. Rademacher stated that how we do it now is the Fire Department hands out written comments with the rest of us commenting on the actual plans. We make a copy of the plan with the comments and give it to the developer.

Chairman Newsome asked if these are joint meetings or piece meal.

Mr. Rademacher stated that right now they are piece meal but they are going to be joint meetings.

Chairman Newsome stated that he thinks this is a good idea and may eliminate meetings in the long run.

Mr. Medlin asked if Onslow County water department would need to be at the meetings.

Mr. Rademacher stated only if a subdivision.

Ms. Tysinger stated that we should add a statement that says "Any other entities as needed and determined by the subdivision administrator" to save us from having to amend the ordinance every time we may want to add someone new such as cable or school personnel if a school is involved.

The board agreed to add the statement.

Ms. Tysinger stated that she and Mr. Rademacher met with some local engineers who went through a document she provided regarding technical standards to see how it could apply to Surf City. They got some good feedback but felt that maybe we were not ready for those types of technical and detailed standards. Some of the things they talked about were:

- Where water and sewer lines need to go
- Stormwater (phase 2 stormwater rules)
- All commercial development under an acre meets state standards
- All subdivision development must meet stormwater don't wait until building the house
- All residential development cannot exceed 75% impervious
- Current ordinance is a storage ordinance not a treatment ordinance (retention ponds)
- Putting impervious coverage maximums on final plats
- Putting the maximum pervious coverage on building permits
- Buffer around protected waters
- Replace existing technical standards

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- Require curb and guttering off island
- Require sod instead of seeding
- Open space

Mr. Medlin stated that he does not think we should have a sod instead of seed policy.

Chairman Newsome stated that it would be costly. We can encourage them to use sod but not make it a policy.

Mr. Medlin is against curb and guttering. You are channeling water.

Mr. Hamilton stated that Lauren Kolodij has offered to come and talk to the board about stormwater and smarter designs.

Ms. Tysinger asked if the state requires curb and guttering.

The board stated that they do not.

Ms. Tysinger stated that she heard that retention ponds are being used because they can get approval quicker but it is not the only way to do it. She stated that she will not change to curb and guttering, she will keep as is, meeting state standards. She asked if state storm water standards are good enough.

Mr. Rademacher stated that we could rewrite the ordinance but feels that the state hammer is going to come down so we should just keep it as is for now.

Mr. Hamilton stated that he feels designing to state standards is wrong. We should get some professionals in here to educate us on stormwater.

Ms. Tysinger stated that the CRAC is going to go on the road and hold meetings on a topic that is of interest to that community. They are going to Kill Devil Hills next month to talk about storm water. They are holding a meeting in Sunset Beach regarding going to a sewer system and using old septic tanks as citrines. The CRAC will not be back to this area until September. Maybe we should take next meeting to hear some different viewpoints then see what happens in September as well.

Mr. Hamilton stated that Lauren has volunteered to come and speak to the board.

Mr. Rademacher stated that he is concerned with how we can make changes on a local level since we do not have a Town engineer. How can we say if it meets the design or not?

Ms. Tysinger stated that CAMA likes Ocean Isle's ordinance regarding storm water since each lot has to have a plan designed that meets the inch and a half in a 24 hour period and they mostly use French drains.

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Mr. Rademacher stated that our ordinance is like that now and has been for 3 or 4 years.

Mr. Hamilton stated that we also require that the engineer design the plan and sign off that it has been installed correctly.

Ms. Tysinger stated that it would be a good idea to take next meeting on March 13th to hear from some speakers. She will get a copy of the Ocean Isle ordinance as well. Let's now talk about other standards starting with sidewalks. We discussed minimum of 4 feet wide and minimum thickness of 4 inches.

Mr. Rademacher stated that sidewalks are a minimum of 5 feet wide.

Mr. Williams stated that he does not see why they can not be 4 feet wide. This is a lot of pervious surface. He does not have a problem with this in the large subdivisions but not in the small subdivisions.

Mr. Rademacher stated that they are just too narrow.

Mrs. Tysinger stated that we also require them to be on both sides of the road.

Mr. Hamilton stated that maybe we can require it on one side and gravel on the other.

Mr. Williams does not see why we have to have the same standard for everything. He does not see the need for two 5 foot sidewalks.

Mr. Rademacher stated that maybe an option would be a multi-use path like they have in Wilmington. They are anywhere from 8-12 feet wide, down one side of the road. The Town can't maintain a gravel walkway.

Ms. Tysinger asked the board if they want sidewalks down both sides of the road.

Mr. Rademacher stated that we do not require them on both sides in cul-de-sacs.

Ms. Tysinger asked if we want to require them one side with an option of a multi-use path on the other.

Mr. Rademacher stated that if the roads will be interconnected then we need to require sidewalks on both sides of the road. If it is a dead end or cul-de-sac then allow on one side.

Chairman Newsome stated that he thinks it looks nice to have sidewalks down both sides of the road.

Ms. Tysinger asked if we want to include a statement that connects internal sidewalks to the public right-of-way sidewalks.

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Mr. Rademacher stated that design standards for the big box already have this, the internal walk ability.

Ms. Tysinger stated that we definitely want parking lot connectivity.

Mr. Rademacher stated that we should clear up how many to have since it is hard to determine sometimes.

Ms. Tysinger stated that we talked about that before and she will find out what was said. She then asked about private streets, we allow them and they have to be to DOT standards

Mr. Rademacher stated that the Public Works director wants to see them broken up between mainland and the island. He agrees with him. Our current ordinance does not really say it but it has been the policy that if you are doing a subdivision on the mainland that it is public streets but it is technically the developer's choice.

Mr. Williams stated that the big thing now is gated communities. He thinks they should be permitted.

Mr. Rademacher stated that Public Works says if you gate the community you have to maintain the water and sewer, the Town will not maintain it.

Mr. Medlin stated that if you gate a community what happens to the interconnectivity. You will lose that.

Mr. Hamilton stated that he does not want to ban them but does not want to encourage them. People like the security.

Mr. Rademacher stated that Public Works will not take over the water/sewer.

Mr. Hamilton stated then you will lose a huge revenue source.

Chairman Newsome stated that it is for prestige not for security.

Mr. Williams stated that he hates to see Surf City shut them out.

Mr. Rademacher stated that in the current ordinance, if you are in a water community, you have to offer public access to the water.

The board decided to think more on this subject and discuss it again at another time.

Ms. Tysinger asked the board about streets. Do we want to stay with DOT standard or do you want to go to a higher standard.

Mr. Rademacher stated that DOT standard is fantastic for paving but some of their traffic calming measures like the bends in the roads and roundabouts, DOT does not work it is designed for high volume, high speed.

**PLANNING BOARD WORKSHOP MINUTES
FEBRUARY 13, 2007
PAGE 6**

Ms. Tysinger asked about alleys.

Mr. Hamilton stated that they are good for services like trash. It takes traffic off of the main roads that you do not want. He thinks they are smart. It goes back to the olden days.

Chairman Newsome stated that in some big cities they have garages in the back of the house.

Ms. Tysinger stated that we currently have them as prohibited unless approved by the Planning Board. They are 20' wide with a radius of 15', minimum turnaround diameter of a dead end alley is 80'. Alleys should not dead end.

Mr. Medlin stated that he thinks they should be allowed but do not run utilities back there.

The board wants "prohibited" taken out.

Ms. Tysinger asked about lengths and widths. Is there anything the board wants to do?

Mr. Rademacher stated that there is nothing major there.

Ms. Tysinger stated that we have design standards for easements other than beach access for utilities and drainage easements. This is good to have. We also have standards for access to the ocean and Intracoastal wetlands. Do we need to add any other bodies of water such as recreational ponds, not storm water ponds or will it take care of itself under recreational.

Mr. Rademacher stated that he thinks it will take care of itself under recreational.

Mr. Williams stated that we need to take out Intracoastal wetlands. We should say navigable waters.

The board agreed.

Ms. Tysinger stated she will change it to navigable waters. Navigable is defined as if you can get a canoe in it.

Mr. Rademacher asked if we are then going to provide public access anywhere that has navigable waters. It would be great to have a canoe portage by the bridge.

Mr. Medlin stated that they would have to have the frontage. There is a frontage requirement.

Ms. Tysinger stated that was for commercial development. It says: All subdivisions adjoining Intracoastal wetlands shall provide for public access to the water.

PLANNING BOARD WORKSHOP MINUTES

FEBRUARY 13, 2007

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Such access shall include a 20 foot easement every 1000 feet or 2% of linear footage of the wetlands shoreline, whichever is greater, with a minimum of 10 feet per subdivision.

Mr. Hamilton stated that the word wetlands should come out.

Mr. Medlin stated that we should change it to navigable waters.

The board agreed.

Mr. Hamilton stated that the minimum of 10 feet should also come out. We should just say a 20 foot easement every 1000 feet.

The board agreed.

Ms. Tysinger asked the board to think about open space and recreational for the next meeting.

Mr. Rademacher stated that the Town has been talking to some engineers about doing some studies in regards to parking on the island and are leaning towards a full blown transportation study. He will keep the board up to date.

VI. ADJOURN

Mr. Williams motioned to adjourn. Chairman Newsome stated that the meeting was adjourned as 7:55 p.m.

Barry Newsome
Planning Board Chairman

Feb 14, 2007
Date

Donna Rice
Attest

02/14/07
Date

**SURF CITY PLANNING BOARD MINUTES
MINUTES**

March 8, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carl Johnson
Don Hamilton
Sidney Williams
Oliver "Al" Alphin

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin, Planning Board Liaison
Richard Gugelmann, Resident
Greg Hobbs, Harbor Side
Charlie Hobbs, Harbor Side

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:31 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF PLANNING BOARD MINUTES

1. February 8, 2007 Planning Board Meeting Minutes

Mr. Williams motioned to approve the minutes. Mr. Johnson seconded the motion and the motion was carried.

2. January 16, 2007 Planning Board Workshop Minutes

Mr. Hamilton motioned to approve the minutes. Mr. Johnson seconded the motion and the motion was carried.

III. CONDITIONAL USE PERMIT/SITE PLAN

1. Harbor Side Development

Mr. Rademacher stated the applicant, Hobbs Properties, is requesting approval of a Conditional Use Permit and associated site plan. The subject property is currently zoned C-1 in the Central Business District. The proposed project will consist of a 5538 square foot 3 story commercial building on the road frontage and an 11 unit condominium along the waterfront.

PLANNING BOARD MEETING MINUTES

MARCH 8, 2007

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The developer is proposing the construction of a boardwalk along the waterfront with docking facilities, which must be approved by CAMA and as agreed upon with the developer allowed for interconnectivity with future boardwalk expansions and access to the public. The developer has stated he has an interest in working with neighboring property owners on continuing the boardwalk project. A fire hydrant will be placed at the front of the project and water and sewer show compliance with the ordinances. Sidewalks, landscaping and stormwater area all designed in accordance with the ordinance. Also, included in your packet is a lighting plan showing compliance with the new lighting ordinance. The developer is also requesting that a Conditional Use Permit be granted on this site as the proposed project is for the condominium building to be constructed at 60 feet in height and the commercial building be constructed at 55 feet in height. This increase in height is allowed as the property is located in the C-1 Central Business District and is defined as Urban Waterfront in the Town Land Use Plan.

Mr. Greg Hobbs gave a presentation to the board. See the attached site plan, stormwater plan, lighting plan and narrative.

Mr. Rademacher stated that the previous plan that was approved was for a 3500 square foot commercial building and a 9 room motelminium project. This is switching over to true condominiums. The ordinance has changed since then allowing for the additional height and the calculations for residential provides enough for the commercial space.

Chairman Newsome asked if they will be built at the same time.

Mr. Hobbs stated that they may not be built at the exact same time. That is their recommendation. It is a tight site so there may be some staging issues. The idea is to bring them on as a finished product for certificates of occupancy.

Mr. Rademacher stated that the residential is tied directly into the commercial. They will need to be staged properly.

Mr. Greg Hobbs stated that they may need to build the commercial building first but it all will be built. They are not going to show this and not build it.

Chairman Newsome stated that was his point.

Mr. Medlin asked what size the suites are.

Mr. Greg Hobbs stated around 1500 square feet. They have 11 units planned. A few units may be a little larger with a patio.

Mr. Medlin asked if there will be an elevator.

Mr. Greg Hobbs stated that there will be an elevator. There has to be to meet the handicap requirements.

PLANNING BOARD MEETING MINUTES
MARCH 8, 2007
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Mr. Williams asked what the time schedule is.

Mr. Greg Hobbs stated that they are ready to get started once the CAMA permit and all other permits are issued. They are anxious to get started.

Mr. Rademacher stated it will not take long to get all the permits once they have all the paperwork together.

Mr. Rademacher stated that the four factors will have to be met to issue the Conditional Use Permit. Staff recommends approving the Conditional Use Permit for the increase in height above 48 feet as the plan will not endanger the health and safety of the public as designed. Staff has come up with some conditions: 1) No part of the residential building shall exceed 60 feet in height. 2) No part of the commercial building shall exceed 55 feet in height. 3) The commercial building and residential building must be permitted simultaneously as the residential allotment is directly tied to the amount of commercial on the site. 4) That the first floor system be installed and inspected prior to the issuance of any residential certificate of occupancies. The commercial building must be completed prior to all final occupancy certificates being issued. 5) Boardwalk construction will allow for perpetual public access and connectivity to any future boardwalks constructed on adjoining properties. It is the opinion of staff that this development will not endanger the values of neighboring properties as it is consistent with other CUP's issued in the direct vicinity. The use is in compliance with other approved uses in the area and is consistent with the urban water front regulations as found in the Town's urban waterfront district described in the 2005 Land Use Plan. The board will have to hold two votes on this request. One vote for the Conditional Use Permit and a second vote, if you approve the Conditional Use Permit, for the site plan.

Mr. Williams stated that he will have to excuse himself from the vote since he owns the adjoining property.

Mr. Hamilton motioned to approve excusing Mr. Williams from the vote. Mr. Johnson seconded the motion and the motion was carried.

Mr. Hamilton motioned to approve the Conditional Use Permit based on the four factors. The factors are as follows:

- 1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the conditional use permit.
- 2) That the use meets all required conditions and specifications.
- 3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
- 4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the land use plan and its policies for growth and development as applicable in the Town of Surf City.

PLANNING BOARD MEETING MINUTES

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Mr. Hamilton stated that the motion to approve also includes the five conditions suggested by staff. The conditions are as follows:

- 1) No part of the residential building shall exceed 60 feet.
- 2) No part of the commercial building shall exceed 55 feet.
- 3) The commercial building and residential building must be permitted simultaneously as the residential allotment is directly tied to the amount of commercial on the site.
- 4) That the first floor system be installed and inspected prior to the issuance of any residential certificate of occupancies. The commercial building must be completed prior to all final occupancy certificates being issued.
- 5) Boardwalk construction will allow for perpetual public access and connectivity to any future boardwalks constructed on adjoining properties.

Mr. Johnson seconded the motion.

Mr. Alphin stated that his concern is that what we are doing is saying that we really have a 60 foot height limit as opposed to what we had before. We did have another project that was an exception to the rule. What we are saying is the exception is the rule. He is not in favor of 60 foot tall buildings and feels that the developer can get land utilization without having this condition. He is voting against it.

Mr. Hamilton motioned to approve. Mr. Johnson seconded the motion. Mr. Alphin opposed the motion. The motion was passed with three in favor and one opposed.

Mr. Hamilton motioned to approve the site plan as submitted. Mr. Johnson seconded the motion. Mr. Alphin opposed the motion. The motion was passed with three in favor and one opposed.

IV. ANNEXATIONS

1. RFH Management 2.54 acres

2. Mock Property 1.66 acres

Mr. Rademacher stated that the Town Council has requested that two annexation requests be reviewed by the Planning Board in regards to zoning. The first tract is located on the corner of Highway 17 and Stag Drive. The property is owned by RFH Management and is in an area that is highly suitable for commercial development. Surrounding land uses are vacant land, commercial uses and the Forestry Departments fire tower. The second tract is a parcel along Highway 210 and approximately 1.66 acres in size. This property is located in an area that is appropriate for commercial development and the Town has already annexed properties adjacent to this for the development of commercial projects. The property is owned by the Mock family. Staff recommends zoning both properties C-3 commercial as the areas are appropriate for commercial development.

Mr. Hamilton stated that he will have to excuse himself from the vote since he was involved with the surveying and the layout of the property.

PLANNING BOARD MEETING MINUTES
MARCH 8, 2007
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Mr. Williams motioned to approve excusing Mr. Hamilton from the vote. Mr. Johnson seconded the motion and the motion was carried.

Mr. Williams motioned to approve both properties C-3 commercial as recommended. Mr. Johnson seconded the motion and the motion was carried unanimously.

Mr. Williams asked if we will be able to clean up the Mock property.

Mr. Hamilton stated that was the intent of the new owners.

Chairman Newsome asked about the workshop.

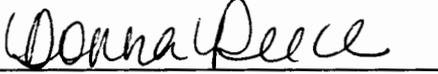
Mr. Rademacher stated that the March 13th workshop has been cancelled. We are back on schedule for the April workshop. He is working on trying to get a speaker on stormwater for April or May. He also stated that on March 15th the Town is testing the new Connect City Software which is a phone system that will dial 1000 calls per minute. You can go onto the Town website to sign up or edit or change the information. It will call up to three numbers and/or send an email. It may also have the capability of asking a question with you answering over the phone. This is to notify everyone in the event of a storm or any emergency information. Right now we are working off the existing utility billing system. If you do not get a call at 7:00pm on March 15th you can go to the Town website and fill out an online form or call Town Hall.

V. ADJOURN

Mr. Williams motioned to adjourn. Mr. Hamilton seconded the motion. Chairman Newsome adjourned the meeting at 6:05 P.M.



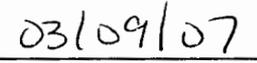
Planning Board Chairman



Attest



Date



Date

**SURF CITY PLANNING BOARD
MINUTES**

April 12, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

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

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin - Planning Board Liaison
Richard Gugelmann - Resident
Alvin Batts – Applicant
Karen Batts – Applicants wife
Wayne Lanier - Developer

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:32 P.M. and Mr. Medlin gave the invocation.

II. APPROVAL OF PLANNING BOARD MINUTES

1. March 8, 2007 Planning Board Meeting Minutes

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

2. February 13, 2007 Planning Board Workshop Minutes

Mrs. Edens motioned to approve the minutes. Mr. Camps-Campins seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

APRIL 12, 2007

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III. Zoning Map Amendment

1. J.H. Batts Road Property – Alvin Batts – (RA to MHS)

Mr. Rademacher stated that the applicant, Alvin Batts, has requested that his property located on J.H. Batts Road be rezoned from RA-Rural Agricultural to MHS-Mobile Home Subdivision. This property is located in the ETJ adjacent to the Community Center with the applicant currently in the process of petitioning the Town for annexation. The property is currently vacant and is in the process of being cleared. The property is approximately 10 acres in size. RA or Rural Agricultural zoning allows for single family homes, modular homes and Class A, B, C & D manufactured homes. Class A and B are lapped sided homes with shingled pitched roofs. Class C and D are metal on metal, metal roof with metal sides. Also, other uses such as kennels and group homes are also permitted in the RA district. It allows for a variety of uses. It is a very open ended zoning district. The minimum lot size in this district is 20,000 square feet. A rezoning to MHS would allow for a reduced lot size down to 5,000 square feet but eliminates any commercial uses on the property and limits the residential uses to single family homes, modular homes and class A & B manufactured homes. The applicant has the intentions of developing a new neighborhood on this property. Staff recommends approving this rezoning to MHS as the development patterns in this zoning district would be consistent with the policies in the land use plan.

Chairman Newsome asked Mr. Rademacher to educate him on the classes of manufactured homes.

Mr. Rademacher stated that in the subdivision ordinance, manufactured homes are broken in to five classes. Class A, B, C, D and E. Class A are doublewides with the lapped vinyl siding and pitched shingled roofs build after 1976 to the HUD code, Class B are basically the same but are singlewides, Class C are built to the HUD code but not to the appearance standards that we were talking about with the siding and roofing standards, Class D are singlewides also built to HUD standards with metal roof and metal sides, Class E are anything existing in Surf City but are not constructed to the HUD code which is pre 1976.

Mr. Alphin asked Mr. Rademacher what kind of regulations we have with reference to mobile home lots. He drove through the development several times and was just there a few minutes ago. It has open ditches, no sidewalks, little narrow strip of piece of concrete; it is what he calls instant slum.

Mr. Rademacher stated that if he is referring to Tropical Winds, it was developed in the late 90's early 2000 prior to a lot of our ordinances that we currently have in effect. There was no sidewalk code. A lot of the standards that we have today were not in effect and the developer built to the Town's existing standards and had every right to do so. The advantage now with regards to the subdivision ordinance is now we do have the sidewalk regulations and street tree regulations. All the new houses that go into this neighborhood will have the storm water controls. It is my understanding that the developer is talking about doing curb and gutter.

PLANNING BOARD MEETING MINUTES

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Tropical Winds and this new subdivision, because of the way the regulations have changed, are really apples and oranges now.

Mr. Alphin stated that he does not believe that the Town wants any more development like what is out there now. He thought that before the board voted unanimously that that was not the proper place for a mobile home park.

Mr. Johnson stated that was something else. That was the property across the street from this.

Mr. Alphin stated that he understands that but this is right there together. The primary thing we were trying to protect, in his opinion, is the community center. He hasn't seen any reason to change his mind with what he has seen, that would make him think this would be more upscale and look better. They are hard to make look good anyway but when you do not even try it is another proposition.

Mr. Rademacher stated that the thing to remember is that this is a rezoning and it is not a rezoning to build a mobile home park. One of the confusing things is MHS being the name of the zoning district. What is across the street at Option II Mobile Home Park and what would be required on this piece of property, if it was to be developed into a residential neighborhood, are two completely different standards with a lot more controls not only when the developer goes to install the improvements but also as each home gets built with regards to the tree requirements, storm water, driveway requirements and things of that nature. Fortunately, there are a lot more regulations. Mobile home parks do not have the controls that subdivisions and individual permits on individual lots have.

Mr. Cavender asked if the property across the street, Option II, is the same zoning designation as what they are looking for.

Mr. Rademacher stated that it is not, it is R5M.

Mrs. Edens stated that Option II is a trailer park. This will be a subdivision where they sell individual lots.

Mr. Lanier stated that they plan for this subdivision to have bigger lots. The smallest lot in there is 9000 square feet. They are doing rolled guttering and curb instead of having ditches. In the deed restrictions, they will have to sod the yard when the house is put in. They are going to put sidewalks on both sides of the street plus at the end in the 30 foot easement will be a sidewalk going to the community building. They want to put doublewides and stick built houses. They will not allow any singlewides in there. Plus, the border between them and the park will be beefed up and will try to block it so you can't see it. They are trying to build something where someone can be in there for \$200,000 instead of all the high end development going on. Once you get a doublewide set up on a permanent foundation it looks just like a house. This will be smaller houses, not like what is on the beach. It will not look like a trailer park either. He wants this to look nice too.

PLANNING BOARD MEETING MINUTES
APRIL 12, 2007
PAGE 4

Mr. Alphin asked if this is a for-sale project rather than a rental project.

Mr. Lanier stated yes the lots will be for sale.

Mr. Ryce stated that this is a subdivision where you own the land and what ever you choose to put on there to live in.

Mr. Rademacher stated that the subdivision regulations that apply will be no different than what was applied to Dogwood Lakes, Turtle Creek or Saltwater Landing. It will be the same. The zoning is just a difference in what the lot size will be, what the setbacks will be and things of that nature. Mr. Batts will not retain ownership of the land once the lots are sold.

Mr. Lanier stated that there will be a 60 foot right of way in the middle for the road so the utilities will not be jammed up. He feels that it will look real nice.

Mrs. Ryce motioned to approve the rezoning from RA to MHS. Mrs. Edens seconded the motion. Mr. Alphin and Mr. Cavender opposed the motion. The motion was carried with six in favor and two opposed.

IV. SUBDIVISION

1. J.H. Batts Road – Alvin Batts – Sketch Plan

Mr. Rademacher stated that the applicant, Alvin Batts, has submitted a sketch plan for a subdivision to be located on the property we just spoke about. The sketch plan submitted is based on the property being rezoned to MHS to allow for an increased number of lots. The developer is showing the development of 40 lots on a proposed 60 foot public right of way that will be built to Town standards. More details will come at the preliminary review stage showing compliance with water and sewer design, streets, sidewalks and landscaping requirements. Staff recommends approval of the sketch plan as it meets basic requirements of the subdivision ordinance but staff offers the following recommendations:

- 1) Increase the hammerhead ROW to a minimum of 45 feet wide.
- 2) Recommend a deceleration lane be constructed for access off of J.H. Batts Road due to the number of lots being created.
- 3) Add some type of open space to the overall plan for the community.

Mrs. Edens asked if the sidewalk going to the community building would be going towards that direction.

Mr. Rademacher stated it would be heading in that direction. Those are the three things that staff thinks should be looked into. J.H. Batts will become a heavily traveled road that is why we are recommending something to get traffic off the main road.

PLANNING BOARD MEETING MINUTES

APRIL 12, 2007

PAGE 5

Mr. Hamilton asked if they would have to go through DOT for the driveway permit.

Mr. Rademacher stated that not any more since it is now a Town street but typically DOT would require a deceleration lane at 30 lots.

Mr. Camps-Campins asked what that would do to lots 40 and 1. Would the lots decrease due to the deceleration lane?

Mr. Rademacher stated that there is enough right-of-way out there to create a deceleration lane if one is to be constructed within the 60 foot right-of-way.

Mr. Camps-Campins stated that lots 1 and 40 are very important due to the high visibility from J.H. Batts Road and he hopes when the plan comes in that there is more consideration given to not only the size of the lot but to the proposed placement of house, what type of plantings and what the entranceway would look like so we have an attractive entranceway that would provide a threshold to the community center as well to offset what is across the street.

Mr. Hamilton stated that this is just a sketch plan.

Mr. Camps-Campins stated that he thinks it is important for the developer to be aware that we are concerned about the appearance of a heavy traffic area that is on the way to the community center. Appearance, aesthetics, good landscaping and good lighting are important as well.

Mr. Lanier stated that they did most of the clearing for the entrance of the community building and paid for some of the trees.

Mr. Camp-Campins stated that he was aware of that and appreciates it.

Mr. Johnson asked if they were going to put in street lighting.

Mr. Lanier asked if the light at the community center is from Jones Onslow or did we pick it out. He stated that they will be putting in street lighting and they like the light at the community center. They would like to put in the same lighting.

Mr. Rademacher stated that the light was provided by Jones Onslow. It is a decorative acorn shape light. One light is required for every six lots.

Mr. Johnson asked if the sidewalks are going to connect to the walk at the community center.

Mr. Batts stated that there will be a sidewalk to the community center and there will be sidewalks down both sides of the road.

Chairman Newsome asked what the time frame is for construction.

PLANNING BOARD MEETING MINUTES
APRIL 12, 2007
PAGE 6

Mr. Lanier stated they are ready once they have all the permits.

Mr. Hamilton asked if the wetlands have been delineated.

Mr. Lanier stated that they have not but he does not think there are wetlands on the property.

Mr. Rademacher stated that that side of the road is really dry.

Mr. Batts stated that the elevation on one side is 28 foot and the other is 30 foot in height.

Mr. Johnson motioned to approve the sketch plan. Mrs. Edens seconded the motion and the motion was carried.

Chairman Newsome asked about the subdivision workshop.

Mr. Rademacher stated that we will be meeting Tuesday April 17, 2006 at 6:00 pm and he is working on scheduling Jason Wright to speak to the board about storm water at the May 15th workshop. He will not be at the May workshop nor will he be at the May Planning Board meeting and stated that Christina Watkins will run the meetings.

Mr. Alphin stated that he would like to bring up sidewalks. They are a wonderful but they are not being protected. He would like to see the council address it. The board may need to make a motion. What is happening is that parts of it are getting beat up. There is no support on the side and when trucks go across it, it gets cracked. There are scratches in front of Cedar Point and they are dangerous for people to walk on.

Mr. Medlin asked if they still clean it.

Mr. Alphin stated that they clean it but the problem is that there is a drop off so when a truck goes across it they crack the edge.

Mr. Rademacher stated that when they do the water and sewer bores they do not come back and fix them.

Mr. Alphin stated that at one point he asked for the building inspector to sign off that there is no sidewalk damage before he gives a certificate of occupancy.

Mr. Medlin stated that he has noticed damage.

Chairman Newsome asked who's responsibility it is to repair them. It is supposedly who damaged them.

PLANNING BOARD MEETING MINUTES
APRIL 12, 2007
PAGE 7

Mr. Medlin stated that the problem is finding out who damaged them.

Mr. Alphin stated that the damage is in front of new houses.

Mr. Medlin stated that when houses are being built the sidewalks get damaged.

Mr. Alphin stated that the damage is only going to get worse and he hates seeing it.

Mr. Rademacher stated that when the Town cuts the sidewalks for road bores and they are not being fixed right away. They put a cone on it and walk away.

Mr. Medlin asked if that would be our utility department.

Mr. Rademacher stated that is correct.

Chairman Newsome asked if we can have a mechanism in place where someone marks what needs to be repaired and do we have the money to make those repairs. We have a beautiful sidewalk and it is a shame to have it disrupted by a hundred feet of bad sidewalks.

Mr. Rademacher stated that Mr. Moore is aware of the damage and is taking inventory when he rides his bike at night. He feels that his department can do a better job of when doing a certificate of occupancy checking that there is not a damaged sidewalk.

Mr. Cavender asked if there was a way to set up a sidewalk bond for repairs in neighborhoods.

Mr. Medlin stated that he feels that the certificate of occupancy is more valuable.

Mr. Rademacher stated that his department will pick it up as far as new construction and development. It is a group effort with police keeping people off it and public works maintaining it.

Chairman Newsome stated that we need to fix what damage we have now and stop it for in the future.

Mrs. Edens asked why the bike paths are painted on one side of town and not the other.

Mr. Medlin stated that DOT resurfaced that area and painted the lines on the bike path.

PLANNING BOARD MEETING MINUTES

APRIL 12, 2007

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V. ADJOURN

Mr. Cavender motioned to adjourn. Mrs. Edens seconded the motion. Chairman Newsome adjourned the meeting at 6:00 P.M.

Bary Newsome
Planning Board Chairman

April 13, 2007
Date

Donna Dece
Attest

04/13/07
Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

May 10, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carol Ryce
Don Hamilton
Oliver "Al" Alphin
Andy Cavender
Sally Edens – Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Michael Moore, Town Manager
Gene Casey, Building Code Administrator
Christina Watkins, Permitting Officer
Donna Reece, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin - Planning Board Liaison
Richard Gugelmann - Resident
Gary Wethy – Michael C. Gallant's office

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:32 P.M. and Mr. Medlin gave the invocation.

Christina Watkins will be filling in for Todd Rademacher at tonight's meeting.

II. APPROVAL OF PLANNING BOARD MINUTES

1. April 12, 2007 Planning Board Meeting Minutes

Mr. Cavender motioned to approve the minutes. Mr. Hamilton seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

May 10, 2007

PAGE 2

III. Zoning Text Amendment

1. Non-Conforming Uses

Manager Moore stated that he is asking the Planning Board to review and make a recommendation for Town Council regarding section 7.0 Nonconforming Situations, section 7.3 Extension or enlargement of nonconforming situations, 8) a). A concern or question was brought to his and Council's attention regarding the above section in our zoning ordinance, Appendix A. The reason this was brought to their attention was due to the wording in the appraisal form. When a commercial business is going to sell there is now a line on the appraisal form that says Non-Conforming Use with a box for the appraiser. It asks: If non-conforming use, will the community allow you to rebuild? According to our ordinance, if it is over 50% damaged the appraiser would have to check no and the person would not get the loan to buy the property. Our current ordinance section 8) a) states: Such a structure may be restored and occupancy or use allowed if that structure is destroyed or damaged by not more than fifty percent of its actual fair market value. He has discussed this with Town Council and they will hold a public hearing on this issue at the June council meeting. The wording change suggested would be as follows: Such a structure may be restored and occupancy or use allowed if that structure is destroyed or damaged, unless otherwise prohibited by any other state/federal rules. In order to rebuild a nonconforming structure the permit for repairs or rebuilding must be issued within 12 months. This is what we are asking the board to consider. A copy of the full ordinance is included in your packet.

Mrs. Ryce asked is this would encourage the continuation of a non-conforming use.

Manager Moore stated that it would since it would allow them to rebuild if there was over 50% damage to the structure but on the flip side you have someone that has this kind of money invested, say up to three million dollars, and there is one of those things that come in the summer and we tell them they can not rebuild it. It would be a hardship to him. He should at least be able to put back what we allowed him to put there to begin with but nothing greater than what he had and he can not ask for more land to be used.

Mr. Hamilton stated that determining 50% of the market value is confusing because who's opinion are you going to use.

Mrs. Ryce stated that has always been an issue.

Mr. Hamilton stated that he likes this because it would eliminate the vagueness.

Mrs. Edens stated that this also brings the state and federal rules in

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Mr. Medlin stated that for example if they loose ocean frontage, CAMA would come in and say that they can not rebuild.

Mrs. Ryce asked for some examples of what is non-conforming now.

Manager Moore stated that the reason that this came up is due to the new motelminium. The bank will not lend the money to the buyers due to that clause on the appraisal form. The building is conforming. Parking is the only thing that is non-conforming. That is because we changed the ordinance.

Mrs. Ryce stated that off the top of her head she could not think of what would be non-conforming but it could be for situations where the building was built and then the ordinances have changed.

Manager Moore stated that is correct but it would still have to apply to all the ordinances that you have like sidewalks and plantings.

Mr. Cavender stated that this would not go beyond what they have now and even if it was destroyed, they could not build back beyond what they have now.

Manager Moore stated that was correct. It can only be what is there now.

Chairman Newsome stated that sounds fair and practical to him. You have to protect the people that come here and invest their time, energy, money and family.

Mr. Hamilton motioned to accept the recommendation that they are asking for. Mrs. Ryce seconded the motion.

Chairman Newsome asked if there was any further discussion on this subject.

Mr. Cavender asked what the down side is for the Town.

Manager Moore stated that if a structure was non-conforming and was damaged more than 50% then we would eliminate the structure from the island and they would have to come back and build something that would be conforming.

Chairman Newsome stated that we do not seem to have any glaring examples.

Manager Moore stated that he can not think of any. He feels Todd was more concerned with it changing non-buildable lots. His opinion is that it would not change that. CAMA rules would apply to the non-conforming lots that we have concerns with.

Mr. Cavender asked if the setbacks rules would remain the same.

Manager Moore stated that yes it stays exactly as is.

PLANNING BOARD MEETING MINUTES

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Mr. Alphin stated that you could get in a big dilemma if you have 50% damage and you can not rebuild and the mortgage was for the original 100%.

Chairman Newsome asked if there was any other discussion. Hearing none the motion was carried.

IV. ANNEXATION ZONINGS

1. Mike Gallant .80 acres – Zone O&I Office & Institutional

2. Jack Stocks 85.30 acres – Zone portion C-3 and portion R-15

Mrs. Watkins stated the Town Council has requested that two annexation requests be reviewed by the Planning Board in regard to zoning. The first tract is located on Highway 210 on the right as you pass Turtle Creek heading towards Highway 17. This property is .80 acres and is owned by Mike Gallant. This property has on offsite sign and has an existing storage facility on-site. The second tract is located on Highway 17 and extends into the Holly Shelter area. It is 85.30 acres and is owned by Jack Stocks. This property is currently vacant. Staff recommends zoning the Gallant property O&I Office & Institutional as it is currently being used as a commercial storage facility and is adjacent to an existing commercial site. Staff recommends zoning the Stocks property C-3 Commercial from the street frontage 1000 feet back onto the property and zone the remainder of the property R-15 Residential. Both of these zoning districts are consistent with development patterns in this area.

Mr. Hamilton asked where else is O&I.

Mrs. Watkins stated that we do not have a lot of O&I.

Mr. Medlin stated that we have a property on Hwy. 210 in the curve. What O&I does is keeps it from being a large commercial establishment. It allows for something more like a lawyers office.

Mr. Cavender asked what we zoned the Terra Co. property.

Mrs. Watkins stated NB Neighborhood Business.

Mr. Alphin motioned to approve the Gallant property O&I. Mr. Cavender seconded the motion and the motion was carried.

Mr. Cavender motioned to approve the Stock property as recommended. Mr. Hamilton seconded the motion.

Mr. Alphin asked about the 1000 foot commercial buffer. He thought it was less than that.

PLANNING BOARD MEETING MINUTES

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Mr. Cavender stated that was consistent with what the board said they wanted along the Hwy 50 corridor as well.

Mr. Hamilton stated he thought it was 500 feet.

Chairman Newsome stated that he thought it was 300 feet and the board rejected it and went to 500 feet.

Mr. Cavender stated that it seems like 1000 feet is a decent commercial buffer. You don't want your residential right out on the road for Hwy 17.

Mr. Alphin thinks 500 should be the limit on Hwy 50 or Hwy 210 but 1000 feet for this property is fine.

Chairman Newsome asked if there was any further discussion. Hearing none the motion was carried.

Chairman Newsome stated that Carol Ryce has submitted a letter to the board stating that she will be resigning when her term is up at the end of June.
(See attached letter)

Mrs. Ryce stated that it has been a pleasure serving on the board. The Town has come a long way. She will miss it.

Chairman Newsome stated that it has been a pleasure serving with her. If anybody knows the rules and regulations, she does. She has been absolutely marvelous for the board. He appreciates what she has done for the board.

Chairman Newsome asked if there were any other items to come before the board.

Mr. Alphin asked about an update on the sidewalks.

Mr. Medlin stated that they talked about it at the last Town meeting. They have done a survey and he will bring it up again at the next meeting.

Mrs. Watkins stated that the Zoning Department has added sidewalk approval to the sign off sheet when they call for a final.

Chairman Newsome stated that is real progress. He is glad that they added that.

Mr. Alphin stated that will help 99% of the problem for the future.

PLANNING BOARD MEETING MINUTES

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V. ADJOURN

Mr. Hamilton motioned to adjourn. Chairman Newsome adjourned the meeting at 5:55 P.M.

Sary Newsome
Planning Board Chairman

May 11, 2007
Date

Donna Ruelle
Attest

05-11-07
Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

June 14, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

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

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Councilman Doug Medlin - Planning Board Liaison
Anita Afify – Resident
Richard Gugelmann – Resident

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:32 P.M. and Mr. Camps-Campins gave the invocation.

Chairman Newsome acknowledged that this is Carol Ryce's last meeting with the Planning Board.

II. APPROVAL OF PLANNING BOARD MINUTES

1. May 10, 2007 Planning Board Meeting Minutes

Mr. Cavender motioned to approve the minutes. Mrs. Ryce seconded the motion and the motion was carried.

2. May 15, 2007 Planning Board Workshop Minutes

Mrs. Edens motioned to approve the minutes. Mr. Cavender seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

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III. Zoning Text Amendment

1. Swimming Pools

Mr. Rademacher stated that over the past several months, staff has seen an increase in the amount of pools being proposed. Requests have been coming in for pools that tear into the dune structure and pools that are proposed to go adjacent to neighbors with little to no set back. This has caused some outcry from the citizens for dune protection and a request for separation from neighboring properties. After analyzing the current zoning text and the CAMA regulations it was found that there is little to no regulation of these structures. CAMA states that pools can not be within the 30 foot buffer on the sound side. On the ocean side, pools are allowed to go within the 60 foot buffer and in some instances can disturb the dune structure where the piling goes into the dune or digging it out to place the pool. Staff feels that a minimal set of guidelines for the construction of pools is needed in order to protect the dune structures as well as property values and the privacy of the neighbors. Staff recommends the following:

Add the following definitions to Section 3.0 DEFINITIONS:

SWIMMING POOL – A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18) inches below the level of the surrounding land, or an above ground pool having a depth of more than thirty (30) inches designed, used, and maintained for swimming and bathing. This includes in-ground, above ground and on ground swimming pools, hot tubs and spas.

SPA/HOT TUB – See swimming pool

Add the following to Section 5.0:

5.17 Swimming Pools

5.1.17 Compliance: Swimming pools, spas and hot tubs shall be permitted provided that they meet all State, Federal and the following Local requirements:

5.2.17 Permit Required: A swimming pool, spa or hot tub shall not be constructed, installed, enlarged or altered until a zoning permit has been issued. (Exception: Pools, hot tubs and spas located within the foot print of the principal structure are exempt from obtaining a zoning permit.)

5.3.17 Location: Swimming pools shall be set back a minimum distance of five (5) feet from all property lines. In no case shall a swimming pool be placed seaward of the toe of a primary or frontal dune.

PLANNING BOARD MEETING MINUTES

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5.4.17 Swimming pools located in Coastal Forest Overlay District (CFOD):

A maximum four (4) foot concrete border is permitted around an in ground swimming pool only. Larger borders may be allowed if required by the Pender or Onslow County Health Department.

Mr. Cavender stated that the pool next to Daddy Mac's is a good example of a pool in the dune.

Mr. Rademacher passed out a 3-dimensional sketch of a pool being installed at 306 S. Shore Drive with piling in the dune structure. This pool is in the 60 foot set back. He also passed around some pictures of pools that were installed at Ocean Isle Beach.

Mrs. Ryce asked if these pools are private.

Mr. Rademacher stated that some are private and some are public or defined as public by the Health Department, public meaning for more than one single user. The Health Department does not have any setback regulations. They are more concerned with the health and safety issues for public pools. Private pools are not regulated by the Health Department.

Mrs. Edens asked if you have to have a fence around the pool.

Mr. Rademacher stated that building code states you do have to have a fence, minimum 4 feet tall.

Mr. Williams asked if the pool counts as impervious surface.

Mr. Rademacher stated that the Town ordinance looks at roofed structures for impervious surfaces.

Mrs. Watkins stated that CAMA only calculates impervious on the sound side and they would only consider the concrete apron around the pool as impervious, not the area where the water is.

Mr. Williams asked if the runoff from the pool goes into the sewer.

Mr. Rademacher stated that it does with public pools but not necessarily with private pools. The basis of the ordinance is to set the pool back to the toe of the dune and to have a 5' set back from the property line.

Mr. Williams asked if you could build a deck in the 5 foot set back.

Mr. Rademacher stated only if it is a ground level deck, not elevated.

Mr. Williams asked about decks in the CAMA set back.

PLANNING BOARD MEETING MINUTES

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Mr. Rademacher stated that you are limited to 500 square feet of uncovered decking in the 60 foot CAMA set back.

Mr. Cavender stated that he would like to add that any sand excavated when putting in the pool has to remain on the lot and used on the back of the dune structure.

Mrs. Watkins stated that there is a CAMA regulation that states if you remove sand from a dune it has to stay in the same ocean hazard area, not necessarily the same lot. This regulation has nothing to do with the rest of the property. This only refers to removing sand from a dune. You would only be able to put sand on the landward side of the dune, not over the crest.

Mr. Cavender asked if we could add that to this ordinance. Can we force them to do this rather than give them the option of hauling the sand off?

Mr. Camps-Campins asked to change the topic for a moment. He has concerns regarding the proximity to the neighbors because of the smaller lots. What concerns him most of all is the operation of the pool, primarily noise and lighting and enforcement of the ordinance. He would like to see a footnote added referring back to the relevant regulations for noise, sanitation and lighting.

Mr. Rademacher stated that the board could add a note at the bottom that says "Please see the lighting, noise and nuisance ordinances."

Mr. Williams asked about concrete use in the Coastal Forest Overlay District. Can they use the concrete towards the 12.5 % impervious coverage.

Mr. Rademacher stated that currently they are not allowed to have concrete at all. This change will benefit them and it will go towards the 12.5%.

Chairman Newsome asked if any of these new regulations would affect a pool in the front yard or street side of the property.

Mr. Rademacher stated that a pool would still be able to go there. This mainly deals with the dune structure on the ocean side.

Mr. Cavender asked if they have to submit a drawing showing the pool location when they apply for a permit.

Mr. Rademacher stated that they would need a plot plan.

Mr. Camps-Campins asked if there is any requirement to notify the adjoining property owners when applying for a permit to install a swimming pool.

Mr. Rademacher stated that the adjoining property owners are notified only if a CAMA permit is involved.

PLANNING BOARD MEETING MINUTES

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Mr. Camps-Campins asked the board if they feel there should be some notification, should the board require the applicant to notify the adjoining property owners.

Mr. Hamilton stated that maybe as a courtesy but he does not feel we can make them.

Mr. Cavender asked if installing a pool on an ocean front property would require a CAMA permit.

Mrs. Watkins stated that a CAMA permit would be required.

Mr. Cavender stated that he would like to see some language stating any soil excavated for the construction of an ocean front pool will be kept on site and reused. He is concerned with hauling off that much soil.

Mrs. Ryce asked about the soil on the street side of an ocean front lot. She feels that soil anywhere on the lot should remain on site.

Mr. Williams asked if you have to leave the soil on the lot when you build a house.

Mrs. Watkins stated that you can remove soil from the lot to build the house. CAMA refers to the dune sand. Dune sand can be removed as long as it is in the same Area of Environmental Concern or within 255' from the vegetation line.

Mr. Williams asked if you can remove soil to build a house what is the difference with installing a pool.

Mr. Cavender agreed and retracted his request.

Mr. Hamilton motioned to approve the text amendment as written with the addition of the footnote. Mr. Williams seconded the motion and the motion was carried.

IV. ANNEXATION ZONINGS

1. Hedgecock Property – C-3 Commercial

**2. Asbell Property – C-3 Commercial for the first 200 feet with the remainder
MFC Multi Family Cluster**

Mr. Rademacher stated that the Town Council has requested that two annexation zonings be reviewed by the Planning Board in regard to zoning. The first tract is located on Highway 17 and is owned by the Hedgecock family. The property is approximately 20 acres in size and is just north of Shepards Road. The owner has intentions of developing the property commercially. Staff recommends zoning the Hedgecock property C-3 Commercial.

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The second tract is a parcel along Highway 50 at the Pender/Onslow County line. The property is approximately 13 acres in size and is owned by the Asbell family. There are no plans for development at this time. Staff recommends zoning the Asbell property C-3 Commercial for the first 200 feet from the edge of right of way with the remainder MFC Multi Family Cluster. This property naturally separates into two tracts of land due to a creek on the property.

Mrs. Ryce stated that this property is very far away. How far out can you be and still annex?

Mr. Rademacher stated 3 miles from the contiguous city limits.

Mr. Cavender asked if there are any issues with the fire department in regards to distance from the primary fire station.

Mr. Rademacher stated that he is not aware of any issues since there is a temporary sub station going in.

Mr. Medlin stated that there will be a manned temporary sub station going in off of Highway 210 where the new water tank is. It will be shared by the fire department and the police department. The new water plant is going there also.

Mr. Williams asked why we are recommending only 200 feet for commercial on the Asbell property.

Mr. Rademacher stated that there is a pond and creek on the property that makes a natural boundary for the commercial.

Mr. Cavender stated that this may cause a problem in the future with other properties coming in wanting only 200 feet as well.

Mr. Medlin asked if you could give a variance for 200 feet of commercial.

Mr. Rademacher stated that you could not apply for a use variance for zoning, they would have to rezone.

Mr. Hamilton stated that he feels the board should set a rule for commercial and stick to those rules.

Mrs. Ryce stated that the board should zone the whole property C-3 and let the property owner ask to rezone.

Mr. Hamilton stated that he feels it should be zoned all C-3 or set the depth at the 500 feet that the board had agreed on.

Mr. Cavender stated that it makes sense to him to zone the whole property C-3.

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Mrs. Ryce motioned to approve the Hedgecock property C-3 Commercial. Mr. Williams seconded the motion and the motion was carried.

Mrs. Ryce motioned to approve the Asbell property C-3 Commercial. Mr. Williams seconded the motion and the motion was carried.

Chairman Newsome asked if anyone in the audience would like to speak. There were no comments from the public.

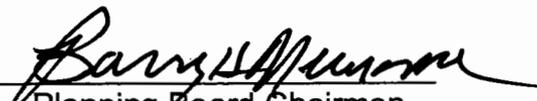
Mr. Rademacher stated that there will be a Planning Board workshop Tuesday, June 19th on the subdivision ordinance. A draft ordinance was distributed to the board for review. Also, the Board of Adjustment asked that the Planning Board look at the sign ordinance for strip malls. Our current ordinance is based on road frontage. When you have out parcels the signage gets used up quickly. Staff is looking at one square foot of signage for every linear foot of shop space. For example, if you have a 25 foot wide unit, you will get 25 square feet of signage.

Chairman Newsome stated that the variance was for two businesses at Gateway Plaza that are getting ready to be open and have no signage. A variance was given for the two signs until the ordinance can be reviewed.

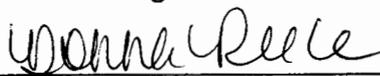
Mr. Rademacher presented Carol Ryce with a plaque signed by the Mayor thanking her for her dedication and commitment to the Planning Board and Board of Adjustment since 1993. She will be missed. He also stated that Al Alphin is stepping down as well. At the July meeting, Sally Edens and Frank Camps-Campins will be stepping up from their alternate roles.

V. ADJOURN

Mr. Camps-Campins motioned to adjourn. Mr. Hamilton seconded the motion. Chairman Newsome adjourned the meeting at 6:25 P.M.



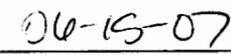
Planning Board Chairman



Attest



Date



Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

June 19, 2007

6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carl Johnson
Andy Cavender
Sidney Williams
Oliver "Al" Alphin
Frank Camps-Campins – Alternate
Doug Medlin, Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Donna Reece, Administrative Assistant

OTHER INDIVIDUALS PRESENT WERE:

Penny Tysinger – CFCOG
Shelia Rummel - Access Realty
Anita Affy - Access Realty
David Ward – Ward Realty
Cathy Medlin – Island Realty
Cameron Moore – Business Alliance for a Sound Economy

I. MEETING CALLED TO ORDER

Chairman Newsome called the workshop to order at 6:30 P.M. and Mr. Medlin gave the invocation.

II. THE SUBDIVISION ORDINANCE

Mrs. Tysinger stated that the members of the board were given a draft copy of the Subdivision Ordinance. This draft does not include definitions. She is going to wait until the board has the ordinance the way they want it and then go back and define all the words. Once we have a final document, there will be a final meeting to make a formal recommendation to Council then hold a public hearing before Council. She is here to answer any questions or concerns from the board.

III. MEMBER DISCUSSION

Mr. Camps-Campins stated that in Article I, section 2(a) Purpose, he would like to replace the word *adequate* with *suitable*.

PLANNING BOARD WORKSHOP MINUTES

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Also, in Article IV, section 3 Effect of Plat Approval on Dedications, which states in part: Acceptance of dedication of lands or facilities located within the subdivision regulation jurisdiction but outside the corporate limits of the Town shall not place on the Town any duty to open, operate, repair or maintain....he is concerned with who is responsible for maintenance or repairs in the area.

Mrs. Tysinger stated that it depends on what the problem would be. If it was a utility, it would be under what ever utility they were working under. If it was a street, it would be DOT until such time that the street was turned over to the Town.

Mr. Camps-Campins stated that in Article IV, section 6 Variances, in the first sentence, he would like to replace the word *conditions* with *practical difficulties*.

Mr. Hamilton asked, in Article V, if the Technical Review Committee (TRC) is being implemented.

Mrs. Tysinger stated that this is one of the major changes in Article V. This implements a formal TRC.

Mr. Rademacher stated that right now we have an informal TRC.

Mrs. Tysinger stated that this also changes the board approval. The process will be TRC, Planning Board and Council for Preliminary then for Final, just the Council.

Mr. Williams stated in Article V, section 4(b) Minor Subdivisions; he does not like the verbiage "at the earliest practical date".

Mrs. Tysinger stated that this allows the Town to work into a schedule as needed by the growth pattern.

Mr. Williams stated that this opens it up for people not to show or not to have a meeting. He feels there needs to be a time limit.

Mr. Rademacher stated that we already have a meeting schedule that has the TRC on it even though it is not formal yet. The submittal date is 21 working days for review. Once the TRC unanimously approves a plan, it is approved for recording.

Mr. Williams stated that he would like to see a month.

Mrs. Tysinger stated that she would correct it to read "within 30 days".

Mr. Williams stated that in Article V, section 6(3) Review Procedures, he would like it to read "the Planning Board *and Subdivision Administrator* shall advise the sub divider".

PLANNING BOARD WORKSHOP MINUTES

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Mr. Hamilton stated that in Article V, section 7(2) (1) (f) Contents Required, he feels that this is too much content for a preliminary plan. This is asking for a full engineering package.

Mr. Rademacher stated that preliminary plans are construction documents. This is not a change, we currently require this.

Chairman Newsome stated that we should not weaken what we already have.

Mr. Williams asked in Article V, section 7(2) (1) (b) Contents Required, if 1 inch equals 400 feet is standard.

Mr. Rademacher stated that sometimes they put so much information on there intentionally that on such a small scale you can not find anything.

Mr. Williams stated that in Article V, section 7(2) (1) (m) Contents Required, he would like the part in parenthesis taken out. It reads: (or proposed and under review). How do you know what is in review?

Mrs. Tysinger stated that when you have a high growth area it is hard to keep records up to date. This is just a case of records not being kept up to date. This could be a comment at the TRC.

Mr. Rademacher stated that when you have developers developing at the same time. They are lining up water and sewer lines and they have different submittal dates. We need to make sure they line up.

Mr. Alphin stated that the wording "proposed *and* under review covers it".

Mr. Hamilton asked in Article V, section 7(2) (1) (v) Contents Required, if we want the topography field verified. Also, do we want contours of the wetlands? Normally they stay out of the wetlands.

Mr. Cavender asked if vertical contours every 2 feet is too much.

Mrs. Tysinger stated that she feels that as a Planning Board you would want to know about the whole property. She has never had a problem with this.

Mr. Hamilton asked if this refers to field measurements or downloads from the online maps. Field measurements drive up the cost.

Mr. Rademacher stated that this has been required for years. This is not new.

Mr. Cavender stated that he feels it should be up to the engineer or designer to decide if field verified or downloaded from the internet.

Mr. Rademacher stated that he has never asked to field verify the 2 foot topography. We ask for the general layout of the property.

PLANNING BOARD WORKSHOP MINUTES

June 19, 2007

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Mrs. Tysinger stated that this is not a change in the ordinance. If you want to be less restrictive, propose another number and the board can vote on it.

Chairman Newsome stated that we need to move on.

Mr. Williams asked if the second sentence in Article V, section 8 Review Procedure, could be explained. It states: The Planning Board shall review and take action on each preliminary plan within 45 days after first consideration by the Planning Board, provided that the plan complies with all of the requirements of the ordinance with respect to content.

Mrs. Tysinger stated that it means that if you have a good enough set of plans to make a decision, you can not go over 45 days without giving approval.

Mr. Camps-Campins stated that there is a redundancy in Article V, section 10 Final Plat. The first paragraph and the second paragraph on the next page are repetitious.

Mrs. Tysinger stated that she will take the paragraph out that is repetitious.

Mr. Williams asked in Article V, section 10 (6) Performance Guarantee, why the deposit is 150%.

Mrs. Tysinger stated that we don't know when this may or may not happen. This gives plenty of lead way for improvements that may cost more. It is the current practice today and she understands that the Council prefers it.

Mr. Williams stated that in Article VI; section 2 Sidewalks, having sidewalks on both sides of the road still bothers him. Now there is a change in the amount of impervious coverage to 12 ½ %. Do the sidewalks count in the 12 ½ % as a developer?

Mr. Rademacher stated yes.

Mr. Williams stated that this change to 12 ½ % hurts the developer. Sidewalks on both sides of the road would double the amount of pervious surface. He does not feel that sidewalks need to be on both sides of the road.

Mr. Hamilton stated that he has seen it where collector streets or main roads have sidewalks on both sides but not the other streets.

Mr. Medlin asked about the sidewalks being 5 feet wide. Can they be smaller?

Mr. Alphin stated that he feels that 5 feet is a minimum for two people to walk on. Isn't there a credit for using pervious sidewalks?

Mr. Hamilton stated that the credit is 25% for porous concrete.

PLANNING BOARD WORKSHOP MINUTES

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Mr. Rademacher stated the 12 ½ % is for a low density development. You can still do a high density development.

Mr. Hamilton stated that this is not for Pender County, yet. It is for the twenty coastal counties.

Mrs. Tysinger stated that it sounds like what we are saying is that collector streets are the lowest level that sidewalks on both sides are to be required. Anything lower could have sidewalks on one side of the road.

Mr. Williams stated that he would like a definition of a collector street.

Mrs. Tysinger stated that it is a standard definition that may even be in the ordinance. She will list it in the definitions.

Mr. Williams asked in Article VI, section 6 (a) Water and Sewerage Systems, it states: No mains shall be less than six inches in diameter. Why not let the engineer design the system to meet the state standards?

Mr. Rademacher stated that the fire code requires 6 inches, utility department requires 6 inches and fire department requires 8 inches for flow.

Mr. Williams stated that he feels that we should let the engineer design what is necessary. He feels this is picking peoples pockets.

Mrs. Tysinger stated that this is consistent with our other water/sewer system and what has been laid out by the Town. This is not a change to the ordinance.

Mr. Hamilton stated in Article VI, section 7 (a) (3) Street and Parking Lot Connectivity, it states: Street stubs shall be provided to adjoining parcels of land for future road connections as approved by the Town. Do we need to state a minimum number of stubs?

Mr. Alphin stated that he felt it is covered where it states: as approved by the Town.

Mrs. Tysinger stated that this is something that would be decided at TRC.

Mr. Williams stated that in Article VI, section 7 (b) (2) Street Name Signs for Private Streets, he would like to see some allowance for creativity in street signs. He feels they are boring being the same color and size.

Mrs. Tysinger stated that you need consistency for safety reasons.

Mr. Rademacher stated that they can have decorative poles and sign holders.

Mr. Williams stated that in Article VI, section 7 (d) Private Streets, the first sentence needs to be corrected.

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Mrs. Tysinger stated that is a typing error and she will clean it up.

Mr. Williams also stated that in the same paragraph it states that the streets shall be paved to meet DOT standards. He thought you could use gravel.

Mrs. Tysinger stated that DOT does not require all streets to be paved. What is the pleasure of the board?

Mr. Cavender stated that he feels that private roads can be gravel but if they are going to turn it over to the Town, it would need to be paved to DOT standards.

Mr. Williams stated that he would like private streets optional for paving and maintenance for the road in a homeowners association.

Mrs. Tysinger stated that she could change it to read: Gravel and/or paved to meet DOT standards and private streets shall be detailed in covenants listing the provisions for maintenance.

Mr. Williams motioned to approve as amended. Mr. Hamilton seconded the motion and the motion carried.

Mr. Williams stated that in Article VI, section 7 (f) Design Standards for Streets to be Accepted to Surf City Street System, it refers to a Thoroughfare Plan. Do we have a Thoroughfare Plan?

Mrs. Tysinger stated that they are not called Thoroughfare plans anymore. They are called Collector Street Plans. We are set up to be but not sure where we are in the process. She will correct this in the ordinance.

Mr. Hamilton stated in Article VI, section 7 (l) Cul de sacs, he thinks that we should also reference hammerheads.

Mr. Cavender asked if we should change the heading to read turn a rounds.

Mr. Rademacher stated that we should reword it or add hammerheads.

Mrs. Tysinger stated that she will add hammerheads.

Mr. Williams asked in Article VI, section 10 (3) Buffer Strips, why would residential developers need a 50 foot buffer strip.

Mrs. Tysinger stated that it states *may be required*. She would not recommend taking it out. The board decided to leave it as is.

Mr. Williams questioned Article VI, section 7 (11) (1) and (2). If he has a 300 foot lot does he have to give up dedicated access to the sound?

Mr. Hamilton stated that it refers to providing public access to the water. What if there are just five lots?

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Mrs. Tysinger stated that this is not for the five lots, it is for the public.

Mr. Williams stated that this could cut down on the number of lots that they may be able to do and they will also have to give a park and maybe a school.

Mr. Rademacher stated that he does not feel that this will be an issue. These are not new procedures or policies. This is designed to prepare the Town for future expansion.

Mrs. Tysinger stated that you need to look from a public policy stand point, not what is good for you. You have to look at what is good for the future growth of Surf City. This was just clarifying the language that was already in the ordinance.

Mr. Camps-Campins stated that this also ties back into the Land Use Plan.

Mr. Cavender asked if there is any reference to minor or major subdivision in this.

Mr. Rademacher stated no.

Mrs. Tysinger stated that if you do, you would be promoting more minor subdivisions to get around the public access requirement.

Mr. Williams stated that he feels you need to differentiate between the island and the mainland.

Mr. Medlin asked Mr. Rademacher how this has been working since it has been in the ordinance this whole time.

Mr. Rademacher stated that the Peninsula dedicated a 10 foot easement to the water. Oceanaire Estates and Bland Shore have both dedicated beach accesses as well as public access. It is just part of the review process.

Mrs. Tysinger stated that the ordinance states dedicated streets may count towards meeting the requirement.

Mr. Williams stated that he is against this.

Chairman Newsome stated that most of board feels it should stay as is. We need to move on.

Mr. Williams stated that in Article VI, section 13 (5) Erosion Control, if you are doing a subdivision, you will have to have an erosion control plan. Does the Town need to get into erosion control? If so, we need to have an erosion control ordinance. This is asking the Town to control something that it does not have an ordinance for.

Mrs. Tysinger stated that this is just saying it needs to be mulched, seeded, sodded, or otherwise protected. It does not get into any other standard. This was not added.

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Mr. Williams stated that regarding Article VI, section 13 (6) Existing Flora, we have a vegetation ordinance. This is not our vegetation ordinance.

Mr. Rademacher stated that this only applies to properties along the water and on the island. This is the Maritime Forest.

Mr. Williams stated that he feels that we need more tree protection.

Mrs. Tysinger stated that goes out of this ordinance. You would need to go to a separate ordinance, maybe the zoning ordinance, not necessarily the subdivision ordinance.

Chairman Newsome stated that we need to stop at this point and allow public comment.

PUBLIC COMMENT

Mr. Cameron Moore with the Business Alliance for a Sound Economy gave comments on the subdivision ordinance.

(Please see the attached comments submitted by Cameron Moore)

Mr. Rademacher stated that he has a copy of the comments made by Cameron Moore. He will review them with Penny. A lot of the comments are worth looking at and going more in depth with and he will report back to the Board.

Chairman Newsome thanked Mr. Moore and stated that the Board will review and discuss the comments.

Mrs. Anita Afify of the Gateway Condos stated that she would like to ask a few questions regarding building, developing and real estate. She would like to see definitions and understands that they will be added at a later date. She asked if the Mayor signing off on everything is a change.

Mr. Rademacher stated yes that is a change.

Mrs. Afify asked who the Subdivision Administrator is.

Mr. Rademacher stated that he is.

Mrs. Afify asked about the process. She stated that it is unclear.

Mr. Rademacher stated that currently you have a sketch plan that goes to Planning Board and Town Council. The preliminary plan goes to Planning Board and Town Council. The final plan goes to Planning Board and Town Council. Some of the steps of the current process where it goes to Planning Board are being replaced by the TRC.

Mrs. Afify stated that this process is not laid out clearly enough.

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Mrs. Afify stated that she feels that Section 7 under Preliminary Plans is confusing and contradictory.

Mr. Rademacher stated that he would like to schedule a time to meet with her to go over this with her.

Mrs. Afify stated that under items needed for preliminary plans and also under final plans, there is a vague statement at the end that says: Any other information considered by either the sub-divider or the Town to be pertinent for the preliminary plan. This concerns her, it is pretty wide open.

Mrs. Tysinger stated that it is meant to be. It is a catch all. There may be new laws or situations that may come up. This way we can require it without having to amend the ordinance.

Mr. Rademacher stated that this is not new addition to the ordinance.

Mrs. Afify stated that she would like meet with Mr. Rademacher to go over some things and feels it would be better done in a one on one setting.

Chairman Newsome thanked her for the comments.

Mr. David Ward of Ward Realty Corp. stated that he is here as a concerned citizen. The sidewalk provision was expanded from 4 to 5 feet and on both sides of the road. He would like to give an example of why this is ludicrous. He has a 130 foot strip from the highway to the sound. He can get six lots total, two on the highway, two in the middle and two on the sound. Why would he need five foot of sidewalk on both sides of the road? The road will be 150 foot long. He feels we need to qualify things to the size of the development that we are dealing with and the location.

Mr. Rademacher stated that this was resolved. It would only have to have sidewalks on both sides of the road if it was a collector street.

Mr. Ward asked if a stub out would be required on the street that he was referring to.

Mr. Rademacher stated that he would need to see the plan before he could comment.

Mrs. Tysinger stated that we can not write an ordinance for every situation. You need to look at what is best overall for the Town. With that said, you pass the ordinance and six months down the road, you keep getting the same comment over and over again. At that point you go back in and amend it. There is a provision for that. That is how the process works. You also want to do ordinances based on history not on particular situations. You need to look at it in a non-confrontational, what is best for the community, and try to come up with the best thing. We appreciate the comments but tonight's conversations have been based on a lot of what ifs.

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Mr. Hamilton stated that replacing the word *shall* with *may* regarding street stub outs would help in this ordinance.

Mr. Rademacher stated that the minute you put the word *may* in there the problems will start.

Mr. Cavender stated that *may* is unenforceable.

Mrs. Tysinger stated that if you use *may*, you probably are not going to get it. If you want it, use *shall*. If it is not a big deal, use *may*.

Chairman Newsome stated that we need to move on.

Mr. Ward stated that he is the Chairman of the Beach Renourishment committee. They are required to have a beach access every ½ mile with 10 parking places within a ¼ mile of the access. This will happen regardless of what this ordinance says. He has a question regarding the sound side on the island. If you have private streets what would be the benefit of a public sound access. This confuses him. Also, you double the amount of land to be dedicated for recreational use. To him, if you dedicate it to the Town. The Town can sell it and you double the taxation on development. The valuation of that land will be on market value.

Mr. Williams stated that he will have numbers regarding this for the next workshop.

Chairman Newsome thanked Mr. Ward for his comments.

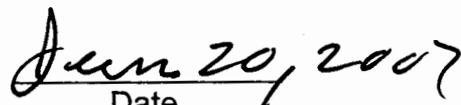
Mrs. Tysinger stated that the next workshop will be on Tuesday, July 17th at 6pm.

VI. ADJOURN

Mr. Camps-Campins motioned to adjourn. Mr. Williams seconded the motion. Chairman Newsome adjourned the workshop at 8:45 p.m.



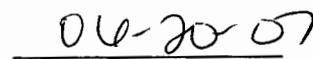
Planning Board Chairman



Date



Attest



Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

July 12, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Carl Johnson
Don Hamilton
Andy Cavender
Frank Camps-Campins
Jimmy Campbell – Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Christina Watkins, Permitting Officer

I. MEETING CALLED TO ORDER

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

Chairman Newsome stated that at the last Planning Board meeting we said farewell to members Carol Ryce and Al Alphin and tonight we welcome new Planning Board alternate, Jimmy Campbell. Chairman Newsome asked Mr. Campbell to tell the Board a little about himself.

Mr. Campbell said he moved here from Maryland about 2 ½ years ago. He has two daughters, ages 8 and 10. He works with computers, does some development and is involved with the Moose Lodge. He is very excited to be a part of the Board.

II. APPROVAL OF PLANNING BOARD MINUTES

1. June 14, 2007 Planning Board Meeting Minutes

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

III. Zoning Text Amendment

1. Sign Ordinance

Mr. Rademacher stated that this sign ordinance change is a request from the Board of Adjustments. At their last meeting they heard a variance request from the owners of Gateway Plaza due to the fact that the current calculations for allowable signage don't really mesh with multi-tenant style developments. We are finding that the multi-tenants are running out of signage real quick and in some cases not enough signage is available for all tenants. We calculate available signage based on the amount of road frontage. Gateway Plaza seems like they have a lot of road frontage but when you start cutting out parcels from the road frontage you may only be left with 100 square feet of signage for 11 tenants. We also cleaned up some sections of the ordinance where there were some inconsistencies. The first section addresses sign dimension. This is where we get into things like what is a sign, the dimensions of signs, how to handle

PLANNING BOARD MEETING MINUTES

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back to back signs, and 3-D signs. These are all things we will probably see in the future that the current ordinance does not address.

Mr. Camps-Campins added a few grammatical changes.

Mr. Rademacher stated we also added graphics into the ordinance. It really helps explain how we measure height and area of signs. In section 6.3 we added "*all signs be in accordance with the lighting ordinance*". This is a house keeping item as we did not have the lighting ordinance in place when the sign ordinance was written.

Mr. Camps-Campins questioned section 6.3 (c) regarding permitting flags and insignia of any government. He felt like this opens the door to anybody putting up anything they want. He suggested changing the wording.

Mr. Rademacher stated this is more of a first amendment issue.

Mr. Hamilton suggested "*any flags or insignia of sovereign government*". The Board was in agreement to change the wording as suggested by Mr. Hamilton.

Mr. Rademacher stated section 6.4 regulates signs on the estuarine and oceanside shoreline. There were some inconsistencies between this ordinance and what is in the new temporary sign ordinance. So we just cleaned it up to make it consistent. Section 6.6 addresses commercial signage. This is the area that the Board of Adjustments wanted us to look into. Basically we are not proposing a change to the individual single lot, such as Ace Hardware. The sign computation works the way it is and there is plenty of signage available to them. We are addressing anything over two (2) or more units. We are proposing to change from the old formula (road frontage X 1.5) to one (1) square foot of signage for every foot of building façade, with a maximum of two (2) signs per unit.

Chairman Newsome asked if this would have been in place, would Gateway Plaza have needed a variance.

Mr. Rademacher stated this new ordinance would have helped Gateway Plaza with their signage.

Mr. Rademacher stated this ordinance also addresses multi tenant shopping center signs by only allowing 2 multi-tenant signs per street frontage, not to exceed 96 square feet per sign and 6 feet in height. Individual tenants within the shopping center would not be allowed to have their own free standing signs. This is why we have the 2 multi-tenant signs per shopping center so that every individual business doesn't have their own pole sign sitting out front.

Mr. Campbell asked if DOT has requirements as far as where signs can be placed.

Mr. Rademacher stated DOT requires all signs to be out of the sight triangle and out of the right of way.

PLANNING BOARD MEETING MINUTES

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Mr. Rademacher also stated that we are requiring the property owner or management company to sign off on the sign permit. This is to keep the tenants from going beyond what the owner wants.

Mr. Camp-Campins requested adding "*in conformance with the lighting ordinance*" to this section. He also asked if the sign ordinance addressed seasonal lighting.

Mr. Rademacher stated it is addressed in the Fire Code.

Mr. Camps-Campins stated that it is appropriate at certain times of the year, but should not last beyond a certain interval.

Mr. Rademacher stated he will look into what other municipalities require and he will bring the information back to the Board next month.

Mr. Rademacher stated that this proposed ordinance would also address window signs like what is in the windows at Hardees. In doing research he found that communities regulate this not only for signage reasons but for public safety. The police department and other emergency services like to be able to see into the business to see what's going on. Twenty-five (25) percent seemed to be what most communities allow.

Mr. Cavender asked whose responsibility it is to enforce this ordinance.

Mr. Rademacher stated it is the Planning department.

Mr. Rademacher stated that in section 6.9, we added "rotating and flashing" to prohibited signs because the lighting ordinance wouldn't allow them. Also he spoke with the Building Inspector about roof signs and what we had in the ordinance no longer meets building code so we changed it to say "*must meet the North Carolina Building Code*".

Chairman Newsome asked if Mr. Rademacher needed to make the changes and bring the finished product back to the Board next month.

Mr. Rademacher stated the changes were minor and he is comfortable with moving forward to Council.

Mr. Campbell asked if there were fines that would be imposed for violating the sign ordinance.

Mr. Rademacher stated there is but it is addressed in another section of the zoning ordinance.

Mr. Camps-Campins motioned to approve the text amendment with the proposed changes. Mr. Johnson seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

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IV. ANNEXATION ZONINGS

1. Edens Property – R-10 Residential

Mr. Rademacher stated that the Town Council has requested that an annexation request be reviewed by the Planning Board in regard to zoning. There are two (2) parcels, owned by the same owner, up for annexation. The property is located on Highway 50 and Belt Rd. Both parcels are currently being used as residential uses. The surrounding area is a mixture of businesses and residences. Staff recommends zoning the Edens property R-10 Residential.

Mr. Hamilton stated that the Board was working toward creating a 500' corridor of commercial property along Hwy 50 and questioned why this property should be zoned residential.

Mr. Rademacher stated this is an unusual piece of property due to its location. Its not great commercial property and not great residential property either. It could probably be zoned either way. In the long term, three or four of these parcels would probably be combined and at that time would be rezoned to commercial property.

Mr. Cavender questioned if zoning the property residential could be considered spot zoning.

Mr. Rademacher stated there is an R-10 zoned parcel right down the road and Pender County has a lot around the property zoned residential as well. He is not a proponent of creating nonconforming properties. If the property were to be zoned C-1 and the owners wanted to make improvements to it, they would have a nonconforming lot and would be limited as to what they could do.

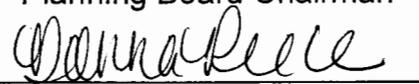
Mr. Cavender motioned to approve the Edens property R-10 Residential. Mr. Johnson seconded the motion and the motion was carried.

Mr. Rademacher reminded the Board about the workshop scheduled for July 17, 2007 at 6 p.m. The discussion will be on open space and educational opportunities for developers. Cavanaugh and Associates has been contracted to rewrite the parks and recreation master plan. They have requested to be placed on the August agenda to discuss with the Planning Board their ideas and visions on what the Board would like to see for parks and recreation in the Town.

V. ADJOURN

Mr. Hamilton motioned to adjourn. Mr. Johnson seconded the motion. Chairman Newsome adjourned the meeting at 6:05 P.M.


Planning Board Chairman


Attest


Date

07-13-07
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

July 17, 2007

6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Andy Cavender
Sidney Williams
Frank Camps-Campins
Sally Edens
James "Jimmy" Campbell - Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

Todd Rademacher, Planning Director
Christina Watkins, Permitting Officer

OTHER INDIVIDUALS PRESENT WERE:

Penny Tysinger – CFCOG
David Ward – Ward Realty

I. MEETING CALLED TO ORDER

Chairman Newsome called the workshop to order at 6:00 P.M. and Mr. Camps-Campins gave the invocation.

II. THE SUBDIVISION ORDINANCE

Mrs. Tysinger stated that since the last meeting she and Mr. Rademacher had a discussion and they would like to make a proposal trying to distinguish the difference between the island and the mainland. The island is geographically different. It is long and linear and surrounded by water. Would you really want a school on an island? Look at how built out the island is. There are a few remaining tracts to be developed but they are not that large. It made sense that the island should not be exempt from subdivision requirements but some of the items we do require in a subdivision may not be appropriate. For example, you could ask that they maintain the street networking grid system that is in place now when they are laying out their streets and they may not need the sidewalks. That is open for discussion. Exempt them from open space and school reservation sites. The open space is the whole ocean but we need the public access. We need to keep our Public Trust waters open. She feels that we do need to make a distinguishing difference between the island and the mainland. She was against it at first. She spoke with Mr. Rademacher about it and with the Institute of Government. We would be the first one to do something like this on the coast. Surf City is special. It is unique. No one is growing like Surf City. Are we a beach town or are we a town with a beach? Also, no one likes to think about total destruction but we would be remiss if we didn't talk about it.

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There needs to be a provision that states if there is a total destruction of the island, then it needs to go back and meet all the requirements of the ordinance with the exception of the public schools. It is not a good idea to put a public school on an island.

III. MEMBER DISCUSSION

Chairman Newsome thanked Mrs. Tysinger for doing the homework and taking the time to address the concerns of the board.

Mr. Williams stated that this helps his concerns considerably. The mainland is going to be a city and we need to control that so it will be a beautiful coastal town.

Mrs. Tysinger stated that a beach community is different than anywhere else. It is mostly transient with tourist seasons. That tourist season seems to get longer and longer. She does not know of anywhere where the permanent population outweighs the people who buy for rental income or second homes. When developing a subdivision, think about it in a residential or commercial standard not the traditional subdivision but one with the amenity of an ocean. There is a small commercial area on the island but most people go off the island for their commerce. It is difficult to put those types of regulations on a tourist area. She would like to know the consensus of the board before we move on.

The Board is very pleased with what she is proposing.

Mrs. Tysinger stated that we will now discuss Article VII (1) Public Facilities. The developer puts in the infrastructure and turns it over to the town. The statutes address the reservation of the land and that is it. The second paragraph is a part that was rewritten but says basically the same thing to see is one is better than the other. The first paragraph states if there were 200 acres or 500 housing units then they had to reserve a minimum 18 usable acres for the location of schools. The developer has to reserve that land then the responsible authority or school board, has 18 months from the date of final plat in which to acquire the site. They can either purchase it or obtain it through condemnation. If they decide not to then they have to release the land from reservation. If the developer uses the land as credit for open space, you need to make sure that if it is released that they still meet their open space requirement. There is nothing that says the developer has to build the school, they just have to reserve the land. The Pender County School Board is starting to look into things and hopefully sees how Surf City is growing. You don't want over crowded schools. How does the board feel about the 200 acres and 500 housing units?

Do you want to put a limit on it or do you want to do a mitigation type process?

Mr. Campbell asked how you get around the loop hole. What about a landowner who has 10,000 and subdivides 198 acres?

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Mr. Cavender stated that is one of his concerns as well. One concern is that developers are going to find a way around it because there is number that is put on paper. Second, if they meet the criteria then there is an element of unfairness that it is only developers with 200 plus acres having to this but the developer with 195 does not. Could it be set up as a graduated scale or percentage that would make this fairer?

Mrs. Tysinger stated that the first two paragraphs are one option and the third paragraph is another option. The third paragraph does not mention a certain size. We will use one option or the other. Also, with having a size, if everyone who did a subdivision on the mainland had to reserve land then it would almost be holding them back. The school board is going to look at where they can lump the areas together to build a campus. That is one of the reasons for a larger tract.

Mr. Camps-Campins stated that we are seeing the aggregate number gradually increasing. He is concerned that the Board of Education with Pender County saying we need something here. He feels it takes a lot of planning. He would like to see a reference to force a relationship between the Planning Board and the Town and the School Board and the County that there is a tracking process done. He does not want surprises.

Mrs. Tysinger reminded the board that it is not our authority to plan for the schools but we are given the right to ask sub-dividers to reserve the land. She agrees there needs to be some linkage between the two.

Mr. Williams stated that the school board is not making any plans. They are 10 years behind right now. Maybe we can figure out a way to get them to start looking forward.

Mr. Rademacher stated that they just finished their plan.

Mr. Williams asked why not let them start negotiating on a piece of land. Why hold it up?

Mrs. Tysinger stated that they may be doing that now but we do not know it.

Mr. Campbell asked if there was state owned land that we could gear towards a school.

Mrs. Tysinger stated that we are not going to get into the school boards business. All this does is give another opportunity to get some land that could be used.

Mr. Cavender stated that the larger issue is the fact that by allowing subdivisions to come in, every house being built adds an impact to the overall situation. He feels that there should be a provision to allow for the expansion of the school system based on the fact that we are the ones allowing people to move into the area.

PLANNING BOARD WORKSHOP MINUTES

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Chairman Newsome stated that one of the most important things when moving to a new area, if you have children, is the school system. We need to make sure that our Town is a warm reception to those people who want a good quality school. We are lucky that we have that now with two quality schools and we need to maintain that.

Mrs. Edens stated that the 18 month time frame concerns her.

Mrs. Tysinger stated that is just statutory language. They do not have to take that long, but they can.

Mr. Williams stated that some state agencies appear to be dragging it out. They wait until the last minute.

Mrs. Tysinger stated that there needs to be communication. Without it, how would the school board know what is going on in Surf City.

Mrs. Edens stated that the problem with the communication is the time frame.

Mrs. Tysinger stated that the statutory part can not be changed. That is a given. The only thing that can be changed is if we want this to apply to all subdivisions or a certain limit.

Mr. Williams stated that we have annexed a lot of properties recently with more coming. Are we required to have this by law in a subdivision ordinance?

Mrs. Tysinger stated that it is there if we need it but she is not sure if we are required to do it. The third paragraph explains the procedures and should answer their concerns. She read the paragraph for the public in the audience. This option would include the school board in the TRC.

Mr. Williams stated that he likes this option better.

Mrs. Tysinger stated that hopefully the school board will release their master plan so we know where they are looking.

Mr. Campbell asked what if a landowner comes in and says he has 1,000 acres. He wants 5 acres to be subdivided so he is going to give it to somebody. Does this rule come into effect where he would have to set aside 18 acres?

Mr. Rademacher stated that it would fall under the exemption.

Mrs. Tysinger stated that if a subdivision is exempt then these rules do not apply. We could advise them that the school board is looking in the area if we know what their plan is.

Mr. Campbell asked is the rule should apply even though you are not coming in as a subdivision.

PLANNING BOARD WORKSHOP MINUTES

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Mrs. Tysinger stated that you can not apply the rules if they are not going through that process.

Mr. Campbell stated that he thinks that is a loop hole.

Mr. Cavender asked we are going by the third paragraph option should we designate a percentage of land that has to be set aside. He would also like to see the third paragraph changed to say a school site *shall* be reserved instead of *should* be reserved. He likes the fact that this option hits all developments but he would like to see a percentage.

Mrs. Tysinger stated that the only way she knows to have this pay as you go plan, so to speak, is something called an Adequate Public Facilities Ordinance. There are only three in the state that she knows of. This is difficult to do and get. Basically, a lot pays into a fund on the impact that the neighborhood would have on that facility, for example, a school or a road.

Mr. Cavender stated that it would be earmarked specifically for the facility that you are trying to accommodate.

Mrs. Tysinger stated that there would have to be a study as to what the impact of the development would be on the infrastructure you are trying to put in.

Mr. Williams asked if it would be possible for Mr. Rademacher to get up with the school board to see what is going on.

Mr. Rademacher stated that he would be happy to.

Mrs. Tysinger stated that she feels that the second option seems to be the approach that the board wants to take. She asked the board to cross out the first two paragraphs and she will change the wording from *should* to *shall* as Mr. Cavender suggested in the first sentence.

Mr. Cavender stated for consistency, in the forth line the word *may* should be corrected to *shall*.

Mr. Rademacher stated that there is another correction. Staff should notify the Board of Education, not the Planning Board.

Chairman Newsome stated that he would like someone from the Board of Education to come here to one of the meetings.

Mr. Rademacher feels that it is a good idea for the Planning Board to hear from the Board of Education and he will try to set something up. The board agreed.

PLANNING BOARD WORKSHOP MINUTES

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Mrs. Tysinger stated that the next topic and last topic of discussion is Article VII (2) Recreation Areas. This is basically what we had before and she welcomes any questions.

Mr. Williams asked under Article VII, section (2) (1), regarding the first sentence is the purpose of the open space to serve the subdivision or the public.

Mrs. Tysinger stated that part states to serve the subdivision but it's up to the community and the Home Owners Association. Usually when they put in amenities there is a HOA fee and you would need a key to enter the facilities so that would keep the general public from using those amenities.

Mr. Williams wanted confirmation that the intent was not to create public open space but open space for that particular subdivision.

Mr. Camps-Campins stated it seems redundant to have 3 subdivisions in the same general area create 3 private parks, one in each of those subdivisions. It seems to be more effective for the City to take land from each developer and create a common area held by the homeowners.

Mrs. Tysinger stated that the General Statutes don't allow for a city to do that. The general public's opinion of Open Space has changed over the years. Back in the 70's and 80's development was asphalt to asphalt and no greenery. Today's development is different. Most all subdivisions have some kind of recreational amenities. That's what most people want anyway. Requiring open space will prevent that one person who thinks he can just get a survey and create some lots to form a subdivision with no forethought of things like water, sewer and streets.

Mr. Camps-Campins asked if there will be any consideration for a developer who may provide access to a park in close proximity or adjacent to the location.

Mr. Campbell stated that there is a benefit to having the park right there in your own community. You don't want to load up the kids drive them to a public park to play and make friends with kids that they probably won't see again.

Mr. Camp-Campins asked about the Town having a soccer field.

Mr. Rademacher stated that there are plans for that.

Mr. Williams stated he likes the idea of differentiating between the mainland and the island. The tracts are smaller on the island and that makes it more difficult for the developer to give it up.

Mrs. Tysinger stated if the Planning Board and Council decide it's not feasible for the developer to give up the land then he could pay a fee in lieu of or the developer can buy a piece of land to donate.

PLANNING BOARD WORKSHOP MINUTES

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Mr. Williams asked if a developer of a subdivision on the island is supposed to give ½ acre for open space he can purchase a piece of land on the mainland and donate it.

Mrs. Tysinger stated that is correct, but it must be useable land.

Mr. Newsome asked if the ordinance specifies where the land can be purchased from.

Mrs. Tysinger stated it would have to be within the jurisdiction.

Mr. Ward stated the old ordinance requires .01 acres times the number of dwelling units or lots and the proposed ordinance requires .02 acres. That is double.

Mr. Rademacher stated that in a 100 lot subdivision that is 2 acres of land as opposed to 1 acre of land as a requirement.

Mr. Campbell asked if a subdivision on the mainland could use an unbuildable oceanfront lot to meet the open space requirement.

Mr. Rademacher stated that he believes it could be used for the open space requirement.

Mrs. Tysinger stated that is an issue we are having in other areas. People are buying an oceanfront house and calling it the clubhouse for a subdivision further inland. The problem is they don't have the facilities to park them and things like that. Also there is an issue with taxing the property. For example in Stanley County where I'm from the taxes are very low. If we buy a beach club for our subdivision in Surf City where the taxes are higher, we only have to pay Stanley County taxes. It's a big loop hole we found and we are asking the AG to look into it, but we haven't heard back yet.

Mr. Rademacher stated the next workshop will be held on August 14, 2007.

Mrs. Tysinger stated she would not be available due to a prior commitment.

Mr. Rademacher stated he will try and get the School Board to come meet with us that night or Cavanaugh to speak about the Parks and Recreation plan.

Mrs. Tysinger stated she will work on the definitions and correcting all the page numbers in order. She plans on having the public meeting in November, have the Public Hearing at the December Council meeting and then go to Council in January for adoption.

PLANNING BOARD WORKSHOP MINUTES

July 17, 2007

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VI. ADJOURN

Mr. Williams motioned to adjourn. Mr. Camps-Campins seconded the motion. Chairman Newsome adjourned the workshop at 7:25 p.m.

Barrist Newsome *July 18, 2007*
Planning Board Chairman Date

Donna Pece *07-19-07*
Attest Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

August 9, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Don Hamilton
Sidney Williams
Andy Cavender
Sally Edens
Frank Camps-Campins
Jimmy Campbell - Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Mr. Kevin Harrington - Applicant

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:35 P.M. and Mr. Camps-Campins gave the invocation.

II. APPROVAL OF JULY 12, 2007 PLANNING BOARD MINUTES

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

Mr. Camps-Campins asked Mr. Rademacher for an update on seasonal lighting.

Mr. Rademacher stated that most jurisdictions are leaving it up to the local fire department or they are setting up their own time standards. Everyone allows them and treats them like temporary signs.

III. Zoning Map Amendment

1. WRI Hughes Surf City, LLC, Highway 210 (C3 to MFC)

Chairman Newsome stated that item one has been removed from the agenda for tonight's meeting.

PLANNING BOARD MEETING MINUTES

August 09, 2007

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2. Kevin Harrington, Highway 210 (R10 to MFC)

Mr. Rademacher stated that the applicant, Kevin Harrington, has requested that his property located at 1215 Highway 210 be rezoned from R10 Residential to MFC Multi-Family Cluster. This property is 3 acres in size and meets the minimum requirement of 2 acres for the MFC zoning classification. A rezoning will allow for the development of residential units at a density of 10 units per acre as opposed to R10 which allows for duplexes and single family homes on minimum 10,000 square foot lots. MFC also requires that the developer leave 30% of the land in open space, passive or active, where R-10 currently does not have any requirements. Adjacent properties consist of vacant land, single-family homes and municipal property. Staff recommends rezoning this property as it is consistent with the residential development wanted by the Town in this area of 210 and would be consistent with the Land Use Plan policies of the Town.

Mr. Williams motioned to approve the rezoning. Mr. Cavender seconded the motion.

Mr. Camps-Campins asked if this will be kept back off the road and what type of units.

Mr. Kevin Harrington of 5516 Woodridge Rd., Wilmington, NC, stated that what made this property desirable to him is putting patio homes in this development. He has seen the success that they have had with people who do not want the yard upkeep. He understands that being a beach community, we do not have these types of homes right now but with the land that is being taken on over on the mainland, he sees a need for it. He wants to build brick patio homes because he thinks that homeowners do not want floppy siding after storms. He sees the growth potential and wanted to invest in the area.

Mr. Cavender asked if the land is currently vacant.

Mr. Rademacher stated that there is currently a two story brick house on the property.

Mr. Williams motioned to approve the rezoning. Mr. Cavender seconded the motion and the motion was carried.

V. SUBDIVISION REVIEW

1. Diamond Point Final Plat

Mr. Rademacher stated that the applicants are seeking final approval of a 10 lot residential subdivision. The property is located off Little Kinston Road along the water way. The property is zoned MHS Residential which requires a minimum of 5,000 square foot lots. The developers have installed the water and sewer lines in accordance with the preliminary plan. They are awaiting final state certification on this system as it is to be turned over to the Town.

PLANNING BOARD MEETING MINUTES

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The developer has submitted a guarantee bond for all public improvements for 125% of the cost of installation that will be valid until all infrastructures is turned over to the Town in one year. This bond ensures that monies are available to fix any problems that may occur prior to the Town taking over full maintenance of the infrastructure. Sidewalks have been installed, streets are ready for paving and the installation of street trees is to be taking place shortly. All improvements will need to be finalized prior to the final approval of the Town Council. They are not complete as of today but they are aware that they can not go to Council until this is complete. Staff recommends approving the final plat with the requirement that the plat reflect the proper street name of Diamond Point Court. Also, note that all improvements and certifications must be completed prior to the recordation of the final plat with the register of deeds.

Mr. Cavender stated that the sidewalks have not been completed. They are formed but not poured.

Mr. Hamilton asked since this will be a private road if there will be maintenance in the HOA for the road.

Mr. Rademacher stated that it is up to the HOA.

Mr. Cavender confirmed that the water and sewer system will be turned over to the Town but the road will remain private.

Mr. Hamilton asked if the setback requirements for corner lots are different, referring to lot 1.

Mr. Rademacher stated that the proper setbacks are shown on the plat. For MHS, side setbacks are 10 feet on the street side and 7 ½ feet on the other side.

Mrs. Edens asked if the 20 foot right of way will be paved or rock. Is there a requirement?

Mr. Rademacher stated that the Fire Department requires 20 feet of improved surface. DOT requires 18 feet of pavement. The Fire Department requires the extra two feet for their trucks to get back there. This project has a 31 foot right of way.

Mr. Campbell asked if there is plenty of parking.

Mr. Rademacher stated that all the parking will be handled on the individual lots.

Mr. Camps-Campins asked if a driveway going over the wetlands a problem.

Mr. Hamilton stated that there is an easement on Lot 9 that goes over the uplands for Lot 10.

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August 09, 2007

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Mr. Rademacher stated that they originally planned a driveway on Lot 10 but the Army Corp. wanted them to minimize the impact to the wetlands. That is why they created this easement.

Mr. Cavender asked if some of this property has been filled in.

Mr. Rademacher stated that the previous owners filled in a large portion of wetlands.

Mr. Williams motioned to approve the final plat with the recommended requirements. Mrs. Edens seconded the motion and the motion was carried.

V. ANNEXATION ZONING

1. FHMM / Sniff Property

Mr. Rademacher stated that the Town Council has requested that an annexation request be reviewed by the Planning Board in regards to zoning. This property is owned by Emmett Sniff and FHMM, LLC. The property is located off of Manhollow Church Road and is adjacent to Turtle Creek as well as other properties that have been annexed into the Town. The property is 18.18 acres and is a previously recorded subdivision. Adjacent land uses consist of vacant land, manufactured homes and a developing subdivision. Staff recommends zoning the property to R15 as the property is currently subdivided in an area appropriate for residential development.

Mr. Williams asked if all of the lots are 15,000 square feet.

Mr. Rademacher stated that they are all approximately ½ acre. His understanding is that once they get annexed into the Town they are going to come back and re-subdivide.

Mr. Cavender asked about the lots that are not highlighted.

Mr. Rademacher stated that they are the people who are not interested in annexing into Surf City.

Mr. Cavender asked if he comes back and asks for a re-subdivision of the remaining lots, will he have to meet the subdivision ordinance.

Mr. Rademacher stated that yes he would.

Mr. Cavender asked if he does not ask for it would he have to meet the ordinance.

Mr. Rademacher stated he would not. It is his understanding that one of the reasons for annexing is to get water and sewer service. Their septic permits are expired and the type of system that was approved is no longer an approved system.

PLANNING BOARD MEETING MINUTES

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Mr. Rademacher also stated that Edgecomb Drive is where Turtle Creek is coming out. It is their desire to tap into water and sewer lines when they come out of Turtle Creek. Mr. Sniff also owns the large adjacent property and plans to extend the road all the way through. Hopefully we will have another connection from 17 to 210.

Mr. Cavender motioned to approve the zoning to R15. Mr. Hamilton seconded the motion and the motion was carried.

Chairman Newsome asked for an update on Turtle Creek. What is the disposition of the second exit onto Highway 17?

Mr. Rademacher stated that they have been working on a new proposal and are meeting with the Army Corp. They shifted the location a little bit and would like to construct a large scale wooden bridge that will meet DOT standards as well as carry a fire truck. They will also be filling less wetlands than what they were originally trying to do. He will update the board when he finds out how the meeting went.

Mr. Campbell stated that Ron Bryant built a bridge in North Topsail Beach that is certified and able to carry a fire truck.

Mr. Rademacher reminded the board of the workshop on Tuesday, August 14th at 6:00 pm. Cavanaugh & Associates will be a guest speaker talking about parks and recreation. They are doing a new parks and recreation master plan and are interested in hearing what the Planning Board is interested in as far as open space and future recreational activities. He was unable to reach anyone with the school board.

Mr. Williams asked about the Town meeting with Holly Ridge regarding zoning.

Mr. Rademacher stated that what is proposed is that Surf City will not be able to annex any properties in Onslow County and Holly Ridge will not be able to annex any properties in Pender County. There is a verbal agreement but General Statutes requires there to be a formal written agreement recorded. The council will be holding a public meeting in September as well as Holly Ridge.

Mr. Camps-Campins stated that the Planning Board should discuss zoning along Highway 17 and what the board is looking for.

Mr. Rademacher agreed and stated that we will probably have to update the Land Use Plan this year.

Mrs. Edens asked about what is allowed in the right of way. Are irrigation systems allowed?

Mr. Rademacher stated that landscaping and vegetation is allowed. No fences or structures or anything that would block vision. Irrigation lines shouldn't be out there but we have never asked anyone to move it.

PLANNING BOARD MEETING MINUTES

August 09, 2007

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VI. ADJOURN

Mr. Williams motioned to adjourn. Mr. Hamilton seconded the motion. Chairman Newsome adjourned the meeting at 6:08 P.M.

Barry Newsome
Planning Board Chairman

Aug 10, 2007
Date

Donna Peelle
Attest

08-10-07
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Andy Cavender
Frank Camps-Campins
Sally Edens
James "Jimmy" Campbell – Alternate
Doug Medlin – Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Lisa Manning – Cavanaugh & Associates
Everett Gupton – Cavanaugh & Associates
David Ward – Realtor

I. MEETING CALLED TO ORDER

Chairman Newsome called the workshop to order at 6:00 P.M. and Mr. Medlin gave the invocation.

II. PRESENTATION BY CAVANAUGH & ASSOCIATES ON THE SURF CITY PARKS AND RECREATION MASTER PLAN

Mrs. Manning with Cavanaugh & Associates stated that she and Mr. Gupton are here to talk to the board about the Surf City Parks and Recreation Master Plan. (Mr. Gupton gave the board a copy of the preliminary plan, a copy is attached) Their goal for tonight is to facilitate discussion and get feedback from the board. They have already had meetings with Mr. Moore and Todd Rademacher as well as the Parks and Recreation Committee and received feedback from them. One of the reasons we need this master plan is to get a PARTF grant to help pay for improvements in Surf City for parks and recreational facilities. Also, they would like to create a usable plan that Surf City can utilize to figure out where new facilities are needed, to find out what the community wants to have and where Surf City could plan in the short term and long term to put money aside for these facilities. She asked the board to look through the documentation that includes an inventory of existing parks and beach accesses and a citizen survey. They are looking for feedback from the board. They would like to have the draft master plan completed by October.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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III. MEMBER DISCUSSION

Chairman Newsome asked where they will generate the mailing list for the survey.

Mr. Rademacher stated that the Town can help them with the list.

Mrs. Manning stated that they would like to send the survey to Surf City residents as well as having them strategically placed around the Town in restaurants and stores.

Mr. Medlin stated that we could use the tax base plus the water records to generate a list.

Mr. Rademacher stated that they also have the capability to do a random address grab.

Mr. Campbell asked how many property owners there are.

Mr. Rademacher stated around 3,500.

Mr. Campbell asked if this would be on the internet.

Mrs. Manning stated that this is a mailing however the internet is a possibility.

Mr. Campbell stated that mailings can be costly.

Mrs. Manning stated that having the survey pre-stamped would work the best but she would hate to put stamps on all of them and only a few get returned. There may be a way to mail them and only pay for return postage if the survey gets sent back.

Mr. Ward stated that the Town could talk to the Post Office.

Mr. Medlin stated that a private outfit now mails the tax bills for the Town and it is cheaper than mailing it yourself. That may be an option.

Mr. Campbell asked about the beach access at Mecklenburg. The inventory list showed it as good handicap potential.

Mrs. Manning stated that this may be a good location for a retro fit.

Mr. Campbell asked if there is a possibility for bike paths not so close to the highway.

Mr. Medlin stated that the bike paths were put in by a state fund. They do not allow their grant money to be put towards bike paths that are not on a state road.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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Mr. Campbell asked if the bike path could be moved away from the road.

Mr. Rademacher stated that they have to be adjoining the road so they can pave the road and the bike path at the same time.

Chairman Newsome stated that no one uses the bike path. They use the highway.

Mr. Cavender stated that we need some signage because people may not realize that it is a bike path. They think it is a sidewalk and he understands that it is illegal to ride your bike on a sidewalk.

Mr. Camps-Campins stated that information signs are very important. This came up when they were discussing the Land Use Plan. Disbursement to the beach accesses with parking available is very important. Information and how the information gets out is also important. The Community Center is a beautiful resource but he would like to see satellite stations reaching out to Dogwood Lakes, the Hedgecock property and Belt Road. These areas are going to be populated by young families one day. There will need to be tot lots and things for young families as well as for seniors. He would like to see it all inventoried and made available to hand out. Financing is also something to think about, how it is raised and what grants are available. There are a lot of opportunities. He thinks that what Cavanaugh is doing is very exciting. It is a very important step and he supports their efforts completely.

Mrs. Manning stated that along with potential satellite areas she feels that amenity centers in new developments would be an ideal location to state not only what they have available but what Surf City has to offer as well.

Mr. Camps-Campins stated conceptually if we have an overview and we work together with developers on open space it is a perfect way of getting information out.

Mr. Campbell stated that since we have a captive audience at the swing bridge right now that may be a great location for a welcome center.

Mrs. Manning stated that it does not have to be a manned station. There could be a nice billboard with maps and pamphlets.

Mr. Rademacher stated it could be some kind of information kiosk.

Mr. Cavender stated that there are a lot of pieces of sidewalks on the mainland. Could there be provisions to connect the sidewalks? Would this fall under Parks and Rec.?

Mr. Rademacher stated that yes it would fall under Parks and Rec. and provisions could be made to connect them.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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Mr. Campbell asked if there was talk of a convention center.

Chairman Newsome stated that we don't need to deal with that right now.

Mr. Cavender asked what the status is for the ball fields at the Community Center.

Mr. Rademacher stated that they are currently under design.

Mr. Gupton stated that the Town applied for the PARTF grant last year and the application was for a baseball field, soccer field and T-ball field. Their response was that the Park and Recreation Master Plan at the time did not have the ball fields listed. They need to make sure that everything planned is listed.

Chairman Newsome asked if this will be a multi-use ball field.

Mrs. Manning stated that there is enough room for three separate fields.

Mr. Gupton stated that there is also a plan to deepen the existing pond behind the Community Center and stock it with fish and have a boardwalk and gazebo.

Chairman Newsome stated that we need more signage so people know where the Community Center is.

Mrs. Manning stated that she spoke with Kristie Grubb about having more signage at the Community Center like environmental signs and a map showing exactly where every beach access and park is with a hand out that people can take with them.

Mrs. Edens asked what the Town is going to do with Cindy's Restaurant.

Mr. Medlin stated that it has not been decided yet.

Mrs. Manning asked for ideas for potential uses at Cindy's.

Chairman Newsome stated parking.

Mr. Rademacher stated that the building would be a fantastic place for a reception hall or meeting facility.

Mrs. Manning stated that people would get married there and would have receptions.

Mr. Rademacher stated that the only oceanfront facilities right now are in North Topsail Beach.

Mrs. Manning stated that it would be good for passive recreation. It could be a satellite community center.

PLANNING BOARD WORKSHOP MINUTES

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Mr. Campbell suggested a small kid's water park with fountains that are handicap accessible with rubber matting.

Mr. Medlin stated that may be better on the mainland.

Mr. Rademacher stated that it may be a good idea to look at the parking situation at the Roland Ave. beach access and redesign it to work with the parking at Cindy's. We may gain some parking spaces.

Mr. Cavender stated that the mainland and the island need to be separated. Parking and getting people to the beach is the biggest issue on the island. On the mainland will need more active recreation.

Mr. Campbell asked about the boat ramp at the end of Belt Road.

Mr. Rademacher stated that the Town has already been contacted by the Coastal Federation. They are trying to get the Town, Pender Co. and Marine Fisheries together on a project at that location. It is for small craft like john boats or kayaks. The land may be coming available. The owner is out of Rhode Island and would be interested in selling to the State or public entity. This would be the large 22 acre tract.

Chairman Newsome stated that as we develop on the mainland we need to think about getting those people to the beach. We may need a shuttle system but you would need the property and a place to park.

Mr. Rademacher stated that we need some way of letting people know what is public land and available to use like some sort of cohesive signage package or architectural design that tells people that it is owned by Surf City and available to use.

Mr. Medlin stated that parking should be marked either public or municipal so people know they can park there.

Chairman Newsome stated that he thinks public because if he sees municipal he would think for board members, not everyone. He also asked about a walking trail at the Community Center.

Mr. Gupton stated that it will be about ½ mile with a walkway that would go over the pond with a gazebo. It will not be just a loop.

Chairman Newsome asked what the time frame is to get started on these projects.

Mr. Gupton stated that the report has to be done by the end of the year.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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Mrs. Manning stated that they have until the end of January to submit for the grant. It takes a few months for the grant to come through. Once the grant is received there are certain things that could be accomplished in a shorter amount of time that could be started first so that we see the progress.

Mr. Camps-Campins stated that a public workshop should be held at the Community Center. We can set up tables, have refreshments and handouts. We could have the Planning Board as well as Town Council available for questions. Make it a community event. Some people know the Community Center is there but have never been inside.

Mrs. Manning stated that we can also have representatives from other recreational facilities like the kayak shop or other activities.

Mr. Campbell asked if we should still do the survey.

Chairman Newsome stated that we should do both.

Mr. Campbell stated that the survey should be on the internet also.

Mr. Rademacher stated that we can also put a message on the bottom of the water bill.

Mr. Medlin suggested mailing the survey with the newsletter.

Mr. Rademacher stated it may be cost effective to put return postage on the survey if the survey is mailed with the newsletter. We could try to get the postage where you pay only if it gets returned. They could also fax the survey to us.

Mr. Cavender asked about the budget and if the PARTF grant is tied to specific goals.

Mrs. Manning stated that it is. This is a fund through reimbursement. It is a matching grant. You would have to start the project, pay for it and get reimbursed. It could be up to \$500,000.

Mr. Cavender asked if the projects we are seeking to do are going to be tied to the PARTF grant or are we saying this is what we will do.

Mr. Medlin stated that some are tied to the PARTF grant. We need so see what we can get through the grant first.

Mr. Cavender asked if there are any grants in process now.

Mr. Medlin stated the Town has obtained CAMA grants for the new walkway at Soundside Park. There will also be a walkway from the park to the water tower and a pier at the park across from Crosswinds.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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Chairman Newsome asked if there was any county land available.

Mr. Medlin stated that he does not know of any.

Mr. Campbell stated that there is 50 acres at the Moose Lodge that the Town may be able to lease for \$1.00.

Mrs. Manning stated that for the PARTF grant the lease would have to be for at least 25 years.

Mr. Medlin stated that there are 40 acres at the water tower off of Highway 210.

Mr. Ward stated that for the long range master plan, when the bridge is replaced there needs to be separate bike/pedestrian traffic from vehicle traffic.

Mr. Cavender stated that it would be nice to have sidewalks connecting the mainland to the island for pedestrians.

Mr. Campbell stated that if roads were one way there would be more room for sidewalks.

Mr. Rademacher stated that it was tried at one time at S. Topsail Dr. and S. Shore Dr. but it did not work out.

Mr. Cavender stated that maybe we can look at making the street with a beach access one way and have parallel parking on those streets.

Mr. Rademacher stated that it something that needs to be looked into.

Mr. Campbell asked if the Town has money to purchase land for parks using grant money that we have today.

Mrs. Manning stated she does not know specifically but she understands that the Town would like to get the grant to help pay but that the Town has some money available to use as well.

Mr. Camps-Campins stated that we basically have a 10 year window. There are going to be recreational requirements far in excess of what the developers are going to be able to provide. We need to start looking into the ball fields at the Moose Lodge and other exciting opportunities now.

Mrs. Manning stated that they would like to develop a matrix, also developed with input, so you can clearly see what is coming.

Chairman Newsome stated that he would like to see all the hard work and progress that we have done told. We are not getting the message out. We need to tell our story.

PLANNING BOARD WORKSHOP MINUTES

August 14, 2007

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Mr. Gupton stated that there is a lot of heritage in Surf City that is not really talked about. Topsail Beach has brought a lot of people in with that. The master plan is great way to connect everything.

Mr. Camps-Campins stated that we need a common theme.

Mrs. Manning stated that a common theme is very important. They are also meeting with the Parks and Recreation Committee and will share what was discussed. She also feels that the workshop should be held at the Community Center. We can do a press release with the local news and media to get the word out. She asked the board to look over the documentation and she will get back in touch with Mr. Rademacher to see if there were any other suggestions.

Mr. Camps-Campins stated that he thinks the signage issue for the mainland and the island should be worked on now.

Chairman Newsome stated that the Town logo should be placed on everything.

Mrs. Manning thanked the board for their time.

VI. ADJOURN

Mr. Camps-Campins motioned to adjourn. Mr. Cavender seconded the motion. Chairman Newsome adjourned the workshop at 7:26 p.m.

Barry Newsome
Planning Board Chairman

Aug 15, 2007
Date

Donna Reece
Attest

08-15-07
Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

September 13, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Don Hamilton
Andy Cavender
Sally Edens
Frank Camps-Campins
Jimmy Campbell - Alternate

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Howard Penton – Developer
Vic Rizutto – Developer
Michael Gallant – Engineer
Eric Tomczak – Engineer
Josh Mihaly – Landscape Architect
Margaret Godwin – Realtor
Shelia Rummel – Realtor

I. MEETING CALLED TO ORDER

Chairman Newsome called the meeting to order at 5:32 P.M. and Mr. Camps-Campins gave the invocation.

II. APPROVAL OF PLANNING BOARD MINUTES

1. August 9, 2007 Planning Board Meeting

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

2. June 19, 2007 Planning Board Workshop

Mr. Hamilton motioned to approve the minutes. Mr. Camps-Campins seconded the motion and the motion was carried

PLANNING BOARD MEETING MINUTES

September 13, 2007

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Mr. Camps-Campins asked Mr. Hamilton if he will be able to review the maintenance requirements.

Mr. Hamilton stated that there are now stricter guidelines for storm water ponds. Maintenance has always been an issue but he can't really address that.

Mr. Cavender asked if there was a minimum standard for a fence around the pond.

Mr. Tomczak stated that there will not be a fence around it. This will be a dry infiltration basin with landscaping around it.

Mr. Rademacher stated that fences are not required.

Mr. Cavender stated that it will be easier to maintain without the fence. They can become trash traps with a fence.

Mr. Campbell asked if we can require that they plant so many trees. He also asked about signage.

Mr. Tomczak stated that Mr. Rademacher has required them to plant a few additional trees. They have no plans for signage.

Mr. Rademacher stated that we do not have the authority through subdivision review to put additional conditions. We can make a recommendation but can not enforce it.

Mr. Cavender stated that the drawing does not accurately show the amount of trees needed.

Mr. Tomczak stated that it meets the ordinance.

Mr. Rademacher stated that there are outfall areas and site triangle areas that you have to keep clear.

Mr. Hamilton motioned to approve as submitted. Mrs. Edens seconded the motion and the motion was carried.

IV. SITE PLAN REVIEW

1. Beach House Yacht Club

Mr. Rademacher stated the applicants, Mark and Lionel Yow, have requested the approval of a site plan for the Beach House Yacht Club located at 111 N. New River Drive. This property is the current site of the dry boat storage for the Beach House Marina. The owner is in the process of selling the individual slips and wants to construct a clubhouse for the individual owners. This will include a swimming pool, walking areas and other amenities to be built later.

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The proposed structure is approximately 3000 square feet and would be a two story building. Parking is being shown to code that will accommodate the clubhouse and the individual dry stacks. The dry stacks are still permitted under an existing Conditional Use Permit that does not affect this review. Landscaping and sidewalks are shown in compliance with the ordinance. Storm water will be handled by an approved state storm water system that will be placed underneath the site. The submitted lighting plan also meets the requirements of the ordinance and will ensure that the site will not place excessive light onto neighboring properties. The Fire Department and Public Works department have both reviewed these plans for compliance with the ordinances. Staff recommends approval of this site plan.

Chairman Newsome asked for confirmation that this will be a private club with no public access.

Mr. Gallant stated that this portion of the project will be a private boat owners association. They will own the dry stacks and the clubhouse building.

Mr. Rademacher stated that there will be other phases as this project gets developed. There are preliminary plans for more mixed use buildings and a restaurant. This will have to come before the Planning Board and Town Council for review.

Mrs. Edens stated that there is no way to tell what the final density for this property will be.

Mr. Rademacher stated that is correct. They are still working under the same impervious coverage. They split the land into three different properties.

Mrs. Edens asked if the split has been recorded.

Mr. Rademacher stated yes.

Mr. Gallant stated that density wise the new development will be far less than the Grande Meridian that was planned to go there.

Mrs. Edens stated that she is looking at commercial versus residential and the combination of the two.

Mr. Gallant stated that they are looking at commercial in the next phase of the project. The restaurant will be commercial. They are also looking at commercial on the first floor with residential above. Parking is a limiting issue.

Mr. Rademacher stated that they would still have to meet the C-1 requirements for the breakdown of residential units.

Mrs. Edens stated that they will not be allowed to use the boat slip area to achieve their parking commitment.

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Mr. Rademacher stated that is correct.

Mr. Camps-Campins asked what the proper number of boat stacks is. There is a discrepancy in the plans.

Mr. Rizutto stated that there are 96 in each of the four buildings for a total of 384.

Mr. Rademacher stated that the number of dry stacks can not increase since they are still tied to the Conditional Use Permit.

Mr. Campbell asked if they are required to have sidewalks.

Mr. Rademacher stated yes.

Mr. Campbell asked if they will have gates.

Mr. Gallant stated that they will not have a gate system. The parking lot will be shared. Due to DOT issues, they will eventually have to have flow thru traffic through the parking area from N. New River Dr. to Roland Avenue. The clubhouse will be members only.

Mr. Campbell asked about the clubhouse design.

Mr. Gallant stated that they submitted architectural sheets showing the elevations on the last page of the handout.

Chairman Newsome asked about the plans for the gas tanks and the beautification of that area.

Mr. Rizutto stated that if they are able to get permits, they will bury them. If not, they will be hidden. This will be handled in future phases.

Mr. Camps-Campins asked about structural design for the wind force and there have been any changes in wind codes over the years.

Mr. Rizutto stated that the current buildings were built in 2002 to meet 130 mph winds.

Mr. Gallant stated that the wind code is still 130 mph. The goal is for the new buildings to match what is currently there.

Mr. Cavender motioned to approve. Mr. Hamilton seconded the motion and the motion was carried.

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V. ZONING MAP AMENDMENT

1. WRI Hughes Surf City, LLC

Mr. Rademacher stated that the applicant has requested that the property located off of Highway 210 be rezoned from C3 Commercial to MFC Multi-Family Cluster. The applicant's property is 34.67 acres in size and meets the minimum requirement of 2 acres for the MFC zoning classification. This property is located adjacent to Lowe's and is the back portion of the Harris Teeter site also adjacent to the Dogwood Lakes multi-family project. The developer of the Harris Teeter site is interested in selling this portion of land to a residential developer. A rezoning will allow for the development of residential units at a density of 10 units per acre. MFC also requires that the developer leave 30% of the land in active or passive open space where R-10 currently does not have any requirements. Adjacent properties consist of vacant land, single family homes and commercial property. Staff recommends rezoning this property as it is in a location that would be well served by higher density development near our developing commercial center and would be consistent with the Land Use Plan of the Town.

Mr. Penton passed out a site plan to the board.

Mr. Cavender stated that no portion of this proposed rezoning abuts Highway 210.

Mr. Rademacher stated that is correct. The developer of Harris Teeter will still retain the portion of the property on Highway 210.

Mr. Cavender stated that everything to the left of Alston Blvd. is 404 wetlands.

Mr. Rademacher stated that is correct and will form a natural buffer between the commercial and residential.

Mr. Camps-Campins likes the inter-connectivity between this project, Dogwood Lakes, Harris Teeter and Lowe's.

Mrs. Edens asked what the time frame is for this project.

Mr. Penton stated that he is working with Jeff Baron who is the developer of the Harris Teeter. They are planning to move forward with civil engineering immediately if they get approval. They anticipate grading permits within 6 to 8 months with the pad delivered for Harris Teeter in early 2009. It is their intent to work with Jeff Baron to grade the site, put in utilities and Alston Blvd. and follow along with the construction of Harris Teeter if not ahead of time. They will be working together on the main infrastructure.

Mr. Camps-Campins motioned to approve the rezoning as requested. Mr. Hamilton seconded the motion and the motion was carried.

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Mr. Rademacher stated that there will be a Planning Board Workshop on Tuesday, September 18th at 6pm on the subdivision ordinance.

VI. ADJOURN

Mrs. Edens motioned to adjourn. Mr. Cavender seconded the motion. Chairman Newsome adjourned the meeting at 6:02 P.M.

Barry Newsome
Planning Board Chairman

Sept 14, 2007
Date

Donna Reece
Attest

09-14-07
Date

SURF CITY PLANNING BOARD WORKSHOP MINUTES

September 18, 2007

6:00 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Chairman Barry Newsome
Andy Cavender
Frank Camps-Campins
Don Hamilton
Sidney Williams
Jimmy Campbell – Alternate
Doug Medlin – Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Penny Tysinger – CFCOG
Shelia Rummel – Realtor

I. MEETING CALLED TO ORDER

Chairman Newsome called the workshop to order at 6:00 P.M. and Mr. Medlin gave the invocation.

II. THE SUBDIVISION ORDINANCE

Mrs. Tysinger stated that at the last meeting they were debating schools and open space. She would like to resolve that and talk about definitions and scheduling for finishing the ordinance. As a recap on schools, in Article 7 Public Facilities there were two options. The first option is the existing ordinance and the second option is the new version which eliminates the minimum development size before a school site is reserved.

Mr. Camps-Campins stated that he thought the board opted for the second option. The board agreed.

Mrs. Tysinger stated that she will make note of that.

Mr. Williams stated that Surf City has a small footprint. He envisions Surf City going out Hwy 210 to Hwy 17 and over to Virginia Creek but there will still be a lot of Pender County left. He thinks that we should let Pender County handle acquiring land for schools. The county can come into Surf City and purchase a school site. Why put the burden on the developer?

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Mr. Campbell asked if he was saying to let taxes pay for the schools.

Mr. Williams stated that taxes will pay for the schools. Why make Surf City citizens with Surf City land set aside property for 18 months and tie up their money when this is a small portion of Eastern Pender County.

Mr. Rademacher stated that it may be a small portion of Pender County but due to our unique nature of having a sewer system, the only reason people are coming into Surf City is so they can get a higher denser package therefore our footprint is actually larger. If Surf City can not provide schools then we are doing a detriment to our developers in the long run and everyone will be paying higher taxes.

Mrs. Tysinger stated that she can not answer what other jurisdictions do with school reservation sites but she would bet that they have it in their subdivision ordinance already.

Mr. Williams disagreed.

Mr. Rademacher stated that does not mean that they are doing the right thing. This is about doing the right progressive planning for Surf City.

Mrs. Tysinger stated that she would say if Pender County does not then they are going in that direction.

Mr. Williams asked if it would be possible to give a shorter period of time then 18 months.

Mrs. Tysinger stated that with the TRC, for example, if we knew there was no way that the county school system plan would propose a school in the area that is being developed; we would not require the land to be reserved. We need to speak with the school system.

Mr. Campbell asked who this would affect if it was in place yesterday.

Mr. Rademacher stated only Turtle Creek.

Mr. Hamilton stated that his issue is Pender County. He does not like how they operate. He likes the way Surf City operates. He feels we are progressive.

Mr. Rademacher stated that this gives the Town the best shot to have the best services it its area. When the developer goes to advertise he can say "Close to schools" and "Close to shopping". He may have lost 18 acres but the price of his land just went up because he can attract a whole lot more buyers into that neighborhood. If we had a school in Surf City now, the people would be flocking in. They would be looking twice as hard.

PLANNING BOARD WORKSHOP MINUTES

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Mr. Hamilton asked if there was any way that we can keep it within the Surf City demand and lease it to Pender County. He would like the Town to keep control of it.

Mr. Medlin stated that they have 18 months to decide. If they say yes what holds them to do something?

Mrs. Tysinger stated that if the Board of Education has not purchased or begun acquisition within 18 months then the property can be freed up from reservation. They can wait 17 ½ months to start acquisition.

Mr. Cavender stated that they can acquire the property but that does not mean that they have to build a school on it.

Mrs. Tysinger stated that was correct. You may not get a school for 10 years. She is not sure how they let go of the land and if they can.

Mr. Williams stated that we should put in the ordinance that if they sell the property they have to sell it back to the developer.

Mrs. Tysinger stated that is legality and she is not sure if you can do that.

Mr. Hamilton asked if there is any way that we can force them build.

Mr. Rademacher stated that the county is not going to stock pile land.

Mr. Camps-Campins stated that he feels that there is a necessity for having this in our regulations to prepare ourselves for the future.

Mrs. Tysinger confirmed that the board would like to go with option two.

Mr. Cavender stated that in option two, the first sentence needs to be corrected from "**should** be reserved" to "**shall** be reserved" and in the fourth sentence "**may** be reserved" to "**shall** be reserved". The board agreed.

Mrs. Tysinger stated she will make those corrections. Also, we had talked about inviting the Board of Education to the TRC meeting when we get a subdivision. They will get the plans ahead of time. We can make it a public process and get it in record with a letter in the file stating that the Board of Education looked at their master plan and decide that a school is not planned in that area and the property can be released. The next topic will be about recreation and open space.

Mr. Rademacher stated that Cavanaugh & Associates came last meeting. They are working on the parks and recreation master plan and brain stormed with the Planning Board about what they would like to see in the future. It was a very broad based discussion on all the needs and visions for Surf City over the next 15-20 years.

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Mrs. Tysinger stated that in this ordinance they have to dedicate some land for recreational uses. Recreational is divided into two categories, active or passive. Active is hardened structures like ball fields or swimming pools. Passive is more scenic like parks or walking trails. We do not want the old 70's type of development with asphalt to asphalt. We need recreational space. We need to talk about the details. Did we hit it or did we do too much or not enough?

Mr. Cavender stated that the only thing that came out was private versus public and getting a clear representation. These can be private facilities. They do not have to be open to the public. Everything else was answered.

Mr. Williams stated that we discussed setting some different criteria for mainland versus the beach. We have not addressed that.

Mr. Cavender stated that on the mainland we said 2 acres of open space per 100 units. On the island, the ocean is the prime amenity.

Mr. Williams asked if any other jurisdictions, similar to ours, have set a percentage of open space.

Mrs. Tysinger stated that no other jurisdiction has an island and a mainland.

Mr. Rademacher stated that with the way the island is developed there may only be 5 or 6 tracts of land left. The rest would be a major task to redevelop. Beach access and sound access is the number one criteria for the island. The mainland is more critical.

Mr. Camps-Campins asked why not add a simple phrase stating that development of houses on the island interior have to have a convenient access or right of way to the sound or the beach. If there is a public access already there then the problem is solved.

Mr. Rademacher stated that the biggest problem with the island is getting people from neighborhoods that do not have an access to the beach or sound.

Chairman Newsome stated that we have wonderful access but we need parking at the beach accesses.

Mr. Camps-Campins stated that the assumption is the development would need to be in reasonable walking proximity to a beach access.

Mr. Williams stated that there is a beach access committee that is working on this.

Mr. Medlin stated that they are looking into buying property.

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Mrs. Tysinger remembered that the board had solved this problem at a prior meeting. They discussed putting a statement at the beginning of the ordinance that states island properties are exempt from recreational school sites but would still need to do the basic necessities to develop. She has gotten legal concurrence on that. She stated that we are at a good place with the ordinance. October 16th is the next workshop and we will be looking at definitions. She will get a draft with definitions to the board to look over before the next meeting. She suggested having the open house in place of the November workshop. This is not a public meeting and it is not required but it will give the public a chance to look at the ordinance and ask questions.

Mr. Hamilton stated that all meetings are open to the public. They already have a chance to come.

Chairman Newsome stated that this would be for a courtesy and he feels that we should have one.

Mrs. Tysinger stated that this is a comprehensive change.

Mr. Williams stated that this would be good for PR.

Mr. Cavender and Mr. Hamilton agreed.

Mrs. Tysinger stated that we will hold the open house in November. At the December 18th workshop we will give the final approval for the ordinance to go to Council in January. She asked if we need to have a joint workshop with Council or does Council need to have its own workshop.

Mr. Medlin stated that they can meet before hand if needed but still try to adopt it in January. They will need a copy to look over as soon as possible.

The board discussed how the open house would be run and who would be at each station. The workshop will be held, Tuesday, November 13 at 6:30pm.

Mr. Camps-Campins asked if there could be a brief one page handout stating the highlights and a summary of changes.

Mrs. Tysinger stated that she will have handouts for the public.

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VI. ADJOURN

Mr. Hamilton motioned to adjourn. Mr. Cavender seconded the motion. Chairman Newsome adjourned the workshop at 7:20 p.m.

Barry Newsome
Planning Board Chairman

Sept 19, 2007
Date

Donna Peelle
Attest

09-19-07
Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

October 11, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Frank Camps-Campins
Carl Johnson
Don Hamilton
Andy Cavender
Sally Edens
Jimmy Campbell – Alternate
Doug Medlin – Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

David Penny – Developer	Lisa Manning – Cavanaugh & Assoc.
Frank Braxton – Engineer	Everett Gupton – Cavanaugh & Assoc.
Bill Feigi – Realtor	Tom Miner – Turtle Creek
Shelia Rummel – Realtor	Eric Tomczak – Engineer
Jason Dorazio – Developer	Mr. Dilsheimer – Turtle Creek
Frank Pharr – Resident	Kevin Sanders - Resident
Richard Gugelman – Resident	

I. MEETING CALLED TO ORDER

Mr. Camps-Campins called the meeting to order at 5:30 P.M. and stated that Chairman Newsome is temporarily out and asked him to step in on his behalf. Mr. Medlin gave the invocation.

II. APPROVAL OF PLANNING BOARD MINUTES

1. September 13, 2007 Planning Board Meeting

Mr. Cavender motioned to approve the minutes. Mr. Hamilton seconded the motion and the motion was carried.

2. July 17, 2007 Planning Board Workshop

Mr. Hamilton motioned to approve the minutes. Mrs. Edens seconded the motion and the motion was carried

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III. SUBDIVISION REVIEW

1. Rosewood Estates Sketch Plan (David Penny)

Mr. Rademacher stated that the applicant, David Penny, has submitted a sketch plan for a subdivision to be located off of Watts Landing Road and McClammy Road. The development is zoned R-15 Residential which allows for the development of single family homes on minimum 15,000 square foot lots. The proposed layout shows 17 lots. The applicant's new home is already under construction and is shown on lot 9. The roads proposed are to be turned over to the Town for maintenance with this portion of McClammy Road being converted from a 30 foot easement to a 45 foot public right of way. Compliance with the technical standards of the ordinance will be shown on the preliminary plan. Staff recommends approval of the sketch plan as it meets the basic requirements of the subdivision ordinance with the following observations:

1. Blair Court needs to be adjusted to remain as far from the existing residence as possible. Staff also recommends heavy landscaping to buffer this property from any new development.
2. The 45 foot public right of way needs to be extended all the way through the existing 30 foot easement.
3. NC DOT needs to review the plans for compliance.

Mr. Hamilton asked Mr. Rademacher to elaborate on the larger landscape buffer at Blair Court.

Mr. Rademacher stated that not necessarily a larger landscape buffer but a good heavy buffer to protect the health, safety and general welfare of the neighbors in the area. You have existing houses and a new subdivision with vacant land. We need to look at the existing neighborhood and make both sides work.

Mr. Hamilton asked how far Blair Court would need to be shifted.

Mr. Rademacher stated that the farther the better.

Mr. Braxton, the engineer on the project, stated that right now the right of way is on the property line. They could shift it over some but there is a large oak tree that they are trying to save. The developer would like to save the tree. They could shift the road over and if they could plant in the right of way they may be able to satisfy both worlds.

Mr. Hamilton stated that he has been to the site and would also like to save the oak tree.

Mr. Rademacher stated that the Town does not have a problem with vegetation in the right of way.

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Mr. Braxton stated that they are looking at a living screen such as a Nellie R. Stevens which would be a more polite way of screening the road from the housing.

Mr. Camps-Campins asked that since McClammy Road is currently a dirt road are they going to pave the 45 foot right of way on McClammy Road for the section the property abuts or are they going to run it all the way down to where it meets Watts Landing Road. He also asked if this development has been discussed with the neighbors. The neighbors are entitled to know what is going on.

Mr. Braxton stated that the road paving will be from the property line to the intersection of the new proposed subdivision road to McClammy Road. Regarding the neighbors, he has not personally talked with them and would have to refer the question to the developer.

Mr. Camps-Campins asked if there were any neighbors at the meeting tonight. Hearing that there were, he stated that he would like to suspend the meeting until the neighbors had a chance to look over the plan.

Mrs. Edens stated that was what they are here for. To see what is planned and to ask questions.

Mr. Pharr stated that he asked Surf City to get in touch with him when something had been submitted on this subdivision and they were very prompt at calling him so he has seen the plan.

Mr. Sanders stated that he saw one copy but he is not sure if the copy he saw is the same copy that is being presented.

Mr. Camps-Campins stated that he would like the neighbors to review the plans. A copy was given to the neighbors to look over. He then asked if anyone had any questions or comments.

Mr. Kevin Sanders of 340 Watts Landing Road stated that his property is adjacent to Blair Court on the left. His is the existing building that is only 20 feet from the proposed road. He takes issue with a main thoroughfare being that close to his bedroom window. His setbacks were based upon when he built the house. He has a 20 foot setback from Pender County. At no time did he envision a road going down the property between his property and Mr. Pharr's property. The closest that he would see a neighbor would be is 20 feet away from his property line. He is outraged to learn that there may be a main thoroughfare 20 feet away from his bedroom window. He is against granting a right of way through there. There have been some discussions with another developer who plans to develop behind his house so that he and Mr. Penny can share a common road so there might be one road instead of two.

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You are looking at the corner of his lot having a main intersection. He already has a road in front of him and a road behind him and he sure doesn't want another road right beside his house, only 20 feet away. He is asking the board to reconsider this plan. He knows that they want to save the tree. He is sure that Mr. Pharr would be agreeable to having the lot split where that road might wind around the tree or come in at a different spot. If that tree is saved and you grant and easement through that lot the road would either come next to his lot or Mr. Pharr's lot. It is his hope that Mr. Penny and Mr. Linwood Jones, who has an interest in property behind him, would share a common road that would proceed farther down Watts Landing Road and would be the access road for this proposed subdivision.

Mr. Braxton stated that they are trying to prevent a jog in the road where it joins McClammy so it poses a problem in how to line then up. The joint road that Mr. Sanders alluded to is a situation that may not be in the best interest of the public. The connection to that road with the inside curve of Watts Landing is a safety issue. How do you get on that road in a safe manner and access off that road? They may be creating more of a problem, from a safety standpoint, of shifting the road to the inside of that curve. From what there is to work with, this way lines up the roads and creates a four way intersection with McClammy Road. It works on the connection back to Watts Landing Road and saves a tree. They can provide a buffer and shift the road as much as they can from the property line.

Mr. Hamilton stated that he has been down both tracts and the problem with the drawing is that it does not show the curvature of Watts Landing Road. As you go further down the road it starts to bend and there is a very sharp curve. He also stated that he works for Linwood Jones and would like to motion to excuse himself from the vote. Mr. Cavender seconded the motion and Mr. Hamilton was excused from the vote.

Mr. Camps-Campins stated that there are site line issues and volume of traffic issues.

Mr. Cavender asked how far back down McClammy road is the initial intersection at Watts Landing Road.

Mr. Rademacher stated at least 800 feet from what is shown on the plan.

Mr. Hamilton stated that there is also the problem with the triangle at Hwy 210.

Mr. Rademacher stated that the proposed road that they were speaking about does not exist. It does not exist as a legal ingress/egress to McClammy at this time.

Mr. Cavender asked if the cul-de-sac at Blair Court exists.

Mr. Rademacher stated that it does not.

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Mr. Camps-Campins stated that there is a path to build the house and garage that are being built now.

Mr. Hamilton stated that have done a good job of preserving the trees.

Mr. Rademacher reminded the board that this is just a sketch plan. This is the place to see if they meet the technical standards of the sketch plan and make recommendations to the developer so when they come back for preliminary they have addressed your concerns and made any changes needed.

Mr. Hamilton stated that he would like to see distances shown from existing houses to the proposed road.

Mr. Camps-Campins stated that he would like to see the landscaping shown especially the buffer along the road.

Mr. Frank Pharr of 280 Watts Landing Road stated that initially the road was more towards his property with the road being 38 feet from his bedroom wall. He suggested putting the road right down the middle of the property. The developer would loose a building lot but it would solve the problem with the tree. He is trying to sell his property and he may have to tell prospective buyers that there may be a road right beside him and a road behind him. How much will this devalue his lot?

Mr. Cavender asked if he was ok with lots 2 through 17.

Mr. Pharr stated that he did not review those lots. He knows that the road behind him will be turned over to the Town. That road is wide enough and he feels that it may be a positive thing because he will be able to use that road to pull a boat up to his garage. He does not have a problem with the road behind him but feels that the road beside him could be placed down the middle of the lot instead of being right next to his property or Mr. Sanders property.

Mr. Hamilton stated he would like to see the tree shown on the plans with the overall footprint. The middle ground may be to put the road down the middle of the lot.

Mr. Cavender stated that he would like to see a compromise. He understands that from a development issue they may not want to loose a lot but since there is a welfare issue we need to look at compromise options at the very least.

Mr. Hamilton stated that he would also like to see the landscaping screening for the lift station shown on the preliminary plan as well.

Mr. Sanders stated that he thinks the solution that Mr. Pharr proposed is a reasonable one. It may not be for Mr. Penny who will have to give up a lot but he does think that the tree can be saved if the road goes through the middle of lot 1. If they do, it would end any objections that he has. He does not have a problem with any of the other lots in the proposed development.

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Mr. Cavender motioned to accept with a notation that recommendations have been made to the developer for compromise positions on the primary access road, appropriate details showing location and placement of landscaping, distances to existing houses and all other recommendations discussed. Mrs. Edens seconded the motion and the motion was carried.

2. Turtle Creek Plan Modifications (Dilsheimer Communities)

Mr. Rademacher stated that the Turtle Creek subdivision is continuing to move forward and the developers continue to refine their plans as they move towards the later phases of development. The last two phases of the project contain the multi-family segments as well as the wetlands crossing with bridge to get to Hwy 17. They have done some redesigning to meet the desires of NCDOT as well as some environmental concerns. This has created some changes in density which is probably, in staff's opinion, a betterment of the community and the project. Due to the technicality of some of these issues and changes we are going to let Tom Miner, with Dilsheimer Communities, and Eric Tomczak, the engineer with Cavanaugh Solutions, do a presentation and explain some of these changes and the reasons behind them.

Mr. Miner stated that the original approval of the subdivision was for 422 units or a density of 1.69 units per acre. The current submission is 398 dwelling units at 1.58 units per acre which is a reduction in the overall density of the project. Originally there were 218 single family units, 160 town home units and 44 duplex units. In April, they came back to the Planning Board because there was some question of their ability to get a permit from the Army Corp of Engineers. At that time, they eliminated the crossing and the road out to Hwy 17 with the condition that they would come back to the Planning Board after the determination of the Army Corp of Engineers. Currently, they are moving the location of the town home units. At the request of the Army Corp of Engineers, some of the roads have been moved to minimize wetland impacts. Since the Army Corp would only permit one access into the uplands portion they are going to construct a 244 foot pile supported bridge across the wetlands. The installation of piles is not a regulated activity for the Army Corp of Engineers and does not require a permit. This is the only way they could provide continuous access through the project up to Hwy 17. This is in compliance with the Planning Board request for the access to Hwy 17. They feel this is an improvement because they are able to loop the road and provide two access points for traffic flow and emergency access. They are also able to loop the water line which was preferable for Public Works. Now there are 220 single family units and 178 town home units for a total of 398 dwelling units.

Mr. Hamilton asked if the bridge will meet DOT standards.

Mr. Miner stated that it will meet DOT standards. The bridge will be dedicated to the Town of Surf City and there is a 10 year warranty on materials from the manufacturer.

PLANNING BOARD MEETING MINUTES

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Mr. Campbell asked about the cost of the bridge.

Mr. Miner stated that the bridge will cost over half a million dollars.

Mr. Campbell asked about maintenance.

Mr. Miner stated that this will be a timber bridge and will eventually need maintenance. The advantage of timber is that it will never need to be painted like concrete or steel. It will meet the load requirements for DOT. It will be stamped by a professional engineer and the soils will be tested. It will be constructed in a controlled environment.

Mr. Campbell asked if the Fire Department will have to sign off on this bridge.

Mr. Rademacher stated that the Fire Department has already had conversations regarding the bridge with staff. The bridge will be designed to carry the ladder trucks and all emergency vehicles. Town staff feels comfortable with allowing the developer to move forward.

Mr. Campbell asked what the time frame is.

Mr. Miner stated 18 months minimum. They are still working on permitting issues. Best case scenario would be 1 year but could be 3-4 years out.

Mr. Campbell asked about sidewalks.

Mr. Miner stated that the plan shows sidewalks on both sides of the bridge but they plan on asking for a waiver. They want to remove sidewalks on the side of the bridge that has no homes and where they do not anticipate pedestrian traffic. They feel that it is unnecessary construction.

Mr. Cavender asked if the Army Corp of Engineers gave any other options.

Mr. Miner stated that their option was to access the uplands from Hwy 17 or access the uplands through the wetlands. It would have been their preference to access the uplands from the wetlands because it would connect that area with the amenity features of the community but then they would not have been able to get the access to Hwy 17.

Mrs. Edens stated that the board stressed that they wanted that access to Hwy 17. She feels that the Town would be willing to accept the burden of the bridge in order to get the Hwy 17 access.

Mr. Hamilton motioned to accept based on the lower density factor, a bridge that is unique and gives character to the Town and because of the interconnectivity to Hwy 17. Mrs. Edens seconded the motion and the motion was carried.

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IV. ZONING MAP AMENDMENTS

1. S-Curve Property R-10 to R-5 (Almeada Limited Partnership)

Mr. Rademacher stated that the applicant has requested that their properties located near the s-curve be rezoned from R-10 Residential to R-5 Residential. The applicant owns two properties that are being considered in this request. The first is located between the Windward Cay development and The Live Oaks of Topsail development and is approximately 3.54 acres in size. This property extends from South Topsail Drive to the Topsail Sound. The second parcel is located on the second row adjacent to the s-curve left station and consists of 18,869 square feet. The neighboring properties are zoned R-5, PUD and R-10 with a mixture of single family homes and duplexes. Almost all of the R-10 zoning in this portion of Town is found along the oceanfront with the exception of these properties. A rezoning to R-5 would have the following effects:

1. Minimum lot size reduced to 5,000 square feet for a single family home from 10,000 square feet.
2. Duplexes would be allowed on 8,500 square foot lots as opposed to 10,000 square foot lots.
3. Front setback reduced to 15 feet from 25 feet.

Staff recommends approving this rezoning as the uses and lot sizes found in R-5 are consistent with the adjoining properties in the area. R-5 Residential is also consistent with the Land Use Plan in regard to density and uses for this portion of the Town.

Mr. Cavender asked if a portion of the lot on the second row contains the lift station.

Mr. Rademacher stated that it does.

Mr. Hamilton asked if the live oak trees were transplanted to this lot from the subdivision across the street.

Mr. Rademacher stated that they are on this lot.

Mr. Cavender asked if there was a way to require that the lots would need to face S. Shore Drive since it could be a dangerous area.

Mr. Rademacher stated that we do not have that authority.

Mr. Camps-Campins stated that this lot has a substantial amount of marine growth on it. It is a very attractive piece of property. He hopes that when the developer comes in that they take extreme care of the development of the land to preserve as much marine growth as possible. It is a gem.

Mr. Johnson asked if anyone was there to speak on this.

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Mr. Rademacher stated there was not.

Mr. Cavender asked who the owner of the property is.

Mr. Rademacher stated that it is Almeida Limited Partnership which is David Ward and his family.

Mr. Cavender motioned to approve the rezoning to R-5. Mr. Hamilton seconded the motion and the motion was carried.

2. 506 Longson's Road C-3 Commercial to G-1 Governmental (Pender Co.)

Mr. Rademacher stated that the applicant, Pender County, has requested a rezoning of property located on Longson's Road from C-3 Commercial to G-1 Governmental. This is the site of the new Pender County water tower and is .46 acres in size. The surrounding uses of land consist of single family residential, Holly Shelter, commercial property with a car repair shop and a cell tower as well as the State Fire Tower. A rezoning to G-1 would be consistent with the current use of the water tower as well as any other government uses. All of the government uses would be allowed within the C-3 district. The main difference being reduced setbacks in the G-1 district as opposed to 10 foot side and rear setbacks and 15 foot front setback in C-3 Commercial. Staff recommends rezoning this property as it is a compatible zone to C-3 Commercial and is consistent with the Town Land Use Plan to facilitate infrastructure within the community.

Mr. Hamilton asked if anyone from Pender County was there.

Mr. Rademacher stated there was not.

Mrs. Edens motioned to approve the rezoning to G-1. Mr. Hamilton seconded the motion and the motion was carried.

V. ANNEXATION ZONINGS

1. Turtle Hospital Property

2. Deuce Investments Property

Mr. Rademacher stated that the Town Council has requested that two annexation requests be reviewed by the Planning Board in regard to zoning. The first tract is located behind the Community Center and is owned by the Turtle Hospital for the future sea turtle hospital and education center. The property is 3.994 acres in size. The second tract is located on Watts Landing Road and is intended for residential use for a future subdivision. This is the piece that was discussed earlier tonight. The property is 1.49 acres in size. Staff recommends zoning the Turtle Hospital property RA Rural Agricultural as it allows for veterinary offices, hospitals and schools. This zoning also allows for residential development and is consistent with the surrounding zoning districts.

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Staff recommends zoning the Deuce Investment property R-15 as it is in an area that is surrounded by residential uses and with adjoining property already zoned R-15 Residential.

Mr. Hamilton motioned to excuse himself from the vote. Mr. Johnson seconded the motion and the motion was carried.

Mrs. Edens motioned to zone the properties as recommended. Mr. Johnson seconded the motion and the motion was carried.

VI. PARKS AND RECREATION PLAN UPDATE

Mr. Gupton stated that the purpose for creating the document is to outline some improvements that can be made with the Parks and Recreation Plan and also for grant funding. There is a Parks and Recreation Trust Fund (PARTF) grant. The application is due at the end of January. They applied for the grant last year but were denied because there was not a sufficient master plan from Surf City. They have met with the Planning Board, the Parks and Recreation committee, with Mr. Rademacher and with Mr. Moore to get recommendations. They are also conducting a citizen survey. A copy of the draft plan was distributed to the board with some of the preliminary recommendations.

Some of the recommendations are:

1. Outdoor recreation facilities at the Community Center
2. Greenway project at the Progress Energy easement consisting of a 6 foot wide paved path along the easement between Hwy 210 and Hwy 50 that would act as a corridor for hiking, biking and walking with a nature trail to connect the different parts of the community.
3. A mainland boat access. There have been discussions about the area at the end of Old Landing Road.
4. Parking on the island for beach access.

The last step of the master plan is to come up with a schedule and a budget. They would like to submit to Town Council at the end of the month for possible adoption in November.

Mrs. Edens stated that she would like more time to look over the documents. She proposed meeting at the upcoming workshop and give their comments then.

Mr. Camps-Campins suggested coming to the workshop at 5:30pm to talk about parks and recreation then have the workshop at 6:00pm. The board agreed.

Mrs. Edens stated that she appreciates all their hard work.

Mrs. Manning stated that they started a spreadsheet based on the information in the surveys and will bring a copy to the workshop to give to the board.

Mr. Rademacher handed out the new draft of the subdivision ordinance for the board to review.

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VII. ADJOURN

Mr. Camps-Campins suspended the meeting until Tuesday, October 16 at 5:30 pm to give the board time to review the documentation on Parks and Recreation.


Planning Board Chairman

Oct 12, 2007
Date


Attest

10-12-07
Date

**SURF CITY PLANNING BOARD
MEETING MINUTES**

November 8, 2007

5:30 P.M.

THE FOLLOWING BOARD MEMBERS WERE PRESENT:

Barry Newsome
Frank Camps-Campins
Carl Johnson
Don Hamilton
Andy Cavender
Sally Edens
Jimmy Campbell – Alternate
Doug Medlin – Council Liaison

THE FOLLOWING COMMUNITY DEVELOPMENT STAFF WERE PRESENT:

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

OTHER INDIVIDUALS PRESENT WERE:

Tom Golden – Developer of Dogwood Lakes
Richard Gugelmann - Resident

I. MEETING CALLED TO ORDER

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

II. APPROVAL OF PLANNING BOARD MINUTES

1. August 14, 2007 Planning Board Workshop

Mr. Camps-Campins motioned to approve the minutes. Mr. Hamilton seconded the motion and the motion was carried.

2. September 18, 2007 Planning Board Workshop

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

3. October 11, 2007 Planning Board Meeting

Mr. Camps-Campins motioned to approve the minutes. Mr. Johnson seconded the motion and the motion was carried.

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III. SUBDIVISION REVIEW

1. Dogwood Lakes Final Plat

Mr. Rademacher stated that the applicant is seeking final approval of a 141 lot subdivision located off of Highway 17 just south of the Lowe's site. This is a 92 acre tract of land and zoned R-15 which allows for the construction of single-family homes. This property has several wetland areas as well as frontage on a pond. There is a 100' power and light easement that cuts through the property. The street network has been completed with paved roads, approved bridges and curbing. Installation of the water and sewer lines has been completed. This includes hydrants in the proper location and two new lift stations which have been screened to the proper standards. Sidewalk construction is expected to be completed by the end of the week. Street signs and stop signs will be installed prior to final Council approval. Street lights will be installed by Progress Energy per a contract with the developer. Staff recommends approval of the final plat as all of the major infrastructure work has been completed. Prior to signing the final plat for recording, the developer will need to have completed the installation of sidewalks, street signs and have certification letters on the water and sewer system returned to staff.

Chairman Newsome stated that he had a chance to go to the development and was very impressed. The board agreed.

Mr. Campbell asked if sewer and water is available.

Mr. Rademacher stated that it is available. They just need to submit some paperwork to have the flow turned over.

Mr. Camps-Campins asked if the subdivision and lift station are served by Progress Energy.

Mr. Rademacher stated that is correct. Lowe's and the gas station are currently served by Progress Energy but since the Town started annexing there has been a new agreement with Jones Onslow and the Town. Anything new will be Jones Onslow.

Mr. Camps-Campins motioned to approve the final plat. Mr. Cavender seconded the motion and the motion was carried.

PLANNING BOARD MEETING MINUTES

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IV. ANNEXATION ZONINGS

1. White Water Ventures (23324 Highway 17) 1.28 acres

Mr. Rademacher stated the Town Council has requested that an annexation request be reviewed by the Planning Board in regard to zoning. The land is located at 23324 Highway 17 and is approximately 1.28 acres in size. It is owned by White Water Ventures, LLC. Staff recommends zoning this property C3 Commercial as it lies on a major commercial corridor for Surf City and Pender County and is in an area appropriate for commercial development.

Mr. Cavender motioned to approve as recommended to zone C3. Mrs. Edens seconded the motion and the motion was carried.

Mr. Hamilton asked what the setback would be off of Highway 17.

Mr. Rademacher stated 25 feet.

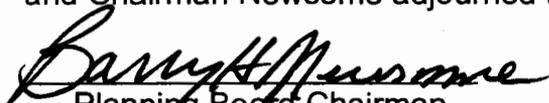
MEMBER DISCUSSION

Chairman Newsome wanted to share some good news that was discussed at the Town Council meeting. The Town has received a \$600,000 grant to re-pave S. Shore Drive from the s-curve to the Topsail Beach line. Also, the water system will go from 600 gallons a day to 3 million gallons a day when the new treatment plant is complete. He also wanted to remind the board of the Planning Board Open House which will be held on Tuesday, November 13th at 6:30 P.M. He then asked Jimmy Campbell to give the board an update on what may be happening at the Moose Lodge.

Mr. Campbell stated that the Moose Lodge has 53 acres and they are very interested in working with the Town to have some additional mainland recreational areas. The plan is to lease some of the property to the Town and have ball fields, walking paths and 500 parking spots with a possible shuttle bus to the beach. They would also like to have a few temporary RV spaces for Moose Lodge members and are working with the Town on that. The only thing that they need to get is a survey showing the wetland delineation. This would be a win/win situation for everyone.

VII. ADJOURN

Mr. Camps-Campins motioned to adjourn. Mr. Cavender seconded the motion and Chairman Newsome adjourned the meeting at 6:00 P.M.


Planning Board Chairman

OCT 12, 2007
Date

Attest

Date