

PLANNING & ZONING COMMISSION

REGULAR MEETING

MARCH 7, 2006

CALL TO ORDER

The meeting was called to order by Janet Foster as Vice-Chairman Alan Votta was unable to attend.

MEMBERS

Janet Foster
Tim Bullard
Ken Buchert

Alan Votta was unable to attend. Pat Brennan has resigned.

Building Commissioner Dean Lambeth was present. Building Inspector Dixon Ivey was also present.

APPROVAL OF MINUTES- Minutes of February 7, 2006

It was the consensus to approve the minutes at the next meeting.

OLD BUSINESS

PIER VIEW—Proposed mixed Use project located on K Avenue
Robert King/property owner—Jonathan King/Petitioner

Mr. King explained the concepts of the project stating that it is a mixed-use project for the corner of K and Third Avenues.

Mr. Bigley asked which part of the project would be behind his property.

Mr. King showed Mr. Bigley on a map the area that would be behind his property.

Building Inspector Ivey noted that the abbreviated procedure eliminates the preliminary, so the submitted sketch plan is acceptable.

Approval contingent upon changing name of property owner, Tim Bullard didn't think it should be "Nelson".

Building Inspector Ivey stated that at the time of record, Nelson was the owner.

Alan Votta had previously submitted a list of items that he noted after review of the plans. One item noted is the parking spaces are 8 ½ by 18. They need to be 9 x 20. Also buffer strip—is it required?

Building Inspector Ivey noted that a buffer is needed between residential and business. But in this case it is not required. He continued that if he gets complaints—a buffer can be required.

Building Commissioner Dean Lambeth commented that the stairs could be relocated at P & Z's request.

Building Inspector Ivey mentioned that P & Z has a problem with the stairs—it can be taken care of, but complaints must be received pre-construction.

Tim Bullard noted that any designated parking for customers should not be used for employee parking.

Building inspector Ivey stated that he had been reviewing the plans and everything is in compliance.

Tim Bullard made a motion to forward to Council on the condition that property owner name be corrected, designated employee parking spaces, and contingent on parking decision by Council. Janet Foster seconded the Motion. Motion carried.

Sea View—637 Fort Fisher Blvd. N.—Zoned B-3
Lawrence Craig and Brian Dodd

Mr. Craig submitted a sketch plan for the proposed project.

P & Z expressed concern that the parking spaces be 9 X 20.

Building inspector Dixon Ivey stated that he had talked with Fire Chief Heglur and he requires that there be two fire hydrants. There is no problem accessing the area with a fire truck.

Mr. Dodd noted that driveways would be an oyster-shell mix.

Mr. Craig stated that the dumpster on the SW corner of the property would be screened and buffered (8' fence, vegetation screen).

Inspector Ivey commented that the fence has to be 4'.

Tim Bullard made a motion to forward to Council for their review. Ken Buchert seconded

the motion. Motion carried.

Memo from Town Council re: Proposed Amendment to Kure Beach Zoning Ordinance Section 19-334 Off-Street Parking.

During review of the proposed amendment, Tim Bullard asked on Item 2 c) where the 25% came from.

Building Commissioner Dean Lambeth commented that the 25% came from reviewing mixed-use for Raleigh and Wilmington.

Tim Bullard read section d) “And the condition to grant the exception.....pending request for changing property and Town Council to allow that to happen”. He asked if that puts us in a position of spot zoning.

Building Commissioner Dean Lambeth explained that the reason behind that statement is to give P & Z and Council control over any of the lifting of the parking requirements, so that it would be the best thing that we could do with the site, the best use for Kure Beach. Give both Council and P & Z an oversight option.

Tim Bullard stated that he liked the idea of a case-by-case basis. He just didn't want to cause questionable situations.

Janet Foster made a motion that we send forward to Council with our approval.

Building Commissioner Dean Lambeth commented that in Attorney Canoutas' opinion this gives the most options to Council and P & Z. Council and P & Z can make changes.

Tim Bullard stated that this proposed change is not a blanket that covers the whole area.

Building Inspector Ivey noted that before the final, if you (P & Z) feel more comfortable with a screening/buffer between that residential use and the business use. Then you would have the authority to do that, require that.

Mayor Pro Tem Mac Montgomery commented that if the board doesn't require that they have a buffer, something like this would give you the authority to say- this kind of project really needs the difference- we want you to put trees in there to protect your neighbors. This gives you the authority to tell them to do that.

Janet and Tim agreed. **Ken Buchert seconded the motion. Motion carried.**

Request of Council-statement of action

Janet Foster requested that Council send a short statement stating action taken by Council on items sent by P & Z.

Text Amendment to Zoning Ordinance Section 19-333

To clarify the meaning and intent of the ordinance, the following revised text is proposed:

Paragraph (c): "Structures listed in Sec. 19-333, paragraph (b) that exceed the height limitations established must be approved by the building inspector's office".

Tim Bullard made a motion that wording "must be approved by Building Inspector" be placed in item (b) not in (c). Janet Foster seconded the motion. Motioned approved.

MEMBER ITEMS

Ken Buchert mentioned the vacancy left by Pat Brennan. Pat will be traveling often during this year and thought it best that he resign from P & Z. Tim Bullard noted that we can advertise for a new member. Janet Foster stated that we can advertise and also call former applicants to see if they are still interested. She also requested that a letter be sent to Pat to let him know that P & Z enjoyed working with him.

Applicants will be discussed at the next meeting.

ADJOURN

Motion by Janet Foster and seconded by Ken Buchert to adjourn. Motion approved.

(7:30 p.m – 8:54 p.m)

Minutes by _____
I. Jones