



**KURE BEACH PLANNING & ZONING COMMISSION  
REGULAR MEETING ♦ Wednesday, October 1, 2014**

**A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on  
Wednesday, October 1, 2014. A quorum of the Commission was present.**

**P&Z MEMBERS IN ATTENDANCE**

Craig Galbraith, Chair  
Joe Whitley, Vice Chair  
Member Alan Votta  
Member Tom Theisen

**ABSENT**

Member John Ellen

Liaison: Craig Bloszinsky  
Attorney: James E. Eldridge

**STAFF PRESENT**

John Batson, Bldg. Insp.  
Josie Fitzgerald, Administrative Assistant

**I. CALL TO ORDER:**

Chairman Galbraith called the P&Z meeting to order at 7:05 p.m.

**II. APPROVAL OF AGENDA:**

**MOTION:** Member Whitley moved to adopt the Agenda  
**SECOND:** Member Theisen  
**VOTE:** Unanimous

**III. APPROVAL OF MINUTES:**

**MOTION:** Member Votta moved to approve the P&Z minutes of September 2, 2014  
**SECOND:** Member Whitley  
**VOTE:** Unanimous

**IV. PUBLIC COMMENTS:**

None

**V. OLD BUSINESS:**

- A. Parking on Hwy 421 – Discussion with SLAP (Tony Gonsalves)  
Mr. Gonsalves was not available due to illness

Attorney Eldridge sent an email to the Commission with his comments regarding this issue. It was suggested to table this issue until SLAP Chairman Gonsalves can have an opportunity for input and further research be completed by attorney Eldridge.

**MOTION:** Member Votta moved to table further discussion regarding the parking on Hwy. 421 issue until next month

**SECOND:** Member Theisen

**VOTE:** Unanimous

B. Rental Certificates – Discussion

Chairman Galbraith will prepare a draft of a rental certificate ordinance to be presented to Council covering the major concerns and wait for Council feedback.

**MOTION :** Member Theisen moved to table rental certificate issue with the condition that Chairman Galbraith comes back with a preliminary draft to be presented to Council

**SECOND:** Member Whitley

**VOTE:** Unanimous

C. Accessory dwelling units (ADU) – Discussion

- This issue came up as a result of the parking issue. People adding additional living unit to existing single family house causing a parking problem.
- Attorney Eldridge did not find anything in his research within our ordinance that prohibited ADU. He found standard permissive use by right for residential district without prohibition, limitation or restrictions.
- The Commission can come up with something if necessary regulated by zoning ordinance
- Identify what issues are primarily dealing with and apply ordinance
- In California the ordinance overrides HOA authority
- The town has not received many requests for ADU's
- If the Commission requests further investigation, attorney Eldridge will do additional research.

**MOTION:** Chairman Galbraith moved to table further discussion regarding Accessory Dwelling Units at a later date and not be placed on the Agenda at this time

**SECOND:** Member Theisen

**VOTE:** Unanimous

**VI. NEW BUSINESS:**

Proposed site plan, Sea View subdivision – 637 Ft. Fisher Blvd. No.

Inspector John Batson presented an introduction:

- This piece of property came before P&Z in 2005-6 and was originally approved but never came to fruition
- Since then the property has been sitting vacant
- Over the years there have been inquiries about buying the property,

- New owners are ready to move forward and the plans are very similar to what was originally presented
- Chapter 15 deals with subdivision and we have not had one since 2006. The process is not very complicated.
- A copy of the preliminary plat checklist was presented to the Commission by Inspector Batson and highly recommended the members review it themselves
- Inspector Batson briefly went through the plat review procedure

Attorney Eldridge noted that a P&Z decision regarding plat review is administrative and not discretionary the only condition would be to comply with the standards of the ordinance

Stewart Pittman, partner of Pleasure Island Partners, LLC presented a slide show

- Overview of what the developers are going to do including conceptual designs and history of projects they have done.
- Property on Ft. Fisher Blvd., 1.4 acres, allowing 19 units previously approved in 2006
- Eight (8) buildings with a swimming pool; redesigned the original plan; units are around the perimeter
- Storm water will be on site
- Three (3) parking spaces per unit; 1 under each unit, 2 in the driveway
- Traffic flow will be one way
- Additional overflow parking provided

Chairman Galbraith noted a concerned about the look on the back side of the units. Will there be some architectural interest?

- Developer has conceptual ideas; let each unit look like an individual unit through use of different roof lines and design; drawing have not been finalized at this time
- Landscaping will be palm trees and luxurious type environment
- Showed some other projects they have done (mostly at Carolina Beach)
  - Waterfront Village
  - River Pointe
  - Harbor Pointe
  - Sound & Sea Waterfront
  - Lanier Landing
  - Captains Walk, Wilmington
  - Ocean Palms
- They will stagger units for view
- Inspector Batson stated that the plat includes the items on the checklist and recommends commission review the checklist
- The items with question marks indicates that he has some concerns; one involves Fire Chief review regarding fire hydrants; additional information is needed from other staff
- Attorney Eldridge does not see any gray ground and everything the commission needs they have in front of them now. Everything has been done by the book; checklist is submitted.
- Inspector Batson and Director of Public Works have reviewed the plat and it will be presented to the other departments to sign off

- The storm water is under engineer approval – Stroud Engineering, P.A. The 2005 DENR storm water permit is still valid with a change of name and some modifications. DENR will perform a site inspection- The system has a pump station and system is functional
- There has been no adverse feedback from the adjoining neighbors after notification
- The units will be approximately 2,100 sf footprint
- Asphalt roads
- The Commission will see a final plat with a final check list
- Inspector Batson will send plat to DOT and get their input

**MOTION:** Chairman Galbraith moved to recommend to council approval of the preliminary plat for Sea View subdivision at 637 Ft. Fisher Blvd. subject to administration follow up regarding items 18 and 24e on the checklist

**SECOND:** Member Theisen

**VOTE:** Unanimous

Chairman Galbraith noted that P&Z has been requested to submit a Consistency Statement for any recommendations to Council.

Attorney Eldridge noted that according to statute, a Consistency Statement is for substantive ordinance changes, not sure if one is required for a subdivision. It can be used as a record to council, but is not legally required. There is nothing wrong with providing one for creating a written record.

Chairman Galbraith noted that the Consistency Statement will note that the recommendation is consistent with the Land Use plan checking the first item; the recommendation applies to Section 15, Div. 3, checking the second item; and the preliminary plat meets all conditions of town code and land use plan; recommendation by P&Z reflects an administrative decision.

**MOTION:** Member Theisen moved to accept the Consistency Statement as stated to be submitted to Council

**SECOND:** Member Whitley

**VOTE:** Unanimous

**VII. MEMBER ITEMS:**


**VII. ADJOURNMENT:**

**MOTION:** Member Theisen moved to adjourn the meeting.

**SECOND:** Member Votta

**VOTE:** Unanimous

**P&Z Meeting was adjourned at 8:05 p.m.**

  
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 Craig Galbraith, P&Z Chairman

  
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 Josie Fitzgerald, Secretary



KURE BEACH  
PLANNING & ZONING COMMISSION

Meeting Date: Oct 1, 2014  
Agenda Item# VI

Present to Town Council on:  
Date: \_\_\_\_\_

PLANNING AND ZONING COMMISSION  
CONSISTENCY STATEMENT  
N.C. Gen. Stat. 160A-383

(To be read into the record as a motion, seconded, and voted upon)

- This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan adopted by Town Council September 27, 2006 (Adopted and Certified by Coastal Resources Commission November 17, 2006)
- This recommendation applies to Section 15 <sup>Division 3</sup> Part \_\_\_\_\_ of the Town of Kure Beach Land Use Plan
- \_\_\_\_\_ Consideration of recommended text amendment to The Town of Kure Beach Code , Chapter 19 Zoning, Art. \_\_\_\_\_ Sec. \_\_\_\_\_
- \_\_\_\_\_ This recommendation applies to the John Sawyer Architects B1 District Study (HPA 2007)

The Planning and Zoning Commission considers its recommendation to be reasonable and in the public interest based on the following:

1. Preliminary Plat meets all ordinances of town code and Land use plan
2. Recommendation by PZ Commission reflects and administrative decision
3. \_\_\_\_\_

Therefore, the Planning and Zoning Commission requests Town Council's consideration of the above recommendation.

Attest:

Craig Galbraith  
Craig Galbraith, Chairman  
Planning and Zoning Commission