



Town of Sunset Beach  
Planning Board Meeting

**Meeting Minutes of October 6, 2016**

**DRAFT MINUTES**

**Members Present:** Chairperson Tom Vincenz, Greg Jensen, Noelle Kehrberg, Len Steiner

**Members Absent:** Bob Tone

**Staff Present:** Richard Hathcock, GIS Planner; Cindy Nelson, Planning Board Secretary;  
Carey White, Chief Building Inspector; Russell Osborn, Building Inspector

Chairperson Vincenz called the meeting to order and established that a quorum was present.

**Amend or Approve Agenda:**

Chairperson Vincenz said there are two changes to the agenda. One, under 9a Staff Comments; presentation and discussion of the House Bill 770. And two, move item 8A under New Business; presentation of the Pelican Square proposal.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO AMEND THE AGENDA.

MOTION MOVED BY LEN STEINER WITH A SECOND BY GREG JENSEN, MOTION CARRIED UNANIMOUSLY.

The Pledge of Allegiance was recited by all in attendance.

**Postponement or Withdrawal Requests:** None

**Public Comments:** None

**Consideration of Approval of Minutes:** CONSIDERATION OF THE APPROVAL OF MINUTES FROM THE SEPTEMBER 15, 2016 MEETING. CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE THE MINUTES OF WHICH LEN STEINER MOVED TO APPROVE THE MINUTES AS AMENDED. SECOND WAS MADE BY GREG JENSEN. MOTION WAS CARRIED UNANIMOUSLY.

Presentation of Senate Bill 770 by Chief Building Inspector Carey White:

Carey gave a description of the Bill and how it affects the Town. Permits cannot be issued, inspections cannot be performed and the Town cannot adopt an ordinance in the Town's defense on this Bill. As of October 1 2016, we cannot issue permits or perform inspections for decks repairs or improvements for deck handrails, deck boards, or any work on a deck unless it's structural. Same goes for the replacement of siding and windows. Carey said this is not a good bill; especially when it comes to the safety of decks and installation of handrails. Our Town Attorney and Planner have looked over this bill to make sure we are interpreting this Bill correctly. He continued, after talking to other Towns in the area, they too do not support this bill. Contractors are already aware of this bill; we will be policing the work that is being done to make sure they are getting permits when required. Safety is our main concern. Brief dialogue was exchanged between Carey and the Board, also not in favor of this bill.

Discussion Item Only (No Attachment): Pelican Square:

Lat Purser, partial property owner of the old Foodlion shopping center known as Pelican Square, along with his designers and architects was on hand to make a presentation of their initial vision for the property. They presented preliminary drawings and an overhead look at the plan. The plan is to reinvent the current shopping center to create more of a mixed use, greenspace village type of development. Part of the Foodlion will be demolished and reworked to house two anchor restaurant type businesses, with small shops, also there will be new buildings as well as smaller homes, walking paths, landscaping, fountains, two story walkup apartments.

Lat Purser's group expressed that they would like to create a very nice development with character and texture, something they would be proud to attach their names too.

Chairperson Vincenz asked if the current zoning would support this proposal. Wes MacLeod, COG planner for the Town said in some aspects it will, however, the developer is aware that they will need to work through ordinance amendments with the Town to make this proposal feasible.

Lat Purser explained that the existing Hardee's and BB&T are not their buildings, although they expect they will all work together to help create a nice space.

Wes asked if the Planning Board would support this concept so that Lat's group can proceed with plans and start meeting the Town's standards for development. Additional questions and answers ensued between the Planning Board and the developers. The Board expressed enthusiastic support for the project. Lat did note that the project would be built in phases and again emphasized that he will be developing something that he wants to be proud of. He is not looking to have discount retailers as renters. He would like to attract smaller, local businesses

that capture the spirit of the area. Sara's Kitchen does a great business and we would like to see her in a space that has a courtyard and more space for seating.

### **Old Business**

#### **a. Subdivision Improvement Guarantees-Discussion Item Only. No Attachment.**

Wes said that he will have a draft amendment for the Board's consideration by the 1<sup>st</sup> meeting in November. He will also prepare a memo from the Planning Board for Town Council requesting an idea of what they would like to see come before them. The Planning Board said they would prefer that Town Council review major site plans only.

#### **b. Notification Requirements for Planning Board Action-Discussion Item Only.**

The Planning Board agreed that advertising would be needed where required, and to not make any changes to the current regulation. Chairperson Vincenz suggested one of the two Planning Board meetings a month be used as a work session. The Board was in favor of adding a work session to have time to talk through any issues.

#### **c. TA-15-13: Amend Article 2; General Regulation in the UDO to Provide Development Standards for the Use of Fill on Lots. Discussion Item w/Attachment.**

Wes talked with a colleague to get additional feedback and input on this matter. Wes suggested talking with the building inspectors to see if they were able to determine measurements if there was a question of fill heights, etc.

Chairperson Vincenz said this could be put upon the engineer or surveyor. Wes answered that we must accept their stamp on a document as being correct. However, this could be questioned.

Additional discussion ensued regarding this issue along with other questions regarding fill on lots. Russell Osborn, Building Inspector was brought back in to confer with the Planning Board about being able to take measurements if needed. Russell said that inspectors would need training, certifications and equipment. Also, the equipment would need maintenance and calibrations.

#### **d. TA-16-02: Amend Article 6, Zoning Districts; Create the Statutory Authority for Overlay Districts within the Town. Action Item w/attachment.**

Brief discussion ensued before the Board recommended moving the item to Town Council for adoption. It was noted that the new development proposal for Pelican Square will fall under the overlay district.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE WITH CONSISTANCY STATEMENT A. MOTION MOVED BY GREG JENSEN WITH A SECOND MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.

e. TA-16-10: Amend Article 6, Zoning Districts to Allow “Privacy Fences (subdivision)” as a Permitted Use in the BR-2 Zoning District. Action Item w/attachment.

Planning Board has already taken action on this citizen initiated text amendment. Wes said a text amendment ad will be placed; the Board can then vote and recommend this to Town Council so they can call for a public hearing.

f. TA-16-13: Modify the Definition of Impervious Surface to Exclude Properly Installed #57 Stone and Trails. Action Item w/attachment.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ACCEPT AS WRITTEN UNDER PLANNING BOARD SUMMARY ACTION A. MOTION MOVED BY LEN STEINER AND A SECOND MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.

g. TA-16-14: Amend Article 7.09 to Clarify the Permitted Location of Fences and Walls on Single Family Residences. Action Item w/attachment.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ACCEPT AS WRITTEN UNDER CONSISTANCY STATEMENT A. MOTION WAS MOVED BY GREG JENSEN WITH A SECOND MADE BY NOELLE KEHRBERG. MOTION WAS CARRIED UNANIMOUSLY.

h. Use of Pine Straw Prohibited in Residential Districts. Discussion Items w/attachment.

Richard Hathcock presented findings to the Board in relation to this topic which was discussed at the last meeting. Responsible enforcement would be very difficult for single family dwelling. However, we can create language for a text amendment for multi-family and commercial building. He asked the Board if they had interest in proceeding with a text amendment.

Chairperson Vincenz stated there would value into adding something into the ordinance for the island only. Even though enforcement would be difficult, this would put landscapers on notice to use alternative types of materials. Richard and Wes said they would confer with the Town Attorney and get his input. Additional research will be needed in order to move forward.

**New Business**

a. Discussion Item Only (No Attachment): Pelican Square:

Topic already discussed at the beginning of the meeting.

**Administrative Items**

A. Director and Staff Comments: None

B. Board Member Comments and Request for Future Agenda Items-None

**Public Comment:** None

**Adjournment: 10:35 AM. CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BY GREG JENSON. SECOND WAS MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.**

Town of Sunset Beach  
Planning Board

---

*Tom Vincenz, Chair Person*

Submitted by:

---

*Cindy Nelson, Planning Board Secretary*

\*\*\*Minutes were approved from the September 15, 2016 meetings at the October 6, 2016 meeting.