



Town of Sunset Beach
Planning Board Meeting

Meeting Minutes of January 19, 2017

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

Members Absent: None

Staff Present: Cindy Nelson, Planning Board Secretary

Others Present: Allen Serkin, Cape Fear Council of Government (COG); Mayor Robert Forrester, Town Council Members: Rich Cerrato, Pete Larkin, Carol Scott

Chairperson Tom Vincenz called the meeting to order at 9:00 a.m. and established that a quorum was present.

Amend or Approve Agenda:

Chairperson Vincenz recommended to amend the agenda by bringing Old Business agenda items d and e to a and b respectively. The Planning Board unanimously approved the agenda change.

The Pledge of Allegiance was recited by all in attendance.

Postponement or Withdrawal Requests: None

Public Comments:

Dave Stuart: Property owner of 524 Magnolia Drive; present at the meeting representing Ron and Clarice Holden. Consider the change made to the MB-1 district regarding the front yard setback requirement from 5' to 50', and then, in applying the overlay district standard and a lot can become unbuildable.

Janet Selleck: 1076 Emerillion Court Ocean Isle Beach; Stated that she is the only one in her community who received a notification letter for the Gateway Corridor rezoning.

Jim Stokes: 658 Kings Court: Why was the Overlay Corridor not extended along Shoreline Drive W and why is single family building an exemption?

Consideration of Approval of Minutes: Consideration of approval of minutes from the January 5, 2017 meeting.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE THE MINUTES AS WRITTEN. MOTION CARRIED BY GREG JENSEN WITH A SECOND MADE BY BOB TONE. MOTION WAS CARRIED UNANIMOUSLY.

Public Hearing

a. RZ-16-01: Riverside Drive Subdivision Re-Zoning and Zoning Map Amendment

Chairperson Vincenz opened the public hearing, with no public comment, the public hearing was closed.

b. RZ-16-02: Gateway Overlay District Re-Zoning and Zoning Map Amendment

Dave Stuart: Property owner of 524 Magnolia Drive; present at the meeting representing Carolina Dreams Golf LLC; of who owns several parcels of land in the Town and along the Gateway Corridor. Carolina Dreams wants to maintain quality properties. This district will limit the size of a building and property values will decrease. There are several items in this proposal that need to be looked at closer.

With no additional public comment the public hearing was closed.

Old Business

a. RZ-16-01: Riverside Drive Subdivision Re-zoning and Zoning Map Amendment.

Chairperson Vincenz gave an overview of the how this subject has come about. He proceeded to describe how the original zoning approvals were issued as BR-2, after time it was discovered that several of the properties have additional zoning on them, CR-1 which causes building to become much more restrictive. The proposal is to re-zone the subdivision to the original approval of BR-2.

WITH NO ADDITIONAL COMMENTS OR DELIBERATION; CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE AS WRITTEN. LEN STEINER MOVED THE MOTION TO APPROVE AS WRITTEN TO ACCOMADATE AND MAKE THE AREA UNIFORM WITHOUT OVERLAPPING IN THE CR-1 ZONING DISTRICT. SECOND WAS MADE BY GREG JENSEN. MOTION CARRIED UNANIMOUSLY.

b. RZ-16-02: Gateway Overlay District Re-Zoning and Zoning Map Amendment.

Chairperson Vincenz gave an overview of the purpose for this re-zoning. He stated that the Planning Board has been working on this project since 2012. At the time it was called the Vision Plan, which was never formally adopted and has since moved into more of what the Gateway Corridor Overlay District is today. The Text Amendment has already been adopted-the overlay is the zoning portion of it.

Allen Serkin restated that the text has already been adopted for the Gateway Corridor District, and this is more of a housekeeping item for Planning Board to make a recommendation to Town Council. The overlay can then be put in place on the zoning map once their approval process is completed. Then, over time, amendments can be made as needed.

Allen said there was a phone call from a developer in regard to an exemption in the text. Single family is exempt from the Gateway standard. The developer has concerns of how townhomes are viewed. There is a definition for townhomes which includes them as single family attached dwelling. If townhomes were not a part of the intent of the single family home exemption then, Allen recommended initiating a minor text amendment to add the term *detached* before single family homes and duplexes so it is clear. It is likely there will be more text amendments needed to the district; amendments could be bundled together for approvals at one time.

Len Steiner clarified that the intention was to exempt single family dwellings as standalone detached. The Board was in agreement.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ACCEPT THIS AS PRESENTED WITH THE IDEA THAT WE CAN MAKE FUTURE HOUSEKEEPING CHANGES AS NEEDED. MOTION WAS MOVED BY GREG JENSEN. SECOND WAS MADE BY LEN STEINER. MOTION CARRIED UNANIMOUSLY.

c. TA-16-05: Amend Article 2 of the UDO Regarding the Maintenance of Bulkheads, Docks, and Piers. Action Item w/Attachment.

Chairperson Vincenz gave a historic overview of how the amendment got to this point. Len Steiner pointed out a typo that would need corrections.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE. LEN STEINER MOVED THE MOTION TO APPROVE AS WRITTEN. SECOND WAS MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.

d. TA-16-15: Amend the UDO to Require the Completion of Infrastructure Prior to Final Plat Approval for Subdivisions. Action Item w/Attachment.

A brief description of the text amendment was given by the Chairperson.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ACCEPT AS WRITTEN. GREG JENSEN MOVED THE MOTION TO ACCEPT AS WRITTEN. SECOND BY NOELLE KEHRBERG. MOTION WAS CARRIED UNANIMOUSLY.

e. TA-16-16: Amend Article 6.06 (D) to Provide Dimensional Standards for Residential Development in the MB-1 Zoning District. Discussion Item w/Attachment.

Chairperson Vincenz stated that this amendment is a request for help from a developer who wants to clean up Pelican Square and promote its growth. Given that, the Town had to look at the dimensional standards for the MB-1 zoning district of which Pelican Square is in.

Allen said the key item in helping the developer move forward was to clarify the intent of the zoning district. There was confusion in how there was a reference between two zoning districts which is not good practice. MR-1 single family residential referenced back to MB-1 which was more for multi-family. We worked to create two stand-alone districts.

Lastly, Allen said some of the items that needed adjusted were building sizes and height requirements for single family and multi-family.

Chairperson Vincenz added that a stand-alone residential development cannot be along the corridor and that any residential development would have to be setback 150' from the main corridor. Also, the Chairperson said the same provision should also apply along Shoreline Drive W in the MB-1 areas for single family detached development.

Allen said the changes will be made and brought back for consideration as an action item.

New Business

a. Preservation of Trees: UDO Section 10.06. Discussion Item w/Attachment.

The intent of the current standard is not clear.

Questions were raised:

Do the twenty five trees include heritage trees? Do the twenty five trees include all trees or just heritage trees? Are the twenty five trees allowed to be removed within ten feet of the cart path? What about trees on private property? How do assume trees that are on private property will not be cut? Is a permit required? What would need a permit?

Extensive discussion ensued on the topic.

Highlights of issues discussed are as follows:

1. Clarify the standard as to whether or not the removal of twenty five trees is only to be heritage trees.
2. Create a standard that would not allow trees on private property to be cut. (The UDO is helpful but not defined with location in relation to property lines and homes).
3. Clarify if as many trees as needed can be cut that are not heritage trees.
4. Define heritage trees by diameter.
5. Define what can be cut within ten feet of the cart path, and that trees that are within ten feet of the cart path are not included in the twenty five tree limit.
6. No permits required unless heritage trees are being removed, of which is to be replaced one for one.
7. In excess of the twenty five tree limit, adhere to the tree removal policy.
8. Require a site plan for the trees that need to be removed.
9. Give property owners written notice that trees that need to be removed.
10. Trees that may be on private property are to be visibly identified so they are not removed.

Sea Trail has three eighteen hole golf courses. So is the standard for the whole operation or per course, i.e., twenty five trees per course? They want to promote healthy greens and this can be very restrictive to them to move forward. They have not done maintenance for several years and now they are up against having to remove almost two hundred trees as specified in the attached report. However, once they have cleaned up the golf courses they can more easily keep up maintenance year to year. The Board was in agreement that the standard should not be so restrictive that the Town's golf courses cannot maintain their greens.

Len Steiner asked for comment from Dana Connelly (of who was present from Sea Trail Corp), she stated that at least forty to forty eight trees are within ten feet of the cart path.

Mayor Robert Forrester added to the discussion: Trees have to be thinned out and there should be a way to allow this.

The Mayor stated two concerns:

1. Other golf courses and not just in Sea Trail, cart paths go right thru private property, so that is a consideration.
2. The Sea Trail study does not identify property lines. Planning Board should have a standard that requires a permit process for identification so that trees are not removed from private property.

Allen recommended moving forward with language for changes in the standard as discussed today.

Administrative Items

a. Director and Staff Comments:

Allen informed the Board that the CRC approved the Land Use Plan Update (LUP), with minor or no changes at all. Town Council has received the LUP with a memo for their consideration to adopt the final draft plan.

Also, the Cape Fear Regional Bike Plan is now in complete public draft form. A part of Sunset Beach is included in the plan. He will send the Board members a link to the plan and encouraged the Board to look at the plan and offer comments. Allen further asked them to consider making an endorsement from the Planning Board for Town Council to adopt the plan. An adopted plan could be of help later on, as it is a planning document that relates to Sunset Beach.

b. Board Member Comments and Request for Future Agenda Items

Noelle asked if they would be looking at parking and lighting concerns. Chairperson Vincenz answered that they would be. The Chairperson commented on the need to limit Planning Board meetings from two meetings a month to one, and he hoped that getting a planner hired is a priority so the Planning Board could resume two meetings a month.

Public Comment:

Mayor Robert Forrester, 110 Crooked Gully Circle: The bike plan is different than the Brunswick Counties Bike Ped & Paddle Plan? Allen answered that the regional Bike Plan is an NCDOT plan that covers several counties and on a much different scale that is for bicycles only. The Brunswick County Plan is only for Brunswick County and includes bicycling, walking and paddling. However, they are working to be mutually compatible.

Jim Stokes, 658 Kings Trail: I applaud the request from Sea Trail to get caught up with maintaining the golf course. And once they are able to get this done, there won't be a need to come for future permits as they will be able to stay on track. The Town should work with them to help them make the golf courses nice again. The burden should be placed on golf course owners to notify property owners of trees being removed within so many feet of their property.

Adjournment: 10:55 AM. CHAIR PERSON VINCENZ ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BYLEN STEINER. 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 from the January 5, 2017 meeting were approved at the January 19, 2017 meeting.