



**Planning Board Meeting Minutes
Community Building
223 E. Bay Street
September 16, 2021
6:00 P.M.**

Members Present: Tish Hatem, Will Hewett, Scott Jones, Christopher Jones, Sue Hodgins, Gustavo Mibelli, Maureen Meehan, and Donnie Joyner

Members Absent: Dick Sloan

Staff Present: Thomas Lloyd, Development Services Director
Tanya Shannon, Deputy Clerk

Board of Aldermen Liaisons: Karen Mosteller and John Allen

1. Chairman Tish Hatem called the meeting to order at 6:00 p.m.
2. The Invocation was led by Mr. Donnie Joyner
3. The Pledge of Allegiance was led by Chairman Hatem.
4. Motion to approve the August 19, 2021, regular meeting minutes by Mr. Scott Jones, and second by Mr. Donnie Joyner. ***Unanimous vote; motion carried.***
5. Motion to approve the agenda by Mr. Donnie Joyner, and second by Mr. Will Hewett. ***Unanimous vote; motion carried.***
6. Public Comment: None
7. **Old Business:**

A. Review Committee Report: Major Site Plan Application, Take 5 express Carwash, submitted by Tidewater engineering on behalf of BOING US HOLDCO, INC.

Development Services Director, Thomas Lloyd gave the Review Committee report on the proposed major site plan. At the August 19th meeting the Board established a Review Committee to discuss the plan in more details. Mr. Will Hewett, Ms. Sue Hodgins, Alderman Liaison Karen Mosteller, Staff, and Mr. Jason Mathis representing the developer were present at the meeting. The committee discussed the operations of the carwash and the traffic patterns. It was asked about the amount of water being used and if the water would be recycled. Mr. Mathis stated the hybrid water system for the carwash reclaims the water which will reduce the amount being used. The committee also discussed the possibility of reducing the number of vacuum stations to help cut down on the impervious area. The committee noted that three trees marked to be removed were not included on sheet 3 of the plan but were included in the tree mitigation plan and needed to be corrected on the site plan. The committee also recommended the developer work with an arborist or landscape architect to prepare guidelines on how to protect the trees critical root zone. The committee suggested including a vegetative

buffer alongside the property line by the Bojangles Restaurant. Mr. Mathis gave a description of the color scheme of the building. He said it would be tan & beige with a red roof. The committee reviewed the lighting requirements, and the color temperature of the lights in the plan. The committee questioned the signage and what the proposed plan will be. Mr. Mathis said that the sign would most likely be an attached wall-face sign on the exterior of the building. He said that he would consult with the developers and work on the concerns and bring back the changes.

Mr. Lloyd said that on August 31st the same Review Committee met to review an update and changes to the plan. Mr. Mathis presented the changes to the site plan. This included the exterior colors of the building to reflect more neutral colors. The developer eliminated the accent lighting along the building and corrected the tree plan to replicate what trees were being removed. The landscape plan has been revised to now include a landscape buffer between the carwash and the Bojangles property. He said they have hired an expert tree service to work with the developers to ensure the protection of the trees. Mr. Mathis said the Take 5 Carwash company prefers the quantity of the vacuums remain as proposed to ensure that there are no stacking issues.

Mr. Mathis addressed the Board and responded to Ms. Sue Hodgins's concerns regarding the impervious pavement. He said they went to DEQ and in accordance with the NCDEQ Stormwater Design Manual, it is not recommended for commercial carwashes to install permeable pavement in areas where concentrations of potential toxic chemicals are likely to be significantly higher than in typical stormwater runoff. Installing permeable pavement in these areas increases the risk of these pollutants entering the groundwater.

Mr. Will Hewett had concerns regarding the angle of the vacuums and thought it might be a potential problem for larger vehicles that wanted to use these stations. Mr. Mathis said he is still looking into this concern. Mr. Hewett also asked if native species will be used in the tree and landscape plan. Mr. Mathis said that native species will be planted as well on the proposed Express Oil Change site.

Ms. Maureen Meehan asked if the all the stormwater will be collected and contained onsite. Mr. Mathis said that all the stormwater would be collected on the carwash site, as well as on the express oil change site, and sent to an offsite retention pond to be treated.

Mr. Will Hewett made a motion to approve the Major Site Plan for the Take 5 Express Carwash, and second by Mr. Scott Jones. ***Unanimous vote; motion carried.***

B. Review Committee Report: Major Site Plan Application, Take 5 Oil Change, submitted by Tidewater Engineering on behalf of Southport Take Five, LLC.

Mr. Lloyd gave an overview on the Review Committee's report for the proposed site plan. The same Review Committee met on August 2nd. Mr. Mathis addressed the Board with some concerns from the Committee. He provided the requested elevations of the plan, clarified certain trees that were being removed, and included additional landscape. The developer provided a proposal from M&M Expert Tree Services (ISA Certified Arborist) to work on a plan that would protect the trees during construction. Mr. Mathis answered the question about if impervious pavers could be used as an alternative to asphalt within the critical root zone. He said that the engineer discussed this with NCDEQ, and they had a strong preference for asphalt for this type of use to ensure the stormwater gets treated properly. Mr. Mathis said the façade of the building has also been revised to neutral colors and the light level has been reduced.

Ms. Maureen Meehan made a motion to approve the Major Site Plan for the Take 5 Oil Change, and second by Mr. Donnie Joyner. ***Unanimous vote; motion carried.***

8. New Business

A. Major Subdivision Sketch Plan; Oakton, submitted by Hanover Design on behalf of Stanley Martin Homes.

Mr. Lloyd explained that before any approval of a preliminary plat for a major subdivision, applicants may submit and introduce a sketch plan to the Board for questions and comments. A Review Committee may be established after the preliminary plat plan has been submitted.

Mr. Lloyd gave an overview of the proposed subdivision which will be on a 20.52 acre R-10 zoning tract adjacent to the Hammocks. He said the proposed subdivision has an entrance on Sand Dollar Lane, Fodale Ave, and Stuart Ave. The sketch plan shows 42 single family lots. Mr. Greg Wayne with Hanover Design, and a representative from Stanley Martin Homes was in attendance to answer questions. Mr. Wayne provided a handout regarding the history of the company and a showcase of the proposed homes.

Mr. Christopher Jones asked if Sand Dollar Lane was a City Street. Mr. Lloyd said that is designated as Public Right of Way and is in the process of becoming a City Street. Mr. Christopher Jones asked if a tree survey has been done. The developer said that it was in process. Ms. Maureen Meehan questioned the stormwater management plan. She said there is not a lot of vegetation in this area and there is poor natural drainage. She suggested an extensive stormwater management plan. The developer said the proposed retention pond is double the size that is required, and they are working on a plan to accommodate the flood prone areas.

B. Major Subdivision Sketch Plan; Prices Creek Phase 2; submitted by Norris & Tunstall on behalf of Cameron Smith.

Mr. Lloyd gave a description of the proposed subdivision which is on 17.35 acres adjacent to the Cottages at Prices Creek Subdivision. In 2004 a Special Use Permit for the Cottages at Prices Creek Planned Unit Development was approved. Now the developer is ready to proceed with the Townhome Subdivision project. The proposed sketch plan shows 48 townhomes. The subdivision is proposed to have entrances on Rob Gandy Blvd. and connections to Firefly Lane.

Mr. Gustavo Mibelli questioned why the connection to Firefly Lane is not shown on the sketch plan. Mr. Jody Bland, engineer with Norris & Tunstall said that this was just a concept plan, and that the connection would be included on the full submittal of the application. Mr. Mibelli questioned if there was a plan to add something into the open space on the sketch plan. Mr. Lloyd said that in conversation with the property owner, Mr. Cameron Smith, he believed this space would be left as open space or to include an amenity. Mr. Christopher Jones asked if the if the Special Use Permit that was approved in 2004 transfers with the use of the property. Mr. Lloyd said that it does.

The Board will have more time to review after the full preliminary plat plan has been submitted.

C. Zoning Text Amendment: 3.6 (J) Outdoor Display, submitted by Paramounte Engineering.

Mr. Lloyd explained that the proposed text amendment would be to Article 3: Zoning; Section 3.6 Accessory Use Standards; (J) Outdoor Display. The UDO provides several use standards for Outdoor Display including (3) *outdoor displays shall be removed at the close of operating hours and shall not be permitted to remain overnight*. The applicant is requesting a text amendment that would allow outdoor displays to remain overnight in areas that are zoned in Highway Commercial. Mr. Lloyd stated that after a recommendation is made and a consistency statement is adopted by the Planning Board, the proposed amendment will be forwarded to the Board of Aldermen for final approval or denial.

Mr. Mike Nichols with Paramount Engineering, INC stated that they are requesting a zoning text amendment in the Highway Commercial District for the purpose of providing retail of durable goods that may have larger items on display that would be impractical to remove at the close of business, for example lawn mowers, trailers, grills, landscaping, etc. Mr. Nichols said that generally the Highway Commercial District is in the northern portions of Southport and contains large retailers like Walmart and Lowes Foods. He believes that limiting the allowance of outdoor display overnight to just this district would be consistent with the City's Land Use Plans policy.

Mr. Gustavo Mibelli questioned the specific type of merchandise that is proposed to remain outdoors overnight. He is concerned that if it is not clearly defined, the displays could become over abundant or large in scale.

It was the consensus of the Board to establish a Review Committee to discuss the proposed zoning text amendment in detail. Mr. Will Hewett, Mr. Christopher Jones, and Mr. Gustavo Mibelli as alternate volunteered for the committee.

D. Zoning Map Amendment: Southport Crossing (10.1 acres of Tax Parcel ID # 22100001), PUD to HC, submitted by Paramounte Engineering on behalf of MDI Management.

Mr. Lloyd said that the proposed application is for a zoning map amendment that would allow for a portion (10.01 acre tract) of the 54.08 acre property currently zoned as PUD to be rezoned to HC. The property is located across from the Lowes Foods in the Southport Crossing shopping center. He said the process for approval or denial of a zoning map amendment is to have the Planning Board complete a full review, adopt a consistency statement, and then make a recommendation to the Board of Aldermen.

Mr. Mike Nichols with Paramount Engineering was present and said that he feels like this area of property would make more sense to be zoned in the Highway Commercial District because the site is located along the boundary of areas classified as Heavy Commercial and Medium Density Residential. He said the proposed rezoning would allow for the extension of the current commercial area at the Southport Crossing shopping center. He explained that the remaining portion of the parcel will remain zoned in PUD which contains a natural wetland buffer that would provide an appropriate transition between the commercial areas and residentially zoned properties.

It was the consensus of the Board to establish a Review Committee to discuss the proposed amendment in more detail. Mr. Will Hewett, Mr. Christopher Jones, and Mr. Gustavo Mibelli as an alternate volunteered.

E. Zoning Map Amendment: 110 Park Ave; (Tax Parcel ID 221MD010110) R-20 to R-10, submitted by Dennis & Maxine Quinlan.

Mr. Lloyd gave a description for a zoning map amendment for the property on a (.33 acre) lot located at 110 Park Ave. The applicants are asking for the property to be rezoned from R-20 to R-10 due to the small lot size. Mr. Lloyd explained that the 14,054 sf lot is relatively undersized for the R-20 zoning district requirements. The property owners also feel that the R-10 setbacks are more consistent with a lot this size.

It was the consensus of the Board to establish a Review Committee to evaluate the request in more detail. Ms. Maureen Meehan and Mr. Christopher Jones volunteered for the Committee.

9. Other Business: None

10. Announcements: None

11. Adjourn:

There being no further questions or comments Mr. Donnie Joyner made a motion to adjourn, and second by Mr. Will Hewett. ***Unanimous vote; motion carried.***

Meeting adjourned at approximately 7:00 P.M.

Chairman, Tish Hatem

Deputy Clerk, Tanya Shannon