

Surf City Planning Board
May 9, 2019

Members Present:

Larry Bartholomew, Chairman
Gary Cavanaugh
Renee Rhodes
Rick Benton
Sally Edens
Randy Cox
David Ward
Steve Pasquantonio, Vice-Chairman

Town Staff:

Mike Dickson, GIS Technician
Steve Padgett, Building Inspection & Zoning Administrator
Patricia Arnold, Administrative Assistant
Daniel Boonbumrung, Code Enforcement Officer
Teresa Batts, Council Liaison
David Price, Collections & Distribution Supervisor
Jeff Johnson, Police Captain

Others Present:

James Conway, 104 Hop Tree Branch
Patty Gilbride, 8013 8th Street
Trudy Solomon, 1113 S Shore Drive
Mike Radesky, 14130 Hwy 50/210 Carolina Décor & More
Misty LaPointe, 209 Loggerhead Blvd.
Danielle Mahon 28 Sandy Lane, Topsail Steamer
Dwight Torres, 322 Oceanaire Lane
Matt Rogers, 114 Buckeye Dr., Evolve Companies
Jim Cirello, Paramounte Engineering
Tim Clinkscales, Paramounte Engineering
Mr. Solomon, Dogwood Lakes

A. Call to Order- Chairman Bartholomew

B. Approval of Minutes – April 11, 2019

Mr. Benton made a motion to approve the minutes. Mrs. Rhodes seconded the motion and it carried.

C. Zoning Text Amendments

Mrs. Edens made a motion to table the zoning text amendments to the next meeting. Mr. Cox seconded the motion and it carried.

D. Surf City Crossing Preliminary Plan

Mr. Dickson stated that the applicant has requested for approval of the revised development plan for Evolve Surf City Crossing luxury apartment homes, Alston Boulevard, behind the Harris Teeter. Evolve Companies is seeking development plan approval for a 14 building, 346-unit apartment complex on a 34.7-acre tract of land on Alston Boulevard. The project includes a clubhouse, a swimming pool, athletic courts, 559 parking spaces, and preserves the existing wetlands on the property. The right of way along Alston Boulevard allows for the proposed future Surf City Greenway to pass through this project unobstructed.

The Technical Review Committee (TRC) has found that this project meets all mandatory fire, police, public works, streets, and zoning requirements set forth by the Town Code.

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The staff recommends that the Planning Board approve this preliminary plan to recommend for approval to the Town Council.

Mrs. Edens asked if they had State stormwater approval yet.

Mr. Dickson stated not yet that they would come after it was approved by Council.

Mr. Ward asked if this would be done in phases.

Mr. Dickson stated yes that there will be 2 phases of the project.

Mr. Bartholomew asked if the roads would have connectivity.

Mr. Dickson stated yes with completion of Terraces; they will be able to go through Terraces to Arbors to Dogwood to Hwy 17.

Mr. Edens asked if that was three roads.

Mr. Dickson said two roads.

Mr. Conway, Dogwood Lakes HOA and Beautification Chairman, stated that when they approved Terraces, they were concerned but it was going to be a single-family community. If the roads in Dogwood Lakes were not wide enough then it will be a great concern about being a cut through to Highway 17 for all the new units with Surf City Apartments.

Mr. Cirello stated that until the Terraces is finished, they will not use that direction.

Mr. Conway stated that if he lived in that neighborhood because of traffic he would drive through there. They are not allowed to park in road and if traffic pattern is low then they will go to the next opening from 210 to 17.

Mr. Cox made a motion to approve the Surf City Crossing Preliminary Plan. Mr. Benton seconded the motion and it carried.

E. Zoning Text Amendments to Section 6.0 Regulations for Signs

Mr. Dickson stated that all suggested text amendments within agenda item E have been crafted from suggestions from a group of Surf City business owners. The staff of the Community Development Department has assisted procedurally. The staff neither supports nor opposes these changes but offers them in good faith. Had a group of citizens come forward that were against more permissive signage regulations, the staff would have offered the same service.

A. Appx. A. §3.4 Definitions

Action requested is to add the following definition: Sign * A-frame

With a push to allow temporary signage, it may be a good idea to define one of the most commonly used temporary signs, the sandwich board—also known as the A-frame.

New Definition: Sign * A-frame: A temporary sign consisting of two sign faces attached back-to-back by top hinges.

Mrs. Edens made a motion to approve adding a new definition for Sign – A-frame. Mr. Ward seconded the motion and it carried.

B. Appx. A. §6.3 Signs permitted in all districts. (1) (d) Residential identification signs

Action requested is to add the sentence, “Any artwork which does not consist of text, but is associated with the sign shall not count towards the sign area computation.”

Currently, homes may have a sign which gives the name of the house on the exterior of the facade. However, the current code does not allow for any artwork. This change would allow a dolphin, a mermaid, etc. to accompany a home's name.

Suggested Change:

6.3 Signs permitted in all districts. 1.d) Residential identification signs not exceeding six (6) square feet in area and bearing only property owner's name, name of hometown, cottage name, etc. Any artwork

which does not consist of text, but is associated with the sign shall not count towards the sign area computation.

Mr. Benton made a motion to approve the ordinance change but allow only 24 sq ft maximum for both text and artwork. Mr. Pasquantonio seconded the motion and it carried. Six members – yes / David Ward - no

d) Residential identification signs not exceeding twenty-four (24) square feet in area and bearing only property owner's name, name of hometown, cottage name, etc. This sign computation shall compose of text combined with any accompanying and contiguous artwork.

C. Appx. A. §6.3 Signs permitted in all districts. (1) (h) Bulletin boards

Action requested is to add the phrase, ", and businesses." Add the sentence, "Any bulletin board will count towards the total computation of permanent sign area allowances."

Permitting bulletin boards on churches, but not businesses is a First Amendment issue (Reed v. Town of Gilbert). If billboards count as part of the total sign area computation, it will keep from businesses having too many permanent signs.

Suggested Change:

6.3 Signs permitted in all districts. 1) The following signs shall be permitted in all districts: (h) Bulletin boards: Churches, schools, community centers, other public institutions, and businesses may erect one (1) sign or bulletin board not exceeding thirty-two (32) square feet in area for the purpose of displaying the name of the institution and related information. The signs may be used as wall signs or shall be located a minimum of seven and one-half (7½) feet from property lines. Where side yards are required, no sign shall be permitted in the required side yards. The signs may be illuminated in accordance with the lighting ordinance. If location is in a commercial area, C-1 or MU zoning applies. Any bulletin board will count towards the total computation of permanent sign area allowances.

Mr. Ward made a motion to approve the text amendment for Bulletin boards. Mr. Cox seconded the motion and it carried.

D. Appx. A. §6.6 Commercial and business signs; size computations (7)

Action requested is to change "both (temporary and permanent) do not exceed a combined maximum of twenty-five (25) percent of the total window area." to "non-opaque signs both (temporary and permanent) do not exceed a combined maximum of fifty (50) percent of the total window area. Open signs and other signs as required by any governing agency shall not be computed into the total area."

This would allow more permissive regulations regarding window clings.

Suggested Change:

6.6 Commercial and business signs; size computations. 7) Signs attached to the interior side of a window or door of commercial use are permitted provided that all such non-opaque signs both (temporary and permanent) do not exceed a combined maximum of fifty (50) percent of the total window area. "Open" signs and other signs as required by any governing agency shall not be computed into the total area.

Mrs. Edens made a motion to not approve a text amendment change for 6.6.7. Mr. Benton seconded the motion and it carried.

E. Appx. A. §6.7 Types of commercial signs permitted. (1) Permanent freestanding signs. (1) Permanent freestanding signs

Action requested is to change change "Fifty (50)" to "Twenty (20)" in the lines about lot frontage and separations. Add "If a shopping center or multi-tenant sign already exists on-site, a business may not erect their own separate freestanding sign." to line (c) Freestanding multi-tenant signs.

Businesses with small frontages wish to be allowed to have a freestanding sign. However, this should not be in addition to a multi-tenant sign.

Suggested Change:

6.7 Types of commercial signs permitted. Business signs and name signs of the following types and sizes shall be permitted in C1, MU, C3, NB and O&I under the limitations described in this section.

- 1) *Permanent freestanding signs.*
 - a) Minimum lot frontage:
 1. The minimum front footage for a permanent freestanding sign is **twenty (20)** feet.
 - b) Separations:
 1. **Twenty (20)** to ninety-nine (99) linear front footage-May have one (1) freestanding sign.
 2. One hundred (100) to one hundred twenty-four (124) linear front footage-May have an additional freestanding sign provided each sign is separated by at least fifty (50) feet.
 3. One hundred twenty-five (125) to two hundred (200) linear front footage-May have an additional freestanding sign provided each sign is separated by at least fifty (50) feet.
 4. Lots exceeding two hundred (200) linear front footage may have additional freestanding signs based on one (1) sign per fifty (50) feet additional increment of frontage.
 - c) Freestanding multi-tenant signs not exceeding six (6) feet in height may have a maximum size of **ninety-six (96) square feet. If a shopping center or multi-tenant sign already exists on-site, a business may not erect their own separate freestanding sign.**

Mr. Ward made a motion to not approve a text amendment change for 6.7.a.1 & 6.7.b.1 & 6.7.c. Mrs. Edens seconded the motion and it carried.

F. Appx. A. §6.7 Types of commercial signs permitted (6) Temporary signs.

Action requested is to add a new line, (d), to the subsection on temporary signs.

Business owners wish to be allowed to have temporary signs, and not just for special events or sales. In this proposed change, the new ordinance would consent to each business having one flag and one other temporary sign that may be displayed on-site during business hours only. This amendment would also prohibit inflatable signs. Businesses would not be allowed to combine temporary signs with event signs.

Suggested Changes:

6.7 Types of commercial signs permitted. 6) **d) If no temporary signage is present for special events, business may have one (1) flag or banner in addition to one (1) other temporary freestanding sign, preferably an A-frame sign, provided that:**

- 1) Signs and flags shall be erected while the business is open for business.
- 2) A-frame or other temporary freestanding signs shall not exceed eight (8) square feet in area per side and five (5) feet in height.
- 3) Commercial flags and banners shall not exceed twenty-four (24) square feet in area and fifteen (15) feet in height.
- 4) Signs and flags shall be placed on the same property as the business, providing a reasonable vehicular sight line, and not within the public right of way. The exception to this is the allowance of one (1) A-frame sign may be placed on the sidewalk.
- 5) The sign is not inflatable.

Mr. Pasquantonio made a motion to approve the zoning for the property on Shepard's Road to be MFC Multi-Family Cluster. Mrs. Edens seconded the motion and it carried. Only during business hours, take out **"The exception to this is the allowance of one (1) A-frame sign may be placed on the sidewalk."** conform to existing site triangle ordinance.

d) If no temporary signage is present for special events, business may have one (1) flag or banner in addition to one (1) other temporary freestanding sign, preferably an A-frame sign, provided that:

- 1) Signs and flags shall be erected only during business hours.

2) A-frame or other temporary freestanding signs shall not exceed eight (8) square feet in area per side and five (5) feet in height.

3) Commercial flags and banners shall not exceed twenty-four (24) square feet in area and fifteen (15) feet in height.

4) Signs and flags shall be placed on the same property as the business, providing it conforms to existing sight line requirements, and not within the public right of way.

5) The sign is not inflatable.

F. Community Development Update

- GOGAS – will be completed by the TRC – Technical Review Committee soon.
- Surf City Apartments – will be completed by the TRC – Technical Review Committee soon.

G. Adjourn

Mr. Cox made a motion to adjourn. Mrs. Edens seconded the motion and it was carried at 6:41 pm.

Larry Bartholomew, Chairman

Patricia Arnold, Administrative Assistant