

**KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ Wednesday, November 7, 2012**

A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on Wednesday, November 7, 2012. A quorum of the Commission was present.

P&Z MEMBERS IN ATTENDANCE

Chairman Craig Galbraith
Member Dennis Clouse
Member Thomas Theisen
Member Alan Votta
Member Joseph Whitley

STAFF PRESENT

John Batson, Building Inspector
Josie Fitzgerald, Administrative Assistant

P&Z Attorney Holt Moore was not requested to be in attendance.

I. CALL TO ORDER:

Chairman Galbraith called the P&Z meeting to order at 7:00 p.m.

II. APPROVAL OF AGENDA:

MOTION: Member Clouse moved to adopt the Agenda.

SECOND: Member Whitley

VOTE: Unanimous

III. APPROVAL OF MINUTES:

MOTION: Member Theisen moved to approve the P&Z minutes of October 2, 2012

SECOND: Member Votta

VOTE: Unanimous

V. OLD BUSINESS:

Potential K Avenue mixed use plan

A. Conditional Use Permit Process

Chairman Galbraith gave a brief summary of the options stated at the public hearing and joint meeting/workshop that was held in October. The Commission would be looking at a mixed use as a conditional use rather than a zoning change.

- There was a question of potential property tax impact on adjacent properties if adding a mixed use in the R-1 and R-2 district. Mr. Roger Kelly, County Tax Administrator was contacted for his opinion regarding this issue. Mr. Kelly's position was that each property would be addressed on a case-by-case basis and looked at individually. Each property will be taxed on its own merit and not by adjacent properties. A property used only for a residence would be valued and taxed as a residence only.
- Parking requirements for home business needs to be considered. In our existing ordinance, some home businesses parking requirement may not be sufficient. The ordinance may need to be modified.
- Next month's agenda should include a review of the parking issue for discussion.
- In consideration of conditional use permits, it was recommended to review two communities that can be good models, Wrightsville Beach and Southport.
- Next month's agenda should include a review of other examples in addition to what we have of mixed use capabilities to see what we may want to do with more specificity. A conditional use can be very simple, but may also be more specific in outlining architectural design and a number of other things.
- To clarify; there is a slight difference, not necessarily a technical difference, between a special use and conditional use. A conditional use allows certain activities but places restrictions in place such as height exceptions or conditions on the use. A special use needs Council approval to have a non-permitted use or activity in a particular district. Both need ultimate Council approval.
- We already have special use for zoning categories and that will remain in place.
- There is no timeframe for completion as there has been no interest shown to date for a mixed use. There is no priority placed on this issue.
- Commission will do additional work, formulate ordinance, forward to Council, Council will hold a public hearing before any changes will be made.
- There will be no zoning change, just a change in ordinance language to incorporate conditional use language. We are talking about a mixed use/conditional use permit. (CUP)

Public comments: (Marvin and Nancy Rouse) There seems to be frustration due to lack of parking near the beach. There was concern as to how some people treat the beach area and are not responsible.

It was noted that Town Council makes determinations regarding parking. P&Z does not have direct jurisdiction concerning parking. Although some planning and zoning issues include parking requirements, P&Z is primarily concerned with zoning.

- A conditional use can be identified for a specific area only. Other areas can be added if appropriate. K Avenue is the only area being identified at this point

MOTION: Chairman Galbraith requested to put on December agenda further discussion on conditional use permits and discussion regarding parking requirements for home based businesses.
SECOND: Member Whitley
VOTE: Unanimous

VI NEW BUSINESS
None


VII MEMBER ITEMS
Term renewal for Tom Theisen will be addressed at the November Council meeting. No action by the Commission is needed.

Member Whitley will be out of town and not present at the December meeting.

VIII. ADJOURNMENT:

MOTION: Chairman Galbraith moved to adjourn the meeting.
SECOND: Member Votta
VOTE: Unanimous

P&Z Meeting was adjourned at 7:40 p.m.



Craig Galbraith, P&Z Chairman



Josie Fitzgerald, Secretary