

**Surf City Planning Board**  
**March 9, 2017**

**Members Present:**

Barry Newsome, Chairman  
Larry Bartholomew  
Steven Pasquantonio  
Carl Johnson  
Randy Cox  
Jimmy Campbell, Alt Member

**Town Staff:**

Todd Rademacher, Planning Director  
Patricia Arnold, Administrative Assistant  
Teresa Batts, Council Liaison  
Jeff Johnson, Police Captain

**Others Present:**

Livian Jones, Coterra  
Mathew Hale, Cape Fear Engineering

**A. Call to Order- Chairman Newsome**

**B. Approval of Minutes – December 8, 2016**

Mr. Bartholomew made a motion to approve the minutes. Mr. Pasquantonio seconded the motion and it carried.

**C. Preliminary Subdivision Approval**

**Owner:** Coterra 9, LLC  
**Agent:** Cape Fear Engineering  
**Acreage:** 65.30  
**Project:** Waterside Phase IA & IB  
**Proposed Use:** 83 Lot Single Family Subdivision  
**Zoning:** MFC Multi-Family Cluster  
**Location:** Behind Dollar General  
**Stormwater:** State stormwater review

Mr. Rademacher that the subdivision submitted will be accessed by a new road adjacent to the Dollar General. The developer has purchased land from that property to align Edgewater Way and JH Batts Road. No stoplight is being required by NCDOT at this time but may be required as future development happens in the area.

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The subdivision design shows homes that will have back alleys and on-street parking. Homes with alley access will not have driveway cuts on the main road. The stormwater system, designed for state requirements, will lead to ponds which will serve as neighborhood amenities with fountains and with Clamshell Pond having a nature trail around its circumference for residents.

Landscaping, sidewalks, and lighting have all been designed in compliance with the ordinances. Open space will have trails, passive park space in this phase of development.

Temporary turnarounds for the fire department are being provided for emergencies. Water and Sewer meet the requirements of the ordinance with a new pump station and a looped water system.

All newly created streets will be public with alleyways being retained by the neighborhood.

The plans have also been reviewed for compliance by the Town's engineer (Cavanaugh & Associates), Utilities Department, and the Fire Department. All departments completed their review and found the site to be in full compliance with the ordinances.

Staff recommends approval of this subdivision as it meets the requirements of the ordinance.

Mr. Cox made a motion to approve the Preliminary Subdivision Approval. Mr. Bartholomew seconded the motion and it was carried.

#### **D. Community Development Update**

- Surf City K-8 School – street access has been put in and is stoned. The school should open Fall of 2018 with 1600+ students.
- Dollar Tree construction is well on its way.
- Poplar Branch Subdivision is working on its next phase.
- Saltwater Landing is working on a new stage of their subdivision.
- Dr. Blair's plans for his new office is in the works.
- Mr. Lanier's land is being looked at by potential buyers.
- The lot behind the old Ward's building is being worked on for additional parking.
- Weingarten has said that they are happy with Charlie Grainger's opening.
- Harris Teeter Fuel is to be started soon.
- Surf City BBQ is open and busy.
- Chug & Grub will be open soon.
- Publix will be breaking ground in May or June.

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**E. Adjourn**

Mr. Cox made a motion to adjourn. Mr. Campbell seconded the motion and it was carried at 5:52pm.

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Barry Newsome, Chairman

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Patricia Arnold, Administrative Assistant

**Surf City Planning Board**  
**May 11, 2017**

**Members Present:**

Barry Newsome, Chairman  
Steven Pasquantonio  
Sally Edens  
Randy Cox  
Jimmy Campbell, Alt Member

**Town Staff:**

Todd Rademacher, Planning Director  
Patricia Arnold, Administrative Assistant  
Jeff Johnson, Police Captain

**A. Call to Order- Chairman Newsome**

**B. Approval of Minutes – March 9, 2017**

Mr. Pasquantonio made a motion to approve the minutes. Mr. Cox seconded the motion and it carried.

**C. Conditional Use Permit – Aquaholics Boat Rentals**

Randy Chapman, is requesting a Conditional Use Permit to operate boat rental business on the property located at 412 Roland Avenue. This facility is the current location of the Topsail Island Marina owned by Ty Hopkins. The marina is leasing slips to Aquaholics.

The proposed site is located in a C-1 commercial use district, and the proposed motorized personal watercraft rental business requires a conditional use permit.

The applicant will need to provide sufficient information to make the following findings required by the zoning ordinance:

1. The use requested is listed among the conditional uses in the district for which the application is made.
2. The requested use will not impair the integrity or character of the surrounding or adjoining districts nor adversely affect the safety, health, morals or welfare of the community or the immediate neighbors of the property.
3. The requested use is essential or desirable to the public convenience or welfare
4. The requested use will be in conformity with the land use plan.
5. Adequate utilities, access roads, drainage, sanitation, or other necessary facilities have been or are being provided.

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6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize the traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Staff recommends approval of the application as it meets the required findings for approval of a conditional use permit.

Staff recommends the following conditions be placed on the application if approved:

1. Limit boats rented to 8.
2. No signage or structures are allowed at the Topsail Island Marina unless done by a multi-use sign for all tenants of the marina property. All structures used for office or retail must meet the flood guidelines.
3. A site plan will need to be submitted and approved showing increased parking, landscaping, sidewalks, and NCDOT compliance. All site plan requirements must be completed prior to opening.
4. The marina shall be limited to one boat/jet ski rental company and one tour boat company.
5. Any expansions on the marina site will require full site plan for approval for the entire marina property.
6. Restrooms will be provided on-site for the rental business.

Tiki Tours is the touring company and tours are allowed by right but rentals must be done by a CUP.

Mr. Cox asked if CUP makes the complete property be upgraded.

Mr. Rademacher stated that no it is not required, just a parking lot.

Mr. Pasquantonio asked if sidewalks could be a condition.

Mr. Cox asked if they are allowed to have boat trailers and a port-a-john there.

Mr. Rademacher stated no on rent-a-john that an extra bathroom has been added to restaurant. Storage allowed like regular marinas.

Mrs. Edens made a motion to approve the Conditional Use Permit to Aquaholics Boat Rentals with the following conditions be placed on the applications:

1. Limit boats rented to 8.

2. No signage or structures are allowed at the Topsail Island Marina unless done by a multi-use sign for all tenants of the marina property. All structures used for office or retail must meet the flood guidelines.
3. A site plan will need to be submitted and approved showing increased parking, landscaping, sidewalks, and NCDOT compliance. All site plan requirements must be completed prior to opening.
4. The marina shall be limited to one boat/jet ski rental company and one tour boat company.
5. Any expansions on the marina site will require full site plan for approval for the entire marina property.
6. Restrooms will be provided on-site for the rental business.
7. All trailers need to be stored off-site.
8. Installation of all sidewalk along the Roland Avenue side of the property or a payment in lieu.
9. A Tall landscape buffer between the Yacht club and the Marina property.

Mr. Cox seconded the motion and it was carried.

**D. Community Development Update**

- Publix has 13-14' of peat to dig out. They want to open in March.
- Waterside should be pushing dirt soon. Model homes this fall.
- School is rolling along.
- Stop light by May 19<sup>th</sup> at Dollar Tree.
- The Arbors subdivision behind Lowes is continuing.
- Last phase of Saltwater Landing just turned in.
- Bridge is moving fast for early completion goals.

**E. Adjourn**

Mr. Cox made a motion to adjourn. Mr. Campbell seconded the motion and it was carried at 5:59pm.

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Barry Newsome, Chairman

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Patricia Arnold, Administrative Assistant

**Surf City Planning Board**  
**July 13, 2017**

**Members Present:**

Larry Bartholomew, Co-Chairman  
Steven Pasquantonio  
Sally Edens  
Rick Benton  
Jimmy Campbell, Alt Member

**Town Staff:**

Steve Padgett, Building Inspector  
Patricia Arnold, Administrative Assistant  
Teresa Batts, Council Liaison

**Others Present:**

Jason Dorazio  
Luke Menius, Stroud Engineering  
Lynn

**A. Call to Order- Co-Chairman Bartholomew**

**B. Approval of Minutes – May 11, 2017**

Mr. Pasquantonio made a motion to approve the minutes. Mr. Cox seconded the motion and it carried.

**C. Anchors Watch at Saltwater Landing Section 5, Preliminary Subdivision Approval**

**Owner:** Saltwater Landing, LLC  
**Agent:** Stroud Engineering  
**Acreage:** 16.66 acres  
**Project:** Anchors Watch at Saltwater Landing Section 5  
**Proposed Use:** 15 Lot Single Family Subdivision and common area  
**Zoning:** R-10 Residential Minimum lot size. 10,000 square feet.  
**Location:** End of S. Brig Dr. and Adelaide Dr.  
**Stormwater:** State stormwater review

The subdivision submitted is the final phase of the Saltwater Landing development and will be accessed by extending Adelaide Dr. and S. Brig Dr. No additional roads are being created in this final phase of development. This phase of the subdivision is actually a revised plan from what was submitted several years ago. The major change is the elimination of lots and the design of the common space/open area, both of which meet the requirements of the ordinance.

The subdivision design shows 15 lots all fronting on these road extensions and landscaping, sidewalks and lighting have all been designed in compliance with the ordinances.

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Proper turnarounds and hydrants for the fire department are being provided for emergencies. Water and Sewer meet the requirements of the ordinance and the water line extensions will complete a water line loop which will enhance water quality and quantity.

All newly created streets will be public with common areas being retained by the neighborhood association. The road continues to the adjacent properties for future connectivity of the street and utility system.

The plans have also been reviewed for compliance by the Town's engineer (Cavanaugh & Associates), Utilities Department and the Fire Department. All departments completed their review and found the plans to be in full compliance with the ordinances.

Staff recommends approval of this subdivision as it meets the requirements of the ordinance.

Mr. Benton made a motion to approve the Preliminary Subdivision Approval. Mr. Campbell seconded the motion and it was carried.

#### **D. Community Development Update**

- Property behind Lowes sold to the Arbors developer.
- JE Register property is still available.
- No names have been mentioned on out parcels for Publix.
- Waterside is thinking of putting up a model or two by the end of the year.
- Triton Village has only mentioned a brewery as a tenant.
- No update of considered traffic flow improvements at CVS light.

#### **E. Adjourn**

Mrs. Edens made a motion to adjourn. Mr. Pasquantonio seconded the motion and it was carried at 5:52pm.

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Larry Bartholomew, Co-Chairman

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Patricia Arnold, Administrative Assistant



**Surf City Planning Board**  
**September 14, 2017**

**Members Present:**

Barry Newsome, Chairman  
Larry Bartholomew, Co-Chairman  
Randy Cox  
Carl Johnson  
Steven Pasquantonio  
Jimmy Campbell, Alt Member

**Town Staff:**

Todd Rademacher, Planning Director  
Patricia Arnold, Administrative Assistant  
Teresa Batts, Council Liaison  
Jeff Johnson, Police Captain

**Others Present:**

Charles Riggs, Charles Riggs & Associates  
Glenda Heidsick, 135 Cornel Ln.  
James Claxton, 104 Lumis Ct.  
Angie Claxton, 104 Lumis Ct.  
Janet Lancaster, 121 Cornel Ln.  
Laura Jarosz, 114 Osier Dr.  
Kellie Sharrock, 109 Osier Dr.

**A. Call to Order- Chairman Newsome**

**B. Approval of Minutes – August 10, 2017**

Mr. Cox made a motion to approve the minutes. Mr. Bartholomew seconded the motion and it carried.

**C. CJL Partners, Inc. Zoning Map Amendment**

**Owner:** CJL Partners, Inc  
**Agent:** Charles Riggs & Associates  
**Acreage:** .857 acres  
**Proposed Zoning:** SF Residential  
**Current Zoning:** R-10 Residential  
**Location:** Intersection of S Shore Drive and White Hills Lane  
(private road)

The applicants are requesting the rezoning of property currently zoned R-10 to be rezoned SF Residential. The property is .857 acres in size and is located at the intersection of South Shore Dr. and White Hills Lane. Adjacent properties within the jurisdiction of the County are zoned for a variety of rural and residential uses. Adjacent properties on the south, east and west are

zoned R-5 Residential and include vacant land, the Channelbend Neighborhood and properties on the oceanfront. The property to the north is a single lot with a residence zone R-10. The Town also has a sewer lift station on this property.

The current R-10 zoning permits the development of single family homes and duplexes on minimum 10,000 square foot lots. A rezoning to SF would allow for a reduced lot size to 5,000 square feet but would limit development to single family homes. No duplexes would be permitted in this district.

The land use plan designates this area as Island Residential defined as an area having minimum lot sizes of 5,000 square feet and consists mainly of infill lots and the re-subdivision of existing lots.

Staff recommends rezoning of this property to SF as the surrounding area is single family homes on 5,000 square foot lot properties. This rezoning would also be consistent with the LUP and other adopted plans of the Town of Surf City.

Mr. Cox asked if the easement for the 20x20 lift station restricts this lot to one house.

Mr. Rademacher stated that this lot could have 1 sound front, 2 road front and 1 interior lot. White Hills Lane is paved and is a pretty standard development. There is also an easement for Mr. Warren to the existing home.

Mr. Cox made a motion to approve the Zoning Map Amendment. Mr. Pasquantonio seconded the motion and it was carried.

#### **D. Public Comment**

Glenda Heidsick, 135 Cornel Ln., stated that the Arbors that is currently going in that we were told the subdivision and the new one would be conforming to the same standards of sidewalks and trees Surf City's idea that they would be built out with the same product. The Arbors' sidewalks are only on one side of the road. There are already oak trees planted on the other side of the street. They still have a number of lots to sell and I have a concern that with lots that small how that product is even going to be close to that the Arbors is currently selling and the Dogwood Lakes standards.

Does Surf City ask the builder to put up a bond so in the event he gets over his head or the project isn't finished half way through there is some security to us that if the subdivisions get joined that we are not joined to a big mud pit? Being built out by 3 or 4 other developers and the whole thing is going to look hodgepoded. We have 3 developers in Dogwood Lakes and it's not an uncommon situation, the builders go in and buy various lots. Is there forethought in protecting in what we have invested in at Dogwood Lakes and this is the right kind of subdivision to be going in and that because the subdivision already there

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by the Arbors developer they are not biting off more than they can chew and are not going to be lead down this road to a mud hole.

If that does become a thru way, there is one speed limit sign when you come into Dogwood Lakes and the entire rest of the way has no posted signs. It is posted 25 mph. There are 15 children on the first 150 yard pass that are under the age of 5. My request would be if we can't mitigate that cut thru that we lower the speed limit to 20 mph and more signs are posted and strictly enforced.

Mr. Newsome asked Todd what rules and regulations allow us to deal with this here by this Board.

Mr. Rademacher stated none. The CUP has been issued and this board has no authority to make statutory decisions or final decisions like that. This is not the board for that. In regards to financial impacts of individual properties, the town cannot ask for a developer's portfolio or their builder's portfolio. We have no authority to do that.

Mrs. Heidsick asked how can you avoid shacks being built next to our property?

Mr. Rademacher stated you can't. We are bound by the General Statutes of the State of NC. The State of NC dictates what kind of authority each municipality and county has.

James Claxton, 104 Lumis Ct. stated that so getting away from the town is the best thing to do, just getting out of Surf City.

Mr. Rademacher stated you would no longer have access to water & sewer, everything would become private maintenance. So all those expenses would be turned over by the town. Would have to get 100% participation from the entire neighborhood and have somebody sponsor it at the General Assembly. If everyone agreed not to have water and sewer and not have public streets and brought it to the General Assembly without the town protesting it, then you can get de-annexed.

Mrs. Heidsick asked if there is way to protect our property value

Mr. Rademacher stated sure, same thing with your neighborhood. Someone could go in and buy one of those lots and put up whatever they wanted to.

Mrs. Heidsick stated that not based on our CCR's they can't.

Mr. Rademacher stated that has nothing to do with the town. We can't enforce deed restrictions. We have no authority on deed restrictions.

Mrs. Heidsick asked if so HOA has more power than you guys do in this state.

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Mr. Rademacher stated yes absolutely. This single family subdivision "The Summit" is the first time we have had a subdivision go to the town council as a CUP and actually put special conditions on that subdivisions. All other subdivisions from 1949 to now were built as Use-By-Right. Generally speaking if you meet the zoning requirements on this map you can build it. The Town Council cannot legally turn it down. That's NC law.

Mr. Campbell stated that builders don't want to put junk on their properties because they want to sell them just as fast as people can buy them. In terms of speed limits, accidents happen, nobody wants that to happen.

Mrs. Heidsick asked if it is possible to lower the speed limit

Mr. Pasquantonio asked about speed bumps

Mr. Rademacher stated that we can't do speed bumps

Mr. Campbell asked if we can they put out more signs

Mr. Rademacher stated yes, they talked about a lot more signage during the Council meeting. Jeff can you touch on how the speed limit gets changed

Captain Johnson stated that it's the city and can pretty much do what it wants. If it is a NC road then DOT would have to come down and do a survey and do all kinds of recommendations

Mr. Rademacher stated the town has got to pass a Resolution and ask the Police to do a study on traffic safety

Mr. Cox asked if board can make a recommendation to city council that they investigate the safety issued

Mr. Rademacher stated yes, would probably hold more weight if request was coming from the citizens that live in that neighborhood

Mr. Cox made a motion to request to the Town Council to investigate the safety issues in Dogwood Lakes in anticipation of the joining of the roads with the new development. Mr. Pasquantonio seconded the motion and it was carried.

Mr. Pasquantonio stated that he recommended that they not put in a "not a cut thru" sign that it makes it worse.

Janet Lancaster, 121 Cornel Lane, asked if we can ask the new neighborhood to change their entrance and not go thru DWL

Mr. Rademacher stated yes you can.

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Laura Jarosz, 114 Osier Dr., asked if there anything at this board level to force their hand to make it so they cannot connect to Osier

Mr. Rademacher stated there is nothing that we can do

Angie Claxton, 104 Lumis Ct., stated that we were just told that there is a sidewalk/bike path that is being built behind our house however that's our property. We have given an easement to the power company it's on private property we own it.

Mr. Rademacher stated the town was given an easement from the original developer to build a greenway under the powerline

Mr. Claxton stated but we actually own the property, I plan on putting a fence up

Mr. Rademacher stated you can't put a fence up there anyway, duke power will take it down

Mrs. Claxton stated that we were told when we bought that house that we could do anything with that property as long as Duke power had access to those lines

Mr. Rademacher stated the Realtor or Developer did not give some people the full information and there is a recorded easement given to the Town of Surf City for the development of it. We have an easement across the whole 100 feet of Dogwood Lakes for a 10 foot greenway

Mr. Claxton stated that you can do whatever you want to

Mr. Rademacher stated no, we can only build a walkway. The developer of this new neighborhood is putting in a parking lot and the first phase of this greenway on his lot.

## **E. Adjourn**

Mr. Cox made a motion to adjourn. Mr. Campbell seconded the motion and it was carried at 6:10pm.

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Barry Newsome, Chairman

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Patricia Arnold, Administrative Assistant