



Town of Cedar Point
Planning Board Meeting
March 7, 2017

The Town of Cedar Point held their regularly scheduled meeting on Tuesday, March 7, 2017 at 6:30 PM. Chairman John Zimmerman determined a quorum to be present and opened the meeting.

PRESENT: Chairman Zimmerman, Members Heironimus, Lanier, Perry, Nash and Castellano, Town Administrator Seaberg, Town Clerk Calhoun and public

ABSENT: Member Velthoven

The Minutes from the October 11, 2016 meeting were presented for Board approval. Member Nash made a **Motion** to approve the Minutes as presented. Member Castellano seconded. Motion carried unanimously.

Chairman Zimmerman made an amendment to the Agenda, tabling item b. Revision to Division 15 of the Cedar Point Ordinances to allow for Special Events to the April meeting.

The next item for Board consideration was a rezone request (RZ-17-001), a request to rezone approximately 45.79 acres of property, located off Cedar Point Boulevard from R-20 Single Family Residential to B-1 General Business District.

Mr. Seaberg provided a presentation of the rezoning request as well as the application. Staff did not find any issues or discrepancies with the application. A recommended consistency statement was provided to the Board for approval. It reads as follows:

The Planning Board of the Town of Cedar Point hereby finds that the proposed Official Zoning Map amendment application **RZ-17-001: a request to rezone approximately 45.79 acres of property, Tax Parcels 5384-1303-1785, 5374-1295-8499 & 5374-1295-6216, all three located off of Cedar Point Blvd. from R-20 Single Family Residential to B-1 General Business District** is consistent with the Town of Cedar Point Comprehensive Plan adopted November 27, 2012 because of parcels in question being located either entirely or proportionately within a **Community Growth Area, Existing Core Area, and/or Central Business Overlay District** as designated on the Town of Cedar Point Future Land Use Map (2012).

These Future Land Use designations **does** encourage the zoning district at which the applicant is proposing the parcels question to be located within. Further, the Board finds that proposed Official Zoning Map amendment application **RZ-17-001: a request to rezone approximately 45.79 acres of property, Tax Parcels 5384-1303-1785, 5374-1295-8499 & 5374-1295-6216, all three located off of Cedar Point Blvd. from R-20 Single Family Residential to B-1 General Business District** is reasonable and in the public interest because a **Community Growth Area, Existing Core Area, and Central Business Overlay District** Future Land Use designations **does** encourage the zoning designation at which the applicant is proposing.

Chairman Zimmerman did not agree that the rezoning was consistent with the Comprehensive Plan in that the parcel was not in the Business Corridor; 300 feet either side of Routes 24 and 58.

Mr. Andy Ennett, one of the applicants requesting the rezone, was given the floor to speak. He outlined the need for a Central Business Overlay District in Town. He also noted that 80% of adjoining property to the property in question is zoned commercial. NCDOT will make allowances for traffic at the light at Old 58 to allow for smoother ingress and egress to the property.

Chairman Zimmerman then opened the floor to public comment. Ms. Amanda Waltrip, spokesperson for Magen's Bay presented a petition (referenced herein and attached to these Minutes) signed by residents against the rezoning of this property. Ms. Waltrip also read a letter of opposition from a resident of Magen's Bay who was unable to attend the meeting.

Board comments:

Chairman Zimmerman expressed concern over the mixture of residential and commercial development in Town. Member Lanier pointed out stormwater runoff into the sound should be examined carefully. Member Castellano stated that traffic will exist anyway, especially in the summer time. The 24/58 intersection must be fixed, and the sooner the better. He also reminded everyone about tax benefits from a commercial establishment. Member Perry pointed out that the real estate market was bouncing back, and asked Mr. Ennett how this commercial development that was proposed would benefit Cedar Point. Mr. Ennett responded that it would be hard to say, as approval must be granted first by the Town, which would then permit the developer to encourage businesses to come to Cedar Point.

Member Nash made a **Motion** to approve the Consistency Statement as written. Member Castellano seconded. Motion carried unanimously.

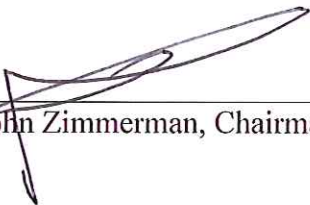
Member Castellano made a **Motion** to recommend to the Board of Commissioners approval of Rezone Request RZ-17-001 as presented. Member Nash seconded. Motion passed 4-2, with Chairman Zimmerman and Member Lanier voting Nay.

A text change was proposed to the Zoning Code to allow learning centers or childcare in Cedar Point. As the Code reads currently, these types of businesses would not be allowed in Town. Member Castellano made a **Motion** to recommend to the Board of Commissioners making this Text Change to the Zoning Code. Member Nash seconded. Motion carried unanimously.

Chairman Zimmerman once again opened the floor to public comment. One resident questioned utilizing and developing the property behind the BBT bank instead. Mr. Seaberg indicated that outside of the property Walmart still owns, there was not enough acreage to sustain a large commercial development. Another resident expressed concern over light pollution and trash issues, and another pointed out hours of operation being an issue. Chairman Zimmerman assured the residents that careful consideration would be given of all businesses that wished to develop on that property.

There being no further business to discuss, the meeting was adjourned. Member Perry made a **Motion** to adjourn the meeting. Member Castellano seconded. Motion carried unanimously.

Meeting adjourned at 7:23 PM.



John Zimmerman, Chairman



Jayne Calhoun, Town Clerk