AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning & Development

MEETING: Town Council – November 10, 2026

SUBJECT: **Consider a Conditional Zoning Modification** for an outdoor space expansion for the Event Venue / Bar at 205 Charlotte Avenue in the Central Business District (CBD).
Applicant: Common Ground Holdings

BACKGROUND:

The applicant, Common Ground Holdings, was approved for an event venue / bar at 205 Charlotte Avenue as a use in the Central Business District on July 11th, 2023. Event venues / bars are allowed through the approval of conditional zoning in the Central Business District. A modification was approved on January 9, 2024, for an outdoor drinking and serving area and additional landscaping. The applicant has proposed to expand the outdoor area further and has requested a second modification of the Conditional Zoning. Sec. 2.13.A.2 requires that a change in any site dimension by more than 10% shall be considered a major modification of the conditional zoning approval.

The Conditional Zoning District allows a particular use to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, the review process provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use and enjoyment of neighboring properties.

All applications shall include a site plan and any development standards to be approved concurrently with the rezoning application. Development standards may include such things as parking, landscaping, design guidelines, and buffers. When evaluating an application for the creation of a conditional zoning district, the Commission shall consider the following:

1. The application's consistency to the general policies and objectives of the Town's CAMA Land Use Plan, any other officially adopted plan that is applicable, and the Zoning Ordinance.
2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
3. The report of the results from the public input meeting.

Prior to scheduling a public hearing on the rezoning application, the applicant shall conduct one (1) public input meeting and file a report of the results with the Zoning Administrator. In approving a petition for the reclassification of property to a conditional zoning district, the Planning and Zoning Commission may recommend, that the applicant add reasonable and appropriate conditions to the approval of the petition. Any such conditions should relate to the relationship of the proposed use to the impact on the following:

1. Town services
2. Surrounding property
3. Proposed support facilities such as parking areas and driveways
4. Pedestrian and vehicular circulation systems
5. Screening and buffer areas
6. Timing of development
7. Street and right-of-way improvements
8. Infrastructure improvements (i.e. water)
9. Provision of open space
10. Other matters that the participants in the public input meeting, staff, Planning & Zoning Commission, and Town Council find appropriate or the petitioner may propose

If the applicant does not agree with the Planning & Zoning Commission or staff's recommendations of additional conditions, the Town Council shall have the authority to accept none, any, or all of the conditions forwarded from the review process.

No permit shall be issued for any development activity within a conditional zoning district except in accordance with the approved petition and applicable site plan, subdivision plat, and/or permit for the district.

Proposal:

The applicant is proposing approximately a 2,500 square foot expansion to the outdoor area which includes approximately 1,800 square feet of artificial turf, paver walkway, a small pergola structure, and additional landscaping. The added landscaping will include a closure of the existing driveway cut on 205 Charlotte that accesses the private parking lot on 209 Charlotte.

The purpose of the Central Business District is to accommodate, protect, rehabilitate, and maintain the traditional central business district and boardwalk area of the Town. This area accommodates a wide variety of pedestrian oriented, commercial and service activities, including retail, business, office, professional financial, entertainment, and tourism.

The proposed increase in outdoor area does not constitute an increase in the parking requirement. Public parking remains available within 500 feet.

Conditional Zoning Process

As part of the application process a community meeting is required. The applicant held the required meeting on August 7, 2026. The applicant has provided summary comments from the meeting. Based off the comments from the meeting the applicant can place conditions on the project to help mitigate the impacts and concerns from neighboring properties. Outdoor space was discussed at the public input meeting but is no longer part of the scope of this project.

Proposed Conditions

- No change in existing conditions.

Land Use Plan

The conditional zoning is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. One of the goals of the Land Use Plan was to continue to support the central business district as a destination downtown with activities for families, residents, and visitors. Expanding opportunities for public activities, including events, should be pursued. The project is in conformity with the Downtown Business Area Future Land Use Map Character Area. This is the boardwalk commercial area and central recreation district of town. 3-4 story buildings maintain a pedestrian-scaled environment with active ground floor uses; residential and other uses permitted above. Highly walkable with limited on-street parking.

ACTION REQUESTED:

Consider recommending approval or denial of a conditional zoning modification to approve an outdoor space expansion for the event venue / bar located at 205 Charlotte Avenue.

Staff recommend approval of the project with the proposed conditions.

Planning and Zoning recommend approval 6-0.

MOTION:

Approval – whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the Conditional Zoning Modification to allow for an outdoor space expansion for the event venue / bar located at 205 Charlotte Avenue is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial – based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.