

STAFF REPORT

To: Southern Shores Town Council
Date: September 7, 2021
Case: SPA-21-01
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Aston Properties
610 E. Morehead St.
Charlotte, NC 28202

Requested Action: Site Plan Amendment application submitted by Aston Properties to amend the site plan for the Marketplace shopping center.

PIN #: 986720717057
Location: 5500 N. Croatan Hwy.
Zoning: C, General Commercial District

Existing Land Use: "Commercial"

Surrounding Land Use & Zoning:

North- Residential; RS-1, Single-Family Residential District

South- Highway 158, Town of Kitty Hawk

East- Commercial; C, General Commercial District

West- Commercial; C, General Commercial District

Physical Characteristics: Developed (existing Group Development)

Applicable Regulations: Town Zoning Ordinance: Article III, Interpretation and Definition of Terms; Article IV, Application of Regulations; Article VI, General Provisions; Article VII, Schedule of District Regulations; Article X, Administration and Enforcement.

ANALYSIS

The applicant seeks an amendment to the site plan for the Marketplace shopping center by demolishing a portion of one building and construction of a new 24,000 sq. ft. Marshalls, a new 6,000 sq. ft. retail space for a business to be determined, and parking lot modifications. The proposed parking lot modifications include the use of permeable pavers in order to be eligible for a maximum lot coverage of 67% instead of 60%. Currently, the proposed lot coverage is 67.1%. As of September 1, 2021, we have not received enough documentation to determine the permeability of the proposed pavers which could affect the square footage of permeable pavers required.

The proposed signage for Marshalls includes three wall signs, one under canopy sign, and one name plate on the freestanding sign which are in compliance with the Town's sign requirements. There are 150 proposed parking spaces with 102 of them being permeable and a total of 613 parking spaces for the site which are in compliance with the Town's parking requirements. A lighting plan and required documentation have also been provided that demonstrate compliance with the Town's outdoor lighting requirements.

RECOMMENDATION

The Land Use Plan identifies this area as Commercial in the C, General Commercial zoning district which is consistent with the improvements proposed in the application. All applicable regulations of the Town Zoning Ordinance and all of Town Staff's concerns that are applicable to this application have been identified or are addressed in the recommended conditions. Town Staff recommends conditional approval of the application and the Town Planning Board unanimously (5-0) recommended conditional approval of the application at the August 16, 2021 Planning Board meeting. Both recommend the following conditions:

1. The following approvals shall be issued prior to submittal of a Building Permit application:
 - a. Soil Erosion Sedimentation Control Plan Permit for land disturbance over 1 acre as issued by the NCDEQ;
 - b. Stormwater Management Permit as issued by the NCDEQ;
 - c. Wastewater approval by the Dare County Health Dept. (tentative approval received from the Dare County Health Dept. and the N.C. Dept. of Health and Human Services).
 - d. Review and approval of potable water distribution system modifications or extensions by the Dare County Water Dept. (tentative approval received).
2. Lot coverage shall be reduced to not exceed 67% prior to submittal of a Building Permit application.
3. Documentation showing the proposed permeable paver product and its permeability shall be submitted prior to submittal of a Building Permit application.
4. The applicant must strictly abide by all requirements of the Town Code and must also strictly comply with all other applicable local, State, and Federal requirements.
5. Prior to issuance of a Building Permit, the Town Engineer and the applicant's representative shall evaluate the existing stormwater system for glaring deficiencies and address them.