

Planning Board
June 16, 2009
Minutes

The Morehead City Planning Board conducted a regularly scheduled meeting on Tuesday, June 16, 2009, in the Municipal Building Auditorium, 202 South Eighth Street, Morehead City, NC, at 5:30 p.m. The following people were present:

MEMBERS: Bill Taylor, Chairman
John Creech, Curtis Fleshman, Corinne Geer, and Jackie Maucher

ABSENT: Gordon Thayer

Others present: Planning Director Linda Staab, Planner Sandi Watkins, Secretary Jeannie Vaughan, Mike Shutak of the Carteret County News-Times, John Maucher, City Manager Randy Martin, Commissioner John Nelson, Commissioner David Horton, Ron Cullipher, Hugh Campbell, Attorney Melissa Berryman, Porter Wilson, Lynn McBride, Cass Flowers, Fred Morton, Zach Miller, John Gainey, Phil Munden, Guido & Fanny Bianco, Erminio Lenins and Sarah & Joshua Carroll.

Chairman Bill Taylor called the meeting to order and delivered the invocation.

The roll was called and Gordon Thayer was absent. John Creech made **MOTION**, seconded by Jackie Maucher, to excuse the called-in absence. The motion carried unanimously.

Chairman Bill Taylor led the Pledge of Allegiance.

MINUTES: May 19, 2009: Corinne Geer made **MOTION**, seconded by Curtis Fleshman, to adopt the minutes as written and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A. Request from Best Ventures, LLC to rezone a portion of 222 Friendly Road from R20 (Single-Family Residential) to MA-CU (Medical Arts Conditional-Use).

Stroud Engineering, on behalf of Best Ventures, LLC, has submitted a request to rezone 11.21 acres located at 222 Friendly Road from R20 to MA-CU. The property is located within Morehead City's Corporate Limits and is vacant. Adjacent property is zoned R20 to the north, east, and west, and R5S to the south. Surrounding land use consists of single-family residential to the north, vacant area to the south and east, and single-family residential and a church to the west.

General: The developer is proposing to locate a 110-bed nursing home facility with a maximum of 30 employees per shift. The proposed use (Nursing home/assisted living facility) is permitted in MA.

Land Use Plan: The site is located within Neighborhood 5 of the CAMA Land Use Plan and is classified as Low Density Residential. The plan as proposed does not appear to conflict with any policy statements.

Maximum Height: The maximum allowable height in the MA district is 70'. The proposed building is a one story structure and will not exceed forty feet in height.

Parking: Parking requirements for the project have been exceeded. Forty-seven (47 = 1 per each 5 beds + 1 per 3 employees or 110/5 + 75/3) spaces are required and a total of seventy-seven (77) spaces are shown.

Setbacks: There is a 25' setback along the north property line and a 10' setback along the east and west property line. Per the submitted site plan, the setback requirements have been met.

Landscaping: A Type B Buffer is shown along the west property line, a Type B Screen is shown along the east property line, and a landscape strip is shown along the south property line. The developer has requested that the Progress Energy easement serve as the buffer requirement to the north.

A drainage impact statement has been submitted by the engineer. Any approval should be contingent upon receipt of the following permits/approvals:

- 1) State Stormwater,
- 2) Sedimentation and Erosion Control, and
- 3) NCDOT.

The property has been posted and property owners within 300 feet of the proposed rezoning have been notified of the Planning Board meeting, as well as the Council's public hearing on July 14, 2009.

Suggested Conditions:

1. The developer shall construct a cul-de-sac at the terminus of Hedrick Boulevard.
2. The developer shall improve the connection at Plantation Road and Friendly Road.
3. In the event Galantis Drive is dedicated as a right-of-way, the improved area shall meet Council-approved standards.

Planning Director Linda Staab introduced the request.

Applicant Hugh Campbell with Carteret Manor Assisted Living spoke in favor of the project. He said that in response to comments made at the April Planning Board meeting, the rezoning request was modified to a conditional-use rezoning. In accordance with the site plan prepared by Stroud Engineering dated May 29, 2009, the proposed facility will be a one-story, 46,000 square-foot assisted living facility containing 110 beds, including a 24-bed secure, dedicated Alzheimer's unit. The front of the building will face south along proposed Galantis Drive with the rear of the building backing up to the CP&L easement. Two stormwater ponds will be constructed in accordance with state stormwater regulations. To limit the impact on adjoining property, vehicular traffic will access the rear of the building from the east side.

Ron Cullipher of Stroud Engineering spoke on behalf of the applicant. In response to Jackie Maucher's concerns about safety and the stormwater ponds, the developer would not be opposed to constructing some sort of barrier around the ponds.

Lynn McBride of 412 Friendly Road was concerned about the removal of existing trees behind her house. Hugh Campbell assured her that the intent is to retain a minimum twenty feet of natural growth between the project and the residential property to the west, including her home.

Porter Wilson of 407 Friendly Road said that he is concerned about drainage and future commercial zoning in the area if this request is approved.

Sarah Carroll of 317 Friendly Road stated that area safety is still her biggest concern. She also questioned whether the certificate of need was really necessary in Carteret County.

Zach Miller, one of the owners, responded by explaining the application process with the state. He said that first the state determines the needs for each jurisdiction. If a need exists, interested parties make application with the state to provide facilities. Once an applicant has received approval from the state, the applicant can move forward with the local planning authority. In this case, the state determined that 120 beds were needed in Carteret County, and Carteret Manor Assisted Living, LLC was approved for 110 of those beds. The other 10 beds were approved for Snug Harbor, an existing facility located in Sea Level, Carteret County, NC.

Erminio Lenins of 404 and 406 Friendly Road spoke in favor of the proposal. He questioned the security for Alzheimer's patients and Hugh Campbell said that a separate area will be designated for those patients where they will have their own eating facilities and a secure outdoor courtyard.

Chairman Taylor said that two citizens (Steve Ballou and Guido Bianco) had sent letters to the Planning Board, one for the project and one against the project, respectively.

Jackie Maucher and Curtis Fleshman said that they were favorably impressed with the project. Corinne Geer said she liked the landscaping and ponds, and that the request is less offensive than other permitted uses in the Medical Arts District. John Creech voiced his appreciation for the efforts of the applicants to address the concerns discussed during the Planning Board meeting in April. Chairman Taylor voiced his support of the

request saying that this is the best land use for the property. He also said that it's great to have more jobs being created in Morehead City, especially in our current economy. All members agreed.

Curtis Fleshman made **MOTION**, seconded by John Creech, to recommend approval of the rezoning request and Planning Board Resolution 2009-0002 with the following conditions: 1) the receipt of a State Stormwater Permit; 2) the receipt of a Sedimentation and Erosion Control Permit; 3) the receipt of a NCDOT Permit; 4) the developer shall construct a cul-de-sac at the terminus of Hedrick Boulevard; 5) the developer shall improve the connection at Plantation Road and Friendly Road; and 6) in the event Galantis Drive is dedicated as a right-of-way, the improved area shall meet Council-approved standards. The motion carried unanimously.

B. Request from Kelly Webb Matthews to rezone 138 Harris Street from CH (Highway Commercial) to R15M (Single-Family Residential/Mobile Home).

Kelly Dare Webb Matthews has submitted a request to rezone approximately 0.52 acres located at 138 Harris Street from CH (Highway Commercial District) to R15M (Single-Family Residential/Mobile Home District). The zoning classifications of the properties surrounding the rezoning site include R15M to the north and west, CH to the south and east, and a small portion of IP (Port-Industrial District) to the east. Surrounding development includes a single-family residence to the north and west, a metal shop, office, and rental service to the east, and retail and a restaurant to the south. The parcel is located in the corporate limits and is occupied by a mobile home. The applicant has indicated the existing mobile home will be removed.

The property is located in Neighborhood 10 of the CAMA Land Use Plan and is classified as General Commercial. The proposal does not appear to conflict with any policies of the Land Use Plan.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for July 14th. The property has been posted.

Planner Sandi Watkins introduced the request.

The applicant was not present for the meeting. Chairman Taylor said that a letter from Larry Baldwin had been received by the Planning Board, against the rezoning. Board Members all agreed that the rezoning was appropriate because the current use of the property is residential.

John Creech made **MOTION**, seconded by Curtis Fleshman, to recommend approval of the rezoning request and Planning Board Resolution 2009-0004. The motion carried unanimously.

C. Request from Blair Pointe, LLC for Final Plat Approval for Audubon Pointe zoned R15 Cluster.

Request from Blair Pointe, LLC for Final Plat Approval for Audubon Pointe. Flood Zone: AE 7'. Zoning: R15 Cluster. Minimum Lot Size: 11,339.66 square feet. Average Lot Size: 17,197.21 square feet.

Sketch Plan Review – Planning Board: 10/20/1998

Sketch Plan Review – Council: 11/10/1998

Sketch Plan Amendment – Planning Board: 9/20/2005

Sketch Plan Amendment – Council: 10/11/2005

Preliminary Plat Approval – Planning Board: 1/17/2006

Revised Preliminary Plat Approval – Planning Board: 9/12/2006 (denied)

Appeal for Revised Preliminary Plat Approval – Council: 10/10/2006

Final Plat Approval – Planning Board: 11/21/2006

Preliminary Plat Extension – Planning Board: 7/22/2008

The developer is requesting final plat approval of this 19.79 acre, 32 lot single-family subdivision located in the Blair Farms subdivision. The development is located within the corporate limits and the lots will be accessed via Blair Farm Parkway.

Street lights have been installed in accordance with ordinance requirements and utilities are located underground. Ten foot utility easements are located along the front of all lots and the large common area (between Audubon Lane, Marsh Tern Lane and Royal Tern Way), as well as a twenty foot easement through lot 32 and the adjacent common area. Twenty foot drainage easements are located within the common areas off of Blair Farm Parkway, between Lots 9 & 10, between Lot 14 and the adjacent common area, between Lots 17 & 18, and between Lot 28 and the adjacent common area.

The restrictive covenants and state permits have been received. Open space requirements have been met. The submittal appears to comply with the final plat submittal requirements.

Planning Director Linda Staab introduced the request.

The applicant, David Horton, was present to answer any questions from the Board, but there were none.

Jackie Maucher made **MOTION**, seconded by Corinne Geer, to approve the request. The motion carried unanimously.

D. Request from Narron Real Estate Holdings for Preliminary Plat Extension for Narron Business Park zoned IP (Port-Industrial).

Request from Narron Real Estate Holdings for Preliminary Plat Extension for Narron Business Park. Flood Zone: AE 9' and X. Zoning: IP. Minimum Lot Size: 35,059 square feet. Average Lot Size: 46,084 square feet.

Sketch Plan Review – Planning Board: 8/21/2007 (continued)

Sketch Plan Review – Planning Board: 9/18/2007

Sketch Plan Review – Council: 10/9/2007

Preliminary Plat Approval – Planning Board: 7/22/2008

Melissa Berryman, on behalf of Narron Real Estate Holdings, is requesting preliminary plat extension for this eight (8) lot subdivision located off of Arthur Farm Road.

The ordinance requirements under which this plat was previously approved required an extension be granted by the Planning Board within twelve (12) months of approval with no limit on the number of extensions.

State permits have been received. This request is identical to the approval granted in July of 2008.

Planner Sandi Watkins introduced the request.

Attorney Melissa Berryman requested that the Board approve the extension request so that paving can be completed.

Corinne Geer made **MOTION**, seconded by John Creech, to approve the request. The motion carried unanimously.

E. Ordinance Amendment: Request to amend Article 11-1 to add “Research facility” as a permitted use in the IP (Port-Industrial) District.

Request submitted by the Carteret Economic Development Council to amend Article 11-1 to allow “Research facility” as a permitted use in the IP (Port-Industrial) District:

A request has been submitted by Dave Inscoc of the Carteret Economic Development Council to amend Article 11-1 to include “Research facility” as a permitted use in the IP district. A company wishes to locate a research facility which specializes in coastal and marine mapping, monitoring, data collection and analysis in the Carteret County Industrial Park, which is zoned IP.

Article 11-1 Table of Permissible Uses

Use/District	(definition)	R	R	R	R	R	R	R	R	R	O	P	M	C	C	D	C	C	C	IU	IP	FP	IC
Research facility																					P		

Planning Director Linda Staab introduced the request.
 Board Members all agreed that the use was appropriate for the district.

Jackie Maucher made **MOTION**, seconded by Curtis Fleshman, to recommend approval of the Ordinance Amendment. The motion carried unanimously.

F. Ordinance Amendment: Request to amend Article 14 to provide ordinance requirements for solar panels.

In response to an inquiry regarding solar panels, the following amendment is proposed:

14-42 Solar Panels
 Solar panels shall not project over the peak of the roof and shall only project five feet above a flat roof. All solar panels shall require a building permit and must conform to all state and local building codes and zoning ordinances. ~~Non-integrated panels shall require documentation from an engineer licensed in the State of North Carolina in order to obtain a building permit.~~

14-42.1 Free-Standing Solar Panels
 Free-standing panels that are not attached to the structure will be considered accessory use to the main structure. Free-standing solar panels shall be considered as accessory structures. Free-standing solar panels ~~shall require documentation from an engineer licensed in the State of North Carolina in order to obtain a building permit and~~ shall conform to all state and local building codes and zoning ordinances. Free-standing solar panels are limited in height to that of the primary structure, and the total square foot area of the panels will be calculated as part of the allowable lot coverage. Panels shall be situated as to minimize glare pollution to adjoining property owners.

Planner Sandi Watkins introduced the request.
 Corinne Geer questioned the need for the engineering requirements and also said that the cost of adhering to those requirements might be cost prohibitive. John Creech suggested the removal of the language relating to the engineering requirements. All members agreed.

Jackie Maucher made **MOTION**, seconded by John Creech, to recommend approval of the request as amended. The motion carried unanimously.

REQUESTS/COMMENTS:

1. City Manager Randy Martin thanked the Board for their service to the City.
2. Corinne Geer indicated that she cannot attend the Census Complete Count Committee Training Workshop. Planning Director Staab said that handouts will be forthcoming.
3. July PB Meeting – Jackie Maucher will be out of town for next month’s meeting.

ADJOURNMENT: There being no further requests or comments, the meeting adjourned at 7:06 p.m.

Jeannie Vaughan
 Secretary