

The Morehead City Planning Board conducted a regularly scheduled meeting on Tuesday, July 20, 2010, in the Municipal Building Auditorium, 202 South Eighth Street, Morehead City, NC, at 5:30 p.m. The following people were present:

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

ABSENT: Gordon Thayer

Others present: Planning Director Linda Staab, Planner Sandi Watkins, Secretary Jeannie Vaughan, John Maucher, Carteret County News-Times Reporter Mike Shutak, Commissioner Demus Thompson, George Chiles, Bob Chiles, Jimmy Powell, John Thomas, Mary Lynne Osteen, Cass Flowers, Teddy Barnes, and others.

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

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

Chairman Bill Taylor led the Pledge of Allegiance.

MINUTES: June 15, 2010: John Creech made **MOTION**, seconded by Jackie Maucher, to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A. Request from Flowers Development Corp. Inc. for Final Plat Approval for East Gate Plaza, Phase I.

Request from Flowers Development Corp. Inc. for Final Plat Approval for East Gate Plaza, Phase I. Flood Zone: X. Zoning: CH.

Sketch Plan Review – Planning Board: December 15, 2009

Sketch Plan Approval – Council: January 25, 2010

Preliminary Plat Approval: June 15, 2010

The developer is requesting final plat for Phase I of East Gate Plaza, consisting of one lot (0.93 acres), a portion (345 linear feet) of Flowers Lane, and a temporary cul-de-sac. The development is located in the corporate limits and is zoned CH (Highway Commercial).

Ten foot utility easements have been reserved along Highway 70, Flowers Lane and Willis Road, and a 15' sewer easement is proposed along the north property line.

State Sedimentation/Erosion Control, Stormwater, NCDOT, water line extension and waste water line extension permits have been received. At this time the improvements are not complete and the engineer has submitted an estimate that is being reviewed by necessary Department Heads. Prior to recordation, a bond or letter of credit in the amount of 1.25 times the cost of the unfinished improvements is required. Any approval should be contingent upon receipt of a bond or letter of credit.

Planner Sandi Watkins introduced the request.

Project Surveyor Jimmy Powell spoke in favor of the request and asked the Board to approve the Final Plat for Phase I.

No one spoke against the request.

John Creech made **MOTION**, seconded by Curtis Fleshman, to approve the final plat for East Gate Plaza, Phase I, contingent upon receipt of a bond or letter of credit. The motion carried unanimously.

B. Request from Robert M. Chiles, on behalf of Spooner's Creek West, LLC, for Revised Sketch and Preliminary Plat Approval for Spooner's Creek Subdivision.

Request from Robert M. Chiles, P.E., on behalf of Spooner's Creek West, LLC, for Revised Sketch and Preliminary Plat Approval for Spooner's Creek Subdivision: Flood Zone: AE 7/X. Zoning: R20. Minimum Lot Size: 40,974 sq. ft. Average Lot Size: 49,587 sq. ft.

Sketch Plan Review (w/variance) – Planning Board: November 18, 2008

Sketch Plan Approval (w/variance) – Council: December 9, 2008

Preliminary Plat Approval: January 19, 2010

The developer is requesting revised sketch and preliminary approval for eleven (11) single-family residential lots located on 14.64 acres. The property is zoned R20 (Single-Family Residential) and will be served by City water and septic tanks. The infrastructure, including utilities and streets, has been installed and approved by Public Works and Public Utilities.

A revision to the Sketch Plan is necessary due to an increase in density and a decrease in open space. The previous approval showed a total of ten (10) lots; however, this has been increased to eleven (11). The previously approved Sketch Plan also showed 0.48 acres in common area along the southern boundary of the property, which is now proposed to be recombined at a later date with parcels to the south. The subdivision generates less than an acre of open space, so a recreation fee will be due prior to final plat. The open space to be removed was not required open space.

A 50' wide, 1740 linear foot extension of South Spooners Street has been constructed which connects Harbor Drive and Woodridge Drive. The road intersects with Nottingham Lane, Coventry Road and Green Dolphin Street. A five (5) foot wide sidewalk has been installed along the south boundary of the road. At Sketch, the developer received a variance from the curb and gutter requirement due to an inability to otherwise receive a State Stormwater Permit. Ten foot (10') drainage and utility easements are reserved along the front and sides of all property lines.

With the exception of the Carteret County Health Department (septic) approval for Lot 9, all state permits have been received. The approval for Lot 9 is expected tomorrow from Brad Jones of the Carteret County Health Department. The submittal appears to comply with preliminary plat submittal requirements.

Planner Sandi Watkins introduced the request.

Engineer Bob Chiles spoke in favor of the project. He explained that once the area now designated as Lot 9 was cleared, the Army Corp of Engineers determined that there was less wetland area than previously determined; therefore, the additional lot was added to the project.

Curtis Fleshman made **MOTION**, seconded by Gordy Patrick, to recommend approval of the Revised Sketch and to approve the Preliminary Plat. The motion carried five to one with Jackie Maucher opposed.

C. Request from Larry Holler, on behalf of East Coast Seafood, for an alternative landscape plan for 4252 Arendell Street per Article 15-1.6.6.

Request from Larry Holler (East Coast Seafood) for an alternative landscape plan for 4252 Arendell Street per Article 15-1.6.6.

In August of 2008, Mr. Holler applied to the Board of Adjustment and was granted a variance from the parking and landscaping requirements of the UDO. At that time he planned to construct an office building on a previously developed lot and was trying to utilize existing paved areas for the parking lot. The existing pavement and the face the property was surrounded on three sides by rights-of-way (requiring 10' landscape strips per side) making it difficult to incorporate landscaping into the design. Mr. Holler requested to be allowed to reduce the 10' landscape strips to 8' in general, to allow encroachment of parking into the front strip (on Arendell Street) and to counter the reduced strips with a 4' planting strip around the building.

Since that time we have rewritten the landscape and screening requirements and, realizing in some instances site conditions present a challenge, incorporated a mechanism to allow applicants to request alternative designs as follows:

15-1.6.6 Landscaping: Alternative Landscaping.

In lieu of compliance with the above landscape requirements, an applicant may submit a detailed plan and specifications for review by the Planning Board for its review and approval. The Planning Board may approve the alternative landscape plan upon finding that the proposal will afford a degree of protection, enhancement, appearance and protection of public/private investment.

The current site Mr. Holler is requesting an alternative plan for is the old Wicke's Lumber Company site. The main building and storage sheds in the rear have been removed. The asphalt areas and DOT turn lane still remain. A portion of the property includes a tidal pond which was cleaned up by Mr. Holler's crew and a natural vegetative area was retained between the pond and the bulkhead.

This site would require a 10' strip on the front and 2.5' on the sides and rear. His request is to provide strips per the attached diagram showing a 10' area on the west-front and a planted variable area on the east-front; the remaining front would utilize the existing asphalt for required parking with three planters. The pond and vegetative area would serve the west property line. The north (rear) line would include a 5' area and the east line would vary in width. All required plantings for the north, south and east lines would be met with the pond and vegetative area making up the west planting requirements. In addition, a landscape area would be provided at the building ranging from 3' on the front and rear to 5' on either side.

Planner Sandi Watkins introduced the request.

All members agreed that this request should be approved.

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

D. Request to amend Articles 2 and 11 of the Unified Development Ordinance pertaining to recreation uses.

Request to amend Article 2 Definitions and Article 11 Table of Permissible and Special Uses of the Unified Development Ordinance pertaining to recreation uses.

During its April meeting, the Board of Adjustment recommended the Council consider review of the park definition in the Unified Development Ordinance. The Planning Committee supported the Board of Adjustment's recommendation and asked staff to review the requirements. Staff reviewed existing regulations and regulations from across the state, and the Planning Committee has recommended that the following be forwarded to the Planning Board and Council for consideration:

Adjust Article 2-2 Definitions as follows:

Add the following definitions:

Public dedication. Land offered or dedicated to the public (open space, park land, etc.) for the public’s use.

Recreation use, indoor. Uses or structures for active recreation including, without limitation, gymnasiums, health/fitness centers, indoor tracks, indoor ball courts, etc. This definition is inclusive of both non-profit and for-profit operations.

Recreation use, outdoor. Parks and other open space used for active or passive recreation such as ballfields, playgrounds, trails, pools, boat ramps, tennis courts, golf courses, outdoor classroom and associated customary accessory uses, including, but not limited to, maintenance sheds, clubhouses, pools, restrooms and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.

Recreation use, governmental. Land or facilities owned, operated and managed by governmental agencies for public indoor or outdoor recreation use.

Delete the following definitions:

Park. Any public or private land or combination of land and water resources available for recreational, educational, cultural or aesthetic use. This use is considered a recreation use, non-profit.

Recreation area or park. An area of land or combination of land and water resources that is developed for active and/or passive recreation pursuits with various manmade features that accommodate such activities.

Recreation use, for profit. An indoor or outdoor recreation use, unless otherwise specified, owned by an entity other than a non-profit corporation.

Recreation use, non-profit. An indoor or outdoor recreation use, unless otherwise specified, owned by a not-for-profit corporation, according to the laws of North Carolina.

Amend the following definitions:

Amusement arcade. A building or part of a building in which five (5) or more pinball machines, video games, or other similar player-oriented amusement devices are maintained. This **use is categorized as “recreation use, indoor”**. ~~is a for-profit recreational use, indoor.~~

Health/recreational facility. Indoor facilities operated to provide exercise and health improvement opportunities and which may include, but are not limited to, gymnasiums, diet centers, weight training, exercise, racquetball, tennis, swimming pool, and related activities. This use is categorized as **“recreation a”** ~~“for-profit recreational use, indoor.”~~

Trailer park, overnight camping (campground). An approved site, tract of land, or lot upon which not less than two (2) overnight campsites and/or overnight trailers occupied for temporary shelter, dwelling, recreational, or vacation uses may be located, regardless of whether or not a charge is made for such services. This use shall be classified under recreation use, **outdoor** ~~for profit.~~

Adjust Article 11-1 Permitted/Special Use Table as follows:

Amend:

<i>Use Category:</i>	<i>Refer to (Existing):</i>	<i>Refer to (Proposed):</i>
Amusement arcade	Recreation use, for profit, indoor	Recreation use, indoor
Campground	Rec. use for profit for use/trailer park, camping	Recreation use, outdoor
Health/recreational facility	Recreation use, for profit, indoor	Recreation use, indoor
Travel trailer park	Rec. use for profit for use/trailer park, camping	Recreation use, outdoor

Add:*Use:*

Recreation use, indoor
 Recreation use, outdoor
 Recreation use, outdoor (golf course or marina only)
 Recreation use, governmental

Permitted Districts:

OP, MA, CD, DB, CH
 OP, MA, CD, DB, CH
 PD
 R5, R5S, R7, R10, R15
 R15M, R15SM, R20, RMF
 OP, PD, MA, CD, CM, DB
 CN, CH, IP

Special Use Districts:

CN
 FP
 R20

Delete:*Use:*

Recreation use, for profit
 Recreation use, for-profit, indoor
 Recreation use, for-profit, outdoor
 Recreation use, for-profit (golf course or marina only)
 Recreation use, for-profit (tennis/racquet club only)
 Recreation use, non-profit
 Recreation use, non-profit, indoor
 Recreation use, non-profit, outdoor
 Outdoor classroom, museum, theater

Planning Director Linda Staab introduced the request.

Corinne Geer questioned how specific the use-definitions needed to be, and Ms. Staab said that the City Attorney had reviewed the Amendment and had not indicated that any changes were needed.

John Creech made **MOTION**, seconded by Curtis Fleshman, to recommend approval of the ordinance amendment. The motion carried unanimously.

REQUESTS/COMMENTS:

1. Linda Staab said that the next Complete Count Committee Meeting is scheduled for July 29, 2010, as a close-out meeting with the Census.
2. The Olive Garden is open for business.
3. The Vinings at Wildwood project is undergoing the review process.
4. Chief Building Inspector Rick Schulz is retiring on July 30, 2010. The position will be frozen and his duties will be distributed among the Planning and Inspections Staff. We will still have two inspectors, but Zoning will lose one body.
5. Sandi Watkins will contact the owners of the property around WalMart about trash in the area.
6. 35th Street has been paved!!!

ADJOURNMENT: There being no further requests or comments, the meeting adjourned at 6:05 p.m.

 Jeannie Vaughan, Secretary