

The Morehead City Planning Board conducted a regularly scheduled meeting on Tuesday, January 15, 2008, 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, presiding
John Creech, Curtis Fleshman, Corinne Geer, Sally Smith, and Gordon Thayer

ABSENT: Willie Guthrie

Others present: Planning Director Linda Staab, Planner Sandi Watkins, Secretary Jeannie Vaughan, Chief Building Inspector Rick Schulz, Mike Shutak of the Carteret County News-Times, Lynn Hudson, Dwight Fulcher, Eugene Gurganus, David Gurganus, Gordon Snyder, Barbara Patton, Mike Mann, Attorney Edith Mason, Trace Cooper, Steve Janowski, Attorney Neil Whitford, and John Hamad.

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

The roll was called and Willie Guthrie was absent. Corinne Geer made **MOTION**, seconded by John Creech, to excuse the absence. The motion carried unanimously.

Chairman Taylor led the Pledge of Allegiance.

MINUTES: November 20, 2007: Corinne Geer made **MOTION**, seconded by Sally Smith, to adopt the minutes as written and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A. Rezoning Request from John Hamad to rezone Tax PIN #637616927731 located at 2500 Bridges Street from IU (Un-offensive Industrial) to CH (Highway Commercial).

Rezoning Request from John Hamad to rezone Tax PIN #637616927731 located at 2500 Bridges Street from IU (Un-offensive Industrial) to CH (Highway Commercial).

Mr. Hamad has submitted a request to rezone 2500 Bridges Street from IU (Industrial Un-offensive) to CH (Highway Commercial). The property is located within the corporate limits and adjacent property is zoned R7 to the north, IU to the west, R5 and CH to the east, and IU and CH to the south. Surrounding land use consists of single-family residential to the north, motor vehicle sales, automotive repair garage, contractors plant/storage yard and dry cleaning establishment to the south, single-family residential and automobile repair garage to the east, and contractors plant/storage yard and single-family residential to the west.

The property is located in Neighborhood 3 of the CAMA Land Use Plan and is classified as General Commercial. Neighborhood Policy #4 "Commercial rezonings that promote neighborhood retail and service uses will be closely evaluated to monitor impacts on community character and scale." The requested rezoning would be an upgrade from an industrial district to a less intensive commercial district. The uses permitted in the CH district are more compatible with the surrounding residential district than those permitted under the IU district.

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 February 12, 2008. The property has been posted.

Traditional Rezoning Request:

Traditional rezoning requests require consideration of all the uses permitted in the CH and IU districts because potentially any of those uses may be located on the site. Looking at all the permitted and special uses in both districts and the development standards, which is the more appropriate zoning classification for the property, CH or IU?

No site plan is required and decisions cannot be based upon a specific use of the property, even though the property owner may speak to a specific use.

Planner Sandi Watkins introduced the request.

John Hamad spoke in favor of the rezoning. He stated that the CH District would provide more business choices for his tenants than the current IU District.

John Creech said that it makes a lot of sense and that the CH District is a more appropriate classification for the area. Gordon Thayer and Sally Smith each stated that the zoning change will be an upgrade for the area.

John Creech made **MOTION**, seconded by Gordon Thayer, to recommend approval of the rezoning request. The motion carried unanimously.

B. Request from Morehead Plaza, LLC, for Preliminary Plat Approval for Re-subdivision of Lot 1 of Morehead Plaza, located at 2900 Arendell Street.

Request for Preliminary Plat Approval for Re-subdivision of Lot 1 Morehead Plaza Subdivision, Tax PIN #637616820911 3 lots accessed from Arendell Street, Bridges Street and N. 28th Street. Zoned CH-CU. Flood Zone X. Total area: 19.5 acres. Minimum lot size: 23,724 square feet. Serviced by city water and septic tanks. Owner: Morehead Plaza, LLC.

Sketch Plan Review – Planning Board: October 16, 2007

Sketch Plan Review - Council: November 7, 2007

Morehead Plaza, LLC is requesting preliminary plat approval for the re-subdivision of Lot 1 into 3 lots. The smallest lot is 0.54 acres and is home to the BB&T Bank. The second lot contains 1.33 acres and is currently occupied by Dunkin Donuts. The last lot contains 17.63 acres and hosts the remaining buildings in Morehead Plaza.

The subdivision, as presented, appears to meet the conditions of the conditional-use permit which include: 1) no adult establishments permitted; 2) all current driveways located on the property will remain open and when out-parcels are subdivided and sold Morehead Plaza will restrict future owners from blocking driveways; 3) Morehead Plaza will grant and reserve all necessary cross-easements for ingress, egress, and regress across the shopping center to and from the out-parcels; and 4) Morehead Plaza will grant and reserve all necessary cross-easements for the maintenance and placement of utility lines between the shopping center and the out-parcels.

This is a commercial subdivision so no recreation fee is required.

State Stormwater and Erosion/Sedimentation Control permits are not required because there is no land disturbance associated with this subdivision. Also, no driveway permits are required because the property is already developed.

Preliminary Plat Approval:

Department Heads and Planning Board review the Preliminary Plat. At this stage, the developer should have all permits in hand to start construction of the project. The Planning Board does have the authority to grant preliminary plat approval conditional upon receipt of any outstanding permits.

The purpose of the review is to check to make sure that the preliminary plat is consistent with the sketch plan and with all applicable City regulations (i.e. lot sizes, street standards, open space requirements, etc.). A preliminary plat may constitute just a portion or phase of the sketch plan. If preliminary plat approval is denied, the applicant has the right to appeal the Planning Board's decision to the Council.

Planning Director Linda Staab introduced the request.

Attorney Neil Whitford spoke on behalf of the applicant for the project. Mr. Whitford stated that out-parcels have become a modern trend because they present more retail opportunities as well as more marketing opportunities.

Dwight Fulcher of 109 North 28th Street spoke about the project and suggested that an easement might be needed for utility access to his residential property which is located in the middle of the Morehead Plaza property. Attorney Whitford suggested that Mr. Fulcher speak with Mr. Bill Hicks, Manager of the Plaza, to discuss the issue.

Sally Smith, Gordon Thayer, and Corinne Geer each stated their support of this request.

Gordon Thayer made **MOTION**, seconded by Sally Smith, to approve the request. The motion carried unanimously.

C. Request from Tide Lines, LLC to amend the Site Development (Master) Plan and Sketch Subdivision Plan Approval for property located at 180 and 210 Radio Island Road, which is zoned PD.

Request from Tide Lines, LLC for Site Development (Master) Plan Amendment and Sketch Plan Subdivision Approval for property located at 180 and 210 Radio Island Road (Tax Pin #637619503948 and 637616927731, respectively), zoned PD (Planned Development).

Lynn Hudson, on behalf of Tide Lines, LLC, has submitted a request to amend the site development (master) plan for this 2.884 acre planned development located on Radio Island. The property is currently located within Morehead City's corporate limits. Adjacent property is zoned CM and County B2 to the north, CM to the east, and IP to the west and south. Adjacent development includes vacant property to the south and west and marinas to the east and north.

General: This project was initially approved for 20 multi-family units; the developer is now requesting to amend the site development (master) plan to allow for 14 single-family units. Twenty-eight (28) boat slips are proposed.

Density: Fourteen (14) lots on 2.884 acres results in a density of 4.9 units per acre.

Height: The maximum allowable height in the PD District is 70 feet.

Access to Water: Applicant will pay a water access fee in the amount of \$14,000. The boat slips provided will be deeded to lot owners for the sole use of the occupants of the lots. Slips will not be available for rent or for the general public to use.

Setbacks: The minimum setback in the PD district is 10'. As drawn, the sketch plan meets this requirement. There is also a 30' CAMA setback identified as well.

Open Space: In accordance with Section 15-2.1(A) of the Unified Development Ordinance, this subdivision which is less than five acres in size, shall be required to pay a recreation fee in lieu of dedication in the amount of \$38,567.

Parking: Parking is calculated based upon two spaces per single-family lot. This will be reviewed on an individual basis as Building Permit Applications are submitted and reviewed.

Utilities: The development will be serviced by Morehead City water and sewer utilities.

The site is located within Neighborhood 1 of the Morehead City Land Use Plan and is classified as Port Mixed Use. Neighborhood Policy #7 states “The Town will encourage development of Radio Island with a good blend of residential, recreational and industrial uses, while only encouraging industrial uses that are not hazardous to or would diminish the value of the residential or recreational uses. The Town will continue to support activities on the State Port-owned properties.” The proposal does not appear to conflict with the policy statements located within the Land Use Plan.

The developer is currently revising the existing state permits to reflect the plan changes from a multi-family development to a single-family subdivision. These will be required prior to preliminary plat approval.

The property was posted and property owners within 300’ of the site were mailed a copy of the public hearing notice that included the dates of the Planning Board meeting and Council’s public hearing February 12, 2008.

Sally Smith asked to be recused from voting because the applicant is one of her clients. Corinne Geer made MOTION, seconded by John Creech, to recuse Sally Smith from voting on this request. The motion carried unanimously.

Planning Director Linda Staab introduced the request.

Attorney Edith Mason of 225 Professional Circle spoke on behalf of the applicant for the project. Ms. Mason stated that the current real estate market has driven this request. Tide Lines, LLC is planning to construct 14 single-family units instead of the 20 multi-family units which were originally approved by the Planning Board. This will create less density, less traffic and less impact on public services than the original plan approved for townhouses.

Lynn Hudson, owner of Tide Lines, LLC, spoke in favor of the project. He stated that bulkheads are already in place and that the property has been cleaned up for development. He also stated that the same amenities would be provided for the single-family dwellings as were planned for the multi-family units. Gordon Thayer questioned the ownership of the boat slips. Mr. Hudson said that the boat slips will be deeded to the Homeowner’s Association and assigned to each individual unit and that they will not be for public use.

Bill Taylor commented that this request is an upgrade from the original plans approved by the Planning Board and John Creech agreed. Gordon Thayer stated that he supports the request and that it is an excellent idea; however, he voiced his concern about adding to a potential traffic problem when accessing the causeway.

Gordon Thayer made MOTION, seconded by John Creech, to recommend approval of the request. The motion carried unanimously.

D. Request from Cooper Development, LLC for Preliminary Plat Approval for Calico Subdivision, 76 lots located off of North 20th Street.

Request from Cooper Development, LLC for Preliminary Plat Approval for Calico Subdivision, 76 lots located off North 20th Street.
Flood District: Shaded X and X. Total area: 38.6 acres

Conditional-Use Rezoning: October 10, 2006

Sketch Plan Review - Planning Board: December 19, 2006

Sketch Plan Review - Council: January 9, 2007

Mr. Cooper is requesting approval of a seventy-six (76) lot subdivision on the west side of North 20th Street across from Blair Farm Subdivision. The property is zoned R15-CU (Single-Family Residential Conditional-Use District), and is considered a cluster development. The minimum lot size as proposed is 8,807 square feet.

A total of 7.08 acres of recreation/open space is required (2.1 acres of recreation area and 4.98 acres of cluster open space). The developer has provided 8.81 acres of recreation and open space on the plat. Improvements include a clubhouse and pool.

A copy of the NCDENR Sedimentation and Erosion Control Plan Approval letter has been received.

The developer will be required to obtain the following permits prior to construction:

- Stormwater – (*application submitted – permit pending*)
- Corps of Engineers: (*according to the applicant, the Corps of Engineers has no jurisdiction; verification has been requested, but not yet received*)
- NCDOT Driveway (*application submitted – permit pending*)

Public Utilities Director Steve Hamilton is working with the developer to resolve a few minor routing issues. In response to comments during the Sketch Plan review, a 10' utility easement has been provided along both sides of each street.

According to the UDO, all stubbed-out streets must have a constructed temporary cul-de-sac. The developer is requesting a variance from the paving/curbing requirement because of stormwater. A sidewalk fee in the amount of \$10,293 for the 514 linear feet of frontage on North 20th Street will be required. A 4' public sidewalk is proposed along one side of every street, but the City minimum is 5' so this will need to be adjusted.

Fire hydrant locations have been reviewed and approved by the Fire Marshal. The cluster housing development standards (Article 14-23) have been met.

Preliminary Plat Approval:

Department Heads and Planning Board review the Preliminary Plat. At this stage, the developer should have all permits in hand to start construction of the project. The Planning Board does have the authority to grant preliminary plat approval conditional upon receipt of any outstanding permits.

The purpose of the review is to check to make sure that the preliminary plat is consistent with the sketch plan and with all applicable City regulations (i.e. lot sizes, street standards, open space requirements, etc.). A preliminary plat may constitute just a portion or phase of the sketch plan. If preliminary plat approval is denied, the applicant has the right to appeal the Planning Board's decision to the Council.

Planning Director Linda Staab introduced the request.

Trace Cooper spoke in favor of the project. Mr. Cooper stated that the proposed 4-foot sidewalk and the variance request for the cul-de-sacs are due to impervious surface coverage limitations.

Steve Janowski, the project engineer, spoke in favor of the project. He explained that the developer has requested a variance from the paving requirement for 2 of the 3 temporary cul-de-sacs due to stormwater restrictions.

Gordon Thayer voiced his concern about cutting back on the width of the sidewalks due to safety issues as well as aesthetics. He stated that he would like the Board to recommend to Public Works that the sidewalks meet the City's 5-foot minimum width requirement. Sally Smith commented that since the sidewalks are optional, she would rather see 4-foot sidewalks rather than no sidewalks. She also stated that the cul-de-sac variance should be approved and John Creech agreed with both comments.

Sally Smith made **MOTION**, seconded by Gordon Thayer, to grant Preliminary Plat approval with two conditions: 1) the receipt of a State Stormwater Permit and 2) the receipt of a NCDOT Driveway Permit. The motion also included recommending approval of the cul-de-sac variance. The motion carried unanimously.

E. Request from Stroud Engineering to rezone a portion of 139 McCabe Road from R20 to PD and for Sketch Development Plan Approval.

The request was withdrawn by the applicant prior to the meeting and has been rescheduled for next month.

F. Request from Mark Mansfield and Eugene Gurganus for Preliminary Plat Approval for Park Woods East, located at 2010 and 2012 Mayberry Loop Road, zoned RMF.

Request from Stroud Engineering for Preliminary Plat Approval for Park Woods East located at 2010 and 2012 Mayberry Loop Road (Tax PIN #s 638609164220 & 638609163224) 12 townhouse units accessed from Mayberry Loop Road. Zoned RMF. Total area: 0.96 acres. Serviced by city water and sewer utilities. Owners: Mark Mansfield and Eugene Gurganus.

Planning Board (10/16/07): Multi-family Plan Review - Approved

Stroud Engineering, on behalf of Mr. Mansfield and Mr. Gurganus, has submitted this plan for Board review. The property is zoned RMF which permits multi-family dwellings. This project is located on two lots and is being reviewed as a unified development. The applicant proposes to construct twelve (12), eight hundred (800) square foot units in two separate buildings.

Minimum Lot Size: The minimum lot size requirement for the RMF district is 15,000 square feet. This project contains 41,823 square feet.

Density: The maximum allowable density on 41,823 square feet is thirteen (13) units. The applicant proposes twelve (12) units.

Open Space: The UDO requires a minimum of twenty-eight (28) percent of the site be preserved as open space: eighteen (18) percent as natural and ten (10) percent as useable open space. This project includes 8,912 square feet or twenty-one (21) percent natural open space and 9,337 square feet or twenty-two (22) percent useable open space.

Height: The applicant has indicated the structures will not exceed thirty-five (35) feet in height.

Minimum Setbacks:

Front: 25'
Side 1: 8
Side 2: 20' + 5' each additional story
Rear: 25'

Regarding setbacks, this plan meets the requirements for a two-story multi-family building.

Parking: The UDO requires two spaces per unit plus one space per six units for overflow. The requirement of twenty-six spaces is exceeded as thirty spaces are proposed.

Buffer: A Buffer Type "A" is required along the south property line, as the adjacent property is zoned R7.

Utilities: The project will be serviced by city water and sewer utilities. A ten-foot drainage easement is located on the west and north property lines. A twenty-foot utility easement is reserved along the front.

Lighting Plan: The applicant will need to submit a lighting plan approved by Progress Energy.

Planner Sandi Watkins introduced the request.

Ron Cullipher of Stroud Engineering spoke in favor of the request.

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

G. Request from Mark Mansfield and Eugene Gurganus for Preliminary Plat Approval for Park Woods West, located at 2202 Mayberry Loop Road, zoned RMF.

Request from Stroud Engineering for Preliminary Plat Approval for Park Woods West located at 2202 Mayberry Loop Road (Tax PIN #638609069364) 7 townhouse units on Mayberry Loop Road (shares driveway with Rotary Park). Zoned RMF. Total area: 0.55 acres. Serviced by city water and sewer utilities. Owners: Mark Mansfield and Eugene Gurganus.

Planning Board (10/16/07): Multifamily Plan Review - Approved

Stroud Engineering, on behalf of Mr. Mansfield and Mr. Gurganus, is requesting a comprehensive plan review for this property located on Mayberry Loop Road. The property is zoned RMF which permits multi-family dwellings. In response to comments submitted by Public Works Director David McCabe during the initial plan review, the driveway has been shifted to the north to match the east driveway.

Minimum Lot Size: The minimum lot size for an RMF project is 15,000 square feet. This parcel contains 23,765 square feet.

Density: The project meets the maximum allowable density requirement for a 23,764 square-foot-lot with seven (7) units.

Open Space: The UDO requires a minimum of twenty-eight (28) percent of the site be preserved as open space: eighteen (18) percent as natural and ten (10) percent as useable open space. This project includes 4,716 square feet or twenty-one (21) percent natural open space and 3,729 square feet or sixteen (16) percent useable open space.

Height: The applicant has indicated the structure will not exceed thirty-five (35) feet in height.

Minimum Setbacks:

Front: 25'

Side 1: 8 + 5 for second story

Regarding setbacks, this plan meets the requirements for a two-story multi-family building.

Parking: The UDO requires two spaces per unit plus one space per six units for overflow. The proposal meets the requirement with sixteen (16) spaces.

Buffer: A Buffer Type "A" is required along the north, east and south property lines.

Utilities: The project will be serviced by city water and sewer utilities.

Lighting Plan: The applicant will need to submit a Lighting Plan approved by Progress Energy.

Planner Sandi Watkins introduced the request.

Gordon Thayer made **MOTION**, seconded by Curtis Fleshman, to approve the request. The motion carried unanimously.

H. Request to Add Article 23A Minimum Nonresidential Structure Standards to the Unified Development Ordinance.

ORDINANCE AMENDMENT: Non-Residential Minimum Standards

The General Assembly recently passed legislation that allows local governments to address minimum standards on non-residential structures. In order to be able to utilize this authority, it is necessary to amend the Unified Development Ordinance. This ordinance is similar to the existing Minimum Housing Requirements except that it applies to non-residential structures.

Chief Building Inspector Rick Schulz introduced the request.

Corinne Geer commented that the Staff needs tools that enable them to address minimum standards and that this amendment would do just that. Curtis Fleshman agreed that the amendment is a good idea. The entire Board agreed that adding these standards to the UDO will be beneficial to the city.

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

REQUESTS/COMMENTS:

A. Pepsi Plant Landscaping -

Gordon Thayer thanked the Planning Staff for their diligence in making sure that the required landscaping was completed at the old Pepsi Plant.

B. Overlook/Access Point at End of Evans Street -

The Planning Board Members would like to recommend to the Public Works Department that they build steps and a deck to create an overlook and access point for the public at the end of Evans Street.

C. Planning Board Workshop -

A Planning Board Workshop by David Owens from The Institute of Government has been scheduled for February 5, 2008, at 5:30pm. Linda Staab stated that the location will be the Morehead City Train Depot and that Planning Board Members and Staff throughout the County will be extended an invitation to attend.

D. Design Committee Volunteers -

All of the Planning Board Members present expressed interest in volunteering for this committee.

E. Ice Vending in CH District -

The applicant has withdrawn the request. An "Automated Retail Uses" Committee is being formed and Linda Staab asked for volunteers. Curtis Fleshman, Gordon Thayer, and Chairman Taylor volunteered.

F. New Stormwater Rules -

The new Stormwater Rules may be in place by August if approved by the State Legislature.

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

Jeannie Vaughan
Secretary