

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, January 12, 2015. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:00 pm

MEMBERS PRESENT Elmer R. Midgett, Jr., Chairman John Finelli
Michael Barr Beth Midgett

MEMBERS ABSENT Dan Oden David Overton
Richard "Ricky" Scarborough, Jr.

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the December 8, 2014 meeting of the Dare County Planning Board, Michael Barr made a motion to approve the minutes as submitted. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

Public Hearing on Proposed Zoning Ordinance Text Amendment to Section 22-56, Parking Standards for Indoor/Outdoor Entertainment Facilities

John Finelli made a motion to recuse Michael Barr from this portion of the meeting because Mr. Barr is employed by Bissell Professional Group and they represent the applicant. Beth Midgett seconded the motion.

Vote: Ayes – Unanimous

Mark Bissell was present on behalf of the applicant, David Peres. Donna Creef announced that this is the time and place for the public hearing. No one present wished to speak.

Donna Creef addressed the board. Ms. Creef summarized the discussion from the prior Planning Board meeting regarding this proposed text amendment. At the December meeting, Mr. Bissell provided sketches which showed how our current parking

regulations are applied versus what the text amendment is proposing. This demonstrated how, in his opinion, the number of spaces required is cumbersome. There was a lengthy discussion. We acknowledged that additional details were needed for some aspects of the proposed amendment. A draft has been provided which incorporates both the proposed language submitted by Mr. Bissell and language which is the result of research conducted by Ms. Creef.

To provide a ratio based on rated occupancy of the building requires an explanation of how to determine the occupancy rating. In the draft for Required Number of Spaces, number 3 addresses determining maximum occupancy rating. The last sentence reads "A final maximum occupancy rating shall be issued by Dare County and appropriately documented as part of the site plan review process."

In some situations it will be best to use a square footage ratio to determine parking and we will need to better define the square footage calculation to include customer service areas only.

The definitions and conditions have been expanded to include a more comprehensive list of what constitutes an indoor or outdoor recreation activity. This would be included with any amendment as we move forward.

The draft has a table showing "Outdoor recreation except as listed below". We need to add "...for each 200 sq ft of *customer use area*..." In "Other Standards", the customer use area is defined. In the draft for Required Number of Spaces, we need to replace "landscape buffers and the like" with "landscape buffers *and other site infrastructure improvements*."

A finding of consistency or inconsistency with the Land Use Plan is required by the state as part of the motion this evening. The pertinent sections of the Land Use Plan have been provided to the board.

Mark Bissell, the Planning Board, and Donna Creef discussed the proposed text amendment as it relates to specific numbers of spaces designated for specific uses, overlap of parking for various uses, clarifying the maximum occupancy rating paragraph, defining customer use areas, and options available to determine occupancy ratings. Beth Midgett suggested moving the sentence "A final maximum occupancy rating shall be issued by Dare County..." to the beginning of the paragraph addressing the maximum occupancy rating instead of at the end.

Chairman Midgett discussed with the board the proposed amendments as they relate to the Land Use Plan. The proposed amendments do not add indoor or outdoor entertainment uses to any zoning district that currently does not permit such uses and there is a consistency in keeping with the village atmosphere of neighborhood commercial development.

John Finelli made a motion to recommend approval of the proposed text amendments to section 22-56, Parking Standards for Indoor/Outdoor Entertainment Facilities as drafted and amended by staff, such motion to include a finding of consistency with the 2009 Dare County Land Use Plan. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

Donna Creef said this item will go forward to the Dare County Board of Commissioners who may schedule a public hearing on the proposed text amendments.

John Finelli made a motion to have Michael Barr rejoin the meeting. Beth Midgett seconded the motion.

Vote: Ayes – Unanimous

NEW BUSINESS

Sketch Plan Review, Peter Johnstone Two-Lot Subdivision, Canon Trail, Roanoke Island

Brian Rubino of Quible & Associates was present on behalf of the property owner.

Donna Creef explained to the board that this property previously had preliminary plat approval and featured six lots. The approval expired and the property remains one large lot. The current property owner now wishes to subdivide the property into two large parcels. There is an existing, well maintained 20' easement that is used to access the soundfront portion of the tract and will serve as access to Parcel 1. If we proceed to preliminary plat review, Ms. Creef recommends that the plat and deed both state that any additional subdivision of the property will require road improvements and that maintenance of the existing access easement is the responsibility of both property owners.

The Planning Board discussed the following items: access for both properties to the sound and lake; utility easements; county water system access; indicating the upland

area and water area for parcel 1; correcting acreage calculations; and an indicator that the lake is not CAMA jurisdictional navigable waters.

No action was taken because this was a sketch plan review. Donna Creef will send a summary of this discussion to Mr. Rubino.

Preliminary Plat Review, John Houston Subdivision, Burnside Road, Roanoke Island

John Houston, property owner and Ray Meekins, surveyor were present at the meeting.

Donna Creef told the board that this property was previously subdivided then recombined into one large parcel in 2012. Mr. Houston resides on the property. The owners wish to subdivide the property again and at the same time deed an area to an adjoining cemetery. The plat depicts three lots, the smallest being less than 20,000 square feet but Mr. Houston has indicated he may prefer to subdivide into two lots. If the preliminary plat is approved, reducing the number of lots would be allowed however increasing the number of lots would require a Planning Board review. The lot numbers on the plat will be corrected before the plat goes to record.

After discussion with Ray Meekins, John Finelli made a motion to grant preliminary plat approval for the John Houston Subdivision on Burnside Road.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Preliminary Plat Review, Murray Bay Two Lot Subdivision, Mare-Vista Drive, Frisco

Murray Clark, property owner, was present at the meeting.

Donna Creef told the Board that Mr. Clark had a sketch plan review last September and we asked him to have the wetlands identified on the plat and verified by the Army Corps of Engineers. At our meeting in December, we discussed the actual procedure which is to have a consultant delineate the wetlands and submit that to the Corps of Engineers for their verification. The wetlands have been accurately located at the site and we have a letter from George Wood confirming this. Also at the September meeting, we requested a number of changes to the plat. The changes have been made. There are

old travel trailers and other debris that need to be removed from the site. This could be required as a condition before final plat approval.

Michael Barr made a motion to grant preliminary plat approval for the Murray Bay Two Lot Subdivision subject to wetlands verification by the Army Corps of Engineers and removal of debris at the site.

Beth Midgett seconded the motion.

Vote: Ayes – Unanimous

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Beth Midgett and seconded by Michael Barr.

Vote: Ayes – Unanimous

The meeting adjourned at 7:00 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: February 9, 2015



Elmer R. Midgett, Jr.
Chairman, Dare County Planning Board