

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, December 14, 2009 in Dare County Board of Commissioners meeting room located at 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT	Elmer R. Midgett, Jr., Chairman	Dan Oden
	David Overton	John Finelli
	Henry Haywood	Richard Scarborough, Jr.

MEMBERS ABSENT Beth Midgett

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the November 9, 2009 a motion to dispense with reading them and to approve them as submitted was made by Henry Haywood. This motion was seconded by David Overton.

Vote: Ayes – Unanimous

Chairman Midgett informed the Board that Henry Haywood's nomination and approval by the Governor as one of the volunteers of the year awards to be given in the State of North Carolina. He stated that Mr. Haywood and several other county residents were recognized by the Governor and presented with a plaque. Chairman Midgett thanked Mr. Haywood for his service and commitment and congratulated him on his award.

OLD BUSINESS

Kinnakeet Shores, Phase 16 – Avon – Final Site Plan Review

Mark Bissell was present to represent this final plat.

Donna Creef told the board that this is the final plat for phase 16 of Kinnakeet Shores Sound-side development. She stated the Kinnakeet Shores development has a very long history with the county. She told the Board that this project was approved as a group development under

Section 22-31 of the Dare County Zoning Ordinance, and was included as part of the master phasing plan approved by the Board of Commissioners for the entire Kinnakeet Shores Sound-side community. Mrs. Creef stated that the master phasing plan established varying approval periods and other conditions that were applicable to Kinnakeet Shores Sound Side.

Mrs. Creef told the Board that Phase 16 features 51 home sites with the building footprint conveyed to the property owner and the remainder of the site in common ownership of the Homeowner's Association. She noted that language should be included on the final plat stating that all structures must be located a minimum distance of 20' from adjoining structures as required in Section 22-31 of the Dare County Zoning Ordinance.

Mrs. Creef noted that a portion of the road improvements have been in place for some time. She stated that the last section of the road improvements was installed recently (Carvella Parkway). She further stated that she visited the site on December 1, 2009 and found all of the road improvements to be complete. She stated conversations with Mr. Bissell have indicated that the developers have had some challenges in getting the roadside swales stabilized due to the recent nor'easters. Mrs. Creef told the Board that she received an e-mail today stating that they are working on the stabilization of the roadside swales, and satisfactory test results on the road improvements.

Mrs. Creef further noted that some street name signs still need to be installed, and pointed out that it would be helpful if the final site plan would demonstrate where the driveways are for a couple of the home-sites located at the intersection of the streets. She also suggested that Mr. Bissell address the "future lake addition" depicted on the site plan.

Mrs. Creef recommended final site plan approval subject to the stabilization of the roadside swales along Carvella Parkway, the installation of the street name signs and notes being added to the final site plan addressing the required minimum 20' of separation between structures.

Mr. Bissell told the Board that they have prepared master parking and driveway plan that we are going put on file in the planning office and the building inspectors office that is going to suggest, if not necessarily govern how the parking is arranged for each home-site. He stated that he believes that each of the building sites is going to have to have at least two of the parking spaces underneath the building by covenant. He stated that the parking plan that they have developed has two underneath and four outside, and the developer is actually going to very tightly control the construction of the homes and the sites due to the site being tight and the drainage tolerances also being tight. Mr. Bissell explained that there are specified grades

for the swales and the driveway pipes based on the locations designated on the parking plan. He stated that the intent is for his firm and the developer to be involved and actually do the staking and the verifications of the site improvements as they go.

Regarding the "future lake", Mr. Bissell told the Board that there is an existing lake that straddles the line between phase 16 and the adjacent phase 14 to the east. He told the Board that phase 14 still is only partially developed; you will probably be submitted for review in the future as funding is available to complete it. He stated that the developer would like to create some additional waterfront there with some of those lots, and would like to have the right, but not necessarily the obligation to extend that lake on up behinds lots 4, 5, 6, and 7 if permits come available to do that which would increase the value of those lots. He told the Board that they thought it would be appropriate to show those on the final plat before it goes to record to show that the lake may be excavated at some point.

A motion to grant final site plan approval to Phase 16, Kinnakeet Shores Soundside Development was made by Henry Haywood subject to the following:

1. The stabilization of the roadside swales being verified by the planning department prior to recordation of the final plat.
2. Installation of the street name signs and being verified by staff.
3. Notes being added to the site plan to address the 20 feet of separation between the structures.
4. Submission of the parking/driveway plan.

This motion was seconded by John Finelli.

Vote: Ayes – Unanimous

NEW BUSINESS

Albemarle & Associates on behalf of UNC Coastal Studies Institute – R-1 – Text Amendment

John Delucia of Albemarle & Associates was present on behalf of the UNC Coastal Studies Institute to represent this proposed text amendment.

Senior Planner Donna Creef presented staff comments. She told the Board that Albemarle and Associates on behalf of UNC Coastal Studies Institute has submitted a zoning text amendment

request to amend the text of the R-1 zoning district. She stated that the State acquired some land in the Skyco area to construct the Coastal Studies Institute campus. Mrs. Creef told the board that in reviewing the sketch plan and the overall layout of the campus there it involves more than one school building. She stated that plan is to construct dormitories, a research facility and a couple of other working buildings.

Mrs. Creef told the Board that the applicants are proposing two changes to the R-1 Text as follows:

1. Under the list of conditional uses, a new item is proposed - "University campuses with three specific criteria included for university campuses: a list of buildings that may comprise a campus, a minimum lot size for a campus, and a prohibition of commercial activity on the campus.
2. Under dimensional requirements, a height limitation of 70 feet is proposed with an additional setback for any buildings that exceed the 35' building height limitation currently featured in the R-1 district. Mrs. Creef explained that the State has a regulation that requires buildings constructed with State funds in the flood plain must add two feet of elevation over the base flood. She stated that the design of the proposed buildings will not be able to be accommodated under the 35' building height limitation currently featured in the R-1 district.

Mr. Delucia addressed the Board and told the Board that the Coastal Studies Institute was originally planned to go out near the airport. He stated that this site is a much more desirable site for coastal research than the site near the airport. He stated that the site is over 200 acres with marsh and coastal wetlands wrapped around it. He further stated that there are canals for water access. Mr. Delucia told the Board that there are elevations out on that platform ranging between sea level and about 6 or 7 feet above sea level. Elevations in the area of the proposed main research building out near the sound are around 5 feet.

Mr. Delucia told the Board that they don't want to bring in masses of fill. He stated that the building has been designed to span out over that area with the first floor being raised underneath it on a concrete slab patio area with three levels above. He stated that research buildings need lab space with high ceilings. He stated that it is not a day to day classroom where student attend several classes a day; it is a place where students are coming to do research. He stated the dormitories at this point are set up for about 88 people. He said that there will be bunk-houses to accommodate classes that may come down for a weekend. Mr. Delucia told the Board that there will be approximately 130-150 people on the campus at any

one time during the day, and there will also be times when the auditorium is used for special educational programs for about 70 – 100 people.

A motion to recommend approval of the text amendment as submitted was made by John Finelli, seconded by Henry Haywood.

Vote: Ayes – Unanimous

OTHER BUSINESS

Discussion of State response/comments on Draft Land Use Plan

Senior Planner Donna Creef told the Board that the State response and comments on the draft Land Use Plan focused on the way the “Future Land Use Maps” were prepared. She stated that slight adjustments were made to the 2003 maps and Ms. Owens said that we could not use the same maps. She noted that in previous land use plans, the maps were referred to as “Land Classification Maps”, and now the new terminology that the State prefers is “Future Land Use Maps”. She explained that these maps are supposed to demonstrate where development is expected to occur and is supposed to be meshed with the natural systems analysis and the environmental constraints.

Mrs. Creef presented revised “Future Land Use Maps” to be included in the Draft Land Use Plan for the villages of Colington, Rodanthe, Waves, Salvo, Avon, Frisco and Hatteras for the Board’s review. She told the Board that these maps follow the outline of the zoning maps for the villages. Mrs. Creef informed the Board that Greg Ball with Information Technology is still working on other maps and she hopes to have them for the January 11, 2010 meeting.

Mrs. Creef noted that some revisions have been made to the narratives for the land classifications as well. She noted that previously there was Urban Transition and Limited Transition. She explained that the revision collapses the two into one called Transitional Corridor which generally applies to most of the commercial areas.

Mrs. Creef noted that the Community Neighborhood classification that was on Roanoke Island has been eliminated for simplicity, and is shown as Community Residential.

Mrs. Creef also included the revised narrative as recommended by the State to address what infrastructure was available in the areas. She noted that language is included addressing the

minimum lot size, and a very general statement about the commercial districts being limited by the gross floor areas threshold. She noted that language addressing building heights and lot coverage and that type of more zoning ordinance oriented regulations have not been included.

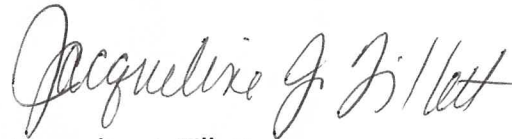
Mrs. Creef told the Board that she feels like the Draft Land Use Plan will get State approval, or it will pass muster as far as their guidelines. She invited Board members to contact her with any questions or comments.

ADJOURNMENT

There being no further business before the Dare County Planning Board a motion to adjourn was made by Henry Haywood, seconded by John Finelli.

Vote: Ayes – Unanimous

Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: January 11, 2010



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