

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, February 14, 2011. This meeting was held in the Dare County Board of Commissioners meeting room located in the Dare County Administrative Offices located at 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT	Elmer R. Midgett, Jr. – Chairman	John Finelli
	Henry Haywood	Beth Midgett
	David Overton	

MEMBERS ABSENT Dan Oden
Ricky Scarborough, Jr.

APPROVAL OF MINUTES

Board member John Finelli pointed out a correction to the motion regarding the Wind Energy Ordinance. Mr. Finelli stated the motion should read as follows:

A motion to amend the proposed Draft Wind Energy Ordinance to limit the height of the structure mounted wind energy devices in residential zoning districts to the building height for that district was made by John Finelli, seconded by Henry Haywood.

Vote: Ayes – Unanimous

There being no other revisions or deletions to be made to the minutes of the January 10, 2011 meeting of the Dare County Planning Board, a motion to dispense with reading them and to approve them with the revision noted by Mr. Finelli was made by Henry Haywood; seconded by Beth Midgett.

Vote: Ayes – Unanimous

Chairman Midgett amended the agenda to allow additional time for Mr. Randy Saunders to arrive for the Public Hearing Schedule for the Colington Pointe Zoning Amendment.

OLD BUSINESS

Nancy Sawyer – Frisco Final Plat

Planning Director Donna Creef told the Board that the preliminary plat for this proposed division was reviewed and approved by the Board of Commissioners on January 18, 2011. She stated that the proposed lots have frontage on an existing section of Piney Ridge Road and there are no road improvements proposed for Piney Ridge Road.

Mrs. Creef noted the plat depicts a note stating that additional road improvements may be need if further subdivision of the property is proposed as recommended by the Planning Board. Mrs. Creef recommended approval of the final plat for the Nancy Sawyer Subdivision.

A motion to grant final plat approval to the Nancy Sawyer Subdivision was made by Beth Midgett; seconded by Henry Haywood.

Vote: Ayes – unanimous

PUBLIC HEARING

Colington Pointe, LLC – Colington – Zoning Amendment Petition – VC-2 to R-3

The applicant Mr. Randy Saunders was not present for the review of this application. Due to the fact there were citizens present to speak at this public hearing, Chairman Midgett elected to conduct the public hearing although Mr. Saunders was not present.

Planning Director Donna Creef told the Board that Mr. Randy Saunders on behalf of Colington Pointe, LLC is requesting that a 22,500 square foot parcel currently zoned VC-2, Village Commercial, be reclassified to R-3, high density residential. She noted that the Dare County tax records list the address of the parcel as 1616 Colington Road.

Mr. Eric Morrison, resident of Colington was the only speaker for this public hearing. He expressed concern regarding rezoning of all of Colington Road and running all of the commercial establishments out of business.

Mrs. Creef explained that the parcel in question was not approved as part of the original subdivision, and was acquired later. She stated that this is the rezoning request is limited to this parcel only and will not affect any other properties along Colington Road.

Mrs. Creef further stated that the VC-2 does not permit multi-family structures, and the rezoning request has been submitted to accommodate the proposed construction of additional townhomes on the adjoining property of Colington Pointe.

Chairman Midgett closed the public hearing at approximately 7:05 pm.

Mrs. Creef told the Board that she doesn't know why Mr. Saunders isn't present and that she has spoken with him several times; he was here last month and knew that the hearing had been scheduled for tonight. She further stated that he was also sent copies of the agenda, and her staff comments.

Due to the lack of representation, the Board did not take any action on this rezoning request.

NEW BUSINESS

Dare County Board of Education – Buxton – Conditional Use Permit – (Teacher Housing project)

Project Engineer from Albemarle and Associates, Mike Morway, Dare County Schools Facilities Director, Jim Winebarger and Dare County Board of Education Chairman, David Oaksmith were present for the review of this application.

Planning Director Donna Creef presented staff comments. She stated that on behalf of the Dare County Board of Education, Albemarle and Associates has submitted a site plan and conditional use permit application for the construction of a 12-unit apartment building similar to what they did in Kill Devil Hills to serve as teacher housing in Buxton. The site is the former weather station property located on the Buxton Back Road and is currently used as athletic fields and support buildings by the Board of Education and the Dare County Parks and Recreation Department. Mrs. Creef stated that the site is zoned C-3 which permits residential uses subject to the dimensional requirements of the R-3 zoning district.

Mrs. Creef noted that site plan depicts the apartment building being proposed for construction on the front portion of the tract with the existing parking improvements being expanded as depicted. She stated that existing vegetation along both sides of the property will be left undisturbed to be utilized for buffers from the adjoining campground located to the east and the concrete plant on the west of the property. Mrs. Creef provided the Board with some building elevations submitted by Albemarle and Associates.

Mrs. Creef provided a draft conditional use permit for the Board's discussion. She noted that comments were included in the Board packet from Dare County Fire Marshal, Doug Remaley regarding the fire sprinklers. She stated the building will be constructed with automatic sprinklers.

The Board discussed the proposed parking, lighting and security cameras for the proposed project.

A motion was made by John Finelli, seconded by Henry Haywood to recommend approval of the site plan and draft Conditional Use Permit as drafted by the staff.

Vote: Ayes – Unanimous

Coastal Engineering – Proposed text amendment to Section 22.56 (parking standards)

Carlos Gomez of Coastal Engineering was present to represent the proposed text amendment to the Dare County Zoning Ordinance.

Planning Director Donna Creef told the Board Coastal Engineering has submitted a zoning text amendment request to amend the parking standards of the Dare County Zoning Ordinance as it pertains specifically to miniature golf courses. Mrs. Creef noted that the current requirements has a general category of outdoor entertainment facilities with a parking ratio of one parking space for each hundred square feet of gross ground area exclusive of the area required for parking and one additional space for each two employees. She stated that the parking standards that are included in Section 22-56 of the Zoning Ordinance are the original parking standards that were included in the Zoning Ordinance as it was adopted in 1975.

Mrs. Creef told the Board that Coastal Engineering is seeking the adoption of alternate language that says miniature golf courses shall have a parking requirement of one space per each hole plus one space for each three employees. She noted that if adopted, this parking standard would apply separately to miniature golf courses and only affect parking that is in place for outdoor entertainment facilities. Mrs. Creef pointed out that miniature golf courses and outdoor entertainment facilities are currently permitted in the S-1, C-3 and I-1 districts. She further noted that any amendment to the parking standards is solely for parking requirements and will not add the use of miniature golf courses to any district.

Mrs. Creef reminded the Board of their option to conduct a public hearing and that the Board of Commissioners is required to conduct a public hearing on a text amendment.

Mr. Gomez made a distinction between miniature golf and putt-putt golf, and told the Board that the logic behind the proposed text amendment is that the miniature golf (putt-putt) courses are traditionally compact and have artificial surfaces, and a natural grass putting course consists of a larger area. He stated that the current language applies very well to putt-putt golf, but to apply the current language for parking to a grass course would require a very large number of parking spaces.

The Planning Board discussed the difference between traditional golf courses and miniature golf courses as explained by Mr. Gomez.

A motion to move forward on the proposed text amendment without conducting a Public Hearing was made by Henry Haywood, seconded by John Finelli.

Vote: Ayes – Unanimous

A motion to recommend approval of the proposed text amendment to section 22.56 (parking standards) such that for the miniature golf on grass courses, the parking requirements shall be one parking space for each hole and one additional parking space for each two employees, and to include a definition to be added that is specific to grass courses was made by John Finelli, seconded by David Overton.

Vote: Ayes – Unanimous

OTHER BUSINESS

Proposed revisions to the Dare County Subdivision Ordinance

Planning Director Donna Creef told the Board that the Board of Commissioners instructed the County Manager and the Planning Director to review the Subdivision Ordinance to identify revisions for consideration that would expedite the review process.

Mrs. Creef told the Board that none of the proposed revisions to the Subdivision Ordinance affect the technical standards of the subdivision ordinance. She stated that the revised procedures would significantly decrease the length of the current review process.

Mrs. Creef identified the following sections of the Subdivision Ordinance for revision for the Board's review and consideration:

- # 1 - 153.05 Definitions
- # 2 - 153.11 Exempt Plats
- # 3 - 153.11 Sketch Plan

- # 4 - 153.16 Preliminary Plat (A) – Submission procedures
- # 5 - 153.16 Preliminary Plat (C) – Review by Planning Board
- # 6 - 153.16 Preliminary Plat (3) – Review by Board of Commissioners
- # 7 - 153.17 Final Plat (A) – Preparation of Final Plat and installation of improvements
- # 8 - 153.17 Final Plat (B) – Submission of Final Plat
- # 9 - 153.17 Final Plat (D) – Review by Planning Board
- #10- 153.17 Final Plat (D) (3) – Certificates for Recording

Mrs. Creef informed the Board that she and the County Attorney/County Manager are comfortable with these changes, and that she is scheduled to present the proposed revisions to the Board of Commissioners for their consideration. She noted that the Board of Commissioners will have to conduct a Public Hearing on the proposed revisions since it is a land use ordinance.

Board member Beth Midgett made motion; seconded by John Finelli, to recommend approval of the proposed revisions to the Dare County Subdivision Ordinance as submitted by the Planning Director to the Dare County Board of Commissioners.

Vote: Unanimous

ADJOURNMENT

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

Vote: Unanimous

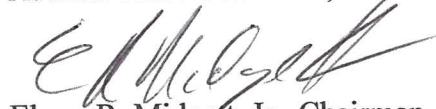
Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: March 14, 2011



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