

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

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

CALL TO ORDER 7:00 pm

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

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the February 14, 2011 Planning Board meeting, a motion to dispense with reading them and to approve them as submitted was made by Henry Haywood, seconded by David Overton.

Vote: Ayes – Unanimous

OLD BUSINESS

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

Mr. Randy Saunders, representing Colington Pointe, LLC was present for the discussion of this zoning amendment petition.

Planning Director Donna Creef presented staff comments. She stated that last month a public hearing was conducted on this zoning amendment petition. She noted that due to the lack of representation, the Board did not take any action on this request. Mrs. Creef stated there was only person to render public comments. Mr. Eric Morrison expressed concern that the County was initiating rezoning for businesses along Colington Road.

Mrs. Creef stated that the request is for a rezoning from the current classification of VC-2 to R-3. She stated that included with the Board packet is a site map depicting that the proposed site is adjacent to the existing Colington Pointe development. She stated that the VC-2 doesn't not allow multi-family and the request is for a reclassification to R-3 to allow the zoning to be consistent internal to the Colington Pointe development.

Mr. Randy Saunders addressed the Board and presented a colored rendition of the Colington Pointe development and pointed out the site in question. He stated that the request is in an effort to keep it consistent.

Board member John Finelli stated he visited the site last month. He commented that the site in question does look like it is part of the Colington Pointe development and feels that the rezoning request should be granted.

A motion to recommend approval of the rezoning request and that the request is consistent with the Dare County Land Use Plan and other applicable ordinances of Dare County was made by John Finelli, seconded by Henry Haywood.

Vote: Ayes – Unanimous

NEW BUSINESS

John F. Conner, Jr. – Buxton – Zoning Amendment Petition – R-2A to C-3

Ray Meekins, Seaboard Surveying & Planning was present along with the applicant Mr. and Mrs. John F. Conner to represent this proposed zoning amendment petition.

Board concurred that a public hearing is in order. A motion to conduct a public hearing on the proposed zoning amendment petition was made by Ricky Scarborough, Jr., seconded by Beth Midgett.

Vote: Ayes – Unanimous

Sapphire, LLC – Salvo – Amendment to CUP – Best Western Hatteras Island Suites

Chairman Midgett opened the floor for public comment at approximately 7:05 PM.

The public comments were rendered by the following:

1. Tricia Fort – Adjacent property owner also provided pictures depicting the flooding problem in February 2010.
2. Mike Roberts – North adjacent property owner
3. Kim Robertson

The individuals listed above expressed the following concerns:

- infrastructure to support the proposed development
- fire fighting capabilities of local departments

- flooding of Hwy. 12 and adjacent properties, and potential run-off
- lighting
- noise
- traffic, speeding
- time-limit being placed on the construction
- privacy
- parking near pool
- setbacks, buffering, visual screening, fencing for adjoining property
- retention of live oaks on property to provide natural screening for adjoining property

Planning Director Donna Creef told the Board that she has received several e-mails regarding the proposed development. She provided the Board with a copy of e-mails received from Mrs. Patricia Fort, Mrs. April Contestable, Marilyn and Tom Harrison, John Brown, Dawn Plunkett, Mr. Roberts, Mr. Steven Ryan, Mrs. Robertson, and Tripp Foreman. She told the Board that most of the e-mails touch on many of the concerns expressed in public comment.

Mrs. Creef stated that the site is zoned S-1 and all uses are permitted. She noted that the developers are seeking approval of a multi-phase site plan with a range of commercial uses including a miniature golf course and a 60-unit hotel. Mrs. Creef told the Board that the development is proposed to be completed in three phases as detailed on the site plan and in the draft Conditional Use Permit submitted for the Board's review.

Mrs. Creef identified the following items for the Board's discussion:

1. Lighting improvements – type, height, locations
2. Stormwater management
3. Parking
4. Public restroom facilities for the proposed miniature golf course and boat rental operation.
5. Hours of operation for the businesses proposed for phase one.
6. Buffers for adjacent properties
7. The location and number of solid waste containers that will be adequate for the development.
8. Buffer for the solid waste containers
9. Status of wetland permits

Attorney Charles Evans, representing the developers of the property in Salvo, Sapphire, LLC, was present. Mr. Evans told the Board that a 12-unit residential group development project was previously approved for the proposed site. He stated that engineering for the stormwater has already been done. He further stated that the house currently located on lot 7 of Aaron Hill Harbour is going to remain on the property.

Rick Willis, representing Sapphire LLC addressed the Board and told them that the actual permit for the stormwater system is on file with the Planning Dept. In reference to lighting for the proposed project, Mr. Willis stated that it is important that the lighting does not spill off of the property, and that whatever reasonable conditions the Board sees fit to place on the requested Conditional Use Permit will not be a problem.

Mitch Halloran of Coastal Engineering indicated that a lighting plan with zero foot-candle illumination on property lines could be developed. Mrs. Creef and the Planning Board agreed that such a lighting plan is needed.

The Board discussed the site plan in detail and the concerns identified.

Dan Oden made a motion to recommend approval of the amendment to the Conditional Use Permit subject to the following items:

1. Verification of the status of the wetland delineation; no work shall commence on the phase three improvements until this wetland verification are updated.
2. The dumpster locations for phase 1 and phase 2 shall be relocated to the north side of the existing residential structure. Additional solid waste containers shall be provided in conjunction with the phase three improvements as detailed in the CUP.
3. Adoption of revised parking regulations by Dare County for the proposed miniature golf course in phase one. If the parking standards are not amended to reflect the ratio used on the site plan, revisions to the site plan and re-submission to the Planning Board will be necessary.
4. A note shall be added to the site plan to indicate that public restrooms will be provided in the golf shop building.
5. The boat trailer illustrations shall be deleted from the site plan.
6. A lighting plan as discussed at the meeting shall be provided in conjunction with the revised site plan.
7. Other conditions as detailed in the draft Conditional Use Permit as prepared by Mrs. Creef.

This motion was seconded by Ricky Scarborough, Jr.

Vote: Ayes – Unanimous

OTHER BUSINESS

Planning Director Donna Creef informed the Board that the Dare County Land Use Plan was certified by the NC Coastal Resources Commission on February 24, 2011.

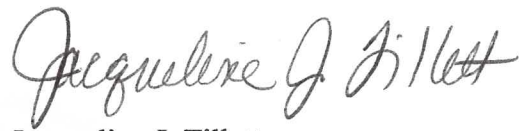
ADJOURN

There being no other business before the Dare County Planning Board, a motion to adjourn was made by Ricky Scarborough, Jr. This motion was seconded by David Overton.

Vote: Ayes – Unanimous

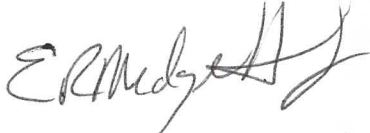
This meeting closed at approximately 9:46 PM.

Respectfully Submitted,



Jacqueline J. Tillett
Senior Administrative Support Specialist

APPROVED: April 11, 2011



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