

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, July 11th, 2006 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present:

Chairman Bill Parker
Member Phil Scarborough
Member Bebe Woody
Member Christine Walker
Member Jamie Daniels (Vice-Chair)

The following members were absent:

Also present at the meeting:

Erin Trebisacci, Planner
Becky Breiholz, Town Clerk

Chairman Parker called the meeting to order at 6:05 pm

SUBJECT: Adoption of Agenda as presented or amended. Agenda was amended to add sketch plan review for Osprey Point at the request of a Commissioner

MOTION: Member Daniels seconded by Member Scarborough to adopt the agenda as amended was approved by the following vote: Ayes: Members Parker, Daniels, Woody, Walker and Scarborough. Noes: none. Absent: none

SUBJECT: Approval of Minutes Regular meeting June 13th, 2006

MOTION: Member Walker seconded by Member Woody to approve the minutes as was approved by the following vote: Ayes: Members Parker, Walker Woody, Scarborough and Daniels. Noes: none. Absent: none

SUBJECT: Approval of Minutes Regular meeting June 20th, 2006

MOTION: Member Daniels seconded by Member Scarborough to approve the minutes as was approved by the following vote: Ayes: Members Parker, Walker Woody, Scarborough and Daniels. Noes: none. Absent: none

PUBLIC COMMENTS-Chairman Parker asked if anyone who wishes to speak to please come forward.

Jennifer Frost-wanted the specifications for a stick built structures and NC Building codes for roofs, she was told to contact Building Inspector Johnny Boniface. She would also like a copy of the Manteo Way of Building.

SUBJECT: Sketch Plan review for Osprey Point-Plans for Osprey Point were submitted to staff for review on June 20th. Staff held a brief review of the project and noted some problems. Staff has not taken this for Department Head review and therefore no comments to offer from other Town Departments. Connectivity-the ordinance requires connectivity be provided for future use. In this instance the properties to both the north and south would need to have an easement for future connectivity. In addition to that the curb cut onto lot one will have to be closed and access will be made through the new road and there may be some problems to the location of the new road, there is another road already across the street (Vicars Lane) and it is not lining up and is not allowed in the ordinance if the center line of those two streets are within 150 feet of each other which is Section 13.8 b. Street names must be approved by the Planning Board. Zoning Designation for the property is B-2 and is written on the plat as R2; if the applicant would like to request to have this changed to R-2, as stated on the plat there would need to be a public hearing. All utilities must be submitted and approved by the Town engineer prior to final plat approval. There is a note on the plat commenting about detailed plans for water and sewer being done by Performance Engineering. This property has been administratively subdivided in the past six months. The parcel identified as Parcel 2 has not been included in this subdivision plan. Had that parcel been included the submittal would have included 5 lots and it appears parcel 2 could be subdivided again making it six lots on the south side of this proposed subdivision. Member Woody asked if they were owned by the same people and it was commented that different names but the tax bill goes to the same place. Member Woody was under the impression that the Jolliff's were going to retain a portion but that doesn't appear to be the case. Ray Meekins with Seaboard Survey commented the existing zoning is B2 and it was meant to say B2. The Board asked if it was a subdivision for single family residences and Mr. Meekins responded it was a subdivision for whatever the zoning allows it to be. Mr. Meekins had some comments and gave the Board some background. On June 20th they submitted the plats with a check for review fees and a copy of his letter addressed to Planner Trebisacci. He wasn't informed that this was not on the agenda until July 10 when he called Mrs. Trebisacci and was told no; he then read a letter from Planner Ms. Trebisacci stating the reasons why; which included the obvious circumvention of the affordable housing ordinance and that connectivity may be required. Chairman Parker apologized to Mr. Meekins that he was not notified. Mr. Meekins asked the Board since they have paid the money that this be reviewed as a preliminary plat as submitted. Chairman Parker commented that they would review it as a sketch plan because there are some problems. Mr. Meekins wanted to address the issues raised in regards to inclusionary zoning it shows two different entities and does not apply to this 4 lot subdivision. In regard to future connectivity it is stated in the letter "it may be necessary." The B2 zoning ordinance states new subdivisions should be platted on the Manteo street grid and in the Roanoke Island Transportation plan there is no grid depicted east of 64. They have no plans for roads parallel to 64. Two existing curb cuts and the one of which will be abandoned and the curb cut in the center will be modified. Chairman Parker that the purpose of the sketch plan review is to give everyone a chance to explore the planning alternatives and that there is a great benefit. He also commented that they wanted them to look at the

alternatives and possibly place the road on the property line with Charles Evans' property and it would line up with Vicars Lane across the street and would probably be a benefit to both parties. Lengthy discussion took place on connectivity and what the intentions are for the property which is not required by the applicant to provide. Chairman Parker offered for the Town to help pursue a road on the property line with Charles Evans. Besides the connectivity concern the Board would like them to submit sewer calculations and a plan for our Engineer to review.

SUBJECT: Review of Dare County Administration Building-The Dare County Administration Offices are currently located in downtown Manteo. This plan proposes moving them to their offices to the Governmental Center at Midway intersection. The Justice Center that is currently located on the same piece of property was approved and the Utility Extension Agreement was signed on April 4, 2001. This Utility Extension Agreement did not include the entire parcel. The County has since recombined the parcel. Before any action is taken on this project an Annexation Petition must be submitted to include the additional property necessary for this project Staff reviewed this plan prior to last month's meeting. There were numerous problems that have been addressed in Appendices A-D. There are some problems with the number of parking spaces, the proposed landscaping, and access management.

Parking

There are currently 354 spaces on the site. Under the new ordinance both buildings would only need a total of 224 spaces. The project is proposing to have a total of 425 spaces. This is 201 more spaces than is currently required and includes adding 71 spaces to a site that already exceeds the requirement. This much parking is not necessary, and would contribute greatly to the amount of runoff on the site. Beside the storm water requirements mandated by the state they are also including pervious pavement and have added some rain gardens and are going above and beyond what is required. Chairman Parker would like to have some compromise about the parking spaces. Mrs. Trebisacci commented that it is a conditional use and it could be a condition that future structures could be required to use existing parking. The Board would like the future buildings to be sketched on the plans. Lengthy discussion took place on cutting some of the parking since the justice center was approved with more parking than what is now required which now technically makes it a non conforming use. Discussion took place if they could put on the site plan removal of the south side parking and then go to the Board of Adjustment and ask for a variance. They all agreed that the parking should not bring this project to a halt. The Board would like the language added that for future proposed use the existing parking spaces be designated in the south parking and no future parking be added to the site.

Landscaping

The B-3 Entrance District requires:

Plantings visible from the primary street and the addition of 1 two inch caliper live oak (*Quercus Virginiana*) for

every 1,000 square feet of enclosed structure, which will require 40 trees.

Access Management

The project designers were provided with copies of the Transportation Plan when they first met with Staff. The pages specific to this site have been included in this package. While this project does not impede the proposals for the Midway Intersection it does not consider them either. This new plan is a guideline and all future plans must be in compliance with the projects that are outlined. A note could be added for long term planning that connectivity be included.

A 5 minute recess was taken at 7:45

SUBJECT: Discussion of placing a cap on allowable affordable housing. It was brought to the attention of this Board, during the review of the Salt Meadow Landing project that there really was no cap on the number of affordable units or lots that one may develop after meeting the 20% rule. In an effort to remedy this oversight staff has worked with the Planning and Zoning Board Chairman to create the following language:

In order to prevent over development and excessive density, the number of affordable housing units/lots shall not exceed 25% of the number of market rate units/lots and in no case shall exceed 6 units beyond the number of required affordable units.

MOTION: Member Daniels seconded by Member Walker to recommend approval to the BOC an amendment to the codified ordinance the proposed language was approved by the following vote: Ayes: Members Parker, Scarborough, Daniels, Walker, and Woody, Noes: None. Absent: none

Review to do list

Chairman Parker went over the To Do list Planner Trebisacci was asked about the kiosks and she explained it is a joint project with other attractions and they are hoping to get Tourist Bureau grant money to fund this but she has not heard back from the Tourist Bureau.

Chairman Parker gave the Board an update of last month's Board of Commissioners meeting. Planner Trebisacci told the Board there is money for some sidewalk replacement and for them to get her suggestions of sidewalks they think need replacing and she will get a list prepared.

BOARD MEMBER CONCERNS

Member Woody-discussed the public restrooms downtown and commented the woman's restroom by the boat house there are no signs; no hours posted of operation and water on the floor. The public restroom in the condos is spotless but there are no signs for the public restroom. She commented about the one on the waterfront which she was told was placed there by Stuart Wescott. The next facility at Magnolia Grill there are no signs directing you to the public restrooms; the commode is broken; and hand-writing on the stall door stating please flush. She would like it be recommended to the Board of Commissioners that signs be placed showing where they are. She asked a status on the Elementary School and would like a report. She also told the Board about possibly having a news letter by email about the Town and she is working with the Town Manager.

Member Daniels-asked about our Town Engineer who is supposed to review all utility plans for projects and asked if there was a policy if our Town engineer happens to be the engineer for the project and Mrs. Trebiacci commented no. Member Daniels also commented that Shallow Bag Bay has been sold.

MOTION: Member Daniels seconded by Member Walker to adjourn at 8:55 pm the meeting was approved by the following vote: Ayes: Members Parker, Daniels, Scarborough, Walker, Woody, Noes: None. Absent:

This the 11th day of July 2006

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk