

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, May 10, 2011 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker
 Member Phil Scarborough
 Member Beth Storie
 Member Bebe Woody

The following members were absent: Member Grizelle Fearing

Also present at the meeting: Erin Trebisacci, Planner, Becky Breiholz, and Town Clerk

Chairman Parker called the meeting to order 6:05 pm

SUBJECT: Adoption of Agenda as presented or amended;

MOTION: Member Scarborough seconded by Member Storie to adopt the agenda as presented was approved by the following vote: Ayes: Member Parker, Woody, Storie and Scarborough. Noes: None. Absent: Fearing

SUBJECT: Approval of Minutes regular meeting April 12, 2011

MOTION: Member Woody seconded by Member Scarborough to approve the minutes as presented was approved by the following vote: Ayes: Members Parker, Woody, Storie and Scarborough. Noes: None. Absent: Fearing

PUBLIC COMMENTS -none

SUBJECT: Discussion of site plan for New Dare County Farm Bureau Offices
Dare County Farm Bureau is proposing to construct a new office building at 606 N HWY 64 in accordance with §8-5 (1) *Conditional uses permitted by the town commissioners*. Following last month's recessed meeting the applicant submitted a plan that addressed the concerns listed in the narrative last month and copied below.

- 1) The apron of the drive way is shown as 42' this will need to be reduced to 36' per §13-2 (a) *Access and curb cuts*.
- 2) The plant materials for the parking lot buffer, the natural opaque screen on the west side of the property and the opaque screen for the south side of the property need to be selected. As well as the two shade trees for the parking lot per § 15-3(1) and (2) *Location of required buffers*, 15-4 (1) and (2) *Description of types of buffers*, and §15-13 *Shade trees in parking areas*.

- 3) The lighting note shall state that lighting shall use a 100 watt incandescent or compact florescent equivalent for all exterior lighting or the applicant will submit a formal lighting plan per §19-5 *Lighting Plan required*.
- 4) The Public Works director noted that solid waste pick up could continue with rollouts but if more than four cans become necessary, a dumpster would have to be installed.

This was left at needing a landscape plan; the applicant identified the existing buffering and screening and the plans show the proposed plantings on the south side; the area that has been in question is the parking lot buffer adjacent to Highway 64.

There was some concern about the drive way and the NCDOT sight triangle. The parking lot buffering as required by the town ordinance conflicts with the NCDOT guidelines, our ordinance states 48 inches and NCDOT is 42 inches. It was questioned as to whose rules apply in this case. A suggestion from NCDOT was for the Town to carry on and use its ordinance and then the plan can be submitted to NCDOT; or we could ask that the applicant shift or push back the parking lot 5 feet or less so that it would not be in conflict with NCDOT. Mr. Robbins commented that pushing everything back would encroach in the natural buffer. If we approve it by the Town's ordinance then NCDOT would review and probably send a letter to us stating that there could be no buffer higher than 42 inches and we would have something in the file as to why the buffer does not meet our ordinances. We can recommend to the BOC of the two choices that were given to the applicant of submitting the plan using our ordinance or pushing back the buffer as to not conflict with NCDOT guidelines.

MOTION: Member Storie seconded by Member Woody to recommend approval to the BOC with applicant either going by the Town ordinance with a 48" high buffer with tree or the option of pushing the parking lot back was approved by the following vote: Ayes: Members Parker, Woody, Storie and Scarborough. Noes: None. Absent: Fearing

SUBJECT: Discussion of Zoning Change on Sir Walter Raleigh on the west side of Highway 64. At the March Planning and Zoning Board Meeting staff was directed to write a letter to the property owners immediately adjacent to Sir Walter Raleigh Street from US HWY 64 to Bideford Street. The letter explained the possible zoning change and how it may affect their property. There are two existing zoning districts in this area B-2 and R-2M. The rezoning would make all of the properties R-5, thus making is more compatible with the rest of the Sir Walter Raleigh Street and the Historic District. Of the 20 properties affected, there were 16 property owners. The town included a prepaid self-addressed envelope to encourage a quick response to the letters mailed on March 17, 2011. As of May 6, 2011 staff has received nine responses. Eight of those responses indicated that the property owner was "in support of" the rezoning, and one was "opposed" to the rezoning. Rezoning would not allow existing or new mobile homes to be placed unless it was grand-fathered in. The rezoning would not affect the mobile homes on Agona Street just the properties adjacent to Sir Walter Raleigh Street. Before this change could take place a public hearing would be required and all the property owners would be notified of the public hearing and the proposed zoning

changes. The Board thought that they should do two motions one to change the zoning to R5 in the R2M district and one motion to change the B-2 district to R5; Chairman Parker asked to be recused from voting on the zoning change in the B-2 district as he owns property there.

MOTION: Member Storie seconded by Member Woody to recommend to the BOC consider rezoning the portion of Sir Walter Raleigh zoning district of R-2M to R5 was approved by the following vote: Ayes: Members Parker, Woody, Storie and Scarborough. Noes: None. Absent: Fearing

MOTION: Member Woody seconded by Member Storie to recuse Chairman Parker from voting as he owns property in the B2 section was approved by the following vote: Ayes: Members Woody, Storie and Scarborough. Noes: None. Absent: Fearing

MOTION: Member Woody seconded by Member Storie to recommend to the BOC consider rezoning the portion of Sir Walter Raleigh zoning district of B2 to R5 was approved by the following vote: Ayes: Members Woody, Storie and Scarborough. Noes: None. Absent: Fearing; Excused: Chairman Parker.

Mrs. Trebisacci received a call about wind turbines being placed at the College of the Albemarle and we do not have an ordinance to address this issue and she will have an ordinance to present to the Board at their next month meeting.

Chairman Parker commented that he knows it is not on the agenda but Tommy Barnes is in the audience regarding the curb cuts he has been requesting to be allowed to place on Hwy. 64 for the A&B Carpet business; a site plan was done in 2006 for an addition to the building and that site plan was presented as being one lot and one of the conditions was to close the curb cut on Hwy. 64. The P&Z discussed this at their April 12, 2011 meeting. Mr. Barnes commented that Steve Daniels rents the building and was the one that made the site plan changes; Mr. Barnes contends that he was never asked that this parcel be combined in one lot and the Dare County tax records has it as two lots; he did not okay this change and did not know about it. He commented that a lot of places have two driveways and he does not see why they shut his down. Chairman Parker commented that when the new ordinance was written the Town was trying to improve the flow of traffic by trying to close curb cuts that were so close together. Mr. Barnes contends that the delivery trucks have a problem getting in and out. Mrs. Trebisacci commented that she had sent a letter to Mr. Barnes regarding the procedures he would need to do to bring this matter back for review. Mrs. Trebisacci commented that it would need to be presented to us as two separate lots and meet all the ordinances.

Mrs. Trebisacci informed the Board that on May 24th we will be doing the plantings at the water garden park; and we have also placed signage out there to explain the park. There will be a ribbon cutting with the Coastal Federation around noon.

MOTION: Member Woody seconded by Member Scarborough to adjourn at 7:05 pm was approved by the following vote: Ayes: Members Parker, Woody, Storie and Scarborough. Noes: None. Absent: Fearing

This 10th day of May 2011

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk