



**PLANNING BOARD  
LAND USE PLAN CONSISTENCY & REASONABLENESS STATEMENT  
No. 2021-00011 for Case #REZ21-0004**

**Request submitted by A-Team Enterprises, LLC, on behalf of Dockyard, LLC and Faith Anne Eure Matthews GST Exemption Trust, to rezone Tax PIN #638619605660000 located at 901 Shepard Street and Tax PIN #638619603566000 located at 909 Shepard Street from CM (Commercial Marina) District to PD (Planned Development) District and for Sketch Development Plan approval for Residences at Bask, a proposed residential thirty (30) townhome unit development with accessory uses and signage.**

**WHEREAS**, A-Team Enterprises, LLC, on behalf of Dockyard, LLC and Faith Ann Eure Matthews GST Exemption Trust, submitted a request to rezone Tax PIN #638619605660000 located at 901 Shepard Street and Tax PIN #638619603566000 located at 909 Shepard Street from CM (Commercial Marina) District to PD (Planned Development) District and for Sketch Development Plan approval for Residences at Bask, a proposed residential thirty (30) townhome unit development; and

**WHEREAS**, North Carolina General Statute 160D-605(a) states, “When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.”; and

**WHEREAS**, this request for amendment was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on October 19, 2021, during which interested parties and staff were given the opportunity to comment; and

**WHEREAS**, the Planning Board has made the following findings and conclusions:

- 1) The applicant has submitted responses to the Land Use Consistency packet. Those responses are as follows:
  - i. Section 4.2.1 Public Access to Public Trust Waters, Policy 1 which reads “It is the policy of the Town of Morehead City to ensure a variety of opportunities for access to public trust waters to all segments of the community, including persons with disabilities” is consistent, for:
    - a. Rezoning the property to allow for multi-family development requires that public access to public trust waters be provided or a fee in-lieu-of be paid. The developer is opting the fee in-lieu-of which is used to improve water access. If the property remains CM, no fee or dedication of public access is required.

Planning Board’s Conclusion:

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- ii. Section 4.2.1 Public Access to Public Trust Waters, Policy 2 which reads “Morehead City supports the state's shoreline access policies as set forth in NCAC Chapter 15A, Subchapter 7M and the goals and recommendations set forth in the town's Waterfront Access Plan. The town will conform to CAMA and other state and federal

environmental regulations affecting the development of estuarine access areas.” is consistent, for:

- a. The development will meet all federal and state environmental regulations, including CAMA.

Planning Board’s Conclusion:

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- iii. Section 4.2.2 Land Use Compatibility, Policy 1 which reads “It is the policy of the Town of Morehead City to ensure that land use and development activities provide a balance between economic development needs and protection of natural resources and fragile environments.” is consistent, for:

- a. The property is currently used as commercial marina and has potential to house a multi-story dry stack building under the current commercial marina classification. Rezoning the property to allow for multi-family development reduces the impact to the natural environment and provides much needed mid-to high-end housing opportunities downtown for the City’s growing population.

Planning Board’s Conclusion:

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- iv. The subject property is classified as Downtown Mixed-Use. Section 4.2.2 Land Use Compatibility, Policy 2: Morehead City will support growth and development at the densities specified in the Future Land Use Map land classifications as delineated in Section 4.5 of this plan.

- a. The property is located on the fringe of the Downtown Mixed Use (DMU) Land Use classification. The neighboring land use classification is High Density Residential (HDR). Rezoning the property to multi-family residential is in keeping with the densities specified in the DMU classification while providing a logical transition to the HDR classification. The proposed rezoning and development plan is a natural fit in the Downtown Mixed Use (DMU) Land Use classification. Density of the development is well within the levels identified in the DMU classification. Utility services are available and the street system is more than adequate to accommodate the change in use. Residents of the complex will be the customers who support the variety of retail and other economic activities that occur in downtown Morehead City.

Planning Board’s Conclusion:

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- v. Section 4.2.3 Infrastructure Carrying Capacity, Policy 4 which reads “The town supports the use of water conservation practices and groundwater protection measures in order to prevent lowering the water table, to limit the quantity of wastewater generated, and to protect the quality of water” is consistent, for:

- a. The development is utilizing City water/sewer services and there is adequate capacity to service the proposed multi-family land use.

Planning Board’s Conclusion:

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vi. Section 4.2.3 Infrastructure Carrying Capacity, Policy 6 which reads “The town will encourage land development in areas that currently have the necessary support infrastructure (water, sewer, streets, etc.) or where these services can readily be made available. Land development will be guided to areas that have public water and sewer services and an adequate street system to accommodate increased land development.” is consistent, for:

- a. The proposed zoning change is located in downtown Morehead City which is serviced by City water and sewer. There is also an adequate street system in place to support the development which will have a lesser impact to the street system than a potential boat dry stack.

Planning Board’s Conclusion:

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vii. Section 4.2.4 Natural Hazard Areas, Policy 2 which reads “It is the policy of the Town of Morehead City to minimize the threat to life, property, and natural resources that may result from land use and development within or adjacent to identified natural hazard areas.” is consistent, for:

- a. The development will meet all required regulations, including federal flood regulations which minimizes the threat to life, property and natural resources. If the property is not rezoned and remained under its current designation, there is potential for uses such as fuel storage which has potential to be a threat to life, property and natural resources.

Planning Board’s Conclusion:

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viii. Section 4.2.5 Water Quality, Policy 1 which reads “It is the policy of the Town of Morehead City to establish land use and development policies to help ensure that water quality in coastal wetlands, rivers, streams, and estuaries is maintained if not impaired and improved if impaired.” is consistent, for:

- a. As stated previously, the current zoning allows potential uses that could be harmful to the quality of the adjacent surface water because of intensity of development (increased boat traffic) and use (fuel). The rezoning limits development of the property to residential, thus greatly reducing the risk to adversely impact water quality.

Planning Board’s Conclusion:

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ix. Section 4.2.5 Water Quality, Policy 4 which reads “Morehead City will promote the use of best available management practices to minimize the degradation of water quality resulting from stormwater runoff; examples of these practices include using pervious or semi-pervious materials for driveways and walks, retaining natural

vegetation along marsh and waterfront areas, and allowing stormwater to percolate into the ground rather than discharging directly to coastal waters.” is consistent, for:

- a. The proposed development will be required to meet State Stormwater regulations. The percentage of impervious coverage on the site will not be increased from its current development. The minimum amount of natural open space required under the Ordinance is 19073.11 sq. ft. and the proposed site plan exceeds this with 19603 sq. ft.

Planning Board’s Conclusion:

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- x. Section 4.2.5 Water Quality, Policy 5 which reads “Morehead City will ensure that developments locating adjacent to coastal waters make every effort to mitigate any adverse effects on riverine and estuarine water quality and on primary nursery and fish habitat areas.” is consistent, for:

- a. This property is not located adjacent to a primary nursery area or identified fish habitat area.

Planning Board’s Conclusion:

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- xi. Section 4.2.6 Areas of Environmental Concern, Policy 1 which reads “The Town of Morehead City supports state and federal law regarding land use and development in AECs.” is consistent, for:

- a. The proposed development will meet federal and state laws and regulations for development within AEC’s.

Planning Board’s Conclusion:

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- xii. Section 4.2.6 Areas of Environmental Concern, Policy 5 which reads “Morehead City supports the use standards for estuarine and public trust areas as specified in 15A NCAC .0207.” is consistent, for:

- a. The plan, as submitted, is in compliance with the use standards specified under state law.

Planning Board’s Conclusion:

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- xiii. Section 4.2.6 Areas of Environmental Concerns, Policy 11 which reads “Morehead City will permit bulkhead installation provided that all of the use standards of 1 NCAC7H.0208(b)(7) are adhered to.” is consistent, for:

- a. Any bulkhead repair or installation will be completed in compliance with State regulation.

Planning Board’s Conclusion:

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xiv. Section 4.2.7 Areas of Local Concern, Policy 1 which reads “Morehead City will promote the diversification of housing in varying types, densities, and costs to meet the demands of all income levels and age groups.” is consistent, for:

- a. The stock of available housing for all socio-economic classes is limited in downtown. There is a need for mid- to high- end multi-unit housing units in Morehead City to service the growing retirement and second homeowner population.

Planning Board’s Conclusion:

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xv. Section 4.2.7 Areas of Local Concern, Policy 3 which reads “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.” is consistent, for:

- a. Multi-unit residential development complements the existing downtown land uses by providing a population that will support the various commercial and recreational activities, thus keeping downtown economically viable.

Planning Board’s Conclusion:

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xvi. Section 4.2.7 Areas of Local Concern, Policy 4 which reads “Current residential densities will be maintained in order to preserve the overall low-density character of Morehead City’s residential sector.” is consistent, for:

- a. Residential densities in downtown vary from 8 units per acre to 69 units per acre. The development, as proposed, falls within this range.

Planning Board’s Conclusion:

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xvii. Section 4.2.7 Areas of Local Concern, Policy 7 which reads “Infill development in existing residential areas will be encouraged only if it is compatible in density and scale to that in the surrounding area.” is consistent, for:

- a. This development is located with the Downtown Mixed Use Land Use classification and is compatible in scale with the allowed density. The development, which includes duplex development, is also consistent in scale with the neighboring High Density Residential classification which allows heights of up to 50 feet.

Planning Board’s Conclusion:

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- xviii. The property is located in Neighborhood 1 of the Neighborhood Planning Areas in the 2007 CAMA Land Use Plan. Section 4.2.8 Neighborhood Specific Policies, Policy 3 which reads “The town will continue to address the parking concerns and issues in the downtown area and will consider alternative traffic patterns as a possible solution to parking concerns.” is consistent, for:
- a. Parking will be provided on-site in compliance with the City’s parking regulations.

Planning Board’s Conclusion:

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2) The applicant has submitted the following responses about the request’s reasonableness and impact on public interest. The Planning Board having reviewed at least one of these comments and discussed the proposed map amendment finds it is reasonable and in the public’s interest, because:

- a) Describe consistency in size, physical conditions, and other attributes of the area proposed to be rezoned.

As stated by the applicant, the proposed multi-family development is consistent with neighboring properties. The scale of the buildings in keeping with neighboring properties, it is being located on the fringe of the Downtown Mixed Use Land Use classification and is physically similar to properties and developments within that classification.

- b) List benefits and detriments to the landowners, the neighbors, and/or the surrounding community.

As stated by the applicant, the benefits far outweigh the detriments to locating multi-family development on a site that can currently house a drystack building. Traffic will be less and the view will be more attractive. The number of downtown residents will increase which, in turn, will continue to make downtown businesses more viable.

- c) Describe how the development that would be permissible under the proposed amendment relates to the current development permissible on the tract and to the character of adjoining areas.

As stated by the applicant, currently, a multi-story drystack building and marina with potentially hazardous and detrimental land uses and activities could be located. The rezoning will limit the type of development to the approved plan and give neighboring properties certainty of the type and scale of development that will occur.

- d) Other reasons this amendment may be in the public interest not otherwise listed above.  
N/A

- e) Any conditions which have changed which would warrant the map amendment (rezoning).

As stated by the applicant, Carteret County, Morehead City and Downtown Morehead City continues to grow and prosper. Housing opportunities throughout the area are very limited. With the planned I-42, the area’s population will continue to grow and the need to provide additional housing

opportunities will increase. Approval of this rezoning, will keep Morehead City and its downtown competitive in the ever growing housing market.

Planning Board's Conclusion:

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**NOW, THEREFORE, BE IT RESOLVED**, on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the request for zoning amendment to be generally consistent with the CAMA Land Use Plan and recommends to the Morehead City Council that the request for zoning amendment be approved.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

DRAFT