

The Morehead City Planning Board conducted a public meeting on Thursday, December 15, 2022, in the City Hall Council Chambers at 1100 Bridges Street at 5:30 p.m. The following people were present:

MEMBERS: Diana Tootle, Glenn Curtis, Ronetta Gaskill, Nathan Chambers, Matt Johnson, and Curtis Oden.

ABSENT: Sally Lumpkin.

Others present: Planning and Inspections Director Sandi Watkins, Secretary Annie Bunnell, Code Enforcement Officer Jeannie Drake, City Attorney Derek Taylor, and Chase Cullipher.

Vice-Chairperson Diana Tootle called the meeting to order and Mr. Curtis Oden, Jr. gave the invocation.

The roll was called and Sally Lumpkin was absent. Diana Tootle made **MOTION**, seconded by Matt Johnson, to excuse the called-in absence. The motion carried unanimously.

Ronetta Gaskill the Pledge of Allegiance.

MINUTES: September 20, 2022: Glenn Curtis made **MOTION**, seconded by Curtis Oden, Jr., to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A.) Request submitted by The Cullipher Group, PA, on behalf of East Carolina Community Development, for a revision to a previously approved multifamily plan for Elijah's Landing Apartments to be located at 3200 Bridges Street.

Flood: AE6 and X. Zoning District: Residential Multifamily (RMF).

In accordance with Section 13-2, any multifamily development constructed on a lot over eighteen (18,000) square feet needs to be reviewed by the Planning Board for compliance with the Unified Development Ordinance (UDO). The Planning Board reviewed and approved this multifamily development in 2020. The applicant is requesting revisions to the approved site plan in order to move building 500 out of the special flood hazard area. Building 500 is proposed to be moved nine (9) feet to the south, closer to building 400. Twenty-one (21) feet will remain between the two (2) buildings. The UDO does not appear to contain a provision that would allow staff to approve minor modifications of this plan. Therefore, due to the proposed site plan changes, Planning Board review and approval is required.

Minimum Lot Size: The minimum lot size for a multifamily development is fifteen thousand (15,000) square feet. This project contains 11.74 acres or five hundred six thousand nine hundred sixty-six (506,966) square feet.

Maximum Lot Coverage: The maximum allowable lot coverage in RMF is forty percent (40%) or two hundred two thousand seven hundred eight-seven (202,787) square feet for the project site. Based upon seven 24-unit apartment buildings, a clubhouse, gazebo, and covered picnic area, the proposed lot coverage is approximately sixty-four thousand seven hundred fifty-five (64,755) square feet. The proposed lot coverage has not changed.

Density: The maximum allowable density on 11.74 acres is based upon five thousand (5,000) for the first unit, three thousand (3,000) square feet per 2+ bedroom unit, and two thousand five hundred (2,500) square feet per 1-bedroom unit. The density requirement is met with one hundred thirty-eight (138) 2+ bedroom units and thirty (30) 1-bedroom units for a total of one hundred sixty-eight (168) units. Based upon the number of units proposed, the overall density of the project is approximately fourteen (14) residential dwelling units per acre. The proposed density has not changed.

Open Space: Section 13-2.2(E) of the UDO requires a minimum of twenty-eight (28) percent of the site be preserved as open space: eighteen (18) percent as natural and ten (10) percent as useable open space. The project requires ninety-one thousand two hundred fifty-four (91,254) square feet or 2.09 acres of natural open space and provides ninety-five thousand six hundred forty-one (95,641) square feet or 2.19 acres; fifty thousand six hundred ninety-seven (50,697) square feet or 1.16 acres of useable open space is required and fifty-five thousand eight hundred fifty-eight (55,858) square feet or 1.28 acres is provided. The revised site plan shows increases for both the natural open space area and the useable open space area. Useable open space area #4 was relocated from between buildings 400 and 500 to south of stormwater pond number one (1).

Height: The maximum allowable height is fifty feet (50') above the average finished grade. The applicant has indicated that the structures will be three stories in height. There has been no change to the proposed structure height.

Minimum Setbacks:

Front: A minimum front setback of twenty-five (25) feet is required. The setback line shown exceeds this requirement at approximately seventy feet (70').

Side Setbacks: A minimum twenty (20) feet combined aggregate setback for the first story in height plus five feet per additional story are combined for a total of thirty (30) feet combined setback. The side setback requirement has been exceeded with a combined total of forty (40) feet. [*Side (East):* twenty feet (20') and *Side (West):* twenty feet (20')]

Rear: Twenty-five (25) feet for the first story in height plus five feet per additional story are combined for a total of thirty-five (35) feet. The rear setback requirements have been met at thirty-five (35) feet.

There has been no change to the proposed setbacks.

Parking: All parking spaces shall be not less than nine (9') feet in width and not less than eighteen (18') feet in length per subsection 20-2 of the UDO. Parking for multifamily is required at a rate of two spaces per unit plus one additional space for every six units for overflow parking. Based upon one hundred sixty-eight (168) proposed units, a total of three hundred sixty-four (364) spaces are required $[(168 \times 2) + (168/6)]$. Per Article 20-1.4(C), modification of parking requirements is defined as up to a ten percent (10%) reduction in the number of off-street parking spaces required under section 20-3. In order to qualify for an allowable modification of the number of required parking spaces, a parking needs analysis, certified by a North Carolina registered engineer or architect, that demonstrates that the proposed number of parking spaces adequately serves the parking needs for the proposed use must be provided; and a site plan showing how the alternate parking plan will allow for the addition of landscaped areas must be provided. In order to meet the requirements of this subsection, the area to be added or preserved must be equivalent to the area that would have been occupied by the otherwise-required parking area as measured in square feet [sixteen (16) spaces at one hundred sixty-two (162) square feet each equals two thousand five hundred ninety-two (2,592) square feet of area]. The applicant is proposing three hundred forty-eight (348) parking spaces which is a 4.4% reduction in required parking. Staff has received a parking needs analysis statement from the engineer indicating that the proposed number of parking spaces adequately serves the parking needs for the proposed use. The revised site plan shows two thousand six hundred ninety-five (2,695) square feet of landscaped area between the southernmost dumpster enclosure and pond number one (1), an increase of one hundred three (103) square feet.

Landscaping: An Alternate Landscape Plan request was approved along with the original proposal in 2020.

Duke Energy has a transmission power easement along Bridges Street and does not allow landscaping within the easement; therefore, the landscaping is proposed to be relocated to the south side of Building 200 and to the east and north sides of Building 100. The roadway frontage is three hundred seventy-five feet (375') which requires eight (8) understory trees and forty-five (45) shrubs.

A Screen "A" is required along the northeast end of the property that abuts R15M (Single-Family Residential/Manufactured Home District) zoned property. Duke Energy has a seventy-foot-wide (70') transmission power

easement in this area and does not allow landscaping within the easement; therefore, the applicant is proposing to move seventy feet (70') of the screen to the east side of Building 700.

Approximately four hundred sixty-six (466) linear feet of adjoining property on the west side, south of Sylvia Lane, is currently zoned R5 (Single-Family Residential District). A Screen "A" is required between these zones and the applicant is requesting a waiver from the requirement due to the following:

- 1) The adjoining property's existing use is two multifamily buildings, the same use as is being proposed;
- 2) The adjoining property is approximately six to eight feet higher in elevation and utilizes a retaining wall along the shared property line; and
- 3) The area is a primary drainage outlet for the properties on the east side of Commerce Avenue and contains some wetlands. Limiting the grading and landscaping in this area allows for the natural vegetation to remain in lieu of a required screen.

Wetland areas on site are established with vegetation and heavily wooded. The Alternate Landscape Plan proposes to utilize some of the wetlands as landscape islands as they are currently adjacent to parking spaces. Landscape islands M, O, P, Q, and R are proposed to remain natural.

Remaining landscape requirements have been met per the submitted Landscape Plan.

Fencing and Retaining Walls: All fencing must be separately permitted, including the retaining walls. Per the UDO, retaining walls are limited in height to two feet (2'). If a state stormwater permit specifically addresses the topography adjustments or a retaining wall on a specific lot(s) within a project, then those elements would be exempt as they were incorporated as part of the approval for the project. No changes are proposed concerning fencing or retaining walls.

Utilities: The project is located within the corporate limits and will be serviced by Morehead City water and sewer utilities.

Drainage: Staff has received a drainage impact statement from the engineer indicating that the project will be designed in accordance with section 13-3 of the UDO.

Curb Cut: The project has approximately three hundred seventy-six (376) feet of roadway frontage along Bridges Street and one curb cut is proposed. A driveway permit is required from NCDOT. In addition, a one hundred-foot (100') extension of Sylvia Lane is proposed to connect the property from Commerce Avenue from the west. An Irrevocable Letter of Credit has been provided to the Town to cover the cost of installing the required improvements. A six-foot (6') sidewalk is to be constructed alongside the extension and there is an existing five-foot (5') sidewalk along Bridges Street which is proposed to remain. A twenty-seven-foot (27') utility easement is shown along the front property line with an additional Duke Energy easement to the north [(seventy feet (70'))] and south [thirty feet (30')] of the northernmost pond. Per the Public Services Director, if the multifamily project is approved, it should be contingent upon the completion of Sylvia Lane and the six-foot (6') sidewalk prior to the Certificate of Occupancy being issued. The 2020 approval was conditioned upon the completion of Sylvia Lane and the six-foot (6') sidewalk prior to the Certificate of Occupancy being issued. A new Irrevocable Letter of Credit has been provided to the Town to cover the cost of installing the required improvements. The expiration date for the credit is May 26, 2023. A right turn lane from Bridges Street into the property was required by the DOT; however, Duke Energy claimed jurisdiction and will not approve the turn lane within their easement.

Waste Container Sites: Two dumpster enclosures are shown on the site plan. Both dumpster sites have been reconfigured to allow for wheelchair access.

Lighting Plan: A lighting plan must be submitted in accordance with section 13-2.2K of the UDO.

Applicable state and federal approvals, including state sedimentation and erosion control, stormwater, NCDOT permits, Army Corp of Engineers, and NCDEQ permits are required as part of the building permit application submittal.

Staff would like to propose the following conditions:

Any approval granted for the proposed multifamily project should be conditioned upon staff approval of a lighting plan that is in accordance with section 13-2.2K of the UDO and the completion of Sylvia Lane and the six-foot (6') sidewalk prior to the Certificate of Occupancy being issued.

Zoning Enforcement Officer Jeannie Drake introduced the request.

Ms. Drake explained that the request was for a revision of the multi-family plan that went before the Planning Board in November of 2020. The developer is still proposing one hundred sixty-eight (168) units. Revisions include moving building 500 out of special flood hazard area (SFHA) and, thus, closer to building 400. The Unified Development Ordinance (UDO) does not currently allow minor modifications of a multifamily plan, therefore the revisions required the plan to come back before the Board for approval. Aerial and zoning maps of the property were shown, followed by the revised site plan. Ms. Drake had prepared a side-by-side comparison of changes from the approved November 2020 plan and the revised plan on a slide for the Board. One of the biggest changes to the plan, aside from moving building 500, is that no turn lane will be provided from Bridges Street into the development due to Duke Energy having an easement in that area and having claimed jurisdiction.

Chase Cullipher, engineer with The Cullipher Group spoke on behalf of the request. Mr. Cullipher said that the Office of Recovery and Resiliency reviewed the original plans and will not fund the project if building 500 is not moved out of a flood zone. Mr. Cullipher said the building was adjusted by nine (9) feet which meant that the open space for the development also had to be moved. Mr. Cullipher said that the number of units, parking spaces, utilities, and most other aspects of the project had not changed. Mr. Cullipher addressed the removal of the turn lane into the development, saying that Duke Energy will not allow the crossing of any of their utility easements horizontally; crossings must be perpendicular.

Matt Johnson asked if useable open space #4 which had been circled in red on the site plan was taking the place of the previous space between buildings 400 and 500. Mr. Cullipher said yes, by moving building 500 nine (9) feet closer to building 400, it made the proposed useable open space non-compliant and was therefore moved.

Ronetta Gaskill asked what will happen if the turn lane into the development is required by the North Carolina Department of Transportation (NCDOT) but not allowed by Duke Energy. Mr. Cullipher said that, in this case, Duke Energy is the "bigger entity" and they have deemed that it needed to be removed from the plan so it will not be installed. NCDOT has since updated the driveway permit reflecting that change.

Diana Tootle asked for any other questions or comments before closing the public comment time to begin board deliberations.

Matt Johnson made **MOTION**, seconded by Ronetta Gaskill, to approve the revised Multifamily Plan for Elijah's Landing Apartments conditioned upon receipt of a lighting plan in accordance with subsection 13-2.2(k) and completion of Sylvia Lane and the six-foot (6') sidewalk prior to the Certificate of Occupancy being issued. The motion carried unanimously.

ELECTION OF OFFICERS: Vice-Chairperson Diana Tootle called for nominations for a Chairperson to serve for 2023. Ms. Tootle reminded the Board that the Chairperson must reside in the City Limits, but that the Vice-Chairperson could reside in City Limits or the extraterritorial jurisdiction.

Glenn Curtis nominated Sally Lumpkin to serve as Chairperson for 2023, seconded by Curtis Oden, Jr. The motion passed unanimously.

Vice-Chairperson Diana Tootle then called for nominations for a Vice-Chairperson to serve for 2023.

Curtis Oden, Jr. nominated Diana Tootle to serve as Vice-Chairperson for 2023, seconded by Nathan Chambers. The motion passed unanimously.

REQUESTS/COMMENTS:

A. Planning Director Sandi Watkins reviewed commercial activity in Morehead City:

1. *Commercial Accessory Structure: 4702 Arendell Street (New Deck at Sandy's Flower Shop)*
2. *Commercial Accessory Structure: 140 Gloria Dawn Road (Lift Station Lean-to roof)*
3. *Commercial Accessory Structure: 5070 Highway 70 (Gatehouse Guy C Lee)*
4. *Commercial Addition: 3316 Arendell Street (Security Wall at Camp Glenn)*
5. *Commercial Addition: 400 Barbour Road (Security Wall at MHC Middle School)*
6. *Commercial Addition: 5441 Highway 70 (Mechworks Warehouse)*
7. *Commercial Alteration: 610 Arendell Street (Former Taylor & Taylor building)*
8. *Commercial Alteration: 1104 Arendell Street (Irons and Irons)*
9. *Commercial Alteration: 1716 Arendell Street (Old Jim Dandy Upfit)*
10. *Commercial Alteration: 4006 Arendell Street (Former Wendy's-King #1 Smoke Shop)*
11. *Commercial Alteration: 4024 Arendell Street (Dini's Storage Renovation Phase I)*
12. *Commercial Alteration: 3003 Bridges Street (Wellon's Office Upfit)*
13. *Commercial Alteration: 5112 Highway 70 (Verizon pick-up lockers)*
14. *Commercial Alteration: 5136 Highway 70 (Mi Cabana Upfit)*
15. *Commercial Alteration: 5448 Highway 70 (Gamer's Guildhall Upfit)*
16. *Commercial Alteration: 211 Jacob Drive (Solar Panels)*
17. *Commercial Alteration: 3606 Medical Park Court (Johnson Dentistry New Location)*
18. *Commercial Alteration: 701 N. 35th Street (Sports Center Solar Panels)*
19. *Commercial Demolition: 4937 Arendell Street (Former Outback building)*
20. *Commercial Demolition: 5070 Highway 70 (Demo guard shed)*
21. *Commercial Demolition: 5320 Highway 70 (Demo small office building)*
22. *Commercial Demolition: 101 Roanoke Avenue (Demolish one metal shell at Peletier Marina).*
23. *Commercial Boat Lifts at Harborside slip #23 and Dockside slips #57 and #62*
24. *Commercial Miscellaneous: 2505 Bridges Street (Billboard)*
25. *Commercial Roof: 4303 Arendell Street (Autobrite)*
26. *Commercial Roof: 4702 Arendell Street (Sandy's Flower Shop)*

B. Planning Director Sandi Watkins reviewed single-family development activity in Morehead City:

1. *Residential Additions: 8*

2. *Residential Alterations: 21*
3. *Residential Accessory Structures: 32*
4. *Residential Demolitions: 5*
5. *Residential Roof: 1*
6. *Single-Family Detached, 3208 Evans Street*
7. *Single-Family Detached: 207 Georgia Avenue*
8. *Single-Family Detached: 215 Green Dolphin Street*
9. *Single-Family Detached: 205 Lands End Road*
10. *Single-Family Detached: 2401 Marsh Tern Lane*
11. *Single-Family Detached: 1722 North 20th Street*
12. *Single-Family Detached: 208 Radio Island Road*
13. *Single-Family Detached: 1310 Shackelford Street*
14. *Single-Family Detached: 1003 Shepard Street*
15. *Single-Family Detached: 5206 Webb Court*

- C.** Planning Director Watkins entered the attendance record and monthly reports for the record.
- D.** Planning Director Watkins said that the Morehead City Plan 2032 survey is available online and encouraged Board members to complete it and spread the word. Ms. Watkins said that the first six (6) sections of the draft plan are also available for review online. Consultants working on the plan will be coming before the Planning Board to present the plan in January, and Ms. Watkins said that staff anticipate other business for the January Planning Board as well.

ADJOURNMENT:

There being no further requests or comments, the meeting adjourned at 5:53 p.m.

Annie Bunnell, Secretary