

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, MARCH 22, 2010**

Chairman Jim Craig called the meeting to order at 6:00 pm. Members present were: Jim Craig, Ken Sullivan, Tom Kelly, Linda Hughs and Eddie Barber. Also present was Kevin Reed, Planning and Inspections Director, Peggy Grammer, Permit Technician.

A motion was made by Eddie Barber to excuse Pete Wachter and Bob Smith from the Planning Board meeting. The motion was seconded by Linda Hughs and passed unanimously (4 to 0).

Presentation of a plaque was made by Mayor Art Schools to outgoing Planning Board Member Linda Hughs. The Mayor, Planning Board and all staff present thanked Ms. Hughs for her service to the Board and the Town.

A motion was made by Tom Kelly to approve the minutes of the Planning Board meeting held on February 22, 2010, as amended. The motion was seconded by Linda Hughs and passed unanimously (4 to 0).

Mr. Reed advised that for the month of February, the Planning and Inspections Department had issued no permits for new homes and a total estimated value for all permits in excess of \$198,355. This brings the fiscal year total to over \$7.1 million in construction value and the department has collected approximately \$77,882 in permit fees.

Consider a request from David Newton and Kylie Hanford for Commercial Review of the proposed Sandbox Grill located at 129 Bogue Inlet Drive.

Mr. Reed indicated that a request has been submitted by David Newton and Kylie Hanford for commercial review of the proposed Sandbox Grill. The property is currently zoned Business (B) and the proposed restaurant is permitted use in the Business (B) Zoning District. The existing building on the property will be renovated in order to change the use from a storage building into a restaurant. The applicants have indicated that they hope to primarily attract walk up customers; however, the Carteret County Health Department (CCHD) has authorized seven seats for the restaurant that will be provided outdoors. Present for discussion of this request were David Newton, Kylie Hanford (owners/applicants) and John Odum (designer).

Mr. Reed showed a copy of the site plan for the project for the project and described the site plan for those in attendance. Mr. Reed indicated that only one wall segments for the (south) has a dimension greater than 20-feet and since this segment is covered by a roof/shelter there are no requirements for building offsets that need to be addressed. The east side of building will have a 4' x 16' awning centered along the wall section.

Mr. Reed indicated Town staff is comfortable in concluding that the current plan and other submitted materials are consistent with the Town' zoning requirements for building setbacks, building colors, building height limitations and natural area requirements. The Town's Unified Development Ordinance (UDO) requires that restaurants provide parking based on one space for

each four seats and one space for each three employees. Based on the permitted number of seats and employees, the grill is required to have three off-street parking spaces, one of which must be a handicap space. The proposed parking lot is utilizing a design that has two standard size (9' x 19') parking spaces oriented north/south and the handicap space oriented east/west. Mr. Reed indicated that there appears to be sufficient room for vehicles exiting the north/south spaces to back into the required travel and exit the parking lot in a safe manner. Mr. Reed advised that Staff is somewhat concerned about the functionality of the east/west handicap space and how vehicles will exit that space safely particularly if the north/south spaces have vehicles parked in them. Mr. John Odom addressed the issue of the handicap space and showed the Board members why he believes the space will be able to function effectively without having to make any vehicle exiting the establishment back onto Bogue Inlet Drive.

The Town has received information from the applicants that Carteret-Craven Electric Cooperative and Bogue Banks Water Corporation are currently serving the property. Mr. Reed also advised that the applicants have received the necessary permit from the Carteret County Health Department for a seven seat restaurant. Mr. Reed also indicated that to date no stormwater plan as been approved for the project. If the Planning Board recommends approval of the commercial review to the Board of Commissioners, it should consider, at a minimum, including the following conditions:

1. Approval from the Town's consulting engineer that the stormwater plan prepared for the project is consistent with the Town's stormwater regulations.
2. Revise the site plan to provide details on the screening of the proposed 5' x 5' dumpster pad.
3. Revise the site plan to delineate the accessible way from the handicap parking space to the building.
4. Revise the site plan to show the handicap parking space with a minimum width of 16-feet (8 feet for standing space and 8 feet for aisle).

Mr. Ken Sullivan expressed concern that the present placement of the dumpster enclosure next to the handicap parking would not allow a handicap person clear vision to back up safely. Mr. Sullivan suggested shifting the location slightly to the south. The applicants indicated that they could adjust the location of the dumpster pad to address this concern.

After further discussion Eddie Barber made a motion to approve the proposal with the four conditions previously noted by Mr. Reed. The motion was seconded by Linda Hughs and passed unanimously (4 to 0).

Consider a possible amendment to Chapter 5, "Density, Intensity and Dimensional Standards:" Table 5.1, "Table of Dimensional Standards" in order amend the maximum allowable building height in the Government (G) Zoning District.

Mr. Reed indicated that Town staff has been directed to present the Planning Board a possible amendment to Chapter 5, "Density, Intensity and Dimensional Standards:" Table 5.1, "Table of Dimensional Standards" of the Town's Unified Development Ordinance (UDO) in order to amend the maximum allowable building height in the Government (G) Zoning District. When the UDO was being drafted, the Government (G) Zoning District was created in order to provide a distinct zoning district for government and other similar public land uses. The various dimensional standards for the Government (G) District were patterned after those in the Business

(B) District since the Government (G) was thought to have similar characteristics (traffic, land use, intensity of use, etc.) as those found in the Business (B) District. Mr. Reed indicated that the building height limitations in the Government (G) District for high slope roofs were established at 40- feet rather than the maximum height of 50-feet allowed in the Business (B) District. Mr. Reed advised that Town staff would like to amend the UDO in order to make the maximum allowable building height the same for both the Government (G) and Business (B) Zoning districts. This change will more closely align the dimensional requirements of the two zoning districts and assist the architectural team working on design concepts for the proposed building for the Aquarium Pier at Emerald Isle.

After further discussion Linda Hughs made a motion to approve the amendment. The motion was seconded by Eddie Barber and passed unanimously (4 to 0).

There being no further business to come before the board, a motion was made by Linda Hughs to adjourn. The motion was seconded by Tom Kelly and passed unanimously (4 to 0). The meeting was adjourned at 6:30 PM.

Respectfully submitted by:

Peggy Grammer, Secretary
Town of Emerald Isle Planning Board