

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, AUGUST 22, 2016**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Jim Osika, Tom Minnick, Mark Taylor, Paul Schwartz and Ryan Ayre. Members absent were Steve Leroy. Also present Town Manager Frank Rush, Town Planner Josh Edmondson, Commissioner Floyd Messer, Commissioner Steve Finch, Mayor Eddie Barber and numerous citizens.

Motion was made by Tom Minnick to excuse Steve Leroy from the meeting. Mark Taylor seconded the motion and it carried unanimously 5-0.

A motion was made by Mark Taylor to approve the minutes. The motion was seconded by Paul Schwartz and carried unanimously 5-0.

SUBJECT: Commercial Review of Exterior Renovations for Bogue Inlet Pier

Mr. Edmondson discussed with the Board a request by Bogue Inlet Pier for the renovation of the commercial structure or Pier House at 100 Bogue Inlet Drive. The project will consist of demolishing the existing Pier House and building a new Pier House that will include a second story. Mr. Edmondson stated staff used the following sections of the UDO to review the proposal:

Chapter 2: Administration Subsection 2.4.8 – Commercial Structures

Chapter 6: Development Standards Subsection 6.1.3 – Commercial Structures

Staff included pictures of the current building, the front, rear, and side elevations of the renovations and pictures of the existing Pier House for the Board to review. Mr. Edmondson pointed out that the colors of the new Pier House will match those colors as seen in pictures attached in the Board packets of the existing Pier House. The exterior will be of hardy plank siding with a solar white weather snap metal roof. Roof color samples were included for review.

Mr. Edmondson pointed out that the demolition does not include the restaurant area attached to the Pier House. Staff pointed out that the highest portion of any roof line as seen on the elevation sheets is 32 ft. and based on the exterior design features of the building, the proposal more than meets the 20 ft. visual break as required in Section 6.1.3. Mr. Edmondson also informed the board that there is no net increase in impervious surface, so no stormwater management plan would be required.

Mike Stanley, owner of the Pier addressed the Board and again went over the project in a similar fashion as Mr. Edmondson. Mr. Stanley did inform the Board that the new waste water system is in the permitting phase and permits should be in place very soon. After discussion Ryan Ayre made a motion to approve the application as submitted. The motion was seconded by Mary Taylor and was approve unanimously 5-0.

Subject: Commercial Review for proposed Egret Landing Shopping Center, including an Amendment to Chapter 6 Section 6.6.6 Signs in Commercial, Government and Mixed Use Districts

Mr. Edmondson stated a request has been submitted by C4 Emerald Isle LLC, for the Commercial Review for the proposed Egret Landing Shopping Center. The location of the proposed shopping center is on the Northeast corner of Mallard Drive and Emerald Drive. Currently, there are two parcels zoned Business (B) and the proposed Grocery Store is a permitted use in the Business (B) Zoning District. The small out parcel is addressed as 8810 Emerald Drive and the Grocery Store will have the address of 8808 Emerald Drive. Mr. Edmondson stated this numbering follows the Town's addressing policy. The applicant proposed to construct a 31,568 square foot grocery store on this one parcel of land containing approximately 5.2 acres. There was a smaller outparcel of land shown located on the

corner of Mallard Drive and Emerald Drive containing approximately .58 of an acre. Mr. Edmondson said the developer is gifting a .567 of an acre parcel to the Emerald Landing Homeowners Association from about the middle of Archers Creek to the southern lot lines of those parcels in Emerald Landing Subdivision.

Mr. Edmondson went over the Planning Board the matter concerning a scheduled public hearing the applicant requested and was scheduled by the Board of Commissioners, to legally close the portion of Crew Drive which splits these two parcels from Mallard and Emerald Landing Drive to the Emerald Plantation Shopping Center parcel. In conjunction with this potential legal street closure, the Developer proposed the 510 linear feet segment of Crew Drive to remain as a new perpetual street easement in essentially the same location with significant improvements. The proposed new perpetual easement would continue to function in the same historical manner, and traffic would continue to have the ability to access Emerald Plantation Shopping Center via Crew Drive. Mr. Edmondson informed the board that he public hearing for this was scheduled for September 13, 2016. He went on to say that if the street closure passes at the public hearing the total site area for this development will contain approximately 5.8 acres.

Mr. Edmondson then went through the following specifics with the Board concerning the proposal including several attached items (site plan, TRC letter, Developer Response Letter, Transportation Impact Analysis):

- The building will be accessed via a driveway off of Emerald Landing Drive that will contain one entrance and exit lane. A one lane entrance and exit lane will also be available on the western property boundary abutting the Emerald Plantation Shopping Center.
- Because NC 58 is a controlled access through this point of Emerald Isle no driveway will be allowed to directly access NC 58 at this site.
- The following site plan sheets address the following:
 - Sheet C-1 Cover Sheet
 - Sheet C-2 Site Plan
 - Sheet C-3 Utility/Stormwater Plan
 - Sheet C-4 Grading and Drainage Plan
 - Sheet LA-1 Landscaping Plan
 - Sheet PS-1.0 Photometric Site Plan
 - Sheet PS-2.0 Fixture Cut Sheets
 - Sheet S-1 Topographic Survey
 - Sheet C-2, C-3, LA-1 and PS-1.0 of the plan set shows most of the required information relative to how the site will be developed
- The Town's Unified Development Ordinance (UDO) requires that the proposed commercial development be screened from the adjacent residential properties. The applicants will have a minimum 6-foot height natural vegetative opaque screening to meet this requirement. In many cases it is 35 ft. to 60 ft. in width. This can be seen on Sheet LA-1 of the landscaping plan.
- The proposed grocery store contains 31, 568 square feet of gross floor area and is required to have 1 space for each 300 square feet of gross retail area, plus 1 space for each employee. Please note that the developer is providing 139 spaces including 6 handicap spaces which exceeds the Towns minimum requirements.
- The UDO requires a natural area of 15% for all commercial development in the Business Zoning District which may include the septic area. The applicants are proposing that a minimum 64,400 square feet of natural area (26.7%) will be provided which will meet the requirement set forth in the UDO.
- The applicants are proposing to install 28 monopole light fixtures in the parking lot areas. The industry standard for the poles are 33' in height but the actual height poles proposed for this project are 25'. Note that all fixtures are "full cutoff" design, meaning that there is no light emitted upward or horizontally. The bulbs are shielded from horizontal vantage point.
- There are two wall mount fixtures proposed in the docking area and no other wall mount fixtures are proposed.

- The applicants are proposing a trash compactor to be located in the loading dock area for solid waste collection and disposal. Based on the location of this along with other mechanical features and landscape plantings; the collection and disposal system will be adequately screened from public view.
- The UDO (Section 6.1.3(4)(B)) requires that the exterior wall faces of commercial buildings that are viewable from a street have a visual break every 20 feet. Please note on the elevation sheets the south and west wall faces are visible from the street. The applicant is proposing numerous design features that more than meet the Town's visual break requirement.
- Also, note on the elevation sheets the exterior color schemes. Color samples were available at the meeting for review. Staff believes the colors depicted meet the neutral, earth tone requirement set forth in Section 6.1.3 of the UDO.
- Staff has reviewed the Traffic Impact Analysis (TIA) submitted as required by the project. Being we do not have an engineer on staff and improvements are called for along the NCDOT NC 58, they assisted the Town in our review. A copy of the TIA is included for your review. NCDOT has concluded that the TIA meets the standards of analysis and agrees with the recommendation of either a traffic signal or round-about at the Emerald and Mallard Drive intersection. NCDOT has recommended that the installation of a round-a-bout would be more efficient than a signalized intersection at this location. More comments and suggestions can be found on the attached letter from NCDOT and the developers have honored many of these suggestions.
- The Town's Technical Review Committee (TRC) reviewed the project at its meeting held on August 3, 2016. Following that meeting, Town staff requested a few slight revisions to the plan and additional information. Since our TRC meeting an updated set of plans and response letter has been received with these requested revisions by staff and the NCDOT.
- The consultant's response letter has been included for your review. Staff has had a chance to review these revisions and agree that staff and NCDOT concerns have been addressed.
- The Town's consulting stormwater engineer has not reviewed these revisions but based on the consultant's response to a few minor questions, staff expects stormwater approval before the Planning Board meets.
- The applicant and their consulting engineers are working with the State and County for onsite waste water disposal approval which is still in review at this time.
- In addition, since the proposed development will disturb more than one (1) acre or land, then a State Erosion and Sedimentation Control Permit will be required and to date, no permit has been received. This permit will be received before any land disturbance occurs.

After Mr. Edmondson went over the above plan specifics he stated 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. Approval and recordation of survey combining parcels and gifting parcel to Emerald Landing Homeowners Association
3. Approval and recordation of Crew Drive closure and recordation of the perpetual public easement
4. Copy of authorization to construct the onsite septic system from the Carteret County Health Department
5. Copy of permit from NCDEQ for installing new public water mains creating a looped system
6. Copy of the Erosion and Sedimentation Control Permit issued by the State

Mr. Edmondson then discussed with the Board an ordinance amendment for alternate sign area allowance that was requested by the developer in which staff assisted drafting. The ordinance amendment was included for the Board to review. Mr. Edmondson informed the Board that the ordinance would only apply to individual businesses that have at least 150 linear feet of street frontage either public or private. The business could be located in its own building or could be located within a strip commercial center, but in either case the individual business would need to have at

least 150 linear feet of street frontage. The ordinance would allow the use of this alternative formula by qualifying businesses, with administrative approval by staff. This amendment would apply to both new and existing businesses.

Mr. Edmondson stated the ordinance establishes a formula whereby the maximum sign area is equal to the amount of linear feet of street frontage time 0.50 (one-half). He gave the following example, an individual business with 160 ft. of street frontage could have a maximum sign area of 80 square feet. The ordinance does allow a business that fronts on more than one street to have a maximum of two signs, with no more than one sign per frontage and calculated according to this same formula for each side of the business. Staff said using the same above example, a business with 160 ft. of street frontage could have a maximum sign area of 80 square feet. If it has frontage along another street using the example of 60 linear feet of frontage the total square feet of the other could be no more the 30 square feet.

Mr. Edmondson state staff feels the typical storefront in Emerald Isle has about 50 linear feet of frontage and with the current allowance of 32 square feet of signage, the ratio is about 0.64. Thus the attached amendment would actually allow less sign area that would otherwise be allowed if a large building was divided into small storefronts. Mr. Edmondson gave the following example, under current ordinance a 150 linear ft. building with 3 businesses that each have 50 linear ft. of frontage are allowed a total of 96 sq. ft. of sign (3 times 32 sq. ft.), whereas the formula in the sign ordinance amendment would only allow the one business to have 75 sq. ft. of sign.

Mr. Edmondson went over the staff analysis using GIS, that staff believed the attached amendment would potentially be available to any new or existing business with 150 linear feet or more of street frontage. The existing businesses believed to be eligible for this alternative were:

- Pacific, with 150 linear feet on NC 58 and Reed Drive, and 75 linear feet on Loon (ordinance would allow signs on only 2 of the 3 street frontages)
- CVS, with 150 linear feet on NC 58 and 80 linear feet on Mangrove
- Wings, with 160 linear feet on Bogue Inlet Drive and 50 linear feet on NC 58
- Bogue Inlet Motel, with 260 linear feet on Bogue Inlet Drive
- Oceanview Inn, with 260 linear feet on Fairview Drive and 35 feet on Bogue Inlet Drive
- Islander Suites, with 160 linear feet on Islander Drive
- Bert's Surf Shop, with 160 linear feet on NC 58 and Crew Drive, and 60 linear feet on Islander Drive (would allow sign on only 2 of the 3 street frontages)
- Food Lion, with 190 linear feet on NC 58

Mr. Edmondson said if this ordinance is applied to the proposed new grocery store, which has 230 linear feet of frontage along NC 58 and 170 linear feet of frontage on Emerald Landing Drive, it would be allowed on sign up to 115 sq. ft. on the NC 58 frontage and on sign up to 85 sq. ft. on the Emerald Landing frontage. The applicant has proposed signs with 75 sq. ft. on each street frontage.

The applicant and their consulting engineer then went over the project and questions from the Board. Several members of the public were there to voice opinions on the proposal and have questions answered by staff and the developer. After considerable discussion a motion was made by Tom Minnick to approve the site and commercial review plan. The motion was seconded by Jim Osika and carried unanimously 5-0. Paul Schwartz made a motion which was seconded by Tom Minnick to approve the sign amendment as presented. The motion carried 4-1 with Ryan Ayre voting against.

Subject: Report from Town Planner

Mr. Edmondson went over his report to the Board including the Commissioners approval of the Town owned properties rezoned to Government. Mr. Edmondson also went over the July Building Report and the FY 15-16 Building Report. He also

stated that the next Commissioners meeting would be September 13 and the next Planning Board meeting would be September 26.

Subject: Comments from Planning Board

No comments from the Board

There being no other business a motion was made by Tom Minnick and seconded by Mark Taylor to dismiss the meeting which carried unanimously 5-0.

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board