

**TOWN OF ORIENTAL
PLANNING BOARD
May 30, 2006
Minutes**

The regular meeting of the Planning Board was called to order by Chairman, Don Mau, at 7:00 p.m. on Tuesday, May 30, 2006, in the Town Hall, Oriental, NC. Members present in addition to Mr. Mau were George Duffie, Grace Evans, Bob Miller and Dee Sage. Town Manager, Wyatt Cutler was present. Also present were Town Board members, Al Herlands and Nancy Inger. Twelve members of the public were in attendance.

Draft number two of minutes for the April 25 2006, regular meeting were distributed.

MOTION: Mr. Duffie moved and Mr. Miller seconded a motion to accept the minutes as presented. The motion passed unanimously.

Allen Propst presented a proposal for a four-unit multi-use condominium project on North Street. He requested that the Town allow him to use pervious concrete as an alternative to ¾-inch blue stone.

MOTION: Mrs. Sage moved and Mr. Miller seconded a motion to recommend to the Town Board to schedule a public hearing for the issuance of a special use permit for Allen Propst's four-unit multi-use condominium project on North Street, allowing him to use pervious concrete to count toward the allowable pervious surface percentage. The usage of pervious concrete in this project is experimental and this type concrete shall not be considered a legitimate pervious material until the State has approved it as such. The motion passed unanimously.

Mr. Miller requested that a sidewalk be considered in this project and will investigate its feasibility.

An application submitted by Sylvan Friedman for a twelve-unit condominium project on Midyette Street called "Piccadilly Square" was incomplete. The Planning Board will consider this project when all required information is submitted.

Mr. Mau reported that Pamlico County is likely to pass the proposed "Group Housing Project" ordinance in June. This ordinance sets out very limited density requirements for condominium-type housing, which ranges from 1 unit per acre to 3.9 units per acre depending on the location and water/sewer infrastructure of the property. The consequence to the County's towns is likely to drive high-density development into municipalities that have no regulation or less restrictive density requirements. He encouraged the Planning Board to move forward with measures that would provide for the orderly growth of development in Oriental.

Mr. Mau, Mrs. Sage and Mr. Cutler met with the Town's attorney, Scott Davis, and under Mr. Davis' direction drafted a proposal to change Planned Unit Development sections of the Growth Management Ordinance (GMO). The intention of these changes is to give a certain degree of flexibility to developers who present creative projects that might not comply strictly with GMO

requirements, but would otherwise be beneficial to the community. In the proposed PUD ordinance, some things are negotiable and some are not. The proposed changes are attached to the minutes.

Ms. Evans expressed the opinion that a PUD was only appropriate in the MU zone.

MOTION: Mr. Miller moved and Mrs. Sage seconded a motion to present the proposed PUD ordinance changes to the Town Board for the Commissioners' consideration. The motion passed with Mr. Duffie, Mr. Mau, Mr. Miller and Mrs. Sage voting for and Ms. Evans voting against.

The following corresponding GMO sections need clarification from the Town's attorney:

Section 150 - Change in Use, subsections (1)(b) and (1)(d). [page 79]

Section 154 – Combination Uses, subsection (2). [page 80]

A second proposal, "Harbor Waterfront Overlay District," resulted from the meeting with Mr. Davis. This proposal is intended to guide growth of the harbor waterfront around Raccoon Creek should any of this property become available for development. The proposal does not hinder present uses or expansion of businesses that exist in the designated area. The proposed overlay district document and corresponding changes to the GMO are attached to the minutes.

MOTION: Mr. Miller moved and Mr. Duffie seconded a motion to ask the Town Board to review the proposed "Harbor Waterfront Overlay District" and corresponding changes, to invite Commissioner's comments and to schedule a joint Town Board-Planning Board meeting for the purpose of incorporating this proposal and corresponding changes into the GMO. The motion passed unanimously.

Attorney, Paul P. Creech, sent a letter to the Town asking for a letter of support to be sent to NC DOT endorsing his clients' desire to construct a public boardwalk that would connect to the existing boardwalk along Water Street, follow the water under the bridge to the end of their condominium project, which abuts the Wildlife ramp area. Mr. Mau emphasized that this project coincidentally reflected a feature of the proposed "Harbor Waterfront Overlay District" to have a connecting waterfront boardwalk as a guiding principle. A copy of Mr. Creech's letter is attached to the minutes.

MOTION: Mr. Duffie moved and Mr. Miller seconded a motion to recommend to the Town Board endorsement of the boardwalk proposal as described in Mr. Creech's letter. The motion passed unanimously.

Ms. Evans shared some pictures collected from Lucille Truitt's estate that show the harbor in the 1940's and 1950's. Ms. Evans would like the Town to consider ways to preserve the fishing industries located in the harbor.

Don and Selva Staub presented a plan to create a brewpub at 513 Broad Street. They are rehabilitating an old structure. The back ell of the house has been identified as a mid-eighteenth-century structure and the front part is a turn-of-the-twentieth-century addition. They propose to

relocate the older part of the house three quarters of the way back in their lot and turn it into a British-styled brewery and pub and retain the newer part as a residence.

The Planning Board felt that parking would be the most important concern for the Staub's proposed business. Mr. Mau asked the Staub's to continue to refine their concept and to return with more detailed plans, or make application for a special use permit. Mr. Duffie requested that they consult an engineer to design the parking. Mrs. Sage suggested that since "pub" was not in the Table of Permissible Uses, it either needed to be added or the Board would have to determine under what category a "pub" would be placed. The category designation would determine parking requirements.

Non-agenda item: Mike Rogers represented the developers who are rehabilitating the River Neuse Motel and converting it into condo-hotel units. Seven parking spaces were "grandfathered" for the former 18-unit hotel when the GMO was established. Under the GMO, 27 parking spaces would be required for new construction of 18 rooms. The developers are converting the 18 existing rooms into 16 units, thus reducing the non-conforming parking situation. They also plan to develop 12 more condo-hotel units on the property. Their plans show adequate parking (18 spaces required) for the new construction. The GMO would require 42 parking spaces if the entire project were all new construction. The developers propose a total of 30 parking spaces. Mr. Rogers requested that the Planning Board take into consideration the "grandfathered-in" parking and endorse a reduced parking requirement for this project. It was pointed out that similar circumstances were faced by the developers of the Oriental Marina Inn when it converted to condo-hotel units. The Planning Board asked Mr. Rogers to consult an engineer to mitigate water runoff and to continue efforts to make the parking less non-conforming. His proposal will be considered when an application is submitted.

MOTION: Mr. Miller moved and Mr. Duffie seconded a motion for the following final recommendation to the Town Board concerning amending Section 184 of the GMO:

Section 184

(1)(f) Notwithstanding the forgoing, in the event a building constructed prior to February 1, 1999, is elevated to raise the bottom floor system to, or no more than four (4) feet above, the Pamlico County flood elevation minimum building height standard, and any of the building's existing steps are extended to comply with the North Carolina Building Code, any such extensions to existing steps shall not be included as substantial part of the building as described in Section (d), provided that such steps do not encroach into any Town right-of-way. Such step extensions shall not be considered an extension or enlargement of a nonconforming situation pursuant to Section 124.

The motion passed unanimously.

MOTION: Mr. Miller moved and Ms. Evans seconded a motion to recommend that the Town Board schedule a public hearing for the following addition to Section 52 of the GMO:

Section 52

(4) All applications for special use permits for multi-unit projects shall be submitted to the administrator ten (10) calendar days prior to the date of the next regular Planning Board meeting. The Planning Board shall make a written recommendation to the Commissioners to schedule a public hearing if the application is complete and all requirements of the GMO are met. If the submission deadline date falls on a Saturday, the application must be received by the preceding Friday. If the submission deadline falls on Sunday, the application must be received by the following Monday.

The motion passed unanimously.

MOTION: Mrs. Sage moved and Ms. Evans seconded a motion to recommend that the Town Board schedule a hearing for the following change to Section 160(5):

Section 160

(5) The developer/owner of a proposed multi-unit project shall have an informational meeting with property owners whose property is within three hundred (300) feet of the property line of a proposed multi-unit project as reflected on the current Pamlico County tax roles. The notification of this meeting shall also be given to the administrator to be distributed to the Planning Board and take place prior to submitting an application to the town for a special use permit and shall include a brief description of the project, the date, time, and location of the meeting. The notice shall be sent by first class mail at the expense of the owner/developer, a minimum of ten (10) days prior to the meeting.

The motion passed unanimously.

The Aldridge family, who claim to be descended from early settlers of Oriental, have requested a street to be named "Aldridge" to honor their aging father, Fred A. Aldridge. As naming streets is a Town Board matter, the Planning Board will defer this matter to the Commissioners. Ms. Evans reported that the Friends of Oriental History association is researching early family ties to Oriental and plans to prepare a list of deserving names to be given to the Commissioners from which developers can choose as new streets are dedicated to the Town.

Discussion of a definition for "lowest adjacent grade" was postponed to the next meeting.

Mr. Cutler reported that Mr. Davis said there is no "official" definition for "shared parking." Discussion of parking issues was postponed to a future meeting.

Mrs. Sage reported that as a result of a meeting Commissioner Bohmert and she had with Maureen Will of DEHNR, she has reformatted the proposed 2004 CAMA Land Use Plan update document. A meeting of the current Planning Board and former non-Planning Board members who remain in Oriental will take place **in Town Hall at 9:00 a.m. on Friday, June 16, 2006**, for the purpose of finalizing this document and preparation of the required maps. The Planning Board requests that the Town Board appoint Commissioner Bohmert and one or more other Commissioners to participate.

Several Planning Board members and Town Commissioners plan to attend the “NC's Changing Waterfronts” workshop in New Bern on Monday, June 5, 2006.

Mr. Miller will review density provisions in the GMO with consideration of changing them and report back to the Planning Board at the next meeting.

Ms. Evan’s 3-year term on the Planning Board ends this month and this was her last meeting as a Planning Board member. Mr. Mau, Mr. Duffie, Mr. Miller and Mrs. Sage thanked Ms. Evans for her thoughtful and dedicated service on the Planning Board.

Review of Land Use Permits Issued:

Stuart Hardy for Oriental Professional Properties, 502 Main Street – remodel house with small addition for an office.

Zaytoun Raines Construction Co., 6051 Dolphin Road – single family dwelling.

Coastline Building Company, Inc. for Neuse River Suites, LLC, 201 Mildred Street – renovate building, add a metal roof and convert 18 rooms to 16 units.

William & Michaela Hampton, 504½ Midyette Street – single family residential, 2-story cottage.

Stuart Hardy for Village Project Partners, 303 (Lot #1) Vandemere Street – duplex.

Stuart Hardy for Village Project Partners, 301 (Lot #2) Vandemere Street – duplex.

Tim Brazil, 506 North Street – 10' x 18' garden shed.

MOTION: Mr. Duffie moved and Mrs. Sage seconded a motion to adjourn. The motion passed unanimously and the chairman adjourned the meeting at 10:03 p.m.

Don Mau, Chairman

Dee Sage, Vice Chairman/Secretary