

**To:** Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)

**Copies:** Interim Town Manager (Chief David Kole)

Town Attorney (Ben Gallop)

Town Staff (Pat Forrester, Carrie Gordin, Alvin Rountree, Merrie Smith, Bonnie Swain)

Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)

**From:** Wes Haskett, Town Planner

**Date:** May 28, 2010

**Re:** Recap, PAG Working Session May 17, 2010

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**PB / PAG RECOMMENDED ACTIONS FOR THE TOWN COUNCIL - None**

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### **PAG MEETING RECAP May 17, 2010**

The Planning Advisory Group working session convened at 7:00 pm. Planning Board Members Sam Williams, Nancy Wendt, Mike Florez, Jay Russell, alternate member Larry Lawhon, alternate member Bill Gleason, Code Enforcement Administrator Alvin Rountree, Town Planner Wes Haskett, and Ross Mitchell were present.

Planned agenda items for the meeting included:

1. Height Calculation ZTA
2. General Project Status

Nancy Wendt asked for any additions or changes to the agenda. There were none.

### **HEIGHT CALCULATION ZTA (Nancy Wendt)**

As background for the non-PAG meeting attendees, most who represented the building community, Nancy Wendt presented the history of the proposed height calculation Zoning Text Amendment (ZTA).

In 2008, the Code Enforcement Department noticed that more and more permits for proposed homes to be built on hilly or low lots were being denied as a result of the height calculation method currently being used by TOSS. This method uses the lowest corner of the proposed structure to calculate the building height. Often this calculation resulted in denied permit application appeals, produced negative drainage impacts, and filling and substantial grading of lots that were difficult to develop. A proposal to amend the current height calculation method from the lowest corner of the adjacent grade to the average of the four corners was addressed by the Planning Board in March, 2010. The Planning Board unanimously recommended approval of the proposed ZTA to the Town Council.

On April 6, 2010 the Town Council considered the proposed ZTA. While a few meeting attendees spoke in support of the proposed ZTA, several citizens spoke in opposition to the proposed ZTA due to concerns with increased building height (compared to structures which were constructed using the current calculation method). The number of lots impacted and the need to more fully address drainage issues were also raised. The Town Council rejected the proposed ZTA and asked that the Planning Board revisit the proposed ZTA.

In reconsidering the proposed ZTA, the PAG intends to meet with various groups (e.g., building and real estate representatives, and civic associations/property owner associations) to more fully understand their concerns and possible ways to address these concerns in a revised ZTA proposal. This meeting with the building representatives is the first of these discussions.

The goals of the Planning Board are to establish a height calculation method that:

1. Considers the concerns raised by the Council and TOSS citizens.
2. Enables all platted lots (both undeveloped and those to be redeveloped) to be reasonably developed.
3. Permits, as often as possible, property owners to build a house they would like to build.
4. Increases/maintains property values of surrounding properties.
5. Ensures that the development of lots with holes or slopes do not create safety hazards or drainage problems.
6. Does not, or minimally increases the roof line height and/or the size of the structure.

Andy Ward, Jeff Sawyer, Brian McDonald, Mark Martin, and Willo Kelly provided feedback to the PAG on those issues of most concern to the building industry and possible solutions to those issues. They also indicated that they would be willing to continue to participate in the proposed ZTA amendment process as needed.

The PAG and Town Staff will continue to gather information from other interested groups, develop a revised version of the proposed ZTA and hold a public workshop before presenting a revised ZTA proposal to the Planning Board and Town Council for review.

### **LAND USE PLAN (Sam Williams)**

Sam Williams reported that the Town Council will provide feedback on the Land Use Plan Update at their May 18<sup>th</sup> meeting and that he and Wes Haskett will offer to meet with the Council members to address comments if needed.

### **CITIZEN COMMUNICATION PLAN (Larry Lawhon)**

Larry Lawhon reported that the Citizen Communication Plan committee would be holding their first meeting within the next week and that they are currently looking in to the number of citizens that need to be reached.

### **PARKS, RECREATION, AND OPEN SPACE PLAN (Ross Mitchell)**

Ross Mitchell reported that his first step in the development of a Parks, Recreation and Open Space Plan was to visit the properties owned by the SSCA. Several of the properties (open space) were created when streets were constructed and the access rights to the open spaces were given only to the citizens that lived on the adjacent street/block. Other vacant properties include part of Sea Oats Park and one large tract near the SSCA tennis courts which was next to the platted undeveloped road to be used by the Fire Department or for evacuation. Ross will

research the vacant property and adjacent road to see if there are any legal restrictions associated with the road that could restrict development of the adjacent SSCA property.

**WIND GENERATION PLAN (Mike Florez)**

Mike Florez reported that the Wind Committee was currently working on drafting the final report for the Wind Generation Plan. The Wind Committee will conduct further research into recommended facility heights and discuss their findings at their next meeting.

**STORMWATER MANAGEMENT PLAN (Wes Haskett)**

Wes Haskett reported that he and Joe Anlauf had met and discussed the Emerald Isle Stormwater Ordinance, State stormwater requirements, and a map that divides the Town into four stormwater districts. They will present their findings at the June 7<sup>th</sup> PAG meeting.

**UPCOMING MEETINGS & PROPOSED AGENDA ITEMS**

1. PAG Working Session June 7, 2010
  - Height Calculation ZTA
  - Stormwater Management Plan
  - General Project Status
2. Planning Board Application Review meeting June 21, 2010.
3. PAG Working Session June 21, 2010 following Planning Board meeting.

**ADJOURNMENT**

The PAG meeting adjourned at 9:25 pm.