



## **Town of Beaufort, NC**

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### **Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, October 17, 2022 - Train Depot 614 Broad Street, Beaufort, NC 28516 Minutes**

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#### **Call to Order**

Chair Neve called the October 17, 2022 Planning Board meeting to order at 6:00 p.m.

#### **Roll Call**

Members Present: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim

Members Absent: Member Vreugdenhil, Member Willis

A quorum was declared with five members present.

Staff Present: Kyle Garner, Samantha Burdick, Town Attorney Arey Grady, and Laurel Anderson.

#### **Agenda Approval**

Chair Neve noted that the New Business Item 1, Preliminary Plat for Davis Bay had been removed from the agenda.

*Chair Neve made the motion to approve the agenda as presented and Vice Chair Merrill made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim*

#### **Minutes Approval**

1. PB Draft Minutes for 9.19.22

Chair Neve asked if there were any changes to the Minutes from the September 19, 2022 meeting.

*Member Meelheim made the motion to approve the minutes and Member Bowler made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim*

## Public Comment

Chair Neve opened public comments asked if anyone would like to speak. There was no public comment.

## Public Hearing

1. To Recommend Approval or Denial to the Board of Commissioners for Rezoning of 243 Leonda Dr from R-20 to RS-5.

Chair Neve opened the public hearing and Town Planner Samantha Burdick presented the following:

- a. This lot was a mobile home lot prior to Blue Treasures purchase.
- b. The property is in the Town's Extraterritorial Jurisdiction. The Town Clerk has received an application for annexation of and is currently investigating the merit of that request. If approved, the lot would have Town water and sewer access.
- c. The property is approximately 9,713 square feet (0.223) acres and does not meet the minimum lot size of 20,000 square feet for R-20. It would meet the RS-5 minimum lot size of 5,000 square feet.
- d. The density of the zoning request is consistent with the adjacent Planned Unit Development.
- e. RS-5 Residential Single-Family Development District has a maximum impervious surface requirement of 50%. If rezoned, the property may have no greater than 50% impervious coverage.
- f. The property would meet the R-8 Medium Density Residential District minimum lot size of 8,000 square feet. However, there is no impervious surface requirement associated with the R-8 zoning district.

Adjoining Land Use & Zoning:

North: Beau Coast Amenity Center zoned – PUD

South: Single Family zoned – R-20

East: Across Leonda Single Family zoned – PUD

West: Beaufort East Village zoned – PUD

Vice Chair Merrill asked why the applicant was requesting RS-5 instead of R-8, and Ms. Burdick responded that the adjoining land zoning was RS-5, the adjacent land uses, and the impervious coverage 50% threshold. Vice Chair Merrill then asked if the lot was currently part of the PUD and could the rezoning lead to the lot becoming part of the PUD, and Ms. Burdick stated that it was not currently nor were there plans currently for it becoming part of the PUD.

Member LoPiccolo asked if the lot could be further subdivided and Ms. Burdick answered that it would not meet the lot size requirement.

Mr. Joe Boyd, WithersRavenel, spoke on behalf of the applicant and stated that Ms. Burdick was correct as to why they requested rezoning.

*Member Bowler made a motion to approve the rezoning request contingent upon annexation being complete before approval, and Member Meelheim made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim*

## **New Business**

### 1. 2023 Planning Board Meeting and Submittal Calendar

Chair Neve asked if there were any comments about the proposed calendar.

*Vice-Chair Merrill made a motion to approve the calendar as presented, and Member LoPiccolo made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim*

## **Commission / Board Comments**

Vice-Chair Merrill stated that he remembered when Davis Bay was subdivided and at the time there was a requirement that the lots must be 10 acres, and asked what the requirement had been and what had changed to enable the further lot subdivision. Mr. Garner said that he did not remember that requirement but would ask the applicant. Town Attorney Mr. Grady stated that by statute, if lots are 10 acres or greater they are exempt from local subdivision regulations.

Vice-Chair Merrill then discussed the Beau Coast traffic study and noted that the study did not address his concerns regarding local roads by adjacent subdivisions and the impact of the traffic on residents. He noted that recent Live Oak resurfacing had resulted in diverted traffic through the neighborhoods and the larger amount of traffic had changed the nature of the neighborhood.

Member Bowler stated that she was also concerned about the rapid development in Beaufort and the ability of infrastructure to handle the development, and noted that her concerns focused on traffic, quality of life, and the impact that rapid development has on the community. She wanted to ensure that the Board was thoughtful about the pace of development in the community, and thanked the staff for putting the packets together and answering questions.

Member LoPiccolo said that he had the same concerns with PUD's impacts on surrounding neighborhoods and developments and what benefits and amenities can be provided to current residents to alleviate stress and strain of additional residents being added to the town, such as improved sidewalks and road structure, or additional parks. He also stated that he did not know what the Board could have done with the traffic study such as recommending the applicant provide additional road access, sidewalks, or improved roads, or was the study just a "rubber stamp" to gain approval.

Mr. Grady responded that the PUD had been approved years ago and it would have been more difficult to make the changes rather than if it were a new project. He said that the new UDO could address some of these issues with new large developments along with who would pay for required studies.

Chair Neve noted that some ordinances define primary, secondary, and tertiary roads with each having its own standards that must be met, and pointed out that there must be a balance not to isolate subdivisions and

Mr. Grady recommended that the Board think about recommended updates to the UDO, such as traffic studies and other tools, and possibly including shorter sunsets on multi-phase PUD's, but noted that this could lead to problems tying individual phases together.

## **Staff Comments**

Mr. Garner notified the Board of the following:

1. Board submissions of requested UDO updates in writing by December 1, 2022.
2. The Planning Board can ask for studies to be conducted such as traffic studies.

Member Bowler asked if the consultant could explain how other communities addressed such issues as who pays for studies, and Mr. Garner said there was some discussion in the cost being split between the Town and the applicant so the Town had more control over the study consultant. Mr. Grady suggested that some of the application fees could be increased to generate funds to pay the Town's portion of the studies.

Vice-Chair Merrill suggested that the scope of work needed to be defined and that the Planning Board has the opportunity to ensure their concerns be addressed in the study.

Member LoPiccolo asked if the Live Oak paving was part of the recently funded DOT grant and Mr. Garner stated that it was not as the grant project estimated start date would be around 6-10 years from now. Mr. Garner stated that the biochambers on Cedar Street would be installed this winter and it was on schedule to be resurfaced next spring, and he also encouraged the Board to check the Town website for current project updates, found at <https://www.beaufortnc.org/publicservices/page/ongoing-project-updates>.

## **Adjourn**

*Vice-Chair Merrill made the motion to adjourn and Member LoPiccolo made the second. Chair Neve took a vote that was unanimous.*

*Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim*

Chair Neve then declared the meeting adjourned.

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Ryan Neve, Chair

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Laurel Anderson, Board Secretary