

**Minutes of the
New Bern Planning & Zoning Board
February 2, 2010**

The regularly scheduled meeting of the New Bern Planning & Zoning Board was held in the second floor Courtroom at City Hall, 300 Pollock Street, on Tuesday, February 2, 2010 at 6:30 p.m.

Members present: Mr. Peter Moffett, Chair
Mr. John McClellan
Mr. Mark Best
Mr. Tripp Eure
Mr. Tim Tabak
Ms. Tiffany Dove
Mrs. Janet Lamb
Mr. Harry Cotton

Members excused: Mrs. Susan Moffat-Thomas

Members absent: None

Staff present: Mr. Bernard George, Land & Community Development Administrator
Mrs. Lorraine DiBella, Administrative Assistant

Prayer: A prayer for guidance was given by Bernard George.

Minutes: The minutes of the November 11, 2009 (special called) meeting were approved on motion by Mr. Tabak, second by Mr. Eure, and unanimous vote by the Board. The attendance of Alderman Outlaw and Alderman White was noted.

New Business

A. Consideration of general plan approval for Olde Towne Landing, a proposed 4-lot residential subdivision on an 8.41 acre tract located near the intersection of Batts Hill Road and River Lane. (Ward 1)

Staff, Mr. George, described the application and stated the proposed subdivision is located in the R-10A Residential District, which requires a minimum lot size of 10,000 square feet. The average lot size in this proposed development is approximately 61,209 square feet with an average lot width of approximately 74.5 feet. To mitigate any wetlands impact, a conservation easement will be included for a wetland tract consisting of 10.76 acres. Utilities and services will be provided by the City of New Bern. The Departmental Subdivision Plan Review Committee reviewed plans for the proposed subdivision at its December 10, 2009 meeting and determined that the subdivision plans substantially meet the City's requirements for general plan approval.

Applicant Comments: Mr. Ed Latham, engineer for the project, addressed the Board and said this property was approved last year for a 12-lot subdivision. The development team has secured all water quality permits including the major CAMA permit, but now they find that due to the economy, it would

be impossible to make a reasonable return on the original development of 12 lots. Consequently, the subdivision general plan was modified to reduce the number of lots from 12 to 4 lots resulting in a reduction in land disturbance and paving. As a result, the Division of Environment and Natural Resources (DENR) has agreed to modify the water quality permits. Despite the reduction in lots, the developer will continue reforestation efforts, retain dedicated common areas, continue wetlands mitigation and abide by an agreement with Turtle Bay Homeowners Association to install a valve system on the site at a critical drainage juncture.

The public hearing was opened.

Public Comments: None. The public hearing was closed.

Board Comments: Board members discussed several site design issues with the engineer and applicant.

Motion was made by Mr. McClellan, second by Mrs. Lamb and unanimous vote of Board, to approve the general plan for the Olde Towne Landing subdivision. It was noted that development of the property can commence but final subdivision approval is required by the Board of Aldermen before lots can be sold.

B. Consideration of request to rezone, from R-10 Residential District to R-10A Residential District, a 12.37 acre tract on Pine Tree Drive south of Lori Drive. (Ward 6)

Staff, Mr. George, described the application and the map was examined. The subject property is currently vacant undeveloped land located on Pinetree Drive directly across from the Elks and Knights of Columbus Lodges. Mr. George stated Mitchell Brydge of Brydge & Lee desires to develop the site as an affordable housing community for seniors aged 55 and older. Based on the City's CAMA Land Use Plan, development trends, and the current availability of public water and sewer, the area will continue to be developed and redeveloped at urban densities. The surrounding properties are generally zoned R-10 Residential which is consistent with the proposed zoning. According to Mr. George, site layout, building design, landscaping, and traffic impacts are important character defining elements that will have to be considered further upon submission of a development plan for the subject site. It is only the rezoning request that is being considered, he further explained.

Applicant Comments: Mitchell Brydge of Brydge & Lee described the plans for the site as one and two bedroom senior housing in a centralized, two-story, 76-unit building under one roof. He said the developers have applied for tax credit grant funding through the state Housing Finance Agency. He said if they are approved, the standards are very high. The property would have to remain rent-controlled, affordable housing for 30 years. A local management group and a full-time on-site manager would be employed. He discussed the plan in greater detail including a marketing study which is underway, the environmental impacts, wide vegetative buffering, wetlands preservation, energy efficiency and landscaping. Mr. Brydge stated the proposed development was originally planned to be single-family housing until the economic downturn in the housing market. This proposed development will be much less intrusive, both to the neighbors and to the land. Mr. Brydge stated that prior to this public hearing, he held a neighborhood meeting to inform and address the concerns of residents. The meeting was very positive and addressed the concerns of the residents.

The public hearing was opened.

Public Comments: Jay Barrington, 904 Lynn Street, asked about stormwater runoff. Mr. Brydge discussed the plan to catch and contain stormwater and talked about the lay of the land and the natural course of runoff.

Bruce Smith, 908 Manning Road, asked about the entrance into the housing complex. Mr. Brydge stated the entrance will be on Pinetree Drive.

The public hearing was closed.

Mr. George added that a special use permit would be required for the project. In addition, the plans would require technical scrutiny by the City's departmental review committee. He discussed the posting of the property and notification of the adjoining property owners. He said this use is consistent with the city's development plans and staff is not opposed to the rezoning.

Board Comments: Mr. McClellan stated his concern with the limited parking. Mr. Brydge stated the Housing Finance Agency only required 3/4 parking space per unit. He added there is plenty of room for adding parking should additional parking be needed.

Mrs. Lamb asked what other plans could be made at this property with the new R-10A zoning. Mr. George answered that other multi-family uses would be allowed, in addition to recreational uses or childcare.

Motion was made by Mr. Cotton, second by Ms. Dove and unanimous vote of Board, to recommend approval of the request to rezone, from R-10 Residential District to R-10A Residential District.

The final decision on the rezoning request will be made by the Board of Aldermen at their regular meeting on February 23.

Old Business

The scheduled replacement of board members with expired terms has been delayed due to the newly elected Board of Aldermen who are in the process of reviewing all board appointments. Staff will inform the Planning & Zoning Board as soon as the review is complete and decisions are made.

Mrs. DiBella reported that staff is looking at several venues as possible sites for an appreciation dinner/workshop to be held after the first of the year. Mr. George answered that he is in discussions with Mr. Avery, Planning Director, concerning a guest speaker for the workshop.

There being no further business, the meeting adjourned.

Peter Moffett, Chairman

Bernard George, Secretary