



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

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www.southernshores-nc.gov

MEETING MINUTES

PLANNING BOARD-NOVEMBER 21, 2022, 5:00 P.M.

LOCATION: PITTS CENTER-5377 N VIRGINIA DARE TRAIL, SOUTHERN SHORES, NC 27949

I. CALL TO ORDER:

Chairperson Andy Ward called the meeting to order at 5:00 pm. Planning Board Members Ed Lawler, Jan Collins (alternate #1), Tony DiBernardo (Vice Chairperson), Andy Ward (Chairperson), John Finelli (ETJ), and Deputy Town Manager/Planning Director Wes Haskett were present.

II. PLEDGE OF ALLEGIANCE:

Chairperson Ward led the Pledge of Allegiance.

III. APPROVAL OF AGENDA:

Planning Board Member Collins moved to approve the November 21, 2022, agenda as presented, Motion seconded by Chairperson Ward. The motion passed unanimously (5-0).

IV. APPROVAL OF MINUTES: October 5, 2022, Special Meeting

Motion made by Vice Chairperson DiBernardo to approve the minutes of October 5, 2022, meeting, Seconded by Planning Board Member Lawler. Motion passed unanimously.

V. APPROVAL OF APA-22-01 ORDER

Planning Director Haskett stated the order is the written decision that the Board made in APA-22-01 and it must be approved per North Carolina General Statute. Only three members participated in that vote and those members are the only ones able to vote on approval of the written decision. Once signed, it would be served to the applicant and the property owner and that starts the 30-day clock for them to file a petition in Dare County Superior Court if they choose.

Vice Chairperson DiBernardo stated the order is a true and accurate representation of the hearing.

Chairperson Ward called for a vote. Vice Chairperson DiBernardo, Planning Board Member Lawler, and Planning Board Member Collins all voted aye to approve APA-22-01 Order.

VI. PUBLIC COMMENT-none

VII. DISCUSSION OF POTENTIAL COMMERCIAL DESIGN STANDARDS

Chairperson Ward stated Southern Shores has no commercial design standards. The closest thing that he found regarding any design standards was in the group development of commercial Buildings. Earlier developments of commercial buildings like the Marketplace and Southern Shores Crossing were not subject to any design standards.

Chairperson Ward called on Planning Board Member Finelli (ETJ) to start the discussion of potential commercial design standards. Mr. Finelli stated generally communities adopt these standards for one or two reasons. One they want to project a certain look, but Southern Shores is past that, so it would be for a protective measure. There are a couple big things that could be addressed.

Chairperson Ward read Planning Board Member Finelli' s written suggestions:

Prevent large buildings which have a "Block" appearance or are "Tacky" in nature due to the overuse of glass. The following standards are from Nags Head:

Wall elevations and roofs greater than fifty (50) horizontal feet in length shall have no more than forty (40) horizontal feet without a roof variation.

On the front and each side of the building, windows shall comprise not less than ten (10) percent and not more than forty (40) percent of each building vertical wall area.

The roof design shall screen the visual clutter of typical rooftop installations such as any mechanical equipment, exhaust vents, transformer boxes, dish antennas, etc.

Prohibit certain styles which are not compatible with existing development.

Modernist, urban-oriented or whimsical designs that have no relationship to the established character of the community shall not be approved. The list of styles which are specifically prohibited includes, but is not limited to: "A" Frame, Swiss Chalet, Geodesic Dome, Santa Fe(Pueblo), Log construction.

Chairperson Ward stated he wasn't quite sure how the Town can legislate what we would deem is incompatible.

Planning Board Member Collins asked if the size of the building could be regulated to no larger than 10,000 square feet? Planning Director Haskett stated he thought you could regulate commercial building size.

Planning Board Member Collins stated she liked the idea that a sketch plan review would be required. Chairperson Ward agreed and would like to advocate for that standard.

Planning Board Member Collins inquired as to how the Board moves forward. Now that the Board is looking at architectural design, how much weight does the Board carry if we wanted to start something today.

Chairperson Ward asked Planning Director Haskett how the Board's discussion leads to something that staff would put together in the form of a ZTA.

Planning Director Haskett stated if the Board feels that the Town should have commercial design standards that address commercial buildings, he would ask for guidance as to what the Board would like to see in a zoning text amendment. Once drafted, the amendment would be brought to the Board for consideration and a recommendation to council. Council would ultimately adopt it or revise it or reject it. Mr. Haskett also stated that the Town cannot require a sketch plan as the ordinance is currently written but a ZTA could be adopted requiring it to be the first step in the site plan approval process.

Planning Board Member Lawler asked what about color scheme? He said all the residential areas have restrictions. Vice Chairperson DiBernardo stated that it is restricted by Chicahauk covenants.

Planning Director Haskett stated that other Towns regulate color schemes, so that could be something the Board recommends addressing.

Planning Board Member Collins asked if the color scheme could be made as one of the sketch plan requirements. Chairperson Ward stated it may be easier to address limiting the number of colors used, rather than a color scheme.

Planning Board Member Lawler felt it was important for the commercial units to blend, look uniform.

Chairperson Ward stated that the Board is in agreement that we would like to control the multiple variations of exterior paint schemes.

Vice Chairperson DiBernardo stated standardization within a section, maintain the same colors within a section. He said he thought Aston Properties said they were going to make everything the same after they're done with renovations. Planning Board Director Haskett stated Aston Properties will be doing renovations in phases, but he did not recall if Aston properties made that statement.

Chairperson Ward reviewed pictures of commercial properties with the Board to utilize as examples and elicit conversation. He pointed out the elements that some shopping centers had that made them uniform in appearance and "blended" in with the residential area and those that did not.

Planning Board Member Lawler stated that blending in with the residential neighborhood may be the look the Board would like to see. Chairperson Ward asked how would you describe that?

Planning Board Member Collins stated you could get the look from requiring an overhang, recessed entry door and covered walkways.

Chairperson Ward reviewed examples of screening that should be required. Screening of trash dumpsters or unsightly utilities.

Chairperson Ward asked Planning Director Haskett if certain types of exterior materials could be regulated. Planning Director Haskett thought it could be regulated.

Chairperson Ward stated how we legislate how we would like our commercial district to look better is challenging.

Planning Board Member Collins inquired if that would entail renovations as well as new construction? Chairperson Ward stated absolutely, and the renovations must match the existing.

Planning Board Member Collins asked how you approach a commercial property owner and state that the Board would like a sketch plan review upon further renovation. The Board agreed that it could be done.

Planning Board Member Lawler asked how many of the commercial properties could create housing on the second floor. Planning Director Haskett stated a zoning text amendment has been approved for mixed use group developments but to date there have been no permit applications received.

Chairperson Ward stated in the other Town's design standards there is a lot of talk about wall space and breaking it up. He felt that would be an important element to include in design standards for Southern Shores.

Chairperson Ward read introduction to the Town of Nags Head design standards.

"These standards are not intended to limit creativity but to serve as a useful tool for design professionals to engage in contextual site-specific design. Site design will strive to create a sense of place while maintaining compatibility with adjacent land uses."

Chairperson Ward stated it sounds good, feels good. Can we legislate something like that a little bit? Maybe.

Planning Board Member Lawler suggested requiring trees rather than shrubs in the parking lots, thus softening the look of the large parking lot and the commercial buildings.

Planning Board Member Finelli asked to clarify that the new mixed used group development properties require an existing wastewater treatment facility. Planning Director Haskett confirmed that was accurate.

Planning Board Member Finelli followed up but stating then it is only the current Saga property that would be able to build mixed use. Planning Director Haskett stated that is currently the only property with a wastewater treatment facility approved by DEQ.

Chairperson Ward stated do we begin this process by consensus, saying we want to work on this color scheme and "x" amount percentage of flat wall? How does the Board begin?

Planning Director Haskett reviewed the ideas discussed and agreed upon by the Board:

- Ask for a sketch review.
- Colors should not be bright-suggesting natural earth tones.
- Limit the number of colors.
- Screen utilities and electric units, trash receptacles
- Glazing- percentage of windows area to surface area.
- Renovations must comply.
- Roof line-must have a certain overhang and HVAC units must be concealed.
- Percentage of covered walkways (potential 8ft).
- Require breaks in the vertical facade and roof lines.
- Use term shall and stay away from should.
- Potentially trade parking area for vegetation (trees/shrubs)

Planning Board Member Collins stated the Board must decide what we want the commercial area to look like and make that a requirement moving forward. It will apply to new construction and renovations.

Planning Board Member Collins also inquired if something could be done with clear cutting lots. Vice Chairperson DiBernardo stated he has worked on two ordinances which have been presented and they never moved forward.

Chairperson Ward stated people buck the concept for different reasons. Some say it is a safety hazard and do not want trees next to their homes and it is their right. Some lots have had all the trees removed during construction and the property owners did as beautiful job putting it back. Many will agree it is a property right.

VIII. PUBLIC COMMENT-NONE

IX. PLANNING BOARD MEMBER COMMENTS-NONE

X. ANNOUNCEMENTS

Planning Director Haskett stated earlier in the agenda the Board voted to approve APA 22-01 but there was only a vote, no motion or second.

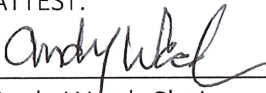
MOTION: Vice Chairperson DiBernardo moved to affirm the decision of October 5th hearing with the Board of Adjustments concerning APA 22-01; it is a true and accurate representation of the hearing that we held on October 5th, Seconded by Planning Board Member Collins. The motion passed unanimously (3-0).

Planning Director Haskett stated the next meeting will be a special meeting on December 1st at 1:00 p.m. The next regular meeting will be held on December 19th at 5:00 p.m. The Board has another variance application for consideration. The property is located on Ginguite Trail and pertains to the length of a pier. The Board may also address more commercial design standards and some more 160D.

XI. Adjourn

Hearing no further business, **motion** made by Vice Chairperson DiBernardo to adjourn, Seconded by Planning Board Member Lawler. Motion passed unanimously. The time was 6:22 P.M.

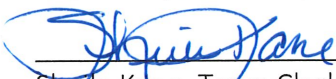
ATTEST:



Andy Ward, Chairperson



Respectfully submitted,



Sheila Kane, Town Clerk