

**Minutes of the
City of New Bern Planning & Zoning Board
November 3, 2020 – 5:30 P.M.
Development Services - 303 First St.**

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2 The regular meeting of the New Bern Planning and Zoning Board was held in the Development
3 Services Conference Room, 303 First Street, on November 3, 2020 at 5:30 pm
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5 **Members Present:**

6 Don Black, Chair
7 Pat Dougherty, Vice Chair
8 Raymond Layton
9 Anne Schout
10 Margie Dunn
11 Travis Oakley
12 Sonny Aluzzo

13 **Members Excused (E)/ Absent (A):**

14 Marcus Simmons (A)
15 Marshall Ballard (E)
16 Haron Beatty (A)
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18 **Staff Present:**

19 Jeffrey Ruggieri, Director of Development Services.
20 Nadia Abdul-Hadi, Planner 1.

21 **1. Roll Call**

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23 Staff Member Nadia Abdul-Hadi delivered the roll call of all members and quorum declared.
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25 **2. New Business**

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27 **A. Sydes Construction, Inc./Thomas Engineering, PA. are requesting final**
28 **subdivision plan approval for “South Wind Phase 2 Section A at Bluewater Rise**
29 **A Planned Unit Development”; a proposed 28-lot planned unit development**
30 **(PUD). This section of the multi-phase development is located on a combined**
31 **17.49 +/- acres in the R-8 Residential District. The site is located to the north of**
32 **County Line Rd. (Ward 3).**
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34 **Staff Comments:**

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36 Nadia Abdul-Hadi presented the staff review citing that “South Wind Phase 2 Section A at
37 Bluewater Rise A Planned Unit Development” received preliminary plan approval in February
38 2017, with an average lot size of 20,685 square feet, 2,039 linear feet of streets and approximately
39 1 acre of common area. Ms. Abdul-Hadi clarified that the common area acreage was for this phase
40 only. Nadia Abdul-Hadi stated that utilities would be provided by the City of New Bern. Nadia
41 Abdul-Hadi provided a satellite image of the where the Planned Unit Development would be
42 located, in relation to other completed sections of the development, along with an image of the

43 plans provided by Thomas Engineering, PA. Nadia Abdul-Hadi concluded staff review by stating
44 that staff recommended approval of “South Wind Phase 2 Section A at Bluewater Rise A Planned
45 Unit Development” with the bond having been review by the required departments such as public
46 works and the water department.

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48 **Board Discussion:**

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50 Chair Black asked Mr. John Thomas of Thomas Engineering PA. if he had anything further to add,
51 Mr. John Thomas responded that he had nothing further to add unless the board had any questions
52 for him. Chair Black proceeded to ask if there was any public present that would like to comment,
53 hearing no public comment Chair Black stated that he would entertain a motion. **Ms. Schout made
54 a motion to approve the final plans for “South Wind Phase 2 Section A at Bluewater Rise A
55 Planned Unit Development” as presented, the motion was seconded by Mr. Layton. Nadia
56 Abdul-Hadi delivered a roll call of all members, the motion passed unanimously (7-0).**

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59 **B. Consideration of a request to review height regulations in the R-6 Zoning District,
60 Residential & Commercial Waterfront Overlay Districts and Riverstation mixed
61 use overlay district from the Board of Aldermen. Board Member Comments.**

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63 **Staff/Board Discussion:**

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65 Jeffrey Ruggieri explains that the Planning and Zoning Board has been tasked by the Board of
66 Aldermen to make some recommendations on policy changes as they pertain to height regulations
67 in the Land Use Ordinance of the City of New Bern. Mr. Ruggieri explains that when there is not
68 an overlay and a structure is not in the flood plain, height is measured from finished grade to the
69 highest point of the building. Mr. Ruggieri adds that when in a flood zone you measure from the
70 Regulatory Flood Protection Elevation (RFPE). Mr. Ruggieri states that in overlays a maximum
71 height is established. Mr. Ruggieri presents the various overlays in downtown New Bern:
72 Riverstation mixed use overlay district, Residential waterfront district and the Commercial
73 waterfront district. Mr. Ruggieri explains that the main problem is in a particular area in which all
74 of the overlay boundaries overlap, creating difficult-to-meet height regulations. Mr. Ruggieri asks
75 the board if they wish to alter the boundary of the residential waterfront overlay. Mr. Ruggieri
76 states that language for elevations should be added to the Land Use Ordinance. Mr. Layton asks if
77 Mr. Ruggieri is proposing changing the way height is measured as well as the height regulations
78 themselves. Mr. Ruggieri responds that he is not suggesting the way height is measured be
79 changed. Chair Black suggest that it would be easier if everything could be measured from mean
80 sea level across the city. Mr. Ruggieri states that it is more the top side of height we are concerned
81 with in this discussion. Mr. Ruggieri states the board is tasked with tightening up the language in
82 the Riverstation mixed use overlay as well as looking at the locations of where the overlays overlap
83 and determining if it should be altered. Mr. Oakley asks why we can’t change the height limit from
84 44’ to 50’. Mr. Layton responds that the problem then would come from trying to decide where to
85 measure from. Mr. Oakley asks how many properties are facing issues with the height limits as
86 they stand, Mr. Ruggieri states that approximately 20 properties could be affected. Mr. Ruggieri
87 states that he does not feel that changing overall heigh limits is something that should be done to
88 the difficulty in doing so. Mr. Ruggieri asks the board to reach out to their networks and ask people

89 what they feel would be the best way to handle any changes to the height regulations, and at the
90 next meeting we can continue the discussion.

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92 **3. Adjourn**

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94 Hearing no further discussion amongst the Board, Chair Black entertained a motion to adjourn.
95 **Mr. Layton moved to adjourn, Ms. Schout seconded the motion. The motion passed**
96 **unanimously (7-0).**

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98 The meeting was adjourned at 6:25 pm.

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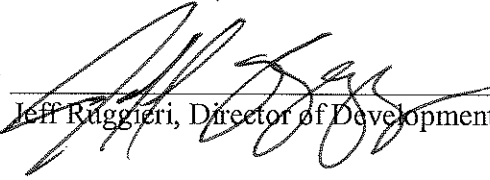
101 Date Approved: 12/01/2020

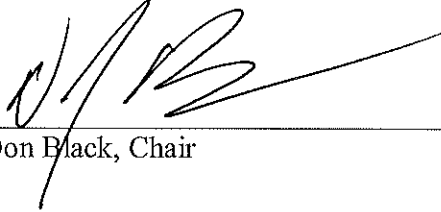
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Attest: 
Jeff Ruggieri, Director of Development Services


Don Black, Chair

