

STAFF REPORT

To: Southern Shores Town Council
Date: January 3, 2023
Case: SUP-22-01
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Timmons Group, Kimberly D. Hamby
1805 W. City Drive, Unit E.
Elizabeth City, NC 27909

Property Owner: Fire Service Real Estate, Inc.
15 South Dogwood Trl.
Southern Shores, NC 27949

Requested Action: Special Use Permit application to construct a new EMS/Fire Station at 28 E. Dogwood Trl.

PIN #: 986819516864

Location: 28 E. Dogwood Trl.

Zoning: R-1, Low-Density Residential District

Existing Land Use: “Residential”

Surrounding Land Use & Zoning:

North- Residential; RS-1, Single-Family Residential District

South- Residential; RS-1, Single-Family Residential District

East- Residential; RS-1, Single-Family Residential District

West- Residential; RS-1, Single-Family Residential District

Physical Characteristics: Developed (existing EMS/Fire Station).

Applicable Regulations: Town Zoning Ordinance: Article III, Interpretation and Definition of Terms; Article IV, Application of Regulations; Article VI, General Provisions; Article VII, Schedule of District Regulations; Article X, Administration and Enforcement.

ANALYSIS

The applicant seeks a Special Use Permit to construct an 8,756 sq. ft. EMS/Fire Station at 28 E. Dogwood Trl. Parking for the proposed EMS/Fire Station is shown on site as well as in the Town right-of-way along E. Dogwood Trl. The site plan also shows a 10 ft. wide landscaped buffer along the northern and eastern property lines (as discussed at the March 21, 2022 Planning Board meeting). The applicable lot coverage requirement for Fire Stations is 85% and the site plan shows a proposed total of 68.9%. There are no lights shown on the proposed plans. There are two permanent signs shown at a total of 46.9 sq. ft. and there is one appx. 4 ft. tall, 6 sq. ft. temporary sign shown. The Planning Board granted a Variance on December 1, 2022 to allow stormwater in the drainage area that contains the concrete apron off of E. Dogwood Trl. to be collected and stored in the retention area located at 29 E. Dogwood Trl. as it is today.

Fire Stations are a permitted use in the R-1, Low-density Residential District provided that a Special Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board. In granting any Special Use Permit, the Board may recommend appropriate conditions and safeguards in conformity with Article X, Administration and Enforcement. Before granting any Special Use Permit, the Town shall make affirmative findings that:

- a. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.
- b. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.
- c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
- d. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the Special Use for which the application is made.

RECOMMENDATION

The Land Use Plan identifies this area as Residential in the R-1, Low-density Residential Zoning District which is consistent with the improvements proposed in the application. All applicable regulations in the Town Zoning Ordinance and all of Town Staff's concerns that are applicable to this application have been identified or are addressed in the recommended conditions. Town Staff recommends conditional approval of the application and the Town Planning Board recommended conditional approval of the application with the following conditions:

1. The following permit shall be issued prior to submittal of a Building Permit application:
 - a. Improvement Permit and Authorization to Construct a new wastewater collection, treatment and disposal system as issued by the Dare County Health Department.
2. A lighting plan shall be submitted with the Building Permit and Zoning Permit application.
3. A maximum of two wall signs shall be permitted not to exceed 64 sq. ft. A maximum of five temporary signs, not exceeding 6 sq. ft. and 5 ft. in height each, shall be permitted while the building is under construction. Revised plans shall be submitted with the Building Permit and Zoning Permit application (this recommended condition has been satisfied).
4. The applicant must strictly abide by all requirements of the Town Code and must also strictly comply with all other applicable local, State, and Federal requirements.