



## **TOWN OF ATLANTIC BEACH BOARD OF ADJUSTMENT**

**NOVEMBER 16, 2015, 7:00 p.m.**

### **AGENDA**

1. Call to Order
2. Oaths of Office (Cox/Lotspih/Plough/Palma/French)
3. Approval of March 17, 2014 Meeting Minutes
4. Opening remarks and swearing in of witnesses
5. CASE #CUP 15-01 Dollar General
  - A. Staff Presentation, Jessica Fiester
  - B. Planning Board Report, Curt Winbourne
  - C. Applicant Presentation, George Barnes
  - D. Attorney Comments, Derek Taylor
  - E. Public Hearing
  - F. BOA Discussion and Evaluation
6. Adjournment



## **Board of Adjustment Minutes March 17, 2014**

### **Members Present:**

John Kurek, Chairman  
John Lotspih  
Gary Plough

### **Alternate Members Present:**

Vada Palma  
Cynthia Chamblee  
David Cox

### **Members Absent:**

Gene Waltz  
Markey Burroughs

### **Staff Present:**

Jessica Fiester, Planner  
Derek Taylor, Town Attorney  
Kim Tynes, Secretary

## **CALL TO ORDER**

Jessica asked for a motion to excuse Markey Burroughs and Gene Waltz. Meeting was called to order by John Kurek, Chairman.

## **APPROVAL OF MINUTES**

John Kurek made a motion to approve the minutes from the January 21, 2014 Board of Adjustment meeting. Motion was seconded by Gary Plough and John Lotspih and the vote was unanimous. Motion carried.

## **NEW BUSINESS**

Andy Munday and Ron Clemmons were sworn in as witnesses regarding 131 Bayview Boulevard.

Mr. Clemmons requested a variance to accommodate the construction of a new single family dwelling at 131 Bayview. Request is from the UDO Section 2.26 Stormwater Requirements and Maximum Impervious Coverage. Mr. Clemmons request not retaining the full 2 inches of water as required by ordinance due to lot size, characteristics and location of septic tanks.

The old stormwater rules would have allowed this construction without stormwater controls because it covers less than 25% of the lot with impervious material. Rules changed in 2010 required all new construction to retain stormwater.

This property has septic and drain lines in front yard, rear yard is primarily a canal with a 10' setback from bulkhead and the 7' side setbacks make it impossible to install the stormwater system there. If granted, the owner plans to install a permeable driveway to assist with water retention.

Property platted in 1973 and minimal codes were in existence at that time.

These requirements create a unique and personal hardship for the owner through no fault of his own. If granted, variance will improve non-conformities currently in existence. The new house will be 40'x43' for a total of 1,720 sq ft, which is 555 sq ft less permeable surface than existing home.

Property was posted on March 6, 2014 and Notice of Public Hearing was sent to 18 property owners within 150' of project on March 4, 2014. There were no objections noted from neighboring home owners. The advertisement in the local newspaper ran March 2, 9 and 14.

Andy Munday confirmed all of the above information is accurate and the 6" washed stone driveway should be 116.67 cubic feet. House size is 45'x43 including overhang. Water quality in sound has good BMP, Best Management Practices. This plan is the only way the structure can work.

Information confirms 10' set back, no place for rain tank and permeable pavers are the best option.

There were no objections for Mr. Munday or Mr. Clemmons.

Derek Taylor asked if there was any way to hold 2" of rain water on this lot, Andy Munday stated there is not. He also asked if they have made the best plan possible for this lot, they confirmed they had.

No other questions arose.

Based on evidence presented, a motion was made by Vada Palma and David Cox to accept the plan as presented. All were satisfied with presentation.

## ADJOURNMENT

There being no further business, John Kurek made a motion to adjourn the meeting with a second by Vada Palma and David Cox, with a unanimous vote.

Respectfully Submitted,

---

Kim Tynes, Secretary

Approved by:

---

John Kurek, Chairman

### Conditional Use Checklist

The proposed use will have either a minimal effect or a positive effect on the public health or safety

The use meets all required conditions and specifications

The proposed use will have no material adverse effect on the values of adjoining or abutting properties unless the use is a public necessity; and

The proposed use is in harmony with the Town Land Use Plan and/or other plans adopted by the Town Council

**CONDITIONAL USE PERMIT  
CUP #15-01 (DOLLAR GENERAL)  
INFORMATION PACKAGE**

---

**Conditional Use Address:** 2410 West Fort Macon Road, Atlantic Beach  
**Date of Hearing:** November 16, 2015  
**Date of TRC Review:** October 27, 2015  
**Date of PB Review:** November 4, 2015  
**Applicant's Name:** George Barnes/Vanguard Ventures  
**Owner's Name:** Baker and Smith Properties  
**Zoning District:** Resort Services (RS)  
**Name of Proposed Project:** Dollar General  
**PIN Number:** 636516729785000  
**New or Pre-Existing:** New Construction  
**Flood Zone:** Shaded X and AE-6

Enlargeable plans are available on the Town's website: [www.atlanticbeach-nc.com](http://www.atlanticbeach-nc.com)

**Background:**

George Barnes of Vanguard Ventures has requested a Conditional Use Permit to construct a 9,002 square foot Dollar General Retail Store on 1.305 acres of land located at 2410 West Fort Macon Road. The property is zoned Resort Services, and all contiguous property is zoned Resort Services. This zoning classification requires that a Conditional Use Permit be obtained from the Board of Adjustment prior to regular building and zoning permits being issued for this type of use. The Technical Review Committee and Planning Board have already completed reviews of this request.

The applicant has obtained authorization for a septic tank and has provided proof of stormwater permitting. NCDOT has reviewed a variety of options for the Highway 58 ingress and egress and supports the plan as proposed. NCDOT will be evaluating the Lee Drive and Highway 58 intersection in the Spring of 2016 to make a determination on whether or not a traffic signal and other improvements are necessary in that location.

**Attachments:**

In order to thoroughly review the application, you will find the following items in this file:

- ▶ Proof of advertising per UDO requirements
- ▶ Proof of posting of the public hearing
- ▶ Information provided to the Technical Review Committee regarding CUP #15-01
- ▶ Information provided to the Planning Board regarding CUP #15-01
- ▶ The application and required attachments provided by the applicant
- ▶ Required site plans
- ▶ Renderings
- ▶ Elevations
- ▶ A copy of the letter sent to property owners within 500 feet of subject property
- ▶ Relevant sections of the Unified Development Ordinance
- ▶ The basic CUP checklist (there are no additional requirements for this use)
- ▶ Relevant correspondence

### **Recommended Conditions:**

The following conditions were recommended by Staff, the TRC and Planning Board to be attached to the Conditional Use Permit if granted. These conditions will be presented into the evidence by Curt Winbourne of the Planning Board. The applicant has agreed to these conditions. The Board of Adjustment may request additional conditions if they see fit.

- Installation of Sidewalks on Lee Drive & Hwy 58 to NCDOT standards
- Sidewalk agreements are subject to approval by NCDOT and the Town
- Sidewalks are to be installed prior to the project receiving a CO
- Ingress/egress point on Highway 58 is subject to NCDOT approval
- Two “Pedestrian Flashers” are to be installed at the existing crosswalk
- Preservation of as much existing vegetation as possible is requested as demonstrated on the tree survey and site plans
- Wall signage letters are to be individual and are not to exceed 18”
- Building approval is contingent upon NCDEQ permit issuance
- Monument signage shall be used ( rather than freestanding air signs)
- AB Welcome Sign is to be relocated to accommodate future traffic signal
- The building shall feature a brick knee wall as demonstrated
- The building shall be white or gray Hardie-Plank as demonstrated
- The roof shall be a hip roof with a 3:12 slope
- Building design shall not vary from renderings approved by Planning Board
- All areas viewable from a street or adjacent properties shall be given equal design significance (façade) as demonstrated
- The dumpsters will meet setbacks and be screened in materials that match the building façade
- All mechanical equipment will be screened with façade-matching materials as demonstrated
- Lighting and landscaping shall reflect coastal area and be unobtrusive as demonstrated in lighting plan provided

### **Comments on BOA CUP Requirements:**

**The proposed use will have either a minimal effect or positive effect on the public health or safety;**

Yes. Staff feels there will be no impact on public health or safety. The following comments are provided:

\*The development is only covering 44% with impervious surfaces and is incorporating two drainage basins and permeable pavement on half the parking lot. This is the lowest coverage of any commercial property in Atlantic Beach.

\*The development is required to add pedestrian flasher signage and sidewalks along all frontages, adding awareness to the pedestrian community.

\*Project has been the impetus for a traffic and safety study to occur in this area, which may result in a controlled traffic pattern.

**The use meets all required conditions and specifications; (From Article 6)**

Yes. There are no additional requirements for this request.

**The proposed use will have no material adverse effect on the value of adjoining or abutting properties unless the use is a public necessity;**

Yes. The proposed use is located between vacant land, across from a gas station and fast food restaurant, adjacent to a tennis facility at a condo complex and across from high density residential. The development will be leaving a vegetated buffer around the residential portions of the project and is utilizing low impact lighting. It is staff opinion that there will be no material adverse effect on abutting properties by this project.

**The proposed use is in harmony with the Town Land Use Plan and/or other plans adopted by the Town Council.**

Yes. The Land Use Plan has this parcel designated as “Mixed Use Residential “and low impact commercial development is allowed. A Land Suitability Analysis in the Land Use Plan has this area classified as “highly suitable” for development.

**Further Requirements:**

Proof of advertising in the Carteret News Times was included in the agenda packet for the Board of Adjustment meeting on November 16. The public hearing advertisement was posted at Town Hall on October 27 and on the Town of Atlantic Beach Website on October 27. The property was posted on October 27. A notice of the public hearing was sent by the UDO Administrator to all property owners within 500' of the subject property on October 23, 2015.





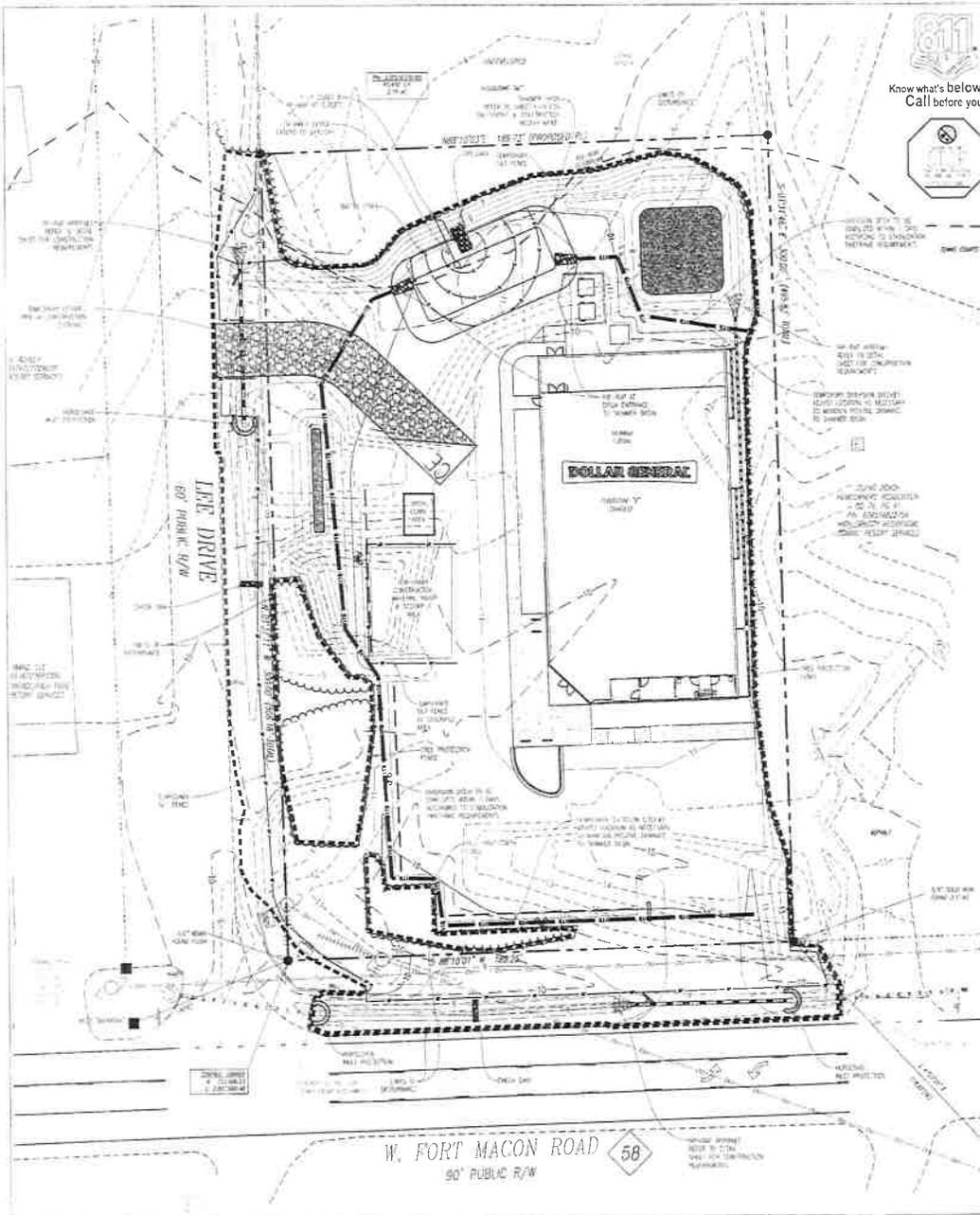
Staff Note:

The site plan demonstrated here does not reflect two changes requested by the review boards. The actual plan that will be presented to the BOA for approval will reflect the following alterations:

- 1) The Highway 58 driveway will be shifted west 10-feet
- 2) The southwest corner will remain clear to accommodate a potential traffic light in the future
- 3) 5-foot sidewalks will be located on Lee Drive and on Highway 58







**EROSION CONTROL NOTES:**

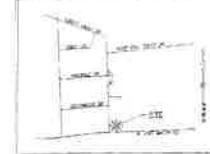
1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
7. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
8. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
9. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
10. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.

**SUMMARY & EROSION CONTROL NOTES:**

1. THIS PLAN SHOWS THE EROSION CONTROL MEASURES TO BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
7. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
8. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
9. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.
10. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE FINAL GRADING IS COMPLETED AND THE SOIL IS FULLY REVEGETATED.

**TREE PROTECTION NOTES:**

1. ALL TREES TO BE PROTECTED SHALL BE IDENTIFIED AND MARKED WITH A RED SPRAY PAINT AND A RED FLAG AT THE BASE OF THE TREE.
2. A PROTECTION ZONE SHALL BE ESTABLISHED AROUND EACH TREE TO BE PROTECTED.
3. NO CONSTRUCTION ACTIVITIES SHALL BE ALLOWED WITHIN THE PROTECTION ZONE.
4. THE PROTECTION ZONE SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. ANY DAMAGE TO TREES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.



**Basin Notes:**

1. ALL BASINS SHALL BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. BASINS SHALL BE INSTALLED AT ALL GRADING STATIONS.
3. BASINS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. BASINS SHALL BE REMOVED AFTER CONSTRUCTION IS COMPLETE.

**EROSION CONTROL NOTES:**

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

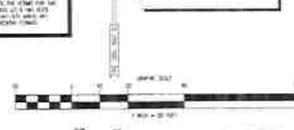
**NOTE TO CONTRACTOR:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	06/15/24	JL
2	REVISED PER PERMIT COMMENTS	06/20/24	JL
3	REVISED PER PERMIT COMMENTS	06/25/24	JL
4	REVISED PER PERMIT COMMENTS	07/05/24	JL
5	REVISED PER PERMIT COMMENTS	07/15/24	JL
6	REVISED PER PERMIT COMMENTS	07/25/24	JL
7	REVISED PER PERMIT COMMENTS	08/05/24	JL
8	REVISED PER PERMIT COMMENTS	08/15/24	JL
9	REVISED PER PERMIT COMMENTS	08/25/24	JL
10	REVISED PER PERMIT COMMENTS	09/05/24	JL

**GROUND COVER REQUIREMENTS:**

ALL EXPOSED SOIL SHALL BE COVERED WITH EROSION CONTROL MATS OR SIMILAR MEASURES TO PREVENT EROSION.



**NOTIFICATION OF COMPLETED SELF-MONITORING AND SELF-INSPECTION FORM:**

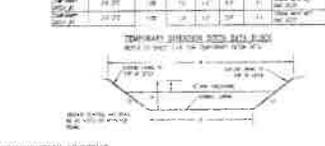
THE CONTRACTOR SHALL COMPLETE AND SUBMIT THIS FORM TO THE LOCAL GOVERNMENT OFFICE AT THE END OF EACH CONSTRUCTION PERIOD.

**EROSION CONTROL NARRATIVE:**

THE CONTRACTOR SHALL MAINTAIN A DETAILED NARRATIVE OF ALL EROSION CONTROL MEASURES INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

**GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
3. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES.
5. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES.
7. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES.
9. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES.



**CONSTRUCTION SEQUENCE:**

1. INSTALL EROSION CONTROL MATS AT ALL GRADING STATIONS.
2. GRAD THE SITE TO THE SPECIFIED FINISH GRADES.
3. REMOVE EROSION CONTROL MATS AND REVEGETATE THE SITE.
4. MAINTAIN EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
5. REMOVE EROSION CONTROL MEASURES AFTER CONSTRUCTION IS COMPLETE.
6. REVEGETATE THE SITE WITH APPROPRIATE PLANTING.
7. MAINTAIN EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
8. REMOVE EROSION CONTROL MEASURES AFTER CONSTRUCTION IS COMPLETE.
9. REVEGETATE THE SITE WITH APPROPRIATE PLANTING.
10. MAINTAIN EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

**TRIANGLE SITE DESIGN**

CONSULTANT  
Triangle Site Design, PLLC  
4006 Barrett Drive  
Suite 200  
Raleigh, NC 27608  
919.752.6570  
info@triangle-sitedesign.com  
NC LICENSE # 17-0619

**DOLLAR GENERAL**

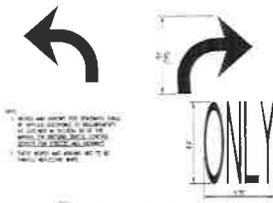
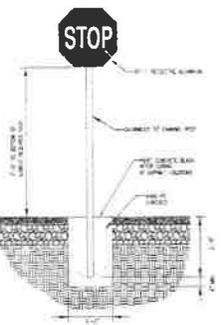
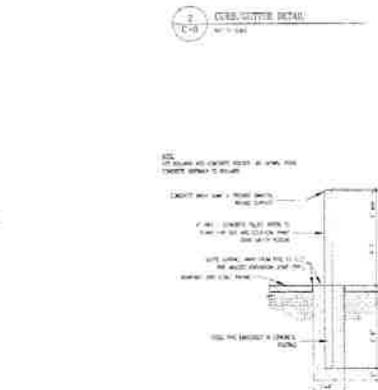
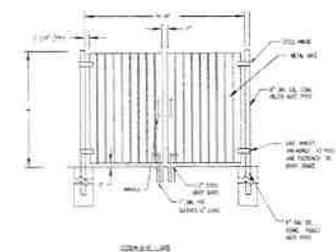
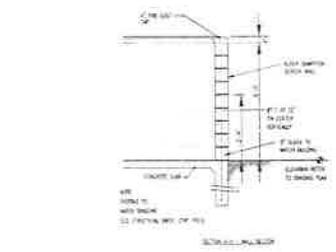
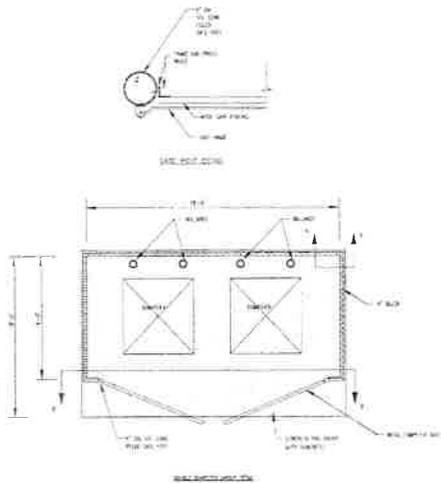
1 York March Road  
(NC Highway 58)  
Alamogordo, North Carolina  
Currituck County

OWNER/DEVELOPER:  
LANTANA VENTURES, LP  
2000 Martin Drive  
Suite 200  
Raleigh, NC 27608  
919.439.3881  
919.439.3881 (fax)  
lvc@lanta.com

DATE: 06/15/24  
JOB NUMBER: 064254  
SHEET NUMBER: C-5







**TRIANGLE**  
SITE DESIGN

CONTRACT NO:  
Triangle Site Design, PLLC  
4000 Barrett Drive  
Suite 200  
Raleigh, NC 27609  
(919) 550-8370  
9010000@triangle-sitedesign.com  
NC LICENSE #P-0019



**DOLLAR GENERAL**

1 First Warren Road  
Atlantic Beach, North Carolina  
Currier County

OWNER/DEVELOPER:  
KAPLAN DEVELOPMENT, LLC  
2900 Morris Drive  
Suite 210  
Raleigh, NC 27609  
(919) 554-2000  
720 AM 2004 St  
kpldev@kapdev.com

REVISIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LAYOUT COORD: MSL  
PLANNING MGR: MSL  
DRAWING BY: MSL  
DATE: 10/15/13  
JOB NUMBER: 004104  
TITLE: CONSTRUCTION DETAILS  
SHEET NUMBER: C-8  
COMMENTS:









Environmental  
Quality

PAT MCCRORY  
Governor

DONALD R. VAN DER VAART  
Secretary

November 3, 2015

**LETTER OF APPROVAL WITH MODIFICATIONS  
AND PERFORMANCE RESERVATIONS**

Vanguard Ventures, LLC  
George T. Barnes, Jr.  
3825 Barrett Drive, Suite 100  
Raleigh, NC 27609

RE: Project Name: DOLLAR GENERAL #16857 (ATLANTIC BEACH)  
Acres Approved: 1.405  
Project ID: CARTE-2016-007  
County: Carteret, City: Atlantic Beach  
Address: Lee Drive  
River Basin: White Oak  
Stream Classification: Other  
Submitted By: Matt Lowder, PE, Triangle Site Design  
Date Received by LQS: October 09, 2015 and November 3, 2015  
Plan Type: Commercial

Dear Mr. Barnes:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.

Please be aware that your project will be covered by the enclosed NPDES Construction Stormwater General Permit NCG010000. Please become familiar with all the requirements and conditions of this permit in order to achieve compliance.

Title 15A NCAC 4B .0118(a) requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to ensure compliance with the approved plan.

Division of Energy, Mineral, and Land Resources  
Energy Section • Geological Survey Section • Land Quality Section  
127 Cardinal Drive Extension Wilmington, NC 28405 • Phone: 910-796-7215 • FAX: 910-350-2004  
Internet: <http://portal.ncdenr.org/web/tr/>  
An Equal Opportunity \ Affirmative Action Employer - 50% Recycled \ 10% Post Consumer Paper

Letter of Approval with Modifications and Performance Reservations  
Vanguard Ventures, LLC  
November 3, 2015  
Page 2 of 4

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to ensure compliance with the Act.

Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project. Please notify us if you plan to have a preconstruction conference.

Your cooperation is appreciated.

Sincerely,



Rhonda Hall  
Regional Engineering Associate  
Land Quality Section

Enclosures: Certificate of Approval  
Modifications and Performance Reservations  
NPDES Permit

cc: Matt Lowder, PE, Triangle Site Design, 4006 Barrett Drive, Suite 203, Raleigh, NC 27609

## MODIFICATIONS AND PERFORMANCE RESERVATIONS

Project Name: DOLLAR GENERAL #16857 (ATLANTIC BEACH)  
Project ID: CARTE-2016-007  
County: Carteret

1. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.
2. The developer is responsible for the control of sediment on-site. If the approved erosion and sedimentation control measures prove insufficient, the developer must take those additional steps necessary to stop sediment from leaving this site (NCGS 113A-57(3)). Each sediment storage device must be inspected after each storm event (NCGS 113A-54.1(e)). Maintenance and/or clean out is necessary anytime the device is at 50% capacity. All sediment storage measures will remain on site and functional until all grading and final landscaping of the project is complete (15A NCAC 04B .0113).
3. Any and all existing ditches on this project site are assumed to be left undisturbed by the proposed development unless otherwise noted. The removal of vegetation within any existing ditch or channel is prohibited unless the ditch or channel is to be regarded with side slopes of 2 horizontal to 1 vertical or less steep (15A NCAC 04B .0124 (d)). Bank slopes may be mowed, but stripping of vegetation is considered new earth work and is subject to the same erosion control requirements as new ditches (NCGS 113A-52(6)).
4. The developer is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of this land disturbing activity. This could include our agency's Stormwater regulations and the Division of Water Resources' enforcement requirements within Section 401 of the Clean Water Act, the U.S. Army Corps of Engineers' jurisdiction of Section 404 of the Clean Water Act, the Division of Coastal Management's CAMA requirements, the Division of Solid Waste Management's landfill regulations, the Environmental Protection Agency and/or The U.S. Army Corps of Engineers jurisdiction of the Clean Water Act, local County or Municipalities' ordinances, or others that may be required. This approval cannot supersede any other permit or approval; however, in the case of a Cease and Desist Order from the Corps of Engineers, that Order would only apply to wetland areas. All highland would still have to be in compliance with the N.C. Sedimentation Pollution Control Act.
5. If any area on site falls within the jurisdiction of Section 401 or 404 of the Clean Water Act, the developer is responsible for compliance with the requirements of the Division of Water Resources (DWR), the Corps of Engineers and the Environmental Protection Agency (EPA) respectively. Any erosion control measures that fall within jurisdictional wetland areas must be approved by the aforementioned agencies prior to installation. The Land Quality Section must be notified of a relocation of the measures in question to the transition point between the wetlands and the uplands to assure that the migration of sediment will not occur. If that relocation presents a problem or contradicts any requirements of either DWR, the Corps, or the EPA, it is the responsibility of the developer to inform the Land Quality Section regional office so that an adequate contingency plan can be made to assure sufficient erosion control remains on site. Failure to do so will be considered a violation of this approval (NCGS 113A-54.1(b)).

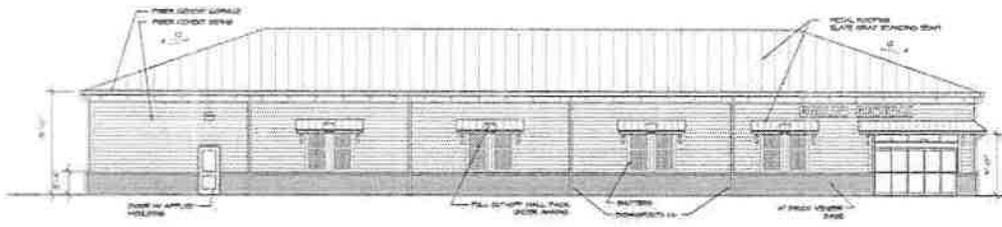
Letter of Approval with Modifications and Performance Reservations

Vanguard Ventures, LLC

November 3, 2015

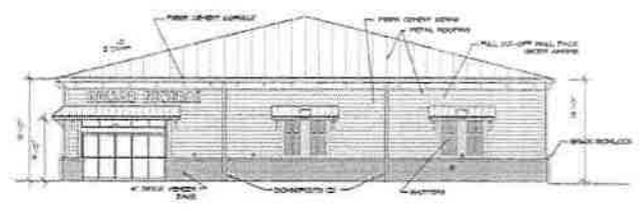
Page 4 of 4

6. Any borrow material brought onto this site must be from a legally operated mine or other approved source. Any soil waste that leaves this site can be transported to a permitted mine or separately permitted construction sites without additional permits under NCGS 74-49(7)(d). Disposal at any other location would have to be included as a permit revision for this approval.
7. This permit allows for a land disturbance, as called for on the application plan, not to exceed 1.405 acres. Exceeding that acreage will be a violation of this permit and would require a revised plan and additional application fee. Any addition in impervious surface, over that already noted on the approved plan, would also require a revised plan to verify the appropriateness of the erosion control measures and stormwater retention measures (NCGS 113A-54.1(b)).
8. The construction detail for the proposed silt fence requires reinforcing wire and **steel** posts a maximum of eight (8) feet apart. Omission of the reinforcing wire is a construction change that necessitates more posts for support, i.e., the spacing distance needs to be reduced to no greater than six (6) feet apart (E&SC Planning & Design Manual 6.63, Rev. 6/06).
9. Because the sediment traps and basins are shown on the plan as the primary sedimentation and erosion control devices on this project, it is necessary that the traps and basins and their collection systems be installed before any other grading takes place on site, and that every structure that receives more than one acre of drainage is built so that each dewater only from the surface (NCG010000). If that proves to be impractical, a revised plan must be submitted and approved that addresses erosion and sediment control needs during the interim period until the traps and basins are fully functioning (113A-54.1(b)).
10. A graveled construction entrance must be located at each point of access and egress available to construction vehicles during the grading and construction phases of this project. Access and egress from the project site at a point without a graveled entrance will be considered a violation of this approval. Routine maintenance of the entrances is critical (113A-54.1(b)).
11. As a condition of the provided NPDES General Stormwater Permit (NCG010000), groundcover stabilization must meet specific time frames. Slopes (including cuts, fills, and ditch banks) that are steeper than 3 horizontal to 1 vertical left exposed will, within seven (7) calendar days after completion of any phase of grading, be provided with groundcover. Slopes that are 3 horizontal to 1 vertical or flatter will be provided with groundcover within fourteen (14) calendar days.
12. As a part of routine monitoring of the approved land-disturbing activity, the financially responsible party shall assure inspections of the area covered by the approved plan after each phase of the plan has been completed and after establishment of temporary ground cover in accordance with North Carolina General Statute 113A-54.1(e).



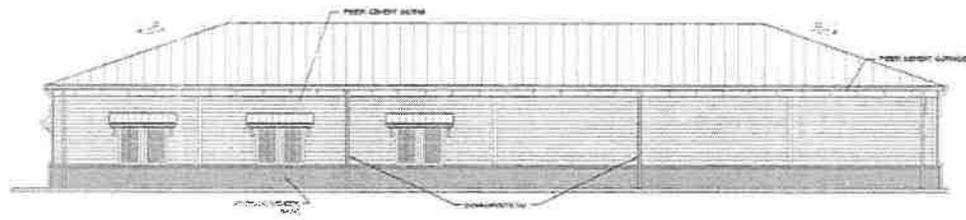
LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



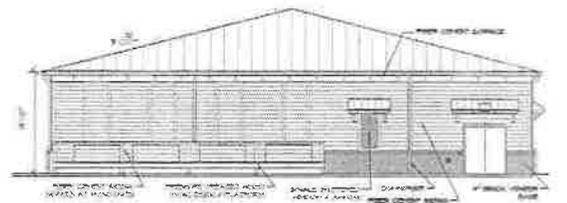
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

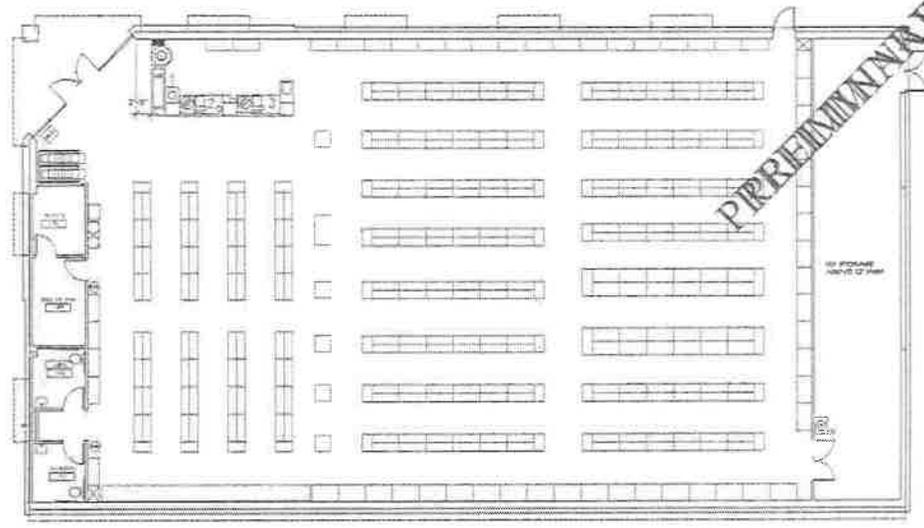
SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

SCHEME A



FIXTURE LAYOUT (CONFIRM W/ DOLLAR GENERAL PLANS)

SCALE: 1/8" = 1'-0"

HOOD • HERRING  
ARCHITECTURE  
1117 COLUMBIA  
FLOORING & FINISHES  
1000 S. W. 10TH ST.  
MIAMI, FL 33135  
TEL: 305.375.1111  
WWW.HOODHERRING.COM

DOLLAR GENERAL  
STORE # 16857  
FORT MACON ROAD & LES DRIVE  
ATLANTIC BEACH, NORTH CAROLINA

DATE: 05/15/18  
DRAWN BY: J. HERRING  
CHECKED BY: J. HERRING

A-2

## Jessica Fiester

---

**From:** Jessica Fiester  
**Sent:** Monday, November 09, 2015 11:09 AM  
**To:** 'Smith, Reed'  
**Cc:** Marc Schulze  
**Subject:** Summary of Meeting

Reed,

Thank you for your time this morning with Marc and I. From our conversation:

- \*NCDOT will provide Dollar General with the comments on their site plan, and we will not evaluate the median any further.
- \*The DG driveway is to be located 100-feet from intersection as presented and this is approvable by NCDOT.
- \*The DG driveway will be fully functional and this is approvable by NCDOT.
- \*For now, we can install two pedestrian flasher signs at the existing crosswalk to enhance awareness.
- \*The proposed sidewalk needs to be 5-feet wide to meet NCDOT regulations.
- \*The Atlantic Beach Welcome Sign is to be relocated off site and needs a proper encroachment agreement with NCDOT.
- \*The area around the southwest property corner is to remain unencumbered for potential future traffic signal and to enhance line of site.
- \*Traffic counts are recommended to be done in the Spring to evaluate whether or not a traffic light is appropriate at Lee Drive/Hwy58 intersection.
- \*Should the counts warrant a traffic light, discussion of future improvements will occur at that time. They may or may not include relocating the crosswalk.

Thank you again,

Jessica

**JESSICA A. FIESTER, MPA, CZO**  
**DIRECTOR OF PLANNING & ZONING**  
**P.O. Box 10**  
**ATLANTIC BEACH, NC 28512**  
**(252) 726-4456**

## Jessica Fiester

---

**From:** Katrina Tyer  
**Sent:** Tuesday, October 20, 2015 3:11 PM  
**To:** Jessica Fiester  
**Subject:** FW: Legal Ad for posting

---

**From:** Legals [<mailto:legals@thenewstimes.com>]  
**Sent:** Tuesday, October 20, 2015 2:56 PM  
**To:** Katrina Tyer  
**Subject:** Re: Legal Ad for posting

This ad is set and scheduled to run on November 1, 13, 2015  
in the amount of \$ 73.62.

Proof:

**Town of Atlantic Beach**  
NOTICE OF  
PUBLIC HEARING

The public will take notice that the Atlantic Beach Board of Adjustment will hold their regular meeting on November 16, 2015 at 7:00 pm in the town meeting hall with the following request:

New Business:

CASE #CUP 15-01, Dollar General

Vanguard Property Group has requested a Conditional Use Permit to construct a 9,002 square foot retail store on the corner of Lee Drive and Highway 58.

The public is invited.

For further information please visit our website at [www.atlanticbeachnc.com](http://www.atlanticbeachnc.com) or contact the Planning and Inspections Department at (252) 726-4456. A copy of the plans is available for review in the lobby of Town Hall, located at 125 West Fort Macon Road.

Jessica A. Fiester, MPA, CZO  
Director of Planning and Zoning  
N1,13

On Oct 20, 2015, at 2:09 PM, Katrina Tyer wrote:

Please provide cost estimate and run the following ad on November 1 and on November 13.

## Town of Atlantic Beach

### NOTICE OF PUBLIC HEARING

The public will take notice that the Atlantic Beach Board of Adjustment will hold their regular meeting on November 16, 2015 at 7:00 pm in the town meeting hall with the following request:

New Business:

CASE #CUP 15-01, Dollar General

Vanguard Property Group has requested a Conditional Use Permit to construct a 9,002 square foot retail store on the corner of Lee Drive and Highway 58.

The public is invited.

For further information please visit our website at [www.atlanticbeach-nc.com](http://www.atlanticbeach-nc.com) or contact the Planning and Inspections Department at (252) 726-4456. A copy of the plans is available for review in the lobby of Town Hall, located at 125 West Fort Macon Road.

Jessica A. Fiester, MPA, CZO

Director of Planning and Zoning

Katrina Tyer

Town Clerk/Executive Assistant

Town of Atlantic Beach

252-726-2121 x 2238

252-726-5115 (fax)

[townclerk@atlanticbeach-nc.com](mailto:townclerk@atlanticbeach-nc.com)

[www.atlanticbeach-nc.com](http://www.atlanticbeach-nc.com)











## Jessica Fiester

---

**From:** Jessica Fiester  
**Sent:** Wednesday, November 04, 2015 4:29 PM  
**To:** John Moore  
**Cc:** Troy Dees; George T. Barnes; Thomas Holding; Kim S. Hall; Elaine Moore; Glenda Brazell; Trace Cooper  
**Subject:** Re: proposed Dollar General

These are all great points to be considered and I very much appreciate you taking the time to share them, there's a lot of value in observations from long time residents. I am going to ask for a meeting with ncdot to review these possibilities as part of our changing conditions review that you and I discussed earlier. It seems as if there are some traffic concerns here not just related to the Dollar General as well that I am going to review with our public works department regarding Lee Drive. I hope to have new information to report to you all soon.

Jessica

Sent from my iPhone

On Nov 4, 2015, at 3:55 PM, John Moore <[bosnjtmoore27@yahoo.com](mailto:bosnjtmoore27@yahoo.com)> wrote:

Thanks for the replies so far. I visited the town office and reviewed the street plan for the entrances, etc. There is going to be a sidewalk on the east side of Lee Drive wrapping around to the front of the project then extending east to the Island BeachRaq Club NC 58 crossing.

I really believe that a stoplight, and a re-designated Island Beach Raq club crosswalk at the intersection, and a westbound turnoff off decelerating lane of NC58 to the project should be considered to keep the NC58 traffic flowing, as I visualize cars turning in and out of the projects NC58 entrance/exit.

I can easily see cars re-accelerating westbound on NC58 after waiting for a westbound visitor to the project to pull in, accelerating just in time to crash into a Lee Drive eastbound exiting vehicle, and I can also see Lee Drive east bound vehicles being tempted to pull out more aggressively to blend into the westbound traffic, as they see a westbound signalling vehicle. The confusion as to whether westbound traffic is signalling to pull into the Shell station rather than the project entrance will also be a problem, especially as the NC58 entrance for the project is pushed farther west as described to me today. Similar confusion will exist as a Lee Drive exiting vehicle sees an east bound NC58 merging into the center turn lane prior to the Shell station, often drivers exiting Lee Dr will use that signalling and the deceleration of the oncoming vehicle to proceed outbound eastward on NC58. If that decelerating vehicle is actually proceeding to the project entrance on NC58 then that will result in a problem.

But more importantly I believe that a widening of Lee Drive similar to the Atlantic Station west ent/exit onto NC58 is warranted, for the reasons that I have stated in the previous emails.

Thanks  
John

## Jessica Fiester

---

**From:** Troy Dees <troyd@carteretcountync.gov>  
**Sent:** Wednesday, November 04, 2015 12:52 PM  
**To:** 'George T. Barnes'; John Moore; Jessica Fiester; Thomas Holding; Kim S. Hall; Elaine Moore; Glenda Brazell; Trace Cooper  
**Subject:** RE: proposed Dollar General

Good Morning folks,

John does bring up some valid concerns that with careful planning can be addressed for the town and our neighborhood. This business will be served by a septic system that will fully meet the requirements of the law for permitting. Water supply, I assume will come from the town of AB. There is another water system in this area. As far as the storm water retention basins, most of the ones on the beach are dry basins with a few that stay wet year round. Those can be dealt with the use of larvacide and maintenance. More of the concern to me will be the vehicle and foot traffic and the light coming from the business. With all the residential units in the area and this being a major high foot traffic area in the summer precautions must be taken to alleviate any issues that may arise from the business. Proper directional lighting will hopefully keep any intrusion on the residences in the area to a minimum. I am unclear on how the traffic flow will go as of yet but this needs to be studied carefully as this area already has many crosswalk and the adjacent business gets lots of traffic flow that can be hectic at times. Also, do not lose sight of this being a long time standing school bus stop. I think this is great conversation and hopefully this will be a project everyone can agree is good for the town and neighborhood. Please let me know how I can assist in this matter.... Troy

**Troy Dees, REHS**  
**Environmental Health Director**  
**Carteret County Health Department**  
**3820 Bridges Street, Suite A**  
**Morehead City, NC 28557**  
**Phone (252) 728-8499 ext. 5503**  
**Fax (252) 222-7753**

Please tell us how we are doing by taking this very quick survey. We appreciate your feedback!  
<https://www.surveymonkey.com/r/CCHD-EH>

**From:** George T. Barnes [mailto:gbarnes@vanguardpg.com]  
**Sent:** Wednesday, November 04, 2015 9:57 AM  
**To:** John Moore; Jessica Fiester; Troy Dees; Thomas Holding; Kim S. Hall; Elaine Moore; Glenda Brazell; Trace Cooper  
**Subject:** RE: proposed Dollar General

Thank you John.

Regarding your concerns over the "runoff ponds" and mosquitos, these will not be the typical stormwater retention pond that you and I might be accustomed to seeing. We are using "infiltration basins", which will rapidly absorb the water using a variety of media, including sand. These will not be ponds.

Thank you for your comments and time. --George

George T. Barnes | 919.459.2601

**From:** John Moore [<mailto:bosnjtmoore27@yahoo.com>]

**Sent:** Wednesday, November 04, 2015 9:27 AM

**To:** George T. Barnes <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>; Jessica Fiester <[planner@atlanticbeach-nc.com](mailto:planner@atlanticbeach-nc.com)>; Troy Dees <[troyd@carteretcountygov.org](mailto:troyd@carteretcountygov.org)>; Thomas Holding <[thomas@realestateappraisal.pro](mailto:thomas@realestateappraisal.pro)>; Kim S. Hall <[1islandcove@embarqmail.com](mailto:1islandcove@embarqmail.com)>; Elaine Moore <[elfmoore1@gmail.com](mailto:elfmoore1@gmail.com)>; Glenda Brazell <[glenda.brazell@yahoo.com](mailto:glenda.brazell@yahoo.com)>; Trace Cooper <[trace@coopdev.com](mailto:trace@coopdev.com)>

**Subject:** Re: proposed Dollar General

George, (Jessica),

thanks for the reply. I have reviewed the mailing list labels provided by the town to notify residents, and didn't recognize any names/addresses from our neighborhood. I don't know who was representing us (our neighborhood) during the discussions and the planning evolution on this. I believe that this is a project that is potentially disruptive enough to our neighborhood to have warranted a wider, much more inclusive awareness campaign, and with that lack of notice, combined with a November public hearing is going to result in a poor opportunity for legitimate feedback from the primary concerned citizenry. I acknowledge your included comment in your reply about (a concerned citizen to the east not wanting ANY entrance on NC58 - go figure, that is not really public comment from our neighborhood wouldn't you agree.)

(I know that the town meetings are poorly attended, I myself have only attended few, however, with a small town like this, that has continued to elect officials who represent themselves as being protective of the small town element that we enjoy, we get comfortable in believing that we don't have to worry about drastic changes with town development, as we go about our regular other concerns.)

I do appreciate the information that you have quickly provided me, and it has given some further insight to some of my questions.

I am still concerned with the traffic situation. This is already a dangerous intersection. Cars from NC 58, especially west bound, already swing into Lee Drive on a glide approach to the Shell/BBQ lot, often times resulting in near misses as Lee Drive s-bound cars approach the intersection. Delivery trucks to those establishments already park on the street to make their necessary deliveries, due to little to no other available parking. Cars departing the Shell/Wh Swan heading back out to NC58 on Lee Dr often can't see Lee Dr s-bound cars due to the trucks. It appears to me that this intersection, with its nearby Island Beach/Raquet club designated crosswalk across NC 58 incurring sudden stopping of cars, and the aforementioned already dangerous situation with the existing business(s), and the normal difficulties that we currently have during the summer tourist congestion will lead to a much more dangerous situation, for example may of us departing Lee onto N58 heading east have no choice but to enter NC58 in the center turn lane, to then merge into existing NC58 east bound traffic, then combining that with cars now using that turn lane to get into either the Lee or the NC 58 Dollar General entrances is going to be a potential for dangerous congestion. This situation that I have described, is real; and perhaps the project has taken all of this into account with a traffic light, turn lanes, etc, etc. If it hasn't, I would say that not enough study or public input has been included. Again, I have only reviewed the plans on the small detail provided by my opening the PDF on my computer screen. I will arrange to review the plans at the town office.

Regarding the runoff ponds, I am primarily concerned with their construction IRT potential mosquito breeding potential. I am not an engineer, nor do I have a science degree, but I do know that they breed much more extensively in fresh water, and in the mud of a lower level/drying runoff pond and not so much in the salt water estuary that we have behind the intended project. The prevailing winds are SW during the summer and mild seasons, bringing that potential problem into our neighborhood. And I know that may sound like a small issue, or a typical NIMBY/gadfly objection, but after its built, and the situation would come to pass, it would be too late to bring attention to it. I am trying to figure where else in Atlantic Beach that we have those adjacent to commercial development, and I can't recall one.

Again, George, thanks for your rapid reply, and for the town officials (Jessica please forward as appropriate), I suggest getting much more input from us.

Thanks  
John Moore

---

**From:** George T. Barnes <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>  
**To:** "bosnjtmoore27@yahoo.com" <[bosnjtmoore27@yahoo.com](mailto:bosnjtmoore27@yahoo.com)>  
**Sent:** Tuesday, November 3, 2015 5:35 PM  
**Subject:** proposed Dollar General

John,  
My name is George Barnes, and I am the developer of the proposed Dollar General at Fort Macon Rd and Lee Drive. Jessica Fiester shared your concerns with me, and concerns of other neighbors. I appreciate you voicing your concerns, and I want to be a good neighbor.

To my knowledge, we have received and worked through all neighborhood, surrounding community and Town of Atlantic Beach concerns throughout this process. Many of the concerns appear to overlap with yours, adding to their validity and importance. At this point, I feel we have addressed all of them. A few additional comments below:

1. We are very interested in safety and accessibility. We propose a driveway on Fort Macon Rd, and one on Lee Drive. We had a community member to the east request that there be only one driveway (on Lee Drive), but we felt that this would add too much traffic to this residential street. The Town agreed. However, for those community members that live along and on streets off of Lee Drive, it is helpful to have accessibility and connectivity to the project, hence the need for the driveway along Lee Drive.
2. One of the other concerns shared by Jessica and other community members - related to safety, connectivity and accessibility, was sidewalks. We have added sidewalks along our property on Fort Macon Rd and Lee Drive. I think this will not only be practical, and address the aforementioned concerns, but it will look much nicer. Additionally, we have included bike racks, to encourage bikers, pedestrians pulling wagons or beach carts, and to foster neighborhood accessibility.
3. Regarding your environmental concerns:
  - a. We have designed our site over and above State requirements to treat storm water runoff. We are using a combination of porous concrete, and also adding two infiltration basins, which will appear to be small grassed open areas, but are designed to treat storm water. We are also using standard concrete, to mitigate the heat generated from typical commercial parking areas that are constructed with black asphalt. This project will not affect the nearby saltwater marshes; this is also of personal importance for me and my family.
  - b. We do need to abide by lighting standards for safety reasons, but we are employing full cutoff fixtures and low height light poles, to mitigate and even eliminate light pollution. The buildings light fixtures will be under awnings, to light sidewalks around the building, but not allow for light trespass.
  - c. We had a tree survey prepared, and are protecting as much of the existing vegetation as we can. We are leaving existing vegetation along the rear/north and right/east sides of the property, to serve as a natural vegetative buffer between the Dollar General and the adjacent residential neighborhood and condominium association.

d. You may or may not be aware that we are only acquiring the front/south portion (60%) of the parcel at Fort Macon Rd and Lee Drive. We are not acquiring the rear/north portion of the property, which extends approx. 200' along Lee Drive past our proposed lot.

John, I do want to be a good neighbor, and we all want this project to fit into the character of the surrounding community. I also intend for this project to be one that we will all be proud of. As such, we will also be incorporating many residential elements into the architecture of the building.

Please don't hesitate to call me at 919-459-2601 with any additional concerns that you and your neighbors may have. I'd love to hear from you.

Thank you for your time.

--George

George T. Barnes

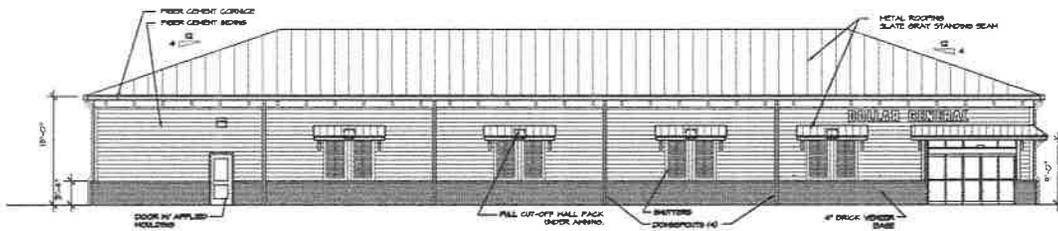


3825 Barrett Drive | Suite 100 | Raleigh, North Carolina 27609  
919.459.2601 direct | 919.459.2600 main | 919.459.2604 facsimile  
[www.vanguardpg.com](http://www.vanguardpg.com)

Disclaimer: The content of this message and all attachments are subject to NC Public Record Law. According to the law all information except the property of a private individual is considered public record and subject to disclosure upon request to third parties without prior notification. If you are not the intended recipient of this message contact the sender immediately and delete the message from your files. Thank you for your cooperation.

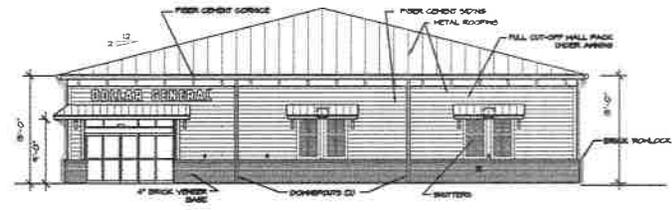






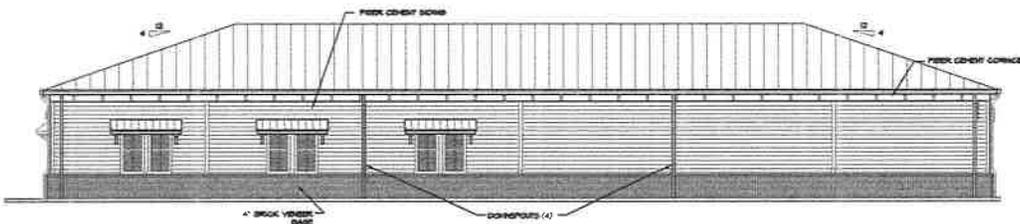
LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

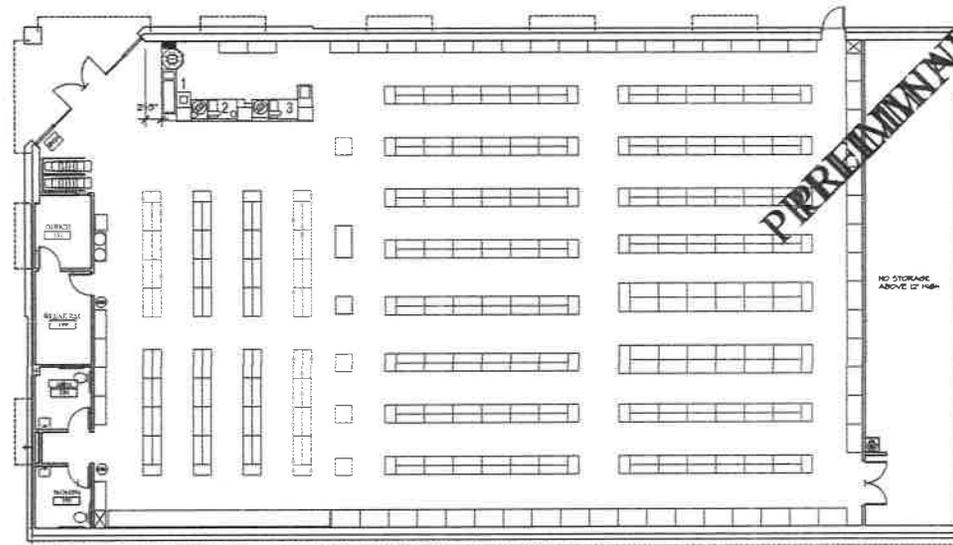
SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

SCHEME A



FIXTURE LAYOUT (CONFIRM W/ DOLLAR GENERAL PLANS)

SCALE: 1/8" = 1'-0"

HOOD-HERRING  
ARCHITECTURE  
P.L.L.C.

DOLLAR GENERAL  
STORE # 10857  
FORT MACON ROAD & LEE DRIVE  
ATLANTIC BEACH, NORTH CAROLINA

DATE: 10/27/15  
PROJECT: REAR WINDOW

A-2

PIN 636516729785000, 2410 W FORT MACON RD, ATLANTIC BEACH



## Jessica Fiester

---

**From:** George T. Barnes <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>  
**Sent:** Saturday, October 31, 2015 9:34 AM  
**To:** Jessica Fiester  
**Subject:** Fwd: Dollar General - Atlantic Beach

Per below. NCDOT ideally wants 100' of separation between our driveway and Lee Dr. We are showing 110'. I've discussed with Matt, and we can shift our driveway 10' to the west and we may need to shift one parking space from the front to the side.

I'll keep you posted, and hopefully this helps a little with IBRC

Thank you Jessica

George

Sent from my iPhone

Begin forwarded message:

**From:** Matt Lowder <[mldowder@trianglesitedesign.com](mailto:mldowder@trianglesitedesign.com)>  
**Date:** October 30, 2015 at 1:47:33 PM EDT  
**To:** "George T. Barnes" <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>  
**Subject:** Dollar General - Atlantic Beach

See below from NCDOT:

Our current design has the driveway separated by 110ft so we could shift it closer to the intersection – let me know

Matt Lowder, PE  
Triangle Site Design, PLLC  
4006 Barrett Drive, Suite 203  
Raleigh, NC 27609  
919-553-6570 (o)  
919-333-5729 (m)  
[mldowder@trianglesitedesign.com](mailto:mldowder@trianglesitedesign.com)

**From:** Sawyer, David M [<mailto:dsawyer@ncdot.gov>]  
**Sent:** Friday, October 30, 2015 1:09 PM  
**To:** Matt Lowder <[mldowder@trianglesitedesign.com](mailto:mldowder@trianglesitedesign.com)>  
**Subject:** RE: Dollar General - Atlantic Beach

The side walk next to the right of way line is fine.

As far as getting closer to the intersection, NCDOT wants 100' separation from intersection to access but requires no less than 50'. So we would like you to stay as far as you can but will work with you within those limits.

David Sawyer  
Asst. District Engineer  
252-514-4716

---

**From:** Matt Lowder [<mailto:mlowder@trianglesitedesign.com>]  
**Sent:** Friday, October 30, 2015 8:03 AM  
**To:** Sawyer, David M  
**Subject:** Dollar General - Atlantic Beach

David- a couple of questions about the proposed Dollar General site in Atlantic Beach:

The Town of Atlantic Beach is requiring us to put in a sidewalk along Fort Macon Road & Lee Drive as shown on the attached site plan – are you ok with the proposed alignment of the sidewalk? Wanted to hug the property line to avoid the roadside ditches while keeping the existing retaining wall & landscape area at the corner. Also, can we put in a 4ft sidewalk as shown?

Another question raised by the Town – the adjacent property owners have asked if we can move the driveway on Fort Macon Road closer to the intersection so it will not conflict with their driveway. Would the DOT allow us to move that driveway closer to Lee Drive or would that create too much conflict with the existing Lee Drive intersection?

Thanks,

Matt Lowder, PE  
Triangle Site Design, PLLC  
4006 Barrett Drive, Suite 203  
Raleigh, NC 27609  
919-553-6570 (o)  
919-333-5729 (m)  
[mlowder@trianglesitedesign.com](mailto:mlowder@trianglesitedesign.com)

---

**From:** Sawyer, David M [<mailto:dsawyer@ncdot.gov>]  
**Sent:** Wednesday, October 07, 2015 1:40 PM  
**To:** Matt Lowder <[mlowder@trianglesitedesign.com](mailto:mlowder@trianglesitedesign.com)>  
**Subject:** RE: Dollar General - Atlantic Beach

I think it is ok to send after the signing by the town. Shouldn't be any issues on our end after that.

David Sawyer  
Asst. District Engineer  
252-514-4716

---

**From:** Matt Lowder [<mailto:mlowder@trianglesitedesign.com>]  
**Sent:** Tuesday, October 06, 2015 3:51 PM  
**To:** Sawyer, David M  
**Subject:** Dollar General - Atlantic Beach

David-

Attached are the site, grading & utility plans for the proposed Dollar General site in Atlantic Beach. We've got the plans in to the Town for site plan review and for them to sign the driveway permit applications. Do you want me to go ahead and send you a set for review or should we wait until the town has approved the site plan?

I adjusted the driveway per our emails the other day.

Thanks

Matt Lowder, PE  
Triangle Site Design, PLLC  
4006 Barrett Drive, Suite 203  
Raleigh, NC 27609  
919-553-6570 (o)  
919-333-5729 (m)  
[mlowder@trianglesitedesign.com](mailto:mlowder@trianglesitedesign.com)

---

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

---

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

October 27, 2015

Planning Board Members,

On Tuesday, October 27 the TRC met to review a proposal to construct a 9,002 square foot Dollar General on the corner of Highway 58 and Lee Drive (unofficially addressed 2410 West Fort Macon Road). Prior to the project being evaluated at a quasi-judicial Board of Adjustment hearing (scheduled for November 16), the UDO requires that the Planning Board review the plan for compliance and to suggested reasonable and logical conditions (relevant authorization and technical rules are incorporated into this package).

The TRC felt the project was compliant and recommended a number of aesthetic improvements not required by our ordinances. Through this TRC review and staff reviews, a number of conditions have been suggested to improve this project. I have attached the TRC report, and various other reports that have been generated throughout the review process to assist you in your project review. Several additional renderings and elevations are going to be provided at the meeting after requested updates have been accommodated.

The following are conditions recommended by the Town and agreed to by the developer at this point:

- Sidewalks shall be installed on the right-of-ways of Highway 58 and Lee Drive. Sidewalk design and necessary legal agreements shall be in process prior to the BOA hearing.
- The ingress and egress point on Highway 58 shall be installed per Planning Board direction. An evaluation of possible options will be presented to the Planning Board on November 4 (a right in/right out has been suggested but further information was requested on this due to the potential impacts to Lee Drive. Applicant is in favor of leaving it fully functional at this time).
- The vegetation demonstrated in the Tree Survey and indicated on all of the submitted site plans at the request of the Planning Director shall remain perpetually.
- An effort should be made to accommodate 2 more feet of existing vegetation around the infiltration basin.
- 18-inch individual letters shall be used for the building signage.
- The base of the building shall be brick with a gray hardie plank exterior above that. Window facades with coastal architecture shall be used as demonstrated. The façade will continue on the east side where visible.
- The dumpster and mechanical equipment will be screened in a fashion that matches the building façade.
- Project approval is contingent upon receiving approval from NC DEQ.
- A hip roof will be used with a 3:12 slope if approved by the Planning Board
- Monument signage will be used for the ground signage.
- Lighting and landscaping shall enhance the coastal feel of the project.

**Dollar General  
TRC Meeting  
10/27/15**

**Attendees**

Jessica Fiester, Director of Planning  
Donna Turner, Director of Inspections  
David Walker, Town Manager  
Neil Chamblee, Planning Board  
Curt Winbourne, Planning Board  
Jeff Harvey, Police Chief  
John Rivers, Council  
Mike Simpson, Deputy Fire Chief  
Bobby Partusch, Public Works  
Leigh Gerald, Public Works  
James Sebastian, Public Works Water  
George Barnes, (Applicant)  
Jimmie Beckom, IBRC

Jessica Fiester kicked off this meeting to review material for the proposed Dollar General on the corner of Lee Drive and W. Ft. Macon Road. Dollar General has been looking at AB locations for years and had to find just the right acreage requirements. They have evaluated a lot of sites prior to deciding on this one.

Although there have been some smaller commercial projects, ie Chasin' Tails, this is our first commercial building of this size to apply for a CUP since the UDO was adopted. Jessica stated she felt the review had been thorough and Dollar General had been vigilant in meeting all requirements of the UDO and where rules were flexible they went on the conservative side.

George Barnes, representing Dollar General, stated his interest is both professional and personal as he lives here part-time and he shops here and he is excited about the design and plans build a store all can be proud of. For various reasons, it was hard to find the right location due to site constraints but we were diligent knowing we wanted a store in Atlantic Beach.

To date, this store will be one of the nicest Dollar Generals there is. A great deal of additional expense and effort is being put forth on this project. Different ideas regarding aesthetics have been implemented to fit in with the coastal community and seemingly proffered residential look.

Jessica pointed out that this parcel and all the areas to the North, South, East and West are zoned Resort Services.

George Barnes said this Dollar General will reflect family atmosphere and will fit the intent of the district here due to general merchandise such as beach snacks, drinks, sunscreen, beach merchandise, etc and will meet all requirements and serve the community. It will be a closer source for supplies than Walgreen's across bridge or larger stores. It will be a walkable convenience for many. There will be bike racks.

Jessica has double checked with CAMA and this request is compliant with the Land Use Plan per their guidelines.

This parcel has 2.185 acres available and only 1.305 acres are going to be developed for Dollar General. They will divide the parcel into 2 pieces which is a simple subdivision.

This project is subject to State Storm Water Guidelines and proper documentation has been submitted.

Setbacks are 25' front, 20' rear and 10' sides – the front of the store will face Fort Macon Road. The plan will exceed setbacks and the layout works well for town and Dollar General. They have agreed to leave a vegetative buffer as shown on the plans. The eastern area borders IB&RC and the NE corner will have an increased vegetative buffer.

George states they love the natural vegetation and will work around it to make store fit in.

As project relates to IB&RC, they plan to go above minimal requirements. As needed they will tweak and increase buffer around infiltration.

The intersections proposed at the corner of Lee Drive on W Fort Macon Rd, does meet requirements of 2.8 and 2.2 of the UDO. This proposal was subject to an in-depth review by NC DOT.

Jimmie Beckom, IB&RC HOA representative states IB&RC opposes the ingress/egress on W Ft Macon Road due to the proximity to one of the three entrances to their property. He feels this potentially could cause an unsafe traffic situation for the Pedestrian Crossing further down the road. IB&RC proposes a traffic pattern/birm/median that only allows turning Right in and Right out with primary egress for left turns routed to Lee Drive.

Others are concerned about traffic back up for residents of Lee and neighboring areas.

Jeff Harvey, Police Chief stated there has been 9 minor traffic incidents over an 18 year period and believes that would cause more of a hazard by 1) more traffic on Lee and 2) visitors will make illegal turn anyway with arrow painted on pavement.

Jimmie Beckon – states concern is location of egress is 30' from one of IB&RC driveways. He agrees with analysis and states it is difficult to operate properly unless you flair out or use median. During season, they find it difficult to get from sound side units to ocean side units with a marked crosswalk. Overlay pedestrian traffic with driveway, can be troublesome. Being only 40' from crosswalk appears to be problematic. Pedestrian crossing is difficult now during season and we need to keep it as safe as possible. Right turn only, if designed properly, may be best for all parties. The traffic pattern to that driveway will be from Emerald Isle and Atlantic Beach proper and should correspond with pedestrian traffic which is a serious concern. This request is not unheard of. He showed the HOA plans and how Dollar General plans to be compatible and everyone relaxed and moved onto focusing concerns on safety.

Neil Chamblee believes that idea will put a lot of traffic on Lee Drive and impact that neighborhood. There are no similar forced traffic pattern in Atlantic Beach to refer to.

Jimmy Beckham stated Visibility and stopping distance would benefit if entrance is moved but agreed that driveway cannot be too close to intersection. This change would increase comfort level for the residents of IB&RC.

George Barnes wants to be a good neighbor, open to ideas and will talk further on these topics. They are already maintaining minimal distance from intersection and he is willing to increase signs and awareness to pedestrian crossing.

Jessica believes Jimmy's suggestion of moving the driveway will not meet DOT requirements. All driveway dimensions will stay the same regardless if they are shifted or not.

David Walker believes the use of concrete berms to force channelization of traffic will be effective, some type of physical island should be required if they do this and not rely on paint or signs.

Neil Chamberlee is concerned Lee Drive residents will be impacted and is concerned how traffic flow of Right in/Right Out will affect Dollar General. George said this proposed traffic pattern is not ideal for Dollar General but they will explore it. This configuration is usually seen in commercial shopping centers, this will put strain on a residential community. George suggested pedestrian crosswalk reflectors that are about 3-4' tall, cautionary used for traffic calming.

David Walker inquired if it was possible to move crosswalk, but they are already at or near the property line.

Jimmy said during peak hour 50 trips in, 50 trips out will divide distribution and will not really put a lot of distribution on Lee Dr. and solves problem for crosswalk and should not affect Lee Drive and surrounding residents. Left turns are not problematic and he realizes we are discussing 3 months of summer traffic vs. the remaining 9 mos. of traffic. Operates safely now, do not introduce something that will change that. Jimmy was formerly a Director of Transportation for Raleigh prior to retirement.

George will explore the idea of berms vs. painting on pavement. Fairly certain cannot shift driveway location due to already at max based on DOT requirements.

Property does not have official address, Dollar General will have this by next week.

Have SW Erosion control plan, submitting for planning.

Plan covers less than 44%, which is nice to see.

Infiltration area in back, Dollar General plans to utilize some pervious paving. The unloading areas on the north side and will be traditional paving.

Dumpsters in will be in back, meet setbacks and will screen on all 4 sides. Barn doors and façade will match building.

UDO requires sidewalks on new projects. Discussed putting them on Dollar General Property but do not like as they have agreed to keep much of the natural vegetation. Dollar General has agreed to install a sidewalk along on Ft Macon Road, in the ROW and on Lee Dr. as well. This will look nice, add to safety and give a community feel.

Dollar General meets requirement to have units on roof as preferred by Dollar General. The façade on all four sides will have Hardie plank siding, cornices for details, slight projections front/rear and awnings, faux windows for residential look, etc. Plan made for tall building in order to hide HVAC units. Lower building provides a more residential look/coastal community feel and they can move units to back of building on platforms if they use hip roof design. Hip functionally – hip more expensive but design that fits in community, character.

Donna Turner stated the Hip roof is one of the strongest designed roof structures.

This design is pleasing to neighbors. HVAC units will still be out back, lower and screened, not on roof. Hip gives some dimension to the design. Multiple meetings have produced great feedback to accommodate all.

Mike Simpson raised the question roof material and structural steel frames. This is a substantial building and from fire standpoint, hip is more stable and sturdy, endures fire safety longer. A flat collapse easily and quickly. Plan calls for gray metal roof, the hip and metal material are much more expensive and exceed what Dollar General usually builds.

Signage -- using small signs with 18" separate letters. (They may have to adjust doorway awning for signage.)

Article 9. Signage – Dollar General agreed to minimal signage even though allowed to be 15', they are going to do small ground/monument size sign to match building. Signage will be part of the landscaping process. Could put signage on both sides but don't plan to do so.

A tree survey has been conducted at their expense.

Parking – required 18, have 30, Handicap requirement is one space, Dollar General requires two spaces.

Offstreet loading – they went to great lengths to fit two in plan.

Lighting plan - low level lights shining down are in the plan and meet ordinances.

Conditional Use approval is done by the BOA and the decision is final. This does not go to Council. PB will suggest conditions to BOA. Most have been discussed today, sidewalks, buffers, façade on 4 sides – conditions we have control of and all will be written into permit.

PB will have to make decision on egress/ingress and should have more input by end of this week.

Currently they have met all conditions and gone above and beyond to meet/exceed expectations. They will have some homework on ingress/egress.

Stormwater is routed flow to infiltration areas and porous concrete. Water to be contained in NE container and use gravity flow for water from building. Plans are to have no standing water, stones and sand w sod over to assist in drainage for parking lot water. All DENR requirements met. David Walker is concerned about minimizing sheet flow and onto Lee Drive. Plans address issue with 6" porous concrete and 7" of stone. Stormwater is permitted under state permit.

James Sebastian addressed the – ¾" pipe from meter off irrigation – TOAB only has 1" taps. Need meter on 1" from main. Civil engineer will review.

Town sign will not be moved at Dollar General's expense.

Monument sign will be located by the driveways, not by the Town sign.

Jessica Fiester

---

**From:** Jessica Fiester  
**Sent:** Tuesday, October 27, 2015 4:06 PM  
**To:** 'George T. Barnes Jr. (gbarnes@vanguardpg.com)'  
**Subject:** TRC Meeting Foilow Up

George,

Here are a few follow-up notes from today's TRC meeting and our phone call a few minutes ago:

- Plan on being at the Planning Board meeting on November 4. The meeting is at 6:00.
- Remind your engineer about the water meter James Sebastian pointed out wasn't visible on the plans.
- Update the elevations and send me electronic copies
- You have already adjusted the east façade, letters, roofing and awning again to reflect TRC discussion. Please add a window or something of interest to the east of the back rear doors. DO not add anything around the screening that was added.
- Renderings should be provided electronically when available so they can be incorporated into a PowerPoint. They should reflect the grey/white/black color scheme discussed with the simple, 18" lettering requested by the TRC.
- Please evaluate any possible alternatives on the Highway 58 ingress/egress. We want to show the various options that were studied. If a right in/right out is shown, be sure to elevate it some per the town manager. Opinions of engineers and/or NCDOT personnel would be beneficial. The planning board will be making a recommendation on this ingress/egress so we want them to have quality information.

Thank you, the plan is looking really nice.

JESSICA A. FIESTER, MPA, CZO  
DIRECTOR OF PLANNING & ZONING  
P.O. Box 10  
ATLANTIC BEACH, NC 28512  
(252) 726-4456

**STAFF REPORT FOR ATLANTIC BEACH TECHNICAL REVIEW COMMITTEE  
PROPOSED DOLLAR GENERAL RETAIL ESTABLISHMENT**

INTRO

George Barnes of Vanguard Property Group has submitted a Conditional Use Permit Application to construct a Dollar General Store on the corner of Lee Drive and Highway 58. It will likely be addressed 2410 West Fort Macon Road. Mr. Barnes has been working with planning staff on this project since early spring. Recaps of previous meetings have been included for your review. The store is proposed to be 9,002 square feet. Further details about the development are contained in the plan package submitted by the applicant. I encourage TRC members to review the notes contained within the plan package, as they applicant has provided a great deal of detail.

TRC MEETING

The TRC is scheduled to review the proposed Dollar General on October 27 at 10 am. Invited to participate are:

George Barnes, Applicant  
Jessica Fiester, Planning Director  
David Walker, Town Manager  
Donna Turner, Inspections Director  
Marc Schulze, Public Services Director  
Michael Simpson, Deputy Fire Chief  
Kim Tynes, Permit Technician  
Jeff Harvey, Police Chief  
Curt Winbourne, Planning Board  
Nell Chamblee, Planning Board  
John Rivers, Town Council  
Jimmie Beckom, Island Beach & Racquet Club Home Owners Association (abutting property)

PUBLIC OUTREACH

As a reminder, this is a Conditional Use Permit and is subject to following the processes of a quasi-judicial hearing. An essay on quasi-judicial hearings prepared by the School of Government has been attached for your review. Two newspaper ads must be placed in the Carteret News Times for consecutive weeks. The property must be posted and letters advising property owners within 500-feet must be sent at least 10 but no more than 25 days prior to the Public Hearing at the Board of Adjustment (currently scheduled for Monday, November 16 at 7:00 pm). Our Planning Board is required, per the UDO, to review the proposed plans and suggest conditions of approval. This meeting will take place on Wednesday, October 4, 2015 at 6:00 pm. A member of the Planning Board will present the findings of the Board as testimony at the BOA public hearing. As a reminder, only qualified testimony is allowed to be considered by the Board of Adjustment when reviewing the case and considering approval. The Board of Adjustment members hearing the case may not discuss the case with outside parties.

ZONING

The property is entirely zoned Resort Services (RS) on the Official Zoning Map. The definition of Resort Services is: *The RS resort service district is established as a district to provide areas, which, due to their location, natural features and access, have an extremely high potential for both permanent and tourist types of*

*residential development. Additionally, commercial uses are permitted and shall be oriented to businesses and services associated with those tourist related activities which reflect a family atmosphere.*

Section 5.5 Table of Permitted and Conditional Uses lists the following use as conditional in RS: "Retail Sales or rental businesses other than the sale, repair or rental of jet skis and water vessels." There are no special requirements specifically listed for this use listed in the Unified Development Ordinance. The proposed use is not related to the sale, repair or rental of jet skis and water vessels and therefore the UDO Administrator has made the interpretation that it qualifies to apply for a conditional use permit in this district.

#### LAND USE PLAN

The Town of Atlantic Beach Land Use Plan has this parcel designated as "Mixed-Use Residential." Low impact commercial development is allowed in this district per page 200 of the Atlantic Beach Land Use Plan. The plan says that industrial uses and high impact commercial uses are not allowed. Land Use Plan Map 19 (Land Suitability, page 149) has this land designated as highly suitable for development. The burden will be on the applicant to prove that this use fits the descriptions in both the Land Use Plan and the Unified Development Ordinance. (Staff Note: Staff contacted DCM Planning staff to obtain a definition of high impact commercial use on 9/2. They do not define it).

#### SUBDIVISION NOTES

The property is currently owned by Baker and Smith Properties, LLC (PIN: 636516729785000) and as referenced earlier, does not have an address assigned to it yet. The property is proposed to be subdivided. Currently it is 2.185 acres in its entirety. The portion to be utilized by the retail store is 1.305 acres. This action falls under a simple subdivision per our subdivision definition. Article 5 has requirements for creating new lots that will be met. The new parcel must have 50-feet of road frontage and 100-feet of depth. Compliance has been demonstrated.

#### SETBACKS

The property has frontage on West Fort Macon Road, and per the Town's definition of "front setback" the property must have a front setback on West Fort Macon Road. Section 5.6 calls for a 25-foot front setback, 10' side setbacks and 20' rear setbacks. (Staff Note: All adjacent properties are also zoned Resort Services). The project as proposed exceeds all setback requirements. (The property features a corner entry, with the front of the building oriented towards West Fort Macon Road).

#### INTERSECTIONS

Section 2.18 Visibility at Intersections and Section 2.2 Entrances and Exits to Public Streets has been fulfilled. In addition to compliance with town standards, approval on the ingress and egress has been obtained from NCDOT. Planning staff has asked the applicant to be prepared to discuss alternative ingress and egress options on the Highway 58 entrance, however. The adjacent property owner has expressed desires to improve or eliminate this entrance.

#### SECTION 2.24 PROPERTY ADDRESSING

The property will need to have an address assigned to it from Carteret County Emergency Services. This should be displayed on the building on each street. Addresses may be assigned at any time by contacting (252) 222-5841.

#### SECTION 2.26 STORMWATER

An Erosion and Sediment Control plan from DENR has been submitted. This project is exempt from town coverage and stormwater requirements because the disturbance is over one acre and state rules are used. The applicant will be asked to present proof of application prior to the quasi-judicial hearing.

#### SECTION 7.3 UTILITY, DUMPSTER, RECYCLING AND TRASH HANDLING

The waste receptacles need to be screened and they need to meet the same setbacks as the building. Per a conversation with George Barnes, the dumpster screening will match the building's exterior design and will likely be built like barn doors. All four sides need to be screened, and this is being demonstrated on the site plan. The dumpster may not be located in required parking.

#### SECTION 7.4.5 STANDARDS FOR PEDESTRIAN FACILITIES

Section 7.4.5.1 Sidewalks (B) states that "Sidewalks shall be installed along the frontage of all new development or redevelopment within the GB, RS, CDD and CB zoning districts." Given that the property is being enhanced by the use of the existing vegetation for buffering, the sidewalks would be better suited in the right-of-ways. Staff has approached the Town attorney about how to best handle this requirement. A report on this item will be provided at the TRC meeting.

#### SECTION 7.5 BUILDING DESIGN STANDARDS

The primary entrance will be architecturally and functionally designed to face West Fort Macon Road. The rooftop mechanical equipment will be screened and out of sight (design options to be shared with TRC). This will be done with architectural features on the top of the building.

#### 7.5.3 BUILDING MATERIAL REQUIREMENTS AND SECTION 7.6 BUILDING FAÇADE REQUIREMENTS

Staff has discussed several options for building materials with the applicant. Materials discussed included brick, a mix of brick and hardy plank, and also shingles with coastal accents. Favoring a neutral pallet on both the building and the signage was agreed upon. Staff indicated that the Town will prefer lighting incorporated into the overhang rather than streetlights or rooftop lighting. Staff has reviewed pictures with architectural features from multiple Dollar General Stores and suggested deferring these aesthetic choices to the review panel. Staff has communicated that a building with coastal character is preferred.

The TRC will need to see building elevations. Mr. Barnes will bring updated versions of these images to the meeting or provide them beforehand. All 4 sides of the building need to be designed equally because they will all be visible from a public roadway. Images of all four sides of the building are required to be shown to the TRC. This fulfills requirements in Section 7.5.3.2 Requirements for Building Massing and Articulation (D). Windows must be provided on at least 25% of the front of the building per Section 7.6.4 Standards (D). False casements may be considered on the other walls per Section 7.5.3.6 Configuration (D) and are being proposed.

#### PARKING STANDARDS IN ARTICLE 9

One handicap space is required per the UDO (Two are required by Dollar General and this is reflected on the site plan). Retail sales require one space per 500 square feet of gross floor area. This equals 18 spaces on the 9,002 square feet of gross floor area proposed. This is being exceeded on the proposed site plan. Bike racks are being demonstrated on the plan as well.

#### SECTION 9.7 OFF STREET LOADING

Two unloading spaces must be accommodated. Special attention to safety should be paid on the Lee Drive ingress/egress due to a high volume of foot traffic in this area. Staff wants to ensure that trucks are not

backing into or out of the store. It will also be noted for reference that Dollar General Deliveries typically take place only once or twice per week, as they use a distributing center to deliver merchandise. Section 9.7, referencing off-street loading requirements has been attached to this memo.

#### ARTICLE 9 LIGHTING

The lighting plan for the proposed store has been included and appears to meet all requirements in Article 9.

#### SECTION 10.3 TREE PRESERVATION

It was recommended the applicant have an arborist or a surveyor identify the trees and vegetation that will remain on site and this has been provided. The goal of this development is to have it be minimally intrusive and a good way to do this is by using existing vegetation to create buffers. Section 10.10.9 guides buffering standards, however none are required because all four sides of this property are zoned Resort Services. Staff is asking that this property is buffered to the maximum extent possible.

#### SECTION 10.11 LANDSCAPING AND FOUNDATION PLANTINGS

A landscaping plan meeting requirements set forth in Article 10 has been provided.

#### ARTICLE 11.5.2 SIGNAGE

The applicant and staff discussed signage. Staff encouraged the applicant to present neutral signage. One square foot of wall signage is allowed per linear foot of building frontage (on each street if desired). The applicant has shared a sample of simple, white lettered signage on the building that staff preferred over the traditional signage. Road signage was also discussed. Staff advised that although allowed, she would not support freestanding signage near the Atlantic Beach Welcome Sign. It was agreed that the proposed West Fort Macon entrance further east was the appropriate place for some modest signage. While codes allow for 15-feet, it was suggested and agreed upon that ground signage/monument style signage in neutral colors be proposed.

#### REVIEW PROCESS

- Section 3.4 calls for the TRC to review site-specific Conditional Use Applications.
- Section 3.9 calls for the Planning Board to review and suggest conditions
- Article 14 dictates that the Board of Adjustment hears Conditional Use Permit requests
- Section 14.3 requires notice to properties within 500' sent by mail 10-25 days prior & posted
- Section 15. 4 list CUP requirements

#### ATTACHMENTS

- Quasi-judicial essay
- Unloading Requirements
- Section 2.26 Stormwater Requirements
- Article 7 Design Standards
- Application
- Section 9.7 Off-street Loading Requirements
- Article 14 Process
- Article 15 CUP requirements
- Septic Permit
- Tree Survey
- Traffic Information
- Property Owners within 500-Feet

- Plans
- Lighting Plan
- Elevations
- Relevant Communications

NEXT STEPS

The TRC will review the plans for technical compliance and recommend conditions to the Planning Board that will enhance the project.

RECOMMENDED TOPICS FOR TRC DISCUSSION

- Specific conversation on building aesthetics
- Enhancing the Highway 58 Ingress/Egress
- Moving of Welcome to AB Sign off private property
- Sidewalk installation easements/agreements
- Specific building materials
- Specific building plans

INITIAL LIST OF CONDITIONS

- All of the dumpsters need to be screened on all sides in materials matching the building
- Architectural features need to be on all 4 sides of the building due to corner (no blank walls)
- Sidewalk agreements need to be completed to fulfill Article 7
- The Ingress/egress on West Fort Macon Road needs to be installed per TRC discussion
- Building Materials and Design to be approved by TRC and Planning Board shall be binding
- A 10-foot undisturbed buffer shall be left to the greatest extent possible
- Sidewalk plan approved by NCDOT and the Town

FOR REFERENCE

Section 14.3.5 ( E )

The Board of Adjustment shall Issue a Conditional Use Permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The proposed use will have either a minimal effect or a positive effect on the public health or safety
2. The use meets all required conditions and specifications
3. The proposed use will have no material adverse effect on the value of adjoining or abutting properties unless the use is a public necessity; and
4. The proposed use is in harmony with the Town Land Use Plan and/or other plans adopted by the Town Council.



**Town of Atlantic Beach Planning & Inspections Department**  
 125 West Fort Macon Road \* Atlantic Beach \* NC \* 28512

Case Number: \_\_\_\_\_

**CONDITIONAL USE PERMIT APPLICATION**

*A Conditional Use Permit application will follow the development review process as outlined in Article 14 of the Unified Development Ordinance, adopted on August 24, 2009.*

**Date of Application:** October 5, 2015  
**Applicant's Name:** Vanguard Ventures, LLC – Attn. George Barnes  
**Applicant's Address:** 3825 Barrett Drive, Suite 100 Raleigh, NC 27609  
**Applicant's Telephone:** 919-459-2601  
**Applicant's E-mail:** gbarnes@vanguardpg.com

**Owner's Name:** Baker & Smith Properties, LLC  
**Owner's Address:** 1588 NC Highway 102 Ayden, NC 28513  
**Owner's Telephone:** 252-714-8176

**Conditional Use Address:** West Fort Macon Road  
**Name of Proposed Project:** Dollar General  
**PIN Number:** 636516729785000  
**Deed Book and Page:** DB 1513, PG 74

If the building is pre-existing, lot size, setbacks and current impervious coverage may remain unless the building is being renovated beyond 50% of the value of the structure as listed with the Carteret County Health Department. Renovations exceeding 50% of the building's value require conformance with all zoning regulations.

**New or Pre-Existing:** New  
**Zoning District:** Resort Services  
**Flood Zone:** Zones "AE" and "X"  
**Minimum Lot Size:** N/A  
**Corner Lot:** Yes – Corner of West Fort Macon Road & Lee Drive  
**Setbacks:** 25ft street, 20ft rear & 10ft side  
**Proposed Use:** Convenience store

The Technical Review Committee will use the following answers to guide the evaluation of your proposed project:

Is the proposed use listed as Conditional in Article 5 of the UDO?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does lighting meet criteria set forth in Section 9.17?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does the proposed use meet parking rules outlined in Section 9.6?	<u>YES</u>	<u>NO</u>	<u>NA</u>
For new construction, are landscaping rules in Article 10 met?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does the proposed use meet extra conditions listed in Article 6?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does the proposed use meet the requirements of Section 7.2 Fences?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does the proposed use meet the requirements of Section 7.3 Waste?	<u>YES</u>	<u>NO</u>	<u>NA</u>
Does the proposed use meet the requirements of 2.26 Stormwater?	<u>YES</u>	<u>NO</u>	<u>NA</u>

Continued on next page.

Required Attachments:

- ▶ Provide a detailed description of the proposed use and label it "Attachment A, Description of Proposed Use"
- ▶ Explain in detail how conditions in article 6 will be met and label it "Attachment B, Article 6 Conditions"
- ▶ Attach proof of Health Department approval as "Attachment C"
- ▶ Attach a sketch plan or other site plan required by the UDC and label it "Attachment D"
- ▶ Attach any other applicable permits at the end of the application packet.

*I certify that the information provided in this Conditional Use Permit Application is true and accurate and if approved will be in conformance with the Town of Atlantic Beach Unified Development Ordinance and any additional conditions imposed by the Town of Atlantic Beach Board of Adjustment. I acknowledge that failure to adhere to any of these conditions may result in the revocation of the Conditional Use Permit and any associated privilege license.*

Applicant (Owner or Agent) \_\_\_\_\_

Date \_\_\_\_\_

Amount Paid: \_\_\_\_\_

Date Paid \_\_\_\_\_

**FOR STAFF USE:**

**TRC Members:** Planning Department \_\_\_\_\_  
(Outlined in Section 3.5) Town Manager \_\_\_\_\_  
Council Member \_\_\_\_\_  
Building Inspector \_\_\_\_\_  
Public Works \_\_\_\_\_  
Fire Department \_\_\_\_\_  
Police Department \_\_\_\_\_  
Planning Board Member \_\_\_\_\_  
OTHER \_\_\_\_\_  
OTHER \_\_\_\_\_  
OTHER \_\_\_\_\_

Pre-Application meeting date: \_\_\_\_\_  
Date approved by TRC: \_\_\_\_\_  
Date approved by Planning Board: \_\_\_\_\_  
Date of Decision by BOA: \_\_\_\_\_

---

## Coates' Canons Blog: Building the Record for a Quasi-Judicial Decision

By Adam Lovelady

Article: <http://canons.sog.unc.edu/?p=8056>

This entry was posted on April 03, 2015 and is filed under Land Use & Code Enforcement, Quasi-Judicial Decisions

---

"Every quasi-judicial decision shall be based upon competent, material, and substantial evidence *in the record*" (NCGS [160A-366\(e2\)](#)). Without such evidence, the decision is arbitrary and an abuse of the discretion vested in the board (Godfrey v. Zoning Board of Adjustment, 317 N.C. 51 (1986)). So what is the record? What evidence goes in that record? And how is the evidence obtained? This blog explores those and other questions.

### Evidentiary Hearings, Generally

For a typical quasi-judicial decision—a special or conditional use permit or a variance—the decision-making board is acting like a trial court. The board holds an evidentiary hearing to accept and review documents and testimony. The board is determining the facts and ruling on the law. The board is answering the broad question: Does the evidence show that the applicant meets the standards for the variance or permit? Through the evidentiary hearing, the board builds the record upon which the decision is based. And, if the decision is appealed, the superior court will base its review upon that record.

According to NCGS [160A-393](#), the record created by the evidentiary hearing "shall consist of all documents and exhibits submitted to the decision-making board . . . together with the minutes of the meeting or meetings at which the decision being appealed was considered." This may include the application; the staff report; photographs, plans, and diagrams; studies and reports prepared by the applicant; exhibits presented by opposing parties; and all of the testimony at the evidentiary hearing. In other words, the record includes all of the materials and input that is presented to the board.

The evidentiary hearing may be taped (audio and/or video), but there is no requirement for taping. If a tape is made and the quasi-judicial decision is appealed to superior court, then any party may request that a tape be included in the record. Additionally, a party may request that a transcript be included in the record on appeal. The requesting party bears the cost of producing the transcript (NCGS [160A-393\(i\)](#)).

What if the tape messes up? In *Fehrenbacher v. City of Durham*, \_\_ N.C. App. \_\_, COA14-712 (February 3, 2015), the city taping equipment malfunctioned and failed to record the first hour of testimony. The court noted that affidavits from the neighbors covered the substance of the missing testimony, and moreover, the statutory requirement states that tapes may be requested "if such a recording was made." In this case, a recording was not made for a portion, and there is no obligation to create a recording.

### Distinguishing Evidence within the Record

We need to make a clear distinction, here. The record of a quasi-judicial decision is composed of various pieces of evidence. Some of that evidence in the record is good: the application, factual testimony from opposing parties, expert opinion testimony. Some of that evidence in the record is incompetent, immaterial, and insubstantial. This may include unqualified speculative opinion, a petition from neighbors, hearsay evidence, or irrelevant facts, for example. For this discussion, I will call that insufficient evidence. In other blogs, my colleagues David Owens and Rich Ducker have written about distinguishing good evidence from insufficient evidence and the details of [sworn testimony](#), [opinion evidence](#), [expert evidence](#), and [ex parte evidence](#).

Legally, the board must base its decision on competent, material, and substantial evidence in the record—good evidence. But, in practice and as a result of the process, the record may include incompetent, immaterial, or insubstantial evidence. So what do we do with all of the insufficient evidence? Do we strike it from the record?

No. Insufficient evidence may remain in the record, but may not be the basis of the quasi-judicial decision. Quasi-judicial boards must adhere to the procedural requirements of constitutional due process, but boards are not required to follow the strict rules of evidence that apply in a courtroom. Some informality is allowed for the quasi-judicial board. As such, courts allow that the inclusion of some insufficient evidence as part of the record is not a due process violation.

"The question is whether there is substantial evidence in the *whole record* to support the findings and conclusions." Where the court has determined that the record includes competent, material, and substantial evidence to support the Board's decision, the admission of other arguably incompetent evidence does not infringe upon the parties' due process rights (*Dobo v. Zoning Bd. of Adjustment of City of Wilmington*, 149 N.C. App. 701, 709-10, 562 S.E.2d 108, 114 (2002) rev'd on other ground, 356 N.C. 656, 576 S.E.2d 324 (2003)).

To be clear the board cannot base its decision upon insufficient evidence in the record. Where an applicant presents evidence to show the he meets the standards for a special use permit, the burden shifts to opponents to produce evidence to the contrary. If neighbors produce nothing more than unrelated comments and speculative opinions (insufficient evidence), then the board does not have sufficient evidence to deny the permit. The board must approve the permit. (*Blair Investments, LLC v. Roanoke Rapids City Council*, 752 S.E.2d 524 (N.C. Ct. App. 2013)).

### Getting the Evidence

**Application and Evidentiary Hearing.** Generally, the evidence creating the record is provided by the parties, either in advance of the hearing (with the application) or as part of the evidentiary hearing. Indeed, the burden typically is on the applicant to present the evidence that they meet the applicable standards.

**Administrative Record.** In addition to the typical evidentiary hearings described above, the board of adjustment is tasked with handling appeals from decisions made by zoning administrators and historic preservation commissions. David Owens has written about these types of appeals to the board of adjustment. When that happens, the case comes to the board of adjustment with a record.

Consider an appeal of an administrative decision such as issuing a notice of violation or making a formal interpretation of the ordinance. When an administrative decision is appealed, the zoning administrator who made the decision "shall transmit to the board all documents and exhibits constituting the record." The zoning administrator also must provide the record to the appealing party and owner of the property (NCGS [160A-388\(b1\)](#)).

**Preservation Commission Record.** When a decision from the historic preservation commission is appealed to the board of adjustment, the preservation commission should transmit to the board of adjustment the record of its decision, including all documents, exhibits, and minutes. Tapes and transcripts, if any, may be included.

For these appeals from the preservation commission, the board of adjustment is acting as an appeals court. The technical scope of review is outlined at NC General Statute [160A-393\(k\)](#). In sum, the board reviews the record to determine whether there is sufficient evidence to support the decision made by the preservation commission, and to determine whether the actions taken were authorized and appropriate under the law. The board of adjustment may hear legal arguments from the parties, but the board does not take new factual evidence or testimony.

**Subpoena.** In some cases, though, the quasi-judicial board may need to compel production of evidence. Under NC General Statute [160A-388\(g\)](#) boards of adjustment and other boards making quasi-judicial decisions are authorized to subpoena witnesses and compel the production of evidence. A party to the case may request that the chair of the board subpoena a witness or compel evidence. The chair makes the decision about issuing subpoenas; that decision may be appealed to the full board. If a party fails to comply, the board or the party requesting may seek an order requiring compliance from the General Court of Justice.

### Appeals to Court—Supplementing the Record

When a decision from a quasi-judicial board is appealed to superior court, the reviewing court is acting like an appeals court. Generally, the court must base its decision on the record that was before the decision-making board.

But, for certain topics, the court may supplement the record. The reviewing court may "allow the record to be supplemented with affidavits, testimony of witnesses, or documentary or other evidence if, and to the extent that, the record is not adequate to allow an appropriate determination" of specific legal standards:

- legal standing
- conflicts of interest
- actions that are unconstitutional or in excess of the board's statutory authority

Additionally, under NC General Statute 160A-393(i), the court may direct that matters be deleted from or added to the record (Fehrenbacher, \_\_\_ N.C. App. \_\_\_, COA14-712 (February 3, 2015)).

### Conclusion

As stated in the statutes and case law, "[e]very quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record." The record is all of the materials and input that is presented to the board, including the application, exhibits, testimony, and related materials. The record for a quasi-judicial decision may include some insufficient evidence, but the board may not base its decision on it. If necessary, the quasi-judicial board may subpoena witnesses and compel production of evidence for the record. In the case of appeals to the board of adjustment, the case comes with its own record. And, in the case of appeals from the quasi-judicial decision, the superior court must rely on the record before the board and may supplement the record for certain topics.

### Links

- [www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160A/GS\\_160A-386.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160A/GS_160A-386.html)
- [www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160A/GS\\_160A-393.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160A/GS_160A-393.html)

## SECTION 2.26 STORMWATER REQUIREMENTS AND MAXIMUM IMPERVIOUS COVERAGE

- (A) Development activities that require either an Erosion and Sediment Control Plan or CAMA major permit shall be governed by the NC State Stormwater Regulations and shall obtain a State Stormwater Permit. Projects that secure a State Stormwater Permit shall be exempt from all Town of Atlantic Beach stormwater regulations including on-site stormwater requirements and impervious surface coverage limits.
- (B) Development activities that require neither an Erosion and Sediment Control plan nor a CAMA major permit shall comply with the following:
- (1) All new construction in any zoning district or renovation of an existing structure that exceeds 50% of the structure's value as listed by the Carteret County Tax Office is required to install an onsite stormwater management system that retains 2 inches of rain. Impervious surface coverage in the GB and CB Zoning Districts may not exceed 75%. Impervious surface coverage in all residential districts may not exceed 40%. Impervious surface coverage and stormwater control in the CDD is governed by regulations outlined in Section 6.8.
  - (2) The stormwater management system and plan shall be designed in accordance with Best Management Practices (BMPs), and shall be designed to retain the first 2 inches of runoff generated by a given rain event on-site.
  - (3) A stormwater management plan shall be required prior to the issuance of any permits for new construction or renovation/expansion projects where the value of improvements exceeds 50% of a structure's value as listed by the Carteret County Tax Office.
  - (4) Installation of designed system shall be inspected and approved by the designing engineer or other engineer licensed to practice in the State of North Carolina before issuance of a certificate of occupancy.
  - (5) The addition of new impervious surfaces up to 100 square feet is permissible (under 40% in residential districts and 75% in commercial districts) without stormwater controls.
  - (6) The addition of new impervious surfaces over 100 square feet is permissible (under 40% in residential districts and 75% in commercial districts) when an approved BMP is installed on the property. The BMP must effectively control the runoff from the newly constructed impervious surfaces or more. When the project adding impervious surfaces exceeds a \$30,000 value the BMP must be approved by an engineer licensed to practice in the state of North Carolina before issuance of a Certificate of Occupancy. Projects over 100 square feet adding impervious surfaces valued under \$30,000 in value may have BMP approved by the UDO Administrator. A copy of the North Carolina BMP Manual is available in Town Hall.

Section 9.7 Off-Street Loading Requirements

---

In any district in which a building hereafter erected is to be occupied by any manufacturing, processing, assembly, wholesaling, retailing, laundering, dry cleaning, or similar activity requiring the receiving or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space. Each such loading space shall be at least 12 feet in width, 30 feet in length, and shall have a height clearance of at least 14 feet. All ingress and egress areas shall satisfy NCDOT requirements.

Off-street loading spaces shall be designed and constructed so that all maneuvering to park vehicles for loading and unloading can take place entirely within the property lines of the premises. Loading spaces must be designed so as to not interfere with the normal movement of vehicles and pedestrians on public rights-of-way. Off-street loading spaces shall be located in the rear yard. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

If there is not more than one delivery and pickup during the hours when a retail trade, office, or institutional establishment is open to patrons, such space may be combined with the existing parking space on the premises. Loading space shall be provided in accordance with the following schedule:

Type of Use	Required Off-Street Loading Spaces
Retail business	One space for each 5,000 square feet of gross floor area or fraction thereof
Wholesale and industries	One space for each 20,000 square feet of gross floor area or fraction thereof
Office and institutions	One space for each 10,000 square feet of gross floor area or fraction thereof

*Parking/Loading Exceptions.* If a peculiar characteristic of an establishment makes the requirements of this Section clearly unrealistic, the Board of Adjustment may grant the applicant a modification of the loading requirements in regard to that particular establishment.

The UDO Administrator may allow a new use to be established in an existing building even if all parking and/or loading requirements of this Article cannot be met for the new use, provided that as much parking/loading space as can reasonably be provided by the use and traffic or safety hazards will not be created.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

### SECTION 7.3 UTILITY, DUMPSTER, RECYCLING, AND TRASH HANDLING

#### *7.3.1 Applicability*

This section shall apply to all non one and two family residential development, multi-family development, and all campgrounds and manufactured home parks.

#### *7.3.2 Location*

All utilities (including heating or air conditioning units and other mechanical equipment) dumpsters and trash handling facilities shall be located on the same lot as the use served unless shared facilities are approved by the Planning Board. No such facilities shall be located in a required front yard. All dumpsters and trash receptacles shall meet the minimum setback requirements of the underlying zoning district.

#### *7.3.3 Screening*

All utilities (including heating or air conditioning units and other mechanical equipment) dumpsters and trash handling facilities shall be screened in conformance with Article 10. Screening of mechanical shall not interfere with mechanical code.

#### *7.3.4 Access*

All required dumpster, recycling and trash handling facilities shall be designed with appropriate means of access to a street or alley in a manner that will least interfere with traffic movement, and will most facilitate the service of the facilities.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

---

### *7.3.5 Utilization*

Space allocated to any off-street dumpster, and trash handling facilities shall not be used to satisfy the space requirements for off-street parking or loading facilities, nor shall any parking or loading spaces be used to satisfy the space requirements for any dumpster or trash handling facility.

### *7.3.6 Performance*

All food-related businesses shall provide water quality treatment to mitigate runoff from trash handling facilities.

## SECTION 7.4 CONNECTIVITY

---

### *7.4.1 Purpose and Scope*

The purpose of this section is to support the creation of a highly connected transportation system within the town in order to provide choices for drivers, bicyclists, and pedestrians; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as schools, parks, and shopping centers; reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; increase effectiveness of municipal service delivery; and free up arterial capacity to better serve regional long distance travel needs. Any additional pedestrian connections required under this Section do not have to address handicapped accessibility standards.

### *7.4.2 Consistency with Other Documents*

The design and evaluation of vehicular, bicycle, and pedestrian circulation systems built in conjunction with new residential and non-residential development shall adhere to Town of Atlantic Beach standards, in addition to meeting the requirements of this section.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

### 7.4.3 *Street Arrangement*

- (A) All streets must comply with applicable state and local fire codes or deviations approved by the North Carolina State Fire Marshall.
- (B) Any development of more than 100 residential units or additions to existing developments such that the total number of units exceeds 100 shall be required to provide vehicular access to at least two public streets unless such provision is deemed impractical by the Planning Board or Engineer due to topography, natural features, or the configuration of adjacent developments.
- (C) Where new development is adjacent to vacant land likely to be divided in the future, all streets, bicycle paths, and access ways in the development's proposed street system shall continue through to the boundary lines of the area under the same ownership as the subdivision, as determined by the UDO Administrator or the Town Engineer, to provide for the orderly subdivision of such adjacent land or the transportation and access needs of the community. In addition, all redevelopment and street improvement projects shall take advantage of opportunities for retrofitting existing streets to provide increased vehicular and pedestrian connectivity.
- (D) In general, permanent culs-de-sac and dead-end streets are discouraged in the design of street systems, and should only be used when topography, the presence of natural features, and/or vehicular safety factors make a vehicular connection impractical. Where culs-de-sac or dead-end streets are unavoidable, site and/or subdivision plans shall incorporate provisions for future vehicular connections to adjacent, undeveloped properties, and to existing adjacent development where existing connections are poor.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (E) Permanent dead-end streets or culs-de-sac shall comply with the length limits and design standards set forth by the Town of Atlantic Beach, and shall be provided with a turnaround at the closed street end.

### *7.4.4 Cross Access*

All non-residential development shall be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets and/or driveways. A minimum distance of 100 feet shall be required between a cross-access way and an intersection or driveway entrance. When cross-access is deemed impractical by the UDO Administrator on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses. A cross access easement must be recorded prior to issuance of a Certificate of Occupancy for the development.

### *7.4.5 Standards for Pedestrian Facilities*

The following specific standards shall be met in designing and achieving a pedestrian circulation system in new residential and non-residential development:

#### *7.4.5.1 Sidewalks*

- (A) All sidewalks shall be designed to comply with the standards provided by the Town of Atlantic Beach Public Services Director. All proposed standards are subject to review and recommendation by the TRC.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (B) Sidewalks shall be installed along the frontage of all new development or redevelopment within the GB, RS, CDD, and CB zoning districts.
- (C) Pedestrian walkways shall form an on-site circulation system that minimizes conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Pedestrian walkways shall connect building entrances to one another and from building entrances to public sidewalk connections. Pedestrian walkways shall be provided to any pedestrian access point or any parking space that is more than 50 feet from the building entrance or principal on-site destination. All developments that contain more than one building shall provide walkways between the principal entrances of the buildings. All non-residential buildings set back more than 100 feet from the public right-of-way shall provide for direct pedestrian access from the building to buildings on adjacent lots.
- (D) Where residential developments have culs-de-sac or dead-end streets, such streets shall be connected to the closest local or collector street or to culs-de-sac in adjoining subdivisions via a sidewalk or multi-use path, except where deemed impractical by the UDO Administrator.

### *7.4.5.2 Pedestrian Walkways/Paths*

While not encouraged to substitute for a good system of on-street facilities, multi-use paths may be used to enhance pedestrian and bicycle travel where the existing circulation system does not serve these patrons well, where open spaces provide corridors free of obstacles. However, all paths shall connect to the street system in a safe and convenient manner, and shall meet the following requirements in addition to any additional standards provided by the Town of Atlantic Beach:

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (A) All path connections shall be well signed with destination and directional signing.
- (B) All paths shall be located in corridors that serve origin and destination points such as residential areas, schools, shopping centers, parks, etc.
- (C) All paths shall be built in locations that are visible and easily accessible, for the personal safety of users.
- (D) Whenever possible, paths shall be designed in such a manner that motor vehicle crossings can be eliminated or significantly minimized. Where crossings exist, they must be carefully designed to ensure the safety of the users. In situations where asphalt paths are proposed to run parallel with roadways they shall be offset a minimum of 12' from the back of curb. Asphalt paths will only be permitted parallel to roadways where there are limited number of driveway and street crossings.
- (E) All paths shall be constructed of durable, low-maintenance materials, with sufficient width and clearance to allow users to proceed at reasonable speeds. Asphalt paths shall be 12 SF 9.5A underlain by 4" CABC. Generally, paths shall be at least six feet in width. Where multiple uses are intended (i.e., shared pedestrian and bicycle traffic) the path should be ten feet wide whenever possible.
- (F) Paths shall be maintained in usable condition throughout the year depending on level of use, including snow removal as appropriate.
- (G) All paths must be located in easements dedicated to pedestrian and bicycle access.

### 7.4.6 Standards for Bicycle Facilities

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (A) Bicycle lanes and/or wide outside lanes shall be incorporated in the design of all minor collectors. On local streets low traffic speeds and volumes allow bicyclists and motorists to safely share the road. Sidewalks are not acceptable as substitutes for bike lanes. Bike lanes shall be a minimum of four feet in width (excluding adjacent curb and gutter, if applicable).
  
- (B) Development shall provide appropriate bicycle amenities to encourage cyclists. Signage indicating the presence and location of such amenities shall be scaled for easy reading by bicyclists and pedestrians as well as motorists. Bicycle parking shall be provided as part of all high density residential, commercial, retail, office, and mixed use development where appropriate.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

### SECTION 7.5 BUILDING DESIGN STANDARDS

#### *7.5.1 Purpose and Applicability*

The purpose of this Section is to ensure architectural compatibility and the establishment and preservation of architectural character throughout the town. Enumerated in the sections below are general requirements for all buildings as well as requirements specific to building use and type. All new construction shall conform to the building design standards of this Section.

#### *7.5.2 General Requirements for All Buildings*

- (A) Adjacent buildings shall be compatible in regards to spacing, setbacks, proportions, materials, and scale.
- (B) The primary entrance shall be architecturally and functionally designed on the front facade facing the primary public street.
- (C) The front facade of the principal structure shall be parallel to the front lot line and street.
- (D) Ground mounted mechanical equipment, solid waste storage, recycling storage, and restaurant operations shall be located to the rear or side yard and screened from view of the street. Roof-mounted mechanical equipment shall be screened from view by a parapet wall matching the primary building materials.

#### *7.5.3 Commercial/Office/Institutional/Mixed Use Buildings*

##### *7.5.3.1 Building Materials*

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

The predominant exterior building materials shall be of high quality material. These include, without limitation: brick, natural decay resistant quality exterior wood siding, rock, stone or tinted and textured concrete masonry units, and transparent glass windows and doors. Building trim and accent areas may feature brighter colors, including primary colors, but these colors may not comprise more than 15% of any building facade.

### *7.5.3.2 Requirements for Building Massing and Articulation*

- (A) The design shall help integrate the development with its surroundings by breaking down the apparent mass and scale of the building on all sides.
- (B) No more than 15,000 gross square feet of the footprint of any structure shall be designed as a individual distinct mass. Preferably, two or more building masses shall be expressed.
- (C) The primary (front) facade shall be designed to comply with the requirements of Section 7.6, Building Facade Design.
- (D) All facades visible from a public roadway shall be given equal design significance. There shall be no blank, featureless walls, including rear walls. The design shall present a continuity of style on all facades visible from the public roadway, except where separated by a party wall located on a lot line.
- (E) Outparcels shall be designed and integrated with the main project or principal structure.
- (F) All buildings shall be lighted in compliance with Article 9, Part III.

### *7.5.3.3 Integration into the Street Network*

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

Internal and new streets shall connect to existing streets or be designed to facilitate future connections to the maximum extent practicable.

### *7.5.3.4 Review Required*

Compliance with the requirements shall be demonstrated through submittal of architectural drawings in conjunction with minor or major site development plan review. Drawings shall include, but not be limited to, a floor plan, roof plan and all exterior building elevations, and any other information deemed necessary by the UDO Administrator to demonstrate compliance with this Section.

### *7.5.3.5 Criteria for Approval*

The TRC shall apply the following criteria in making a determination of compliance with these requirements.

- (A) The architectural drawings are complete and the information accompanying the minor or major site plan is sufficient and correct enough to allow adequate time and final action.
- (B) The submitted architectural drawings illustrate compliance with the requirements of this Section.
- (C) The design demonstrates unique, site-sensitive architecture.
- (D) The design is compatible with surrounding properties.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

### *7.5.3.6 Configuration*

- (A) Roof pitches less than 3:12 and flat roofs shall require a parapet wall on all sides visible from the street. Parapet walls shall fully screen all roof-top mechanical equipment from the street.
- (B) A pitched roof shall have eaves a minimum of 12 inches from the building face.
- (C) Parapet walls shall have decorative cornices or caps.
- (D) A window or functional general access doorway shall be located along the length of the facade at least every 20 feet. False or display casements may be considered by the TRC.
- (E) When used, awnings and canopies shall be placed at the top of window or doorway openings. No awning shall extend more than the width of the sidewalk or 10 feet, whichever is less. Awnings must be self-supporting from the wall. No supports shall rest on or interfere with the use of pedestrian walkways or streets. In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities.

### *7.5.3.7 Alternative Compliance*

Alternative compliance may be obtained provided the design satisfies the intent of this section. In such cases, the TRC shall have the authority to approve the following:

- (A) Materials of construction not listed, provided the materials used are implemented in a manner that enhances the surrounding area;

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (B) Increase the maximum size of a single retail structure as a distinct mass by up to 25%, provided the structure is designed in a manner that enhances the surrounding area.

### *7.5.4 Residential Buildings*

#### *7.5.4.1 Single-Family and Two-Family (Duplex) Detached Residential Building*

Exterior materials shall be durable and residential in character. Exterior wall materials shall be wood clapboard siding, wood shingles, brick, stone, stucco, vinyl, or similar materials. Roof materials shall be asphalt shingles, standing seam metal, slate, cedar or similar materials.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

### *7.5.4.2 Multi-Family Residential Buildings*

Exterior materials shall be durable and residential in character. Suggested materials include wood clapboard siding, wood shingles, brick, stone, stucco, vinyl, or similar materials. Suggested pitched roof materials include asphalt shingles, standing seam metal, slate, or similar materials.

### *7.5.4.3 Manufactured Homes*

A manufactured home must bear a seal certifying that it was built to the standards adopted on June 15, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction.

## SECTION 7.6 BUILDING FACADE DESIGN

### *7.6.1 Intent*

In order to present an attractive *Aface* for the Town of Atlantic Beach, buildings along roadways should enhance the image of the town. The emphasis should be on architectural detail and human-scale design.

### *7.6.2 Applicability*

The requirements of this section shall apply in the following circumstances:

- (A) Construction of any new use other than single-family or duplex.

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (B) Expansion or modification of an existing Commercial, Office, Institutional, or Multi-family use that increases the total enclosed floor area by at least 50% or 5,000 square feet, whichever is greater.
- (C) Where compliance with these standards is explicitly required in other portions of this Ordinance.

### 7.6.3 *Exempt*

Communication towers shall be exempt from these requirements.

### 7.6.4 *Standards*

- (A) All facades that are visible from a public roadway or abutting a residential district or use shall be constructed of one or a combination of the following materials: concrete aggregate, stucco, brick, stone, glass or wood, faced concrete block. Artificial materials which closely resemble these materials shall also be allowed, but are subject to approval by the UDO Administrator.
- (B) No portion of building constructed of unadorned (unfaced) concrete masonry units or corrugated and/or sheet metal may be visible from a public roadway.
- (C) Long continuous building walls are discouraged and no single facade extending unbroken more than 35 feet in a horizontal plane may be visible from a public roadway. Compliance may be obtained through one of the following:
  - (1) The use of projections or recesses (articulation). When used, each projection or recess shall have a projection (or depth) dimension of no less than 18 inches and a width of no less than 36 inches; or

## ARTICLE 7. DESIGN AND PERFORMANCE STANDARDS

- (2) The use of columns or other architectural detail to provide visual interest. Where used, columns should be harmonious with the general design of the structure.
  
- (D) At least 25% of the first floor of the street facade(s) must be transparent (including all sides facing a street right-of-way). Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. False or display casements are not permitted in lieu of exterior window treatments for the frontage elevation. A window shall be measured as follows:
  - (1) Maximum sill height (first floor): 42 inches.
  - (2) Minimum area: 16 square feet.
  - (3) Minimum width: 3 feet.
  - (4) Minimum height: 4 feet.
  
- (E) Ventilation grates or emergency exit doors located at the first floor level oriented toward a public street shall be decorative.

### *7.6.5 Alternative Compliance*

Alternative compliance may be obtained provided the design satisfies the intent of this section. In such cases, the Building Inspector shall have the authority to approve the following:

- (A) Reduced transparency requirements; or
  
- (B) Materials of construction not listed, provided the materials used are implemented in a manner that enhances the surrounding area.

## ARTICLE 14.

### DEVELOPMENT REVIEW PROCESS

Section 14.1	Purpose and Applicability .....	14-2
Section 14.2	Pre-Application Meeting and Sketch Plan.....	14-2
Section 14.3	Conditional Use Permit Procedures .....	14-3
Section 14.4	Site Plan Procedures.....	14-7
Section 14.5	Administrative Approval .....	14-8
Section 14.6	Planning Board Review and Town Council Approval.....	14-10

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

### SECTION 14.1 PURPOSE AND APPLICABILITY

The purpose of this Article is to establish an orderly process to develop land within the Town of Atlantic Beach. It is also the intent of this Article to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, town staff, related agencies, the Planning Board, Board of Adjustment, and the Town Council. Approved plans shall be the guiding documents for final approval and permitting.

The development review process applies to all new developments within the Town of Atlantic Beach except for existing individual lots for single-family detached residential and two-family residential (duplex) development. The provisions of this Article shall be applicable for all Minor and Major Site Plans and Conditional Use Site Plans. The UDO Administrator or designee may waive the required development review process only in the following cases when he/she determines that the submission of a development plan in accordance with this Article would serve no useful purpose:

- (A) Accessory structures.
- (B) Any enlargement of a principal building by less than 20% of its existing size provided such enlargement will not result in parking or landscaping improvements.
- (C) A change in principal use where such change would not result in a change in lot coverage, parking, or other site characteristics.

### SECTION 14.2 PRE-APPLICATION MEETING AND SKETCH PLAN

The applicant shall schedule a pre-application meeting with the UDO Administrator to review a Sketch Plan of the proposed development. The Sketch Plan shall meet the requirements of Section 14.2. The

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

UDO Administrator will advise the applicant of all applicable town regulations and policies, suggest development alternatives, application procedures, and fees. The Atlantic Beach Town Council will adopt annually as part of the budget approval process, a schedule of fees for application and approval processing as specified in this Ordinance. The pre-application meeting is a non-binding and informal review of a development proposal intended to provide information to the applicant on the procedures and policies of the Town of Atlantic Beach and does not confer upon the applicant any development rights. The UDO Administrator may submit a Sketch Plan to other departments or agencies for input and recommendations. After a reasonable review of the Sketch Plan, the UDO Administrator shall forward all appropriate comments to the applicant.

The applicant is encouraged to incorporate the recommendations of the UDO Administrator or authorized staff reviewer into the development plan before submittal. The sketch plan is only a courtesy intended to inform the applicant of the approval criteria prior to submittal of the development plan; furthermore, sketch plan review does not constitute approval of the development plan and may not be substituted for any required approvals.

### SECTION 14.3 CONDITIONAL USE PERMIT PROCEDURES

#### *14.3.1 Purpose and Applicability*

This Ordinance provides for a number of uses to be located by right in each general zoning district subject to the use meeting certain area, height, yard, and off-street parking and loading requirements. In addition to these uses, this Ordinance allows some uses to be allowed in these districts on a conditional basis subject to issuance of a conditional use permit by the Board of Adjustment. The purpose of having the uses being conditional is to ensure that they would be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located and would meet other criteria as set forth in this section.

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

### *14.3.2 Application Process/Completeness*

The deadline for which a conditional use permit application shall be filed with the UDO Administrator is the first business day of the month. In the course of evaluating the proposed conditional use, the Planning Board or Board of Adjustment may request additional information from the applicant. A request for any additional information may stay any further consideration of the application by the Board of Adjustment or Planning Board.

No application shall be deemed complete unless it contains or is accompanied by all items listed in Section 15.4(A) and as may be required by Section 15.4(B) and a fee, in accordance with a fee schedule approved by the Town Council for the submittal of conditional use permit applications (see Section 2.14). Once complete, the UDO Administrator shall notify the town that a public hearing shall be scheduled.

### *14.3.3 Public Notice*

- (A) Conditional use permit cases are quasi-judicial, and all witnesses are to be sworn in.
- (B) Prior to the Board of Adjustment making a decision on a conditional use permit, a public hearing held by the Board of Adjustment shall be conducted. The Planning Board is responsible for preparing reports on conditional use permit applications for the Board of Adjustment. These reports will be presented by a Planning Board member during a Conditional Use Permit public hearing, and this testimony shall be recorded as evidence. A quorum of the Board of Adjustment is required for this public hearing. Notice of the public hearing shall be as follows:

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

- (1) A notice shall be published in a newspaper having general circulation in the town once a week, for two successive weeks, the first notice to be published not less than ten days nor more than 25 days prior to the date established for the hearing.
- (2) At least one notice shall be conspicuously posted on the subject property at least ten days prior to the public hearing. The notice shall state the Case number and contact number for the town. The notice shall be removed only after the public hearing has been held.
- (3) A notice of the public hearing shall be sent by first class mail by the UDO Administrator to all adjoining property owners and property owners within 500' of the subject property, at least ten days, but not more than 25 days, prior to the public hearing.

### *14.3.4 Planning Board Review and Recommendation*

- (A) Once the application has been accepted, the Planning Board shall review the conditional use application. Except as provided in Section 14.3.2, the Planning Board shall review the application at their next scheduled meeting, as long as it is received at least 25 days in advance of the meeting.
- (B) The Planning Board may, in its review, suggest reasonable conditions to the location, nature, and extent of the proposed use and its relationship to surrounding properties, parking areas, driveways, pedestrian and vehicular circulation systems, screening and landscaping, timing of development, and any other conditions the Planning Board may find appropriate. The conditions may include dedication of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

- (C) The Planning Board shall forward its recommendation to the Board of Adjustment within 45 days of reviewing the application. If a recommendation is not made within 45 days, the application shall be forwarded to the Board of Adjustment without a recommendation from the Planning Board.

### *14.3.5 Board of Adjustment Action*

- (A) Once the recommendation of the Planning Board has been made, or the 45-day period elapses without a recommendation, the Board of Adjustment shall hold a public hearing to consider the application at its next regularly scheduled meeting.
- (B) In approving an application for a conditional use permit, the Board of Adjustment may attach fair and reasonable conditions to the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Board of Adjustment. In no instance shall any of these conditions be less restrictive than any requirements which would pertain to that particular development found elsewhere in a similar zoning district.
- (C) Imposed conditions shall be for the purpose of promoting health, safety, morals, or the general welfare of the community.
- (D) The applicant has the burden of producing competent, material and substantial evidence tending to establish the facts and conditions which subsections 14.3.5(E) below require.
- (E) The Board of Adjustment shall issue a conditional use permit if it has evaluated an application through a quasi-judicial process and determined that:

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

- (1) The proposed use will have either a minimal effect or positive effect on the public health or safety;
- (2) The use meets all required conditions and specifications;
- (3) The proposed use will have no material adverse effect on the value of adjoining or abutting properties unless the use is a public necessity; and
- (4) The proposed use is in harmony with the Town Land Use Plan and/or other plans adopted by the Town Council.

### *14.3.6 Effect of Approval*

If an application for a conditional use permit is approved by the Board of Adjustment, the owner of the property shall have the ability to develop the use in accordance with the stipulations contained in the conditional use permit, or develop any other use listed as a permitted use for the general zoning district in which it is located.

### *14.3.7 Binding Effect*

- (A) Any conditional use permit so authorized shall be binding to the property included in the permit unless subsequently changed or amended by the Board of Adjustment. However, minor changes may be made with the approval of the UDO Administrator on a one-time basis only in the detail of the approved application which:
  - (1) Will not alter the basic relationship of the proposed development to adjacent property;

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

- (2) Will not increase the gross floor area of any non-residential use by the smaller of 20% or 2,500 square feet;
  - (3) Will not decrease the off-street parking ratio or reduce the yards provided at the periphery of the site by greater than five feet.
- (B) Further changes to the development may only be made by the Board of Adjustment in accordance with Section 14.3.8.
- (C) For example, if a conditional use permit is issued for a building having a gross floor area of 6,000 square feet, under this provision the property owner could, subject to approval of the UDO Administrator, construct a building with a gross floor area of up to 7,200 square feet.

### *14.3.8 Certificate of Occupancy*

No certificate of occupancy for a use listed as a conditional use shall be issued for any building or land use on a piece of property which has received a conditional use permit for the particular use unless the building is constructed or used, or the land is developed or used, in conformity with the conditional use permit approved by the Board of Adjustment. In the event that only a segment of a proposed development has been approved, the certificate of occupancy may be issued only for that portion of the development constructed or used as approved.

### *14.3.9 Twelve-Month Limitation on Re-Application*

If a request for conditional use permit is denied by the Board of Adjustment, a similar application for the same property or any portion thereof shall not be filed until the expiration of a 12-month period from the date of the most recent denial by the Board of Adjustment. This waiting period shall not be applicable

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

where the application for a conditional use permit is substantially different (see Appendix A for definition) from the original application.

### *14.3.10 Change In Conditional Use Permit*

Any request to materially change the conditional use permit once it has been issued must first be reviewed and approved in accordance with Section 14.3.4.

### *14.3.11 Implementation of Conditional Use Permit (CUP)*

Unless the Board of Adjustment issues a conditional use permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a 36-month period from the date of issuance of the conditional use permit. In addition, if the project for which the CUP was issued is not complete and a valid building permit is not in place at the end of the 36-month period, the UDO Administrator shall notify the applicant of this finding and, within 60 days of the notification, the Planning Board shall make a recommendation concerning the revision of the conditional use permit to the Board of Adjustment. The Board of Adjustment, after having conducted a public hearing to consider the revision, may then rescind the conditional use permit or extend the life of the conditional use permit for a specified period of time. Due notice of the public hearing shall be given as prescribed in Section 14.3.3.

## SECTION 14.4 SITE PLAN PROCEDURES

---

### *14.4.1 Engineering Drawing Review and Approval Procedures*

*16) Applicability and Process.* The Engineering Drawings for Minor Site Plans, Major Site Plans, Conditional Use Permit Plans, and other site-specific plans shall be submitted in accordance with this Section except where specifically noted. Upon determination by the UDO

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

Administrator or his designee that an application is complete, the Engineering Drawings shall follow the Administrative Approval process outlined in Sections 14.5. Engineering Drawings shall constitute the complete submittal requirements for Minor Site Plans prior to the issuance of a Zoning Permit or Final Plat approval.

(B) *Submittal Requirements.* Engineering Drawings shall be drawn to the specifications in Article 15. The types of plans to be included in a set of Engineering Drawings are as follows:

- § Site Plan or Preliminary Plat
- § Existing Conditions
- § Grading Plan
- § Soil and Erosion Control Plan
- § Landscaping Plan
- § Lighting Plan
- § Street Details
- § Infrastructure Details

### 14.4.2 *Minor Site Plans*

Projects requiring minor site plan approval:

- § Single-family dwellings;
- § Two-family (duplex) dwellings;
- § Three-family (triplex) dwellings;
- § Four-family (quadraplex) dwellings;
- § Nonresidential development under 2,500 square feet with the exception of projects within the CDD or COD districts.

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

Minor Site Plans follow the Administrative Approval process. Minor Site Plans shall be submitted as part of a full set of Engineering Drawings. Engineering Drawing approval is required prior to the issuance of a Zoning Permit. Refer to Section 14.4.1 Engineering Drawing requirements.

### *14.4.3 Major Site Plans*

Projects requiring major site plan approval:

- § Residential developments greater than four (4) units;
- § Residential developments involving two or more structures on an individual lot;
- § Nonresidential developments greater than 2,500 square feet;
- § Manufactured home park developments;
- § Recreational vehicle park developments;
- § Developments within the CDD and COD districts.

Major Site Plans follow the Planning Board/Town Council approval process. The Major Site Plan shall be reviewed by the UDO Administrator and the Technical Review Committee for completeness, compliance with this Ordinance, and soundness of design. The plan shall then be reviewed for recommendation by the Planning Board and approval by the Town Council. Following Planning Board approval, Engineering Drawings may be submitted and reviewed in accordance with Section 14.4.1. Engineering Drawing approval is required prior to the issuance of a Zoning Permit.

For Major Sites Plans, an as-built survey and as-built construction drawings shall be submitted to the UDO Administrator by the developer upon completion of the building foundation to ensure that setbacks and building orientation match the approved site plan. If the survey shows that the placement of the

## ARTICLE 14. DEVELOPMENT REVIEW PROCESS

building is incorrect, then the UDO Administrator shall issue a stop-work order and all construction shall be halted until the problem is remedied.

### SECTION 14.5 ADMINISTRATIVE APPROVAL

---

Administrative approval includes:

- § Engineering Drawings;
- § Minor Site Plans (this involves the development of four (4) or less units on a single parcel).

NOTE: A sketch plan and/or pre-application meeting is not required for a final plat submittal.

## ARTICLE 15. DEVELOPMENT PLAN REQUIREMENTS

### SECTION 15.4 CONDITIONAL USE PERMIT REQUIREMENTS

- (A) *Approval Process.* The application shall be accompanied by a site plan drawn to scale, and necessary supporting text which shall include the following information:
- (1) Name, address, and phone number of the property owner or his or her agent, and the tax parcel number of the property. The property owner or his or her authorized agent are the only two parties who may initiate a request for a conditional use permit.
  - (2) A boundary survey and vicinity map, showing the property=s total acreage, zoning classification(s), general location in relation to adjoining streets, railroads and/or waterways, date and north arrow.
  - (3) The owner=s names and addresses, tax parcel numbers and existing land use(s) of all adjoining properties.
  - (4) Proposed use of all land and structures including the number of residential units, if applicable.
  - (5) Proposed number and location of all structures, their approximate area and their approximate exterior dimensions.
  - (6) All existing easements, reservations and rights-of-way.
  - (7) Delineation of areas within the regulatory floodplain, as shown on the official Federal Emergency Management Act (FEMA) flood hazard boundary maps for the county.

## ARTICLE 15. DEVELOPMENT PLAN REQUIREMENTS

- (8) Traffic, parking and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets.
  - (9) Delineation of defined Coastal Area Management Act (CAMA) Areas of Environmental Concern.
- (B) *Additional Information.* The following additional information may be required as requested by the Planning Board or Town Council:
- (1) Stormwater drainage plan.
  - (2) Existing and proposed topography at two-foot contour intervals or less.
  - (3) The existing and proposed location of all water and sewer lines and fire hydrants intended to serve the proposed development.
  - (4) Proposed number, type and location of signs.
  - (5) A traffic impact study of the proposed development prepared by a qualified transportation or traffic engineer or planner. The traffic impact study shall include the following information:
    - (a) Existing traffic conditions within the study area boundary.
    - (b) Traffic volumes generated by the existing and proposed development on the parcel, including the morning peak, afternoon or evening peak, and average annual daily traffic levels.

## ARTICLE 15. DEVELOPMENT PLAN REQUIREMENTS

- (c) The distribution of existing and proposed trips through the street network.
- (d) Analyses of the capacities of intersections located within the study area boundary.
- (e) Recommendations for improvements designed to mitigate traffic impacts and to enhance pedestrian access to the development from the public right-of-way.
- (f) Other pertinent information, including but not limited to, accidents, noise, and impacts of air quality and other natural resources.
- (g) An environmental impact statement which contains the following information:
  - (a) A cover sheet which provides, in summary form, a description of the proposed project;
  - (b) A statement of purpose and need of the project;
  - (c) For projects proposed by public entities, a list of alternatives of the proposed project;
  - (d) A succinct description of the environment affected by the project;
  - (e) A discussion of short and long-term consequences of the project on the environment including any adverse environmental impacts which cannot be avoided; and

## ARTICLE 15. DEVELOPMENT PLAN REQUIREMENTS

-  A list of means which could be employed to mitigate any negative effects on the environment caused by this project.
  
  -  A description of all screening and landscaping required by these regulations and/or proposed by the applicant.
  
  - (8) Proposed phasing, if any, and approximate completion time for the project.**
- (C) Ten copies of an application, and all attachments and maps, for a conditional use permit shall be submitted to the town. Eight copies shall be for Planning Board review, and two copies for staff.



## PRE-APPLICATION MEETING NOTES ON PROPOSED HIGHWAY 58 DOLLAR GENERAL

On September 1, 2015 from 1:00 pm until 2:15 pm Planning Director Jessica Fiester met with George Barnes (Applicant) for a pre-application/sketch review meeting regarding a Conditional Use application for a Dollar General. The retail establishment is proposed to be located on the northeast side of the corner of Highway 58 and Lee Drive (this property has not been assigned an address).

The property is zoned Resort Services (RS) on the Official Zoning Map. The definition of Resort Services is: *The RS resort service district is established as a district to provide areas, which, due to their location, natural features and access, have an extremely high potential for both permanent and tourist types of residential development. Additionally, commercial uses are permitted and shall be oriented to businesses and services associated with those tourist related activities which reflect a family atmosphere.*

Section 5.5 Table of Permitted and Conditional Uses lists the following use as conditional in RS: "Retail Sales or rental businesses other than the sale, repair or rental of jet skis and water vessels." There are no special requirements specifically listed for this use listed in the Unified Development Ordinance. The proposed use is not related to the sale, repair or rental of jet skis and water vessels and therefore staff has made the interpretation that it qualifies to apply for a conditional use permit in this district.

The Town of Atlantic Beach Land Use Plan has this parcel designated as "Mixed-Use Residential." Low impact commercial development is allowed in this district per page 200 of the Atlantic Beach Land Use Plan. The plan says that industrial uses and high impact commercial uses are not allowed. Land Use Plan Map 19 (Land Suitability, page 149) has this land designated as highly suitable for development. The burden will be on the applicant to prove that this use fits the descriptions in both the Land Use Plan and the Unified Development Ordinance. (Staff Note: Staff contacted DCM Planning staff to obtain a definition of high impact commercial use on 9/2).

The property is currently owned by Baker and Smith Properties, LLC (PIN: 636516729785000) and as referenced earlier, does not have an address assigned to it. The property is proposed to be subdivided. Currently it is 2.185 acres in its entirety. The portion to be utilized by the retail store is 1.305 acres. This action falls under a simple subdivision per our subdivision definition. Article 5 has requirements for creating new lots that will be met. The new parcel must have 50-feet of road frontage and 100-feet of depth. This has been demonstrated on the initial site plan.

The property has frontage on West Fort Macon Road, and per the Town's definition of "front setback" the property must have a front setback on West Fort Macon Road. Section 5.6 calls for a 25-foot front setback, 10' side setbacks and 20' rear setbacks. (Staff Note: All adjacent properties are also zoned Resort Services).

The project as proposed exceeds all setback requirements. The Planning Director requested both the required setbacks and the actual distances be demonstrated on the site plan (for instance, the east side requires 10-foot but is actually proposed as 18-foot). The property features a corner entry, with the front of the building oriented towards West Fort Macon Road.

The next section of this memo includes specific sections discussed on September 1 in the pre-application meeting.

### **Section 2.18 Visibility at Intersections and Section 2.2 Entrances and Exits to Public Streets**

In addition to compliance with town standards, staff has requested approval on the ingress and egress from NCDOT. Mr. Barnes indicated that staff he works with has had an initial approval, but prior to a site plan being forwarded to the TRC meeting, we will have an updated document.

### **Section 2.24 property addressing**

The property will need to have an address assigned to it from Carteret County Emergency Services. This should be displayed on the building if it is constructed. Addresses may be assigned at any time by contacting (252) 222-5841.

### **Section 2.26 Stormwater**

An Erosion and Sediment Control plan from DENR is required. As we discussed, this project is exempt from town coverage and stormwater requirements because the disturbance is over one acre and state rules are used. The applicant will be asked to present this permit or proof of application prior to submitting the application. It is staff understanding this is already in process. A description of how stormwater will be handled should be included in the application package in plain English, in addition to the permit. This is useful in demonstrating compliance to neighbors and the Board of Adjustment.

### **Section 7.3 regulates the screening of waste receptacles**

As discussed, the waste receptacles need to be screened and off of the street. Per our conversation today, the dumpster screening will match the building's exterior design, and likely be built like barn doors.

### **Section 7.5 regulates building design standards**

The primary entrance will be architecturally and functionally designed to face West Fort Macon Road. We also discussed that the rooftop mechanical equipment will be screened and out of sight. This will be done with architectural features on the top of the building.

### **7.5.3 Building material requirements and Section 7.6 lists building façade requirements.**

Per our conversation today we discussed several options for building materials, including brick, a mix of brick and hardy plank, and also wood with coastal shutters and overhang accents. We discussed favoring a neutral pallet on both the building and the signage. We discussed the Town preferring lighting incorporated into the overhang rather than streetlights or rooftop lighting. Staff reviewed pictures with architectural features from

multiple Dollar General Stores and suggested deferring these choices to the review panel. This is in an effort to build ownership and maintain coastal character.

The TRC will need to see building elevations. It would be helpful to submit pictures of design options beforehand. Height should be demonstrated on these images.

#### **Parking lot should be designed per Article 9.**

One handicap space is required per the UDO (Two are required by Dollar General and this is reflected on the site plan). Retail sales require one space per 500 square feet of gross floor area. This equals 18.2 spaces on the 9,200 square feet of gross floor area proposed. This is being exceeded on the proposed site plan. Staff would like to see the parking spaces numbered.

#### **Section 9.7 has off street loading requirements**

Staff suggested increasing the Lee Drive entrance to 36-feet to accommodate deliveries. Staff also suggested a set of plans be shared with the fire marshal, Michael Simpson for comments, prior to advancing with more design work (252) 726-7361. In this conversation, it was determined two unloading spaces must be accommodated. The Planning Director also requested that the path trucks will take for deliveries be demonstrated on the plan, and also described in text on the plan. Special attention to safety should be paid on the Lee Drive ingress/egress due to a high volume of foot traffic in this area. Staff wants to ensure that trucks are not backing into or out of the store. It will also be noted for reference in future reports that Dollar General Deliveries typically take place only once or twice per week, as they use a distributing center to deliver merchandise. Section 9.7, referencing off-street loading requirements has been attached to this memo.

#### **Article 9, Lighting**

We discussed that we will need to see a lighting plan in the application package that meets the requirements of Article 9 in the UDO. We also discussed the Town's preference for unobtrusive lighting, preferably located on the building on the sides, not on the top or in tall fixtures.

#### **Section 10.3 Tree Preservation Requirements should be observed**

It was recommended the applicant have an arborist or a surveyor identify the trees and vegetation that will remain on site. A condition being requested by the Planning Director is that all of this be incorporated into a tree survey. The goal of this development is to have it be minimally intrusive and a good way to do this is by using existing vegetation to create buffers. (Per the applicant's request: Stroud Engineering has staff that can perform this. Contact #: (252) 247-7479). Section 10.10.9 guides buffering standards, however none are required because all four sides of this property are zoned Resort Services. Staff is asking that this property is buffered to the maximum extent possible.

#### **Section 10.11 Speaks to vehicular landscaping and foundation plantings**

A landscaping plan meeting requirements set forth in Article 10 needs to be provided with the application package.

## Article 11.5.2 Speaks to signage

The applicant and staff discussed signage. Staff encouraged the applicant to present neutral signage. One square foot of wall signage is allowed per linear foot of building frontage (on each street if desired). The applicant shared a sample of simple, white lettered signage on the building that staff preferred over the traditional signage. Road signage was also discussed. Staff advised that although allowed, she would not support freestanding signage near the Atlantic Beach Welcome Sign. It was agreed that the proposed West Fort Macon entrance further east was the appropriate place for some modest signage. While codes allow for 15-feet, it was suggested and agreed upon that ground signage/monument style signage in neutral colors be proposed.

## Review Process

The review process was reviewed by staff and the applicant.

- Section 3.4 calls for the TRC to review site-specific Conditional Use Applications.
- Section 3.9 calls for the Planning Board to review and suggest conditions
- Article 14 dictates that the Board of Adjustment hears Conditional Use Permit requests
- Section 14.3 requires notice to properties within 500' sent by mail 10-25 days prior & posted

## Other Follow Ups

- Article 15 allows the Town to ask for a traffic impact study. This is not required but it was stated that the review committee could ask for one. Mr. Barnes stated that Dollar General has studies on traffic generated by Dollar General Stores that he will provide to help the review committee make a decision on whether this is needed.
- Information on the ownership, zoning district and use of all adjacent properties should be incorporated into the plan at the request of the Planning Director. Major structures should be indicated on a survey.
- A septic tank permit has been issued by the Health Department. It was discussed that this was the only suitable location on site for the system to go. This should be pointed out because an alternative location would have allowed for more vegetation to be preserved. This should be noted in the application.
- Mr. Barnes requested locations of utilities in order to prepare required documents. Staff referred him to the public works department. The contact information is Marc Schulze (252) 726-1366. He is specifically interested in water lines.
- Staff requested that the applicant show bicycle rack on site plan

## Attachments:

Unloading Requirements  
Article 14 Process  
Article 15 CUP requirements

**Next Steps:**

When the modifications have been made to the plan and the additional information requested has been provided we will have a meeting to review the updated site plan. At this time we will determine if the project is ready to be forwarded the TRC For a review.

Prepared by: Jessica Flester, Planning Director on 9/2/2015

**Dollar General CUP Application Progress Meeting Notes**  
**September 24, 2015**

On Thursday, September 24 from 11:45 am to noon Jessica met with George Barnes regarding the progress that had been made on the Dollar General planning since the meeting that took place on September 1. Dollar General architect, Matt, also participated in the meeting via phone.

The following were requested before the submission of the application to go to the TRC:

- Review by the Fire Department (specifically on hydrants, ingress/egress, and traffic pattern)
- Review of Ingress and Egress by NCDOT (comments on no objections)
- Review of separation between IBRC driveway and proposed Highway 58 DG Driveway (ordinance compliance)
- Erosion and Sediment Control Permit progress report
- Building Design, Materials and Lighting Plans
- Utility plans
- Elevations
- Off Street Loading Requirements (demonstrated on site plan)
- Tree and Vegetation Survey
- Landscaping Plan
- Plans to revegetate area next to stormwater area on Lee Drive
- Signage mock-ups
- Environmental Statement?
- Traffic Study
- Basic description of stormwater plan
- Agreement to move AB sign off property

The applicant will continue to furnish these requests. These items will need to be provided prior to October 2 in order to schedule a TRC meeting in time to meet the goal of the October 13 Planning Board meeting.



# CARTERET COUNTY HEALTH DEPARTMENT

Environmental Health Division  
3820 Bridges Street, Suite A, Morehead City NC 28557

## AUTHORIZATION FOR WASTEWATER SYSTEM CONSTRUCTION

CA #: 7801

- \*No certificate of occupancy shall be issued until operation has been issued.
- \*No operation permit shall be issued system until installation is completed and approved and all pertinent legal documents have been approved and recorded with the Carteret County Register of Deeds.

O.S. 130A-336: This permit expires 5 years (60) months from date of Improvement Permit issuance. If expiration occurs the client shall comply with all changes in applicable regulation, laws, technical aspects, etc. that may be effective at that time. This may require additional preparation, more complex wastewater systems, operation and maintenance requirements, pre-treatment, etc. This could result in less area for the home, parking, lower water usage and further development limitations.

OWNER: BAKER & SMITH PROPERTIES LLC  
ADDRESS: 1588 NC HWY 102  
AYDEN NC, 28513  
PHONE #:

APPLICANT: VANGUARD VENTURES  
ADDRESS: 3900 MERTON DRIVE SUITE 210  
RALEIGH NC, 27609  
PHONE #: (919) 459-2601

PARCEL ID: 636516729785000  
PROPERTY LOCATION: FORT MACON RD Atlantic Beach NC, 28512

A/C ISSUANCE DATE: 08/13/2015  
TYPE: New System

A/C EXPIRATION DATE: 08/13/2020  
BUILDING TYPE: Commercial *Dollar General 16857*

DESIGN FLOW: 200 (gpd)  
SYSTEM TYPE: Conventional/Modified

SQUARE FT: 9002 (*7821 sq ft retail sales area*)  
# EMPLOYEES: 0  
# SHIFTS: 0

SYSTEM APPROVAL: NA  
OTHER SYSTEM APPROVAL: NA  
SYSTEM CLASSIFICATION: Type IIa  
WATER SUPPLY: Municipal

SEPTIC TANK: 1000 (gal)  
DOSING TANK: (gal)  
GREASE TRAP: (gal)

RECIRCULATION TANK: (gal)  
FILTER DOSING TANK: (gal)

TRENCH BOTTOM DEPTH: 18" <sup>ft</sup> Below Naturally Occuring Surface

TRENCH WIDTH: (in)  
TOTAL LINE LENGTH: (ft)  
LINE/LATERAL LENGTH: (ft)  
ABSORPTION AREA: 300 (sq. ft)  
DEPTH OF MEDIA: 12 (in)  
MINIMUM INSTALLER CERTIFICATION LEVEL REQUIRED: 1

BED LENGTH: 30 (ft)  
BED WIDTH: 10 (ft)  
# OF LINES/DRIP LATERALS: 8  
# Runs:

GARBAGE GRINDER: NO  
DRAINAGE REQUIREMENTS:

DISTANCE TO ANY WELL: 100 (ft)  
6 INCH TOPSOIL COVER REQ: N/A

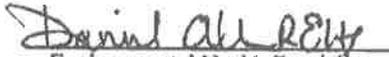
TRI-PARTY AGREEMENT REQUIRED - No EASEMENT RECORDED:  
PRE-CONSTRUCTION CONFERENCE REQUIRED TO BE ATTENDED BY:

**COMMENTS:**

1. The wastewater contractor (installer) shall be currently certified by the NC On-Site Wastewater Contractor and Inspectors Certification Board at the level specified for the permitted system. The installer shall be currently registered with the Carteret County Health Department.
2. The installer shall be responsible for notification of the engineer and the CCHD for system inspection in stages as required and prior to backfilling any portion of the system. No portion of the system shall be backfilled or placed into use without prior approval of the CCHD.
3. The system shall be installed in accordance with the APPROVED set of plans and specifications (if applicable). Any deviation in site modifications, plans, specification, layout, materials or other system components shall be approved by the designer and the CCHD prior to installation of the system. Failure to do so may result in delay or refusal of final approval of the system, and may render the Permit null and void.
4. Wastewater system shall not be installed in wet conditions.
5. Wastewater systems shall be installed in accordance with the laws (Article 11 of Chapter 130A for the General Statutes of North Carolina) and rules (North Carolina Administrative Code 115A, 18A, 1900) for sewage treatment and disposal systems, and the conditions specified in the Improvement permit and construction authorization.
6. Structure shall be placed so that gravity flow is achieved or pump system shall be required.
7. Do not park, pave, drive, or build over any part of septic system or repair area.
8. Maintain a minimum of five (5) feet between any foundation and any part of septic system or reserve area.
9. Do not install well until well site has been permitted by CCHD.
10. The system shall be installed in a timely manner and staged so as to avoid unnecessary exposure to weather.

NOTICE: Construction must comply with all state and local regulations.

NOTICE: Beware much property in Carteret County is subject to Wetland Regulations and properties containing wetlands should receive approval from U.S. Army Corp. of Engineers prior to development.

  
Environmental Health Specialist

08/13/2015  
Date

Accepted systems\* may be substituted for conventional systems with gravel media if the accepted system can be placed in the permitted/authorized trench footprint and the installation is in accordance with the accepted system approval, without unauthorized product alteration. Permit modification, prior approval of the health department or separated owner sign-off is not required as long as no changes are necessary in the location of each aeration line (except reduction in line length), trench depth, or effluent distribution method. There shall be no reductions in trench length for trenches installed in new or existing fill, or for bed systems.

\* Accepted systems include:

EZflow Drainage systems:

EZ1203H

Infiltrator chambered sewage effluent subsurface disposal systems:

Standard and Standard SideWinder (polyethylene) with 12 inch cover

High Capacity (polyethylene) with 12 inch cover

Quick 4 Standard-W, Standard SC, and Standard SideWinder (polypropylene) models with 6 inch cover

Contour Wedge

Standard Contour Swivel





# CARTERET COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH DIVISION  
3820 Bridges Street, Suite A, Morehead City NC 28557

## IMPROVEMENT PERMIT

IP #: 7801  
Exp. Date: 08/13/2020

- \*No building permit shall be issued until authorization to construct is issued.
- \*Before Authorization to Construct is issued, all site modifications, plans, specifications, and/or draft legal paperwork must be completed and approved.

G.S. 130A-336 Improvement permit subject to revocation if the site has been altered, site plan or plat, whichever is applicable, changes or the intended use changes.

OWNER: BAKER & SMITH PROPERTIES LLC  
ADDRESS: 1588 NC HWY 102  
AYDEN, NC 28513

APPLICANT: VANGUARD VENTURES  
ADDRESS: 3900 MERTON DRIVE SUITE  
210

RALEIGH, NC 27609

PHONE #:

PHONE #: (919) 459-2601

PARCEL ID: 636516729785000

PROPERTY LOCATION: FORT MACON RD ATLANTIC BEACH, 28512

IP ISSUANCE DATE: 08/13/2015  
FACILITY TYPE: Non-Residential  
Type of Application: New System

PERMIT WILL EXPIRE: 08/13/2020  
NON-RESIDENTIAL TYPE: Store  
*Dollar General 16857*

DESIGN FLOW: 200  
SYSTEM TYPE: Conventional/Modified  
SYSTEM CLASSIFICATION: Type IIa: Conventional  
System  
WATER SUPPLY: Municipal

SQUARE FT: *7422 sq ft retail sales area*  
# EMPLOYEES: 0  
# SHIFTS: 0

SITE MODIFICATION REQUIRED: No  
ENGINEERED SYSTEM SPECS REQUIRED: No

EASEMENT REQUIRED: No  
DRAFT TRI-PARTY AGREEMENT REQ.: No

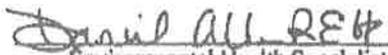
1. All documents, including but not limited to design review plans and specification, Tri-party agreements, Easements, and other legal agreements will become a part of the Permit. This includes operation and maintenance procedures and other pertinent documents relating to system operation and maintenance. All legal documents must be recorded with the Carteret County Register of Deeds.
2. This permit is effective only with respect to the specific design flow facilities, and the nature and volume of waste described in the Permit Application, and other supporting data. Changes in the proposed use, waste flow, nature or volume of waste render this permit void.

IP#: 7801

3. Prior to any changes in system layout, approval must be obtained from Health Department.
4. The designated repair area is to have no parking, driveways or other impervious materials located on it.
5. The issuance of this permit does not preclude the permittee from complying with any and all statutes, regulations, or ordinances which may be imposed by other government agencies which have jurisdiction, or any other permits issued by this department.
6. This permit shall become invalid if the information submitted in the application was falsified or changed, if the permit was based on inaccurate or incomplete information, or if the designated site is altered.
7. This improvement permit shall not be affected by a change in ownership of the site provided both the site for the wastewater system and the facility the system serves are unchanged and remain under the ownership or control of the person owning the facility.

NOTICE OF EXPIRATION: This permit expires 5 years (60) months from date issued. If expiration occurs the client shall comply with all changes in applicable regulation, laws, technical aspects, etc, that may be effective at that time. This may require additional preparation, more complex wastewater systems, operation and maintenance requirements, pre-treatment, etc. This could result in less area for the home, parking, lower water usage and further development limitations.

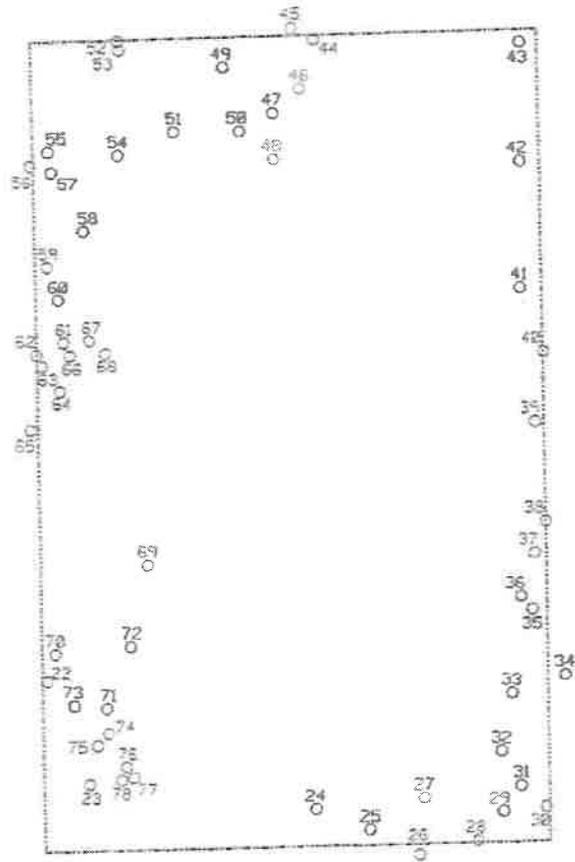
NOTICE: Beware much property in Carteret County is subject to Wetland Regulations and properties containing wetlands should receive approval from U.S. Army Corp. of Engineers prior to development.

  
Environmental Health Specialist

08/13/2015

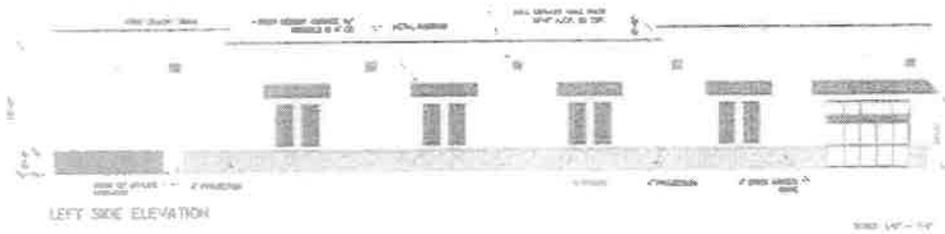
Date

LEE DRIVE



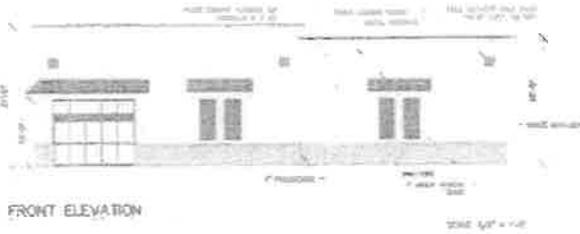
SALTER PATH ROAD

POINT	20	TWINGEDARE
POINT	21	OAK 4
POINT	22	OAK TWIN 12
POINT	23	TRIFIDAK 6
POINT	24	TWINDAK 6
POINT	25	OAK 12
POINT	26	OAK 5
POINT	27	TWINDAK 6
POINT	28	OAK 5
POINT	29	TWINDAK 6
POINT	30	OAK 5
POINT	31	OAK 5
POINT	32	OAK 55
POINT	33	CEGAR 9
POINT	34	CEGAR 4
POINT	35	TWINDAK 6
POINT	36	TWINDAK 6
POINT	37	TWINDAK 6
POINT	38	HICKORY 6
POINT	39	OAK 6
POINT	40	CEGAR 5
POINT	41	OAK CLUSTER
POINT	42	CEGAR 6
POINT	43	TWINDAK 6
POINT	44	CHEERRY 5
POINT	45	CEGAR 6
POINT	46	CEGAR 6
POINT	47	2 CEDAR 5
POINT	48	CEGAR 9
POINT	49	CEGAR 9
POINT	50	OAK 4
POINT	51	CEGAR 5
POINT	52	OAK 10
POINT	53	OAK 10
POINT	54	OAK 10 CEDAR
POINT	55	CEGAR 12
POINT	56	CEGAR 8 OAK 6
POINT	57	CEGAR 8
POINT	58	OAK 8
POINT	59	CEGAR 5
POINT	60	CEGAR 5 OAK 5
POINT	61	OAK SHOLLY 4
POINT	62	2 CEDAR 55 OAK 4
POINT	63	CEGAR 7
POINT	64	CEGAR 5
POINT	65	CEGAR 12
POINT	66	TWINDAK 5
POINT	67	OAK 5
POINT	68	CEGAR 6
POINT	69	CEGAR 6
POINT	70	HICKORY
POINT	71	TWINDAK 12
POINT	72	OAK 5
POINT	73	3 OAK 55
POINT	74	OAK 6
POINT	75	TWINDAK 5
POINT	76	OAK 5
POINT	77	OAK 5
POINT	78	OAK 5
POINT	79	OAK 5
POINT	80	OAK 55



LEFT SIDE ELEVATION

SCALE 1/4" = 1'-0"



FRONT ELEVATION

SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE 1/4" = 1'-0"



REAR ELEVATION

SCALE 1/4" = 1'-0"

SCHEME B



FIXTURE LAYOUT (CONFIRM W/ DOLLAR GENERAL PLANS)

SCALE 1/4" = 1'-0"

**HOOD HERRING**  
 ARCHITECTS  
 1000 W. 10TH ST.  
 SUITE 100  
 ATLANTA, GA 30309  
 TEL: 404.525.1111  
 FAX: 404.525.1112  
 WWW.HOODHERRING.COM

**DOLLAR GENERAL**  
 STORE # 1487  
 4001 MACON ROAD & LEE DRIVE  
 ATLANTA, GEORGIA 30308

DATE  
 5/5/16

A-2



**Jessica Fiester**

---

**From:** George T. Barnes <gbarnes@vanguardpg.com>  
**Sent:** Friday, October 02, 2015 8:55 AM  
**To:** Jessica Fiester  
**Subject:** AB DG traffic

Jessica

I gathered trip data from two Dollar General locations, and have consolidated this data for your information.

1. Town the Size of AB 388 trips per day 10 trips during AM peak hours (6 entering and 4 exiting) and 34 trips (17 entering and 17 exiting) during the PM peak hour.
2. Greensboro 584 trips per day 35 trips during AM peak hours (18 entering and 17 exiting) and 62 trips (31 entering and 31 exiting) during the PM peak hour

For the majority of the year, DG will resemble the Emerald Isle store, which is representative of a small town store. During the summer, and weekends, a DG could represent more of a larger community. BUT, we must be careful of people focusing on trips. The big picture is that the proposed Dollar General will better serve the surrounding portion of the community. Especially during the high season, these people will be walking, biking, and driving (to a closer shopping destination). These trips will actually reduce traffic, strain and congestion on the road network, and specifically the main artery through this community .

I look forward to your thoughts.

George T. Barnes



10011 LAMON DRIVE, SUITE 100, HICKORY, NC 28626  
704.343.2000 (ext. 100) FAX 704.343.2001  
www.vanguardpg.com

**Jessica Fiester**

---

**From:** George T. Barnes <gbarnes@vanguardpg.com>  
**Sent:** Friday, October 02, 2015 1:10 PM  
**To:** Jessica Fiester  
**Subject:** FW: Proposed Dollar General - Atlantic Beach

Just FYI  
NCDOT has reviewed, and commented, and we will make this adjustment.

George T. Barnes - 910-339-2813

**From:** Matt Lowder [mailto:mlowder@trianglesitedesign.com]  
**Sent:** Friday, October 02, 2015 12:56 PM  
**To:** George T. Barnes <gbarnes@vanguardpg.com>  
**Subject:** Proposed Dollar General - Atlantic Beach

See below from NCDOT - will make that adjustment - should not affect much since the tracks are not directly adjacent

Matt Lowder, PE  
Triangle Site Design, PLLC  
4056 Barrett Drive, Suite 203  
Raleigh, NC 27609  
919-533-6300 (cell)  
919-533-5029 (fax)  
mlowder@trianglesitedesign.com

**From:** Sawyer, David M [mailto:dsawyer@ncdot.gov]  
**Sent:** Friday, October 02, 2015 12:55 PM  
**To:** mlowder@trianglesitedesign.com  
**Subject:** Proposed Dollar General - Atlantic Beach

Hey Matt,  
The plan looks great. Just need to make sure the radius from the access does not cross the property line which it appears to be doing. Also when submitting for the access permit please provide the drainage plan for the site.

David Sawyer  
Asst. District Engineer  
252-514-4716

From: "George T. Barnes" [mailto:gbarnes@vanguardpg.com] Public Domain. You and I may be discussing confidential items.

**Jessica Fiester**

---

**From:** George T. Barnes <gbarnes@vanguardpg.com>  
**Sent:** Friday, October 09, 2015 2:18 PM  
**To:** Jessica Fiester  
**Subject:** FW: DG Atlantic Beach rendering  
**Attachments:** 101015 render 2.ZIP; Manteo Right Building Elevation 6.14.15.jpg

I don't like the way these renderings turned out; although they always look much better once completed. See attached photo of a Manteo store we built. It looked the same way on the rendering, but this is how it came out. The roof will be different, but if we go with white, it will look like this, except for I am considering a brick, and not the gray block, as depicted in the photo.

Let me know your thoughts Monday, and I can look at revising. Have a nice weekend.

GTB

George T. Barnes | 919-458-2601

**From:** [Kraidm@aol.com](mailto:Kraidm@aol.com) [<mailto:Kraidm@aol.com>]  
**Sent:** Friday, October 09, 2015 1:09 PM  
**To:** George T. Barnes <gbarnes@vanguardpg.com>  
**Subject:** DG Atlantic Beach rendering.

George,

Here are the 2 renderings. Let me know if I need to change anything.

Mark W. Hargett  
252-399-2700  
Hood Herring Architecture  
PO Box 2703  
Wilson, NC 27894



**Luminaire Schedule**

Symbol	Qty	Label	Description	Arrangement	Lumens	LLF
	9	MFHID-WPF-400PMH	400W Full Cutoff Wall Pack	SINGLE	44000	0.720
	2	Canopy Strips	Strip	SINGLE	2900	0.940
	3	MFHID-PLL-400MH SBL Twin	Twin 400W Parking Lot Lighting w. SBL	TWIN	40000	0.720

**Calculation Summary**

Label	CalcType	Units	Avg	Max	Min
Parking Lot Lighting	Illuminance	Fc	9.98	37.5	0.0
Site Lighting	Illuminance	Fc	0.48	28.9	0.0

**BOM Schedule**

Qty	Part Number	Description
9	MFHID-WPF-400PMH	400W Wall Packs
6	MFHID-PLL-400MH	400W Parking Lot Lighting ***NOTE: DO NOT tilt fixtures up. keep at 0 degree horizontal plane.
3	HW-HID-15POLE4	15' Parking Lot Pole
3	HW-HID-PLL-MB	Twin Tenon Mounting Bracket
6	HW-HID-PLL-SBL16	16" Housing Backlight Shield

**Dollar General**  
Atlantic Beach, NC - Rev 1

CONFIDENTIAL INFORMATION Please Note: This data is based upon certain specific assumed reflectances and characteristics of the proposed environment. Any deviation from these reflectances or assumed characteristics may affect the actual performance of the luminaires. Based on the factors, Harris Manufacturing, Inc. can not guarantee these results.

Date: 10/6/2015

**Orion Energy Systems**

9143 Phillips Hwy. Suite 420  
Jacksonville, FL 32256  
Tel: (904) 284-1220  
Email: bhartt@oesx.com



**Luminaire Location Summary**

Label	Fix. Ht.	Orient	Tilt
Canopy Strips	10	0	0
Canopy Strips	10	90	0
MFHID-WPF-400PMH	16.5	270	0
MFHID-WPF-400PMH	16.5	180	0
MFHID-WPF-400PMH	16.5	180	0
MFHID-WPF-400PMH	16.5	180	0
MFHID-WPF-400PMH	16.5	180	0
MFHID-WPF-400PMH	16.5	270	0
MFHID-WPF-400PMH	16.5	270	0
MFHID-WPF-400PMH	16.5	180	0
MFHID-PLL-400MH SBL Twin	15	0	0
MFHID-PLL-400MH SBL Twin	15	90	0
MFHID-WPF-400PMH	12	90	0
MFHID-PLL-400MH SBL Twin	15	0	0

**Dollar General**

Atlantic Beach, NC - Rev 1

CONFIDENTIAL INFORMATION Please Note: This data is based upon certain specific assumed reflectances and characteristics of the proposed environment. Any deviation from these reflectances or assumed characteristics may affect the actual performance of the luminaires. Based on the factors, Harris Manufacturing, Inc. can not guarantee these results.

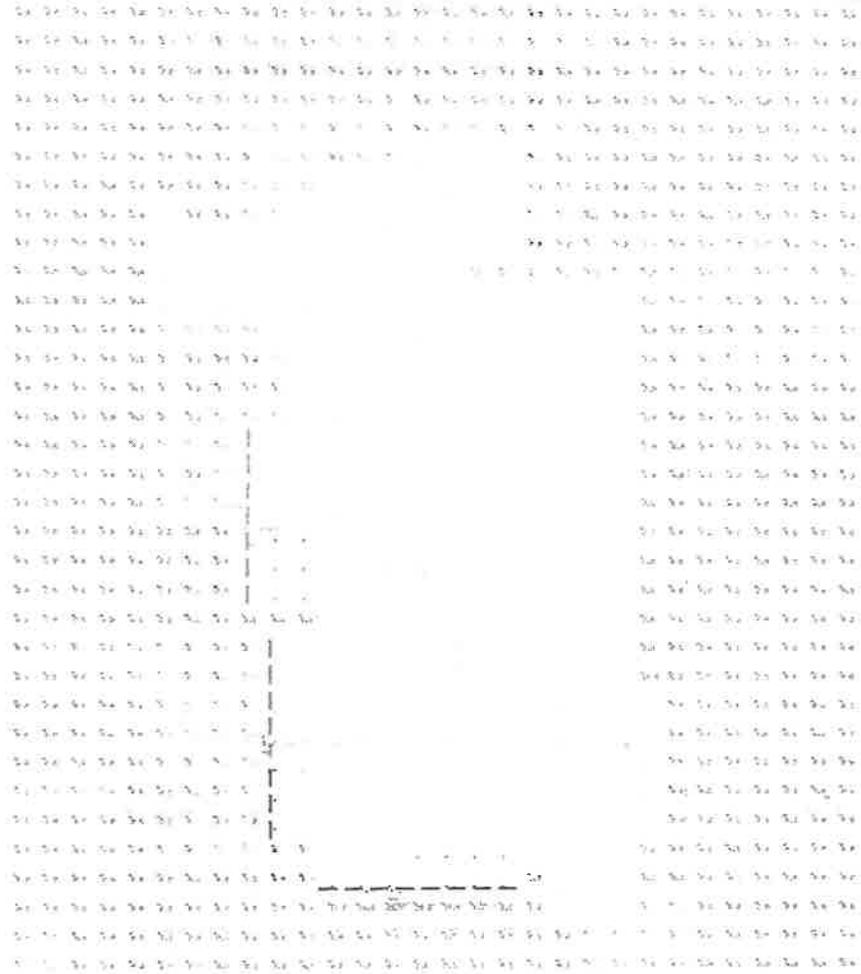
Date: 10/6/2015

**Orion Energy Systems**

9143 Phillips Hwy. Suite 420  
Jacksonville, FL 32256  
Tel: (904) 284-1220  
Email: bhartt@oesx.com

The logo for Orion Energy Systems, featuring the word "orion" in a lowercase, sans-serif font. The letter "o" is stylized with a horizontal line through its center, and the "i" has a dot above it.

Page 2 of 4



**Dollar General**  
Atlantic Beach, NC - Rev 1

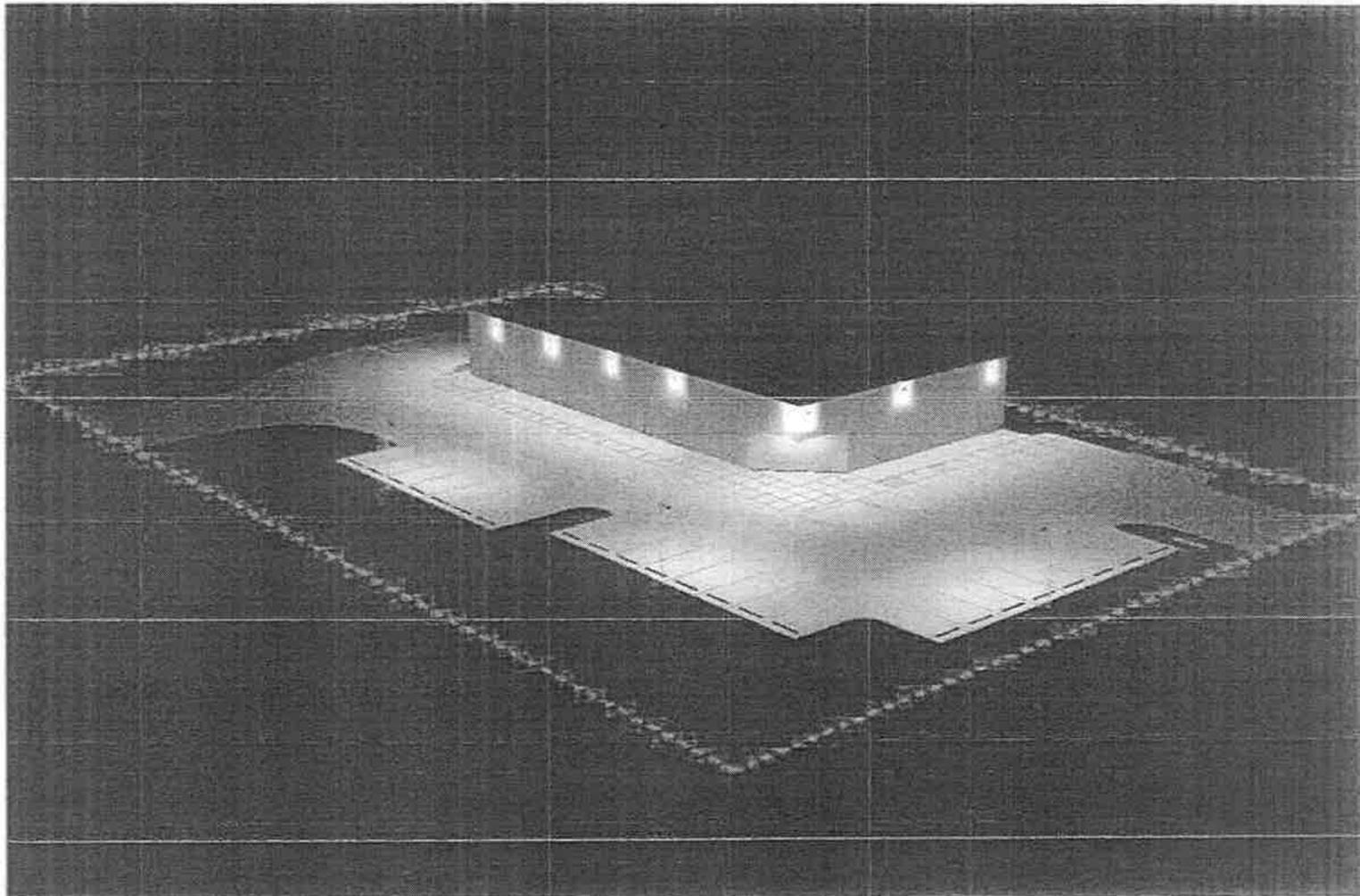
CONFIDENTIAL INFORMATION Please Note: This data is based upon certain specific assumed reflectances and characteristics of the proposed environment. Any deviation from these reflectances or assumed characteristics may affect the actual performance of the luminaries. Based on the factors, Hainic Manufacturing, Inc. can not guarantee these results.

Date: 10/6/2015

**Orion Energy Systems**

9143 Phillips Hwy. Suite 420  
Jacksonville, FL 32256  
Tel: (904) 284-1220  
Email: bhartt@oesx.com





**Dollar General**  
Atlantic Beach, NC - Rev 1

CONFIDENTIAL INFORMATION Please Note: This data is based upon certain specific assumed reflectances and characteristics of the proposed environment. Any deviation from these reflectances or assumed characteristics may affect the actual performance of the luminaires. Based on the factors, Hartrix Manufacturing, Inc. can not guarantee these results.

Date: 10/6/2015

**Orion Energy Systems**  
9143 Phillips Hwy. Suite 420  
Jacksonville, FL 32256  
Tel: (904) 284-1220  
Email: bhartt@oesx.com

orion

Page 4 of 4

Summit Oaks, LLC  
4221 Highway 150 East  
Brown Summit, NC 27214

Edmund Knott  
PO Box 926  
New Bern, NC 28563

William Jeffries  
70 Davidson Drive  
Durham, NC 27705

Rollins Johnson  
1202 Baker Street  
Smithfield, NC 27577

George Maier  
PO Box 1183  
Tarboro, NC 27886

Barbara Arbegast  
3853 North Hills Drive  
Ayden, NC 28513

Patrick and Katharyn Kelly  
3080 Dartmouth Drive  
Greenville, NC 27858

Linda Brennan  
73 Versailles Street  
Hamilton, NJ 08619

John and Margaret Polashock  
312 Bridgegate Drive  
Cary, NC 27519

Charles and Mary Beatty  
1216 Trafalgar Drive  
Winterville, NC 28590

Lannis and Jessica Smith  
105 Edgebrook Drive  
Pikeville, NC 27863

Nicholas and Irene Kraynyk  
63 Rockledge Drive  
Livingston, NJ 07039

Dawn E. Walsh  
1130 Calvin Road  
Huntington Valley, PA 19006

IBRC Owners  
Po Box 4455  
Emerald Isle, NC 28594

Katherine Hunter  
PO Box 993  
Atlantic Beach, NC 28512

Catherine Iverson  
3623 E. Hedrick Drive  
Morehead City, NC 28557

William Langley  
412 West Shore Drive  
Summerland Key, FL 33042

Gary and JoAnne Gusko  
PO Box 879  
Pine Level, NC 27568

Sandra D. Hinton  
PO Box 2804  
Atlantic Beach, NC 28512

Charles Johnson  
1232 First Street Extension  
Nashville, NC 27856

Kenneth Hillman  
348 Windemere Drive  
Ringgold GA, 30736

Andrew and Kim Everett  
2004 Fern Drive  
Greenville, NC 27858

Karin McNair  
9804 Pine Meadow Lane  
Raleigh, NC 27615

Barbara Nelson  
3103 Honor Court  
Jamestown, NC 27282

Patti Blalock  
1419 China Grove Road  
China Grove, NC 28023

Sue Self  
13920 97<sup>th</sup> Street  
Fellsmere, FL 32948

Edward Nastase  
12551 Jefferson Ave 101-40  
Newport News, VA 23602

Ricky and Jean Pope  
1300 Wymmerest Court  
Raleigh, NC 27603

Ray Barbre  
412 Oxford Road,  
Greenville, NC 27858

Ronald and Karla Wood  
PO Box 129  
Enfield, NC 27823

John Britt  
209 Brookridge Drive  
Cary, NC 27518

James and Jan Parker  
6317 Weathers Road  
Wendell, NC 27591

Carlton and Cathy Craft  
148 North Harbor Drive  
Beaufort, NC 28516

Bryant Thompson  
1202 Forest Hills  
Morehead City, NC 28557

William and Nancy Pine  
142 Carolina Forest Road  
Chapel Hill, NC 27516

Elizabeth Overton  
PO Box 88  
Ahoskie, NC 27910

Kenneth and Barbara Johns  
315 Peebles Street  
Sewickley, PA 15143

J. Winston Hollingsworth  
PO Box 586  
Rich Square, NC 27869

Lester and Paige Everett  
1069 Sunnyfield Drive  
Greenville, NC 27858

Joseph Creech  
206 West Waddell Street  
Selma, NC 27576

Walter Douglas Starr  
100 Wildwood Avenue  
Rocky Mount, NC 27803

Fox Lake Ventures, LLC  
3601 Ridgewood Road  
York, PA 17402

Kenneth and Maria Hudnell  
2355 Chinquapin Road  
New Bern, NC 28562

Dedrie Smith  
1044 Mc Wilder Road  
Louisburg, NC 27549

William Percy  
407 East Sycamore Street  
Normal, IL 61761

Julius and Marlene Lambeth  
6750 Colonial Club Drive  
Thomasville, NC 27360

Jesse and Barbara Rawls  
101 Core Drive West  
Morehead City, NC 28557

James Munns  
204 Salter Path Road  
Pine Knoll Shores, NC 28512

Eugene Testa  
928 South Hametown Road  
Copley, OH 44321

Shearin McGee  
5200 Highland Croft Place  
Fuquay Varina, NC 27526

Alfred Griffin, JR  
602 Dellwood Place  
Goldsboro, NC 27534

Stephen and Vicki Vaughn  
107 Avenue of Trees  
Elon, NC 27244

Alton Cowan  
PO Box 624  
Williamston, NC 27892

Doris Riley  
412 West Shore Drive  
Summerland Key, FL 33042

Jimmie and Susan Beckom  
5008 Stonehill Street  
Raleigh, NC 27609

Glenda Howard  
PO Box 326  
Morehead City, NC 28557

Charles and Nancy Perkins  
731 Kerrs Chapel Road  
Burlington, NC 27217

Linda Linton  
500 Wonderwood Drive  
Gastonia, NC 28056

Richard Parrotte  
1125 Essex Drive  
Wilmington, NC 28403

Betty Fox  
1205 Kimberly Drive  
Raleigh, NC 27609

Donald and Lottie Nolan  
1609 Old Knight Road  
Knightdale, NC 27545

James Gregory  
137 Trent Shores Drive  
New Bern, NC 28562

John and Carol Maxon  
104 Cheshire Drive  
Greenville, NC 27858

Rebecca Armstrong  
103-B Cardinal Drive  
Ormond Beach, FL 32176

Susan Jackson  
1230 Brices Creek Road  
New Bern, NC 28562

John and Elizabeth Eubanks  
252 Island Creek Road  
Pollocksville, NC 28573

Ocean Sands Condo  
PO Box 1597  
Atlantic Beach, NC 28512

Patricia Orourke  
1757 Four Mile Cove Parkway  
#312  
Cape Coral, FL 33990

Waverly and Mae Jones  
PO Box 293  
Pine Level, NC 27568

Thomas Metzger  
8633 Swarthmore Drive  
Raleigh, NC 27615

Robin Taylor  
3966 Caitlin Drive  
Battleboro, NC 27809

Scott Huffman  
1325 Copperknoll Circle  
The Woodlands, TX 77381

Norman Schaich  
105 Valley Drive  
Black Mountain, NC 28711

Louis Shields  
524 Haywood Creek Drive  
New Bern, NC 28562

Paul Ward  
228 Sutton Road  
Spartanburg, SC 29302

Michael George Schlitt Trustee  
4617 Litchford Road  
Raleigh, NC 27615

Renwick Megahan  
165 Bob White Court  
Gordonsville, VA 22942

Anna and John Shearer  
12405 Clifton Hunt Road  
Clifton, VA 20124

William and Anne Smith  
3300 Turnridge Drive  
Raleigh, NC 27609

James and Sarah Packard  
2208 Greenwich Lane  
Wilson, NC 27896

Stephen and Kris Anania  
5 Oaknoll Road  
Wilmington, DE 19808

Beverly JoAnne Ghesquiere  
2449 Boiling Springs Court  
The Villages, FL 32162

Sam Barham, JR.  
5107 Edinborough Road  
Greensboro, NC 27406

Florence Garrett Trust  
511 Farnham Drive  
Richmond, VA 23236

John and Lisa Tabor  
1500 James Street  
Syracuse, NY 13203

Dewey Gamble  
9105 Tealby Place  
Raleigh, NC 27615

Joan Tetel-Hanks  
4231 American Drive #B  
Durham, NC 27705

Timothy and Rhonda Reeder  
1011 Harbor Circle  
Grimesland, NC 27837

Michael and Wendy Nabors  
8500 Old Deer Trail  
Raleigh, NC 27615

Debra Bradsher  
508 Fostoria Court  
Raleigh, NC 27606

Rick and Holly Krivjansky  
5462 North Fork Court  
Boulder, CO 80301

Melynda Swindells  
131 Bridgham Place  
Clayton, NC 27527

Bradley and Allison Pollock  
3001 Devonshire Drive  
Raleigh, NC 27607

Alex Ray and Mary Kirby  
210 Castle Ridge Road  
New Bern, NC 28562

Richard Thompson  
371 Lexington Avenue  
Mansfield, OH 44907

KBL Investments, LLC  
PO Drawer 28561  
New Bern, NC 28561

Emily Stephenson Trustee  
1210 Willowbrook Drive  
Cary, NC 27511

Donald Dixon  
PO Box 2278  
Pine Knoll Shores, NC 28512

Gary Tiday  
106 Enman Road  
New Bern, NC 28562

John and Cecelia Chapman  
217 Norwalk Street  
Holly Springs, NC 27540

Charles Hill  
1304 Lorimer Road  
Raleigh, NC 27606

Richard and Linda Smith  
1428 Holland Road  
Greenville, NC 27834

Jeffrey and Catherin Connors  
106 Muir Woods Drive  
Cary, NC 27513

Thomas and JoAnn Maher  
PO Box 1087  
Atlantic Beach, NC 28512

Peter and Dorothy Brigaray  
15 Creekyview Lane  
Durham, NC 27705

Teresa Lynn Black  
PO Box 687  
Atlantic Beach, NC 28512

Donald Ann Prost  
30036 Village Park Drive  
Chapel Hill, NC 27517

Barbara Christiana  
7684 Mountain Ash  
Liverpool, NY 13090

Marta Suggs Trustee  
222 Bogue Drive  
Morehead City, NC 28557

William and Ilene Cox  
102 Long Meadow Road  
Greenville, NC 27858

John and Sandra Robinson  
10901 Ervin Court  
Raleigh, NC 27614

M. Taylor Barnhill  
PO Box 10  
Stokes, NC 27884

Dorothy Joyner  
PO Box 218  
Nashville, NC 27856

Allison Daniel  
124 Briarclif Court  
Littleton, NC 27850

Thomas Rickman  
101 Seaside Lane  
Wrightsville Beach, NC 28480

C. Duane Obrecht  
2818 Green TWP Road #2812  
Loudonville, Ohio 44842

Joseph and Linda Gillkin  
4020 Balsam Drive  
Raleigh, NC 27612

Robert and Tina Garrett  
93 Highland Avenue  
Metuchen, NJ 08840

The Laughing Group, LLC  
5613 Calton Drive  
Raleigh, NC 27612

Richard and Katherine Slade  
407 North Smithwick Street  
Williamston, NC 27892

James Dymock  
4102 Bilks Way  
Winterville, NC 28590

Robert Holloway  
PO Box 2319  
Atlantic Beach, NC 28512

Robert and Elizabeth Scott  
PO Box 20342  
Raleigh, NC 27619

Milton Legg  
117-A Dunes Court  
Atlantic Beach, NC 28512

Leslie and Vonda Robinson  
607 Ontario Drive  
Greenville, NC 27858

Michael and Nina Larkins  
1109 Hillcrest Drive  
Vienna, VA 22180

Emily Hartzog  
1707 Sabra Drive  
Kinston, NC 28501

Linda Burke  
3801 Cottage Rose Lane  
Raleigh, NC 27612

Ronald and Olive Lear  
PO Box 4251  
Charlottesville, VA 22905

Edgar and Irene Butler  
2522 Watersglen Drive  
Apex, NC 27502

Orville Daugherty  
2680 Highway 55 East  
Kinston, NC 28501

Myron and Kelly Hill  
972 Van Gert Drive  
Winterville, NC 28590

David and Nancy Parker  
3529 Mansfield Drive  
Rocky Mount, NC 27803

201 IBRC, LLC  
282 Heath Village  
Hackettstown, NJ 07840

Karen Bohnhorst  
61 Devonshire Court  
Hillsborough, NJ 08844

Ganice Kubik  
711 Chestnut Drive  
Smithfield, NC 27577

Douglas and Leslie Johnson  
1173 Tall Timbers West  
Williamston, NC 27892

Island Beach Condo Owners  
PO Box 4455  
Atlantic Beach, NC 28512

Cecil and Ann Lemmons  
416 Glasgow Road  
Cary, NC 27511

Thomas and Stacy Will  
8944 Trace Court  
Apex, NC 27502

Emily Biggs Hasty  
109 Pinewood Drive  
Atlantic Beach, NC 28512

John Banks  
1635 Trails End  
Greenville, NC 27858

John Beaver  
10612 Central Park Drive NE  
Albuquerque, NM 87123

Mr. John Needham Hackney III  
300 Canterbury Road  
Wilson, NC 27896

Carla Kinyo  
109 Torrey Pines Drive  
Clayton, NC 27520

Herbert Gorham  
604 Nicole Lane  
Rocky Mount, NC 27803

Kathy Sherman  
448 Huntingridge Road  
Greenville, NC 27834

Bryan and Susan Arthur  
14908 Oxford Hollow  
Huntersville, NC 28078

Charles and Deborah Jacobs  
1329 Mylynn Drive  
Wendell, NC 27591

Winston and Kristina Howell  
2721 North Chatham Court  
Winterville, NC 28590

Patricia Proctor  
602 Brook Street  
Morehead City, NC 28557

Norstate Properties, LLC  
3520-D Diamond Drive  
Greenville, NC 27834

Robert Maxbauer  
1206 Neuse Drive  
Oriental, NC 28571

Doug and Sarah Brokow  
1006 Hammel Road  
Greensboro, NC 27408

Brass Properties  
220 Morris Avenue  
Mountain Lake, NJ 07046

Joseph Whitley  
6309 Mal Weathers Road  
Raleigh, NC 27603

Robert and Megan Adkins  
1312 Diehl Street  
Raleigh, NC 27608

John David Overton  
605 West Knox Street  
Durham, NC 27701

David Winkelman  
347 Walling Drive  
Harpers Ferry, WV 25425

Island Beach HM Owners Assoc  
PO Box 3247  
Atlantic Beach, NC 28512



<b>APPLICATION IDENTIFICATION</b>		<b>N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION</b>
Driveway Permit No.	Date of Application	
County:	Carteret	
Development Name: Dollar General		

<b>LOCATION OF PROPERTY</b>	
Router/Road	West Fort Macon Road - NC Hwy 58
Exact Distance	190 <input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet
	N S E W <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
From the Intersection of Route No.	NC Hwy 58 and Route No. Lee Street Toward Ocean Ridge Drive
Property Will Be Used For:	<input type="checkbox"/> Residential /Subdivision <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other
Property:	<input checked="" type="checkbox"/> is <input type="checkbox"/> is not within Town of Atlantic Beach City Zoning Area.

**AGREEMENT**

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application	
County:	Carteret	
Development Name: Dollar General		

**LOCATION OF PROPERTY:**

Route/Road: West Fort Macon Road - NC Hwy 58

Exact Distance: 190  Miles  Feet

From the Intersection of Route No. NC Hwy 58 and Route No. Lee Street Toward Ocean Ridge Drive

Property Will Be Used For:  Residential /Subdivision  Commercial  Educational Facilities  TND  Emergency Services  Other

Property:  is  is not within Town of Atlantic Beach City Zoning Area

**AGREEMENT**

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application	
County:	Carteret	
Development Name: Dollar General		

LOCATION OF PROPERTY	
Route/Road:	West Fort Macon Road - NC Hwy 58
Exact Distance	190 <input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet
	N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W <input type="checkbox"/>
From the Intersection of Route No.	NC Hwy 58 and Route No. Lee Street Toward Ocean Ridge Drive
Property Will Be Used For:	<input type="checkbox"/> Residential /Subdivision <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other
Property:	<input checked="" type="checkbox"/> is <input type="checkbox"/> is not within Town of Atlantic Beach City Zoning Area

**AGREEMENT**

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application	
County:	Carteret	
Development Name: Dollar General		

LOCATION OF PROPERTY	
Route/Road:	West Fort Macon Road - NC Hwy 58
Exact Distance	190 <input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet
	N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W
From the Intersection of Route No.	NC Hwy 58 and Route No. Lee Street Toward Ocean Ridge Drive
Property Will Be Used For:	<input type="checkbox"/> Residential /Subdivision <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other
Property:	<input checked="" type="checkbox"/> is <input type="checkbox"/> is not within Town of Atlantic Beach City Zoning Area.

**AGREEMENT**

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

N.C. DEPARTMENT OF TRANSPORTATION  
STREET AND DRIVEWAY ACCESS  
PERMIT APPLICATION

APPLICATION IDENTIFICATION

Driveway Permit No. \_\_\_\_\_ Date of Application \_\_\_\_\_  
 County: Carteret  
 Development Name: Dollar General

LOCATION OF PROPERTY

Route/Road: West Fort Macon Road - NC Hwy 58  
 Exact Distance 190  Miles  Feet  
 From the Intersection of Route No. NC Hwy 58 and Route No. Lee Street Toward Ocean Ridge Drive

Property Will Be Used For:  Residential /Subdivision  Commercial  Educational Facilities  TND  Emergency Services  Other  
 Property:  is  is not within Town of Atlantic Beach City Zoning Area \_\_\_\_\_

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.



October 23, 2015

Dear Atlantic Beach Property Owner,

You are receiving this letter because according to the tax records of Carteret County you own property located within 500 feet of 2410 West Fort Macon Road (Corner of Lee Drive and Highway 58). Regulations set forth in the Town of Atlantic Beach Unified Development Ordinance Section 14.3.3 Part 3 require that you receive notification when a Conditional Use Permit hearing has been requested.

Attached you will find public notification for Conditional Use Permit request #15-01. This is a request from Vanguard Property Group to construct a 9,002 square foot retail establishment at this location. The public hearing will take place at 7:00 on Monday, November 16th at 125 West Fort Macon Road. The public is invited to attend.

The Planning Board will review this request for technical compliance at 6:00 pm on Wednesday, November 4. The public is invited to attend this meeting as well.

For further information about this request please call the office of planning and inspections at (252) 726-4456. Copies of the proposed plans are available by visiting [www.atlanticbeach-nc.com](http://www.atlanticbeach-nc.com) or in the lobby of Town Hall.

Best regards,

Jessica A. Fiester  
Director of Planning & Zoning

North Carolina Department of Environmental Quality

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

October 15, 2015

**LETTER OF RECEIPT OF EROSION CONTROL PLAN**

Vanguard Ventures, LLC  
George T Barnes Jr  
3285 Barrett Dr Suite 100  
Raleigh, NC 27609

RE: Project Name: DOLLAR GENERAL #16857 (ATLANTIC BEACH)  
Project ID: CARTE-2016-007  
County: Carteret, City: Atlantic Beach, Address: Lee Dr.  
Submitted By: Mr. George Barnes  
Date Received by LQS: October 15, 2015  
Plan Type: Commercial

Dear Sir or Madam:

This office has received a soil erosion and sediment control plan for the project listed above which was submitted as required by the North Carolina Sedimentation Pollution Control Act (G.S. 113A-57 (4)).

The Act requires that all persons disturbing an area of one or more acres of land must obtain approval of a soil erosion control plan prior to the commencement of the land-disturbing activity (G.S. 113A-54(d) (4)). The Act further states that this plan must be filed a minimum of 30 days prior to the activity and the approving authority must approve or disapprove the submitted plan within 30 days of receipt. Failure of the approving authority to approve or disapprove the submitted plan within the 30-day period will be deemed approval of the plan.

Commencement or continuation of a land-disturbing activity under the jurisdiction of this Act prior to the approval of an erosion and sediment control plan is a violation of the Act.

We have performed a preliminary review of your submitted plan and have determined that additional information will be necessary before a final review can be completed. Enclosed is a checklist of items that must be submitted before we can complete the review process. Failure to

Division of Energy, Mineral, and Land Resources  
Energy Section • Geological Survey Section • Land Quality Section  
127 Cardinal Dr Extension Wilmington, NC 28405 • Phone: 910-796-7215 • FAX: 910-350-2004  
Internet: <http://portal.ncdenr.org/web/ir/>

An Equal Opportunity \ Affirmative Action Employer - 50% Recycled \ 10% Post Consumer Paper

## Jessica Fiester

---

**From:** Lauren Tuttle <ltuttle@eccog.org>  
**Sent:** Tuesday, October 20, 2015 9:34 AM  
**To:** Jessica Fiester  
**Subject:** RE: Crash Data  
**Attachments:** Lee Drive Crashes 1990-2014.xlsx; Codes Index.pdf; Field Definitions.pdf

Good Morning Jessica,

Attached are all crashes which occurred within 150 ft of the NC 58 intersection with Lee Dr between January 1, 1990 and December 31, 2014. I've also attached a Field Definitions and Code Index PDF which will help you interpret the column headings and the codes in the columns. Within this time period, only 31 crashes occurred, most of which only resulted in property damage only (no injuries).

If you have any questions about this data, feel free to let me know!

Thanks,

Lauren Tuttle, Community Planner  
Eastern Carolina Council  
PO Box 1717, New Bern, NC 28563-1717  
233 Middle Street, Suite 300, New Bern, NC 28560  
Office: 252.638.3185 Ext. 3008 Cell: 252.571.7183  
[ltuttle@eccog.org](mailto:ltuttle@eccog.org) <http://www.eccog.org>

*ECC is a quasi-governmental planning organization serving Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne Counties.*

DISCLAIMER: Pursuant to the Freedom of Information-Privacy Acts (FOIPA) and North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it may be considered public record and as such subject to request and review by anyone at any time.

**From:** Patrick Flanagan  
**Sent:** Monday, October 19, 2015 4:17 PM  
**To:** Lauren Tuttle  
**Subject:** FW: Crash Data

Lauren,

Can you get this to Jessica please?

Thanks,

Patrick Flanagan, Planning Director  
Eastern Carolina Council  
[PO Box 1717](#)  
[New Bern, NC 28563-1717](#)  
[233 Middle Street, Suite 300](#)  
[New Bern, NC 28560](#)

CrashID	Milepost	DateTime	AccType	TotDamage
91094556	6.306	7/9/1991 9:11	REAR END, SLOW OR STOP	\$11500
92019754	6.306	2/13/1992 11:43	RAN OFF ROAD - LEFT	\$4500
102855625	6.321	1/23/2010 10:23	MOVABLE OBJECT	\$600
101215594	6.323	6/19/2004 1:59	REAR END, SLOW OR STOP	\$1000
94048601	6.325	3/23/1994 12:49	REAR END, SLOW OR STOP	\$700
99149582	6.325	8/7/1999 13:25	ANGLE	\$27000
101801047	6.325	8/5/2006 0:01	ANIMAL	\$1200
102072387	6.325	6/23/2007 0:15	REAR END, SLOW OR STOP	\$1000
102072662	6.325	6/24/2007 14:42	REAR END, SLOW OR STOP	\$3100
102626486	6.325	6/27/2009 11:23	REAR END, SLOW OR STOP	\$7000
103040267	6.325	12/1/2010 10:39	RAN OFF ROAD - RIGHT	\$3100
103207844	6.325	7/5/2011 14:53	BACKING UP	\$1200
103593831	6.325	10/19/2012 17:34	REAR END, TURN	\$5000
103801305	6.325	6/23/2013 12:14	REAR END, SLOW OR STOP	\$5500
104123439	6.325	6/20/2014 16:45	REAR END, SLOW OR STOP	\$8100
103336239	6.328	12/2/2011 8:30	REAR END, SLOW OR STOP	\$4000
101218470	6.329	6/23/2004 16:35	REAR END, SLOW OR STOP	\$1400
99139585	6.334	7/23/1999 13:40	RAN OFF ROAD - STRAIGHT	\$11000
103533505	6.334	7/24/2012 16:53	REAR END, SLOW OR STOP	\$6100
103183100	6.335	6/2/2011 10:27	REAR END, SLOW OR STOP	\$700
103474293	6.336	6/7/2012 12:02	LEFT TURN, SAME ROADWAY	\$4000
90138399	6.344	8/16/1990 13:24	RAN OFF ROAD - RIGHT	\$30
94112026	6.344	7/3/1994 21:41	RAN OFF ROAD - RIGHT	\$500
94138353	6.344	8/13/1994 0:00	REAR END, SLOW OR STOP	\$1200
98122219	6.344	6/30/1998 21:20	REAR END, SLOW OR STOP	\$3000
98123438	6.344	7/2/1998 13:05	RAN OFF ROAD - RIGHT	\$2000
102629851	6.344	5/25/2009 15:40	REAR END, SLOW OR STOP	\$1700
90103957	6.345	7/13/1990 17:06	ANGLE	\$600
99161971	6.345	8/25/1999 18:15	PEDALCYCLIST	\$0
103555881	NA (On Lee Dr)	9/13/2012 11:40	RIGHT TURN, DIFFERENT ROADWAYS	\$4000

Severity	Injury_F	Injury_A	Injury_B	Injury_C	Road_C	Light_C	Weather_C	RoadChar	RoadConCir
B	0	0	1	1	1	1	1	1 1	0
O	0	0	0	0	2	1	1	3 5	0
O	0	0	0	0	1	1	1	1 1	0
O	0	0	0	0	2	5	1	3 1	0
O	0	0	0	0	1	1	1	1 1	0
B	0	0	1	1	7	1	1	1 1	0
O	0	0	0	0	1	4	1	1 1	0
C	0	0	0	1	1	4	1	1 1	0
C	0	0	0	7	1	1	1	1 1	0
C	0	0	0	1	1	1	1	1 1	0
O	0	0	0	0	1	1	1	2 1	0
O	0	0	0	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
C	0	0	0	2	2	1	1	2 1	0
O	0	0	0	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
B	0	0	1	1	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
B	0	0	1	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	2 1	0
O	0	0	0	0	1	4	1	2 1	0
O	0	0	0	0	1	4	1	1 1	0
O	0	0	0	0	1	4	1	2 1	0
O	0	0	0	0	1	1	1	1 1	0
C	0	0	0	2	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0
B	0	0	1	0	1	1	1	1 1	0
O	0	0	0	0	1	1	1	1 1	0

TC_Device	TC_Oper	Type1	AlcoDr1	Speed1	Dir1	VehMnvr1	ObStruck1	Type2	AlcoDr2	Speed2
0	2	1	0	0	E	1	-	1	0	0
0	2	1	7	45	E	4	-	NA	NA	NA
0	-	1	0	45	W	15	18	NA	NA	NA
0	-	32	7	35	W	1	-	1	0	35
0	2	1	0	15	W	4	-	1	0	5
0	2	1	0	5	S	16	-	1	0	35
0	-	1	0	35	E	4	17	NA	NA	NA
-	-	5	0	0	N	4	-	1	0	0
0	-	1	0	35	W	4	-	1	0	35
0	-	32	0	35	W	4	-	1	0	35
-	-	4	0	0	W	4	-	NA	NA	NA
0	2	1	0	5	S	10	-	1	0	5
0	-	1	0	30	E	4	-	4	0	30
0	-	1	0	30	E	4	-	1	0	35
0	-	4	0	35	E	4	-	1	0	0
-	2	4	0	45	W	4	-	4	0	10
0	2	2	0	20	W	7	-	1	0	20
0	1	1	0	35	E	16	-	2	0	35
-	-	1	0	15	E	4	-	1	0	3
0	-	1	0	35	W	4	-	4	0	35
0	-	10	0	8	E	8	-	21	0	0
0	2	1	0	10	N	7	62	NA	NA	NA
0	2	1	0	3	W	7	58	NA	NA	NA
0	2	1	0	35	E	4	-	1	0	35
0	2	1	0	45	W	4	-	1	0	35
0	2	2	0	0	W	1	-	1	0	35
0	-	2	0	35	W	7	-	1	0	35
0	2	1	0	45	W	4	-	1	0	5
0	2	32	7	35		4	15	23	0	0
0	-	1	0	35	W	4	-	2	0	15





Crashes Shapefile

Field Name	Definition
CrashID	Crash ID
Milepost	Milepost
DateTime	Date & time
AccType	Type of Accident
TotDamage	Total Damage (\$)
Severity	Accident Severity
Injury_F	Number of fatal injuries
Injury_A	Number of A-level injuries
Injury_B	Number of B-level injuries
Injury_C	Number of C-level injuries
Road_C	Road Condition
Light_C	Light Condition
Weather_C	Weather Condition
RoadChar	Road Character
RoadConCir	Roadway Contributing Circumstances
TC_Device	Traffic Control Device
TC_Oper	Traffic Control Operating
Type1	Unit 1-Vehicle Style
AlcoDr1	Unit 1-Driver Alcohol/Drugs Suspected Status
Speed1	Unit 1-Speed (MPH)
Dir1	Unit 1-Direction
VehMnvr1	Unit 1-Vehicle Maneuver
ObStruck1	Unit 1-Object Struck
Type2	Unit 2-Vehicle Style
AlcoDr2	Unit 2-Driver Alcohol/Drugs Suspected Status
Speed2	Unit 2-Speed (MPH)
Dir2	Unit 2-Direction
VehMnvr2	Unit 2-Vehicle Maneuver
ObStruck2	Unit 2-Object Struck
Type3	Unit 3-Vehicle Style
AlcoDr3	Unit 3-Driver Alcohol/Drugs Suspected Status
Speed3	Unit 3-Speed (MPH)
Dir3	Unit 3-Direction
VehMnvr3	Unit 3-Vehicle Maneuver
ObStruck3	Unit 3-Object Struck
Type4	Unit 4-Vehicle Style
AlcoDr4	Unit 4-Driver Alcohol/Drugs Suspected Status
Speed4	Unit 4-Speed (MPH)
Dir4	Unit 4-Direction

VehMnvr4	Unit 4-Vehicle Maneuver
ObStruck4	Unit 4-Object Struck
Type5	Unit 5-Vehicle Style
AlcoDr5	Unit 5-Driver Alcohol/Drugs Suspected Status
Speed5	Unit 5-Speed (MPH)
Dir5	<b>Unit 5-Direction</b>
VehMnvr5	Unit 5-Vehicle Maneuver
ObStruck5	Unit 5-Object Struck
Type6	Unit 6-Vehicle Style
AlcoDr6	Unit 6-Driver Alcohol/Drugs Suspected Status
Speed6	Unit 6-Speed (MPH)
Dir6	Unit 6-Direction
VehMnvr6	Unit 6-Vehicle Maneuver
ObStruck6	Unit 6-Object Struck
Year	Year

#### Crash Frequency Shapefile

Field Name	Definition
Milepost	Milepost
Total	Total number of crashes that occur at milepost
C1990_1999	Number of 1990-1999 crashes that occur at milepost
C2000_2009	Number of 2000-2009 crashes that occur at milepost
C2010_2014	Number of 2010-2014 crashes that occur at milepost

**Jessica Fiester**

---

**From:** George T. Barnes <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>  
**Sent:** Tuesday, October 20, 2015 12:53 PM  
**To:** Casmer, Jo  
**Subject:** RE: Dollar General Atlantic Beach; Stormwater Permit SW8 151005

Thank you.

George T. Barnes | 919.459.2601

**From:** Casmer, Jo [<mailto:jo.casmer@ncdenr.gov>]  
**Sent:** Tuesday, October 20, 2015 12:43 PM  
**To:** George T. Barnes <[gbarnes@vanguardpg.com](mailto:gbarnes@vanguardpg.com)>; 'mlowder@trianglesitedesign.com' <[mlowder@trianglesitedesign.com](mailto:mlowder@trianglesitedesign.com)>  
**Subject:** Dollar General Atlantic Beach; Stormwater Permit SW8 151005

The Wilmington Regional Office of the Division of Energy, Mineral, and Land Resources (Stormwater Section) received the Stormwater Permit Application and \$505.00 fee on October 8, 2015. The project has been assigned to Steve Puseyi and you will be notified if additional information is needed. Please be advised that the construction of built-upon area may not commence until the Stormwater Permit is issued.

*Jo Casmer*  
Administrative Assistant for DEMLR/Stormwater Section  
North Carolina Department of Environmental Quality  
Department of Environmental Assistance & Customer Service

910 796-7336 office  
910 350-2004 fax  
[jo.casmer@ncdenr.gov](mailto:jo.casmer@ncdenr.gov)

127 Cardinal Drive Extension  
Wilmington, NC 28405



*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*