



**Minutes**  
**Town of Atlantic Beach**  
**Town Council and Planning Board Joint Meeting**  
**June 5, 2018**

**Town Council Members Present**

Mayor Trace Cooper  
Mayor Pro Tem Richard Porter  
Harry Archer  
Rich Johnson  
Danny Navey  
Austin Waters

**Town Council Members Absent**

None

**Staff Present**

Michelle Shreve, Planner  
Katrina Tyer, Clerk  
Arrington Moore, Management Assistant  
David Walker, Town Manager  
Haley Moccia, Planning Intern

**Planning Board Members Present**

Ann Batt  
Lynne Brown  
Norm Livengood (arrived 6:07pm)  
Doug McCullough  
Llewellyn Ramsey  
Curt Winbourne

**Planning Board Members Absent**

Neil Chamblee, Chair

**Others Present**

Ron Cullipher, The Cullipher Group  
William Sparkman, Developer  
Mike Shutak, Carteret News Times

**CALL TO ORDER**

Mayor Cooper called the meeting to order at 6:00pm.

**APPROVAL OF AGENDA**

Councilmember Archer made a motion *to approve* the agenda. Seconded by Mayor Pro Tem Porter. Vote was unanimous, 5-0. Motion carried.

**EXCUSE ABSENT COUNCILMEMBER(S) and/or PLANNING BOARD MEMBER(S)**

Ramsey made a motion *to excuse* Chairman Neil Chamblee from tonight's meeting. Seconded by McCullough. Vote was unanimous, 6-0. Motion carried.

**APPROVAL OF APRIL 3, 2018 and MAY 1, 2018 JOINT COUNCIL/PLANNING BOARD MINUTES**

Councilmember Navey made a motion *to approve* the April 3, 2018 and May 1, 2018 Joint Council Planning Board Minutes. Seconded by Councilmember Johnson. Vote was unanimous, 5-0. Motion carried.

Mayor Cooper explained the purpose tonight is to further review the Concept Proposal for the Crystal View project proposed at 100 Pelican Drive. Review was tabled at the May 1, 2018 meeting in order to have Attorneys Derek Taylor and Tom Terrell provide an opinion on the setback calculation.

**MSP-18-04: CRYSTAL VIEW**

**Staff Presentation**

Michelle briefly reviewed the project as it has not changed since the May 1, 2018 presentation. This project is proposed to be built as a third building to the Crystal View Condo project. The two existing buildings are accessed from the north via Pelican Drive. Knollwood Drive runs along the back southern side of the property. She defined setbacks:

- **Street Setback:** A setback measured from the right-of-way edge associated with a public or private street. Multi-family and nonresidential developments within mixed-use and commercial zoning districts shall measure the street setback only from the street upon which the development is addressed according to the Carteret County tax records.
- **Rear Setback:** A setback from an interior lot line lying on the opposite side of the lot from the street setback.
- **Side Setback:** Any interior property line setback other than a rear setback.
- **Doubled Setback:** Minimum setbacks shall be double for multi-family development on a lot abutting a residential zoning district.

Mayor Cooper reminded the item was tabled to determine which street should be used to calculate the street setback. The UDO reads the setback is determined by the street address provided by the county. It does not define front setbacks, only street, rear and side.

Attorney Terrell's opinion confirmed the street setback should be determined by Pelican Drive at 25 feet. The rear is off Knollwood Drive at 20 feet. The side setbacks should be doubled. This project has three sides and a street. Attorney Terrell referenced the old UDO and the updated UDO in his opinion, Mayor Cooper explained the developer has opted to use the new UDO for the development, rather than use the initial Special Use Permit.

### **Council and Planning Board Discussion**

Ramsey confirmed the rear setback is on Knollwood Drive even though that is where the actual entrance is located. There is no way by vehicle to access via Pelican Drive.

Brown asked to confirm the 911 address. The county addressed the proposed buildings is Knollwood Drive. The address for the entire development will be Pelican Drive.

Mayor Pro Tem Porter confirmed again there was enough open space. Per Michelle, there is and phase two of the approval process will provide more details on active open space. He also confirmed the stormwater permit will be a state permit.

McCullough discussed the address differences between tax records, County 911 and the property entrance. All of the common areas for the development are and will remain Pelican Drive.

Councilmember Archer wanted to know if the older development could be tied in to the new phase to correct some of the existing stormwater issues. Cullipher noted that the system on phase one met the requirements at the time it was built and is working as it was designed to do. This project will allow more than two inches of stormwater collection, as required.

Based upon discussion and no findings by Council or the Planning Board that the proposed Concept Plan does not comply with Town Ordinances, Councilmember Navey made a motion *to approve* the Concept Plan for MSP-18-04: Crystal View Condos as presented. Seconded by Mayor Pro Tem Porter. Vote was unanimous, 5-0. Motion was carried. The time was 6:27pm.

### **MAYOR/COUNCIL/PLANNING BOARD COMMENTS**

There was open discussion on ways to amend the ordinance regarding setbacks. Cullipher provided examples he has seen in other towns.

It was the consensus that the setback determination ordinance should be reviewed and possibly amended. Michelle will propose a few amendments for Council to review.

### **ADJOURNMENT**

There being no further business meeting was adjourned. The time was 6:45pm.

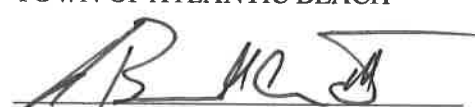
These minutes were approved at the September 4, 2018 Joint Town Council Planning Board meeting.

ATTEST

  
Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH

  
A. B. Cooper, III - Mayor