



MINUTES
Town of Atlantic Beach, North Carolina
Planning Board Meeting
125 W Fort Macon Road and
Tuesday, April 4, 2023



The regularly scheduled meeting of the Atlantic Beach Planning Board was held Tuesday, April 4, 2023 at 6:00p.m. in the Town Boardroom, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present

Neil Chamblee, Chair
Phillip Hursey
David Johnson
Phil Jones
Sharron Wilson
Curt Winbourne

Members Absent

Llewellyn Ramsey

Others Present

Jennifer Ansell, Planner
Elisabeth Webster, Planner
Katrina Tyer, Clerk
Casey Arthur, Fire Marshal
Ron Cullipher, Engineer

CALL TO ORDER

Chairman Chamblee called the meeting to order at 6:00pm.

EXCUSE ABSENT BOARDMEMBERS

Wilson made a motion *to excuse* Llewellyn Ramsey due to medical reasons. Seconded by Johnson. Vote was unanimous, 6-0. Motion carried.

APPROVAL OF FEBRUARY 20, 2023 PLANNING BOARD MINUTES

Winbourne made a motion *to approve* the February 20, 2023 Planning Board minutes. Seconded by Johnson. Vote was unanimous, 6-0. Motion carried.

MSP-22-3 115 WEST FORT MACON ROAD REDEVELOPMENT

Staff Presentation

Atlantic Beach BTS/Sandal Factory applied for a Major Site Plan for the construction of a 6,156-square-foot retail store at 115 West Fort Macon Road, the former Hi-Lites site, which is currently comprised of two parcels. The redevelopment of the site includes the addition of a 5-foot sidewalk along West Fort Macon Road, 21 on-site parking spaces, two loading spaces, and five trees planted along the street front. The project proposes 15% open space and 35.7% impervious surface.

Major Site Plan approval is required for any nonresidential development within the Commercial Circle (CIR) zoning district.

Section 18.2.4, Specific Review Procedures, of the Unified Development Ordinance requires the Planning Board to review the application during a public meeting in accordance with Section 18.2.4.P.6, Site Plan Review Standards and either recommend approval of the major site plan as proposed to the Town Council; or remand the major site plan to TRC.

Section 18.2.4.P.6, Site Plan Review Standards requires that a site plan shall be approved if the application complies with all standards or conditions of any prior applicable permits and development approvals; and all applicable requirements of this Ordinance, the Town Code of Ordinances, and State and federal laws.

Casey Arthur, Deputy Fire Chief and Fire Marshal spoke to the board about the fire department's safety and line of sight concerns. He stated the structure as designed will block staff's view of oncoming traffic from the east as they leave the fire department for calls. He thinks the design of the building is aesthetically pleasing but will cause unnecessary safety issues. He displayed renderings showing how the view would be obstructed as the fire trucks leave the station and proceed down the ramp. Possible solutions are adding a flashing light in front of the station on Fort Macon Road to alert when the fire department is departing or adjusting the location of the building on the property. He understands this will cause an issue for the developer and possibly a lot of money, but they consider this a life-saving issue. He understands he is arguing against the design of the project even though it meets the fire code and UDO requirements.

Planning Board discussion and recommendation

Chamblee asked about the current traffic pattern and Arthur stated currently drivers can see them coming down the ramp and halt, by the time they get their vehicle to the end of the ramp drivers have stopped. He understands this open view has been a luxury they have enjoyed for over a year and pointed out that the proposed construction does not have any windows on the western side so there will be no way to look through the building.

Staff has not discussed the possibility of a flashing light on Fort Macon Road with DOT recently, but when it was discussed before, DOT did not support it being so close to the main intersection, The Town would have to bear the cost. Chamblee wants Arthur to investigate the cost of installing the light and how long it will take for DOT approval.

Chamblee asked Ron Cullipher if there was any way to make this project meet the fire department's needs. He understands the project is compliant with the UDO. Cullipher offered to speak with the owner and the architect and ask if they can cut more off the corner. The building is currently set 30 feet from the road, if 30 feet is not enough, what is? He needs a number that will satisfy the fire department and the board to present his client. He looked into flipping the building so the large section is on the eastern side, but it was too difficult to make it work. He feels traffic can see a fire truck coming in the 30 feet they have from the street to the building. He expressed the expense this was going to cost the owner and stated he would not ask them to pay for the flashing light. He feels 30 feet is more than most towns are given.

Chamblee wants to make sure there are no other areas in the Circle District that would have these same issues so that we would need to amend the UDO. Staff feels it is an isolated location because of where the lot is in relation to the Fire Department.

Winbourne feels this meets the UDO requirements but has concerns over safety. He would like staff to investigate the requirements for a flashing traffic light but does not think it is fair to hold the applicant up since they meet the UDO requirements.

The board discussed tabling the item giving staff time to investigate the flashing light and then bringing it back to the planning board next month or sending it back to the TRC for further review. They do not want to do a disservice to the fire department if there is another option.

Cullipher stated again, he will approach his client about moving the building back but there needs to be a setback number that they are expected to meet.

Johnson understands the concerns, but they do not have a legal basis to deny the project. Wilson asked if anything could be done due to this being a life-saving issue and asked if the town attorney could look at this to determine if there was an exception for a Fire Department. Staff stated they have not reached out to the town attorney.

Cullipher urged the board to approve the project with conditions, so the developer does not have a delay in time and lose another 30 days, let the Council decide. In the meantime, he will go back to clients and see if they will amend the building layout and move square footage to the back of the building. He feels comfortable that he can work with Arthur on a solution.

Arthur stated again, he is here to plead in person for a compromise, this request is not in the state fire code or UDO.

Winbourne made a motion *to recommend* Major Site Plan 23-3 located at 115 West Fort Macon Road as proposed to Council with the conditions that staff pursues information on the flashing traffic light and Cullipher works with the owner and the fire department to reconfigure the building layout and to eliminate frivolous tree planting that would affect visibility. Seconded by Wilson. Vote was unanimous, 6-0. Motion carried. Winbourne expressed the board's concerns with the current design and the effect it will have on lifesaving.

RESOLUTION OF SUPPORT

The Town desires to upgrade the existing boardwalk with a raised boardwalk and upgrade the bathhouse, parking, and public areas. A schematic design has been completed that describes a three-phased approach to significantly improve the existing Circle Public Beach access, Phase I encompasses the construction of the new upper and lower boardwalks, shade structures, plantings, seating, and lighting, connecting walkways to Atlantic Boulevard and installation of infrastructure needed for future phases. The Town is applying for a Parks and Recreation Trust Fund Grant (PARTF) which offers a dollar-for-dollar matching opportunity. A resolution has been prepared in support of the application to fund Phase I of the Boardwalk project.

Wilson made a motion *to approve* PB Resolution 23-04-01: Resolution Supporting the Town of Atlantic Beach's Grant Application to the Parks and Recreation Trust Fund for Phase I of the Atlantic Beach Boardwalk Renovation Project. Seconded by Jones. Vote was unanimous, 6-0. Motion carried.

Wilson told the Board that staff is conducting a public meeting at the Circle on April 13 for public input related to the grant application.

BOARD/STAFF COMMENTS

None.

ADJOURN

There being no further action taken or business before the Board the meeting stood adjourned. The time was 7:04pm.

These minutes were approved at the July 11, 2023 meeting of the Atlantic Beach Planning Board.

ATTEST:


Katrina Tyer - Town Clerk

TOWN OF ATLANTIC BEACH


Neil Chamblee, Chairman

