



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 W Fort Macon Road and
Electronically via Zoom
Monday, February 26, 2024 – 6:00pm



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, February 26, 2024 at 6:00pm in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present: Mayor Danny Navey; Mayor Pro Tem Austin Waters; Councilmembers: Harry Archer, Joey Dean, Joseph Starling

Members Absent: Councilmember Renea Baker (present via Zoom)

Others Present: John O'Daniel, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Sabrina Simpson, Admin Services Director; Marc Schulze, Public Works Director; Mike Simpson, Fire Chief; Jennifer Ansell, Planning Director; David Clifton, Police Chief; Abe Lazarus, Police Lieutenant
Brad Rich Carteret News-Times via Zoom

CALL TO ORDER and PLEDGE OF ALLEGIANCE

Mayor Navey called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Archer made a motion *to amend the 2024 Paid Parking Program Outline* to change the fee for seasonal stickers from \$100 to \$200 *and to include a budget amendment* to amend the fee schedule for same. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried.

Mayor Pro Tem Waters made a motion *to approve the agenda as amended*. Seconded by Councilmember Starling. Vote was unanimous, 4-0. Motion carried.

CONSENT AGENDA

- a. Finance Report
- b. Budget Amendment #15
- c. Tax Collection Report
- d. Tax Releases and Refunds Report
- e. Authorization to Advertise Tax Liens
- f. FY24-25 Budget Calendar
- g. Approval of Audit Contract with Thompson, Price, Scott, Adams & Co., P.A. for \$20,500 for audit services for the year ending June 30, 2024

Councilmember Starling made a motion *to approve* the consent agenda as presented. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 4-0. Motion carried.

Mayor Navey noted that Councilmember Baker is not present due to vacation. She is listening via Zoom but cannot vote.

CITIZEN REQUESTS/COMMENTS

None, in person or online via Zoom

FMB AT THE GROVE MASTER PLAN UPDATE (CIRCLE DEVELOPMENT)

Fred Bunn, Developer presented the master plan, explaining that it has not changed since his October 2020 submission. He handed Council copies of the 2020 plan since there are some new members he has not presented to before. He hopes to be back in front of Council within 60-90 days with a new update that is better and more feasible. He has broken the project down into smaller phases and has been working with contractors to see if he can proceed within his budget. He has had several hotels interested but they changed their minds due to not having parking. He does not think he can get a hotel unless there is participation from the town, maybe even a parking deck. His plan has always been a combination of condominiums and a hotel, he just does not have a commitment on how many condominiums yet.

Councilmember Starling asked about parking, specifically parking around the Circle perimeter, if he intends to use the Town's street parking or self-contain his development. Bunn said it is difficult to run a business when other places have better free

parking available. Some of his Circle businesses have discussed with him that they do not have space for customers to park. He would like to reserve some spaces for delivery, such as DoorDash, and day trippers for the businesses. We are competing with Morehead City and parts of Beaufort because they have free parking.

PUBLIC HEARING ORDINANCE 24-02-01: ORDINANCE AMENDING CHAPTER 18 OF THE UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 18-4 USE STANDARDS, 18.4.1 PRINCIPAL USE TABLE; 18.4.5 COMMERCIAL USE CLASSIFICATION; 18.4.7 USE-SPECIFIC STANDARDS (Event Venues and their Related Use Standards)

Jennifer briefly reviewed the intent of the ordinance amendment as it relates to events in certain districts and creating major and minor classifications. Per her memo to Council, presently, Event Venues are allowed under the issuance of a Special Use Permit in the Mixed-Use High Intensity (MHI) and Mixed-Use Neighborhood (MUN) zoning districts. These mixed-use districts established by the ordinance are intended to provide areas for development that serve permanent residents, seasonal residents, and tourists with a variety of residential building types and non-residential uses that support a compact, pedestrian-oriented, mixed-use environment. These zones were previously identified (to 2017) as Resort Mixed Use (RMU) and Resort Service District (RS), with the intent of providing areas for varying residential building types to support permanent and transient residents and to provide development options to support the tourism industry. Event Venues are currently allowed in the Commercial Circle (CIR), Commercial Periphery (CPY) and Commercial Corridor (COR) zones as permitted use.

The Planning Board voted unanimously at their February 6, 2024 meeting recommending approval of the amendments, affirming that they are consistent with the Town's adopted plans, and are in the public interest.

Councilmember Starling made a motion *to enter* into public hearing. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried. The time was 6:16pm.

Jessica Horton, owner of The Cottage located at 302 Glenn Street, asked for clarification on when she would have to complete a special event application. Jennifer explained she would have to complete an application for events with over 50 attendees. Anything over 500 would require a one-time special use permit.

Councilmember Archer made a motion *to exit* the public hearing Seconded by Councilmember Starling. Vote was unanimous, 4-0. Motion carried. The time was 6:18pm.

Mayor Navey noted the Planning Board approved a Statement of Consistency at their February meeting and read it out loud entering it into the record for Council consensus that the amendment is consistent with the CAMA COR Plan to protect the character of Atlantic Beach and is in the public interest.

Mayor Pro Tem Waters made a motion *to approve Ordinance 24-02-01: Ordinance Amending Chapter 18 of the Unified Development Ordinance, Article 18-4 Use Standards, 18.4.1 Principal Use Table; 18.4.5 Commercial Use Classification; 18.4.7 Use-Specific Standards (Event Venues and their Related Use Standards)*. Seconded by Councilmember Starling. Vote was unanimous, 4-0. Motion carried.

REVIEW AND APPROVAL OF MAJOR SITE PLAN FOR PEPPERTREE RESORTS LOCATED AT 715 WEST FORT MACON ROAD

Jennifer reviewed the proposed major site plan for the construction of 63 new condominium units at 715 West Fort Macon Road, the Peppertree Resort. The units will be comprised of one 12-unit condominium building, three 9-unit condominium buildings, and 24 townhome-style condominium units.

The Planning Board reviewed the Phase II Major Site Plan at their February 6, 2024, Regular Meeting and voted unanimously to recommend approval of the site plan as submitted.

Mayor Pro Tem Waters, who was present at the planning board meeting, asked if the issues the Ocean Ridge Homeowners Association president had brought up regarding the access gate had been addressed. Peppertree representative, Marchel Lopez, stated he had not heard from the president since the meeting, so he assumed everything was understood. Mr. Lopez stated Ocean Ridge was concerned about a potential access road off Ocean Ridge into the Peppertree development on the eastern end. He stated they intend to use the access during construction for large deliveries, but that is all.

Councilmember Starling confirmed with Fire Chief Simpson that he had reviewed the plan and did not see any issues with turning apparatuses and had addressed fire suppression requirements. He has not reviewed the plans to confirm what suppression

will be needed, which will be reviewed later. He does not see any issues with the vehicle turning radius. Councilmember Starling confirmed with Marc that the water lines were sufficient size for fire suppression, they are four-inch lines.

Councilman Starling made a motion *to approve* the Major Site Plan for Peppertree Resorts, 715 W Fort Macon Rd. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried.

APPROVAL OF 2024 PAID PARKING PROGRAM PLAN

Mayor Navey recapped that at the February work session Council discussed changing the annual parking pass rate from \$100 to \$200 this year.

Mayor Pro Tem Waters made a motion *to approve* the 2024 Paid Parking Plan and associated budget amendment which changes the seasonal parking fee from \$100 to \$200. Seconded by Councilmember Starling. Vote was unanimous, 4-0. Motion carried.

APPROVAL OF ORDINANCE 24-02-02: ORDINANCE AMENDING CHAPTER 12, OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 12-9, WEAPONS ON TOWN PROPERTY

Attorney Taylor confirmed he had reviewed this ordinance, and it was compliant with NCGS.

Councilmember Archer made a motion *to approve Ordinance 24-02-02*. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 4-0. Motion carried.

APPROVAL OF RESOLUTION 24-02-01: RESOLUTION DECLARING PROPERTY SURPLUS AND AUTHORIZING THE SALE OF SAID PROPERTY (2003 E-One 75' Aerial Ladder Truck)

We have received an offer to purchase the 2003 E-One 75' Aerial Ladder Truck for \$60,000. We feel this is a good price and would prefer to sell directly to them rather than auctioning on Govdeals. Mayor Pro Tem Waters wants to know how it was determined this was a good offer. Fire Chief Simpson asked other equipment manufacturers and was told the top dollar for this truck would be \$30,000. He has kept up with other sales and \$50,000 looks like the maximum sales price.

Mayor Pro Tem Waters made a motion *to approve RESOLUTION 24-02-01: Resolution Declaring Property Surplus and Authorizing the Sale of Said Property*. Seconded by Councilman Starling. Vote was unanimous, 4-0. Motion carried.

TOWN MANAGER REPORT

The Moonlight Drive boat access ramp upgrades are complete. Public Services added privacy fencing, wheel stops, post and rope fencing, repairs to the bulkheads, and placement of 30 tons of gravel in the ramp and parking areas.

The Center Drive street end has been cleaned up and the drainage issue has been graded and repaired.

COUNCIL COMMENTS

A property owner on Moonlight Drive is concerned with big trucks turning around and damaging the new gravel that has just been put down. He suggested installing signage prohibiting big trucks from turning around there. Chief Clifton will speak to business owners on the Causeway to make sure their delivery drivers know not to damage town property.

Council thanked the public services department for their work on the Center Drive street end and Moonlight Drive. Also, thanked Chief Clifton, who is starting off great with the police department.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:48 pm.

These minutes were approved at the March 25, 2024 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

Katrina Tyer (seal)
Katrina Tyer - Town Clerk



Danny Navey
Danny Navey - Mayor