



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners Regular Meeting
6:00 PM Monday, May 13, 2024
Train Depot, 614 Broad Street**

Call to Order/Pledge of Allegiance

Roll Call

Agenda Approval

Recognition of Outgoing Volunteer Board Members

Items of Consent

- [1.](#) Meeting Minutes- April 8, 2024
- [2.](#) UDO – Letter of Engagement & Draft Scope of Work
- [3.](#) RCCP Grant Resolution- UDO Resiliency Updates (Phase 3)
- [4.](#) RCCP Grant Resolution- Beaufort Waterfront Parks Planning Project
- [5.](#) Fourth of July Parade Event Request
- [6.](#) Proposed Amendments- Town of Beaufort Personnel Policy

Quasi-Judicial Proceeding

- [1.](#) Case #24-09 - Special Use Permit (SUP) for “The Periwinkle”
- [2.](#) Case 24-11 - Special Use Permit (SUP) for “The Watering Hole”

New Business

- [1.](#) Proposed FY 2025 Budget
- [2.](#) Case #23-05 Preliminary Plat Palmetto Plantation Phase 2
- [3.](#) Beaufort Pirate Invasion 2024 Event Request

Public Comment

Manager Report

Mayor/Commissioner Comments

Closed Session

- [1.](#) Pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4)

Adjourn



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
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**Board of Commissioners
Regular Meeting
6:00 PM Monday, May 13, 2024**

AGENDA CATEGORY: Items of Consent

SUBJECT: Meeting Minutes- April 8, 2024

REQUESTED ACTION:

Approval of the attached draft minutes for the April 8th Regular Meeting.

SUMBITTED BY:

Elizabeth Lewis, Town Clerk



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners
Regular Meeting Minutes
6:00 PM Monday, April 08, 2024
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

Roll Call

Rachel Johnson, Deputy Clerk, called the role.

PRESENT:

- Mayor Harker
- Mayor Pro Tem Cooper
- Commissioner Gillikin
- Commissioner LoPiccolo
- Commissioner Oliver
- Commissioner Spiegler

ABSENT: None

Agenda Approval

Mayor Harker asked for a motion to amend the agenda to remove the Pivot Parking Contract from Items of Consent, and place it under New Business as item number one. She also asked to add a closed session, pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4).

Commissioner Cooper made a motion to approve the agenda as amended.

The motion carried unanimously.

Items of Consent

1. Meeting Minutes- March 11 & 25, 2024

- 2. 2024 Parks & Recreation Comprehensive Plan
- 3. Capital Project Budget Amendment #3 – Street Rehabilitation and Pedestrian Improvements (Fund 61)
- 4. Personnel Policy Amendment (Article III. The Pay Plan; Section 17. Career Development)

Commissioner Cooper made a motion to adopt the items of consent as amended, removing the Pivot Parking Contract (Item 5) to be placed under New Business (Item 1).
The motion carried unanimously.

Public Hearing

- 1. Case # 24-07 Zoning Text Amendment - Taverns & Bars with Outside Operation in CS-MU as Special Use

Mayor Harker asked for a motion to open a public hearing for Case #24-07, Zoning Text Amendment.

Commissioner Cooper made a motion to open the public hearing.

The motion carried unanimously.

Kyle Garner, Planning Director, introduced the item, explaining it was a zoning text amendment request to modify Section 8D and Table 8-8 of the Land Development Ordinance (LDO) to allow Tavern/Bar/Pub(s) with outdoor operation as a Special Use in the CS-MU District. He noted this would be similar to other commercial use districts and provided background on those established districts. He shared at their March 18th meeting, the Planning Board unanimously recommended the Zoning Text Amendment with several recommendations, referenced on page 162 of the meeting packet.

Commissioner Oliver asked if there was a definitive definition of the words indoor and outdoor.

Mr. Garner said he did not believe that the words indoor or outdoor were specifically defined in the Town's LDO.

Commissioner Speigler confirmed that when placing conditions on a Special Use, the Board could consider each application separately.

Commissioner LoPiccolo spoke about implementing other restricted uses moving forward.

Mr. Garner explained that uses evolve over time.

Commissioner LoPiccolo asked if approved, how would the proposed amendment affect the Town both negatively and positively.

Mr. Garner explained the Special Use Permit provides an extra level of protection for those who enforce the rules as well as the business owners.

Commissioner Gillikin asked how the proposed text amendment would affect existing businesses within the district, with areas both indoor and outdoor.

Mr. Garner explained those owners would also have to come before the Board requesting Special Use Permits, which would allow conditions be added. He shared there were not typically any restrictions on those conditions, as long as they were reasonable.

Mayor Harker asked if anyone from the public wished to speak on the case.

There were no comments.

Commissioner LoPiccolo made a motion to close the public hearing.

The motion carried unanimously.

Commissioner Gillikin commented on the importance of developing the conditions, if approved, to protect adjacent neighbors from unwanted noise.

Mr. Garner added that noise levels were measured in decibels, noting the Town's Police Department had the capability of doing that.

Commissioner Cooper suggested that an appropriate noise level might differ throughout Town and noted staff should look at that as a separate issue.

Commissioner Oliver expressed concerns regarding noise issues for nearby residential properties. He suggested the Town have a better understanding of what acceptable noise levels were before approving the zoning text amendment.

Commissioner Speigler discussed the Cedar Street transition area, noting the importance encouraging redevelopment and small business opportunities, while also respecting the residential properties.

Commissioner LoPiccolo recommended they take a deeper dive in the Town's noise ordinance, agreeing it was an issue for nearby residential areas.

Commissioner Gillikin asked what would happen if they did not pass the text amendment and businesses continued to operate with outside activities such as music.

Mr. Garner explained the alternatives, discussing the notice of violation process. He noted that sound was a different issue than land use.

Commissioner Speigler made a motion to approve the proposed Zoning Text Amendment, Case #24-07, including the recommendations from the Planning Board outlined on page 162 of the meeting packet.

Voting Yea: Commissioner LoPiccolo, Commissioner Gillikin, Commissioner Speigler

Voting Nay: Commissioner Cooper, Commissioner Oliver

The motion was carried with a (3-2) vote.

Motion carried unanimously.

Old Business

1. Fire Pumper Truck Purchase

Mr. Clark provided background on the approved purchase of a pumper fire truck, with the adoption of the FY24 budget. He explained the pumper fire truck was ordered following the adoption of the Resolution of Intent to Reimburse, which is a financial instrument that allows the Board to pledge cash for a purchase while also seeking commercial financing

He noted staff recently released an RFP for bids on the truck and associated equipment which is valued at \$732,000. Although two financial institutions responded to the solicitation for bids, Truist provided the only proposal that met the requirements outlined in the RFP. It was noted that the financing proposal from Truist, included a finance rate of 5.49% for a term of 10 years; the total amount of interest would be \$238,662.

Mr. Clark advised the Board that a budget amendment appropriating \$732,000 from the General Fund- Fund Balance was still an option if they desired to purchase the truck with cash in lieu of financing the purchase.

After discussion, the Board agreed the financing option was best.

Commissioner Oliver made a motion to approve the financing Resolution with Truist Bank, as presented in the meeting packet.

The motion carried unanimously.

New Business

1. Pivot Parking Contract

Christi Wood, Finance Director, shared the parking highlights discussed over the past few Board meetings. She noted the Board voted to accept a contract from Pivot to provide parking management services to the Town for a period of three years beginning with the 2024 parking season. She shared the Board contemplated the length of the parking season, daily hours, and rates through an exhibit to the contract, which was currently for the before the Board for consideration and approval. She also discussed the continuation of annual parking passes as provided in the Town’s schedule of fees and charges.

Commissioner Oliver stated he was happy with the plan, reconfigured numbers, and impressed with Pivot Parking. He suggested that the primary goal was to create turnover in areas of Town, and expressed concerns with the number of parking passes that might be sold.

The Board agreed they wanted to have the authority to change the exhibit to the contract that listed details related to rates, hours, season, and/or parking passes.

Arey Grady, Town Attorney, confirmed the contract read that way.

Commissioner Oliver asked clarifying questions regarding when and where parking passes were valid.

Ms. Wood and Ms. Johnson explained the existing pass structure as referenced online at: www.beaufortnc.org/parking.

Ms. Wood also provided a breakdown of parking passes sold in the 2023 season.

Commissioner Speigler suggested before making any changes to the parking pass structure, the Town should get feedback from the majority of the downtown businesses.

Mayor Harker noted there would be data received from Pivot that would help navigate some of the decisions moving forward.

Commissioner Gillikin agreed that modifying the pass structure would be more appropriate after data was collected and review for a few months, as well as having conversations with the downtown businesses.

Commissioner Gillikin made a motion to adopt Exhibit 1 from the Pivot Parking Contract, as presented and referenced in the meeting packet.

The motion carried unanimously.

2. Case # 24-05 - Preliminary/Final Plat – Airport Subdivision (624 Hwy 101)

Michele Eitner, Town Planner, presented Case #24-05 and explained it was a subdivision request from the Airport Authority. She noted the request proposed to carve out 25 acres of a 32.7-acre parcel for the airport to purchase for their additional runway protection zone and to supplement the runway extension project. She shared the remaining 7.7-acre parcel will remain with the current owner, the Wright family. She highlighted several key points as listed below:

Commissioner Cooper made a motion to approve the request outlined in Case #24-05.

The motion carried unanimously.

3. Volunteer Board Appointments

Commissioner Cooper made a motion to open the floor for nominations for the Board of Adjustment alternate member, three-year term.

Commissioner Oliver made a motion to nominate Charles Harrell for the position. The motion carried unanimously.

Commissioner Cooper made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Charles Harrell to the Board of Adjustment.

Commissioner Cooper made a motion to open the floor for nominations for the Historic Preservation Commission, the member to fulfill the term ending January 31, 2025.

The motion carried unanimously.

Commissioner LoPiccolo nominated Jonathan Haas to serve the partial Historic Preservation Commission term.

Commissioner Oliver made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Jonathan Haas to the Historic Preservation Commission.

Commissioner Gillikin made a motion to open the floor for nominations for the Historic Preservation Commission member, three-year term.

The motion carried unanimously.

Commissioner Gillikin nominated Jessica Sabiston to serve the full three-year term on the Historic Preservation Commission.

Commissioner Oliver made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Jessica Sabiston to serve on the Historic Preservation Commission.

Public Comment

No public comments were made.

Manager Report

Mr. Clark reviewed the Manager's Report that is available online at www.beaufortnc.org, under the Mayor's Corner. Highlights of the report include: the Harbor and Waterways Public Charrette on Monday, May 6th at the Beaufort Fire Station #1; Oceanview Cemetery Cleanup; and USDA Funded Projects.

Mr. Clark provided an update on the Compass Hotel project. He informed the group of the Leonda Drive Sewer Effluent Abandonment. He also noted the progress of the Town's new Engine 1 along with the success of the Historic Preservation's 50th Year Celebration, earlier in April.

Mayor/Commissioner Comments

Commissioner Spiegler thanked staff for all their hard work and encouraged the public to attend the Harbor and Waterways Public Charrette on May 6th. She also recognized the Parks and Recreation Board for their great work on the Parks Comprehensive Plan; she noted the importance of implementing an operational parks and recreational budget for the Town in the future.

Commissioner Gillikin thanked the Town Manager for his work program/monthly report and recognized the efforts being made by the Town to update and inform people. She also recognized the special nature of the recent Historic Preservation Celebration and commended those who made it possible.

Commissioner Cooper also noted the Parks and Recreation Comprehensive Plan and spoke on some goals listed in the plan. He discussed a recent county budgeting meeting he attended in North River and applauded the way the materials were presented.

Mayor Harker thanked everyone in attendance, both in person and virtual. She mentioned the Farmers Market is opening in April and spoke on other upcoming events in the area. She also gave a special thank you to everyone who applied to serve on a volunteer board.

Closed Session

Commissioner Cooper made a motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4).

The motion carried unanimously.

Adjourn

Commissioner Cooper made a motion to adjourn the meeting at 8:45 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk



Town of Beaufort, NC

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**Town of Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, May 13, 2024 – Train Depot, 614 Broad Street, Beaufort, NC**

AGENDA CATEGORY: Items of Consent

SUBJECT: UDO – Letter of Engagement & Draft Scope of Work

SUMMARY:

In February the Board requested that staff move forward with White & Smith of Charleston SC to develop a letter of engagement and scope of work for the UDO rewrite. Staff is now submitting a Letter of Engagement and Draft Scope of Work from White & Smith to consider. The proposal from White & Smith is to first develop a Codes Assessment to gain understanding on the items the Town Boards, Staff and Citizens see vital for the adoption for a new Ordinance. This first component would cost \$30,900 and would be comprised of three phases which are:

Phase I – Project Initiation which has the consultant visiting the community for two days to meet with the Board of Commissioners, any volunteer board members and interested Beaufort citizens to gain knowledge in developing a scope of work for the UDO.

Phase II – Diagnosis/Assessment Summary take the comments given in Phase I and provide a recommendation on which code issues are time sensitive and need to be addressed first. Also, the summary of proposed topics of revisions will be in a memo form and structured by subject matter or by code section (This could be at least iterations based on the attached Scope of Work). This memo to be submitted will NOT include the preparation of new code language but lay out the framework of such revisions for the UDO.

Phase III – Presentations & Meetings Once the Summary Memo is completed the consultant will present the findings in person and then a final Memorandum presentation that would discuss the next steps. The public may participate in these meetings as well if the Board is inclined.

These three phased approaches are proposed to provide a clear direction to the consultant as to the items that need to be addressed in the new UDO as well as a vetting process of the issues the Board and Community see as vital to the future of development in Beaufort.

REQUESTED ACTION:

Decision on Engagement Letter with White & Smith, LLC

Decision on Draft Scope of Work

SUBMITTED BY:

Kyle Garner

Town of Beaufort Codes Assessment

Scope of Work

January 26, 2024

This Scope of Services sets out a process to evaluate the Town’s Land Development Ordinance, Subdivision Ordinance, and Flood Protection Ordinance and to recommend changes based on issues identified by the Town, as well as our experience in the state and around the country preparing zoning, subdivision, and unified development ordinances.

This Scope of Services assumes the Town will appoint a project manager to coordinate with

White & Smith to collect needed information, and provide timely direction when requested.

Tyson Smith, a founding partner, will serve as White & Smith’s principal-in-charge, along with Kelly Cousino, who will serve as the day-to-day project manager. Other planners, attorneys, and designers, including Mark White, Sean Scoopmire, and Justin Wallace, will be brought in where additional support or expertise will benefit the project.

Fees to complete this scope of work will be \$30,900. The estimated allocation of our budget by task is described in the “Budget Estimate” below. However, we will allocate available hours as best serves the project within the given timeframe and total budget.

Based on the scope below, we estimate the project will take approximately 90 days from the completion of Kick-Off Meetings in Task 1.2.

Deliverables and Objectives

- 2-Day Visit with Land Use Planners and Attorneys; including site visits, drive-arounds, Commissioner Listening Sessions, and professional feedback regarding Town Codes
- A facilitated prioritization of Necessary Codes revisions
- Professional input on alternative means of addressing Town land use challenges, under Chapter 160-D
- Written summary of final list of prioritized code revisions to undertake in the near-term and those which may be undertaken in the long-term
- A process for preparing, evaluating, and adopting consensus changes to the Codes, including if requested, cost estimates, timeframes, and alternatives.

Phase 1 Project Initiation

In Phase 1, we will conduct a two-day on-site visit to drive key parts of the Town and its ETJ and to photograph examples of land development in these areas. During this visit, we also will set aside time to meet with staff and other Town officials and stakeholders to ensure our perspective on the Town’s needs at this point is complete. This visit will be attended by two members of our staff, anticipated to be the Principal-in-Charge, Tyson Smith, and the Project Manager, Kelly Cousino.

We recommend the Town Project Manager discuss with others in-house to confirm the key participants in these kick-off meetings. While we are there on-site, it is a good time to meet with anyone whose perspective, input, or support will be key to the completion of the Project or whose input will be necessary for successful consideration by the Town Board.

In preparation for these meetings and the area tour, we will review relevant documents provided to us, including the recently adopted Comprehensive and CAMA Land Use Plan. We also will request the Project Manager provide for our review any pending staff drafts of the ordinances and a list of revisions known to be needed, as well as areas not needing revision, if they are known.

Phase 2 Diagnosis/Assessment Summary

The primary goal of this project is to identify the most critical or time-sensitive revisions to the Town’s land use codes. Therefore, in Phase 2, we will document those revisions that we recommend addressing in a subsequent code rewrite effort, based on Town direction initially received in Phase 1 and our own review of the codes. Conversely, it may well be important to schedule some code sections for a second revision phase so that prioritized revisions are not delayed in completion or adoption by the Town Board of Commissioners. For example, prioritized revisions may be scheduled for completion in 2024, others in 2025, and so on.

The “Diagnosis/Assessment Summary” will be in the form of a memorandum directed to the Town Project Manager and structured by subject matter or by current code section. The Summary Memorandum will list the revisions recommended for the Town’s codes, along with a brief description of each area of revision we identify.

We anticipate preparing three (3) iterations of a Diagnosis/Assessment Summary: one for initial staff review (Task 2.1), a revised version based on staff input (Task 2.3) for review by the Planning Board and Town Board of Commissioners, and a third draft as the final deliverable for the project (Task 2.5). However, if additional rounds of revisions are needed, these will be

performed as an Optional Service, as provided in the Budget Estimate below.

We will ask staff to set aside sufficient time to review these drafts and we will provide guidance and input as it is doing so. Our estimated hours for these tasks include intermittent phone calls, emails, or virtual meetings with staff for this purpose. Revisions to each draft (assumed 3) will reflect the comments provided to us by the Town Project Manager, which consolidates and “resolves” conflicting inputs, if any, from staff, the Boards, and other stakeholders.

In Tasks 2.2 and 2.4, once the consolidated list of comments have been provided to us, we will schedule virtual meetings with the Town Project Manager and other invited staff to answer questions, offer advice and alternatives, and guidance for purposes of the Summary Memorandum. This scope does not include preparing new code language and or developing programmatic approaches. However, our goal is to narrow the policy alternatives identified in the Memo to those staff feels best address the Town’s concerns and are most feasible to gain support.

Phase 3 Presentation and Meetings

In addition to the Task 1.2 kick-offs, we will attend two additional in-person meetings in Beaufort. First, to present the draft Summary Memo from Task 2.3 (see Task 3.1) and, second, to present the final Memorandum and to discuss next steps with the Board of Commissioners (see Task 3.2). The public may participate in these meetings, as well. The Town Project Manager will handle notice, meeting location arrangements, and other logistics associated with these three meetings.

We will prepare a presentation for each meeting that breaks down the draft and final versions of the Memorandum and identifies key areas for immediate consideration, if any, so the rewrite process – should it be pursued afterwards – can start expeditiously and with clear direction.

These two meetings, in addition to the Task 1.2 kick-offs, are included in the estimated budget of \$30,900. However, additional meetings based on the hourly rates of those from White & Smith asked to attend. Note that our hourly rates include all project expenses associated with travel, including mileage, accommodations, and meals.

Budget Estimate

Estimate for Codes Assessment Town of Beaufort, North Carolina

Task	Team Member						Subtotals	
	T. Smith/M. White		K. Cousino		S. Scoopmire/J. Wallace		Hours	Fees *
	Hours	Fees *	Hours	Fees *	Hours	Fees *		
1 Project Initiation								
1.1 Review and Evaluate Relevant Documents	2	\$450	2	\$370	2	\$200	6	\$1,020
1.2 Prepare for and Attend On-site Kick-Off Meetings (up to 2 days on-site)	24	\$5,400	24	\$4,440	2	\$200	50	\$10,040
Subtotal	26	\$5,850	26	\$4,810	4	\$400	56	\$11,060
2 Diagnosis/Assessment Summary								
2.1 Prepare Staff Review Draft Diagnosis/Assessment Memorandum	4	\$900	16	\$2,960	16	\$1,600	36	\$5,460
2.2 Meeting with Staff re: Staff Review Draft and Comments/Questions (virtual)	2	\$450	2	\$370	2	\$200	6	\$1,020
2.3 Prepare a Revised Draft Diagnosis/Assessment Memorandum	2	\$450	6	\$1,110	4	\$400	12	\$1,960
2.4 Meeting with Staff re: Revised Draft Comments/Questions (virtual)	0	\$0	2	\$370	0	\$0	2	\$370
2.5 Prepare Final Diagnosis/Assessment Memorandum	2	\$450	4	\$740	0	\$0	6	\$1,190
Subtotal	10	\$2,250	30	\$5,550	22	\$2,200	62	\$10,000
3 Presentations & Meetings								
3.1 Presentation of draft Diagnostic/Assessment Memorandum (up to one day on-site)	12	\$2,700	12	\$2,220	0	\$0	24	\$4,920
3.2 Presentation of final Diagnostic/Assessment Memorandum & recommended Next Steps (up to one day on-site)	12	\$2,700	12	\$2,220	0	\$0	24	\$4,920
Subtotal	24	\$5,400	24	\$4,440	0	\$0	48	\$9,840
Total	60	\$13,500	80	\$14,800	26	\$2,600	166	\$30,900 *

Optional Services								
Optional Presentation or Meeting (Onsite, including preparation and travel)	16	\$3,600	16	\$2,960	16	\$1,600	48	\$8,160
Prepare Additional Round of Revisions to Summary Memorandum	4	\$900	6	\$1,110	4	\$400	14	\$2,410

* Hourly rates and final pricing includes all travel and associated travel expenses

March 15, 2024

Mr. Todd Clark, Town Manager
Town of Beaufort
701 Front Street
Beaufort, North Carolina 28516

RE: Contract for Services between the Town of Beaufort, North Carolina and White & Smith, LLC

Phase 1: Codes Assessment

Dear Mr. Clark:

Thank you for the opportunity to serve The Town of Beaufort on this Project. This letter will address the retention of White & Smith, LLC (the "Firm") for planning consultation services on behalf of the Town Board of Commissioners (the "Town").

The objective of our work is to engage with Town officials to identify the areas of land use, subdivision, and zoning that will be addressed through revisions to your codes that reflect Town plans and policies and the vision of the Board of Commissioners. In addition to our own independent review of current codes and plans, we will achieve this objective through facilitated dialogue with Town staff, the Planning Board, Town Board, and other stakeholders.

As is summarized in the attached Scope of Work, deliverables and objectives include:

- 2-day visit with Town land use planners and attorneys; including site visits, drive-arounds, listening sessions with the Planning Board and Board of Commissioners;
- Our initial feedback and advice for addressing key Town issues through subsequent land use code revisions, including prioritization;
- Written summary of prioritized code revisions;
- A process for preparing, evaluating, and adopting consensus changes to the codes.

The primary deliverable from our work will be a written summary of issues to be addressed in "phase 2," the preparation of code revisions for consideration of adoption by the Town Board. The goal is to emerge from phase 1 with a clear picture of what will be addressed during the rewrite and a consensus process for finalizing code policy alternatives in phase 2, so that the rewrite is efficient, effective, and a reflection of Board policy today.

Based on our conversations with Town staff in the development of the Scope of Work, we anticipate completing the Scope of Work for a sum not to exceed \$30,900. Firm invoices will describe work performed in the prior period and the percent of the project complete to that point, based on the Scope of Work. The Town agrees to pay the Firm for services

The Town of Beaufort, North Carolina
March 15, 2024
Page 2

performed, as described in our monthly invoices. Invoices must be paid within thirty (30) calendar days of receipt of the invoice. Either party may terminate this agreement at any time, with or without cause, upon written notice sent via an established overnight carrier or by email upon a verified receive date of the email. However, a terminating party must first confer with the other prior to termination to take steps necessary to ensure the non-terminating party's rights and interests are reasonably protected. The Town would be responsible for all expenses for services rendered by the Firm up to the receipt of notice of termination.

We will communicate through and receive direction from your designated project manager – as of today, Kyle Garner, the Planning and Inspections Director. If at any time, however, if you wish for us to communicate directly with you, the Town Board, or other Town officials on any matter, we are happy to do so.

Please sign, date, and return this contract letter to me, and I will execute and return a copy for your files. Also, don't hesitate to contact me should you have any questions or need more information before signing this agreement. I look forward to working with you and your staff on this matter.

Sincerely,

Tyson Smith, AICP
for White & Smith, LLC

**ON BEHALF OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT,
NORTH CAROLINA, I HEREBY AGREE TO THE TERMS AND CONDITIONS SET FORTH
ABOVE.**

By: _____

TODD CLARK, TOWN MANAGER

Authorized Representative of the Board of Commissioners

Dated: _____

**ON BEHALF OF WHITE & SMITH, LLC, I HEREBY AGREE TO THE TERMS AND
CONDITIONS SET FORTH ABOVE.**

By: _____

The Town of Beaufort, North Carolina
March 15, 2024
Page 3

TYSON SMITH, AICP, SHAREHOLDER
White & Smith, LLC

Dated: _____

Draft



Town of Beaufort, NC

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**Board of Commissioners
Regular Meeting
6:00 PM Monday, May 13, 2024
614 Broad Street- Train Depot**

AGENDA CATEGORY: Items of Consent
SUBJECT: Grant Application Resolution for Resilient Coastal Communities Program Phase 3 – UDO Resiliency Updates

BRIEF SUMMARY:

The Planning & Inspections Department is applying for grant funding from the NC Resilient Coastal Communities Program to complete long-anticipated resiliency updates to the UDO. The N.C. Resilient Coastal Communities Program aims to facilitate a community-driven process for setting coastal resilience goals, assessing existing and needed local capacity, and identifying and prioritizing projects to enhance community resilience to coastal hazards.

Beaufort’s Resilient Beaufort Strategy (2022) was funded through Phases 1 and 2 of the RCCP program. Phase 3 can provide funding for development of ordinances or policies to further resiliency in the community. Staff is preparing an application for Phase 3 funding to develop ordinances to specifically increase community resilience as identified in the recently adopted Comprehensive & CAMA Land Use Plan.

Staff has worked with the potential UDO consultant to identify a scope of work and budget for the first module of UDO updates to address requirements for stormwater, shoreline management, increased construction requirements, and the LUP’s Non-Intensification Zone. This first module would be the grant-funded project and would render final draft ordinance, which would later be incorporated with further module(s) of the UDO update. A model resolution was provided by RCCP for our use on this approval, attached.

REQUESTED ACTION:

Approve as presented

SUBMITTED BY: Michelle Eitner, Town Planner

BUDGET AMENDMENT REQUIRED: N/A



**RESOLUTION OF THE TOWN OF BEAUFORT BOARD OF COMMISSIONERS
AUTHORIZING LOCAL GOVERNMENT EXECUTION OF
RESILIENT COASTAL COMMUNITIES GRANT CONTRACT
RESOLUTION NO. 24-_____**

A regular meeting of the Board of Commissioners of the Town of Beaufort was held in the Train Depot at 614 Broad Street, the regular meeting place, on May 13, 2024. There were _____ Commissioners present.

The Board of Commissioners was advised that a proposed contract between the Town of Beaufort and the North Carolina Department of Environmental Quality (DEQ) for Resilient Coastal Communities Program grant funds was presented for the project known as Beaufort Development Ordinance Resilience Updates and discussed; that, under the terms of the said contract, the Town of Beaufort will request a total of \$100,000.

BE IT RESOLVED, BY THE Board of Commissioners of the Town of Beaufort:

- 1) That a contract between the Town of Beaufort and the North Carolina Department of Environmental Quality be and the same is hereby approved.
- 2) That the Mayor and the Clerk be and they are hereby authorized to sign and execute the said contract for and on behalf of the Town of Beaufort and forward the same to the North Carolina Department of Environmental Quality.
- 3) That upon final execution, a copy of said contract be filed with the minutes. Upon motion of _____, said resolution was passed unanimously.

I, Elizabeth Lewis, Clerk of the Town of Beaufort, North Carolina do hereby certify that the foregoing is a true copy of so much of the proceedings of the Board of Commissioners at a meeting held on May 13, 2024 as related to the contract between the Town of Beaufort and the North Carolina Department of Environmental Quality, relative to the Development Ordinance Resilience Updates for the Town of Beaufort, North Carolina.

WITNESS my hand and the corporate seal of the said Town of Beaufort, North Carolina this the ___ day of May 2024.

Elizabeth Lewis, Town Clerk

Sharon E. Harker, Mayor

(SEAL)



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners Regular Meeting
6:00 PM Monday, May 13, 2024 – 614 Broad Street- Train Depot

AGENDA CATEGORY: Items of Consent
SUBJECT: Grant Application Resolution for Resilient Coastal Communities Program Phase 3 – Beaufort Waterfront Parks Planning Project

BRIEF SUMMARY:

The Parks & Recreation Department is applying for grant funding from the NC Resilient Coastal Communities Program to complete planning for the Town’s waterfront public access locations identified in the 2024 Beaufort Parks Comprehensive Plan. This project will include planning for a variety of locations with the assistance of engineering and design for potential park projects. The project aligns with priority projects with nature-based/green infrastructure as outlined in the 2022 Resilient Beaufort Plan Priority Projects & Actions.

The N.C. Resilient Coastal Communities Program aims to facilitate a community-driven process for setting coastal resilience goals, assessing existing and needed local capacity, and identifying and prioritizing projects to enhance community resilience to coastal hazards.

Beaufort’s Resilient Beaufort Strategy (2022) was funded through Phases 1 and 2 of the RCCP program. Phase 3 is focused on Engineering & Design to further resiliency in the community. Staff is preparing a grant application for Phase 3 funding for resiliency engineering and design for public water access locations in Beaufort with a focus on public right-of-way street ends.

Staff is aware that the Planning Department is applying for the same grant and will indicate on the grant application that this request is our second priority. Staff has been encouraged by RCCP staff to submit both projects with an indication of priority.

Parks staff is requesting funding in the amount of \$85,000 for professional services for the Beaufort Waterfront Parks Planning Project. There is not a match requirement for this grant. A model resolution was provided by RCCP and has been updated to fit this proposed project.

REQUESTED ACTION: Adopt resolution as presented.
SUBMITTED BY: Rachel Johnson, Parks Coordinator
BUDGET AMENDMENT REQUIRED: N/A



**RESOLUTION OF THE TOWN OF BEAUFORT BOARD OF COMMISSIONERS
AUTHORIZING LOCAL GOVERNMENT EXECUTION OF
RESILIENT COASTAL COMMUNITIES GRANT CONTRACT
RESOLUTION NO. 24-_____**

A regular meeting of the Board of Commissioners of the Town of Beaufort was held in the Train Depot at 614 Broad Street, the regular meeting place, on May 13, 2024. There were _____ Commissioners present.

The Board of Commissioners was advised that a proposed contract between the Town of Beaufort and the North Carolina Department of Environmental Quality (DEQ) for Resilient Coastal Communities Program grant funds was presented for the project known as Beaufort Waterfront Parks Planning Project and discussed; that, under the terms of the said contract, the Town of Beaufort will request a total of \$85,000.

BE IT RESOLVED, BY THE Board of Commissioners of the Town of Beaufort:

- 1) That a contract between the Town of Beaufort and the North Carolina Department of Environmental Quality be and the same is hereby approved.
- 2) That the Mayor and the Clerk be and they are hereby authorized to sign and execute the said contract for and on behalf of the Town of Beaufort and forward the same to the North Carolina Department of Environmental Quality.
- 3) That upon final execution, a copy of said contract be filed with the minutes. Upon motion of _____, said resolution was passed unanimously.

I, Elizabeth Lewis, Clerk of the Town of Beaufort, North Carolina do hereby certify that the foregoing is a true copy of so much of the proceedings of the Board of Commissioners at a meeting held on May 13, 2024 as related to the contract between the Town of Beaufort and the North Carolina Department of Environmental Quality, relative to the Beaufort Waterfront Parks Planning Project for the Town of Beaufort, North Carolina.

WITNESS my hand and the corporate seal of the said Town of Beaufort, North Carolina this the ___ day of May 2024.

Elizabeth Lewis, Town Clerk

Sharon E. Harker, Mayor

(SEAL)



Town of Beaufort, NC

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252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners
Regular Meeting
6:00 PM – Monday, May 13, 2024**

AGENDA CATEGORY: Items of Consent
SUBJECT: Fourth of July Parade

The Beaufort Business Association has submitted an event application requesting to host the annual Fourth of July Parade on Thursday, July 4 at 11 a.m. in downtown Beaufort. Parade line-up begins at 10 a.m. with parade entries lining Front Street starting at Front and Gordon Street.

The parade route begins at Front/Gordon Streets, travels Front Street to turn right on Turner Street and ends in the Carteret County Courthouse parking lot. The BBA registers all parade participants.

In 2018, the Town Board of Commissioners agreed to assist the BBA with the Fourth of July and Christmas parades by absorbing the cost of staffing and other town resources. The parade requires 7 additional police officers above on-duty staff and 7 additional town staff for a total of 14 Town employees working 3-4 hours at an overtime rate on a holiday. Public Works staff provides additional resources during the parade to include staffing, solid waste services, restroom supplies and cleaning and street cleaning after the parade. The Beaufort Fire Department also sends on-duty staff to assist with the parade.

Note: Parades present elevated levels of safety concerns. Public Safety reserves the right to bring in additional staffing and/or to cancel the parade if in the best interest of public safety.

REQUESTED ACTION: Consider approval.

SUBMITTED BY: Rachel Johnson, Events Coordinator

Date Application Received:

5.

Permit Number:



APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Events Coordinator, Town of Beaufort
 701 Front Street
 P.O. Box 390
 Beaufort, NC 28516
 Phone: (252) 728-2141 Email: r.johnson@beaufortnc.org

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: Beaufort 4th of July Parade

Location of Event Site: On front street, from Gordon to Turner, On Turner from Front to Broad

(If more than one site is being requested please be specific and list each one individually below)

Run by: Beaufort Business Association

Applicant (Organizer) Name: Nelson Owens Contact # 252-342-1427

Day of Event Contact #: 252-342-1427 Email: nelson.n.owens@gmail.com

Type of Event:

- Festival
- Parade
- 5K Race
- 10K Race

- Music Event
- Other _____

Actual Event Date(s): July 4th Time of Event: 11:00 a.m

Set-Up Date: July 4th Start Time: 10.00 A.M

Tear Down Date: July 4th End Time: 12 to 12:30 p.m

Estimated Attendance: 1,000 Admission Fees: Free

Event Description:

Parade line-up on Front street, East of Gordon Street. Parade starts at Gordon and proceeds west on west on Front Street,
turns at Turner and terminates at Broad

ORGANIZER/APPLICANT INFORMATION

Name of Organization: Beaufort Business Association

Primary Contact Person: Nelson Owens

Mailing Address: PO box 56, Beaufort NC 28516

Email: nelson.n.owens@gmail.com

Daytime Phone #: 252-342-1427 Cell Phone #: 252-342-1427

Alternate Contact Person: Susan Sanders Phone #: 252-241-4485

Is your group a non-profit organization? yes If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

- Yes
- No

(If you need help, please set up a meeting with the Town of Beaufort’s Events Coordinator)

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- East Parking Lot
- West Parking Lot
- Craven Street Parking
- Middle Lane
- John Newton Park
- Lynn Eury Park
- Grayden Paul Park
- Topsail Marine Park
- Other Please list: _____

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

OTHER EVENT DETAILS


Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

Will there be canon/re-enactment fire during your event? No If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES ___ NO Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

X  (Applicant's Signature)

ROAD CLOSURES

Does your event require a road closure? YES NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
Front Street	10:00 a.m	11:00 a.m	12 to 12:30 p.m	12 to 12:30 p.m
Turner Street		11:00 a.m	12 to 12:30 p.m	12 to 12:30 p.m

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

5.

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Bicycle Parking: Yes _____ No _____

Additional Handicap Parking: Yes _____ No _____ Location: _____

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

PARADE/WALK INFORMATION

Parade Assembly Area: Front Street East of Gordon Time: 10:00

Parade Dismissal Area: Turner and Broad Time: 12 to 12:30 p.m

Parade Start Time: 11:00 a.m

EMERGENCY MANAGEMENT

Route Map Attached: YES _____ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): Nelson Owens

Cell #: 252-342-1427 Other Contact: 252-241-4485

How will your event staff react to severe weather?

Cancel

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

Facebook

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

What training will you provide to your volunteers/staff/participants regarding emergencies?

Yes.

TENTS

Will you have tents at your event? _____ YES NO

Please list the tent sizes: _____

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact Tammy Turek at (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? _____ YES NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? _____ YES _____ NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? _____ Yes No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- Tent Permit
- Detailed Site Plan
- Detailed Route Map (Parade/5K/10K)
- Map of Road Closures
- ABC Permit
- Health Inspection Documentation
- Insurance
- Non-profit documentation
- Private property parking permission letter
- List of food vendors
- List of vendors
- Application Fee
- Application Signature

I/We the event organizer Nelson Owens, on behalf of BBA, the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature  Date 4/30/24

Internal Use Only

Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____
Authorized Signature: _____

Insurance Certificate: Yes ___ No ___

Permit Fee: Yes ___ No ___

BOC Approval Date: _____

Police Chief Approval: _____

Fire Chief Approval: _____



Town of Beaufort, NC

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**Board of Commissioners
Regular Meeting
6:00 PM- Monday, May 13, 2023
614 Broad Street, Beaufort NC**

AGENDA CATEGORY: Items of Consent
SUBJECT: Proposed Amendments to the Town of Beaufort Personnel Policy

REQUESTED ACTION:

Amend Article V – add Section 26 – Compensation During State of Emergency. – This section is being added to ensure reimbursement from FEMA for wages paid during state of emergency.

Revision – Name Clearing Policy. Amend Article IX – Section 8 – Name Clearing Hearing – language updated per recommendation of NCLM, in consultation with legal counsel.

SUBMITTED BY: Barbara Cooper, Human Resources Manager

BUDGET AMENDMENT REQUIRED: None

ARTICLE V. CONDITIONS OF EMLPOYMENT

(Proposed)

Section 26. Compensation During State of Emergency

For the period of time when regular town services are suspended to when regular work schedules resume, non-exempt employees will be paid at the overtime rate for their class and departments, and exempt employees will receive compensation equal to their hourly rate for hours worked beyond the regular work period schedules.

ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Section 8. Name Clearing Hearing

(Current)

Following the Town’s decision to dismiss or demote an employee for detrimental personal conduct, including but not limited to serious character defects such as dishonesty or immorality, the employee shall be afforded an opportunity for a name clearing hearing if he or she contends the reasons for the disciplinary action are stigmatizing and false. Employees who are demoted or dismissed solely for failure to perform job duties, incompetence/poor performance or absenteeism are not eligible to request a name clearing hearing. This policy applies to all employees, including regular, probationary, and part-time employees.

The employee must request the hearing within ten (10) business days of the disciplinary action. If requested by the employee, a time and date for the hearing will be established such that the hearing takes place prior to the release of any negative or stigmatizing information about the employee that could inhibit future employment. The employee may invite anyone (including the media) to the hearing. The Town Manager or his or her designee shall serve as the hearing officer.

At this name clearing hearing, the employee may present any response to information that the employee believes to be false and/or stigmatizing to the employee’s reputation with respect to the reasons for the dismissal or demotion. There is no requirement for the Town or the hearing officer to respond in any way to the verbal or written comments of the employee at or subsequent to the hearing.

Any written comments submitted by the demoted or dismissed employee will be placed in the employee’s personnel file, and a copy will be provided to anyone who requests the termination letter on that employee. In lieu of attending the hearing, the employee may submit written comments which will be placed in his or her personnel file. If the employee speaks at the hearing but does not provide written comments, the hearing officer shall take notes and place a copy of the notes in the employee’s personnel file. A copy of the written comments and/or notes described will be provided to anyone who requests the termination letter on that employee.

The name clearing hearing is not a substitute or second opportunity for a pre-dismissal conference at which the employee may contest the proposed disciplinary action. Information presented at the name clearing hearing will not be used by the Town to reconsider the disciplinary action.

Section 8. Name Clearing Hearing

(Proposed)

A name clearing hearing provides an opportunity for an employee who has been dismissed or demoted to publicly clear his or her name regarding potentially stigmatizing information related to the decision by the Town to discharge or demote the employee. Any employee, including a probationary employee, who is dismissed or demoted by the Town may request a name clearing hearing within ten days of the Town’s final decision, including the outcome of any grievance submitted by the employee. If a name clearing hearing is requested by the employee, the Town will endeavor to hold the hearing prior to the release of any negative or stigmatizing information about the employee that could inhibit future employment. The employee may invite anyone the employee wishes to invite (including the media) to the hearing.

At this name-clearing hearing, the employee may present any response to information that the employee believes to be false and/or stigmatizing to the employee's reputation with respect to his or her work performance or the reasons for the dismissal or demotion.

Any written comments submitted by the demoted or dismissed employee will be placed in the employee’s personnel file, and a copy will be available upon request to anyone who requests the termination letter on that employee. In lieu of actually attending the hearing, the employee may submit written comments and they will be placed in the file just as if the employee had presented them at the scheduled hearing.

There is no requirement for the Town or the hearing officer to respond in any way to the comments of the demoted or dismissed employee at the hearing. The name clearing hearing is not a substitute for, or a second opportunity for, a pre-termination hearing at which the employee may contest the proposed disciplinary action. Information presented at the name clearing hearing will not be used by the Town to reconsider the disciplinary action.



Town of Beaufort, NC

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**Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, May 13, 2024 – 614 Broad Street- Train Depot**

AGENDA CATEGORY: Quasi-Judicial Proceeding
SUBJECT: Case 24-09 - Special Use Permit (SUP) for “The Periwinkle”

BRIEF SUMMARY:

The applicant requests a Special Use Permit (SUP) for “The Periwinkle”, a bar with indoor and outdoor operation at 406 Live Oak St in the Cedar Street Mixed Use (CSMU) zoning district.

REQUESTED ACTION:

Conduct Quasi-Judicial Hearing
Decision based on Required Findings
Decision on Special Use Permit

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



STAFF REPORT



To: Board of Commissioners
From: Michelle Eitner, Town Planner
Date: May 13, 2024
Case No. 24-09 Special Use Permit – The Periwinkle 406 Live Oak

THE REQUEST: Special Use Permit (SUP) for “The Periwinkle”, a bar with indoor and outdoor operation at 406 Live Oak St in the Cedar Street Mixed Use (CSMU) zoning district.

INFORMATION:

Location: 406 Live Oak Street
Property Owner: Sound Shore Construction Inc
Business Name: The Periwinkle
Business Owners: Kris and Beckie Davis
Requested Action: Special Use Permit to operate “The Periwinkle”, an indoor/outdoor bar
Existing Zoning: Cedar Street Mixed Use (CSMU)
LUP Future Land Use Map: Village Commercial
Size: 10,560 square feet
Existing Land Use: The Periwinkle (SUP requested to cover current/proposed use)
Adjoining Uses/Zoning: North: No Name Pizza (B-1), Seaside Family Practice (B-1)
West: Beaufort Café (CSMU), Teel’s Gas (CSMU)
East: Single-family residential (CSMU), Duke Energy Progress station (B-1)
South: Body Shoppe Physical Therapy (CSMU), Watering Hole (CSMU)

- OPTIONS:**
1. Approval of Special Use Permit as presented
 2. Approval of Special Use Permit with conditions
 3. Denial of Special Use Permit due to specific failures to meet required findings

- ATTACHMENTS:**
- Attachment B – Vicinity Map
 - Attachment C – Zoning Map
 - Attachment D – Application Package
 - Attachment E – CAMA Land Use Plan Future Land Use Map and Classification Type
 - Attachment F – CAMA Land Use Plan Goal 7 Town Character Action Item 7.1.2.2 (as referenced in application package and staff report)
 - Attachment G – Entry Master Plan Section 2 Beautification and Gateways (p.15)
 - Attachment H – Small Area Plan Section 7.7 How We Know We Have Succeeded (p.141)
 - Attachment I – Notification Certification
 - Attachment J - Section 20.E. SUP Required Findings

STAFF COMMENTS:

Kris and Beckie Davis own “The Periwinkle”, a business at the northeast corner of Live Oak Street and Cedar Street. The Periwinkle has been in operation for over a year as a retail store (“quick stop bottle shop & social space”, off-site alcohol license) as the primary use, with accessory use as a bar (on-site alcohol license). The new business inspection form read, “New business: The Periwinkle; bottle shop selling retail beer & wine and selection of non-alcoholic beverages”. Recent discussion between staff and the business owners has determined that the primary use of the business is now a bar with indoor and outdoor operation, with accessory retail use. The remedy moving forward is for the owners to seek a Special Use Permit to allow this primary use to continue.

The Periwinkle provides a good example of a transitional property in a mixed-use district between a business district (north), commercial uses in a mixed-use district (west and south), and residential uses in a mixed-use district (east). The relatively low intensity commercial use (small structure, reduced hours of operation, low lighting levels, and weather-dependent outdoor space) can provide a buffer between use types, especially when controlled by a Special Use Permit. The applicant has discussed several aspects in their application and with staff that could become conditions:

- Hours of operation
- Installation of fencing to replace post-and-rope on west and south property lines (to match existing fencing and be installed within 6 months of SUP approval)
- Installation of a power source for food trucks to eliminate the additional noise that comes from their generators/motors (to be installed within 6 months of SUP approval)
- Maintain shade screens for outdoor space

The Beaufort Comprehensive and CAMA Land Use Plan identifies this property as Village Commercial. The typical uses of this future land use classification list: “Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka “live/work”) are also appropriate” (p 186, Attachment E). Staff asserts that this proposed use fits with the typical uses for the Village Commercial future land use classification, as well as follows LUP Goal 7 Town Character, Objective 7.1, Action 7.1.2.2, “Support policies that allow the Cedar Street area to evolve into an arts district” (p160, Attachment F).

The Entry Master Plan (2012) and Small Area Plan (2018) identify multimodal improvements, bicycle and pedestrian connectivity, and street beautification along Cedar Street and Live Oak Street. Implementation of this plan includes permeable paving along Cedar Street, concrete railings on the Turner Street Bridge, and several NCDOT-funded transportation projects. These plans identify improvements at the Cedar Street/Live Oak Street intersection to include pedestrian safety and beautification. Additionally, the Small Area Plan identifies that success of the plan is marked by several goals, one of which being “Entrepreneurs will have opened 10 more businesses on Cedar and Live Oak.” This new business is an indicator of success of past planning efforts, and future roadway improvements will continue to enhance this area.

The Technical Review Committee discussed this SUP during their meeting on April 1, 2024 and no comments or concerns were raised by the committee. Specifically, Captain Joel Marino and Fire Marshal Robert Smith confirmed that neither police nor fire had responded to any calls to or complaints about The Periwinkle since their opening.

The Planning Board discussed this case during their meeting on April 15, 2024 and unanimously recommended approval of the proposed special use permit with the following conditions to be completed within six months of the special use permit approval:

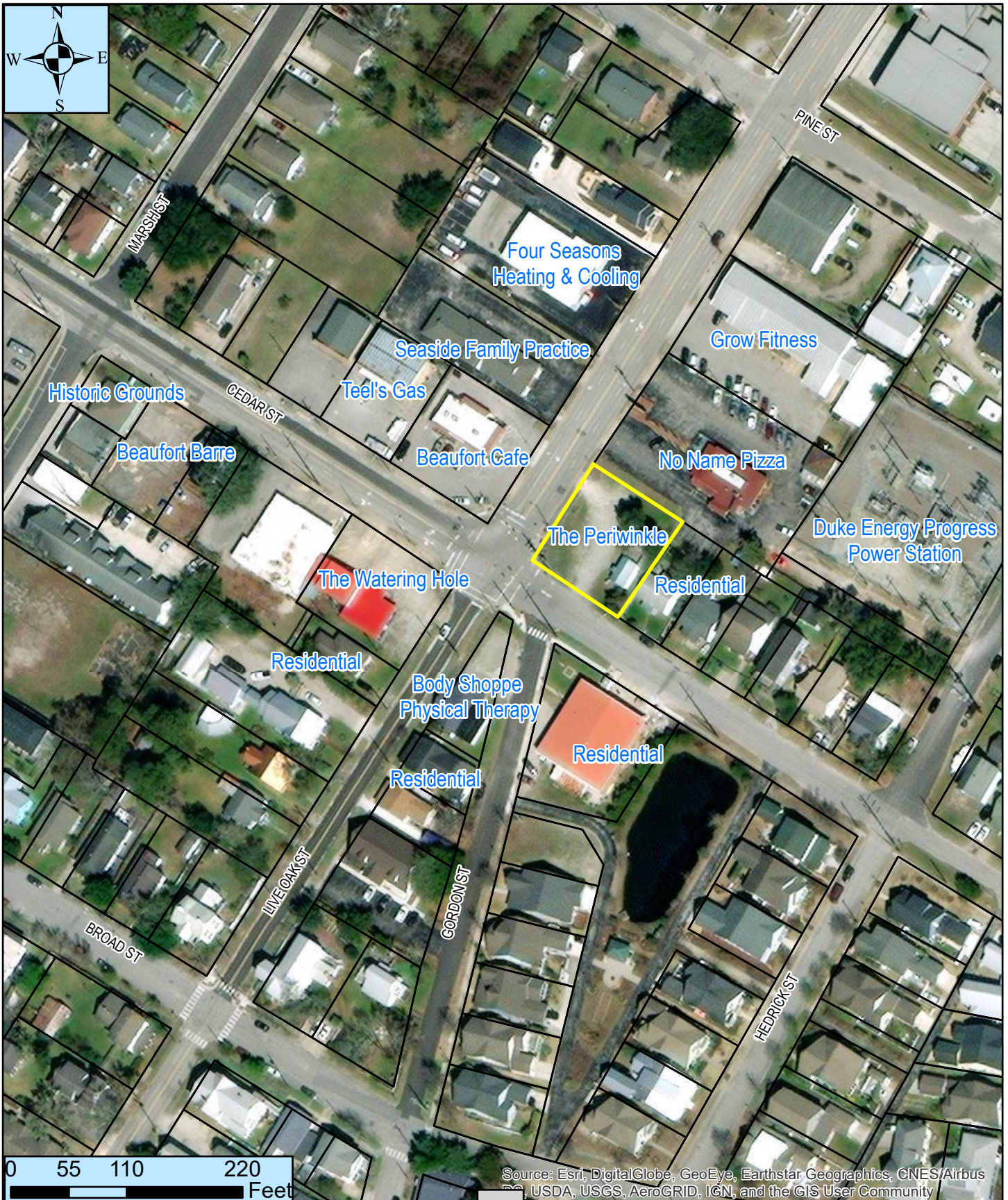
- Install, stake, and maintain trees in accordance with LDO requirements on Cedar and Live Oak frontages
- Install fencing to replace post-and-rope on west and south property lines to match existing fencing
- Install sidewalk along Cedar Street in accordance with Town of Beaufort design standards

- Restrict outdoor amplified music hours to the hours of 12:00pm to 8:00pm
- Install a power source for food trucks to eliminate additional noise from generators

Following the Planning Board’s recommendation, Planning Staff discussed design requirements for sidewalk as proposed along Cedar Street. The Town Engineer said that sidewalk on that side of the road is not advisable due to the difficulty of connection at the main intersection and that the sidewalk wouldn’t connect to anything as it would terminate at residential properties. He also pointed out that the Town’s sidewalk network is already present at the south side of the road to provide connection.

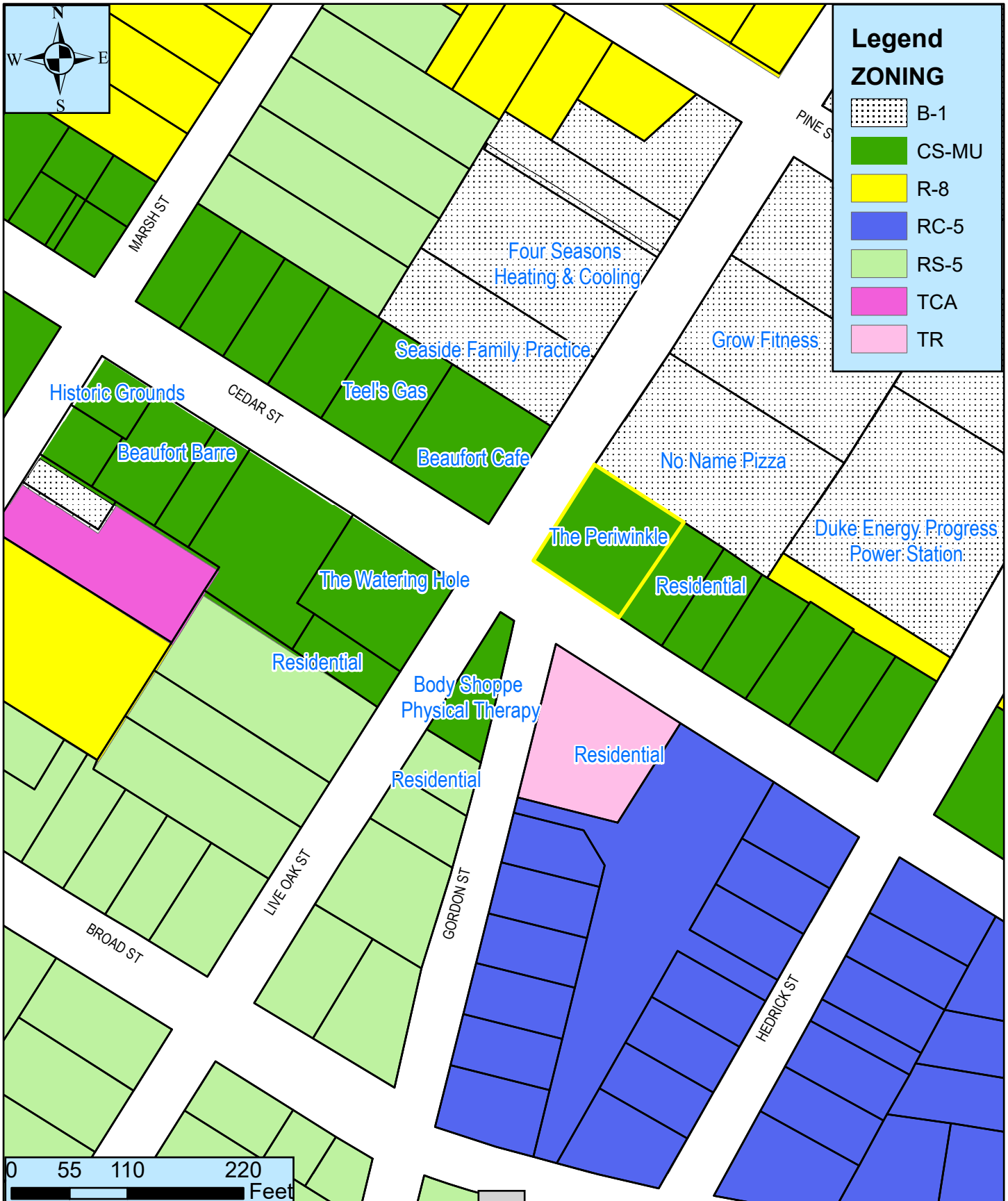
Staff also discussed proposed change in use to determine what changes may be necessary. The building inspectors identified that the change in use from mercantile to a bar will require the addition of bathroom facilities to meet new occupancy requirements. No additional parking facilities are required in accordance with CSMU-specific standards – LDO Section 8.D.6.i.iii requires 1 parking space for this property based on gross floor area.

Case # 24-09 - Special Use Permit for The Periwinkle Vicinity Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
PS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Case # 24-09 - Special Use Permit for The Periwinkle Zoning Map





APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

Please complete the form below including all required attachments, a **\$400.00 application fee**, and return to the Beaufort Town Hall; 701 Front Street; P.O. Box 390; Beaufort, N.C.; 28516. Incomplete applications will not be processed but will be returned to the applicant. Please call Planning and Inspections at (252) 728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: the periwinkle

Applicant Address: 406 Live Oak St

Phone Number: (252) 229-3553 Email: theperiwinklenc@gmail.com

Property Owner Name: kris and bekie davis

Address of Property Owner: 109 willow st beaufort nc 28516

Phone Number: (252) 229-3553 Email: theperiwinklenc@gmail.com

PROPERTY INFORMATION

Property Address: 406 Live Oak St Beaufort NC 28516

15-Digit PIN: 730618400335000 Lot/Block #: (1640-198

Size of Property (in square feet or acres): 10,560sf Current Zoning: CSMU

Current Use of Property: bottle shop Requested Use: outdoor special use

An application fee of **\$400.00**, either in cash, money order, or check made payable to the "Town of Beaufort" must accompany this application (a credit card payment can be made in person at Town Hall). The complete application, payment, and supporting materials must be received by Town Staff at least 15 working days prior to a regularly scheduled Planning Board meeting date.

Please refer to the Town's **Land Development Ordinance**, Sections 20 & 27, and all other pertinent sections of the Ordinance for information required to accompany this application. Any plans or documents submitted should be submitted in an electronic or digital format and one printed color copy of such documents submitted with the application.

The town's website address is www.beaufortnc.org.

Applicant Signature [Signature]

3/22/2024
Date of Applicant's Signature

Property Owner Signature (if different than above) [Signature]

3/25/24
Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

Date: _____

Reviewed for Completeness By: _____

Received by: _____

Date Deemed Complete and Accepted: _____



The Periwinkle: Quick Stop Bottle Shop and Social Space
406 Live Oak St. Beaufort NC 28516
Est. 2022

Our Mission Statement:

The Periwinkle : Quick Stop Bottle Shop and Social Space located in Beaufort NC is creating a place where locals and tourists alike can unwind with family and friends or make new ones in a safe, artistic and mellow atmosphere. Hosting special events throughout the year while showcasing excellent craft, domestic and import beer, wine, ciders, seltzer, hard kombuchas and non alcoholic beverages such as mocktails, draft kombuchas and adaptogen infused drinks. Build out a 6 pack or fill a growler to go and take with you as you set out on a super fun adventure on the Crystal Coast.

A Brief Introduction:

The Periwinkle was created with the purpose of bettering the community and serving those who wish to enjoy a more laid-back frame of mind. Our social space was designed to not only accommodate couples with children but welcome them. We provide the community with a relaxing space to get creative(markets & event weekends), let off some steam(run nights & yoga), or have family fun(markets or any of our delightful events)

The Periwinkle is nestled beside No Name Pizza and across the street from The Beaufort Cafe and Historic Grounds Coffee Shop; this setting, while close to a

residential neighborhood, offers an easygoing transition to the businesses on Live Oak St. with very limited hours and a mellow vibe.

The Periwinkle building design and exterior characteristics already lend well to the intention of the future land use to develop into an arts district. Our Building exterior is well-kept and creative, with charming murals on select walls and the patio.

We strive to create a small, welcoming social space where our neighbors and friends can spend a peaceful afternoon soaking up much-needed sunshine and human interaction after a long day's work.

Our attractive lawn space offers sunshine, a quaint jungle gym for kids, and cornhole boards, and when our patrons get too hot, they can take shelter under our historic live oak tree or behind our fun sun sails.

These sails offer an excellent buffer for our patrons who come to enjoy the sunset after a hard workout at Grow Fitness Gym or Beaufort Barre and Fitness (located just next door) while avoiding traffic sounds. They also protect our guests on free yoga nights, where men and women alike can come to practice under our lovely live oak tree with a glass of prosecco or N/A kombucha.

Our fence, which borders the property, is tasteful and offers added privacy as well as noise cancellation to both us and our neighbors.

The Periwinkle Quick Stop Bottle Shop and Social Space is a community space providing an outlet for families, locals, tourists, and individuals to participate in and attend day and night markets, kid-led events, athletic events, tournaments, scholastic events, crafters events, youth-centric outreach, and more while partnering with many local artists, clubs, schools, and nonprofits for fundraising. Our space holds an ABC permit for onsite alcohol consumption and off-premise for patrons to stop in for alcoholic beverages to take home or on an adventure to consume safely. We highlight our Kombucha sales, which we have successfully sold at the Olde Beaufort Farmer's Market for the past three years, and we still provide growler fills onsite. Our top-selling items are our specialty nonalcoholic beverages; we have exclusive contracts for canned mocktails, adaptogens-infused seltzer waters, and more. We host a weekly run club on Wednesdays that a small group of locals has persistently attended, and we host a free community yoga class each Thursday. We host a night market monthly from 4-7 pm, where artisans and farmers come to sell their goods. We host an interim Saturday farmers market to provide a space for these artists, movers, makers, and shakers to sell their goods while the OBFM is hibernating. We maintain a little free library and give out free books to kiddos. We host a kids' market where young entrepreneurs sell their handmade goods and treasures, teaching and learning the creative process and how to believe in themselves. We have created meaningful and essential relationships with big revenue businesses and brought financial traffic into the Town of Beaufort by creating destination events with celebrities like Vivian Howard and Cousins Maine Lobster. We

develop and participate in several fun events and opportunities to raise money for local nonprofits.

The Periwinkle wishes to continue to pursue these objectives in 2024 and beyond by partnering with the Town of Beaufort Parks and Recreation for Art in the Park 2024, and we will work with Carteret County Parks and Rec for events at Freedom Park with the Disc Golf Course. Our events have intentionally created an easygoing, safe, and fun place for people to congregate that we are proud of.

E) Required Findings.

1) In addition to any other findings or requirements as specified by any other section of this ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:

Section 20.E.1. The ordinance does refer to us in a limited way as a Bar, the definitions of the LDO identify the subject use as a tavern/bar/pub with indoor and outdoor operation. We describe the use as a bottle shop with social space, but with on-site beer & wine permits, throughout the following document. We have never been referred to really as a bar as we feel it is important to steer away from that term in defining what we are. The sale of beer and wine is the least interesting thing about what we do at the periwinkle and a fun fact is that Non Alcoholic beverages are the highest selling category for us.

a) The proposed use is an allowable special use in the zoning district it is being located within;

b) The application is complete;

c) Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;

To speak to GOAL 7: Town Charter / Policy 7.1.2 .2 support policies that allow the Cedar Street area to evolve into an arts district. The Periwinkle is centered in and meets the intentions for Future Land Use, especially in character-defining buildings. Since its inception in 2022, 406 Live Oak St has given great attention to restoration in both clean curb appeal and artistic approach. Our purpose has been to approach every project, event, occasion, or market with the same thoughtfulness and intent, providing the community with the ability to attend or participate in numerous creative opportunities for the betterment of the community.

We have showered our space with love and thought, to our beautiful tree with twinkle lights in the evening, simple sun sails for shade and protection, murals on the exterior walls, and our art deco patio. We have been very deliberate with our choices, from designing our fence to creating a tranquil outside space for our patrons to enjoy a

secure, quintessential space. Our interior is a collection of art. Our walls are illustrations, and our floor is an artist's installation. We even have an art vending machine inside our building to support local artists. The space we have been creating for over a year is driven by inspiration and appreciation for the arts and how important that is in a community. We stepped into this area feeling exactly the same way this policy is written.

With a clear need for an arts district in our sweet Town of Beaufort, we can be the start of the greater push to continue building an area that all would want to be a part of. When we began to construct the Periwinkle, we had that exact hope/dream in mind. From the beginning, our mindset was mission-driven for a community-built artistic hub. The long list of community events we have successfully hosted for over a year is tangible proof of concept in the work the Town of Beaufort has done with meaning for the area. We have hosted artisans markets, crafters events, kid-led markets, nonprofit fundraisers, collaborative efforts with Carteret County Parks and Recreation such as organizing Disc Golf Tournaments at Freedom Park, collaborative efforts with the Town of Beaufort and the parks department like Art in the Park and future bicycle and helmet events, culinary events, community dinners, book signings; we've hosted celebrity chefs, and National Award-winning food trucks, spelling bees, and hobbyist tournaments, sporting events as well as weekly free runs and free yoga.

d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;

The parking lot at 406 Live Oak St has two means of entry/exit and holds between 10 and 15 cars, with abundant space for golf carts and bicycles. We also encourage more foot traffic development from our customers who live in our neighborhood. With a stop light right next to our location, we are blessed with ease of entry and exit and a safe crosswalk for our patrons coming to us on foot or by bike.

We maintain a kindred and symbiotic parking relationship with most business neighbors, such as offering Beaufort Cafe overflow and reciprocated parking at their lot during non-operational hours.

We also continually and incessantly endeavor to present and educate our patrons about all public parking options provided on Cedar St, Marsh St, Hendrick St, and at our great parks and tennis courts. The Periwinkle has created no-residential street parking signage and uses traffic cones to deter wayward drivers from our neighbors' parking areas.

We have also modified our parking lot to specifically host food trucks, avoiding taking up customer parking spots while enhancing curb appeal and attractiveness for food truck owners.

e) The proposed special use will not substantially injure the value of adjoining or abutting properties;

The Periwinkle is lucky to be ensconced next to popular businesses, such as No Name Pizza, Grow Fitness, and Historic Grounds Coffee Shop, that encourage a mutually beneficial relationship. We bring patronage to these establishments and vice versa by hosting events, morning and night markets, yoga, and welcoming outside food. While our commercial location only adds value to our neighboring businesses. The Periwinkle also functions as a quiet bottle shop and social space for our neighbors to come and enjoy a peaceful afternoon or evening without having to get in their car or go downtown. Our clean property and early closing hours invite our neighbors to enjoy the outdoors but still be home in time to make dinner with their families. Our artist-led events and community attention only bring value to our adjoining and abutting properties. The Periwinkle Quick Stop Bottle Shop and Social Space has always maintained rigorous hours of operation in its more than one year of conception.

Our weekdays are relaxed and quiet unless we host an event, in which case we can see upward of 100 people, depending on the event. However, our hours are always reasonable. Our events are almost always over at 6-7 p.m. We rarely have live music, but when we do, it's mellow, acoustic, and never goes past 7 pm. On Saturdays (for we are closed on Sundays), if we host an event, we are always able to shut it down and pack it away by 8-8:30 p.m. at the latest.

Now, moving forward, we are inclined to make a written commitment to our neighbors to uphold our hours of operation to maintain integrity and create a peaceful cohabitation.

f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,

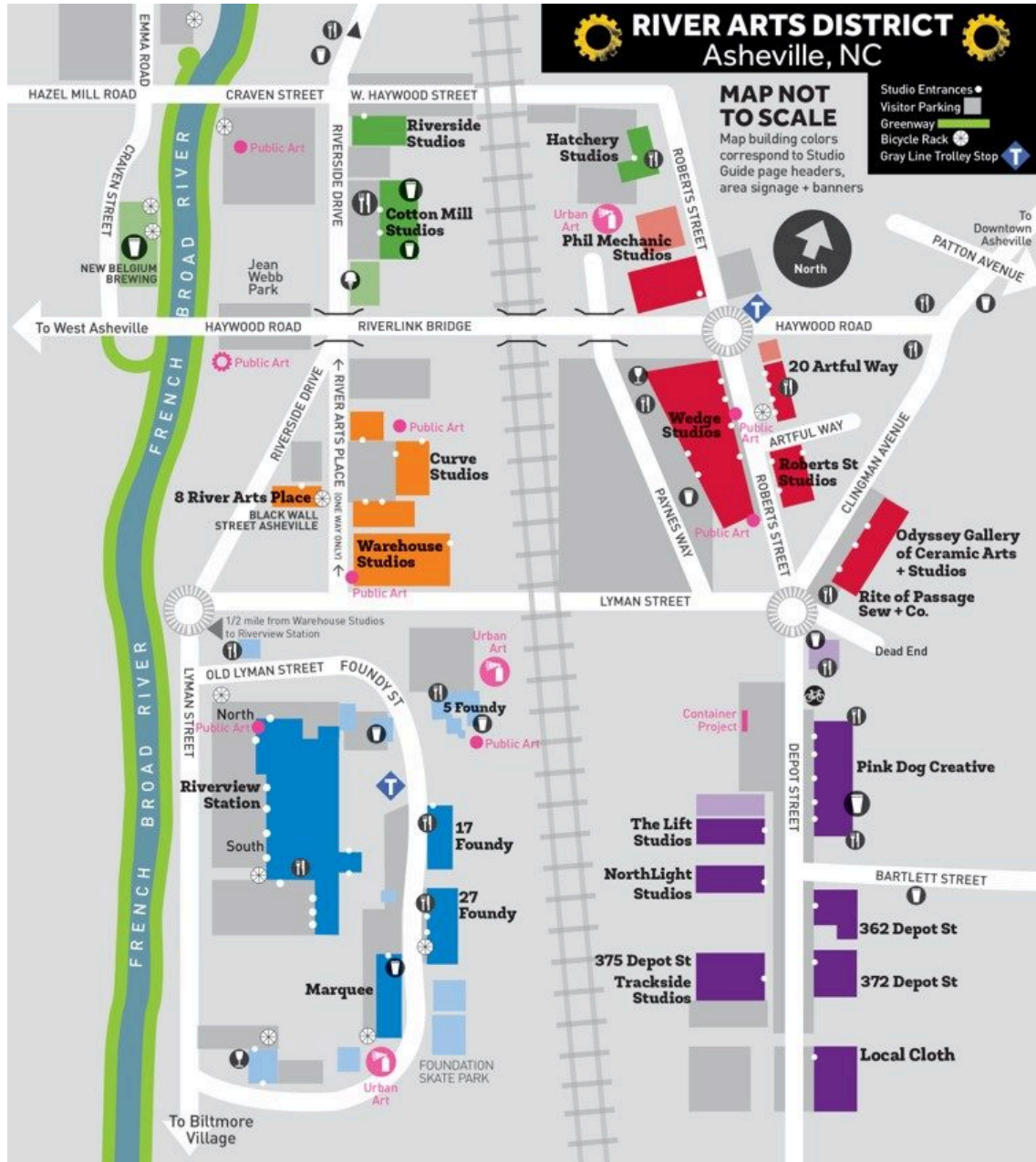
Through operating for over a year now, we have learned a great deal about our local customers, the town of Beaufort, NC, and areas of needs, wants, and vibrance. After becoming familiar with the intention for this area of Beaufort it was clear that we fill that space with exactly the ideas about what it means to be shifting towards an arts centric district as we see exemplified by many great cities across the state of North Carolina. See exhibit.

g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

The Periwinkle Bottle Shop and Social Space has created a safe and meaningful space for the community. The Periwinkle Bottle Shop and Social Space has prided itself on never hosting a medical emergency, a fight, a car wreck, a drunk or disorderly incident, or an allergic reaction in more than a year of operation. It's not who we are and not what we attract. The Periwinkle has created a safe and meaningful space for the community, and we plan to keep these beliefs and choices going forward.

EXHIBIT: arts districts as shown in other towns and cities in North Carolina.

- [Asheville NC: RAD : River Arts District](#)












Wilmington NC: Cargo District and Brooklyn Arts District



Charlotte NC : NODA : North Davidson Arts District

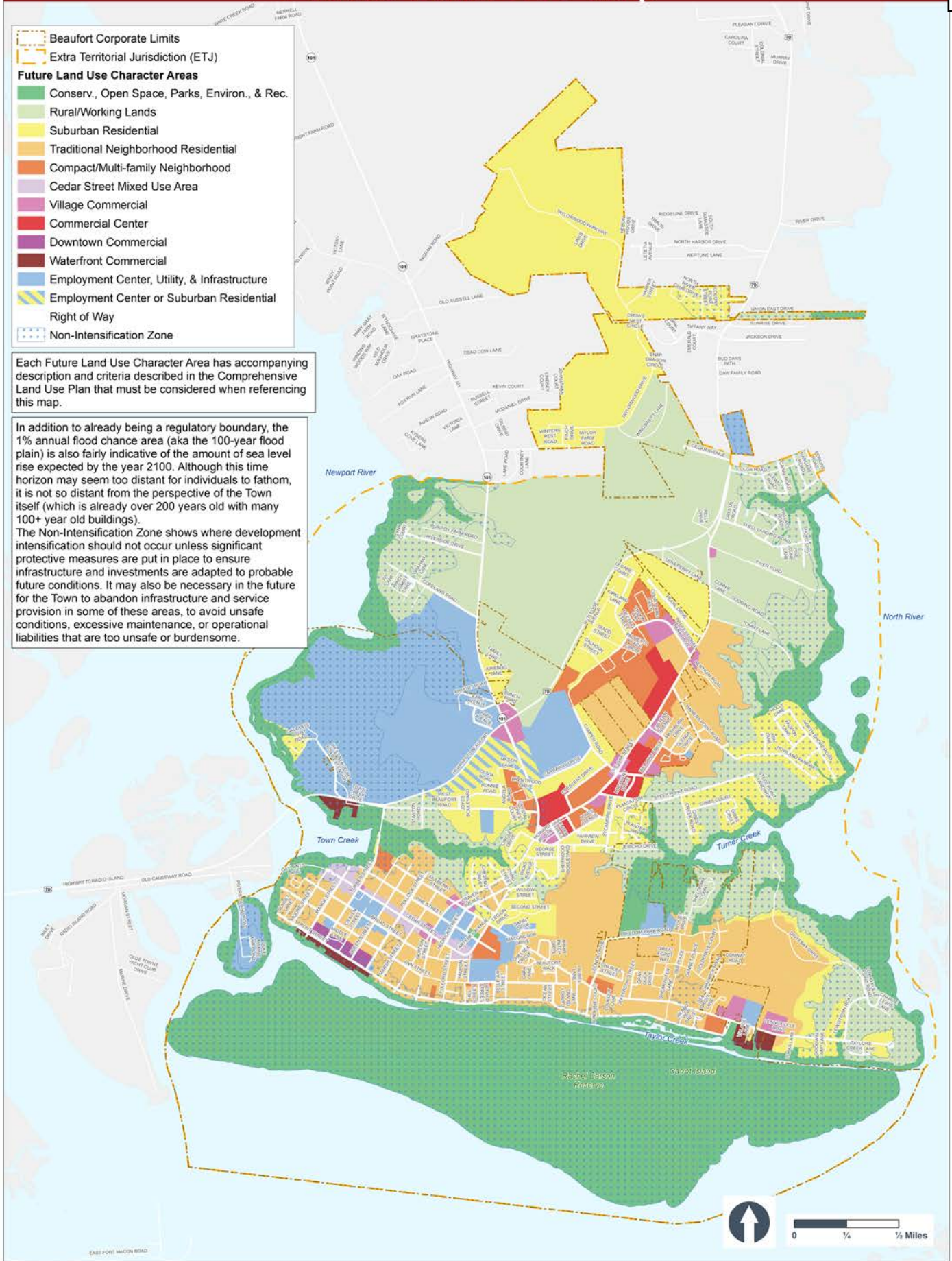


Future Land Use Map

-  Beaufort Corporate Limits
-  Extra Territorial Jurisdiction (ETJ)
- Future Land Use Character Areas**
-  Conserv., Open Space, Parks, Environ., & Rec.
-  Rural/Working Lands
-  Suburban Residential
-  Traditional Neighborhood Residential
-  Compact/Multi-family Neighborhood
-  Cedar Street Mixed Use Area
-  Village Commercial
-  Commercial Center
-  Downtown Commercial
-  Waterfront Commercial
-  Employment Center, Utility, & Infrastructure
-  Employment Center or Suburban Residential
-  Right of Way
-  Non-Intensification Zone

Each Future Land Use Character Area has accompanying description and criteria described in the Comprehensive Land Use Plan that must be considered when referencing this map.

In addition to already being a regulatory boundary, the 1% annual flood chance area (aka the 100-year flood plain) is also fairly indicative of the amount of sea level rise expected by the year 2100. Although this time horizon may seem too distant for individuals to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with many 100+ year old buildings).
 The Non-Intensification Zone shows where development intensification should not occur unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. It may also be necessary in the future for the Town to abandon infrastructure and service provision in some of these areas, to avoid unsafe conditions, excessive maintenance, or operational liabilities that are too unsafe or burdensome.



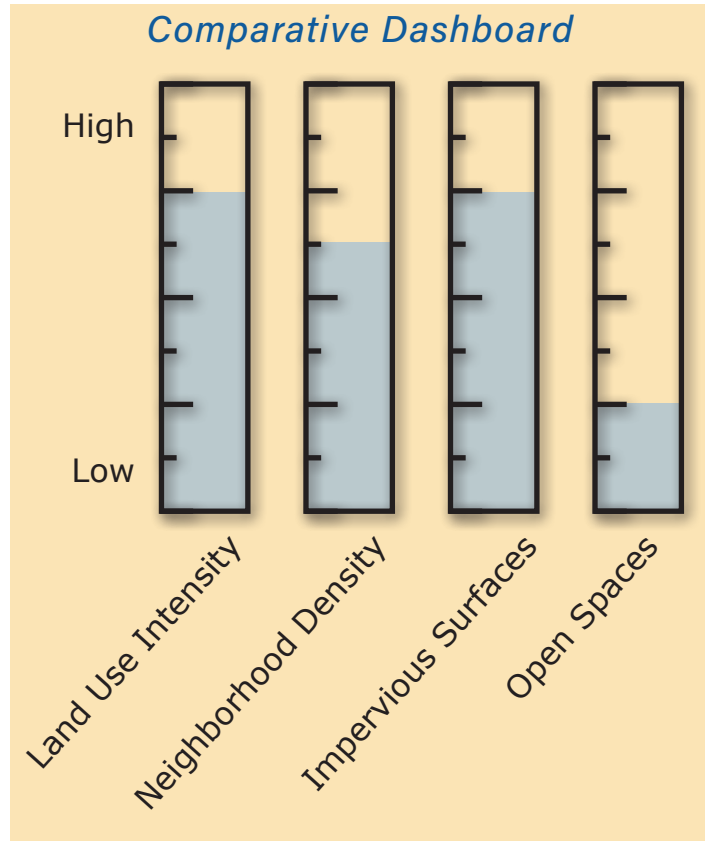
Village Commercial

General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



GOAL 7: Town Character

Protect our unique character by enhancing and maintaining our natural resources, recreational opportunities, historic downtown, and cultural resources.

Introduction

Beaufort realizes that its unique character is a fundamental part of its DNA, and contributes to its dynamic community feel for year-round residents as well as being a draw for tourists. The Town’s character is an intangible entity, but residents know that the existing neighborhoods, architectural character, downtown, and access to natural resources are important building blocks of this character. By studying, defining, and pledging to maintain aspects of the existing character, Beaufort will protect its character into the future.

Objective 7.1: Preserve the character of Beaufort’s built environment.

Policy 7.1.1: Update town ordinances to include design standards that help ensure new development fits its context.

Policy 7.1.2: Identify and inventory character-defining building stock in existing character areas such as the Live Oak Street and Cedar Street corridors.

- Action 7.1.2.1:** Create a list of contributing building features that the town can incorporate into ordinances.
- Examples include setbacks, parking location, materials, transparency, roofline, and massing standards from building design inventory.
 - Incorporate guidance from the Future Land Use Character Areas.

Action 7.1.2.2: Support policies that allow the Cedar Street area to evolve into an arts district.

Objective 7.2: Continue to support downtown as a cultural, economic, and community asset.

Policy 7.2.1: Continue to offer public events and activities downtown and expand offerings to make events more inclusive and accessible.

Policy 7.2.2: Enhance connections between natural and recreational assets and downtown Beaufort for non- motorized users.

Action 7.2.2.1: Identify areas where cycle and pedestrian access between these points is lacking or unsafe and implement upgrades.

Policy 7.2.3: Expand public art opportunities downtown.

Objective 7.3: Preserve Historic Beaufort.

Policy 7.3.1: Continue local-level protections of historic assets and districts.

2

Section 2

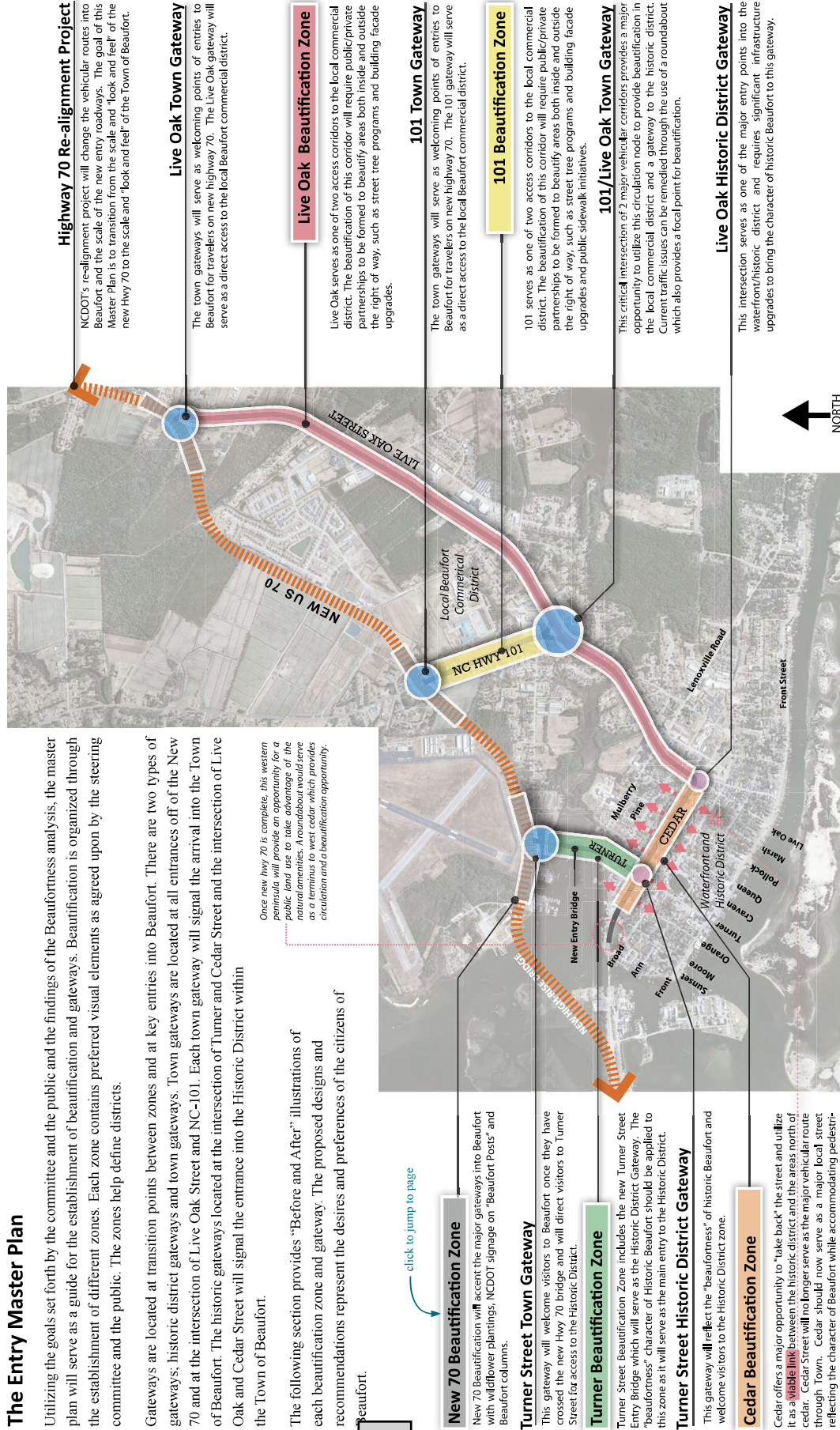
BEAUTIFICATION AND GATEWAYS

The Entry Master Plan

Utilizing the goals set forth by the committee and the public and the findings of the Beautyformness analysis, the master plan will serve as a guide for the establishment of beautification and gateways. Beautification is organized through the establishment of different zones. Each zone contains preferred visual elements as agreed upon by the steering committee and the public. The zones help define districts.

Gateways are located at transition points between zones and at key entries into Beaufort. There are two types of gateways; historic district gateways and town gateways. Town gateways are located at all entrances off of the New 70 and at the intersection of Live Oak Street and NC-101. Each town gateway will signal the arrival into the Town of Beaufort. The historic gateways located at the intersection of Turner and Cedar Street and the intersection of Live Oak and Cedar Street will signal the entrance into the Historic District within the Town of Beaufort.

The following section provides "Before and After" illustrations of each beautification zone and gateway. The proposed designs and recommendations represent the desires and preferences of the citizens of Beaufort.



New 70 Beautification Zone
New 70 Beautification will accent the major gateways into Beaufort with wildflower plantings, NCDOT signage on "Beaufort Posts" and Beaufort columns.

Turner Street Town Gateway
This gateway will welcome visitors to Beaufort once they have crossed the new Hwy 70 bridge and will direct visitors to Turner Street for access to the Historic District.

Turner Beautification Zone
Turner Street Beautification Zone includes the new Turner Street Entry Bridge which will serve as the Historic District Gateway. The "Beautyformness" character of Historic Beaufort should be applied to this zone as it will serve as the main entry to the Historic District.

Turner Street Historic District Gateway
This gateway will reflect the "Beautyformness" of historic Beaufort and welcome visitors to the Historic District zone.

Cedar Beautification Zone
Cedar offers a major opportunity to "take back" the street and utilize it as a **viable link** between the historic district and the areas north of cedar. Cedar Street will no longer serve as the major vehicular route through Town. Cedar should now serve as a major local street reflecting the character of Beaufort while accommodating pedestrians, bicyclists, parking and automobiles.

Highway 70 Re-alignment Project
NCDOT's re-alignment project will change the vehicular routes into Beaufort and the scale of the new entry roadways. The goal of this Master Plan is to transition from the scale and "look and feel" of the new Hwy 70 to the scale and "look and feel" of the Town of Beaufort.

Live Oak Town Gateway
The town gateways will serve as welcoming points of entries to Beaufort for travelers on new highway 70. The Live Oak gateway will serve as a direct access to the local Beaufort commercial district.

Live Oak Beautification Zone
Live Oak serves as one of two access corridors to the local commercial district. The beautification of this corridor will require public/private partnerships to be formed to beautify areas both inside and outside the right of way, such as street tree programs and building facade upgrades.

101 Town Gateway
The town gateways will serve as welcoming points of entries to Beaufort for travelers on new highway 70. The 101 gateway will serve as a direct access to the local Beaufort commercial district.

101 Beautification Zone
101 serves as one of two access corridors to the local commercial district. The beautification of this corridor will require public/private partnerships to be formed to beautify areas both inside and outside the right of way, such as street tree programs and building facade upgrades and public sidewalk initiatives.

101/Live Oak Town Gateway
This critical intersection of 2 major vehicular corridors provides a major opportunity to utilize this circulation node to provide beautification in the local commercial district and a gateway to the historic district. Current traffic issues can be remedied through the use of a roundabout which also provides a focal point for beautification.

Live Oak Historic District Gateway
This intersection serves as one of the major entry points into the waterfront/historic district and requires significant infrastructure upgrades to bring the character of historic Beaufort to this gateway.



Entrepreneurs will have opened 10 more business on Cedar and Live Oak.

The public investment into both Cedar and Live Oak will yield a shift in small business success on what will be walkable, bikable corridors. New local businesses enhance the authenticity and success story of Beaufort.



People of all ages, ethnicities and economic levels will be living in the Mulberry Street neighborhood.

The area will flourish with diversity and yield the benefits of our multi-cultural heritage. Generational interdependence will be a trademark of the neighborhood.



People will CHOOSE to walk or bike instead of getting in their car.

Life is full of choices, and the transformation of these corridors will expand the ability for people to choose to live active lifestyles. Healthy citizens are a key ingredient to vibrant, successful communities.



Partnerships and old fashioned hard work will have made it happen.

Beaufort's success will be built on the community's shoulders, and everyone will feel a sense of pride and ownership. Collaboration, dedication, and the relentless pursuit of building community will be hallmarks of the next chapter.



Other NC coastal communities will be visiting Beaufort to learn about stormwater BMPs.

Beaufort's urban development will be a shining example of innovative stormwater practices.



We've added 200 more housing units to the area.

Millennials and empty nesters alike want to live in the walkable core. Two hundred units, with varying styles and price points, will indicate that the town is actively receiving developer interest and that builders are responding to the market demand.



Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

Notification Certification
Case #24-09 Periwinkle 406 Live Oak Street Adjacent Neighbors
Special Use Permit Evidentiary Public Hearing
May 13, 2024 Board of Commissioners meeting

ZACHOS MAN LLC 3511 COUNTRY CLUB ROAD MOREHEAD CITY, NC 28557	JONES LOGAN LOUIS ETAL RAWSON 900 CEDAR ST BEAUFORT, NC 28516-2012
BTRG INC 411 BLAIR POINT RD MOREHEAD CITY, NC 28557-4734	STEPHENSON THOMAS P ETUX 188 WINDY POINT RD BEAUFORT, NC 28516
SOUND SHORE CONSTRUCTION INC 1913 FRONT STREET BEAUFORT, NC 28516-9311	KRIS AND BECKIE DAVIS 109 WILLOW STREET BEAUFORT, NC 28516

I, *Michelle Eitner*, Town Planner for the Town of Beaufort NC, do hereby certify the above property owners, applicants, and adjacent property owners were each mailed a letter and vicinity map on April 26, 2024 regarding the above noted public hearing. A sign was posted on the subject property on April 26, 2024 regarding the same. An evidentiary public hearing advertisement was sent to the Carteret News-Times for circulation on May 1st and 8th. The quasi-judicial evidentiary public hearing will be conducted at the May 13, 2024 Board of Commissioners meeting at the Train Depot, 614 Broad Street, Beaufort, NC, at 6:00 p.m.



Signed

April 26, 2024

Date

Section 20 Special Use Permits

E) **Required Findings.**

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, May 13, 2024 – 614 Broad Street- Train Depot**

AGENDA CATEGORY: Quasi-Judicial Proceeding
SUBJECT: Case 24-11 - Special Use Permit (SUP) for “The Watering Hole”

BRIEF SUMMARY:

The applicant requests a Special Use Permit (SUP) for “The Watering Hole”, a bar with indoor and outdoor operation at 816 Cedar St in the Cedar Street Mixed Use (CSMU) zoning district.

REQUESTED ACTION:

Conduct Quasi-Judicial Hearing
Decision based on Required Findings
Decision on Special Use Permit

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



STAFF REPORT



To: Board of Commissioners
From: Michelle Eitner, Town Planner
Date: May 13, 2024
Case No. 24-11 Special Use Permit – The Watering Hole 816 Cedar St.

THE REQUEST: Special Use Permit (SUP) for “The Watering Hole”, a bar with indoor and outdoor operation at 816 Cedar St in the Cedar Street Mixed Use (CSMU) zoning district.

INFORMATION:

Location: 816 Cedar Street
Property Owner: TPBT LLC (Terry Lee Mikels)
Business Name: The Watering Hole
Business Owners: Leslie Allred and Bobbi Piner
Requested Action: Special Use Permit to operate “The Watering Hole”, an indoor/outdoor bar
Existing Zoning: Cedar Street Mixed Use (CSMU)
LUP Future Land Use Map: Village Commercial
Size: 0.27 acres (calculated acres per GIS)
Existing Land Use: The Watering Hole (SUP requested to cover current/proposed use)
Adjoining Uses/Zoning: North: Beaufort Café (CSMU), Teel’s Gas (CSMU)
West: Vacant (CSMU)
East: The Periwinkle (CSMU), Body Shoppe Physical Therapy (CSMU)
South: Single-family residential (CSMU)

OPTIONS:

1. Approval of Special Use Permit as presented
2. Approval of Special Use Permit with conditions
3. Denial of Special Use Permit due to specific failures to meet required findings

ATTACHMENTS:

- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – CAMA Land Use Plan Future Land Use Map and Classification Type
- Attachment F – CAMA Land Use Plan Goal 7 Town Character Action Item 7.1.2.2 (as referenced in application package and staff report)
- Attachment G – Entry Master Plan Section 2 Beautification and Gateways (p.15)
- Attachment H – Small Area Plan Section 7.7 How We Know We Have Succeeded (p.141)
- Attachment I – Notification Certification
- Attachment J - Section 20.E. SUP Required Findings

STAFF COMMENTS:

Leslie Allred and Bobbi Piner own “The Watering Hole”, a business at the southwest corner of Live Oak Street and Cedar Street. The Watering Hole has been in operation since December 2023 as a retail plant store and bottle shop (beer & wine) as the primary use, with accessory use as a bar. The new business inspection application read, “sell tropical plants, beer and wine, nic nacs”. Recent discussion between staff and the business owners has determined that the primary use of the business is now a bar with indoor and outdoor operation, with accessory retail use. The remedy moving forward is for the owners to seek a Special Use Permit to allow this primary use to continue.

The Beaufort Comprehensive and CAMA Land Use Plan identifies this property as Village Commercial. The typical uses of this future land use classification list: “Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka “live/work”) are also appropriate” (p 186, Attachment E). Staff asserts that this proposed use fits with the typical uses for the Village Commercial future land use classification, as well as follows LUP Goal 7 Town Character, Objective 7.1, Action 7.1.2.2, “Support policies that allow the Cedar Street area to evolve into an arts district” (p160, Attachment F). The business owners have invested significantly in the previously vacant commercial space with fencing, renovations, and plant-related murals. Upfit of existing structures, particularly with murals, are consistent with emerging arts districts.

The Entry Master Plan (2012) and Small Area Plan (2018) identify multimodal improvements, bicycle and pedestrian connectivity, and street beautification along Cedar Street and Live Oak Street. Implementation of this plan includes permeable paving along Cedar Street, concrete railings on the Turner Street Bridge, and several NCDOT-funded transportation projects. These plans identify improvements at the Cedar Street/Live Oak Street intersection to include pedestrian safety and beautification. Additionally, the Small Area Plan identifies that success of the plan is marked by several goals, one of which being “Entrepreneurs will have opened 10 more businesses on Cedar and Live Oak.” This new business is an indicator of success of past planning efforts, and future roadway improvements will continue to enhance this area.

The Technical Review Committee met on April 1, 2024 to review the continuation of the business as a SUP. No comments or concerns were identified other than regarding noise complaints. Police Captain Joel Marino provided that only two noise complaints were made to the Police Department in February 2024 in accordance with the Town’s noise ordinance, and both of those reports identify that the decibel level limit was not exceeded. Since these complaints, the business owners have taken steps to reduce their noise level outside – they removed the speaker in the backyard area (southwest side of the building) and no longer leave the back door propped open which reduces indoor noise going outside. Further complaints have not been made to the Police Department for formal enforcement, but discussion has continued about the issue. Given continued concern with noise but no other aspects of the business, staff recommends the following conditions to the SUP:

- Continued noise-reduction efforts (back door closed when not in use and no speakers in backyard/outdoor area)
- Reduced hours of operation for backyard/outdoor areas (perhaps move inside by 9pm)
- Installation of a power source for food trucks to eliminate the additional noise that comes from their generators/motors (to be installed within 6 months of SUP approval)

The Planning Board discussed this case during their meeting on April 15, 2024 and unanimously recommended approval of the proposed special use permit with the following conditions to be completed within six months of special use permit approval:

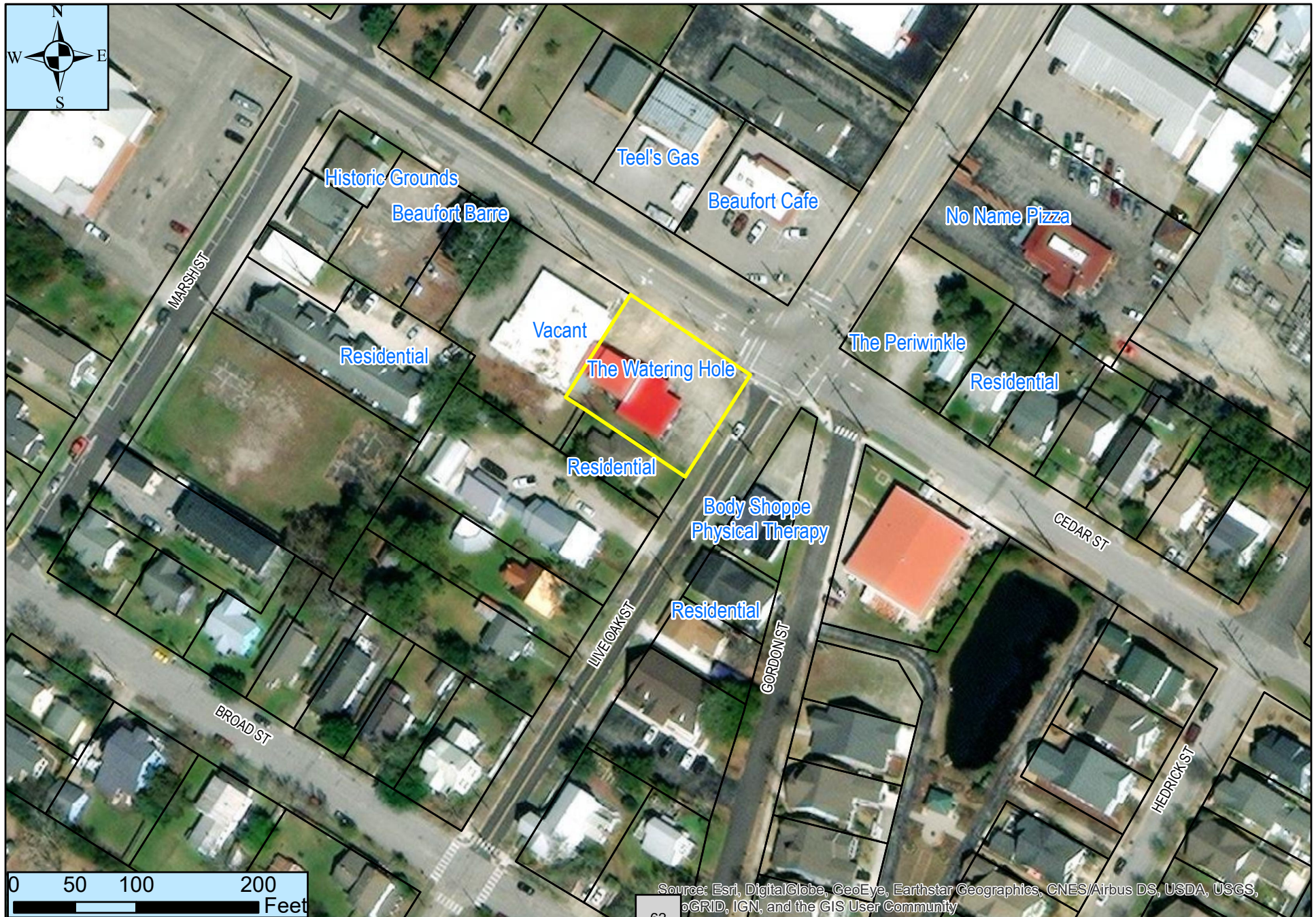
- Install landscaping in accordance with the LDO as appropriate and allowed by Duke Progress along Cedar and Live Oak frontages
- Install 90 square feet of planter space with appropriate plants and trees

- Restrict outdoor music to the hours of 11:00AM to 8:00PM. Outside of these hours doors and windows to remain closed when there is amplified music inside.
- Outdoor speakers in the rear of the building shall not be permitted.
- The rear door shall be kept closed when amplified sound is being played inside.
- The rear area shall not be used after 8:00PM
- The garage doors shall be closed after 8:00PM
- Install a power source for food trucks to eliminate additional noise from generators

Following the Planning Board’s recommendation, Planning Staff reviewed feasibility for street trees and/or planter boxes within such close proximity of the main transmission lines along the north side of the property. Duke Progress Energy advised that no plantings should take place within 25 feet of the transmission structures or lines, and that non-compatible vegetation is subject to removal without replacement.

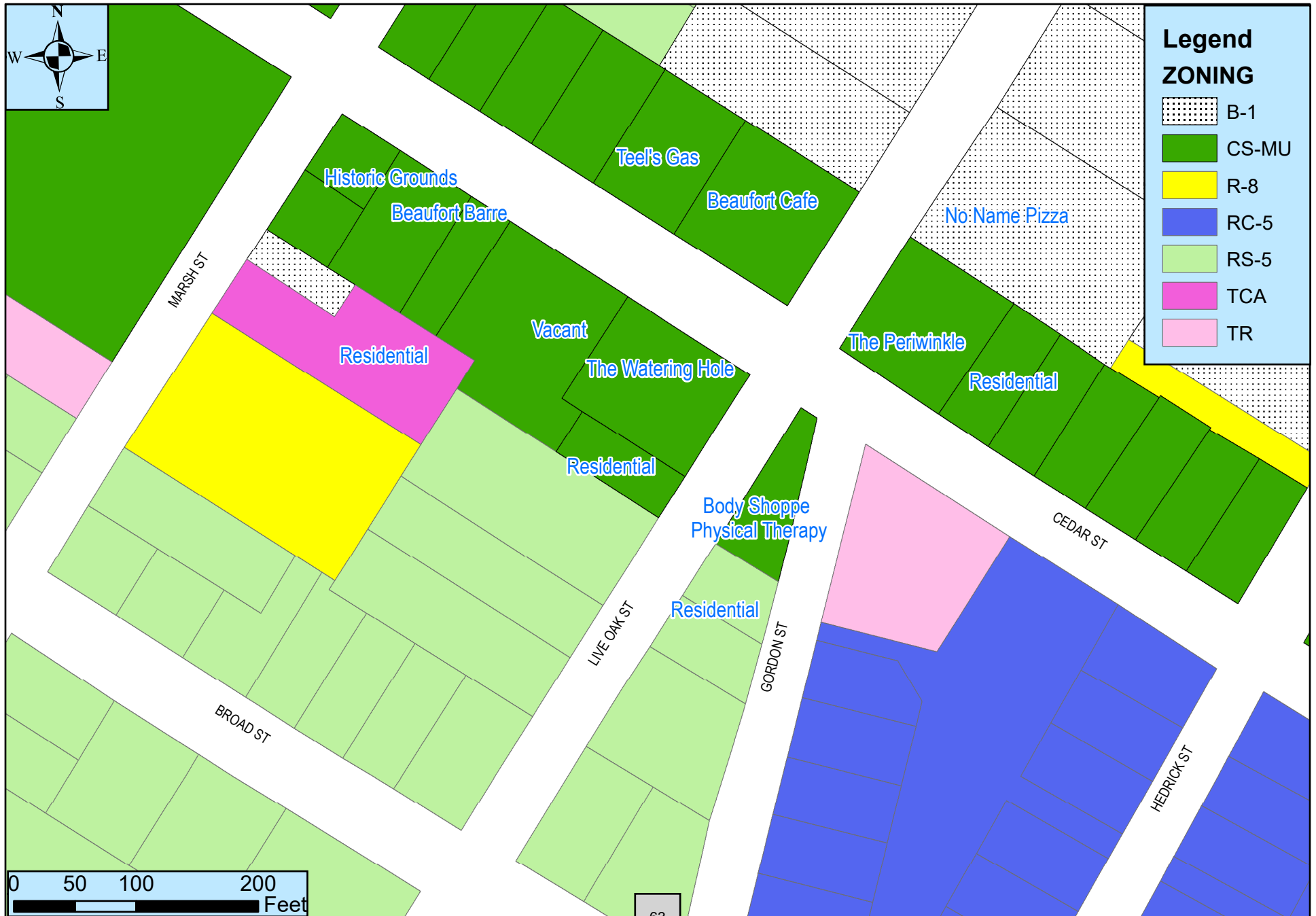
Planning Staff also reached out to the Police Department to review further noise complaints, of which there were two more since the Technical Review Committee meeting on April 1st.

Case # 24-11 - Special Use Permit for The Watering Hole Vicinity Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, IGN, and the GIS User Community

Case # 24-11 - Special Use Permit for The Watering Hole Zoning Map





APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

Please complete the form below including all required attachments, a \$400.00 application fee, and return to the Beaufort Town Hall; 701 Front Street; P.O. Box 390; Beaufort, N.C.; 28516. Incomplete applications will not be processed but will be returned to the applicant. Please call Planning and Inspections at (252) 728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Leslie Allred
 Applicant Address: 417 Live Oak Street Beaufort NC 28516
 Phone Number: 919-339-9369 Email: info.thewinteringholes@gmail.com
 Property Owner Name: TPBT LLC
 Address of Property Owner: 312 Marlowe Road Raleigh NC 27609
 Phone Number: (919) 272-1908 Email: tmikels@atlasstark.com

PROPERTY INFORMATION

Property Address: 816 Cedar Street, Beaufort NC 28516
 15-Digit PIN: PARCEL NUMBER: 730618308332000 Lot/Block #: _____
 Size of Property (in square feet or acres): .273 acres Current Zoning: CS-MU
 Current Use of Property: _____ Requested Use: Tavern/Bar/Club/other operation

An application fee of \$400.00, either in cash, money order, or check made payable to the "Town of Beaufort" must accompany this application (a credit card payment can be made in person at Town Hall). The complete application, payment, and supporting materials must be received by Town Staff at least 15 working days prior to a regularly scheduled Planning Board meeting date.

Please refer to the Town's **Land Development Ordinance**, Sections 20 & 27, and all other pertinent sections of the Ordinance for information required to accompany this application. Any plans or documents submitted should be submitted in an electronic or digital format and one printed color copy of such documents submitted with the application.

The town's website address is www.beaufortnc.org.

[Signature]
 Applicant Signature
[Signature]
 Property Owner Signature (if different than above)

3-27-24
 Date of Applicant's Signature
3/26/24
 Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

Date: _____
 Received by: _____

Reviewed for Completeness By: _____
 Date Deemed Complete and Accepted: _____

LETTER OF INTENT FOR SPECIAL USE APPLICATION

The Applicant proposes to and request to rezone the subject property with a special use permit to allow Tavern/Bar/Pub with Outdoor Operation.

The Character of our business is within conformity of the Town's Comprehensive and CAMA Land Use Plan and does not materially endanger the public health or safety. The overall business model is in harmony with the area in which it is located and in general conformity with the comprehensive plan.

The Applicant has greatly upgraded the facility from which the business is operated. The Applicant shows that there have been substantial improvements to the exterior and landscaping of the subject property. Any further improvements to the current structure on the property or changes will be only cosmetic changes and in the same general design.

The Applicant intends to operate in the same manner it has for the last 4 months. Our business is Plant Store/Bar. We will continue to sell house plants, plant related gift items as well as beer and wine. We have weekly outdoor markets which we host for free. This is an Art and family centered business.

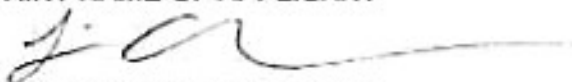
The Applicant has built a fence in compliance with the standards set by the planning committee to reduce backyard noise. No outside speakers. Corner lot; vacant building next door.

The use of the subject property will have little or negligible impact on traffic in the area. Entrances, exits and traffic flow were discussed and approved prior to our opening. We provide additional on premise parking not required by the town.

The Applicant improved the property substantially and plans to remain strictly within the land use ordinance regulations as now set by the town for any further improvements or changes. The surrounding properties largely have existing commercial business or are vacant. The Applicant shows that there will be little or no impact on the residential properties that are in proximity of the property.

Leslie Allred

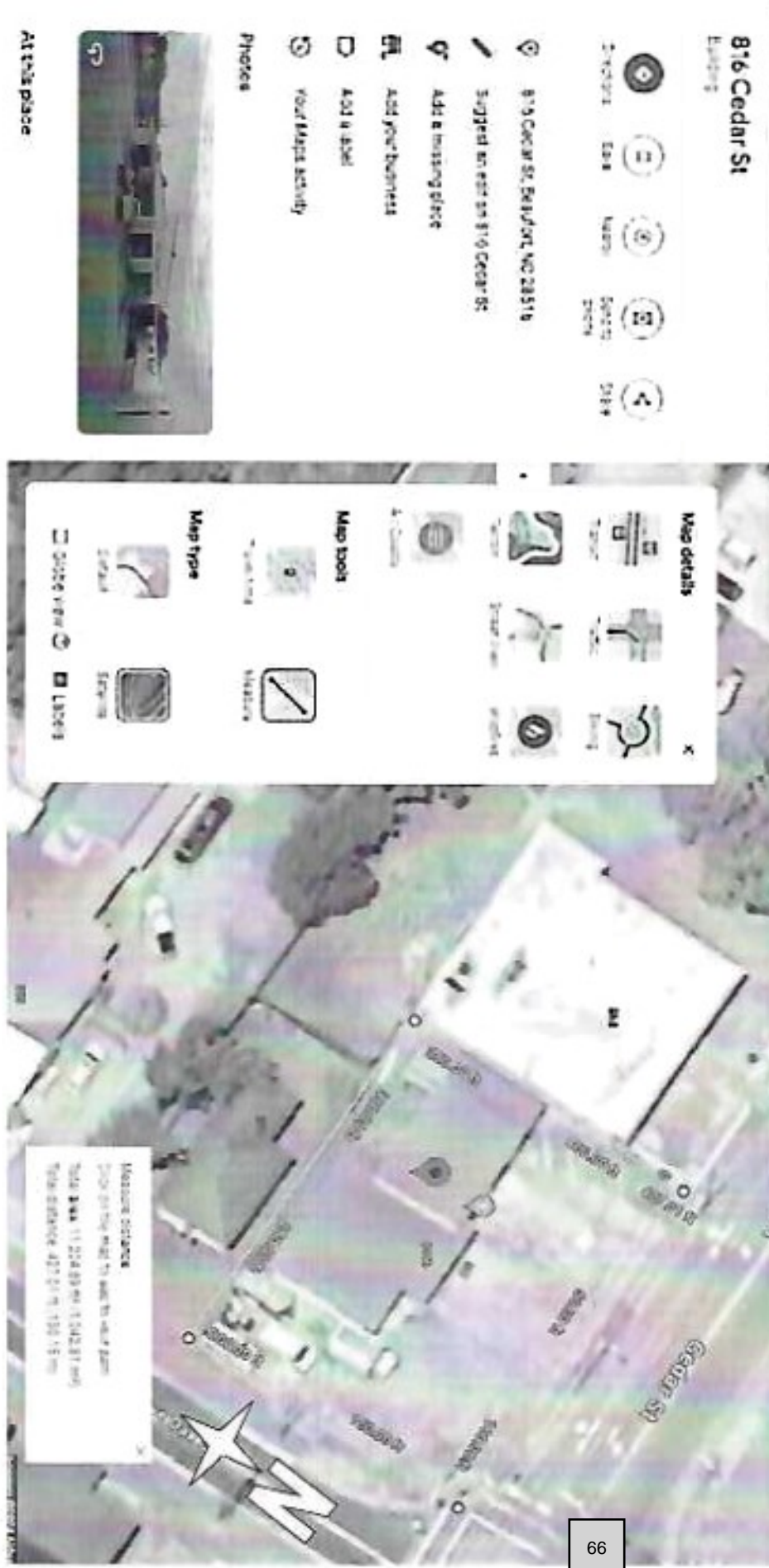
PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

3-27-24

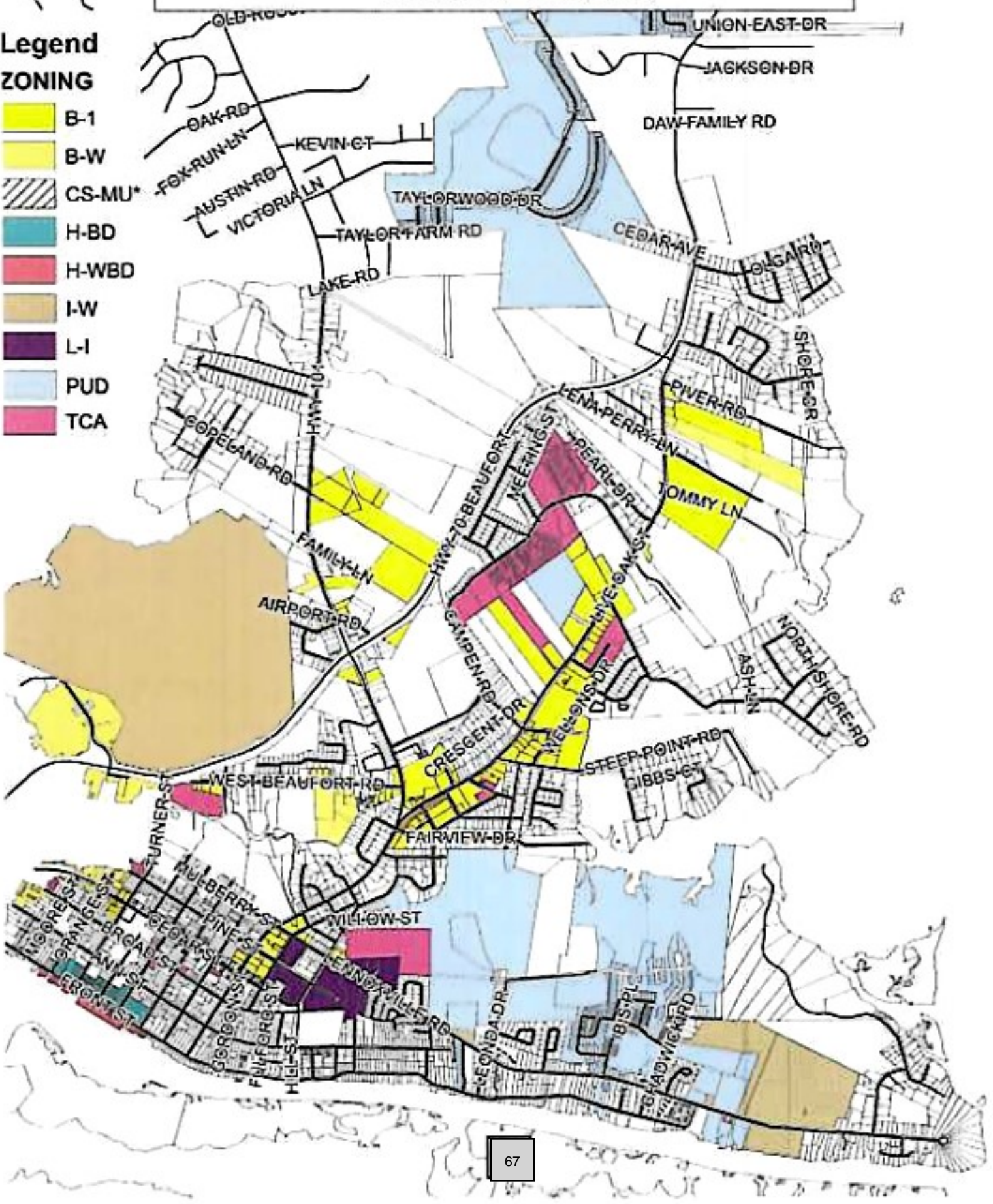
DATE



Zoning Districts That Allow Tavern Bar Pub With Outdoor Operation as a Special Use

* CS-MU Excluded

- Legend**
- ZONING**
- B-1
 - B-W
 - CS-MU*
 - H-BD
 - H-WBD
 - I-W
 - L-I
 - PUD
 - TCA





Legend

Property Owners With 100 Feet or More Frontage

Zoning

[Grey Box]	B-1
[Yellow Box]	R-8
[Pink Box]	TCA
[Blue Box]	H-BD
[Light Green Box]	RC-5
[Dark Green Box]	RS-5
[Light Blue Box]	TR



FILE # 1766439

FOR REGISTRATION REGISTER OF DEEDS
Karen S. Hardesty
Carteret County, NC
May 9, 2022 03:20 PM
BWC DEED 2 P
FEE: \$28.50
NC REVENUE STAMP: \$850.00
FILE # 1766439

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$850.00

Parcel Identifier No. 730618308332000 Verified by Carteret County on the _____ day of _____, 2022

By: _____

Mail/Box to: Wheatly Law Group, PA, P O Box 360, Beaufort, NC 28516

This instrument was prepared by: C. R. Wheatly, III

Brief description for the Index: 816 Cedar Street

THIS DEED made this 29th day of April, 2022, by and between

GRANTOR

GRANTEE

BTRG, Inc.
A North Carolina Corporation
411 Blair Pointe Road
Morehead City, NC 28557

TPBT, LLC
A North Carolina Limited Liability Company
312 Marlowe Road
Raleigh, NC 27609

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

Lying and being in Beaufort Township, Carteret County, North Carolina and more particularly described as follows: BEING Lots 4, 5, 6 and 7 of that certain subdivision known as the property of Floyd F. Loftin, map of which is of record in Map Book 1, Page 37, Carteret County Registry.



All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1304 Page 481.

A map showing the above described property is recorded in Plat Book 1, Page 37, Carteret County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Vasilios Michailidis (SEAL)
Vasilios Michailidis, President of BTRG, Inc.

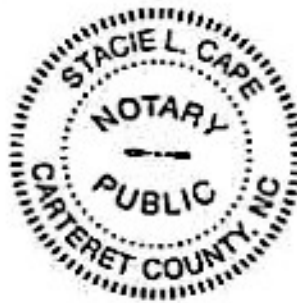
State of North Carolina
County of Carteret

I, a notary public of the county and state aforesaid, certify that Vasilios Michailidis personally appeared before me this day and acknowledged that he President of BTRG, Inc., A North Carolina Corporation, and further acknowledged the due execution of the foregoing document.

WITNESS my hand and notarial seal this the 29 day of April, 2022.

Stacie L. Cape
Notary Public

My commission expires: June 6, 2022



2.



2.



2.



2.



2.





Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting
5:00 PM Monday, March 18, 2024 – 614 Broad Street

AGENDA CATEGORY: New Business
SUBJECT: Zoning Text Amendment – Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District

BRIEF SUMMARY:
Town staff has submitted a Text Amendment request to modify Section 8D & Table 8-8 of the Land Development Ordinance to allow Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District. This use would be similar to other commercial use districts.

REQUESTED ACTION:
Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:
10 Minutes

SUBMITTED BY:
Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:
N/A

PLANNING BOARD STAFF REPORT

BOARD ACTION REQUEST	Case No.: 24-07
TO: Planning Board	
FROM: Kyle Garner, Planning Director	
DATE: March 7, 2024	
RE: LDO Text Amendment Modifying Section 8D (Cedar Street Mixed Use District) & Table 8-8 (CS-MU Zoning Table of Uses) to allow Tavern/Bar/Pub with Outdoor Operations as a Special Use	

Background

In 2019 when the CS-MU District was created it was understood that like other districts amendments would possibly be submitted in the future. Now, almost five years later Staff is proposing a text amendment that would allow a **Tavern/Bar/Pub with Outdoor Operations as a Special Use**. This amendment would be consistent with other zoning districts such as the Historic Waterfront Business District, Historic Business District, B-1, BW (Business Waterfront), LI (Light Industrial), IW (Industrial Warehouse), TCA (Townhomes Condominiums & Apartment) which all allow outside operations as a Special Use. (See Attached Map).

Prior to the zoning change in 2019 to CS-MU several properties were zoned B-1 and allowed outdoor operations with a special use permit. Also, staff researched the Planning Board minutes from the May and June 2019 meetings when uses were discussed as part of the creation of the CS-MU District and could not find any comments that would conflict with the amendment. Staff have included copies of those meetings in your packet for reference.

Additionally, Staff has included a map showing the previous zoning before the CS-MU District was adopted thus providing a history.

Staff has included "Draft" text language which shows text to be added as **bold highlighted**.

Action Needed:

- Discussion on the proposed text amendment.
- To make a recommendation to the Board of Commissioners to modify the Ordinance as requested; to change the modification to other language; or to deny changing the Ordinance

Attachments:

- Section 8D & Table 8-8 of the LDO
- Draft Ordinance
- Draft Written Consistency Statement

Agenda Item Prepared By:
Kyle Garner, Planning Director

Board Action: Motion by _____	2nd by _____
-------------------------------	--------------

Section 8 Transitional Zoning Districts

D) Cedar Street Mixed-Use Zoning District (CS-MU)

1) Purpose.

The purpose of this zoning district is to protect, enhance and guide the redevelopment of the Cedar Street corridor by reducing visual clutter through the implementation of commercial design standards and selecting the appropriate type of uses for this district. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the Town.

2) Adoption.

The Cedar Street Mixed Use Zoning District (CS-MU) for the Town, as set forth on a map so entitled and dated 07/08/2019, is hereby adopted and incorporated by reference as part of this Ordinance, and the Official Zoning Map of the Town.

3) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

Convenience Store	Park, Public
Dwelling, Single-family	Personal Service Establishment
Dwelling, Multi-family	Produce Stand/Farmers' Market
Financial Institution	Public Utility Facility
Hotel or Motel	Religious Institution
Mixed Use	Restaurant with Indoor & Outdoor Operations
Office, Business, Professional, or Medical*	Retail Store
Outdoor Retail Display/Sales	Utility Minor

*Includes Government Offices

4) Special Uses (*Special Use Requirements* may be found in Section 20 of the LDO).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

- Microbrewery
- Tavern/Bar/Pub with Indoor Operation
- Tavern/Bar/Pub with Outdoor Operation

5) Prohibited Uses.

Any use not listed in Sections 8(D)(3) or 8(D) (4) of this Ordinance is prohibited.

6) Development Standards.

a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of

human scale and related to the street. All design criteria will be reviewed and approved by the Zoning Administrator.

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	S
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

DRAFT ORDINANCE 24-0

AN ORDINANCE TO MODIFY THE Town of Beaufort *Land Development Ordinance (LDO)*, specifically Section 8D (Cedar Street Mixed Use District) & Table 8-8 (Transitional Zoning Table of Uses)

WHEREAS, the Beaufort Land Development Ordinance contains regulations which establish the development of land within the Town of Beaufort and its Extraterritorial Jurisdiction; and

WHEREAS, the Beaufort Planning Board has reviewed these ordinance text amendments and unanimously recommended its adoption; and

WHEREAS, the Board of Commissioners determines that the public interest will be served by adopting the following text amendments to modify text as it relates to these items.

NOW THEREFORE be it ordained by the Board of Commissioners of the Town of Beaufort as follows:

The Town of Beaufort LDO is amended as follows:

Section 8 Transitional Zoning Districts

D) Cedar Street Mixed-Use Zoning District (CS-MU)

2) Purpose.

The purpose of this zoning district is to protect, enhance and guide the redevelopment of the Cedar Street corridor by reducing visual clutter through the implementation of commercial design standards and selecting the appropriate type of uses for this district. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the Town.

6) Adoption.

The Cedar Street Mixed Use Zoning District (CS-MU) for the Town, as set forth on a map so entitled and dated 07/08/2019, is hereby adopted and incorporated by reference as part of this Ordinance, and the Official Zoning Map of the Town.

7) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

Convenience Store	Park, Public
Dwelling, Single-family	Personal Service Establishment
Dwelling, Multi-family	Produce Stand/Farmers' Market
Financial Institution	Public Utility Facility
Hotel or Motel	Religious Institution
Mixed Use	Restaurant with Indoor & Outdoor Operations
Office, Business, Professional, or Medical*	Retail Store
Outdoor Retail Display/Sales	Utility Minor

*Includes Government Offices

8) Special Uses (Special Use Requirements may be found in Section 20 of the LDO).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

- Microbrewery
- Tavern/Bar/Pub with Indoor Operation
- Tavern/Bar/Pub with Outdoor Operation

9) Prohibited Uses.

Any use not listed in Sections 8(D)(3) or 8(D) (4) of this Ordinance is prohibited.

6) Development Standards.

b) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of

human scale and related to the street. All design criteria will be reviewed and approved by the Zoning Administrator.

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	S
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

Enacted on motion of Commissioner --- and carried on a vote of in favor and 0 against.

This, the th day of 2024.

TOWN OF BEAUFORT

By: _____
Mayor

Attest:

_____ Town Clerk

**TOWN OF BEAUFORT
PLANNING BOARD**

**A STATEMENT OF CONSISTENCY ADVISING THAT PROPOSED AMENDMENTS
TO THE LAND DEVELOPMENT ORDINANCE ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
CORE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort ("Town") the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting the health, safety, morals, and general welfare of its citizens.

WHEREAS, N.C.G.S. §160A-383 requires the Town of Beaufort Planning Board ("Board") to advise the Town of Beaufort Board of Commissioners by written statement describing whether the proposed amendments to the Town's Land Development Ordinance ("Ordinance") are consistent with all officially adopted plans, including the comprehensive land use plan.

WHEREAS, the Board has in fact met to consider and evaluate the proposed amendments to the Ordinance.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance are in accordance with all officially adopted Town plans, including sections 1.4.3.2 (Land Use Compatibility Implementation Actions) of the Core Land Use Plan, and therefore recommends adoption by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendments are in furtherance of the Town plans, ordinances and regulations, including the comprehensive land use plan; and better clarify all the Ordinance regulations.

This Resolution is effective upon its adoption this 18th day of March , 2024.

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

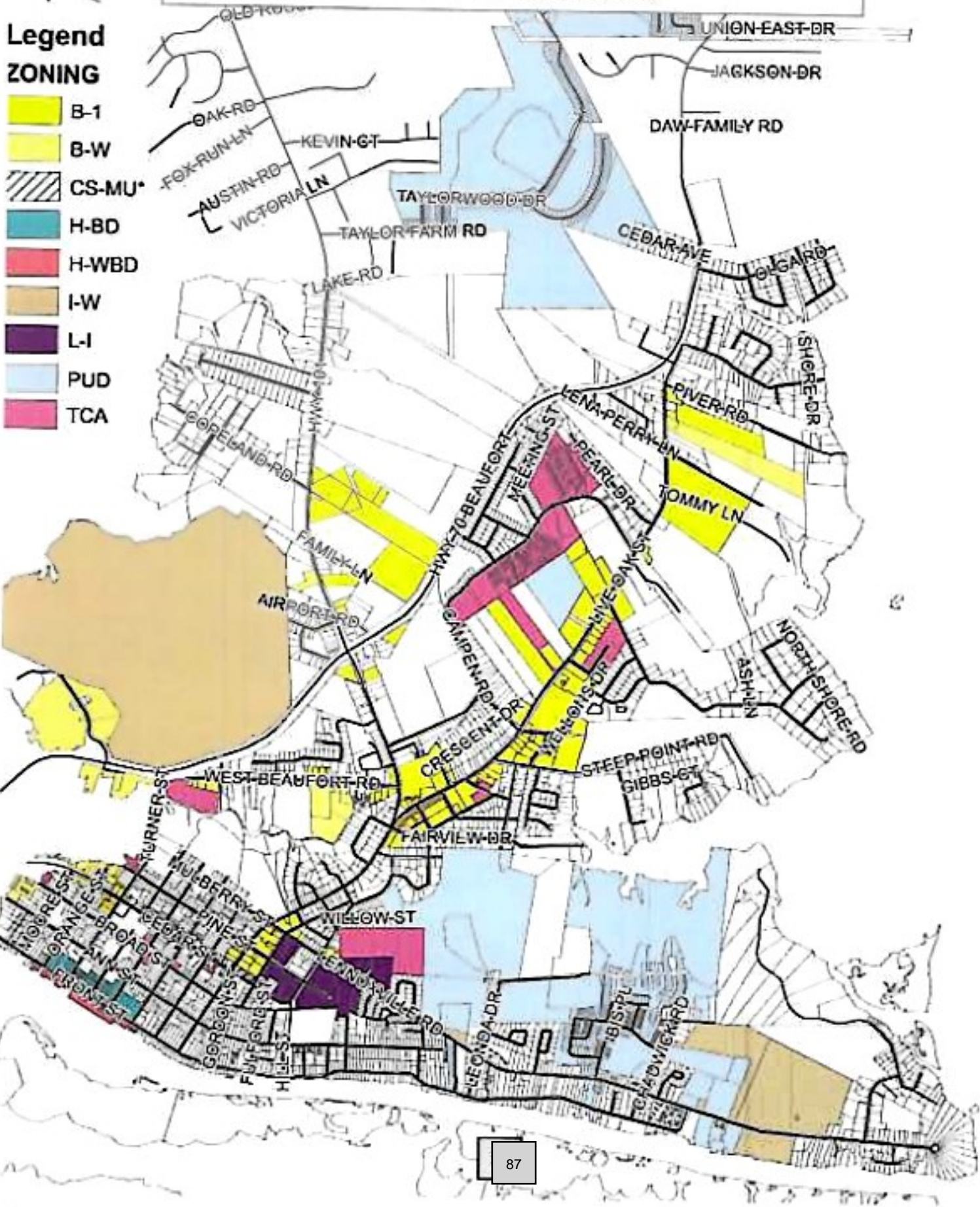
Zoning Districts that Allow Tavern Bar Pub With Outdoor Operation as a Special Use

* CS-MU Excluded

Legend

ZONING

- B-1
- B-W
- CS-MU*
- H-BD
- H-WBD
- I-W
- L-I
- PUD
- TCA



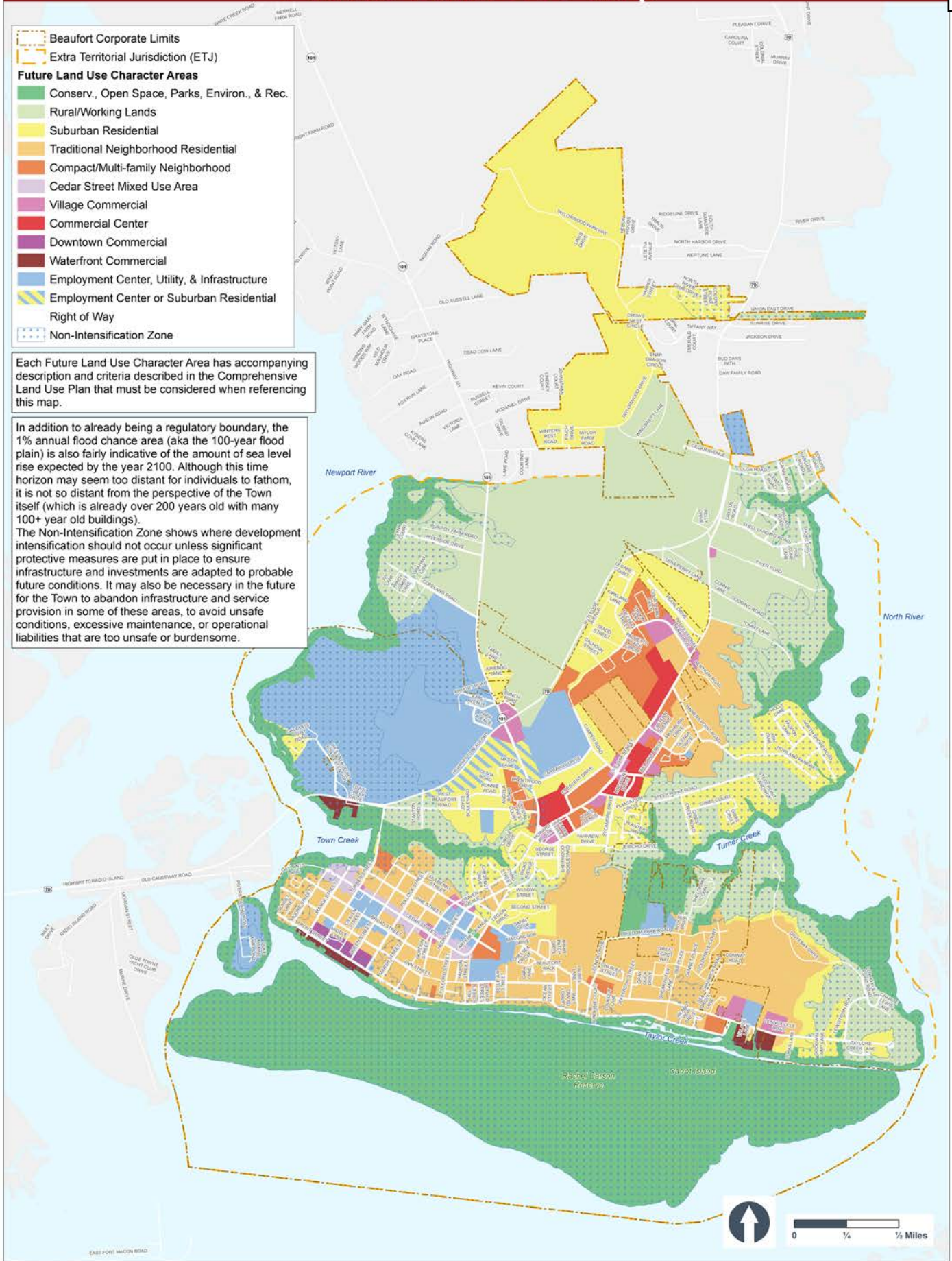


Future Land Use Map

-  Beaufort Corporate Limits
-  Extra Territorial Jurisdiction (ETJ)
- Future Land Use Character Areas**
-  Conserv., Open Space, Parks, Environ., & Rec.
-  Rural/Working Lands
-  Suburban Residential
-  Traditional Neighborhood Residential
-  Compact/Multi-family Neighborhood
-  Cedar Street Mixed Use Area
-  Village Commercial
-  Commercial Center
-  Downtown Commercial
-  Waterfront Commercial
-  Employment Center, Utility, & Infrastructure
-  Employment Center or Suburban Residential
-  Right of Way
-  Non-Intensification Zone

Each Future Land Use Character Area has accompanying description and criteria described in the Comprehensive Land Use Plan that must be considered when referencing this map.

In addition to already being a regulatory boundary, the 1% annual flood chance area (aka the 100-year flood plain) is also fairly indicative of the amount of sea level rise expected by the year 2100. Although this time horizon may seem too distant for individuals to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with many 100+ year old buildings).
 The Non-Intensification Zone shows where development intensification should not occur unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. It may also be necessary in the future for the Town to abandon infrastructure and service provision in some of these areas, to avoid unsafe conditions, excessive maintenance, or operational liabilities that are too unsafe or burdensome.



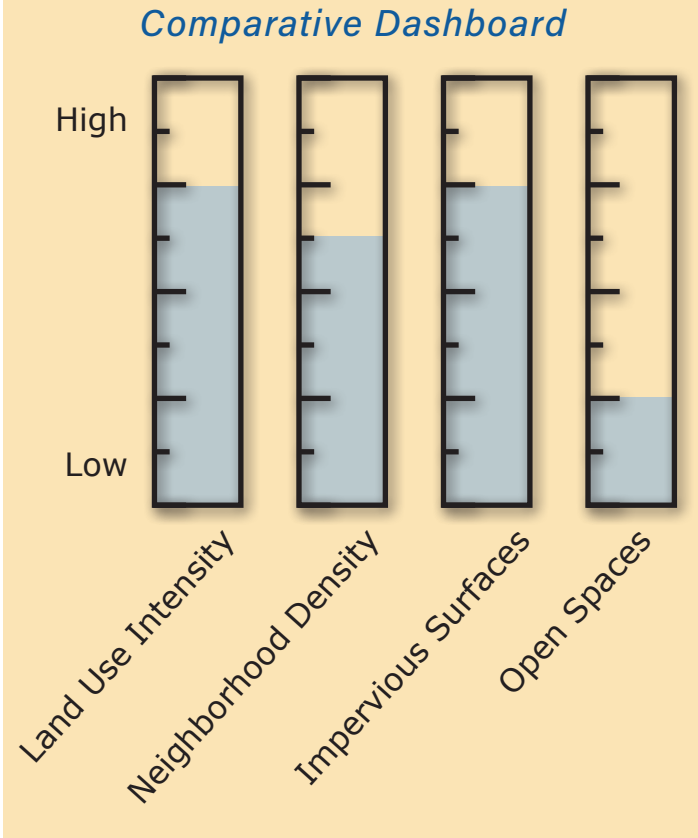
Village Commercial

General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



GOAL 7: Town Character

Protect our unique character by enhancing and maintaining our natural resources, recreational opportunities, historic downtown, and cultural resources.

Introduction

Beaufort realizes that its unique character is a fundamental part of its DNA, and contributes to its dynamic community feel for year-round residents as well as being a draw for tourists. The Town’s character is an intangible entity, but residents know that the existing neighborhoods, architectural character, downtown, and access to natural resources are important building blocks of this character. By studying, defining, and pledging to maintain aspects of the existing character, Beaufort will protect its character into the future.

Objective 7.1: Preserve the character of Beaufort’s built environment.

Policy 7.1.1: Update town ordinances to include design standards that help ensure new development fits its context.

Policy 7.1.2: Identify and inventory character-defining building stock in existing character areas such as the Live Oak Street and Cedar Street corridors.

- Action 7.1.2.1:** Create a list of contributing building features that the town can incorporate into ordinances.
- Examples include setbacks, parking location, materials, transparency, roofline, and massing standards from building design inventory.
 - Incorporate guidance from the Future Land Use Character Areas.

Action 7.1.2.2: Support policies that allow the Cedar Street area to evolve into an arts district.

Objective 7.2: Continue to support downtown as a cultural, economic, and community asset.

Policy 7.2.1: Continue to offer public events and activities downtown and expand offerings to make events more inclusive and accessible.

Policy 7.2.2: Enhance connections between natural and recreational assets and downtown Beaufort for non- motorized users.

Action 7.2.2.1: Identify areas where cycle and pedestrian access between these points is lacking or unsafe and implement upgrades.

Policy 7.2.3: Expand public art opportunities downtown.

Objective 7.3: Preserve Historic Beaufort.

Policy 7.3.1: Continue local-level protections of historic assets and districts.

2

Section 2

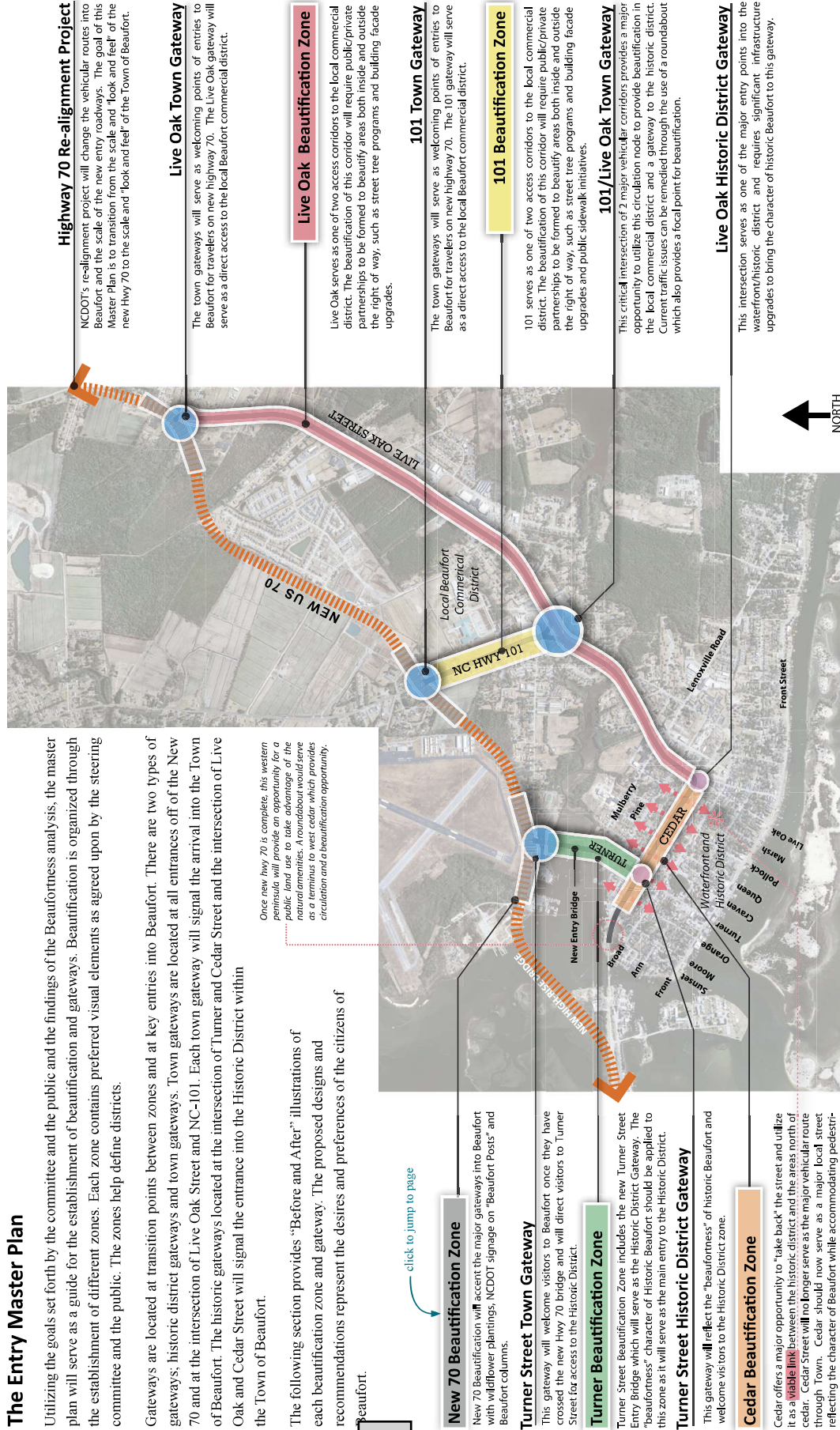
BEAUTIFICATION AND GATEWAYS

The Entry Master Plan

Utilizing the goals set forth by the committee and the public and the findings of the Beautyformness analysis, the master plan will serve as a guide for the establishment of beautification and gateways. Beautification is organized through the establishment of different zones. Each zone contains preferred visual elements as agreed upon by the steering committee and the public. The zones help define districts.

Gateways are located at transition points between zones and at key entries into Beaufort. There are two types of gateways; historic district gateways and town gateways. Town gateways are located at all entrances off of the New 70 and at the intersection of Live Oak Street and NC-101. Each town gateway will signal the arrival into the Town of Beaufort. The historic gateways located at the intersection of Turner and Cedar Street and the intersection of Live Oak and Cedar Street will signal the entrance into the Historic District within the Town of Beaufort.

The following section provides "Before and After" illustrations of each beautification zone and gateway. The proposed designs and recommendations represent the desires and preferences of the citizens of Beaufort.





Entrepreneurs will have opened 10 more business on Cedar and Live Oak.

The public investment into both Cedar and Live Oak will yield a shift in small business success on what will be walkable, bikable corridors. New local businesses enhance the authenticity and success story of Beaufort.



People of all ages, ethnicities and economic levels will be living in the Mulberry Street neighborhood.

The area will flourish with diversity and yield the benefits of our multi-cultural heritage. Generational interdependence will be a trademark of the neighborhood.



People will CHOOSE to walk or bike instead of getting in their car.

Life is full of choices, and the transformation of these corridors will expand the ability for people to choose to live active lifestyles. Healthy citizens are a key ingredient to vibrant, successful communities.



Partnerships and old fashioned hard work will have made it happen.

Beaufort's success will be built on the community's shoulders, and everyone will feel a sense of pride and ownership. Collaboration, dedication, and the relentless pursuit of building community will be hallmarks of the next chapter.



Other NC coastal communities will be visiting Beaufort to learn about stormwater BMPs.

Beaufort's urban development will be a shining example of innovative stormwater practices.



We've added 200 more housing units to the area.

Millennials and empty nesters alike want to live in the walkable core. Two hundred units, with varying styles and price points, will indicate that the town is actively receiving developer interest and that builders are responding to the market demand.



Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

Notification Certification
Case #24-11 Watering Hole 816 Cedar Street Adjacent Neighbors
Special Use Permit Evidentiary Public Hearing
May 13, 2024 Board of Commissioners meeting

TEEL JAMES A ETAL TEEL 857 GREYSON RD ROCKY MOUNT, NC 27804	BTRG INC 411 BLAIR POINT RD MOREHEAD CITY, NC 28557-4734
STEPHENSON THOMAS P ETUX 188 WINDY POINT RD BEAUFORT, NC 28516	TPBT LLC 312 MARLOWE ROAD RALEIGH, NC 27609
SOUND SHORE CONSTRUCTION INC 1913 FRONT STREET BEAUFORT, NC 28516-9311	HAMILTON ROBERT LEE 702 COMET DR BEAUFORT, NC 28516
NEWTON J JEFFERSON 710 CEDAR ST BEAUFORT, NC 28516-1906	LESLIE ALLRED 417 LIVE OAK ST BEAUFORT, NC 28516

I, *Michelle Eitner*, Town Planner for the Town of Beaufort NC, do hereby certify the above property owners, applicants, and adjacent property owners were each mailed a letter and vicinity map on April 26, 2024 regarding the above noted public hearing. A sign was posted on the subject property on April 26, 2024 regarding the same. An evidentiary public hearing advertisement was sent to the Carteret News-Times for circulation on May 1st and 8th. The quasi-judicial evidentiary public hearing will be conducted at the May 13, 2024 Board of Commissioners meeting at the Train Depot, 614 Broad Street, Beaufort, NC, at 6:00 p.m.

Michelle Eitner

Signed

April 26, 2024

Date

Section 20 Special Use Permits

E) **Required Findings.**

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners
Regular Meeting
6:00 PM- Monday, May 13, 2023
614 Broad Street, Beaufort NC**

AGENDA CATEGORY: New Business
SUBJECT: Proposed FY 2025 Budget

SUMMARY:

The Town Manager will present the proposed FY 25 Budget. No action is requested.

A copy of the FY 2025 Budget Work Sessions has been provided below:

- May 14, 2024, at 4:00 p.m.
- May 22, 2024, at 6:00 p.m.
- May 28, 2024, at 4:00 p.m.

All meetings will take place at the Beaufort Train Depot, 614 Broad Street.

EXPECTED LENGTH OF PRESENTATION: 10 minutes

SUBMITTED BY:

Christi Wood, Finance Director



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners
Regular Meeting
6:00 PM Monday, May 13, 2024
614 Broad Street- Train Depot**

AGENDA CATEGORY: New Business

SUBJECT: Case #23-05 Preliminary Plat Palmetto Plantation Phase 2

BRIEF SUMMARY:

The applicant wishes to subdivide a 5.225 Acre Tract into 9 Lots. At the April Planning Board Meeting the recommendation was unanimous to approve if the applicant showed sidewalk within the proposed cul-de-sac. The applicant has revised their plans to show sidewalk within the cul-de-sac.

REQUESTED ACTION:

To approve or deny the Preliminary Plat for Palmetto Plantation Phase 3.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

STAFF REPORT

To: Board of Commissioners
From: Kyle Garner, AICP, Town Planner
Date: April 30, 2024
Project: Palmetto Plantation Phase 3– Preliminary Plat

THE QUESTION: Subdivide a 5.225 Acre Tract into 9 Lots

BACKGROUND: This site was rezoned from R-8 & B-1 to RS-5 in March 2015. In May of 2015, the preliminary plat was approved for a period of one year. In 2018 the preliminary plan expired again and was resubmitted and approved for another one-year approval.

In July 2019, a Final Plat for lots 12-20 was approved and recorded leaving the remaining 9 lots and existing stormwater pond.

At their April meeting the Planning board recommended approval if sidewalk would be included within the cul-de-sac. Since the meeting, the plans have been revised to show sidewalks within the cul-de-sac.

Location:	East Bay Way
Owners:	Mercer Building & Design, Inc.
Requested Action:	Subdivide a 5.24 Acre Tract into 9 Lots
Existing Zoning	RS-5 – Residential Single-Family -5
Size:	5.225 acres (227,601ft ²)
Average Lot Size:	11,368 ft ²
Amount of Open Space:	2.56 Acres
Existing Land Use:	Undeveloped
Core Land Use Plan:	Low Density Residential

SPECIAL INFORMATION: Copies of these plans have been provided to the Carteret County School System

Public Utilities:
Water: Existing - Town of Beaufort
Sanitary Sewer: Existing - Town of Beaufort

- OPTIONS:**
1. Approve the Preliminary Plat for Palmetto Plantation Phase 3
 2. Table the request
 3. Deny the request.

Palmetto Plantation Phase 3– Preliminary Plat

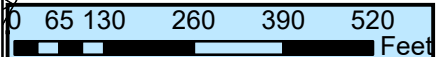
Location: Professional Park Drive

Page: 2

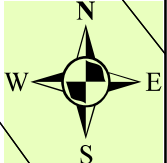
ATTACHMENTS:

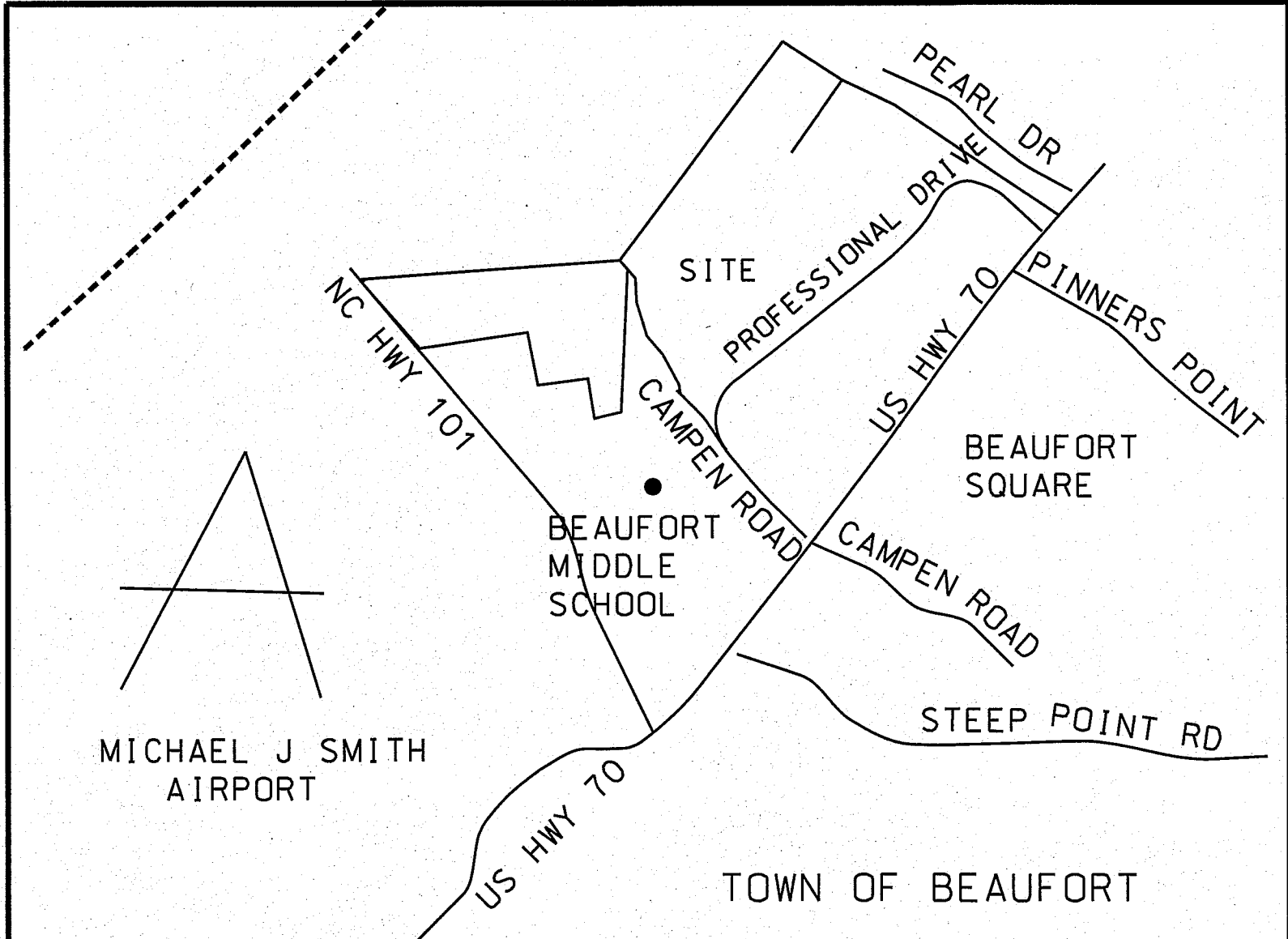
- 1. Vicinity Map
- 2. Palmetto Plantation Plans

Vicinity Map - Case # 23-05 Preliminary Plat Palmetto Plantation @ Olde Beaufort Village Phase II



101



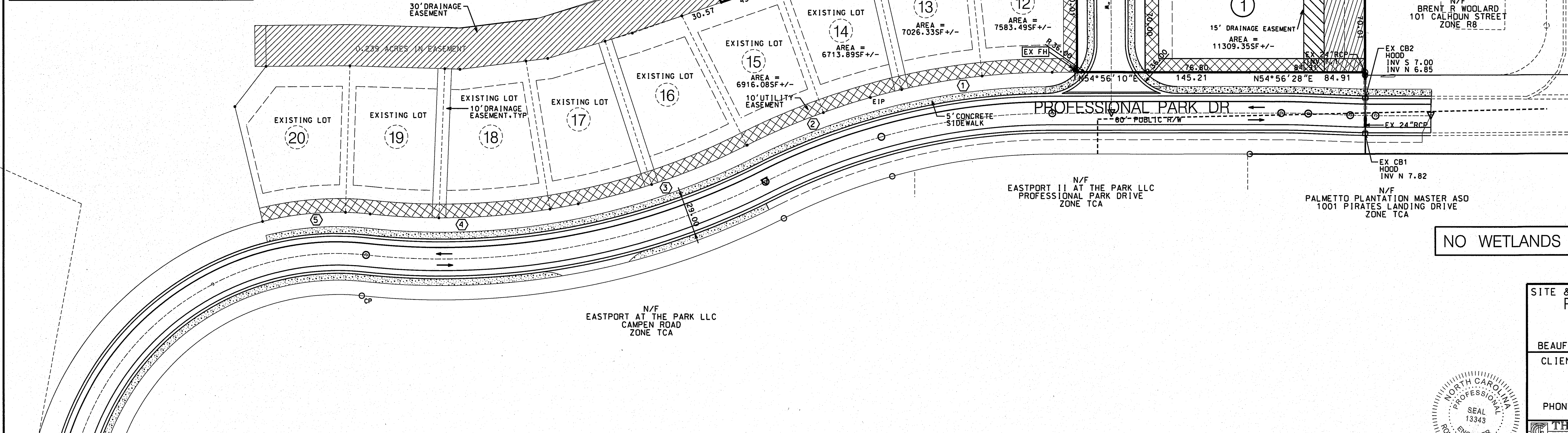
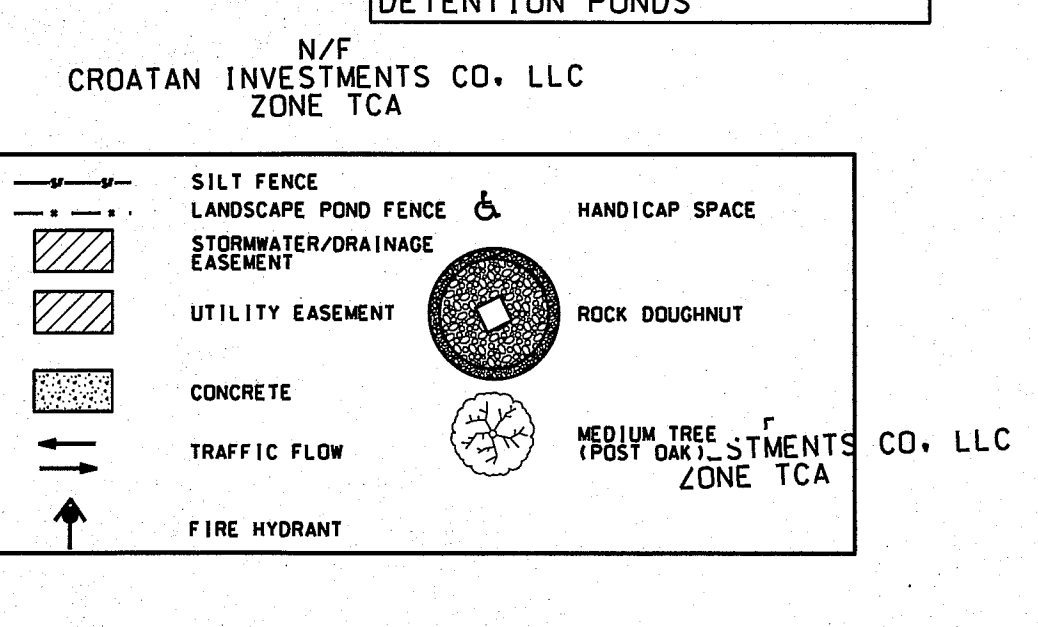


VICINITY MAP: BEAUFORT, NC
NOT TO SCALE
BOUNDARY CURVE DATA

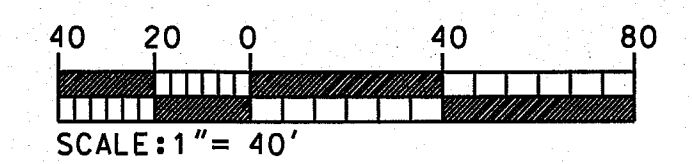
R= 500.00 (1) A= 135.43 CHD. DIST= 135.02 CHD. BRG= S47°10'08"W	R= 500.00 (4) A= 153.66 CHD. DIST= 153.06 CHD. BRG= S52°11'08"W
R= 500.00 (2) A= 97.28 CHD. DIST= 97.13 CHD. BRG= S33°58'36"W	R= 230.00 (5) A= 79.77 CHD. DIST= 79.37 CHD. BRG= S51°03'16"W
R= 500.00 (3) A= 131.98 CHD. DIST= 131.60 CHD. BRG= S35°49'11"W	
R= 425.00 (1) A= 204.34 CHD. DIST= 202.39 CHD. BRG= N48°51'17"W	

LEGEND

A - ARC LENGTH	FT - FEET	GV - GATE VALVE
AC - AGGREGATE BASE COURSE	IN - INVERT	LF - LINEAR FEET
BCSC - BITUMINOUS CONCRETE SURFACE COURSE	MBL - MINIMUM BUILDING LINE	MAX - MAXIMUM
BLOG - BUILDING	MN - MANHOLE	MIN - MINIMUM
BRG - BEARING	N/F - NOW OR FORMERLY	NTS - NOT TO SCALE
CB - CATCH BASIN	D.C. - ON CENTER	R - RADIUS
CL - CENTERLINE	DR - DRIVE	RCP - REINFORCED CONCRETE PIPE
DI - DROP INLET	DIP - DUCTILE IRON PIPE	R/W - RIGHT-OF-WAY
EL - ELEVATION	SDMH - STORMRAIN MANHOLE	SH - SHEET
EIR - EX. IRON ROD	SIP - SET IRON ROD	STA - STATION
EOP - EDGE OF PAVEMENT	STA - STATION	TC - TOP OF CURB
EX - EXISTING	TC - TOP OF CURB	TSW - TOP OF SIDEWALK
FE - FINISHED ELEVATION	TSW - TOP OF SIDEWALK	TYP - TYPICAL
FES - FLARED END SECTION		
FF - FINISHED FLOOR		
FH - FIRE HYDRANT		



SHEET #1 OF 7
PROJECT #: PM322-27~001
DESIGN FILE #: PM322/PM322-27~001/PM322-27~001 CONSTRUCTION.DGN



SITE DATA

TOTAL TRACT AREA	5.225 ACRES
EAST BAY WAY R/W	0.574 ACRES
POND AND RECREATION SPACE	2.308 ACRES
TOTAL AREA W/ IN SINGLE FAMILY LOTS	2.347 ACRES
ZONE	RS-3
MAXIMUM 50% LOT COVERAGE	
VARIABLE DENSITY FACTOR	1.6
ACREAGE AVERAGE PER LOT	0.21 ACRES
OPEN SPACE AREA	2.56 ACRES
AVERAGE FAMILY SIZE	2.01
REQUIRED RECREATIONAL SPACE (18 INCLUDING PH2)	0.23 ACRES
(0.46 TOTAL INCLUDING PH2)	
TOTAL NO. OF LOTS	9
TYPE OF LOTS	SINGLE FAMILY RESIDENTIAL
SMALLEST LOT SIZE	7625 SF +/-
AVERAGE LOT SIZE	11368 SF +/-
MAXIMUM BUILDING HEIGHT	35FT
LF IN STREETS	378.40LF
NEW STREET	
SETBACKS:	
FRONT	20.0'
R/W FRONT	20.0'
REAR	25.0'
SIDE	5.0'
R/W SIDE	10.0'
FLOOD ZONE	
REF. FIRM COMMUNITY PANEL NO.	3720730600J
EFFECTIVE DATE	7/16/13
DEED BOOK/PAGE	843/362
PIN	7306.12.76.5951

ADDITIONAL LANDSCAPING FOR DETENTION PONDS

- PER THE TOWN OF BEAUFORT'S LAND DEVELOPMENT ORDINANCE
- FENCING AROUND PONDS SHALL BE FOUR FEET (4') IN HEIGHT. IT SHALL BE A STEEL OR ALUMINUM CHAIN LINK FENCE WITH BLACK OR GREEN VINYL COATING. ALL FENCES SHALL PROVIDE SECURABLE ENTRANCES TO ALL OF THE SIDES OF THE FENCE TO ALLOW ACCESS FOR MAINTENANCE PERSONNEL AND EQUIPMENT AND TO PROVIDE FOR THE SAFETY OF CITIZENS.
 - LANDSCAPING REQUIREMENTS
 - SHRUBS REQUIRED EXCEPT FOR FENCE ENTRANCES, SHRUBS SHALL BE PROVIDED AROUND THE PERIMETER OF THE REQUIRED FENCE TO SCREEN FIFTY PERCENT (50%) OF THE FENCE AT MATURITY. THE REQUIRED SHRUBS SHALL BE MAINTAINED AT A HEIGHT OF FOUR FEET (4'). THE PARTICULAR VARIETY OF SHRUBS TO BE USED TO SATISFY THIS REQUIREMENT SHOULD COME FROM THOSE LISTED AS TOLERANT OF WET CONDITIONS SHOWN IN THE TABLE ON THIS SHEET OR SHOULD OTHERWISE BE APPROVED IN WRITING BY THE TOWN.
 - TREES REQUIRED LARGE OR MEDIUM TREES SHALL BE PLACED OUTSIDE THE REQUIRED FENCING AT A RATE OF ONE PER FIFTY LINEAR FEET OF FENCING AROUND THE POND. THE PARTICULAR VARIETY OF LARGE OR MEDIUM TREE(S) TO BE USED TO SATISFY THIS REQUIREMENT SHOULD COME FROM THOSE LISTED AS TOLERANT OF WET CONDITIONS SHOWN IN THE TABLE ON THIS SHEET, OR SHOULD OTHERWISE BE APPROVED IN WRITING BY THE TOWN.

NOTES

- EXTERIOR LIGHTING TO BE PROVIDED AS REQUIRED
- ALL DRAINAGE AND UTILITY EASEMENTS, RIGHTS OF WAY AND FACILITIES BE DEDICATED AND RECORDED AT THE CARTERET COUNTY REGISTER OF DEEDS AS REQUIRED BY THE PUBLIC WORKS AND PUBLIC UTILITIES DEPARTMENTS.
- HYDRAULIC ANALYSIS PERFORMED ON EXISTING WATER SYSTEM BASED ON INFORMATION OBTAINED FROM THE TOWN OF BEAUFORT & FIRE FLOW DEMAND DOES NOT EXCEED THE AVAILABLE WATER SUPPLY & HYDRANTS CONFORM TO THE TOWN OF BEAUFORT ISD STANDARDS. CLOSEST EXISTING HYDRANT LOCATED AT THE INTERSECTION OF CALHOUN AND PROFESSIONAL PARK DRIVE
- BOUNDARY, TOPOGRAPHICAL AND EXISTING FEATURES TAKEN FROM MAP PREPARED BY PHILIP A. COLLIER, PLS OF STROUD ENGINEERING, P.A. ENTITLED EAST CAROLINA COMMUNITY DEVELOPMENT INC. PROPERTY PROPOSED TRACTS A1 AND A2 DATED 11/3/14
- ALL STORMWATER FEATURES INCLUDING: STORM DRAINS, CATCH BASINS, DRAINAGE SWALES, DITCHES AND STORMWATER PONDS SHALL BE MANAGED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION. THE TOWN OF BEAUFORT IS NOT RESPONSIBLE FOR ITS MAINTENANCE.

REVISIONS:

No.	BY	DATE	DESCRIPTION
1	GT	6/8/21	ROAD REVISIONS
2	RDC	8/7/23	REV. PREL. PLAN
3	RDC	10/12/23	TOWN COMMENTS
4	RDC	11/27/23	TOWN COMMENTS
5	RDC	12/6/23	TOWN COMMENTS
6	RDC	3/20/24	TOWN COMMENTS
7	RDC	4/25/24	EXTEND SIDEWALK

NO WETLANDS EXIST ONSITE

SITE & LANDSCAPE PLAN
PALMETTO PLANTATION @ OLDE BEAUFORT VILLAGE, PHASE 3
LOTS 1 THRU 9
BEAUFORT TOWNSHIP, CARTERET CO., NORTH CAROLINA

CLIENT: MERCER BUILDING & DESIGN, INC. DESIGNED: RDC/GYT
106-C PROFESSIONAL PARK DRIVE BEAUFORT, NC 28516 DRAWN: RDC/GYT
PHONE: (252) 728-6636 CHECKED: RDC

THE CULLIPHER GROUP, P.A.
ENGINEERING & SURVEYING SERVICES
151A HIGHWAY 24 MORRISHEAD CITY, N.C. 28557
(252) 773-0090 LICENSE NO. C-1482
Ronald D. Cullipher 4/25/24
RONALD D. CULLIPHER P.E.

APPROVED: RDC
DATE: 5/11/18
SCALE: 1" = 40'

NOTE: ORIGINAL PLANS PREPARED BY STROUD ENGINEERING, P.A.

CONCRETE PIPING SCHEDULE

PIPE	DIAMETER	LENGTH	%SLOPE
1*	15"	24'	0.25%
2	15"	136'	0.25%
3*	15"	24'	0.25%
4	15"	136'	0.25%
5*	15"	24'	0.25%
6	15"	104'	0.25%
7	15"	44'	0.25%
8	15"	128'	0.25%
9	15"	16'	0.25%
10	DUAL 15"	21'	0.25%
11	24"	188'	0.25%
12	15"	13'	0.25%
13	15"	90'	0.25%
14	18"	18'	0.25%
15	DUAL 24"	60'	1.60%

CATCH BASINS

CB	HOOD	INV
1*	11.69	9.23
2*	11.69	9.17
3*	12.21	9.75
4*	12.21	9.69
5*	12.50	10.04
6*	12.50	9.98
11	12.18	9.22
12	12.18	9.28
13	12.28	9.33
14	11.83	9.28
15	11.83	9.06

DROP INLETS

DI	GRATE	INV
1	11.90	9.65
2	11.75	9.31

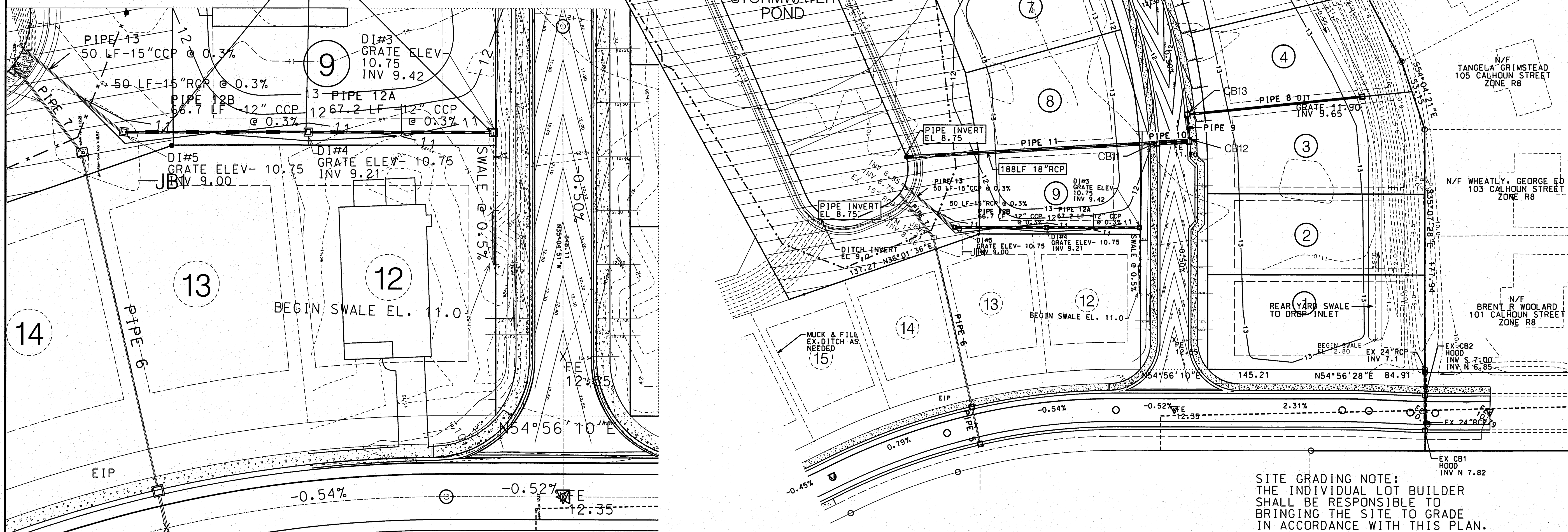
JUNCTION BOX EXISTING

JB	RIM	INV
1	12.00	8.86

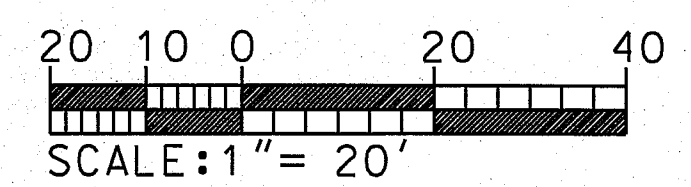
*ALL PIPES PREVIOUSLY INSTALLED

CATCH BASINS 14 & 15 AND PIPES 12, 13 AND 14 TO BE RELOCATED TO ACCOMMODATE LARGER RADIUS CUL-DE-SAC

PLACE CENTIPEDE SOD ALONG NEW SWALE AND DROP INLETS. ENSURE NO DAMING OF WATER FROM LOT 12 AND 13 AND THAT DRAINAGE FROM LOT 12 AND 13 REACHES DROP INLET SYSTEM. SOD SHALL BE FROM THE EL. 13 CONTOUR ON LOT 9 TO THE BACK SLOPE OF THE DITCH NEAR LOTS 12 AND 13. THIS SOD TO BE INSTALLED BY THE DEVELOPER.



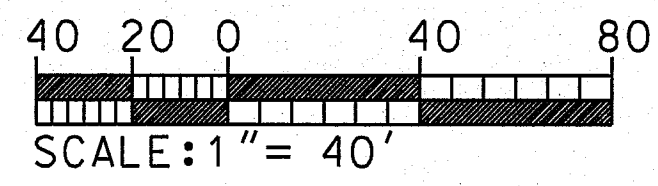
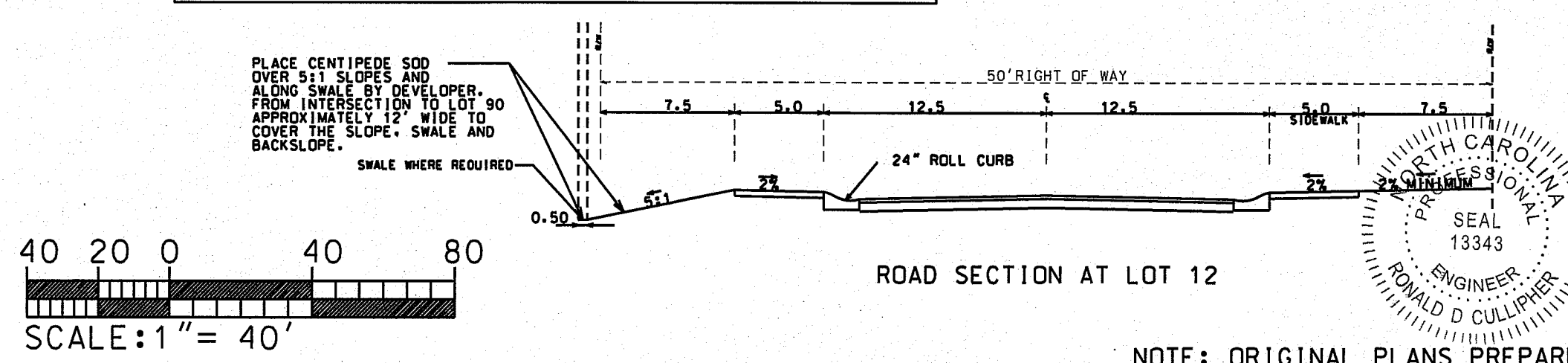
ENLARGED VIEW AT LOT 12



LEGEND

A	ARC LENGTH	GV	GATE VALVE
AC	ACRE	INV	INVERT
ABC	AGGREGATE BASE COURSE	LF	LINEAR FEET
BCSC	BITUMINOUS CONCRETE SURFACE COURSE	MAX	MAXIMUM
BLDG	BUILDING	MBL	MINIMUM BUILDING LINE
BRG	BEARING	MH	MANHOLE
CB	CATCH BASIN	MIN	MINIMUM
CL	CUBIC FEET	N/S	NOT TO SCALE
CL	CENTERLINE	O.C.	ON CENTER
DR	DRIVE	R	RADIUS
DI	DROP INLET	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	R/W	RIGHT-OF-WAY
EL	ELEVATION	SDMH	STORMDRAIN MANHOLE SHEET
EIR	EX. IRON ROD	SIR	SET IRON ROD
EOP	EDGE OF PAVEMENT	STA	STATION
EX	EXISTING	TC	TOP OF CURB
FE	FINISHED ELEVATION	TYP	TYPICAL
FES	FLARED END SECTION	TSW	TOP OF SIDEWALK
FF	FINISHED FLOOR	12	PROPOSED CONTOUR
FH	FIRE HYDRANT	-12-	EXISTING CONTOUR
SP	SILT FENCE		
LANDSCAPE POND FENCE			
STORMWATER/DRAINAGE EASEMENT			
TRAFFIC FLOW			
FIRE HYDRANT			
HANDICAP SPACE			
ROCK DOUGHNUT			
SOIL BORING #4 SHWT = 9.52 (DRAINED)			

NOTE: CONCRETE DRAINAGE PIPES 1, 3, 5, 10 AND 13 SHALL BE CLASS IV BELL & SPIGOT WITH O-RING. REMAINING CONCRETE STORM DRAINS SHALL BE CLASS III.



SITE GRADING NOTE:
THE INDIVIDUAL LOT BUILDER SHALL BE RESPONSIBLE TO BRINGING THE SITE TO GRADE IN ACCORDANCE WITH THIS PLAN. THE DEVELOPER SHALL INCLUDE IN ANY OFFER TO SELL THAT THE BUYER SHALL BE RESPONSIBLE FOR GRADING COMPLIANCE AND THAT THE TOWN WILL NOT ALLOW CERTIFICATES OF OCCUPANCY FOR LOTS DEEMED TO BE NON-COMPLIANT.

STORMWATER DATA

SUBDIVISION TRACT AREA = 7.04 +/- AC
TRACT AREA WITHIN R/W = 1.2 +/- SF
OFFSITE TRACT AREA = 2.16 +/- AC

DRAINAGE AREA #1

ONSITE DRAINAGE AREA = 276,762 SF (6.354AC)
OFFSITE DRAINAGE AREA = 146,358 SF (3.360AC)

PROPOSED IMPERVIOUS

PALMETTO PLANTATION
SIDEWALKS = 4,243 SF
LOT BUA = 65,000 SF
EASTBAY WAY = 17,458 SF
SUBTOTAL = 86,701 SF

OUTPARCEL 1 = 47,000 SF

PROFESSIONAL PARK DRIVE
SIDEWALKS = 4,581 SF
ROAD = 21,252 SF
SUBTOTAL = 25,833 SF

FUTURE MISCELLANEOUS = 46,634 SF

TOTAL = 211,560 SF

PROPOSED % IMPERVIOUS = 48.73%

DRAINAGE AREA #2

OFFSITE DRAINAGE AREA = 30,000 SF (0.69AC)

PROPOSED IMPERVIOUS

PROFESSIONAL PARK DRIVE
SIDEWALKS = 1,383 SF
ROAD = 4,009 SF
TOTAL = 5,392 SF

PROPOSED % IMPERVIOUS = 17.97%

REVISIONS:

No.	BY	DATE	DESCRIPTION
1	GT	3/7/15	ACCEHW COMMENTS
2	GT	3/30/15	ACCEHW COMMENTS
3	GT	5/1/15	LOWERED ROAD
4	GT	6/8/15	ROAD REVISION
5	RDC	8/7/15	PREL PLAT
6	RDC	10/2/15	TOWN COMMENTS
7	RDC	10/30/15	TOWN COMMENTS
8	RDC	11/27/15	TOWN COMMENTS
9	RDC	3/20/16	TOWN COMMENTS
10	RDC	4/25/16	SW AT CDS

**GRADING AND STORMWATER MANAGEMENT PLAN
PALMETTO PLANTATION @ OLDE
BEAUFORT VILLAGE, PHASE 2&3**

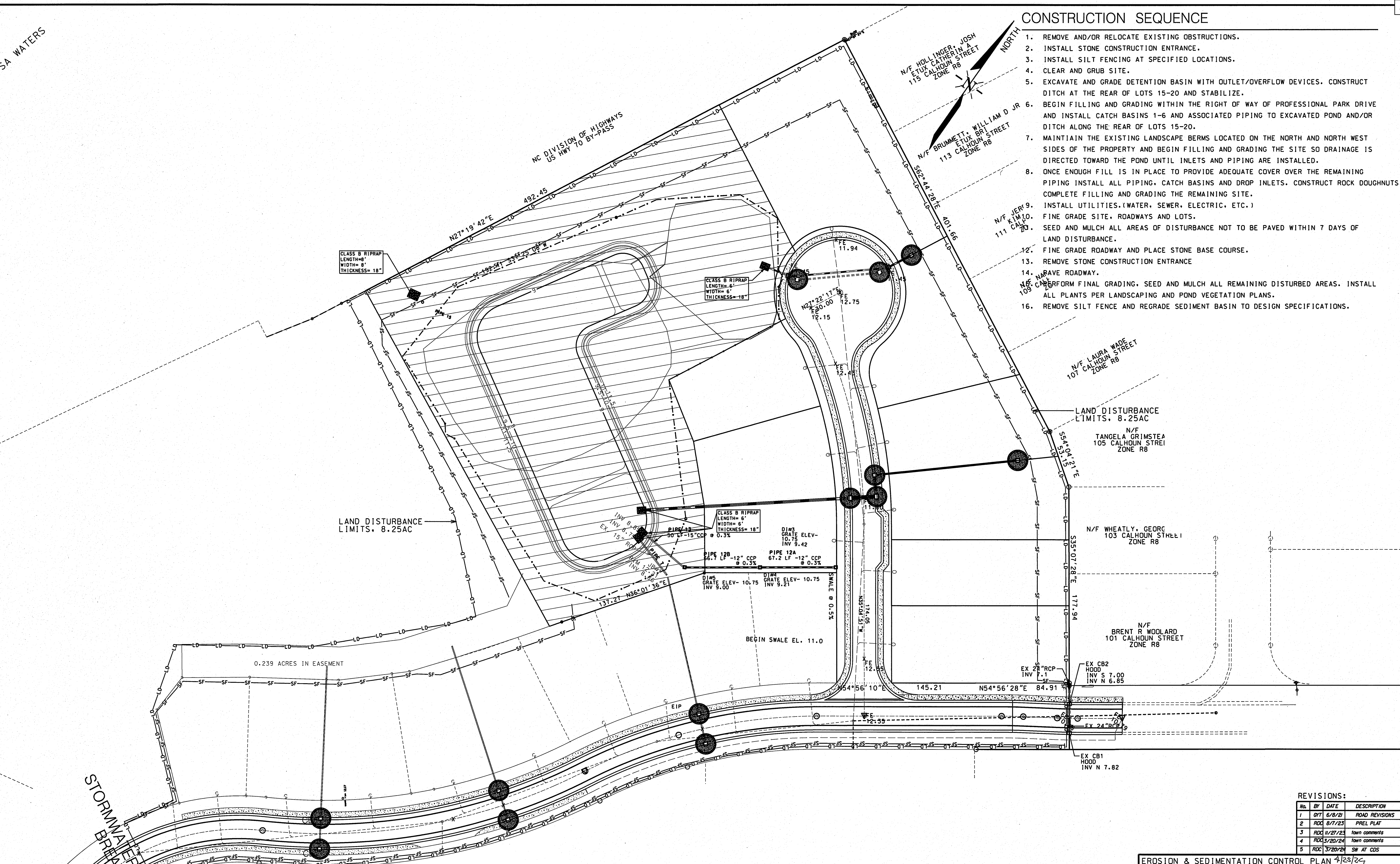
BEAUFORT TOWNSHIP, CARTERET CO., NORTH CAROLINA
CLIENT: MERCER BUILDING & DESIGN, INC.
ADDRESS: 106-C PROFESSIONAL PARK DRIVE BEAUFORT, NC 28516
PHONE: (252) 728-6636
DESIGNED: RDC/GYT
DRAWN: RDC/GYT
CHECKED: RDC
APPROVED: RDC
DATE: 5/11/18
SCALE: 1" = 40'

THE CULLIPHER GROUP P.A.
ENGINEERING & SURVEYING SERVICES
151A HIGHWAY 24
MOREHEAD CITY, N.C. 28557
LICENSE NO. 4492
RONALD D. CULLIPHER P.E.

1/2 MILE FROM SA WATERS

CONSTRUCTION SEQUENCE

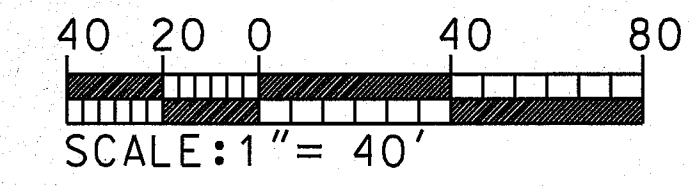
1. REMOVE AND/OR RELOCATE EXISTING OBSTRUCTIONS.
2. INSTALL STONE CONSTRUCTION ENTRANCE.
3. INSTALL SILT FENCING AT SPECIFIED LOCATIONS.
4. CLEAR AND GRUB SITE.
5. EXCAVATE AND GRADE DETENTION BASIN WITH OUTLET/OVERFLOW DEVICES. CONSTRUCT DITCH AT THE REAR OF LOTS 15-20 AND STABILIZE.
6. BEGIN FILLING AND GRADING WITHIN THE RIGHT OF WAY OF PROFESSIONAL PARK DRIVE AND INSTALL CATCH BASINS 1-6 AND ASSOCIATED PIPING TO EXCAVATED POND AND/OR DITCH ALONG THE REAR OF LOTS 15-20.
7. MAINTAIN THE EXISTING LANDSCAPE BERMS LOCATED ON THE NORTH AND NORTH WEST SIDES OF THE PROPERTY AND BEGIN FILLING AND GRADING THE SITE SO DRAINAGE IS DIRECTED TOWARD THE POND UNTIL INLETS AND PIPING ARE INSTALLED.
8. ONCE ENOUGH FILL IS IN PLACE TO PROVIDE ADEQUATE COVER OVER THE REMAINING PIPING INSTALL ALL PIPING, CATCH BASINS AND DROP INLETS. CONSTRUCT ROCK DOUGHNUTS, COMPLETE FILLING AND GRADING THE REMAINING SITE.
9. INSTALL UTILITIES (WATER, SEWER, ELECTRIC, ETC.)
10. FINE GRADE SITE, ROADWAYS AND LOTS.
11. SEED AND MULCH ALL AREAS OF DISTURBANCE NOT TO BE PAVED WITHIN 7 DAYS OF LAND DISTURBANCE.
12. FINE GRADE ROADWAY AND PLACE STONE BASE COURSE.
13. REMOVE STONE CONSTRUCTION ENTRANCE
14. GRADE ROADWAY.
15. PERFORM FINAL GRADING, SEED AND MULCH ALL REMAINING DISTURBED AREAS. INSTALL ALL PLANTS PER LANDSCAPING AND POND VEGETATION PLANS.
16. REMOVE SILT FENCE AND REGRADE SEDIMENT BASIN TO DESIGN SPECIFICATIONS.



STORMWATER TREATMENT
BRITAK LINE

LEGEND

AC - ACRE	GV - GATE VALVE	— SF —	SILT FENCE	⊕	HANDICAP SPACE
ABC - AGGREGATE BASE COURSE	INV - INVERT	▨	LANDSCAPE POND FENCE	⊙	ROCK DOUGHNUT
BCSC - BITUMINOUS CONCRETE SURFACE COURSE	LF - LINEAR FEET	▩	STORMWATER/DRAINAGE EASEMENT	⊖	LAND DISTURBANCE LIMITS
BLDG - BUILDING	MAX - MAXIMUM	▩	CONCRETE	→	TRAFFIC FLOW
BRG - BEARING	MBL - MINIMUM BUILDING LINE	▩	TRAFFIC FLOW		
CB - CATCH BASIN	MH - MANHOLE	▩			
CF - CUBIC FEET	MIN - MINIMUM	▩			
CL - CENTERLINE	N/F - NOW OR FORMERLY	▩			
DR - DRIVE	NTS - NOT TO SCALE	▩			
DI - DROP INLET	Q.C. - QD CENTER	▩			
DIP - DUCTILE IRON PIPE	R - RADIUS	▩			
EL - ELEVATION	RCP - REINFORCED CONCRETE PIPE	▩			
EIP - EX. IRON ROD	R/W - RIGHT-OF-WAY	▩			
EOP - EDGE OF PAVEMENT	STA - STATION	▩			
EX - EXISTING	TC - TOP OF CURB	▩			
FE - FINISHED ELEVATION	TST - TEMPORARY SEDIMENT TRAP	▩			
FF - FLARED END SECTION	TSP - TOP OF SIDEWALK	▩			
FT - FINISHED FLOOR	FT - FEET	▩			



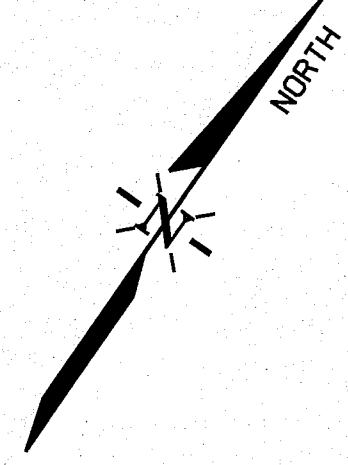
REVISIONS:

No.	BY	DATE	DESCRIPTION
1	GYT	6/8/21	ROAD REVISIONS
2	RDC	8/7/23	PREL PLAT
3	RDC	11/27/23	TOWN COMMENTS
4	RDC	3/20/24	TOWN COMMENTS
5	RDC	5/20/24	SW AT CDS

EROSTION & SEDIMENTATION CONTROL PLAN 4/23/24
PALMETTO PLANTATION @ OLDE BEAUFORT VILLAGE, PHASE 3
 BEAUFORT TOWNSHIP, CARTERET CO., NORTH CAROLINA
 CLIENT: MERCER BUILDING & DESIGN, INC. DESIGNED: RDC/GYT
 ADDRESS: 106-C PROFESSIONAL PARK DRIVE BEAUFORT, NC 28516 DRAWN: RDC/GYT
 PHONE: (252) 728-6636 CHECKED: RDC
THE CULLIPHER GROUP P.A. APPROVED: RDC
 ENGINEERING & SURVEYING SERVICES
 151A HIGHWAY 24 MOREHEAD CITY, N.C. 28557 LICENSE NO. C-4482
 (252) 773-0090
Ronald D. Cullipher
RONALD D. CULLIPHER P.E. DATE: 5/11/18 SCALE: 1" = 40'

SHEET #3 OF 7
 PROJECT #: PM322-27~001
 DESIGN FILE #: PM322/PM322-27~001/PM322-27~001 CONSTRUCTION.DGN

NOTE: ORIGINAL PLANS PREPARED BY STROUD ENGINEERING, P.A.



LEGEND

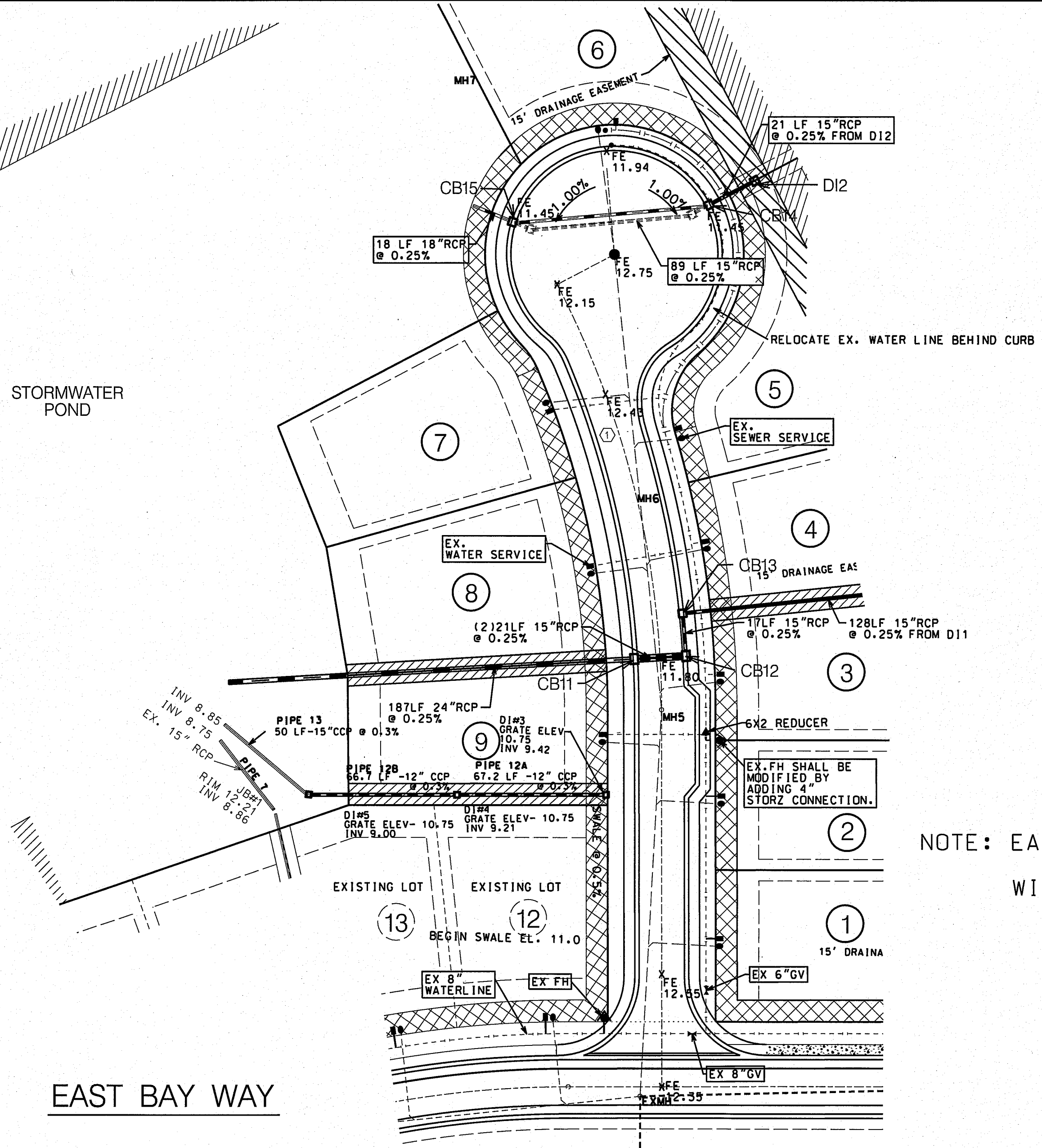
A	- ARC LENGTH	FT	- FEET		SILT FENCE		HANDICAP SPACE
AC	- ACRE	GV	- GATE VALVE		LANDSCAPE POND FENCE		ROCK DOUGHNUT
ABC	- AGGREGATE BASE COURSE	INV	- INVERT		STORMWATER/DRAINAGE EASEMENT		MEDIUM TREE (POST D&I)
BCSC	- BITUMINOUS CONCRETE COURSE	LF	- LINEAR FEET		UTILITY EASEMENT		FIRE HYDRANT
BLOC	- BUILDING	MAX	- MAXIMUM		CONCRETE		
BRG	- BEARING	MBL	- MINIMUM BUILDING LINE		TRAFFIC FLOW		
CB	- CATCH BASIN	MH	- MANHOLE				
CF	- CUBIC FEET	MIN	- MINIMUM				
CL	- CENTERLINE	N/F	- NOW OR FORMERLY				
DR	- DRIVE	NTS	- NOT TO SCALE				
DJ	- DROP INLET	O.C.	- ON CENTER				
DIP	- DUCTILE IRON PIPE	R	- RADIUS				
EL	- ELEVATION	RCP	- REINFORCED CONCRETE PIPE				
EIR	- EX. IRON ROD	SDMH	- STORMDRAIN MANHOLE				
EOP	- EDGE OF PAVEMENT	SM	- SHEET				
EX	- EXISTING	SIR	- SET IRON ROD				
FE	- FINISHED ELEVATION	STA	- STATION				
FF	- FINISHED FLOOR	TC	- TOP OF CURB				
FN	- FIRE HYDRANT	TSW	- TOP OF SIDEWALK				
		TYP	- TYPICAL				

NOTES

1. ALL SEWER PIPE TO BE SDR35 AND WATER MAINS TO BE SDR21 UNLESS OTHERWISE NOTED. SEWER MAIN MATERIAL CHANGES MUST BE MADE WITH MECHANICAL JOINT SLEEVES.
2. MAINTAIN A MINIMUM COVER OF 36" OVER WATER MAIN & SEWER FORCE MAIN LINES OR USE DUCTILE IRON PIPE. IN NO CASE SHALL THE WATER MAIN PROVIDE LESS THAN 30" COVER, EVEN IF DUCTILE IRON IS USED.
3. SEE DETAIL 17 ON SHEET 7 FOR CROSSING REQUIREMENTS.
4. CONTRACTOR SHALL SUBMIT MATERIALS TO BE USED FOR APPROVAL TO THE TOWN PRIOR TO WORK BEING DONE.
5. ALL MATERIALS AND LABOR SHALL BE TO THE TOWN AND STATE STANDARDS.
6. ALL SEWER SERVICE TAPS ARE TO BE INLINE WYES.
7. ALL SEWER SERVICE PIPE TO BE 4" SCH 40 PVC, INSTALLED WITH CLEAN OUTS. EACH CLEAN OUT MUST BE SET TO FINAL GRADE IN A CAST IRON BOX WITH SUPPORT BRICKS.

STORMWATER POND

EAST BAY WAY



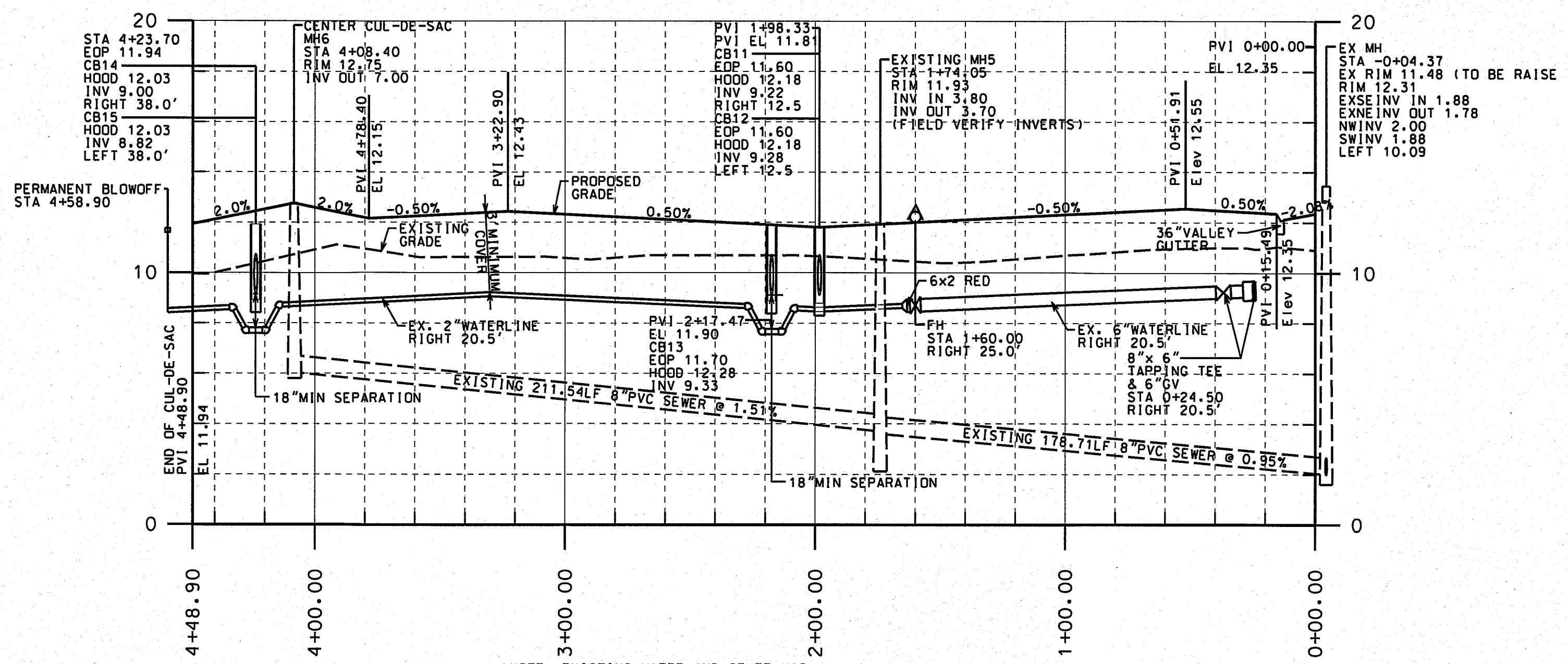
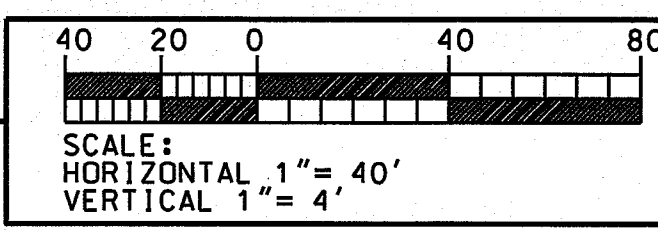
CATCH BASINS

CB	HOOD	INV
11	12.18	9.22
12	12.18	9.28
13	12.28	9.33
14	11.83	9.28
15	11.83	9.06

CURVE DATA

LENGTH	= 204.34
RADIUS	= 425.00
CHORD LENGTH	= 202.38
CHORD DIRECTION	= N48°51'17"W

NOTE: EAST BAY WAY SHALL BE CAPABLE OF WITHSTANDING 70000 POUNDS.



EAST BAY WAY

REVISIONS:

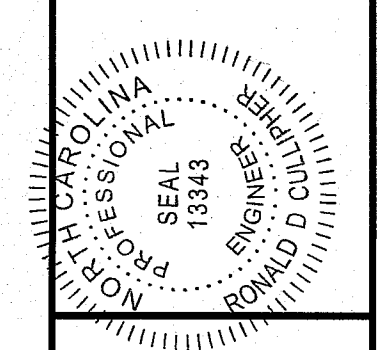
NO.	BY	DATE	DESCRIPTION
1	GT	2/9/15	ISS COMMENTS
2	GT	8/11/15	LOWER ROAD
3	GT	8/12/23	PREL. PLAN
4	RDC	11/27/23	ISS COMMENTS
5	RDC	3/29/24	ISS COMMENTS
6	RDC	4/22/24	ISS @ CDS

DESIGNED: RDC/GYT	CHECKED: RDC
DRAWN: RDC/GYT	APPROVED: GYT
SCALE: AS NOTED	DATE: 2/1/15

CLIENT: MERCER BUILDING & DESIGN, INC.
 ADDRESS: 106-C PROFESSIONAL PARK DR BEAUFORT, NC 28516
 PHONE: (252) 728-6636

PLAN & PROFILE FILE - EAST BAY WAY
PALMETTO PLANTATION AT OLDE BEAUFORT VILLAGE, PHASE 2&3
 BEAUFORT TOWNSHIP, CARTERET CO., NORTH CAROLINA

NOTE: ORIGINAL PLANS PREPARED BY STROUD ENGINEERING, P.A.
THE CULLIPHER GROUP, P.A.
 ENGINEERING & SURVEYING SERVICES
 151A HIGHWAY 24 MORRIS BEAUFORT, N.C. 28557 LICENSE NO. C-4482
 (252) 775-0080
Ronald D. Cullipher
RONALD D. CULLIPHER, P.E.



SHEET No.: **4** OF 7



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners Regular Meeting 6:00 PM- Monday, May 13, 2023 614 Broad Street, Beaufort NC

AGENDA CATEGORY: New Business
SUBJECT: Beaufort Pirate Invasion 2024 Event Request

Event Dates: Nov. 22-24, 2024
Set-Up Dates: Nov. 21 for encampment at Grayden Paul/Lynn Eury Parks
Break-Down Completion: Nov. 25 for encampment at Grayden Paul/Lynn Eury Parks
Vendor Area Set-up Start: 8 a.m. Nov. 23
Vendor Area Break-Down Completion: 6 p.m. Nov. 24

The Beaufort Pirate Invasion has submitted a request to host the 2024 Pirate Invasion in downtown Beaufort. The Gallant’s Channel property where the event has been held the last 3 years will be closed for construction. Organizers have met with Town staff to discuss potential elements of the event and are aware of potential road construction challenges the Town will face due to the upcoming USDA projects. This event request is for Nov. 22-24, 2024. This is a multi-day event with multiple activities.

Requests:

- Pirate encampment/living history area at Grayden Paul/Lynn Eury Parks. Set-up to begin on Nov. 21 and break down complete by Nov. 25.
- Cannon line at the encampment with live demonstrations throughout the weekend at scheduled times.
- Additional cannon fire will be on pirate vessels in the waterway. The Coast Guard will be contacted concerning water activities. Beaufort PD and FD will also be involved with water activities.
- 5-9 p.m. Friday, Nov. 21 – Parlay with acoustic music at encampment
- **Two battles/re-enactments & Foot parade:**
 - 2 p.m. Saturday, Nov. 23: Traditional pirate invasion re-enactment centered at Grayden/Eury Parks. Request to close Front Street from 1:30 p.m. until 3:30 p.m. to allow space for spectators. (Bleachers may be brought in for the battles and stored off the street between battles).
 - 3 p.m. Saturday, Nov. 23: Foot parade – Immediately following the conclusion of the battle, pirates will lead a foot parade along Front Street to turn right on Craven Street and conclude at the Old Burying Ground. Parade will last approximately 30 minutes.
 - 2 p.m. Sunday, Nov. 24: Blackbeard re-enactment at Invasion site - Request to close Front Street from 1:30 p.m. until 3:30 p.m. to allow space for spectators. (Bleachers may be brought in for the battles and stored off the street between battles).
 - Closure of Middle Lane & the Craven Street parking lot from 8 a.m. Saturday – 5 p.m. Sunday to allow for vendors. Vendors to sell food and beverage and pirate wares.

- John Newton Park/Topsail Park to be used Saturday and Sunday for activities and additional vendor space to include children’s activities and pirate themed wares.
- Alcohol waiver for Middle Lane and the Craven Street parking lot. BPI does not intend to sell alcohol, but the waiver would permit open container from businesses on Middle Lane. (This is not an absolute for the BPI – If the BOC is not comfortable with it they will withdrawal this request).
- Closure of parking spaces 47-65 (spaces in front of Grayden Paul/Lynn Eury Parks) from Nov. 21-25 for access to the encampment.
- Saturday evening: Location & Time TBD, a ticketed Pirate Ball will be held at a business on private property.
- Access to Police & Fire boats to remain open at all times.
- Port-a-potties will be required in key locations. (Behind Town Hall and on Middle Lane)

REQUESTED ACTION: Consider approval or denial as presented.

EXPECTED LENGTH OF PRESENTATION: 10 minutes

SUBMITTED BY: Rachel Johnson, Events Coordinator

Date Application Received:

4/10/24

Permit Number:



TOWN of
BEAUFORT
NORTH CAROLINA

Review Meeting w/ Applicant 4/17/24

APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Events Coordinator, Town of Beaufort

701 Front Street

P.O. Box 390

Beaufort, NC 28516

Phone: (252) 728-2141 Email: r.johnson@beaufortnc.org

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: Beaufort Pirate Invasion 2024

Location of Event Site: Grayden Paul Park and Eury Park

(If more than one site is being requested please be specific and list each one individually below)

Encampment Battles: Grayden Paul & Lynn Eury Parks

Vendors: Middle Lane, John Newton, Topsail

Run by: Beaufort Pirate Invasion Inc.

Applicant (Organizer) Name: Carl Cannon Contact # 252-241-9049

Day of Event Contact #: 252-241-9049 Email: carlcannonjr@yahoo.com

Type of Event:

- Festival
- Parade
- 5K Race
- 10K Race

Music Event

Other Annual Pirate Invasion

Actual Event Date(s): Nov. 22-24
~~Sept 20-22, 2024~~

Time of Event: FRIDAY: 5-10pm
~~7-10~~ SATURDAY: 10-5 / 6-10
SUNDAY: 12-4

Set-Up Date: 11/21
~~9-19-24~~

Start Time: 8AM

Tear Down Date: 11/25
~~9-23-24~~

End Time: 5PM

Estimated Attendance: 300 in park, 1500+ in street Admission Fees: no

Event Description:

Event is focused on an encampment in parks and one sea battle per day. Saturday will commemorate the 1747 Spanish Attack on Beaufort and Sunday will see the Blackbeard's Last Battle. Sea Battles at 2pm.

We would like to have a few vendors if possible (see map) and discuss possible road closure for public safety as we did in 2019 at least during Battle events. Our plan is for a small traditional invasion close to the original early days.

Vendors on Middle Lane/Crawley plot
Foot Parade on Saturday after the battle.
SUNDAY - funeral for Blackbeard

ORGANIZER/APPLICANT INFORMATION

Name of Organization: Beaufort Pirate Invasion Inc.

Primary Contact Person: Carl Cannon

Mailing Address: 103 Loftin lane, Beaufort, NC 28516

Email: carlcannonjr@yahoo.com

Daytime Phone #: 252-241-9049 Cell Phone #: 252-241-9049

Alternate Contact Person: Michael Taylor Phone #: 252-503-7631

Is your group a non-profit organization? yes If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

Yes

No Met 4/17/24 with staff - RC

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

Yes, we would like to work with events coordinator to come up with best plan for everyone

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- Alcohol waiver for Middle Lane

- East Parking Lot
- West Parking Lot
- Raven Street Parking
- Middle Lane
- John Newton Park
- Lynn Eury Park
- Grayden Paul Park
- Topsail Marine Park
- Other Please list: _____

SAT / SUNDAY - vendors

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

Electric in park, 5 trash bins @ bottle area, work with Town for placement of additional cows

OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

Craven AG services for Port-o-johns. Any rented tents. Country-Aire. Tap Barricades for any fencing.

Will there be canon/re-enactment fire during your event? Yes If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES NO Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

X Carl Cannon Jr.

*Alcohol not to be sold by BPI but asking for open containers on Middle lane
* CRAVEN St parking lot during event*

ROAD CLOSURES

Does your event require a road closure? X YES NO *The possibility needs discussion.*

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
Front Street Front Street between Craven St <i>Craven St to Marsh St</i>	8am <i>1:30pm</i>	10am <i>2 pm</i>	5pm <i>3pm</i>	8pm <i>3:30pm</i>
<i>Middle lane</i>	<i>8 AM</i>	<i>10 AM</i>	<i>5 pm</i>	

*Dates?
11/22-24*

SAT. & SUND

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

~~Spaces 47 to 65 for [scribble] [scribble] [scribble] [scribble] [scribble] [scribble] [scribble] [scribble] [scribble] [scribble]~~

DATEs 11/21 - 11/25 CRANWORTH Street parking lot

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

We hope to use the east side of Gallants Channel Annex if possible for minimal parking of trailers and extra staff/vendor vehicles, unless street closure is approved, vendors will be limited to a few

Bicycle Parking: Yes _____ No X

Additional Handicap Parking: Yes X No 2 Location: at end of Pollock St

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

We expect attendees to park and walk with Town hall parking spaces to be used for handicap accessible spaces only.

PARADE/WALK INFORMATION

Parade Assembly Area: Graydon Trail Time: SAT. 11/22 @ 3pm

Parade Dismissal Area: CRANWORTH Street Time: SAT 11/22 @ 3:30pm
Near Old Berial Ground

Parade Start Time: 3pm
at the conclusion of the battle.
Pirates will be taken away for burial

EMERGENCY MANAGEMENT

Route Map Attached: _____ YES X NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): CARL CAMPION

Cell #: 252-241-9049 Other Contact: _____

~~[scribble]~~
~~[scribble] !~~ ~~[scribble]~~ ~~[scribble]~~

How will your event staff react to severe weather?

Event will cease if Lightning, High winds or any other severe weather occurs until such time is deemed safe by event and town staff.

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

Announcement on Pa system.

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

Our Major concern is weather and fire. Fire extinguishers will be on site in various location of concern. We have had extensive experience with the weather and a deep respect for it and will be in constant observance.

What training will you provide to your volunteers/staff/participants regarding emergencies?

Black Powder, Fire, trip and fall hazards are all part of our safety training and reporting of safety issues promptly. Safety is job 1.

TENTS

Will you have tents at your event? YES NO

Tents 10x10 and smaller

Please list the tent sizes: No large tents

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact Tammy Turek at (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? YES NO *If possible*

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? upon approval YES NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? Yes No **If possible**

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- Tent Permit
- Detailed Site Plan
- Detailed Route Map (Parade/5K/10K)
- Map of Road Closures
- ABC Permit
- Health Inspection Documentation
- Insurance
- Non-profit documentation
- Private property parking permission letter
- List of food vendors
- List of vendors
- Application Fee
- Application Signature

I/We the event organizer Carl Cannon, on behalf of Beaufort Pirate Invasion Inc., the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature Carl M. Cannon Jr. Date April 8, 2024

Internal Use Only
 Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____
 Authorized Signature: _____

Insurance Certificate: Yes ___ No ___
 Permit Fee: Yes ___ No ___
 BOC Approval Date: _____
 Police Chief Approval: _____
 Fire Chief Approval: _____



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516 252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners
Regular Meeting
6:00 PM Monday, May 13, 2024
Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY: Closed Session

SUBJECT: Pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4)

REQUESTED ACTION:

Motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) to allow the Board of Commissioners to consult with Town Attorney and NCGS 143-318.11 (a) (4) for the purpose of discussing economic development incentives.

SUBMITTED BY:

Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:

No