



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
REGULAR MEETING AGENDA
223 E. BAY STREET
April 11, 2024
6:00 PM**

Agenda

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. The Board of Aldermen reserve the right to make changes to this policy, as needed to help prevent the spread of the Coronavirus.

If you are not able to attend the Board of Aldermen meetings in person, the meeting will be available for you to watch via live-stream on the City of Southport website (<https://cityofsouthport.com/board-of-aldermen-meetings/>), Facebook page, and YouTube channel.

ETHICS STATEMENT:

"If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please so state at this time."

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Mayor's Comments**
- E. Public Comment**
- F. Approval of Agenda**
- G. Approval of the Consent Agenda**
 - 1. Resolution in Support of Accepting Funding for I & I Study **pgs 3-4**
 - 2. Minutes of the Special Public Meeting for Rights-of-Way February 28, 2024 **pgs 5-8**
 - 3. Minutes of the Special Called Budget/Goal Setting Workshop February 29, 2024 **pgs 9-11**
 - 4. Minutes of the Regular Board of Aldermen Meeting March 4, 2024 **pgs 12-17**
 - 5. Closed Session Minutes from March 4, 2024 **(sealed envelope)**
 - 6. Minutes of the Special Board Workshop March 5, 2024 **pgs 18-21** **Pgs 22-34**
 - 7. Annexation Request and Resolution Setting a Public Hearing: Turtle Bay at Southport, LLC
 - 8. Resolution Supporting the City of Southport's Multimodal Planning Grant Application **pgs 35-38**
 - 9. Amendment to the Adopted Resolution for Shallow Draft Inlet Funds **pg 39-41**

H. Special Recognition

1. Proclamation for Arbor Day 2024 **pg 42**
2. Proclamation in Appreciation for Generous Service to the Community **(not included)**

I. Presentations

1. Bond Rating Discussion (Attorney Paul Billow) **pgs 43-49**
2. Parking Study Update (Jim Corbett, Walker Consultants) **pgs 50-85**
3. Code Enforcement Update (Derek Mabe, Alliance Code Enforcement) **pgs 86-107**
4. Supreme Court Decision on Use of Social Media (Attorney Herman) **pg 108-109**

J. Agenda

1. Wayfinding Signage (A. Dail) **pgs 110-121**
2. Discussion and Decision: Mixed Use in Highway Commercial Text Amendment (M. Meehan) **pgs 122-135**
3. Discussion and Decision: Zoning Map Amendment-Robert Ruark Drive (M. Meehan) **Pgs 136-152**
4. Call to Public Hearing: Zoning Map Amendment and Master Development Plan-Turtle Bay (M. Meehan) **pgs 153-252**
5. Alleyways (D. Dutton) **pgs 253-276**
6. Minimum Housing Ordinances and Budget Amendment Request (D. Dutton) **pgs 277-300**
7. Reminder about Board and Committee Appointments (Board of Aldermen) **pgs 301-315**

K. Committee Reports

1. Planning Board Minutes February 15, 2024 **pgs 316-320**
2. Board of Adjustment Minutes February 27, 2024 **pgs 321-325**
3. Beautification Committee **pgs 326-329**
4. Forestry Committee **pg 330**
5. ABC Board **pg 331**

L. Manager's Report

M. Mayor's Comments

N. Staff Reports

O. Board Comments

P. Adjourn



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 4-11-2024

DEPARTMENT: Public Services and Administration

PRESENTED BY: Consent Agenda

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Acceptance of ARPA Funds for the Inflow and Infiltration Study

COST: Receiving \$400,000

BUDGET LINE ITEM: Water/Sewer Projects

JUSTIFICATION: We received the letter of Intent to Fund last spring for the I & I project, but the Board has never fully accepted the funds. We need to adopt the Resolution, in order to be able to collect the ARPA funds.

IMPACT IF NOT APPROVED: We will lose out on \$400,000 and have to finance the project.

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS: n/a

ATTACHMENTS: The Resolution is included in the packet as Consent Agenda.

REQUESTED ACTION: Approve the Resolution to Accept the DEQ Offer and Funding for the I & I project.

PROPOSED MOTION: **Once the consent agenda is approved, the Resolution accepting ARPA Funding will be adopted.**



**CITY OF SOUTHPORT BOARD OF ALDERMEN
RESOLUTION ACCEPTING ARPA FUNDING**

WHEREAS, the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered Pre-construction Planning Grant ARPA funding in the amount of \$400,000 to perform the work detailed in the submitted application, and

WHEREAS the City of Southport intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SOUTHPORT:

That the City of Southport does hereby accept the ARPA grant offer of \$400,000; and

City of Southport does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

That City of Southport, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this the 11th day of April 2024.

Rich Alt, Mayor
City of Southport

Dorothy Dutton, City Clerk
Assistant City Manager



**Board of Aldermen
Special Public Workshop Meeting Minutes
223 E. Bay Street
February 28, 2024
5:00 P.M.**

Present: Mayor Rich Alt, Alderman Karen Mosteller, Lowe Davis, Robert Carroll, Frank Lai, and Marc Spencer.

Absent: Mayor Pro Tem Rebecca Kelley

Staff: Manager Bonnie Therrien, Assistant City Manager/Clerk Dorrie Dutton, and Mo Meehan, City Planner

- A. Mayor Rich Alt called the meeting to order at 5:00 P.M.
- B. Alderman Reverend Davis gave the Invocation.
- C. Mayor Alt led the Pledge of Allegiance.
- D. Mayor Pro Tem Kelley made a motion to approve the agenda, which was seconded by Alderman Davis. ***Unanimous Vote; Motion Carried.***

E. Right-of-Way Presentation (D. Dutton and M. Meehan)

Ms. Meehan and Ms. Dutton discussed encroachments into the right-of-ways and enforcement tools. Encroachments are prevalent in the city, mainly in the historic core and non-conforming lots in R-10. Only new driveways, walkways, parking for non-conforming lots, and overflow parking, if graveled, are permitted. The UDO prohibits placing any structure or substance above the ground on public streets, sidewalks, or other right-of-ways.

F. Public Comments and Questions

- 1. Ms. Susan Delaney, who lives in the historic district at 304 W. West St., requested that the Board revise the policies in the UDO to allow property owners to landscape around their properties and replace any items removed by the city in the right-of-way. She has invested a lot of money in landscaping and had the power lines buried around her house to prevent any damage. She replaced the sidewalk to avoid tripping hazards and highlighted that property owners have invested time and money to beautify the city.
- 2. Mr. Angelo Collins, who lives at 1107 N. Caswell, has raised concerns about the alleyways. He recently requested a permit to remove some trees from behind his house to access his garage but was informed that there were complications with issuing a permit for tree removal since the trees were partially in the alleyway. Mr. Collins has taken the initiative to clean up the area behind his house and is willing to remove the small gumball trees at his own expense. Although he understands that alleyways are city property, he would like the board to consider the properties that abut them and allow homeowners to make improvements.
- 3. Bob Holben, who resides at 114 W. Moore St., expressed concern about the potential long-term parking issue in the city and believes that encroaching into the right-of-ways has become the motive for taking action on such encroachments. He acknowledged the incredible efforts of individual property owners in the historic district in maintaining the charm of their homes, preserving the trees, and landscaping. He emphasized that these efforts have added to the unique and special character of Southport. Mr. Holben also noted that the property owners understand their responsibility to remove any items that obstruct the city's property. He acknowledged that if the city plans to build a new sidewalk, parking spaces, or bury utility lines, it would be a good thing, but preventing neighbors from beautifying the city at their expense seems misguided. He argued that the barren right-of-

ways are not charming, and it is the property owner's efforts that make them so. He acknowledged that the property owner's efforts are removable, if need be, but it should only be for the right reason and not just to take over and assume the right-of-way. Mr. Holben asked the Board to move forward with option four, which was considered at the meeting on February 5th.

4. Do not amortize right-of-way encroachments; allow existing or new encroachments until access is needed by the City or they cause a hazard.

a) The property owner can return the landscaping encroachments to the City at no expense.

4. Mr. Fred Fiss, a resident of 216 N. Atlantic Ave., believes enforcing the right-of-way encroachments in the city is essential. He believes that safety should always come first and that maintaining the city's property rights is the responsibility of its citizens. Mr. Fiss finds it offensive when citizens fence in the right-of-way, and he has noticed several examples of this around the city, including 416 E. Bay St. In 2018, a fence and large boulders were placed in the right-of-way at this location, which he believes could be hazardous to pedestrians. He thinks people who must move into the right-of-way for passing traffic could trip on the heavy landscaping and large rocks. Mr. Fiss filed an official complaint with the city's code enforcement, but nothing was done in 2020 and 2021. The area that is fenced in is owned by a real estate broker, and it infringes on valuable city property that could be used for additional parking for Kingsley Park and potential sidewalks in the future. Therefore, he requests that the city enforce violations of right-of-way encroachments, not only for safety concerns but also for city property rights.
5. Bob Gardner, who resides at 108 N. Caswell, has requested that the Board be practical in enforcing right-of-ways. He believes it has been a common practice for residents with non-conforming lots or those in the historic district to enhance the right-of-way at their own expense for many years. He agrees with the others that if the city requires utility access to these right-of-ways, the landscape will have to be removed and replaced by the resident with their money. Mr. Gardner believes that many people spend considerable time and money on improving the right-of-way, which adds to the city's charm. Although he understands parking is a significant issue, he points out that certain areas have curbing that does not allow people to park in the right-of-way.
6. Kathy Cabral, 308 W. West St., echoed the prior speakers and agreed that beautifying the right-of-ways has improved the city. She replaced the uneven and hazardous sidewalk, buried utility lines, and planted a mature live oak to replace a dead one. She implored the Board to allow the continuation of improving and maintaining the right-of-way unless it is creating a safety hazard.
7. Hugh Fosbury, who resides at 120 W. Moore St., stated that property owners know that the city owns the property, and that the city always has its rights. However, some people misuse encroachment by using boulders and other such things. He further explained that he put gravel on his side yard's right-of-way (ROW) to prevent people from getting stuck in the mud while parking there. Soon after, other residents added gravel to maintain uniformity and improve the area's look. The residents paid for this themselves. He believes that the city should not unnecessarily remove the ROW's beautification and should allow the residents to maintain and replace the landscape if needed.
8. Linda Pukenas, 119 N. Lord St., agreed with all the comments regarding the right of way (ROWS). She said the residents take pride in maintaining the ROWs in front of their homes and keeping them landscaped. She argued that if homeowners were not allowed to maintain the ROWs, then the city should be prepared to take on more of this responsibility and consider the cost. Ms. Fosbury added that they all understand that the ROWs are city property and can be removed if needed for city work but can be replaced by the owners if they choose.

9. Paul Swenson, who resides at 107 N. Atlantic Ave., stated that he has no personal interest in the matter but believes that individuals who maintain the lawn, plant trees, and use suitable quality pavers in the ROW contribute positively to the area's aesthetics. However, he disapproves of people who obstruct the right-of-ways (ROWs) in front of their homes during significant holiday weekends to prevent others from parking. He suggested that during such events, the public should be allowed to park in the city ROWs.
10. Maria Horton, who lives at 414 N. Burrington Ave., expressed her appreciation for the people who take pride in maintaining the right of way in front of their homes, as it adds to the city's charm. She believes that abandoning this practice is not conducive to the character of the city that everyone loves. She also has a property with an abandoned alleyway with two very large trees, and she wonders if the city will allow these trees to be removed or if they will start maintaining the alleyways soon.
11. Amy Patterson, who resides at 102 W. Nash St., expressed her concern that if the right-of-way encroachment issue becomes enforced, it will lead to the ROWs looking unkempt and overgrown, just like they did many years ago. She mentioned that she has never stopped people from parking in the ROW in front of her property, but she takes care of it and keeps it clean. According to her, these ROWs are situated in the heart of the city, where many people walk around, and it would be a shame for the city to prevent people from contributing to making it beautiful.

There were no further comments, and Mayor Alt thanked everyone for attending. He announced the next meeting for further discussion will be on March 11th at 6 pm.

G. Mayor's Comments

Mayor Alt talked about parking issues in the city and how sometimes people block the right-of-way with flags and tape. He suggested enforcing the city code to stop this practice, or maybe the city could sell some right-of-way to homeowners. However, this idea needs further discussion to determine if it's feasible. The issue of staff versus residents maintaining the right-of-ways was discussed. Structures and stone walls can block parking access, which must be addressed. Mayor Alt noted that another solution may be to sell part of the ROW, but this must be discussed and reviewed thoroughly. A meeting will be held to discuss alleyways; some had permission to do what they wanted while others did not. The Board will discuss addressing the abandoned alleyways at the next meeting, and community feedback will be considered.

H. Board Comments

Alderman Mosteller expressed her opposition to selling city property, particularly the right-of-ways, which she considers a significant part of the city's heritage. She clarified that she does not favor hardened structures (rocks, boulders, fences, etc.) in the ROW but believes the discussion of hard structures and landscapes should be separate. She also emphasized the need for rules and guidelines to be implemented, as there is a lot of diversity in each situation. While she appreciates that people maintain the ROWs in front of their property, she said someone might encroach the ROW with something less appealing. She emphasized the importance of having an extensive conversation on this matter.

Alderman Carroll expressed his gratitude to the community for their efforts to beautify the city, particularly in certain areas. However, he is against the idea of taking possession of the right-of-way and blocking it from public access. He acknowledges that some rules were not enforced when they should have been, but he believes now is the time to follow the ordinance. He suggested that certain concessions could be made in the ordinance to specify what is allowed (such as landscape) in the ROW and make amendments rather than not enforce.

Alderman Davis questioned what would be done about enforcing right-of-ways, especially for those blocking public parking for access to some city parks. She said the owners know the ordinance but will not comply. She said that from a legal standpoint, the city has to be cautious about selective enforcement. She said there needs to be a way to amend the ordinance to deal with the different issues that are inclusive to each property, as well as to achieve the overall goal of improving the city right-of-way and not prohibiting public access to public property.

Mayor Pro Tem Kelley expressed her support for making amendments to the current ordinance rather than enforcing it as it is. She believes that some potential issues need to be addressed one-on-one. In response to Mr. Swenson's comments about people blocking the right-of-way off from public parking on city property during festivals and big holidays, the residents who maintain these right-of-ways who say they understand the city may need to access them for various reasons should also know that the public should also be allowed to park on the right-of-ways if needed.

Alderman Spencer expressed gratitude towards everyone for their comments on the issue. He also presented an alternative perspective regarding the changes that were being discussed. As a person born and raised in Southport, he has seen many changes and understood that sometimes changes are not always beneficial for everyone. He pointed out that the citizens of Southport have diverse interests and preferences, and therefore, a 'one size fits all' solution may not be suitable for everyone. He observed that many people are moving to Southport and attempting to change and regulate the city. The issue is complex due to the state setbacks on Moore Street, Howe Street, and Leonard Street, which means different laws apply to various locations. He noted that the alleyways had been neglected and require attention. He also suspects that many other things have not been adequately addressed and must be dealt with.

Alderman Lai thanked everyone for their valuable comments and their concern for the city's beautification. He agreed that fences, boulders, and other complex structures should be prevented as they obstruct the parking of vehicles on public property, which is unjust and needs to be addressed. Parking in Southport is a significant issue, so he suggested that using the city right-of-way should not be limited to only property owners. He also encouraged more discussion to find a fair and just solution that would be best for all the citizens.

One last comment was permitted by Ms. Karen Cobb, who resides at 107 N. Lord St., raised a concern regarding the parking issue in the area. While she welcomes visitors, she believes the residents should be prioritized. Limited parking on her street often results in people parking on the right-of-way, leaving residents with nowhere to park their cars. She requested the Board to consider the taxpayers' needs before the tourists.

There were no further questions or comments. Mayor Alt requested a Motion to adjourn. So, it was moved by Alderman Carroll and seconded by Alderman Spencer. ***Unanimous Vote; Motion Carried.***

Adjournment — 6:20 p.m.

Mayor, Richard Alt

Deputy Clerk, Tanya Shannon



Board of Aldermen Special Meeting Minutes
Indian Trail Meeting Hall, 113 W. Moore St.
February 29, 2024
6:00 P.M.

Present: Mayor Rich Alt, Alderman Karen Mosteller, Lowe Davis, Robert Carroll, Frank Lai, and Marc Spencer.

Absent: Rebecca Kelley

Staff: Manager Bonnie Therrien, Assistant City Manager/Clerk Dorrie Dutton, Deputy Clerk Tanya Shannon, Communications/PIO Director ChyAnn Ketchum, Heather Hemphill. Parks and Rec. Director, Police Chief Todd Coring, Finance Director Lance Flint, Public Services Director Tom Stanley, and City Engineers Tom Zilinek and Bob Jarvis.

- A. Mayor Rich Alt called the meeting to order at 8:30 A.M.
- B. Alderman Reverend Davis gave the Invocation.
- C. Mayor Alt led the Pledge of Allegiance.
- D. Alderman Spencer made a motion to approve the agenda, which was seconded by Alderman Carroll. ***Unanimous Vote; Motion Carried.***
- E. **Agenda**

1. Budget Goal Setting for FY 2024-2025 (Ann White, NCLM)

Manager Therrien emphasized the importance of setting short-term, medium-term, and long-term goals for the budget. She introduced Ms. Anne White, a municipal operations consultant with the League of Municipalities.

Ms. White expressed her gratitude to the Board for inviting her and presented some ideas for establishing the budget goal, both individually and as a group. Ms. White sent out an assignment to the Board to bring back and discuss each member's goals.

Mayor Alt expressed interest in reviewing the discretionary funds. Since most of the budget is allocated to areas with limited flexibility, one of his objectives is to assess the total amount of funds available for discretionary spending. To start the review process, he has requested an estimate of the amount of money available for discretionary spending. He reviewed some key components. 1) He believes Parks and Recreation should not be separated. However, he suggested hiring a park supervisor with experience in trees and landscaping or an outside company to routinely come to do concept landscaping such as fertilizing, trimming, etc. 2) He would like to start the budget process of how to protect and restore the old City Courthouse. 3) He explained that with roughly \$5 million in funds dedicated to the Shoreline Stabilization project that must be used by 2026, there needs to be a plan for using the money this year. He said that \$5M will not be enough to complete the project, but it can be done in phases and how much each phase will cost. 4) He would like to address the alleyways and the cost of cleaning them up and making them accessible for cyclists and pedestrians. 5) The cost of road paving and how much to set aside each year for paving. 6) He discussed the RPO Greenway Project, and although most funds will come from the State, there needs to be a discussion about whether there needs to be a contribution or matching funds.

Alderman Carroll shared his thoughts on the current short-term goal, stating that the biggest challenge at the moment is the sewer merger with the county. This merger will significantly reduce revenue, impacting on some of the staff's salaries. Consequently, he believes that the upcoming year will be a lean one. Therefore, he suggests that there should be more emphasis on employee recruitment and retention to tackle this challenge effectively. He would like to

see an asset maintenance plan and goals and funds to protect and maintain all real property. He would like to see funding for the all-inclusive park in addition to a private funding partnership. Improve the monetization of tourism and keep revenue in Southport, not just during peak season but also from weekly shoppers and diners.

Alderman Davis expressed her desire to see improvements in storm drainage. She noted that while maintenance work is being done on the existing storm drains, more of them are needed. According to her, heavy rainfall causes extensive flooding and ponding in yards and streets, which is not just limited to storms. Therefore, she suggests expanding the storm drainage system to improve drainage and prevent flooding, especially in areas with new development. Alderman Davis also raised concerns about parking issues and suggested the possibility of using eminent domain to acquire the open area at the yacht basin. She emphasized that the area is zoned residential and any new construction in the vicinity could compromise the vistas, which would undermine the CAMA Land Use Plan. She suggested that the space could be used for free or paid parking for events and other purposes, making it a viable investment that would be worth the cost. She would like to appropriate for real estate. She said a lot of the buildings are crowded, and some are underused. She would like a good, solid plan that can be agreed on for the best use of public buildings. Perhaps purchase, sell, or preserve them. She would like to budget for electric vehicle plug-ins for EVs. She would like to create a connector from Lowe White Park and Taylor Field leading up to Kingsley Park. She would like to acquire land between these parks to ensure smooth connectivity. The ultimate aim is to create an uninterrupted pathway for people to commute between these parks.

Alderman Mosteller discussed her plans for budget planning in the short and long term. Her objectives include developing a budget document that meets the criteria for the Government Finance Officer Award of Distinguished Budget Presentation and creating a 5-year budget structure. She believes these initiatives are crucial for effective planning in the future. During the discussion, she also mentioned reviewing the status of the building inspections department fees and determining which staff and facilities can be attributed to these funds. She also expressed her eagerness to review the analysis of the staff pay study and move forward with it. Additionally, she hopes to provide more training initiatives for staff and committee members. In the short term, Alderman Mosteller aims to relocate the Police Department to provide more space for city hall. She also stated that the yacht-basin dredging is a high priority on the list. Advance in the Shoreline Stabilization project and determine how to proceed with grant funds and additional funds needed. In the long term, she aims to repair roads and sidewalks, install traffic calming devices, and update the transportation plan for a future goal. She wants to look at the aesthetics of city facilities, including signs, etc. Another important short-term goal is to fill the planning department's open positions. She is also considering establishing an Entry Corridor Commission to protect the corridor, which is a main point for the city, and discussing managing impervious coverage to deal with stormwater drainage.

Alderman Spencer suggested that tourism could be used more effectively to generate revenue. He explained that while businesses benefit from the influx of travelers to the city daily, weekly, or monthly, the cost of maintaining the necessary infrastructure should not fall solely on the residents. He proposed that visitors contribute to the cost of maintaining the infrastructure to share the burden. He would devise a long-term solution to generate more revenue from tourism effectively. He noted that due to the water and sewer merger, the city would suffer a significant loss of income. As a result, most of the city's revenue will come from taxes. He emphasized that setting goals and planning for the future is crucial, but the amount of money required to achieve these goals is yet to be determined. Alderman Spencer aims to enhance staff skills and leverage technology to streamline operations. He recommended bringing interns in to learn and bring in new ideas, evaluating and maintaining city buildings and facilities, needing the funds to protect Franklin Square Park, and renovating buildings for better use. The Shoreline Stabilization Project is of utmost importance, and it is

essential to set a goal on how to proceed with the allocated funds before the year ends. It is necessary to redirect ferry traffic from neighborhood side streets that cause road damage and incur expenses. The State should be more involved in the repair of their roads. It is crucial to ensure that if the ROWs (Right of Way) are restricted, the city maintains them. The Police Department could be relocated to the old Fire Station to save money on purchasing a new one. Budgeting for connectivity with the parks is necessary. Look for resources to pay for sidewalks to take pedestrians to Walmart and other businesses.

Alderman Lai expressed his agreement with everyone that tourism plays a vital role in Southport's economy. He emphasized that the city needs to explore various options to generate revenue through tourism. Shoreline stabilization is also a significant priority, and the city must decide quickly on how to fund and phase out the project. The city facilities require repairs and renovation, and a Board Chamber would be a valuable asset. Alderman Lai recommended investing in staff training and providing competitive salaries to attract and retain the best talent. Relocating the Police Department is essential, and creating more space for staff at City Hall is well-needed. The primary objective is to establish a plan to generate more revenue through grants, paid parking, and other means.

There was discussion on medium and long-term goals for generating more revenue. It was mentioned that a slight increase in sales tax would be a tremendous help, but it would have to be lobbied for and approved by legislators.

Manager Therrien expressed her concerns about the city's financial situation. She mentioned that she has never seen a state restricting municipalities from raising funds and that the city needs to work with other towns to ban this restriction. Manager Therrien explained that in other states where she has worked, there are options to raise funds, which would have to go to a referendum for a public vote. With the CIP presentation coming up, she emphasized that the improvements cannot be funded through tax revenue alone. She was surprised to learn that the city does not have a bond rating, which could be a viable option to complete big projects. In her opinion, grant money alone will not be enough to cover the expenses.

Ms. White has compiled a list of all the goals and ensured that none overlapped. She reviewed each goal and provided some valuable suggestions. She has also recommended collaborating with the departments responsible for specific areas of improvement. Additionally, she has expressed her willingness to work with the city manager and finance director to review the goals in greater detail. Ms. White expressed her gratitude to everyone who participated and was enthusiastic about supporting the team in achieving these goals.

Everyone thanked Ms. White and the Staff for leading the direction in the next budget cycle.

There was no further business. Mayor Alt requested a Motion to adjourn. So moved by Alderman Carroll and seconded by Alderman Lai.

Unanimous Vote; Motion Carried. —11:08 A.M.

Mayor, Richard Alt

Deputy Clerk, Tanya Shannon



Board of Aldermen Meeting Minutes
Community Building, 223 E. Bay St.
March 4, 2024
9:00 A.M.

Present: Mayor Rich Alt, Mayor Pro Tem Rebecca Kelley, Alderman Karen Mosteller, Lowe Davis, Robert Carroll, Frank Lai, and Mark Spencer.

Absent: None

Staff: Manager Bonnie Therrien, Dorothy Dutton, Assistant City Manager, ChyAnn Ketchum POI/Communications Director, Police Chief Todd Coring,

- A.** Mayor Rich Alt called the meeting to order at 9:00 A.M.
- B.** The Invocation was given by Reverend Alderman Davis.
- C.** Mayor Alt led the Pledge of Allegiance.
- D.** New Employee Introductions
 - 1. Police Department: Officer John Warnock and Officer Timothy Barton.
 - 2. Development Services: Mike Lavezzo, Building Inspector, and Harlan "HP" Pyles, Code Enforcement
- E. Public Comment**
 - 1. Angelo Collins of 1107 N. Caswell Ave. requested the Board to allow residents to clean up alleyways, making them more accessible. Although the alleyways belong to the city, Mr. Collins would like to pull around to the rear of his house without impeding and has applied for a tree permit to create accessible space. However, it cannot be approved as it is on city property.
 - 2. Hope Vickers, residing at 1002 Bussells Turn, expressed her gratitude towards Franklin Square Park and the ongoing efforts to promote its restoration. According to her, the park is a "sacred space," the community is eager to see it preserved in its utmost beauty.
 - 3. Scott Len 318 Will Dr., Chair of the Southport Forestry Committee, disagrees with the Friends of Franklin's request to limit the use of Franklin Square Park and complete the park restoration according to their vision. He suggests mitigation steps to protect the park's flora and requests citizen input before committing.
 - 4. Caroline Proctor of 312 N. Atlantic Ave. requests the reopening of Franklin Square Park to pedestrians. She stated that the tree assessment is complete and that future park enhancements are years away. Despite a warning from insurance, she believes the risk is minimal, and if the park is a liability, other places should be closed, too.
 - 5. Ginny Prunty, who resides at 5906 Dutchman Creek Rd., expressed her gratitude to City Manager Bonnie Therrien for the services rendered to the city. She requested that she reconsider and extend her term as City Manager. Ginny and many others appreciate Bonnie's unwavering dedication to improving the city. They regard her as the best manager the city has had so far, and they do not want to lose her.
- F.** A Motion was made by Alderman Carroll to approve the agenda and seconded by Mayor Pro Tem Kelley. ***Unanimous Vote; Motion Carried.***

G. Agenda

1. Franklin Square Park Tree Assessment (Everett Jones, Bartlett Tree Services)

Mr. Jones assessed the trees and reported that the majority of them have a low-risk rating, which is impressive. However, he conducted a thorough evaluation of 22 Oaks and discussed several options to mitigate the risks associated with these trees.

Alderman Mosteller asked about the possibility of reopening the park once the liability risks had been reduced. Manager Therrien consulted with the risk agent and was informed that it would be safe to reopen the park once the recommended trees and limbs were removed. The discussion then moved toward the final report, and it was requested that \$50,000 be allocated from the City's Building and Grounds Budget to address the immediate issues outlined. Mr. Jones stated that tree removal would begin in the blue area on the site plan, and once the risk manager approves, the park can reopen. However, Mr. Jones stressed that no mechanical equipment should be allowed in the park; this includes vehicles, lawnmowers, weedwhackers, stakes, tents, trailers, etc. However, pedestrian traffic should remain allowable once the park is deemed safe, and all trees should have mulch surrounding them for root protection.

Alderman Carroll questioned whether the \$50,000 was only for the blue area (where the four sisters are) behind the city gym or for the entire park. Manager Therrien clarified that it was for the 22 trees that needed attention. Alderman Carroll questioned whether this would open the whole park, and Manager Therrien responded that it would depend on the risk manager's decision. Manager Therrien also reiterated that the \$50,000 was just an estimate and that an RFQ would have to be sent out.

Alderman Davis Made a Motion to allocate \$50,000 from the City's Public Services' Building and Grounds account to address the immediate issues of tree work in Franklin Square Park as identified by Mr. Jones and Bartlett Tree Experts and to proceed with the provided option two which states *"If you elect not to remove the trees, the risk of trunk failure will remain low for live oaks #3, #24, and #25. Pruning to reduce the relative size of the crown on each tree may result in an estimated residual risk of low branch or crown failure. These four trees should have root collar excavations performed if they are to remain on site."* Alderman Carroll seconded. **Unanimous Vote; Motion Carried.**

2. Proposed Ordinance Changes and Budget Requests (Friends of Franklin Square Park)

Ms. Jeanne Potter and Ms. Cheryl Daniel, representing the "Friends of Franklin," gave a presentation about their mission to restore Franklin Square Park. They recommended changes to the existing Ordinance and explained the park's background.

The Friends of Franklin also requested that the City Manager seek the assistance of qualified landscape vendors to create a budget for short- and long-term park restoration. They also asked for a regular maintenance schedule for the park, as recommended by the arborist and landscapers, to avoid the current state of disrepair from happening again.

Finally, the group requested the establishment of a separate Parks and Recreation division to manage Franklin Square Park. They hope to be included in this effort and are eager to contribute to the park's successful restoration.

The Board has recognized the need for more attention to preserve Franklin Square Park. They thanked the Friends of Franklin for their tireless efforts in advocating for its protection. Mayor Pro Tem Kelley mentioned that the 4th of July Committee has agreed to move the arts and crafts festival to Bay Street to ensure that the festivities are more centralized in the heart of downtown. Alderman Mosteller pointed out that the Parks and Recreation Open Space Master Plan for 2023-2028 mentions Franklin Square Park thirty-seven times. The plan aims to protect and preserve all of the parks for the future.

Alderman Davis proposed a Motion to direct the City Manager to issue a Request for Proposals (RFPs) for landscaping services for Franklin Square Park. The Motion also included a request for the Board to send back to the Parks and Recreation Committee the recommended changes made by the Friends of Franklin regarding concerns about the park and use of the stage and its placement. Additionally, the Motion directed the City Manager to include in the budget review process an assessment of how the public works and parks and recreation departments can best work together or separately to maintain public buildings and grounds, including the park.

Alderman Carroll referenced the *proposed* Motion in the packet, and Alderman Davis reiterated that the Motion would Commit to the complete restoration of Franklin Square proper. Refer the changes to Section 12-4, Article 2 to the Parks and Recreation Commission for their advisory opinion and request that the City Manager issue a Request for Qualifications for licensed landscape vendors to assist with putting together a budget short and long-term to put back Franklin Square Park proper into a resemblance of its former state as a historic park/garden. Seconded by Alderman Lai.

Alderman Mosteller agrees the park needs attention and funding for tree mitigation, a significant step. However, she believes the discussion about landscaping and plans should be sent to the Parks and Recreation Committee for a thorough review and public input before any RFQs are issued. She mentioned that, at present, the priority is to make the park safe and accessible to the public and allow the Parks and Recreation Department to continue with a long-term plan, as they did with Taylor Field Park.

During the discussion, there was an agreement on addressing the park's immediate and long-term plans. The consensus was to prioritize the mitigation of trees, followed by working on a plan for the park that would balance preservation and practical use in the future.

Alderman Davis rescinded her motion, and Alderman Lai rescinded his second.

Alderman Mosteller proposed a new motion. The motion is to refer the discussions about Franklin Square Park to the Parks and Recreation Department and Advisory Committee. The purpose is to consider any improvements to the park, initiate public engagement, and provide adequate recommendations to the Board of Aldermen for future uses of Franklin Square Park. Alderman Spencer seconded the Motion. ***Unanimous Vote; Motion Carried.***

3. Job Study and Classification Plan (P. Fortuna and Rob Williamson, Evergreen Solutions)

Ms. Fortuna introduced Mr. Williamson, who gave a PowerPoint presentation on the study and the process. Mr. Williamson stated the study aimed to create a fair and competitive pay plan.

The Board discussed the plan and whether it included the cost of living, job performance, or benefits. Mr. Williamson clarified that the plan did not include any of these factors. Manager Therrien mentioned that cost of living and job performance evaluations are handled separately. Mr. Williamson suggested two options - above midpoint parity and below midpoint parity. Midpoint Parity – places employees into new pay ranges based on relationship to midpoint. If above the midpoint, move employees based on years in the current classification. If below midpoint, move employees based on tenure. A chart was provided for more clarification. Everyone agreed that retention of good employees is valuable, and compensation should be fair and competitive. However, it was the consensus of the Board to seek more clarification of pay grades and the process for implementing these grades. The Board agreed to get more information and discuss the options in the budget work sessions.

Alderman Spencer was recused for the rest of the meeting for a prior engagement.

4. Resurfacing Roads (T. Zilinek City Engineer)

Mr. Zilinek presented a PowerPoint on the Paving Program for the Future of Southport. He explained that the city currently has no long-term resurfacing program in place. As a result, many of the city's streets have not resurfaced for years, and most of the pavement has exceeded its useful life, showing signs of failure. Unfortunately, the amount of Powell Bill funds the city receives annually is insufficient to fund a proper resurfacing program. Without a dedicated investment in a resurfacing program, the city's streets will deteriorate, worsening driving conditions.

Annual Funding Received:

- The city receives about \$150,000 annually from the State in Powell Bill Funds.
- Resurfacing all city-maintained streets using only Powell Bill funds will take about 66 years.
- The average pavement life is 20 to 30 years.

What is needed:

- Resurfacing all city-maintained streets over ten years will require \$10 million or \$1 million per year on average.
- Recommended front loading and doing more in the first couple of years, then reducing in subsequent years.
- Recommendation is \$2M, \$1.5M, \$1.5M, \$1M, \$1M, \$0.75M, \$0.75M, \$0.5M, \$0.5M, \$0.5M.
- Recommended spreading throughout the City yearly and not concentrating on one specific area. This way, an entire area will not need to be resurfaced simultaneously in the future.

There were concerns regarding the finalization of the sewer merger, particularly when the county began working on the sewer lines. It was unclear who would be responsible for repaving the roads. Mayor Alt mentioned that \$1.1 million had been set aside for road repairs after installing the sewer pipes, which was part of the discussion with the county. He said the county would own the sewer system by 2028, while the city would own the roads. This raised the question of who would repair the roads if they were dug up to install new sewer pipes. Mr. Zilinek recommended that the city repair the streets when the time comes because the city would have control of the standards and specifications. The county would handle trenching and road resurfacing, but the city would be responsible for paving. Mayor Alt pointed out that inflation could cause the cost to exceed the earmarked \$1.1 million. He suggested considering an appropriation for any extra funds needed. Mr. Zilinek noted that these numbers are today's and did not act out future costs. Alderman Carroll questioned if the appropriated funds were in a CD. Manager Therrien said she was unsure but would consult with the Finance Director. It was decided to continue discussions at a later date without further questions.

5. Discussion of Alleyways (D. Dutton)

Alderman Davis raised a concern about whether the alleyway discussion should be postponed until the city attorney could be present. Alderman Carroll suggested that there could be separate discussions on alleyways and other right-of-ways. Mayor Alt stated that some legal questions still need to be answered, such as what to do if someone claims abandonment of the alleyway. He did agree that the right-of-ways should be discussed separately. Alderman Carroll reiterated that he legally believes there can be no claim of

abandonment without proper authority. There were also concerns about the purpose of the alleyways and clarification of their locations. The Board ultimately agreed to table the discussion.

Alderman Davis motioned to table the discussion on alleyways until legal counsel was present, pertinent information was provided, accurate maps were available, and Alderman Carroll seconded. ***Unanimous Vote; Motion Carried.***

H. Manager's Report

Manager Therrien recognized staff anniversaries, and Assistant Manager Dutton provided updates on the Comprehensive Plan, Parking Study, Development Services Director Recruitment, and Code Enforcement Minimal Housing.

I. Mayor's Comments

Mayor Alt thanked everyone for participating in a productive meeting where many challenging topics were discussed.

J. Board Comments: None

K. Closed Session

Mayor Alt stated that per Closed Session N.C.G.S. 143-318.11 (a) (5). To establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Alderman Davis asked on behalf of the public who the owner is, and the location and intention of the property being discussed.

Electrical Superintendent Ellie Pittenger stated that the property's location is near the intersection of E. Moore St. and East Leonard. The current owner is Archard Daniel Midland (ADM), and the purpose of the property is to build a power substation.

Manager Therrien said there will also be a discussion about whether 211 North Howe Street, owned by Rhetson Development, could be a potential location or substation for the Police Department.

Alderman Carroll motioned to enter Closed Session, seconded by Mayor Pro Tem Kelley. ***Unanimous Vote; Motion Carried.*** —12:37 p.m.

Alderman Carroll made a Motion to return to Open Session and, seconded by Mayor Pro Tem Kelley. ***Unanimous Vote; Motion Carried.*** —1:04 p.m.

Mayor Alt entertained a motion to have the Planning Board review of the 1.2 acres of Archer Daniel Midland Property (ADM) near the intersection of E. Moore and E. Leonard Street for potential purchase by the city for an electrical substation. So moved Alderman Mosteller and second by Mayor Pro Tem Kelley.

There was some discussion and potential clarification on the motion. Alderman Mosteller rescinded her motion, and Mayor Pro Tem Kelley rescinded her second.

Alderman Carroll made a new motion to instruct the City Manager to enter into a contract for approximately 1.2 acres owned by Archer Midland Daniel (ADM) in the amount of \$48,000 for the purpose of a second electrical substation and to simultaneously forward this information to the Planning Board for a full review and recommendation, seconded by Alderman Davis. ***Unanimous Vote; Motion Carried.***

There was no further business. Alderman Mosteller motioned to adjourn and was seconded by Mayor Pro Tem Kelley. ***Unanimous Vote; Motion Carried.***

Adjourn— 1:04 p.m.

Mayor, Richard Alt

Deputy Clerk, Tanya Shannon



Board of Aldermen Special Meeting Minutes
Community Building, 223 E. Bay St.
March 5, 2024
10:00 A.M.

Present: Mayor Rich Alt, Mayor Pro Tem Rebecca Kelley, Alderman Karen Mosteller, Lowe Davis, Robert Carroll, Frank Lai, and Mark Spencer.

Absent: None

Staff: Manager Bonnie Therrien, City Clerk Sara Thomas, Deputy Clerk Tanya Shannon, ChyAnn Ketchum POI/Communications Director, and Lance Flint Finance Director.

- A. Mayor Rich Alt called the meeting to order at 10:01 A.M.
- B. Alderman Spencer gave the Invocation.
- C. Mayor Alt led the Pledge of Allegiance.
- D. Mayor Alt asked for an amendment to the agenda to include a discussion on Legislative Proposals. Alderman Davis made a motion to approve the amendment to the agenda, and Alderman Mosteller seconded it. ***Unanimous Vote; Motion Carried.***

Alderman Mosteller made a Motion to approve the agenda as amended and seconded by Mayor Pro Tem Kelley. ***Unanimous Vote; Motion Carried.***

E. Agenda

1. UDO Changes and Process

An Ad Hoc committee was formed to review the process and criteria for requesting an amendment to the UDO and other procedures. The committee consisted of Mayor Alt, Alderman Lai, and Carroll. During their discussions, Mayor Alt raised the issue of how changes to the UDO are initiated and the collaboration between Staff, the Planning Board, and the Board of Aldermen. The discussion focused on the current process, which involves a proposed amendment or revision initially raised by Staff, another applicant, or the Aldermen. It is then sent to the Planning Board for a thorough review and recommendation, after which the Aldermen decide. Alderman Davis suggested an Aldermen workshop to discuss matters related to the UDO. She proposed that the Board discuss topics requiring changes and then send them to the Staff and the Planning Board for review.

The Board agreed to move forward with the UDO amendment process as it currently stands. Additionally, they will schedule a workshop to discuss potential amendments raised by board members or concerned citizens. The Board will compile a list of issues that have arisen and may pose conflicts with the UDO, which they will then provide to the City Manager and discuss in the workshop. The consensus of the Board was to have an annual workshop to discuss UDO-related issues.

Mayor Alt pointed out that the UDO specifies a 90-day timeline for review and recommendation by the Planning Board. This timeline can be extended if requested and granted. However, as it is not currently written in the UDO, he proposes adding language explicitly stating that an extension is permissible.

It was brought up that the Board conducts an annual review of the Ethics Policies at the start of each new year. Alderman Carroll suggested that this review could be combined with the upcoming UDO workshop and include a discussion on the Code of Ordinances. Manager Therrien suggested having a weekend retreat to discuss the UDO, Ethics, and Ordinances. The Board agreed to provide the City Manager with their concerns regarding these subjects and provide the Board with some options for scheduling workshops.

2. Public Comments for Rules and Procedures

Alderman Carroll and the Ad Committee proposed limitations on public comments, including a three-minute limit per person, a one-hour public comment period, and concluding Board meetings by 10 PM unless the Board votes to extend the meeting. However, Mayor Alt reconsidered the time limit proposal, believing it's not in the city's best interest to restrict the length of public comment and that every person who sign-ups should get a chance to speak. The Committee also recommended that anyone who wishes to comment must sign up.

Alderman Davis is passionate about giving citizens time to be heard. She compared perception to reality by analyzing the length of public comments and meetings from previous long sessions.

The Board discussed the appropriate length of time for individual speakers to comment. They concluded that a three-minute limit was reasonable. However, Alderman Davis expressed disagreement with putting a time limit on individual speakers. Alderman Spencer reminded everyone that there are two regular Aldermen Meetings a month, and the public can speak at one or both meetings. Additionally, they can submit comments and handouts and send emails or make phone calls to members of the Board to address their concerns. Alderman Spencer suggested that the consent agenda should include items that do not require lengthy discussions. He also recommended that the meeting be limited to four hours instead of stating 10 PM unless it is voted to extend. This is because there are morning meetings as well.

Mayor Alt announced that the Ad hoc Committee has reviewed all the suggestions regarding the public comment period in meetings, including those from the School of Government and neighboring jurisdictions that align with these proposals. He also mentioned that further discussions would take place, and a decision on the next steps would be made during the upcoming meetings.

3. Role of Board Liaisons

Mayor Alt presented an overview of the Ad Hoc Committees' discussion on the role of liaisons and how to report information from Advisory Board Meetings to the Board. The committee discussed the idea of providing each liaison with a template or worksheet to fill out regarding the key points of the meetings. The liaisons would then be required to submit the completed template to the Manager and the entire Board within seven days of the subjective meetings.

The roles of Liaisons were evaluated depending on the Committee, Commission, or Board. In some cases, Liaisons are not allowed to participate in conversations at specific meetings, such as the Planning Board or Board of Adjustment Meetings. However, there have been instances where the Liaison has participated in technical review committee meetings. Mayor Alt suggested that specific rules of engagement be established for those allowed to speak from the Aldermen, such as a member of the Board of Aldermen who is present, The Liaisons, or no one at all.

The Board agreed that the Liaison would use a template provided to share a brief summary of the meetings. The summary should include the agenda, highlight key concerns, and provide an overview of important points for each Board member. However, there was a debate on whether the Liaisons or another Board member would be allowed to speak during the meetings. No consensus was reached on this matter.

4. Policy on Public Contributions to Public Projects

The Board has agreed to establish a policy for submitting and managing donations. It was decided that the City Manager and the Finance Director would bring policies and procedures to the Board for submitting and managing the funds.

Alderman Lai clarified that if a contribution is made to the city, the donor may want to know how and where the money is being spent. Therefore, the objective is to create a policy that ensures donors feel confident that their donations are being used appropriately. Additionally, there was a question about whether cash would be accepted for contributions. Without records, there could be potential complications.

If the public-private partnership agreement is established, the City will be responsible for keeping records of the funds. There was a question about including contributions and fundraisers such as DSI and the 4th of July in the policy. The Board will continue to have more discussions at a later date.

Break 11:48 A.M.

Return 11:52 A.M.

5. Legislative Proposals

Mayor Alt provided each board with five legislative proposals previously discussed and drafted by Manager Therrien for review, which need to be submitted to the legislators in Raleigh as soon as possible.

LEGISLATIVE PROPOSALS CITY OF SOUTHPORT – 2024-25

- 1) Propose a legislative proposal so that Southport can keep the fines from parking tickets, much like Oak Island.

Mayor Alt has discussed the current state of parking ticket fines, explaining that they currently go to a literary fund or outside of the city. He mentioned that Oak Island was able to keep \$1.2 million in fines within their town and asked how they were able to do so. They responded that the town had requested the state legislator to ask that those fines remain in their town. Mayor Alt stated that there had been some initial discussions on the topic, and it seems to be a straightforward process. It was the consensus of the Board to move forward with petitioning the State Legislators to permit the fines from parking tickets to remain in the Southport Jurisdiction.

- 2) Create legislation that allows Southport to increase the accommodations tax from 3% to 5%. The current 3% would be assigned to the General Fund to support Community Relations and the Visitors Center, but the additional 2% would be solely designated for the City's Capital Improvement Fund for infrastructure upgrades and repairs. Southport has facilities that

attract tourists and non-residents and generate economic benefits for regional and local commercial entities. The ever-increasing volume of visitors far outweighs the impact of Southport's residents on the city road, sidewalks, parks, and buildings.

An additional 2% would help provide funding for the services, facilities, and infrastructure needed to successfully maintain Southport as an economic engine of the region.

The Board agreed to recuse Mayor Pro Tem Kelley from this discussion as she requested due to a potential conflict of interest.

Alderman Mosteller explained how the particular process works and the benefits it offers. She suggested that the city could request the State to allow for an increase in rates that would enable them to maintain the infrastructure using funds generated from tourism and the accommodations tax. The Consensus of the Board was to move forward with sending this to the Legislators for request and to allow Mayor Alt to collaborate with other mayors to inquire how this has benefited their city/town.

- 3) Allow Southport to put a sales tax for meals and beverages in a November referendum to see if the voters would approve this. This would assist with the rising infrastructure costs of the visitors and tourists and their impact on the City.
- 4) Alderman Davis mentioned that approval from the State is required before adding an item to the agenda for a referendum. Manager Therrien confirmed that the State's approval is necessary. Alderman Mosteller proposed changing the term "sales tax" to "prepared meals tax," and Alderman Davis suggested including "served beverage" in the language. The Board agreed that the City Manager and Staff should finalize the correct language for the request and send it to the Legislators.
- 5) \$1,000,000 for the Taylor Field Inclusive Playground v/s
- 6) \$900,000 (which, according to Chief Drew, may have been reduced to \$600,000) for the Fire Department radio replacement program, as the radios will be obsolete in July of 2025. Because we have to order the replacement radios ahead of time in order to have them ready for July 2025, funding is required this year.

The Board must prioritize between the Taylor Field Inclusive Program and the Fire Department radio replacement program.

The consensus of the Board was that funding for the Fire Department was a high priority in proceeding with the request for the Fire Department radio replacement program because if it is not done by July 2026, the radios will be turned off. Mayor Alt stated that it would not be known if the money would come before June at the end of the budget cycle, and then the city would have to come up with the money. Alderman Carroll suggested creating a plan B in the budget discussion in case of the worst scenario.

Mayor Alt requested a motion to adjourn the meeting since there were no further questions or comments. Mayor Pro Tem Kelley made a motion to adjourn, which was seconded by Alderman Mosteller. ***Unanimous Vote; Motion Carried.*** —12:11 p.m.

Mayor, Richard Alt

Deputy Clerk, Tanya Shannon



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 04/11/2024

DEPARTMENT: Administration and Development Services

PRESENTED BY: Mo Meehan, City Planner and Dorrie Dutton, Assistant City Manager/City Clerk

ITEM SPONSORED BY: Development Services

ITEM/TOPIC: Annexation Request

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: Turtle Bay at Southport, LLC. Has submitted a petition for annexation of Parcel 22100017. The property is 54.09-acres and is currently in the City's ETJ and Brunswick County's jurisdiction. The applicants have requested to move forward with the annexation request and rezoning request to Planned Unit Development (PUD) concurrently. Before the Board can decide, a public hearing must be set, and public notice must be made.

IMPACT IF NOT APPROVED: The property will remain in the ETJ of the City. The property might still be developed, but it would not be within the City limits, so there would be no property taxes paid to the City.

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS: I would recommend moving ahead with the process for this.

ATTACHMENTS: 1) Annexation Petition and packet 2) Certificate of Sufficiency 3) Resolution Setting the Public Hearing

REQUESTED ACTION: To move forward, the Board must accept the annexation petition, instruct the Clerk to certify the sufficiency of the petition, accept the Certificate of Sufficiency, and adopt the Resolution setting the Public Hearing.

PROPOSED MOTION: When the Consent Agenda is approved, the following actions have taken place:

1. The Board of Aldermen have accepted the annexation petition.
2. The Board has instructed the Clerk to investigate the sufficiency of the petition.
3. The Board of Aldermen have accepted the Certificate of Sufficiency.
4. The Board of Aldermen have adopted the Resolution Fixing Date of Public Hearing on Annexation #24-01 for May 9, 2024.



ANNEXATION APPLICATION

City of Southport, NC

1029 N Howe Street, Southport, NC 28461 • Phone: (910) 457-7900 • Fax: (910) 457-7948

All applications for annexation into the City of Southport must be complete and accompanied by the application fee of \$150.00, payable in cash or by check made to the City of Southport. Annexation may also require a change in the zoning of the property. Please consult with the Planning & Zoning staff to determine whether rezoning is required. Any annexation petition that includes a rezoning will require a recommendation from the Planning Board on the rezoning before a hearing will be set by the Board of Aldermen for the Annexation. All applications must be complete and all fees must be paid in full before a petition will be forwarded to the Planning Board or Board of Aldermen. Applicants are responsible for attending all meetings where this petition will be considered.

Project Name (if applicable): Turtle Bay Subdivision

SECTION 1: APPLICANT INFORMATION

Applicant Name: Turtle Bay at Southport, LLC.

Mailing Address: 5106 Lancome Ct., Wilmington - NC 28409

Phone: 910-443-6739

Fax: N/A

Email: keymarcoconsult@aol.com
terrysando@gmail.com

SECTION 2: PROPERTY OWNER INFORMATION (if different from above) Same As Above

Owner Name(s):

Mailing Address:

Phone:

Fax:

Email:

SECTION 3: PROPERTY INFORMATION

Street Address and/or Description of Location: 1/2 mile North of the intersection of North Howe Street (NC-211) & River Road SE (NC-87), towards Rob Gandy Blvd SE (SR-1620).

Parcel Tax ID #(s): 22100017

Total Site Acres or

Square Feet: 2,356,011.2 sf or 54.09 Acres

Current Zoning District(s): Brunswick County - IG (Industrial General)

Proposed Zoning Change(s): Southport - PUD

NOTE: If any change in zoning accompanies this annexation petition, a separate rezoning application is required.

SECTION 4: VESTED RIGHTS

Do you declare vested rights? ☐ YES ☒ NO

A vested right is the right to undertake and complete an approved site specific development plan or an approved phased development plan. A site specific development plan may include any of the following plans or approvals: A planned unit development plan, a subdivision plat, a minor or major site plan, a special use permit, a conditional or any other land-use approval designation as may be utilized by the City.

When land is annexed into the City of Southport and that land has an existing vested right from a site specific development plan approved by Brunswick County or another municipality, the property owner has the right develop the property according to the site specific development plan if (1) vested rights are declared at the time of annexation, (2) proof of such right is provided, and (3) the City determines based on the information provided that such right exists.

If you declare vested rights, please describe those rights in writing (use additional sheets as necessary):

If you declare vested rights, you must submit evidence of such right with this application. Evidence must be in sufficient detail to determine whether such right exists and the extent of such right. Necessary information may include an approved building permit, development permit, special use permit, site plan, preliminary plat, or PUD Site Plan.

SECTION 5: MUNICIPAL CONTIGUITY

An area is deemed contiguous if it either abuts directly on the primary Town boundary or is separated from the Town boundary by a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. An area is not deemed contiguous if it abuts the boundary of a non-contiguous municipal area.

Is the territory petitioned for annexation contiguous to the primary boundary of the City of Southport?:

☒ Contiguous ☐ Non-Contiguous

SECTION 6: SUPPLEMENTAL INFORMATION REQUIRED

Each annexation application use must include:

- o A complete contiguous or non-contiguous annexation petition, signed by all owners of property included in the annexation territory.
- o An application fee of \$150.00 with the application.
- o One (1) 18" X 24" Mylar annexation map bearing the seal of a licensed surveyor.
- o Two (2) paper copies of the sealed annexation map.
- o One digital copy of the annexation map.
- o One (1) paper copy of a legal metes and bounds description of the property bearing the seal of a licensed surveyor.
- o One (1) electronic text document of the legal metes and bounds description
- o One (1) paper copy of evidence of ownership (i.e. deed).
- o Evidence of vested rights, if claimed.
- o A notarized letter of authorization, if acting as the agent for the property owner(s).

SECTION 7: APPLICANT/OWNER SIGNATURE

In filing this Annexation Application, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Signature: _____

James S. Arto

Date: _____

7-25-2023

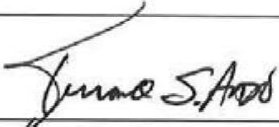
Petition Requesting Voluntary Contiguous Annexation

TO THE BOARD OF ALDERMEN OF THE CITY OF SOUTHPORT, NORTH CAROLINA:

1. We the undersigned owner(s) of real property respectfully request that the area described in paragraph 2 below be annexed to the CITY OF SOUTHPORT.
2. The area to be annexed is contiguous to the City of Southport and the boundaries of such territory are described in the attached metes and bounds description (Exhibit "A") and annexation map (Exhibit "B"), attached hereto and incorporated herein by reference.

Vested rights, with respect to such property, have not been established, under N.C.G.S. 160A385.1, except as described in Exhibit "C", attached hereto and incorporated herein by reference.

Respectfully,

Printed Name	Mailing Address	Parcel ID #s)	Vested Rights?	Signature	Date
Terrance Ando - President (Turtle Bay at Southport, LLC.)	5106 Lancome Ct. Wilmington, NC - 28409	22100017	☐ Yes ☒ No		7-25-2023
			☐ Yes ☐ No		
			☐ Yes ☐ No		
			☐ Yes ☐ No		
			☐ Yes ☐ No		
			☐ Yes ☐ No		
			☐ Yes ☐ No		
			☐ Yes ☐ No		



1144 Shipyard Blvd.
Wilmington, NC 28412
910-791-0080 - phone
portcitylandsurveying@gmail.com
Firm License# P-1493

July 25, 2023

Re: Parcel 22100017 on River Road (NC Hwy 87), Southport, NC.

Legal Description

Beginning at an existing iron pipe at the intersection of the western Right-of-way of River Road (NC Hwy 87) and the southern line of Old Baker Avenue (believed to be a prescriptive easement) having NC Grid '83 coordinates Northing 71,793.2402 ft and Easting 2,296,296.7202 ft the POINT OF BEGINNING. Said point is also the northeast corner of Lot 1, Plat Book 11 Page 59, Brunswick County Register of Deeds;

Thence along the northern line of Lot 1, Plat Book 11 Page 59 N 87°20'15"W 393.47 feet to an existing iron pipe pinched;

Thence along the northern line of Robin D. Swain et al (Deed Book 1845 Page 985, Plat Book 6 Page 167) N 86°12'11"W 560.99 ft to an existing iron rod;

Thence the following four courses and distances along the boundary line of Delores Yvonne Adams (Deed Book 3208 Page 1205, Map Cabinet 21 Page 386, Map Cabinet 36 Page 526) (1) N 11°10'51"E 468.99 ft to an existing iron rod; (2) N 72°45'07"W 253.01 ft to an existing iron pipe; (3) S 46°52'56"W 341.73 ft to an existing iron pipe; (4) N 25°36'08"W 28.15 feet to an existing iron pipe;

Thence along the end of Right-of-way of Sandy Lane recorded in Map Cabinet 56 Page 43, N 28°20'29"W 30.46 feet to an existing iron pipe;

Thence along the eastern line of a sewer lift station lot recorded in Map Cabinet 56 Page 43, N 27°01'51"W 82.95 feet to an existing iron pipe;

Thence the following two courses and distances along the eastern and northern boundary line of Goldstar Business Services Inc, recorded in Deed Book 4816 Page 1040, (1) N 07°12'07"W 259.52 ft to an existing iron pipe, (2) N 77°33'00"W 504.32 ft to an existing iron pipe;

Thence along the northeastern line of Jambev Realty Inc, recorded in Deed Book 4681 Page 1186, N 07°20'43"W 114.03 feet to an existing iron pipe in the southern line of Duke Energy Progress, Inc recorded in Deed Book 4554 Page 461;

Thence along the southern line of Duke Energy Progress N 55°14'22"E 1494.33 ft to an existing iron pipe pinched;

Thence the following three courses and distances along the western line of Clay Hill Boat & RV Boat Storage LLC recorded in Deed Book 3965 Page 502, (1) S 78°06'01"E 221.42 ft to a new iron rod set; (2) N 59°01'41"E 12.51 ft to a new iron rod set, (3) S 20°15'29"E 59.79 ft to a new iron rod set;

Thence the following four courses and distances along the western and southern line of Frederick C. Hartman Rev Trust (1) S 20°27'57"E 213.05 ft to an existing iron pipe; (2) N 82°57'42"E 216.68 ft to an existing iron pipe, (3) S 87°09'42"E 93.00 feet to a point, (4) N 84°39'18"E 178.96 ft to an existing iron pipe on the western Right-of-Way of NC Hwy 87; Note: calls (2) (3) (4) follow the run of Clay Bottom Branch;

Thence along the western Right-of-Way of NC Hwy 87 the following ten courses and distances:

- (1) a curve being concave to the right having a radius of 1878.87 feet and a chord bearing and distance of S 04°28'35"E 728.72 ft to a point;
- (2) S 06°40'54"W 140.35 ft to a point;
- (3) S 06°28'00"W 197.53 ft to a point;
- (4) S 07°02'24"W 205.26 feet to an NCDOT Right-of-Way Disc;
- (5) S 04°33'17"W 13.89 feet to an existing iron pipe;
- (6) S 04°33'17"W 18.66 feet to an NCDOT Right-of-Way Disc;
- (7) S 07°24'53"W 136.52 feet to an NCDOT Right-of-Way Disc;
- (8) N 83°07'33"W 34.95 feet to an NCDOT Right-of-Way Disc;
- (9) S 06°55'12"W 39.54 feet to an NCDOT Right-of-Way Disc;
- (10) A curve being concave to the right having a radius of 1824.86 ft and a chord bearing and distance of S 08°17'24"W 90.21 ft to an exist iron pipe, the POINT OF BEGINNING and containing approximately 54.09 acres as shown on Annexation Plat by Port City Land Surveying, PLLS, dated July 25, 2023.



Steven L. Buie, PLS L-3402
President





STATE OF NORTH CAROLINA

INSTRUMENT OF COMBINATION

COUNTY OF BRUNSWICK

Prepared by: The Law Office of Ryan W. Johnson, P.L.L.C.

This Instrument of Combination is made this the 13 day of July 2023 by the owners, Turtle Bay at Southport, LLC (aka Turtle Bay of Southport, LLC), whose mailing address is 5106 Lancome Court, Wilmington, NC 28409.

WITNESSETH:

WHEREAS, the maker of this Instrument of Combination presently owns tax parcel 22100016 (13.91 Acres) and tax parcel 22100017 (39.78 Acres) River Road SE, Southport, Brunswick County, North Carolina, by virtue of Deed recorded in recorded in Book 4598 At Page 224 and Book 4950 at Page 377 of the Brunswick County Registry; and

WHEREAS, the owner wishes to consolidate 13.91 Acres and 39.78 Acres Tracts, into single lot and tax parcel for compliance with all applicable provisions of the Brunswick County Zoning and Subdivision Ordinances and the City of Southport Zoning and Subdivision Ordinances and regulations, and all taxation, and assessment purposes only; and

WHEREAS, this is a limited special purpose instrument for the purpose specified above and is not a conveyance and not a re-platting of the property and does not change or modify in any manner the ownership interest in the above-mentioned property; and

WHEREAS, upon execution and recording of this Instrument of Combination 13.91 Acres and 39.78 Acres Tracts are hereby combined into a single parcel for tax and assessment, and Zoning and Subdivision Ordinance purposes. Description is as follows:

BEING ALL OF that 54.09 Acre Tract as shown on Plat of Survey known as "Recombination Plat for Turtle Bay at Southport, LLC" and recorded in Map Cabinet 143 at Page 47, of the Brunswick County Registry. Reference to said plat is hereby made for a more particular description of the property.

IN WITNESS WHEREOF, the maker has hereunto set his or her hand and seal the day and year first above written.

Turtle Bay of Southport, LLC

Terrence S. Ando, President



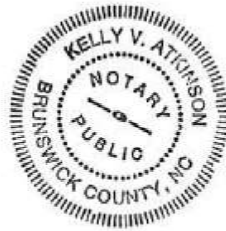
STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

I, Kelly V. Atkinson, a Notary Public of said County and State, do hereby certify that **Terrence S. Ando, President of Turtle Bay at Southport, LLC**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal or stamp, this 13 day of July 2023.

{STAMP OR SEAL}

Notary Public Kelly V. Atkinson
My Commission Expires 5/12/27





Certificate of Sufficiency-ANX #24-01

Parcel ID: 22100017

To the Board of Aldermen of the City of Southport, North Carolina:

I, Dorothy Dutton, City Clerk, do hereby certify that I investigated the petition attached hereto and have found as a fact in accordance with N.C.G.S. 160A-31:

1. The description is adequate to locate the property on the ground.
2. A search of the tax records and the grantor index of the Register of Deeds supports that the property has not been conveyed to another property owner. (DB 5043, PG 1074)
3. Each identified heir/owner has signed the petition and provided their address.
4. The property is contiguous to existing city limits.

In witness whereof, I have hereunto set my hand and affixed the Seal of the City of Southport, this 11th day of April 2024.

Dorothy Dutton, City Clerk
Assistant City Manager





**CITY OF SOUTHPORT BOARD OF ALDERMEN
RESOLUTION FIXING DATE OF PUBLIC HEARING ON
ANNEXATION #24-01 PURSUANT TO N.C.G.S. 160A-31 FOR CONTIGUOUS
ANNEXATION OF
PARCEL ID# 22100017**

WHEREAS a petition requesting annexation of the area described herein has been received; and

WHEREAS certification by the City Clerk as to the sufficiency of the petition has been made; and

WHEREAS, the Board of Aldermen has by resolution accepted the City Clerk's Certificate of Sufficiency investigating the sufficiency of the petition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Southport, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City of Southport Community Building at 6:00 PM on the 9th of May 2024.

Section 2. The area proposed for annexation is described as follows:

Parcel 22100017

Beginning at an existing iron pipe at the intersection of the western Right-of-way of River Road (NC Hwy 87) and the southern line of Old Baker Avenue (believed to be a prescriptive easement) having NC Grid '83 coordinates Northing 71,793.2402 ft and Easting 2,296,296.7202 ft the POINT OF BEGINNING. Said point is also the northeast corner of Lot 1, Plat Book 11 Page 59, Brunswick County Register of Deeds;

Thence along the northern line of Lot 1, Plat Book 11 Page 59 N 87°20' 15"W 393.47 feet to an existing iron pipe pinched;

Thence along the northern line of Robin D. Swain et al (Deed Book 1845 Page 985, Plat Book 6 Page 167) N 86°12' 11" W 560.99 ft to an existing iron rod;

Thence the following four courses and distances along the boundary line of Delores Yvonne Adams (Deed Book 3208 Page 1205, Map Cabinet 21 Page 386, Map Cabinet 36 Page 526) (1) N 11°10' 51" E 468.99 ft to an existing iron rod; (2) N 72°45' 07" W 253.01 ft to an existing iron pipe; (3) S 46°52' 56"W 341.73 ft to an existing iron pipe; (4) N 25°36' 08 "W 28.15 feet to an existing iron pipe;

Thence along the end of Right-of-way of Sandy Lane recorded in Map Cabinet 56 Page 43, N 28°20' 29"W 30.46 feet to an existing iron pipe;

Thence along the eastern line of a sewer lift station lot recorded in Map Cabinet 56 Page 43, N 27 i 01' 51 "W 82.95 feet to an existing iron pipe;

Thence the following two courses and distances along the eastern and northern boundary line of Goldstar Business Services Inc, recorded in Deed Book 4816 Page 1040, (1) N 07° 12' 07" W 259.52 ft to an existing iron pipe, (2) N 77° 33' 00" W 504.32 ft to an existing iron pipe;

Thence along the northeastern line of Jambev Realty Inc, recorded in Deed Book 4681 Page 1186, N 07° 20' 43" W 114.03 feet to an existing iron pipe in the southern line of Duke Energy Progress, Inc recorded in Deed Book 4554 Page 461;

Thence along the southern line of Duke Energy Progress N 55° 14' 22" E 1494.33 ft to an existing iron pipe pinched;

Thence the following three courses and distances along the western line of Clay Hill Boat & RV Boat Storage LLC recorded in Deed Book 3965 Page 502, (1) S 78° 06' 01" E 221.42 ft to a new iron rod set; (2) N 59° 01' 41" E 12.51 ft to a new iron rod set, (3) S 20° 15' 29" E 59.79 ft to a new iron rod set;

Thence the following four courses and distances along the western and southern line of Frederick C. Hartman Rev Trust (1) S 20° 27' 57" E 213.05 ft to an existing iron pipe; (2) N 82° 57' 42" E 216.68 ft to an existing iron pipe, (3) S 87° 09' 42" E 93.00 feet to a point, (4) N 84° 39' 18" E 178.96 ft to an existing iron pipe on the western Right-of-Way of NC Hwy 87; Note: calls (2) (3) (4) follow the run of Clay Bottom Branch;

Thence along the western Right-of-Way of NC Hwy 87 the following ten courses and distances:

- (1) a curve being concave to the right having a radius of 1878.87 feet and a chord bearing and distance of S 04° 28' 35" E 728.72 ft to a point;*
- (2) S 06° 40' 54" W 140.35 ft to a point;*
- (3) S 06° 28' 00" W 197.53 ft to a point;*
- (4) S 07° 02' 24" W 205.26 feet to an NCDOT Right-of-Way Disc;*
- (5) S 04° 33' 17" W 13.89 feet to an existing iron pipe;*
- (6) S 04° 33' 17" W 18.66 feet to an NCDOT Right-of-Way Disc;*
- (7) S 07° 24' 53" W 136.52 feet to an NCDOT Right-of-Way Disc;*
- (8) N 83° 07' 33" W 34.95 feet to an NCDOT Right-of-Way Disc;*
- (9) S 06° 55' 12" W 39.54 feet to an NCDOT Right-of-Way Disc;*
- (10) A curve being concave to the right having a radius of 1824.86 ft and a chord bearing and distance of S 08° 17' 24" W 90.21 ft to an exist iron pipe, the POINT OF BEGINNING and containing approximately 54.09 acres as shown on Annexation Plat by Port City Land Surveying, PLLS, dated July 25, 2023.*

Section 3. Notice of the public hearing shall be published in *The State Port Pilot*, a newspaper having general circulation in the City of Southport and on the City of Southport's website, at least (10) days prior to the date of the public hearing.

Adopted this the 11th day of March 2024.

Rich Alt, Mayor
City of Southport

ATTEST:

Dorothy Dutton, City Clerk
Assistant City Manager



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 4/11/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Development Services Department

ITEM/TOPIC: NCDOT Multimodal Planning Grant Resolution

COST: \$4,500

BUDGET LINE ITEM: 10-40-4350-3900

JUSTIFICATION: Staff with the Cape Fear Rural Transportation Planning Organization are applying for grant funding to prioritize multimodal and especially pedestrian improvements for the City. This program is unique because it has an option for communities that have recently completed or are completing extensive planning studies that include stakeholder and public engagement and transportation needs that allows us to apply for this grant. The recent adoption of the Brunswick County Comprehensive Transportation Plan and updating of the City's comprehensive plan include the required public engagement and identification of transportation needs. This option, a project acceleration plan, will identify and further prepare for implementing bicycle, pedestrian, and multimodal projects.

Project acceleration plans identify multimodal improvements and foster a more walkable, bikeable, and transit-friendly environment and an overall higher quality of life for the community residents and visitors within a more abbreviated timeframe. The project acceleration plans provide a more focused document that identifies priority projects that are implementable for smaller communities with more limited resources. The plan development process will be in a much shorter timeframe (around six months), and the final plan document will be of a more minimal length.

IMPACT IF NOT APPROVED: If the resolution is not approved, staff will withdraw the grant application. The opportunity to prioritize pedestrian projects will pass, and future funding opportunities could be at risk.

DEPARTMENT HEAD COMMENTS: This grant opportunity will prioritize multimodal projects in the Brunswick County Comprehensive Transportation Plan and those that will be identified in the updated comprehensive plan. Updated documents and priorities can provide Southport traction when competing for State funding.

CITY MANAGER COMMENTS: This was an area of priority for all of you when we had our Goal Setting Workshop last month. This will fit in perfectly with adding new ways to traverse the City as well as have more trails and ways people can visit Southport without using their vehicles. I would highly recommend that you move forward with applying for this grant.

ATTACHMENTS: Proposed resolution

REQUESTED ACTION: Adoption of the proposed resolution to apply for the NCDOT Multimodal Planning Grant.

PROPOSED MOTION: Motion to adopt the Resolution to Apply for NCDOT Multimodal Planning Grant funding.



**CITY OF SOUTHPORT BOARD OF ALDERMEN
RESOLUTION SUPPORTING THE CITY OF SOUTHPORT'S
MULTIMODAL PLANNING GRANT PROGRAM APPLICATION**

WHEREAS, the Cape Fear Rural Planning Organization (CFRPO) provides transportation planning services for the counties of Brunswick, Columbus, and Pender in partnership with the North Carolina Department of Transportation; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) strives to improve transportation safely, deliver and maintain infrastructure effectively and efficiently, and improve the reliability and connectivity of the transportation system; and

WHEREAS the NCDOT Integrated Mobility Division (IMD) and the Transportation Planning Division (TPD) facilitate an annual matching grant program-the Multimodal Planning Grant Program (MMPG) – to encourage municipalities to develop comprehensive bicycle plans and pedestrian plans; and

WHEREAS, the City of Southport has made a commitment to improve its active transportation environment; and

WHEREAS the Cape Fear RPO believes the Project Acceleration Plan will improve pedestrian mobility by identifying projects to expand sidewalk connectivity and enhance safety.

NOW THEREFORE, BE IT RESOLVED, that the Board of Aldermen fully support the City of Southport's Multimodal Planning Grant Program 2024 Application.

ADOPTED at a Regular meeting this 11th day of April 2024.

Rich Alt, Mayor

Dorothy Dutton, City Clerk
Assistant City Manager

Project Acceleration Plan

Plan Information



What is it? A project acceleration plan is an abbreviated plan that focuses on priority bicycle, pedestrian, and multimodal project identification and project implementation.

How is it helpful? Project acceleration plans focus on efficiently identifying multimodal projects and implementation steps to foster a more walkable, bikeable and transit-friendly environment in communities that might otherwise have difficulty resourcing or funding a multimodal network plan.

Who is it for? A project acceleration plan is meant for municipalities with a population of 9,999 or less.

When to Choose This Type of Plan

A project acceleration study could be selected in place of a multimodal network plan when a local municipality with a population of 9,999 or less has limited time and budget and would like an abbreviated process to identify the top priority projects most

likely to move forward to implementation. This could also be a good fit for a municipality that has recently completed extensive planning and public stakeholder engagement, along with transportation needs evaluation as part of another study (i.e. a comprehensive plan or a CTP) but would like to identify and further prepare for implementation of priority bicycle, pedestrian, and multimodal projects.

Project Deliverables

- > Recommended project inventory organized by category, with cost estimates
- > Prioritized list and maps of short-term and long-term multimodal improvements
- > 5 to 10 priority project cutsheets
- > Implementation plan

Eligibility Table

	Population < 10,000	Population > 10,000
Existing transit service (fixed-route or deviated fixed-route)	■ Multimodal Network Plan ■ Stand-alone Bicycle Plan ■ Stand-alone Pedestrian Plan ■ Combined Bicycle & Pedestrian Plan ■ Plan Update ■ Project Acceleration Plan	■ Multimodal Network Plan ■ Stand-alone Bicycle Plan ■ Stand-alone Pedestrian Plan ■ Plan Update
No existing fixed-route / deviated fixed-route service	■ Stand-alone Bicycle Plan ■ Stand-alone Pedestrian Plan ■ Combined Bicycle & Pedestrian Plan ■ Plan Update ■ Project Acceleration Plan	■ Stand-alone Bicycle Plan ■ Stand-alone Pedestrian Plan ■ Plan Update

Counties with Population < 100,000 population are eligible to apply for Stand-alone Bicycle or Pedestrian Plans, Plan Updates, or Multimodal Network Plans. Counties with populations > 100,000 are not eligible for the program.



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: April 11, 2024

DEPARTMENT: Parks and Recreation/Engineering

PRESENTED BY: Bob Jarvis – City Engineer, Heather Hemphill – Parks and Recreation Director

ITEM SPONSORED BY: Parks and Recreation/Engineering

ITEM/TOPIC: Yacht Basin Dredging – Grant Resolution

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: The ongoing Yacht Basin dredging project is intended to restore the safe harbor anchorage in the Southport Yacht Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina. The Yacht Basin is also of significant economic benefit to the Southport downtown area offering transient boat docking, public water access, day docking for restaurants, and commercial fishing docks.

The passing of the 2023 NC budget, and HB600, includes grant funding of the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund. The grant is overseen and administered by the NC Water Resources Development Grant Program. “Southport Small Boat Harbors” were specifically referenced in the Bill. The grant constitutes a 75/25 state match on qualified expenditures for the project. This would include permitting, engineering, construction, and construction administration services.

In December 2023, the Board approved a Resolution requesting the State of North Carolina to provide financial assistance to the City of Southport for the Boat Basin Maintenance Project in the amount of \$ 2,097,375 or 75 percent of the project construction cost, whichever is the lesser amount. Since that time, our consultant, TI Coastal Engineering, has been working to complete the grant application to the satisfaction of the NC DEQ. As a result of DEQ comments, and revised cost estimates, the amount of funding requested from the State has increased to \$2,847,375.

Therefore, we are requesting that the Board adopt a revised Resolution, modifying the amount of assistance requested from the State.

IMPACT IF NOT APPROVED: If the Resolution is not approved, the City could not finalize and submit the grant application that is acceptable to NC DEQ. The opportunity for funding assistance from the state would pass and the City would be responsible for 100% of the cost of design, permitting and construction of the yacht basin waterway improvements.

DEPARTMENT HEAD COMMENTS: The resolution, and subsequent application for the grant funding assistance, will greatly reduce the City’s financial burden for this project.

CITY MANAGER COMMENTS: This is a project that everyone has wanted to see to fruition for some time. If we receive this grant, it will be a huge monetary savings for the City to have the dredging completed.

ATTACHMENTS: Proposed Resolution

REQUESTED ACTION: Staff recommends that the Board adopt the proposed resolution to apply for the Shallow Draft Navigation Channel Dredging grant.

PROPOSED MOTION:

If the Consent Agenda is Approved, the amended Resolution to Apply for Shallow Draft Inlet Funds for the Southport Boat Basin Maintenance Project is adopted.



CITY OF SOUTHPORT BOARD OF ALDERMEN
Resolution to Apply for Shallow Draft Inlet (SDI) Funds for the Southport
Boat Basin Maintenance Project

WHEREAS, the City of Southport Board of Aldermen desires to sponsor the continued maintenance of the Southport Boat Basin area, This project will restore the safe harbor anchorage in the Southport Boat Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina. The Boat Basin is also of significant economic benefit to the Southport downtown area offering transient boat docking, public water access, day docking for restaurants, commercial fishing docks, and private marina and homeowner slips.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests the State of North Carolina to provide financial assistance to the City of Southport for the Boat Basin Maintenance Project in the amount of \$ ~~2,090,375~~ \$ 2,847,375 or 75 percent of the project construction cost, whichever is the lesser amount;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will ensure that the project is open for use by the public on an equal basis with limited restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted this 14th day of December, 2023 at Southport, North Carolina.

Richard Alt, Mayor
City of Southport

Dorothy Dutton, City Clerk
City of Southport



CITY OF SOUTHPORT BOARD OF ALDERMEN
Resolution to Apply for Shallow Draft Inlet (SDI) Funds for the Southport
Boat Basin Maintenance Project

WHEREAS, the City of Southport Board of Aldermen desires to sponsor the continued maintenance of the Southport Boat Basin area. This project will restore the safe harbor anchorage in the Southport Boat Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina.

The Boat Basin is also of significant economic benefit to the Southport downtown area offering transient boat docking, public water access, day docking for restaurants, and commercial fishing docks.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests the State of North Carolina to provide financial assistance to the City of Southport for the Boat Basin Maintenance Project in the amount of \$ 2,847,375 or 75 percent of the project construction cost, whichever is the lesser amount;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will ensure that the project is open for use by the public on an equal basis with limited restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted this 11th day of April 2024 at Southport, North Carolina.

Richard Alt, Mayor
City of Southport

Dorothy Dutton, City Clerk
Assistant City Manager



**CITY OF SOUTHPORT BOARD OF ALDERMEN
ARBOR DAY PROCLAMATION**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday called Arbor Day was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, beautify our community, and

WHEREAS, trees in our city are a great source of joy and spiritual renewal; and

WHEREAS, the City of Southport has a very active Forestry Committee, and that the City of Southport has been recognized as a Tree City USA for the 20th consecutive year.

NOW, THEREFORE, I, Rich Alt, Mayor of the City of Southport, NC, and the Board of Aldermen, do hereby proclaim April 26th, 2024 as ARBOR DAY in Southport and urge all citizens to celebrate and support efforts to protect our trees and woodlands.

DATED, this 11th day of April 2024.

Rich Alt
Mayor, City of Southport

Dorothy Dutton
Assistant Manager/City Clerk



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: March 25, 2024

DEPARTMENT: Board of Aldermen/Administration

PRESENTED BY: Bond Attorney Paul Billow

ITEM SPONSORED BY: Board of Aldermen/Administration

ITEM/TOPIC: Bond Rating Discussion

COST: Not Applicable

BUDGET LINE ITEM: Not Applicable

JUSTIFICATION: During the Goal Setting Workshop, you requested a presentation from the City's Bond Counsel, Paul Billow, Partner in Womble Bond Dickinson LLP. His presentation on municipal finance will broadly cover the process for North Carolina local government units incurring debt to finance capital projects. The presentation will cover the following topics: 1) Legal considerations; 2) Types of debt obligations; 3) Issuance processes and procedures, 4) Marketing and sale of bonds/debt and 5) Transaction participants. Attached is his presentation.

IMPACT IF NOT APPROVED: Not Applicable

DEPARTMENT HEAD COMMENTS: Not applicable

CITY MANAGER COMMENTS: Not Applicable

ATTACHMENTS: Power Point

REQUESTED ACTION: Discussion Only

PROPOSED MOTION: Discussion Only

**CITY OF SOUTHPORT, NORTH CAROLINA
MUNICIPAL FINANCE PRESENTATION**

April 11, 2024

**Presented by:
Paul H. Billow
Womble Bond Dickinson (US) LLP**

LEGAL CONSIDERATIONS

- I. NC Constitutional Provisions (Article V – Finance).
 - A. Public Purpose Limitation.
 - 1. Exceptions for non-profit hospitals, IDBs, educational facilities, seaports, airports, etc.
 - B. Limitation Upon Incurrence of Debt.
 - 1. Relates primarily to general obligation debt (pledge of full faith and credit and taxing power).
 - 2. Referendum requirements.
 - C. Constitutional Debt Does Not Include Revenue Bonds and Installment Financing Obligations (Annual Appropriation Debt).
- II. North Carolina General Statutes (Chapters 159 and 160A)
 - A. Dillon’s Rule Considerations.

TYPES OF LOCAL GOVERNMENT DEBT OBLIGATIONS

- I. General Obligation (“GO”) Bonds.
 - A. Pledge of full faith and credit and taxing power of the governmental unit.
 - B. Generally subject to voter referendum.
 - C. Exceptions for (1) certain emergency reasons (not typical), (2) refunding bonds and (3) two-thirds bonds.
 - D. Authorized by The Local Government Bond Act (G.S. 159, Article 4).

II. Revenue Bonds.

- A. Bonds secured solely by the revenues of a revenue producing facility, enterprise or system being financed. No pledge of faith and credit or taxing power of unit and no pledge of any other revenues for payment.
- B. Authorized by The State and Local Government Revenue Bond Act (G.S. 159, Article 5).
- C. Typical revenue bond projects include water and sewer, gas, electric, solid waste, stormwater, airports, ports and hospitals.
- D. Common revenue bond covenants are (1) rate covenant and (2) additional debt test.

III. Installment Financing Obligations (G.S. 160A-20/G.S. 159-148 et. seq.).

- A. Governed by G.S. 160A-20 providing as follows:
 - (a) Purchase - A unit of local government may purchase, or finance or refinance the purchase of, real or personal property by installment contracts that create in some or all of the property purchased a security interest to secure payment of the purchase price to the seller or to an individual or entity advancing moneys or supplying financing for the purchase transaction.
 - (b) Improvements - A unit of local government may finance or refinance the construction or repair of fixtures or improvements on real property by contracts that create in some or all of the fixtures or improvements, or in all or some portion of the property on which the fixtures or improvements are located, or in both, a security interest to secure repayment of moneys advanced or made available for the construction or repair.
- B. Constitutional Debt Concerns.
 - 1. Wayne County case (1992).
 - 2. Payable from any legally available funds.
 - 3. No pledging of faith and credit or taxing power.
 - 4. Annual appropriation provision.
 - 5. No deficiency judgment provision.

- C. Typical installment financing structures:
 - 1. Private placements with direct lender (Installment Financing Agreement).
 - 2. Certificates of Participation (COPs).
 - 3. Limited Obligation Bonds (LOBs).
 - D. Dramatic increase in use starting in 1990s. Most common debt instrument used today.
- IV. Other Types of Indebtedness (Limited Use).
- A. Special Obligation Bonds (pledge of non-tax revenue sources).
 - B. Lease-purchase arrangements.
 - C. Other financing arrangements.

ISSUANCE PROCESS

- I. General Obligation Bonds.
 - A. Referendum process generally takes 5-6 months (start in June for November referendum).
 - B. Referendum dates must be scheduled on other election dates (no special referendum dates). Must coordinate with local board of elections.
 - C. Requires several actions of governing body (preliminary resolution; bond order(s) adopted on two separate readings, resolution calling bond referendum; resolution declaring results of referendum).
 - D. Public hearing is required.
 - E. Requires publication of various notices and filing of various documents.
 - F. Separate purposes must be voted separately.
 - G. No referendum requirement for GO refunding bonds or two-thirds bonds, but other authorization requirements substantially the same.
 - H. Subject to Local Government Commission (“LGC”) approval.
 - I. Bond counsel coordinates process.
 - J. Once GO bonds are authorized, City has up to 7 years to sell and issue bonds.

II. Revenue Bonds

- A. Process generally takes 2-3 months from start to closing. No referendum requirement.
- B. Requires two separate actions of governing body (preliminary resolution; adopt bond order).
- C. Public hearing is not required.
- D. Bonds typically issued under a Trust Agreement or similar instrument detailing revenue pledge and setting forth various operational and financial covenants related to the bonds.
- E. Subject to LGC approval.
- F. Bond counsel coordinates process and drafts financing documents.

III. Installment Financing Agreement/Limited Obligation Bonds.

- A. Process generally takes 2-3 months from start to closing. No referendum requirement.
- B. Requires two separate actions of governing body (preliminary resolution; final approval resolution).
- C. Public hearing required if involves real property
- D. Requires an Installment Financing Agreement or similar instrument for private placements or a Trust Agreement or similar instrument for publicly-offered bonds. A Deed of Trust (for real property) or a Security Agreement (for personal property) is also required as security for repayment.
- E. Subject to LGC approval (with limited exceptions).
- F. Bond counsel coordinates process and typically drafts financing documents.

MARKETING AND SALE OF BONDS

- I. Bonds (debt) can either be privately placed with financial institution or publicly offered to potential investors through an underwriting process.
- II. Private Placement.
 - A. Lender selected by private negotiation or RFP process. No competitive bid required. Interest rate typically negotiated at this time and generally held firm for 45-60 days.

- B. Lender does independent diligence. No offering document is required, but generally the lender will request certain financial and operating data from local government unit.
 - C. No credit is rating required, but the lender will generally take an existing rating into consideration if available.
 - D. Financing documents are more heavily negotiated between governmental unit and lender.
 - E. Private placements generally used for smaller financings and shorter terms (but not always).
- II. Public Offering.
- A. Governmental unit engages underwriter to underwrite bonds at beginning of issuance process.
 - B. Underwriter's counsel (with input from entire working group) is responsible for preparing offering document (typically called an Official Statement) for purpose of marketing and selling bonds. Official Statement includes various information relating to the terms of the bonds, security for the bonds, plan of finance, tax treatment and other miscellaneous items. The Official Statement also includes substantial information relating to the issuer and its operations and financial position.
 - C. Investment grade credit rating(s) are generally required for the underwriter to market and sell the bonds.
 - D. Financing documents are prepared by bond counsel taking into account marketing considerations and ratings criteria. No lender is at table negotiating specific provisions.
 - E. When documents are finalized and required approvals are in place, the underwriter will distribute Official Statement to potential investors and begin to market the bonds. In theory, broader pool of potential investors leads to lower interest cost.
 - F. Interest rates/yields are determined and set by the underwriter on a scheduled bond pricing date, and underwriter commits to purchase the bonds pursuant to a Bond Purchase Agreement among the LGC, the issuer and the underwriter.
 - G. Bond closing and delivery is typically scheduled for a few weeks following the bond sale.
 - H. Generally public offerings are used for larger financings and longer terms (but not always).

III. Marketing and Sale Considerations

- A. Size and term of borrowing.
- B. Availability.
- C. Timing considerations.
- D. Cost considerations.
- E. Covenant requirements.
- F. Administrative burdens.
- G. Interest rate differential between sale methodologies.
- H. Securities laws considerations (SEC Rule 15c2-12).

TRANSACTION PARTICIPANTS

- I. The following parties may participants in a municipal debt financing which is generally dependent on the type of debt issued and the way the debt is marketed and sold:
 - A. Issuer/Borrower (City)
 - B. Local Government Commission.
 - C. Bond Counsel.
 - D. City Attorney/Local real estate counsel.
 - E.. Underwriter or Lender
 - F. Underwriter's or Lender's Counsel.
 - G. Financial Advisor.
 - H. Trustee/Trustee Counsel.
 - I. Others.

OPEN DISCUSSION/Q&A



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 4/11/2024

DEPARTMENT: Administration

PRESENTED BY: Jim Corbett, Walker Consulting

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Parking Study

COST: Not Applicable

BUDGET LINE ITEM: Not Applicable

JUSTIFICATION: Jim Corbett of Walker Consulting will be presenting a status report to the Board about the parking study project. Mr. Corbett has been coordinating much of his work along with Stewart Consulting, who is working on the Comprehensive Master Plan.

IMPACT IF NOT APPROVED: The parking situation in Southport will remain the same.

DEPARTMENT HEAD COMMENTS: Not applicable

CITY MANAGER COMMENTS: There have been questions about why the Parking Study started so late and why it is taking so long to complete the study. Mr. Corbett and Dorrie Dutton, Assistant City Manager and Project Manager will answer these questions and give you a status report as well as next steps to complete this study in a timely manner.

ATTACHMENTS: 1) Original RFQ 2) Walker Consulting Bid Proposal 3) PowerPoint Presentation

REQUESTED ACTION: Presentation/Discussion only.

PROPOSED MOTION: Presentation/Discussion only.

REQUEST FOR QUALIFICATIONS

DATE ISSUED: July 28, 2023

CITY OF SOUTHPORT

**REQUEST FOR QUALIFICATIONS FOR:
Downtown Parking Study**

**DUE DATE: August 30, 2023
Must be Received by 3:00 pm**

**REVISED DEADLINE (DUE TO HURRICANE IDALIA):
WEDNESDAY, SEPTEMBER 6, 2023 AT 3:00 P.M.**

Deadline for Inquiries	<u>August 23, 2023 @ 5:00 pm</u>
Time and Date Set for Submittal	<u>August 30, 2023 @ 3:00 pm</u>
Notice of Selection	<u>September 8, 2023</u>

INFORMATION AND INSTRUCTIONS

I. GENERAL INFORMATION

- A. The City of Southport ("Southport") (<http://www.cityofsouthport.com>) seeks professional consulting services from qualified firms licensed to do business in North Carolina to provide a comprehensive review and analysis of the current parking conditions, make recommendations, and identify strategies to address current parking needs, and with consideration of anticipated growth.
- B. The Statement of Qualifications ("SOQ") must be received by the Assistant City Manager at 1029 N. Howe Street, Southport, NC 28461, by the date and times listed on the cover page of this RFQ.
- C. Questions pertaining to the selection process should be directed to Southport Assistant City Manager Dorothy Dutton at ddutton@cityofsouthport.com.
- D. Southport shall not be held responsible for any oral instructions. Any changes, or clarifications to this Request for Qualifications ("RFQ") will be in the form of an addendum and will be furnished to all registered RFQ holders.
- E. Southport reserves the right to reject any or all SOQs, to waive any informality or irregularity in any SOQ received, and to be the sole judge of the merits of the respective SOQ received.
- F. Questions regarding this RFQ may be directed to Dorothy Dutton via email at ddutton@cityofsouthport.com and shall be received no later than five (5) business days prior to the opening date to allow for the timely preparation and posting of addenda. Questions received, and the decisions regarding each question shall be outlined in a written addendum. No oral interpretations shall be made to any respondent as to the meaning of any portion of the RFQ documents.
- G. Any addenda to this RFQ will be posted on the Town's website. Therefore, all interested respondents should check the website from now through procurement opening. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to this procurement.
- H. The consulting firm will be selected based on qualifications and other factors. Refer to Section IV.B.
- I. The City does not discriminate on the basis of race, color, sex, national origin, religion, age, or disability. Any contractors or vendors who provide services, programs, or goods for the City are expected to comply with the City's non-discrimination policy fully.

II. BACKGROUND

The City of Southport, a coastal community with a population of approximately 4000 in Brunswick County, is seeking professional parking consultant services to help identify current challenges and proactive solutions to meet the needs of a vibrant historic downtown community. Brunswick County is one of the fastest-growing areas in the region. Southport's downtown serves as the downtown for most of Brunswick County.

Founded in 1792, the City of Southport lies between the Cape Fear River and Intercoastal Waterway. Because of Southport's history and charm, the population increases over the summer months. Parking becomes a challenge during the warmer months because of the number of visitors and golf carts that share the available spaces. The City roads include both State and City maintained streets.

The area to be included is shown in Attachment A. The downtown area could be divided into zones for analysis and recommendations. Any needed Addendums will be available on the City of Southport website: <https://cityofsouthport.com/top-menu-items/bids/>

III. ANTICIPATED SCOPE OF WORK

The following scope of services is suggested at this time. If the respondent suggests variations to this scope, they should be clearly identified in the response submitted by the consultant.

A. Existing Parking Conditions and Recommendations:

- 1). Identify peak and low-demand periods of the day for public parking.
- 2). Review all current parking restrictions.
- 3). Perform studies on turnover and occupancy patterns, including major events.
- 4). Consider all current modes-automobiles, bicycles, golf carts, and pedestrian traffic and parking needs.
- 5). Evaluate/Analyze current parking demand.
- 6). Identify current parking shortfalls/weaknesses.

B. Future Parking Needs, Requirements and Recommendations:

- 1). Develop strategies for improved visitor and employee parking options.
- 2). Evaluate the feasibility of paid parking.
- 3). Evaluate the feasibility of free City resident parking.
- 4). Evaluate the feasibility of off-site parking or parking structures.
- 5). Cite locations best suited for additional parking surfaces or parking structures. Proposed sites should include estimated parking count and configuration for the site.
- 6). Recommendation for parking along the Yacht Basin area, including the privately owned parcels.
- 7). Forecast parking needs for the next 20-25 years.
- 8). Consider pedestrian, bicycle routes, automobiles, golf carts, and possibly public transportation and off-site public parking collector sites.
- 9). Recommend phasing of facilities in response to the pace of future development.

- 10). Provide a preliminary estimate of construction costs for recommended parking facilities.

C. Other Requirements

- 1). The above areas need to be addressed in the required study. The City of Southport is relying on the consultant's professional expertise in analyzing these factors and any others that are pertinent to evaluating parking in a community that anticipates continued economic growth and increased pedestrian, and vehicular traffic.
- 2). The City of Southport is requesting that the proposal be broken down into two sub-studies:
 - a. Existing Parking Conditions and Recommendations (Section A above); and
 - b. Future Parking Needs, Requirements, and Recommendations (Section B above).
- 3). The study and recommendations should incorporate aspects from the City of Southport's Pedestrian Plan, the East Coast Greenway Trail, the NC Ferry system, the Cape Fear Regional Bike/Pedestrian Plan, and other relevant plans.

This will allow the City of Southport to review the findings of each portion of the study and authorize the remainder of the study. The selected consultant will be required to present their findings to the City of Southport Board of Aldermen and related City staff.

D. Expectations of Consultant:

- 1). Initial meeting with City Staff to review a project timeline, schedule meetings and begin the process of data acquisition.
- 2). Review all existing plans, maps, documents, data, and other materials relevant to the project. The City will provide all available existing documentation to the consultant. The consultant will study and consolidate applicable materials into the plan.
- 3). Conduct meetings with key elected and appointed officials, stakeholder groups, and the public.
- 4). Develop Plan goals, objectives, and implementation strategies based on technical data and public input.
- 5). Draft materials for review and comment by the City in accordance with a schedule developed at the beginning of the planning process.
- 6). Analyze the consistency of current City ordinances and policies in relationship to the Plan goals and objectives.
- 7). Prepare draft documents for public review and comment, and present to the Board of Aldermen. The plan should be presented in a format and language easily understood by the public.
- 8). Prepare final draft documents and present at all associated meetings and public hearings for adoption of the plan.
- 9). Provide bi-weekly updates, primarily via email or telephone/video and

occasionally in-person, to update City staff on project status, discuss issues and review drafts.

- 10). Periodic written status reports and status update presentations may also be required for the Board of Aldermen.

IV. STATEMENT OF QUALIFICATIONS SELECTION CRITERIA

Interested firms must submit a Statement of Qualifications (SOQ) that addresses the following evaluation criteria. Respondents are encouraged to organize their submissions in such a way as to follow the general evaluation criteria listed below. Information included within the SOQ will be used to evaluate your firm as part of any criteria, regardless of where that information is found within the SOQ. Information obtained from the SOQ and any other relevant source may be used in the evaluation and selection process. The project proposal must outline the firm's qualifications and describe the process planned to provide the deliverables listed above. Proposals should include team members, past relevant project experience, knowledge and awareness of the City of Southport, and other commonly included information with such studies. The City intends to make the selection after reviewing the qualifications of each submitting firm.

A). Required Information:

All qualifications statements shall include the following information, at minimum:

1. Cover Letter (1-page)
2. Tab A: Proposed Scope of Services / Approach
3. Tab B: Project Experience
4. Tab C: Project Schedule
5. Appendix A: Key Personnel Resumes
6. Appendix B: Professional References
7. ~~Fee Proposal~~ Unit Cost List (separate sealed envelope).

COVER LETTER

The cover letter shall not exceed one (1) page and shall contain, at minimum, the following information: Company name of the primary consultant and any planned sub-consultants, as well as the contact names, addresses, phone numbers, and email addresses for each primary consultant and sub-consultant. The cover letter should also identify the project manager with associated contact information.

TAB A- PROPOSED SCOPE OF SERVICES / APPROACH

Describe the firm's approach to performing the required services in the Anticipated Scope of Work described above. Supplement the Anticipated Scope of Work as necessary to adequately meet the desired goals of the City. Identify how your firm plans to utilize internal or external consultants or sub-consultants to complete the project.

TAB B- PROJECT EXPERIENCE

Identify at least two (2) but no more than three (3) similar projects where you were the Primary Consultant. Demonstrate the experience of your firm, including all sub-consultants, on similar projects. The projects submitted should demonstrate that the

consultant and/or the team have performed the same or similar type of services to be considered relevant.

TAB C – PROJECT SCHEDULE

Describe the project timeline for completion. The proposed project schedule should illustrate the firm's capability to meet schedule requirements. Provide a Project Work Plan/schedule showing key project milestones and deliverables. The schedule shall demonstrate the firm's ability to meet the designated milestones.

Appendix A – EXPERIENCE OF KEY PERSONNEL

For each key person identified, list their length of time with the firm and at least two comparable projects in which they have played a primary role. There are no limitations on the number of key positions the firm may provide. However, at a minimum, the firm must provide the primary consultant or project manager and at least one (1) person from each sub-consultant identified, if applicable. Resumes should provide information for key staff (no company profiles) and should not include general firm information. Provide an organizational chart at the end of this tab; the chart may be submitted in 11" X17". The chart should depict the project team organization, lines of authority, and primary responsibilities of team members. Clearly indicate superior/subordinate reporting relationships. Provide names of each position and identification of firm or sub-consultant.

Appendix B – PROFESSIONAL REFERENCES

The SOQ should include a minimum of three (3) professional references with contact information. The references should be projects performed by the consultant in small to medium-sized municipalities, preferably in North Carolina.

Separate Sealed Envelope – ~~FEE PROPOSAL~~ UNIT COST LIST

~~Include a cost proposal addressing the elements of the work to be performed. This proposal shall be in sufficient detail to include the task, number of hours, unit hourly rates, and total proposal. The consultant shall indicate all costs considered necessary for the completion of the project. One cost proposal shall be submitted. It shall be submitted in a separate sealed envelope. The separate envelope will not be opened until all firms are ranked.~~ The City requests unit price information at the time qualifications are received and will thereafter negotiate a lump sum contract for those services at a fair and reasonable fee with the best qualified firm.

B). Qualifications Criteria:

Southport will utilize a rating system to score and rank each proposal. Respondents are encouraged to keep their proposals concise and to include a minimum of marketing materials. At a minimum, each proposal must address the following criteria:

ITEM	EVALUATION CRITERIA	MAXIMUM POINTS
1	General Information and Relevant Firm Experience	20
2	Team Staff Experience and Qualifications	20
3	Project Understanding and Method of Approach	30

4	Schedule	20
5	Fee Proposal and Other Factors	10
	Total Possible Points	100

V. SUBMITTAL REQUIREMENTS

- A). The SOQ shall include a one-page cover letter plus a maximum of ten (10) pages (front and back) to address the SOQ criteria specified in Section III. Table of Contents, section divider pages, and Appendices A and B do not count toward the total page count. Resumes for each key team member shall be limited to no more than two pages. Resumes shall be attached as Appendix A.
- B). Qualifications must be placed in a sealed envelope clearly marked "**Response to RFQ for Downtown Parking Study**" and five (5) hard copies and (1) electronic copy (complete electronic copy of the qualifications package on a USB Drive using a searchable ".pdf" file format) of the Statement of Qualifications and Appendix A must be **submitted to the City of Southport Assistant City Manager, 1029 N. Howe Street, Southport, NC 28461 by August 30, 2023 at 3:00 pm local time.**
- C). Failure to comply with the following criteria may be grounds for disqualification:
1. Receipt of submittal by the specified cut-off date and time;
 2. The number of originals and/or copies of the submittal specified; or
 3. Adherence to maximum page requirements.
- D). Adherence to the maximum page criteria is critical; each page side with criteria information will be counted. Pages shall be generally 8-1/2" x 11" paper. A maximum of two (2) pages may be on 11" x 17" size paper.

VI. SELECTION PROCESS AND SCHEDULE

- A). Reviewers for Southport will evaluate each Statement of Qualifications ("SOQ") according to the above criteria. A short list of finalists will be developed based on qualification packages received and the above considerations. Fee proposals of the short-listed finalists will be opened and reviewed before selection. The City of Southport may elect to meet with any, all, or none of the consultants prior to selection. Following these steps, Southport will select and notify the selected firm. Those firms not selected for further consideration will be notified as well.
- B). The following tentative schedule has been prepared for this project. Firms interested in this project must be available on the interview meeting date if an interview is held.

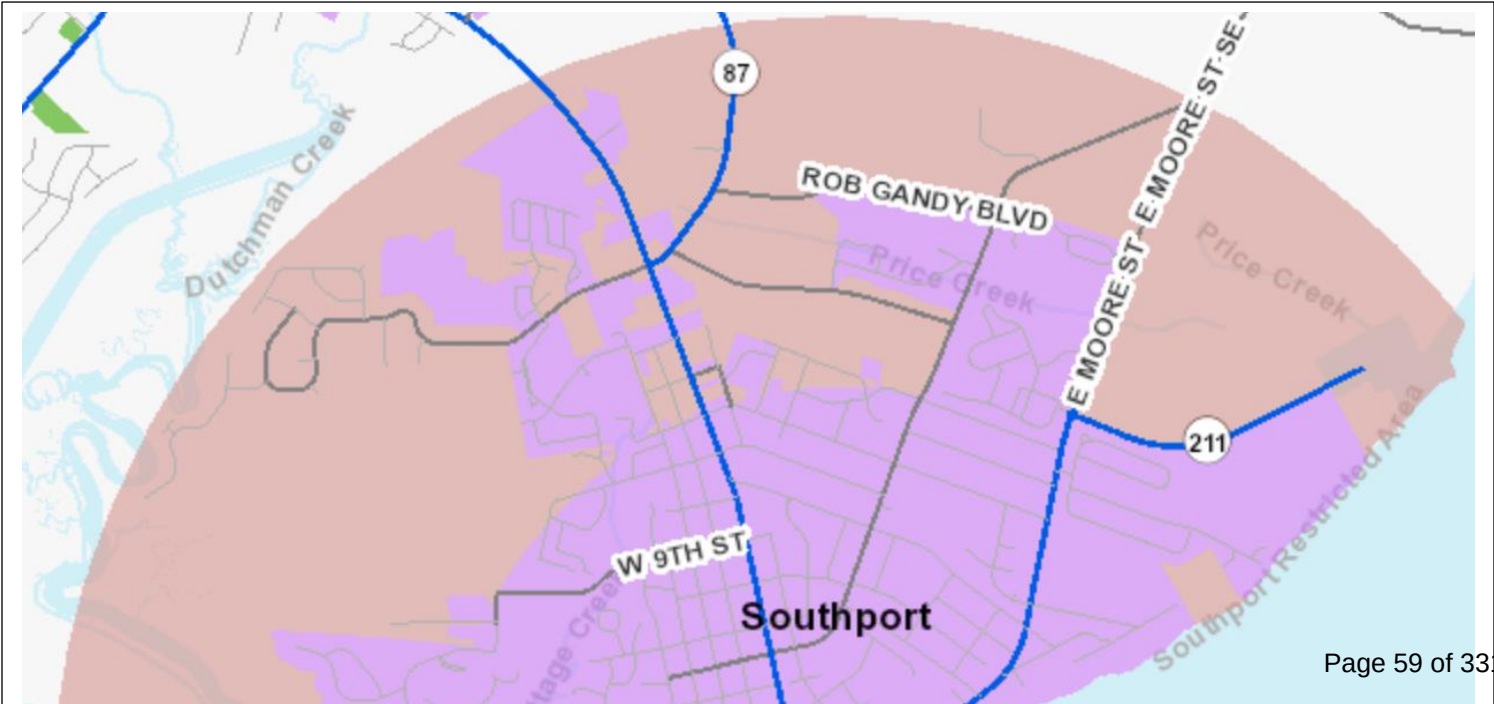
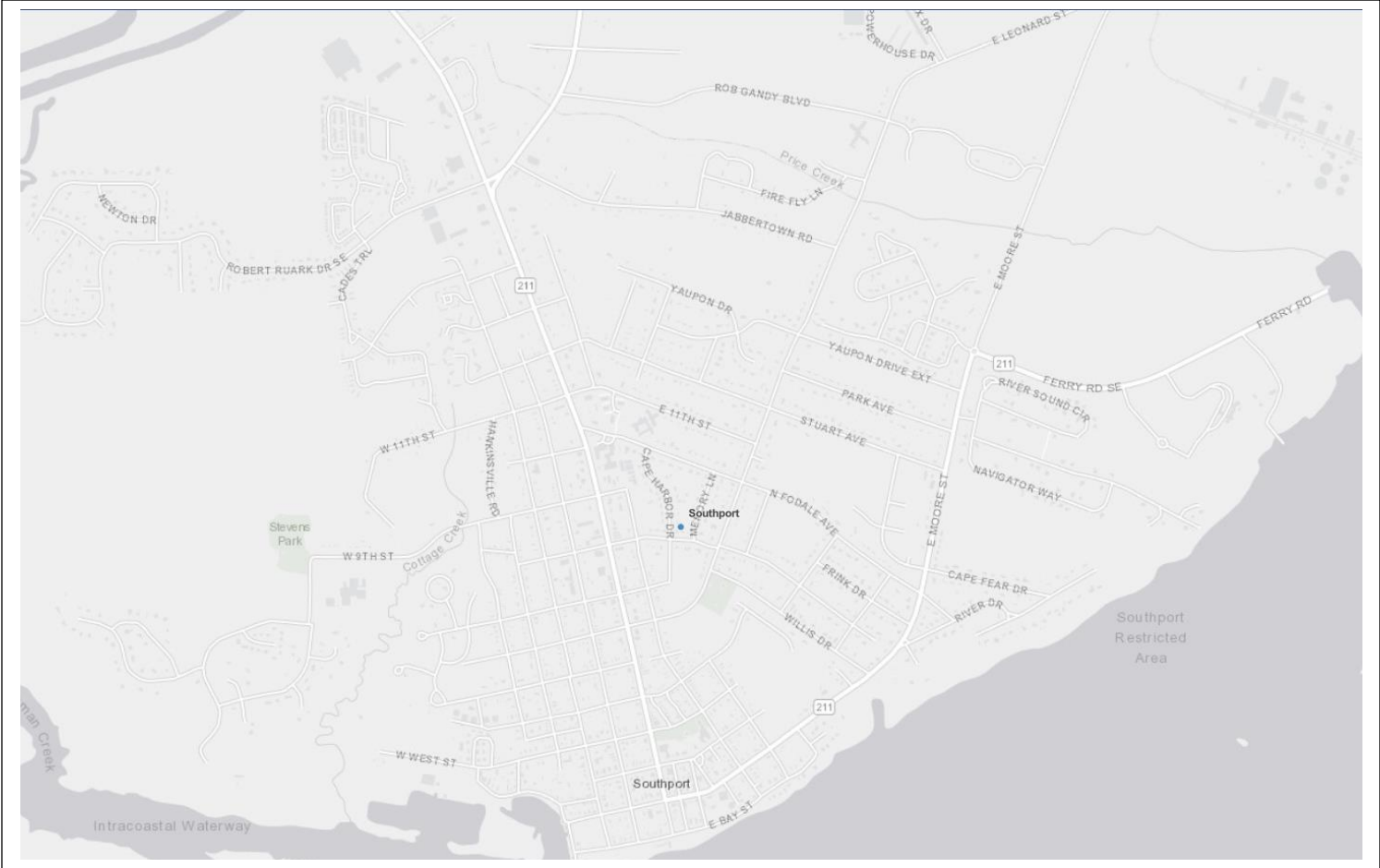
1. SOQ's due: August 30, 2023 @ 3:00 pm
2. Firms notified of Selection: September 8, 2023

C). Southport will enter into negotiations with the selected firm. Upon the Board of Aldermen's approval, it is anticipated that the professional services contract will be executed by the City Manager by the middle of October 2023. Southport reserves the right to terminate the selection process at any time.

VII. ATTACHMENTS

Attachment A: Map of area for consideration.

ATTACHMENT A





3545 Whitehall Park Drive, Suite 425
Charlotte, NC 28273
704.247.6230

Contents

Cover Letter	1
Tab A: Proposed Scope of Services / Approach	3
Tab B: Project Experience	10
Tab C: Project Schedule	15
Appendix A: Experience of Key Personnel	17
Appendix B: Professional References	23
Unit Price Proposal Issued in Sealed Envelope Under Separate Cover	



3545 Whitehall Park Drive, Suite 425
Charlotte, NC 28273
704.247.6230

August 28, 2023

Ms. Dorothy Dutton
Assistant City Manager
City of Southport
1209 North Howe Street
Southport, North Carolina 28461

*Re:RFP for: Downtown Parking Study
City of Southport, NC*

Dear Ms. Dutton and Members of the Selection Committee:

Walker Consultants ("Walker") is excited to submit our proposal to perform a successful collaboration with the City of Southport ("City") regarding its need for parking consulting services. Thank you for reviewing our proposal and considering our desire to serve your community.

We understand that connecting people to destinations that promote a sense of community and well-being is why this study is important. Downtown Southport is a growing agglomeration economy with beloved businesses, restaurants, historic homes, churches, healthcare facilities, lodging properties, government services, and third-destination dwelling places along the storied Cape Fear River and Intercoastal Waterway. The parking challenges the City faces are an unintended consequence of this unique ecosystem of attractions and economic vitality. We understand that over the years, the City has addressed parking challenges as they arise but, going forward, desires a data-driven evaluation and holistic approach to improving the public parking system for the community.

Downtown Southport reflects the determination of many caring and competent residents, business owners, community planners, and city leaders throughout its history. Walker deeply respects the community and desires to preserve and enhance those unique community elements. Our proposed project aims to improve access to downtown destinations and community connection through thoughtful parking and mobility enhancements.

Thank you for considering Walker for this important work. We welcome any questions about our proposal and remain open to refining the scope of work and proposed fee to align with your expectations.

Sincerely,

WALKER CONSULTANTS

A handwritten signature in blue ink, appearing to read "Jim Corbett", is written over the printed name and title of the signatory.

Jim M. Corbett, CAPP
Director, Municipal Planning Services

Scope of Services and Approach

Walker is committed to providing the City with the Scope of Services and the list of deliverables in Section III of the RFP. We have elaborated on our specific approach in the work plan and are happy to refine our scope of services if necessary.

Study Area

Walker understands the study area as represented in Attachment A of the RFP.

PROJECT MANAGEMENT. EFFECTIVE PROJECT MANAGEMENT BUILT ON OPEN COMMUNICATION.

Jim Corbett, based in Charlotte, North Carolina, is the project manager for this engagement and is known for his transparent, thorough, and thoughtful style of leading a project team. Jim aims to develop a mutual understanding of outcomes and conclusions and monitor project progress with a unified vision. He values building long-lasting relationships with his clients and their partners, who consider him a teammate. Jim's responsive, creative, and flexible approach enables him to maintain original budgets and schedules even with project goals and scope changes. He will organize and lead regular project management meetings and develop action items for follow-up. Jim will be supported by Walker's effective project management practices created from over 58 years of experience.

In addition to establishing and meeting logistical parameters and milestones throughout the project, our project team will work with the City's project management team to create and affirm a shared vision of success through a kick-off meeting and ongoing coordination.

Standard Deliverables:

1. **Kick-Off Meeting:** Conduct a kick-off meeting with the project management team to understand the drivers for this study, identify goals, begin to identify key stakeholders and stakeholder groups, and review the planned scope of work.
2. **Regular Updates:** Provide bi-weekly project status updates via email and MSTeams call.
3. **Project Schedule:** Prepare an official project schedule. Maintain and update the project schedule throughout the life of the project.
4. **Files and Materials:** Establish a shared folder during the project to allow the City team members access to key deliverables, task reports, presentations, and study results.
5. **Monthly Invoices:** Walker uses an internal electronic accounting system, which prepares monthly invoices and progress reports that track schedules and budgets. We will issue monthly invoices to the City with summaries of staff work on the project.

Phase 1: Existing Parking Conditions and Recommendations

Purpose: The analysis of Existing Parking Conditions is an independent quantitative and qualitative baseline assessment of the parking characteristics in Downtown Southport during design day conditions. Phase 1 analysis provides critical information upon which the subsequent analyses will build. The results of the existing conditions analysis will be used to inform stakeholders of the actual parking conditions. The results may confirm or challenge perceptions of parking in Downtown Southport, so the quality and integrity of the data and analyses are critical for community acceptance and support.

1. **Stakeholder Discovery Meetings:** In coordination with the City and as part of the existing conditions analysis, Walker will interview stakeholders (including City staff, business owners, property owners, residents, and community leaders) to understand the specific issues and the items that are unique to downtown Southport to help formulate solutions for the current parking conditions and provide options for improvement. Interviews will be scheduled by the City and performed consecutively over two (2) days. Walker will facilitate virtual stakeholder engagement meetings if in-person meetings cannot occur.

Engagement Methods: Changes in downtown public parking policies can potentially be a “lightning rod” issue. Effective stakeholder and public outreach programs are vital in allaying those fears to develop priorities and consensus that will support the City’s values. It can also facilitate effective policies by capturing the imagination of stakeholders and the community.

Collaboration means the public and stakeholders are partners in this work. At Walker, we follow a “form follows function” approach to public engagement planning. We start with a clear understanding, alongside the City, of what engagement has already been accomplished to date, the type of new input we wish to collect, and create in-person tools and questions specifically tailored to gather that input. Our proposed scope of work is centered on determining the questions we are answering and creating an inclusive stakeholder and public engagement and outreach strategy to shape the plan and gain buy-in and support. These conversations will also lay the groundwork for future implementation when it is necessary for partnerships and agreements.

Walker will develop and implement a targeted stakeholder and public outreach program to support the study in a complementary manner with ongoing public engagement currently underway. To reduce “burnout” we will look for ways to collaborate with ongoing engagement and outreach efforts. The outreach program will achieve three main goals: 1) provide an educational component for stakeholders and the community about the changing demands of the on-street parking and off-street lots, 2) learn from and gather input on priorities from which our team can make informed decisions and recommendations, and 3) develop a “vision of success” for the public parking system.

2. **Review City Planning Documents:** Walker will obtain from the City all pertinent information and studies commissioned by the City that impact downtown parking. Walker will review all recommendations included in the City of Southport's Pedestrian Plan and review information regarding the East Coast Greenway Trail, the NC Ferry system, the Cape Fear Regional Bik/Pedestrian Plan, and any other relevant community plans for infrastructure improvements and new commercial developments.
3. **Document Parking Inventory:** Inventory existing parking supplies for all on- and off-street parking locations within the defined study area. Document parking supply by ownership types, user group, and operating restrictions.
4. **Document Pedestrian and Parking Patterns:** Observe and provide a qualitative analysis of the walking and parking patterns. Note the unique characteristics of the study area that may include parking preferences, pedestrian pathways, golf car use, bicycle use, demand generators, and walking distances.
5. **Public Parking Turnover Analysis:** Perform a parking turnover evaluation of a designated sample area in the Southport Historic District that will provide quantitative data to help develop parking policy and management recommendations. Walker will coordinate with City representatives to identify the observation area(s), day(s), and period(s). Our professional experience informs our collective judgment on the effort required to render competent and trusted recommendations.
6. **Document Parking Occupancy:** Perform parking occupancy analysis of four (4) separate observation periods: 1) a typical weekday, 2) a typical weekday evening, 3) a typical weekend day, and 4) a typical special event period. Specific days and events for occupancy counts will be determined with the City. Walker understands that the City has a robust visitor season and that the study should account for the seasonal impact of the tourists during the summer months.

Note that appropriate data collection will be performed to communicate the seasonal impacts on parking utilization. Data quality is crucial for proper analysis and community confidence in the study results. Walker will strive for accuracy, completeness, reliability, relevance, and timeliness when collecting data. Our professional experience informs our collective judgment on the effort required to render competent and trusted recommendations.
7. **Evaluate Current Parking Demand:** Based on the parking turnover and occupancy analysis results, present the current demand for parking by block, day-of-week, and time-of-day. Identify the peak parking occupancy for all on-street and off-street parking locations that are publicly available.
8. **Document Current Parking Adequacy:** Prepare a summary of the actual parking inventory, occupancy, and adequacy on a block-by-block and property basis. Communicate results in a heatmap and table formats.
9. **Document and Evaluate Current Parking Policies:** Obtain and review existing parking policies. Walker understands that currently, downtown parking is free and generally unregulated, so policies may be that there are few formal or proactive management policies for the public parking assets. Recommend improvements based on current conditions and defined operational goals.

10. **Document and Evaluate Current Public Parking Signage and Wayfinding:** Analyze existing wayfinding and directional signage and document current parking signage standards, aesthetics, placement, legibility, and information content. Provide recommendations for improvements that may include historical and aesthetic improvements where necessary.
11. **Phase 1 Task Report:** Prepare and issue a draft task report in PDF format for the City project team to review and provide comments.
12. **Phase 1 Task Report Review and Comment:** Meet with City representatives to review comments and answer questions.
13. **Phase 1 Task Report – Final Document:** Incorporate feedback provided by the City and prepare the Phase 1 Final Document. Issue a Final Document in PDF format for the City project team to review and distribute.
14. **Presentation of Phase 1 Task Report:** Walker will present the study results to the City of Southport Board of Aldermen and related City staff. One (1) presentation to the combined group of city representatives is included in this scope of services. Note additional meetings and presentations requested by the City will be provided by Walker based on our standard hourly rates or a negotiated fee.

Phase 2: Future Parking Needs, Requirements, and Recommendations

Authorization: Phase 2 will commence upon receipt of written authorization to proceed by the City. Per request, the proposed Phase 1 and 2 unit prices are provided in a separate sealed envelope. The phases are priced independently to allow for the authorization of Phase 1 and, if desired, the subsequent authorization of Phase 2.

Purpose: The Analysis of Future Conditions is an independent quantitative and qualitative assessment of the future parking characteristics in Downtown Southport to accommodate design day conditions. The analysis addresses the amount and type of parking needed to ensure employee, visitor, and resident access. Phase 2 analysis will provide a target design capacity upon which the subsequent analyses of parking system policy and operational opportunities will build. The results of the future conditions analysis will be used to inform stakeholders and either confirm or challenge perceptions of future parking conditions and clarify the target design capacity to serve Downtown Southport.

1. **Future Development Program Assumptions:** Obtain all known future development program information, event program assumptions, and development sites from the City for the next 20-25 years—model future parking demand based on the future development and program assumptions. Where data is unavailable or unknown, Walker will obtain planning assumptions from the City to project future parking conditions. Infill development opportunities and anticipated or known changes to existing land uses will be considered. A list of future market conditions assumptions will be provided for review and approval by the City.

2. **Future Parking Adequacy:** Project future parking conditions during design day conditions and identify the parking surplus or deficit on a block-by-block basis. Communicate results in a heatmap and table formats. Apply these results to identify areas where the City may seek to add parking supply.
3. **Future Parking Development Opportunities:** Identify and evaluate potential sites that could satisfy current and projected parking deficits. Proposed sites should identify estimated parking count and optimal configuration on the site. Walker will apply optimal parking design dimensions to assess potential development sites.
4. **Structured Parking Options:** If warranted, Walker will identify the preferred location(s) for structured parking to help manage future parking demand and provide a conceptual estimate of probable cost.
5. **Shared Parking Opportunities:** Examine opportunities for shared private parking. Identify parking supply where shared parking agreements may be explored to increase access to parking and destination during various times and days of the week.
6. **Transportation Options and Considerations:** Identify recommendations for improving mobility options that may include but are not limited to pedestrian pathways, bicycle routes, automobiles, golf carts, and forms of public transport.
7. **Public Parking Collector Sites:** Provide suggestions for alternatives to parking downtown, including drop-off locations and ridesharing. In coordination with the City, identify remote parking opportunities.
8. **Private Parking Reconfiguration Opportunities:** Review and analyze existing private surface parking lots and undeveloped parcels of land near the Yacht Basin (permissions may need to be obtained) and provide options to utilize existing resources better to minimize the need for new public parking infrastructure.
9. **Parking Access Management Policy Review:** Evaluate free vs. time-limited parking, including parking duration, based on how these relate to on-street and surface parking.
10. **Paid Parking:** Identify and evaluate the policy and management requirements for implementing a paid parking system in Downtown Southport. Consider the policy and management requirements for implementing free City resident parking. Summarize the results and recommendations regarding using paid parking as a public asset management tool.
11. **Ordinance and Parking Regulations Review:** Evaluate existing ordinances and recommend parking rules and regulations that support the goals and objectives of a downtown parking strategy.
12. **Strategies for Improvement:** Based on the results of Phase 2, Tasks 1-7, develop strategies for improved visitor and employee parking options.
13. **Conceptual Estimate of Probable Costs:** Provide the City with conceptual estimates of probable costs for recommended improvements.

14. **Phase 2 Task Report:** Prepare and issue a draft task report in PDF format for the City project team to review and provide comments.
15. **Phase 2 Task Report Review and Comment:** Meet with City representatives to review comments and answer questions.
16. **Phase 2 Task Report – Final Document:** Incorporate feedback provided by the City and prepare the Phase 2 Final Document. Issue a Final Document in PDF format for the City project team to review and distribute.
17. **Presentation of Phase 2 Task Report:** Walker will present the study results to the City of Southport Board of Aldermen and related City staff. One (1) presentation to the combined group of city representatives is included in this scope of services. Note additional meetings and presentations requested by the City will be provided by Walker based on our standard hourly rates or a negotiated fee.

Firm Background

Founded in 1965, Walker Consultants is a full-service consulting, planning, engineering, architecture, forensics, restoration, and building envelope firm. Throughout our history, we have pioneered practices and set industry standards while prioritizing client service and satisfaction.

Walker offers our clients a wide spectrum of specialists and renowned experts who bring effective and practical solutions to complex challenges.

Mobility, Planning, Operations & Technology

- Parking operations and supply/demand studies
- Municipal parking management and organizational evaluations
- Mobility, transportation, transit, EV, and parking plans
- Curb management and transportation demand management
- Parking access and revenue control systems (PARCS) and automated parking guidance systems (APGS)
- Parking market and financial studies



Parking Design

- Electric Vehicle (EV) charging
- Parking functional design, wayfinding, and signage design
- Traffic microsimulation and parking queuing analysis
- Structural/durability engineering and adaptive re-use
- MEP/FP engineering and parking code consulting
- Prime design for parking structures



Forensics, Restoration & Building Envelope

- Forensic investigations, assessments, and advanced analysis
- Repair recommendations, repair designs, construction documents, and maintenance programs
- Building envelope investigation, assessment, testing, waterproofing, and design repair
- Building envelope peer review and commissioning
- Litigation support and expert testimony



Mobility, Planning, Operations & Technology

Walker's transportation, technology, operations, and policy experts connect people to destinations by improving access. From ideation to implementation, we create value by ensuring that you are making the most of your assets.



Mobility and Planning

Walker delivers cost-effective, user-friendly, and sustainable solutions that improve mobility and access for cities, campuses, developments, and more. Our tailored, out-of-the-box approach to planning is built on inclusivity and stakeholder buy-in.

Our financial studies include revenue and expense projections informed by our proprietary database of thousands of projects like yours. We can identify and explore potential funding, as well aid on either side of a public-private partnership deal.

- Mobility and parking plans
- Curb management (including loading design and monetization)
- Transportation demand management (TDM)
- Ride hailing app pick-up/drop-off area design
- Transit planning and traffic engineering
- Revenue enhancements and expense controls
- Financial studies used to underwrite parking facilities

Operations and Technology

Walker's team of parking operations and technology specialists is here to guide you from start to finish. Many of our staff are experienced former public and commercial parking operators.

When it comes to technology, our experts take their hands-on experience with proven solutions and pair it with research on the latest equipment and trends to go beyond the "buzz" and make the best recommendations for you.

- Operational audits and plans
- Parking operator RFPs
- Valet parking plans
- On- and off-street parking, operations, enforcement, technology, and policy
- Procurement of automated parking guidance systems (APGS), license plate recognition (LPR), parking access and revenue control systems (PARCS), meters, and related equipment
- Payment Card Industry Data Security Standards (PCI DSS) review

Coligny Area and Beach Access Parking Study

Hilton Head Island, South Carolina



The Town of Hilton Head is a 12-mile long, 54-square mile coastal island community with approximately 40,000 residents. The island has a robust tourism economy with over 2.5 million visitors annually, the bulk of which visit between the months of April and October. The Coligny Area on Hilton Head Island is one of the highest parking demand locations. With the Town recently completing the construction of its new Lowcountry Celebration Park in the same area, demand and use of all neighboring parking facilities will be increasing. To address these impacts, the Town engaged a qualified consultant to perform a comprehensive study to include: analyzing parking demands and preparing recommendations on regulations, strategies, capital improvements, collections of parking fees, fines, and associated financial models that could be utilized to successfully address parking needs for all Town beach parking areas.

Solutions Provided

- Walker's operational experts performed a review of the Town's code of ordinances to establish language for developing a parking enterprise fund to oversee the creation of a paid parking program. Elements of the program have been designed to include parking fines, parking enforcement, vehicle immobilization policies, and resident parking district policies.
- Subsequent short-term action items recommended the development of a pay-by-cell phone payment platform for motorists to use when paying for parking privileges, a need to issue a parking operator request for proposal for a firm to manage the parking program, a license plate permit credential program to replace the dated parking decal program and enable the enforcement of paid parking by license plate camera readers, and a step-by-step communication program to guide the Town through the transition.
- Longer-term solutions included the recommendation of a dynamic wayfinding system, additional bicycle facility infrastructure, public/private community partnerships, and parking enforcement expanded community roles.

Benefits

- Walker's financial modeling of future net operating revenues provided a financial impact for the Town to consider when considering the value of implementing a paid parking enterprise fund.
- To meet the Town's scope of service requirements, Walker delivered a final action plan for the Town to consider when implementing a recommended Parking Master Plan. Recommendations were identified under the categories of Immediate Action Items (3 to 6 months), Short-Term Action Items (6-12 months), Mid-Term Action items (12-24 months), and Long-Term Action Items (2 to 3 years).

Downtown Cary Strategic Parking & Mobility Plan

Cary, North Carolina



The Town of Cary retained Walker to develop a strategic plan that would identify options for organizing and managing its municipal parking system and highlight best practices being used successfully by other towns. The Town also sought to incorporate input from employees, residents, and visitors who have firsthand experience parking in and around downtown.

Key Features

The Town of Cary enlisted Walker to analyze parking and mobility in its downtown including:

- Analyzed existing and expected future demand for public parking.
- Reviewed signs, key points of interest, and destinations, including parking facilities and associated wayfinding signage.
- Review current sign design elements and changes to enhance the resident, customer, and visitor experience.
- Reviewed alternatives for organizing the parking management structure.
- Identified zoning requirements and the potential to incentivize non-driving modes of transportation.
- Evaluated primary vehicle and pedestrian routes to determine the best placement for each sign type.
- Evaluated current enforcement policies, procedures, and technology.
- Considered the potential for paid on-street parking.
- Addressed how to manage parking during downtown events.

Solutions Provided

- Quantified existing parking supply and demand conditions.
- Identified and recommended several organizational structure alternatives.
- Recommended changes to the Town's zoning code.
- Identified ways to enhance enforcement and on-street regulations.
- Recommended parking and wayfinding upgrades on the Town's website.
- Provided an implementation plan that identifies short-, medium-, and long-term goals for the parking and mobility system, including the relative cost of implementation for each recommendation.
- Provided new and additional concepts and designs for vehicular direction and parking location signs.
- Recommended changes to proposed messaging and points of interest.
- Developed a finalized sign map, with placement for each sign type.
- Created a downtown wayfinding and signage design plan to guide phased implementation.

Benefits

- Provided the Town with a road map for improving parking and mobility.
- Identified areas of downtown expected to experience future parking shortfalls, allowing the Town to plan the location of future parking.
- Motivated the Town to identify an internal staff member to act as the Town's parking/mobility manager.
- Provided short-term solutions to improve the Town's first public garage.

Project Timeline

We understand that the project award and kick-off are expected in September 2023, and the project is expected to be completed within a 12-month period. The Walker team can complete the defined scope of services within the allotted time. The diverse skill set of the project team allows for simultaneous work on different tasks. If Phases 1 and 2 are performed consecutively, Walker would expect the project schedule to be approximately seven months.

Note Section II. Background of the RFQ refers to parking becoming a challenge during warmer months because of the number of visitors and golf carts that share the available spaces. Section III. Anticipated Scope of Work suggests the respondent perform studies on turnover and occupancy patterns, including major events. Given that both conditions may be out of season when the study is initiated, Walker proposes a schedule for consideration by the City that includes the peak season months. Walker is flexible and has staffing capacity to coordinate with the City on an alternate or extended study time frame to include the peak season observations. We are open to schedule refinement that best serves the City and project outcome.

Considering the seasonal demand characteristics in Southport, a detailed project schedule that accounts for specific market observation periods would be developed with the City before the formal project Kick-off meeting. At the project kick-off meeting, Walker works with the City to refine the project schedule and identify any known milestones, meeting dates, or other obligations that may alter the schedule. We will work with the City to develop a mutually agreeable schedule that respects quality and timelines.

Milestone Deliverables: We generally establish in our schedule three milestones: a 50 percent draft, a 90 percent draft, and a final report. These milestones would apply to Phases 1 and 2 reports. Bi-weekly project team meetings are scheduled with the City project team, and status reports are provided to the working group. We would coordinate the presentations of the Phase 1 and 2 analyses and recommendations to coincide with standing meetings or schedule special sessions as desired and directed by the City. The final project schedule established in coordination with the City will include report deliverables and presentation milestones.

Project Team Qualifications

Walker is intentional about assembling a qualified project team with the collective skills, knowledge, and experience required to deliver valuable results for the City. The project team includes practitioners with backgrounds in municipal parking management, private parking operations, higher education parking management, public policy development, urban planning, mobility and curb management planning, financial planning, and parking wayfinding and technology. Few, if any, individuals embody the range and depth of expertise our team offers. This experiential range allows our team to be nimble and efficient, collaborating on projects throughout the United States and abroad. Our shared values of service, intellectual curiosity, and desire to improve our world bring us together and hold us accountable.

Project Team



Jim Corbett, CAPP

Municipal Practice Lead



Key Experience

Community Engagement Operational
Audit Financial Analysis
Parking Demand Modeling
Parking Management
Public Parking Policy

Education

Bachelor of Arts, Business Psychology,
Miami University, Oxford, OH

Certifications

Certified Administrator of Public
Parking (IPMI)
Accredited Parking Organization (APO)
Site Reviewer (IPMI)
Parksmart Advisor (IPMI/GBC)

Affiliations

International Parking and Mobility
Institute (IPMI)
Mid-South Transportation and Parking
Association (MSTPA)
Carolinas Parking and Mobility
Association (CPMA)
Urban Land Institute, Carolinas Chapter

Publications

"Has the Meter Expired on St. Armands
Key? A Case Study Paving the
Way for the Development of Paid
Parking", Florida Parking Association
Annual Trade Show and Conference

Jim is an innovative parking professional with twenty-five (25) years of successful parking operation leadership and fiscal governance. Having joined Walker Consultants' Planning, Operations, and Technology Group in 2015, Jim has lead Walker's efforts on dozens of strategic planning studies and municipal operations projects in several cities throughout the U.S. Prior to joining Walker, Jim served a 10-year career as the City of Tampa's Parking Division Manager.

Jim's specialized experience includes management of municipal and private parking assets within a variety of venues including hospitals, performing arts centers, convention centers, concert arenas and sports stadiums, hotels, mixed-use properties, community redevelopment districts, residential parking districts, and on-street parking.

Representative Projects

Town of Cary

Cary, NC
Parking Occupancy Study for Multi-Family Residential Developments,
Zoning Requirement Planning

Town of Hilton Head Island Coligny Area and Beach Access

Hilton Head, South Carolina
Parking and Mobility Master Plan. Walker performed a comprehensive study to include analyzing parking demands and preparing recommendations on regulations, strategies, capital improvements, collections of parking fees/fines and associated financial models that could be utilized to successfully address parking needs for all Town beach parking areas.

Shem Creek Development

Mount Pleasant, SC
Market and Financial Projections

City of Dunedin Downtown

Dunedin, Florida
Project Consultant
Parking Planning
The City of Dunedin is considering alternatives to increase the supply and availability of downtown parking by implementing a paid parking system that could produce revenue to offset the cost of constructing structured parking.

City of Miami Beach

North Beach Regional Parking Analysis

Miami Beach, Florida
Parking Needs Assessment
Planning and Feasibility Study The City of Miami Beach pursued multiple development projects in the North Beach area with a variety of land uses, including civic, recreational, entertainment, and educational uses that will likely intensify parking demand/ utilization. Walker performed a regional analysis of the projected parking demand for the related land uses for each project as well as within the study area and performed a parking alternatives analysis and interim parking plan during the construction phases of the projects, including overlapping periods.

City of Coral Gables Redevelopment

Coral Gables, Florida
Parking Consultant
Parking Planning
The real estate developer is pursuing the redevelopment of the City of Coral Gables Garages 1 and 4. The City is considering to replace the two aging City-owned parking facilities in Downtown Coral Gables with mixed-use, private development and a public parking facilities to be financed and constructed by the developer.



Jon R. Martens, AICP, CAPP

Senior Consultant

Jon Martens is a Parking Consultant with Walker Consultants, specializing in Car Park Management Systems (CPMS) and planning studies. Jon has over 25 years of experience in planning, management, and operations. Since joining Walker Consultants in 2003, Jon has led the successful completion of over 150 parking study engagements on a variety of projects. Jon has extensive experience in Parking Access and Revenue Control Systems and Automated Parking Guidance Systems, including planning, procurement, evaluating, and testing.

Prior to joining Walker as a parking consultant in 2003, Jon spent over thirteen years in a variety of operation and management positions, including as a parking operator for a national parking company in Indianapolis, Indiana. In this capacity Jon was responsible for the daily operations, event parking, valet management, budgeting, and marketing for a variety of parking facilities.

Jon has earned the credential of Certified Administrator of Public Parking (CAPP) through the International Parking and Mobility Institute (IPMI) and University of Virginia as well as the American Institute of Certified Planners (AICP) distinction through the American Planning Institute and served on IPMI's Technology Committee.

Key Experience

Parking Access Revenue Control Systems (PARCS)

Automated Parking Guidance Systems (APGS)

Car Park Management Systems (CPMS)

Education

Bachelor of Science, Organizational Leadership and Supervision, Purdue University

Affiliations

American Institute of Certified Planners (AICP)

Certified Administrator of Public Parking (CAPP)

Mid-South Transportation and Parking Association Board Member

Publications

"Planning an Automated Parking Guidance and Wayfinding System" IPMI, CPA, MSTPA conferences, 2017

"The Promises and Challenges of LPR", *Parking Today*, October 2017 pp. 26-28

"Simple Savings", *The Parking Professional*, August 2014 pp. 30-33

"Mensa Meters", *The Parking Professional*, May 2013 pp. 30-33

"Parking: More Customers, Less Cost", March 2013 pp. 50-53

Representative Projects

Town of Cary

Cary, NC
Parking Occupancy Study for Multi-Family Residential Developments,
Zoning Requirement Planning

Town of Carrboro

Carrboro, NC
Downtown Parking Plan

City of Fayetteville

Fayetteville, NC
Parking Master Plan

Town of Chapel Hill, NC

Chapel Hill, NC
Parking Management Plan, Funding Strategies

First Baptist Church Lot

Charleston, SC
Market Study and Operations Options

Shem Creek Development

Mount Pleasant, SC
Market and Financial Projections

Raleigh Durham International Airport (RDU)

Raleigh, NC
PARCS installation included changing from a cashiered system to POF system, for over 13,000 spaces, in multiple locations. Jon's involvement in the transformation included evaluation and testing for POF systems, AVI readers, proximity readers, and cashier terminals

Liberty Center Garage

Charleston, SC
Due Diligence Study – Financial Analysis and Condition Appraisal



Bobby Mordenti, M.U.D.

Transportation Planner/Urban Designer

Bobby is a transportation planner and urban designer, who brings a range of experience in both disciplines to the cities with whom he works. He has specialized experience in curbside management, wayfinding and signage, placemaking, public engagement, and transportation planning, along with the understanding of the municipal regulatory process. Bobby has worked on many projects that required addressing deep community concerns and created responsive solutions and recommendations to those issues in the form of community and comprehensive plans, parking and transportation studies, corridor plans, bicycle and pedestrian wayfinding signs, design guidelines and zoning ordinances. He has played different roles as planner and designer but with a fundamental understanding that planning for people enhances the quality of life for every community.

Key Experience

Transit and Mobility Planning
Signage and Wayfinding Concepts
Land Use and Policy Planning
Transportation Development Strategies

Education

Master of Urban Design, The University
of North Carolina at Charlotte
Bachelor of Science in Urban and
Regional Planning, East Carolina
University

Affiliations

American Planning Association (APA)
American Planning Association Illinois
Chapter (APA IL)

Publications

Small Town Fit: Healthy People, Places
and Policies in Davidson, NC

Project Highlights

Downtown Cary Parking Strategic Plan

Cary, NC

Bobby assisted The Town of Cary in creating a plan for near- and long-term parking planning goals. The plan developed implementable recommendations to improve parking in downtown Cary and support planned future development. The project looked at evaluating current parking needs, analyzed future parking, and looked into different parking alternatives within the downtown.

Coligny Area and Beach Access Parking Study

Hilton Head, SC

This project was a comprehensive Parking Study of the Coligny Beach area and surrounding beach area access within Hilton Head, South Carolina. It involved parking utilization observations, analysis of conditional impacts, parking management strategies and policy recommendations. As part of the management strategies and policy recommendations, Bobby helped in improving the parking and mobility experience. This involved creating conceptual wayfinding and guidance systems to communicate parking availability. This conceptual solution was paired with real-time mobile payment transactions and camera counting systems.

Canterbury Court Enrichment Project

Atlanta, GA

Steward Health Care was preparing to offer a concession agreement for parking lots and garages at three medical centers in or near Boston

Amelia Island Public Beach Parking and Access Study

Amelia Island, FL

Still in progress...Existing conditions and demand projections, preliminary solutions and system enhancements, beach parking and access management cost model, strategic master plan

Leslie Jo Hurwitz, PE, CM

Managing Principal



Key Experience

Parking Consulting/Planning Studies
Structural Design
Functional Design
Forensic Engineering

Education

Bachelor of Science in Civil
Engineering, Michigan
Technological University,
Houghton, MI

Bachelor of Arts in Physics,
Albion College, Albion, MI

Registrations

Registered Professional Engineer
in North Carolina, South
Carolina, and Michigan

Affiliations

American Association of Airport
Executives Certified Member
Urban Land Institute

Leslie Jo Hurwitz is Managing Principal in the Charlotte, North Carolina office of Walker Consultants. She has over 20 years of experience in the consulting planning and engineering business with responsibilities encompassing multidisciplinary team leadership, project management, engineering consulting, restoration, and operations management. The projects she has managed range from preliminary evaluations and studies to complex multi-discipline structure designs.

As a Project Manager and Technical Advisor, Leslie Jo's responsibilities include client interface, technical consulting, project team coordination, budget/schedule oversight, and management of multidisciplinary projects from concept through construction. She has also been involved in two mega-project designs working as an assistant project manager overseeing specification development, sub consultant management, and quality review coordination.

Throughout the years, Leslie Jo has been involved with a variety of industry organizations including American Society of Civil Engineers, Society of Women Engineers, International Concrete Repair Institute, and National Society of Professional Engineers.

Project Highlights

Greenville Uptown Parking Deck
Greenville, NC
Project Manager
Functional/Signage/Graphics
design/consulting and structural
engineering for 238 space 4-level
precast pre-stressed concrete
parking structure

Asheville Parking Structure
Asheville, NC
Functional and structural design
of a 1,300 space precast parking
structure, Project Manager

**East Carolina University Student
Services Parking Structure**
Greenville, NC
Functional and structural design
of a 525 space precast parking
structure

**GSO - PTIA Operations
and Best Practices**
Greensboro, NC
Proposed upgrades to new PARCS

**ROA- Roanoke Regional
Airport Commission**
Roanoke, VA
Parking Access Revenue Control
Systems Consulting, Principal-in-
Charge

**UNC Wilmington Central Parking
Deck**
Wilmington, NC
Parking consulting and
comprehensive planning for a 1,000
space, 5-level precast concrete
structure.

**North Carolina State University
Centennial
Campus**
Raleigh, NC
Project Manager
Functional Consulting

Professional References

Throughout our firm's history, we have always held our clients and projects in high regard. Along the way, the firm successfully received opportunities for repeat business and has built up a foundation of very good clients with similar business philosophies. These long-term relationships have accounted for over 85% of our annual sales and revenues.

Provided herein are five references from within the region who have worked with members of our project team.

Paul Webster, PE
Interim Director – Construction & Field Services
Town of Cary
316 N. Academy St
Cary, NC 27513
919.462.3933
paul.webster@townofcary.org

W.L. (Lee) Jernigan, Jr., PE
City Traffic Engineer
City of Fayetteville
339 Alexander Street
Fayetteville, NC 28301
910.433.1153
ljernigan@ci.fay.nc.us

Dwight Bassett
Director of Economic Development and Parking Services
Town of Chapel Hill
405 Martin Luther King Jr Blvd.
Chapel Hill, NC 27514
919.969.5010
dbassett@townofchapelhill.org

Monica Beltran
Parking Director
City of Miami Beach
1755 Meridian Avenue, Suite 200
Miami Beach, FL 33139
305.673.7000
monicabeltran@miamibeachfl.gov

Joshua A. Gruber, JD, MPA,
Deputy Town Manager
Town of Hilton Head Island
1 Town Center Court
Hilton Head Island, SC 29926
843.341.4634
joshg@hiltonheadislandsc.gov

CITY OF SOUTHPORT

Downtown Parking Study Update

April 11, 2024



WALKER
CONSULTANTS



EXISTING CONDITIONS

- 1). Identify parking demand periods
- 2). Parking restrictions
- 3). Parking turnover and occupancy
- 4). Consider all current mobility modes
- 5). Evaluate/Analyze current parking demand
- 6). Identify current parking shortfalls/weaknesses



FUTURE NEEDS, REQUIREMENTS AND RECOMMENDATIONS

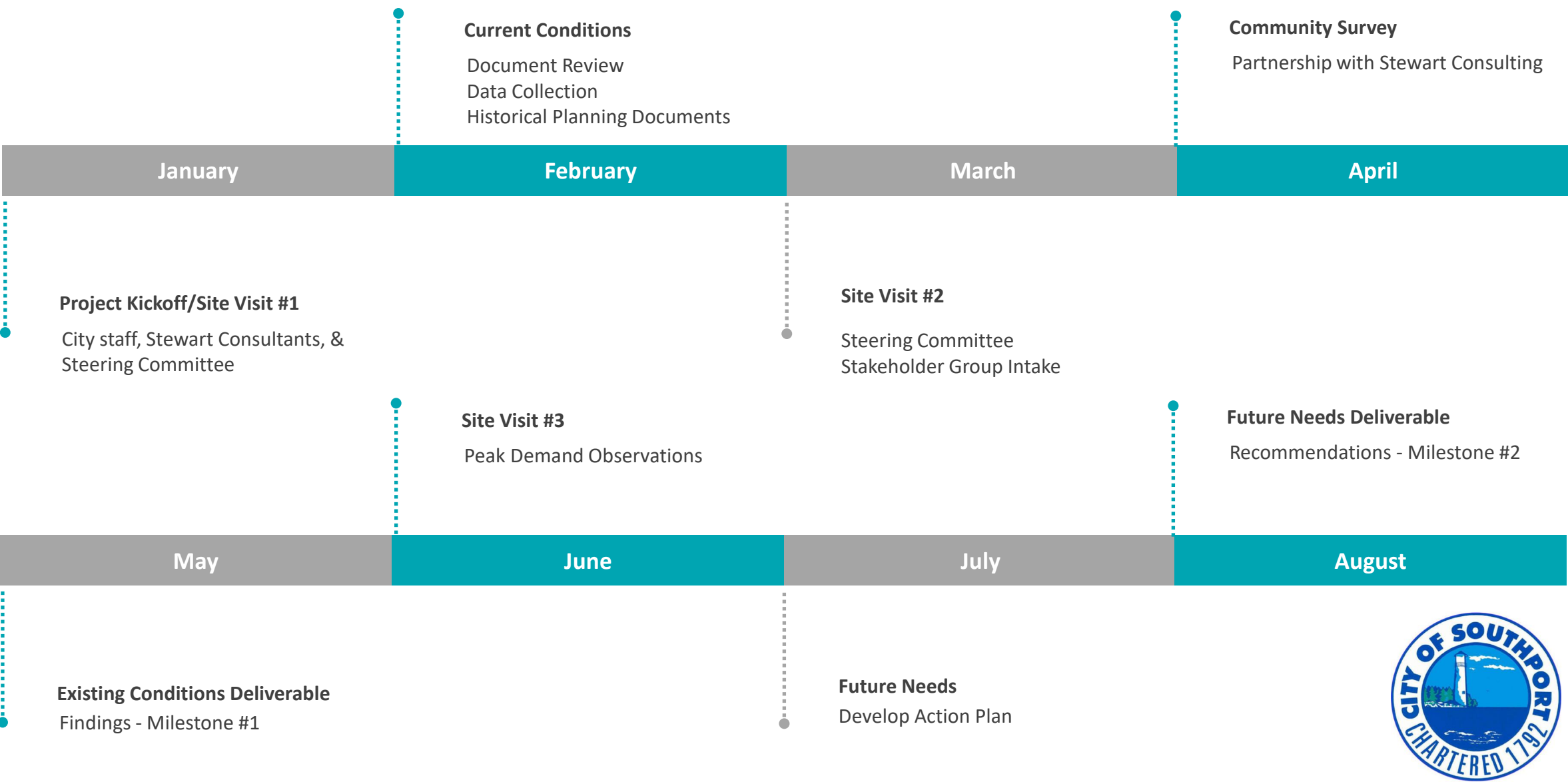
- 1). Visitor and employee parking options
- 2). Feasibility of paid parking
- 3). Feasibility of free City resident parking
- 4). Feasibility of off-site parking
- 5). Additional parking areas
- 6). Yacht Basin area
- 7). Forecast parking needs
- 8). Multiple mobility modes
- 9). Phasing development
- 10). Preliminary estimates

Holistic Vision

A Parking System
that Supports a
Vibrant Historic
Downtown
Community



PROJECT TIMELINE



STUDY AREA

Key Observations:

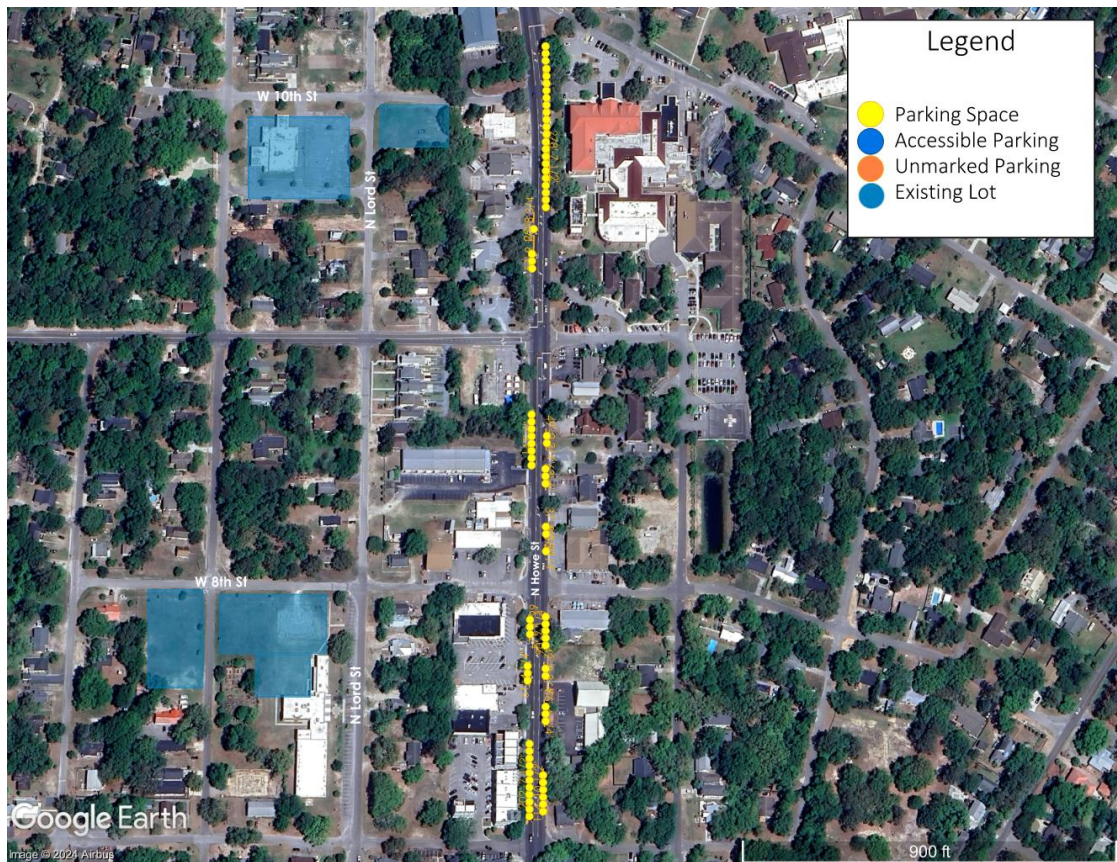
- 596 - On-Street Spaces
- 250 – Paved Parking Lots
- 758 – Unpaved Parking Lots
- 1,008 – Total Off-Street Spaces
- 1,604 – Total Inventory



ADDITIONAL INVENTORY OPTIONS



Owens Street to 10th Street



West Street to Owens Street



PARKING AND MOBILITY STRATEGY

Multi-modal use
Bicycle Infrastructure \$
Golf Cart Infrastructure \$





PROTECTING QUALITY OF LIFE

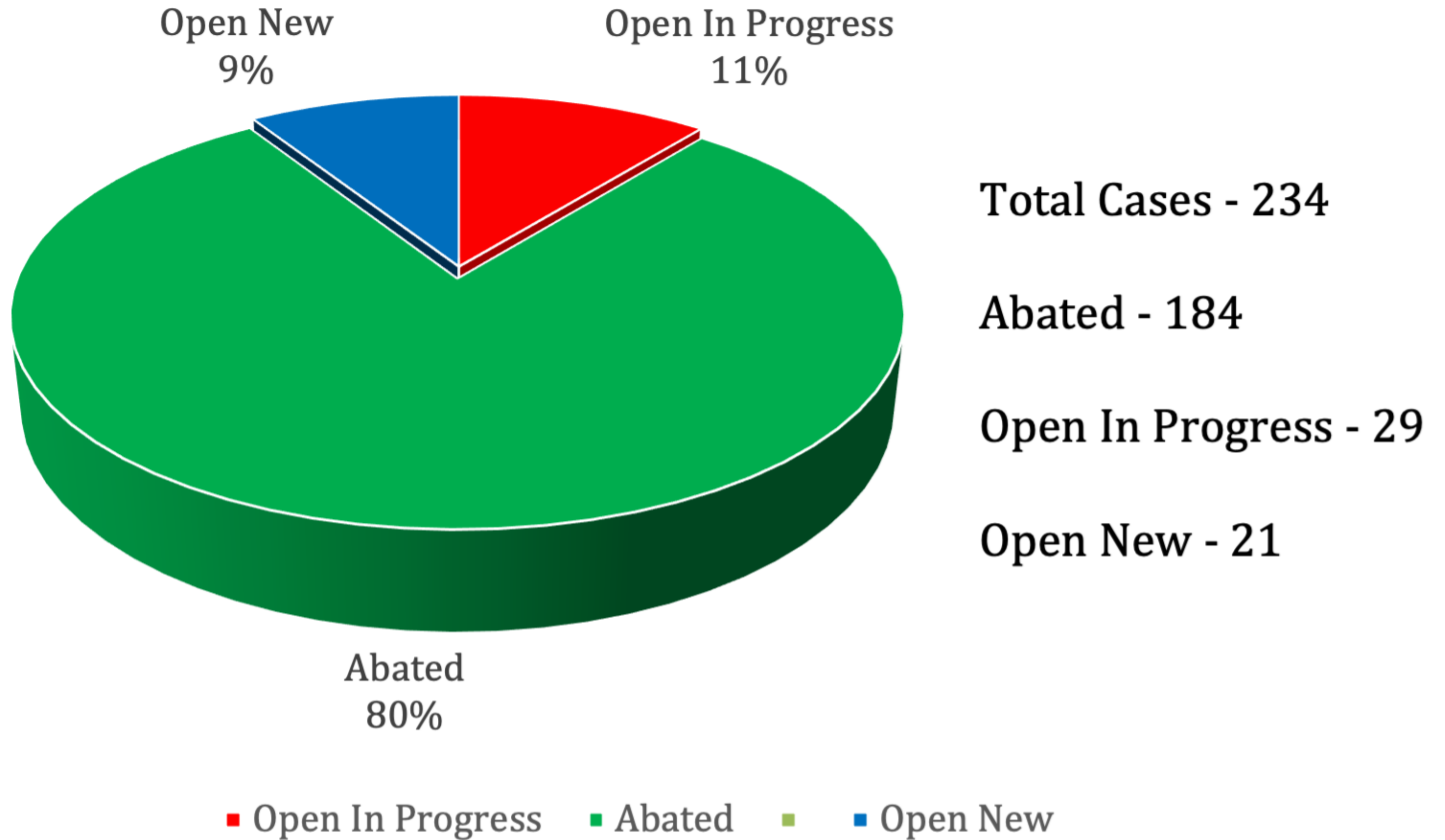
ALLIANCE CODE ENFORCEMENT LLC

SERVICES:

We specialize in Minimum & Abandoned Housing Investigation & Enforcement; Minimum Standard for Non-Residential Structures Investigation & Enforcement; Overgrown Lots; Accumulation of Junk, Trash & Debris; Open Storage; Animal & Vegetation Putrescence; Junk, Nuisance & Abandoned Vehicles; Abandoned White Goods; DOT Right-of-Way Sign, Banner & Flag Management; Zoning Violations; Updating/Writing New Ordinance & Special Projects.



Case Status To Date



Minimum Housing Cases

For the City of Southport

722 W 11th St



813 W 11th St



115 E Owens St





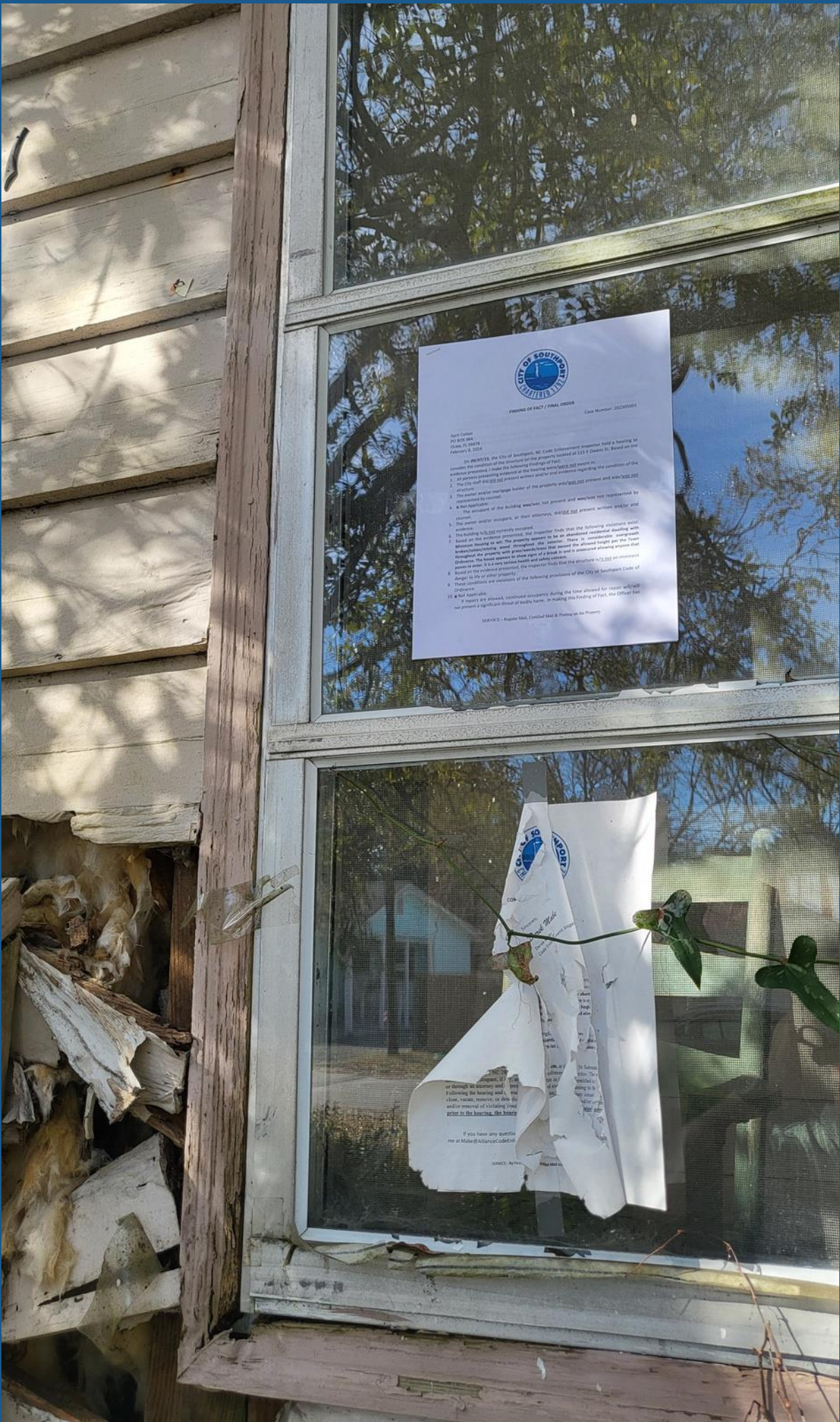
722 W 11th St





115 E Owens St





813 W 11th St







Additional Properties

Front of House



Back of house











609 Burrington Ave

Before

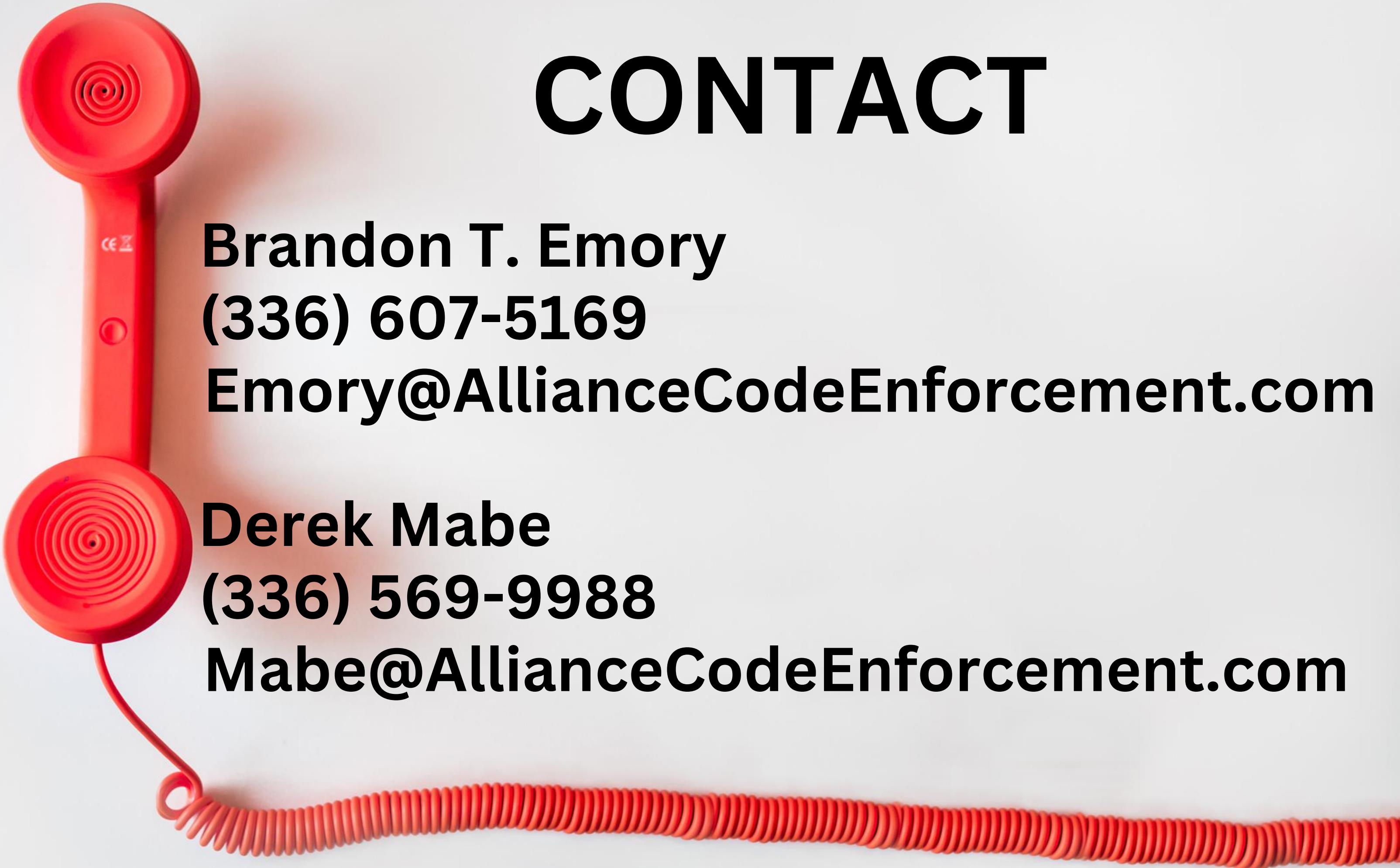




ABATED



For allowing us to be your additional workforce. We will continue to provide professionalism and quality service for the City of Southport.



CONTACT

Brandon T. Emory

(336) 607-5169

Emory@AllianceCodeEnforcement.com

Derek Mabe

(336) 569-9988

Mabe@AllianceCodeEnforcement.com

MEMORANDUM

TO: Mayor Alt and the Southport Board of Alderman
FROM: Brady Herman, City Attorney
DATE: March 27, 2024
RE: Legal Summary of U.S. Supreme Court Decision in *Linkde v. Freed*

The purpose of this memo is to provide the Board a legal summary of the recent U.S. Supreme Court's decision in *Linkde v. Freed*, No. 21-611, on the issue of whether, and under what circumstances, public officials can block viewers from a social media page that contains both public and private posts by the public official.

This case arose when the City Manager for Port Huron, Michigan, James Freed, posted a variety of personal updates on his Facebook page as well as certain information related to his position as city manager, including information related to COVID-19 and the City's policies to address the pandemic (note, the City Manager's Facebook page wasn't designated as being either for official or personal use). Kevin Lindke, a city resident, did not approve of the City Manager's handling of the pandemic and left critical comments on the City Manager's Facebook page, which led the City Manager to block Lindke from his social media page. Lindke then sued the City Manager under 42 U.S.C. § 1983, alleging that the Manager had violated his First Amendment rights by restricting his ability to comment on the Manager's Facebook page, which Lindke characterized as a public forum. The City Manager contended that he was not operating his Facebook page under his official duties, and the lower courts found in favor of the City Manager.

On appeal, the Supreme Court unanimously held that a public official who blocks someone from commenting on the official's social media page can constitute state action liable under 42 U. S. C. §1983, including for deprivation of their First Amendment rights, only if the official both: "(1) possessed actual authority to speak on the State's behalf on a particular matter, and (2) purported to exercise that authority when speaking in the relevant social-media posts." The Court noted that "[t]he appearance and function of the social media account are relevant at the second step, but they cannot make up for a lack of state authority at the first."

To meet the first prong of the two-part test, the Court found that a plaintiff must show that the public official actually has that authority under either the official's job description (i.e., "whether making official announcements is actually part of the job that the State entrusted the official to do"), rooted in written law, or is a longstanding custom or practice to speak on behalf of the public agency.

The second part of the test, according to the Court, involves an analysis of whether the official was purporting to use the aforementioned authority to speak on the public agency's behalf, as opposed to posting as a private citizen. If the public official isn't speaking "in furtherance of his official responsibilities," wrote the Court, "he [or she] speaks with his [or her] own voice."

In sum, the holding in this case shows that there are circumstances when government officials can permissibly block a constituent from their social media pages, provided they are not claiming to speak on the state's behalf and are not speaking on an area within their official authority. The Supreme Court cautioned that the evaluation of such situations is fact-intensive, and that "look and function" of the social media page are not enough. Instead, the Supreme Court instructed that the determination lower courts must make requires a "close look" as to whether a public official, in posting on social media, not only has the authority to speak on a public agency's behalf (step 1), but also whether he or she was exercising that authority when engaging on social media (step 2). Only if those two steps are satisfied, a public official cannot then block a person, even if the blocking was done to prevent someone from commenting on the personal posts on the page.

One additional key take away from this case, although it was not specifically included in the Court's ultimate holding, the Supreme Court went on to clarify that had the City Manager's Facebook page carried the label "this is the personal page of James R. Freed" or a disclaimer "the views expressed are strictly my own," he would be entitled to a heavy (though not irrebuttable) presumption that all of the posts on his page were personal. The Court explained that "Markers like these give speech the benefit of clear context: Just as we can safely presume that speech at a backyard barbeque is personal, we can safely presume that speech on a 'personal' page is personal (absent significant evidence indicating that a post is official)."



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 3/27/2024

DEPARTMENT: Community Relations

PRESENTED BY: Allayna Dail

ITEM SPONSORED BY: Community Relations

ITEM/TOPIC: Sign Replacement Project

COST: Unknown

BUDGET LINE ITEM: 10-82-6170-2712

JUSTIFICATION: Many existing signs are outdated, faded and in poor condition. This project will unify and brand our signage across all City-owned facilities and locations. This will be part of the wayfinding signage program to assist the public in finding their way around Southport. As existing signs need to be replaced, they will be replaced with the new design/materials. There are many designs to choose from, and the Board requested that a survey be done to ask the public what they prefer. At this point, the City is already asking the public to participate in several public surveys, and there is concern that we won't receive much in feedback as there are too many surveys that the Public is being asked to take part in such as Franklin Square Park, the Comprehensive Plan/Parking Study and the Load Management Survey.

If the Board could narrow the choices down to a few options, we can try to capture votes from the public at future Board meetings, and at the April 30th Comprehensive Plan Public Workshop.

The designs have been assigned a letter for easier identification.

IMPACT IF NOT APPROVED: There will be no clear direction and too many options for City signage. As existing signs need to be replaced, or new signs are needed, there might not be continuity of design.

DEPARTMENT HEAD COMMENTS: This is a Board decision.

CITY MANAGER COMMENTS: Some Departments would like to move forward with new signage for areas of their responsibility and I told them to hold off until we know what the signage will look like Citywide. I am hoping we can decide on an ideal look and move forward by the beginning of the summer tourist season.

ATTACHMENTS: 1) PowerPoint presentation 2) Images of signs

REQUESTED ACTION: Discussion and possible reduction of options, for more efficiency when asking for public input.

PROPOSED MOTION: I make a motion to move designs _____, _____, _____, _____, and _____ forward for public input.



City of Southport Sign Branding Project

Department of Community
Relations

Beautification
Committee

Mission: To unify and brand our signage across all City-owned entities.

Goal: As signs need to be updated and replaced, we will use this as our standard.





Mock up of Suggested Designs



Mock up of Suggested Designs

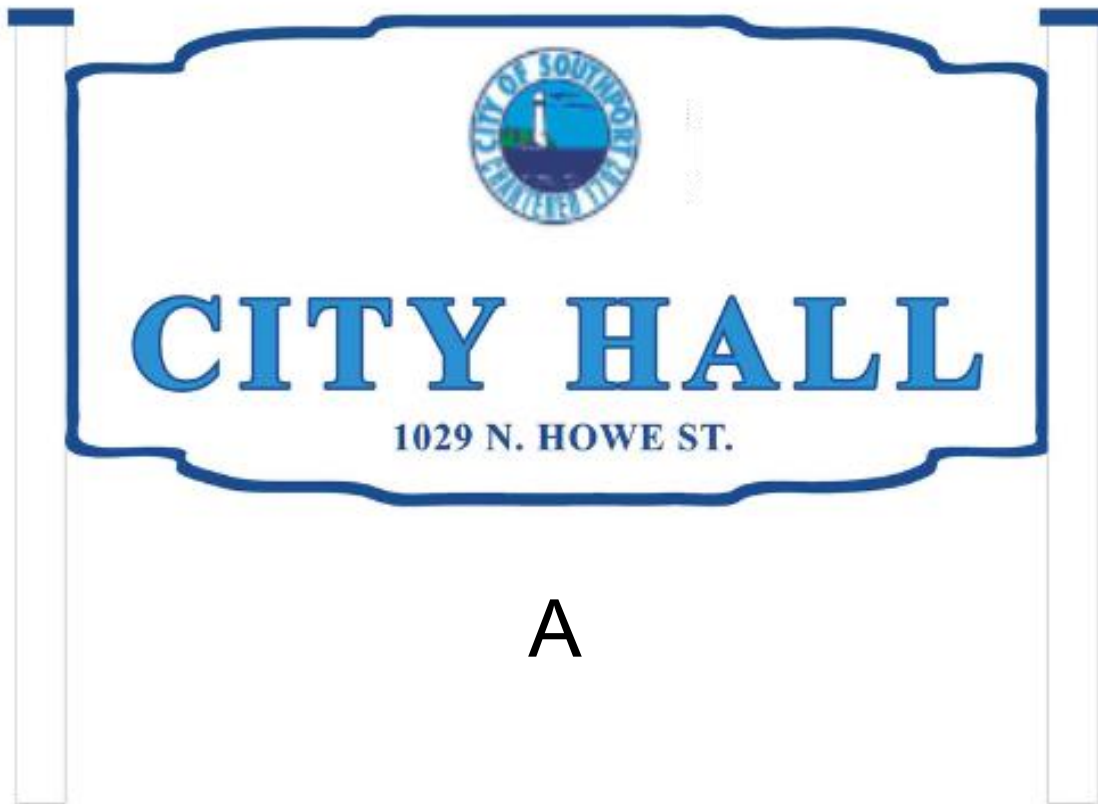


Mock up of Suggested Designs

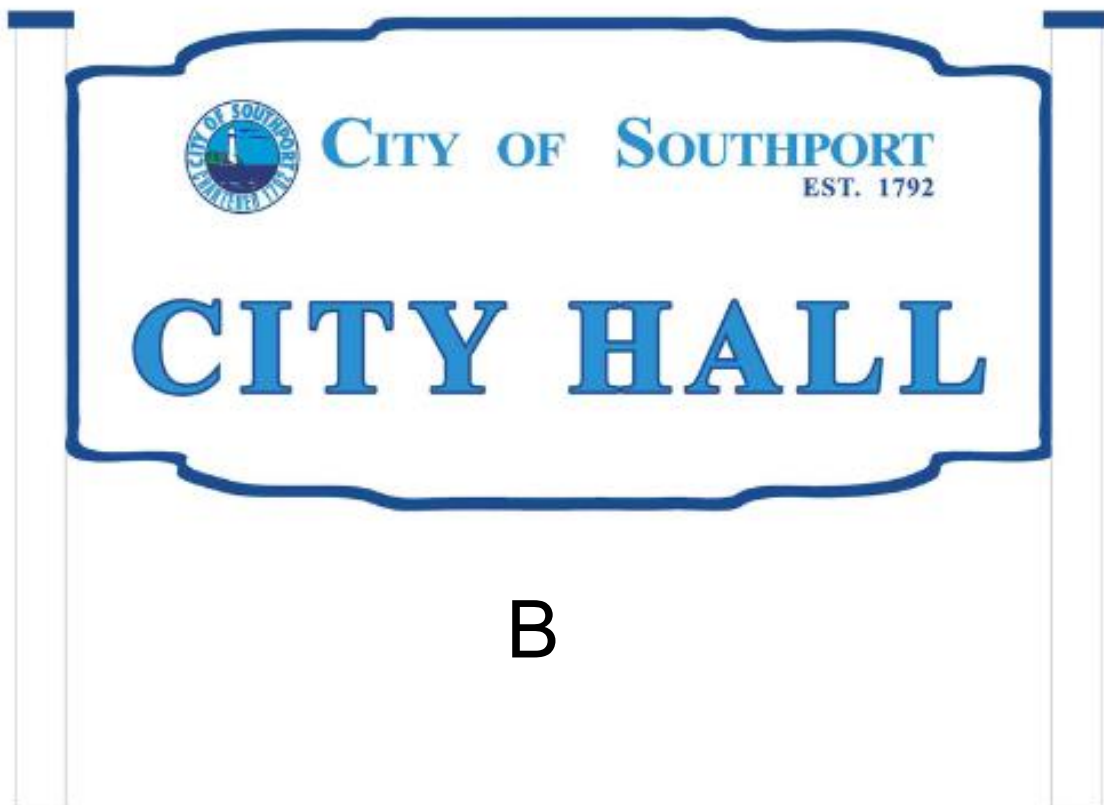


Mock up of Suggested Designs

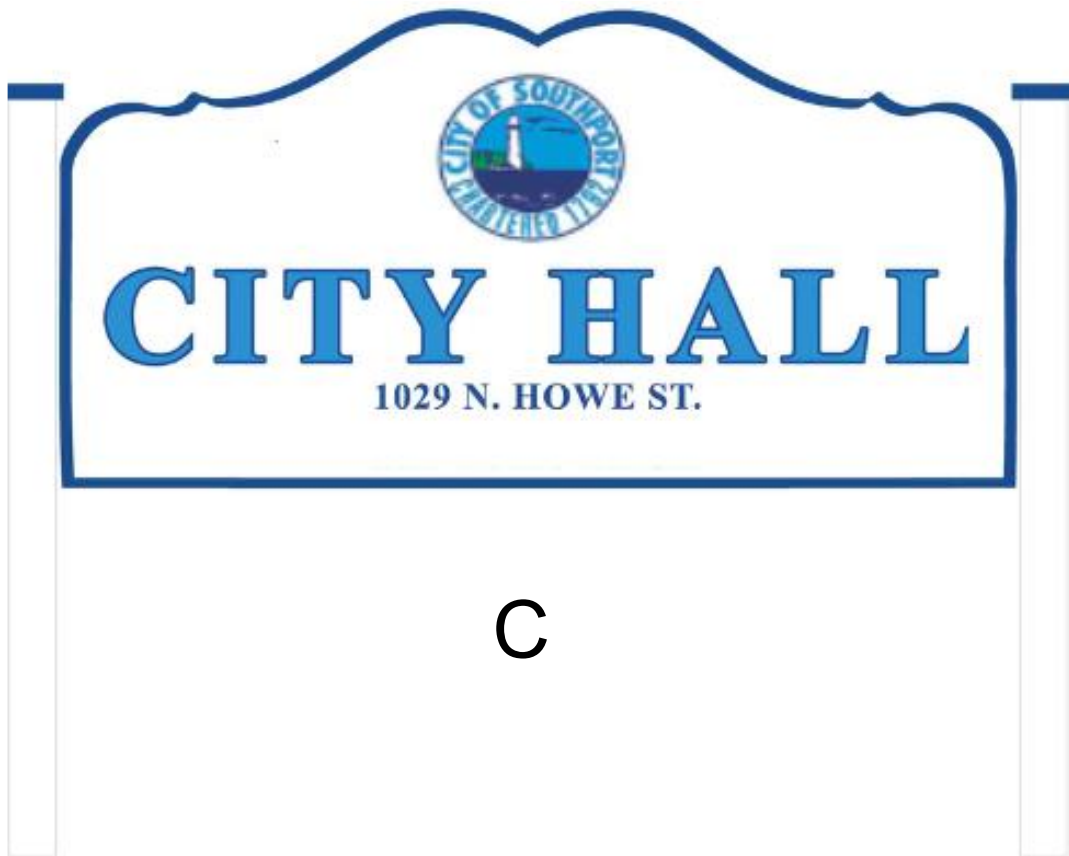




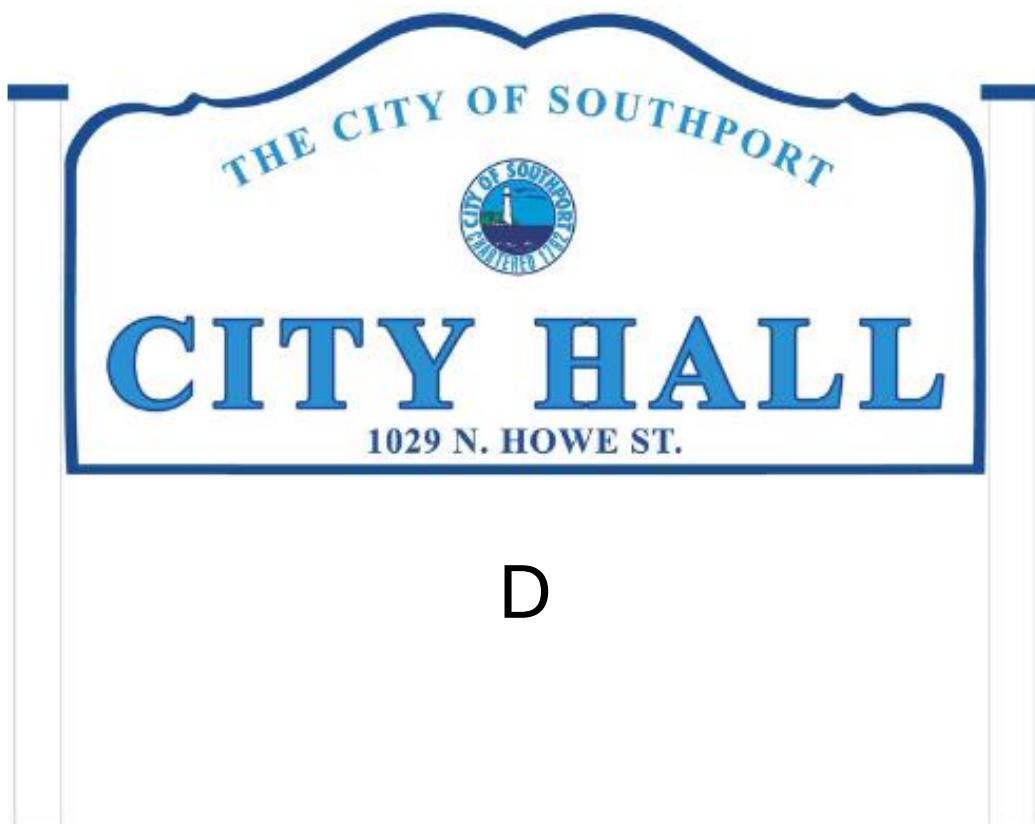
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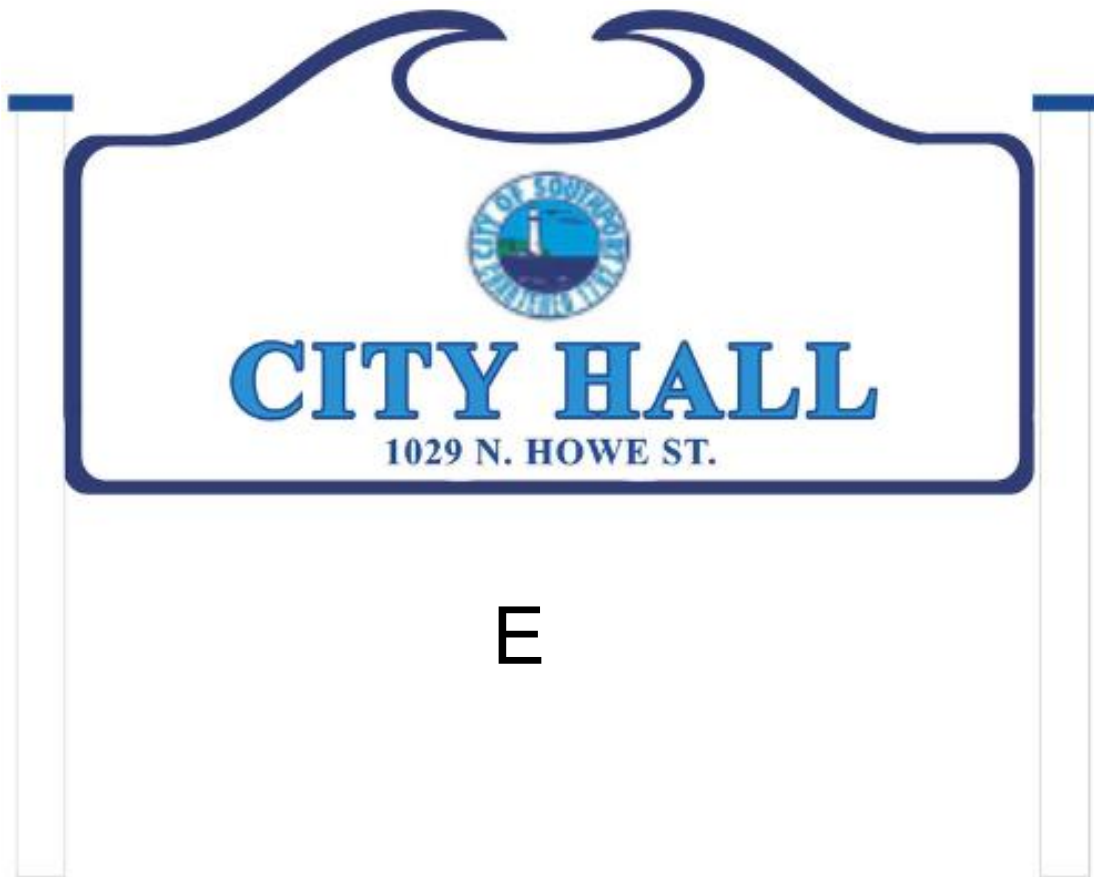
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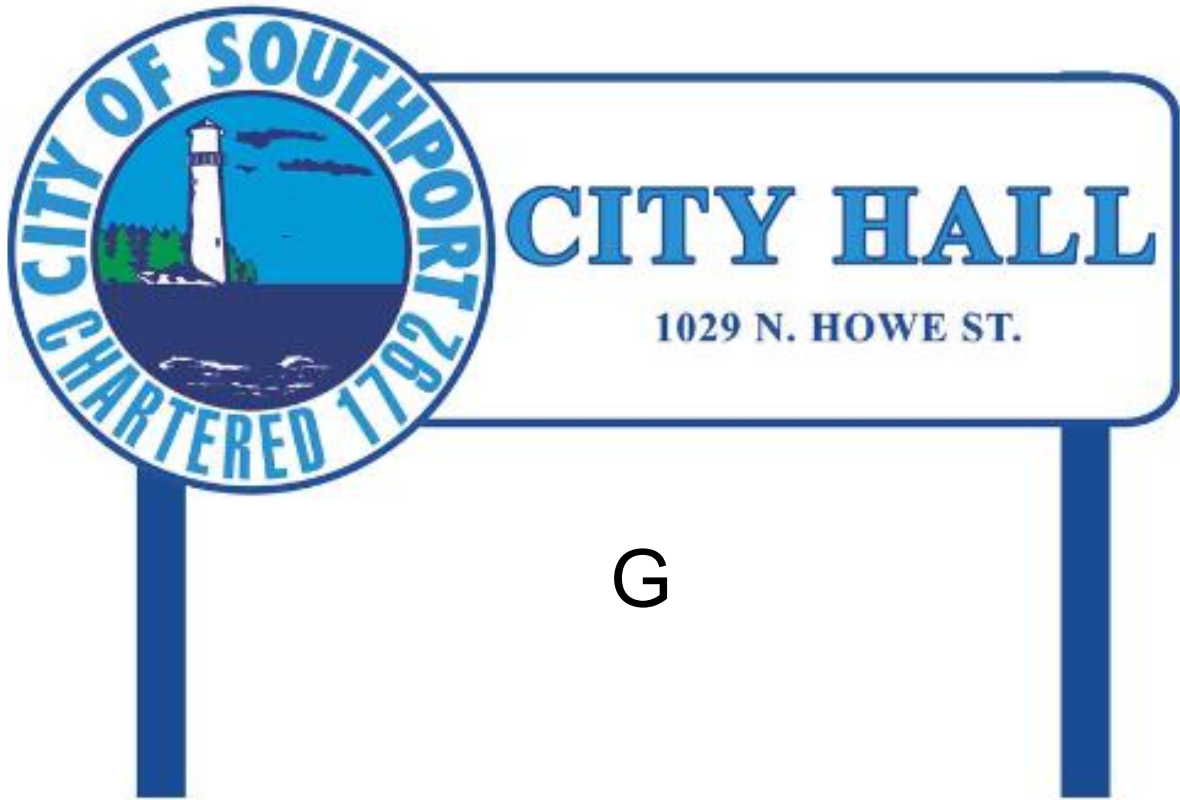


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D





G



H



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 04/11/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: S&G Holdings

ITEM/TOPIC: Discuss and Decide on a Unified Development Ordinance Amendment to Section 3.5 – Table 3.1 Residential Uses – Mixed Uses and Section 3.7.F Residential Use Standards

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their January 18, 2024 meeting the Planning Board voted to send the Board of Aldermen a recommendation of denial for a Unified Development Ordinance Amendment to Section 3.5 – Table 3.1 and Section 3.7.F, to allow mixed uses in Highway Commercial (HC) zoning districts. The Board of Aldermen held a duly advertised public hearing on March 14, 2024.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Unified Development Ordinance Amendment has been reviewed by staff for consistency with the land use plan. Staff found the proposal appeared consistent with the land use plan and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: This is a Board decision whether to take the Planning Board's recommendation.

ATTACHMENTS: Staff Report and Proposed Language, Consistency Statement, Application

REQUESTED ACTION: Review and consider an Amendment to the Unified Development Ordinance as presented in this report.

PROPOSED MOTION: 1.) Motion to approve the Land Use Consistency Statement citing consistency with Policy 2.1 of the Land Use Plan; and 2.) the Zoning Text Amendment to the residential use table as presented. OR A Motion to deny the Land Use Consistency Statements and Zoning Text Amendment.

STAFF REPORT
ZONING TEXT AMENDMENT APPLICATION
SECTION 3.5 TABLE OF PERMITTED AND SPECIAL USES

APPLICATION SUMMARY	
Presentation Date	April 11, 2024 Board of Aldermen
Applicant	S&G Holdings
Relevant Ordinance Sections	Section 3.5 – Table 3.1 Residential Uses – Mixed Uses and Section 3.7.F. Residential Use Standards

ZONING TEXT AMENDMENT PROPOSAL
S&G Holdings, applicant, respectfully submits a Zoning Text Amendment to the City of Southport Unified Development Ordinance. Specifically, the request is to amend Section 3.5 – Table 3.1 Residential Uses to permit Mixed Uses in the HC – Highway Commercial zoning district, with standards. All proposed changes, including additions and deletions, can be found as an attachment to this report and may also be viewed in the City of Southport Development Services Department offices.

REVIEW PROCESS
A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport’s case the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decisions consistency with the adopted land use plan for the City of Southport. Per the City of Southport Unified Development Ordinance, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen. The Board of Aldermen shall hold a public hearing prior to voting on any Zoning Text Amendment.

AMENDMENT DESCRIPTION AND APPLICANT PETITION
The amendment to this section would allow Mixed Uses in the Highway Commercial (HC) zoning district. The standards that are required for all mixed-use developments would be applicable to any development in the HC district.

The applicant applied for this amendment to expand the housing options throughout the city, especially in the areas along Rob Gandy Boulevard SE. Currently, the only zoning districts that

allow mixed uses are PUD, O-I, BD, and CBD. While the applicant is most interested in the parcels along Rob Gandy Boulevard SE, the addition would allow mixed uses in any of the HC zoning districts. The zoning map below shows HC properties in red.

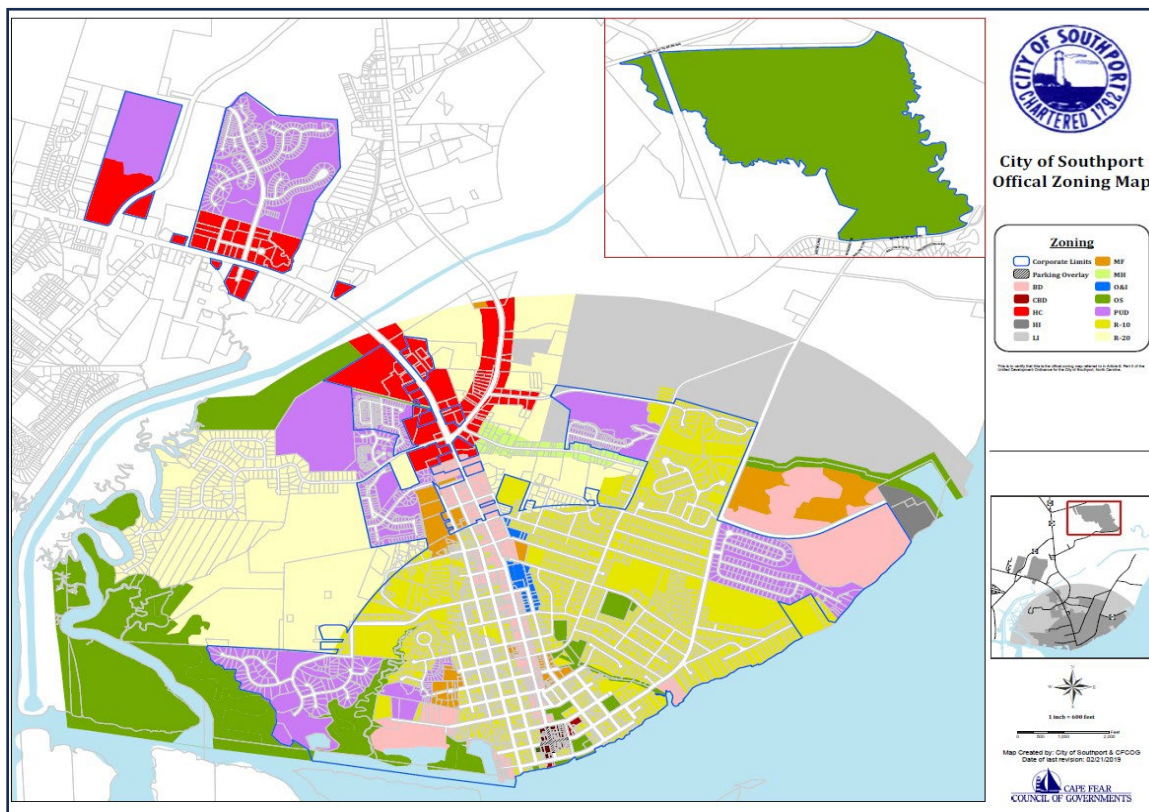


Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R-10	R-20	M-F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O-S	Section #
MIXED USES						PS	PS	PS	PS	PS				3.7.F

F. MIXED USES

Where permitted, the following shall apply:

1. First floor shall be permitted business uses only.
2. The floor area devoted to the dwelling(s) in the CBD or BD shall not exceed the floor area devoted to the permitted business use(s).
3. The floor area devoted to the dwelling(s) in the PUD, O-I, **or HC** shall not exceed twice the floor area devoted to the permitted business use(s).
4. The minimum floor area for each dwelling shall be 500 square feet and the maximum floor area shall be 1,000 square feet.

5. No mixed-use building shall exceed the maximum height limit established in 3.9 Dimensional Requirements, Table 3.2.
6. ~~No mixed-use building shall exceed 40 feet (i.e. one (1) floor commercial plus two (2) floors residential) in height.~~
6. Each dwelling shall have a direct means of access to the exterior of the building so that no access to the dwelling is provided through the use located on the lower floor(s) of the commercial building.
7. Parking for such dwelling(s) shall be in addition to that required for the permitted lower floor use(s).
8. Proposed curb cuts and driveways for required off-street parking lots that eliminate existing on-street parking spaces shall replace the number of on-street parking spaces eliminated by said curb cut(s) and driveway(s) within the parking lot being created, in addition to the number of parking spaces otherwise required by this ordinance.

BACKGROUND AND EVALUATION

Unified Development Ordinance Compliance

Zoning Text Amendments, like General Use Zoning Map Amendments (Rezoning), follow the process laid out in Section 2.10 of the City of Southport Unified Development Ordinance. Pursuant to this section, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other official adopted plans that are applicable and make a recommendation to the Board of Aldermen. The Board of Aldermen shall, in their final decision-making capacity, base their decision upon the same.

2014 CAMA Core Land Use Plan Compliance

The plan references updating the UDO and other documents to meet the needs of the residents of the city. Staff review of the proposed text amendment found that proposal appears to be consistent with the following land use plan policies.

Policy 2.4: Southport will permit residential development to occur in response to market needs provided that the following criteria are met: (1) Due respect is offered to all aspects of the environment. (2) Concurrent planning for improvements to community facilities, infrastructure, and services is provided.

Policy 2.1: Southport supports development that blends a mix of uses at a reasonable scale offering convenient retail facilities to nearby residents in an effort to reduce traffic flow on main thoroughfares.

Policy 7.22: The City shall continuously maintain all official planning documents.

PLANNING BOARD RECOMMENDATION

The Planning Board considered this text amendment at three (3) meetings. At their January 18, 2024, the Planning Board recommended DENIAL of this text amendment to the Board of Aldermen finding the proposal was not consistent with the land use plan or intent of the Unified Development Ordinance.

Attachments

Consistency Statement

Proposed Text Amendment Language

Text Amendment Application

Proposed Text Amendment Language

Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
MIXED USES						PS	PS	PS	PS	PS				3.7.F

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7. Parking for such dwelling(s) shall be in addition to that required for the permitted lower floor use(s).
8. Proposed curb cuts and driveways for required off-street parking lots that eliminate existing on-street parking spaces shall replace the number of on-street parking spaces eliminated by said curb cut(s) and driveway(s) within the parking lot being created, in addition to the number of parking spaces otherwise required by this ordinance.



**City of Southport Planning Board
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

AMENDMENT: ZTA-23-05

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Planning Board hereby recommends **denial** of the proposed Zoning Text Amendment to the Board of Aldermen and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen.

The statement and motion was seconded and passed Jan. 18, 2024

Tanya Shannon
Tanya Shannon, Deputy City Clerk

Sue M. Hodgin
Sue Hodgin, Chairman



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

**AMENDMENT: ZTA-23-05 – Section 3.5 – Table 3.1 Residential Uses – Mixed
Uses and Section 3.7.F Residential Use Standards**

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed Zoning Text Amendment and find that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended. More specifically, the proposed amendment is consistent with Policy 2.1: Southport supports development that blends a mix of uses at a reasonable scale offering convenient retail facilities to nearby residents in an effort to reduce traffic flow on main thoroughfares.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

**AMENDMENT: ZTA-23-05 – Section 3.5 – Table 3.1 Residential Uses – Mixed
Uses and Section 3.7.F Residential Use Standards**

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **deny** the proposed Zoning Text Amendment and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



Text Amendment

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461
www.southportnc.org

Planning & Inspections
 Phone 910-457-7961 Fax 910-457-7957

For Staff Use Only

► RECEIVED ◀

PERMIT No. ZETA-23-05 FEE: \$ 250⁰⁰ Date Received: SEP 19 2023

Applicant's Name: SAG HODINBS
 Mailing Address: 613 LOCKWOOD FERRY City: BOLIVIA
 State: NC Zip Code: 28422 Phone: 919-422-9732
 Email: TRIATCOAST@YAHOO.COM

Current Section Impacted by Proposed Text Amendment: Zoning

Please describe the conditions that makes the proposed text amendment necessary for the promotion of public health, safety, and general welfare; or that identifies an obvious error in the UDO. Also explain why the proposal is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary).

Parcel ID 221LA01409

OFFICE/CONDO UNITS HC ZONE TO MIXED USE

ZONE

Add Mixed Use to HC zoning district - PS

In filing this Text Amendment Petition, I hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Signature (Applicant)

Date

APPROVED BY:

Maween Meehan
 UDO Administrator

Date

City of Southport, NC

Unified Development Ordinance

Text Amendment – 3.1 Table of Uses

Mixed Uses in Highway Commercial Zoning District

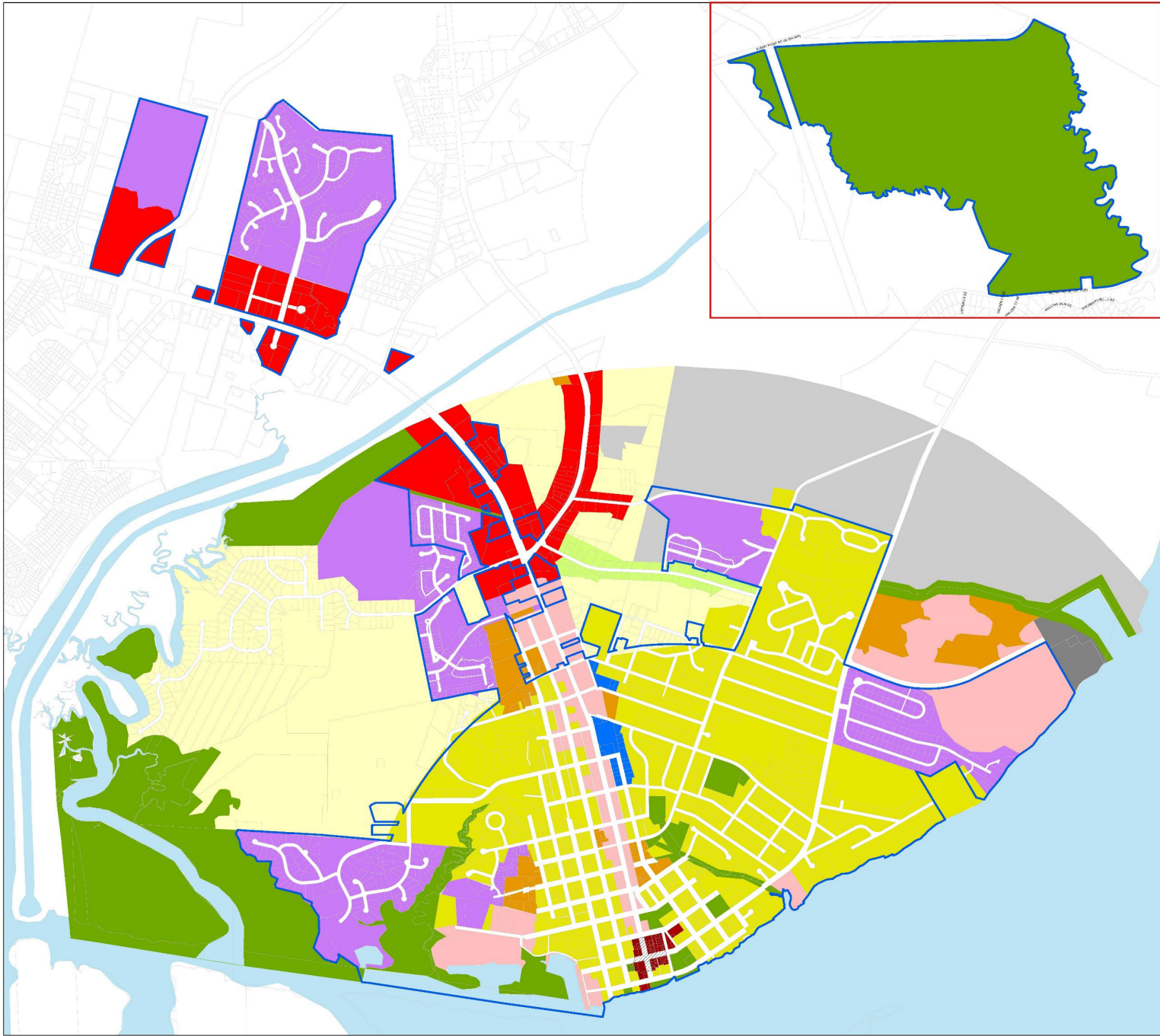


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MIXED USES						PS	PS	PS	PS	PS				3.7.F

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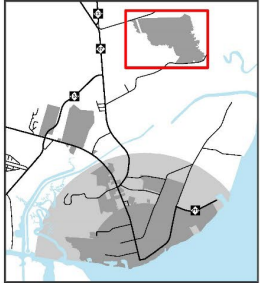


**City of Southport
Official Zoning Map**

Zoning

Corporate Limits	MF
Parking Overlay	MH
BD	O&I
CBD	OS
HC	PUD
HI	R-10
LI	R-20

This is to certify that this is the official zoning map referred to in Article 6, Part II of the United Development Ordinance for the City of Southport, North Carolina.



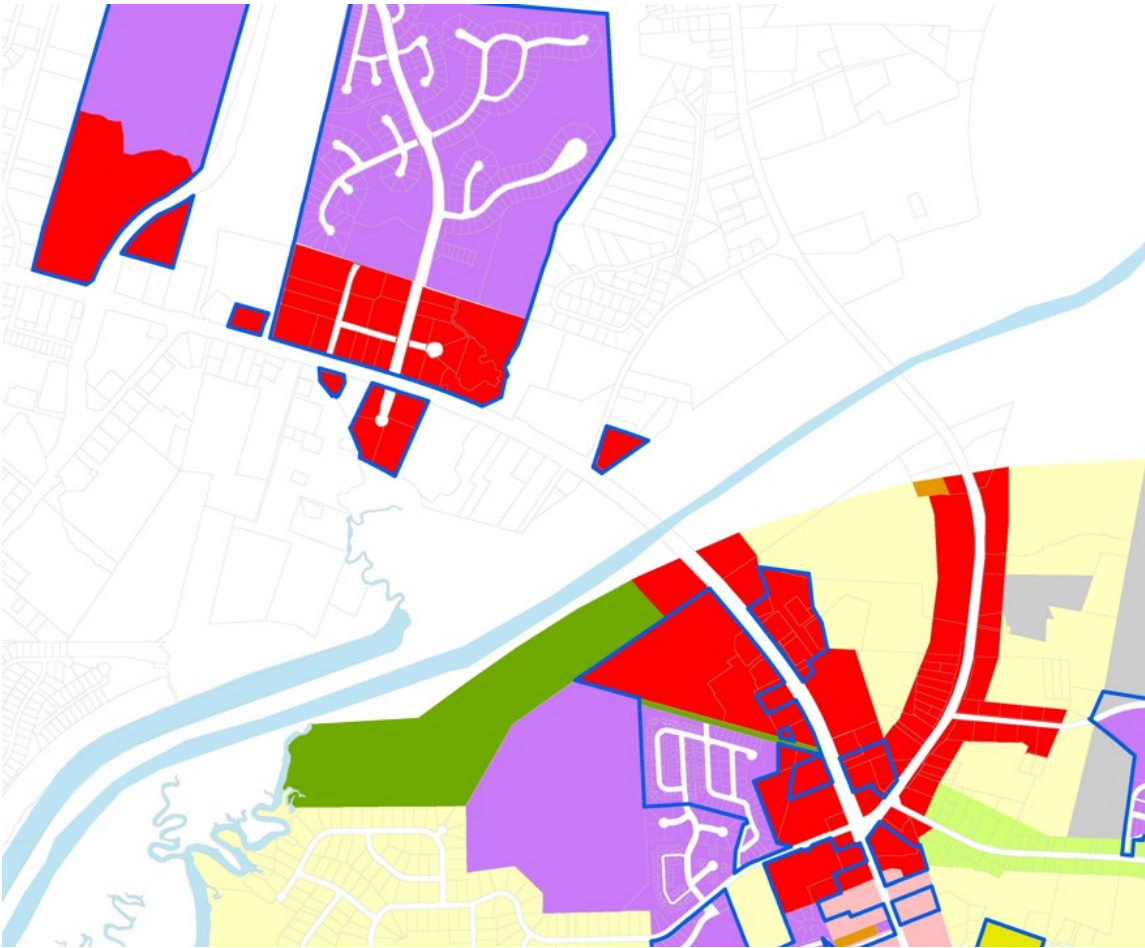
1 inch = 600 feet

0 500 1,000 2,000 Feet

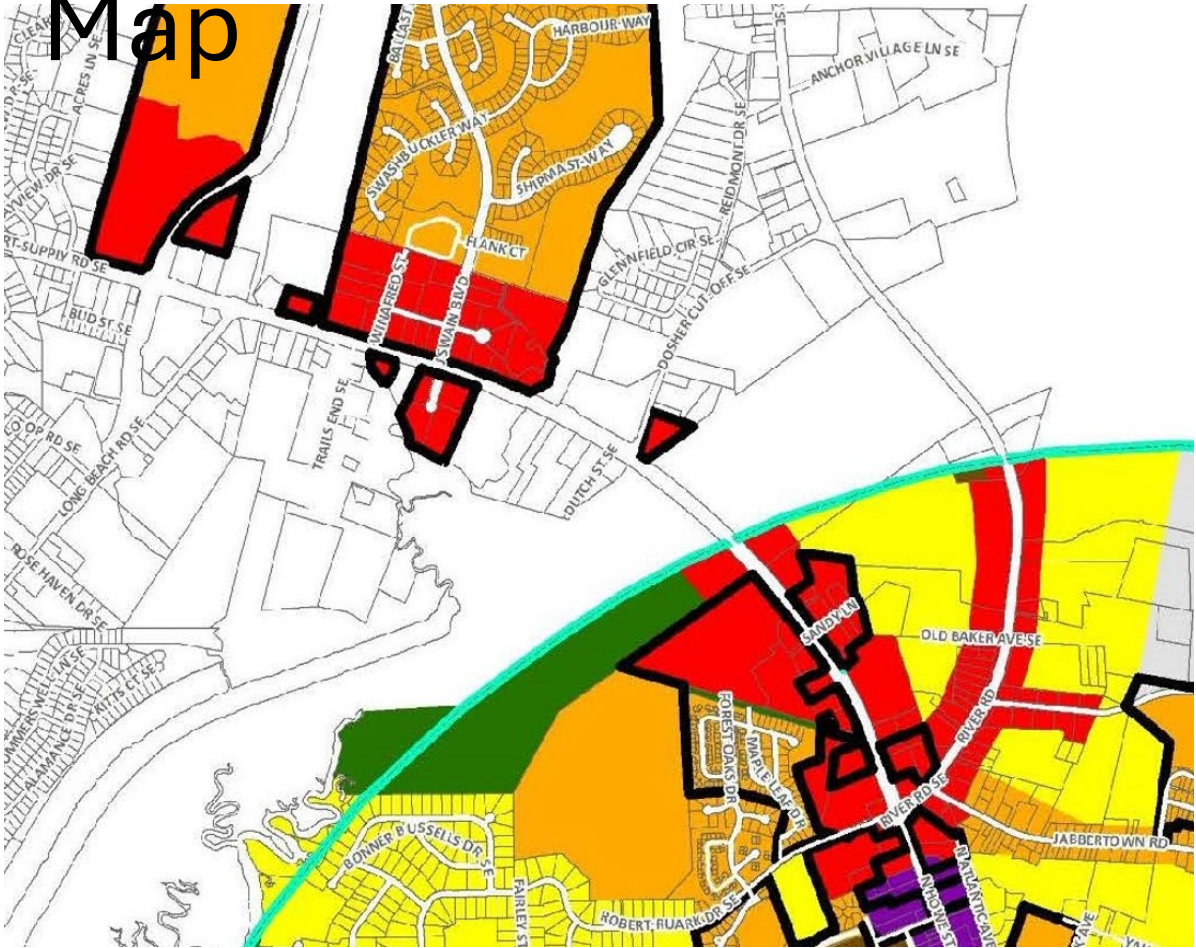
Map Created by: City of Southport & CFCOG
Date of last revision: 02/21/2019



Zoning Map



Future Land Use Map





BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 04/11/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Blue Ocean Construction

ITEM/TOPIC: Consideration of a Zoning Map Amendment for a tract of land on Robert Ruark Drive from R-20 to R-10.

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their January 18, 2024 meeting the Planning Board voted to send the Board of Aldermen a recommendation of approval for the Zoning Map Amendment for a tract of land on Rober Ruark Drive from R-20 to R-10 Residential. A duly advertised public hearing was held at the March 14, 2024 Board of Aldermen meeting to hear from the public on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency and reasonableness must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Zoning Map Amendment has been reviewed by staff for consistency with the land use plan and surrounding neighborhood. Staff found the proposal consistent and reasonable and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: This is a Board decision as to whether to move forward with the Planning Board's recommendations.

ATTACHMENTS: Staff Report, Zoning Map Amendment Application, Consistency Statement

REQUESTED ACTION: Review and consider a Zoning Map Amendment as presented in this report.

PROPOSED MOTION: 1.) Motion to approve the Land Use Consistency Statement citing consistency with Policy 2.4 of the Land Use Plan; 2.) Statement of Reasonableness; and 3.) the Zoning Map Amendment from R-20 to R-10 as presented. OR Motion to deny the Land Use Consistency Statement and Zoning Map Amendment.

STAFF REPORT

7.96 ACRE ROBERT RUARK DR TRACT

REZONING APPLICATION

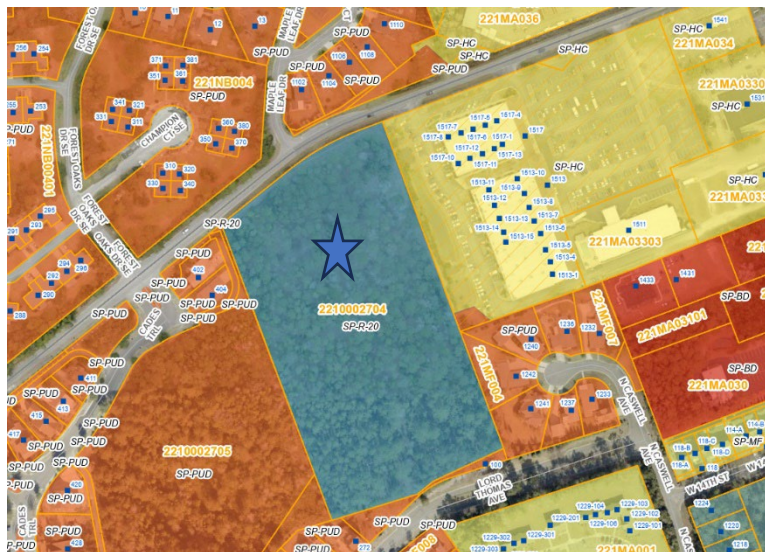
APPLICATION SUMMARY	
Presentation Date	April 11, 2024 Board of Aldermen
Applicant	Blue Ocean Construction
Property Owner	Rich Moore Real Estate Investments, LLC
Parcel ID:	2210002704
Property Size	7.96 acres
Zoning District	R-20
Proposed Zoning District	R-10

REZONING OVERVIEW

Blue Ocean Construction for Rich Moore Real Estate Investments, LLC, is requesting a zoning map amendment from R-20 to R-10 on a parcel of land located on Robert Ruark Drive across from the intersection of Maple Leaf Drive.

LOCATION AND SITE CONDITIONS

The subject property is located on Robert Ruark Drive, adjacent to Cades Cove and Smithville Crossing shopping center, and across the street from Southport Way. The property is located within the Extraterritorial Jurisdiction and can be further identified by parcel number 2210002704.



Most of the property falls within the high suitability land classification on the Land Suitability Analysis Map of the CAMA Land Use Plan. A portion is classified as High Suitability and a portion Least Suitable. The future land use map designation is low density residential which defines single family residences as appropriate uses with a density of 2-3 units per acre.

REVIEW PROCESS

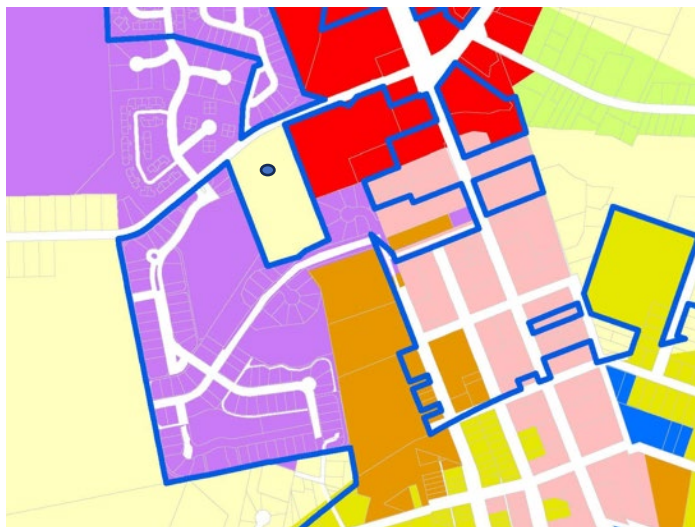
Proposed amendments to the zoning map may be initiated by the Board of Aldermen, Planning Board, city administration, or by the owner, or his or her agent. Every amendment, supplement, change, modification, or repeal of the zoning map/ordinance shall be referred to the Planning Board for its recommendation and report to the Board of Aldermen.

Prior to the Board of Aldermen consideration of a change, a public hearing must occur at a set day and time. The hearing is notified to adjacent property owners by mail, published in a local newspaper of general circulation and posted on the property, for two (2) consecutive weeks not less than 10 days and not more than 25 days before the hearing.

The approval of the rezoning may be adopted by the Board of Aldermen after the duly advertised public hearing and upon the approval of a plan consistency statement and a statement of reasonableness.

PLANNING REVIEW

This request proposes a map change from Residential Agricultural R-20 to Residential R-10. The future land use map designates the property low density residential.



Zoning Map

The surrounding and adjacent properties to the subject property are zoned highway commercial and PUD - residential.

Light Yellow – R-20

Purple – PUD

Red – Highway Commercial



Future Land Use Map

The future land use map classifies the parcel as low density residential.

Orange – High Density Residential
 Yellow – Low Density Residential
 Red – Heavy Commercial
 Brown – High Density Residential

Permitted Uses

A rezoning request does not allow the applicant to provide a proposed project or site plan. Decisions made on the rezoning must consider all permitted uses in the proposed district in relation to land use impacts, the character of the district and suitability for certain uses, and reasonableness for a small parcel change. Table 3.1 of the UDO highlights the permitted uses for both zoning districts. (R-20 is yellow and R-10 is blue)

The accessory and residential uses for both R-20 and R-10 are the same. Further, both zoning districts have the same uses permitted by right, are special uses, or are permitted/special uses with standards.

Please note that the nonresidential permitted uses are not included in this table for brevity since this request is to change from one residential zoning district to another.

Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
Accessory Uses														
ACCESSORY STRUCTURES OR USES, GENERAL		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.A
ACCESSORY DWELLING, COMMERCIAL						SS	SS	SS	SS	SS	SS	SS		3.6.B
ACCESSORY DWELLING, RESIDENTIAL		SS	SS	SS	SS	SS	SS							3.6.C

Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
CEMETERIES AND MAUSOLEUMS		SS	SS	SS	SS	SS	SS	PS	PS	PS				3.6.D
DOCKS, , PIERS, GAZEBOS, BULKEADS, AND LIVING SHORELINES		PS	PS	PS	PS	PS	PS	PS	PS				SS	3.6.E
HOME DAYCARE, ADULT AND CHILD		SS	SS	SS	SS	SS								3.6.F
HOME OCCUPATION		SS	SS	SS	SS	SS								3.6.G
HOMESTAY		PS	PS	PS		PS								3.6.H
MODULAR UNIT					PS	PS	PS	PS	PS	PS	PS	PS		3.6.I
OUTDOOR DISPLAY								PS	PS	PS				3.6.J
OUTDOOR STORAGE									PS	PS	PS	PS		3.6.K
OUTDOOR VENDING MACHINE					PS	PS	PS	PS	PS	PS	PS	PS		3.6.L
PORTABLE STORAGE CONTAINERS		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.M
RECREATIONAL VEHICLE OR TRAVEL TRAILER		PS	PS		PS	PS	PS							3.6.N
SELF-SERVICE ICE VENDING MACHINES									SS	SS				3.6.O
SOLAR ENERGY SYSTEMS		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.P
SWIMMING POOLS		PS	PS	PS	PS	PS	PS	PS						3.6.Q
TEMPORARY SALES OFFICES		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.R
TEMPORARY HEALTHCARE STRUCTURES		PS	PS	PS	PS	PS								3.6.S
Residential Uses														
DWELLING, SINGLE-FAMILY		P	P	P	P	P	P							
DWELLING, TWO-FAMILY (DUPLEX)		S	S	P	P	P	P							

Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
DWELLING, MULTI-FAMILY				PS		SS	SS							3.7.A
DWELLING, TRIPLEX OR QUADRAPLEX				PS	SS	SS	SS							3.7.B
FAMILY CARE HOME		PS	PS	PS	PS	PS								3.7.C
MANUFACTURED HOME ON SINGLE LOT					PS									3.7.D
MANUFACTURED HOME PARK					PS									3.7.E
MIXED USES						PS	PS	PS	PS					3.7.F
MODULAR HOMES		PS	PS	PS	PS	PS	PS							3.7.G

Dimensional Requirements

R-20 zoning district dimensional requirements have a minimum lot size of 20,000 SF and minimum lot width of 100'. R-10 zoning district dimensional requirements have a minimum 10,000 SF lot size with minimum lot width of 75'.

Table 3.2: Dimensional Requirements by Zoning District						
Zoning District	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Minimum Front Setback (feet)	Minimum Rear Setback (feet)	Minimum Side Setback [1] (feet)	Maximum Height Limit (feet)
R-10	10,000	75	25	20	8	40
R-20	20,000	100	40	25	12	40

LAND USE PLAN CONSISTENCY

The 2014 CAMA Land Use Plan (LUP), along with subsequent updates is the plan that is used for policy decisions in the City. The Planning Board and Board of Aldermen shall consult the plan's policies when considering a zoning change. Further, each rezoning must be recommended and ultimately adopted with a statement describing if the action is consistent or inconsistent with the adopted land use plan.

One of the overarching themes found in the Future Demands section of the LUP is increased demand for housing. The goals, objectives, and policies found within the plan

focus on balancing the need for housing and infrastructure with protection of the historic character and environmental resources of the City.

Map amendment considerations must include the specific neighborhood or district and its suitability for uses. Land Use Plan objectives and policies direct future development to areas that are most appropriate for the type of use.

The subject neighborhood has multiple different housing densities and types, including small lot single-family homes and multi-family units. Residential development with 10,000 SF lots would be suitable for the neighborhood's character.

The following policies and implementing actions support the proposed rezoning request.

Policy 2.1 “....rezonings and amendments in classifications to the future land use map should be carefully balanced with a demonstrated need for such proposed development”.

Recommended Action 2.1.A: Consider requiring all rezoning approvals be compared to the land suitability map and analysis, included in this plan, for consistency. This consistency review will be presented to the Planning Board and Board of Aldermen.....

As mentioned previously, there is a need for housing and the subject property is in an area of high suitability on the Land Suitability Map. The future land use map designation supports residential development.

Policy 2.4: Southport will permit residential development to occur in response to market needs provided the following criteria are met:

- 1) Due respect is offered to all aspects of the environment.
- 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided.

These policies are appropriate for the site due to the unique characteristics of the neighborhood and the size of the property.

PLANNING BOARD RECOMMENDATION

The Planning Board recommends APPROVAL to the Board of Aldermen. The proposal appears to be consistent with the 2014 CAMA Core Land Use Plan and is reasonable due to the size, physical conditions, and other attributes of the area.

Attachments:

Consistency Statement

Rezoning Application



**City of Southport Planning Board
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

AMENDMENT: ZMA 23-03

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Planning Board hereby recommends **approval** of the proposed Zoning Map Amendment to the Board of Aldermen and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. More specifically, the proposed amendment is consistent with **Policy 2.4:** Southport will permit residential development to occur in response to market needs provided the following criteria are met: 1) Due respect is offered to all aspects of the environment. and 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided. Further, the Planning Board finds that the proposed text amendment is reasonable due to the size, physical conditions, and other attributes of the area.

The statement and motion was seconded and passed Jan 18, 2024

Tanya Shannon

Tanya Shannon, Deputy City Clerk

Sue M Hodgins

Sue Hodgins, Chairman



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZMA 23-03 – Robert Ruark Drive Rezoning

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed Zoning Map Amendment and find that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended. More specifically, the proposed amendment is consistent with **Policy 2.4:** Southport will permit residential development to occur in response to market needs provided the following criteria are met: 1) Due respect is offered to all aspects of the environment. and 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided. Further, the proposed text amendment is reasonable due to the size, physical conditions, and other attributes of the area.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZMA 23-03 – Robert Ruark Drive Rezoning

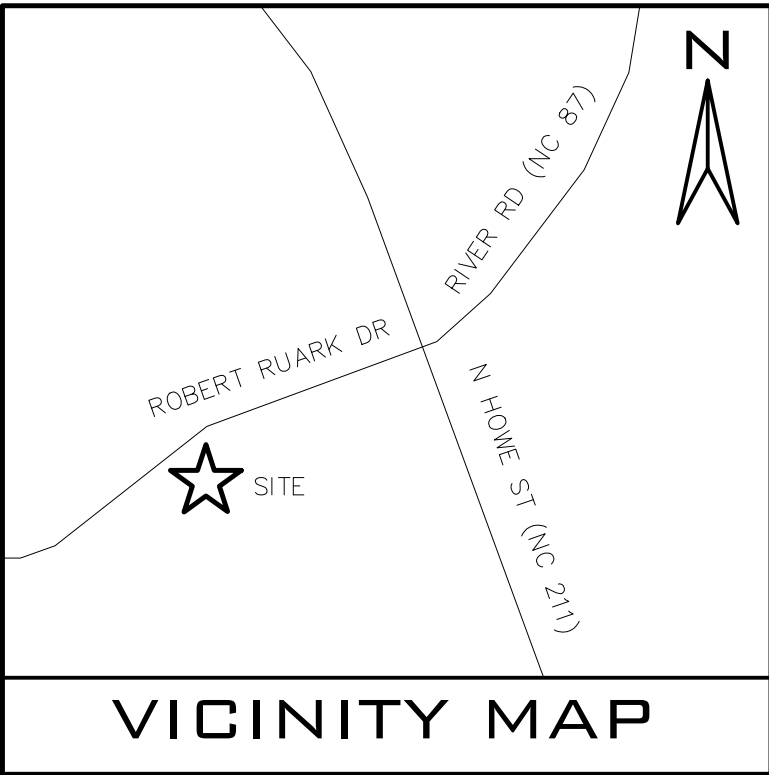
STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **denies** the proposed Zoning Map Amendment and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended and not reasonable due to the size, physical conditions, and other attributes of the area.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor

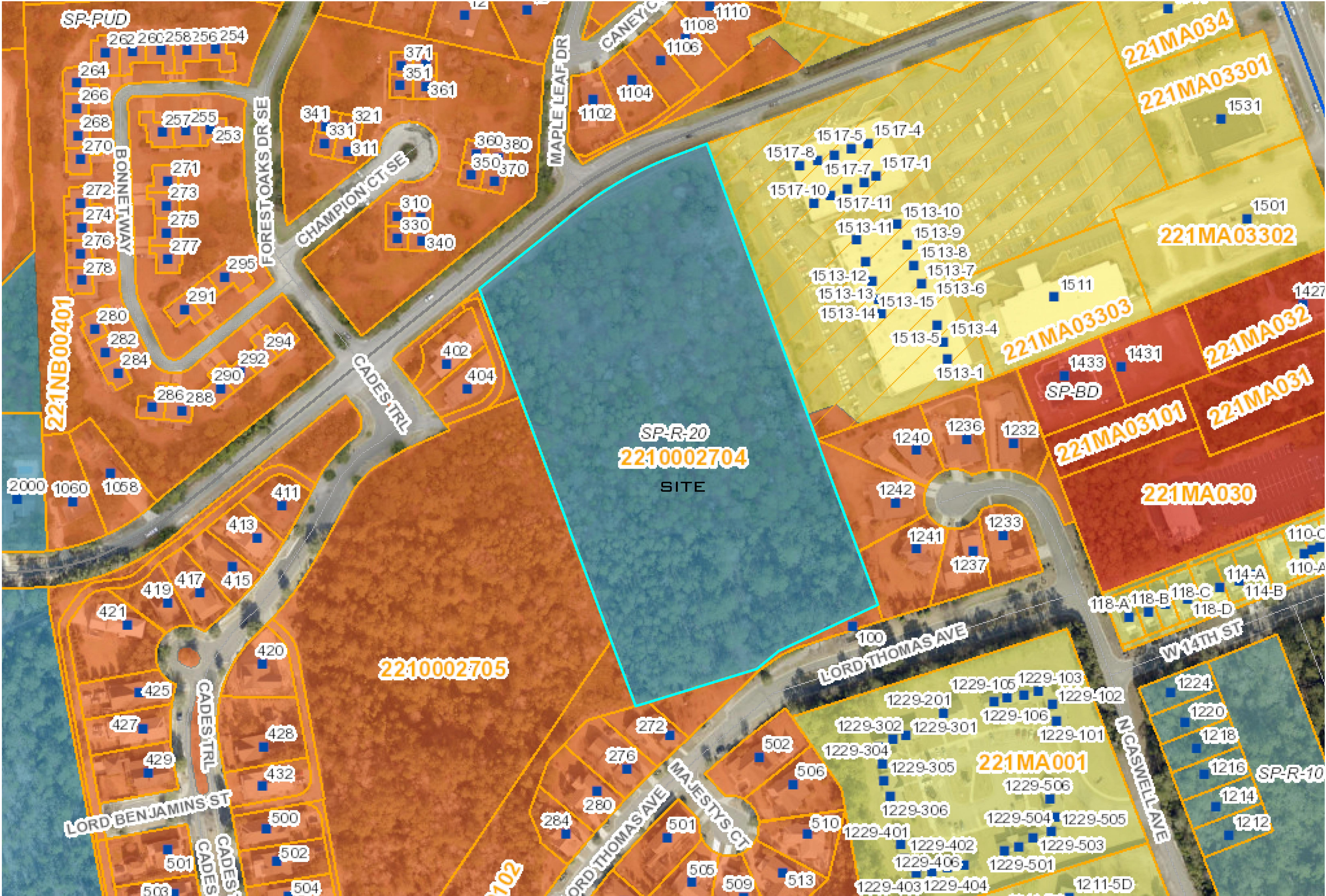


ADJACENT PROPERTY OWNERS

PARCEL #	OWNER	ZONE	USE
221NE00106	CADES COVE HOA	PUD	BUFFER
2210002705	CADES COVE HOA	PUD	BUFFER
237CF00102	CADES COVE HOA	PUD	BUFFER
237CF0009	VENO	PUD	RESIDENTIAL
237CF00103	CADES COVE HOA	PUD	BUFFER
221MF00101	CITY OF SPT	PUD	UNDEVELOPED
221MF003	STALLINGS	PUD	RESIDENTIAL
221MF004	MCCULLOCH	PUD	RESIDENTIAL
2210002707	SMITHVILLE CROSSING	HC	COMMERCIAL
221NG00103	CITY OF SPT	PUD	UNDEVELOPED
221NB004	SOUTHWYNDE	PUD	BUFFER
221NB004	FOREST OAKS OF SPT	PUD	RESIDENTIAL

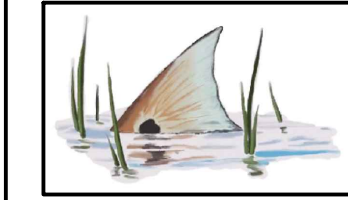
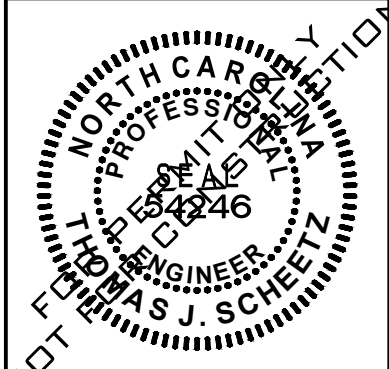
SITE DATA

PARCEL #: 2210002704
SITE AREA: 7.96 AC
ZONING: R-20



HEADWATERS ENGINEERING
OF THE CAPE FEAR, PLLC

#23-017
DATE: 11/17/23
DESIGN: TJS
DRAWN: TJS



REVISIONS		
#	DATE	DESCRIPTION

SITE PLAN
8 AC ROBERT RUARK DR TRACT
SOUTHPORT, NC
BLUE OCEAN CONSTRUCTION
3545 IRLS ST., WILMINGTON, NC 28409
910-409-2732 scottmoore836@hotmail.com



Rezoning Application

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461

www.southportnc.org

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

Date: _____

FEE: \$ _____

Permit #: _____

Project Name (If Applicable): 8 ac Robert Ruark Dr Tract

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 12-5 of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. renter housing, or who the owner is when deciding.

Petitioner Name: Blue Ocean Construction

Mailing Address: 3545 Iris St. City: Wilmington

State: NC Zip Code: 28409

Phone: 910-409-2732 Email: scottmoore836@hotmail.com

Street Address and/or Description of Location: 7.96 ac of undeveloped wooded land across from the intersection of Maple Leaf Dr parcel 2210002704

Parcel ID #: 2210002704

Site Acreage: 7.96 ac

Number of Lots: 20 +/- tbd

Current Zoning District: R-20

Proposed Zoning District: R-10

C:\Users\tlloyd\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\2WJ7BDXA\RezoningApplicationJuly2018.docx

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

1. All property lines with dimensions and north arrow.
2. Adjoining streets with rights-of-way and paving widths.
3. The location of all existing structures on the property.
4. The existing land uses associated with the property.
5. The zoning classification of all abutting zoning districts.
6. A list of all abutting property owners.

Future Land Use Map Designation: Low density residential

Is the proposed zoning consistent with the Land Use Plan? (Describe how it is consistent below if so)
(Please Circle One): ☒ Yes ☐ No

Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

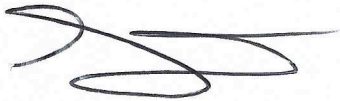
This rezoning is consistent with the future land use plan as low density residential is defined in the plan as "single family residences, manufactured homes, and planned unit developments". The purpose of this rezoning is to decrease the minimum lot size from 20,000 sf to 10,000 sf thus allowing more single family homes.

The parcel is surrounded mostly by planned unit developments with an average lot size ranging from 8,000 sf to 16,000 sf. Allowing this parcel to set the minimum lot size to 10,000 sf would blend nicely in the area.

Rezoning Fees as of July 1, 2018

Rezoning: Less than 3 Acres	\$500.00
Rezoning: 3.01-6.00 Acres	\$1,000.00
Rezoning: 6.01 + Acres	\$1,000.00 + \$100/acre

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.



Signature (Owner or Authorized Applicant)

Scott Moore, President
Blue Ocean Construction

Date

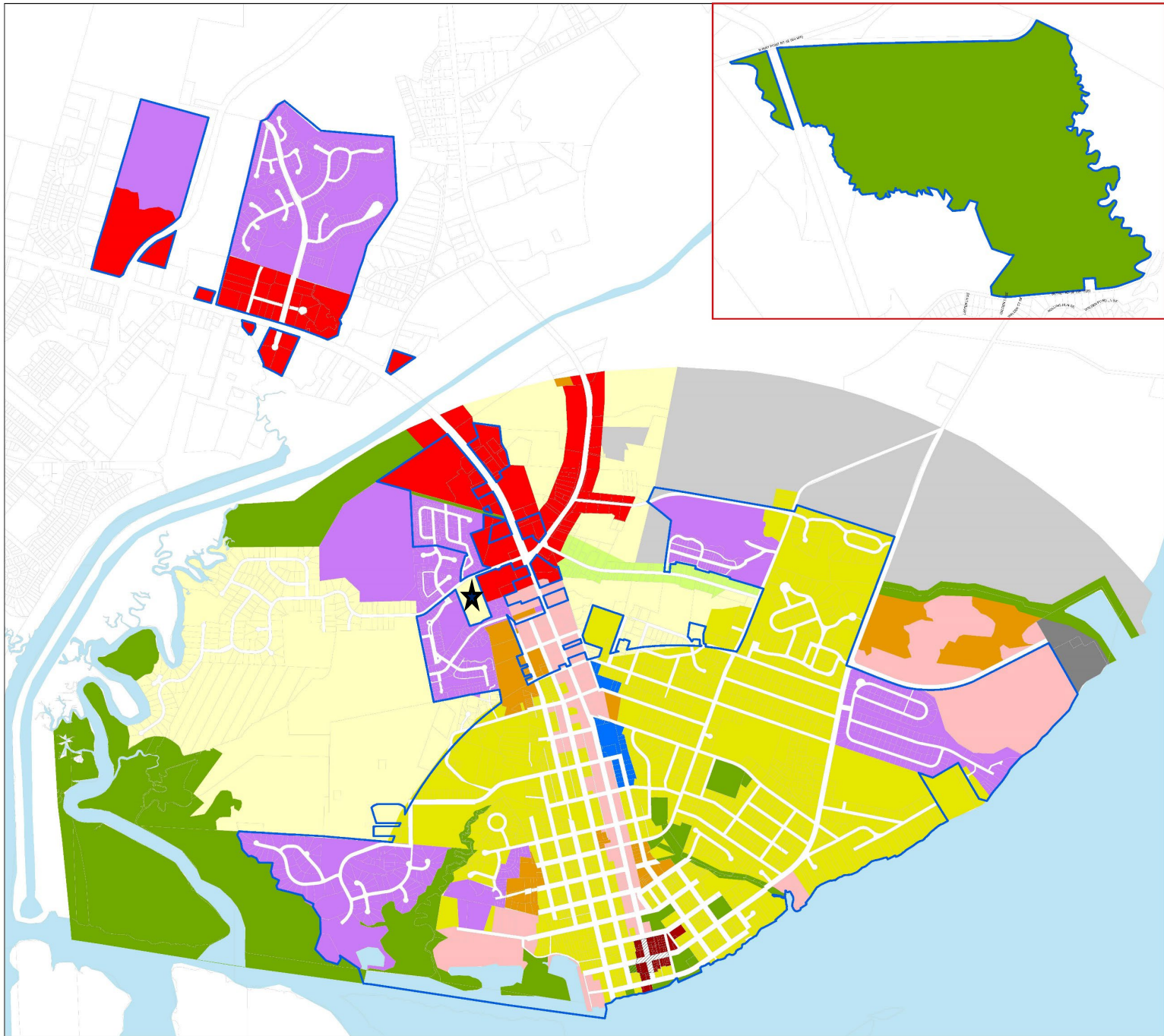
11/17/23

City of Southport, NC

Unified Development Ordinance

Zoning Map Amendment
R-20 to R-10

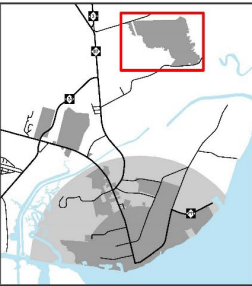




City of Southport
Official Zoning Map

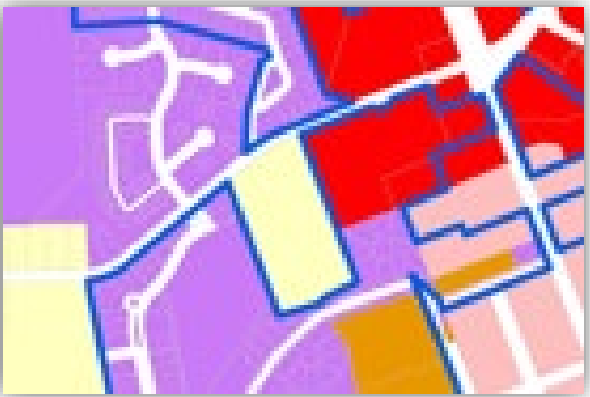
Zoning	
Corporate Limits	MF
BD	MH
CBD	O&I
HC	OS
HI	PUD
LI	R-10
	R-20

This is to certify that this is the official zoning map referred to in Article 8, Part 6 of the
Zoning Ordinance for the City of Southport, North Carolina.



1 inch = 600 feet
0 500 1,000 2,000 Feet

Map Created by: City of Southport & CFCOG
Date of last revision: 02/21/2019



Zoning
R-20



FLUM
Low Density
Residential

LOW DENSITY RESIDENTIAL

Appropriate uses: Single-family residences, manufactured homes, and Planned Unit Developments.

Inappropriate uses: Multi-family residential uses, Non-residential uses outside of a PUD, and industrial operations.

Allowable density: 2 to 3 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Minimum Front Setback (feet)	Minimum Rear Setback (feet)	Minimum Side Setback [1] (feet)	Maximum Height Limit (feet)
R-10	10,000	75	25	20	8	40
R-20	20,000	100	40	25	12	40

Districts

P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard



FLUM

Low Density
Residential



Zoning
R-20



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 4/11/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Turtle Bay at Southport, LLC

ITEM/TOPIC: Call for a Public Hearing for a Zoning Map Amendment for a Parcel of land on Highway 87 from R-20 to Planned Unit Development (PUD) including the required Master Development Plan

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their March 27, 2024 meeting the Planning Board voted to send the Board of Aldermen a recommendation of approval for the Zoning Map Amendment located on Highway 87 from Residential Agricultural (R-20) to Planned Unit Development (PUD) with attached Master Development Plan. A duly advertised public hearing must be held prior to the Board of Aldermen deciding on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency and reasonableness must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Zoning Map Amendment has been reviewed by staff for consistency with the land use plan, adopted ordinances, and surrounding neighborhood. Staff found the proposal consistent and reasonable and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: I would recommend setting the Public Hearing date and then vote at the next meeting.

ATTACHMENTS: Staff Report, Zoning Map Amendment Application, and Planned Unit Development Application

REQUESTED ACTION: Set a public hearing for a Zoning Map Amendment

PROPOSED MOTION: Motion to call a public hearing at the May 9, 2024, regular Board meeting, for the Zoning Map Amendment of a tract of land on Highway 87.

STAFF REPORT FOR TURTLE BAY PLANNED UNIT DEVELOPMENT APPLICATION REZONING AND MASTER DEVELOPMENT PLAN REVIEW

APPLICATION SUMMARY	
Presentation Date	April 11, 2024 Planning and Zoning Board
Applicant	East Coast Engineering, P.C. Jackson Starling, PE
Property Owner	Turtle Bay at Southport, LLC Bob Weinbach and Terrance Ando
Parcel ID:	22100017
Project Acreage	54.09 acres
Parcel Acreage	54.09 acres
Zoning District	R-20/HC
Proposed Zoning	Planned Unit Development
Proposed Future Land Use Map	Low Density Residential

PROJECT OVERVIEW

Jackson Starling, applicant, on behalf of Turtle Bay at Southport, is requesting approval of a Master Development Plan and Rezoning from R-20/HC to Planned Unit Development (PUD). The Master Development plan proposes 100 single-family dwelling units on an approximately 54-acre parcel of land located on NC 87.

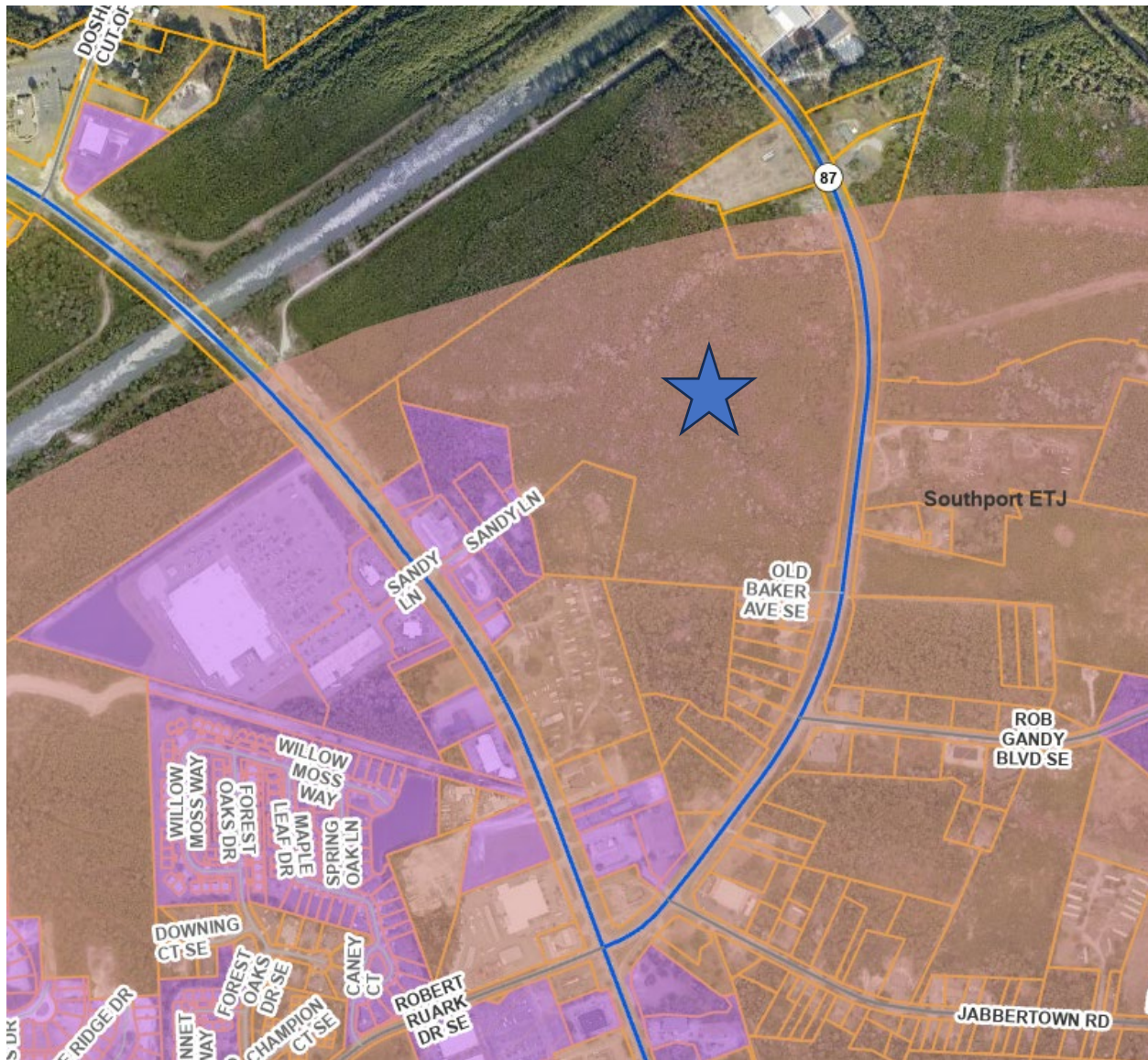
Most of the property falls within the medium suitability land classification on the Land Suitability Analysis Map of the CAMA Land Use Plan. A portion is classified as low suitability due to the proximity of wetlands on site. The future land use map designation is low-density residential and heavy commercial. Low-density residential designation allows a variety of single-family uses with a density of 2/3 units per acre.

Staff are also requesting an amendment to the future land use map to designate the entire property as low-density residential.

LOCATION

Subject property is located on NC 87 (River Road) to the north of Rob Gandy Boulevard, south of Duke Energy, and east of Hwy 211 (N Howe Street). This property is located within the extraterritorial jurisdiction of the City and can be further identified by Brunswick County Parcel ID 22100017.

A portion of the northern boundary is within Brunswick County Jurisdiction. A petition for annexation has been submitted and will follow the affirmative recommendation to the Board of Aldermen.



REVIEW PROCESS

Proposed amendments to the zoning map may be initiated by the Board of Aldermen, Planning Board, city administration, or by the owner, or his or her agent, of property within the area proposed to be changed. Every amendment, supplement, change, modification, or repeal of the zoning map/ordinance shall be referred to the Planning Board for its recommendation and report to the Board of Aldermen.

A Planned Unit Development (PUD) is planned and developed as an integral unit in a single development operation or a defined series of development according to an approved master plan. Per Section 2.9 C of the City of Southport Unified Development Ordinance, the Planning Board shall review the proposal and transmit a formal recommendation to the Board of Aldermen. The Board of Aldermen is the final decision maker on all Master Development Plans within the City of Southport.

A PUD requires an amendment to the City's zoning map in conjunction with the approval of the master development plan. Applications for both the master development plan and rezoning are submitted concurrently. The master plan outlines the framework for development within the PUD, including intended uses, dimensional standards for parking, landscaping, design guidelines, and buffers. The proposal must comply with the design guidelines provided in Section 4.15 of the Unified Development Ordinance.

When evaluating the application for a PUD zoning district, the Planning Board and the Board of Aldermen shall consider the following:

- a) The application's consistency to the general policies and objectives of the City's Comprehensive Plan, any other officially adopted plan that is applicable, and the Unified Development Ordinance.
- b) The potential impacts and/or benefits on the surrounding area and adjoining properties.

The Planning Board will provide a recommendation to the Board of Aldermen.

Prior to the Board of Aldermen's consideration of a change, a public hearing must occur on a set day and time. The hearing is notified to adjacent property owners by mail, published in a local newspaper of general circulation, and posted on the property for two (2) consecutive weeks, not less than 10 days and not more than 25 days before the hearing.

The Board of Aldermen may adopt the approval, conditional approval, or denial of the rezoning after the duly advertised public hearing and upon the approval of a plan consistency statement and a statement of reasonableness.

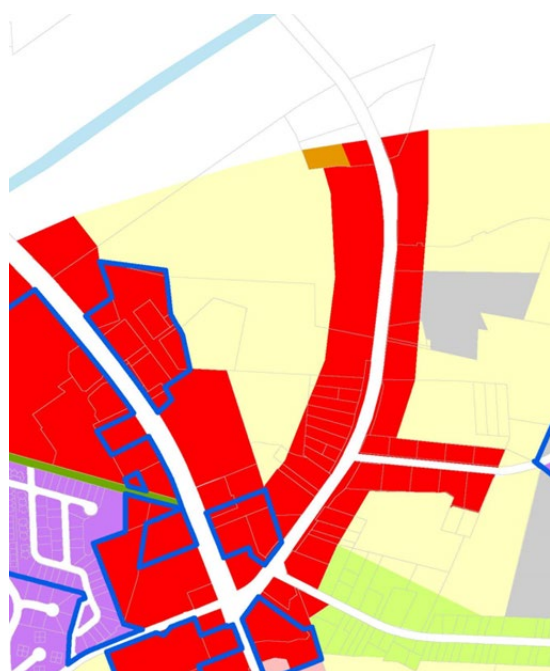
Following an affirmative decision by the Board of Aldermen, the official zoning map will be updated to PUD, and all development shall follow the approved master development

plan. The major subdivision preliminary plat process will follow the approval of the PUD prior to any development onsite.

TECHNICAL REVIEW COMMITTEE

City of Southport Planning Staff and the applicant presented this proposal to the Technical Review Committee at their December 19, 2023, meeting. The Fire Chief and City Engineer requested updated ROW information with a paved street width of 24' for a 50' ROW. The applicant provided updated site plans that were approved in January. For clarity and transparency, many of the comments received from other Departments or outside agencies are of a nature that they are to be addressed during the preliminary plat review and/or following the issuance of zoning approval through the course of the building plan and permit review and issuance.

CURRENT ZONING



Zoning Map

Grey – Light Industrial

Red – Heavy Commercial

Light Green – Mobile Home

Light Yellow – R-20

Purple – PUD



Future Land Use Map

Red – Heavy Commercial

Yellow – Low Density Residential

MASTER DEVELOPMENT PLAN REVIEW

Master development plans must be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer registered in North Carolina. They shall meet all the requirements listed in Appendix A of the UDO. Further, all PUD development and subsequent major subdivisions must include the required improvements found in Section 4.7.

Dimensional Requirements

The parcel of land has a total of 54.09 acres. The density of the proposed subdivision is 1.85 dwelling units/acre, which meets the maximum density of 6 du/acre as laid out within the Unified Development Ordinance. Further, there are 10.88 acres of open space, which meets the existing 20% requirement for all PUDS.

The following lot dimensions are proposed:

Minimum Lot Size: 12,000 SF (60% of the minimum lot area for R-20)

Minimum Lot Width: 75' (exceeds the minimum 40' width requirement)

Setbacks: Front – 10', rear – 15', side – 8' (minimum setbacks allowed)

Utility Easement: 10' along all side lot lines (provides 10' building setback for primary and accessory structures)

Periphery Boundary Setback: 25'

Section 4.7.D lists the Required Improvements for Subdivisions. The following discussions will outline how the applicant has met the eight (8) requirements, including other provisions necessary for approval found in the UDO.

Transportation and Streets

Access to the site is provided from a main gated entrance from NC 87. There is a siren-activated fire apparatus entrance located at the southern edge of the property. There are 50' Right of Ways with 24' paved roadways. The proposed right-of-way widths are less than is required by the Unified Development Ordinance. However, the reduced widths were reviewed and approved by the fire chief at the Technical Review Committee meeting on December 19, 2023. All streets will be private rights-of-way and constructed to meet the requirements of Section 4.8.

Block lengths do not exceed 1500 linear feet with intersections at nearly right angles. Proposed cul-de-sacs do not exceed 750 feet in length and meet the turn-around radius requirements. Further, a turn-around is part of the street that exceeds 150 feet in length.

A traffic impact analysis is required for any development that will generate more than 500 trips per day. The proposed subdivision will generate approximately 1000 trips per day. A traffic impact analysis was completed to show the impact of the proposal and provide recommended improvements for access to the site. The recommendations include the construction of a southbound right-hand turn lane on NC 87, the construction of a northbound left turn lane on NC 87, and the construction of the driveway to applicable NCDOT standards with adequate site distance. These recommended improvements are included in the master development plan.

Lighting

The applicant is required to install street lighting with underground distribution along all proposed streets. Per statements made by the applicant on the site plan, a lighting plan is being prepared by Brunswick Electric Member Cooperation. A lighting plan meeting the standards of Section 3.16 of the City of Southport Unified Development Ordinance and Chapter 4 Article 5 of the City Code of Ordinances shall be required prior to final approval of the Preliminary Plat, and any installations shall be inspected for conformance to the approved lighting plan prior to final plat approval.

Street Name Signs and Cluster Mailboxes

The applicant will install street signs, both traffic control and name signs, and shall meet all applicable regulations.

A cluster mailbox kiosk has been identified on the site plan at the rear of the property adjacent to the open space park space. There are nine (9) parking spaces provided for the mail kiosk and open space facilities.

Pedestrian Facilities

Per Section 4.11, sidewalks are required on both sides of the street for subdivisions with more than 20 lots. In lieu of placing sidewalks on both sides of the street, the subdivider may install a connected multi-use path network with a minimum width of eight (8) feet along one side of the street connecting to recreation and open space area. The applicant has provided an 8' multi-path network with a delineated ten (10) foot connection at street crossings.

Water Supply and Sewage Disposal Systems

The county will provide both water and sewer to this subdivision. There were no comments or concerns from the county representative who had the opportunity to review the proposal prior to the December TRC meeting.

Erosion and Sedimentation, Drainage Control Facilities, and Stormwater

The applicant shall comply with all requirements of Article 6 of the City of Southport Unified Development Ordinance and all requirements of the North Carolina Sedimentation Pollution Control Act. The design of the system will be reviewed and approved by the City Engineer and Public Services Department. Detailed plans may be submitted after the site plan or preliminary plat approvals that will be approved prior to any ground-disturbing activities.

All permits from the N.C. Department of Environmental Quality shall be obtained prior to commencing construction.

Recreation and Open Space

As stated previously, the applicant has provided 10.88 acres of open space, excluding wetlands. This meets the 20% requirement for PUDs. The open space forms a single parcel, except where a connecting corridor of open space is not less than 30 feet wide. The noncontiguous areas account for less than 50% of the required open space allocation.

All open space areas will be owned and maintained by the homeowner's association.

Landscaping and Buffers

Per Section 3.17 of the Unified Development Ordinance, street yards are required for the proposed change in use of the property. The street yard buffer has been identified in the master development plan. The applicant has provided a preliminary landscape plan. A specific landscape plan will be included as part of the preliminary plat application.

Tree Protection and Landscape Preservation

A formal tree protection and mitigation plan is not required for master development plan approval. The applicant has provided a preliminary landscape plan. This information shall be required prior to approval of the Preliminary Plat.

Signage

Approval of a master development plan does not include sign permit approval. All future signs associated with the project shall require separate review and approval by the Planning Staff based on conformance with Section 3.19 of the City of Southport Unified Development Ordinance.

LAND USE PLAN CONSISTENCY

The 2014 CAMA Land Use Plan (LUP), along with subsequent updates, is the plan that is used for policy decisions in the City. The Planning Board and Board of Aldermen shall consult the plan's policies when considering a zoning change. Further, each rezoning must be recommended and ultimately adopted with a statement describing if the action is consistent or inconsistent with the adopted land use plan.

Increasing housing demand is one of the overarching themes found in the Future Demands section of the LUP. The goals, objectives, and policies found within the plan focus on balancing the need for housing and infrastructure with the protection of the historic character and environmental resources of the City.

Policy 2.1 "...rezonings and amendments in classifications to the future land use map should be carefully balanced with a demonstrated need for such proposed development

The proposed rezoning is partially inconsistent with the future land use map, which is proposed to be amended. The master development plan proposes a gated single-family development with high-end homes.

The following policies and implementing actions support the proposed rezoning request.

Recommended Action 2.1.A: Consider requiring all rezoning approvals to be compared to the land suitability map and analysis included in this plan for consistency. This consistency review will be presented to the Planning Board and Board of Aldermen...

The subject property is in an area of medium suitability on the Land Suitability Analysis (LSA) Map. The LSA takes many different environmental and built features into account including adjacent uses and infrastructure. The future land use map designation supports residential development.

Policy 2.3: Southport supports quality development reflecting a spectrum of housing needs, from low-end (affordable) residences to high-end (luxury) residences.

Policy 2.4: Southport will permit residential development to occur in response to market needs provided the following criteria are met:

- 1) Due respect is offered to all aspects of the environment.
- 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided.

These policies are appropriate for the site due to the unique characteristics of the tract of land. Wetland areas are adjacent to dedicated open space where possible. Infrastructure improvements and extensions will be made to the property.

PLANNING BOARD RECOMMENDATION

After consideration of the proposed Zoning Map Amendment, Future Land Use Map Amendment, and Master Development Plan the Planning Board recommend **APPROVAL** to the Board of Aldermen in accordance with the standards and processes laid out within

the City of Southport Unified Development Ordinance. The application has been deemed complete, all standards for planned unit developments have been met, and is eligible to be approved.

The proposal appears to be consistent with the 2014 CAMA Core Land Use Plan and is reasonable due to the size, physical conditions, and other attributes of the area.

Attachments:

- 1) Applications – Zoning and Planned Unit Development
- 2) Master Development Plan
- 3) Consistency Statements



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZMA 24-01 – Turtle Bay Planned Unit Development

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed Zoning Map Amendment and associated Master Development Plan and find that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended. More specifically, the proposed amendment is consistent with **Policy 2.4:** Southport will permit residential development to occur in response to market needs provided the following criteria are met: 1) Due respect is offered to all aspects of the environment. and 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided. Further, the proposed text amendment is reasonable due to the size, physical conditions, and other attributes of the area.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZMA 24-01 – Turtle Bay Planned Unit Development

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **denies** the proposed Zoning Map Amendment and associated Master Development Plan and find that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended and not reasonable due to the size, physical conditions, and other attributes of the area.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



Revisions

East Coast Engineering, P.C.

ENGINEERS • PLANNERS • CONSULTANTS

4918 Main Street
Post Office Box 2469
Shallotte, North Carolina 28459

Phone: 910.754.8029
Fax: 910.754.8049
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UTILITY PLAN
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

Date: 02-08-2023

Scale: AS SHOWN

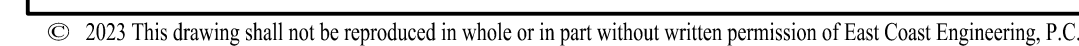
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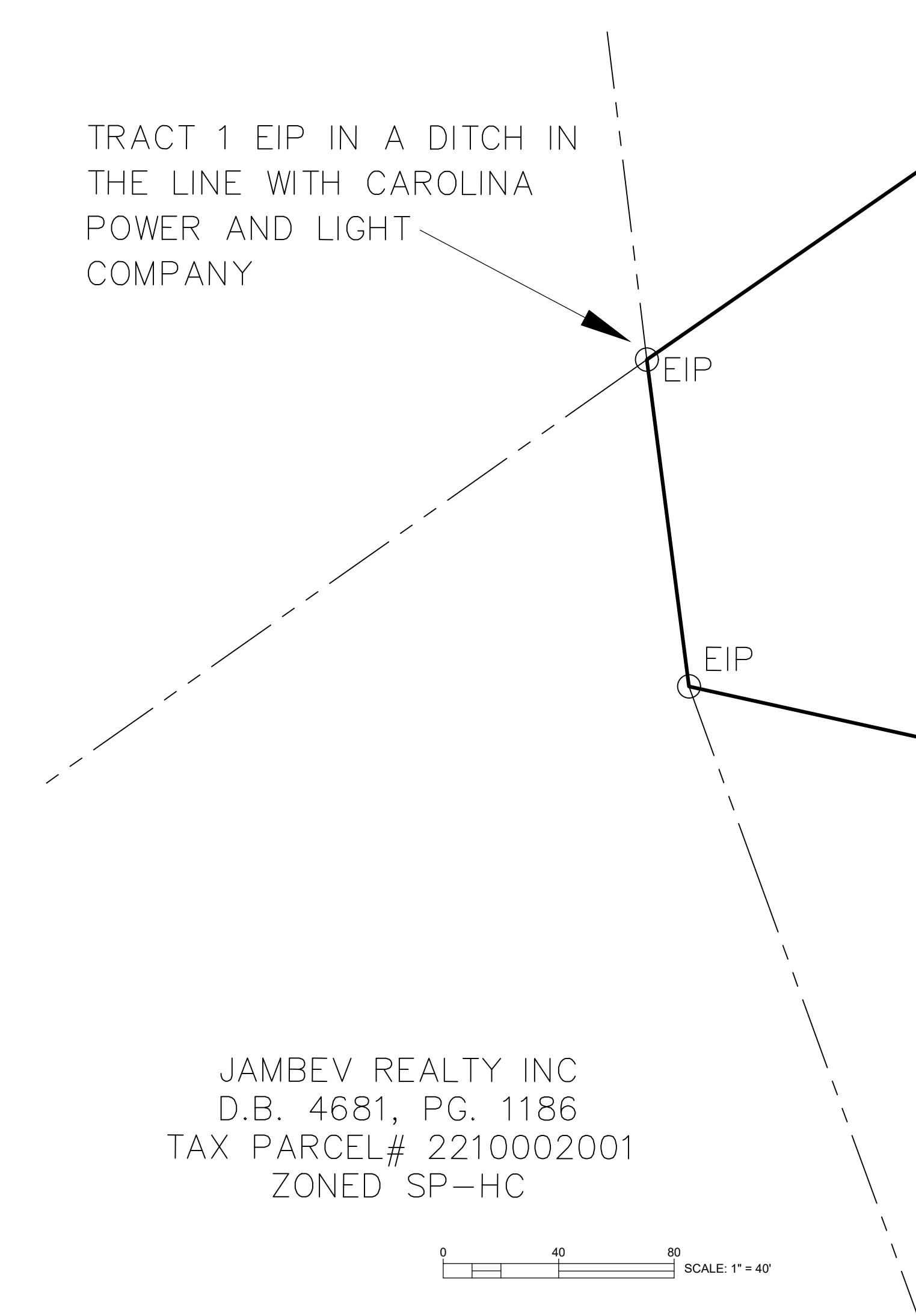
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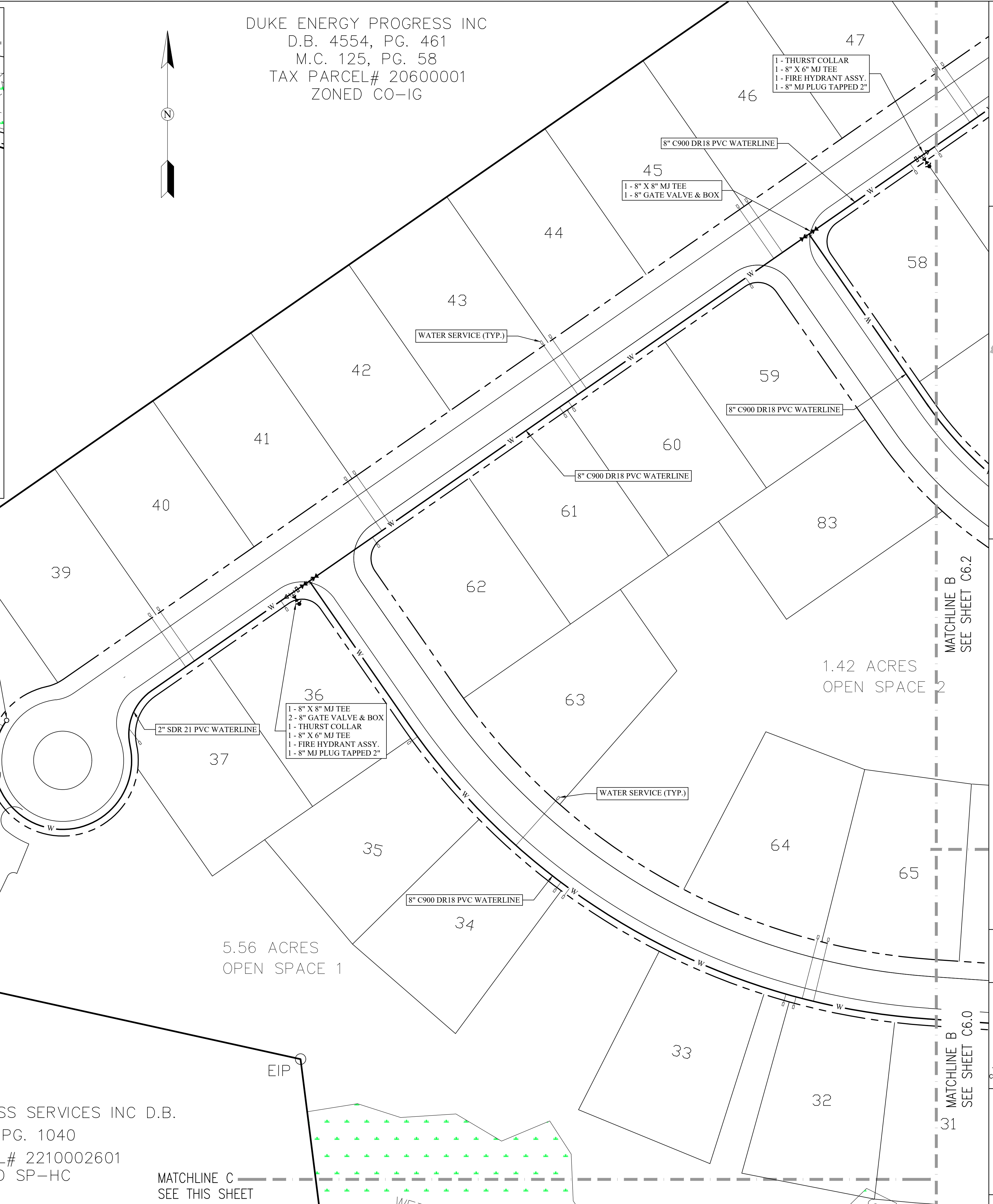
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UTILITY PLAN FOR TURTLE BAY SOUTHPORT, NORTH CAROLINA

Date: 02-08-2023
Scale: AS SHOWN
Drawn By: MGB
Checked By: JDS

PRELIMINARY
FOR APPROVAL

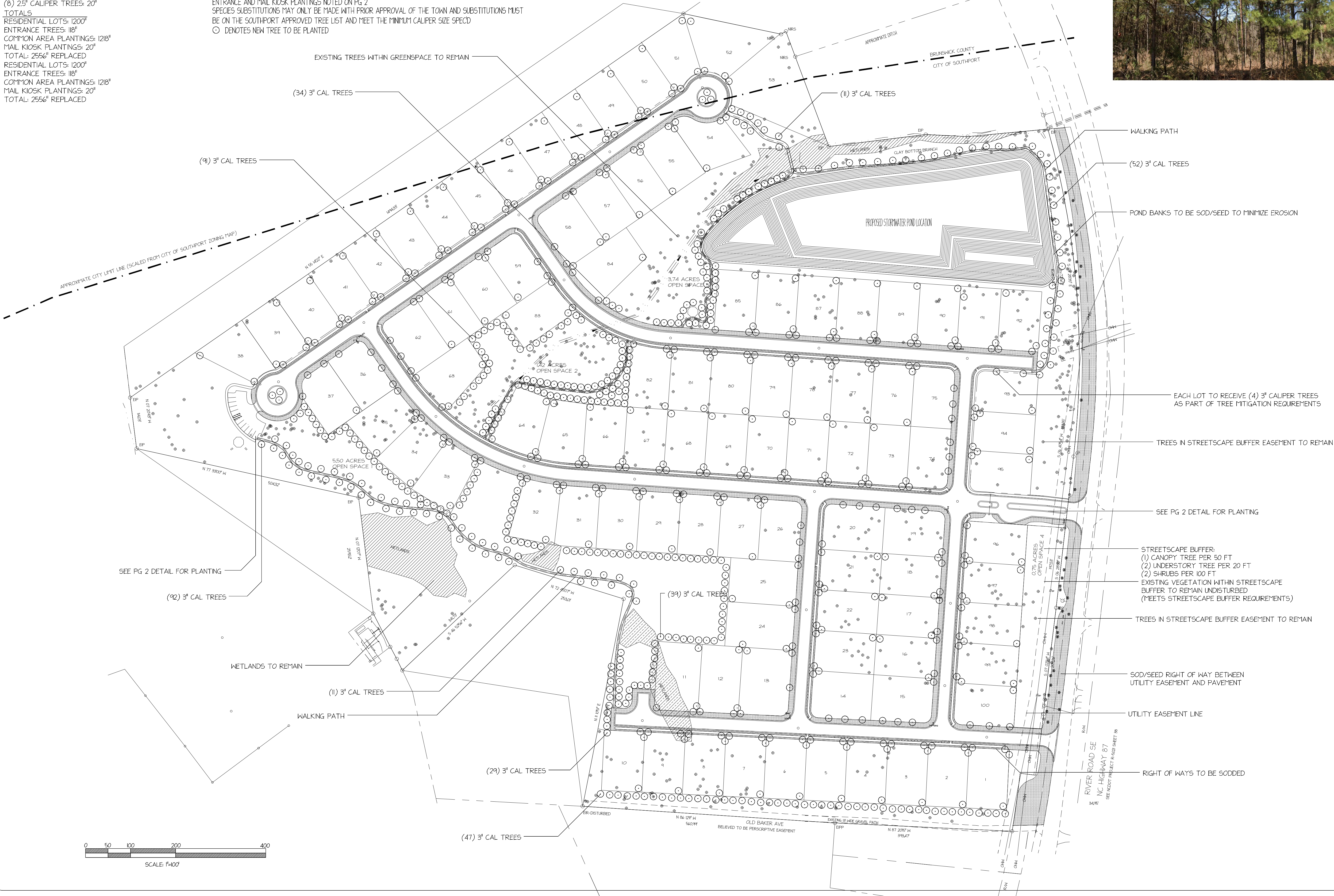
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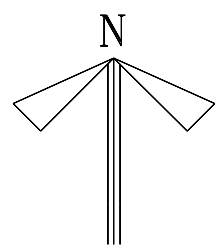
TREET MITIGATION REQUIREMENTS:
TOTAL CALIPER OF TREES REMOVED: 2539.5" DBH
TOTAL CALIPER OF NEW TREES: 2556" DBH
RESIDENTIAL LOT PLANTINGS:
(4) 3" CALIPER TREES PER LOT
(400) 3" CALIPER TREES: 1200"
ENTRANCE PLANTINGS:
(4) 7" CALIPER: 28"
(36) 2.5" CALIPER: 90"
TOTAL: 118"
COMMON AREA PLANTINGS:
(406) 3" CALIPER TREES: 1218"
MAIL KIOSK PLANTINGS:
(8) 2.5" CALIPER TREES: 20"
TOTAL: 2556" REPLACED
RESIDENTIAL LOTS: 1200"
ENTRANCE TREES: 118"
COMMON AREA PLANTINGS: 1218"
MAIL KIOSK PLANTINGS: 20"
TOTAL: 2556" REPLACED

Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees				
200	Acer rubrum 'October Glory'	OCTOBER GLORY RED MAPLE	3" Caliper B&B (Full Specimen)	
166	Betula nigra	RIVER BIRCH	3" Caliper Multi-Stem	
200	Quercus lyrata	OVERCUP OAK	3" Caliper B&B (Full Specimen)	
140	Quercus phellos	WILLOW OAK	3" Caliper B&B (Full Specimen)	
100	Taxodium distichum	BALD CYPRESS	3" Caliper B&B (Full Specimen)	

OCTOBER GLORY RED MAPLE AND OVERCUP OAK TO BE EVENLY DISTRIBUTED THROUGHOUT RESIDENTIAL LOTS
RIVER BIRCH, WILLOW OAK AND BALD CYPRESS TO BE USED IN COMMON AREAS ALONG
WALKWAYS AND ALONG LOT PERIMETERS.
ENTRANCE AND MAIL KIOSK PLANTINGS NOTED ON PG 2
SPECIES SUBSTITUTIONS MAY ONLY BE MADE WITH PRIOR APPROVAL OF THE TOWN AND SUBSTITUTIONS MUST
BE ON THE SOUTHPORT APPROVED TREE LIST AND MEET THE MINIMUM CALIPER SIZE SPEC
○ DENOTES NEW TREE TO BE PLANTED

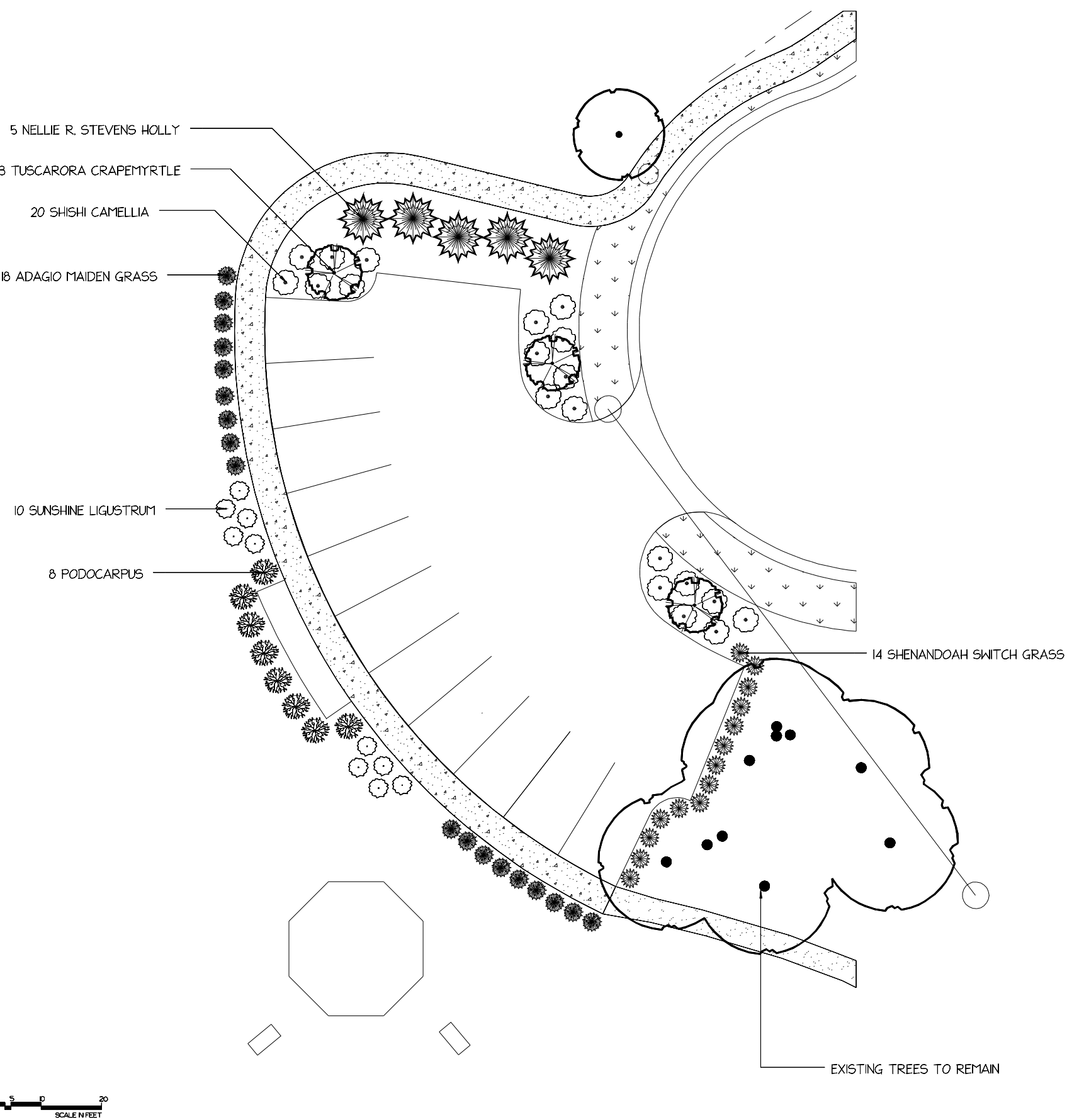


EXAMPLE OF EXISTING VEGETATION IN STREETSCAPE BUFFER TO REMAIN



NORTH

MAILBOX KIOSK PLANTING AREA



MAILBOX AREA PLANTING KEY

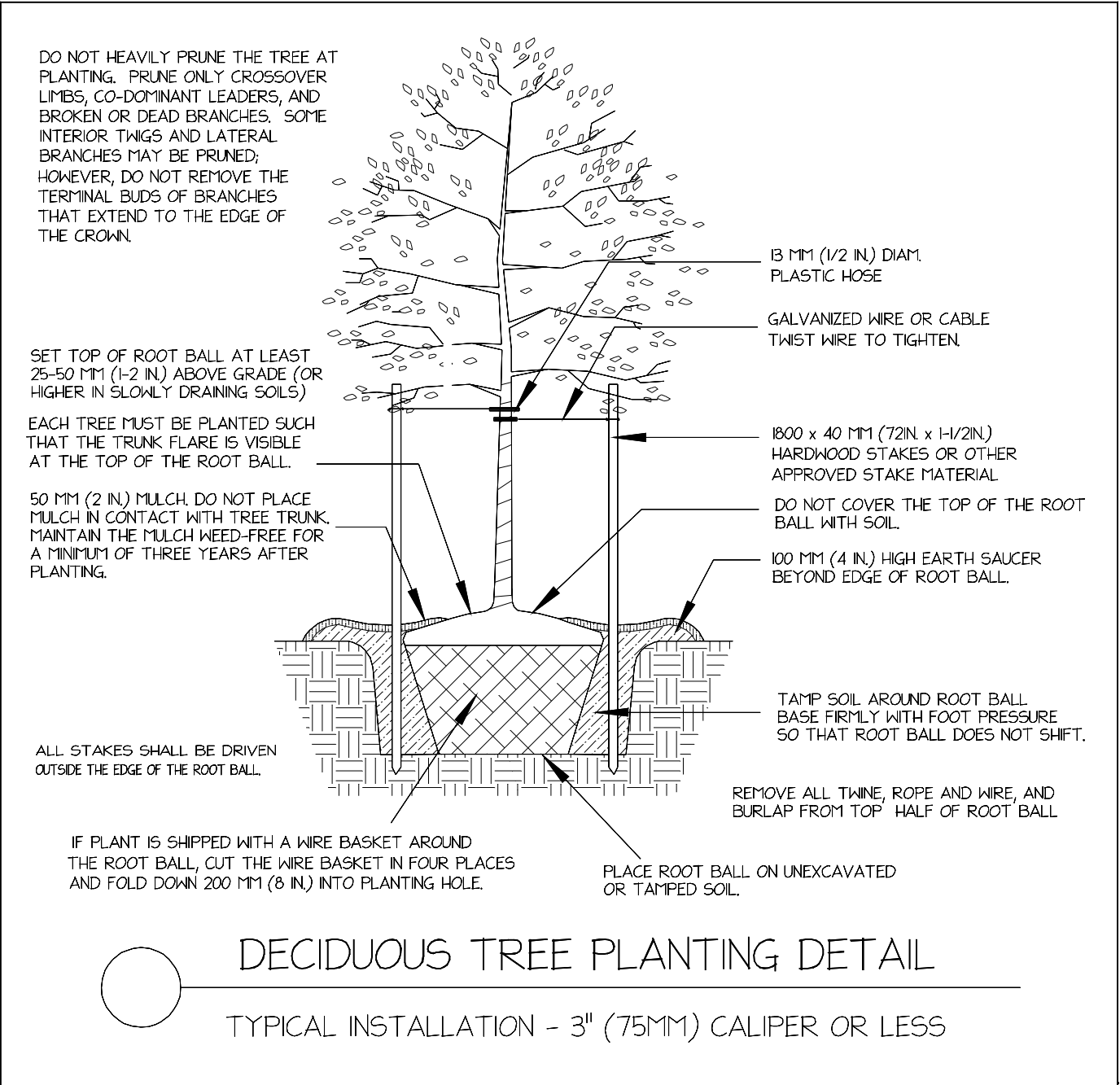
Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees				
3	Lagerstroemia x 'Tuscarora'	TUSCARORA Crape Myrtle	2.5" Caliper Single Stem	
Shrubs				
20	Camellia sasanqua 'Shi Shi'	SHISHI CAMELLIA	3 Gallon 16" Height	
5	Ilex 'Nellie R. Stevens'	NELLIE R. STEVENS HOLLY	2.5" Caliper	
10	Ligustrum sinense 'Sunshine'	SUNSHINE LIGUSTRUM	3 Gallon 16" Height	
8	Podocarpus macrophyllus	PODOCARPUS	7 Gallon 36" Height	
Ornamental Grasses				
18	Miscanthus sinensis 'Adagio'	ADAGIO MAIDEN GRASS	3 Gallon 12" Height	
14	Panicum virgatum 'Shenandoah'	SHENANDOAH SWITCH GRASS	3 Gallon 12" Height	

FRONT ENTRANCE PLANTING KEY

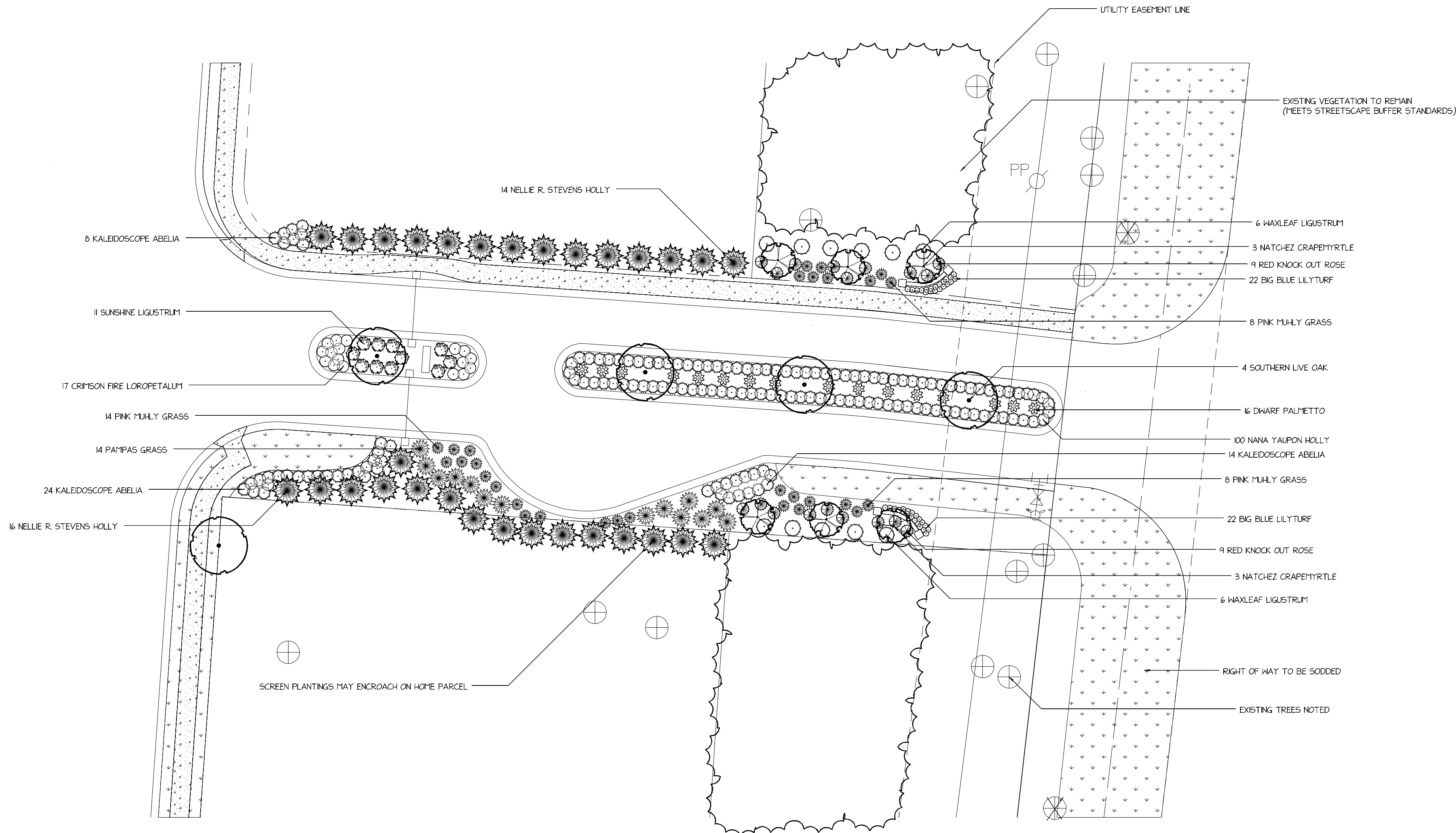
Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees				
4	Quercus virginiana	SOUTHERN LIVE OAK	7" Caliper 22' Height	
6	Lagerstroemia x 'Natchez'	NATCHEZ Crape Myrtle	2.5" Caliper Single Stem	
Palms				
16	Sabal minor	DWARF PALMETTO	7 Gallon 36" Height	
Shrubs				
46	Abelia x grandiflora 'Kaleidoscope'	KALEIDOSCOPE ABELIA	3 Gallon 16" Height	
30	Ilex 'Nellie R. Stevens'	NELLIE R. STEVENS HOLLY	2.5" Caliper	
100	Ilex vomitoria 'Nand'	NANA YAUPON HOLLY	3 Gallon 12" Height	
12	Ligustrum japonicum	WAXLEAF LIGUSTRUM	15 Gallon 48" Height	
11	Ligustrum sinense 'Sunshine'	SUNSHINE LIGUSTRUM	3 Gallon 16" Height	
17	Loropetalum var. 'Crimson Fire'	CRIMSON FIRE LOROPETALUM	3 Gallon 12" Height	
18	Rosa 'Radrizz Knock Out'	RED KNOCK OUT ROSE	3 Gallon 16" Height	
Ornamental Grasses				
14	Cortaderia selloana	PAMPAS GRASS	3 Gallon 12" Height	
44	Liriope muscari 'Big Blue'	BIG BLUE LILYTURF	3 Gallon 12" Height	
30	Muhlenbergia capillaris	PINK MUHLY GRASS	3 Gallon 12" Height	

GENERAL LANDSCAPE NOTES

TIFWAY 419 BERMUDA SOD TO BE USED IN ALL TURF AREAS
PLANT MATERIAL SHALL MEET OR EXCEED STANDARD NURSERYMAN'S SPECIFICATIONS
DOWNSIZING OR SUBSTITUTIONS ARE NOT ALLOWED WITHOUT PRIOR APPROVAL
DAMAGED, ROOT BOUND, OR UNHEALTHY APPEARING, NON-SPECIFIED MATERIAL SHALL NOT BE ACCEPTED.
THIS PROJECT INCLUDES BUT IS NOT LIMITED TO SITE PREPARATION, FURNISHING OF ALL MATERIAL, LABOR, EQUIPMENT, SOIL AMENDMENTS, ETC. REQUIRED FOR COMPLETE LANDSCAPE INSTALLATION.
ALL UTILITIES SHALL BE LOCATED BY CONTRACTOR PRIOR TO CONSTRUCTION
IRRIGATION PROPOSAL SHALL BE PROVIDED BY THE CONTRACTOR AND DESIGNED BY A CERTIFIED IRRIGATION DESIGNER. ALL PLANT MATERIAL SHALL BE DRIP IRRIGATION AND SOD AREAS SPRAY IRRIGATED.
PLANTED AREAS AND DISTURBED NATURAL AREAS SHALL RECEIVE A 3" MINIMUM LAYER OF BROWN HARDWOOD MULCH. DEBRIS SHALL BE REMOVED FROM ALL NATURAL AREAS, WEEDS SHALL BE ERADICATED AND REMOVED FROM ALL NATURAL AREAS. DAMAGED AND DEAD TREE LIMBS SHALL BE REMOVED FROM ALL EXISTING TREES.
EQUIPMENT ACTIVITY, FILL OR ANY DISTURBANCE IN EXISTING TREE ROOTZONE AREAS SHALL BE AVOIDED WHENEVER POSSIBLE.
THIS PLANTING PLAN ILLUSTRATES THE OVERALL DESIGN INTENT BUT MAY REQUIRE PLACEMENT ADJUSTMENTS.
PLANTING PROCEDURES SHALL MEET OR EXCEED THE HIGHEST HORTICULTURAL PRACTICES IN THE LANDSCAPE INDUSTRY. CONTRACTOR IS RESPONSIBLE FOR ASSURING ALL REQUIRED PERMITS, IF ANY, ARE IN PLACE PRIOR TO COMMENCING WORK.
THIS PLAN WAS DESIGNED WITH UTMOST CONSIDERATION TO MINIMIZE MAINTENANCE BUT REGULAR MAINTENANCE WILL BE REQUIRED TO PRESERVE THE APPEARANCE AND TO PROMOTE THE PROPER GROWTH OF THE PLANT MATERIAL. THE SCHEDULED MAINTENANCE SHOULD BE PERFORMED BY EXPERIENCED AND KNOWLEDGEABLE LANDSCAPE GARDENERS.



FRONT ENTRANCE MONUMENT/PLANTING



ENTRANCE MONUMENT CONCEPTS
(FINAL MATERIAL/DESIGN TO BE APPROVED BY TOWN OF SOUTHPORT)



PLANTING DETAILS FOR:

TURTLE BAY NEIGHBORHOOD

SOUTHPORT
NORTH CAROLINA

1

DRAWING #

11/3/23

DATE

1"=100'

SCALE



L-2

Turtle Bay at Southport

Southport, NC

PREPARED FOR: Turtle Bay at Southport, LLC

January 2, 2024

PROJECT # 220222



TRANSPORTATION IMPACT ANALYSIS

Celebrating
20
YEARS



DAVENPORT



Transportation Impact Analysis

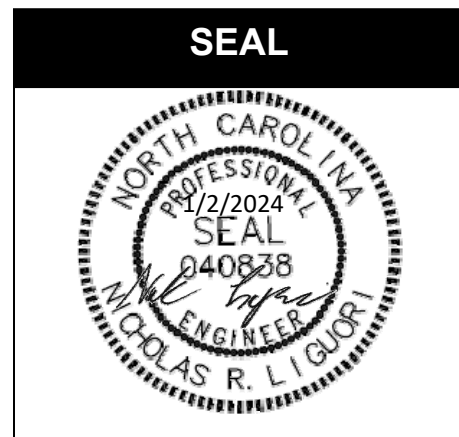
Turtle Bay at Southport Southport, NC

Prepared for
Turtle Bay at Southport, LLC

January 2, 2024

Analysis and Graphics by: Sheheryar Shafique

Reviewed and Sealed by: Nick Liguori, PE



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Winston-Salem, NC 27101
Main: 336.744.1636; Fax: 336.458.9377

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1426 Navaho Trail, #108
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EXECUTIVE SUMMARY

The Turtle Bay at Southport proposed development is located on the west side of NC 87 to the north of Rob Gandy Blvd in Southport, NC. It is planned to consist of 100 single family homes. One (1) full movement access point on NC 87 (River Road) is proposed for this development. The Site Access is located approximately 1,300 feet north of Rob Gandy Boulevard. The expected build-out year for the development is 2026. Information regarding the property was provided by Turtle Bay at Southport, LLC.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of the new development traffic.

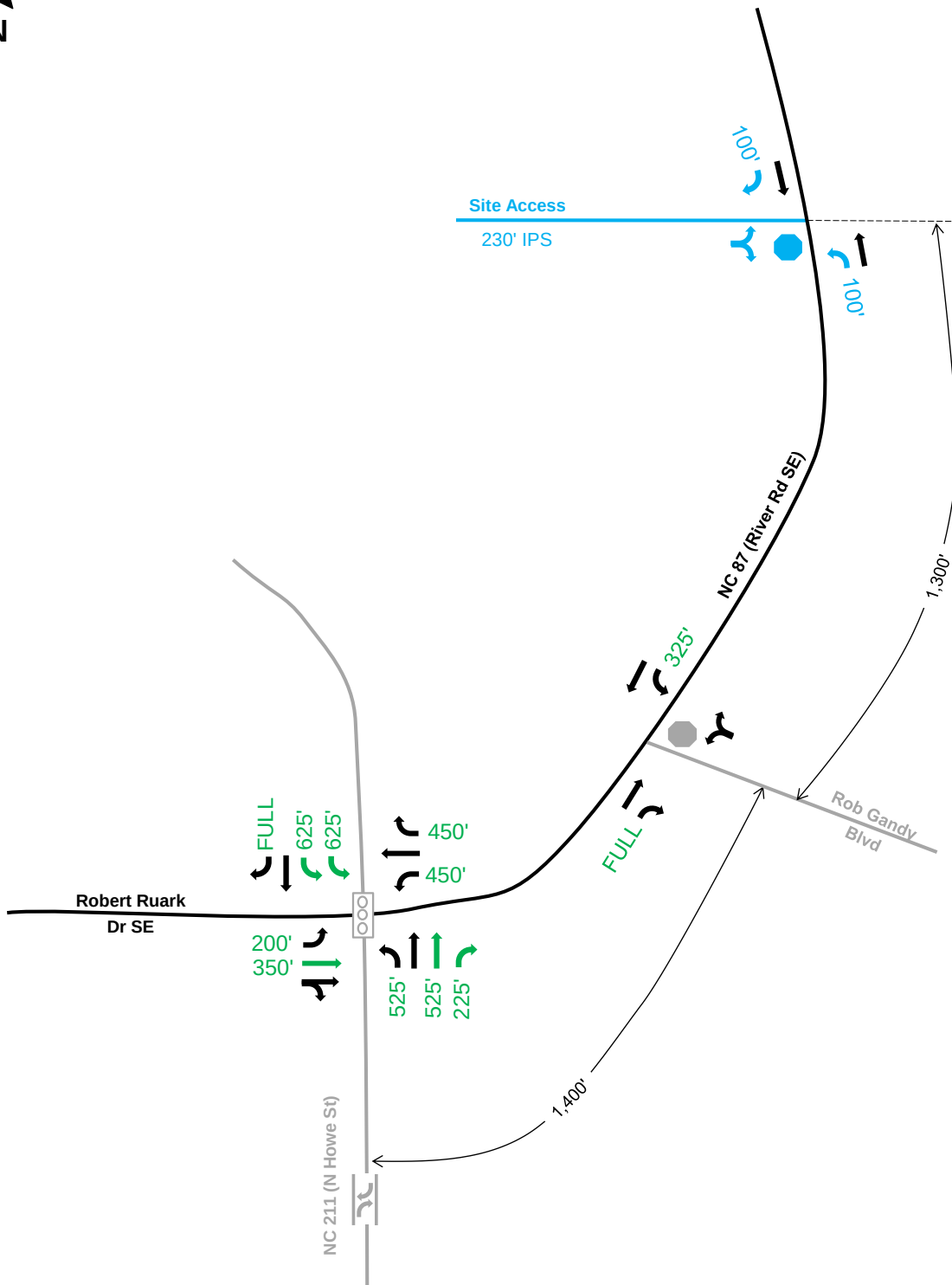
The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with the City of Southport and North Carolina Department of Transportation (NCDOT). This site has a trip generation potential of 1,009 daily trips, 74 trips in the AM peak hour, and 99 trips in the PM peak hour.

In conclusion, this study has determined the potential traffic impacts of this development. At the site access, a northbound left turn lane with 100 feet of storage and appropriate deceleration/taper and a southbound right turn lane with 100 feet of storage and appropriate deceleration/taper is recommended. With the recommended improvements in place, the anticipated transportation impacts of the proposed development can be accommodated. The recommendations summarized in Figure A and in Table A should be constructed to comply with applicable NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and local standards.

Table A – Summary of Recommended Improvements	
INTERSECTION	RECOMMENDATIONS
NC 87 (River Road) at Site Access	- Construct a southbound right turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper. - Construct a northbound left turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper. - Construct the driveway according to applicable NCDOT standards and with adequate sight distance.



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED GREEN = COMMITTED BLUE = PROPOSED	
IPS = INTERNAL PROTECTED STEM	



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FIGURE A RECOMMENDED IMPROVEMENTS

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



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1.0 Introduction

The Turtle Bay at Southport proposed development is located on the west side of NC 87 to the north of Rob Gandy Blvd in Southport, NC. It is planned to consist of 100 single family homes. One (1) full movement access point on NC 87 (River Road) is proposed for this development. The site access is located approximately 1,300 feet north of Rob Gandy Boulevard. The expected build-out year for the development is 2026. Information regarding the property was provided by Turtle Bay at Southport, LLC.

A conceptual site plan is shown in Figure 1, and a site location map and a vicinity map are provided in Figures 2A and 2B, respectively.

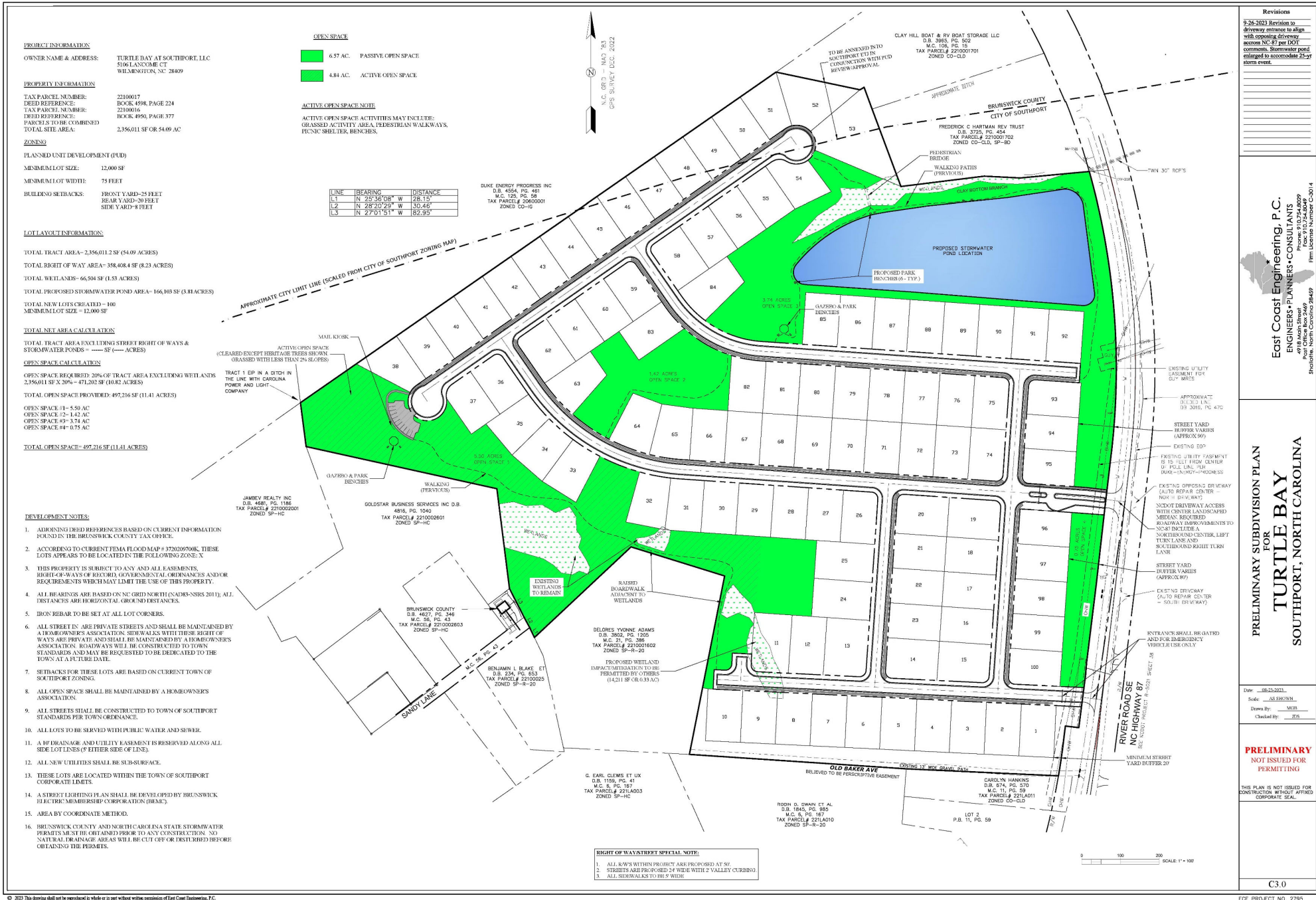
DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of the new development traffic. The following intersections are included in the study:

1. NC 87 (River Road) and Site Access (unsignalized)

The signalized intersection of US 211 (North Howe Street) at NC 87 (River Road Southeast) and the unsignalized intersection of NC 87 (River Road) at Rob Gandy Boulevard were included in synchro models to account for signal platooning effects and volume balancing purposes. The study intersections were analyzed during the AM and PM peaks for the following conditions:

- 2026 Future Build Conditions
- 2026 Future Build Conditions + Improvements

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with the City of Southport and North Carolina Department of Transportation (NCDOT). It was conducted according to the standards and best practices of the transportation engineering profession.



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FIGURE 1
SITE PLAN

Turtle Bay at Southport
Project Number 220222

Revisions

9.26.2023 Revision to driveway entrance to align with existing driveway sections NC 47 per DOT comments. Stormwater pond enlarged to accommodate 25-yr storm event.

East Coast Engineering, P.C.
ENGINEERS-PLANNERS-CONSULTANTS
4918 Main Street
Post Office Box 2440
Shawboro, North Carolina 28589
Phone: 919.724.0099
Fax: 919.724.0099
Email: info@ec-engineering.com

PRELIMINARY SUBDIVISION PLAN
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

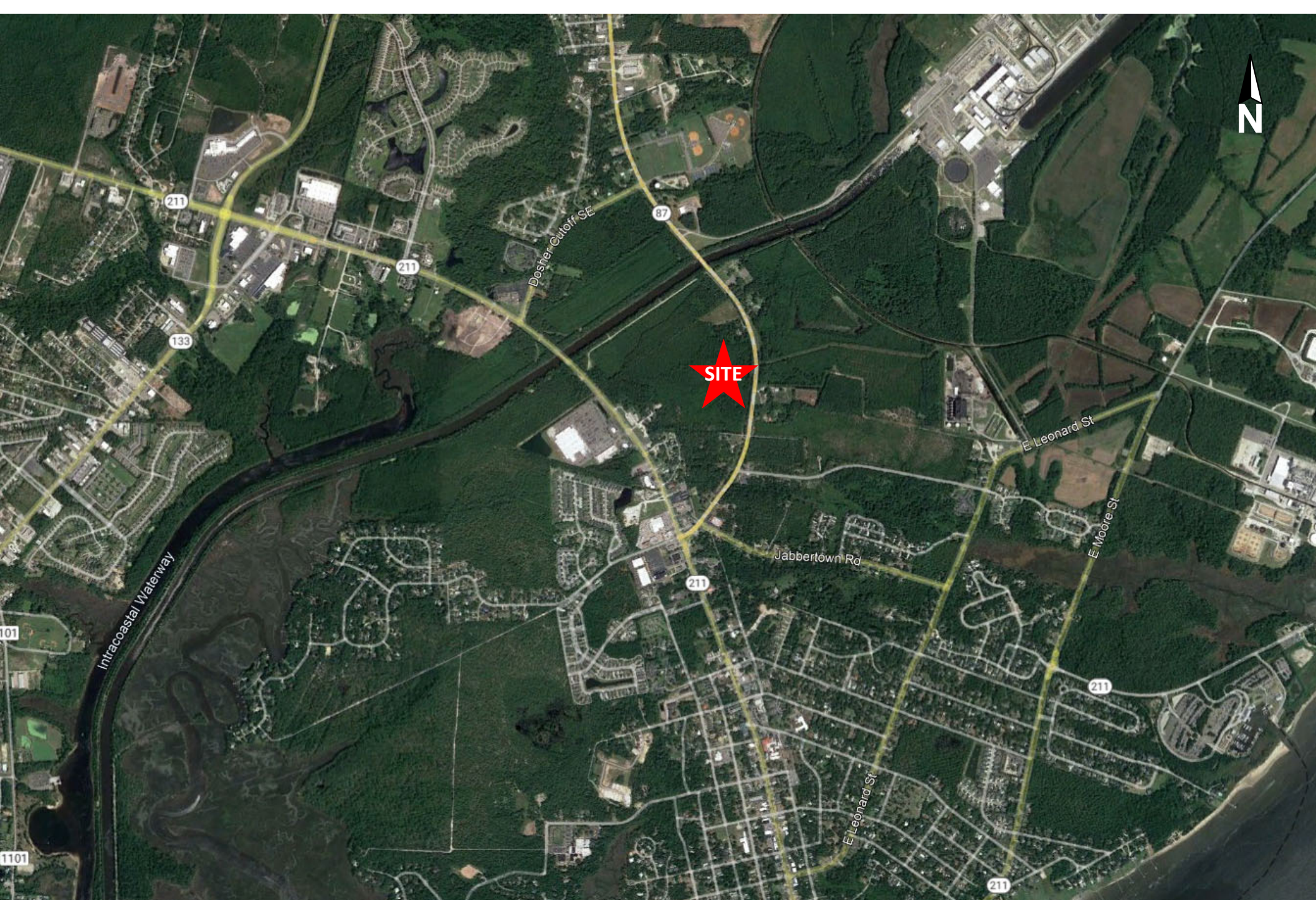
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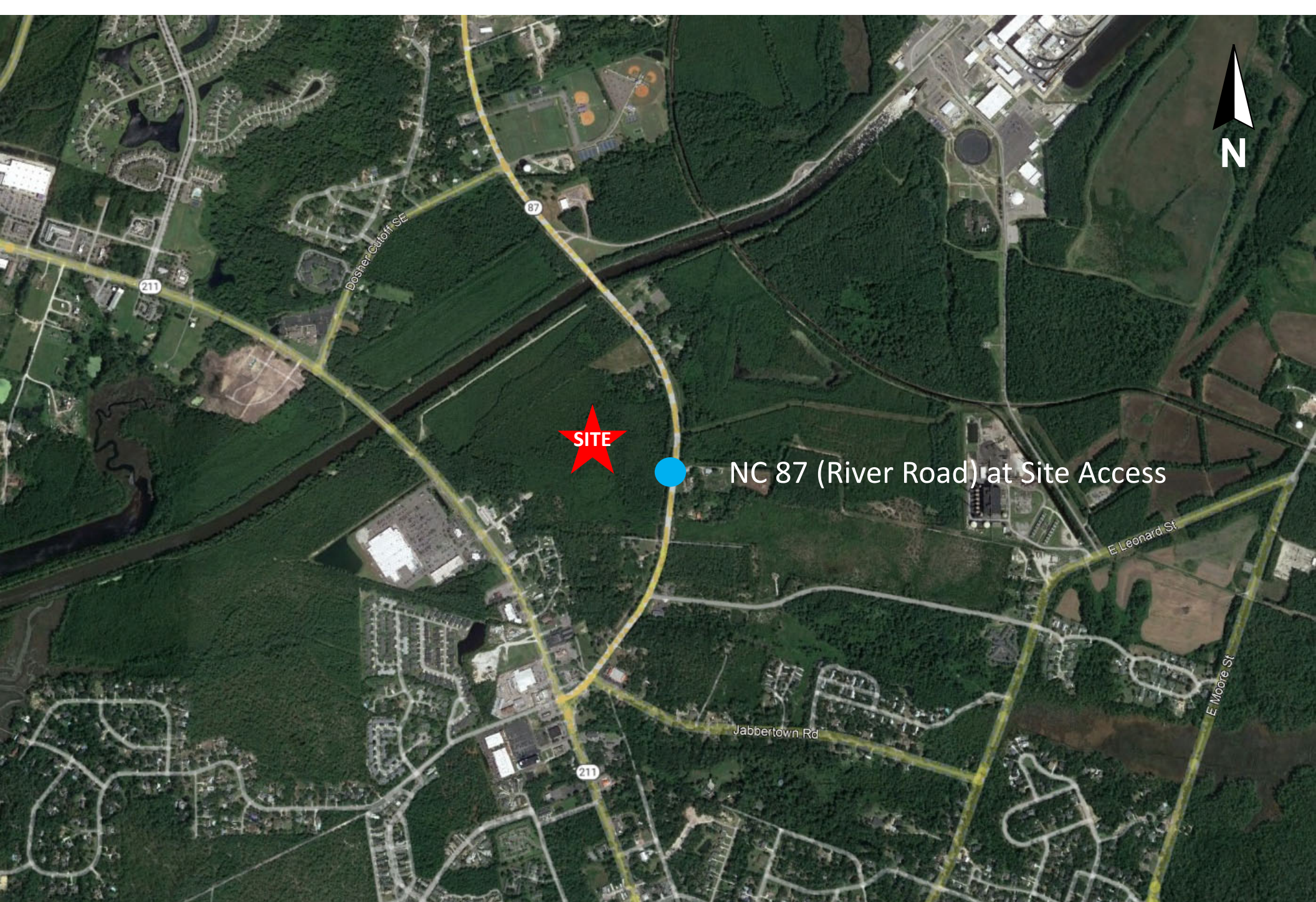
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EEC PROJECT NO. 2795





NC 87 (River Road) at Site Access

2.0 Existing Conditions

2.1 Inventory

Table 2.1 presents a summary of the study area roadway conditions. Figure 3 shows the existing lane geometry.

Table 2.1 - Street Inventory						
Facility Name	Route #	AADT (vpd)	Typical Cross Section	Pavement Width	Speed Limit (MPH)	Maintained By
River Road	NC 87	6,800*	2-lane undivided	12-foot lanes	45	NCDOT

*Based on NCDOT 2021 Data

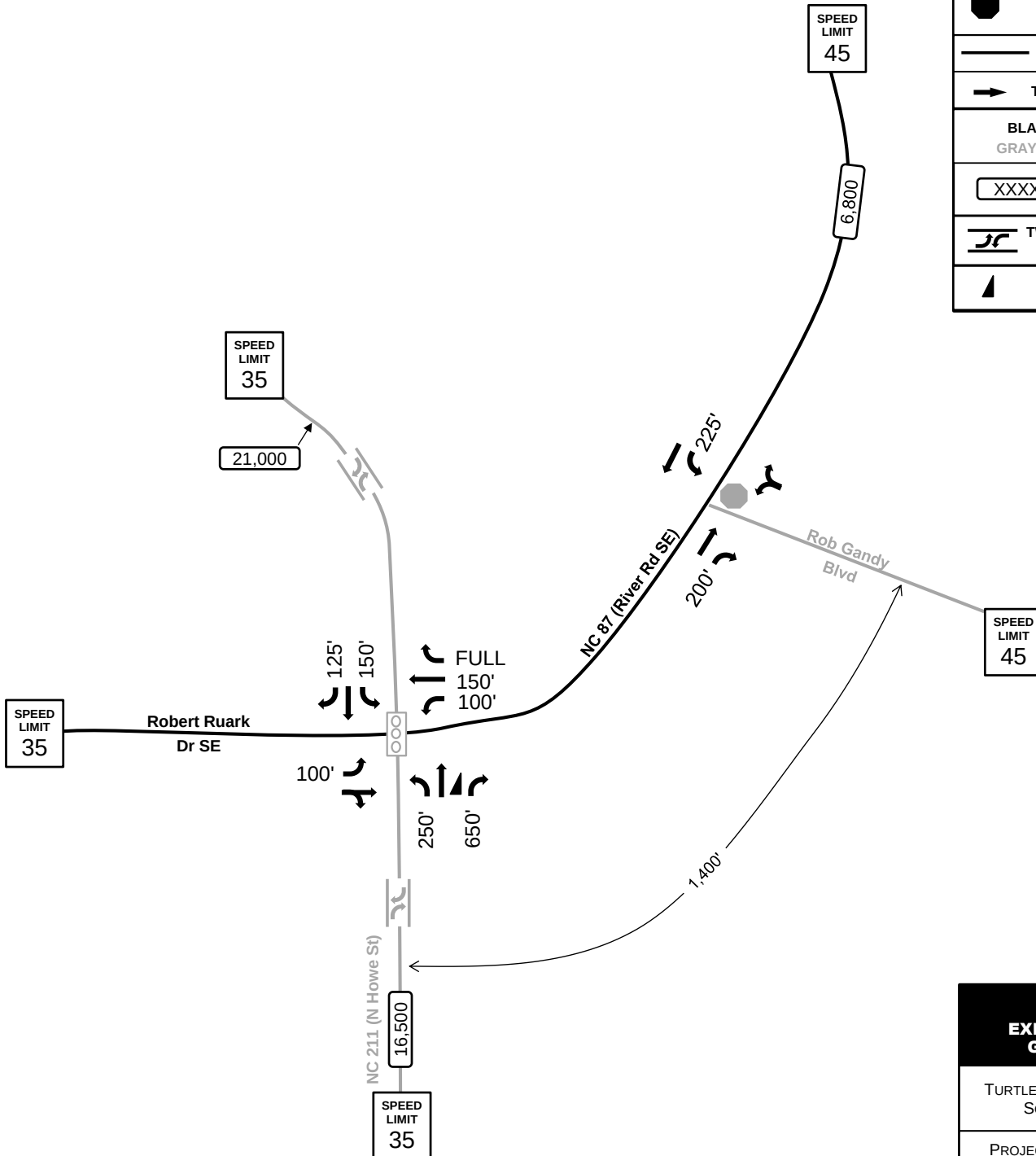
2.2 Existing Traffic Volumes

Turning movement counts for this project were collected by Burns Services, Incorporated when schools were in session. Table 2.2 contains the location, dates, and times these counts were conducted. As noted previously, Rob Gandy Boulevard was not included in the analysis, but counts were collected at this location to establish through volumes on NC 87 (River Road) in front of the site access. An annual growth rate of one percent (1%) was applied to the 2022 counts to grow the turning movement counts to 2023 conditions. The 2023 existing AM and PM peak hour volumes are shown in Figure 4. Traffic count data are provided in the Appendix.

Table 2.2 - Traffic Volume Data		
Count Location	Date Taken	Hours
NC 87 (River Road) at Rob Gandy Boulevard (unsignalized)	Tuesday, May 10, 2022	7-9 AM, 4-6 PM
NC 211 (North Howe Street) at NC 87 (River Road) (signalized)	Thursday, January 13, 2022	7-9 AM, 4-6 PM



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED	
	2021 AADT VOLUMES
	TWO-WAY LEFT-TURN LANE
	RIGHT-OUT



**FIGURE 3
EXISTING LANE
GEOMETRY**

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222

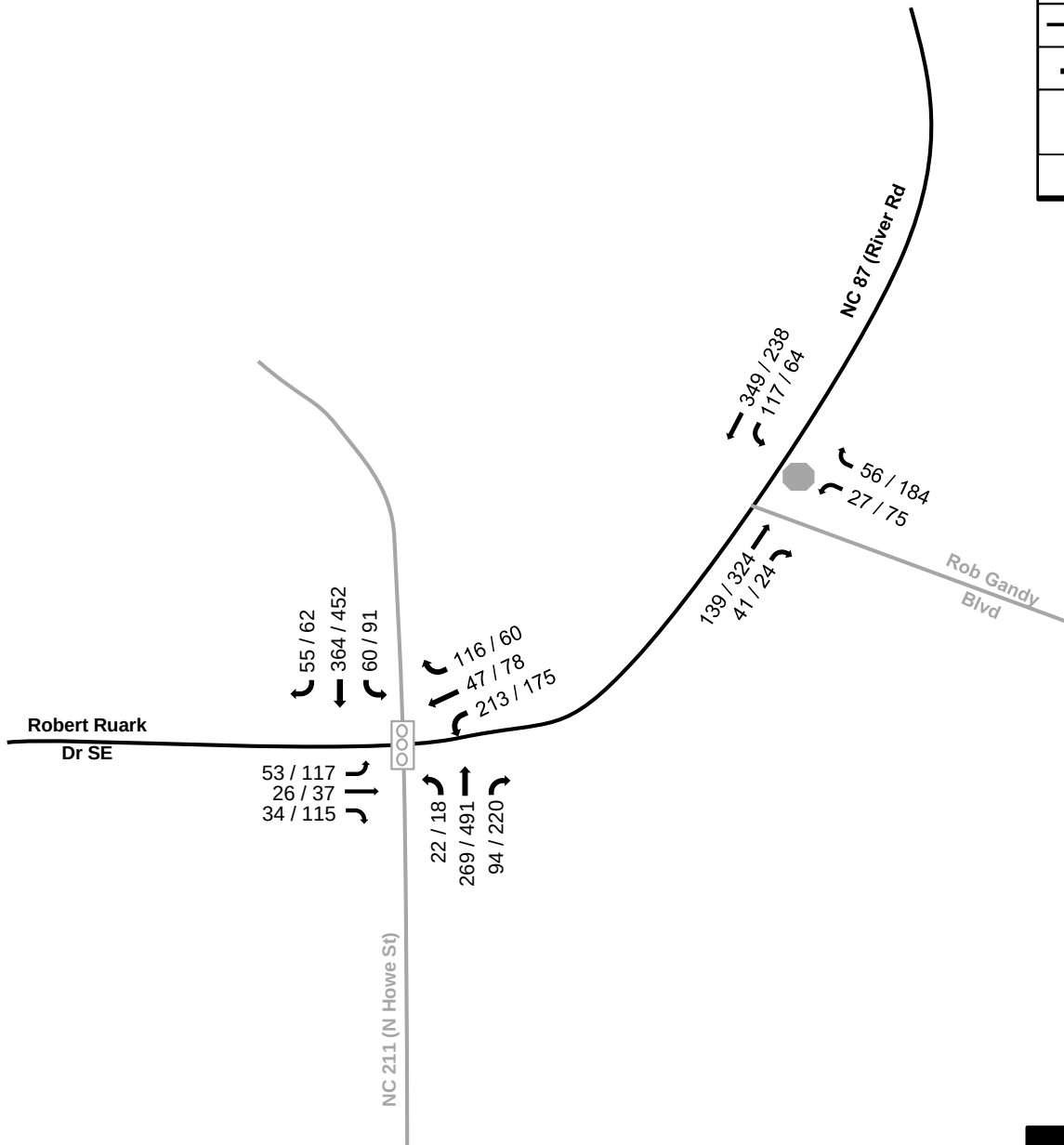
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LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED	
AM / PM PEAKS	



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** A minimum of 4 vehicles per hour is analyzed for each movement per NCDOT Congestion Management Guidelines.

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FIGURE 4 2023 EXISTING TRAFFIC VOLUMES

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



3.0 Approved Development and Committed Improvements

3.1 *Approved Developments*

Approved developments are developments that have been recently approved in the area but are not yet constructed. Per the approved scoping document, there are two (2) approved developments to consider for this study site.

- **Southport Mixed-Use:** To be located in the southwest quadrant of the intersection of NC 87 (River Road) and SR 1621 (Doshier Cutoff) in Brunswick County. The proposed development is expected to consist of an approximately 50,000 sq. ft. self-storage warehouse, 264 apartments, a 4,000 sq. ft. fast-food restaurant with drive-thru, and a 5,000 sq. ft. super convenience market with gas station. A TIA was completed for this project in October 2022. Future traffic associated with the site was incorporated into the future condition analysis based on the TIA since the site is not yet built out.
- **48 Townhomes at Rob Gandy Boulevard:** To be located on Rob Gandy Boulevard east of the intersection of NC 87 (River Road) and Rob Gandy Boulevard. The site is planned to consist of 48 townhomes. No TIA was performed for this site. ITE Trip Generation Manual 11th Edition was used to determine the future traffic generated by the site and trips were routed based on existing patterns and engineering judgment. Future traffic associated with the site was incorporated into the future condition analysis.

Relevant information pertaining to approved developments is provided in the Appendix.

3.2 *Committed Improvements*

Committed improvements are improvements that are planned by NCDOT, City of Southport or that are associated with a prior approved development in the area but are not yet constructed. Per the approved scoping document, there is one (1) committed improvement that is included in the study.

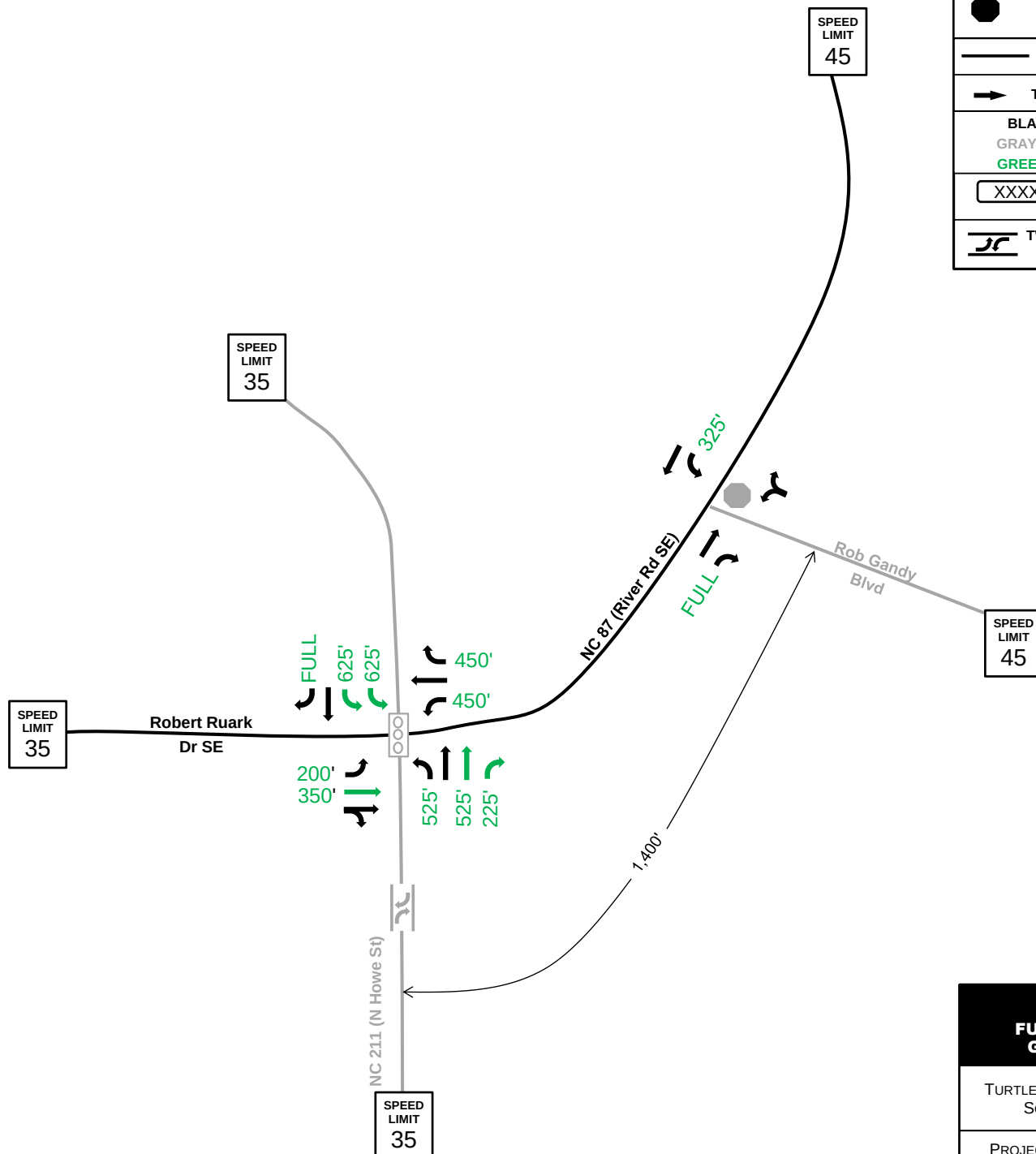
- **STIP Project R-5021: NC 211(North Howe Street) Widening from west of NC 906 (Midway Road) to East of NC 87 (River Road):**

This improvement is a North Carolina Department of Transportation (NCDOT) project. It is to be done on NC 211(North Howe Street) between SR 1500 (Midway Road) and NC 87 (River Road). The improvement project is planned to widen NC 211 from a two (2) lane undivided to a four (4) lane divided facility to improve traffic flow, driver safety and traffic capacity. This improvement is also planned to add a northbound thru traffic lane on NC 87 (River Road) between SR 1526 (Jabbertown Road) and SR 1620 (Rob Gandy Boulevard) along with a dedicated right turn lane for southbound traffic at the intersection of NC 211 (North Howe Street) and NC 87 (River Road). The improvement project has been incorporated into the analysis for future conditions.

Figure 5 represents the future lane geometry. Relevant information regarding the improvement project is provided in the Appendix.



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED GREEN = COMMITTED	
	2021 AADT VOLUMES
	TWO-WAY LEFT-TURN LANE



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FIGURE 5 FUTURE LANE GEOMETRY

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



4.0 Methodology

4.1 Base Assumptions and Standards

In general, the analysis for this project was conducted utilizing commonly accepted NCDOT standards. Table 4.1 contains a summary of the base assumptions.

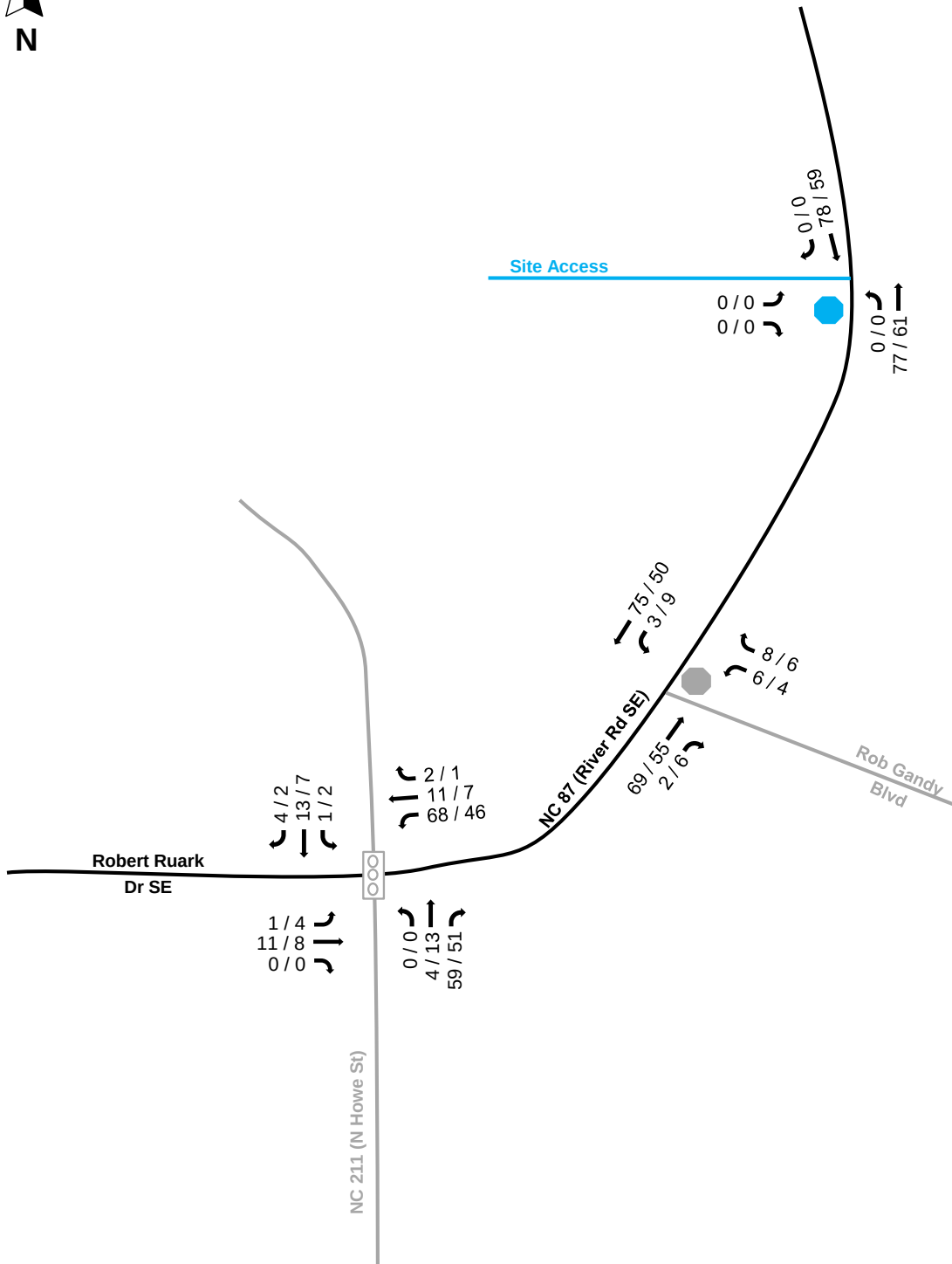
Table 4.1 - Assumptions	
Annual Growth Rate	1%, based on approved scope
Analysis Software	Synchro/SimTraffic Version 11.0
Lane Widths	12 feet
Peak Hour Factor	0.90
Truck Percentage	2%

4.2 Future No Build Volumes

The 2026 future no build traffic volumes were computed by applying a one percent (1%) compounded annual growth rate to the 2023 existing traffic volumes and adding approved development trips. Figure 6 shows approved development trips and Figure 7 shows 2026 future no build traffic volumes for AM and PM peaks.



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	



*** NOT TO SCALE ***

** A minimum of 4 vehicles per hour is analyzed for each movement per NCDOT Congestion Management Guidelines.

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FIGURE 6 APPROVED DEVELOPMENTS TRIPS

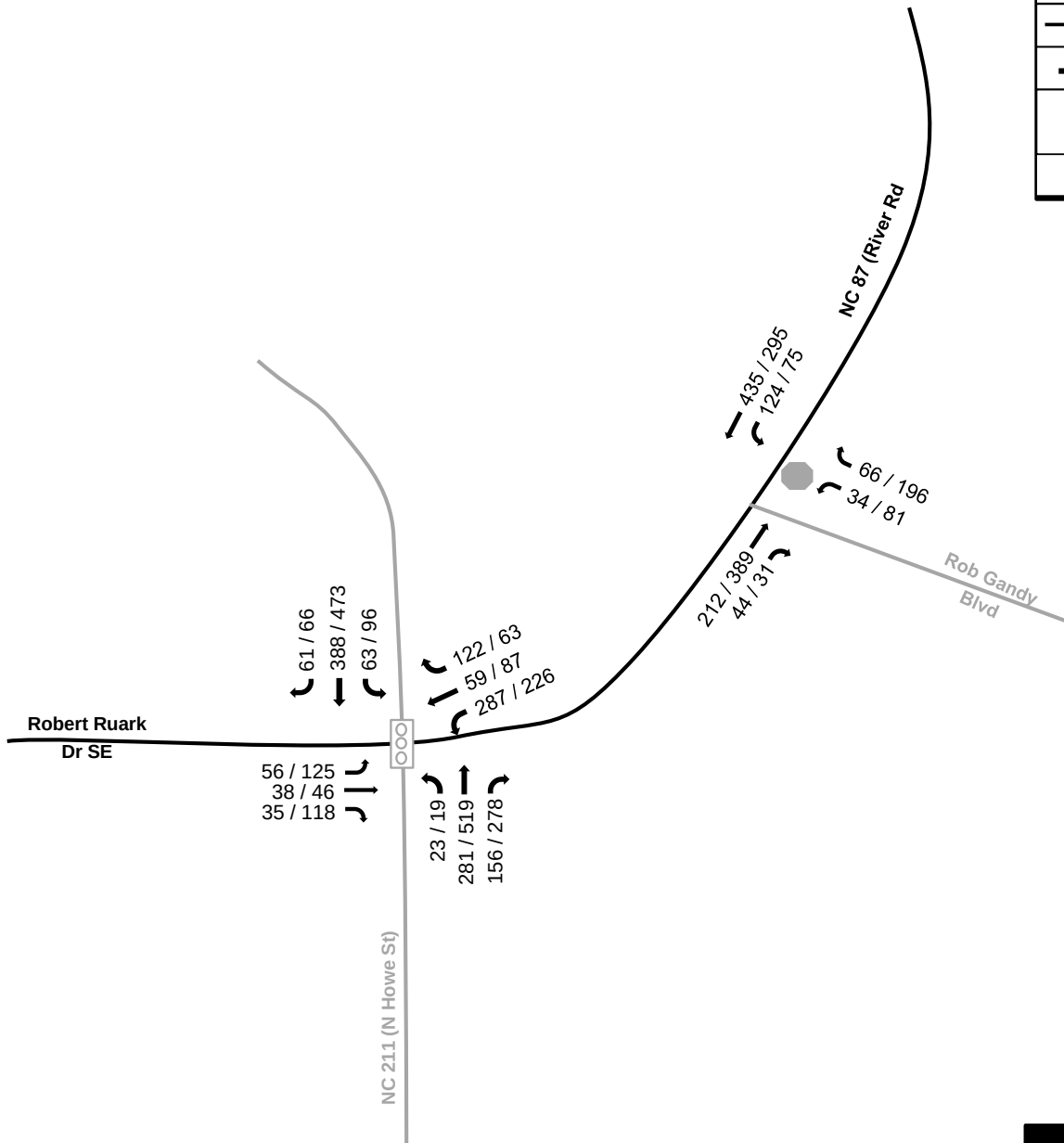
TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222





LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED	
AM / PM PEAKS	



*** NOT TO SCALE ***

** A minimum of 4 vehicles per hour is analyzed for each movement per NCDOT Congestion Management Guidelines.

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FIGURE 7 2026 FUTURE NO BUILD VOLUMES

TRUTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



4.3 Trip Generation

The proposed development is planned to include 100 single family homes. The trip generation potential of this site was projected based on the 11th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* and guidance from NCDOT Congestion Management on the selection of appropriate variables. Table 4.2 presents the results.

Table 4.2 - ITE 11th Edition Trip Generation											
Average Weekday Driveway Volumes					24-Hour	AM Peak Hour			PM Peak Hour		
					Two-Way						
Land Use	ITE Land Use Code	Size		Data Source	Volume	Enter	Exit	Total	Enter	Exit	Total
Single-Family Detached Housing	210	100	Dwelling Units	Adjacent-Equation	1,009	19	55	74	63	36	99
Total Site Trips					1,009	19	55	74	63	36	99

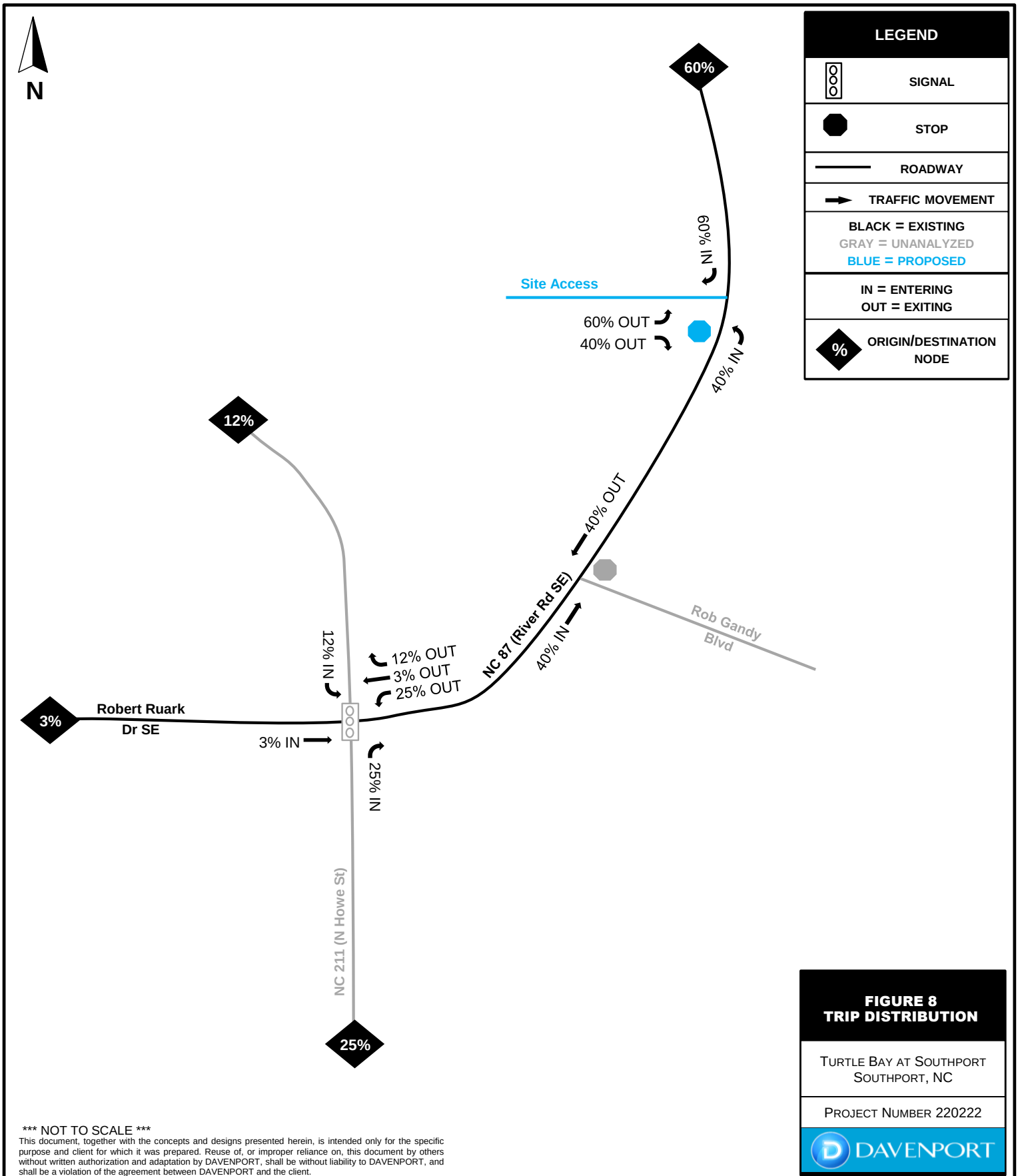
4.4 Trip Distribution and Assignment

Site trips for this proposed development were distributed based on the existing traffic patterns and engineering judgment. The trip distribution model is shown in Figure 8. The directional distribution for new site trips is:

- 60% to/from the north on NC 87 (River Road)
- 25% to/from the south on NC 211 (North Howe Street)
- 12% to/from the west on NC 211 (North Howe Street)
- 3% to/from the west on Robert Ruark Drive

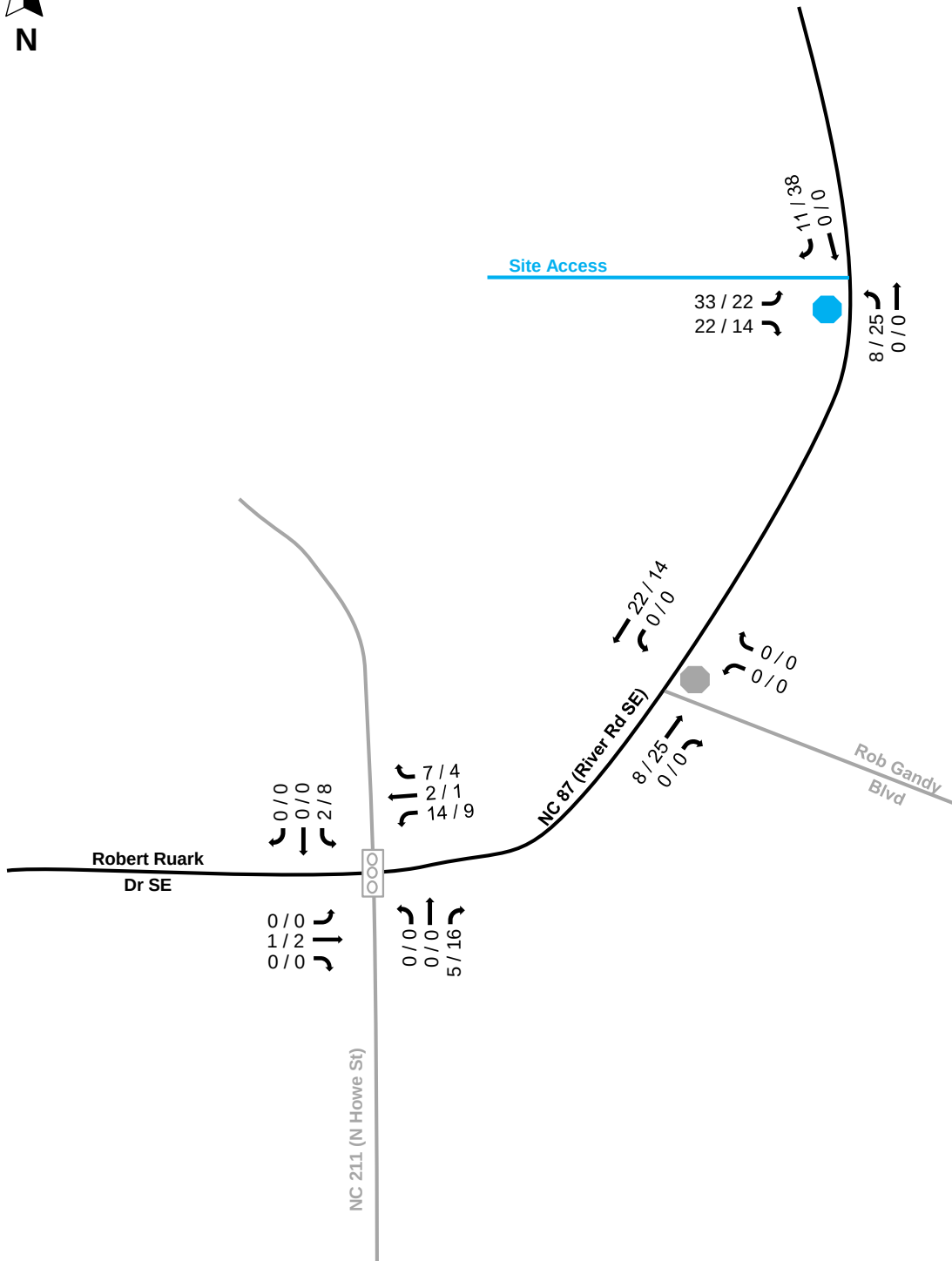
4.5 Future Build Volumes

Site trip volumes were added to the future no build volumes to compute the 2026 Future Build volumes. Site trips are shown in Figure 9 and Future Build volumes are shown in Figure 10.





LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	



*** NOT TO SCALE ***

** A minimum of 4 vehicles per hour is analyzed for each movement per NCDOT Congestion Management Guidelines.

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FIGURE 9 SITE TRIPS

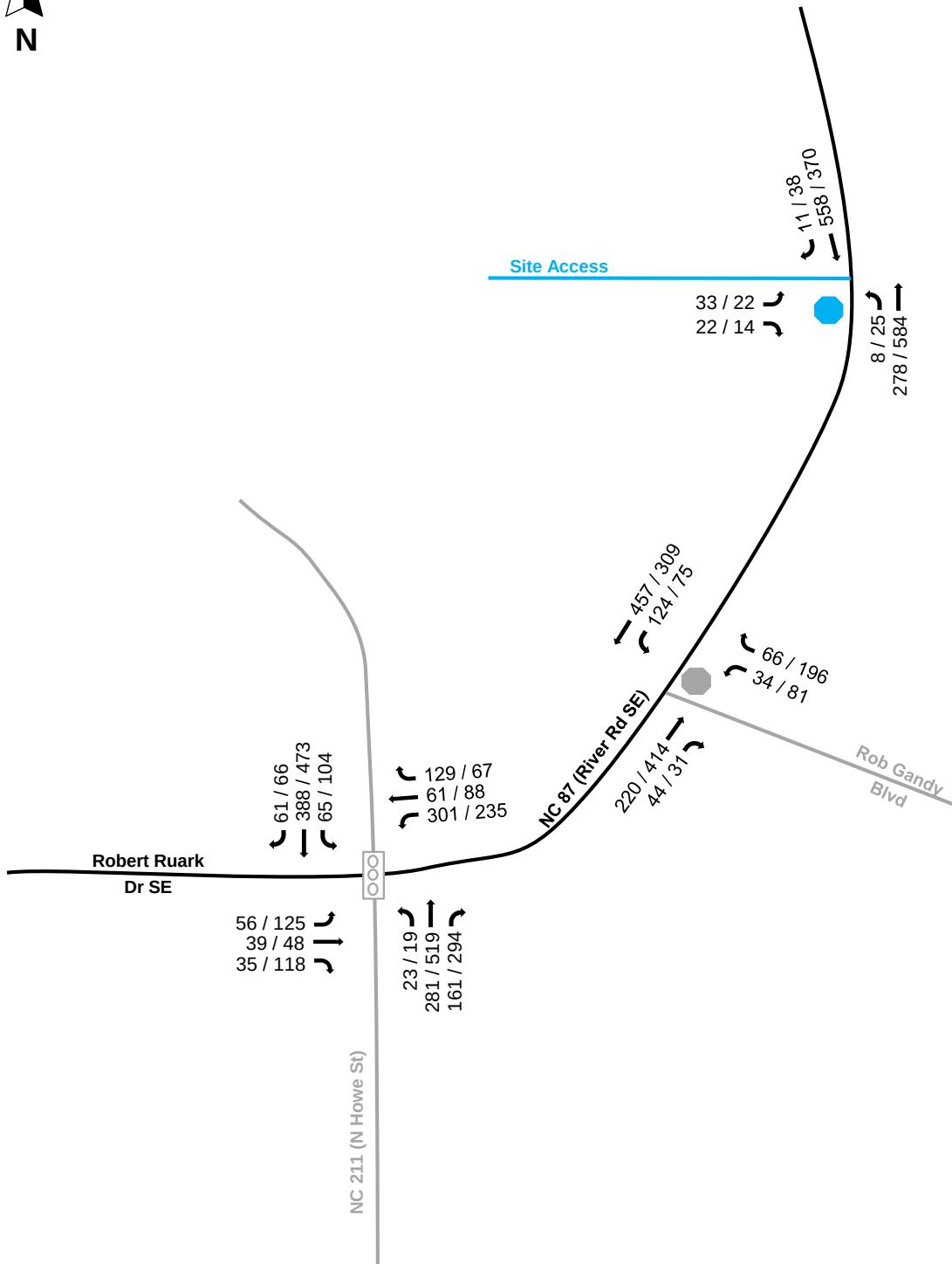
TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222





LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	



*** NOT TO SCALE ***

** A minimum of 4 vehicles per hour is analyzed for each movement per NCDOT Congestion Management Guidelines.

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FIGURE 10 2026 FUTURE BUILD VOLUMES

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



5.0 Capacity Analysis

5.1 Level of Service Evaluation Criteria

The Transportation Research Board's *Highway Capacity Manual* (HCM) utilizes a term "level of service" (LOS) to measure how traffic operates in intersections and on roadway segments. There are six levels of service ranging from A to F as shown in Table 5.1. Level of service "A" represents low-volume traffic operations and level of service "F" represents high-volume, oversaturated traffic operations. Synchro traffic modeling software is used to determine the LOS and delay for study intersections. Synchro analysis worksheet reports are provided in the Appendix.

Table 5.1 – Highway Capacity Manual			
Levels of Service and Control Delay Criteria			
Signalized Intersection		Unsignalized Intersection	
Level of Service	Control Delay Per vehicle (seconds)	Level of Service	Delay Range (seconds)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 80	F	> 50

5.2 Queueing Evaluation

A queueing analysis was performed using Synchro and SimTraffic simulation, based on a minimum 10-minute seeding, a 60-minute recording period, and 10 runs. The maximum SimTraffic queues and 95th-percentile Synchro queues are provided, along with the turn lane lengths. Synchro and SimTraffic queue reports are provided in the Appendix.

5.3 Level of Service and Queueing Results

The results of the capacity and queue analyses are discussed by intersection in the following paragraphs. The LOS, delay, and queue results are summarized in Tables 5.2 and 5.3.

NC 87 (River Road) at Site Access (unsignalized)

Under the future build condition, the intersection is expected to operate at an LOS C during the AM peak hours and PM peak hours. The need for left and right turn lanes was reviewed based on the turn lane warrant nomograph from page 80 of the NCDOT *Policy on Street and Driveway Access to North Carolina Highways*. The turn lane warrant nomograph is provided in the Appendix. The results are marginally below the thresholds for turn lanes being warranted. However, the posted speed limit on NC 87 (River Road) is 45 mph and actual travel speeds are expected to be higher than 45 mph due to the rural location of the roadway. Therefore, to ensure safety of the vehicles turning onto the site access and to provide for long-term transportation needs, the following improvements are recommended:

- Provide a southbound right turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper.
- Provide a northbound left turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper.
- Design site access according to applicable NCDOT standards and with adequate sight distance.

Sight distance requirements are taken from page 29 of the *Policy on Street and Driveway Access to North Carolina Highways*. Based on a design speed of 50 mph (posted speed plus 5), the required sight distance is 500 feet looking left and 550 feet looking right from the site access. The site access should be designed to provide required sight distance, free from obstructions along the lines of sight.

Table 5.2 - LOS and Queueing NC 87 (River Road) at Site Access (unsignalized)						
Scenario	*LOS of Worst Approach	Eastbound	Northbound		Southbound	
AM Peak Hour						
2026 Future Build	C (17.9) EB Approach	LR	L	T	T	R
		C (17.9)	A (8.8)	A (0.0)	A (0.0)	A (0.0)
		C (17.9)	A (0.2)		A (0.0)	
	Available Storage (ft)	FULL	FULL		FULL	
	95th% Queue (ft)	15	0		0	
	Max Queue (ft)	60	37		0	
2026 Future Build with improvement	C (17.7) EB Approach	LR	L	T	T	R
		C (17.7)	A (8.8)	A (0.0)	A (0.0)	A (0.0)
		C (17.7)	A (0.2)		A (0.0)	
	Available Storage (ft)	FULL	100	FULL	FULL	100
	95th% Queue (ft)	15	0	0	0	0
	Max Queue (ft)	60	28	0	0	0

Table 5.2 (Continued) - LOS and Queueing NC 87 (River Road) at Site Access (unsignalized)						
Scenario	*LOS of Worst Approach	Eastbound	Northbound		Southbound	
		PM Peak Hour				
2026 Future Build	C (19.6) EB Approach	LR	L	T	T	R
		C (19.6)	A (8.3)	A (0.0)	A (0.0)	A (0.0)
		C (19.6)	A (0.2)		A (0.0)	
	Available Storage (ft)	FULL	FULL		FULL	
	95th% Queue (ft)	13	3		0	
	Max Queue (ft)	44	92		0	
2026 Future Build with improvement	C (18.8) EB Approach	LR	L	T	T	R
		C (18.8)	A (8.3)	A (0.0)	A (0.0)	A (0.0)
		C (18.8)	A (0.3)		A (0.0)	
	Available Storage (ft)	FULL	100	FULL	FULL	100
	95th% Queue (ft)	13	3	0	0	0
	Max Queue (ft)	44	39	0	0	0

**Represents the LOS and delay for the worst unsignalized approach or the overall signalized intersection.
HCM 95th-percentile queue converted from vehicles to feet; assumes 1 vehicle = 25 feet.*

6.0 Internal Protected Stem

The NCDOT *Policy on Street and Driveway Access to North Carolina Highways*, or the Driveway Manual, states that the length of the internal protected stem (IPS) will be determined from the maximum vehicle storage required as measured from the right-of-way line to the nearest conflict point with a minimum recommendation of 100 feet.

Table 6 summarizes the maximum storage recorded in the analysis as compared to the estimated IPS based on the site plan. Internal protected stem for the site access exceeds 100 feet.

Table 6 – Queue Lengths on Site Driveways					
Site Drive	Estimated IPS (feet)	95 th -ile Queue (feet)		Maximum Queue (feet)	
		AM	PM	AM	PM
EB Site Access Approach	230	15	13	60	44

7.0 Summary and Conclusion

The Turtle Bay at Southport proposed development is located on the west side of NC 87 to the north of Rob Gandy Blvd in Southport, NC. It is planned to consist of 100 single family homes. One (1) full movement access point on NC 87 (River Road) is proposed for this development. The Site Access is located approximately 1,300 feet north of Rob Gandy Boulevard. The expected build-out year for the development is 2026. Information regarding the property was provided by Turtle Bay at Southport, LLC.

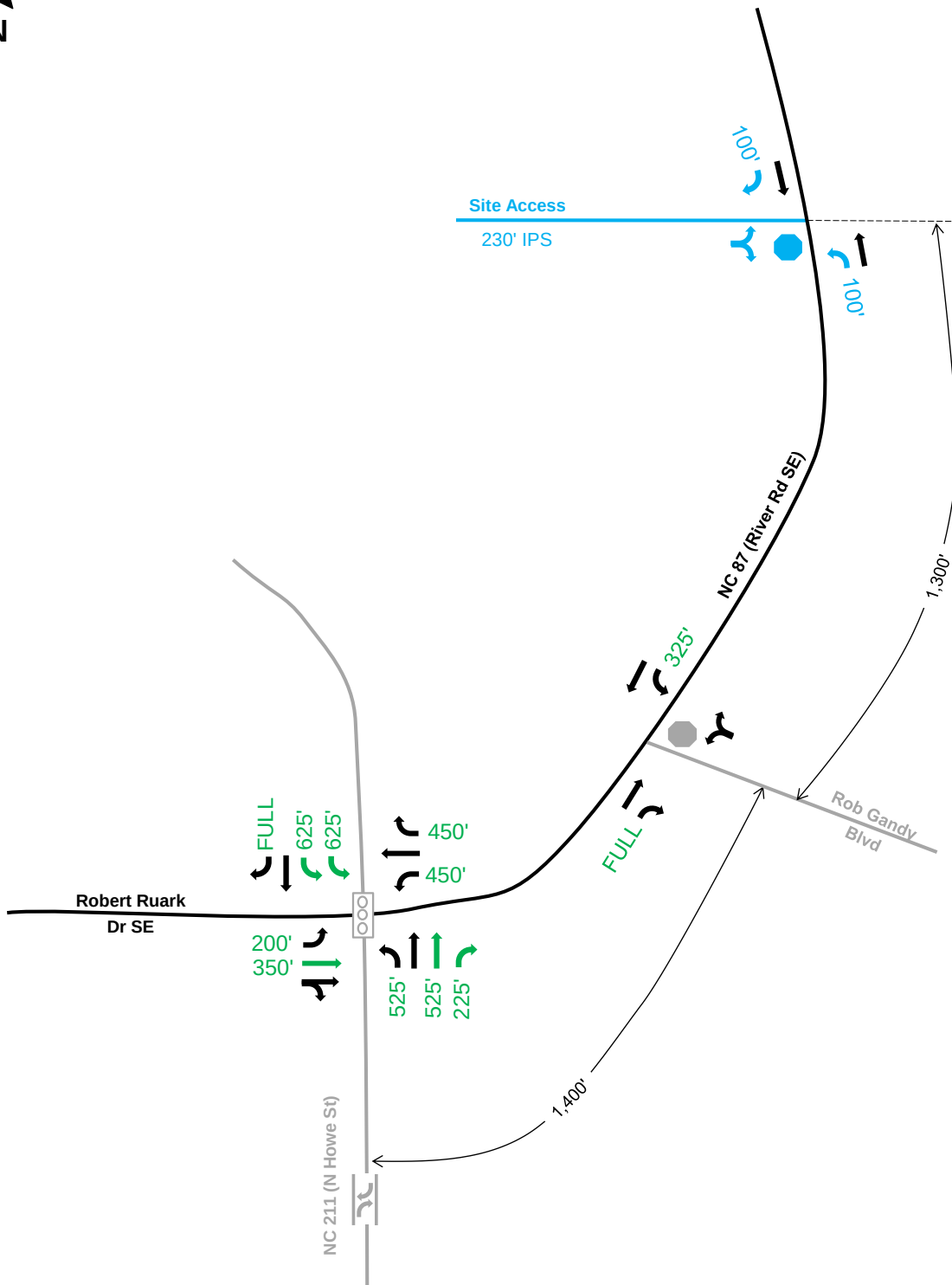
The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with the City of Southport and North Carolina Department of Transportation (NCDOT). This site has a trip generation potential of 1,009 daily trips, 74 trips in the AM peak hour, and 99 trips in the PM peak hour.

In conclusion, this study has determined the potential traffic impacts of this development. At the site access, a northbound left turn lane with 100 feet of storage and appropriate deceleration/taper and southbound right turn lane with 100 feet of storage and appropriate deceleration/taper is recommended. Table 7 summarizes the recommended improvements, which are also reflected in Figure 11. With the recommended improvements in place, the anticipated transportation impacts of the proposed development can be accommodated.

Table 7 – Summary of Recommended Improvements	
INTERSECTION	RECOMMENDATIONS
NC 87 (River Road) at Site Access	- Construct a southbound right turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper. - Construct a northbound left turn lane on NC 87 (River Road) with 100 feet of storage and appropriate deceleration and taper. - Construct the driveway according to applicable NCDOT standards and with adequate sight distance.



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GRAY = UNANALYZED GREEN = COMMITTED BLUE = PROPOSED	
IPS = INTERNAL PROTECTED STEM	



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FIGURE 11 RECOMMENDED IMPROVEMENTS

TURTLE BAY AT SOUTHPORT
SOUTHPORT, NC

PROJECT NUMBER 220222



Appendix

Approved Scoping Documents



October 18, 2023

Transportation Impact Analysis (TIA) Scoping
Turtle Bay at Southport, Southport, NC
DAVENPORT Project Number 220222

Proposed Land Uses: 100 single family homes

Analysis Periods – Weekday AM peak (7:00-9:00 am) and PM peak (4:00-6:00 pm)

Study Intersections:

- NC 87 (River Road) at Site Access

Access Configuration: One (1) full movement access

TIA Analysis Scenarios:

- Future Build Conditions
- Future Build with Improvements (as required)

Build-out Year / Analysis Year: Estimated at 2026

Proposed annual growth rate – 1% (plus approved developments)

Trip Generation – Based on ITE Trip Generation Manual 11th Edition. See attached.

Proposed site trip directional distribution – See attached.

Existing Traffic Counts – Adjust 2022 counts to current year using 1% growth rate.

- NC 87 (River Road) at Rob Gandy Blvd: Collected on 05/10/2022 (unanalyzed intersection)
- NC 211 (North Howe Street) at NC 87 (River Road). Collected on 01/13/2023 (unanalyzed intersection)

Measures of effectiveness for capacity analysis:

- Level of service (LOS) / delay by movement
- Queue lengths (95th % Synchro and max SimTraffic queues)

Additional Scope:

- Turn lane warrant analysis to be performed at site access.

Approved and planned developments:

- 48 Townhomes at Rob Gandy Blvd
- Southport Mixed-Use at Southwest quadrant of NC 87(River Road) and SR 1621 (Doshier Cutoff) consisting of 50,000 sq ft self-storage warehouse, 264 apartments, 4,000 sq. ft. fast-food restaurant with drive-thru and 5,000 sq. ft. super convenience market with gas station.

Committed Improvements:

- R-5021: Widening of NC 211 from SR 1500 to NC 87

Capacity Analysis

Synchro Worksheets

Future Build Conditions

Lanes, Volumes, Timings
100: River Rd SE & Site Access 1

12/19/2023



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	33	22	8	278	558	11
Future Volume (vph)	33	22	8	278	558	11
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.947				0.997	
Flt Protected	0.971			0.999		
Satd. Flow (prot)	1713	0	0	1861	1857	0
Flt Permitted	0.971			0.999		
Satd. Flow (perm)	1713	0	0	1861	1857	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	1120			1790	1211	
Travel Time (s)	30.5			27.1	18.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	37	24	9	309	620	12
Shared Lane Traffic (%)						
Lane Group Flow (vph)	61	0	0	318	632	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 40.0% ICU Level of Service A

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	1.1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	33	22	8	278	558	11
Future Vol, veh/h	33	22	8	278	558	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	37	24	9	309	620	12
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	953	626	632	0	-	0
Stage 1	626	-	-	-	-	-
Stage 2	327	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	287	484	951	-	-	-
Stage 1	533	-	-	-	-	-
Stage 2	731	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	284	484	951	-	-	-
Mov Cap-2 Maneuver	284	-	-	-	-	-
Stage 1	527	-	-	-	-	-
Stage 2	731	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	17.9	0.2		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	951	-	340	-	-	
HCM Lane V/C Ratio	0.009	-	0.18	-	-	
HCM Control Delay (s)	8.8	0	17.9	-	-	
HCM Lane LOS	A	A	C	-	-	
HCM 95th %tile Q(veh)	0	-	0.6	-	-	

Lanes, Volumes, Timings
300: River Rd SE & Rob Gandy Blvd

12/19/2023

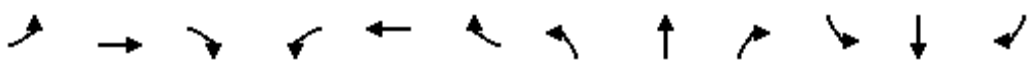
						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	34	66	220	44	124	457
Future Volume (vph)	34	66	220	44	124	457
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	325	
Storage Lanes	1	0		1	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.911			0.850		
Flt Protected	0.983				0.950	
Satd. Flow (prot)	1668	0	1863	1583	1770	1863
Flt Permitted	0.983				0.950	
Satd. Flow (perm)	1668	0	1863	1583	1770	1863
Link Speed (mph)	45		45			45
Link Distance (ft)	1122		1404			1790
Travel Time (s)	17.0		21.3			27.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	38	73	244	49	138	508
Shared Lane Traffic (%)						
Lane Group Flow (vph)	111	0	244	49	138	508
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	36.7%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	2.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	34	66	220	44	124	457
Future Vol, veh/h	34	66	220	44	124	457
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	0	325	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	38	73	244	49	138	508
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	1028	244	0	0	293	0
Stage 1	244	-	-	-	-	-
Stage 2	784	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	259	795	-	-	1269	-
Stage 1	797	-	-	-	-	-
Stage 2	450	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	231	795	-	-	1269	-
Mov Cap-2 Maneuver	231	-	-	-	-	-
Stage 1	797	-	-	-	-	-
Stage 2	401	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	16.1	0		1.7		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	434	1269	-	
HCM Lane V/C Ratio	-	-	0.256	0.109	-	
HCM Control Delay (s)	-	-	16.1	8.2	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1	0.4	-	

Lanes, Volumes, Timings

400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	56	39	35	301	61	129	23	281	161	65	388	61
Future Volume (vph)	56	39	35	301	61	129	23	281	161	65	388	61
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	200		0	450		450	525		375	625		0
Storage Lanes	1		0	1		1	1		2	2		1
Taper Length (ft)	100			100			0			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	0.97	1.00	1.00
Frt		0.929				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1730	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	1730	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			45			35			35	
Link Distance (ft)		868			1404			1137			1047	
Travel Time (s)		16.9			21.3			22.1			20.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	62	43	39	334	68	143	26	312	179	72	431	68
Shared Lane Traffic (%)												
Lane Group Flow (vph)	62	82	0	334	68	143	26	312	179	72	431	68
Turn Type	Prot	NA		Prot	NA	pm+ov	Prot	NA	pm+ov	Prot	NA	pm+ov
Protected Phases	3	8		7	4	5	1	6	7	5	2	3
Permitted Phases						4			6			2
Detector Phase	3	8		7	4	5	1	6	7	5	2	3
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0	7.0	7.0	10.0	7.0	7.0	12.0	7.0
Minimum Split (s)	14.0	14.0		14.0	30.4	14.0	14.0	40.0	14.0	14.0	24.0	14.0
Total Split (s)	15.0	18.0		43.0	46.0	14.0	14.0	55.0	43.0	14.0	55.0	15.0
Total Split (%)	11.5%	13.8%		33.1%	35.4%	10.8%	10.8%	42.3%	33.1%	10.8%	42.3%	11.5%
Maximum Green (s)	8.0	11.0		36.0	39.0	7.0	7.0	48.0	36.0	7.0	48.0	8.0
Yellow Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
All-Red Time (s)	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0
Total Lost Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lead	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	6.0	2.0
Minimum Gap (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	3.0	2.0
Time Before Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.0	0.0
Time To Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0	0.0
Recall Mode	None	None		None	None	None	None	C-Max	None	None	C-Max	None
Walk Time (s)					7.0			7.0			7.0	
Flash Dont Walk (s)					16.4			26.0			10.0	
Pedestrian Calls (#/hr)					0			0			0	
Act Effect Green (s)	9.7	11.9		30.6	35.6	45.6	9.1	58.5	89.1	9.0	64.0	78.7
Actuated g/C Ratio	0.07	0.09		0.24	0.27	0.35	0.07	0.45	0.69	0.07	0.49	0.61
v/c Ratio	0.47	0.52		0.80	0.13	0.26	0.21	0.20	0.17	0.30	0.47	0.07

220222 Turtle Bay
S. Shafique

AM FB

Lanes, Volumes, Timings

400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Control Delay	69.9	67.9		61.3	35.4	21.6	61.5	23.4	4.2	61.1	27.3	14.5
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	69.9	67.9		61.3	35.4	21.6	61.5	23.4	4.2	61.1	27.3	14.5
LOS	E	E		E	D	C	E	C	A	E	C	B
Approach Delay	68.7			47.6			18.7			30.0		
Approach LOS	E			D			B			C		
Queue Length 50th (ft)	51	67		266	44	67	21	83	23	30	259	25
Queue Length 95th (ft)	99	121		353	77	97	52	128	38	56	401	56
Internal Link Dist (ft)	788			1324			1057			967		
Turn Bay Length (ft)	200			450			525			625		
Base Capacity (vph)	136	177		517	587	555	123	1592	1175	237	917	962
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.46	0.46		0.65	0.12	0.26	0.21	0.20	0.15	0.30	0.47	0.07

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 130

Offset: 0 (0%), Referenced to phase 2:SBT and 6:NBT, Start of Green

Natural Cycle: 100

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.80

Intersection Signal Delay: 35.3

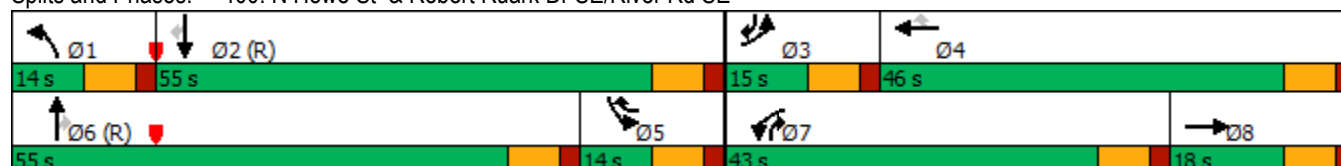
Intersection LOS: D

Intersection Capacity Utilization 59.5%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 400: N Howe St & Robert Ruark Dr SE/River Rd SE



Lanes, Volumes, Timings
100: River Rd SE & Site Access 1

12/19/2023



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	22	14	25	584	370	38
Future Volume (vph)	22	14	25	584	370	38
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.946				0.987	
Flt Protected	0.971			0.998		
Satd. Flow (prot)	1711	0	0	1859	1839	0
Flt Permitted	0.971			0.998		
Satd. Flow (perm)	1711	0	0	1859	1839	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	1120			1786	1211	
Travel Time (s)	30.5			27.1	18.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	24	16	28	649	411	42
Shared Lane Traffic (%)						
Lane Group Flow (vph)	40	0	0	677	453	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 61.0% ICU Level of Service B

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	0.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	22	14	25	584	370	38
Future Vol, veh/h	22	14	25	584	370	38
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	24	16	28	649	411	42
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	1137	432	453	0	-	0
Stage 1	432	-	-	-	-	-
Stage 2	705	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	223	624	1108	-	-	-
Stage 1	655	-	-	-	-	-
Stage 2	490	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	214	624	1108	-	-	-
Mov Cap-2 Maneuver	214	-	-	-	-	-
Stage 1	629	-	-	-	-	-
Stage 2	490	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	19.6	0.3		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1108	-	287	-	-	
HCM Lane V/C Ratio	0.025	-	0.139	-	-	
HCM Control Delay (s)	8.3	0	19.6	-	-	
HCM Lane LOS	A	A	C	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.5	-	-	

Lanes, Volumes, Timings
300: River Rd SE & Rob Gandy Blvd

12/19/2023

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	81	196	414	31	75	309
Future Volume (vph)	81	196	414	31	75	309
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	325	
Storage Lanes	1	0		1	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.904			0.850		
Flt Protected	0.986				0.950	
Satd. Flow (prot)	1660	0	1863	1583	1770	1863
Flt Permitted	0.986				0.950	
Satd. Flow (perm)	1660	0	1863	1583	1770	1863
Link Speed (mph)	45		45			45
Link Distance (ft)	1122		1404			1786
Travel Time (s)	17.0		21.3			27.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	90	218	460	34	83	343
Shared Lane Traffic (%)						
Lane Group Flow (vph)	308	0	460	34	83	343
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	52.5%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	8.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	81	196	414	31	75	309
Future Vol, veh/h	81	196	414	31	75	309
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	0	325	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	90	218	460	34	83	343
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	969	460	0	0	494	0
Stage 1	460	-	-	-	-	-
Stage 2	509	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	281	601	-	-	1070	-
Stage 1	636	-	-	-	-	-
Stage 2	604	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	259	601	-	-	1070	-
Mov Cap-2 Maneuver	259	-	-	-	-	-
Stage 1	636	-	-	-	-	-
Stage 2	557	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	31.1	0		1.7		
HCM LOS	D					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	434	1070	-	
HCM Lane V/C Ratio	-	-	0.709	0.078	-	
HCM Control Delay (s)	-	-	31.1	8.6	-	
HCM Lane LOS	-	-	D	A	-	
HCM 95th %tile Q(veh)	-	-	5.4	0.3	-	

Lanes, Volumes, Timings
400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	125	48	118	235	88	67	19	519	294	104	473	66
Future Volume (vph)	125	48	118	235	88	67	19	519	294	104	473	66
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	200		0	450		450	525		375	625		0
Storage Lanes	1		0	1		1	1		2	2		1
Taper Length (ft)	100			100			0			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	0.97	1.00	1.00
Frt		0.893				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1663	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	1663	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			45			35			35	
Link Distance (ft)		868			1404			1137			1047	
Travel Time (s)		16.9			21.3			22.1			20.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	139	53	131	261	98	74	21	577	327	116	526	73
Shared Lane Traffic (%)												
Lane Group Flow (vph)	139	184	0	261	98	74	21	577	327	116	526	73
Turn Type	Prot	NA		Prot	NA	pm+ov	Prot	NA	pm+ov	Prot	NA	pm+ov
Protected Phases	3	8		7	4	5	1	6	7	5	2	3
Permitted Phases						4			6			2
Detector Phase	3	8		7	4	5	1	6	7	5	2	3
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0	7.0	7.0	10.0	7.0	7.0	12.0	7.0
Minimum Split (s)	14.0	14.0		14.0	30.4	14.0	14.0	40.0	14.0	14.0	24.0	14.0
Total Split (s)	23.0	28.0		33.0	38.0	14.0	14.0	55.0	33.0	14.0	55.0	23.0
Total Split (%)	17.7%	21.5%		25.4%	29.2%	10.8%	10.8%	42.3%	25.4%	10.8%	42.3%	17.7%
Maximum Green (s)	16.0	21.0		26.0	31.0	7.0	7.0	48.0	26.0	7.0	48.0	16.0
Yellow Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
All-Red Time (s)	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0
Total Lost Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lead	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	6.0	2.0
Minimum Gap (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	3.0	2.0
Time Before Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.0	0.0
Time To Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0	0.0
Recall Mode	None	None		None	None	None	None	C-Max	None	None	C-Max	None
Walk Time (s)					7.0			7.0			7.0	
Flash Dont Walk (s)					16.4			26.0			10.0	
Pedestrian Calls (#/hr)					0			0			0	
Act Effect Green (s)	15.5	19.6		24.2	28.4	37.4	9.0	57.2	81.4	9.0	62.8	83.2
Actuated g/C Ratio	0.12	0.15		0.19	0.22	0.29	0.07	0.44	0.63	0.07	0.48	0.64
v/c Ratio	0.66	0.74		0.79	0.24	0.16	0.17	0.37	0.33	0.49	0.59	0.07

220222 Turtle Bay
S. Shafique

PM FB

Lanes, Volumes, Timings

400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Control Delay	69.8	69.7		67.7	42.1	20.2	60.6	26.6	7.4	65.7	31.1	11.7
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	69.8	69.7		67.7	42.1	20.2	60.6	26.6	7.4	65.7	31.1	11.7
LOS	E	E		E	D	C	E	C	A	E	C	B
Approach Delay		69.7			53.8			20.6			34.7	
Approach LOS		E			D			C			C	
Queue Length 50th (ft)	113	148		210	68	32	17	174	71	49	352	25
Queue Length 95th (ft)	182	227		303	115	55	45	238	113	81	517	51
Internal Link Dist (ft)		788			1324			1057			967	
Turn Bay Length (ft)	200			450		450	525		375	625		
Base Capacity (vph)	245	294		381	472	455	122	1556	1036	237	899	1044
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.57	0.63		0.69	0.21	0.16	0.17	0.37	0.32	0.49	0.59	0.07

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 130

Offset: 0 (0%), Referenced to phase 2:SBT and 6:NBT, Start of Green

Natural Cycle: 100

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 37.4

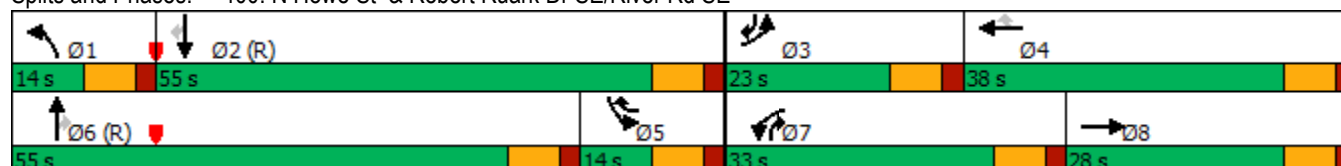
Intersection LOS: D

Intersection Capacity Utilization 70.2%

ICU Level of Service C

Analysis Period (min) 15

Splits and Phases: 400: N Howe St & Robert Ruark Dr SE/River Rd SE



Future Build Conditions with Improvements

Lanes, Volumes, Timings
100: River Rd SE & Site Access 1

12/19/2023

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	33	22	8	278	558	11
Future Volume (vph)	33	22	8	278	558	11
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	100		100			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.947					0.850
Flt Protected	0.971		0.950			
Satd. Flow (prot)	1713	0	1770	1863	1863	1583
Flt Permitted	0.971		0.950			
Satd. Flow (perm)	1713	0	1770	1863	1863	1583
Link Speed (mph)	25			45	45	
Link Distance (ft)	1120			1783	1211	
Travel Time (s)	30.5			27.0	18.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	37	24	9	309	620	12
Shared Lane Traffic (%)						
Lane Group Flow (vph)	61	0	9	309	620	12
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	39.4%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	1.1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	33	22	8	278	558	11
Future Vol, veh/h	33	22	8	278	558	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	37	24	9	309	620	12
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	947	620	632	0	-	0
Stage 1	620	-	-	-	-	-
Stage 2	327	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	290	488	951	-	-	-
Stage 1	536	-	-	-	-	-
Stage 2	731	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	287	488	951	-	-	-
Mov Cap-2 Maneuver	287	-	-	-	-	-
Stage 1	531	-	-	-	-	-
Stage 2	731	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	17.7	0.2		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	951	-	344	-	-	
HCM Lane V/C Ratio	0.009	-	0.178	-	-	
HCM Control Delay (s)	8.8	-	17.7	-	-	
HCM Lane LOS	A	-	C	-	-	
HCM 95th %tile Q(veh)	0	-	0.6	-	-	

Lanes, Volumes, Timings
300: River Rd SE & Rob Gandy Blvd

12/19/2023

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	34	66	220	44	124	457
Future Volume (vph)	34	66	220	44	124	457
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	325	
Storage Lanes	1	0		1	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.911			0.850		
Flt Protected	0.983				0.950	
Satd. Flow (prot)	1668	0	1863	1583	1770	1863
Flt Permitted	0.983				0.950	
Satd. Flow (perm)	1668	0	1863	1583	1770	1863
Link Speed (mph)	45		45			45
Link Distance (ft)	1122		1404			1783
Travel Time (s)	17.0		21.3			27.0
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	38	73	244	49	138	508
Shared Lane Traffic (%)						
Lane Group Flow (vph)	111	0	244	49	138	508
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	36.7%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	2.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	34	66	220	44	124	457
Future Vol, veh/h	34	66	220	44	124	457
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	0	325	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	38	73	244	49	138	508
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	1028	244	0	0	293	0
Stage 1	244	-	-	-	-	-
Stage 2	784	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	259	795	-	-	1269	-
Stage 1	797	-	-	-	-	-
Stage 2	450	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	231	795	-	-	1269	-
Mov Cap-2 Maneuver	231	-	-	-	-	-
Stage 1	797	-	-	-	-	-
Stage 2	401	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	16.1	0	1.7			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	434	1269	-	
HCM Lane V/C Ratio	-	-	0.256	0.109	-	
HCM Control Delay (s)	-	-	16.1	8.2	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1	0.4	-	

Lanes, Volumes, Timings
400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	56	39	35	301	61	129	23	281	161	65	388	61
Future Volume (vph)	56	39	35	301	61	129	23	281	161	65	388	61
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	200		0	450		450	525		375	625		0
Storage Lanes	1		0	1		1	1		2	2		1
Taper Length (ft)	100			100			0			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	0.97	1.00	1.00
Frt		0.929				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1730	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	1730	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			45			35			35	
Link Distance (ft)		868			1404			1137			1047	
Travel Time (s)		16.9			21.3			22.1			20.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	62	43	39	334	68	143	26	312	179	72	431	68
Shared Lane Traffic (%)												
Lane Group Flow (vph)	62	82	0	334	68	143	26	312	179	72	431	68
Turn Type	Prot	NA		Prot	NA	pm+ov	Prot	NA	pm+ov	Prot	NA	pm+ov
Protected Phases	3	8		7	4	5	1	6	7	5	2	3
Permitted Phases						4			6			2
Detector Phase	3	8		7	4	5	1	6	7	5	2	3
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0	7.0	7.0	10.0	7.0	7.0	12.0	7.0
Minimum Split (s)	14.0	14.0		14.0	30.4	14.0	14.0	40.0	14.0	14.0	24.0	14.0
Total Split (s)	15.0	18.0		43.0	46.0	14.0	14.0	55.0	43.0	14.0	55.0	15.0
Total Split (%)	11.5%	13.8%		33.1%	35.4%	10.8%	10.8%	42.3%	33.1%	10.8%	42.3%	11.5%
Maximum Green (s)	8.0	11.0		36.0	39.0	7.0	7.0	48.0	36.0	7.0	48.0	8.0
Yellow Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
All-Red Time (s)	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0
Total Lost Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lead	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	6.0	2.0
Minimum Gap (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	3.0	2.0
Time Before Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.0	0.0
Time To Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0	0.0
Recall Mode	None	None		None	None	None	None	C-Max	None	None	C-Max	None
Walk Time (s)					7.0			7.0			7.0	
Flash Dont Walk (s)					16.4			26.0			10.0	
Pedestrian Calls (#/hr)					0			0			0	
Act Effect Green (s)	9.7	11.9		30.6	35.6	45.6	9.1	58.5	89.1	9.0	64.0	78.7
Actuated g/C Ratio	0.07	0.09		0.24	0.27	0.35	0.07	0.45	0.69	0.07	0.49	0.61
v/c Ratio	0.47	0.52		0.80	0.13	0.26	0.21	0.20	0.17	0.30	0.47	0.07

220222 Turtle Bay
S. Shafique

AM Future Build With Improvement

Lanes, Volumes, Timings

400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Control Delay	69.9	67.9		61.3	35.4	21.6	61.5	23.4	4.2	61.1	27.3	14.5
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	69.9	67.9		61.3	35.4	21.6	61.5	23.4	4.2	61.1	27.3	14.5
LOS	E	E		E	D	C	E	C	A	E	C	B
Approach Delay	68.7			47.6			18.7			30.0		
Approach LOS	E			D			B			C		
Queue Length 50th (ft)	51	67		266	44	67	21	83	23	30	259	25
Queue Length 95th (ft)	99	121		353	77	97	52	128	38	56	401	56
Internal Link Dist (ft)	788			1324			1057			967		
Turn Bay Length (ft)	200			450			525			625		
Base Capacity (vph)	136	177		517	587	555	123	1592	1175	237	917	962
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.46	0.46		0.65	0.12	0.26	0.21	0.20	0.15	0.30	0.47	0.07

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 130

Offset: 0 (0%), Referenced to phase 2:SBT and 6:NBT, Start of Green

Natural Cycle: 100

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.80

Intersection Signal Delay: 35.3

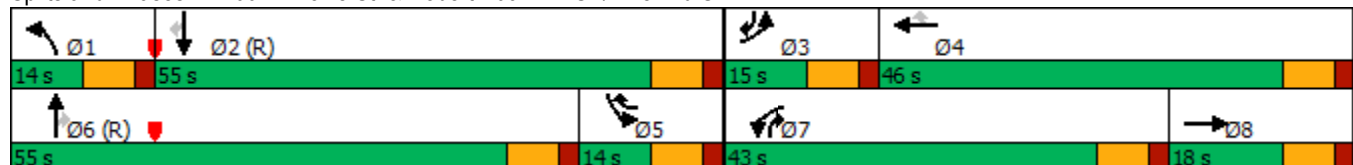
Intersection LOS: D

Intersection Capacity Utilization 59.5%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 400: N Howe St & Robert Ruark Dr SE/River Rd SE



Lanes, Volumes, Timings
100: River Rd SE & Site Access 1

12/19/2023

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	22	14	25	584	370	38
Future Volume (vph)	22	14	25	584	370	38
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	100		100			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.946					0.850
Flt Protected	0.971		0.950			
Satd. Flow (prot)	1711	0	1770	1863	1863	1583
Flt Permitted	0.971		0.950			
Satd. Flow (perm)	1711	0	1770	1863	1863	1583
Link Speed (mph)	25			45	45	
Link Distance (ft)	1120			1777	1211	
Travel Time (s)	30.5			26.9	18.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	24	16	28	649	411	42
Shared Lane Traffic (%)						
Lane Group Flow (vph)	40	0	28	649	411	42
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	40.7%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	0.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	22	14	25	584	370	38
Future Vol, veh/h	22	14	25	584	370	38
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	24	16	28	649	411	42
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	1116	411	453	0	-	0
Stage 1	411	-	-	-	-	-
Stage 2	705	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	230	641	1108	-	-	-
Stage 1	669	-	-	-	-	-
Stage 2	490	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	224	641	1108	-	-	-
Mov Cap-2 Maneuver	224	-	-	-	-	-
Stage 1	652	-	-	-	-	-
Stage 2	490	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	18.8	0.3		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1108	-	300	-	-	
HCM Lane V/C Ratio	0.025	-	0.133	-	-	
HCM Control Delay (s)	8.3	-	18.8	-	-	
HCM Lane LOS	A	-	C	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.5	-	-	

Lanes, Volumes, Timings
300: River Rd SE & Rob Gandy Blvd

12/19/2023

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	81	196	414	31	75	309
Future Volume (vph)	81	196	414	31	75	309
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	325	
Storage Lanes	1	0		1	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.904			0.850		
Flt Protected	0.986				0.950	
Satd. Flow (prot)	1660	0	1863	1583	1770	1863
Flt Permitted	0.986				0.950	
Satd. Flow (perm)	1660	0	1863	1583	1770	1863
Link Speed (mph)	45		45			45
Link Distance (ft)	1122		1404			1777
Travel Time (s)	17.0		21.3			26.9
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	90	218	460	34	83	343
Shared Lane Traffic (%)						
Lane Group Flow (vph)	308	0	460	34	83	343
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	52.5%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection						
Int Delay, s/veh	8.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		↑	↑	Y	↑
Traffic Vol, veh/h	81	196	414	31	75	309
Future Vol, veh/h	81	196	414	31	75	309
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	0	325	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	90	218	460	34	83	343
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	969	460	0	0	494	0
Stage 1	460	-	-	-	-	-
Stage 2	509	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	281	601	-	-	1070	-
Stage 1	636	-	-	-	-	-
Stage 2	604	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	259	601	-	-	1070	-
Mov Cap-2 Maneuver	259	-	-	-	-	-
Stage 1	636	-	-	-	-	-
Stage 2	557	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	31.1	0	1.7			
HCM LOS	D					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	434	1070	-	
HCM Lane V/C Ratio	-	-	0.709	0.078	-	
HCM Control Delay (s)	-	-	31.1	8.6	-	
HCM Lane LOS	-	-	D	A	-	
HCM 95th %tile Q(veh)	-	-	5.4	0.3	-	

Lanes, Volumes, Timings
400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	125	48	118	235	88	67	19	519	294	104	473	66
Future Volume (vph)	125	48	118	235	88	67	19	519	294	104	473	66
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	200		0	450		450	525		375	625		0
Storage Lanes	1		0	1		1	1		2	2		1
Taper Length (ft)	100			100			0			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	0.97	1.00	1.00
Frt		0.893				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1663	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	1663	0	1770	1863	1583	1770	3539	1583	3433	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			45			35			35	
Link Distance (ft)		868			1404			1137			1047	
Travel Time (s)		16.9			21.3			22.1			20.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	139	53	131	261	98	74	21	577	327	116	526	73
Shared Lane Traffic (%)												
Lane Group Flow (vph)	139	184	0	261	98	74	21	577	327	116	526	73
Turn Type	Prot	NA		Prot	NA	pm+ov	Prot	NA	pm+ov	Prot	NA	pm+ov
Protected Phases	3	8		7	4	5	1	6	7	5	2	3
Permitted Phases						4			6			2
Detector Phase	3	8		7	4	5	1	6	7	5	2	3
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0	7.0	7.0	10.0	7.0	7.0	12.0	7.0
Minimum Split (s)	14.0	14.0		14.0	30.4	14.0	14.0	40.0	14.0	14.0	24.0	14.0
Total Split (s)	23.0	28.0		33.0	38.0	14.0	14.0	55.0	33.0	14.0	55.0	23.0
Total Split (%)	17.7%	21.5%		25.4%	29.2%	10.8%	10.8%	42.3%	25.4%	10.8%	42.3%	17.7%
Maximum Green (s)	16.0	21.0		26.0	31.0	7.0	7.0	48.0	26.0	7.0	48.0	16.0
Yellow Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
All-Red Time (s)	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0	-2.0
Total Lost Time (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lead	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	6.0	2.0
Minimum Gap (s)	2.0	2.0		2.0	2.0	2.0	2.0	3.0	2.0	2.0	3.0	2.0
Time Before Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.0	0.0
Time To Reduce (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0	0.0
Recall Mode	None	None		None	None	None	None	C-Max	None	None	C-Max	None
Walk Time (s)					7.0			7.0			7.0	
Flash Dont Walk (s)					16.4			26.0			10.0	
Pedestrian Calls (#/hr)					0			0			0	
Act Effect Green (s)	15.5	19.6		24.2	28.4	37.4	9.0	57.2	81.4	9.0	62.8	83.2
Actuated g/C Ratio	0.12	0.15		0.19	0.22	0.29	0.07	0.44	0.63	0.07	0.48	0.64
v/c Ratio	0.66	0.74		0.79	0.24	0.16	0.17	0.37	0.33	0.49	0.59	0.07

220222 Turtle Bay
S. Shafique

PM Future Build with Improvement

Lanes, Volumes, Timings

400: N Howe St & Robert Ruark Dr SE/River Rd SE

12/19/2023

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Control Delay	69.8	69.7		67.7	42.1	20.2	60.6	26.6	7.4	65.7	31.1	11.7
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	69.8	69.7		67.7	42.1	20.2	60.6	26.6	7.4	65.7	31.1	11.7
LOS	E	E		E	D	C	E	C	A	E	C	B
Approach Delay		69.7			53.8			20.6			34.7	
Approach LOS		E			D			C			C	
Queue Length 50th (ft)	113	148		210	68	32	17	174	71	49	352	25
Queue Length 95th (ft)	182	227		303	115	55	45	238	113	81	517	51
Internal Link Dist (ft)		788			1324			1057			967	
Turn Bay Length (ft)	200			450		450	525		375	625		
Base Capacity (vph)	245	294		381	472	455	122	1556	1036	237	899	1044
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.57	0.63		0.69	0.21	0.16	0.17	0.37	0.32	0.49	0.59	0.07

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 130

Offset: 0 (0%), Referenced to phase 2:SBT and 6:NBT, Start of Green

Natural Cycle: 100

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 37.4

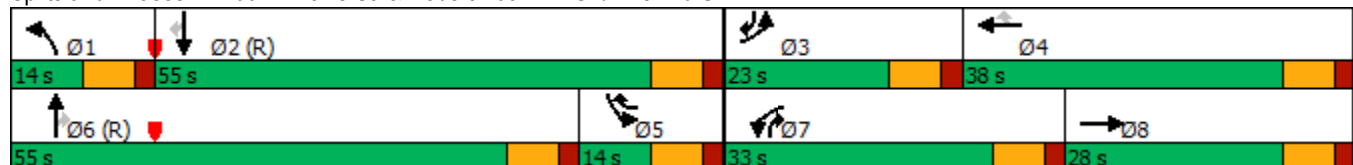
Intersection LOS: D

Intersection Capacity Utilization 70.2%

ICU Level of Service C

Analysis Period (min) 15

Splits and Phases: 400: N Howe St & Robert Ruark Dr SE/River Rd SE



Queueing Analysis

SimTraffic Worksheets

Queuing and Blocking Report
AM FB

12/19/2023

Intersection: 100: River Rd SE & Site Access 1

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	60	37
Average Queue (ft)	25	5
95th Queue (ft)	50	25
Link Distance (ft)	1080	1733
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 300: River Rd SE & Rob Gandy Blvd

Movement	WB	SB
Directions Served	LR	L
Maximum Queue (ft)	81	64
Average Queue (ft)	34	19
95th Queue (ft)	61	50
Link Distance (ft)	1079	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		325
Storage Blk Time (%)		
Queuing Penalty (veh)		

Queuing and Blocking Report

AM FB

12/19/2023

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	EB	EB	WB	WB	WB	NB	NB	NB	NB	SB	SB	SB
Directions Served	L	TR	L	T	R	L	T	T	R	L	L	T
Maximum Queue (ft)	119	134	354	104	194	67	183	165	100	97	60	306
Average Queue (ft)	43	51	217	43	78	23	96	40	33	37	16	151
95th Queue (ft)	92	107	331	90	149	58	164	120	76	78	45	264
Link Distance (ft)		814		1327			1096					994
Upstream Blk Time (%)												
Queuing Penalty (veh)												
Storage Bay Dist (ft)	200		450		450	525		375	375	625	625	
Storage Blk Time (%)	0											
Queuing Penalty (veh)	0											

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	SB
Directions Served	R
Maximum Queue (ft)	89
Average Queue (ft)	17
95th Queue (ft)	54
Link Distance (ft)	994
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Network Summary

Network wide Queuing Penalty: 0

Intersection: 100: River Rd SE & Site Access 1

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	44	92
Average Queue (ft)	20	12
95th Queue (ft)	45	51
Link Distance (ft)	1080	1726
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 300: River Rd SE & Rob Gandy Blvd

Movement	WB	SB
Directions Served	LR	L
Maximum Queue (ft)	188	56
Average Queue (ft)	79	20
95th Queue (ft)	147	46
Link Distance (ft)	1077	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		325
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	EB	EB	WB	WB	WB	NB	NB	NB	NB	SB	SB	SB
Directions Served	L	TR	L	T	R	L	T	T	R	L	L	T
Maximum Queue (ft)	189	247	331	152	114	71	251	234	178	140	104	403
Average Queue (ft)	91	126	187	62	41	19	159	117	75	68	21	198
95th Queue (ft)	162	214	295	120	87	53	234	217	142	121	62	337
Link Distance (ft)		814		1327			1096					994
Upstream Blk Time (%)												
Queuing Penalty (veh)												
Storage Bay Dist (ft)	200		450		450	525		375	375	625	625	
Storage Blk Time (%)	0	1										0
Queuing Penalty (veh)	1	2										0

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	SB
Directions Served	R
Maximum Queue (ft)	76
Average Queue (ft)	15
95th Queue (ft)	48
Link Distance (ft)	994
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Network Summary

Network wide Queuing Penalty: 2

Queuing and Blocking Report
AM Future Build With Improvement

12/19/2023

Intersection: 100: River Rd SE & Site Access 1

Movement	EB	NB
Directions Served	LR	L
Maximum Queue (ft)	60	28
Average Queue (ft)	25	4
95th Queue (ft)	50	20
Link Distance (ft)	1068	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		100
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 300: River Rd SE & Rob Gandy Blvd

Movement	WB	SB
Directions Served	LR	L
Maximum Queue (ft)	81	64
Average Queue (ft)	34	20
95th Queue (ft)	59	50
Link Distance (ft)	1077	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		325
Storage Blk Time (%)		
Queuing Penalty (veh)		

Queuing and Blocking Report
AM Future Build With Improvement

12/19/2023

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	EB	EB	WB	WB	WB	NB	NB	NB	NB	SB	SB	SB
Directions Served	L	TR	L	T	R	L	T	T	R	L	L	T
Maximum Queue (ft)	119	136	359	104	187	67	185	165	102	97	60	299
Average Queue (ft)	43	51	218	43	78	24	95	40	33	37	16	149
95th Queue (ft)	92	108	332	89	149	58	164	120	76	78	46	262
Link Distance (ft)		814		1327			1096					994
Upstream Blk Time (%)												
Queuing Penalty (veh)												
Storage Bay Dist (ft)	200		450		450	525		375	375	625	625	
Storage Blk Time (%)	0											
Queuing Penalty (veh)	0											

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	SB
Directions Served	R
Maximum Queue (ft)	91
Average Queue (ft)	17
95th Queue (ft)	55
Link Distance (ft)	994
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Network Summary

Network wide Queuing Penalty: 0

Intersection: 100: River Rd SE & Site Access 1

Movement	EB	NB
Directions Served	LR	L
Maximum Queue (ft)	44	39
Average Queue (ft)	19	8
95th Queue (ft)	43	30
Link Distance (ft)	1068	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		100
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 300: River Rd SE & Rob Gandy Blvd

Movement	WB	NB	SB
Directions Served	LR	T	L
Maximum Queue (ft)	178	2	59
Average Queue (ft)	76	0	20
95th Queue (ft)	139	2	48
Link Distance (ft)	1078	1327	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			325
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report
PM Future Build with Improvement

12/19/2023

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	EB	EB	WB	WB	WB	NB	NB	NB	NB	SB	SB	SB
Directions Served	L	TR	L	T	R	L	T	T	R	L	L	T
Maximum Queue (ft)	191	244	324	152	114	71	252	230	172	147	104	398
Average Queue (ft)	92	123	186	61	41	18	161	118	74	70	23	198
95th Queue (ft)	166	212	288	119	88	51	235	217	139	127	69	338
Link Distance (ft)		814		1327			1096					994
Upstream Blk Time (%)												
Queuing Penalty (veh)												
Storage Bay Dist (ft)	200		450		450	525		375	375	625	625	
Storage Blk Time (%)	1	2										0
Queuing Penalty (veh)	1	2										0

Intersection: 400: N Howe St & Robert Ruark Dr SE/River Rd SE

Movement	SB
Directions Served	R
Maximum Queue (ft)	70
Average Queue (ft)	15
95th Queue (ft)	47
Link Distance (ft)	994
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Network Summary

Network wide Queuing Penalty: 3

Turning Movement Counts



TRAFFIC DATA COLLECTION

File Name : South Port-South Port(NC 87 and Rob Gandy)
 Site Code :
 Start Date : 5/10/2022
 Page No : 1

Groups Printed- Cars + - Trucks

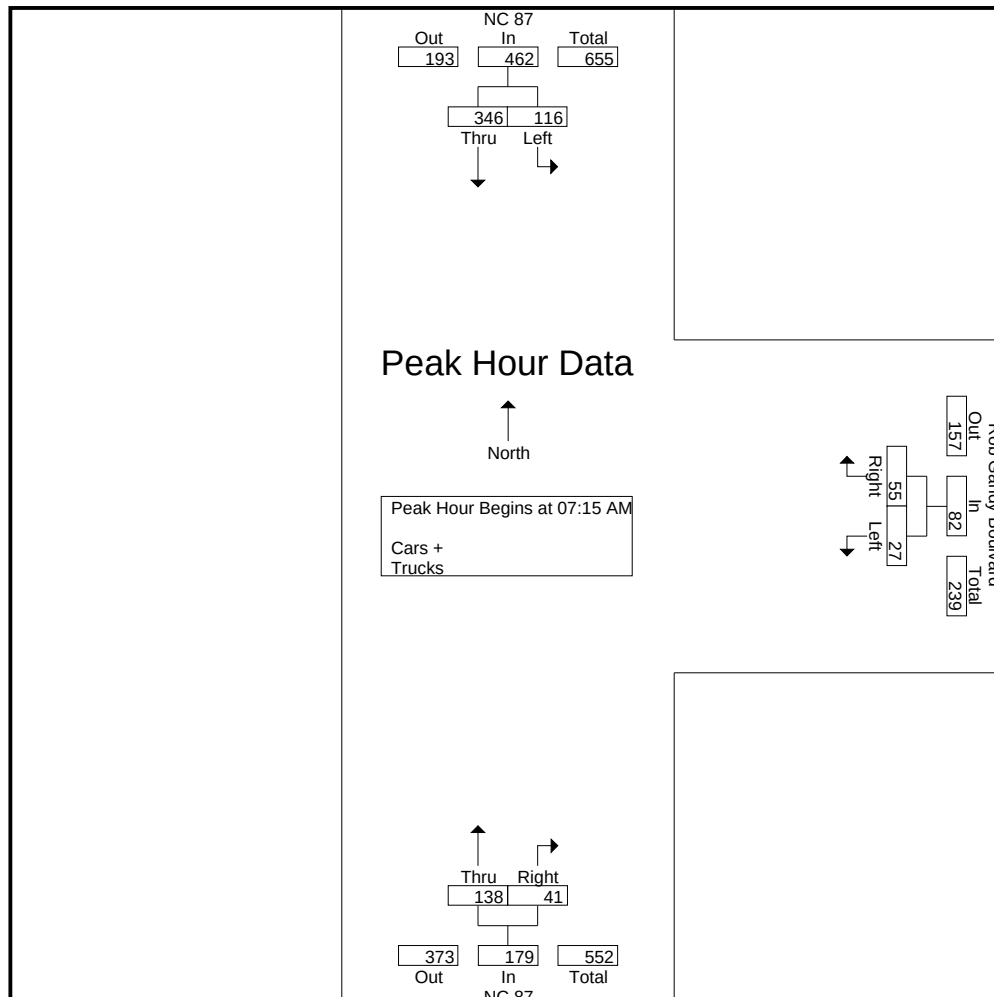
Start Time	NC 87 Southbound			Rob Gandy Boulevard Westbound			NC 87 Northbound			Int. Total
	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	
07:00 AM	54	29	83	12	1	13	11	45	56	152
07:15 AM	78	32	110	17	7	24	15	43	58	192
07:30 AM	91	34	125	15	5	20	11	28	39	184
07:45 AM	101	29	130	13	4	17	10	37	47	194
Total	324	124	448	57	17	74	47	153	200	722
08:00 AM	76	21	97	10	11	21	5	30	35	153
08:15 AM	75	32	107	14	7	21	9	49	58	186
08:30 AM	55	34	89	10	6	16	10	39	49	154
08:45 AM	77	27	104	14	9	23	11	41	52	179
Total	283	114	397	48	33	81	35	159	194	672
Grand Total	607	238	845	105	50	155	82	312	394	1394
Apprch %	71.8	28.2		67.7	32.3		20.8	79.2		
Total %	43.5	17.1	60.6	7.5	3.6	11.1	5.9	22.4	28.3	
Cars +	583	219	802	93	43	136	72	294	366	1304
% Cars +	96	92	94.9	88.6	86	87.7	87.8	94.2	92.9	93.5
Trucks	24	19	43	12	7	19	10	18	28	90
% Trucks	4	8	5.1	11.4	14	12.3	12.2	5.8	7.1	6.5



TRAFFIC DATA COLLECTION

File Name : South Port-South Port(NC 87 and Rob Gandy)
 Site Code :
 Start Date : 5/10/2022
 Page No : 2

	NC 87 Southbound			Rob Gandy Boulevard Westbound			NC 87 Northbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 07:15 AM										
07:15 AM	78	32	110	17	7	24	15	43	58	192
07:30 AM	91	34	125	15	5	20	11	28	39	184
07:45 AM	101	29	130	13	4	17	10	37	47	194
08:00 AM	76	21	97	10	11	21	5	30	35	153
Total Volume	346	116	462	55	27	82	41	138	179	723
% App. Total	74.9	25.1		67.1	32.9		22.9	77.1		
PHF	.856	.853	.888	.809	.614	.854	.683	.802	.772	.932





TRAFFIC DATA COLLECTION

File Name : South Port-South Port(NC 87 and Rob Gandy)
 Site Code :
 Start Date : 5/10/2022
 Page No : 1

Groups Printed- Cars + - Trucks

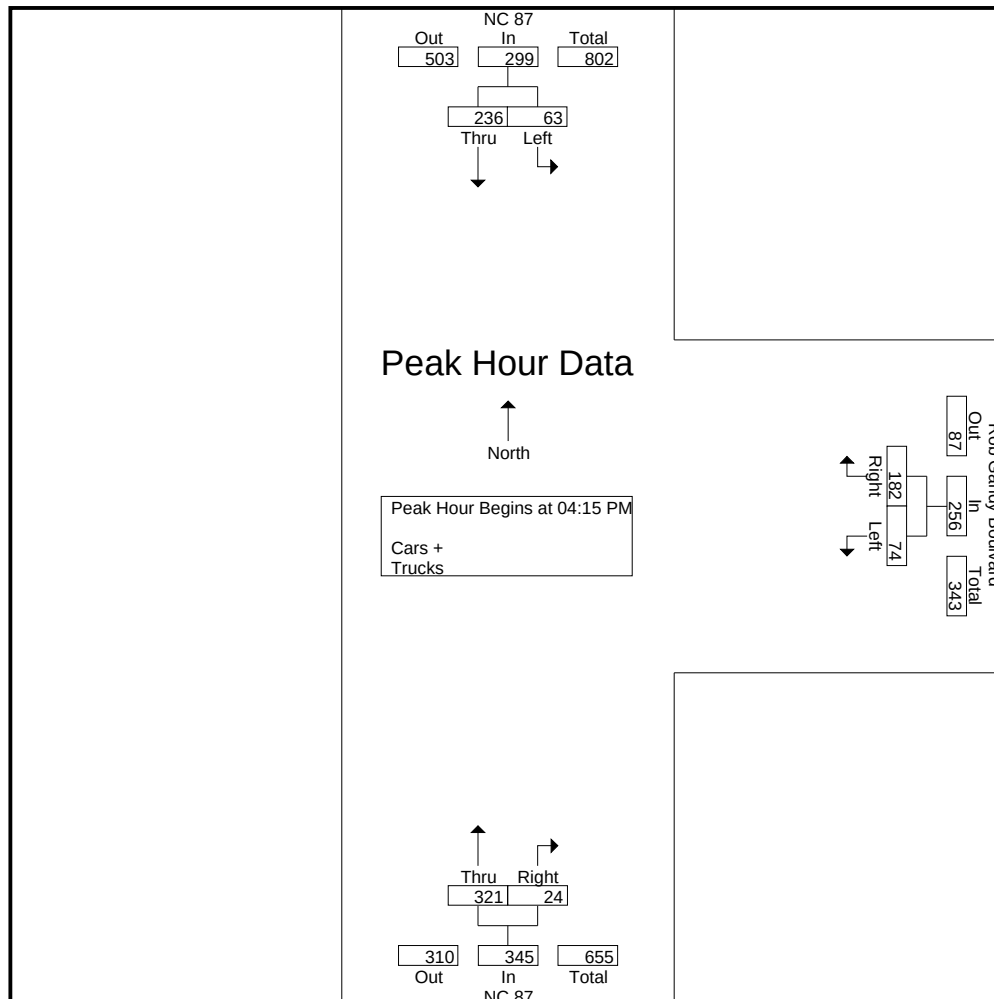
Start Time	NC 87 Southbound			Rob Gandy Boulevard Westbound			NC 87 Northbound			Int. Total
	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	
04:00 PM	53	10	63	51	11	62	10	90	100	225
04:15 PM	54	17	71	19	11	30	14	86	100	201
04:30 PM	61	9	70	76	25	101	3	70	73	244
04:45 PM	65	19	84	31	9	40	3	76	79	203
Total	233	55	288	177	56	233	30	322	352	873
05:00 PM	56	18	74	56	29	85	4	89	93	252
05:15 PM	52	7	59	31	12	43	3	89	92	194
05:30 PM	53	12	65	44	14	58	4	73	77	200
05:45 PM	52	9	61	27	14	41	4	55	59	161
Total	213	46	259	158	69	227	15	306	321	807
Grand Total	446	101	547	335	125	460	45	628	673	1680
Apprch %	81.5	18.5		72.8	27.2		6.7	93.3		
Total %	26.5	6	32.6	19.9	7.4	27.4	2.7	37.4	40.1	
Cars +	442	97	539	327	121	448	42	608	650	1637
% Cars +	99.1	96	98.5	97.6	96.8	97.4	93.3	96.8	96.6	97.4
Trucks	4	4	8	8	4	12	3	20	23	43
% Trucks	0.9	4	1.5	2.4	3.2	2.6	6.7	3.2	3.4	2.6



TRAFFIC DATA COLLECTION

File Name : South Port-South Port(NC 87 and Rob Gandy)
 Site Code :
 Start Date : 5/10/2022
 Page No : 2

	NC 87 Southbound			Rob Gandy Boulevard Westbound			NC 87 Northbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 04:15 PM										
04:15 PM	54	17	71	19	11	30	14	86	100	201
04:30 PM	61	9	70	76	25	101	3	70	73	244
04:45 PM	65	19	84	31	9	40	3	76	79	203
05:00 PM	56	18	74	56	29	85	4	89	93	252
Total Volume	236	63	299	182	74	256	24	321	345	900
% App. Total	78.9	21.1		71.1	28.9		7	93		
PHF	.908	.829	.890	.599	.638	.634	.429	.902	.863	.893





TRAFFIC DATA COLLECTION

File Name : Southport(NC 211 and NC 87
 Site Code :
 Start Date : 1/13/2022
 Page No : 1

Groups Printed- Cars + - Trucks

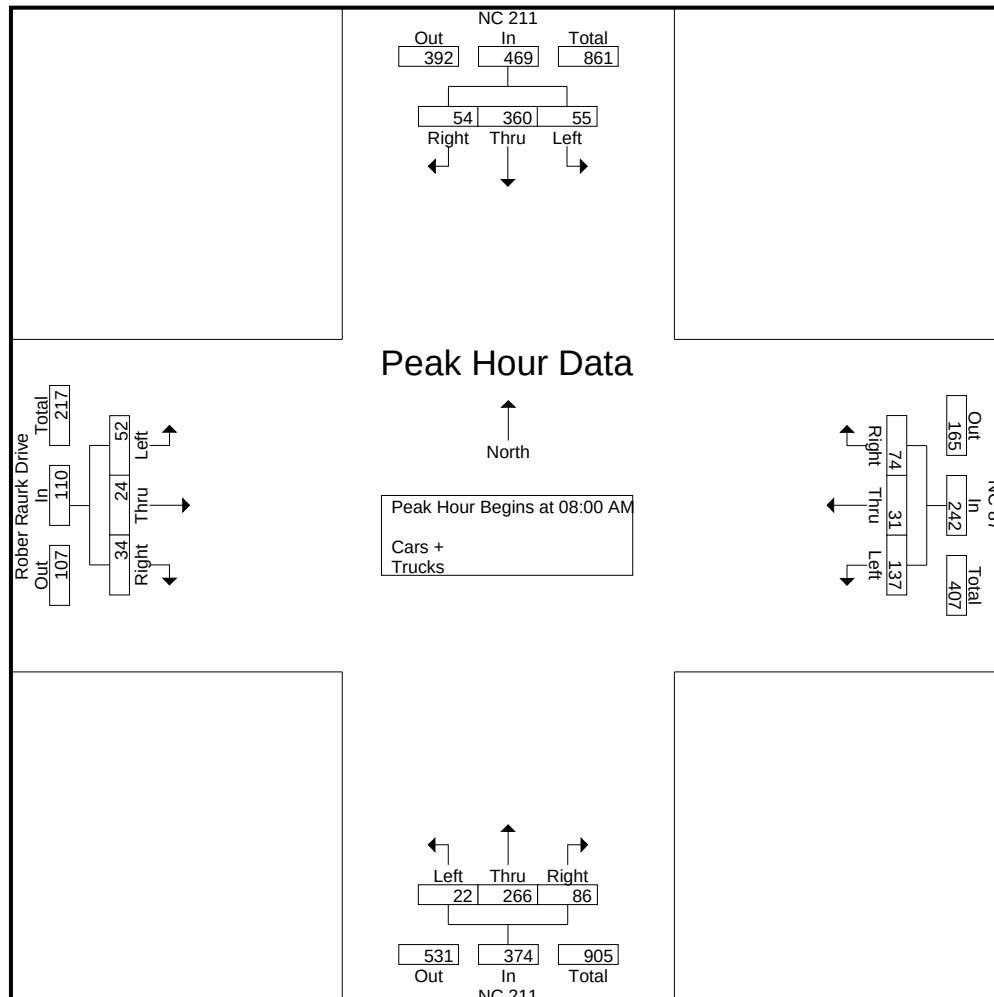
	NC 211 Southbound				NC 87 Westbound				NC 211 Northbound				Rober Raurk Drive Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
07:00 AM	5	43	22	70	15	2	23	40	11	35	1	47	6	3	11	20	177
07:15 AM	5	63	16	84	18	4	23	45	20	37	4	61	5	6	6	17	207
07:30 AM	5	75	16	96	13	5	31	49	14	49	3	66	3	5	18	26	237
07:45 AM	15	86	16	117	18	6	42	66	16	49	1	66	8	7	11	26	275
Total	30	267	70	367	64	17	119	200	61	170	9	240	22	21	46	89	896
08:00 AM	11	77	13	101	17	5	42	64	16	63	11	90	7	4	15	26	281
08:15 AM	15	95	15	125	17	6	26	49	21	58	4	83	9	8	12	29	286
08:30 AM	15	80	16	111	24	11	27	62	21	74	4	99	11	6	9	26	298
08:45 AM	13	108	11	132	16	9	42	67	28	71	3	102	7	6	16	29	330
Total	54	360	55	469	74	31	137	242	86	266	22	374	34	24	52	110	1195
Grand Total	84	627	125	836	138	48	256	442	147	436	31	614	56	45	98	199	2091
Apprch %	10	75	15		31.2	10.9	57.9		23.9	71	5		28.1	22.6	49.2		
Total %	4	30	6	40	6.6	2.3	12.2	21.1	7	20.9	1.5	29.4	2.7	2.2	4.7	9.5	
Cars +	84	623	118	825	132	48	249	429	147	428	30	605	56	45	97	198	2057
% Cars +	100	99.4	94.4	98.7	95.7	100	97.3	97.1	100	98.2	96.8	98.5	100	100	99	99.5	98.4
Trucks	0	4	7	11	6	0	7	13	0	8	1	9	0	0	1	1	34
% Trucks	0	0.6	5.6	1.3	4.3	0	2.7	2.9	0	1.8	3.2	1.5	0	0	1	0.5	1.6



TRAFFIC DATA COLLECTION

File Name : Southport(NC 211 and NC 87)
 Site Code :
 Start Date : 1/13/2022
 Page No : 2

	NC 211 Southbound				NC 87 Westbound				NC 211 Northbound				Rober Raurk Drive Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	11	77	13	101	17	5	42	64	16	63	11	90	7	4	15	26	281
08:15 AM	15	95	15	125	17	6	26	49	21	58	4	83	9	8	12	29	286
08:30 AM	15	80	16	111	24	11	27	62	21	74	4	99	11	6	9	26	298
08:45 AM	13	108	11	132	16	9	42	67	28	71	3	102	7	6	16	29	330
Total Volume	54	360	55	469	74	31	137	242	86	266	22	374	34	24	52	110	1195
% App. Total	11.5	76.8	11.7		30.6	12.8	56.6		23	71.1	5.9		30.9	21.8	47.3		
PHF	.900	.833	.859	.888	.771	.705	.815	.903	.768	.899	.500	.917	.773	.750	.813	.948	.905





TRAFFIC DATA COLLECTION

File Name : Southport(NC 211 and NC 87
 Site Code :
 Start Date : 1/13/2022
 Page No : 1

Groups Printed- Cars + - Trucks

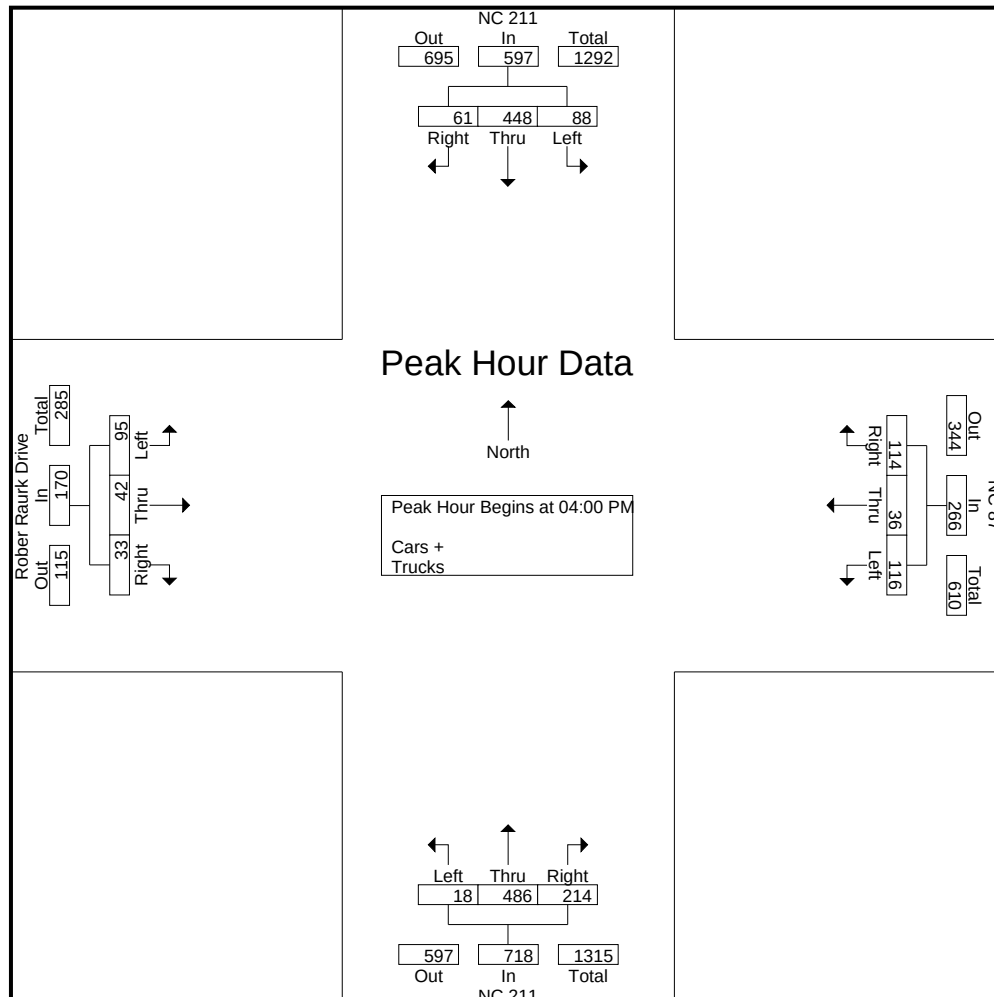
	NC 211 Southbound				NC 87 Westbound				NC 211 Northbound				Rober Raurk Drive Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
04:00 PM	20	110	22	152	36	11	33	80	64	126	3	193	8	14	26	48	473
04:15 PM	7	104	21	132	24	11	39	74	56	133	5	194	8	8	24	40	440
04:30 PM	17	112	21	150	32	10	22	64	61	118	2	181	7	8	26	41	436
04:45 PM	17	122	24	163	22	4	22	48	33	109	8	150	10	12	19	41	402
Total	61	448	88	597	114	36	116	266	214	486	18	718	33	42	95	170	1751
05:00 PM	15	102	20	137	27	16	35	78	52	99	10	161	14	10	31	55	431
05:15 PM	14	139	22	175	25	5	31	61	32	139	12	183	15	12	26	53	472
05:30 PM	17	87	12	116	30	5	19	54	54	120	5	179	11	9	24	44	393
05:45 PM	18	111	27	156	24	1	18	43	24	73	8	105	2	10	23	35	339
Total	64	439	81	584	106	27	103	236	162	431	35	628	42	41	104	187	1635
Grand Total	125	887	169	1181	220	63	219	502	376	917	53	1346	75	83	199	357	3386
Apprch %	10.6	75.1	14.3		43.8	12.5	43.6		27.9	68.1	3.9		21	23.2	55.7		
Total %	3.7	26.2	5	34.9	6.5	1.9	6.5	14.8	11.1	27.1	1.6	39.8	2.2	2.5	5.9	10.5	
Cars +	125	886	167	1178	219	63	219	501	376	917	53	1346	75	83	198	356	3381
% Cars +	100	99.9	98.8	99.7	99.5	100	100	99.8	100	100	100	100	100	100	99.5	99.7	99.9
Trucks	0	1	2	3	1	0	0	1	0	0	0	0	0	0	1	1	5
% Trucks	0	0.1	1.2	0.3	0.5	0	0	0.2	0	0	0	0	0	0	0.5	0.3	0.1



TRAFFIC DATA COLLECTION

File Name : Southport(NC 211 and NC 87)
 Site Code :
 Start Date : 1/13/2022
 Page No : 2

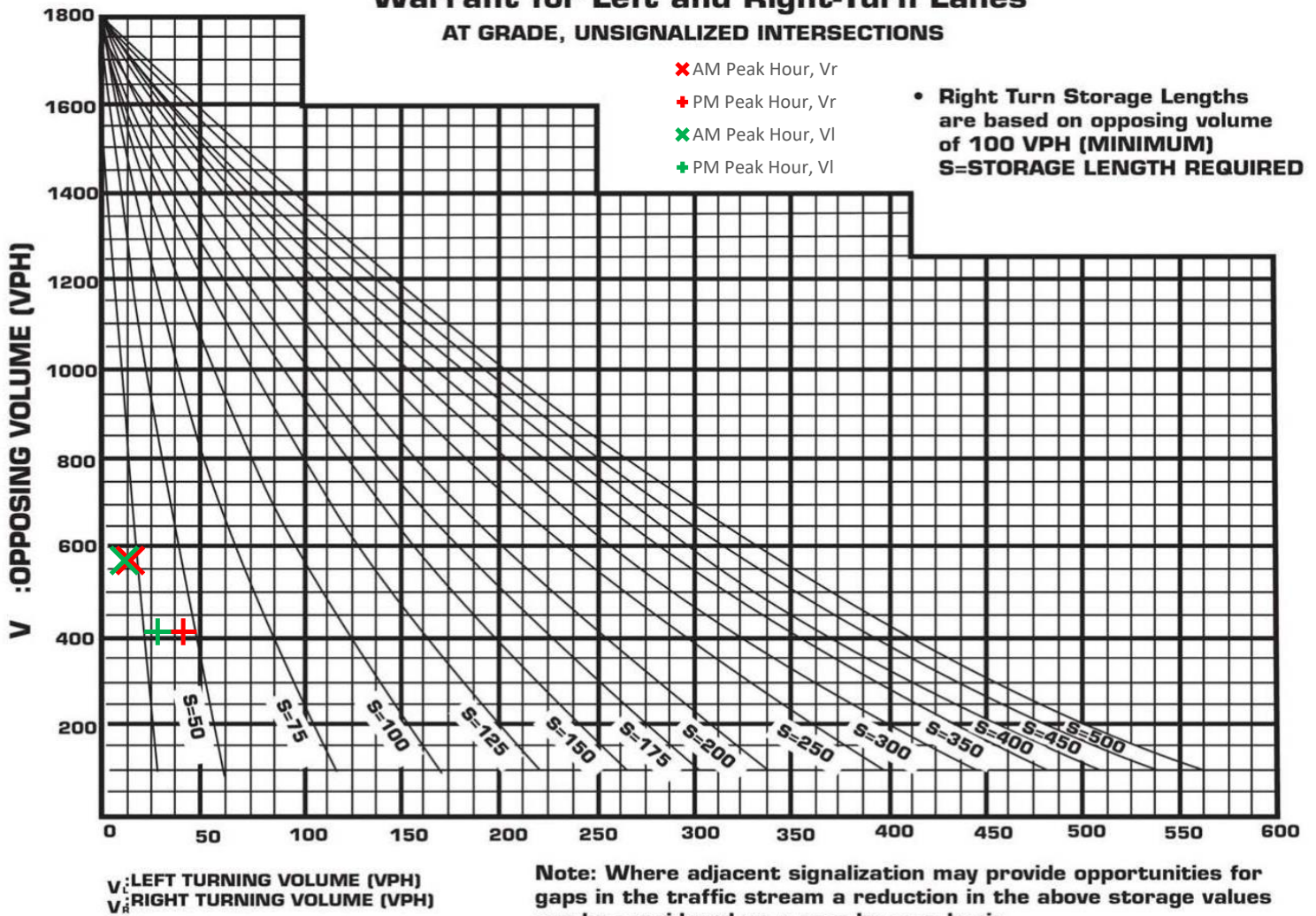
	NC 211 Southbound				NC 87 Westbound				NC 211 Northbound				Rober Raurk Drive Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:00 PM																	
04:00 PM	20	110	22	152	36	11	33	80	64	126	3	193	8	14	26	48	473
04:15 PM	7	104	21	132	24	11	39	74	56	133	5	194	8	8	24	40	440
04:30 PM	17	112	21	150	32	10	22	64	61	118	2	181	7	8	26	41	436
04:45 PM	17	122	24	163	22	4	22	48	33	109	8	150	10	12	19	41	402
Total Volume	61	448	88	597	114	36	116	266	214	486	18	718	33	42	95	170	1751
% App. Total	10.2	75	14.7		42.9	13.5	43.6		29.8	67.7	2.5		19.4	24.7	55.9		
PHF	.763	.918	.917	.916	.792	.818	.744	.831	.836	.914	.563	.925	.825	.750	.913	.885	.925



Supporting Documentation

Peak Hour	Volumes		Peak Hour	Volumes	
	Opposing	Lefts		Opposing	Rights
AM	569	8	AM	569	11
PM	408	25	PM	408	38

Warrant for Left and Right-Turn Lanes AT GRADE, UNSIGNALIZED INTERSECTIONS



TURN LANE WARRANT SUMMARY

SITE ACCESS AT NC 87

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

210



LAND USE GROUP:

(200-299) Residential

LAND USE :

210 - Single-Family Detached Housing

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday

TRIP TYPE:

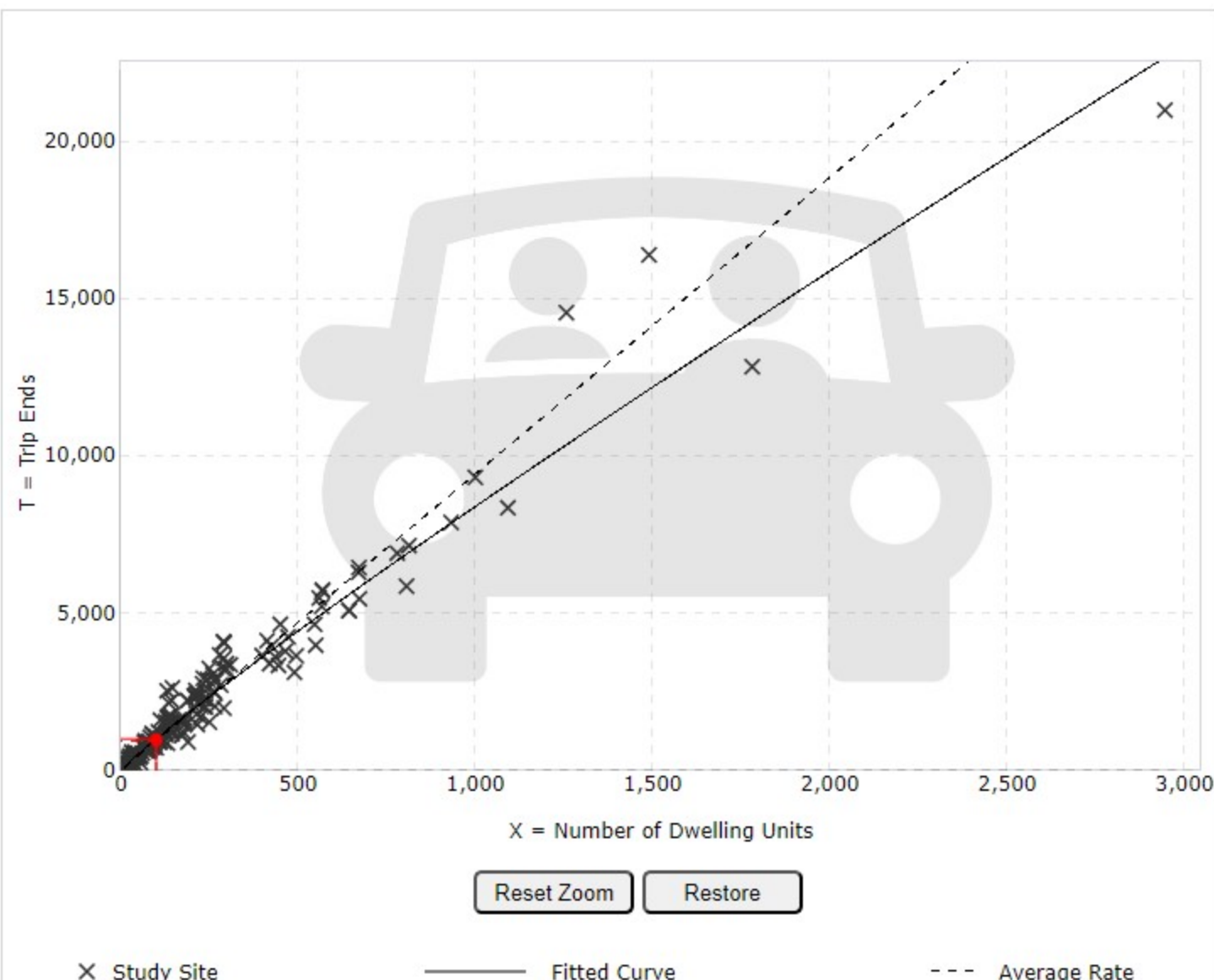
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

100

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

174

Avg. Num. of Dwelling Units:

246

Average Rate:

9.43

Range of Rates:

4.45 - 22.61

Standard Deviation:

2.13

Fitted Curve Equation:

 $\ln(T) = 0.92 \ln(X) + 2.68$ R^2 :

0.95

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 943 (Total), 472 (Entry), 471 (Exit)

Fitted Curve: 1009 (Total), 505 (Entry), 504 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

210



LAND USE GROUP:

(200-299) Residential

LAND USE :

210 - Single-Family Detached Housing

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

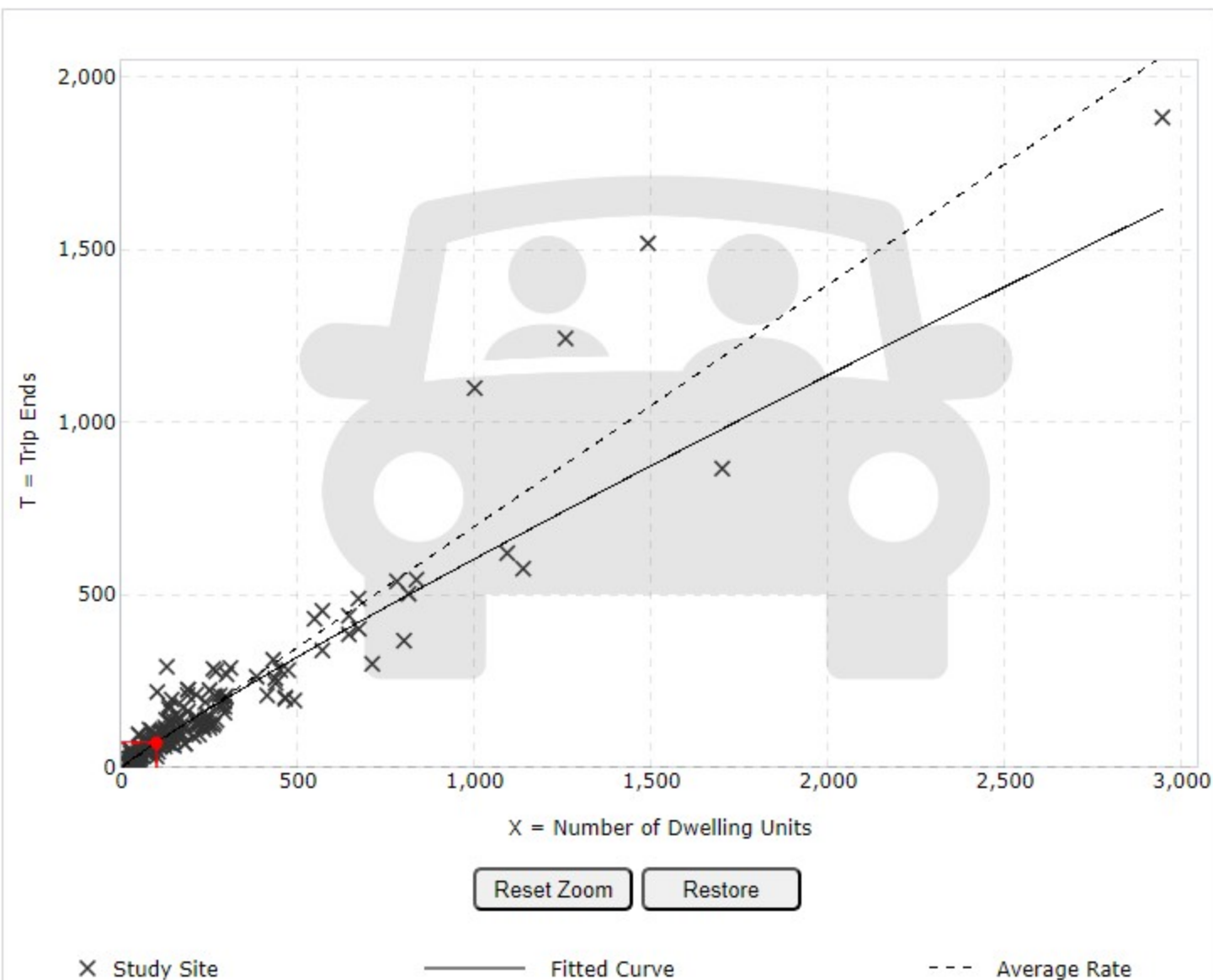
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

100

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

192

Avg. Num. of Dwelling Units:

226

Average Rate:

0.70

Range of Rates:

0.27 - 2.27

Standard Deviation:

0.24

Fitted Curve Equation:

 $\ln(T) = 0.91 \ln(X) + 0.12$ R²:

0.90

Directional Distribution:

25% entering, 75% exiting

Calculated Trip Ends:

Average Rate: 70 (Total), 18 (Entry), 52 (Exit)

Fitted Curve: 74 (Total), 19 (Entry), 55 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

210



LAND USE GROUP:

(200-299) Residential

LAND USE :

210 - Single-Family Detached Housing

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

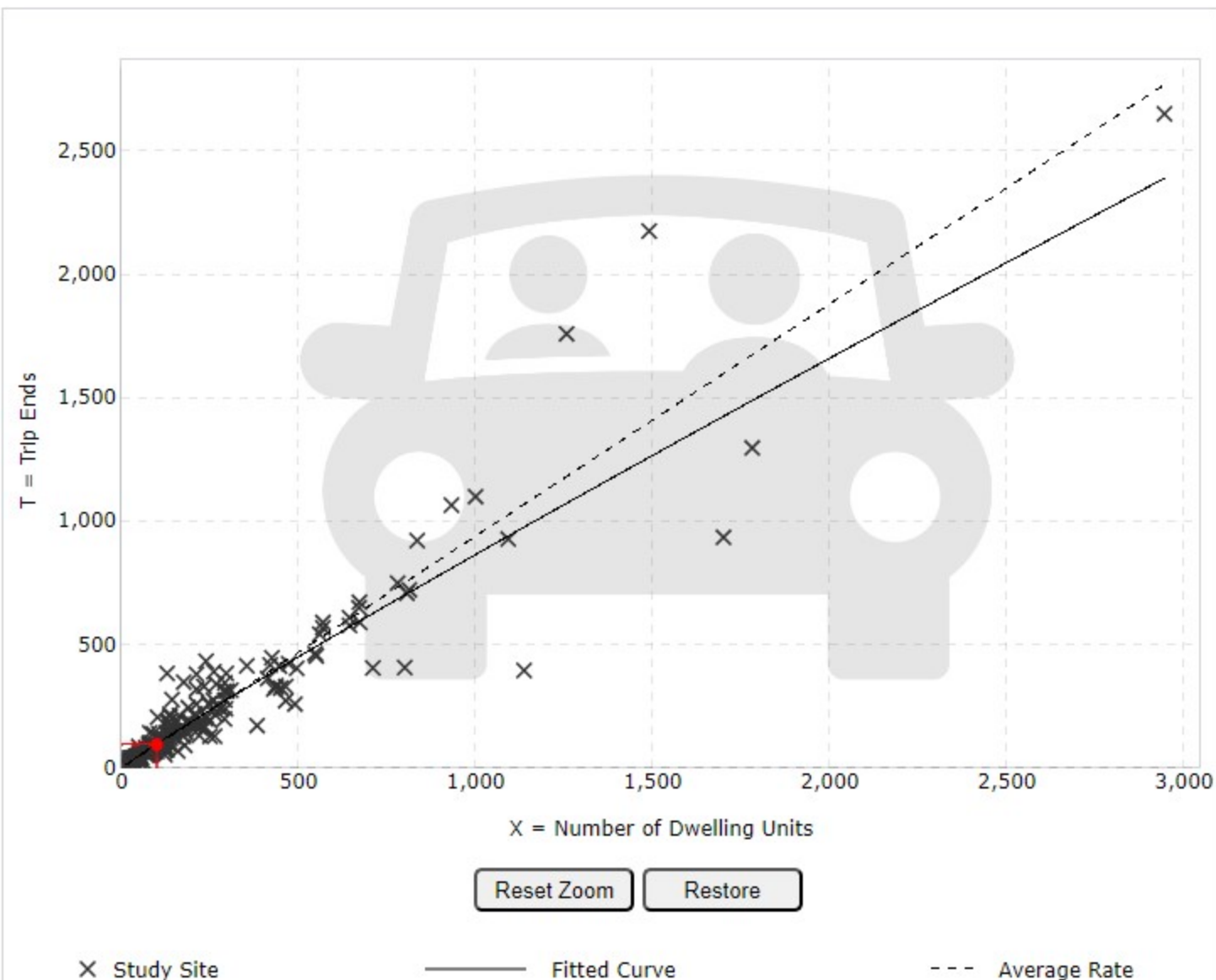
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

100

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

208

Avg. Num. of Dwelling Units:

248

Average Rate:

0.94

Range of Rates:

0.35 - 2.98

Standard Deviation:

0.31

Fitted Curve Equation:

 $\ln(T) = 0.94 \ln(X) + 0.27$ R^2 :

0.92

Directional Distribution:

63% entering, 37% exiting

Calculated Trip Ends:

Average Rate: 94 (Total), 59 (Entry), 35 (Exit)

Fitted Curve: 99 (Total), 63 (Entry), 36 (Exit)



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

January 31, 2024

Nick Liguori, PE
5917 Oleander Drive, Suite 206
Wilmington, NC 28403

RE: Approval of the Traffic Impact Analysis (TIA) associated with the proposed **Turtle Bay** in Southport, NC.

The NCDOT and City of Southport staffs have reviewed the Anderson Tract TIA dated January 2, 2024. This development consists of:

- 100 dwelling units: Single-Family Housing (LUC 210)
- Build Year: 2026

Based on review of the analysis provided in the TIA report, the following improvements are required by the developer:

NC 87 (River Road) and Site Access (proposed stop-controlled T-intersection)

- Construct site access with one ingress and one egress lane configured.
- Provide stop-control for southbound approach.
- Provide an internal protected stem of 100 feet, measured from the right-of-way.
- Construct a northbound left turn lane on NC 87 with 100 feet of storage, appropriate deceleration, and taper.
- Construct a southbound right turn lane on NC 87 with 100 feet of storage, appropriate deceleration, and taper.

If changes are made to the proposed site driveways, land uses, land use intensity, or other study parameters, or if the build year studied in the report has passed, a revised Traffic Impact Analysis will be required for review by NCDOT. Any such changes will null and void this TIA approval.

The applicant is required to obtain all applicable City of Southport and NCDOT permits for access to the road network. A copy of this TIA approval shall be included with any NCDOT driveway permit application. All applicable NCDOT and City of Southport technical standards and policies shall apply.

Please contact me at 910-398-9100 with any questions regarding this approval.
Sincerely,



Benjamin T. Hughes, PE
District Engineer
Division 3, District 3

ec: Jon Roan, Deputy District Engineer, NCDOT
Michael Bass, Assistant District Engineer, NCDOT
Frank Mike, Assistant District Engineer, NCDOT
Stonewall Mathis, PE, Division Traffic Engineer, NCDOT
Krupa Koilada, Senior Assistant Traffic Engineer, NCDOT
Bryce Cox, Assistant Traffic Engineer, NCDOT
Maureen Meehan, City Planner, City of Southport



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: April 11, 2024

DEPARTMENT: Development Services

PRESENTED BY: Dorrie Dutton, Assistant City Manager

ITEM SPONSORED BY: Development Services (Code Enforcement)

ITEM/TOPIC: Alleyways

COST: Not applicable

BUDGET LINE ITEM: Not applicable

JUSTIFICATION: Over the past year, there have been several requests from residents to clear existing City-owned alleyways within City limits. Many residents want to be able to use the alleys as access to their property or have requested they be allowed to clear it so that the area looks better. There have also been requests for the City to abandon the alleys and distribute the property to the adjacent property owners. The previous Board took the stance that the City should retain ownership of the alleys, but the adjacent property owners could use them for access.

Some property owners have complained that the alleys are overgrown and inaccessible because the City does not take care of them. If the City is going to enforce the ordinances on overgrown lots, we should be held to the same standard. You requested that we look at our alleyways and the current condition they are in and report back to you. There are four (4) alleyways that have been abandoned or closed from what staff have been able to locate in the records.

Our Code Enforcement Officer, Harlan Pyles, has completed an inventory of the existing alleyways. Some of them are passable, but he could not even walk through many of them to take a good measurement and check for any encroachments. Public Services will need some preparation to clear the alleys because of the dense overgrowth, but it is important to have a surveyor mark the alleys beforehand. Equipment (excavators, dozers, chippers, etc.) will have to be rented, we will have to identify a place to take all the debris, and determine how much it would cost to dump the debris at a landfill, etc. Additionally, if someone's property was damaged, the City liable would be liable. Staff is presenting the information to the Board and asking for direction in delineating and clearing the existing City-owned alleys.

Alleys are included as part of the public right-of-way in our Code of Ordinances. Alleys would need to be included in any future rights-of-way discussions and decisions.

IMPACT IF NOT APPROVED: City staff will continue to handle any complaints or requests as they arise using the current Ordinances. The City may be in violation of its own ordinances in some cases which means we should be cited.

DEPARTMENT HEAD COMMENTS: This is a Board decision.

CITY MANAGER COMMENTS: This was an information gathering assignment, so you need to let us know how you wish to move forward with the treatment of alleyways and clearing them. If you decide to change the way alleyways have been treated, we could bring this up during the Right of Way discussion at one of your May meetings.

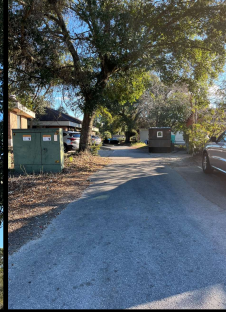
ATTACHMENTS: 1.) Spreadsheet with location, condition, and images for existing alleyways. 2) PowerPoint Presentation

REQUESTED ACTION: Direction from the Board regarding the maintenance of the City-owned alleyways-surveys completed, alleys cleared, etc.

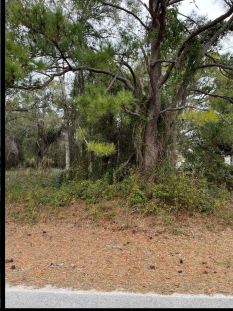
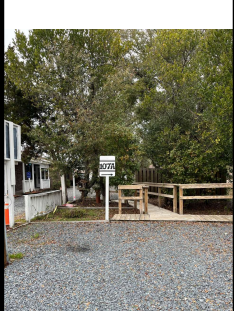
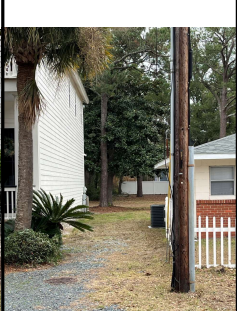
- Should the City contract with an outside company to clear the alleyways?
- Should the City abandon the alleyways and divide them among the adjacent property owners?
- Should the City hire a surveyor to delineate the alleyways?
- How/What can the alleyways be used for?

PROPOSED MOTION: I make a motion to direct staff to _____.

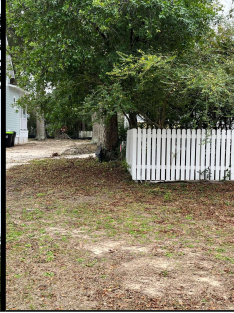
CITY OF SOUTHPORT
ALLEYWAY ASSESSMENT

Number of Map	Location/Cross Streets	Description	Pictures					
Pics #1 thru 6	Alleyways on W. 11th St. between N. Lord St. & Hankinsville Rd.	Pic #1- Intersection of N. Lord St. & W. 11th St. Pic #2- NW Alleyway- has some planting and possibly use as rear yard vehicle access, extends approx. 35'. Pic #3- SW Alleyway- has extreme overgrowth, limited view for any unauthorized use. Extends to W. 10th St. Pic #4- Intersection of N. Caswell Ave. & W. 11th St. Pic #5- NW Alleyway- kept in a proper manner, some drive/parking use, extends approx 2/3 distance. Pic #6- SW Alleyway- needs attention at 11th St. but overall, in decent shape. Extends approx 1/4 way towards W 10th St.						
Pics #7 thru 11	Alleyways on W. 10th St. between N. Howe St. & N. Caswell Ave.	Pic #7- Intersection of N. Howe St. & W. 10th St. Pic #8- SW Alleyway- extends to W. 9th St. visible approx halfway, used as rear drive of local businesses. Pic #9- Intersection of N. Lord St. & W. 10th St. Pic #10- NW Alleyway- Used as rear drive for access to homes on each side, cleared to approx midpoint then overgrown. Extends to W. 11th St. Pic #11- SW Alleyway- used as drive/parking at the Hall, overgrown after that point. Extends to W. 9th St. (Unable to access the SW Alleyway at end of W. 10th St after Caswell Ave for properties)						
Pics #12 thru 16	Alleyways on W. 9th St. between N. Howe St. & N. Lord St.	Pic #12- Intersection of N. Howe St. & E. 9th St. (unable to locate a N. Howe St/W. 9th St. sign at the time of pics) Pic #13- NW Alleyway- Cleared to a degree, appears could be used for unintended purposes, possible fence/small storage. Extends to W. 10th St. Pic #14- SW Alleyway- appears to used as natural/planter area for residence to a point then overgrown. Extends approx 2/3rds way towards W. 8th St. Pic #15- Intersection of N. Atlantic Ave & E. 9th St. Pic #16- SE Alleyway- Used as rear access drive for local business approx halfway then overgrown, possible misuse.						

CITY OF SOUTHPORT
ALLEYWAY ASSESSMENT

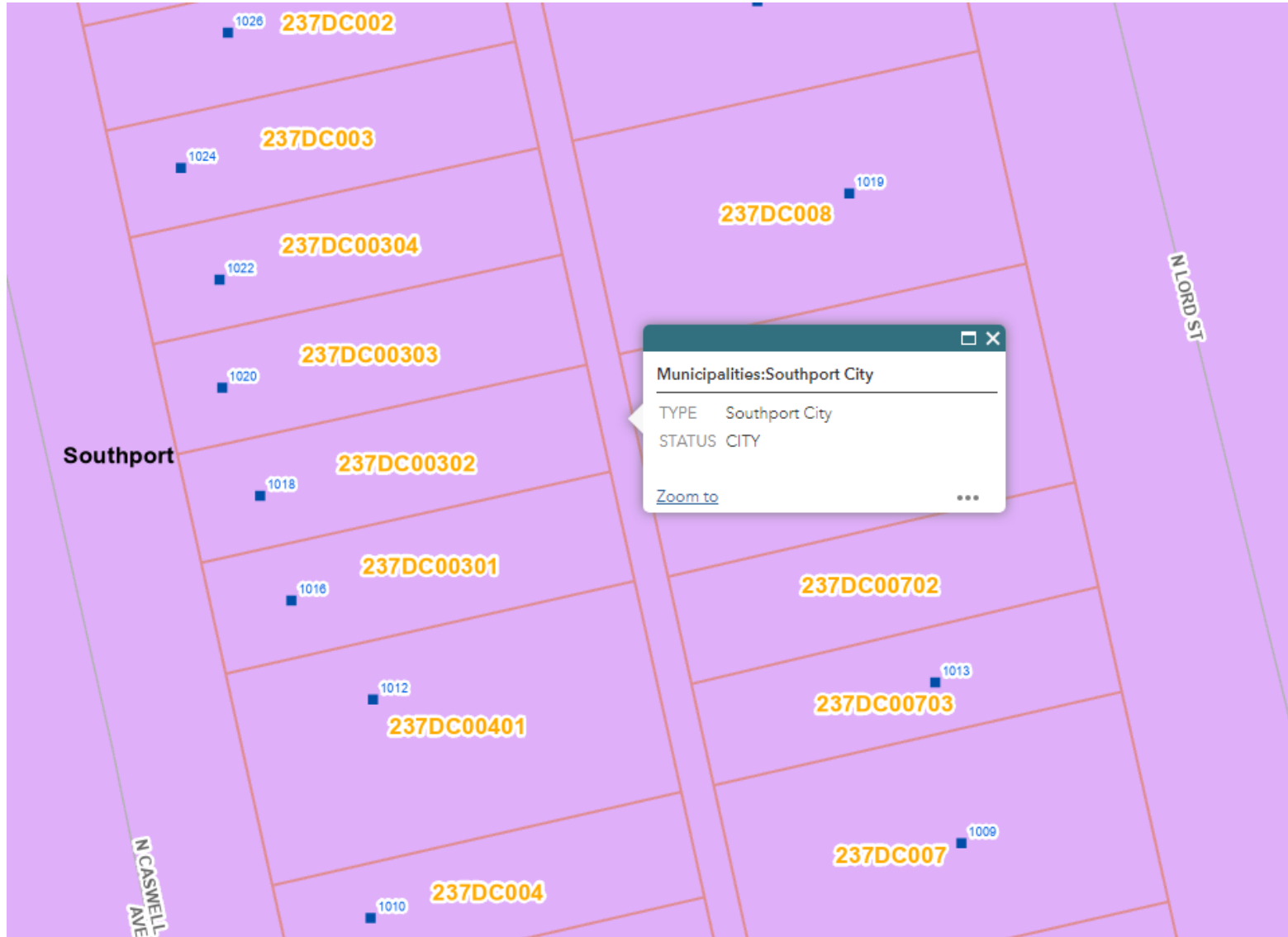
Pics #17 thru 22	Alleyways on W. 9th St. between N. Lord. St. & Clarendon Ave.	Pic #17- Intersection of W. 9th St. & N. Lord St. Pic #18- NW Alleyway- Extremely overgrown, no visibility. Extends to W. 10th St. Pic #19- SW Alleyway- No visibility, extremely overgrown. Extends to W. 8th St. Pic #20- Intersection of W. 9th St & Clarendon Ave. Pic #21- NW Alleyway- Clear at lot, then extremely overgrown. Extends approx 3/4 way towards 10th St. with no access from 10th St. Pic #22- SW Alleyway- No visibility, extremely overgrown. Extends to W. 8th St.	     
Pics #23 thru 29	Alleyways on W. 8th St. between N. Howe St. & Clarendon Ave.	Pic #23- Intersection of W. 8th St & N. Howe St. Pic #24- NW Alleyway- Extremely overgrown, no visibility. Begins approx 1/4 way in after business from W. 8th St. to W. 9th St. Pic #25- SW Alleyway- no distinct property markers, extremely overgrown, no visibility. Extends approx 1/2 way towards W. Owens St. Pic #26- Intersection of W. 8th St. & N. Lord St. Pic #27- NW Alleyway- no distinct property markers, extremely overgrown. Extends to W. 9th St. Pic #28- Intersection of W. 8th St. & N. Caswell Ave. Pic #29- NW Alleyway- Extremely overgrown, boundry markers possible, not clear. Extends to W. 9th St.	     
Pics #30 thru 35	Alleyways on E. 8th St. between N. Howe St. & East Owens St.	Pic #30- Intersection of E. 8th St. & N. Howe St. Pic #31- NE Alleyway-Business use with walkway etc. at E. 8th St. entrance of the Alleyway. The lleyway Extends to E. 9th St. Pic #32- SE Alleyway- Markers appear staggered, difficult to distinguish lines, possible use by others. Extends to E. Owens St. Pic #33- Intersection of W. Owens St. & N. Howe St. Pic #34- NW Alleyway- Begins approx 1/2 way after businesses, overgrown. Extends to W. 8th St. after that point. Pic #35- SW Alleyway- No markers located, extends to fence line.	     

CITY OF SOUTHPORT
ALLEYWAY ASSESSMENT

Pics #36 thru 40	Alleyway on E. Owens St. between N. Howe St. & N. Atlantic Ave.	Pic #36- Intersection of E. Owens St. & N. Howe St. Pic #37- NE Alleyway- appears to have structures upon, no markers. Extends to E. 8th St. Pic #38- Intersection of E. 8th St. & N. Atlantic Ave. Pic #39- NE Alleyway- Appears to be used as a rear access drive. Extends approx 1/3 way towards E. 8th St. Pic #40- SE Alleyway- No markers located, extremely overgrown. Extends to E. Leonard St.					
Pics #41 thru 44	Alleyways on E. Leonard St. & E. Brown St.	Pic #41- Intersection of E. Leonard St. & N. Atlantic Ave. Pic #42- NE Alleyway- Overgrown, possible fence for marking. Pic #43- Intersection of E. Brown St. & N. Atlantic Ave. Pic #44- SE Alleyway- Extends to end of lot, single marker.					



ALLEYWAYS IN SOUTHPORT



Several alleys, like the one shown here, exist throughout the City of Southport.

Some of the areas are passable, but most of them are overgrown and cannot be accessed.

08/22/2011

41

50

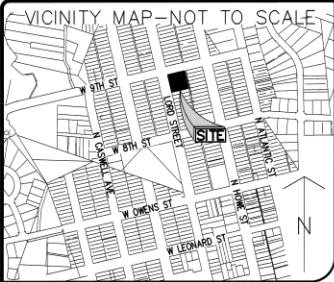
11

111

111

111

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THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF SOUTHPORT, AND THAT THIS PLAT AND ALLOTMENT IS MY FREE ACT AND DEED.

Carla S. Lee by Tony Lee, Mgr
OWNERS SIGNATURE
ADDRESS
756-421-4278
TELEPHONE NUMBER

PRINTED NAME
Tony Lee

CERTIFICATE OF REVIEW OFFICER

Walter Skaggs
REVIEW OFFICER OF BRUNSWICK COUNTY
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Walter Skaggs 1/27/20
REVIEW OFFICER DATE

PREPARED FOR:
STREAMLINE DEVELOPERS
2582 NC-24
NEWPORT, NC 28570
PH: 252-646-8297

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE CITY OF SOUTHPORT AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND ESTABLISH MINIMUM SETBACKS AS NOTED.

Carla S. Lee 1-24-20
OWNER SIGNATURE DATE

NOTARY CERTIFICATE

"NORTH CAROLINA, BRUNSWICK COUNTY."

William R. Doy
NOTARY PUBLIC OF THE COUNTY AND STATE OF AFORESAID, CERTIFY THAT *Howard E. Hoadley* A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESS MY HAND AND OFFICIAL SEAL, THIS DAY OF *January 2020*

Howard E. Hoadley
NOTARY PUBLIC (SIGNATURE)

MY COMMISSION EXPIRES *June 14th 2023*

CERTIFICATE OF ACCURACY & MAPPING

I, THE UNDERSIGNED, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 4040, PAGE 222, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN; THAT THE RATIO OF PRECISION, AS CALCULATED, IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 23RD DAY OF JANUARY, A.D. 2020.

G.S. 47-30 (f) (1) (d)

I HEREBY CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS RECOMBINATION OF EXISTING PARCELS, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Howard E. Hoadley
HOWARD E. HOADLEY - PROFESSIONAL LAND SURVEYOR (L-3937)

GENERAL NOTES

1. THIS IS AN EASEMENT PLAT FOR LOTS 12 TO 16, BLOCK 8, CITY OF SOUTHPORT, SMITH AND WEEKS SUBDIVISION, M.C. 1, PG. 70. THIS PLAT SUPERSEDES MAP CABINET 116, PAGE 74.
2. BEARINGS FOR THIS PLAT ARE REFERENCED TO N.C. GRID NAD 1983 (2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. UNITS ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
5. AREA BY COORDINATE GEOMETRY.
6. THIS SURVEY PERFORMED AND PLAT PREPARED WITHOUT BENEFIT OF A TITLE REPORT, THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
7. FLOOD NOTE: AS DETERMINED BY GRAPHIC PLATTING, THE PLATTED AREA DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD ZONE, ZONE "1" (ANNUAL FLOOD RISK) PER FEMA FLOOD INSURANCE RATE MAP #172099000 K, EFFECTIVE DATE AUGUST 28, 2018.
8. AFFECTED COUNTY PARCELS (#237EA02802, #237EA02803, #237EA02804, #237EA02805, #237EA02806, #237EA02807, #237EA02808, #237EA02809, #237EA02810, #237EA02811, #237EA02812, #237EA02813, #237EA02814, #237EA02815, #237EA02816, #237EA02817, #237EA02818, #237EA02819, #237EA02820, #237EA02821, #237EA02822, #237EA02823, #237EA02824, #237EA02825, #237EA02826, #237EA02827, #237EA02828, #237EA02829, #237EA02830, #237EA02831, #237EA02832, #237EA02833, #237EA02834, #237EA02835, #237EA02836, #237EA02837, #237EA02838, #237EA02839, #237EA02840, #237EA02841, #237EA02842, #237EA02843, #237EA02844, #237EA02845, #237EA02846, #237EA02847, #237EA02848, #237EA02849, #237EA02850, #237EA02851, #237EA02852, #237EA02853, #237EA02854, #237EA02855, #237EA02856, #237EA02857, #237EA02858, #237EA02859, #237EA02860, #237EA02861, #237EA02862, #237EA02863, #237EA02864, #237EA02865, #237EA02866, #237EA02867, #237EA02868, #237EA02869, #237EA02870, #237EA02871, #237EA02872, #237EA02873, #237EA02874, #237EA02875, #237EA02876, 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Over the last few years, there have been a few requests for the City to abandon the alleyways and distribute the property to the adjacent property owners.

Some residents have asked to clear an alley out so they can use it to access the back of their property by golf cart or as a walking path.



Because of our Code Enforcement program, it has become apparent that the City has not always maintained its rights-of-way (alleys), and now we are in violation of our own Codes in some places.

Our Code Enforcement Officer was asked to survey of the existing alleys to assess their condition.





W. 8th St. between Clarendon and N. Howe St.

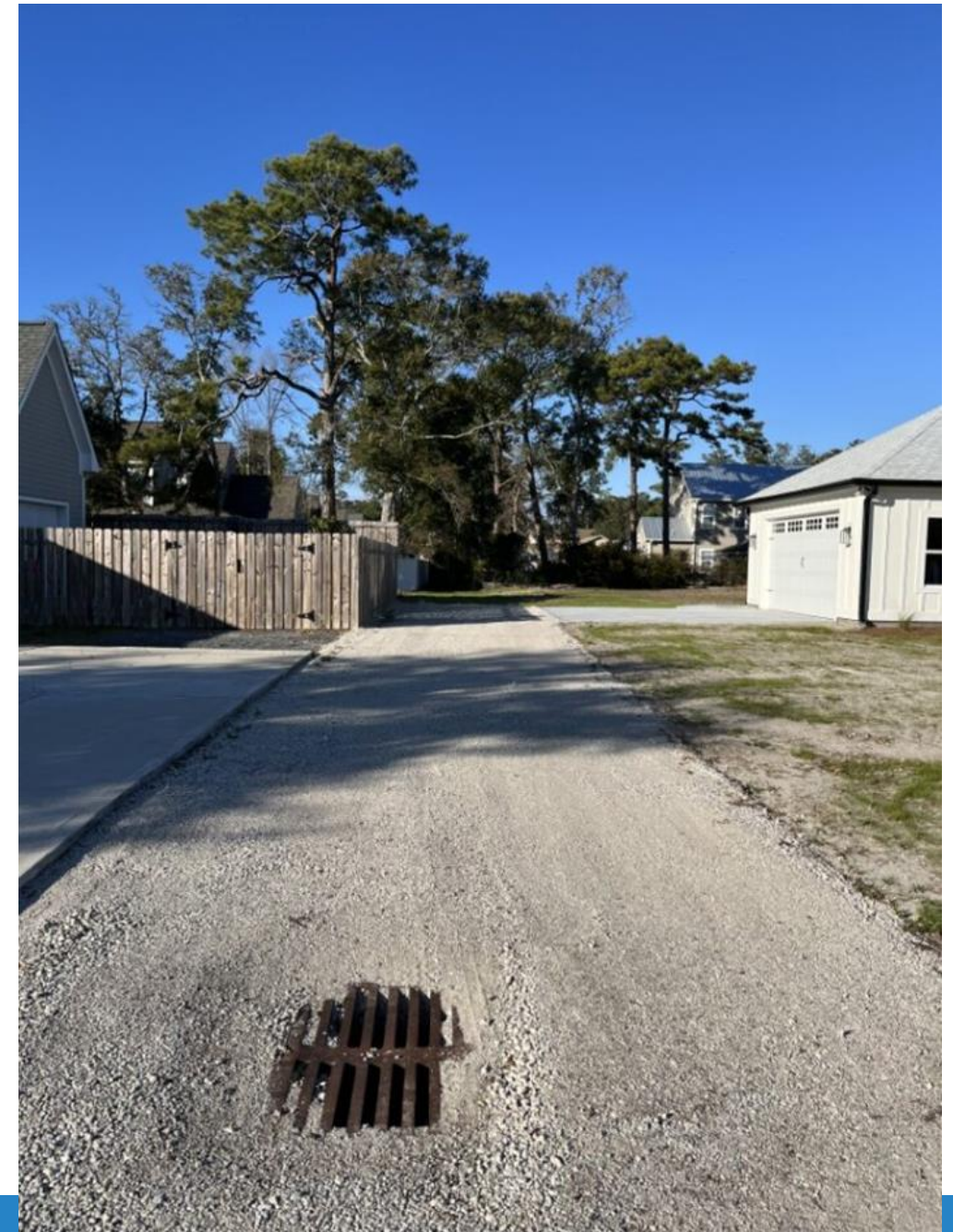


NW Intersection of Clarendon and W. 9th St.

There are a couple of alleys in the City that have/or are being used for access to the back of properties.

City staff has NOT authorized their use and has stressed that the City will not maintain it for their use.

Additionally, some structures appear to encroach into the alley (rights-of-way). Most of these structures have existed for many years. City staff will not permit a resident to expand that non-conforming structure even further into the alleyway.



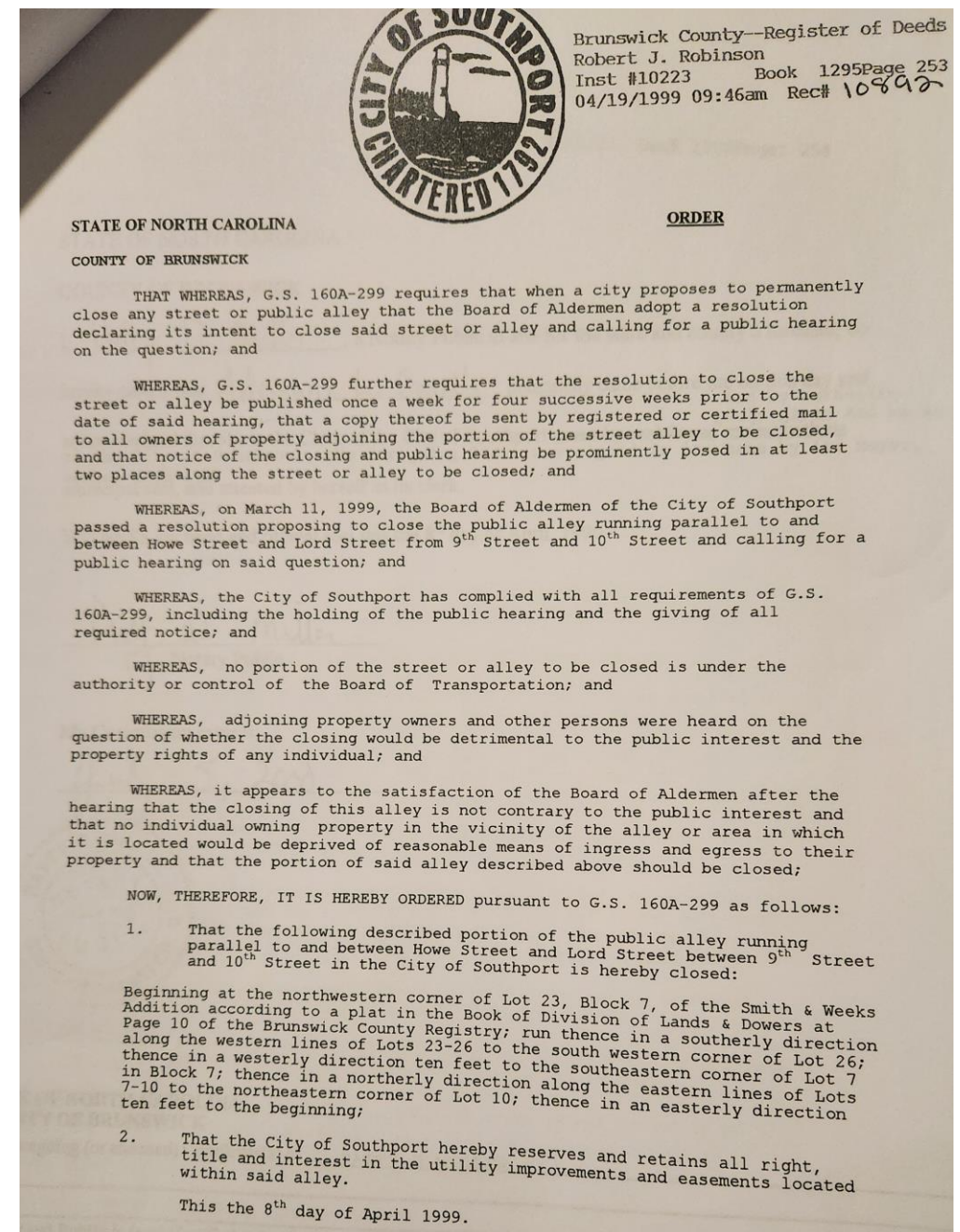
City staff has located only four (4) deeds for public alley abandonment. The abandoned alleys are:

1.) between N. Howe Street, and Lord Street, and between 9th and 10th Streets.

2.) between N. Howe Street and Atlantic Ave, from Owens Street to Leonard Street.

3.) between N. Howe Street and N. Lord Street between 11th Street and 10th Street (behind the Fire Station)

4.) 93-foot portion between 11th Street and Trevally Court.



- To close or abandon a public street or alley, there are specific state requirements including adopting a Resolution of Intent; notifying property owners, holding a public hearing, and adopting a Final Order.
- Even in the Alley Abandonment order, the City still reserves all rights and interest in the utility improvements and easements within the alley.

2. That the City of Southport hereby reserves and retains all right, title and interest in the utility improvements and easements located within said alley.

This the 8th day of April 1999.

E. Owens between N. Howe and
N. Atlantic Ave.



NW alley; W. 8th St between N. Howe
and Clarendon Ave.



Alleyways in Southport are part of the City's right-of-way. They should be considered when deciding how to enforce encroachments.

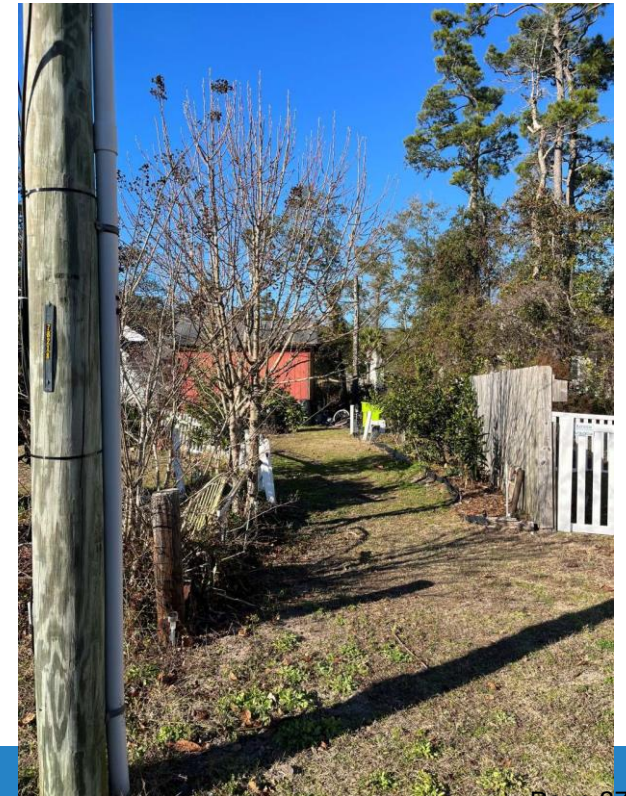
If the City wishes for City staff to clear the alleys, the Board consider the following:

- A survey can identify and mark the perimeters;
- City staff would need to rent the equipment;
- Any debris that is removed would have to be taken to an appropriate dumping facility;
- How much liability does the City have if there was any property damage?



Or, the City can contract with a company to clear the alleyways, after a survey is done. We are not able to get an accurate cost for clearing, but it is approximately \$10,000 per acre.

Then the City will maintain them.



Some communities have improved their alleyways for the public to use. It helps with connectivity and a sense of community.

Depending on where the alleys are located, they can be developed into charming outdoor seating areas that invite the public in.





Interactive wall in
an alley in
Sanford, NC





Walking Paths



Closing Remark(s) and Questions



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 3/11/2024

DEPARTMENT: Code Enforcement/Development Services

PRESENTED BY: Dorrie Dutton, Assistant City Manager

ITEM SPONSORED BY: Development Services

ITEM/TOPIC: Budget Amendment request for Minimum Housing Abatement (Demolition)

COST: \$45,000

BUDGET LINE ITEM: 10-01-4120-9700

JUSTIFICATION: The Board of Aldermen adopted the Minimum Housing Ordinance on December 20, 2024. Since then, Derek Mabe with Alliance Code Enforcement has been utilizing the Ordinance to assess structures and follow the procedures outlined in the Ordinance. There are currently (21) Minimum Housing cases open. There are three properties that have moved through the process and are ready for the next step. To move forward with abatement, an ordinance must be adopted for each structure.

Derek has received three bids for the demolition of the three residential structures, and the staff is asking for a budget amendment from the Administration's Contingency Fund to cover the cost of these three demolitions and asbestos inspections. The lowest bid for all three structures was \$39,800. The asbestos inspections/reports are approximately \$3150, and the demolition permits are \$265 each. The owners of these three properties have made no attempt to abate the violations.

These three properties were outlined in the Code Enforcement presentation, and the pictures of these properties are included in this request.

722 W. 11th Street
813 W. 11th Street
115 E. Owens Street

There are many ways the City can recoup the cost of demolition if the City must pay for the work to be done including placing a lien on the property, filing a claim for income tax refunds, and even a lawsuit demanding the money be paid to the City which could result in the City owning (auctioning) the property.

IMPACT IF NOT APPROVED: The minimum housing ordinance is only as effective as enforcement. If Code Enforcement goes through the minimum housing process, it is likely that only some of the property owners will abate the violations on their own. If there is no further action taken, the structures will continue to deteriorate. We will start budgeting for this work in next year's budget.

DEPARTMENT HEAD COMMENTS: For months Code Enforcement has been receiving complaints about these properties from the adjacent property owners and others in the public. The Board adopted the Minimum Housing Ordinance so that structures like this can be addressed. If the property owners are unwilling to abate the violation, this is the best path forward. There are many other open minimum housing cases. Some of these will likely be abated by the property owners. The City can plan to abate a few as year, as needed.

CITY MANAGER COMMENTS: I wholeheartedly agree with transferring the funds and making sure that after all the due processes outlined in the Ordinance are taken, that the City is able to demolish the properties so that the neighborhoods are cleaned up and the structures do not pose a health or safety risk to the public.

ATTACHMENTS: 1) Three demolition proposals 2) Asbestos Inspection Proposal 3) Pictures of the Homes to be Demolished 4) 3-Demolition Ordinances

REQUESTED ACTION: Approve the three ordinances and the budget amendment out of the contingency fund to demolish three minimum housing properties.

PROPOSED MOTION: I make a motion to adopt the demolition ordinances for the properties located at 722 W. 11th Street, 115 E. Owens Street, 813 W. 11th Street and to approve the budget amendment of up to \$45,000 out of the Administration's contingency fund to move forward with the asbestos inspections and demolitions of the three properties as listed above.

ESTIMATE

AC King, LLC DBA. AC King
Clearing and Grading
202 Wagon Wheel Way
Wilmington, NC 28411

nicksfab@yahoo.com
910-443-3014



City of Southport

Bill to

Darek Mabe
City of Southport
1029 N Howe St
Southport, NC 28461

Ship to

722 W.11th St.
Southport, NC 28461

Estimate details

Estimate no.: 1064
Estimate date: 03/22/2024

#	Date	Product or service	SKU	Qty	Rate	Amount
1.		House Demolition Demolish house, shed and haul off all debris. Clear vegetative debris that are in contact with the house or necessary to access the house. Leave site clean and graded flat using existing soils. City of Southport will handle utility disconnects and permits.		1	\$13,964.00	\$13,964.00
Total						\$13,964.00

ESTIMATE

AC King, LLC DBA. AC King
Clearing and Grading
202 Wagon Wheel Way
Wilmington, NC 28411

nicksfab@yahoo.com
910-443-3014



City of Southport

Bill to

Darek Mabe
City of Southport
1029 N Howe St
Southport, NC 28461

Ship to

813 W. 11th St.
Southport, NC 28461

Estimate details

Estimate no.: 1065
Estimate date: 03/22/2024

#	Date	Product or service	SKU	Qty	Rate	Amount
1.		House Demolition Demolish house, shed and haul off all debris. Clear vegetative debris that are in contact with the house or necessary to access the house. Leave site clean and graded flat using existing soils. City of Southport will handle utility disconnects and permits.		1	\$12,700.00	\$12,700.00
Total						\$12,700.00

ESTIMATE

AC King, LLC DBA. AC King
Clearing and Grading
202 Wagon Wheel Way
Wilmington, NC 28411

nicksrab@yahoo.com
910-443-3014



City of Southport

Bill to

Darek Mabe
City of Southport
1029 N Howe St
Southport, NC 28461

Ship to

115 E. Owens St.
Southport, NC 28461

Estimate details

Estimate no.: 1066
Estimate date: 03/22/2024

#	Date	Product or service	SKU	Qty	Rate	Amount
1.		Services Demolish house, shed, lean too and haul off all debris. Clear and remove all vegetation on site leaving large trees. Leave site clean and graded flat using existing soils. City of Southport will handle utility disconnects and permits.		1	\$14,750.00	\$14,750.00
Total						\$14,750.00



WWW.4SEASONSDEMOLITION.COM

March 28, 2024

City of Southport
Code Enforcement
Derek Mabe
336-569-9988

Demolition Proposal for 3 locations in Southport, NC:

- 115 Owens Street - \$14,500
- 722 W 11th Street - \$15,000
- 813 W 11th Street - \$15,000
- Demolish, haul, and dispose of residential structures
- Obtain necessary state and local permits.
- Locate underground utilities.
- Limited brush clearing around structures

* Hazardous and/or contaminated material is not included.

*Does not include Cut & Cap, Asbestos Survey or Asbestos Remediation

Total due upon completion \$44,500.00

President/Owner
4 Seasons Demolition Inc.
Cell # 910-612-2650
Chuck Ohnmacht

INVOICE

DATE:

3/20/2024

TO:

Town of Southport
1029 N. Howe Street
Southport, NC 28461

INVOICE #

100

Complete Demolition of 3 structures in Southport. Price includes all equipment, labor and dump fees to complete job.

ADDRESS	PRICE
115 E Owens Street	\$14,800
722 W 11 th Street	\$12,000
813 W 11 th Street	\$13,000

\$39,800

MAKE ALL CHECKS PAYABLE TO WILSON BAUCOM

Thank you for your business!

BAUCOM DEMO | PHONE: 910-220-3500



Atlantic Shores Environmental Services, Ltd.

March 28, 2024

Dorothy (Dorrie) Dutton
Assistant City Manager
City of Southport
1029 North Howe Street
Southport, North Carolina 29461

Reference: Proposal for Asbestos Survey
115 E Owens Street
722 W 11th Street
813 W 11th Street
Southport, North Carolina
ASE Proposal No. 1788-P

Dear Ms. Dutton:

Atlantic Shores Environmental Services, Ltd. (ASE) is pleased to provide this proposal for an asbestos survey for the referenced properties. This proposal contains our understanding of the project, proposed scope of services, estimated fee, schedule, and authorization requirement.

PROJECT UNDERSTANDING

The project consists of the following three (3) residential properties in Southport, North Carolina.

- 115 E Owens Street, Brunswick County Parcel No. 237ED004. This building consists of a single-family, single-story house (1,478 square-feet, built in 1944).
- 722 W 11th Street, Brunswick County Parcel No. 237CA004. This building consists of a single-family, single-story house (1,626 square-feet, built in 1961).
- 813 W 11th Street, Brunswick County Parcel No. 237CA00303. This building consists of a single-family, single-story house (1,596 square-feet built in 1979).

Our understanding of the scope of work is based on an email from Ms. Dutton and tax information gathered from Brunswick County GIS records.

SCOPE OF SERVICES

Based on our understanding of your needs, we propose the following scope of services:

- A North Carolina accredited asbestos inspector will perform a visual survey of the site structures. The visual survey will involve walking through the building and observing accessible areas for the presence of suspect asbestos-containing materials (ACM). The U.S. Environmental Protection Agency (EPA) has published guidelines and recommendations regarding inspection and sampling of friable and nonfriable ACM. Friable materials are those that can be pulverized or reduced to powder by hand pressure, when dry.

175-1 Venture Drive, Belville NC 28451 P:(910)371-5980
-A Woman Owned Business - License No. C-4762

Nonfriable materials are those that can be reduced to a powder when sawn, sanded, drilled, or pulverized. These guidelines will be adhered to during the survey, when appropriate. The asbestos survey will address both friable and nonfriable materials, so that they may be properly addressed, prior to being disturbed (as required by EPA regulations).

- Once sample areas are identified, representative bulk samples of the suspect materials will be collected. We will follow the Asbestos Hazard Emergency Response Act (AHERA) sample protocols during sample collection (three (3) samples of each surfacing and/or thermal system insulation materials will be collected, and two (2) samples of each miscellaneous suspect asbestos material will be collected). A positive stop approach will be used to reduce sample costs. Essentially, if the first sample in each homogeneous set is identified to contain asbestos, the remaining samples in each set will not be analyzed. The samples will be placed in sealed containers and the location and description recorded on standard forms prepared by ASE. The bulk samples will be submitted to a North Carolina certified laboratory, where they will be analyzed using the EPA recommended method (EPA 600/M4-82-020, Dec. 1982) of Polarized Light Microscopy (PLM) coupled with dispersion staining.
- Roofing sample locations will be patched with caulking on the day of the site visit (if required). If a more permanent repair is needed, a roofing contractor can be subcontracted, at an additional fee.
- We will complete a written report (one (1) per property), detailing our findings, that will include the site observations, information on each asbestos material identified, analytical results, recommended response actions, and our conclusions and recommendations.

If asbestos containing materials have been identified at the site, at 5% or less, ASE may recommend further laboratory analysis (point counting) to attempt to reduce the regulated quantities of ACM. If asbestos containing materials have been identified, ASE will discuss options for abatement. The costs for point counting, abatement, or creating an asbestos abatement management plan have not been included in this estimate.

COST OF SERVICES

We will provide the above scope of services for the following fees:

Asbestos Survey and Report (lump sum of \$750/per property).....	\$2,250.00
Asbestos Bulk Sample Analysis (estimated 25 samples/per property @ \$12/sample)	<u>\$900.00</u>
Estimate	<u>\$3,150.00</u>

We will add/deduct \$12 per sample, based on the actual number of samples analyzed by the laboratory. We will use a positive stop approach to reduce sample costs. Some building materials contain multiple layers that are analyzed in the laboratory as separate samples.

Point count analysis can be conducted for an additional fee of \$34.50 - \$85.00 per sample, to attempt to reduce abatement costs. The cost for the point count analysis is contingent on if gravimetric reduction is required to perform the point count analysis.

SCHEDULE

ASE can begin this project upon receipt of your authorization to proceed. We will need assurances that no squatters are within the homes at the time of the scheduled site inspections. The electronic reports will be available within two (2) weeks of authorization. If this schedule does not suit your needs, please contact us so that we can adjust it. ASE will provide an electronic copy of the finished report.

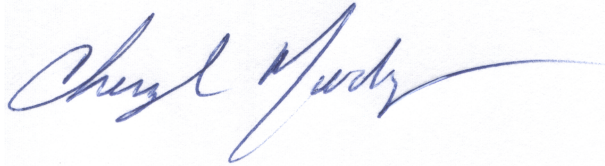
CLOSURE

This letter is the agreement for our services. Your acceptance of this proposal may be indicated by signing and returning the enclosed copy to us. ASE accepts credit card payments through our secure payment site (<https://app.autobooks.co/pay/atlantic-shores-environmental-services-ltd>), Venmo, or checks. Please note that a 3% service charge will be assessed for payments through our secure payment link.

We are pleased to have the opportunity to offer our services to you and look forward to working with you on your project. If you have questions concerning the content of this proposal, or if we can be of further service, please contact us at (910) 371-5980.

Respectfully submitted,

ATLANTIC SHORES ENVIRONMENTAL SERVICES, LTD.



Cheryl J. Moody, PE, REM, CIEC, CMRS
Principal Engineer



Kevin Dillon, REP
Senior. Project Manager

Enclosures: Proposal Acceptance Form
 Terms & Conditions of Service

**ATLANTIC SHORES ENVIRONMENTAL SERVICES, LTD.
PROPOSAL ACCEPTANCE**

Proposal No.: 1788-P
Scope of Work: Proposal for Asbestos Survey
Location: 115 E Owens Street
722 W 11th Street
813 W 11th Street
Southport, North Carolina

Client Signature: _____ Date: _____

Please complete and return this page to Atlantic Shores Environmental Services, Ltd. to indicate acceptance of this proposal and to initiate work on the above-referenced project. The Client's signature above also indicates that he/she has read or has had the opportunity to read the accompanying Terms and Conditions of Service and agrees to be bound by such Terms and Conditions of Service.

BILLING INFORMATION

(Please Print or Type)

Name of Client:	_____
Name of Contact Person:	_____
Telephone No. Of Contact Person:	_____
Party Responsible for Payment:	_____
Company Name:	_____
Person/Title	_____
Department:	_____
Billing Address:	_____

Telephone Number:	_____
Fax Number:	_____
e-mail:	_____

Client Project/Account Number	_____
Special Conditions for Invoice	_____
Submittal and Approval	_____

Atlantic Shores Environmental Services, Ltd.

Terms & Conditions of Service

These Terms and Conditions of Service, including any supplements that may be agreed to, along with the accompanying Scope of Services and Professional Fees constitute the entire Agreement ("Agreement") under which Services are to be provided by Atlantic Shores Environmental Services ("ASE"), including its employees, officers, successors and assigns for the Client ("Client"), including its employees, officers, successors and assigns.

1.0 Independent Consultant Status

1.1 Except as may be otherwise noted herein, ASE shall serve as an independent professional to Client and shall have control over, and responsibility for, the means and methods for providing the services under this Agreement, including the retention of Subcontractors and sub consultants. Unless expressly stated in ASE's scope of services, ASE shall not serve as Client's agent or representative.

2.0 Scope of Services

2.1 The Scope of Services includes only those service identified in the Scope of Services.

2.2 It is understood that the Scope of Services Professional Fees, and time schedule defined in the Scope of Services are based on information provided by the Client and/or Client's contractors and consultants. Client acknowledges that if this information is not current, is incomplete or inaccurate, or if conditions are discovered that could not be foreseen by a reasonable person, the Scope of Services may change, even while the service is in progress.

2.3 Additional Services shall be provided at the unit rates contained in this Agreement, or if not previously provided, at the Fee Schedule rates in effect at the time that the Additional Services are provided.

3.0 Standard of Care

3.1 ASE shall strive to perform its professional Services in a manner consistent with the level of skill and care ordinarily exercised by competent members of the same profession providing similar Services in the same geographic region, under similar conditions during the same period of time. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or in any ASE report, plan, opinion or other document or Service in connection with ASE's Service.

3.2 Client understands and agrees that ASE's professional judgment must rely on the facts learned during the performance of the Scope of Services. Client acknowledges that such data collection is limited to the immediate area that is sampled, tested, and/or observed. Consequently, Client agrees that Client shall not bring a claim, based upon facts subsequently learned, regarding conditions in areas not evaluated by ASE, or which were not part of the immediate area(s) explicitly evaluated by ASE.

3.3 The Client recognizes that tested or explored conditions may vary from those encountered by ASE and that the analyses and recommendations developed by ASE are based predominately on the information available from such testing, surveys and exploration.

4.0 Compliance with Codes

4.1 ASE's professional Services shall be provided in a manner consistent with sound engineering practices and shall comply with applicable codes, laws, regulations, standards, and ordinances ("Standards") in effect and publicly announced as of the time the Services are provided by ASE. ASE shall make reasonable and professional efforts to comply with Clients lawful direction and requests governing the performance of the Services. If a situation arises that causes ASE to believe compliance with Clients wishes could result in ASE Violating an applicable Standard or will expose ASE to claims or other charges, or if ASE believes Clients actions or inaction will be in violation of applicable Standards, ASE shall so advise Client. If Clients actions or inaction result in a violation of applicable standards, ASE shall have the right to terminate its Services in accordance with the Termination provisions of this Agreement.

4.2 If Client decides to disregard ASE's recommendations with respect to complying with Applicable Standards, ASE shall determine if ASE is required to notify the appropriate public officials. Client agrees that such determinations are ASE's sole right to make. Client also agrees that ASE shall not bear liability for failing to report conditions that are Clients responsibility to report.

4.3 Client understands that certain prescriptive profession practice Standards ("Standard practices and Standard guides) exist (such as The American Society for Testing and Materials (ASTM), among others) that identify specific methods, professionals could or should use to attain certain results. Such prescriptive practice Standards fail to consider: the unique needs of the Client; the Clients Project Specific expectations; the requirements and obligations of the professionals engaged to

provide Service; and more effective techniques that may have been developed subsequent to the issuance of such Standards. ASE shall identify any deviations from such standards to Client, and the reasons for deviation, in the scope of Services and/or documents of Service.

4.4 Unless other wise indicated, compliance with any practice Standards, referred to as "general compliance", specifically excludes considerations of any practice Standard referenced in the Standards cited in the Documents of Service provided by ASE.

5.0 Client Disclosures

5.1 Client shall furnish and/or shall direct Client's consultant(s) or agent(s) to furnish ASE information identifying the type and location of utility lines and other man-made objects known, suspected, or assumed beneath the Site's surface, where the scope of Services requires ASE to penetrate the Site surface.

5.2 Client shall notify ASE of any known, assumed, or suspected, regulated, contaminated, or Hazardous Materials that may exist at the Site (surficial and subsurface) prior to ASE mobilizing to the Site. Such Hazardous Materials shall include but not be limited to any substance, which poses or may pose a potential hazard to human health or the environment whether contained in a product, material, by product, waste or sample, and whether it exists in a solid, liquid, semi solid or gaseous form ("hazardous materials").

5.3 If any Hazardous Materials are discovered or are reasonably suspected by ASE after its Services are initiated, a Changed Condition shall exist.

5.4 If all or any part of the Scope of Services are to be provided in the general vicinity of a facility, or in an area where dust, fumes, gas, noise, vibrations or other particulate or nonparticulate matter is in the atmosphere where it raises a potential health hazard, or nuisance to those working in the area of such conditions, Client shall notify ASE of such condition(s), potential health hazards or nuisances. ASE shall take any necessary and reasonable measures deemed appropriate to ASE to protect its employees against such possible health hazards or nuisances. The cost for such protective measures shall be borne by the Client.

5.5 Client shall disclose any unsafe condition at the site prior to entrance by ASE.

6.0 Information Provided by Others

6.1 Client shall provide ASE with existing information necessary for rendering Services hereunder, as well as likely sources of this information, with such sources to include but not be limited to Client. Client understands that information provided to ASE may contain errors, inaccuracies, and/or omissions, and that it is impossible for ASE to assure the sufficiency of such information. Client therefore waives any claim of liability against ASE regarding any claim for injury or loss allegedly arising from errors, omissions, or inaccuracies in documents and other information in any form provided to ASE, including such information that becomes incorporated into ASE Documents of Services.

7.0 Concealed Risks

Client acknowledges that special risks are associated with the identification of concealed conditions (i.e., subsurface conditions, conditions behind a wall, etc., that are hidden from view, are not readily apparent, or can not be accessed for sampling/testing). Even a comprehensive sampling and testing program implemented by experienced personnel using appropriate equipment under the direction of a trained professional may fail to detect certain conditions, because such conditions are concealed and can not be targeted in development of an exploration or reconnaissance plan, or sampling/testing program.

7.2 Conditions that ASE infers to exist between sampling/testing points may differ significantly from the conditions that exist at the sampling/testing points. Since some conditions can change substantially over time, the Client recognizes that, because of natural occurrences or human intervention at or near the Site, actual conditions discovered through sampling/testing may be subject to rapid or gradual change.

7.3 ASE will make reasonable efforts to anticipate and identify potential concealed conditions for exploration, sampling, or testing. However, Client understands that such risks can not be eliminated and agrees that that Scope of Services is that which Client agrees suits Clients own risk tolerances. Client may request ASE to evaluate the risks and provide a higher level of exploration to reduce such risks, if desired or appropriate.

8.0 Right of Entry/Damage Resulting From Services

8.1 Client warrants that it possesses the authority to provide right of entry permission for the performance of ASE's Services. Client hereby grants ASE and its subcontractors and/or agents, the right to enter from time to time onto the property owned by client and/or other(s) in order for ASE to perform the Scope of Services.

Atlantic Shores Environmental Services, Ltd.

Terms & Conditions of Service

8.2 Except where ASE's Scope of Service explicitly includes obtaining permits, licenses, and/or utility clearances for the performance of ASE's Services, Client warrants that it possess all necessary permits, licenses and/or utility clearances for the Services to be provided by ASE.

8.3 ASE will take reasonable precautions to limit damage to the Site and improvements during the performance of ASE's services. Client understands that use of exploration, sampling, or testing equipment may cause some damage, the correction and restoration of which is not part of this Agreement, unless explicitly stated in ASE's Scope of Services, and reflected in the Professional Fees.

8.4 Client understands that the discovery of certain conditions and/or the taking of preventive measures relative to such conditions may result in a reduction of the Property's value. Client agrees that it will not bring any claims for liability or for injury or loss allegedly arising from procedure associated with exploration, sampling or testing activities, or discovery of Hazardous Materials, or suspected Hazardous Materials, or ASE's findings, conclusions, opinions, recommendations, plans, and/or specifications related to discovery of such contamination.

9.0 Underground Utilities

9.1 In addition to Client furnishing information regarding underground utilities, ASE shall take reasonable and locally customary precautions, possibly including contacting local public and/or private utility locating services, and/or conducting research of publicly available information, to identify underground utilities as deemed appropriate in ASE's professional opinion. The extent of such precautions shall be at ASE's sole discretion.

9.2 Client recognizes that despite due care, ASE may be unable to identify the locations of all subsurface utility lines and man-made features, and that information obtained by ASE and/or ASE's subcontractor(s) or provided to ASE from any entity may contain errors or be incomplete.

9.3 Client's approval or absence of Client's approval of a subsurface exploration sketch or the absence of a sketch shall not alter Client's responsibilities for furnishing information regarding underground features.

9.4 Client agrees that ASE shall not be liable for damage or injury, consequential economic damages, and/or penalties resulting from damages to subterranean structures (pipes, tanks, cables, or other utilities, etc.) which are not called to ASE's attention in writing and correctly shown on the diagram(s) furnished by Client or Client's consultants or for underground features not marked or improperly located by governmental or quasi-governmental locators, utility owners, or private utility locating services.

10.0 Samples

10.1 Soil, rock, building materials and/or samples and sampling by-products obtained from the site are the property of Client. ASE will store samples not consumed in laboratory testing for up to sixty (60) calendar days from the issuance of any document containing data obtained from those samples, unless other arrangements are mutually agreed upon in writing. Samples consumed by laboratory testing procedures will not be stored as outlined above.

10.2 Unless Client directs otherwise, Client authorizes ASE to dispose of Client's non-hazardous samples and sampling or testing byproducts in accordance with applicable laws.

11.0 Hazardous Materials

11.1 All substances on, in, or under Client's Site, or obtained from Client's Site as samples or as byproducts of the sampling process, are and will remain the Client's property.

11.2 When Hazardous Materials are known, assumed, or suspected to exist at the Site, ASE shall take appropriate precautions deemed prudent by ASE's sole and professional opinion to comply with applicable laws and regulations and to reduce the risks to ASE's employees, public health, safety and welfare, and the environment. Client agrees to compensate ASE for such services.

11.3 Hazardous Materials may exist even where there is no reason to believe they are present. Should ASE discover that such unanticipated or suspected Hazardous Materials exist, ASE shall notify Client as soon as practicable. Discovery of unanticipated Hazardous Materials constitutes a Changed Condition.

11.4 When Hazardous Materials are known, assumed, or suspected to exist at the Site, ASE will handle such materials as Hazardous Materials. ASE or ASE's subcontractors will containerize and label such Materials in accordance with applicable law, and will leave the containers on Site. Client is responsible for the retrieval and lawful removal, transport and disposal of such contaminated samples, and sampling process byproducts.

11.5 Any of ASE's field, laboratory, or other equipment that becomes contaminated by Hazardous materials encountered at the Site must be

decontaminated. Any contaminated consumables must be disposed of properly and replaced. Client shall compensate ASE for the decontamination of the equipment and disposal and replacement of contaminated consumables. For purposes of this Agreement, equipment that cannot be readily decontaminated shall be considered a consumable.

11.6 Unless explicitly stated in ASE's Scope of Service, ASE shall not subcontract nor arrange for the transport, disposal, or treatment of Hazardous Materials. At Client's request, ASE may assist Client in identifying appropriate alternatives for transport, off-site treatment, storage, or disposal of such substances, but Client, not ASE shall make final selection of methods and firms to provide such service. Client shall sign all manifests for the disposal of substances affected by Hazardous Materials contaminants and shall otherwise exercise prudence in arranging for lawful disposal.

11.7 In those instances where ASE is expressly retained by Client to assist Client in the disposal of Hazardous Materials, samples, or wastes, ASE shall do so only as Client's agent (notwithstanding any other provision of this Agreement to the contrary) so that ASE shall not assume the role, nor be considered a generator, storer, transporter, or disposer of Hazardous Materials.

11.8 Where the Scope of Services includes identifying existing sources of asbestos, lead, or other Hazardous Materials, ASE will attempt to identify such materials which are accessible and which, in ASE's professional opinion, have the potential to pose significant exposure risk. Client acknowledges that ASE may not be able to identify all sources of such materials, or that identification of all materials may not be practical, or may be cost prohibitive.

12.0 Aquifer Cross-Contamination

12.1 Subsurface sampling may result in unavoidable cross-contamination of certain subsurface areas, as when a probe or excavation/boring device moves through a contaminated zone and links it to an aquifer, underground stream, or other hydrous body not previously contaminated, or connects an uncontaminated zone with a contaminated zone. Because sampling is an essential element of ASE's services indicated herein, Client agrees this risk cannot be eliminated. Client will not hold ASE liable for such cross-contamination if ASE provides its Services in accordance with the applicable Standard of Care.

13.0 Phase I Environmental Site Assessments

13.1 Client understands that an Assessment (ESA) is conducted solely to permit ASE to render a professional opinion about the likelihood of the site having a Recognized Environmental Condition on, in, beneath, or near the Site at the time the Services are conducted.

13.2 No matter how thorough a Phase I ESA study may be, findings derived from its conduct are highly limited and ASE cannot know or state for an absolute fact that the Site is unaffected by one or more Recognized Environmental conditions. Furthermore, even if ASE believes that reportable qualities of Hazardous Materials are not present, Client agrees that it still bears the risk that such contaminants may be present, or may migrate to the Site after the Scope of Services is complete.

13.3 Given the foregoing, Client's acceptance of this Agreement shall signify that Client understands the limitations associated with Phase I ESAs.

14.0 Ownership of Documents

14.1 With the exception of the copies of the ASE Documents of Service provided to the Client, all documents, including original boring logs, field data, field notes, laboratory test data, calculations and estimates, maintained in any form deemed appropriate by ASE, are and remain, the property of ASE.

14.2 Any exploration, reconnaissance, data review, observations, testing, surveys, or similar Services, analyses and recommendations associated with the Services shall be provided by ASE (including subcontracted Services) for the Client's sole use. Client understands and agrees that any use of the Documents of Service by anyone other than the Client is not permitted.

14.3 Client has retained ASE to provide professional Services, resulting in, but not limited to, technical reports, letters, photos, boring logs, field data, field notes, laboratory test data, calculations, designs, plans, specifications, reports, or similar documents and estimates of any kind furnished by ASE ("Documents of Service"). Such Documents of Service are not being purchased under this Agreement.

14.4 Client agrees to not use ASE's Documents of Service for any other projects, or for the Project, which has changed in scope, or extensions of the Project, from the details contemplated in ASE's Documents of Service. Any reuse without ASE's written consent shall be at Client's sole risk and without liability to ASE or to ASE's subcontractor(s).

Atlantic Shores Environmental Services, Ltd.

Terms & Conditions of Service

14.5 Client agrees that ASE's Documents of Service may not under any circumstances be altered by any party except ASE. Client warrants that ASE's Documents of Service shall be used only and exactly as submitted by ASE.

14.6 If ASE at Client's request verifies or adapts any Document of Service for extensions of the Project, or for any other project, then Client shall compensate ASE at rates on in an amount to be agreed upon in advance by Client and ASE.

14.7 Client may make and retain copies of the ASE Documents of Service for information and reference in connection with the Project.

14.8 Except for daily field reports and concrete test reports sent electronically by ASE to Client and Client's designees, the following shall apply to all electronic files: Files in electronic media format of text, data, graphics, or other types that are furnished by ASE are furnished only for convenience, not reliance by the receiving party. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, the hard copies shall govern.

14.9 Client agrees that all reports, documents, and other Documents of Service furnished to the Client but not paid for in full will be returned to ASE upon request and will not be used for design, construction, permitting or licensing.

14.10 Client agrees that any patentable or copyrightable concepts developed by ASE as a consequence of its Services hereunder are the sole and exclusive property of ASE.

15.0 Safety

15.1 Client agrees that ASE is responsible solely for the safety of ASE's employees on the Project Site. These responsibilities shall not be inferred by any party to mean that ASE has responsibility for any portion of the site safety for any reason. Unless otherwise expressly agreed to in writing, ASE's Scope of Services excludes responsibility for any aspect of site safety other than for ASE's own employees and nothing herein shall be construed to relieve Client and/or its other contractors, consultants, or other parties from their responsibility for the safety of their own employees.

15.2 For active construction sites, Client also agrees that the General Contractor is solely responsible for Project Site safety. Client agrees that Client's agreement with the General Contractor shall require the Contractor, to the extent of Contractor's negligence, to indemnify, defend, and hold Client and ASE harmless from any fine, penalty, claim or liability for injury or loss arising from Client's or ASE's alleged failure to exercise site safety responsibility.

15.3 Client shall to the fullest extent permitted by law comply with the Indemnification provisions of this Agreement as a result of any claim or liability for injury or loss arising from:

15.3.1 ASE's alleged failure to notice safety hazard of any kind;

15.3.2 ASE taking direct and immediate action as a Good Samaritan, to prevent or mitigate the effects of what ASE believes is a hazardous condition or an imminent accident;

15.3.3 ASE's alleged failure to exercise site safety responsibility.

15.4 In the event ASE expressly assumes health and safety responsibilities for toxic or other concerns specified, the acceptance of such responsibility does not and shall not be deemed an acceptance of responsibility for any other health and safety requirements, such as those relating to excavating, trenching, shoring, drilling, backfilling, blasting or similar construction activities.

16.0 Construction Testing and Remediation Services

16.1 Client understands that construction testing and observation Services are conducted to reduce, not eliminate the risk of problems arising during or after construction or remediation, and that provision of such Services does not create a warranty or guarantee of any type.

16.2 Monitoring and/or testing Services provided by ASE shall not in any way relieve the Client's contractor (s) from their responsibilities and obligations for the quality and completeness of construction, nor for complying with applicable laws and codes.

16.3 The professional activities of ASE, or the presence of ASE employees and subcontractors, shall not be construed to imply ASE has any responsibility for the means, methods, techniques, sequencing of construction, or procedures of construction selected, for safety precautions, and programs incidental to the Contractor's Work. Furthermore ASE does not and shall not have or accept authority to supervise, direct, control or stop Contractor's Work.

16.4 Construction monitoring generally consists of visual observation and monitoring of construction materials, equipment operation and/or installation procedures, possibly including applicable testing, to permit ASE to render a professional opinion as to the contractor's conformance with the Project plans and

specifications, and applicable laws and regulations. Client is the only party who may accept or reject the work based partially on ASE's professional opinion.

16.5 ASE strongly recommends that Client retain ASE to provide its services on a full time basis to lower the risk of defective or incomplete work being installed by the contractor. If Client elects to retain ASE on less than a full time basis for any aspect of construction monitoring and/or testing, Client accepts the increased risks that a significantly lower level of construction quality may occur, and waives any and all claims against ASE related to unsatisfactory quality or performance of elements observed or tested by ASE on a part time basis.

16.6 Under no circumstances shall ASE be liable for extra work or other consequences due to Changed Conditions, or costs related to recommendations provided by ASE, or failure of the General Contractor, subcontractors, material men, or service providers to install the Work in accordance with the plans and specifications, and applicable laws and regulations. Client agrees that it will not hold ASE liable for problems that arise when ASE's plans, specifications, recommendations, reports or other Documents of Service are not followed.

17.0 Certifications

17.1 Client may request or require ASE to provide a "certification" regarding Services provided by ASE. Any "certification" required of ASE by the Client, or jurisdiction (s) having authority over some or all aspects of the Project, shall consist of ASE's inferences and professional opinions based on limited sampling, observations, tests, and/or analyses performed by ASE at discrete locations and times. ASE's "certification" shall consist of ASE's professional opinion of a condition's existence, but ASE does not guarantee that such condition exists, nor does it relieve other parties of responsibilities or obligations such parties have. Client agrees not to make resolution of any dispute with ASE or payment of any amount due to ASE in any way contingent upon ASE signing any such documents.

18.0 Changed Conditions/Agreement Renegotiation

18.1 Should ASE identify a Changed Condition, ASE shall notify the Client of the Changed Condition (s) that in ASE's professional judgment require an amendment of the Professional Fees, time schedule, and/or Scope of Services. ASE and Client shall promptly and in good faith negotiate an amendment to this Agreement.

19.0 Billings and Payments

19.1 Billings will be based on the unit rates, travel costs, and other reimbursable expenses stated in the Professional Fees.

19.2 Any Estimate of Professional Fees stated in the Agreement shall not be considered as a not-to-exceed or lump sum amount unless otherwise explicitly stated in this Agreement.

19.3 Client recognizes that time is of the essence with respect of payment of ASE's invoices and that timely payment is a material part of the consideration of this Agreement. Payment shall be in U. S. funds drawn upon U. S. banks and in accordance with the rates and charges set forth in the Professional Fees. ASE will submit invoices no more frequently than every two weeks, which shall be due and payable upon receipt.

19.4 If Client disputes all or part of an invoice, Client shall provide ASE with written notice stating in detail the facts of the dispute within twenty-one (21) calendar days of the invoice date and agrees to pay the undisputed amount of such invoice promptly.

19.5 ASE reserves the right to charge the Client an additional charge of four (4) percent (or the maximum percentage allowed by law, whichever is lower) of the invoiced amount per month for any payment received by ASE more than thirty (30) calendar days from the date of the invoice, excepting any portion of the invoice amount in dispute and resolved in favor of Client. Payment will first be applied to accrued interest and then to the unpaid principal amount. Payment of invoices shall not be subject to unilateral discounting or set-offs by Client.

19.6 Application of the percentage rate indicated above as a consequence of Client's late payments does not constitute any willingness of ASE to finance Client's operations, and no such willingness shall be inferred. If Client fails to pay invoiced amounts in thirty (30) calendar days of the date of invoice, ASE may at any time, without waiving any other claim against Client and without incurring any liability to Client, suspend or terminate all or part of its Services. Termination shall not relieve Client of its obligation to pay amounts incurred up to termination plus additional costs associated with ASE's termination of Services.

19.7 Client agrees that its obligation to pay for Services is not contingent upon Client's ability to obtain financing, zoning, approval of governmental or regulatory agencies, permits, final adjudication of a lawsuit in which ASE is not involved, upon Client's, successful completion of the Project, settlement of a real estate transaction,

Atlantic Shores Environmental Services, Ltd.

Terms & Conditions of Service

receipt of payment from Client's client, or any other event. Retainage shall not, be withheld from any payment, nor shall any deduction be made from any invoice on account of penalty, liquidated damages, or other sums incurred by Client. It is agreed that all costs and legal fees including actual attorney's fees, and expenses incurred by ASE in enforcing any provision of the Agreement, in perfecting or obtaining a lien, recovery under a bond, collecting any delinquent amounts due, or executing judgments, shall be reimbursed by Client.

19.8 In the event that Client has not provided payments such that ASE's ability to file a property lien is about to expire, ASE reserves the right to file property/mechanic's liens to secure payment. All fees associated with filing and removing a lien shall be paid by Client.

19.9 Should Client decide to retain other consultants to complete the Services contemplated in this Agreement, or change consultants at the next phase of the Project, Client agrees to compensate ASE in full for all Services performed to date prior to engagement of subsequent consultants.

19.10 Payment of an invoice by the Client shall be taken to mean that the Client agrees to provisions of the Agreement and is satisfied with ASE's Services and is not aware of any defects in those Services, unless Client has provided notice to ASE in accordance with the Defects In Service provisions of this Agreement.

19.11 The Professional Fees shall remain valid for a period of twelve (12) months from the date of Agreement. Thereafter, Fee unit rates shall be adjusted in accordance with the Average Consumer Price Index (CPI) for the last twelve (12) months, as required by any applicable collective bargaining agreement, or as mutually agreed to by Client and ASE.

20.0 Defects In Service

20.1 Client and Client's personnel and contractors shall promptly inform ASE of any actual or suspected defects in ASE's Services, to help ASE take those prompt, effective measures that in ASE's opinion will help reduce or eliminate the consequences of any such defect. Corrections of defects attributable to ASE's Services shall be provided at no cost to Client, except in the case that the deficiency is directly attributable to Client-furnished information, Client shall compensate ASE for the costs of correcting such defects.

20.2 Modifications to reports, documents and plans required as a result of jurisdictional reviews or Client requests shall not be considered to be Defects In Service. Client shall compensate ASE for additional Services required as a result of jurisdictional review requirements.

21.0 Insurance

21.1 ASE represents that it and its subcontractors and subconsultants are protected by Workers Compensation Insurance, and that ASE is covered by general liability, automobile and professional liability insurance policies, which it deems reasonable and adequate.

21.2 ASE shall furnish certificates of insurance upon request. The Client is responsible for requesting specific inclusions or limits of coverage that are not present in ASE's insurance, the cost of such inclusions or coverage increases, if available, will be at the expense of the Client.

22.0 Limitation of Liability

22.1 Client agrees to allocate certain of the risks associated with the project by limiting ASE's total liability to Client, subject to available insurance proceeds, arising from ASE's Professional Acts, Errors, or omissions and for any and all causes including Negligence, Strict Liability, Breach of Contract, or Breach of Warranty, injuries, Damages, Claims, Losses, Expenses, or Claim expenses (including reasonable attorney's fees) under this Agreement to the fullest extent permitted by law, as follows. For Projects where ASE's fee estimate or proposed fees are:

22.1.1 \$2,500 or less, ASE's total aggregate liability to Client shall not exceed \$5,000.

22.1.2 Greater than \$2,500 but not \$25,000 or less, ASE's aggregate liability to Client shall not exceed \$50,000.

22.1.3 Greater than \$25,000 but \$100,000 or less, ASE's total aggregate liability to Client shall not exceed \$200,000.

22.1.4 Greater than \$100,000 but \$500,000 or less, ASE's total aggregate liability to client shall not exceed \$1,000,000.

22.1.4.1 If Client wishes to increase ASE's limitation of liability from \$1,000,000 to \$2,000,000, where ASE's Fee Estimate or actual fees are greater than \$100,000, Client agrees to remit an additional fee of \$3,000 to gain the additional coverage. Such request shall be indicated by Client's initials: _____. This additional fee shall be invoiced immediately upon the execution of this Agreement and shall be due upon receipt.

22.2 Client agrees to require of the Client's General Contractor and its subcontractors an identical limitation of ASE's liability for damages that may be suffered by the Contractor or the subcontractors arising from ASE's Professional Acts, errors, or Omissions. In the event that Client in unwilling or unable to obtain such identical limitation of liability in favor of ASE, Client agrees to indemnify ASE for any amounts that ASE would not owe were such a limitation of liability in place.

22.3 Client agrees that ASE shall not be responsible for bodily injury and property damage or losses arising directly or indirectly, in whole or in part, from acts or omissions by the Client, its employees, agents, staff, consultants, or subcontractors or by any other person or combination of persons to the extent such injury, damage, or loss is caused by acts or omissions of Client, its employees, agents, staff, consultants or subcontractors.

23.0 Indemnification

23.1 ASE agrees, subject to the limitation of liability provisions of this Agreement, to hold harmless and indemnify Client from and against damages arising from ASE's negligent performance of its Services to the extent that such injury is found to be caused by ASE's negligent Acts, errors or omissions, specifically excluding any damages caused by any third party or by the Client.

23.2 To the fullest extent permitted by applicable law, Client agrees to indemnify, defend, and hold ASE harmless from and against any and all liability, claims, damages, demands, fines, penalties, costs, and expenditures (including reasonable attorney's fees and costs of litigation defense and/or settlement) ["Damages"] caused in whole or in part by the negligent acts, errors, or omissions of the Client and Client's employees, agents, staff, contractors, subcontractors, consultants, and clients, provided such Damages are attributable to : (a) the bodily injury, personal injury, sickness, disease and/or death of any person; (b) injury to or loss of value to tangible personal property; (c) a breach of this Agreement, except to the extent such Damage is caused by the sole negligence or willful misconduct of ASE.

23.3 It is specifically understood and agreed that in no case shall ASE be required to pay an amount of Damages disproportional to ASE's culpability, or any share of any amount levied to recognize more than actual economic damages, **subject to any limitations and Indemnification provisions contained in this Agreement.**

23.4 Client shall require that General Contractor and general Contractor's subcontractors include Client and ASE as additional insured under their general liability insurance policies, whose insurance protection shall be primary protection for Client and ASE, and shall hold Client and ASE harmless from claims, losses, and defense costs arising from the General Contractor's and General Contractor's subcontractors on any tier.

23.5 If Client fails to obtain indemnifications from General Contractor and General Contractor's subcontractors, Client agrees to indemnify, defend and hold harmless ASE from any and all claims brought by the General Contractor or General Contractor's subcontractor for any amounts ASE would not owe were such a limitation of liability in place.

23.6 If Client is a homeowner, homeowner's association, condominium owner, condominium owner's association, or similar residential owner, ASE recommends that legal counsel be retained by Client before entering into this Agreement to explain Client's rights, and the limitations and restrictions imposed by this Agreement. Client agrees that failure to retain such counsel shall be a knowing waiver of legal counsel and shall not be allowed on grounds of avoiding any provision of this Agreement.

23.7 If Client is a residential builder, or residential developer, Client shall indemnify, defend and hold harmless ASE against any and all claims or demands due to injury or loss initiated by one or more homeowners, unit owners, or their homeowner's association, cooperative board, or similar entity against Client which results in ASE being brought into the dispute.

24.0 Consequential Damages

24.1 Client shall not be liable to ASE and ASE shall not be liable to Client for any consequential damages incurred by either due to the fault of the other, regardless of the nature of the fault, or wherever committed by the Client or ASE, their employees, consultants, agents, contractors or subcontractors, or whether such liability arises in breach of contract or warranty, tort, (including negligence), statute, or any other cause of action. Consequential damages include, but are not limited to, loss of use and loss of profit.

24.2 ASE shall not be liable to Client, or any entity engaged directly or indirectly by Client, for any liquidated damages due to any fault, or failure to act, in part or in total by ASE, its employees, agents, or subcontractors.

Atlantic Shores Environmental Services, Ltd.

Terms & Conditions of Service

25.0 Sources Of Recovery

25.1 All claims for damages related to the Services provided under this Agreement shall be made against the ASE entity contracting with the Client for the Services, and no other person or entity. Client agrees that it shall not name any affiliated entity including parent, peer, or subsidiary entity or any individual officer, director, or employee of ASE, unless such claims are based on acts unrelated to the provision of Services under this Agreement.

25.2 Client agrees that it will not seek damages from any individual associated with ASE as an officer, principal, partner, employee, or owner, from any and all claims or liability for injury or loss that would require such individual to relinquish personal assets to satisfy such claim.

26.0 Third Party Claims Exclusion

26.1 This Agreement shall not create any rights or benefits to parties other than Client and ASE. No third-party shall have the right to rely on ASE's opinions rendered in connection with ASE's Services without both Client's and ASE's written consent and the third-party's agreement to be bound to the same terms and conditions contained in this Agreement as Client, and third-party's agreement that ASE's Scope of Services performed is adequate.

27.0 Dispute Resolution

27.1 All claims, disputes or controversies ["Disputes"] arising out of, or in relation to the interpretation, application or enforcement of this Agreement shall be decided as follows:

27.1.1 Client and ASE agree to attend a dispute resolution meeting within fourteen (14) days of identification of a Dispute by either party. Client and ASE agree to negotiate in good faith to resolve the dispute.

27.1.2 Should negotiation fail to resolve the dispute, Client and ASE agree to mediate their dispute via a mediator selected by either party and acceptable to both parties.

27.1.3 Should mediation fail to result in resolution of the Dispute, Client and ASE agree that litigation may be brought by either party.

27.2 Should third-party dispute resolution be required, through mediation or litigation, the non prevailing party shall reimburse the prevailing party for the prevailing party's documented legal costs, in addition to whatever other judgments or settlement sums may be due. Such legal costs include but are not limited to, reasonable attorney's fees, court costs, forensic consultants and expert witness fees, and other documented expenses.

27.3 Where legal action is brought by either party to resolve a dispute, the claim shall be brought and tried in the judicial jurisdiction of the county in which ASE's office contracting with the Client is located. Client waives the right to remove any litigation action to any other jurisdiction, unless mutually agreed to by both parties.

27.4 This Agreement including all matters related to performance and remediation shall be interpreted according to the substantive laws of the State of North Carolina (but not including its choice of law rules).

28.0 Curing A Breach

28.1 A party that believes the other has materially breached this Agreement shall issue a written termination notice to the other, identifying the cause for termination within five (5) business days of identifying such cause. Both parties shall then bargain promptly and in good faith to cure this cause. If an acceptable cure can be achieved within fourteen (14) calendar days from the date of the termination notice, the parties shall commit their understandings to writing and termination shall not occur.

28.2 Either party may waive any right provided by this Agreement in curing an actual or alleged breach; however, such waiver shall not affect future application of such provision or any other provision.

29.0 Termination

29.1 Client or ASE may terminate this Agreement for breach of this Agreement, or for any other reasons that may arise. In the event of termination, the party effecting termination shall so notify the other party in writing, and termination

shall become effective fourteen (14) calendar days after receipt of the termination notice.

29.2 Irrespective of which party shall effect termination, or the cause therefore, ASE shall promptly render to Client a final invoice and Client shall immediately compensate ASE for services rendered and costs incurred, in accordance with ASE's prevailing Fee Schedule and expense reimbursement policy. Services shall include those rendered up to the time of termination, as well as those associated with termination itself, including without limitation, demobilizing, modifying schedules, and reassigning personnel.

30.0 Time Bar To Legal Action

30.1 Unless prohibited by law, and notwithstanding any statute that may provide additional protection, Client and ASE agree that claims by either party arising out of this Agreement or the Services provided hereunder shall not be initiated more than two (2) years from the time the party knew, or should have known, of the condition giving rise to its claim, and shall under no circumstances be initiated more than three (3) years from the date of substantial completion of ASE's Services.

31.0 Assignment

Except for Services normally or customarily subcontracted by ASE in the performance of its Services including, but not limited to surveyors, specialized consultants, drilling and excavating subcontractors, and testing laboratories, neither Client nor ASE may delegate, assign, sublet, or transfer its duties, responsibilities or interests in this Agreement without the written consent of the other party.

32.0 Severability

32.1 Any provision of this Agreement later held to violate a law, statute, or regulation, shall be deemed void, and all remaining provisions shall continue in full force and effect. Client and ASE shall endeavor to quickly replace a voided provision with a valid substitute that expresses the intent of, or at least addresses, the issues covered by the original provision.

33.0 Titles

33.1 The titles used in this Agreement are for general reference only and are not part of this Agreement.

34.0 Survival

34.1 All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between the Client and ASE shall survive the substantial completion of Services and the termination of this Agreement.

35.0 Entire Agreement

35.1 This Agreement including the Scope of Services and Professional Fees and all exhibits, appendixes, and other documents appended to it, constitute the entire Agreement between Client and ASE. Client acknowledges that all prior understandings and negotiations are superseded by this Agreement. Client acknowledges acceptance of these terms by submitting a Client Work Authorization to ASE.

35.2 Client and ASE agree that subsequent modifications to this Agreement shall not be binding unless made in writing and signed by authorized representatives of both parties.

35.3 Client's or ASE's unilateral modification of this Agreement subsequent to ASE's initiation of Services is expressly prohibited. Furthermore, all preprinted Terms and Conditions on Clients purchase order or Work Authorization, or other service acknowledgement forms, are inapplicable and superseded by this Agreement.

35.4 If Client fails to provide ASE with a signed copy of this Agreement or a Work Authorization, by the act of authorizing and accepting the Services of ASE, Client agrees to be fully bound by the terms of this Agreement.

<END OF TERMS AND CONDITIONS OF SERVICE>



722 W. 11th Street



115 E. Owens Street



813 W. 11th Street

Return to:
City of Southport
1029 N. Howe Street
Southport, NC 28461

Owner(s): Catherine Williams Wellington
PIN: 237CA004 (209610369112)
Case Number: 202308026

**AN ORDINANCE ORDERING THE CITY OF SOUTHPORT CODE ENFORCEMENT TO PROCEED
TO EFFECTUATE THE PURPOSE OF THE CITY OF SOUTHPORT MINIMUM HOUSING CODE
AND G.S. § 160D-1201.**

WHEREAS, on 08/03/2023, the City of Southport Code Enforcement conducted a thorough inspection of the dwelling located on the property identified in the Brunswick County Tax records by 237CA004 (209610369112) having a street address of 722 W 11th St, Southport, NC 28461. Said property is owned by Catherine Williams Wellington by the deed recorded in the Brunswick County Registry at Deed Book.

WHEREAS, the City of Southport Code Enforcement found that the dwelling unit outside of the home at the property line was unfit for human habitation; and

WHEREAS, on 01/04/2024 the City of Southport Code Enforcement served upon the Owner and parties of interest in such dwelling a complaint stating the charges in that respect and containing a notice of a hearing to be held before the Officer; Derek Mabe.

WHEREAS, a duly noticed hearing was held on 01/25/2024 before the Code Enforcement Inspector at the City of Southport Town Hall; and

WHEREAS, the Code Enforcement Inspector issued an Order on 02/08/2024 In the Order, the Officer determined that the house was deteriorated/dilapidated and ordered the following steps be taken:

Repair the structure/building within 30 days.

Remove or demolish the structure/building within 30 days.

Bring all nuisance violations into compliance within 30 days.

WHEREAS, the Owner has failed to timely comply with the Order;

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderman of the City of Southport, North Carolina that:

1. By virtue of the authority granted by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the City of Southport Code Enforcement is hereby ordered to cause the dwelling unit to be repaired, vacated, and closed, or removed or demolished, as provided in the original Order of the Officer.

2. The City of Southport Code Enforcement shall place a placard on such dwelling with the following words: "This building is unfit for human habitation, the use or occupation of this building for human habitation is prohibited and unlawful";

3. This ordinance shall be recorded in the Brunswick County Registry; and

4. As provided by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the cost of any vacation, closing and/or demolition of the house caused to be made by the Officer shall be a lien against the real property upon which such cost was incurred and upon any other real property of the Owner located within the City limits, except for the Owner's primary residence.

5. Civil Penalties. The City of Southport Code Enforcement is directed to levy civil penalties against the Owner in accordance with the City of Southport Minimum Housing Ordinance.

The foregoing ordinance, having been submitted to a vote, received the following vote, and was duly adopted this _____ day of _____, 2024.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Mayor

Attest:

Town Clerk

Return to:
City of Southport
1029 N. Howe Street
Southport, NC 28461

Owner(s): James E Hargrove Jr (C/O Reshonda Hargrove)
PIN: 237CA00303 (209610369382)
Case Number: 202307018

**AN ORDINANCE ORDERING THE CITY OF SOUTHPORT CODE ENFORCEMENT TO PROCEED
TO EFFECTUATE THE PURPOSE OF THE CITY OF SOUTHPORT MINIMUM HOUSING CODE
AND G.S. § 160D-1201.**

WHEREAS, on 07/17/2023, the City of Southport Code Enforcement conducted a thorough inspection of the dwelling located on the property identified in the Brunswick County Tax records by 237CA00303 (209610369382) having a street address of 813 W 11th St, Southport, NC 28461. Said property is owned by James E Hargrove Jr (C/O Reshonda Hargrove) by the deed recorded in the Brunswick County Registry at Deed Book.

WHEREAS, the City of Southport Code Enforcement found that the dwelling unit outside of the home at the property line was unfit for human habitation; and

WHEREAS, on 01/04/2023 the City of Southport Code Enforcement served upon the Owner and parties of interest in such dwelling a complaint stating the charges in that respect and containing a notice of a hearing to be held before the Officer; Derek Mabe.

WHEREAS, a duly noticed hearing was held on 01/25/2024 before the Code Enforcement Inspector at the City of Southport Town Hall; and

WHEREAS, the Code Enforcement Inspector issued an Order on 02/08/2024 In the Order, the Officer determined that the house was deteriorated/dilapidated and ordered the following steps be taken:

Repair the structure/building within 30 days.

Remove or demolish the structure/building within 30 days.

Bring all nuisance violations into compliance within 30 days.

WHEREAS, the Owner has failed to timely comply with the Order;

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderman of the City of Southport, North Carolina that:

1. By virtue of the authority granted by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the City of Southport Code Enforcement is hereby ordered to cause the dwelling unit to be repaired, vacated, and closed, or removed or demolished, as provided in the original Order of the Officer.

2. The City of Southport Code Enforcement shall place a placard on such dwelling with the following words: "This building is unfit for human habitation, the use or occupation of this building for human habitation is prohibited and unlawful";

3. This ordinance shall be recorded in the Brunswick County Registry; and

4. As provided by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the cost of any vacation, closing and/or demolition of the house caused to be made by the Officer shall be a lien against the real property upon which such cost was incurred and upon any other real property of the Owner located within the City limits, except for the Owner's primary residence.

5. Civil Penalties. The City of Southport Code Enforcement is directed to levy civil penalties against the Owner in accordance with the City of Southport Minimum Housing Ordinance.

The foregoing ordinance, having been submitted to a vote, received the following vote, and was duly adopted this _____ day of _____, 2024.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Mayor

Attest:

Town Clerk

Return to:
City of Southport
1029 N. Howe Street
Southport, NC 28461

Owner(s): April Colton
PIN: 237ED004 (209611751396)
Case Number: 202305001

**AN ORDINANCE ORDERING THE CITY OF SOUTHPORT CODE ENFORCEMENT TO PROCEED
TO EFFECTUATE THE PURPOSE OF THE CITY OF SOUTHPORT MINIMUM HOUSING CODE
AND G.S. § 160D-1201.**

WHEREAS, on 05/04/2023, the City of Southport Code Enforcement conducted a thorough inspection of the dwelling located on the property identified in the Brunswick County Tax records by 237ED004 (209611751396) having a street address of 115 E Owens St, Southport, NC 28461. Said property is owned by April Colton by the deed recorded in the Brunswick County Registry at Deed Book.

WHEREAS, the City of Southport Code Enforcement found that the dwelling unit outside of the home at the property line was unfit for human habitation; and

WHEREAS, on 01/04/2024 the City of Southport Code Enforcement served upon the Owner and parties of interest in such dwelling a complaint stating the charges in that respect and containing a notice of a hearing to be held before the Officer; Derek Mabe.

WHEREAS, a duly noticed hearing was held on 01/25/2024 before the Code Enforcement Inspector at the City of Southport Town Hall; and

WHEREAS, the Code Enforcement Inspector issued an Order on 02/08/2024 In the Order, the Officer determined that the house was deteriorated/dilapidated and ordered the following steps be taken:

Repair the structure/building within 30 days.

Remove or demolish the structure/building within 30 days.

Bring all nuisance violations into compliance within 30 days.

WHEREAS, the Owner has failed to timely comply with the Order;

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderman of the City of Southport, North Carolina that:

1. By virtue of the authority granted by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the City of Southport Code Enforcement is hereby ordered to cause the dwelling unit to be repaired, vacated, and closed, or removed or demolished, as provided in the original Order of the Officer.

2. The City of Southport Code Enforcement shall place a placard on such dwelling with the following words: "This building is unfit for human habitation, the use or occupation of this building for human habitation is prohibited and unlawful";

3. This ordinance shall be recorded in the Brunswick County Registry; and

4. As provided by the City of Southport Minimum Housing Ordinance and by G.S. § 160D-1203, the cost of any vacation, closing and/or demolition of the house caused to be made by the Officer shall be a lien against the real property upon which such cost was incurred and upon any other real property of the Owner located within the City limits, except for the Owner's primary residence.

5. Civil Penalties. The City of Southport Code Enforcement is directed to levy civil penalties against the Owner in accordance with the City of Southport Minimum Housing Ordinance.

The foregoing ordinance, having been submitted to a vote, received the following vote, and was duly adopted this _____ day of _____, 2024.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Mayor

Attest:

Town Clerk



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 3/28/2024

DEPARTMENT: Administration

PRESENTED BY: Board of Aldermen

ITEM SPONSORED BY: Board of Aldermen

ITEM/TOPIC: Board and Committee Appointments

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: Just a reminder of the amended Board and Committee ordinances. Terms expire on June 30th. Positions that are expiring will be advertised in early April. Interviews would be conducted in May and then appointed to start in July.

IMPACT IF NOT APPROVED: n/a

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS:

ATTACHMENTS: 1) amended ordinances for Boards and Committees.

REQUESTED ACTION: Remind the public that the positions will be advertised soon.

PROPOSED MOTION: n/a

AN ORDINANCE AMENDING CHAPTER 2. OF THE CITY OF SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO BOARD, COMMITTEES AND COMMISSIONS

BE IT ORDAINED, by the Board of Aldermen of the City of Southport that Chapter 2, Article IV, of the Code of Ordinances entitled “Board, Committees and Commissions” is hereby amended to remove, replace, and add the following:

CHAPTER 2. ADMINISTRATION

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

DIVISION 1: PARKS AND RECREATION COMMITTEE

Sec. 2-161. Creation and Purpose.

That there is hereby created a committee to be known as the Parks and Recreation Committee of Southport. The Parks and Recreation Committee shall advise on matters pertaining to Southport’s parks and recreation facilities and programs. The Committee shall work with the Parks and Recreation Director to recommend new rules and policies that provide guidance governing the operation and appropriate conduct by the public at the City’s recreation facilities including public parks, playgrounds, athletic fields, and gymnasiums.

Sec. 2-162. Membership and term.

Membership in the Parks and Recreation Committee shall consist of six (6) residents from within the City limits, and one (1) resident from the ETJ area. The six (6) City members shall be composed of three (3) members from Ward 1, three (3) members from Ward 2, and one (1) from the ETJ. The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Parks and Recreation Committee and the Board of Aldermen. The liaison(s) shall be entitled to all privileges except making a motion, voting, and holding office. The Parks and Recreation Director shall attend all meetings of the Parks and Recreation Committee and serve as the City staff liaison. In the absence of the Director, the Assistant Director shall attend the meeting.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Parks and Recreation Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Parks and Recreation Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	Ward 1		1		
	Ward 1		1		
	Ward 1		1		
	Ward 2			1	
	Ward 2			1	
	Ward 2			1	
ETJ	ETJ			1	

(terms 3-years to expire in June of the third year)

Sec. 2-163. Officers and Duties.

The recreation committee shall appoint from its membership a Chair, Vice-Chair, Secretary, and such other officers as it may deem necessary for the orderly procedure of its business. Officers will be nominated by the Committee each year during the first meeting of the term (July), or within sixty (60) days after a mid-term vacancy of an officer. The Committee may adopt by-laws, rules and regulations governing its procedure not inconsistent with the provisions of the state laws.

The duties for each position are as follows:

1. The Chair shall preside over all meetings, sign all official papers, appoint sub-committees, and call special meetings when necessary.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall take the minutes of all meetings.
4. The Parks and Recreation Director shall submit a report of all activities and administration at each regular meeting.

Sec. 2-164. Meetings and Authority.

The regular meeting of the Committee shall be held on the second (2nd) Tuesday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum for the purposes of conducting official meetings. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report from Parks and Recreation Director and any special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-165. Responsibilities.

The Parks and Recreation Committee shall help provide, maintain, promote, and generally advise the parks, playgrounds, athletic fields, and recreational centers owned or controlled by the City of Southport.

Sec. 2-166. Amendments

The Parks and Recreation Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Sec.2-167 through 2-174. Reserved.

DIVISION 2. BEAUTIFICATION COMMITTEE

Sec. 2-175. Purpose.

The purpose of the Beautification Committee shall be to review and recommend action on public beautification projects, in general, and to maintain specific public areas exclusively, including weeding, planting, mulching, pruning, and, in some cases painting and staining.

Sec. 2-176. Membership and Term.

Membership of the Beautification Committee will be limited to nine (9) full members appointed by the Board of Aldermen. All members shall be residents of the greater Southport area, as designated by the zip code 28461. A minimum of six (6) members shall live within the legal City limits. The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Beautification Committee and the Board of Aldermen. The liaison(s) will be entitled to all privileges except making a motion, voting, and holding office. There will also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Beautification Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and Board Liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Beautification Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City Resident (6+)	4		1	
Other Member (3)			3	

(terms 3-years to expire in June of the third year)

Sec. 2-177. Officers and Duties

The Officers of the Committee shall be Chair, Vice-Chair, Secretary and Treasurer. Officers will be nominated by the Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside over all meetings, sign all official papers, call special meetings as necessary, approve all expense reimbursements in advance of individual outlay, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall maintain and publish complete minutes of each meeting, be responsible for all Committee correspondence, and keep and maintain a membership attendance record.
4. The Treasurer shall maintain and publish a financial report at each meeting, which keeps track of expenses incurred and budgeted funds remaining to spend and be responsible for submitting check requests to the City Finance Director for individual reimbursement of approved expenses incurred.

Sec. 2-178. Meetings and Authority

The regular meeting of the Committee shall be held on the third (3rd) Monday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a

member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report of standing or special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-179. Amendments

The Beautification Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-180 through 2-191. Reserved.

DIVISION 3. HISTORIC PRESERVATION COMMISSION.

Sec. 2-192. Creation and Appointment

There is hereby created, pursuant to G.S. § 160D-303, a historic preservation commission, hereafter referred to as the “Commission.” The Commission shall consist of seven (7) full members and two (2) alternate members, who shall be appointed by the Board of Aldermen. All members appointed to the Commission shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309. Initially appointed terms shall be staggered so that two (2) members serve a one-year term, three (3) members serve a two-year term, and two (2) members serve a three-year term. Thereafter, the Board of Aldermen shall appoint members to terms of three (3) years. (Refer to Table A below for the initial term expiration dates).

Table A. Scheduled Staggered Term Expirations.

June	2023	2024	2025	2026
Full Members		2	3	2
Alternates				2

(all terms become 3-year after the original term expires)

Open positions on the Commission will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next

Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview.

Any member desiring to resign from the Commission shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Commission for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Alternate members shall not be entitled to vote on matters before the Historic Preservation Commission except when a full member is absent from a duly called meeting and is specifically indicated by a majority of regular members. All full and alternate members of the Historic Preservation Commission must be residents within the corporate limits of the City of Southport.

The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Historic Preservation Commission and the Board of Aldermen. The liaison is not a voting member but can observe and discuss ongoing reviews. At least one (1) member of the City's Planning Department staff will be assigned to serve as administrator to ensure and facilitate enforcement of the provisions of this ordinance.

Sec. 2-193 Qualification of Members

A majority of the members of the Commission shall have demonstrated education, experience, special interest, or a combination thereof, in historic preservation, history, architecture, architectural history, archaeology, cultural anthropology, planning, or related field.

Sec. 2-194 Rules of Procedure

a. The Commission shall adopt rules of procedure necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. The rules of procedure shall provide for at least the following:

1. Selection of Commission officers.
 - i. The Officers of the Commission shall be Chair, and Vice-Chair. Officers will be nominated by the Historic Preservation Commission during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.
2. Time and place of regular meetings and calling of special meetings.
3. Procedure for conduct of public hearings.
4. Keeping of minutes and Commission records.
5. Conduct of voting.
6. Conflicts of interest policy.

7. Attendance policy.
 8. Forms to be used in applying for Certificates of Appropriateness.
 9. Sufficient project information to make sound determinations regarding applications for Certificates of Appropriateness.
 10. List of minor work for which the City Staff may issue Certificates of Appropriateness.
- b. The Commission shall meet at least quarterly. All meetings shall be conducted in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C (G.S. §§ 143-318.9 to 318.18).
 - c. The Commission shall annually present to the Board of Aldermen a report of its activities, budget, findings, recommendations, and actions, which shall be made available to the public.

Sec. 2-195 through Sec. 2-199 are unchanged from the current Code.

Sec. 2-200. through Sec. 2-204. Reserved.

DIVISION 4. FORESTRY COMMITTEE

Sec. 2-205. Purpose

The purpose of the Forestry Committee shall be to review and recommend actions to preserve and enhance the community's trees. Recognizing that the historical personality of the City is in part defined by its trees, in particular the live oaks. The Committee's actions will include:

1. Protection of existing trees;
2. Tree replenishment;
3. Public Education;
4. Other functions related to the community's forest environment.

Sec. 2-206. Membership and Terms

Membership in the Forestry Committee is limited to seven (7) full members as appointed by the Board of Aldermen. The Board of Aldermen can appoint "alternate" members, at the recommendation of the Committee Chair. The alternate members will not have regular voting privileges unless voted in by a majority of regular members. In the absence of a full member, the corresponding (City or ETJ) alternate may be voted in with voting privileges. If the corresponding alternate is absent, either alternate may be voted into the meeting with full voting privileges. All full and alternate members of the Forestry Committee must be residents of the City or the ETJ area.

The Committee may also retain "consulting members" who have particular skills or expertise beneficial to the Committee's purpose. Any person possessing these skills or expertise, including City employees, may serve on the Committee as a "consulting member" with the approval of the Committee Chair. The Mayor shall appoint an Alderman(s) to the Forestry Committee to act as a liaison(s) who shall be entitled to all privileges except making a motion, voting, or holding office. There shall also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All applicants will be interviewed by the Chair, Vice-Chair and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Forestry Committee members shall serve without compensation. (Refer to Table A below for term expiration dates.)

Table A. Scheduled Staggered Term Expirations

	June	2023	2024	2025	2026
City/ETJ Resident (7)			1	6	
Alternates			1	1	
Consultants	Serve at their will with approval of the Forestry Committee Chair				

(terms 3-years to expire in June of the third year)

Sec. 2-207. Officers and Duties

The Officers of the Committee shall be the Chair, Vice Chair, and Secretary. Officers will be nominated by the Forestry Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside at all meetings, sign all official papers, call special meetings as necessary, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The recording Secretary shall maintain and publish complete minutes of each meeting, be responsible for all committee correspondence and keep and maintain membership attendance records.

Sec. 2-208. Meetings and Authority

The regular meeting of the Forestry Committee shall be held the second Tuesday of each month, at 5:00 p.m., at the Indian Trail Meeting Hall. Special meetings shall be called by the Chair. The purpose of the special meeting must be stated in the notice and there shall be at least (48) hours before the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee, and it is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member and shall request the Board of Aldermen to fill the vacancy.

Four members of the Committee shall constitute a quorum.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order
2. Approval of Minutes of the previous meeting
3. Report of standing or special committees
4. Old/Recurring Business
5. New Business
6. Adjournment

Sec. 2-209. Amendments

The Forestry Committee may amend its By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-210. through 2-214. Reserved

DIVISION 5. LOCAL ABC BOARD

Sec. 2-215. Purpose

The local ABC Boards serve the City responsibly by controlling the sale of spirituous liquor and promotion customer friendly, modern, and efficient stores.

Sec. 2-216. Membership and Terms

The City of Southport local ABC Board shall consist of five (5) members, who are appointed by the Board of Aldermen. The Board of Aldermen shall appoint members of a local board based on the appointees' interest in public affairs, good judgement, knowledge, ability, and moral character. The Mayor shall serve or appoint an Aldermen to serve as a liaison between the ABC Board and the Board of Aldermen. The Store Manager shall serve the local board in an administrative role.

Open positions on the Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview

committee. The Commission will strive to have the same interview committee for every interview. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the ABC Board shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the ABC Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Board. Officers of the ABC Board shall be the Chair, which will be nominated by the ABC Board. The Chair shall preside over all meetings, call special meetings as necessary, and perform all duties usually bestowed on a Chair. The ABC Store Manager shall act as Secretary of the Board. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
Full Members (5)	1		2	2

(terms 3-years to expire in June of the third year)

Sec. 2-217. Duties of ABC Board

A local ABC Board is governed by North Carolina General Statute Chapter 18B: Regulation of Alcoholic Beverages. The local governing board appoints the members and reviews all sales reports, and store updates. General operation of the store and personnel matters is the responsibility of the ABC Store Manager and members of the local ABC Board.

All other regulations and responsibilities of the ABC Board are included in Chapter 18B, Articles 7 and 8 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 2, Article IV: Boards, Committees and Commissions, is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote, and was duly adopted this the ____ day of April 2023.

Ayes: _____

Noes: _____

Absent or Excused: _____

Joseph P. Hatem, M.D., M. P. H.
Mayor, City of Southport

Dorothy Dutton, Asst City Manager/Clerk

AN ORDINANCE AMENDING CHAPTER 13. OF THE SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO THE PLANNING BOARD AND BOARD OF ADJUSTMENT

BE IT ORDAINED by the Board of Aldermen of the City of Southport that Chapter 13 of the Code of Ordinances entitled “Planning” is hereby amended as follows:

CHAPTER 13. PLANNING

ARTICLE II. PLANNING BOARD

Sec. 13-26. Membership and vacancies. (revised section)

The Planning Board shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the City and shall be appointed by the Board of Aldermen. Two (2) members and one (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the City as described pursuant to G.S. § 160D-201 *et seq.* and shall be appointed by the County Board of Commissioners pursuant G.S. § 160D-307. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the city alternate shall serve as a regular city member and the ETJ alternate shall serve as a regular ETJ member. Both shall have the same privileges as the regular members and may count for quorum purposes and vote if the absent member is a city member. In the instance that the City or ETJ alternate is unavailable, the other may be voted in as a full member. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All Planning Board members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the term expiration dates). The Mayor shall appoint up to two (2) Aldermen to the Planning Board to act as a liaison(s) between the Planning Board and the Board of Aldermen.

Open positions on the Planning Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. . In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance at the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Planning Board shall be the Chair and Vice Chair. Officers shall be nominated by the Planning Board during the first meeting of the new term (July), or within sixty (60) days after a mid-term vacancy.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	FULL # to exp		1	3	1
	ALT # to exp				1
ETJ	FULL # to expire		2		
	ALT # to expire	1			

(terms 3-years to expire in in June of the third year)

Sec. 13-27 through 13-37 are unchanged.

ARTICLE III. BOARD OF ADJUSTMENT (new article)

Sec. 13-31. Membership and vacancies.

The Board of Adjustment shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Two (2) members and one (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the City as described in G.S. § 160D-201 *et seq.* and shall be appointed by the County Board of Commissioners pursuant to G.S. § 160D-307. Alternate members shall not be entitled to vote on matters before the Board of Adjustment except when a regular Board of Adjustment member is absent from a duly called meeting. In that situation, the city alternate shall serve as a regular city member and the ETJ alternate shall serve as a regular ETJ member. Both shall have the same privileges as the regular members and may count for quorum purposes and vote if the absent member is a city member. In the instance that the City or ETJ alternate is unavailable, the other may be voted in as a full member. All members appointed to the Board of Adjustment shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the initial term expirations dates). The Mayor shall appoint an Alderman(s) to act as a liaison(s) between the Board of Adjustment and the Board of Aldermen.

Open positions on the Board of Adjustment will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, Vice Chair, and Board liaison, who will

recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board of Adjustment shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance of the meetings of the Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Board of Adjustment shall be the Chair and Vice Chair. Officers shall be nominated each July when the new terms begin, or within sixty (60) days of a mid-term vacancy of an officer.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	FULL # to expire		1	3	1
	ALT # to expire				1
ETJ	FULL # to expire		2		
	ALT # to expire	1			

(terms 3-years to expire in June of the third year)

Sec. 13-32. Organization, rules, meetings, records.

Within thirty (30) days after appointment, the Board of Adjustment shall meet and elect its Officers. Other Officer positions may be created as needed. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its findings, conditions imposed and recommendations, which record shall be a public record. The Board shall hold meetings as needed on a monthly basis. The regular meetings shall take place on the fourth Tuesday of each month, and the meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action required by this article.

Sec. 13-33. General powers and duties.

It shall be the duty of the Board of Adjustment, in general, to:

1. Decide whether variances from the requirements of the Unified Development Ordinance should be granted.
2. Hear, review, and decide appeals from any final order, final decision of this ordinance, or official determination made by the UDO Administrator. Administratively review appeals from interpretation and enforcement of the UDO by an official.
3. Hear and decide applications for Special Use Permits, as specified in the UDO.

4. Pass upon, decide, or determine such other matters as may be required by the UDO.

Sec. 13-34. Quasi-Judicial Decisions

The Board of Adjustment shall make decisions based on the competent, material, and substantial evidence submitted into the record and subject to the procedures of G.S. § 160D-406. Each quasi-judicial decision shall be put into writing and signed by the Chairman. The quasi-judicial decision is effective upon filing the final written decision with the Clerk to the Board of Adjustment. The decision shall be delivered to the applicant or other parties of interest by personal delivery, electronic mail, or first-class mail. When first-class mail is used, an additional three (3) days shall be added to the time. The final decision of the Board of Adjustment is subject to an appeal process with the superior courts by filing a petition for writ of certiorari pursuant to G.S. § 160D-1402. All appeals shall be filed with the clerk of superior court within thirty (30) days after the Board of Adjustment's decision is filed with the Clerk to the Board or delivered to the applicant, whichever is later.

Sec. 13-29. Conflict of Interest.

Pursuant to G.S. § 160D-109(d), a member of the Board of Adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate an affected persons' constitutional right to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote on the objection. Vacant positions and Board members who are disqualified from voting shall not be considered "members of the board" for calculation of the requisite majority if there are no qualified alternates available to take the place of such members. In addition, members of the Board of Adjustment shall not engage in any ex parte communications with the applicant(s), or any other involved party.

Sec. 13-31. Zoning ordinance.

The Board of Adjustment may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and review of the UDO.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 13: Planning is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote and was duly adopted this the ____ day of April 2023.

Ayes: _____

Noes: _____

Absent or Excused: _____

Joseph P. Hatem, M.D., M.P.H.
Mayor, City of Southport

Dorothy Dutton, Asst City Manager/City Clerk



Planning Board Minutes
Community Building 223 E. Bay Street
February 15, 2024
6:00 P.M.

Members Present: Sue Hodgins, Will Hewett, Fred Fiss, Roy Pender, Scott Jones, Dick Sloan, Donnie Joyner, and Kevin Locklin (remote)

Members Absent: None

Staff Present: Mo Meehan, City Planner
Tanya Shannon, Deputy Clerk
ChyAnn Ketchum, Director of Communications/PIO

Board of Aldermen Rebecca Kelley and Frank Lai
Liaisons:

- A. Chair Sue Hodgins called the meeting to order at 6:00 p.m.
- B. Mr. Scott Jones gave the Invocation.
- C. Chair Hodgins led the Pledge of Allegiance.
- D. Motion to approve the January 18, 2024, Meeting Minutes by Vice-Chair Hewett and second by Mr. Sloan. ***Unanimous vote; Motion carried.***
- E. **Approval of the Agenda:** Chair Hodgins requested a Motion to approve the agenda with an amendment requested By Mr. Fiss to include a discussion on consideration to rezone the Entrance Corridor to BD under New Business, item (2). Motion to approve by Vice-Chair Hewett and seconded by Mr. Sloan. ***Unanimous Vote; Motion Carried.***
- F. **Public Comment:** None
- G. **Old Business:**
 - 1. **Southport Local Historic District Design Standards - Discussion with the Historic Preservation Commission.**

Planner Meehan provided some background on the Southport Historic Preservation Commission (HPC). The HPC was established on September 8, 2023. They have regularly met to establish the Southport Local Historic District Goals, Policy and Procedures, and Design Standards. Any development within the local historic district must comply with the Commission's standards, which the Board of Aldermen approves. The Commission's design standards ensure fairness and equality in the review of projects. Before a landmark or district can be designated, the Commission must adopt design standards, and changes to the exterior appearance of landmarks and properties in local historic districts can be regulated.

Mr. Josh Cline McGee and Ms. Joanne Wesson, members of the Historic Preservation Commission, were introduced at the meeting. They explained that much thought and time had been put into the design standards. They described the role of the Commission as one that encourages and promotes the preservation and protection of the city's historical value.

During the discussion, Mr. Pender inquired about the roof standards. Ms. Wesson responded by stating that the objective was to maintain the current standards. She explained that they had compared the standards with other areas and decided not to burden the homeowners by using expensive materials. The goal is to retain the look of the area. Mr. McGee stated that the guidelines were intended to remain unchanged, but if any applicant wished to make a change, they would have to seek approval from the committee. Scott Jones mentioned that the HPC has a maximum of 180 days to review. Ms. Meehan explained that if the application must be reviewed or changed by the state and is considered a landmark, it must be sent to the state for review, and

feedback will be given. Mr. Jones pointed out that six months seems like a long time. Ms. Meehan clarified that the average review time would not be that long. Mr. Chris Jones asked if the nine board members would continue, to which Ms. Meehan replied that it was similar to other boards with term limits. Mr. Fiss said he supports the HPC and restores many older homes in the district as a builder. He said he views it as restoration, but people often want to add more windows to his projects, and the standards may prohibit it. He said he has never restored a house where the owner may want something different. He supports the document but is concerned with hardships and affordability. He said, however, that it would be on a case-by-case basis. Mr. Chris Jones asked where the language in the ordinances came from. Mr. McGee said they had reviewed it over 12 months, looking at Beauford, Wilmington, Asheville, and other areas, and pulled relevant things to Southport. The guidelines were not copied verbatim but were used as a reference.

2. **Southport Local Historic District Design Standards- Recommendation**

Chair Hodgkin expressed her appreciation for the productive discussion and thanked the members of the Historic Preservation Commission for their valuable input. She acknowledged the dedication of the Commission members, many of whom have extensive experience in preservation. Overall, Chair Hodgkin emphasized the Commission's good fortune in having such committed and knowledgeable members.

Chair Hodgkin mentioned that the ordinances are not absolute and can be modified as we gain knowledge of best practices and observe trending patterns in similar municipalities. Similar to the UDO, the Design Standards will require continuous advice and revision as we move forward. While changes and refinements can be made as necessary, it's crucial to start somewhere. She then asked the Board if they had any suggestions or recommendations they would like to send back to the Commission for consideration. Finally, she asked the Board if they would like to vote on a recommendation to the Board of Aldermen.

Mr. Joyner and some board members have requested additional time to review the HPC design standards and express their concerns to Ms. Meehan. The board agreed to table a recommendation to the Board of Aldermen on the standards until a further review is conducted.

3. **Text Amendment- Section 3.9.B.5 Setback Exceptions and Encroachments**

Ms. Meehan gave an overview of the proposed amendment. She explained that Cameron Smith's request to amend the Unified Development Ordinance Section 3.9.B. was submitted and presented to the Planning Board on September 21, 2023.

On November 16, 2023, the Planning Board made a decision to recommend the denial of a Unified Development Ordinance Amendment to Section 3.9.B Setback Exceptions and Encroachments. This amendment would have allowed HVAC, generators, and similar equipment to encroach up to 48 inches into a required setback. However, the staff presented another option that could be considered. This alternative allowed a 42-inch encroachment, not more than 24 inches from the property line. During the regular meeting on February 8, 2024, the Board of Aldermen voted to send the text amendment back to the Planning Board. Ms. Meehan updated the presentation and presented more options.

In the discussion, Mr. Fiss expressed his desire to hear a definitive answer from the Fire Chief or Marshall regarding safety hazards. Vice-Chair Hewett agreed that the issue of 24 inches was a safety concern. Mr. Scott Jones inquired about the number of houses with this issue, stating that most houses do not block houses on both sides. He suggested that there should be access on both sides of the house, not just one block. Chair Hodgkin reiterated that the builders wanted to build a bigger house on a smaller lot, and it was the builder's responsibility to think outside the box. Ms. Hodgkin requested documentation and clearance on space safety, noting that the non-conforming lots were mainly the problem. She suggested splitting the issue between the conforming and non-conforming lots and have a discussion on possibly a 4' encroachment allowance for mechanicals (on conforming lots), but not closer than 3' (or even

4') to the property line; this would allow for shrubbery for noise- and aesthetics-considerations. Ms. Meehan reminded everyone to be aware that some non-conforming lots have 6-foot setbacks.

Chair Hodgins proposed that the staff be provided with suggestions for rewrites and asked to prepare them for next month's meeting. She also recommended that the possibility of granting a 4-foot encroachment allowance for mechanicals on conforming lots be discussed while ensuring they are not placed closer than 3 or 4 feet to the property line. This would allow for shrubbery to be planted to address noise and aesthetic concerns.

The consensus was to establish a Review Committee for the non-conforming lots. Vice-Chair Hewett, Mr. Locklin, and Mr. Fiss volunteered.

H. New Business

1. Planned Unit Development Rezoning and Master Development Plan- Turtle Bay

Ms. Meehan stated that on behalf of Turtle Bay at Southport, Jackson Starling, the applicant is requesting approval of a Master Development Plan and Rezoning from R-20/HC to Planned Unit Development (PUD). The Master Development plan proposes 100 single-family dwelling units on an approximately 54-acre parcel of land located on NC 87. A portion of the northern boundary is within Brunswick County Jurisdiction. A petition for annexation has been submitted and will follow the affirmative recommendation to the Board of Aldermen.

Most of the property falls within the medium suitability land classification on the Land Suitability Analysis Map of the CAMA Land Use Plan. A portion is classified as low suitability due to the proximity of wetlands on site. The future land use map designation is low-density residential and heavy commercial. Low-density residential designation allows a variety of single-family uses with a density of 2/3 units per acre. Ms. Meehan said the staff also requested an amendment to the future land use map to designate the entire property as low-density residential.

Mr. Jackson Starling, PE, with East Coast Engineering, P.C., gave a PowerPoint presentation on the proposed PUD. After the presentation, the board members had some questions and expressed specific concerns.

Mr. Fiss questioned if the same builders, "Premier Homes," are the same builders building the "Home Place" development. Mr. Starling said that it was. Mr. Fiss stated that that plat was clear-cut. Mr. Starling noted that the property was in the county, that he would have a tree mitigation plan for this project, and that they intended to preserve as many trees as possible.

Vice-Chair Hewett asked about the possibility of constructing an additional roadway that would connect to the Walmart intersection. The new road would provide an alternative entrance and exit with a stoplight. Mr. Starling explained that Sandy Lane was considered an option for this project. However, it was found that some constraints made it less optimal. These constraints include the existing wetlands, the width of the existing right-of-way along Sandy Lane (which is only 30ft, so it doesn't give as much space for other utilities if needed), and it wouldn't be the best entrance for grand landscaping.

Mr. Joyner raised concerns about the traffic pattern from Jabbertown Road onto Highway 87. Mr. Starling explained that the traffic design would be changed to a right-out-only approach from Jabbertown Road. Mr. Joyner then clarified that there would also be no left turn permitted from Highway 87 onto Jabbertown Road. Mr. Starling confirmed that this was the proposed plan from the Department of Transportation. Mr. Joyner and Mr. Pender expressed their concerns that this would create problems for the residents of Jabbertown Road and Ace Hardware, as they would not be able to turn left onto Jabbertown Road. They recommended that the City discuss the design plan with the Department of Transportation immediately.

Mr. Scott Jones asked about the number of homes that would be constructed if the development remained an R-20 district. Chair Hodgkin noted that with the proposal to rezone from R20 to PUD – makes sense because at R20, approx. 78 units could be built, with a requirement for only a bit over an acre of open space; with PUD rezoning, they're proposing 100 units, but TEN-plus acres of open space – way more than what's required by the R-20 zoning. Their proposed open space acreage meets our requirements for contiguous areas; it allows for walking paths and a park throughout the community, and connectivity and a sense of neighborhood are goals for the city. Chair Hodgkin confirmed with Ms. Meehan that the plan meets all requirements of the Unified Development Ordinance. Mr. Starling noted that he understands the issues with the DOT traffic pattern changes. He said it is not a part of their project, and it is not related to anything that they are able to change as their entrance is proposed south of the Jabbertown Rd: entrance and exit.

It was the consensus of the Board to table the submitted Turtle Bay PUD Application, Rezoning, and Master Development Plan for additional consideration and/or Staff comments for return to us at our March 2024 Meeting. A motion was made by Mr. Scott Jones to table until the next meeting and seconded by Vice-Chair Hewett. **Unanimous Vote; Motion Carried.**

2. Discussion of Expansion of the City's Business District

Mr. Fiss would like to consider a potential business district expansion going up to Walgreens and across the street on the Bald Head Island LLC property across from the Truist Bank. He noted that many people agree that the entry corridor of the city should be streamlined compared to highway commercial, where a potential large hotel may be built. He wants to see the Highway Commercial begin on the other side of the 211/ 87 intersection stop light.

Ms. Meehan explained that going through a potential rezoning like this would be initiated by the city and go through the same zoning process as all others. Staff would notify all the property owners in the potential areas of consideration for rezone by staff and then bring them to the Planning Board for review and recommendation to the Board of Aldermen. There will be public hearings as usual. Chair Hodgkin noted there would need to be a boundary for where the proposed extended Business would end. Ms. Meehan said that she would need some direction from the Board on where it should stop and end. Ms. Meehan said she would look into the surrounding Highway Commercial area, review the property values, and bring information back to the Board. Mr. Fiss noted that these factors should also be considered with the Hwy 211 road widening project and the broad changes coming to the intersection at Robert Ruark. There will be more discussion in future meetings.

I. Other Business:

Chair Hodgkin provided an update on the Sign Review Committee and informed everyone that they will present a complete report to the Board at the upcoming March Meeting. She also mentioned that the Steering Committee for the Comprehensive Plan has finalized the Member's Roster. The first meeting is scheduled to take place on March 15th. Additionally, Ms. Meehan shared that the city website now has a Comprehensive Plan webpage that includes information and updates.

J. Announcements:

Chair Hodgkin expressed gratitude towards all the volunteers and presenters for their contribution towards Black History Month.

With no further business, Chair Hodgkin asked for a Motion to adjourn the meeting.

Adjourn:

Vice-Chair Hewett made a Motion to adjourn and, seconded by Mr. Sloan. **Unanimous Vote; Motion Carried. —8:23 p.m.**

Chair, Sue Hodgins

Deputy Clerk, Tanya Shannon



**Board of Adjustment Minutes
Indian Trail Meeting Hall,
113 W. Moore St.
February 27, 2024 at 4:30 p.m.**

Present: Jason Robbins, Harley Lemons, Jason Robbins, Amy Aycock, Kate Seigler, and Tuck Masker
Absent: Pete Haislip, Josh Cline McGee
Board Liaison: Alderman Marc Spencer
Staff Present: Maureen Meehan, City Planner
Dorothy Dutton. City Clerk/Assistant City Manager

Others Present: Brian Turner, John Tunstall, Antoniette Barber, Frank Popelars, Rick Young, Bob and Maggie Fitch, Hank Pomeranz, Mike Falciani, and Chad Richmond.

- A. Call to order by Vice Chairman Jason Robbins at 4:32 p.m.
- B. Vice Chairman Robbins led the Pledge of Allegiance. He also read the Ethics Statement.
- C. Mr. Robbins then reviewed the quasi-judicial process with the public. Harley Lemons stated that he volunteered at Doshier Hospital, but he received no financial benefit. The Board agreed there was no reason for him to recuse himself. Mr. Robbins stated that he worked with the applicant of 1005 E. Moore Street when she purchased the property but has had no contact since. He added that he does business sometimes with Langbeen Builders, but there is no conflict. Ms. Seigler reported that the seller's agent on her house was related to the Special Use Permit request on Captain Adkins Drive. No conflict was identified.

D. Old Business

A. Variance Request: 1005 E. Moore Street

City Planner Mo Meehan was sworn in. She explained that this was a continuation of the January meeting because the Board of Adjustment requested more information and updated measurements. Ms. Meehan explained the request to reduce the front yard setback and construct an ADA-compliant ramp for access to her single-family home. The contractor had started construction without a permit, but once aware of the process, they sought a variance. The applicant also provided an alternative design that would require a variance, but the setback will still be 12-14 feet. The second design requires at least half of the existing construction to be removed and built back. The property already had a non-conforming front setback, but the house was built in the 1950s.

No one else presented testimony for the request. Harley Lemons said that he appreciated the situation but was concerned about the setback reduction to only 18 inches. He added that he would support the second design option. Amy Aycock agreed that the first option was too close. Tuck Maskers said he didn't feel like the situation was peculiar to this property, so he wasn't sure it qualified for a variance. Mr. Robbins said that he doesn't disagree, but they have to consider accessibility. The Board began talking through the appropriate motions.

1. ***Kate Seigler made a motion that unnecessary hardship would result from a strict application of the ordinance. Harley Lemons seconded. All ayes. Motion carried.***
2. ***Amy Aycock motioned that the hardship does result from conditions that are peculiar to the property and with consideration of the Federal Fair Housing Act. Kate Seigler***

seconded the motion. All ayes. Motion carried.

3. *Kate Seigler made a motion that the hardship did not result from actions taken by the applicant or property owner. Harley Lemons seconded the motion. All ayes. Motion carried.*
4. *Kate Seigler made a motion that the requested Option 2 variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved. Amy Aycock and Tuck Masker seconded the motion. All ayes. Motion carried.*
5. *Amy Aycock motioned that based on the Findings of Fact and evidence presented, the Board of Adjustment recommends approval of the application with design option #2. Kate Seigler seconded. All ayes. Motion carried.*

E. New Business

A. Special Use Permit: 515 N. Caswell Avenue.

City Planner Mo Meehan, who was still under oath, explained the request for an accessory dwelling unit on the second story of a new detached garage. She said the parcel is 8700 square feet and is zoned R-10. The proposal includes a bedroom and bathroom, and the same driveway will be used as the principal dwelling. The footprint of the structure is 506 square feet, which qualifies for the setback exception. At that time, Mr. Robbins explained that a letter had been sent to the Board of Adjustment opposing the Special Use Permit request. Mr. Robbins informed the Board that they are not to consider the letter from Ms. Lynn Sanders when deciding on the request. The letter would be included in the official record. Ms. Seigler asked if the adjacent property owners were noticed, to which Ms. Meehan confirmed. There was some discussion about the threshold for considering a space as a dwelling. Harley Lemons asked if the applicant agreed not to use the accessory dwelling unit as a short-term vacation rental. Mr. Chad Richmond said they had no intention of renting it.

1. *Kate Seigler made a motion that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. Harley Lemons seconded. All ayes. Motion carried.*
2. *Kate Seigler made a motion that the use meets all required conditions and specifications. Tuck Masker seconded. All ayes. Motion carried.*
3. *Kate Seigler made a motion that the use will not adversely affect the use or any physical attribute of adjoining or abutting property. Tuck Masker seconded. All ayes. Motion carried.*
4. *Kate Seigler made a motion that the location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. Amy Aycock seconded. All ayes. Motion carried.*
5. *Amy Aycock made a motion that based on the findings of fact and the evidence presented, the Board of Adjustment recommends approval of the Special Use Permit with the condition that the accessory dwelling must comply with the provisions of the Short-term Vacation Rental Ordinance and cannot be rented separately from the existing, primary home. Tuck Masker seconded the motion—all ayes. Motion carried.*

B. Special Use Permit: 1000 Captain Adkins Drive

Ms. Meehan presented a request for a Special Use Permit at 1000 Captain Adkins Drive. The owner, Justin May, is requesting permission to build an accessory dwelling unit attached to the new primary structure. The property is 0.43 acres and is zoned R-20. The property is currently vacant. The accessory dwelling unit will be a mother-in-law suite with 795 square feet, including a bedroom, bathroom, kitchen, and closets. Parking is included in the same driveway, and no

other accessory dwelling unit is proposed. Ms. Meehan explained that the setback exception could not be applied because of the proposed square footage. Justin May stated that he understood the condition that the dwelling could not be used as a short-term vacation rental. Frank Popelars, a resident of Captain Adkins, was sworn in because he wanted to make sure the dwelling would not be rented separately. There were no other comments.

1. **Kate Seigler made a motion that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. Amy Aycock seconded the motion. All ayes. Motion carried.**
2. **Kate Seigler made a motion that the use does meet all required conditions and specifications. Amy Aycock seconded the motion. All ayes. Motion carried.**
3. **Kate Seigler made a motion that the use will not adversely affect the use or any physical attribute of adjoining property. Tuck Masker seconded. All ayes. Motion carried.**
4. **Kate Seigler made a motion that the location and character of the use if developed to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. Harley Lemons seconded the motion. All ayes. Motion carried.**
5. **Amy Aycock made a motion that the Board of Aldermen recommend approval of the Special Use Permit with the condition that the accessory dwelling must comply with the provisions of the Short-term Vacation Rental Ordinance and cannot be rented separately from the existing primary home. Tuck Masker seconded. All ayes, motion carried.**

C. Special Use Permit: 5109 Fernwood Drive

Ms. Meehan explained the next request was also for an accessory dwelling unit. This property is also currently vacant, and the owners would like to build living quarters over the detached garage. The garage is proposed at 1359 square feet, so the setback exception does not apply. The dwelling will only be 474 square feet and will include a loft area and a full bathroom. The ADU will be served by the same driveway as the principal structure.

1. **Kate Seigler made a motion that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. Amy Aycock seconded the motion. All ayes. Motion carried.**
2. **Kate Seigler made a motion that the use meets all required conditions and specifications. Tuck Masker seconded the motion. All ayes. Motion carried.**
3. **Kate Seigler made a motion that the use will not adversely affect the use or physical attribute of adjoining property. Amy Aycock seconded. All ayes. Motion carried.**
4. **Kate Seigler motioned that the location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located and in general conformity with the City of Southport Comprehensive Plan. Harley Lemons seconded. All ayes. Motion carried.**
5. **Amy Aycock made a motion that based on the findings of fact and evidence as presented, the Board of Adjustment recommends approval of the special use permit application with the condition that the accessory dwelling must comply with the provisions of the Short-term Vacation Rental Ordinance and cannot be rented separately from the existing, primary home. Tuck Masker seconded. All ayes. Motion carried.**

D. Special Use Permit: 801 N. Atlantic Avenue

City Planner Mo Meehan explained the first request made by Doshier Memorial Hospital. She said the hospital needs a temporary construction trailer and storage area because the parcel is not adjacent to the hospital, so a Special Use Permit is required. The project will require buffers on the residential side of the property and build a construction fence around the property. The applicant plans to keep all the trees in place, and temporary construction driveways will be installed. The lighting plan will be submitted during the permitting phase, but they comply with

the ordinance standards. They will be putting gravel down in the area and plan to use the parcels as the temporary storage and construction laydown yard for between 18-24 months. At that time, Vice Chair Jason Robbins swore in Brian Turner, the facilities manager for Doshier Hospital. Mr. Turner reiterated that the parking lot has to be completed in time for the Emergency Department to be used. He explained that they are taking up space in an existing parking area because of the new construction. A silt fence would be installed around the project. There were no other questions.

1. Kate Seigler made a motion that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. Tuck Masker seconded. All ayes. Motion carried.

2. Kate Seigler made a motion that the use meets all required conditions and specifications.

3. Kate Seigler made a motion that the use will not adversely affect the use or any physical attribute of adjoining or abutting property. Harley Lemons seconded. All ayes. Motion carried.

4. Kate Seigler made a motion that the location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. Amy Aycock seconded the motion. All ayes. Motion carried.

5. Kate Seigler made a motion that, based on the findings of fact and evidence presented, the Board of Adjustment recommends approval of the Special Use Permit with no conditions. Tuck Masker seconded. All ayes. Motion carried.

E. Special Use Permit: N. Atlantic Avenue

Ms. Meehan explained the second request from Doshier Memorial Hospital. This request was for a commercial parking lot in the same location as the temporary storage area. They are proposing a 33-space parking lot that will meet all the requirements of the Unified Development Ordinance. The parking lot will be constructed with pervious concrete. They plan to plant more oak trees and dwarf palmettos in addition to the existing trees. The lighting plan will be submitted during the permitting phase. There were some questions about the timing of this phase of the project, and there was a suggestion to extend the term of the permit to (24) months. Vice Chair Jason Robbins swore in Mr. John Tunstall, the engineer for the project. He explained that the parking spaces will be pervious coverage, but the drive aisles will be impervious coverage. There were no further questions.

1. Kate Seigler made a motion that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. Amy Aycock seconded. All ayes. Motion carried.

2. Kate Seigler made a motion that the use meets all required conditions and specifications. Tuck Masker seconded. All ayes. Motion carried.

3. Kate Seigler made a motion that the use will not adversely affect the use or any physical attribute of adjoining or abutting property. Amy Aycock seconded. All ayes. Motion carried.

4. Kate Seigler made a motion that the location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. Amy Aycock seconded. All ayes. Motion carried.

5. Kate Seigler made a motion that, based on the findings of fact and the evidence presented, the Board of Adjustment recommends approval of the Special Use Permit for a commercial parking lot at 801 N. Atlantic Avenue with the condition that the permit is extended for (24) months. Tuck Masker seconded. All ayes. Motion carried.

F. Approval of Minutes

Kate Seigler made a motion to approve the minutes from the January 23, 2024, Board of Adjustment meeting. Amy Aycock seconded. All ayes. Motion carried.

G. Adjourn

Ms. Dutton informed the Board of Adjustment that the Comprehensive Plan Steering Committee has met once so far, and there is a parking study ongoing simultaneously. It appears there will be a meeting needed in March.

Kate Seigler made a motion to adjourn the meeting, which Amy Aycock seconded. Vice Chair Jason Robbins adjourned the meeting at 6:41 p.m. All ayes. Motion carried.

Jason Robbins, Vice-Chair
Board of Adjustment

Dorothy Dutton
Asst City Manager/City Clerk

City of Southport Beautification Committee Minutes

Date: February 19, 2024 Minutes taken by: Karen Brennan, typed by Karen Pasquale

Location: Indian Trail Meeting Hall

Quorum determined: Meeting called to order by Lynne Geiman at: 5:00pm

In Attendance: Ken and Lynne Geiman, Robert Thatcher, Larry Ashley, Joe Fikentscher, Scott Bushman, Karen Brennan, Allayna Dail

Absent: Karen Pasquale, Karen Mosteller

Guests: None

Approval of January 15, 2024 Minutes: Minutes amended, approved and seconded.

1. Committee Reports

a. Native Plant Pollinator Garden (NPPG): Lynne

- Two people have stepped up to head the pollinator garden.
- They are Lynn Menches and Leslie Friedrich.
- They will update the webpage on the City of Southport's page.
- The committee discussed how to better advertise in order to get more volunteers for NPPG and SBC.

b. Communication Report: Larry Ashley

- The SBC webpage on the City of Southport site needs to be refreshed and updated to reflect better what we do as a committee.

c. Planting/Garden/Steward Program: Lynne

- The committee discussed what to plant and how to keep the plantings watered in the containers in front of the Southport Community Building.
- Allayna said that there is still no one in charge of that building.

e. Financial Report: Lynne

- Balance as of 2/29/24 is \$1888.59 plus the \$1407.64 Historical balance.
- Allayna submitted our budget request.

2. Old Business

a. February Workday – 2/3/24: Lynne

- It was a successful day with 15 people in attendance, for a total of 40 manhours of work.
- Grasses and plants were trimmed and general cleanup was done in a number of areas.

b. Map Update: Joe

- Nothing new to report since last update.
- Rotary Club will decide if they will take care of the map.

c. Cleats Project: Joe/Scott

- Scott and Joe will paint the cleats when the weather is appropriate.

d. Yacht Basin Boat: Lynne

- The painting of the boat will wait until the weather is appropriate.
- We will need to apply rust encapsulating paint first.

e. Town Tree Lights: Lynne

- Moving forward, any issues with the holly tree lights will have a specific procedure. An email should be sent to Lynne with that particular issue. She will then forward the email to Allayna who will create a work order for Public Works. This will prevent any duplicate work orders.
- When sending an email to Lynne, committee members should please list the street name, building location or other landmark and the specific issue.
- There was some discussion on whether we want to change the lights to color, or to a warmer white bulb.
- A suggestion was to change one tree to a warmer white bulb and compare it to the bright white.
- Allayna will check to see if there is a city ordinance for the light color.
- There was also a discussion on whether to replace the lights on the Mayor's Christmas tree.

3. New Business

a. Waterfront Benches and tables cleaning: Lynne

- Allayna will ask Public Works if they will undertake the cleaning without using pressure washers.
- If they cannot, SBC will include the cleaning on a workday.
- The main issue is for the public to stop feeding the birds at Waterfront Park.
- There was discussion on possible signs stating no feeding, but no decision was reached.

b. March Workday – 3/2/24: Ken

- Staining of tables and benches and painting of poles and caps.
- The above mention is weather dependent.
- It was suggested that the poles need to have rust encapsulating paint applied before painting.

c Future Work: Lynne

- Allayna will look into whether we can replace the stones at Oliver's parking lot spot with cement.
- There was some discussion if we could install an anchor or some other nautical design on the cement.
- JC Building has a large garden area around the sign that is difficult and time consuming to maintain.
- It was suggested to install a brick wall and plant grasses in a shallower bed or install a 6x6 timbers instead of brick
- We need to create a design for the bed and submit for city approval.
- The JC sign will be replaced at some point in the future.

d. Any Other Business: Lynne

- We will be purchasing a pallet of mulch.
- The storage building has been cleaned out and the rodent population seems to be under control.
- The shelves need to be cleaned and disinfected.
- The 2-sided map at the Waterfront Park needs to be replaced and the white posts should be repainted, but we need permission from the city first.

4. Staff Liaison Comments:

- No comments.

5. Board Liaison Comments:

- No comments.

6. Adjourned: 6:12pm

Next meeting: March 18, 2024

Minutes

Southport Forestry Committee

February 13, 2024; Indian Trail Meeting Hall

The meeting was convened at 5:00 p.m. by the Chair.

Members in Attendance: Scott Len (Chair); Fred Fiss; Marianne Huntley; Heather Kos; Dina Rousset; Roxie Smith
Administration Representatives & Guests: Michael McGee; Maureen ("Mo") Meehan; Karen Mostellar; Harlan ("HP") Pyles;

Old/Recurring Business

Minutes: It was moved, seconded and unanimously approved that the January 9, 2024 minutes be accepted as prepared.

Ordinance/Permits/City Topics: It was reported that the hearing for the 9th Street infraction will be the final notice hearing. Absent a reversal, the permit will be pulled.

Member Comments/Questions; Open Forum Period:

Marianne reported that during the tree planting a woman came up to her and expressed the wish to get one of the trees next year.

Fred raised the question about planting trees in Franklin Square and it was agreed that that should be handled as a separate initiative.

He also reported that he had reached out to the Builder's Association and read his draft to the group. He has not heard back from them yet.

He updated on the issue that he had raised last month of the trucks parking in the median on East-West Street. He said that he had reported it three times, including sending a letter that was read at the Alderman's meeting. The matter needs enforcement from the Police Department. Alternately, the City could extend the marine rope as a passive way of enforcing a parking ban.

Roxie indicated that she had reached out to the Brunswick Realtors Association but had also not heard anything yet.

Dina raised a question about the construction site off 11th Street and the developer's agreement to install trees and sidewalks. The City is working with the developer to follow up.

Scott observed that the challenge to date has been that there has been no enforcement on the back end of agreements made during the initial approval process. The consensus was that one year after completion might be reasonable timing for the follow-up.

New Business

Arbor Day: It will be on April 26th on Taylor Field. Jerry has contacted a speaker who has agreed to do it. It will be the 20th year of Southport's being a Tree City, so it would be a good idea to highlight that too.

Naturefest will be April 27th and the Committee will have a table there again.

Update on Franklin Square Park: Scott reported that the Level 3 report has been submitted and will be presented on the 4th. He will circulate a copy to the Committee. It will likely recommend removal of up to 6 trees and cabling of as many as 6 others. The goal is to address the liability issues so that it can reopen.

Steering Committee for City Comprehensive Plan: Scott said that the first meeting has been held and that it focused on primarily addressing set-up matters.

NCFS Tree Survey at Old Burying Ground: Scott shared that the Forest Service is having staffing issues. There are only two employees in the urban and community forestry initiative. Since the 107 trees have been tagged, the Committee could use the Bartlett criteria to do its own assessment in the meantime.

Tree Planting 2024: Scott began by thanking Michael for bringing the whole crew to help with the planting. Half were done today and the other half will be done tomorrow.

Next Regular Meeting: Tuesday, March 12, 2024, at ITMH.

The meeting was adjourned at 5:50 p.m.

City of Southport ABC Board Minutes

Date: Feb. 14 2024, Minutes taken by: Harold Todd Dunn

Location: Southport ABC Store

Quorum determined: Meeting called to order by Chairman Davis at: 1:00PM

No Conflict of interest

In Attendance: Board Chairman- William Davis, Board Members – Zach Zuehlke , Angela Wadsworth, Adam Steadman, Jim Poppe GM – Harold Todd Dunn ABC Liaison – Mr. Lai

Absent – None

Guests: None

Open Comment and Discussion – None

Approval of Jan 10, 2024 Minutes: Minutes amended, approved by Jim and seconded by Zach

1. Old Business

- A. Discussed Assistant Manager setup day to review resumes with Jim Poppe and Zach Zuehlke
- B. Discussed Evaluations – GM to come up with form for self-evaluation and employer evaluation and present to the board for approval

2. New Business

- A. Discussed Bourbon Drop and how it went
- B. Discussed how Distributions are done

3. Business Reports

- A. Presented and went over Monthly Sales Report

4. Employee Issues

Discussed any issues with employees

Adjourned: Motion was made and seconded to adjourn the meeting

Next Regular meeting: March 13, 2024 at 6:30 PM at Indian Trail

APPROVED BY AND DATE