



TOWN OF WRIGHTSVILLE BEACH

DEPARTMENT OF PLANNING & INSPECTIONS

321 CAUSEWAY DRIVE P.O. BOX 626
WRIGHTSVILLE BEACH, N.C. 28480

Planning Board Meeting Agenda

Tuesday, July 5, 2016 6:00 p.m.
Town Hall Council Chambers
321 Causeway Drive, Wrightsville Beach, N.C.

- Call to Order by Chairman Dull
- Pledge of Allegiance
- Approval of Minutes from the June 6, 2016 Meeting
- **New Business**

Agenda Item A: A Conditional Use Permit application for 216/218 Causeway Drive, to operate a commercial parking lot consisting of 13 spaces for use by the customers of Poe's Tavern.

- Old Business
- Other Business from the Chairperson & Board Members
- Other Business from Staff
- Adjournment



WRIGHTSVILLE BEACH PLANNING BOARD MINUTES

321 Causeway Drive, Wrightsville Beach, NC 28480

June 7, 2016

The Town of Wrightsville Beach Planning Board met at 6:00 p.m. in the Town Hall Council Chambers located at 321 Causeway Drive, Wrightsville Beach, NC 28480.

PRESENT: Chairman Ken Dull, Vice Chairperson Susan Snider, Vivian "Zeke" Partin, Jim Smith, Thomas "Ace" Cofer

ABSENT: David Culp, Janice Clark

Staff Members Present: Tony Wilson, Director of Planning & Parks
Zachary Steffey, Town Planner

CALL TO ORDER

Meeting called to order by Chairman Ken Dull at 6:02 p.m.

PLEDGE OF ALLEGIANCE

Chairman Ken Dull led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

Ms. Zeke Partin had requested two changes to the minutes from the May 3, 2016 Planning Board meeting. Mr. Zachary Steffey stated that the changes would be passed along and made by the Administrative Assistant.

...Motion by Ms. Susan Snider to approve the minutes as written with requested corrections from the May 3, 2016 meeting. Motion seconded by Ms. Zeke Partin and carried unanimously by a vote of (5-0).

NEW BUSINESS

AGENDA ITEM A:

A CONDITIONAL USE PERMIT APPLICATION FOR 216/218 CAUSEWAY DRIVE, TO OPERATE A COMMERCIAL PARKING LOT CONSISTING OF 13 SPACES FOR USE BY THE CUSTOMERS OF POE'S TAVERN. (REQUEST TO OPEN AND CONTINUE)

PLANNING BOARD DISCUSSION:

Chairman Dull announced to the members of the community that there was a request to open and continue this item. A member of the community stated that he had comments about this issue. Mr. Dull said the Board did not want to get into a discussion of the item because Poe's asked for a continuance. He stated that the public comments should be related to the question, "should they be allowed to continue or not".

A member of the community said there are signs up that say, "No Parking, Poe's Tavern Only". He said these signs have been up for more than thirty days and if there is a continuance they will get another thirty days. He said we're already into summertime and Poe's continues to get what they want.

Another member of the community said there is also confusion in the community about this issue. She asked if clarification could be noted in the minutes or a public notice made to help members of the community understand that the parking reconfiguration issue is unrelated to the sidewalk issue. She said there is confusion in the community about what is happening and how these two are looked at together.

Mr. Ace Cofer asked Chairman Dull if there was anything preventing the Board from opening and continuing Agenda Item A. Mr. Dull discussed with Mr. Tony Wilson the rules concerning how many continuances were allowed. They agreed that two continuances were generally allowed. Mr. Dull said that two continuances are the limit and if they are not prepared after two continuances then the issue goes back to the beginning. Mr. Dull said he did not want to open this up for a lot of discussion because everyone was not in attendance that would

need to be heard. He said that he felt it was fair for them to ask for one more month's continuance, but after this continuance he thought they needed to be prepared to move forward with this issue.

A member of the community stated that the signs posted saying, "No Parking, Poe's Only" are unfair. Mr. Dull said that he believed this was an existing zoning ordinance issue. Mr. Wilson confirmed this to be accurate. Mr. Wilson stated that he would confer with the Town Manager and Town Attorney about how to proceed with the zoning ordinance enforcement action.

Mr. Dull recommended that any members of the community with concerns about this issue should wait until a public hearing was held. Mr. Jim Smith recommended that the community email the Town Manager about their concerns.

A member of the community continued to express his concern over the way Poe's Tavern is disobeying the rules, stating that the Board is giving him two months to get away with having the signs posted. Mr. Wilson said he will get direction from the Town Manager and Town Attorney on how to handle the zoning enforcement issue. Mr. Wilson stated that Poe's Tavern disagrees on a couple issues, including the need for a Conditional Use Permit. He said they hope to work out the disagreement and plan to discuss the issue further with the Town Manager and Town Attorney.

Ms. Zeke Partin asked the Board for more information on who was previously authorized to park in the lot. Mr. Wilson said there was no signage in the lot before, except perhaps a towing enforcement sign. A member of the community said he believed the signs had been up for 75-90 days. He also said on each individual parking block there is a sign stating Poe's Tavern Parking Only, and three large metal signs stating towing enforced.

A member of the community stated that there are other issues surrounding Poe's Tavern that are unrelated to parking. He said the members of the community have problems with late night noise coming from Poe's Tavern customers. He said the nearby restaurant Mellow Mushroom has outdoor seating, yet closes on time and the community is able to get some sleep. He said that is not the case with Poe's Tavern. He said Poe's leaves their glass doors open until 3am and asked if they could obtain an ordinance stating Poe's Tavern must abide by their stated hours. Mr. Wilson discussed Poe's closing hours with him, and the gentlemen stated there are loud TVs left on outside and people yelling and screaming until after 2am, especially on the weekends. Mr. Wilson said if there are noise violations then the members of the community should call the police.

The community member expressed concern over calling 911 for noise problems. Mr. Wilson stated that the call to 911 is necessary in order to create a record of the noise violation. The member of the community asked how many times they would need to call before action would be taken. Mr. Steffey stated there only needed to be one incident on record late at night to demonstrate a violation of the restaurants Conditional Use Permit. The community member said some members of the community have called the police and yet the noise continues. Mr. Smith asked the Board if Poe's Tavern's Conditional Use Permit had noise violation conditions. Mr. Steffey said yes, but the responding officer must issue an actual citation, and once an actual citation is recorded then the issue can be brought before the Board of Aldermen. Mr. Steffey said the members of the community need to call the police and have the noise violation documented because Poe's Conditional Use Permit states they are to close at 12:00 midnight. A community member stated that she has called the police and they told her they have received multiple calls about the noise problems at Poe's. She asked how she could be certain that a citation is actually being issued.

Mr. Dull suggested to the members of the community that they should connect and return next month when the issue would come before the Planning Board for consideration. Mr. Cofer also suggested that when a call is made to the police, the complainant can ask to meet the officer at the location to see that a resolution is provided. Mr. Cofer also informed the members of the community that there were other avenues of communication available to them beyond the Planning Board Meeting. He suggested that the community attend the Board of Aldermen Meeting the following night and sign up to speak during the public comments section. He also suggested speaking with the Town Manager, and, the Town Attorney or emailing their Aldermen to discuss their concerns.

A member of the community asked Mr. Steffey if he had a record of how many noise violations had occurred at Poe's. Mr. Steffey stated that he did not, and the record was with the Police Department. He said if the record was not being passed on to the Planning Department then it was likely because only warnings had been issued, not citations. Mr. Steffey said he would check with the Police Department and see what record was on file.

A representative from the Chamber of Commerce asked Mr. Dull if the Chamber could officially ask the Planning Board for a referral of this issue to the Town Manager, Tim Owens and the Town Attorney, John Wessell for review of the multiple concerns involved with this issue. Mr. Wilson stated that the only thing the Planning Board could do is make a recommendation and then the Board of Aldermen would give further direction on this issue. Mr. Dull suggested that she come the following night and speak at the Board of Aldermen Meeting. The

Planning Board gave instructions to the members of the community on how to sign up to speak at the Board of Aldermen Meeting.

REQUESTED ACTION:

Town Staff in coordination with the applicant asked that the matter be opened and continued to the July 5, 2016 Planning Board meeting.

MOTION:

...Motion by Mr. Cofer to approve opening and continuing Agenda Item A to the July 5, 2016 Planning Board Meeting. Motion seconded by Ms. Snider and carried unanimously by a vote of (5-0).

AGENDA ITEM B:

DISCUSSION ON AMENDING THE DEFINITION OF MEASURED AREA IN SECTION A.3 DEFINITIONS OF THE TOWN'S CODE OF ORDINANCES.

STAFF PRESENTATION:

Mr. Zach Steffey said the staff would like to discuss how to interpret the definition of measurements on new house plans. Mr. Steffey presented two documents that illustrated two different interpretations on how measurements are being done. He stated that in the past they have run into problems with people excluding cabinets, interior walls, built-ins and other spaces when calculating square footage. He stated that this can be problematic because each site plan could be a little bit different and we are not upholding the same standard each time. He stated that the Planning Department would like to discuss amending the current definition to be a little more specific and more uniform.

Mr. Steffey explained the proposed changes to the definition, and illustrated these changes in the handout provided to the Planning Board. He explained that these changes to the definition would allow them to include the voids and spaces between walls, yet would exclude staircases. He stated that this definition also addresses how to measure space when dealing with vaulted ceilings. Mr. Steffey presented to the Board a diagram of the proposed changes. Mr. Steffey said the intent of the ordinance was to

regulate the size, but the definition needs clarification on what is counted in the measurements. He said that these changes will help the Planning Department review plans with a streamlined and uniformly applied process.

PLANNING BOARD DISCUSSION:

Ms. Zeke Partin asked Mr. Steffey for clarification on why the vaulted ceilings were being measured in the way stated in subsection B of the definition. Mr. Steffey explained that the measurements are meant to measure volume. He also stated that the section on vaulted ceilings is not one of the proposed changes, it was only moved to a subsection.

Mr. Jim Smith stated that he and Mr. Cofer brought in a copy of the North Carolina Real Estate Commission Rules for Measuring Homes. Mr. Smith recommended that the Board follow the NC Real Estate guidelines. He stated that he feels this would help avoid lawsuits due to inconsistency. Ms. Zeke Partin stated that she agreed with using the NC Real Estate guidelines. Ms. Snider asked Mr. Cofer if the proposed changes were consistent with the rules in the NC Real Estate booklet. Mr. Cofer said it was very similar, and he discussed with the Board different ways of measuring houses.

Members of the Board discussed how the NC Real Estate Guidelines state you should measure from the outside, and the proposed changes would take measurements from the inside. Mr. Tony Wilson said the NC Real Estate Guidelines are more restrictive and that the Board could discuss what direction to take with regards to proposed changes. Mr. Cofer discussed with the Board how the measurements would pertain to attic space. Mr. Wilson clarified what the changes would mean for measuring attic space and voids and how the consistency of measurements would help Planning Department Staff with efficiency and uniform measurements. Mr. Cofer asked for clarification on exactly what changes were being requested, and Mr. Steffey pointed out the exact areas of change. The Board continued discussing how Real Estate agencies measure different houses and condos, measuring attic space and vaulted ceilings, and limits on square footage. Mr. Smith asked how these measurement changes would affect the 50% rule. Mr. Wilson stated that these changes would not be an issue because the 50% rule is about cost. Mr. Wilson said that the Planning Department Staff would look at the NC Real Estate Guidelines booklet, speak with designers, and consider adjusting the changes to match up with the Real Estate Rules.

OLD BUSINESS

None at this time.

OTHER BUSINESS FROM CHAIRPERSON OR BOARD MEMBERS

Ms. Zeke Partin asked if the Planning Board needed to address outdoor lighting issues. Mr. Dull stated that Duke Power installed new lights that appeared too stark. Mr. Dull explained the different restrictions in the Town's Light Ordinance. Mr. Steffey explained that the main lighting Ordinance violation is uplighting. The Planning Board discussed bringing possible changes to the lighting Ordinance before the Board of Aldermen. The Planning Board discussed the problems with enforcement and explained to the members of the community that enforcement is driven by complaints.

OTHER BUSINESS FROM STAFF

None at this time.

ADJOURNMENT

...There being no further business to come before the board, Vice Chairperson Susan Snider made a motion to adjourn which was seconded by Ms. Partin, the meeting was adjourned by unanimous vote at 6:49 p.m. Vote (5-0)

Respectfully Submitted,

Danielle Villegas, Administrative Assistant (*Temp Position*)



TOWN OF WRIGHTSVILLE BEACH DEPARTMENT OF PLANNING & INSPECTIONS

321 CAUSEWAY DRIVE P.O. BOX 626
WRIGHTSVILLE BEACH, N.C. 28480

July 5, 2016

MEMORANDUM

To: Chairman Dull and Planning Board Members
From: Zachary Steffey, Town Planner
Re: Consideration of a Conditional Use Permit application for 216-218 Causeway Drive
Cc: Tony Wilson, Director of Planning & Parks

Background:

On April 14, 2016 the Department of Planning and Inspections received a Conditional Use Permit (CUP) application for 216 & 218 Causeway Drive. The applicant, Isabella Holding Co., LLC/Greenfield Street Properties, LLC, appointed Mr. Russell Bennett to serve as the authorized agent. The applicant is requesting a CUP to allow for temporary parking at 216-218 Causeway Drive for customers of Poe's Tavern. The CUP would allow for the operation of a commercial parking lot with 13 spaces (12 standard parking spaces, 1 handicapped parking space). Commercial parking lots are considered a Conditional Use in the C-3 Commercial Zoning District.



CAMA Land Use Plan Statement of Consistency:

The proposed development appears to be consistent with Policy 9.1.A.5: Commercial Development: The Town will encourage commercial establishments providing basic goods and services to year round residents and visitors. Examples include appropriately scaled and designed grocery stores, drug stores, sit down restaurants etc.

Public Notice:

The Public Notice of the May 3rd Planning Board Meeting ran on April 28, 2016 in the Lumina News. Signage announcing this meeting was posted on-site on Friday, April 22, 2016. The applicant requested to open and continue consideration of this matter at both the May & June Planning Board meetings.



TOWN OF WRIGHTSVILLE BEACH DEPARTMENT OF PLANNING & INSPECTIONS

321 CAUSEWAY DRIVE P.O. BOX 626
WRIGHTSVILLE BEACH, N.C. 28480

Staff Analysis:

The area located in front of the building previously occupied by MOI is currently used as a parking lot for customers of Poe's Tavern. The issuance of a Conditional Use Permit for this parking area will allow for the continuation of this use.

Staff Recommendation:

Planning Staff supports the applicants request for a Conditional Use Permit to operate a commercial parking lot at 216 & 218 Causeway Drive. Staff asks that the Planning Board consider the following recommendations for possible conditions:

1. At least one trash receptacle shall be maintained on-site and shall be emptied on a regular basis.
2. If the property owner and/or operator (hereinafter owner/operator) decides to charge a fee for parking in this lot, said parking fee shall not be less than the Town's daily parking rate.
3. The owner/operator shall be responsible for maintaining the property in a clean and orderly condition.
4. No tailgating (to include, but not be limited to, eating, picnicking, or the consumption of alcoholic beverages in or about parked vehicles) no partying, no live music, no food trucks or other forms of mobile vending, no tents or temporary structures, no outside activities except parking shall be permitted in the parking lot.
5. No persons using the parking lot shall violate the Town's noise ordinance. If individuals using the parking lot violate the Town's noise ordinance, this permit shall be subject to revocation.
6. If the owner/operator at any time acquires a permit that permits the consumption of alcoholic beverages in the parking area subject to this permit, this permit shall be deemed revoked.
7. The installation of signage will require the issuance of a sign permit.
8. This Conditional Use Permit will expire upon the conclusion or severance of the lease agreement between Isabella Holding Co., LLC and Poe's Tavern Wrightsville Beach LLC.



TOWN OF WRIGHTSVILLE BEACH

DEPARTMENT OF PLANNING & INSPECTIONS

321 CAUSEWAY DRIVE P.O. BOX 626
WRIGHTSVILLE BEACH, N.C. 28480

Requested Action:

The Planning Board is asked to consider providing a favorable recommendation of the Conditional Use Permit for 216 & 218 Causeway Drive with the inclusion of the aforementioned conditions in addition to any additional conditions that the Planning Board deems appropriate.

Attachments:

1. CUP Application
2. Lease Agreement

C1

CONDITIONAL USE PERMIT APPLICATION (CUP 05-01)

Town of Wrightsville Beach, North Carolina

Purpose of Conditional Use *There are certain land uses which, because of their unique characteristics, cannot be properly classified in any particular district without consideration in each case of the impact of those uses upon neighboring land uses and the public need for the particular use in the particular location*(§155.4.5). The project you are proposing requires a Conditional Use Permit. The permit is issued only after the application is reviewed by town staff, the Planning Board and the Board of Aldermen and the public by public notice and public hearing.

Applicants must fill out this application entirely and also gather information and material referenced in this application. **The non-refundable fee for this application is \$400.00.** The following guidelines are provided to aid the applicant in preparing a proper application as referenced in Section 155.4.5 as amended, of the Town's Zoning Ordinance.

1. The applicant must prepare and submit **10 hard copies and one electronic copy** of this application and accompanying materials to the Planning and Inspections Director (Town Hall, P. O. Box 626, 321 Causeway Drive, Wrightsville Beach, NC 28480) thirty (30) days prior to the next regular Planning Board meeting. The Planning Board meets the **FIRST TUESDAY** of each month except November when they meet the second Tuesday.
2. Failure to submit the complete packet of materials will result in return of the application. The application must meet minimum Town Requirements for all local ordinances (zoning, flood, building, etc.). Amended submittals may be held until the next Planning Board meeting if returned less than ten (10) days prior to the current Planning Board meeting.
3. Upon receipt of a valid and complete application, the Planning and Inspections Director will submit the application to department heads for review and also include the application in the next available Planning Board packet.
4. A representative of the proposed project must be present during the Planning Board meeting.
5. No conditional use shall be recommended to the Aldermen by the Planning Board unless the Board shall find in the affirmative of the Zoning Ordinance standards §155.4.5.4(E) (See page 5 of this application.)
6. After review and recommendation by the Planning Board, the Board of Aldermen shall hold a public hearing on the Conditional Use Permit. The Board of Aldermen at the advertised public hearing will consider recommendations from the Planning Board and staff. The Board of Aldermen will also hear objections to or approval of the Conditional Use Permit application from members of the public. The Board of Aldermen will then grant or deny the permit.

APPLICANT INFORMATION

Property Owner Isabella Holding Co., LLC/Greenfield Street Properties, LLC

Owner Mailing Address PO Box 3167, Wilmington, NC 28406 (Isabella Holding Co., LLC)
1510-A South Third Street, Wilmington, NC 28401 (Greenfield Street Properties, LLC)

Telephone Number (W) (910) 791-1196 ext 3 (H) (FAX)

Representative/Agent for Owner Russell Bennett
(ATTACH AUTHORITY FOR APPOINTMENT OF AGENT)

Agent Address 3124 Marshall Blvd
Sullivan's Island, SC 29482

Telephone Number (W) (843) 224-8494 (H) (FAX)

PROJECT INFORMATION

Address: 216/218 Causeway Drive
Wrightsville Beach, NC 28480

Legal Address : BK 5848 PG 2004
(Book and Page as recorded at the New Hanover County Registrar of Deeds Office)

PROPOSED PROJECT Describe project and use: Temporary parking at 216 Causeway Drive
for the customers of Poe's Tavern until the property is redeveloped by the owners.

Proposed Construction Date Existing

Estimated Completion Date _____

State Primary Street Frontage (name) Causeway Drive

ZONING INFORMATION

Zoning District of Site C-3 Does this project require rezoning? no

Proposed Use parking

DIMENSIONAL INFORMATION

Lot Dimensions 120.16x100.15 Total Lot Square Footage .28 acres

State Setbacks of ALL Structures:

Dimensions of Principal and Accessory Buildings

Building is 52 ft x 43 ft or 2092 sq ft

Elevation of ALL Structures 6.25'

Total Square Footage of Principal Structure 2092 sq ft

Total Square Footage of Accessory Structures _____

PARKING AND TRAFFIC MANAGEMENT

Parking Spaces On Site (TOTAL) 13 (Handicapped) 1 (Standard) 12

Parking Space Dimension and Isle Separation 8 x 18.5 x 24

Describe Provisions for Ingress and Egress of Site _____

same as current use - site parking opens to frontage road which connects to Causeway Drive

SIGNAGE

Describe (fully) All Proposed Signs for this Project (Dimensions, Heights, Construction Materials and Location MUST be Provided):

no signage

INFORMATION FOR DEPARTMENTAL REVIEW

FIRE PROTECTION

Fire Protection - Construction Classification _____

Describe (fully) Fire Protection Provisions Provided in the Project:

Fire Flow Requirements _____

POLICE REQUIREMENTS

Describe Any Special or Unusual Police Protection Requirements:

STORMWATER

Describe any connections to Town drainage systems _____

WATER REQUIREMENTS

Maximum Estimated Water Demand GPD _____

Calculations _____

Water Main Size Available at Site _____

SEWER REQUIREMENTS

Maximum Estimated Sewage Disposal GPD _____

Calculations _____

SOLID WASTE REQUIREMENTS

Maximum Solid Waste Disposal (cubic yards) Per Day _____; Calculations _____

Size and Location of Dumpster Pad _____

LANDSCAPING

Describe (fully) All Existing and Proposed Landscaping and Buffering:

existing

Describe (fully) All Provisions to Minimize Effects to the Environment and Surrounding Property:

Daily pick up of any trash, etc in the parking spaces

OTHER ATTACHMENTS REQUIRED WITH APPLICATION

CONFORMANCE WITH CONDITIONAL USE PERMIT STANDARDS (§155.4.5.4 (E))

Please attach a statement in writing accompanied by adequate evidence if needed, that the proposed conditional use will conform to each of the following standards as established in the ordinance:

(a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.

Conditional use will be similar to previous uses

(b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish or impair property values within the neighborhood.

Conditional use will be similar to previous uses

(c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Conditional use will be similar to previous uses

(d) That the exterior architectural appeal and functional plan or any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

Conditional use will be similar to previous uses

- _____
- _____
- _____
- (e) That adequate utilities, access roads, parking, drainage and necessary facilities have been or are being provided. _____

Conditional use will be similar to previous uses

- (f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. _____

Conditional use will be similar to previous uses

- (g) That the conditional use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. _____

Conditional use will be similar to previous uses

- (h) Public access shall be provided in accordance with the recommendations of the Town's Land Use Plan and Access Plan and/or the present amount of public access and public parking as exists within the Town now. If any recommendations are found in conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

Conditional use will be similar to previous uses

- (i) That the proposed use be consistent with the recommendations and policy statements as described in the adopted Land Use Plan. _____

Conditional use will be similar to previous uses

SITE PLAN INFORMATION

A site plan of the proposed project prepared by a professional engineer, registered land surveyor or architect drawn to a scale of not less than one inch equals thirty feet (1"=30'). The site plan shall be based on the latest tax map information. The site plan must contain the following information. ***WE SUGGEST YOU BRING A DRAFT SITE PLAN TO PLANNING AND INSPECTIONS FOR REVIEW PRIOR TO PRINTING THE FINAL COPIES FOR DISTRIBUTION!***

- (1) A key map of the site with reference to surrounding areas and existing street locations.

- (2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- (3) Lot line dimensions.
- (4) Location of all structures, streets, entrances and exits on the site and on contiguous property and property directly across the street.
- (5) Location of all existing and proposed structures, including their outside dimensions and elevations.
- (6) Building setback, side line, and rear yard distances.
- (7) All existing physical features including streams, water courses, dunes, existing trees greater than one (1) inch in diameter measured six (6) feet above ground level, and significant soil conditions.
- (8) Topography showing existing and proposed contours at two (2) foot intervals. All reference bench marks shall be clearly designated.
- (9) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles and curb radii.
- (10) Improvements such as roads, curbs, bumpers, and sidewalks shall be indicated with cross sections, design details, and dimensions.
- (11) Location and design of existing and proposed storm water systems, sanitary waste disposal systems, water mains and appurtenances and methods of refuse disposal and storage.
- (12) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees and dimensions, approximate time of planting, and maintenance plans.
- (13) Lighting details indicating type of standards, location, radius of light, and intensity in foot candles.
- (14) Location, dimensions, and details of signs.
- (15) North arrow.
- (16) Public access shall be provided in accordance with the recommendations of the Town's Land Use Plan and Access Plan and public parking as exists within the Town now.
- (17) A rendering or drawing of the proposed building shall be provided showing all

Town of Wrightsville Beach

AUTHORITY FOR APPOINTMENT OF AGENT

The undersigned owner, Isabella Holdings, LLC, does hereby appoint Russell Bennett as his, her, or its exclusive agent for the purpose of petitioning the Town of Wrightsville Beach for approval of a Conditional Use Permit, as applicable to the property having the address of 216 Causeway Drive and described in the attached petition.

The owner does hereby covenant and agree with the Town of Wrightsville Beach that said agent has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials; and
- (2) To appear at public meetings to give representation and commitments on behalf of the owner; and
- (3) To accept conditions or recommendations made for the issuance of the Conditional Use Permit on the owner's property; and
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This agency agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 4/14/16

* Owner



Agent's Name, Address & Telephone:

Russell Bennett
3124 Marshall Blvd
Sullivan's Island, SC 29482
(843) 224-8494

* If the owner is an individual, the owner (or all owners if there is more than one) must sign the authorization. If a corporation, print the name of the corporation and have signed by an authorized officer. If a partnership, print the name of the partnership and have signed by an authorized partner.

List of Adjoining Property Owners

Sea Crest Properties, LLC
213 Seacrest Drive
Wrightsville Beach, NC 28480

Luke and Joyceln Hines
231 Beech Street
Wilmington, NC 28405

Richard Ferro
219 Seacrest Drive
Wrightsville Beach, NC 28480

Greenfield Street Properties, LLC
10 S. Cardinal Drive
Wilmington, NC 28403-1843

LEGEND:
 EIP = EXISTING IRON PIPE
 EMN = EXISTING MAG NAIL
 ERB = EXISTING REBAR
 RBS = REBAR SET
 NS = NAIL SET
 MNS = MAG NAIL SET

REFERENCES:
 MB 7, PG 74
 DB 2547, PG 2549
 DB 4914, PG 143
 DB 5700, PG 2540

Gary W. Keyes Land Surveying, P.C.
 NC FIRM # C-4086
 7336 Darden Rd Wilmington, NC 28411
 910-228-4773 keyessurveying@gmail.com

I, Gary W. Keyes, certify that this plat was drawn under my supervision or from an actual survey made under my supervision or from deed description recorded in Book _____, Page _____; that the boundaries not surveyed are shown as broken lines plotted from Book _____, Page _____ or other source as noted; that the closure error as calculated by lat. and long. is: None.

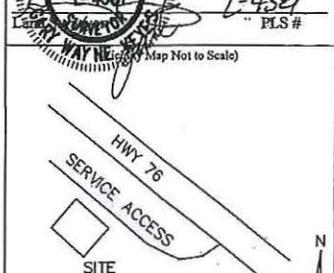
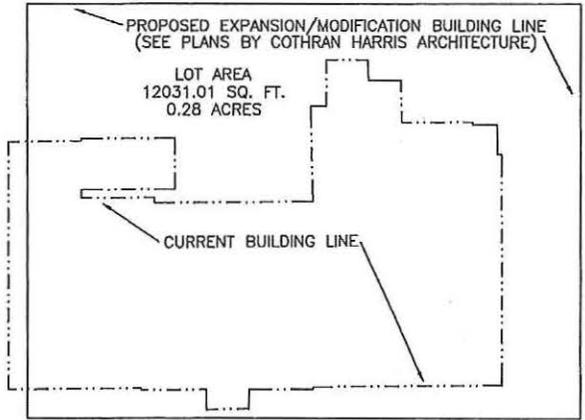
W. GARY W. KEYES, Surveyor
 Signature, PLS #, and seal
 this 9th day of 09, A.D. 2015
 L-4381
 FLS #

Map Not to Scale

REPORTED ZONING: C-3 COMM
 TOWNSHIP TWN OF WRIGHTSVILLE BEACH
 COUNTY NEW HANOVER STATE NC
 DATE 9/5/15 SCALE 1"=20'

OWNER:
 -PRELIMINARY SITE PLAN-
 ISABELLA HOLDING CO., LLC
 PO BOX 3167
 WILMINGTON, NC 28406
 GREENFIELD STREET PROPERTIES, LLC
 1510-A SOUTH 3RD ST
 WILMINGTON, NC 28401

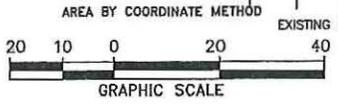
N/F RICHARD FERRO N/F SEA CREST PROPERTIES, LLC CONTROL CORNER N/F SEA CREST PROPERTIES, LLC
 RBS 50.00 50.00 EIP 20.16 NS



-PRELIMINARY-
 SITE PLAN
 FOR REVIEW
 ONLY

-PRELIMINARY-
 SITE PLAN
 FOR REVIEW
 ONLY

N 51°00'00" W 120.16 TTL
 MNS H/C 14.98 EMN MNS



US HWY 76 (PUBLIC R/W - WIDTH VARIES)

LEASE AGREEMENT

PARTIES

1. THIS LEASE AGREEMENT (this "Lease"), made and entered into on March 1, 2016 by and between Isabella Holding Co., LLC (hereinafter referred to as "Landlord") and Poe's Tavern Wrightsville Beach LLC (hereinafter referred to as "Tenant").

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

PREMISES

2. The existing parking spaces that are located in front of the "Middle of the Island" building at 216/218 Causeway Drive Wrightsville Beach, NC. See attached Exhibit A

USE AND OPERATION

3. (A) Tenant shall use and occupy the demised premises solely for the purpose of patron and employee parking in conjunction with the operation of Poe's Tavern located on the adjoining parcel.

(b) To continue stated use, Tenant shall designate by appropriate signage the existing parking spaces as being for the exclusive use of Poe's Tavern.

TERM

4. The term of this Lease shall commence on May 1, 2016 and shall end (unless sooner terminated as hereinafter provided) at midnight on February 28, 2017. Lease shall thereafter continue on month to month basis until lease is terminated under Sec. 6 below.

INSURANCE

5. Tenant shall at all times hold Certificate of Insurance which shall name Landlord as an additionally insured party.

NOTICE TO TERMINATE

6. Landlord reserves the right to give Tenant a thirty (30) day notice to vacate the property.

NOTICES

6. Wherever in this Lease it shall be required or permitted that notice or demand be given or served by either party to this Lease to or on the other, such notice or demand shall be deemed to have been duly given or served when sent in writing by registered or certified mail, postage prepaid, to the respective addresses as hereinafter set forth. Such addresses may be changed from time to time by either party by serving notice as above provided:

TO LANDLORD AT: Isabella Holding Co., LLC
 PO Box 3167
 Wilmington, NC 28406

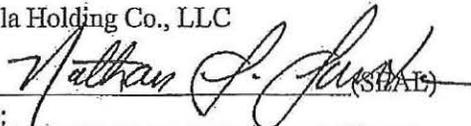
TO TENANT AT: Poe's Tavern Wrightsville Beach LLC
 212 Causeway Drive
 Wrightsville Beach, NC 28480

[SIGNATURE BEGINS ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

LANDLORD:

Isabella Holding Co., LLC

By:  (SEAL)

Name: _____

Title: _____

TENANT:

Poe's Tavern Wrightsville Beach LLC

By:  (SEAL)

Name: _____

Title: _____

Exhibit A