



WRIGHTSVILLE BEACH PLANNING BOARD MINUTES

321 Causeway Drive, Wrightsville Beach, NC 28480

April 5, 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, David Culp, Vivian "Zeke" Partin, Jim Smith, Thomas "Ace" Cofer, Janice Clark

ABSENT: None

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 6:00 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 March 8, 2016 Planning Board meeting. The changes included the addition of a word and the clarification of a confusing sentence. The changes to the minutes were made prior to the beginning of the meeting and were included in the Planning Boards meeting

binders.

...Motion by Ms. Zeke Partin to approve the amended minutes from the March 8, 2016 meeting. Motion seconded by Mr. Jim Smith and carried unanimously by a vote of (7-0).

NEW BUSINESS

AGENDA ITEM A:

CONSIDERATION OF A CONDITIONAL USE PERMIT APPLICATION AND PARKING EXCEPTION REQUEST FOR 13 EAST SALISBURY STREET, TO ALLOW FOR THE OPERATION OF A FULL SERVICE RESTAURANT AFTER RENOVATIONS TO THE EXISTING TWO-STORY STRUCTURE ARE COMPLETED.

Mr. Steffey informed the Planning Board that the applicant had requested to open and continue the matter to the Planning Board's May 3, 2016 meeting. Mr. Steffey said that at the May 3, 2016 meeting the Planning Board would be asked to consider a Text Amendment, along with a Parking Exception request and conditional use permit application for 13 East Salisbury Street.

REQUEST BY AUTHORIZED AGENT ON BEHALF OF THE APPLICANT:

Mr. Joseph Taylor Jr. Esq., authorized agent for the applicant, said that good governance required a one or two-word change to the ordinance to move forward with the parking exception request. He said that the matter would be brought before the Planning Board at their May 3, 2016 meeting.

MOTION:

...Motion by Ms. Partin to open and continue consideration of the Conditional Use Permit application and Parking Exception request for 13 East Salisbury Street, to the Planning Board's May 3, 2016 meeting. Motion seconded by Ms. Snider and carried unanimously by a vote of (7-0).

AGENDA ITEM B:

CONSIDERATION OF A TEXT AMENDMENT TO ALLOW CHURCHES AND RELIGIOUS ESTABLISHMENTS TO OPERATE AS COMMERCIAL PARKING LOTS FOR THE PURPOSE OF COLLECTING CHARITABLE DONATIONS ON CERTAIN HOLIDAY WEEKENDS THROUGHOUT THE YEAR. THE TEXT AMENDMENT WOULD DESIGNATE SUCH ACTIVITIES AS EITHER A CONDITIONAL USE OR A PERMITTED USE WITH SUPPLEMENTAL REGULATIONS.

DISCLOSURE OF CONFLICTS OF INTEREST OR THE PERCEPTION OF THE PRESENCE OF A CONFLICT OF INTEREST:

Mr. David Culp said that his daughter and son are both pastors and that his son is a pastor at Wrightsville Beach United Methodist Church. Mr. Culp said that he would like to recuse himself.

Mr. Smith said that he had discussed the matter with the Town attorney. He said that the Town attorney had indicated that if members of the Planning Board were also members of the churches being discussed, they could still consider the matter and that a conflict of interest would not be present.

STAFF PRESENTATION:

Mr. Steffey said that the Board of Aldermen had directed Town Staff to prepare a Text Amendment to the Wrightsville Beach Code of Ordinances to address the off-street parking requirements for churches. The proposed Text Amendment to Section 155.9.1.5 Off-Street Parking Requirements deletes the current wording describing required off-street parking for Churches. Section 155.9.2.1 establishes a new section of the Off-street Parking Requirements Per Land Use section of the ordinances. This section would allow churches to utilize their existing off-street parking lots as commercial parking lots after 11:00 a.m. on Saturday, Sunday, Monday of Memorial Day Weekend, Saturday, Sunday, Monday of Labor Day Weekend, and on July 4th. He discussed a list of supplemental regulations which would apply to churches whether they were considered a conditional use or a permitted use with supplemental regulations. He said that churches would be required to have an on-site parking attendant at all times that the lot is used as a commercial parking lot. He also said that trash containers would need to be maintained on-site and that the churches would be required to ensure that the trashcans are kept in a clean and orderly fashion and emptied on

a regular basis in order to prevent the accumulation of trash and other debris. He said that the church parking lots could not be used for tailgating and that the parking lots could not be used for any activities except parking. He said that the churches would be required to ensure that the parking lot complies with the Town's noise ordinances. He said that signage would be limited to three signs and that staff recommended the dimensions of these signs be limited to 2' x 2'.

Mr. Steffey said that there are currently four (4) churches located within the Town of Wrightsville Beach. He said that the Wrightsville United Methodist Church is located in the G-1, Public and Semi-public Zoning District. He said that the associated parking lot is located at 19 Live Oak Drive in the R-1 Residential District. He said that the Wrightsville Beach Baptist Church and its parking area are located in the R-1 Residential District. He said that St. Therese Catholic Church is located in the G-1 Public and Semi-public Zoning District and that the associated parking lot is located in the R-2 Residential Zoning District. He said that the Little Chapel on the Boardwalk is located in the G-1 Public and Semi-public Zoning District.

Mr. Steffey asked the Planning Board to provide a recommendation as to whether the commercial use of church parking lots should be considered a permitted use with supplemental regulations or a conditional use. He also asked the Planning Board to provide direction on the number of signs that would be allowed and on the maximum allowable square footage of the signage. Mr. Steffey indicated that Town Staff supported the use of church parking lots as a Permitted Use with Supplemental Regulations with a maximum of three signs each measuring no more than 2' by 2'.

PLANNING BOARD DISCUSSION:

Ms. Partin asked if the churches would need to have an attorney represent them if the use of the parking lot was deemed to be a conditional use. Mr. Steffey said that the churches would need to have an attorney represent them if they were modifying their existing conditional use permit.

Ms. Partin asked if the churches could charge whatever amount they want. Mr. Steffey said that it would be looked at as a charitable donation and that it would be up to the churches to decide. He said that the Town would not want to specify a specific price, if the churches were to decide to set a specific price.

Chairman Dull asked if there was a specific applicant seeking the Text Amendment. Mr. Steffey said that the Text Amendment was being brought

forward by the Town at the direction of the Board of Aldermen.

Ms. Clark asked Mr. Wilson what had precipitated consideration of the matter. Mr. Wilson said that this had been attempted eight years ago and there was very little interest from the churches. He said that this was a way to clean up the ordinances. He said that the Town felt this was a good thing to bring forward to address the specific holiday weekends.

The Planning Board continued their discussion of what had brought about the proposed Text Amendment. Town Staff discussed the factors that led to the matter being brought to the Planning Board. Staff discussed the costs associated with the permitting process for both conditional use permits and zoning compliance permits.

Mr. Ace Cofer said that he was in favor of management of parking lots of this nature because of the trash issues and fender benders that may occur in these parking lots.

The Planning Board discussed the description of the parking attendant and whether an age limitation should be set for the parking attendant. Mr. Smith provided background information on the discussion that the Board of Aldermen had on the matter in addition to discussing the advantages of having the church parking lots available for parking on the busy holiday weekends. The Planning Board discussed their observations on how churches had operated parking lots in the past.

PUBLIC HEARING:

Chairman Dull opened the public hearing on the proposed text amendment.

IN FAVOR:

Mr. Mike Edmonds of 601 North Channel Drive spoke on behalf of Wrightsville Beach Baptist Church. He said that the church does not seek donations, they accept donations. He said that the money that they collect is used to support a variety of different initiatives of the church. He discussed the various charities and organizations that are supported by the church. He said that the church typically uses three sandwich board signs for the parking. He said that the church is not in competition with the Town and that the church does not ask for donations. He said that they try to route traffic through the entrance on Coral Drive. He explained that the age range of parking attendants/volunteers is between 15-50 years old. He said that he personally makes sure that the parking

lot is clean and orderly. He said that the church is asking for the use to be a permitted use. He said that the church asks that the 11:00 AM time restriction be changed to 10:00 AM – 5:00 PM. He also asked the Board to consider the weekend falling closest to the 4th of July as an additional time for collecting donations.

Miss Nancy Faye Craig of 111 Seaside Lane said that she is a member of Wrightsville Beach United Methodist Church (WBUMC). She asked that the Board consider the weekend falling closest to the 4th of July. She also asked the Board to consider Easter as an additional opportunity for collecting donations. She recommended that the start time be moved up from 11:00 AM. She said that the members of WBUMC use a lot of handmade posters and that it might be good to allow three sandwich board signs and then two or three posters. She indicated that the churches missions are similar to those mentioned by Wrightsville Beach Baptist Church.

Pat Rabun the pastor for The Little Chapel on the Boardwalk said that he would be in favor of moving the start time to 10:00 AM. He said that they do not have youth collecting parking donations without adult supervision and that many retirees volunteer their time.

OPPOSED:

No members of the audience spoke in opposition.

Chairman Dull closed the Public Hearing portion of the meeting.

PLANNING BOARD DISCUSSION:

Ms. Partin asked whether the 10:00 AM opening time would create any issues for church services. The Planning Board discussed different options for both the starting and closing times for operating church parking lots as commercial parking lots. Mr. Rabun explained that they do not allow people to park in the lot overnight. Mr. Smith asked what time the businesses open their lots for commercial parking. Mr. Wilson said that he thought that it was either at 10:00 AM or 11:00 AM.

Ms. Clark said that she would be in favor of including the weekend closest to the 4th of July.

Mr. Cofer discussed the specifications for signage requirements. The Board discussed the dimensional requirements and quantity of the signage.

MOTION:

Mr. Cofer made a motion to include the following conditions with the proposed Text Amendment:

- **Church parking lots operating as commercial parking lots shall be considered a Permitted Use with Supplemental Regulations; and**
- **Churches shall be able to choose from any four days surrounding and including the 4th of July holiday; and**
- **Church parking lots operating as commercial parking lots shall have adult supervision present at all times; and**
- **Churches may advertise the use of their parking lots as commercial parking lots with up to 18 sq ft of signage divided amongst no more than three signs; and**
- **Said signage must denote that the churches are accepting donations and must not specify a fee or payment requirement; and**
- **The opening time be set to 10:00 A.M. and the closing time would be left up to the discretion of the churches.**

Ms. Clark seconded the motion. The Planning Board voted unanimously to forward the Text Amendment with the suggested amended conditions to the Board of Aldermen. (6 In Favor-0 Opposed -1 Abstention)

*Following the vote on Agenda Item B, Mr. Culp returned to his seat.

OLD BUSINESS

None at this time.

OTHER BUSINESS FROM CHAIRPERSON OR BOARD MEMBERS

Mr. Smith articulated his interest in discussing the uplighting ordinance of the Town. Mr. Steffey briefly discussed some of the challenges with the current uplighting ordinance and indicated that the matter could be brought before the Planning Board for further consideration at a later date.

OTHER BUSINESS FROM STAFF

None at this time.

ADJOURNMENT

...There being no further business to come before the board, Chairman Ken Dull made a motion to adjourn which was seconded by Ms. Snider, the meeting was adjourned by unanimous vote at 6:47 p.m. Vote (7-0)

Respectfully Submitted,

Town Planner, Zachary Steffey