



**Wrightsville Beach Board of Aldermen
SPECIAL CALLED MEETING**

4:00pm THURSDAY, DECEMBER 21, 2023
Wrightsville Beach Town Hall Council Chambers
321 Causeway Drive, Wrightsville Beach, NC

AGENDA

1. Call to Order.
2. Consider an Exception in Parking Requirements, as provided for under Town Code Section 155.9.1.6 (C) for property located at 1 North Lumina Avenue, Wrightsville Beach, NC.
3. Adjourn



TOWN OF WRIGHTSVILLE BEACH
 PLANNING AND INSPECTIONS • 321 CAUSEWAY DRIVE • P.O. BOX 626
 WRIGHTSVILLE BEACH, N.C. 28480 • 910-256-7937

Planning and Inspections

MEMORANDUM

To: Mayor Mills and the Board of Aldermen
 From: Tony Wilson, Director of Planning and Parks *TW*
 Date: December 19, 2023
 Re: Parking Exception "The Shed" located at 1 North Lumina Avenue
 CC: Tim Owens, Town Manager

Zoning District: C-1 Commercial

Background:

This is a request by Danielle and Shana Bourgeois for a parking exception to convert the former Aussie Island Surf Shop to a retail, rental shop that provides coffee. The new business would like to continue the rental business, retail, and serve coffee at this location.

Formula for required parking	Total of each parking Factor	Parking Required
1 parking space for each 225 gross floor area	Building Square feet 906	4
1 parking space for each 2 employees on largest shift	2 employees	1
Total Parking Required		5

155.9.1.6 Exception in Parking Requirements.

(A) Parking required for uses in districts zoned commercial or public or semi-public (G-1) may be provided within 400 feet of the main entrance to the principal use and located in any commercial zone if the required off-street parking cannot be reasonably provided on the same lot on which the principal use is located.

(B) If the off-street parking space required by this Ordinance for districts zoned residential cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the main entrance to, and within the same zone as, such principal use.



(C) The Board of Aldermen may grant an exception for off-street parking requirements in the C-1, C-2 or C-3 zoning districts after a finding by the Board of Aldermen that:

(1) The proposed use is directed primarily toward pedestrian trade existing in the area.

(2) The character of existing development or properties within 400 feet prohibit the acquisition of land for parking;

(3) The inability of the applicant to provide the required parking does not result from actions of the applicant;

(4) Granting the requested exception will not impair public safety or adversely impact adjacent property; and

(5) That one parking space for each two employees shall be provided. An exception to this requirement may be granted if the applicant can satisfy the Board of Aldermen that circumstances exist that prevent the applicant from providing the required parking space(s) for each two employees.

Analysis:

The property in question is located the C-1 Central Beach District, which is defined as the area extending from Stone Street on the South to Mallard Street on the North. The Central Beach Area is perhaps the most pedestrian oriented of any part of the beach with heavy foot traffic on area sidewalks. The Shed located at 1 North Lumina Avenue does not have any parking and off-street parking is limited in the area.

Summary:

The applicants are requesting a parking exception for 1 North Lumina Avenue to operate a retail business, rental, and coffee shop.

Requestion Action:

Consider the request for a parking exception for 5 parking spaces for the Shed located at 1 North Lumina Avenue.

Attachments:

1. Zoning Compliance Application



Submit Application

Town of Wrightsville Beach, N.C.
321 Causeway Drive Wrightsville Beach, NC 28480

Zoning Compliance Application (ZCB20/21)

Name of Business: The Shed
Name of Owner/Operator: Danielle Bourgeois, Shana Bourgeois
Phone Number: 910-264-2055 Email Address: sweetwaterdanielle@gmail.com
Website: _____

Description of Business & Physical Address:
1. N. Lumina Ave.
Retail, Rentals, Coffee.

Description of Business Activities:
Outdoor and Indoor Seating. T.L.

Hours of Operation: 9am-7pm Zoning District: BT C-1
Operating Location(s): 1
Number of Participants: _____
Parking Required: n/a
Will Town of Wrightsville Beach facilities be used?: n/a
Are any additional permits or licenses needed to operate?: no

I understand that the fee for this application is non-refundable and; I certify that I am authorized to grant and do in fact grant permission to Planning Staff and his/her agents to enter on the aforementioned lands/premises in connection with evaluating information related to this permit:

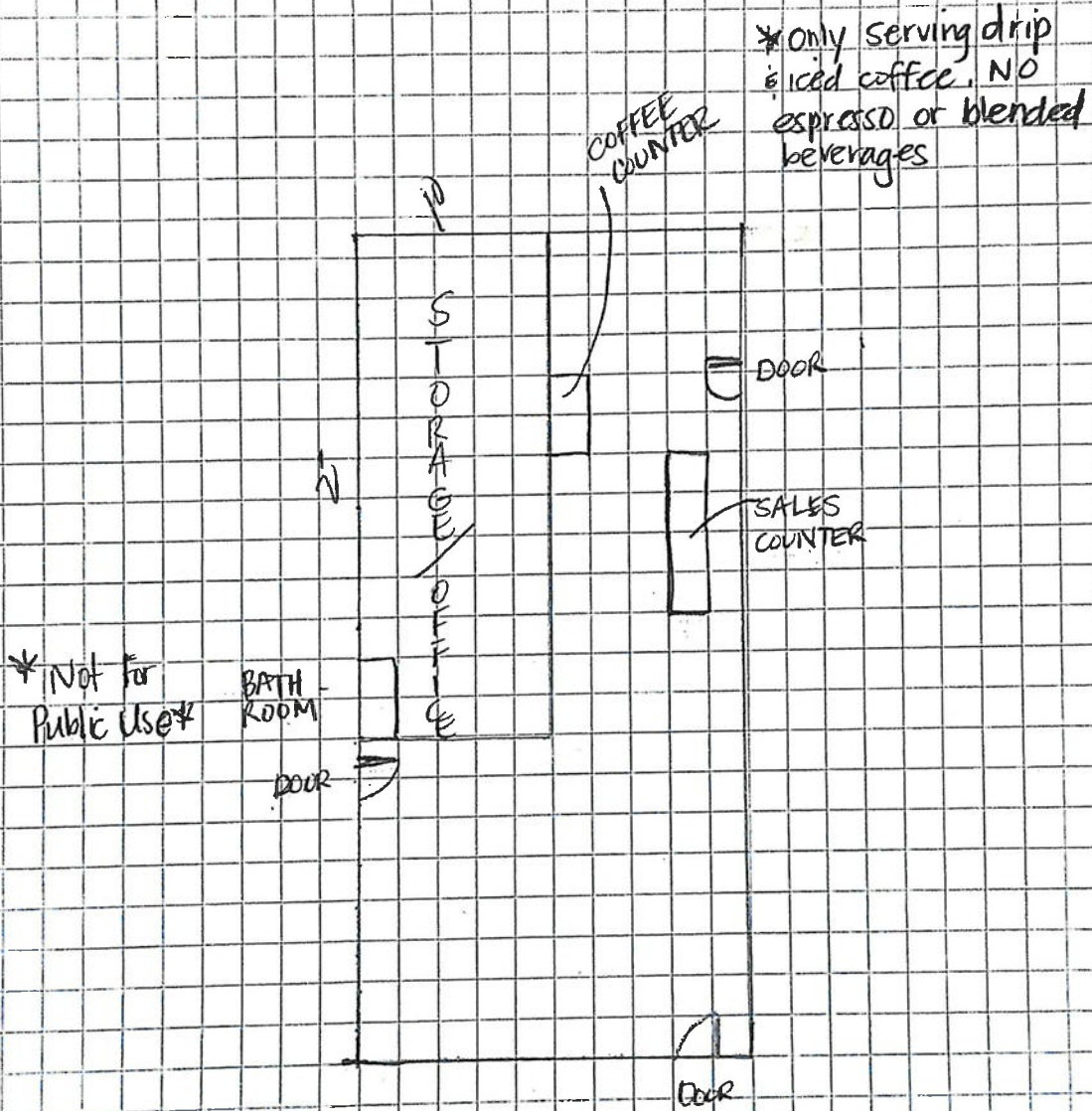
Signature: Danielle Bourgeois Date: 10/10/2023

Please include any other information that you feel may be applicable to the Town's consideration of your request. Feel free to use additional sheets if needed. Please submit this form to the Town of Wrightsville Beach Department of Planning and Inspections for review along with a payment (check/cash) of \$100 for new and existing uses (non-refundable). Please note that the Town may request additional information/actions be taken depending on the nature of your proposed business activity, anticipated impacts, and consistency with the Towns Code of Ordinances.

Staff Comments/Conditions: _____
Approved: _____
ZC#: _____

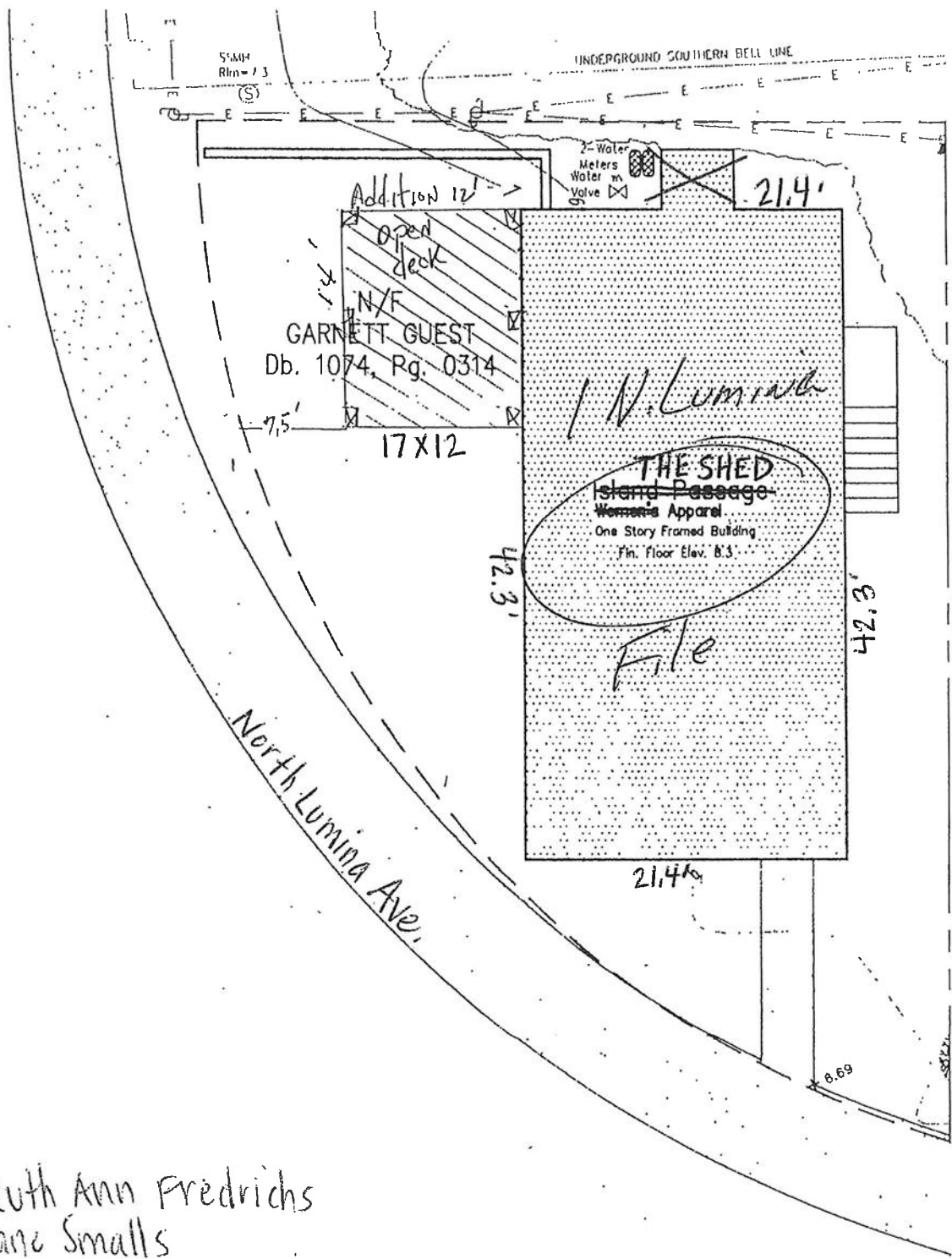
1 N. Lumina Ave Site Plan

250 Feet



1 Square = 2 FT

U.S.



Ruth Ann Fredrichs
Jane Smalls

GENERAL NOTES:

TAX MAP 63-08 BLOCK 17 PARCELS 1,3,10,9

THIS PROPERTY IS LOCATED IN THE 100 YEAR FLOOD BOUNDARY IN ZONE A10 WITH A BASE FLOOD ELEVATION OF 11', AS SHOWN ON COMM. PANEL No.: 375361 0001 C, DATE: APRIL 2, 1986.

SITE WORK NOTES:

THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF EXISTING UTILITIES DURING CONSTRUCTION

SKETCH/AREA TABLE ADDENDUM

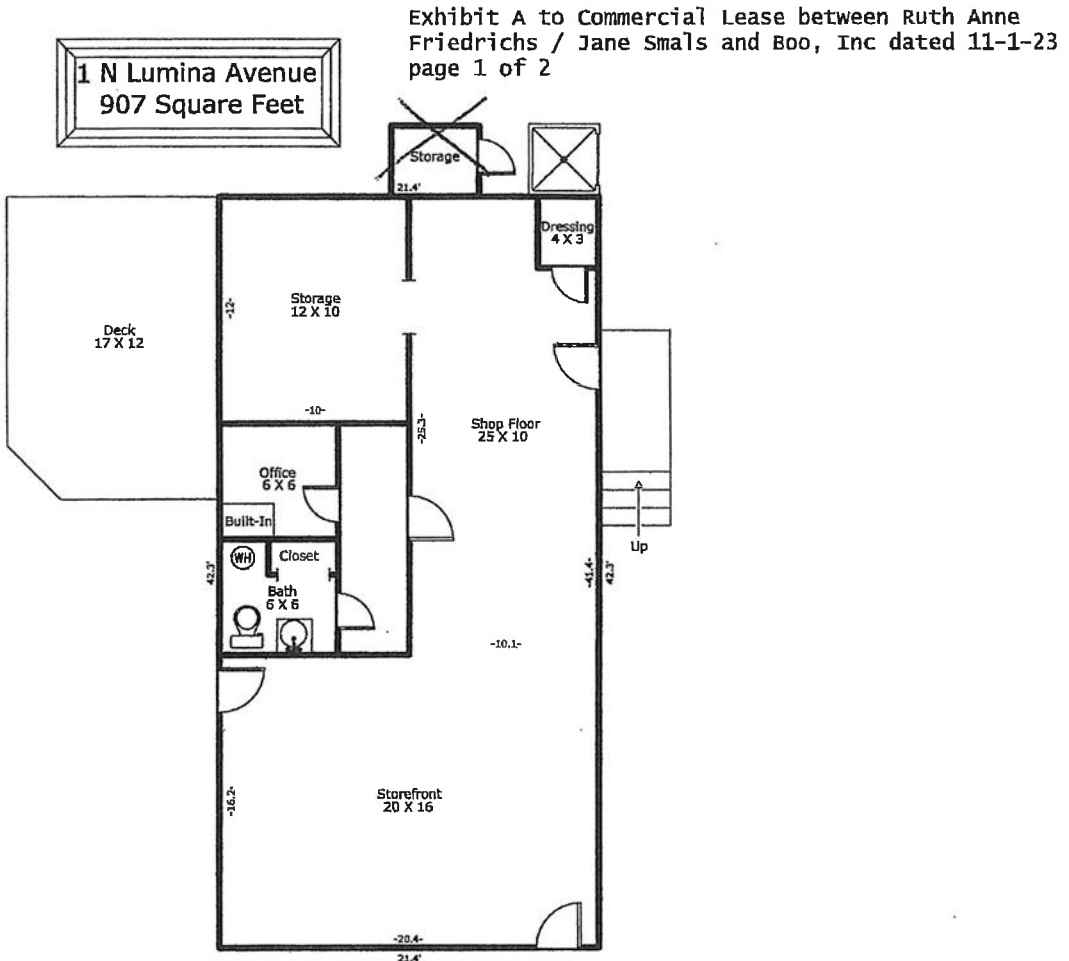
Case No 17665

File No 01

SUBJECT

Property Address	1 N Lumina Avenue		
City	Wrightsville Beach	County	New Hanover
		State	NC
		Zip	28480
Borrower	Measured 9/20/23		
Lender/Client	Christian Cardamone	L/C Address	Keller Williams Innovate
Appraiser Name	Christopher Johnson	Appr Address	Home Dimensional

IMPROVEMENTS SKETCH



Comments: *Home Dimensional is a professional measuring service, not a licensed appraisal company. **Commercial property measured using the GROSS method, exterior walls included in the HSF total.

Scale: 1" = 12'

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	906.64	906.64

LIVING AREA BREAKDOWN		
Breakdown		Subtotals
First Floor	42.3 x 21.4	906.64

ATTACHMENTS

155.9.1.5 Off-Street Parking Requirements Per Land Use. No certificates of occupancy shall be issued for any units until the required number of parking spaces, with ingress and egress, are fully constructed. If any required parking spaces for units for which certificates of occupancy are requested are provided on noncontiguous parking lands, then all applicable provisions of subsection **155.9.1.6** must be complied with. All such noncontiguous parking lands shall be fully constructed and dedicated by recorded lease agreement or memorandum of lease in accordance with all of the standards of this section before the certificates of occupancy shall be issued. If the lease agreement is terminated, then the special use permit or the permitted use becomes invalid. The following off-street parking space shall be required and shall conform to the standards contained in subsection **155.9.1.3**.

<i>Uses</i>	<i>Required Off-Street Parking</i>										
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Residential Single-family Duplexes/Multi-family	Determined by the number of toilet fixtures in the residence (single-family) or in the individual dwelling unit (duplex/multi-family) in accordance with the following: <table border="1"> <thead> <tr> <th>Toilet</th> <th>Parking spaces per dwelling unit</th> </tr> </thead> <tbody> <tr> <td>1-3</td> <td>2</td> </tr> <tr> <td>4-5</td> <td>3</td> </tr> <tr> <td>6-7</td> <td>4</td> </tr> <tr> <td>8 or more</td> <td>5</td> </tr> </tbody> </table>	Toilet	Parking spaces per dwelling unit	1-3	2	4-5	3	6-7	4	8 or more	5
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4-5	3										
6-7	4										
8 or more	5										
Adult care home	One space per two beds.										
Assisted living residence	One space per two bedrooms.										
Auditoriums/meeting rooms and hotel or motel operated restaurants	One parking space for each four persons as stated on the maximum posted occupancy placard except that hotels and motels containing 50 or more rooms may be allowed to reduce this requirement by 50%.										

Automobile service station	Three spaces per service bay, plus one space per wrecker or service vehicle and two spaces for each pump.
Barber shop	Two spaces per operator plus one space for each employee.
Beauty shop	Three spaces per operator plus one space for each employee.
Car washes	One space for each employee.
Child care center	One space per teacher or staff, plus space for one car drop off and pickup or stacking for one car per ten children, whichever is greater.
Churches	One parking space for each four seats in the sanctuary.
Dry cleaners or laundries	One space per four rental pieces of equipment.
Family care home	One space per four licensed beds.
Financial institution/bank	One space per 200 square feet of gross floor area.
Fishing piers	A minimum of 25 parking spaces plus one additional space for each 175 square feet of gross floor area in pier house and other covered areas, plus one parking space for each two employees on the largest shift.
Home occupation	In addition to residence requirements, one parking

	space per 175 square feet of floor space devoted to the home occupation use.
Industrial uses	One parking space for each employee on the largest shift.
Library, museum, and art galleries	One space per 300 square feet.
Light construction/marina	One parking space per each two employees on the largest shift.
Marina/boatminiums	One parking space for each two slips in the marina plus one parking space for each six dry storage spaces.
Motels; hotels	One parking space for each room to be rented, 1.5 parking spaces for each two-room suite to be rented, two parking spaces for any suite above two rooms to be rented, plus one additional parking space for each two employees.
Multi-unit assisted living with services	One space per two bedrooms.
Nursing homes	One space per three beds, plus one space per staff doctor or practitioner.
Offices, professional businesses or public agencies	One parking space for each 225 square feet of gross floor area.
Public or private clubs	One parking space for each 100 square feet of gross floor space plus one parking space for each two employees.

Public or private indoor recreation facility, including community center	One space for each 250 square feet of gross floor area.
Residential child-care facility	One space for each staff member plus one space per five children.
Restaurants and places of entertainment	One parking space for each four persons as stated on the maximum posted occupancy placard plus one additional parking space for each two employees on the largest shift.
Retail uses not otherwise listed	One parking space for each 225 square feet of gross floor area.
Schools, public	One parking space for each classroom and administrative office.
Shopping center complex	5.5 parking spaces for each 1,000 square feet of gross floor area.
Theaters	One parking space for each three seats in the auditorium.
Tourist and guest homes, including bed and breakfasts	One parking space for each room to be rented plus one additional parking space for each three employees.
Vessel for hire carrying seven or more passengers	One parking space for each two persons. The total required parking spaces shall be determined by dividing by two the number of persons that the vessel is permitted to carry based on the Certificate of Inspection issued for that vessel by the

	United States Coast Guard. In addition, there shall be required one parking space for each employee working on the vessel.
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(Am. Ord. 1843, passed 3-15-2023)

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(D) Small parking lot exception. For purposes of this section, a "small parking lot" shall mean a parking lot in the C-3 Commercial District that is located immediately adjacent to an existing C-3 business, is used in conjunction with such business, and includes no more than a total of 12,000 square feet of parking area. Small parking lots meeting this definition shall be exempt from the following requirements.

(1) Minimum front yard setback set out in subsection [155.9.1.4.4\(a\)](#).

(2) The requirements set out in subsection [155.9.1.4.7](#).

(3) Landscaping requirements (Type B Bufferyard screening only) set out in subsection [155.9.1.4.11](#).

(4) Requirement that vehicles do not back into public rights-of-way as set out in subsection [155.9.1.4.12\(b\)](#).

(5) Minimum depth of street yards and minimum number of trees and shrubs set out in subsection [155.9.17.1](#).

(6) Requirement for landscaped islands set out in subsection [155.9.17.6\(c\)](#).

(7) Requirement for Type A Bufferyard Screening set out in Section [155.9.18](#).

(E) Off-site parking lots in the Commercial District V Zoning District. Off-site parking lots shall be permitted in the Commercial District V zoning district on the condition that such parking lots comply with all of the following requirements:

(1) The improved surface of the parking lot (whether by asphalt or any other permitted surface) shall be no larger than 15,000 square feet and shall have marked and delineated spaces that meet all requirements of subsection [155.9.1.8](#). The parking lot shall be surfaced with a material approved by the Town Manager. The parking lot shall meet all town storm water requirements.

(2) Any lighting used in conjunction with a parking lot shall be so arranged as to direct light and glare away from streets and adjacent property and shall comply with all the requirements of Part III of [Article 155.9](#).

(3) All parking lots shall observe the following yard requirements:

(a) Minimum front yard - five feet.

(b) Corner lots, minimum side yard - five feet.

(4) In the event any parking stall abuts a walkway, there shall be a space of three and one-half feet between the wheel bumper and the edge of the walkway.

(5) Paved parking areas shall have lines demarcating each parking space.

(6) Off-street parking areas shall be designed:

(a) To facilitate adequate movement and access by sanitation, emergency, and other public service vehicles.

(b) So that parked vehicles do not encroach upon, extend into, or cause vehicles to back into public rights-of-way, sidewalks, or strike against or damage any wall, vegetation, utility, or other structure.

(7) Off-street parking area shall be properly maintained in all respects. In particular, and without limiting the foregoing, off-street parking area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or marking shall be kept clearly visible and distinct.

(8) Accessible parking spaces shall be installed and maintained in accordance with the regulations set forth by the Americans with Disabilities Act (ADA), NC Department of Transportation (NCDOT), NC Division of Motor Vehicles (NCDMV) ADA requirements, the current version of the North Carolina Building Code and any other applicable federal, state, county or local laws, rules and regulations.

(9) Compliance with all requirements of subsection [155.9.1.8](#).

(10) Compliance with all requirements of Part II Driveway Construction of [Article 155.9](#). If access to the parking lot is across a roadway that is part of the state highway system and maintained by NCDOT all requirements for an encroachment agreement from NCDOT shall be complied with.

(11) Compliance with all requirements of Section [155.2.6](#).

155.9.1.7 Off-Street Parking Access to Paved Street. No building or land use of any kind for which 75 or more off-street parking spaces are required under the terms of this section shall be permitted in any zoning district unless the lot on which the building or land use is located, adjoins and has access to a paved street, as defined in this Ordinance, having at least two paved lanes for traffic and one paved lane for parking. Where the street facility does not exist at the time a project of land use is proposed, the developer shall be required to provide such additional right-of-way as may be necessary for this purpose.