



WRIGHTSVILLE BEACH PLANNING BOARD MINUTES

321 Causeway Drive, Wrightsville Beach, NC 28480

July 3, 2018

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 Jim Smith, Vice Chairman Jeff DeGroote, David Culp, Vivian “Zeke” Partin, Susan Snider, Ace Cofer, Karen King

ABSENT: None

Staff Members Present: Danielle Villegas, Planning Technician

CALL TO ORDER

Meeting called to order by Chairman Jim Smith at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Chairman Jim Smith led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

...Motion by Ms. Susan Snider to approve the June 5, 2018 minutes. Motion seconded by Mr. Jeff DeGroote and carried unanimously by a vote of (7-0).

NEW BUSINESSAGENDA ITEM A:

CONSIDERATION OF A TEXT AMENDMENT TO SECTION 155.7.21 PRIVATE ACCESS EASEMENT TO AMEND THE SECTION CONCERNING THE LENGTH OF PRIVATE ACCESS EASEMENTS.

STAFF PRESENTATION:

Ms. Danielle Villegas stated that on June 1, 2018 the Planning and Inspections Department received a Text Amendment Application from SSWB Interests, LLC, for a Text Amendment to Chapter 155.7.21. She said the petitioner has requested that Section 155.7.21 Private Access Easement, be amended to allow for a private access easement up to 150 feet in length. Ms. Villegas explained that the proposed text amendment would allow a private access easement to have a length that did not exceed 150 feet in length, and it appears consistent with CAMA and that all required notices were published. Ms. Villegas stated that Planning Staff recommends that the Planning Board forward a favorable recommendation to the Board of Aldermen to approve the Text Amendment to Chapter 155.7.21.

PLANNING BOARD QUESTIONS:

Mr. Ace Cofer asked if the fire department was notified and asked if they had any comments. According to Ms. Villegas, the fire department did not see anything of concern as long as the width was not changed.

PRESENTATION BY APPLICANT:

Mr. Hal Kitchen, authorized agent for the applicant SSW Interest LLC. (Mr. Sam Sprunt) and Wilmington lawyer, said they are requesting this change because the members of this family own many lots in this vicinity and they wanted to make a lot line shift between one of their Waynick lots and one of their ocean lots. Mr. Kitchen stated that this would result in a lot line being about 145 feet from Waynick

PLANNING BOARD QUESTIONS:

Ms. Partin asked if his lots were land-locked. Mr. Kitchen replied that the lots were land-locked, therefore you need to access it through one of the Waynick lots. Ms. Villegas reminded everyone that if they amend this section, it would not be site-specific. Chairman Jim Smith asked if their purpose was to have one 10-foot easement to service both lots. Mr. Kitchen responded that he thought the intention was that each of the lots have a 10-foot easement to serve the ocean lots in front of them. Mr. Cofer commented that at a Planning Board meeting held in 2013, the fire department commented that if an easement is more than 100 feet, the effect it has on the fire department and fire hydrants is significant. He suggested these points be brought up to the Board of Aldermen, and read from a document that stated, if an easement exceeds 100 feet, it should act as a fire apparatus access road.

MOTIONS:

...Motion by Chairman Jim Smith to forward a favorable recommendation to the Board of Aldermen to approve the amendment to Section 155.7.21 Private Easement. Motion seconded by Mr. Jeff DeGroot and carried unanimously by a vote of (7-0).

AGENDA ITEM B:

CONSIDERATION OF AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT FOR 32 NORTH LUMINA AVENUE TO ACCOMMODATE PARKING FOR A NEW BUSINESS.

STAFF PRESENTATION:

Ms. Danielle Villegas stated that on June 19, 2018 the Planning and Inspections Department received an application to amend the Conditional Use Permit (CUP) for 32 N. Lumina Ave, Robert's Parking Lot. She said that the application was received from Chris Curry and Elie Tilghman, owners of Adapt Kitchen and authorized agents for 32 North Lumina, LLC. Ms. Villegas explained that the Applicant is requesting an amendment to the parking lot CUP to allow for additional parking requirements for Adapt Kitchen, located in Robert's Grocery, and the property is located within the C-1 Commercial Zoning District, across the street from Robert's Grocery.

Ms. Villegas stated that on July 16 2009, Robert's Grocery applied for a CUP to run a commercial parking lot. At the time, the lot had 28 spaces, and the Board approved 26 of those spaces to be used as paid parking, and the Board required 2 spaces to be reserved for Robert's Grocery customers. She explained that on November 2009, another CUP application was approved for Rita's Ice and the Board required Robert's to reserve an additional 3 spaces in the commercial parking lot for Rita's customers, for a total of 5 reserved parking spaces, and 23 paid parking spaces.

Ms. Villegas explained that the commercial parking lot currently has 31 spaces and per the 2009 CUP, Robert's is required to reserve 2 spaces for customers. She explained the calculations as follows: Robert's Grocery (2) + Adapt Kitchen customers (2) + employees (1) = 5 marked & reserved spaces, this allows for 26 spaces to rent for public parking.

Ms. Villegas stated that all required notices were posted and mailed and that Planning Staff recommends the Planning Board forward a favorable recommendation to the Board of Aldermen for the amendment of the Conditional Use Permit for Robert's

Grocery Parking Lot.

PLANNING BOARD QUESTIONS:

Ms. Partin asked if the parking lot is available for paid parking until 10 p.m. Ms. Villegas said yes, and they would need to have an attendant there until that time. Mr. Culp stated that he understood the conditions stated that Robert's could not compete with the Town by charging less than the Town's daily parking rate.

Ms. Partin asked the applicants if 2 spaces were enough for them. The applicants agreed that they were enough.

PRESENTATION BY THE APPLICANT:

Mr. Devlin Horton, authorized agent for Adapt Kitchen and Wilmington lawyer, asked that the Board send a favorable recommendation to the Board of Aldermen for this parking lot request and Agenda Item C, a CUP for Adapt Kitchen.

PUBLIC HEARING:

Sue Bullock explained why the parking lot had 31 spaces instead of 29.

MOTIONS:

...Motion by Ms. Zeke Partin to forward a favorable recommendation to the Board of Aldermen to amend the existing CUP for Robert's Parking Lot to allow for additional required parking for a new business. Motion seconded by Ms. Susan Snider and carried unanimously by a vote of (7-0).

AGENDA ITEM C:

CONSIDERATION OF A CONDITIONAL USE PERMIT APPLICATION FOR 32 NORTH LUMINA AVENUE TO OPEN A CARRYOUT RESTAURANT SERVING HEALTHY FOOD, COFFEE, JUICES, AND SMOOTHIES.

STAFF PRESENTATION:

Ms. Danielle Villegas stated that on June 19, 2018 the Planning and Inspections Department received a Conditional Use Permit (CUP) application from Chris Curry and Elie Tilghman, owners of Adapt Kitchen and authorized agents for 32 North Lumina, LLC. She said that the Applicant is requesting to open a carryout restaurant at 32 North Lumina Avenue, that sells healthy food, coffee, juices, and smoothies, and that the property is located within the C-1 Commercial Zoning District in Robert's Grocery. Ms. Villegas explained the parking requirements as follows: Customer Parking (2) + Employee Parking (1) = 3.

Ms. Villegas stated that all required notices were posted and mailed and that Planning Staff recommends the Planning Board forward a favorable recommendation to the Board of Aldermen for the CUP at 32 North Lumina for a carryout restaurant.

PLANNING BOARD QUESTIONS:

Ms. Partin asked how many entrances there were for Adapt Kitchen. Ms. Villegas stated that there were two.

PRESENTATION BY THE APPLICANT:

Chris Curry and Elie Tilghman, owners of Adapt Kitchen, authorized agents, and lifelong residents of Wrightsville Beach presented, saying they opened their doors for business two weeks ago with limited options. They stated that it had been a lifelong dream to own a successful business in his home town. Mr. Curry explained that Adapt Kitchen sells healthy food and drink, and they asked for a CUP so that they may sell food to people on the go looking for a nutritional option. He stated that their target audience are locals and tourists with health as a main consideration in their lifestyle.

PLANNING BOARD QUESTIONS:

Ms. Partin said that she is excited about the healthy food options coming to Wrightsville Beach. Ms. Snider said it's better than doughnuts. Mr. Culp asked the applicants whether they intended to install bike racks. Ms. Villegas said that is a discussion to have with Planning Staff. Mr. Cofer applauded the eco-friendly business model.

PUBLIC HEARING

IN FAVOR:

Libby Stevens, a Wrightsville Beach resident, stated that she appreciates the option of a different and healthy menu.

OPPOSE:

None.

MOTIONS:

...Motion by Mr. David Culp to forward a favorable recommendation to the Board of Aldermen to issue a CUP for Adapt Kitchen. Motion seconded by Ms. Zeke Partin and carried unanimously by a vote of (7-0).

OLD BUSINESS

Ms. Partin asked a question about Poe's parking lot. Ms. Villegas said they have completed it and put up a fence.

OTHER BUSINESS FROM CHAIRPERSON OR BOARD MEMBERS

None at this time.

OTHER BUSINESS FROM STAFF

None at this time.

ADJOURNMENT

...There being no further business to come before the board, Ms. Zeke Partin made a motion to adjourn which was seconded by Ms. Susan Snider, the meeting was adjourned by unanimous vote at 6:44 p.m. Vote (7-0).

Respectfully Submitted,

Danielle Villegas, Planning & Inspections