



**KURE BEACH PLANNING & ZONING COMMISSION  
REGULAR MEETING ♦ Wednesday, November 6, 2013**

**A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on  
Wednesday, November 6, 2013. A quorum of the Commission was present.**

**P&Z MEMBERS IN ATTENDANCE**

Craig Galbraith, Chair  
Joe Whitley, Vice Chair  
Member Tom Theisen  
Member Alan Votta  
Member John Ellen

**ABSENT**

Attorney Holt Moore

Liaison Emilie Swearingen

**STAFF PRESENT**

John Batson, Bldg. Insp.  
Josie Fitzgerald, Administrative Assistant

**I. CALL TO ORDER:**

Chair Galbraith called the P&Z meeting to order at 7:00 p.m.

**II. APPROVAL OF AGENDA:**

**MOTION:** Member Theisen moved to adopt the Agenda  
**SECOND:** Member Votta  
**VOTE:** Unanimous

**III. APPROVAL OF MINUTES:**

**MOTION:** Member Votta moved to approve the P&Z minutes of October 1, 2013  
**SECOND:** Member Whitley  
**VOTE:** Unanimous

**IV. OLD BUSINESS:**

**A. K Avenue mixed-use District**

- Attorney Moore presented draft of ordinance which combined all the sections submitted by members.
- He made draft format consistent with the ordinance.

- The draft notes what is currently allowed in the district and what we want to add that was discussed in earlier meetings such as gift stores, light food service and light retail, art galleries
- Light retail and light food service needs to be defined
- Sec. 19.1 Retail miscellaneous defines what is currently allowed
- Light retail can be noted as “such as art stores, antique shops, gift stores, craft stores, jewelry stores, etc.

**The proposal can be broken down as follows:**

**1. Light retail such as antique shops, as gift stores, antiques shop, art galleries, craft stores ,jewelry, hobby shops**

**2. Light food service**

- The ordinance currently lists eight different categories for retail establishments; Retail apparel and accessory, retail building materials, hardware and garden supply, retail eating and drinking places, retail food stores, retail general, retail general merchandise stores, retail home furniture, furnishings and equipment stores and retail miscellaneous.
- The major concern would be the amount of traffic coming in and out
- We could say retail miscellaneous as defined in Ordinance Sec. 19.1.Definitions.

**Proposal: 1. Light retail (see definition in Ordinance Sec. 19.1)**

Light food service

- We could define as counter food service not exceeding 15 seated people
- Another option, food service involving **primarily counter service** not to exceed 15 seats
- Basically counter service and few tables.
- Counter served food service, coffee, bagels, etc. would not include alcoholic beverages

**Proposal: 2. Light Food Service – Primarily counter service with seating not exceeding 15 seats. (see also definition in Ordinance Sec. 19.1 Retail eating and drinking places)**

- Parking requirements discussed
- Parking “area” needs to be defined
- Attorney Moore suggested that no on-street parking be allowed and “ a condition of applying for a special use permit under the provision of the overlay district is that any privately owned parking area designed to serve the subject project shall be subject to the provisions of the permit.”

**Lighting**

- Wrightsville Beach addressed lighting having the same problem we have with lighting signs, windows and buildings.
- Recommend putting in language in the lighting section of the overlay district similar to Wrightsville Beach adding LED and fiber optics.
- Would also recommend that we put this in the commercial districts

- Holiday lighting was discussed

**Recommended language to be included in draft lighting section as follows:**

**h) Bare light sources (including but not limited to festive light strands, incandescent, fluorescent, high intensity discharge, LED, fiber optics and neon) used to outline property lines, open sales areas, roof lines, doors, windows, the edges of walls or any other area of the building or property visible from outside the building are prohibited, except for holiday lighting permitted from Thanksgiving through January 15<sup>th</sup> of the new year.**

- Next step is to send to Council for them to review and pursue
- Application section may be overbroad but may work itself out with regard to various requests. (Attorney Moore has revised this paragraph and will forward)

**Recommendation: The Overlay District was suggested to be added after 19-83.  
(reserved 19-84—19-90)**

Attorney Moore will revise the draft and forward via e-mail. It was agreed that P&Z Members will review e-mail before presenting it to Council Members.

**MOTION: Member Whitley moved to review the draft of the Overlay District with the changes discussed and approve it before presenting it to Town Council at November 19 meeting**

**SECOND: Member Votta**

**VOTE: Unanimous**

**B. Division of Community Assistance and Investment**  
Follow up with Mr. Mark Zeigler

**MOTION: Member Theisen moved to table this issue to obtain follow up information**

**SECOND: Member Whitley**

**VOTE: Unanimous**

**C. New trend - LED lights around windows, signs**

- Recommended to add language similar to Wrightsville Beach be added in lighting section of Kure Beach ordinance.
- Will present to council and there will be a have public hearing.
- Recommended to add language to Sec. 19-378. Illumination as a second paragraph to include the Wrightsville Beach definition.
- Discussion of lighting for commercial signs had to be turned off at certain times, not a big problem in Kure Beach
- Pier an gas stations keep lights on

**MOTION: Chair Galbraith moved to present recommendation to add language referring to 19-378 to Town Council at November 19 meeting (see attached)**

**SECOND: Member Whitley**

**VOTE: Unanimous**

**V. New business**

- Discussion on proposed sidewalks which may become an issue
- How will it affect the K Ave. project

**VI. Member Items**

- Discussion about next meeting
- Depending on a response from Town Council regarding ordinance recommendations, the December P&Z meeting can be rescheduled to December, 4<sup>th</sup> or skipped and meet in January
- Council meets on November 19 and we would need to post a notice to cancel or reschedule

**MOTION:** Chair Galbraith moved to wait to get a response from Council regarding the recommendations presented. If Council gets back to us, we can meet on Wednesday, December 4<sup>th</sup> if a two week notice is required, if they do not get back to us, we can cancel the December meeting.

**SECOND:** Member Theisen

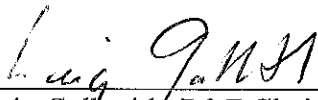
**VOTE:** Unanimous

**MOTION:** Member Theisen moved to adjourn the meeting.

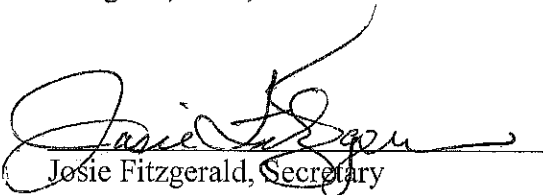
**SECOND:** Member Votta

**VOTE:** Unanimous

**P&Z Meeting was adjourned at 7:51 p.m.**



Craig Galbraith, P&Z Chairman



Josie Fitzgerald, Secretary