



**KURE BEACH PLANNING & ZONING COMMISSION  
REGULAR MEETING ♦ Tuesday, September 2, 2014**

**A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on Tuesday, September 2, 2014. A quorum of the Commission was present.**

**P&Z MEMBERS IN ATTENDANCE**

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

Liaison: Craig Bloszinsky  
Attorney: James E. Eldridge

**STAFF PRESENT**

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

**ABSENT**

Craig Galbraith, Chair

**I. CALL TO ORDER:**

Vice Chair Whitley called the P&Z meeting to order at 7:01 p.m.

**II. APPROVAL OF AGENDA:**

**MOTION: Member Theisen moved to adopt the Agenda**

**SECOND: Member Ellen**

**VOTE: Unanimous**

**III. APPROVAL OF MINUTES:**

**MOTION: Member Votta moved to approve the P&Z minutes of July 1, 2014**

**SECOND: Member Theisen**

**VOTE: Unanimous**

**IV. PUBLIC COMMENTS:**

**Parking on Hwy. 421**

Al Woodall, 1501 Sand Dollar Ct.

- My issue is along the area on the ocean side of 421.
- Weekend, holiday, trespassing issue; there are "no parking" signs on the property.
- Understands people have the right to walk to beach; the issue is that every holiday, people abuse properties, urinating on the fence, a female stripped, people used our shower.
- This hurts the property values.

- Department of Transportation was contacted, which sent two people out. They were very sympathetic and were willing to set up parking signs, but said they need to talk to Town of Kure Beach Town Council first.
- Mr. Woodall went to the Town Council meeting and spoke about the issues.
- Not trying to prevent use of beach, but trying to prevent people from abusing their property. We pay to maintain our property and walkways.
- There are two “no parking” signs on the highway now; at Camp Wyatt and Craigs Landing and it seems the intent is not to park there. Signs may be too far apart; “No parking on bike path, towing enforced.”
- Requesting the Town to try to resolve this issue.
- There are at least 30 cars parked there at times; Memorial Day was the worst but it is always a problem; we maintain that property, we mow and have sprinkler heads out there and had at least one sprinkler head broken.
- DOT offered to maintain it if we don’t, but they will mow once a month or every six weeks and that will make our place look bad.
- He was asked, was DOT asked what “towing enforced” meant and who put up the signs? It was unknown.

#### Chief Cooper –

- The right of way is open to the public, there is no parking in the bike lane. We can’t do anything if a car is parked legally in the right of way.
- Town right of ways are deep in some places.
- This is a can of worms; This is something that requires more discussion and guidance from the Town Council as to what we are going to do and how much we will be dealing with to have a long term fix.
- A Right of way is the property from the pavement to the owner’s property including the bike lane.
- Suggested P&Z take a look and not take a quick fix.
- If there is parking in the bike lane, a citation will be issued.
- Citations are pretty expensive and sometimes it’s a judgment call as to what is going on.
- A parking issue is when there are places in the right of way where it drastically diminishes the line of sight getting in and out of a side street.
- There are several issues involved; K Avenue to E Avenue which is problematic area.
- Holidays are hard; 4<sup>th</sup> of July was one of the busiest as was this past weekend and its getting busier. We need to take a look at the whole situation and see what we can come up with.
- Mayor Lambeth: Some places have been roped off.
- Town enforces bike lane.
- Question is can the Kure Beach Police enforce parking along 421?
- What is controlling factor? The control is by the Chief according to ordinance.
- DOT does not designate parking spaces.
- There are four entrances at Ocean Dunes which are an issue; parking on both sides of the street and at the entrances.
- There is parking on the grass, parallel parking, parking on the west side, on the beach side.
- Parking on the Air Force side, on both sides of the road.
- Parking at the Air Force, west side on a little space, no parking available on the east side.

Attorney Eldridge – We cannot deny public to use public beach accesses. We need to address the nudity, destruction of property and urination which are a problem.

- Visitors do not treat the property the way owners do.
- We can address parking meters.
- Locks can be put on walkways, combination locks on gateways and on private showers.

Frances Pculisch, 114 Craigs Landing – The main issue is the lack of parking. There aren't enough places to park and that is the reason why at the condo area, they are parking on the grass. I hope the big picture is not to move people out of one yard and just move to a side street and in front of my house. We need more parking and not just say you can't park here or there.

- From Air Force down there is no place to park
- As long as we have free parking, we will have people come and inundate and have a parking problem.
- The commander has indicated there is a parking problem at the Air Force Base.
- There is a safety issue to avoid the sand pit; parking is usually on the corner and there is a visibility problem.
- There is overflow from rentals.

Ryan Brandshaw 125 Heather Lane, Kure Estates, the same streets as Kure Village. They already park on side streets, on Kure Village Way, Heather Ln., Clementree Ln. Parking is in the street. There are about 40 cars parking, not parallel and some in empty lots. It is already there and is going to get worse. I am asking Planning & Zoning and Council to address what kind of parking is allowed. Kure Village Way is not a State road and there is no other jurisdiction for that street. It is a safety issue, crosswalks granted were granted to us; all parking interferes with natural flow of traffic, people are forced to walk on the asphalt instead of in the right of way.

Chief Cooper - The issue is recognizing who are residents and your friends parking on the street and visitors. We try to accommodate owners during holidays.

Councilman Broszinsky – Suggested Council find a solution with attorney Eldridge, with the Police, DOT and neighborhood representatives; first, to control parking on 421 or not and what do we do; and second, how to not create more issues. Not an easy problem, but there may be solutions.

Attorney Eldridge - Wrightsville has parking meters – Option is offering using metered parking. Issues of trespassing, urinating, etc. that ordinance covers specifically can be enforced. We can have a meeting of stakeholders, to discuss having designated spaces. Another option, but more complicated is some sort of overlay district. For the short term, there can be designated parking spaces. We need to start somewhere. Meters keep people in designated areas. If so instructed, he will research to begin the process.

- Wrightsville Beach has a contractor that monitors and enforces parking meters. The meters seem to keep people in the designated spaces or get towed away. There are political and economic issues with meters. Not saying that is the solution,
- Parking meters is a major policy consideration for the Council to consider.
- There may be short term solutions for the Ocean Dunes.
- Most pronounced issues at south end are: line of sight, property destruction, nudity and urination.
- Get a meeting together to get additional questions answered.

- There will be unintentional consequences if we put in meters, it is a sensitive issue.
- We try to keep small town character

Tony Gonsalves, SLAP Chairman -- Every time issue of meters is brought up, it is knocked down. SLAP will not do another study unless we have a commitment from at least four council members. It is a lot of work to see what is best for the town. If Council would like paid parking, they just need to ask us again and we will be more than happy to go ahead. We need four commissioners' backing.

**MOTION:** Member Votta moved to table the parking issue and place it on the October Agenda for discussion, further research and invite SLAP as a first step on how to deal with this issue and identify the objectives.

**SECOND:** Member Whitley

**VOTE:** Unanimous

## V. OLD BUSINESS:

### A. Rental Certificates

**MOTION:** Member Ellen moved to table the rental certificate discussion until next month

**SECOND:** Member Theisen

**VOTE:** Unanimous

### B. Accessory dwelling units (ADU)

John Batson – I am not sure why this is a concern to allow or not allow mother-in-law suites. I do not find anything in our Ordinance that prohibits them. I did research in the NC General Statutes that say they are not allowed. Most of the time it is a small garage type and it should be allowed as long as there is no full kitchen and has a common roof line.

Attorney Eldridge – Not aware of anything in the General Statutes, but will double check.

**MOTION:** Member Theisen moved to table the Accessory dwelling units discussion until next month

**SECOND:** Member Ellen

**VOTE:** Unanimous

## VI. NEW BUSINESS:

A. Parking issues on Hwy. 421 was opened to public comments and was tabled and placed on the October Agenda (See Motion above)

B. Proposed site plan, Sea View – 637 Ft. Fisher Blvd. No.

John Batson – This property is about two acres; it previously went through Planning and Zoning Commission in 2005-06 for approval for a subdivision for 19 single family dwellings; it never came to fruition. This plan is a little different but still 19 single family townhomes. Expecting to receive a preliminary plat in the next two weeks in preparation for the October meeting.

P&Z to review Chapter 15 of the Ordinance for approval process.

- It is fairly simple and straight forward
- Should be smooth and not difficult
- The developer was advised of all the requirements.

- P&Z has forty-five days to approve or disapprove and send its recommendation to Town council
- Then Town Council does their approval or disapproval
- Then the next step is a final plat
- Also needed for the subdivision is storm water; a previous permit can be transferred
- CAMA permit in hand
- Proof of financing in hand
- Subdivision is for single family townhouses connected.
- Entrances and egress off Kure Village Way
- Parking this time is better than previous plan; driveways are 18' wide
- No parking on street
- No right of way area
- Site is corner of Kure Village Way and Fort Fisher Blvd.
- HOA has beach access and this new subdivision will have to negotiate with the HOA for these lots

**MOTION:** Vice Chair Whitley moved to place the Sea View issue on the October Agenda

**SECOND:** Member Theisen

**VOTE:** Unanimous

**VII. MEMBER ITEMS:**

A. Welcome Attorney James Eldridge

B. Change meeting day from first Tuesday of the month to the first Wednesday of each month

**MOTION:** Member Theisen moved to change the Planning and Zoning meeting day to the first Wednesday of each month beginning October.

**SECOND:** Member Ellen

**VOTE:** Unanimous


**VII. ADJOURNMENT:**

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

**SECOND:** Member Theisen

**VOTE:** Unanimous

**P&Z Meeting was adjourned at 8:05 p.m.**

  
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 Craig Galbraith, P&Z Chairman

  
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 Josie Fitzgerald, Secretary

**SIGN IN SHEET**  
**TO ADDRESS KURE BEACH TOWN COUNCIL**

**MEETING TYPE & DATE** \_\_\_\_\_

NAME	ADDRESS	TOPIC OF CONCERN
AL WOODALL	1501 SAND DOLLAR COURT	Parking
Ryan Bradshaw	125 Heather Ln	Parking
T. Peulisch	714 Craigs Landing	Parking