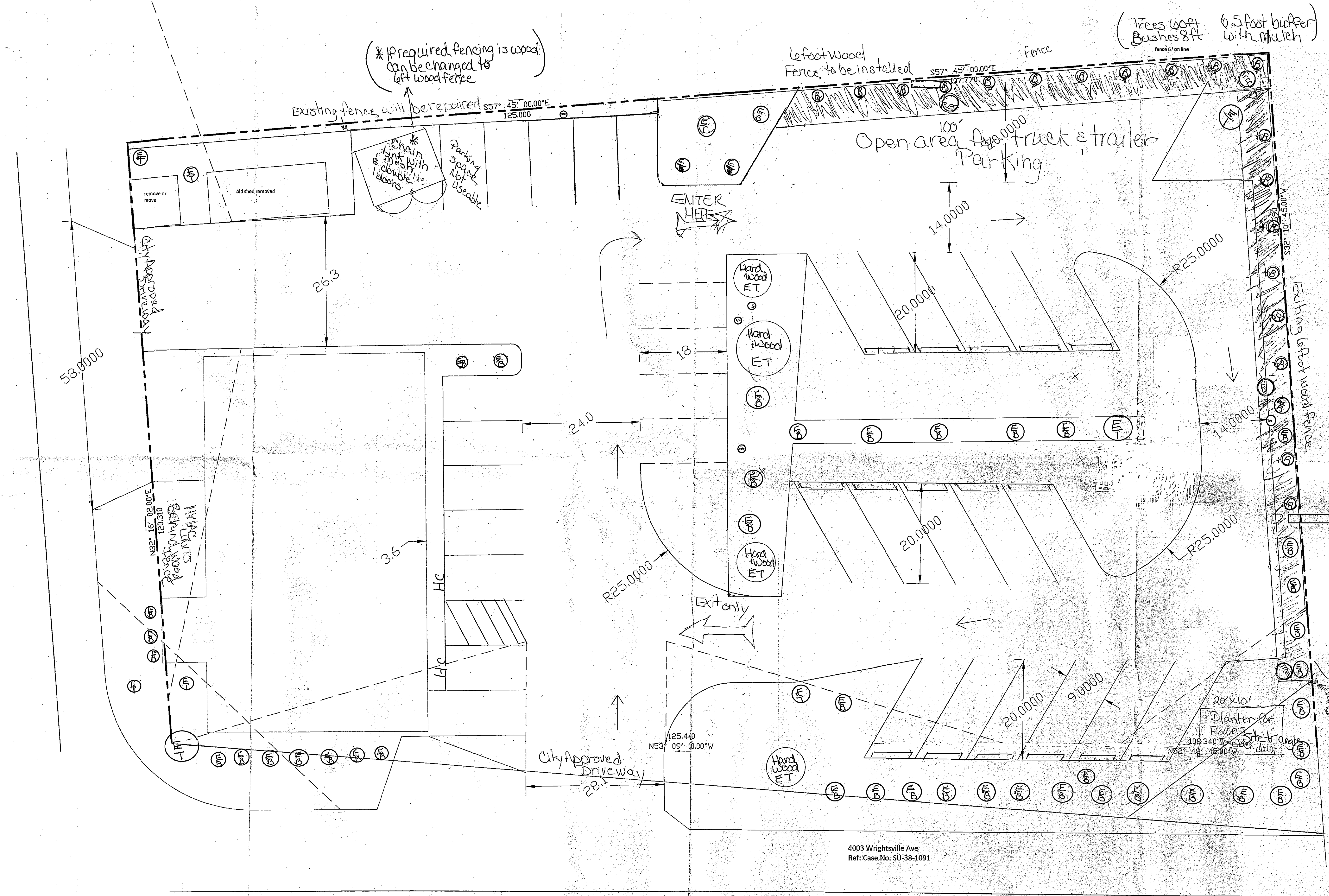


Title Block:
 Salt Works II
 4001 & 4003 Wrightsville Ave.
 Wilmington, NC 28403
 F & T Enterprise LLC
 Jonathan Flatt / Lee Hill
 3 Queen Street
 Wilmington, NC 28401
 Page 1 of 2

PAGE AVE



4003 Wrightsville Ave
 Ref: Case No. SU-38-1091

WRIGHTSVILLE AVE

Page 1 of 2

- Trees & Bushes
- ET = Existing Tree
 - EB = Existing Bush
 - B = Bush to be planted
 - Tree = Tree to be planted
 - [Hatched Box] = mulch in buffer

1" = 10'

SALTWORKS II

DATA TABLE

Date:
December 2, 2016

Title Block:
Salt Works II
4001 & 4003 Wrightsville Ave.
Wilmington, NC 28403
F & T Enterprise LLC
Jonathan Flatt/Lee Hill
3 Queen Street
Wilmington, NC 28401

Project Name:
Salt Works II -- R05514-009-013-000 (Parent)
R05514-009-001-000 (Child)

Zoning Districts:
SUP - O&I and R10

Building setbacks:
Minimum required setbacks for O&I -1 zoning
Front 20 feet, Rear 20 feet, Corner lot 20 feet and Interior side 10 feet
Building's actual setbacks:
Front on lot line, rear 45 feet, corner side on lot line and interior 55 feet
The building is grandfathered so the current setbacks do not apply.

Total acreage:
7

Building size:
2,965 sq ft (heated area) -- tax records 2,296 sq ft

Calculation for building lot coverage:
10% -- land 30,492 sq ft and building footprint 3,200

Off street parking calculations:
Minimum 26 spaces, size 18 ft X 9 ft

CAMA land use Classification:
Urban

Location of existing lot lines:
On plan

Name of property owners of adjacent properties:
Michael O Meddis -- left rear 1049 Page Ave.
Plant Court Development Inc -- right rear 938 Montclair Dr.
James A and Rose Workman -- right side 4007 Wrightsville Ave.

Zoning and land use of adjacent properties:
Left rear, single family residential, zoned R10
Right rear, vacant land, zoned R10
Right side, single family residential, zoned R10

Location, dimensions and type of construction of all fencing and screening:
6 foot wood fence on northern and eastern property line, tree and bushes in buffer and chain link with mesh and double door for dumpsters

Special Use Requirements:

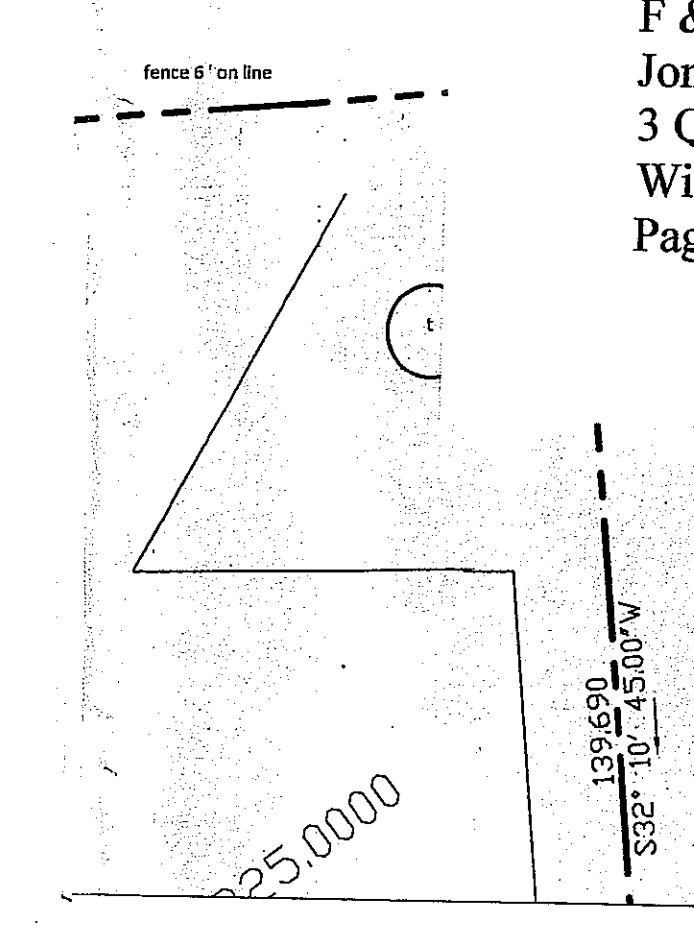
**SUD-093-CY4-89
4001 Wrightsville Ave.**

- No less than 26 parking spaces shall be provided on the site in order to insure an adequate amount of off-street parking.
- The parking lot layout shall be redesigned to enhance the flow of traffic on the layout.
- A streetyard shall be provided within the areas not obstructed by driveways or building along all street frontage.
- The existing 6' tall fence shall be repaired and extended along the northern and eastern property boundaries to serve as a buffer.
- No installation of neon lights or signage shall be permitted, excepting a small (3 square foot or less in size) neon sign stating "OPEN" which could be located in the interior of the restaurant in the vicinity of the entrance.
- Any illuminated sign (attached or detached), except the sign referred to in c. above, shall be indirectly illuminated and such illumination shall be directed away from any residential area or street and adjoining properties.
- No more than 78 seats shall be allowed.
- The hours of operation shall not be more than 6 a.m. to 9 p.m., Monday through Saturday.
- The proposed use of this existing facility, as a restaurant, should be in harmony with the surrounding area if developed subject to the conditions outlined herein.
- That the applicant shall fully comply with all of the specific requirements stated in the Ordinance for the proposed use as well as any additional conditions stated below;
- That if any section, subsection, paragraph, sentence, clause, phrase, or portion of this permit is for any reason held invalid or unconstitutional by any court of competent jurisdiction, this permit shall be null and void and of no effect;
- That the use of the subject property shall be in accordance with the plan as submitted and approved; and
- That this Special Use Permit shall comply with all other supplemental regulations and requirements imposed

**SU-38-1001
4003 Wrightsville Ave.**

- The City Council FIND as a FACT that all of the specific requirements set forth in Section 19-93 of the City Zoning Ordinance will be satisfied if the property is developed in accordance with the plans submitted to the City Council.
 - That the applicant comply with all requirements of the Special Use Permit prerequisites.
 - That the applicant obtain a variance to the prerequisite in Sec. 19-93(19)c.3., which states that the off-street parking site shall be located no closer than 150 feet to any street right-of-way except the right-of-way the principal use abuts.
 - That any modification to the adjacent restaurant use that involves an increase in floor area or seating capacity be reviewed as a modification to this special use permit.
 - The proposed use appears to meet all City codes and requirements if developed according to the revised site plan, except as noted in b), above.
- It is the City Council's CONCLUSION that the proposed use does satisfy the first general requirement listed in the Ordinance; namely, that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. In support of this conclusion, the Council makes the following FINDINGS OF FACT:
 - The proposed use appears to meet all City codes and requirements if developed according to the revised site plan, except as noted in 1.b), above.
 - The parking at 4003 Wrightsville Avenue would be used solely in conjunction with the adjacent restaurant site.
 - Access to the parking area must be through the lot containing the principal use. Therefore, the proposed access to Wrightsville Avenue must be closed and all access to off-street parking must be through the parking area on the adjacent restaurant site.
 - 4003 Wrightsville Avenue has a common boundary with the adjacent restaurant site in excess of 120 feet.
 - No point of the proposed parking area will be further than 100 feet from the o&I(SD) boundary.
 - The east side of this proposed off-street parking area abuts an unimproved street right-of-way. The applicant would need to obtain a variance from the requirement contained in Sec. 19-93(19)c.3., that the parking site shall be no closer than 150 feet to any right-of-way except the right-of-way to the principal use abuts.

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- Therefore, because the City Council concludes that all general and specific conditions precedent to the issuance of a SPECIAL USE PERMIT have been satisfied, IT IS ORDERED that the application for the issuance of a SPECIAL USE PERMIT be GRANTED, subject to the following conditions:
 - That the applicant shall fully comply with all of the specific requirements stated in the Ordinance for the proposed use as well as any additional conditions stated below;
 - That if any section, subsection, paragraph, sentence, clause, phrase or portion of this Permit is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof;
 - That the use of the subject property shall be in accordance with the plan as submitted and approved;
 - That this Special Use Permit shall comply with all other supplemental regulations and requirements imposed by the Zoning Ordinance or any other applicable federal, state or local law, ordinance or regulation. In the event of a conflict, the more stringent requirement or higher standard shall apply;
 - That the applicant comply with all requirements of the special use permit prerequisites;
 - That the applicant obtain a variance from the prerequisite in Sec. 19-93(19)c.3., which states that the off-street parking site shall be located no closer than 150 feet to any street right-of-way except the right-of-way the principal use abuts.
 - That any modification to the adjacent restaurant use that results in an increase in floor area or seating capacity be reviewed as a modification to this special use permit.
 - That the site is to be used for overflow parking and it is not required to be paved. Sec. 19-44(c)(4)e.

DATA TABLE - continued

Wheel stops and other traffic barriers:
Rail road ties

Shown on plan City standard driveway:
Marked on plan

Show parking lot and driveway geometric dimensions and radii:
Marked on plan -- 26 + spaces 18 feet by 9 feet

Locations and species of all existing hardwood trees:
Four oaks between paved parking and gravel lot -- all marked on plan

Locations dimensions and square footages of required buffer strips:
Two buffer strips -- 812.50 sq ft and 630.50 sq ft to total 1,443 sq ft of buffer strips
One 6.5 feet wide by 125 feet on eastern property line and one 6.5 feet wide by 97 feet on northern property line of parking area

Delineation of the triangular sight distance on the plan:
Marked on plan "site triangle" where the bushes cannot be taller than 36 inches and no over hang lower than 10 feet.

- by the Zoning Ordinance or any other applicable federal, state or local law, ordinance or regulation. In the event of a conflict, the more stringent requirement or higher standard shall apply;
- That the parking lot layout shall be redesigned to provide:
 - if Angled parking along the north aide of the lot with the Page Avenue driveway converted to a standard two-way drive;
 - A City-standard driveway (driveway width and flares only; not property line setback) on Wrightsville Avenue; and
 - 8% interior parking lot landscaping.
 - That a streetyard shall be provided within the areas not obstructed by driveways or building along all street frontage;
 - That the existing 6' tall fence shall be repaired and extended along the northern and eastern property boundaries to serve as a buffer;
 - That no installation of neon lights or signage shall be permitted, excepting a small (3 square feet or less in size) neon sign stating "OPEN" which could be located in the interior of the restaurant in the vicinity of the entrance;
 - That any illuminated sign (attached or detached), except the sign referred to in 16 above, shall be indirectly illuminated and such illumination shall be directed away from any residential area or street rights-of-way;
 - That the dumpster shall be screened from the street and adjoining properties;
 - That no more than 78 seats shall be allowed; 1) That the hours of operation shall not be more than 6 a.m. to 9 p.m., Monday through Saturday; and
 - That no less than 26 parking spaces shall be provided.

**SU-10-90
4001 Wrightsville Ave.**

This modification to an existing Special Use Permit extends the restaurant's hours of operation to run from Monday through Sunday 6:00 a.m. to 9:00 p.m. The original Special Use Permit limited the hours of operation from 6:00 a.m. to 9:00 p.m., Monday through Saturday. This extension of hours should not have any adverse impacts upon the public health or safety.

- The subject property is under the same ownership as the adjacent restaurant site.
 - A type "B" buffer must be provided along the subject property's north and east lines adjacent to R-10 classified property.
 - Site lighting must not shine or reflect directly onto any adjacent property.
- It is the City Council's CONCLUSION that the proposed use does satisfy the second general requirement listed in the ordinance; namely, that the use meets all required conditions and specifications. In support of this conclusion, the Council makes the following FINDINGS OF FACT:
 - That the applicant comply with all requirements of the special use permit prerequisites.
 - That the applicant obtain a variance to Sec. 19-93(19) c.3., which states that the off-street parking site shall be located no closer than 150 feet to any street right-of-way except the right-of-way the principal use abuts.
 - It is the City Council's CONCLUSION that the proposed use does satisfy the third general requirement listed in the Ordinance; namely, that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. In support of this conclusion, the Council makes the following FINDINGS OF FACT:
 - currently, this site is often used as overflow parking for the adjacent restaurant site. Under the current zoning of the site, this activity is a non-conforming use of the property, the legality of which has not been determined. Given the need for parking at this location and given the existing condition of the site, this special use permit is appropriate as a means of requiring improvement of the site and the buffering of adjacent residential uses.
 - This use is appropriate for this property, given the surrounding area which is dominated by residential uses.
 - This use is not a public necessity.
 - It is the City Council's CONCLUSION that the proposed use does satisfy the fourth general requirement listed in the Ordinance; namely, that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the City of Wilmington. In support of this conclusion, the Council makes the following FINDINGS OF FACT:
 - The use is compatible with the surrounding area which is dominated by residential uses.

SALTWORKS II