

# REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

**Tracking Number:** 20

**Date of Request:** April 10, 2008

**Date Request Received:** April 10, 2008

**Board Meeting Date Requested:** April 21, 2008

**Board Meeting Date Assigned:** April 21, 2008

**Short Title:** Special Use Permit- Drive-Up Automatic Ice Vending Machine

- Request Status:**
- Request is proceeding to Board of Commissioners
  - More information is needed – see attached
  - Request on hold – no further information needed
  - Other:

**Background:** Proposed project located on 2.0 acres zoned B-2 with the current use being a shopping center with Ace Hardware as the anchor tenant.

**Specific Action Requested:** Applicant is requesting approval of a Special Use Permit to allow a Drive-Up Automatic Ice Vending Machine. The property is located at 15597-A US Hwy 17 North.

*(Administrative Use Only)*

County Manager recommends approval of the Special Use Permit.

## CONTRACT TYPE

Requested by: Planning Staff  
Department: Planning Department  
Title: Planning  
Contact Phone: 910.259.1202  
Contact Fax: 910.259.1295

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
  - Federal Grantor
  - State Grantor
  - Grant or
- County as Grantor
  - County Funds
  - Other Funds:
- Revision
- For Equipment

**PURCHASING** Budgeted Item:  Yes  No  
Date Rec'd:  Reviewed and Approved  
 Comments on Reverse

Date Sent: Signed:

**ATTORNEY**  Reviewed and Approved  
Date Rec'd:  Legal Problem(s)  
 Comments on Reverse

Date Sent: Signed:

**FINANCE** Sufficient Funds  Available  
Date Rec'd  Not Available  
 Budget Amendment Necessary  
 Budgeted Amendment is Attached  
 Comments on Reverse

Date Sent: Signed:

**CLERK** Signature(s) Required:  
 Board Chairman/County Manager  
 Other:

Date Rec'd Approved by Board:  Yes  No  
At meeting on

INTRODUCED BY: Planning Staff

DATE: April 21, 2008

ITEM NO: 20.

**Special Use Permit for Drive-up Automatic Ice Vending Machine**

**SUBJECT:** CASE NO: 08-04-21-11

**PROPERTY RECORD NO:** 3293-20-0936-0000

**APPLICANT:** Craig Wilson

**OWNER:** Thomas Reeves Jr.

**ACTION REQUESTED:** Drive-up Automatic Ice Vending Machine

**HISTORY/BACKGROUND:**

**Project Location:** The property is located at 15597-A US Hwy 17 North.

**Project Description:**

The applicant is requesting a Special Use Permit to allow a Drive-up Automatic Ice Vending Machine. The parcel consists of 2.0 acres and is zoned B-2, Business District (Highway). The commercial development includes five businesses within one structure with Ace Hardware. The Drive-up Automatic Ice Vending Machine will be located northeast of the Ace Hardware building on a gravel portion of the lot currently being utilized to store railroad ties. The unit's proposed location will not take away from any current parking for the existing businesses. Access will be provided using two existing driveways (one entrance, one exit).

The ice machine will dispense ice in either 16 lb bags or in 20 lb bulk ice. The machine will be fully automated and will be operational 24 hours a day, 7 days a week, 365 days a year. There will be water softeners, and purifying filters utilized within the machine itself. Water will be supplied through Pender County water. The ice machine is approximately 8'4"x 24' and 15' high equaling 200 sq ft. The unit will be anchored to withstand winds of 150 mph, exceeding the commercial wind code for the area. Inside components are 100% food grade stainless steel and are approved by the FDA.

- A) Public Notifications:** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail. Special Use Permit signs were posted on or near the proposed site.
- B) Basis for Granting SUP:** See attachment A for approval procedures (15.3 of Zoning Ordinance.) and revocation procedures (15.4b of Zoning Ordinance.).
- C) Zoning Ordinance Compliance** This property is zoned B-2, Business District (Highway); Drive-up Automatic Ice Machines are a permitted use in a B-2 Business District (Highway) via a Special Use Permit. (Section 8, Zoning Districts and Regulations, of the Zoning Ordinance.)
- D) Land Use Plan Compliance:** This property is classified as Urban Growth. 2005 CAMA Land Use Plan describes this area as an area with excellent access to the regional transportation system for a mixture of more intensive commercial and industrial or job creating uses and a range of residential land uses and housing types. It is focused on the Rocky Point and the US Highway 17 Corridor.

**E) Existing Land Use in Area:** A shopping center is currently located on the property with Jackson Hewitt, R glad 2CU Real-estate/ C&D Homebuilders, Shelia's Cut and Style, Charlie's Studio, and Ace Hardware as the tenants. The adjacent property North on Hwy 17 is located RPM Marine. There is a vacant wooded lot adjacent to the rear of the proposed project site.

**F) Site Access Conditions:** The property has direct access to US Highway 17.

**G) Conditions to Consider in Issuing a Special Use Permit for this Project:**

1. Unless approved otherwise as a condition of the permit, a Special Use Permit shall expire and become void, if a final zoning permit has not been issued for the project within 12 months.
2. The project shall comply with all requirements of the Commercial Development Standards and Site Plan Review, Section 9.14 and 15.5 G of the Pender County Ordinance.
3. A separate Permit must be obtained for any proposed signs. Signs shall be in accordance with Section 16 of the Pender County Zoning Ordinance.
4. No junk, debris, trash, recycled or salvaged materials, or inoperable vehicles shall be stored on the site outside a completely enclosed building.
5. No outside storage of materials, merchandise, or unlicensed or salvage equipment will be permitted on the site.
6. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect for the duration of this permit.
7. The project shall be developed and maintained in accord with the applicant's final revised site plan as approved by the Zoning Administrator, the Zoning Ordinance and the conditions contained in this permit.
8. Location shall allow for proper ingress and egress.
9. Structure shall not be located on any minimum required parking spaces.
10. Structure shall have landscaping around exterior in accordance with Section 15.5 G.
11. A roof structure shall be required to screen all mechanical equipment per requirements of section 15.5 G.
12. Must conform with Accessory Building Setbacks and Separation requirements Section detailed in 9.2 and must meet 100' setback along US Hwy 17.



**PENDER COUNTY  
SPECIAL USE PERMIT APPLICATION FORM**

THIS SECTION FOR OFFICE USE			
Application No.	108-04-21-11	Date	3/5/08
Permit Fee	\$220 <sup>54</sup> includes mailing	Receipt No.	077129

APPLICANT INFORMATION	
Applicant Name: <u>Craig Wilson</u>	Owner Name: <u>Thomas S Reece Jr</u>
Address: <u>390 Whitebridge Hampstead, NC 28443</u>	Address: <u>15597-A US Hwy 17N Hampstead NC 28443</u>
Phone No: <u>(910) 270-3023</u>	Phone No: <u>910-270-3237</u>
Legal relationship of applicant to owner: <u>None, Acquaintances</u>	

PROJECT INFORMATION	
Property tax record No. <u>3293-20-0936-0000</u>	Total acreage
Zoning Designation: <u>B2</u>	In property: <u>2</u>
Acreage to be used for project: <u>200 Sq Ft = Footprint</u> <u>55' x 40' = 2200 Sq Ft = .05 Acre</u>	Acreage to be disturbed: <u>.05 Acre</u> <u>2200 Sq Ft</u>
Project location and address: <u>Ace Hardware - Hampstead</u> <u>15597-A US Hwy 17 North, 28443</u>	
Describe activities to be undertaken on project site: <u>Position, secure Automated Ice House on side lot where Railroad Ties are currently stacked. (See Attached)</u>	

SIGNATURES			
Applicant:	Date:	Owner:	Date:
<u>Craig Wilson</u>	<u>3-4-08</u>	<u>Thomas S Reece Jr</u>	<u>3-4-08</u>

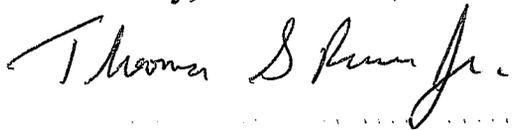
NOTICE TO APPLICANT
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on page two of this form.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing.</li> <li>4. Applicant may wish to review the required findings for approval of a Special Use Permit (p. 3).</li> </ol>

March 4, 2008

To Pender County Commissioners:

Please be advised that Craig Wilson has permission to lease a portion of my property located at 15597-A US Hwy 17 North, which is along side Ace Hardware in Hampstead, NC. This lease is for the purpose of an automated ice vending machine.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas S. Spruill". The signature is written in dark ink and is positioned below the word "Sincerely,".

March 4, 2008

To: Pender County Commissioners  
Regarding: Special Use Permit Request for Automated Ice Vending Machine

Hello,

I would like to request a Special Use Permit to install a freestanding, automated ice vending machine at the Ace Hardware store located at 15597-A US 17 Hwy North, Hampstead, NC. The ice machine will be positioned in the gravel lot located northeast of the store, where railroad ties are currently stacked. Access will be provided using the two existing driveways (one entrance, one exit).

The ice machine provides a revolutionary means for the production and sale of recreational ice through the introduction of a self-contained ice plant that produces, stores, bags and sells ice utilizing a vending machine concept. This results in the ability to provide citizens with a better ice product, at a lower cost, more efficiently than ever before. In addition, the ice is never touched by human hands, possibly making it the cleanest, safest ice on the market today.

The ice vending machines are fully automated and unmanned, that save the consumer both time and money. Fresh ice is produced and delivered to the consumer using a unique patented vending strategy. In 8 seconds, a 16-pound bag of ice is bagged and dispensed - or 20 pounds of bulk ice is dropped directly into the consumer's cooler- at half the local market price. The ice is chipped, deliciously chewable, and never frozen together in hard chunks. This fully automated, self-serve Ice House delivers ice 24 hours a day, 7 days a week, 365 days a year. To ensure quality ice, there will be water softeners and purifying water filters used for maximum customer satisfaction.

The ice machine is approximately 200 square feet. The dimensions are 8'4" x 24' and 15' high. It weighs approximately 10,000 pounds. The machine is built and anchored to withstand Hurricane winds of 150 mile per hour. It is built with 4" thick insulated refrigerator panels. The inside components are 100% food grade stainless steel. It is manufactured to NAMA specifications' and is approved by the FDA. The machine meets all applicable building codes for North Carolina. North Carolina approved engineering drawings are provided with this application for review.

Beyond the benefits of providing the community clean ice at an economical price in a fashion that is friendly to the ecology, ice machines have proven to be a extremely valuable in times of emergencies. Motor generators with transfer switches can be used to power the machines so full production can carry on (presuming sanitary water is still available) or at the very least to dispense the 6,000 pounds of ice held within the machine. FEMA is starting a program that allows ice machines to be registered so that Army Reserve generators can be moved into place for disaster situations.

There are several options available for the exterior designs of the machine. These options provide the ice machine the ability to "blend in" with the surrounding environment. Please see the attached pictures that show the store front of Ace Hardware as being white in color. To comply with the zoning ordinance, we would utilize the same material for the top cover design that screens the components on the roof of the ice machine

The engineering drawings provide details of the construction design requirements. All county inspections and permits will be obtained in addition to an inspection by the manufacturer. Once the foundation has been set, the modular ice machine will be set into place using a crane. An electrician will connect the 3 phase 220/240 volt power and a plumber will connect the ¾" or 1" water supply. Contractors will complete the installation of the roof components (ice makers and air conditioner) and attach the exterior accessories including the top cover material.

Every step will be taken to ensure that this ice machine is going to be attractive to the public. Landscaping will include flower boxes that will be placed on each side of the ice machine. The flower boxes will be the full length of the ice machine and will contain boxwood shrubs and lantana. We also plan to provide a treated wood platform that will be in the front of the ice machine for customers to stand on while they obtain ice.

Traffic impact to highway 17 will be minimal. We expect to sell 60 bags a day in the first three months and increase that number to 100 bags a day by 6 months. A majority of ice customers will have already arrived in the area to obtain supplies. As noted earlier, Ace hardware has two driveways one used as an entrance and one used as an exit. The ice machine is to be located in a side lot where sufficient space is present for vehicle access.

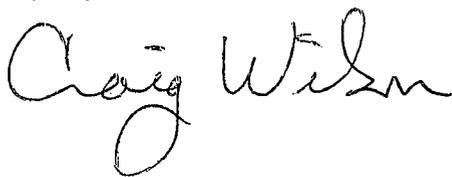
Concrete posts will be positioned to ensure that no vehicles can come close enough to customers and/or the ice machine to cause an accident.

The noise generated by the ice machine is minimal, similar to air conditioner units located out side every building.

Over 1,000 of these machines are installed in the United States. Approximately 70 are located in North Carolina with 30 of those being present in the Eastern counties. Please allow the citizens of Pender County the opportunity to obtain clean fresh ice on a convenient 24 x 7 basis at a very affordable price.

Thank you for your time and attention,

Craig Wilson  
(910) 270-3023

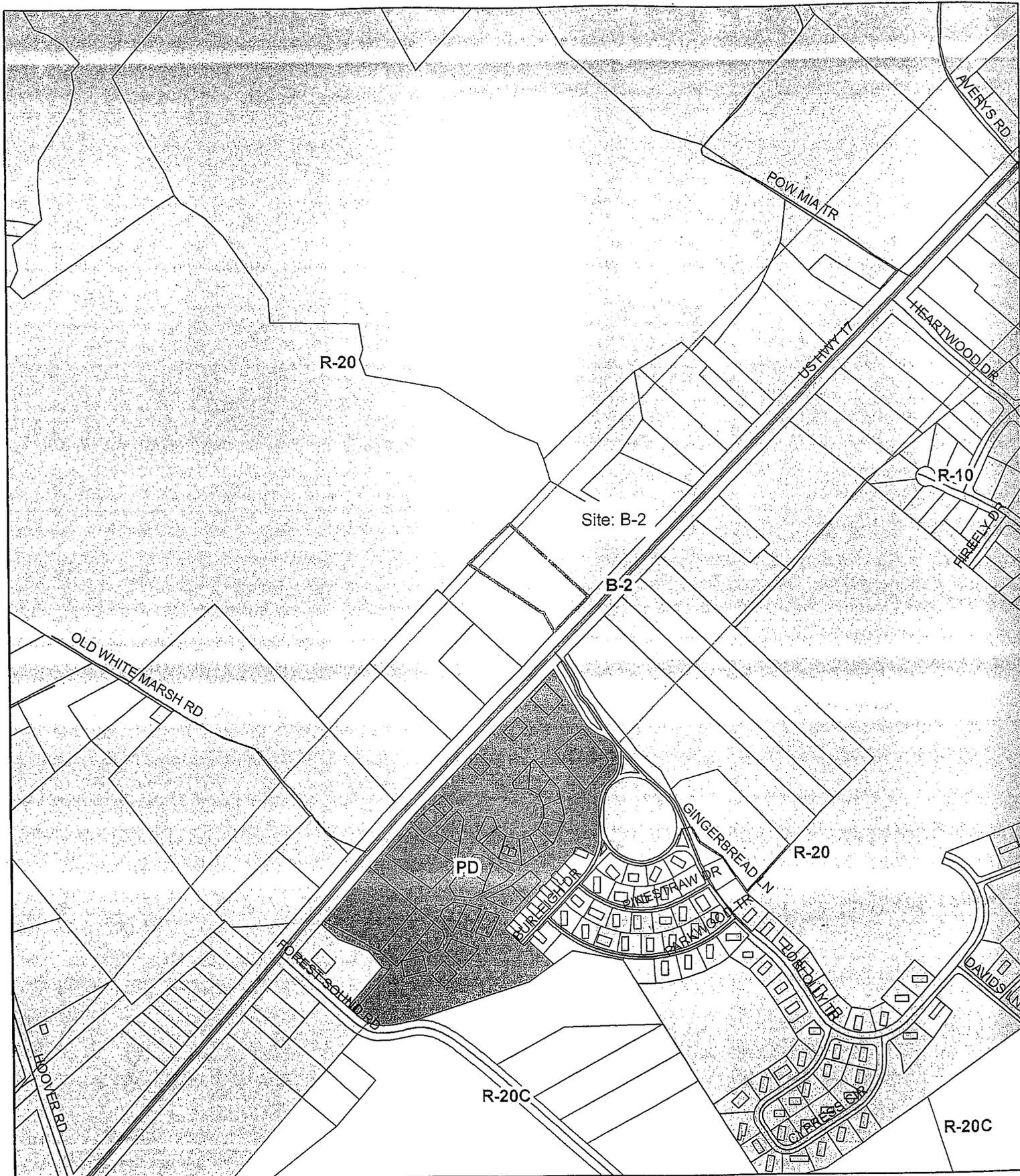
A handwritten signature in black ink that reads "Craig Wilson". The signature is written in a cursive, flowing style with a large, prominent "C" and "W".



1 inch equals 700 feet  
0 250 500 1,000 Feet

Craig Wilson  
Ice Machine - SUP  
Vicinity

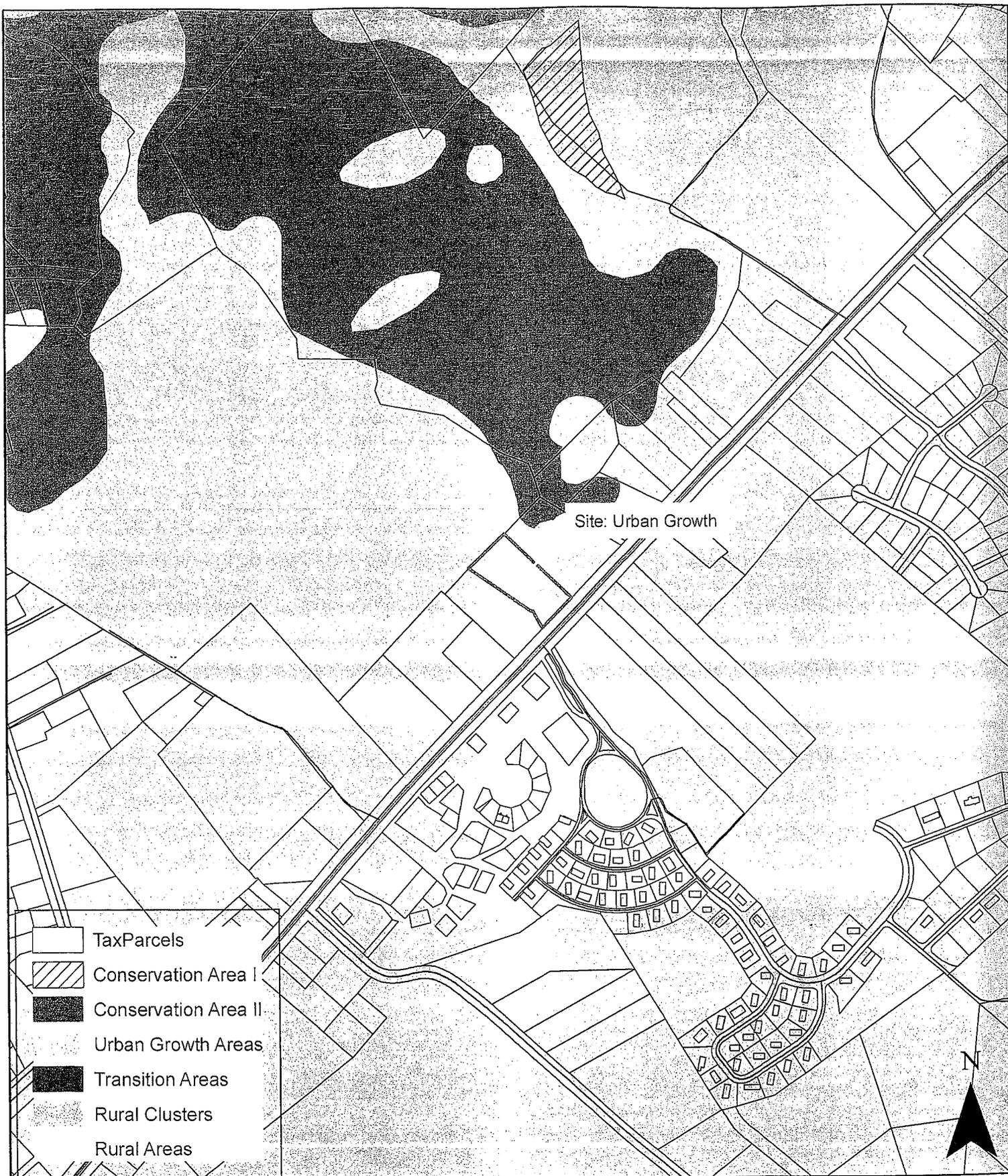




1 inch equals 500 feet  
0 175 350 700  
Feet

### Craig Wilson Ice Machine - SUP Zoning



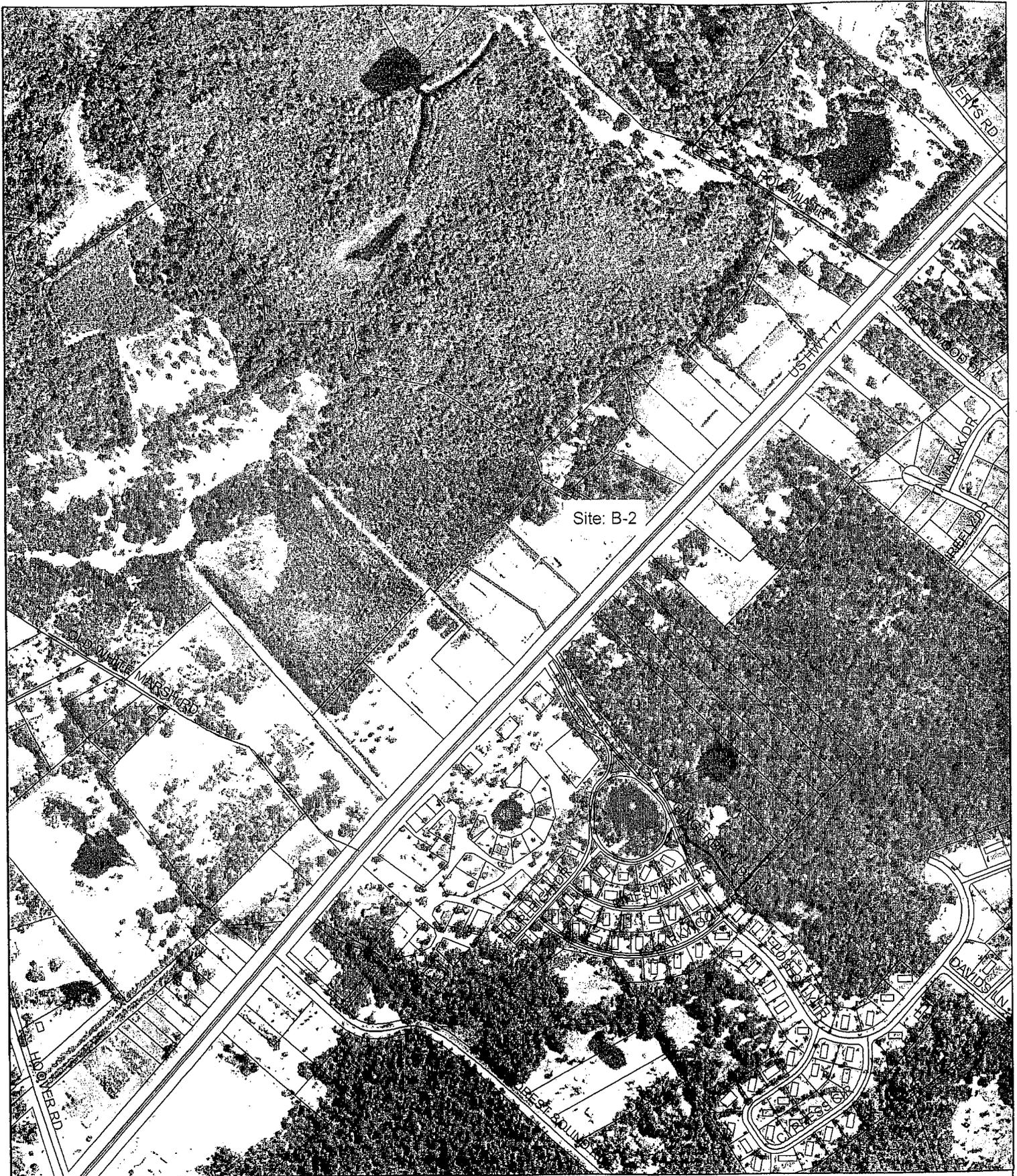


-  Tax Parcels
-  Conservation Area I
-  Conservation Area II
-  Urban Growth Areas
-  Transition Areas
-  Rural Clusters
-  Rural Areas



1 inch equals 575 feet  
 0 250 500 1,000 Feet

Craig Wilson  
 Ice Machine - SUP  
 CAMA Land Use



Site: B-2

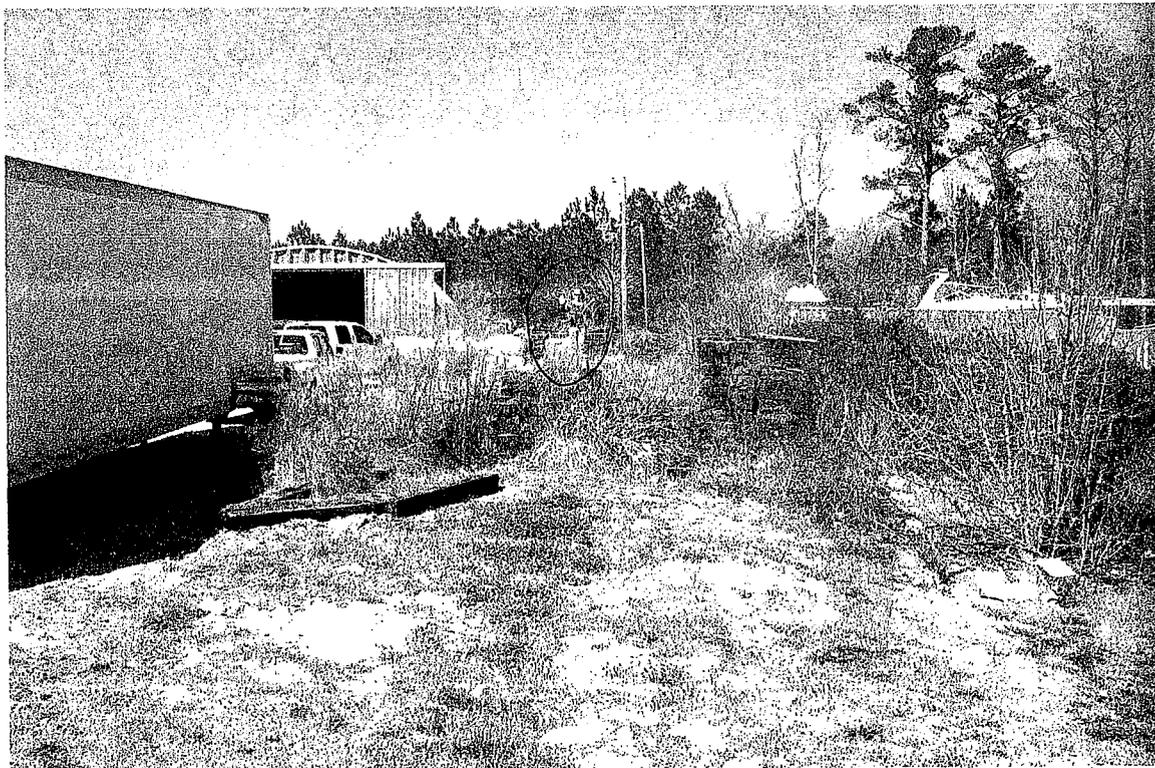
1 inch equals 500 feet  
0 200 400 800 Feet

Craig Wilson  
Ice Machine - SUP  
Ortho (2006)

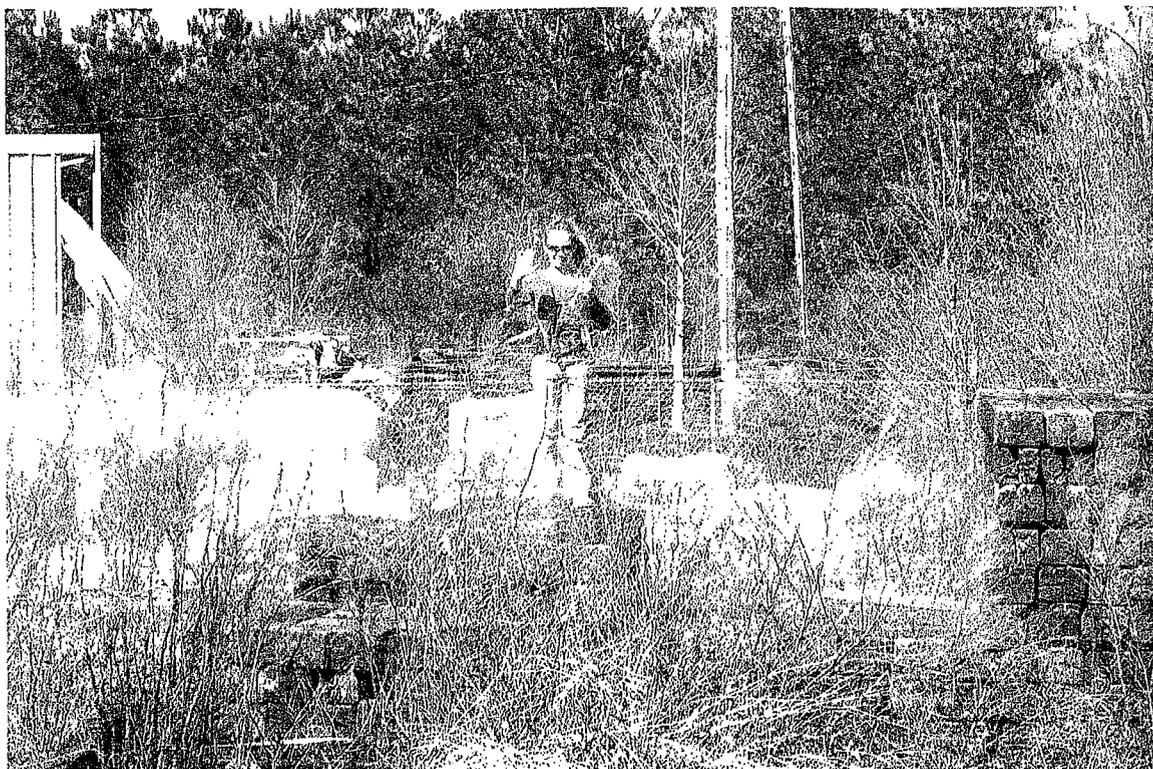




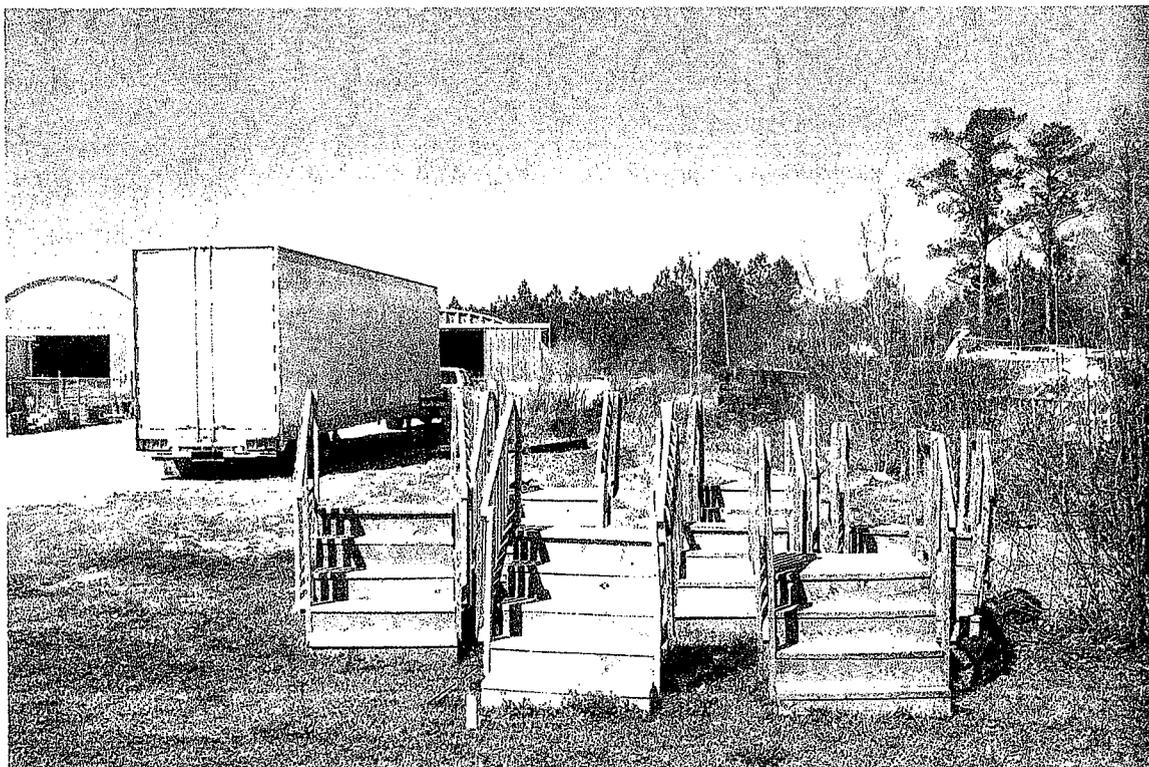
Front View, Front of Lot on N.E. side



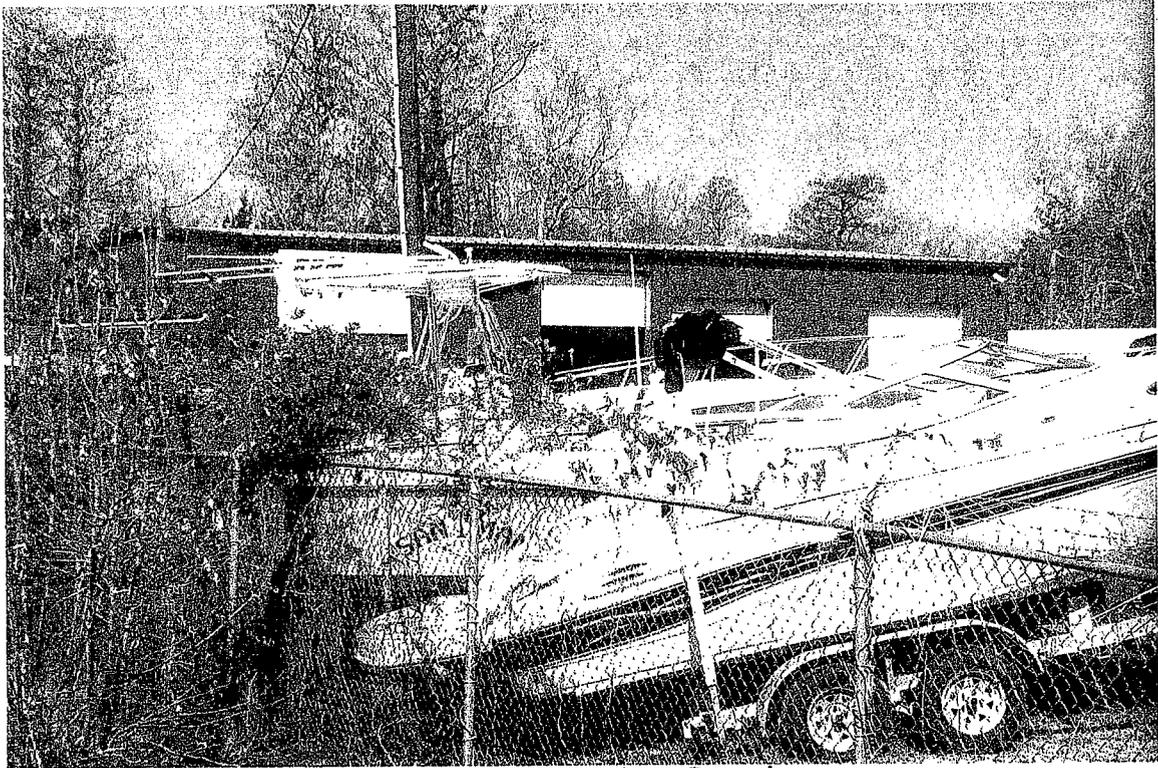
side Lot, Front View, Ice Machine Located where girl is on RR Ties



Approximate Location, Ice Machine



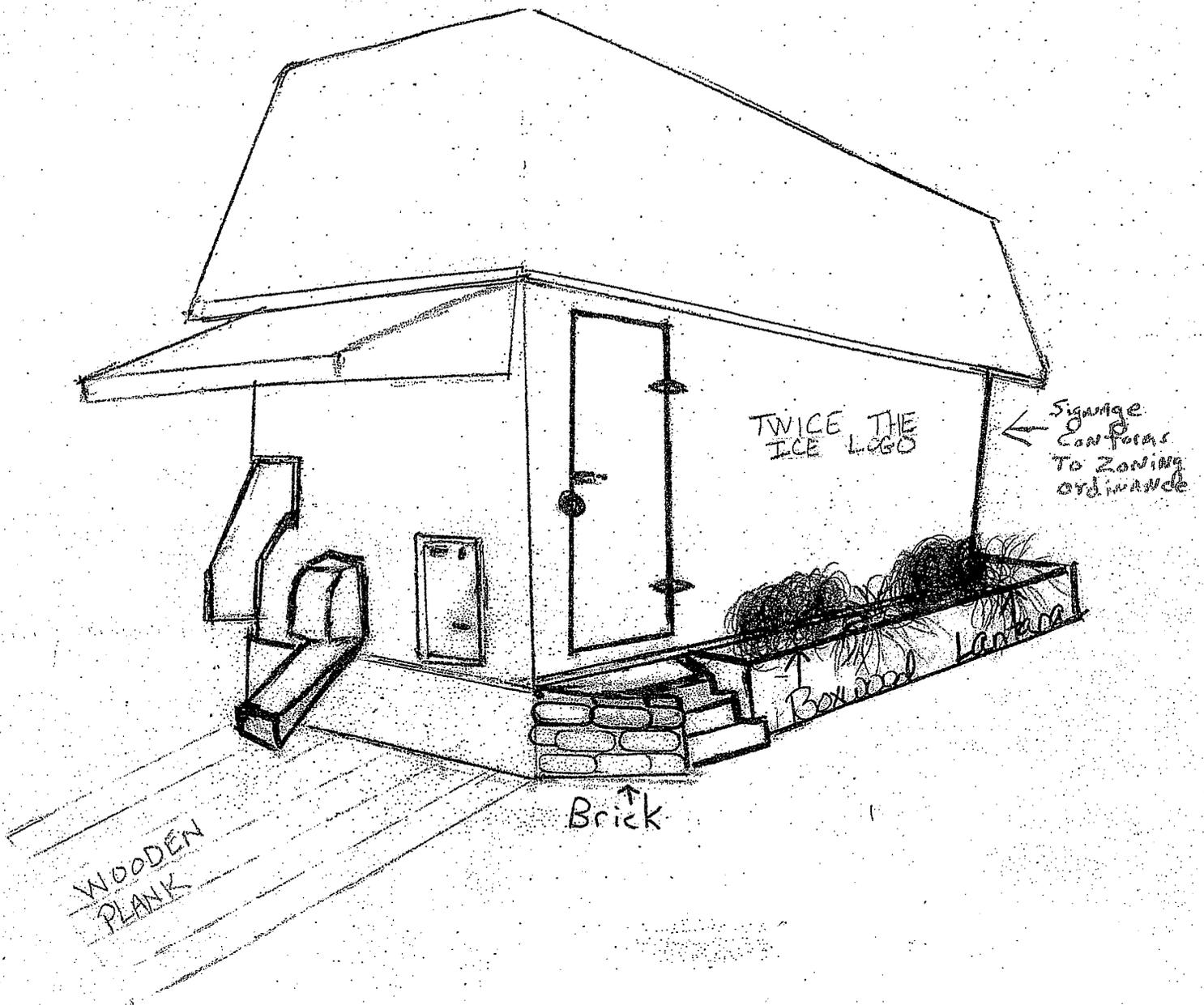
Front View, Side Lot, From Street



*View to the Right, Front of Side Lot*



*View to the Left, Front of Side Lot*



TWICE THE  
ICE LOGO

← Signage  
conforms  
to zoning  
ordinance

WOODEN  
PLANK

↑  
Brick

↑  
Boxwood Landscaping