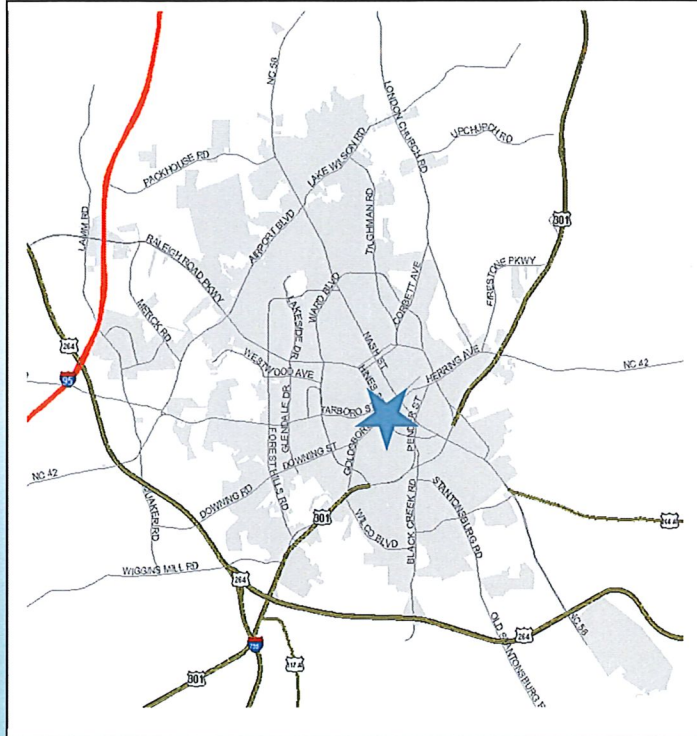




BOARD OF ADJUSTMENT
Development Services
112 Goldsboro Street E, Wilson, NC 27893
PO Box 10, Wilson, NC 27894-0010
(252) 399-2220
www.WilsonNC.org

PROJECT: 23-436
AGENDA ITEM # 2
PIN # 3721-29-8915.000
DATE: February 20, 2024

DESCRIPTION: A request by Shane Robinson and Jim Boyette of 2Gii, LLC for a Special Use Permit to allow the applicant to operate a Nightclub at 227 Goldsboro Street, S in a CCMX zone.



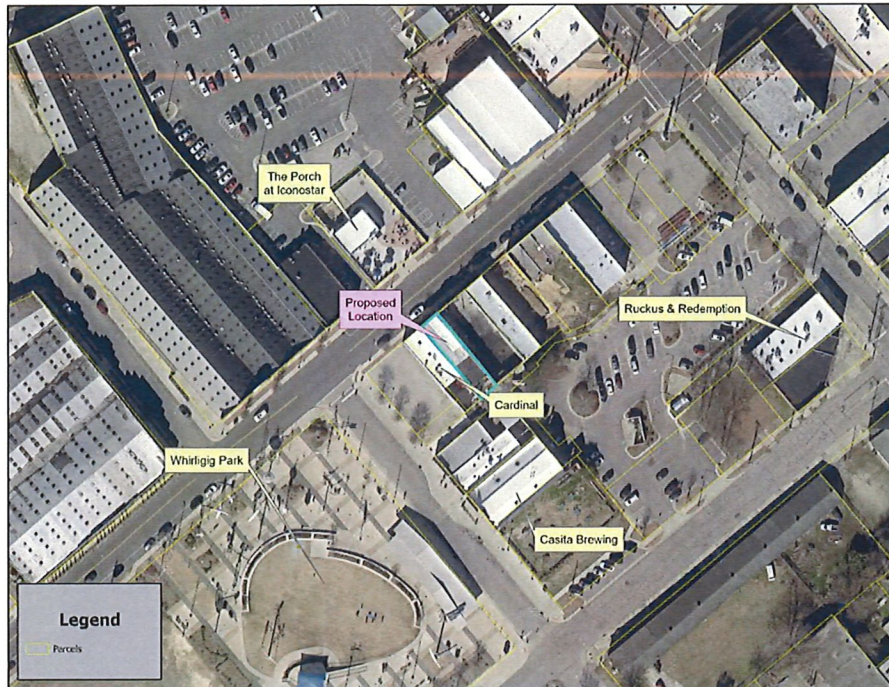
STAFF ANALYSIS:

In its review of the request, the City Planning Staff made the following “findings of fact” and suggests that the Board, likewise, include these among any specific “findings of fact” that they make regarding this case. Any such “findings of fact” should be made by separate motion(s) and vote(s) prior to any motion and vote to grant or deny the permit.

Board of Adjustment – Special Use Permit
227 Goldsboro St, S – Nightclub
February 20, 2024

Photos of Property

Aerial View:



Street View:



Board of Adjustment – Special Use Permit
227 Goldsboro St, S – Nightclub
February 20, 2024

- FACT 1: The property in question is located at 227 Goldsboro St, S, Wilson County, North Carolina.
- FACT 2: The property is also known as 3721-29-8915.000 (PIN)
- FACT 3: The property is zoned CCMX (Center City Mixed-Use). The surrounding properties are zoned CCMX (Center City Mixed-Use).
- FACT 4: The property is located within the Municipal Service District and the Downtown/Tobacco Warehouse Historic District of the City of Wilson.
- FACT 5: The property was most recently Shorts Sew & Vac Center. Sewing machines, vacuum cleaners and related items were repaired and serviced for approximately 30 years.
- FACT 6: Wilson Downtown Development Corporation reviewed this request on [Date]. The board [supports/does not support] this request with the conditions 1 - 9.
- FACT 7: Chapter 17 of the City of Wilson Unified Development Ordinance defines **Nightclub** as:

“Establishments where the aggregate floor area of concentrated use and standing space that is used for dancing or viewing of performers exceeds ten percent (10%) of the business floor area. Alcoholic beverages may be included for consumption on premises through separate permitting.”
- FACT 8: Section 2.7.3 of the City of Wilson Unified Development Ordinance includes a “Use Table”. The table lists “nightclub subject to a Special Use Permit and subject to the requirements of 3.5.3” as a permitted use in the CCMX district.
- FACT 9: Section 3.5.3 of the City of Wilson Unified Development Ordinance is entitled “Requirements for particular uses and development types – nightclub” and lists the requirements as follows:

3.5.3 BAR, TAVERN, or NIGHTCLUB

A. Separation Requirement: All new bar, tavern, nightclubs in the GC and HC districts shall be located no closer than 500 feet to any residential district or use, church, school, park or playground, or other existing public or private club.

This property is not in the GC or HC districts, so this requirement does not apply to this request.

B. Minimum Net Floor Area: Night Clubs shall have a minimum floor area of 1,500 square feet.

*The subject property meets the requirement as follows:
Total net floor area of 1,834 square feet as per the Wilson County Tax Administration website (see attached).*

C. Hours of Operation: In issuing a Special Use Permit for this use, the board shall consider the surroundings and restrict the hours of operation of the business if they deem it warranted.

The Board may restrict the hours of operation if they deem it warranted. An option is included with condition #10.

FACT 10: The Fire Department recommends approval subject to the following:

The property is located within the Primary Fire District within the City and shall meet the district standards, any NC Fire Prevention Code requirements and have an approved inspection in accordance with the NC Fire Code schedule.

FACT 11: Neighborhood Improvement recommends approval subject to the following:

Must follow all applicable local, state, and federal laws, rules, and ordinances.

FACT 12: Section 15.10.2E of the Unified Development Ordinance: pertaining to the issuance of Special Use Permits, reads as follows:

1. That the proposed special use conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site;

This request conforms to the character of the neighborhood and with the direction of the Wilson Downtown Development Corporation.

2. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;

This request should not impact negatively on traffic congestion on the public roads. There is public parking on Goldsboro Street in front of the business and in the rear adjacent to the 210 Barnes St S parking lot.

3. That adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use;

Adequate utilities are available for the proposed use.

4. That the proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas;

This request should not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas. Any creation of such items would require meeting state and federal standards or requirements.

5. That the establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the land development district; and

This request will not impede the orderly development and improvement of surrounding property for uses permitted within the CCMX (Center City Mixed-Use) by allowing this use within Historic Downtown Wilson.

6. That the establishment, maintenance and/or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare.

This request, if operated as described, should not be detrimental to or endanger the public health, safety or general welfare of the property owners, residents and visitors to the City of Wilson.

7. That the establishment will be operated in compliance with all local, state and federal laws and will not become a nuisance by creating criminal activity or public disturbance.

The request, if operated as described, should be compliant with all laws and not become a nuisance to the downtown area. Conditions in the Recommendations Section should assist in monitoring the operation of this proposed business.

PROCEDURE: The Board must proceed in accordance with Section 15.10 as quoted in Fact 12 (motion-second-and vote).

RECOMMENDATION: Staff recommends the Board proceed as follows:

- **Move that Facts 1-12 in the staff findings be adopted as “findings of fact” of the Board (motion-second-and vote).**
- **Move to Conclude:**
 1. that the requested permit is within the jurisdiction of the Board to issue;
 2. that the application is complete; and
 3. that, if completed as proposed in the application and in compliance with the recommended conditions, the development will comply with the requirements of the Unified Development Ordinance.
- **Move to grant the Special Use Permit subject to the following conditions: (motion-second-and vote). *Indicate whether to include Condition #10.***
 1. The applicant and operator of the establishment shall fully comply with all of the requirements of the Order together with any other applicable state or local rules, ordinances, laws and regulations of whatever nature.
 2. If any of the conditions affixed to the permit or any part thereof shall be held invalid or void, then the permit shall become void and of no effect.
 3. The Special Use Permit is granted for nightclub, ONLY.
 4. All required building permits, inspections, and a fire inspection will be maintained throughout the duration of the business operation.
 5. Any pattern of recurring incidents of violence, illegal, or nuisance activity, which results in at least two incidents over 3 days, or more than 9 events over 90 days, to the City of Wilson Police Department or the City of Wilson Nuisance Department, shall be grounds to schedule a hearing with the Board of Adjustment for a warning to revoke or revocation of the Special Use Permit. In addition, if there is a serious violent crime such as rape, homicide, or serious assault, shall be potential grounds to schedule a hearing with the Board of Adjustment for a warning to revoke or revocation of the Special Use Permit. The Special Use Permit hearing shall be for revocation of the Special Use Permit or placing additional amendments to the Conditions of Approval. Upon Revocation, the business shall immediately be closed.

6. After closing each night, the on-site manager shall pick-up, dispose of properly, and clean-up outside areas within 50 feet of the building. This includes the trash, refuse, or other evidence of public drunkenness.
7. A City of Wilson privilege license as related to the alcohol permits will be maintained at all times.
8. All exterior lighting shall be directed downward to prohibit fugitive light from leaving the area/building. All lighting shall be extinguished, (except for the light necessary for security lights) within 30 minutes of the close of business.
9. The Special Use Permit will expire on the third Tuesday of March 2026. The applicant should submit an application to renew the Special Use Permit by the third Tuesday of February 2026.

Operational Conditions

10. The business will close no later than _____ daily.

ATTACHMENTS: 1) Application. 2) Adjacent Property Owners Labels. 3) Wilson County Tax Information.



Application for
Special Use Permit

Development Services
112 Goldsboro Street E., Wilson, NC 27893
PO Box 10, Wilson, NC 27894
252-399-2220
www.wilsonnc.org

A pre-application meeting with City Staff is required prior to filing this application.

The following must be submitted with one [1] copy of this application:

1. A filing fee – In accordance to current City of Wilson fee sheet.
2. A copy of the deed or lease to the property, or a letter from the property owner, on the owner's letterhead, authorizing the applicant to use the property for the requested use.
3. A map drawn to an engineer's scale on an 8 ½ x 11 sheet, or larger, showing the following:
 - a. The property, with distances of property lines shown.
 - b. The nearest intersection of two public streets.
 - c. All existing and proposed structures on the property and their setbacks.
 - d. Applicant's name [if different from owner].
 - e. Other features necessary to describe the request.

Applicant/Agent Name: Shayne Robinson / Jim Boyett

Address: 4560 Lily Walk Rocky Mount, NC 27804

Phone: 252-314-5840 Email: twogillc@gmail.com

Owner Name: Shayne Robinson / Jim Boyett (2Gii, LLC)

Address: 4560 Lily Walk Rocky Mount, NC 27804

Phone: 252-314-5840 Email: twogillc@gmail.com

Property Address: 227 Goldsboro St.

Property Identification Number [PIN]: 3721298915000 Zoning District: Commercial

Current [or most recent] Use: Vacant / Previously SHORTS Sewer Val Center

Proposed Use: Bar / Nightclub

Description of the proposed use of the property:

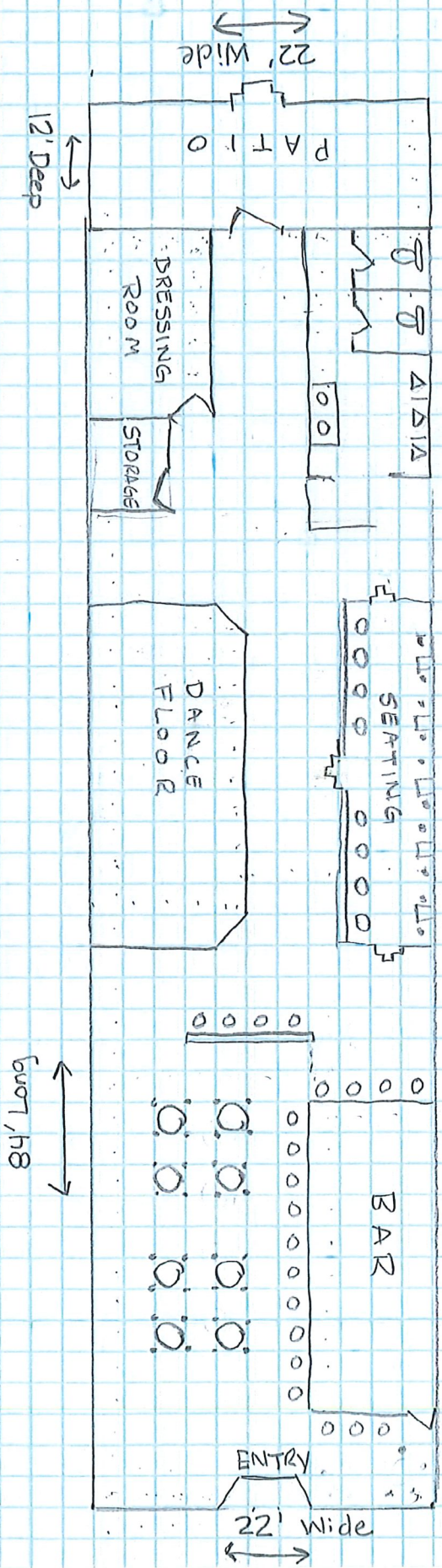
This location will be used as Bar/Nightclub which includes dancing to live or recorded music, presentation of music videos, live entertainment such as comedians, dance acts, karaoke, live music, etc. Also serves an array of alcoholic beverages.

CERTIFICATION

I [We], certify that all of the information presented in this application and in its accompanying attachments is accurate to the best of my [our] knowledge, information, and belief.

[Signature]
Signature

11/30/23
Date



Proposed Location



Vibe

Photo 1





November 30, 2023

Re: Proposed Lease Agreement, 227 Goldsboro, Wilson, NC 27893

Thank you for the opportunity to preview the building. Shayne Robinson and Jim Boyett, 2Gii, llc are interested in leasing the space but will need to make a few building improvements to make the space work for his business. Please see below for the terms we propose.

PREMISES: 227 Goldsboro St. SW, Wilson, NC

LANDLORD: Jonathan Pridgen

LANDLORD ADDRESS: 421 Williamson Road, Wilson, NC 27896

TENANT: 2Gii, llc: Managing Partner: Shayne Robinson
TENANT ADDRESS: 4560 Lily Walk, Rocky Mount, NC 27804

PREMISES: 1,800 SF More or Less

PRIMARY TERM: Three (3) Years

BASE RENT:

First Year	\$2,250.00 per Month	\$27,000 per year
Second Year	\$2,500.00 per Month	\$30,000 per year
Third Year	\$2,750.00 per Month	\$33,000 per year

TAXES AND INSURANCE: Tenant shall be responsible for Taxes, Insurance of the Premises, utilities and maintenance.

OPTION TO RENEW: One (1) Additional Period at three (3) Years. Annual Rent for each Option Period shall increase by \$250.00 per month.

ESTIMATED TURNOVER DATE: January 2, 2024

LEASE START DATE: Rent to Commence 120 Days after the execution of the lease for tenant to make building improvements or tenant receives certificate of occupancy.

LEASE, TERM AND RENT COMMENCEMENT: Tenant's obligation to pay all Rent shall commence after Landlord delivers the Premises to Tenant, and Tenant has obtained a Certificate of Occupancy for the Expansion.

TRADE NAME: To Be Determined

PERMITTED USE: Tenant may use the Premises for the purpose of Bar/Nightclub with sale of alcohol beverages.

LANDLORD WORK: Roof in good working order. **\$20,000 in building improvements via the City of Wilson Downtown Building Improvement Grants.**

TENANT WORK: Tenant shall be responsible for all other necessary improvements not the landlord. Future upgrades include upgrading HVAC systems to condition the space, additional kitchen hood, drywall, floor sealer and other necessary improvements over a period of time.

SIGNAGE: Tenant may install the maximum allowable signage under local and/or city/ county code on all available fascia and under-canopy of the Premises, and may install its professionally prepared window lettering and related signage on and inside the windows of the Premises. Tenant may also install its name on the existing pylon/monument sign at the Property.

LEASE FORM: Landlord agrees to use a North Carolina Realtor Standard Lease Form.

BROKER: Landlord shall be responsible for the brokerage commission to be paid to Duffy Healey, First Venture Residential & Commercial, LLC ("Broker") who represents the Landlord's interest, which shall be evidenced by a separate agreement between Landlord and Brokers. The fee will be 5% of the gross lease.

Upon our reaching agreement on the preceding issues and receipt of a signed copy of this Letter of Intent, we will proceed with formal Real Estate Committee approval.

This Letter of Intent is to serve as a statement of our interest and is not intended to be a binding contract. There will be no binding contract unless and until the parties hereto have executed a Lease agreement containing the terms set forth herein and such are mutually acceptable to the parties hereto.


Sincerely,


Duffy Healey
Duffy Healey
Broker/ Landlord's Agent

ACCEPTED AND ACKNOWLEDGED:

The submission of this letter is to acknowledge an agreement in principle and is not binding upon Landlord or Tenant until a Lease has been fully executed.

LANDLORD: Jonathon Pridgen TENANT: Shayne Robinson

By:  11/30/23
Building Owner

By: 
Shayne Robinson

Its: Manager

Its: President

Date: _____

Date: 11/30/23

AE PROPERTY LLC
PO BOX 1914
DURHAM, NC 27702-1914

CAPILANO CAPITAL LLC
245 E BANK ST
PETERSBURG, VA 23803

CITY OF WILSON
PO BOX 10
WILSON, NC 27894-0010

DELT ENTERPRISES LLC
206 WILSHIRE BLVD N
WILSON, NC 27893

DTWP LLC
803 CORBETT AVE
WILSON, NC 27893-2541

NANCE JAMES WILLIAM
2100 BURNSIDE DR NW
WILSON, NC 27896-1471

PRIDGEN JONATHAN C
1307 PARKSIDE DR NW
WILSON, NC 27896-1439

SALEH PROPERTIES OF WILSON LLC
5024 COUNTRY CLUB DR
WILSON, NC 27896

SANDIFER SAMUEL M JR
PO BOX 3996
WILSON, NC 27895

THE MARTHA C PRIDGEN LIV TRUST
PRIDGEN JONATHAN C
5633 CLIFTONVILLE RD
WILSON, NC 27896-8176

WILSON COUNTY TOURISM AUTHORITY
209 BROAD ST W
WILSON, NC 27893-3818

WOMBLE J M JR
230 TARBORO ST W
WILSON, NC 27893



Wilson County
TAX ADMINISTRATION RECORD SEARCH

**Information for
Tax Year 2023**

Select Search:
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[Tax Bill Search](#)
[Mobile Record Search](#)

[Account](#) | [Buildings](#) | [Land](#) | [Sketch](#) | [Tax Card](#) | [Photos](#) | [Deeds](#) | [Sales](#) | [Tax Bill](#) | [Map](#)

Account Details for **PRIDGEN JONATHAN C**

New Search

Administrative Data		Administrative Data	
Parcel ID No.	3721298915.000	Building Location	227 GOLDSBORO ST S
PIN	3721 29 8915 000	Address	
Land Use Code	10		
Land Use Desc	COMMERICAL		

Improvement Detail	
Year Built	1950
Built Use/Style	COMMERCIAL
Grade	D+05 / D+05 GRADE
* Percent Complete	100
Heated Area (S/F)	1834
Fireplace (Y/N)	N
Basement (Y/N)	N
** Bathroom(s)	0 Full Bath(s) 0 Half Bath(s)
** Bedroom(s)	0
*** Multiple Improvements	001
* Note - As of January 1	
** Note - Bathroom(s), Bedroom(s), shown for description only	
*** Note - If multiple improvements equal "MLT" then parcel includes additional major improvements	

Total Improvements Valuation	
*Total Improvements Full Market Value \$	** Total Improvements Assessed Value
23,550	23,550
* Note - Market Value effective Date equal January 1, 2016, date of County's most recent General Reappraisal	
** Note - If Assessed Value not equal Market Value then variance resulting from formal appeal procedure	

Back to Results

Print This Property Record Card

New Search

Data Disclaimer: All data shown here is from other primary data sources and is public information. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information contained on this website. While efforts have been made to use the most current and accurate data, Wilson County, NC and Data Providers assume no legal responsibility for the use of the information contained herein.

Please direct any questions or comments about the data displayed here to taxoffice@wilson-co.com

This application was developed for Wilson County by NexGen Digital Document Solutions
www.ustaxdata.com

