



Meeting Information

Location

City /County Meeting Room
905 West Avenue
Lenoir, NW 28645

Time

5:30 p.m.

Board Members

Lucy McCarl, Chairperson

Tim Scobie, Vice-Chair

Sharon Bryant

Richard Hedrick

James Bradshaw

Mac Martin

Jeff Church

Leah Hamilton

Larry Smith

Kaye Reynolds

Lenoir Planning Board

Agenda • June 24, 2019

Welcome!

We are glad you have joined us for tonight's meeting. The Lenoir Planning Board is an advisory board to City Council comprised of citizen members who voluntarily devote their time and talents to a variety of zoning and land development issues in the community. All Planning Board recommendations are subject to final action by City Council. We anticipate the recommendations of today's meeting will be presented at the City Council meeting on July 16, 2019 for approval of recommended actions.

General Rules of Order

The Board is pleased to hear all non-repetitive comments. However, since a general time limit of five (5) minutes is allotted to the proponents/opponents of an issue, large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request/Lobbyist Registration Form and give it to the Recording Secretary. When the Chairperson recognizes you, state your name and address and speak directly into the microphone. ROBERT'S RULES OF ORDER govern the conduct of the meeting.

OPENING SESSION

- Determination of a Quorum
- Call to Order
- Consideration of May 20, 2019 Minutes

NEW BUSINESS

1. NORWOOD STREET REZONING

Applicant: Marcus Sims

Owner: MWS Investments LLC

Location: 1248 Norwood St SW, multiple addresses on Summit Place

R# 2-19 The applicant requests that the City re-zone the subject property from R-15 (Low Density Residential) to R-12 (Medium Density Residential).

Recommended Action: Staff recommends that the zoning be changed from R-15 to R-12 on the applicant's property as well as 12 other lots on Summit Place based on the consistency in the staff report, and call for a Public Hearing for City Council to consider the request on July 16, 2019.

OTHER BUSINESS

- Neighborhood map follow-up
- Update on zoning permits issued

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
May 20, 2019
5:30 P.M.
905 WEST AVENUE

MEMBERS PRESENT:

James Bradshaw, Sharon Bryant, Jeff Church, Mac Martin, Lucy McCarl, Leah Hamilton, Richard Hedrick, Kaye Reynolds, Tim Scobie, Larry Smith

MEMBERS ABSENT:

STAFF PRESENT:

Jenny Wheelock, Hannah Williams, Lauren McKinney

MINUTES:

Board Member Hamilton moved approval of the meeting minutes of April 22, 2019 as written. Board Member Scobie seconded the motion, which was voted upon and passed by unanimous vote.

NEW BUSINESS:

Historical Preservation Commission

1. Lenoir Cotton Mill-Blue Bell, Inc. Plant

Applicant: Heather Fearnbach

Owner: Blue Bell Lenoir LLC

Location: 1241 College Ave

Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.

2. Carolina and Northwestern Railway Freight Station

Applicant: Heather Fearnbach

Owner: Lenoir Depot LLC

Location: 1407 College Ave SW

Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.

3. J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill Hayes Cotton Mill

Applicant: Heather Fearnbach

Owner: James Sullivan Revocable Trust
Location: 1201 Steele Street

Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.

Jenny Wheelock, Planning Director gave a brief overview of the three property ordinances which will be recorded once City Council approves them at the next public hearing. Ms. Wheelock stated the Historic Preservation consultant provided more detailed information on the interior and exterior features, which will help the Board review projects that come before this Board for Certificates of Appropriateness.

Ms. Wheelock received a letter from the developer, Yorke Lawson stating he will not be able to be present for this meeting. Mr. Lawson stated he has reviewed the materials provided by the consultant and City Planning staff, and is in agreement with all of the delineated interior and exterior features.

Jenny clarified and answered questions from the Board. The Board agreed to vote on all three properties together.

Board Member Bryant made a motion to approve all three properties ordinances as submitted and be reviewed by the City Council on June 18, 2019. Board Member Church seconded the motion, which was voted upon and passed unanimously.

OTHER BUSINESS:

- Update on zoning permits issued

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the meeting at 5:50 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #2/19

LOCATION MAP/AERIAL PHOTOGRAPH



N

Subject Properties

Left: Summit Place and Norwood St

Below: 1248 Norwood St SW



SUMMARY

Owner/Applicant

Marcus Sims
MWS INVESTMENTS LLC

Location

1248 Norwood St SW
Located in the Whitnel neighborhood on Summit Place and Norwood Street

NC PIN

2749638920; Multiple

Project Planner

Hannah Williams

Updated June 13, 2019

Description of Request:

The applicant requests that the City re-zone 1248 Norwood St SW from R-15 (Low Density Single Family) to R-12 (Medium Density, Single Family), for a minor subdivision and house construction. Upon studying the requested re-zoning, planning staff recommends that the rezoning encompass the entire block (13 lots) of Summit Place from R-15 to R-12, which is more consistent with the existing development pattern.

Staff Recommendation:

Approval of the request, based on the consistency statement on page 8.

Planning Board Recommendation:

Public Comment:

Planning Board Meetings: June 24, 2019. Notices were mailed to property owners within 100 ft. of the subject property on June 14, 2019.

City Council (Public Hearing): Anticipated to be scheduled for July 16, 2019

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-15

Proposed Zoning: R-12

Option 1: Sims' property at the NW intersection of Norwood St and Summit Place



Staff Recommendation: Block of houses on Summit Place, including Sims' property



BA CKGR OUND AND STA FF ANALYSIS

Zoning Map Amendments

The City of Lenoir Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

Applicant's Request

The applicant is seeking to subdivide the subject property (1248 Norwood Street SW) into two residential lots, to facilitate construction of two single family homes. Due to minimum lot size requirements, the subject property cannot be subdivided in its current zone, R-15 (Low Density Single Family). However, a subdivision into two lots can meet the lot size requirements of the R-12 district (Medium Density Single Family).

This rezoning request prompted staff to analyze the development patterns of the neighboring area, to explore if the R-15 density restrictions were consistent with the existing development (thereby protecting the characteristics of the existing neighborhood), or if another zoning district was a better “fit” (this area developed prior to the zoning standards being adopted, so current owners enjoy some “grandfathering” of their existing non-conforming lots and buildings). Staff’s analysis revealed that rezoning the block of Summit Place from R-15 to R-12 would correct some of the nonconformities that affect the block’s development potential.

The applicant’s request to rezone the subject property to R-12 alone would be considered a “spot zone” by definition (“spot zones” are not illegal in NC, but good zoning practice dictates that such requests be scrutinized for their overall compatibility with the surrounding districts, and not be arbitrarily applied to the benefit of one landowner). Staff’s recommendation to re-zone the other 12 lots on Summit Place would eliminate any concerns over spot zoning.

Subject and Surrounding Properties

The subject property is located in the R-15 Single Family District in the Whitnel Neighborhood of Lenoir and is currently undeveloped. The block on Summit Place is an established neighborhood with houses lining both sides of the street. Summit Place is a tenth of a mile long, with about 14 houses.

This neighborhood is adjacent to the commercial area in Whitnel, just north of the intersection of Norwood Street and McLean Drive. The General Business (B-2) district borders this neighborhood. The southern side of Rustic Place and the eastern side of Norwood Street are zoned B-2. There are several commercial businesses near this neighborhood, including a plumber’s headquarters, an automotive center, and a furniture store.

Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The subject neighborhood is already identified as “existing medium residential” on the future land use map of the comprehensive plan, despite the low-density zone. Rezoning the subject neighborhood would bring more lots into conformity with the zoning standards, making future development requests in the neighborhood more straightforward for the current property owners. The Comprehensive plan also encourages opportunities for infill development when possible. The applicant’s request to rezone and subdivide 1248 Norwood Street provides the opportunity to add to housing in Lenoir through infill development, in a location already served by existing infrastructure. Staff finds the proposed re-zoning to be consistent with the goals and policy concepts of the Comprehensive Plan.

Intent of the Zoning Districts

R-15 Residential (Single-family) District is intended to accommodate low density single-family residences and compatible land uses. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded. R-

BA CKGROUND AND STAFF ANALYSIS CONTINUED

12 Residential (Single-family) District is intended to establish and preserve land within the city for medium density single-family residences and compatible land uses. Regulations are designed to allow predominately single-family residences at medium densities, with duplex, townhome, low-rise apartments, and planned residential developments allowed at compatible densities as conditional uses. Neither the R-15 nor R-12 districts allow for any type of manufactured homes. The major distinction between the two districts is that in R-15 minimum lot sizes are 15,000 sq. ft. with 15 ft. side yard setbacks, whereas the R-12 district allows for slightly more intense development with 12,000 sq. ft. minimum lot sizes and 12 ft. side yard setbacks.

Comparison of Zoning Districts

	R-15	R-12
Development Standards	Minimum Lot Size — 15,000 ft ² Minimum Lot Width—60 ft. Maximum Density—3 du/acre Setbacks Front - 40' Side Yard—15' Abutting side Street: 25' Minimum Rear Yard - 35'	Minimum Lot Size — 12,000 ft ² Minimum Lot Width — 60 ft. Maximum Density — 3.6 du/acre Setbacks Front - 40' Side Yard—12' Abutting side Street: 25' Minimum Rear Yard - 30'
Summary of Permitted Uses*	Accessory Cottage or Apartment Dwelling, Group Dwelling, Single-Family Detached	Accessory Cottage or Apartment Dwelling, Group Dwelling, Single-Family Detached
Summary of Conditional Uses*		Attached Dwellings (townhomes) Dwelling, 2-family (duplex) Multi-Family, Low Density (Garden Apartments)

*See Section 600 Tables A and B for a complete list of permitted and conditional uses in each district.

SUMMIT PL A CE DENSITY ANALY SIS



Proposed Development and Lot Size Analysis

The above map shows the 13 lots on Summit Place proposed by staff to be rezoned from R-15 to R-12. The applicant's property is labeled as 13 (+14 if subdivided) and is 0.57 acres (24,829 ft²). Of the 13 existing lots on Summit Place, only four conform to the minimum lot size of 15,000 sq. ft. for the current R-15 zoning (labeled 8, 9, and 10; plus the applicant's lot). This means that 70% of the lots are non-conforming to their current zoning (shown in hatching).

A re-zone to R-12 reduces the minimum lot size from 15,000 sq. ft. to 12,000 sq. ft., and would allow the applicant's property to be divided into two buildable lots. This would increase the total number of lots to 14, of which 8 would be conforming (shown in pink outlines). Even with the proposed re-zoning, 6 lots (43%) would remain non-conforming for being below the minimum lot size required. Even re-zoning the block to R-6, the most dense residential district, would result in 3 lots (Lots labeled 3, 4, and 5) still under the minimum lot size of 6,000 sq. ft. for that district. Staff is recommending the R-12 district because it is the most similar to R-15 in terms of permitted uses, and would accommodate the proposed lot split and resulting infill development without introducing major changes to the neighborhood.

1248 NOR WOOD ST SW LOT SPLIT CO NCEPT S

Setbacks/Development Pattern Analysis

The standards for front yard setbacks (40 ft., with exceptions) and minimum lot width (60 ft.) — arguably the two development factors most relevant to ensuring that infill development “meshes” with the existing “rhythm” of the street — are identical in both the R-15 and R-12 districts. With 147 ft. on Summit Place and 157 ft. on Norwood Street, the applicant’s property can accommodate a lot split in either direction and have conforming lot widths. Staff analyzed both a conceptual lot split fronting Summit Place and a conceptual lot split facing Norwood Street. In both instances, staff finds that the resulting infill development would be compatible with the existing development patterns, both in lot width, front setbacks, and spacing between buildings. The City Council, at the recommendation of the Planning Board, could use this analysis to justify a “spot” zone on the applicant’s property; or apply a broader zoning “fix” to Summit Place in order to have a zoning classification that more closely matches the development that’s already there.

On Summit Place, most of the existing houses encroach into the required front yard setback. Section 710 allows for special front yard setbacks in developed areas — for infill development, staff can look at the “as built” front yard setbacks of all the houses within the same block and zoning district within 100 ft. of the infill lot, and apply the average of such setbacks to new development (in no case can the setback be less than half of the required setback). If the applicant’s property is split to create two lots fronting on Summit Place, staff would use the average setbacks of the highlighted lots to determine the applicable setback — in this scenario the average setback is 24 ft. for the front.

On Norwood Street, the standard 40 ft. front yard setback would apply to the resulting lots, because the houses fronting on Norwood Street are setback further and also would retain the R-15 zoning, making Section 710 not applicable.

Concept 1: Summit Pl Frontage



Concept 1: Proposed lots facing Summit Place would conform to the 24' setback (determined by Sec 710).

Lot Width: 73.5'

Concept 2: Norwood St Frontage



Average front yard setback on Norwood Lots: 54' (minimum front setback for infill development: 40 ft.)

Average lot width on Norwood Lots: 78'

(Note: the development pattern changes to include a large percentage of flag lots north of the applicant’s property, so those lots weren’t analyzed.)

SUBJECT PROPERTY 1248 NORWOOD ST SW



Left: Western view from Norwood Street, Right: Northern view from Summit Place

SUBJECT NEIGHBORHOOD—SUMMIT PLACE



STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board recommend approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on July 16, 2019:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it establishes zoning that is more consistent with the adopted future land use map designated the area to remain “medium density residential,” and better matches the existing development pattern. This will ensure fair and efficient growth, reduce non-conformities, and establish sensible, straightforward zoning standards. The proposed amendment is reasonable and in the public interest because it promotes infill development at appropriate densities, making more efficient use of the City’s existing infrastructure investments while creating opportunities for affordable housing for people in all stages of life.

PLANNING BOARD RECOMMENDATION

Permit Number	Project Name	Address
ZP 48-19	Piesmith Pizza signs	814 West Avenue
ZP 49-19	Firearms home business	1870 Guildwood Pl
ZP 50-19	325 Connelly Springs Rd-Sign Permit	325 Connelly Springs Rd
ZP 51-19	902 Kenham Place SW- Accessory Struc	902 Kenham Place SW
ZP 52-19	Friendship Ford Signage	515 Wilkesboro Blvd
ZP 53-19	Tmobile antenna	1011 West Av NW
ZP 54-19	914 Greenwood Pl Accessory Building	914 Greenwood Pl

NC PIN	Date Issued	Date Expired
2749778355	5/21/2019	11/21/2019
2768111407	5/23/2019	11/23/2019
2749159123	5/24/2019	11/24/2019
2748868430	5/28/2019	11/28/2019
2759584634	5/29/2019	11/29/2019
2749774188	6/4/2019	12/4/2019
2758010395	6/6/2019	12/6/2019