



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 • October 28, 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 November 12, 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 September 23, 2019 Minutes

NEW BUSINESS

1. R #6-19 103 Virginia Street SW Rezoning

Applicant: Kathleen Kaminski

Owner: Unitarian Universalist of Caldwell County

Location: 103 Virginia Street SW

Zoning map amendment to change the zoning from R-9 (Mixed Density Residential) to B-6 (Transitional Business).

Recommended Action: Approval of the request, based on the consistency statement in the staff report, and call for a public hearing at City Council on November 12, 2019.

OTHER BUSINESS

- Downtown Development presentation with Kaylynn Horn and Kyle Case
- Update on zoning permits issued

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
Sep 23, 2019
5:30 P.M.
905 WEST AVENUE

MEMBERS PRESENT:

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

MEMBERS ABSENT: James Bradshaw, Leah Hamilton

STAFF PRESENT:

Jenny Wheelock, Hannah Williams, Lauren McKinney

MINUTES:

Board Member McCarl moved approval of the meeting minutes of August 26, 2019, as amended. Board Member Scobie seconded the motion, which was voted upon and passed by unanimous vote.

NEW BUSINESS:

1. R# 4-19 Roger Coffey and Sons Rezoning

Applicant: **Roger Coffey**

Owner: **Roger Coffey**

Location: **Old Morganton Road and Brushy Place**

Zoning map amendment to change the zoning from R-12 (Single Family) to R-20 (Low Density Single Family). This request is to allow for a Conditional Use Permit for agriculture uses (CUP #2-19).

Recommended Action: Approval of the request, based on the consistency statement in the staff report, and call for a public hearing at City Council on October 15, 2019.

2. CUP# 2-19 Roger Coffey and Sons agrichemical handling facility/farm use expansion

Applicant: **Roger Coffey**

Owner: Roger Coffey

Location: Old Morganton Road and Brushy Place

Conditional Use Permit to allow for the construction of an 18' x 24' agrichemical handling facility, and the expansion of agriculture uses within the City limits. This Conditional Use Permit is related to R#4-19.

***Recommended Action:** Approval of the request, based on the conditions in the staff report, and call for a public hearing at City Council on October 15, 2019.*

Hannah Williams presented the proposed rezoning and CUP case, consistency statements, and responded to the Board's questions. Mrs. Williams stated the rezoning to R-20 will allow for agriculture use as a conditional use. Mrs. Williams explained Mr. Coffey was awarded a grant from the Soil and Water Conservation to build a BMP (Best Management Practices) agrichemical handling facility.

The applicant, Roger Coffey spoke to the Board and answered questions. He explained this new facility will keep the water cleaner and safer.

Board Member Church made a motion to approve the rezoning and conditional use permit as presented by staff, based on the consistently statement and conditions and call for a Public Hearing for City Council to consider the request on October 15, 2019. Board Member Scobie seconded the motion, which was voted upon and passed unanimously.

3. A#1-19 and R# 5-19 1336 Connelly Springs Road SW Rezoning

Applicant: Tyra Edwards

Owner: Callie Knight Brown

Location: 1336 Connelly Spring Road SW

Zoning map amendment to change the zoning from R-R (Rural Residential) to B-2 (General Business).

***Recommended Action:** Approval of the request, based on the consistency statement in the staff report, and call for a public hearing at City Council on October 15, 2019.*

Hannah Williams presented the proposed project, consistency statement and recommendations, and responded to the Board's questions. Mrs. Williams stated this property is a single family home, which is currently zoned both B-2 and R-R. Staff is recommending to rezone the entire property to B-2.

This property is currently split between the city and county limits, an annexation petition has also been submitted in order to get the entire parcel in the city limits.

John Setzer, property owner of 1331 Connelly Springs Road SW stated he wanted more information and what it means for his property. He has no objections to this.

Tyra Edwards, the applicant spoke on behalf of her mother and owner of the property, Callie Brown. Mrs. Edwards stated she is not planning to sell at this time, but may in the future.

Chairperson Lucy McCarl closed the public session.

Board Member Hedrick made a motion to approve the rezoning to B-2 as presented by staff, based on the consistently statement and call for a Public Hearing for City Council to consider the request on October 15, 2019. Board Member Scobie seconded the motion, which was voted upon and passed unanimously.

4. ZOA# 3-19 Ordinance Correction

Applicant: City of Lenoir

Owner: N/A

The City is proposing amending Appendix A, Section 611 of the Lenoir Zoning Code, in order to correct an omission of text that occurred during the zoning use and district standards in March.

Recommended Action: Approval of the request, and call for a public hearing at City Council on October 15, 2019.

Jenny Wheelock, Planning Director explained to the Board an error was made during the zoning use and district standards overhaul, in which a total of 15 words were left out of the ordinance. There are no changes to the text.

Board Member Hedrick made a motion to approve the ordinance correction and call for a Public Hearing for City Council to consider the request on October 15, 2019. Board Member Reynolds seconded the motion, which was voted upon and passed unanimously.

5. ZOA# 4-19 Residential Parking Code Amendment

Applicant: City of Lenoir

Owner: N/A

The City is proposing amending Appendix A, Section 100.9 of the Lenoir Zoning Code, related to parking requirements for multi-family uses.

Recommended Action: *Approval of the request, and call for a public hearing at City Council on October 15, 2019.*

Jenny Wheelock, Planning Director presented the proposed ordinance amendment. Mrs. Wheelock stated this will change the parking requirements to be based on the number of bedrooms instead of the same parking requirements for all. Jenny stated future projects will benefit from this.

Board Member Smith made a motion to approve the amended ordinance for parking code as presented by staff, based on the consistently statement and call for a Public Hearing for City Council to consider the request on October 15, 2019. Board Member Church seconded the motion, which was voted upon and passed unanimously.

OTHER BUSINESS:

- **Update on zoning permits issued.**
- **Looking Forward: Kaylynn Horn and Kyle Case will give a presentation at the October meeting on upcoming projects and redevelopment going on downtown.**

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the meeting at 6:15 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #6-19

LOCATION MAP/AERIAL PHOTOGRAPH



Subject Property ☐

Left: 103 Virginia St SW

SUMMARY

Owner

Unitarian Universalists of Caldwell County

Applicant

Kathleen Kaminski

Location

103 Virginia St SW

Vacant lot adjacent to church

NC PIN

2749440880

Project Planner

Hannah Williams, CZO

Updated October 15, 2019

Description of Request:

The applicant requests that the City re-zone the portion of 103 Virginia St SW from R-9 (Residential Multi-family) to B-6 (Exclusive Business).

Staff Recommendation:

Approval of the request, based on the consistency statement on page 6.

Planning Board Recommendation:

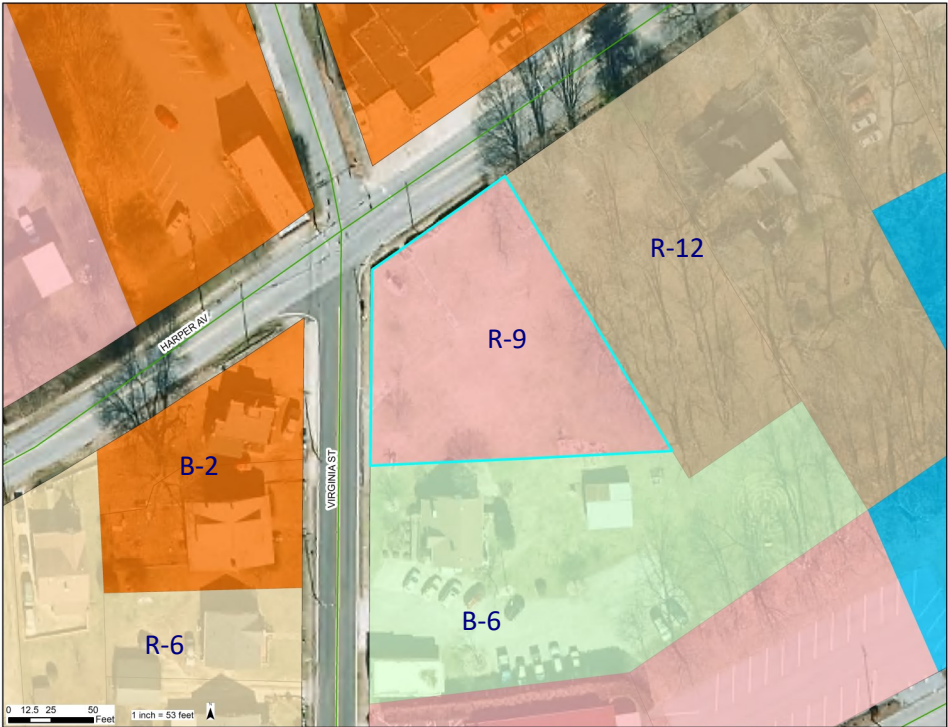
Public Comment:

Planning Board Meetings: October 28, 2019. Notices were mailed to property owners within 100 ft. of the subject property on October 18, 2019.

City Council (Public Hearing): Anticipated to be scheduled for November 12, 2019.

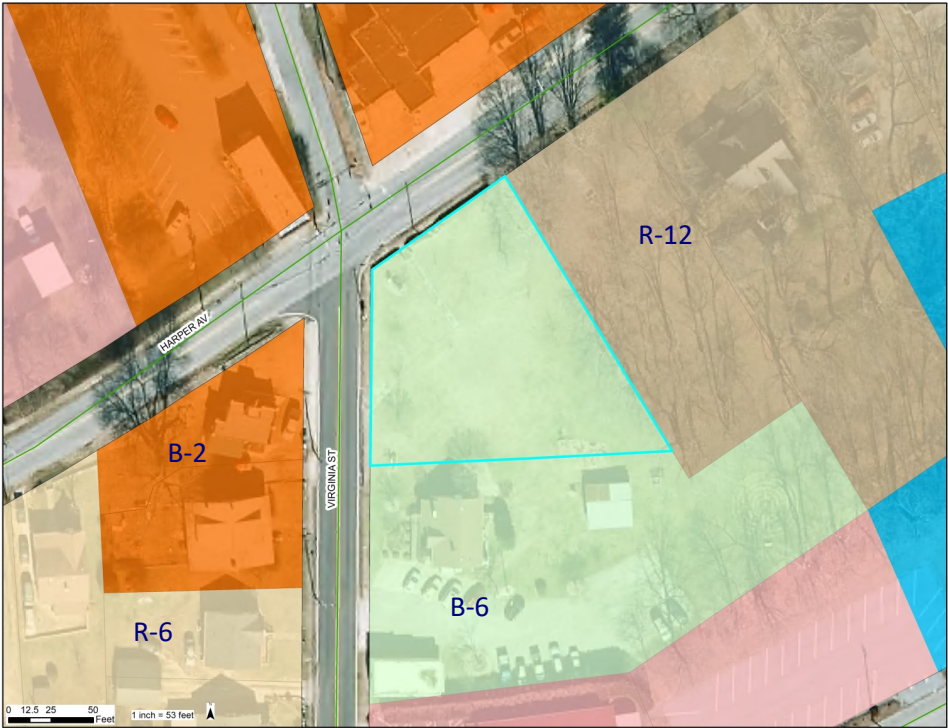
EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-9



Subject Property ☐

Proposed Zoning: B-6



Subject Property ☐

BACKGROUND AND STAFF 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.

Intent of the Zoning Districts

The R - 9 Residential (Multi-family) District is intended to establish and preserve areas of land within the city for medium density single-family residences, doublewide manufactured homes, duplexes, townhomes, low-rise garden apartments, and other compatible land uses, with higher density multi-family apartments allowed as conditional uses. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

The B - 6 (Transitional Business) District is intended to serve the needs of the traveling public as well as provide convenience goods and services to surrounding residential neighborhoods. This district is further intended to promote commercial activity in a high-volume traffic corridor that is in close proximity to well established, economically healthy residential neighborhoods, and as such requires design and performance standards to ensure commercial development occurs at compatible intensities, with appropriate architectural standards and buffering/screening requirements. Areas zoned B-6 tend to be already developed with medium density single family homes and a variety of multi-family uses, and are experiencing pressure for commercial expansion due to their close proximity to major transportation facilities. This district promotes incremental change to accommodate the conversion of existing structures into offices and low intensity retail or service uses, along with new development of non-residential uses, while allowing single family residences to remain as permitted land uses as the areas undergo gradual change.

Subject and Surrounding Properties

The subject property is located at the intersection of Harper Avenue and Virginia Street at 103 Virginia St SW. It is owned by the Unitarian Universalist Church, the buildings of which are located on the adjacent parcel to the south. It is .45 AC in size. Currently there are no buildings on the site and there is no planned development for the property. The subject property was once developed with a single family house, which was demolished many years ago. There is a post and panel sign on the property with the church's name.

Recently, the property with the Unitarian Universalist Church buildings was rezoned from B-4 (Limited Business) to B-6, during the City-initiated elimination of the B-4 zoning district in February of 2019. The subject property was not identified for rezoning at the time because it was not in the B-4 zoning district. However, the church became aware that their properties were not under a single zoning district during that time.

Property surrounding the intersection at Harper and Virginia is zoned B-2 (General Business) with several commercial buildings. Lenoir Automotive operates off Harper Avenue facing the subject property. Small brick commercial buildings line the other sides of the intersection. There are several large houses adjacent to the subject property along Harper Avenue headed east that are zoned R-12 (Medium Density Single Family). There is more single family housing across from the subject property along Virginia Street headed south that are zoned R-6 (High Density Multi-family).

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 property is already identified as "existing high density residential" on the future land use map of the comprehensive plan, despite the current church development. The applicant's request to rezone this property is an opportunity to extend the B-6 Exclusive Business zone so that the entire church property has one zoning district, and to make the zoning standards compatible with surrounding land use. Staff finds the proposed re-zoning to be consistent with the goals and policy concepts of the Comprehensive Plan. Since the B-6 zoning district accommodates high density resi-

STAFF ANALYSIS CONTINUED

dential development

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and conditional uses for each zoning district. The R-9 zoning district allows for medium density single-family residences, doublewide manufactured homes, duplexes, townhomes, low-rise garden apartments, and other compatible land uses. There is some overlap with residential uses allowed in the R-9 and B-6 (Exclusive Business) district, however, the B-6 district does not allow for manufactured housing, allows more non-residential uses “by right”, and comes with architectural and landscape design standards for new development.

Comparison of Zoning Districts

	R-9	B-6
Development Standards	Min Lot Size - 9,000 ft ² Setbacks Front: 35’ Side Yard: 10’ Abutting side Street: 25’ Minimum Rear Yard: 25’	Minimum Lot Size - 10,000 ft ² Setbacks Front: 10’ Side Yard: 10’ Abutting side Street: 10’ Minimum Rear Yard: 10’
Summary of Permitted Uses	Accessory Cottage or Apartment Attached Dwellings Bungalow Court Dwelling, Single/Two-Family/Group Doublewide manufactured home Garden Apartments	Accessory Cottage or Apartment Attached Dwellings Dwelling, Single/Multi-Family/Group Eating and Drinking (No Drive-throughs) Office Retailing, Light & Neighborhood Business and Personal Services Studios and Specialty Schools Veterinarian **For conditional uses see Section 600, Table A in Lenoir Zoning Ordinance**

SUBJECT PROPERTY 103 VIRGINIA ST SW



Above: Facing subject property from Virginia St



Above: Facing subject property from Virginia,
driveway shown

SURROUNDING AREA—HARPER AVE & VIRGINIA ST



Above: Former Kelley Realty Building (west of subject property)



Right: Baptist Church and Lenoir Automotive (north of subject property)

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 November 12, 2019:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates straightforward zoning standards, consistent with the adopted future land use map. The proposed amendment is reasonable and in the public interest because it will allow one development site in common ownership to follow the zoning requirements of a single zoning district and simplify development review for the site in the future.

PLANNING BOARD RECOMMENDATION

Permit Number	Project Name	Address	NC PIN	Date Issued
ZP 92-19	Strickland Brothers Sign	111 Hospital Ave NE	2850205188	9/16/2019
ZP 93-19	Moore Dr In Ground Pool	2175 Moore Dr	2749037336	9/16/2019
ZP 94-19	Plantation Dr In Ground Pool	1004 Plantation Dr	2850656134	9/16/2019
ZP 95-19	1947 Swan Dr- Shed	1947 Swan Dr	2758448235	9/25/2019
ZP 96-19	Whitnel Elem. School Sign	1425 Berkely St SW	2758381424	9/26/2019
ZP 97-19	626 Harper Ave -CBD Store	626 Harper Ave	2749875543	10/4/2019
ZP 98-19	Blue Ridge Realty Sign	215 Church St	2749776537	9/30/2019
ZP 99-19	Peak Place-Singlewide	1208 Peak Place	2840410050	10/1/2019
ZP 100-19	202 Harper Ave- Fence	202 Harper Ave	2759177450	10/2/2019
ZP 101-19	202 Harper Ave- renovations (Yokefellow)	202 Harper Ave	2759177450	10/7/2019
ZP 102-19	First Horizon Sign	1351 Norwood St	2758284345	10/10/2019
ZP 103-19	First Horizon Sign	707 College Ave	2749864890	10/14/2019
ZP 104-19	Verizon Wireless Sign	845 Blowing Rock Blvd	2850116554	10/10/2019
ZP 105-19	Kimbrells Sign	308 Blowing Rock Blvd	2759380854	10/14/2019
ZP 106-19	Waterlife Church Sign	1007 Morganton Blvd	2749931139	10/14/2019
ZP 107-19	2310 Merts Way-Single Family Dwelling	2310 Merts Way	2768235670	10/14/2019