



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 • November 25, 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 January 7, 2020 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 October 28, 2019 Minutes

NEW BUSINESS

1. R #7-19 413 Vance Street NW Rezoning

Applicant: Robert Triplett

Owner: Robert Triplett

Location: 413 Vance Street NW

Zoning map amendment to change the zoning from I-1 (Light Industrial) to R-9 (Mixed Density Residential).

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 January 7, 2020.

OTHER BUSINESS

- Update on zoning permits issued

ADJOURNMENT

**MINUTES
PLANNING BOARD MEETING
October 28, 2019
5:30 P.M.
905 WEST AVENUE**

MEMBERS PRESENT:

James Bradshaw, Sharon Bryant, Jeff Church, Leah Hamilton, Lucy McCarl, Kaye Reynolds, Tim Scobie

MEMBERS ABSENT: Mac Martin, Richard Hedrick, Larry Smith

STAFF PRESENT:

Jenny Wheelock, Hannah Williams, Lauren McKinney

MINUTES:

Board Member Bryant moved approval of the meeting minutes of September 23, 2019, as written. Board Member Scobie seconded the motion, which was voted upon and passed by unanimous vote.

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.*

Hannah Williams presented the proposed rezoning case and consistency statement. Mrs. Williams stated the property is owned by the Unitarian Universalist of Caldwell County and is currently zoned R-9. Staff is proposing to rezone to B-6 and finds it to be an adequate zoning district. The property just south is also owned by the church and is zoned B-6. The church has no plans at this time for the property.

Board Member Church made a motion to approve the rezoning as presented by staff, based on the consistently statement call for a Public Hearing for City Council to consider the request on November 12, 2019. Board Member Hamilton 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 5:35 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #7-19

LOCATION MAP/AERIAL PHOTOGRAPH



Subject Property ☐

Left: 413 Vance St NW

SUMMARY

Owner

Robert Triplett

Applicant

Robert Triplett

Location

413 Vance St NW

NC PIN

2749687204

Project Planner

Hannah Williams, CZO

Updated November 14, 2019

Description of Request:

The applicant requests that the City re-zone 413 Vance St NW from I-1 (Light Industrial) to R-9 (Residential Multi-family).

Staff Recommendation:

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

Planning Board Recommendation:

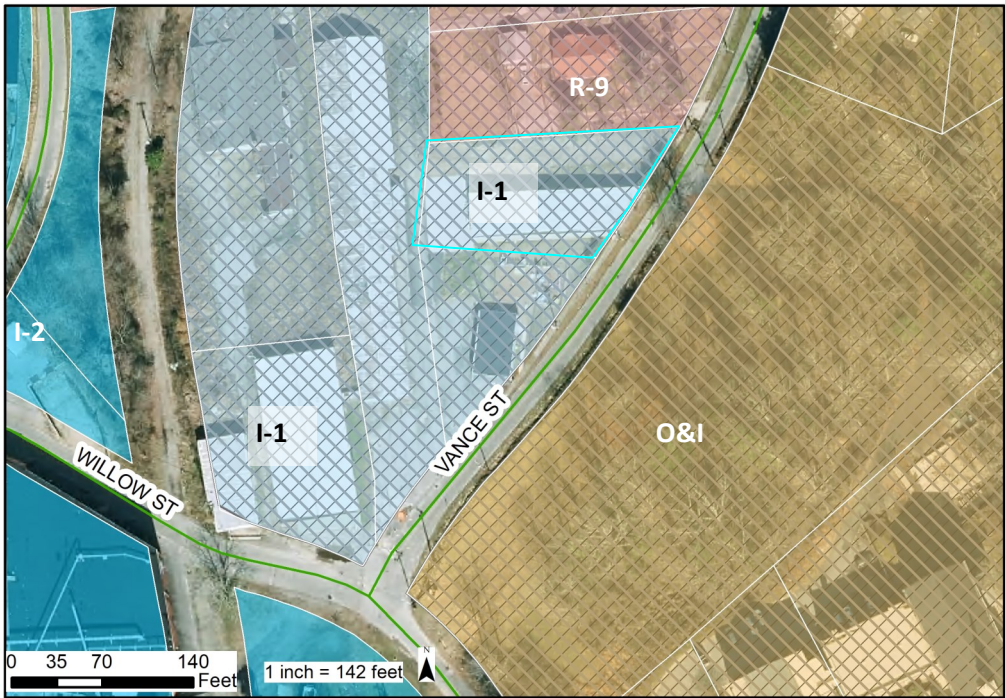
Public Comment:

Planning Board Meetings: November 25, 2019. Notices were mailed to property owners within 100 ft. of the subject property on November 15, 2019.

City Council (Public Hearing): Anticipated to be scheduled for January 7, 2020.

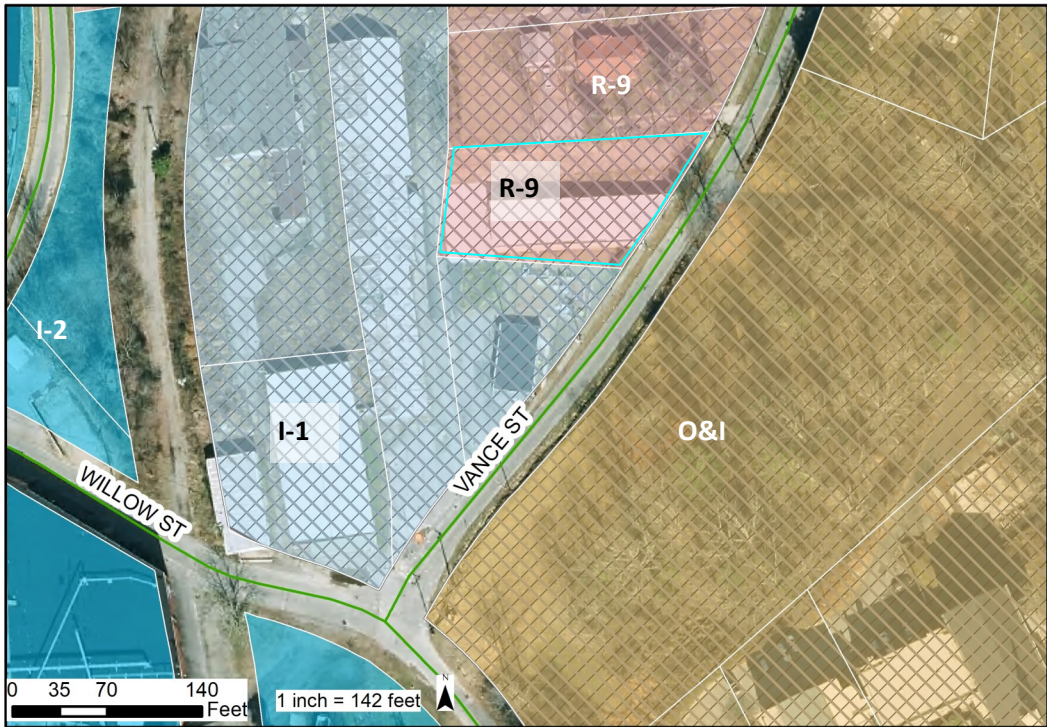
EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: I-1, NM



Subject Property ☐

Proposed Zoning: R-9, NM



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.

Reason for Request

This rezoning case originated with confusion in the zoning process. The zoning permit was meant to allow the addition of a bathroom to an industrial warehouse building. Caldwell County Building Inspections discovered the applicant's intent was to convert the warehouse into a residence. Since residential is not permitted as a primary use in the I-1 district, a rezoning will be necessary for the project to continue.

Intent of the Zoning Districts

I - 1 (Light Industrial) District is established to provide regulations for the development of areas generally devoted to light manufacturing, processing and assembly uses, warehousing, retail storage and other compatible uses that are limited in noise, obnoxious odors, with little to no adverse effects on adjacent areas. Some mixture of retail, wholesale, and industrial development may occur in this district, but residential uses are prohibited.

S-2 North Main Street Special Overlay District is intended to implement the design standards and permitted uses recommended by the North Main Street Small Area Plan. This district is an overlay district, which works in tandem with the underlying zoning districts in the North Main Special Overlay area to promote orderly and compatible development appropriate to the traditional historic character and overall future vision of the area.

R - 9 Residential (Mixed Density Residential) 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.

Subject and Surrounding Properties

The subject property is located at 413 Vance St, close to the intersection with Willow Street in the North Main Street area. It is owned by Robert Triplett and is in the process of being converted into a residence. The property is about a third of an acre. The building on the site that is about 4500 SF. A 15' x 80' side addition has been framed out on the north side of the building. The addition is intended to expand a residential unit. The subject property is accessed by a shared driveway between 401 Vance Street and 403 Vance Street, according to the property's deed, found in Book 1964, Page 2182 in the Caldwell County Registry.

To the north of the subject property there are residential properties at various densities. These single family homes and apartments were rezoned to R-9 from I-2 (Heavy Industrial) in 2015 when the City passed the recommendations of the N. Main Street Small Area Plan. The neighboring property to the south is a day care facility called Forever Young (403 Vance Street). There is a long industrial building to the west (401 Vance Street). Both of these are zoned I-1 (Light Industrial). All of these properties are in the North Main Street Overlay area.

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. In this case, the subject property and the surrounding neighborhood are inside of the North Main Street Small Area Plan. The subject property is identified as "existing nonresidential zone" on the future land use map of the Comprehensive Plan and does not offer a different future use. The Comprehensive Plan does encourage housing at various densities and infill development. The applicant's request to rezone this property to residential would convert an un-

STAFF ANALYSIS CONTINUED

derused industrial property into a residence in an area already served by city infrastructure.

The North Main Street Plan further expands on land use concepts in the study area by limiting industrial zoning near residential areas and expanding the R-9 zoning district. This warehouse-to-residence conversion offers a transitional area between traditional residences and other nonresidential uses. Staff finds the proposed re-zoning to be consistent with the goals and policy concepts of the Comprehensive Plan and the N. Main Street Small Area Plan.

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and conditional uses for each zoning district. The I-1 zoning district allows for many nonresidential uses, such as light manufacturing and commercial businesses. 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.

The existing building on the site has a front yard setback of 0', and is currently nonconforming to the I-1 front yard setback of 25'. The building will remain nonconforming to the R-9 front yard setback of 35', if rezoned. However, the 15' x 80' expansion of the building will meet all required setbacks of the R-9 district, and is permitted even though the existing structure is legally non-conforming.

Comparison of Zoning Districts

	I-1	R-9
Development Standards	Min Lot Size - 10,000 ft ²	Min Lot Size - 9,000 ft ²
	Setbacks	Setbacks
	Front: 25'	Front: 35'
	Side Yard: 0'	Side Yard: 10'
	Abutting side Street: 25'	Abutting side Street: 25'
	Minimum Rear Yard: 0'	Minimum Rear Yard: 25'
Summary of Permitted Uses	Accessory Cottage or Apartment	Accessory Cottage or Apartment
	Adult Business/Adult Gaming Establishment	Attached Dwellings
	Day Care Centers	Bungalow Court
	Kennels	Dwelling, Single/Two-Family/Group
	Hospitals	Doublewide manufactured home
	Eating and Drinking (with or w/o drive through)	Garden Apartments
	Flea Markets	
	Green Houses	
	Manufacturing & Processing (Artisan & Light)	**For conditional uses see Section 600, Table A in Lenoir Zoning Ordinance**
	Office/Clinics	
	Public Service Facility	
	Personal Storage	
	Indoor Recreation	
	Retail (Light & Intensive)	
	Services (Automotive, Major Vehicle, Business & Personal)	
	Indoor Shooting Range	
	Studios and Specialty Schools	
	Veterinarians	
	Warehousing	

SUBJECT PROPERTY 413 VANCE ST NW



Above: Facing subject property from shared driveway



Above: Rear of property from Vance Street



Right: Day Care on adjacent 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 January 7, 2020:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates a residential conversion on an existing lot, consistent with the policy concepts found in the plan. The proposed amendment is reasonable and in the public interest because it will allow an active residential use in a high-vacancy neighborhood.

PLANNING BOARD RECOMMENDATION

Permit Number	Project Name	Address	NC PIN	Date Issued
ZP 107-19	2310 Merts Way-Single Family Dwelling	2310 Merts Way	2768235670	10/14/2019
ZP 108-19	Telco Sign	141 Wilkesboro Blvd NE	2759372601	10/17/2019
ZP 109-19	Roger Coffey Agrichemical Shed	Old Morganton Rd & Brushy Pl	2738674351	10/18/2019
ZP 110-19	Old North Rd- Carport	1007 Old North Rd NW	2840619921	10/17/2019
ZP 111-19	Kingdom Hall Signs	2046 Morganton Blvd	2749004911	
ZP 112-19	Med Facility Fresenius Uniform Sign Plan	1208 Hickory Blvd	2759209757	10/29/2019
ZP 113-19	Reserved			
ZP 114-19	Rosedale Day Care	1108 Rosedale Dr	2748835706	10/21/2019
ZP 115-19	Rosedale Day Care SIGNS	1108 Rosedale Dr	2748835706	10/21/2019
ZP 116-19	Crescent Pointe - Greenhaven	205 Greenhaven Dr	2850120714	10/31/2019
ZP 117-19	Keller Law Firm Sign	108 Mulberry St	2749874324	10/28/2019
ZP 118-19	Fun zone adult gaming	2144 Morganton Blvd	2749001898	10/28/2019
ZP 119-19	Fresenius Building Mounted	1208 Hickory Blvd	2759209757	10/30/2019
ZP 120-19	Mi Carreta expansion	1146 Hickory Blvd	2759219001	10/29/2019
ZP 121-19	Fire Station 3 Storage Building	1015 Wilkesboro Blvd	2850817151	11/6/2019
ZP 122-19	Bradford Mtn Rd-Accessory Structure Shed	1410 Bradford Mtn Rd	2748137443	11/12/2019