



Meeting Information

Location

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

Time

5:30 p.m.

Board Members

Lucy McCarl, Chairperson

Jeff Church, Vice-Chair

Curtis Baker

James Bradshaw

Sharon Bryant

Kent Greer

Marta Lazo

Mac Martin

Kaye Reynolds

Tim Scobie

Lenoir Planning Board

Agenda • October 25, 2021

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 December 7, 2021 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 27, 2021 Minutes

NEW BUSINESS

1. R #2-21 918 Creekway Dr. NW; NCPIN 2840601686 & 2840600405

Applicant: Joshua Edwards (church representative)

Owner: Lenoir Pilgrim Holiness Church Trustees/Lenoir First Wesleyan Church

Location: 918 Creekway Dr. NW; NCPIN 2840601686 & 2840600405

Zoning map amendment to change the zoning from R-6 (High Density 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 December 7, 2021.

OLD BUSINESS

1. R #1-21 Vacant lots NCPIN 2749246843; NCPIN 2749248970

Applicant: Mitchell & Lisa Hamby

Owner: Brent Jensen

Location: Vacant lots at the 100 block of Creekway Dr.
NCPIN 2749246843; NCPIN 2749248970

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

Applicant has requested to table for another month. Staff will resend notices to adjacent property owners before the request goes before the Board.

OTHER BUSINESS

1. Comprehensive Plan workshop
2. Update on zoning permits issued.

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
September 27, 2021
5:30 P.M.

LOCATION:
City /County Meeting Room
905 West Avenue

MEMBERS PRESENT:
Curtis Baker, Sharon Bryant, Jeff Church, Kent Greer, Lucy McCarl, Tim Scobie

VIA TELECONFERENCE:
Kaye Reynolds

MEMBERS ABSENT: James Bradshaw, Marta Lazo, Mac Martin

STAFF PRESENT:
Jenny Wheelock, Hannah Williams, Lauren Hartley

Chairperson McCarl called the meeting to order and took attendance, noting participation both in person and via teleconference.

MINUTES:
Board Member Scobie moved approval of the meeting minutes of May 24, 2021. All were in favor, none opposed.

NEW BUSINESS:

1. R #1-21 Vacant lots NCPIN 2749246843; NCPIN 2749248970 (tabled)

Applicant: Mitchell & Lisa Hamby
Owner: Brent Jensen
Location: Vacant lots at the 100 block of Creekway Dr.
NCPIN 2749246843; NCPIN 2749248970

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

Jenny Wheelock, Planning Director stated the applicant had requested to table the case until a future Planning Board meeting. The Planning Board did not object to tabling the item.

OLD BUSINESS

1. CZ #6-21 229 Pennton Ave NW

Applicant: Cyrus Mashhoodi

Owner: Johnathan Borders

Location: 229 Pennton Ave NW

The applicant is requesting a Conditional Zoning District for the property to accommodate 3 zero-lot line houses. The base zoning district for this request is B-6.

Jenny Wheelock provided an update to the board, confirming the applicant's withdrawal of the request.

OTHER BUSINESS

1. Staff provided an updated list of issued zoning permits to the Board, as general information.
2. Chairperson McCarl welcomed the new Planning Board member, Curtis Baker. Mr. Baker introduced himself to the Board stating he is a local to the area and works for McGill Associates.

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the Planning Board meeting at 5:45 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director

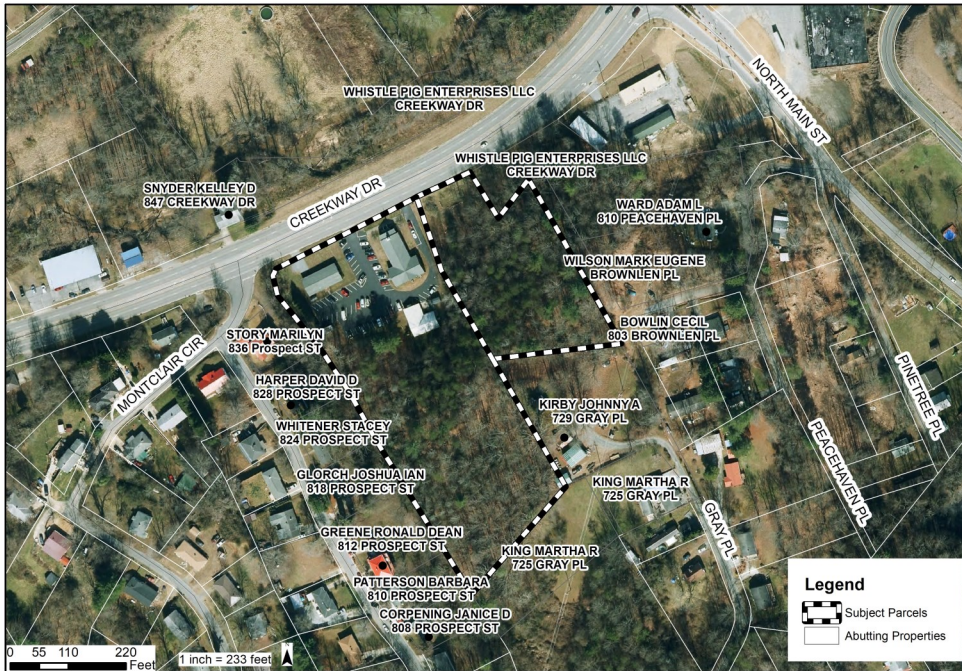


Staff Report

Zoning Amendment

CASE NUMBER R #2-21

LOCATION MAP/AERIAL PHOTOGRAPH



Parcel addresses and owner information shown for all properties required to receive notice of these proceedings.

SUMMARY

Owner

Lenoir Pilgrim Holiness Church
Trustees

Applicant

Rev Joshua Edwards

Location

906 Creekway Dr. NW
918 Creekway Dr. NW

NC PIN

2840600405 & 2840601686

Project Planners

Hannah Williams, CZO
Jenny Wheelock, AICP, CZO

Description of Request:

The applicant is requesting to rezone the subject property from R-6 (high density residential) to B-2 (general business), to allow for their existing church and future improvements to be permitted by right.

Staff Recommendation:

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

Planning Board Recommendation:

Public Comment:

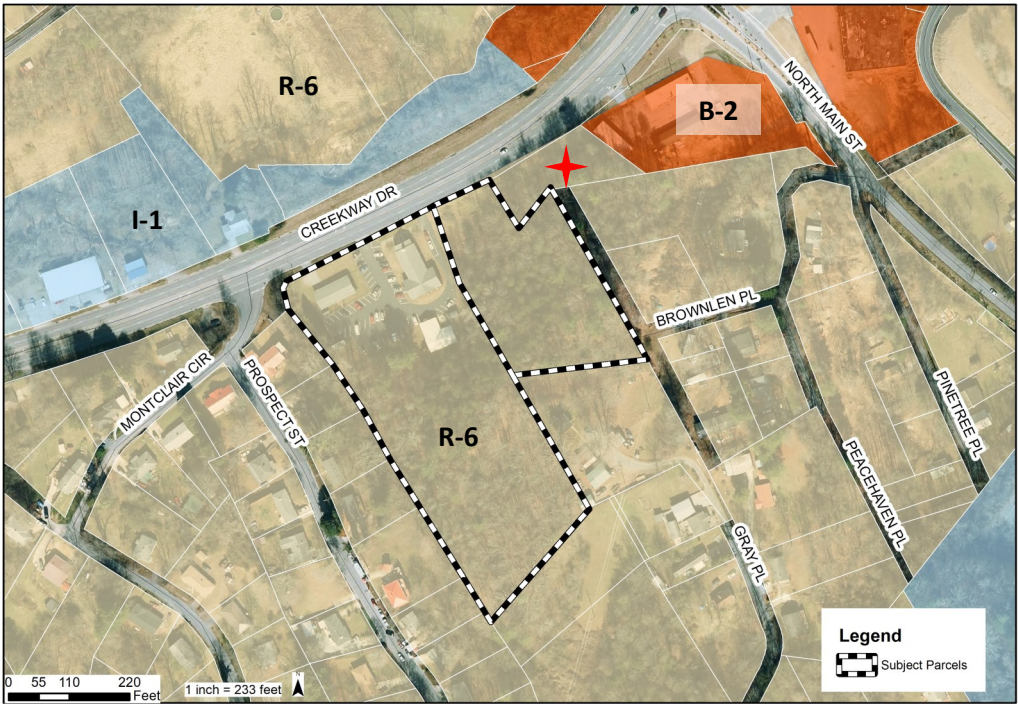
Planning Board Meeting: October 25, 2021.
Notice of the meeting was mailed to the

owners of all adjacent parcels (listed on map above) on October 15, 2021.

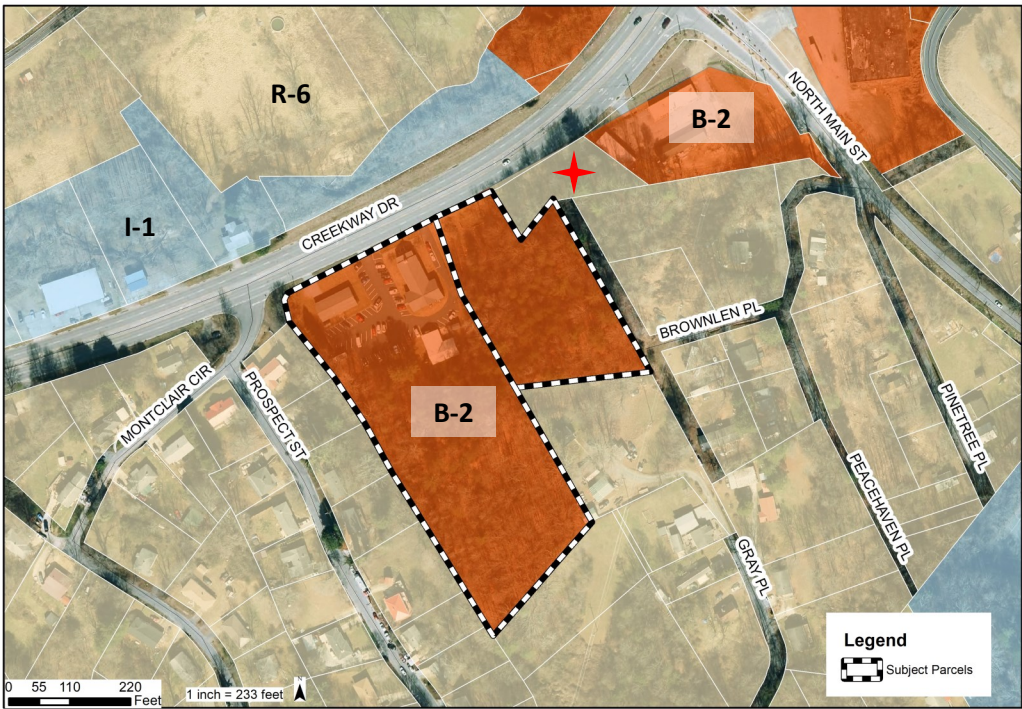
City Council (Public Hearing): Anticipated to be scheduled for December 7th, 2021.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-6



Proposed Zoning (Staff Recommendation): B-2



AREA MAP



BACKGROUND AND STAFF ANALYSIS

Zoning Map Amendments

The City of Lenoir Zoning 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

Lenoir First Wesleyan Church is seeking to rezone the church property to allow for their future improvements on the site to be permitted by right. The church is interested in updating signage and expanding the parking lot; however, staff does not have the ability to approve these improvements “by right” due to the residential zoning and legally non-conforming status of the development. The R-6 zoning district requires churches to obtain a Special Use Permit (SUP, formerly known as CUP) as a primary use, but [the development standards of R-6 are still restrictive, given this location on a major arterial road. Rather than allow for an expansion through an SUP, the applicant is pursuing this zoning change.

Intent of the Zoning Districts

The R - 6 (High Density Residential District) is intended to establish and preserve areas of land within the city for medium and high density residences, including single family, doublewide manufactured homes, duplexes, townhomes, multi-family developments, and other compatible uses at appropriate densities. Higher density multi-family developments are allowed as special uses. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

B - 2 (General Business) District is intended to provide for a wide variety of retail, service and other activities, controlled by performance standards, at locations along major transportation routes, to serve both local and transient traffic. While generally located in areas that are auto-centric, the General Business zoning district is intended to promote development that equally considers pedestrian traffic, because this district is often located in close proximity to multi-family developments and short-term lodging. This district is designed to accommodate a moderate to high intensity of development along key commercial corridors in the City, with robust design standards to encourage a unique sense of place and promote a multi-modal future with support for transit, bike, and pedestrian infrastructure.

Subject and Surrounding Properties

Lenoir First Wesleyan Church is located at 918 Creekway Dr NW. One parcel (NCPIN 2840600405), which is 4.2 acres in size, is developed with a church sanctuary and fellowship hall building, a parsonage, and an office building. The church owns the adjacent parcel (NCPIN 2840601686, 1.8 acres), using it for auxiliary parking. Both of these parcels are zoned R-6, and back up to the West End Neighborhood, in the Montclair Circle area. The West End Neighborhood is a historic residential neighborhood of small homes on small lots, mostly zoned R-6 and R-9.

Lenoir First Wesleyan faces Creekway Drive. Creekway Drive is an arterial road that serves as a “by pass” around the commercial activity of US-321 in Lenoir. As often noted about the Creekway Drive, the corridor lacks a cohesive development strategy, resulting in a disjointed arrangement of mixed-density residential uses and small industrial uses. There are some vacant commercial buildings immediately around the church, along with some undeveloped tracts of land. The church sits close to the Creekway and North Main Street intersection, the northern corridor into Lenoir’s downtown district. This intersection is zoned B-2—with various business uses on the Whistlepig Property, as well as the home of the Highway to Hedges ministry.

The Whistlepig Property contains several parcels, one of which abuts the First Wesleyan property (starred on the previous page). It is narrow and undeveloped, but could serve as a connection between the two B-2 zoning districts along this corridor. This connection would offer continuity in zoning standards, should it ever develop. At the time of this writing, staff has not contacted the Whistlepig Property owner, but has expanded the noticing area to include this property.

STAFF ANALYSIS CONTINUED

Zoning Analysis

Under the current zoning district R-6, this church would be required to get an SUP build at this site. However, no SUPs are on the record for this church, most likely because it has been at this site longer than Lenoir's zoning ordinance has been in effect (Lenoir's zoning ordinance became effective in 1979). Churches are one of the most diverse land uses in terms of impact to adjacent properties. Mid-size churches that own their own building are often ideal uses for the edges of residential neighborhoods, acting as transition zones to more intense areas. The code requires SUPs for churches in residential areas, because not all residential sites are appropriate for this use. Staff would support an SUP at this location, with access from Creekway and buffering to the neighborhood. A 15' wide bufferyard is required between institutional uses and residential zones, according to Sec. 712.3 of the zoning ordinance. This is a current requirement for the church property, and would continue to be a requirement regardless of zoning changes.

Churches that own their own buildings generally have a high degree of permanence as a land use, so the zoning change would not directly change the feel of the area. The rezoning would offer the church conforming status as a "by right" development. This means their future upgrades would be reviewed by staff for code compliance—as opposed to changing the SUP conditions in a public process. Overall, the rezoning request is an opportunity to "clean up" one area of the mismatched uses and zoning districts along Creekway Drive, and streamlines the church's redevelopment options.

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 comprehensive plan's future land use map identifies this property and surrounding area as "existing high density residential," and does not propose a different use. The comprehensive plan does offer several policies and strategies for institutional and commercial developments that encourages adopting straight-forward zoning standards that are easy to understand, and emphasizes good design standards—with regards to streetscaping, parking lots, signage, and architectural features. Rezoning this property to General Business would enable staff to review improvements made to this church property for compliance with the adopted design standards, without the lengthy process to amend an SUP. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan.

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. The R-6 zoning district allows for high density single-family residences, doublewide manufactured homes, and other compatible land uses. The B-2 zoning district allows for many residential, commercial, and institutional uses. Staff does not anticipate the land use changing, but hypothetically, this site's arterial frontage would support the range of uses permitted under B-2.

Comparison of Zoning Districts

	R-6	B-2
Development Standards	Min Lot Size— 6,000 ft ² Setbacks Front: 35' Side Yard: 10' Abutting side Street: 25' Minimum Rear Yard: 25'	Min Lot Size - 0 Setbacks Front: 10' Side Yard: 0' Abutting side Street: 0' Minimum Rear Yard: 20' abutting residential, 0' otherwise
Summary of Permitted Uses	Accessory Cottage or Apartment Attached Dwellings Bungalow Court Dwelling, Single/Two-Family/Group Doublewide manufactured home Garden Apartments **For conditional uses see Section 600, Table A in Lenoir Zoning Ordinance**	Accessory Cottage or Apartment Adult Business/Adult Gaming Establishment Attached Dwellings Billiards Community Facilities such as Churches Day Care Centers Dwelling, Single/Two-Family/Multi-family/Group Eating and Drinking (with or w/o drive through) Manufacturing & Processing (Artisan & Light) Office/Clinics Public Service Facility Personal Storage Retail (Light & Intensive) Services (Automotive, Major Vehicle, Business & Personal) Indoor Shooting Range Veterinarian Warehousing

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 December 7, 2021:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it clarifies and streamlines the zoning design standards for an existing church, consistent with the policy concepts found in the plan. The proposed amendment is reasonable and in the public interest because facilitates a church use as a “by right” development, making it a conforming use for its location and providing predictable form and design for the overall neighborhood.

PLANNING BOARD RECOMMENDATION

SUBJECT PROPERTY: CREEKWAY DRIVE



Auxiliary parking lot (to the left of main building)



First Wesleyan Sanctuary facing Creekway



Office building and rear of property (behind sanctuary)



Parsonage (to the right of sanctuary)



Creekway frontage



Rear of parsonage, and buffer near Montclair Cir. houses

Permit Report

09/16/2021 - 10/14/2021

Permit #	Permit Date	Permit Type	Applicant Name	Issued Date	Description	Parcel Address
----------	-------------	-------------	----------------	-------------	-------------	----------------

Group: Accessory/ Addition

2021128	9/28/2021	Accessory/Addition	John Greene	9/28/2021	enclosed existing shed	2000 VALWAY RD
2021124	9/21/2021	Accessory/Addition	Tom Bumgarner	9/21/2021	24'x24' open carport	2300 ICENHOUR CT
2021122	9/16/2021	Accessory/Addition	Darrin Greer	9/16/2021	18' x 36' inground pool	507 LOWER CREEK DR

Group Total: 4

Group: Floodplain Development

2021129	9/29/2021	Floodplain Development	City of Lenoir	9/29/2021	floodplain development	340 WILKESBORO BV SE

Group Total: 1

Group: Manufactured Home

2021135	10/12/2021	Manufactured Home	Clayton Homes of Conover	10/12/2021	manufactured home replacement	1516 DULATOWN RD

Group Total: 1

Group: Permanent Sign

2021132	10/6/2021	Permanent Sign	Keith Phelps	10/6/2021	sign permit	118 CREEKWAY DR
2021131	9/30/2021	Permanent Sign	Burchette Sign	9/30/2021	sign permit	1095 HICKORY BL
2021130	9/30/2021	Permanent Sign	Tom Thuss	9/30/2021	sign permit	520 MULBERRY ST
2021127	9/27/2021	Permanent Sign	Frye Signs	9/27/2021	sign permit	209 NORTH MAIN ST
2021126	9/23/2021	Permanent Sign	Patrick Longano	9/23/2021	sign permit	1447 MORGANTON BV

Group Total: 5

Group: Temporary Advertising

2021133	10/6/2021	Temporary Advertising	Alex Edmisten	10/6/2021	Temporary Sign	324 MORGANTON BV

Group Total: 1

Group: Zoning Verification

2021134	10/7/2021	Zoning Verification	BankFinancial c/o D. Scott Yerkes, Vice President, Commercial Banking	10/7/2021	zoning verification	806 BRITISH WOODS DR

Group Total: 1

--	--	--	--	--	--	--

Total Records: 13

10/14/2021