



Meeting Information

Location

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

Time

5:30 p.m.

Board Members

Lucy McCarl, Chairperson

Curtis Baker

James Bradshaw

Sharon Bryant

Kyle Case

Michael Careccia

Marta Lazo

Tim Scobie

Vacant Seat

Vacant Seat

Lenoir Planning Board

Agenda • June 27, 2022

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 19, 2022 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 23, 2022 Minutes

NEW BUSINESS

1. #R 3-22 1231 Hibriten Drive SE; 1304 Hibriten Drive SE

Applicant: Ben Griffin

Owner: New Vision Trust Co; Custodian Ben Griffin

Location: 1231 Hibriten Drive SE; 1304 Hibriten Drive SE

Proposed re-zoning from B-1 (Neighborhood Business) to B-2 (General Business) to allow for Auto Sales (Intensive Retailing).

Recommended Action: *Approval of the request, and call for a public hearing at City Council on July 19, 2022.*

OTHER BUSINESS

- 1. Item of information on social districts presented by Matthew Anthony, City of Lenoir Main Street Community Engagement Coordinator.**
- 2. Update on zoning permits issued.**

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
May 23, 2022
5:30 P.M.

LOCATION:
City /County Meeting Room
905 West Avenue

MEMBERS PRESENT: James Bradshaw, Sharon Bryant, Curtis Baker, Michael Careccia, Kyle Case, Jeff Church, Marta Lazo, Lucy McCarl, Tim Scobie

STAFF PRESENT: Jenny Wheelock, Hannah Williams, Lauren Hartley

Chairperson McCarl called the meeting to order.

OATHS OF OFFICE
Lauren Hartley administered oaths of office to James Bradshaw, Sharon Bryant, Curtis Baker, Michael Careccia, Kyle Case, Jeff Church, Marta Lazo, Lucy McCarl, and Tim Scobie.

MINUTES:
Board Member Church moved approval of the meeting minutes of March 28, 2022. Board Member Scobie seconded the motion, which was voted upon and passed by unanimous vote.

NEW BUSINESS:

1. Comprehensive Plan 2022

This item was presented by Planning Director, Jenny Wheelock. Mrs. Wheelock stated in order to enforce zoning after July 1st 2022 we will need an adopted comprehensive plan or future land use map that is reasonably maintained. The resolution will document the planning work that has been done since the plan was adopted. The proposal will have incorporated policies and data pulled out of the plan. The Planning Department is considering hiring consultants to help with data updates and mapping. These supplemental plans have always been considered by the city, as amended/ revising the comprehensive plan.

The following will be adopted and incorporated in the Lenoir Comprehensive Plan:

- a) Bicycle and Pedestrian Plans
- b) North Main Street Small Area Plan
- c) Overmountain Victory National Historic Trail Master Plan
- d) Fairfield South/Lenoir Mills
- e) Neighborhood Map
- f) Branding and Way-finding
- g) Implementation and Evolution
- h) City Profile/Data Managements
- i) Special Study areas; Whitnel, West End, 321 South

Board Member Church made a motion to approve the proposed resolution for the comprehensive plan as presented and call for a Public Hearing for City Council to consider the request on June 7, 2022. Board Member Scobie seconded the motion, which was voted upon and passed unanimously.

OTHER BUSINESS

1. Staff provided an updated list of issued zoning permits to the board, as general information.
2. **Board Appointments**
 - Planning Director, Jenny Wheelock explained with the 160D changes, the appointed board's terms were impacted. Board terms will now run from July 1 to June 30, with a 3 year term.
 - Mac Martin has retired off the board after 17 years. The board will now have a vacant seat.

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the Planning Board meeting at 6:25 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #3-22

LOCATION MAP/AERIAL PHOTOGRAPH



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

SUMMARY

Owner

NEW VISION TRUST CO; Custodian Ben Griffin

Applicant

Ben Griffin

Location

1231 Hibriten Dr SE
1304 Hibriten Dr SE

NC PIN

2758587898

Project Planners

Hannah Williams, CZO

Description of Request:

The applicant is requesting to rezone the subject property from B-1 (Neighborhood Business) to B-2 (General Business).

Staff Recommendation:

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

Planning Board Recommendation:

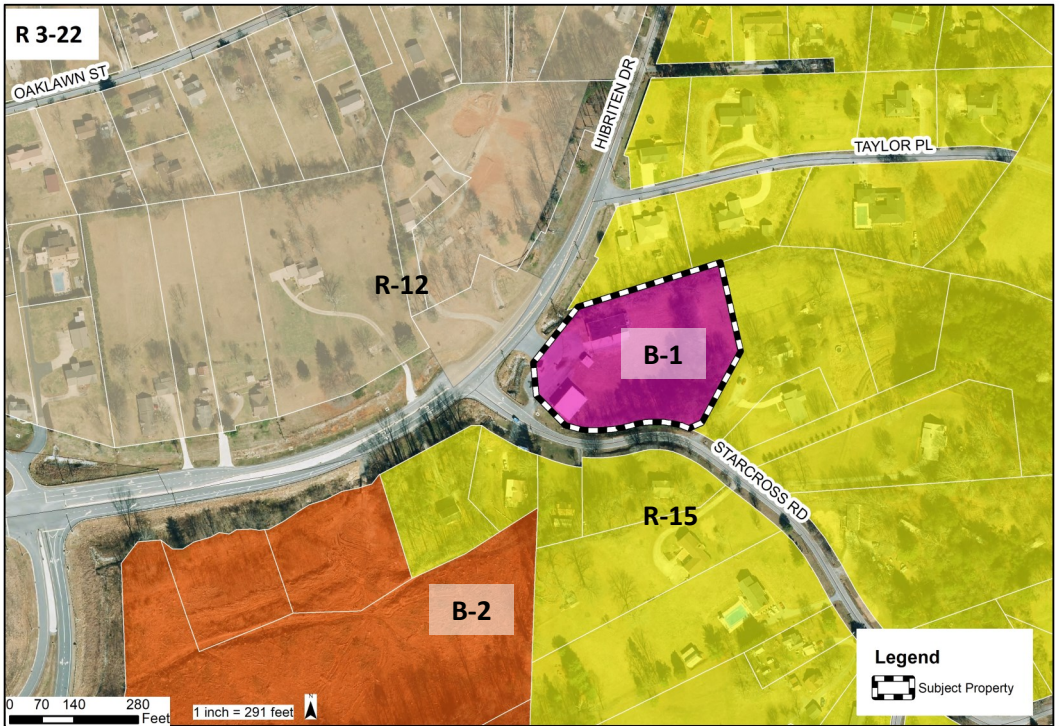
Public Comment:

Planning Board Meeting: June 27, 2022.
Notice of the meeting was mailed to the owners of all adjacent parcels (listed on map above) on June 17, 2022.

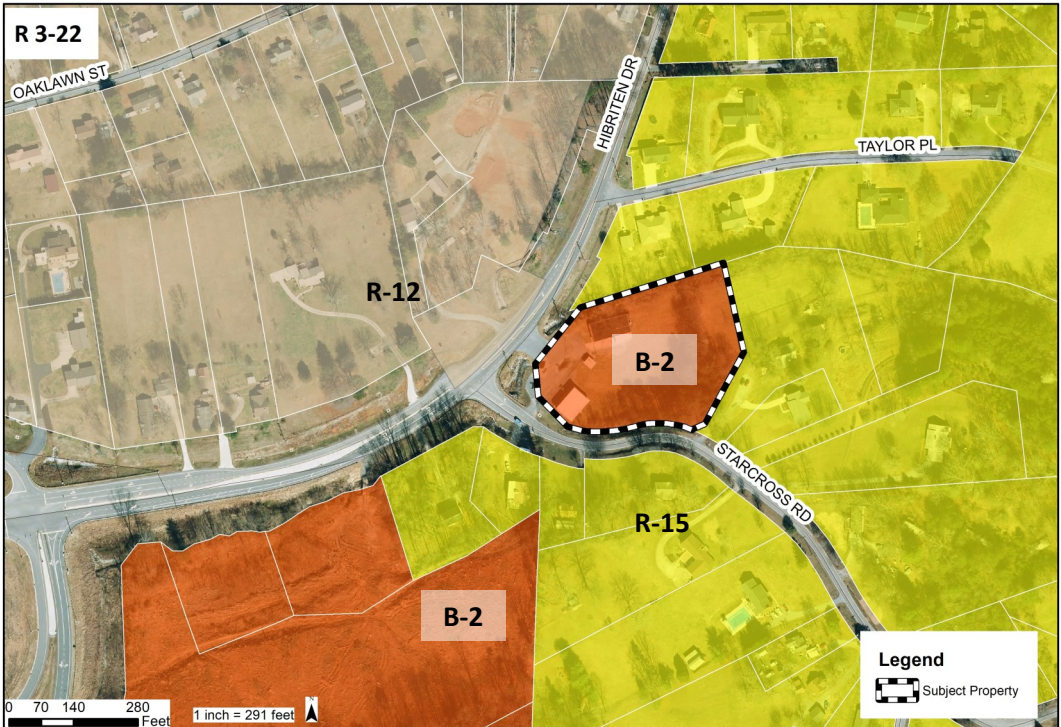
City Council (Public Hearing): Anticipated to be scheduled for July 19, 2022.

EXISTING AND PROPOSED ZONING MAPS

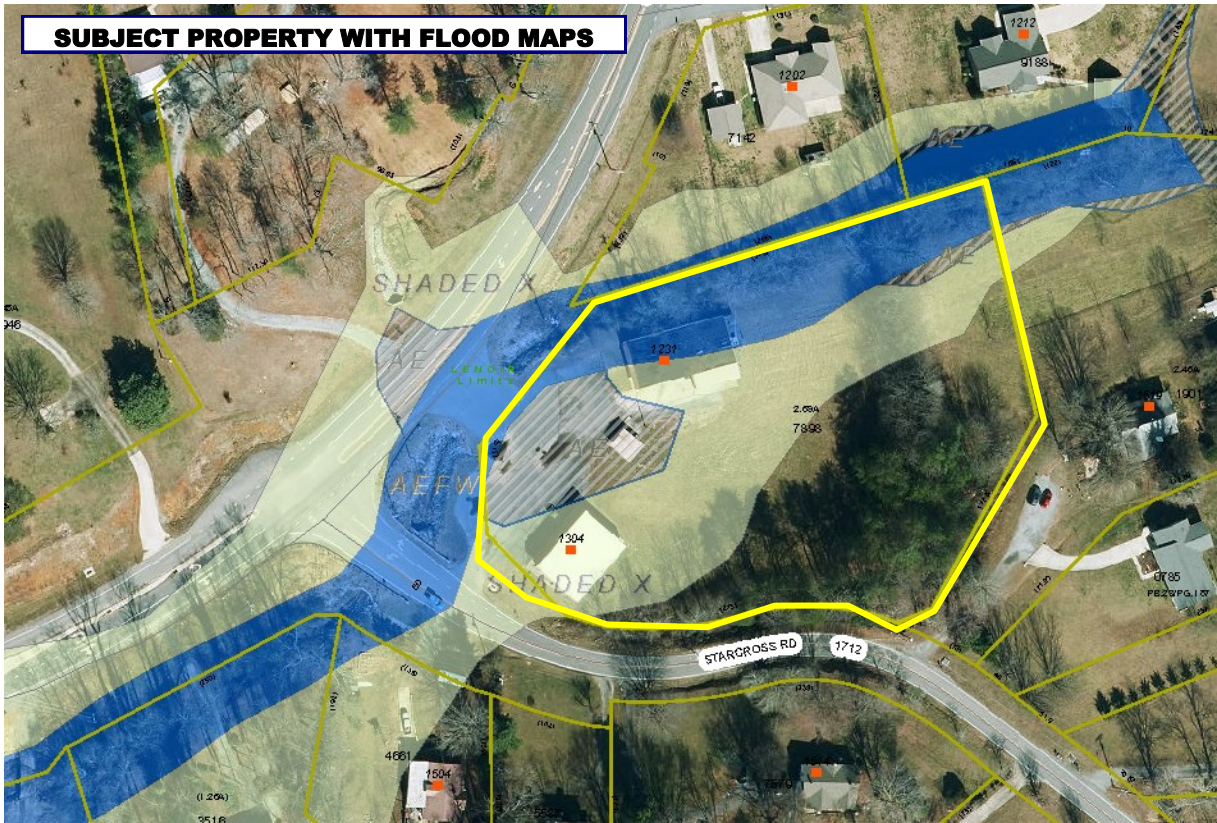
Existing Zoning: B-1



Proposed Zoning: B-2



ARIAL PHOTOGRAPHS



Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. The B-1 zoning district allows for retail and service uses that serve the immediately surrounding neighborhood. The B-2 zoning district allows for many residential, commercial, and institutional uses.

Comparison of Zoning Districts

	B-1	B-2
Development Standards	Min Lot Size— 0 Setbacks Front: 10' Side Yard: 10' Abutting side Street: 10' Minimum Rear Yard: 10'	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	Day Care Centers Manufacturing & Processing: Boutique/Artisan Retailing: Neighborhood Business Services, Business and Personal Studios and Specialty Schools **For special 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

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

The applicant is requesting this zoning change in order to provide more flexibility for the existing vacant office space on the site. One contemplated use would be the relocation of a small existing car dealership. While there is room on the parcel for additional development, no new construction is proposed at this time.

Intent of the Zoning Districts

B - 1 (Neighborhood Business) District is intended to serve the needs of the surrounding residential neighborhoods by providing convenience goods and services which cater to the everyday needs of the residents. These areas are usually located on small parcels within established neighborhoods, allowing structures built as neighborhood businesses prior to the establishment of zoning to continue to be improved and re-used to suit the changing needs of the neighborhood. It is the intent of this district to protect the integrity of the surrounding residential neighborhoods; and therefore the B-1 district should not normally be extended or new areas established.

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

The subject property is located at the intersection of Hibriten Drive and Starcross Road, with driveway access off both streets. The property has two small commercial buildings on site built in the early 1970s. One building, addressed as 1304 Hibriten Drive SE is used as Resurrection Life Church. The other building, addressed as 1231 Hibriten Drive SE has two commercial spaces that are currently vacant. It is the former location of a small engine workshop. The parcel's Hibriten Drive frontage is located in the floodway, and some of the parking lot and existing buildings encroach into the AE flood zone ("100 year" flood zone). The development is all "pre-FIRM" meaning it was built prior to the adoption of the flood insurance rate maps.

To the east, north, and south of the subject property are established residential areas zoned R-12 and R-15. To the west, the Whisnet tracts offer commercial or multi-family development opportunities, and together with this property could be considered the eastern extension of the Whitnel commercial district, enhanced by the fairly recently constructed interchange at US321.

Zoning Analysis

Historically, this site has been fairly isolated from US 321 and was surrounded by residential land uses in all directions. Given that context, the B-1 zoning designation made sense for this site, although it doesn't follow the usual pattern for neighborhood business because it is buffered and disconnected from the neighborhoods. It has not had any neighborhood-serving businesses in many years.

With the construction of the Whitnel interchange, the subject property's frontage on Hibriten Drive makes it a viable commercial site for a range of uses, not just the very limited neighborhood-serving uses permitted in B-1. The established tree lines provide

STAFF ANALYSIS CONTINUED

mature buffering to surrounding residential land uses. Technically this property is “spot-zoned” today, and the proposed map amendment does not eliminate the “spot zone.” However, spot zones are legal in NC, and a change to B-2 is not an arbitrary amendment — it’s within 400 ft. of property zoned B-2, and could be considered a natural edge of the Whitnel commercial district.

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 parcel as “existing commercial” and does not identify any other future land use for the property. The proposed zoning change is consistent with the Comprehensive Plan’s policy concepts to coordinate land use policies with transportation, and to anticipate and plan for growth associated with roadway improvements. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan.

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 19, 2022:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it reflects the changing transportation patterns of the area, expanding the allowable uses on a commercial parcel within 1,000 ft. of a major interchange, while maintaining buffering to the nearby residential areas. The proposed amendment is reasonable and in the public interest because facilitates the re-use of existing buildings and leverages the economic impact of infrastructure improvements in the vicinity.

PLANNING BOARD RECOMMENDATION

Permit Report

05/13/2022 - 06/16/2022

Permit #	Permit Date	Permit Type	Applicant Name	Issued Date	Description	Parcel Address
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Group: Accessory

2022112	6/16/2022	Accessory	Iris Bender	6/16/2022	renovation of the restaurant space/cooler Taste of Havana	819 WEST AV
2022106	6/7/2022	Accessory	Gustavo Rodriguez Navarro	6/7/2022	20x40' underground pool	1201 TAYLOR PL
2022105	6/6/2022	Accessory	Melissa Jett-Dunn	6/6/2022	Above-ground pool	1030 PRESTWOOD DR
2022100	5/23/2022	Accessory	Carlos Mejia	5/23/2022	deck in rear	519 HARTLEY PL
2022099	5/23/2022	Accessory	Charles Dunn	5/23/2022	above ground pool	1408 CASTLE CT

Group Total: 5

Group: Change of Use

2022101	5/24/2022	Change of Use	Brushy Mtn Builders	5/31/2022	Remodel of Interior Building	118 MULBERRY ST

Group Total: 1

Group: Driveway

2022103	5/31/2022	Driveway	Cassandra Banner	5/31/2022	driveway permit	825 MULBERRY STREET

Group Total: 1

Group: Manufactured Home

2022098	5/18/2022	Manufactured Home	Ron Hughes	5/19/2022	MHP singlewide replacement	2012 ROSELLE PL

Group Total: 1

Group: Non-residential

2022096	5/17/2022	Non-residential	LeAnna Layman/Keach Construction		McCreary Cancer Center Addition and Renovation	212 MULBERRY ST

Group Total: 1

Group: Permanent Sign

2022111	6/13/2022	Permanent Sign	Toni Wright	6/13/2022	sign permit	810 WEST AV
2022108	6/8/2022	Permanent Sign	Alex Lopez	6/9/2022	Signs for Self Storage	2116 Hickory Blvd SW
2022107	6/8/2022	Permanent Sign	Matt Raab	6/8/2022	Kattz Corner Signs	316 LOWER CREEK DR
2022104	5/31/2022	Permanent Sign	Wolf Moon-Inc Stefanie Keller	6/2/2022	sign permit	814 HARPER AV
2022095	5/16/2022	Permanent Sign	Frye's Sign Company	5/16/2022	sign permit	2058 HARPER AV

Group Total: 5

Group: Residential Addition

2022109	6/10/2022	Residential Addition	Michael Roche	6/10/2022	Repair/replace front porch	509 NORTH MAIN ST

Group Total: 1

Group: Single Family Home

2022102	5/25/2022	Single Family Home	Wendell Hildebrand	5/25/2022	single family dwelling	2610 Friendship St
2022094	5/13/2022	Single Family Home	Chris Erskine	5/16/2022	single family dwelling	520 JENNINGS ST

Group Total: 2

Group: Zoning Verification

2022110	6/10/2022	Zoning Verification	Kelly Herringdine	6/10/2022	Verification letter	243 MCLEAN DR
2022097	5/18/2022	Zoning Verification	Walt Grayson	5/18/2022	verification letter	1808 NORWOOD ST

Group Total: 2

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Total Records: 19

6/16/2022