



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 • September 26, 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 October 18, 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 August 22, 2022 Minutes

NEW BUSINESS

1. #R 5-22 Underdown Re-zoning

Applicant: City of Lenoir

Owner: Multiple

Location: Underdown Avenue, Leto Place, and Pad Place
(west of Jennings St intersection).

This is a city-initiated rezoning for 15 parcels (4.9 acres) on Underdown Avenue from I-2 (Heavy Industrial) to R-6 (Multi-family Residential), to match the existing residential development.

Recommended Action: Approval of the request, and call for a public hearing at City Council on October 18, 2022.

2. #SUP 1-22

Applicant: Janet Huntsinger

Owner: William and Janet Huntsinger

Location: 212 Church Street NW

The applicant is requesting a Special Use Permit for a street-level residential dwelling at the Courtney Warehouse building in the National Register Historic District in the B-3 zoning district.

Recommended Action: Approval of the request, subject to conditions in the staff report and call for a quasi-judicial hearing at City Council on October 18, 2022.

OTHER BUSINESS

1. Update on zoning permits issued.

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
August 22, 2022
5:30 P.M.

LOCATION:
City /County Meeting Room
905 West Avenue

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

STAFF PRESENT: Jenny Wheelock, Hannah Williams, Lauren Hartley

Chairperson McCarl called the meeting to order.

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

NEW BUSINESS:

1. #R 4-22 Conditional Zoning district for Overmountain Development LLC

Applicant: David Waechter, Overmountain Development LLC
Owner: Broyhill Timber Resources
Location: Lowes Rear Entrance Rd, off McLean Drive

Proposed re-zoning from R-12 (Single Family) to Conditional Zoning district (CZ-9) to allow for a phased residential development with detached and attached housing, master planned to preserve areas of green space and connected with multi-use paths.

Recommended Action: *Approval of the request, and call for a public hearing at City Council on September 20, 2022.*

This item was presented by Jenny Wheelock, Planning Director using the staff report and PowerPoint presentation. She stated this property comes up in our department quite often as a piece of land that could accommodate more density and possible mixed use. The property first started being developed with Huntington Woods, this is the remaining 157 acres. It is currently zoned R-12 (single family), the proposed zoning district is CZ-9 (conditional zoning district). This zoning district would allow phased development along with attached and detached houses. Ms. Wheelock provided the board with a concept plan map showing three sections for detached single family, semi-detached, and townhomes.

Staff is recommending approval of the request and call for a public hearing on September 20, 2022. If approved, the next steps would be to submit a preliminary plat for each phase, which

would go before the Planning Board and City Council for approval. There is one condition on the addendum regarding when each phase would be built, they have committed to building the greenway area with unpaved trails first.

The board had a brief discussion regarding types of homes, greenway, private roads, and buffers.

The applicant, David Waechter presented the proposed development showing the layout of the land, design of the homes, greenway and roads. He stated they also plan to have amenities like a club house, pool, greenway, tennis and pickleball, and parking. He stated the public would have access to parking for the use of the greenway. This development will have a HOA to maintain the property.

Cliff Anderson at 1130 Hibriten Drive stated he is concerned about the greenway and public parking being so close to his property. He asked Mr. Waechter how close these would be from his property. Mr. Anderson also stated he is unable to get city water/sewer because of the City's rules and is concerned the well water will be muddy due to construction.

Ed Trivette at 1138 Hibriten Drive stated he is concerned about the new road being built. He asked about the water coming underneath the road that filters through and runs in his back yard. He is also concerned with the new road being in the curve and the safety of cars, transfer trucks, and busses traveling.

General discussion among the Board ensued.

Board Member Scobie made a motion to approve the conditional zoning case CZ-9 as proposed in the staff report and the addendum to the report and call for a Public Hearing for City Council to consider the request on September 20, 2022. Board Member Case seconded the motion, which was voted upon and passed unanimously.

(note: Council re-scheduled this hearing for October 4, 2022 due to cancelation of the September 20, 2022 meeting.)

OTHER BUSINESS

1. Nominations for vice-chair.
 - Chairperson McCarl asked if anyone would be interested in serving or have nominations for vice-chair.
 - Board Member Careccia nominated Kyle Case for the vice-chair position. By acclamation the motion carries.
2. Staff provided an updated list of issued zoning permits to the board, as general information.

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the Planning Board meeting at 6:55 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #5-22

LOCATION MAP/AERIAL PHOTOGRAPH



Subject Properties:

Underdown Avenue

Abutting properties
outlines in teal were
mailed notices.

*See full list of pro-
posed properties in Ap-
pendix A.

SUMMARY

Owner

Multiple

Applicant

City of Lenoir

Location

Underdown Avenue, Leto
Place, and Pad Place (west of
Jennings St intersection).

NC PIN

Multiple

Project Planner

Hannah Williams, CZO

Updated September 8, 2022

Proposed Amendment:

City staff is recommending 15 parcels (~4.9 acres) on Underdown Avenue be rezoned from I-2 (Heavy Industrial) to R-6 (Multi-family Residential), consistent with the historic and current residential character of the street.

Staff Recommendation:

Approval, based on the consistency statement on page 7.

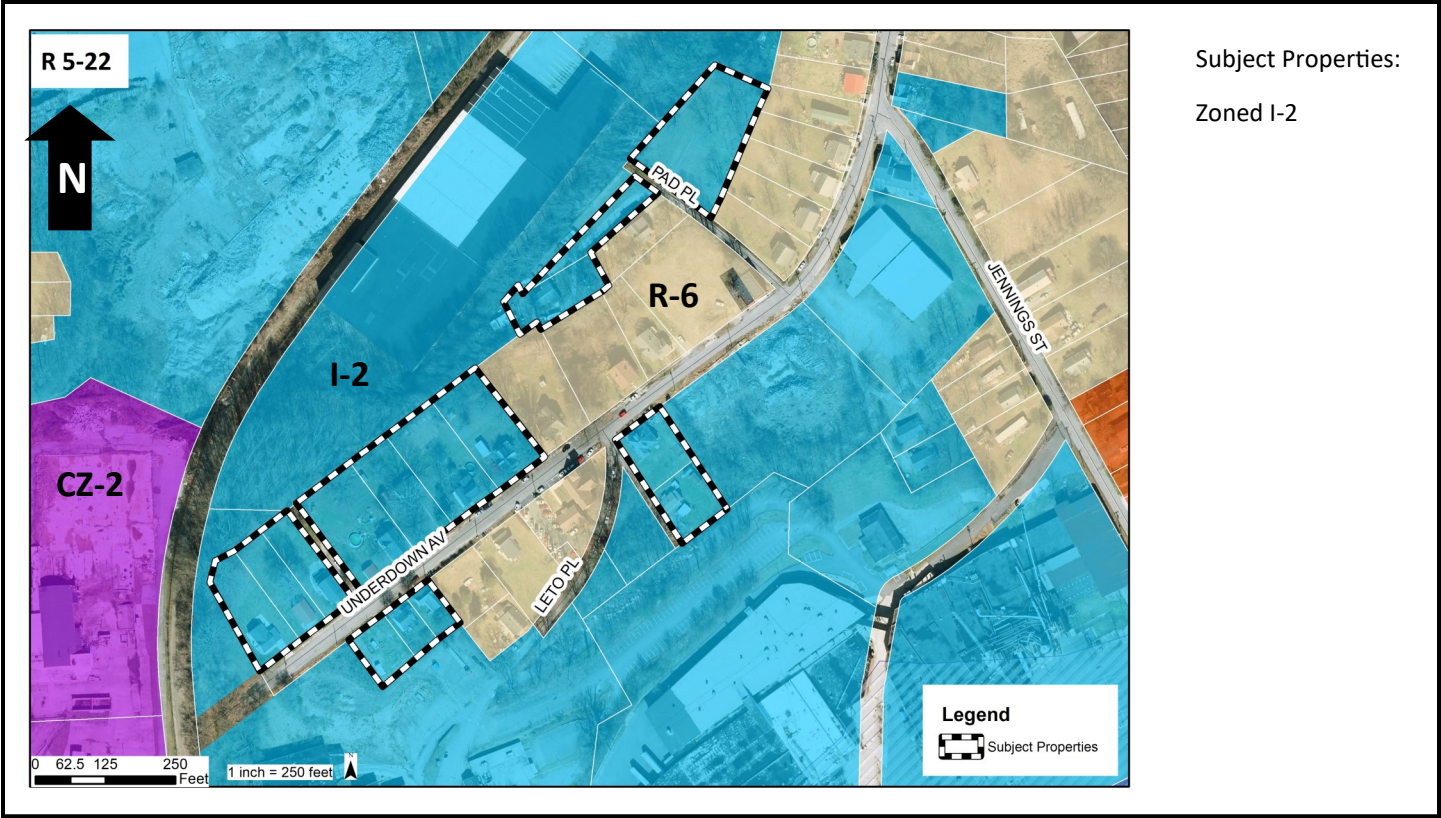
Planning Board Recommendation:

Public Comment:

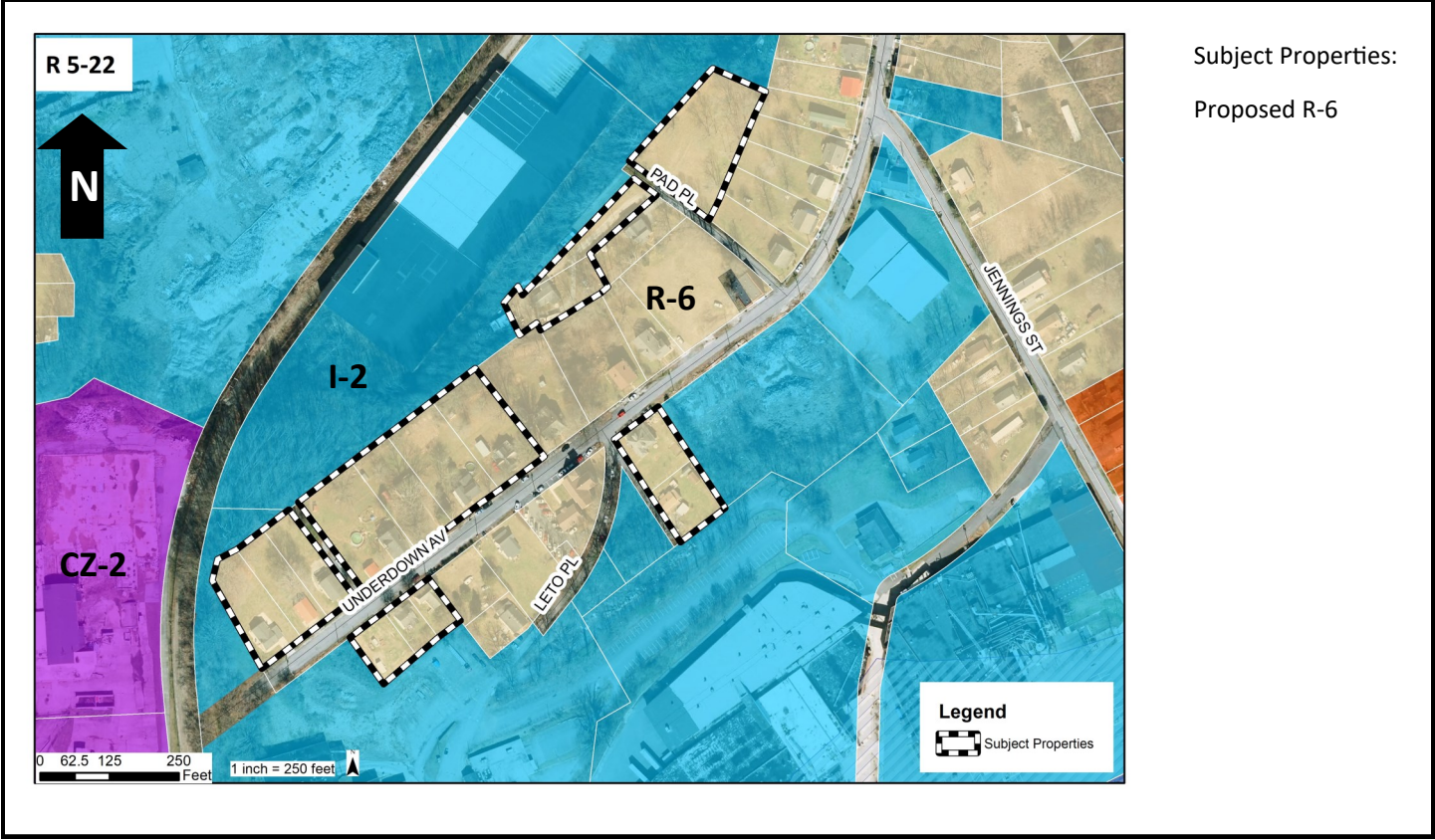
Planning Board Meeting: Scheduled for September 26, 2022. Notices were mailed to adjacent property owners on September 16, 2022.

City Council (Public Hearing): Anticipated to be scheduled for October 18, 2022.

EXISTING ZONING



PROPOSED ZONING



BACKGROUND AND 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.

Intent of the Zoning Districts

The I-2 Heavy Industrial zoning district is intended to produce areas for intensive manufacturing, processing, and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts.

The R-6 Residential (multi-family) zoning district is intended to establish and preserve areas for medium and high density residences, including single family, doublewide manufactured homes, duplexes, townhomes, multi-family developments, and other compatible uses at appropriate densities.

Subject and Surrounding Properties

The 15 subject properties are located on the westernmost block of Underdown Avenue west of Jennings Street and are developed with single family homes and accessory uses. See Appendix A for a full list of properties proposed for this rezoning. This area is on the western edge of the Lerinco neighborhood. These lots are southwest of downtown and north of the industrial area along Morganton Boulevard. The subject properties are separated from the industrial uses to the south and west by grade change and the rail line.

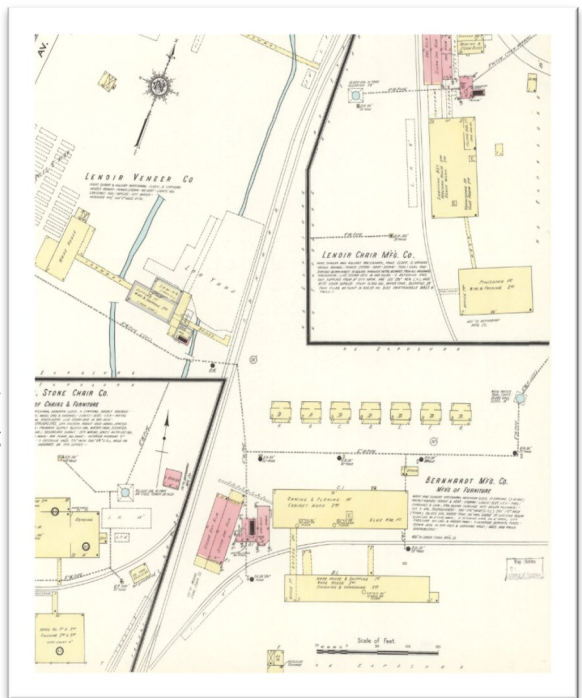
Reason for Request

The incongruent zoning came to staff's attention when a property owner was attempting to subdivide a 7,000 square foot lot (see Appendix B), with frontage on Underdown off of the Minton Ventures Tract (formerly Bernhardt). The proposed lot followed historic limits of industrial uses, and was consistent with other residential lots on Underdown, but the 7,000 square foot lot was rejected by staff because the property is zoned I-2 (Heavy Industrial) which requires at least 20,000 square feet per lot.

The R-6 district allows for lot sizes 6,000 SF and greater, which would accommodate the proposed lot split. This prompted staff to review the Underdown Ave residential development pattern, noting that many of the single-family houses on the block are also zoned I-2, while others have R-6. The R-6 zoning district is much more appropriate for this area, and will allow for continued residential uses and appropriate infill.

History of Underdown Avenue

Historically, the subject properties were developed with one-and-a-half story, frame dwellings for factory workers. The 1913 Sanborn maps show seven such buildings. Staff presumes that the industrial zoning was likely applied based on ownership by Bernhardt, but this street has always had residential uses. See Sanborn map to the right.



1913 Sanborn Map of Lenoir NC. Note the seven residences north of Bernhardt and east of the railroad.

BACKGROUND AND ANALYSIS

With the introduction of Lenoir's Zoning Atlas in 1978, many of the residential areas located adjacent to factory uses (and, perhaps, still owned by the industrial user) were zoned industrial. It is possible that the industrial zoning within the neighborhood was intended to accommodate future industrial expansion. However, today residential lots with industrial zoning can be problematic when properties are sold or refinanced, because new residential uses are prohibited in industrial zoning districts (except in certain circumstances regarding damage to an existing home).

Long Range Vision for the Area

This section of the Lerinco neighborhood borders the Fairfield South "Funkytown" area and Overmountain Victory Trail. Fairfield South is the adopted name of the industrial area west of Downtown Lenoir, sometimes called "Funkytown" due to commitment to a "funky" vibe, mixing residential and industrial land uses. The vision for the "Funkytown" area is to cultivate an industrial mixed-use neighborhood, where higher density housing types and residential amenities can co-exist with historic and new industrial uses. Some of the goals of the Fairfield South community visioning project have been achieved through the development of the Overmountain Victory Trail and historic preservation projects. Recently, Blue Bell at Lenoir Mills was rehabilitated to historic preservation standards for multifamily use. More adaptive re-use projects are underway for the area. The rails-to-trails greenway, which honors the Revolutionary War "Overmountain Men" patriot militia, crosses through this area to Morganton Boulevard. The greenway trail is just below the end of Underdown Avenue and is currently paved, although not fully open to the public at this time. The historic preservation developments and the greenway are and will be major points of interest in Lenoir for years to come, which makes the surrounding neighborhood appropriate for infill residential development. Retention of residential uses within walking distance to these amenities and Downtown Lenoir are in line with the City's long range goals.



BACKGROUND AND ANALYSIS

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. There is almost no overlap in permitted and conditional uses between the residential districts and the industrial districts — they are established for very different purposes. The I-2 zoning district allows a wide range of industrial, commercial, and other non-residential uses — and it is the only district that accommodates the most intense manufacturing uses. The R-6 zoning district allows for a mix of residential uses at medium and high densities, with small lot sizes.

Comparison of Zoning Districts

	I-2	R-6
Development Standards	Min Lot Size— 20,000 SF	Min Lot Size - 6,000'
	Setbacks	Setbacks
	Front: 25'	Front: 35'
	Side Yard: 0'	Side Yard: 10'
	Abutting side Street: 0'	Abutting side Street: 25'
	Minimum Rear Yard: 40' abutting residential, 0' otherwise	Minimum Rear Yard: 25'
Summary of Permitted Uses	Day Care Centers	Accessory Cottage or Apartment
	Kennels	Attached Dwellings
	Eating and Drinking (w/ or w/o drive thru	Bungalow Court
	Manufacturing & Processing: Boutique/Artisan, Light, Heavy	Dwelling, Single/Two-Family/Multi-family/Group
	Flea Market	Manufactured Home
	Greenhouse	Zero Lot Line home
	Hospital	**For special uses see Section 600, Table A in Lenoir Zoning Ordinance**
	Junk yard	
	Offices	
	Public Service Facilities	
	Personal Storage/Warehousing	
	Indoor Recreation	
	Shooting Range	
	Retailing, Light & Intensive	
	Services, Business and Personal, Automotive & Major Vehicle	
	Studios and Specialty Schools	
	Veterinarians	

SURROUNDING MAP



STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Consistency with the Comprehensive Plan

When adopting or rejecting any zoning amendment, City Council must adopt a brief statement describing whether or not the action is consistent with the City's Comprehensive Plan, in accordance with G.S. 160D-605(a), and must also address the reasonableness of any proposed map amendments. Staff offers the following draft statement on the consistency and reasonableness of the request.

The future land use map identifies the subject properties as "existing high density residential" and "future mixed use with commercial." The R-6 zoning fits this vision and is consistent with other policy concepts found in the comprehensive plan. The plan encourages the development of attractive neighborhoods with a strong sense of place and aims to protect the residential character of Lenoir's neighborhoods from the encroachment of inappropriate non-residential development. By changing the zone from I-2 to R-6, this neighborhood would be protected from industrial encroachment, and these policy concepts are achieved. Staff finds the proposed re-zoning to be consistent with the goals of the Comprehensive Plan. The change is reasonable and in the public interest because it accommodates existing and future residential development in a convenient location served by city infrastructure.

PLANNING BOARD RECOMMENDATIONS

SITE PHOTOS



Above: Proposed lot to be subdivided from Minton Ventures

Below: Two residences off of Leto Place



Above: North side of Underdown Avenue

Below: Southside of Underdown Avenue



APPENDIX A

Proposed Properties

The following table shows a list of properties that are currently zoned I-2 (Heavy Industrial) that are proposed to be rezoned to R-6 (Mixed Density Residential). This includes a 7,000 SF portion of 1548 Morganton Blvd (NCPIN 2749427884), shown in detail in the preliminary subdivision plat below. Addresses, PINs, and Tax IDs were accessed on September 9th, 2022.

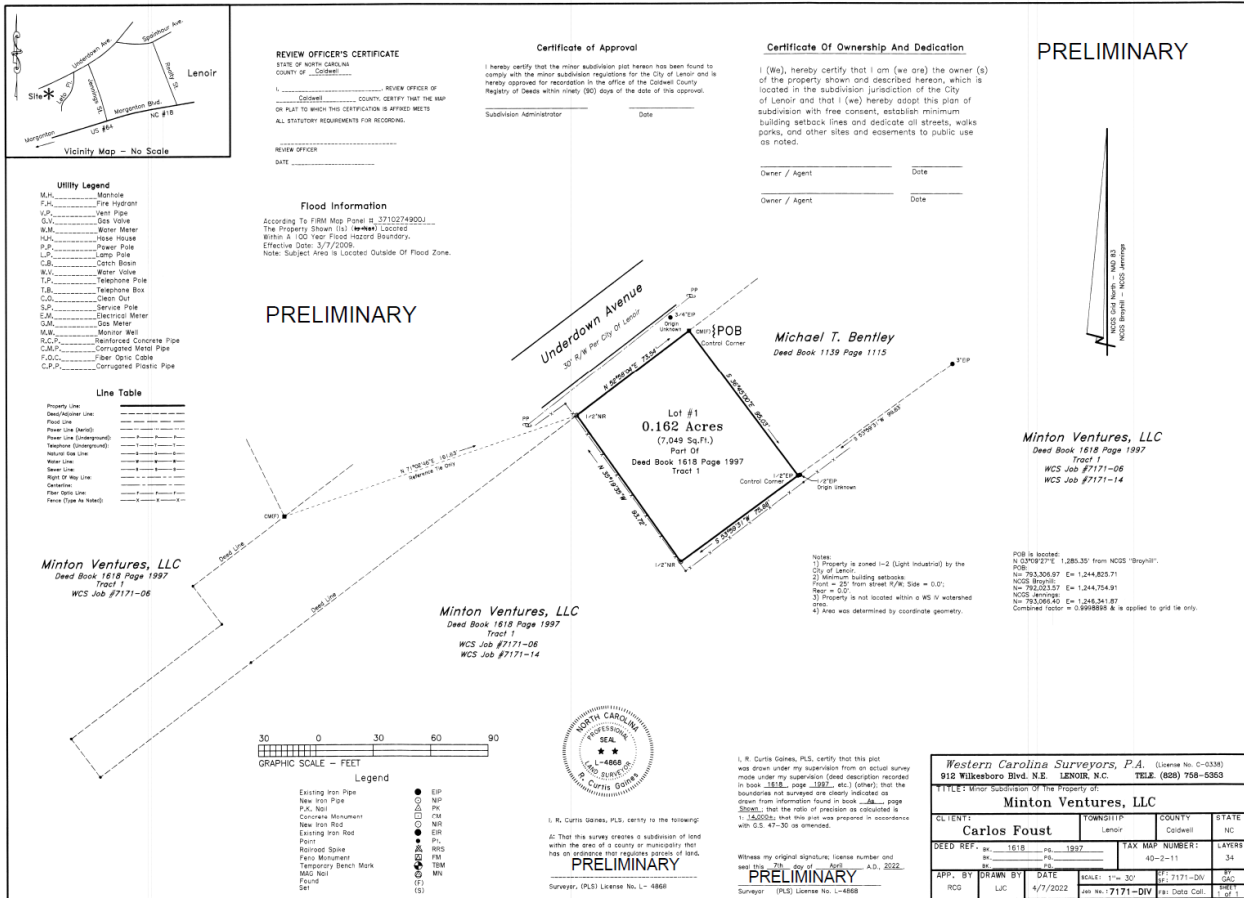
Address	NCPIN	Tax ID	Legal Description
1528 UNDERDOWN AV	2749435381	06 43 4 17	BK 2038, PG 1032
1524 UNDERDOWN AV	2749436345	06 43 4 16	BK 1652, PG 67
1522 UNDERDOWN AV	2749436389	06 43 4 15	BK 1673, PG 271
1516 UNDERDOWN AV	2749437486	06 43 4 14	BK 1855, PG 1515
1512 UNDERDOWN AV	2749438552	06 43 4 13	BK 454, PG 573
1510 UNDERDOWN AV	2749439529	06 43 4 12	BK 1933, PG 118
1506 UNDERDOWN AV	2749530631	06 43 4 11	BK 289, PG 629
1417 PAD PL	2749531838	06 43 4 3	BK 334, PG 161
1417 PAD PL	2749542010	06 43 4 2	BK 586, PG 173
1417 PAD PL	2749543195	06 43 4 21	BK 682, PG 56
1429 UNDERDOWN AV	2749533519	06 39 1 3A	BK 2055, PG 832
1501 LETO PL	2749533560	06 39 1 3	BK 653, PG 880
1517 UNDERDOWN AV	2749439312	06 40 2 6	BK 1139, PG 1115
1519 UNDERDOWN AV	2749438278	06 40 2 6A	BK 1139, PG 1115
A portion of: 1548 MORGANTON BV	2749427884	06 40 2 11	BK 1618, PG 1997

PRELIMINARY PLAT ON UNDERDOWN AVE*

APPENDIX B

Preliminary Plat

The subdivision plat was proposed to Planning staff earlier this year. The proposed lot is currently part of the Minton Ventures tract (Lot #1), and at 7,000 SF is too small for the 20,000 SF lot size requirements of the I-2 zoning district. Lot #1 would be allowed in the R-6 zoning district.





Staff Report

Special Use Permit

CASE NUMBER SUP #1/22

LOCATION MAP/AERIAL PHOTOGRAPH



 Subject Property

SUMMARY

Owner

William and Janet Huntsinger

Applicant

Janet Huntsinger

Location

212 Church St NW, behind the Courtney building at 818 West Av NW

NC PIN

2749777562

Project Planner

Hannah Williams

Updated September 2, 2022

Applicant's Request:

The applicant is requesting a Special Use Permit for a ground-floor residential use at the Courtney Warehouse in the National Register Historic District and in the Central Business District (B-3) zoning district.

Staff Recommendation:

Approval of the request, subject to the conditions in this report.

Planning Board Recommendation:

Public Comment:

Planning Board Meeting: Scheduled for September 26, 2022. Notices were mailed to adjacent property owners on September 16, 2022.

City Council (Public Hearing): Anticipated to be scheduled for October 18, 2022.

*****This request is considered quasi-judicial. You should not discuss this case with decision makers outside of the scheduled public meeting*****

ZONING MAP

212 Church St NW

 Subject
Property



BACKGROUND AND ANALYSIS

Intent of Special Use Permits

Special uses are recognized in the zoning ordinance as uses which may be compatible with an area depending on the specific details of the project, its surroundings, and the level of services available to the site, but are not permitted "by right" in the zoning district. The special use permit process gives the City sufficient flexibility to determine whether a specific land use on a given site will be compatible with the environment and the Comprehensive Plan. Through the approval of a Special Use Permit, the Planning Board and City Council may set conditions or use limitations, thereby establishing a realm of acceptability for the particular use that will be neither arbitrary nor capricious, and will promote the spirit and character of the surrounding neighborhood. The process requires the Planning Board to review and make a recommendation to the City Council on the request. The City Council must then decide whether or not to issue a Special Use Permit following a quasi-judicial hearing.

Intent of the Zoning District

Article V of the Lenoir Zoning Code states:

B - 3 (Central Business) District is applied to the Downtown Core area of the City and is intended to promote the Downtown Central Business District as the city's central hub for financial, professional, cultural, and governmental business by providing a variety of supporting personal services, retail uses, restaurants, and gathering spaces that help support a vibrant, active downtown for people employed in and around the district as well as transient shoppers. The yard requirements within the district are designed to provide for infill development standards that are compatible with the concentrated development patterns commonly found in the historic downtown core. Demolitions of contributing historic structures are strongly discouraged, and the re-use and renovation of with active uses on the ground floor and residential apartments or offices located on upper floors is strongly encouraged. Those commercial activities which require an extensive use of land to market their products such as car dealerships and commercial establishments requiring outside storage are prohibited from the district.

Subject and Surrounding Properties

The subject property is a two-story, brick, Italianate building built in 1888, known as the Courtney Warehouse. This building is a contributing building in the Downtown Lenoir National Register Historic District. The subject building is on Church Street, adjacent to and on the same parcel as the Courtney Department Store, at 818 West Avenue. This building has been vacant for some time, but was built to serve as a warehouse to support the functions of the businesses within Courtney Buildings. It was also once a grocery store and a dry goods store. The current owners also own the Courtney Department Store, where they have established a hair salon on the ground floor. The subject property is also within the Municipal Service District, Lenoir's downtown tax district that supports revitalization projects in Downtown Lenoir. The property is in the primary fire district, which further limits construction materials through the building code.

The Courtney Warehouse is surrounded with other two and three story brick buildings in the downtown core of Lenoir, which are also zoned B-3. Most buildings in this district have their first floor units set up for retail and business uses, with the upper stories used for residential, office, or storage. Across Church Street from the subject property is the Folk Keeper Gallery, an art gallery and shop with a residential dwelling unit on the floors above. Just north of the subject property is a driveway that provides access to the rear of the buildings that face West Avenue.

Proposed Use

The applicant proposes to convert the Courtney Warehouse into a residential dwelling unit. According to the Downtown design criteria in Section 811 of the Lenoir Zoning Code, "first floor uses that are not open to the public (private offices, residential uses, and similar uses)" within the National Register Historic District can only be established with an Special Use Permit. This dwelling unit will be within the existing footprint of the Courtney Warehouse, and no exterior improvements are proposed at this time. The B-3 zoning district does not have setbacks or minimum lot sizes, and the building complies with the required street frontage and

BACKGROUND AND ANALYSIS

building height requirements.

National Register of Historic Places & B-3 Zoning

As stated above, the Courtney Warehouse is a contributing building in the National Register Historic District (see excerpt from the district registration materials on page 5). This designation means that it is a significant structure that helps keep this district historic. In order to maintain the contributing status of the subject property, staff is recommending that any exterior improvement proposed must meet the standards set forth by the US Secretary of Interior Standards for the Treatment of Historic Properties. Additionally, buildings within the Downtown Lenoir National Register Historic District are required to have “active ground floor uses,” unless the property is granted an SUP. Active ground floor uses are activities related to retail, restaurant, and some business/personal services. Preserving leasable space for these active uses is important because they add interest to the streetscape and encourage pedestrian activity. These uses usually have a wider range of hours into the evenings and weekends, which attract the public downtown and can increase economic vitality in the area. However, this specific location has not historically been an active ground floor use. It is midblock on Church Street, and is not disrupting a series of active uses on either side. The establishment of a residence here will not hinder the redevelopment of the commercial buildings along West Avenue that are primed for active ground floor uses.

Transportation and Access

The Courtney Warehouse is located between Ashe Avenue and West Avenue on Church Street, a one-way, southbound street. Its front door opens onto the public sidewalk. There is no driveway or parking associated with the building, but there is ample off-street public parking and on-street parking available to this use. In the B-3 district, private off-street parking is not required. Since a single residential unit generates very low traffic trips, parking and traffic generation should not be an issue for this site.

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 lays out several policy goals regarding historic preservation efforts and encourages adaptive reuse of historic buildings. The plan also calls for enhancing walkability and accommodating a range of housing types. The proposed use will adhere to the plan’s recommendations for improving downtown Lenoir by reusing a contributing building for residential purposes.

NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION MATERIALS

NPS Form 10-900-a
(8-85)

OMB Approval No. 1024-0018

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7 Page 7

Lenoir Downtown Historic District
Caldwell County, NC

Courtney Warehouse
212 Church Street, circa 1888, Contributing Building

Two-story, brick, Italianate, commercial building with a front-gable roof, eave brackets, and corbelled, arched, brick window and door hoods; projecting arches between second-story windows shelter small niches; six-over-six sash; replacement front door; round, louvered gable vent with arched brick hood.

Early accounts of the Courtney business state that "trade in herbs, roots, and country produce became so great" that Marshall M. and R. G. Courtney had a building constructed around 1888 to use as storage space before Marshall built the Courtney Department Store (which faces West Avenue) in 1897.² The 1902 and 1907 Sanborn maps indicate that this building initially served as a warehouse. By 1913 the building functioned as a grocery store; in 1927 there was a dry goods store at this location. City directory research was inconclusive due to street address changes.

² Nancy Alexander, *Here Will I Dwell: The Story of Caldwell County* (n.p., 1956), 187.

FINDINGS

No Special Use Permit shall be approved unless the Planning Board and City Council find that:

1. The proposed special use will comply with all height, yard, lot and area requirements and other regulations of the district in which it is located unless otherwise specified. *There are no minimum setbacks or lot size requirements for the B-3 district. The subject property currently complies with the 80' maximum height requirement. No new construction is proposed, but any future development will have to maintain the B-3 standards.*
2. All driveways will be designed with respect to such matters as proper ingress and egress for automobiles in order to minimize traffic congestion and increase pedestrian safety and conveniences. *There is an existing public alley off of Church Street just north of the lot, which provides vehicular access to the side of the Courtney Warehouse. The front door to the building is accessed directly from the Church Street right-of-way and city sidewalk. The location on the side street allows for this residential use to be established on the ground floor without negatively impacting the active streetscape.*
3. Off-street parking and loading areas will be provided in compliance with the Zoning Ordinance. *There is no minimum parking requirement in the B-3 zoning district. There are several nearby on-street parking spaces on Church Street, and city parking lots within one block, which are easily accessible to the subject property.*
4. The establishment of the special use will not hinder the normal and orderly development and improvement of surrounding property for uses already permitted in the district. *The establishment of one dwelling unit at the subject property will have minimal impacts to surrounding properties, and fits in with the transition between the street-level activity uses in the core of the downtown and the lighter uses that step down from the primary downtown streets.*
5. Any required screening and landscaping will be designed or planted with full consideration of the effectiveness of individual plant types, dimensions, and characteristics in minimizing the noise, glare, visual impacts and other economic effects on adjoining properties. *There is no screening or landscaping required in the B-3 zoning district or recommended for this use.*
6. Any permitted signs and proposed exterior lighting will be designed to reduce glare and to mitigate any adverse effects of sign size and height; so as to make the signs aesthetically pleasing and compatible with adjoining properties. *This development is not planning to use a sign. No additional lighting is proposed at this time. Any exterior lighting will be incidental to the needs of the residential use, and will be designed to meet historic preservation principles as a condition of approval.*
7. The exterior architectural appearance and functional plan of any proposed building or structure will not vary greatly from any buildings or structures already construction or in the course of construction in the immediate vicinity or from the character of the applicable district, so as to cause a substantial depreciation in the property values of the immediate vicinity. *The subject property is the Courtney Warehouse built in 1888, and is a contributing building in the historic district. The applicant has not proposed to make exterior changes, so the appearance and character will remain the same.*
8. The type, size, hours of operations, location of the use upon the site, and intensity of the proposed special use will not be harmful or annoying to surrounding properties. *The proposed use of the property is a single residential dwelling unit, which is a low impact use. It is across the street from the residential portion of the mixed use building owned by Charlie and Susan Frye (the Folk Keeper Gallery). The establishment of a residence here will not hinder future active ground floor uses in nearby buildings.*

STAFF RECOMMENDATIONS

Staff recommends approval of the requested Special Use Permit for the proposed residential unit, with the following conditions:

1. *Any exterior improvement proposed must meet the standards set forth by the US Secretary of Interior Standards for the Treatment of Historic Properties.*
2. *The applicant must obtain a zoning permit from the Lenoir Planning Department and a change-of-use permit from the Caldwell County Building Inspector within two years of the issuance of the SUP.*

PLANNING BOARD RECOMMENDATIONS

DETAILED AERIAL MAP



Left: Aerial image of 212 Church St NW.

Right: Front of Courtney Warehouse, facing Church Street.



Permit Report

08/13/2022 - 09/15/2022

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

2022205	8/17/2022	Accessory	Westley Swanson	8/17/2022	in-ground pool	2437 WEST LENOIR DR

Group Total: 1

Group: Driveway

2022225	9/13/2022	Driveway	Helmsman Homes, LLC	9/13/2022	driveway permit	1331 Prince William Dr. NE
2022224	9/13/2022	Driveway	Helmsman Homes, LLC	9/13/2022	driveway permit	1327 Prince William Dr. NE
2022223	9/13/2022	Driveway	Helmsman Homes, LLC	9/13/2022	driveway permit	1306 Prince William Dr. NE
2022222	9/13/2022	Driveway	Helmsman Homes, LLC	9/13/2022	driveway permit	1302 Prince William Dr. NE
2022221	9/13/2022	Driveway	Helmsman Homes, LLC	9/13/2022	driveway permit	1298 Prince William Dr. NE
2022209	8/29/2022	Driveway	Charlotte Estes	8/29/2022	Two driveways and re-paving	659 PENNTON AV
2022207	8/25/2022	Driveway	Auristelo Garcia	8/25/2022	driveway	540 BEALL ST

Group Total: 7

Group: Permanent Sign

2022214	9/8/2022	Permanent Sign	Sandy Hoyle	9/9/2022	sign permit	1041 MORGANTON BV
2022203	8/15/2022	Permanent Sign	Greg Ludwig-Branded Image Group	8/15/2022	sign- gas station	2830 MORGANTON BV

Group Total: 2

Group: Residential Addition

2022226	9/14/2022	Residential Addition	Gomez Canales	9/14/2022	deck and rear additions	1612 BRADFORD ST
2022212	9/6/2022	Residential Addition	Marquis Witherspoon	9/6/2022	front porch	413 FINLEY AV

2022206	8/22/2022	Residential Addition	Jonathan Horton	8/22/2022	deck	2307 STAIRCASE RD
2022204	8/16/2022	Residential Addition	Claudia Lopez	8/16/2022	addition to deck	111 JOYCETON CHURCH RD

Group Total: 4

Group: Single Family Home

2022219	9/13/2022	Single Family Home	Helmsman Homes, LLC	9/13/2022	single family dwelling	1331 Prince William Dr. NE
2022218	9/13/2022	Single Family Home	Helmsman Homes, LLC	9/13/2022	single family dwelling	1327 Prince William Dr. NE
2022217	9/13/2022	Single Family Home	Helmsman Homes, LLC	9/13/2022	single family dwelling	1306 Prince William Dr. NE
2022216	9/13/2022	Single Family Home	Helmsman Homes, LLC	9/13/2022	single family dwelling	1298 Prince William Dr. NE
2022215	9/13/2022	Single Family Home	Helmsman Homes, LLC	9/13/2022	single family dwelling	1302 Prince William Dr. NE
2022208	8/26/2022	Single Family Home	Wendell Hildebrand	8/6/2022	single family home	2612 Friendwood St.

Group Total: 6

Group: Temporary Advertising

2022213	9/7/2022	Temporary Advertising	Natalie Brunzman	9/7/2022	temporary advertising	302 BLOWING ROCK BV
2022211	8/31/2022	Temporary Advertising	Sandy Austin	8/31/2022	temporary banner	845 BLOWING ROCK BL
2022210	8/29/2022	Temporary Advertising	Jerry Hall	8/29/2022	temporary banner	2430 FAIRGROUNDS RD

Group Total: 3

Group: Zoning Verification

2022220	9/13/2022	Zoning Verification		9/13/2022	verification letter	345 SHASTA LN

Group Total: 1

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Total Records: 24

9/15/2022