



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, Vice-Chair

Michael Careccia

Marta Lazo

Tammy Greene

Dontrell Parson

Tim Scobie

Lenoir Planning Board

Agenda • February 26, 2024

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 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 March 19, 2024 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 January 22, 2024 Minutes

NEW BUSINESS

1. R 1-24 1604 Walt Arney Road SW

Applicant: David Eric Martin

Owners: David and Monica Martin

Location: 1604 Walt Arney Road SW

The applicant is requesting to rezone the subject property from R-9 (Mixed Density Residential) to B-2 (General Business).

Recommended Action: *Approval of the request, and call for a public hearing at City Council on March 19, 2024.*

OTHER BUSINESS

1. Update on zoning permits issued.

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
January 22, 2024
5:30 P.M.

LOCATION:
City /County Meeting Room
905 West Avenue

MEMBERS PRESENT: Curtis Baker, Sharon Bryant, Michael Careccia, Kyle Case, Tammy Greene, Lucy McCarl, Dontrell Parson, Tim Scobie

MEMBERS ABSENT: James Bradshaw, Marta Lazo

STAFF PRESENT: Hannah Williams, Lauren Hartley, Matt Duchan

Chairperson McCarl called the meeting to order and determined a quorum was present.

MINUTES:
Board Member Bryant made a motion to approve the meeting minutes of November 27, 2023. All were in favor, none opposed.

NEW BUSINESS:
1. Workshop on Conditional Zoning

Hannah Williams, Planning Director gave a PowerPoint presentation on Conditional Zoning. She explained the differences between Conditional Zoning and Traditional Rezoning or Special Use Permits. She gave examples and explained the types of conditions and procedures.

Mrs. Williams answered the board's questions.

OTHER BUSINESS

1. 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 6:35 p.m.

Lucy McCarl

Hannah Williams

Chairperson

Planning Director



Staff Report

Zoning Amendment

CASE NUMBER R #1-24

LOCATION MAP/AERIAL PHOTOGRAPH

R 1-24 - 1604 Walt Arney Rd



SUMMARY

Owner

David Eric Martin
Monica R. Martin

Applicant

David Eric Martin

Location

1604 Walt Arney Rd SW

NC PIN

2758041522

Project Planners

Hannah Williams, AICP, CZO
Matt Duchan

Description of Request:

The applicant is requesting to rezone the subject property (.36 AC) from R-9 (Mixed Density Residential) to B-2 (General Business) to add a car sales accessory to an existing automotive detailing business.

Staff Recommendation:

Approval of the request, based on the consistency statement on page 7.

Planning Board Recommendation:

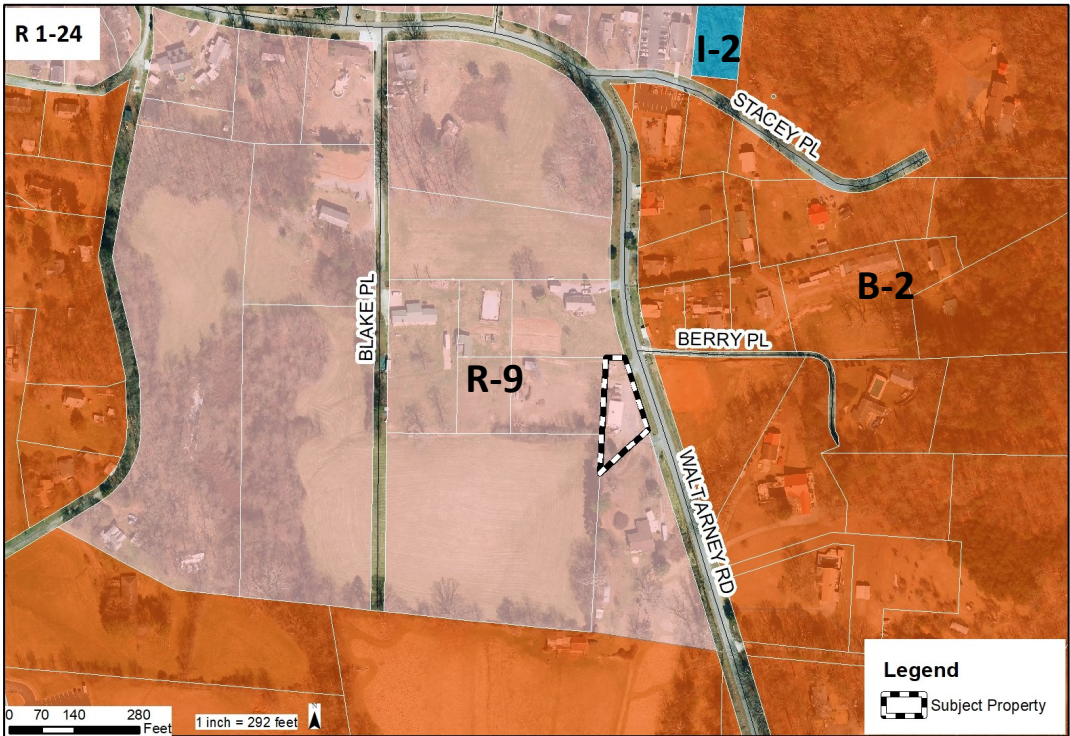
Public Comment:

Planning Board Meeting: February 26, 2024. Notice of the meeting was mailed to the owners of all adjacent parcels (listed on map above) on February 16, 2024.

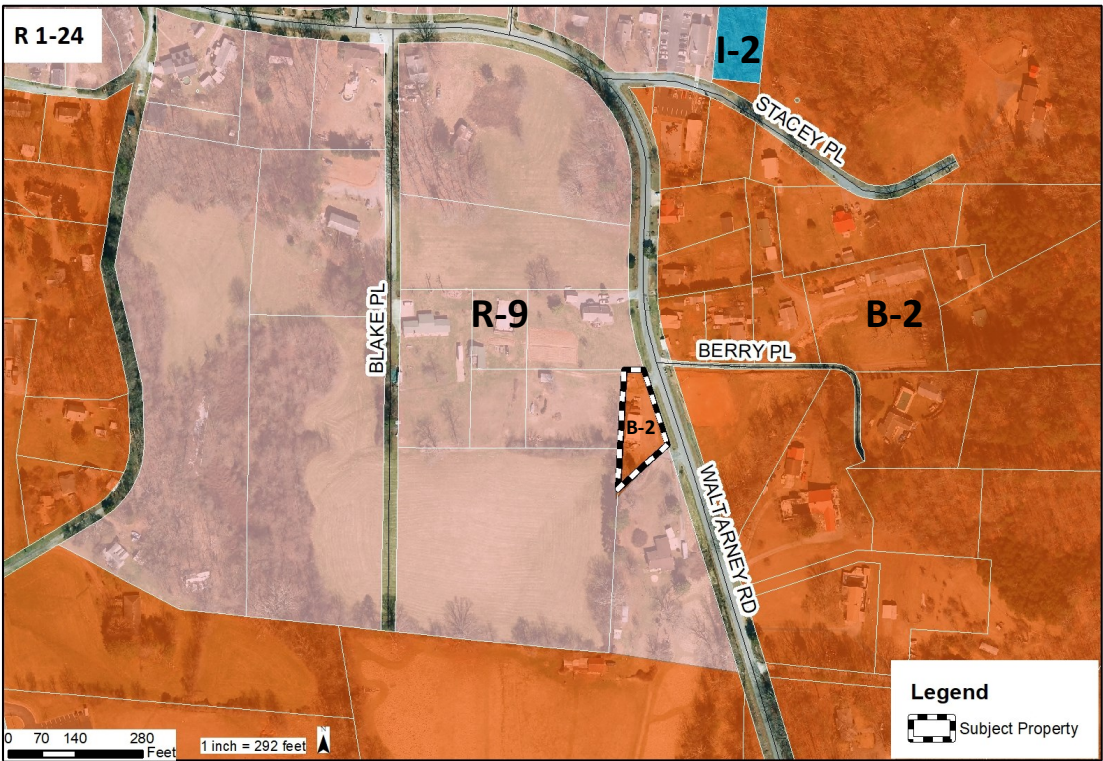
City Council (Public Hearing): Scheduled for March 19, 2024.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-9



Proposed Zoning: B-2



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 add car sales to an existing automotive detailing business. The applicant has operated this business at this location since 2012, and has sold some cars from this location in the past. In order to sell more than 5 cars in a month, NC DMV requires a dealers license, which requires local zoning verification. Since the subject property is zoned R-9, staff cannot issue a zoning verification letter allowing car sales. Car dealerships are allowed in B-2.

Intent of the Zoning Districts

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 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

The subject property is located on the northern segment of Walt Arney Road between Connelly Springs Road and Southwest Boulevard, across from Berry Place SW. The property has one main commercial building as well as a few storage buildings with room for parking 15-20 cars. The applicant also owns the vacant property across the street at 1605 Walt Arney Rd., which is currently zoned B-2.

To the east of the property, parcels are zoned B-2 until returning to R-9. To the west, properties are zoned R-9 and then B-2 near Connelly Springs Boulevard. To the north, properties are zoned R-9 up to Hibriten Drive, and to the south, properties are zoned B-2. Contextually, this property was lumped into R-9 within the neighborhoods to the west despite running along a road with decently high-speed traffic. The area zoned R-9 features low-density residential along the Walt Arney Corridor with a few houses interspersed along Blake Pl. and Poteat Ct, despite the district's intent for medium to high-density residential development. The B-2 sections of Walt Arney feature similar low-density residential surrounded by small commercial buildings, storage, and automotive uses on the surrounding arterial corridors, as well as churches.

Zoning Analysis

The surrounding area generally features light retail, manufacturing, and industrial uses, in addition to residential, including Dry Ponds Self Storage, Teijin Automotive Technologies, Stallings Printing, and Appalachian Gaming. This site has had a garage/warehouse commercial building for decades, and historically has been used for automotive services. The expansion to car sales at the subject property would not result in an intensive change in traffic or land use in the area.

Typically, the transitions between unlike zoning districts should happen at mid-block, not at the centerline of the street. However,

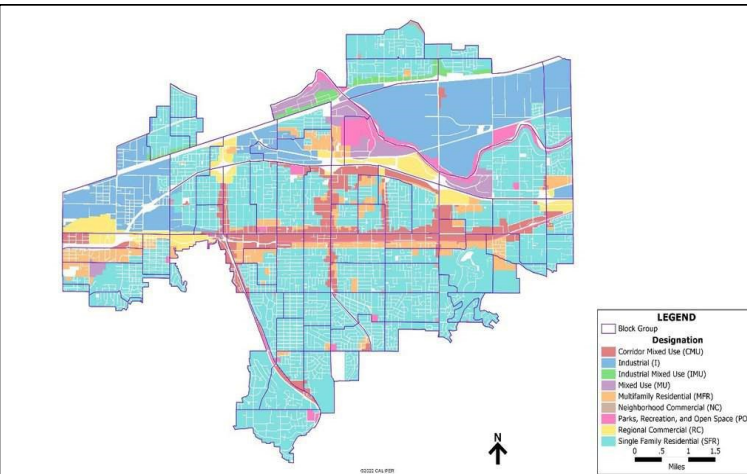
BACKGROUND AND STAFF ANALYSIS (CONTINUED)

at this area of Walt Arney Road, the R-9 and B-2 zones are split at the road, with the R-9 district on the west side and B-2 district along the east side (see zoning map, page 2). This leads to less predictability of development (and development standards) along

the corridor, and more difficulty buffering commercial developments from residential. Ideally, a business district is established on both sides of a road, layered with buffers or multi-family districts to protect typical single family neighborhoods. See Spokane Valley, WA zoning map example to the left.

In the Spokane example, the red land use, "Corridor Mixed Use", is on both sides of the street. The orange land use, "Multi-family residential" further buffers the teal "Single-family residential." In few instances does the Corridor Mixed Use oppose a residential district.

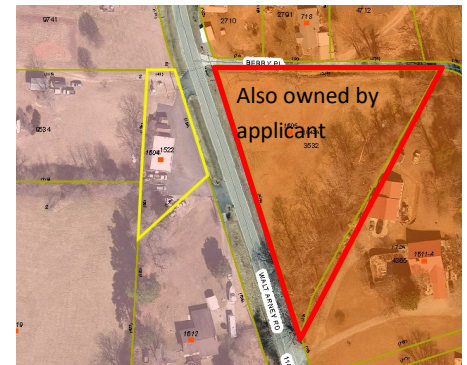
Technically, the proposed rezoning proposes a "spot-zone," since most adjacent property is different R-9. However, spot zones are legal in North Carolina when they are justifiable. Given that the applicant owns the property across the street



City of Spokane Valley Land Use Designations (<https://www.geographyrealm.com/land-use-mix-entropy-maptitude/>)

and it is already zoned B-2, this is a prime location to open or expand a pre-existing business and would co-exist seamlessly with pre-existing developments. This would afford the City the ability to enforce design standards while also welcoming the opportunity for future business along this corridor in a more straightforward and cohesive process.

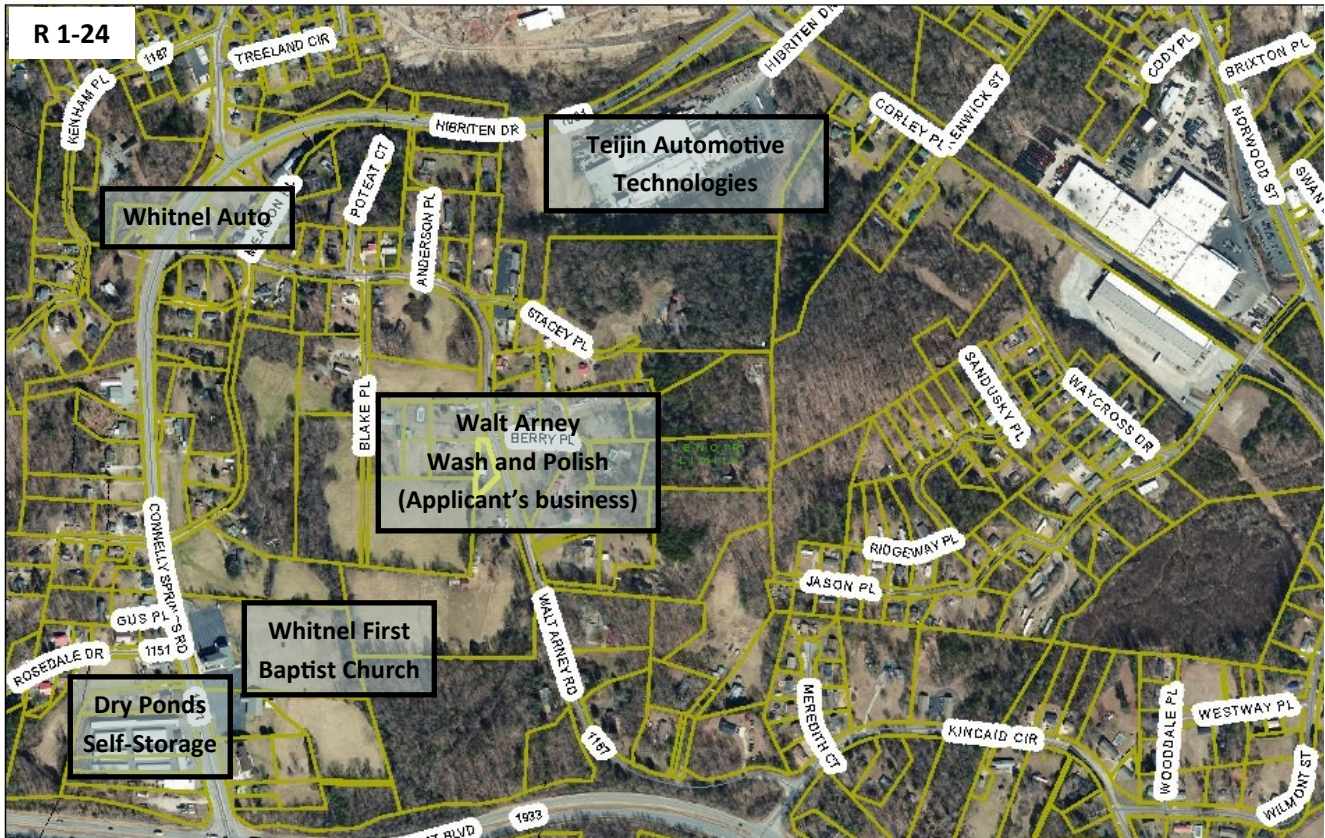
When the rear of a commercial property backs up the rear of residential properties, as the subject property does, vegetative buffers are extremely effective at minimizing or eliminating conflicts between incompatible uses. The trees to the south and west of the property serve as a suitable landscape buffer to adjacent residential properties. Further expansion of the business on the subject property will require more buffering along the eastern property line.



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 high-density residential" and does not identify any other future land use for the property. However, the property is flanked to the south and east by "existing non-residential" zones. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan.

AERIAL PHOTOGRAPHS (SURROUNDING AREA & PROPERTY)



NOTICING MAP



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

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

	R-9	B-2
Development Standards	Min Lot Size-- N/A for non-residential uses Setbacks Front: 35' Side Yard: 12' Street Side Yard: 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 (Townhomes) Bungalow Court Dwelling, single/two-family/multi-family/group Special Uses: Bed & Breakfast Manufactured Home Parks Multi-Family, medium/high density	Accessory Cottage or Apartment Attached Dwellings Billiards Community Facilities such as Churches Commercial Kennels Day Care Centers Dwelling, Single/Two-Family/Multi-family/Group Eating and Drinking (with or w/o drive through) Greenhouses, Commercial Manufacturing & Processing (Artisan & Light) Office/Clinics Public Service Facility Personal Storage Retail (Light & Intensive) Services (Automotive, Business & Personal) Indoor Shooting Range Veterinarian Warehousing Special Uses: Communication Towers Flea Markets

PROPERTY PHOTOS (1604 WALT ARNEY ROAD)



South/Southwest corner of property along Walt Arney Road



Walt Arney Wash and Polish building with three bay doors



Property facing north



Cars parked on site to the south of the main commercial building

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 March 19, 2024:

The proposed zoning change is consistent with the Comprehensive Plan's policy concepts to adopt straightforward zoning standards and reuse vacant commercial sites. This proposed change also conforms to another policy concept to bring commercial buildings closer to the street. Additionally, this would be consistent with the adopted Comprehensive Plan because it reflects the desire to increase the number of commercial developments in close proximity to high-density residential. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan. The proposed amendment is reasonable and in the public interest because it supports an existing small business without encroaching on an established residential area.

PLANNING BOARD RECOMMENDATION

Permit Report

01/15/2024 - 02/16/2024

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

2024028	2/15/2024	Accessory	Kelli Kelley	2/15/2024	accessory building	602 MORGANTON BV
2024023	2/12/2024	Accessory	Andrew Schaub	2/12/2024	26'x36' storage building	1392 ZACKS FORK RD
2024018	1/30/2024	Accessory	Glenn Miller	1/30/2024	accessory building	1759 WALT ARNEY RD

Group Total: 3

Group: Floodplain Development

2024016	1/30/2024	Floodplain Development	Italy Grill/Vince Desouki	1/30/2024	Pergola on eastern facade	1112 MORGANTON BV
2024008	1/17/2024	Floodplain Development	Derek Goddard	1/19/2024	floodplain permit	1160 ADVENT CR

Group Total: 2

Group: Manufactured Home

2024029	2/15/2024	Manufactured Home	Collin Twombly	2/15/2024	single-wide	1425 Furrow Lane SW
2024026	2/14/2024	Manufactured Home	Collin Twombly	2/15/2024	single-wide	1422 Harrow Lane SW

Group Total: 2

Group: Non-residential

2024025	2/13/2024	Non-residential	Adolfo Rodriguez	2/13/2024	deck and ramp	126 IDEAL DR
2024017	1/30/2024	Non-residential	Italy Grill/Vince Desouki	1/30/2024	Pergola on eastern facade	1112 MORGANTON BV
2024012	1/25/2024	Non-residential	Brushy Mountain Builders	2/5/2024	Elevator shaft and patio with porch overhead	1051 HARPER AV

Group Total: 3

Group: Permanent Sign

2024015	1/29/2024	Permanent Sign	John White	1/29/2024	State farm sign - 15 SF	2310 HICKORY BV
2024013	1/25/2024	Permanent Sign	Sandy Hoyle (Sign Systems Inc)	1/25/2024	Sign-Church	1019 COLLEGE AV

Group Total: 3

Group: Single Family Home

2024019	1/30/2024	Single Family Home	Hamilton Wall	1/31/2024	Renovate apartment, structured parking	110 H LEWIS PRICE ST
2024014	1/26/2024	Single Family Home	Alan Wagner	1/26/2024	single family home	1216 Summerhill St.
2024010	1/19/2024	Single Family Home	Marty Waters	1/19/2024	2327sf SFH	TREMONT PARK DR
2024009	1/19/2024	Single Family Home	Marty Waters	1/19/2024	2138sf SFH	310 Tremont Circle

Group Total: 4

Group: Zoning Verification

2024027	2/14/2024	Zoning Verification	Lacey Reeves	2/14/2024	verification letter	111-A FAIRVIEW DR
2024022	2/9/2024	Zoning Verification	Zachary Booth	2/9/2024	verification letter	912 LOWER CREEK DR
2024020	1/31/2024	Zoning Verification	Angel Towers	1/31/2024	verification letter	506 HARPER AV
2024011	1/19/2024	Zoning Verification	Eric Martin		verification letter-car lot	1605 WALT ARNEY RD SW
2024007	1/16/2024	Zoning Verification	Beverly Carlton	1/16/2024	verification letter	2208 STAIRCASE RD

Group Total: 5

Total Records: 22

2/16/2024