

Development Services 303 First Street, P.O. Box 1129 New Bern, NC 28563 (252) 639-7581

DATE: May 16, 2022

TO: City of New Bern Board of Adjustment Members

FROM: Seth Laughlin, Land and Community Development Administrator

SUBJECT: Regular Meeting at <u>5:30pm</u> on Monday, May 23, 2022 in the 2<sup>nd</sup> floor

Courtroom, City Hall

The City of New Bern Board of Adjustment will hold its regular meeting at **5:30pm** on Monday, May 23, 2022 in the 2<sup>nd</sup> floor Courtroom, City

Hall, 300 Pollock Street.

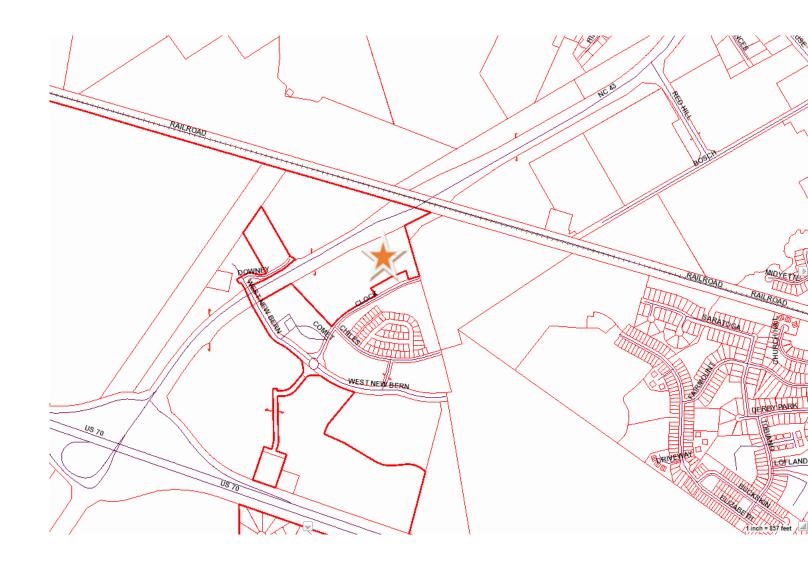
#### AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. New Business

Consideration of a Special Use Permit request for an elementary and secondary school located at 5001 Clock Road. The property is further identified as a portion of Craven County parcel identification number 8-209-25001

4. Adjourn

Seth Laughlin, Land and Community Development Administrator



## SUP-002465-2022

# SPECIAL USE PERMIT APPLICATION

Fee: \$321.00

be pd



Seth Laughlin (252) 639-7582 laughlins@newbernnc.gov 303 First Street New Bern, NC 28560

Everything comes together here

Applicant:	Weyerhaeuser NR Company (c/o McKim & Creed)	Owner:	Weyerhaeuser NR Company
Address:	243 N. Front Street	Address: _	13005 SW 1st Road, Suite 241
	Wilmington, NC 28401	<u></u>	Newberry, FL 32669-5707
Telephone:	910.343.1048	Telephone:	407.808.5655
Fax:	-	Fax:	-
Email:	TSchwenzfeier@mckimcreed.com	Email:	tim.jackson@weyerhaeuser.com
Purpose of a	onship of applicant to property: Owner application: Request to allow a school Article X. Sec. 15-146 Table of Permis cation: 5001 Clock Road, New Bern, N	use in the C-3 sible Uses.	s zoning district as a Special Use per
	Block		
	86 acres Total square feet 38		
	dings Existing None		
No. of Build	dings Proposed Three Gro	oss Floor Area	of Proposed Buildings 87,735 SF (total)
Total Squar	re Footage of Land to be Disturbed+/-	8.8 AC/383,32	8 SF (total)
Estimated C	Cost of Project \$_17.5M (total)		
• List all	required site plans, specifications and	d documents in	ncluded as exhibits to this application.
• Three (applica	3) copies of the site plan and a CD wition.  Wand and By: Grifferd  Author	Signature Signature	4-29-22 Date
Appli	cations to be considered must be subn		

Applications to be considered must be submitted 21 days prior to the Board of Adjustment meetings, which are held on the last Monday of each month.

# Notarized written permission authorizing the request shall be provided if the applicant is not the owner of the property (the form is attached).

Purpose of Special Use:

Request to allow a school use in the C-3 zoning district as a Special Use per

Appendix A Article X. Sec. 15-146 Table of Permissible Uses.

Although the application may be found to comply with all the provisions of the Ordinance, the Board may still deny the Special Use Permit if it concludes, that if approved as proposed, the development:

- a. Will materially endanger the public health of safety;
- b. Will substantially reduce the value of adjoining or abutting property;
- c. Will not be in harmony with the character of the particular neighborhood or area in which it is to be located;
- d. Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plan officially adopted by the City of New Bern; or

Please respond to the following questions. Answers should be supported by facts when possible. At the hearing, the Board will determine whether the applicant has submitted competent, material, and substantial evidence showing that the requirements of each part have been met.

- 1. If completed as proposed in the application, the development will comply with all of the requirements of this ordnance.
  - The proposed school is a permitted as a special use in the C-3 zoning district per Appendix A Article X. Sec. 15-146 Table of Permissible Uses. The development plans have been submitted and reviewed by the City of New Bern's Development Review Staff for compliance with city technical codes and requirements. All required permits will be obtained prior to construction.
- 2. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted
  - The proposed school use will support the public health and safety by providing residents of the WEST New Bern development and greater City of New Bern community additional choice in educational opportunities. The location at the front of the community, adjacent to NC43, in close proximity to existing and proposed infrastructure (utility, roadway and pedestrian linkages) assists in supporting the proposed use.
- 3. The use will not substantially reduce the value of adjoining or abutting property, or that the use is a public necessity.
  - The property is adjacent to NC HWY 43, there are no adjoining or abutting property owners at this time, therefore the proposed school use would not substantially reduce the value of adjoining or abutting property. The proposed school use supports education, a public necessity.
- 4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the city

The proposed school use has been proposed for inclusion as part of the WEST New Bern master planned development and is identified in Table 4.3 of the Development Agreement between Weyerhaeuser NR Company and City of New Bern North Carolina as adopted by the Board of Aldermen on October 23, 2018 and recorded on December 14th, 2018 (BK 3555 PG 1411-1462). This request is in conformance with the plan of development and is in harmony with the area in which it is proposed.

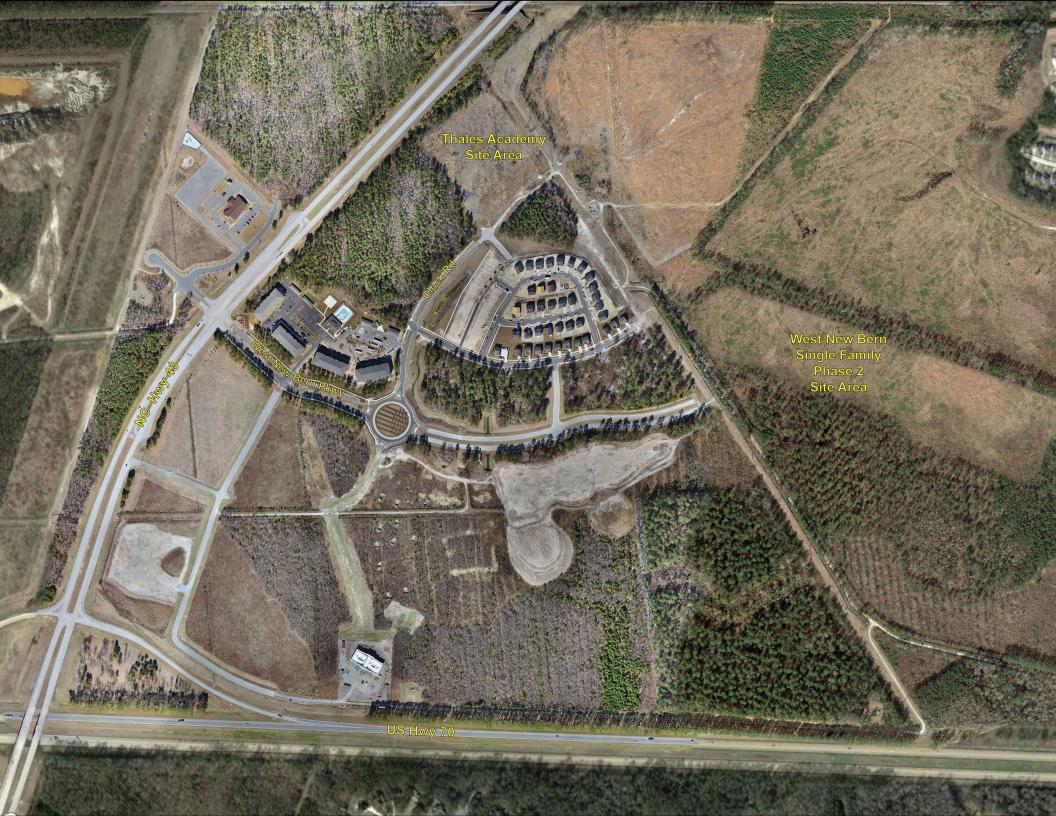
I, the undersigned, do certify that all the information presented in this application complete to the best of my knowledge, information, and belief.	is accurate and
Ward and Smith, PA	
By: Signature Anthorized Pepesen the	<u>Ч-28-22</u> Date

FOR OFFICE USE ONLY:
Date application was received:
Staff comments:
Departmental Review Date:
Staff comments:
Public Hearing Date:
Staff comments:
Disposition:
Zoning Administrator:



#### LETTER OF TRANSMITTAL

1	HAND DEI	LIVERED	(via W	ard & Smith)		DATE:	April 29, 2022		
TO:	City of	New Bern				PROJECT NO:	00910-0205	TASK NO:	40
	City of 303 Firs New Be	pment Ser New Bern et Street ern, NC 28 2) 639-7583	560			RE:	(WEST New Be Thales Academ Permit Submitt Adjustment Ap	ny: Special Us tal for Board o	
ATTENTION:	Jennife	r May (per	Seth L	aughlin)		TRANSMITTAL NO:		PAGE 1 OF 1	
WE ARE SI	ENDING:		inals cificatio	Prints  Calculations		Shop Other	Drawings [	Samples	
Quantity	Drawir	ng No.	Rev.			Description			Status
1 🗸				Special Use Permit Appli	icat	tion			G
1 🗸				Check for Application Fe	ee (	\$321.00)	\$6		G
3				Copies of the Thales Aca	deı	my Site Plan (2	4x36 orig. size)		G
1 🗸				Flash Drive with PDF of	the	Thales Acade	my Site Plan		G
Issue Status	s Code:	A. Prelin	-		-		C. For Information G. For Approval	n D. Bid H. See Re	marks
Action Stat	us Code:	1. No Ex 4. Amer				rrections Note - See Remarks	d 3. Other		
REMARK				on the Board's May 2022 or need anything further					
	×				243	NORTH FRONT STREE	T, WILMINGTON, NC 2840	01 (910) 343-1048 FAX (9	10) 251-8282
cc:							Mo	KIM & CREE	D, INC
				Signed	l_ T	<b>The G.</b> Tara S. Murphy	Murphy PLA		





Development Services 303 1st Street, P.O. Box 1129 New Bern, NC 28563 (252)639-7581

May 16, 2022

**MEMO TO:** Board of Adjustment

**FROM:** Seth Laughlin

Land and Community Development Administrator

**SUBJECT:** Consideration of a Special Use Permit to allow "Thales Academy at West New Bern", an elementary and secondary school use for the property located at 5001 Clock Road.

#### **Background**

Weyerhaeuser NR Company has requested the Board of Adjustment hold a public hearing at its regular meeting on May 23, 2022 to consider a Special Use Permit application to allow an elementary and secondary school use for the Property located at 5001 Clock Road (Craven County PID# 8-209-25001).

The 8.86-acre tract is currently undeveloped land. This tract received Final Plan approval of New Bern Planning and Zoning Board at their 5/3/2022 regular meeting. The proposed school and grounds project was approved by the City's Departmental Site Plan Review Committee on 2/25/2022. The applicant agreed to all required changes to the site plan as recommended by staff. Staff finds the proposed project is consistent with the plans, rules, and regulation of the City of New Bern with no further changes.

#### Recommendation

According to Section 15-146 of the Land Use Ordinance, Elementary and secondary schools (including associated grounds and athletic and other facilities) (Use Code 5.110) must obtain a Special Use Permit to operate in the C-3 zoning district. Staff finds that the applicant has met all Land Use Ordinance requirements of Section 15-54 for a Special Use Permit and has no objection to the approval of this request.

Please contact me at (252) 639-7582 should you have questions or need additional information.

## CITY OF NEW BERN DEVELOPMENT SERVICES DEPARTMENT REVIEW

SITE PLAN REVIEW: Thales Academy @ West New Bern ADDRESS: Clock Road, WNB, New Bern NC

Applicant: Stocks Engineering

#### **DEVELOPMENT SERVICES:**

- 1. Please include 911 address of the school.
- 2. Please include parking data table (use code 5.110).
- 3. Please show parking lot planted islands calculations.
- 4. Please show and label required vegetative buffers per City Code Section 15-365.
- 5. Elementary and secondary (including associated grounds and athletic and other facilities) are a special use in the C-3 zoning district.

#### NC DOT

- 1. Intersection study required.
- 2. Study will determine NC43 roadway improvements.

#### WATER RESOURCES/ENGINEERING:

- 1. Water and sewer service for the proposed project will be provided by the City of New Bern.
- 2. Water and Sewer System Development and Connection Fees will be required for the project. All System Development and connection fees shall be paid prior to receiving a building permit for the project and Mrs. Melissa Garris (252) 639-7596 can provide a quote of the applicable system development and connection fees for the proposed project.
- 3. The City's Water Resources Project Coordinator, Mr. David Tennant shall be contacted at (252) 639-7523, at least 24 hours in advance of making any connection to the existing New Bern water and/or sewer systems.
- 4. An approved grease trap shall be installed as part of the construction. Please contact the City's Pre-Treatment Coordinator, Mrs. Sara Rhodes at (252) 639-7562 to coordinate inspection and testing of the interceptor.
- 5. The backflow preventer for the proposed facility shall be a RPPA. Please contact the City's Cross Connection Coordinator, Mr. Luke Cowley at (252)639-7552 to coordinate inspection and testing of the backflow preventor.
- 6. All water and sewer system construction and connection installation shall be in compliance with the "City of New Bern Water & Sewer Design Standards".

#### **PUBLIC WORKS:**

- 1. Include covering NCDEQ and City of New Bern Stormwater Permit #s on plans.
- 2. NCDEQ ESC City of New Bern Driveway Permits will be required, contact Public Works at 252.639.7501.
- 3. Refuse services are provided by the City of New Bern, contact Public Works 639-7501.
- 4. Provide a copy of final sealed plans for construction and permits to City of New Bern Public Works Dept.
- 5. Contact Dan Casserly, Project Coordinator, to schedule preconstruction meeting; 412-498-7724.

#### **ELECTRICAL:**

- 1. Power to the site shall be supplied by the City of New Bern
- 2. Need a copy of the electric plans showing the total connected load, voltage requirements and electrical riser diagram.
- 3. All conduit to provide underground electric/lighting service shall be installed by the contractor based on our specifications.

- 4. 3Ø phase power requires contractor to provide a concrete transformer pad per the City of New Bern's standards.
- 5. Transformer location will need to be shown on the plans and be near a paved area with 12' of clearance in front and 3' along the sides and rear.
- 6. Bollards will need to be provided if transformer is in a high traffic area and allow enough room for the transformer doors to be open.
- 7. Signs will need to be 15' away from powerlines and neutral at a minimum.
- 8. CT Cabinets and metering can will be provided by the City of New Bern.
- 9. Area/Security lights can be provided with a 3 or 5 year contract.
- 10. Construction site lighting can be provided with a monthly charge and construction cost.

#### **FIRE**

- 1. Fire Flow and hydrant requirements must meet the requirements of Appendix B and C of the fire code.
- 2. Private fire main and sprinkler system permit shall be submitted to the Fire Marshal at <a href="mailto:fireplans@newbernnc.gov">fireplans@newbernnc.gov</a> Permit application = <a href="https://www.newbernnc.gov/departments/fire\_department/fire\_systems\_permits.php">https://www.newbernnc.gov/departments/fire\_department/fire\_systems\_permits.php</a>
- 3. Fire alarm plan should be submitted for permitting to the Fire Marshal at <u>fireplans@newbernnc.gov</u> Permit application = <a href="https://www.newbernnc.gov/departments/fire\_department/fire\_systems\_permits.php">https://www.newbernnc.gov/departments/fire\_department/fire\_systems\_permits.php</a>
- 4. New buildings must comply with NC Fire Code Section 510 Emergency Responder Radio Coverage.

#### **INSPECTIONS:**

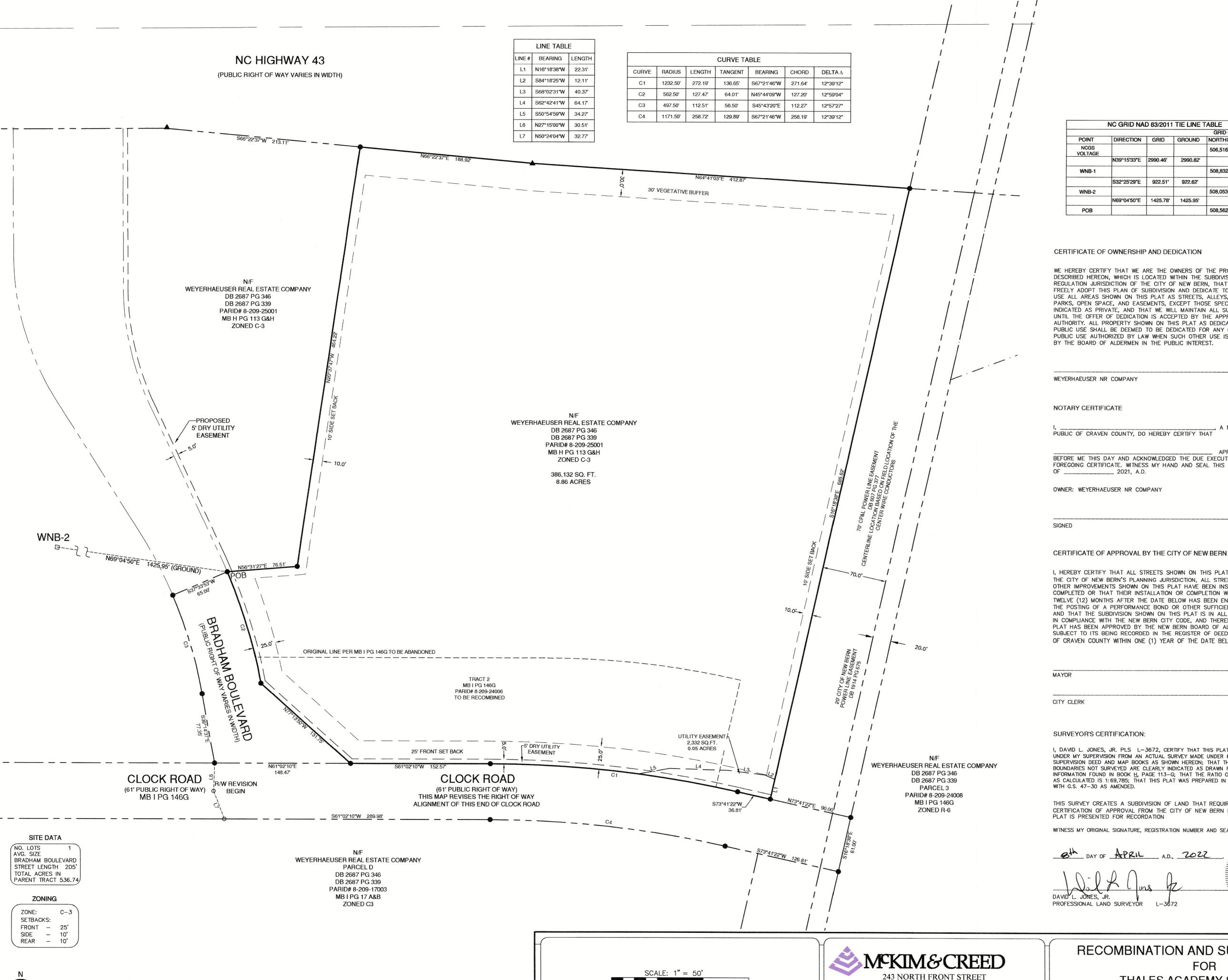
1. No Comments

#### **POLICE**

- 1.Prior to the Certificate of Occupancy being issued, the owner, developer or designee will need to contact April Bailey at 252-672-4106 in reference to the BEAR Sticker Program. This program provides the needed contact information to the 911 center for afterhours response of a key holder or property manager/owner, should a situation arise.
- 2. The New Bern Police Department offers a Crime Prevention Security Survey to all businesses and residents within the city. The survey is completed by a Police Officer and helps identify and address any foreseen security issues such as landscaping, lighting, video etc. Contact should be made with the Operation Division Captain at 252-672-4100 for further information.

#### Special instructions to the developer:

In the event an application for a building permit is not submitted within six months, another departmental review committee meeting is required.



LAND PLANNER:

223 N. GRAHAM ST.

LANDDESIGN

ENGINEER:

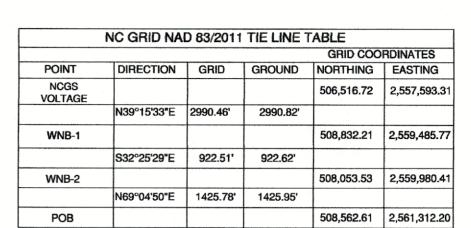
CHARLOTTE, NC 28202 WILMINGTON NC. 28401

MCKIM&CREED, INC.

243 NORTH FRONT ST.



NC GRID (NAD 83/2011)



#### CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON, WHICH IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF NEW BERN, THAT WE HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE, AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT WE WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE BOARD OF ALDERMEN IN THE PUBLIC INTEREST.

WEYERHAEUSER NR COMPANY DATE

NOTARY CERTIFICATE

PUBLIC OF CRAVEN COUNTY, DO HEREBY CERTIFY THAT

BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE. WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_ 2021, A.D.

DATE

OWNER: WEYERHAEUSER NR COMPANY

I, HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN THE CITY OF NEW BERN'S PLANNING JURISDICTION, ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPLETED OR THAT THEIR INSTALLATION OR COMPLETION WITHIN TWELVE (12) MONTHS AFTER THE DATE BELOW HAS BEEN ENSURED BY

THE POSTING OF A PERFORMANCE BOND OR OTHER SUFFICIENT SURETY, AND THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE NEW BERN CITY CODE, AND THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE NEW BERN BOARD OF ALDERMEN, SUBJECT TO ITS BEING RECORDED IN THE REGISTER OF DEEDS OFFICE OF CRAVEN COUNTY WITHIN ONE (1) YEAR OF THE DATE BELOW.

MAYOR DATE CITY CLERK DATE

## SURVEYOR'S CERTIFICATION:

I, DAVID L. JONES, JR. PLS L-3672, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED AND MAP BOOKS AS SHOWN HEREON: THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK H. PAGE 113-G; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:69,785; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS SURVEY CREATES A SUBDIVISION OF LAND THAT REQUIRES A CERTIFICATION OF APPROVAL FROM THE CITY OF NEW BERN BEFORE THE PLAT IS PRESENTED FOR RECORDATION

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS

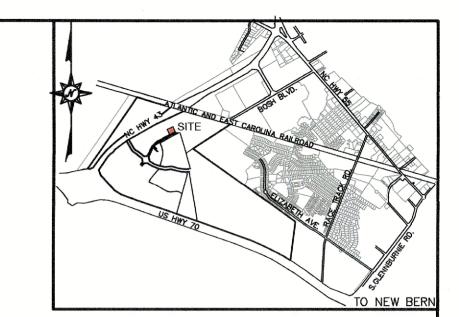
PROFESSIONAL LAND SURVEYOR

WILMINGTON, NORTH CAROLINA 28401

TELEPHONE: (910) 343-1048

FAX: (910) 251-8282

NORTH CAROLINA FIRM LICENSE NUMBER: F-1222



### LEGEND

= IRON ROD SET (#5 REBAR) ● IRF = IRON ROD FOUND = NCDOT RIGHT OF WAY DISK O = CALCULATED POINT OE = OPEN END PIPE IRS = IRON ROD SET POB = POINT OF BEGINNING R/W = RIGHT OF WAYDB = DEED BOOK PG = PAGE N/F = NOW OR FORMERLY= BOUNDARY LINE
= RIGHT OF WAY LINE
----- = EXISTING EASEMENT LINE
= CENTERLINE ROAD

### SURVEYOR'S NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND IN U.S. SURVEY FEET UNLESS OTHERWISE SHOWN.

BEARINGS BASED ON NC GRID NAD83/2011.

3. REFERENCES: PLAT BOOK H PAGE 113-G&H

SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

6. NO WETLANDS ON THIS SITE ACCORDING TO A MAP TITLED "WETLANDS RECERTIFICATION SURVEY FOR A PORTION OF CRAVEN NO.30. DATED JUNE 13, 2020.

SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AND OR ENCUMBRANCES THAT MAY EFFECT THIS PROPERTY.

8. CONTROL ESTABLISHED BY USING VRS RTK. COMBINED FACTOR: 0.999879292

STATE OF NORTH CAROLINA COUNTY OF CRAVEN

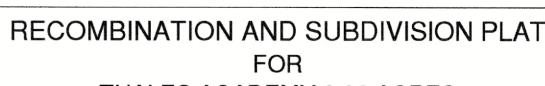
I,\_\_\_\_\_, REVIEW OFFICER OF CRAVEN COUNTY, CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE MAP/PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS THE STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER	DATE
FILED FOR REGISTRATION AT	M O,CLOCK
THIS OF	AD
IN PLAT CABINETSLIDE	and a most and a profes dispers stopes sends a sends a send .

LAND AND COMMUNITY DEVELOPMENT ADMINISTRATIOR: THIS RECOMBINATION OF EXISTING PARCELS IS EXEMPT FROM THE CITY OF NEW BERN SUBDIVISION ORDINANCE.

REGISTER OF DEEDS

SETH M. LAUGHLIN



THALES ACADEMY 8.86 ACRES ADDRESS: 5001 CLOCK ROAD OWNER: WEYERHAEUSER NR COMPANY CITY OF NEW BERN- TOWNSHIP NO. 8-CRAVEN COUNTY-NORTH CAROLINA MARCH 03, 2022

JOB NUMBER:	00910-0206
SCALE:	1" = 50'
CAD NUMBER:	VS009100206
PLS:	DIN
PARTY CHIEF:	CH
CAD TECH:	ACS
FIELD BOOK/PAGE:	
DRAWING NUMBER:	2021-
SHEET	1 OF 1

