

1                   **Minutes of the New Bern Planning & Zoning Board**  
2                                   **May 13, 2015**

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4   The special called meeting of the New Bern Planning & Zoning Board was held in the City Hall  
5   Courtroom, 300 Pollock Street, on Wednesday, May 13, 2015 at 6:30 PM. The meeting was  
6   rescheduled to Wednesday, May 13, 2015 due to scheduling conflicts.  
7

8   **Members present:**                   Mr. Kenneth Peregoy, Chair  
9   Mr. Haron Beatty  
10    Ms. Tiffany Dove  
11    Mr. Raymond Layton  
12    Ms. Dorothea White  
13

14   **Members absent:**                   Mr. Jimmy Dillahunt  
15

16   **Members Excused:**               Mr. Willie Newkirk  
17   Mr. Bill Stamm  
18   Mr. Byron Walston  
19

20   **Staff present:**                   Mr. Kevin Robinson, AICP, City Planner  
21   Mr. Bradleigh Sceviour, Planner  
22

23   Chairman Peregoy called the meeting to order.   ( /  
24

25   Roll call was taken and a quorum declared. Chair Peregoy explained that with there being a  
26   vacant seat currently on the Board that a quorum consists of only 5 members present.  
27

28   **Minutes:**       Minutes from the April 7<sup>th</sup>, 2015 meeting were presented.  
29

30                   **Motion:** Mr. Beatty made a motion to approve the minutes. Mr. Layton seconded.  
31                   Motion carried by unanimous vote.  
32

33                   Minutes from the April 13<sup>th</sup>, 2015 meeting were presented.  
34

35                   **Motion:** Ms. White made a motion to approve the minutes. Motion was seconded  
36                   by Ms. Dove. Motion carried by unanimous vote.  
37

38   **New Business:**

- 39       **A. Consideration of a request by Marc Carlton Jessup to rezone a 1.0+/- acre parcel**  
40       **from I-1 Light Industrial District to C-3 General Commercial. The property is**  
41       **located at 3540 Dr. Martin Luther King Jr. Blvd and is further identified in Craven**  
42       **County Tax Book as 08-208-197.**  
43  
44

45   **Staff Comments:** Staff Robinson presented the request as follows:

46       **Applicant(s):** Marc Carlton Jessup

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48 **Requested Zoning Change:**

49 **Existing:** I-1 Light Industrial District

50 **Proposed:** C-3 Commercial District

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52 **Location:** The subject property is at 3540 MLK Blvd, near the intersections of MLK  
53 Blvd and S. Glenburnie.

54  
55 **Size:** Property to be rezoned is approximately 1.0+/- acres.

56  
57 **Reason for Change:** To allow the property to be redeveloped into a 10,000 sq. ft. office  
58 complex while still meeting setbacks and state storm water requirements.

59  
60 **History/Background:**

61 The property and surrounding property were split off some time ago and the  
62 surrounding property was developed. This parcel remained vacant.

63  
64 **Present Land Use:**

65 Property is vacant

66  
67 **Surrounding Land uses and Zoning:**

68 **North:** Multifamily Residential

69 (I-1 Light Industrial District)

70 **South:** Vehicle Maintenance Provider

71 (C-3 Commercial District)

72 **East:** Car Rental Company

73 (I-1 Light Industrial District)

74 **West:** Bowling Alley

75 (I-1 Light Industrial District)

76  
77 **City Provided Utilities and Services:**

78 All city provided utilities and services are available to the general area.

79  
80 **Comprehensive Plan:**

81 2009 Regional Land Use Plan – The existing land use is classified “Developed”  
82 which generally includes an urban higher intensity character with land uses that  
83 require urban municipal or public services.

84  
85  
86  
87 **Environment:**

88 There are no environmental concerns on the subject site.

89  
90 **Staff Comments:**

91 The property proposed for rezoning is largely surrounded by commercially zoned  
92 or commercial use properties. This property was planned for light industrial  
93 development. This zoning will ensure that the property is consistently zoned for  
94 the proposed use, which is compatible with City plans and should not adversely  
95 affect the adjacent properties.

96 **Recommendation:**

97 Staff recommends for approval of the requested rezoning of a 1.0+/- acre parcel  
98 from I-1 Light Industrial District to C-3 Commercial District. Please contact me at  
99 639-7583 prior to the meeting should you have questions or need additional  
100 information.

101  
102 **Public Comments:** There were no public comments.

103  
104 Public comment period was closed.

105  
106 **Board Comments:** Chair Peregoy asked if a special use permit would be required. Staff  
107 Robinson stated that it would not in this case since the property is under 2 acres. Mr Beatty asked  
108 if an apartment complex is considered commercial or residential. Staff Robinson replied that it is  
109 considered commercial construction and multi-family residential otherwise. He addressed Ms.  
110 White's question regarding C-3 allowing multi-use and explained that it does. Staff Greg McCoy  
111 further explained the differences from the current I-1 Light Industrial to C-3 Commercial  
112 districts, which are similar districts, and the setbacks. C-3 setbacks are 25' from the front, 10' on  
113 the sides and rear. The I-1 setbacks are 50' front, 25' for the sides and 35' for the rear. Multi-use  
114 is allowed in C-3, but not I-1.

115  
116 **Motion:** Mr. Beatty made a motion to accept the zoning change from I-1 Light Industrial district  
117 to C-3 Commercial district as requested. Ms. Dove seconded. Motion approved by unanimous  
118 vote.

119  
120  
121 **B. Consideration of a request by East Front St. Townes for General Plan approval of a**  
122 **Subdivision and Planned Unit Development. The property is located 313 E Front St.**  
123 **and is further identified in Craven County Tax Book as 08-002-A-204.**

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125 **Staff Comments:** Mr. Robinson presented the item to the Board:

126  
127 **ANALYSIS**

128 The Planning and Zoning Board is requested by East Front St. Townes to consider a  
129 proposed subdivision general plan at its regular meeting on May 13, 2015. The  
130 subdivision general plan is a proposed 0.234 acre, 4-lot residential planned unit  
131 development (PUD) subdivision. All utilities and services will be provided by the City of  
132 New Bern. This proposed subdivision is located in the downtown area at 313 E. Front St,  
133 adjacent to the Riverwalk Townhomes on E Front St. and across Broad St. from the  
134 Sudan Shriner's building. The property is further identified in Craven County Tax Book

as 08-002-A-204. The proposed average lot size is 2,544 square feet

The overall purpose of the plan is to allow subdivision of the property to create 4 lots to be able to sell as single family homes. Existing zoning requires 3,000 sq. ft. lots and is not conducive to townhome developments. This project is being considered for planned unit development because of the smaller overall lot sizes and increased density. Staff believes that this subdivision is a good candidate for planned unit development and meets all subdivision requirements.

#### **RECOMMENDATION**

Staff recommends approval of the subdivision general plan.

**Board Discussion:** Mr. Beatty asked if the parking was adequate and Staff Robinson stated that he didn't have anything in plans on parking, but there are parking garages in the back of the units. Ms. White asked if the access point for the units is coming off of Broad street and Staff Robinson confirmed. He also explained that the units are already built, have already gone through departmental review and met all requirements, including emergency services.

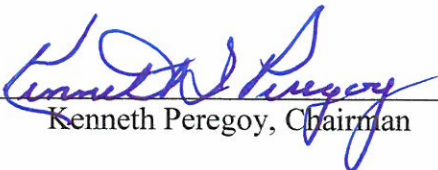
Chair Peregoy asked what original criteria was used in the building permits with regards to setbacks and things like that. Staff Robinson stated that the front setbacks were established by a zone of the existing buildings in the area, because it is in the historic district. Chair Peregoy strongly urged Staff to go over the City of New Bern PUD ordinance, since there have been several revisions recently and some items in the ordinance aren't very clear. There was some discussion about why the applicant wants to do this now and it was explained that the main purpose for this request is so that the lots can be sold individually, rather than one owner.

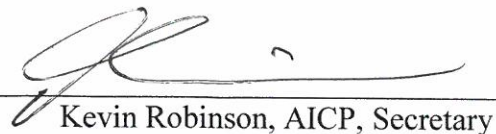
**Motion:** Mr. Layton made a motion to recommend approval of the General Plan and Planned Use Development. Mr. Beatty seconded. Motion carried by unanimous vote.

#### **Other Business:**

Chair Peregoy stated that it was the time of year to create a nominating committee. Ms. Dove is near the end of her 2<sup>nd</sup> term. He has asked Mr. Bill Stamm to chair that committee and he has asked for volunteers for the committee to report back to the Board at the June meeting. Mr. Layton volunteered to be on the committee. Staff Robinson will make some phone calls to get one more person on the committee. The Board will need nominations for Chair and Vice-Chair of the Planning & Zoning Board.

There being no further business, the meeting was adjourned.

  
Kenneth Peregoy, Chairman

  
Kevin Robinson, AICP, Secretary