

1 **Minutes of the New Bern Planning & Zoning Board**
2 **February 2nd, 2016**
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4 The regular meeting of the New Bern Planning & Zoning Board was held in the City Hall
5 Courtroom, 300 Pollock Street, on Tuesday, February 2nd, 2016 at 5:30 PM.
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7 **Members present:** Mr. Kenneth Peregoy, Chair
8 Mr. Barry Evans
9 Ms. Carrol Williams
10 Mr. Raymond Layton
11 Ms. Dorothea White
12 Mr. Sonny Aluzzo
13 Mr. Willie Newkirk
14 Mr. Jimmy Dillahunt
15 Mr. Byron Walston
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18 **Members absent:** Mr. Haron Beatty
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20 **Members Excused:**
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24 **Staff present:** Mr. Bradleigh Sceviour, Planner
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28 Chair Peregoy called the meeting to order.
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30 Roll call was taken and a quorum declared.
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32 **Minutes:** Minutes from the October 6th, 2015 meeting were presented.
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34 **Motion:** Mr. Layton made a motion to approve the minutes. Mr. Evans seconded.
35 Motion carried by unanimous vote.
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37

38 **New Business:**

39 **A. Consideration of a request by A. Sydes Construction, Inc. to rezone a property**
40 **totaling 577+/- acres from A-5F Agricultural District to R-8 Residential District. The**
41 **property is located on Old Airport Road between Brices Creek and County Line**
42 **Road. The property is further identified by Craven County as Tax Parcel 7-106-001.**
43

44 **Staff Comments:** Staff Sceviour presented the request as follows:

45 Applicant: A. Sydes Construction, Inc.
46

47 Requested Change:

48 Existing: A-5F Agricultural District (5 acre lots)
49 Proposed: R-8 Residential District (8,000 sq. ft. lots)

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51 Location:

52 The property is located on Old Airport Road south of Brices Creek.

53
54 Size:

55 The property covers an area of approximately 577 acres.

56
57 Reason for Change:

58 The requested zoning will provide for this tract to be developed into a medium density
59 residential development, adjacent to the community known as Carolina Colours. This
60 tract is located in a popular area of New Bern and will help supply needed affordable
61 housing.

62
63 History/Background:

64 This area is currently undeveloped. The tract was previously owned by Weyerhaeuser
65 Real Estate Development Company.

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67
68 Present Land Use:

69 Vacant

70
71 Surrounding Land Uses and Zoning:

72 North: Residential (R-15 Residential District).

73 South: Vacant (Un-zoned).

74 East: Vacant (R-8 Residential District).

75 West: Vacant (Un-zoned).

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 2010 CAMA Regional Land Use Plan

82 The area is classified as "Urban Transition" which generally includes land that is on the
83 periphery of existing developed areas that will be provided with the necessary urban
84 services to support intensive development. Densities in the Urban Transition area range
85 from 6 units per acre or less on a range of lot sizes.

86
87 1993 Thoroughfare Plan/Traffic:

88 This area is outside of the scope of the 1993 Thoroughfare Plan. Currently the only paved
89 access to the site comes from Old Airport Road. Prior to development the potential
90 impacts of whatever development is proposed on the road network should be looked in
91 to.

92
93 Environment:

94 According to the Regional Land Use Plan, the subject has low suitability for
95 development. This is due to the significant portion of the tract covered by wetlands.

96 According to the North Carolina Floodplain Mapping Program a portion of the land is
97 within the 100 year flood zone. The property is adjoined by managed forest lands.
98

99 Staff Comments:

100 The proposal to rezone the subject properties to R-8 Residential District is consistent
101 with the Regional Land Use Plan. There are environmental challenges on the site that
102 complicate development. Additionally the traffic impacts on the area with Old Airport
103 Road being the only way into the site could be problematic for any development proposal
104 that might follow.
105

106 **Applicant Comments:** John Thomas represented the applicant at the meeting. The applicant
107 showed a map of the area with zoning districts included and gave a general overview of
108 surrounding uses. He stated that he believed the area was at one time intended to be included in
109 Carolina Colours. The applicant spoke about paving Old Airport Road down to County Line
110 Road. He also stated that he believed that there was about 400 acres of developable land.
111

112 **Public Comments:**

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114 Aldermen Schiable: The aldermen stated that traffic generation seemed to be a concern with this
115 site. She went on to say that she wasn't opposed to the change in zoning classification just that
116 there were capacity issues that should be examined.
117

118 Tim Tabak: Tim Tabak spoke on behalf of the Evans Mill community at the meeting. He stated
119 that the proposed reason for change to provide affordable housing was not in line with the
120 neighboring Carolina Colours. He went on to state that other developments by the applicant had
121 been very dense and not compatible with the types of neighborhoods found in Carolina Colours
122 or Evans Mill. He voiced concerns that the road was in bad condition and would need to be
123 improved either all along Old Airport Road or to pave County Line Road out to highway 70.
124

125 A further four residents of the area spoke to say that they supported what Tim Tabak had said
126 and there were also concerns for cyclists and pedestrians. The Coastal Carolina Land Trust also
127 had a representative present to oppose the paving of Old Airport Road south of the bridge
128 because of the danger to wildlife that would come to their property which is opposite the
129 proposed re-zoning site.
130

131 Mike Hearn: Stated that he didn't like Evans Mill being built. The Roads have been in horrible
132 shape for decades and there are a lot of safety concerns. He stated that the roads in the area flood
133 easily and that traffic is too bad without adding further development.
134

135 The applicant came back and stated that it wasn't the time to examine traffic. Tim Tabak
136 responded that traffic is a long term concern with the development but that safety was a short
137 term concern because there would only be one point of ingress/egress in the event of an
138 emergency. He also reiterated the safety issue with cyclists and pedestrians as there have been a
139 number of fatalities.
140

141 Public comment period was closed.
142

143 **Board Comments:** Chair Peregoy inquired about the turn lanes at W. Thurman that a traffic
144 study showed to be necessary. The applicant stated that in those cases typically the last developer
145 of an area has to foot the bill for improvements. Chair Peregoy stated that it was an example of
146 broken developer promises to build improvements that never come. The applicant responded that
147 the study was commissioned by the city and was never a condition of development in the area.
148 Chair Peregoy inquired of Sydes would be the last in for that development. The applicant replied
149 that it was a math issue and the property values might not be worth it right now. Chair Peregoy
150 asked about capacity along the road. Staff Sceviour replied that preliminary models from the
151 DOT indicated that capacity would not be a problem along Old Airport Road in the event of the
152 full build out. Mr. Evans inquired if the model addressed the conditions. Staff Sceviour replied
153 that it did not, it only included the number of lanes. Staff Sceviour emphasized that re-zonings
154 did not allow conditions to be placed on applicants. Mr. Layton stated that when a project came
155 up for subdivision we would then be allowed to place conditions such as road improvements on
156 the project. Chair Peregoy asked if the applicant would be willing to ask for re-zoning on a phase
157 by phase basis. The applicant stated that the zoning category they were requesting would provide
158 them with the type of flexibility they would need for such a long term development. There was
159 some discussion about the timeline and how many lots would be developed per year. The
160 applicant stated that probably around 40 lots per year would be developed. It was also stated that
161 the wetland delineation needed to be updated and that the applicant was in the process of having
162 that done currently.

163
164 **Motion:** Mr. Layton made a motion to recommend the re-zoning from A-5F Agricultural
165 Forestry District to R-8 Residential District as requested. Mr. Evans seconded. Motion was
166 approved by a vote of 7-2.

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168 **B. Consideration of a request by Frederick Hackney to rezone a 5.46+/- acre property**
169 **from A-5 Agricultural District to R-20 Residential District. The property is located at**
170 **595 Washington Post Road. The property is further identified by Craven County as**
171 **Tax Parcel 8-222-19.**

172
173 **Staff Comments:** Applicant: Fredrick Hackney

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175 Requested Change:
176 Existing: A-5 Agricultural District (5 acre lots)
177 Proposed: R-20 Residential District (20,000 sq. ft. lots)

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179 Location:
180 The property is located at 595 Washington Post Road.

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182 Size:
183 The property covers an area of approximately 5.46 acres.

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185 Reason for Change:
186 The purpose of the proposed re-zoning request is to allow the parcels to have wider range
187 of options for residential development.

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189 History/Background:
190 This tract currently has a church situated on it. The majority of the tract is undeveloped.

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Present Land Use:

Place of worship

Surrounding Land Uses and Zoning:

North: Vacant (A-5 Agricultural District).
South: Residential (R-6 Residential District).
East: Residential (R-10A Residential District).
West: Vacant (A-5 Agricultural District).

City Provided Utilities and Services:

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

Comprehensive Plan:

2010 CAMA Regional Land Use Plan

The area is classified as “Urban Transition” which generally includes land that is on the periphery of existing developed areas that will be provided with the necessary urban services to support intensive development. Densities in the Urban Transition area range from 6 units per acre or less on a range of lot sizes.

1993 Thoroughfare Plan/Traffic:

According to the 1993 Thoroughfare Plan this road has a capacity of 8-12,000 vehicles per day and in 1993 had an average daily load of 10,000 vehicles.

Environment:

According to the Regional Land Use Plan, the subject property has high suitability for development. There are no known environmental hazards on this property.
According to the North Carolina Floodplain Mapping Program there is no flood risk on this property.

Staff Comments:

The proposal to rezone the subject property to R-20 Residential District is consistent with the character of the adjacent land uses and zoning classifications. Staff has found the proposed rezoning to be in the public interest and not inconsistent with the Land use Plan and Transportation plan. Staff recommends approval of the requested rezoning.

Applicant Comments: Mr. Hackney described his plan to get the old church operating there and later to subdivide and place a house on a portion of the existing tract.

Public Comments:

Ms. Williams: Stated that she hoped the project would be approved and that it was a good project.

237 Ms. Cheatham who is the property owner came to speak and said that her mother used to own the
238 land and she thinks that Mr. Hackney's plans for it are exactly what she would have wanted to
239 see happen.

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241 **Board Comments:**

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243 **Motion:** Mr. Aluzzo made a motion to recommend the re-zoning from A-5 Agricultural District
244 to R-20 Residential District as requested. Mr. Evans seconded. Motion was approved by a
245 unanimous vote of 9-0.

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247 **Other Business:**

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249 The official meeting schedule for 2016 had still yet to be adopted. The schedule was presented
250 and approved with an alteration of the time from 5:30pm to 6:00pm. The motion was made by
251 Mr. Dillahunt and seconded by Mr. Newkirk. The motion was approved by a unanimous vote of
252 9-0.

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254 There being no further business, the meeting was adjourned.

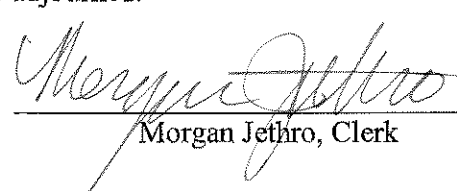
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Raymond Layton, Chair


Morgan Jethro, Clerk