

**Minutes of the  
City of New Bern Planning & Zoning Board  
October 5, 2021 – 5:30 P.M.  
Development Services Conference Room – 303 First Street.**

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2 The regular meeting of the New Bern Planning and Zoning Board was held in the Development  
3 Services Conference Room, 303 First Street, on October 5, 2021 at 5:30 pm  
4

5 **Members Present:** Don Black, Chair  
6 Travis Oakley, Vice Chair  
7 Raymond Layton  
8 Anne Schout  
9 Margie Dunn (A)  
10 Marcus Simmons  
11 Pat Dougherty (A)  
12 Sonny Aluzzo  
13

14 **Members Excused (E)/ Absent (A):** NONE  
15

16 **Staff & Counsel Present:** Jeffrey Ruggieri, Director of Development Services.  
17 Seth Laughlin, Land & Community Development  
18 Administrator.  
19 Jaimee Bullock-Mosely, Assistant City Attorney.  
20

21 **1. Roll Call**  
22

23 Staff Member Seth Laughlin delivered the roll call of all members and quorum declared with all 8  
24 members present.  
25

26 **2. Approval of Minutes**

27 **A. September 7, 2021**  
28

29 Chairman Black asked the Board if they had reviewed the minutes and if there were any agenda  
30 changes that members would like to address. Hearing none he asked for a motion to approve: **Mr.**  
31 **Layton made a motion to approve the meeting minutes from September 7, 2021 as presented,**  
32 **the motion was seconded by Ms. Dunn. A roll call was taken, and the motion passed**  
33 **unanimously (8-0).**  
34

35 **3. Old Business,**

36 **A. Discussion of proposed amendments to 15-214: Development Connectivity**  
37

38 **Staff Comments:**

39 D.S. Director Ruggieri stated that staff met with the subcommittee to discuss section 15-214(a)(5)  
40 concerning a second point of access for developments having 150 lots or more and language that  
41 would allow deviations from the existing code. Mr. Ruggieri stated that it was a long and  
42 productive meeting and that he would be happy to formulate a letter to the Board of Alderman

43 concerning any recommended changes to Section 15-214 if the P&Z choses to move forward with  
44 it.

45

46 **Board Discussion:**

47 Chairman Black reiterated that the subcommittee meeting had been productive and that there had  
48 been some recommendations made. He asked Board member Layton if he had anything to add.  
49 Mr. Layton mentioned several “housekeeping” changes to the larger document as well as those  
50 specific to 15-214 and stated that his preference would be to recommend to the Board of Alderman  
51 that all the changes be made.

52

53 Chairman Black asked Attorney Mosely is she had anything to add. Ms. Mosely stated that she  
54 had reviewed the document and that she did want the Board to always have objective standards  
55 used in regulatory language. The word “deviate” needed to be clearly defined in her view. Mr.  
56 Layton explained the specific need for this language related to the site plan review’s organic  
57 process. Attorney Mosley explained an anecdotal example of how regulatory standards could  
58 change over time as planning staff come and go. Mr. Layton continued that the minimum  
59 separation language could be easily strike through and just state that developments must have two  
60 entrances. Mr Ruggieri pointed out that some parcels have geographic limitations; they simply do  
61 not have 500 feet of road frontage. The Board and staff discussed the possibility of a developer  
62 avoiding the ordinance by bringing in developments with 149 lots. Ms. Shout and Mr. Oakley  
63 described two examples of developments where problems with single entrances in town/county  
64 had occurred: during an accident event and with Hurricane Florence. Attorney Mosley again  
65 explained an anecdotal example of how regulatory standards could change over time as planning  
66 staff come and go and the rules could be applied differently. Members and staff discussed possible  
67 alternatives of how to solve the multiple entrances issue.

68

69 Mr. Layton proposed not taking up the issue to the Board of Alderman yet, but to let staff including  
70 Attorney Mosely, and the work group continue working on proposed changes and come back to  
71 the full board in November.

72

73 Chair Black asked if there were any more members of the Board wanted to add anything further  
74 to the discussion. Hearing none, Chairman Black stated that it would be a good time to move on  
75 to the next agenda item.

76

77 **4. New Business**

78 **A.** Corey Thomas has requested consideration of an application to rezone one parcel,  
79 totaling 0.46+/- acres, from R-10 Residential district to C-3 Commercial district. The parcel is  
80 located at 4416 US 17 Hwy South and is further identified as Craven County Parcel ID # 8-206-  
81 028.

82

83 **Staff Comments:** Staff member Laughlin went through the presentation stating that Corey  
84 Thomas Corey Thomas has requested consideration of an application to rezone one parcel,  
85 totaling 0.46+/- acres, from R-10 Residential district to C-3 Commercial district. The parcel is  
86 located at 4416 US 17 Hwy South and is further identified as Craven County Parcel ID # 8-206-  
87 028.

88

89 Size

90 The property covers an area of approximately 0.46 acres.

91 Reason for Change:

92 The purpose of the proposed re-zoning request is the construction of a commercial office.

93 History/Background:

94 A portion of the parcel is former railroad right-of-way.

95 Present Land Use:

96 Vacant

97 Surrounding Land Uses and Zoning:

98 North: Residential (R-20 Residential District).

99 South: US 17 Highway South.

100 East: Vacant (C-3 Commercial District).

101 West: Residential (R-10)

102 City Provided Utilities and Services:

103 City water service is available to this site (no sewer available).

104 City electric service is not available to this site.

105 Comprehensive Plan:

106 2010 CAMA Regional Land Use Plan

107 The area is classified as "Limited Transition".

108 1993 Thoroughfare Plan/Traffic:

109 US 17 Highway South is classified as "Principal Arterial" according to NCDOT's

110 Functional Classification.

111 Environment:

112 According to the Regional Land Use Plan, the subject property has areas of "medium"

113 suitability for development. There are no known environmental hazards on this property.

114 According to the North Carolina Floodplain Mapping Program the property is *not located*

115 within the 100-year or 500-year floodplain.

116 Staff Comments:

117 The proposal to rezone the subject property to C-3 Commercial District is consistent with

118 the character of the adjacent land uses and zoning classifications. Staff has found the

119 proposed rezoning to be in the public interest and consistent with City Land Use and

120 Transportation Plans, due to the parcel being moderately suited for residential

121 development. Staff has no objection to approval of the requested rezoning.

122

123 **Board Discussion:**

124 Chairman Black asked if the applicant was present and had anything to add. The applicant was

125 not present. Chairman Black asked if there were any questions from the Board. Staff member

126 Ruggieri mentioned that the applicant brought the same application before the P&Z a year or so

127 earlier had been recommended for approval, but later denied by the Board of Alderman. Board

128 members discussed that the rezoning is located on the commercial corridor and that the area is

129 recommended for commercial development. Mr. Ruggieri stated that the applicant had mentioned

130 that he operates a roofing company and plans to use the property for a small office and materials

131 storage. **Mr. Layton made a motion to recommend approval of the rezoning application as**

132 **written, the motion was seconded by Mr. Aluzzo. A roll call was taken, and the motion passed**

133 **unanimously (8-0).**

134

135 **Chairman Black stated it was time for “open comments” and that he had a few comments**  
136 **from staff member Ruggieri about Old Airport Road.** Mr. Ruggieri stated that staff has been  
137 working with property owners along the proposed water line and the last step involves NC Land  
138 Trust, and the project was well on its way. The Board discussed future development around Blue  
139 Water Rise. Mr. Ruggieri discussed development statistics for the City; stating that his department  
140 had already surpassed last year’s new construction total. Chairman Black asked about West New  
141 Bern development. Mr. Ruggieri stated that the City had met with the development management  
142 who is working with a charter school to be built on the subject site along with approximately 80  
143 additional home sites.

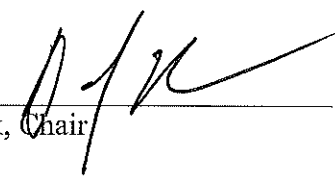
144 Chairman Black asked how things were going in the Redevelopment Area. Mr. Ruggieri explained  
145 that the Redevelopment Committee will begin a home relocation from Jackson Blvd to 811  
146 Eubanks, and is coming up on a closing date for approximately 1 acre of land that will allow for  
147 the construction of 15-16 additional rental units within the subject area. He went on to discuss the  
148 removal of junk vehicles from the area and explained that Development Services recently hired a  
149 new staff member to address nuisance and abatement in the Redevelopment Area. Mr. Ruggieri  
150 explained the upcoming stormwater drainage project in Duffyfield. There was some Board  
151 discussion on stormwater devices and processes in general. Ms. Shout discussed local trash pickup  
152 in Duffyfield in years past and planning for the upcoming event on November 5 and 6, 2021.  
153


154 **5. Adjourn**

155  
156 **Hearing no further discussion amongst the Board, Chair Black entertained a motion to**  
157 **adjourn. Ms. Shout moved to adjourn; Mr. Layton seconded the motion. A roll call was**  
158 **taken, and the motion passed (8-0).**  
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160  
161 The meeting was adjourned at 6:21pm.  
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163  
164 Date Approved: 11/02/2021  
165

  
Don Black, Chair

166  
167 Attest:   
168 Jeff Ruggieri, Director of Development Services