

**Minutes of the
City of New Bern Planning & Zoning Board
August 4, 2022 – 5:30 P.M.
Development Services Conference Room – 303 First Street.**

The regular meeting of the New Bern Planning and Zoning Board was held in the Development Services Conference Room, 303 First Street, on August 4, 2022 at 5:30 pm

Members Present: Travis Oakley, Vice Chair
Brad Jefferson
Raymond Layton
Pat Dougherty
Kyle Dearing
Sonny Aluzzo
Marshall Ballard

Members Excused (E)/ Absent (A): Margie Dunn

Staff & Counsel Present:

Seth Laughlin, Land & Community Development
Administrator.
Jaimee Bullock-Mosely, Assistant City Attorney.

1. Roll Call

Staff Member Seth Laughlin delivered the roll call of all members and quorum declared with 6 members present.

2. Election of Officers

Vice Chairman Oakley asked Attorney Mosley to discuss the election of officers process. She discussed this topic briefly and suggested that the three new members introduce themselves. Marshall Ballard, Brad Jefferson and Kyle Dearing all spoke briefly.

Attorney Mosely then began the election of officers process beginning with any nominations. **Pat Dougherty nominated Travis Oakley for Chair. Raymond Layton seconded this motion. Mr. Oakley accepted the nomination. Hearing no other nominations, Attorney Mosley asked for a verbal vote of all in favor of Travis Oakley for Board Chairman. The vote was unanimous (6-0).**

Travis Oakley nominated Raymond Layton for the position of Vice Chair. Pat Dougherty seconded the motion. Mr. Layton accepted this nomination. Chairman Oakley called for a roll call vote. The vote was unanimous for Raymond Layton to be Vice Chair (6-0).

43 **3 A. New Business,**

44 **Boa Nguyen has requested consideration of an application to rezone one parcel of**
45 **land totaling 0.92 +/- acres from C4 neighborhood business to C3 commercial**
46 **district.**

47
48 **Staff Comments:**

49 Staff member Laughlin introduced the application and reminded the Board that the applicant had
50 recently come before them for a rezoning of the adjacent parcel of land to the south. Mr. Laughlin
51 went on give his staff presentation to the Board:

52
53 Size:

54 The property covers an area of approximately 0.92 acres.

55 Reason for Change:

56 The purpose of the proposed re-zoning request is the construction of storage units on the
57 subject lot and the adjacent lot to the south also owned by the applicant.

58 History/Background:

59 This lot was recorded in December of 2012 and has been in commercial use since at least
60 that time.

61 Present Land Use:

62 This parcel houses a retail tire store and service center.

63 Surrounding Land Uses and Zoning:

64 North: Commercial (C-4).

65 South: Vacant (C-3) (Owned by applicant)

66 East: Neuse Blvd, Vacant land (C-4)

67 West: Mobile home park (R-6)

68 City Provided Utilities and Services:

69 City water and sewer services are available to this site.

70 City electric service is available to this site.

71 2022 Land Use Plan:

72 The area is classified as "Developed".

73 1993 Thoroughfare Plan/Traffic:

74 Neuse Blvd is classified as "Principal Arterial" and Midyette Ave is classified as a "local
75 Street" according to NCDOT's Functional Classification.

76 Environment:

77 According to the Regional Land Use Plan, the subject property has areas of "high"
78 suitability for development. There are no known environmental hazards on this property.

79 According to the North Carolina Floodplain Mapping Program the property is not located
80 within the 100-year or 500-year floodplain.

81 Staff Comments:

82 The proposal to rezone the subject property to C-3 Commercial District is consistent with
83 the character of the adjacent land use to the south that is owned by applicant and recently
84 rezoned to C-3, as well as commercial zoning classifications to the north and east across
85 Neuse Blvd. The adjacent mobile home park to the west will be visually screened in any
86 commercial development scenario by ordinance. Staff has found the proposed rezoning to
87 be in the public interest and consistent with City Land Use and Transportation Plans, due

to the parcel being in commercial use currently and only moderately suited for residential development. Staff has no objection to approval of the requested rezoning.

Board Discussion:

Chairman Layton asked if any of the intended storage was to be outside of enclosed structures, stating that such storage would require a special use permit. Mr. Laughlin explained that the applicant intends to build mini-storage units for exclusively indoor storage.

Hearing no additional questions from the Board or members of the public, Chairman Oakley asked for a motion. Board member Aluzzo made a motion to recommend approval of the rezoning request from C4- C3. Vice Chairman Layton seconded the motion. A roll call vote was taken, and the motion passed unanimously (6-0)

3 B. New Business

The City of New Bern has requested consideration of an application to rezone two parcels of land totaling 4.139 +/- acres split zoned (C3 commercial and R-6 residential) to entirely C-3 commercial district. The parcels are located off Broad Street and Third Avenue. The property is further identified as PID #'s 8-012-119 & 8-012-110.

Staff Comments: Staff member Laughlin explained the background of the application stating that the site previously was made of many small parcels that were recently recombined into two parcels being the subject of the rezoning application. Mr. Laughlin went through his staff presentation:

Size:

Tract 1: approximately 3.446 acres.

Tract 2: approximately 0.693 acres.

Reason for Change:

The purpose of the proposed re-zoning request is the construction of a City of New Bern recreation facility (Stanley White).

History/Background:

The overall site has seen a mixture of former residential and commercial uses.

Present Land Use:

The majority of the site is vacant land with two remaining structures to be relocated or demolished.

Surrounding Land Uses and Zoning:

North: Outdoor recreational (R-6).

South: NBFR headquarters, vacant (C-3)

East: Commercial offices (C-3), residential (R-6)

West: Commercial offices, storage (C-3), child day care center (R-6)

City Provided Utilities and Services:

City water and sewer services are available to this site.

City electric service is available to this site.

Comprehensive Plan:

The area is classified as "Developed".

134 1993 Thoroughfare Plan/Traffic:

135 Broad Street is classified as "Principal Arterial". Gaston Blvd and Third Ave are classified
136 as "local Streets" according to NCDOT's Functional Classification.

137 Environment:

138 According to the Regional Land Use Plan, the subject property has areas of "high"
139 suitability for development. There are no known environmental hazards on this property.
140 According to the North Carolina Floodplain Mapping Program, Tract 1 is not located
141 within the 100-year or 500-year floodplain. A portion of the north and east sides of Tract
142 2 are located in the 500-year floodplain (minimal flood risk).

143 Staff Comments:

144 The proposal to rezone the subject property to C-3 Commercial District is consistent with
145 the character of the adjacent land uses to the south and east along Broad Street. Staff has
146 found the proposed rezoning to be in the public interest and consistent with City Land Use
147 and Transportation Plans. The purpose of this rezoning is to facilitate the construction of a
148 public recreation facility and associated improvements. Staff has no objection to approval
149 of the requested rezoning.

150
151 **Board Discussion:**

152 Board member Ballard asked if the adjacent day care center was included in the request. Several
153 Board members answered that no, that business is outside the boundary of the request. There was
154 further Board discussion concerning the logistics of the potential moving of an existing historic
155 home on the subject property.

156
157 **Vice Chairman Layton made a motion to recommend approval of the request; Mr. Dearing**
158 **seconded the motion. A roll call was taken, and the motion passed (6-0).**

159
160 **3 C. New Business**

161 **McCullough Farms, LLC has requested consideration of an application to rezone**
162 **seven parcels of land totaling 413.3 +/- acres from A5-F, R-10, and R-10A to R6. The**
163 **parcels are located off Trent Creek Road. The property is further identified as**
164 **PID #'s: 8-210- 11002, 11003, 11004, 11006, 11009, 11010 & 23000**

165
166 **Staff Comments:** Staff member Laughlin went through his staff presentation:

167
168 Size:

169 Seven parcels totaling approximately 413.3 acres (a portion of 8-210-23000 extends beyond city
170 jurisdiction).

171 Reason for Change:

172 The purpose of the re-zoning request is flexibility in construction of future phases of the
173 Craeberne Forest neighborhood.

174 History/Background:

175 This site has seen a mixture of agricultural and forested land.

176 Present Land Use:

177 Forested.

180 Surrounding Land Uses and Zoning:

181 North: Forest/agricultural (A5-F).

182 South: Forest & residential (R-10, R-20)

183 East: Forest & residential (A-5F, R-6)

184 West: Forest & agricultural (R-10, A5-F)

185 City Provided Utilities and Services:

186 City water and sewer services are installed on site.

187 City electric service is available to this site.

188 2022 Land Use Plan:

189 The subject parcels are located within the MLK Blvd Focus area for future growth, as well
190 as Opportunity Zone B with the future extension of NC 43.

191 1993 Thoroughfare Plan/Traffic:

192 Dr. Martin Luther King Jr. Blvd is classified as "Principal Arterial". Trent Creek Rd and
193 Savoy Dr are classified as "local Streets" according to NCDOT's Functional Classification.

194 The site will have frontage along the future NC 43 extension.

195 Environment:

196 According to the Regional Land Use Plan, the subject property has areas of "medium"
197 suitability for development. There are no known environmental hazards on this property.

198 According to the North Carolina Floodplain Mapping Program, none of the subject parcels
199 are located within the 100-year or 500-year floodplain.

200 Staff Comments:

201 The proposal to rezone the subject property to R-6 Residential District is consistent with
202 the character of the surrounding land uses previously developed by the applicant. Staff has
203 found the proposed rezoning to be in the public interest and consistent with City Land Use
204 and Transportation Plans. Staff has no objection to approval of the requested rezoning.

206 **Board Discussion:**

207 Chairman Oakley stated that the applicant was present and welcome to address the Board. Patrick
208 McCullough introduced himself and gave a lengthy explanation of his background as a developer
209 of the adjacent Craeburne Forrest neighborhood. He then introduced a husband and wife who are
210 residents of this neighborhood and members of his homeowner's association, Mr. Alan Snow and
211 Mrs. Joyce Snow.

213 Board member Pat Daugherty asked if mobile homes would be permitted in the proposed R-6
214 zoning district. Staff member Laughlin explained that R-6 district does allow for "Class A
215 manufactured homes" which are commonly known as "double-wide".



217 **Hearing no further discussion amongst the Board, Chairman Oakley asked if there was a**
218 **motion. Mr. Dougherty made motion to recommend approval of the rezoning request and**
219 **Mr. Jefferson seconded the motion. A roll call was taken, and the motion passed unanimously**
220 **(6-0).**

Hearing no further discussion amongst the Board, Chair Oakley entertained a motion to adjourn. Vice Chairman Layton moved to adjourn. Mr. Aluzzo seconded the motion. A roll call was taken, and the motion passed (6-0).

4. Adjourn

Meeting time 37.12 (approximately 6:07 pm).

Date Approved: 9-6-22

Travis Oakley, Chair

Attest: 

Seth Laughlin, Land & Community Development Administrator.