

**Minutes of the
City of New Bern Planning & Zoning Board
February 07, 2023 – 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 February 7, 2023 at 5:30 pm

Members Present: Raymond Layton, Vice Chair
Brad Jefferson
Sonny Aluzzo
Pat Dougherty
Margie Dunn

Members Excused (E)/ Absent (A): Travis Oakley, Chairman
Kyle Dearing
Marshall Ballard

Staff & Counsel Present: Jessica Rhue, Development Services Director
Seth Laughlin, Zoning 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 5 members present.

2. Approval of Minutes

Board member Aluzzo made a motion to approve the minutes from 1-3-23 as written. Board member Dunn seconded the motion. **Acting Chairman Layton called for a roll call vote. The vote was unanimous (5-0).**

3A. New Business,
Phoenix Derby Park, LLC is requesting subdivision final plan approval for “Athens Acres, Phase 1” (formerly Derby Park, Ph 7) a proposed 45-lot Planned Unit Development.
This subdivision is located on 37.98 +/- acres in the R10A and A-5F Residential Districts.

Staff Comments:

Staff member Laughlin introduced the application and went on give his staff presentation to the Board:

This project received general plan approval from the City of New Bern Planning & Zoning Board on August 5th, 2021. Staff has reviewed the proposed subdivision and finds that all technical and legal requirements for final subdivision plan approval have been satisfied according to the City of New Bern Land Use Ordinance.

Therefore, final subdivision plan approval of Athens Acres, Phase 1 is recommended, contingent upon the receipt of a performance guarantee accepted by the City Attorney.

Board member Aluzzo made a motion to approve the request; Board member Jackson seconded the motion. A roll call was taken, and the motion passed (5-0).

3B. New Business

Price and Poole 2612 Investment Property, LLC. has submitted an application to rezone 6.83 acres, known as Tax Parcel 8-400-007 from Neighborhood Business (C-4) to Commercial (C-3).

Staff member Laughlin introduced the application and went on give his staff presentation to the Board:

Current and Proposed Zoning Districts

The C-4 neighborhood business district is established as a district in which the principal use of land is to provide for the retailing of goods and services to the nearby residential neighborhoods. The regulations of this district are designed to limit the businesses which may be established therein in order to protect the abutting residential areas.

The C-3 commercial district is established as a district for offices, personal services, and the retailing of durable and convenience goods. This district will generally be located on the city's major radial roads. Because these districts will be located on high-volume traffic arteries and will be subject to the view not only of local residents but tourists and other non-local motorists, ample off-street parking, controlled traffic movement, and an appropriate appearance including suitable planting shall be provided.

The 2022 Land Use Plan Update lists the subject property is located within the Martin Luther King Blvd Focus Area. Since 2010, this area has seen the most development of the three Focus Areas.

Staff Evaluation

The site is 6.83 acres and can be viewed as an expansion of commercial development within a growing area. The proposed rezoning from C-4 to C-3 is consistent with recommendations in the 2022 Land Use Plan Update. The proposed rezoning is generally 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 consistent with City Land Use and Transportation Plans, due to the parcel being located in both a Focus Area and an Opportunity Zone.

Board member Dougherty made a motion to recommend approval to the Board of Alderman; Board member Aluzzo seconded the motion. A roll call was taken, and the motion passed (5-0).

4. Adjourn

Board member Dunn made a motion to adjourn the meeting; Board member Jefferson seconded the motion. A roll call was taken, and the motion passed (5-0).

89 Meeting time 16:40 minutes (approximately 5:47 pm).

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92 Date Approved: 3-7-23

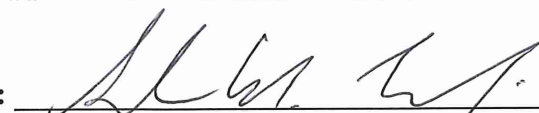
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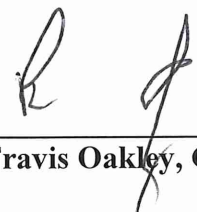
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Attest:



Seth Laughlin, Land & Community Development Administrator.



Travis Oakley, Chair