

AGENDA

CITY OF NEW BERN PLANNING AND ZONING BOARD

Thursday, February 15, 2024 – 5:30 P.M.
City Hall Courtroom, 2nd Floor
300 Pollock Street, New Bern, NC 28560



I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CHAIRMAN'S REMARKS

V. ACTION ITEMS

- A. Glenburnie Road Rezoning (REZ-002822-2024)**
Parcel Identification Numbers: 8-212-4004 & 8-212-026 **Acreage:** 5.191 (Total)
Proposed Zoning: C-3 **Current Zoning:** R-10
Location: Glenburnie Road at US 70 W
Property Owners: JKB Associates Limited Partnership and RKC Associates Limited Partnership
Applicant: Ward and Smith, P.A.
- B. 684 W Thurman Road Initial Zoning (REZ-002829-2024)**
Parcel Identification Numbers: 7-109-017 **Acreage:** 6.1
Location: 684 W Thurman Road **Proposed Initial Zoning:** C-3
Applicant/Owners: Real Dogtots, LLC

VI. COMMENTS

- Public Comment
- Board Member Comments
 - o Vice Chairman Rusty Ingram to discuss Parking Committee & role of the Board.
- Staff Comments

VII. ADJOURNMENT

*Individuals with disabilities requiring special assistance should call 639-7501
no later than 3:00 p.m. on the day of the meeting.*

STAFF REPORT

DEVELOPMENT SERVICES

REZ-002822-2024, Glenburnie Rezonings



Address/Location(s)

Glenburnie Road, New Bern, NC

Map Number(s)

8-212-4004 & 8-212-026

Parcel Size

5.191 Total Acres

Current Use

Vacant

Current Zoning

Residential 10 (R-10)

Proposed Zoning

Commercial 3 (C-3)

Summary of Proposal

Ward and Smith, P.A. have submitted an application for a zoning map amendment to rezone 5.191 total acres from Residential 10 (R-10) to Commercial 3 (C-3). These parcels are located at/near Glenburnie Road, New Bern, NC.

Synopsis of Site and Surrounding Area

The parcels total 5.191 acres and are located at/near Glenburnie Road, New Bern, NC.

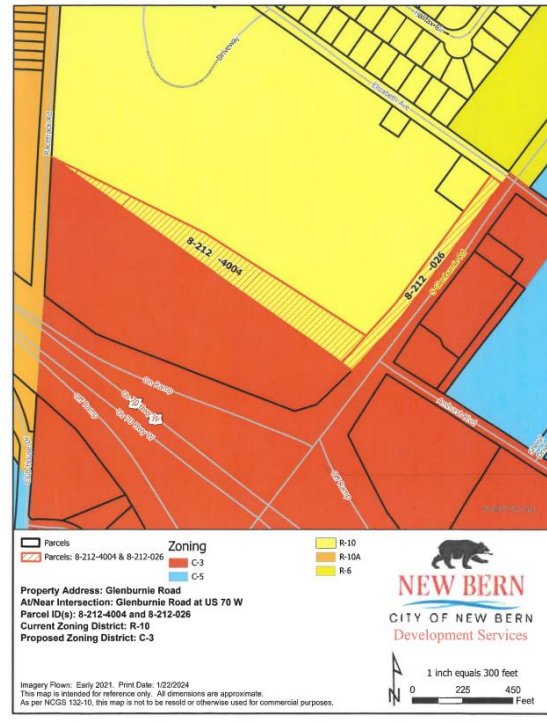
Within a half mile of the sites, there are businesses, manufactured and residential constructed homes, and vacant lots.

Zoning District Summary

The R-10 residential district is designed to accommodate single- and two-family homes with 10,000 square feet lots required for one-family dwellings and an additional 5,000 square feet required for each additional unit. For the R-10 residential district, in promoting the general purposes of this ordinance, the specific intent of this district is:

- (a) To encourage the continued use of the land for residential purposes;
- (b) To prohibit commercial and industrial use of the land and to prohibit any other use which would substantially interfere with development or continuation of single- and two-family dwellings in the district;
- (c) To encourage the discontinuance of existing uses that would not be permitted as new uses in this district;
- (d) To discourage any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets; and
- (e) To discourage any use which because of its character and size would create requirements and costs for public services, such as police and fire protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were developed solely for residential purposes.

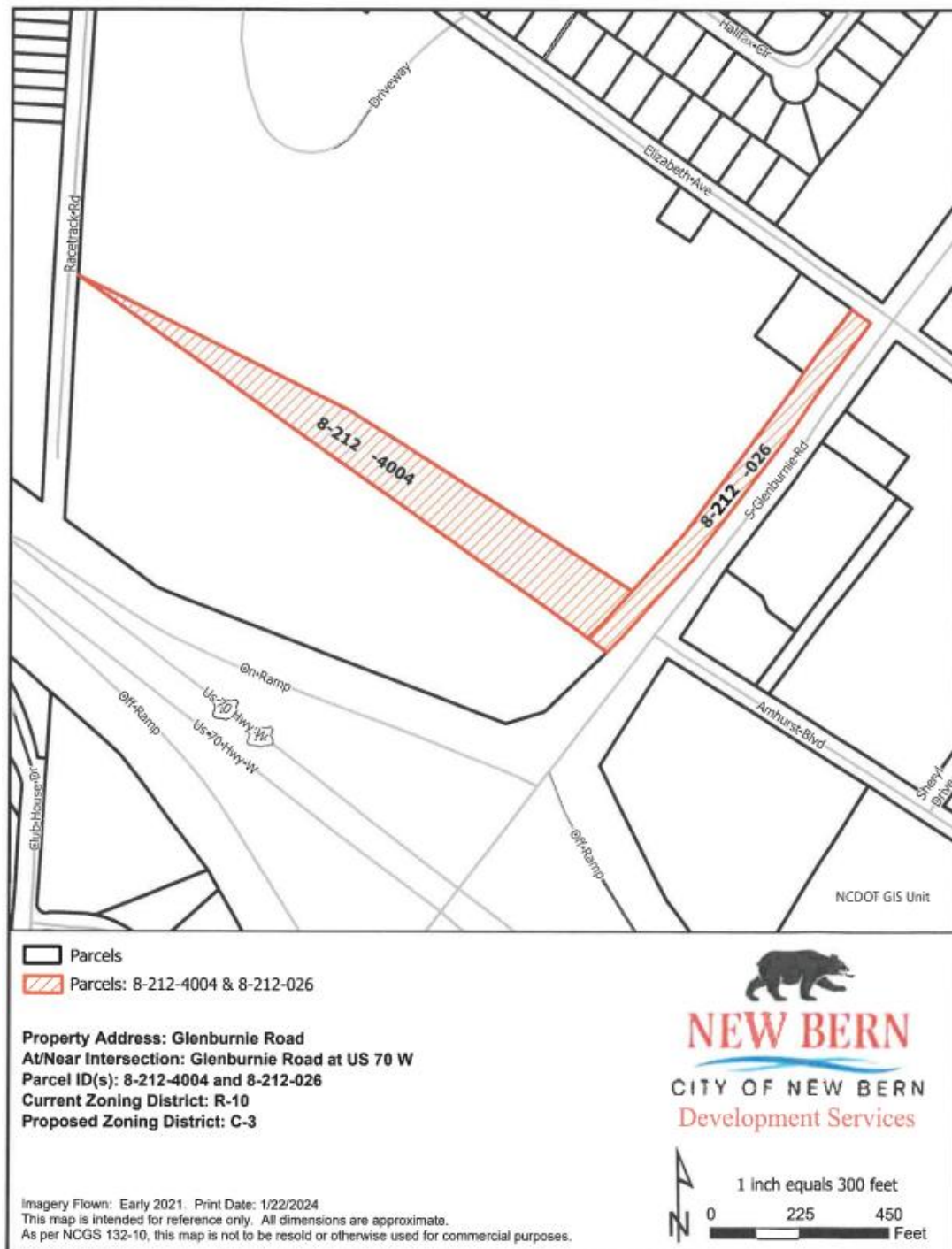
The C-3 commercial district was established as a district for offices, personal services, and the retailing of durable and convenience goods. This district will generally be located on the city's major radial roads. Because these districts will be located on high-volume traffic arteries and will be subject 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.

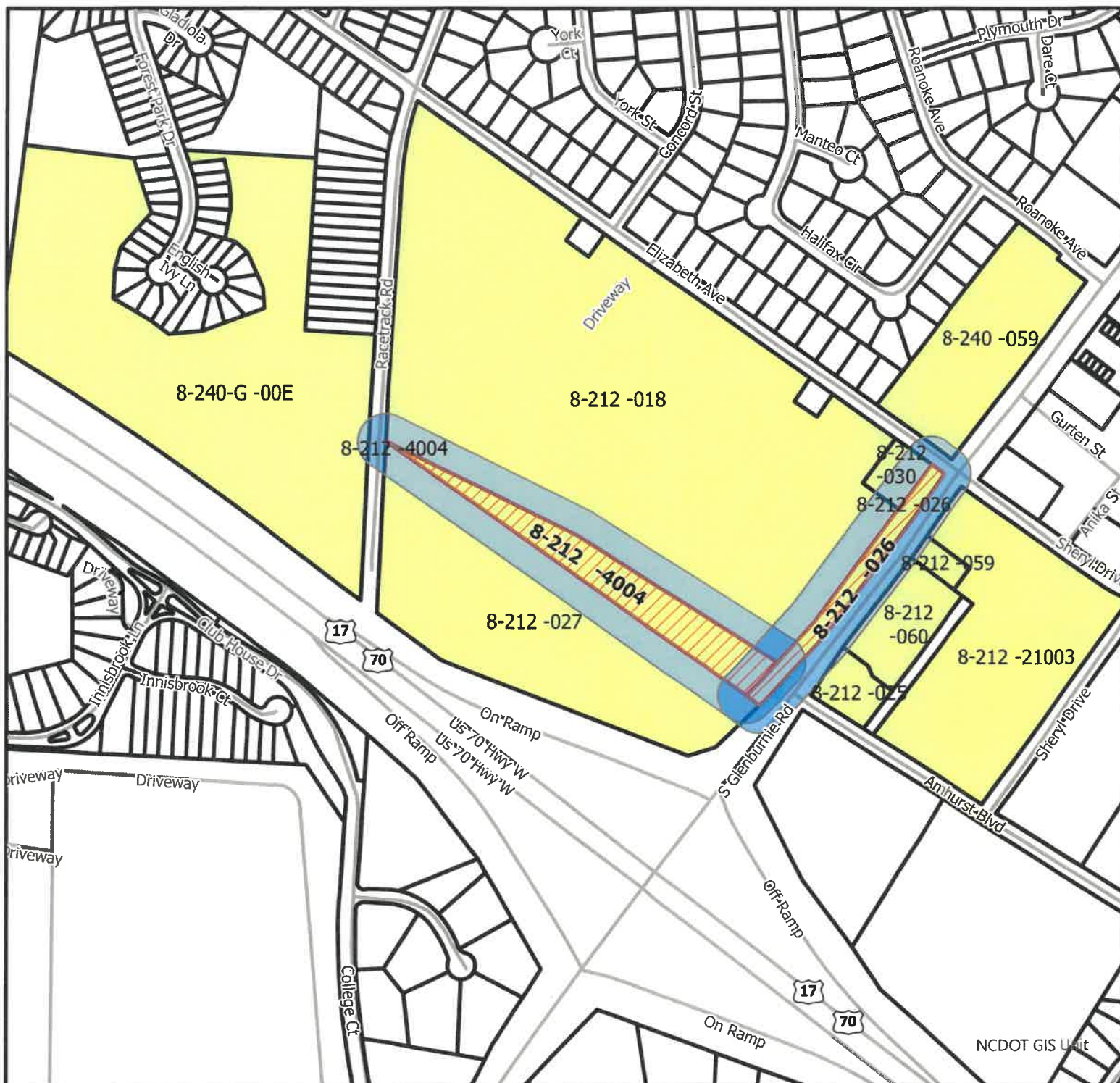


Staff Evaluation

The proposed rezoning is abutting and adjacent to Commercial 3 (C-3) zoned properties. The subject parcels are surrounded by both residential and commercial uses. This could be considered reasonable due to its location adjacent to US 17/US 70, and its proximity to existing commercially zoned properties.

Attachment Two



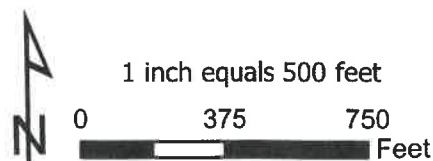


- Parcels
- 100 ft buffer
- Parcels: 8-212-4004 & 8-212-026
- Parcels in 100 ft buffer

Property Address: Glenburnie Road
At/Near Intersection: Glenburnie Road at US 70 W
Parcel ID(s): 8-212-4004 and 8-212-026
Current Zoning District: R-10
Proposed Zoning District: C-3



Imagery Flown: Early 2021. Print Date: 1/31/2024
 This map is intended for reference only. All dimensions are approximate.
 As per NCGS 132-10, this map is not to be resold or otherwise used for commercial purposes.



REZONING APPLICATION

CITY OF NEW BERN - DEVELOPMENT SERVICES



SUBJECT PROPERTY INFORMATION

Property Address: Glenburnie Road, New Bern
At/Near Intersection of: Glenburnie Road at US 70 W
Parcel ID Number(s): 8-212-4004 and 8-212-026
Number of Parcel(s): Two (2) Total Parcel Size: 5.191 total
Current Zoning District: R-10 Proposed Zoning District: C-3
Overlay District(s): N/A Effective Flood Zone(s): X

APPLICANT INFORMATION

Name: Ward and Smith, P.A.
Mailing Address: P.O. Box 867
New Bern, NC 28563
Telephone: 252-672-5474 Fax Number: 252-672-5477
Email Address: cpp@wardandsmith.com
Legal relationship of Applicant to Property Owner: Attorney

(If the application is not signed by the property owner, a written and signed statement by the property owner giving consent to the request must be submitted with the application.)

PROPERTY OWNER INFORMATION

Name: JKB ASSOCIATES LIMITED PARTNERSHIP and RKC ASSOCIATES LIMITED PARTNERSHIP
Mailing Address: P.O. Box 1169
New Bern, NC 28563
Telephone: 252-638-8300 Fax Number: n/a
Email Address: joharoldson@me.com

The applicant must answer the following questions and provide adequate explanation and documentation for each. These questions are to be used as guidelines for the Planning & Zoning Board in determining its recommendation. You may attach additional sheets and/or maps.

1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories? Explain.

Yes. Adjacent property owned by Property Owner is zoned C-3; property across the street and along Glenburnie (this property is part of the Glenburnie Corridor) is also zoned C-3.

2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group? Explain.

Yes, this is a commercial area, part of the Glenburnie Corridor, and the uses in C-3 are consistent with the uses of other property in the Corridor.

3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change? Explain.

Yes, this property is in a well-established commercial area and the permitted uses in C-3 are consistent with and appropriate for the area.

4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change? Explain.

No, a change to C-3 would make the property similarly-situated to other properties in the area.

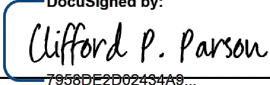
5. Is the proposed change in accord with the City of New Bern Land Use Plan and any other officially adopted plan? Explain.

Yes, this property is part of the Glenburnie Corridor and is not appropriate for residential use as it is currently zoned.

Zoning Official's Signature/Date

Printed Name of Zoning Official

REZONING APPLICATION

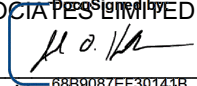
DocuSigned by:

7936DE2D02434A8... January 2, 2024

Signature of Applicant/Date

Clifford P. Parson, January 2, 2024

Printed Name of Applicant/Date

JKB ASSOCIATES LIMITED PARTNERSHIP
RKC ASSOCIATES LIMITED PARTNERSHIP

By:  January 2, 2024
John O. Haroldson, Authorized Representative

PAGE 2

January 31, 2024

Dear Property Owner:

The City of New Bern is notifying all property owners within one hundred (100) feet of a proposed rezoning with mailed notice of the request (See attached map for reference). The Planning & Zoning Board of the City of New Bern will conduct a public meeting on Thursday, February 15, 2024, in the 2nd floor courtroom at the City Hall building located at 300 Pollock Street, New Bern, NC 28560, at 5:30 pm.

The address for the subject properties is at/near the intersection of Glenburnie Road, US Highway 70 W, New Bern, NC, and the parcel identification numbers are 8-212-4004 & 8-212-026. The request is to rezone two (2) parcels, totaling 5.191 +/- acres from the Residential 10 (R-10) Zoning District to the Commercial 3 (C-3) Zoning District.

A copy of the rezoning application is available for public review during normal business hours in the Development Services office, located at 303 First Street. For further information contact Kendrick Stanton, Land & Community Development Administrator at (252) 639-7582 or Stanton.Kendrick@newbernnc.gov.

Sincerely,



Kendrick Stanton, CZO
Land & Community Development Administrator
Phone: 252-639-7582

cc: File

Individuals with disabilities requiring special assistance should call (252)639-7501 no later than 3:00 p.m. the date of the meeting.

January 31, 2024

JKB Associates Limited Partnership & RKS Associates Limited Partnership
P.O. Box 1169
New Bern, NC 28563

To whom it may concern:

The City of New Bern is notifying all property owners within one hundred (100) feet of the proposed rezoning with mailed notice of the request. According to Craven County tax records, your properties are located at/near the intersection of Glenburnie Road, US Highway 70 W, New Bern, NC. The tax identification numbers for your properties are 8-212-4004 & 8-212-026. (See attached map for reference). The properties are under consideration for rezoning from Residential 10 (R-10) to Commercial 3 (C-3) and total 5.191 + / - acres in size.

The Planning & Zoning Board of the City of New Bern will hold a public meeting to consider the proposed rezoning request at their regularly scheduled meeting on Thursday, February 15, 2024, at 5:30 pm in the 2nd floor courtroom at the City Hall building, located at 300 Pollock Street, New Bern, NC 28560.

A copy of the rezoning application is available for public review during normal business hours in the Development Services office, located at 303 First Street. For further information contact Kendrick Stanton, Land & Community Development Administrator at (252) 639-7582 or Stanton.Kendrick@newbernnc.gov.

Sincerely,





Kendrick Stanton, CZO
Land & Community Development Administrator
Phone: 252-639-7582

cc: File

Individuals with disabilities requiring special assistance should call (252)639-7501 no later than 3:00 p.m. the date of the meeting.



-  Parcels
-  Parcels: 8-212-4004 & 8-212-026

Property Address: Glenburnie Road
At/Near Intersection: Glenburnie Road at US 70 W
Parcel ID(s): 8-212-4004 and 8-212-026
Current Zoning District: R-10
Proposed Zoning District: C-3



Imagery Flown: Early 2021. Print Date: 1/22/2024
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STAFF REPORT

DEVELOPMENT SERVICES

REZ-002829-2024, Initial Zoning



Address/Location

684 W Thurman Road,
New Bern, NC

Map Numbers

7-109-017

Parcel Size

6.1 Acres

Current Use

Vacant

Current Zoning

N/A

Proposed Zoning

Commercial 3 (C-3)

Summary of Proposal

The subject property was recently annexed into the City of New Bern. This necessitates the designation of a zoning district on the subject property. The parcel is located on the north side of West Thurman Road, is 6.1 acres in size, and is also known as Tax Parcel 7-109-017. Real Dogtots, LLC have proposed designating the subject parcel as Commercial 3 (C-3).

Basis for Application

Pursuant to NCGS 160D-202(g) Transfer of Jurisdiction, Craven County development regulations and powers of enforcement shall remain in effect until (i) the city has adopted development regulations or (ii) a period of 60 days has elapsed following the annexation.

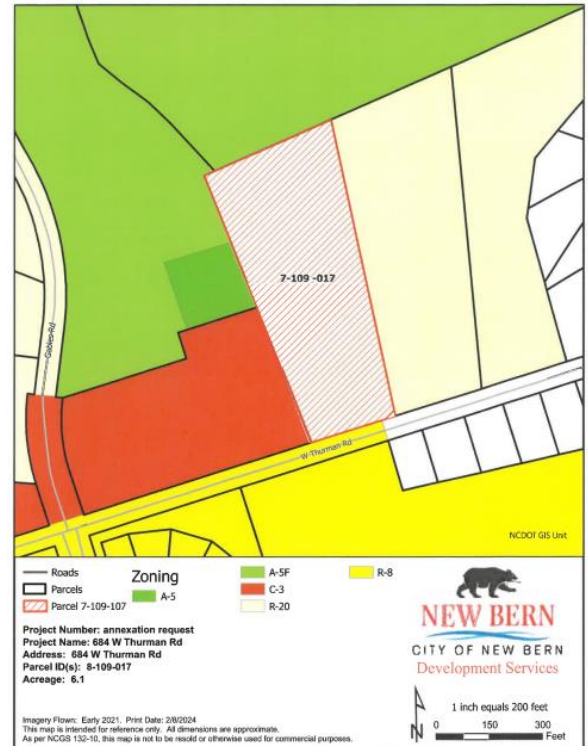
Synopsis of Site and Surrounding Area

The parcel is 6.1 acres and is located at 684 W Thurman Road, New Bern, NC.

Within a half mile of the site, there are residential constructed homes, an equestrian business, a shopping center, and vacant lots.

Zoning District Summary

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.

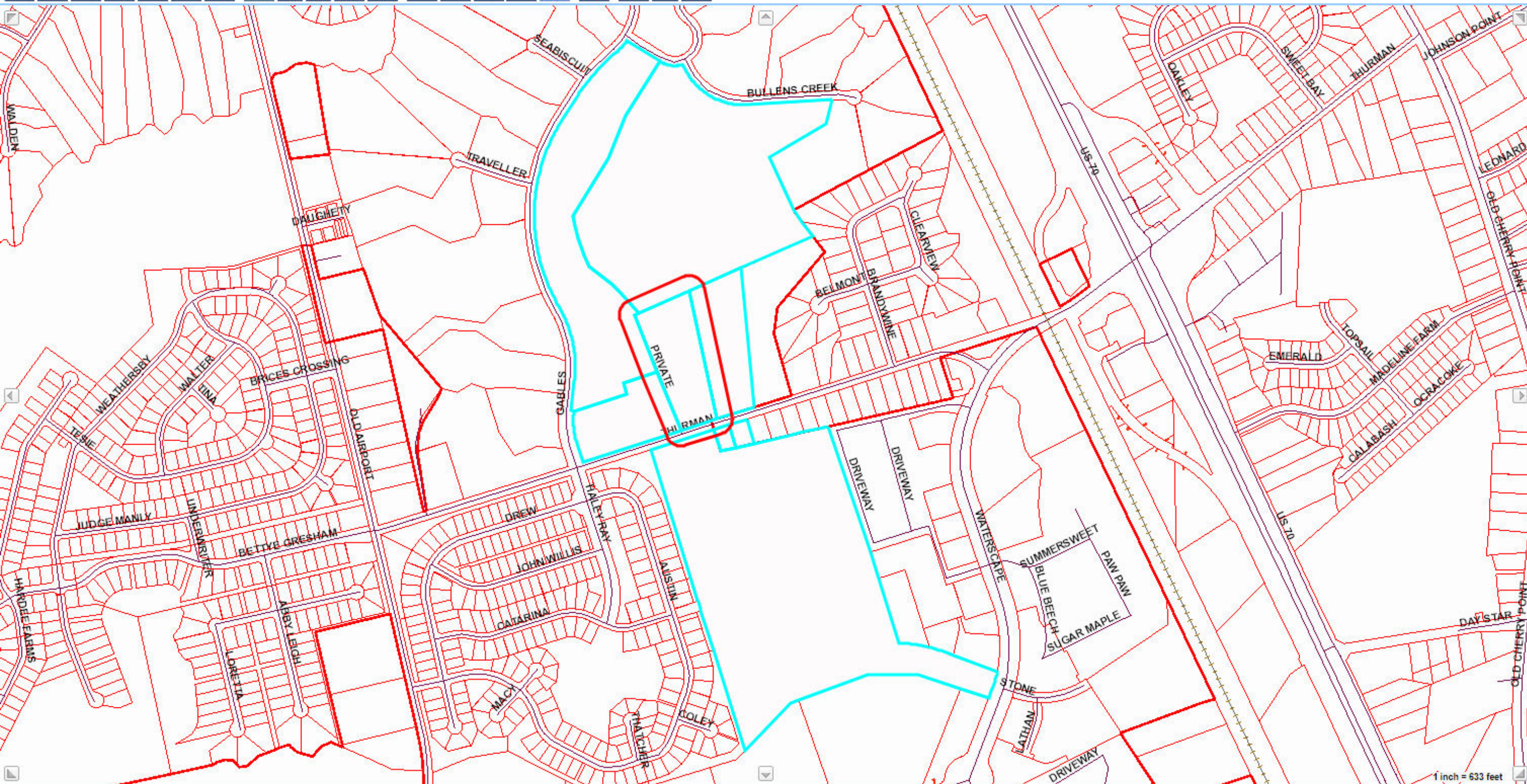


Staff Evaluation

The proposed rezoning abuts Commercial 3 (C-3), Agriculture & Forestry (A-5F), and Residential 20 (R-20) zoned properties. The subject parcel is surrounded by both residential and commercial uses. This could be considered reasonable due to its proximity to existing commercially zoned properties.

Attachment One





Search Results

Records: 1 to 8 of 8.

Click on Parcel ID to select parcel.

[Search Again ?](#) [Zoom to All Selected](#) [Clear Selection](#)

REC	PARCEL ID	OWNER	PROPERTY ADDRESS
1	7-055-SCT1-016	SMITH, LESSIE F	621 W THURMAN RD
2	7-104-9002	ARBORETUM ROAD LLC	
3	7-104-2-00B	JONES, TOM HENRY & REGINA EATON	790 W THURMAN RD
4	7-104-2-036	GABLES RUN EQUESTRIAN LLC	6 GABLES RD
5	7-104-2-037	GABLES RUN PROPERTY OWNERS	4 BULLENS CREEK DR
6	7-109-005	GRICE, LELAND M & TERESA C	623 W THURMAN RD
7	7-109-017	REAL DOGTORS LLC	684 W THURMAN RD
8	7-109-15000	NELSON, GUY R & SARAH A	624 W THURMAN RD

[< Previous](#)

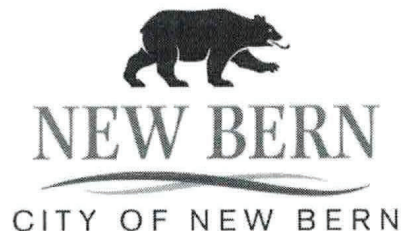
[Next >](#)

[Export to Excel](#)

[Excel column descriptions](#)

REZONING APPLICATION

CITY OF NEW BERN - DEVELOPMENT SERVICES



SUBJECT PROPERTY INFORMATION

Property Address: 684 W. Thurman Rd.
At/Near Intersection of: Thurman Rd, between Old Airport Road & Waterscape Way
Parcel ID Number(s): 7-109-017
Number of Parcel(s): 1 Total Parcel Size: 6.10 acres
Current Zoning District: N/A Proposed Zoning District: C-3
Overlay District(s): _____ Effective Flood Zone(s): N/A

APPLICANT INFORMATION

Name: Real Dogtors, LLC
Mailing Address: 3712 Cerise Cir
New Bern, NC 28562
Telephone: (303) 249-1833 Fax Number: _____
Email Address: machristenson@yahoo.com
Legal relationship of Applicant to Property Owner: Property Owner

(If the application is not signed by the property owner, a written and signed statement by the property owner giving consent to the request must be submitted with the application.)

PROPERTY OWNER INFORMATION

Name: _____
Mailing Address: _____

Telephone: _____ Fax Number: _____
Email Address: _____

The applicant must answer the following questions and provide adequate explanation and documentation for each. These questions are to be used as guidelines for the Planning & Zoning Board in determining its recommendation. You may attach additional sheets and/or maps.

1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories? Explain.

See attached additional sheets.

2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group? Explain.


3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change? Explain.

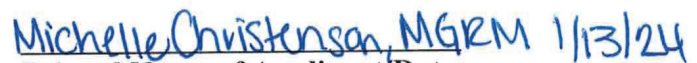
4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change? Explain.

5. Is the proposed change in accord with the City of New Bern Land Use Plan and any other officially adopted plan? Explain.


Zoning Official's Signature/Date


Signature of Applicant/Date


Printed Name of Zoning Official


Printed Name of Applicant/Date

1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories? Explain.

Yes. While there is a healthy mix of different zoning classifications in this corridor, this parcel will be immediately adjacent to two C-3 properties already within the City limits, and in close proximity to additional C-3 and C-4 designated properties.



2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group? Explain.

Yes. By definition, C-3 is designed to allow for a broad range of uses, services, and commodities to serve an entire community. With the rapid growth and expansion of large suburban developments in the vicinity, residents will continue to need increased access to convenient commercial services, such as those allowed under C-3 zoning. While the intended use for this property as a veterinary hospital would also be permitted under A-5, A-5F (also already existing zoning classifications adjacent to this parcel), C-4, C-5, or C-6 designations, we feel that C-3 offers the most overall opportunity for long-term benefit to the general public, as well as remain most in keeping with the existing zoning of City parcels in this corridor.

3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change? Explain.

Yes. While C-3 is a broad and nearly all-encompassing classification, it does still require accommodations to be made for the benefit of both residents and tourists, including: ample off-street parking, controlled traffic movement, suitable appearance and signage, vegetated buffer, and plantings—regardless of the intended use of a C-3 property. While still lagging based on overall demand, this area continues to see a rise of commercial growth opportunities in order to be able to effectively service the needs of a rapidly expanding increase in nearby suburban housing developments.

4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change? Explain.

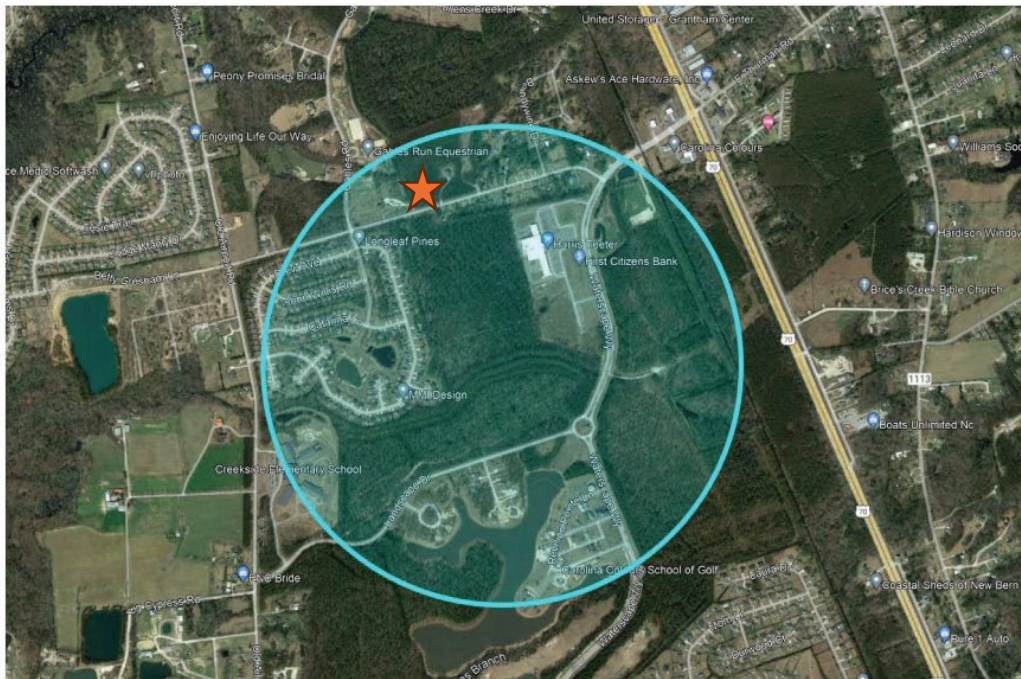
No. This proposal will have a positive effect in refreshing the appearance of the community, as well as bring increased access for goods, services, and employment opportunities to a rapidly expanding suburban development area and urban transition zone. This parcel is a large tract with sufficient buffers and natural space to allow for ample environmentally beneficial landscaping to be included in the site plan, minimizing disruption to nearby residential and recreational parcels.

5. Is the proposed change in accord with the City of New Bern Land Use Plan and any other officially adopted plan? Explain.

Yes. This proposed zoning is in accordance with the City's 2022 Land Use Plan (LUP) for the US-70 focus area for growth and development. While at the time of the study this parcel was not yet annexed into the city limits, and thus not included in the maps generated for such, this parcel does appear to meet most of the suitability attributes for development within this focus area: no flood or other environmental hazards, infrastructure and utilities already in place, within 50' of an NCDOT road, soil rated for small commercial development. (One notable exception to the criteria would be that the water utility service to this parcel—and others along this corridor—is provided by Craven County, rather than by the City of New Bern.)

Zoning of this parcel to C-3 would additionally contribute to the Economic Development goals outlined in the 2022 LUP, allowing additional skilled labor and employment opportunities in close proximity to a number of mixed housing types (including high-density). Parcel is located inside *Opportunity Zone D* and will align with the City's focus on the expansion of this existing commercial area to greater serve the needs of the community.

Figure 25. Opportunity Zone D



(SOURCE: Google Earth, Moffatt & Nichol, 2022)

January 31, 2024

Real Dogtors, LLC
3712 Cerise Cir
New Bern, NC 28562

To whom it may concern:

The City of New Bern is notifying you of the initial zoning being applied to your property (see attached map for reference). The zoning district proposed for your property is Commercial 3 (C-3). The property has recently been annexed into the City of New Bern municipal limits, and is located at 684 W Thurman Road, New Bern, NC. The Craven County Parcel ID for the property is 7-109-017. According to Craven County tax records, you are the property owners.

The Planning & Zoning Board of the City of New Bern will conduct a public meeting on Thursday, February 15, 2024, in the 2nd floor Courtroom at the City Hall building, located at 300 Pollock Street, New Bern, NC 28560, at 5:30 pm.

For further information, contact Kendrick Stanton, Land & Community Development Administrator at (252) 639-7582 or Stanton.Kendrick@newbernnc.gov.

Sincerely,



Kendrick Stanton, CZO
Land & Community Development Administrator

cc: File

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January 31, 2024

Dear Property Owner:

The City of New Bern is notifying all property owners within 100 feet of the initial zoning being applied to an annexed property (See attached map for reference).

The zoning district proposed for the subject property is Commercial 3 (C-3). The property is located at 684 W Thurman Road, New Bern, NC. The Craven County Parcel ID is 7-109-017.

The Planning & Zoning Board of the City of New Bern will conduct a public meeting on Thursday, February 15, 2024, in the 2nd floor courtroom at the City Hall building located at 300 Pollock Street, New Bern, NC 28560, at 5:30 pm.

For further information, contact Kendrick Stanton, Land & Community Development Administrator at (252) 639-7582 or Stanton.Kendrick@newbernnc.gov.

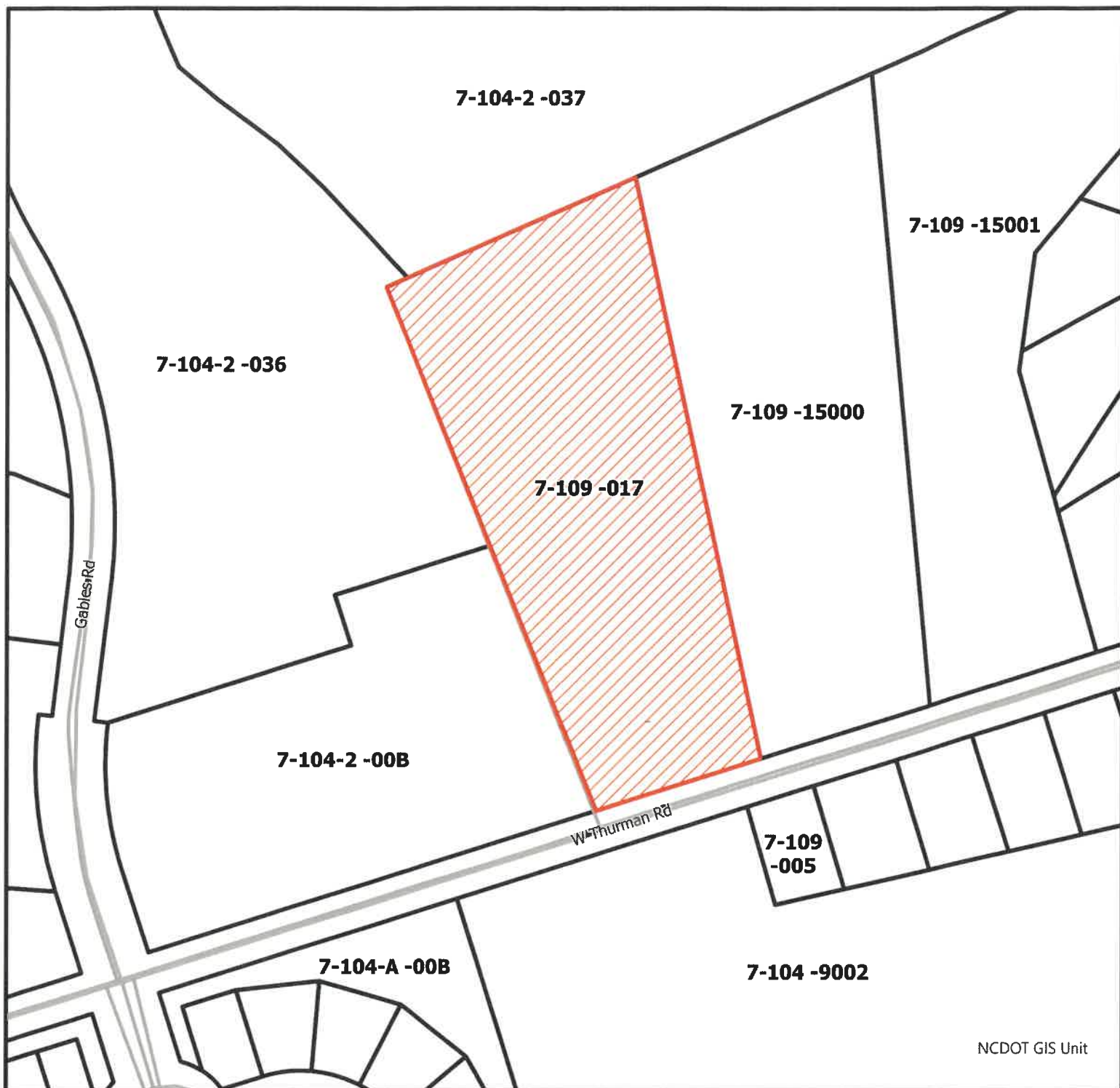
Sincerely,



Kendrick Stanton, CZO
Land & Community Development Administrator

cc: File

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NCDOT GIS Unit

- Roads
- ▭ Parcels
- ▨ Parcel 7-109-107

Project Number: annexation request
Project Name: 684 W Thurman Rd
Address: 684 W Thurman Rd
Acreage: 6.1

Imagery Flown: Early 2021. Print Date: 1/3/2024
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