

A-G-E-N-D-A
REGULAR MEETING
PLANNING BOARD
CITY HALL CONFERENCE ROOM
308 E. STADIUM DRIVE

TUESDAY, JANUARY 26, 2019
5:30 P.M.

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the regular meeting on January 22, 2019.
5. New Business:

ZONING CASE

Z-19-03

TEXT AMENDMENT

- (1) Consideration of a zoning text amendment request to amend Section 11.24(m)(5) to allow Truck Driver Training Schools in the Business-Shopping Center District. Submitted by Victoria Hale.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(m)(5) to allow Truck Driver Training Schools in the Business-Shopping Center District.

6. Items from Staff:
7. Items from the Planning Board:
8. Adjournment.

PLEASE CALL THE PLANNING AND INSPECTIONS DEPARTMENT IMMEDIATELY
TO LET US KNOW YOUR PLANS FOR ATTENDING THE MEETING

336-623-2110 OPTION 2

EDEN PLANNING BOARD
JANUARY 22, 2019

The regular meeting of the Eden Planning Board was held on Thursday, January 22, 2019, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker
Barbara Garland
Jerry W. Holland, Jr.
Steve Morgan
Fred Ramsey
Matthew Smith
Frank Wyatt
Gwen Taylor
Steve Morgan

Members absent: Amelia Dallas*
Carol Helms*

Staff Present: Kelly K. Stultz, Planning Director
Debra M. Madison, Planning Coordinator/Legal Assistant

Others Present: Katrina Snow
Mike Dougherty
Randy Hunt
Chip Reynolds
Toni Reynolds

*Excused absence.

Chairman Matthew W. Smith called the meeting to order.

ROLL CALL:

Debra Madison took note of everyone that was present and established a quorum.

SET MEETING AGENDA:

Jerry Holland made a motion to set the agenda as presented. Steve Morgan seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES OF THE SPECIAL MEETING ON JANUARY 3, 2019.

The minutes of the special meeting on January 3, 2019, were presented to the Board. Steve Morgan made a motion that the minutes be approved. Jerry Holland seconded the motion. Motion carried unanimously.

NEW BUSINESS:

A. ZONING CASE Z-19-01 MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone property at 354 W. Meadow Road from Office & Institutional to Business – General. Submitted by Riverbluff Property, LLC, Property Owner.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 354 W. Meadow Road from Office & Institutional to Business – General.

Kelly Stultz gave the Staff Report which included a recommendation that the Board recommend approval of the text amendment to the City Council.

Katrina Snow, owner of the property, spoke to the Board and her believe that the area could make a comeback.

Chip and Toni Reynolds addressed the Board and told them of their plan to have a microbrewery at the location. They thought the Meadow Road property would be a perfect location.

Kelly Stultz reminded the Board that the request was for a map amendment which meant that they needed to consider all uses allowed in the Business-General District and not what Mr. and Mrs. Reynolds had planned for the location.

Jerry Holland made a motion to recommend approval of the map amendment to the City Council and to adopt the Statement of Consistency. Steve Morgan seconded the motion. The motion passed with 8 in favor and 1 against the motion.

B. ZONING CASE Z-18-06 TEXT AMENDMENT

- (1) Board to initiate action concerning disabled motor vehicles.
- (2) Consideration of a zoning text amendment request to amend Section 11.29(a) Definitions to include a definition for Disabled Motor Vehicles and to amend Section 11.22 General Provisions to include provisions pertaining to the regulation of Disabled Motor Vehicles.

- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.29(a) Definitions to include a definition for Disabled Motor Vehicles and to amend Section 11.22 General Provisions to include provisions pertaining to the regulation of Disabled Motor Vehicles.

Kelly Stultz explained to the Board the current regulations in the City of Eden City Code as they relate to motor vehicles and their classification as junked motor vehicles. She also told them that the City needs additional regulations for vehicles that are not operational and sitting on property.

Steve Morgan made a motion, seconded by Jerry Holland, that the Planning Board initiate action to establish regulations for disabled motor vehicles. The motion passed.

Kelly Stultz presented the Staff report and a recommendation that the Board recommend approval of the text amendment to the City Council.

After some discussion and questions, Steve Morgan made a motion to recommend approval of the amendment and to adopt the Statement of Consistency. Eddie Barker seconded the motion and the motion passed.

ITEMS FROM STAFF:

None

ITEMS FROM THE PLANNING BOARD:

None

ADJOURNMENT:

There being no further business to come before the Board, Steve Morgan made a motion for adjournment. Jerry Holland seconded the motion. Motion carried unanimously.

Respectfully submitted,

Kelly K. Stultz, Administrative Assistant to
the Planning Board

Attest:

Matthew W. Smith, Chairman



PLANNING & INSPECTIONS DEPARTMENT

APPLICATION FOR ZONING ORDINANCE AMENDMENT
PETITION FOR TEXT AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: Victoria Hale DBA Elite Driving School TELEPHONE: 336-623-6800
MAILING ADDRESS: 202 N Van Buren Rd Ste F
CITY Eden STATE NC ZIP CODE 27288

(2) APPLICABLE SECTION OF THE ZONING ORDINANCE:

BUSINESS SHOPPING CENTER 11.24(m)(5)

(3) EXISTING WORDING IN TEXT:

(4) REQUESTED WORDING IN TEXT:

Allow Truck Drive Training School

(5) REASON FOR REQUESTED CHANGE:

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Victoria Hale
Applicant's Signature

3-8-19
Date of Signature

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-19-03

FEE PAID: \$150⁰⁰

RECEIVED BY: H. Dalloway

DATE: 3-8-19

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING TEXT AMENDMENT REPORT
March 12, 2019**

CASE NUMBER: Z-19-03

REQUESTED ACTION: To amend Section 11.24(m)(5) to allow Truck Driver Training Schools in the BSC district

APPLICANT: Victoria Hale

EXISTING TEXT

Section 11.24(m)(5)

(None)

PROPOSED TEXT

Section 11.24(m)(5)

Truck Driver Training Schools

GENERAL INFORMATION

This request was submitted by the potential property owner.

STAFF ANALYSIS

This amendment was submitted as a request to allow truck driver training schools as a permitted use in the Business Shopping Center District. The BSC district is established as a district in which the principal use of land is to provide for the retailing of goods and services in designed shopping areas, where the nature of the development occurring is limited by standards designed to protect the abutting residential areas. (This district is required for shopping center developments over four (4) acres; shopping centers under four (4) acres shall be classified as neighborhood business.)

The BSC districts were originally designed primarily for retail and service uses. However, over the years, as shopping centers and malls have been in decline nationwide, many shopping centers have moved away from retail uses and converted to more service-oriented uses. This has led to many vacant tenant spaces and outparcels in the BSC districts. Staff is of the opinion that allowing more “non-traditional” uses could promote better use of these properties, rather than allowing them to sit vacant and possibly become deteriorated.

Staff also believes that allowing the use of a truck driver training school would not deter from the intent of the BSC district, but would allow more options for use of these properties, provided there is adequate space for operation of the business without interfering with other uses, without infringing on required parking space. In addition, staff recommends that the use be allowed only with a designated driving area which is designed to carry the load of trucks and heavy vehicles, and which does not utilize existing parking areas of the BSC district, so as not to infringe on these parking lots which are designed for the shopping areas and for normal vehicular traffic.

Based upon the foregoing information, staff recommends approval of the text amendment.

STAFF RECOMMENDATION:

Approval of the text amendment.

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-19-03
TEXT AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances; and

WHEREAS, the City of Eden Planning Board received a request for an amendment to the Zoning Ordinance as follows:

To amend Section 11.24(m)(5) Business Shopping Center to allow Truck Driver Training Schools as a permitted use.

STATEMENT OF NEED:

The Business-Shopping Center districts were originally designed primarily for retail and service uses. However, over the years, as shopping centers and malls have been in decline nationwide, many shopping centers have moved away from retail uses and converted to more service-oriented uses. This has led to many vacant tenant spaces and outparcels in the BSC districts. Staff is of the opinion that allowing more "non-traditional" uses could promote better use of these properties, rather than allowing them to sit vacant and possibly become deteriorated.

STATEMENT OF CONSISTENCY.

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Board finds that this amendment will be consistent with the goals and policies expressed in the Land Development Plan, as amended, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

1. The Planning Board of the City of Eden finds that the proposed amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden, nor any jurisdiction in the State of North Carolina, permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is reasonable and in the public interest.

Approved, adopted and effective this 26th day of March, 2019.

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board