

A-G-E-N-D-A
REGULAR MEETING
PLANNING BOARD
CITY HALL CONFERENCE ROOM
308 E. STADIUM DRIVE
TUESDAY, NOVEMBER 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 September 24, 2019.
5. New Business:

ZONING CASE

Z-19-14

MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674) from Industrial-1 to PUD – Mixed Use. Submitted by James Maynard, Member of Nantucket Mill, LLC, Property Owner.
 - (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674) from Industrial-1 to PUD – Mixed Use.
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
SEPTEMBER 24, 2019

A regular meeting of the Eden Planning Board was held on Tuesday, September 24, 2019, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker
Amelia Dallas
Carol Helms
Jerry W. Holland, Jr.
Steve Morgan
Fred Ramsey
Matthew Smith
Frank Wyatt

Members absent: Barbara Garland
Gwen Taylor

Staff Present: Kelly K. Stultz, Planning Director
Debra M. Madison, Local Codes Administrator/GIS Analyst

Others Present: Tommy Fleming
Mike Fleming

*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:

A motion was made by Eddie Barker and seconded by Steve Morgan to set the meeting agenda as mailed to all members. Motion passed unanimously.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON AUGUST 27, 2019.

The minutes of the regular meeting on August 27, 2019, were presented to the Board. A motion was made by Amelia Dallas and seconded by Steve Morgan to approve the minutes as presented to all members. Motion passed unanimously.

NEW BUSINESS:

ZONING CASE

Z-19-13

MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone 4.02 acres on the south side of West Kings Hwy (PIN 7979-07-77-0941) from Office & Institutional to Business-General. Submitted by Mike Fleming, Property Owner.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone 4.02 acres on the south side of West Kings Hwy (PIN 7979-07-77-0941) from Office & Institutional to Business-General.

Kelly Stultz gave the Staff Report that included a recommendation that the rezoning request be approved.

After discussion and comments from the property owners, Jerry W. Holland, Jr. made a motion to recommend approval of the zoning request to the City Council and adopt the Consistency Statement. The motion was seconded by Eddie Barker and passed.

ITEMS FROM STAFF:

None

ITEMS FROM THE PLANNING BOARD:

None

ADJOURNMENT:

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

Respectfully submitted,

Attest:

Kelly K. Stultz, Administrative Assistant
To the Planning Board

Matthew W. Smith, Chairman



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT
PETITION FOR MAP 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: James Maynard TELEPHONE: (704) 351-3248
MAILING ADDRESS: PO Box 3916
CITY Hickory STATE NC ZIP CODE 28603
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): _____
Owner

(2) PROPERTY OWNER INFORMATION:

NAME: Nantucket Mill LLC TELEPHONE: (828) 324-6774
MAILING ADDRESS: PO Box 3916
CITY Hickory STATE NC ZIP CODE 28603

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 707015636765, 707015648087, 707015649674
STREET LOCATION: 104 Morgan Road, Eden, NC 27288
DEED BOOK: 1500 PAGE NUMBER 1733
YEAR CURRENT OWNER ACQUIRED PROPERTY: 12/29/15
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 6 acres
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant, Original Use - Industrial

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: I-1 REQUESTED ZONING DISTRICT: PUD-MR

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(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.

[Signature]
Applicant's Signature

9/16/19
Date of Signature

(7) PROPERTY OWNER(S) 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.

[Signature]
Property Owner's Signature

9/17/19
Date of Signature

Property Owner's Signature

Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Secretary

Name of Corporation

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-19-14
RECEIVED BY: _____

FEE PAID: _____
DATE: _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
October 25, 2019**

CASE NUMBER:	Z-19-14
EXISTING ZONING DISTRICT:	I-1
REQUESTED ZONING DISTRICT:	PUD-MU
APPLICANT:	James Maynard
APPLICANT'S STATUS:	Property Owner/ Nantucket Mill LLC

PROPERTY INFORMATION

LOCATION:	104 Morgan Road
PIN:	7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674
SIZE:	6 acres
ACCESS:	Morgan Road
LAND USE:	Former textile mill
PHYSICAL CHARACTERISTICS:	Former mill building and outbuildings
ZONING HISTORY:	Zoned I-1 at time of original zoning

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by vacant I-1 property; bordered on the west by Morgan Road and BG property; bordered on the south by Church Street and I-1 property containing the Governor Morehead Park; bordered on the east by vacant I-1 property and the Spray Canal.		
ADJACENT ZONING:	North:	I-1	
	South:	I-1	
	East:	I-1 and PUD-MU	
	West:	BG	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
-----------------------------	-----

PUBLIC WATER AVAILABLE: Yes
PUBLIC SEWER AVAILABLE: Yes

LAND DEVELOPMENT PLAN (2007): Town Center

FLOOD HAZARD AREA: Yes

WATER SUPPLY WATERSHED: Yes – WS-IV (Critical)

STAFF ANALYSIS

The request is to rezone approximately 6.0 acres from I-1 (Industrial-1) to PUD-MU (PUD-Mixed Use). The I-1 Industrial District is established as a district in which the principal use of land is for industries which can be operated in a clean and quiet manner. The PUD-Mixed Use District (PUD-MU) is established for the development of new and existing commercial and industrial properties for mixed uses including residential, commercial and light industrial, and is intended to provide for:

- (1) Flexibility in design to take greatest advantage of historic resources while protecting historic and natural resources;
- (2) Greater freedom for developers to submit plans that use a creative approach to land use and adaptive reuse of historic properties, utilizing innovative techniques to enhance the aesthetic quality of the development;
- (3) Efficient use of land and existing utilities and infrastructure which may reduce environmental impact and development costs;
- (4) Simplification of the procedures for obtaining approval of proposed development through timely review of proposed land use, site plan, public needs and other relevant factors.

The PUD-MU zoning must be approved by the City Council, upon recommendation from the Planning Board.

The subject parcel is located in an area of former textile mills and associated structures, most of which have been vacant for years. The subject property is also a former textile mill. This area contains some of the City's most historic resources; however, most of the buildings and the entire area has been in a state of decline since the closing of the mills. The PUD-MU district is specifically designed for such uses. Staff is of the opinion that this zoning would be suitable for the property, with the following exceptions:

- (1) No new development shall occur and no permits shall be issued until a final development plan is approved subject to all regulations of the PUD-MU district.
- (2) Provisions shall be met in order to protect the natural environment and character of the area.
- (3) Provisions for on-site parking shall be met subject to the regulations of the PUD-MU district.
- (4) The Articles of Incorporation for the owners' association shall be submitted with the Preliminary Development Plan and filed with the Rockingham County Register of Deeds.

- (5) The permit-issuing authority may impose other appropriate or more stringent conditions deemed necessary to protect the public health, safety, and general welfare, and the character of the neighborhood.

Based upon the character of the area and the potential for mixed-use redevelopment of the property, staff recommends approval of the request.

STAFF RECOMMENDATION:

Approval of the PUD-MU request.

ZONING CASE

Z-19-14

AERIAL MAP



Subject Property

Subject Property

Subject Property

104 Morgan Road

**PIN 7070-15-64-8087,
7070-15-63-6765
and 7070-15-64-9674**

**Zoned:
Industrial - 1**

**Requested:
PUD-MU**

ZONING CASE

Z-19-14

ZONING MAP



104 Morgan Road

**PIN 7070-15-64-8087,
7070-15-63-6765
and 7070-15-64-9674**

**Zoned:
Industrial - 1**

**Requested:
PUD-MU**



A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-19-14
MAP 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 to rezone the property at 104 Morgan Road and adjoining vacant lots identified as PIN 7070-15-64-8087, 7070-15-63-6765 and 7070-15-64-9674 from Industrial-1 to PUD-Mixed Use.

STATEMENT OF NEED:

The subject parcels are located in an area of former textile mills and associated structures, most of which have been vacant for years. The subject properties were also a former textile mill. This area contains some of the City's most historic resources; however, most of the buildings and the entire area has been in a state of decline since the closing of the mills. The PUD-MU district is specifically designed for such uses.

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, 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's best interest.

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

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board