



Planning & Inspections Department

P. O. Box 70 * Eden, North Carolina 27289-0070 * (336) 623-2110 * Fax (336) 623-4057

MEMO

To: Honorable Mayor and City Council
Thru: Brad Corcoran, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-12-02 – Northwest corner of E. Stadium Drive and N. New Street**
Date: March 30, 2011

The City has received a zoning map amendment request filed by Jack T. Fleming, Jr. for property on the Northwest corner of E. Stadium Drive and N. New Street. The request is to rezone the property from Industrial Park-1 to Business General.

The Planning and Inspections Department recommends approval of the map amendment request. At their March 2012 regular meeting, the Planning Board voted to recommend that the City Council approve this request.

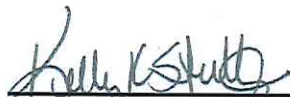
CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY

RE: ZONING CASE Z-12-02
Northwest corner of E. Stadium Drive and N. New Street

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Inspections Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment request submitted by Jack T. Fleming, Jr. to rezone property at the Northwest corner of E. Stadium Drive and N. New Street from Industrial Park-1 to Business-General were mailed first-class mail to the owner of property in the proposed rezoning and all property owners adjacent to the subject area on the 5th day April, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand this the 5th day of April, 2012.



Kelly K. Stultz, AICP
Planning and Inspections Director

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
March 5, 2012**

CASE NUMBER:	Z-12-02
EXISTING ZONING DISTRICT:	IP-1
REQUESTED ZONING DISTRICT:	BG
APPLICANT:	Jack T. Fleming, Jr.
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	Northwest corner Stadium Drive & New Street
PIN:	7090-09-151604
SIZE:	9.6 acres
ACCESS:	Stadium Drive and New Street
LAND USE:	Vacant
PHYSICAL CHARACTERISTICS:	Wooded, undeveloped property
ZONING HISTORY:	Zoned IP-1 at time of original zoning

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by IP-1 property; bordered on the south across Stadium Drive by BG property; bordered on the east across New Street by IP-1 property; bordered on the west by IP-1 property.	
ADJACENT ZONING:	North:	IP-1
	South:	BG
	East:	IP-1
	West:	IP-1

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	Yes

LAND DEVELOPMENT PLAN (2007): Town Center

FLOOD HAZARD AREA: None

WATER SUPPLY WATERSHED: None

STAFF ANALYSIS

The request is to rezone approximately 9.6 acres from Industrial Park-1 (IP-1) to Business General (BG). The IP-1 district is defined as an area within the boundaries of an industrial park or an area of light industrial development, but situated where residential development, or prospective development, is in close proximity on one or more sides of the district. The district is usually located along railroad spurs or major thoroughfares, but where certain operations could adversely affect nearby properties. The purpose of this district is to permit the normal operations of almost all industries, excepting those that would be detrimental to adjoining properties. Excluded from this district are those industries which are noxious by their emission of smoke, dust, fumes, glare, noise, and vibrations and those industries which deal primarily in hazardous materials, including explosives.

The BG districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping.

The subject property is located at the intersection of Stadium Drive and New Street. The property is bordered on the north and west by a large IP-1 parcel containing Loparex in the Eden Industrial Park. Across Stadium Drive to the south of the subject property are three existing BG properties containing several different businesses. Across New Street to the east is a large undeveloped parcel of IP-1 property.

The subject property is located on a main east-west thoroughfare. The entire block across Stadium Drive to the south of the subject property is zoned BG from Gilley Street to New Street. This area includes an auto repair business, a storage business, a convenience store, and several vacant properties. There has been no recent development pressure in the area. Staff is of the opinion that rezoning the property to BG would be appropriate, due to the other BG properties in the area. There is no industrial development projected for the area and this particular parcel would likely be too small for an industrial site. Rezoning the property to BG could make it more likely to be developed for other commercial uses. The access off of Stadium Drive and New Street makes this site suitable for commercial development. In addition, a commercial use on this site would be able to provide goods and services to the surrounding industrial and business uses.

Based upon the character of the area and the existing commercial and light industrial uses in the area, staff recommends in favor of the request.

STAFF RECOMMENDATION:

Approval of the BG request.

Zoning Case Z-12-02 Zoning Map

Subject Property

IP1

I2

BG

R12

R20

I1

COMMERCE

EDEN

FIELDCREST

NEW

HAIRSTON

MARYLAND

GEORGIA

STADIUM

GILLEY

JARRETT

O1



**Zoning Case Z-12-02
Aerial Photo**

Subject Property



AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Zoning Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Industrial Park - 1 to Business – General the following tract:

BEING those certain tracts designated “9.577 AC” and “0.022 AC” as shown on plat entitled “Fieldcrest Cannon Eden Industrial Center” recorded in Plat Book 34, page 25, Rockingham County Registry.

The above described tracts being all of that property conveyed to Jack T. Fleming, Jr. by Deed recorded in Book 1223, Page 1706 and being further identified by the Rockingham County Tax Dept. as PIN 7090-09-15-1604 and Parcel Number 110548.

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2012.

CITY OF EDEN

BY: _____
John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, CMC
City Clerk