



Planning and Inspections Department

P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 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-15-05 – 301 The Boulevard**
Date: August 5, 2015

The City has received a zoning map amendment request filed by Bobby Ray Campbell for property at 301 The Boulevard. The request is to rezone the property from Business-Central to Business-General.

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

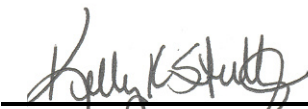
CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY

RE: ZONING CASE Z-15-05
301 THE BOULEVARD

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 as requested by Bobby Ray Campbell to rezone property at 301 The Boulevard from Business-Central to Business-General were mailed first-class mail to the owner of the property in the proposed rezoning and all property owners within 100 feet of the subject area on the 5th day August, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand this the 5th day of August, 2015.



*Kelly K. Stultz, AICP
Planning and Inspections Director*

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
July 13, 2015**

CASE NUMBER:	Z-15-05
EXISTING ZONING DISTRICT:	BC
REQUESTED ZONING DISTRICT:	BG
APPLICANT:	Bobby Ray Campbell
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	301 The Boulevard
PIN:	7090-1952-1300
SIZE:	.237 acres
ACCESS:	The Boulevard and Glovenia Street
LAND USE:	Commercial
PHYSICAL CHARACTERISTICS:	Developed lot with commercial building
ZONING HISTORY:	Zoned BC at time of original zoning.

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north across The Boulevard by BC property; bordered on the west across Glovenia Street by BG property; bordered on the east and south by R-6 residential property.
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ADJACENT ZONING:	North: BC
	South: R-6
	East: R-6
	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: None
WATER SUPPLY WATERSHED: None

STAFF ANALYSIS

The request to zone an approximately .237 acre parcel from Business Central (BC) to Business General (BG). The BC district is designed to permit a concentrated development of retailing establishments. 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 a commercial lot located at the intersection of The Boulevard and Glovenia Street. The property has been used for various commercial uses through the years. There has been no development pressure in the area for many years. There is BG property across Glovenia Street and BC property across The Boulevard. Staff is of the opinion that commercial uses are best suited for this property, and due to the proximity of BG property across the street, that this zoning designation would be appropriate for the property. However, any use (permitted or conditional) that would be allowed in the BG district must meet the requirements of the district as far as parking, buffers, landscaping, etc., to protect the integrity of residential properties to the south and east.

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

STAFF RECOMMENDATION:

Approval of the BG request.

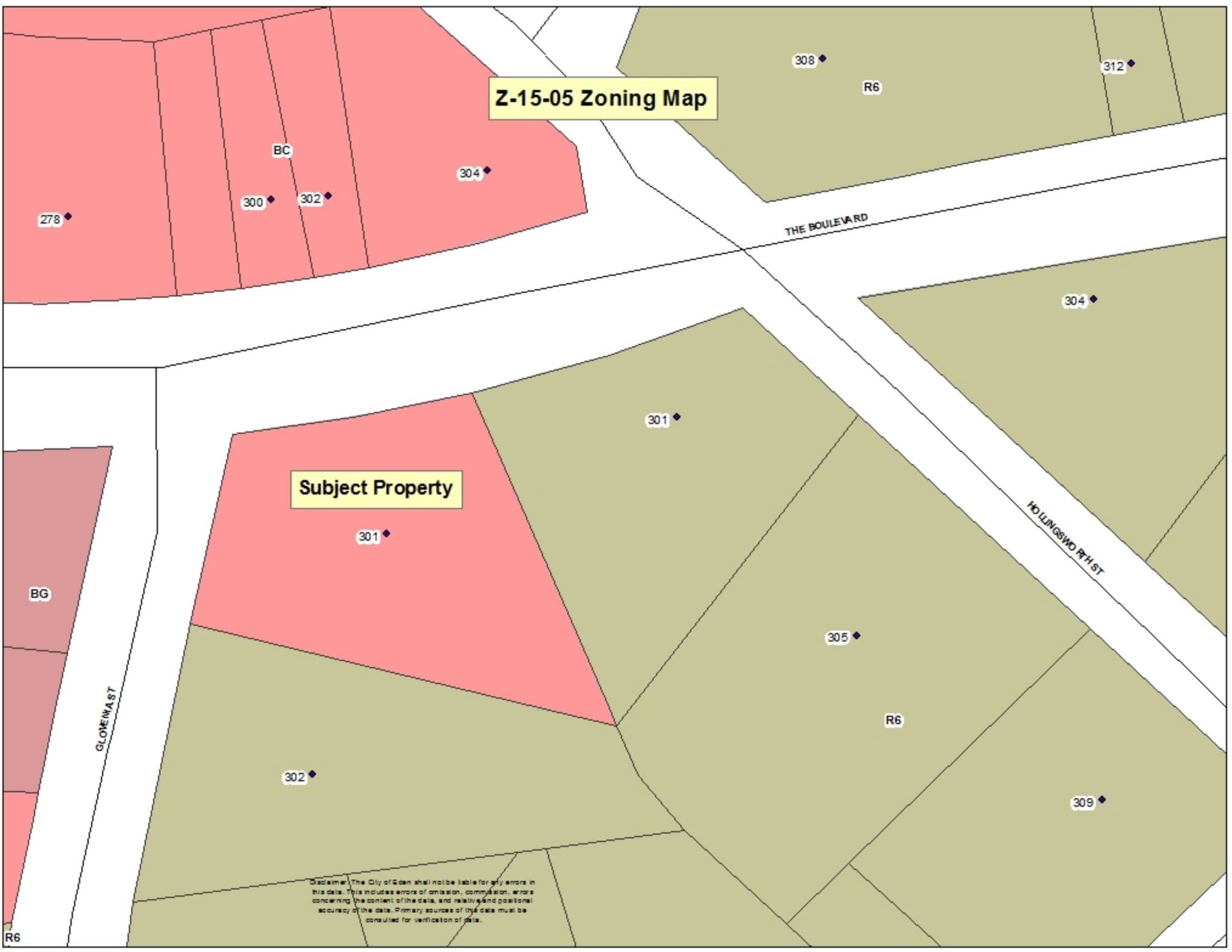
Z-15-05 Aerial Map

Subject Property

Disclaimer: The City of Eden shall not be liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. Primary sources of this data must be consulted for verification of data.



Z-15-05 Zoning Map



Subject Property

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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 Business-Central to Business-General the following tract:

BEGINNING at a nail in the right of way of The Boulevard at or near its intersection with Glovenia Street, said nail being located North 73 deg. 26 min. 17 sec. East 29.25 feet from a spike marking the northeast corner of a .108 tract as shown on the plat hereinafter referred to FROM THE POINT OF BEGINNING North 81 deg. 27 min. 34 sec. 41.15 feet to an iron; thence with the southern line of The Boulevard North 79 deg. 07 min. 48 sec. East 44.31 feet to an existing iron pipe, the northwest corner of Ronald C. Law (Deed Book 821, page 2325); thence with Law's western line, South 24 deg. 23 min. 25 sec. East 127.26 feet to an existing iron pipe; thence with the northern line of Stella E. Graves (Deed Book 880, page 410), North 76 deg. 59 min. 26 sec. West 139.65 feet to an existing iron pipe; thence continuing North 76 deg. 59 min. 26 sec. West 13.46 feet to a nail in the right of way of Glovenia Street; thence North 10 deg. 30 min. 34 sec. East 68.41 feet to the POINT OF BEGINNING, containing .239 acres, more or less, as per plat of survey for Mize Motors, Inc., City of Eden, Leaksville Township, Rockingham County, N.C., October 21, 2995 by Jimmy R. Joyce and Associates, R.L.S., Mayodan, NC. For reference see Deed Book 765, page 940 and Book 973, page 2220.

The above described property being further identified by the Rockingham County Tax Dept. as PIN 7090-19-52-1300 and Parcel Number 107525.

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

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of August, 2015.

CITY OF EDEN

BY: _____
Wayne R. Tuggle, Sr., Mayor

ATTEST:

Sheralene Thompson, CMC
City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-15-05
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

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;

WHEREAS, the City of Eden Planning Board received a request to rezone property at 301 The Boulevard from Business-Central to Business-General;

WHEREAS, On July 28, 2015, the City of Eden Planning Board voted to recommend approval of the rezoning request.

STATEMENT OF NEED:

The current zoning is not consistent with the use of the property and the surrounding properties.

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 Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent

with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

1. The Eden City Council 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 or 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 and adopted and effective this 18th day of August, 2015

CITY OF EDEN

BY: _____
Wayne R. Tuggle, Sr., Mayor

ATTEST:

Sheralene Thompson, CMC
City Clerk