

**COMPREHENSIVE PLAN STEERING COMMITTEE
TUESDAY, JULY 27, 2021
4:00 P.M. – CONFERENCE ROOM**

**PLANNING BOARD AGENDA
REGULAR MEETING
TUESDAY, JULY 27, 2021
5:30 P.M. – CONFERENCE ROOM**

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the regular meeting on June 22, 2021.
5. New Business:

ZONING CASE

Z-21-12

MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone property at 217 E. Aiken Road from Residential 12 to Neighborhood Mixed Use. Submitted by Edward Wooten, Property Owner.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 217 E. Aiken Road from Residential-12 to Neighborhood Mixed Use.

ZONING CASE

Z-21-13

MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone property on Sanderlyn Court and Peppermill Trail identified by the Rockingham County Tax Dept. as PIN 7978-0068-0616, PIN 7978-0058-8513, PIN 7978-0058-8770, PIN 7978-0058-9561 and PIN 7978-0068-8552 from Residential 12 to Residential Mixed Use. Submitted by Kenan Wright, Representative for the Property Owners, Casteen Developers, LLC and The Wright Company of NC, Inc.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property on Sanderlyn Court and Peppermill Trail identified by the Rockingham County Tax Dept. as PIN 7978-0068-0616, PIN 7978-0058-8513, PIN 7978-0058-8770, PIN 7978-0058-9561 and PIN 7978-0068-8552 from Residential 12 to Residential Mixed Use.

ZONING CASE**Z-21-14****MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property at 312 Bridge Street from Business General to Residential 12. Submitted by Matthew and Florence Smith, Property Owners.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 312 Bridge Street from Business General to Residential 12.

ZONING CASE**Z-21-15****MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property at 1128 Friendly Road from Residential-Agricultural to Heavy Industrial. Submitted by Lawrence Matthew Hall, Property Owner.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 1128 and 1130 Friendly Road from Residential Agricultural to Heavy Industrial.

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

EDEN PLANNING BOARD
JUNE 22, 2021

The regular meeting of the Eden Planning Board was held on Tuesday, June 22, 2021, at 5:30 P.M. in the Eden Council Chambers.

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

Members absent: Gwen Taylor*
Barbara Garland*

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

Others Present: Citizens will be identified as they speak.

Chairman, Matthew Smith, called the meeting to order.

ROLL CALL:

Chairman Smith took note of the board members in attendance and established a quorum.

SET MEETING AGENDA:

A motion made by Jerry Holland to set the agenda as distributed and seconded by Frank Wyatt passed.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON MAY 25, 2021.

A motion was made by Amelia Dallas and seconded by Carol Helms to approve the minutes as presented to all members. Motion passed unanimously.

NEW BUSINESS:

ZONING CASE

Z-21-10

TEXT AMENDMENT

- (1) Consideration of a zoning text amendment to (1) amend Article 4.02(A) Base Zoning Districts to add f. Business, General District (BG) as a base zoning district and to re-letter the remaining districts from f, g, h and i to g, h, i, and j; (2) to amend Article 5.06 Table Of Permitted Uses to add B-G as a district and indicate uses as permitted (P); permitted with supplemental use standards (PS); or requiring a special use permit (S); and (3) to amend Article 7.09 Permanent Sign Types Requiring Permits Subsection A. Attached Signage Standards and Subsection C. Ground Signage Standards in Non-Residential Zoning Districts to add BG as a Zoning District and the standards for the BG district.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment to amend Article 4.02(A), Article 5.06 and Article 7.09 of the UDO.

Kelly Stultz presented the Staff Report to add Business General to the Unified Development Ordinance and the other Articles in the UDO that are affected by this addition. A PowerPoint presentation was shown illustrating the proposed Permitted Use Chart with BG changes. Staff recommended that the Planning Board vote to recommend to the City Council that the proposed changes be approved.

Jeff Garrett – 611 Easley Road

I just heard the word introduce which left me speechless. We've had BG for years. There has been an overreach. If you get caught with your hand in the cookie jar or you get caught cheating at cards, you don't want part of your money back, you want all of your money back. When you talk about standards, you need to learn what it means.

Dianna Biggs – 110 Vaughn Street and we own property at 121 N. Fieldcrest Road and 115 N. Fieldcrest Road

I just want to be sure that all of the changes are coming back are the same ones that we had before.

Kelly – Yes.

Matthew Smith – The only thing that were in BG prior that are not in BG now are some of those things that I mentioned such as furriers, lithograph. It was a matter of cleaning up the uses.

Tim Biggs – 110 Vaughn Street

My land on Stadium Drive was zoned residential for some reason. Then I had to come up here and get it rezoned to industrial. Is mine going back to Business General like it was before?

Kelly – No. Your property rezoned to Industrial which allows you a wider range of uses than BG.

Matthew Smith – Right now we are talking about putting BG back in the ordinance. That's the matter that is currently before this board.

Tim Biggs – My other property was BG to begin with.

Matthew Smith – Right now we are just putting BG back in the ordinance then we are going to address the zoning map amendment on the next item.

Tim Biggs – I don't want to come up here every night, I have to work.

Matthew Smith – It is on this agenda. All we are trying to do is put BG back in the ordinance and then we will address the map amendment.

Tim Biggs – Y'all are going to be doing this a good while.

Matthew Smith – We are going to do this on the next item.

Rhonda Price – I live at 326 Laurell Drive but I represent 603 Monroe Street and 600 Monroe Street.

I understand that what is done is done and that Mrs. Stultz is attempting to bring BG back. My question is and maybe I just don't understand the whole thing in Supplemental Use Standards. When she sent us the paper work and I talked to her just now I just want to be sure that this is on record that I understand correctly. When you changed it to BC there were some supplemental use standards that said open storage, the amount of days cars could stay on the property, parking within your property, fences and that sort of thing – I want to make sure that this is not going to get slid under and that now if it goes back to BG, oh but it's still got to be fenced in. Cars stored for 20 days, that is kind of a joke. I want to be sure that supplemental use and Kelly says that it doesn't apply except for stuff stored outside the fence and no tags which we try not to let that happen. If it's all going back to BG it is going to be just like it was.

Matthew Smith – As I understand it, it is going back to the way it was with the same standards.

Kelly Stultz – Business General with the old ordinance listed conditional uses to go with those type of businesses and it was not a conditional use in the true sense of that and there were four little standards. Those four standards are all that are here this ordinance.

Matt Smith – 312 Bridge Street

I am probably the only residential property in this section of Bridge Street where I actually live on the property that I own. The other properties in that area of Bridge Street are rental properties. I'm not familiar with what the zoning was previously but how does this change in zoning affect who I might sell the property to if I decide to do that although that is not my plan right now. I realize that the grandfather clause applies to this property but if I sell the property, do I have to sell to somebody intending to put a business there or can I sell it to somebody for residential use?

Kelly Stultz – You will see a map of his property when we get to the map amendment case. His property was zoned Business General before. When have begun to get, this week, people asking about what can be done if they don't want their property zoned BG. All I know to do at that point is to deal with them after we get through that.

Matthew Smith – Since his house was BG before it will be BG again.

Kelly Stultz – Yes.

Matt Smith – I'm not worried about what you are doing zoning wise, I'm concerned with protecting my property value and the property after I am gone.

Matthew Smith – Assuming this action passes, then we will look at the map zoning amendments.

Jerry Holland made a motion to recommend to the City Council that BG be added to the Unified Development Ordinance as well as the other articles impacted by this addition and that the Statement of Consistency be adopted. Eddie Barker seconded the motion and the motion passed unanimously.

ZONING CASE

Z-21-11

MAP AMENDMENT

- (1) Consideration of a zoning map amendment to rezone property previously zoned BC, BH, NMX, OS, R12, R20, RA and listed on the attached spreadsheet to BG and BH.

- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendments listed on the attached spreadsheet to BG and BH.

Eddie Barker and Fred Ramsey recused themselves from this case since they own property impacted by the amendment.

Kelly Stultz presented the Staff Report by reading the Staff Analysis. Kelly stated that some jurisdictions went through their zoning ordinances and made only the changes required by the changes to the North Carolina General Statutes. Our regulations were old and antiquated and we had been talking about updating them for years. The decision was made to try to do all that at one time rather than doing it twice. We had three zoning districts that were mixed use districts, Business-Neighborhood, Office & Institutional and Business-General. We thought it was prudent to make that into one zoning district. We have come to realize that it was not. Our community standard is that Business-General needs to be within our zoning regulations. Kelly went through a Power Point presentation that included 37 maps highlighting the properties to be rezoned to Business-General or Business-Highway.

Matthew Smith – Are there any properties that were zoned BG before that are not being rezoned to BG now.

Kelly Stultz – There were properties that were houses or something else that we did not change back to BG. We tried to find everything that we could possibly find. We had the maps with all the old BG properties. Our intent was to put everything back to BG that had been before with a few exceptions.

Debra Madison provided a list of the properties.

Adrian Meeks – 807 Washington Street

I thought we had been told that it was 379 parcels that were changed back to BG so that leaves about 48 that are not being changed.

Kelly Stultz – There might have been 379 properties to begin with but some of those might have residences on them so they were not changed.

Kelly Stultz – There were 96 properties. They were either split zoned with residential and Business-General or split zoned Business-Central and Business-General. They were all changed to the use that was on the property. The properties on Highway 14/Van Buren Road were changed to Business-Highway.

Matthew Smith – For clarity, these were there others that were split zoned or residential parcels?

Kelly Stultz – I certainly knew not to leave out any business. As has been well established in the last few months, I am not perfect and if we made any omissions, they will certainly be brought back to you so you can correct them.

Andy Case – 718 Bridge Street

Why is this being done? Why is this being changed to business when clearly there are houses, like mine, in the middle of all this. What is the benefit?

Kelly Stultz – It is like what Mr. Smith said in that it was zoned Business General before and I told was to put BG back as close to what it was as I could. We knew there would be some properties that would need to be changed. His property was BG then changed to NMX and is being changed back to BG. At this point, we will bring all the residential changes back at one time. Come by the office next week and we will start the paperwork.

Andy Case – Can I still live there?

Kelly Stultz – Yes. Neighborhood Mixed allows residential and business.

Andy Case – My property is historical and I need to be sure that it is not impacted by this change.

Chance Lawrence – 103 Morgan Road

I don't understand all of this. Apparently, I used to be Business General but we got changed to Neighborhood Mixed and now you want us to go back to the way it was before. How was my property rezoned without me having any type of clue that it was being done? I got a letter last Friday that I was being changed from NMX to BG and now I find out that I was BG and changed to NMX. How was it changed without me knowing?

Matthew Smith explained the process that we went through to make the changes.

Kelly Stultz explained the required changes and how the City complied with the law by advertising in the paper and in social media which was apparently not acceptable to our citizens. We could have made these changes the same way but we knew better than that. Thousands and thousands of dollars have been spent to rectify that. Specific letters were sent out and you will receive another letter about the City Council meeting.

Andy Case – What does Business General mean to me? How do these regulations about signs and other things affect me? Was I in compliance before?

Matthew Smith – BG is going back to the way it was before. If you are in BG and you operate a business in BG, you should not have any issues if your business was in compliance before the change.

Jerry Holland made a motion to recommend to the City Council that the text amendment be approved and the Statement of Consistency be adopted. Carol Helms seconded the motion and it passed unanimously.

Rhonda Price asked if the City Council could reject what this board is recommending.

Kelly Stultz explained that they could but she does not expect it to fail.

Matthew Smith stated that legally yes but practically no. They can say yes, no or send it back to us.

ZONING CASE

Z-21-05

TEXT AMENDMENT

Matthew Smith – This case is from the last meeting. Since we voted in favor of the last two items, doesn't that take care of this case?

Kelly Stultz – Yes. This is what we did to solve the automobile dilemma and it has been back and forth. Since BG has been added to the UDO, there is not need pursue this. Since this board initiated the action, it would be appropriate for you to withdraw it.

Carol Helms made a motion to withdrawn Zoning Case Z-21-05 from consideration. Frank Wyatt seconded the motion and it passed unanimously.

ITEMS FROM STAFF

Kelly Stultz – Tomorrow night we are having the second of three public meetings about the UDO.

ITEMS FROM THE BOARD

None

Jerry Holland made a motion, seconded by Carol Helms, to adjourn. Passed.

Respectfully submitted,

Attest:

Kelly K. Stultz, Administrative Assistant
To the Planning Board

Matthew W. Smith, Chairman



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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CONTACT INFORMATION

Contact Name EDWARD WOOTEN "DANNY"

Contact Address 211 E. AIKEN Rd.

City EDEN State N.C. Zip 27288

Phone Number 336 932-2304 Email northspray@yahoo.com

Contact's Property Interest or Legal Relationship to Owner _____

PROPERTY OWNER INFORMATION

Property Owner Name SAME

Property Owner Mailing Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

PROPERTY INFORMATION

Tax Property ID No. (PIN) _____

Deed Book and Page No. _____

Physical Address 217 E. AIKEN Rd.

City _____ State _____ Zip _____

Year Current Owner Acquired Property _____ Acreage _____

Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property _____

City Jurisdiction: _____ In-City Limits _____ ETJ

Existing land use/zoning on adjoining properties:

North: _____

South: _____

East: _____

West: _____

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
 Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District R12

Requested Zoning District NMX

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Proposed Conditions Offered by Applicant: _____

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Edward O. Wood Date 6/17/21
Property Owner Signature _____ Date _____

Office Use Only

Staff Member (Initial upon Receipt) [Signature] Date 6/17/2021
Application Number 2-21-12 Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-12
EXISTING ZONING DISTRICT:	Residential 12 (R12)
REQUESTED ZONING DISTRICT:	Neighborhood Mixed Use (NMX)
APPLICANT:	Edward “Danny” Wooten
APPLICANT’S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	217 E. Aiken Road
PIN:	7081-1711-4215
SIZE:	6.44 acres
ACCESS:	Aiken Road
LAND USE:	Vacant (former school building)
PHYSICAL CHARACTERISTICS:	Vacant, partially open, partially wooded parcel containing a former school building
ZONING HISTORY:	Zoned O&I and R12S at time of original zoning; rezoned to R12 in 2021 as part of UDO updates

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by undeveloped RA property; bordered on the east by undeveloped R12 property; bordered on the south (across Aiken Road) by R12 property containing single-family residences; bordered on the west by R12 properties containing single-family residences.		
ADJACENT ZONING:	North:	R12	
	South:	R12	
	East:	R12	
	West:	R12	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
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PUBLIC WATER AVAILABLE: Yes
PUBLIC SEWER AVAILABLE: Yes
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood
FLOOD HAZARD AREA: None
WATER SUPPLY WATERSHED: Smith River Protected Area

STAFF ANALYSIS

The request is to rezone approximately 6.44 acres from Residential 12 (R12) to Neighborhood Mixed Use (NMX). The R12 (and other residential) districts are established for residential development and related recreational, religious and educational facilities. They are intended to act as transitional zoning districts between rural development and the more urban development of the City. These regulations are further intended to discourage any use which would be detrimental to the predominantly residential nature of the areas included within the district. The NMX district is intended to provide pedestrian-scaled, higher density residential housing and opportunities for limited scaled commercial and office activities. Development in this district should encourage pedestrian activity through construction of mixed-use buildings and connections to adjacent neighborhoods. Buildings in this district are typically smaller in scale and detached.

The subject parcel is located in an area of primarily single-family residences on large parcels and vacant wooded areas and agricultural uses. Across Aiken Road is a development of smaller-lot single-family homes. The subject property is the site of the former North Spray Graded School and a portion of the old school building is still standing. Before the UDO updates (effective January 1, 2021), the property was split-zoned R12S and O&I. The O&I district allowed similar uses to the new NMX district, as well as residential uses. Staff is of the opinion that the NMX district would be appropriate for the area since it allows only limited commercial and office uses as well as various types of residential uses, and that this type of zoning would not be detrimental to the area or the surrounding residential and agricultural uses.

Based upon the character of the area and the residential and agricultural uses in the area, staff recommends in favor of the request.

STAFF RECOMMENDATION:

Approval of the NMX request.



ZONING CASE

Z-21-12

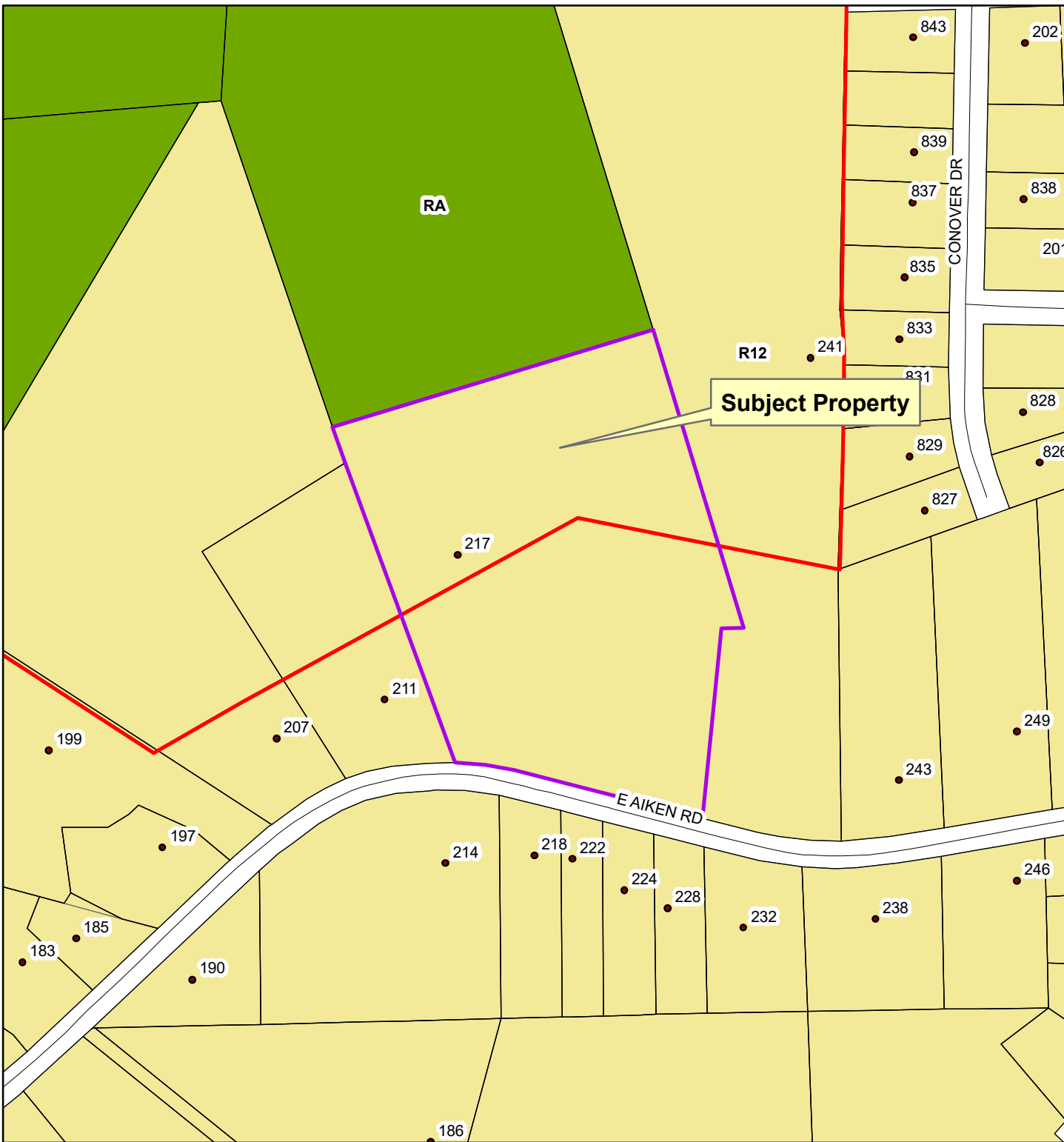
AERIAL MAP



7081-17-11-4215

**Zoned:
Residential-12**

**Request:
Neighborhood Mixed Use**



ZONING CASE

Z-21-12

ZONING MAP



7081-17-11-4215

**Zoned:
Residential-12**

**Request:
Neighborhood Mixed Use**

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-12
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, 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 to rezone property located at 217 E. Aiken Road from Residential 12 to Neighborhood Mixed Use.

STATEMENT OF NEED:

The subject parcel is located in an area of primarily single-family residences on large parcels and vacant wooded areas and agricultural uses. Across Aiken Road is a development of smaller-lot single-family homes. The subject property is the site of the former North Spray Graded School and a portion of the old school building is still standing. Before the UDO updates (effective January 1, 2021), the property was split-zoned R12S and O&I. The O&I district allowed similar uses to the new NMX district, as well as residential uses. Staff is of the opinion that the NMX district would be appropriate for the area since it allows only limited commercial and office uses as well as various types of residential uses, and that this type of zoning would not be detrimental to the area or the surrounding residential and agricultural 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 Unified Development 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 Unified Development Ordinance is reasonable and in the public's best interest.

Approved, adopted and effective this 27th day of July, 2021.

CITY OF EDEN PLANNING BOARD

By: _____
Matthew W. Smith, Chairman

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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CONTACT INFORMATION

Contact Name Kenan Wright

Contact Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone Number 336-623-8481 Email Kenanwright@TRIAD.TWCBC.com

Contact's Property Interest or Legal Relationship to Owner President

PROPERTY OWNER INFORMATION

Property Owner Name The Wright Company of NC Inc

Property Owner Mailing Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone 336-623-8481 Email Kenanwright@Triad.TWCBC.com

PROPERTY INFORMATION

Tax Property ID No. (PIN) 797800680616

Deed Book and Page No. Deed Book 20E Page 622

Physical Address Sanderlyn Court

City Eden State N.C. Zip 27288

Year Current Owner Acquired Property 2021 Acreage .2 acres

Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property Residential

City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: R/A

South: R/A

East: R/A

West: R/A

ADDITIONAL INFORMATION

Attach the following documents to this application form:

Recorded deed to the property

Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

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Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

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Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District R-12

Requested Zoning District RMX

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Rezoning (Map Amendment) Application

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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Residential

Proposed Conditions Offered by Applicant:

New zoning will not permit existing and approved
planned development

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Kenan Wright Date 6/29/2021
 Property Owner Signature _____ Date _____

Office Use Only

Staff Member (Initial upon Receipt) _____ Date _____
 Application Number _____ Fee Paid _____



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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CONTACT INFORMATION

Contact Name Kenan Wright
 Contact Address 222 East Meadow Road
 City Eden State N.C. Zip 27288
 Phone Number 336-623-8481 Email Kenanwright@TRIAO.TWCBC.com
 Contact's Property Interest or Legal Relationship to Owner Partner

PROPERTY OWNER INFORMATION

Property Owner Name Casteen Developers LLC
 Property Owner Mailing Address 222 East Meadow Road
 City Eden State N.C. Zip 27288
 Phone 336-623-8481 Email Kenanwright@TRIAO.TWCBC.com

PROPERTY INFORMATION

Tax Property ID No. (PIN) 797800588513, 797800588770, 797800589561, 797800688552
 Deed Book and Page No. Deed Book 1568 Page 2343
 Physical Address Sanderlyn Court
 City Eden State N.C. Zip 27288
 Year Current Owner Acquired Property 2019 Acreage .36, .38, .37 and 31.52 Acres
 Public Water Available? Yes No Public Sewer Available? Yes No
 Current Use of Property Residential
 City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: RA
 South: RA
 East: RA
 West: RA

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
- Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District R-12

Requested Zoning District RMX

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.
 - Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Residential

Proposed Conditions Offered by Applicant:

New zoning will not permit existing & approved planned development

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature

Heather S. Wynn

Date

6/29/2021

Property Owner Signature

Date

Office Use Only

Staff Member (Initial upon Receipt)

Date

Application Number

Fee Paid

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-13
EXISTING ZONING DISTRICT:	Residential 12 (R12)
REQUESTED ZONING DISTRICT:	Residential Mixed Use (RMX)
APPLICANT:	Kenan Wright
APPLICANT'S STATUS:	Property Owners (The Wright Company of NC, Inc.) (Casteen Developers, LLC)

PROPERTY INFORMATION

LOCATION:	Sanderlyn Court and Peppermill Trail	
PIN:	7978-0068-0616	SIZE: .2 acres
	7978-0058-8513	.36 acres
	7978-0058-8770	.38 acres
	7978-0058-9561	.37 acres
	7978-0068-8552	31.52 acres
ACCESS:	Sanderlyn Court and Peppermill Trail (Off NC 87)	
LAND USE:	Vacant, undeveloped property	
ZONING HISTORY:	Zoned R12 at time of original ETJ zoning	

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by undeveloped RA property along Harrington Highway; bordered on the east by a large parcel of RA agricultural property; bordered on the south by a large parcel of RA property containing a farm and single-family residence, and by R12 property containing a single-family attached (townhome) development; bordered on the west (across NC 87) by RA properties containing single-family residences.	
ADJACENT ZONING:	North:	RA
	East:	RA
	South:	RA and R12
	West:	RA

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	No
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Traditional Neighborhood
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	Dan River Protected Area

STAFF ANALYSIS

The request is to rezone approximately 32.83 acres from Residential 12 (R12) to Residential Mixed Use (RMX). The R12 (and other residential) districts are established for residential development and related recreational, religious and educational facilities. They are intended to act as transitional zoning districts between rural development and the more urban development of the City. These regulations are further intended to discourage any use which would be detrimental to the predominantly residential nature of the areas included within the district. The RMX district is established to accommodate a variety of housing types in a neighborhood setting and is intended to provide areas for higher density residential development near commercial areas such as the BC, NMX and BH districts. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian connectivity.

The subject parcels are located around a single-family townhome development located at the intersection of Harrington Highway and NC 87 South. The properties were zoned R12 at the time of original ETJ zoning. The townhome development was already in existence when this area was taken into the City's ETJ. Under the City's current UDO, this type of development would not be allowed in the R12 districts. The RMX district allows for this type of development (townhomes) as well as other higher density residential development, including multi-family (3 or more units), single-family detached housing, and two-family units (duplexes). Staff is of the opinion that RMX zoning would be appropriate for the subject properties due to the existing townhome development and that such development would not be detrimental to the surrounding residential properties.

Based upon the character of the area and the existing and surrounding residential uses in the area, staff recommends in favor of the request.

STAFF RECOMMENDATION: **Approval of the RMX request.**



ZONING CASE

Z-21-13

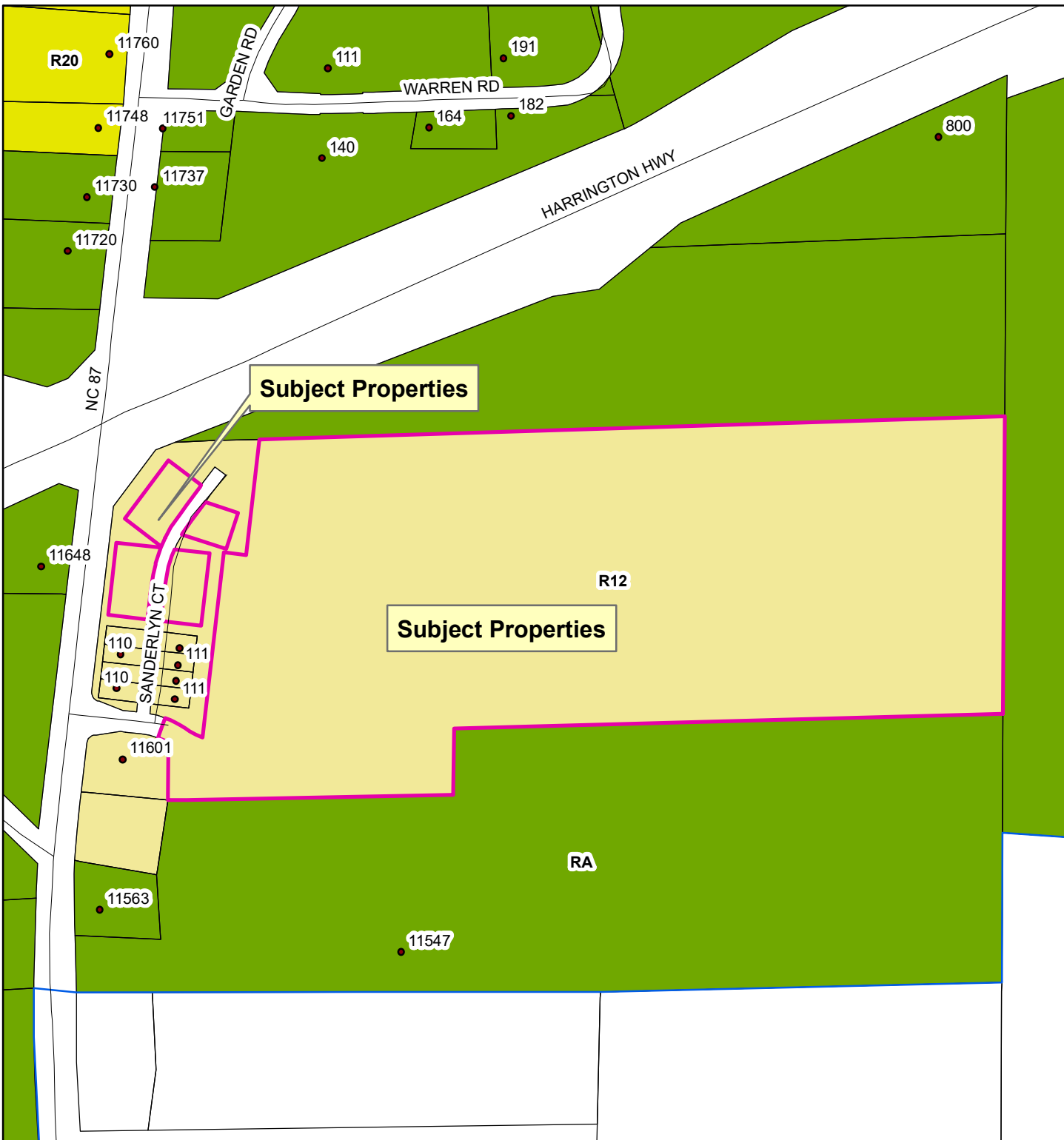
AERIAL MAP



- 7978-00-68-8552
- 7978-00-58-9561
- 7978-00-58-8770
- 7978-00-58-8513
- 7978-00-68-0616

**Zoned:
Residential-12**

**Request:
Residential Mixed Use**



ZONING CASE

Z-21-13

ZONING MAP



- 7978-00-68-8552**
- 7978-00-58-9561**
- 7978-00-58-8770**
- 7978-00-58-8513**
- 7978-00-68-0616**

**Zoned:
Residential-12**

**Request:
Residential Mixed Use**

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-13
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, 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 to rezone four properties located on Sanderlyn Court from Residential 12 to Residential Mixed Use.

STATEMENT OF NEED:

The subject parcels are located around a single-family townhome development located at the intersection of Harrington Highway and NC 87 South. The properties were zoned R12 at the time of original ETJ zoning. The townhome development was already in existence when this area was taken into the City's ETJ. Under the City's current UDO, this type of development would not be allowed in the R12 districts. The RMX district allows for this type of development (townhomes) as well as other higher density residential development, including multi-family (3 or more units), single-family detached housing, and two-family units (duplexes). Staff is of the opinion that RMX zoning would be appropriate for the subject properties due to the existing townhome development and that such development would not be detrimental to the surrounding residential 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 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 Unified Development 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 Unified Development Ordinance is reasonable and in the public's best interest.

Approved, adopted and effective this 27th day of July, 2021.

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

CONTACT INFORMATION

Contact Name Matthew & Florence Smith
Contact Address 312 N. Bridge Street
City Eden State NC Zip 27288
Phone Number 336-344-6288 Email olddiscjockey@icloud.com
Contact's Property Interest or Legal Relationship to Owner _____

PROPERTY OWNER INFORMATION

Property Owner Name Same as above
Property Owner Mailing Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

PROPERTY INFORMATION

Tax Property ID No. (PIN) _____
Deed Book and Page No. _____
Physical Address same
City _____ State _____ Zip _____
Year Current Owner Acquired Property _____ Acreage _____
Public Water Available? Yes No Public Sewer Available? Yes No
Current Use of Property Residential
City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: _____
South: _____
East: _____
West: _____

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
 Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District B-6

Requested Zoning District A-12

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Proposed Conditions Offered by Applicant: _____

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature *Kenneth Smith* Date July 3, 2021

Property Owner Signature _____ Date _____

Office Use Only

Staff Member (Initial upon Receipt) KS Date 7/2/2021

Application Number 2-21-15 Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-14
EXISTING ZONING DISTRICT:	Business General (BG)
REQUESTED ZONING DISTRICT:	Residential 12 (R12)
APPLICANT:	Matthew and Florence Smith
APPLICANT'S STATUS:	Property Owners

PROPERTY INFORMATION

LOCATION:	312 Bridge Street
PIN:	7070-1831-7376
SIZE:	.19 acres
ACCESS:	Bridge Street
LAND USE:	Single-family residential
ZONING HISTORY:	Zoned BG; rezoned NMX as part of UDO (effective January 1, 2021); rezoned back to BG in July, 2021

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north and south by BG property containing single-family residences; bordered on the east by R12 property containing single-family residences; bordered on the west (across Bridge St.) by NMX property containing the Bridge Street Recreation Center.		
ADJACENT ZONING:	North:	BG	
	East:	R12	
	South:	BG	
	West:	NMX	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes

PUBLIC SEWER AVAILABLE: Yes
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood
FLOOD HAZARD AREA: None
WATER SUPPLY WATERSHED: None

STAFF ANALYSIS

The request is to rezone approximately .19 acres from Business General (BG) to Residential 12 (R12). 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 R12 (and other residential) districts are established for residential development and related recreational, religious and educational facilities. They are intended to act as transitional zoning districts between rural development and the more urban development of the City. These regulations are further intended to discourage any use which would be detrimental to the predominantly residential nature of the areas included within the district.

The subject parcel is located on Bridge Street, which has a mix of commercial and residential uses. The property was originally zoned BG. This area was rezoned to NMX (Neighborhood Mixed Use) as part of the UDO updates which were effective on January 1, 2021. Due to concerns from former BG property owners, most of the former BG properties were rezoned back to BG in July of 2021. The owner of the subject property wishes to rezone the property to R12 due to the current residential use of the property and the neighboring residential uses. The subject property adjoins an existing R12 residential neighborhood to the east, and therefore staff is of the opinion that R12 would be an appropriate zoning for this property.

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

STAFF RECOMMENDATION:

Approval of the R12 request.



ZONING CASE

Z-21-14

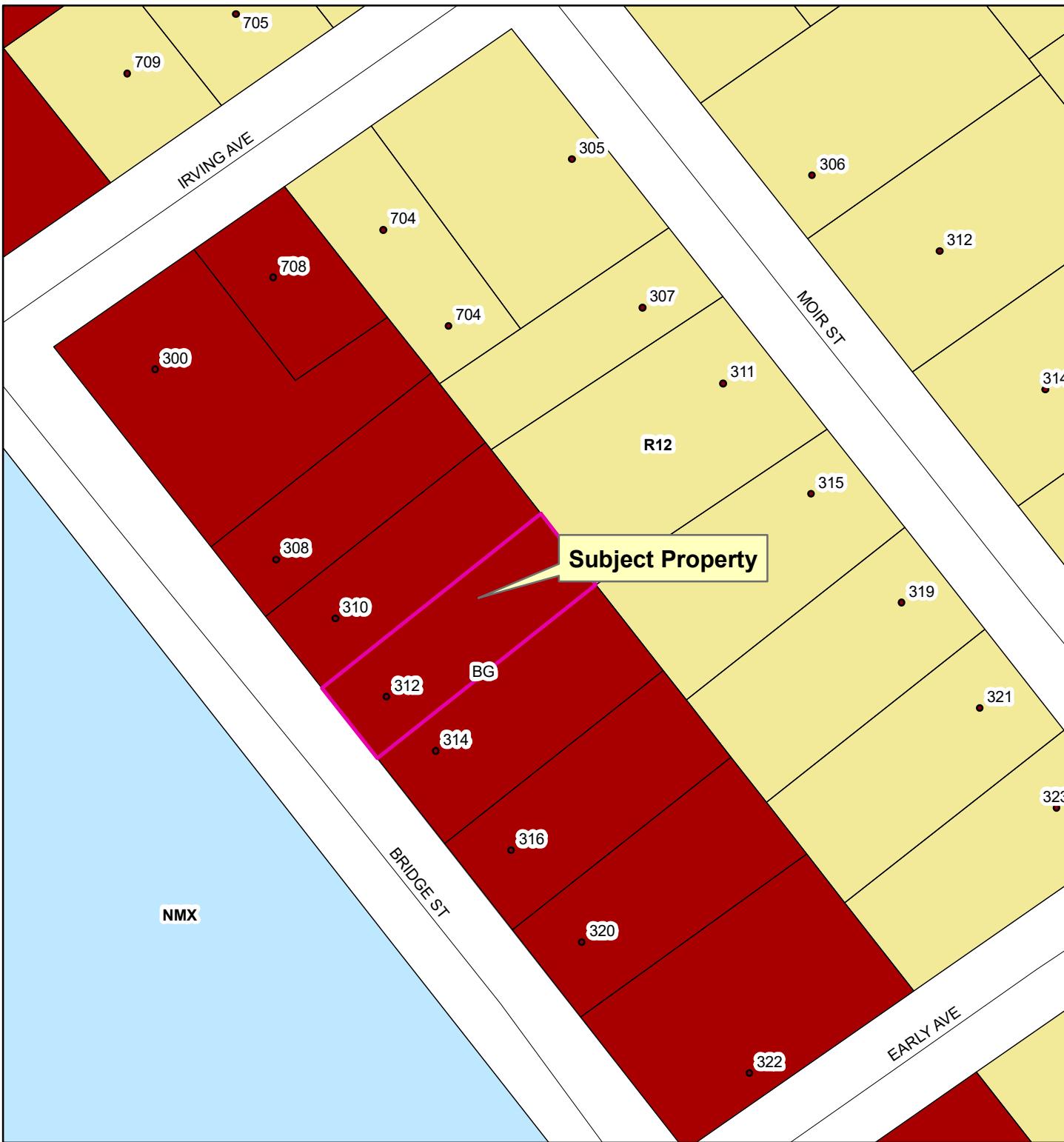
AERIAL MAP



7070-18-31-7376

**Zoned:
Business-General**

**Request:
Residential-12**



ZONING CASE
Z-21-14
ZONING MAP



7070-18-31-7376
Zoned:
Business-General
Request:
Residential-12

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-14
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, 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 to rezone property located at 312 Bridge Street from Business General to Residential 12.

STATEMENT OF NEED:

The subject parcel is located on Bridge Street, which has a mix of commercial and residential uses. The property was originally zoned BG. This area was rezoned to NMX (Neighborhood Mixed Use) as part of the UDO updates which were effective on January 1, 2021. Due to concerns from former BG property owners, most of the former BG properties were rezoned back to BG in July of 2021. The owner of the subject property wishes to rezone the property to R12 due to the current residential use of the property and the neighboring residential uses. The subject property adjoins an existing R12 residential neighborhood to the east, and therefore staff is of the opinion that R12 would be an appropriate zoning for this property.

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 Unified Development 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 Unified Development Ordinance is reasonable and in the public's best interest.

Approved, adopted and effective this 27th day of July, 2021.

CITY OF EDEN PLANNING BOARD

By: _____
Matthew W. Smith, Chairman

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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CONTACT INFORMATION

Contact Name LAWrence matthew Hall III
 Contact Address 1156 Virginia st
 City Eden State NC Zip 27288
 Phone Number 336-344-1644 Email mary.hall121566@gmail.com.
 Contact's Property Interest or Legal Relationship to Owner owner / self

PROPERTY OWNER INFORMATION

Property Owner Name LAWrence Matthew Hall III
 Property Owner Mailing Address 1128 freindly Rd
 City Eden State NC Zip 27288
 Phone 336-344-1644 Email mary.hall121566@gmail.com.

PROPERTY INFORMATION

Tax Property ID No. (PIN) _____
 Deed Book and Page No. _____
 Physical Address 1128 freindly Rd
 City Eden State NC Zip 27288
 Year Current Owner Acquired Property _____ Acreage _____
 Public Water Available? Yes No Public Sewer Available? Yes No
 Current Use of Property _____
 City Jurisdiction: _____ In-City Limits ETJ I think
 Existing land use/zoning on adjoining properties:

North: _____
 South: _____
 East: _____
 West: _____

ADDITIONAL INFORMATION

Attach the following documents to this application form:

Recorded deed to the property

Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District RA

Requested Zoning District HI

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

want to use as a Recycling ^{company} Wrecker Service

want zone commercial property ^{property}

Proposed Conditions Offered by Applicant:

want to Recycling and or Wrecker Service

want zone to commercial property

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Lawrence Matthew Hall III Date 7-2-2021

Property Owner Signature *Lawrence Matthew Hall III Date 7-2-2021

Office Use Only

Staff Member (Initial upon Receipt) DM Date 7/2/2021

Application Number 2-21-18 (15) Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-15
EXISTING ZONING DISTRICT:	Residential Agricultural (RA)
REQUESTED ZONING DISTRICT:	Heavy Industrial (HI)
APPLICANT:	Lawrence Matthew Hall, III
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	1128 and 1130 Friendly Road
PIN:	7081-0054-9862
SIZE:	8.12 acres
ACCESS:	Friendly Road
LAND USE:	Vacant commercial structure and single-family residence
ZONING HISTORY:	Zoned I2 as part of original ETJ zoning; rezoned to RA as part of UDO updates effective January 1, 2021

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north, south and east by large parcels of RA property containing single-family residences; bordered on the west (across Friendly Rd.) by a large parcel of undeveloped R6(CZ) property.		
ADJACENT ZONING:	North:	RA	
	East:	RA	
	South:	RA	
	West:	R6(CZ)	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
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PUBLIC WATER AVAILABLE: No
PUBLIC SEWER AVAILABLE: No
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood
FLOOD HAZARD AREA: None
WATER SUPPLY WATERSHED: Smith River Protected Area

STAFF ANALYSIS

The request is to rezone approximately 8.12 acres from Residential Agricultural (RA) to Heavy Industrial (HI). The RA district is intended to accommodate lower density residential and agricultural uses. Areas within this district may be restricted due to lack of available utilities, unstable soil types or steep slopes. The HI district is established to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development. This district is customarily located in proximity to railroad sidings and/or major thoroughfares.

The subject parcel is located on Friendly Road, which is made up almost entirely of residential and agricultural uses. The subject property formerly contained a scrap metal recycling facility, however the vested right to this use was lost when the facility shut down several years ago. Previous owners have petitioned several times to have the property rezoned for industrial-type uses and each of these requests has been denied. This property was rezoned to RA as part of the UDO updates which were effective on January 1, 2021. Due to the character of the adjacent and surrounding residential and agricultural uses, staff is of the opinion that HI zoning would not be appropriate for this property.

Based upon the rural character of the area and the existing residential and agricultural uses in the area, staff recommends denial of the HI request.

STAFF RECOMMENDATION:

Denial of the HI request.



ZONING CASE

Z-21-15

AERIAL MAP



7081-00-54-9862

**Zoned:
Residential-Agricultural**

**Request:
Light Industrial**



ZONING CASE

Z-21-15

ZONING MAP



7081-00-54-9862

**Zoned:
Residential-Agricultural**

**Request:
Light Industrial**

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-15
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, 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 to rezone property located at 1128 Friendly Road from Residential Agricultural to Heavy Industrial.

STATEMENT OF NEED:

The subject parcel is located on Friendly Road, which is made up almost entirely of residential and agricultural uses. The subject property formerly contained a scrap metal recycling facility, however the vested right to this use was lost when the facility shut down several years ago. Previous owners have petitioned several times to have the property rezoned for industrial-type uses and each of these requests has been denied. This property was rezoned to RA as part of the UDO updates which were effective on January 1, 2021. Due to the character of the adjacent and surrounding residential and agricultural uses, staff is of the opinion that HI zoning would not be appropriate for this property.

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 not 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 Unified Development Ordinance is not 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 Unified Development Ordinance is not reasonable nor in the public's best interest.

Approved, adopted and effective this 27th day of July, 2021.

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board