

**COMPREHENSIVE PLAN STEERING COMMITTEE
TUESDAY, JANUARY 25, 2022
5:00 P.M. – CONFERENCE ROOM**

**PLANNING BOARD AGENDA
REGULAR MEETING
CITY HALL CONFERENCE ROOM
308 E. STADIUM DRIVE**

**TUESDAY, JANUARY 25, 2022
6:00 P.M.**

1. Meeting called to order.
2. Roll Call.
3. Election of Officers
4. Set Meeting Agenda.
5. Approval of minutes of the regular meeting on October 26, 2021.
6. New Business:
 - (1) Consideration of a zoning map amendment request to rezone property at 303 W. Meadow Road from Business General to Residential 20. Submitted by Billy Vestal, Property Owner.
 - (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 303 W. Meadow Road from Business General to Residential 20.
7. Old Business:
8. Items from Staff:
9. Items from the Planning Board:
10. Adjournment.

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

336-623-2110

EDEN PLANNING BOARD
OCTOBER 26, 2021

The regular meeting of the Eden Planning Board was held on Tuesday, October 26, 2021, at 5:30 P.M. in the front conference room at City Hall.

Members present: Eddie Barker
Gwen Taylor
Barbara Garland
Amelia Dallas
Jerry W. Holland, Jr.
Frank Wyatt
Carol Helms

Members absent: Steve Morgan

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

Others Present: None

Jerry W. Holland, Jr., Vice Chairman, called the meeting to order.

ROLL CALL:

Vice-Chairman Holland took note of the board members in attendance and established a quorum.

SET MEETING AGENDA:

Eddie Barker made a motion to set the meeting agenda. The motion was seconded by Gwen Taylor and passed.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON AUGUST 24, 2021.

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

NEW BUSINESS:

(A) STREET CLOSING

SC-21-01

Consideration of closing an alleyway on the east side of Bridge Street. Submitted by Robert G. Shropshire and Kimberly S. Shropshire.

Kelly Stultz presented the Staff Report on the proposed closing of the alley which included a recommendation that the alley be closed as requested.

Amelia Dallas made a motion, seconded by Frank Wyatt, that the Planning Board recommend to the City Council that the alley be closed. The motion passed unanimously.

(B) Consideration of Comprehensive Pedestrian Plan and recommendation to the City Council. (Copies are available in the Planning & Community Development Dept.)

Kelly gave a brief overview of the Comprehensive Pedestrian Plan and the requirement by the state that a plan be adopted and the meetings and steps that the Planning Board and staff had participated in to prepare the draft document being considered.

Eddie Barker made a motion, seconded by Amelia Dallas, that the Planning Board recommend to the City Council that the Comprehensive Pedestrian Plan be adopted as presented.

OLD BUSINESS

Kelly reviewed the documents included in the Planning Board Agenda Package about the Eden Comprehensive Plan. These were the survey results, summary of the September Workshops and stakeholder interviews. The consultants from Stewart will be attending the next few minutes in an effort to begin drafting the Plan.

ITEMS FROM STAFF

The Board was asked if they preferred meeting on November 23 or November 30. Gwen Taylor made a motion to meeting on the 30th which was seconded by Frank Wyatt. The motion passed.

ITEMS FROM THE BOARD

None

Eddie Barker made a motion, seconded by Amelia Dallas, to adjourn. The motion passed.

Respectfully submitted,

Kelly K. Stultz, Administrative Assistant
To the Planning Board

Attest:

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
www.edennc.us

CONTACT INFORMATION

Contact Name Billy Vestal
Contact Address 523 E. meadow Rd
City Eden State NC Zip 27288
Phone Number 336-627-1539 Email _____
Contact's Property Interest or Legal Relationship to Owner _____

PROPERTY OWNER INFORMATION

Property Owner Name Billy Vestal
Property Owner Mailing Address 523 E. meadow Rd
City Eden State NC Zip 27288
Phone 336-627-1539 Email _____

PROPERTY INFORMATION

Tax Property ID No. (PIN) 7070 16 93 1463 00
Deed Book and Page No. 1394 1406
Physical Address 303 W. meadow Rd.
City Eden State NC Zip 27288
Year Current Owner Acquired Property 2010 Acreage _____
Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property Vacant

City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: R20ED

South: B6ED

East: R20ED

West: B6ED

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 B6 ED

Requested Zoning District R20 ED

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
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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 Billy Vest Date 12-14-2021
 Property Owner Signature Billy Vest Date 12-14-2021

Office Use Only

Staff Member (Initial upon Receipt) _____ Date 12/14/2021
 Application Number Z-21-18 Fee Paid _____



ZONING CASE

Z-21-18

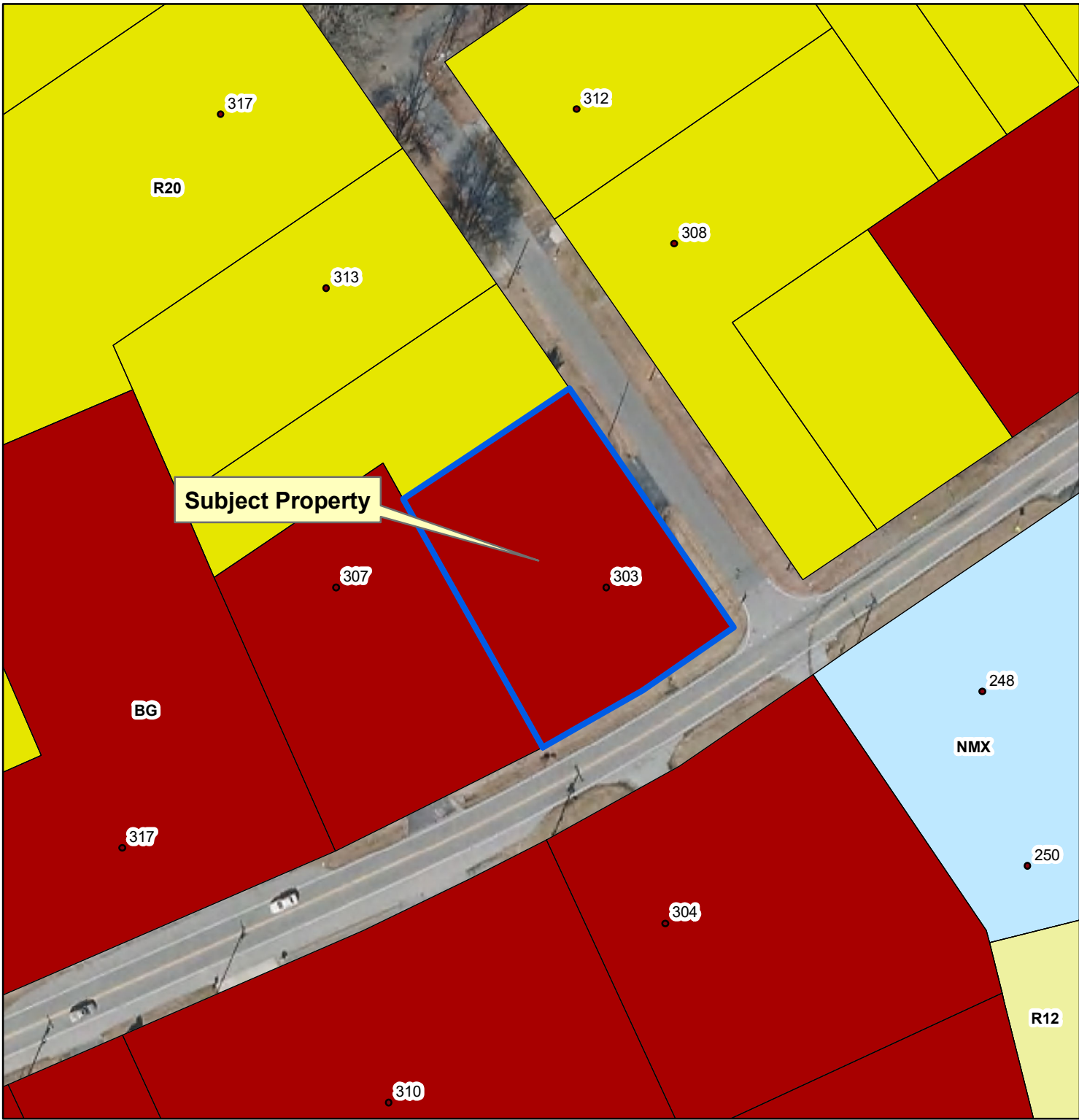
AERIAL MAP



7070-16-93-1463

**Zoned:
Business General**

**Request:
Residential 20**



Subject Property

ZONING CASE
Z-21-18
ZONING MAP



7070-16-93-1463

Zoned:
Business General

Request:
Residential 20

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
January 12, 2022**

CASE NUMBER:	Z-21-18
EXISTING ZONING DISTRICT:	BG
REQUESTED ZONING DISTRICT:	R20
APPLICANT:	Billy Vestal
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	303 W. Meadow Rd.
PIN:	7070-1693-1463
SIZE:	.50 acres
ACCESS:	Meadow Rd. and Monticello St.
LAND USE:	Commercial
ZONING HISTORY:	Originally zoned R20; rezoned to BG in 2008.

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by R20 property containing a single-family residence; bordered on the east by vacant R20 property; bordered on the south (across Meadow Rd.) by BG property containing a church fellowship hall; bordered on the west by BG property containing a small strip center.	
ADJACENT ZONING:	North:	R20
	East:	R20
	South:	BG
	West:	BG

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: Smith River Critical

STAFF ANALYSIS

The request is to rezone approximately .50 acres from Business General (BG) to Residential 20 (R20). The BG districts are generally located on the fringe of the central business districts 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 R20 district is 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 predominately residential nature of the areas included within the district.

The subject parcel is located on W. Meadow Rd. and Monticello St. The subject property contains a house and was originally a residential property. It was rezoned to BG in 2008 at the request of the property owner at that time. For the past few years the building was used as a retail antique shop. The current owner has requested that the property be rezoned for residential use. The property is situated at the entrance to an established R20 residential neighborhood (Rhoulac Knolls); across from property belonging to Pleasant View Baptist Church; and beside a small strip shopping center containing service-type uses. Based on the residential uses in the adjoining neighborhood, staff is of the opinion that the property is suitable for residential use and would be not be detrimental to the surrounding uses.

Based upon the character of the area and the existing residential uses in the area, staff recommends in favor of the R20 request.

STAFF RECOMMENDATION:

Approval of the R20 request.

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-18
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 303 W. Meadow Road from Business General to Residential 20.

STATEMENT OF NEED:

This property contains a house and was originally a residential property. It was rezoned to BG in 2008 at the request of the property owner at that time. For the past few years the building was used as a retail antique shop. The current owner has requested that the property be rezoned for residential use. The property is situated at the entrance to an established R20 residential neighborhood (Rhoulac Knolls); across from property belonging to Pleasant View Baptist Church; and beside a small strip shopping center containing service-type uses. Based on the residential uses in the adjoining neighborhood and the Future Land Use Map indicates this property as Traditional Neighborhood, the property is suitable for residential use and would be not be detrimental to the surrounding 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 25th day of January, 2022.

CITY OF EDEN PLANNING BOARD

By _____
Planning Board Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board