

**Minutes of the  
New Bern Planning & Zoning Board  
April 1, 2008**

The New Bern Planning & Zoning Board held a regular meeting in the 2<sup>nd</sup> floor Courtroom of City Hall, 300 Pollock Street, on Thursday, April 1, 2008 at 6:30 p.m.

**Members present:** Mr. Peter Moffett, Chairman  
Mr. John McClellan  
Mrs. Claire P. Martin-Combs  
Mr. Harry Cotton  
Mr. Tripp Eure  
Mr. Mark Best  
Mrs. Janet Lamb  
Mr. Tim Tabak

**Members excused:** Mrs. Susan Moffat-Thomas

**Members absent:** none

**Staff present:** Mr. Bernard George, Land & Community Development Administrator  
Ms. Annette Stone, City Planner  
Mrs. Lorraine DiBella, Administrative Assistant  
Lt. Ronnie Lovick, PD

**Prayer:** A prayer for guidance was given by Mr. George.

**Minutes:** Minutes of the March 4, 2008 meeting were approved with motion by Mr. Tabak, second by Mrs. Lamb and unanimous vote by the Board.

Mr. George announced that item D (Further discussion on proposal to amend sections of the Land Use Ordinance dealing with group homes, and homes for the handicapped, aged or infirmed.) would not be heard due to the City Attorney Scott Davis being called away to address urgent City business. Following brief discussion, it was agreed that item C would be heard first.

**C. Report on City parking study.**

Ms. Stone updated the Board on the status of the city's parking study. She stated that the city had commissioned Lanier Parking Solutions out of Atlanta, Ga to study downtown parking patterns and make recommendations related to the feasibility of a parking deck. Ms. Stone reported that there were personnel changes within Lanier during the study that delayed delivery to the city. In addition, since the final draft has been delivered there appeared to be inconsistencies with other recently developed studies, i.e. Randall Gross's Market Study for Downtown. Ms. Stone is working with the contractor to "clean up" the study to ensure it does not conflict with other adopted plans.

Generally, the Board discussed the need to move forward with the plan. There was a discussion regarding the various location options for a possible deck. Everyone agreed the inner block was the

most optimal location. Staff stated the need for a parking deck was largely contingent on downtown development of condominiums. Timing is critical: if built too soon, the deck would be a financial burden to the citizens; if not built soon enough, it could be a deterrent to downtown development.

**New Business:**

**A. Consider a request for general subdivision plan approval on one (1) 39,882 +/- square foot (.92 acre) parcel out of a 1,247.52 +/- acre tract, located in the Carolina Colours subdivision, near the intersection of Wilcox and West Camp Kiro Roads.**

Staff Mr. George presented the application and said Carolina Creek, LLC is requesting general subdivision plan approval for Carolina Creek, a proposed 2-lot subdivision consisting of a 1,247.52 acre tract from which a .92 acre lot will be created for a water tower site. The proposed lot is located in the R-8 Residential District in Carolina Colours subdivision near the intersection of Wilcox and West Camp Kiro Roads. Mr. George used the overhead projector to help the audience examine the plat of the property. He explained why the utility site on less than an acre has to go through the two step major subdivision process.

The Departmental Subdivision Plan Review Committee reviewed plans for the proposed development and has determined that the subdivision plans substantially meet the city's requirements for development. No new public streets will be constructed. Water, sewer and other public services are available to the property and will be provided by the City of New Bern.

Mr. McClellan asked if this application is being made first for fire safety issues. Mr. George replied yes.

**Applicant Comments:** David Muse, City Engineer, said Carolina Creek is selling or donating the property for the City utility and it will tie into the main water line for Carolina Colours subdivision which runs along Waterscape Way.

**Public Comments:** none

**Board Discussion:** Mr. McClellan asked why Mr. Muse is speaking on behalf of the applicant Carolina Creek. Mr. Muse answered that he offered to walk the application through the process to save the applicant the cost of hiring a Raleigh consultant to come down, do research, stay over, attend hearing, etc.

**Motion** was made by Mr. McClellan, seconded by Mr. Eure, to recommend approval of the subdivision plan as submitted. The board voted unanimously in agreement.

**B. Consideration of a request to rezone the 20,190 square foot rear portion of 2301 Neuse Boulevard (Flame Banquet Centre) from R-10 Residential to C-3 Commercial.**

Staff Mr. George presented the application and said the previous use of the site was a bank that used the rear portion as an entry/exit point to the bank. Using the overhead projector, Mr. George pointed out the site and said it is approximately a 20,190 square foot rear portion of a 1.4 acre tract located in the rear of 2301 Neuse Boulevard. The owner, Mr. Boyd, has recently added a banquet centre to his restaurant, The Flame, and now seeks this change in zoning in order to use the remainder of this rear lot for additional parking.

The requested C - 3 Commercial District classification is compatible with the commercial zoning classification of the front portion of the lot. The subject property is bound on the north by Neuse Boulevard (C - 3 Commercial District); on the south by Meadow Street (R - 10 Residential District); on the east by residential homes and Professional Drive (R - 10 Residential District & C - 3 Commercial District); and on the west by residential homes and Simmons Street (R - 10 Residential District & C - 5 Office & Institutional). The proposed rezoning classification is generally consistent with the City of New Bern Thoroughfare Plan and Land Use Plan.

Property owners adjacent to the subject property were notified by mail of this hearing. The property was posted with notice of the hearing. No one has contacted the planning office. Staff recommends the installation of a "Type A" buffer along property lines adjacent to the existing residences in order to mitigate potential parking impacts and minimize any disturbance to adjacent properties.

**Board Discussion:** Mrs. Lamb asked staff to discuss the uses allowed in the C-3 Commercial District. Mr. George stated it is the most broad commercial zone and allows retail of durable and convenience goods, offices and personal services.

Mr. George stated that the subject lot was such that anyone seeking to develop it for another use would have to add parking and this would severely limit its potential uses as it's not large enough for a building and parking. The lot's usage as a parking lot will create the least possible (commercial) impact on the adjoining property owners.

Mr. McClellan asked staff to define a type A buffer. Mr. George replied it is a solid screen up to 6' tall with a tree every 100 feet. It is required at this property and applicant has agreed to work with staff to see the letter of the land use ordinance met so far as buffering. Mr. McClellan asked how many parking spaces the site would create (12-14).

Chairman Moffett questioned the location of the posting and was told the sign was installed on Neuse Boulevard. He questioned whether this was the best location. Mr. George replied the rule is to put the sign notice on the street front at the property's address. In addition, the notification process is two-pronged with both signage and mailed notices. Further, the applicant was encouraged to contact the neighbors and discuss the rezoning request. Staff is concerned that the property will be used as a cut-through. Traffic calming devices are an option if cut-throughs become a problem.

**Applicant Comments:** Owner applicant James "Smoke" Boyd said for years he worked with the neighbor doctor whose parking was limited and allowed his patients to use this lot. He said he has spoken with many of the homeowners in that area who hope the City will allow Meadows (Street) to remain open as it offers relief from Neuse Boulevard. He has spoken with the adjacent property owners here and they are happy for this property to be used in this fashion. Mr. Boyd said he has a long time and amicable relationship with the neighbors and would not do anything to jeopardize that.

There was brief discussion concerning the placement of the notification sign, the use of the property for parking versus another commercial use, the actual size of the lot, the flow of traffic on Neuse Boulevard and Meadows Street, and the possibility of adding a drive-through to the restaurant.

**Public Comments:** None

**Motion** was made by Mrs. Lamb, seconded by Mr. Cotton, to recommend approval of request to rezone this property. The board voted unanimously in agreement.

There being no further business, the meeting adjourned.

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Peter Moffett, Chairman

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Bernard George, Secretary