

AGENDA
PLANNING COMMISSION
Monday, January 25, 2021 at 6:00 P.M.

The Planning Commission will hold their meeting in Monday, January 25, 2021 at 6:00 P.M. in the City Council Chambers, 214 N. Center Street in the historic City Hall building.

NC Gov. Cooper's Executive Order 176 restricts mass gatherings due to COVID-19; therefore, public attendance of the Planning Commission is restricted to those who are on the agenda. The meeting will be streamed live on the City's Facebook and YouTube pages. The meeting will be streamed live on the City's Facebook and YouTube pages at <https://www.goldsboronc.gov/mayor-of-goldsboro/city-council-minutes>

I. Swearing in New Member – Ms. Rojas

II. Election of Officers 2021

A. Nomination of Chair _____

B. Nomination of Vice-Chair _____

III. BOARD OF ADJUSTMENT PUBLIC HEARING

No Items to be heard.

IV. Minutes – December 21, 2020

V. CITY COUNCIL PUBLIC HEARING ITEMS / PLANNING COMMISSION
RECOMMENDATIONS

A. Conditional Use Requests:

(1) CU-10-20 Jayme Dearing Automotive – 305 N. Center Street _____

VI. UPCOMING PUBLIC HEARING AND PLANNING COMMISSION FEBRUARY 22, 2021

A. Board of Adjustment

(1) A-1-21 Wooten & Lamberth – 1717, 1719 & 1803 W. Grantham St

B. Planning Commission

Conditional Use Requests: PUBLIC HEARING February 15, 2021

(1) CU-1-21 Sutton Tinting – 4245 E US 70 Hwy

Subdivision Requests:

(2) S-1-21 Wooten & Lamberth – 1717, 1719 & 1803 W. Grantham St

**Planning Commission Minutes
December 21, 2020**

The Goldsboro Planning Commission met in regular session on Monday, December 21, 2020 at 7:49 p. m., in the Large Conference Room located at the City Hall Annex Building, City Hall. The following members were present or absent:

Present: Ms. Barnett
Mr. Bauer
Mr. Boyette
Mr. Reid
Mr. Slater
Mr. Walston
Mr. Waters

Absent: No members were absent

Also Attending: Ms. Jennifer Collins, Planning Director
Ms. Debra Creighton, Secretary

Minutes – November 30, 2020

Mr. Walston moved that the Commission's minutes of November 30, 2020 be approved as submitted. Mr. Waters seconded the motion and the motion carried.

Board of Adjustment Items:

A. A-2-20 922, 926 and Seaboard Street

Ms. Collins identified the location of the request and displayed a zoning map showing the subject property. Ms. Collins said the applicant is requesting a variance of the City's General Use District Dimensional Tables/Standards to include setbacks, lot width and area. If approved, the applicant proposes to subdivide the property into three (3) private lots for sale and single-family use. (See proposed preliminary plat). The proposed preliminary plat cannot be approved without variances approved by the Goldsboro Board of Adjustment.

Ms. Collins said that all property owners residing within 100 ft. of the subject property were notified of the variance public hearing by mail. In addition, signs were placed on the property indicating that a public hearing for a variance was scheduled.

Ms. Collins said the following setback variances are being requested by the applicant for each lot:

Lot 1: 928 Seaboard Street	(Dwelling approx. 866 sq. ft.)
Front setback:	25 ft. to 0 ft.
Corner setback:	16 ft. to 1.42 ft.
Minimum lot width:	60 ft. to 36.19 ft.

Required lot area: 6,000 sq. ft. to 3,127 sq. ft.

Lot 2: 926 Seaboard Street (Dwelling approx. 1158 sq. ft.)

Front setback: 25 ft. to 0 ft.

Side setback: 8 ft. to 5 ft.

Minimum lot width: 60 ft. to 48.53 ft.

Required lot area: 6,000 sq. ft. to 4,366 sq. ft.

Lot 3: 922 Seaboard Street (Dwelling approx. 1141 sq. ft.)

Front setback: 25 ft. to 0 ft.

Side setback: 8 ft. to 7.23 ft.

Ms. Collins said the subject property is located within the City limits of Goldsboro. Ms. Collins said there are three existing homes upon the property and addressed as 922, 926 and 928 Seaboard Street. Ms. Collins said the subject property existed prior to the adoption of the City's Unified Development Code. Ms. Collins said that City water and sewer are available to serve the property. The property is not located within a Special Flood Hazard Area. Ms. Collins said the homes and lots are within the Residential-6 zoning district. Ms. Collins said the Residential-6 zoning district are as follows:

Front: 25 ft.

Rear: 25 ft.

Side: 8 ft.

Corner: 16 ft.

Minimum lot width: 60 ft.

Minimum lot area: 6,000 sq. ft.

Ms. Collins advised the Board of Adjustment the following Variance procedure requirements as stipulated in the North Carolina General Statutes Section 160A-388(d):

"When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public may not be basis for granting a variance.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that

may justify the granting of a variance shall not be regarded as a self-created hardship.

- (4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Chairman Boyette closed the public hearing portion of the meeting and requested the Board to make deliberations. Mr. Boyette reminded that for each lot an individual motion would need to be made.

The Board of Adjustment made the following findings on the Variance requests for Lot 1-928 Seaboard Street, Lot 2-926 Seaboard Street and Lot 3-922 Seaboard Street properties:

- (1) The Board found that unnecessary hardship would result from the strict application of the ordinance due to the fact that the existing single-family dwellings were built prior to the adoption of the City's Unified Development Code.
- (2) The Board of Adjustment found the hardship results from conditions that are peculiar to the property, such as the location of the existing single-family dwellings to the property lines and the existing lot size.
- (3) The Board of Adjustment found the hardship did not result from actions taken by the applicant or the property owner.
- (4) The Board of Adjustment found the requested variances are consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Mr. Bauer made a motion to grant the variance for Lot 1– 928 Seaboard Street as the findings 1-4 are met. Mr. Slater seconded the motion and the motion carried.

Mr. Waters made a motion to grant the variance for Lot 2– 926 Seaboard Street as the findings 1-4 are met. Ms. Barnett seconded the motion and the motion carried.

Mr. Slater made a motion to grant the variance for Lot 3– 922 Seaboard Street as the findings 1-4 met. Mr. Reid seconded the motion and the motion carried.

At this time, Chairman Boyette closed the Board of Adjustment meeting and opened the Planning Commission meeting.

Planning Commission Items:

A. Rezoning

- (1) **Z-11-20 the Three J's, Inc.** – The property is located on the south side of Eleventh Street between Wendell Street and Norwood Avenue

Ms. Collins indicated the location of the request and displayed a zoning map showing the subject property. Photographs of the site were displayed. Ms. Collins said the applicant is requesting a change in zoning from Highway Business (HB) to General Business Conditional District (GBCD) zoning district.

Ms. Collins said the applicant proposes to rezone subject property from Highway Business (HB) to General Business Conditional District (GBCD) in order to limit the use of the property to a commercial multi-tenant facility to include used automobile sales, a body and paint shop, automobile rentals and one additional flex space for future lease.

Ms. Collins said that the City's updated Comprehensive Land Use Plan designates the property for commercial use.

Ms. Collins said at the public hearing held on December 21, 2020, no one appeared to speak for or against the request.

Ms. Collins said that all property owners residing within 100 ft. of the subject property were notified of the change of zone public hearing by mail. In addition, signs were placed on the property indicating that a public hearing for a zoning change was scheduled.

Mr. Walston moved that the Commission recommended approval from Highway Business (HB) to General Business Conditional District (GBCD) zoning district finding it consistent with the City's adopted Comprehensive Land Use Plan. Mr. Waters seconded the motion and the motion carried.

B. Conditional Use Permit Requests:

- (1) CU-7-20 Public Storage & Used Car Sales** – The property is located along the west side of S. US 117 Hwy. (NCSR No. 1249) between W. Ash Street Ext. and W. US 70 Hwy

Ms. Collins indicated the location of the request and displayed a map showing the subject property. Photographs of the site were displayed. Ms. Collins said the site has operated as a mini-storage facility since 1980. Ms. Collins said the owner proposes to maximize the use of the property by providing outside storage space for rent or lease. In conjunction with the request, the owner desires to operate a used car dealership and a U-Haul truck rental dealership upon the property. Ms. Collins said outdoor storage and used automobile sales require a Conditional Use Permit approved by City Council. Separate site plan approval is also required.

Ms. Collins said the submitted site plan indicates seven (7) existing commercial storage buildings used for approximately 40,000 sq. ft. of storage. Ms. Collins said currently, there are 230 personal and commercial storage spaces that are available for rent or lease.

Ms. Collins said an area has been proposed north of the principle office/storage building for the outdoor storage of recreational vehicles, campers, boats and vehicle storage. Ms. Collins said the storage area will consist of approximately 60,000 sq. ft. or 1.34 acres and be surrounded by a 6 ft. in height chain link security fence with vinyl slats. Ms. Collins said the applicant is proposing gravel vehicular surface areas in lieu of required pavement for the outdoor storage area due to existing site conditions associated with the mini-storage operation. Ms. Collins said a modification will be necessary.

Ms. Collins said in addition to the outside storage area, the applicant intends to operate a U-Haul truck/trailer rental dealership upon the property. Ms. Collins said the site plan shows a U-Haul truck/trailer display area fronting the W. Grantham Street service road for approximately 125 linear ft. and approximately 12,500 sq. ft. or .3 acres of display area. Ms. Collins said the applicant is proposing gravel surfaces for the display area, which will require a modification from City Council.

Ms. Collins said in addition to the operation of self-storage facility, the applicant is proposing used automobile sales upon the property. Ms. Collins said the submitted site plan shows an existing paved automobile display area south of the principle office/storage building, as well as, paved customer parking spaces directly in front of the building along the Grantham Street service road. Ms. Collins said the applicant states that cars will be driven to the site or delivered by nothing larger than a two-car carrier.

Ms. Collins said at the public hearing held on December 21, 2020, the applicant spoke in favor of the request and no one appeared to speak against this request.

Mr. Walston moved that the Commission recommend approval of Conditional Use Permit for the operation of a fenced outside storage space for rent or lease associated with the Public Self Storage main operation and operation of a used car dealership/U-Haul truck rentals upon the property with modification to the City's paving requirement for the proposed outdoor storage area and display area for the U-Haul/truck rental dealership. Mr. Waters seconded the motion and the motion carried.

(2) CU-8-20 Salem Leasing Corp. – The property is located along the Southwest corner of US Highway 117 South and Vann Street (Amendment of existing Conditional Use Permit)

Ms. Collins indicated the location of the request and displayed a map showing the subject property. Photographs of the site were displayed. Ms. Collins said the site received on November 6, 2017, City Council adopted an Order approving a Conditional Use Permit with modifications for the subject property to allow the outdoor storage of vehicles in conjunction with an adjacent business operation that

provides commercial trucking transportation, maintenance, leasing and rental services and formally known as Salem Leasing Corporation.

Ms. Collins said the owner is now proposes to set-up and locate a modular office facility upon the property for lease and additional commercial space for the temporary parking of tractor-trailer trucks and automobiles for employees of CLI Transport, LP. who specializes in the transportation of petroleum products for Sheetz Convenience Stores. Ms. Collins said since the proposed use is considered a major design modification to an existing conditional use permit, City Council approval is required.

Ms. Collins said the submitted site plan indicates a modular office facility consisting of approximately 1,680 sq. ft. to be used by employees of the business. Ms. Collins said the unit will be located along the eastern property line and front US Hwy. 117 South. It will consist of multiple office spaces, a conference room, storage areas and restrooms for employees. Ms. Collins said the unit will be required to meet the North Carolina state building code.

Ms. Collins said at the public hearing held on December 21, 2020, the applicant spoke in favor of the request and no one appeared to speak against this request.

Mr. Bauer moved that the Commission recommend approval of Conditional Use Permit for the approving the modification of Conditional Use Permit #CU-14-17, Salem Leasing outdoor storage of vehicles, to allow the placement of a modular office facility for the operation of transporting petroleum products for Sheetz Convenience Stores. Mr. Reid seconded the motion and the motion carried.

C. Upcoming Meeting Items – January 25, 2021

A. Conditional Use Permit

(1) CU-10-20 Dearing Automotive Service & Repair

Adjournment:

There being no further business, the meeting was adjourned at 8:14 p.m.

Debra Creighton, Secretary
Goldsboro Planning Commission

Approved: _____

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2021 COUNCIL MEETING**

SUBJECT: CU-10-20 Jayme S. Dearing – West side of N. Center Street between W. Oak Street and W. Ash Street

BACKGROUND: The applicant is requesting a conditional use permit to operate an automobile repair, service and inspection facility in the CBD (Central Business District).

Frontage: 149 ft. (N. Center St.)

Area: 25,165 sq. ft., or 0.57 acres

Zoning: Central Business District w/ Historic District Overlay

Surrounding Zoning:

North: GB (General Business);

South: CBD (Central Business District);

East: CBD (Central Business District); and

West: CBD (Central Business District), and
GB (General Business)

Existing Use: The existing building and lot was formerly operated as a used car business and service center known as J.D. Pike Motor Company. The site has been closed for more than six months and the owner is in the process of selling the property.

On February 3, 2020, City Council denied the property owner's request to rezone the property from CBD (Central Business District) to GB (General Business). The proposed zoning was inconsistent with the City's Comprehensive Land Use Plan, which recommended MU DT (Mixed-Use Downtown) development for the property.

DISCUSSION: Now, the applicant is proposing to operate an automobile repair, service and inspection facility upon subject property. According to the City's Unified Development Ordinance, the proposed use is permitted in the CBD (Central Business District) however; a conditional use permit is required and must be approved by City Council. The subject property is located on the north side of Ash

Street therefore not located within the CBD (Central Business District) bounded by the south side of Ash Street, the east side of George Street, the north side of Chestnut Street and the west side of William Street where auto-oriented uses are not permitted.

Days/Hours of Operation: Monday-Friday

7:30 am – 5:00 pm

No. of Employees: 5

Access: An existing 24 ft. wide curb cut exists off N. Center Street and provides gated access to required customer/employee parking, automobile drop-off and pick-up service.

Building and Lot: The existing building consists of approximately 10,120 sq. ft. of floor space consisting of offices, a service bay, storage/warehouse space and restrooms for customers and employees.

Since the site was developed prior to the adoption of the City's Unified Development Code, building setbacks do not comply with current regulations. A modification is required for the side-yard setback from 15 ft. to 0 ft. Also, a modification is required for the rear-yard setback from 20 ft. to 0 ft.

Parking: Parking for the site requires 1 parking space per working bay and 1 space per employee. A total of 6 striped parking spaces are required to include handicap accessible parking.

According to the City's Unified Development Code, auto repair facilities and all outdoor storage areas for vehicles other than customer parking shall be located to the rear of the property and screened from view by a six ft. opaque fence.

In addition, junked or inoperable motor vehicles shall not be parked in view of any road right-of-way or adjoining property for more than forty-eight hours. No vehicle that has been repaired and is awaiting removal, or that is awaiting repair, shall be stored or parked for more than 30 consecutive days. No vehicle shall be parked or stored as a source of parts and no vehicle shall be parked for the purpose of sale or lease/rent.

Staff is working with the applicant to ensure that the above-mentioned requirements have been completed prior to a certificate of occupancy being issued.

Landscaping: Due to existing site conditions consisting of paved surface areas, the applicant is requesting a variance of the City’s landscape requirements.

Engineering: City water and sewer are available to serve the property. Subject area is not located in a Special Flood Hazard Area.

Historic District: The subject property is located within the City of Goldsboro’s Historic District. Any exterior improvements to the property including signage shall comply with the Historic District guidelines before a building permit can be issued in the future.

Modifications: The following modifications are being requested by the applicant.

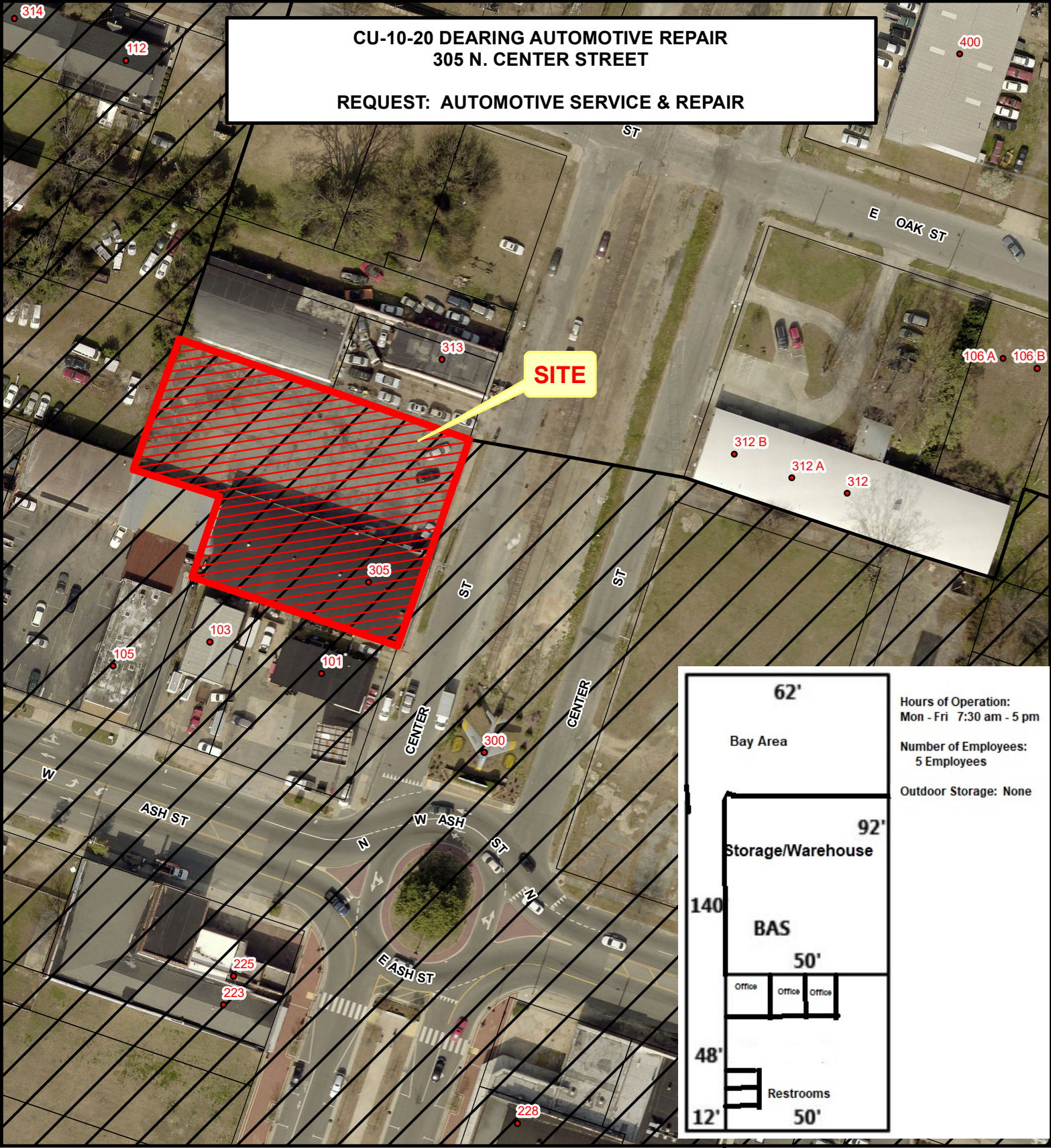
- 1. Modification of the building side-yard setback from 15 ft. to 0 ft.
- 2. Modification of the building rear-yard setback from 20 ft. to 0 ft.
- 3. Modification of the City’s landscape ordinance.

At the public hearing held on January 19, 2021, no one appeared to speak for or against this request.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and.....

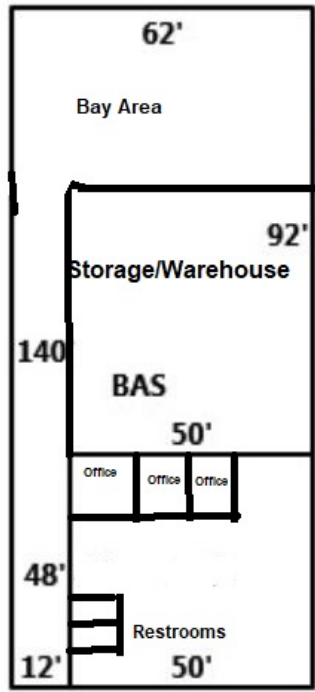
Date: _____
Planning Director

Date: _____
City Manager



CU-10-20 DEARING AUTOMOTIVE REPAIR
305 N. CENTER STREET

REQUEST: AUTOMOTIVE SERVICE & REPAIR



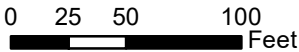
Hours of Operation:
Mon - Fri 7:30 am - 5 pm

Number of Employees:
5 Employees

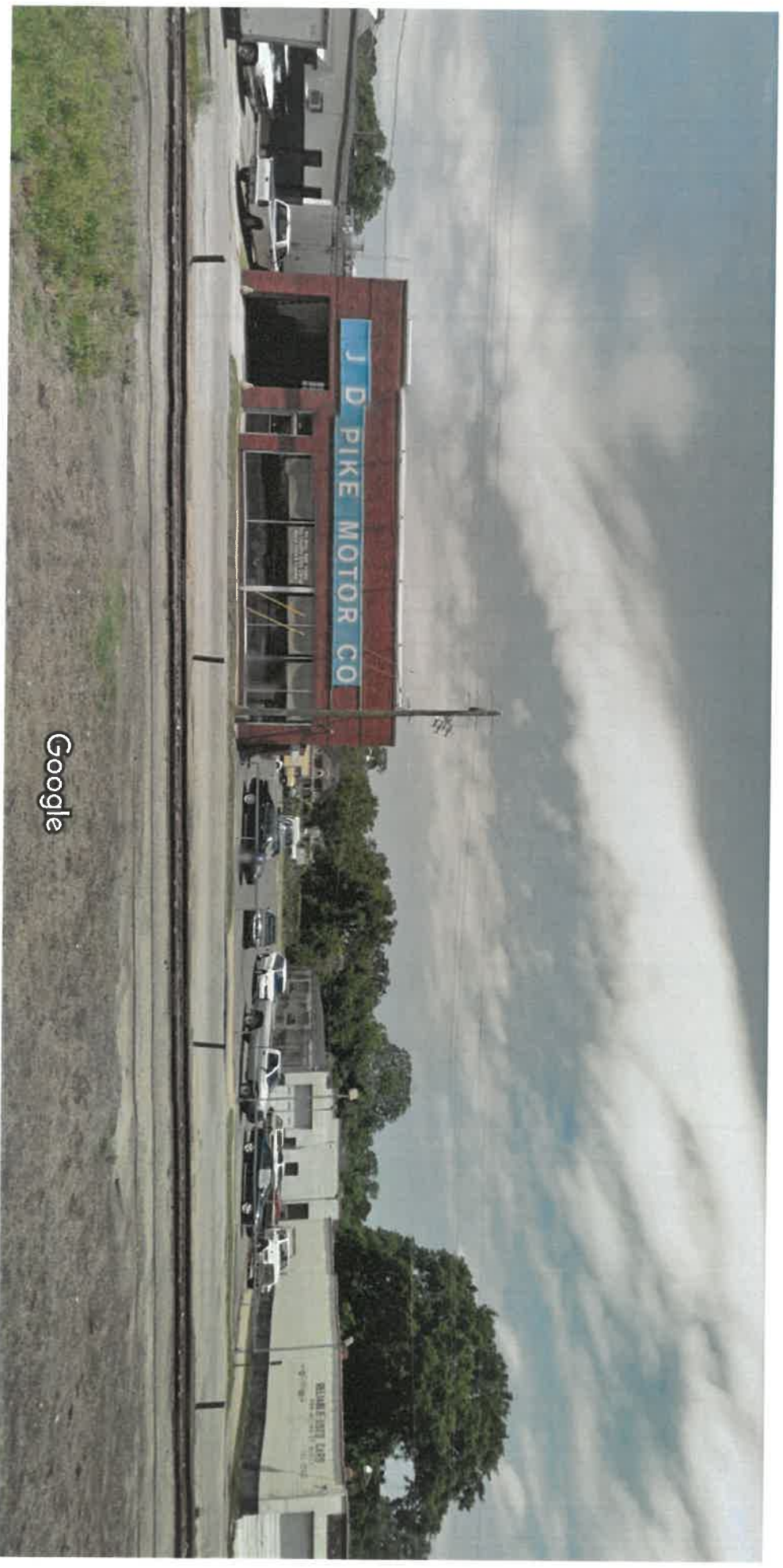
Outdoor Storage: None

CONDITONAL USE REQUEST:

CASE NO: CU-10-20
REQUEST: AUTOMOTIVE SERVICE AND REPAIR
APPLICANT: JAYME DEARING
OWNER: J.D. PIKE
LOCATION: 305 N. CENTER STREET
HOURS OF OPERATION: MON - FRI 7:30 am to 5:00 pm
NUMBER OF EMPLOYEES: 5 EMPLOYEES



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Goldsboro, North Carolina



Street View