

**Minutes of the
City of New Bern Planning & Zoning Board
March 3, 2020 – 5:30 P.M.
New Bern City Hall - 303 Pollock Street**

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2 The regular meeting of the New Bern Planning and Zoning Board was held in the City Hall
3 Courtroom, 300 Pollock Street, on March 3, 2020 at 5:30 pm
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5 **Members Present:**

6 Don Black, Chair
7 Pat Dougherty, Vice Chair
8 Raymond Layton
9 Sonny Aluzzo
10 Haron Beatty
11 Margie Dunn
12 Anne Schout
13 Marcus Simmons
14 Travis Oakley
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16 **Members Excused (E)/ Absent (A):**

17 Marshall Ballard (E)
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19 **Staff Present:**

20 Jeffrey Ruggieri, Director of Development Services.
21 Nadia Abdul-Hadi, Planner 1.
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23 **1. Roll Call**

24 Staff Member Nadia Abdul-Hadi delivered the roll call of all members and quorum declared.
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27 **2. Approval of Minutes**

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29 Minutes from the 07/02/2019 meeting of the Planning and Zoning Board were presented. Hearing
30 no comments from the board Chair Black asked for a motion to approve the 07/02/2019 meeting
31 minutes as presented. **Mr. Raymond Layton made a motion to approve the 07/02/2019 meeting**
32 **minutes as presented, the motion was seconded by Mr. Aluzzo. The motion passed**
33 **unanimously (9-0).**
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36 **3. New Business**

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38 **A. Consideration of a request from Nasr Algaradi to rezone an approximate .25 +/-**
39 **acre parcel from R-6S Residential District to C-4 Neighborhood Business District,**
40 **located at 2409 Oaks Rd. The property is further identified as Craven County**
41 **Parcel identification Number 8-019-008. (Ward 5).**
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43 **Staff Comments:**

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45 Jeffrey Ruggieri presented the staff analysis citing that the parcel is located in an area where there
46 is a variety of zoning districts. Mr. Ruggieri explained the characteristics of the C-4 Neighborhood
47 Business District, and noted that it had been used as a convenience store in the past, but it had been
48 damaged by Hurricane Florence in 2018 and it lost its nonconforming status soon after. Mr.
49 Ruggieri added that the Planning and Zoning Board had seen this rezoning request before them in
50 2019, however the Board of Aldermen did not approve the request to be zoned C-3 Commercial
51 district, this is why the property owner amended the application and is asking to be rezoned to C-
52 4 Neighborhood Business district. Upon the review of this application staff recommended to
53 approve the rezoning of 2409 Oaks Rd. to C-4 Neighborhood Business district.

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55 **Board Discussion:**

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57 Chair Black asked staff to clarify if this would prevent the store becoming a tobacco/vape store as
58 it had been proposed in the past; Mr. Ruggieri confirmed that Chair Black was correct, and that
59 tobacco/vape shops are not allowed in the C-4 Neighborhood Business district. Chair Black added
60 that although the applicant would be prevented from opening a tobacco/vape store they would still
61 be able to sell a certain amount of tobacco/vape products providing it doesn't exceed 20% of the
62 stores revenues. Chair Black proceeded to ask for any public comment, hearing none he asked if
63 the board had any further questions. Ms. Dunn asked if there were any other convenience stores in
64 the area, as she was under that impression that this store would be in an area where there were two
65 other stores within a reasonable distance, one on Glenburnie Rd. and one in the Riverside area.
66 Mr. Beatty responded that while the two stores Ms. Dunn was referring to would be accessible by
67 motorists, it would be difficult to those citizens that do not have access to a vehicle, adding that
68 there is a large walking community in that area. Hearing no further discussion Chair Black stated
69 that he would now entertain a motion for the item. **Mr. Layton made a motion to recommend**
70 **approval of the application to rezone 2409 Oaks Rd. from R-6S Residential District to C-4**
71 **Neighborhood Business District, the motion was seconded by Ms. Schout. The motion passed**
72 **unanimously (9-0).**

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75 **4. Board Member Comments**

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77 Chair Black asked board members to address an email sent by staff looking to coordinate a time
78 to meet in order to conduct a Planning and Zoning Board procedure workshop, the board decided
79 that it would be best to each consult their calendars and let staff know via email. Chair Black
80 proceeded to thank Vice Chair Dougherty for standing in to chair the previous meeting of the
81 Planning and Zoning Board, as well as the Short Term Rentals ad-hoc committee for their work to
82 establish regulations for Short-Term Rentals in the City of New Bern.

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85 **5. Adjourn**

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87 Hearing no further discussion amongst the Board, Chair Black entertained a motion to adjourn.
88 **Mr. Raymond Layton moved to adjourn, Ms. Anne Schout seconded the motion. The motion**
89 **passed unanimously (9-0).**

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92 The meeting was adjourned at 5.45pm.

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95 Date Approved: 5-5-2020

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Attest:



Jeff Ruggieri, Director of Development Services



Don Black, Chair