

Minutes for the Planning Board

101 W. First Street, Lowell, North Carolina 28098

April 2, 2024, 6:00 - April 2, 2024 6:53pm

Roll Call: *(The following members were in attendance)*

- **Scott Wilson**, Chairman
- **Natasha Shuford**, Board member
- **David Jennings**, Board member
- **Norris Lamb**, Board member
- **Heather Seay**, Board member
- **Troy Roberts**, Board member

1. Call to Order

1A. Call to Order-

The Call to Order was by Chairman Scott Wilson at 6:02pm

1B. Determination of Quorum-

Attendees included Chairman Wilson, Board Members Jennings, Lamb, Roberts, Hopper, and Seay. Planning Director Joe Gates and Board Member Shuford were absent. Staff included Planner Tyler Cobb and City Clerk Cheryl Ramsey.

1C. Pledge of Allegiance-

The Pledge of Allegiance was led by Chairman Scott Wilson.

1D. Approval of Agenda-

The item was motioned To Approve by David Jennings and seconded by Norris Lamb with a passing result 5-0-1-1 Abstained by Scott Wilson Absent was Natasha Shuford

2. Approval of Minutes

2A. March 5, 2024 Planning Board Meeting Minutes - DRAFT-

Minutes were silently read by the Board.

The item was motioned To Approve by Troy Roberts and seconded by David Jennings with a passing result 5-0-1-1 Abstained by Scott Wilson Absent was Natasha Shuford

3. Old Business

4. New Business

4A. Oath of Office - Tamika Hopper and Natasha Shuford-

The Oath of Office was given to Tamika Hopper by the City Clerk. Natasha Shuford was absent.

4B. Spencer Ridge Subdivision - Development Agreement Review-

Mr. Cobb went over what a Development Agreement is and the General Statute that authorizes the Agreement with the Board. Board Member Jennings asked what is included in the landscape buffers. Mr. Cobb said they are required to have a tree save area and a buffer to be aligned with the ordinance. He then continued with the process stating phase 1 and 2, project evaluation and the staff agreement and negotiations have been done and now at phase 3 or the Planning Board Review of the Development Agreement for the Spencer Ridge Subdivision. Chairman Wilson reminded the Board that this rezoning was approved before to go from R3 to R4 [zoning] because the developer agreed to do a smaller footprint and leave larger amount of untouched land. He said the developer promised to do high end finishes on the homes, license plate reader, and a few other things. Mr. Cobb agreed and then discussed the Development Agreement with the Board. Mr. Cobb said if it passes tonight, then he will need to take it to City Council next week. He said the idea is for the developer to make all the necessary revisions and meet deadlines before the council meeting. He is going to take all the comments from this evening and the recommended changes noted in the Agreement to the developer in the morning.

Mr. Cobb mentioned that the developer was required to have a Traffic Analysis performed by the Department of Transportation (DOT) and they have done so. They sent it in today and he had not had a chance to review it (32 pages) before the meeting. Board Member Lamb asked if the DOT noted any recommendations in the document. Mr. Cobb said he will check for that when he reviews it. Board Member Jennings asked Mr. Cobb to email the group when he has reviewed it.

Board Member Hopper asked about the enforceability noted on page 12 of the Development Agreement. She asked if this document is null and void if the developer does not complete the project? Board Member Lamb said if there is one area that has not been completed, they can't just start another area, the first area has to be done. Mr. Cobb expanded saying that additional phases will not be approved for them to complete, if they have not completed the phase they started in. Mr. Cobb then asked for comments/questions from the Board that he can take back to the

developer. Board Member Lamb stated they may need to adjust/correct the number of the exhibits. Board Member Seay one the exhibits was missing or referenced incorrectly. With no other questions, Chairman Wilson asked for a motion contingent on fixing the problems of the document before going to council.

The item was motioned To Approve by Norris Lamb and seconded by Troy Roberts with a passing result 5-0-1-1 Abstained by Scott Wilson Absent was Natasha Shuford
To move forward with the Development Agreement for Lennar Homes, particularly Spencer Ridge with the dates being inserted prior to going to council.

4C. Map Amendment (Rezoning) General - Choice USA-

Board Member Seay recused herself at 6:45pm because she is employed by Choice USA (Sundrop Beverages on Groves St.)

Mr. Cobb said there is about 18 acres of property where the front half is zoned Industrial and the back half or about 5 acres is zoned Mixed Use 2 (MU-2). He said they are wanting to expand their business for the bottling service there and in MU-2, that is not allowed so they are requesting for the back portion also be Industrial. Chairman Wilson asked where the development Willow Creek homes will be relative to this acreage. Mr. Cobb didn't have that information with him at the time. He did say that this rezoning request [for Choice USA] is in line with the city's 2040 Land Use Plan. Chairman Wilson said his question was more along the lines of how close this will be to the residential homes. Board Member Lamb said there is a large MU-2 buffer. Mr. Cobb directed the board to the map [see agenda packet]. He showed the requested rezoning area and then noted there was still a large amount of land still marked MU-2 before the set Single Family Residential area.

With no further questions, Chairman Wilson asked for a motion so Mr. Cobb can take it to City Council to have set a public hearing.

Board Member Seay returned at 6:52pm.

The item was motioned To Approve by David Jennings and seconded by Troy Roberts with a passing result 4-0-2-1 Abstained by Heather Seay, Scott Wilson Absent was Natasha Shuford


4D. Planning Report -

Board members reviewed the report and had no questions. Chairman Wilson did note that there were 6 zoning permits and March and commended the department for all their work. Board Member Jennings reiterated that Joe Gates last day with the City is this coming Friday, April 5th. Mr. Cobb said that was correct.

5. Adjournment

With no other discussion, Board Member Seay made a motion to adjourn, seconded by Board Member Hopper. The vote was unanimously in favor. Meeting adjourned at 6:53pm.

ATTEST:



Cheryl Ramsey, City Clerk



Scott Wilson, Chairman