

# **MINUTES**

Lowell Planning and Zoning Board

Regular Meeting

Tuesday, April 5, 2022, 6:00 P.M.

## **I. CALL TO ORDER**

Chairman John Cantrell called the meeting to order at 6:00 p.m. Planning Board members present: Troy Roberts Sr., Scott Wilson, and Norris Lamb. Staff members present: Scott Attaway, City Manager and Cheryl Ramsey, City Clerk. City Attorney John Russell was in attendance as well as members of the public.

## **II. DETERMINATION OF QUORUM**

## **III. PLEDGE OF ALLEGIANCE**

## **IV. CHANGES TO AND APPROVAL OF AGENDA**

Motion was made by Scott Wilson to approve the agenda, seconded by Troy Roberts Sr. The vote was unanimously in favor.

## **V. APPROVAL OF MINUTES FROM THE FEBRUARY 1, 2022, MEETING.**

Motion was made by Norris Lamb to approve the previous minutes, seconded by Troy Roberts Sr. The vote was unanimously in favor.

## **VI. NEW BUSINESS**

- A. Consideration of Rezoning Case # RZ22-01 for parcels 135144, 136564, 202166, 202167, 210660, and 202774 from the zoning districts of SFR-3 and SFR-2 to the Conditional Zoning District of CZ/SFR-4.

Scott Attaway gave a background of the site plan. The City received application for rezoning from Pulte Homes on February 15, 2022. The public hearing has been set for the next Council meeting. The appropriate mailings to adjacent properties have been mailed and four areas have been designated for putting up signage for the upcoming public hearing.

A presentation was then made by Melissa Oliver of Pulte Homes. She discussed next steps in the process. She described two styles of homes they are planning, a ranch style and two story ranging in the \$360k to mid \$400k range, a reduction from the original cost. She went over the projected maps covering water lines, green space, tree saves, etc. of the four-phase project working with Carolina River Keepers, Carolina Thread Trail, Catawba Land

Conservatory and the property owners in the area. Mr. Attaway then discussed the stormwater initiatives for the area.

Ms. Oliver said they are still trying to buy the property of one of the neighbors to make the connection to Lowell Spencer Mountain and eliminate the street crossing that owners have had issues with. If they are unable to purchase the land, they are required by the Fire Department to have a secondary entrance. Mr. Attaway stated this was a concern noted by one of the owners at a recent neighborhood meeting.

Bob Clay a representative of Belmont Land Investment Company who is the seller of the property. He wanted to make it clear of the positive incidents that have happened. He acknowledged the graciousness of Pulte Homes particularly when the number of homes to be built was a concern and preserving land for conservation.

Mr. Wilson asked Ms. Oliver about the lot sizes. She stated they were increased to a proposed 60ft in width, an increase of 10ft, and couldn't recall the depth but stated it was in the plan. Mr. Attaway read LDO descriptions of the zone district differences. SFR3 is 11,600 min. sq ft lot size and SFR4 is 7,800 min. The LDO requires the min width to be 50ft but Pulte is requesting 60ft.

Mr. Attaway then discussed the conditions reviewed with Pulte and other about the nature of the property and what is needed. See the General Provisions of the Development Standards (pg. 9). Ms. Oliver of Pulte stated they will meet or exceed the provision regarding green space and correct or improve provisions needing changes.

Mr. Cantrell asked if all the lots were SFR3 would they be willing to continue? Mr. Clay answered stating the site plan shows the amount of significant clearing needing to keep it at SFR3. Mr. Attaway stated that when the developers talked to City Council about this development, they said they would rather have small dense lots in clusters with bigger buffers near the rivers to have better protection because if you increase the lot like and SFR3 would do, there will be more less units per acre. Mr. Wilson asked if the actual lot size will still be small? Mr. Lamb stated they will be wider than homes already in area but not as deep as some. Mr. Clay said that is correct.

Mr. Lamb asked about the preservation of the area on the east side and if it is possible to split the zoning to further protect the area, especially if another buyer comes in, buys the property, and builds homes on the 'preserved' lot anyway? Mr. Clay stated Pulte currently has all property under contract and they (Belmont Land Investment) are physically removing everything east of the watershed line from their contract so Pulte will not have it. Mr. Attaway said that they unable to determine the line until it's surveyed, which will be done prior to rezoning. Mr. Wilson asked once this is done, can the area then be more restrictive. Ms. Oliver said it will be up to the person who owns the land at the time. Mr. Lamb explained further of cases where developers have told homeowners they will never

build on a property, then end up selling it and the new developers build anyway. He doesn't want this to be an issue for our rivers. Bart Landis spoke about preserving the land and the protection of it by 1. Conditional zoning condition itself already will be in place and any new developer would have to accept it; 2. The deed that will be developed will say the property can't be developed.

Attorney John Russel mentioned that one of the conditions puts a maximum number of homes at 422. When that is maxed out on the west side no one can come in and build on the east side. Mr. Attaway said there is already a condition of no development on the east side of the line (see page 9). Mr. Landis stated that has always been the intent.

Mr. Wilson asked how close will the homes be to each other? Ms. Oliver said they are still working on that but adhere to the 5ft setback on either side. They anticipate 20 ft separation. Mr. Clay mentioned a comparison would be McAdensville Village with 10ft of separation.

Mr. Attaway then went over other miscellaneous provisions (beginning on page 12) including license plate readers for a minimum of five years and future amendments.

Mr. Lamb asked about a 2<sup>nd</sup> entrance and how promising is that in the process. Ms. Oliver of Pulte stated they are still negotiating with one of the property owners for an easement and have given up a portion of their land to them as part of the negotiations.

Mr. Cantrell asked for any more questions. With none, he asked for a motion. Mr. Lamb made a motion in the event, as discussed, that the property on the east side is protected, as it seems to be he made a motion to rezone CZ/SFR-4. It was seconded by Mr. Wilson and unanimously in favor. Because there is currently no Chairperson and John Cantrell is acting as the chairperson, he is still allowed to vote. Therefore, the unanimous vote includes Mr. Cantrell or 4-0 vote.

B. Consideration of LDO Text Amendment to add "Blood Plasma Facility" to Article 8, Table 8.1 Table of Uses, Section 1 with supplemental regulations.

Mr. Attaway presented the staff-initiated text amendment (see page 15 of agenda) or when staff finds something that should have been in the LDO. A request was made by a vendor after they were denied and then appealed to the City to add a blood plasma facility in the C74, Article 8, Table 8.1, district near US 74. The current ordinance has a use of medical office, but staff thought it should be elaborated more for the purpose of the nature of what the plasma facility does. He stated by law, you have to provide a zoning district for any and every land use with supplemental regulations. This proposal would only be zoned for this specific district.

Mr. Wilson asked if the representative was available. Dan Oshey representing Bio-Life gave a brief background of what will be there. Staffed by medical staff and appointment only to avoid lines out the door or loitering after hours commonly associated with a blood facility.

Mr. Cantrell asked if anyone wanted to make a motion to approve. Mr. Wilson so moved, seconded by Mr. Lamb. The vote was 3-1 with Mr. Cantrell dissenting.

C. Review and Consideration of Master Sign Application for 4290 E. Franklin Blvd.

Mr. Attaway presented about the newly remodeled Kia proposal to use the existing fitting and to slide a new sign over top of the old one. Dana Stowe and Sherry Hartsell with Sign Connection were present for potential questions.

Mr. Wilson made a motion to approve new signage, seconded by Norris Lamb. The vote was unanimously in favor.

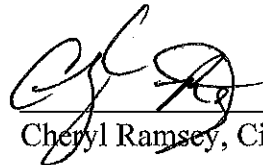
**VII. ADJOURN**

Motion was made to adjourn the Planning Board portion of the meeting by Mr. Roberts, seconded by Mr. Wilson. The vote was unanimously in favor by the group. It adjourned at 7:21pm.

AFFIRM;



Chair, Scott Wilson



Cheryl Ramsey, City Clerk