



**CITY OF LOWELL
COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 12, 2021, 6:00 P.M.**

- 1. CALL TO ORDER** – Mayor Sandy Railey
- 2. INVOCATION / PLEDGE OF ALLEGIANCE**
- 3. ADOPTION OF AGENDA FOR THIS MEETING**
- 4. PUBLIC COMMENTS**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from Council Meeting Held September 14, 2021 **(p. 1-8)**
- 6. CONSENT AGENDA**
 - A. Set Public Hearing for CDBG-I (Grant #18-I-3034) for November 9, 2021 Regarding Scope Amendment **(p. 9-10)**
 - B. Set Public Hearing for CDBG-I (Grant #14-I-3033) for November 9, 2021 Regarding Grant Close-Out **(p. 11-12)**
- 7. SPECIAL PRESENTATION**
 - A. Proclamation Recognizing National Hispanic Heritage Month **(p. 13)**
- 8. UNFINISHED BUSINESS**
 - A. Public Hearing for Consideration of Zoning Map Amendment Rezoning Case RZ21-03 Regarding Parcel ID# 128061, Lowry Oaks Development LLC, from the Current Zoning District of SFR-3 to MU-1 **(p. 14-31)**
 - B. Public Hearing for Consideration of Initial Zoning Map Amendment Regarding Parcel ID#'s 136564 and 202774 from the Current Gaston County R-1/ Ranlo ETJ Zoning Designation of R-12 to the City of Lowell Zoning District of SFR-4 **(p. 32-45)**
- 9. NEW BUSINESS**
 - A. Petition for Annexation of Non-Contiguous Property of Parcel Id #'s 202167 and as shown by the metes and bounds description; 7.6 acres **(p. 46-56)**

- B. Set Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID# 202167 from the Current Gaston County Zoning Designation of R-1 to the City of Lowell Zoning District of SFR-4 (p. 57-61)
- C. Petition for Annexation of Contiguous Property of Parcel Id #'s 202166, 135144, and 210660 and as shown by the metes and bounds description; 20.46 acres (p. 62-77)
- D. Set Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID#'s 202166, 135144, and 210660 from the Current Gaston County Zoning Designation of R-1 to the City of Lowell Zoning District of SFR-4 (p. 78-82)
- E. Consideration of Contract with CCOG for Administration of CDBG-NR Community Center renovations (p. 83-89)

10. STAFF REPORTS

- A. Public Works Report (p. 90)
- B. Planning Department Report (p. 91-92)
- C. Police Department Report (p. 93-94)
- D. Parks and Rec. Department Report (p. 95)
- E. Fire Department Report (p. 96)
- F. Finance Officer Report (p. 97-99)

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

13. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

14. CLOSED SESSION

- A. To Discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5)

15. ADJOURN

MINUTES

Lowell City Council

Regular Meeting

Tuesday, September 14, 2021, 6:00 P.M.

I. CALL TO ORDER – Mayor Sandy Railey

Mayor Sandy Railey called the meeting to order at 6:00 p.m. Those attending in-person were Councilmember Phil Bonham, Councilmember Candy Funderburk, Councilmember Thomas Gillespie, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, and City Clerk Beverly Harris. A quorum was determined at the beginning of the meeting. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city's website. Members of the public were also present. Councilmembers Ken Ervin and Shane Robinson were absent.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie gave the invocation and led everyone in the pledge of allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Councilmember Bonham made a motion to adopt the agenda as presented, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

IV. PUBLIC COMMENTS

- John Cantrell (208 E Second St)
Agenda item: Section 8 Unfinished Business, Item A.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held August 10, 2021

Councilmember Funderburk made a motion to approve the minutes from the August 10, 2021 Council meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

VI. CONSENT AGENDA

- A. Consideration of Resolution #RS11-2021 for Asset Inventory and Assessment (AIA) Project Grant Application)
- B. Consideration of Resolution #RS14-2021 Authorizing Special Revenue Fund for the American Rescue Plan Relief Funding

C. Consideration of Appointing Troy Roberts to the Lowell Planning Board, Board of Adjustment and Stormwater Commission

Councilmember Bonham made a motion to approve the consent agenda items, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VII. SPECIAL PRESENTATIONS

A. Sergeant Harrison Promotional Badge Pinning Ceremony

Chief Scott Bates presented Corporal Jeff Harrison with his promotional badge to Sergeant.

B. Wooten Company AIA Sewer Presentation

Mr. Hardman with Wooten Company presented the AIA sewer presentation. Mr. Hardman gave an overview of the AIA sewer project and the grant process. Mr. Hardman stated the grant money awarded is to assess the condition of the city's sewer asset system. The city received notification in February of 2020 that they received \$150,000 with a local match. He discussed the mapping and data collection points and condition of those points to generate a new digital mapping system for the city to utilize in the future. He recommended a city maintenance plan to be put in place and for items found during the initial survey to be fixed.

VIII. UNFINISHED BUSINESS

A. Public Hearing for Consideration of Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops and Barber Shops

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated on August 3, 2021 the City of Lowell Planning Board reviewed the consideration requested by the Lowell City Council to amend the current Lowell Development Ordinance regarding the removal of Beauty/Barber Shops from the Main Street Zoning District. Mr. Attaway stated during the Planning Board meeting it was discussed that the listed uses would still be available in the Mixed Use (MU-1 and MU-2) Districts as well as the US 74 Commercial (C-74) and I-85 Commercial (C-85) Districts. However, it would create several Nonconformities as there are a relatively elevated number of these uses currently found within the Main Street (MS) zoning districts. Mr. Attaway stated the Planning Board voted 3-1 against the proposed text amendment to the Lowell Development Ordinance.

There were no public comments during the hearing.

Councilmember Bonham made a motion to close the public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Funderburk made a motion to adopt the Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 by removing Beauty Shops and Barber Shops from the Main Street zoning district. There was no second to the motion and the motion died.

Councilmember Bonham made a motion to not approve the Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 to remove Beauty Shops and Barber Shops from the Main Street zoning district, followed by a second from Councilmember Gillespie. The vote was two in favor (Bonham/Gillespie) and one opposed (Funderburk). The motion carries with the majority being in favor.

B. Public Hearing for Consideration of Text Amendment to Lowell Development Ordinance Article 19, Section 14 and Section 21: To add reference to NC DOT Manual Regarding Construction Standards

Councilmember Bonham made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated the Lowell Planning Board considered a request for a text amendment to the Lowell Development Ordinance to add reference to the North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards. Mr. Attaway stated the Planning Board voted unanimously to approve the amended text to the City Council for approval. The reference would be added in Article 19, Section 14, and Section 21. (See attached)

There were no public comments during the hearing.

Councilmember Bonham made a motion to go out of public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Bonham made a motion to approve the Text Amendment to Lowell Development Ordinance Article 19, Section 14 and Section 21 to add reference to NC DOT manual regarding construction standards, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

C. Public Hearing for Consideration of Annexation of Parcel ID #'s: 136564 and 212774 (petitioning applicant: Belmont Land and Investment)

Councilmember Bonham made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated on August 10, 2021 the owners of property known as Parcel ID #136564 and Parcel ID #202774 of Gaston County submitted a petition for voluntary contiguous annexation into the city limits of the City of Lowell. The properties consist of a total of 263.12 acres.

Mr. Attaway stated the actions taken at the August 10, 2021 meeting included:

- i. Petition for voluntary contiguous annexation received
- ii. Directed (by resolution) for the City Clerk to investigate the sufficiency of the petition.
- iii. Received petition certification by City Clerk, called (by resolution) for public hearing at next regular meeting.

Mr. Attaway stated the needed actions to be taken at the September 14, 2021 meeting would include:

1. Conducting the required Annexation Public hearing
2. Consideration (adoption or rejection) of an Ordinance Extending the Corporate Limits (annexation)
3. Schedule a Zoning Map Amendment Public Legislative Hearing for October 12, 2021 on the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.

There were no public comments during the hearing.

Councilmember Bonham made a motion to go out of public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Bonham made a motion to adopt Ordinance #OR7-2021 extending the corporate limits of the City of Lowell and incorporate by annexation a contiguous area (Parcel ID #136564 and Parcel ID #202774 of Gaston County) into the City of Lowell, North Carolina. The motion was seconded by Councilmember Funderburk. The vote was unanimously in favor.

IX. NEW BUSINESS

A. Set Public Hearing for Zoning Map Amendment Rezoning Case RZ21-03 Regarding Parcel ID #128061 from the Current Zoning District of SFR-3 to MU-1 (Property off Stowe/McAdenville)

Scott Attaway stated at the September 7, 2021 Planning Board meeting the property listed as Parcel ID #128061, containing 6.37 acres was reviewed to consider a Zoning Map Amendment (rezoning) from the current zoning designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1). Mr. Attaway stated the Planning Board voted in unanimous decision to recommend to the Lowell City Council the requested amendment of the property from SFR-3 to MU-1.

Councilmember Funderburk made a motion to schedule a public hearing on October 12, 2021 for the zoning map amendment rezoning case RZ21-03 regarding parcel ID #128061 from the current zoning district of SFR-3 to MU-1, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Set Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID#'s 136564 and 202774 from the Current Gaston County Zoning Designation of R-1/R-12 to the City of Lowell Zoning District of SFR-4 (Belmont Land)

Scott Attaway stated at the September 7, 2021 Planning Board meeting the two properties identified as PID #136564 and PID #202774, both of which are owned by Belmont Land & Investment Co. requesting to be annexed and containing 263.12 acres were reviewed for consideration of applying an initial zoning designation contingent on the approval of annexation. The representatives of the property have requested the zoning district of Single Family Residential-4 (SFR-4). Mr. Attaway stated the Planning Board voted in unanimous decision to recommend to the Lowell City Council the approval of the requested zoning designation.

Councilmember Bonham made a motion to set public hearing for October 12, 2021 for the initial zoning map amendment regarding parcel ID #136564 and 202774 from the current Gaston County zoning designation of R-1/R-12 to the City of Lowell zoning district of SFR-4, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

C. Petition for Annexation of Contiguous Property of Gaston County George Poston Park Parcel ID #'s 148011 and 148012 and as shown by the metes and bounds description; 338.95 acres

Scott Attaway stated on August 26, 2021 the representative of the property known as George Poston Park, Parcel ID #148011 and Parcel ID #148012 of Gaston County submitted a petition for voluntary contiguous annexation into the city limits of the City of Lowell. The properties consist of a total of 338.95 acres. Mr. Attaway stated the Planning Board on September 7, 2021 unanimously approved for recommendation to the City Council the designation of the appropriate zoning district for Civic (CIV).

Councilmember Bonham made a motion approve Resolution #RS12-2021 directing the City Clerk to investigate an annexation petition pursuant to Article 4A of G.S. 160A governing contiguous annexations, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Beverly Harris, City Clerk, presented her certification of sufficiency of petition of annexation for George Poston Park to Council.

Councilmember Bonham made a motion to approve Resolution #RS13-2021 fixing the date of public hearing on November 9, 2021 on question of annexation petition pursuant to Article 4A of G.S. 160A governing contiguous annexations regarding George Poston Park, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

D. Set Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID #'s 148011 and 148012 from the Current Gaston County Zoning Designation of RS-20 and Ranlo ETJ Zoning Districts of EL-1 and R-12 to the City of Lowell Zoning District of Civic (George Poston Park)

Scott Attaway stated at the September 7, 2021 Planning Board meeting the two properties identified as PID #148011 and PID #148012, both of which are owned by Gaston County, requesting to be annexed and containing 338.95 acres were reviewed for consideration of applying an initial zoning designation contingent on the approval of annexation. The representatives of the property have requested the zoning district of Civic (CIV). Mr. Attaway stated the Planning Board voted in unanimous decision to recommend to the Lowell City Council the approval of the requested zoning designation.

Councilmember Funderburk made a motion to set public hearing for November 9, 2021 for initial zoning map amendment regarding parcel ID #'s 148011 and 148012 from the current Gaston County zoning designation of RS-20 and Ranlo ETJ zoning districts of EL-1 and R-12 to the City of Lowell zoning district of Civic, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

E. Consideration of Amendments to Parks and Recreation Rules

Scott Attaway stated staff has updated the Parks and Recreation Facility Rules (see attached proposed changes). Mr. Attaway stated staff presented the updated Facility Rules to the LCC on July 26 and the LCC made a recommendation to present the updated rules to City Council.

Councilmember Bonham made a motion to approve the updates to the Parks and Recreation Facility Rules as presented, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

F. Consideration of Interlocal Agreement between Gaston County, City of Gastonia, and City of Lowell Regarding the Enforcement of State Fire Codes (North Point)

Scott Attaway presented an Interlocal Agreement between Gaston County, City of Gastonia, and City of Lowell regarding the enforcement of state fire codes.

Councilmember Gillespie made a motion to approve the Interlocal Agreement between Gaston County, City of Gastonia, and City of Lowell regarding the Enforcement of State Fire Codes for North Point, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

G. Consideration of Interlocal Agreement between Gaston County, City of Gastonia, and City of Lowell Regarding Real Property Development and Enforcement Services (North Point)

Scott Attaway presented an Interlocal Agreement between Gaston County, City of Gastonia, and City of Lowell regarding Real Property Development and Enforcement Services.

Councilmember Bonham made a motion to approve the Interlocal agreement between Gaston County, City of Gastonia, and City of Lowell regarding Real Property Development and Enforcement Services for the North Point project, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

X. STAFF REPORTS

A. Public Works Report

Scott Attaway and Thomas Shrewsbury covered the public works report. (ATTACHED)

B. Police Department Report

Scott Attaway covered the police department report. (ATTACHED)

Chief Bates gave an update on the RING program.

C. Planning Department Report

Scott Attaway and Alex Blackburn covered the planning department report. (ATTACHED)

D. Parks and Recreation Report

Cristy Cummings presented the Parks & Recreation report. (ATTACHED)

E. Fire Department Report

Scott Attaway presented the Fire Department report. (ATTACHED)

F. Finance Officer Report

Jared Pyles presented the monthly financial report. (ATTACHED)

XI. CITY ATTORNEY REPORT

John Russell did not have anything new to report.

XII. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- Montcross Chamber Emerge Update
- McCord Family Park (New City of Lowell Pocket Park Planning Underway)
- CONNECT Beyond

XIII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Gillespie thanked the Police Chief and his staff.

Councilmember Funderburk thanked staff members and departments.

Mayor Railey thanked everyone for coming to the meeting and especially thanked the Citizen's Academy members.

XIV. CLOSED SESSION

A motion was made at 7:43 pm by Councilmember Bonham to go into Closed Session in accordance with provisions of NCGS 143-318.11(a)(5) to discuss the acquisition of real property, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

The Council reconvened from Closed Session at 8:00 pm.

Councilmember Funderburk made a motion to go out of Closed Session, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

There were no actions taken in Closed Session.

XV. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor. The meeting ended at 8:00 pm.

ATTEST:

Mayor, Sandy Railey

City Clerk, Beverly Harris

AGENDA ITEM INFORMATION

AGENDA ITEM #: 6-A

DESCRIPTION: SET PUBLIC HEARING FOR CDBG-I (GRANT #18-I-3034) FOR NOVEMBER 9, 2021 REGARDING SCOPE AMENDMENT

Please see the attached memo from the City Clerk regarding updates on the CDBG-I Grant. Please schedule a Public Hearing for November 9, 2021 regarding scope amendment.

MEMO

DATE: October 1, 2021
MEMO TO: Scott Attaway
FROM: Beverly Harris
SUBJECT: Update on Grants

Please see below a general update on where we are to-date on both grants. Let me know if you have any questions or concerns.

CDBG-NR (Neighborhood Revitalization) (Grant #17-C-2999)- (Status **ON TARGET**)

- **Funding Update:**
 - Granted \$750,000 | Spent-to-date \$52,833.41
- **Work Update:**
 - Sealed Construction bids for **Community Ctr** rehabilitation
 - Did not receive enough bids the first opening. Reducing scope.
 - Consideration of contract with Centralina to administer rehab in order to utilize their CDBG knowledge and CDBG certified contractor pool.
 - Sealed Construction bids for **Phase 1 house rehabilitations** (5) opening Oct 1
 - Did not receive any bids for house construction. Will need to re-advertise and direct solicit to Centralina contractor pool.
 - New tentative date for re-bid opening Oct 22
- **Grant Close-out Date** is November 14, 2022

CDBG-I (Infrastructure) (Grant #14-I-3033 & #18-I-3034) - (Status **ON TARGET**)

- **Funding Update:**
 - 14-I-3033
 - Granted \$285,211.00 | Spent-to-date \$285,211.00
 - Monitoring Visit by State scheduled for October 6
 - Close Out Public Hearing to be scheduled for November 9
 - 18-I-3034
 - Granted \$1,981,691.00 | Spent-to-date \$59,094.77
 - Public Hearing to be scheduled Nov 9 for scope amendment for "18" funds
- **Work Update:**
 - Bio-Nomic has 3 crews working on sewer line improvements. No known problems.
- **Grant Close-Out Date** is July 2022

AGENDA ITEM INFORMATION

AGENDA ITEM #: 6-B

DESCRIPTION: SET PUBLIC HEARING FOR CDBG-I (GRANT #14-I-3033) FOR
NOVEMBER 9, 2021 REGARDING GRANT CLOSE-OUT

Please see the attached memo from the City Clerk regarding updates on the CDBG-I Grant. Please schedule a Public Hearing for November 9, 2021 regarding grant close-out.

MEMO

DATE: October 1, 2021
MEMO TO: Scott Attaway
FROM: Beverly Harris
SUBJECT: Update on Grants

Please see below a general update on where we are to-date on both grants. Let me know if you have any questions or concerns.

CDBG-NR (Neighborhood Revitalization) (Grant #17-C-2999)- (Status **ON TARGET**)

- **Funding Update:**
 - Granted \$750,000 | Spent-to-date \$52,833.41
- **Work Update:**
 - Sealed Construction bids for **Community Ctr** rehabilitation
 - Did not receive enough bids the first opening. Reducing scope.
 - Consideration of contract with Centralina to administer rehab in order to utilize their CDBG knowledge and CDBG certified contractor pool.
 - Sealed Construction bids for **Phase 1 house rehabilitations** (5) opening Oct 1
 - Did not receive any bids for house construction. Will need to re-advertise and direct solicit to Centralina contractor pool.
 - New tentative date for re-bid opening Oct 22
- **Grant Close-out Date** is November 14, 2022

CDBG-I (Infrastructure) (Grant #14-I-3033 & #18-I-3034) - (Status **ON TARGET**)

- **Funding Update:**
 - 14-I-3033
 - Granted \$285,211.00 | Spent-to-date \$285,211.00
 - Monitoring Visit by State scheduled for October 6
 - Close Out Public Hearing to be scheduled for November 9
 - 18-I-3034
 - Granted \$1,981,691.00 | Spent-to-date \$59,094.77
 - Public Hearing to be scheduled Nov 9 for scope amendment for "18" funds
- **Work Update:**
 - Bio-Nomic has 3 crews working on sewer line improvements. No known problems.
- **Grant Close-Out Date** is July 2022



PROCLAMATION

#PR6-2021

WHEREAS, Hispanic Heritage Month is an opportunity to celebrate the culture, history, and contributions of Hispanic American citizens and highlights the countless achievements and contributions; and

WHEREAS, the observation began in 1968 as Hispanic Heritage Week under President Lyndon B. Johnson; this was observed annually until 1988 when it was expanded by President Ronald Reagan to the period of September 15th through October 15th and became National Hispanic Heritage Month, and this has been celebrated annually since then; and

WHEREAS, more than sixty million Americans of Hispanic origin today contribute to our national diversity, enriching the quality of American life with centuries old traditions that reflect the multi-ethnic and multicultural customs of their communities, while adding their own distinct and dynamic perspectives to the story of our country; and

WHEREAS, this observance affords special opportunities to become more knowledgeable about Hispanic heritage and to honor the many Hispanic Americans who represent a significant and fast growing demographic of the City of Lowell, we honor the invaluable ways they contribute to our country; and

NOW THEREFORE, I, Sandy Railey, Mayor of the City of Lowell and the City Council of the City of Lowell, do hereby proclaim the month beginning September 15 and ending October 15, 2021 as

National Hispanic Heritage Month

and urge all citizens to join us in celebrating the great contributions of Hispanic Americans to our city, state, and nation.

IN WITNESS THEREOF, I hereunto set my hand and caused the seal of the City of Lowell to be affixed, this 12th day of October in the year of our Lord two thousand twenty-one.

ATTEST:

Sandy Railey, Mayor

Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-A

DESCRIPTION: PUBLIC HEARING FOR CONSIDERATION OF ZONING MAP
AMENDMENT REZONING CASE RZ21-03 REGARDING
PARCEL ID# 128061, LOWRY OAKS DEVELOPMENT LLC,
FROM THE CURRENT ZONING DISTRICT OF SFR-3 TO MU-1

Please see the attached memo from the Planning Director regarding the scheduled Public Hearing for RZ21-03.

To: Scott Attaway, City Manager
From: Alex Blackburn
Date: September 30, 2021
RE: Zoning Map Amendment Case # RZ21-03

On August 21, 2021 City Staff met with applicants in a pre-filing meeting with Andrew Lineberger and Scott Phillips regarding a possible Zoning Map Amendment regarding a parcel identified as PID# 128061. Applicants concluded that the best course would be to request a Rezoning from the current designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1).

The Planning Board voted in unanimous decision to recommend to the Lowell City Council the requested rezoning of the property from SFR-3 to MU-1 during their September 7, 2021 meeting.

In their regular scheduled meeting on September 14, 2021, the City Council set a Public Hearing for the consideration of Case # RZ21-03 to be held on October 12, 2021.

To prepare for the Public Hearing, City Staff Mailed Public Notices to property owners abutting and/or adjacent to the parcel requesting the rezoning. These were mailed on September 22, 2021. In addition, two ads were prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper, first ad published September 23, 2021, the second ad published September 30, 2021. Notification signs were placed on Lowry Lane in two locations on the morning of September 23, 2021.

The applicants have provided all Public Hearing Consent Forms for property owners requesting change.

A neighborhood meeting took place in the Council Chambers of City Hall on September 30, 2021, at 6:00 pm. City Staff, City Manager Scott Attaway and myself were present to take notes and to answer any procedural questions. A total of 14 citizens attended to ask questions of Mr. Scott Phillips and Mr. Andrew Lineberger. Of many questions raised for the applicants, most were in regards to residents high concern for property values, peaceful property with an abundance of wildlife, and the increase of traffic in the area. Another major concern was the addition of water runoff to a perceived already overwhelmed system of drains in that area.

All requirements for the Rezoning Application have been fulfilled and may proceed on to the Legislative Hearing scheduled for October 12, 2021, at 6:00 pm.

City of Lowell Planning Department – Staff Report

CASE # RZ21-03

Applicant:	Andrew Lineberger & Scott Phillips
Property Owner(s):	John Spencer, Manager of Lowry Oaks Development, LLC.
Property Location:	Parcel ID# 128061
Property Size:	6.37 acres
Current Zoning:	Single Family Residential-3 (SFR-3)
Proposed Zoning:	Mixed Use-1 (MU-1)

Description:

On August 12, 2021 City Staff held a pre-filing meeting with Andrew Lineberger and Scott Phillips regarding a possible rezoning of Parcel ID# 128061. This meeting preceded the submittal of a request for rezoning received September 1, 2021. This request is to change the zoning of the 6.37-acre property from its designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1).



Process:

Staff received the application and scheduled the rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on September 7, 2021.

- Prefiling meeting to discuss proposed amendment and to become more familiar with the applicable requirements and approval procedures.
 - August 12, 2021
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - September 30, 2021
- Filing of Request
 - September 1, 2021
- Filing of Public Hearing Consent Forms from property owners represented in the rezoning.
 - September 1, 2021
- Lowell Planning Board Review of Case # RZ21-03 and recommendation to City Council.
 - Planning Board voted unanimously to recommend approval to City Council during their September 7, 2021 meeting.
- Staff to schedule with the City Council to set Public Hearing for their October 12, 2021, Meeting.
 - Set By City Council during their September 14, 2021 meeting
- Staff to schedule proper advertisement of the public hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
 - Ad appeared in the Gaston Gazette on September 23, 2021 and September 30, 2021.
- Staff to install rezoning signage on the subject property prior to public hearing.
 - Two signs were placed on Lowry Lane on September 23, 2021.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.
 - Notices were sent to 33 property owners abutting/adjacent to subject property on September 22, 2021.

Meeting Dates:

- August 12, 2021 Pre-filing Meeting
- September 1, 2021 Submittal of Application
- September 7, 2021 Planning Board Review of Case # RZ21-03
- September 14, 2021 City Council to set Public Hearing.
- September 30, 2021 Neighborhood Meeting held at City Hall.
- October 12, 2021 City Council to hold Public Hearing.

Staff Comments:

Current zoning for the property in discussion is listed as Single Family Residential-3 (SFR-3) which provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are

Detached Houses. Listed uses are restricted to Single Family, including Duplex (two family_ Homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family Residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

Proposed zoning of Mixed Use-1 (MU-1) with the intent to establish opportunities for both compatible and sustainable re-development where underutilized commercial properties already exist as well as infill sites where site specific land planning of new development creates opportunities for businesses and various housing designs sharing community amenities and enhancements. Existing auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments; however, with careful site planning these areas will allow a greater number of residents to walk or bike to businesses and services with an interconnected network of streets and sidewalks. Allowed building/lot types are Highway Commercial, Urban Workplace, Shop-front, Detached House, Attached House, and Multi-Family. Dominant uses in this district are residential, retail and office. The Mixed-Use Districts are expected to serve Lowell residents as well as persons who travel from surrounding communities. The development pattern in this district acknowledges the role of the automobile, with parking and access provided to promote safety for the motoring public. Development standards in the Mixed-Use Districts promote the creation of a pleasant pedestrian-friendly auto-oriented environment while enabling a compatible transition to uses in adjacent districts.

To date, my office has received 2 email correspondences from concerned citizens requesting information on the subject of the rezoning. A total of 4 phone calls have also been directed towards this subject with two of them simply gathering more information from the mailers and the signage while the other two have been unreachable for further comment.

During the Neighborhood Meeting, 14 citizens attended with several questions and concerns regarding a development going in behind their house and the wildlife it would displace. Other concerns included:

- Addition of traffic to an already busy roadway system.
- Several of the attendee's believed that apartments would bring a rise in crime to the area as well as lowering their property values.
- Many noted that the subject property was landlocked and that a 60' right of way would be taking the yards of several neighbors.
 - A variance has been discussed to follow the rezoning decision if no other abutting property owners are willing to sell for right of way, this would go before the Board of Adjustment.
- A major concern of the group including Mr. Herbert Gittens of 324 Caroline Ave, as well as Mr. and Mrs. Fulbright of 521 Stowe Street would be the increase in water runoff from the development of the property. They provided evidence that the intermittent creek on the north side of the property floods their properties

every heavy rain. They also cited the poor condition of the current stormwater drains under Stowe Street.

- This was addressed by myself and the City Manager in regards to the City of Lowell Stormwater Utility Fund and the process of resolving issues such as this was adopted in July of this year. As well as the involvement that the city, county and state would take in developing land near waterways.

APPLICATION FOR REZONING

TO: THE CITY OF LOWELL

APPLICATION #: _____
DATE FILED: _____
FEE PAID: _____

The undersigned does (do) hereby respectfully make application and request to the City of Lowell to amend the Zoning Ordinance and/or change the Zoning Map of the City of Lowell as hereinafter requested and in support of this application the following facts are shown:

1) It is requested that the real property hereinafter described be rezoned from:

SFR-3 to MU-1

2) The real property sought to be rezoned is owned in fee simple by:

Lowry Oaks Development, LLC
as evidenced in Deed Book 4349 Page 1147 of the Gaston County Register of Deeds Office. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being put to the use specified in Paragraph 1 of this application.

3) The address of the real property sought to be rezoned is: NO ASSIGNED ADDRESS and / or a further legal description by metes and bounds of said realty is attached to this application.

4) The real property sought to be rezoned is located on the North side of Lowery Lane between Caroline Ave and McAdenville Rd
(street) (street)

and further identified in Gaston County Tax Book _____, Map _____, Parcel(s) 128061
Said Lot(s) has (have) a frontage of 50' feet and a depth of 558' feet, or 0.37 acres.

5) The following are all the adjoining property owners who own land adjacent to all sides, front and rear, which shall include properties across the street from the property sought to be rezoned. The names and addresses listed below shall be determined

by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
<i>See Attached</i>	

- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
<i>Lowry Oaks Development</i>	<i>P.O. Box 1694</i>
<i>John Spencer, manager</i>	<i>Belmont, NC 28012</i>

- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: *Andrew Linebenger / Scott Phillips*
Address: *P.O. Box 308, Cramerton, NC 28032*
Telephone: *704.606.6458*

Applicant's Signature: _____

City of Lowell
101 West First Street
Lowell, NC 28098

Telephone: 704 - 824 - 3518

REZONING REQUEST LOWRY OAKS DEVELOPMENT LLC

PID	NAME	Address
128063	CAPPS DEBBIE L & DOSTER JOYCE L	511 MCADENVILLE RD LOWELL NC
128061	LOWRY OAKS DEVELOPMENT LLC	PO BOX 1681 BELMONT NC
128069	WHITESIDES WANDA B & LEDFORD BRENDA B	318 CAROLINE AVE LOWELL NC
128087	POTTER DORIS	502 HIGH ST LOWELL NC
128081	OM BOBBY & CHAPMAN CASEY	517 STOWE DR LOWELL NC
128057	SAUERWEIN ERIC H & FREEMAN DEBORAH J	413 MCADENVILLE RD LOWELL NC
128070	NALLEY BRENDA KAY BAKER & WHITESIDES WANDA KAY	306 FORK RD MOUNT HOLL NC
128078	GITTENS HERBERT L JR GITTENS DEANNA	324 CAROLINE AVE LOWELL NC
128082	FLEMING DANIEL M FLEMING ELIZABETH	515 STOWE DR LOWELL NC
128080	LOUDON KENNETH LOUDON JUHYE	511 LOWRY LN LOWELL NC
128084	CHURCH PAMELA TAYLOR CHURCH BRANDON GILBERT	503 STOWE DR LOWELL NC
128068	BELL PAUL LEE	1652 PERRY ST GASTONIA NC
128059	RODRIGUEZ MARK STEVEN RODRIGUEZ HEATHER HALE	515 MCADENVILLE RD LOWELL NC
128056	MANEY MARK W MANEY ANGELA MCMILLAN	408 MCADENVILLE RD LOWELL NC
128041	MOORE THOMAS G MOORE YVETTE G	500 HIGH ST LOWELL NC
128085	LEFRANCOIS SHANNON	501 STOWE DR LOWELL NC
128055	JOHNSON BAMBE C	407 MCADENVILLE RD LOWELL NC
128067	CASE KIRBY D	1201 N MAIN ST LOWELL NC
128062	CAPPS DEBBIE L & DOSTER JOYCE L	511 MCADENVILLE RD LOWELL NC
128083	BLACKWELDER LARRY A BLACKWELDER CELIA P	201 CROSSING AVE BELMONT NC
128043	BRIGHT SHEENA M	408 HIGH ST LOWELL NC
128065	MARTIN ROBERT D MARTIN LISA C	308 CAROLINE AVE LOWELL NC
128038	BEATTY STEPHANIE TANNEHILL SETH	502 HIGH ST LOWELL NC
128066	CASE KIRBY D	50 LINEBERGER ST LOWELL NC
128058	ROSS ROBERT N ROSS JUDY B	503 MCADENVILLE R LOWELL NC
128040	HUNTER HENRY KYLE	210 CAROLINE AVE LOWELL NC
128064	HALL BRANDON MATTHEW	506 HIGH ST LOWELL NC
128053	CALVERT JONATHAN EDWARD	405 MCADENVILLE RD LOWELL NC
128042	STARNE WARREN D	PO BOX 293 LOWELL NC
128086	TAYLOR DEBORAH LIPSCOMB THERESA 50%	413 STOWE DRIVE LOWELL NC
128036	BENTON DONNA C	1003 MORNINGSIDE D GASTONIA NC



Printed On: 9/1/2021



Disclaimer: The information provided is not to be considered as a legal document or description. The Map & Parcel Data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019.

EXHIBIT 1

DESCRIPTION OF PROPERTY

BEGINNING AT A POINT WITHIN THE RIGHT OF WAY LINE OF N.C. ROUTE 7 AND BEING SOUTH 19 DEGREES 16 MINUTES 16 SECONDS WEST 10 FEET FROM A NEW IRON PIN SITUATE ON THE NORTHERNMOST RIGHT OF WAY

LINE OF N.C. ROUTE 7 AT THE SOUTHEASTERNMOST CORNER OF R.N. ROSS, NOW OR FORMERLY, AS DESCRIBED

IN DEED BOOK 1398 AT PAGE 498, GASTON COUNTY REGISTRY, SAID IRON PIN BEING FURTHER SITUATE NORTH 69 DEGREES 35 MINUTES 39 SECONDS WEST 46 FEET FROM THE SOUTHWESTERNMOST CORNER OF PROPERTY CONVEYED SIMULTANEOUSLY HERewith TO JO. LOWRY JOHNSON AND HUSBAND, CLELL B. JOHNSON, AND RUNNING THENCE FROM SAID BEGINNING POINT WITH DIVISION LINE OF R.N. ROSS, NOW OR FORMERLY, THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 19 DEGREES 16 MINUTES 16 SECONDS EAST (AND PASSING A NEW IRON PIN ON THE NORTHERNMOST RIGHT OF WAY LINE OF N.C. ROUTE 7

AT 10 FEET) A TOTAL DISTANCE OF 267 FEET; AND (2) NORTH 69 DEGREES 20 MINUTES 44 SECONDS WEST 134 FEET TO A NEW IRON PIN SITUATE ON THE EASTERNMOST LINE OF P.S. LOWRY, NOW OR FORMERLY, AS DESCRIBED DEED BOOK 384 AT PAGE 33, GASTON COUNTY REGISTRY; THENCE WITH DIVISION LINE OF P.S. LOWRY, NOW A FORMERLY, AND CONTINUING WITH DIVISION LINE OF F.R. LOWDER, NOW OR FORMERLY, AS

DESCRIBED IN DEED BOOK 610 AT PAGE 297, GASTON COUNTY REGISTRY, NORTH 10 DEGREES 25 MINUTES 29

SECONDS WEST 415.25 FEET TO A NEW IRON PIN; THENCE WITH DIVISION LINE OF L.T. HORNE, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 1886 AT PAGE 212 AND CONTINUING WITH DIVISION LINE OF D.H. AHERN AS DESCRIBED IN DEED BOOK 2364 AT PAGE 778, GASTON COUNTY REGISTRY, NORTH 53 DEGREES 09 MINUTES 16 SECONDS EAST 368.54 FEET TO AN ESTABLISHED IRON PIN THENCE ANOTHER LINE WITH AHERN,

NOW OR FORMERLY, AND CONTINUING WITH DIVISION LINES OF W. TEAGUE, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 502 AT PAGE 298 AND DEED BOOK 522 AT PAGE 54, C.A. CLONINGER, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 2057 AT PAGE 408, AND C. BAKER, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 704 AT PAGE 62 AND DEED BOOK 620 AT PAGE 487, ALL IN THE GASTON COUNTY REGISTRY, NORTH 85 DEGREES 32 MINUTES 56 SECONDS EAST 294.53 FEET TO AN IRON; THENCE WITH DIVISION

LINE OF GITTENS, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 1368 AT PAGE 716, GILLIS, NOW OR FORMERLY, AS DESCRIBED IN BOOK 2287 AT PAGE 469 AND CROSSING THE WESTERNMOST TERMINUS OF LOWRY STREET AND THEN CONTINUING WITH DIVISION LINES OF BLACK WELDER, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 546 AT PAGE 174 AND THOMASSON, NOW OR FORMERLY, AS DESCRIBED IN DEED BOOK 944 AT PAGE 521, SOUTH 04 DEGREES 11 MINUTES 35 SECONDS WEST (AND PASSING AN ESTABLISHED



City of Lowell-Development Services Department
 101 W. First Street Lowell, NC 28098
 Phone: 704-824-3518 Web: lowellnc.com

Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: Lowry Oaks Development, LLC
John Spencer, Manager

Subject:
 consent for variance / conditional use / appeal / subdivision variance / watershed variance / rezoning

Date: Sept. 1, 2021

I, John Spencer, Manager Lowry Oaks Development being the property owner of parcel(s) 128061, give consent to Andrew Lineberger and Scott Phillips to act on my behalf in applying for the **PUBLIC HEARING REQUEST** under consideration.

John R. Spencer
 Signature (owner) _____ Date _____

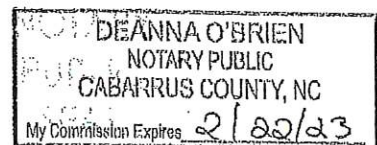
North Carolina
 Gaston County

I, Deanna O'Brien a Notary Public for the said County and State, do hereby certify that John R. Spencer personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 1 of Sept, 2021.

Deanna O'Brien
 Notary Signature

My commission expires: 2/22/23





Sign Placement for RZ21-03 (September 23, 2021)



September 23, 2021
Gaston Gazette

Public Hearing Notice #1 for
RZ21-03.

ject to approval before publication. The Gaston Gazette reserves
the Gaston Gazette shall not be liable for any loss or expense that

Notice To Creditors

Gastonia, North Carolina,
28053-1115
(704) 864-5728
#6325306
Sept 23, 30; Oct 7, 14, 2021

Having qualified as the Administrator of the estate of Brady Nelson Ervin, deceased, late of Gaston County, North Carolina, this is to notify all persons, firms and corporations having claims against said estate to present them, duly verified, to the undersigned at 1415 Troutman Ln. Shelby, NC 28152 on or before the 1st day of December, 2021 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate settlement with the undersigned.

This the 31st day of August, 2021.

Amanda Cabaniss
Administrator
1415 Troutman Ln.
Shelby, NC 28152
File# 21 E 1474
Sept. 2, 9, 16, 23, 2021
#6240958

NOTICE TO CREDITORS AND DEBTORS OF GLENN G. BALLARD

All persons, firms and corporations having claims against Glenn G. Ballard, deceased, are notified to exhibit them to Glenda B. Crowell, Executrix of the Estate of Glenn G. Ballard, on or before 12/22/2021 or be barred from their recovery. Debtors of Decedent are asked to make immediate settlement with the undersigned.

<https://www.cityofbelmont.org/tia-text-amendment>.

All interested persons are urged to attend this public hearing. Individuals requiring special assistance should contact Jamie Campbell, City Clerk at 704.901.2063 or jcampbell@cityofbelmont.org prior to the meeting. For more information call the planning and zoning department at 704.901.2610.
Sept 23, 30, 2021 6309700

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a

Public Notices

proposed Initial Zoning Map Amendment for the property without an assigned address located along Lowell Spencer Mountain Road to the north of George Poston Park. Further identified as Parcel ID #'s 136564 and 202774. Proposed application of initial zoning district is for Single Family Residential-4 (SFR-4).

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.
Sept 23, 30, 2021 #6315901

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed Zoning Map Amendment, Case # RZ21-03, for the property without an assigned address located between High Street and Stowe Street to the north of McAdenville Ave. Further identified as Parcel ID # 128061. Proposed change will be from current zoning of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) zoning district.

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.
Sept 23, 30, 2021 #6315922

cameras

coins

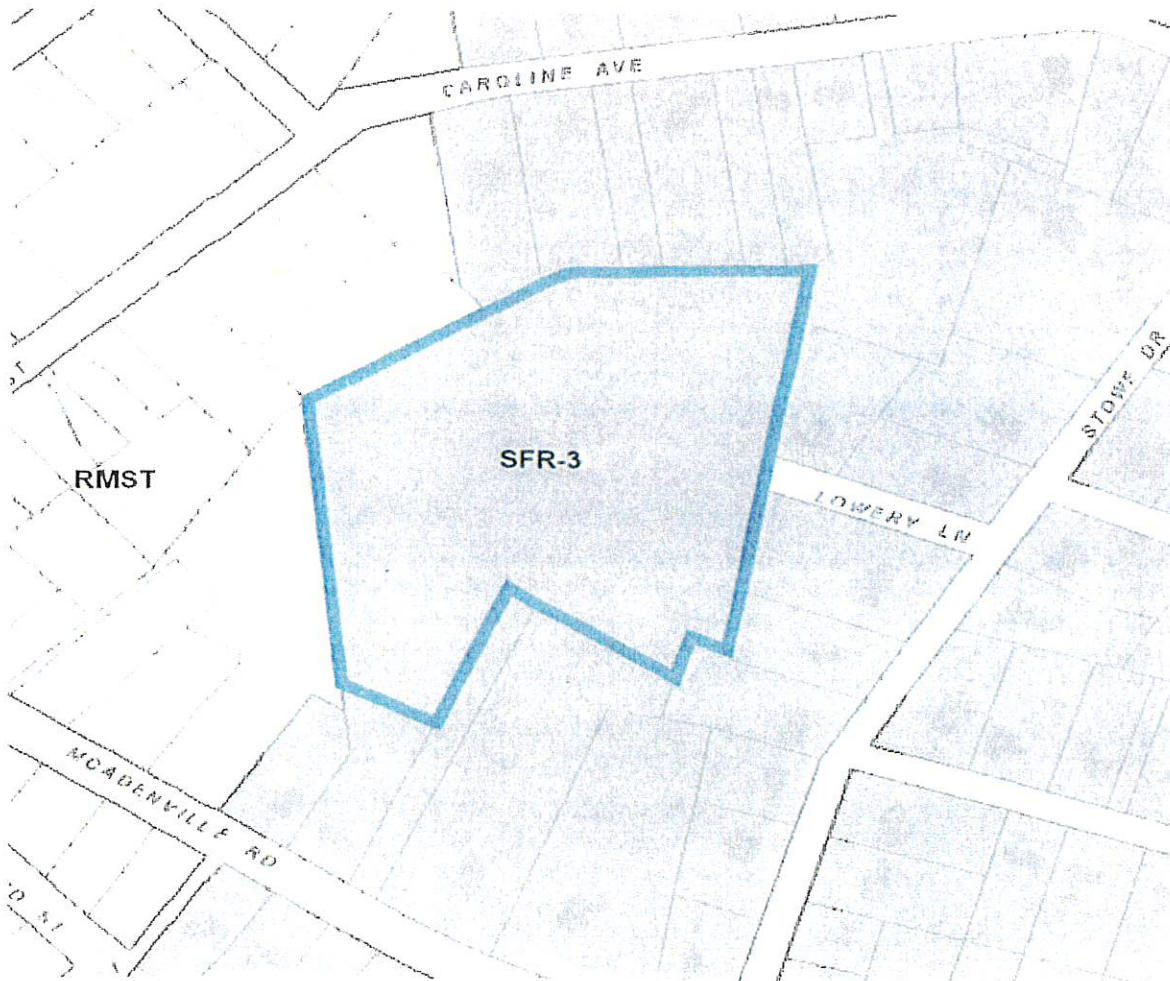
Place your
classified
ad today.

PHOTOS are worth
a thousand words
included in your ad.

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12, 2021, at 6:00 pm, at City Hall, 101 W. First Street, Lowell, NC, 28098.

The purpose of this Public Hearing will be to consider a proposed Zoning Map Amendment (Rezoning) for the property with the assigned Parcel ID # 128061 located between McAdenville Rd. and Caroline Ave. and accessed from Lowery Lane. The requested change will be from the current designation as Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1).



For further information on Case # RZ21-03, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.

REZONING REQUEST LOWRY OAKS DEVELOPMENT LLC

PID	NAME	Address		
✓✓ 128063	CAPPS DEBBIE L &	DOSTER JOYCE L	511 MCADENVILLE RD	LOWELL NC
✓✓ 128061	LOWRY OAKS DEVELOPMENT LLC		PO BOX 1681	BELMONT NC
✓✓ 128069	WHITESIDES WANDA B &	LEDFORD BRENDA B	318 CAROLINE AVE	LOWELL NC
✓✓ 128037	POTTER DORIS		502 HIGH ST	LOWELL NC
✓✓ 128081	OM BOBBY &	CHAPMAN CASEY	517 STOWE DR	LOWELL NC
✓✓ 128057	SAUERWEIN ERIC H &	FREEMAN DEBORAH J	413 MCADENVILLE RD	LOWELL NC
✓✓ 128070	NALLEY BRENDA KAY BAKER &	WHITESIDES WANDA KAY	106 FORK RD	MOUNT HOLL NC
✓✓ 128078	GITTENS HERBERT L JR	GITTENS DEANNA	324 CAROLINE AVE	LOWELL NC
✓✓ 128082	FLEMING DANIEL M	FLEMING ELIZABETH	515 STOWE DR	LOWELL NC
✓✓ 128080	LOUDON KENNETH	LOUDON JUHYE	511 LOWRY LN	LOWELL NC
✓✓ 128084	CHURCH PAMELA TAYLOR	CHURCH BRANDON GILBERT	503 STOWE DR	LOWELL NC
✓✓ 128068	BELL PAUL LEE		1652 PERRY ST	GASTONIA NC
✓✓ 128059	RODRIGUEZ MARK STEVEN	RODRIGUEZ HEATHER HALE	515 MCADENVILLE RD	LOWELL NC
✓✓ 128056	MANEY MARK W	MANEY ANGELA MCMILLAN	409 MCADENVILLE RD	LOWELL NC
✓✓ 128041	MOORE THOMAS G	MOORE YVETTE G	500 HIGH ST	LOWELL NC
✓✓ 128085	LEFRANCOIS SHANNON		501 STOWE DR	LOWELL NC
✓✓ 128055	JOHNSON BAMBE C		407 MCADENVILLE RD	LOWELL NC
✓✓ 128067	CASE KIRBY D		1201 N MAIN ST	LOWELL NC
- 128062	CAPPS DEBBIE L &	DOSTER JOYCE L	511 MCADENVILLE RD	LOWELL NC
✓✓ 128083	BLACKWELDER LARRY A	BLACKWELDER CELIA P	201 CROSSING AVE	BELMONT NC
✓✓ 128043	BRIGHT SHEENA M		408 HIGH ST	LOWELL NC
✓✓ 128065	MARTIN ROBERT D	MARTIN LISA C	308 CAROLINE AVE	LOWELL NC
✓✓ 128038	BEATTY STEPHANIE	TANNEHILL SETH	502 HIGH ST	LOWELL NC
✓✓ 128066	CASE KIRBY D		50 LINEBERGER ST	LOWELL NC
✓✓ 128058	ROSS ROBERT N	ROSS JUDY B	503 MCADENVILLE R	LOWELL NC
✓✓ 128040	HUNTER HENRY KYLE		210 CAROLINE AVE	LOWELL NC
✓✓ 128064	HALL BRANDON MATTHEW		506 HIGH ST	LOWELL NC
✓✓ 128053	CALVERT JONATHAN EDWARD		405 MCADENVILLE RD	LOWELL NC
✓✓ 128042	STARNES WARREN D		PO BOX 293	LOWELL NC
✓✓ 128086	TAYLOR DEBORAH	LIPSCOMB THERESA 50%	415 STOWE DRIVE	LOWELL NC
✓✓ 128036	DENTON DONNA C	<i>Ruby Lee Taylor</i>	1003 MORNINGSIDE D	GASTONIA NC



Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

Memorandum

To: Alex Blackburn, Planning Director, City of Lowell
From: Julio Paredes, Planner
Date: October 1, 2021
Subject: RZ21-03 - GCLMPO Site Plan Review

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at Parcel ID# 128061. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. Neither the GCLMPO 2045 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
3. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/developer should work with NCDOT on any required driveway permits or any TIA requirements.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-B

DESCRIPTION: PUBLIC HEARING FOR CONSIDERATION OF INITIAL ZONING MAP AMENDMENT REGARDING PARCEL ID#'S 136564 AND 202774 FROM THE CURRENT GASTON COUNTY R-1/ RANLO ETJ ZONING DESIGNATION OF R-12 TO THE CITY OF LOWELL ZONING DISTRICT OF SFR-4

Please see the attached memo from the Planning Director regarding the scheduled Public Hearing for the initial zoning of recently annexed property.

To: Scott Attaway, City Manager
From: Alex Blackburn
Date: September 30, 2021
RE: Initial Zoning Designation of Belmont Land & Investment Co. PID#'s 136564 and 202774.

On September 2, 2021 City Staff met with representative Bob Clay and development team to discuss the designation of an initial zoning district to the property under petition for voluntary annexation. During this meeting it was determined that the agreeable district would be Single Family Residential-4. Currently the properties are still under the zoning jurisdiction of both the Ranlo ETJ, with a designation of R-12, and Gaston County Zoning District R-1.

The Planning Board voted in unanimous approval to recommend the Lowell City Council approve the designation of Single Family Residential-4 to the newly annexed property during their September 7, 2021 meeting.

During their regularly scheduled meeting on September 14, 2021, the City Council scheduled to hold a public hearing on October 12, 2021 for the consideration of the designation of an initial zoning district.

To prepare for the Public Hearing, City Staff have mailed Public Notices to property owners abutting and/or adjacent to the subject property. These were mailed on September 22. In addition, two ads were prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper, the first ad published on September 23, and again on September 30. Notification signs were placed on the properties on the morning of September 23, 2021.

A Neighborhood Meeting has been scheduled for Monday, October 11, 2021 at 12:00 pm. This is requested to be held in the Council Chambers of City Hall. City Staff will be in attendance to answer any procedural questions. I will keep everyone informed of the events of the meeting once it is complete.

Once the Neighborhood meeting is completed, all requirements of the Zoning Map Amendment will have been fulfilled and may proceed on to the Legislative Hearing scheduled for October 12, 2021.

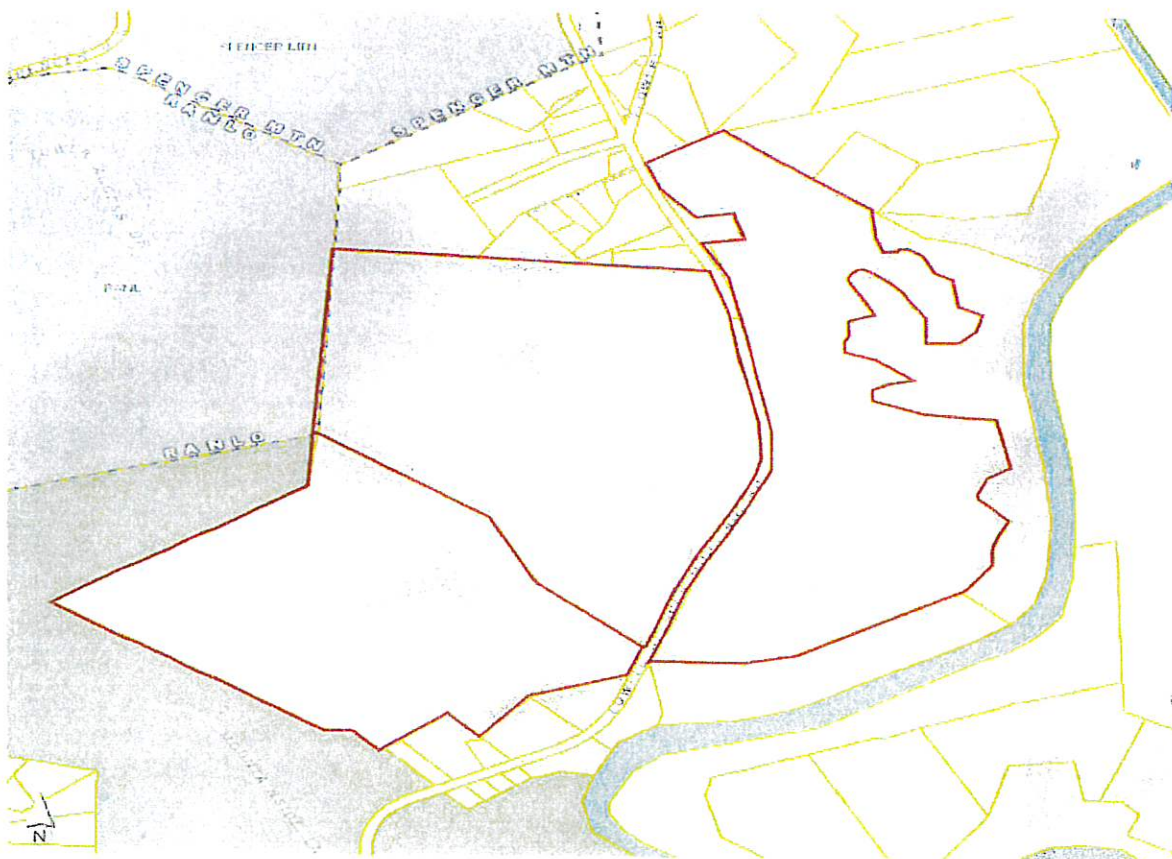
City of Lowell Planning Department – Staff Report

INITIAL ZONING DESIGNATION

Applicant:	Bob Clay,
Property Owner(s):	Belmont Land & Investment Co.
Property Location:	Parcel ID# 136564 and 202774
Property Size:	263.12
Current Zoning:	Single Family Limited R-1 and R-12
Proposed Zoning:	Single Family Residential-4 (SFR-4)

Description:

On August 10, 2021 City Staff received a Petition of Voluntary Annexation of Contiguous Property from the representatives of Belmont Land & Investment Company, LLC. This petition for annexation preceded a meeting with the representative Mr. Bob Clay to discuss the preferred Zoning of the property to be annexed. It was requested that the district be amended from R-12 (Residential District) and R-1 (Single Family Limited) to the Lowell zoning designation of Single Family Residential-4 (SFR-4).



Process:

Staff received application and scheduled rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on September 7, 2021.

- Prefiling meeting to discuss proposed amendment and to become familiar with the applicable requirements and approved procedures.
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - Once this is held, I will update the City Manager and City Council.
- Filing of request.
- Filing of Public Hearing Consent Forms from Property owners represented in the rezoning.
- Lowell Planning Board Review of Case # RZ21-04 and recommendation to City Council.
- Staff to schedule with the City Council to set Public Hearing for their October 2021, Meeting.
- Staff to schedule proper advertisement of the public hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
 - An ad was posted in the Gaston Gazette on September 23, 2021 as well as September 30th, 2021.
- Staff to install rezoning signage on the subject property prior to public hearing.
 - Three signs were placed on the properties along Lowell-Spencer Mountain Road.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.
 - Notices were sent to 18 property owners abutting/adjacent to subject property on September 22nd, 2021.

Meeting Dates:

- September 2, 2021 Pre-filing Meeting
- September 7, 2021 Planning Board Review of Case # 21-04
- September 14, 2021 City Council set Public Hearing for October 12, 2021
- October 12, 2021 City Council to hold Public Hearing

Staff Comments:

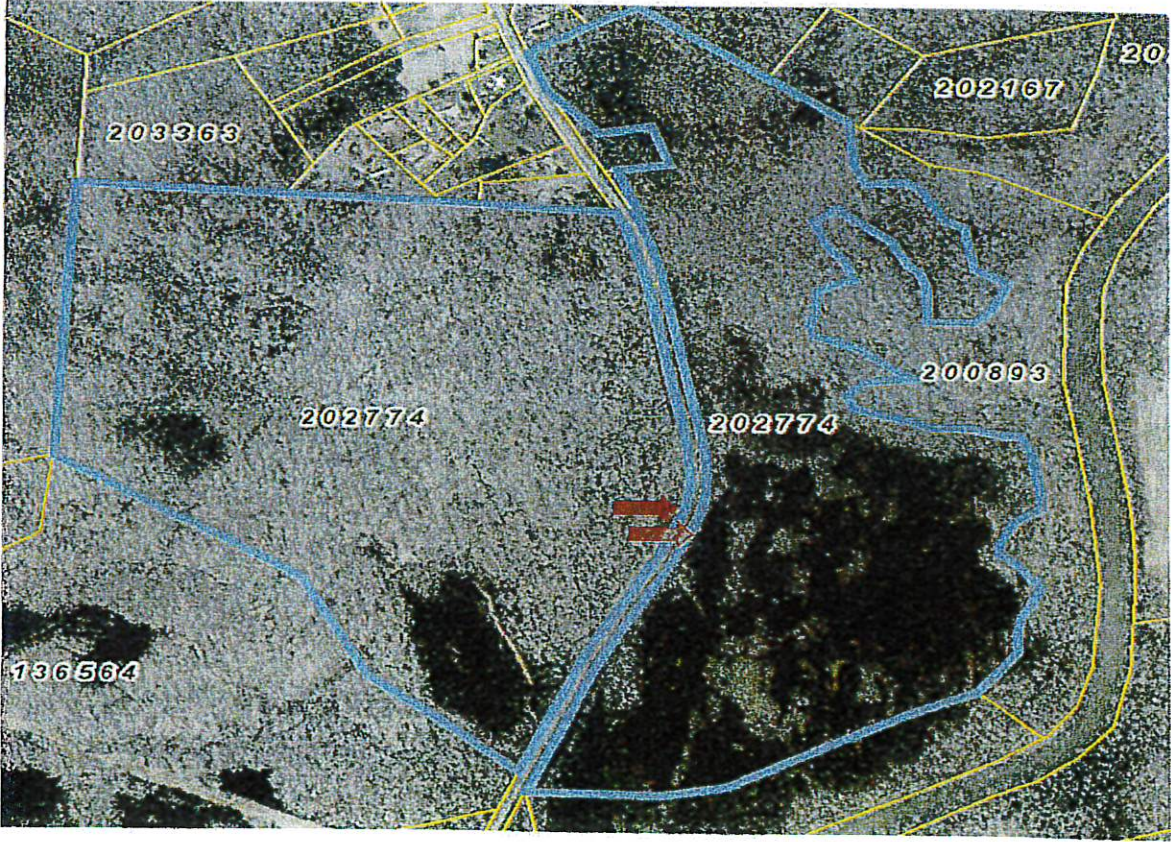
Due to the property being outside of the City of Lowell's jurisdiction at the time prior to adoption of annexation ordinance, the former zoning on the two properties was split between R-12 and R-1, both being residential in nature. The annexation of the two parcels brought forth the requirement for them to be designated a zoning district represented within the Lowell Development Ordinance (LDO). Following a meeting with the representatives of the Belmont Land & Investment Company, LLC, it was determined that the best designation would be that of the Single Family Residential-4 (SFR-4).

The Single Family Residential-4 (SFR-4) zoning district provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are Detached House. Listed uses are restricted to

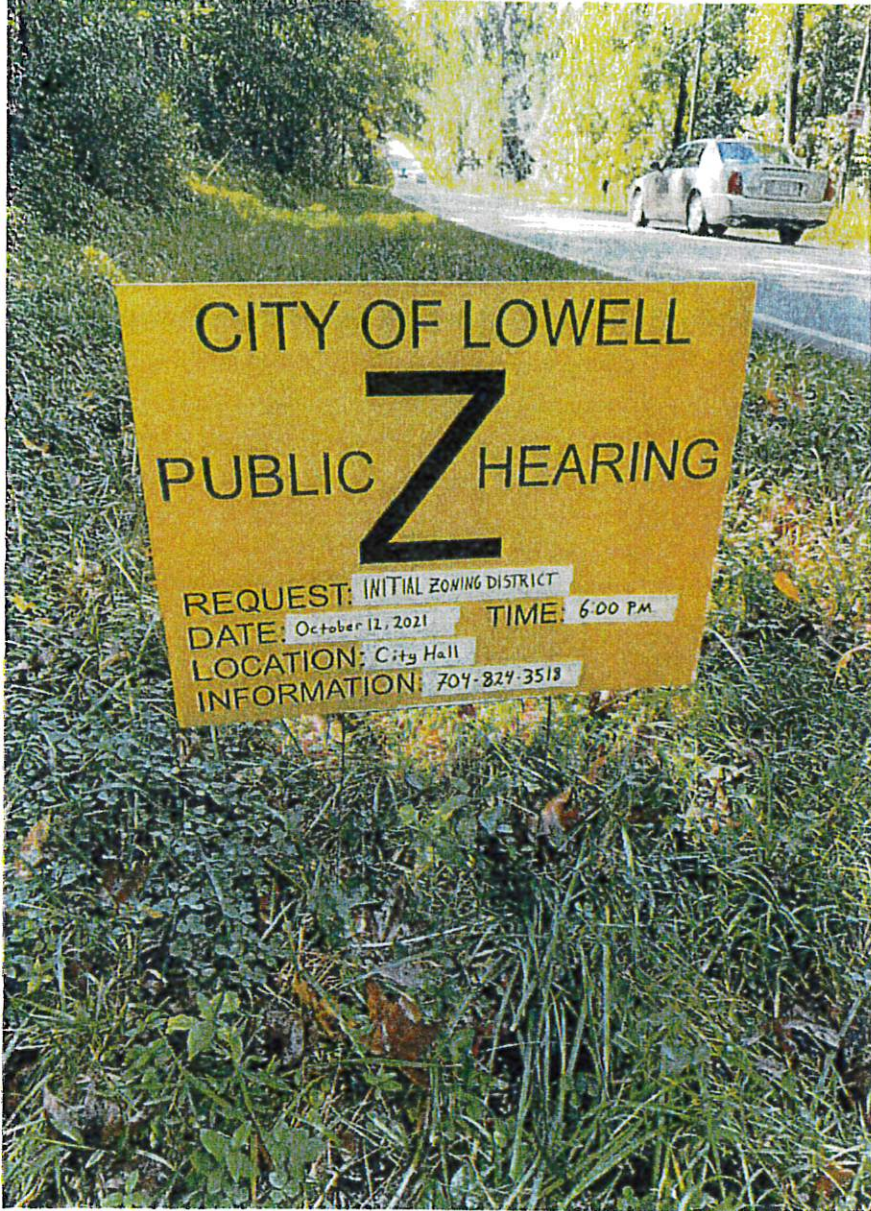
Single-Family, including duplex (two-family), homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

To date my office has received 4 phone calls regarding this matter with 3 of them stemming from the onsite sign placement and one from the Public Notice Mailer. All inquiries were for information only.

Placement of Sign for Public Hearing considering the establishment of an Initial Zoning District.
(September 23, 2021)







September 23, 2021

Gaston Gazette

Initial Zoning Designation for the Belmont Land and Investment Co. Annexed Property.

Public Hearing Notice #1.

Subject to approval before publication. The Gaston Gazette reserves the right to refuse to publish any advertisement. The Gaston Gazette shall not be liable for any loss or expense that may result from the publication of any advertisement.

Notice To Creditors

Gaston, North Carolina, 28053-1115 (704) 864-5728 #6325306 Sept 23, 30; Oct 7, 14, 2021

Having qualified as the Administrator of the estate of Brady Nelson Ervin, deceased, late of Gaston County, North Carolina, this is to notify all persons, firms and corporations having claims against said estate to present them, duly verified, to the undersigned at 1415 Troutman Ln, Shelby, NC 28152 on or before the 1st day of December, 2021 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate settlement with the undersigned.

This the 31st day of August, 2021.

Amanda Cabaniss Administrator 1415 Troutman Ln. Shelby, NC 28152 File# 21 E 1474 Sept. 2, 9, 16, 23, 2021 #6240958

NOTICE TO CREDITORS AND DEBTORS OF GLENN G. BALLARD

All persons, firms and corporations having claims against Glenn G. Ballard, deceased, are notified to exhibit them to Glenda B. Crowell, Executrix of the Estate of Glenn G. Ballard, on or before 12/22/2021, or be barred from their recovery. Debtors of Decedent are asked to make immediate payment to the Project. Project: <https://www.cityofbelmont.org/tia-text-amendment>.

All interested persons are urged to attend this public hearing. Individuals requiring special assistance should contact Jamie Campbell, City Clerk at 704.901.2063 or jcampbell@cityofbelmont.org, prior to the meeting. For more information call the planning and zoning department at 704.901.2610. Sept 23, 30, 2021 6309700

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a

Public Notices

proposed Initial Zoning Map Amendment for the property without an assigned address located along Lowell Spencer Mountain Road to the north of George Poston Park. Further identified as Parcel ID #'s 136564 and 202774. Proposed application of initial zoning district is for Single Family Residential-4 (SFR-4).

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518. Sept 23, 30, 2021 #6315901

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed Zoning Map Amendment, Case # RZ21-03, for the property without an assigned address located between High Street and Stowe Street to the north of McAdenville Ave. Further identified as Parcel ID # 128061. Proposed change will be from current zoning of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) zoning district.

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518. Sept 23, 30, 2021 #6315922

cameras

coins

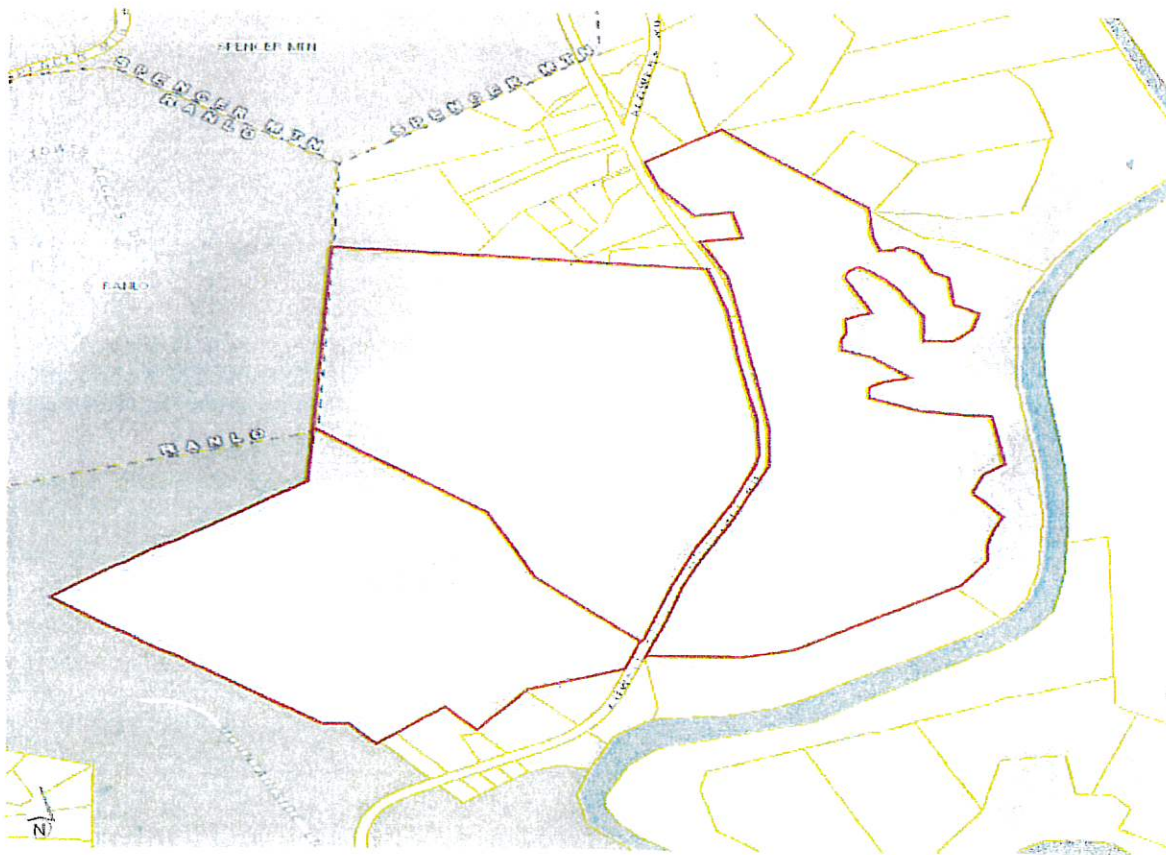
Place your classified ad today.

PHOTOS are worth a thousand words included in your ad.

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 12th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed Initial Zoning Map Amendment for the property without an assigned address located along Lowell Spencer Mountain Road to the north of George Poston Park. Further identified as Parcel ID #'s 136564 and 202774. Proposed application of initial zoning district is for Single Family Residential-4 (SFR-4).



For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.

Doris B. Tallent	2306 Ryan Conley Ct. Gastonia, NC 28056
Tallent Drum Company	P.O. Box 675 Lowell, NC 28098
Doris Tallent	P.O. Box 675 Lowell, NC 28098
Catawba Lands Conservancy	4530 Park Road, Suite 420 Charlotte, NC 28209
Gaston County	P.O. Box 1578 Gastonia, NC 28054-1578
WBTB Inc.	One Julian Price Place Charlotte, NC 28208
Gerald Thomas Flowers Teri Lyn Flowers	138 Hall Road Gastonia, NC 28056-7825
Dorothy May Brown	126 Flowers Road Gastonia, NC 28056
May Edith C Heirs	C/O Jeffery Scott Beasley 114 Flowers Road Gastonia, NC 28056-6647
Charles Franklin Morrow Marsha B. Morrow	104 Flowers Road Gastonia, NC 28056
Daniel A. Davis	1405 Lowell Spencer Mountain Road Gastonia, NC 28056-7841
Gail Reddick Barker	2940 Alarka Road Bryson City, NC 28713
Cathy J. Snyder 12% Int. Eunice H. Carpenter 88% Int.	129 Sutton Carpenter Road Gastonia, NC 28056-7852
Hazel M Emmerling	3035 Marlborough Circle Gastonia, NC 28056-6528

Jeffrey A. Little
and Others, Jeffrey A.
Little and Spouse

1413 Lowell Spencer Mountain Road
Gastonia, NC 28056-7841

Tammy S. Schronce

2408 Malotte Lane
Gastonia, NC 28056-6407

Rachel Mann Moore

1429 Lowell Spencer Mountain Road
Gastonia, NC 280567841

Eric Eugene Costner

1437 Lowell Spencer Mountain Road
Gastonia, NC 28056-7841

Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

Memorandum




To: Alex Blackburn, Planning Director, City of Lowell
From: Julio Paredes, Planner
Date: October 1, 2021
Subject: Belmont Land & Investment Co. - GCLMPO Site Plan Review

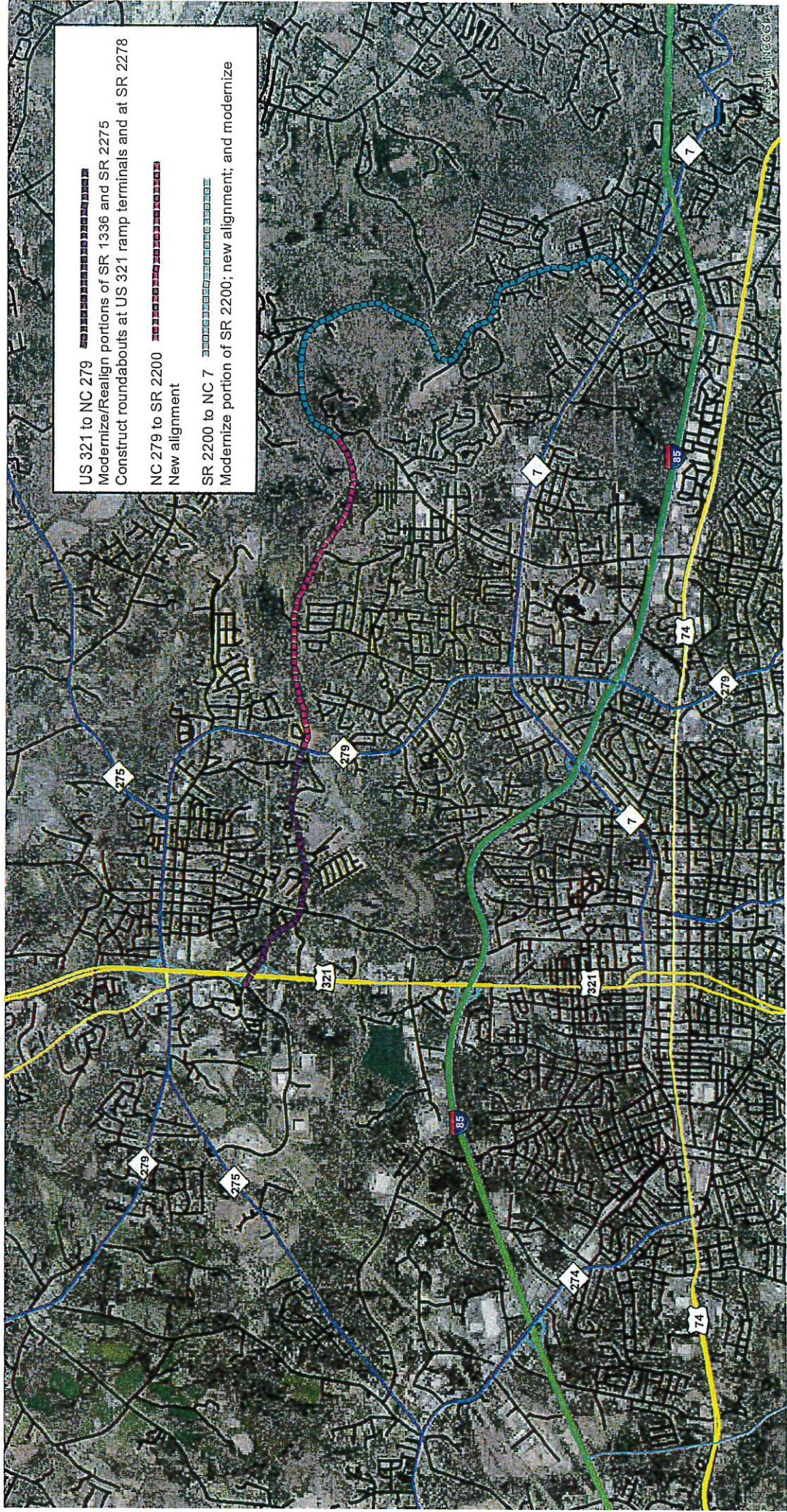
Thank you for the opportunity to provide comments on a proposed annexation within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site plan in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at Parcel IDs# 136564 & 202774. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. A proposed new 2-lane roadway, the North Ranlo Loop, is included in the MPO's CTP. This recommended new major road connects Lower Dallas Hwy. and Ranlo Spencer Mountain Rd./Spencer Mountain Rd. A functional design has been completed for this proposed roadway, but the project is not funded and the alignment is subject to change. During the most recent round of NCDOT Prioritization, the MPO and NCDOT did test-score this project with an extension to Lowell-Spencer Mountain Road. The project was ultimately not submitted for funding.
3. The CTP shows a recommended multi-use path along South Fork Catawba River as part of the Carolina Thread Trail.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

US 321 to NC 279 
 Modernize/Realign portions of SR 1336 and SR 2275
 Construct roundabouts at US 321 ramp terminals and at SR 2278
 NC 279 to SR 2200 
 New alignment
 SR 2200 to NC 7 
 Modernize portion of SR 2200; new alignment; and modernize



AGENDA ITEM INFORMATION

AGENDA ITEM #: 9-A

DESCRIPTION: PETITION FOR ANNEXATION OF NON-CONTIGUOUS
PROPERTY OF PARCEL ID #'S 202167 AND AS SHOWN BY
THE METES AND BOUNDS DESCRIPTION; 7.6 ACRES

Please see the attached memo from the Planning Director regarding the petition for annexation of non-contiguous property.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: October 8, 2021
RE: Petition for Voluntary Annexation of Non-Contiguous Property of Belmont Land & Investment Co.

BACKGROUND

On September 27, 2021, the owners of property known as Parcel ID# 202167 of Gaston County submitted a petition for Voluntary Non-Contiguous Annexation into the City limits of the City of Lowell. The property consists of 7.60 acres.

FINDINGS AND CONCLUSIONS

The standards for annexation in accordance to North Carolina General Statute 160A-58.1 are statutorily met in that all standards of NCGS 160A-58.1(b) are satisfactorily fulfilled. The property will be required to have a City of Lowell Zoning District designated upon successful annexation.

FISCAL IMPACT

The new development will be subject to applicable taxes and fees in accordance with rates in effect through the City of Lowell. The City will deliver standard municipal services for the property upon development. The City will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

THE ACTIONS THAT MAY BE TAKEN AT THE OCTOBER 12, 2021 MEETING INCLUDE:

- a. Petition for voluntary non-contiguous annexation
- b. Direct (by resolution) for the City Clerk to investigate the sufficiency of the petition.
- c. Upon receipt of petition certification by City Clerk, call (by resolution) for public hearing at the next regular meeting.

ADDITIONAL STEPS BETWEEN CITY COUNCIL MEETINGS

While the Mayor and City Council Members undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per North Carolina General Statute §160D-204 to run concurrent with the annexation process. The property does not lie within any area designated by the City of Lowell 2040 Comprehensive Land Use Plan adopted April 13, 2021. With the proposal of the property owner, we may anticipate a recommendation for the Single Family Residential-4 (SFR-4) zoning designation from the Planning Board.

1. Schedule for the October 5, 2021 Planning Board agenda to request their recommendation on the designation of the appropriate zoning district;

2. Advertise for a Public Legislative Hearing scheduled for November 9, 2021 before the Mayor and City Council on the subjects of 1) annexing the property and 2) amending the City of Lowell's Official Zoning Map, of the Lowell Development Ordinance.

NEXT STEPS BY MAYOR AND CITY COUNCIL – THE ACTIONS THAT MAY BE TAKEN AT THE NOVEMBER 9, 2021 REGULAR MEETING INCLUDE:

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance Amending the Official Zoning Map (initial zoning) for the newly annexed property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in City Clerk's record, Administrator's record and online.
2. Update shape-files with Gaston County GIS to reflect the new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Gaston County Register of Deeds;
4. Notify all public utilities of the change in the corporate limits of the City for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Lowell Development Ordinance.



PETITION REQUESTING ANNEXATION FOR A
NON-CONTIGUOUS PROPERTY

Date: October 8, 2021

To the City Council of the City of Lowell;

1. The undersigned owner of real property hereby petitions for annexation to the City of Lowell of that area described on the Gaston County Tax map as Parcel 202167, and the boundaries of the property are described in the vesting deed attached hereto as Exhibit A.
2. The area to be annexed is not contiguous to the City of Lowell.

Property Owner Name	Property Owner Address	Signature
Belmont Land and Investment Company, LLC	100 Main Street McAdenville, NC 28101	<i>William P. Carstarphen</i>

WARNING: THE TITLE TO THE SUBJECT PROPERTY CANNOT BE TRANSFERRED PRIOR TO THE COMPLETION OF THE ANNEXATION PROCESS (which is the Annexation Order adopted by the City Council) OR THE PROCEDURE WILL HAVE TO BE DONE OVER FROM THE BEGINNING.

BELMONT LAND AND INVESTMENT COMPANY, LLC

By: *William P. Carstarphen*
William P. Carstarphen, President

Phone Number: 704-823-2211

E-mail: bill.carstarphen@pharrusa.com

Exhibit A
Vesting Deed Describing Real Property
[attached]

Parcels 202167
"Tract 2"

BK3397PG130

02/08/02 12:38PM 000000H7766	
**17 Cheryl	
DEED	\$23.00
REVENUE FEES	\$117.00
***TOTAL	\$140.00
CHECK	\$519.00
CHANGE	\$379.00

Excise Tax *A 117.00*

Recording Time, Book and Page

Tax Lot No. 10-6-15 Parcel Identifier No. _____
 Verified by _____ County on the _____ day of _____
 by _____

Mail after recording to *Grantee*

This instrument was prepared by Jeffrey Grant Koenig, 831 E. Morehead St., Suite 760, Charlotte, NC 28202

Brief description for the Index *2 Tracts*

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of February, 2002, by and between
 GRANTOR GRANTEE

Catawba Lands Conservancy, a NC
 Non-Profit Corporation

 105 West Morehead Street
 Charlotte, NC 28202

Beckmont Land and Investment
 Company

 P. O. Box 1939
 McAdenville, NC 28101

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____ Township, Gaston County, North Carolina and more particularly described as follows:
 SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

*2002
50*

RECORDING FEE 23.00
 EXCISE TAX PAID 117.00

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

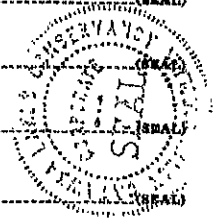
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

All such valid and enforceable easements, restrictions and rights of way of record and the lien of ad valorem taxes for the current year which the grantee herein assumes and agrees to pay.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

By: (Corporate Name) RICHARD K. FALKNOR, President (SEAL)
President Catawba Lands Conservancy
ATTEST: Secretary (Corporate Seal)



SEAL-STAMP NORTH CAROLINA, Mecklenburg County.
I, a Notary Public of the County and State aforesaid, certify that ... Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of February 2002.
My commission expires: December 2, 2003 Jeffrey Grant Koehn Notary Public

SEAL-STAMP NORTH CAROLINA, ... County.
I, a Notary Public of the County and State aforesaid, certify that ... he is Secretary of ... a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by ... as its Secretary. Witness my hand and official stamp or seal, this ... day of ...
My commission expires: ... Notary Public

The foregoing Certificate(s) of ...
is/are certified to be correct. This instrument and this certificate are duly certified at the date and time and in the Book and Page shown on the first page hereof.
REGISTER OF DEEDS FOR ... COUNTY
By ... Deputy/Assistant - Register of Deeds



EXHIBIT "A"

Located in Gastonia Township, Town of Spencer Mountain, Gaston County, North Carolina and being described as two tracts:

TRACT 1: BEGINNING at a tall rebar in a stump hole, a common corner of the properties of May (Deed Book 178, Page 434), Brown (Deed Book 1432, Page 802), Flowers (Deed Book 2805, Page 657), Belmont Land and Investment (Deed Book 172, Page 626) and Catawba Lands Conservancy; running thence from said Beginning point with the line of Flowers (Deed Book 2805, Page 657), North 73-34-34 East 541.23 feet to an iron pin; thence with the line of Lloyd (Deed Book 2737, Page 814) North 73-34-34 East 1,067.50 feet to an iron pin set; thence a new line South 45-12-55 East 103.41 feet to an iron pin; thence a new line South 21-12-20 East 221.52 feet to an iron pin; thence a new line South 14-55-00 East 163.00 feet to an iron pin; thence South 74-41-55 East 757.05 feet to an iron pin; thence along the line of Al Shanteer (Deed Book 2746, Page 267) North 55-49-17 West 414.98 feet to an iron pin; thence a new line South 34-10-46 West 418.10 feet to a rebar found in the common line of Hoffman and Belmont Land and Investment (Deed Book 172, Page 626); thence from said rebar, along the line of Belmont Land and Investment, North 55-29-40 West 585.27 feet to the point and place of Beginning, and containing approximately 12.60 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

TRACT 2: BEGINNING at an iron pipe, a common point with Belmont Land and Investment (Deed Book 172, Page 626), Hoffman and Al Shanteer (Deed Book 2746, Page 267, Plat Book 54, Page 73); running thence from said Beginning point along a new line South 88-22-49 East 144.84 feet to an iron pin; thence a new line South 32-17-26 East 83.87 feet to an iron pin; thence a new line South 81-34-03 East 235.68 feet to an iron pin; thence a new line North 80-54-45 East 334.13 feet to an iron pin; thence a new line North 19-13-41 East 283.11 feet to an iron pin; thence a new line North 13-35-00 East 225.00 feet to an iron pin; thence a new line North 05-31-12 East 54.96 feet to an iron pin; thence along a new line South 74-04-29 West 744.26 feet to an iron pin found in the line of Al Shanteer (Deed Book 2746, Page 267); thence with the Al Shanteer line South 33-56-57 West 420.38 feet to the point and place of Beginning, and containing approximately 7.44 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Jeffrey Grant Koenig, a Notary Public, certify that Richard K. Falknor personally came before me this day and acknowledged that he is President of Catawba Lands Conservancy, a North Carolina Corporation, and that he, as President being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 5th day of February, 2002.


Jeffrey Grant Koenig, Notary Public

My Commission Expires: December 2, 2003.



NORTH CAROLINA, GASTON COUNTY
The foregoing certificate(s) of Jeffrey Grant Koenig
Notary Public of Mecklenburg County, NC

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 3397, Page 130
this 5th day of February, 2002 at 12:38 o'clock P. M.
ALICE B. BROWN, REGISTER OF DEEDS
By: Chump & Oulahan Deputy Asst.

UNOFFICIAL



RESOLUTION #RS17-2021

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE AN
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING ANNEXATIONS
(Parcel 202167)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on the 24th day of September, 2021 by the City of Lowell; and

WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Lowell, North Carolina before further annexation proceedings consistent within the petition can take place; and

WHEREAS, the Mayor and Council of the City of Lowell, North Carolina deems it advisable to direct the City Clerk to investigate the sufficiency of the petition;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above-described petition under N.C.G.S. Chapter 160A, Article 4A, Part 1 and to certify as soon as possible to the Mayor and Council of the City of Lowell the result of the investigation.

ADOPTED this the 12th day of October 2021.

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk



RESOLUTION #RS18-2021

**RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING ANNEXATIONS
(PARCEL 202167)**

WHEREAS, a petition pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 requesting annexation of the area described herein has been received; and

WHEREAS, the Mayor and Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Lowell City Hall, 101 W. First Street, Lowell, NC 28098 at 6:00pm on the 9th day of November, 2021.
- Section 2. The area proposed for annexation is described as follows:
See Attached Metes and Bounds Description (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Gaston Gazette newspaper as required by law.

ADOPTED this the 12th day of October 2021

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 9-B

DESCRIPTION: SET PUBLIC HEARING FOR INITIAL ZONING MAP
AMENDMENT REGARDING PARCEL ID# 202167 FROM THE
CURRENT GASTON COUNTY ZONING DESIGNATION OF R-1
TO THE CITY OF LOWELL ZONING DISTRICT OF SFR-4

Please see the attached memo from the Planning Director regarding setting a public hearing for the initial zoning of parcel id# 202167.

To: Scott Attaway, City Manager
From: Alex Blackburn
Date: October 8, 2021
RE: Request for Public Hearing for Initial Zoning Designation of Belmont Land & Investment Co. PID#'s 202167

On September 2, 2021 City Staff met with representative Bob Clay and development team to discuss the designation of an initial zoning district to the property under petition for voluntary annexation. During this meeting it was determined that the agreeable district would be Single Family Residential-4. Currently the properties are still under the zoning jurisdiction of Gaston County Zoning District R-1.

The Planning Board voted in unanimous approval to recommend the Lowell City Council approve the designation of Single Family Residential-4 to the newly annexed property during their October 5, 2021 meeting.

At this time, I am requesting that the City Council set a Public Hearing for the establishment of Initial Zoning Designation of Single Family Residential-4 for their regularly scheduled meeting on November 9, 2021.

To prepare for the Public Hearing, City will mail Public Notices to property owners abutting and/or adjacent to the subject property. In addition, two ads will be prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper. Notification signs will also be placed on the properties.

The Applicants will need to schedule a Neighborhood meeting with property owners abutting/adjacent the petitioning parcel. City Staff will be at this meeting to answer any procedural questions.

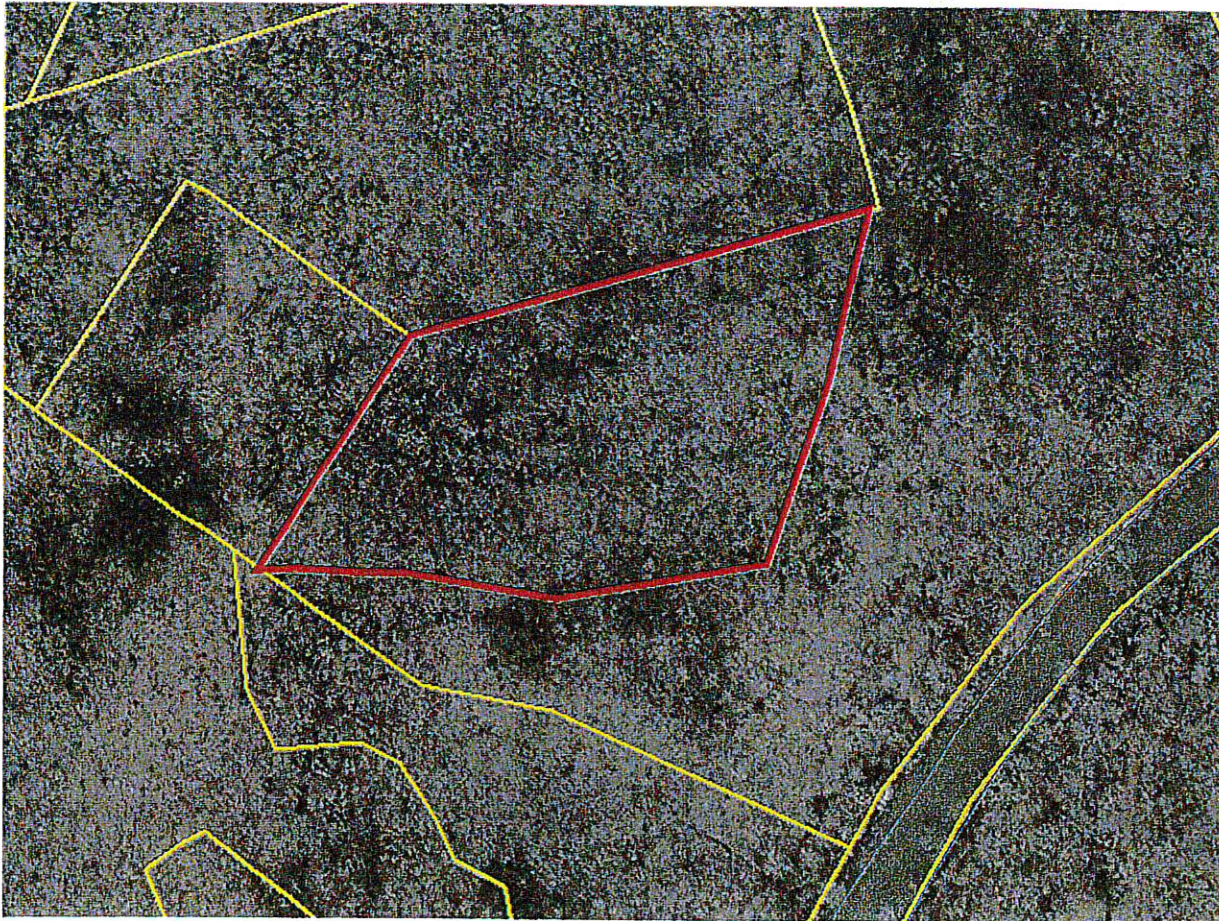
City of Lowell Planning Department – Staff Report

INITIAL ZONING DESIGNATION

Applicant:	Bob Clay,
Property Owner(s):	Belmont Land & Investment Co.
Property Location:	Parcel ID# 202167
Property Size:	7.60
Current Zoning:	Single Family Limited R-1 (Gaston County)
Proposed Zoning:	Single Family Residential-4 (SFR-4)

Description:

On September 27, 2021 City Staff received a Petition of Voluntary Annexation of Non-Contiguous Property from the representatives of Belmont Land & Investment Company, LLC. This petition for annexation preceded a meeting with the representative Mr. Bob Clay to discuss the preferred Zoning of the property to be annexed. It was requested that the district be amended from R-1 (Single Family Limited) to the Lowell zoning designation of Single Family Residential-4 (SFR-4).



Process:

Staff received application and scheduled rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on October 5, 2021.

- Prefiling meeting to discuss proposed amendment and to become familiar with the applicable requirements and approved procedures.
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - To be held at 12:00 pm on October 11, 2021
- Filing of request.
- Filing of Public Hearing Consent Forms from Property owners represented in the rezoning.
- Lowell Planning Board Review of Case # IZD21-03 and recommendation to City Council.
 - Planning Board met on October 5, 2021, approved for recommendation to City Council the designation of SFR-4
- Staff to schedule with the City Council to set Public Hearing for their November 9, 2021, Meeting.
- Staff to schedule proper advertisement of the public hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
- Staff to install rezoning signage on the subject property prior to public hearing.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.

Meeting Dates:

- September 2, 2021 Pre-filing Meeting
- October 5, 2021 Planning Board Review of Case # IZP21-02
- October 12, 2021 City Council set Public Hearing for November 9, 2021
- November 9, 2021 City Council to hold Public Hearing

Staff Comments:

Due to the property being outside of the City of Lowell's jurisdiction at the time prior to adoption of annexation ordinance, the former zoning on these four properties was designated as R-1, being residential in nature. The annexation of the four parcels brings forth the requirement for them to be designated a zoning district represented within the Lowell Development Ordinance (LDO). Following a meeting with the representatives of the Belmont Land & Investment Company, LLC, it was determined that the best designation would be that of the Single Family Residential-4 (SFR-4).

The Single Family Residential-4 (SFR-4) zoning district provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are Detached House. Listed uses are restricted to Single-Family, including duplex (two-family), homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the

character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 9-C

DESCRIPTION: PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY OF PARCEL ID #'S 202166, 135144, AND 210660 AND AS SHOWN BY THE METES AND BOUNDS DESCRIPTION; 20.46 ACRES

Please see the attached memo from the Planning Director regarding a petition received for annexation regarding parcel id #'s 202166, 135144, and 210660.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: October 1, 2021
RE: Petition for Voluntary Annexation for Contiguous Property of Belmont Land & Investment Co.

BACKGROUND

On September 27, 2021, the owners of property known as Parcel ID #'s 202166, 135144, and 210660 of Gaston County submitted a petition for Voluntary Contiguous Annexation into the City limits of the City of Lowell. The properties consist of a total of 20.46 acres,

FINDINGS AND CONCLUSIONS

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies in abutment to recently annexed property demonstrates the contiguity requirements of North Carolina General Statute 160A-31(f) are satisfactorily met by the petition submitted to the City of Lowell. The property will be required to have a City of Lowell zoning District designation upon successful annexation.

FISCAL IMPACT

The new development will be subject to applicable taxes and fees in accordance with rates in effect through the City of Lowell. The City will deliver standard municipal services for the property upon development. The City will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING

There are several steps required to annex and apply City of Lowell zoning to these properties. The following outline illustrates how this process may be completed in two regular meetings of the City Council.

THE ACTIONS THAT MAY BE TAKEN AT THE AUGUST 10, 2021 MEETING INCLUDE:

- a. Petition for voluntary contiguous annexation
- b. Direct (by resolution) for the City Clerk to investigate the sufficiency of the petition.
- c. Upon receipt of petition certification by City Clerk, call (by resolution) for public hearing at the next regular meeting.

ADDITIONAL STEPS BETWEEN CITY COUNCIL MEETINGS

While the Mayor and City Council Members undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per North Carolina General Statute §160D-204 to run concurrent with the annexation process. The property does not lie within any area designated by the City of Lowell 2040 Comprehensive Land Use Plan adopted

April 13, 2021. With the proposal of the property owner, we may anticipate a recommendation for the Single Family Residential-4 (SFR-4) zoning designation from the Planning Board.

1. Schedule for the October 5, 2021 Planning Board agenda to request their recommendation on the designation of the appropriate zoning district;
2. Advertise for a Public Legislative Hearing scheduled for November 9, 2021 before the Mayor and City Council on the subjects of 1) annexing the property and 2) amending the City of Lowell's Official Zoning Map, of the Lowell Development Ordinance.

NEXT STEPS BY MAYOR AND CITY COUNCIL – THE ACTIONS THAT MAY BE TAKEN AT THE NOVEMBER 9, 2021 REGULAR MEETING INCLUDE:

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance Amending the Official Zoning Map (initial zoning) for the newly annexed property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in City Clerk's record, Administrator's record and online.
2. Update shape-files with Gaston County GIS to reflect the new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Gaston County Register of Deeds;
4. Notify all public utilities of the change in the corporate limits of the City for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Lowell Development Ordinance.



PETITION REQUESTING ANNEXATION FOR A
CONTIGUOUS PROPERTY

Date: October 8, 2021

To the City Council of the City of Lowell;

1. The undersigned owner of real property hereby petitions for annexation to the City of Lowell of that area described on the Gaston County Tax map as Parcels 202166, 135144, and 210660, and the boundaries of the property are described in the vesting deeds attached hereto as Exhibit A.

2. The area to be annexed is contiguous to the City of Lowell.

Property Owner Name	Property Owner Address	Signature
Belmont Land and Investment Company, LLC	100 Main Street McAdenville, NC 28101	<i>William P. Carstarphen</i>

WARNING: THE TITLE TO THE SUBJECT PROPERTY CANNOT BE TRANSFERRED PRIOR TO THE COMPLETION OF THE ANNEXATION PROCESS (which is the Annexation Order adopted by the City Council) OR THE PROCEDURE WILL HAVE TO BE DONE OVER FROM THE BEGINNING.

BELMONT LAND AND INVESTMENT COMPANY, LLC

By: *William P. Carstarphen*
William P. Carstarphen, President

Phone Number: 704-823-2211

E-mail: bill.carstarphen@pharrusa.com

Exhibit A
Vesting Deeds Describing Real Property
[attached]

Parcels 202166
"Tract 1"

BK3397PG130

02/08/02 12:38PM 000000H7766
**17 Cheryl

DEED	\$23.00
REVENUE FEES	\$117.00
***TOTAL	\$140.00
CHECK	\$519.00
CHANGE	\$379.00

Excise Tax 117.00

Recording Time, Book and Page

Tax Lot No. 10-6-15 Parcel Identifier No.
 Verified by County on the day of
 by

Mail after recording to Grantee

This instrument was prepared by Jeffrey Grant Koenig, 831 E. Morehead St., Suite 760, Charlotte, NC 28202

Brief description for the Index 2 Tracts

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of February, 2002, by and between

GRANTOR

GRANTEE

Catawba Lands Conservancy, a NC
Non-Profit Corporation

105 West Morehead Street
Charlotte, NC 28202

Belmont Land and Investment
Company

P. O. Box 1939
McAdenville, NC 28101

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of

Gaston County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Handwritten:
C
20

RECORDING FEE 23.00
 EXCISE TAX PAID 117.00

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions: All such valid and enforceable easements, restrictions and rights of way of record and the lien of ad valorem taxes for the current year which the grantee herein assumes and agrees to pay.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name) RICHARD K. FALKNOR, President (SEAL)
BY: President Catawba Lands Conservancy (SEAL)
ATTEST: Secretary (Corporate Seal) (SEAL)

SEAL-STAMP NORTH CAROLINA, Mecklenburg County.
I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of February, 2002.
My commission expires: December 2, 2003 Jeffrey Grant Koenig Notary Public

SEAL-STAMP NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, seated with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of
My commission expires: Notary Public

The foregoing Certificate(s) of is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
REGISTER OF DEEDS FOR COUNTY
By Deputy/Assistant - Register of Deeds

EXHIBIT "A"

Located in Gastonia Township, Town of Spencer Mountain, Gaston County, North Carolina and being described as two tracts:

TRACT 1: BEGINNING at a tall rebar in a stump hole, a common corner of the properties of May (Deed Book 178, Page 434), Brown (Deed Book 1432, Page 802), Flowers (Deed Book 2805, Page 657), Belmont Land and Investment (Deed Book 172, Page 626) and Catawba Lands Conservancy; running thence from said Beginning point with the line of Flowers (Deed Book 2805, Page 657), North 73-34-34 East 541.23 feet to an iron pin; thence with the line of Lloyd (Deed Book 2737, Page 814) North 73-34-34 East 1,067.50 feet to an iron pin set; thence a new line South 45-12-55 East 103.41 feet to an iron pin; thence a new line South 21-12-20 East 221.52 feet to an iron pin; thence a new line South 14-55-00 East 165.00 feet to an iron pin; thence South 74-41-55 East 757.05 feet to an iron pin; thence along the line of Al Shanteer (Deed Book 2746, Page 267) North 55-49-17 West 414.98 feet to an iron pin; thence a new line South 34-10-46 West 418.10 feet to a rebar found in the common line of Hoffman and Belmont Land and Investment (Deed Book 172, Page 626); thence from said rebar, along the line of Belmont Land and Investment, North 55-29-40 West 585.27 feet to the point and place of Beginning, and containing approximately 12.60 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

~~TRACT 2: BEGINNING at an iron pipe, a common point with Belmont Land and Investment (Deed Book 172, Page 626), Hoffman and Al Shanteer (Deed Book 2746, Page 267, Plat Book 54, Page 73); running thence from said Beginning point along a new line South 88-22-49 East 144.84 feet to an iron pin; thence a new line South 32-17-26 East 83.87 feet to an iron pin; thence a new line South 81-34-03 East 235.68 feet to an iron pin; thence a new line North 80-54-45 East 334.13 feet to an iron pin; thence a new line North 19-13-41 East 283.11 feet to an iron pin; thence a new line North 13-35-00 East 225.00 feet to an iron pin; thence a new line North 05-31-12 East 54.96 feet to an iron pin; thence along a new line South 74-04-29 West 744.26 feet to an iron pin found in the line of Al Shanteer (Deed Book 2746, Page 267); thence with the Al Shanteer line South 33-56-57 West 420.38 feet to the point and place of Beginning, and containing approximately 7.44 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".~~

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Jeffrey Grant Koenig, a Notary Public, certify that Richard K. Falknor personally came before me this day and acknowledged that he is President of Catawba Lands Conservancy, a North Carolina Corporation, and that he, as President being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 5th day of February, 2002.

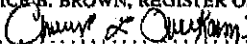

Jeffrey Grant Koenig, Notary Public

My Commission Expires: December 2, 2003.



NORTH CAROLINA, GASTON COUNTY Jeffrey Grant Koenig
The foregoing certificate(s) of
..... Notary Public of Mecklenburg County, NC

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 3397, Page 130
this 5th day of February, 2002 at 12:58 o'clock P.M.

ALICE B. BROWN, REGISTER OF DEEDS
By:  Deputy/Asst.

UNOFFICIAL

Parcel 135144

BK 3397PG 134

02/08/02 12:38PM 000000H7767
XX17 Cheryl

Excise Tax: \$44.00

DEED	\$17.00
REVENUE FEES	\$44.00
***TOTAL	\$61.00
CASH	\$61.00
CHANGE	\$0.00

Recording Time, Book and Page _____

Tax Parcel No. _____ Parcel Identifier No. 10-006-014

Verified by _____ County on the _____ day of _____, 20____

by _____

Mail after recording to : _____ Grantee

This instrument was prepared by _____ William H. McMullen, Attorney at Law

Brief description for the Index

4.0 ac. Off Lowell/Spencer Mtn. Rds.
Book 54 at Page 73

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 7th day of Feb. January, 2002, by and between

<p>GRANTOR</p> <p>Catawba Lands Conservancy, a North Carolina non-profit corporation</p>	<p>GRANTEE</p> <p>Belmont Land and Investment Company P. O. Box 1939 McAdenville, NC 28101</p>
--	--

Enter in appropriate block for each party name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Gastonia, _____ Township, Gaston County, North Carolina and more particularly described as follows:

#518

Beginning at a point marked by a rebar iron pipe, which point is located S 55-29-40 E 585.27 feet from a "tall rebar" located in a stump hole marking the common corner of the May (Deed Book 178 at Page 434); Brown (Deed Book 1432 at Page 802) and Flowers (Deed Book 2805 at Page 657) (all now or formerly); Thence from said Beginning point as herein located N 34-10-46 E 418.10 feet to a pipe; Thence S 55-49-17 E 414.98 feet to a "buggy axle"; Thence S 33-56-57 W 420.38 feet to a pipe located in the common line of Belmont Land and Investment Co.; Thence continuing along and with the common line of Belmont Land and Investment Co. N 55-30-29 W 416.68 feet to the point and place of Beginning, all as shown on a plat of Hoffman-Pharr Tracts for Catawba Lands Conservancy prepared by Tom Kelso, RLS, dated November 15, 2001.

Being in all respects the same property as shown and described on that certain plat recorded in Book 54 at Page 73 in said Gaston County Public Registry.

RECORDING FEE 17.00
EXCISE TAX PAID 44.00

The property herein above described was acquired by Grantor by instrument(s) recorded in _____
Book 3364, Page 454 in the Gaston Public Registry

A map showing the above-described property is recorded in Plat Book 54, Page 73

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

All valid and enforceable easements, restrictions and rights-of-way, if any, of record.

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Catawba Lands Conservancy
Corporate Name _____ (SEAL)

By: Richard K. Tolson

President _____ (SEAL)

ATTEST: [Signature] _____ (SEAL)

For Secretary _____ (SEAL)
(Corporate seal)



UNOFFICIAL

STATE OF NORTH CAROLINA, COUNTY OF Mecklenburg

I, Blenda S. Watts a Notary Public of the County and State aforesaid, certify that Richard K. Tolson personally came before me this day and acknowledged that he is the President Secretary of CATAWBA LANDS CONSERVANCY, a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by him as its _____ Secretary. ON behalf of the corp.



Witness my hand and official stamp or seal, this 7th day of February, 2002 my

My Commission expires: 6/5/2004 Blenda S. Watts
Notary Public

The foregoing Certificate(s) of Blenda S. Watts, NP

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Alice B. Brown REGISTER OF DEEDS FOR Gaston COUNTY
By [Signature] Deputy/Assistant-Register of Deeds

Parcel 210660



Doc ID: 011089420003 Type: CRP
Recorded: 04/20/2006 at 03:07:48 PM
Fee Amt: \$70.00 Page 1 of 3
Excise Tax: \$50.00
Instr# 200600078388
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 4214 pg 2394-2396

3 RECORDING FEE 20.00
EXCISE TAX PAID 50.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 50.00
Parcel Identifier No. 135143.10-6-13.01 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Parks H. Wilson, Jr., Attorney at Law (RE35666) PO Box 1115, Gastonia, NC 28053

Brief description for the Index: _____

THIS DEED made this 20th day of April, 2006, by and between

GRANTOR	GRANTEE
OPAL JEAN BLUE, Unmarried	BELMONT LAND & INVESTMENT COMPANY, LLC PO Box 1939 McAdenville, NC 28101

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Gastonia, Gastonia Township, Gaston County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4212 page 1318.

A map showing the above described property is recorded in Plat Book _____ page _____.

EXHIBIT "A"

BEGINNING at a point situated in the centerline of Lowell-Spencer Mountain Road (SR #2201) said point is on the line of the property of Freda Davis, as described in that deed recorded in Book 562 at Page 457, and the same is also North 00 degrees 47 minutes 51 seconds East 11,123.822 feet from NCGS monument "first" (N=559,416.580 feet, E=1,372,072.660 feet) thence with the common line of the property of Barker, as described in that deed recorded in Book 3199 at page 834 and Elliott, as described in that deed recorded in Book 3131 at Page 216 and along the centerline of Lowell-Spencer Mountain Road, the following courses and distances: 1) North 29 degrees 49 minutes 18 seconds West 266.15 feet to a point; 2) North 28 degrees 09 minutes 18 seconds West 100.0 feet to a point; and 3) North 24 degrees 08 minutes 24 seconds West 91.42 feet to a point, thence continuing within the right of way of Lowell-Spencer Mountain Road, North 41 degrees 55 minutes 08 seconds East 20.72 feet to an established iron rod on the common line of the property of the Grantee herein as described in that deed recorded in Book 466 at Page 144, thence with the common line of the property of the Grantee herein the following courses and distances: 1) South 42 degrees 49 minutes 33 seconds East 311.02 feet to a new iron rod; 2) North 81 degrees 31 minutes 47 seconds East 200.06 feet to an established iron rod; 3) South 20 degrees 19 minutes 07 seconds East 190.93 feet to an established iron rod; and 4) South 81 degrees 33 minutes 05 seconds West 200.23 feet to an established iron rod, corner of the property of Davis, as described in the foregoing deed, thence with the common line of the property of Davis, South 81 degrees 33 minutes 05 seconds West 75.83 feet to the Point of Beginning, containing a total of 1.6506 acres.

Reference is made to that deed recorded in Book 4212 at Page 1318. *Book 4211, Page 1964.*

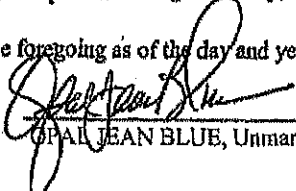
The above description was taken from an unrecorded survey prepared by R. B. Pharr & Associates, P.A. Registered Surveyor, dated December 19, 2005 and captioned "Boundary Survey for Belmont Land & Investment".

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: All rights of way, conditions, easements and restrictions, if any, of record. 2006 ad valorem taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

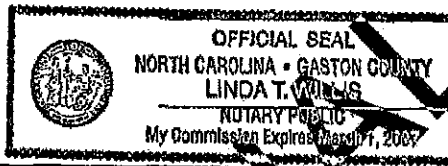
(Entity Name)

 (SEAL)
OPAL JEAN BLUE, Unmarried

By: _____
Title: _____

By: _____
Title: _____

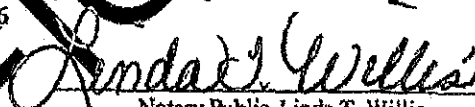
By: _____
Title: _____



State of North Carolina - County of Gaston

I, the undersigned Notary Public of the County and State aforesaid, certify that OPAL JEAN BLUE, Unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 20th day of April, 2006

My Commission Expires: March 1, 2007


Notary Public Linda T. Willis

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____ a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
Deputy/Assistant - Register of Deeds

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609



RESOLUTION #RS15-2021

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE AN
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS
(Parcels 202166, 135144, 210660)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on the 24th day of September, 2021 by the City of Lowell; and

WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Lowell, North Carolina before further annexation proceedings consistent within the petition can take place; and

WHEREAS, the Mayor and Council of the City of Lowell, North Carolina deems it advisable to direct the City Clerk to investigate the sufficiency of the petition;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above-described petition under N.C.G.S. Chapter 160A, Article 4A, Part 1 and to certify as soon as possible to the Mayor and Council of the City of Lowell the result of the investigation.

ADOPTED this the 12th day of October 2021.

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk



RESOLUTION #RS16-2021

**RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS
(PARCELS 202166, 135144, 210660)**

WHEREAS, a petition pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 requesting annexation of the area described herein has been received; and

WHEREAS, the Mayor and Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Lowell City Hall, 101 W. First Street, Lowell, NC 28098 at 6:00pm on the 9th day of November, 2021.
- Section 2. The area proposed for annexation is described as follows:
See Attached Metes and Bounds Description (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Gaston Gazette newspaper as required by law.

ADOPTED this the 12th day of October 2021

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 9-D

DESCRIPTION: SET PUBLIC HEARING FOR INITIAL ZONING MAP
AMENDMENT REGARDING PARCEL ID#'S 202166, 135144,
AND 210660 FROM THE CURRENT GASTON COUNTY
ZONING DESIGNATION OF R-1 TO THE CITY OF LOWELL
ZONING DISTRICT OF SFR-4

Please see the attached memo from the Planning Director regarding setting a Public Hearing regarding the initial zoning of parcel id #'s 202166, 135144, and 210660.

To: Scott Attaway, City Manager
From: Alex Blackburn
Date: October 8, 2021
RE: Request for Public Hearing for Initial Zoning Designation of Belmont Land & Investment Co. PID#'s 202166, 135144 and 210660.

On September 2, 2021 City Staff met with representative Bob Clay and development team to discuss the designation of an initial zoning district to the property under petition for voluntary annexation. During this meeting it was determined that the agreeable district would be Single Family Residential-4. Currently the properties are still under the zoning jurisdiction of Gaston County Zoning District R-1.

The Planning Board voted in unanimous approval to recommend the Lowell City Council approve the designation of Single Family Residential-4 to the newly annexed property during their October 5, 2021 meeting.

At this time, I am requesting that the City Council set a Public Hearing for the establishment of Initial Zoning Designation of Single Family Residential-4 for their regularly scheduled meeting on November 9, 2021.

To prepare for the Public Hearing, City will mail Public Notices to property owners abutting and/or adjacent to the subject property. In addition, two ads will be prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper. Notification signs will also be placed on the properties.

The Applicants will need to schedule a Neighborhood meeting with property owners abutting/adjacent the petitioning parcel. City Staff will be at this meeting to answer any procedural questions.

City of Lowell Planning Department – Staff Report

INITIAL ZONING DESIGNATION

Applicant:	Bob Clay,
Property Owner(s):	Belmont Land & Investment Co.
Property Location:	Parcel ID# 202166, 135144, and 210660
Property Size:	20.46
Current Zoning:	Single Family Limited R-1 (Gaston County)
Proposed Zoning:	Single Family Residential-4 (SFR-4)

Description:

On September 27, 2021 City Staff received a Petition of Voluntary Annexation of Contiguous Property from the representatives of Belmont Land & Investment Company, LLC. This petition for annexation preceded a meeting with the representative Mr. Bob Clay to discuss the preferred Zoning of the property to be annexed. It was requested that the district be amended from R-1 (Single Family Limited) to the Lowell zoning designation of Single Family Residential-4 (SFR-4).



Process:

Staff received application and scheduled rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on October 5, 2021.

- Prefiling meeting to discuss proposed amendment and to become familiar with the applicable requirements and approved procedures.
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - To be held at 12:00 pm on October 11, 2021
- Filing of request.
- Filing of Public Hearing Consent Forms from Property owners represented in the rezoning.
- Lowell Planning Board Review of Case # IZD21-02 and recommendation to City Council.
 - Planning Board met on October 5, 2021, approved for recommendation to City Council the designation of SFR-4
- Staff to schedule with the City Council to set Public Hearing for their November 9, 2021, Meeting.
- Staff to schedule proper advertisement of the public hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
- Staff to install rezoning signage on the subject property prior to public hearing.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.

Meeting Dates:

- September 2, 2021 Pre-filing Meeting
- October 5, 2021 Planning Board Review of Case # IZP21-02
- October 12, 2021 City Council set Public Hearing for November 9, 2021
- November 9, 2021 City Council to hold Public Hearing

Staff Comments:

Due to the property being outside of the City of Lowell's jurisdiction at the time prior to adoption of annexation ordinance, the former zoning on these four properties was designated as R-1, being residential in nature. The annexation of the four parcels brings forth the requirement for them to be designated a zoning district represented within the Lowell Development Ordinance (LDO). Following a meeting with the representatives of the Belmont Land & Investment Company, LLC, it was determined that the best designation would be that of the Single Family Residential-4 (SFR-4).

The Single Family Residential-4 (SFR-4) zoning district provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are Detached House. Listed uses are restricted to Single-Family, including duplex (two-family), homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the

character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 9-E

DESCRIPTION: CONSIDERATION OF CONTRACT WITH COG FOR
ADMINISTRATION OF CDBG-NR COMMUNITY CENTER
RENOVATIONS

Please see the attached memo from the City Clerk regarding the proposed contract with COG to administer the renovations at the Lowell Community Center.

MEMO

DATE: October 8, 2021
MEMO TO: Scott Attaway
FROM: Beverly Harris
SUBJECT: Centralina Services Agreement (CDBG-NR Community Center)

Attached is a services agreement with Centralina in the amount of \$3,816. This contract will be for Construction Management Services by James Luster with Centralina for the Community Center renovations as part of the CDBG-NR grant.

Under this agreement, Centralina will perform the following construction management services:

- a. Initial inspection of property
- b. Photo documentation
- c. Preparation of work write-up / specifications
- d. Preparation of cost estimates
- e. Bid opening / bid review assistance
- f. Monitor work progress and liaison with staff
- g. Conduct inspections for partial/final payment
- h. Conduct final inspections (complete punch lists and change orders)
- i. Follow-up on warranty and call back items

As you know, we only received two bids for the Community Center repairs and they came in way over budget. A minimum of three bids is required by the State. Due to the amount of work needing to be completed on the Community Center; the rise in construction material and labor costs; and lack of staff/time to manage the project it was determined a revised scope would need to be created and utilization of Centralina on this project would benefit the City. Centralina is already sourcing companies to bid on the CDBG-NR houses within the CDBG guidelines and incorporating management of both projects under Centralina would be beneficial.

Please present to Council at the October meeting for consideration.



Centralina Services Agreement – EXHIBIT D

Initial Statement of Work

**Lowell Construction Management Services
(the “Project”)**

This Statement of Work (“SOW”), dated as of the 7th day of October, 2021 (the “Effective Date”), is by and between CENTRALINA COUNCIL OF GOVERNMENTS, d.b.a Centralina Regional Council, a North Carolina regional council of governments pursuant to Chapter 160A, Article 20, Part 2 of the General Statutes of North Carolina and having a principal place of business at 9815 David Taylor Drive, Suite 100, Charlotte, North Carolina 28262 (“Centralina”), and between **the City of Lowell** a local government entity having a principal place of business at 101 West First St., Lowell, NC 28098 (“Client”), pursuant to which Centralina will provide to Client planning and/or management services (the “Services”). Centralina and Client have simultaneously entered into a Centralina Services Agreement (the “Agreement”). The Agreement is incorporated into this SOW by this reference. In the event of any conflicting or additional terms between this SOW and the Agreement, the Agreement will govern, except with respect to price and scope of work, any “Other Terms and Conditions” included below that apply solely to this SOW, or other items expressly permitted by the Agreement.

I. Introduction

This document outlines the tasks and deliverable that constitute the Services under this SOW that Centralina shall provide to Client on a fixed fee/retainer] basis in support of the Project, the compensation that Client shall pay to Centralina for the Services, and other Project support to be provided by Client. Primary contacts for the Project are as follows:

	Centralina	Client
Project Manager	James Luster Sr. Community / Economic Development Coordinator	Scott Attaway City Manager
Email Address	jluster@centralina.org	sattaway@lowellinc.com
Telephone Number	(704) 458-3106	704-824-3518

Centralina’s invoices shall be mailed to the Client’s Project Manager named above and to the Client’s Accounts Payables if listed below:

Attn to Name and/or Title	
Dept	
Mailing Address, City, ST ZIP	
Email address	
Telephone Number	

II. Services

The Client hereby retains Centralina to provide the following CDBG “Community Center” Construction Management services:

I. Construction Management Services

Centralina will perform the following construction management services

- a. Initial inspection of residential properties
- b. Photo documentation
- c. Preparation of work write-up / specifications
- d. Preparation of cost estimates
- e. Bid opening / bid review assistance
- f. Monitor work progress and liaison with homeowner
- g. Conduct inspections for partial/final payment
- h. Conduct final inspections (complete punch lists and change orders)
- i. Follow-up on warranty and call back items

Centralina will perform the tasks and activities, and provide to Client the deliverables as described

Centralina will from time to time during this SOW’s time period respond to Client’s requests for specific Centralina staff services by determining whether such services are within Centralina’s capability and if so, providing a cost estimate for providing them. Upon approval by Client’s designated representative, and subject to the provisions of section IV below concerning work requests exceeding 90% of the total amount of this SOW, Centralina will then perform the requested services.

Centralina’s Project Manager named above will act as Client’s liaison under this SOW and will coordinate Centralina provision of cost estimates and services. Client’s Project manager named above will similarly act as Client’s liaison to Centralina under this SOW.

III. Time of Performance

The time of performance shall be from November 1, 2021 to June 30, 2022.

IV. Compensation

Centralina will perform the tasks identified in this SOW and as detailed herein for a sum of \$3,816. The amount due to Centralina pursuant to this SOW may not exceed this amount unless proper written justification has been submitted to Client and approved by Client prior to performance of work. Invoices shall be submitted to the Client no later than 30 days after the end of each quarter. Client will be billed for the Services in installments upon execution of the agreement and after the conclusion of key milestones as noted below.

	Payment	Due Date/Upon Completion of Milestone:
--	---------	--

Centralina Services Agreement: Statement of Work

	Amount	
A.	\$636.00	Due upon execution of contract
B.	\$636.00	April 1, 2021
C.	\$636.00	July 1, 2021
D.	\$636.00	October 1, 2021
E.	\$636.00	January 1, 2022
F.	\$636.00	April 1, 2022

If total of requested work under this SOW approaches 90% of the full SOW amount prior to the full-term period of this SOW, CCOG will notify Client's designated liaison prior to performing any services in excess of the contract amount. Client may then choose to approve the additional services cost or reduce the scope of work. The additional services if approved will be billed at a fixed rate per hour for the personnel performing the services.

V. Other Terms and Conditions

- A. **Iran Divestment Act Compliance.** Each Party affirms that, as of the date of execution of this SOW, it is not listed on the Iran Divestment Act lists created by the North Carolina State Treasurer pursuant to N.C. G.S. 147-86.58, nor are its subsidiaries or parent companies, if any.
- B. **E-Verify.** The E-Verify requirements of North Carolina state law apply to this SOW. Centralina affirms that it is exempt from the requirements of NCGS Chapter 64 Article 2 concerning its use of E-Verify or other federally-authorized program to check the work authorization of all new employees in the United States, because it is a “governmental body” as defined in that Article. Centralina agrees that it shall not enter into any subcontracts under this SOW unless such subcontractor (a) affirms either its exemption from or compliance with the E-Verify requirements of NCGS Chapter 64 Article 2 and (b) agrees to similarly ensure its subcontractors’ affirmation of exemption from or compliance with those statutes.]

[Signatures on following page.]

Centralina Services Agreement: Statement of Work

This Statement of Work has been executed by each Party's duly authorized representative as of the date below such Party's signature.

CENTRALINA REGIONAL COUNCIL

[CLIENT ORGANIZATION NAME]

By: _____

By: _____

Name: Geraldine Gardner

Name: Sandy Railey

Title: Executive Director

Title: Mayor

Date: _____

Date: _____

"This instrument has been pre-audited in the manner required by the North Carolina Local Government Finance Act."

_____, Finance Director
[Client]'s Finance Officer

Public Works
Monthly Report
September 2021

City crews were assisted this by the Rural Water Association this month. They assisted the City Staff in smoke testing the Wilkinson Blvd, Groves St, Robinson St and S. Church St Neighborhoods. The goal was to identify ways that stormwater may be entering the Sanitary Sewer System which then gets treated at our Waste Treatment Plant as I&I. Several deficiencies were identified, and staff has begun the repairs in these areas.

City of Lowell picked up bulk trash this month, ran very smoothly.

Street department employees worked on R.O.W maintenance on main roads and sewer lines.

Crews made repairs to a generator deck at the waste treatment plant (CIP related).

Water department continued leak investigation in town looking to lower water loss.

2 inch main break on Railroad St.

6 inch main break on N. Main St.

2 inch line break on Ford Drive.

2 inch water leak on Walker Drive.

Repair man hole on N. Main Street

Prepare equipment for leaf collection which begins on Oct 15th

To: Scott Attaway, City Manager
 From: Alex Blackburn, Planning Director/Code Enforcement
 Date: September 30, 2021
 RE: Monthly Department Update

Code Enforcement

For the month of September several violations were abated due to the occurrence of our quarterly bulk pick up. Several other complaints were resolved with the mowing of grass by owners, but this process is still on-going.

Two hearings were held involving minimum housing and an abandoned structure. No parties were in attendance other than myself and the Gaston County Chief Inspector, the owners of both properties have been notified of the hearing's outcome and orders for abatement.

Zoning:

The Zoning Department has issued several permits including a permit for a single-family house to be constructed at 1102 N Main Street. I have also received requests for verification letters for businesses investigating properties within Lowell.

ZP21-59	Single Family Residence	True Homes	1303 River Run Drive	\$100	8/26/2021
	Driveway Cut Permit	True Homes	1303 River Run Drive	\$25	
ZP21-60	Single Family Residence	Southwin Builder	1102 N Main Street	\$100	9/10/2021
ZP21-61	Change of Use	Ray Hamam	3015 Lowell Road	\$100	9/8/2021
ZP21-62	ABC Permit	Rosalinda Fitz	720 McAdenville Ave	\$50	9/20/2021
	Verification Letter	Angelina Pillsbury	831 S Main Street	\$50	9/9/2021
	Verification Letter	Rhonda Cain	3924 E Franklin Blvd.	\$50	9/23/2021

During the September Council Meeting, City Council scheduled a Public Hearing for Zoning Case #RZ21-03 for the upcoming meeting on October 12, 2021. This case is requesting a change from the current zoning designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) for the property identified as PID # 128061 at the end of Lowry Lane. The applicants have submitted all required paperwork and will be holding their Neighborhood Meeting in the Council Chambers at City Hall on September 30th.

Also, during the meeting, the City Council voted to adopt ordinance for annexing two parcels of land along the Lowell-Spencer Mountain Road. The two properties are owned by Belmont Land & Investment Co. and further identified as Parcel ID #'s 136564 and 202774. A Public Hearing was also scheduled by the City Council for their October 12th meeting in regards to the establishment of an initial zoning district for the newly annexed parcels of Belmont Land & Investments Co. along Lowell- Spencer Mountain Road, further identified as Parcel ID #'s 136564 and 202774.

The City Council also voted unanimously in favor of amending the Lowell Development Ordinance in regards to the addition of texts to Article 19, Sections 14 and 21 to include

reference to the North Carolina Department of Transportation Manual for Construction Standards regarding Stormwater Design Manual.

Planning:

The Lowell Planning Board met on September 7th and voted in the affirmative to pass recommendation of approval to the City Council on the matter of RZ21-03 as outlined above. Also approved were the initial zoning designations of Single Family Residential-4 (SFR-4) to be applied to the now annexed property of Belmont Land & Investment Co. and the designation of Civic to the property of George Poston Park that is petitioning the City of Lowell for annexation.

The City Council also appointed Mr. Troy Roberts to the Lowell Planning Board, the Board of Adjustment and the Stormwater Commission.

An application to Voluntarily Annex Contiguous Property was received and is being reviewed currently for 4 additional parcels of land owned by Belmont Land & Investment Co.

Stormwater:

As mentioned above, the City Council heard and voted in unanimous approval for the text amendment to the Lowell Development Ordinance to add reference to the North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards, regarding stormwater design manual. This was added to Lowell Development Ordinance Article 19, Sections 14 and 21.

Lowell Police Department September Highlights

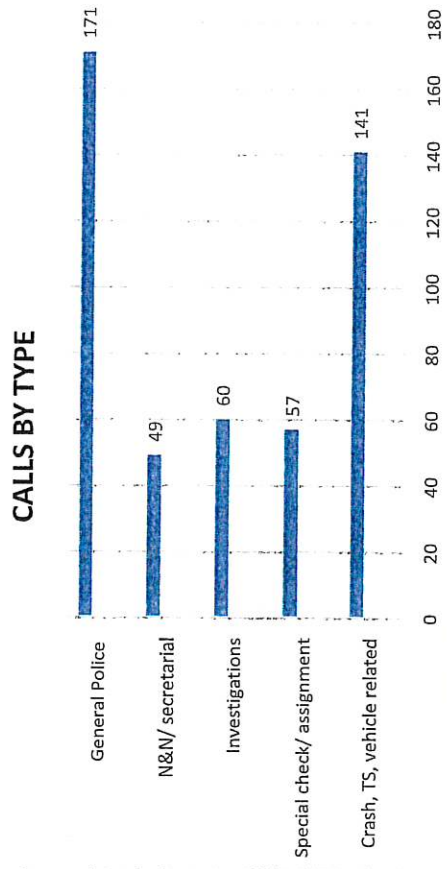
- Total calls for the month: 480 (up 15% from 2020 and 30% from 2019)
- There were 16 misdemeanor arrests and 3 felony arrests.
- Officers responded to and completed 33 traffic crash investigations/ reports.
- Police staff completed 61 hours of training this month.
- Officer Mulkern attended a multiple agency DWI checking station on September 10th in Belmont where he made 1 arrest and issued 3 citations.
- Command staff interviewed then extended an offer of employment to a police officer candidate, pending background investigation. That investigation is complete and he is currently working his 2 week notice with his current employer. Mr. Anderson will be introduced at a future council meeting.

POLICE REPORT SEPTEMBER 2021

Grouped call type	Value
Crash, TS, vehicle related	141
Special check/ assignment	57
Investigations	60
N&N/ secretarial	49
General Police	171

Monthly calls September 2019-2021

2019	368
2020	417
2021	480



Parks and Recreation
September 2021 Monthly Report

Events

Scheduled, rescheduled (forecasted inclement weather) and then hosted Hosted Trucks in the Park. Had a dozen different vehicles plus a helicopter from Med Center Air. Public Works brought 4 vehicles, Lowell PD, Lowell Fire, Agriculture Center brought out ladder trucks that Lowell PD had a contact for, Gaston County Special Unit, City of Gastonia Police Mobile Command Center, GEMS, Salvation Army bus, and Kona Ice was there selling shaved ice. Lots of positive feedback from this event.

Promoting events

Finalizing details of the events

Answering questions and accepting vendor registration for Fall Festival (Festival in the Park) for October 9.

Hand delivering of Treat Walk flyers and discussing the event with local businesses.

Attended River Falls/CTT/City of Lowell meeting regarding Carolina Thread Trail.

Athletics

Soccer is in full swing. Will run through mid-October.

Lining of 3-4 soccer field weekly, cleaning restrooms.

Athletics Supervisor field supervising of 3-4 home soccer games, being on site in Belmont for the 7-8 games on Saturdays.

Communication with Dolphins on field rental for football practice

General

General communications answering inquiries via phone, social media, email

Picking up trash

Social media postings and website updates

LCC meeting preparation

LCC meeting

Communication with Holbrook – new paved walking track that will benefit all Lowell residents. Walking track will be open to the community after school hours. Assisting with recommendations on fundraising (Dine to Donate event at Bubba's 33 and vendor set-up at City's events) and recommendations on promoting their fundraising.

Communication with NC State on P&R Master Plan. Survey prep, review, modifications, approval of website launch for Master Plan.

Reviewed history of Blackboard Connect undeliverable phone numbers/bad phone numbers reports. Sue assisted me with this project and we removed 1,000 phone numbers

Lowell Volunteer Fire Department

Lowell, NC

This report was generated on 10/6/2021 7:49:58 PM



Incident Type Count per Station for Date Range

Start Date: 09/01/2021 | End Date: 09/30/2021

INCIDENT TYPE	# INCIDENTS
Station: 17 - STATION 17	
131 - Passenger vehicle fire	1
251 - Excessive heat, scorch burns with no ignition	1
300 - Rescue, EMS incident, other	1
311 - Medical assist, assist EMS crew	4
322 - Motor vehicle accident with injuries	7
324 - Motor vehicle accident with no injuries.	11
413 - Oil or other combustible liquid spill	1
445 - Arcing, shorted electrical equipment	1
461 - Building or structure weakened or collapsed	1
500 - Service Call, other	2
511 - Lock-out	1
522 - Water or steam leak	1
600 - Good intent call, other	1
611 - Dispatched & cancelled en route	3
622 - No incident found on arrival at dispatch address	1
700 - False alarm or false call, other	3
711 - Municipal alarm system, malicious false alarm	1
744 - Detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	2
900 - Special type of incident, other	3
# Incidents for 17 - Station 17:	47

Only REVIEWED incidents included.



emergencyreporting.com
 Doc Id: 857
 Page # 1 of 1

City of Lowell, North Carolina
 FY 2022 Dashboard
 8/31/2021

Department	Budget	YTD thru 8-31-2021	Budget Remaining	Percent Remaining	Percent of FY21 Remaining
General Fund					
Administration	622,970.00	91,164.53	531,805.47	85%	83%
Public Safety	1,337,185.00	165,196.64	1,171,988.36	88%	83%
Public Works	276,078.00	31,659.28	244,418.72	89%	83%
Sanitation	264,548.00	43,888.84	220,659.16	83%	83%
Parks	183,225.00	25,605.87	157,619.13	86%	83%
Powell Bill	89,000.00	2,776.25	86,223.75	97%	83%
Total	2,773,006.00	360,291.41	2,412,714.59	87%	83%
Water/Sewer Fund					
Water/Sewer	1,093,520.00	179,642.96	913,877.04	84%	83%
Wastewater Treatment	291,081.00	32,950.86	258,130.14	89%	83%
Total	1,384,601.00	212,593.82	1,172,007.18	85%	83%
Stormwater Fund					
Stormwater	337,919.00	26,400.36	311,518.64	92%	83%
Total	337,919.00	26,400.36	311,518.64	92%	83%

Notes:
None

City of Lowell, North Carolina
 FY 2022 Revenue Dashboard
 8/31/2021

Type	Budget	YTD thru 8-31-2021	Budget Remaining	Percent Remaining	Percent of FY21 Remaining
General Fund					
General Fund	2,773,007.00	213,758.40	2,559,248.60	92%	83%
Water/Sewer Fund	1,348,601.00	225,729.65	1,123,871.35	83%	83%
Stormwater Fund	337,919.00	26,960.19	310,958.81	92%	83%
Total	4,460,527.00	466,448.24	3,994,078.76	90%	83%

Notes:
 None

Finance

September 2021 Monthly Report

Utility Billing

Stormwater collection rates are approximately 95% of billed from the first two months of billing. 98% of the uncollected accounts are from vacant residential parcels.

Finance

The City's annual audit is still underway – the goal is to have the audit completed with a report submitted to the LGC by October 31, 2021