

# MINUTES

Lowell Planning Board  
Regular Meeting  
Tuesday, February 2, 2021, 6:00 P.M.

## I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Vieta Benson called the meeting to order at 6:00 p.m. Those attending in-person were: Planning Board members John Cantrell, Mike Harris, Bill Stegall, Travis Smith, and Bob Mulholland (on phone). Staff members present were: City Clerk Beverly Harris, Planning Director Alex Blackburn, and City Manager Scott Attaway. A quorum was determined, the meeting proceeded. N-Focus representatives were present.

## II. APPROVAL OF MINUTES FROM JANUARY 5, 2021 MEETING

John Cantrell made a motion to approve the minutes from the January 5, 2021 meeting, followed by a second from Bill Stegall. The vote was unanimous.

## III. CONDITIONAL USE/SPECIAL USE PERMIT REQUEST

### APPLICATION: CUP21-01 - 518 Oakland Drive, Lowell, NC

Alex Blackburn stated on September 28, 2020 staff received a Conditional Use Permit request from Mr. Steed Story (owner of Griffin Waste Services) to allow for the acquisition and usage of structures at 518 Oakland Drive for the purpose of moving his current waste disposal business from 400 Oakland Drive. Mr. Blackburn stated the property is currently bordering the Gaston County owned-property, George Poston Park, on the eastern side and is located south of residential homes (RMF) district. To the west, there is industrial zoned property (existing Griffin Waste site).

Scott Attaway stated 518 Oakland Drive is currently zoned I-2. The conditions in the UDO for this zoning require that no maintenance be performed on vehicles at this site; operating hours must be 7am-7pm only; and no solid or septic waste on-site for more than 24 hours. Mr. Attaway stated staff has met with the applicant and they discussed both type E and B landscape buffers are required at this property.

The applicant presented the Planning Board with four findings of fact (see attached). The applicant also agreed to all conditions in the Lowell UDO.

Mr. Attaway explained the current UDO states that all landscaping buffers must be planted on the owner's side of the right-of-way. However, both staff and the applicant have agreed that a landscape buffer could be planted near the right-of-way area in front of the property and on the outside of the fenced area to keep the existing paved parking area. Staff recommended the Planning Board wait until the applicant provides the proposed front landscape buffer plan for review before a vote.

John Cantrell made a motion to table this item until the applicant provides the board with the final landscaping buffer plan at the next scheduled meeting on March 2, 2021, followed by a second from Mike Harris. The vote was unanimous.

#### **IV. FUTURE LAND USE PLAN (FLUP) – STATUS UPDATE BY N-FOCUS**

N-Focus introduced to the Planning Board a draft “Town Plan 2040 – Future Land Use Plan which included the following:

- Draft City Plan document
- Draft Future Land Use Map
- Draft Growth Opportunities Map

#### **V. LOWELL UNIFIED DEVELOPMENT ORDINANCE (LDO)**

N-Focus reviewed and discussed Lowell Development Ordinance (LDO) articles (listed below) with Planning Board members. These articles were previously introduced to the Board at the last meeting.

- o Article 9 – Building and Lot Type Standards & Specifications
- o Article 8 - Districts

N-Focus also introduced future articles (listed below) to the Planning Board members for their review and discussion at the next Planning Board meeting.

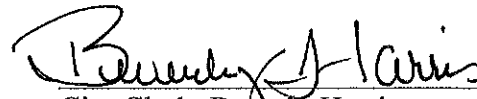
- o Table 8.1
- o Official Zoning Map
- o Article 10 – Additional Standards and Special Uses
- o Article 19 – Stormwater
- o Article 20 – Soil Erosion and Sedimentation Control

#### **VI. ADJOURN**

John Cantrell made a motion to adjourn the meeting, followed by a second from Bill Stegall. The vote was unanimous. The meeting ended at 8:00 pm.

AFFIRM:

  
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Chairperson, Vieta Benson

  
\_\_\_\_\_  
City Clerk, Beverly Harris

SCS Disposal, LLC  
Lowell, NC

## FINDING OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan.

This is correct. Our business uses smaller trucks, and we specialize in smaller dumpsters (10 yard) rather than the huge dumpsters provided by many similar companies. These vehicles are such that they do not require CDL permits and in fact are smaller than those used by the last 2 businesses operating at this property. We do not haul residential garbage so there should be no concerns about odor and/or rodent issues which may be a concern with residential garbage.

2. The use meets all required conditions and specifications.

Pending agreement of a landscaping plan and approval of a special use permit, this would be correct. We currently operate on the same street (approximately 300 feet away) with a Conditional use permit as well as required by Lowell UDO. We would do the same at this location.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

This is correct. The planned use is consistent with the current zoning (pending approval of conditional use permit) and will not injure the value of the adjoining property.

4. The location and character of the use, if developed according to the plan as submitted and approved will be in harmony with the area in which it is located and will be in general conformity with the adopted Lowell UDO / Land Use Plan and other plans for physical development of the City as adopted by the City Council.

This is correct. In this meeting, our intent is to create an agreeable plan that satisfies all parties, is consistent with the industrial zoning, and mitigates any concerns from relocating the current business from the address at 400A Oakland Drive, Lowell NC 28098 to this new location at 518 Oakland Drive, Lowell NC 28098.