



**CITY OF LOWELL
COUNCIL MEETING AGENDA
TUESDAY, JULY 13, 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 June 8, 2021 (p. 1-6)
- 6. SPECIAL PRESENTATIONS**
 - A. Proclamation Designating the month of July as Parks and Recreation Month (p. 7)
 - B. Presentation by the Catawba River Keeper: South Fork River Health Project
- 7. UNFINISHED BUSINESS**
 - A. Discussion and Consideration of Montcross Emerge Initiative (p. 8-12)
- 8. NEW BUSINESS**
 - A. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case # RZ21-01 (p.13-21)
 - B. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case # RZ21-02 (p.22-33)
 - C. Discussion of Possible Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops (p.34-35)
 - D. Consideration of Lowell Community Committee's Proposed Edgewood Cemetery Policy (p.36-38)
 - E. Discussion and Possible Action Regarding Relocation of Matthew Armstrong Cemetery (p.39-41)
 - F. Selection of Environmental Services for Community Center CDBG-NR (p.42-44)
 - G. Discussion of 2021 RAISE Grant Application (p.45)
- 9. STAFF REPORTS**
 - A. Public Works Report (p. 46)

- B. Police Department Report (p.47)
- C. Planning Department Report(p.48-49)
- D. Parks and Rec. Department Report (p.50-51)
- E. Fire Department Report (p. 52)
- F. Finance Officer Report (p.53)

10. CITY ATTORNEY REPORT

11. CITY MANAGER REPORT

12. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

13. CLOSED SESSION

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

14. ADJOURN

MINUTES

Lowell City Council

Regular Meeting

Tuesday, June 8, 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 Ken Ervin, Councilmember Thomas Gillespie, Councilmember Shane Robinson, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, Public Works Director Thomas Shrewsbury, Parks and Recreation Director Cristy Cummings, 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. Councilmember Funderburk was absent from the meeting.

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

IV. PUBLIC COMMENTS

Wells Eddleman: Opposed to stormwater fee and budget.

Conrad Pogorzelski: Opposed to stormwater fee.

Larry Simonds: Opposed to budget.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held May 11, 2021

Councilmember Ervin made a motion to approve the minutes from the May 11, 2021, Council meeting; followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

VI. CONSENT AGENDA

A. Resolution #RS3-2021 Resolution in Support of the Charlotte Area Transit System's (CATS) Lynx Silver Line Extending into Gaston County

B. Resolution #RS4-2021 Resolution Regarding the Receipt of American Recovery Plan Funding

- C. Resolution #RS5-2021 Resolution Regarding Mutual Aid Assistance with Other Law Enforcement Agencies
- D. Resolution #RS6-2021 Resolution Requesting North Carolina Legislature to Approve Removal of the Cap on Satellite Annexations
- E. Resolution #RS8-2021 Resolution in Support of Lineberger Connector RAISE Grant
- F. Consideration to Appoint Heather Seay to the Lowell Community Committee
- G. Adoption of CDBG Fair Housing Complaint Procedure

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

VII. SPECIAL PRESENTATIONS

- A. Proclamation Recognizing the Historical Significance of Juneteenth and Proclaiming June 19, 2021, as Juneteenth

Councilmember Gillespie read the Proclamation. Councilmember Gillespie made a motion to approve the Proclamation Recognizing the Historical Significance of Juneteenth and Proclaiming June 19, 2021, as Juneteenth in Lowell, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

Councilmember Gillespie invited the 2021 Juneteenth Committee for Gaston County present to stand and give an overview for the Juneteenth history and upcoming events.

- B. Presentation from the Carolina Thread Trail

Executive representatives from the Carolina Thread Trail group were present. They gave a presentation which contained an overview and history of the Carolina Thread Trail. They encouraged the City of Lowell to participate in linking Lowell to the trail and fixing the gaps in the Lowell area. Different levels of participation and funding by Lowell in the Go Gaston Campaign was encouraged by the group. (\$3.25K asked for over 5-year plan from Lowell)

- C. Appreciation of Mark H. Buchanan for 45 years of dedicated service to the Lowell Volunteer Fire Department from July 1975 – July 2020

Mayor Railey on behalf of the City of Lowell and the City Council thanked Mark H. Buchanan for his 45 years of dedicated service to the City of Lowell at the Lowell Volunteer Fire Department. Mayor Railey presented Mr. Buchanan with a recognition award.

- D. Presentation from Montcross Chamber of Commerce

Mark Jordan, CEO of Montcross Chamber of Commerce, presented to the Council. Mr. Jordan introduced himself as the new CEO of the Chamber. He gave an overview of the Montcross Chamber of Commerce and discussed the partnership they have with every town in Gaston County. Mr. Jordan also gave an overview of the new “Montcross Emerge” program.

VIII. UNFINISHED BUSINESS

A. Public Hearing Regarding Establishment of a Stormwater Utility Fund, Chapter 55 of the Lowell Code of Ordinances

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

City Manager Scott Attaway stated the public hearing was advertised as required and presented Council with the proposed ordinance regarding establishment of a stormwater utility in Lowell. Mr. Attaway stated the program was established for the City of Lowell to become compliant with state requirements. He also stated an engineering firm, Withers Ravenel, was hired to perform the stormwater study for Lowell.

There were public comments from the following citizens: Larry Simonds, Conrad Pogorzelski Jr.

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

Councilmember Ervin made a motion to establish the stormwater utility fund as presented, followed by a second from Councilmember Bonham. The vote was three in favor (Bonham, Gillespie, Ervin), and one opposed (Robinson). The motion carries with the majority being in favor.

B. Public Hearing for Adoption of the City of Lowell Fiscal Year 2021-2022 Budget Ordinance

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

City Manager Scott Attaway stated the public hearing was advertised as required and presented Council with the proposed ordinance regarding the FY2021-2022 budget.

There were public comments from the following citizens: Larry Simonds.

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

Councilmember Ervin made a motion to adopt the City of Lowell Fiscal Year 2021-2022 Budget Ordinance as presented, followed by a second from Councilmember Bonham.

Councilmember Gillespie offered a substitute motion to put this decision off until a full board is present. The motion died to lack of a second.

The Council went back to the original motion by Councilmember Ervin to adopt the City of Lowell Fiscal Year 2021-2022 budget ordinance as presented, followed by a second from Councilmember Bonham. The vote was two in favor (Bonham, Ervin), and two opposed (Gillespie, Robinson). Mayor Railey asked for a motion with the same votes (2 in favor/2 opposed) and she voted in favor of approving the budget.

There was discussion that the process was wrong, and a new motion was not needed. The Council went back to the original motion still on the floor.

The original motion was still on the floor without a vote. The original motion was (Councilmember Ervin made a motion to adopt the City of Lowell Fiscal Year 2021-2022 budget ordinance as presented, followed by a second from Councilmember Bonham). The vote was three in favor (Bonham, Railey, Ervin) with Mayor Railey voting in favor to break the tie, and two opposed (Gillespie, Robinson). The motion carried with the majority being in favor.

C. Consideration of FY2021-2022 Fire and Rescue Services Contract

City Manager Scott Attaway presented the proposed contract between the City of Lowell and the Lowell Volunteer Fire Department. Mr. Attaway stated the contract includes the proposed budgeted amount for FY2022 and information regarding the transmission of monthly reports and audit procedures among other items. He further stated staff has met several times with the Lowell VFD on this matter and it is staff's recommendation to proceed with the proposed contract.

Councilmember Robinson made a motion to approve the FY2021-2022 Fire and Rescue Services Contract between the City of Lowell and the Lowell Volunteer Fire Department, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

IX. **NEW BUSINESS**

A. Consideration of Resolution #RS7-2021 to Enter into an Interlocal Agreement with Gaston County for Ad Valorem Tax Collection

City Manager Scott Attaway stated the contract previously entered into with Gaston County for tax collections services as a seven-year contract with an original termination date of June 30, 2020 and automatic renewals. The contract was originally at collection rate of \$4 per bill, or .5% of the monies billed by the County on behalf of the City with a maximum of \$4,800, whichever was less. Mr. Attaway stated the proposed contract collection rate is at a rate of .675% of the total collected levy for FY22 and .85% of the total collected levy for FY23 and thereafter, with the percentage being reassessed after the county's revaluation. For FY22, the proposed change is expected to increase the City's cost to an estimated \$9,200, \$4,400 increase. For FY23, the proposed cost is estimated to begin at \$11,600. The fee will likely increase depending upon tax value growth and collection rates. Mr. Attaway stated it is staff's recommendation that the City of Lowell agree to the revised interlocal agreement.

Councilmember Ervin made a motion to approve the resolution and enter into an interlocal agreement with Gaston County for Ad Valorem Tax Collection as stated in the submitted contract, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Consideration of Proposed Text Amendment to the City Code of Ordinances Chapter 50 Regarding Solid Waste

Alex Blackburn presented the proposed text amendment to the City Code of Ordinance Chapter 50. Mr. Blackburn stated the text amendment relates to trash collection and the bulk pickup policy. The main items included in the proposed changes are: clarifies that additional roll carts can be obtained; clarifies that trash must be bagged and the lid must close properly; removes conflicting language as it relates to the bulk policy.

Councilmember Bonham was excused for a quick break.

Councilmember Ervin made a motion to adopt the text amendment as presented to the City Code of Ordinance Chapter 50 regarding Solid Waste, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

C. Budget Amendments

Scott Attaway presented budget amendment #2 and #3 to finish any housekeeping items that need to be completed before the end of the Fiscal Year on June 30, 2021.

Councilmember Ervin made a motion to approve budget amendment #3 as presented for the amendment for the City's portion of the grant match funding for four (4) AED devices for the Lowell Volunteer Fire Department, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Robinson made a motion to approve budget amendment #2 as presented amending the amount received from Caromont Health for a sponsorship/barrier free fountain and pet fountain at Bob Bolick Park, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

X. **STAFF REPORTS**

A. Finance Report

Jared Pyles gave Council an update on the monthly finance report.

B. Public Works Report

Thomas Shrewsbury gave Council and update for the public works department.

C. Police Department Report

Scott Bates presented Council with the monthly police department report.

D. Parks and Recreation

Cristy Cummings gave Council an update for Parks & Recreation.

XI. CITY ATTORNEY REPORT

The City Attorney did not have anything new to report.

XII. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- Master Parks & Recreation Plan update
- CDBG-I Update
- CDBG-NR Update
- McAdenville Road bike lanes
- BUILD (RAISE) Grant

XIII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Mayor Railey thanked everyone who came to the meeting.

XIV. CLOSED SESSION

A motion was made at 8:25 pm by Councilmember Ervin 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 Gillespie. The vote was unanimously in favor.

The Council reconvened from Closed Session at 9:06 pm.

XV. ADJOURN

Councilmember Bonham made a motion to adjourn the meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor. The meeting ended at 9:07 pm.

ATTEST:

Mayor, Sandy Railey

City Clerk, Beverly Harris



PROCLAMATION

#PR4-2021

Designation of July as Parks and Recreation Month

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including in the City of Lowell; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the City of Lowell recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY the City Council that July is recognized as Parks and Recreation Month in the City of Lowell.

Proclamation adopted this the, 13th day of July, 2021.

ATTEST:

Sandy Railey, Mayor

Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-A

DESCRIPTION: DISCUSSION AND CONSIDERATION TO FUND THE
MONTCROSS EMERGE INITIATIVE

During the regular June 2021 City Council meeting, Montcross Chamber President Marc Jordan, gave a presentation regarding the Emerge Initiative. This is a targeted community and economic growth initiative focusing on Belmont, Cramerton, Lowell, McAdenville, Mount Holly, and Stanley as we emerge from the COVID-19 Pandemic. Specifically, the Emerge will focus on (1) Providing Marketing and Communications support to local governments and small businesses, (2) Support Small Business Recovery and Growth, (3) Attract and Promote Remote Workers, and (4) Promote and Support Health and Social Impact.

Other neighboring municipalities have indicated their support for the initiative by providing varying levels of financial support. City staff recommends supporting this endeavor with a portion of the anticipated American Recovery Plan funding in the amount of \$10,000. It is staff's opinion that this is an allowable use of ARP funds.

The scope, outline, and proposed budget for Montcross Emerge is attached.



Montcross Emerge Budget

I. Marketing and Communications..... Three Year Total: \$125,000

- A. Design and implement a new state of art website.
- B. Provide marketing support to partner cities and towns
- C. Communicate Montcross Story, capture new markets, grow the chamber.
- D. * 20% of the total dollars raised will be allocated to the Montcross Area Chamber for admin and support.

II. Small Business Recovery and Growth.....Three Year Total: \$100,000

- A. Targeted marketing to promote small businesses, services and products (open for business, online presence).
- B. Support efforts for small businesses to expand markets
- C. Provide small business consultant(s) to assist small businesses.
- D. Provide data to support small businesses and entrepreneurship.
- E. Partner with Belmont Abbey College and Gaston College.

III. Attract and Promote Remote Workers..... Three Year Total: \$100,000

- A. Develop unique messaging from each city/town in the Montcross Area.
- B. Link to Montcross Emerge web page
- C. Create and initiate national social media campaign to promote our
- D. Region as an attractive place to work remotely, live and raise a family.
- E. Develop economic impact information on remote workers relocating here.
- F. Link to Montcross Emerge website page.

IV. Promote and Support Health and Social Impact..... Three Year Total: \$100,000

- A. Create Healthy People/Healthy Business Webpage linked to MACC and Montcross Emerge
- B. Educate and promote healthy balanced lifestyle
- C. Connect business success to social determinants
- D. Provide continued education regarding COVID-19 vaccinations, recovery and relief

Montcross Emerge

An economic growth initiative of the
Montcross Area Chamber of Commerce

Montcross Emerge is a targeted community and economic growth program initiated by the Montcross Area Chamber of Commerce and funded by our Montcross Tomorrow Chamber Foundation, Inc. The program is focused on growing and expanding the economies of Belmont, Cramerton, Lowell, McAdenville, Mount Holly and Stanley. Montcross Emerge will encompass four core areas to help the Montcross communities and chamber members capture opportunities as we EMERGE from the impact of the Covid-19 pandemic.

1. Provide marketing and communications expertise positioning the Montcross Area Chamber through Montcross Emerge as the economic growth voice for our members and communities we serve. An advanced Web platform will manage new and increased stakeholder opportunities with interactive technology. Social media platforms will tell the story of each of our towns in eastern Gaston County to support and complement their efforts.
2. Assist our small businesses in their recovery and growth. Montcross Emerge views 2021, 2022, and 2023, as opportunities for impressive growth, the recapturing and expanding of markets, and new beginnings for the more than 2000 small businesses in our market area. The targeted programming of Montcross Emerge will help overcome obstacles and capture new market opportunities. By providing consultative and one on one support, Montcross Emerge will provide solutions to assist small businesses to thrive, not merely survive.
3. Attract remote workers to our communities as a new economic growth opportunity. There will be a staggering 87% increase in the number of remote workers in our workforce compared to prior to the pandemic. Our goal will be to position our Montcross communities to embrace, endorse, and capitalize on attracting remote workers to our area to create wealth, buy homes, pay taxes, and become new consumers. By attracting these higher income individuals and families to live, work, and love our communities, we will create new economic opportunities and enhance our quality of life. We see this as a new economic strategy for each of our six communities.

Montcross Emerge Overview

SCOPE

Montcross Emerge is a targeted community and economic growth program initiated and overseen by the Montcross Area Chamber of Commerce focused on growing and expanding the economies of Belmont, Cramerton, Mount Holly, Lowell, Stanley, & McAdenville. Emerge will focus on 4 core areas to help the Montcross Communities and Chamber members capture opportunities beginning in 2021, as we EMERGE from the Covid-19 pandemic.

I. Marketing and Communications

A good story becomes a great story when it is shared! Marketing and Communications need to be a priority to strengthen the opportunity to attract people and connect with small businesses to thrive in 2021. Surveys have shown businesses know about 10% of what is available to them, therefore great programs will never be utilized unless the efforts to communicate are intentional. A great marketing and communication strategy should encompass:

- A strong web platform connecting all parties. The Montcross Chamber web platform needs to be home based and all other communication flows out, connecting and communicating back to the Chamber.
- Social media platforms need to tell the story of each town, supporting and complementing their efforts.
- Programming and forecasting of all media outreach 30 days in advance. Key events or activities can be boosted with proper planning and coordination.
- Target activities to specific groups. Remote workers, small businesses, etc. need to be intentional and targeted.
- Better understand and communicate area assets/offerings. Ex. Access to the airport, new housing developments, affordability, etc.
- Use outreach campaigns to build stronger support, buy in from internal supporters/members. Educate stakeholders ongoing with metrics, success stories, and ask for their endorsement to become a part of the message.
- Monetize marketing/communication opportunities to expand reach of messaging and organizational opportunities.

Montross Emerge – Small Business Recovery & Growth

- Targeted programming to overcome obstacles and capture new market opportunities for small businesses.
- Emphasis on the critical importance of Diversity, Equity and Inclusion (DEI) in growing and sustaining our businesses.
 - Cultivate relationships with community groups, non-profit organizations, local businesses to include additional DEI options and opportunities
 - Develop programming, seminars and training to assist businesses and communities on developing, engaging and implementing DEI
 - Events - provide events or partner with organizations
- Consultative support, giving one to one support of professionals to help small businesses represented by Montcross Chamber to thrive, not merely survive. Consultant(s) will use concierge models, identifying resources and solutions to assist small businesses in a timely and efficient manner. Key performance indicators will be used to measure impact and success. Over 2,000 small businesses exist in Montross Chamber communities.
- Build an eco-system from primary (survey, input from consultants) and secondary data (market research) to better support and encourage small business growth.

III. Wealth Creation / Remote Workers Overview

The recent pandemic has illustrated a new economic opportunity, to attract remote workers. Remote workers tend to be based in higher paying industries, therefore remote workers are more than likely to own homes, and 3 times less likely to lose their jobs in economic downturns. The following projections illustrate the potential regarding remote works:

- 80% of company leaders plan to allow employees to work remotely at least part of the time after the pandemic. 47% will allow employees to work from home full-time (Gartner). 669 CEO's were surveyed, 78% agree that remote collaboration is here to stay for the long term.
- Up to 34% of US Jobs can be performed at home (University of Chicago)
- More than half of home buyers who work remotely say remote work influenced a major home change, whether moving to a different house (28%) or to a different location (24%).
- Remote workers are realizing they have more real estate choices than ever. According to Zillow, 4.5% of renters in the US (nearly 2 million renter households) who would otherwise be priced out of their current market can now purchase a starter home somewhere else in the US, thanks to remote work.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-A

DESCRIPTION: CONSIDERATION OF SETTING PUBLIC HEARING FOR
AUGUST 10, 2021 REZONING APPLICATION CASE # RZ21-01

Staff has received a rezoning request application regarding the properties located at:

260 A Oakland Drive (PID # 127183)

300 Oakland Drive (PID # 127178)

400 A Oakland Drive (PID # 127181)

506 Oakland Drive (PID # 220489)

518 Oakland Drive (PID # 220488)

The request is to change from the existing SFR-4 Zoning District to the IND District. This previous zoning district in the former ordinance (Lowell UDO) was I-2.

The application and staff report are attached.



To: Scott Attaway, City Manager

From: Alex Blackburn, Planning Director

Date: July 7, 2021

RE: Rezoning of 5 Parcels on Oakland Drive, Case# RZ21-01

Mr. Attaway, last night during the June 6th, 2021 meeting of the City of Lowell Planning Board, five (5) properties on Oakland Drive (260 Oakland Drive PID# 127183, 300 Oakland Drive PID # 127178, 400 Oakland Drive PID# 127181, 506 Oakland Drive PID# 220489, and 518 Oakland Drive PID# 220488) were brought before the board for consideration of rezoning. As a result of the new Lowell Development Ordinance, the property was rezoned from Industrial to Single Family Residential-4 (SFR-4) to coincide with the Comprehensive Land Use Plan. The above-mentioned properties are now requesting to be rezoned back to Industrial (IND).

The Planning Board voted in a 3-1 majority to recommend to the Lowell City Council the requested rezoning of the properties from SFR-4 to IND.

With the recommendation of the Planning Board, this matter will need to be brought to the City Council during their next meeting on July 13th in order to schedule a Legislative Hearing on the rezoning request at their August 10th meeting.

In addition, it is required that the applicant for a zoning map amendment (rezoning) provide Public Hearing Consent forms from each parcel owner requesting a change that is not the applicant. A Public Hearing Consent form has not been delivered to staff at this time for the rezoning to be heard by the City Council. The applicant must also meet with representatives and/or landowners of the neighborhood in which the property is located, as authorized by N.C.G.S. 160D-602(e). Coordinate the time and date of this meeting with staff to allow for City Staff to attend and answer procedural questions that arise. This meeting must be conducted prior to the date of the legislative hearing on August 10th, 2021.

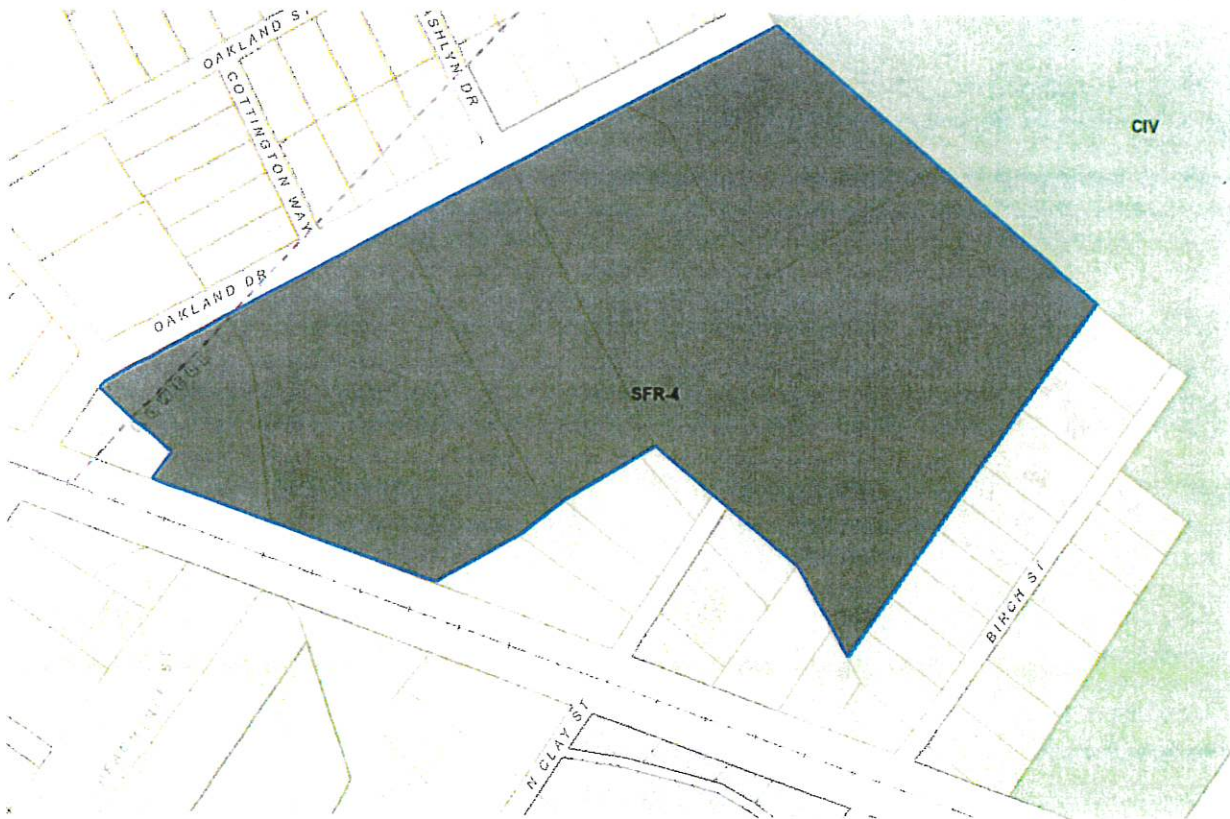
City of Lowell Planning Department – Staff Report

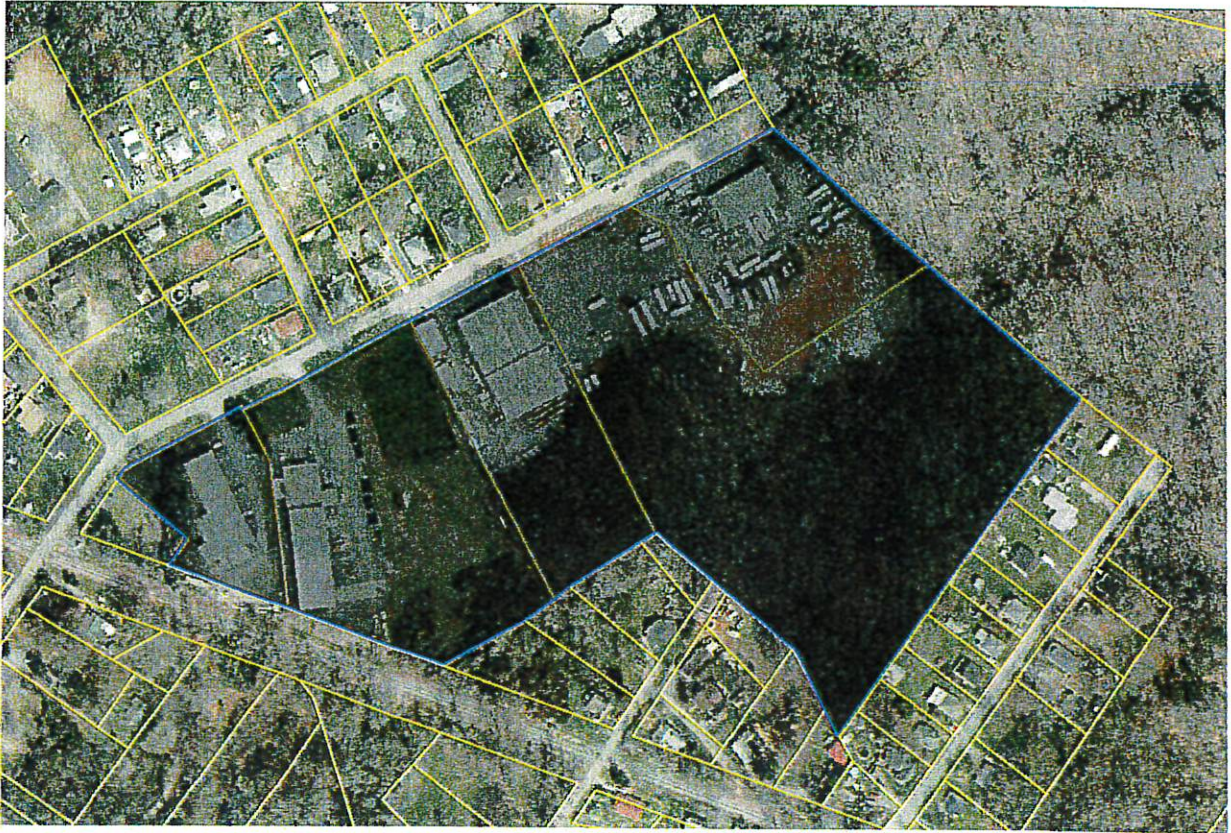
CASE # RS 21-01

Applicant:	Rick Bournique
Property Owner(s):	Mike Griffin, Don Hill, Mark Jordan, I.B. Ventures
Property Location:	260 Oakland Drive 300 Oakland Drive 400 Oakland Drive 506 Oakland Drive 518 Oakland Drive
Property Size:	17.5 acres
Current Zoning:	Single Family Residential-4 (SFR-4)
Proposed Zoning:	Industrial (IND)

Description:

On July 2nd, 2021 staff received a Zoning Map Amendment (rezoning) request from Mr. Rick Bournique representing the properties located at 260, 300, 400, 506, and 518 Oakland Drive. Parcel ID #'s: 127183, 127178, 127181, 220489, and 220488. The request is to change the current zoning of the properties from Single Family Residential-4 (SFR-4) to Industrial (IND).





Process:

Staff received the application and scheduled the rezoning to be reviewed at the next available meeting of the Lowell Planning Board.

- Pre-filing Meeting to discuss proposed amendment and to become more familiar with the applicable requirements and approval procedures
- Neighborhood Meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
- Filing of Request
- Filing of Public Hearing Consent Forms from property owners represented in the rezoning.
- Lowell Planning Board heard case and recommended approval.
- Staff to schedule with the City Council to set a public hearing for their August 2021 meeting.
- Staff to schedule proper advertisement of the public hearing in the Gaston Gazette.
- Staff to install rezoning signage on the subject property prior to the public hearing.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.

Meeting Dates:

- July 6, 2021 Planning Board Review of RZ21-01
- July 13, 2021 City Council to schedule the public hearing.

- August 10, 2021 City Council to hold public hearing.

Staff Comments:

Current zoning for the properties in review on Oakland Drive is listed as Single Family Residential-4 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 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.

Proposed zoning of Industrial (IND) entails provision of locations for industrial uses that, due to scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed-use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities.

APPLICATION FOR REZONING

TO: THE CITY OF LOWELL

APPLICATION #:

R221-01

DATE FILED:

7-2-2021

11:00 AM

FEE PAID:

\$350.00

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:

SR4 to I-2 IND

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

I.B. Ventures, Mike Gault, Don Hill, Mark Jordan
as evidenced in Deed Book _____ Page _____ 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: 300 - 286
400 - 506 - 518 Oakland Drive
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 _____ side of _____
_____ between _____ and _____
(street) (street)

_____ and further identified in Gaston County
Tax Book _____, Map _____, Parcel(s) 127183, 127178, 127181, 220489,
Said Lot(s) has (have) a frontage of _____ feet and a depth of _____ feet, 220488
or _____ 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 proper-
ty 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
Don Hill	300 Oakland Drive
I. B. Ventures Inga Barnard	400 Oakland Drive
	506 Oakland Drive
Mark J. Adams	260 Oakland Drive
MCCG INC	518 Oakland Drive
Mike Gaffin	

- 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

- 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: Inga Barnard
Address: 8712 Mountain Shore Dr Shearills Ford NC 28673
Telephone: 704-400-9372
Applicant's Signature: Inga Barnard

City of Lowell
101 West First Street
Lowell, NC 28098

Telephone: 704-824-3518



★ = Properties Proposed to be rezoned



POSTON
PARK

LOWELL

JONES ST

W FIRST ST

PEACH ST

OAKLAND DR

COLTINGTON WAY

OAKLAND ST

S ASHLYN DR

N CLAY ST

IND

SFR-4

MB-1

CIV

SFR-1

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-B

DESCRIPTION: CONSIDERATION OF SETTING PUBLIC HEARING FOR
AUGUST 10, 2021 REZONING APPLICATION CASE # RZ21-02

Staff has received a rezoning request application regarding the property located at Parcel ID# 216857. There is not an assigned address to the property, but the subject parcel lies west of S. Church Street and adjoins the "NorthPoint/Lineberger Property". The request is to change from the existing SFR-4 Zoning District to the IND District.

The application and staff report are attached.



To: Scott Attaway, City Manager

From: Alex Blackburn, Planning Director

Date: July 7, 2021

RE: Rezoning of Parcel ID# 216857, Case # RZ21-02

Mr. Attaway, last night during the June 6th, 2021 meeting of the City of Lowell Planning Board and Board of Adjustment, the property listed as Parcel ID# 216857, containing 25.75 acres was reviewed to consider a zoning map amendment (rezoning) from the current zoning designation of Single Family Residential-4 (SFR-4) to Industrial (IND).

The Planning Board voted in unanimous decision to recommend to the Lowell City Council the requested rezoning of the properties from SFR-4 to IND.

With the recommendation of the Planning Board, this matter will need to be brought to the City Council during their next meeting on July 13th in order to schedule a Legislative Hearing on the rezoning request at their August 10th meeting.

In addition, the applicant has provided the required Public Hearing Consent forms for a zoning map amendment (rezoning) and has stated they fully plan to hold a meeting with representatives and/or landowners of the neighborhood in which the property is located, as authorized by N.C.G.S. 160D-602(e). This meeting may take place at City Hall if the petitioner so desires, but must be conducted prior to the date of the legislative hearing on August 10th, 2021. City Staff should also be notified of the time and place in order to be in attendance to answer any procedural questions, should any arise.

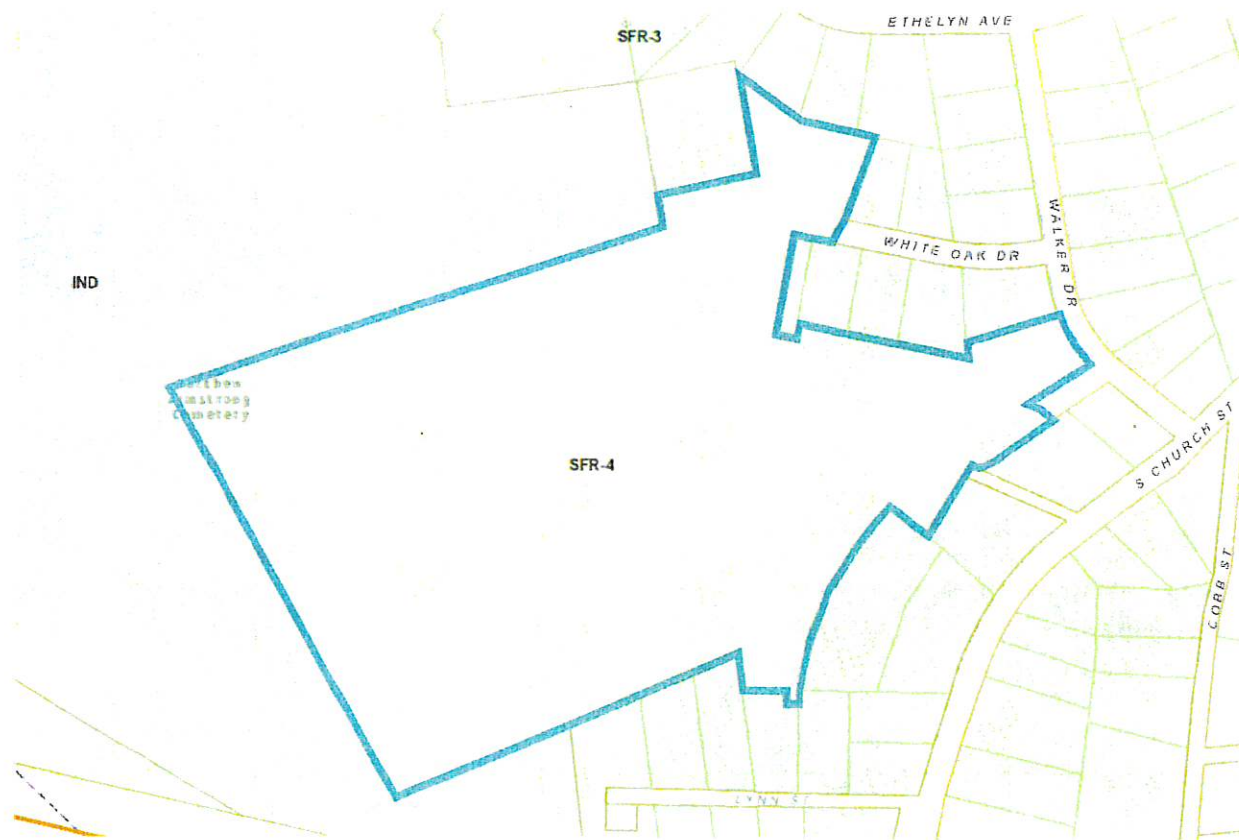
City of Lowell Planning Department – Staff Report

CASE # CUP 21-02

Applicant:	Michael Johnston
Property Owner(s):	Mark W. Mitchem Paul Mitchem Rebecca B. Mitchem Heirs
Property Location:	Parcel ID# 216857
Property Size:	25.75
Current Zoning:	Single Family Residential-4 (SFR-4)
Proposed Zoning:	Industrial (IND)

Description:

On July 2nd, 2021 staff received a Zoning Map Amendment (rezoning) request from Mr. Michael Johnston representing North Point Development after speaking with City Manager Scott Attaway regarding changing Parcel ID# 216857 from its current zoning district of Single Family Residential-4 (SFR-4) to Industrial (IND).



Process:

Staff received the application and scheduled the rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on July 6th, 2021.

- Pre-filing Meeting to discuss proposed amendment and to become more familiar with the applicable requirements and approval procedures.
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
- Filing of Request
- Filing of Public Hearing Consent Forms from property owners represented in the rezoning.
- Lowell Planning Board Heard case RZ21-02 and recommended approval to the City Council.
- Staff to schedule with the City Council to set a public hearing for their August 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:

- July 2, 2021 Pre-filing Meeting
- July 6, 2021 Planning Board Review of RZ21-02
- July 13, 2021 City Council to set Public Hearing.
- August 10, 2021 City Council to hold Public Hearing.

Staff Comments:

Current zoning for the property in review is listed as Single Family Residential-4 (SFR-4) 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 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.

Proposed zoning of Industrial (IND) entails provision of locations for industrial uses that, due to scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed-

use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities.

APPLICATION FOR REZONING

TO: THE CITY OF LOWELL

APPLICATION #: R221-02

DATE FILED: _____

FEE PAID: _____

\$350

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-4 to IND

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

Paul Mitchem and Mark W. Mitchem

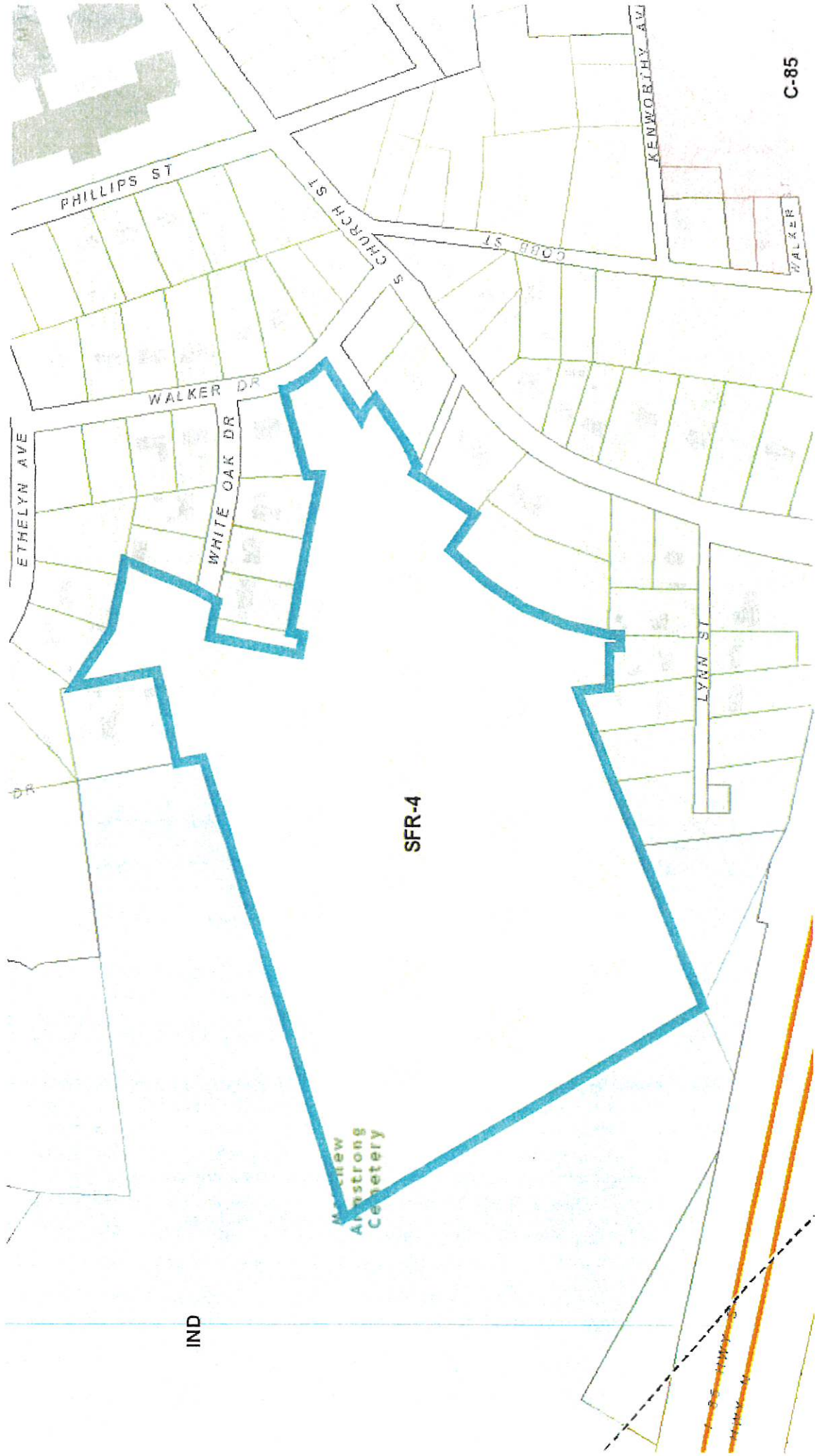
as evidenced in Deed Book 1190 Page 448 of the Gaston County Register of Deeds Office. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being put to the use specified in Paragraph 1 of this application.

- 3) The address of the real property sought to be rezoned is: Lynn Street 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 East side of Church Street between Lynn and White Oak (street) (street)

White Oak and further identified in Gaston County Tax Book _____, Map _____, Parcel(s) 216857
Said Lot(s) has (have) a frontage of _____ feet and a depth of _____ feet, or 25.75 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



C-85

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128489	MILAM LESLIE M	17210 PENNINGTON DR, HUNTERVILLE, NC 280780000	612 S CHURCH ST	004E	1005	7/29/2004			0.67	RESIDENTIAL	\$156,860.00
128465	GARDNER GERTIE	310 LYNN STREET, LOWELL, NC 280980000	310 LYNN ST	0748	0031	8/8/1959	012	046	0.42	RESIDENTIAL	\$96,840.00
128524	CALDWELL STEPHEN NORMAN CALDWELL DEBORAH SETZER	308 WALKER DR , LOWELL, NC 28098	308 WALKER DR	2698	0262	8/29/1997	017	006	0.49	RESIDENTIAL	\$141,140.00
128526	COX JOEY L COX GINGER W	306 WALKER DR , LOWELL, NC 280980000	306 WALKER DR	4225	1176	5/30/2006	017	006	0.43	RESIDENTIAL	\$228,130.00
127859	JONES GEORGE M JONES KIMBERLY H	2611 BELMEADE DR, CHARLOTTE, NC 282149239	515 ETHELYN AVE	4814	1046	11/9/2015	019	078	0.47	RESIDENTIAL	\$181,300.00
128493	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	NO ASSIGNED ADDRESS	0772	0473	2/2/1961	012	046	1.19	RESIDENTIAL	\$20,680.00
128475	HANNA MARILYN J	613 WHITE OAK DR, LOWELL, NC 280981834	617 WHITE OAK DR	4688	0877	7/30/2013	017	006	0.38	RESIDENTIAL	\$135,820.00
128455	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.11	RESIDENTIAL	\$12,570.00
128453	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.54	RESIDENTIAL	\$6,590.00
128495	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	710 S CHURCH ST	0772	0472	2/2/1961	012	046	0.8	RESIDENTIAL	\$244,130.00
128517	WHEELER WILLIAM T WHEELER DONNA C	304 WALKER DRIVE, LOWELL, NC 280980000	304 WALKER DR	2287	0622	7/1/1993	017	006	0.35	RESIDENTIAL	\$145,360.00
128481	MCKENZIE JOHN S MCKENZIE JOY B	PO BOX 457, LOWELL, NC 280980000	609 WHITE OAK DR	1166	0793	8/22/1975	017	006	0.46	RESIDENTIAL	\$201,880.00
128458	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.5	RESIDENTIAL	\$10,300.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128490	ELLIOTT GARY DON ELLIOTT LINDA REYNOLDS	PO BOX 1011, LOWELL, NC 280980000	702 S CHURCH ST	5058	2282	8/7/2019	012	046	0.7	RESIDENTIAL	\$199,870.00
128464	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	306 LYNN ST	4274	1478	11/28/2006	012	046	0.44	RESIDENTIAL	\$88,470.00
216858	MITCHEM JOSEPH L & DAVIDSON MARIA M	C/O JOSEPH L MITCHEM 226 FORBUSH MTN DR, CHAPEL HILL, NC 275141906	NO ASSIGNED ADDRESS	012E	1535	11/22/2012			0.19	RESIDENTIAL	\$1,580.00
128478	KEPHART TIMOTHY L KEPHART NANCY P	610 WHITE OAK DR, LOWELL, NC 280980000	610 WHITE OAK DR	3529	0325	9/13/2002	017	006	0.34	RESIDENTIAL	\$159,480.00
127860	RIMMER JACQUELINE HAWKS	517 ETHELYN AVE, LOWELL, NC 280981815	517 ETHELYN AVE	4105	2226	3/7/2005	019	078	0.55	RESIDENTIAL	\$144,810.00
128477	LYNCH LAURIE	613 WHITE OAK DRIVE, LOWELL, NC 28098	613 WHITE OAK DR	4996	0771	8/24/2018	017	006	0.38	RESIDENTIAL	\$114,140.00
128494	MITCHEM REBECCA B	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	1100	0650	1/26/1973	012	046	0.4	RESIDENTIAL	\$8,240.00
304673	NP GASTONIA INDUSTRIAL LLC	4825 NW 41ST STREET SUITE 500, RIVERSIDE, MO 64150	3301 LINEBERGER RD	5184	1270	12/21/2020	092	116	111.57	INDUSTRIAL	\$1,135,230.00
128460	HOWELL CATHY E	312 LYNN ST, LOWELL, NC 28098	312 LYNN ST	2557	0186	6/3/1996	012	046	0.51	RESIDENTIAL	\$142,340.00
216857	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	4120	944	4/28/2005			25.75	RESIDENTIAL	\$12,480.00
127824	MCCUEN TERESA A	912 LAKEVIEW DR, LOWELL, NC 280981819	912 LAKEVIEW DR	3138	0317	5/18/2015			1	RESIDENTIAL	\$165,820.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
127858	VAUGHN TIMOTHY SHELDON & VAUGHN KAREN CATHEY	513 ETHELYN AVE , LOWELL, NC 280980000	513 ETHELYN AVE	4203	0451	3/6/2006	019	078	0.45	RESIDENTIAL	\$148,590.00
128510	WILLARD JONATHAN D WILLARD GWENDOLYN P	606 S CHURCH ST, LOWELL, NC 280981810	606 S CHURCH ST	4887	0412	12/23/2016			0.37	RESIDENTIAL	\$203,120.00
127857	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	NO ASSIGNED ADDRESS	4505	2280	3/10/2010	019	078	0.63	RESIDENTIAL	\$10,300.00
128454	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.29	RESIDENTIAL	\$12,630.00
128479	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	612 WHITE OAK DR	4505	2285	3/10/2010	017	006	0.36	RESIDENTIAL	\$136,230.00
128485	SARNS KAREN A	307 WALKER DR , LOWELL, NC 280980000	307 WALKER DR	4509	2416	4/9/2010	017	006	0.46	RESIDENTIAL	\$167,060.00

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

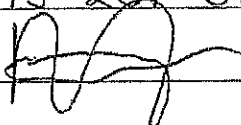
NAME	ADDRESS
SEE ATTACHED	

- 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
Rebecca B Mitchem Heirs	302 S. Clear Creek Dr, Friendswood, TX 77546

- 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: Mark W. Mitchem
Address: 302 S. Clear Creek Dr, Friendswood TX 77546
Telephone: 713-201-6175

Applicant's Signature: 

City of Lowell
101 West First Street
Lowell, NC 28098

Telephone: 704 - 824 - 3518

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

NAME	ADDRESS
SEE ATTACHED	

- 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
Rebecca B Mitchem Heirs	302 S. Clear Creek Dr, Friendswood, TX 77546

- 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: Paul Mitchem
Address: 163 Brucemont Circle, Asheville NC, 28806
Telephone: 828-808-1272

Applicant's Signature: 

City of Lowell
101 West First Street
Lowell, NC 28098

Telephone: 704 - 824 - 3518

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-C

DESCRIPTION: DISCUSSION OF POSSIBLE TEXT AMENDMENT TO LOWELL
DEVELOPMENT ORDINANCE ARTICLE 8, TABLE 8.1
REGARDING BEAUTY SHOPS

It has been requested by Council for staff to bring this matter before the entire City Council to discuss the matter of Beauty Shops in the Main Street zoning district.

Table 8.1 - Table of Uses L=listed use S=special use A=use listed with additional standards Section 1 - General Uses of the following:															
	SIC	Agriculture (AG)	Single Family Residential (SFR-2, SFR-3 & SFR-4)	Manufactured Home Overlay (MHO)	Residential Main Street Transition (RMST)	Traditional Neighborhood Developmental Overlay (TND0)	Main Street (MS)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C-74)	I-85 Commercial (C-85)	Vehicle Services/Repair (VSR)	Industrial (IND)	Heavy Industry Overlay (HIO)
ABC Store (liquor sales)	5921	A (10.1-3)	A (10.1-3)		A (10.1-3)	A (10.1-3)	L			L	L				
Accessory Dwelling Unit							L	A (10.1-3)	A (10.1-3)						
Adult Establishment/Uses														S (10.2-3)	
Bookstore, Adult														S (10.2-3)	
Cabaret, Adult														S (10.2-3)	
Massage Parlor														S (10.2-3)	
Motel, Adult														S (10.2-3)	
Movie, Adult - Rental, Sales														S (10.2-3)	
Retail, Adult Products														S (10.2-3)	
Motion Picture Theater, Adult														S (10.2-3)	
Agricultural Based Business Facilities														S (10.2-3)	
Agricultural Production (Crops only)		S (10.2-4)												A (10.1-37)	
Agricultural Production (Crops & Livestock)		L	L											L	L
Agricultural Production (Within Buildings)		L												L	L
Alteration, Clothing Repair															
Ambulance, Fire, Rescue Station		L							L	L	L	L			
Amusement/Water Parks, Fairgrounds	7996										S (10.2-5)	S (10.2-5)			
Antique Store	5932									L	L	L			
Apparel Sales (Clothing, Shoes, Accessories)	5600						L			L	L	L			
Appliance Repair, Refrigerator or Large	7623									A (10.1-37)	A (10.1-37)		A (10.1-37)		
Appliance Store	5722									A (10.1-37)	A (10.1-37)	L			
Arts and Crafts Store							L			L	L	L			
Asphalt Plant	2951														S (10.2-6 & 16)
Athletic Fields		L	L		L	L		L		L					
Auditorium, Coliseum or Stadium							L	L		L					
Auto Supply Sales	5531									A (10.1-37)	A (10.1-37)	L	A (10.1-37)		
Automobile Dealers	5571										A (10.1-37)		A (10.1-37)		
Automobile Rental or Leasing	7510									L	L	L	L		
Automobile Repair Services (Major)										A (10.1-4)	A (10.1-4)		A (10.1-4)		
Automobile Repair Services (Minor)											A (10.1-4)		A (10.1-4)		
Automobile Towing and Storage Services											A (10.1-5)		A (10.1-5)		
Bakery	7549											L		A (10.1-37)	
Bank, Savings and Loan, or Credit Union	6000						A (10.1-6)			A (10.1-6)	A (10.1-6)				
Barber Shop	7241						L		L	L	L	L			
BarA (with/without Beverage Production Accessory Use)	5913						L		L	L	L	L			
Battling Cages, Indoor							L		L	L	L	L			
Battling Cages, Outdoor	7999									A (10.1-7)	A (10.1-7)				
Beauty Shop	7431						L		L	L	L	L			

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-D

DESCRIPTION: CONSIDERATION OF LOWELL COMMUNITY COMMITTEE'S
PROPOSED EDGEWOOD CEMETERY POLICY

Please see the attached memo from the Parks and Recreation Director.

MEMO

To: Scott Attaway, City Manager

From: Cristy Cummings, Director of Parks and Recreation

RE: Proposed Cemetery Policy

The Lowell Community Committee has created a cemetery policy to provide for the beautification and proper maintenance of the cemetery grounds. Currently, there is no cemetery policy in place which has created unsightly problems and a hinderance for the Public Works Department in providing proper maintenance care in an efficient manner. The following policy has been recommended by the LCC to present to the City Council for possible adoption.

City of Lowell Cemetery Policy

Introduction: To provide for the beautification and proper maintenance of the cemetery grounds.

Policy Overview: From this day forward, the owner of each lot shall have no right to enclose the same with a railing, or wall, to cultivate therein grass, trees, shrubs, plants, etc. The City Manager or his/her designee shall, with the approval of the City Manager, remove trees, shrubs, etc. or such parts thereof as are or may be dangerous obnoxious, detrimental or inconvenient.

Rules for Cemetery Drives and walks will be maintained, trees and will be trimmed or pruned, turf will be kept mowed and cleaned without expense to the lot owner.

Only City employees will be permitted to perform work on a lot unless permission is obtained from the City Designee.

No future walls, fences, or permanent structures will be allowed around any plots.

Decaying structures will be removed.

Trees, shrubs and/or plants shall not be planted on lots or graves, nor shall any be trimmed or removed except by employees of the City under the direction of the City Manager and/or their designee.

Clean-up dates are as follows: January 15, June 15 and Nov 15 of each year. Any items not removed by these dates will be disposed of.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-E

DESCRIPTION: DISCUSSION AND POSSIBLE ACTION REGARDING
RELOCATION OF MATTHEW ARMSTRONG CEMETERY

Attached is a letter from NorthPoint Development requesting the City of Lowell's consent to move the grave from the current location and relocate to another suitable site in conjunction with any living family member's wishes.

Action required: For discussion and possible action regarding consent of relocation of Armstrong Grave/Cemetery in accordance with NCGS 65-106.

July 8, 2021

Scott Attaway
City Manager
101 W. 1st Street
Lowell, NC 28098

Dear Mr. Attaway,

Northpoint Development is in the process of acquiring the real property with Parcel ID 216857 which is currently owned by Paul and Mark W. Mitchem and is located within Lowell City limits. As you may be aware, the property contains a gravesite which is known as the Armstrong Gravesite and Northpoint would like to formally request the right to remove the grave from its current location and relocate it to another cemetery. Northpoint has referenced NC GS65-106 which pertains to relocation of graves and we plan to follow the process outlined within moving forward.

A cemetery site form has been submitted to the NC Office of State Archeology (OSA) and OSA has assigned the number 31GS397 to this site. The grave is marked by a granite and concrete headstone reading "To the Memory of Matthew Armstrong, Born Oct. 17, 1823, Died Nov. 4, 1885." The grave is surrounded by a partial fence of iron piping. There is also a remnant of an older, dry-laid stone wall enclosure. Isolated stones, debris from the collapsed wall, are scattered within and around the gravesite. An obituary was found in the November 11, 1885 edition of the Gaston Gazette (<https://www.findagrave.com/memorial/103175705/mathew-armstrong>). It reads:

"Died-Near Lowell, Nov. 4, 1885, Matthew Armstrong: aged 62 years and 11 days. He was a kind parent and good neighbor. He leaves eight children and a number of grandchildren who morn their loss. He was buried near his home on the plantation where he was brought up, and where he raised his family."

The grave is located on private land at the following UTM (NAD 1983, Zone 17N) coordinates: 489652 meters East and 3902342 meters North. There was no evidence of additional interments at 31GS397.

New South Associates was retained by Northpoint Development and conducted an evaluation of the grave site and their conclusion was that it retained no known historical significance. Matthew Armstrong was the owner of the land east of the Lineberger property. New South recommended that the site has minimal research potential and was not eligible for inclusion in the National Register of Historic Places. No further archaeological work was recommended for this site.

Northpoint Development also retained the service of Family Tree Traditions who conducted a research report to identify any living descendants of Mr. Armstrong. That report has been

included with this letter for reference and found that there are six possible living great grandchildren of Mr. Armstrong. Northpoint will contact the living heirs and notify them of our intent to relocate the grave and will work in conjunction with any interested parties to make sure it is done in accordance with the families wishes and NC GS65-106.

Northpoint requests that this matter be docketed for the appropriate city meetings and that approval be given for the relocation so that progress may continue on the Gateway 85 project that is currently progressing on the adjacent property.

Please reach out to me if you have any questions.

Regards,



Michael Johnston

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-F

DESCRIPTION: SELECTION OF ENVIRONMENTAL SERVICES FOR
COMMUNITY CENTER CDBG-NR

Please see the attached memo from the City Clerk.

MEMO

DATE: July 8, 2021
MEMO TO: Scott Attaway
FROM: Beverly Harris
SUBJECT: CDBG-NR Environmental Services for Community Center

We received three proposals for the environmental services at the Community Center. Pricing on the proposals included lead base paint testing and clearance, asbestos and radon testing and clearance. Those proposals are as follows:

- The El Group Inc. - \$6701.50
- Terracon - \$10,850
- ECS Southeast - \$22,750

Attached is a break-out tabulation sheet showing costs per item.

Staff recommendation to Council is to accept the proposal from The El Group Inc. for \$6701.50.



City of Lowell CDBG-NR Environmental Services for Community Center
Bid Tabulation Sheet

	A	B	C	D
	Price Category	EI	Terracon	ECS
1	LPB test/LBP Clearance/Asbestos & Radon Tests	\$2,414.00	\$3,800.00	\$8,000.00
2	LPB test/Asbestos & Radon Tests	\$1,961.50	\$3,350.00	\$7,250.00
3	Asbestos & Radon Tests	\$1,249.00	\$2,700.00	\$6,000.00
4	Re-Test Clearance LBP	\$452.50	\$450.00	\$750.00
5	Re-Test Clearance Asbestos	\$624.50	\$550.00	\$750.00
6				
7				

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-G

DESCRIPTION: DISCUSSION OF 2021 RAISE GRANT APPLICATION

The City of Lowell, City of Gastonia, and Gaston County will submit the joint grant application for the 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) on July 9th 2021.

Staff will summarize the application and provide a copy of the submitted application once available.

Public Works Department

Monthly Report

June 2021

Water and Sewer Dept:

- Water and Sewer taps on Lakeview rd.
- Sewer main repair Westover St.
- Water Leak – Westover Rd.
- Sewer Tap repair on Perkins Street.
- Water Leak – Groves Street
- Water Leak – Stowe Drive.
- Perform annual generator maintenance.
- Perform quarterly maintenance on Lift Stations.

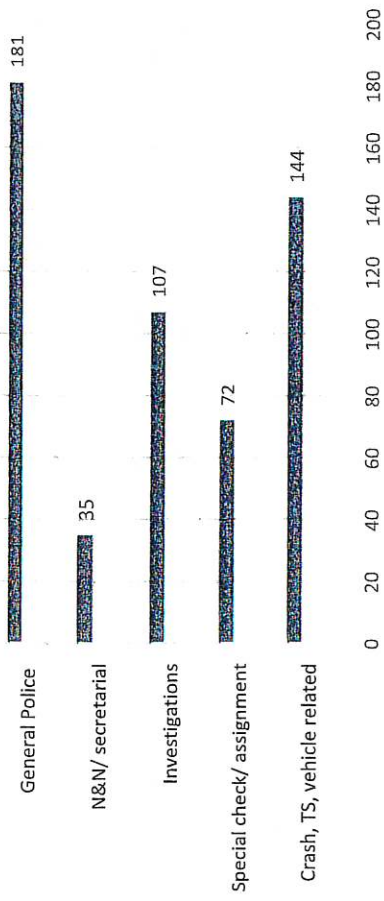
Street and Stormwater Department:

- Crews worked to trim low hanging limbs throughout the city.
- Crews assisted with several sidewalk repairs.
- Employees worked to eliminate blind curves by trimming back overgrown vegetation.
- Litter sweeps were performed in various locations in June.

POLICE REPORT JUNE 2021

Grouped call type	Value
Crash, TS, vehicle related	144
Special check/ assignment	72
Investigations	107
N&N/ secretarial	35
General Police	181

VOLUME BY TYPE IN JUNE



JUNE CALLS PER MONTH BY YEAR

2018	456	2018
2019	370	2019
2020	499	2020
2021	539	2021

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: June 25, 2021
Re: Planning Department Update

Planning Department

Code Enforcement

For the month of June, I received 9 reports of tall grass being in violation of the Code of Ordinances. Of the 9 complaints, 8 were found to be in active violation and 7 have since been abated, either by the owner or the City of Lowell Public Works employees.

County Building Inspector Mike Roper and I visited the two abandoned properties on Moose Street to determine if there was sufficient cause to further the complaint driven investigation. From the roadway, it was confirmed that several violations of the minimum/abandoned structure ordinances were occurring and letters requesting access to the property were mailed to the property owners. The Gaston County Inspector and I also made a visual observation from the roadway at 1313 N. Main Street apartment building and a letter was sent to that owner as well. To date I have received correspondence from all three property owners and they are agreeable to allowing us entry for the investigation but request to be present. A letter of violation was also sent to Birch Street regarding chickens.

A violation for unpermitted work has been abated by the owner applying and receiving a zoning permit for a deck.

Zoning:

The Zoning Department has issued 4 permits and 1 plat recombination this month totaling \$325.00

ZP21-38	Accessory/Solar Panels	Jessica Knight	501 Phillips Street	\$25	6/1/2021
ZP21-39	Accessory Structure	Stephanie Armstrong	831 Cobb Street	\$25	6/7/2021
ZP21-40	Plat Recombination	Troy & Lesa Roberts	806 Dogwood	\$75	6/15/2021
ZP21-41	Change of Use	Leslie Taggart	118 N Main Street	\$100	6/8/2021
ZP21-42	Sign Permit (X3)	Nisbit Oil/ Interstate Sign Co.	101 McAdenville Road	\$150	6/8/2021
ZP21-43	Change of Use	Jasmine Hutchens	105 Railroad Street	\$100	6/22/2021

Planning:

City Manager Attaway, Parks and Recreation Director Cristy Cummings and myself met with members of the Carolina Thread Trail met and walked portions of the proposed trail on June 16th. A trail builder and others were present during the walk through and we excited about the potential and natural beauty of the proposed Lowell section of trail. They will work on a plan to show the residents and hopefully get more of the public in support.

During the Planning Boards regularly scheduled meeting on June 1st, all members and staff renewed their oaths.

Stormwater:

City Staff will begin to explore outside resources to select a consultant for initial map creation. I will also be working with the Public Works Director to develop staff training and spill response programs as well as to create and implement inspection forms and checklists for municipal facilities including an inventory of municipal facilities that have potential of generating polluted stormwater. These are part of the NCDEQ Permit requirements that must be met this fiscal year.

We are working with our partners in the RSPC in developing handouts for specific needs in our city to assist in public education and outreach concerning Stormwater for various target audiences.

Parks and Recreation

June 2021 Monthly Report

Events

Hosted Arbor Day event on June 12th. Sold merchandise, live music, food truck, Kona Ice truck, Shred-It event, and handed out free planting kits (to both kids and adults since adults wanted them also!)

Finalized dates for events for the remainder of the year

Created artwork for promotion of events from July thru October

Event listing creations on facebook and website

Scheduled performers and food trucks. Sent off contracts for stage and amusements

Submitting event information to media outlets

Co-hosted 2 Storytime at the Park events with the library

Athletics

Early July, signed contract for new online registration system

Configured settings and layout and set-up new registration system website for July 15th launch

Soccer registration opens July 15 for ages 3-15

Dragging big field for baseball field rentals

Discussions with area Parks and Recreation Departments for fall sports plans and registration dates

Set up of a fall 2021 City of Lowell 20% weekend at Dick's Sporting Goods as part of our contract for their youth sports sponsorship

General

Received confirmation of CaroMonth Health sponsorship awarding the City \$5,000 for our ...In the Park Series

General communications answering inquiries via phone, social media, email

Picking up trash, cleaning Community Center before rentals

New outdoor fitness equipment sign installed at Harold Rankin crediting Lowell Women's Club

Meeting and Facility Tour with NC State for Master Plan

Carolina Thread Trail Meetings

Signed contract for NC State to begin Master Plan. Contract work begins August 1st but P&R Staff are gathering preliminary information now

Social media postings and creation of photos/art for postings

Website updates

Assisted City Hall with brochure updates for Trash Collection

Meeting with Lowell PD with preparation and assisting in duties for National Night Out

Installation of ADA ramp over landscape borders at Bob Bolick Park

Gathering quotes and ordering of 4 new 8' tables for Harold Rankin Park

LCC meeting preparation

Reviewing reports for end of year budget

Assisted PD and City Clerk in creation of Police Officer facebook post and artwork

Agenda Items

Cemetery Rules – LCC item

Lowell Volunteer Fire Department

Lowell, NC

This report was generated on 7/3/2021 10:57:49 AM



Incident Type Count per Station for Date Range

Start Date: 06/01/2021 | End Date: 06/30/2021

INCIDENT TYPE	# INCIDENTS
Station: 17 - STATION 17	
100 - Fire, other	1
111 - Building fire	1
113 - Cooking fire, confined to container	1
311 - Medical assist, assist EMS crew	1
322 - Motor vehicle accident with injuries	5
324 - Motor vehicle accident with no injuries.	6
411 - Gasoline or other flammable liquid spill	1
481 - Attempt to burn	1
500 - Service Call, other	1
511 - Lock-out	1
561 - Unauthorized burning	1
611 - Dispatched & cancelled en route	3
631 - Authorized controlled burning	2
700 - False alarm or false call, other	1

Incidents for 17 - Station 17:

26

Only REVIEWED incidents included.



emergencyreporting.com

Doc Id: 857

Page # 1 of 1

Finance

June 2021 Monthly Report

Utility Billing

Stormwater Utility is currently being integrated into the City's billing and financial software to bill with Water/Sewer bills at the end of July

Working through issues with Mueller Mi.Net (service addresses with incorrect reading multipliers, meters not responding in the network, etc.)

Foot traffic at City Hall has increased as the effects of the pandemic continue to decline

Sue completed a three-day training course with UNC School of Government and received a certification in Utilities Billing and Collections Administration – we will be utilizing this new knowledge and instruction to further bolster and enhance our Utility Billing policies and requirements

Finance

Awaiting deposit for ARP funding – bank account has already been established to house funding separate from our general checking. Will likely need to establish a Special Revenue Fund to properly account for this money. Appropriations are still TBD - limited guidance has been provided for allowable costs at this time

Fiscal Year 2022 is underway – budget template is nearly complete to sync with our financial software and link to the City's General Ledger accounts

Cleaning up Fiscal Year 2021 General Ledger accounts and budget transfers; working through rolling prior year fund balance in preparation for our annual audit with Butler & Stowe

Powell Bill Expenditure Report is due August 1st

LGC 203 Semi-Annual Report of Cash is due July 31st

General

Community Center has seen a high volume of renters – no fridge has not been an issue