

# MINUTES

Lowell Planning and Zoning Board

Regular Meeting

Tuesday, June 7, 2022, 6:00 P.M.

## I. CALL TO ORDER

Without an elected Chair in attendance, Mr. Attaway stated that someone needed to act as temp Chair one for the meeting. David Jennings made a motion for Scott Wilson to chair, seconded by Norris Lamb. The vote was unanimously in favor. Scott Wilson, acting Chair called the meeting to order at 6:04 p.m. Planning Board members present: Troy Roberts Sr., David Jennings and Norris Lamb. Staff members present: Scott Attaway, City Manager, Joe Gates, Planning Director, and Cheryl Ramsey, City Clerk. Members of the public were also in attendance.

## II. DETERMINATION OF QUORUM

## III. PLEDGE OF ALLEGIANCE led by Scott Wilson

## IV. CHANGES TO AND APPROVAL OF AGENDA

No changes were made. Motion was made by Board Member Jennings to approve the agenda, seconded by Board Member Roberts. The vote was unanimously in favor.

## V. APPROVAL OF MINUTES FROM THE APRIL 5, 2022, MEETING.

Motion was made by Board Member Roberts, to approve the previous minutes, seconded by Board Member Lamb. The vote was unanimously in favor.

## VI. NEW BUSINESS

- A. Appointment of Chairman and Vice Chair – Mr. Attaway informed the Board that he received a message via text from John Cantrell that he would no longer be on the Planning Board. A formal resignation has not been received. He stated at minimum the Board can table the Vice Chair to another meeting but a Chair would need to be nominated this evening. Board Member Wilson asked for clarification on when a Chair would get to vote on matters. Mr. Attaway stated the Chair would get to vote. After some discussion, Board Member Roberts made a motion for Scott Wilson to be the Chair, seconded by Board Member Lamb. The vote was unanimously in favor. Chairman Wilson stated the Vice Chair will be tackled later.
- B. Consideration of Rezoning Case for parcels 225354, 128306, 128316, 128315, 128304, 128305, 128307, 128128929, 128999, 128318, 225350, 128321, 128322, 128333, 128334, 225352. From the Main Street (MS) Zoning District to the Mixed Use-2 (MU-2) Zoning District. Case #RZ22-02. Presented by Joe Gates, new Planning Director. Mr. Gates

introduced himself and gave a very brief background. He then went into his power point demonstration regarding the general rezoning application, case #22-02 showing what you can and can't currently do in this zoning area to what is proposed as a catalyst for development in Lowell. Staff recommends approval of this rezoning and has determined it to be consistent with the Future Lan Use Plan and the I-85 Exit 22 Gateway Master Plan. Mr. Attaway also discussed the potential uses and the ideas envisioned by the property owners. The current LDO shows that anything built in this area would have a minimum of two floors. The new LDO would allow for multiple heights or mixed use. It would also allow building further away from the highway and not have something like a hotel directly off a highway exit. Board Member Lamb then asked for more clarity on the location. Mr. Gates said it the frontage of Main Street and Reid St or the large area by Hillbilly's restaurant that the City no longer owns. Board Member Norris asked if we have addressed the property across the street yet? Mr. Attaway said that owner has not requested rezoning.

Chairman Wilson then asked the developer to speak and give an idea of what will go here. Mr. Rob Presley of June Lake LLC stated he intends to develop property but is still in the process of determining the best use. They have talked to most of City Council to get their feedback and will be talking to the community for their input as well. They have looked at the potential for higher density residential townhomes at the back of the site, free standing retail for the front of the site to match with the aesthetics of Hillbilly's Restaurant, and they have looked at a hotel for this location and possibly another restaurant. This is all in the early stages. Board Member Jennings asked for clarification in the location. Mr. Presley stated it was the 8 acres at the exit 22, Reid St up to Hillbilly's. They are also trying to work around the stream in the area. Looking at a wet pond near the Sonic as a gateway into town. He also mentioned his company owns 17 acres on Rt. 7 that they are also considering developing. Mr. Attaway reminded the Board that this is for a general rezoning and how they are required to make a motion to approve or deny the request.

With no other questions, Board Member Norris made a motion that we approve the proposed assignment of zoning which is consistent with the City Plan 2040 Comprehensive Plan and will result in the development of commercial development. The Planning Board considers an affirmative vote to be reasonable and in the public's interest. It was seconded by Board Member Jennings and the vote was unanimously in favor.

- C. Consideration of LDO Text Amendment to Article 7, Development Agreements, section 7.15. ZTA22-2 – presented by Joe Gates. Proposal by staff to add language (highlighted) in subsection B of section 7.5 that states “Traditional Neighborhood Development Overlay (TNDO) District, Main Street (MS) District, and Mixed Use (MU-1 and MU-2) District and apply to all new development projects within the TNDO, MS, MU-1, and MU-2 Districts. This requirement shall not apply to any developments that are one (1) acre or less in size. Mr. Gates stated that currently the LDO requires a Development Agreement for all developments in these areas and that could prove to be potentially overbearing for developers doing something small in size. The added language will allow staff to continue take care of smaller projects of 1 acre or less and deal with that at the staff level (i.e. going

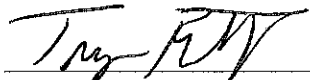
over site plans). Mr. Attaway stated that for the larger developments, building a city street or utility extensions agreements, you want to have a Development Agreement to protect both the City and the developer. Board Member Lamb said he is for anything that streamlines the process to get things done more easily. Board Member Jennings asked if it's just 1 acre or less? Mr. Attaway said yes, that is the only addition to the code. Tony Markentel of Stonecrest Homes spoke and mentioned how a few years ago the State Government requirement was for 25 acres or more and if you didn't have 25 acres or more, you couldn't require that. It was changed a couple years ago when they realized it was causing issues for smaller towns and agreeing to finish projects. Mr. Attaway said you might need it for high density areas like Uptown Charlotte using a small acre to build something like a high rise. He said that this is a living document, and it can be changed to go with the times as necessary. With no other discussion, Board Member Lamb made a motion to accept the request, seconded by Board Member Roberts. The vote was unanimously in favor.


- D. Training – David Williams, AICP introduced by Joe Gates. Mr. Williams went over the rezoning process in depth and how to help the city grow.

## VII. ADJOURN

Motion was made to adjourn by Board Member Jennings, seconded by Board Member Roberts. The vote was unanimously in favor by the group. It adjourned at 8:30pm.

AFFIRM:

  
\_\_\_\_\_  
Acting Chair

  
\_\_\_\_\_  
Cheryl Ramsey, City Clerk