

# **MINUTES**

Lowell Planning and Zoning Board

Regular Meeting

Tuesday, August 2, 2022, 6:00 P.M.

## **I. CALL TO ORDER**

Troy Roberts, acting Chair for the meeting, called the meeting to order at 6:08 p.m. Planning Board members present: Troy Roberts Sr., Heather Seay, David Jennings and Norris Lamb. Staff members present: Joe Gates, Planning Director, and Cheryl Ramsey, City Clerk. Scott Attaway, City Manager joined at 6:48pm. Members of the public were also in attendance.

**II. DETERMINATION OF QUORUM** – with four members in attendance, it was determined a quorum was reached.

**III. PLEDGE OF ALLEGIANCE** led by Troy Roberts Sr.

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

It was determined Heather Seay needed to be sworn in as a new member of the Planning Board. Board Member Lamb made a motion to approve the change to the agenda. Board Member Seay was then given the Oath of Office as a new member of the Planning Board by the City Clerk. Motion was made by Board Member Lamb to approve the agenda, seconded by Board Member Jennings. The vote was unanimously in favor.

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

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

**VI. OLD BUSINESS** – None

## **VII. NEW BUSINESS**

A. Appointment of Vice Chair – Acting Chair Troy Roberts made a motion to nominate Board Member Norris Lamb, seconded by Board Member Jennings. The vote was unanimously in favor with Board Member Lamb abstaining from the vote.

B. Consideration of Rezoning Case #RZ22—03 for parcels 136564, 210660, and a portion of 135144, 202166 and 202774 from the SFR-3 and SFR-2 (Single-Family Residential) Zoning District TO SFR-4 (CZ) Single-Family Residential Conditional Zoning District. Mr. Gates explained to the board that this was approved by the Planning Board a couple months ago. The public hearing was set for this item to be heard by City Council but did not take place. He highlighted the plan regarding the Pulte group on the Lowell side of Spencer Mountain. The applicant came back to the Planning Board with a revised site plan

that includes a portion of the wooded area being removed from the development completely to be set aside sold for conservation with the Catawba Lands Conservancy. The applicant is not proposing any changes to the prior conditions or the maximum number of units (422). The applicant is requesting to rezone to SFR-4CZ to construct a maximum of 422 single family detached homes on 226.29 AC, down from 289.99 AC in the previous submittal. The reason for the drop of acreage is due to the developer lessened area from the development but still less than 2 acres. Board Member Jennings asked to explain the difference in SFR2 and SFR4. Mr. Gates referred to the April 2022 minutes (in agenda packet) and the map location. He stated it is consistent with the future use map.

The applicant was asked to speak by Acting Chair Roberts. Bridget Grant, Land Use Consultant with Morgan Allen Group introduced herself and others with her; Melissa Oliver with Pulte Group and Rob Reddick with McAdams. Ms. Grant gave a brief presentation reiterating the reason for the application for rezoning.

Vice Chair Lamb explained to the new Board Member Seay that the group addressed all the issues and answered all questions when the Planning Board met in April. Ms. Oliver asked Mr. Gates if the land needs to be platted before Council approves. He said it would be good to do so but not necessary before the hearing.

With no other questions, Board Member Norris made a motion to accept to approve the new zoning agenda, seconded by Board Member Seay. The vote was unanimously in favor. Mr. Gates said it will be presented to Council for them to set a public hearing at their September meeting.

- C. Consideration of LDO Text Amendment to Table 8.1 Table of Uses. Removing the usage of barber shops and beauty salons from the downtown district. They are both allowed in the five districts if the board votes to take it out of the Main Street (MS) district. Board Member Jennings asked if they can come back later on as a beauty shop. Mr. Gates explained how grandfathering works. Board Member Lamb asked if we say yes and Council says yes, do the current owners get a letter or notification. Mr. Gates said the City is required to post in the paper of the public hearing to which all are invited but no individual letter is provided. Acting Chief Roberts asked if they own or lease. Mr. Gates did not know but those currently in the lots are grandfathered in. After some discussion, Acting Chief Roberts asked if this is basically for revitalizing downtown and helping other businesses come into the downtown area. Mr. Attaway said that the zoning is a tool for them and Council to steer land uses they want in certain districts. For example, the storefront churches are not the retail traffic you would expect so that was taken out of the ordinance. Mr. Gates stated that this ordinance would essentially just be a cap on the current shops and grandfathered in and not allow any additional ones in the downtown district. Mr. Attaway reminded the board that the ordinance can always be changed back if needed. With no other discussion, Board Member Lamb made a motion for consideration of LDO text amendment to Table 8.1, seconded by Board Member Seay. The vote was unanimously in favor. It will go to City Council for approval.

## VIII. ADJOURN

Motion was made to adjourn by Board Member Jennings, seconded by Board Member Lamb. The vote was unanimously in favor by the group. It adjourned at 6:59pm.

AFFIRM:



Chair, Scott Wilson



Cheryl Ramsey, City Clerk