

# MINUTES

Lowell Planning and Zoning Board  
Regular Meeting  
Tuesday, February 7, 2023, 6:00 P.M.

## I. CALL TO ORDER

Chairman Scott Wilson, called the meeting to order at 6:02 p.m. Planning Board members present: Heather Seay, Troy Roberts Sr., and Norris Lamb. Staff members present: Joe Gates, Planning Director, and Cheryl Ramsey, City Clerk. Members of the public were also in attendance.

## II. DETERMINATION OF QUORUM –it was determined a quorum was reached.

## III. PLEDGE OF ALLEGIANCE - led by Scott Wilson

## IV. CHANGES TO AND APPROVAL OF AGENDA – No changes were proposed to the agenda. Board Member Lamb made a motion to approve the agenda, seconded by Board Member Roberts. The vote was unanimously in favor.

## V. APPROVAL OF MINUTES FROM THE NOVEMBER 1, 2022, MEETING.

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

## VI. OLD BUSINESS – None

## VII. NEW BUSINESS

A. General Rezoning Application – ZMA23-01-Rob Pressley/Lowell OZB, LLC  
Presented by Joe Gates. This is a request to rezone approximately 4.48 acres from Vehicle Service & Repair District (VSR) and Civic District (CIV) to Industrial District (IND). The subject properties are located west of Phillips Street and east of Peachtree Street. The property is owned by LOWELL OZB, LLC. The applicant is requesting to make the entire area Industrial. Mr. Gates provided the board members maps for review. Board Member Lamb asked if the church there would be changed to industrial as well? Mr. Gates replied no, the map illustrates the adjacent parcels because it is part of the application process. The applicant was required to submit the addresses to determine who will notifications regarding the public hearing held by City Council. Board Member Lamb asked what structures are currently on the property? Mr. Gates said the larger parcel is undeveloped. The only development on the larger parcel is electrical

infrastructure from Duke Energy. There are some smaller structures on the smaller parcel left over from the water tower, but nothing is being reused.

The applicant, Rob Pressley of 2216 Monument St, Charlotte, NC talked of buying the property a year ago and sees it as a gateway property into Lowell from Gastonia. His vision encompasses two sides of the road. The smaller lot is roughly a 5-acre strip and is where they see an opportunity for flex space that is prevalent around the region, lighting showrooms for example. They realized after they bought the property that it all needed to be zoned Industrial. They also realized that Lowell had not allowed, through their Industrial zoning, for flex space as other municipalities do. They then decided they would also need to request a text amendment to add -Industrial flex space in the [Lowell] ordinance. He then said their plan on one side of the road is to build three (3) 17,000 sq ft buildings in a row that will be architecturally attractive on the front of the building. Around the back of the property where the railroad track is, will be a series of roll up doors. Flex spaces typically allow for different types of business to all be in one building with warehouse space in the back. They want customers to park in the front part of the business and enter through a showroom type storefront for example, then go around back to pick up their purchases. He said it is not heavy manufacturing or distribution. He stated a lot of Gaston businesses are seeking this type of space, like electrical companies for example.

Mr. Pressley also stated that across the street which is not in question tonight but he wanted to be transparent, they plan to do a headquarters type building with office space inside. They don't have a specific plan but he is not asking for rezoning as it fits into Lowell's current zoning. That plan will come to the city later. He said their goal is to make sure the buildings are attractive and have a similar look and give people a sense of them coming into town with sidewalks and shrubbery. Chairman Wilson stated that it is consistent with Ranlo with the two food distribution centers and the industrial and commercial businesses that comes down Highway 7. Mr. Pressley said the clean, modern, fresh looking of the new development coming from Gastonia to Lowell will show people that new stuff is occurring and that the city has things going for itself. He said he thinks it's time for McAdenville and Lowell to receive the economic development that Belmont and Gastonia receive but in order to get the businesses to come, you have to give them space that they can lease.

Board Member Seay asked if they had any idea when they would start building. If this goes well and assuming City Council votes on it in the March meeting, his engineers are ready to go. He'd like to see the first building completed by the end of the year and they are ready to go with or without tenants.

Board Members Lamb mentioned he liked the idea of flex spaces. Chairman Wilson agreed and said it was consistent with Highway 7.

With no other questions or comments, Board Member Lamb made a motion to approve zoning due to it being consistent with the land use designation identified in the Lowell City Plan 2040 and is in compliance with the current zoning in the area, so I move the Planning Board considers an affirmative vote to be reasonable and in the public interest. It was seconded by Board Member Seay and the vote was unanimously in favor.

- B. Text Amendment Application – ZTA23-01 – Rob Pressley/Lowell OZB, LLC. Presented by Joe Gates. The request is to amend Article 3 – Definitions, Abbreviations and Symbols, Article 8 – Districts, Article 9-Building & lot Type Standards and Specifications & Article 12 – Off-Street parking, Stacking and loading areas of the Lowell Development Ordinance (LDO) to allow for a new classification/use category of “Industrial Flex Space”. Mr. Gates said that as previously stated by Mr. Pressley, the LDO does not currently have flex space specifically stated in the table of uses. He then went over each of the Articles, noted above and emphasized the limitation in article 9.8-2 to allow one row of parking in the front of the property. Board Member Lamb asked if this was the same parking situation set up like the strip mall beside City Hall. Mr. Gates said he'd have to go back and check but it would be similar in the sense that only one row of parking between the road and the building would be allowed.

With no further questions, Board Member Lamb made a motion to accept and approve the four new additional definitions as well as changes to those that have been presented, seconded by Board Member Roberts. The vote was unanimously in favor. Mr. Pressley added that he thinks this decision would be good for Lowell as it will allow flexibility in future projects. Mr. Gates told Mr. Pressley and the Board that City Council is setting a public hearing at the next meeting next week to take place hopefully in March.

- C. Text amendment Application – ZTA23-02-Lowell Staff. Presented by Joe Gates. This is a request to amend Section 8.4-5 – Civic District (CIV) of the Lowell Development Ordinance to reduce the minimum lot size and minimum lot width. City Staff is requesting a reduction in the minimum lot size from 20,000 square feet to 10,000 square feet and the lot width from 96 feet to 70 feet to allow for more diversity in the size and scale of development in the Civic District. Board Member Roberts asked where the large civic space parcels are currently? Mr. Gates showed a map of Lowell and noted that Poston Park, the chemical plant, Holbrook, some churches are examples throughout the City.

Board Member Lamb asked if there is any civic land available or are they all in use? Mr. Gates stated that there are some other vacant properties like a churches for example may sell off a portion of their land. He said the amendment provides

the flexibility for other smaller civic uses and not necessarily have to get a large piece of land. Board Member Seay asked if this was a general staff recommendation or are their people that have not been able to build or do what they wanted because of the original ordinance. Mr. Gates said that we may have had some conversations but when they were looking at what can people do if a property is located in the Civic zoning district. That then triggered staff to look more at the ordinance and realize the minimum size was pretty big. When you look at the uses that were listed in the ordinance, staff determined it would be a better idea to make the minimum lot requirements a little smaller. He stated the majority of the parcels zoned Civic will stay as they are but as the city continues to grow and gets more requests for rezonings and development, this could be a helpful tool to open up more properties with a more manageable and smaller tract of land.

Chairman Wilson said that 10,000 sq ft is pretty small. Mr. Gates said that applicants can always go bigger, this is just the minimum. Chairman Wilson asked if Mr. Gates was thinking of a small park. Mr. Gates said it could be. It says you can educational, medical, governmental, religious and other institutional types of uses.

With no further questions, Board Member Roberts made a motion that we approve this ordinance is consistent with the Lowell 2040 Comprehensive Plan to adopt the new 10,000 square foot minimum and the width as well with the new development ordinance. It was seconded by Board Member Seay and the vote was unanimously in favor.

- D. Reservation of Utility Service – Gaston County Public Works – Lowell Elementary School. Presented by Joe Gates. This request is to extend water service outside City of Lowell municipal limits and set new water service to fee Lowell Elementary School. City Manager Scott Attaway came in at 6:50pm to address this request first. He stated in November 2021, the city adopted a Utility Allocation Extension policy when annexing for the Pulte development on Spencer Mountain Rd. When annexing you have to have an updated process to provide city utilities. This policy explained that process and gave prioritization of what projects rise to the top of the list as well as how to provide utilities for entities outside of city limits.

He stated the capacity levels for sewage at our treatment plant is 600,000 gallons and hovers at 220-270,000 gallons per day or about 50%. The State says when a city starts to get close to using 80% of your capacity, you have to start engineering plans for a new Wastewater Treatment plant or look to a regionalization approach. Once capacity is at 80%, the city can't approve any more developments until there is a new plant or starting the process to regionalize. You can continue to grow once this plan is submitted; however at 90% the State

will put a stop to growth. This plan has been discussed since 2005 and it was decided to regionalize. The City applied for a regionalization grant about a month ago for \$9 million and should find out if we will receive it soon. The city is looking to future capacity levels as the city continues to grow. He then discussed the things that effect sewage capacity including inflow infiltration that deteriorate the pipes and rainwater. He also stated what the city is doing to help includes inventory of manholes that are decaying and using a CDBG grant for pipe lining.

He then discussed how the State allows us to grow our sewer system. The State says for every bedroom of a new house we assume that is 120 gallons of sewer per room per day. He stated that is higher than people actually use but it is what the State holds us responsible for. The city did some monitoring in the River View area, the largest neighborhood in Lowell, and determined that the average is 58.6 gallons per bedroom per day. The city then applied for flow reduction approval in November 2022 and they just approved it to 60 gallons per room per day.

He stated that the item on the agenda is for water only but he wanted to explain the background and what we are facing. Through ARPA funds, the county prioritized money for some of the schools and on was Lowell Elementary. Lowell Elementary is currently fed by a two-inch line coming from the Mill causing pressure issues, poor water quality and supply issues. Mr. Gates then showed a map of their line and explained what is happening at the school. The County wants to take the main line to set up a new water line to feed the school using the ARPA funds. They are asking for a 3,400 gallon water flow per day which is doable; however, Lowell Elementary is in McAdenville. They are also asking for a fire hydrant in front of the school. Because it is outside city limits, it has to be approved by the Planning Board then City Council. They already have existing sewer to McAdenville

Board Member Lamb asked if it will dead-end or connect to anything on the other side. Mr. Attaway said we can't connect it into them because you can't interconnect into that system because there are so many unknowns in the water line from the Mills. Mr. Gates said once it is approved by City Council then we would get into the design of the new line with the engineers but couldn't say for sure if it will dead-end. Mr. Attaway added that it dead ends on River View.

Mr. Gates then went over the hierarchy that must be followed to the evaluation of utility allocation requests and the application for service. Board Member Seay asked if it would affect the water pressure in River View. Mr. Attaway said no. She then asked if the county is paying for the line would the City of Lowell get the revenue? Mr. Attaway said yes. Chairman Wilson asked who is going to do the actual work. Mr. Attaway said the county's contractor including their own

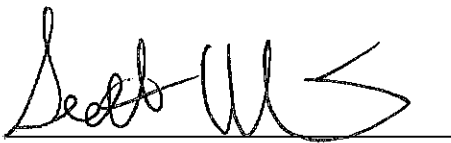
engineering then we take over. He said our engineers, LaBella will be watching and inspecting to ensure they are meeting standards. Board Member Lamb asked when is the anticipated date to doing all of this? Mr. Attaway stated he thinks the County is trying to move on this project now and the use of ARPA funds must be allocated by 12/31/2024 with it all spent by 12/31/2026. He would assume they would start on it when school is not in session but will keep them posted.

With no further questions, Board Member Seay made a motion to approve extending the water service to Lowell Elementary school, seconded by Board Member Roberts. The vote was unanimously in favor.

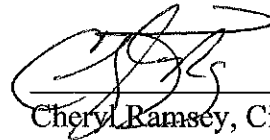
### VIII. ADJOURN

Motion was made to adjourn by Board Member Lamb, seconded by Board Member Seay. The vote was unanimously in favor. Adjourned at 7:33 p.m.

AFFIRM:



Chair, Scott Wilson



Cheryl Ramsey, City Clerk