



Lenoir Planning Board

Agenda • May 23, 2022

Meeting Information

Location

City /County Meeting Room
905 West Avenue
Lenoir, NW 28645

Time

5:30 p.m.

Board Members

Lucy McCarl, Chairperson

Jeff Church, Vice-Chair

Curtis Baker

James Bradshaw

Sharon Bryant

Kyle Case

Michael Careccia

Marta Lazo

Tim Scobie

Vacant Seat

Welcome!

We are glad you have joined us for tonight's meeting. The Lenoir Planning Board is an advisory board to City Council comprised of citizen members who voluntarily devote their time and talents to a variety of zoning and land development issues in the community. All Planning Board recommendations are subject to final action by City Council.

General Rules of Order

The Board is pleased to hear all non-repetitive comments. However, since a general time limit of five (5) minutes is allotted to the proponents/opponents of an issue, large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request/Lobbyist Registration Form and give it to the Recording Secretary. When the Chairperson recognizes you, state your name and address and speak directly into the microphone. ROBERT'S RULES OF ORDER govern the conduct of the meeting.

OATHS OF OFFICE

Lauren Hartley, a Notary Public, will administer oaths of office to all Planning Board members in attendance.

OPENING SESSION

- Determination of a Quorum
- Call to Order
- Consideration of March 28, 2022 Minutes

NEW BUSINESS

Comprehensive Plan 2022:

1. Resolution amending Lenoir’s Comprehensive Plan to include the recommendations of subsequent planning efforts, such as the Pedestrian Plan, Bicycle Plan, and the North Main Small Area Plan, which were undertaken in accordance with the adopted Comprehensive Plan and have always been understood to function as amendments to that Plan. The resolution also addresses maintenance, implementation, and data management, and proposes 3 new special study areas that have been identified as priorities for Council.

Staff proposes this action to demonstrate compliance with 160D-501(a) which requires the comprehensive plan to be “reasonably maintained.”

OTHER BUSINESS

1. **Update on zoning permits issued.**
2. **Update on board appointment schedule and term lengths (3 years for PB and BOA)**

ADJOURNMENT

**MINUTES
PLANNING BOARD MEETING
March 28, 2022
5:30 P.M.**

LOCATION:

City /County Meeting Room
905 West Avenue

MEMBERS PRESENT: Curtis Baker, Jeff Church, Marta Lazo, Lucy McCarl, Tim Scobie

MEMBERS ABSENT: Sharon Bryant, James Bradshaw, Mac Martin

STAFF PRESENT: Jenny Wheelock, Hannah Williams, Lauren Hartley

Chairperson McCarl called the meeting to order.

MINUTES:

Board Member Scobie moved approval of the meeting minutes of February 28, 2022. Board Member Church seconded the motion, which was voted upon and passed by unanimous vote.

NEW BUSINESS:

1. R# 2-22 Summerhill Subdivision Phase I/II

Applicant: Cape Hatteras, LLC
Owner: Cape Hatteras, LLC (majority owner); various
Location: Summerhill Subdivision Phase I/II

Proposed re-zoning from R-12 to Conditional Zoning (will be “CZ-8” on the Official Zoning Map). The proposed CZ-8 district seeks to retroactively approve the reduced setbacks shown on the Phase 1 plat, and modify previous conditions related to stormwater management.

Recommended Action: Approval of the request, and call for a public hearing at City Council on April 19, 2022.

This item was presented by Planning Director, Jenny Wheelock using the staff report and PowerPoint. She stated the applicant has requested the setbacks be reduced to 20’ front yard, 10’ side yard, 20’ rear yard, and 15’ streetside yard. The original plat was approved in 2007, showing these setbacks but the record doesn’t reflect approval of the modification. The limitations on the overall built upon area will help with the stormwater runoff. There were only 2 houses built in 2007, then development started back in 2019.

The developer was cited in 2007 by the NCDNR for construction site run-off and was required to install sediment control measures. Ms. Wheelock presented photos of the stormwater issues and erosion. She stated there is land that can be used to capture the erosion and the water before it

becomes elicited discharge. An HOA will need to be established to help maintain the stormwater, commonly owned open space, and signage.

Chairperson McCarl asked at what point would the erosion issue be addressed. Planning Director, Wheelock stated some of the infrastructure is working as it should. Once the survey is complete, a plan for stormwater will take place. The developer will need to get an engineer and respond more to the City in the future. In the conditions on the staff report it states no building permits can be issued until this is complete.

The applicant, Rebecca Cobey from Chapel Hill, NC stated she grew up in Lenoir. In 2005, the land was bought and they hired a developer. Only 2 houses were built in 2007 until 2019 and no stormwater was being maintained. Mrs. Cobey stated they are going to fix the problem by turning over some lots to the HOA. They have contacted an attorney, surveyor, and engineer to start the process. The setbacks made by the original developer are also a problem and need to be corrected.

Laura Cassell at 1215 Summerhill Street SW stated she is concerned with the HOA and the restrictions that come with it. She is on board with the reduced setbacks and the water issue. Mrs. Cassell stated they did not sign up for a HOA or restrictions when the property was purchased.

Planning Director, Jenny Wheelock responded that the City would not require any restrictions for the HOA, it would be through zoning. The newly established HOA will probably be less restrictive. The City is only requiring there be an entity to be responsible for the stormwater if there is a problem.

The applicant, Rebecca Cobey stated they have never collected money from the HOA, any expenses they have paid for themselves. Once they meet with the attorney, they plan to do away with the restrictions and make the HOA for stormwater management.

Board Member Scobie made a motion to approve the Conditional Zoning district CZ8 for Summerhill Subdivision Phase 1/II and the addendum with conditions and call for a Public Hearing for City Council to consider the request on April 19, 2022. Board Member Church seconded the motion, which was voted upon and passed unanimously.

OTHER BUSINESS

1. Staff provided an updated list of issued zoning permits to the board, as general information.

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the Planning Board meeting at 6:20 p.m.

Lucy McCarl
Chairperson

Jenny Wheelock
Planning Director

**A RESOLUTION OF THE CITY COUNCIL OF LENOIR, NORTH
CAROLINA AMENDING THE 2007 LENOIR COMPREHENSIVE
PLAN TO INCORPORATE BY REFERENCE THE PLANS, STUDIES,
AND POLICIES DEVELOPED SINCE ITS INITIAL ADOPTION AND
ESTABLISHING A PROTOCOL FOR MAINTAINING AND
AMENDING THE PLAN IN THE FUTURE.**

WHEREAS, the Lenoir Comprehensive Plan contains the general policy of the City Council to be used as a guide for development, the scheduling of capital improvements, preparation of budgets and ordinances, and operating procedures to implement the plan; and,

WHEREAS, the purpose of the Comprehensive Plan is also to provide general guidance to City agencies, other public agencies, private individuals, and organizations as they prepare detailed plans, programs, and ordinances; and,

WHEREAS, it is the intent of the City Council to maintain and amend this Comprehensive Plan as the official statement of City Council policy concerning the future development of the City of Lenoir; and,

WHEREAS, the City has been devoted to continuous and ongoing public engagement around planning and development, using the concepts and strategies in the Comprehensive Plan as a starting point to develop more detailed plans around specific citywide goals (like Historic Preservation and bike/pedestrian facilities) as well as smaller geographic subareas (like the North Main Street and Fairfield South vision plans), and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT THE LENOIR COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:

Section 1. The following plans, studies, and vision concepts are hereby adopted and incorporated by reference into the Lenoir Comprehensive Plan:

- a. **Bicycle and Pedestrian Plans.** Developed through the support of NCDOT Planning grants, the 2012 Lenoir Pedestrian Plan (prepared by consulting firm McGill & Associates) and the 2018 Lenoir Bicycle Plan (prepared by Kimley-Horn) represent a comprehensive vision for connected bike/ped facilities within the City of Lenoir. The plans call for a robust alternative transportation network that prioritizes multi-use paths (greenways) as a way to connect the City's recreation facilities as well as link residential areas with activity nodes like employers, schools, and shopping.
- b. **North Main Street Small Area Plan.** Adopted in 2015 following a year-long community input process, this plan applies many of the strategy recommendations contained in the Comprehensive Plan related to historic preservation, infill development, streetscapes, Downtown development, beautification, and neighborhood stabilization in a specific, context-sensitive manner for the northern gateway to the Historic Downtown. Map 3 of the Comprehensive Plan identified only three "downtown gateways" (West

Harper Avenue, East Harper Avenue, and Mulberry Street) – with the adoption of the N. Main Street small area plan, a fourth “downtown gateway” is established.

- c. **Overmountain Victory National Historic Trail Master Plan.** A multi-jurisdictional plan developed in partnership with the National Park Service, consulting firm Destination by Design worked with the City of Lenoir, Town of Gamewell, City of Morganton, Caldwell County, Burke County, and Caldwell County Pathways to present a feasible multi-use path/greenway alignment that would connect the participating jurisdictions following the congressionally-designated Overmountain Victory Trail corridor. Within the City of Lenoir, a large portion of the alignment follows a segment of rail right-of-way that was discontinued in 2006. The 2007 Comprehensive Plan called for a “Rails to Trails” project along the discontinued corridor – the OVNHT master plan further refines that vision. (Since the adoption of the OVNHT master plan in 2015, the rail corridor has been successfully “railbanked” and the trail is under construction.)
- d. **Fairfield South/Lenoir Mills.** The 2007 Comprehensive Plan and Future Land Use map identifies several historic industrial properties located just west of Downtown Lenoir as “transitional” properties, and contains a multitude of strategies in support of adaptive re-use of industrial buildings, as well as support for participation in the state’s Brownfield program to address real or perceived issues with contamination on these sites. The Fairfield South Vision was created through community input and planning staff analysis in 2015, taking individual policy concepts and strategies from the Comprehensive Plan to connect planning efforts around the rail trail, historic preservation, support for Downtown, creating opportunities for multi-family residential, cleaning up industrial sites, and facilitating re-use of the historic train depot. The Fairfield South Vision attracted developer interest early-on, and evolved into the Lenoir Mills project.
- e. **Neighborhood Map.** The Planning Board and Planning Staff engaged the public in 2018 in an effort to document commonly understood neighborhood boundaries, recognizing that while not official political demarcations, neighborhoods are the basic building blocks of the City. The resulting map is intended to generally represent the various unique neighborhoods in the City, providing a tool to organize future neighborhood input and outreach. The neighborhood map is hereby added to the map series found in the Comprehensive Plan.
- f. **Branding and Way-finding.** In 2016, the City engaged Destination by Design to develop a “brand” for Downtown Lenoir – extensive public input was sought during this process, and a new logo and tagline “Together We Create” was born for the Downtown. Initial implementation included a new website, promotional merchandise, and street light pole banners in the Downtown core – advancing many of the concepts contained in the Downtown section of the comprehensive plan. As a follow-up, Destination by Design was again engaged in 2020 to develop a city-wide brand and a vehicular way-finding plan. The City brand plays off the Downtown concept, with the tagline, “Create with Us.” Both efforts are in the initial

implementation stages, and incorporating the brands and planned signage/beautification projects provides additional context for the strategies in the Comprehensive Plan.

Section 2. Implementation and Evolution In its current format, the plan recommendations are difficult to cite specifically, or surgically amend as implementation results in better information or necessitates small “tweaks” or shifts in policy. The concepts contained in the plan are still relevant and useful, especially considering the additional details provided by incorporating the items listed in Section 1. In order to be more transparent in the progress, staff is hereby directed to develop a numbering convention for the plan’s individual, actionable policy recommendations, as well as a maintenance schedule for review and amendments. Items deemed “completed” may be proposed for deletion. As new data or trends emerge, additional policies may be added.

Section 3. City Profile/Data Management Extensive data collection and analysis of transportation, housing, and population/demographic metrics is an essential step in the Comprehensive Planning process. Much of the data the City uses is maintained by the WPCOG, and publicly available online. The data helps us identify emerging trends, make projections and predictions about future growth, and track change over time.

The 2007 Comprehensive Plan was adopted with data from 2005, and the optimistic growth projections contained in the analysis were essentially outdated when the plan was adopted. However, the policy concepts are still relevant and useful for the areas within the City that experienced growth pressures. As we maintain and refine our comprehensive plan, so too must we maintain and refine the data we have available. However, the data itself is not a part of the plan. In order to streamline the document, and avoid the need for plan amendments related only to updating the City’s data profile, staff is directed to re-locate the supporting data sections of the plan to a separate “City Profile” document during the next amendment cycle.

Section 4. Special Study Areas The following Special Study Areas are hereby created:

- a. Whitnel Special Study Area
- b. West End Special Study Area
- c. 321 South Special Study Area

These are areas that have been identified during strategic planning retreats with the City Council as being places worth studying individually for recommendations related to future land use, attracting investment, attractive yet feasible development standards, and community outreach to better understand the dynamics at play in these areas that have lagged behind other places in the City as far as attracting new investment. The current plan policies and future land uses shall continue to apply to these areas until changes are proposed, but these geographic areas are established as priorities for the next amendment cycle(s).

Adopted this the 7th day of June 2022.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**SHIRLEY M. CANNON
CITY CLERK**

APPROVED AS TO FORM:

**TIMOTHY J. ROHR
CITY ATTORNEY**

03/21/2022 - 05/12/2022

Permit #	Permit Date	Permit Type	Applicant Name	Issued Date	Description	Parcel Address
----------	-------------	-------------	----------------	-------------	-------------	----------------

Group: Accessory

2022084	5/4/2022	Accessory	DCR Enterprises LLC/Eric Schrum	5/4/2022	inground pool	1010 CAMBRIDGE CT
2022082	5/2/2022	Accessory	Maegan Stone	5/2/2022	backyard chicken permit	911 PLANTATION DR
2022081	5/2/2022	Accessory	Wanda Foster	5/2/2022	backyard chicken permit	1327 CONNELLY SPRINGS RD
2022073	4/26/2022	Accessory	Aleashia Ramseu	4/26/2022	above ground pool	1212 PEAK PL
2022063	4/13/2022	Accessory	Tatiana Fernandez	4/13/2022	home-based beauty salon	217 MCLEAN DR
2022055	4/4/2022	Accessory	Dawn Chapman	4/4/2022	Backyard chickens	976 SOMMERSET CT
2022051	3/24/2022	Accessory	Cecilia Cortez	3/24/2022	deck in rear	606 BROADWAY ST
2022050	3/24/2022	Accessory	Ethan Aiken	3/24/2022	Backyard chickens	514 POWELL CR

Group Total: 8

Group: Driveway

2022088	5/9/2022	Driveway	Doris Ramos	5/9/2022	driveway permit	402 SPRUCE ST
2022087	5/9/2022	Driveway	Rossel Castro	5/9/2022	driveway permit	1505 WALT ARNEY RD
2022085	5/5/2022	Driveway	Alan Wagner	5/5/2022	driveway	1203 HILLSBORO CT
2022057	4/5/2022	Driveway	Cheryl Riddle	4/5/2022	driveway permit	1009 WILLIAMSBURG DR
2022049	3/23/2022	Driveway	Joel IXCHAJCHAL	3/23/2022	addition to driveway	401 CONNELLY SPRINGS RD

Group Total: 5

Group: Floodplain Development

2022075	4/27/2022	Floodplain Development	Hurtado Maria de Jesus Hernandez		Roof Overhang (211 SF)	713 HARRISBURG DR

Group Total: 1

Group: Manufactured Home

2022074	4/27/2022	Manufactured Home	SD Lenoir LLC	4/27/2022	mobile home in MHP	1425 Furrow Lane

Group Total: 1

Group: Non-residential

2022071	4/25/2022	Non-residential	Brushy Mountain Builders	4/25/2022	dumpster enclosure	125 HOSPITAL AV
2022062	4/12/2022	Non-residential	Precision Contracting LLC	4/12/2022	entrance upgrades	1035 WEST AV
2022054	3/31/2022	Non-residential	Lenoir First Wesleyan	3/31/2022	New Parking Lot	906 CREEKWAY DR NW

Group Total: 3

Group: Permanent Sign

2022092	5/11/2022	Permanent Sign	Terrell Wood/Headrick Outdoor Media		Relocation of billboard	139 BLOWING ROCK BLVD NW
2022091	5/11/2022	Permanent Sign	Terrell Wood/Headrick Outdoor Media		Relocation of billboard	139 BLOWING ROCK BLVD NW
2022080	4/29/2022	Permanent Sign	Action Sign	4/29/2022	sign permit	215 NORTH MAIN ST
2022072	4/25/2022	Permanent Sign	Marty Robbins	4/25/2022	wall sign-Excela	2101 MORGANTON BV
2022064	4/14/2022	Permanent Sign	Hyperformance Graphics	4/14/2022	monument sign for PD	1035 WEST AV
2022052	3/25/2022	Permanent Sign	Crystal Vazquez	3/30/2022	Aary's Sign	108 MAIN ST

Group Total: 6

Group: Residential Addition

2022089	5/10/2022	Residential Addition	Doris Ramos	5/10/2022	16' x 10' deck	402 SPRUCE ST
---------	-----------	----------------------	-------------	-----------	----------------	---------------

2022078	4/29/2022	Residential Addition	Shirley Swanson	4/29/2022	raised walkway	507 YORKTOWN CT
2022061	4/12/2022	Residential Addition	Martin Espinosa	4/12/2022	deck in rear	1316 IDLEWOOD ST
2022053	3/31/2022	Residential Addition	Manuel Martinez	3/31/2022	addition in rear	102 HUNTER PL

Group Total: 4

Group: Single Family Home

2022077	4/27/2022	Single Family Home	GTE Construction & Realty	4/27/2022	single family dwelling	GEORGETOWN VILLAGE
2022067	4/20/2022	Single Family Home	Alan Wagner	4/28/2022	single family dwelling	1206 HILLSBORO CT
2022066	4/20/2022	Single Family Home	Alan Wagner	4/28/2022	single family dwelling	1203 HILLSBORO CT
2022065	4/18/2022	Single Family Home	Cherry Tree Lane	4/18/2022	single family dwelling	1925 STARCROSS RD
2022058	4/6/2022	Single Family Home	Habitat for Humanity - Wendell Hildebrande	4/6/2022	Single Family Dwelling	2608 Friendswood St
2022056	4/5/2022	Single Family Home	Cheryl Riddle	4/5/2022	single family dwelling	1009 WILLIAMSBURG DR

Group Total: 6

Group: Temporary Advertising

2022090	5/10/2022	Temporary Advertising	Riley Thamn/ASAP Event Advertising	5/10/2022	temporary banner	302 BLOWING ROCK BV

Group Total: 1

Group: Zoning Verification

2022086	5/5/2022	Zoning Verification	Gardner Capital Development	5/5/2022	verification letter	205 GREENHAVEN DR
2022083	5/3/2022	Zoning Verification	John Davidson	5/3/2022	verification letter	1344 HARPER AV
2022079	4/29/2022	Zoning Verification	Steve's Pawn Shop LLC Jarrett Storie	4/29/2022	verification letter	504 WILKESBORO BL

2022076	4/27/2022	Zoning Verification	Ckezepis Law	4/27/2022	verification letter	1225 WILKESBORO BV
2022070	4/25/2022	Zoning Verification	Alex Lopez	4/25/2022	Cardinal Self Storage	1225 WILKESBORO BV
2022069	4/25/2022	Zoning Verification	Alex Lopez	4/25/2022	Cardinal Self Storage	2116 HICKORY BLVD SW
2022060	4/11/2022	Zoning Verification	Dawn Kemmerer	4/11/2022	verification letter	1808 NORWOOD ST
2022059	4/6/2022	Zoning Verification	Dave Shah	4/6/2022	verification letter	1362 BLOWING ROCK BV

Group Total: 8

--	--	--	--	--	--	--

Total Records: 43

5/12/2022