

MINUTES

Lowell Planning Board
Regular Meeting
Tuesday, August 3, 2021, 6:00 P.M.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Vieta Benson called the meeting to order at 6:00 p.m. Those attending in-person were: Planning Board members John Cantrell, Mike Harris, and Travis Smith. Staff members present were: City Clerk Beverly Harris, Planning Director Alex Blackburn, and City Manager Scott Attaway. There were applicants present. A quorum was determined, the meeting proceeded.

II. PLEDGE OF ALLEGIANCE

Everyone stated the pledge of allegiance.

III. APPROVAL OF THE AGENDA

John Cantrell made a motion to approve the agenda, followed by a second from Mike Harris. The vote was unanimously in favor.

IV. APPROVAL OF MINUTES FROM JULY 6, 2021 MEETING

John Cantrell made a motion to approve the minutes from the July 6, 2021 meeting, followed by a second from Mike Harris. The vote was unanimously in favor.

V. NEW BUSINESS

A. Consideration of Text Amendment Removing Beauty Shops and Barber Shops from the Main Street Zoning District

Alex Blackburn stated at the direction of the Council, staff is presenting consideration from removing beauty shops and barber shops from the Main Street zoning district as a text amendment in the LDO. Mr. Blackburn stated the overwhelming response from area planning directors is to leave this situation alone and not remove these types of businesses from the zoning district.

There was discussion among the Planning Board. They discussed the grandfather clause for current beauty and barber shops and how that applies with the new LDO.

Mike Harris made a motion to leave the zoning alone and not minimize the number of beauty or barber shops in the Main Street zoning district, followed by a second from Travis Smith. The vote was three in favor (Harris, Smith, Benson) and one opposed (Cantrell). The motion carries with the majority being in favor.

B. Consideration of Proposed Text Amendment to Lowell Development Ordinance Article 19, Section 14 and Section 21 (To add reference to the North Carolina Department of Transportation Manual regarding Construction Standards.)

Alex Blackburn stated in conversation with engineers it was found that a reference to the NC DOT manual regarding construction standards had been left out accidentally. (Section 14 and Section 21 amendments – attached).

John Cantrell made a motion to accept the text amendment as presented to Section 14 and 21, followed by a second from Mike Harris. The vote was unanimously in favor.

C. Review of Lowell Woods Subdivision, PID #212032, Preliminary Plat for Comments to Planning Staff

Alex Blackburn introduced the applicants with the plat submittal from True Homes.

The applicants addressed the Planning Board. They stated the layout was a little different, but the major items have not changed on the plat submitted. Also, the previous plat was not conforming of the typography of the site. This plat makes more sense with the existing typography. Connections with Poston Park is being worked on for this neighborhood.

Scott Attaway reviewed what was previously requested from Council and Planning Board.

VI. ADJOURN

John Cantrell made a motion to adjourn the meeting, followed by a second from Travis Smith. The vote was unanimously in favor. The meeting ended at 6:35 p.m.

AFFIRM:



Chairperson, Vieta Benson



City Clerk, Beverly Harris

1. The measures shall control and treat at a minimum the stormwater runoff from the first inch of rainfall volume leaving the project site. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.
2. All structural stormwater treatment systems used to meet the requirements of this ordinance shall be designed to have a minimum of 85% average annual removal for Total Suspended Solids (TSS).
3. The design of drainage facilities in flood hazard areas shall be consistent with the requirements of Article 18 of this Ordinance. No stormwater controls shall be allowed within the floodway. No stormwater controls shall be within 30 feet landward of any perennial and intermittent surface water.
4. The computation of stormwater runoff shall follow established engineering practice. Acceptable methods of computation include the Rational Method, the Peak Discharge Method as described in USDA Technical Release Number 55 (TR-55), and USGS Regression Equations, where applicable. If an alternate method is proposed, the method should be described and justification for using this method should be provided. The same method must be used for both the pre- and post-development conditions.
5. Runoff coefficients shall be based on full development of the project and of the watershed to the extent of the current zoning or land use patterns, and shall include the complete development of the site through build-out, including roof tops and other impervious areas that may be proposed.
6. Stormwater detention shall be provided to insure that the rate of discharge for the 24 hour storm does not exceed the pre-development rate of discharge. In order to demonstrate this, inflow-outflow calculations shall also be submitted for any stormwater detention ponds.

Section 14: **Stormwater Design Manual** *(amended September 2021)*

The City of Lowell's Planning and Development Services Department may furnish additional guidance and standards for the proper implementation of the

regulations of this article and may provide such information in the form of a Stormwater Design Manual. Stormwater management practices that are designed, constructed, or maintained in accord with the Stormwater Design Manual must be presumed to comply with these regulations. However, the Stormwater Administrator shall have the right to consult other engineers and duly qualified professionals, and to impose any conditions or require any modifications deemed necessary to meet the purpose, intent and requirements of this ordinance. In the absence of a Stormwater Design Manual standards and specifications set forth in the NCDOT Subdivision Roads Minimum Construction Standards, specifically Section I - Construction Standards, Subsection I-A - Drainage and structures to meet Subsection I-B Structures (Bridges, Culverts, Dams and Retaining Walls) shall apply.

Draft July 21, 2022

4. Spills

Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to a stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to preexisting conditions.

Persons in control of the polluting substances and persons owning the property on which the substances were released or discharged shall immediately notify the City of Lowell Public Works Department of the release or discharge, as well as making any required notifications under state and federal law. Notification shall not relieve any person of any expenses related to restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by State or other law.

5. Nuisance

Illicit discharges and illicit connections which exist within the jurisdiction of the City of Lowell and this provision are hereby found, deemed and declared to be dangerous or prejudiced to public health or public safety and are found, deemed, and declared to be public nuisances.

Section 20 Severability

If any section or sections of this Ordinance is/are held to be invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

Section 21 Original Effective Date and Incorporation into Lowell Development Ordinance

This Article was previously adopted as the Stormwater Ordinance for the City of Lowell, North Carolina and made effective on the 1st day of July 2007. No content has been changed or modified as part of incorporating the material content of this previously adopted ordinance known hereafter as **Article 19** of the **Lowell Development Ordinance** except for the

reference to the NCDOT manual in Section 14.

Draft July 21, 2021