

**LENOIR CITY COUNCIL
TUESDAY, JULY 16, 2019
6:00 P.M.**

PRESENT: Mayor Gibbons presiding. Councilmembers present were Beal, Perdue, Perkins, Stevens, and Willis. Also in attendance were City Manager Hildebran, City Clerk Cannon and City Attorney Rohr.

ABSENT: Councilmember Crissy Thomas.

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance led by Mayor Gibbons.

**SYMPATHY EXTENDED: PEDESTRIAN
ACCIDENT:**

- B. On behalf of City Council, Mayor Gibbons asked everyone to keep the family that lost a loved one in a pedestrian accident on Monday, July 15 in their thoughts and prayers during this difficult time.

COMMENDED; CITY

STAFF: C. Mr. Brian Moore, Executive Director, Caldwell County Chamber of Commerce, and Ms. Becky Warren, Manager of Marketing and Events, presented a framed certificate of appreciation to Ken Hair, Fire Chief, Kaylynn Horn, Economic Development Director, Jared Wright, Public Works Director, and Kenny Story, Recreation Director for all of their Staff's hard work during the successful 18th Annual Blackberry Festival held July 11-13 in downtown Lenoir.

On behalf of City Council, Mayor Gibbons thanked all City Departments along with the Chamber of Commerce Staff and the numerous volunteers that assisted with the festival. Mayor Gibbons stated it was a great event which was attended by people from all across the country.

Mayor Pro-Tem Ben Willis also thanked the Chamber of Commerce Staff for all of their assistance over the past several months in preparing for this popular event.

SPECIAL RECOGNITION; FIREFIGHTER OF THE YEAR & POLICE OFFICER OF THE YEAR, AMERICAN LEGION POST 29:

- C. Mr. Irv Eurto, Post 29 American Legion, stated he was pleased to present these awards and to express the American Legion's gratitude not only to these individuals for their selfless service, but also to the Departments for their general excellence and all they do to make the community a safer place. Mr.

Eurto stated the Department Directors were asked to select someone that met the criteria for the award.

First Vice-Commander Henry Smith announced the Firefighter of the Year for the City of Lenoir is Jason Hines. Chief Ken Hair accepted the award on behalf of Mr. Hines who was unable to attend the meeting and stated the Fire Department is honored and privileged to have Mr. Hines as a member. He remarked that Mr. Hines was an educator for seventeen years and currently volunteers at Sawmills Elementary School. Chief Hair further shared that Mr. Hines also serves as the Chaplain for the Department.

Next, Commander Smith presented the Police Officer of the Year Award to Sergeant John Howard. Police Chief Brent Phelps explained it was tough to select just one individual, but stated John Howard was chosen for his extensive work regarding an opioid case which resulted in seven people being charged for possession of drugs and sentenced to serve time in prison. Chief Phelps stated he was proud of Mr. Howard's work for the Police Department and the community.

Mr. Eurto reported the Caldwell County Emergency Medical Technician (EMT) will be recognized at a later date.

On behalf of City Council, Mayor Gibbons expressed appreciation to Sergeant Howard and Mr. Hines for all they do for the citizens of Lenoir and Caldwell County. Mayor Gibbons also thanked American Legion Post 29 for their service to the community.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

REZONING REQUEST; SUMMIT PLACE SW:

- A. A public hearing was held to consider a rezoning request for 13 lots located on Summit Place from R-15 (Low Density Single Family) to R-12 (Medium Density Single Family), to facilitate a minor subdivision and house construction at 1248 Norwood Street SW without creating a "spot zone," based on the following Consistency Statement: The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it establishes zoning that is more consistent with the adopted future land use map designating the area to remain "medium density residential" and better matches the existing development pattern. This will ensure fair and efficient growth, reduce non-conformities, and establish sensible, straightforward zoning standards. The proposed amendment is reasonable and in the public interest because it promotes infill development at appropriate densities, making more efficient use of the City's existing infrastructure investments while creating opportunities for affordable housing for people in all stages of life.

Mayor Gibbons opened the public hearing to receive public comments regarding the rezoning request.

Planning Director Jenny Wheelock reviewed a power point presentation outlining the specifics of the rezoning request.

A copy of the power point which includes a map is hereby incorporated into these minutes by reference. (Refer to pages 434-440).

Director Wheelock reviewed the map of the thirteen lots on Summit Place to be rezoned from R-15 to R-12. She pointed out the applicant's property is labeled as 13 or (+14 lots if subdivided) and is 0.57 acres. Director Wheelock explained that only four of the existing 13 lots conform to the minimum lot size of 15,000 square feet for the current R-15 zoning which are identified as lots 8, 9, and 10 plus the applicant's as shown on the map). She further stated the side setbacks are 15-feet for R-15 zoning and are 12-feet for R-12 zoning.

Director Wheelock clarified by rezoning the property to R-12, the minimum lot size would be reduced from 15,000 square feet to 12,000 square feet and it would allow the applicant's property to be divided into two buildable lots. This step would also increase the total number of lots to 14, of which 8 would be conforming. It was noted that 6 lots or 43% would remain non-conforming for being below the minimum lot size statutory requirement. Also, Director Wheelock pointed out that even if the block was rezoned to R-6, the most dense residential district would result in 3 lots (labeled as 3, 4 and 5 on the map) as still being under the minimum lot size of 6,000 square feet for that district.

Director Wheelock reported Staff is recommending R-12 rezoning due to it being the most similar to R-15 in terms of permitted uses, and it would accommodate the proposed lot split and resulting infill development without introducing major changes to the neighborhood.

In addition, Director Wheelock stated the applicant chose to split the lot so all new home construction would face Norwood Street following a review of his option to either front the homes on Norwood Street or Summit Place.

There being no further public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Councilmember Perdue referred to housing as Lenoir's greatest need and moved to approve the rezoning request as submitted.

Upon the motion by Councilmember Perdue, Council voted 5 to 0 to approve the rezoning request for property located on Summit Place as described above and as recommended by City Staff.

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:

1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, June 18, 2019, as submitted.
2. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, June 25, 2019, as submitted.

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to approve the above listed items on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

LENOIR TOURISM DEVELOPMENT

AUTHORITY: 1. The Lenoir Tourism Development Authority will meet on Thursday, July 18 at 4:00 p.m. at the Hampton Inn located on Wilkesboro Boulevard.

LENOIR BUSINESS ADVISORY

BOARD: 2. The Lenoir Business Advisory Board will meet on Thursday, July 18 at 6:0 p.m. at City Hall, Third Floor, former Council Chambers.

FABULOUS FILM

NIGHT: 3. Fabulous Film Night is scheduled for Saturday, July 20 with the movie "Lego 2" being shown at 8:30 p.m. on the square.

PLANNING

BOARD: 4. The Planning Board will meet on Monday, July 22 at 5:30 p.m. at City Hall, Third Floor, former Council Chambers.

CANCELLED; COMMITTEE OF THE

WHOLE: 5. The Committee of the Whole will not meet in July. The next meeting will be held on Tuesday, August 27 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.

SUMMER MUSIC MADNESS

CONCERT: 6. A Summer Music Madness Concert will be held on Friday, July 26 from 7:00 p.m. – 10:00 p.m. with the band Lucky Pocket performing on the square.

ANNUAL HARAMBEE

FESTIVAL: 6. The 47th Annual Harambee Festival begins on Saturday, August 3 through Friday, August 9 at the Martin Luther King, Jr. Center. Activities are scheduled throughout the week. The public is encouraged to attend.

**ANNUAL MUSIC
FESTIVAL:**

7. The 4th Annual Community Music Festival is scheduled for Saturday, July 27 from 6:00 p.m. – 11:00 p.m. at the Martin Luther King, Jr. Center. The public is encouraged to attend.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

**ANNOUNCEMENT OF RE-APPOINTMENTS;
AUTHORITIES/BOARDS/COMMISSIONS:**

- A. Mayor Gibbons announced for the general public the following individuals for consideration of re-appointment to the City's Authorities/Boards/Commissions.

Planning Board	Jeff Church
ABC Board	Jerry Brooks
Parks & Recreation Advisory Board	Rick Pierce

Note: These re-appointments will be placed on the August 6 agenda for consideration of approval by City Council.

Mayor Gibbons stated all of these board members are doing a great job and would like to be considered for an additional term.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

**CLOSED
SESSION:**

- A. Pursuant to N.C.G.S. §143-318.11(a), (4), and upon a motion by Mayor Pro-Tem Willis which carried unanimously, City Council entered into closed session to discuss economic development.

**OPEN
SESSION:**

- B. Upon a motion by Councilmember Stevens, Council voted 5 to 0 to re-enter into open session.

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 6:50 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

City Council Summit Place Rezoning

July 16, 2019

Case: Rezoning 2/19

Presented by Jenny Wheelock, AICP, CZO

Subject Properties

1248 Norwood St SW



Summit Place SW



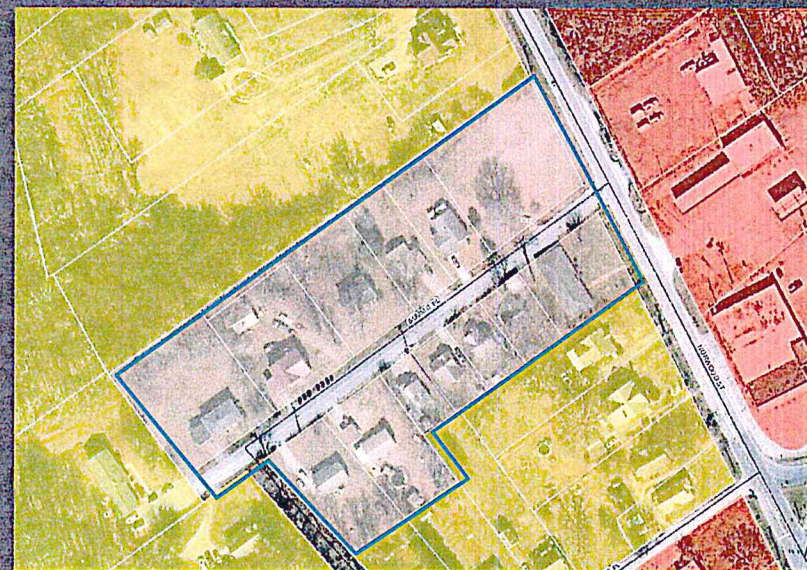
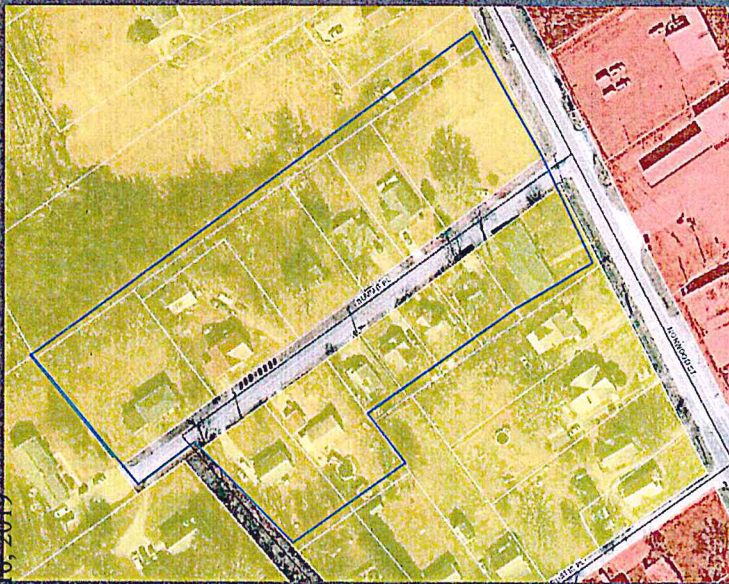
Proposed Rezoning

Current Zoning:

R-15

Proposed Zoning:

R-12



Existing and Proposed Zoning

▶ **R-15 Low Density Single Family**

Accommodates low density houses ($\sim\frac{1}{3}$ ac lots) 15,000 sq. ft.

Allows accessory apartment, cottage, or other building

Conditional uses: B&B's

Side setbacks 15 ft.

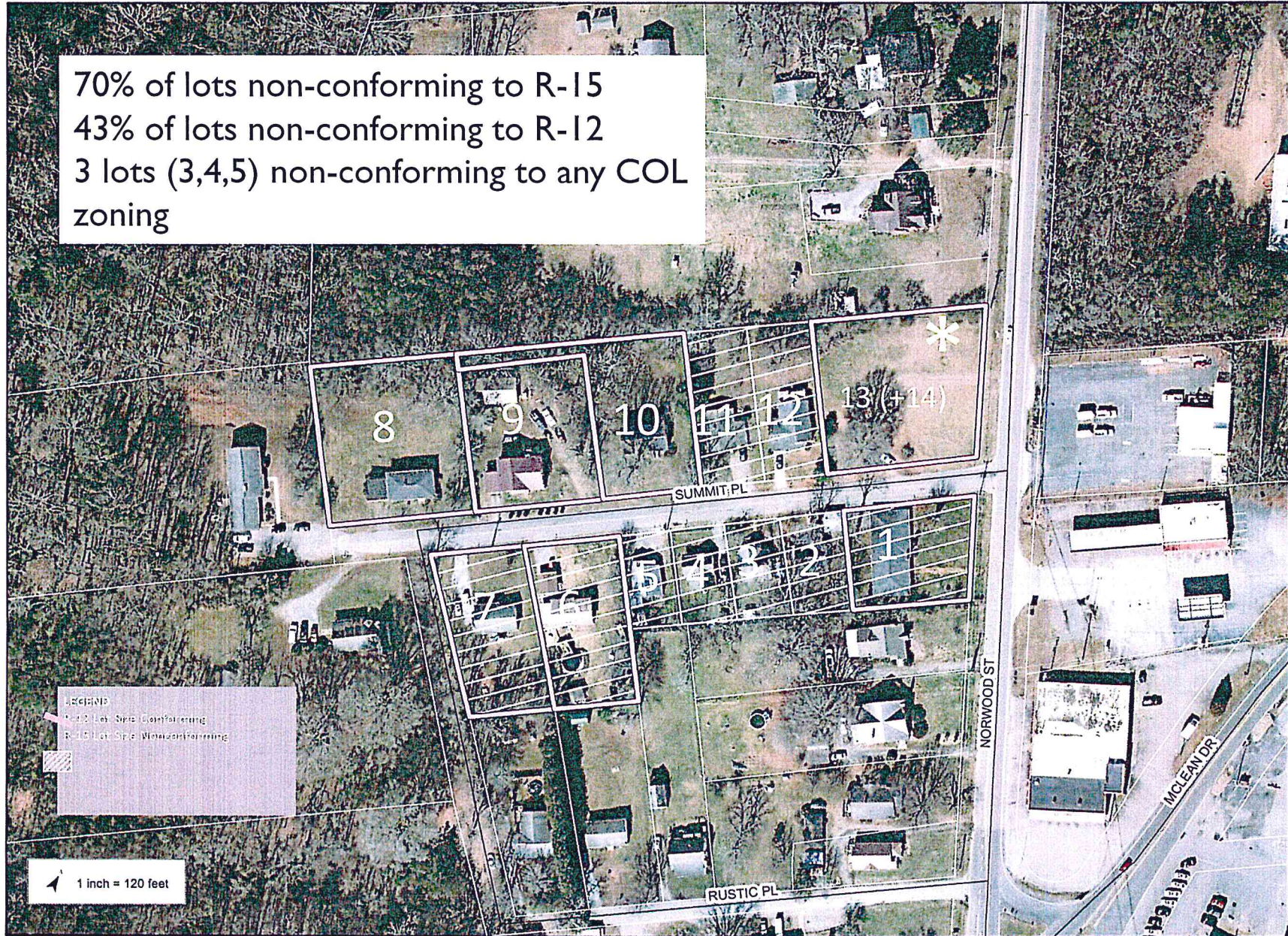
▶ **R-12 Medium Density Single Family**

Accommodates medium density houses ($\sim\frac{1}{4}$ acre lots) 12,000 sq. ft.

Allows accessory apartment, cottage, or other building

Conditional uses: B&B's, duplex, townhomes, and garden apartment at 3.6 dwelling units per acre.

Side setbacks 12 ft.



1248 Norwood Street: lot split options



Consistency Statement Summit Place

- ▶ The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it establishes zoning that is more consistent with the adopted future land use map designated the area to remain “**medium density residential,**” and better matches the existing development pattern. This will ensure **fair and efficient growth, reduce non-conformities, and establish sensible, straightforward zoning standards.** The proposed amendment is reasonable and in the public interest because it **promotes infill development** at appropriate densities, making more **efficient use of the City’s existing infrastructure** investments while **creating opportunities for affordable housing** for people in all stages of life.
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