CITY OF LENOIR
PLANNING & COMMUNITY DEVELOPMENT

Meeting Information

Location
Lenoir City Hall/3rd Floor
801 West Avenue NW
Lenoir, NW 28645

Time
5:30 p.m.

Board Members
Lucy McCarl, Chairperson

Tim Scobie, Vice-Chair

Sharon Bryant

Richard Hedrick

James Bradshaw

Mac Martin

Jeff Church

Leah Hamilton

Larry Smith

Kaye Reynolds

Lenoir Planning Board

Agenda • May 20, 2019

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. We anticipate the recommendations of today's meeting will be presented at the City Council meeting on June 18, 2019 for approval of recommended actions.

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.

OPENING SESSION

- Determination of a Quorum
- Call to Order
- Consideration of April 22, 2019 Minutes

NEW BUSINESS

HISTORIC PRESERVATION COMMISSION

1. Lenoir Cotton Mill-Blue Bell, Inc. Plant

Applicant: Heather Fearnbach

Owner: Blue Bell Lenoir LLC

Location: 1241 College Avenue

Consideration of Historic Landmark Report for Lenoir Cotton Mill – Blue Bell, Inc. Plant.

Recommended Action: *Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.*

2. Carolina and Northwestern Railway Freight Station

Applicant: Heather Fearnbach

Owner: Lenoir Depot LLC

Location: 1407 College Avenue SW

Consideration of Historic Landmark Report for Carolina and Northwestern Railway Freight Station.

Recommended Action: *Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.*

3. J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill

Applicant: Heather Fearnbach

Owner: James Sullivan Revocable Trust

Location: 1201 Steele Street

Consideration of Historic Landmark Report for J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill.

Recommended Action: *Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on June 18, 2019.*

OTHER BUSINESS

- Update on zoning permits issued

ADJOURNMENT

MINUTES
PLANNING BOARD MEETING
April 22, 2019
5:30 P.M.
905 WEST AVENUE

MEMBERS PRESENT:
Sharon Bryant, Lucy McCarl, Leah Hamilton, Richard Hedrick, Kaye Reynolds, Tim Scobie

MEMBERS ABSENT: James Bradshaw, Jeff Church, Mac Martin, Larry Smith

STAFF PRESENT:
Jenny Wheelock, Hannah Williams, Lauren McKinney

MINUTES:
Board Member Bryant moved approval of the meeting minutes of March 25, 2019 as written. Board Member Hedrick seconded the motion, which was voted upon and passed by unanimous vote.

NEW BUSINESS:

Historical Preservation Commission

1. **Lenoir Cotton Mill-Blue Bell, Inc. Plant**
   Applicant: Heather Fearnbach
   Owner: Blue Bell Lenoir LLC
   Location: 1241 College Ave

   Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on May 21, 2019.

2. **Carolina and Northwestern Railway Freight Station**
   Applicant: Heather Fearnbach
   Owner: Lenoir Depot LLC
   Location: 1407 College Ave SW

   Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on May 21, 2019.

3. **J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill Hayes Cotton Mill**
   Applicant: Heather Fearnbach

Owner: **James Sullivan Revocable Trust**
Location: **1201 Steele Street**

Recommended Action: Approval of the request, and call for a public hearing for the Lenoir City Council to consider the landmark request on May 21, 2019.

Chairperson McCarl opened the public hearing portion of the meeting.

Jenny Wheelock, Planning Director presented the three properties using a PowerPoint presentation showing the criteria and procedure for the designation of a local landmark.

Ms. Wheelock explained the reasons of designation for each property and comments from the State Historic Preservation Office. The comments questioned the period of significance for the Lenoir Cotton Mill-Blue Bell, Inc Plant and the J.M. Bernhardt Planing Mill and Box Factory.

The Board discussed the comments and stated the items needed to be clarified are the periods of significance and do the landmark designation parameters apply to the entire exterior and partial interior.

Ms. Wheelock, Planning Director suggested the Board table the proposal until next meeting. By doing so, staff will provide more clarification on what the interior features would be and draft an ordinance. The consultant can also provide clearer information for the next meeting. The Board agreed that the interior features are important and to table the proposal until the next meeting.

Ms. Wheelock stated these properties are at the edge of Downtown which is great for economic development in the area.

York Lawson, the developer spoke about the Historic Tax Credit program and future plans for the properties. Mr. Lawson stated all three properties have been approved on the National Register and have completed part one of the three part process of the Historic Tax Credit program.

Chairperson McCarl closed the public meeting.

Board Member Bryant made a motion to table for further information as stated in the presentation until the next meeting on May 20, 2019. Board Member Hamilton seconded the motion, which was voted upon and passed unanimously.

OTHER BUSINESS:

- Update on zoning permits issued

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the meeting at 6:15 p.m.

_____	_____
Lucy McCarl	**Jenny Wheelock**
Chairperson	**Planning Director**

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, DESIGNATING THE "LENOIR COTTON MILL-BLUE BELL, INC. PLANT", LOCATED AT 1241 COLLEGE AVENUE IN LENOIR, NORTH CAROLINA.

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the Lenoir Cotton Mill-Blue Bell, Inc. Plant is located at 1241 College Avenue in Lenoir, North Carolina, and is identified by NC PIN 2749559283 ("the Property"); and

WHEREAS, the Property is owned by Blue Bell Lenoir, LLC who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical and architectural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office ("SHPO") of the North Carolina Department of Natural and Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that "The Lenoir Cotton Mill [a/k/a Blue Bell, Inc. plant] constructed in 1902 and expanded in 1903 is a brick masonry industrial building 'characterized by a low-pitched-gable roof with rounded rafter ends that support deep eaves…Tall segmental-arched window and door openings with tow-header-course lintels, and slightly projecting wood windowsills' are significant architectural features of the property. As

the mill played a critical role in the local industrial economy through the first half of the twentieth century and is architecturally significant, it appears to possess the level of special significance and integrity required for designation as a local historic landmark;" and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 4, 2019 with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property's preservation should be encouraged and ensured.

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. The City of Lenoir hereby designates the Lenoir Cotton Mill-Blue Bell, Inc. Plant, located at 1241 College Avenue in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749559283 (3.93 acres), as indicated by the heavy dark lines on the map attached as "Appendix A."

B. Designation Parameters

1. Landmark Designation shall apply to the entire **exterior** of the building, with the following character-defining features specifically enumerated:

1.1 Original Mill Building (1902-1903)

- low-pitched-gable roof with rounded rafter ends and deep eaves
- five-to-one common-bond brick walls

- tall segmental-arched window and door openings with two-header-course lintels
- slightly projecting wood windows sills
- eight-over-eight, double-hung, wood sash and eight-pane transoms
- corbelled office/water tower
- four two-story brick additions erected between 1927 and 1946 that project from the west elevation

1.2 Late 1950s addition on the 1902-1903 mill's east side

- flat roof
- flat, terra-cotta-coping-capped north parapet
- five-to-one common bond brick veneer
- eighteen-pane steel sash with six-pane lower hoppers

2. Landmark Designation shall apply to the partial **interior** of the mill building, with only the following character-defining features specifically enumerated:

   2.1 Original Mill buildings (1902-1903)

   - painted brick walls
   - substantial wood columns, posts, and beams
   - wood roof decking boards
   - hardwood floors
   - metal-clad kalamein doors
   - office/water tower and west stair tower staircases

3. Landmark Designation shall apply to the following **contributing structures**, with character-defining features specifically enumerated:

   3.1 Smokestack, 1902, Contributing Structure

   - round, 100-foot-tall, freestanding smokestack
   - stepped foundation
   - tapered stack executed in six-to-one common bond

   3.2 Opening room, erected between 1921 and 1927, Contributing Building

   - brick walls
   - flat parapets

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws

and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior's Standards for Rehabilitation.*

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Community Planning Services, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

_____

Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:

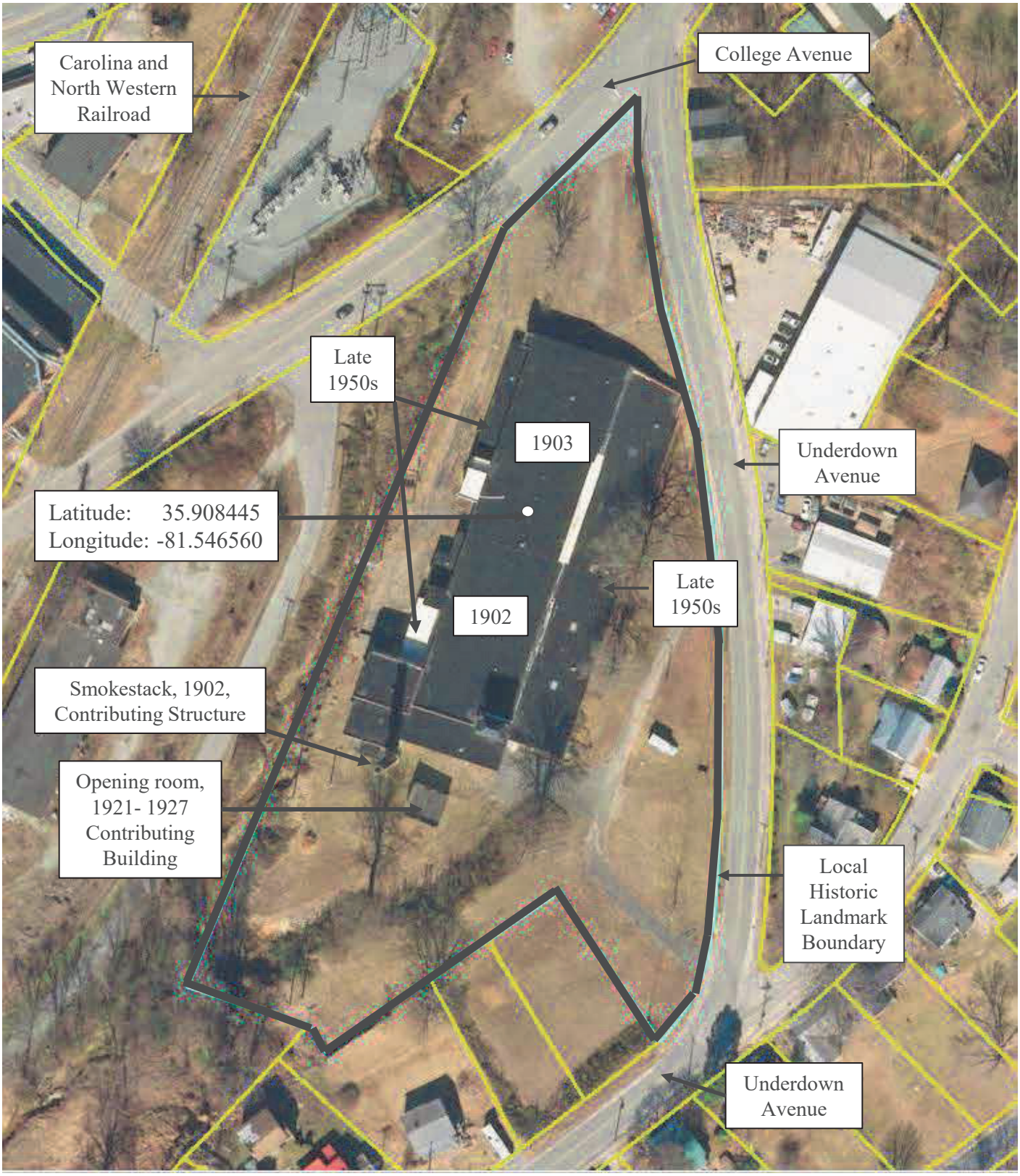
_____

City Clerk

[Remainder of page intentionally left blank.]

EXHIBIT "A"

Lenoir Cotton Mill – Blue Bell, Inc. Plant
1241 College Avenue, Lenoir, Caldwell County, North Carolina
Local Historic Landmark Boundary Map



Heather Fearnbach, Fearnbach History Services, Inc. / February 2019

Base 2014 aerial photo courtesy of http://gis.caldwellcountync.org/maps/

Scale 1" = 100 feet

N

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, DESIGNATING THE "CAROLINA AND NORTHWESTERN RAILWAY FRIGHT STATION," LOCATED AT 1407 COLLEGE AVENUE IN LENOIR, NORTH CAROLINA AS A LENOIR HISTORIC LANDMARK PURSUANT TO NCGS CHAPTER 160A, ARTICLE 19.

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the Carolina and Northwestern Railway Freight Station is located at 1407 College Avenue in Lenoir, North Carolina, and is identified by NIC PIN 2749545715 ("the Property"); and

WHEREAS, the Property is owned by Lenoir Depot LLC who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office ("SHPO") of the North Carolina Department of Natural and Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that "The Carolina and Northwestern Railway Freight Station constructed in 1950 is a rectangular, one-story Modernist building with a flat roof located in close proximity to the railroad tracks south of Lenoir's commercial center. As the freight station played a critical role in the city's industrial production and is a remarkably intact example of a Modernist mid-twentieth-century railroad depot, it appears to possess the level of special significance required for designation as a local historic landmark;" and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 4, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property's preservation should be encouraged and ensured.

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. The City of Lenoir hereby designates the Carolina and Northwestern Railway Freight Station, located at 1407 College Avenue in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749545715 (3.014 acres), as indicated by the heavy dark lines on the map attached as Exhibit A.

B. Designation Parameters

1. Landmark Designation shall apply to the **entire exterior** of the building, with the following character-defining features specifically enumerated:

    - flat roof
    - common-bond red-brick walls
    - cast-stone foundation, sills, lintels, belt course, and coping
    - concrete and steel loading platform with steel beams and bracketed posts supporting the deep concrete canopies and open shed
    - roll-up wood-panel and glazed warehouse doors
    - horizontal-pane aluminum-frame sash

- original “freight depot” sign comprised of individually mounted capital block letters on north elevation

1. Landmark Designation shall apply to the **partial interior** of the building, with only the following character-defining features specifically enumerated:

    - concrete floors and roof decking
    - steel beams
    - administrative wing’s east partition wall with a five-section textured-clear-glass window and a matching single-leaf door with a textured-glass upper section
    - vertical-board-sheathed warehouse office
    - original freight scale

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior’s Standards for Rehabilitation.*

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior’s Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Community Planning Services, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

_____

Mayor/Mayor Pro Tempore

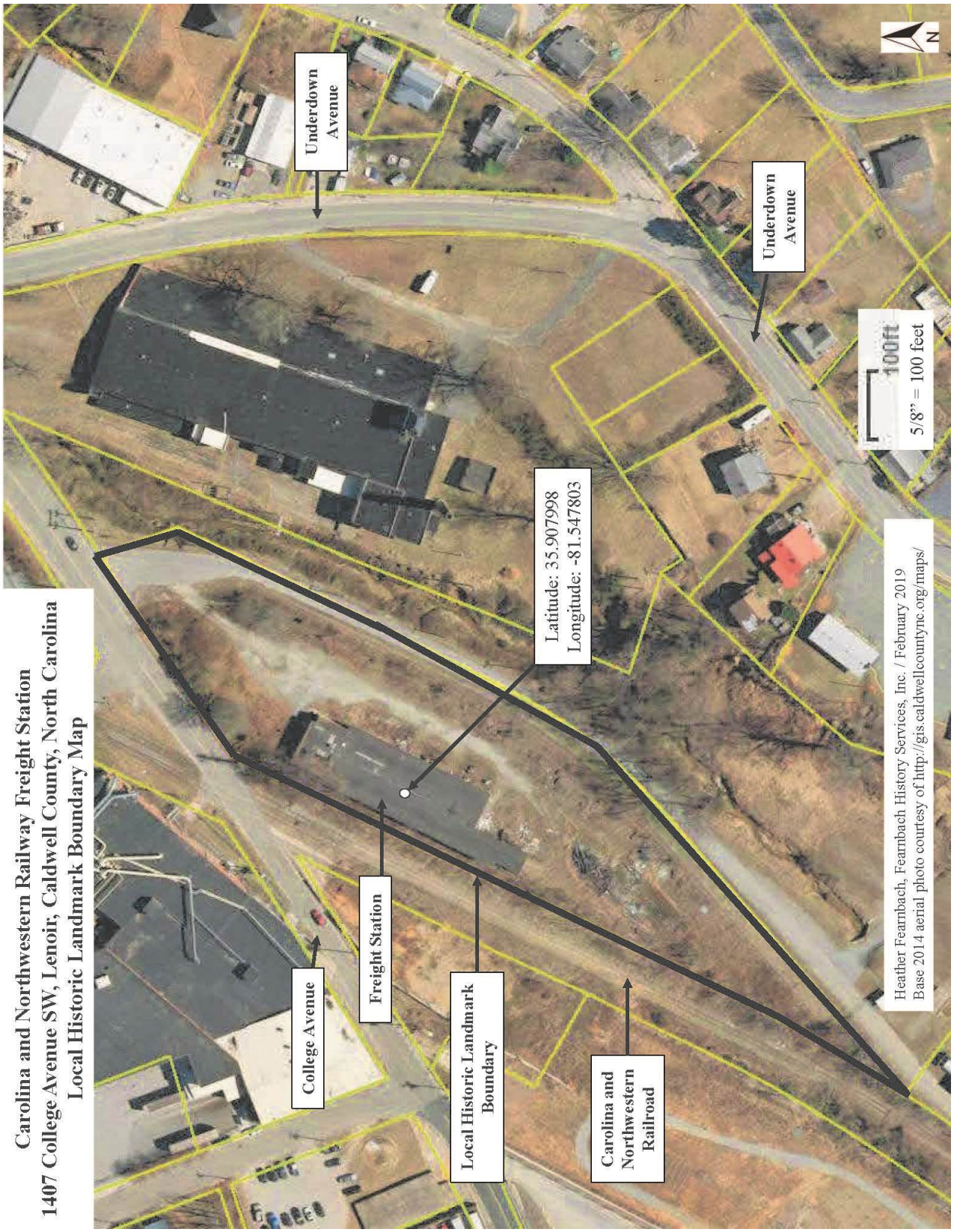
ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:

_____

City Clerk

[Remainder of page intentionally left blank.]

Exhibit “A”



(PDATED 5-09-19)

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, DESIGNATING THE "J.M. BERNHARDT PLANING MILL AND BOX FACTORY-STEELE COTTON MILL-HAYES COTTON MILL," LOCATED AT 1201 STEELE STREET IN LENOIR, NORTH CAROLINA.

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill is located at 1201 Steele Street in Lenoir, North Carolina, and is identified by NC PIN 2749650842 ("the Property"); and

WHEREAS, the Property is owned by James C. Sullivan Revocable Trust who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office (SHPO) of the North Carolina Department of Natural and Cultural Resources has been provided the opportunity to review

and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that "The J.M. Bernhardt Planing Mill and Box Factory is 'characterized by its heavy-timber interior structural systems, load-bearing brick exterior walls, low-pitched gable roofs, segmental-arched and rectangular window openings, segmental-arched door opening, and decorative entrance, stair, and restroom towers.' The property's contributions to the local industrial economy from the late nineteenth century through the mid-twentieth century and its architectural integrity merit its consideration for designation as a local historic landmark;" and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 4, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property's preservation should be encouraged and ensured; and

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. The City of Lenoir hereby designates the J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill, located at 1201 Steele Street in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749650842 (3.22 acres), as indicated by the heavy dark lines on the map attached as "Appendix A."

B. Designation Parameters

1. Landmark Designation shall apply to the **entire exterior** of the building, with the following character-defining features specifically enumerated:

    - load-bearing six-to-one common bond brick exterior walls with segmental arched window and door openings (1903 and 1918)
    - on the 1918 north elevation and the 1918 cotton warehouse's north and south elevations, the wall's upper section that extends beyond the east and west elevations and steps up to a stepped parapet
    - eight-pane wood transoms

2. Landmark Designation shall apply to the **partial interior** of the factory building, with only the following character-defining features specifically enumerated:

    - round wood and cast-iron columns,
    - heavy-timber post-and-beams
    - triple-thickness wood floors
    - wood roof decking are intact
    - metal-clad kalamein doors

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior's Standards for Rehabilitation.*

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction,

reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Community Planning Services, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

_____

Mayor/Mayor Pro Tempore

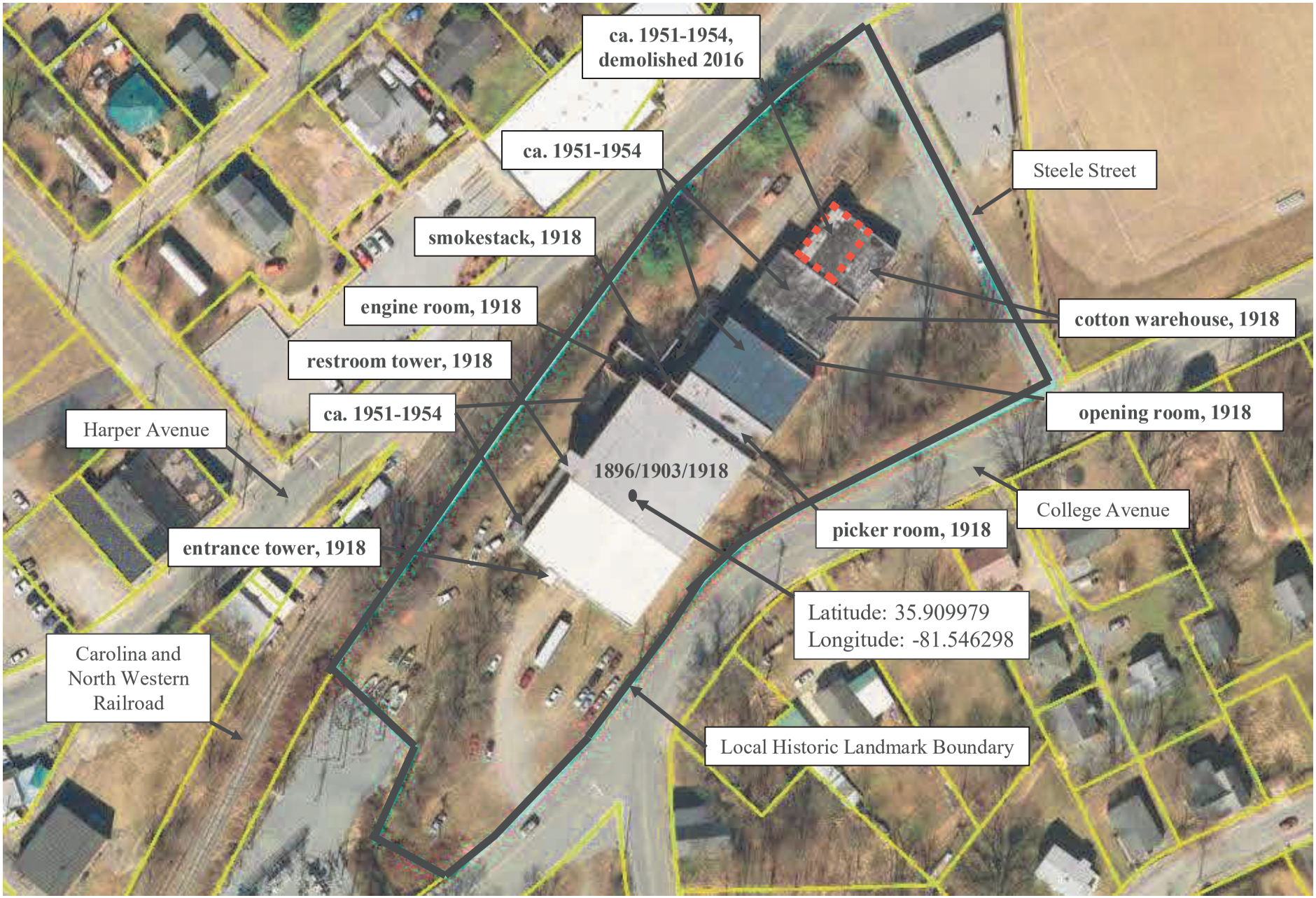
ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:

_____

City Clerk

[Remainder of page intentionally left blank.]

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill
1201 Steele Street, Lenoir, Caldwell County, North Carolina, Local Historic Landmark Boundary Map



Heather Fearnbach, Fearnbach History Services, Inc. / February 2019

Base 2014 aerial photo courtesy of http://gis.caldwellcountync.org/maps/

Scale 1" = 100 feet

N

EXHIBIT "A"

Permit Number	Project Name	Address	NC PIN	Date Issued	Date Expired
ZP 37-19	107 Light St-accessory building	107 Light St	2749556558	4/17/2019	10/17/2019
ZP 38-19	2132 Olde Farm Rd -deck enclosure	2132 Olde Farm Rd	2768420165	4/16/2019	10/16/2019
ZP 39-19	Starbucks	350 Blowing Rock Blvd	2759309581	4/16/2019	10/16/2019
ZP 40-19	Camp Coffee Sign	522 MULBERRY ST SW	2749945740	4/26/2019	10/26/2019
ZP 41-19	417 Sharon Ave NW- Carport	417 Sharon Ave NW	2850004193	4/22/2019	10/22/2019
zp 42-19	1808 Norwood St SW-Acc. Struc/Metal Bld	1808 Norwood St SW	2758351682	4/24/2019	10/24/2019
ZP 43-19	Hernandez N Main St Window Decal	407 N Main St	2749785630	4/30/2019	10/30/2019
ZP 44-19	Olde Grove Deck	2303 Olde Grove Deck	2749159123	5/1/2019	11/1/2019
ZP 45-19	11 x 11 Deck	413 Finley Ave	2840906197	5/1/2019	11/1/2019
ZP 46-19	803 Ridgecrest Dr-covered porch	803 Ridgecrest Dr	2850711699	5/2/2019	11/2/2019
ZP 47-19	428 Chapel Cir SW addional bld/deck	428 Chapel Cir SW	2749641371	5/6/2019	11/6/2019