



## Meeting Information

### *Location*

*Virtual*  
City Hall  
801 West Ave  
Lenoir, NC 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

Kaye Reynolds

## Lenoir Historic Preservation Commission

Agenda • April 27, 2020

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### *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. The Lenoir Planning Board also serves as the Lenoir Historic Preservation Commission. In order to practice social distancing and follow Governor Cooper's order, we are holding the meeting via Zoom.

### *General Rules of Order*

The order of business for consideration of applications for a Certificate of Appropriateness heard by the Commission shall be as follows:

1. All conflicts of interest shall be disclosed and any member with a conflict shall be excused from discussion and voting
2. Introduction of application by staff
3. Presentation of evidence by applicant
4. Presentation of evidence by others
5. Presentation of evidence against application
6. Cross examination by those giving evidence
7. Rebuttal by applicant
8. Surrebuttal by those against the application
9. Close of testimony
10. Deliberation
11. Adoption of "Findings of Fact" that the proposal is/is not incongruous, citing applicable sections of the guidelines
12. Adoption of conditions on the Certificate of Appropriateness if necessary
13. The Commission then votes to grant, grant subject to conditions, table for further information or deny the application for a Certificate of Appropriateness.

## OPENING SESSION

- Determination of a Quorum
- Call to Order

## HISTORIC PRESERVATION COMMISSION BUSINESS

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

Applicant: Yorke Lawson

Owner: Blue Bell Lenoir, LLC

Location: 1241 College Avenue

Consideration of Certificate of Appropriateness for Blue Bell Lenoir, LLC.

Recommended Action: Recommending approval of the Certificate of Appropriateness.

## ADJOURNMENT



# Staff Report

## Certificate of Appropriateness

### CASE NUMBER COA #1/20

## LOCATION MAP/AERIAL PHOTOGRAPH



 Subject Property

1241 College Avenue SW



## SUMMARY

### Owner

Bluebell Lenoir, LLC

### Applicant

### Location

Located on the southwest side of the intersection of College Avenue and Underdown Avenue in the Fairfield South neighborhood +/- 4 Acres

### NC PIN

2749559283

### Project Planner

Jenny Wheelock, AICP, CZO

Updated March 12, 2020

### Applicant's Request:

The applicant is requesting a Certificate of Appropriateness for a Rehabilitation project to convert the Lenoir Blue Bell/Lenoir Cotton Mill into 46 residential apartments and associated parking and residential amenities. The COA is required because the property is a Local Historic Landmark.

### Staff Recommendation:

Approval of the request, subject to the conditions in this report.

\*Note: The Planning Board, in its capacity as Lenoir's Historic Preservation Commission, is the final decision-making body for this request.

### Quasi-judicial hearing:

**Historic Preservation Commission:** Scheduled for March 23, 2020. Notices were mailed to adjoining property owners March 13, 2020.

**\*\*\*This request is considered quasi-judicial. You should not discuss this case with decision makers outside of the scheduled public meeting\*\*\***

## BACKGROUND AND ANALYSIS

### Local Historic Landmarks

The subject property has been designated a “Local Historic Landmark” by the Lenoir Historic Preservation Commission (HPC) and the Lenoir City Council. Once a property is designated a Local Landmark, all future construction, alteration, rehabilitation, relocation, or demolition of buildings/structures/sites must first receive approval of a “Certificate of Appropriateness” from the HPC. The Landmark Ordinance for the subject property designates the entire property as a Landmark, and specifically enumerates distinctive character-defining features to be protected (see Exhibit B for full text). For the subject property, these features are as follows:

#### 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

#### 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

#### Interior Features

- 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

#### Contributing Structures

- 1902 Smokestack — round, 100-foot-tall, freestanding smokestack; stepped foundation; tapered stack executed in six-to-one common bond
- Opening Room (1921-1927) — brick walls; flat parapets

### Secretary of the Interior Standards for Historic Preservation

In addition to the specific features that are protected by the Landmark ordinance, all projects requiring COAs must also meet the standards for Historic Preservation adopted by the HPC. In 2019, the HPC adopted the Secretary of Interior’s standards for historic preservation. These standards apply to properties on the National Register of Historic Places that seek Federal and State Historic Tax Credits. By adopting the same standards that the state and federal agencies use to review projects, the process is standardized. The proposed project has already been reviewed by the National Park Service and the NC State Historic Preservation Office and was found to be consistent with the Secretary of Interior’s standards.

Specifically, this project is considered a “Rehabilitation” project, and the following standards apply:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

## BACKGROUND AND ANALYSIS

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **Proposed Development**

The proposed project will create 46 residential apartments and associated parking/site amenities, while retaining character-defining interior and exterior elements, materials, and accessory structures. (Other site development standards, such as parking, landscaping, stream buffers, density, and pedestrian facilities are regulated by the Lenoir Code of Ordinances, and the project will be reviewed for compliance at the staff level prior to the issuance of zoning and building permits). Both the original 1902-1903 mill building, and the later additions, are considered historic in their own right and will be preserved. As listed in the Landmark ordinance and reiterated in the letter dated March 8, 2020 from Historic Preservation consultant Heather Fearnbach, the project specifically calls for:

- *Restoration* of the 1902-1903 mill's 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 window sills, and the corbelled office/water tower.
- *Repair* of eight-over-eight double-hung wood sash and eight-pane transoms, with missing sashes *replicated*.
- *Refurbished* interior painted brick walls; substantial wood columns, posts, and beams; wood roof decking boards; hardwood floors; metal-clad kalamein doors; and office/water tower and west stair tower staircases. Retention of exposed steel trusses and concrete floors.
- *Retention* of 1950s addition's flat roof, flat terra-cotta-coping-capped north parapet, five-to-one common bond brick veneer, and eighteen-pane steel sash with six-pane lower hoppers.
- *Repair* of the round, 100-foot-tall, freestanding 1902 smokestack and *restoration* of the 1921-1927 opening room.

Based on review of the Landmark Ordinance, Historic Preservation standards, submitted project plans, and documentation from the Historic Preservation consultant, staff finds that the proposed application is consistent with Lenoir's local historic preservation standards and the requested Certificate of Appropriateness should be approved.

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## FINDINGS OF FACT: CERTIFICATES OF APPROPRIATENESS

No Certificate of Appropriateness shall be approved unless the Historic Preservation Commission (HPC) finds that the proposal is consistent with the Commission's adopted standards for Historic Preservation and any standards adopted in the Landmark Ordinance.

Staff recommends that the board adopt the following findings of fact for the proposed application:

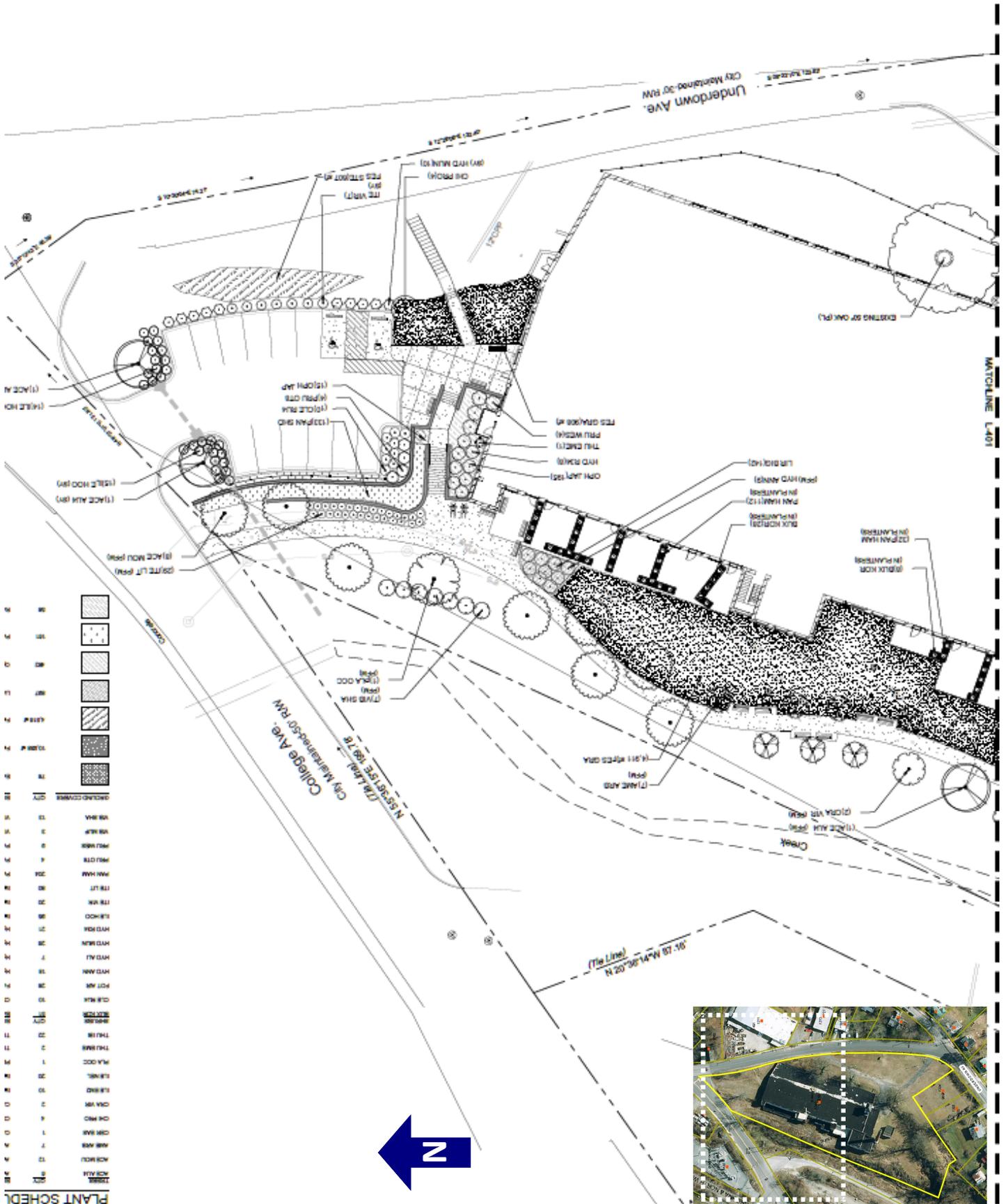
1. The proposed project has been reviewed and approved, with conditions, by the NC State Historic Preservation Office and the National Park Service as meeting the Secretary of the Interior's Standards for the Treatment of Historic Properties in 2018 (see Exhibit A). These standards are identical to the standards adopted in Lenoir, and the project has not significantly changed from what was proposed in 2018. Therefore the HPC finds that the project is consistent with the standards for historic preservation. The conditions of tax credit approval will be incorporated into the COA conditions by reference.
2. The Lenoir Cotton Mill/Blue Bell local landmark ordinance specifically enumerates character-defining features that must be protected/restored (see Exhibit B). These features are specifically addressed by Heather Fearnbach's letter to the Planning Director dated March 8, 2020 (see Exhibit C). The proposed project will not include any demolitions (other than removal of non-contributing elements that must be restored/replaced), nor will it expand the building footprint, and will use a combination of repair, replication, and refurbishment in order to retain all character-defining interior and exterior features. The HPC finds that the project is consistent with the Local Landmark Ordinance in the proposed treatment of character-defining features.

## STAFF RECOMMENDATIONS

Staff recommends approval of the requested Certificate of Appropriateness, with the following condition:

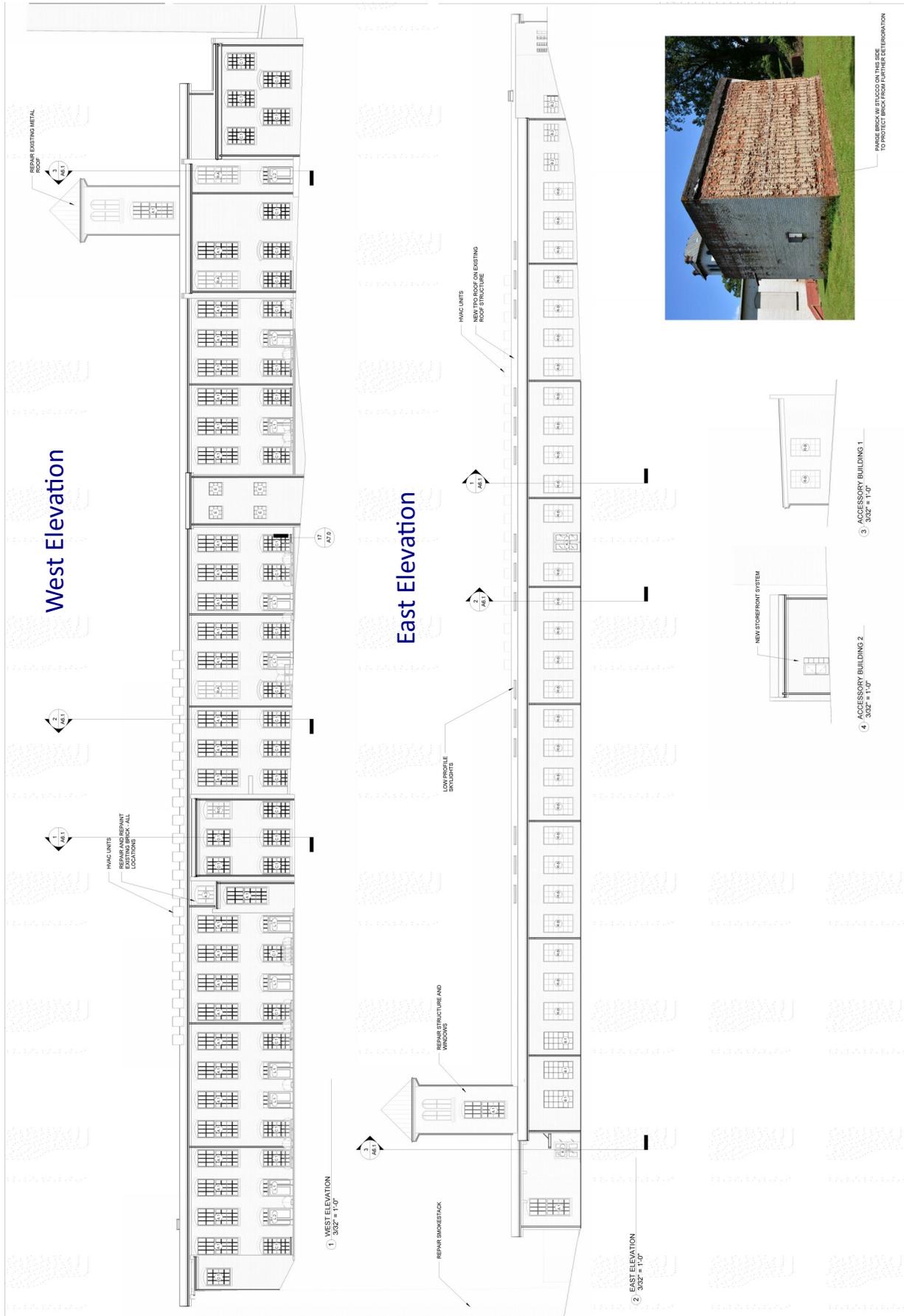
1. All conditions imposed on the project by the National Park Service shall be met, regardless if the project utilizes historic tax credits.

# REHABILITATION PROJECT: LANDSCAPE/HARDSCAPE PLAN





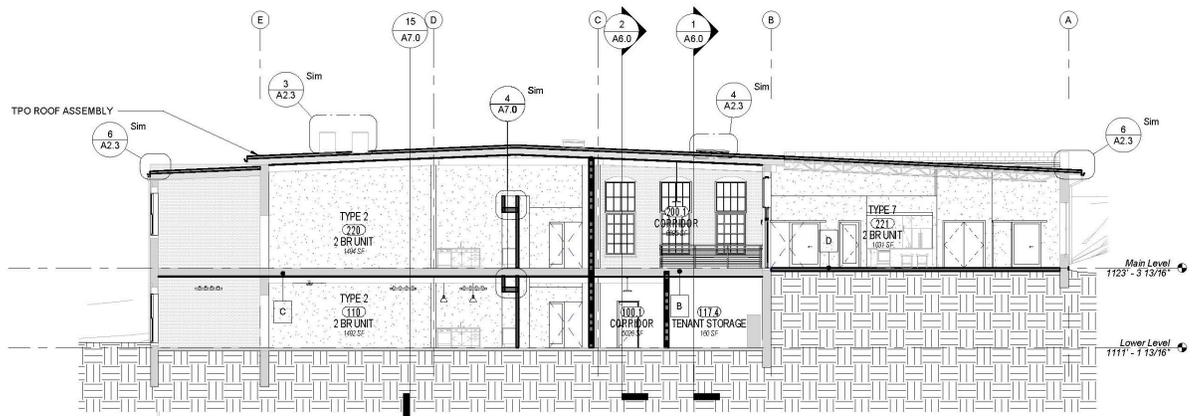
# REHABILITATION PROJECT: EAST AND WEST ELEVATIONS



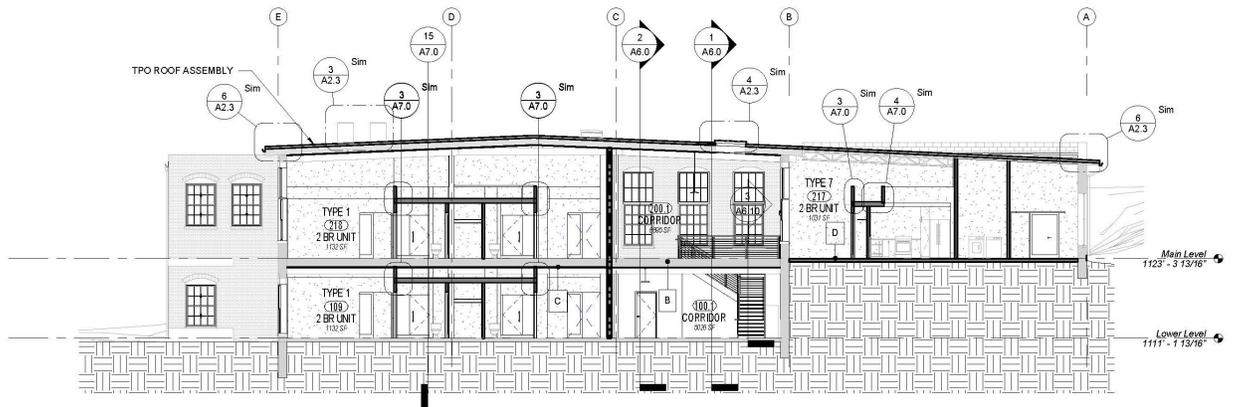
PAVEMENT BRICK W/ STUCCO ON THIS SIDE TO PROTECT BRICK FROM FURTHER DETERIORATION



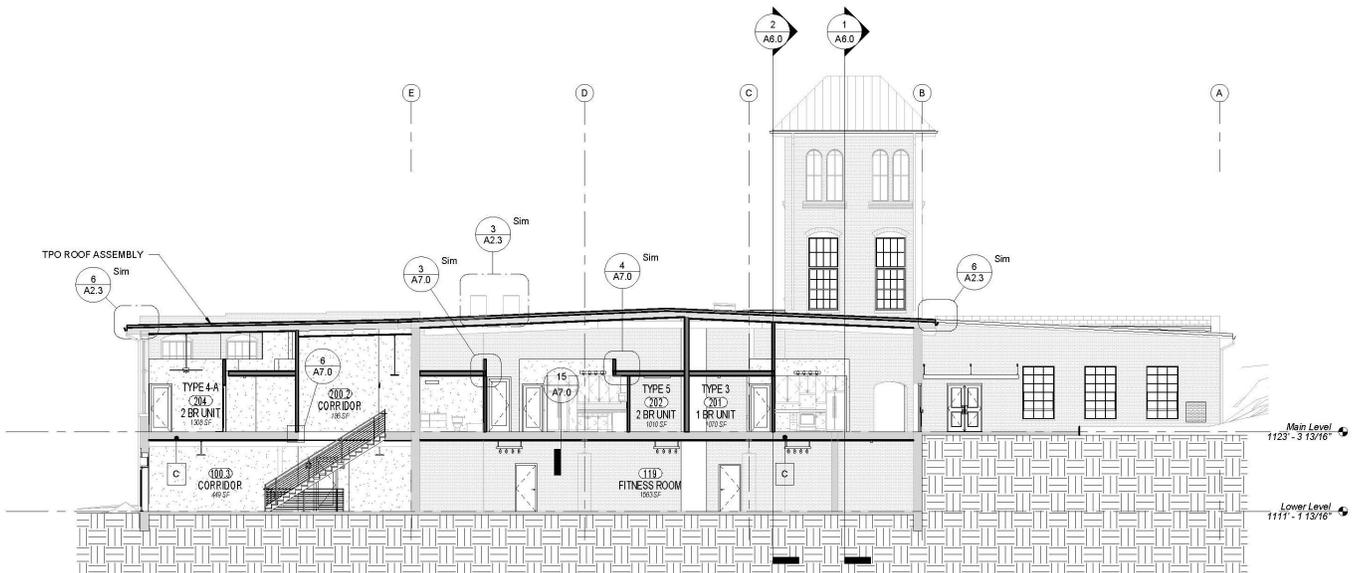
# REHABILITATION PROJECT: CROSS-SECTIONS (LOOKING NORTH)



1 CROSS SECTION 3  
3/32" = 1'-0"



2 CROSS SECTION 4  
3/32" = 1'-0"



3 CROSS SECTION 5  
3/32" = 1'-0"



EXHIBIT A:  
COA for Lenoir HPC

RECEIVED JUN 2 2018

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

OMB Approved  
No. 1024-0009  
Form 10-168  
Rev. 2014



HISTORIC PRESERVATION CERTIFICATION APPLICATION  
PART 2 - DESCRIPTION OF REHABILITATION

NPS Project Number  
35,451

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

1. **Property Name** Lenoir Cotton Mill - Blue Bell, Inc. Plant  
Street 1241 College Avenue  
City Lenoir County Caldwell State NC Zip 28645  
Name of Historic District \_\_\_\_\_  
 Listed individually in the National Register of Historic Places; date of listing 9/18/2017  
 Located in a Registered Historic District; name of district \_\_\_\_\_  
 Part 1 - Evaluation of Significance submitted? Date submitted 11/08/2016 Date of certification 2/8/2017

2. **Project Data**  
Date of building 1902-1903, late 1950s Estimated rehabilitation costs (QRE) \$11,000,000  
Number of buildings in project 2 Floor area before / after rehabilitation 70,726 / 74,640 sq ft  
Start date (estimated) 09/01/2018 Use(s) before / after rehabilitation Commerce / Residence  
Completion date (estimated) 12/01/2019 Number of housing units before / after rehabilitation 0 / 46  
Number of phases in project 1 Number of low-moderate income housing units before / after rehabilitation 0 / 0

3. **Project Contact** (if different from applicant)  
Name Heather Fearnbach Company Fearnbach History Services, Inc.  
Street 3334 Nottingham Road City Winston-Salem State NC  
Zip 27104 Telephone (336) 765-2661 Email Address heatherfearnbach@bellsouth.net

4. **Applicant**  
I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that [check one or both boxes, as applicable] (1)  I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or (2)  if I am not the fee simple owner of the above-described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.3(a)(1) (2011). For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 8 years.  
Name C. Yorke Lawson, Managing Member Signature C. Yorke Lawson Date 06/13/2018  
Applicant Entity Cabarrus Promotion, LLC SSN \_\_\_\_\_ or TIN 26-0814632  
Street 62 North Main Street, Suite 1301 City Memphis State TN  
Zip 38103 Telephone (901) 412-6435 Email Address ylawson@bellsouth.net  
 Applicant, SSN, or TIN has changed since previously submitted application.

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application - Part 2 for the above-named property and has determined that:

- the rehabilitation described herein is consistent with the historic character of the property and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior's Standards for Rehabilitation. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued only to the owner of a "certified historic structure" after rehabilitation work is complete.
- the rehabilitation or proposed rehabilitation will meet the Secretary of the Interior's Standards for Rehabilitation if the attached conditions are met.
- the rehabilitation described herein is not consistent with the historic character of the property or the district in which it is located and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation.

Date 10/30/2018 National Park Service Authorized Signature James S. Roth

NPS conditions or comments attached

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

## CONDITIONS SHEET

### Historic Preservation Certification Application

Property name: Lenoir Cotton Mill – Blue Bell, Inc. Plant

Project Number: 35451

Property address: 1241 College Avenue, Lenoir, Caldwell County, North Carolina, 28645

**The rehabilitation of this property as described in the Historic Preservation Certification Application will meet the Secretary of the Interior's Standards for Rehabilitation provided that the following condition(s) is/are met:**

- 1. New patios on west elevation** - The one-story, concrete additions and concrete loading dock on the west elevation represent the mill's expansion during the late 1950s. The building's west elevation, with the 1950s basement additions and loading dock, retains a high level of integrity and is prominently viewed from College Avenue due to the unique topography of the site.

The industrial character of this elevation contributes to the significance of the property and must be preserved in view. The transition of previously enclosed industrial space to elevated outdoor patios along the length of the west elevation will potentially be highly visible from College Avenue and will change the building from industrial in character to residential. Therefore, patios should be eliminated in the northernmost section of this elevation (see drawing A1.0, from column numbers 25 to 37), and the design of railings and planter boxes for the patio section on the southernmost side of the stair tower must be minimal and compatible with the industrial character of the building. This can be accomplished by eliminating railings wherever possible and using cable railings where required. Alternatively, the walls of the 1950s additions could be retained as screen walls for the patios. In order to ensure the elevated patios on the west elevation created from the demolition of the later additions meet the *Standards*, detailed dimensioned drawings must be submitted on an Amendment for review and approval by the State Historic Preservation Office (SHPO) and NPS. Drawings must include plans, elevations, sections, handrail details, existing and proposed window/door details (see window condition below), and 3-D or virtual views (mock-ups) to help visualize this elevation.

- 2. New landscape features and improvements** must be compatible with the historic character of the industrial property. To ensure new landscape features and improvements for the entire site and courtyard will meet the *Standards*, a detailed landscape plan with paving materials, hardscape features, and plantings noted or color-coded must be submitted for review.
- 3. Cleaning** of exterior masonry must be accomplished using the gentlest means possible without damaging the surface of the masonry and accomplished in accordance with the guidance provided in *Preservation Brief 1*, "Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings". Specifications and test cleaning samples should be reviewed and approved by the SHPO before proceeding with this work. **Repointing** mortar must match the color, texture, strength, joint width and joint profile of the existing historic masonry. Specifications and repointing samples should be reviewed and approved by the SHPO before proceeding with this work. Good quality overall and close-up color photographs of the masonry both **before** and after cleaning and repointing must be submitted with the Request for Certification of Completed Work.
- 4. Windows** – It is unclear from the Part 2 application and submitted drawings precisely how many (or the approximate range/proportion) of the existing historic wood and steel windows will be retained and repaired versus replaced and in which locations. Existing windows must be repaired rather than replaced. If these windows are deteriorated beyond repair, thorough documentation of the need for replacement **must** be submitted before any replacement windows can be reviewed. In order to ensure compliance with the *Standards*, a window plan or marked and coded elevation drawings must be submitted that classifies the existing condition of each historic window as "good," "fair," or "poor" condition with a description of your definition of each category. Please also indicate which windows would be retained and repaired and which are proposed to be replaced. Close-up photographs of a few sample windows in each category should also be provided.

Replacement windows must match the appearance, size, design, proportions, and profiles of the existing windows and must have clear glazing. In order to ensure the proposed replacement windows meet the *Standards*, detailed dimensioned drawings of the proposed replacement wood and steel windows including sill, jamb, head, meeting rail and muntin

dimensions (in comparison with the historic windows) and showing them in relationship to the wall assembly must be submitted on an Amendment to SHPO and NPS for review and approval. Simulated divided light windows must have muntin grids installed on exterior, interior, and between the insulated glass.

5. **Rooftop Alterations** – New rooftop equipment, skylights, and other alterations must not impact the historic character of the property. The roof is highly visible and any alterations must be carefully planned. Submit detailed product specifications for the fifteen low-profile skylights and dimensioned drawings showing the skylights in relationship to the roof structure at the light wells for review and approval by the SHPO and NPS. Additional information on the placement of mechanical air handling equipment on the mill's roof and how it will be viewed from College Avenue and Underdown Avenue must be submitted for review and approval on an Amendment.
6. **Doors** – Every effort must be made to retain and preserve historic interior and exterior doors, as only a few historic doors remain in the mill (reference photo #59). The new exterior door style proposed at the basement apartment level (drawing A3.0 detail 2, and A2.3) to access the outdoor patio shows a recessed single-leaf door flanked by a sidelight panel flush with the exterior wall. This configuration is not compatible as the door units must reflect the size and design of the historic windows that were in these openings. New exterior door units on this highly-visible elevation must be revised to include a door that more closely replicates the historic windows. Submit a revised design for review and approval in order to ensure compliance with the *Standards*.
7. Interior architectural features and finishes, consisting of the structural columns, beams, trusses, and decking, must be preserved. In order to ensure any proposed sound-proofing and fire-proofing meet the *Standards*, sound-proofing and fire-proofing details must be submitted for review and approval.
8. Interior architectural features and finishes, consisting of the plaster wall finish, stair, baluster, historic trim and newel post in the upper floor vestibule, must be preserved. Photographs showing the historic fabric preserved in place must be submitted with the Request for Certification of Completed Work.
9. Abrasive blasting must not raise the grain or feather the surface of the interior wood structural members or abrade the mortar and the outer surface of the interior masonry walls. See Preservation Brief 6, Dangers of Abrasive Cleaning to Historic Buildings. Specifications for this treatment, including type of sand, grit, size, psi, and distance that the nozzle will be held back from the surface, should be reviewed and approved by the SHPO before proceeding with this work. **Historically painted masonry and wood must retain a painted finish.** Good quality overall and close-up color photographs **before** and after abrasive blasting must be submitted with the Request for Certification of Completed Work.
10. **MEP** – New mechanical, electrical, and plumbing systems must be installed in a manner that has minimal effect on the historic character of the building. The installation of mechanicals and ductwork must not result in the lowering of ceiling heights in primary spaces. Exposed systems and ductwork must be sized and located to minimize its impact and held back from the windows. Systems may be installed above lowered ceilings in secondary spaces such as bathrooms and closets. Photographs verifying conformance with this condition must be submitted with the Request for Certification of Completed Work.
11. The Part 2 application states that the site will be graded. The relationship between the historic building and its setting and topography must be maintained. Additional information that addresses how the site will be graded must be submitted for review and approval.

**Any substantive change in the work as described in the application should be brought to the attention of the State Historic Preservation Office and the National Park Service in writing prior to execution to ensure that the proposed project continues to meet the Standards.**

The National Park Service has determined that this project will meet the Secretary of the Interior Standards for Rehabilitation if the condition(s) listed in the box above are met.

10/30/2018  
Date

  
National Park Service Signature

Renee Novak  
202-354-2019  
Telephone Number

**EXHIBIT B:  
COA for Lenoir HPC**

**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 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 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 18, 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 “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:

### *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, Planning and Community Development Department, 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:**

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Mayor/Mayor Pro Tempore

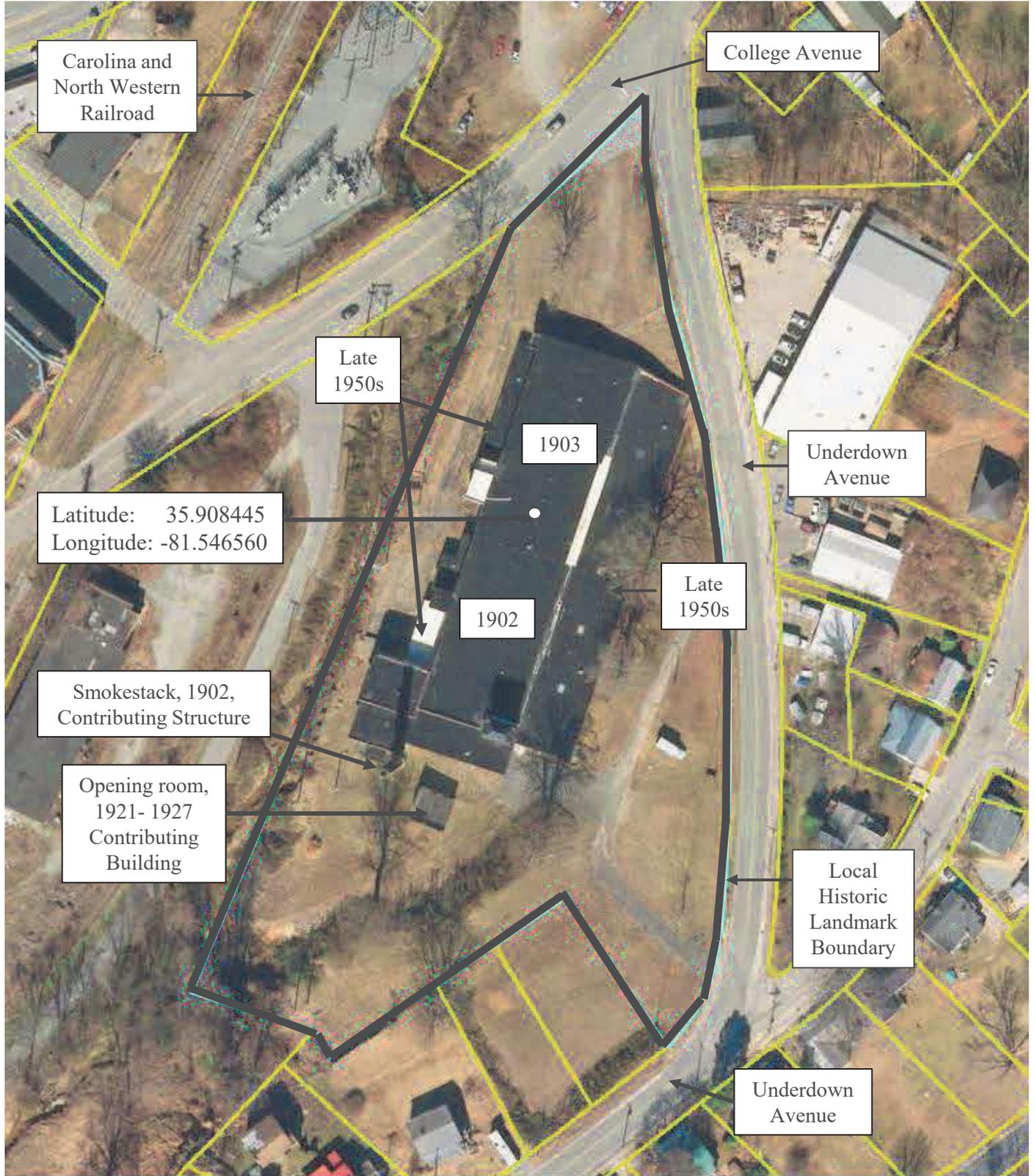
**ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:**

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City Clerk

**\*\*[Remainder of page intentionally left blank.]\*\***

**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



**EXHIBIT C:**

FHS

**COA for Lenoir HPC**

**FEARNBACH HISTORY SERVICES, INC.**

Jenny Wheelcock  
Planning Director  
City of Lenoir  
801 West Avenue NW  
Lenoir, NC 28645

March 8, 2020

Ms. Wheelcock,

In compliance with the Lenoir Historic Preservation Commission's local historic landmark design review requirements, Blue Bell Lenoir LLC is applying for a certificate of appropriateness prior to beginning Lenoir Cotton Mill's rehabilitation. The North Carolina State Historic Preservation Office and the National Park Service affirmed that the proposed scope of work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties in 2018. The rehabilitation must be carefully executed in compliance with the standards in order to qualify for federal and North Carolina rehabilitation tax credits.

The proposed rehabilitation plan ensures retention of character-defining exterior and interior elements while creating forty-six apartments. The 1902-1903 mill's 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 window sills, and corbelled office/water tower will be restored. Eight-over-eight double-hung wood sash and eight-pane transoms will be repaired and missing sash replicated. Significant interior features such as painted brick walls; substantial wood columns, posts, and beams; wood roof decking boards; hardwood floors; metal-clad kalamein doors; and the office/water tower and west stair tower staircases will be refurbished. The late 1950s addition on the 1902-1903 mill's east side will retain its flat-roof, flat terra-cotta-coping-capped north parapet, five-to-one common bond brick veneer, and eighteen-pane steel sash with six-pane lower hoppers. Steel trusses and concrete floors will remain exposed inside.

The project also preserves two auxiliary structures. The round, 100-foot-tall, freestanding, 1902 smokestack, which has a stepped foundation and a tapered stack executed in six-to-one common bond, will be repaired. The 1921-1927 opening room's brick walls, flat parapets, a low shed roof, and twenty-pane steel sash with eight-pane lower hoppers will be restored.

Please let me know if you have any questions regarding the proposed scope of work.

Best regards,



Heather Fearnbach  
Architectural Historian  
Fearnbach History Services, Inc.



# Lenoir Planning Board

Agenda • April 27, 2020

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## Meeting Information

### *Location*

*Virtual*  
City Hall  
801 West Ave  
Lenoir, NC 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

Kaye Reynolds

### *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 May 19, 2020 for approval of recommended actions. In order to practice social distancing and follow Governor Cooper's order, we are holding the meeting via Zoom.

### *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 February 24, 2020 Minutes

## NEW BUSINESS

**1. R #1-20      Vacant Lot NC PIN 2738693845**

Applicant:      Devin and Alisa Waters

Owner:          Barry Waters

Location:        Vacant lot at the end of Melview Place (NC PIN 2738693845)

Zoning map amendment to change the zoning from I-1 (Light Industrial) to R-R (Rural Residential).

*Recommended Action: Approval of the request, based on the consistency statement in the staff report, and call for a public hearing at City Council on May 19, 2020.*

## OTHER BUSINESS

- Update on zoning permits issued

## ADJOURNMENT

**MINUTES**  
**PLANNING BOARD MEETING**  
**February 24, 2020**  
**5:30 P.M.**  
**905 WEST AVENUE**

**MEMBERS PRESENT:**

James Bradshaw, Sharon Bryant, Jeff Church, Leah Hamilton, Mac Martin, Lucy McCarl, Kaye Reynolds, Tim Scobie

**MEMBERS ABSENT:** Richard Hedrick

**STAFF PRESENT:**

Jenny Wheelock, Hannah Williams, Lauren McKinney

**MINUTES:**

Board Member Hamilton moved approval of the meeting minutes of November 25, 2019, as written. Board Member Scobie seconded the motion, which was voted upon and passed by unanimous vote.

**NEW BUSINESS:**

- **Downtown Development/Main Street Presentation**

Kaylynn Horn, Downtown Economic Development Director and Matt Underwood, Organization Team Leader for Main Street gave a PowerPoint presentation on Lenoir Main Street.

Kaylynn Horn, Downtown Economic Development Director explained how the Main Street program was started by the National Trust for Historic Preservation; its focus is revitalizing America's historic places. Lenoir became a Main Street community in 1984 and has received the accreditation again for this year. Matt Underwood stated Main Street is made up of four teams, which all contribute to Main Street and the economic impact. Main Street has many dedicated volunteers that are greatly appreciated.

Kaylynn Horn, Downtown Economic Development Director stated the Lenoir Business Advisory Board offers a grant called Moving Lenoir to the Second Floor, which helps property owners obtain information on their next steps in revitalizing their building. Mrs. Horn spoke about the many residential spaces currently Downtown and the upcoming residential projects. Historic Preservation is also a large part of Main Street.

Matt Underwood spoke about the new branding for Downtown Lenoir, which includes a new website, Downtown ambassadors, and billboards.

Kaylynn Horn, Downtown Economic Development Director stated the Lenoir Main Street was awarded the Champions of Downtown Development for 2019 at the NC Main Street Conference.

The City of Lenoir's Public Works Sanitation Department was awarded The Main Street Champions this year at I Heart Main Street. A new award, the Gibbons Award was given in honor of Joe and Becky Gibbons in which Becky Gibbons was the first recipient.

Jenny Wheelock, Planning Director stated the City of Lenoir is in the process of reviewing vehicular wayfinding, which is funded by the Lenoir Tourism Development Authority. Mrs. Wheelock spoke about projects that started as code enforcement which led to having partnerships with the building owners and great projects.

Jenny Wheelock, Planning Director invited the Planning Board to the West End Community workshop at Mt. Pilgrim Baptist Church on Saturday, March 28<sup>th</sup> from 9:00am-12:00pm.

**OTHER BUSINESS:**

- Update on zoning permits issued.

**ADJOURNMENT:**

Having no other matters to bring before the Board, Chairperson McCarl adjourned the meeting at 6:35 p.m.

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**Lucy McCarl**  
**Chairperson**

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**Jenny Wheelock**  
**Planning Director**



# Staff Report

## Zoning Amendment

### CASE NUMBER R #1-20

## LOCATION MAP/AERIAL PHOTOGRAPH



Subject Property

Left: Melview Pl

## SUMMARY

### Owner

Barry Waters

### Applicant

Devin & Alisa Waters

### Location

Vacant lot at end of Melview Pl, +/- 6.2 AC

### NC PIN

2738693845

### Project Planner

Hannah Williams, CZO

Updated April 16, 2020

### Description of Request:

The applicant requests that the City re-zone said lot at the end of Melview Pl from I-1 (Light Industrial) to R-R (Rural-Residential).

### Staff Recommendation:

Approval of the request, based on the consistency statement on page 7.

### Planning Board Recommendation:

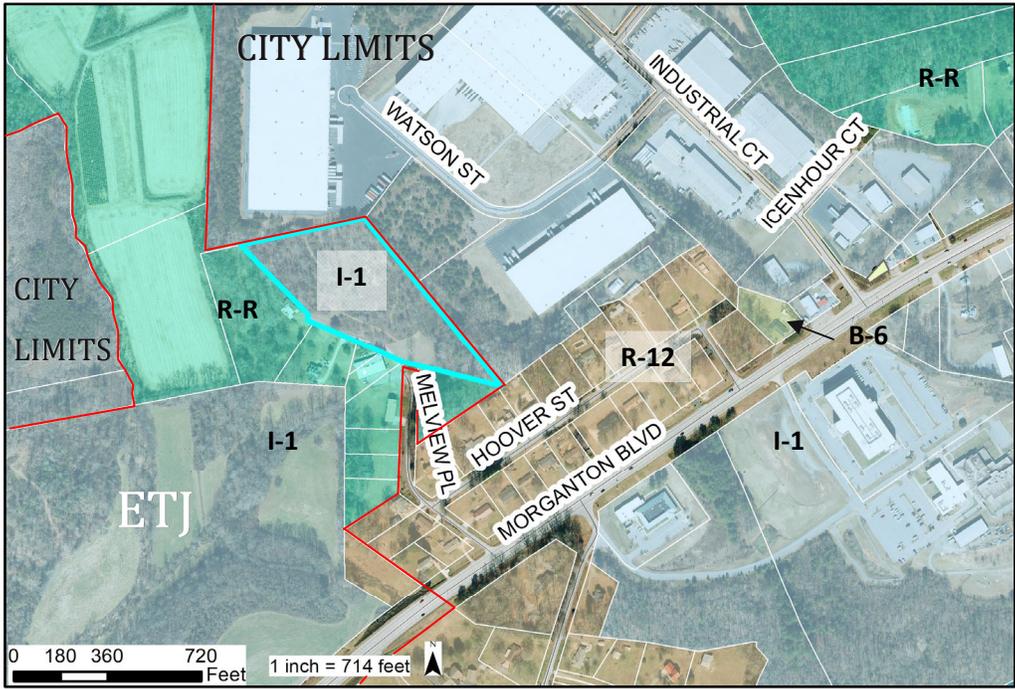
### Public Comment:

**Planning Board Meetings:** April 27, 2020. Notices were mailed to property owners within 100 ft. of the subject property on April 17, 2020.

**City Council (Public Hearing):** Anticipated to be scheduled for May 19, 2020.

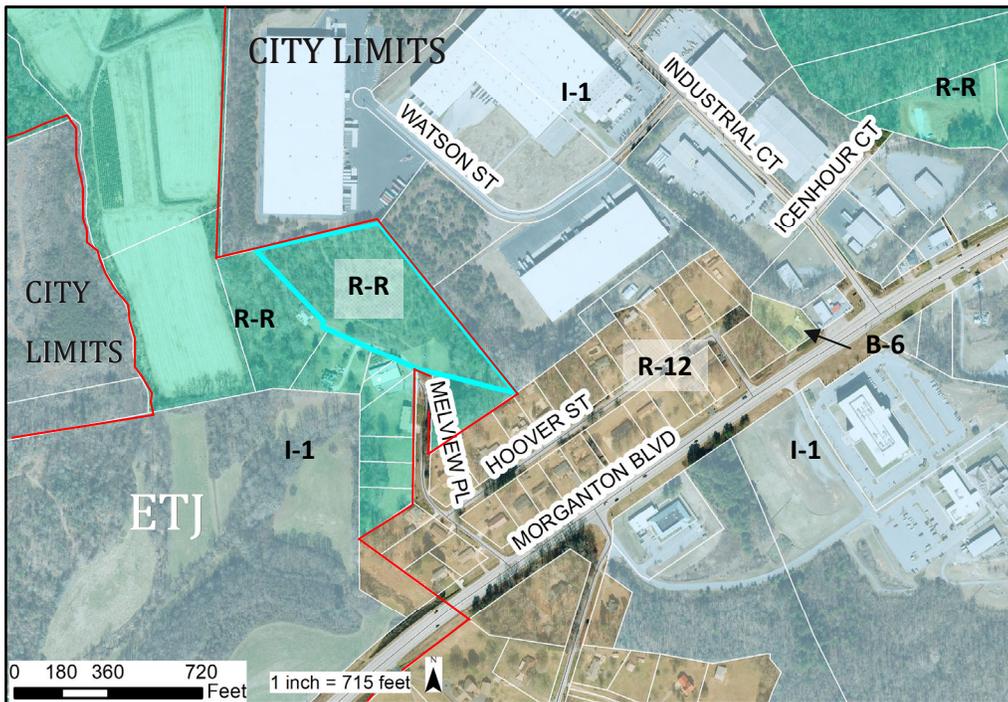
# EXISTING AND PROPOSED ZONING MAPS

**Existing Zoning: I-1**

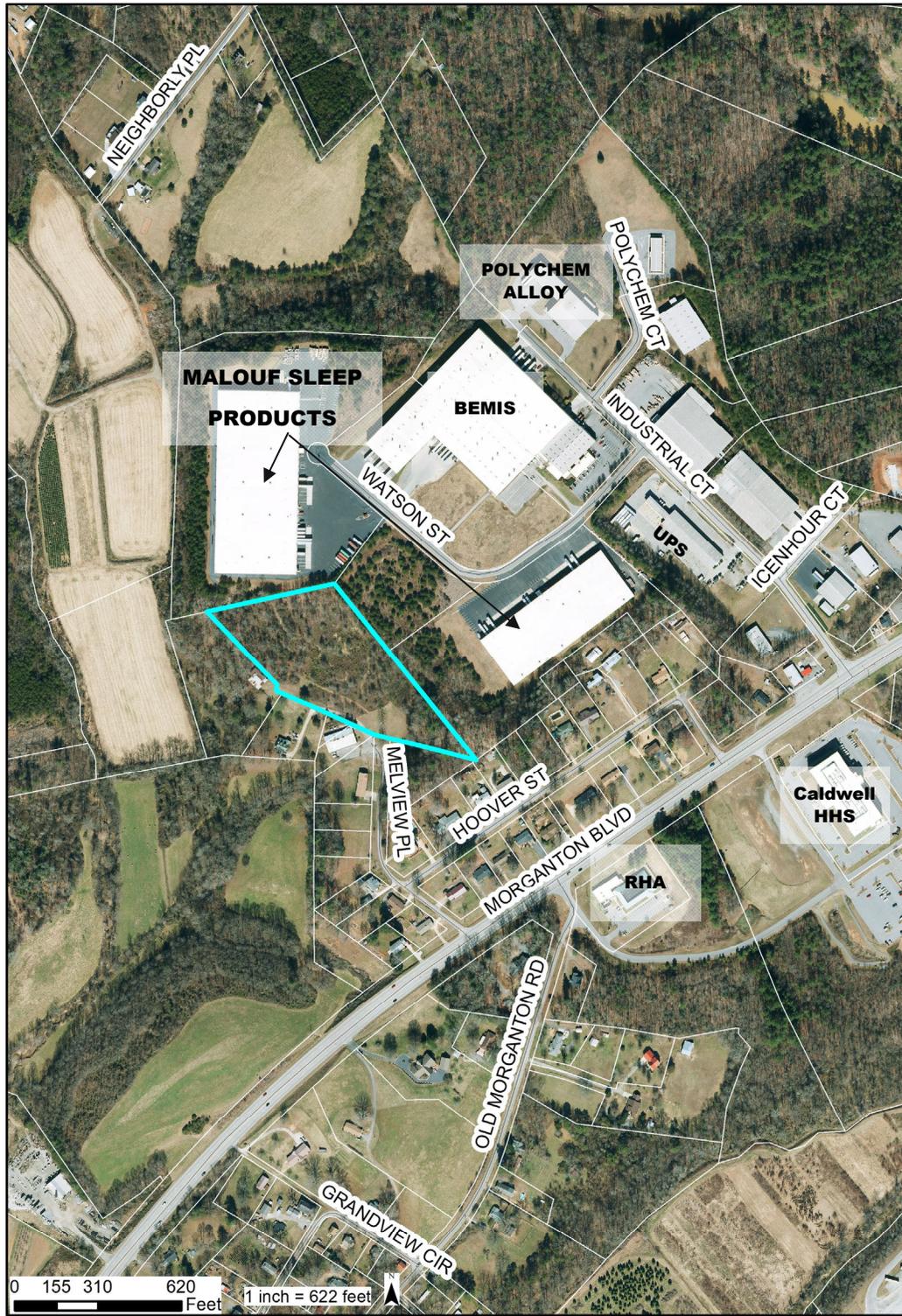


Subject Property   
City Limits 

**Proposed Zoning: R-R**



# AREA MAP



## BACKGROUND AND STAFF ANALYSIS

### Zoning Map Amendments

The City of Lenoir Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

### Reason for Request

This rezoning case rose from a minor subdivision review by staff. The owner, Barry Waters is seeking to create a lot out of a large tract of his land for his son and daughter-in-law to build a house. During the review, staff realized this intent and noted that the current zoning, Light Industrial (I-1) would not allow for the single family dwelling. In order to continue with their plans to build a house, the Waters family applied to rezone the tract to Rural-Residential (R-R).

### Intent of the Zoning Districts

I - 1 (Light Industrial) District is established to provide regulations for the development of areas generally devoted to light manufacturing, processing and assembly uses, warehousing, retail storage and other compatible uses that are limited in noise, obnoxious odors, with little to no adverse effects on adjacent areas. Some mixture of retail, wholesale, and industrial development may occur in this district, but residential uses are prohibited.

R - R (Rural Residential) District is intended to develop and maintain, in keeping with the existing and future land development patterns, those areas of extraterritorial jurisdiction for low density single family residences, double wide manufactured homes, and compatible uses. The regulations for this district are designed to stabilize and encourage a healthful environment for family life in areas where public or community water or public sewer may not be available. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

### Subject and Surrounding Properties

The subject property is located at the end of Melview Place in the Extra-territorial Jurisdiction (ETJ). The 6.2 acre tract is owned by Barry Waters, as are other adjacent tracts of land. Melview Place is a residential street off of Morganton Boulevard. Melview accesses a small block of midsize single family homes in the R-12 zoning district, served by city water and sewer utilities. As Melview heads north into the ETJ, the zoning changes to R-R. There are two single-family homes owned by members of the Waters family at the end of Melview Place, both served by the City's water system. There is also a large outbuilding, and a machine shop (117 Melview Pl).

The Waters land shares a boundary with the industrial park of Lenoir, where large manufacturing and distribution facilities such as UPS, Bemis, Malouf, and Polychem Alloy are located. The industrial park is also zoned I-1. At the time the industrial park was developing, the I-1 zoning district was chosen for most of the area to plan for future industrial uses. At the present, a single family home is the only planned development for the subject property.

### Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The subject property is identified as "existing nonresidential zone" on the future land use map of the Comprehensive Plan and does not offer a different use. Meanwhile, the land adjacent to the subject property and under the same ownership is designated as "existing low residential density." The Comprehensive Plan encourages policy that provides for housing. The plan also recommends that the ETJ be used for low-density residential purposes, as opposed to intense uses allowed by the industrial zoning districts. The applicant's request to rezone this property to residential would fulfill these policy concepts by allowing for the construction of a residence and preserve the rest of the tract from more intense uses.

# STAFF ANALYSIS CONTINUED

## Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and conditional uses for each zoning district. The I-1 zoning district allows for many nonresidential uses, such as light manufacturing and commercial businesses. The R-R zoning district allows for low density single-family residences, doublewide manufactured homes, duplexes, and other compatible land uses.

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## Comparison of Zoning Districts

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	I-1	R-R
Development Standards	Min Lot Size - 10,000 ft <sup>2</sup>	Min Lot Size - 20,000 ft <sup>2</sup>
	Setbacks	Setbacks
	Front: 25'	Front: 40'
	Side Yard: 0'	Side Yard: 15'
	Abutting side Street: 25'	Abutting side Street: 25'
	Minimum Rear Yard: 0'	Minimum Rear Yard: 35'
Summary of Permitted Uses	Accessory Cottage or Apartment	Accessory Cottage or Apartment
	Adult Business/Adult Gaming Establishment	Dwelling, Single/Two-Family/Group
	Day Care Centers	Doublewide manufactured home
	Kennels	
	Hospitals	
	Eating and Drinking (with or w/o drive through)	**For conditional uses see Section 600, Table A & B in Lenoir Zoning Ordinance**
	Flea Markets	
	Green Houses	
	Manufacturing & Processing (Artisan & Light)	
	Office/Clinics	
	Public Service Facility	
	Personal Storage	
	Indoor Recreation	
	Retail (Light & Intensive)	
	Services (Automotive, Major Vehicle, Business & Personal)	
	Indoor Shooting Range	
	Studios and Specialty Schools	
	Veterinarians	
	Warehousing	

# SUBJECT PROPERTY: END OF MELVIEW PLACE



Above: Facing subject property from existing driveway (northern exposure)

Right: Aerial view of property (yellow marks area where photos are taken)



Above: Western view of property



Right: End of Melview Place, before private driveway begins

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## STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board recommend approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on May 19, 2020:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates low-density residential construction in the ETJ, consistent with the policy concepts found in the plan. The proposed amendment is reasonable and in the public interest because it will preserve the rural character of the ETJ and prevent future intense uses in a low density area.

## PLANNING BOARD RECOMMENDATION

Permit Number	Project Name	Address	NC PIN	Date Issued
ZP 20-20	Barrington Dr- deck with roof	1007 Barrington Dr	2850753269	2/26/2020
ZP 21-20	Hole Lotta Doughnuts Drive Through	308 Morganton Blvd	2759161407	2/28/2020
ZP 22-20	908-912 West Ave- façade	908-912 West Ave	2749776433	3/6/2020
ZP 23-20	Timberlane Pl SFD	121 Timberlane Pl SE	2758826713	3/9/2020
ZP 24-20	Dollar General	2160 Morganton Blvd SW	2739909933	3/17/2020
ZP 25-20	Cypress Court- ramp	988 Cypress Ct	2749179544	3/18/2020
ZP 26-20	Spainhour St- handicap ramp	1242 Spainhour St SW	2749652143	3/18/2020
ZP 27-20	Kingdom Hall Site	2046 MORGANTON BLVD SW	2749004911	4/2/2020
ZP 28-20	Kingdom Hall SIGNS	2046 MORGANTON BLVD SW	2749004911	4/2/2020
ZP 29-20	Melody Ln Doublewide-pending	303 Melody Ln	2739975345	
ZP 30-20	101 Willow St wood replacement and paint	101 Willow St NW	2749669687	4/15/2020
ZP 31-20	Lower Creek EMS Signs	201 Taylorsville Rd	2850800851	4/15/2020
ZP 32-20	Valmead EMS Signs	235 Clark Dr NW	2840747741	4/15/2020